



**AGENDA
CITY OF ALLEN
PLANNING AND ZONING COMMISSION
REGULAR MEETING
DECEMBER 7, 2021 - 7:00 PM
CITY COUNCIL CHAMBERS
ALLEN CITY HALL
305 CENTURY PARKWAY
ALLEN, TEXAS 75013**

Call to Order and Announce a Quorum is Present

Pledge of Allegiance

Director's Report

1. Receive the Director's Report on Action Taken on the Planning and Zoning Commission Items by City Council at the November 23, 2021, Regular Meeting.

Consent Agenda

(Routine P&Z business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Commission member or member of staff.)

2. Approve Minutes from the November 16, 2021, Planning and Zoning Commission Regular Meeting.
3. Replat - Consider a Request for a Replat of Lots 5A and 5B, Block F, Bray Central One, Being Approximately 6.162 Acres; Generally Located Directly West of U.S. Highway 75 and Approximately 802 Feet North of Village Way. (PL-111221-0014) [Home Zone]
4. Final Plat - Consider a Request for a Final Plat for Lot 1, Block A, Priya Living Addition, Being Approximately 4.998 Acres Located in the John Fyke Survey, Abstract No. 325; Generally Located East of Bossy Boots Drive and Approximately 393 Feet North of Stockton Drive. (PL-111221-0015) [Priya Living]

Regular Agenda

5. Public Hearing - Conduct a Public Hearing and Consider a Request to Amend the Development Regulations of Planned Development No. 141 with a Base Zoning of Mixed Use (MIX) Relating to the Use and Development of Approximately 55.957 Acres Located in the S. Jackson Survey, Abstract No. 489, Generally Located Directly South of State Highway 121 and Directly West of Exchange

Parkway; Approximately 8.926 Acres Located in the S. Jackson Survey, Abstract No. 489, Generally Located Directly South of State Highway 121 and Directly East of Exchange Parkway; and Approximately 9.994 Acres Located in the S. Jackson Survey, Abstract No. 489, Generally Located Directly South of State Highway 121 and Directly West of Bending Branch Way. (ZN-091021-0018) [Allen Gateway]

Executive Session (As needed)

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

Adjournment

This notice was posted at Allen City Hall, 305 Century Parkway, Allen, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted on Friday, December 3, 2021 at 5:00 p.m.

Shelley B. George, City Secretary

Allen City Hall is wheelchair accessible. Access to the building and special parking are available at the entrance facing Century Parkway. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 214-509-4105.

PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE:

December 7, 2021

SUBJECT:

Receive the Director's Report on Action Taken on the Planning and Zoning Commission Items by City Council at the November 23, 2021, Regular Meeting.

STAFF RESOURCE:

Marc Kurbansade, AICP
Director of Community Development

BACKGROUND

The November 23, 2021 City Council was cancelled.

PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: December 7, 2021

SUBJECT: Approve Minutes from the November 16, 2021,
Planning and Zoning Commission Regular Meeting.

STAFF RESOURCE: Rolandrea Russell
Planner

ATTACHMENTS:

Minutes from the November 16, 2021 Planning and Zoning Commission Meeting

PLANNING AND ZONING COMMISSION
REGULAR MEETING
November 16, 2021

ATTENDANCE:

Commissioners Present

Ben Trahan, Chair
Dan Metevier, 1st Vice-Chair
Elias Shaikh, 2nd Vice-Chair
Brent Berg
Jason Wright
Kenneth Cook
Michael Smiddy

City Staff Present

Marc Kurbansade, AICP, Director of Community Development
Joseph Cotton, P.E., Assistant Director of Engineering
Jessica Johnsen, Planner

Call to Order and Announce a Quorum is Present

With a quorum of the Commissioners present, Chair Trahan called the meeting to order at 7:00 p.m. in the City Hall Council Chambers Room at Allen City Hall, 305 Century Parkway, Allen, Texas, 75013.

Directors Report

1. The Director of Community Development discussed the action taken on the Planning & Zoning Commission items by City Council at the November 9, 2021, Regular Meeting.

Consent Agenda (*Routine P&Z business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Commission member or member of staff.*)

2. Approve Minutes from the November 2, 2021, Planning and Zoning Commission Regular Meeting.
3. Receive Capital Improvement Plan (CIP) Map.

Motion: Upon a motion by Commissioner Berg, and a second by 1st Vice-Chair Metevier, the Commission voted 7 IN FAVOR, and 0 OPPOSED to approve the Consent Agenda items as presented.

The motion carried.

Regular Agenda

4. Residential Replat – Consider a Request for a Residential Replat for Lot 1, Block L and Lot 1, Block M, The Farm; Generally Located Approximately 900 Feet East from the Northeastern Corner of the Intersection of Ridgeview Drive and Alma Drive. (PL-100821-0013) [Watter’s Edge at The Farm]

Mr. Kurbansade presented the item to the Commission. He stated that the Replat was previously approved with conditions by the Planning and Zoning Commission at the November 2nd, 2021 meeting, pending additional review by the Technical Review Committee and compliance with the specified conditions.

Mr. Kurbansade noted that the Replat meets the requirements of the Allen Land Development Code and that staff is recommending approval.

Motion: Upon a motion by 1st Vice-Chair Metevier, and a second by Commissioner Cook, the Commission voted 7 IN FAVOR, and 0 OPPOSED to approve the Residential Replat for Watters Edge at the Farm, as presented.

The motion carried.

Executive Session (*As needed*)

The Executive Session was not held.

Adjournment

The meeting adjourned at 7:05 p.m.

These minutes approved this ____ day of _____ 2021.

Ben Trahan, CHAIR

Rolandrea Russell, PLANNER

PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: December 7, 2021

SUBJECT: Consider a Request for a Replat of Lots 5A and 5B, Block F, Bray Central One, Being approximately 6.162 Acres; Generally Located Directly West of U.S. Highway 75 and Approximately 802 Feet North of Village Way. (PL-111221-0014) [Home Zone]

STAFF RESOURCE: Rolandrea Russell
Planner

PREVIOUS COMMISSION/COUNCIL ACTION: Replat - Approved March, 1987
Planned Development No. 54 - Approved May, 1993
Replat - Approved July, 1998
Replat - Approved June, 2002
Planned Development No. 54 - Approved October, 2002
Replat - Approved January, 2008
Final Plat - Approved April, 1999
Planned Development No. 54 - Approved June, 2021

LEGAL NOTICES: None

ANTICIPATED COUNCIL DATE: None

BACKGROUND

The property is located directly west of U.S. Highway 75 and north of Village Way. The properties to the north and west are zoned Planned Development PD No. 108 (PD-108) with a base zoning of Mixed Use (MIX). The properties to the east (across U.S. Highway 75) are zoned Single-Family Residential (R-5) and Shopping Center (SC). The properties to the south are zoned Planned Development PD No. 54 (PD-54) with a base zoning of Industrial Technology (IT) and PD-54 with a base zoning of Corridor Commercial (CC).

The subject property is currently zoned PD-54 with a base zoning of CC. A site plan for a portion of the subject site, Home Zone Allen, was approved in September 2021. Platting is the final step in the development process.

The Replat shows one lot at a total of approximately 6.162 acres. There are two points of access into the development through U.S. Highway 75. The plat also shows various easements required for development of the property.

The Replat has been reviewed by the Technical Review Committee, is generally consistent with the Site Plan, and meets the requirements of the Allen Land Development Code.

STAFF RECOMMENDATION

Staff recommends approval.

MOTION

I move to approve the Replat of Lots 5A-R and Lots 5B-R, Block F, Bray Central One, as presented.

ATTACHMENTS:

Replat

PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: December 7, 2021

SUBJECT: Consider a Request for a Final Plat for Lot 1, Block A, Priya Living Addition, Being Approximately 4.998 Acres Located in the John Fyke Survey, Abstract No. 325; Generally Located East of Bossy Boots Drive and Approximately 393 Feet North of Stockton Drive. (PL-111221-0015) [Priya Living]

STAFF RESOURCE: Hayley Angel, AICP
Planning Manager

PREVIOUS COMMISSION/COUNCIL ACTION: Planned Development No. 54 - Approved May, 1993
Planned Development No. 108 - Approved October, 2011
Planned Development No. 108 - Approved July, 2012
Preliminary Plat - Approved September, 2012
Planned Development No. 108 - Approved February, 2021
Planned Development No. 108 - Approved April, 2021
Preliminary Plat - Approved June, 2021

LEGAL NOTICES: None

ANTICIPATED COUNCIL DATE: None

BACKGROUND

The property is generally located west of Bossy Boots Drive and north of Stockton Drive. The properties to the north are zoned Single-Family Residential (R-6) for the Quail Run Phase I Subdivision. The properties to the west (across Bossy Boots Drive), east, and south are zoned Planned Development No. 108 (PD-108) with a base zoning of Mixed Use (MIX).

In April 2021, City Council adopted a Planned Development for an age-restricted community called Priya Living. A Site Plan for this site has been approved, and a Preliminary Plat was approved in June 2021.

The Final Plat shows one lot at a total of approximately 4.998 acres. There are two primary points of access into the site--one through Bossy Boots Drive and one through an internal access drive. There is a third point of access that will connect to a future development on the subject property's eastern property line. The plat also shows various easements required for development of the property.

The Replat has been reviewed by the Technical Review Committee, is generally consistent with the Site Plan, and meets the requirements of the Allen Land Development Code.

STAFF RECOMMENDATION

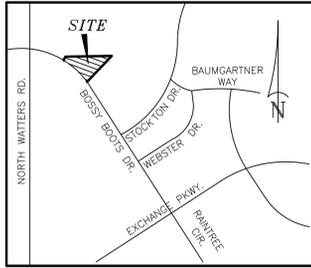
Staff recommends approval.

