



**AGENDA
CITY OF ALLEN
PLANNING AND ZONING COMMISSION
REGULAR MEETING – 7:00 P.M.
TUESDAY, OCTOBER 16, 2012
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. Action taken on the Planning & Zoning Commission items by City Council at the October 9, 2012 regular meeting.

Election of Officers

2. Elect a Chair, Vice Chair and Second Vice Chair.

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. Approve minutes from the October 2, 2012 regular meeting.
4. Determine that no Update of Land Use Assumptions, Capital Improvements Plan, or Impact Fees is Needed.
5. Final Plat – Consider a request for a Final Plat for Starcreek Phase Six; being 39.376± acres located north of Stacy Road and east of Watters Road. (FP-9/12/12-64) [Starcreek Phase Six]

Regular Agenda

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, October 12, 2012, 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.

Director's Report from 10/9/12 City Council Meeting

There was one item taken to the October 9, 2012 City Council meeting for consideration:

- A request to change the zoning from Planned Development No. 106 for Shopping Center "SC" with a car wash use to Planned Development No. 106 for Shopping Center "SC" with a fueling station use, located north of Hedgcoxe Road and east of Custer Road, was approved.

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE:

October 16, 2012

Election of Officers – Elect a Chair, Vice Chair, and Second Vice Chair.

STAFF RESOURCE:

Ogden “Bo” Bass, AICP
Director of Community Development

PREVIOUS COMMISSION/COUNCIL ACTION:

None

BACKGROUND

The Commission should elect a Chair, Vice Chair, and Second Vice Chair.

STAFF RECOMMENDATION

Elect officers



**PLANNING AND ZONING
COMMISSION**

**Regular Meeting
October 2, 2012**

ATTENDANCE:

Commissioners Present:

Robert Wendland, Chairman
Jeff Cocking, 1st Vice Chair
Shirley Mangrum, 2nd Vice Chair
John Ogrizovich
Steven Platt, Jr.
Ben Trahan

City Staff Present:

Ogden "Bo" Bass, AICP, Director of Community Development
Chris Flanigan, PE, Director of Engineering
Shawn Poe, PE, Assistant Director of Engineering
Tiffany McLeod, Senior Planner
Shelby Griffin, Planner
Kevin Laughlin, City Attorney

Call to Order and Announce a Quorum is Present:

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

Director's Report

1. Action taken on the Planning & Zoning Commission items by City Council at the September 25, 2012 regular meeting.

Consent Agenda

2. Approve minutes from the September 18, 2012 regular meeting.
3. Final Plat – Consider a request for a Final Plat for Greenville Center Addition, Lot 11, Block A; being 0.9724± acres located south of Stacy Road and west of Greenville Avenue. (FP-9/17/12-65) [Christian Brother's Automotive]

Motion: Upon a motion by Commissioner Platt, and a second by Commissioner Ogrizovich, the Commission voted 6 IN FAVOR, and 0 OPPOSED to approve the Consent Agenda.

The motion carried.

Regular Agenda

Agenda Item #4 Consider a revision to an 8.934± acre portion of the General Development Plan for Kids R Kids; located north of Exchange Parkway and west of Alma Drive. (GDP-8/20/12-59) [Legacy ER]

Shelby Griffin, Planner, presented to the Commission. The property is located north of Exchange Parkway and west of Alma Drive and is currently zoned Planned Development No. 53 with a base zoning of Shopping Center “SC”.

Ms. Griffin stated the purpose of a General Development Plan (GDP). She explained the revisions being made to the existing GDP for the site. The existing Lot 1 is being divided into three lots and there are also slight modifications to the layout of the buildings. She reminded the Commission that all of the parking, setback, and use regulations for the site are consistent with the Allen Land Development Code (ALDC) and Planned Development No. 53.

The revised GDP has been reviewed by the Technical Review Committee and meets the standards of the ALDC and Planned Development No. 53.

Motion: Upon a motion by Commissioner Trahan, and a second by Commissioner Platt, the Commission voted 6 IN FAVOR, and 0 OPPOSED to approve the revision to an 8.934± acre portion of the General Development Plan for Kids R Kids; located north of Exchange Parkway and west of Alma Drive.

