

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, BY AMENDING THE DEVELOPMENT REGULATIONS OF TRACT A-2 OF PLANNED DEVELOPMENT “PD” NO. 92 CORRIDOR COMMERCIAL “CC” AND ADOPTING A CONCEPT PLAN AND PATIO ELEVATIONS RELATING TO THE USE AND DEVELOPMENT OF ALL OF LOT 1, BLOCK A, STARCREEK VILLAGE; 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 by amending the development regulations of Tract A-2 of Planned Development “PD” No. 92 Corridor Commercial “CC,” with respect to the use and development of Lot 1, Block A, Starcreek Village (“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 in accordance with the applicable provisions of the Allen Land Development Code, as amended, (“ALDC”) and Tract A-2 of Planned Development “PD” No. 92 as set forth in Ordinance No. 2352-12-04, as amended by Ordinance No. 3353-2-16, Ordinance No. 3398-7-16, and Ordinance No. 3634-12-18, (collectively “the PD 92 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 the time of Site Plan approval.
- B. ADDITIONAL PERMITTED USES:** In addition to the uses permitted by the PD 92 Ordinance that are applicable to Tract A-2, the Property may be developed and used for a “Smoking Establishment” use after approval of a Specific Use Permit.
- C. PATIO 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 Patio Elevations attached hereto as Exhibit “B,” and incorporated herein by reference (“the Patio Elevations”).

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 23RD DAY OF APRIL 2019.

APPROVED:

Stephen Terrell, MAYOR

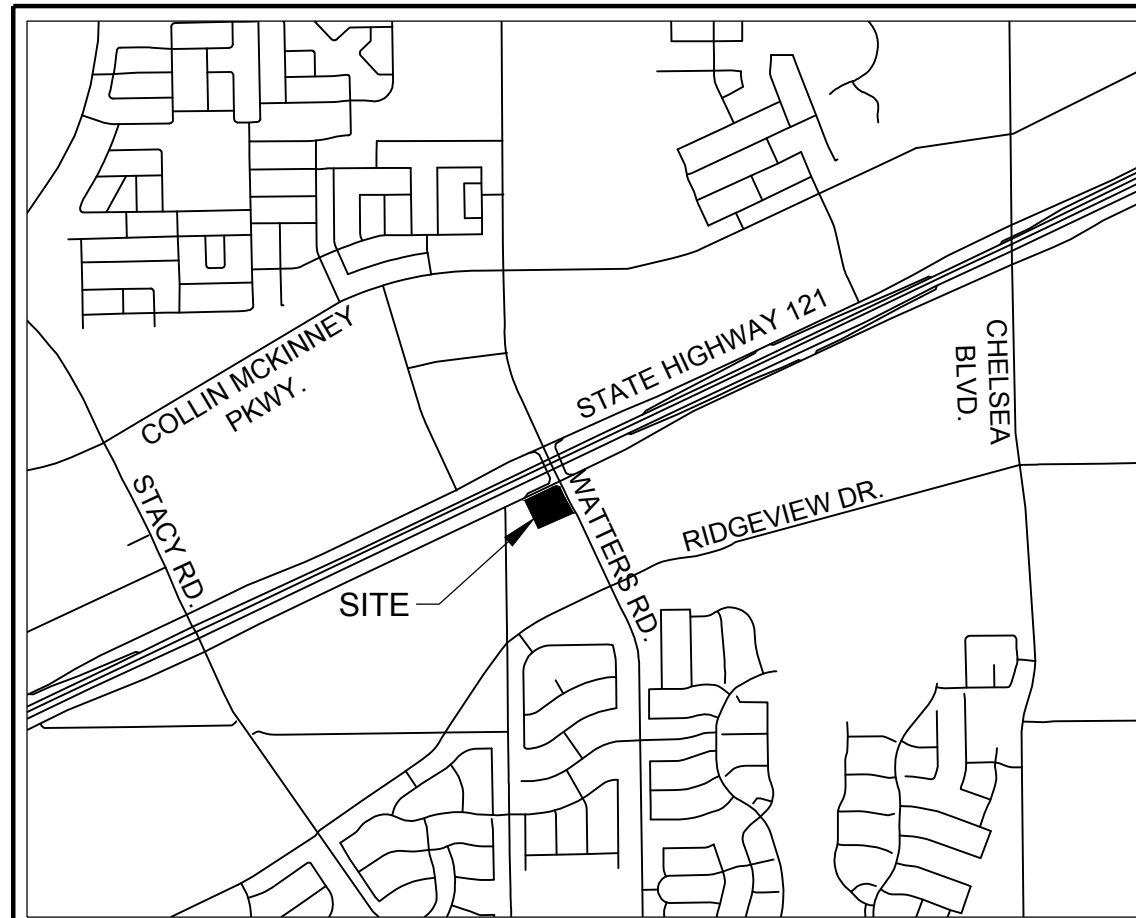
APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY
(kbl:4/9/19:107224)

