

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 135.28± ACRES OF LAND IN THE JOHN PHILLIPS SURVEY, ABSTRACT NO. 718, J.W. PARSON SURVEY, ABSTRACT NO. 705 AND THE J.W. ROBERTS SURVEY, ABSTRACT NO. 762, PRESENTLY ZONED AS CORRIDOR COMMERCIAL “CC,” PLANNED DEVELOPMENT “PD” NO. 72 LOCAL RETAIL “LR,” AND PLANNED DEVELOPMENT “PD” NO. 72 CORRIDOR COMMERCIAL “CC” BY CHANGING THE ZONING TO CREATE PLANNED DEVELOPMENT “PD” NO. 134 FOR SINGLE-FAMILY, URBAN RESIDENTIAL, OFFICE AND RETAIL USES, AND ADOPTING DEVELOPMENT REGULATIONS, CONCEPT PLAN, BUILDING ELEVATIONS, DISTRICT MAP, PHASING DIAGRAM, ROAD DIAGRAM, AND LIGHTING STANDARDS; 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 135.28± acres of land in the John Phillips Survey, Abstract No. 718, J.W. Parson Survey, Abstract No. 705 and the J.W. Roberts Survey, Abstract No. 762 described in Exhibit “A,” attached hereto and incorporated herein by reference, (“the Property”) which is presently zoned Corridor Commercial “CC,” Planned Development “PD” No. 72 Local Retail “LR,” and Planned Development “PD” No. 72 Corridor Commercial “CC” by changing the zoning to create “PD” Planned Development No. 134 for Single-Family, Urban Residential, Office and Retail Uses 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 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 is divided into subdistricts (“Character Districts”) as shown on the General Concept Plan attached hereto as Exhibit “B” and incorporated herein by reference

("the General Concept Plan"). The Base Zoning District regulations for each Character District as designated on Exhibit "F", attached hereto and incorporated herein by reference, shall be as follows:

1. Alma Character District shall comply with the "CC" Corridor Commercial zoning regulations except as provided herein.
2. Central Character District shall comply with the "CC" Corridor Commercial zoning regulations except as provided herein.
3. Tollway Character District shall comply with the "O" Office zoning regulations except as provided herein.
4. Neighborhood-North Character District shall comply with the "MF-18" Multifamily Residential zoning regulations except as provided herein.
5. Neighborhood-South Character District shall comply with the "R-7" Single Family Residential zoning regulations except as provided herein.
6. Creek Character District shall comply with the "O" Office zoning regulations except as provided herein.

B. GENERAL CONCEPT PLAN: The Property shall be developed and used in general conformance with the General Concept Plan. Minor amendments to the General Concept Plan, as determined by the Director of Community Development, may be approved by the Director of Community Development. Any amendment to the General Concept Plan not determined to be a minor amendment shall be processed as a zoning amendment in accordance with the ALDC. An amendment to the General Concept Plan that substantially alters the streets and circulation patterns within the Property, the location of the Character Districts and, in turn, the base zoning of portions of the Property, the designation of permitted uses, and/or increases the density of residential uses, shall not be considered a "minor amendment."

C. PHASING: The Property may be developed in phases subject to the Phasing Diagram attached hereto as Exhibit "G," with specific timing of development at the owner's discretion; provided, however, the Property shall be developed subject to the following:

1. Building permits for construction in the Neighborhood South Character District of dwelling units for lots and construction of buildings in the Neighborhood North Character District containing no more than 375 urban residential units may be issued only after commencement of construction of the Open Space in the Central Character District (as shown as Lot 9 on the General Concept Plan and further defined in Section G.3 herein); provided, however, the timing for construction of the Multi-Use Pavilion shown on the General Concept shall be at the discretion of the developer. Additionally, no Certificate of Occupancy nor approval of a final inspection shall be granted for and of said dwelling units or buildings with urban residential units shall be granted until construction of the Open Space is substantially completed in accordance with the approved Open Space Plan.
2. Building permit(s) for construction of buildings in the Neighborhood North Character District containing up to 750 urban residential units in addition to those units authorized pursuant to paragraph 1 of this Subsection C may be issued only after one or more building permit(s) have been issued for construction of one or more buildings containing not less than 100,000 square feet of space to be used for office purposes, which area shall not include the area of any structured parking constructed in association with such office buildings.

3. Building permit(s) for construction of buildings in the Neighborhood North Character District containing up to 375 urban residential units in addition to those unit authorized pursuant to paragraphs 1 and 2 of this Subsection C may be issued only after:
 - a. issuance of one or more Certificates of Occupancy for the core and shell of the 100,000 square feet of office building(s) for which building permits were required to be obtained in accordance with paragraph 2, above; and
 - b. issuance of one or more building permits for construction of one or more buildings containing not less than 100,000 square feet of floor space to be used for office purposes, which area is in addition to the office building(s) constructed pursuant to paragraph 2 of this Subsection C, above, and which shall not include the area of any structured parking constructed in association with such office buildings.
4. Building permits may be issued for the construction of buildings containing any remaining urban residential units allowed to be constructed on the Property only after:
 - a. issuance of one or more Certificates of Occupancy for the core and shell of the additional 100,000 square feet of office building(s) for which building permits were required to be obtained in accordance with paragraph 3.b. of this Subsection C, above; and
 - b. issuance of one or more building permits for construction of one or more buildings containing not less than 100,000 square feet of floor space to be used for office purposes, which area is in addition to the office building(s) constructed pursuant to paragraphs 2 and 3 of this Subsection C, above, and which shall not include the area of any structured parking constructed in association with such office buildings.

D. DETAILED CONCEPT PLAN AND BUILDING ELEVATIONS: Prior to approval of a plat for any portion of the Property, a Detailed Concept Plan and building elevations must be approved as a zoning amendment in accordance with the ALDC with respect to the portion of the Property to be platted and such other portions of the Property as determined by the Director of Community Development should be included in the application for Detailed Concept Plan to ensure continuity and consistency of development of the Property.