The motion carried.

Adjournment

Upon acclamation, the meeting adjourned at 7:10 p.m.

These minutes approved this _____ day of _____ 2012.

Robert Wendland, Chairman

Shelby Griffin, Planner

Director's Report from 9/25/12 City Council Meeting

There were no items taken to the September 25, 2012 City Council meeting for consideration.

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE:	October 16, 2012
SUBJECT:	Determine that no Update of Land Use Assumptions, Capital Improvements Plan, or Impact Fees is Needed.
STAFF RESOURCE:	Chris Flanigan, PE, Director of Engineering Ogden “Bo” Bass, AICP, Director of Community Development
PREVIOUS COMMISSION/COUNCIL ACTION:	<p>A study by Birkhoff, Hendricks, and Conway, L.L.P. Consulting Engineers was performed in May 2002 for the period 2002-2012.</p> <p>On September 25, 2007, City Council approved maintaining the current Impact Fee Schedule.</p> <p>On October 9, 2012, City Council approved maintaining the current Impact Fee Schedule.</p>

BACKGROUND

The Planning & Zoning Commission acts as the capital improvements advisory committee relating to impact fees per Chapter 395 of the Texas Local Government Code. In this role the Commission provides comments on any proposed changes to impact fees, or amendments to the associated land use assumptions and capital improvements plan.

Collection of impact fees has been a proven funding mechanism in the City of Allen to offset and recoup costs for capital improvements or facility expansions necessitated by and attributed to new development. The concept is such that each development pays an equitable and commensurate share for its “impact” onto the transportation and utility network, as the community grows. As a result, there are water impact fees, wastewater impact fees, and transportation impact fees that are collected and used for specific capital improvements.

The amount of the proportionate fee for each development and use is determined by a detailed study (city-wide), which makes assumptions about future land use and infrastructure (capital improvements) needed over time. Such a study is required by Chapter 395 of the Texas Local Government Code, in order to legitimize the impact fee structure that the city implements. Furthermore, the code requires that the city re-examine this structure every five years, and revise if necessary. There is a provision in the code allowing for a determination that no change is necessary.

At this point in time, staff believes that the current impact fee structure is appropriate, as there is no need for revision to the capital improvement plan or land use assumptions. Following adoption of a resolution to this effect by the City Council, notice of this determination will be published in the Allen American and establish a public comment period for 60 days. If, at the conclusion of the 60-day notice period, there are no written comments for revision to the impact fee assumptions, the current fee structure will remain in effect, until such time as revision is necessary (or another five years, whichever occurs first). On October 9, 2012, City Council adopted a resolution to maintain the current Impact Fee Schedule, establishing a public comment period that will expire on December 24, 2012. If no comment or objection is received during that time, no further action by the city is required.

STAFF RECOMMENDATION

Staff recommends that the Commission determine that no update to the land use assumptions, CIP, or impact fee structure is needed.

RECOMMENDED MOTION

I make a motion to determine that no update to the land use assumptions, CIP, or impact fee structure is needed.

ATTACHMENTS

Resolution

RESOLUTION NO. 3113-10-12(R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, MAKING THE DETERMINATION THAT NO UPDATE OF THE CITY'S LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLAN, OR IMPACT FEES IS NEEDED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Allen has previously adopted land use assumptions and capital improvements plan and, imposes impact fees based on said assumptions and plan, in accordance Chapter 395 of the Texas Local Government Code, as amended, pursuant to a study prepared by Birkhoff, Hendricks, and Conway, L.L.P. Consulting Engineers in May 2002 for the period 2002-2012 ("the 2002 Impact Fee Study"); and,

WHEREAS, Texas Local Government Code §395.052 requires that a city imposing an impact fee update its land use assumptions and capital improvement plan at least every five years unless, pursuant to the procedures set forth in Texas Local Government Code §395.0575, the city council determines that no such updates are necessary; and,

WHEREAS, on September 25, 2007, the City Council reviewed the 2002 Impact Fee Study and determined at that time it was not necessary to update the land use assumptions, capital improvements plan, and impact fees; and,

WHEREAS, City staff has reviewed the land use assumptions, capital improvements plan, and impact fees previously adopted as a result of the 2002 Impact Fee Study and recommends that no updates are necessary at this time; and,

WHEREAS, the City Council of the City of Allen, Texas, concurs in the foregoing recommendation.

