

Zoning Case 2021-007

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 1.5 acres of land out of the John C. Campbell Survey, Abstract No. 240, located at the northwest corner of Turtle Creek Drive and Old Westbury Lane in the City of Plano, Collin County, Texas, from Planned Development-342-Single-Family Residence-9 to Planned Development-423-Patio Home; 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 28th day of June 2021, for the purpose of considering rezoning 1.5 acres of land out of the John C. Campbell Survey, Abstract No. 240, located at the northwest corner of Turtle Creek Drive and Old Westbury Lane in the City of Plano, Collin County, Texas, from Planned Development-342-Single-Family Residence-9 to Planned Development-423-Patio Home; 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 28th day of June 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 1.5 acres of land out of the John C. Campbell Survey, Abstract No. 240, located at the northwest corner of Turtle Creek Drive and Old Westbury Lane in the City of Plano, Collin County, Texas, from Planned Development-342-Single-Family Residence-9 to Planned Development-423-Patio Home, 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. Minimum Lot Size: 5,500 square feet
2. Minimum Lot Width: 50 feet
3. No open space requirements.
4. Subject to provision of two irrigated landscape easements with shrubs and trees. Both easements should extend from Old Westbury Lane to Shaddock Boulevard. One easement will be located on the north side of Turtle Creek Drive, and the second will be located on the south side of Castle Gate Drive.

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 28TH DAY OF JUNE 2021.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

BEING a tract of land situated in the John C. Campbell Survey, Abstract No. 240, City of Plano, Collin County, Texas, the subject tract being a portion of a tract conveyed to GCC Asset Management Inc. according to the deed recorded in Document No. 95-0032651 of the Deed Records, Collin County, Texas (DRCCT), and being a portion of Castle Gate Drive, Old Westbury Lane, and Turtle Creek Drive, with the subject tract being more particularly described as follows:

BEGINNING at a point on the center line of Old Westbury Lane, a called 50-foot wide right-of-way, from which an "X" found in concrete at the northeast corner of Lot 1, Block B, Willow Bend Polo Estates Phase B, an addition to the City of Plano, as recorded in Document No. 95-0032061 in Cabinet 1, Slide 590 of the Land Records of Collin County, Texas (LRCCT), bears S 20°44'36" W, 41.86 feet;

THENCE around a curve to the right having a central angle of 09°43'46", a radius of 250.00 feet, a chord of S 15°00'50" E - 42.40 feet, an arc length of 42.45 feet along said center line of Old Westbury Lane;

THENCE S 10°15'31" E, 245.51 feet along said center line of Old Westbury Lane;

THENCE around a tangent curve to the right having a central angle of 10°23'21", a radius of 850.00 feet, a chord of S 05°03'50" E - 153.92 feet, an arc length of 154.13 feet along said center line of Old Westbury Lane;

THENCE S 00°07'51" W, 95.39 feet along said center line of Old Westbury Lane;

THENCE around a tangent curve to the right having a central angle of 31°00'10", a radius of 250.00 feet, a chord of S 15°37'57" W - 133.63 feet, an arc length of 135.28 feet to a point on the center line of Turtle Creek Drive, a called 50-foot wide right-of-way;

THENCE around a non-tangent curve to the left having a central angle of 29°49'54", a radius of 250.00 feet, a chord of N 73°34'00" W - 128.70 feet, an arc length of 130.16 feet along center line of said Turtle Creek Drive;

THENCE N 88°28'56" W, 89.91 feet along center line of said Turtle Creek Drive;

THENCE N 06°26'11" E, 25.09 feet;

THENCE S 88°28'56" E, 86.49 feet;

THENCE N 34°17'26" E, 115.53 feet;

THENCE N 03°43'47" W, 484.72 feet to point on the center line of Castle Gate Drive, a called 65-foot wide right-of-way;

THENCE N 71°40'18" E, 61.54 feet along the center line of said Castle Gate Drive;

To the POINT OF BEGINNING with the subject tract containing 63,456.36 square feet or 1.457 acres of land.