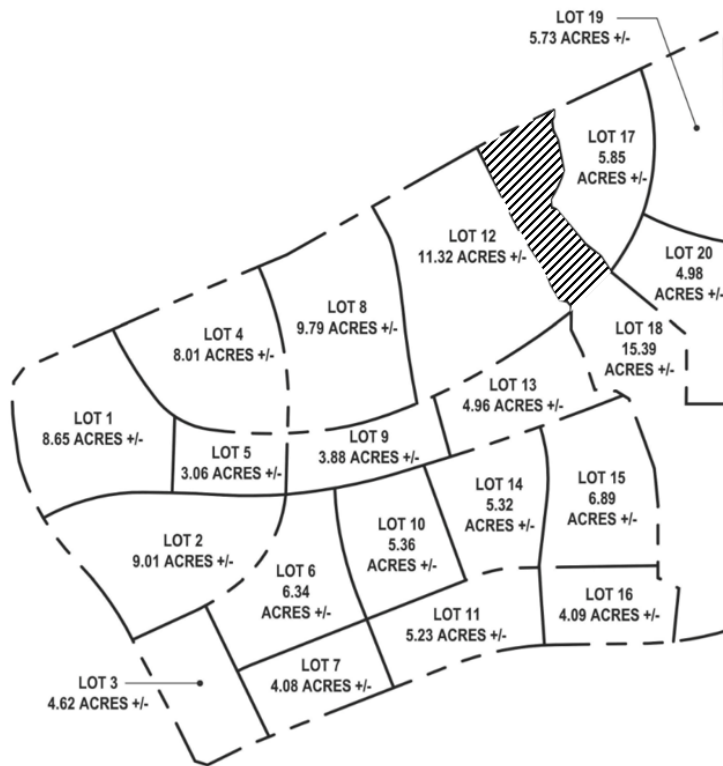
E. TREE MITIGATION AND LANDSCAPING: Development of the Property shall comply with ALDC Section 7.06 except as follows:

1. Negative tree credits assessed for the removal of Hackberry trees shall be reduced by 25%.
2. Negative tree credits will not be assessed for a tree that is removed following the City arborist's determination the tree is at the end of its life, diseased, dead or dying.
3. Negative tree credits will not be assessed for removal of fence row trees.
4. Tree preservation or replacement credits may be granted on the determination of the Director of Parks and Recreation based upon development details and level of landscaping provided during phase planning, with consideration being given to:
 - a. Perimeter roadway, parkway and median landscaping;
 - b. Interior landscape development such as high impact plantings throughout the site;
 - c. Protection of natural areas, etc.; and

- d. Common areas.
- 5. At least one overstory (shade) tree must be planted no closer than ten (10) feet from the primary structure in the front yard of each lot within the Neighborhood-South Character District. Said trees shall be planted on a minimum spacing of 30-feet on center along the street frontage.

F. GREENBELT AND NATURAL AREA PROTECTION:

- 1. Hike and Bike Trails, inclusive of a publicly accessible trail head, shall be constructed at no cost to the City within the Greenbelt Character District in accordance with plans and specifications approved by the Director of Parks and Recreation and Director of Community Development as follows:
 - a. Prior to issuance of a certificate of occupancy or approval of a final inspection for any dwelling unit in the Neighborhood South Character District (Lots 7, 11, or 16 as shown on the General Concept Plan), the primary trailhead adjacent to Lot 16 shall be constructed and completed in accordance with the Parks and Open Space Amenity Plan as approved by the Director of Parks and Recreation and Director of Community Development. For the purposes of complying with the requirements of this Section F.1.a, construction of the primary trailhead shall not constitute nor require the completion of an initial segment of the Hike and Bike Trail.
 - b. Prior to issuance of a certificate of occupancy or approval of a final inspection for any structure within Lots 12, 13, 15, 17, or 20 as shown on the General Concept Plan, the corresponding adjacent section of the Hike and Bike Trail shall be constructed in accordance with the Parks and Open Space Amenity Plan as approved by the Director of Parks and Recreation and Director of Community Development. For the purposes of this Paragraph b., the phrase “corresponding adjacent section” means the entire portion of Lot 18 that shares a common property line with the subject lot. As shown in the diagram below, development of either Lot 12 or Lot 17 shall require the construction of the Hike and Bike Trails for the entire portion of Lot 18 as depicted by hatched pattern shown.
 - c. Notwithstanding anything to the contrary in Paragraphs a. and b. above, once the first segment of the Hike and Bike Trail has been constructed and determined by the Director of Parks and Recreation and Director of Community Development to have been completed in accordance with this Ordinance, regardless of where the first segment is constructed, the remainder of the Hike and Bike Trail must be constructed in accordance with the Parks and Open Space Amenity Plan as approved by the Director of Parks and Recreation and Director of Community Development prior to the issuance of a certificate of occupancy or approval of a final inspection for any structure on any remaining lots adjacent to Lot 18 other than the lots adjacent to the first segment constructed.



2. The final plat(s) of the portions of the Property within the Greenbelt Character District shall dedicate public trail easements for the location of said Hike and Bike Trails unless such trails are constructed prior to approval of a final plat containing a Hike and Bike Trail segment, in which case the owner of said portion of the Property may convey public trail easements to the City by separate easement in a form approved by the City Attorney.
3. A credit shall be applied to the amount of Park Dedication Fees owed for development of the Property in an amount equal to the cost of construction of the Hike and Bike Trails required to be constructed pursuant to Paragraph 1 of this Subsection, above, and such other improvements not required by this ordinance but requested by the Director of Parks and Recreation, which cost amount shall be supported by such documentation as may be required by the Director of Parks and Recreation; provided, however, such credit shall not be applied until fee simple title or a perpetual easement have been conveyed to the City pursuant to a special warranty deed or easement document (if such easement has not already been dedicated by plat), respectively, approved as to form be the city attorney to the portion of the Greenbelt Character District on which the completed portion of the Hike and Bike Trails (including the completed trail head) has been constructed.
4. The owner of fee simple title of the portion of the Property within the Greenbelt Character District shall be responsible for maintenance of said portion of the Property; provided, however, the City shall be responsible for the maintenance of all hike and bike trails once constructed and accepted by the City, inclusive of the areas within any dedicated public trail easements.
5. The portion of the Property within the Greenbelt Character District, the boundaries of which shall be determined by one or more final plats of said tract and shall contain at least all portions of the Property located within the designated floodplain area as set forth in a floodplain study approved by the Director of Engineering, shall be conveyed to the City of Allen by special warranty deed in a form approved by the City Attorney at no cost and free and clean of all liens,

