



**AGENDA
CITY OF ALLEN
PLANNING AND ZONING COMMISSION REGULAR MEETING
TUESDAY, APRIL 16, 2024 – 7:00 PM
CITY COUNCIL CHAMBERS
ALLEN CITY HALL
305 CENTURY PARKWAY
ALLEN, TEXAS 75013**

1. **Call to Order and Announce a Quorum is Present.**
2. **Pledge of Allegiance.**
3. **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.)
 - 3.1 Receive the Director's Report on action taken on the Planning and Zoning Commission items by City Council at the April 9, 2024, Regular Meeting.
 - 3.2 Approve Minutes from the April 2, 2024, Planning and Zoning Commission Regular Meeting.
 - 3.3 Consider a request for a Replat of 63.505± acres of Lot 1R1, Block 1, Cyrus One Allen. [CyrusOne]
4. **Regular Agenda.**
 - 4.1 Conduct a Public Hearing and consider a request to amend and restate Planned Development No. 3 with a base zoning of Light Industrial, regulating the development and use of Lot 1, Lot 2R, and Lot 3R, Block A, Allen Business Center II. [Tech Center]
 - 4.2 Conduct a Public Hearing and consider a City initiated request to amend the development regulations of Specific Use Permit No. 125 for a Fitness & Health Center use relating to the use of a building located on Lot 2, Greenway-Allen Retail Addition, commonly known as 605 West McDermott Drive. [SUP 125 - Ownership Clause]
5. **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.
6. **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, April 12, 2024, 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 REGULAR MEETING AGENDA COMMUNICATION

AGENDA DATE:	April 16, 2024
AGENDA CAPTION:	Receive the Director's Report on action taken on the Planning and Zoning Commission items by City Council at the April 9, 2024, Regular Meeting.
STAFF RESOURCE:	Marc Kurbansade, Director of Community Development
STRATEGIC PLANNING GOAL:	Vibrant Community with Lively Destinations and Successful Commercial Centers.

BACKGROUND

At the April 9, 2024, Regular Meeting, City Council approved an Ordinance to amend and restate Specific Use No. 68 for Murphy USA.

PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA COMMUNICATION

AGENDA DATE:	April 16, 2024
AGENDA CAPTION:	Approve Minutes from the April 2, 2024, Planning and Zoning Commission Regular Meeting.
STAFF RESOURCE:	Kim Yockey, Senior Planner
STRATEGIC PLANNING GOAL:	Financially Sound and Transparent City Government.

MOTION

I make a motion to approve the minutes from the April 2, 2024, Planning and Zoning Commission Regular Meeting.

ATTACHMENT(S)

[April 2, 2024, Planning and Zoning Commission Regular Meeting Minutes](#)

PLANNING AND ZONING COMMISSION

REGULAR MEETING

April 2, 2024

ATTENDANCE:

Commissioners Present:

Dan Metevier, Chair
Gary Stocker, 2nd Vice-Chair
Sandeep Kathuria
Cynthia Walker
Danielle Westgard
Tim Voss

Commissioners Absent:

Michael Smiddy, 1st Vice-Chair

City Staff Present:

Marc Kurbandsade, AICP, Director of Community Development
Jeremy Tennant, Assistant Director of Community Development
Arabella Lopez, Planning Manager
Matt Bechtluft, Planner
Kaleb Smith, City Attorney

1. Call to Order and Announce a Quorum is Present.

With a quorum of the Commissioners present, Chair Metevier called the meeting to order at 7:03 p.m. in the City Hall Council Chambers Room at Allen City Hall, 305 Century Parkway, Allen, Texas, 75013.

2. Pledge of Allegiance.

3. 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.)

3.1 Receive the Director's Report on action taken on the Planning and Zoning Commission items by City Council at the March 26, 2024, Regular Meeting.

3.2 Approve Minutes from the March 19, 2024, Planning and Zoning Commission Regular Meeting.

Motion: **Upon a motion by Commissioner Walker and second by Commissioner Kathuria, the Commission voted 6 IN FAVOR and 0 OPPOSED to approve the Consent Agenda items as presented.**

The motion carried.

4. Regular Agenda.

Chair Metevier filed an Affidavit of Conflict of Interest for Agenda No. 4.1 and left the dais.

- 4.1 Conduct a Public Hearing and consider a City initiated request to amend the development and use regulations of Specific Use Permits No. 116 (Lot 2R, Block 3, Millennium Business Park), 121 (Lot 4, Block 1, Bethany Park Place), 125 (Lot 2, Greenway-Allen Retail Addition), 127 (Lot 11, Block A, Greenville Center Addition), 129 (Lot 3, Block A, Watters Village), 134 (Lot/Track GH, Allen Business Centre), 135 (Lot 1 & 4, Mark VII equipment of Texas), 136 (Lot 1R, Block 3, Cottonwood Creek Village Shopping Center No. 3), 138 (Lot 2, Allen Business Centre), 140 (Lot 1R-1, Allen Business Centre), 141 (Lot 1R2, Block A, Watters Village), 143 (Lot 1, East Allen Place), 144 (Lot 4R, Block A, Allen Watters LP Addition), 145 (Lot 2A, Block B, Brookshires Addition), 147 (Lot 3, Block 1, Allen Tech Center Addition), 149 (Lot A-1, Block A, The Village at Allen), 150 (Lot 12, Block A, Greenville Center Addition), 153 (Lot 2, William F. Chester Addition), 154 (Lot 1R3, Block A, Watters Village), 157 (Lot 1R, Block A, The Reading Ranch Addition), 158 (Lot 1R, Block A, The Reading Ranch Addition), 159 (Lot 2, Block A, Greenwood Valley Commercial Addition), 160 (Lot 1A, Cottonwood Creek Village Shopping Center), 161 (Lot 1, William F. Chester Addition), 165 (Lot 5, Block A, Lyrick Addition), 166 (Lot 1, Block 3, Allen Tech Center Addition), 168 (Lot 6, Block 1, Allen Tech Center Addition), 169 (Lot 1, Block 1, Allen Church of Christ Addition), 170 (Lot 1, Block A, Legends at Twin Creeks Business Addition), 171 (Lot 1, Block A, Bethany Corner Addition), 172 (Lot 2A, Block B, Brookshires Addition), 174 (Lot 10, Block D, Bray Central One Addition), 177 (Lot 6, Greenway-Allen Retail Addition), 178 (Lot 2, Block A, Greenville Center Addition), 180 (Lot 7A-1, Block A, The Village at Allen); repeal Specific Use Permits No. 120 (Lot 3, Block A, McDermott Towne Crossing), 123 (Lot 1, Pebblebrook Village Phase I), 124 (Lot 1, Block A, Bethany Plaza Addition), 126 (Lot 5, Allen Towne Center), 132 (Lot 7, Block A, Custer/McDermott Addition), 133 (Lot 1, Block A, Allen Heights Shopping Center), 148 (Lot 1, Block A, Central PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA COMMUNICATION Allen Addition), 152 (Lot 1, Block A, Allen Business Center II), 162 (Lot 1, Pete Ford Medical Addition), 164 (Lot 6, Greenway-Allen Retail Addition), 173 (Lot 1A, Block A, Cottonwood Creek Village Phase 2), 175 (Lot 1, Block 2, Allen Premium Outlets), and 181 (Lot 1A, Block A, Eagle Landing Shopping Center); and amend and restate the development and use regulations of Specific Use Permit No. 142 (Lot 1, Block 1, Bethany Corner Addition). [Ownership Clause SUP]

Mr. Bechtluft, Planner, presented the item to the Commission and stated that staff recommends approval of the item.