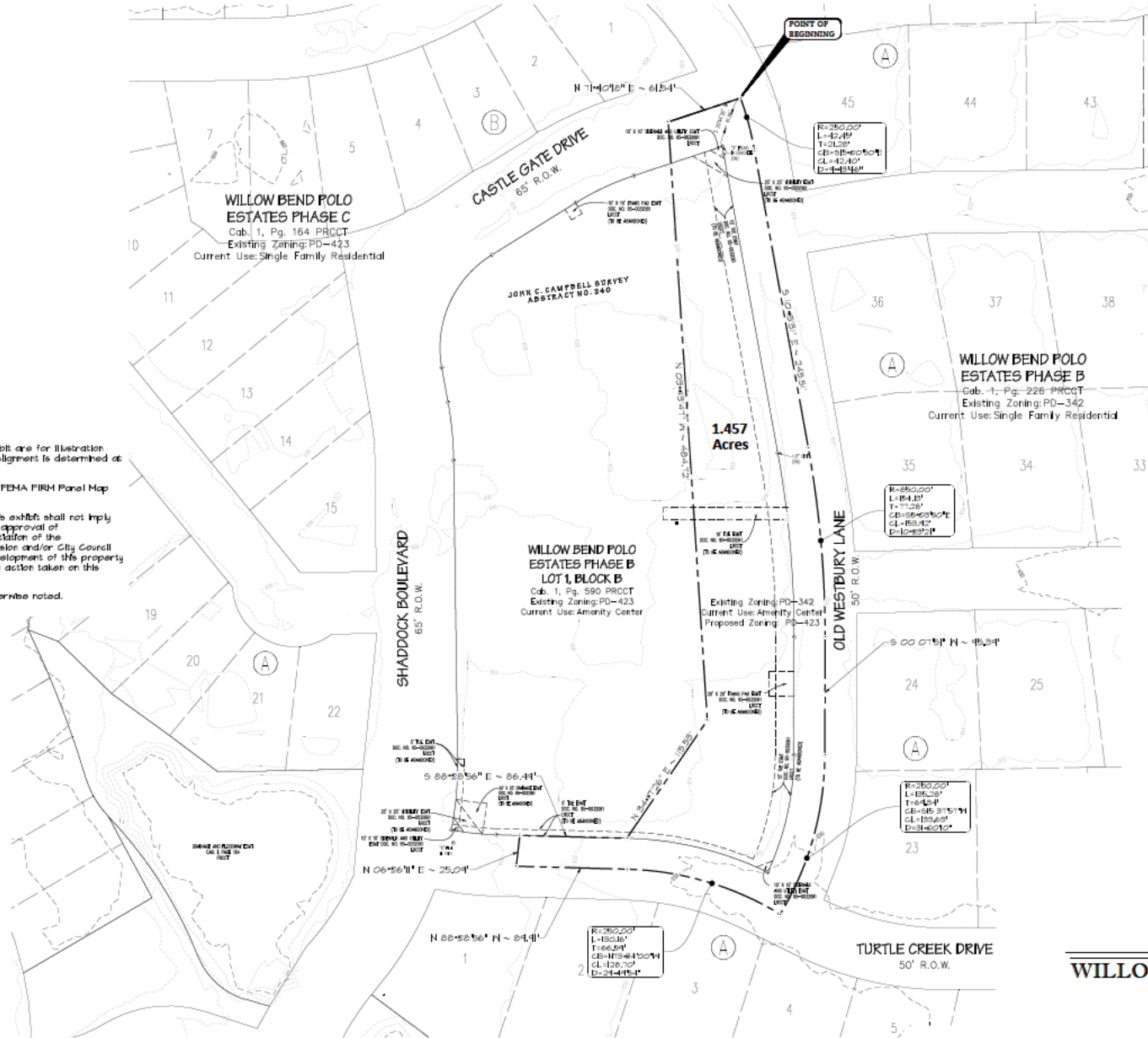
LOCATION MAP

NOTES:
The thoroughfare alignment(s) shown on this exhibit are for illustration purposes and does not set the alignment. The Alignment is determined at the time of final plat.

Floodplain Does Not Exist On the Property Per FEMA FIRM Panel Map No. 48065C086K, Dated June 7, 2017.

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 herein, 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.

Monuments shown on exhibit were set unless otherwise noted.



