

Zoning Case 2020-016

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, expanding Specific Use Permit No. 4 for Sewage Treatment Plant with restrictions and granting Specific Use Permit No. 162 for Service Yard with restrictions on 17.1 acres of land out of the James Ledbetter Survey, Abstract No. 545, located on the east side of Los Rios Boulevard, 1,030 feet north of 14th Street, in the City of Plano, Collin County, Texas, presently zoned Agricultural with Specific Use Permit No. 4 for Sewage Treatment Plant; 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 expanding Specific Use Permit No. 4 for Sewage Treatment Plant with restrictions and granting Specific Use Permit No. 162 for Service Yard with restrictions on 17.1 acres of land out of the James Ledbetter Survey, Abstract No. 545, located on the east side of Los Rios Boulevard, 1,030 feet north of 14th Street, in the City of Plano, Collin County, Texas, presently zoned Agricultural with Specific Use Permit No. 4 for Sewage Treatment Plant; 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 6th day of April 2021, the City Council of said City tabled the item to the 26th day of April 2021, on the 26th day of April 2021 the City Council tabled the item to the 24th day of May 2021, and on the 24th day of May 2021, the City Council tabled the item to the 9th day of August 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 expanding Specific Use Permit No. 4 for Sewage Treatment Plant with restrictions and granting Specific Use Permit No. 162 for Service Yard with restrictions on 17.1 acres of land out of the James Ledbetter Survey, Abstract No. 545, located on the east side of Los Rios Boulevard, 1,030 feet north of 14th Street, in the City of Plano, Collin County, Texas, presently zoned Agricultural with Specific Use Permit No. 4 for Sewage Treatment Plant, 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 expand Specific Use Permit No. 4 for Sewage Treatment Plant with restrictions and grant Specific Use Permit No. 162 for Service Yard with restrictions on 17.1 acres of land out of the James Ledbetter Survey, Abstract No. 545, located on the east side of Los Rios Boulevard, 1,030 feet north of 14th Street, in the City of Plano, Collin County, Texas, presently zoned Agricultural with Specific Use Permit No. 4 for Sewage Treatment Plant, said property being more fully described on the legal descriptions in Exhibits A and B attached hereto.

Section II. The change in Section I pertaining to the expansion of Specific Use Permit No. 4 for Sewage Treatment Plant is granted subject to the following restrictions:

1. No sewage treatment process units will be added outside the operational boundaries as they existed on January 1, 2021, as shown in Exhibit B attached hereto.
2. Development along Los Rios Boulevard is restricted to a one-story office building and associated parking spaces with a minimum setback of 150 feet from the Los Rios Boulevard right of way.
3. A living screen, consisting of a variety of evergreen trees must be planted and maintained to screen the sewage treatment plant equipment and facilities, except for the office building from Los Rios Boulevard.

Section III. The change in Section I pertaining to granting Specific Use Permit No. 162 for Service Yard is granted subject to the following restrictions:

1. The service yard must be located south of the sewage treatment plant and east of the wooded drainage way and must only be utilized to serve the sewage treatment plant.
2. The service yard must be no more than two acres in size and must be screened from view of streets and adjacent properties.

Section IV. 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 V. 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 VI. 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 9TH DAY OF AUGUST 2021.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

Zoning Case 2020-016

DESCRIPTION, of a 17.127 acre tract of land situated in the James Ledbetter Survey, Abstract Number 545, Collin County, Texas; said tract being part of that certain tract of land described as a called 15.544 acre tract in Special Warranty Deed to North Texas Municipal Water District (hereinafter referred to as NTMWD) recorded in Instrument Number 20191219001620230 and all of those certain tracts of land described as a called 3.788 acre tract and called 6.945 acre tract in Special Warranty Deed to NTMWD recorded in Instrument Number 20191219001620250, both of the Official Public Records of Collin County, Texas; said 17.127 acre tract being more particularly described as follows:

BEGINNING, at a 5/8 inch iron rod found for corner in the east right of way of Los Rios Boulevard (a 100 foot wide right-of-way); said point being the northwest corner of said 15.544 acre tract and the southwest corner of that certain tract of land described in Special Warranty Deed to the City of Plano, Texas recorded in Instrument Number 20141111001231920 of said Official Public Records;

THENCE, South 88 degrees, 26 minutes, 10 seconds East, departing the said east line of Los Rios Boulevard, along the south line of said City of Plano tract and the north line of said 15.544 acre tract, at a distance of 296.92 feet passing a PK-Nail found for corner at the northeast corner of said 15.544 acre tract and the northwest corner of the said 3.788 acre tract, continuing along the north line of said 3.788 acre tract and said 6.945 acre tract, for a total distance of 1,146.92 feet to a "+" cut in concrete found for corner at the northeast corner of said 6.945 acre tract; said point being the northwest corner of Lot 1R, Block A, 544 Golf Training Facility Addition, an addition to the City of Plano, Texas according to the plat recorded in Cabinet P, Page 362 of the Map Records of Collin County, Texas;

THENCE, South 01 degrees, 40 minutes, 28 seconds West, departing the said south line of the City of Plano tract and the North line of said 6.945 acre tract, and along the east line of said 6.945 acre tract and a northerly west line of said Lot 1R, a distance of 550.00 feet to a 5/8-inch iron rod with "ARS ENGINEERS" cap found for corner at the southeast corner of the second referenced tract and an ell corner of said Lot 1R;

THENCE, North 88 degrees, 26 minutes, 10 seconds West, departing the said east line of 6.945 acre tract and said northerly west line of Lot 1R, along the north line of said Lot 1R and the south line of the said 3.788 acre tract and said 6.945 acre tract, at a distance of 550.00 feet passing a 5/8-inch iron rod with "ARS ENGINEERS" cap found for corner at the southwest corner of said 6.945 acre tract and the southeast corner of said 3.788 acre tract, a distance of 850.00 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap set for corner at the southwest corner of said 3.788 acre tract; said point being the westernmost northwest corner of Lot 1-1, Block A of said 544 Golf Training Facility Addition, and in the east line of the 15.44 acre tract;

THENCE, South 01 degrees, 40 minutes, 28 seconds West, departing the said north line of Lot 1R and the said south line of the said 3.788 acre tract and said 6.945 acre tract, and along the east line of the said 15.544 acre tract and the west line of said Lot 1R, a distance of 474.54 feet to a 1/2-inch iron rod found for the southwest corner of said Lot 1R;