debts, and restrictions following completion of construction of the entire Hike and Bike Trail (inclusive of trailhead) and approval of such construction by the Director of Parks and Recreation and Director of Community Development and all such portions of the Property have been platted in one or more final plats; provided, however, the City Manager may accept on behalf of the City one or more segments of the Greenbelt Character District if he determines such earlier conveyance to be in the best interest of the City. Conveyance of the Greenbelt Character District must be accompanied by an owner's policy of title insurance purchased by the developer for the benefit of the City as the insured with the insured amount being the greater of (i) the appraised value of the portion of the Property being conveyed to the City as determined by the Collin Central Appraisal District or (ii) \$10,000.00. Notwithstanding anything in this Paragraph F.5. to the contrary, if the Hike and Bike Trails has been constructed and accepted by the City and related easements signed and conveyed to the City, conveyance of the Greenbelt Character District property to the City may be delayed until such time that development commences on the adjacent lots (as shown on the diagram in Paragraph F.1., above), but shall in no case occur prior to issuance of a certificate of occupancy or approval of a final inspection in the same manner as required for Paragraphs F.1.b. and c., above, with respect to the Hike and Bike Trail segments described in said paragraphs.

G. TRAIL AND OPEN SPACE DEVELOPMENT:

1. A 12-foot wide hike and bike trail shall be constructed along Ridgeview Drive and a 10-foot wide hike and bike trail shall be constructed along Alma Drive in conjunction with construction of the adjacent streets as shown on the General Concept Plan.
2. The final location of each trail to be constructed on the Property must be approved by the Director of Parks and Recreation or designee prior to commencement of construction of said trail.
3. Prior to issuance of a building permit for construction of any dwelling unit in the Neighborhood South Character District or construction of any buildings in the Neighborhood North Character District to containing any urban residential units, an Open Space Amenity Plan detailing the improvements and amenities required to be constructed in association with the Open Space must be approved by the Director of Community Development and the Director of Parks and Recreation. If the Director of Community Development and the Director of Parks and Recreation fail to disapprove the Open Space Amenity Plan within ten (10) business days after submission of said plan, the Open Space Amenity Plan shall be deemed approved. If the Open Space Amenity Plan is disapproved, the developer may appeal such disapproval to the City Council, whose decision on the Open Space Amenity Plan presented is final. Nothing in this Paragraph 3 shall be construed as prohibiting additional versions of the Open Space Amenity Plan from being presented after being rejected or from the developer and the Directors from negotiating an agreed Open Space Amenity Plan.

H. DEVELOPMENT REGULATIONS:

1. All buildings constructed on the Property must comply with the following development regulations:

TABLE 1.

SCHEDULE OF RESIDENTIAL HEIGHT AND AREA REGULATIONS				
		Neighborhood South⁽¹⁾		Neighborhood North⁽²⁾
Minimum	Regulation	Type 1	Type 2	All Lots
	Lot Area (sq ft)	2,800 sq ft	5,500 sq ft	14,000 sq ft
	Lot Area/Dwelling Unit	n/a	n/a	50 du/ac
	Front Yard	10 ft	10 ft ⁽³⁾	None
	Front yard encroachments	6 ft ^(3, 4)	6 ft ⁽⁴⁾	n/a
	Rear Yard	20 ft ⁽⁵⁾	20 ft	None
	Side Yard	6 ft between units ^(6,7)	5 ft	None
	Corner Lot Side Yard	5 ft	10 ft	n/a
	Lot Width	30 ft	50 ft	85 ft
	Lot Depth	85 ft	110 ft	110 ft
	Park Land/du	Park and Open Space will be determined by a Facilities agreement approved by City Council		
	Open Space/du			
Maximum	Percent Lot Coverage	90%	80%	90%
	Dwelling units/acre	10 du/ac (gross)		150 du/ac ⁽⁸⁾
	Building Height (feet)	42 ft	35 ft	120 ft ⁽⁹⁾
	Building Height (stories)	3	2.5	8 ⁽⁷⁾

Notes

1. Air conditioning compressors and pads of detached single-family residential shall be setback a minimum of three feet from any property line.
2. The street level ground story of an urban residential building in the Neighborhood-North Character District must provide a minimum story height of 14 feet.
3. The front yard garage setback shall be 20 feet.
4. Attached unenclosed front porches or uncovered patios shall be permitted to extend up to six feet beyond the front yard setback.
5. The rear yard garage setback shall be 20 feet.
6. Side yards shall be 3-ft for adjacent lots resulting in a minimum 6-ft building separation, unless a 1-ft/5-ft split is used.
7. In the Type 1 area, side yards must be unobstructed and gates must be provided to allow for fire access.
8. Urban residential lots less than two acres may have a maximum density of 200 dwelling units per acre, maximum height of 180 feet, and maximum of 12 stories. High density urban residential lots shall be no more than 10% of the total acreage of the Neighborhood North Character District.
9. Urban residential structures are limited to a maximum roof height of six (6) stories, not exceeding 90 feet, for portions of the building within 150 feet of a private property line of a single-family use within the Property. Mechanical overruns, elevator penthouses, amenity accessory structures and similar structures may project 15 feet above the maximum roof height.

TABLE 2.

