

## **Zoning Case 2021-005**

**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 6.8 acres of land from Regional Employment to Commercial Employment and grant Specific Use Permit No. 170 for New Vehicle Dealer on 5.0 acres of land out of the Henry B. Miller Survey, Abstract No. 614, located on the west side of the Dallas North Tollway, 700 feet south of Spring Creek Parkway in the City of Plano, Collin County, Texas; directing a change accordingly in the official zoning map of the City; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability 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 26th day of April 2021, for the purpose of rezoning 6.8 acres of land from Regional Employment to Commercial Employment and granting Specific Use Permit No. 170 for New Vehicle Dealer on 5.0 acres of land out of the Henry B. Miller Survey, Abstract No. 614, located on the west side of the Dallas North Tollway, 700 feet south of Spring Creek Parkway in the City of Plano, Collin County, Texas; 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 26th day of April 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 6.8 acres of land from Regional Employment to Commercial Employment and grant Specific Use Permit No. 170 for New Vehicle Dealer on 5.0 acres of land out of the Henry B. Miller Survey, Abstract No. 614, located on the west side of the Dallas North Tollway, 700 feet south of Spring Creek Parkway in the City of Plano, Collin County, Texas, said property being described in the legal descriptions on Exhibits A and B attached hereto.

**Section II.** 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 III.** 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 IV.** 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 V.** 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 VI.** 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 VII.** This Ordinance shall become effective immediately upon its passage and publication as required by law.

**PASSED AND APPROVED THIS THE 26TH DAY OF APRIL 2021.**

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Harry LaRosiliere, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY

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**BEGINNING** at a 5/8" iron rod with yellow plastic cap stamped "SPIARS ENG" found for the southwest corner of said 5.000 acre tract and the southerly southeast corner of Lot 1, Block 1, North 40 Dealership Addition, an addition to the City of Plano according to the plat recorded in Cabinet 2013, Page 155, Plat Records, Collin County, Texas, in the north line of Lot 1, Block 1, Ewing Auto Addition, an addition to the City of Plano according to the plat recorded in Cabinet 2015, Page 356, Plat Records, Collin County, Texas;

**THENCE** along the common line between said 5.000 acre tract and said Lot 1, Block 1, of said North 40 Dealership Addition, the following courses and distances:

North 1°00'31" West, a distance of 439.64 feet to a 5/8" iron rod with yellow plastic cap stamped "SPIARS ENG" found for the northwest corner of said 5.000 acre tract, at an angle point in said Lot 1, Block 1, of said North 40 Dealership Addition;

North 88°57'15" East, passing at a distance of 621.56 feet a 5/8" iron rod with yellow plastic cap stamped "SPIARS ENG" found for the northeast corner of said 5.000 acre tract and the northerly southeast corner of said Lot 1, Block 1, of said North 40 Dealership Addition, in the west right-of-way line of Dallas North Tollway (a variable width right-of-way, being 300' wide at this point), and continuing over and across said Dallas North Tollway, a total distance of 788.36 feet to the beginning of a non-tangent curve to the right having a central angle of 6°48'19", a radius of 2,864.79 feet, a chord bearing and distance of South 27°33'14" West, 340.06 feet;

**THENCE** continuing over and across said Dallas North Tollway, the following courses and distances:

In a southwesterly direction, with said curve to the right, an arc distance of 340.26 feet;

South 30°57'25" West, a distance of 165.42 feet;

South 88°52'13" West, passing at a distance of 177.04 feet a 1/2" iron rod with red plastic cap (illegible) found for the southeast corner of said 5.000 acre tract and the northeast corner of said Lot 1, Block 1, of said Ewing Auto Addition, in the west right-of-way line of said Dallas North Tollway, and continuing along the common line between said 5.000

acre tract and said Ewing Auto Addition, a total distance of 538.20 feet to the **POINT OF BEGINNING** and containing a computed area of 294,110 square feet or 6.75 acres of land, more or less.