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

SECTION 1. Pursuant to Texas Local Government Code §395.0575(a), the City Council finds and determines that no change is necessary to the land use assumptions, capital improvements plan, or impact fees previously adopted in accordance with the 2002 Impact Fee Study.

SECTION 2. This Resolution shall take effect immediately upon approval, and it is accordingly so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 9TH DAY OF OCTOBER, 2012.

APPROVED:



Stephen Ferrell, MAYOR

ATTEST:



Shelley B. George, CITY SECRETARY

(KBL:9/27/12:57473)

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: October 16, 2012

SUBJECT: Final Plat – Consider a request for a Final Plat for Starcreek Phase Six; being 39.376± acres located north of Stacy Road and east of Watters Road. (FP-9/12/12-64) [Starcreek Phase Six]

STAFF RESOURCE: Shelby Griffin
Planner

PREVIOUS COMMISSION/COUNCIL ACTION: Zoning approved – March, 2004
Preliminary Plat approved – November, 2004

BACKGROUND

The property is located north of Stacy Road and east of Watters Road. The property to the north is zoned for Agriculture-Open Space “AO” use. The property to the east is zoned Planned Development No. 92 for Single Family Residential “R-7” use. The property to the south is zoned Planned Development No. 92 for Single Family Residential “R-5” and “R-3.” The property to the east is zoned Community Facilities “CF.”

The Final Plat is approximately 39.376± acres and 107 residential lots and three open space lots. There are two access points to the site. One access point is provided for by traveling through Starcreek Four using Sweetwater Lane. The second access point is provided for by traveling through Starcreek Phase Five on Waterrock Drive.

Approximately 6.58± acres of land (Lots 3X and 5X) will be dedicated to the City of Allen for drainage and recreation purposes.

The Final Plat is consistent with the approved Preliminary Plat and has been reviewed by the Technical Review Committee and meets the standards of the ALDC.

