

## Zoning Case 2021-009

**An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 29 for Used Vehicle Dealer on 5.8 acres of land out of the Lewis Wetsel Survey, Abstract No. 971, located on the west side of Preston Road, 142 feet north of State Highway 190, in the City of Plano, Collin County, Texas, presently zoned Planned Development-201-Light 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 26th day of July 2021, for the purpose of considering granting Specific Use Permit No. 29 for Used Vehicle Dealer on 5.8 acres of land out of the Lewis Wetsel Survey, Abstract No. 971, located on the west side of Preston Road, 142 feet north of State Highway 190, in the City of Plano, Collin County, Texas, presently zoned Planned Development-201-Light 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 26th of July 2021; and

**WHEREAS**, the City Council is of the opinion and finds that the granting of Specific Use Permit No. 29 for Used Vehicle Dealer on 5.8 acres of land out of the Lewis Wetsel Survey, Abstract No. 971, located on the west side of Preston Road, 142 feet north of State Highway 190, in the City of Plano, Collin County, Texas, presently zoned Planned Development-201-Light Commercial, would not be detrimental or injurious to the public health, safety and general welfare, or otherwise offensive to the neighborhood; and

**WHEREAS**, the City Council is of the opinion and finds that such change 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 grant Specific Use Permit No. 29 for Used Vehicle Dealer on 5.8 acres of land out of the Lewis Wetsel Survey, Abstract No. 971, located on the west side of Preston Road, 142 feet north of State Highway 190, in the City of Plano, Collin County, Texas, presently zoned Planned Development-201-Light Commercial, said property being more fully described on the legal description in Exhibit A attached hereto.

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

1. Noise

- a. Service speakers and public address/paging systems as defined by the Zoning Ordinance are not permitted.
- b. Noise must comply with the City of Plano's maximum specific noise levels for Residential as specified within the Code of Ordinances.

2. Loading Spaces

- a. Where adjacent to residential uses, off-street loading areas shall be fully screened from view of the residential uses by an irrigated evergreen living screen.
- b. Loading docks within 150 feet of the northern property line shall be fully screened from view of the residential uses by an irrigated evergreen living screen.

3. Vehicle Service Bays

- a. All repair, service, and testing activities shall be completed inside a fully enclosed building.
- b. The installation of new service bays/doors facing residential uses is prohibited.

4. Car Wash - Operations must be performed inside a fully-enclosed building.

5. Landscaping - An irrigated evergreen living screen must be provided along the entire length of the northern property line adjacent to the residential uses and must grow to a minimum height of 6 feet within 2 years of planting.

**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 26TH DAY OF JULY 2021.**

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John B. Muns, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY

BEING a tract of land situated in the LEWIS WETSEL SURVEY, ABSTRACT NO. 971, City of Plano, Collin County, Texas and being a portion of Lot 1, Block 1, Performance Addition, an addition to the City of Plano, Collin County, Texas, according to the plat thereof recorded in Cabinet G, Page 770, Plat Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at an "X" cut in concrete found for corner, said "X" cut being the Northeast corner of said Lot 1, Block 1 and being situated in the West right-of-way line of Preston Road (variable width right-of-way);

THENCE along the West right-of-way line of Preston Road, the following:

South 00 deg 32 min 32 sec West, a distance of 281.43 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

South 04 deg 55 min 38 sec West, a distance of 91.68 feet to a 1/2-inch iron rod with yellow plastic cap stamped " BURNS SURVEYING" found for corner;

South 02 deg 26 min 19 sec West, a distance of 10.88 feet to a 1/2-inch iron rod with yellow plastic cap stamped " BURNS SURVEYING" found for corner;

South 04 deg 44 min 56 sec West, a distance of 56.29 feet to a 1/2-inch iron rod with yellow plastic cap stamped " BURNS SURVEYING" found for corner, said iron rod being situated in the South line of said Lot 1, Block 1;

THENCE North 88 deg 44 min 22 sec West, departing the West right-of-way line of said Preston Road and along the South line of said Lot 1, Block 1, a distance of 608.55 feet to an "C" cut in concrete, found for corner, said "X" cut being the Southwest corner of said Lot 1, Block 1;

