

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, BY AMENDING THE REGULATIONS OF PLANNED DEVELOPMENT PD NO. 3 LIGHT INDUSTRIAL “LI” RELATING TO THE DEVELOPMENT AND USE OF 2.563± ACRES OUT OF THE WILLIAM PERRIN SURVEY, ABSTRACT NO. 708, AND ADOPT A ZONING EXHIBIT, CONCEPT PLAN, AND BUILDING ELEVATIONS; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the governing body of the City of Allen, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Allen, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Texas, as previously amended, should be amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:**

**SECTION 1.** The Allen Land Development Code Zoning Regulations and the Zoning Map of the City of Allen, Collin County, Texas, as previously amended, be further amended by amending as set forth in Section 2, below, the regulations of Planned Development PD No. 3 Light Industrial “LI” relating to the development and use of 2.563± acres out of the William Perrin Survey, Abstract No. 708, City of Allen, Collin County, Texas, more particularly described in Exhibit “A,” attached hereto and incorporated herein by reference (“the Property”).

**SECTION 2.** The Property shall be developed and used in accordance with the applicable provisions of the Allen Land Development Code, as amended, (“ALDC”) and Area 1 of Planned Development “PD” No. 3 as set forth in Ordinance No. 368-10-81, as amended by Ordinance No. 2701-2-08, except to the extent modified by the Development Regulations set forth below:

**A. CONCEPT PLAN:** The Property shall be developed in general conformance with Exhibit “B” attached hereto and incorporated herein by reference (the “Concept Plan”). Minor modifications to streets and/or driveways that do not alter the general alignment shown on the Concept Plan may be made at the time of Site Plan approval.

**B. AREA REGULATIONS:** The building setbacks for the Property shall be as follows:

|                    |         |
|--------------------|---------|
| Front Yard Setback | 50 feet |
| Side Yard Setback  | 10 feet |
| Rear Yard Setback  | 25 feet |

**C. BUILDING ELEVATIONS:** Buildings constructed on the Property shall be designed and constructed in general conformance with the Building Elevations attached hereto as “Exhibit C” and incorporated herein by reference (“Building Elevations”).

- D. LANDSCAPE BUFFER:** Notwithstanding Section 4.a. of Ordinance No. 368-10-81, as amended by Section 2.b. of Ordinance No. 2701-2-08, the landscape buffer developed on the Property adjacent to Greenville Avenue (State Highway 5) may be reduced to not less than 20 feet wide as shown on the Concept Plan.
- E. SIGN SCHEDULE:** Signs installed on the Property shall be developed in general compliance with applicable provisions of the ALDC except that nameplate signs may be as modified below and illustrated in the Building Elevations:

|           | Maximum Height | Maximum Copy Area | Maximum Structure Area | Maximum Number | Minimum Spacing | Permit Required |
|-----------|----------------|-------------------|------------------------|----------------|-----------------|-----------------|
| Nameplate | 1.5 ft.        | 3 sq. ft.         | 3 sq. ft.              | 20             | 0.5 ft.         | No              |

**SECTION 3.** To the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City of Allen governing the use and development of the Property and which are not expressly amended by this Ordinance, the provisions of this Ordinance shall be controlling.

**SECTION 4.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, or of the Allen Land Development Code Zoning Regulations, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Allen Land Development Code Zoning Regulations, as amended hereby, which shall remain in full force and effect.

**SECTION 5.** An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Allen Land Development Code Zoning Regulations, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

**SECTION 6.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in Allen Land Development Code Zoning Regulations of the City of Allen, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense.

**SECTION 7.** This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Allen, and it is accordingly so ordained.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 14<sup>TH</sup> DAY OF JULY 2020.**

**APPROVED:**

\_\_\_\_\_  
**Debbie Stout, MAYOR**

**APPROVED AS TO FORM:**

**ATTEST:**

\_\_\_\_\_  
**Peter G. Smith, City Attorney**  
(kbl:6/25/2020:116435)

\_\_\_\_\_  
**Shelley B. George, TRMC, City Secretary**

**EXHIBIT "A"**  
**DESCRIPTION OF PROPERTY**

BEING a tract of land situated in the William Perrin Survey, Abstract No. 708, City of Allen, Collin County, Texas and being part of Tract L, Allen Business Center II, an addition to the City of Allen, Collin County, Texas according to the plat thereof recorded in Cabinet F, Page 724, Plat Records of Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a capped 1/2" iron rod stamped "4613" set for corner at the northwest corner of Tract L, said iron rod also being at the northeast corner of Tract KB, Allen Business Center II as recorded in Volume 2008, Page 392, P.R.C.C.T., said iron rod being in the south Right Of Way line of Prestige Circle, (60' ROW);

THENCE S 60°03'28" E following the south ROW line of Prestige Circle a distance of 424.97' to a capped 1/2" iron rod stamped "4613" set for corner at the intersection of the south ROW line of Prestige Circle and the west Right Of Way line of Greenville Avenue (variable width ROW);

THENCE S 29°56'35" W following the west ROW line of Greenville Avenue a distance of 175.35' to a capped 1/2" iron rod stamped "4613" set for corner;

THENCE S 60°03'25" E following the west ROW line of Greenville Avenue a distance of 10.00' to a capped 1/2" iron rod stamped "4613" set for corner;

THENCE S 29°56'35" W following the west ROW line of Greenville Avenue a distance of 54.64';

THENCE S 60°00'12" E following the west ROW line of Greenville Avenue a distance of 10.04' to a capped 1/2" iron rod stamped "4613" set for corner;

