

Zoning Case 2020-026

An Ordinance of the City of Plano, Texas, repealing in its entirety Ordinance No. 97-10-26, thereby rescinding Specific Use Permit No. 335 and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 159 for Private School on 8.2 acres of land out of the Enoch Baccus Survey, Abstract No. 63, located at the southwest corner of Independence Parkway and Ridgeview Drive in the City of Plano, Collin County, Texas, presently zoned Planned Development-59-Single-Family Residence-6 and Single-Family Residence-7 with Specific Use Permit No. 335 for Day Care Center; 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 14th day of December 2020, for the purpose of considering repealing Ordinance No. 97-10-26, thereby rescinding Specific Use Permit No. 335 and amending the Comprehensive Zoning Ordinance of the city, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 159 for Private School on 8.2 acres of land out of the Enoch Baccus Survey, Abstract No. 63, located at the southwest corner of Independence Parkway and Ridgeview Drive in the City of Plano, Collin County, Texas, presently zoned Planned Development-59-Single-Family Residence-6 and Single-Family Residence-7 with Specific Use Permit No. 335 for Day Care Center; 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 14th day of December 2020; and

WHEREAS, the City Council is of the opinion and finds that the rescission of Specific Use Permit No. 335 and the granting of Specific Use Permit No. 159 for Private School on 8.2 acres of land out of the Enoch Baccus Survey, Abstract No. 63, located at the southwest corner of Independence Parkway and Ridgeview Drive in the City of Plano, Collin County, Texas, presently zoned Planned Development-59-Single-Family Residence-6 and Single-Family Residence-7 with Specific Use Permit No. 335 for Day Care Center on the aforesaid property will not be detrimental or injurious to the public health, safety and general welfare, or otherwise offensive to the neighborhood;

WHEREAS, the City Council is of the opinion and finds that such change 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. Ordinance No. 97-10-26 is hereby repealed in its entirety.

Section II. The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to grant Specific Use Permit No. 159 for Private School on 8.2 acres of land out of the Enoch Baccus Survey, Abstract No. 63, located at the southwest corner of Independence Parkway and Ridgeview Drive in the City of Plano, Collin County, Texas, presently zoned Planned Development-59-Single-Family Residence-6 and Single-Family Residence-7, said property being more fully described on Exhibit A attached hereto.

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

Restrictions:

1. Maximum number of students: 538 daily onsite, and 1,000 total enrollment.
2. Exterior lighting located within 200 feet of the western property line must not be visible from 9:00 p.m. until 6:00 a.m. unless directed downward.

Section IV. 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 V. 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 VI. The repeal of any ordinance or part of ordinances affectuated 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 VII. 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 VIII. It is the intention of the City Council that this Ordinance, and every provision thereof, 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 IX. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 14TH DAY OF DECEMBER 2020.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

Zoning Case 2020-026

WHEREAS, Coram Deo Academy, a Texas non-profit corporation, is the owner of a tract of land situated in the City of Plano, Collin County, Texas and being more particularly described as follows:

Being all that certain lot, tract or parcel of land situated in the Enoch Baccus Survey, Abstract Number 63, City of Plano, Collin County, Texas, and being 8.226 Acres, Cornerstone Addition, Lots 1R & 2, Block A, an addition to the City of Plano, Collin County, Texas, according to the plat thereof recorded in Cabinet 2015, Page 72 of the Official Public Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at the southeast corner of said Lot 2, Block A of Cornerstone Addition, being the west line of Independence Parkway (called 110' right-of-way at this point);

THENCE S44°18'53"W, 35.18' feet to a point in the north line of Paradise Valley (called 50' right-of-way at this point);

THENCE S89°10'55"W, 479.17 feet along said north line of Paradise Valley to the southwest corner of said Lot 2 and also being the southeast corner of Ridgeview Ranch West Phase 2, an addition to the City of Plano, Collin County, Texas, according to the plat thereof recorded in Cabinet M, Page 37, Official Public Records, Collin County, Texas;

THENCE N01°00'35" West, 725.83 feet along the west line of said Lots 1R & 2 and the east line of said Ridgeview Ranch West Phase 2 to the northwest corner of said Lot 1R and the northeast corner of said Ridgeview Ranch West Phase 2 and being in the south line of Ridgeview Drive (called a variable width right-of-way at this point);

THENCE N89°48'45"E, 143.76 feet to a point in said south line of Ridgeview Drive;