2nd Vice-Chair Stocker opened the public hearing.

2nd Vice-Chair Stocker mentioned receipt of the following letters in support of the item:

- Haddon Winckler, 107 N. Greenville Avenue, Allen, TX
- Judy Matlock, 913 Charles River Court, Allen, TX

2nd Vice-Chair Stocker mentioned receipt of the following letters in opposition of the item:

- Bernadine Eberle, 706 S. Jupiter Road Suite 1709, Allen, TX
- Kelly Smith, 1304 Lighthouse Lane, Allen, TX
- Richard Doss, 2137 Chelsea Boulevard, Allen, TX
- Daniel Solcher, 904 Charles River Court, Allen, TX

2nd Vice-Chair Stocker closed the public hearing.

Motion: **Upon a motion by Commissioner Kathuria and a second by Commissioner Walker, the Commission voted 5 IN FAVOR and 0 OPPOSED to recommend approval to amend and restate, and revoke the applicable Specific Use Permit numbers, as presented, with the exception of SUP No. 125.**

The motion carried.

Chair Metevier returned to his seat at the dais.

4.2 ***The applicant has requested to postpone this item to the May 7, 2024, Planning and Zoning Commission meeting.*** Conduct a Public Hearing and consider a request to amend Planned Development No. 53 with a base zoning of Shopping Center, regulating the development and use of Lot 1R1-2, Block A, Kids R Kids Addition. [McDonalds]

Mr. Kurbansade, Director of Community Development, states the applicant's request to postpone the request to the May 7, 2024, Planning and Zoning Commission Meeting.

Chair Metevier opened the public hearing.

Chair Metevier mentioned receipt of the following letters in support of the item:

- Malak Stewart, 1223 N. Alma Drive, Allen, TX
- Ronald Carver, 1610 Pantego Lane, Allen, TX

Chair Metevier mentioned receipt of the following letters in opposition of the item:

- Joyce Hall, 1501 Terlingua Court, Allen, TX
- Dolores Glandt, 1007 Cross Plains Drive, Allen, TX
- Alexandira Muth, 1201 Comanche Drive, Allen, TX
- Patricia Conte, 1422 Cherokee Court, Allen, TX
- Jennifer DiSibio, 1010 Wimberly Court, Allen, TX
- Margaret Frantz, 1430 Cibolo Drive, Allen, TX
- Chris Galletti, 1316 Neches Drive, Allen, TX
- Jason Muth, 1201 Comanche Drive, Allen, TX
- Kacey Lomonico, 1311 Neches Drive, Allen, TX
- Stacy Lynch, 1432 Abilene Court, Allen, TX
- Steven McCord, 1300 Sunderland Court, Allen, TX
- Samir Patel, 1827 Palo Pinto Drive, Allen, TX
- Rebecca Shingler, 918 Glenrose Drive, Allen, TX
- Pat & Debra Bailey, 1307 Granger Drive, Allen, TX
- Moi, 619 Uvalde Court, Allen, TX
- Laura Ringrose, 910 Cross Plains Drive, Allen, TX
- John Frampton, 1232 Granger Drive, Allen, TX
- Bryan Burchfiel, 809 Twin Creeks Drive, Allen, TX
- Trish Garrett, 1209 Marble Falls Court, Allen, TX
- Adam Kaplan, 1410 Shetland Drive, Allen, TX
- Allen Cooper, 810 Buffalo Springs Drive, Allen, TX
- Alejandra Vilona
- Ali Demir, 1306 Kenshire Court, Allen, TX
- Annie Barr, 1109 Padre Circle, Allen, TX

- Brenda Brock, 803 Autumn Lake Drive, Allen, TX
- CeCe Weaver, 909 Cross Plains, Drive, Allen, TX
- Christina Paxton, 1116 Shadetree Lane, Allen, TX
- Donna Neal, 1412 Shetland Drive, Allen, TX
- Edith Sledge, 702 Bandera Drive, Allen, TX
- Erick & Lily Schmitt, 1204 Greenway Drive, Allen, TX
- Gerald & Patricia Mindt, 812 Buffalo Springs Drive, Allen, TX
- Greg & Judy Parks, 1430 Glendover Drive, Allen, TX
- Heather Begun, 1403 Luckenbach Drive, Allen, TX
- John Wang
- Kelli Sigler, 1307 Neches Drive, Allen, TX
- Kenneth Johnson, 1302 Sunderland Drive, Allen, TX
- Elizabeth Maldonado
- Kerry Craven, 1430 Comanche Drive, Allen, TX
- Mark Smith, 1303 Neches Drive, Allen, TX
- Elizabeth & Robert Hayes, 1509 Terlingua, Allen, TX
- Stacy McGee, 1424 Tartan Drive, Allen, TX
- Stephen Aman, 1220 Granger Drive, Allen, TX
- Susan Heidenreich, 502 Wills Point Court, Allen, TX
- Tim Webb, 600 Comanche Drive, Allen, TX
- Vicki Smith, 1303 Neches Drive, Allen, TX
- William Bright, 1705 Walnut Springs Drive, Allen, TX
- Alyssa Beckley
- Joanna DeVoto
- Adesanya Funsho, Glendover Park, Allen, TX
- Jeff Akgul, Allen, TX
- Judson & Kristen Arrington, 1228 Granger Drive, Allen, TX
- Nicole Black, 1013 Denali Drive, Allen, TX
- Jill Brumley, 1507 Terlingua Drive, Allen, TX
- Melissa Calvert, 1325 Woodmoor Drive, Allen, TX
- Michael Carver, 1818 Childress Drive, Allen, TX
- Daniel & Paulina Ceron
- Christina McMahan
- Steven Cortes & Luz Soto
- Savanah Cortes, Glendover Park, Allen, TX
- Betty & Clarence Dale, 1101 Copperas Cove Court, Allen, TX
- Shokoufeh Darvish, 1259 Alma Drive, Allen, TX
- Emily Leavitt, 1300 Kenshire Court, Allen, TX
- Amie Jennings, 1416 Greenwich Drive, Allen, TX
- Chris Kaseta, Lomond Court, Allen, TX
- Melanie Chan Ortiz, 1239 Alma Drive, Allen, TX
- Rafael Parker
- Vasanth Potturi, 1305 Lochness Drive, Allen, TX
- Maria Sandoval
- John Sell, 1414 Macrea Court, Allen, TX
- Gina Smith
- Spanish Schoolhouse Allen

- Jill Gentry, 1307 Kenshire Court, Allen, TX
- David DeVoto, 1604 Sul Ross Drive, Allen, TX

The following individuals registered their opposition but did not wish to speak on the item:

- Joyce Hall, 1501 Terlingua Court, Allen, TX
- Ronald Weaver, 909 Cross Plains Drive, Allen, TX
- Sarah Hadley, 1302 Ballantrae Drive, Allen, TX
- James Hadley, 1302 Ballantrae Drive, Allen, TX
- Jeffery Fair, 1431 Luckenbach Drive, Allen, TX
- Angela Haney, 1419 Tartan Drive, Allen, TX
- Dolores Glandt, 1007 Cross Plains Drive, Allen, TX
- Wendy McIntyre, 1578 Mahogany Drive, Allen, TX
- Saad Hamid, 1410 McKenzie Drive, Allen, TX
- Steven McCord, 1300 Sunderland Court, Allen, TX

The following individual registered their opposition and spoke on the item:

- Maida Asif, 1410 McKenzie Drive, Allen, TX
- Kirsten Fair, 1431 Luckenbach Drive, Allen, TX
- Liz Haddad, 1323 Marwood Drive, Allen, TX
- Greg Parks, 1430 Glendover Drive, Allen, TX
- John Broumley, 1501 Landsford Drive, Allen, TX
- Jennifer Broumley, 1501 Landsford Drive, Allen, TX
- CeCe Weaver, 909 Cross Plains Drive, Allen, TX
- Ryan Richardson, 1220 N. Alma Drive, Allen, TX
- Kelly Dills, 1232 Comanche Drive, Allen, TX
- Manuela Dobre, 1408 Lomond Court, Allen, TX
- Candice Sell, 1414 Macrae Court, Allen, TX
- Dolores Glandt, 1007 Cross Plains Drive, Allen, TX
- William Rollins, 1409 McKenzie Drive, Allen, TX
- Steve Aman, 1220 Granger Drive, Allen, TX
- Peggy Rock, 1431 Glendover Drive, Allen, TX
- Claudia Estudillo, 1320 Lochness Drive, Allen, TX
- Karen Rollins, 1409 McKenzie Drive, Allen, TX
- Fred Clinton Ralston, 1229 Edgewood Lane, Allen, TX
- Joel Hartleroad, 1317 Woodmoor Drive, Allen, TX

Chair Metevier closed the public hearing.

The Commission discussed the property's allowed uses and the postponement of the request.

Motion: **Upon a motion by 2nd Vice-Chair Stocker and a second by Commissioner Walker, the Commission voted 2 IN FAVOR and 4 OPPOSED by Commissioner Voss, Commissioner Walker, Commissioner Kathuria, and Commissioner Westgard to recommend approval of the request to postpone this item to the May 7, 2024, Planning and Zoning Commission Meeting at 7:00 p.m.**

The motion failed.

Motion: **Upon a motion by 2nd Vice-Chair Stocker and a second by Commissioner Walker, the Commission voted 5 IN FAVOR and 1 OPPOSED by Commissioner Kathuria to recess the meeting until 8:30 p.m.**

The motion carried.

The Commission reconvened at 8:30 p.m.

Mr. Kurbansade stated that during the recess the applicant formally withdrew the application, and no further action was necessary.

5. Executive Session. (As needed)

The executive session was not held.

6. Adjournment.

The meeting adjourned at 8:31 p.m.

These minutes were approved this 16th day of April 2024.

Dan Metevier, CHAIR

Kim Yockey, SENIOR PLANNER

PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA COMMUNICATION

AGENDA DATE:	April 16, 2024
AGENDA CAPTION:	Consider a request for a Replat of 63.505± acres of Lot 1R1, Block 1, Cyrus One Allen. [CyrusOne]
STAFF RESOURCE:	Kim Yockey, Senior Planner
BOARD/COMMISSION ACTION:	November 7, 2017 - Final Plat
PREVIOUS COUNCIL ACTION:	May 9, 2017 - Planned Development No. 128 - Approved - Ordinance No. 3468-5-17. November 28, 2023 - Planned Development No. 128A - Ordinance No. 4053-11-23.
STRATEGIC PLANNING GOAL:	Vibrant Community with Lively Destinations and Successful Commercial Centers.

BACKGROUND

The subject property is generally located 120 feet east of Chelsea Boulevard and north of Allen Commerce Parkway. The surrounding properties are zoned as follows:

- North (across Ridgeview Drive): Agricultural/Open Space and Planned Development No. 24 with a base zoning of Office/Light Industrial.
- East: Community Facilities and Planned Development No. 124 with a base zoning of Corridor Commercial (CC).
- South (across Allen Commerce Parkway): Planned Development No. 102 with a base zoning of CC.
- West: Planned Development No. 36 with a base zoning of Industrial Technology, Planned Development 128-A (PD-128A) with a base zoning of CC, and Planned Development No. 92 with a base zoning of Single Family Residential, R-7.

The subject property retains a zoning designation of PD-128A with a base zoning of CC. A Final Plat for the property was approved in November of 2017. A Site Plan Amendment was approved by the Technical Review Committee on January 17, 2024, for a second data center building.

The replat shows one lot with a total of 63.505± acres that is accessible from Ridgeview Drive, Allen Commerce Parkway, and Chelsea Boulevard. The replat is to add Fire Lane Access and Utility Easements to allow for the construction of the Data Center.

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

STAFF RECOMMENDATION

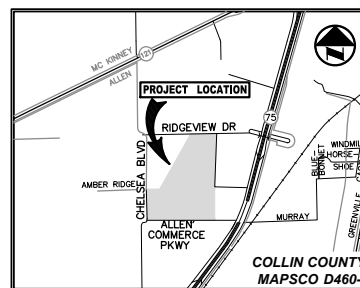
Staff recommends approval.

MOTION

I make a motion to approve the Replat for Cyrus One Allen, Lot 1R1, Block 1, as presented.

ATTACHMENT(S)

[Replat](#)



LEGEND

- IRF 5/8-INCH IRON ROD W/
"PACHICO KOCH" CAP FOUND
- 5/8IRF 5/8-INCH IRON ROD FOUND
- 1/2IRF 1/2-INCH IRON ROD FOUND
- (C.M.) CONTROLLING MONUMENT
- PROPERTY LINE
- EASEMENT LINE
- SETBACK LINE
- ABSTRACT LINE
- D.R.C.C.T. DEED RECORDS OF
COLLIN COUNTY, TEXAS
- O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS OF
COLLIN COUNTY, TEXAS
- P.R.C.C.T. PLAT RECORDS OF
COLLIN COUNTY, TEXAS

**LOT 1R1, BLOCK 1
CYRUS ONE ALLEN**

Westwood

Westwood Professional Services, Inc.

