

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE ZONING REGULATIONS AND ZONING MAP, AS PREVIOUSLY AMENDED, BY AMENDING THE BASE ZONING OF A PORTION OF PLANNED DEVELOPMENT “PD” 54 FROM INDUSTRIAL TECHNOLOGY “IT” TO COMMUNITY FACILITIES “CF” AND ADOPTING DEVELOPMENT REGULATIONS, A CONCEPT PLAN, AND BUILDING ELEVATIONS RELATING TO THE USE AND DEVELOPMENT OF 7.502± ACRES SITUATED IN THE WILLIAM J. JACKSON SURVEY, ABSTRACT NO. 484 AND THE JOHN FIKE SURVEY, ABSTRACT NO. 325; 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 the base zoning of a portion of Planned Development “PD” No. 54 from Industrial Technology “IT” to Community Facilities “CF” and adopting Development Regulations, a Concept Plan, and Building Elevations relating to the use and development of 7.502± acres situated in the William J. Jackson Survey, Abstract No. 484 and the John Fike Survey, Abstract No. 325 (“the Property”) described in “Exhibit A,” attached hereto and incorporated herein by reference.

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

- A. BASE ZONING DISTRICT:** The Property shall be developed and used only in accordance with the use and development regulations of the Community Facilities “CF” zoning district except as otherwise provided in this Ordinance.
- 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. Minor modifications to the alignment of streets that do not alter the general alignment shown on the Concept Plan may be made at the time of Site Plan approval.

- C. BUILDING ELEVATIONS:** Buildings constructed on the Property shall be designed and developed in general conformance with the Building Elevations attached hereto as Exhibit “C,” and incorporated herein by reference (“the Building Elevations”).
- D. BUILDING SETBACKS:**
- (1) The front yard setback shall be forty feet (40’).
 - (2) The side yard and rear yard setbacks shall be ten feet (10’).
- E. BUILDING HEIGHT:** No buildings constructed on the Property shall exceed 82 feet in height.
- F. SCREENING:** Screening shall be constructed and/or installed along the boundaries of the Property in general conformance with the Concept Plan.

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 25TH DAY OF JULY 2017.

APPROVED:

Stephen Terrell, Mayor

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, City Attorney
(kbl:7/11/17:87909)

Shelley B. George, TRMC, City Secretary

EXHIBIT "A"
DESCRIPTION OF PROPERTY

BEING 7.502 acres of land located in the WILLIAM J. JACKSON SURVEY, Abstract No. 484, and the JOHN FIKE SURVEY, Abstract NO. 325, Collin County, Texas, and being the combined total of all of Lot 2R-2B, Block G, Bray Central One Addition, to the City of Allen, Collin County, Texas, according to the plat recorded in Cabinet 2008, Slide 526, of the Plat Records of Collin County, Texas, and Lot 2R-2G, Block G, Bray Central One Addition, to the City of Allen, Collin County, Texas, according to the plat recorded in Cabinet 2015, Slide 759, of the Plat Records of Collin County, Texas. Said 7.502 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod marked "Brittain & Crawford" set, at the most Easterly Northeast corner of said Lot 2R-2G, and being the East end of the corner clip for the intersection of South right-of-way line of Exchange Parkway and the West right-of-way line of Junction Drive;

THENCE along the West right-of-way line of said Junction Drive and the East boundary line of said Lots 2R-2G and 2R-2B, as follows:

1. S 29° 25' 43" E 65.00 feet, to a ½" iron rod marked "PACHECO" found;
2. S 43° 27' 53" E 51.54 feet, to a ½" iron rod marked "WIER" found;
3. S 29° 25' 43" E 16.74 feet, to a ½" iron rod marked "WIER" found at the beginning of a curve to the right;
4. SOUTHERLY 309.18 feet, along said curve to the right, having a radius of 425.00 feet, a central angle of 41° 40' 55", and a chord bearing S 08° 34' 59" E 302.41 feet, to a ½" iron rod marked "WIER" found at the end of said curve;
5. S 12° 15' 27" W 79.17 feet, to a ½" iron rod marked "WIER" found at the Southeast corner of said Lot 2R-2G and the Northeast corner of said Lot 2R-2B, and the beginning of a curve to the left;
6. SOUTHERLY 97.05 feet, along said curve to the left, having a radius of 474.19 feet, a central angle of 11° 43' 34", and a chord bearing S 06° 23' 44" W 96.88 feet, to a ½" iron rod marked "Brittain & Crawford" set, at the end of said curve;
7. S 00° 36' 21" E 169.25 feet, to a ½" iron rod marked "Brittain & Crawford" set, at the beginning of a curve to the right;
8. SOUTHERLY 79.70 feet, along said curve to the right, having a radius of 375.00 feet, a central angle of 12° 10' 38", and a chord bearing S 05° 26' 42" W 79.55 feet, to a ½" iron rod marked "PACHECO" found at the intersection of the North right-of-way line of Medical Drive and the Southeast corner of said Lot 2R-2B;

THENCE along the South boundary line of said Lot 2R-2B and the North right-of-way line of said Medical Drive, as follows:

1. S 61° 21' 40" W 33.60 feet, to a ½" iron rod marked "PACHECO" found;

EXHIBIT "A"
DESCRIPTION OF PROPERTY cont.