MOTION

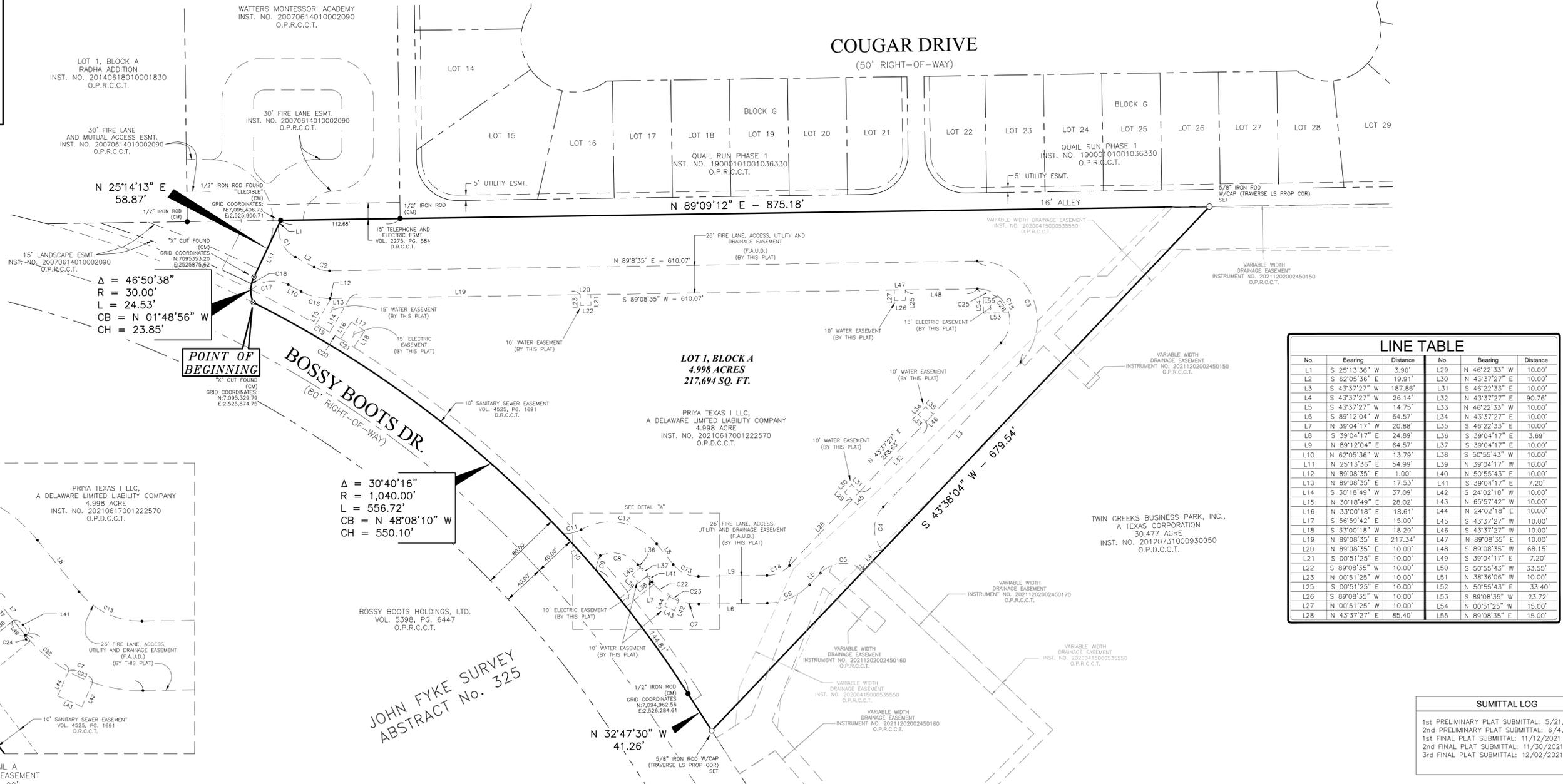
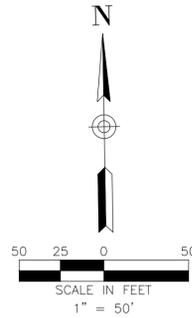
I move to approve the Final Plat of Lot 1, Block A, Priya Living Addition, as presented.

ATTACHMENTS:

Final Plat



VICINITY MAP
NOT TO SCALE



LOT 1, BLOCK A
RADIAL ADDITION
INST. NO. 20140618010001830
O.P.R.C.C.T.

30° FIRE LANE
AND MUTUAL ACCESS ESMT.
INST. NO. 20070614010002090
O.P.R.C.C.T.

PRIYA TEXAS I LLC,
A DELAWARE LIMITED LIABILITY COMPANY
4.998 ACRE
INST. NO. 20210617001222570
O.P.D.C.C.T.

JOHN FYKE SURVEY
ABSTRACT No. 325

LOT 1, BLOCK A
4.998 ACRES
217,694 SQ. FT.

PRIYA TEXAS I LLC,
A DELAWARE LIMITED LIABILITY COMPANY
4.998 ACRE
INST. NO. 20210617001222570
O.P.D.C.C.T.

TWIN CREEKS BUSINESS PARK, INC.,
A TEXAS CORPORATION
30.477 ACRE
INST. NO. 20120731000930950
O.P.D.C.C.T.

LINE TABLE					
No.	Bearing	Distance	No.	Bearing	Distance
L1	S 25°13'36" W	3.90'	L29	N 46°22'33" W	10.00'
L2	S 62°05'36" E	19.91'	L30	N 43°37'27" E	10.00'
L3	S 43°37'27" W	187.86'	L31	S 46°22'33" E	10.00'
L4	S 43°37'27" W	26.14'	L32	N 43°37'27" E	90.76'
L5	S 43°37'27" W	14.75'	L33	N 46°22'33" W	10.00'
L6	S 89°12'04" W	64.57'	L34	N 43°37'27" E	10.00'
L7	N 39°04'17" W	20.88'	L35	S 46°22'33" E	10.00'
L8	S 39°04'17" E	24.89'	L36	S 39°04'17" E	3.69'
L9	N 89°12'04" E	64.57'	L37	S 39°04'17" W	10.00'
L10	N 62°05'36" W	13.79'	L38	S 50°55'43" W	10.00'
L11	N 25°13'36" E	54.99'	L39	N 39°04'17" W	10.00'
L12	N 89°08'35" E	1.00'	L40	N 50°55'43" E	10.00'
L13	N 89°08'35" E	17.53'	L41	S 39°04'17" E	7.20'
L14	S 30°18'49" W	37.09'	L42	S 24°02'18" W	10.00'
L15	N 30°18'49" E	28.02'	L43	N 65°57'42" W	10.00'
L16	N 33°00'18" E	18.61'	L44	N 24°02'18" E	10.00'
L17	S 56°59'42" E	15.00'	L45	S 43°37'27" W	10.00'
L18	S 33°00'18" W	18.29'	L46	S 43°37'27" W	10.00'
L19	N 89°08'35" E	217.34'	L47	N 89°08'35" E	10.00'
L20	N 89°08'35" E	10.00'	L48	S 89°08'35" W	68.15'
L21	S 00°51'25" E	10.00'	L49	S 39°04'17" E	7.20'
L22	S 89°08'35" W	10.00'	L50	S 50°55'43" W	33.55'
L23	N 00°51'25" W	10.00'	L51	N 38°36'06" E	10.00'
L24	S 00°51'25" E	10.00'	L52	N 50°55'43" E	33.40'
L25	S 89°08'35" W	10.00'	L53	S 89°08'35" W	23.72'
L26	S 89°08'35" W	10.00'	L54	N 00°51'25" W	15.00'
L27	N 00°51'25" W	10.00'	L55	N 89°08'35" E	15.00'
L28	N 43°37'27" E	85.40'			

SUMMITAL LOG	
1st PRELIMINARY PLAT SUBMITTAL:	5/21/2021
2nd PRELIMINARY PLAT SUBMITTAL:	6/4/2021
1st FINAL PLAT SUBMITTAL:	11/12/2021
2nd FINAL PLAT SUBMITTAL:	11/30/2021
3rd FINAL PLAT SUBMITTAL:	12/02/2021

LEGEND	
—	BOUNDARY LINE
- - - -	ADJOINER BOUNDARY LINE
- · - · -	EASEMENT LINE (AS NOTED)
—	SET IRON ROD (AS NOTED)
●	FOUND IRON ROD (AS NOTED)
⊗	"X" CUT FOUND
⊙	"X" CUT SET
SQ. FT.	SQUARE FEET
(CM)	CONTROL MONUMENT
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS COLLIN COUNTY, TEXAS

GENERAL NOTES

- The purpose of this plat is to create a one (1) lot from a deed.
- Selling a portion of this addition by metes and bounds is a violation of city subdivision ordinance and state platting statutes and is subject to fines and withholding of utilities and building certificates.
- The Basis of Bearings is from the Texas State Plane Coordinate System, NAD83, North Central Zone as derived from GPS observations using the Allterra RTK Network and adjusted to surface using a surface scale factor of 1.00015271.

CURVE TABLE					
Curve No.	Delta	Radius	Length	Chord Bearing	Chord
C1	70°40'28"	30.00'	37.01'	S 26°45'21" E	34.71'
C2	28°45'49"	30.00'	15.06'	S 76°28'30" E	14.91'
C3	134°28'52"	56.01'	131.46'	S 23°36'59" E	103.30'
C4	86°10'39"	30.00'	45.13'	S 00°32'07" W	40.99'
C5	86°10'39"	30.00'	45.13'	S 86°42'46" W	40.99'
C6	45°34'38"	56.01'	44.55'	S 66°24'46" W	43.39'
C7	51°43'39"	56.01'	50.57'	N 64°56'06" W	48.87'
C8	74°41'45"	30.00'	39.12'	N 76°25'10" W	36.40'
C9	27°34'19"	30.00'	14.44'	N 15°44'49" W	14.30'
C10	02°33'13"	1,040.16'	46.36'	N 42°03'52" W	46.36'
C11	33°43'50"	30.00'	17.66'	N 77°26'41" E	17.41'
C12	80°20'56"	56.01'	78.54'	S 79°14'45" E	72.26'
C13	51°43'39"	30.00'	27.09'	S 64°56'06" E	26.18'
C14	45°34'38"	30.00'	23.87'	N 66°24'46" E	23.24'
C15	134°28'52"	30.00'	70.42'	S 23°36'59" W	55.34'
C16	28°45'49"	56.01'	28.12'	N 76°28'30" W	27.82'
C17	72°37'44"	30.00'	38.03'	S 81°35'34" W	35.54'
C18	24°16'43"	30.00'	12.71'	N 13°05'14" E	12.62'
C19	00°50'32"	1,020.54'	15.00'	N 59°41'09" W	15.00'
C20	00°40'32"	997.44'	11.76'	N 58°57'21" W	11.76'
C21	00°50'51"	1,014.53'	15.01'	N 58°13'33" W	15.01'
C22	21°46'04"	56.01'	21.28'	S 49°57'19" E	21.15'
C23	10°14'42"	56.01'	10.01'	S 65°57'42" E	10.00'
C24	02°52'15"	56.01'	2.81'	S 40°30'25" E	2.81'
C25	43°03'07"	30.00'	22.55'	S 69°19'51" E	22.02'
C26	33°36'28"	30.00'	17.60'	N 31°00'04" W	17.35'

