

Zoning Case 2019-022

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 50.3 acres of land out of the Joseph Russel Survey, Abstract No. 776, located at the southwest corner of Spring Creek Parkway and Jupiter Road in the City of Plano, Collin County, Texas, from General Office to Neighborhood Business Design-1; 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 10th day of August 2020, for the purpose of considering rezoning 50.3 acres of land out of the Joseph Russel Survey, Abstract No. 776, located at the southwest corner of Spring Creek Parkway and Jupiter Road in the City of Plano, Collin County, Texas, from General Office to Neighborhood Business Design-1; 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, on the 10th day of August 2020, the City Council of said City, tabled the item to the 25th day of January 2021, when it held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance; 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 50.3 acres of land out of the Joseph Russel Survey, Abstract No. 776, located at the southwest corner of Spring Creek Parkway and Jupiter Road in the City of Plano, Collin County, Texas, from General Office to Neighborhood Business Design-1, said property being described in the legal description on Exhibit A attached hereto.

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

1. The permitted uses and standards shall be in accordance with the Neighborhood Business Design (NBD) zoning district standards unless otherwise specified herein.
2. The development plan set forth in Exhibit B is hereby adopted and shall be made a part of this Ordinance as though fully set forth herein.

Section III. The changes in Section II are granted subject to the following exceptions:

1. Block A will be utilized exclusively for Tier One single-family residence uses per the Residential Community Design (RCD) district and public open space.
2. Community Center Uses
 - a. May exceed the maximum 30,000-square-foot first floor, single-tenant requirement.
 - b. Exceed the 600-foot maximum block length.
 - c. Plano Event Center's existing courtyard in Block D may be credited toward public open space calculations.
3. Hotel Uses
 - a. Maximum Height: 6 story, 100 feet
 - b. May exceed the maximum 30,000-square-foot first floor, single-tenant requirement.
4. Parking Garages
 - a. Maximum Height: 7 story, 85 feet
 - b. May exceed the height of adjacent buildings.
 - c. May exceed the 60,000-square-foot building footprint requirement.
 - d. The parking garage within Block F must be set back at least 120 feet from the residential district boundary line to the south.

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

PASSED AND APPROVED THIS THE 25TH DAY OF JANUARY 2021.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

ZONING CASE 2019-022

BEING a tract of land situated in the Joseph Russel Survey, Abstract No. 776, in the City of Plano, Collin County, Texas and BEING all of Lots 1, 2 and 3, Block 1 of Jupiter Spring Creek Addition, an addition to the City of Plano, Texas, according to the Final Plat, recorded in Cabinet Y, Page 685 of the Plat records of Collin County, Texas, same BEING a portion of a tract of land conveyed to the City of Plano in a Warranty Deed, recorded in Volume 2089, Page 687 of the Deed Records of Collin County, Texas (D.R.C.C.T.), also BEING a part of Spring Creek Parkway, a variable width right-of-way, and Jupiter Road, a variable width right-of-way, and BEING more particularly described as follows:

BEGINNING at a the intersection of the centerline of said Spring Creek Parkway with the centerline of Jupiter Road;

THENCE along the centerline of Jupiter Road, the following courses and distances:

South 03°32'10" West, a distance of 268.19 feet to a point for corner;

South 02°34'45" West, a distance of 149.81 feet to a point for corner;

South 03°04'49" West, a distance of 107.59 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 5°11'17", a radius of 3,273.46 feet, and a chord bearing and distance of South 00°04'02" West, 296.31 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 296.41 feet to a point at the end of said curve;

South 04°26'14" East, a distance of 149.54 feet to a point for corner;

South 02°31'12" East, a distance of 49.24 feet to a point for corner;

THENCE South 88°54'41" West, crossing said Jupiter Road and along the southerly line of the aforementioned Lot 2, a distance of 820.42 feet to a point for corner;

THENCE South 89°01'10" West, continuing along the southerly line of said Lot 2, a distance of 1,049.48 feet to a point for the southwest corner of said Lot 2;

THENCE North 00°57'43" West, along the westerly line of said Lot 2, the westerly line of the aforementioned Lot 1, and the easterly line of Lot 1, Block A of Jefferson at Spring Creek, Phase 1, an addition to the City of Plano, Texas, as shown on the Final Plat recorded in Cabinet J, Page 556 of the Plat Records of said county, and crossing the aforementioned Spring Creek Parkway, a distance of 1,360.48 feet to a point in the center of said Spring Creek Parkway, said point BEING at the beginning of a non-tangent curve to the right having a central angle of 16°40'37", a radius of 1,432.38 feet, a chord bearing and distance of South 81°34'59" East, 415.45 feet;

