

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 GRANTING SPECIFIC USE PERMIT NO. 178 AUTHORIZING LOT 2, BLOCK A, GREENVILLE CENTER ADDITION, PRESENTLY ZONED AS CORRIDOR COMMERCIAL “CC” ZONING DISTRICT, TO BE USED FOR A RESTAURANT (DRIVE-IN OR THROUGH) USE; PROVIDING 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, the City Council has concluded that the Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Texas, as previously amended, should be further amended as follows:

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, be amended by granting Specific Use Permit No. 178 for Lot 2, Block A, Greenville Center Addition Lots 1-3, Block A, an addition to the City of Allen, Collin County, Texas, according to the plat thereof recorded in Volume 2009, Page 326, Map Records, Collin County, Texas (the “Property”), presently zoned Corridor Commercial “CC” Zoning District, to be used for a Restaurant (Drive-in or through) use subject to Section 2, below.

SECTION 2. The Property shall be used only in the manner and for the purposes provided for in the Allen Land Development Code Zoning Regulations, as heretofore amended, with respect to property located in a Corridor Commercial “CC” Zoning District, and, if developed and used for Restaurant (Drive-in or through) purposes, shall be subject to the following special conditions:

- A.** The Property shall be developed as shown on the SUP Site Plan attached hereto as Exhibit “A” and incorporated herein by reference; and,
- B.** Only Chick-Fil-A, Inc., or a legal entity owned or controlled by Cross Island Land Allen, LLC, is authorized by this Ordinance to use the Property for a Restaurant (Drive-in or through) use.

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 12TH DAY OF JANUARY 2021.

APPROVED:

Ken Fulk, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY
(kbl:12/11/2020:119659)