STAFF RECOMMENDATION

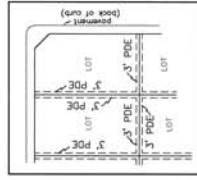
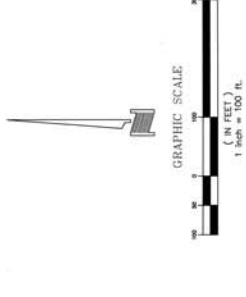
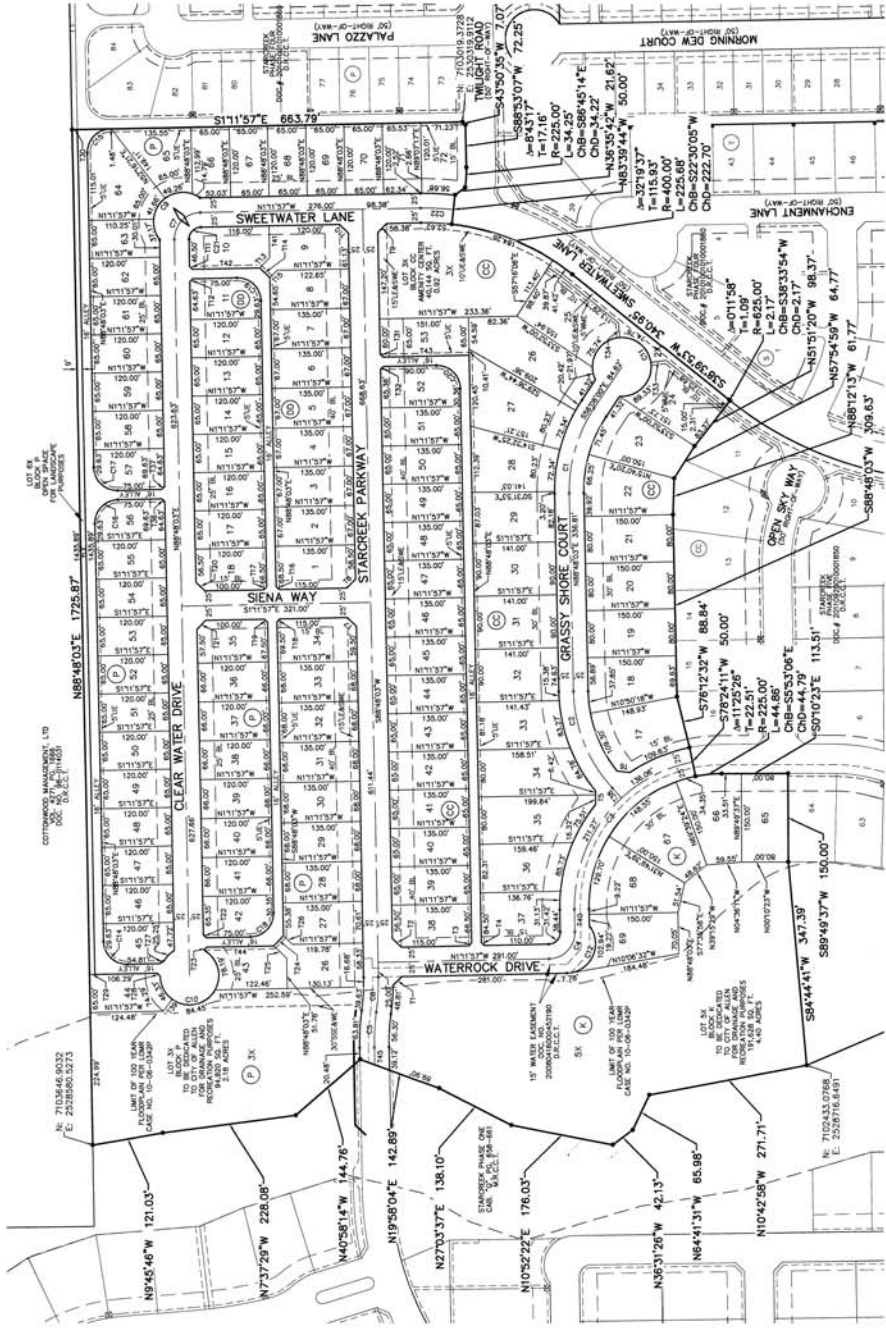
Approval

RECOMMENDED MOTION

I make a motion to approve the Final Plat for Starcreek Phase Six.

ATTACHMENTS

Final Plat



PLAT NOTES:

1. ALL LOTS CORNERS SHALL BE MARKED WITH A 1/2" IRON ROD.
2. ALL LOT CORNERS ARE TO BE MARKED WITH A 1/2" IRON ROD.
3. ALL LOTS SET IN CONCRETE STREET PAVING AT ALL.
4. LOTS 1-100 SHALL BE CONCRETE STREET PAVING AT ALL.
5. LOTS 1-100 SHALL BE CONCRETE STREET PAVING AT ALL.
6. LOTS 1-100 SHALL BE CONCRETE STREET PAVING AT ALL.
7. LOTS 1-100 SHALL BE CONCRETE STREET PAVING AT ALL.
8. LOTS 1-100 SHALL BE CONCRETE STREET PAVING AT ALL.
9. LOTS 1-100 SHALL BE CONCRETE STREET PAVING AT ALL.
10. LOTS 1-100 SHALL BE CONCRETE STREET PAVING AT ALL.

