

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, RELATING TO THE USE AND DEVELOPMENT OF 34.2± ACRES OUT OF THE FRANCIS DOSSER SURVEY, ABSTRACT NO. 280, PRESENTLY ZONED AS PLANNED DEVELOPMENT NO. 43 WITH A BASE ZONING OF GARDEN OFFICE (GO) AND PLANNED DEVELOPMENT NO. 43 WITH A BASE ZONING OF MULTIFAMILY RESIDENTIAL (MF-18) BY CHANGING THE ZONING TO CREATE PLANNED DEVELOPMENT NO. 146 WITH A BASE ZONING OF SINGLE-FAMILY RESIDENTIAL (R-5) AND ADOPTING DEVELOPMENT REGULATIONS, A ZONING EXHIBIT, A CONCEPT PLAN, AN OPEN SPACE PLAN, AND A SCREENING PLAN; 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 amended, are hereby further amended by changing the zoning regulations relating to the development and use of 34.2± acres out the Francis Dossier Survey, Abstract No. 280 described in “Exhibit A”, attached hereto and incorporated herein by reference (the “Property”), which is presently zoned as Planned Development No. 43 Garden Office (GO) and Planned Development No. 43 Multifamily Residential (MF-18) by changing the zoning to create Planned Development No. 146 for Single-Family uses with a base zoning of Single-Family Residential (R-5), subject to the use and development regulations set forth in Section 2 of this ordinance.

SECTION 2. The Property shall be developed and used in accordance with the provisions of the Allen Land Development Code, as amended, (the “ALDC”) except to the extent modified by the Development Regulations set forth below:

- A. BASE ZONING DISTRICT:** The Property shall be developed and used only in accordance with the regulations of the Single-Family Residential District (R-5) zoning district except as otherwise provided in this Section 2.
- B. CONCEPT PLAN:** The Property shall be developed in general conformance with the Concept Plan attached hereto as Exhibit “B” and incorporated herein by reference (the “Concept Plan”). Minor modifications to streets that do not alter the general alignment shown on the Concept Plan may be made at the time of Final Plat approval.

- C. LOT DESIGN CRITERIA AND BUILDING SETBACKS:** The minimum lot dimensions and building setbacks shown on the Concept Plan shall be modified as follows with respect to the identified lots:

Minimum Lot Width (Lots 7, 8, 9, and 10, Block D; Lots 13 and 14, Block E; Lots 6, 7,8, and 44, Block F only)	62.5 feet
Minimum Front Yard Setback	20 feet
Minimum Front Yard Setback (Lots 1, 2 and 3, Block A; and Lots 44, 45, and 46, Block F only)	30 feet
*Minimum Side Yard Setback	6 feet
Minimum Side Yard Setback for side yards adjacent to a public street (except as provided below)	15 feet
Minimum Side Yard Setback for the side yards adjacent to the public streets for Lots 8 and 10, Block C; Lot 6, Block D; and Lot 5, Block E	20 feet
Minimum Garage Setbacks	25 feet, except for Lots 1, 2 and 3, Block A and Lots 44, 45, and 46, Block E, which shall be 30 feet

*Section 8.06.1.a.iii of the ALDC shall not apply to Lots 7 and 11, Block C; Lots 5 and 10, Block D; and Lot 6, Block E.

- D. FENCING ON KEY LOTS:** Fences cannot be constructed less than twenty feet (20') from the side property line adjacent to the public right-of-way for Lots 8 and 10, Block C; Lot 6, Block D; and Lot 5, Block E.
- E. PRIVATE DRAINAGE EASEMENTS:** The declaration of covenants, conditions, and restrictions required to be prepared and recorded pursuant to Section 8.20 of the ALDC shall in substance provide for the Homeowners Association (HOA) the right and obligation to maintain the five-foot-wide (5') Private Drainage Easement (PDE) and flume shown on the Concept Plan on Lots 1 through 14, Block G.
- F. TRAFFIC IMPROVEMENTS:** Construction of the (1) eastbound hooded left turn lane on Stacy Road and (2) northbound left turn lane on Watters Road as shown on the Concept Plan must be completed and accepted by the City prior to issuance of a building permit for any dwelling unit on any lot constructed within the Property.
- G. OPEN SPACE:** All open spaces on the Property shall be developed in general conformance with the Open Space Plan attached hereto as Exhibit "C".
- H. SCREENING PLAN:** All screening on the Property shall be developed in general conformance with the Screening and Buffering Plan attached hereto as Exhibit "D".

