

ORDINANCE NO. 4207-1-26

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 GRANTING A CHANGE IN ZONING FOR A 0.668± ACRE TRACT OF LAND OUT OF THE JAMES T. ROBERTS SURVEY, ABSTRACT NO. 777 FROM AGRICULTURE-OPEN SPACE DISTRICT “AO” TO LOCAL RETAIL DISTRICT “LR”; 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 the 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 granting a change in zoning for a 0.668± acre tract of land situated in the James T. Roberts Survey; Abstract No. 777, City of Allen, Collin County, Texas, as more particularly described in Exhibit “A,” attached hereto and incorporated herein (“the Property”), from Agriculture-Open Space District “AO” to Local Retail District “LR.”

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 JANUARY 2026.

APPROVED:

Baine L. Brooks, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, City Attorney

Shelley B. George, TRMC, City Secretary

EXHIBIT "A"
LEGAL DESCRIPTION

Being a 0.688 acre tract of land situated in the James T. Roberts Survey, Abstract Number (No.) 777, Collin County, Texas, being all of that same tract of land described to DLBC Inc. by warranty deed recorded in Volume 5895, Page 3697 Deed Records OF Collin County, Texas (D.R.C.C.T.), and being more particularly described by metes and bounds as follows, (bearings and distances are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum 83 (NAD83) (US FOOT) with a combined scale factor of 1.00015271):

BEGINNING at a 1/2-inch rebar found for the northwest corner of said DLBC Tract and the southwest corner of Lot 12, Block B, Ten Oaks Phase One Addition, an Addition to the City of Allen, Collin County, Texas according the plat thereof recorded in Cabinet M, Page 197 Plat Records Collin County, Texas (P.R.C.C.T.), said point lying on the east right-of-way line of an existing 16 foot alley as depicted on Block E, Allen North Addition, Phase Three, an Addition to the City of Allen, Collin County Texas according to the plat thereof recorded in Cabinet J, Page 534 (P.R.C.C.T.);

THENCE North 89 Degrees 22 Minutes 42 Seconds East, departing the east right-of-way line of said 16 foot alley, with the north line of said DLBC Tract, the south line of said Lot 12, and the south line of "Tract D" of said Ten Oaks Phase One Addition, a distance of 158.91 feet to a point for the northeast corner of said DLBC Tract and the southeast corner of said "Tract D", said point lying on the west right-of-way line of North Allen Heights Drive (Variable Width Right-Of-Way), and being the beginning of a curve to the left, having a radius of 1,068.12 feet, a central angle of 09 Degrees 50 Minutes 12 Seconds, and a chord bearing and distance of South 05 Degrees 33 Minutes 1 Seconds West, 183.15 feet from said point an "X"-cut found for reference bears South 72 Degrees 05 Minutes East, 0.3 feet;

THENCE, in a southerly direction, with the east line of said DLBC Tract and the curving west right-of-way line of said North Allen Heights Drive, along said curve to the left, an arc length of 183.38 feet, to a 1/2-inch rebar found for the easternmost southeast corner of said DLBC Tract, and lying at the intersection of the west right-of-way line of said North Allen Heights Drive and the north right-of-way line of Exchange Parkway (110' Right-Of-Way);

THENCE South 45 Degrees 10 Minutes 06 Seconds West, departing the west right-of-way line of said North Allen Heights Drive, with the southeast line of said DLBC Tract and the northwest right-of-way line of said Exchange Parkway, a distance of 35.23 feet to a 1/2-inch rebar found for the southernmost southeast corner of said DLBC Tract;

THENCE North 89 Degrees 49 Minutes 54 Seconds West, with the south line of said DLBC Tract and the north right-of-way line of said Exchange Parkway, a distance of 116.75 feet to a point 1/2-inch rebar found for the southwest corner of said DLBC Tract and the southeast corner of Lot L. Block E of said Allen North Addition, Phase Three;

THENCE North 00 Degrees 09 Minutes 20 Seconds East, departing the north right-of-way line of said Exchange Parkway, with the west line of said DLBC Tract and the east line of said Lot 1 and the east right-of-way line of said 16 foot alley, a distance of 205.06 feet to the POINT OF BEGINNING and containing 0.688 acres or 29,967 square feet of land, more or less.