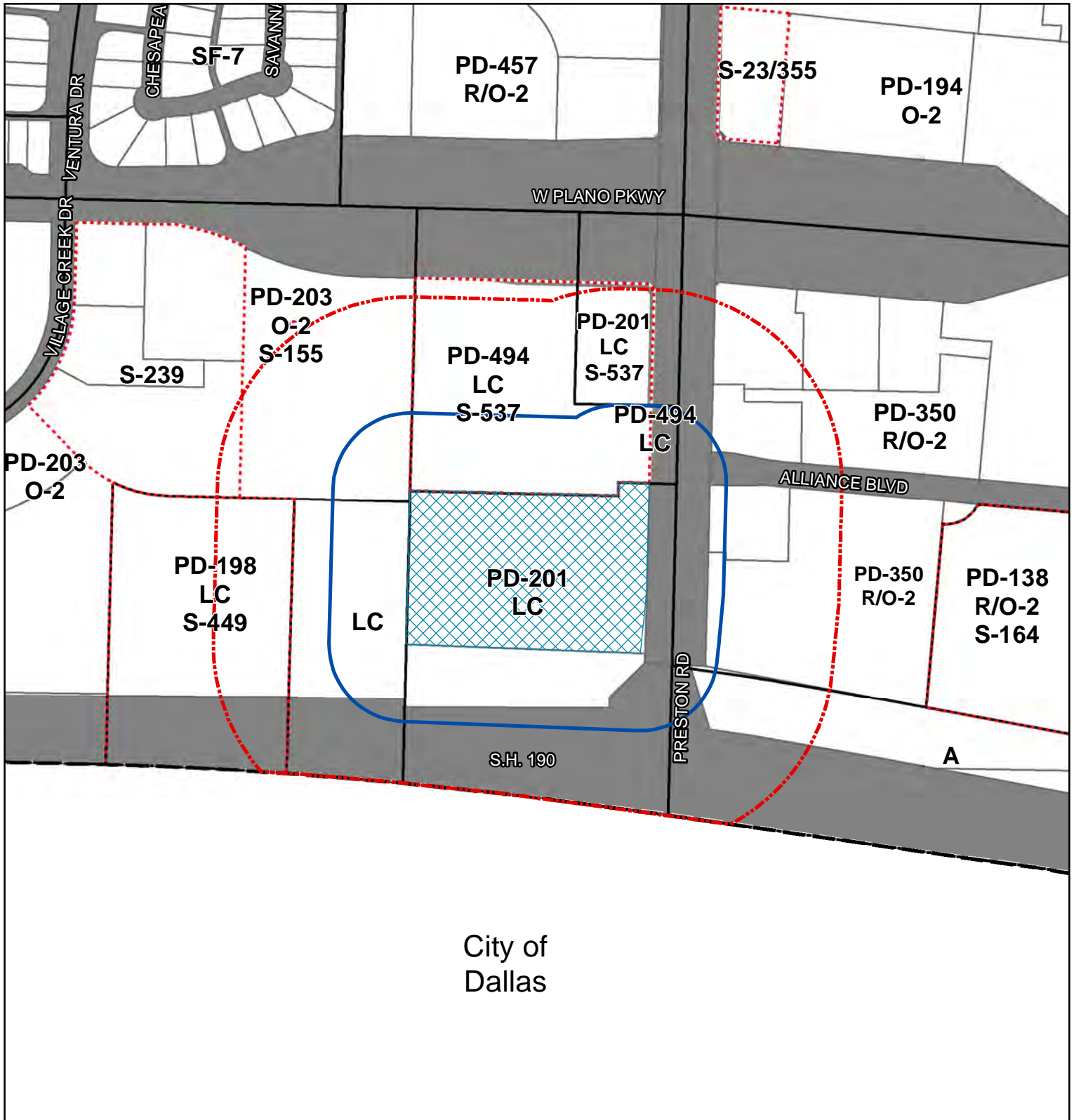
THENCE North 00 deg 32 min 32 sec East, departing the South line and along the West line of said Lot 1, Block 1, a distance of 397.22 feet to a 1/2-inch iron rod with yellow plastic cap stamped "RPLS5239" found for the Northwest cor of said Lot 1, Block 1;

THENCE South 89 deg 27 min 28 sec East, departing the West line and along a North line of said Lot 1, Block 1, a distance of 540.00 feet to an "X" cut in concrete found for corner;

THENCE North 00 deg 32 min 32 sec East, continuing along a northerly line of said Lot 1, Block 1, a distance of 35.00 feet to an "X" cut in concrete found for corner;

THENCE South 89 deg 27 min 28 sec East, continuing along said North line, a distance of 80.00 feet to the POINT OF BEGINNING.

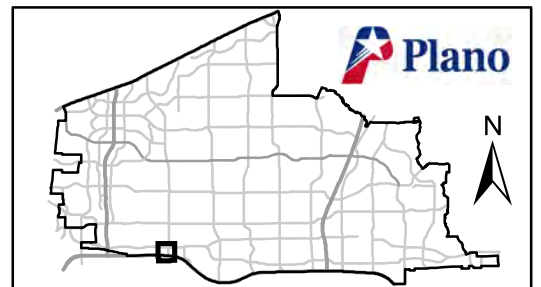
CONTAINING within these metes and bounds 5.752 acres or 250,562 square feet of land, more or less.



