

## **Zoning Case 2021-019**

**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 22.4 acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located on the west side of Premier Drive, 1,627 feet north of Ruisseau Drive in the City of Plano, Collin County, Texas, from Planned Development-446-Retail/General Office and Corridor Commercial to Planned Development-48-Single-Family Residence Attached; 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 8th day of November 2021, for the purpose of considering rezoning 22.4 acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located on the west side of Premier Drive, 1,627 feet north of Ruisseau Drive in the City of Plano, Collin County, Texas, from Planned Development-446-Retail/General Office and Corridor Commercial to Planned Development-48-Single-Family Residence Attached; 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 8th day of November 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 22.4 acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located on the west side of Premier Drive, 1,627 feet north of Ruisseau Drive in the City of Plano, Collin County, Texas, from Planned Development-446-Retail/General Office and Corridor Commercial to Planned Development-48-Single-Family Residence Attached, 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 restrictions:

The permitted uses and standards must be in accordance with the Single-Family Residence Attached (SF-A) zoning district unless otherwise specified herein.

1. No residential structures can be located within 40 feet of the western property line of Premier Park Addition, Block A, Lot 2. This prohibition does not restrict walls, fences, landscaping, or infrastructure related to development of the subdivision. This prohibition must be noted on the plat and site plan for this area.
2. No residential structures can be located within 15 feet of the northern property lines of Premier Park Addition, Block A, Lots 1 & 2. This prohibition does not restrict walls, fences, landscaping, or infrastructure related to development of the subdivision. This prohibition must be noted on the plat and site plan for this area.
3. A block of residential lots running along the southern property line may have a maximum block length of 1,940 feet if open space lots at a minimum of 6,000 square feet per lot are provided at least every 600 feet.
4. An irrigated landscape edge must be provided adjacent to Premier Drive, on both sides of the drainage and floodway easement extending to the west a minimum of 100 feet in the location best suited to provide protection to residences from U.S. Highway 75. The landscape edge must include the following:
  - a. A landscaped berm with a minimum height of 4 feet and a maximum slope of 4:1 where feasible based on the results of the flood study.
  - b. At least two rows of evergreen trees and shrubs must be planted at an offset to create a solid screen and will include shrubs at a 5-gallon minimum and trees at a 3-inch caliper minimum. A minimum of one 3-inch caliper shade tree and one 3-inch caliper ornamental tree (7-foot planted height) must be placed per 50 feet of frontage.

**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 8TH DAY OF NOVEMBER 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

**Zoning Case 2021-019**

BEING a tract of land owned by the McCord Family Trust, and RMP Parker Central LLC situated in the Daniel Rowlett Survey, Abstract No. 738, in the City of Plano, Collin County, Texas, being all of Lot 3, in Block A, of Premier Park Addition, an addition to the City of Plano, Collin County, Texas, according to the Plat thereof recorded in County Clerk's Instrument No. 20170623010003040 (Cabinet 2017, Slide 486), Official Public Records, Collin County, Texas, and a portion of Premier Drive and Thunderbird Lane, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod found for corner on the West right-of-way of Thunderbird Lane, a 60-foot right-of-way, said point being the Southwest corner of said Lot 3, Block A, and the Northwest corner of O.S. (Open Space) 110, Block C, Ruisseau Place, Phase IIB, an addition to the City of Plano, Collin County, Texas, according to the Plat thereof recorded in Cabinet G, Page 662, Official Public Records, Collin County, Texas;

THENCE North 88 degrees 50 minutes 04 seconds West, over and across said Thunderbird Lane, a distance of 30.00 feet to a point for corner on the approximate centerline of said Thunderbird Lane;

THENCE North 00 deg 44 min 47 sec East, along the approximate centerline of said Thunderbird Lane, a distance of 234.67 feet to a point for corner;

THENCE South 88 deg 37 min 35 sec East, departing the approximate centerline of said Thunderbird Lane, passing a point for corner at a distance of 30.00 feet from which a 5/8-inch iron rod found bears North 00 deg 44 min 30 sec East, a distance of 0.29 feet, said point being the Northwest corner of said Lot 3, Block A, on the South line of a roadway described in documents recorded in Volume 619, Page 397 and Volume 605, Page 653, Official Public Records, Collin County, Texas, along the South line of said 40-foot roadway, an additional distance of 841.52 feet, a total distance of 871.52 feet to a 1/2-inch iron rod with a red plastic cap stamped "WAI 5714" found for corner;

