

Zoning Case 2020-033

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 5.3 acres of land out of the Alexander Berry Survey, Abstract No. 80, located on the north side of Park Boulevard, 150 feet west of K Avenue in the City of Plano, Collin County, Texas, from Corridor Commercial to Planned Development-47-Corridor Commercial; 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 22nd day of February 2021, for the purpose of considering rezoning 5.3 acres of land out of the Alexander Berry Survey, Abstract No. 80, located on the north side of Park Boulevard, 150 feet west of K Avenue in the City of Plano, Collin County, Texas, from Corridor Commercial to Planned Development-47-Corridor Commercial; 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 22nd day of February 2021; 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 5.3 acres of land out of the Alexander Berry Survey, Abstract No. 80, located on the north side of Park Boulevard, 150 feet west of K Avenue in the City of Plano, Collin County, Texas, from Corridor Commercial to Planned Development-47-Corridor Commercial, 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:

Restrictions:

The permitted uses and standards shall be in accordance with the Corridor Commercial (CC) zoning district, unless otherwise specified herein:

1. Multifamily residence is an additional allowed use. The subject property may be developed using the standards of the PD district for multifamily development; otherwise, the subject property must be developed in accordance with the Corridor Commercial (CC) zoning district regulations.
2. A minimum 30-foot building setback and landscape edge must be provided along K Avenue. Street trees with a minimum size of 3-inch caliper must be placed every 35 linear feet along Park Boulevard and K Avenue.
3. Maximum Unit Count: 226
4. Maximum Floor Area Ratio: 1.5:1
5. Building Design Standards:
 - a. The building facade will be designed utilizing tripartite division, organizing the facade of the building into three sections based on the design of a Classical column: base, shaft, and capital.
 - b. Each facade must have a minimum of three building materials consistent with Section 23.200 of the Zoning Ordinance. Each material must be used on a minimum of 25% of each facade.
 - c. 50% of all units must have a true balcony, with a minimum 7-foot depth and 8-foot width to create outdoor living space. In lieu of balconies, outdoor common areas within the building (distinct from required public open space in 6 below) may be provided at a rate of 100 square feet per unit where a balcony is required but not constructed.
 - d. No building facade may exceed a length of 100 feet without a break in the facade of a minimum depth of 5 feet for a minimum length of 10 feet.
6. Public Open Space: Within one year of the approval of the certificate of occupancy for any multifamily building, a minimum of 0.5 acre of public open space must be provided onsite, or offsite on Parker Square, Block 1, Lot 2 if approved by the property owner. Open space must meet the slope and dimensional standards of Section 13.800 (Useable Open Space) of the Zoning Ordinance.

7. Parking:

a. Multifamily Residence:

- i. One bedroom or less: 1 space per unit
- ii. Two bedrooms: 1.5 spaces per unit
- iii. Three Bedrooms or More: 2 parking spaces per unit

b. A maximum of 25 spaces may be compact car spaces

8. Sidewalks:

- a. A minimum width of 10 feet must be constructed along K Avenue and Park Boulevard.
- b. A minimum width of 7 feet must be constructed along the western and northern property lines. A minimum of two benches, trash receptacles, and/or bicycle racks, or any combination thereof, must be provided every 200 linear feet along the 7-foot sidewalks and must not encroach into the sidewalk width.

9. Ground floor podium parking must have architecturally-integrated columns compatible with the building it serves. Ground floor podium parking must be screened from K Avenue with an architecturally-integrated facade so that no vehicles, headlights, or light fixtures are visible from within the structure. Parking garage light fixtures will not be visible outside the structure from the adjacent property.

10. Fencing is not allowed for the purpose of restricting public access to the property, except for the podium parking area underneath the building. Fencing must be a minimum of 50% open.

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 22ND DAY OF FEBRUARY 2021.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

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Description of a 5.280-acre tract of land situated in the Alexander Berry Survey, Abstract No. 80, City of Plano, Collin County, Texas; said tract being part of Lot 1, Block 1, Parker Square Revised, an addition to the City of Plano according to the plat recorded in Volume 9, Page 19, all of Lot 6, Block 1, Parker Square Revised, an addition to the City of Plano according to the plat recorded in Volume 12, Page 138, and all of Lot 1, Block 1, Needham Addition, an addition to the City of Plano according to the plat recorded in Volume F, Page 409, all of the Plat Records of Collin County, Texas; said tract being the same property described in Special Warranty Deed to the City of Plano, Texas recorded in Volume 5285, Page 5284 of the Deed Records of Collin County, Texas; said 5.280-acre tract being more particularly described by metes and bounds as follows:

BEGINNING, at a 5/8-inch iron rod found in the west right-of-way line of K Avenue (also called State Highway No. 5; a 100-foot-wide public right-of-way);

THENCE, South 89 degrees 58 minutes 30 seconds East, departing the said west right-of-way line of K Avenue, a distance of 50.00 feet to a point for corner in the centerline of K Avenue;

THENCE, South 00 degrees 19 minutes 00 seconds East, with the said centerline of K Avenue, a distance of 390.50 feet to a point for corner;

