



**AGENDA
CITY OF ALLEN
PLANNING AND ZONING COMMISSION
REGULAR MEETING
SEPTEMBER 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 August 24, 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 August 17, 2021, Planning and Zoning Commission Regular Meeting.
3. Final Plat - Consider a Request for a Final Plat for The Avenue Addition Being 79.285± Acres Located in the John Phillips Survey, Abstract No. 718; Thomas Phillips Survey, Abstract No. 717; and James W. Parsons Survey, Abstract No. 705; Generally Located at the Southwestern Corner of the Intersection of State Highway 121 and Alma Drive. (PL-072321-0011) [The Avenue]

Regular Agenda

4. Public Hearing - Conduct a Public Hearing and Consider a Request to Change the Zoning of Lot 1C, Block 1, Enterprises Addition No. 2 from Light Industrial "LI" to Heavy Industrial "HI", Generally Located East of Enterprise Boulevard and South of Bethany Drive, and Commonly Known as 915 Enterprise Boulevard. (ZN-073021-0014) [Link Logistics]
5. Conduct a Public Hearing and Consider a Request to Establish a Planned Development Zoning District with a Base Zoning of Single-Family Residential (R-5) and to Adopt Development Regulations, Zoning Exhibit, Concept Plan, Open Space Plan, and Screening Plan for 34.2± Acres in the Francis Dosser Survey,

Abstract No. 280; Generally Located at the Northwestern Corner of the Intersection of Watters Road and Stacy Road. (ZN-042321-0004) [The Reserve at Watters]

6. Public Hearing - Conduct a Public Hearing and Consider a Request to Amend the Development Regulations of Planned Development No. 134A with a Base Zoning of Mixed Use for Lot 1, Block A; Lots 1 and 2 Block B; Lot 1, Block C Lots 1-3, Block D; Lots 1-4, Block E; Lot 1, Block F; Lot 1, Block G; Lot 1, Block H; Lot 1, Block I; Lot 1, Block J; Lot 1, Block K; Lot 1, Block L; Lot 1, Block M; Lot 1, Block N; and Lots 1 and 2, Block X, The Farm, Generally Located at the Southeastern Corner of the Intersection of State Highway 121 and Alma Drive. (ZN-062521-0008) [The Farm]

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, September 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: September 7, 2021

SUBJECT: Receive the Director's Report on Action Taken on the Planning and Zoning Commission Items by City Council at the August 24, 2021, Regular Meeting.

STAFF RESOURCE: Marc Kurbansade, AICP
Director of Community Development

BACKGROUND

At the August 24, 2021 meeting, the City Council approved the requests for:

- A Specific Use Permit for Vibe Yoga;
- A Planned Development Amendment for Exchange Business Center;
- A Planned Development Zoning district for Credit Union of Texas; and
- Amendments to the Allen Land Development Code.

PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE:

September 7, 2021

SUBJECT:

Approve Minutes from the August 17, 2021, Planning and Zoning Commission Regular Meeting.

STAFF RESOURCE:

Rolandrea Russell
Planner

ATTACHMENTS:

Minutes from the August 17, 2021 Planning and Zoning Commission Meeting

PLANNING AND ZONING COMMISSION
REGULAR MEETING
August 17, 2021

ATTENDANCE:

Commissioners Present:

Ben Trahan, Chair
Dan Metevier, 2nd Vice-Chair
Elias Shaikh
John Ogrizovich

Commissioners Absent:

Stephen Platt, Jr., 1st Vice-Chair
Jeff Burkhardt
Michael Smiddy

City Staff Present:

Hayley Angel, AICP, Planning Manager
Rolandrea Russell, Planner
Jessica Johnsen, Planner
Shelby Percy, City Attorney

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 Planning Manager discussed the action taken on the Planning & Zoning Commission items by City Council at the August 10, 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 August 3, 2021, Planning and Zoning Commission Regular Meeting.
3. Receive Capital Improvement Plan (CIP) Status Report.

Motion: **Upon a motion by Commissioner Shaikh, and a second by Commissioner Ogrizovich, the Commission voted 4 IN FAVOR, and 0 OPPOSED to approve the Consent Agenda, as presented.**

The motion carried.

Regular Agenda

4. Public Hearing - Conduct a Public Hearing and Consider a Request to Amend the Development Regulations of a Portion of Tract 1 for Planned Development No. 54 with a Base Zoning of Corridor Commercial and to Adopt Building Elevations for Lot 1, Block A, Wal-Mart Supercenter Addition; Generally Located at the Northwestern Corner of the Intersection of Exchange Parkway and U.S. Highway 75 (and Commonly Known as 730 W. Exchange Parkway). (ZN-072221-0012) [Walmart - Building Elevations]

Ms. Angel, Planning Manager, presented the item to the Commission.

Ms. Angel noted that staff is in support of the agenda item.

Chair Trahan opened the public hearing.

With no one speaking, Chair Trahan closed the public hearing.

The Commission discussed the effective date of the ordinance should this request be approved.

Motion: Upon a motion by 2nd Vice-Chair Metevier, and a second by Commissioner Shaikh, the Commission voted 4 IN FAVOR, and 0 OPPOSED to recommend approval of the request to amend the development regulations for a portion of Tract 1 of Planned Development No. 54 with a base zoning of Corridor Commercial and to adopt Building Elevations, as presented.

The motion carried.

Executive Session (As needed)

The Executive Session was not held.

Adjournment

The meeting adjourned at 7:08 p.m.

These minutes approved this _____ day of _____ 2021.

Ben Trahan, Chair

Rolandrea Russell, Planner

PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE:	September 7, 2021
SUBJECT:	Consider a Request for a Final Plat for The Avenue Addition Being 79.285± Acres Located in the John Phillips Survey, Abstract No. 718; Thomas Phillips Survey, Abstract No. 717; and James W. Parsons Survey, Abstract No. 705; Generally Located at the Southwestern Corner of the Intersection of State Highway 121 and Alma Drive. (PL-072321-0011) [The Avenue]
STAFF RESOURCE:	Hayley Angel, AICP Planning Manager
PREVIOUS COMMISSION/COUNCIL ACTION:	Planned Development No. 72 - Approved October, 1998 Planned Development No. 98 - Approved January, 2006 Planned Development No. 142 - Approved January, 2020 Preliminary Plat - Approved November, 2020 Planned Development No. 142 - Approved March, 2021 Preliminary Plat - Approved May, 2021
LEGAL NOTICES:	None.
ANTICIPATED COUNCIL DATE:	None.

BACKGROUND

The subject property is located at the southwest corner of State Highway 121 and Alma Drive. The property to the west is zoned Planned Development No. 135 with a base zoning of Corridor Commercial. The properties to the south (across Ridgeview Drive) are zoned Planned Development No. 98 (PD-98) with a base zoning of Single-Family Residential 5 (R-5), PD-98 with a base zoning of Single-Family Residential 7 (R-7), Planned Development No. 67 (PD-67) with a base zoning of Townhome, and PD-67 with a base zoning of Local Retail. To the east of the subject property (across Alma Drive), the properties are zoned Planned Development No. 134 with a base zoning of Mixed Use MIX. The properties to the north (across State Highway 121) are within the City of McKinney municipal boundaries.

In January 2020, City Council adopted a Planned Development for a mixed use development known as The Avenue. The property incorporates uses such as single-family residential, urban residential, commercial, and office. In November 2020, the Planning and Zoning Commission approved a Preliminary Plat for the primary infrastructure (private streets, water, sewer, and storm water) of the development. The applicant has completed engineering plan review for this infrastructure and is proceeding with the Final Plat.

The subject Final Plat shows 79.285± acres of land subdivided into 14 lots. There are two points of access on State Highway 121 and two points of access on Alma Drive. Additional access points will be dedicated as needed with each lot's development. The plat shows the necessary easements and right-of-way dedications for the initial development of the property. The single-family residential project that was approved by Council in March 2021 is proposed for Lot 1, Block D. Once it has completed engineering plan review, a separate application for Replat would be required to subdivide the lots.

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

STAFF RECOMMENDATION

Staff recommends approval.

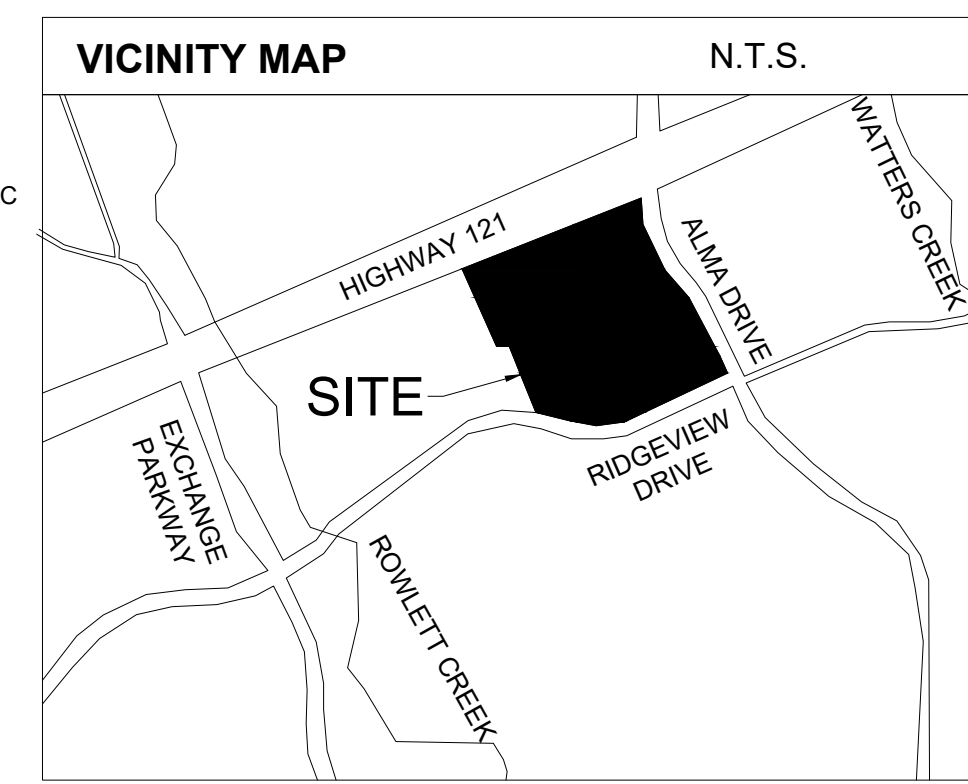
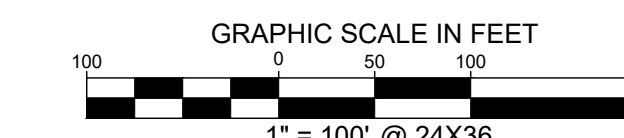
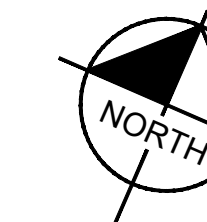
MOTION

I move to approve the Final Plat for The Avenue Addition, as presented.

ATTACHMENTS:

Final Plat

STATE HWY NO. 121
(VARIABLE WIDTH RIGHT-OF-WAY)



LEGEND:

- P.O.B. = POINT OF BEGINNING
- SQ. FT. = SQUARE FEET
- IRF = IRON ROD FOUND
- IRF "PACHECO KOCH" = 5/8" IRON ROD WITH PLASTIC CAP STAMPED "PACHECO KOCH" FOUND
- U.D.E. = UTILITY AND DRAINAGE EASEMENT
- A.U.D.E. = ACCESS, UTILITY & DRAINAGE EASEMENT
- F.A.U.D.E. = FIRE LANE, ACCESS, UTILITY & DRAINAGE EASEMENT
- S.S.W.E. = SANITARY SEWER EASEMENT
- W.E. = WATER EASEMENT
- VOL. = VOLUME
- PG. = PAGE
- INST. NO. = INSTRUMENT NUMBER
- D.R.C.C.T. = DEED RECORDS OF COLLIN COUNTY, TEXAS
- M.R.C.C.T. = MAP RECORDS OF COLLIN COUNTY, TEXAS
- O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS

NOTES

1. LINE TABLE CAN BE FOUND ON SHEET 2
2. ALL BLOCK AND RIGHT-OF-WAY CORNERS ARE 5/8" IRON ROD WITH PLASTIC CAP STAMPED "KHA" UNLESS OTHERWISE NOTED.
3. ALL LANDSCAPING AND IRRIGATION LOCATED WITHIN THE ROW SHALL BE MAINTAINED BY THE HOA/POA.
4. ALL LOTS IN BLOCK X ARE CONSIDERED OPEN SPACE. ALL OPEN SPACE AND COMMON PROPERTIES SHALL BE OWNED AND MAINTAINED BY A PROPERTY/HOMEOWNERS' ASSOCIATION ESTABLISHED IN ACCORDANCE WITH ALLEN LAND DEVELOPMENT CODE SECTIONS 8.20.2 AND 8.20.4.