107 RESIDENTIAL LOTS
3 OPEN SPACE LOTS
2 CITY LOTS

FINAL PLAT
STARCREEK PHASE SIX

AN ADDITION TO THE CITY OF ALLEN
 FRANCES DOSSER SURVEY - ABSTRACT NO. 280
 COLLIN COUNTY, TEXAS

AUGUST 2012 SCALE: 1"=100'

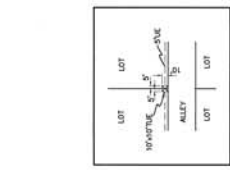
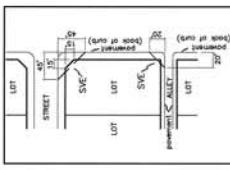
OWNER
BLUE STAR ALLEN LAND, L.P.
 8600 WREN PARKWAY, BUILDING SUITE 100
 FROST, TEXAS 75034

ENGINEER/SURVEYOR
DOWDEY ANDERSON & ASSOCIATES, INC.
 5221 Main Street, Suite 200, Allen, Texas 75015
 STATE REGISTRATION NUMBER: 1499

MINIMUM FINISH FLOOR ELEVATION

BLOCK #	LOT #	MIN. FF ELEV.
K	63	664.5
K	66	664.6
K	68	664.6
K	69	664.6
K	70	664.6
P	43	666.8
P	44	666.8
P	45	666.8

*SEE PLAT NOTE 6



LOT CURVE TABLE

CURVE DELTA	RADIUS	TANGENT LENGTH	CHORD
C9	183.74	143.87	143.87
C10	200.00	150.00	150.00
C11	200.00	150.00	150.00
C12	200.00	150.00	150.00
C13	200.00	150.00	150.00
C14	200.00	150.00	150.00
C15	200.00	150.00	150.00
C16	200.00	150.00	150.00
C17	200.00	150.00	150.00
C18	200.00	150.00	150.00
C19	200.00	150.00	150.00
C20	200.00	150.00	150.00
C21	200.00	150.00	150.00

ROADWAY CURVE TABLE

CURVE DELTA	RADIUS	TANGENT LENGTH	CHORD
C1	500.00	250.00	250.00
C2	500.00	250.00	250.00
C3	500.00	250.00	250.00
C4	500.00	250.00	250.00
C5	500.00	250.00	250.00
C6	500.00	250.00	250.00
C7	500.00	250.00	250.00
C8	500.00	250.00	250.00
C9	500.00	250.00	250.00
C10	500.00	250.00	250.00
C11	500.00	250.00	250.00
C12	500.00	250.00	250.00
C13	500.00	250.00	250.00
C14	500.00	250.00	250.00
C15	500.00	250.00	250.00
C16	500.00	250.00	250.00
C17	500.00	250.00	250.00
C18	500.00	250.00	250.00
C19	500.00	250.00	250.00
C20	500.00	250.00	250.00
C21	500.00	250.00	250.00
C22	500.00	250.00	250.00
C23	500.00	250.00	250.00
C24	500.00	250.00	250.00
C25	500.00	250.00	250.00
C26	500.00	250.00	250.00
C27	500.00	250.00	250.00
C28	500.00	250.00	250.00
C29	500.00	250.00	250.00
C30	500.00	250.00	250.00
C31	500.00	250.00	250.00
C32	500.00	250.00	250.00
C33	500.00	250.00	250.00
C34	500.00	250.00	250.00
C35	500.00	250.00	250.00
C36	500.00	250.00	250.00
C37	500.00	250.00	250.00
C38	500.00	250.00	250.00
C39	500.00	250.00	250.00
C40	500.00	250.00	250.00
C41	500.00	250.00	250.00
C42	500.00	250.00	250.00
C43	500.00	250.00	250.00
C44	500.00	250.00	250.00
C45	500.00	250.00	250.00
C46	500.00	250.00	250.00
C47	500.00	250.00	250.00
C48	500.00	250.00	250.00
C49	500.00	250.00	250.00
C50	500.00	250.00	250.00
C51	500.00	250.00	250.00
C52	500.00	250.00	250.00
C53	500.00	250.00	250.00
C54	500.00	250.00	250.00
C55	500.00	250.00	250.00
C56	500.00	250.00	250.00
C57	500.00	250.00	250.00
C58	500.00	250.00	250.00
C59	500.00	250.00	250.00
C60	500.00	250.00	250.00
C61	500.00	250.00	250.00
C62	500.00	250.00	250.00
C63	500.00	250.00	250.00
C64	500.00	250.00	250.00
C65	500.00	250.00	250.00
C66	500.00	250.00	250.00
C67	500.00	250.00	250.00
C68	500.00	250.00	250.00
C69	500.00	250.00	250.00
C70	500.00	250.00	250.00
C71	500.00	250.00	250.00
C72	500.00	250.00	250.00
C73	500.00	250.00	250.00
C74	500.00	250.00	250.00
C75	500.00	250.00	250.00
C76	500.00	250.00	250.00
C77	500.00	250.00	250.00
C78	500.00	250.00	250.00
C79	500.00	250.00	250.00
C80	500.00	250.00	250.00
C81	500.00	250.00	250.00
C82	500.00	250.00	250.00
C83	500.00	250.00	250.00
C84	500.00	250.00	250.00
C85	500.00	250.00	250.00
C86	500.00	250.00	250.00
C87	500.00	250.00	250.00
C88	500.00	250.00	250.00
C89	500.00	250.00	250.00
C90	500.00	250.00	250.00
C91	500.00	250.00	250.00
C92	500.00	250.00	250.00
C93	500.00	250.00	250.00
C94	500.00	250.00	250.00
C95	500.00	250.00	250.00
C96	500.00	250.00	250.00
C97	500.00	250.00	250.00
C98	500.00	250.00	250.00
C99	500.00	250.00	250.00
C100	500.00	250.00	250.00

