

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 DEVELOPMENT REGULATIONS, ADOPTING A CONCEPT PLAN, AND ADOPTING BUILDING ELEVATIONS FOR LOT 1R, BLOCK C, BRAY CENTRAL ONE, IS LOCATED IN AND SUBJECT TO THE REGULATIONS OF TRACT 11 OF PLANNED DEVELOPMENT NO. 54; 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 Zoning Map, of the City of Allen, Texas, as amended, is hereby further amended by amending as set forth in Section 2 of this ordinance the use and development regulations of Lot 1R, Block C, Bray Central One, an addition to the City of Allen, Collin County, Texas, according to the plat thereof recorded in Volume 2011, Page 156, Plat Records, Collin County, Texas (“the Property”) and being a portion of Tract 11 of Planned Development No. 54 (as designated in Ordinance No. 1172-5-93).

SECTION 2. The Property shall be developed and used in accordance with applicable 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 only in accordance with the MF-18 Multi-Family District zoning regulations of the Allen Land Development Code, except as otherwise provided herein.
- B. PERMITTED USES:** The Property shall be developed and used only for Senior Independent Living use for people fifty-five (55) years of age or older consistent with the Federal Fair Housing Act and other applicable law.
- C. CONCEPT PLAN:** The Property shall be developed in general conformance with the Concept Plan attached hereto as Exhibit “A,” 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 Site Plan approval.

- D. BUILDING ELEVATIONS:** Buildings to be constructed on the Property shall be developed in general conformance with the materials and architectural style set forth on the Building Elevations attached hereto as Exhibit “B,” and incorporated herein by reference.
- E. MAXIMUM HEIGHT:** The maximum height of any building constructed on the Property shall be four (4) stories, but in no case exceeding sixty (60) feet.
- F. SCREENING:** Screening shall be constructed and/or installed along the boundaries of the Property in general conformance with the Concept Plan prior to issuance of a Certificate of Occupancy for any building constructed on the Property. Screening and fencing may be installed within the landscape buffer shown on the Concept Plan.
- G. DEED RESTRICTION:** The Property shall be deed restricted pursuant to an instrument approved by the City Attorney pursuant to which use of the Property shall be limited to residential use by persons 55 years or older consistent with the Federal Fair Housing Act and other applicable law. Such deed restriction shall be recorded prior to the earlier of (i) approval of the plat for the Property or (ii) issuance of the first building permit for any building to be constructed on the Property.
- H. SETBACKS:**
- a. Minimum Front Yard Setback: 25 feet
 - b. Minimum Side Yard Setback: 25 feet
 - c. Minimum Rear Yard Setback: 10 feet
- I. PARKING:** Parking shall be provided at the ratio of 1.5 spaces per dwelling unit.
- J. TREE PRESERVATION COVENANT:** The requirement set forth in Section 2, Paragraph L of Ordinance No. 2843-6-09 to protect by a separate restrictive covenant the east-west tree line on the northern property boundary shall not apply to the Property and is partially repealed to the extent of its applicability to the Property. Consistent with the Paragraph J, the City Manager is authorized to release any prior restrictive covenant affecting the granted in favor of the City relating to tree preservation as required by Ordinance No. 2843-6-09.

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 9TH DAY OF JANUARY 2018.

APPROVED:

