

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 4.772± ACRES OF LAND SITUATED IN THE GEORGE PHILLIPS SURVEY, ABSTRACT NO. 701, PRESENTLY ZONED AS CORRIDOR COMMERCIAL “CC” BY CHANGING THE ZONING TO CREATE PLANNED DEVELOPMENT “PD” NO. 139 WITH A BASE ZONING OF CORRIDOR COMMERCIAL “CC”; ADOPTING A CONCEPT PLAN, BUILDING ELEVATIONS, AND LANDSCAPE PLAN; 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, as previously amended, by amending changing the zoning relating to the use and development of 4.772± acres of land situated in the George Phillips Survey, Abstract No. 701 described in Exhibit “A,” attached hereto and incorporated herein by reference (“the Property”) from Corridor Commercial “CC” to Planned Development “PD” No. 139 with a base zoning of Corridor Commercial “CC,” 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 as modified by the Development Regulations set forth below:

- A. BASE ZONING DISTRICT:** The Property shall be developed and used only in accordance with the use and development regulations of the Corridor Commercial “CC” zoning district except as otherwise provided in this Ordinance.
- B. 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.
- C. 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”).

- D. OUTDOOR DISPLAY LOCATIONS:** Outdoor display is allowed only in the locations indicated on the Concept Plan, provided, however, an accessible path shall at all times be maintained during regular business hours through the outdoor display areas to allow access between the parking/sidewalk areas and the main building .
- E. SCREENING:** An eight foot (8.0') tall ornamental metal fence shall be installed on the Property as shown on the Concept Plan.
- F. LANDSCAPING:** Landscaping on the Property shall be developed in general conformance with the Landscape Plan attached hereto as Exhibit "D," and incorporated herein by reference ("the Landscape Plan").
- G. PARKING REQUIREMENT:** Notwithstanding the requirements of Section 7.04.1 of the ALDC, the Property may be developed with fewer than 208 off-street parking spaces, but in no case less than 69 unreserved off-street spaces as shown on the Concept Plan; provided, however, the Director of Community Development and Director of Engineering may approve a reduction to the number of required off-street parking spaces to less than 69 subject to compliance with the procedures set forth in Section 7.04.1.1.c of the ALDC.

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 11th DAY OF JUNE 2019.

APPROVED:

Stephen Terrell, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY
(kbl:5/31/19:108432)

Shelley B. George, CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION

LEGAL DESCRIPTION

BEING a tract of land situated in the George Phillips Survey, Abstract No. 701, City of Allen, Collin County, Texas, and being part of Lot 2-R-2, Block A, Allen Commerce Center Addition, an addition to the City of Allen, Texas according to the plat recorded in Volume 2017, Page 616, Official Public Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with plastic cap stamped "KHA" found in the west right-of-way line of U.S. Highway No. 75 - North Central Expressway (a variable width right-of-way), and being in the south line of Lot 2R, Block A, Replat Ridgeview Memorial Park, an addition to the City of Allen, Texas according to the plat recorded in Cabinet M, Page 460 of said Official Public Records, for the northeast corner of said Lot 2-R-2, and being the beginning of a curve to the right having a central angle of 4°44'45", a radius of 5549.58 feet, a chord bearing and distance of South 18°47'43" West, 459.54 feet;

THENCE departing said south line of Lot 2R, in a southwesterly direction, with said west right-of-way line of U.S. Highway No. 75 - North Central Expressway and said curve to the right, an arc distance of 459.67 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE departing said west right-of-way line of U.S. Highway No. 75 - North Central Expressway, North 68°37'31" West, a distance of 418.71 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set in the west line of said Lot 2-R-2;

THENCE with said west line of said Lot 2-R-2, the following courses and distances:

North 5°14'12" East, a distance of 184.75 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found for an inner ell corner of said Lot 2-R-2;

North 85°57'06" West, a distance of 211.62 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found for corner;