OWNER/APPLICANT:
ALMA HOLDINGS LLC
6850 TPC DRIVE
SUITE 108, MCKINNEY, TX 75070
PHONE: 972-885-8501
CONTACT: SAUMIL THAKKAR

OWNER/APPLICANT:
LAUGHING BUDDAH INVESTMENTS LLC
8501 ORCHARD HILL DRIVE
PLANO, TEXAS 5025
PHONE: 972-972-1756
CONTACT: NICK PUNYAMURTHY

OWNER/APPLICANT:
PERFECT BUILDERS LLC
6850 TPC DRIVE
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PHONE: 972-885-8501
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CONTACT: MARC MEZA

DEVELOPER:
THAKKAR DEVELOPERS
6500 TPC DRIVE
SUITE 108, MCKINNEY, TX 75070
PHONE: 972-885-8501
CONTACT: DAVID PAGAN

ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
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PHONE: 972-770-1370
CONTACT: JONATHAN KERBY, PE

SURVEYOR:
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PHONE: 972-770-1300
CONTACT: J. ANDY DOBBS, RPLS

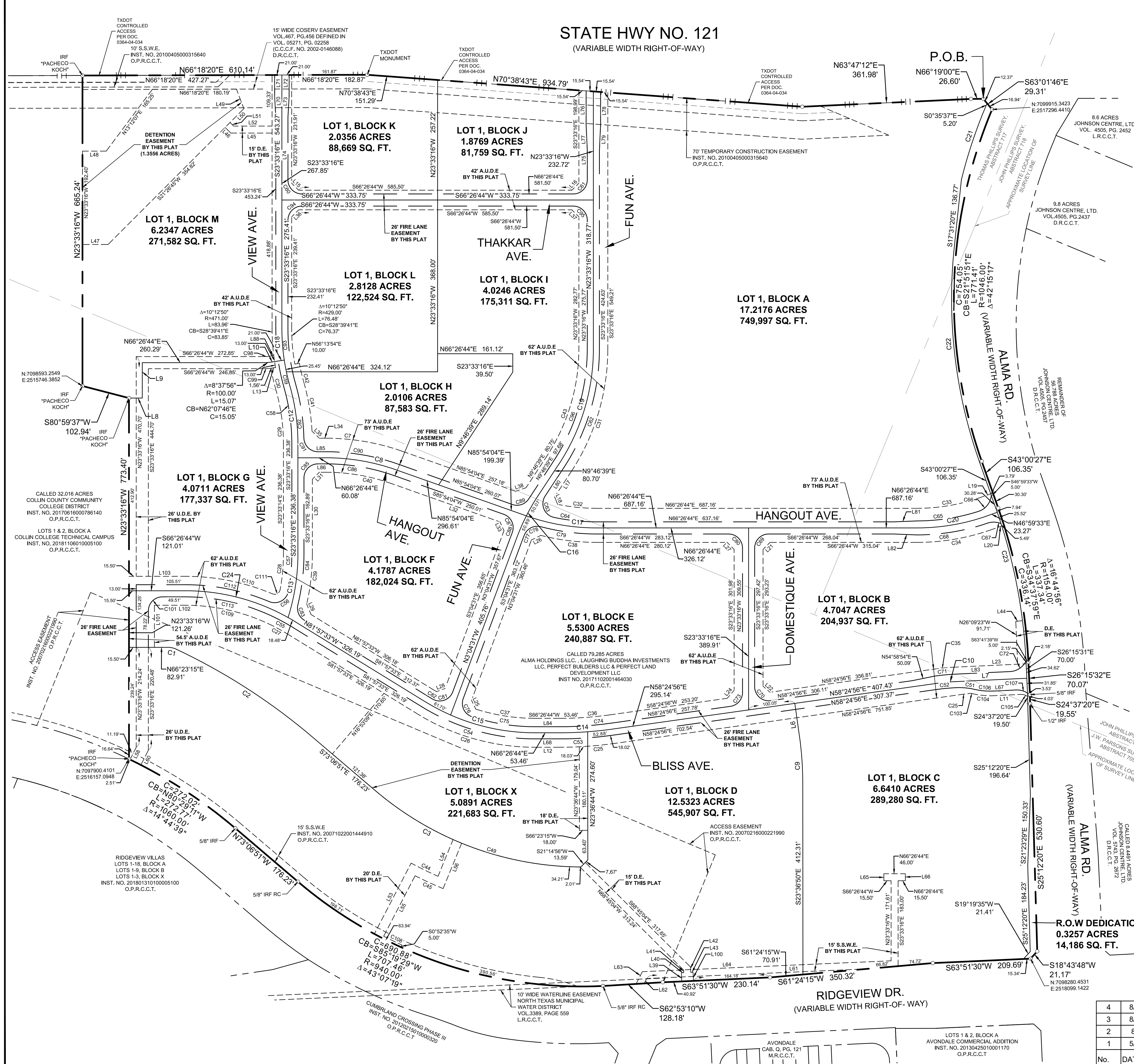
FINAL PLAT
THE AVENUE ADDITION
LOTS 1, BLOCK A - M & X
BEING 79.285 ACRES OR 3,453,665 SQUARE FEET
OF LAND WITH
0.3257 ACRES OR 14,186 SQUARE FEET
OF RIGHT-OF-WAY DEDICATION OUT OF THE
JOHN PHILLIPS SURVEY, ABSTRACT NO. 718
THOMAS PHILLIPS SURVEY, ABSTRACT NO. 717
JAMES W. PARSONS SURVEY, ABSTRACT NO. 705
CITY OF ALLEN, COLLIN COUNTY, TEXAS
SUBMISSION DATE: AUGUST 9, 2021

No.	DATE	REVISION DESCRIPTION
4	8/31/21	Updated per Comments
3	8/13/21	Updated per Comments
2	8/9/21	Lot Adjustments & City Comments
1	5/20/21	First Submittal

Kimley»Horn

5750 Genesis Court, Suite 200
Frisco, Texas 75034 FIRM # 10193822 Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	MGB	JAD	AUG. 2021	064569600	1 OF 3



DWG NAME: TCDAL_SURVEY\064569600 - THE AVENUE ADDITION.DWG; PLOTTED BY: BLANKENSHIP, MATTHEW; 8/31/2021 1:57 PM; LAST SAVED: 8/31/2021 1:56 PM

STATE OF TEXAS §
COUNTY OF COLLIN §

WHEREAS ALMA HOLDINGS LLC., LAUGHING BUDDHA INVESTMENTS LLC, PERFECT BUILDERS LLC and PERFECT LAND DEVELOPMENT LLC are the owners of a tract of land situated in the Thomas Phillips Survey, Abstract No. 717, the John Phillips Survey, Abstract No. 718 and the J.W. Parsons Survey, Abstract No. 705, City of Allen, Collin County, Texas and being part of a tract of land described in Special Warranty Deed with Vendor's Lien to ALMA HOLDINGS LLC., LAUGHING BUDDHA INVESTMENTS LLC, PERFECT BUILDERS LLC and PERFECT LAND DEVELOPMENT LLC, recorded in Instrument No. 20171102001464030, Official Public Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with a red plastic cap, stamped "KHA" found at the northwest corner of a right-of-way corner clip at the intersection of the southeast right-of-way line of State Highway No. 121 (a variable width right-of-way) and the west right-of-way line of Alma Road (a variable width right-of-way);

THENCE with said right-of-way corner clip, South 63°01'46" East, a distance of 29.31 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" found at the southeast corner of said right-of-way corner clip and at the beginning of a non-tangent curve to the left having a central angle of 42°15'17", a radius of 1046.00 feet, a chord bearing and distance of South 21°51'51" East, 754.05 feet;

THENCE with said west right-of-way line, the following courses and distances:

In a southeasterly direction, with said curve to the left, an arc distance of 771.41 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" found for the end of said curve;
South 43°00'27" East, a distance of 106.35 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" found at the beginning of a tangent curve to the right having a central angle of 16°44'56", a radius of 1154.00 feet, a chord bearing and distance of South 34°37'59" East, 336.14 feet;
In a southeasterly direction, with said curve to the right, an arc distance of 337.34 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" found for corner;
South 26°15'32" East, a distance of 70.07 feet to a 5/8" iron rod found for corner;
South 24°37'20" East, a distance of 19.55 feet to a 1/2" iron rod found for corner;
South 25°12'20" East, a distance of 530.60 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" found at the northernmost end of a right-of-way corner clip at the intersection of said west right-of-way line and the northwest right-of-way line of Ridgeview Drive (a variable width right-of-way);

THENCE with said right-of-way corner clip, South 18°43'48" West, a distance of 21.17 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" found at the southernmost end of said right-of-way corner clip;

THENCE with said northwest right-of-way line, the following courses and distances:

South 63°51'30" West, a distance of 209.69 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" found for corner;
South 61°24'15" West, a distance of 350.32 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" found for corner;
South 63°51'30" West, a distance of 230.14 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" found for corner;
South 62°53'10" West, a distance of 128.18 feet to a 5/8-inch iron rod with a red plastic cap found at the beginning of a non-tangent curve to the right having a central angle of 43°07'19", a radius of 940.00 feet, a chord bearing and distance of South 85°19'29" West, 690.88 feet;
In a southwesterly direction, with said curve to the right, an arc distance of 707.46 feet to a 5/8-inch iron rod with a red plastic cap found for corner;
North 73°06'51" West, a distance of 176.23 feet to a 5/8-inch iron rod found at the beginning of a tangent curve to the left having a central angle of 14°44'39", a radius of 1060.00 feet, a chord bearing and distance of North 80°29'11" West, 272.02 feet;
In a northwesterly direction, with said curve to the left, an arc distance of 272.77 feet to a 5/8" iron rod with plastic cap stamped "PACHECO KOCH" found southeast corner of a called 32.016-acre tract of land, described in a deed to the Collin County Community College District, recorded in Instrument No. 20170616000786140, Official Public Records of Collin County, Texas;

THENCE departing said northwest right-of-way line, along the easterly line of said 32.016-acre tract, the following courses and distances:

North 23°33'16" West, a distance of 773.40 feet to a 5/8" iron rod with plastic cap stamped "PACHECO KOCH" found;
South 80°59'37" West, a distance of 102.94 feet to a 5/8" iron rod with plastic cap stamped "PACHECO KOCH" found;
North 23°33'16" West, a distance of 665.24 feet to a 5/8" iron rod with plastic cap stamped "PACHECO KOCH" found in said southeast right-of-way line of State Highway No. 121;

THENCE with said southeast right-of-way line, the following courses and distances:

North 66°18'20" East, a distance of 610.14 feet to a TXDOT right-of-way monument found for corner;
North 70°38'43" East, a distance of 934.79 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" found for corner;
North 63°47'12" East, a distance of 361.98 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" found for corner;
North 66°19'00" East, a distance of 26.60 feet to the POINT OF BEGINNING and containing 79.285 acres (3,453,665 square feet) of land, more or less.

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

KNOW ALL MEN BY THESE PRESENTS:

That ALMA HOLDINGS LLC., LAUGHING BUDDHA INVESTMENTS LLC, PERFECT BUILDERS LLC and PERFECT LAND DEVELOPMENT LLC, through the undersigned authority, does hereby adopt this plat designating the described property as THE AVENUE 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 _____, 20____.

ALMA HOLDINGS LLC.

Owner

STATE OF _____ §
COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, 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 for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE the _____ day of _____, 20____.

Notary Public in and for the State of Texas

LAUGHING BUDDHA INVESTMENTS LLC

Owner

STATE OF _____ §
COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, 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 for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE the _____ day of _____, 20____.

Notary Public in and for the State of Texas

PERFECT BUILDERS LLC

Owner

STATE OF _____ §
COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, 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 for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE the _____ day of _____, 20____.

Notary Public in and for the State of Texas

PERFECT LAND DEVELOPMENT LLC

Owner

STATE OF _____ §
COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, 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 for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE the _____ day of _____, 20____.

Notary Public in and for the State of Texas

Approved _____ Attest _____

Chairman _____ Secretary
Planning and Zoning Commission Planning and Zoning Commission

Date _____ Date _____

Executed Pro Forma

Mayor

Date _____

The undersigned, the City Secretary of the City of Allen, Texas, hereby certifies that the foregoing Final Plat of The Avenue Addition, Subdivision or Addition to the City of Allen was submitted to the Planning and Zoning Commission and approved by it on the _____ day of _____, 20____.

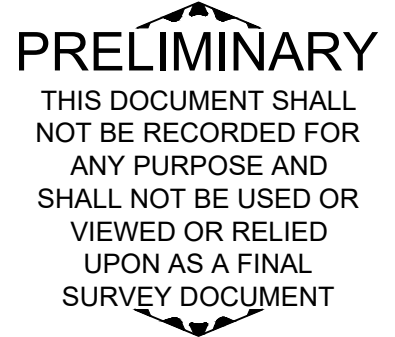
City Secretary, City of Allen

SURVEYOR'S STATEMENT

I, Andy Dobbs, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I prepared this plat from an actual on the ground survey of the land and that the monuments shown thereon were found and/or placed under my personal supervision in accordance with Platting Rules and regulations of the City of Allen, Texas.

Dated the _____ day of _____, 20____.

J. Andy Dobbs
Registered Professional Land Surveyor No. 6196
Kimley-Horn and Associates, Inc.
13455 Noel Road
Two Galleria Office Tower, Suite 700
Dallas, Texas 75240
Ph. 972-770-1300
andy.dobbs@kimley-horn.com



STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared J. Andy Dobbs known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE the _____ day of _____, 20____.

Notary Public in and for the State of Texas

OWNER/APPLICANT:
ALMA HOLDINGS LLC
6850 TPC DRIVE
SUITE 108, MCKINNEY, TX 75070
PHONE: 972-885-8501
CONTACT: SAUMIL THAKKAR

OWNER/APPLICANT:
LAUGHING BUDDHA INVESTMENTS LLC
8501 ORCHARD HILL DRIVE
PLANO, TEXAS 5025
PHONE: 972-972-1756
CONTACT: NICK PUNYAMURTHY

OWNER/APPLICANT:
PERFECT BUILDERS LLC
6850 TPC DRIVE
SUITE 108, MCKINNEY, TEXAS 75070
PHONE: 972-885-8501
CONTACT: SAUMIL THAKKAR

OWNER/APPLICANT:
PERFECT LAND DEVELOPMENT LLC
6850 TPC DRIVE
SUITE 108, MCKINNEY, TEXAS 75070
PHONE: 972-885-8501
CONTACT: MARC MEZA

DEVELOPER:
THAKKAR DEVELOPERS
6500 TPC DRIVE
SUITE 108, MCKINNEY, TX 75070
PHONE: 972-885-8501
CONTACT: DAVID PAGAN

ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 NOEL ROAD, TWO GALLERIA OFFICE
TOWER, SUITE 700, DALLAS, TX 75240
PHONE: 972-770-1370
CONTACT: JONATHAN KERBY, PE

SURVEYOR:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 NOEL ROAD, TWO GALLERIA OFFICE
TOWER, SUITE 700, DALLAS, TX 75240
PHONE: 972-770-1300
CONTACT: J. ANDY DOBBS, RPLS

FINAL PLAT
THE AVENUE ADDITION
LOTS 1, BLOCK A - M & X
BEING 79.285 ACRES OR 3,453,665 SQUARE FEET
OF LAND WITH
0.3257 ACRES OR 14,186 SQUARE FEET
OF RIGHT-OF-WAY DEDICATION OUT OF THE
JOHN PHILLIPS SURVEY, ABSTRACT NO. 718
THOMAS PHILLIPS SURVEY, ABSTRACT NO. 717
JAMES W. PARSONS SURVEY, ABSTRACT NO. 705
CITY OF ALLEN, COLLIN COUNTY, TEXAS
SUBMISSION DATE: AUGUST 9, 2021

Kimley»Horn

5750 Genesis Court, Suite 200 Frisco, Texas 75034 FIRM # 10193822 Tel. No. (972) 335-3580 Fax No. (972) 335-3779
Scale Drawn by Checked by Date Project No. Sheet No.
NA MGB JAD AUG. 2021 064569600 3 OF 3

4	8/31/21	Updated per Comments
3	8/13/21	Updated per Comments
2	8/9/21	Lot Adjustments & City Comments
1	5/20/21	First Submittal

No.	DATE	REVISION DESCRIPTION
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DWG NAME: K:\DOL_SURVEY\064569600 - THE AVENUE ADDITION.PLT PLOTTED BY: BLANKENSHIP, MATTHEW 8/30/2021 7:57 PM LAST SAVED: 8/31/2021 7:56 PM

PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE:	September 7, 2021
SUBJECT:	Conduct a Public Hearing and Consider a Request to Change the Zoning of Lot 1C, Block 1, Enterprises Addition No. 2 from Light Industrial "LI" to Heavy Industrial "HI", Generally Located East of Enterprise Boulevard and South of Bethany Drive, and Commonly Known as 915 Enterprise Boulevard. (ZN-073021-0014) [Link Logistics]
STAFF RESOURCE:	Hayley Angel, AICP Planning Manager
LEGAL NOTICES:	Public Hearing Letters - Mailed August 27, 2021 Public Hearing Sign - Installed August 27, 2021
ANTICIPATED COUNCIL DATE:	September 14, 2021

BACKGROUND

The property is located south of Bethany Drive and directly east of Enterprise Boulevard. All surrounding properties are zoned Light Industrial.