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 28TH DAY OF SEPTEMBER 2021.

APPROVED:

Kenneth M. Fulk, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY
(kbl:8/23/2021:124341)

Shelley B. George, TRMC, CITY SECRETARY

BEING A TRACT OF LAND LOCATED IN THE FRANCIS DOSSER SURVEY, ABSTRACT NO. 280, CITY OF ALLEN, COLLIN COUNTY, TEXAS AND BEING A PART OF A TRACT OF LAND DESCRIBED IN DEED TO PAUL LEHNER AND VIRGINIA LEHNER, RECORDED IN INSTRUMENT NO. 92-088483, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS AND BEING PART OF A TRACT OF LAND FORMERLY KNOWN AS COUNTY ROAD 150 ABANDONED BY CITY ORDINANCE 2379-3-05, RECORDED IN VOLUME 6075, PAGE 4231, DEED RECORDS, COLLIN COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN "X" SET IN CONCRETE ON THE SOUTHEAST CORNER OF AN EXISTING SIDEWALK AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF WATTERS ROAD, A VARIABLE WIDTH RIGHT-OF-WAY, WITH THE SOUTH LINE OF SHADDOCK PARK, AN ADDITION TO THE CITY OF ALLEN, COLLIN COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET 2007, SLIDE 13, MAP RECORDS, COLLIN COUNTY, TEXAS (M.R.C.C.T.):

THENCE SOUTH 00°49'24" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 1,112.42 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" SET FOR CORNER;

THENCE SOUTH 44°17'36" WEST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 25.60 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" SET FOR CORNER IN THE NORTH RIGHT-OF-WAY LINE OF STACY ROAD, A VARIABLE WIDTH RIGHT-OF-WAY;

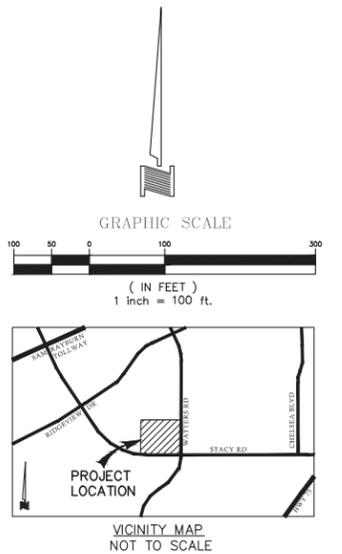
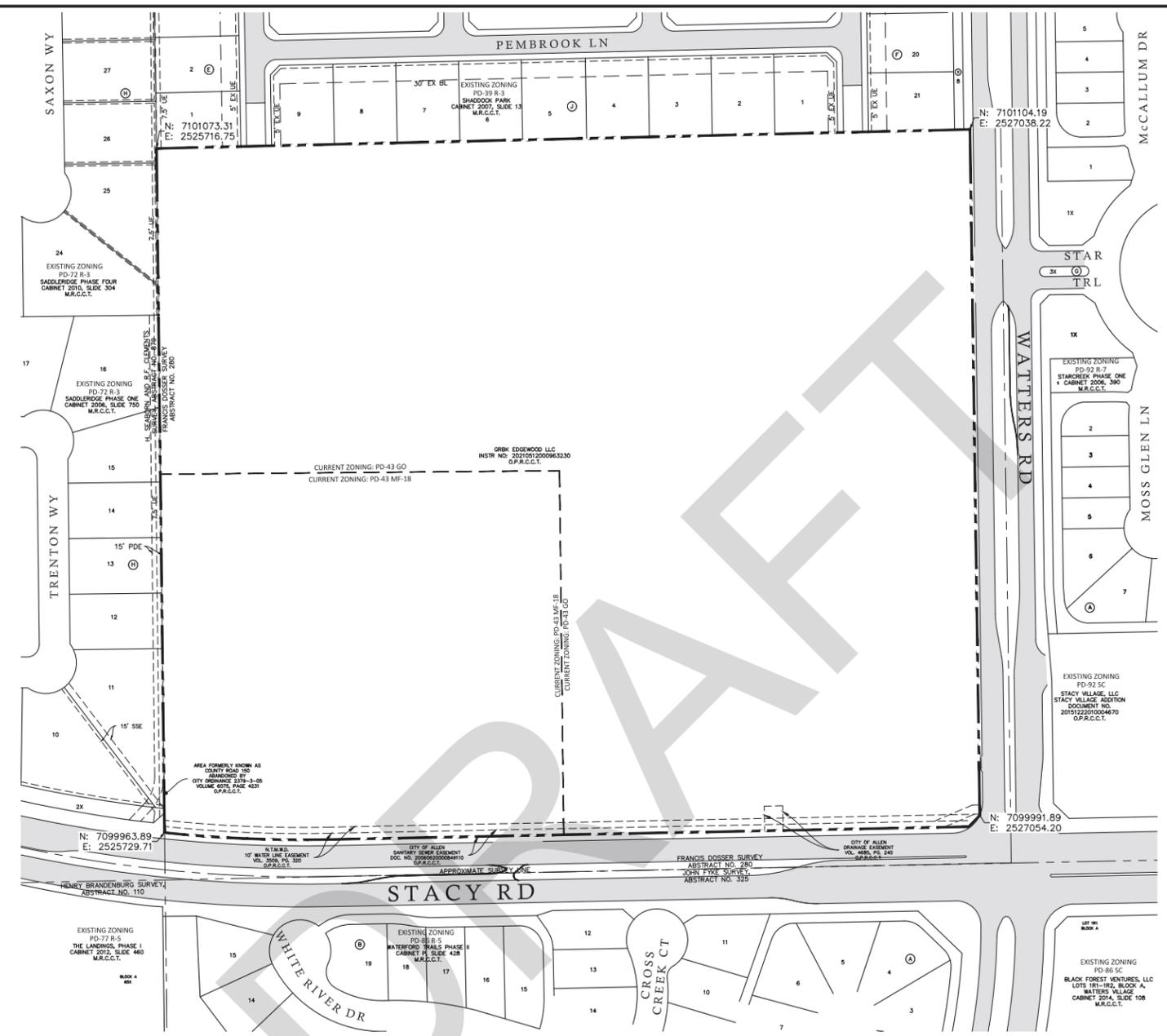
THENCE SOUTH 88°51'23" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 1,041.83 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" SET FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 07°06'24", A RADIUS OF 1,140.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 87°35'23" WEST, 265.26 FEET;