THENCE, North 89 degrees 58 minutes 30 seconds West, departing the said centerline of K Avenue; passing at a distance of 50.00 feet the said west right-of-way line of K Avenue. Continuing a total distance of 199.99 feet to a 1/2-inch iron rod with cap stamped "ROOME" found for corner;

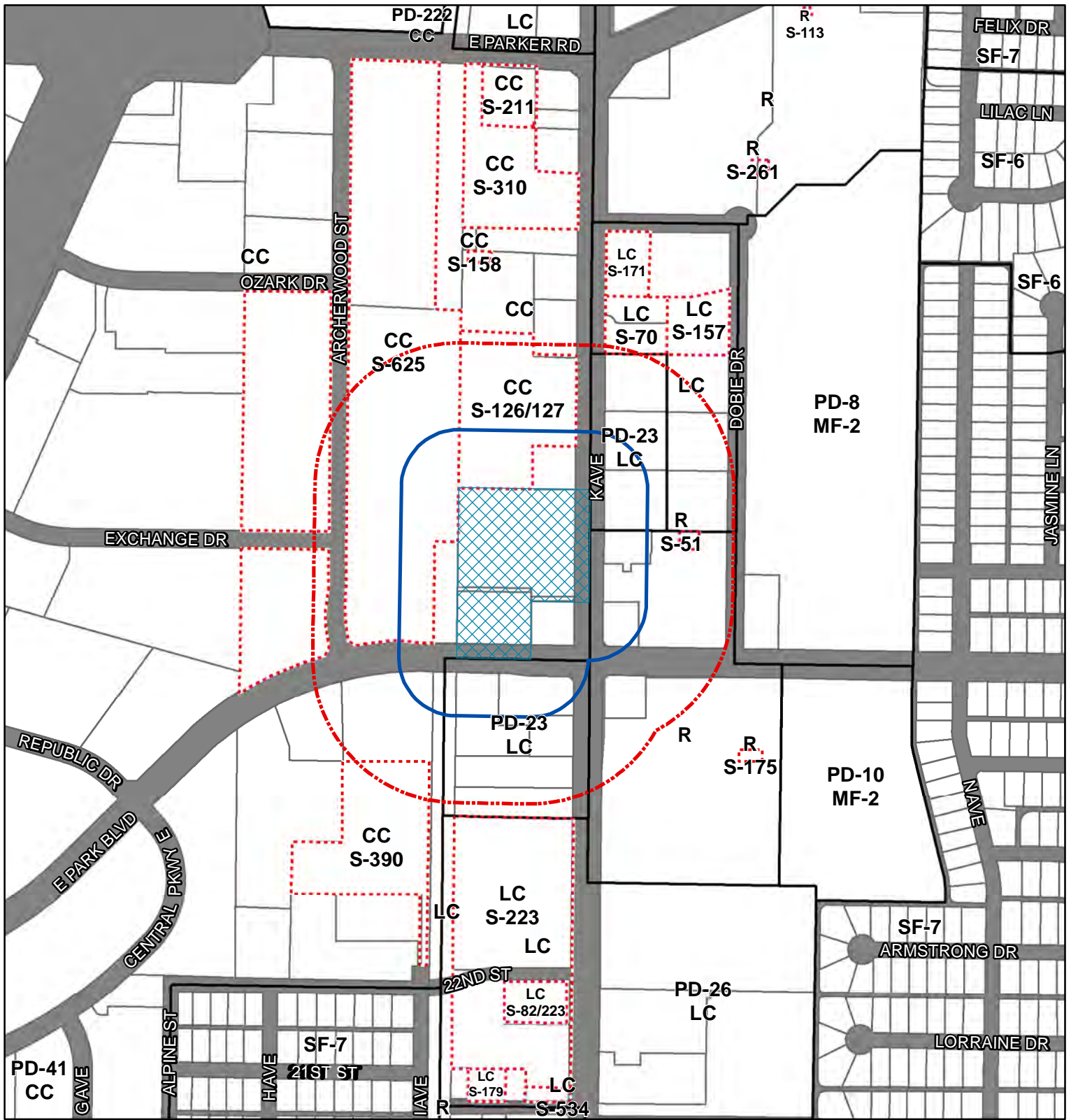
THENCE, South 00 degrees 19 minutes 00 seconds East, a distance of 200.00 feet to a point for corner in the centerline of Park Boulevard (a 100-foot right-of-way);

THENCE, North 89 degrees 58 minutes 30 seconds West, with the said centerline of Park Boulevard, a distance of 257.79 feet to a point for corner;

THENCE, North 00 degrees 12 minutes 40 seconds West, departing the said centerline of Park Boulevard, a distance of 590.49 feet to a 5/8-inch iron rod with yellow cap stamped "BGE" set for corner;

THENCE, South 89 degrees 58 minutes 30 seconds East, a distance of 406.70 feet to the **POINT OF BEGINNING**;

CONTAINING: 5.280 acres or 229,999 square feet of land, more or less.



Zoning Case: 2020-033

Existing Zoning: Corridor Commercial (CC)

Proposed Zoning: Planned Development-Corridor Commercial (PD-CC)

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