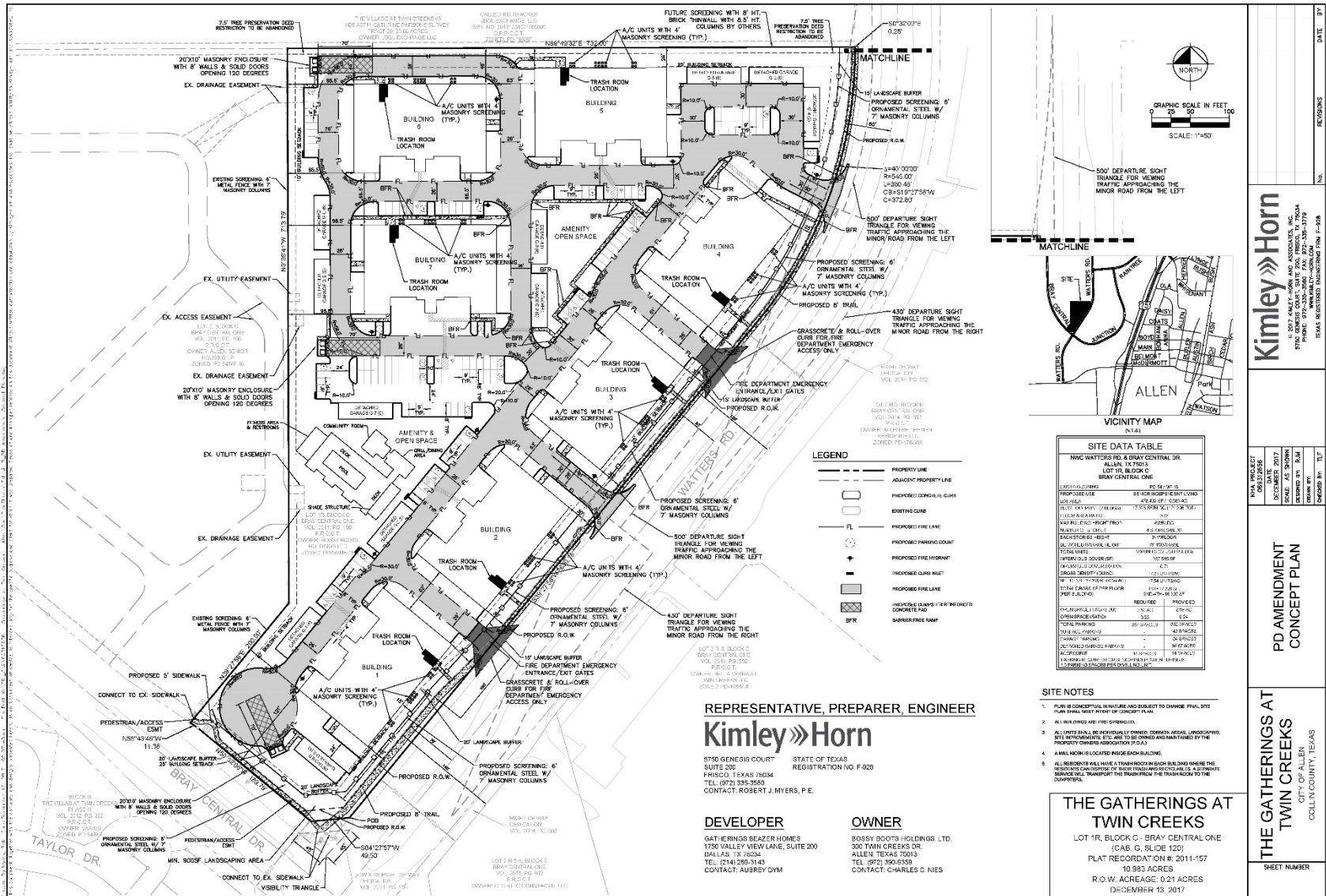
Stephen Terrell, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, City Attorney
(kbl:12/19/17:94226)

Shelley B. George, TRMC, City Secretary





FACADE MATERIAL %	
MASONRY	91.3%
CEMENTITIOUS SIDING	8.7%

EXHIBIT "B"
BUILDING ELEVATIONS

Gatherings
by BEAZER HODGES

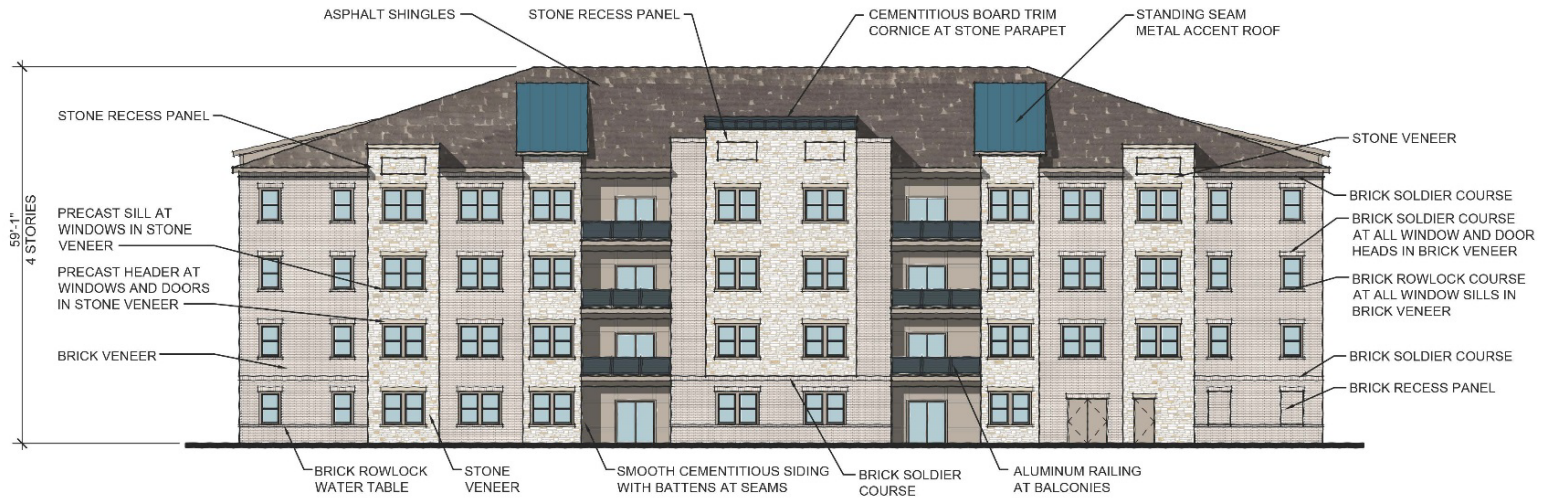
SCALE: 1/16" = 1'-0"

GATHERINGS AT TWIN CREEKS

ALLEN, TX
CONCEPTUAL FRONT ELEVATION

2017-12-12





FACADE MATERIAL %	
MASONRY	88.9%
CEMENTITIOUS SIDING	11.1%

EXHIBIT "B"
BUILDING ELEVATIONS cont.

