

**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 FOR A 7.329± PORTION OF “TRACT 3” IN “PD” PLANNED DEVELOPMENT NO. 40 AS ESTABLISHED BY ORDINANCE NO. 751-10-86, AS AMENDED, AND ADOPTING A CONCEPT PLAN AND BUILDING ELEVATIONS; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING 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, in compliance with the laws of the State of Texas and the Ordinances of the City of Allen, 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 the Allen Land Development Code and Zoning Map of the City of Allen, 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 and Zoning Map of the City of Allen, Texas, be amended by amending as set forth in Section 2, below, the Development Regulations relating to the use and development of 7.329± acres of land situated in the H. Seaborn & Robert T. Clements Survey, Abstract No. 879 described in Exhibit “A,” attached hereto and incorporated herein by reference (“the Property”), which is presently zoned “PD” Planned Development No. 40 Corridor Commercial “CC”.

**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 the development and use regulations applicable to Tract 3 of Planned Development “PD” No. 40 as set forth in Ordinance No. 751-10-86, and amended from time to time (collectively “the PD 40 Ordinance”), except as 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 that do not alter the general alignment shown on the Concept Plan may be made at the time of plat 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 “C,” and incorporated herein by reference (“the Elevations”).
- C. ADDITIONAL PERMITTED USES:** In addition to the uses permitted by the PD 40 Ordinance for property located within Tract 3, the Property may be developed and used for the following purposes:
  - (1) Target Range
  - (2) Firearms Sales & Service

**D. BUILDING MATERIALS:** In addition to the building materials permitted by the PD 40 Ordinance for property located within Tract 3, architectural prefinished metal wall panel, ship-lap ipe wood siding, and metal standing seam roof panels are permitted; provided, however, the design and construction of such façade shall at all times comply with the 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 11<sup>th</sup> DAY OF JUNE 2019.**

**APPROVED:**

\_\_\_\_\_  
**Stephen Terrell, Mayor**

**APPROVED AS TO FORM:**

**ATTEST:**

\_\_\_\_\_  
**Peter G. Smith, City Attorney**  
(kbl:5/31/19:108430)

\_\_\_\_\_  
**Shelley B. George, City Secretary**

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

SITUATED in the City of Allen, in the H. Seaborn & Robert T. Clements Survey, Abstract No. 879 of Collin County, Texas and being a part of that certain called 32.135 acre tract of land described in a deed to the Wines Family Irrevocable Trust (50% Interest), recorded in Volume 2774, Page 647, Deed Records, Collin County, Texas (D.R.C.C.T.) and in a deed to MGA Family Limited Partnership (50% Interest), recorded in Volume 5997, Page 1572, D.R.C.C.T. and said parcel being more particularly described by metes & bounds as follows:

BEGINNING at a 5/8 inch iron rod, topped with a plastic cap, stamped "Sparr Surveys", found on the southeasterly right-of-way line of Sam Rayburn Tollway, State Highway 121 ( variable width right-of-way), for the northeast corner of the above described 32.135 acre tract and same being the northwest corner of that certain remainder tract of land described in a deed to Starcreek Village, LLC, recorded in Document No. 20140730000802700, D.R.C.C.T.;

THENCE: South 00 deg. 27 min. 42 sec. East, departing from said highway, along the common line of said 32.135 acre tract and said Starcreek tract, at a distance of 547.37 feet, passing the northwest corner of Lot 1, Block A of Starcreek Commercial, an addition to the City of Allen, according to the plat thereof, recorded in Cabinet Q, Page 511, P.R.C.C.T. and continuing with the common line of said 32.135 acre tract and said Lot 1, Block A, for a total distance of 924.79 feet to a 1/2 inch iron rod, topped with a red plastic cap, stamped "RPLS 4701", set for the southeast corner of this tract;

THENCE: South 89 deg. 32 min. 18 sec. West, departing from said common line, over & across said 32.135 acre tract, a distance of 580.40 feet to a 1/2 inch iron rod, topped with a red plastic cap, stamped "RPLS 4701", set for the southwest corner of this tract and said point being 15.0 feet east of the west line of said 32.135 acre tract;

