

Zoning Case 2020-010

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone and amend Planned Development-489-Multifamily Residence-1 on 36.5 acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located on the north side of Legacy Drive, 1,168 feet east of Alma Drive, in the City of Plano, Collin County, Texas, from Planned Development-489-Multifamily Residence-1 to Planned Development-489-Multifamily Residence-2; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 9th day of November 2020, for the purpose of considering rezoning and amending Planned Development-489-Multifamily Residence-1 on 36.5 acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located on the north side of Legacy Drive, 1,168 feet east of Alma Drive, in the City of Plano, Collin County, Texas, from Planned Development-489-Multifamily Residence-1 to Planned Development-489-Multifamily Residence-2; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 9th day of November 2020; and

WHEREAS, the City Council is of the opinion and finds that such rezoning would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to rezone and amend Planned Development-489-Multifamily Residence-1 on 36.5 acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located on the north side of Legacy Drive, 1,168 feet east of Alma Drive, in the City of Plano, Collin County, Texas, from Planned Development-489-Multifamily Residence-1 to Planned Development-489-Multifamily Residence-2, said property being described in the legal description on Exhibit A attached hereto.

Section II. The change granted in Section I is granted subject to the following:

Restrictions:

Development within the PD-489-MF-2 District will conform to the Multifamily Residence-2 District (MF-2) except as provided herein:

1. The total number of dwelling units will not exceed 470.
2. Minimum setbacks for one and two-story buildings are:
 - a. Front yard 25 feet
 - b. Side yard 50 feet
 - c. Rear yard 50 feet
3. Three-story buildings are allowed provided they do not exceed 45 feet in height as measured from the average grade plain and are located more than 200 feet from a single-family zoning district boundary.
4. A minimum 25-foot wide landscape edge will run adjacent to the Legacy Drive right-of-way.
 - a. All reasonable effort will be taken to protect and preserve existing healthy trees and tall ornamental trees and shrubs in this area.
 - b. Not fewer than 48 (1 tree per 30 linear feet of landscaped frontage) existing and proposed trees will be in or within 15 feet of the landscaped edge, all of which must be a minimum 4-inch caliper and 20% must be 6-inch caliper or greater.
 - c. A 6-foot tall combined masonry wall and decorative metal fence will be along or within the landscaped edge and may include where feasible portions of the existing wall and fence.
5. Buildings located within 75 feet of Legacy Dr. will not exceed 30 feet in height above the top of the north curb of Legacy Dr.
6. Exterior building materials will conform to Section 23.200 of the Zoning Ordinance and development within this district will benefit from all associated incentives provided by the Zoning Ordinance.
7. Additional amenities will be constructed concurrent or prior to increasing the total number of multifamily units above 346, including:

- a. A 6-foot wide meandering pedestrian walk along the entire perimeter of the property adjacent to the golf course.
 - b. Clubhouse expansion of not less than 2,000 square feet.
 - c. An additional dog park.
- 8. The following parking regulations apply to units constructed following the approval of ZC2020-010:
 - a. Parking will be provided at one space per bedroom.
 - b. Tandem parking is permitted provided each pair of tandem spaces, as designated on the site plan, is assigned to a specific unit, at least one space of each pair is below an apartment building, and no tandem space is enclosed by a garage door or used for storage.

Section III. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

Section IV. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section V. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section VI. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section VIII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 9TH DAY OF NOVEMBER 2020.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

Zoning Case 2010-010

BEING a tract of land situated in the Daniel Rowlett Survey, Abstract No. 738, City of Plano, Collin County, Texas, and being all of Lot 1, Block A, Chase Oaks Apartments, and addition to the City of Plano as recorded in Cabinet K, Page 32, Plat Records of Collin County, Texas, also being the north half of Legacy Drive (a 11 O' R.O. W.) as recorded in Cabinet F, Page 29, Plat Records of Collin County, Texas;

BEGINNING an a 1" iron rod found, said point being the northwest corner of the aforementioned Lot 1, Block A, Chase Oaks Apartments;

THENCE S70°11'27"E, a distance of 548.91 feet to a point;

THENCE S46°37' 37"E, a distance of 91.72 feet to a point;

THENCE S84°19' 49"E, a distance of 92.00 feet to a point;