THENCE WESTERLY, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE AND ALONG SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 265.43 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" SET AT THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE WITH THE PROJECTED EAST LINE OF SADDLERIDGE PHASE ONE, AN ADDITION TO THE CITY OF ALLEN, COLLIN COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET 2006, SLIDE 750, M.R.C.C.T.;

THENCE NORTH 00°40'10" WEST, PASSING THE SOUTHEAST CORNER OF SAID SADDLERIDGE PHASE ONE AT A DISTANCE OF 31.53 FEET, AND CONTINUING, ALONG SAID EAST LINE OF SAID SADDLERIDGE PHASE ONE, PASSING AGAIN AT A DISTANCE OF 339.22 FEET A 1/2-INCH IRON ROD WITH A CAP STAMPED "DA" FOUND AT THE EAST COMMON CORNER OF SAID SADDLERIDGE PHASE ONE AND SADDLERIDGE PHASE FOUR, AN ADDITION TO THE CITY OF ALLEN, COLLIN COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET 2010, SLIDE 304, M.R.C.C.T., AND CONTINUING, ALONG THE EAST LINE OF SAID SADDLERIDGE PHASE FOUR, FOR A TOTAL DISTANCE OF 1,109.50 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" SET AT THE SOUTHWEST CORNER OF SAID SHADDOCK PARK.

THENCE NORTH 88°59'42" EAST, ALONG THE SOUTH LINE OF SAID SHADDOCK PARK, PASSING AT A DISTANCE OF 336.88 FEET A 1/2-INCH IRON ROD FOUND IN THE WEST LINE OF HERMITAGE DRIVE, A 50-FOOT RIGHT-OF-WAY, PASSING AGAIN AT A DISTANCE OF 800.81 FEET A 1/2-INCH IRON ROD FOUND AT THE SOUTH COMMON CORNER OF LOTS 3 AND 4, BLOCK J OF SAID SHADDOCK PARK, PASSING AGAIN AT A DISTANCE OF 1,156.83 FEET A 1/2-INCH IRON ROD FOUND IN THE EAST RIGHT-OF-WAY LINE OF WAREFIELD LANE, A 50-FOOT RIGHT-OF-WAY, AND CONTINUING FOR A TOTAL DISTANCE OF 1,321.83 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,491,273 SQUARE FEET OR 34.235 ACRES OF LAND, MORE OR LESS.