THENCE: North 01 deg. 04 min. 11 sec. West, continuing across said 32.135 acre tract, remaining 15 feet east of and parallel to the west line of said tract, a distance of 146.22 feet to a 1/2 inch iron rod, topped with a red plastic cap, stamped "RPLS 4701", set for the southerly northwest corner of this tract;

THENCE: North 89 deg. 32 min. 16 sec. East, continuing across said 32.135 acre tract, a distance of 247.45 feet to a 1/2 inch iron rod, topped with a red plastic cap, stamped "RPLS 4701", set for an inside ell corner of this tract;

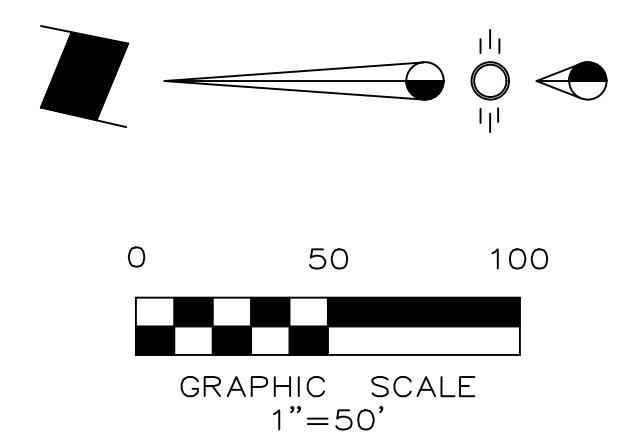
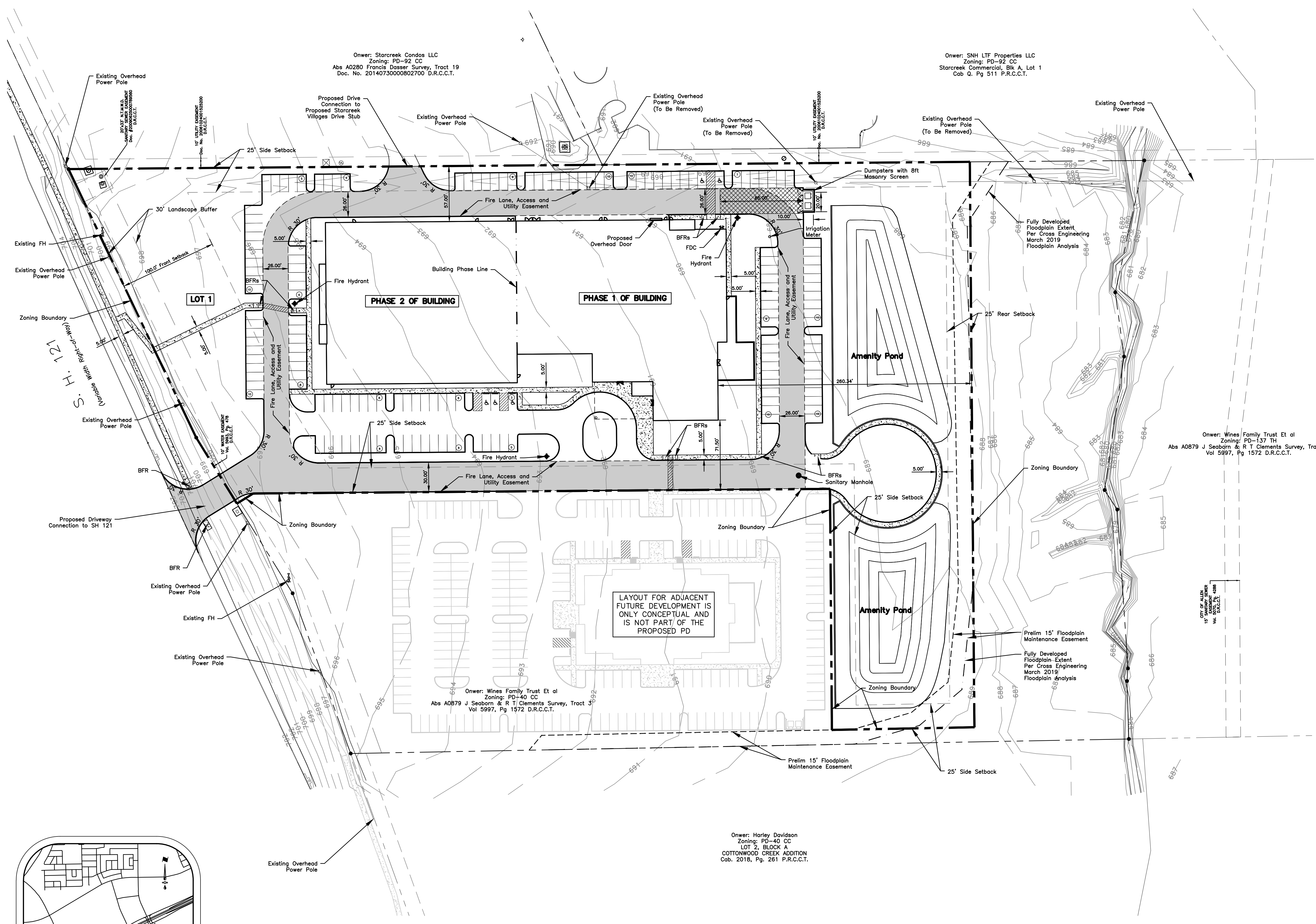
THENCE: North 00 deg. 27 min. 42 sec. West, continuing across said 32.135 acre tract, a distance of 591.79 feet to a 1/2 inch iron rod, topped with a red plastic cap, stamped "RPLS 4701", set for an angle corner;