THENCE S54°05'05"E, a distance of 20.00 feet to a point;

THENCE S81°48'47"E, a distance of 98.00 feet to a point;

THENCE S85°30'00"E, a distance of 78.46 feet to a point;

THENCE N56°11 '47"E, a distance of 236.08 feet to a 1" iron found;

THENCE S80°51 '12"E, a distance of 73.30 feet to a 1" iron found;

THENCE S06°59' 59"W, a distance of 413.54 feet to a 1" iron found;

THENCE S05°22'41"E, a distance of 790.57 feet to a 1" iron found;

THENCE S49°30'00"E, a distance of 104.09 feet to a point;

THENCE S76°10'12"W, a distance of 81.66 feet to a 1/2" iron found;

THENCE S00°5'48"W, a distance of 273. 73 feet to a point in the centerline of the aforementioned Legacy Drive, said point being the beginning of a non-tangent curve to the right having a central angle of 01°42'18', a radius of 1000.00 feet, a tangent length of 14.88 feet, and a chord bearing N6T14'15"W, 29.76 feet;

THENCE in a northwesterly direction along said curve to the right, and with the centerline of Legacy Drive, an arc distance of 29. 76 feet to the end of said curve;

THENCE N66°23'06"W, with the centerline of Legacy Drive, a distance of 206.44 feet to the beginning of a curve to the right having a central angle of 06°48'11", a radius of 3350.00 feet, a tangent length of 199.12 feet, and a chord bearing N62°59'00"W, 397.53 feet;

THENCE in a northwesterly direction along said curve to the right, and with the centerline of Legacy Drive, an arc distance of 397. 76 feet to the end of said curve;

THENCE N59°34'55"W, with the centerline of Legacy Drive, a distance of 115.88 feet to the beginning of a curve to the left having a central angle of 28°23'33", a radius of 1200.00 feet, a tangent length of 303.56 feet, and a chord bearing N73°46'42"W, 588.59 feet;

THENCE in a northwesterly direction along said curve to the left, and with the centerline of Legacy Drive, an arc distance of 594.65 feet to the end of said curve;

THENCE N8T58'28"W, with the centerline of Legacy Drive, a distance of 90.09 feet to a point;