2. N 70° 48' 15" W 32.37 feet, to a ½" iron rod marked "PACHECO" found at the beginning of a curve to the left;
3. WESTERLY 157.09 feet, along said curve to the left, having a radius of 475.00 feet, a central angle of 18° 56' 57", and a chord bearing N 80° 16' 44" W 156.38 feet, to a ½" iron rod marked "PACHECO" found at the end of said curve;
4. N 89° 45' 13" W 175.20 feet, to a ½" iron rod marked "WIER" found at the Southwest corner of said Lot 2R-2B;

THENCE N 00° 14' 47" E 324.88 feet, along the West boundary line of said Lot 2R-2B, to a ½" iron rod marked "Brittain & Crawford" set, at the Northwest corner of said Lot 2R-2B, lying in the South boundary line of aforesaid Lot 2R-2G;

THENCE N 89° 44' 08" W 37.54 feet, along the South boundary line of said Lot 2R-2G, to a ½" iron rod marked "Brittain & Crawford" set, at the Southwest corner of said Lot 2R-2G;

THENCE along the West boundary line of said Lot 2R-2G, as follows:

1. N 00° 14' 47" E 315.19 feet, to an "X" cut in concrete found;
2. N 11° 10' 17" W 65.17 feet, to an "X" cut in concrete found at the Northwest corner of said Lot 2R-2G, lying in the Southeast right-of-way line of aforesaid Exchange Parkway;

THENCE along the Northwest boundary line of said Lot 2R-2G and the Southeast right-of-way line of said Exchange Parkway, as follows:

1. N 74° 14' 43" E 26.48 feet, to a ½" iron rod marked "WIER" found;
2. NORTHEASTERLY 309.77 feet, along a curve to the left, having a radius of 1059.98 feet, a central angle of 16° 44' 39", and a chord bearing N 69° 52' 03" E 308.67 feet, to a ½" iron rod marked "Brittain & Crawford" set;
3. S 74° 16' 16" E 35.45 feet, to the POINT OF BEGINNING containing 7.502 acres (326,783 square feet) of land.