Shelley B. George, TRMC, CITY SECRETARY

EXHIBIT “A”



VICINITY MAP
SCALE: 1" = 200'

SITE DATA SUMMARY	
CURRENT ZONING	PD 92 (CC)
LOT AREA	2.819 ACRES (122,811 S.F.)
PARKING REQUIRED	4.5 SPACES / 1000 S.F. = 134 SPACES
PARKING PROVIDED	153 SPACES
OPEN SPACE REQUIRED	0.282 ACRES 10% (12,281 S.F.)
OPEN SPACE PROVIDED	0.652 ACRES 23.11% (28,352 S.F.)
MAXIMUM BUILDING HEIGHT	40'-0" (ONE STORY)
LOT RETAIL USE	70% (21,029 SF)
LOT RESTAURANT USE	30% (8,835 SF)
LOT OFFICE USE	0% (0 SF)

LEGEND	
	EXISTING PROPERTY LINES
	ADJACENT PROPERTY LINES
	PROPOSED FIRE LANES
	SIDEWALK CONCRETE
	PARKING COUNT
	LANDSCAPED AREA
	BARRIER FREE RAMP

STATE HWY. No. 121
(VARIABLE R.O.W.)
10' SANITARY SEWER EASEMENT

STATE OF TEXAS
VOL. 4793, PG. 1449
ABSTRACT A0280,
FRANCIS DASSER SURVEY,
TRACT 1R

EXISTING
RIGHT-IN/RIGHT-OUT
DRIVEWAY

PROPOSED
DRAINAGE
EASEMENT
EXISTING FIRE
HYDRANT

POINT OF BEGINNING
FIR "DAA"
EXISTING FIRE
HYDRANT

EXISTING
SIGNALIZED
INTERSECTION

STARCREEK CENTER, LLC
VOL. 2007, PG. 261
STARCREEK COMMERCIAL
LOT 10, BLOCK B
PD-92 (CC)

CITY OF ALLEN
VOL. Q, PG. 472
ABSTRACT A0280,
FRANCIS DASSER
SURVEY, TRACT 13R

STARCREEK CENTER, LLC
VOL. 2007, PG. 261
STARCREEK COMMERCIAL
LOT 3R, BLOCK B
PD-92 (CC)

STARCREEK RETAIL
LOT 1, BLOCK A OF STARCREEK VILLAGE
2.819 ACRES

WATERS ROAD & HIGHWAY 121 SERVICE ROAD
CITY OF ALLEN, COLLIN COUNTY, TEXAS 75013

NOTE: SEPARATE PERMIT IS REQUIRED FOR ANY
PROPOSED SIGNAGE, FENCING, OR IRRIGATION.

NOTE: UNLESS NOTED OTHERWISE, ALL EXISTING
EASEMENTS SHOWN WERE CREATED BY THE FINAL
PLAT OF LOT 2, BLOCK A STARCREEK COMMERCIAL
(VOL. 2007, PG. 15)

NOTE: APPLICANT SHALL COMPLY WITH CITY
ORDINANCE, CHAPTER 6, HEALTH AND
ENVIRONMENT; ARTICLE III, SOLID WASTE; SECTIONS
6-1 TO 6-80.