FINAL PLAT
PRIYA LIVING ADDITION

LOT 1, BLOCK A,
4.998 ACRES
BEING A PORTION OF 30.477 ACRE TRACT
TWIN CREEKS BUSINESS PARK, INC.,
A TEXAS CORPORATION
AS RECORDED IN DOCUMENT NO. 20120731000930950
OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS

SITUATED IN THE
JOHN FYKE SURVEY, ABSTRACT NO. 325
AN ADDITION TO THE
CITY OF ALLEN, COLLIN COUNTY, TEXAS



SURVEYOR
Name: Traverse Land Surveying, LLC
Address: 2601 Mission Street, Suite 604
Dallas, Texas, 75244
Contact Name: Mark Nace
Phone: 469-784-9321

OWNER/DEVELOPER
Name: Priya Texas I LLC
Address: 2601 Mission Street, Suite 604
San Francisco, California 94110
Contact Name: Arun Paul

Surveying | Construction Staking | Platting
Date: September 23, 2021
Revised: November 11, 2021
Revised: November 30, 2021
Project No.: TR-36-21
1 OF 2

OWNER'S CERTIFICATE AND DEDICATION

State of Texas §
 County of Collin §

Being a 4.998 acre tract of land situated in the John Fyke Survey, Abstract No. 325, City of Allen, Collin County, Texas, being part of that 30.477 acre tract of land conveyed to Priya Texas I LLC, a Delaware limited liability company, as recorded in Instrument Number 20210617001222570, Official Public Records, Collin County, Texas (O.P.R.C.C.T.) and being more particularly described by metes and bound as follows:

BEGINNING at a "X" cut in concrete found (control monument) in the northeast right-of-way line of Bossy Boots Drive (80' right-of-way), same being a northwest corner of said Twin Creeks Business Park tract and being the beginning of a non-tangent curve to the right, having a central angle of 46 degrees 50 minutes 38 seconds, a radius of 30.00 feet, a chord of North 01 degrees 48 minutes 56 seconds West, and a chord distance of 23.85 feet;

THENCE Northwesterly, departing said right-of-way line and along said curve to the right, an arc distance of 24.53 feet to an "X" cut in concrete found (control monument), said point being the southeasterly line of Watter Montessori Academy, an addition to the City of Allen, Texas, recorded in Instrument Number 20070614010002090, O.P.R.C.C.T., and also being a northwest corner of said Twin Creeks Business Park tract;

THENCE North 25 degrees 14 minutes 13 seconds East, along the common westerly line of said Twin Creek Business Park tract and the southeasterly line of said Watters Montessori Academy, a distance of 58.87 feet to a 1/2 inch iron found "cap illegible"(control monument), said iron rod being the northwest corner of said Twin Creeks Business Park tract and also being in the south line of said Watter Montessori Academy;

THENCE North 89 degrees 09 minutes 12 seconds East, along the common northern line of said Twin Creeks Business Park tract, and the south line of said Watters Montessori Academy and also being along the south line of Quail Run Phase 1, an addition to the City of Allen, Texas, recorded in Instrument Number 19000101001036330, O.P.R.C.C.T., passing at a distance of 112.68 feet a 1/2 inch iron rod found for reference, continuing for a total distance of 875.16 feet to a 5/8 inch iron rod with a yellow cap stamped "TRAVERSE LS PROP COR" set for corner in the north line of said Twin Creeks Business Park tract and same being the south line of said Quail Run Phase 1;

THENCE South 43 degrees 38 minutes 04 seconds West, across said Twin Creeks Business Park tract, a distance of 679.54 feet to a 5/8 inch iron rod with a yellow cap stamped "TRAVERSE LS PROP COR" set for corner, at the northeasterly of said right-of-way line and the west line of said Twin Creeks Business Park tract;

THENCE North 32 degrees 47 minutes 30 seconds West, along the common southwestery line of said Twin Creek Business Park tract and northeasterly of said right-of-way line, a distance of 41.26 feet to a 1/2 inch iron rod found (control monument) for corner and being the beginning of a tangent curve to the left, having a central angle of 30 degrees 40 minutes 16 seconds, a radius of 1,040.00 feet, a chord of North 48 degrees 08 minutes 10 seconds West, and a chord distance of 550.10 feet;

THENCE Northwesterly, along said curve to the left, an arc distance of 556.72 feet to the **POINT of BEGINNING** and containing 4.998 acres of land (217,694 square feet), more or less.

OWNER'S ACKNOWLEDGEMENT

KNOW ALL PERSONS BY THESE PRESENTS:

That PRIYA TEXAS I LLC, through the undersigned authority, does hereby adopt this plat designating the described property as LOT 1, BLOCK A, PRIYA LIVING ADDITION, an addition to the City of Allen, Texas, and does hereby dedicate to the public use forever the streets and alleys thereon; and does hereby dedicate the easement strips shown on the plat for mutual use and accommodation of all public utilities desiring to use, or using same. No buildings, fences, trees, shrubs or other improvements shall be constructed or placed upon, over or across the easement strips on said plat. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements, or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on any of these easement strips, and any public utility shall at all times have the right of ingress and egress to and from and upon any of said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone. This plat is approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Allen, Texas.

Witness my hand this _____ day of _____, 2021.

BY: PRIYA TEXAS I LLC

BY: _____
 Principal

STATE OF TEXAS §
 COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, a notary public in and for the State of Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2021

 Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT I, MARK ALLAN NACE, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS SET WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF ALLEN, TEXAS.

PRELIMINARY, THIS SURVEY SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

MARK ALLAN NACE
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 5539

DATE: _____

STATE OF TEXAS §
 COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, a notary public in and for the State of Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2021

 Notary Public in and for the State of Texas

CERTIFICATE OF APPROVAL	
APPROVED CHAIRMAN PLANNING AND ZONING COMMISSION DATE _____ EXECUTED PRO FORMA MAYOR DATE _____	ATTEST SECRETARY PLANNING AND ZONING COMMISSION DATE _____
THE UNDERSIGNED, THE CITY SECRETARY OF THE CITY OF ALLEN, TEXAS, HEREBY CERTIFIES THAT THE FOREGOING PLAT OF THE LOT 1, BLOCK A, PRIYA LIVING ADDITION, AN ADDITION TO THE CITY OF ALLEN WAS SUBMITTED TO THE PLANNING AND ZONING COMMISSION AND APPROVED BY IT ON THE _____ DAY OF _____, 2021.	
_____ CITY SECRETARY, CITY OF ALLEN	

SUMITTAL LOG
1st PRELIMINARY PLAT SUBMITTAL: 5/21/2021
2nd PRELIMINARY PLAT SUBMITTAL: 6/4/2021
1st FINAL PLAT SUBMITTAL: 11/12/2021
2nd FINAL PLAT SUBMITTAL: 11/30/2021
3rd FINAL PLAT SUBMITTAL: 12/02/2021

**FINAL PLAT
 PRIYA LIVING
 ADDITION**

LOT 1, BLOCK A,
 4.998 ACRES

BEING A PORTION OF 30.477 ACRE TRACT
 TWIN CREEKS BUSINESS PARK, INC.
 A TEXAS CORPORATION
 AS RECORDED IN DOCUMENT NO. 20120731000930950
 OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS

SITUATED IN THE
 JOHN FYKE SURVEY, ABSTRACT NO. 325
 AN ADDITION TO THE
 CITY OF ALLEN, COLLIN COUNTY, TEXAS



14200 Midway Road, Suite 130, Dallas, TX 75244 | T: 469.784.9321
 W: TraverseLandSurveying.com | Texas Firm No. 10194631

Surveying | Construction Staking | Platting
 Date: September 23, 2021
 Revised: November 11, 2021
 Revised: November 30, 2021

Project No.: TR-36-21

SURVEYOR
 Name: Traverse Land Surveying, LLC
 Address: 14200 Midway Road, Suite 130
 Dallas, Texas, 75244
 Contact Name: Mark Nace
 Phone: 469-784-9321

OWNER/DEVELOPER
 Name: Priya Texas I LLC
 Address: 2601 Mission Street, Suite 604
 San Francisco, California 94110
 Contact Name: Arun Paul

PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: December 7, 2021

SUBJECT: Conduct a Public Hearing and Consider a Request to Amend the Development Regulations of Planned Development No. 141 with a Base Zoning of Mixed Use (MIX) Relating to the Use and Development of Approximately 55.957 Acres Located in the S. Jackson Survey, Abstract No. 489, Generally Located Directly South of State Highway 121 and Directly West of Exchange Parkway; Approximately 8.926 Acres Located in the S. Jackson Survey, Abstract No. 489, Generally Located Directly South of State Highway 121 and Directly East of Exchange Parkway; and Approximately 9.994 Acres Located in the S. Jackson Survey, Abstract No. 489, Generally Located Directly South of State Highway 121 and Directly West of Bending Branch Way. (ZN-091021-0018) [Allen Gateway]

STAFF RESOURCE: Marc Kurbansade, AICP
Director of Community Development

PREVIOUS COMMISSION/COUNCIL ACTION: Planned Development No. 101 - Adopted January, 2007
Planned Development No. 141 - Adopted January 2020

LEGAL NOTICES: Public Hearing Sign - Installed November 24, 2021
Property Owner Notices - Mailed November 24, 2021

ANTICIPATED COUNCIL DATE: January 11, 2022

BACKGROUND

The subject property is comprised of three individual non-contiguous tracts. The first tract is generally located at the northwest corner of Ridgeview Drive and Exchange Parkway. The second tract is generally located along east side of Exchange Parkway between Ridgeview Drive and State Highway 121. The third tract is generally located on the south side of State Highway 121 approximately 625 feet east of the intersection of State Highway 121 and Exchange Parkway. To the west of the subject property is Planned Development PD No. 127 Corridor Commercial CC, Planned Development PD No. 127 Multifamily-18 MF-18, and Planned Development PD No. 63 Community Facilities CF. To the south of the subject property is Planned Development PD No. 54 Medium Density Single Family MDSF, Planned Development PD No. 54 Single Family Residential 6 R-6, and Planned Development PD No. 54 Community Facilities CF. To the east of the subject property is Planned Development PD No. 101 Corridor Commercial CC, Planned Development PD

No. 135 Corridor Commercial CC. To the north of subject property across State Highway 121 is within the City of McKinney municipal boundaries.