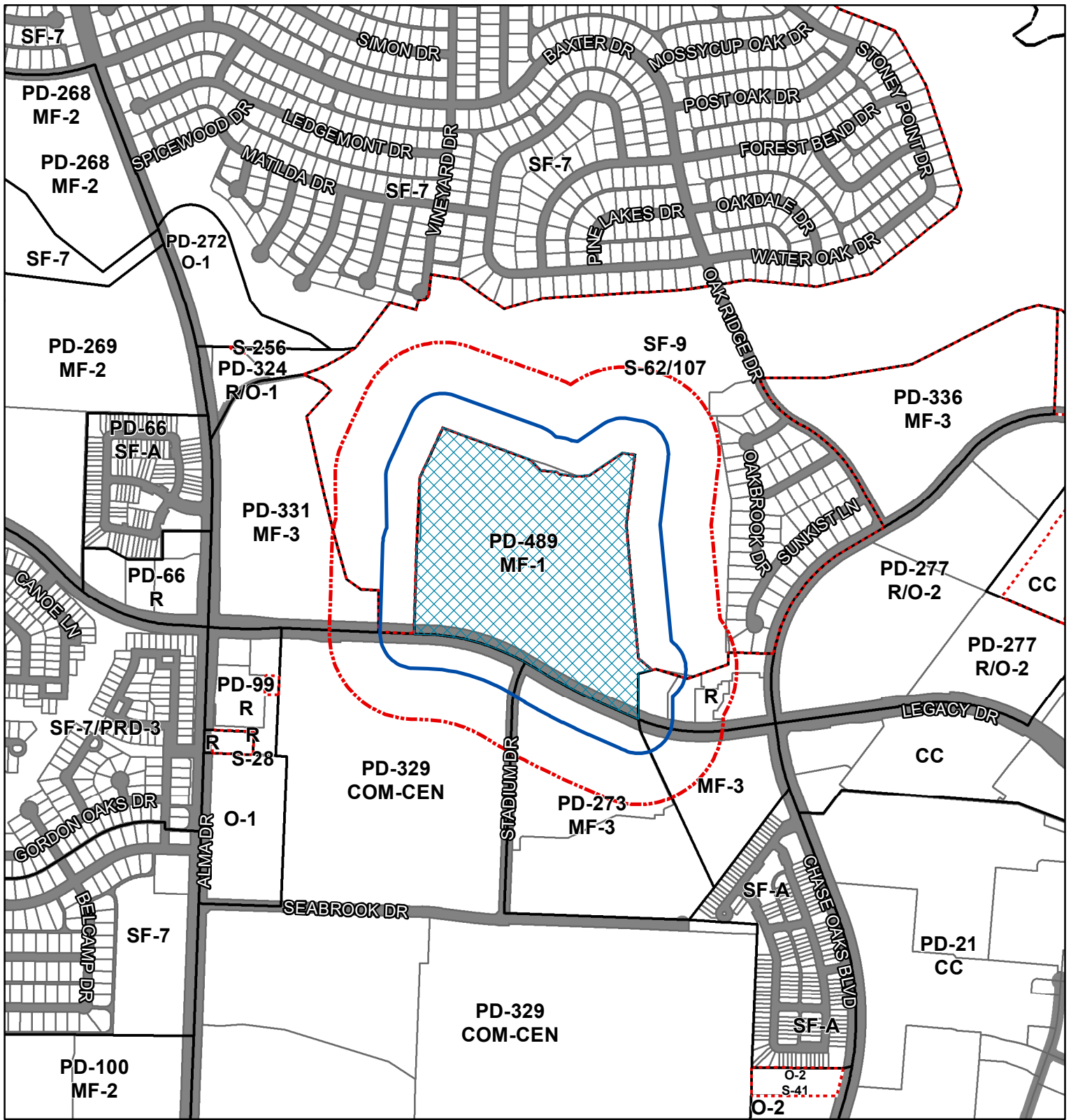
THENCE N01°42'52"E, leaving Legacy Drive, a distance of 530.00 feet to a point;

THENCE N46°42'52"E, a distance of 27.61 feet to a 1" iron found;

THENCE N02°40'25"E, a distance of 68.16 feet to a point;

THENCE N00°58'1 O"W, a distance of 307.38 feet to a 1" iron found for corner;

THENCE N24°45'00"E, a distance of 320.60 feet to the POINT OF BEGINNING and CONTAINING 1,589,079 square feet, or 36.480 acres of land.

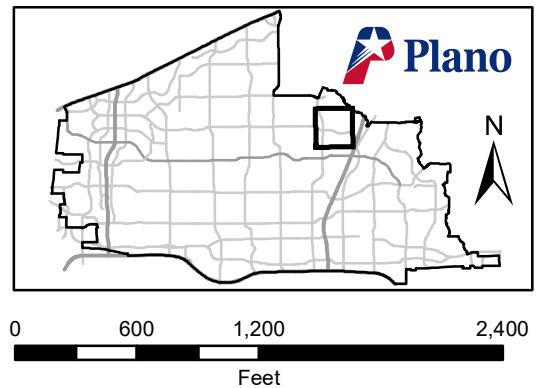


Zoning Case: ZC2020-010

Existing Zoning: Planned Development-489-Multifamily Residence-1

Proposed Zoning: Planned Development-489-Multifamily Residence-2

- 500' Courtesy Notification Buffer
- 200' Notification Buffer
- Subject Property
- Streets
- Zoning Boundary Change/SUP
- Specific Use Permit
- Municipal Boundaries
- Zoning Boundary



LEGAL DESCRIPTION

BEGIN a tract of land situated in the Daniel Rowlett Survey, Abstract No. 738, City of Plano, Collin County, Texas, and being all of Lot 1, Block A, Chase Oaks Apartments, and addition to the City of Plano as recorded in Cabinet K, Page 32, Plat Records of Collin County, Texas, also being the north half of Legacy Drive (a 110' R.O.W.) as recorded in Cabinet F, Page 29, Plat Records of Collin County, Texas;

BEGINNING as a 1" iron rod found, add point being the northwest corner of the aforementioned Lot 1, Block A, Chase Oaks Apartments;