DRAWN BY GEB	CHECKED BY KCH	SCALE 1"=100'	DATE MARCH 2024	JOB NUMBER R0040983.02
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TBPCLS. ENGINEERING FIRM NO. 11756
TBPCLS SURVEYING FIRM NO. 1007430

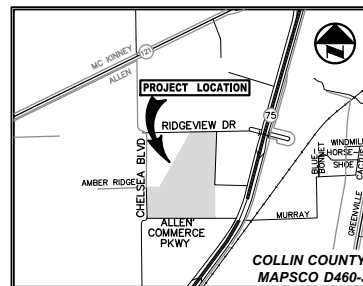
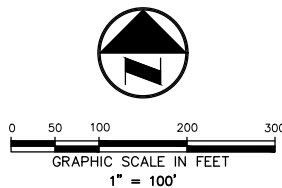
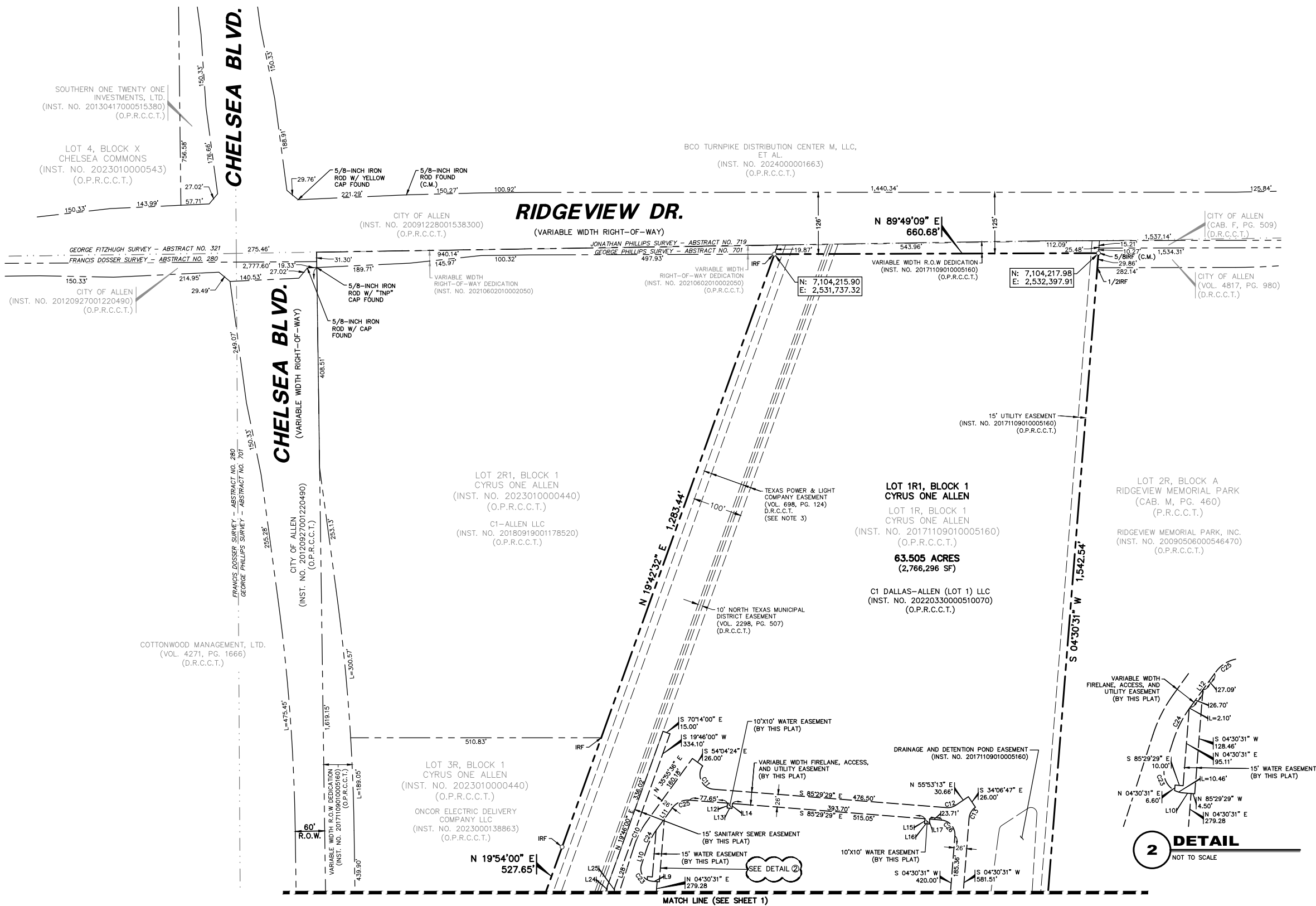
ENGINEER/SURVEYOR:
WESTWOOD PROFESSIONAL SERVICES, INC.
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231
ATTENTION: KYLE HARRIS, RPLS
TEL: (972) 235-3031

NOT TO SCALE

NOT TO SCALE

1. Bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Zone Central Zone 4202. Distances reported have been scaled by applying the Collin County Texas Department of Transportation surface adjustment factor of 1.000152710.
2. All coordinates shown are Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on grid coordinate values, no scale and no projection.
3. The rights and privileges for the 70 foot strip of land being 35 feet on each side of the centerline of the transmission line are hereby limited and restricted to a strip of land 70 feet in width, being 35 feet on each side of the centerline of the transmission line described in the aforesaid original easement. No other structures or other improvements other than trees less than 8 feet in height, that are erected on said 70 foot strip. Company should have the right to trim or cut down trees and shrubbery to the extents, in the sole judgement of the Company, necessary to prevent possible interference with the operations of the transmission line and to the extent necessary to construct, maintain, operate and repair the transmission line or all buildings, structures, or other obstructions which, in the sole judgement of the Company, may endanger or interfere with the efficiency, safety, or convenient operation of said line and its appurtenances.
4. The rights and privileges for the 100 foot strip of land being 50 feet on each side of the centerline of the transmission line are no buildings or other structures more than twenty (20) feet in height shall be erected on either side of the centerline of the fifty (50) foot strip, and no other structures, transmission line, nor shall any trees, other than fruit trees or shrubbery, not exceeding 15 feet in height, be permitted to grow outside said 70 foot strip within 50 feet of the centerline of said transmission line.
4. The purpose of this plot is dedicate easements across the site for development.

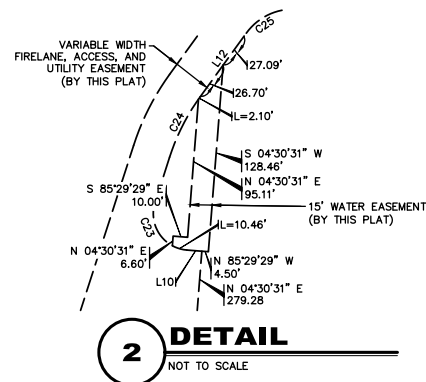
SEBEAS
5/22/2024 8:24 AM
C:\0040083 02\06 CAD\DWG\SIDNEY CTD\B0040083 02 BD DWG



VICINITY MAP
(NOT TO SCALE)

LEGEND

- IRF 5/8-INCH IRON ROD W/ "PACHECO KOCH" CAP FOUND
- 5/8IRF 5/8-INCH IRON ROD FOUND
- 1/2IRF 1/2-INCH IRON ROD FOUND
- (C.M.) CONTROLLING MONUMENT
- PROPERTY LINE
- - - EASEMENT LINE
- - - SETBACK LINE
- - - ABSTRACT LINE
- D.R.C.C.T. DEED RECORDS OF COLLIN COUNTY, TEXAS
- O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
- P.R.C.C.T. PLAT RECORDS OF COLLIN COUNTY, TEXAS



NOTES

- Bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202. Distances reported have been scaled by applying the Collin County Texas Department of Transportation surface adjustment factor of 1.000152710.
- All coordinates shown are Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on grid coordinate values, no scale and no projection.
- The rights and privileges for the 70 foot strip of land being 35 feet on each side of the centerline of the transmission line are hereby limited and restricted to a strip of land 70-feet in width, being 35 feet on each side of the centerline of the transmission line described in the aforesaid original easement. No buildings or other structures, other than fences less than eight (8) feet high, shall be erected on said 70 foot strip. Company should have the right to trim or cut down trees and shrubbery to the extent, in the sole judgement of the Company, necessary to prevent possible interference with the operations of said line or to remove possible hazard thereto, and the right to remove or prevent the construction of any or all buildings, structures, or other obstructions which, in the sole judgement of the Company, may endanger or interfere with the efficiency, safety, or convenient operation of said line and its appurtenances.
- The rights and privileges for the 100 foot strip of land being 50 feet on each side of the centerline of the transmission line are no buildings or other structures more than twenty (20) feet in height shall be erected outside of the 70 foot strip within the fifty (50) feet of the centerline of the said transmission line, nor shall any trees, other than fruit trees or shrubbery, not exceeding 15 feet in height, be permitted to grow outside said 70 foot strip within 50 feet of the centerline of said transmission line.
- The purpose of this plat is to dedicate easements across the site for development.