The purpose of this amendment is only to make the following changes to the Development Regulations:

- Section 2.C., Table 1 - An additional footnote has been added to the table that restricts the construction of only 60 Urban Residential Units within 300 feet of the State Highway 121 service road, provided these are vertically integrated into the mixed-use building proposed for Tract 6A.
- Section 2.C.3. - New language is being proposed that will allow subsurface parking facilities to extend in to the required setbacks provided landscaping will not be compromised.
- Section 2.D. - The phasing of Urban Residential Units for Phase 2 is being proposed to be modified. Currently Phase 2 requires issuance of building permits for 100,000 square feet of office and completion of Gateway Forest open space. The proposed change would divide Phase two into separate phases, with the completion of Gateway Forest occurring in Phase 2a and the issuance of building permits for 100,000 square feet of office space occurring in Phase 2b. Phases 3 and 4 would remain unchanged.
Note: An attached table provides a summary of the phasing changes proposed.
- Section 2.D., Table 2 - This proposed change includes the allocation of 400 urban residential units in the Tollway West Character Area and the removal of 400 urban residential units from the Exchange Parkway Character Area. This modification is related to the change in Section 2.C., Table 1, noted above.
- Section 2.G.1.c. - This paragraph is being removed since it is no longer applicable with the removal of urban residential units from the Exchange Parkway Character Area as noted in Section 2.D., Table 2, above.
- Section 3.D. - This minor change explicitly references the Tollway West Character Area and the Ridgeview-Exchange Character Area, since those are the only two character areas with private streets.
- Section 3.F. - This new section was added to allow for an alternate asphalt overlay pavement section for the parking lot, as well as permit tree grates to be used in the parking lot.
- Section 4.A.2. - This minor change clarifies that one or more Property Owners' Association(s) can be used to meet the requirement of the ALDC.
- Section 4.H.2. - This change is being done to match the phasing changes proposed in Section 2.D.
- Section 7.B.2., 7.B.3., and 7.B.16. - This change is being done to accommodate a new Freestanding LED Sign as defined in Section 7.B.16. In order to offset this new sign face area, two off-premise multi-tenant signs and on off-premise district sign are being removed. The new section 7.B.16 provides standards for the new Freestanding LED Sign
- Section 7.B.17. - This new section permits a new sign type (Ranch Style Entry Sign) not defined nor permitted in the current ordinance.
- Section 7.B.18. - This new section provides clarification on the permitted monument signs for only the Tollway East Character Area.
- Appendix 3 - This minor change allows for an amenity center to be permitted as a standalone use in the Tollway West Character Area and Ridgeview-Exchange Character Area.

A copy of a strikeout/underline version of the draft development regulations has been attached to this

communication. Additionally, it should be noted that the draft ordinance attached may differ in format only from the ultimate ordinance presented to City Council.

This request has been reviewed by the Technical Review Committee.

STAFF RECOMMENDATION

Staff recommends approval.

MOTION

I move to recommend approval of an ordinance to amend the Development Regulations of Planned Development No. 141, for approximately 74.877 acres of land, as presented.

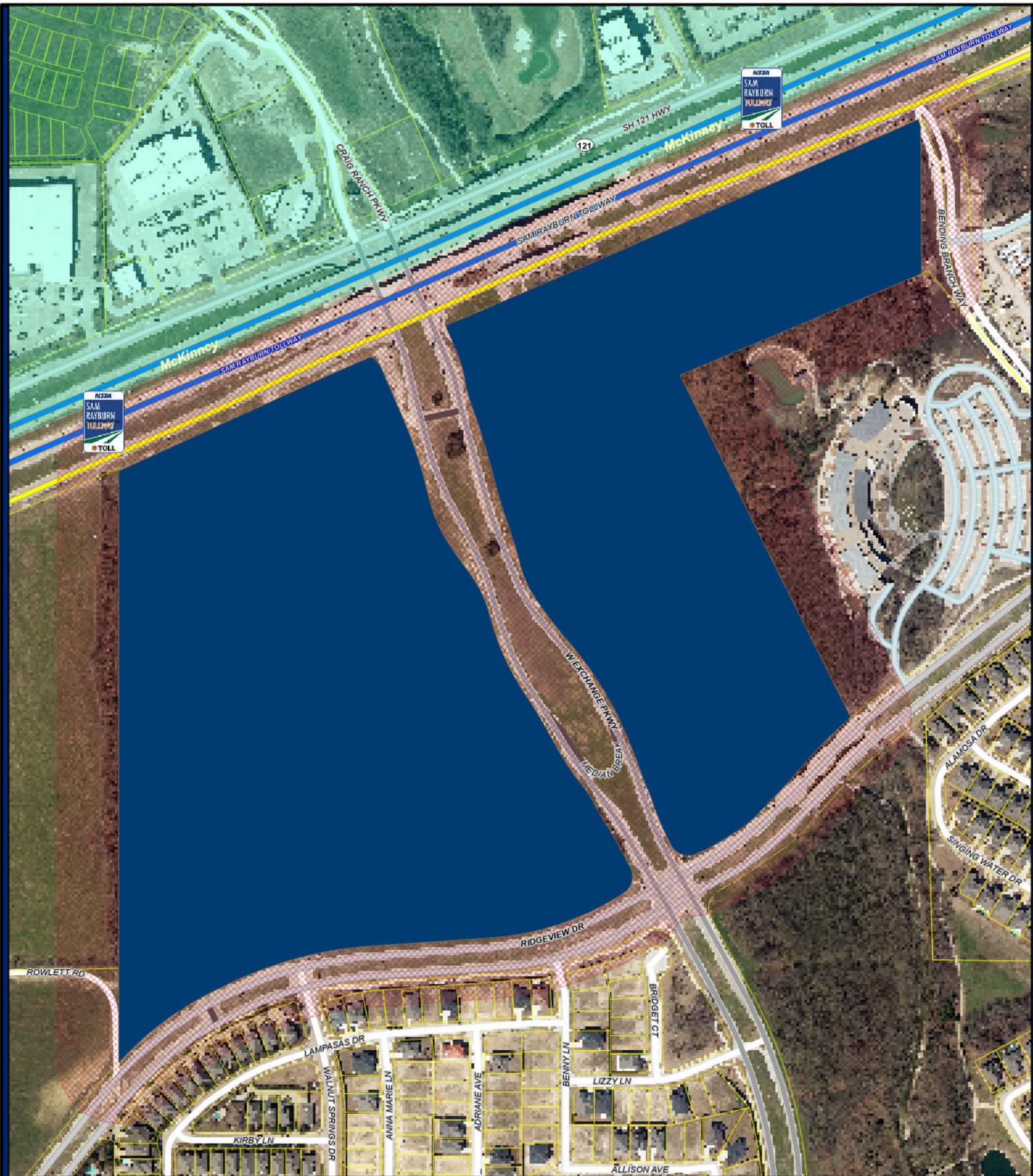
ATTACHMENTS:

Property Notification Map

Draft Ordinance

Development Regulations - Strikeout Underline

Urban Residential Phasing Summary

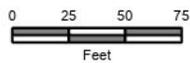


Public Notification Map

Allen Gateway

Legend

-  Subject Property
-  200' Buffer
-  Collin CAD Parcels



Community Development - Planning

Date Saved: 11/18/2021

NOTE: This map is only for illustration purpose only, please contact the City of Allen Planning & Development Department for specific rules and regulations.



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, BY AMENDING THE DEVELOPMENT REGULATIONS OF PLANNED DEVELOPMENT “PD” NO. 141 MIXED-USE MIX ADOPTED BY ORDINANCE NO. 3730-1-20; 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 Zoning Map, of the City of Allen, Texas, as previously amended, be further amended by amending the development and use regulations of Planned Development “PD” No. 141 Mixed Use “MIX” as adopted and outlined in Exhibit “A” to Ordinance No. 3730-1-20 (the “PD 141 Regulations”) as follows:

“Exhibit “A”

DEVELOPMENT REGULATIONS FOR

Gateway Allen at Twin Creeks
PLANNED DEVELOPMENT
PD 141

...

SECTION 2: DEVELOPMENT STANDARDS

...

C. BUILD-TO, SETBACK, AND YARD STANDARDS

1. Buildings constructed on the Property shall comply with the setback and yard standards outlined in Table 1, below:

TABLE 1: BUILD - TO, SETBACK, AND YARD STANDARDS

Character Area	Tollway West	Ridgeview-Exchange	Exchange Pkwy.	Tollway East
Primary / Secondary Building Frontage (Build-to-Zone) ⁽¹⁾⁽²⁾⁽³⁾	18' min. – 26' max.	18' min. – 26' max.	Not Applicable	Not Applicable
Front / Side Yard Setback (Facing a Private Street)	12' min – No max.	12' min. – No max.	Not applicable.	12' min. – No max.
Front / Side Yard Setback (Exchange Parkway)	25' min. – No max.	25' min. – No max.	20' min. – No max.	Not applicable
Front / Side Yard Setback (Ridgeview Pkwy.) ⁽⁴⁾	Not applicable	30' min. – No max.	30' min. – No max.	Not applicable
Front / Side Yard Setback (State Hwy. 121)	30' min. - No max. ⁽⁵⁾	Not Applicable	30' min. - No max.	30' min. - No max.
Side Yard / Rear Yard Setback (Facing interior lot line or alley)	0' min. – No max.	0' min. – No max.	0' min. – No Max.	0' min. – No max.
Side Yard / Rear Yard Setback (Facing exterior lot line adjacent to City Forest Greenbelt) ⁽⁶⁾	Not Applicable	Not Applicable	5' min. - No max.	5' min. - No max.

Notes:

- 1) Garage facades are included in this frontage calculation.
 - 2) The build-to-zone is measured from the back-of-curb to the face-of-building.
 - 3) Buildings may be set back farther than the required Build-To-Zone but only to the extent required to bring the building in compliance with site visibility triangles regulations.
 - 4) All setbacks adjacent to Ridgeview Drive will be not less than 30 feet.
 - 5) All Urban Residential units constructed in the Tollway West Character Area shall be set back not less than 300 feet from the State Highway 121 service road; provided, however, the minimum setback from the State Highway 121 service road of no more than sixty (60) Urban Residential units constructed on Tract 6A within the mixed-use building consisting primarily of office use as shown in Appendix 11.
 - 6) A 15-foot maintenance easement will be established and maintained parallel and adjacent to the 100-year floodplain in which no structure may impede.
2. Except as otherwise permitted in these Development Regulations, at-grade structural encroachments other than structural columns are not permitted within the setback. Structural foundation locations shall not impede pedestrian traffic within the designated pedestrian zone below. Support columns may be located anywhere within the setback only in a manner that does not violate sight distance requirements.
 3. Subsurface parking facilities may encroach into the required setbacks, but in no case shall said parking facilities encroach upon an underground or overhead utility easement. No building permit for any subsurface parking facility shall be issued by the Building Official unless a Landscape Plan for said lot has been approved by the Director of Parks and Recreation. The Landscape Plan shall include sufficient permeable soil depth to support the healthy growth of plant materials in the affected area.