The subject property is approximately 13.894± acres and is currently zoned Light Industrial. The property has been developed and in operation since approximately 1997. The applicant is requesting to rezone the property to Heavy Industrial to permit more intense industrial uses.

To evaluate this request, staff began by reviewing the Future Land Use Map. The Future Land Use Map, adopted as part of the Comprehensive Plan, designates this area as Light Industrial/Technology (I). Light Industrial/Technology focuses on major employment centers with light industrial, distribution, and assembly uses. The Comprehensive Plan also states that the developments should be separated and buffered from residential areas. Acceptable zoning districts include Light Industrial, Heavy Industrial, and Industrial Technology. The applicant's request is compatible with the Future Land Use Map.

The Comprehensive Plan emphasizes that industrial uses should have a buffer from residential areas, either through distance or transitional uses. The subject property is completely surrounded by Light Industrial zoning districts with either U.S. Highway 75 or the commercial zoning districts on Greenville Avenue serving as a transition to residential. The property is well buffered from land uses that are incompatible with uses as permitted in the Heavy Industrial zoning district.

In addition to all federal and state requirements, potential users on the site are required to be compliant with the Allen Land Development Code (ALDC). Section 7.08 "Performance Standards" of the ALDC regulates noise, noxious matter, vibration, smoke and particulate matter, and waste materials. The ALDC also regulates screening of mechanical equipment, location and screening of loading areas, outdoor storage, and many other aspects of development that may be of concern with industrial uses.

Staff finds that this proposal is compliant with the Comprehensive Plan and surrounding land uses. Staff is in support of this request.

STAFF RECOMMENDATION

Staff recommends approval.

MOTION

I move to recommend approval of the request to rezone Lot 1C, Block 1, Enterprises Addition No. 2, generally located east of Enterprise Boulevard and south of Bethany Drive, from Light Industrial "LI" to Heavy Industrial "HI," as presented.

ATTACHMENTS:

Property Notification Map
Draft Ordinance

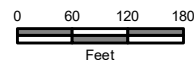


Location Map

Link Logistics
915 Enterprise Blvd

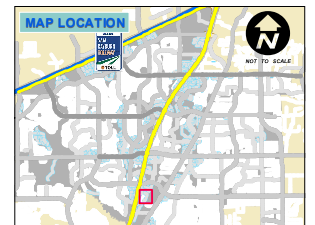
Map Legend

-  LinkLogisticsBuffer
-  LinkLogistics
-  CollinCAD Parcels



Community Development - Planning

Date Saved: 6/2/2021



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, AS PREVIOUSLY AMENDED, BY CHANGING THE ZONING OF LOT 1C, BLOCK 1, ENTERPRISES ADDITION NO. 2 FROM LIGHT INDUSTRIAL “LI” TO HEAVY INDUSTRIAL “HI”; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Allen, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Allen, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Texas, as previously amended, should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. The Allen Land Development Code Zoning Regulations and the Zoning Map of the City of Allen, Collin County, Texas, as previously amended, be further amended by changing the zoning of Lot 1C, Block 1, Enterprises Addition No. 2, an addition to the City of Allen, Collin County, Texas, according to the plat thereof recorded in Volume K, Page 623, Map Records, Collin County, Texas (“the Property”), as depicted in Exhibit “A,” attached hereto and incorporated herein by reference, from Light Industrial “LI” to Heavy Industrial “HI.”

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 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 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 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 28th DAY OF SEPTEMBER 2021.

APPROVED:

Kenneth M. Fulk, MAYOR

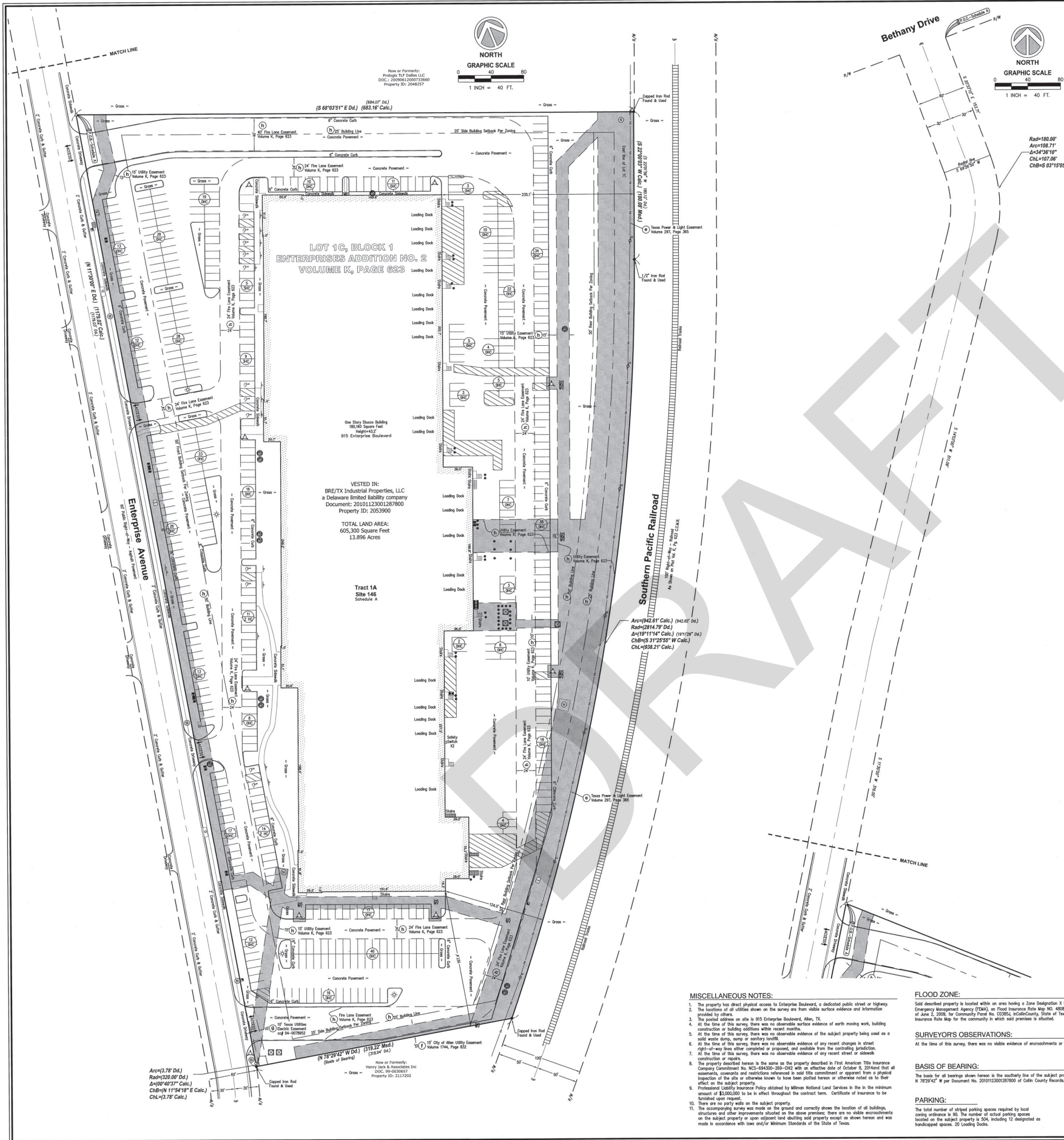
APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY
(kbl:8/20/2021:124320)

Shelley B. George, TRMC, CITY SECRETARY

DRAFT



FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NO. NCS-694300-269-CH12 - SCHEDULE A, EXHIBIT "A":
Tract 1A - Site 146

Being a 13.896 acre tract out of Rufus Sewell Survey, Abstract No. 875, Collin County, Texas, said tract being Lot 1C, Block 1, Enterprises Addition No. 2, as Addition to the City of Allen, Texas, according to the Record recorded in Volume 4, Page 623 of the Plat Records of Collin County, Texas, said 13.896 tract being more particularly described as follows:

Commencing at a point for corner at the intersection of the South right-of-way line of Bethany Drive (a 100 foot wide right-of-way) and the East right-of-way line of Enterprise Boulevard (a 60-foot wide right-of-way) -

Thence South 20 degrees 33 minutes 10 seconds East, along the said East line of Enterprise Boulevard, a distance of 153.71 feet to a point for corner at the beginning of a curve to the right whose center bears South 89 degrees 28 minutes 52 seconds West, a distance of 253.00 feet from said point;

Thence in a southerly direction, continuing along the said East line of Enterprise Boulevard and said curve to the right, through a central angle of 34 degrees 26 minutes 10 seconds, an arc distance of 108.71 feet to a point for corner at the end of said curve;

Thence South 14 degrees 03 minutes 00 seconds West, continuing along the said East line of Enterprise Boulevard, a distance of 511.09 feet to a 1/2-inch iron rod found at an angle point;

Thence South 11 degrees 30 minutes 00 seconds West, continuing along the said East line of said Subdivision, a distance of 285.00 feet to a set 5/8-inch iron rod stamped "702" at the Point of Beginning, said point being the Northwest corner of said Lot 1C, said point also being the Northwest corner of Lot 1B, said point also being the Northwest corner of Lot 1A, as shown on the Plat recorded in Volume 4, Page 815 of the Plat Records of Collin County, Texas;

Thence South 88 degrees 03 minutes 00 seconds East, departing the said East line of Enterprise Boulevard and along the said South line of Lot 8 and said North line of Lot 1C, a distance of 684.07 feet to a 1/2-inch iron rod found for corner in the West right-of-way line of Southern Pacific Railroad (a 100-foot wide railroad right-of-way) said point being the Southeast corner of Lot 1C, said point also being the Northeast corner of Lot 1C;

Thence South 22 degrees 03 minutes 56 seconds along the West line of Southern Pacific Railroad and the East line of Lot 1C, a distance of 180.00 feet to a 1/2-inch iron rod found at the beginning of an apparent non-tangent curve to the right whose center bears North 88 degrees 03 minutes 56 seconds West, a distance of 284.79 feet from said point;

Thence in a southerly direction along the said West line of Southern Pacific Railroad and said curve to the right through a central angle of 19 degrees 41 minutes 37 seconds an arc distance of 842.82 feet to a 1/2-inch iron rod stamped "702" for corner, said point being the Southeast corner of Lot 1C, said point also being the Northwest corner of Lot 1C, as shown on the Plat recorded in Volume 4, Page 815 of the Plat Records of Collin County, Texas;

Thence North 78 degrees 29 minutes 42 seconds East, departing the said West line of Southern Pacific Railroad, a distance of 1379.00 feet to the Point of Beginning, said point being the Northwest corner of Lot 1C, said point also being the Northwest corner of Lot 1C, as shown on the Plat recorded in Volume 4, Page 815 of the Plat Records of Collin County, Texas;

Thence in a northerly direction along the said East line of Enterprise Boulevard and said curve to the left, through a central angle of 83 degrees 40 minutes, 37 seconds, an arc distance of 3.78 feet to a set 5/8-inch iron rod stamped "702" at the end of said curve;

Thence North 11 degrees 30 minutes 00 seconds East, continuing along said East line of Enterprise Boulevard a distance of 663.20 square feet or 13.896 acres of land more or less.

SAD PROPERTY ALSO DESCRIBED AS FOLLOWS:
A 13.896 acre tract (called 13.896 acres) (602,203 square feet) of land being the same property described in a deed recorded under Collin County Clerk File No. 99-003746, known as all of Lot 1C, Block 1, Enterprises Addition No. 2, recorded in Volume 4, Page 623 of the Collin County Map Records, located in the Rufus Sewell Survey, Abstract 875, Collin County, Texas, and being more particularly described by metes and bounds as follows:
COMMENCING at a 1/2 inch iron rod found marking the intersection of the South line of Bethany Drive (100 foot right-of-way) as shown on Volume 4, Page 623 of the Collin County Map Records) with the East line of Enterprise Boulevard (60 foot right-of-way as shown on Volume 4, Page 457 of the Collin County Map Records);

Thence, South 20 degrees 38 minutes 55 seconds East (called South 20 degrees 33 minutes 10 seconds East) through a central angle of 5 degrees 05 minutes 45 seconds an arc distance of 153.71 feet to a 1/2-inch iron rod found for the point of corner of a non-tangent curve to the right having a central angle of 34 degrees 41 minutes 28 seconds and a radius of 180.00 feet;

Thence, continuing along the East line of Enterprise Boulevard, along said curve to the right for an arc distance of 108.71 feet (called 108.71 feet) (called bears South 03 degrees 42 minutes 30 seconds East, 107.33 feet) to an angle point;

Thence, South 14 degrees 03 minutes 00 seconds West, continuing along the East line of Enterprise Boulevard for a distance of 511.09 feet to an angle point;

Thence, South 11 degrees 30 minutes 00 seconds West, continuing along the East line of Enterprise Boulevard for a distance of 285.00 feet to the POINT OF BEGINNING and containing 13.896 acres (602,203 square feet) of land.

FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NO. NCS-694300-269-CH12 - SCHEDULE B:
Numbers correspond with survey-related Schedule B exception items contained in the above referenced Title Commitment.

1. Easement granted by Texas Electric Railway to Texas Power & Light Company, filed 02/27/1935, recorded in Volume 297, Page 305, Real Property Records, Collin County, Texas, (Affects Tract 1 - Site 146)
(AFFECTS THE SUBJECT PROPERTY - ALL OVERHEAD UTILITY LINES, UTILITY POLES, CRY WIRES AND ANCHORS ARE PLOTTED AND SHOWN HEREON)

2. Easement granted by Interoceanic, Inc., to the City of Allen, filed 09/20/1963, recorded in Volume 1744, Page 832, Real Property Records, Collin County, Texas, (Affects Tract 1 - Site 146)
(AFFECTS THE SUBJECT PROPERTY - PLOTTED AND SHOWN HEREON)

3. Easement granted by Interoceanic, Inc., to Texas Utilities Electric Company, filed 08/24/1994, recorded in cpl 99-007692, Real Property Records, Collin County, Texas, (Affects Tract 1 - Site 146)
(AFFECTS THE SUBJECT PROPERTY - PLOTTED AND SHOWN HEREON)

4. The following easements and/or building lines, as shown on plat recorded in Volume K, Page 623, Map Records, Collin County, Texas:
20' building line;
10' building line;
10' utility easement;
24' fire lane easement;
Variable width utility easements;
Variable width fire lane easements;
10' utility easement.

(Affects Tract 1 - Site 146)
(AFFECTS THE SUBJECT PROPERTY - PLOTTED AND SHOWN HEREON)

5. Terms, provisions, and conditions of Memorandum of Agreement, filed 11/21/1996, recorded in cpl 99-007152, Real Property Records, Collin County, Texas, as amended by First Amendment filed 05/20/1998, recorded in Volume 428, Page 1008, Real Property Records, Collin County, Texas, (Affects Tract 1 - Site 146)
(AFFECTS THE SUBJECT PROPERTY - CONTAINS NO PLOTTABLE ITEMS)

MISCELLANEOUS NOTES:
1. The property has direct physical access to Enterprise Boulevard, a dedicated public street or highway.
2. The location of all utilities shown on the survey are from visible surface evidence and information provided by others.
3. The posted address on site is 915 Enterprise Boulevard, Allen, TX.
4. At the time of this survey, there was no observable surface evidence of earth moving work, building construction or building additions within recent months.
5. At the time of this survey, there was no observable evidence of any recent changes in street right-of-way lines, utility easements, or utility lines.
6. At the time of this survey, there was no observable evidence of any recent changes in street right-of-way lines, utility easements, or utility lines.
7. At the time of this survey, there was no observable evidence of any recent street or sidewalk construction or repair.
8. The property described herein is the same as the property described in First American Title Insurance Company Commitment No. NCS-694300-269-CH12 with effective date of October 8, 2014 and that all easements, covenants and restrictions referenced in said title commitment or apparent from a physical inspection of the site or otherwise known to have been justified hereto or otherwise noted on to their effect on the subject property.
9. Professional Liability Insurance Policy obtained by Millman National Land Services Inc. in the minimum amount of \$1,000,000 to be in effect throughout the contract term. Certificate of insurance to be furnished upon request.
10. There are no party walls on the subject property.
11. The accompanying survey was made on the ground and correctly shows the location of all buildings, structures and other improvements situated on the above premises; there are no visible encroachments on the subject property or upon adjacent land showing said property except as shown herein and was made in accordance with laws and/or Minimum Standards of the State of Texas.

FLOOD ZONE:
Said described property is located within an area known as a Zone Designation X Unshaded by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Map No. 48060, with a date of identification of June 2, 2009, for Community Panel No. C02661, McLennan County, State of Texas, which is the current Flood Insurance Rate Map for the community in which said premises is situated.

SURVEYOR'S OBSERVATIONS:
At the time of this survey, there was no visible evidence of encroachments or violations.

BASIS OF BEARING:
The basis for all bearings shown herein is the southern line of the subject property, known as being N 78°29'42" W per Document No. 200101300028700 of Collin County Records.

PARKING:
The total number of stippled parking spaces required by local zoning ordinance is 90. The number of actual parking spaces located on the subject property is 504, including 12 designated handicapped spaces, 20 Loading Docks.

Zoning Exhibit
Project Name: Link Logistics - Enterprise
Property Acreage: 13.89 acres
Subdivision: Lot 1C, Block 1 Enterprise
Addition, No. 2, Rufus Sewell Survey,
Abstract 875
City of Allen
30 July 2021



VICINITY MAP
NOT TO SCALE

SYMBOL LEGEND

R/W	Right-of-Way
P/A	Adjacent Property Line
C	Centerline
Rad	Radius
Arc	Arc Length
A	Chord Angle
ChL	Chord Length
ChB	Chord Bearing
Calc.	Calculated
Meas.	Measured
Doc.	Document: 201013000287000
■	Measurement Found on Meter
○	5/8" Iron Pin w/ Cap Set
○	No. of Register Parking Spaces
○	No. of Handicap Parking Spaces
⊙	Storm Manhole
⊙	Curb Wet Drain w/ Grate
⊙	Fire Hydrant
⊙	Post Indicator Valve
⊙	Water Valve
⊙	Water Meter
⊙	Water Manhole
⊙	Electric Transformer
⊙	Electric Vault
⊙	Telephone Pedestal
⊙	Utility Vault
⊙	Subsidiary Post
⊙	Handicap Space
⊙	Sign
⊙	Mail Box
⊙	Utility Pole
⊙	Light Pole
⊙	Fence (on lot)
⊙	Overhead Utilities
⊙	No Parking Area
⊙	Building Area

millman
National Land Services
Transforming the Industry
Surveying
Zoning
Real Support - Title Review
Millman Surveying, Inc.
Corporate Headquarters
4111 Bradley Circle NW,
Suite 240
Canton, OH 44718
Phone: 800-520-1010
Fax: 330-342-0834
www.millmanland.com
landsurveyors@millmanland.com

ALTA/ACSM LAND TITLE
SURVEY PREPARED FOR:

GIC REAL ESTATE, INC.
One Bush Street, Suite 1100
San Francisco, CA 94104
Phone: 415-229-1817

millman virtualsurveyor
for more information
visit <http://www.millman.com/20717130>

ZONING EXHIBIT

Owner: Ryan Keathley, Bcore Jupiter TX LLC
Phone: 972.623.2831 (Rebel Blackwell)
90 Park Avenue Fl. 32,
New York, NY 10026

Applicant: Link Logistics % Maxwell Fisher,
Masterplan
Phone: 214.470.3972
2595 Dallas Parkway
Frisco, TX 75034

Surveyor: Kristi Rummel, Millman National
Land Services
Phone: 800.520.1010 ext. 266
4111 Bradley Circle NW, Suite 240
Canton, Ohio 44718

CERTIFICATION:
To Golden Sachs Mortgage Company, a New York limited partnership, Bank of America, N.A., a national banking association and Morgan Stanley Bank, N.A., a national banking association and their respective successors and assigns, First American Title Insurance Company, Loan Owner Pool 6 B Plan, LLC.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standards Detail Requirements for ALTA/ACSM Land Title Survey, jointly established and adopted by ALTA and NSPS, and include items 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10, 11(a), 12, 13, 14, 15, 16, 17, 18, 8.2 of Table A of the Plat. The field work was completed on January 3, 2021.

Date of Plat or Map: January 9, 2021

By: *Leo J. Bond*
Leo J. Bond, PLS
Texas Registered Professional Land Surveyor No. 5793
For and on behalf of Millman Surveying, Inc.

REVISION HISTORY

BY:	DATE:	COMMENTS:
SB	1/7/2021	CLIENT COMMENTS
SB	1/7/2021	BOUNDARY REVISIONS
JAR	1/7/2021	ZONING

Sheet No. **1** of **1**
MSI Project No. 34943(L)
PC: DJ
PM: CD
Drafter: AJM

PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: September 7, 2021

SUBJECT: Conduct a Public Hearing and Consider a Request to Establish a Planned Development Zoning District with a Base Zoning of Single-Family Residential (R-5) and to Adopt Development Regulations, Zoning Exhibit, Concept Plan, Open Space Plan, and Screening Plan for 34.2± Acres in the Francis Dosser Survey, Abstract No. 280; Generally Located at the Northwestern Corner of the Intersection of Watters Road and Stacy Road. (ZN-042321-0004) [The Reserve at Watters]

STAFF RESOURCE: Rolandrea Russell
Planner

PREVIOUS COMMISSION/COUNCIL ACTION: Planned Development No. 43 - Approved December, 1986

LEGAL NOTICES: Public Hearing Sign - Installed August 27, 2021
Property Owner Notices - Mailed August 27, 2021

ANTICIPATED COUNCIL DATE: September 28, 2021

BACKGROUND

The subject property is located on the northwestern corner of the intersection of Watters Road and Stacy Road. The properties to the north are zoned Planned Development No. 39 with a base zoning of Single-Family Residential (R-3). The properties to the east (across Watters Road) are zoned Planned Development No. 92 with base zonings of Single-Family Residential (R-7) and Shopping Center (SC). The properties to the south (across Stacy Road) are zoned Planned Development No. 86 with a base zoning of Single-Family Residential (R-5). The properties to the west are zoned Planned Development No. 72 with a base zoning of Single-Family Residential (R-3).

The subject property is currently zoned Planned Development No. 43 with base zonings of Multifamily Residential (MF-18) and Garden Office (GO). The applicant is requesting to establish a Planned Development District with a base zoning of Single-Family Residential (R-5) and to adopt Zoning Exhibit, Concept Plan, Open Space Plan, Screening Plan, and Development Regulations to establish design standards for a new residential community.

The proposed residential community is approximately 34.2± acres. The Concept Plan shows a total of 124 single-family detached front entry lots. The majority of lots will have a minimum lot width of 65 feet and a minimum lot depth of 110 feet, which is in compliance with the Allen Land Development Code (ALDC) requirements of the requested base zoning. A maximum of 10 lots will have a minimum lot width of 62.5 feet for lots located on culs-del-sac and on a shorter block length. There are two primary access points into the

development--one on Watters Road and one on Stacy Road. There are two existing access points from the subdivision to the north to which this development will extend pavement and connect. Traffic improvements include a northbound left turn lane on Watters Road and an eastbound hooded left turn lane on Stacy Road.

The Concept Plan also shows applicable setbacks for lots. Lots immediately adjacent to the neighboring Shaddock Park subdivision have a front yard setback of 30 feet. This 30 feet front yard setback is required in Block A and the three most northwestern lots of Block F. Key lots adjacent to public streets have a side yard setback of 20 feet in order to be align with minimum front yard setback of the adjacent interior lots. A 5-foot wide private drainage easement for the construction of a proposed drainage flume is being provided on the northern property lines for all lots in Block G. This private drainage easement will be maintained by the Homeowners Association.

The Concept Plan also shows a total of 1.65± acres of open space distributed throughout the entire property, which satisfies the requirements of the ALDC. The larger more centrally located open space lots will be amenitized with a pet waste station, play areas, seating areas, fire pit, trees, and landscaping as shown on the Open Space Plan. A ten-foot-wide trail along Stacy Road and a six-foot-wide sidewalk along Watters Road will be constructed as shown on the Concept Plan.

The property will be screened along Stacy Road and Watters Road. Screening will consist of an eight-foot tall brick screening wall with enhanced masonry columns. A six-foot tall ornamental metal screening fence with evergreen shrubs will be installed between Street A and Stacy Road as shown on the Screening Plan. The evergreen shrubs must be a minimum height of 48 inches at time of planting.

Per current state legislation, building materials cannot be regulated by municipalities. The applicant has provided building elevations to illustrate the architectural product for this development. These building elevations are for informational purposes and are not being proposed to be adopted with this ordinance.

The development regulations include lot design criteria and building setbacks, open space regulations, screening plan and traffic improvements.

This request has been reviewed by the Technical Review Committee. The request is in general conformance with the future land use map in the adopted Comprehensive Plan and is compatible with the neighboring land uses.

STAFF RECOMMENDATION

Staff recommends approval.

