ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE SITE PLAN FOR THE USE AND DEVELOPMENT OF LOT 1, BLOCK A, AVH KENNELS ADDITION, AND ADOPTING A SITE PLAN FOR THE USE AND DEVELOPMENT OF LOT 2, BLOCK A, AVH KENNELS ADDITION, CITY OF ALLEN, COLLIN COUNTY, TEXAS, LOCATED IN PLANNED DEVELOPMENT NO. 5 ("PD NO. 5") FOR SHOPPING CENTER "SC" USES; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED $2,000; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Allen, in compliance with the laws of the State of Texas and the ordinances of the City of Allen, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearings and afforded a full and fair hearing to all property owners, generally, and to all persons interested and situated in the affected area, and in the vicinity thereof; and,

WHEREAS, in accordance with Section 2 of City of Allen Ordinance No. 370-10-81, which established Planned Development No. 5 ("PD No. 5") for Shopping Center "SC" use, at its regular meeting held on February 2, 2021, the Planning and Zoning Commission approved the Site Plan attached hereto as Exhibit "A" and forwarded it to the City Council for consideration; and,

WHEREAS, the governing body of the City of Allen, in the exercise of its legislative discretion, has concluded that in accordance with Ordinance No. 370-10-81, the Site Plan for the development and use of Lots 1 and 2, Block A, AVH Kennels Addition, an addition to the City of Allen, according to the plat thereof recorded in Volume 2014, Page 191, Plat Records, Collin County, Texas ("the Property") and located within PD No. 5 should be approved.

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

SECTION 1. In accordance with Section 2 of City of Allen Ordinance No. 370-10-81, the Site Plan attached hereto as Exhibit "A," and incorporated herein by reference ("the Site Plan"), relating to the use and development of the Property is hereby approved.

SECTION 2. The Property shall be used and developed in accordance with the Site Plan. In addition, outdoor animal runs shall be installed and located in conformance with Section 6.06.12 of the Allen Land Development Code as shown on the Site Plan.

SECTION 3. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Allen and the provisions of this Ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling. With respect to any site plan for the use and development of the Property approved prior to the effective date of this Ordinance, such prior site plan shall be deemed to be amended and replaced by the Site Plan attached hereto but only to the extent that the previously adopted site plan affects the Property, it being the intent that any site plan or portion of site plan previously approved with respect to the use and development of any property located within PD No. 5 other than the Property shall remain in full force and affect.

SECTION 4. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Allen Land Development Code, 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, 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 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 of the caption 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 23RD DAY OF FEBRUARY 2021.

APPROVED:

_____

Kenneth M. Fulk, MAYOR

APPROVED AS TO FORM:

_____

Peter G. Smith, CITY ATTORNEY

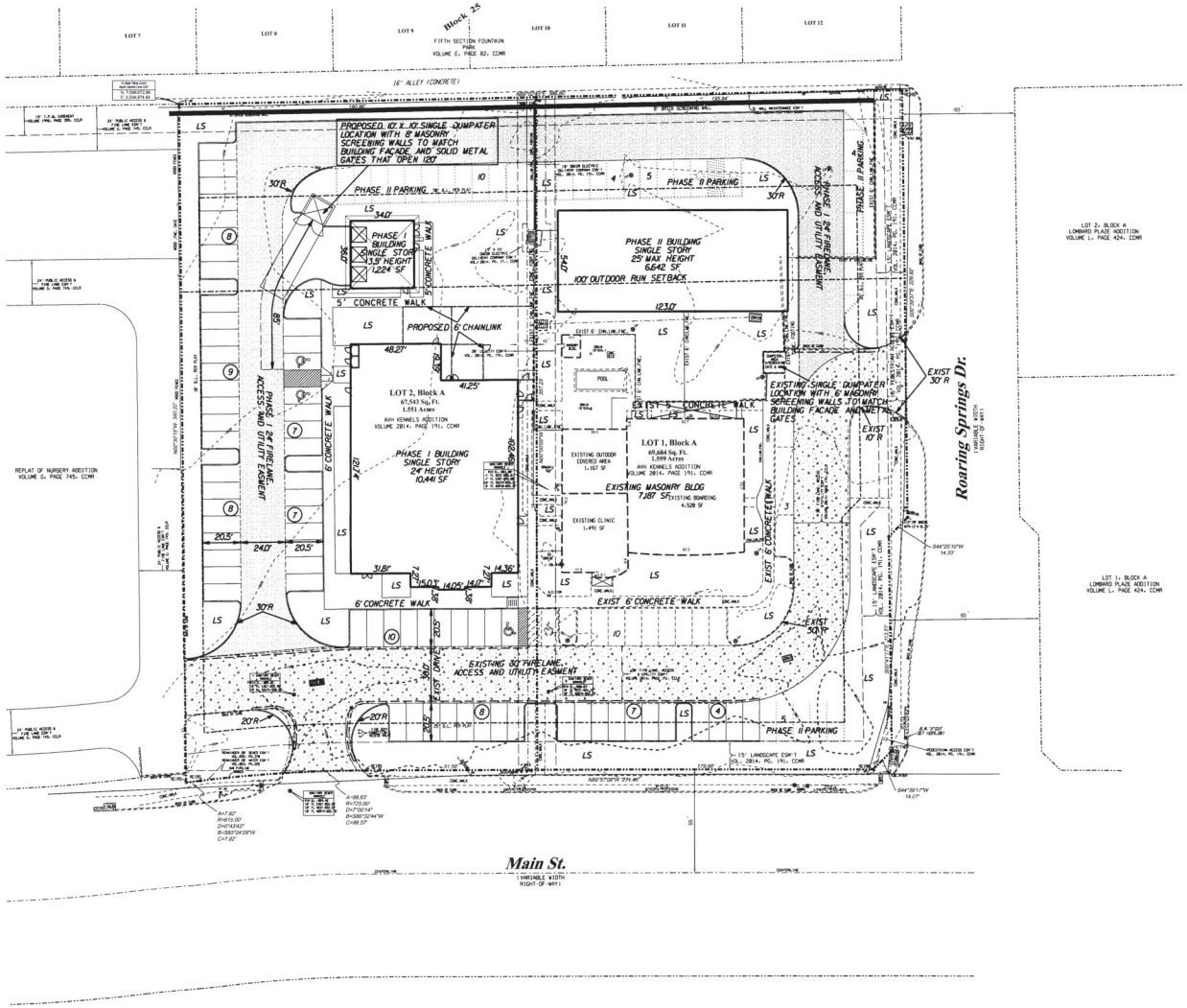
(kbl:1/28/2021:120366)

