

## **Zoning Case 2021-022**

**An Ordinance of the City of Plano, Texas, repealing Ordinance No. 95-5-18 in its entirety; thereby rescinding Specific Use Permit No. 58 for Country Club and Private Club on 3.1 acres of land out of the John C. Campbell Survey, Abstract No. 240, located at the northwest corner of Turtle Creek Drive and Old Westbury Lane in the City of Plano, Collin County, Texas, presently zoned Planned Development-423-Patio Home with Specific Use Permit No. 58 for Country Club and Private Club and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to reflect such action; 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 rescinding Specific Use Permit No. 58 for Country Club and Private Club on 3.1 acres of land out of the John C. Campbell Survey, Abstract No. 240, located at the northwest corner of Turtle Creek Drive and Old Westbury Lane in the City of Plano, Collin County, Texas, presently zoned Planned Development-423-Patio Home with Specific Use Permit No. 58 for Country Club and Private Club and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to reflect such action; 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 the rescinding of Specific Use Permit No. 58 for Country Club and Private Club on 3.1 acres of land out of the John C. Campbell Survey, Abstract No. 240, located at the northwest corner of Turtle Creek Drive and Old Westbury Lane in the City of Plano, Collin County, Texas, presently zoned Planned Development-423-Patio Home with Specific Use Permit No. 58 for Country Club and Private Club and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to reflect such action 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.** Ordinance No. 95-5-18 duly passed and approved by the City Council of the City of Plano, Texas, on the 8th day of May 1995, granting Specific Use Permit No. 58 for Country Club and Private Club on 3.1 acres of land out of the John C. Campbell Survey, Abstract No. 240, located at the northwest corner of Turtle Creek Drive and Old Westbury Lane in the City of Plano, Collin County, Texas, presently zoned Planned Development-423-Patio home with Specific Use Permit No. 58 for Country Club and Private Club, more fully described on Exhibit A attached hereto, is hereby repealed in its entirety. Consequently, Specific Use Permit No. 58 is hereby rescinded.

**Section II.** It is hereby directed that the Comprehensive Zoning Ordinance, No. 2015-5-2 (which is retained in electronic record format), as heretofore amended, be revised and amended, to reflect the action and zoning classification established by this Ordinance.

**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.**

---

John B. Muns, MAYOR

ATTEST:

---

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

---

Paige Mims, CITY ATTORNEY

## Zoning Case 2021-022

BEING a tract of land situated in the John C. Campbell Survey, Abstract No. 240, City of Plano, Collin County, Texas, said tract further being all of Lot 1, Block B of Willow Bend Polo Estates Phase B, an addition to the City of Plano, recorded in Cabinet 1, Page 226 of the Land Records of Collin County, Texas, the subject tract being more particularly described as follows:

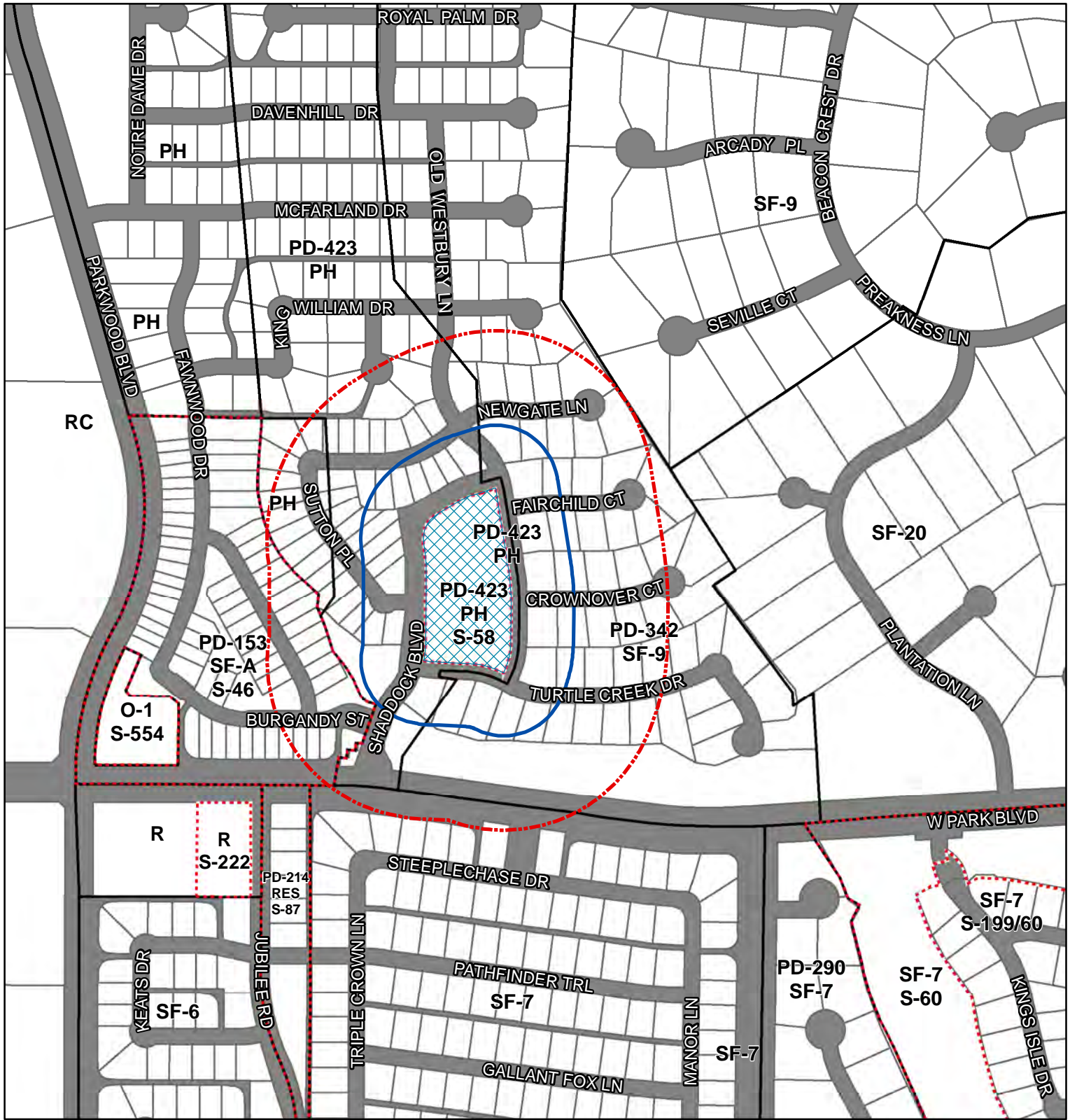
BEGINNING at the intersection of the Southerly line of Castle Gate Drive (a 65' ROW) and the Westerly line of Old Westbury Lane (a 50' ROW), an "X" set in concrete walk at corner;