OWNER:
C1 DALLAS - ALLEN (LOT 1) LLC
2850 N HARWOOD ST, STE. 2200
DALLAS, TX 75201
ATTENTION: JOHN HATEM
TEL: (855) 564-3198

ENGINEER/SURVEYOR:
WESTWOOD PROFESSIONAL SERVICES, INC.
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231
ATTENTION: KYLE HARRIS, RPLS
TEL: (972) 235-3031

TBPELS. ENGINEERING FIRM NO. 11756
TBPELS SURVEYING FIRM NO. 10074301

SHEET 2 OF 3
REPLAT
**LOT 1R1, BLOCK 1
CYRUS ONE ALLEN**
BEING 63.505 ACRES
LOCATED IN THE CITY OF ALLEN, TEXAS
AND BEING OUT OF THE
GEORGE PHILLIPS SURVEY, ABSTRACT NO. 701,
COLLIN COUNTY, TEXAS

Westwood

Westwood Professional Services, Inc.

7557 RAMBLER ROAD SUITE 1400
DALLAS, TX 75231
972.235.3031

westwoodps.com

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
GEB	KCH	1"=100'	MARCH 2024	R0040983.02

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OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF COLLIN §

WHEREAS, C1 Dallas–Allen (Lot 1) LLC, is the owner of a 63.505 acre tract of land situated in the George Phillips Survey, Abstract No. 701, Collin County, Texas; said tract being all of Lot 1R, Block 1, Cyrus One Allen, an addition to the City of Allen, Texas according to the plat recorded in Instrument Number 20171109010005160 of the Official Public Records of Collin County, Texas; said tract also being all of that certain tract of land described in Special Warranty Deed to C1 Dallas–Allen (Lot 1) LLC, recorded in Instrument No. 20220330000510070 of the said Official Public Records; said 63.505 acre tract being more particularly described as follows:

BEGINNING, at a 1/2–inch iron rod found for corner in the east line of Lot 1R, Block B, North Allen Substation, an addition to the City of Allen, Texas according to the plat recorded in Cabinet 2008, Page 517 of the Plat Records of Collin County, Texas; said point being the northwest corner of Allen Commerce Parkway (a variable width right–of–way);

THENCE, North 00 degrees, 55 minutes, 44 seconds West, departing the said northwest corner of Allen Commerce Parkway and along the said east line of Lot 1R, Block B and the east line of Chelsea Boulevard (a variable width right–of–way), at a distance of 160.15 feet passing the northeast corner of said Lot 1R, Block B, continuing in all a total distance distance of 304.43 feet to a 3 1/4–inch aluminum disk stamped "ASM TEXAS" found for corner; said point being the beginning of a non–tangent curve to the left;

THENCE, continuing along the said east line of Chelsea Boulevard, the following two (2) calls:

In a northwesterly direction and along said curve to the left, having a central angle of 19 degrees, 14 minutes, 16 seconds, a radius of 1,074.50 feet, a chord bearing and distance of North 08 degrees, 41 minutes, 24 seconds East, 359.08 feet, an arc distance of 360.77 feet to a 3 1/4–inch aluminum disk stamped "ASM TEXAS" found for corner at the end of said curve;

North 00 degrees, 55 minutes, 44 seconds West, a distance of 256.10 feet to a 1/2–inch iron rod found for corner; said point being the southwest corner of Lot 3R, Block 1, Cyrus One Allen, an addition to the City of Allen, Texas according to the plat recorded in Instrument Number 2023010000440 of the said Official Public Records;

THENCE, departing the said east line of Chelsea Boulevard and along the south and east lines of said Lot 3R, Block 1 and Lot 2R1, Block 1 of said Cyrus One Allen (Instrument Number 2023010000440), the following three (3) calls:

North 89 degrees, 40 minutes, 24 seconds East; a distance of 236.82 feet to a 5/8–inch iron rod with "PACHECO KOCH" cap found for corner; said point being the southeast corner of said Lot 3R, Block 1;

North 19 degrees, 54 minutes, 00 seconds East, a distance of 527.65 feet to a 5/8–inch iron rod with "PACHECO KOCH" cap found for an angle point;

North 19 degrees, 42 minutes, 32 seconds East, a distance of 1,283.44 feet to a 5/8–inch iron rod with "PACHECO KOCH" cap found for corner in the south right–of–way line of Ridgeview Drive (a variable width right–of–way); said point being the northeast corner of said Lot 2R1, Block 1;

THENCE, North 89 degrees, 49 minutes, 09 seconds East, along the said south line of Ridgeview Drive, a distance of 660.68 feet to a 5/8–inch iron rod found for corner on the west line of that certain tract of land described in Donation of Right–of–Way Warranty Deed to the City of Allen, Texas recorded in Volume 4817, Page 980 of said Official Public Records;

THENCE, South 04 degrees, 30 minutes, 31 seconds West, departing the said south line of Ridgeview Drive and along the west line of the said City of Allen tract and the west line of Lot 2R, Block A, Ridgeview Memorial Park, an addition to the City of Allen, Texas according to the plat recorded in Cabinet M, Page 460 of the said Plat Records, at a distance of 29.86 feet passing a 1/2–inch iron rod found for the southwest corner of the said City of Allen tract and the northwest corner of said Lot 2R, Block A, continuing in all a total distance of 1,542.54 feet to a 1/2–inch iron rod found for the southwest corner of said Lot 2R, Block A and the northwest corner of Lot 1R, Block A, Allen Commerce Center Addition, an addition to the City of Allen, Texas according to the plat recorded in Instrument Number 20170127010000440 of the said Official Public Records;

THENCE, South 05 degrees, 14 minutes, 12 seconds West, along the west line of said Lot 1R, Block A, a distance of 1,082.54 feet to a 1/2–inch iron rod found for corner on the north line of said Allen Commerce Parkway; said point being the southwest corner of said Lot 1R, Block A;

THENCE, South 89 degrees, 40 minutes, 47 seconds West, along the said north line of Allen Commerce Parkway, a distance of 1,335.06 feet to the POINT OF BEGINNING;

CONTAINING: 2,766,296 square feet or 63.505 acres of land, more or less.

SURVEYOR'S STATEMENT

THAT I, Kyle Coleman Harris, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon shall be properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Allen, Texas.

Dated this the 22nd day of March, 2024.