SCHEDULE OF NON-RESIDENTIAL HEIGHT AND AREA REGULATIONS					
	<i>Regulation</i>	<i>Tollway</i>	<i>Alma</i>	<i>Central</i>	<i>Creek</i>
Minimum	Front Yard Setback R-O-W > 100 feet (SH 121, Alma)	SH 121- 35 ft Alma-30 ft	40 ft	n/a	SH 121- 35 ft
	Front Yard Setback R-O-W < 100 feet (Interior streets)	None	None	5 ft	5 ft
	Side Yard Setback	None	None	5 ft	5 ft
	Side Yard adjacent to Residential District, street or alley	None	None	5 ft	5 ft
	Rear Yard Setback	None	None	5 ft	5 ft
	Rear Yard adjacent to Res. District	None	None	5 ft	5 ft
Maximum	Height (in feet)	320 ft	200 ft	200 ft	200 ft
	Height (in stories)	20	12	12	12
	Height (in feet) adjacent to single family within (in feet)	n/a	60 ft	60 ft	n/a
		n/a	150 ft	150 ft	n/a
	Additional height: front setback Above (in feet)	n/a	n/a	n/a	n/a
		n/a	n/a	n/a	n/a
	Front Setback for additional height	n/a	n/a	n/a	n/a
	Side/Rear Setback for additional Height	n/a	n/a	n/a	n/a
	Percent lot coverage	90%	90%	90%	90%
	Retail	n/a	n/a	n/a	n/a

2. The following development regulations shall be applicable to the entire Property:
 - a. Screening walls shall not be required between Character Districts.
 - b. Urban residential structures must comply with the requirements in ALDC section 6.06.13; provided, however, a minimum of sixty percent (60%) of the urban residential units must be one-bedroom floorplans.
 - c. Flexible design standards.
 - (1) Buildings and/or communities may seek flexibility from the standards set forth in this document or that of the ALDC, for the purpose of improving performance in areas such as energy savings, water efficiency, carbon dioxide emissions reduction, improved indoor environmental quality, and stewardship of resources and sensitivity to their impacts. The standards used for best practices in sustainable design and the measures used to describe a building's environmental performance, shall follow those principles, practices, and standards set forth by any of the following organizations:
 - (a) U.S. Green Building Council (USGBC) – Leadership in Energy and Environmental Design (LEED)
 - (b) EPA and U.S. Department of Energy – Energy Star for Homes and Businesses

- (c) The Sustainable Sites Initiatives (SITES)
 - (d) Congress for the New Urbanism (CNU)
 - (e) BRE Environmental Assessment Method (BREEAM)
- (2) Design alternatives seeking such flexibility from the design standards of this PD or the ALDC shall be submitted and approved before implementation, by the Director of Community Development, Director of Engineering, and Chief Building Official, who shall have the authority, but not the obligation, to approve the alternative design(s) without being processed as a zoning amendment in accordance with the ALDC provided such design alternative is generally consistent with the intent of this Ordinance and its regulations and does not :
- (a) result in the approval of a land use not otherwise authorized by this Ordinance or the ALDC;
 - (b) increase the allowable intensity or density of any land use,
 - (c) effectively result in an amendment to the ALDC.

I. LAND USES:

1. Property in the Neighborhood-North Character District may be developed and used for the following uses in addition to those uses permitted in the MF-18 District:
 - a. Assisted living, but in no more than one building.
 - b. Retail store, provided such store is located only at street level and integrated into the building
2. Property in the Neighborhood-South Character district may be developed and used for single family dwellings (detached) in addition to those uses permitted in the R-7 District and shall be developed substantially in compliance with the Neighborhood South Concept Plan attached hereto as Exhibit "C" and incorporated herein by reference..
3. Property in the Alma Character District may be developed and used by right or upon approval of a Specific Use Permit for the following uses in addition to the uses permitted in the Corridor Commercial "CC" District:
 - a. Bed and breakfast
 - b. Beer & wine package sales with greater than 50% of revenue from beer & wine (*Specific Use Permit required*)
 - c. Bottling works that classifies as a a microbrewery
 - d. Convenience store (*Specific Use Permit required*)
 - e. Dance/martial arts studio (*Specific Use Permit required*)
 - f. Day care facility (*Specific Use Permit required*)

- g. Fitness and health center (*Specific Use Permit required for single occupants greater than 10,000 square feet*)
 - h. Food service
 - i. Hotel
 - j. Mini-warehouses (*Specific Use Permit required*)
 - k. Museum/art gallery
 - l. Park (private)
 - m. Park or playground (public)
 - n. Radio or TV broadcast studio
 - o. Veterinary hospital, animal clinic or animal boarding facility (*Specific Use Permit required*)
4. Property in the Tollway Character District may be developed and used by right or upon approval of a Specific Use Permit for the following uses in addition to the uses permitted in the Office “O” District:
- a. Book, card or novelty shops
 - b. Fitness and health center (*Specific Use Permit required*)
 - c. Garage, public parking
 - d. Hotel (*Specific Use Permit required*)
 - e. Radio or TV broadcast studio
 - f. Retail store (*as part of an office building*)
5. Property in the Central Character District may be developed and used by right or upon approval of a Specific Use Permit for the following uses in addition to the uses permitted in the Corridor Commercial “CC” District:
- a. Beer & wine package sales with greater than 50% of revenue from beer & wine (*Specific Use Permit required*)
 - b. Bottling works, limited to a microbrewery (*Specific Use Permit required*)
 - c. Dwelling, condominium (provided the number of condominium dwelling units, combined with the number of Apartment dwelling units, does not exceed 400)
 - d. Dwelling, Multifamily (Apartment) (provided the number of Apartment dwelling units, combined with the number of condominium dwelling units, does not exceed 400)
 - e. Fitness and health center (*Specific Use Permit required*)
 - f. Food service

- g. Museum/art gallery
 - h. Office (but no more than 400,000 square feet)
 - i. Park (private)
 - j. Park or playground (public)
 - k. Veterinary hospital, animal clinic or animal boarding facility (*Specific Use Permit required*)
6. Property in the Creek Character District may be developed and used by right or upon approval of a Specific Use Permit for the following uses in addition to the uses permitted in the Office “O” District:
- a. Book, card or novelty shops
 - b. Dwelling, condominium
 - c. Dwelling, Multi-family (Apartment)
 - d. Fitness and health center (*Specific Use Permit required*)
 - e. Garage, public parking
 - f. Hotel (*Specific Use Permit required*)
 - g. Outdoor produce market, temporary
 - h. Radio or TV broadcast studio
 - i. Retail store (*as part of a mixed-use building*)
 - j. Senior independent living
7. Retail, restaurant, and microbrewery uses may provide outside dining.
8. Lot 3 as shown on the General Concept Plan may be used and developed for mini-warehouse/self-storage purposes subject to the following:
- a. Such use must comply with ALDC Section 6.06.5 except as follows:
 - (1) An on-site office must be provided and operate during normal business hours.
 - (2) An on-site caretaker residence is not required.
 - (3) Mini-warehouse structures are limited to three stories or a maximum of forty-five (45) feet.
 - (4) Exterior walls facing a public right-of-way may have penetrations. Penetrations in exterior walls for loading door purposes shall be adequately screened.