THENCE: North 31 deg. 45 min. 17 sec. West, continuing across said 32.135 acre tract, a distance of 19.57 feet to a 1/2 inch iron rod, topped with a red plastic cap, stamped "RPLS 4701", set on the southeasterly right-of-way line of the above mentioned Sam Rayburn Tollway, State Highway 121 for the most northern northwest corner of this tract;

THENCE: North 58 deg. 14 min. 43 sec. East, along the southeasterly right-of-way of said highway, a distance of 79.53 feet to a Texas Department of Transportation brass right-of-way monument, found for an angle corner;

THENCE: North 64 deg. 35 min. 06 sec. East, continuing along said highway, a distance of 305.19 feet to the POINT OF BEGINNING and containing 319,258 square feet or 7.329 acres of land.

**EXHIBIT “B”**  
**CONCEPT PLAN**

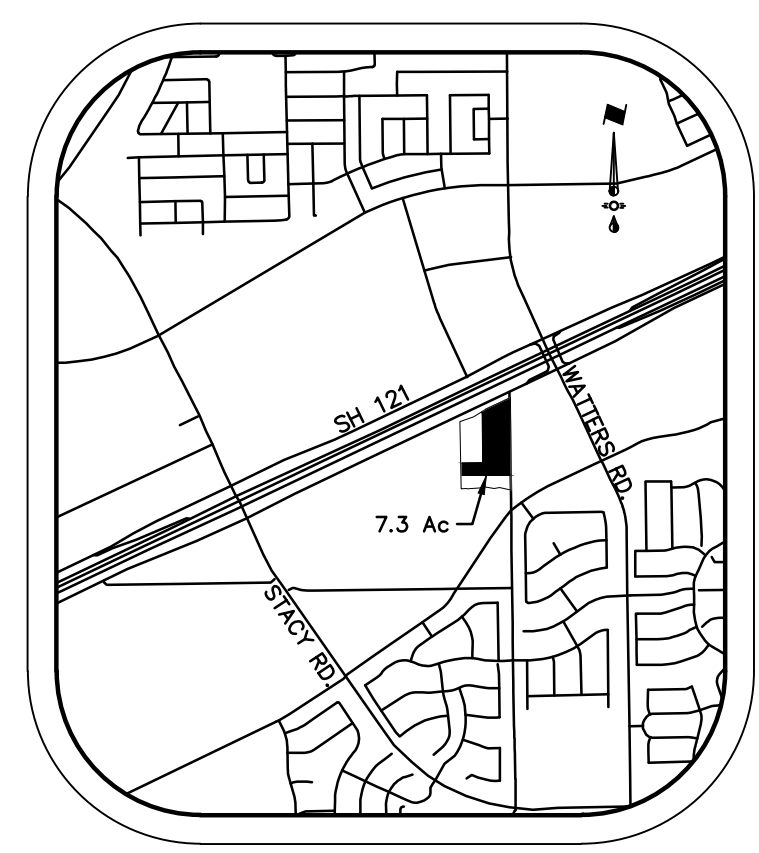


| Phase 1 Data Summary Table |                     |
|----------------------------|---------------------|
| PROPOSED USES              |                     |
| FIREARMS SALE AND SERVICE  | 7,000 SF            |
| OFFICE                     | 15,000 SF           |
| TARGET RANGE               | 23 STATIONS         |
| WAREHOUSE STORAGE          | 17,600 SF           |
| TOTAL BUILDING AREA        | 49,262 SF           |
| BUILDING FOOTPRINT AREA    | 35,786 SF           |
| GROSS SITE AREA            | 319,258 SF          |
| GROSS SITE AREA            | 7.329 ACRES         |
| LOT COVERAGE               | 11.21 %             |
| FAR                        | 0.15:1              |
| MAXIMUM HEIGHT             | 35 FT               |
| STORIES                    | 2                   |
| LANDSCAPE AREA             |                     |
| REQUIRED LANDSCAPE AREA    | 10 %                |
| REQUIRED LANDSCAPE AREA    | 0.7 ACRES           |
| PROVIDED LANDSCAPE AREA    | 51 %                |
| PROVIDED LANDSCAPE AREA    | 3.8 ACRES           |
| PARKING                    |                     |
| TARGET RANGE               | 1 spot per Station  |
| FIREARMS SALE AND SERVICE  | 1 per 100 SF Gross  |
| OFFICE USE                 | 1 per 300 SF Gross  |
| WAREHOUSE                  | 1 per 2000 SF Gross |
| REQUIRED PARKING           | 152 SPOTS           |
