

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, RELATING TO THE USE AND DEVELOPMENT OF 1.610± ACRES OUT OF THE L.K. PEGUES SURVEY, ABSTRACT NO. 702, PRESENTLY ZONED AS CORRIDOR COMMERCIAL “CC” BY CHANGING THE ZONING TO CREATE PLANNED DEVELOPMENT “PD” NO. 132 WITH A BASE ZONING OF CORRIDOR COMMERCIAL “CC” AND ADOPTING DEVELOPMENT REGULATIONS, A 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 relating to the use and development of 1.610± acre tract of land situated in the L.K. Pegues Survey, Abstract No.702 described in “Exhibit A,” attached hereto and incorporated herein by reference, (“the Property”) which is presently zoned Corridor Commercial “CC” by changing the zoning to create Planned Development “PD” No. 132 with a base zoning of Corridor Commercial “CC” and 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, (“ALDC”) except to the extent modified by the Development Regulations set forth below:

- A. BASE ZONING DISTRICT:** The Property shall be developed and used in accordance with Corridor Commercial “CC” zoning regulations except as provided herein.
- B. ADDITIONAL PERMITTED USES:** In addition to the uses permitted within the Corridor Commercial “CC” zoning district, the Property may be used and developed for a Target Range.
- C. CONCEPT PLAN:** The Property shall be developed in general conformance with the Concept Plan attached hereto as Exhibit “B,” and incorporated herein by reference (“Concept Plan”). Minor modifications to streets/driveways that do not alter the general alignment shown on the Concept Plan may be made at the time of site planning.

D. BUILDING ELEVATIONS: The Property shall be developed in general conformance with the Building Elevations attached hereto as Exhibit “C,” and incorporated herein by reference.

E. BUILDING SETBACKS:

- (1) Rear Yard Setback (south side of Property): Three feet (3.0’)
- (2) Front Yard Setback (north side of Property): Twenty-five feet (25.0’).

F. LANDSCAPE BUFFER:

- (1) Notwithstanding anything to the contrary in ALDC Section 7.05.3.4.d., the ten foot (10.0’) landscape buffer adjacent to Curtis Lane may be located as shown on the Concept Plan with not greater than six foot (6.0’) of the buffer being located in the right-of-way. The owner of the Property shall at all times be responsible for maintaining all plant materials planted within said landscape buffer. Trees to be planted within said landscape buffer shall be shown on the landscape plan required by Paragraph F(2), below, and planted in a manner approved by the Director of Engineering or designee to reasonably protect any City existing improvements located within the Curtis Lane right-of-way from damage caused by tree root systems.
- (2) A landscape plan shall be submitted concurrently with the application for the site plan relating to development of the Property, which landscape plan shall provide for an area of approximately 2,500 square feet of the Property to be landscaped with plant materials. The landscaping required by this Paragraph F(2) shall be in addition to the minimum landscaping requirements set forth in ALDC Section 7.05.

G. DRIVEWAY THROAT DEPTHS: The minimum driveway throat depth on the western driveway shall be as indicated on the Concept Plan.

H. DETENTION: Detention of developed surface water runoff resulting from development of the Property shall be provided in accordance with the requirements of the City Design Standards. The location on the Property of any storm water detention facilities shall be determined and accepted by the Director of Engineering or authorized designee at the time of civil site design and plan review prior to approval of a final plat for the Property.

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 NOVEMBER 2017.

