

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 REGULATIONS RELATING TO THE USE AND DEVELOPMENT OF LOT 8R, BLOCK D, BRAY CENTRAL ONE ADDITION (COMMONLY KNOWN AS 802 W. MCDERMOTT DRIVE) PRESENTLY ZONED AS PLANNED DEVELOPMENT “PD” NO. 54 CORRIDOR COMMERCIAL “CC” AND ADOPTING A CONCEPT PLAN, BUILDING ELEVATIONS, AND PHOTOMETRIC PLAN; 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 as set forth in Section 2 of this Ordinance the regulations relating the use and development of Lot 8R, Block D, Bray Central One Addition, City of Allen, Collin County, Texas, according to the plat thereof recorded in Cabinet K, Slide 807, Map Records, Collin County, Texas, (“the Property”) (and commonly known as 802 W. McDermott Drive) presently zoned as Planned Development “PD” No. 54 Corridor Commercial “CC.”

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 the use and development regulations of Planned Development “PD” No. 54 as set forth in Ordinance No. 1172-5-93, as amended, and in Ordinance No. 2101-10-02, as amended (collectively “the PD 54 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 “A” and incorporated herein by reference. Minor modifications to streets that do not alter the general alignment shown on the Concept Plan may be made at time of Site Plan approval.
- B. BUILDING ELEVATIONS:** Buildings to be constructed on the Property shall be developed in general conformance with the height, materials, and architectural style set forth in the Building Elevations attached hereto as Exhibit “B” and incorporated herein by reference (“the Elevations”).

- C. PHOTOMETRIC PLAN:** Lighting to be installed on the Property shall generally conform to the lighting levels set forth in the Photometric Plan attached hereto as Exhibit “C” and incorporated herein by reference (“the Photometric Plan”).
- D. BUILDING SETBACKS:**
- (1) The side yard and rear yard setbacks shall be zero feet (0.0’).
 - (2) No parking shall be allowed within 20 feet of the front property line.
- E. LANDSCAPE BUFFER:** The landscape buffer along U.S. Highway 75 shall be 20 feet as shown 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. OUTDOOR DISPLAY LOCATIONS:** Outdoor display is allowed in the locations as indicated on the Concept Plan, provided, however, that an accessible path remains to access the building.

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 8TH DAY OF JANUARY 2019.

APPROVED:

Stephen Terrell, Mayor

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, City Attorney
(kbl:12/12/18:104847)