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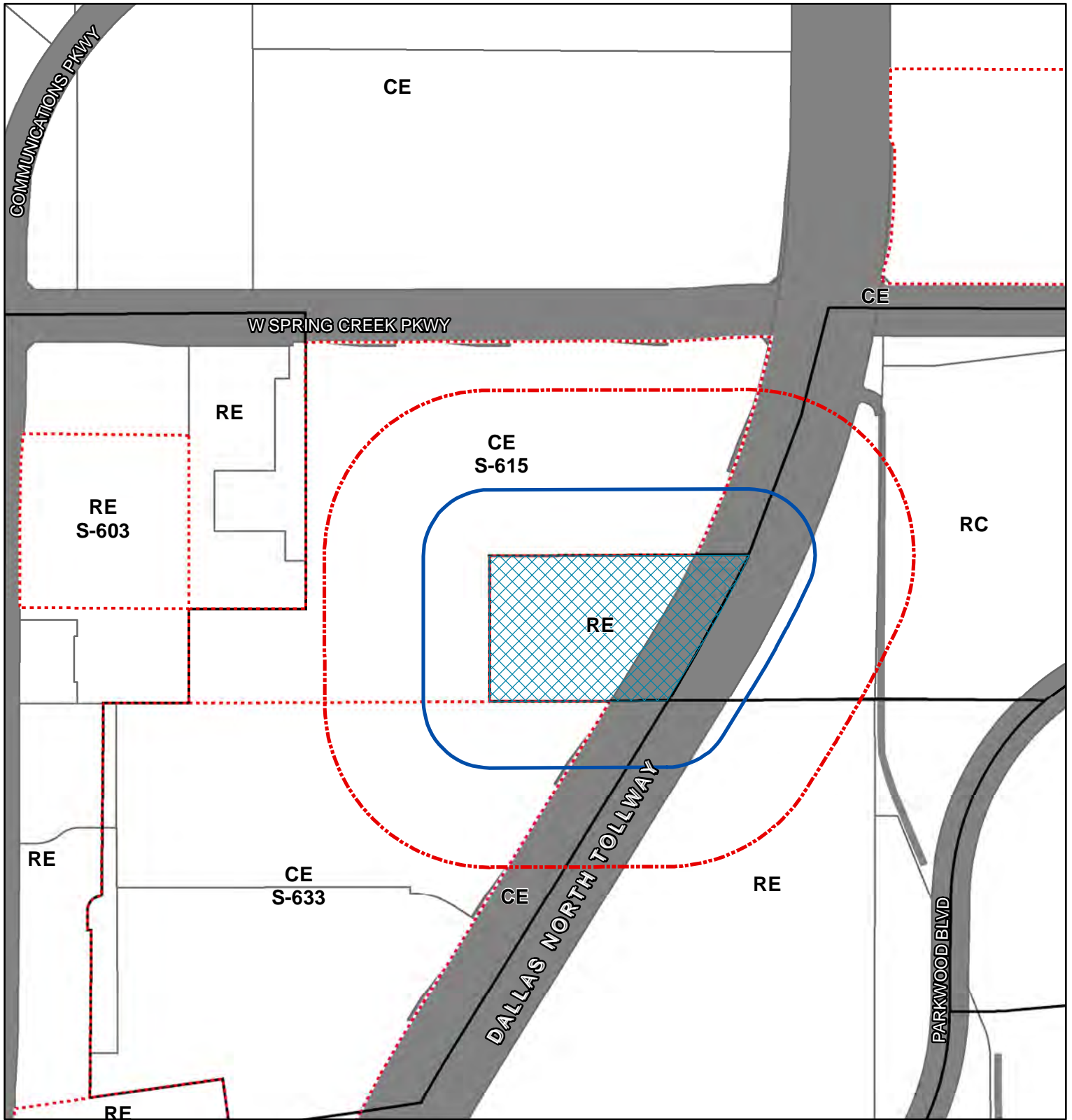
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**THENCE** along the common line between said 5.000 acre tract and said Dallas North Tollway, the following courses and distances:

In a southwesterly direction, with said curve to the right, an arc distance of 251.43 feet;

South 30°57'25" West, a distance of 259.46 feet to a 1/2" iron rod with red plastic cap (illegible) found for the southeast corner of said 5.000 acre tract and the northeast corner of said Lot 1, Block 1, of said Ewing Auto Addition;

**THENCE** South 88°52'13" West, along the common line between said 5.000 acre tract and said Ewing Auto Addition, a total distance of 361.16 feet to the **POINT OF BEGINNING** and containing a computed area of 217,855 square feet or 5.00 acres of land, more or less.

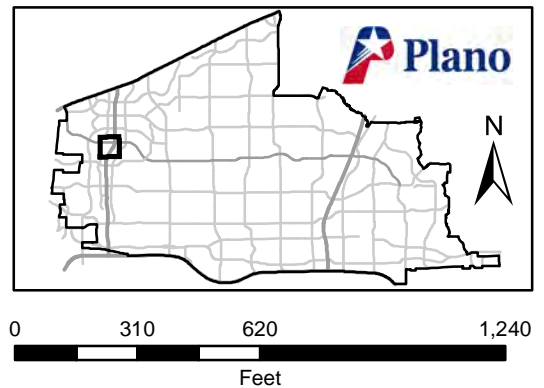


Zoning Case: 2021-005

Existing Zoning: Regional Employment

Proposed Zoning: Commercial Employment and Specific Use Permit for New Vehicle Dealer

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



# NOTES:

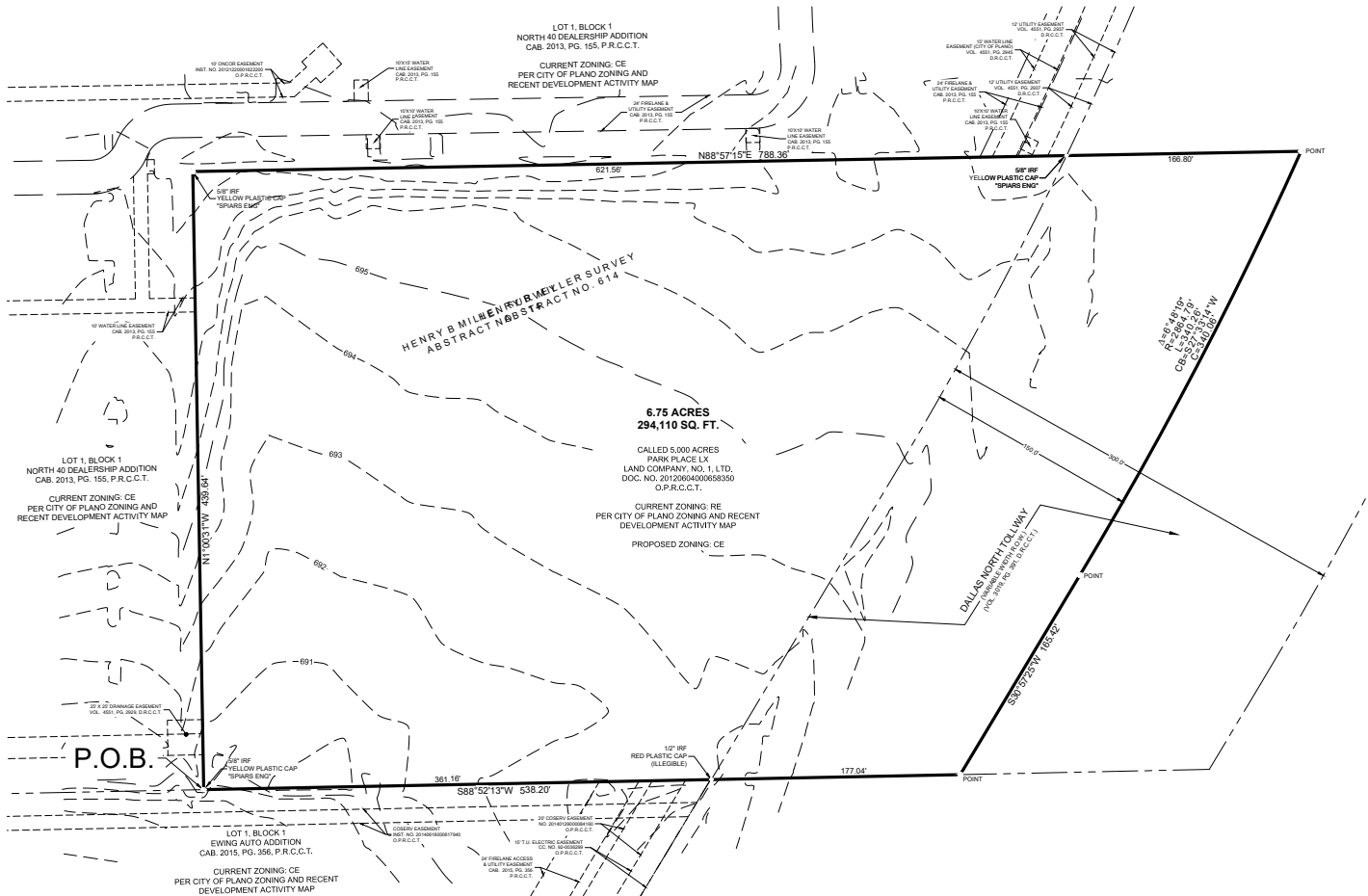
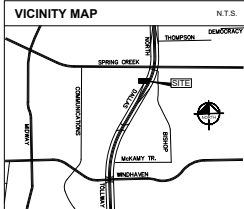
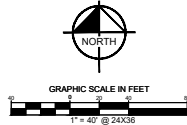
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This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation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

