

ORDINANCE NO. 3696-8-19

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 TRACT II OF PLANNED DEVELOPMENT "PD" NO. 84 MULTI-FAMILY RESIDENTIAL "MF-18" BY ADOPTING A BASE ZONING OF OFFICE "O", CONCEPT PLAN, AND BUILDING ELEVATIONS RELATING TO THE USE AND DEVELOPMENT OF ALL OF LOT 2, BLOCK A, CHAPARRAL GARDENS SENIOR HOUSING; 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 amending as set forth in Section 2 of this Ordinance the development regulations of Tract II of Planned Development "PD" No. 84, with respect to the use and development of Lot 2, Block A, Chaparral Gardens Senior Housing, an addition to the City of Allen, Collin County, Texas, according to the plat thereof recorded in Cabinet Q, Slide 28, Map Records, Collin County, Texas ("the Property").

SECTION 2. The Property shall be developed and used in accordance with the applicable provisions of the Allen Land Development Code, as amended, ("ALDC") and Tract II of Planned Development "PD" No. 84 as set forth in Ordinance No. 2250-12-03, as amended, and in Ordinance No. 1751-8-99, as amended, except to the extent modified by the Development Regulations set forth below:

- A. BASE ZONING:** The Property shall be developed and used in accordance with the provisions of the Office "O" zoning district except as provided in this Ordinance.
- B. CONCEPT PLAN:** The Property shall be developed in general conformance with the Concept Plan attached hereto as Exhibit "B" and incorporated herein by reference (the "Concept Plan"). Minor modifications to streets/driveways that do not alter the general alignment shown on the Concept Plan may be made at the time of Site Plan approval.
- C. HEIGHT AND AREA REGULATIONS:** The height and area regulations for the Property shall be modified as follows:

Front Yard Setback	85 feet
Side Yard Setback adjacent to Residential District	50 feet
Rear Yard Setback adjacent to Residential District	10 feet
Maximum Height	30 feet

D. BUILDING ELEVATIONS: The Property shall be developed in general conformance with the architectural style set forth on the Building Elevations attached hereto as Exhibit "C".

E. SCREENING: The screening for the Property shall be as shown on the Concept Plan.

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 27TH DAY OF AUGUST 2019.

APPROVED:

Stephen Terrell, MAYOR

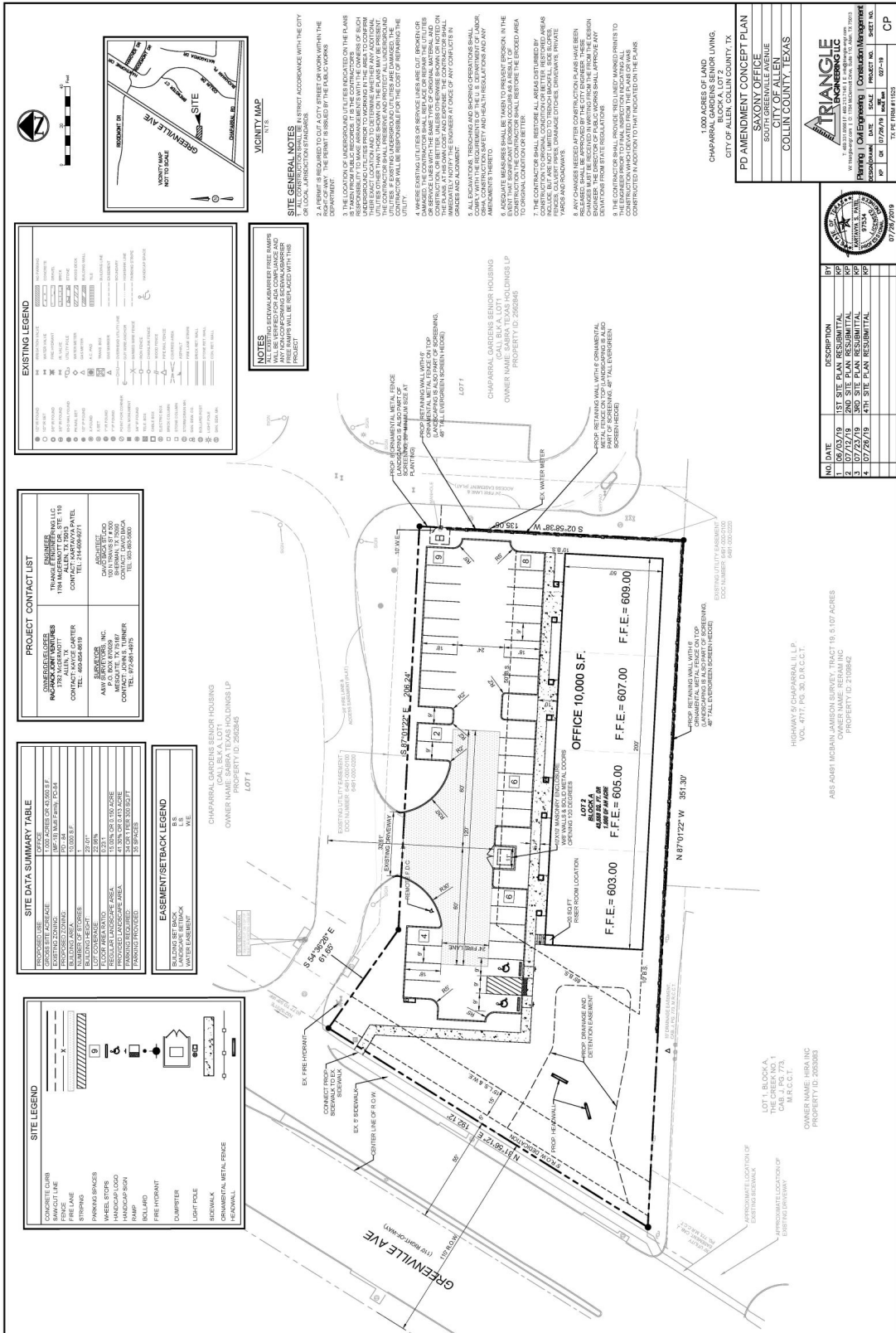
APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY
(kbl:8/12/19:110037)

Shelley B. George, TRMC, CITY SECRETARY

EXHIBIT “A”
CONCEPT PLAN



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