Zoning Case 2021-002

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 amend Urban Mixed-Use-1 on 156.3 acres of land out of the William Beverly Survey, Abstract No. 75 and the Samuel Klepper Survey, Abstract No. 216, located at the southwest corner of Plano Parkway and Alma Drive, in the City of Plano, Collin County, Texas, to modify the location and size of multifamily uses; the location, size, and height of office and hotel use; increase the number and adjust the location of single-family residence attached uses, and adjust other development standards; repealing and replacing the Development Plan adopted by Ordinance No. 2017-10-8; 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 6th day of April 2021, for the purpose of considering amending Urban Mixed-Use-1 on 156.3 acres of land out of the William Beverly Survey, Abstract No. 75 and the Samuel Klepper Survey, Abstract No. 216, located at the southwest corner of Plano Parkway and Alma Drive, in the City of Plano, Collin County, Texas, to modify the location and size of multifamily uses; the location, size, and height of office and hotel use; increase the number and adjust the location of single-family residence attached uses, and adjust other development standards; repealing and replacing the Development Plan adopted by Ordinance No. 2017-10-8; 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 6th day of April 2021; and

WHEREAS, the City Council is of the opinion and finds that such amendment 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 amend Urban Mixed-Use-1 on 156.3 acres of land out of the William Beverly Survey, Abstract No. 75 and the Samuel Klepper Survey, Abstract No. 216, located at the southwest corner of Plano Parkway and Alma Drive, in the City of Plano, Collin County, Texas, to modify the location and size of multifamily uses; the location, size, and height of office and hotel use; increase the number and adjust the location of single-family residence attached uses, and adjust other development standards; and repeal and replace the Development Plan adopted by Ordinance No. 2017-10-8; 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:

The permitted uses and standards shall be in accordance with the Urban Mixed-Use (UMU) zoning district standards unless otherwise specified herein. Where an approved plan conflicts with an adopted regulation and no variance or exception is expressly approved, the regulation shall apply.

Exceptions of the UMU District

- 1. The following exceptions shall apply to all blocks within the district:
 - a. Minimum single-family residence attached density: 8 dwelling units per acre
 - b. Single-family residence detached is an additional permitted use and must be developed in accordance with the Patio Home (PH) zoning district standards, except as noted below:
 - i. Minimum Lot Width: 35 feet
 - ii. Maximum Height: 3 story, 35 feet
 - c. The landscape edge may be reduced to 15 feet along Plano Pkwy., Alma Dr., State Highway 190, and Custer Rd.
 - d. All blocks are exempt from the maximum building setbacks for structures adjacent to Alma Dr., Plano Pkwy., Custer Rd., and State Highway 190.
 - e. A minimum of 40% of the gross linear footage of the first floor along the activity center must consist of retail, restaurant, entertainment, and other active uses.

f. Height:

- i. Maximum Building Height: One 25 story (360 feet) building to be located adjacent to State Highway 190 and a minimum of 1,500 feet east of Custer Rd.; remainder 20 stories (290 feet).
- ii. Within 250 feet of the south right-of-way line of Plano Pkwy., a maximum 8 story height (120 feet) is allowed. No more than 50% of the structures within this setback must exceed 6 stories (90 feet). One building at the southeast corner of Custer Rd. and Plano Pkwy. may be 10 stories (150 feet). The maximum height for all other buildings is 20 stories (290 feet). All heights must include mechanical/penthouse.
- iii. Maximum Parking Structure Height: 6 levels above grade (60 feet).
- g. Signage located along exterior public rights-of-way must comply with Subsection 22.600 (Requirements for Freestanding Signs Located within an Overlay District) of Article 22 (Signs) with the following exceptions:
 - i. Identification signs may have a maximum size of 150 feet.
- h. All signage internal to development along private and quasi-public streets must be consistent with the signage standards of Subsection 10.800.6 (Signs) of Section 10.800 (Downtown/Business Government) of Article 10 (Nonresidential Districts) with the following exceptions:
 - i. Signage may be illuminated.
 - ii. Stainless steel, perforated metal, and/or wire mesh with dark bronze finish are additional sign finish.
- i. If the Central/190 Addition property is zoned to a district less intense than Light Industrial and is used for a land use allowed by right in the UMU-1 district, then one point of cross access must be provided to the western edge of Central/190 Addition, Block A, Lot 1.
- j. An average residential density of 36 dwelling units per acre must be maintained within the UMU district.
- 2. Block A1:
 - a. Maximum block size must be 5 acres.