| PROVIDED PARKING           | 158 SPOTS           |

The phase 2 portion of the building will be landscaped in the phase 1 interim condition.

| Phase 2 Data Summary Table |                     |
|----------------------------|---------------------|
| PROPOSED USES              |                     |
| FIREARMS SALE AND SERVICE  | 7,000 SF            |
| OFFICE                     | 15,000 SF           |
| TARGET RANGE               | 29 STATIONS         |
| WAREHOUSE STORAGE          | 17,600 SF           |
| TOTAL BUILDING AREA        | 82,295 SF           |
| BUILDING FOOTPRINT AREA    | 68,819 SF           |
| GROSS SITE AREA            | 319,258 SF          |
| GROSS SITE AREA            | 7.329 ACRES         |
| LOT COVERAGE               | 21.56 %             |
| FAR                        | 0.26:1              |
| MAXIMUM HEIGHT             | 42 FT               |
| STORIES                    | 2                   |
| LANDSCAPE AREA             |                     |
| REQUIRED LANDSCAPE AREA    | 10 %                |
| REQUIRED LANDSCAPE AREA    | 0.7 ACRES           |
| PROVIDED LANDSCAPE AREA    | 41 %                |
| PROVIDED LANDSCAPE AREA    | 3.0 ACRES           |
| PARKING                    |                     |
| TARGET RANGE               | 1 spot per Station  |
| FIREARMS SALE AND SERVICE  | 1 per 100 SF Gross  |
| OFFICE USE                 | 1 per 300 SF Gross  |
| WAREHOUSE                  | 1 per 2000 SF Gross |
| REQUIRED PARKING           | 158 SPOTS           |
| PROVIDED PARKING           | 158 SPOTS           |

- LEGEND**
- Proposed Firelane
  - Proposed Sidewalk
  - Heavy Duty Pavement
  - Proposed Fire Hydrant
  - Proposed FDC



**DEVELOPER**  
Ally Outfitters, LLC  
1850 N. Greenville Ave. Suite 180  
Richardson, Texas 75081  
Phone (469) 515-0364  
Contact: Boeh TalPlacido

**ARCHITECT**  
Pross Design Group  
5310 Harvest Hill Rd. Suite 180  
Dallas, Texas 75230  
Phone (972) 759-1400  
Contact: Frank Richardson, AIA

**ENGINEER:**  
Cross Engineering Consultants, Inc.  
131 S. Tennessee St.  
McKinney, Texas 75069  
Phone (972) 562-4409  
Fax (972) 562-4471  
Contact: T. Zachary Grimes, P.E.