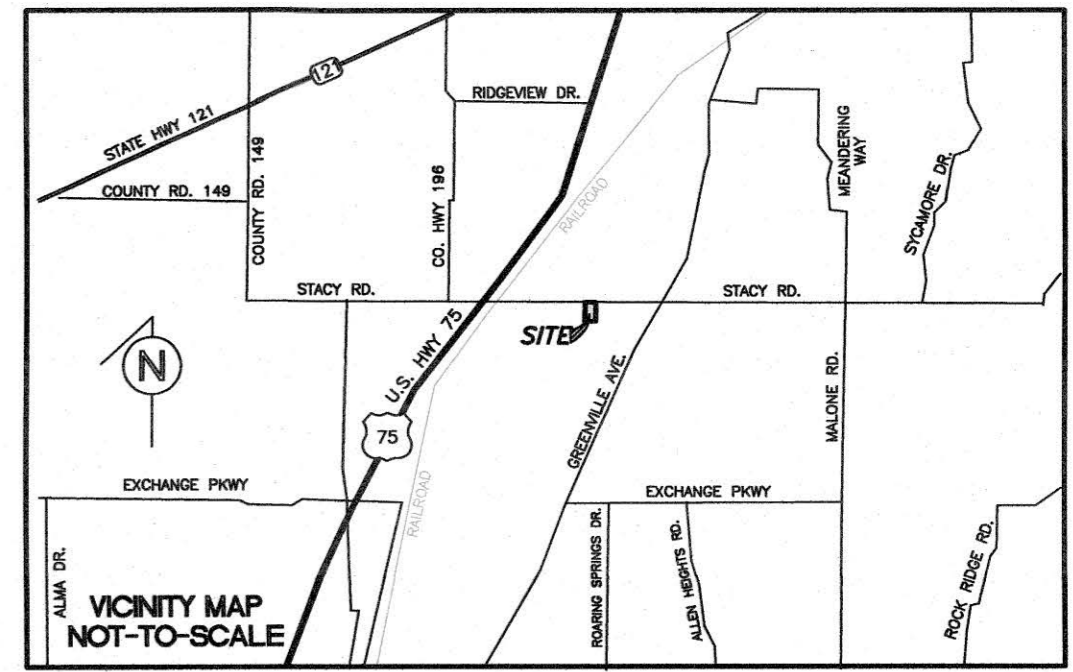
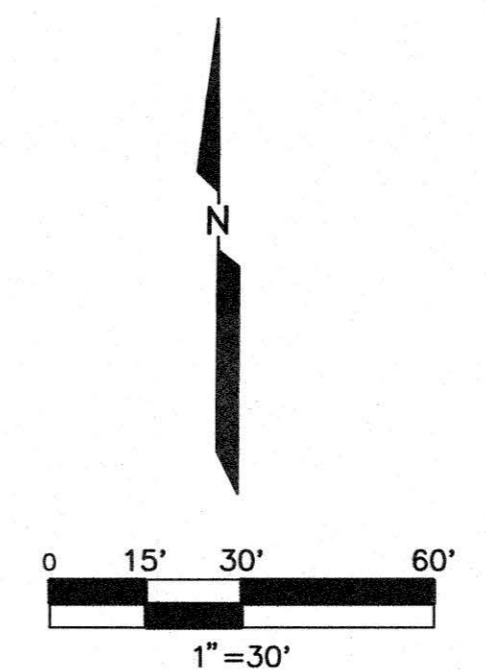
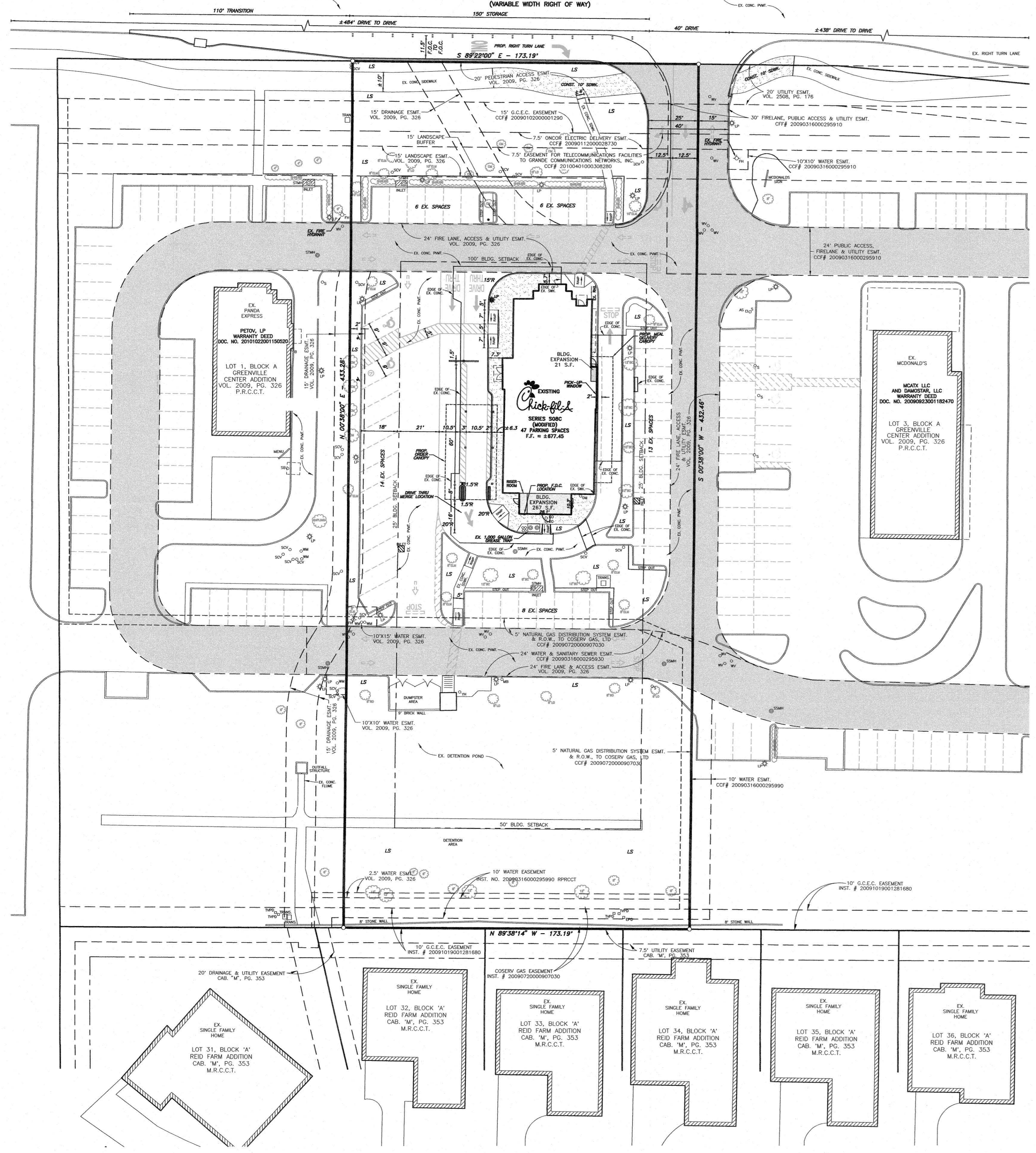
Shelley B. George, TRMC, CITY SECRETARY

EXHIBIT "A"
SUP SITE PLAN

LOT 10, BLOCK A
THE VILLAGE AT FAIRVIEW
VOL. 2007, PG. 18
P.R.C.C.T.