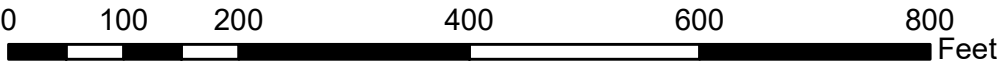
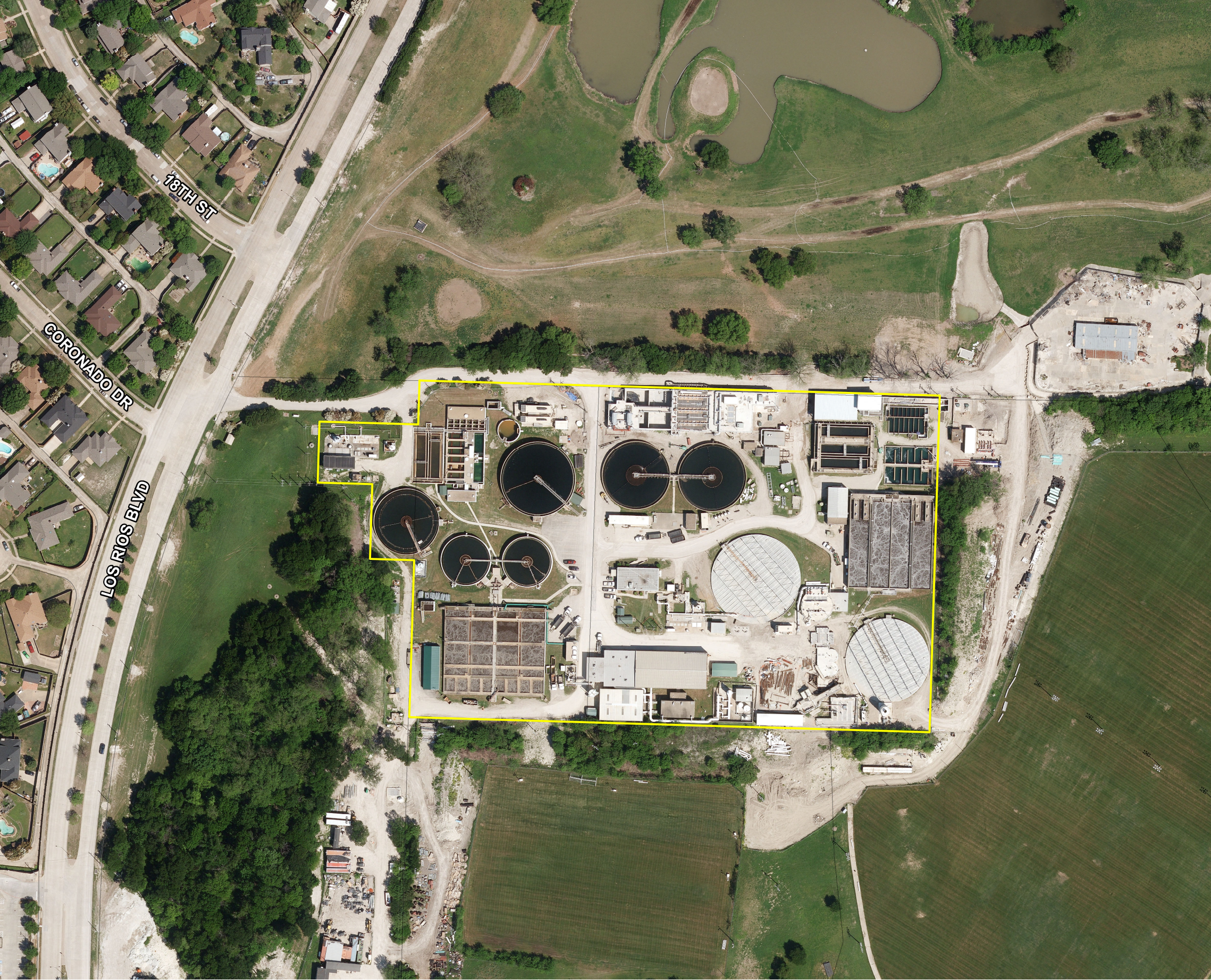
THENCE, North 88 degrees, 19 minutes, 32 seconds West, departing the said east line of the 15.544 acre tract and the said west line of Lot 1R, and into and across said 15.44 acre tract, a distance of 200.00 feet to a point for corner;

THENCE, North 01 degrees, 40 minutes, 28 seconds East, a distance of 611.70 feet to a point for corner;

THENCE, North 88 degrees, 27 minutes, 57 seconds West, a distance of 243.73 feet to a point for corner in the said east line of Los Rios Boulevard and the west line of said 15.544 acre tract; said point being the beginning of a non-tangent curve to the right;

THENCE, in a northeasterly direction and along said curve to the right, having a central angle of 12 degrees, 15 minutes, 32 seconds, a radius of 2,051.95 feet, a chord bearing and distance of North 21 degrees, 14 minutes, 58 seconds East, 438.19 feet, at an arc distance of 439.03 feet to the **POINT OF BEGINNING**;

CONTAINING: 746,055 square feet or 17.127 acres of land, more or less.