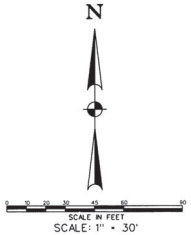
ATTEST:

_____

Shelley B. George, TRMC, CITY SECRETARY

EXHIBIT "A"
SITE PLAN





LOCATION MAP
MAPSCO PAGE 560-G

LOT 1, BLOCK A - AVH KENNELS ADDITION

1. ZONING: PD-5, SC - PLANNED DEVELOPMENT BASED ON SHOPPING CENTER
2. PROPOSED USE: VET CLINIC
3. PROPERTY AREA: 69,684 SF - 1.559 ACRES
4. BUILDING AREA: VET CLINIC - 1,491 SF (EXISTING)
   BOARDING - 4,520 SF (EXISTING)
   COVERED AREA - 1,167 SF (EXISTING)
   TOTAL - 7,187 SF (EXISTING)
   PHASE II BUILDING AREA: 6,642 SF
5. BUILDING HEIGHT: 1 - STORY - 24' MAX
6. LOT COVERAGE: 10.31% (EXISTING) - 19.85 % (ULTIMATE)
   F.A.R. = 0.10:1 (EXISTING) - 0.20:1 (ULTIMATE)
7. PARKING REQUIRED: VET HOSPITAL 1 SPACE/200 SF (1,491 SF) = 8 SPACES
   PHASE II 1 SPACE/200 SF (6,642 SF) = 34 SPACES
   TOTAL = 42 SPACES
8. PARKING PROVIDED: EXISTING 12 SPACES + 1 ACCESSIBLE = 13 SPACES
   PHASE I = 11 SPACES
   PHASE II = 16 SPACES + 2 ACCESSIBLE = 18 SPACES
   TOTAL = 42 SPACES
9. TOTAL SQUARE FOOTAGE OF IMPERVIOUS SURFACE: 41,532 SF
10. LANDSCAPE REQUIRED: (10% GROSS AREA) = 6,968 SF
    LANDSCAPE PROVIDED: 26,551 SF

LOT 2, BLOCK A - AVH KENNELS ADDITION

1. ZONING: PD-5, SC - PLANNED DEVELOPMENT BASED ON SHOPPING CENTER
2. PROPOSED USE: VET CLINIC
3. PROPERTY AREA: 67,543 SF - 1.551 ACRES
4. BUILDING AREA: VET CLINIC - 10,441 SF
   GARAGE - 1,224 SF
5. BUILDING HEIGHT: 1 - STORY - 25' MAX
6. LOT COVERAGE: 17.27%
   F.A.R. = 0.1711
7. PARKING REQUIRED: VET HOSPITAL 1 SPACE/200 SF (10,441 SF) = 52 SPACES
   WAREHOUSE 1 SPACE/2000 SF (1,224 SF) = 1 SPACES
   TOTAL = 53 SPACES
8. PARKING PROVIDED: 54 SPACES + 3 ACCESSIBLE = 57 SPACES
   PHASE II PARKING - 10 SPACES = 67 ULTIMATE SPACES
9. TOTAL SQUARE FOOTAGE OF IMPERVIOUS SURFACE: 41,532 SF
10. LANDSCAPE REQUIRED: (10% GROSS AREA) = 6,755 SF
    LANDSCAPE PROVIDED: 16,557 SF

SITE PLAN NOTES:

APPLICANT SHALL COMPLY WITH CITY ORDINANCE, CHAPTER 6, HEALT AND ENVIRONMENTAL, ARTICLE III, SOLID WASTE, SECTIONS 6-51 TO 6-80.

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

OWNER:
ALLEN VETERINARY HOSPITAL
803 E MAIN STREET, STE A
ALLEN, TEXAS 75002
ALAN COFFMAN
(972) 727-8383

ENGINEER:
HELMBERGER ASSOCIATES, INC.
1525 BOZMAN ROAD
WYLIE, TEXAS 75098
RANDALL T. HELMBERGER, PE
(972) 442-7459

ARCHITECT:
BROWN BROWN AND ASSOCIATES
5221 PROSPECT STREET
McKINNEY, TEXAS 75071
HARDY BROWN
(214) 403-2063

SITE PLAN

ALLEN VETERINARY HOSPITAL

LOT 1 & LOT 2, BLOCK A - AVH KENNELS ADDITION

803 E MAIN ST - ALLEN, TEXAS

TBPE REGISTRATION No. F-000756
HELMBERGER ASSOCIATES, INC.
CIVIL AND ENVIRONMENTAL ENGINEERS
1525 BOZMAN ROAD, WYLIE, TEXAS 75098 (972) 442-7459

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
HELM.	CADD	NOVEMBER 2020	1"=30'	SPLAN	2020-39	C1