STACY RD.

(VARIABLE WIDTH RIGHT OF WAY)



VICINITY MAP

N.T.S.

LEGEND

- S SIGN
- F.H. FIRE HYDRANT
- X SET CHISELED "X" SET
- F.X. CHISELED "X" FOUND
- F.I.R. IRON ROD FOUND (SIZE AS NOTED)
- S.L.R. IRON ROD SET (SIZE AS NOTED)
- P.P. OVERHEAD UTILITY POLE W/ GUY
- U.T. UNDERGROUND ELECTRIC OR TELEPHONE
- L.P. LIGHT POLE
- S.S.M.H. SANITARY SEWER MANHOLE
- C.C. SAN. SWR. CLEAN OUT
- G.V. GAS VALVE
- W.V. WATER VALVE
- T. TREE
- M.H. MANHOLE (TYPE AS NOTED)
- S.B. BOX TRAFFIC SIGNAL BOX
- T.E.B. ELECTRIC TRANSFORMER BOX
- T. TOWER ELECTRIC TRANSMISSION STEEL TOWER
- C.M. UNDERGROUND CABLE MARKER
- T.B. TRAFFIC BOX
- S.C.V. SPRINKLER CONTROL VALVE
- E.M. ELECTRIC METER
- G.M. GAS METER
- F.P. FLAG POLE
- L.O. LIVE OAK
- R.O. RED OAK
- B.C. BALD CYPRESS
- C.M. CRAPE MYRTLE
- Y.H. YUPOON HOLLY
- L.S. LANDSCAPING
- S.S.I. STORM SEWER INLET
- EX. FIRE LANE

NOTES

1. ALL ON-SITE CONSTRUCTION SHALL BE IN ACCORDANCE WITH CURRENT CHICK-FIL-A SPECIFICATIONS AND/OR CITY STANDARD SPECIFICATIONS, WHICH EVER IS MORE RESTRICTIVE.
2. ALL CONSTRUCTION IN CITY RIGHT-OF-WAYS AND/OR EASEMENT SHALL BE IN ACCORDANCE WITH THE CITY'S STANDARD SPECIFICATIONS.
3. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL MAKE CERTAIN THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS AS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
4. THE CONTRACTOR SHALL GIVE THE CITY A MINIMUM OF 48 HOURS NOTICE BEFORE BEGINNING EACH PHASE OF CONSTRUCTION.
5. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES DURING THE CONSTRUCTION OF THIS PROJECT.
6. IF CONTRACTOR FINDS A DISCREPANCY WITH THE TOPOGRAPHIC INFORMATION ON THESE PLANS, HE/SHE SHALL CONTACT THE CONSTRUCTION MANAGER/ SUPERVISOR IMMEDIATELY.
7. ALL DIMENSIONS SHOWN ARE TO FACE OF CURB, BRICK, OR AS OTHERWISE NOTED.
8. REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS.
9. BUILDING IS PARALLEL AND PERPENDICULAR TO THE NORTH, EAST & WEST PROPERTY LINES.
10. ALL RADI ARE 2' UNLESS OTHERWISE NOTED.
11. APPLICANT SHALL COMPLY WITH CITY ORDINANCE, CHAPTER 6, HEALTH AND ENVIRONMENT; ARTICLE III, SOLID WASTE; SECTION 6-51 TO 6-80.
12. APPLICANT SHALL COMPLY WITH ALL IRRIGATION REGULATIONS IN V.T.C.A. ADMINISTRATIVE CODE TITLE 30, CHAPTER 344 RULES ESTABLISHED BY THE STATE OF TEXAS; AND REQUIREMENTS FOR IRRIGATION DESIGN AND WATER CONSERVATION SET IN THE ALLEN LAND DEVELOPMENT CODE SECTION 7.05.6, AND THE CITY OF ALLEN WATER CONSERVATION AND DROUGHT CONTINGENCY AND EMERGENCY RESPONSE PLAN.

