

**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 OF PLANNED DEVELOPMENT “PD” NO. 108 MIXED USE “MIX” AND ADOPTING A CONCEPT PLAN AND BUILDING ELEVATIONS ON 2.393± ACRES LOCATED IN THE JOHN FYKE SURVEY, ABSTRACT NO. 325; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR 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, the City Council has concluded that the Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Texas, as previously amended, should be further amended as follows.

**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, be further amended by amending the development regulations of Planned Development “PD” No. 108 Mixed-Use “MIX”, with respect to the use and development of 2.393± acres located in the John Fyke Survey, Abstract No. 325 (“the Property”) described in “Exhibit A,” attached hereto and incorporated herein by reference as set forth in Section 2 of this Ordinance.

**SECTION 2.** The Property shall be developed and used only in accordance with the applicable provisions of the Allen Land Development Code, as amended (“ALDC”) and Planned Development “PD” No. 108 as set forth in Ordinance No. 3044-10-11, as amended, and in Ordinance No. 3094-7-12, as amended (collectively “the PD 108 Ordinance”), except to the extent modified by the Development Regulations set forth below:

- A. 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/driveways that do not alter the general alignment shown on the Concept Plan may be made at the time of Site Plan approval.
- B. SETBACKS:** The Property shall be developed in general conformance with the setbacks shown on the Concept Plan.
- C. BUILDING ELEVATIONS:** The Property shall be developed in general conformance with the materials and architectural style set forth on the Building Elevations attached hereto as Exhibit “C.”
- D. PERMITTED USES:** In addition to the uses permitted within District H of Planned Development “PD” No. 108, the Property may be used and developed for the following uses:

- (1) Medical or dental office

- (2) Personal service business

**E. LANDSCAPING:** A landscape plan shall be submitted and approved concurrently with the application for the site plan relating to the development of the Property. In addition to the minimum landscaping requirements set forth in ALDC Section 7.05, the landscape plan shall provide:

- (1) an additional 300 square feet of landscaping at each of Drives A, B, and C;
- (2) no more than 25% of the landscaping in the landscape buffers shall be turf grass;
- (3) no more than 30% of the landscaping in the landscape buffers shall be a non-vegetative material and;
- (4) installation of pavestone crosswalks and pavestone paths, sidewalk, and ramp as illustrated on the Concept Plan.

**F. DRIVEWAY THROAT DEPTHS:** The minimum driveway throat depth on all driveways shall be as indicated on the Concept Plan.

**G. STREET IMPROVEMENTS:** The construction of the right-hand turn lane on Exchange Parkway and any equipment reconfiguration as a result of the trail connections at the northeast corner of Exchange Parkway and Bossy Boots Drive shall be constructed as shown on the Concept Plan and completed prior to issuance of the Certificate of Occupancy for any building constructed on 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, 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, 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 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 of the caption 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 11<sup>TH</sup> DAY OF SEPTEMBER 2018.**

**APPROVED:**

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**Stephen Terrell, Mayor**

**APPROVED AS TO FORM:**

**ATTEST:**

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**Peter G. Smith, City Attorney**  
(kbl:8/28/18:102230)

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**Shelley B. George, City Secretary**

**EXHIBIT "A"**  
**DESCRIPTION OF PROPERTY**

DESCRIPTION, of a 2.393 acre tract of land situated in the John Fyke Survey, Abstract No. 325, Collin County, Texas; said tract being part of that certain tract of land described in Special Warranty Deed to Twin Creeks Business Park, Inc. recorded in Instrument No. 20120731000930950 of the Official Public Records of Collin County, Texas; said 2.393 acre tract being more particularly described as follows:

BEGINNING, at a "+" cut in concrete set for corner at the intersection of the northwest right-of-way line of Exchange Parkway (a variable width right-of-way) and the northeast right-of-way line of Bossy Boots Drive (an 80-foot wide right-of-way); said point being the southernmost corner of said Twin Creeks tract and the beginning of a non-tangent curve to the left;