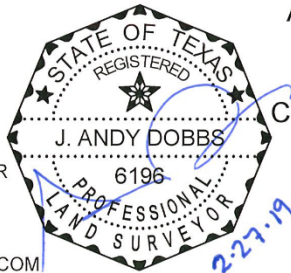
North 4°02'54" East, a distance of 135.00 feet to an "X" cut in concrete found in said south line of Lot 2R, for the northwest corner of said Lot 2-R-2;

THENCE with said south line of Lot 2R, South 85°57'06" East, a distance of 724.48 feet to the **POINT OF BEGINNING** and containing 4.7718 acres or 207,861 square feet of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

ZONING LEGAL
4.7718 ACRES
PART OF LOT 2-R-2, BLOCK A
ALLEN COMMERCE CENTER ADDITION
GEORGE PHILLIPS SURVEY,
ABSTRACT NO. 701
CITY OF ALLEN, COLLIN COUNTY, TEXAS

J. ANDY DOBBS
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6196
13455 NOEL ROAD
TWO GALLERIA OFFICE TOWER
SUITE 700
DALLAS, TEXAS 75240
PH. (972) 770-1300
ANDY.DOBBS@KIMLEY-HORN.COM

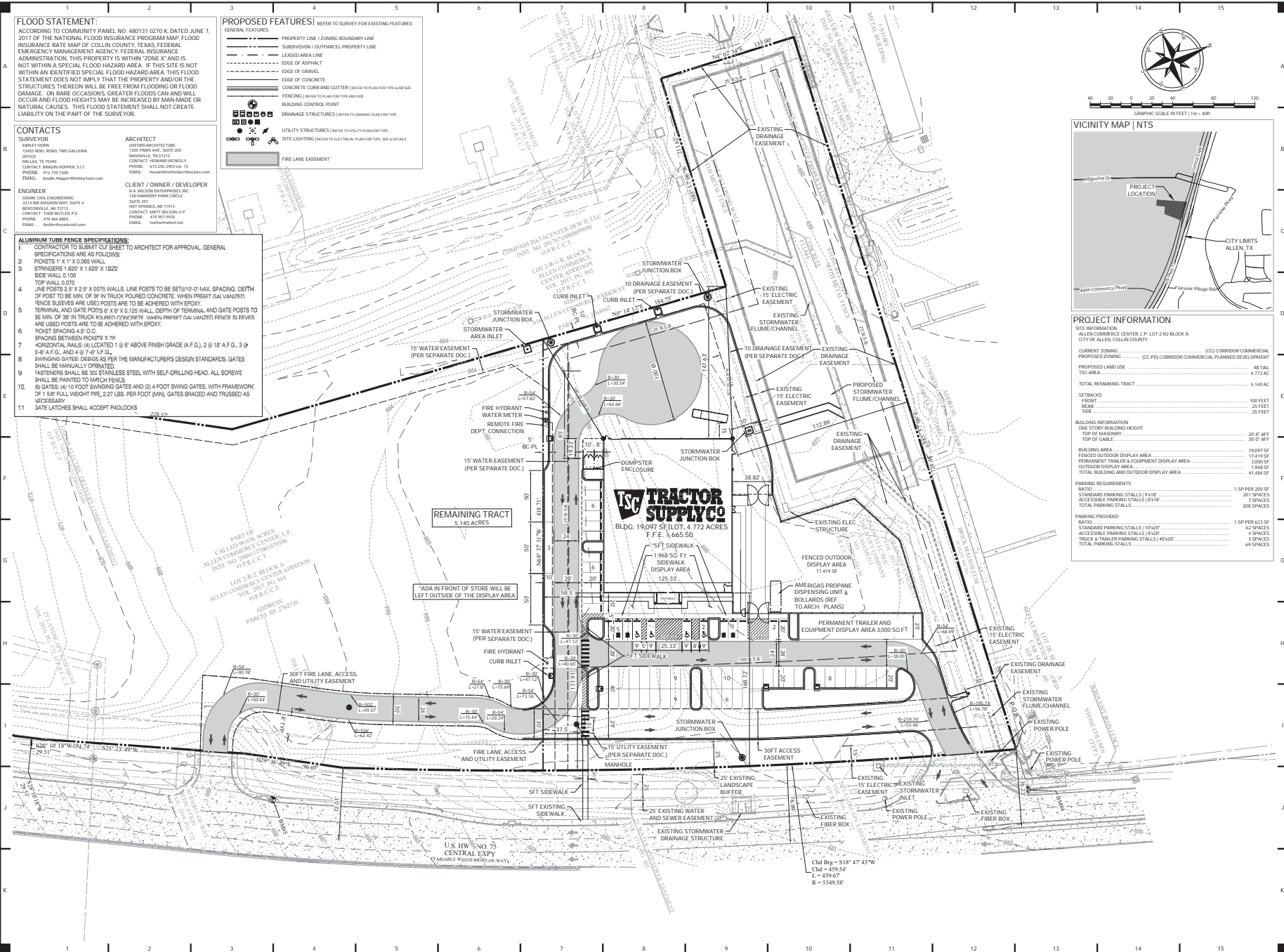


Kimley»Horn					
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500 Tel. No. (972) 770-1300 Fax No. (972) 239-3820					
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JAD	KHA	FEB. 2019	084539700	1 OF 1

HOPPER, BRADIN 2/27/2019 2:14 PM K:\DAL SURVEY\064539700-TSC ALLEN\DWG\064539700-TSC ALLEN ZONING.DWG

EXHIBIT “B”
CONCEPT PLAN