THENCE North 00 deg 44 min 47 sec East, a distance of 270.00 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I." found for corner on the South line of a 15-foot alley shown on the plat of Westgate No. 1, an addition to the City of Plano, Collin County, Texas, as recorded in Cabinet B, Page 209 (County Clerk's Instrument No. 19780828000290510), Official Public Records, Collin County, Texas;

THENCE South 88 deg 49 min 28 sec East, along the South line of said 15-foot alley, passing a 1/2-inch iron rod with red plastic cap stamped "W.A.I." found for the Northeast corner of said Lot 3 and the Northeast corner of a 1.5-foot right-of-way dedication per Plat of said Premier Park addition at a distance of 1,715.06 feet, over and across Premier Drive, a 66.5-foot right-of-way at this point, an additional 33.25-feet, a total distance of 1,748.31 feet to a point for corner on the approximate centerline of said Premier Drive;

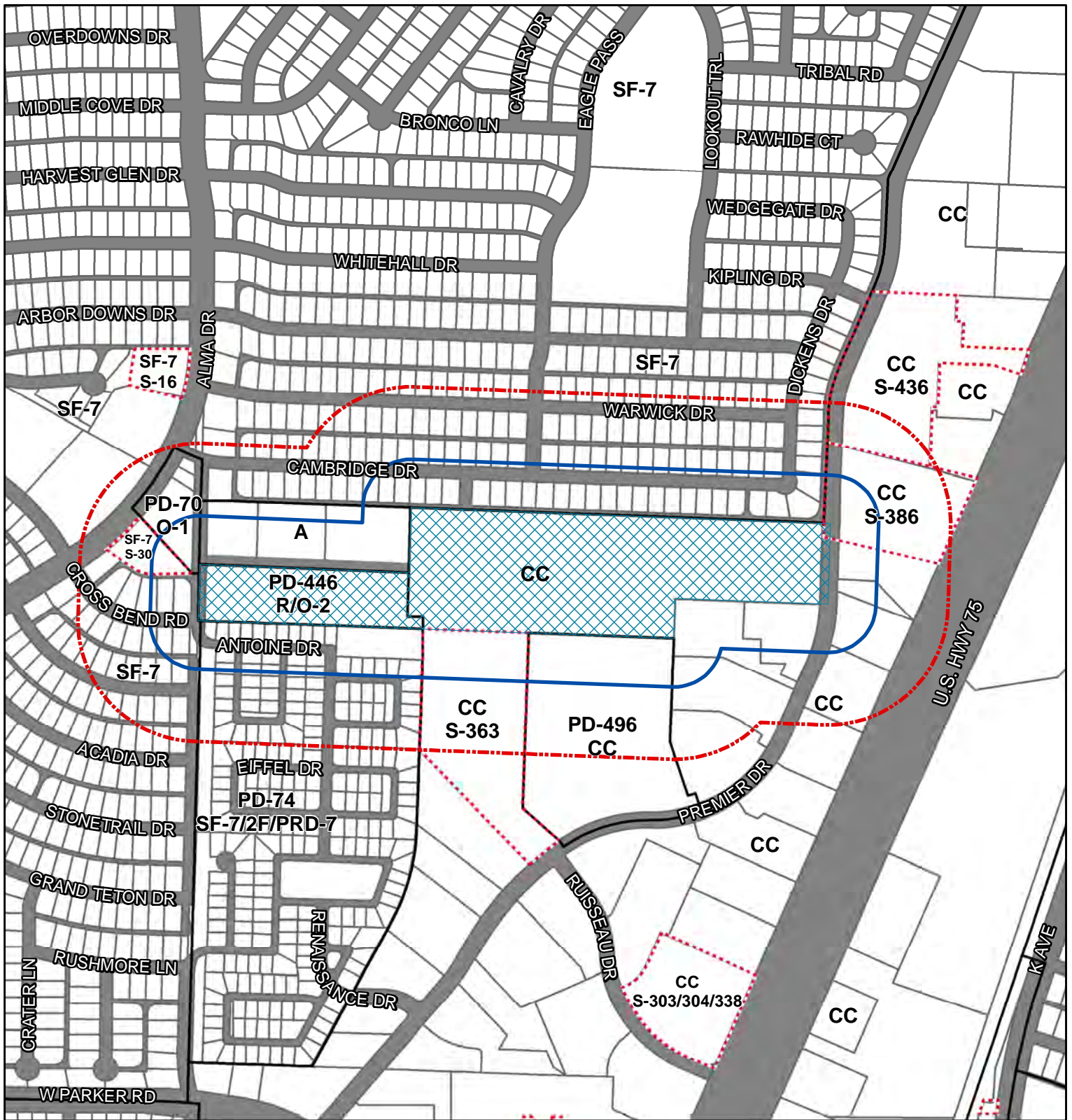
THENCE South 00 deg 53 min 42 sec West, a distance of 334.93 feet to a point for corner on the approximate centerline of said Premier Drive;