APPROVED:

Stephen Terrell, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, City Attorney
(kbl:11/9/17:93178)

Shelley B. George, TRMC, City Secretary

EXHIBIT "A"
LEGAL DESCRIPTION

1.610 Acre Tract

L.K. Pegues Survey, Abstract No.702

Allen, Collin County, Texas

Metes and bounds description of all that certain 1.610 acre tract or parcel of land, lying and being situated in the L.K. Pegues Survey, Abstract Number 702, Allen, Collin County, Texas, said 1.610 acre tract being a remainder portion out of that same 9.195 acre tract conveyed from Key Partnership No. 2, Ltd., to Allen 7 Holdings, L.P., as described by deed recorded under Document Number 20141001001068580 in the Official Public Records of Collin County, Texas, said 1.610 acre tract being more fully described as follows:

COMMENCING at the common east corner of said Allen 7 Holdings, L.P., tract and Wal-Mart Supercenter, a subdivision, as depicted by plat recorded in Cabinet 2010, Slide 127 of the Map Records of Collin County, Texas;

THENCE S 85° 41' 03" W – 35.48 feet with the common line between said Allen 7 Holdings, L.P tract and said Wal-Mart Supercenter to the **PLACE OF BEGINNING**;

THENCE S 85° 41' 03" W – 550.55 feet with said common line to the southwest corner of said Allen 7 Holdings LP tract, being also the southeast corner of Ansley Meadow Subdivision, as depicted by plat recorded in Cabinet 2015, Page 306, of said Official Public Records;

THENCE N 19° 45' 45" E – 264.99 feet with the east line of said Ansley Meadow to a point for corner in the southerly right-of-way line of Curtis Lane, a public street of 60' width, and being the beginning of a curve to the left;

THENCE for an arc distance of 212.73 feet (central angle = 25° 23' 34", radius = 480.00 feet, tangent = 108.14 feet, the chord bears S 64° 52' 32" E - 210.99 feet) to the end of said curve;

THENCE S 77° 34' 19" E – 102.84 feet with said right-of-way line to the point for beginning of a curve to the right;

THENCE for an arc distance of 124.45 feet (central angle = 16° 58' 39", radius = 420.00 feet, tangent = 62.69 feet, the chord bears S 69° 04' 59" E – 124.00 feet) to the end of said curve;

THENCE S 60° 35' 40" E – 70.41 feet with said right-of-way line to corner in the west line of a 30' right-of-way dedication for North Central Expressway, as depicted on said Ansley Meadow plat;

