

## **Zoning Case 2022-015**

**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 36.5 acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located on the north side of Legacy Drive, 1,168 feet east of Alma Drive in the City of Plano, Collin County, Texas, from Planned Development-489-Multifamily Residence-1 to Planned Development-489-Multifamily Residence-2; 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 12th day of December 2022, for the purpose of considering rezoning 36.5 acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located on the north side of Legacy Drive, 1,168 feet east of Alma Drive in the City of Plano, Collin County, Texas, from Planned Development-489-Multifamily Residence-1 to Planned Development-489-Multifamily Residence-2; 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 12th day of December 2022; 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 of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to rezone 36.5 acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located on the north side of Legacy Drive, 1,168 feet east of Alma Drive in the City of Plano, Collin County, Texas, from Planned Development-489-Multifamily Residence-1 to Planned Development-489-Multifamily Residence-2, 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. Maximum Number of Units: 470
2. Minimum Front Yard Setback: 70 feet
3. Minimum Landscape Edge along Legacy Drive: 50 feet
4. Maximum Building Height: 3 story, 45 feet, except as provided in Sec. 13.500.2 and Sec. 15.800
5. Minimum Side and Rear Yard Setbacks: 50 feet
6. Exterior building materials will comply with the incentive option utilizing the standards in Article 23 of the Zoning Ordinance.
7. Required Parking:
  - a. One space for each bedroom.
  - b. Tandem parking spaces are allowed behind residential garages, as designated on the site plan, if both spaces are assigned to a single unit.
  - c. Parking spaces constructed below residential units (tucked parking) after the passage of ZC2022-015 may not be enclosed by a garage door.
8. Additional amenities will be constructed concurrent or prior to increasing the total number of multifamily units above 346, including:
  - a. Clubhouse expansion of at least 2,000 square feet.
  - b. A minimum of two dog parks. Each dog park must have a minimum size of 2,000 square feet.

**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 12TH DAY OF DECEMBER 2022.**

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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

### LEGAL DESCRIPTION

**BEING** a tract of land situated in the Daniel Rowlett Survey, Abstract No. 738, City of Plano, Collin County, Texas, and being all of Lot 1, Block A, Chase Oaks Apartments, and addition to the City of Plano as recorded in Cabinet K, Page 32, Plat Records of Collin County, Texas, also being the north half of Legacy Drive (a 11 O' R.O.W.) as recorded in Cabinet F, Page 29, Plat Records of Collin County, Texas;

**BEGINNING** an a 1" iron rod found, said point being the northwest corner of the aforementioned Lot 1, Block A, Chase Oaks Apartments;

**THENCE** S70°11'27"E, a distance of 548.91 feet to a point; THENCE S46°37'37"E, a distance of 91.72 feet to a point;

**THENCE** S84°19'49"E, a distance of 92.00 feet to a point;

**THENCE** S54°05'05"E, a distance of 20.00 feet to a point;

**THENCE** S81°48'47"E, a distance of 98.00 feet to a point;

**THENCE** N85°30'00"E, a distance of 78.46 feet to a point;

**THENCE** N56°11'47"E, a distance of 236.08 feet to a 1" iron found;

**THENCE** S80°51'12"E, a distance of 73.30 feet to a 1" iron found;

**THENCE** S06°59'59"W, a distance of 413.54 feet to a 1" iron found;

**THENCE** S05°22'41"E, a distance of 790.57 feet to a 1" iron found;

**THENCE** S49°30'00"E, a distance of 104.09 feet to a point;

**THENCE** S76°10'12"W, a distance of 81.66 feet to a 1/2" iron found;

**THENCE** s00°05'48"W, a distance of 273.73 feet to a point in the centerline of the aforementioned Legacy Drive, said point being the beginning of a non- tangent curve to the right having a central angle of 01°42'18", a radius of 1000.00 feet, a tangent length of 14.88 feet, and a chord bearing N67°14'15"W, 29.76 feet;