THENCE, along the said northeast line of Bossy Boots Drive and the southwest line of said Twin Creeks tract, the following two (2) calls:

Along said curve to the left, having a central angle of 03 degrees, 22 minutes, 27 seconds, a radius of 2,040.00 feet, a chord bearing and distance of North 31 degrees, 16 minutes, 47 seconds West, 120.12 feet, an arc distance of 120.14 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set at the end of said curve;

North 32 degrees, 58 minutes, 01 seconds West, a distance of 73.76 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner; said point being at the southernmost end of a right-of-way corner clip at the intersection of the said northeast line of Bossy Boots Drive and the southeast right-of-way line of Webster Drive (a 50-foot wide right-of-way);

THENCE, North 13 degrees, 37 minutes, 39 seconds East, departing the said northeast line of Bossy Boots Drive and the said southwest line of the Twin Creeks tract and along the said corner clip, a distance of 34.48 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner in the said southeast line of Webster Drive; said point being at the northernmost end of said corner clip;

THENCE, departing the said corner clip and along the said southeast line of Webster Drive, the following two (2) calls:

North 60 degrees, 13 minutes, 34 seconds East, a distance of 279.54 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set at the beginning of a tangent curve to the left;

Along said curve to the left, having a central angle of 32 degrees, 11 minutes, 06 seconds, a radius of 325.00 feet, a chord bearing and distance of North 44 degrees, 08 minutes, 01 seconds East, 180.17 feet, an arc distance of 182.56 feet to a 1/2-inch iron rod with

"PACHECO KOCH" cap set for corner; said point being the westernmost corner of Lot 1, Block D, Bossy Boots Addition, an addition to the City of Allen, Texas according to the plat recorded in Cabinet 2013, Slide 39 of the Plat Records of Collin County, Texas;

THENCE, South 29 degrees, 35 minutes, 34 seconds East, departing the said southeast line of Webster Drive and along the southwest line of said Lot 1, a distance of 249.20 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner in the said northwest line of Exchange Parkway; said point being the southernmost corner of said Lot 1;

