

Zoning Case 2021-014

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-195-Corridor Commercial on 8.0 acres of land out of the J. Salmons Survey, Abstract No. 814, and the J. Klepper Survey, Abstract No. 213, located on the south side of Park Boulevard, 385 feet east of Alma Drive, in the City of Plano, Collin County, Texas, to allow car wash as a permitted use; 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 13th day of September 2021, for the purpose of considering amending Planned Development-195-Corridor Commercial on 8.0 acres of land out of the J. Salmons Survey, Abstract No. 814, and the J. Klepper Survey, Abstract No. 213, located on the south side of Park Boulevard, 385 feet east of Alma Drive, in the City of Plano, Collin County, Texas, to allow car wash as a permitted use and to modify development standards which may include, but are not limited to, noise mitigation; 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 13th day of September 2021; 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-195-Corridor Commercial on 8.0 acres of land out of the J. Salmons Survey, Abstract No. 814, and the J. Klepper Survey, Abstract No. 213, located on the south side of Park Boulevard, 385 feet east of Alma Drive, in the City of Plano, Collin County, Texas, to allow car wash as a permitted use, 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:

Restrictions:

1. Allow public storage/mini-warehouse use by right.
2. Prohibit the following uses:
 - automobile parking lot/garage
 - automobile repair - major
 - automobile repair - minor/service station
 - new car dealer
 - concrete/asphalt batching plant (temporary)
 - limited assembly and manufacturing
 - cabinet/upholstery shop
 - building material sales
 - body piercing
 - dance hall
 - indoor gun range
 - laundromat
 - small engine repair shop
 - tattooing and permanent cosmetics
 - manufacturing - light intensity
 - tire dealer

3. There shall be no outside storage of goods or materials.
4. Area, Yard, and Bulk Requirements
 - a. Buildings shall be set back a minimum of 15 feet from the eastern boundary of Lot 3R.
 - b. Any buildings built along the access easement on the boundary of Lot 3R shall be limited to one story.
5. Building Materials: The exterior elevations of any buildings built along the access easement on the eastern boundary of Lot 3R shall be faced with masonry materials as defined by the City of Plano Zoning Ordinance. A minimum of 2 building materials shall be required on each facade. Building articulation and design features shall be incorporated to provide architectural relief along the building facade. A facade plan for buildings along the access easement on the eastern boundary of Lot 3R shall be submitted concurrently with the final site plan for staff review.
6. Landscaping along the Eastern Boundary of Lot 3R: 21 additional (not part of the required total) trees at 3-inch caliper (as measured 12" above the finish grade) shall be installed. Locations shall be at each building's depressed articulations and at other random locations to enhance and compliment the building facades.

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 13TH DAY OF SEPTEMBER 2021.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

EXHIBIT A
Zoning Case 2021-014

BEING a 7.964 acre tract of land in the J. Salmons Survey, Abstract No. 814, and in the J. Klepper Survey, Abstract No. 213, and also being Lots 3, 4, and 5, Block A, Chisholm Place Retail No. 1 as per the plats thereof recorded in Cabinet O, Page 627, and in Cabinet 2015, Page 457, Deed Records, Collin County, Texas, and being more particularly described as follows:

COMMENCING at a 1-inch iron rod found in the southwest corner of Lot 3, Block A, Chisholm Place Retail No. 1, said point also being on the west right-of-way line of Alma Drive (variable width right-of-way);

THENCE North 89 deg. 13 min 15 sec West, a distance of 50 feet, to the centerline of Alma Drive right-of-way, said point also being the POINT OF BEGINNING;

THENCE North 1 deg. 21 min 41 sec East, a distance of 192.193 feet;

THENCE along the northern line of said Lot 3 the following distances:

South 88 deg. 38 min 20 sec East, a distance of 209.337 feet,

South 1 deg. 21 min 38 sec West, a distance of 2.4 feet,

South 88 deg. 38 min 20 sec East, a distance of 37.5 feet,

South 1 deg. 21 min 40 sec West, a distance of 34 feet,

South 88 deg. 38 min 20 sec East, a distance of 158.58 feet,

North 1 deg. 21 min 40 sec East, a distance of 8.88 feet, and

South 88 deg. 38 min 21 sec East, a distance of 37.92 feet to a point marking the southeast corner of Lot 3, Block A, Chisholm Place Retail No. 1;