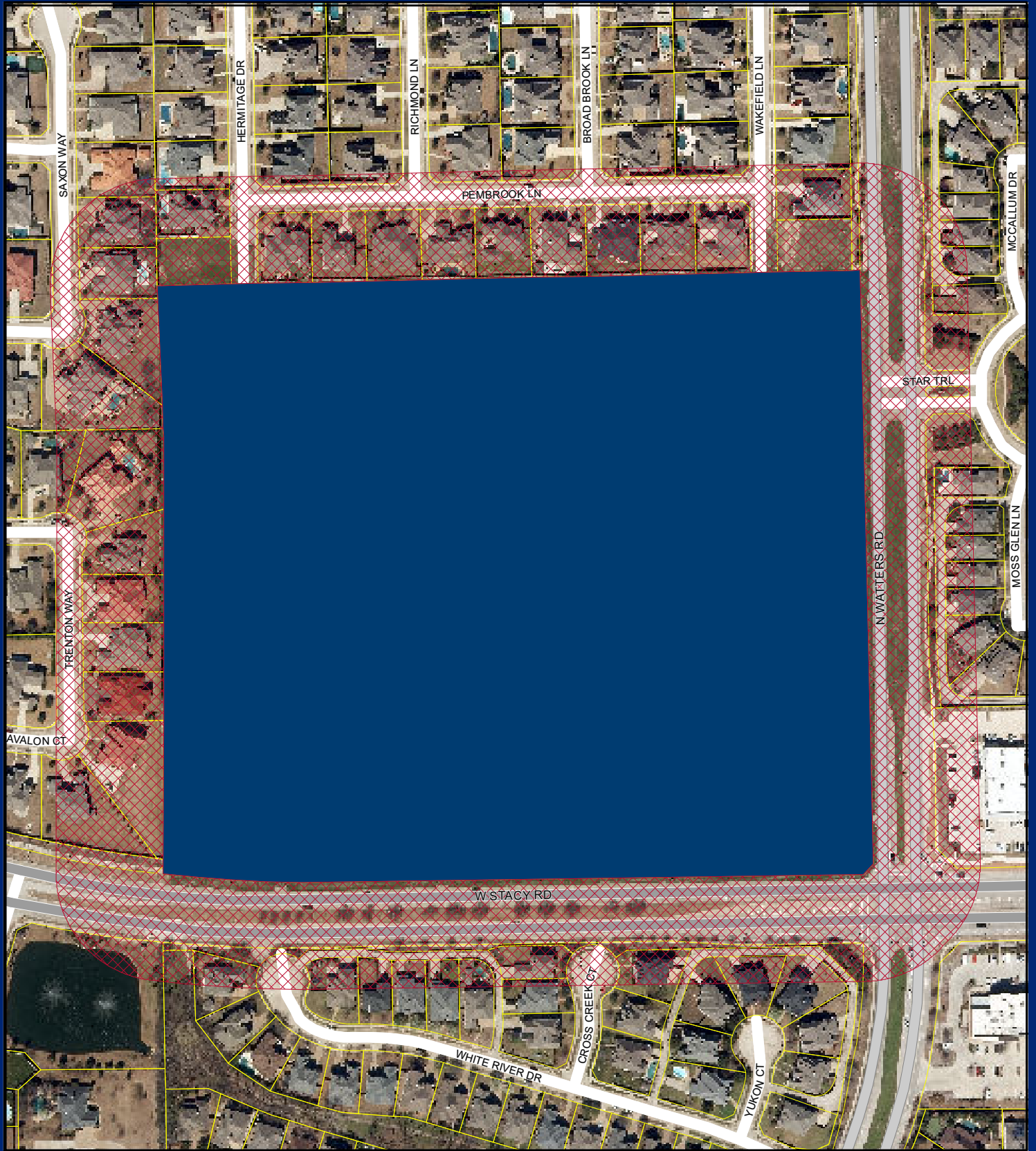
MOTION

I move to recommend approval of the request of an ordinance to establish a Planned Development with a base zoning of Single-Family Residential (R-5) for approximately 34.2± acres in the Francis Dosser Survey, Abstract No. 280, and to adopt Development Regulations, Zoning Exhibit, Concept Plan, Open Space Plan and Screening Plan, as presented.

ATTACHMENTS:

Property Notification Map
Draft Ordinance




Building Elevations (Informational purposes only)



Location Map

The Reserve at Watters

Map Legend

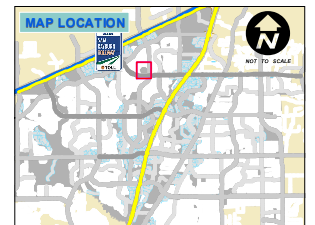
-  Buffer
-  Subject Property
-  CollinCAD Parcels



Community Development - Planning

Date Saved: 6/2/2021

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, AS PREVIOUSLY AMENDED, RELATING TO THE USE AND DEVELOPMENT OF 34.2± ACRES OUT OF THE FRANCIS DOSSER SURVEY, ABSTRACT NO. 280, PRESENTLY ZONED AS PLANNED DEVELOPMENT NO. 43 WITH A BASE ZONING OF GARDEN OFFICE (GO) AND PLANNED DEVELOPMENT NO. 43 WITH A BASE ZONING OF MULTIFAMILY RESIDENTIAL (MF-18) BY CHANGING THE ZONING TO CREATE PLANNED DEVELOPMENT NO. 146 WITH A BASE ZONING OF SINGLE-FAMILY RESIDENTIAL (R-5) AND ADOPTING DEVELOPMENT REGULATIONS, A ZONING EXHIBIT, A CONCEPT PLAN, AN OPEN SPACE PLAN, AND A SCREENING PLAN; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Allen, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Allen, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Texas, as previously amended, should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. The Allen Land Development Code Zoning Regulations and the Zoning Map of the City of Allen, Collin County, Texas, as amended, are hereby further amended by changing the zoning regulations relating to the development and use of 34.2± acres out the Francis Dossier Survey, Abstract No. 280 described in “Exhibit A”, attached hereto and incorporated herein by reference (the “Property”), which is presently zoned as Planned Development No. 43 Garden Office (GO) and Planned Development No. 43 Multifamily Residential (MF-18) by changing the zoning to create Planned Development No. 146 for Single-Family uses with a base zoning of Single-Family Residential (R-5), 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 provisions of the Allen Land Development Code, as amended, (the “ALDC”) except to the extent modified by the Development Regulations set forth below:

- A. BASE ZONING DISTRICT:** The Property shall be developed and used only in accordance with the regulations of the Single-Family Residential District (R-5) zoning district except as otherwise provided in this Section 2.
- 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 Final Plat approval.

- C. LOT DESIGN CRITERIA AND BUILDING SETBACKS:** The minimum lot dimensions and building setbacks shown on the Concept Plan shall be modified as follows with respect to the identified lots:

Minimum Lot Width (Lots 7, 8, 9, and 10, Block D; Lots 13 and 14, Block E; Lots 6, 7,8, and 44, Block F only)	62.5 feet
Minimum Front Yard Setback	20 feet
Minimum Front Yard Setback (Lots 1, 2 and 3, Block A; and Lots 44, 45, and 46, Block F only)	30 feet
*Minimum Side Yard Setback	6 feet
Minimum Side Yard Setback for side yards adjacent to a public street (except as provided below)	15 feet
Minimum Side Yard Setback for the side yards adjacent to the public streets for Lots 8 and 10, Block C; Lot 6, Block D; and Lot 5, Block E	20 feet
Minimum Garage Setbacks	25 feet, except for Lots 1, 2 and 3, Block A and Lots 44, 45, and 46, Block E, which shall be 30 feet

*Section 8.06.1.a.iii of the ALDC shall not apply to Lots 7 and 11, Block C; Lots 5 and 10, Block D; and Lot 6, Block E.

- D. FENCING ON KEY LOTS:** Fences cannot be constructed less than twenty feet (20') from the side property line adjacent to the public right-of-way for Lots 8 and 10, Block C; Lot 6, Block D; and Lot 5, Block E.
- E. PRIVATE DRAINAGE EASEMENTS:** The declaration of covenants, conditions, and restrictions required to be prepared and recorded pursuant to Section 8.20 of the ALDC shall in substance provide for the Homeowners Association (HOA) the right and obligation to maintain the five-foot-wide (5') Private Drainage Easement (PDE) and flume shown on the Concept Plan on Lots 1 through 14, Block G.
- F. TRAFFIC IMPROVEMENTS:** Construction of the (1) eastbound hooded left turn lane on Stacy Road and (2) northbound left turn lane on Watters Road as shown on the Concept Plan must be completed and accepted by the City prior to issuance of a building permit for any dwelling unit on any lot constructed within the Property.
- G. OPEN SPACE:** All open spaces on the Property shall be developed in general conformance with the Open Space Plan attached hereto as Exhibit "C".
- H. SCREENING PLAN:** All screening on the Property shall be developed in general conformance with the Screening and Buffering Plan attached hereto as Exhibit "D".

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 28TH DAY OF SEPTEMBER 2021.

APPROVED:

Kenneth M. Fulk, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY
(kbl:8/23/2021:124341)

Shelley B. George, TRMC, CITY SECRETARY

BEING A TRACT OF LAND LOCATED IN THE FRANCIS DOSSER SURVEY, ABSTRACT NO. 280, CITY OF ALLEN, COLLIN COUNTY, TEXAS AND BEING A PART OF A TRACT OF LAND DESCRIBED IN DEED TO PAUL LEHNER AND VIRGINIA LEHNER, RECORDED IN INSTRUMENT NO. 92-088483, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS AND BEING PART OF A TRACT OF LAND FORMERLY KNOWN AS COUNTY ROAD 150 ABANDONED BY CITY ORDINANCE 2379-3-05, RECORDED IN VOLUME 6075, PAGE 4231, DEED RECORDS, COLLIN COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN "X" SET IN CONCRETE ON THE SOUTHEAST CORNER OF AN EXISTING SIDEWALK AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF WATTERS ROAD, A VARIABLE WIDTH RIGHT-OF-WAY, WITH THE SOUTH LINE OF SHADDOCK PARK, AN ADDITION TO THE CITY OF ALLEN, COLLIN COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET 2007, SLIDE 13, MAP RECORDS, COLLIN COUNTY, TEXAS (M.R.C.C.T.):

THENCE SOUTH 00°49'24" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 1,112.42 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" SET FOR CORNER;

THENCE SOUTH 44°17'36" WEST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 25.60 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" SET FOR CORNER IN THE NORTH RIGHT-OF-WAY LINE OF STACY ROAD, A VARIABLE WIDTH RIGHT-OF-WAY;

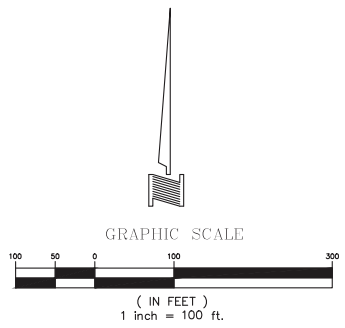
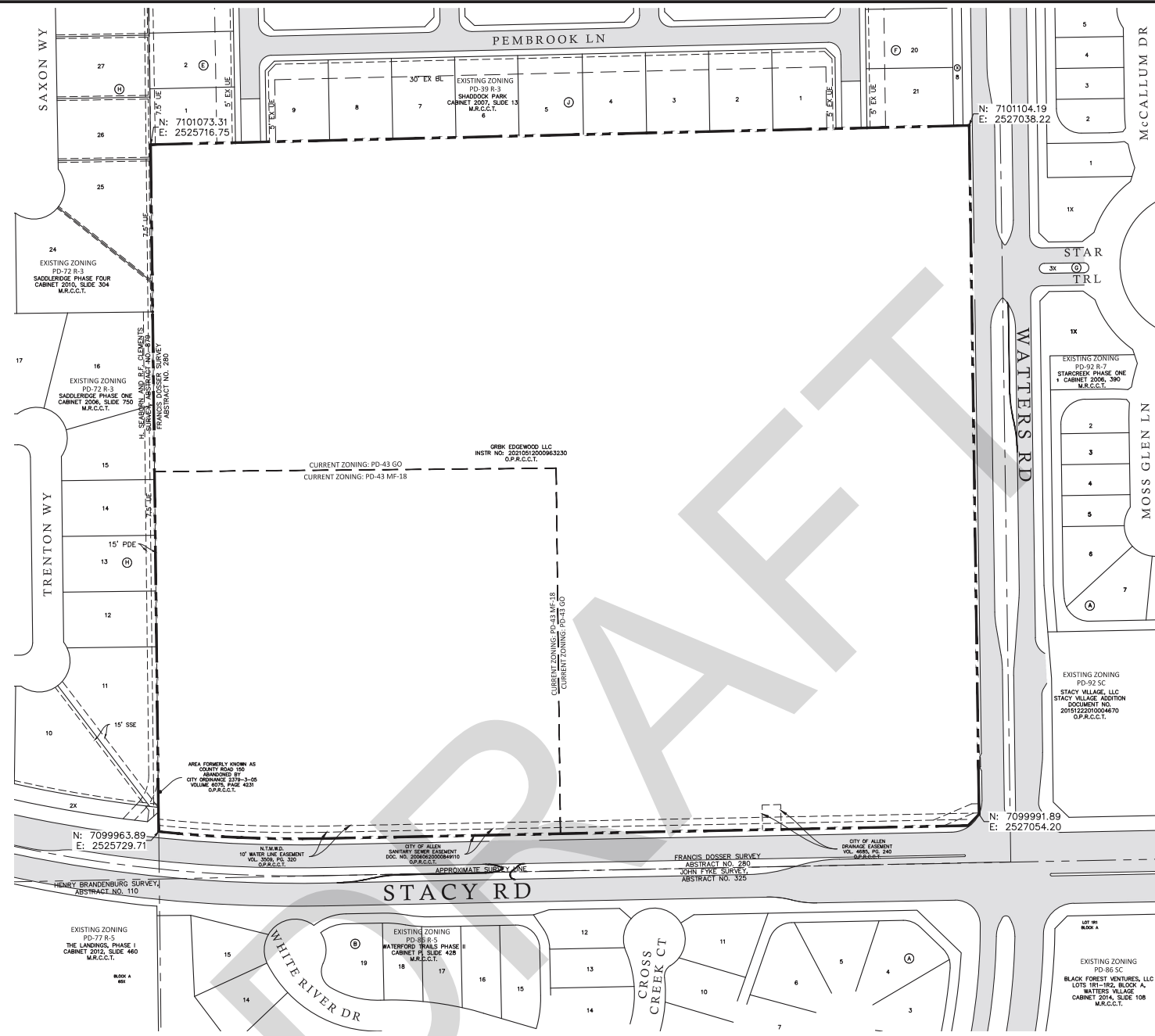
THENCE SOUTH 88°51'23" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 1,041.83 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" SET FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 07°06'24", A RADIUS OF 1,140.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 87°35'23" WEST, 265.26 FEET;

THENCE WESTERLY, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE AND ALONG SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 265.43 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" SET AT THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE WITH THE PROJECTED EAST LINE OF SADDLERIDGE PHASE ONE, AN ADDITION TO THE CITY OF ALLEN, COLLIN COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET 2006, SLIDE 750, M.R.C.C.T.;

THENCE NORTH 00°40'10" WEST, PASSING THE SOUTHEAST CORNER OF SAID SADDLERIDGE PHASE ONE AT A DISTANCE OF 31.53 FEET, AND CONTINUING, ALONG SAID EAST LINE OF SAID SADDLERIDGE PHASE ONE, PASSING AGAIN AT A DISTANCE OF 339.22 FEET A 1/2-INCH IRON ROD WITH A CAP STAMPED "DAK" FOUND AT THE EAST COMMON CORNER OF SAID SADDLERIDGE PHASE ONE AND SADDLERIDGE PHASE FOUR, AN ADDITION TO THE CITY OF ALLEN, COLLIN COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET 2010, SLIDE 304, M.R.C.C.T., AND CONTINUING, ALONG THE EAST LINE OF SAID SADDLERIDGE PHASE FOUR, FOR A TOTAL DISTANCE OF 1,109.50 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" SET AT THE SOUTHWEST CORNER OF SAID SHADDOCK PARK.