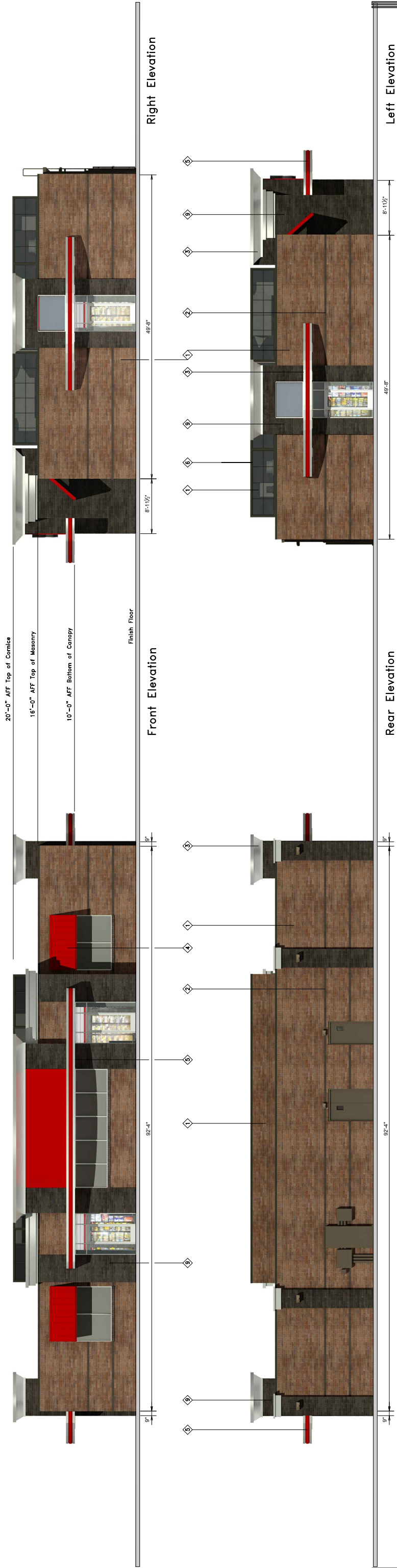
Shelley B. George, City Secretary

EXHIBIT "A"
CONCEPT PLAN

Ordinance No. _____

EXHIBIT “B”
BUILDING ELEVATIONS

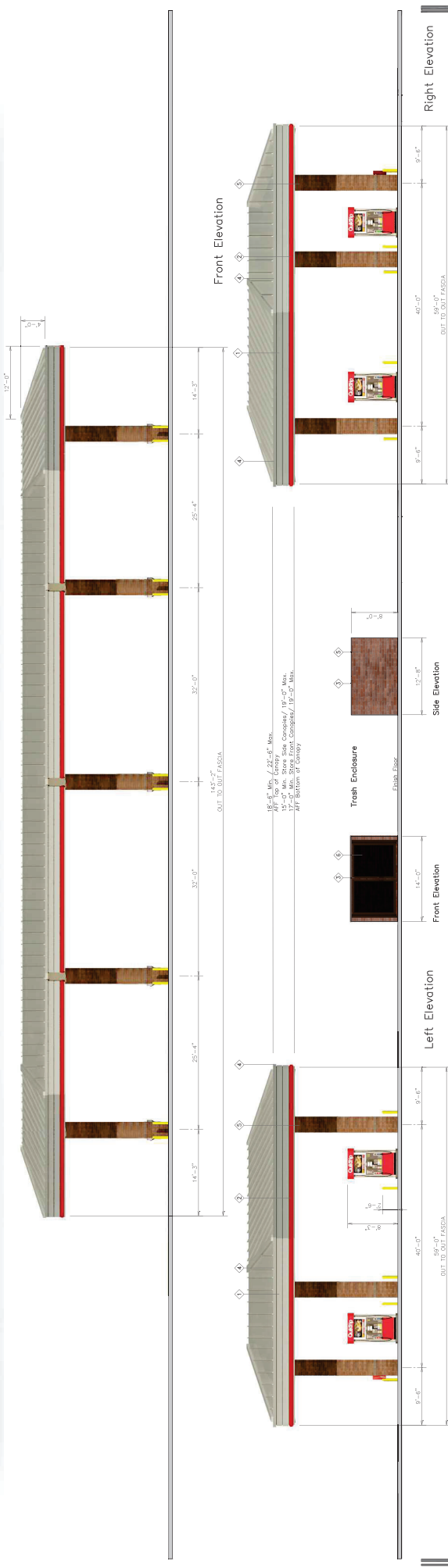
G3S Material Table				
	TOTAL	ATLAS BRICK	FACIA/CANOPY	DOORS/WINDOWS
FRONT FACADE:	1638 SF	944 SF	176 SF	351 SF
SIDE FACADES:	852 SF	697 SF	64 SF	91 SF
REAR FACADE:	1498 SF	1422 SF	9 SF	67 SF



 4705 South 129th East Ave. Tulsa, OK 74134-7008 P.O. Box 3475 Tulsa, OK 74101-3475 (918) 615-7700	Store # 1909		G3S-L Building Elevations		Address: 802 W McDermott Dr		City, State: Allen, TX	
	Serial # 08-1909-G3SL		Scale: 1/16"=1'-0"		Issue Date: 09.26.18		Rev/Notes: #	
	Drawn By: JK							

Canopy Material Percentage Table

	FRONT FACADE:	SIDE FACADES:	REAR FACADE:
TOTAL	827 SF	427 SF	824 SF
ATLAS BRICK	272 SF	218 SF	272 SF
FACA/ CANOPY	555 SF	209 SF	552 SF



 4700 South 122th East Ave. P.O. Box 1475 Tulsa, OK 74116 (918) 615-7700		Store # 1909 Custom DS 8 w/ Mansard Roof		Address: 802 W McDermott Dr. City, State: Allen, TX	
Serial # 08-1909-GD08		Scale: 1/16"=1'-0"		Issue Date: 09.26.18	
		Drawn By: JK		Rev/Notes:	

EXHIBIT “C”
PHOTOMETRIC PLAN

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