ROADWAY LINE TABLE

LINE	BEARING	DISTANCE	POINT
1	N89°45'46" W	121.03	1
2	N73°29'29" W	228.08	2
3	N4°58'14" W	144.76	3
4	N19°58'04" E	142.89	4
5	N27°03'37" E	138.10	5
6	N10°52'22" E	176.03	6
7	N35°31'26" W	42.13	7
8	N84°41'31" W	85.98	8
9	N10°42'58" W	271.71	9
10	S84°44'41" W	347.39	10
11	S89°48'37" W	150.00	11

LEGEND:

- DR = DRAINAGE EASEMENT TO BE MAINTAINED BY THE HOMEOWNER
- SW = SIDEWALK EASEMENT TO BE MAINTAINED BY THE HOA
- SE = SIDEWALK EASEMENT TO BE MAINTAINED BY THE HOA
- DE = DRAINAGE EASEMENT
- UE = UTILITY EASEMENT
- WE = WATER EASEMENT
- BE = BUILDING EASEMENT
- HOA = HOMEOWNER'S ASSOCIATION
- DEED = DEED RECORDS, COLLIN COUNTY, TEXAS
- WARRANTY = 1/2" IRON ROD FOUND W/ YELLOW PLASTIC CAP
- STAMPED "DAA" (UNLESS NOTED OTHERWISE)
- 1/2" IRON ROD SET W/ YELLOW PLASTIC CAP STAMPED "DAA"
- 10" IRON ROD SET W/ UTILITY EASEMENT
- 10" IRON ROD SET W/ UTILITY EASEMENT

REVISED: OCTOBER 4, 2012

CABINET, OCTOBER 4, 2012

STATE OF TEXAS
COUNTY OF COLLIN

WHEREAS BLUE STAR ALLEN LAND, L.P., a Texas limited partnership is the owner of a tract of land situated in the FRANCES DOSSER SURVEY, ABSTRACT NO. 280, City of Allen, Collin County, Texas and being part of first tract of land described as Tract B in the plat recorded in Volume 2003, Page 317, Deed Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found in the south line of first tract of land described in Deed to Cottonwood Management, Ltd., as recorded in Volume 4271, Page 1666, Deed Records, Collin County, Texas according to the first tract recorded in Book 2003, Page 272, Map Records, Collin County, Texas;

THENCE Southwesterly, with the north line of said Addition, the following eight (8) courses and distances:

South 01 degrees 01 minutes 57 seconds East, bearing the above mentioned south line and with the west line of a 16 foot strip, a distance of 66.79 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for the north end of a corner clip at the intersection of said west line with the north line of Twilight Road, a 50 foot right-of-way;