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FLOOD STATEMENT:
ACCORDING TO COMMUNITY PANEL NO. 480131 0270 K DATED JUNE 17, 2017 OF THE NATIONAL FLOOD INSURANCE PROGRAM MAP: FLOOD INSURANCE RATE MAP OF COLLIN COUNTY, TEXAS, FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, THIS PROPERTY IS WITHIN "ZONE X" AND IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA. IF THIS SITE IS NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

CONTACTS
SURVEYOR
WILLIE B. HORN
13045 MODEL ROAD, TWO GALLERIA
OFFICE
DALLAS, TX 75240
CONTACT: BOBBI HORN, S.U.T.
PHONE: 972.770.1300
EMAIL: bhorn@williehorn.com

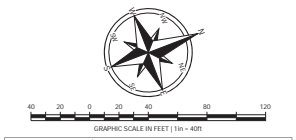
ARCHITECT
TOPCON ARCHITECTURE
1305 PARRIS AVE., SUITE 205
MCKINNEY, TX 75069
CONTACT: HOWARD MORELEY
PHONE: 972.266.3454 EXT. 12
EMAIL: hmoreley@topconarchitecture.com

ENGINEER
CIVIL ENGINEERING
2111 N. AUSTIN WAY, SUITE 4
BENTONVILLE, AR 72712
CONTACT: TERRY BULLER, P.E.
PHONE: 479.464.8805
EMAIL: terry@terrybuller.com

CLIENT / OWNER / DEVELOPER
R.A. WELDON ENTERPRISES, INC.
128 WARDEN PARK CIRCLE
SUITE 207
HOT SPRINGS, AR 71913
CONTACT: WENDY WELDON, V.P.
PHONE: 479.837.2932
EMAIL: wendy@ra-weldon.com