SITE DATA

ZONING:	CC (CORRIDOR COMMERCIAL)
LOT AREA:	1,721.0 ACRES (74,969 S.F.)
PROPOSED USE:	DINE IN & DRIVE THRU RESTAURANT
EX. BUILDING AREA:	4,377 S.F.
PROP. BUILDING EXPANSION:	288 S.F.
TOTAL BUILDING AREA:	4,665 S.F.
EX. BUILDING AREA REMOVED:	224 S.F.
LOT COVERAGE:	6%
F.A.R.:	0.06:1
PARKING REQUIRED:	1 SPACE FOR EVERY 100 S.F.
	4,665/100 = 47 SPACES
PARKING PROVIDED:	47 SPACES (2 H.C.)
BUILDING HEIGHT:	25' (1 STORY)
REQUIRED LANDSCAPE AREA:	7,497 S.F. (0.17 ACRES - 10%)
EX. LANDSCAPE AREA:	33,347 S.F. (0.77 ACRES - 44.48%)
PROP. LANDSCAPE AREA:	32,340 S.F. (0.74 ACRES - 43.14%)
FRONT YARD SETBACK:	100' REQ'D: 110' PROVIDED
SIDE YARD SETBACK:	25' REQ'D: 49' PROVIDED
REAR YARD SETBACK:	50' REQ'D: 206' PROVIDED

OWNER:
CROSS ISLAND LAND ALLEN, LLC
225 EMERALD LANE
PALM BEACH, FLORIDA 33480

ARCHITECT:
MAYSE & ASSOCIATES, INC.
14811 QUORUM DRIVE, SUITE 800
DALLAS, TEXAS 75254
PHONE: (972) 386-0338
CONTACT: CHRISTOPHER STRONG

APPLICANT:
CHICK-FIL-A, INC.
5200 BUFFINGTON ROAD
ATLANTA, GEORGIA 30349
PHONE: (404) 765-8000
CONTACT: PATRICK THOMPSON

ENGINEER:
BURGER ENGINEERING, LLC
TEXAS REGISTERED ENGINEERING FIRM F-12997
17103 PRESTON ROAD, SUITE 180N
DALLAS, TEXAS 75248
PHONE: (972) 630-3360
CONTACT: BRYAN M. BURGER, P.E.

SURVEYOR:
DODSON-THOMPSON-MANSFIELD, PLLC
CERTIFICATE OF AUTHORIZATION NO. 10194154
20 NE 38TH STREET
OKLAHOMA CITY, OKLAHOMA 73105
PHONE: (405) 601-7402
CONTACT: RANDY MANSFIELD, R.P.L.S.

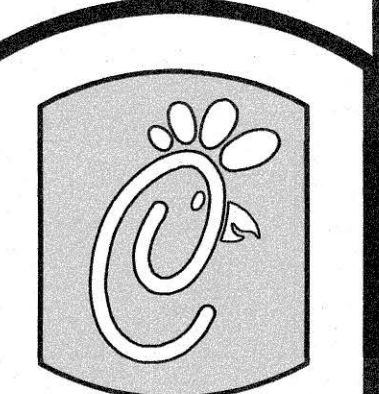
SUBMITTAL DATE: OCTOBER 30, 2020

BENCHMARK - BM 1		BENCHMARK - BM 2	
ELEVATION	674.63	ELEVATION	676.90
MONUMENT	CUT "X"-NW COR. CONC. SLAB	MONUMENT	CUT "X" ON TOP OF CURB
LOCATION	AROUND STW & MOST NORTHERLY ROW OF PARKING & NW SIDE OF CFA LOT	LOCATION	NE CORNER OF PARKING STALL WEST OF SIDEWALK & NORTH OF PANDA EXPRESS BLDG.



BURGER ENGINEERING
Civil Consultants

17103 Preston Road, Suite 180N
Dallas, Texas 75248
Office: 972.630.3360 Fax: 972.630.3380
TBPE F-12997



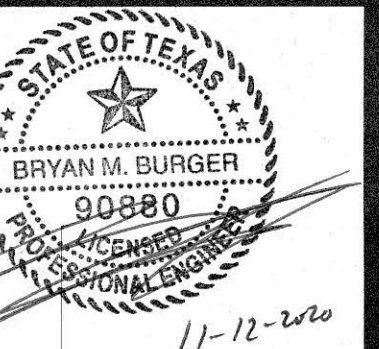
Chick-fil-A
5200 Buffington Rd.
Atlanta Georgia,
30349-2998

Revisions:

Mark Date By

Mark Date By

Mark Date By



350 E. STACY ROAD
LOT 2, BLOCK A (1.7210 ACRES)
GREENVILLE CENTER ADDITION
CITY OF ALLEN, TEXAS
COLLIN COUNTY, TEXAS

STORE
SERIES
S08C
(MODIFIED)

SHEET TITLE
SUP SITE PLAN

For Permit
 For Bid
 For Construction

Job No. : 013-240

Store : 02354

Date : 07/25/17

Drawn By : RMP

Checked By: BMB

Sheet