THENCE, along the Westerly line of said Old Westbury Lane, the following; Around a non-tangent curve to the Right having a central angle of  $01^{\circ}37'04''$ , a radius of 225.00 feet, and a chord bearing of  $S\ 10^{\circ}58'55''\ E$ , an arc distance of 6.35 feet to a  $\frac{1}{2}$ " iron pin set at corner;  $S\ 10^{\circ}10'23''\ E$ , a distance of 245.53 feet to a  $\frac{1}{2}$ " iron pin set at corner; Around a tangent curve to the Right having a central angle of  $10^{\circ}23'22''$ , a radius of 825.00 feet, and a chord bearing of  $S\ 04^{\circ}58'42''\ E$ , an arc distance of 149.60 feet to a  $\frac{1}{2}$ " iron pin set at corner;  $S\ 00^{\circ}12'59''\ W$ , a distance of 95.39 feet to a  $\frac{1}{2}$ " iron pin set at corner; Around a tangent curve to the Right having a central angle of  $24^{\circ}55'23''$ , a radius of 225.00 feet, and a chord bearing of  $S\ 12^{\circ}40'40''\ W$ , an arc distance of 97.87 feet to the Northerly line of Turtle Creek Blvd. (a 50' ROW), an "X" set in concrete walk at corner;

THENCE, along the Northerly line of said Turtle Creek Blvd. the following; Around a non-tangent curve to the Left having a central angle of  $24^{\circ}19'54''$ , a radius of 275.00 feet, and a chord bearing of  $N\ 76^{\circ}13'51''\ W$ , an arc distance of 116.78 feet to an "X" set in face of rock wall at corner;  $N\ 88^{\circ}23'48''\ W$ , a distance of 106.73 feet to a  $\frac{1}{2}$ " iron pin set at corner; Around a tangent curve to the Right having a central angle of  $09^{\circ}17'54''$ , a radius of 225.00 feet, and a chord bearing of  $N\ 83^{\circ}44'51''\ W$ , an arc distance of 36.51 feet to the East line of Shaddock Blvd. (a 65' ROW), an "X" set in concrete walk at corner;

THENCE, along the Easterly line of said Shaddock Blvd., the following; Around a non-tangent curve to the Left having a central angle of  $11^{\circ}35'39''$ , a radius of 285.00 feet, and a chord bearing of  $N\ 05^{\circ}05'58''\ E$ , an arc distance of 57.67 feet to a  $\frac{1}{2}$ " iron pin set at corner;  $N\ 00^{\circ}41'51''\ W$ , a distance of 241.70 feet to a  $\frac{1}{2}$ " iron pin set at corner; Around a tangent curve to the Left having a central angle of  $09^{\circ}28'32''$ , a radius of 285.00 feet, and a chord bearing of  $N\ 05^{\circ}26'07''\ W$ , an arc distance of 47.13 feet to an "X" set in concrete walk at corner;  $N\ 10^{\circ}10'23''\ W$ , a distance of 28.47 feet to a  $\frac{1}{2}$ " iron pin set at corner; Around a tangent curve to the Right having a central angle of  $68^{\circ}25'02''$ , a radius of 88.50 feet, and a chord bearing of  $N\ 24^{\circ}02'08''\ E$ , an arc distance of 105.68 feet to the Southerly line of Castle Gate Drive, a  $\frac{1}{2}$ " iron pin set at corner;

THENCE, along the Southerly line of said Castle Gate Drive, the following;  $N\ 58^{\circ}14'39''\ E$ , a distance of 79.84 feet to a  $\frac{1}{2}$ " iron pin set at corner; Around a tangent curve to the Right having a central angle of  $13^{\circ}30'47''$ , a radius of 220.00 feet, and a chord bearing of  $N\ 65^{\circ}00'02''\ E$ , an arc distance of 51.89 feet to a  $\frac{1}{2}$ " iron pin set at corner;  $N\ 71^{\circ}45'26''\ E$ , a distance of 75.43 feet to the PLACE OF BEGINNING with the subject tract containing 135,352 square feet or 3.1073 acres of land.



Zoning Case: 2021-022

Existing Zoning: Planned Development-423-Patio Home with Specific Use Permit No. 58 for Country Club and Private Club

Proposed Zoning: Rescind Specific Use Permit No. 58 for Country Club and Private Club

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