D. UNITS, DENSITY, AND LOT COVERAGE

1. **Maximum Number of Residential Units:** No more than 1,700 Urban Residential units may be constructed on the Property. The number of Urban Residential units preconstructed in each Character Area shall not exceed the number of units outlined in Table 2, below. Urban Residential Units constructed on the Property shall be sequentially phased according to the following:

- a. Building permits for no more than 255 Urban Residential units shall be granted until construction of the Gateway Forest improvements is complete in accordance with Appendix 10, including, but not limited to, the streets identified as “Street G” and “Street H” as shown on Appendix 10;
- b. Building permit(s) authorizing the construction of no more than the 555 Urban Residential units (i.e., being the 255 units authorized under paragraph 1.a. above, plus an additional 300 units), shall be granted until one or more building permits have been issued for construction on the Property of one or more buildings for office space use with a cumulative floor area of not less than 100,000 square feet;
- c. Building permit(s) authorizing the construction of no more than the 800 Urban Residential units (i.e., being the 555 units authorized under paragraphs 1.a. and 1.b. above, plus an additional 245 units) shall be granted until final building inspections have been approved and one or more certificates of occupancy granted for the building shell (but not the finish out) of a cumulative area of 100,000 square feet of office space constructed on the Property; and
- d. Building permit(s) authorizing construction of more than 1,300 Urban Residential units (i.e., being the 800 units authorized under paragraphs 1.a., 1.b., and 1.c. above plus an additional 500 units) shall be granted until one or more building permits have been issued for construction on the Property of one or more buildings for office space use with a cumulative floor area of not less than 50,000 square feet, which buildings shall be in addition to the building(s) required to be constructed for office uses described in paragraphs 1.b. and 1.c., above. For purposes of this paragraph 1.d., the square footage of building(s) constructed for office use in satisfaction of paragraphs 1.b. and 1.c., above, more than 100,000 shall be credited toward the square footage of the office building(s) for which building permit(s) must be issued under this paragraph 1.d. before issuance of a building permit authorizing construction of a building containing the 1,301st Urban Residential unit. By way of illustration, if in satisfaction of the requirements for the construction of building(s) for office use under paragraphs 1.b. and 1.c., above, one or more certificates of occupancy are issued for a total of 120,000 square feet of building shell, then the square footage of building(s) constructed for office use for which building permits must be issued before issuance of a building permit authorizing construction of the building containing the 1,301st Urban Residential unit shall be reduced to 30,000 square feet.

TABLE 2: URBAN RESIDENTIAL UNIT ALLOCATION

Character Area (C.A.)	Maximum Allowed Urban Residential Units or C.A. ⁽¹⁾	Maximum Density	Maximum FAR	Maximum Lot Coverage
Tollway West	500	None	None	None
Ridgeview-Exchange	1,600			
Exchange Pkwy.	0			
Tollway East	400			

Notes

- 1) The maximum number of Urban Residential units that may be constructed on the Property shall not exceed 1,700 units as outlined in Section 3. D.1 above. The numbers in this column establish the maximum number of Urban Residential units that may be constructed in the identified Character Area.

...

G. BUILDING HEIGHT

1. Minimum Number of Stories:

- a. A maximum of 25% of the gross floor area of principal buildings located in the Tollway West Character Area and the Ridgeview-Exchange Character Area shall be permitted to be less than three stories. The gross floor area of retail and restaurant uses permitted in the Central Square shall not be included in determining compliance with the maximum percentage stated in the prior sentence; and
- b. All principal buildings in the Exchange Pkwy. and Tollway East Character Areas may be one story in height.

...

SECTION 3: STREET TYPES AND TRANSPORTATION NETWORK

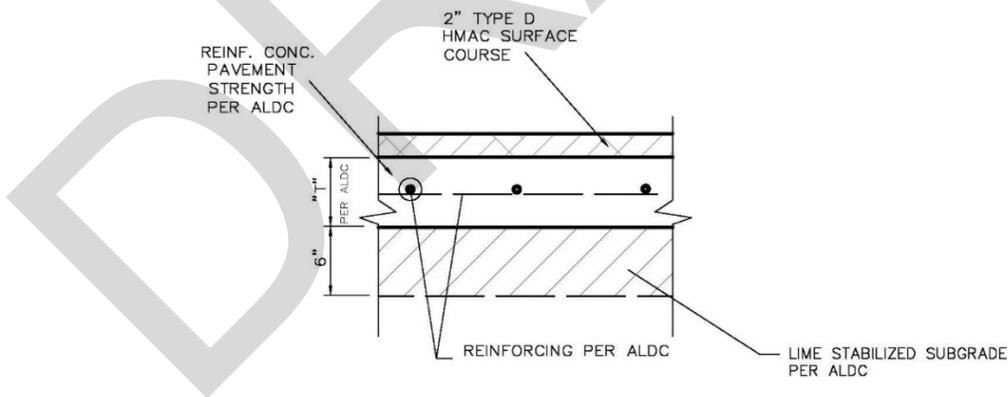
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D. PRIVATE STREETS. All streets within the Tollway West Character Area and Ridgeview-Exchange Character Area, as generally illustrated in the Streets Diagram, will be private streets and shall be maintained by a property owners' association.

...

F. TOLLWAY EAST CHARACTER AREA. Within the Tollway East Character Area:

- 1. Asphalt may be used as a paving material provided such paving complies with the City's design specification for strength and endurance; and



**ONSITE HMAC OVER
CONCRETE PAVEMENT SECTION**

- 2. Tree islands in required parking areas may be planted with trees below grade level protected by metal grates, subject to the following:
 - a. A licensed professional engineer shall certify with a sealed letter that the tree grates are traffic rated;

- b. The planting area shall include subsurface preparation to facilitate the healthy growth of trees, including but not limited to, installation of structural soil systems;
- c. All trees located within the surface area of the parking lot must, at the time of planting have a trunk diameter of not less than six (6) caliper inches and have a rootball diameter of not less than sixty (60) inches, or a 10:1 ratio of the rootball to the trunk diameter measured at twelve (12) inches above the soil stain; and
- d. Trees shall be of a species identified as Overstory (shade) trees as listed in Appendix C of the Allen Land Development Code.

...

SECTION 4: PARKLAND, OPEN SPACE, TRAILS, AND TREE MITIGATION

A. GENERAL.

...

- 2. **Ownership, Maintenance, and Management.** The owner of the Property, or the owners of the various portions thereof, shall maintain or cause to be maintained all common areas within the Property, including, but not limited to, all parks, open spaces, street medians, entry features, floodplain areas, streetscapes, and landscape areas within the street right-of-way, detention pond, retention ponds, wall maintenance easements, landscape maintenance easements, and similar areas shown on a final plat, site plan, or the Regulating Plan (collectively the "Common Areas"), until such time that one or more Property Owners' Associations are established for ownership, maintenance, and management of the Common Areas within the various portions of the Property as required by Section 8.20 of the ALDC. Maintenance of Common Areas shall include, but not be limited to, the various in-ground and above-ground plantings/planting beds, irrigation (when required herein), lighting and drainage systems located within the Common Areas.

...

SECTION 5: BUILDING DESIGN STANDARDS

- H. **URBAN RESIDENTIAL BUILDING STANDARDS.** Urban Residential dwelling uses shall be subject to the following development and use regulations:

...

- 2. **One-bedroom minimums.**
 - a. No less than 65 percent of the Urban Residential dwelling units in the aggregate within the overall development of the Property shall be one-bedroom and studio units as set forth below;
 - b. A final building inspection to permit the occupancy of the initial 255 Urban Residential units shall not be issued until a report is filed with the Director of Community Development or designee demonstrating that no less than 65 percent of the dwelling units in the first 255 units are one-bedroom and studio units;
 - c. A final building inspection to permit the occupancy of a total of 555 Urban Residential units (i.e., being the 255 units described in paragraph b., above, plus an additional 300

units) shall not be issued until a report is filed with the Director of Community Development or designee demonstrating that no less than 65 percent of the dwelling units in the first 555 units are one-bedroom and studio units;

- d. A final building inspection to permit the occupancy of a total of 800 Urban Residential units (i.e., being the 555 units described in paragraphs b. and c., above, plus an additional 245 units) shall not be issued until a report is filed with the Director of Community Development or designee demonstrating that no less than 65 percent of the dwelling units in the first 800 units are one-bedroom and studio units;
- e. A final building inspection to permit the occupancy of a total of 1,300 Urban Residential units (i.e., being the 800 units described in paragraphs b., c., and d., above, plus an additional 500 units) shall not be issued until a report is filed with the Director of Community Development or designee demonstrating that no less than 65 percent of the dwelling units in the first 1,300 units are one-bedroom and studio units; and
- f. A final building inspection to permit the occupancy of the 1,301st through the 1,700th Urban Residential unit shall not be issued until a report is filed with the Director of Community Development or designee demonstrating that no less than 65 percent of the dwelling units in the remaining 400 units will be constructed as one- bedroom and studio units.

...

SECTION 7: SIGN STANDARDS

...

B. ALLOWED SIGNS. The following signs shall be allowed subject to the size restrictions outlined in the ALDC unless otherwise indicated below:

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2. Off-premise multi-tenant signs.

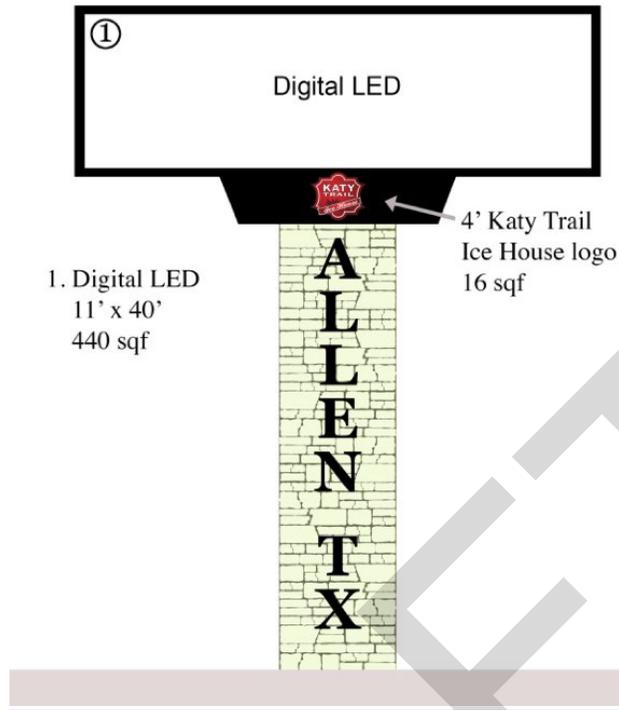
- a. Maximum effective area: 180 square feet per side; and
- b. Maximum number: two (2) on SH 121 (one (1) each for the Tollway West Character Area and Exchange Pkwy. Character Area), one (1) on Exchange Pkwy. only for Tollway West Character Area; and one (1) on Ridgeview Drive (in Exchange Pkwy. Character Area).