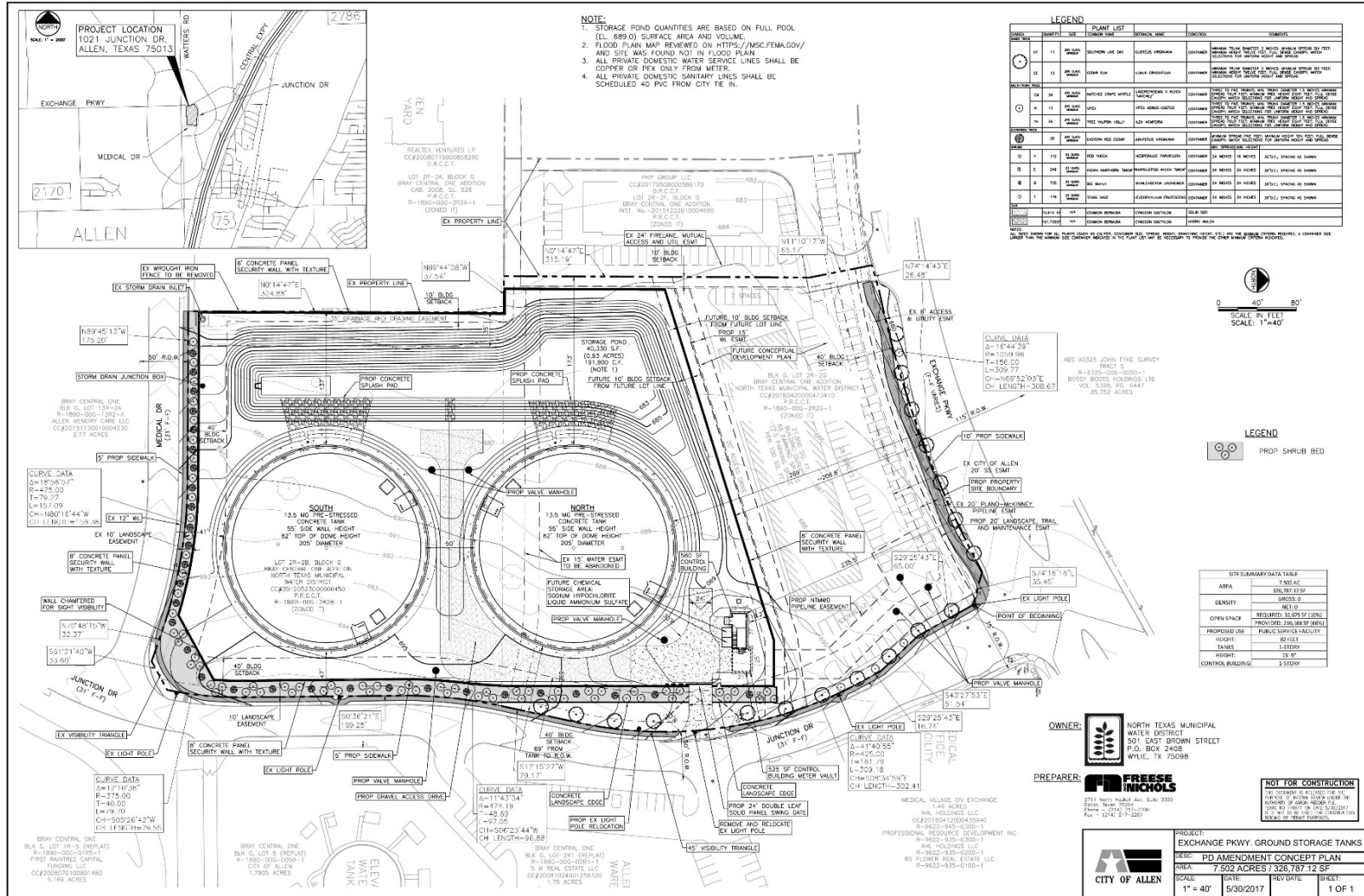
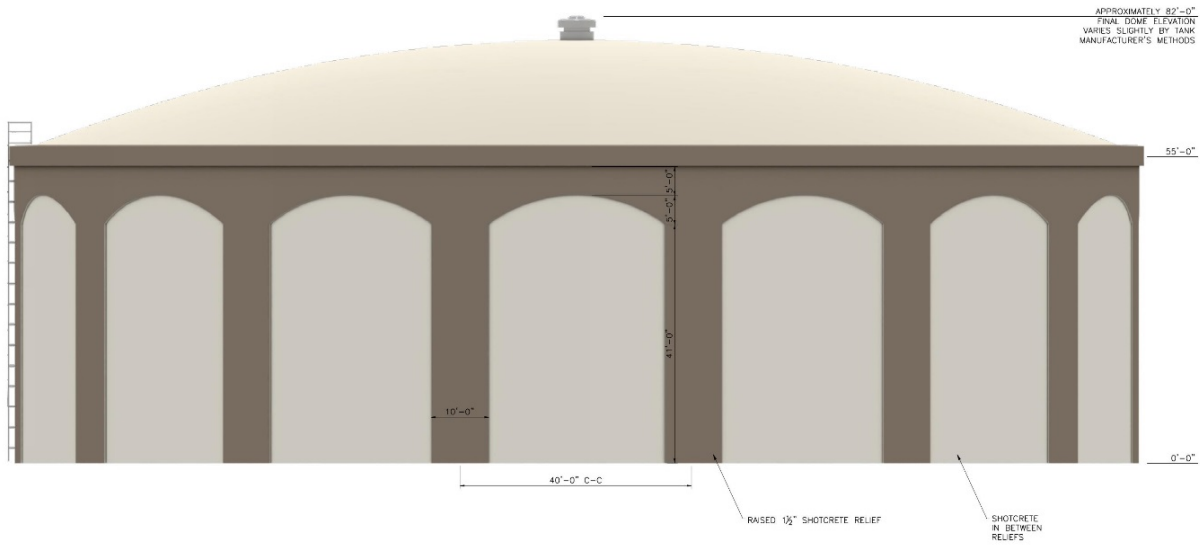
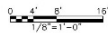


EXHIBIT "C"
BUILDING ELEVATIONS



ILLUSTRATIVE SECTION
SCALE: 1/8"=1'-0"



OWNER: NORTH TEXAS MUNICIPAL WATER DISTRICT
501 EAST BROWN STREET
P.O. BOX 2408
WYLE, TX 75098

PREPARER: **FREESE NICHOLS**
2711 North Parkland Ave. Suite 3330
Knoxville, TN 37921
Phone - (615) 571-2291
Fax - (615) 571-2292

NOT FOR CONSTRUCTION
THIS DOCUMENT IS PROVIDED FOR I.D.E.
AND IS NOT A FINAL DESIGN. THE
APPROPRIATE ENGINEER MUST
VERIFY ALL INFORMATION FOR CONSTRUCTION
BEFORE ANY CONSTRUCTION
BEGINS ON THE PROJECT.

	PROJECT: EXCHANGE PKWY. GROUND STORAGE TANKS 1621 JUNCTION DR., ALLEN, TX 75013			
	DESCRIPTION: EXTERIOR ELEVATION			
	AREA: 7.552 ACRES / 326,787.12 SF			
SCALE:	NONE	DATE: 5/5/2017	REV. DATE:	SHEET: 1 OF 1

EXHIBIT "C"
BUILDING ELEVATIONS cont.