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT. RELEASED 3/21/24.

Kyle Coleman Harris
Registered Professional Land Surveyor
No. 6266

STATE OF TEXAS §

COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Kyle Coleman Harris, 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 purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2024.

Notary Public in and for the State of Texas

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That C1 Dallas–Allen (Lot 1) LLC, through the undersigned authority, do hereby adopt this plat designating the described property as "LOT 1R1, BLOCK 1, CYRUS ONE ALLEN", an addition to the City of Allen, Texas, and does hereby dedicate to the public use forever the street 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 _____, 2024.

C1 Dallas–Allen (Lot 1) LLC, a Delaware limited liability company

BY: _____
NAME: John Hatem
TITLE: COO

STATE OF TEXAS §

COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared John Hatem, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2024.

Notary Public in and for the State of Texas

Witness my hand this ____ day of _____, 2024

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	025°11'41"	129.95'	57.15'	29.04'	N 77°49'29" E	56.69'
C2	023°07'27"	150.00'	60.54'	30.69"	N 78°51'36" E	60.13'
C3	004°36'35"	150.00'	12.07'	6.04'	N 69°36'10" E	12.07'
C4	006°06'39"	150.00'	16.00'	8.01'	S 74°57'47" W	15.99'
C5	014°01'11"	150.00'	36.70'	18.44"	N 85°01'43" E	36.61'
C6	087°31'38"	30.00'	45.83'	28.73'	N 48°16'20" E	41.50'
C7	090°00'00"	30.00'	47.12'	30.00'	N 40°29'29" W	42.43'
C8	055°16'14"	56.00'	54.02'	29.32'	N 57°51'22" W	51.95'
C9	048°02'17"	91.00'	76.30'	40.55'	N 06°12'06" W	74.08'
C10	018°06'34"	174.00'	55.00'	27.73'	N 26°52'19" E	54.77'
C11	121°25'05"	30.00'	63.57'	53.48"	S 24°46'56" E	52.33'
C12	038°37'18"	30.00'	20.22'	10.51'	N 75°11'52" E	19.84'
C13	051°22'42"	30.00'	26.90'	14.43'	S 30°11'52" W	26.01'
C14	090°00'00"	30.00'	47.12'	30.00'	N 40°29'29" W	42.43'
C15	090°00'00"	30.00'	47.12'	30.00'	S 49°30'31" W	42.43'
C16	089°16'19"	30.00'	46.74'	29.62'	S 40°07'38" E	42.16'
C17	090°00'00"	30.00'	47.12'	30.00'	S 49°30'31" W	42.43'
C18	055°16'14"	30.00'	28.94'	15.71'	N 57°51'22" W	27.83'
C19	048°02'17"	65.00'	54.50'	28.97'	N 06°12'06" W	52.92'
C20	077°33'47"	15.00'	20.31'	12.06"	N 56°36'15" E	18.80'
C21	090°00'00"	10.00'	15.71'	10.00'	S 40°29'29" E	14.14'
C22	090°00'00"	30.00'	47.12'	30.00'	N 40°29'29" W	42.43'
C23	103°18'31"	25.00'	45.08'	31.60"	N 33°50'13" W	39.21'
C24	018°06'34"	148.00'	46.78'	23.59"	N 26°52'19" E	46.58'
C25	058°34'55"	40.00'	40.90'	22.44"	N 65°13'04" E	39.14'
C26	090°00'00"	30.00'	47.12'	30.00'	S 40°29'29" E	42.43'
C27	090°00'00"	30.00'	47.12'	30.00'	S 49°30'31" W	42.43'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 04°30'31" E	29.21'
L2	N 85°29'29" W	9.27'
L3	S 04°30'31" W	30.02'
L4	S 84°45'48" E	26.67'
L5	N 85°29'29" W	9.27'
L6	N 04°30'31" E	10.00'
L7	N 85°29'29" W	10.00'
L8	S 04°30'31" W	10.00'
L9	N 85°29'29" W	10.35'
L10	N 17°49'02" E	32.71'
L11	N 35°55'36" E	53.79'
L12	S 04°30'31" W	10.00'
L13	S 85°29'29" E	10.00'
L14	N 04°30'31" E	10.00'
L15	S 04°30'31" W	10.00'
L16	S 85°29'29" E	10.00'
L17	N 04°30'31" E	10.00'
L18	N 85°29'29" W	10.00'
L19	S 04°30'31" W	10.00'
L20	S 85°29'29" E	10.00'
L21	N 04°30'31" E	10.00'
L22	N 85°29'29" W	10.00'
L23	S 04°30'31" W	10.00'
L24	N 05°14'21" E	418.05'
L25	S 05°14'21" W	410.59'
L26	N 17°49'02" E	315.43'
L27	N 17°49'02" E	212.53'
L28	N 17°49'02" E	315.43'

OWNER:
C1 DALLAS – ALLEN (LOT 1) LLC
2850 N HARWOOD ST, STE. 2200
DALLAS, TX 75201
ATTENTION: JOHN HATEM
TEL: (855) 564–3198

ENGINEER/SURVEYOR:
WESTWOOD PROFESSIONAL SERVICES, INC.
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231
ATTENTION: KYLE HARRIS, RPLS
TEL: (972) 235–3031

TBPELS. ENGINEERING FIRM NO. 11756
TBPELS SURVEYING FIRM NO. 10074301

SHEET 3 OF 3
REPLAT
LOT 1R1, BLOCK 1
CYRUS ONE ALLEN
BEING 63.505 ACRES
LOCATED IN THE CITY OF ALLEN, TEXAS
AND BEING OUT OF THE
GEORGE PHILLIPS SURVEY, ABSTRACT NO. 701,
COLLIN COUNTY, TEXAS

Westwood		7557 RAMBLER ROAD SUITE 1400 DALLAS, TX 75231 972.235.3031		westwoodps.com	
Westwood Professional Services, Inc.					
DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER	
GEB	KCH	N/A	MARCH 2024	R0040983.02	

REPLAT - LOT 1R1, BLOCK 1, CYRUS ONE ALLEN

PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA COMMUNICATION

AGENDA DATE:	April 16, 2024
AGENDA CAPTION:	Conduct a Public Hearing and consider a request to amend and restate Planned Development No. 3 with a base zoning of Light Industrial, regulating the development and use of Lot 1, Lot 2R, and Lot 3R, Block A, Allen Business Center II. [Tech Center]
STAFF RESOURCE:	Matt Bechtluft, Planner
BOARD/COMMISSION ACTION:	January 19, 2016 - Final Plat Approved September 18, 2018 - Replat Approved
PREVIOUS COUNCIL ACTION:	May 16, 1985 - Planned Development No. 3 - Approved - Ordinance No. 610-5-85 July 28, 2015 - Planned Development No. 3 - Approved - Ordinance No. 3318-7-15
STRATEGIC PLANNING GOAL:	Vibrant Community with Lively Destinations and Successful Commercial Centers.