APPROXIMATE LEGAL DESCRIPTION

COMMENCING at a 3/4-inch iron rod found at State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, North 7,058,277.622, East 2,534,485.744 US Survey Feet, and being on the east right-of-way line of Los Rios Boulevard (a variable-width right-of-way), said point being the northwest corner of a 16.164-acre tract described in a Special Warranty Deed to the North Texas Municipal Water District, as recorded in Instrument No. 20191219001620230, (D.R.C.C.T.);

THENCE South 88 degrees 26 minutes 24 seconds East, with the north line of said 16.164-acre tract, a distance of 296.92 feet to a 5/8-inch rod with “ARS ENGINEERS” yellow cap set for the **POINT OF BEGINNING**, said point also being the northwest corner of SPECIFIC USE PERMIT-4, as shown on the City of Plano official zoning map, and the northwest corner of a 10.733-acre tract described in a Special Warranty Deed to the North Texas Municipal Water District, as recorded in Instrument No. 20191219001620250, (D.R.C.C.T.);

THENCE South 88 degrees 26 minutes24 seconds East, continuing along the north line of SPECIFIC USE PERMIT-4, a distance of 850 feet;

THENCE South 01 degree 40 minutes 14 seconds West, continuing along the east line of SPECIFIC USE PERMIT-4, a distance of 550 feet;

THENCE North 88 degrees 26 minutes 24 seconds West, continuing along the south line of SPECIFIC USE PERMIT-4, a distance of 850 feet;

THENCE North 01 degree 40 minutes 14 seconds East, continuing along the west line of SPECIFIC USE PERMIT-4, a distance of 256.55 feet;

THENCE North 88 degrees 26 minutes 24 seconds West, departing the west line of SPECIFIC USE PERMIT-4, a distance of 72.13 feet;

THENCE North 01 degree 40 minutes 14 seconds East, a distance of 122 feet to a point in the fenced wastewater treatment plant boundary;

THENCE North 88 degrees 26 minutes 24 seconds West, continuing along the fenced plant boundary a distance of 89 feet;

THENCE North 01 degree 33 minutes 36 seconds East, continuing along the fenced plant boundary a distance of 99.85 feet;

THENCE South 88 degrees 26 minutes24 seconds East, continuing along the fenced plan boundary a distance of 161.32 feet to a point on the west line of SPECIFIC USE PERMIT-4;

THENCE North 01 degree 40 minutes 14 seconds East, continuing along the west line of SPECIFIC USE PERMIT-4, a distance of 71.6 feet to the **POINT OF BEGINNING**, and **CONTAINING** approximately 492,563 square feet, or 11.307 acres of land, more or less.