- b. A pedestrian paseo a minimum of 30 feet wide will be provided that will connect the western property line and the eastern property line. Covered open air elevated walkways may be provided above the ground floor for resident access.
- c. A break in the building massing that will be no less than 15 feet wide and a minimum of 30 feet deep will be provided alongside the paseo on the eastern and western building facades.

3. Block A2:

- a. Maximum block length must be 650 feet.
- b. Maximum block size must be 7.0 acres.
- c. Single-tenant maximum first floor must be 50,000 square feet.
- d. Minimum lot coverage must be 40%.
- e. Food truck park is an additional permitted use.
- 4. Block A3:
 - a. Maximum block length must be 800 feet.
 - b. Maximum block size must be 5.0 acres.
 - c. Single-tenant maximum first floor must be 45,000 square feet.
 - d. Minimum lot coverage must be 20%.
 - e. Food truck park is an additional permitted use.
- 5. Block A4:
 - a. Maximum block size must be 4.5 acres.
 - b. Single-tenant maximum first floor must be 45,000 square feet.
 - c. Minimum lot coverage must be 40%.
 - d. Food truck park is an additional permitted use.
- 6. Block A5:
 - a. Minimum lot coverage must be 20%.

- b. Required offsite parking may be provided in Blocks A2, A3, and A4 provided that binding agreements exist which will ensure the availability of such off-street parking for the reasonable useful life of the building or project to be built on the site.
- c. Freestanding restaurant buildings are permitted to have a minimum height of one-story and a minimum size of 2,500 sq. ft. The restaurants must have a 1,000 sq. ft. patio which must open onto or be adjacent to a plaza, creek, and/or public open space.
- d. A minimum of 0.5 acre of publicly accessible open space or plaza must be provided.
- e. Food truck park is an additional permitted use.
- f. Parallel parking depicted in the Development Plan may be modified to angled parking stalls.
- g. Hotel use in this block may be substituted by retail, restaurant, professional/general administrative office, or other permitted nonresidential uses provided the proposed nonresidential uses do not change the primary, secondary, or tertiary classification of uses within the district.
- h. Any off-street parking requirements may be provided within Blocks A2, A3, or A4 provided that binding agreements exist which will ensure the availability of such off-street parking for the reasonable useful life of the building or project to be built on the site.
- 7. Block B:
 - a. Must have a maximum block size of 4.4 acres.
 - b. A pedestrian paseo a minimum of 30 feet wide will be provided that will connect the western property line and the eastern property line. Covered open air elevated walkways may be provided above the ground floor for resident access.
 - c. A break in the building massing that will be no less than 15 feet wide and a minimum of 30 feet deep will be provided alongside the paseo on the eastern and western building facades.
- 8. Parking for uses in Block C may be located in Blocks A4 and F.

- 9. Block F:
 - a. Maximum block length must be 750 feet.
 - b. Must have a maximum block size of 6 acres.
 - c. Food truck park is an additional permitted use.
- 10. Block I:
 - a. Must have a maximum block size of 4 acres.
 - b. Single-family residence-attached lots may take access from an access and utility easement. Units may front on an access and utility easement. The minimum frontage required along a public street for each lot deriving frontage from an access and utility easement is 6 feet. The access and utility easement must be a minimum of 22 feet wide, paved and maintained by the homeowners association.
- 11. Block K: Must have a maximum block size of 4 acres.
- 12. Block L:
 - a. Minimum building height must be one story, 24 feet for nonresidential uses.
 - b. Minimum lot coverage must be 40%.
- 13. Block M:
 - a. Minimum building height must be one story, 24 feet for nonresidential uses.
 - b. Minimum lot coverage must be 25%.
- 14. Block N: Must have a maximum block size of 5 acres.
- 15. Minimum lot coverage for end units in single-family attached developments and Block O, Lot 2 must be 50%.
- 16. Block T:
 - a. Minimum free-standing building square footage must be 3,000 square feet.
 - b. Minimum building height must be one story, 24 feet for nonresidential uses.

- c. Minimum lot coverage must be 10%.
- d. Minimum floor area ration must be 0.1:1.

17. Block U:

- a. Minimum building height must be one story, 24 feet for nonresidential uses.
- b. Minimum lot coverage must be 10%.
- c. Minimum floor area ratio must be 0.1:1.
- d. Food truck park is an additional permitted use.