ZONING EXHIBIT: ZC2021-007

WILLOW BEND POLO ESTATES PHASE B

Block B, Lot 1
1.457 ACRES

IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS
JOHN C. CAMPBELL SURVEY-ABST. NO. 240
EXISTING ZONING: PD-342 / PD-423
PROPOSED ZONING: PD-423

OWNER/APPLICANT
SHADDOCK ACQUISITION, LLC
2400 Dallas Parkway, Suite 500
Plano, Texas 75093
Telephone (214) 425-6942
Contact: W.B. Shaddock

ENGINEER/SURVEYOR
SPE Engineering, Inc.
765 Castle Road, Suite 100
Plano, TX 75075
Telephone (972) 422-0077
TIFP No. F-3223
Contact: G. M. T. Nelson

Scale: 1" = 40' March 2021 SEE Job No. 21-009

METES AND BOUNDS DESCRIPTION

Zoning Exhibit

BEING a tract of land situated in the John C. Campbell Survey, Abstract No. 240, City of Plano, Collin County, Texas, the subject tract being a portion of a tract conveyed to DCC Asset Management Inc. according to the deed recorded in Document No. 95-0032851 of the Deed Records, Collin County, Texas (DRCCT), and being a portion of Castle Gate Drive, Old Westbury Lane, and Turtle Creek Drive, with the subject tract being more particularly described as follows:

BEGINNING at a point on the center line of Old Westbury Lane, a called 50-foot wide right-of-way, more or less, at the northeast corner of Lot 1, Block B, Willow Bend Polo Estates Phase B, an addition to the City of Plano, as recorded in Document No. 95-0032801 in Cabinet 1, Slide 580 of the Deed Records of Collin County, Texas (DRCCT), bears S 20°44'26" W, 41.88 Feet;

THENCE around a curve to the right having a central angle of 09°43'46", a radius of 250.00 feet, a chord of S 10°00'50" E = 42.40 feet, an arc length of 42.45 feet along said center line of Old Westbury Lane;

THENCE S 10°15'31" E, 245.51 feet along said center line of Old Westbury Lane;

THENCE around a tangent curve to the right having a central angle of 10°23'21", a radius of 850.00 feet, a chord of S 03°03'50" E = 153.92 feet, an arc length of 154.13 feet along said center line of Old Westbury Lane;

THENCE S 00°07'51" W, 95.39 feet along said center line of Old Westbury Lane;

THENCE around a tangent curve to the right having a central angle of 31°00'10", a radius of 250.00 feet, a chord of S 19°37'57" W = 133.63 feet, an arc length of 135.28 feet to a point on the center line of Turtle Creek Drive, a called 50-foot wide right-of-way;

THENCE around a non-tangent curve to the left having a central angle of 29°49'54", a radius of 250.00 feet, a chord of N 73°34'00" W = 128.70 feet, an arc length of 130.16 feet along center line of said Turtle Creek Drive;

THENCE N 88°28'56" W, 89.91 feet along center line of said Turtle Creek Drive;

THENCE N 08°26'11" E, 25.09 feet;

THENCE S 88°28'56" E, 86.49 feet;

THENCE N 34°17'28" E, 115.53 feet;

THENCE N 03°43'47" W, 484.72 feet to point on the center line of Castle Gate Drive, a called 60-foot wide right-of-way;

THENCE N 71°40'18" E, 51.54 feet along the center line of said Castle Gate Drive;

to the POINT OF BEGINNING with the subject tract containing 63,456.36 square feet or 1.457 acres of land.

ZONING EXHIBIT: ZC2021-007

WILLOW BEND POLO ESTATES
PHASE B

Block B, Lot 1
1.457 ACRES

IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS
JOHN C. CAMPBELL SURVEY-ABST. NO. 240
EXISTING ZONING: PD-342 / PD-423
PROPOSED ZONING: PD-423

OWNER/APPLICANT
SHADDOCK ACQUISITION, L.L.C.
2400 Dallas Pk. Hwy., Suite 560
Plano, Texas 75093
Telephone (214) 405-6942
Contact: W.B. Shaddock

ENGINEER / SURVEYOR
SPE Engineering, Inc.
765 Castle Road, Suite 100
Plano, TX 75075
Telephone (972) 422-0077
TIFP No. P-3121
Contact: Greg T. Helzel

March 2021 SEE Job No. 21-009