NOTES

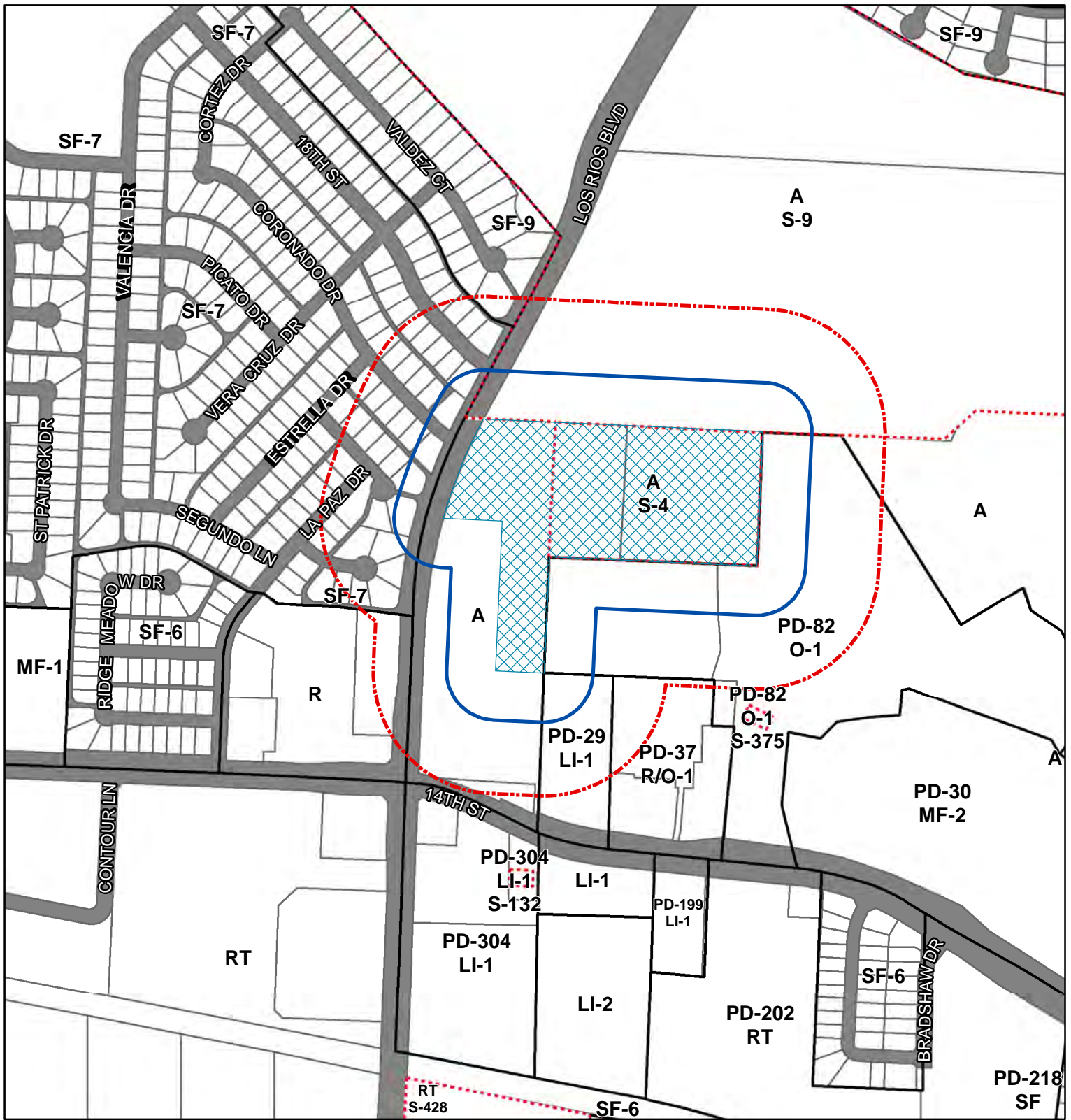
The description of the treatment plan boundary given above was not compiled by a Registered Professional Land Surveyor and should not be interpreted as a true legal description. It was compiled using the following sources:

Instrument 20191219001620250 (D.R.C.C.T.)
City of Plano Official Zoning Map
2020 Aerial photography (Woolpert)

NTMWD Plant Boundary

ZONING CASE

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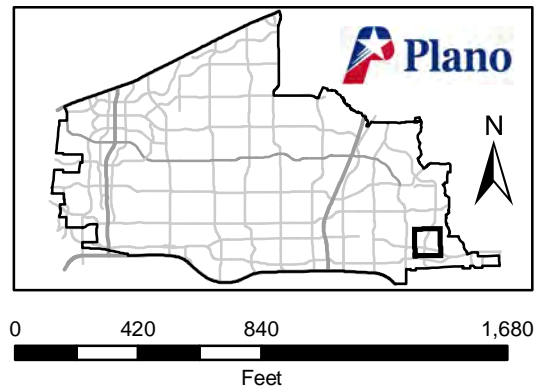