3. Off-premise district signs.

- a. Maximum effective area: 180 square feet per side;
- b. Maximum number: two (2) on SH 121 (one (1) each for the Tollway West Character Area and Exchange Pkwy. Character Area), two (2) on Exchange Pkwy. (one (1) for Tollway West Character Area and one (1) for Exchange Pkwy. Character Area), two (2) on Ridgeview Drive (in Exchange Pkwy. Character Area) and Ridgeview-Exchange Character Area.

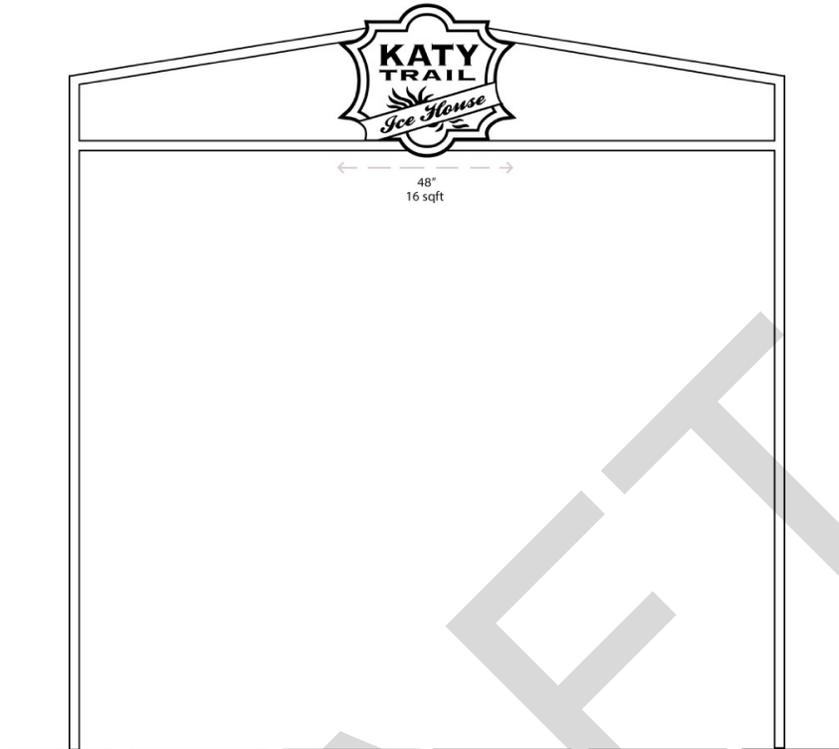
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- 16. Freestanding LED Sign.** One (1) Freestanding LED Sign (“FLS”) may be installed in the Tollway East Character Area subject to the following:
- a. The area of each sign face shall not exceed 460 square feet;
 - b. The FLS shall have no more than two (2) sign faces;
 - c. Sign supports must be wrapped in masonry or similar product with no poles visible. “Allen TX” in raised metal letters will be permitted on the masonry and shall not be considered as part of the maximum effective area;
 - d. The FLS shall use LED, digital, or other similar technology;
 - e. The FLS may not display light of such intensity or brilliance to cause glare, impair the vision of the ordinary driver, or constitute a nuisance;
 - f. No flashing, dimming, or brightening of the message is permitted except to accommodate changes of the message;
 - g. The light source of the FLS shall not be directly visible;
 - h. The edges of the FLS shall be wrapped and not considered as part of the maximum effective area;
 - i. The FLS shall not exceed sixty (60) feet, excluding a cutout that extends above the rectangular border of the sign, measured from the grade level of the centerline of the main-traveled way on State Hwy. 121, not including the frontage road of State Hwy. 121, closest to the FLS at a point perpendicular to the sign location;
 - j. The FLS shall be setback from any public right-of-way a distance of no less than eight (8) feet; and
 - k. The design of the FLS shall be generally as shown in the following illustration:

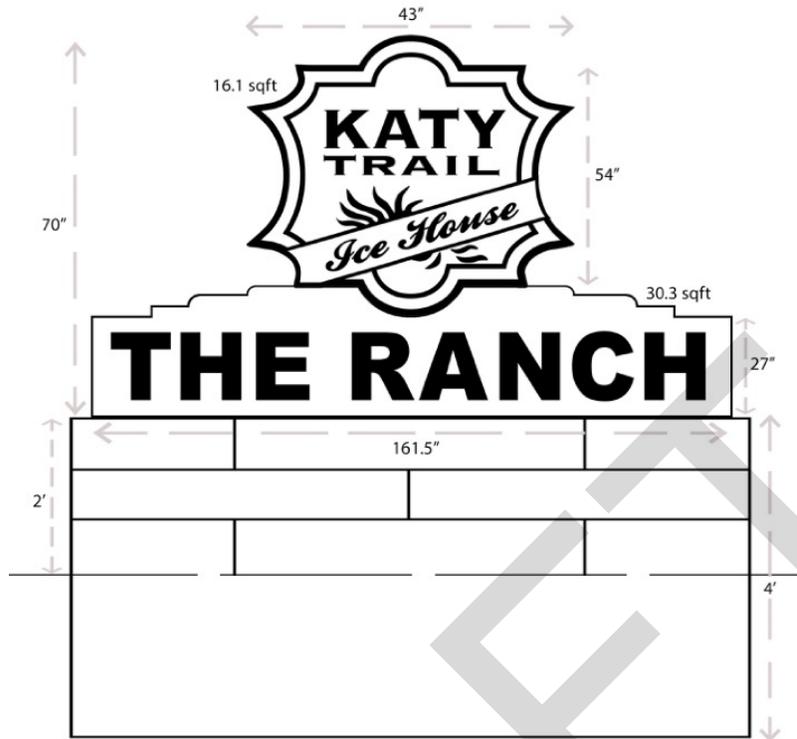


17. **Ranch Style Entry Sign.** One (1) Ranch Style Entry Sign (“RSE”) may be installed within the Tollway East Character Area subject to the following:

- a. The area of each sign face shall not exceed twenty (20) square feet;
- b. The RSE shall have no more than two (2) sign faces;
- c. The RSE shall be set back not less than fifty feet (50') from the State Hwy. 121 frontage road;
- d. The RSE may be illuminated; and
- e. The RSE shall consist of metal piping or other similar material overhanging the private entry to a parking lot supporting the copy area of the sign which shall not be considered part of the area of the sign face, as generally shown in the following illustration:



18. **Monument Signs for Tollway East Character Area.** No more than two (2) monument signs may be installed along State Hwy. 121 within the Tollway East Character Area subject to the following:
- a. The area of each sign face shall not exceed ninety (90) square feet;
 - b. Each monument sign shall have no more than two (2) sign faces;
 - c. The maximum sign height shall not exceed twelve (12) feet; and
 - d. Signs may be illuminated.



Note: The height shown in this figure is for illustrative purposes only. The maximum height of the sign shall be regulated by Section 7.B.18 of this Ordinance.

...

Appendix 3: SCHEDULE OF USES

...

Use	Character Areas			
	Tollway West	Ridgeview-Exchange	Exchange Pkwy.	Tollway East
ADULT DAYCARE				
...				
AMENITY CENTER	X	X		
...				

...

SECTION 2. 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 3. Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance, or 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 4. 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 5. 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 6. This Ordinance shall take effect immediately from and after its passage and publication by 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 ____ DAY OF _____, 2021.

APPROVED:

Kenneth M. Fulk, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY
(kbl:8/26/2021:123744)

Shelley B. George, TRMC, CITY SECRETARY

DRAFT

DEVELOPMENT REGULATIONS FOR
Gateway Allen at Twin Creeks
PLANNED DEVELOPMENT
PD 141

...

SECTION 2: DEVELOPMENT STANDARDS.

...

C. BUILD-TO, SETBACK AND YARD STANDARDS.

1. Buildings constructed on the Property shall comply with the setback and yard standards set forth in Table 1, below.

TABLE 1: BUILD -TO, SETBACK AND YARD STANDARDS

Character Area	Tollway West	Ridgeview-Exchange	Exchange Pkwy.	Tollway East
Primary/Secondary Building Frontage (Build-to-Zone) ⁽¹⁾⁽²⁾⁽³⁾	18' min. - 26' max.	18' min. - 26' max.	Not Applicable	Not Applicable
Front / Side Yard Setback (Facing a Private Street)	12' min – No max.	12' min. – No max.	Not applicable.	12' min. – No max.
Front / Side Yard Setback (Exchange Parkway)	25' min. – No max.	25' min. – No max.	20' min. – No max.	Not applicable
Front / Side Yard Setback (Ridgeview Pkwy.) ⁽⁴⁾	Not applicable	30' min. – No max.	30' min. – No max.	Not applicable
Front/Side Yard Setback (State Hwy. 121)	30' min. - No max. ⁽⁵⁾	Not Applicable	30' min. - No max.	30' min. - No max.
Side Yard or Rear Yard Setback (Facing interior lot line or alley)	0' min. – No max.	0' min. – No max.	0' min. – No Max.	0' min. – No max.
Side Yard or Rear Yard Setback (Facing exterior lot line adjacent to City Forest Greenbelt) ⁽⁵⁾⁽⁶⁾	Not Applicable	Not Applicable	5' min. - No max.	5' min. - No max.

Notes:

- 1) Garage facades are included in this frontage calculation.
- 2) The build-to-zone is measured from the back- of-curb to the face-of-building.
- 3) Buildings may be set back farther than the required Build-To-Zone but only to the extent required to bring the

building in compliance with site visibility triangles regulations.

- 4) ~~All setbacks adjacent to Ridgeview Drive will be not less than 30 feet.~~
- 4)5) All Urban Residential units constructed in the Tollway West Character Area shall be set back not less than 300 feet from the State Highway 121 service road; provided, however, the minimum setback from the State Highway 121 service road of no more than sixty (60) Urban Residential units constructed on Tract 6A within the mixed-use building consisting primarily of office use as shown in Appendix 11.
- 5)6) A 15-foot maintenance easement will be established and maintained parallel and adjacent to the 100-year floodplain in which no structure may impede

2. ~~Except as otherwise permitted in these Development Regulations, at-grade structural encroachments other than structural columns are not permitted within the setback. Structural foundation locations shall not impede pedestrian traffic within the designated pedestrian zone below. Support columns may be located anywhere within the setback provided they are located~~only in a manner that does not violate sight distance requirements.