- b. The mini-warehouse/self-storage must be developed substantially in conformity with the Self-Storage/Tract 3 Concept Plan and the Building Elevations (Tract 3 Only) attached hereto as Exhibits “D” and “E”, respectively and incorporated herein by reference.
- 9. Temporary uses and special events conducted on the Property shall be conducted in accordance with ALDC Section 6.04 “Temporary Uses and Special Events” subject to the following:
 - a. Temporary Uses and Special Events shall not be limited by number or duration in a calendar year;
 - b. Temporary Uses and Special Events must be held only in non-residential Character Districts; and
 - c. Temporary Use and Special Event locations may not obstruct fire lanes/emergency access points.

J. FACADE MATERIALS:

- 1. Parking garages.
 - a. Street front openings in parking structures shall not exceed 75 percent of the facade area.
 - b. Narrow facades of parking garage may be oriented towards any street.
 - c. Facades of above-ground parking structures that face public streets must have an enhanced architectural treatment.
- 2. Exterior façade materials. Exposed tilt wall precast concrete and cultured stone are a permitted material. Precast concrete may be painted.
- 3. Lighting.
 - a. For single family uses, lighting must comply with ALDC Section 7.03.4.
 - b. For all other uses, light is permitted to cross property lines.

K. STREETS, PARKING AND ACCESS EASEMENTS:

- 1. Except for single family residential lots, a perpetual cross-access easement for vehicle and pedestrian travel as well as cross-easements for parking shall be granted between and among all lots within the Property as necessary. The cross-access easement may be provided by plat or separate instrument. No other cross-access easements are required.
- 2. Multifamily uses (Dwelling, Condominium and Dwelling, Multi-Family Apartment) must provide a minimum of one (1) off-street parking space per bedroom. One-quarter space per dwelling unit must be unassigned for guest parking.
- 3. Senior independent living uses must provide a minimum of 0.7 off-street parking spaces per dwelling unit or suite. Senior living uses shall be defined in Appendix A, Definitions, of the ALDC.

4. On-street parking within 200 feet of a building/use may be counted towards the off-street parking requirement; provided, however, such use may only be counted once and not counted for multiple uses or buildings. Nothing in this paragraph 4 shall be construed as prohibiting a shared parking agreement (defined in Section K.5) from allowing parking spaces to be counted toward the minimum off-street parking requirements for multiple uses or buildings.
5. Off-street parking requirements may be satisfied through the use of shared parking agreements, provided that all spaces are located within 800-feet of the building/use being served, measured at the shortest possible distance in a straight line from the building/use to the parking space.
6. Private streets may be provided in accordance with the Road Diagram (Exhibit “H”). The pavement and subgrade of all such private streets shall be constructed to public street standards in accordance with the City of Allen’s standard construction specifications for public streets.
7. Temporary parking for special events may be approved by the Director of Community Development.
8. Angled head-in parking is allowed.
9. Streets may be constructed with a minimum 2% cross-slope.

L. INFRASTRUCTURE IMPROVEMENTS:

1. Construction of storm water detention facilities is required to detain surface water flows to the west. Staged detention shall be shown on the final site plans for each portion of the Property being platted and constructed in accordance with ALDC standards concurrently with development of the other public and private infrastructure associated with the portion of the Property being developed that will generate the developed runoff that makes the detention facility necessary. All storm water detention facilities shall be sufficiently designed and sized accommodate all drainage requirements set forth in the City’s standards. All storm water detention facilities shall be shown as a common area at the time of final plat and shall be owned and maintained by the developer and/or a property/homeowner’s association subject to ALDC section 8.20.
2. The two westbound lanes of Ridgeview Drive adjacent to the southern boundary of the Property, including associated deceleration lanes, shall be constructed prior to the issuance of a Certificate of Occupancy or approval of the final building permit inspection for any building constructed on any of Lots 7, 11, or 16 as shown on the General Concept Plan.
3. The segment of the additional northbound lane of Alma Drive to be constructed adjacent to Lot 3 as shown on the General Concept Plan, including associated deceleration lanes, shall be constructed, completed, and accepted by the Director of Engineering prior to the issuance of a Certificate of Occupancy or approval of a final building permit inspection for any building constructed on said Lot 3.
4. The entire segment of the additional northbound lane of Alma Drive adjacent to Lot 1 and Lot 2 as identified on the General Concept Plan, including associated deceleration lanes, shall be constructed, completed, and accepted by the Director of Engineering prior to the issuance of a Certificate of Occupancy or approval of a final building permit inspection for any building constructed on said Lot 1 or Lot 2.

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:1/4/18:94488)

Shelley B. George, TRMC, City Secretary

EXHIBIT "A"
LEGAL DESCRIPTION

LEGAL DESCRIPTION

135.28 ACRES

BEING a tract of land situated in the John Phillips Survey, Abstract No. 718, J.W. Parson Survey, Abstract No. 705 and the J.W. Roberts Survey, Abstract No. 762, City of Allen, Collin County, Texas; and being all of a tract of land described in Special Warranty Deed to Johnson Centre, LTD. recorded in Volume 5743, Page 2672 of the Land Records of Collin County, Texas; and being part of those tracts of land described in Special Warranty Deeds to Johnson Centre, LTD. recorded in Volume 4505, Pages 2437, 2440, 2443, 2457, 2464; Volume 5061, Page 4404; Volume 4954, Page 5587; and Volume 5258, Page 4916 of said Land Records; and being more particularly described as follows:

BEGINNING at the intersection of the south right-of-way line of State Highway 121 (a variable width right-of-way) and the east right-of-way line of Alma Road (a variable width right-of-way);

THENCE with said south right-of-way line of State Highway 121, the following courses and distances:

North 66°20'39" East, a distance of 812.28 feet to a point for corner;
North 67°16'58" East, a distance of 443.16 feet to a point for corner;
North 60°33'20" East, a distance of 979.63 feet to a point for corner;
North 64°36'04" East, a distance of 1098.06 feet to a point for corner in the west line of a called 129.370 acre tract described in Special Warranty Deed to P. Bush Elkin Property Company, Ltd. recorded in Volume 3988, Page 1722 of said Land Records;