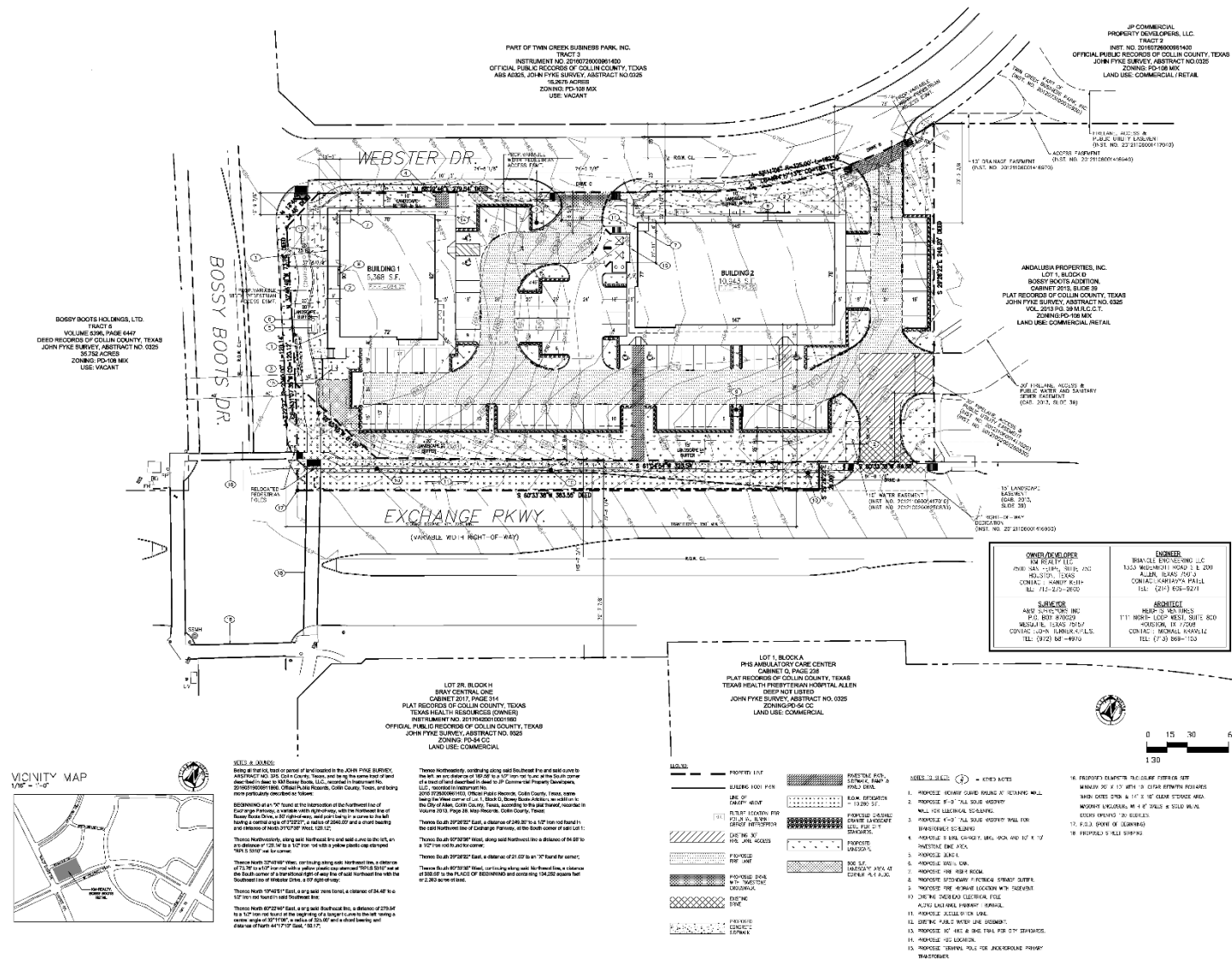
THENCE, along the said northwest line of Exchange Parkway, the following three (3) calls:

South 60 degrees, 24 minutes, 26 seconds West, a distance of 84.68 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner; said point being an angle point in the said northwest line of Exchange Parkway;

South 29 degrees, 35 minutes, 34 seconds East, along an offset in the said northwest line of Exchange Parkway, a distance of 21.00 feet to a "+" cut in concrete set for corner in the southeast line of said Twin Creeks tract; said point being an angle point in the said northwest line of Exchange Parkway;

South 60 degrees, 24 minutes, 26 seconds West, departing the said offset in the northwest line of Exchange Parkway and along the said southeast line of the Twin Creeks tract, a distance of 383.55 feet to the POINT OF BEGINNING;

CONTAINING, 104,253 square feet or 2.393 acres of land, more or less.



EXISTING & PROPOSED ZONING DISTRICT AND ZONING CODE:  
SEE MAP. SEE 5 NOT IN THE PLANNED PLAN

EXISTING ZONING DISTRICT - PD-100 WOOD WITH A MAX HEIGHT -  
DISTRICT 2.5 STORIES/25 MAX  
PROPOSED ZONING DISTRICT - PD-100 WOOD WITH A MAX HEIGHT -  
DISTRICT 2.5 STORIES/25 MAX

SEE AREA - DISTRICT 2.5 - 2.5% ZONES  
TOTAL LEASE BUILDING AREA - 17,311 S.F.  
TOTAL WOOD SHED - 12,236

[illegible]

REMOVED FROM ANALYSIS  
 97041 = 1,743 S.F. = 1/200 YEARS FRR S.F. = 26 PARAS  
 98316-99000 ADD S.F. 1/200 YEARS FRR S.F. 20 PARAS  
 98000 = 1,658 S.F. = 1/250 YEARS FRR S.F. = 28 PARAS  
 TOTAL 97041-99000 PARAS = 54  
 U.S. COVERED PARAS = 94