BACKGROUND

The subject properties are generally located west of Greenville Avenue and approximately 600 feet north of the intersection of Greenville Avenue and Bethany Drive. The zoning designations of the surrounding properties are as follows:

- North: Planned Development No. 3 (PD-3) with a base zoning of Light Industrial (LI)
- East (across Greenville Avenue): Single-Family Residential R-5 and Planned Development No. 46 with a base zoning of Community Facilities
- South: PD-3 with a base zoning of Shopping Center (SC)
- West: PD-3 with a base zoning of SC

The subject properties retain a zoning designation of PD-3 with a base zoning of LI. The three properties contain a rectangular shaped building with four tenant lease spaces each, for a total of 12 spaces. Currently, the Allen Land Development Code (ALDC) allows one attached wall sign with a maximum copy area of five percent of the total façade area per façade. Thus, each building would be allowed a 395 square-foot sign on its longest façade and 124 square-foot sign on its shortest façade.

As a consequence of the limited number of permitted signs per façade, the applicant proposes each tenant lease space to be allowed to have an attached wall sign not to exceed 25 square-feet of copy area, provided the sign width is not more than 75% of the tenant wall area. Therefore, each building would be allowed to have, on its longest façade, four attached wall signs, for a total of 100 square-feet of copy area.

Staff has evaluated the request and is in support.

STAFF RECOMMENDATION

Staff recommends approval.

MOTION

I make a motion to recommend approval of the request to amend the development regulations of PD-3 with a base zoning of Light Industrial, as presented.

ATTACHMENT(S)

Draft Ordinance
Notification Map

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. 3 WITH A BASE ZONING OF LIGHT INDUSTRIAL “LI” RELATING TO THE DEVELOPMENT OF LOT 1, LOT 2R, AND LOT 3R, BLOCK A, ALLEN BUSINESS CENTER II, ADOPTED BY ORDINANCE NO. 3318-7-15; 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 regulations of Planned Development “PD” No. 3 with a base zoning of Light Industrial relating to the development and use of Lot 1, Lot 2R, and Lot 3R, Block A, Allen Business Center II, an addition to the City of Allen, Collin County, Texas, according to the plats thereof recorded in the Volume 2016, Page 49, Volume 2017, Page 501, and Volume 2018, Page 904, Map Records, Collin County, Texas, respectively, (“the Property”) by adopting development regulations pertaining to signage on 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 Development Regulations applicable to Planned Development “PD” No. 3 as applicable to the Property and as set forth in Ordinance 3318-7-15, as amended, except to the extent modified by the additional Development Regulations set forth below:

A. SIGNAGE: Attached wall signs shall be allowed for each tenant lease space on the Property subject to the following:

- (1) Attached wall signs must be located on an exterior wall that is part of the tenant lease space;
- (2) Attached wall signs must not exceed a copy area of 40 square feet;
- (3) Attached wall sign width is not more than 75% of the tenant wall area on which the sign is placed;
- (4) Only a single copy of an attached wall sign, per tenant space, shall be permitted in the truck loading area as shown on the Concept Plan; and

- (5) Attached wall signs shall not be permitted on the elevations directly facing Greenville Avenue (Southeastern elevation) and on the side opposite of Greenville Avenue (Northwestern elevation).

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 14TH DAY OF MAY 2024.

APPROVED:

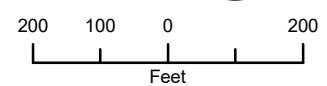
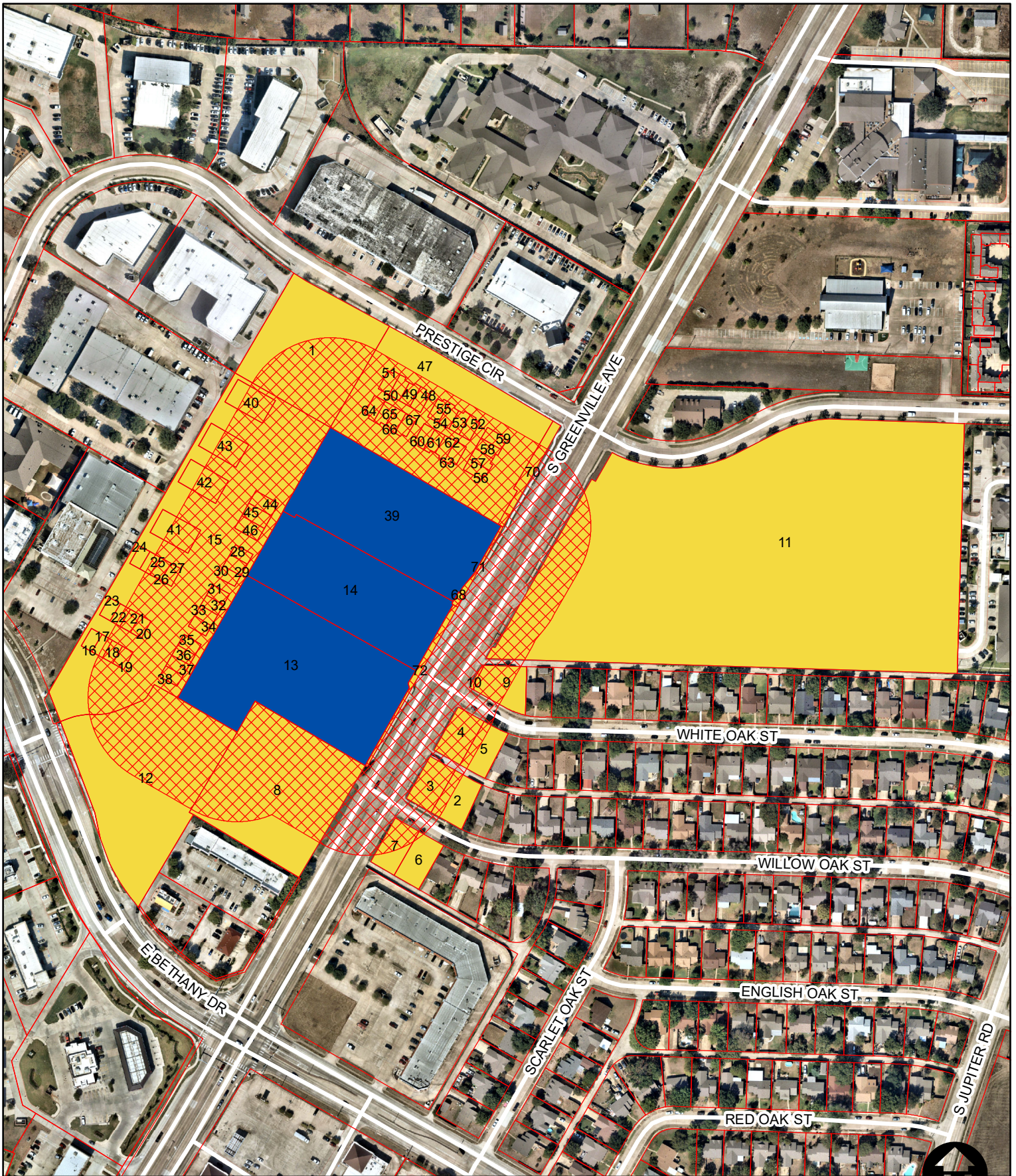
Baine L. Brooks, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY
(KRS-4/10-4860-9719-0578, v. 2)

Shelley B. George, TRMC, CITY SECRETARY



Tech Center
714, 716, 718 S Greenville ave

- Public Notification Map
- Subject Parcels
 - Collin CAD Parcels
 - Notification Properties
 - 200' Buffer

Note: This map is for illustrative purposes only please contact Community Development for more details 214-509-4160.

PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA COMMUNICATION

AGENDA DATE:	April 16, 2024
AGENDA CAPTION:	Conduct a Public Hearing and consider a City initiated request to amend the development regulations of Specific Use Permit No. 125 for a Fitness & Health Center use relating to the use of a building located on Lot 2, Greenway-Allen Retail Addition, commonly known as 605 West McDermott Drive. [SUP 125 - Ownership Clause]
STAFF RESOURCE:	Matt Bechtluft, Planner
BOARD/COMMISSION ACTION:	November 28, 1995 - Final Plat Approved May 19, 1999 - Replat Approved
PREVIOUS COUNCIL ACTION:	June 12, 2012 - Specific Use Permit No. 125 - Approved - Ordinance 3088-6-12
STRATEGIC PLANNING GOAL:	Vibrant Community with Lively Destinations and Successful Commercial Centers.

BACKGROUND

The subject property is generally located south of McDermott Drive and east of State Highway 75. The surrounding properties are zoned as follows:

- North (across McDermott Drive): Shopping Center (SC)
- East: SC
- South: SC
- West: SC

The subject property retains a zoning designation of SC and was granted Specific Use Permit (SUP) No. 125 in 2012 that allows the property to be used as a Fitness & Health Center use. Within this SUP, the Fitness & Health Center use is expressly limited to the owner/legal entity that was in control at the time of SUP approval.

In August 2021, City Council passed an ordinance creating a new policy direction for SUPs. Since then, SUPs are to be tied with the land, rather than a person and/or legal entity. Hence the City's initiative to amend SUP No. 125 to follow the new direction set forth by City Council in 2021.

STAFF RECOMMENDATION

Staff recommends approval.

MOTION

I make a motion to recommend approval of an ordinance to amend Specific Use Permit No. 125, as presented.

ATTACHMENT(S)

Draft Ordinance
Notification Map

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 SPECIFIC USE PERMIT NUMBERS 125 AS SET FORTH IN ORDINANCE NO. 3088-6-12 BY REPEALING THE LIMITATIONS OF SUCH SPECIFIC USE TO SPECIFIC PERSONS OR ENTITIES; PROVIDING 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 of the City of Allen, Texas 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 adopted, 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, Collin County, Texas, be amended, and is hereby further amended by amending Section 2 of Ordinance No. 3088-6-12 granting Specific Use Permit No. 125 for a Fitness & Health Center use by repealing and deleting Paragraph C.

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 23RD DAY OF APRIL 2024.

APPROVED:

Baine L. Brooks, MAYOR

APPROVED AS TO FORM:

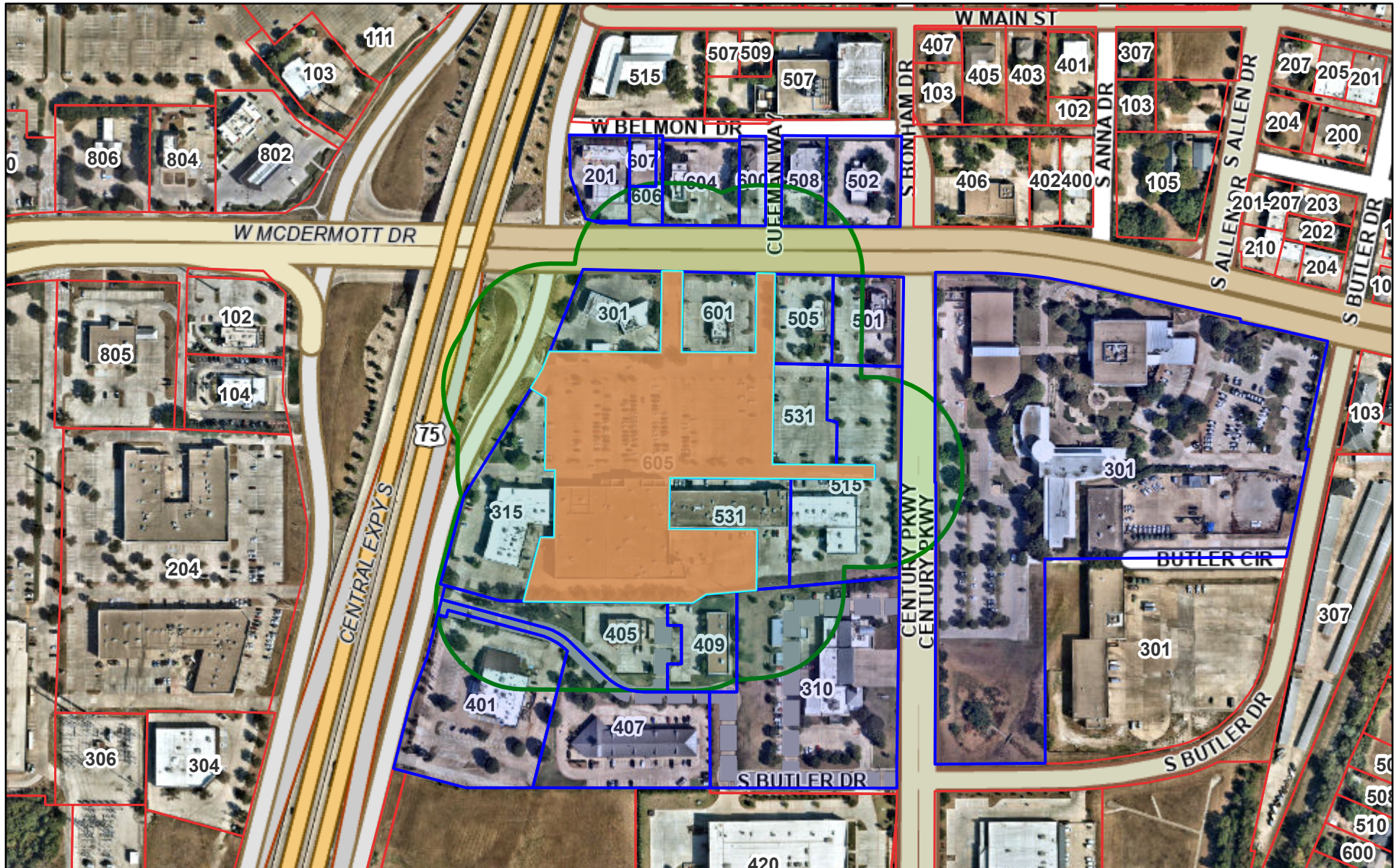
ATTEST:

Peter G. Smith, CITY ATTORNEY
(KRS:4/8/24:4887-3285-1637, v. 1)

Shelley B. George, TRMC, CITY SECRETARY

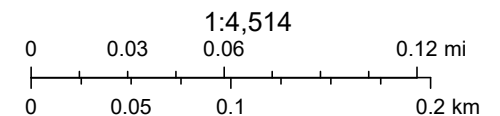
DRAFT

Public Notification for 605 W. McDermott Dr.



4/2/2024, 9:45:41 AM

- Collin County Appraisal District Parcels
- 200' Buffer
- Properties within 200'
- Subject Property



Esri Community Maps Contributors, City of Allen, City of Plano, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS | City of Allen Tx |