South 43 degrees 50 minutes 30 seconds West, bearing said west line and with said corner clip, a distance of 7.07 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for the south end of said corner clip;

South 08 degrees 53 minutes 07 seconds West, leaving said corner clip and along the above mentioned north line of said Addition, a distance of 225.00 feet to the beginning of a curve to the right having a central angle of 08 degrees 43 minutes 17 seconds, a radius of 225.00 feet and a chord bearing and distance of North 88 degrees 49 minutes 14 seconds West, 34.22 feet;

Westerly, continuing with said north line and with said curve to the right, an arc distance of 31.29 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for the north end of a corner clip at the intersection of said north line with the east line of Bawlewater Lane, a 50 foot right-of-way;

North 36 degrees 35 minutes 42 seconds West, bearing said north line and with said corner clip, a distance of 21.62 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for the north end of said corner clip;

North 83 degrees 39 minutes 44 seconds West, leaving said corner clip, a distance of 50.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner in the west line of the above mentioned Bawlewater Lane, said corner being a 90 degree angle, a distance of 50.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner, a radius of 400.00 feet and a chord bearing and distance of South 22 degrees 30 minutes 05 seconds West, 222.70 feet;

Southwesterly, with said west line and said curve to the right, an arc distance of 225.08 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner;

South 38 degrees 39 minutes 33 seconds West, continuing with said west line, a distance of 340.80 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for the northeast corner of Lot 1X, Block K, of said STARCREEK PHASE FOUR Addition, a distance of 863.37 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner;

THENCE Westerly, with the north line of said STARCREEK PHASE FIVE Addition, the following ten (10) courses and distances:

North 51 degrees 31 minutes 20 seconds West, bearing the above mentioned north line of said STARCREEK PHASE FOUR Addition, a distance of 863.37 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner;

North 57 degrees 24 minutes 39 seconds West, a distance of 64.77 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner;

North 88 degrees 12 minutes 13 seconds West, a distance of 61.77 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner;

South 88 degrees 48 minutes 03 seconds West, a distance of 309.63 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner;

South 78 degrees 12 minutes 32 seconds West, a distance of 88.84 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found in the east line of Waterbrook Drive, a 50 foot right-of-way, for the northeast corner of Lot 16, Block CC of the above mentioned STARCREEK PHASE FIVE Addition;

South 78 degrees 24 minutes 11 seconds West, bearing said east line, a distance of 50.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner in the west line of said Waterbrook Drive, said point being at the beginning of a non-tangent curve to the right having a central angle of 11 degrees 25 minutes 28 seconds, a radius of 225.00 feet and a chord bearing and distance of South 10 degrees 45 minutes 16 seconds West, 44.79 feet;

Southerly, with said west line and said curve to the right, an arc distance of 44.86 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner;

South 00 degrees 10 minutes 23 seconds East, continuing with said west line, a distance of 113.31 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for the northeast corner of Lot 84, Block K, of said STARCREEK PHASE FIVE Addition;

South 88 degrees 48 minutes 37 seconds West, bearing said west line, a distance of 150.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner in the common northwest corner of said Lot 84 and northeast corner of said Lot 4A, Block K of said STARCREEK PHASE FIVE Addition;

South 84 degrees 44 minutes 41 seconds West, a distance of 340.38 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found in the east line of Lot 2X, Block K of said STARCREEK PHASE ONE Addition to the City of Allen, Collin County, Texas according to the Plat thereof recorded in Cabinet 2008, Side 390, Map Records, Collin County, Texas for the northeast of said Lot 4A;

THENCE Northerly, with said east line, the following six (6) courses and distances:

North 10 degrees 42 minutes 58 seconds West, bearing the above mentioned north line of said STARCREEK PHASE FIVE Addition, a distance of 271.71 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner;

North 84 degrees 41 minutes 31 seconds West, a distance of 65.98 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner;

North 36 degrees 31 minutes 26 seconds West, a distance of 42.33 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner;

North 10 degrees 52 minutes 22 seconds East, a distance of 176.03 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner;

North 27 degrees 03 minutes 37 seconds East, a distance of 138.10 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner;