**SURVEYOR:**  
Ringley & Associates  
701 S. Tennessee St.  
McKinney, TX 75069  
Phone (972) 542-1266  
Contact: Lawrence Ringley, R.P.L.S.

**OWNER**  
Wines Family Trust  
705 Sky Hawk  
Horseshoe Bay, Texas 78657  
Phone (512) 755-3456  
Contact: Bill Wines

Landuse: 7.329 Acres of Office/Commercial

NOTE: THIS IS NOT A CONSTRUCTION DOCUMENT.  
THIS DOCUMENT IS FOR CONCEPTUAL PLANNING PURPOSES ONLY.

**CROSS ENGINEERING CONSULTANTS**

131 S. Tennessee St.  
972.562.4409

McKinney, Texas 75069  
Texas P.E. Firm No. F-5935

Drawn By: C.E.C.I.

Checked By: C.E.C.I.

Scale: 1"=50'

**PD AMENDMENT  
CONCEPT PLAN - OVERALL**

Project Name: Ally Outfitters

Part of Abstract A0879, J Seaborn & RT Clements Survey, Tract 3

City of Allen, Collin County

Site Size:  
7.329 Acres

Submission Date:  
March 29, 2019

CECI Project No.  
18121

Ally Outfitters PD Concept Plan

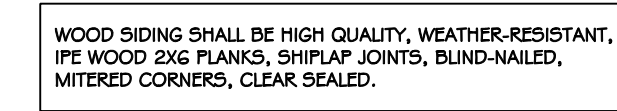
**EXHIBIT “C”**  
**BUILDING ELEVATIONS**





## 2 PHASE ONE SOUTH ELEVATION

SCALE: 1/8"=1'-0"

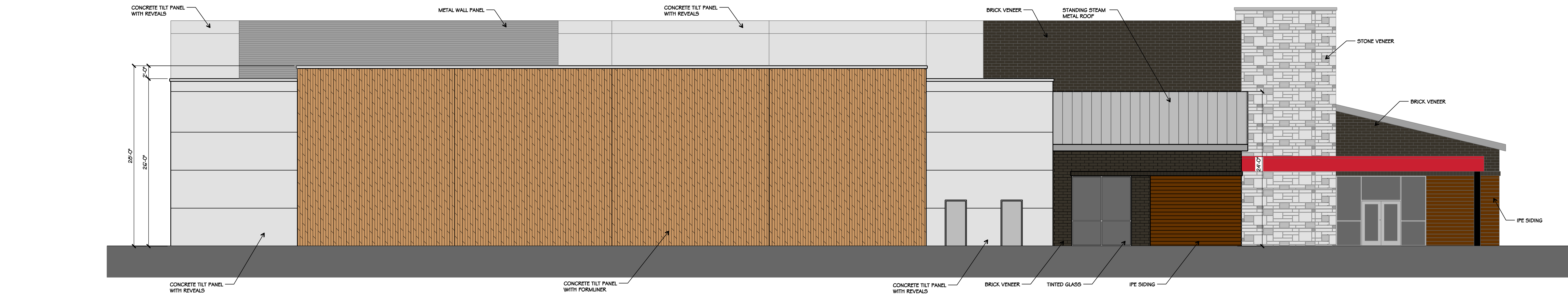


# 1 PHASE ONE WEST ELEVATION

SCALE: 1/8"=1'-0"