THENCE with the eastern line of said Lot 3 North 1 deg. 21 min 40 sec East, a distance of 255.03 feet to the northeast corner of said Lot 3, said point also being on the southern right-of-way line of Park Boulevard (variable width right-of-way);

THENCE North 1 deg. 21 min 40 sec East, a distance of 53.315 feet to the centerline of Park Boulevard, said point also being the beginning of a curve to the left having a radius of 1168.099 feet, a delta angle of 12 deg. 40 min 5 sec, and a chord bearing and distance of North 64 deg. 15 min 58 sec East, 257.74 feet;

THENCE along said curve to the left a distance of 258.265 feet to a point on the centerline of Park Boulevard, said point also being the beginning of a curve to the left having a radius of 1168.1 feet, a delta angle of 12 deg. 36 min 7 sec, and a chord bearing and distance of North 51 deg. 37 min 51 sec East, 256.4 feet;

THENCE along said curve to the left a distance of 256.918 feet;

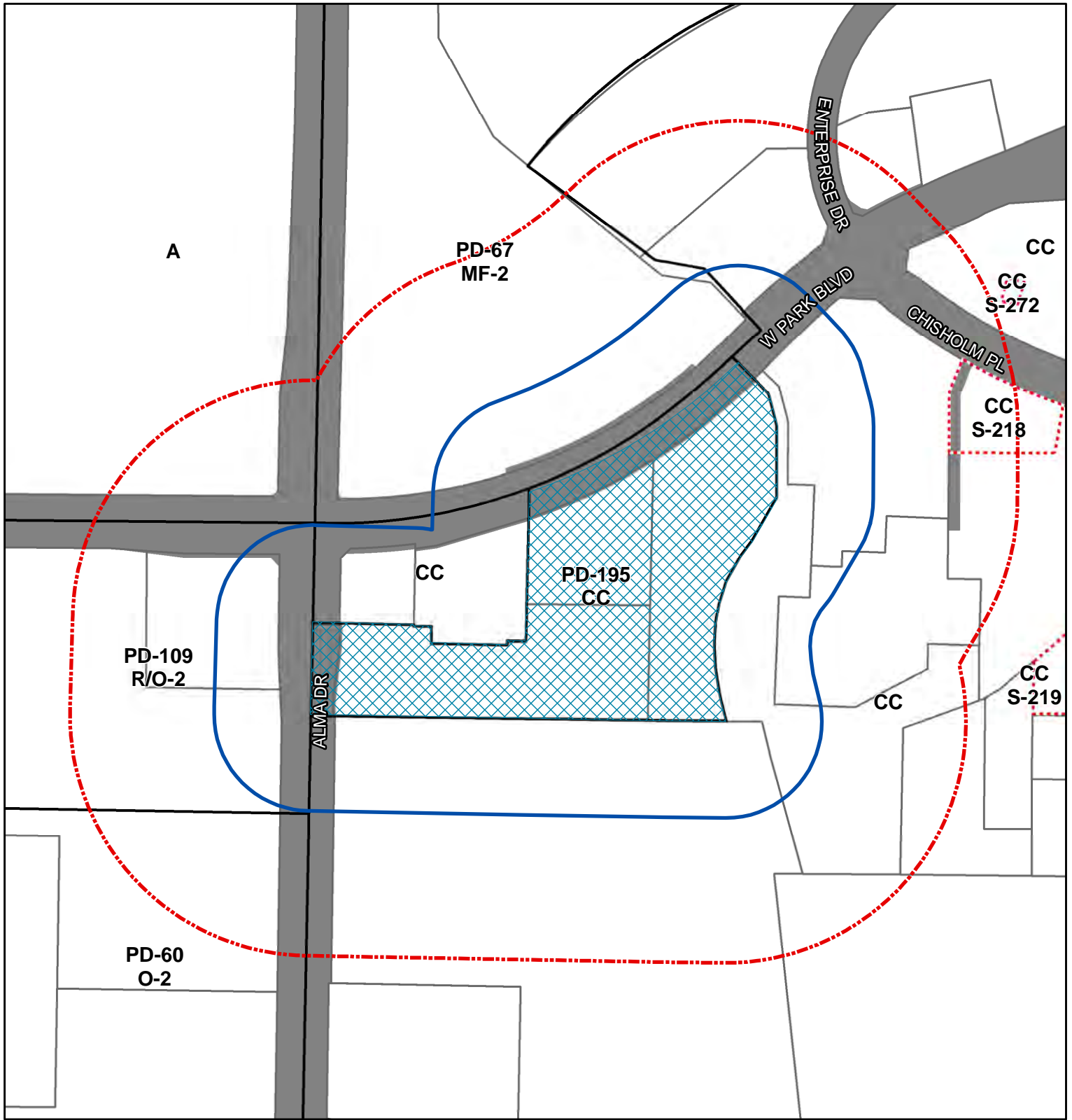
THENCE South 44 deg. 17 min 49 sec East, a distance of 51.748 feet to the south right-of-way line of Park Boulevard, said point also being the northeast corner of Lot 5, Block A, Chisholm Place Retail No. 1;