**PREPARED BY:**

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**Heights Venture**  
ARCHITECTURE ♦ DESIGN

HOURLY FEE: 1111 North Loop West, Suite 340  
Houston, Texas 77008 8747 Legacy Center, Suite 340  
Houston, Texas 77054



PD AMENDMENT CONCEPT PLAN  
BOSSY BOOTS RETAIL

LEGAL DESCRIPTION:  
ACREAGE : 2.383 ACRES  
SURVEY: JOHN FYKE SURVEY  
ABSTRACT NO. 325  
CITY OF ALLEN, COLLIN COUNTY  
SUBMISSION DATE: 05-26-2018

NEC EXCHANGE PKWY &  
BOSSY BOOTS DR.  
ALLEN, TX 75013

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Project Number:  
17190-001-151

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Issue/Revision:  
AUGUST 27, 2018

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Drawn By: GM GM	Checked By: MK
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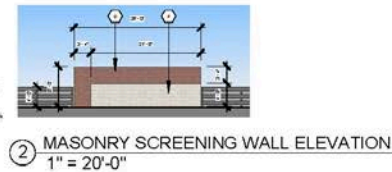
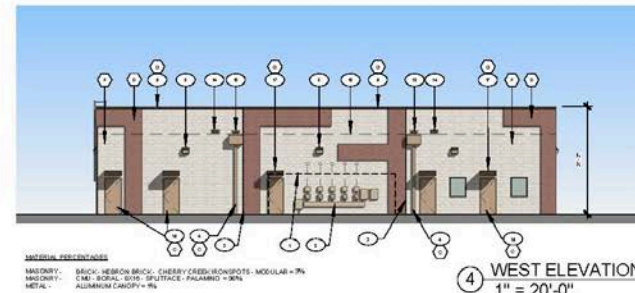
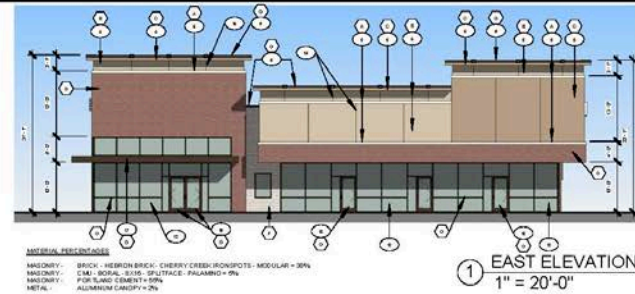
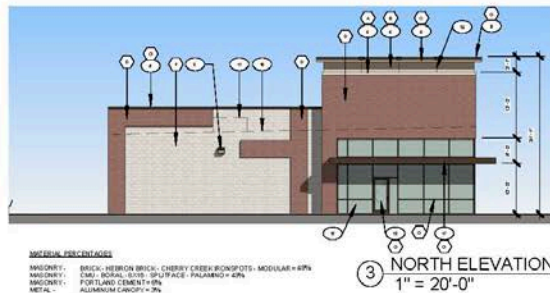
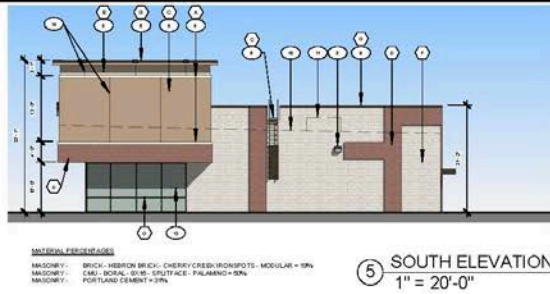
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File Name:  
A0.1 PD AMENDMENT CONCEPT PLAN.dwg