- ALUMINUM TUBE FENCE SPECIFICATIONS:**
1. CONTRACTOR TO SUBMIT C.U. SHEET TO ARCHITECT FOR APPROVAL. GENERAL SPECIFICATIONS ARE AS FOLLOWS:
 2. PICKETS 1" X 1" X 0.065 WALL.
 3. STRINGS 1.689" X 1.689" X .1625 SIDE WALL, 0.100 TOP WALL, 0.070 JUNE POSTS 2.5" X 2.5" X 0.075 WALLS. LINE POSTS TO BE SET 10'-0" MAX. SPACING. DEPTH OF POST TO BE MIN. OF 36" IN TRUCK POURED CONCRETE. WHEN PRESET GALVANIZED FENCE SLEEVES ARE USED POSTS ARE TO BE ADHERED WITH EPOXY.
 4. TERMINAL AND GATE PICKETS 8" X 8" X 0.125 WALL. DEPTH OF TERMINAL AND GATE POSTS TO BE MIN. OF 36" IN TRUCK POURED CONCRETE. WHEN PRESET GALVANIZED FENCE SLEEVES ARE USED POSTS ARE TO BE ADHERED WITH EPOXY.
 5. PICKET SPACING 4.5' O.C.
 6. SPACING BETWEEN PICKETS = 78" HORIZONTAL. PICKETS 4' LOCATED @ 8' ABOVE FINISH GRADE (A.F.G.), 2 @ 18' A.F.G., 3 @ 9' A.F.G., AND 4 @ 7' A.F.G.
 7. BRIMMING GATES: DESIGN AS PER THE MANUFACTURER'S DESIGN STANDARDS. GATES SHALL BE MANUALLY OPERATED.
 8. FASTENERS SHALL BE 302 STAINLESS STEEL WITH SELF-DRILLING HEAD. ALL SCREWS SHALL BE PAINTED TO MATCH FENCE.
 9. GATES: (4) 10 FOOT SWINGING GATES AND (2) 4 FOOT SWING GATES, WITH FRAMEWORK OF 1 3/8" FULL WEIGHT PIPE, 2.27 LBS. PER FOOT (MAY). GATES BRACED AND TRUSSED AS NECESSARY.
 10. GATE LATCHES SHALL ACCEPT PADLOCKS.

- PROPOSED FEATURES** REFER TO SURVEY FOR EXISTING FEATURES
- GENERAL FEATURES**
- PROPERTY LINE / ZONING BOUNDARY LINE
 - SUBDIVISION / OUTPARCEL PROPERTY LINE
 - LEASED AREA LINE
 - EDGE OF ASPHALT
 - EDGE OF GRAVEL
 - EDGE OF CONCRETE
 - CONCRETE CURB AND GUTTER (REFER TO PLAN FOR PIPE AND SIZE)
 - FENCING (REFER TO PLAN FOR PIPE AND SIZE)
 - BUILDING CONTROL POINT
 - DRAINAGE STRUCTURES (REFER TO DRAINAGE PLAN FOR DETAILS)
- UTILITY STRUCTURES** REFER TO UTILITY PLAN FOR TIE INS AND DETAILS
- SITE LIGHTING** REFER TO ELECTRICAL PLAN FOR TIE INS AND DETAILS
- FIRE LANE EASEMENT**



PROJECT INFORMATION

SITE INFORMATION
ALLEN COMMERCIAL CENTER, L.P. LOT 2-R2 BLOCK A
CITY OF ALLEN, COLLIN COUNTY

CURRENT ZONING: EC2 CORRIDOR COMMERCIAL
PROPOSED ZONING: EC2 CORRIDOR COMMERCIAL PLANNED DEVELOPMENT

PROPOSED LAND USE: RETAIL
TSC AREA: 4.772 AC

TOTAL REMAINING TRACT: 5.140 AC

SETBACKS
FRONT: 100 FEET
REAR: 25 FEET
SIDE: 25 FEET

BUILDING INFORMATION
ONE STORY BUILDING HEIGHT: 20' 0" AFF
TOP OF MASONRY: 30' 0" AFF
TOP OF GABLE: 30' 0" AFF

FENCED OUTDOOR DISPLAY AREA: 16,491 SF
PERMANENT TRAILER & EQUIPMENT DISPLAY AREA: 17,475 SF
OUTDOOR DISPLAY AREA: 3,000 SF
TOTAL BUILDING AND OUTDOOR DISPLAY AREA: 41,484 SF