~~2.3. Subsurface parking facilities may encroach into the required setbacks, but in no case shall said parking facilities encroach upon an underground or overhead utility easement. No building permit for any subsurface parking facility shall be issued by the Building Official unless a Landscape Plan for said lot has been approved by the Director of Parks and Recreation. The Landscape Plan shall include sufficient permeable soil depth to support the healthy growth of plant materials in the affected area.~~

D. UNITS, DENSITY AND LOT COVERAGE.

1. **Maximum Number of Residential Units:** No more than 1,700 Urban Residential units may be constructed on the Property. The number of Urban Residential units preconstructed in each Character Area shall not exceed the number of units set forth in Table 2, below. Urban Residential Units constructed on the Property shall be sequentially phased according to the following:

a. ~~The first 400 Urban Residential units may be constructed on the Property without regard to the commencement of construction on the Property of buildings to be developed for uses other than Urban Residential use;~~

b. ~~No building permit(s) authorizing the construction of more than the 400 Urban Residential units authorized to be constructed pursuant to paragraph 1.a., above, shall be granted until one or more building permits for not less than 100,000 square feet of office uses to be constructed on the Property have been issued.~~

a. ~~Approval of a final inspection~~Building permits for no more than the initial 400-255 Urban Residential units authorized in paragraph 1.a., above, shall not be granted until construction of the Gateway Forest improvements is complete in accordance with Appendix 10, including, but not limited to, the streets identified as "Street G" and "Street H" as shown on Appendix 10;

b. ~~No~~Building permit(s) authorizing the construction of no more than the 800-555 Urban Residential units (i.e., being the 255 units authorized pursuant to paragraphs 1.a. and 1.b., above, plus an additional 300

units), shall be granted until final building inspections have been approved and one or more certificates of occupancy granted for the building shell (but not the finish out) of a cumulative area of 100,000 square feet of office space one or more building permits have been issued for construction on the Property of one or more buildings for office space use with a cumulative floor area of not less than 100,000 square feet;

c. Building permit(s) authorizing the construction of no more than the 800 Urban Residential units (i.e., being the 555 units authorized pursuant to paragraphs 1.a. and 1.b., above, plus an additional 245 units) shall be granted until final building inspections have been approved and one or more certificates of occupancy granted for the building shell (but not the finish out) of a cumulative area of 100,000 square feet of office space constructed on the Property

d. ~~No~~ Building permit(s) authorizing construction of more than the 1,300 Urban Residential units (i.e., being the 800 units authorized pursuant to paragraphs 1.a., 1.b., and 1.d.c., above plus an additional 500 units) shall be granted until one or more building permits have been issued for construction on the Property of one or more buildings for office space use with a cumulative floor area of not less than 50,000 square feet, of office uses to be constructed on the Property have been issued which buildings shall be in addition to the building(s) required to be constructed for office uses described in paragraphs 1.b. and 1.d.c., above. For purposes of this paragraph 1.ed., the number of square feet footage of building(s) constructed for office use in satisfaction of paragraphs 1.b. and 1.d.c., above, in excess of 100,000 shall be credited toward the number of square feet footage of the office building(s) for which building permit(s) must be issued pursuant to this paragraph 1.ed. prior to issuance of a building permit authorizing construction of a building containing the 1,301st Urban Residential unit. By way of illustration, if in satisfaction of the requirements for the construction of building(s) for office use pursuant to paragraphs 1.b. and 1.d.c., above, one or more certificates of occupancy are issued for a total of 120,000 square feet of building shell, then the square footage of building(s) constructed for office use for which building permits must be issued prior to issuance of a building permit authorizing construction of the building containing the 1,301st Urban Residential unit shall be reduced to 30,000 square feet.

TABLE 2: URBAN RESIDENTIAL UNIT ALLOCATION

Character Area (C.A.)	Maximum Allowed Urban Residential Units or C.A. ⁽¹⁾	Maximum Density	Maximum FAR	Maximum Lot Coverage
Tollway West	1,000 500	None	None	None
Ridgeview-Exchange	1,600	None	None	None
Exchange Pkwy.	400-0 ⁽²⁾	None	None	None
Tollway East	400	None	None	None

Notes

- 1) The maximum number of Urban Residential units that may be constructed for the District on the Property shall not exceed 1,700 units as described set forth in Section 3.D.1 above. The numbers in this column establish the maximum number of Urban Residential units that may be constructed in the identified Character Area.
- 2) ~~Shall not be less than six (6) stories, including podium parking garage.~~

...

G. BUILDING HEIGHT

1. Minimum Number of Stories:

- a. A maximum of 25% of the gross floor area of principal buildings located in the Tollway West Character Area and the Ridgeview-Exchange Character Area shall be permitted to be less than three stories. The gross floor area of retail and restaurant uses permitted in the Central Square shall not be include in determining compliance with the maximum percentage stated in the prior sentence.
- b. All principal buildings in the Exchange Pkwy. and Tollway East Character Areas may be one story in height, ~~except as limited by Section 2.G.1.c. below.~~
- c. ~~Buildings within the Exchange Pkwy. Character Area developed with Urban Residential units shall not be less than six stories in height inclusive of the above grade portion of a podium parking garage constructed below the floors of Urban Residential units. When a parking garage is vertically integrated into the overall structure, not less than five stories of Urban Residential units shall be incorporated into the overall structure.~~

...

SECTION 3: STREET TYPES AND TRANSPORTATION NETWORK

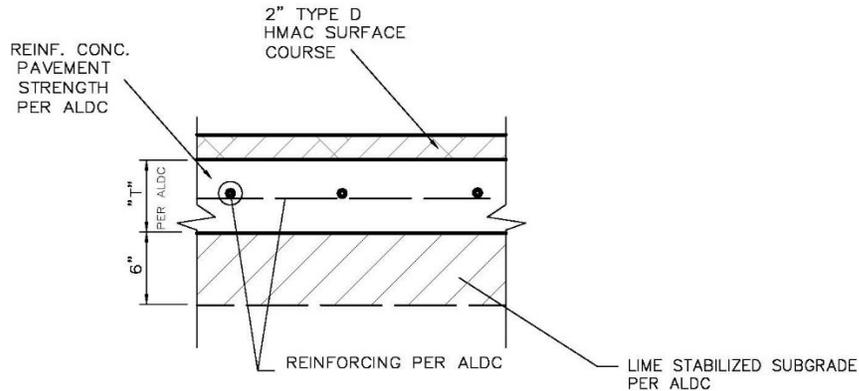
...

- D. PRIVATE STREETS.** All streets within the ~~Property~~ Tollway West Character Area and Ridgeview-Exchange Character Area, as generally illustrated in the Streets Diagram, will be private streets and shall be maintained by a property owners' association.

...

F. TOLLWAY EAST CHARACTER AREA. Within the Tollway East Character Area:

1. Asphalt may be used as a paving material provided such paving complies with the City's design specification for strength and endurance;



**ONSITE HMAC OVER
CONCRETE PAVEMENT SECTION**

2. Tree islands in required parking areas may be planted with trees below grade level protected by metal grates, subject to the following:
 - a. A licensed professional engineer shall certify with a sealed letter that the tree grates are traffic rated; and
 - b. The planting area shall include subsurface preparation in order to facilitate the healthy growth of trees, including but not limited to, installation of structural soil systems; and
 - c. All trees located within the surface area of the parking lot must, at the time of planting have a trunk diameter of not less than six (6) caliper inches and have a rootball diameter of not less than sixty (60) inches, or a 10:1 ratio of the rootball to the trunk diameter measured at twelve (12) inches above the soil stain; and
 - d. Trees shall be of a species identified as Overstory (shade) trees as listed in Appendix C of the Allen Land Development Code.

...

SECTION 4: PARK LAND, OPEN SPACE, TRAILS, AND TREE MITIGATION

A. GENERAL.

...

2. **Ownership, Maintenance and Management.** The owner of the Property, or the owners of the various portions thereof, shall maintain or cause to be maintained all common areas within the Property, including, but not limited to, all parks, open spaces, street medians, entry features, floodplain areas, streetscapes and landscape areas within street right-of-way, detention pond, retention ponds, wall maintenance easements, landscape maintenance easements, and similar areas shown on a final plat, site plan, or the Regulating Plan (collectively the "Common Areas"), ~~until such time that a one or more Property Owners' Associations is~~ are established for the purpose of ownership, maintenance and management of the Common Areas within the various portions of the Property as required by Section 8.20 of the ALDC. Maintenance of Common Areas shall include, but not be limited to, the various in-ground and above ground plantings/planting beds, irrigation (when required herein), lighting and drainage systems located within the Common Areas.

...

H. URBAN RESIDENTIAL BUILDING STANDARDS. Urban Residential dwelling uses shall be subject to the following development and use regulations:

...

2. **One-bedroom minimums.**
 - a. No less than 65 percent of the Urban Residential dwelling units in the aggregate within the overall development of the Property shall be one-bedroom and studio units as set forth below.
 - b. A final building inspection to permit the occupancy of the initial 400-255 Urban Residential units shall not be issued until a report is filed with the Director of Community Development or designee demonstrating that no less than 65 percent of the dwelling units in the first 400-255 units are one-bedroom and studio units.
 - b.c. A final building inspection to permit the occupancy of a total of 555 Urban Residential units (i.e., being the 255 units described in paragraph b., above, plus an additional 300 units) shall not be issued until a report is filed with the Director of Community Development or designee demonstrating that no less than 65 percent of the dwelling units in the first 555 units are one-bedroom and studio units.
 - e.d. A final building inspection to permit the occupancy of a total of 800 Urban Residential units (i.e., being the 555 units described in paragraphs b. and c., above, plus an additional 245 units) shall not be issued until a report is filed with the Director of Community Development or designee demonstrating that no less than 65 percent of the dwelling units in the first 800 units are one-bedroom and studio units

~~d.e.~~ A final building inspection to permit the occupancy of a total of 1,300 Urban Residential units (i.e., being the 800 units described in paragraphs b., c., and d., above, plus an additional 500 units) shall not be issued until a report is filed with the Director of Community Development or designee demonstrating that no less than 65 percent of the dwelling units in the first 1,300 units are one-bedroom and studio units.

~~e.f.~~ A final building inspection to permit the occupancy of the 1,301st through the 1,700th Urban Residential unit shall not be issued until a report is filed with the Director of Community Development or designee demonstrating that no less than 65 percent of the dwelling units in the remaining 400 units will be constructed as one- bedroom and studio units.

...

SECTION 7: SIGN STANDARDS.

...

B. ALLOWED SIGNS. The following signs shall be allowed subject to the size restrictions set forth in the ALDC for unless otherwise indicated below:

...