Seam Shropshire
SEAM SHROPSHIRE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5674
APRIL 19, 2021



LEGEND
OHE OVERHEAD ELECTRIC LINE
SSE SANITARY SEWER EASEMENT
PDE PUBLIC DRAINAGE EASEMENT
UE UTILITY EASEMENT

PLAN SUBMITTAL LOG

1ST SUBMITTAL TO CITY	2021-04-23
2ND SUBMITTAL TO CITY	2021-05-28
3RD SUBMITTAL TO CITY	2021-06-28
4TH SUBMITTAL TO CITY	2021-07-15

**PD/PD AMENDMENT
ZONING EXHIBIT
THE RESERVE AT WATTERS**

34.2 ACRES
124 DETACHED SINGLE FAMILY LOTS
7 OPEN SPACE / HOA LOTS
APRIL 23, 2021 SCALE: 1" = 100'

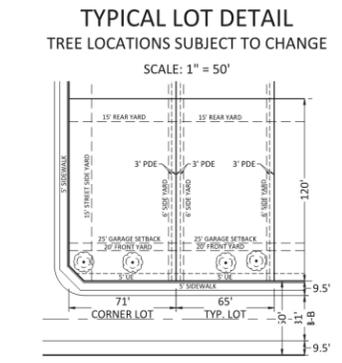
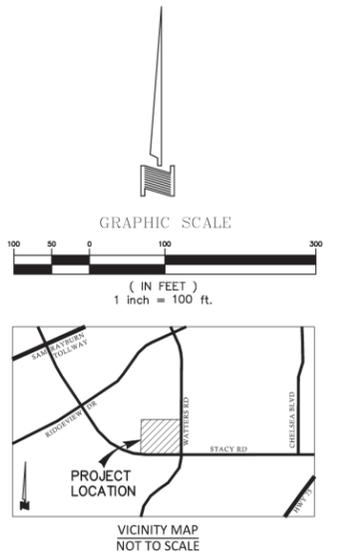
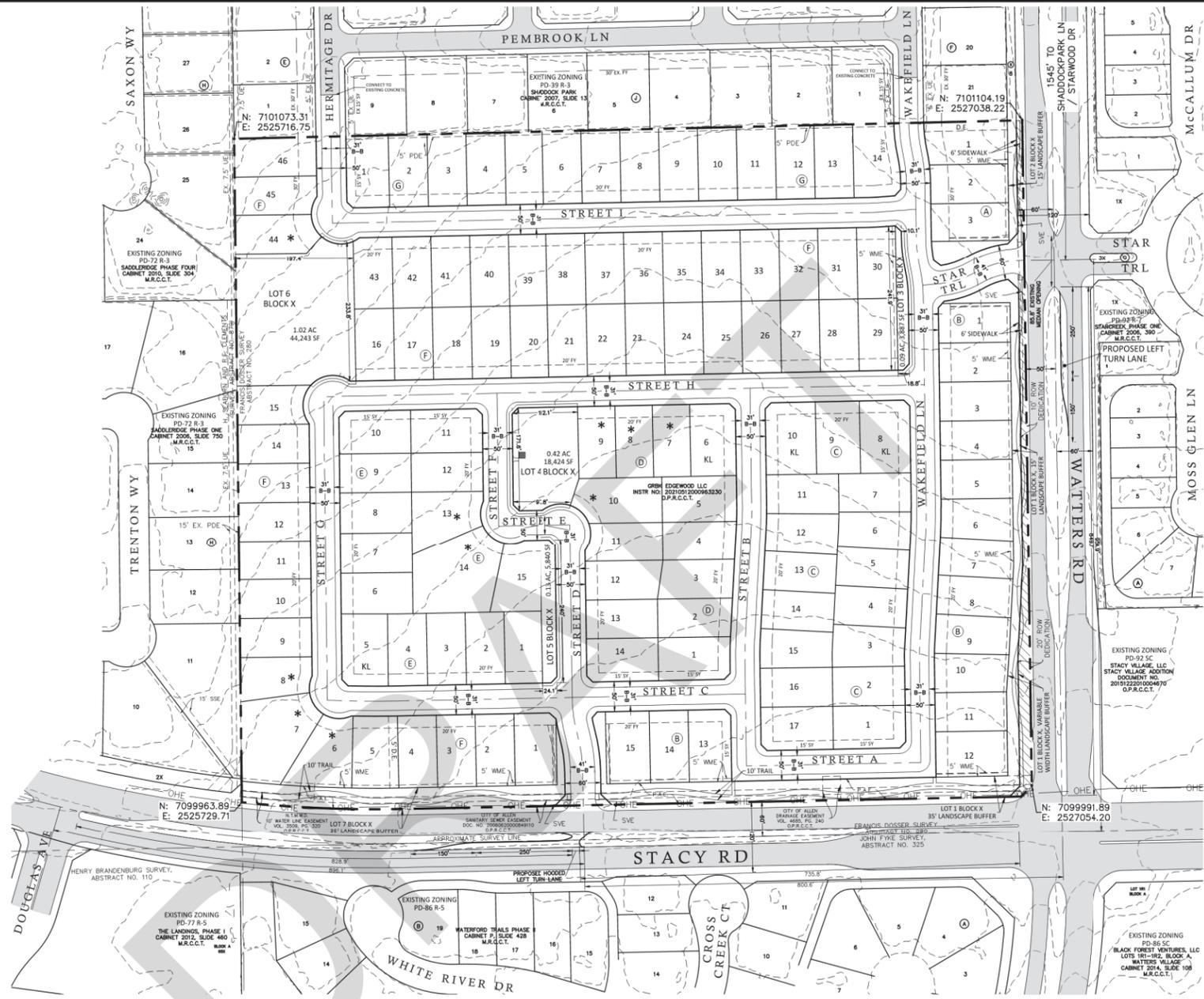
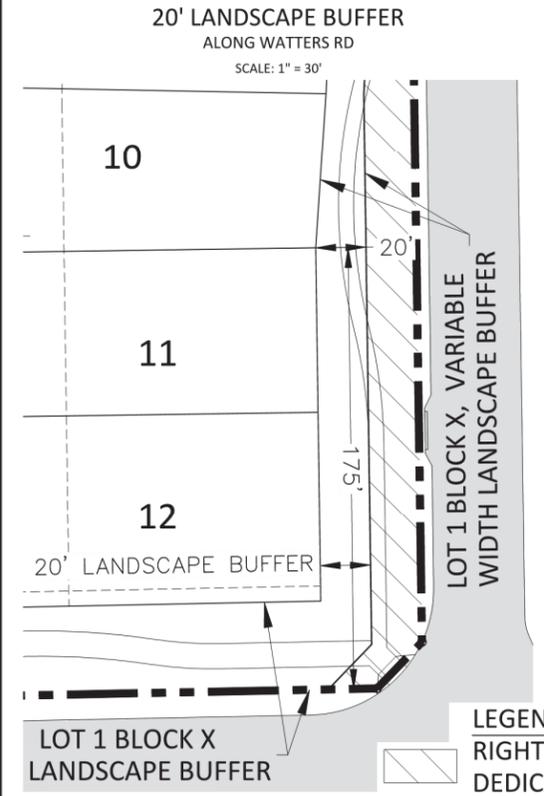
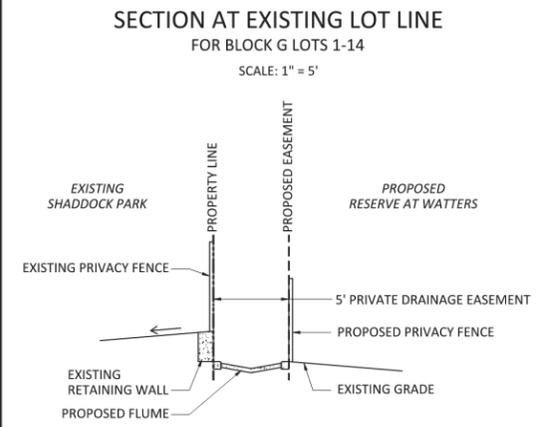
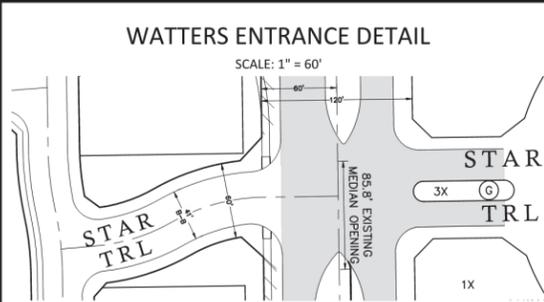
FRANCIS DOSSER SURVEY, ABSTRACT NO. 280
CITY OF ALLEN
COLLIN COUNTY, TEXAS

OWNER/DEVELOPER
GRBK EDGEWOOD LLC
2805 NORTH DALLAS PARKWAY SUITE 400
PLANO, TEXAS 75093
PHONE: (469) 573-6769
CONTACT: BOBBY SAMUEL