THENCE North 88 degrees 50 minutes 04 seconds West, departing the approximate centerline of said Premier Drive, passing a 1/2-inch iron rod with red plastic cap stamped "W.A.I." found for the Southeast corner of said Lot 3, the Northeast corner of Lot 1, Block A, of said Premier Park Addition, and the Southwest corner of said 1.5-foot right-of-way dedication at a distance of 33.25 feet, along the North line of said Lot 1, Block A and the North line of Lot 2, Block A, of said Premier Park Addition, an additional distance of 601.81 feet, a total distance of 635.07 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I." found for the Northwest corner of said Lot 2, Block A;

THENCE South 01 degrees 09 minutes 56 seconds West, along the West line of said Lot 2, Block A, a distance of 166.26 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I." found for the Northeast corner of Lot 1R, Block B, of Fairview Central Park, an addition to the City of Plano, Collin County, Texas, according to the Plat thereof recorded in Volume 2015, Page 451, Official Public Records, Collin County, Texas, said point being the most Southerly Southeast corner of said Lot 3;

THENCE North 88 deg 50 min 04 sec West, along the South line of said Lot 3, a distance of 1,952.65 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 973,644 square feet or 22.352 acres of land, more or less.

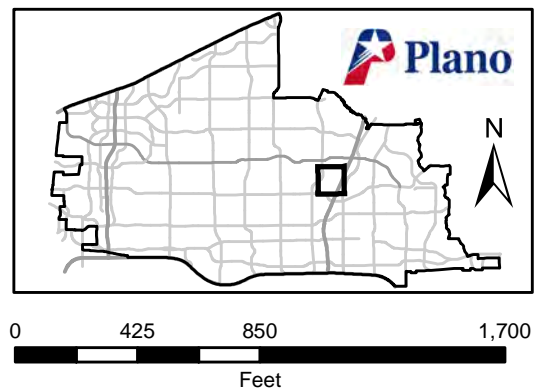


Zoning Case: 2021-019

Existing Zoning: Planned Development-446-Retail/General Office and Corridor Commercial

Proposed Zoning: Planned Development-Single-Family Residence Attached

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





**1** **Vicinity Map**

FAIRVIEW CENTRAL PARK

**OWNER**  
DAVID L. PERCUS  
EMF PAPER CONTROLS LLC  
Midwest Family Trust  
224 Colford Drive  
Mankato, Texas 75154  
Telephone: 214-537-0229

**ASSISTANT**  
HUFFINES COMMERCIAL  
8200 Dwyer  
Dallas, Texas 75225  
Telephone: 214-455-9605  
Contact Colin Huffines

**ENGINEERING/SUPPLIER**  
GREEN ENGINEERING, INC. 2400 Trinity  
Mills Road, Suite 220 Carrollton, Texas  
75006 Telephone: 972-225-1288 TDD/F No.  
1-877-528 Contact Kimberly Cornett

ZC2021-019  
**ZONING EXHIBIT**  
**PREMIER PARK ADDITION**  
 146 Single Family Attached (Town Homes)  
 11 Common Area Lots  
 22.352 Acres - 973,644 sq. ft.  
 IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS  
 Lot 3, in Block A, of Premier Park Addition  
 ZONING: PD-448, R/O-2 & CC, CORRIDOR COMM