18. Block V:

- a. Minimum building height must be one story, 24 feet for nonresidential uses.
- b. Minimum lot coverage must be 10%.
- c. Minimum floor area ratio must be 0.1:1.
- d. Food truck park is an additional permitted use.

Section III. The development plan previously adopted by Ordinance No. 2017-10-8 is hereby repealed and replaced with the attached Exhibit B.

<u>Section IV</u>. 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.

<u>Section V</u>. 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.

<u>Section VI</u>. 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 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 6TH DAY OF APRIL 2021.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

ZC2021-002

Being a tract of land situated in the William Beverly survey, abstract no. 75 and the Samuel Klepper survey, abstract no. 216, city of Plano, Collin county, Texas; and being all of lot 1, block a, Dallas north square #1, an addition to the city of Plano according to the plat recorded in volume 7, page 33 of the land records of Collin county, Texas; and being all of the tracts of land described in special warranty deeds to rosewood property company recorded in instrument no. 92-0083559, volume 4328, page 1736 and volume 5452, page 1691 of said land records; and being all of a tract of land described as "tract xii" in special warranty deed to rosewood properties, inc. Recorded in volume 1805, page 50 of said land records; and being all of the tracts of land described as "parcel 1 of tract 4", "parcel 2 of tract 4" and "parcel 3 of tract 4" in special warranty deed with vendor's lien to rosewood real estate investments, inc. Recorded in volume 3547, page 411 of said land records; and being all of the tract 4" in special warranty deed with vendor's lien to rosewood real estate investments, inc. Recorded in volume 3547, page 424 of said land records; and being more particularly described as follows:

Beginning at the intersection of the centerline of Alma drive (a 100-foot wide right-of-way) and the centerline of Plano Parkway (a 100-foot wide right-of-way);

Thence with said centerline of Alma drive, the following courses and distances:

South 4°17'20" east, a distance of 1080.54 feet to a point at the beginning of a tangent curve to the right having a central angle of 28°00'00", a radius of 850.00 feet, a chord bearing and distance of south 9°42'40" west, 411.27 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 415.39 feet to a point at the end of said curve;

South 23°42'40" west, a distance of 391.50 feet to the intersection of said centerline of alma drive and the centerline of President George Bush turnpike (state highway 190, a variable width right-of-way);

Thence with said centerline of President George Bush turnpike, south 89°46'41" west, a distance of 4855.14 feet to the intersection of said centerline of President George Bush turnpike and the centerline of Custer road (a 100-foot wide right-of-way);

Thence with said centerline of Custer road, the following courses and distances:

North 37°59'15" west, a distance of 525.68 feet to a point at the beginning of a tangent curve to the right having a central angle of 38°30'00", a radius of 1100.00 feet, a chord bearing and distance of north 18°44'13" west, 725.32 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 739.15 feet to a point at the end of said curve;

North 0°30'47" east, a distance of 150.01 feet to the intersection of said centerline of Custer road and said centerline of Plano Parkway;

Thence with said centerline of Plano Parkway, south 89°37'50" east, a distance of 3354.54 feet to a point for corner;

Thence departing said centerline of Plano Parkway, south 0°22'10" west, passing at a distance of 50.00 feet the northwest corner of lot 1, block a, central/190, an addition to the city of Plano according to the plat recorded in cabinet h, page 50 of said land records, continuing with the west line of said lot 1, in all a total distance of 765.62 feet to the southwest corner of said lot 1;

Thence with the south line of said lot 1, south 89°37'50" east, a distance of 640.00 feet to the southeast corner of said lot 1;

Thence with the east line of said lot 1, north $0^{\circ}22'10''$ east, passing at a distance of 413.52 feet the easternmost northeast corner of said lot 1 and the southeast corner of lot 2, block a of said central/190 addition, continuing with the east line of said lot 2, passing at a combined distance of 777.72 feet to the northeast corner of said lot 2, continuing in all a total distance of 829.72 feet to a point for corner in said centerline of Plano Parkway and being the beginning of a non-tangent curve to the left having a central angle of 18°05'18'', a radius of 1611.50 feet, a chord bearing and distance of north 65°06'37'' east, 506.64 feet;

Thence with said centerline of Plano Parkway, the following courses and distances:

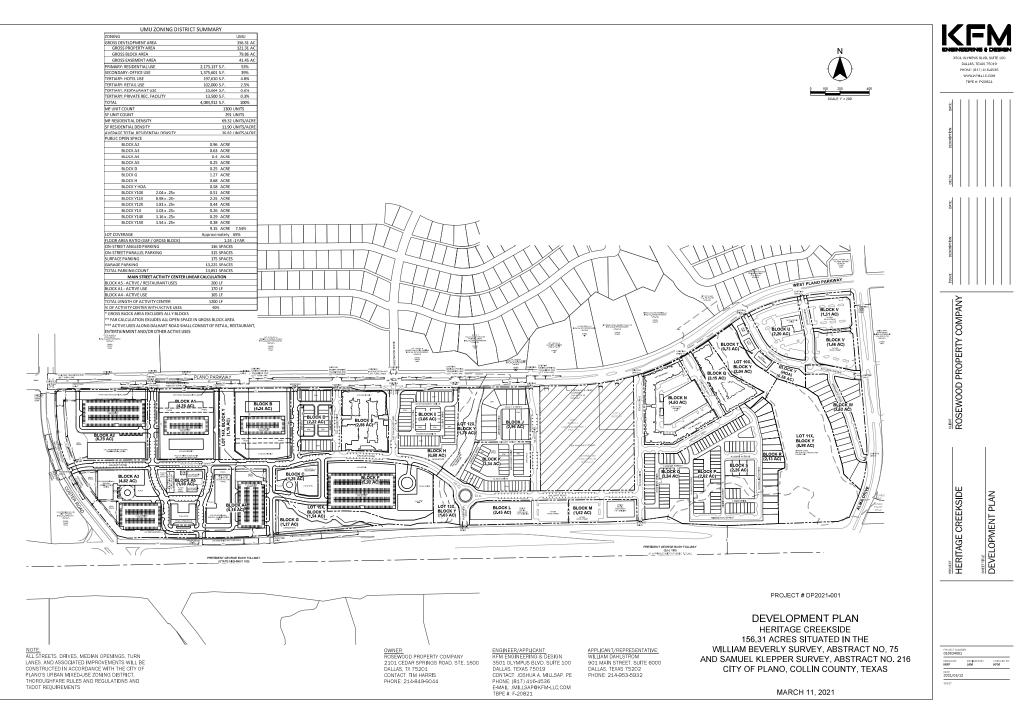
In a northeasterly direction, with said curve to the left, an arc distance of 508.75 feet to a point at the end of said curve;

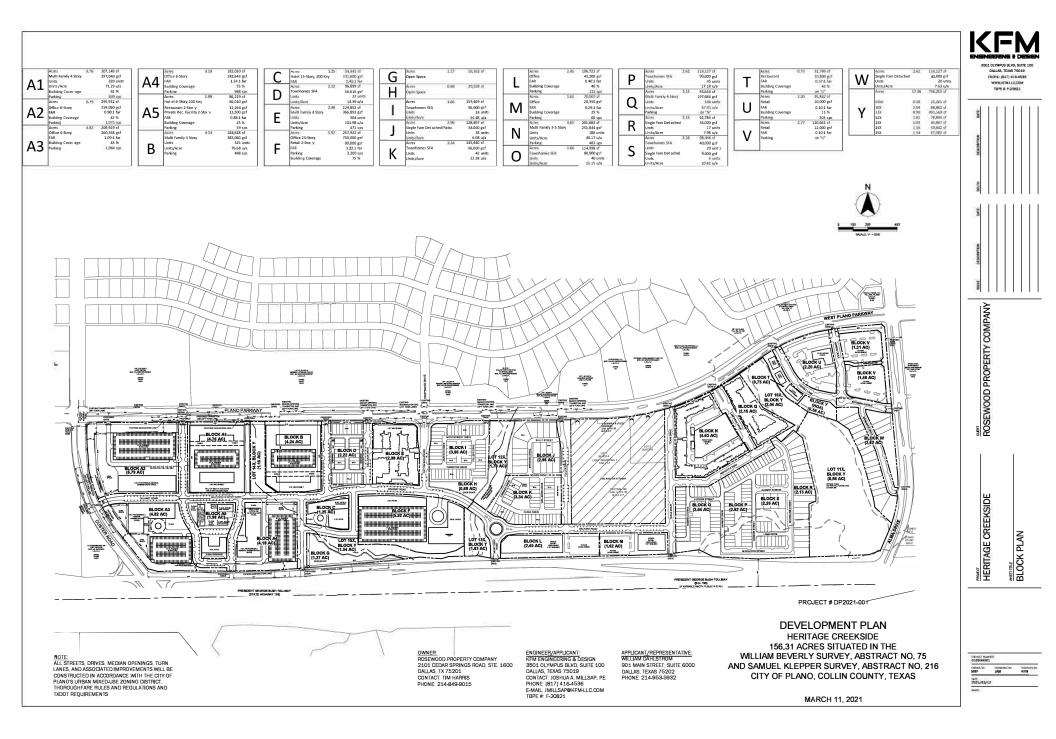
North 55°53'40" east, a distance of 251.28 feet to a point at the beginning of a tangent curve to the right having a central angle of 23°20'00", a radius of 1077.34 feet, a chord bearing and distance of north 67°33'39" east, 435.71 feet;