NOTE: APPLICANT SHALL COMPLY WITH ALL
IRRIGATION REGULATIONS IN V.T.C.A.
ADMINISTRATIVE CODE TITLE 30, CHAPTER 344
RULES ESTABLISHED BY THE STATE OF TEXAS; AND
REQUIREMENTS FOR IRRIGATION DESIGN AND
WATER CONSERVATION SET IN THE ALLEN LAND
DEVELOPMENT CODE SECTION 7.05.6, AND THE CITY
OF ALLEN WATER CONSERVATION AND DROUGHT
CONTINGENCY AND EMERGENCY RESPONSE PLAN.

WINES FAMILY IRREVOCABLE
TRUST
VOL. 2774, PG. 647
D.R.R.C.T.
ABSTRACT A0879,
J. SEABORN & RT CLEMENTS
SURVEY, TRACT 3

STARCREEK VILLAGE
LOT 2, BLOCK A
LOT ACREAGE = 3.403 ACRES

STARCREEK VILLAGE
LOT 3, BLOCK A
LOT ACREAGE = 2.014 ACRES

NOTE:
NO TREES ARE UNDERSTOOD TO
EXIST ON THE SUBJECT PROPERTY
AT THIS TIME.

BENCHMARK:
SQUARE CUT ON INLET
ELEV.: 690.73

PROPOSED
CROSS
ACCESS

PROPOSED
CROSS
ACCESS

PROPOSED
CROSS
ACCESS

PROPOSED
RIGHT-IN/RIGHT-OUT
DRIVEWAY

PROPOSED FIRE
HYDRANT (TYP.)

PROPOSED WATER
LINE EASEMENT

COVERED PATIO
(41-415 S.F.)

PROPOSED FIRE
DEPARTMENT CONNECTION

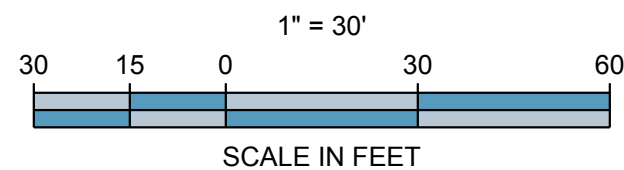
PROPOSED WATER
LINE EASEMENT

PROPOSED 20'X13' MASONRY
ENCLOSURE TO COMPLEMENT THE
MAIN STRUCTURE WITH 8' WALLS AND
SOLID DOORS OPENING 120 DEGREES

UTILITY EASEMENT
(TO BE ABANDONED
BY PLAT)

PROPOSED WATER
LINE EASEMENT

10' UTILITY
EASEMENT



ENGINEER:
FORESITE
group
TBPE Firm No. F-12878
Foresite Group, Inc.
1999 Bryan St.
Suite 890
Dallas, TX 75201
www.fg-inc.net
214.939.7123
888.765.8135
D/B/A Foresite Consulting Group of Texas, Inc.

ARCHITECT:
PATRICK AHEARNE, ARCHITECT
814 WIND ELM DRIVE
ALLEN, TEXAS 75002
(972) 359-0053
CONTACT: MR. PATRICK AHEARNE
DEVELOPER:
STARCREEK RETAIL, LLC.
5164 VILLAGE CREEK DRIVE, SUITE 100
PLANO, TEXAS 75093
(972) 267-3300
CONTACT: MR. DANI GOLAN

PROJECT:

SEAL:

REVISIONS
PATIO EDIT
CITY COMMENTS

DATE
03-14-2019
03-20-2019

PROJECT MANAGER: DN
DRAWING BY: DK
JURISDICTION: ALLEN, TEXAS
DATE: 8 DECEMBER 2017
SCALE: 1" = 30'
TITLE:

STARCREEK RETAIL
2.819 ACRES
PD AMENDMENT CONCEPT PLAN

SHEET NUMBER:
1 OF 1
COMMENTS:
JOB/FILE NUMBER: 995.001

EXHIBIT “B”