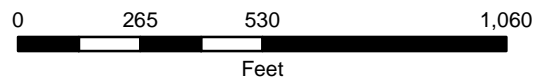
Zoning Case: 2021-009

Existing Zoning: Planned Development-201-Light Commercial and located within the Preston Road Overlay District

Proposed Zoning: Specific Use Permit for Used Vehicle Dealer

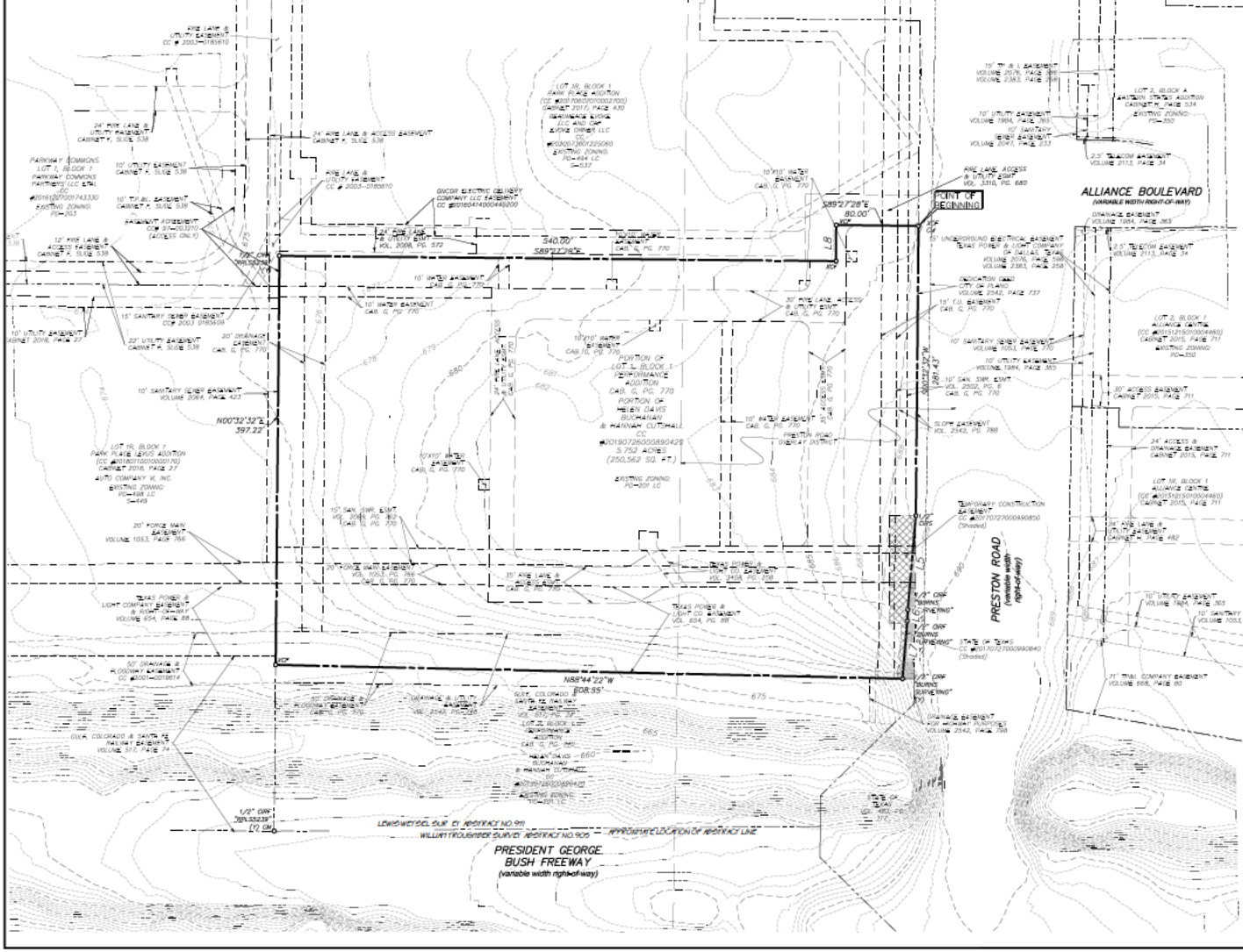
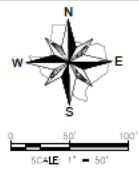
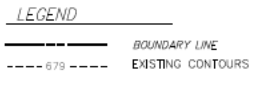