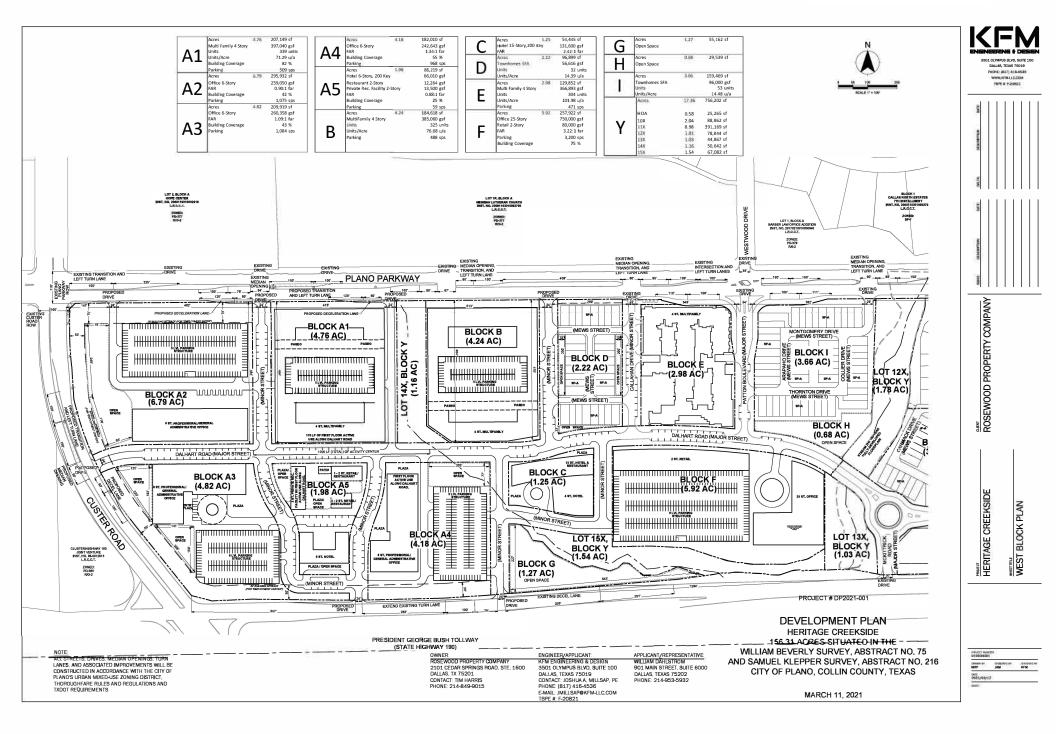
In a northeasterly direction, with said curve to the right, an arc distance of 438.74 feet to a point at the beginning of a compound curve to the right having a central angle of 6°29'00", a radius of 2080.00 feet, a chord bearing and distance of north 82°28'10" east, 235.23 feet;