**EXHIBIT “C”**  
**BUILDING ELEVATIONS (cont.)**

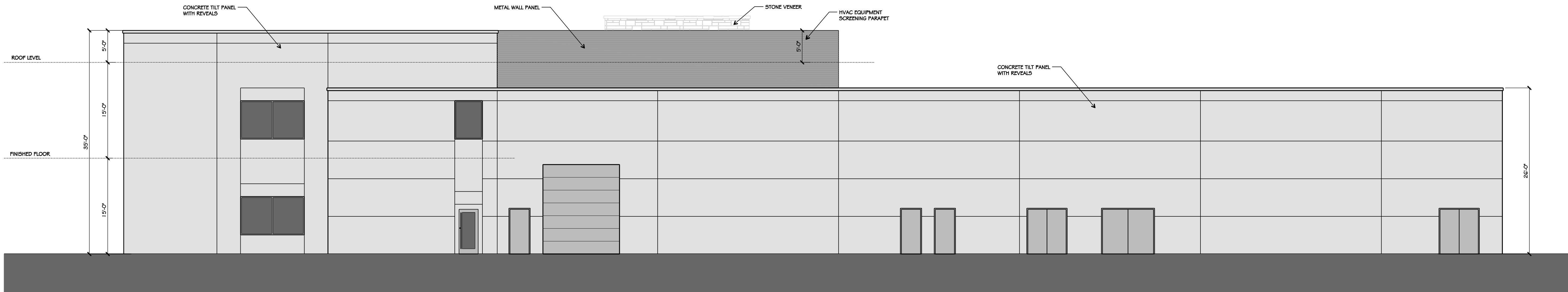




WOOD SIDING SHALL BE HIGH QUALITY, WEATHER-RESISTANT,  
IPE WOOD 2x6 PLANKS, SHIP-LAP JOINTS, BLIND-NAILED,  
MITERED CORNERS, CLEAR SEALED.

| MATERIAL CALCULATIONS - NORTH ELEVATION  |          |             |
|--|----------|-------------|
| TOTAL FACADE (WITHOUT DOORS AND WINDOWS) | 5,918 SF | % OF FACADE |
| PAINTED CONCRETE PANEL                   | 4,229 SF | 71.46%      |
| METAL WALL PANEL                         | 364 SF   | 6.15%       |
| BRICK VENEER                             | 703 SF   | 11.88%      |
| IPE SIDING                               | 109 SF   | 1.84%       |
| STONE VENEER                             | 513 SF   | 8.67%       |

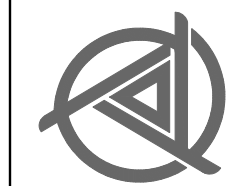
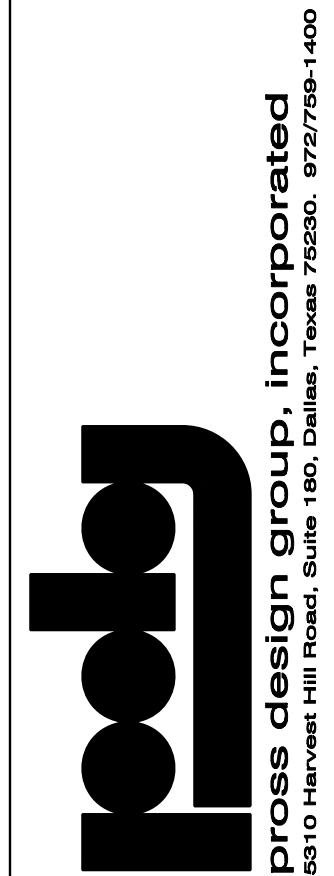
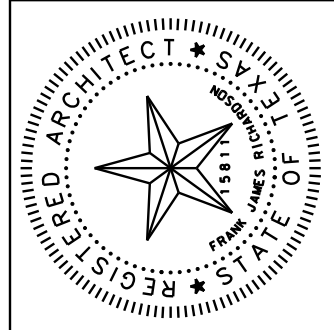
2 PHASE ONE  
NORTH ELEVATION  
SCALE: 1/8"=1'-0"



WOOD SIDING SHALL BE HIGH QUALITY, WEATHER-RESISTANT,  
IPE WOOD 2x6 PLANKS, SHIP-LAP JOINTS, BLIND-NAILED,  
MITERED CORNERS, CLEAR SEALED.

| MATERIAL CALCULATIONS - EAST ELEVATION   |          |             |
|--|----------|-------------|
| TOTAL FACADE (WITHOUT DOORS AND WINDOWS) | 6,114 SF | % OF FACADE |
| PAINTED CONCRETE PANEL                   | 5,591 SF | 91.44%      |
| METAL WALL PANEL                         | 481 SF   | 7.87%       |
| STONE VENEER                             | 42 SF    | 0.69%       |