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

## LEGEND

D.R.C.C.T. = DEED RECORDS,  
COLLIN COUNTY, TEXAS  
P.R.C.C.T. = PLAT RECORDS,  
COLLIN COUNTY, TEXAS  
O.P.R.C.C.T. = OFFICIAL PUBLIC  
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NO. = NUMBER  
CAB. = CABINET  
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IRF = IRON ROD FOUND



## METES & BOUNDS DESCRIPTION

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## PRELIMINARY

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RECORDED FOR ANY PURPOSE  
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VIEWED OR RELED UPON AS A  
FINAL SURVEY DOCUMENT  
DAVID J. DE WEIROT, R.P.L.S.  
REGISTRATION NO. 5066  
March 8, 2021

## ZONING EXHIBIT ZONING CASE NO. ZC2021-005 6.75 ACRES

HENRY B. MILLER SURVEY ABSTRACT NO. 614  
CITY OF PLANO, COLLIN COUNTY, TEXAS

**Kimley»Horn**

13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240	FIRM # 101155500	Tel. No. (972) 770-1300 Fax No. (972) 259-3620
Scale 1" = 40'	Drawn by B.J.E.	Checked by D.J.D.
Date 03/08/2021	Project No. 064517703	Sheet No. 1 OF 1

OWNER:  
PARK PLACE LX LAND  
COMPANY, NO. 1, LTD.  
1300 TEXAS TRAIL  
GRAPEVINE, TX 76051  
PH: (972) 770-1300  
CONTACT: CODY RISINGER, P.E.  
CODY.RISINGER@KIMLEY-HORN.COM

ENGINEER AND SURVEYOR:  
KIMLEY-HORN AND ASSOC., INC.  
13455 NOEL ROAD  
TWO GALLERIA OFFICE TOWER, SUITE 700  
DALLAS, TEXAS 75240  
PH: (972) 770-1300  
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NOTES:

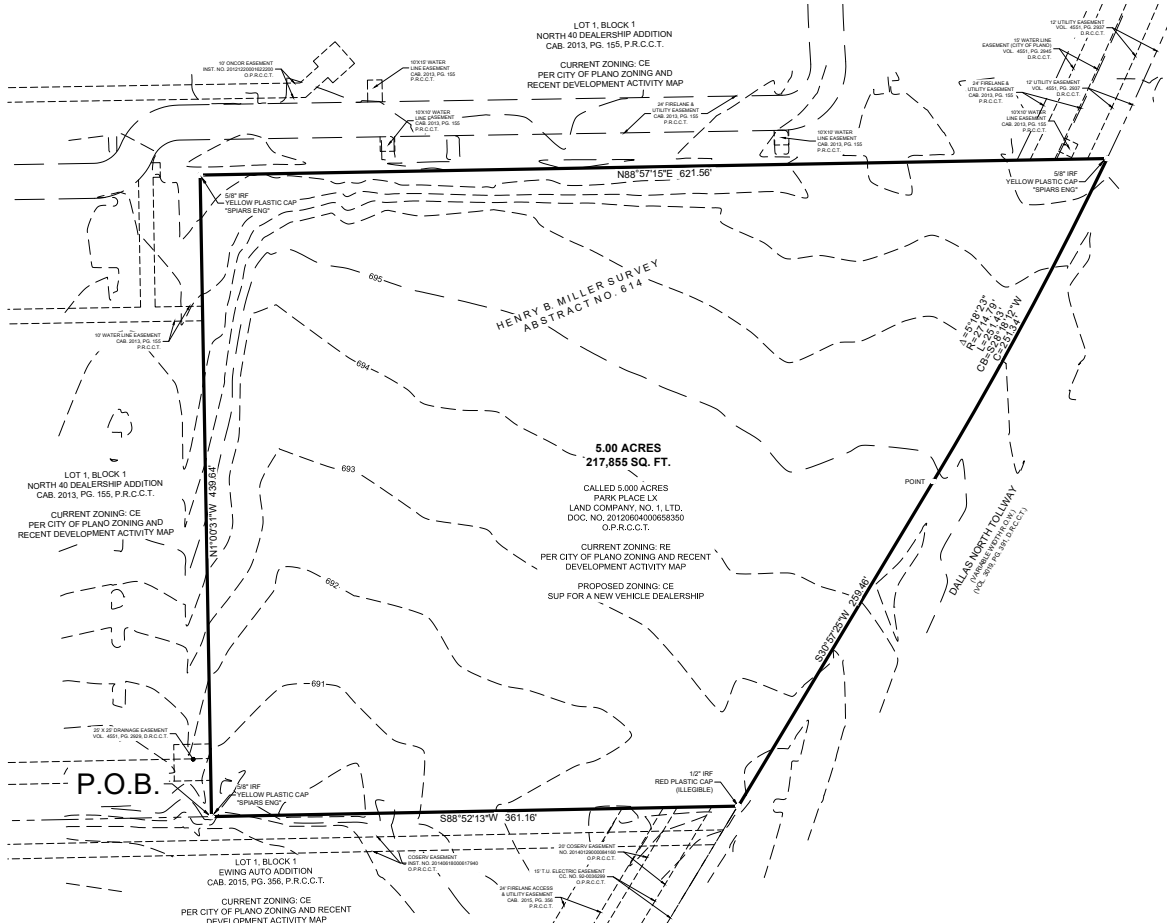
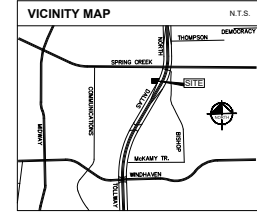
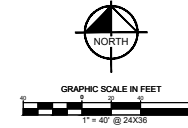
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**Kimley»Horn**

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