THENCE S86°26'40"E, 150.17 feet to a point;

THENCE S89°29'10"E, 160.85 feet to a point;

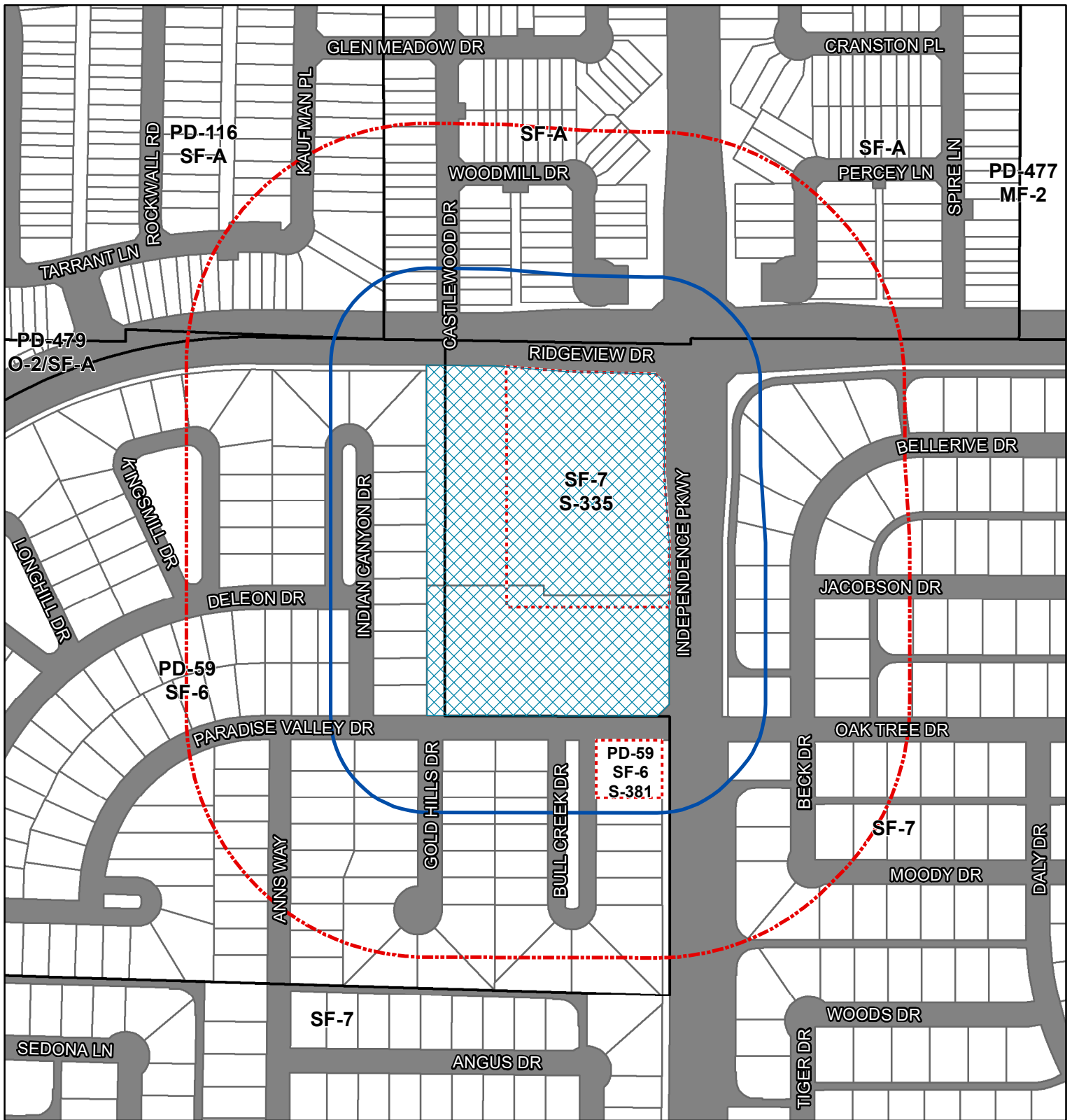
THENCE N88°07'25"E, 20.12 feet to the most northeasterly corner of said Lot 1R and at the intersection of said Independence Parkway and Ridgeview Drive;

THENCE S45°49'00"E, 27.80 feet to a point in said west line of Independence Parkway;

THENCE S01°10'35"E, 180.18 feet to a point;

THENCE S04°47'25"E, 150.33 feet to a point;

THENCE S00°58'35"E, 334.80 feet to the POINT OF BEGINNING and CONTAINING approximately 358,339 square feet or 8.226 acres of land.