Zoning Case: 2020-016

Existing Zoning: Agricultural with Specific Use Permit No. 4

Proposed Zoning: Specific Use Permit for Sewage Treatment Plant and Service Yard

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



CAB.	CABINET
CB	CORD BEARING
CD	CORD DISTANCE
D.C.C.T.	DEED RECORDS COLLIN COUNTY TEXAS
D.C.	DOCUMENT
DOC	EAST
INST	INSTRUMENT
L	LINE/LENGTH
M.C.R.C.T	MAP RECORDS COLLIN COUNTY TEXAS
NO.	NUMBER
N	NORTH
O.P.R.C.T	OFFICIAL PUBLIC RECORDS COLLIN COUNTY TEXAS
PG.	PAGE
R	RADIUS
S	SOUTH
SF	SQUARE FEET
T	TANGENT
VOL.	VOLUME
W	WEST

DESCRIPTION OF A 17.127 ACRE TRACT OF LAND SITUATED IN THE JAMES LEDBETTER SURVEY, ABSTRACT NUMBER 545, COLLIN COUNTY, TEXAS; SAID TRACT BEING PART OF THAT CERTAIN TRACT OF LAND DESCRIBED AS A CALLED 15.544 ACRE TRACT IN SPECIAL WARRANTY DEED TO NORTH TEXAS MUNICIPAL WATER DISTRICT (HEREINAFTER REFERRED TO AS NTMWD) RECORDED IN INSTRUMENT NUMBER 201912190016022030 AND ALL OF THOSE CERTAIN TRACTS OF LAND DESCRIBED AS A CALLED 3.768 ACRE TRACT AND CALLED 6.945 ACRE TRACT IN SPECIAL WARRANTY DEED TO NTMWD RECORDED IN INSTRUMENT NUMBER 201912190016022050, BOTH OF THE OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS; SAID 17.127 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THENCE, SOUTH 89 DEGREES, 26 MINUTES, 10 SECONDS EAST, DEPARTING THE SAID EAST LINE OF LOS ROS
 TRACT, ALONG THE SOUTH LINE OF SAID CITY OF PLOMBO TRACT AND THE NORTH LINE OF SAID 15.54 AC
 TRACT, AT A DISTANCE OF 296.92 FEET PASSING A P-KNAIL, FOUND FOR CORNER AT THE NORTHEAST CORNER OF
 SAID 15.54 AC TRACT AND THE WESTMOST CORNER OF THE SAID 3.788 AC TRACT, CONTINUING ALONG THE
 NORTH LINE OF SAID 3.788 AC TRACT AND SAID 6.945 AC TRACT, FOR A TOTAL DISTANCE OF 1,146.92 FEET TO A
 "X" CUT IN CONCRETE FOUND FOR CORNER AT THE NORTHEAST CORNER OF SAID 6.945 AC TRACT, SAID POINT
 BEING THE NORTHEAST CORNER OF LOT 19, BLOCK 4, S44 COLT TRAINING FACILITY ADDITION, AN ADDITION TO THE
 CITY OF TEXAS, THE DISTANCE ACCORDING TO THE PLAT RECORDED IN CABINET P, PAGE 362 OF THE MAP RECORDS OF
 COLLIN COUNTY, TEXAS;

AN ELL CORNER AT SAID LOT 1R;

THENCE, NORTH 68 DEGREES, 26 MINUTES, 10 SECONDS WEST, DEPARTING THE SAID EAST LINE OF 6.945 ACRES TRACT AND SAID NORTHERLY WEST LINE OF LOT 1R, ALONG THE NORTH LINE OF SAID LOT 1R AND THE SOUTH LINE OF THE SAID 3.786 ACRES TRACT AND SAID 6.945 ACRES TRACT, AT A DISTANCE OF 650.0 FEET PASSING A 5/8"X1/4" IRON ROD WITH "ARS ENGINEERS" CAP FOUND FOR CORNER AT THE SOUTHWEST CORNER OF SAID 6.945 ACRES TRACT AND THE SOUTHEAST CORNER SAID 3.786 ACRES TRACT, A DISTANCE OF 650.0 FEET TO A 5/8"X1/4" IRON ROD WITH "THE SOUTHWEST CORNER AT THE SOUTHWEST CORNER OF SAID 3.786 ACRES TRACT AND THE SOUTHWEST CORNER OF THE WESTERLY NORTHWEST CORNER OF LOT 1-1, BLOCK A OF SAID 544.500 TRAINING FACILITY ADDITION, AND IN THE EAST LINE OF THE 15.44 ACRES TRACT;