THENCE along the eastern line of said Lot 5, which also marks the centerline of Spring Creek, the following distances:

South 44 deg. 17 min 49 sec East, a distance of 42.11 feet,

South 15 deg. 0 min 0 sec East, a distance of 67.56 feet,
South, a distance of 150.01 feet,
South 30 deg. 0 min 0 sec West, a distance of 102 feet,
South 37 deg. 0 min 0 sec West, a distance of 42.5 feet,
South 29 deg. 30 min 0 sec West, a distance of 58.5 feet,
South 17 deg. 0 min 0 sec West, a distance of 49 feet,
South 11 deg. 30 min 0 sec West, a distance of 39 feet,
South 3 deg. 45 min 0 sec West, a distance of 47 feet,
South 3 deg. 45 min 0 sec East, a distance of 50 feet,
South 9 deg. 0 min 0 sec East, a distance of 48 feet, and
South 13 deg. 47 min 9 sec East, a distance of 61.2 feet;

THENCE departing the Eastern line of said Lot 5, and following along the northern line of Lot 1, Block A, Fine Arts Addition the following distances:
North 89 deg. 36 min 0 sec West, a distance of 126.3 feet,
North 89 deg. 13 min 15 sec West, a distance of 38.87 feet,
North 89 deg. 13 min 15 sec West, a distance of 257.01 feet, and
North 89 deg. 13 min 15 sec West, a distance of 443.38 feet to the POINT OF BEGINNING and containing 346919.415 square feet or 7.964 acres of land, more or less.

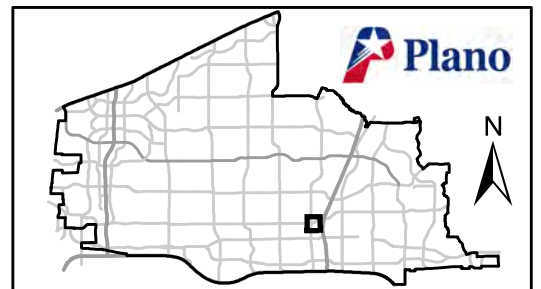


Zoning Case: ZC2021-014

Existing Zoning: Planned Development-195-Corridor Commercial (PD-195-CC)

Proposed Zoning: Amend Planned Development-195-Corridor Commercial (PD-195-CC)

- 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, 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.

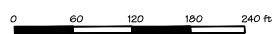
Legal Description for ZC2021-014:

Being a 8.06 acre tract of land in the J. Salmons Survey, Abstract No. 814, and in the J. Klepper Survey, Abstract No. 213, and also being Lots 3, 4, and 5, Block A, Chisholm Place Retail No. 1 as per the plat thereof recorded in Cabinet O, Page 627, and in Cabinet 2016, Page 467, Deed Records, Collin County, Texas. The record owners for use of this tract of land are as follows: Loannides Zieble for Lot 1, Empire Clearing Corp for Lot 2, Dallas Plano Storage Ppe LLC for Lot 3, Park-Alma Plano Venture No One LP for Lot 4, and Plano City Of for Lot 5.