PARKING REQUIREMENTS
RATIO: 1 SP PER 200 SF
STANDARD PARKING STALLS (19'x30') 201 SPACES
ACCESSIBLE PARKING STALLS (8'x18') 7 SPACES
TOTAL PARKING STALLS: 208 SPACES

PARKING PROVIDED:
RATIO: 1 SP PER 423 SF
STANDARD PARKING STALLS (19'x30') 42 SPACES
ACCESSIBLE PARKING STALLS (8'x18') 4 SPACES
TRUCK & TRAILER PARKING STALLS (40'x20') 3 SPACES
TOTAL PARKING STALLS: 49 SPACES

PD CONCEPT PLAN

4.772 ACRES - PART OF LOT 2-R2, BLOCK A
ALLEN COMMERCIAL CENTER ADDITION
SOUTHBOUND FRONTAGE ROAD U.S. HWY 75
ALLEN, COLLIN COUNTY, TEXAS

DRAWN BY: JON
JOB# 18-1285
ORIGINAL ISSUE DATE: 05/08/2019
DESCRIPTION: PERMITTING
SHEET 7

EXHIBIT “C”
BUILDING ELEVATIONS

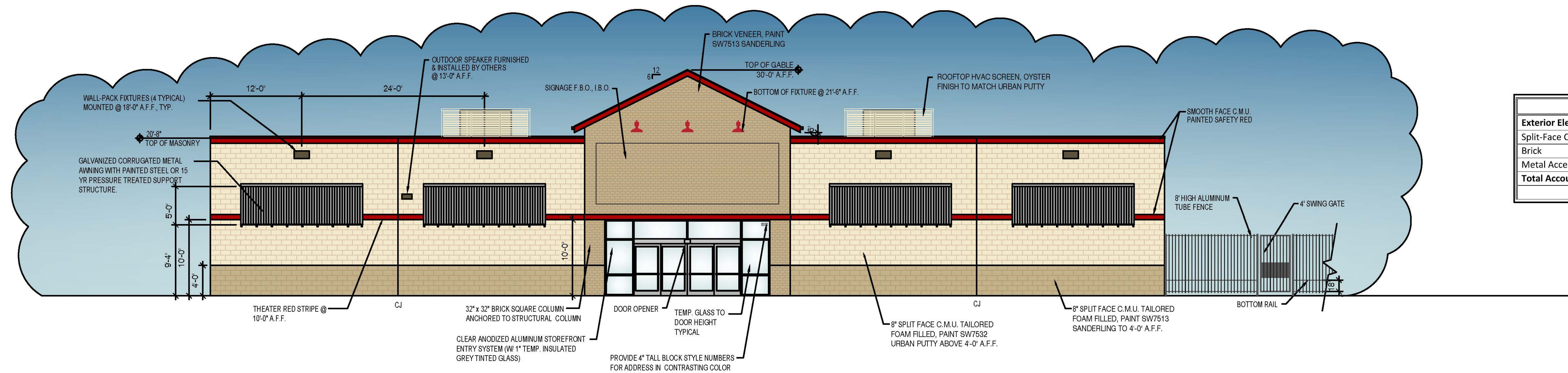
PAINT COLORS
UPPER - SHERWIN WILLIAMS #SW7532 "URBAN PUTTY"
LOWER - SHERWIN WILLIAMS #SW7513 "SANDERLING"

NOTE: EXTERIOR ELEVATION DESIGN INDICATES A MAXIMUM HEIGHT OF 30'-0" ABOVE FINISH FLOOR. THE MAXIMUM HEIGHT ALLOWED PER ZONING IS 160'-0" A.F.F.

THE MECHANICAL UNITS ARE SCREENED WITH MATERIAL COLOR TO MATCH THE COLOR OF THE MAJORITY OF THE MASONRY VENEER.