THENCE, NORTH 88 DEGREES, 19 MINUTES, 32 SECONDS WEST, DEPARTING THE SAID EAST LINE OF THE 15.544 ACRE TRACT AND THE SAID WEST LINE OF LOT 1R, AND INTO AND ACROSS SAID 15.44 ACRE TRACT, A DISTANCE OF 200.00 FEET TO A POINT FOR CORNER;

THENCE, IN A NORTHEASTERLY DIRECTION AND ALONG SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 1 DEGREES, 15 MINUTES, 32 SECONDS, A RADIUS OF 2,051.95 FEET, A CHORD BEARING AND DISTANCE OF NORTH 21 DEGREES, 14 MINUTES, 58 SECONDS EAST, 438.19 FEET, AT AN ARC DISTANCE OF 439.03 FEET TO THE POINT OF

3.788 ACRE TRACT
TEXAS MUNICIPAL WATER DISTRICT
INST. NO. 20191219001620250)
(O.P.R.C.C.T.)
ZONING: A WITH SUP NO. 4
FOR SEWAGE TREATMENT
PLANT AND SUP FOR SERVICE
YARD

APPROVAL OF ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY, PLAT, OR PLAN, APPROVAL OF DEVELOPMENT STANDARDS SHOWN HEREON, 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.

LINE TABLE			LINE TABLE		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	S 13°19'07" W	24.33	L15	N 07°15'14" E	19.27
L2	S 53°53'11" E	15.70	L16	S 32°44'44" E	20.09
L3	S 69°15'41" E	10.07	L17	S 57°15'14" W	5.00
L4	S 76°42'55" W	18.20	L18	N 68°10'32" W	8.85
L5	S 73°72'02" W	10.00	L19	S 01°52'22" W	13.62
L6	N 76°42'55" W	17.30	L20	N 68°07'38" W	8.54
L7	S 03°57'51" W	8.49	L21	N 87°56'15" N	11.60
L8	S 87°56'15" E	6.52	L22	N 02°03'09" W	16.00
L9	N 02°03'09" E	10.00	L23	N 87°56'15" S	15.00
L10	S 87°56'15" E	20.09	L24	N 02°03'09" E	16.00
L11	N 02°03'09" W	10.00	L25	N 87°56'15" S	8.71
L12	S 87°56'15" E	2.18	L26	N 02°03'09" W	16.00
L13	S 32°44'44" E	32.82	L27	N 87°56'15" S	15.00
L14	S 27°15'14" E	4.38	L28	N 02°03'09" E	16.00

OWNER:
NORTH TEXAS MUNICIPAL
WATER DISTRICT
505 E. BROWN STREET
WYLLIE, TEXAS 75098
CONTACT: CESAR BAPTISTA
PHONE:(469) 626-4323

SURVEYOR:
PACHECO KOCH
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TEXAS 75231
CONTACT: JUSTIN WALDRIP, RPLS
PHONE: (972) 235-3031
TX BFG. SURVEY FIRM 10008000

ARCHITECT/APPLICANT:
GSR ANDRADE ARCHITECTS
4121 COMMERCE ST. #1
DALLAS, TEXAS 75226
CONTACT: GARY M. STAIGER
TELEPHONE: 214-761-1111

AZELL

LOT 1, BLOCK 1
NTMWD ROWLETT CREEK RWWTP
GROSS ACREAGE - 17.127
LOCATED IN THE CITY OF PLANO AND BEING
OUT OF THE JAMES LEDBETTER SURVEY,
ABSTRACT NO. 545 COLLIN COUNTY, TEXAS

VICINITY MAP
NOT TO SCALE

HAZEL