THENCE NORTH 88°59'42" EAST, ALONG THE SOUTH LINE OF SAID SHADDOCK PARK, PASSING AT A DISTANCE OF 336.88 FEET A 1/2-INCH IRON ROD FOUND IN THE WEST LINE OF HERMITAGE DRIVE, A 50-FOOT RIGHT-OF-WAY, PASSING AGAIN AT A DISTANCE OF 800.81 FEET A 1/2-INCH IRON ROD FOUND AT THE SOUTH COMMON CORNER OF LOTS 3 AND 4, BLOCK J OF SAID SHADDOCK PARK, PASSING AGAIN AT A DISTANCE OF 1,156.83 FEET A 1/2-INCH IRON ROD FOUND IN THE EAST RIGHT-OF-WAY LINE OF WAREFIELD LANE, A 50-FOOT RIGHT-OF-WAY, AND CONTINUING FOR A TOTAL DISTANCE OF 1,321.83 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,491,273 SQUARE FEET OR 34.235 ACRES OF LAND, MORE OR LESS.

Seam Shropshire
SEAM SHROPSHIRE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5674
APRIL 19, 2021



- LEGEND**
- OHE OVERHEAD ELECTRIC LINE
 - SSE SANITARY SEWER EASEMENT
 - PDE PUBLIC DRAINAGE EASEMENT
 - UE UTILITY EASEMENT

PLAN SUBMITTAL LOG

1ST SUBMITTAL TO CITY	2021-04-23
2ND SUBMITTAL TO CITY	2021-05-28
3RD SUBMITTAL TO CITY	2021-06-28
4TH SUBMITTAL TO CITY	2021-07-15

**PD/PD AMENDMENT
ZONING EXHIBIT
THE RESERVE AT WATTERS**

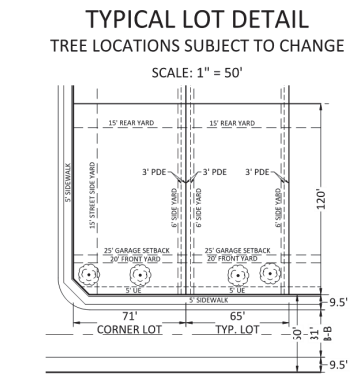
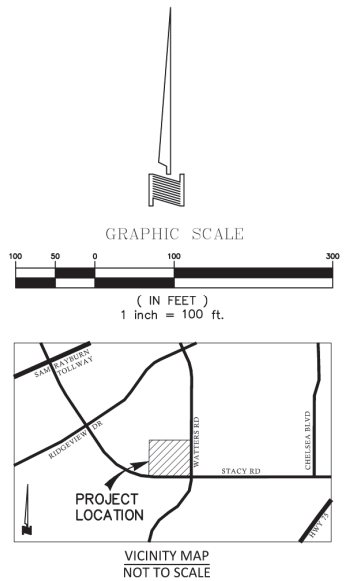
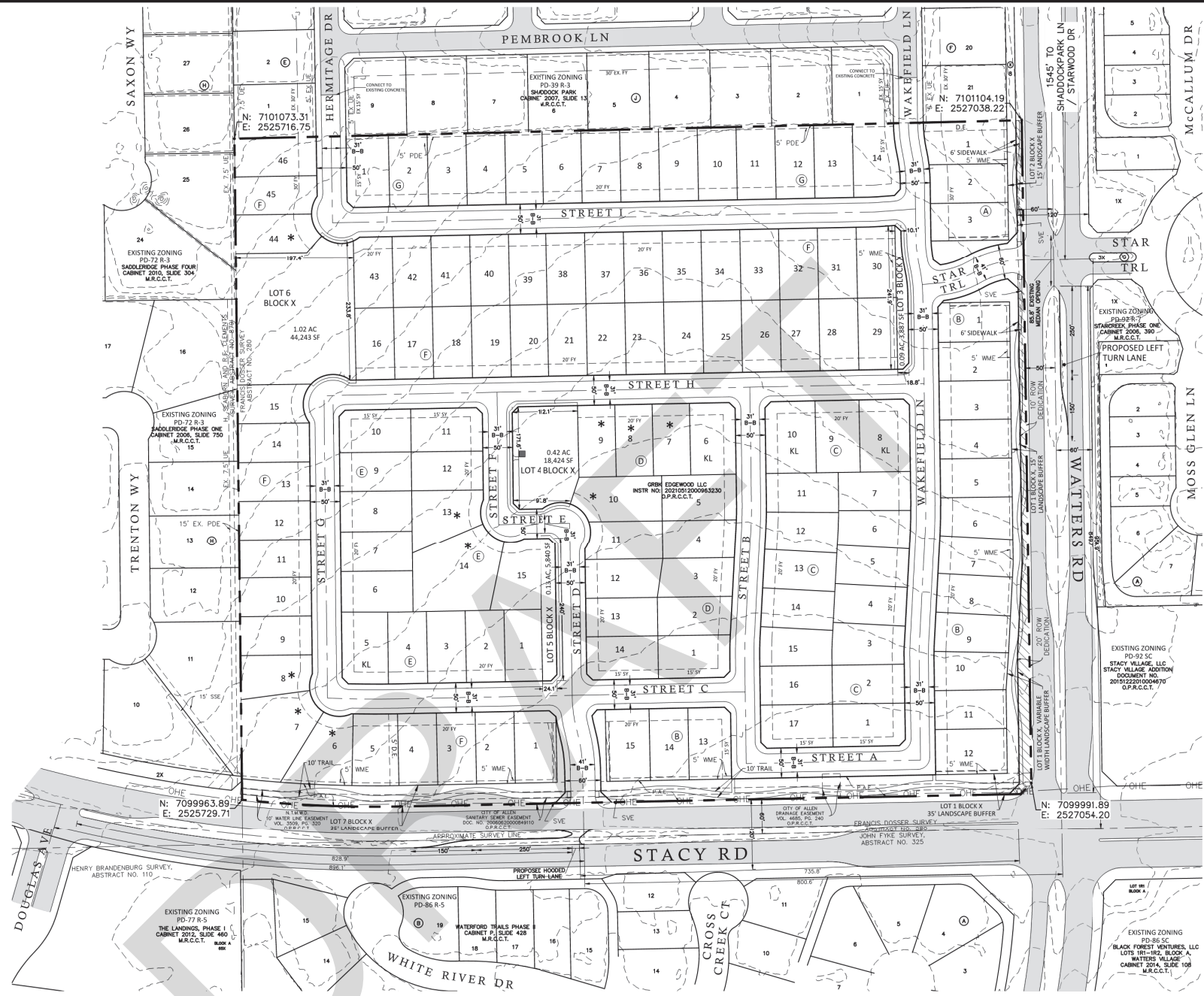
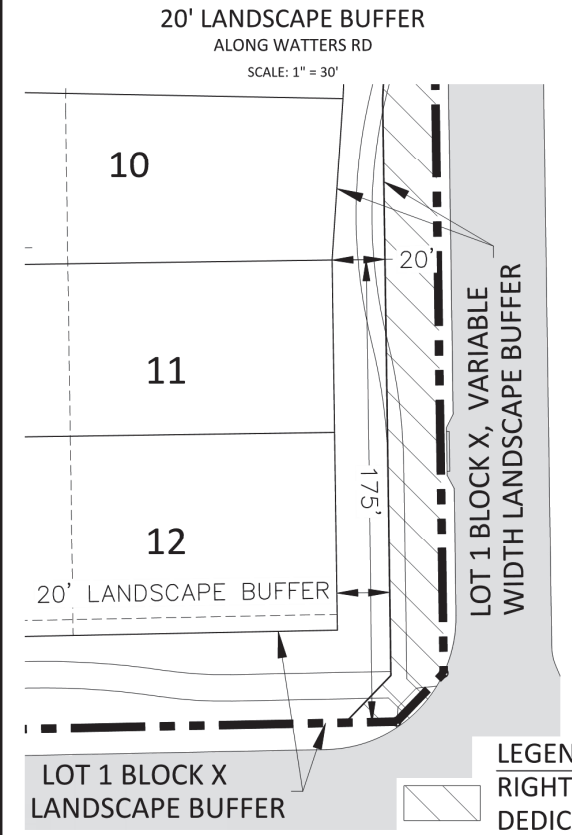
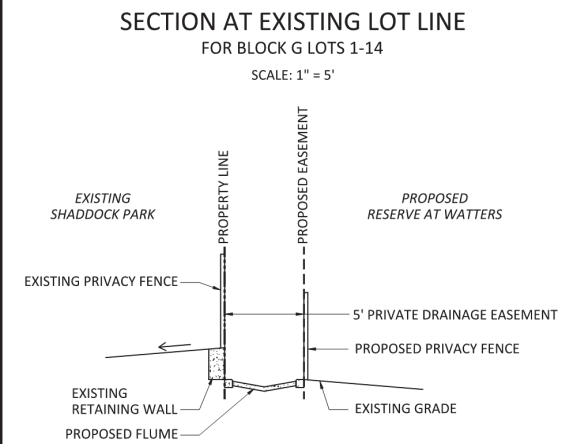
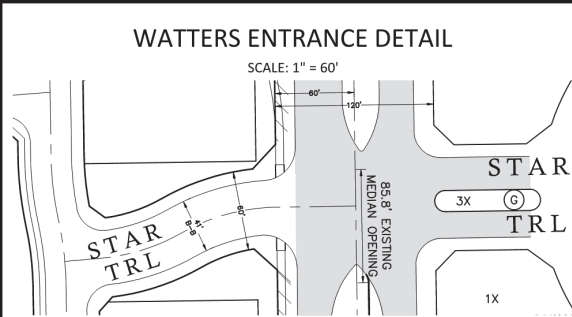
34.2 ACRES
124 DETACHED SINGLE FAMILY LOTS
7 OPEN SPACE / HOA LOTS
APRIL 23, 2021 SCALE: 1" = 100'

FRANCIS DOSSER SURVEY, ABSTRACT NO. 280
CITY OF ALLEN
COLLIN COUNTY, TEXAS

OWNER/DEVELOPER
GRBK EDGEWOOD LLC
2805 NORTH DALLAS PARKWAY SUITE 400
PLANO, TEXAS 75093
PHONE: (469) 573-6769
CONTACT: BOBBY SAMUEL

SURVEYOR
AXIS SURVEYING
P.O. BOX 575
WAXAHACHIE, TEXAS 75168
PHONE: (214) 903-8200
CONTACT: SEAN SHROPSHIRE

ENGINEER / PLANNER
DOWDEY, ANDERSON & ASSOCIATES, INC.
5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694
STATE REGISTRATION NUMBER: F-399
CONTACT: AARON HUNSAKER



SITE DATA SUMMARY TABLE
 Proposed uses: Single family residential
 Existing zoning district: PD-43 GO & PD-43 MF-18
 Proposed base zoning district: R-5
 Gross site area: 34.2 acres or 1,409,752 sf
 Lot coverage: 55%
 FAR: N/A
 Maximum height: 35' (2.5 stories)

RESIDENTIAL DATA SUMMARY TABLE
 Area: 33.9 acres (net Watters ROW)
 Required open space: 1.65 acres
 Provided open space: 1.66 acres
 Total gross density: 3.6 lots/acre
 Total net density: 3.7 lots/acre (net Watters ROW dedication)
 Total number of dwelling units by type: 124 lots at 65'x120' typ.
 Lot count by typical lot size: 124 lots

OPEN SPACE CALCULATION
 1 acre / 75 lots required
 124 lots / 75 = 1.65 acres of open space required

- NOTES**
1. Phasing: Project will be constructed in one phase
 2. Block X Lots 1, 2 & 7 includes a pedestrian access easement.
 3. 5' Private Drainage Easement (PDE) on Block G Lots 1-14 are to be maintained by the Homeowners Association (HOA). The HOA shall maintain the flume located in the 5' PDE along the north property line of Block G Lots 1-14.
 4. All lots shall have a 6' interior side yards including Block C Lots 7 & 11, Block D Lots 5 & 10 and block E Lot 6.