1 PHASE ONE  
EAST ELEVATION  
SCALE: 1/8"=1'-0"

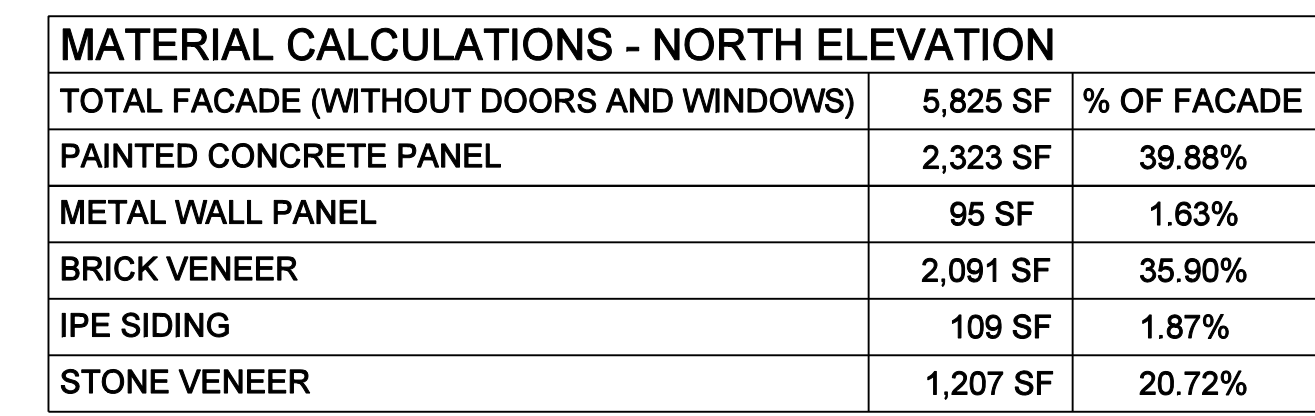


**EXHIBIT “C”**  
**BUILDING ELEVATIONS (cont.)**



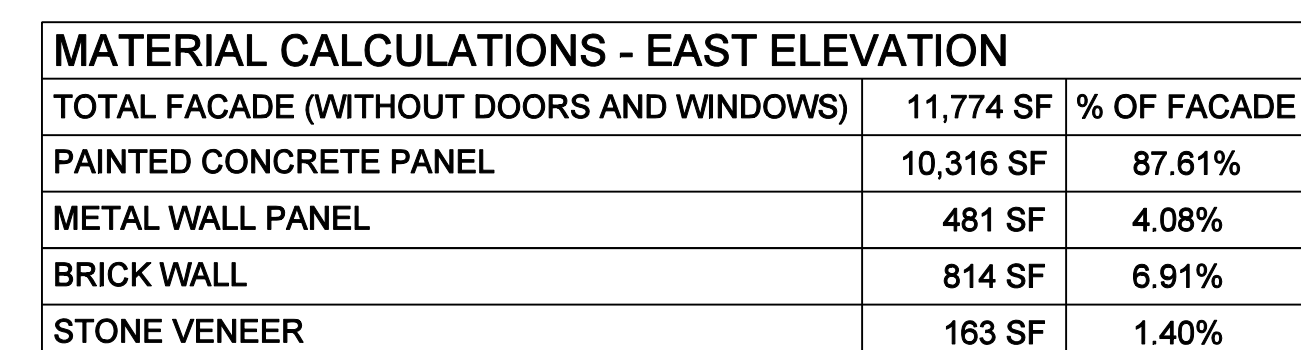
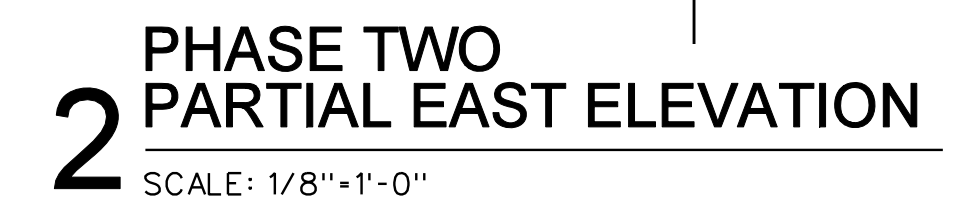
**EXHIBIT “C”**  
**BUILDING ELEVATIONS (cont.)**





### 3 PHASE TWO NORTH ELEVATION

SCALE: 1/8"=1'-0"



# 1 PHASE TWO PARTIAL EAST ELEVATION

SCALE: 1/8"=1'-0"