THENCE with said west line of the 129.370 acre tract, South 0°39'41" East, a distance of 2501.50 feet to the northeast corner of a called 0.828 acre tract described in Special Warranty Deed to City of Allen, Texas recorded in Instrument No. 20121221001634200 of the Official Public Records of Collin County, Texas;

THENCE departing said west line of the 129.370 acre tract and with the north line of said 0.828 acre tract, South 76°59'40" West, a distance of 359.19 feet to the northwest corner of said 0.828 acre tract;

THENCE with the west line of said 0.828 acre tract, South 0°46'19" East, a distance of 64.67 feet to a point for corner in the north right-of-way line of Ridgeview Drive (a variable width right-of-way);

THENCE with said north right-of-way line of Ridgeview Drive, the following courses and distances:

South 89°13'41" West, a distance of 393.92 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 20°29'47", a radius of 1185.00 feet, a chord bearing and distance of South 78°51'36" West, 421.65 feet;
In a southwesterly direction, with said curve to the left, an arc distance of 423.91 feet to a point for corner;

EXHIBIT "A"
LEGAL DESCRIPTION cont.

South 68°36'43" West, a distance of 740.20 feet to a point at the beginning of a tangent curve to the left having a central angle of 4°53'28", a radius of 1185.00 feet, a chord bearing and distance of South 66°09'58" West, 101.13 feet;
In a southwesterly direction, with said curve to the left, an arc distance of 101.16 feet to a point for corner;
South 63°43'14" West, a distance of 304.52 feet to the intersection of said north right-of-way line of Ridgeview Drive and said east right-of-way line of Alma Drive;

THENCE with said east right-of-way line of Alma Drive, the following courses and distances:

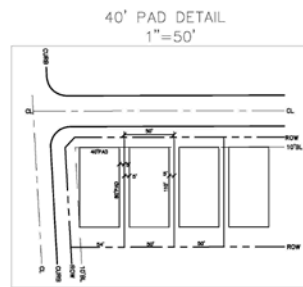
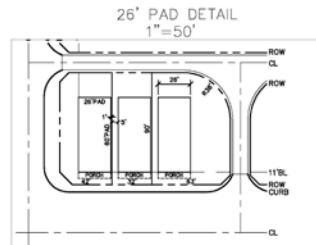
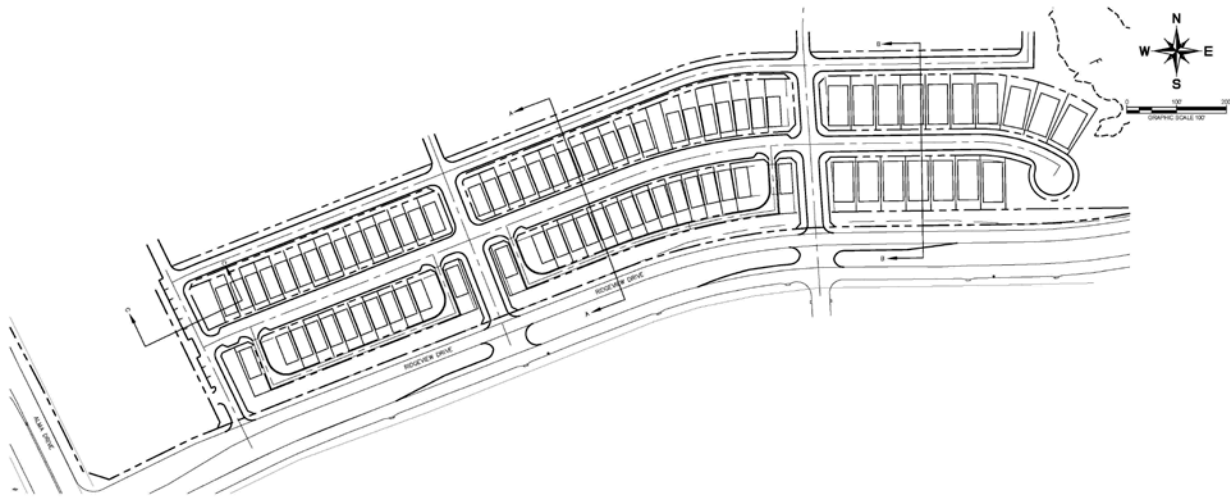
North 26°13'51" West, a distance of 291.48 feet to a point for corner;
North 27°52'01" West, a distance of 272.61 feet to a point for corner;
North 27°52'01" West, a distance of 77.53 feet to a point for corner;
North 26°13'50" West, a distance of 39.49 feet to a point at the beginning of a tangent curve to the left having a central angle of 16°44'56", a radius of 1246.00 feet, a chord bearing and distance of North 34°36'17" West, 362.94 feet;
In a northwesterly direction, with said curve to the left, an arc distance of 364.24 feet to a point for corner;
North 42°58'45" West, a distance of 62.15 feet to a point at the beginning of a tangent curve to the right having a central angle of 41°35'15", a radius of 1000.00 feet, a chord bearing and distance of North 22°11'07" West, 710.01 feet;
In a northwesterly direction, with said curve to the right, an arc distance of 725.84 feet to a point for corner;
North 1°31'38" West, a distance of 30.39 feet to a point for corner;
North 7°33'54" East, a distance of 91.97 feet to the **POINT OF BEGINNING** and containing 135.28 acres of land.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

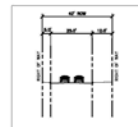
EXHIBIT "B"
GENERAL CONCEPT PLAN



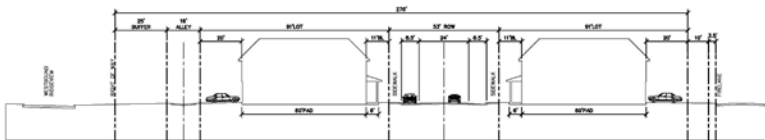
EXHIBIT "C"
NEIGHBORHOOD SOUTH CONCEPT PLAN