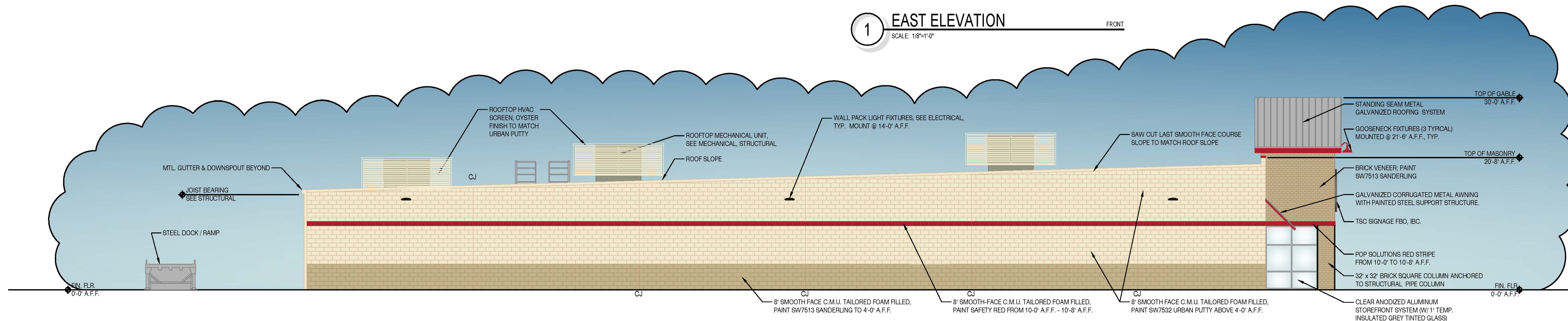
AREA SUMMARIES INCLUDE AREAS BEHIND THE FOLLOWING ITEMS: AWNINGS, GUTTERS, DOWNSPOUTS, LADDERS, VENTS, SPEAKERS, LIGHTING, SIGNAGE AND DOORS.

THE FOLLOWING AREAS ARE NOT INCLUDED IN AREA SUMMARIES: STOREFRONT, STOREFRONT OPENINGS, METAL COPING, ROOFING, MECHANICAL UNITS AND THEIR ASSOCIATED SCREENING.



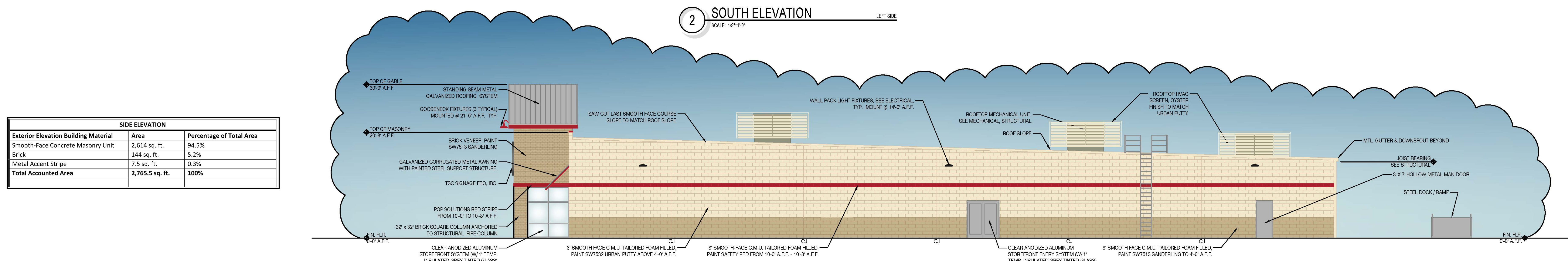
FRONT ELEVATION		
Exterior Elevation Building Material	Area	Percentage of Total Area
Split-Face Concrete Masonry Unit	2,032 sq. ft.	81.2%
Brick	453.5 sq. ft.	18.1%
Metal Accent Stripe	18 sq. ft.	0.7%
Total Accounted Area	2,503.5 sq. ft.	100%