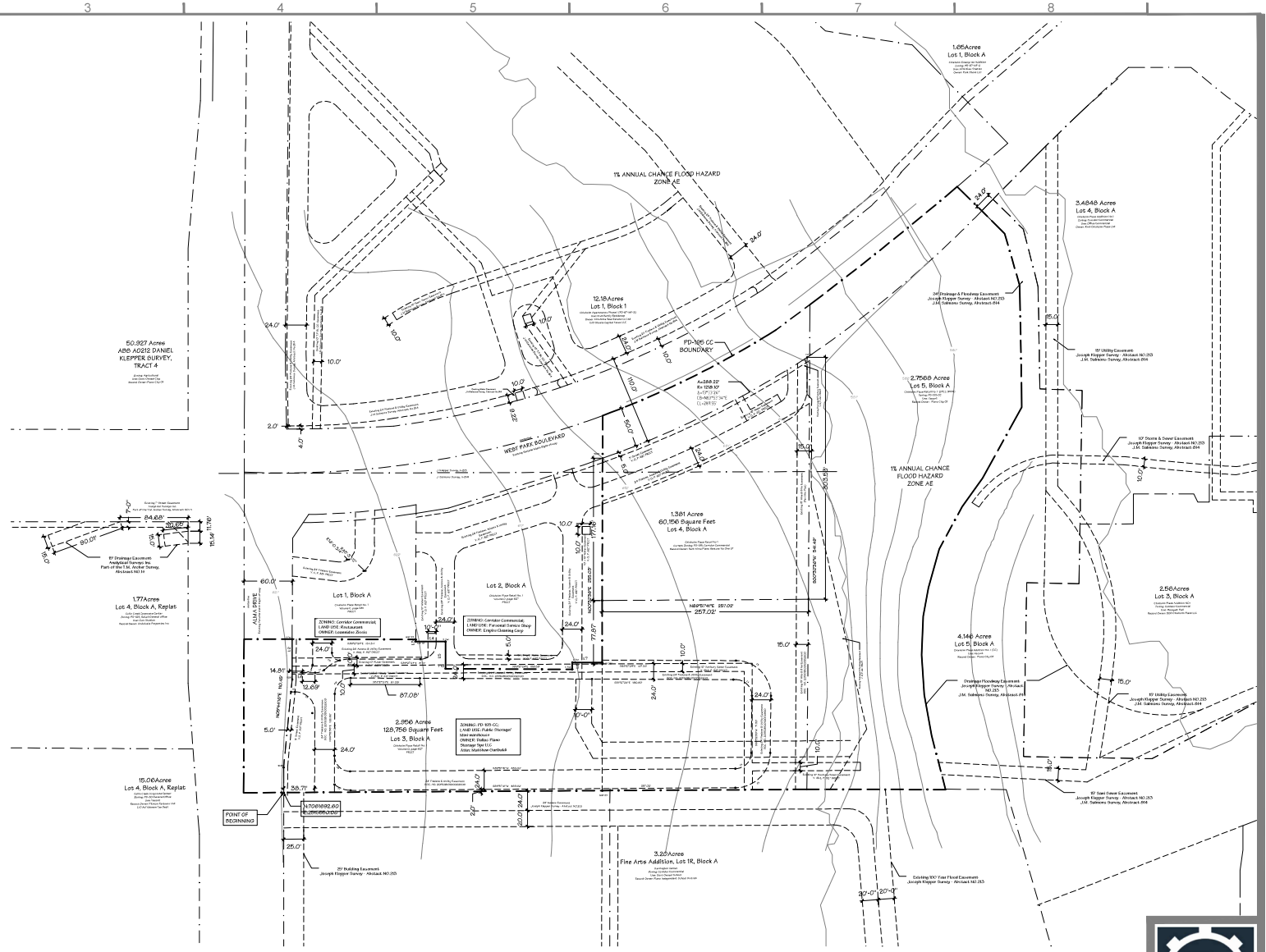
This tract of land is more particularly described as follows:
 COMMENCING at a 1 inch iron rod found in the southwest corner of Lot 3, Block A, Chisholm Place Retail No. 1, said point also being on the west right-of-way line of Alma Drive (variable width right-of-way);
 THENCE North 89 deg. 13 min 15 sec West, a distance of 50 feet, to the centerline of Alma Drive right-of-way, said point also being the POINT OF BEGINNING;
 THENCE North 1 deg. 21 min 41 sec East, a distance of 192.183 feet;
 THENCE along the northern line of said Lot 3 the following distances:
 South 88 deg. 38 min 20 sec East, a distance of 209.337 feet,
 South 1 deg. 21 min 36 sec West, a distance of 2.4 feet,
 South 88 deg. 38 min 20 sec East, a distance of 375.5 feet,
 South 1 deg. 21 min 40 sec East, a distance of 34 feet,
 South 89 deg. 38 min 20 sec East, a distance of 150.558 feet,
 North 1 deg. 21 min 40 sec East, a distance of 8.69 feet, and
 South 88 deg. 38 min 21 sec East, a distance of 37.92 feet to a point marking the southeast corner of Lot 3, Block A, Chisholm Place Retail No. 1;
 THENCE with the eastern line of said Lot 3 North 1 deg. 21 min 40 sec East, a distance of 256.03 feet to the northeast corner of said Lot 3, said point also being on the southern right-of-way line of Park Boulevard (variable width right-of-way);
 THENCE North 1 deg. 21 min 40 sec East, a distance of 63.319 feet to the centerline of Park Boulevard, said point also being the beginning of a curve to the left having a radius of 1600.095 feet, a delta angle of 12 deg. 45 min 5 sec, and a chord bearing and distance of North 64 deg. 15 min 58 sec East, 257.74 feet;
 THENCE along said curve to the left a distance of 259.205 feet to a point on the centerline of Park Boulevard, said point also being the beginning of a curve to the left having a radius of 1605.1 feet, a delta angle of 12 deg. 36 min 7 sec, and a chord bearing and distance of North 51 deg. 37 min 51 sec East, 254.4 feet;
 THENCE along said curve to the left a distance of 256.09 feet;