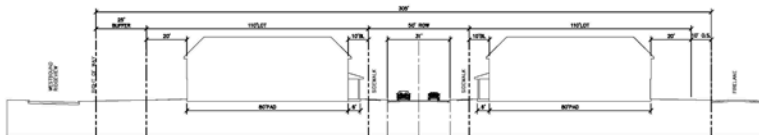
CROSS SECTION C-C
(1"=30')



CROSS SECTION A-A
(NTS)



CROSS SECTION B-B
(NTS)



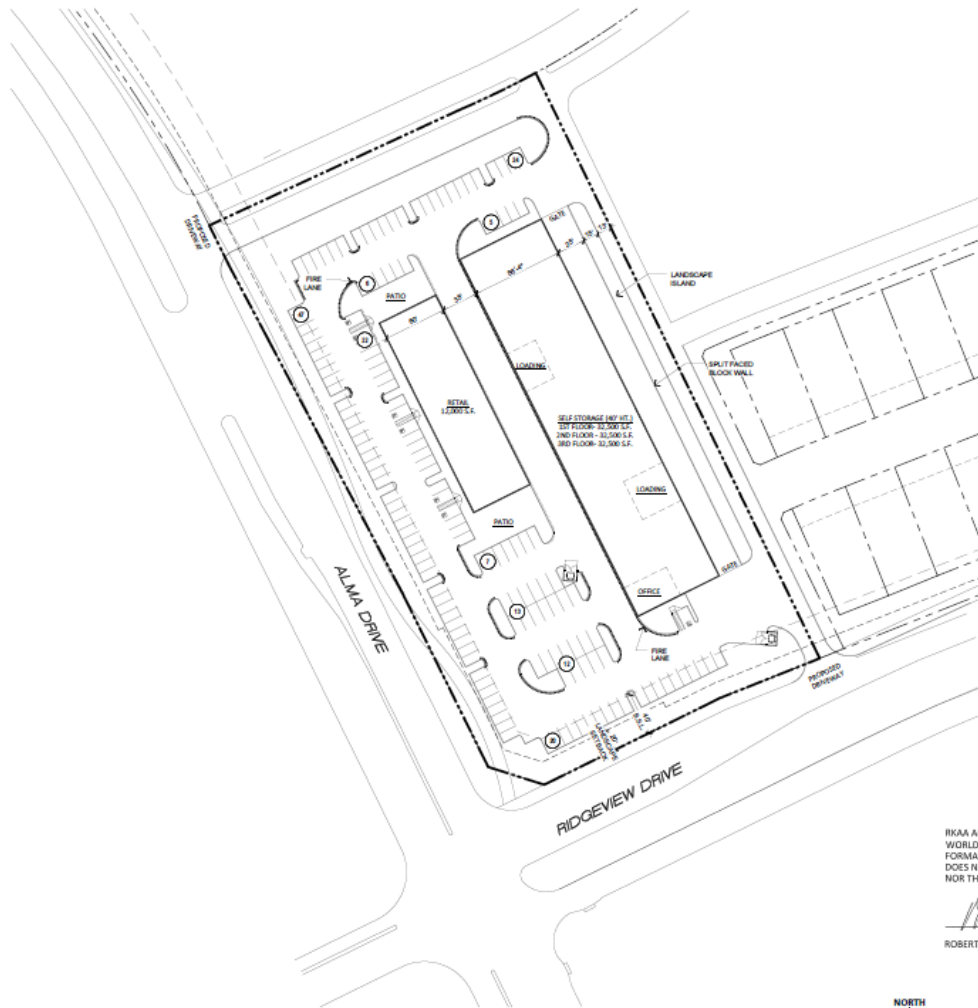
Single Family Concept Layout

The Strand

Allen, Texas
December 2017

Kimley»Horn

106 W. Louisiana Street
McKinney, Texas 75069
409.301-1500
Contact: Joe Riccard, PE
State of Texas Registration No. F-923



PROJECT DIRECTORY

DEVELOPER:
HINES
2200 ROSS AVE., SUITE 4200W
DALLAS, TEXAS 75201
CONTACT: TYLER BAKER
PHONE: (773)860-4023

ARCHITECT:
RKAA ARCHITECTS, INC.
2233 EAST THOMAS ROAD
PHOENIX, ARIZONA 85016
CONTACT: EDGAR FELIX
PHONE: (602) 955-3900
FAX: (602) 955-0496
E-MAIL: etefx@rkaa.com

SITE DATA

NET SITE AREA: 4.65 ACRES(201,053 S.F.)

PROPOSED USE: RETAIL / RESTAURANTS / MINI STORAGE

BUILDING AREA:
BUILDING A: 97,500 S.F.
SHOP A: 12,000 S.F.

TOTAL AREA: 109,500 S.F.
SITE COVERAGE: 22.1 %
FAR: .34

TOTAL PARKING REQUIRED: 139 SPACES

BUILDING A (97,500 S.F.)
MINI STORAGE (97,500 S.F.) @ 1/2000 = 49 SPACES
SHOP A (12,000 S.F.)
CENTRAL RETAIL (12,000 S.F.) @ 1/2000 = 30 SPACES
RESTAURANT (6,000 S.F.) @ 1/1000 = 60 SPACES

TOTAL PARKING PROVIDED: 157 SPACES

ACCESSIBLE SPACES REQUIRED: 6 SPACES
ACCESSIBLE SPACES PROVIDED: 7 SPACES

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Robert W. Kubicek 01-05-18
ROBERT W. KUBICEK, NCARB, AIA PRESIDENT

SITE PLAN
SCALE: 1" = 50'-0"



PROPOSED LOT 3 PD CONCEPT PLAN
NEC ALMA DRIVE AND RIDGEVIEW DRIVE
ALLEN, TX
DATE: 12-07-2017 (PRELIMINARY)

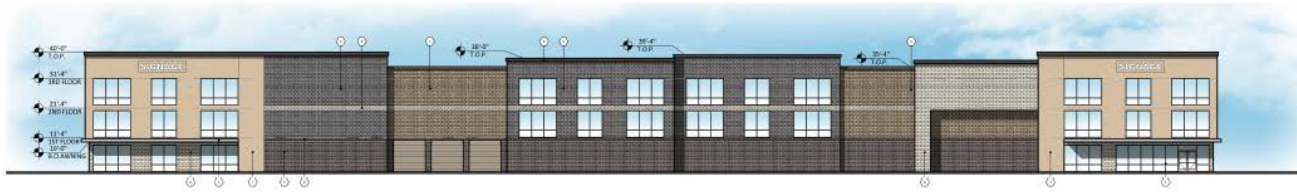
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SP-1
RKAA# 17201.50



THIS SITE PLAN HAS BEEN PREPARED WITHOUT THE AID OF A SURVEY. ALL PROPERTY BOUNDARIES ARE ROUGH APPROXIMATIONS. THIS DRAWING IS TO BE USED FOR CONCEPTUAL PURPOSES ONLY AND IT IS NOT TO BE THE BASIS FOR ANY LEGALLY BINDING DOCUMENTATION.