North 19 degrees 59 minutes 04 seconds East, a distance of 142.89 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found in the north line of Starcreek Parkway, a 50 foot right-of-way, for the southeast corner of Lot 2X, Block P of STARCREEK PHASE TWO, an Addition to the City of Allen, Collin County, Texas according to the Plat thereof recorded in Cabinet 2007, Side 250, Map Records, Collin County, Texas;

THENCE North 40 degrees 58 minutes 14 seconds West, leaving the above mentioned east line of Lot 2X, Block Y, and with the east line of said Lot 2X, Block P, a distance of 144.76 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner;

THENCE North 07 degrees 37 minutes 29 seconds West, continuing with said east line of Lot 2X, Block P, a distance of 228.08 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner in the above mentioned south line of said Cottonwood Management, Ltd. tract;

THENCE North 88 degrees 48 minutes 03 seconds East, leaving said east line of Lot 2X, Block P and with said south line, a distance of 1,725.87 feet to the POINT OF BEGINNING and containing 39,376 acres of land, more or less.

KNOW ALL MEN BY THESE PRESENTS:

THAT, BLUE STAR ALLEN LAND, L.P., a Texas limited partnership, through the undersigned authority, does hereby adopt this plat, and the same shall be a part of the public record of the City of Allen, Texas, and does hereby dedicate the easement, strip shown on the plat, for the use and accommodation of all public utilities desiring to use, or using same. No building, fence, or other structure shall be erected on the easement, strip shown on the plat, and any public utility shall have the right to remove and keep removed all or part of any building, fence, trees, shrubs, or other structure on the easement, strip shown on the plat, 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, inspection, maintenance, or removal of all or part of its respective system without the necessity of any type of procuring the permission of anyone.

This plat is approved subject to all existing ordinances, rules, regulations, and resolutions of the City of Allen, Texas.

WITNESS MY HAND this _____ day of _____, 2012.

BLUE STAR ALLEN LAND, L.P.

A Texas limited partnership
By: Blue Star Investments, Inc.
a Texas corporation
Its General Partner

Name: Joe Hickman

Title: Vice President

STATE OF TEXAS

COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this day personally appeared Joe Hickman, Vice President of Blue Star Investments, Inc., a Texas corporation, known to me to be the person or officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed, in the act and deed of Blue Star Allen Land L.P., a Texas limited partnership, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2012.

Notary Public in and for the State of Texas

SURVEYORS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, SEAN PATTON, 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 City of Allen, Texas.

SEAN PATTON, Professional Land Surveyor
State of Texas License #6660

STATE OF TEXAS

COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared SEAN PATTON, a Texas citizen, known to me to be the person or officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2012.

Notary Public in and for the State of Texas

APPROVED

ATTEST

Secretary, Planning and Zoning Commission

Date

EXCUTED PRO-FORMA

Date

Mayer, City of Allen

The undersigned, the City Secretary of the City of Allen, Texas hereby certifies that the foregoing Final Plat of STARCREEK PHASE 5A, as indicated on the plat, was duly adopted by the Planning and Zoning Commission and approved by it on _____ day of _____, 2012.

City of Secretary, City of Allen

107 RESIDENTIAL LOTS
3 OPEN SPACE LOTS
2 CITY LOTS

112 LOTS ~ 39,376 ACRES
FINAL PLAT
STARCREEK
PHASE SIX

AN ADDITION TO THE CITY OF ALLEN
FRANCES DOSSER SURVEY ~ ABSTRACT NO. 280
COLLIN COUNTY, TEXAS
AUGUST 2012

OWNER
BLUE STAR ALLEN LAND, L.P.
8000 WINDYBARKWAY, SUITE 100
FRISCO, TEXAS 75034
972-667-1886

ENGINEER/SURVEYOR
DOWDREY ANDERSON & ASSOCIATES, INC.
5221 Maple Grove, Suite 200, P.O. Box 1295
FRISCO, TEXAS 75034
STATE REGISTRATION NUMBER 1599

CABINET, OCTOBER 4, 2012

SCALE: 1"=100'