THENCE S 29°56'29" W following the west ROW line of Greenville Avenue a distance of 30.00' a aluminum cap found for corner in the south line of said Tract L;

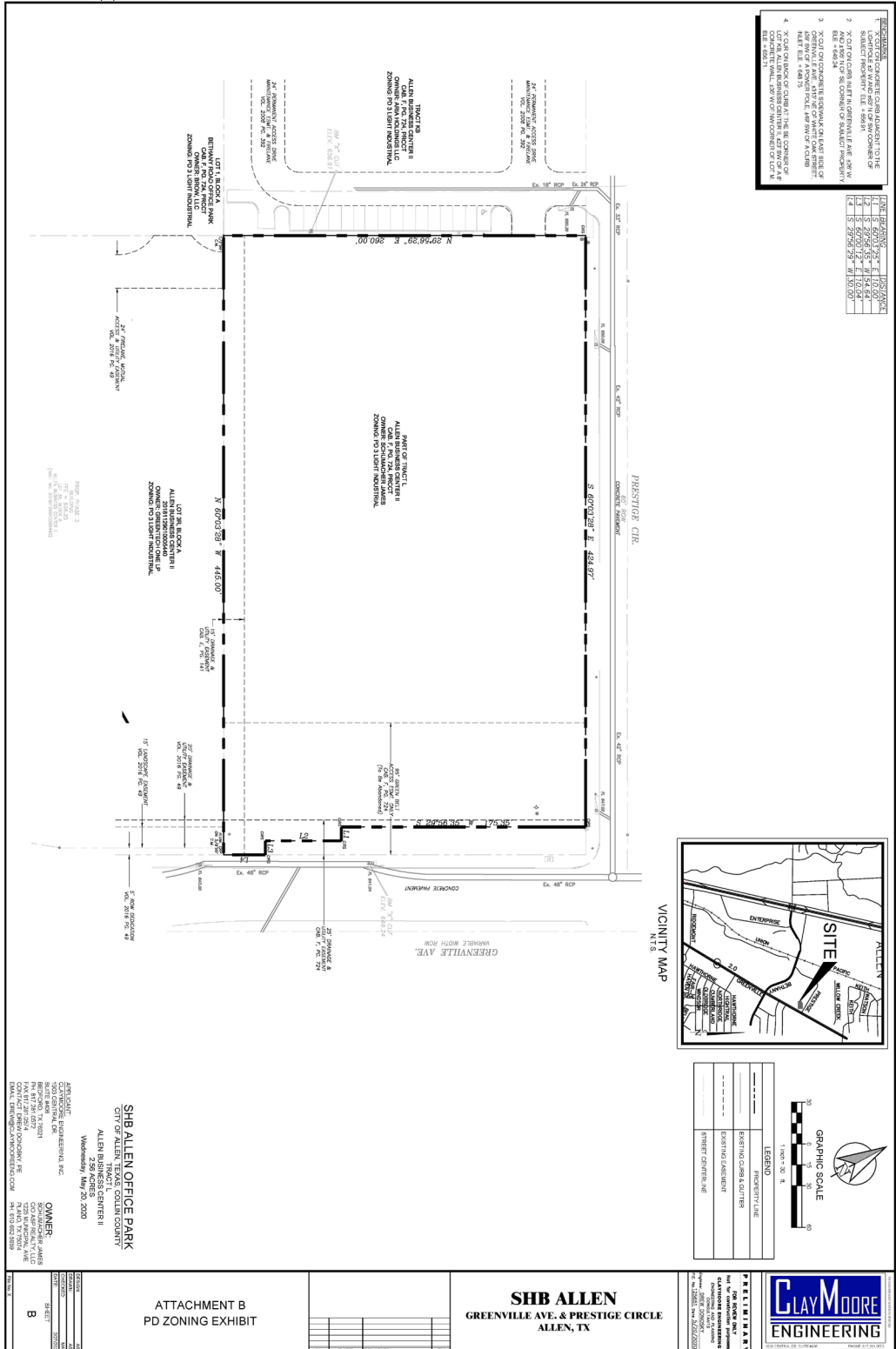
THENCE N 60°03'28" W following the south line of Tract L passing at 5.00' the northeast corner of Lot 2, Block A, Allen Business Center II as recorded in Volume 2016, Page 49, P.R.C.C.T. and continuing in all a distance of 445.00' to a 1/2" iron rod found for corner at the common corner of Lot 2, Tract L and Tract KB;

THENCE N 29°56'29" E following the east line of Tract KB a distance of 260.00' to the POINT OF BEGINNING and containing 111,639 Square Feet or 2.563 Acres of land.



# EXHIBIT "B" ZONING EXHIBIT

PLOTTED BY: DREW DONOSKY  
PLOT DATE: 5/20/2020 11:30 AM  
LOCATION: Z:\PROJECTS\PROJECTS\2020-033 SHB ALLEN\GADD\SHEETS\PD-B.DWG  
LAST SAVED: 4/24/2020 11:51 AM



PLOTTED BY: DREW DONOSKY  
PLOT DATE: 6/9/2020 9:23 AM  
LOCATION: Z:\PROJECTS\PROJECTS\2020-033 SHB ALLEN\CADD\SHEETS\PD-C.DWG  
LAST SAVED: 6/3/2020 5:00 PM

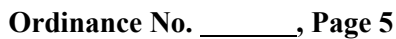


EXHIBIT "D" ELEVATIONS