EXHIBIT "D"
SELF-STORAGE/TRACT 3 CONCEPT PLAN



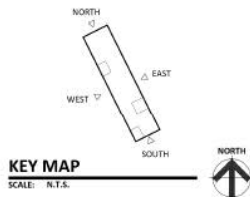
WEST ELEVATION

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



NORTH ELEVATION

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



KEY MAP

SCALE: N.T.S.



SOUTH ELEVATION

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



EAST ELEVATION

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

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Robert W. Kubicek 01-05-18
ROBERT W. KUBICEK, NCARB, AIA, PRESIDENT

PROPOSED LOT 3
NEC ALMA DRIVE AND RIDGEVIEW DRIVE
ALLEN, TEXAS
DATE: 12-07-2017 (PRELIMINARY)

EL-1
RKAA# 17201.50



#	MATERIALS
1	STOREFRONT ALUMINUM MULLIONS RAWNEER ANODIZED CLEAR
2	METAL CANOPY MIRCI SILVER METALLIC
3	INTEGRALLY COLORED CMU BY SUPERLITE SPLIT FACE MAV BENT
4	INTEGRALLY COLORED CMU BY SUPERLITE SPLIT FACE CHARCOAL
5	SUMMIT BRICK IRONWOOD
6	PARAPET/TRIM DUNN EDWARDS DESIGN: TEA BAG
7	FINE FINISH STUCCO DUNN EDWARDS DESIGNS ALMOND LATTE
8	CORONADO STONE FRENCH LIMESTONE FRENCH WHITE
9	ROLL-UP DOORS JANUS SANDSTONE

EXHIBIT "E"
BUILDING ELEVATIONS (TRACT 3 ONLY)

DISTRICT MAP



PHASING DIAGRAM

(FOR INFORMATIONAL PURPOSES)

- PHASE 1
- PHASE 2
- PHASE 3
- PHASE 4



ROAD DIAGRAM

■ PUBLIC ROAD
■ PRIVATE ROAD

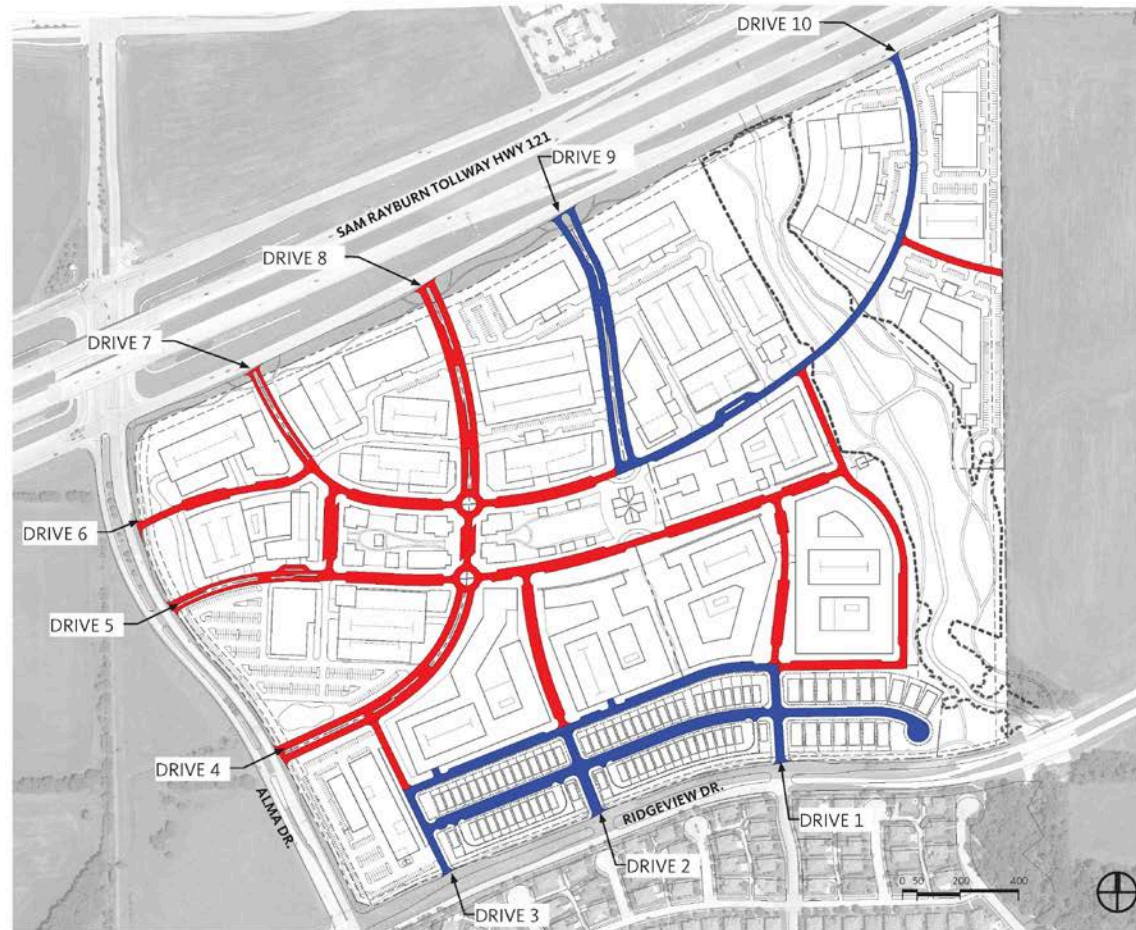


EXHIBIT 'H'
ROAD DIAGRAM