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



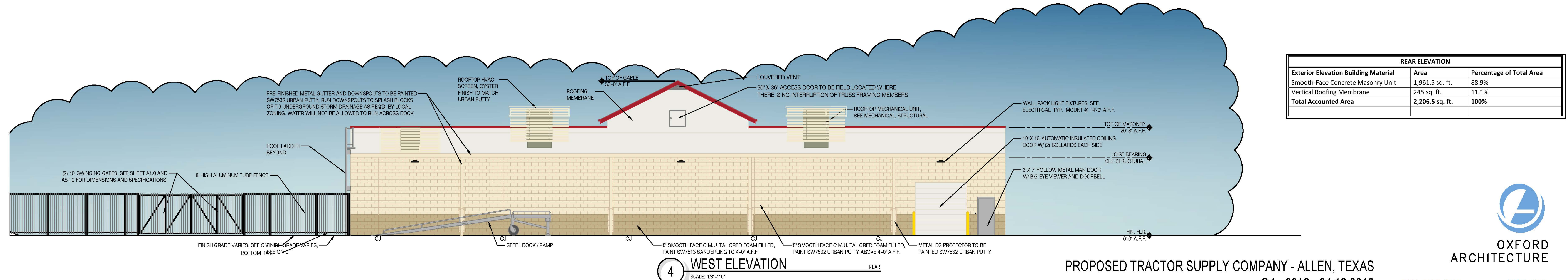
SIDE ELEVATION		
Exterior Elevation Building Material	Area	Percentage of Total Area
Smooth-Face Concrete Masonry Unit	2,614 sq. ft.	94.5%
Brick	144 sq. ft.	5.2%
Metal Accent Stripe	7.5 sq. ft.	0.3%
Total Accounted Area	2,765.5 sq. ft.	100%

2 SOUTH ELEVATION
SCALE: 1/8"=1'-0"



SIDE ELEVATION		
Exterior Elevation Building Material	Area	Percentage of Total Area
Smooth-Face Concrete Masonry Unit	2,614 sq. ft.	94.5%
Brick	144 sq. ft.	5.2%
Metal Accent Stripe	7.5 sq. ft.	0.3%
Total Accounted Area	2,765.5 sq. ft.	100%