SURVEYOR
AXIS SURVEYING
P.O. BOX 575
WAXAHACHIE, TEXAS 75168
PHONE: (214) 903-8200
CONTACT: SEAN SHROPSHIRE

ENGINEER / PLANNER
DOWDEY, ANDERSON & ASSOCIATES, INC.
5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694
STATE REGISTRATION NUMBER: F-399
CONTACT: AARON HUNSAKER

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SITE DATA SUMMARY TABLE
Proposed uses: Single family residential
Existing zoning district: PD-43 GO & PD-43 MF-18
Proposed base zoning district: R-5
Gross site area: 34.2 acres or 1,409,752 sf
Lot coverage: 55%
FAR: N/A
Maximum height: 35' (2.5 stories)

RESIDENTIAL DATA SUMMARY TABLE
Area: 33.9 acres (net Watters ROW)
Required open space: 1.65 acres
Provided open space: 1.66 acres
Total gross density: 3.6 lots/acre
Total net density: 3.7 lots/acre (net Watters ROW dedication)
Total number of dwelling units by type: 124 lots at 65'x120' typ.
Lot count by typical lot size: 124 lots

OPEN SPACE CALCULATION
1 acre / 75 lots required
124 lots / 75 = 1.65 acres of open space required

NOTES
1. Phasing: Project will be constructed in one phase
2. Block X Lots 1, 2 & 7 includes a pedestrian access easement.
3. 5' Private Drainage Easement (PDE) on Block G Lots 1-14 are to be maintained by the Homeowners Association (HOA). The HOA shall maintain the flume located in the 5' PDE along the north property line of Block G Lots 1-14.
4. All lots shall have a 6' interior side yards including Block C Lots 7 & 11, Block D Lots 5 & 10 and block E Lot 6.

LEGEND
FY FRONT YARD
SY SIDE YARD
SVE SIGHT VISIBILITY EASEMENT
OHE OVERHEAD ELECTRIC LINE
WME WALL MAINTENANCE EASEMENT
D.E. DRAINAGE EASEMENT
SSE SANITARY SEWER EASEMENT
PDE PRIVATE DRAINAGE EASEMENT
UE UTILITY EASEMENT
P.A.E. PEDESTRIAN ACCESS EASEMENT
ROW RIGHT OF WAY
PROPOSED MAIL KIOSK LOCATION
B-B BACK OF CURB TO BACK OF CURB
LB LANDSCAPE BUFFER
* 62.5' LOT WIDTH DESIGNATION
KL KEY LOT
HOA HOME OWNERS ASSOCIATION
PDE PRIVATE DRAINAGE EASEMENT
RIGHT-OF-WAY DEDICATION

PLAN SUBMITTAL LOG

1ST SUBMITTAL TO CITY	2021-04-23
2ND SUBMITTAL TO CITY	2021-05-28
3RD SUBMITTAL TO CITY	2021-06-28
4TH SUBMITTAL TO CITY	2021-07-15
5TH SUBMITTAL TO CITY	2021-08-04
6TH SUBMITTAL TO CITY	2021-08-12

PD CONCEPT PLAN
THE RESERVE AT WATTERS
34.2 ACRES
124 DETACHED SINGLE FAMILY LOTS
7 OPEN SPACE / HOA LOTS
APRIL 23, 2021 SCALE: 1" = 100'

FRANCIS DOSSER SURVEY, ABSTRACT NO. 280
CITY OF ALLEN
COLLIN COUNTY, TEXAS

OWNER/DEVELOPER
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2805 NORTH DALLAS PARKWAY SUITE 400
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CALLOUTS LEGEND:

- 6'-0" HT. ORNAMENTAL METAL FENCE
- 3" CALIPER SHADE TREE.
- 3" CALIPER ORNAMENTAL TREE.
- 48" HT. EVERGREEN SHRUB ROW AT TIME OF PLANTING, SHRUBS AND GROUND COVER PLANTING. SPECIES SHALL BE CONSISTENT WITH THE RECOMMENDED PLANT LIST WITH THE CITY OF ALLEN.
- SHRUBS AND GROUND COVER PLANTING. SPECIES SHALL BE CONSISTENT WITH THE RECOMMENDED PLANT LIST WITH THE CITY OF ALLEN.
- TRASH RECEPTACLE
- PET WASTE STATION
- 20x15' SHADE STRUCTURE WITH CBU MAILBOXES UNDERNEATH
- 5' WIDTH CONCRETE SIDEWALK
- OPEN PLAY AREA
- 18" HT. STONE SEAT WALL