2. **Off-premise multi-tenant signs.**

- a. Maximum effective area: 180 square feet per side.
- b. Maximum number: ~~three (3)~~two (2) on SH 121 (~~one (1) for each Character Area bordering SH 121 for the Tollway West Character Area and Exchange Pkwy. Character Area), two (2)~~one (1) on Exchange Pkwy. (~~one only for Tollway West Character Area; and one for Exchange Pkwy. Character Area), one (1)~~ on Ridgeview Drive (in Exchange Pkwy. Character Area).

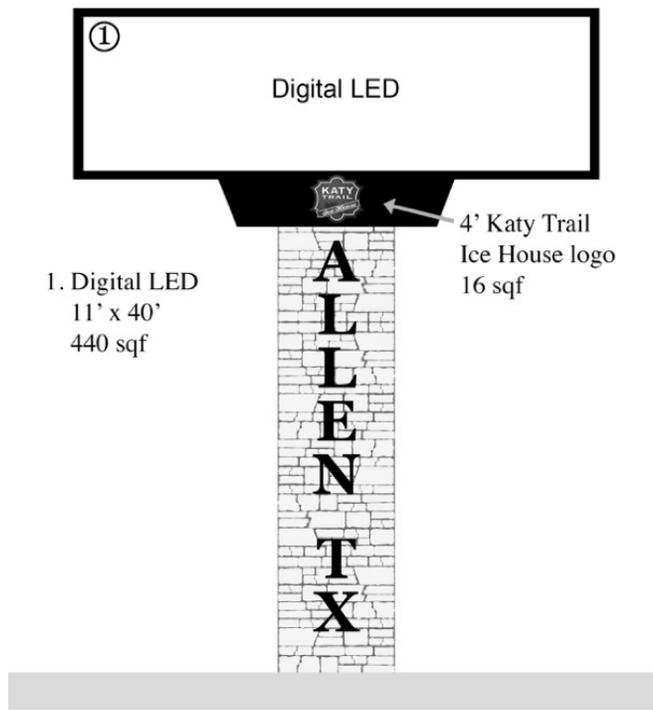
3. **Off-premise district signs.**

- a. Maximum effective area: 180 square feet per side.
- b. Maximum number: ~~three (3)~~two (2) on SH 121 (~~one (1) for each Character Area bordering SH 121 for the Tollway West Character Area and Exchange Pkwy. Character Area), two (2)~~ on Exchange Pkwy. (~~one (1) for Tollway West Character Area and one (1) for Exchange Pkwy. Character Area), two (2)~~ on Ridgeview Drive (in Exchange Pkwy. Character Area) and Ridgeview-Exchange Character Area.

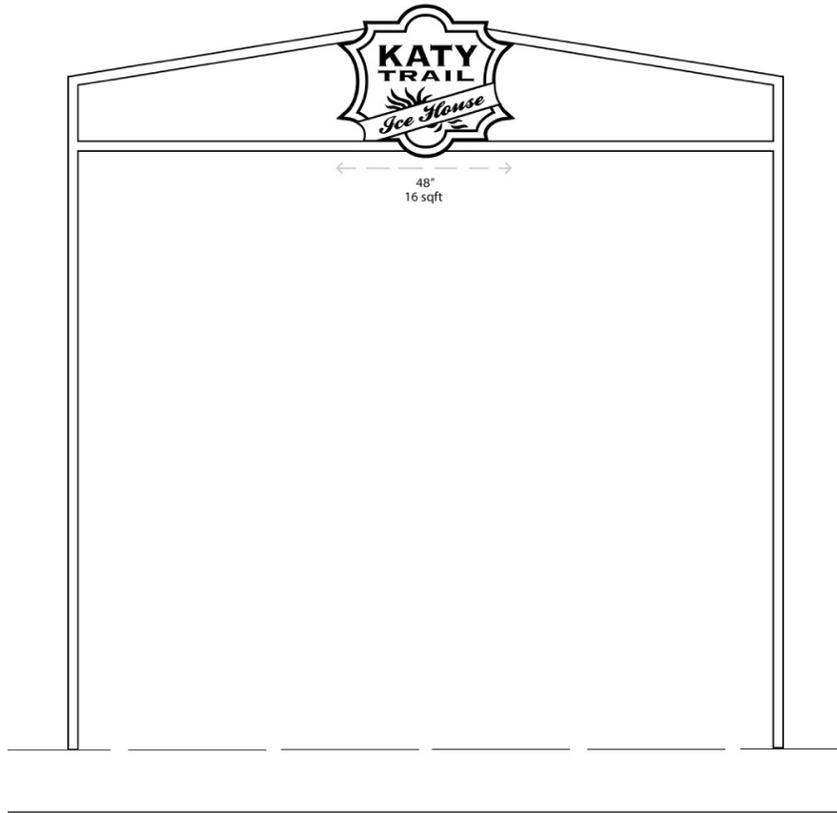
...

16. **Freestanding LED Sign.** One (1) Freestanding LED Sign (“FLS”) may be installed in the Tollway East Character Area subject to the following:

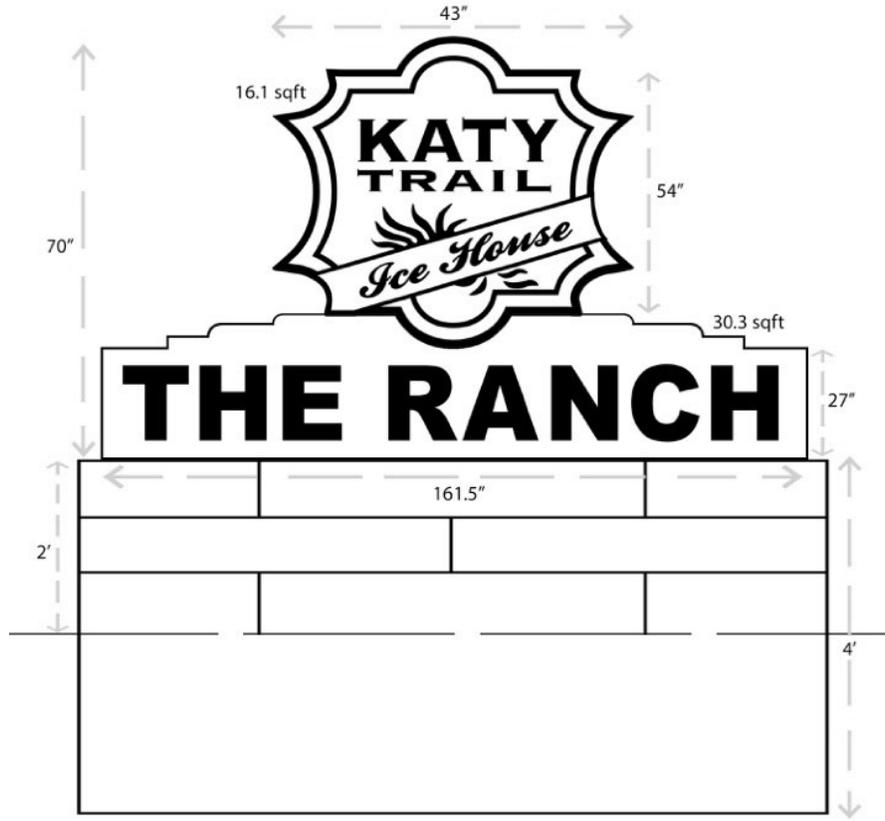
- a. The area of each sign face shall not exceed 460 square feet;
- b. The FLS shall have no more than two (2) sign faces;
- c. Sign supports must be wrapped in masonry or similar product with no poles visible. "Allen TX" in raised metal letters will be permitted on the masonry and shall not be considered as part of the maximum effective area;
- d. The FLS shall use LED, digital or other similar technology;
- e. The FLS may not display light of such intensity or brilliance to cause glare, impair the vision of the ordinary driver, or constitute a nuisance;
- f. No flashing, dimming, or brightening of message is permitted except to accommodate changes of message;
- g. The light source of the FLS shall not be directly visible;
- h. The edges of the FLS shall be wrapped and not considered as part of the maximum effective area;
- i. The FLS shall not exceed sixty (60) feet, excluding a cutout that extends above the rectangular border of the sign, measured from the grade level of the centerline of the main-traveled way on State Hwy. 121, not including the frontage road of State Hwy. 121, closest to the FLS at a point perpendicular to the sign location;
- j. The FLS shall be setback from any public right-of-way a distance of not less than eight (8) feet; and
- ~~a~~.k. The design of the FLS shall be generally as shown in the following illustration:



- 17. Ranch Style Entry Sign.** One (1) Ranch Style Entry Sign (“RSE”) may be installed within the Tollway East Character Area subject to the following:
- a. The area of each sign face shall not exceed twenty (20) square feet;
 - b. The RSE shall have no more than two (2) sign faces;
 - c. The RSE shall be set back not less than fifty feet (50') from the State Hwy. 121 frontage road;
 - d. The RSE may be illuminated; and
 - e. The RSE shall consist of metal piping or other similar material overhanging the private entry to a parking lot supporting the copy area of the sign which shall not be considered part of the area of the sign face, as generally shown in the following illustration:



18. Monument Signs for Tollway East Character Area. No more than two (2) monument signs may be installed along State Hwy. 121 within the Tollway East Character Area subject to the following:
- The area of each sign face shall not exceed ninety (90) square feet.
 - Each monument sign shall have no more than two (2) sign faces; and
 - The maximum sign height shall not exceed twelve (12) feet; and
 - Signs may be illuminated.



Note: The height shown in this figure is for illustrative purposes only. The maximum height of the sign shall be regulated by Section 7.B.18 of this Ordinance.

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Appendix 3: SCHEDULE OF USES

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Use	Character Areas			
	Tollway West	Ridgeview-Exchange	Exchange Pkwy.	Tollway East
ADULT DAY CARE				
...				
AMENITY CENTER	X	X		
...				

...

CURRENT (Per PD Ord. 3730-1-20)

Phase	Phase (du)	Running Total (du)	Notes/Conditions
1	400	400	This phase shall be unrestricted
2	400	800	Building Permits for 100,000 square feet of office & completion of Gateway Forest
3	500	1300	Certificate of Occupancy for shell only of 100,000 square feet of office
4	400	1700	Building Permits for additional 50,000 square feet of office

PROPOSED

Phase	Phase (du)	Running Total (du)	Notes/Conditions
1	255	255	This phase shall be unrestricted
2a	300	555	Completion of Gateway Forest
2b	245	800	Building Permits for 100,000 square feet of office
3	500	1300	Certificate of Occupancy for shell only of 100,000 square feet of office
4	400	1700	Building Permits for additional 50,000 square feet of office