- LEGEND**
- FY FRONT YARD
 - SY SIDE YARD
 - SVE SIGHT VISIBILITY EASEMENT
 - OHE OVERHEAD ELECTRIC LINE
 - WME WALL MAINTENANCE EASEMENT
 - D.E. DRAINAGE EASEMENT
 - SSE SANITARY SEWER EASEMENT
 - PDE PRIVATE DRAINAGE EASEMENT
 - UE UTILITY EASEMENT
 - P.A.E. PEDESTRIAN ACCESS EASEMENT
 - ROW RIGHT OF WAY
 - PROPOSED MAIL KIOSK LOCATION
 - B-B BACK OF CURB TO BACK OF CURB
 - LB LANDSCAPE BUFFER
 - * 62.5' LOT WIDTH DESIGNATION
 - KL KEY LOT
 - HOA HOME OWNERS ASSOCIATION
 - PDE PRIVATE DRAINAGE EASEMENT
 - RIGHT-OF-WAY DEDICATION

PLAN SUBMITTAL LOG

1ST SUBMITTAL TO CITY	2021-04-23
2ND SUBMITTAL TO CITY	2021-05-28
3RD SUBMITTAL TO CITY	2021-06-28
4TH SUBMITTAL TO CITY	2021-07-15
5TH SUBMITTAL TO CITY	2021-08-04
6TH SUBMITTAL TO CITY	2021-08-12

PD CONCEPT PLAN
THE RESERVE AT WATTERS
 34.2 ACRES
 124 DETACHED SINGLE FAMILY LOTS
 7 OPEN SPACE / HOA LOTS
 APRIL 23, 2021 SCALE: 1" = 100'

FRANCIS DOSSER SURVEY, ABSTRACT NO. 280
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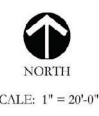
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 5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694
 STATE REGISTRATION NUMBER: F-399
 CONTACT: AARON HUNSAKER

P:\Project\CD30121\200612006-PD-Concept Plan.dwg, Zoning Concept Plan, 8/12/2021 1:56:34 PM, ahunsaaker



CALLOUTS LEGEND:

- 6'-0" HT. ORNAMENTAL METAL FENCE
- 3" CALIPER SHADE TREE.
- 3" CALIPER ORNAMENTAL TREE.
- 48" HT. EVERGREEN SHRUB ROW AT TIME OF PLANTING, SHRUBS AND GROUND COVER PLANTING. SPECIES SHALL BE CONSISTENT WITH THE RECOMMENDED PLANT LIST WITH THE CITY OF ALLEN.
- SHRUBS AND GROUND COVER PLANTING. SPECIES SHALL BE CONSISTENT WITH THE RECOMMENDED PLANT LIST WITH THE CITY OF ALLEN.
- TRASH RECEPTACLE
- PET WASTE STATION
- 20x15' SHADE STRUCTURE WITH CBU MAILBOXES UNDERNEATH
- 5' WIDTH CONCRETE SIDEWALK
- OPEN PLAY AREA
- 18" HT. STONE SEAT WALL



SCALE: 1" = 20'-0"

THE RESERVE AT WATTERS / CONCEPTUAL OPEN SPACE PLANS

City of Allen, Collin County, Texas

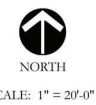
SHEET 3 OF 5
Submittal 6-16-2021





CALLOUTS LEGEND:

- 6'-0" HT. ORNAMENTAL METAL FENCE
- 3" CALIPER SHADE TREE.
- 3" CALIPER ORNAMENTAL TREE.
- 48" HT. EVERGREEN SHRUB ROW AT TIME OF PLANTING, SHRUBS AND GROUND COVER PLANTING. SPECIES SHALL BE CONSISTENT WITH THE RECOMMENDED PLANT LIST WITH THE CITY OF ALLEN.
- TRASH RECEPTACLE
- PET WASTE STATION
- MOVABLE TABLES AND CHAIRS
- 20x40' SHADE STRUCTURES WITH TABLES BENEATH
- 5' WIDTH CONCRETE SIDEWALK
- OPEN PLAY AREA
- EVENT LAWN WITH STRING LIGHTING AND ARTIFICIAL TURF GRASS.
- PLAYGROUND FACILITY
- 18" HT. STONE SEAT WALL
- RAISED GAS FIRE PIT



THE RESERVE AT WATTERS / CONCEPTUAL OPEN SPACE PLANS

City of Allen, Collin County, Texas

SHEET 4 OF 5
 Submittal 6-16-2021





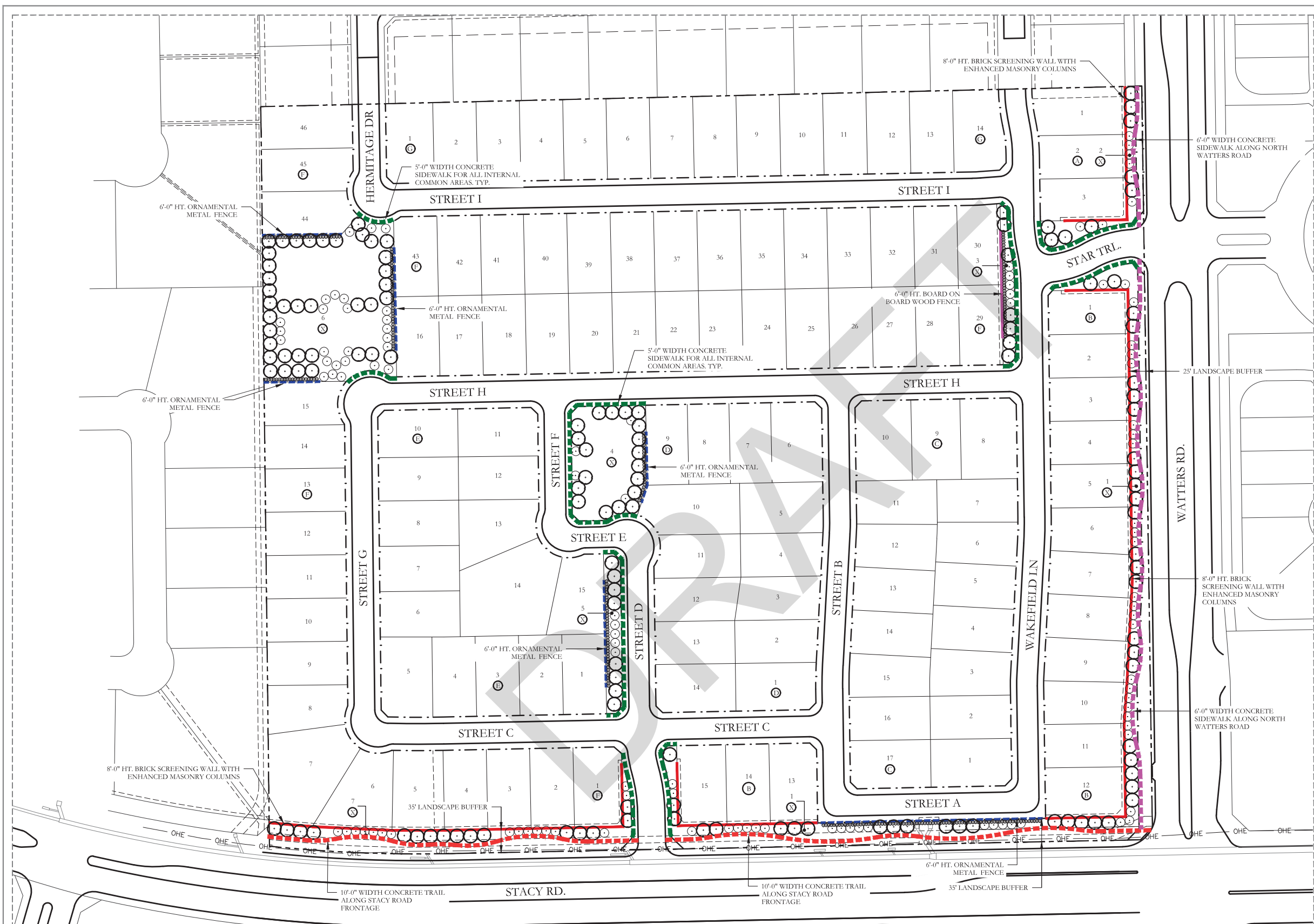
NORTH
 SCALE: 1" = 20'-0"

THE RESERVE AT WATTERS / CONCEPTUAL OPEN SPACE PLANS

City of Allen, Collin County, Texas

SHEET 5 OF 5
 Submittal 6-16-2021





- CALLOUTS LEGEND:**
- 8'-0" HT. BRICK SCREENING WALL WITH ENHANCED MASONRY COLUMNS
 - 6'-0" HT. BOARD ON BOARD WOOD FENCE
 - 6'-0" HT. ORNAMENTAL METAL FENCE
 - 5'-0" WIDTH CONCRETE SIDEWALK
 - 6'-0" WIDTH CONCRETE SIDEWALK
 - - - 10'-0" WIDTH CONCRETE TRAIL
 - 3" CALIPER SHADE TREE.
(1) - 3" SHADE TREES PER 40 FEET OF FRONTAGE SHALL BE REQUIRED.
 - 3" CALIPER ORNAMENTAL TREE.
(1) - 3" ORNAMENTAL TREES PER 40 FEET OF FRONTAGE SHALL BE REQUIRED.
 - 48" HT. EVERGREEN SHRUB ROW AT TIME OF PLANTING.

- GENERAL SCREENING NOTES:**
- ANY EASEMENTS TO BE ESTABLISHED WILL BE IDENTIFIED AND PROVIDED AT TIME OF PLATTING.
 - GRAPHIC ILLUSTRATIONS IN THE OPEN SPACES ARE NOT INTENDED TO COMMUNICATE, SHOW, OR REPRESENT ACTUAL LAYOUT, OR DETAILED LANDSCAPE DESIGN.
 - ALL ROADS, SIDEWALKS, FIRE LANES, DRIVE AISLES AND INTERSECTIONS WILL COMPLY WITH THE CITY OF ALLEN-ENGINEERING DESIGN STANDARDS REGARDLESS OF WHAT IS SHOWN ON THIS EXHIBIT.
 - SIDEWALKS WILL BE CONSTRUCTED ALONG ALL CITY STREETS. INTER-CONNECTIVITY WILL BE PROVIDED THAT MEETS CITY OF ALLEN AND ADA STANDARDS REGARDLESS OF WHAT IS SHOWN ON THIS EXHIBIT.
 - TREE PLACEMENT ALONG CITY STREETS SHALL COMPLY WITH CITY OF ALLEN STANDARDS REGARDLESS OF WHAT IS SHOWN ON THIS EXHIBIT. ALL MASONRY SCREENING WALLS SHOWN ON THESE EXHIBITS SHALL BE OWNED AND MAINTAINED BY THE HOA.
 - TREE SURVEY PLANS WILL BE SUBMITTED AT A LATER DATE.
 - ALL OPEN SPACE AREAS SHALL RECEIVE 100% COVERAGE OF SHRUBS, GROUNDCOVER, AND/OR TURF GRASS.
 - TREES SHOWN ON CONCEPT PLAN ARE ILLUSTRATIVE ONLY. EXACT QUANTITIES WILL BE ESTABLISHED DURING LANDSCAPE PLAN REVIEW WITHIN THE CIVIL SET.



THE RESERVE AT WATTERS / CONCEPTUAL SCREENING AND BUFFERING

City of Allen, Collin County, Texas

SHEET 1 OF 5
Submittal 8-11-2021



THE RESERVE AT WATTERS - REPRESENTATIVE PRODUCT



THE RESERVE AT WATTERS - REPRESENTATIVE PRODUCT



THE RESERVE AT WATTERS - REPRESENTATIVE PRODUCT



THE RESERVE AT WATTERS - REPRESENTATIVE PRODUCT



THE RESERVE AT WATTERS - REPRESENTATIVE PRODUCT



THE RESERVE AT WATTERS - REPRESENTATIVE PRODUCT



PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: September 7, 2021

SUBJECT: Conduct a Public Hearing and Consider a Request to Amend the Development Regulations of Planned Development No. 134A with a Base Zoning of Mixed Use for Lot 1, Block A; Lots 1 and 2 Block B; Lot 1, Block C Lots 1-3, Block D; Lots 1-4, Block E; Lot 1, Block F; Lot 1, Block G; Lot 1, Block H; Lot 1, Block I; Lot 1, Block J; Lot 1, Block K; Lot 1, Block L; Lot 1, Block M; Lot 1, Block N; and Lots 1 and 2, Block X, The Farm, Generally Located at the Southeastern Corner of the Intersection of State Highway 121 and Alma Drive. (ZN-062521-0008) [The Farm]

STAFF RESOURCE: Marc Kurbansade, AICP
Director of Community Development

PREVIOUS COMMISSION/COUNCIL ACTION: Planned Development No. 72 - Approved October, 1986
Planned Development No. 72 - Approved October, 1998
Planned Development No. 72 - Approved March, 2005
Planned Development No. 134 - Approved January 2018
Planned Development No. 134A - Approved July 14, 2020
Final Plat - Approved February 2, 2021

LEGAL NOTICES: Public Hearing Letters - Mailed August 27, 2021
Public Hearing Sign - Installed August 27, 2021

ANTICIPATED COUNCIL DATE: September 28, 2021

BACKGROUND

The subject property is comprised of 20 individual platted lots and is generally located at the southeast corner of State Highway 121 and Alma Drive. The property to the north (across State Highway 121) is in the City of McKinney. The property to the west (across Alma Drive) is zoned Planned Development PD No. 142 Mixed-Use (commonly know as The Avenue). The property to the south (across Ridgeview Drive) is zoned Planned Development No. 72 with a base zoning district of Single-Family Residential R-5. The property to the east is zoned Agriculture Open Space.

The subject property currently retains a zoning designation of Planned Development No. 134A with a base

zoning district of Mixed-Use. This planned development, commonly referred to as The Farm, received approval of a Planned Development Amendment on July 14, 2020.

This request is only to modify the Development Regulations for the purpose of the following:

- Currently, there is not a minimum building frontage requirement for lots in the Central District that have open space along a Primary Street. This is being modified to also include a Secondary Street.
- The minimum block length in the Tollway Character District is being requested to increase from 600 feet to 700 feet.
- Flexibility in the regulations is being added for the location of vehicular access points along primary or secondary streets. The proposed standard will also include the necessary regulations pertaining to sight distance and visibility from these access points.
- Flexibility in the regulations for the orientation of parking garages is being proposed. Currently, only the "short" edge of a parking garage can face a Primary Street. The proposed modifications will allow for the long edges of a parking garage to face a street, provided one side is buffered by a building and the other by an open space with a minimum width of 35 feet.
- A modification regarding the designation of a Primary Façade is being proposed, as well as the calculation and requirements for transparency. This modification is being proposed to accommodate structures that are located on blocks with three or more sides on a Primary Street, and within the Central District.
- A modification to transparency requirements for single-story buildings in the Central District is being proposed. This change could permit a reduction in window transparency from what is currently permitted as well as all for certain wall openings to be included in this determination.
- Climate controlled interior corridors are required on all urban residential buildings. The proposed modification in this instance is to allow for exterior access for smaller scale residential buildings (less than 30 units in the building).
- A modification to permit fencing or low walls (not to exceed four feet in height) in the front yard of townhomes.
- Flexibility in the location of street trees for all Districts is being proposed.
- The current light standards are strongly prescribed. The proposed modifications allow for flexibility in location and types of fixtures, as long as adequate coverage is provided.

This request has been reviewed by the Technical Review Committee. The request is in general conformance with the future land use map in the adopted Comprehensive Plan and is compatible with the surrounding uses.