THE RESERVE AT WATTERS / CONCEPTUAL OPEN SPACE PLANS

City of Allen, Collin County, Texas

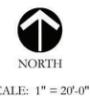
SHEET 3 OF 5
Submittal 6-16-2021





CALLOUTS LEGEND:

- 6'-0" HT. ORNAMENTAL METAL FENCE
- 3" CALIPER SHADE TREE.
- 3" CALIPER ORNAMENTAL TREE.
- 48" HT. EVERGREEN SHRUB ROW AT TIME OF PLANTING,
- SHRUBS AND GROUND COVER PLANTING. SPECIES SHALL BE CONSISTENT WITH THE RECOMMENDED PLANT LIST WITH THE CITY OF ALLEN.
- TRASH RECEPTACLE
- PET WASTE STATION
- MOVABLE TABLES AND CHAIRS
- 20x40' SHADE STRUCTURES WITH TABLES BENEATH
- 5' WIDTH CONCRETE SIDEWALK
- OPEN PLAY AREA
- EVENT LAWN WITH STRING LIGHTING AND ARTIFICIAL TURF GRASS.
- PLAYGROUND FACILITY
- 18" HT. STONE SEAT WALL
- RAISED GAS FIRE PIT



SCALE: 1" = 20'-0"

THE RESERVE AT WATTERS / CONCEPTUAL OPEN SPACE PLANS

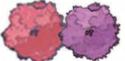
City of Allen, Collin County, Texas

SHEET 4 OF 5
 Submittal 6-16-2021





CALLOUTS LEGEND:

-  6'-0" HT. ORNAMENTAL METAL FENCE
-  6'-0" HT. BOARD ON BOARD WOOD FENCE
-  3" CALIPER SHADE TREE.
-  3" CALIPER ORNAMENTAL TREE.
-  48" HT. EVERGREEN SHRUB ROW AT TIME OF PLANTING.



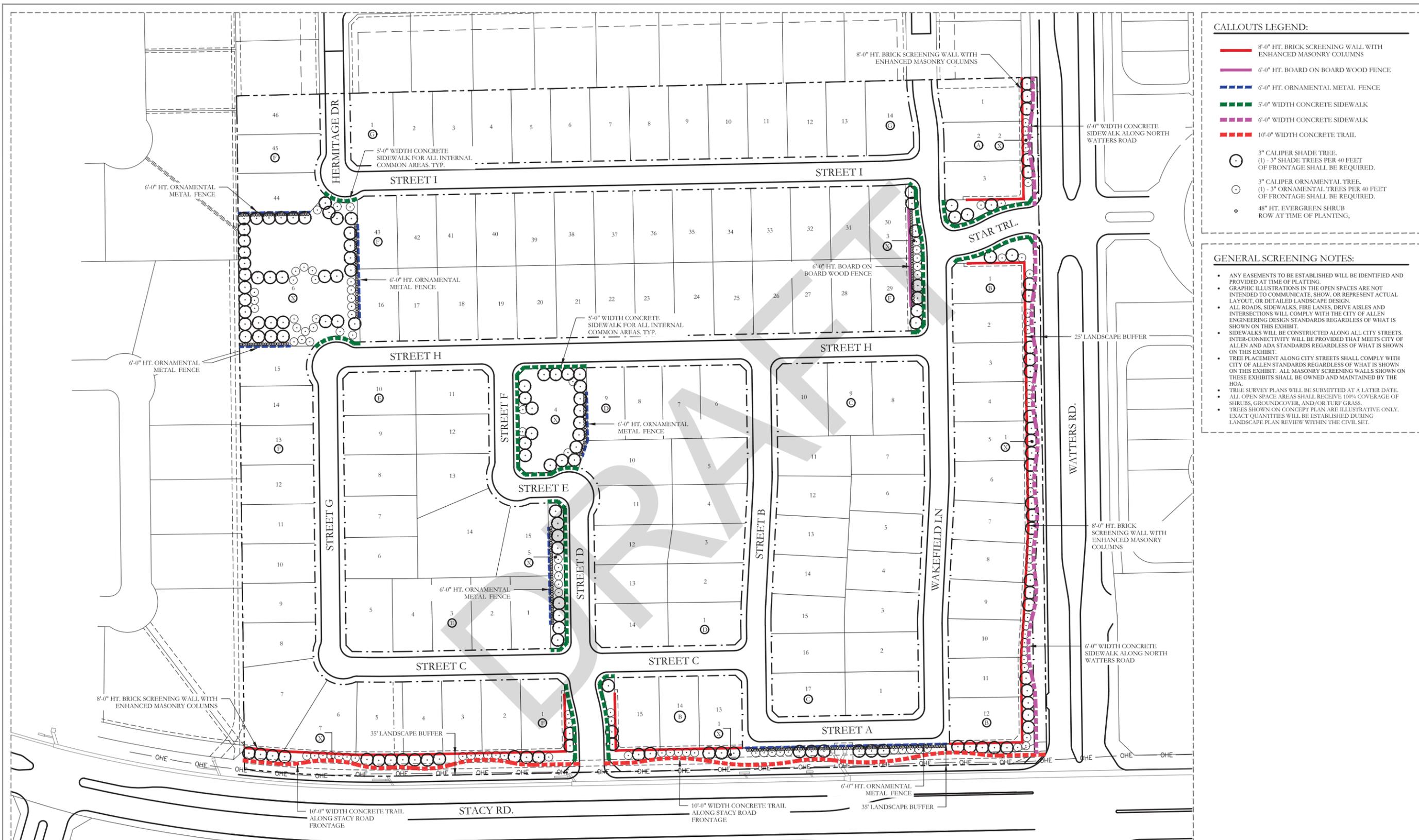
SCALE: 1" = 20'-0"