 THENCE South 44 deg. 17 min 49 sec East, a distance of 61.748 feet to the south right-of-way line of Park Boulevard, said point also being the northeast corner of Lot 5, Block A, Chisholm Place Retail No. 1;
 THENCE along the eastern line of said Lot 5, which also marks the centerline of Spring Creek, the following distances:
 South 44 deg. 17 min 49 sec East, a distance of 42.11 feet,
 South 95 deg. 0 min 0 sec East, a distance of 67.566 feet,
 South, a distance of 150.21 feet,
 South 30 deg. 0 min 0 sec West, a distance of 102 feet,
 South 37 deg. 0 min 0 sec West, a distance of 42.5 feet,
 South 29 deg. 30 min 0 sec West, a distance of 58.5 feet,
 South 19 deg. 0 min 0 sec West, a distance of 48 feet,
 South 18 deg. 30 min 0 sec West, a distance of 39 feet,
 South 3 deg. 45 min 0 sec West, a distance of 47 feet,
 South 3 deg. 45 min 0 sec East, a distance of 50 feet,
 South 9 deg. 0 min 0 sec East, a distance of 48 feet, and
 South 13 deg. 47 min 0 sec East, a distance of 61.2 feet;
 THENCE departing the Eastern line of said Lot 5, and following along the northern line of Lot 1, Block A, Fine Arts Addition the following distances:
 North 89 deg. 36 min 0 sec West, a distance of 126.3 feet,
 North 89 deg. 15 min 15 sec West, a distance of 38.97 feet,
 North 89 deg. 13 min 15 sec West, a distance of 297.21 feet, and
 North 89 deg. 13 min 15 sec West, a distance of 443.38 feet to the POINT OF BEGINNING and containing 346919.415 square feet or 8.06 acres of land, more or less.



F1 VICINITY MAP
Scale: N.T.S.



F3 ZONING EXHIBIT
Scale: 1" = 60'



Zoning Case Number: ZC2021-014	Plan Type:	Zoning Exhibit	Current Property Owner: Park-Alma Plano Venture No. One, LP Address: 2300 Oakland St. 402, Dallas, TX 75219 Contact: Jim Brown Phone: 972-978-6624 Email: JB@bridgersbluestone.com	Company: Bluestone Partners, LLC Address: 4708 N. FM 1417 Sherman, Texas 75052 Preparer: Drake R. Hitchcock Phone: 903.813.1415 Date: July 19, 2021	
	Project Name:	Chisholm Place Retail NO. 1, Block A, Lot 4			
	Gross Acreage:	8.06 Acres			
	Location:	City of Plano, Collin County, Texas 75075			
	Survey & Abstract:	John Salmons Survey, Abstract No. 814 Joseph Klepper Survey, Abstract No. 213			