**A0.1**  
PD AMENDMENT CONCEPT PLAN

**EXHIBIT "B"**  
**CONCEPT PLAN**

EXHIBIT "C"  
BUILDING ELEVATIONS



- NOTES TO SHEET A2.2 & A2.3**
- PROPOSED 8" TALL SOLID MASONRY WALL FOR ELECTRICAL SCREENING.
  - CMU EXPANSION JOINT.
  - ELECTRICAL GUTTERS, METER BOX, DISCONNECT BOX, ETC. RE ELECTRICAL.
  - 8" X 8" PREFINISHED ROOF DOWNSPOUT, CONNECT TO UNDERGROUND STORM DRAIN. RE. CHALK DRAINAGE.
  - PORTLAND CEMENT - CONCRETE STUCCO.
  - PREFINISHED METAL CORNS.
  - MASONRY ACCENT WALL, RE. 210-4.
  - WALL PACK LIGHT FIXTURES, RE. LIGHTING PLAN & CUT SHEETS. MOUNT BOTTOM AT 12'-0".
  - LAND BY WITH SECURITY LANS OR SQUARE 8'-0" LENGTH, VISIONMISTERS COM SERIES LANS APPROVED EQUAL.
  - LINE OF ROOF BEYOND (DASHED).
  - ALL ROOFTOP EQUIPMENT TO BE SCREENED BY PARAPET WALLS FROM VIEW AT PROPERTYS LINE.
  - INSULATED ALUMINUM STOREFRONT SYSTEM DOUBLE INSULATED, TEMPERED, GLAZING COLOR: NATURAL ALUMINUM PPO-BIG CLEAR - CLEAR SOLARBAR, U-VALUE = 27, SHGC = 28, SHADING.
  - PRIMARY ROOF SCUPPER, 5'X10', WITH CATCHMENT BOX.
  - OVERFLOW SCUPPER 5'X10', LOCATE 1'-0" FROM PRIMARY CUPPER AND 2" HIGHER IN ELEVATION.
  - CONCRETE STUCCO V-GROOVE SHIP JOINT, PLACED AT 10'-0" O.C.
  - DOOR: 3'-0" X 7'-0" INSULATED, HOLLOW METAL DOOR & HOLLOW METAL FRAME, PAINTED.
  - ALUMINUM CANTORY.
  - DOOR: 8'-0" X 7'-0" ALUMINUM FRAME & INSULATED, TEMPERED GLASS STOREFRONT DOOR TO MATCH STOREFRONT SYSTEM WITH NARROW STYLE & 47" SILL.
  - DOOR (2): 7'-0" X 7'-0" ALUMINUM FRAME & INSULATED, TEMPERED GLASS STOREFRONT DOOR TO MATCH STOREFRONT SYSTEM WITH NARROW STYLE & 47" SILL.
  - TO (3) TRANSPARENT POLYURETHAN ROOF MEMBRANE.
- MATERIAL SCHEDULE**
- PAINT - SHERWIN WILLIAMS - SW 7122 - WHITE FLOOR.
  - PAINT - SHERWIN WILLIAMS - SW 5110 - NALABAR.
  - PAINT - SHERWIN WILLIAMS - SW 5110 - SONG THROUGH.
  - MASONRY - BRICK - HEBRON BRICK - CHERRY CREEK IRONSPOTS - MODULAR WITH WHITE MORTAR.
  - MASONRY - CMU - BORAL - 8115 - SPLTFACE - PALAMBO WITH WHITE MORTAR.
  - METAL - PREFABRICATED METAL - BERRID-DE - COPPER BROWN.

**Heights Venture**  
ARCHITECTURE + DESIGN

HOUSTON 1111 North Loop West, Suite 800 Houston, Texas 77009 713 869 1103 V

DALLAS 5717 Legacy Drive, Suite 240 Plano, Texas 75024 979 490 7292 V

BOSSY BOOTS RETAIL

NEC OF EXCHANGE PARKWAY & BOSSY BOOTS DRIVE  
CITY OF ALLEN, COLLIN COUNTY, TX  
75013

Project Number: 17190-002	
Drawn By: GM	Checked By: MK
File Name: KM BOSSY BOOTS	
Date Plotted: 7/24/2018 3:04:08 PM	
Issue Description: PD AMENDMENT CONCEPT	