STAFF RECOMMENDATION

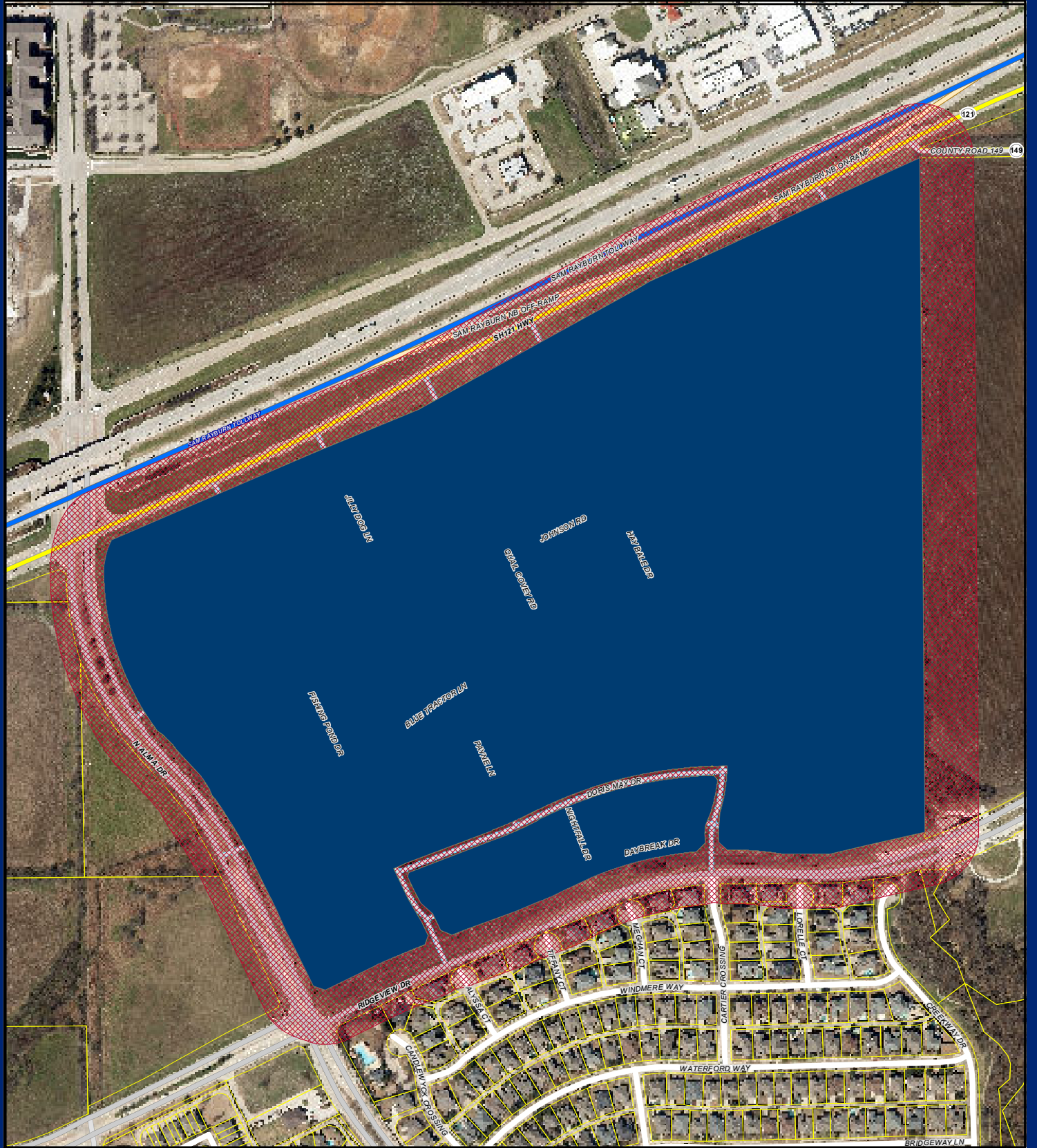
Staff recommends approval.

MOTION

I move to recommend approval of the request to amend the Development Regulations of Planned Development No. 134A with a Base Zoning of Mixed Use for Lot 1, Block A; Lots 1 and 2 Block B; Lot 1, Block C Lots 1-3, Block D; Lots 1-4, Block E; Lot 1, Block F; Lot 1, Block G; Lot 1, Block H; Lot 1, Block I; Lot 1, Block J; Lot 1, Block K; Lot 1, Block L; Lot 1, Block M; Lot 1, Block N; and Lots 1 and 2, Block X, The Farm, Generally Located at the Southeastern corner of the intersection of State Highway 121 and Alma Drive, as presented.

ATTACHMENTS:

Property Notification Map
Draft Ordinance



Location Map

The Farm

Map Legend

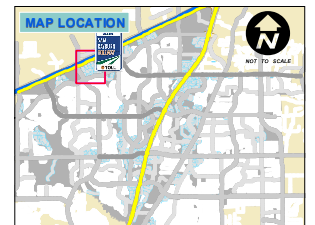
- Subject Property
- Buffer
- CollinCAD Parcels



Community Development - Planning

Date Saved: 6/2/2021

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, AS PREVIOUSLY AMENDED, BY AMENDING THE DEVELOPMENT REGULATIONS OF PLANNED DEVELOPMENT “PD” NO. 134A MIXED USE MIX ADOPTED BY ORDINANCE NO. 3761-7-20; 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. 134A Mixed Use “MIX” as adopted and set forth in Exhibit “A” to Ordinance No. 3761-7-20 (the “PD 134A Regulations”) as follows:

- A.** Section 3 “Property Development Standards” of the PD 134A Regulations is amended as follows:
- (1)** Subparagraph b.ii. of Subsection E “Building Frontage Requirements,” Paragraph 1 “Minimum Building Frontage” is amended to read as follows:
 - ii. Lots that have open space along a Primary or Secondary Street; and
 - (2)** Paragraph 1.a. of Subsection F “Block Length” is amended to read as follows:
 - a. 700 feet in the Tollway Character Districts;
- B.** Section 4 “Street Types and Transportation Network” of the PD 134A Regulations is amended by adding Subsection F titled “Vehicular Access Points” to read as follows:
- F. VEHICULAR ACCESS POINTS.**
- 1. No on-street parking shall be permitted within 10 feet of the end of the radius of the pavement of a driveway, service drive, loading zone, or other vehicular access point connecting to a Primary or Secondary Street.

2. Trees may be planted within 10 feet of the end of the radius of the driveway, service or loading zone pavement only if the canopy does not create a visual obstruction to vehicles entering and exiting the intersecting street at a height of less than seven feet.

C. Section 6 “Building Design Standards” of the PD 134A Regulations is amended as follows:

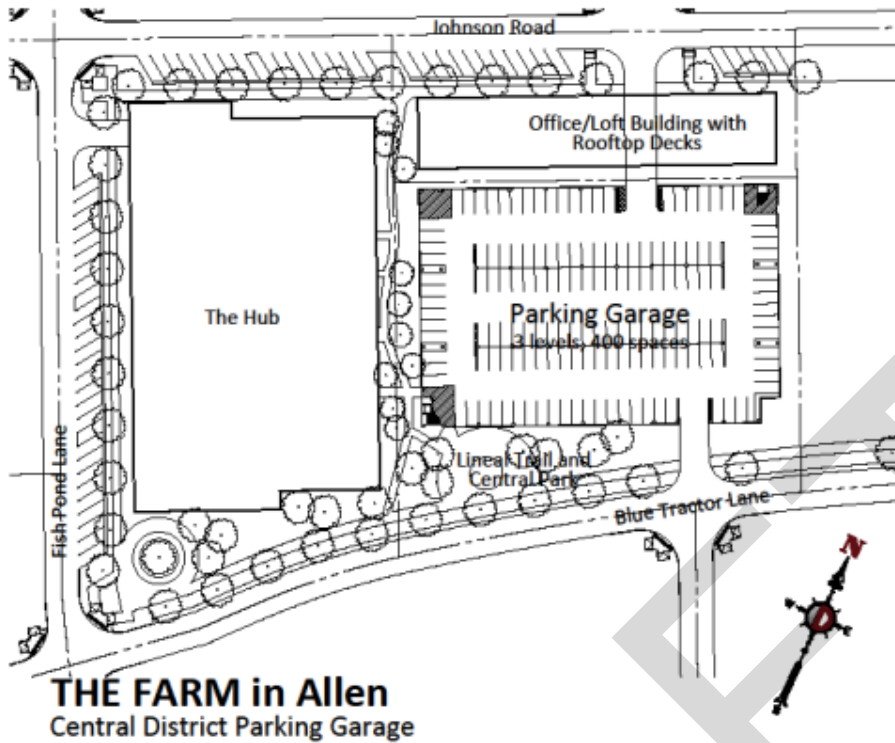
(1) Paragraph 4 of Subsection A “Building Orientation” is amended to read as follows:

4. Secondary and service entrances may be located from Secondary Streets, internal parking areas or alleys, or, if no Secondary Streets adjoins the lot, from Primary Streets, provided such entrances are screened from view from the adjacent street or alley.

(2) Paragraph 3 of Subsection B “Design of Parking Structures” is amended to read as follows:

3. Except for ramps at the entrances of parking garages or as otherwise provided herein, a long dimension of parking garages (length) shall not face any Primary Street; provided, however, the shorter dimension (width) and entrances to parking structures and ramps may be located on Primary Streets if designed to comply with requirements listed in this Section 6.B.3 and such width and entrances shall satisfy the frontage requirements. Notwithstanding the prior sentence, a parking garage located in the Central District may be developed with the long dimension(s) of the parking garage facing a Primary Street if:
 - a. the lot on which the parking garage is located faces only one Primary Street, one or more lots with a minimum width of 100 feet are located between the parking garage and the Primary Street; provided, however, the ultimate design of a habitable building(s) on such lot may allow for a drive entry to provide ingress and egress to the parking garage through or between such building(s) so long as the width of such entry does not exceed the width of the sides of the parking garage perpendicular to the Primary Street; and
 - b. the lot on which the parking garage is located faces two Primary Streets, development of one long side of the parking garage is developed in compliance with Paragraph 3.a., above, and the opposite side is developed with a landscaped open space along the entire façade length of the Parking Garage (not including areas occupied by public sidewalks and driveways and walkways leading from the adjacent Primary Street to the Parking Garage), which open space area shall be not less than 35 feet deep measured from the back of the curb of the adjacent Primary Street.

For purposes of clarification, the figure below depicts an example of the required development of a parking garage located between two Primary Streets within the Central District where the long sides run approximately parallel to and face the Primary Streets.



- (3) Subsection F “Windows and Doors” is amended to read as follows:

F. WINDOWS AND DOORS

1. The “Primary Façade” for purposes of this Section 6.F. shall be the façade that faces a Primary Street or is considered to be the main entrance or the front of the building.
2. The required first floor windows along a primary storefront façade of a building on any street or along any façade facing a Primary or Secondary Street shall not be opaque, heavily tinted or mirrored glass.
3. Except as noted in Paragraph 4, below, the ground floor Primary Façade of multi-story nonresidential buildings and residential buildings in which the ground floor is a nonresidential use shall have doors/windows (not opaque, heavily tinted or mirrored) covering no less than 60% of such Primary Façade. Exterior wall openings may also be included in the area of doors/windows provided such openings have walls on both sides and an overhead wall or roof structure. If the building is located in the Central District and includes an open area connecting to an outdoor dining area at the Primary Façade, the area of windows/openings may be reduced to not less than 30% of such Primary Façade including any single-story portions. Each upper floor of the Primary Façade shall contain windows covering at least 30% of the façade area.

All other street facing facades (not including façades facing alleys which have no minimum percentage of doors and windows) shall have doors and windows covering not less than 15% of the façade area for all floors.

4. For all single story buildings in the Central District, the height of the exterior wall for calculation purposes shall be limited to no more than 12 feet in height. Primary Façades shall have doors/windows (not opaque, heavily tinted or mirrored) covering not less than 50% of the first floor wall area. Exterior wall openings may also be included in the area of doors/windows provided such openings have walls on both sides and an overhead wall or roof structure. All wall areas for the remaining street facing façades (not including facades facing alleys which have no minimum percentage of windows) shall have doors and windows (not opaque, heavily tinted or mirrored) covering not less than 15% of the facade. For purposes of this Paragraph 4, open passageways that open into the courtyard or exterior open space from the building exterior shall also count as window and door areas.

- (4) Paragraph 3 “Internal Access” of Subsection H “Urban Residential Building Standards” is amended to read as follows:

3. **Internal Access.** All interior corridors shall be climate-controlled with all dwelling units being accessible through an interior climate-controlled corridor, except for the following conditions:
 - a. Individual units designed along a street with access to a sidewalk such as a “stoop” design; or
 - b. Individual units that are vertically integrated in a mixed-use building with a maximum of 30 units in the mixed-use building.

- (5) Sub Subsection I “Townhome Design Standards” is amended by adding Paragraph 6 to read as follows:

6. Fencing or low walls, not exceeding 4 feet in height, shall be permitted in the front yards of townhomes.

D. Section 7 “Streetscape Standards” of the PD 134A Regulations is amended as follows:

- (1) Paragraph 2 of Subsection C “Street Trees” is amended to read as follows:

2. Except for street trees planted within curb extensions, no fewer than one shade tree for every 40 feet of street frontage, or portion thereof, shall be planted within the Pedestrian Amenity Zone. Flexibility on the spacing and location of street trees within the Pedestrian Amenity Zone will be permitted provided the number of trees is not less than the number of trees that would otherwise be required with the typical spacing herein.

(2) Paragraph 6 of Subsection C “Street Trees” is amended to read as follows:

6. Tree wells shall be irrigated in accordance with the City of Allen Water Conservation Code and include a subsurface drainage system. Root barrier shall be installed on street and sidewalk sides of tree wells.

(3) Subsection F “Lighting” is amended to read as follows:

F. LIGHTING

1. Streetlight fixtures shall be installed along both sides of all streets at a spacing of approximately 80 feet on center.
2. Light fixture mounting heights shall be no more than 20 feet above grade with the overall pole height no more than 26 feet above grade. Pole color shall be black, brown, forest green, gray, or other neutral color designed to be complementary to the overall design aesthetic of the development.
3. Light fixtures shall be fully shielded.
4. Light fixtures shall be in general conformance with the photo below, which indicates the style and appearance of the light fixtures and poles. Alternate fixtures will be permitted provided the overall appearance of the fixture and poles remains the same.



5. Light distribution is allowed to extend across internal lot lines on the Property.

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 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 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 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 ____ 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