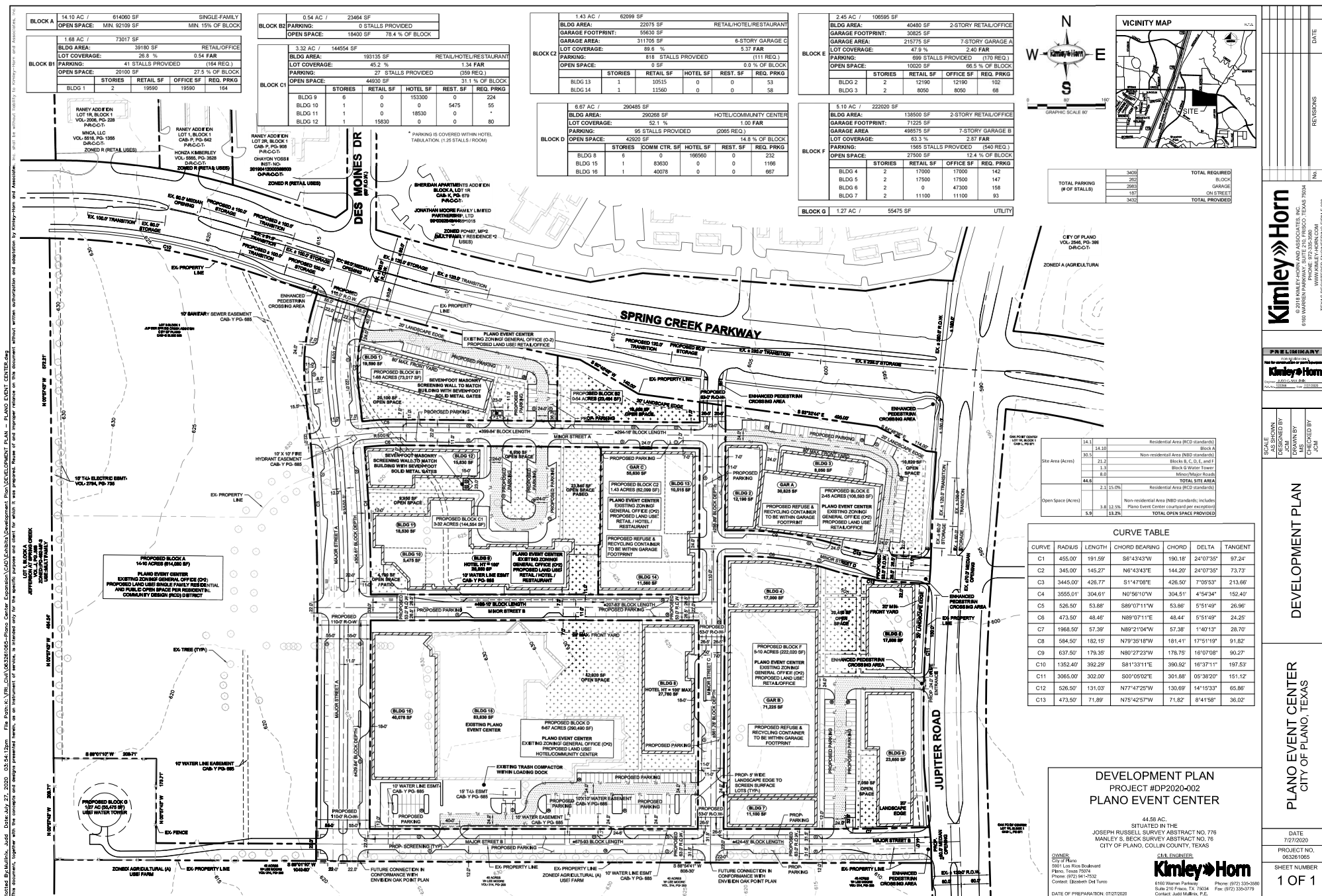
THENCE along the centerline of said Spring Creek Parkway, the following courses and distances:

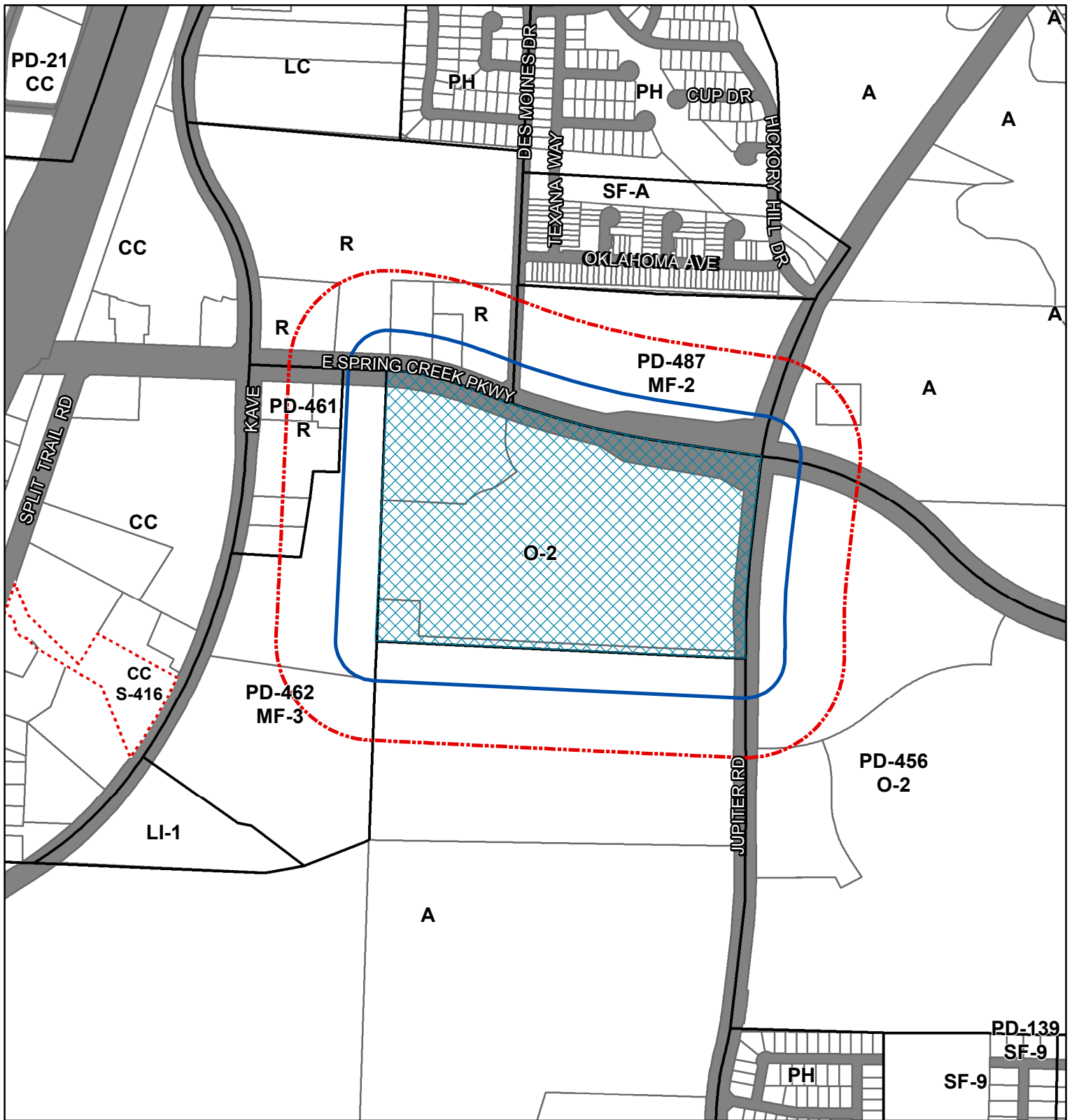
In a southeasterly direction, with said curve to the right, an arc distance of 416.92 feet to a point at the end of said curve;

South $73^{\circ}14'35''$ East, a distance of 137.08 feet to a point at the beginning of a tangent curve to the left having a central angle of $12^{\circ}04'29''$, a radius of 4,287.18 feet, and a chord bearing and distance of South $79^{\circ}16'50''$ East, 901.82 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 903.50 feet to a point at the end of said curve;

South $85^{\circ}19'04''$ East, a distance of 481.41 feet to the POINT OF BEGINNING AND CONTAINING 50.341 acres (2,192,849 square feet) of land, more or less.



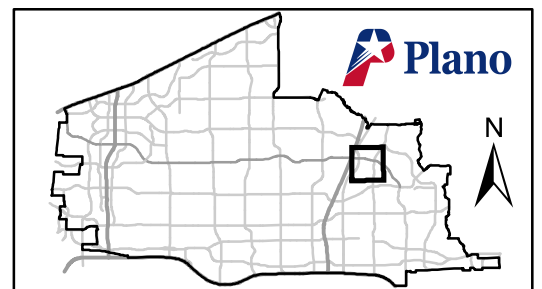


Zoning Case: 2019-022

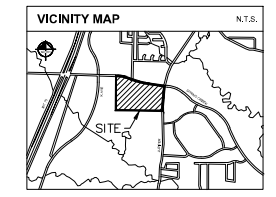
Existing Zoning: General Office (O-2) and located within the Parkway Overlay District

Proposed Zoning: Neighborhood Business Design (NBD)

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



0 500 1,000 2,000
Feet



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.

SURVEYOR:
KIMLEY-HORN AND ASSOC. INC.
6160 Warren Pkwy, Suite 210
Frisco, Texas 75034
Tel. No. (972) 335-3580
Contact: Michael Marx, R.P.L.S.
Email: michaelmarx@kimley-horn.com

Kimley»Horn

Copyright © 2019
Kirkley-Horn and Associates, Inc.
All rights reserved.