Gatherings
BEAZER

SCALE: 1/16" = 1'-0"

GATHERINGS AT TWIN CREEKS

ALLEN, TX
CONCEPTUAL REAR ELEVATION

2017-12-12





FACADE MATERIAL %	
MASONRY	87.2%
CEMENTITIOUS SIDING	12.8%

EXHIBIT "B"
BUILDING ELEVATIONS cont.

Gatherings
BEAZER HOMES

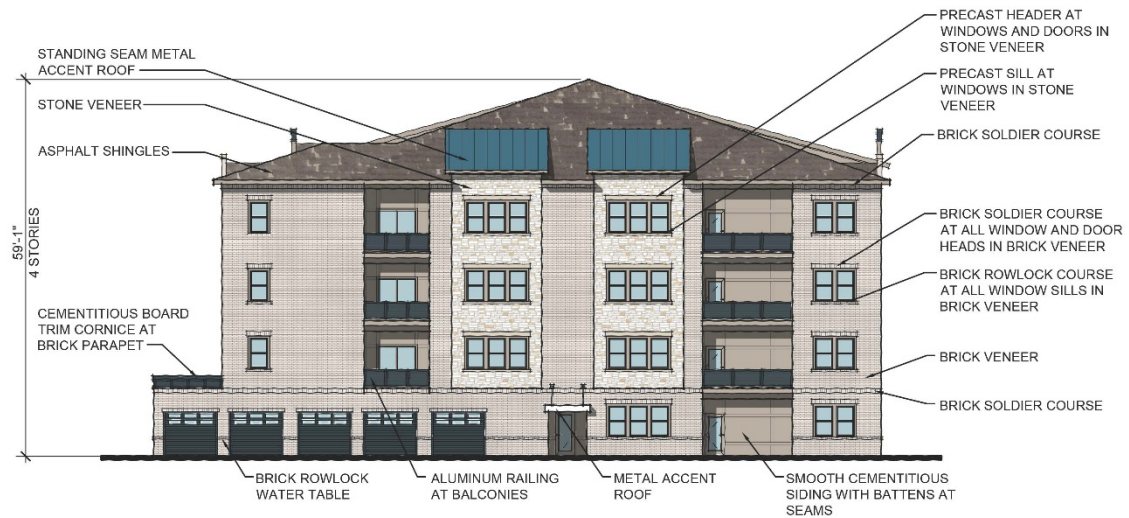
SCALE: 1/16" = 1'-0"

GATHERINGS AT TWIN CREEKS

ALLEN, TX
CONCEPTUAL LEFT SIDE ELEVATION

2017-12-12

 **PHILLIPS**



FACADE MATERIAL %	
MASONRY	84.3%
CEMENTITIOUS SIDING	15.7%

EXHIBIT "B"
BUILDING ELEVATIONS cont.

Gatherings
BEAZER HOMES

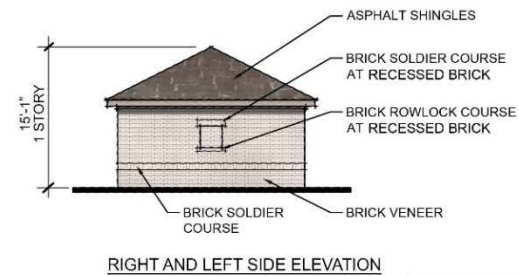
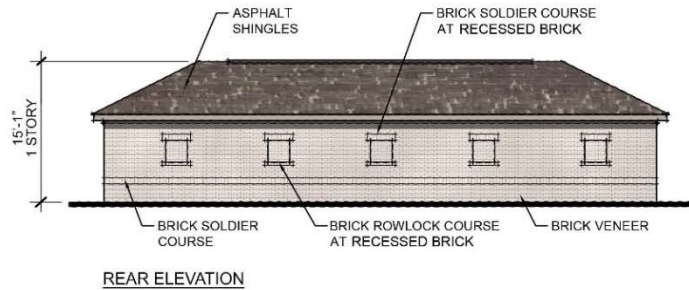
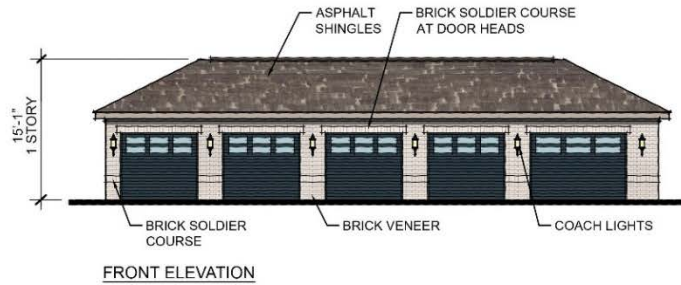
SCALE: 1/16" = 1'-0"

GATHERINGS AT TWIN CREEKS

ALLEN, TX
CONCEPTUAL RIGHT SIDE ELEVATION

2017-12-12





FACADE MATERIAL %	
MASONRY	100.0%
CEMENTITIOUS SIDING	0.0%