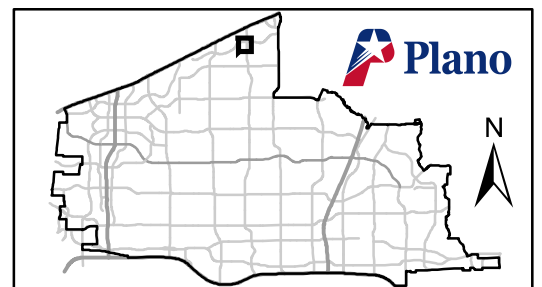


Zoning Case: 2020-026

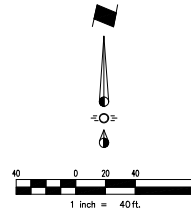
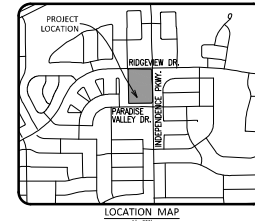
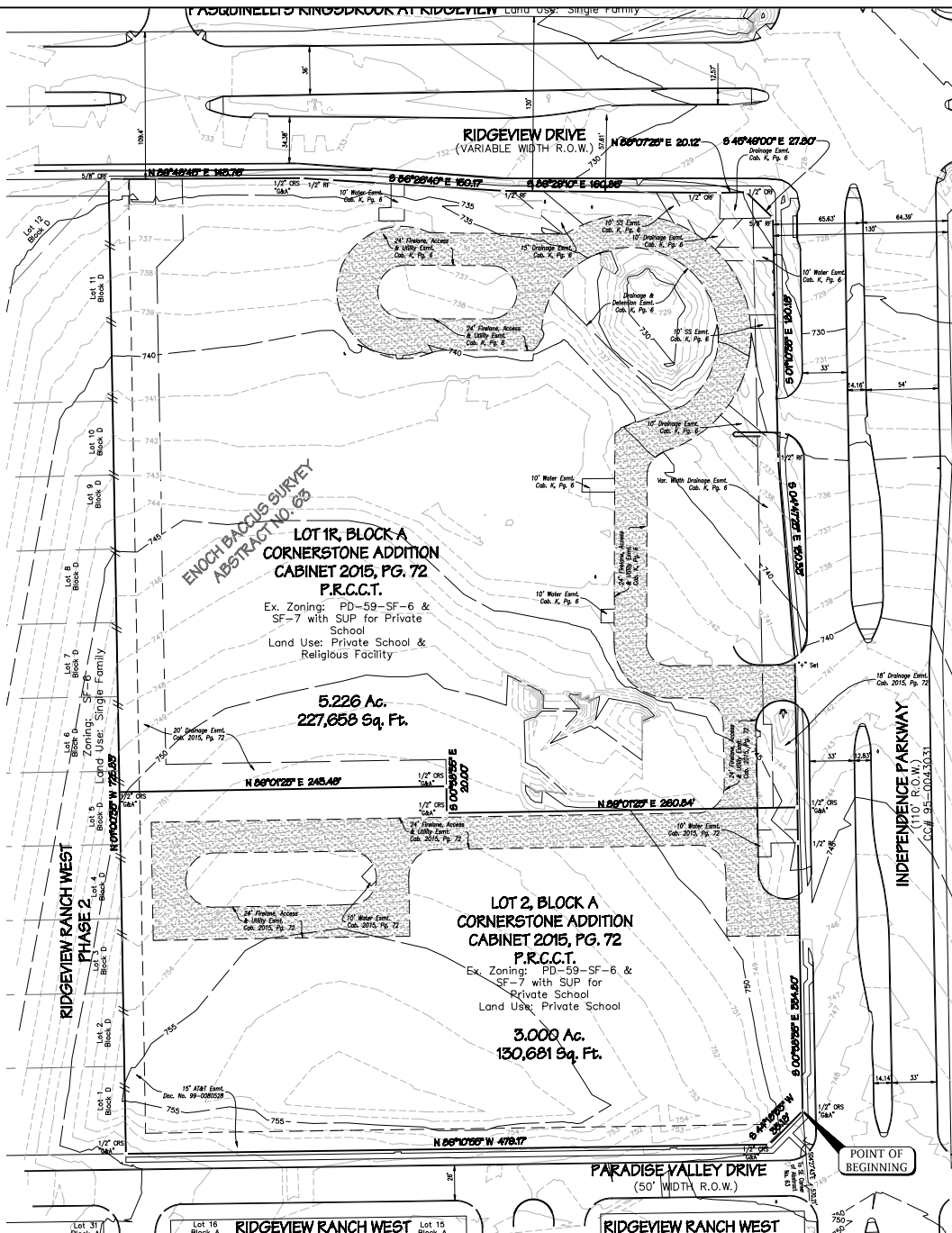
Existing Zoning: Planned Development-59-Single-Family Residence-6 (PD-59-SF-6) and Single-Family Residence-7 (SF-7) with Specific Use Permit No. 335 for Day Care Center (S-335)