THENCE S70°11'27"E, a distance of 548.91 feet to a point;

THENCE S46°37'37"E, a distance of 91.72 feet to a point;

THENCE S84°9'49"E, a distance of 92.00 feet to a point;

THENCE S54°05'05"E, a distance of 20.00 feet to a point;

THENCE S81°48'47"E, a distance of 98.00 feet to a point;

THENCE S85°30'00"E, a distance of 78.46 feet to a point;

THENCE N56°11'47"E, a distance of 236.08 feet to a 1" iron found;

THENCE S80°51'12"E, a distance of 73.30 feet to a 1" iron found;

THENCE S06°59'59"W, a distance of 413.54 feet to a 1" iron found;

THENCE S05°22'41"E, a distance of 790.57 feet to a 1" iron found;

THENCE S49°30'00"E, a distance of 104.09 feet to a point;

THENCE S76°10'12"W, a distance of 81.66 feet to a 1/2" iron found;

THENCE S00°05'48"W, a distance of 273.73 feet to a point in the centerline of the aforementioned Legacy Drive, add point being the beginning of a non-tangent curve to the right having a central angle of 01°42'18", a radius of 1000.00 feet, a tangent length of 14.88 feet, and a chord bearing N67°14'15"W, 29.76 feet;

THENCE in a northwesterly direction along said curve to the right, and with the centerline of Legacy Drive, an arc distance of 29.76 feet to the end of said curve;

THENCE N66°23'06"W, with the centerline of Legacy Drive, a distance of 206.44 feet to the beginning of a curve to the right having a central angle of 06°48'11", a radius of 3350.00 feet, a tangent length of 199.12 feet, and a chord bearing N62°59'00"W, 397.53 feet;

THENCE in a northwesterly direction along said curve to the right, and with the centerline of Legacy Drive, an arc distance of 397.76 feet to the end of said curve;

THENCE N59°34'55"W, with the centerline of Legacy Drive, a distance of 115.88 feet to the beginning of a curve to the left having a central angle of 28°23'33", a radius of 1200.00 feet, a tangent length of 303.56 feet, and a chord bearing N73°46'42"W, 588.59 feet;

THENCE in a northwesterly direction along said curve to the left, and with the centerline of Legacy Drive, an arc distance of 594.65 feet to the end of said curve;

THENCE N87°58'28"W, with the centerline of Legacy Drive, a distance of 90.09 feet to a point;

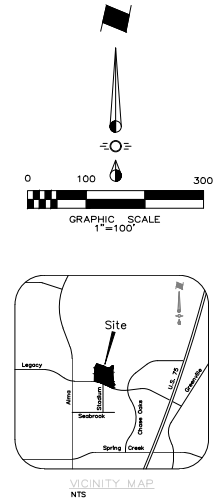
THENCE N01°42'52"E, leaving Legacy Drive, a distance of 530.00 feet to a point;

THENCE N46°42'52"E, a distance of 27.61 feet to a 1" iron found;

THENCE N02°40'25"E, a distance of 68.16 feet to a point;

THENCE N00°58'10"W, a distance of 307.38 feet to a 1" iron found for corner;

THENCE N24°45'00"E, a distance of 320.60 feet to the POINT OF BEGINNING and CONTAINING 1,589,079 square feet, or 36.480 acres of land.