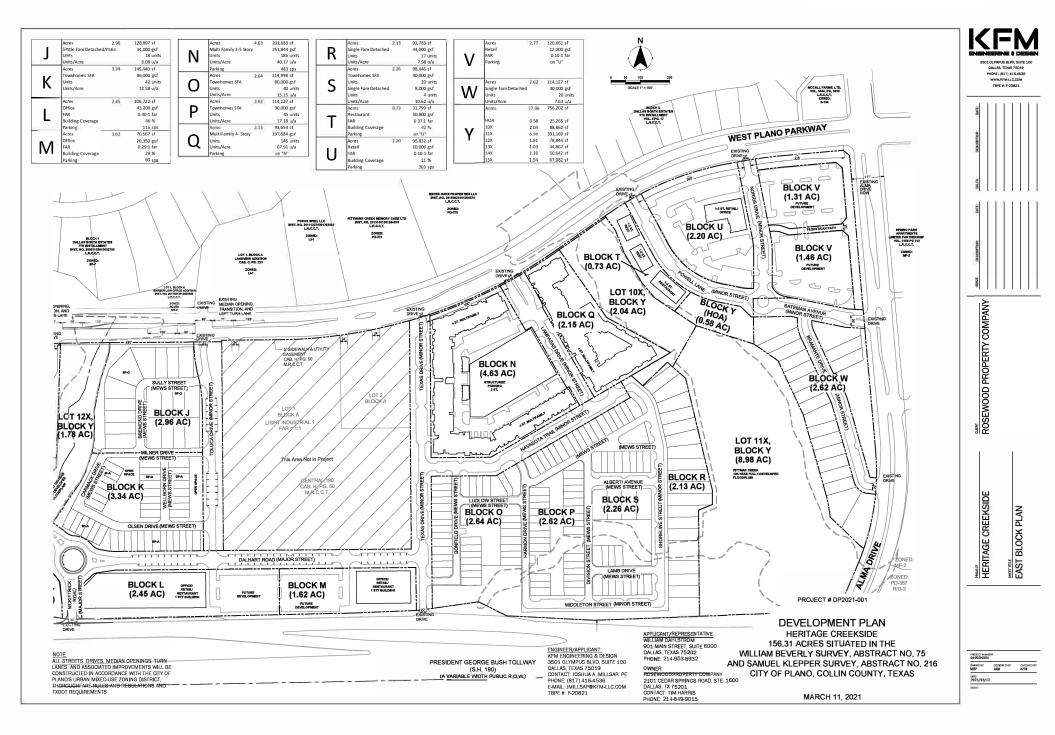
In a northeasterly direction, with said curve to the right, an arc distance of 235.36 feet to a point at the end of said curve;

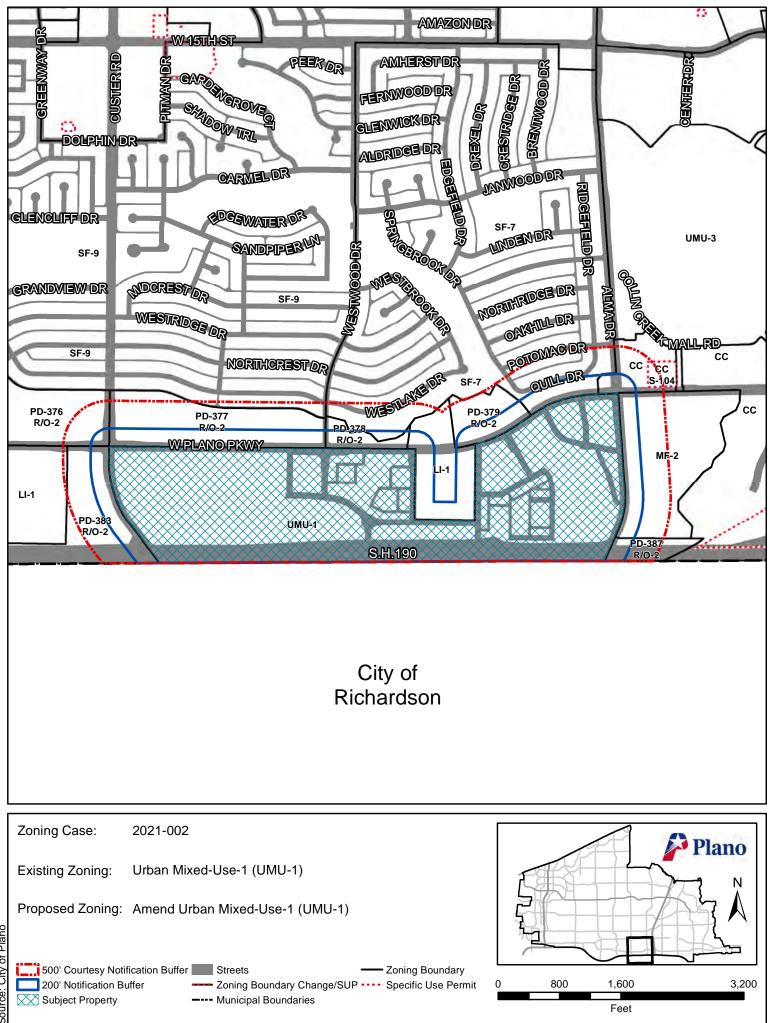
North 85°42'40" east, a distance of 258.57 feet to the **Point of Beginning and Containing** 156.31 (6,808,863.60 sq. Ft.) Acres of land.











Source: City of Plano