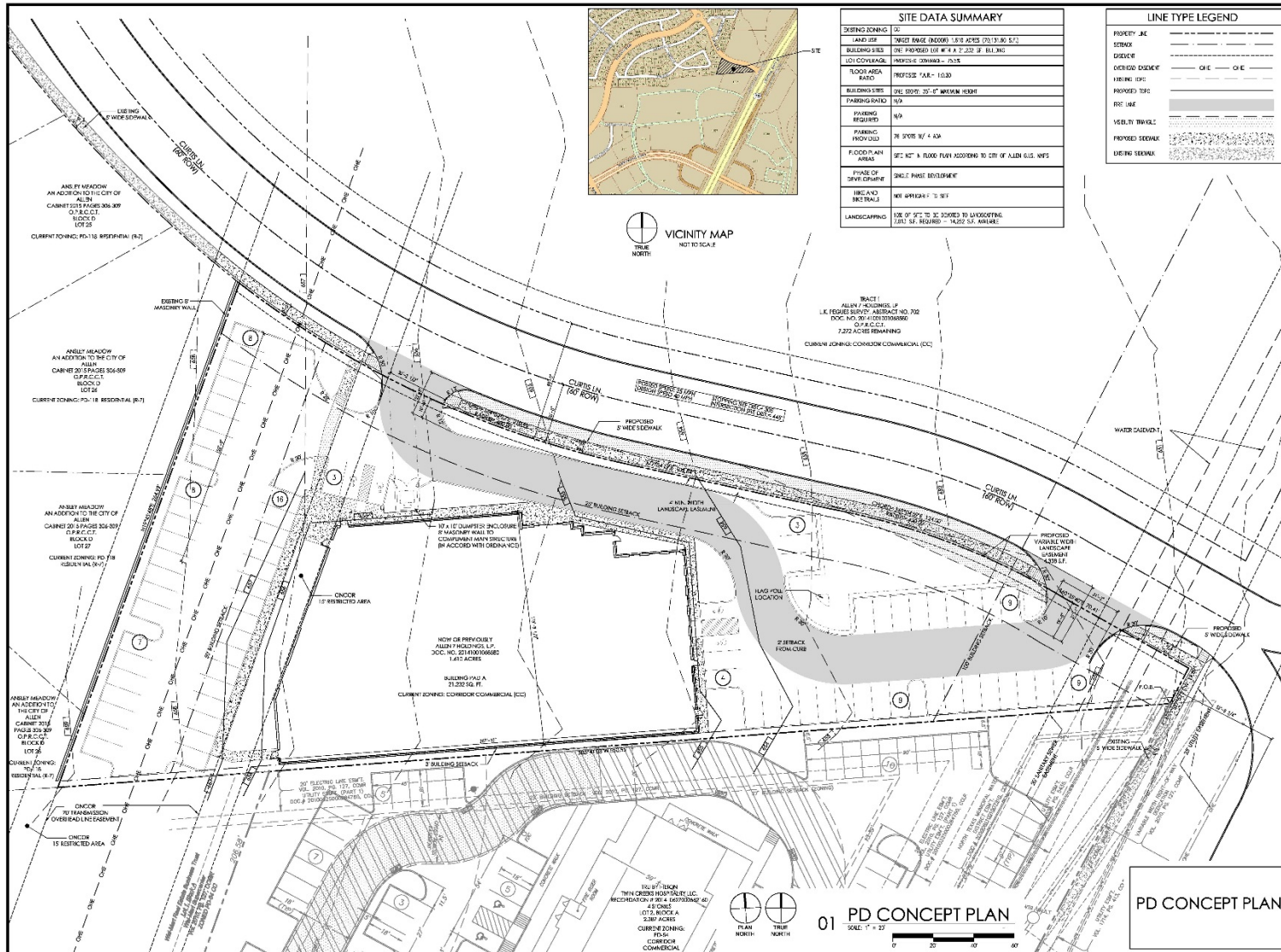
THENCE S 27° 57' 11" W – 19.69 feet with said North Central Expressway right-of-way line dedication to the **PLACE OF BEGINNING**, and containing 1.610 acres of land.

Note: This description was computed from record data and was prepared solely for zoning purposes in accord with TBPLS Board Rule.

August 2017

Gregory K. Taggart, RPLS 5676

Taggart Consulting-TBPLS Firm No. 10194298



MCCALLA DESIGN GROUP
ARCHITECTURAL FIRM
280 N. Wall Street, Suite 100
Allen, Texas 75013
972.294.3337

TEXAS LEGENDS
TRAINING CENTER AND RANGE
ALLEN, TEXAS

OWNER:
ALLEN F. HOLDINGS, LP
ATTN: J. K. FERGUSON
3055 Kellen Drive, Suite 100
Allen, Texas 75013
214.478.9777

DEVELOPER:
MCCALLA DESIGN GROUP, LLC
BOX 888-65
Dallas, Texas 75285
972.979.4992

CONSULTANT:
MCCALLA DESIGN GROUP, LLC
280 N. Wall Street, Suite 100
Allen, Texas 75013
972.294.3337

ARCHITECT:
MCCALLA DESIGN GROUP
ARCHITECTURAL FIRM
280 N. Wall Street, Suite 100
Allen, Texas 75013
972.294.3337

REVIEW DOCUMENTS
1. ALLEN CITY CODE, CHAPTER 11, SUBCHAPTER 11-1, AND THE ALLEN CITY CODE, CHAPTER 11, SUBCHAPTER 11-2.
2. ALLEN CITY CODE, CHAPTER 11, SUBCHAPTER 11-1, AND THE ALLEN CITY CODE, CHAPTER 11, SUBCHAPTER 11-2.
3. ALLEN CITY CODE, CHAPTER 11, SUBCHAPTER 11-1, AND THE ALLEN CITY CODE, CHAPTER 11, SUBCHAPTER 11-2.

EXHIBIT "C"
BUILDING ELEVATIONS

