

## Zoning Case 2021-008

**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 Planned Development-94-Retail on 2.2 acres of land out of the William Fitzhugh Survey, Abstract No. 308, located at the northeast corner of 15th Street and Greenway Drive in the City of Plano, Collin County, Texas, to allow restaurant/cafeteria as permitted uses and to modify development standards which may include but are not limited to parking; 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 amending Planned Development-94-Retail on 2.2 acres of land out of the William Fitzhugh Survey, Abstract No. 308, located at the northeast corner of 15th and Greenway Drive, in the City of Plano, Collin County, Texas, to allow restaurant/cafeteria as permitted uses and to modify development standards which may include but are not limited to parking; 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**, on the 28th day of June 2021, the City Council of said City, tabled the item to the 26th day of July 2021, when it held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance; 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 Planned Development-94-Retail on 2.2 acres of land out of the William Fitzhugh Survey, Abstract No. 308, located at the northeast corner of 15th Street and Greenway Drive in the City of Plano, Collin County, Texas, to allow restaurant/cafeteria as permitted uses and to modify

development standards which may include but are not limited to parking, 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:

1. Private clubs and automobile and related uses are prohibited.
2. Parking
  - a. The minimum required off-street parking for the buildings that exist prior to April 8, 2021, is as follows:
    - i. For buildings within Greenway Village, Block 1, Lot 2: A maximum of 3,300 square feet of restaurant/cafeteria uses may be parked at 1:200. The square footage of restaurant/cafeteria uses that exceeds 3,300 square feet must be parked at 1:100.
    - ii. For buildings within Greenway Village, Block 1, Lot 3: Retail and service uses and a maximum of 1,500 square feet of restaurant/cafeteria uses may be parked at 1:250. The square footage of restaurant/cafeteria uses that exceeds 1,500 square feet must be parked at 1:100.
  - b. For any building expansions, building additions, or redevelopment after April 8, 2021, the minimum off-street parking must meet the requirements of the Zoning Ordinance, as amended.

**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 affected 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 William Fitzhugh Survey, Abstract No. 308, City of Plano, Collin County, Texas, being all of Lot 2 and Lot 3, Block 1, Revised Greenway Village, an addition to the City of Plano, Collin County, Texas, according to the plat thereof recorded in Cabinet A, Slide 199, Map Records, Collin County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at the intersection of the north right-of-way line of 15th Street (F.M. Highway No. 544 – 100' right-of-way) with the east right-of-way line of Greenway Drive (50' right-of-way), same being the southwest corner of said Lot 3;

THENCE along the east right-of-way line of Greenway Drive, North 05 degrees 12 minutes 00 seconds West, a distance of 179.28 feet to the northwest corner of said Lot 3, same being on the south line of an alley fifteen (15.00) feet in width as dedicated by Greenway Court, an addition to the City of Plano, Collin County, Texas, according to the plat thereof recorded in Cabinet H, Slide 614, Map Records, Collin County, Texas, the POINT OF BEGINNING;