THE RESERVE AT WATTERS / CONCEPTUAL OPEN SPACE PLANS

City of Allen, Collin County, Texas

SHEET 5 OF 5
 Submittal 6-16-2021





- CALLOUTS LEGEND:**
- 8'-0" HT. BRICK SCREENING WALL WITH ENHANCED MASONRY COLUMNS
 - 6'-0" HT. BOARD ON BOARD WOOD FENCE
 - 6'-0" HT. ORNAMENTAL METAL FENCE
 - 5'-0" WIDTH CONCRETE SIDEWALK
 - 6'-0" WIDTH CONCRETE SIDEWALK
 - 10'-0" WIDTH CONCRETE TRAIL
 - 3" CALIPER SHADE TREE.
(1) - 3" SHADE TREES PER 40 FEET OF FRONTAGE SHALL BE REQUIRED.
 - 3" CALIPER ORNAMENTAL TREE.
(1) - 3" ORNAMENTAL TREES PER 40 FEET OF FRONTAGE SHALL BE REQUIRED.
 - 48" HT. EVERGREEN SHRUB ROW AT TIME OF PLANTING.

- GENERAL SCREENING NOTES:**
- ANY EASEMENTS TO BE ESTABLISHED WILL BE IDENTIFIED AND PROVIDED AT TIME OF PLATTING.
 - GRAPHIC ILLUSTRATIONS IN THE OPEN SPACES ARE NOT INTENDED TO COMMUNICATE, SHOW, OR REPRESENT ACTUAL LAYOUT, OR DETAILED LANDSCAPE DESIGN.
 - ALL ROADS, SIDEWALKS, FIRE LANES, DRIVE AISLES AND INTERSECTIONS WILL COMPLY WITH THE CITY OF ALLEN-ENGINEERING DESIGN STANDARDS REGARDLESS OF WHAT IS SHOWN ON THIS EXHIBIT.
 - SIDEWALKS WILL BE CONSTRUCTED ALONG ALL CITY STREETS. INTER-CONNECTIVITY WILL BE PROVIDED THAT MEETS CITY OF ALLEN AND ADA STANDARDS REGARDLESS OF WHAT IS SHOWN ON THIS EXHIBIT.
 - TREE PLACEMENT ALONG CITY STREETS SHALL COMPLY WITH CITY OF ALLEN STANDARDS REGARDLESS OF WHAT IS SHOWN ON THIS EXHIBIT. ALL MASONRY SCREENING WALLS SHOWN ON THESE EXHIBITS SHALL BE OWNED AND MAINTAINED BY THE HOA.
 - TREE SURVEY PLANS WILL BE SUBMITTED AT A LATER DATE.
 - ALL OPEN SPACE AREAS SHALL RECEIVE 100% COVERAGE OF SHRUBS, GROUNDCOVER, AND/OR TURF GRASS.
 - TREES SHOWN ON CONCEPT PLAN ARE ILLUSTRATIVE ONLY. EXACT QUANTITIES WILL BE ESTABLISHED DURING LANDSCAPE PLAN REVIEW WITHIN THE CIVIL SET.



THE RESERVE AT WATTERS / CONCEPTUAL SCREENING AND BUFFERING

City of Allen, Collin County, Texas

SHEET 1 OF 5
Submittal 8-11-2021