**A2.3**  
PD AMENDMENT  
CONCEPT - BLDG. 1  
ELEVATIONS



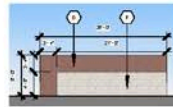
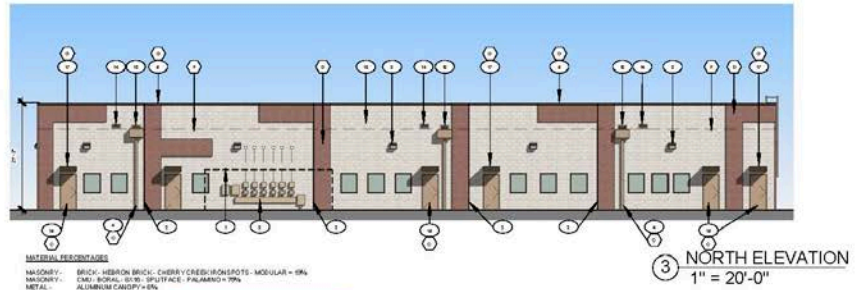
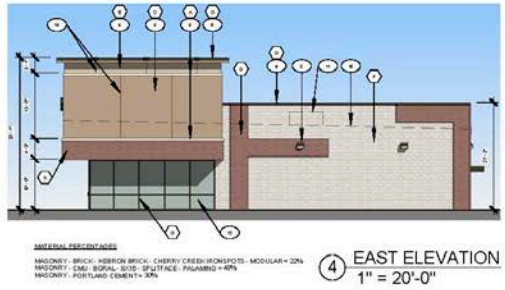
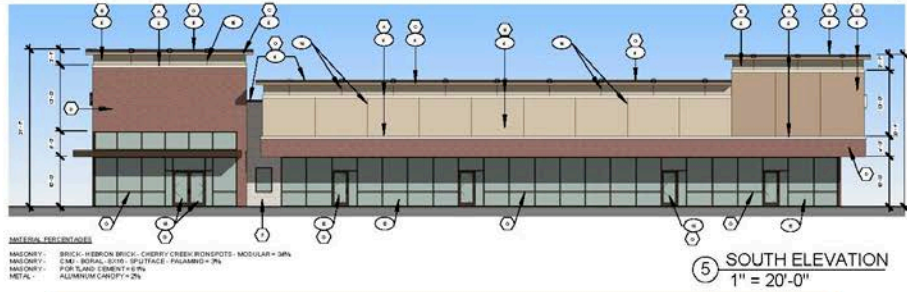
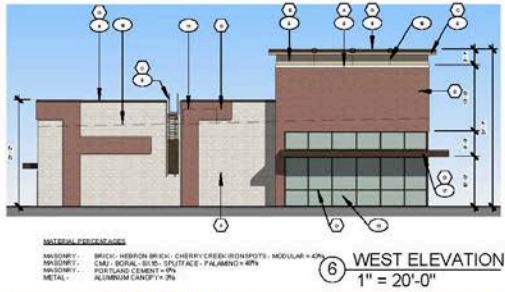


EXHIBIT "C"  
BUILDING ELEVATIONS cont.



**Heights Venture**  
ARCHITECTURE • DESIGN

HOUSTON 1111 North Loop West, Suite 800 Houston, Texas 77009 713 869 1103 V  
DALLAS 6717 Legacy Drive, Suite 240 Plano, Texas 75024 979 490 7292 V

BOSSY BOOTS RETAIL

NEC OF EXCHANGE PARKWAY & BOSSY  
BOOTS DRIVE  
CITY OF ALLEN, COLLIN COUNTY, TX  
75013

Project Number:  
17190-002

Drawn By: GM Checked By: MK

File Name:  
KM BOSSY BOOTS

Date Plotted:  
7/24/2018 3:04:12 PM

Issue Description:  
PD AMENDMENT CONCEPT

**A2.4**  
PD AMENDMENT  
CONCEPT - BLDG. 2  
ELEVATIONS