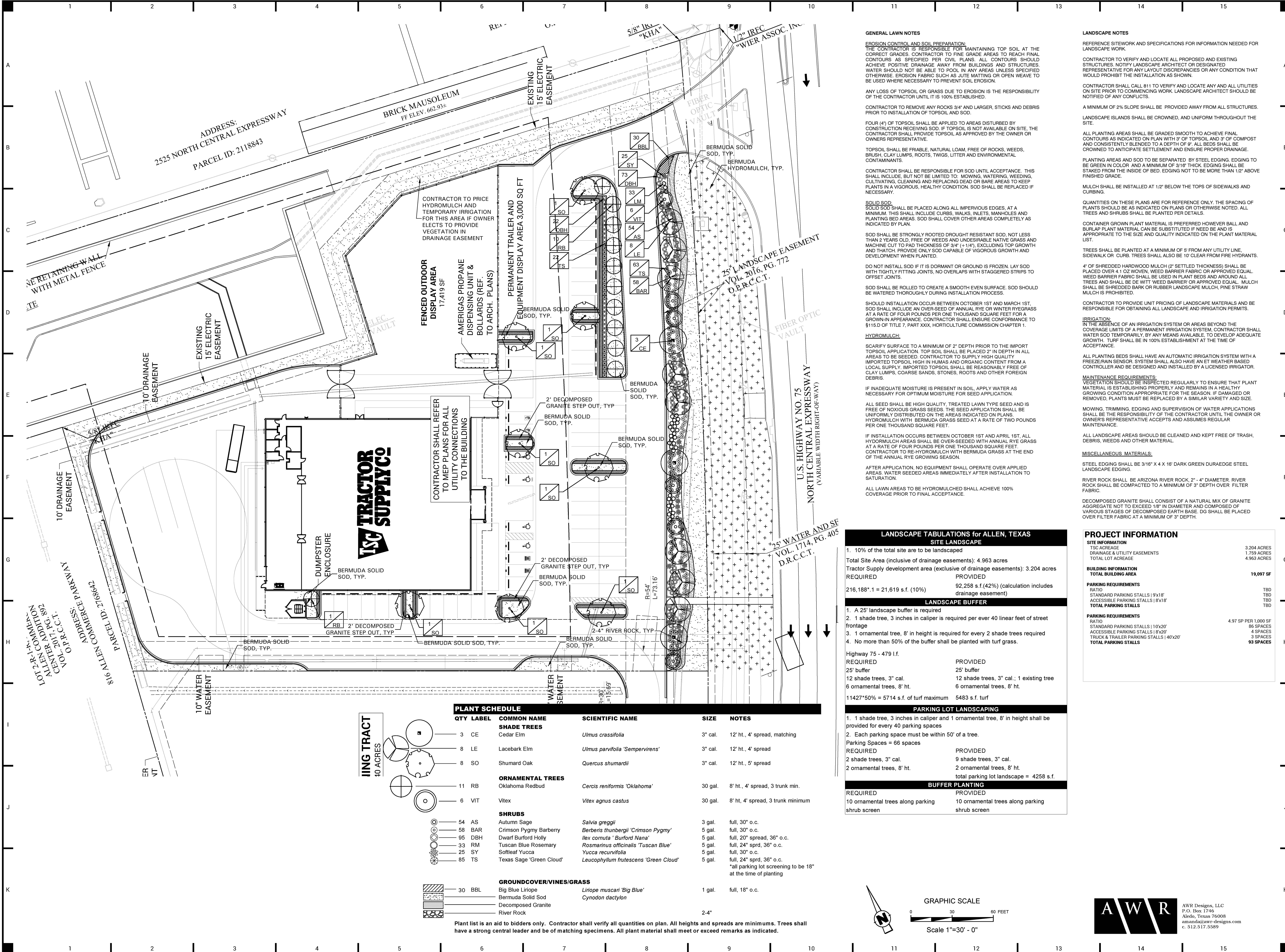
3 NORTH ELEVATION
SCALE: 1/8"=1'-0"



REAR ELEVATION		
Exterior Elevation Building Material	Area	Percentage of Total Area
Smooth-Face Concrete Masonry Unit	1,961.5 sq. ft.	88.9%
Vertical Roofing Membrane	245 sq. ft.	11.1%
Total Accounted Area	2,206.5 sq. ft.	100%

EXHIBIT “D”
LANDSCAPE PLAN

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Know what's below.
Call before you dig.

REVISED:

NO	DATE	DESCRIPTION

REGISTERED LANDSCAPE ARCHITECT
AMANDA W. RICHARDSON
2754
STATE OF TEXAS

12-31-18

TSC

TRACTOR SUPPLY COMPANY

zark

Civil Engineering Inc.

3214 N.W. AVIGNON WAY, SUITE 4
BENTONVILLE, AR 72712
479.464.8850 | OFFICE 479.464.9040 | FAX

LANDSCAPE PLAN

NEW COMMERCIAL DEVELOPMENT
R.A. WILSON ENTERPRISES, LLC
SOUTHBOUND FRONTAGE ROAD U.S. HWY 75
ALLEN, COLLIN COUNTY, TEXAS

DRAWN BY: AWR

JOB NO: 18134.L

ORIGINAL ISSUE DATE: 12/21/2018

DESCRIPTION: PERMITTING

SHEET NO: L1.01