Proposed Zoning: Planned Development-59-Single-Family Residence-6 (PD-59-SF-6) and Single-Family Residence-7 (SF-7) with SUP for Private School

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



0 215 430 860
Feet



METES & BOUNDS DESCRIPTION (PER PLAT)

WHEREAS, Coram Deo Academy, a Texas non-profit corporation, is the owner of a tract of land situated in the City of Plano, Collin County, Texas and being more particularly described as follows:

Being all that certain lot, tract or parcel of land situated in the Enoch Baccus Survey, Abstract Number 63, City of Plano, Collin County, Texas, and being 8.226 Acres, Cornerstone Addition, Lots 1R & 2, Block A, an addition to the City of Plano, Collin County, Texas, according to the plat thereof recorded in Cabinet 2015, Page 72 of the Official Public Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch capped rod stamped "G&A" set at the southeast corner of said Lot 2, Block A of Cornerstone Addition, being the west line of Independence Parkway (called 110' right-of-way at this point);

THENCE S44°18'53"W, 35.18 feet to a 1/2 inch capped rod stamped "G&A" set in the north line of Paradise Valley (called 50' right-of-way at this point);

THENCE S89°10'55"W, 479.17 feet along said north line of Paradise Valley to 1/2 inch capped rod set stamped "G&A" at the southwest corner of said Lot 2 and also being the southeast corner of Ridgeview Ranch West Phase 2, an addition to the City of Plano, Collin County, Texas, according to the plat thereof recorded in Cabinet M, Page 37, Official Public Records, Collin County, Texas;

THENCE N01°00'35" West, 725.83 feet along the west line of said Lots 1R & 2 and the east line of said Ridgeview Ranch West Phase 2 to a 5/8 inch capped rod found at the northwest corner of said Lot 1R and the northeast corner of said Ridgeview Ranch West Phase 2 and being in the south line of Ridgeview Drive (called a variable width right-of-way at this point);

THENCE N89°48'45"E, 143.76 feet to a 1/2 inch capped rod stamped "G&A" set in said south line of Ridgeview Drive;

THENCE S86°26'40"E, 150.17 feet to a 1/2 inch rod found;

THENCE S89°29'10"E, 160.85 feet to a 1/2 inch capped rod found;

THENCE N88°07'25"E, 20.12 feet to a 1/2 inch capped rod found at the most northeasterly corner of said Lot 1R and at the intersection of said Independence Parkway and Ridgeview Drive;

THENCE S45°49'00"E, 27.80 feet to a 5/8 inch rod found in said west line of Independence Parkway;

THENCE S01°10'35"E, 180.18 feet to a 1/2 inch rod found;

THENCE S04°47'25"E, 150.33 feet to a "x" set in concrete;

THENCE S00°58'35"E, 334.80 feet to the POINT OF BEGINNING and containing approximately 358,339 square feet or 8.226 acres of land.

"This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

CITY PROJECT #2C2020-026
ZONING EXHIBIT
CORNERSTONE ADDITION
LOTS 1R & 2, BLOCK A - 8.226 Acres
situated in the
ENOCH BACCUS SURVEY, ABST. 63
IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS

ZONING NOTE.

Approval of the zoning case associated with this exhibit shall not imply approval of any associated study, 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.

ENGINEER/SURVEYOR
Spilars Engineering, Inc.
765 Custer Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0077
RPE No. F-2121
Contact: David Bond

OWNER/APPLICANT
Coram Deo Academy
4900 Wichita Trail
Flower Mound, TX 75022
Phone 469-774-6762
Contact: Mark Powell