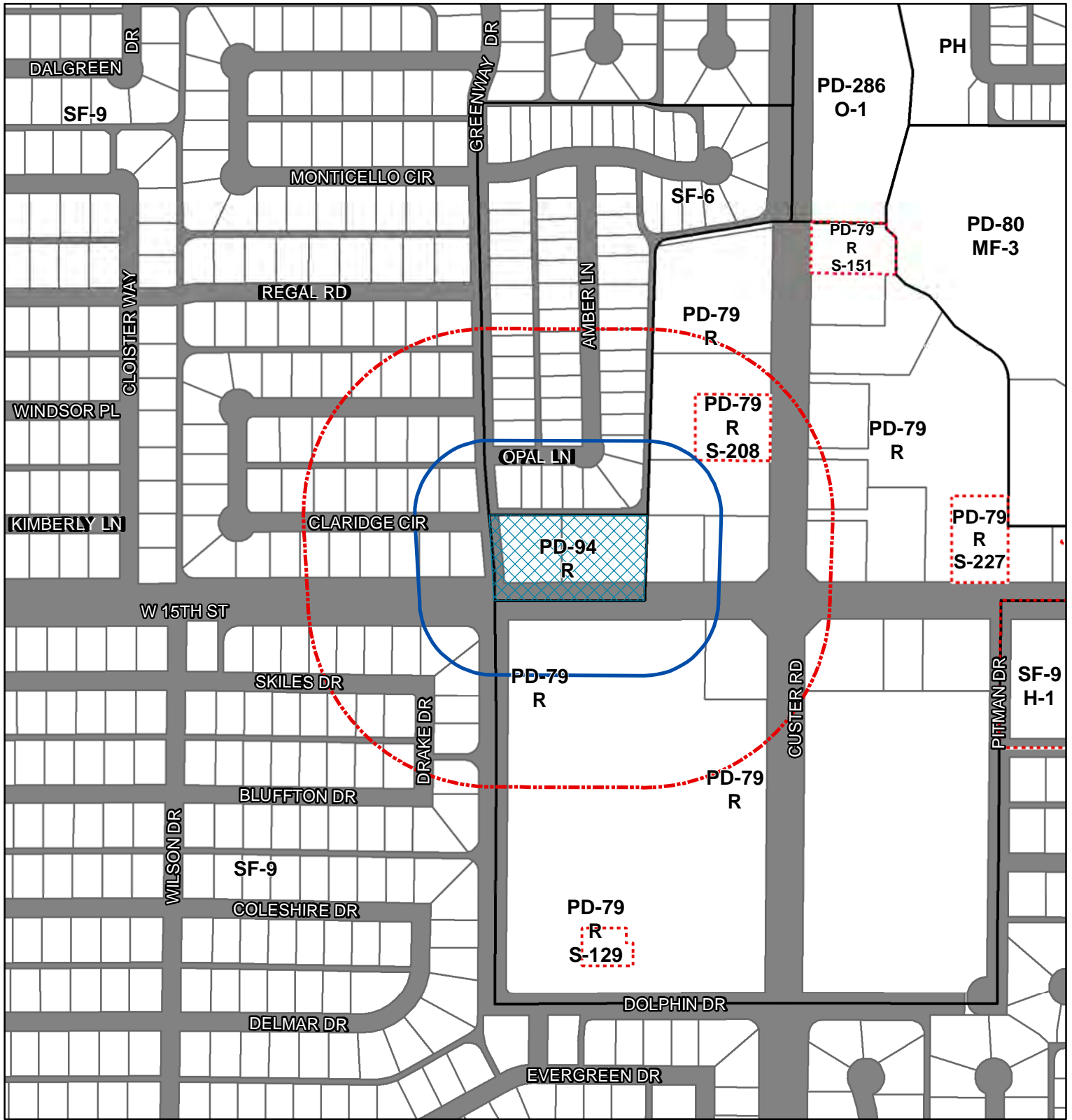
THENCE along the south line of said alley, same being the north line of said Block 1, Revised Greenway Addition, North 89 degrees 39 minutes 00 seconds East, a distance of 400.98 feet to the northeast corner of said Lot 2, Block 1, Revised Greenway Addition, same being on the west line of Thirty Twenty-Two Addition, an addition to the City of Plano, Collin County, Texas, according to the plat thereof recorded in Cabinet G, Slide 269, Map Records, Collin County, Texas;

THENCE along the west line of said Thirty Twenty-Two Addition, same being the east line of said Lot 2, South 01 degrees 24 minutes 52 seconds West, a distance of 228.73 feet PASSING the southeast corner of said Lot 2, same being on the north right-of-way line of 15th Street (F.M. Highway No. 544), to a point in the centerline of 15<sup>th</sup> Street;

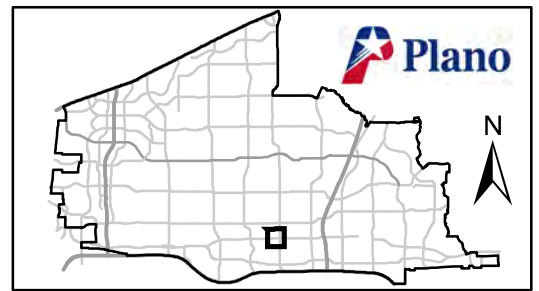
THENCE along the center line of the right-of-way of 15th Street (F.M. Highway No. 544), South 89 degrees 39 minutes 00 seconds West, a distance of 405.32 feet to a point in the centerline of West 15<sup>th</sup> Street;

THENCE North passing the north right of way line of West 15<sup>th</sup> Street and continuing along the centerline of Greenway Drive North 03 degrees 45 minutes 31 seconds West a distance of 229.03 feet to a point in the centerline of Greenway Drive, a point for corner;

THENCE North 89 degrees 39 minutes 00 seconds a distance of 25 feet to the POINT OF BEGINNING and containing 95,534 square feet or 2.193 acres of land, more or less.



Zoning Case: 2021-008  
 Existing Zoning: Planned Development-94-Retail (PD-94-R)  
 Proposed Zoning: Amend Planned Development-94-Retail (PD-94-R)



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