- 500' Courtesy Notification Buffer
- 200' Notification Buffer
- Subject Property
- Streets
- Zoning Boundary
- Zoning Boundary Change/SUP
- Specific Use Permit
- Municipal Boundaries



**NOTE:**  
 APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY, PLAN, OR PLAN, APPROVAL OF DEVELOPMENT STANDARDS SHOWN HEREON, OR THE INITIATION OF THE DEVELOPMENT PROCESS. PLANNING AND ZONING COMMISSION AND/OR CITY COUNCIL ACTION ON STUDIES, PLANS, OR PLANS RELATING TO DEVELOPMENT OF THIS PROPERTY SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM ACTION TAKEN ON THIS ZONING CASE.

LINE #	BEARING	DISTANCE
13	S89°52'28"E	80.00'
14	S00°00'00"W	397.22'
17	S00°00'00"W	397.22'
18	N00°00'00"W	397.22'



**PROPERTY DESCRIPTION**  
 BEING a tract of land situated in the LEWIS HETTEL SURVEY, ABSTRACT NO. 971, City of Plano, Collin County, Texas and being a portion of Lot 1, Block 1, Performance Addition, an addition to the City of Plano, Collin County, Texas, according to the plan thereof recorded in Cabinet # Page 773, Plat Records, Collin County, Texas, and being more particularly described as follows:

BEINGW of an "X" cut in concrete found for corner, said "X" cut being the Northwest corner of said Lot 1, Block 1 and being situated in the West right-of-way line of Preston Road (variable width right-of-way).

THENCE along the West right-of-way line of Preston Road, the following:  
 South 00 deg 32 min 32 sec West a distance of 281.43 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A. 5714" set for corner;  
 South 04 deg 55 min 38 sec West a distance of 91.68 feet to a 1/2-inch iron rod with yellow plastic cap stamped "BURNS SURVEYING" found for corner;  
 South 02 deg 26 min 19 sec West a distance of 10.88 feet to a 1/2-inch iron rod with yellow plastic cap stamped "BURNS SURVEYING" found for corner;  
 South 04 deg 44 min 56 sec West a distance of 56.29 feet to a 1/2-inch iron rod with yellow plastic cap stamped "BURNS SURVEYING" found for corner, said iron rod being situated in the South line of said Lot 1, Block 1;  
 THENCE North 88 deg 44 min 22 sec West, departing the West right-of-way line of said Preston Road and along the South line of said Lot 1, Block 1, a distance of 608.55 feet to an "X" cut in concrete found for corner, said "X" cut being the Southwest corner of said Lot 1, Block 1;  
 THENCE North 00 deg 32 min 32 sec East, departing the South line along the West line of said Lot 1, Block 1, a distance of 397.22 feet to a 1/2-inch iron rod with yellow plastic cap stamped "WPL53239" found for the Northwest cor of said Lot 1, Block 1;  
 THENCE South 89 deg 27 min 28 sec East, departing the West line and along a North line of said Lot 1, Block 1, a distance of 540.00 feet to an "X" cut in concrete found for corner;  
 THENCE North 00 deg 32 min 32 sec East, continuing along a northerly line of said Lot 1, Block 1, a distance of 33.00 feet to an "X" cut in concrete found for corner;  
 THENCE South 89 deg 27 min 28 sec East, continuing along said North line, a distance of 80.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 5.752 acres or 250,562 square feet of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 9th day of April, 2021, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83, grid values from the Geoschack IRS network.

ZONING CASE # ZC2021-009

ZONING EXHIBIT  
 OF  
 PERFORMANCE ADDITION  
 LOT 1, BLOCK 1  
 CITY OF PLANO  
 COLLIN COUNTY, TEXAS  
 MAY 10, 2021

1001 PRESTON ROAD, PLANO, TEXAS  
 5.752 ACRES OUT OF THE  
 LEWIS HETTEL SURVEY, ABSTRACT NO. 971

PREPARED BY: WINKELMANN & ASSOCIATES, INC.  
 11111 W. STEAKHOUSE BLVD. SUITE 300  
 PLANO, TX 75075  
 TEL: 972-423-1111  
 WWW.WINKELMANN.COM

REVISION & ASSOCIATES, INC.  
 11111 W. STEAKHOUSE BLVD. SUITE 300  
 PLANO, TEXAS 75075  
 TEL: 972-423-1111  
 WWW.WINKELMANN.COM

PRELIMINARY - NOT FOR CONSTRUCTION

ZONING EXHIBIT

1001 PRESTON ROAD  
 PLANO, TEXAS

DATE

NO.

Winkelmann & Associates, Inc.

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