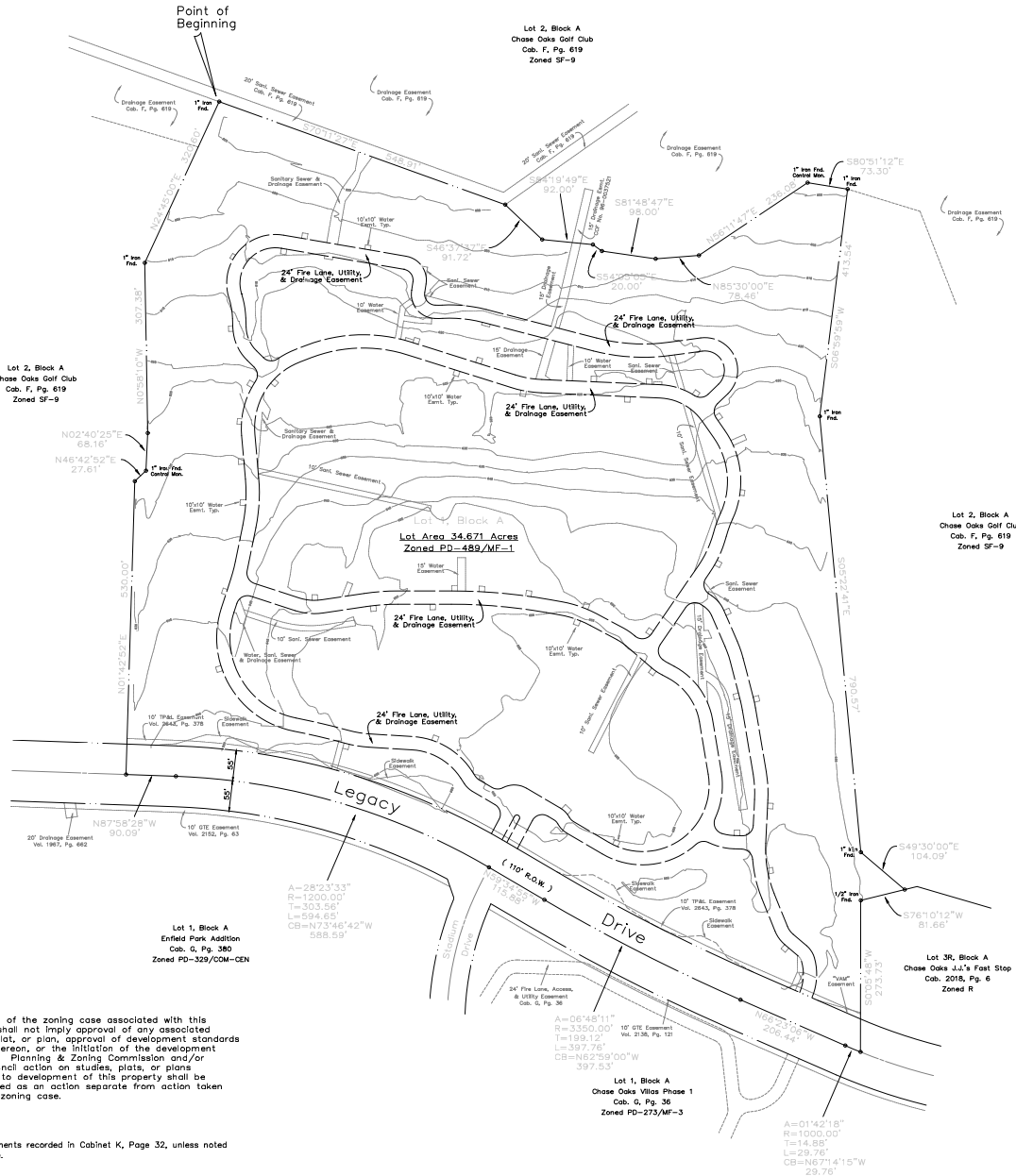


CITY PROJECT No. ZC2020-010
ZONING EXHIBIT
CHASE OAKS APARTMENTS
LOT 1, BLOCK A
Zoned PD-489/MF-1
36.480 Acres Situated In The
DANIEL ROWLETT SURVEY ~ ABST. 738
PLANO, COLLIN COUNTY, TEXAS

Owner
701 Legacy Drive LLC
Attn:
450 North Roxbury Drive, Suite 1050
Beverly Hills, California 90210
Telephone 310-651-2093

Engineer
RLK Engineering, Inc.
Texas Registration No. 579
Attn: Seth Kelly
111 West Main Street
Allen, Texas 75013
Telephone 972 359-1733

Surveyor
Surdukan Surveying, Inc.
Attn: David Surdukan
P.O. Box 128
Anna, Texas 76809
Telephone 972 924-8200
April 21, 2020



NOTE:

Approval of the zoning case associated with this exhibit shall not imply approval of any associated studies, plat, or plan, approval of development standards shown hereon, or the initiation of the development process. Planning & Zoning Commission and/or City Council action on studies, plats, or plans relating to development of this property shall be considered as an action separate from action taken on this zoning case.

NOTE:

All easements recorded in Cabinet K, Page 32, unless noted otherwise.