**THENCE** in a northwesterly direction along said curve to the right, and with the centerline of Legacy Drive, an arc distance of 29.76 feet to the end of said curve;

**THENCE** N66°23'06"W, with the centerline of Legacy Drive, a distance of 206.44 feet to the beginning of a curve to the right having a central angle of 06°48'11", a radius of 3350.00 feet, a tangent length of 199.12 feet, and a chord bearing N62°59'00"W, 397.53 feet;

**THENCE** in a northwesterly direction along said curve to the right, and with the centerline of Legacy Drive, an arc distance of 397.76 feet to the end of said curve;

**THENCE** N59°34'55"W, with the centerline of Legacy Drive, a distance of 115.88 feet to the beginning of a curve to the left having a central angle of 28°23'33", a radius of 1200.00

feet, a tangent length of 303.56 feet, and a chord bearing N73°46'42"W, 588.59 feet;

**THENCE** in a northwesterly direction along said curve to the left, and with the centerline of Legacy Drive, an arc distance of 594.65 feet to the end of said curve;

**THENCE** N87°58'28"W, with the centerline of Legacy Drive, a distance of 90.09 feet to a point;

**THENCE** N01°42'52"E, leaving Legacy Drive, a distance of 530.00 feet to a point;

**THENCE** N46°42'52"E, a distance of 27.61 feet to a 1" iron found;

**THENCE** N02°40'25"E, a distance of 68.16 feet to a point;

**THENCE** N00°58'10"W, a distance of 307.38 feet to a 1" iron found for corner;

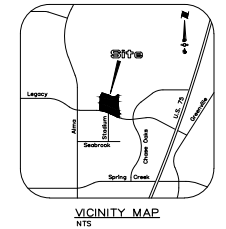
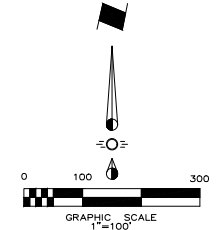
**THENCE** N24°45'00"E, a distance of 320.60 feet to the **POINT OF BEGINNING** and **CONTAINING** 1,589,079 square feet, or 36.480 acres of land.



# LEGAL DESCRIPTION

BEGINNING on a 1" iron rod found, sold point being the northwest corner of the aforementioned Lot 1, Block A, Chase Oaks Apartments;

THENCE S70°11'22"E, a distance of 548.91 feet to a point;  
 THENCE S46°37'37"E, a distance of 91.72 feet to a point;  
 THENCE S84°19'49"E, a distance of 92.00 feet to a point;  
 THENCE S54°05'05"E, a distance of 20.00 feet to a point;  
 THENCE S81°48'47"E, a distance of 98.00 feet to a point;  
 THENCE S85°30'00"E, a distance of 78.46 feet to a point;  
 THENCE N56°11'47"E, a distance of 236.08 feet to a 1" iron found;  
 THENCE S80°51'12"E, a distance of 73.30 feet to a 1" iron found;  
 THENCE S06°59'59"W, a distance of 413.54 feet to a 1" iron found;  
 THENCE S05°22'41"E, a distance of 790.57 feet to a 1" iron found;  
 THENCE S49°30'00"E, a distance of 104.09 feet to a point;  
 THENCE S76°10'12"W, a distance of 81.66 feet to a 1/2" iron found;  
 THENCE S00°05'48"W, a distance of 273.73 feet to a point in the centerline of the aforementioned Legacy Drive, sold point being the beginning of a non-tangent curve to the right having a central angle of 07°42'18", a radius of 1000.00 feet, a tangent length of 14.88 feet, and a chord bearing N67°14'15"W, 29.76 feet;  
 THENCE in a northwesterly direction along said curve to the right, and with the centerline of Legacy Drive, an arc distance of 29.76 feet to the end of said curve;  
 THENCE N66°23'06"W, with the centerline of Legacy Drive, a distance of 206.44 feet to the beginning of a curve to the right having a central angle of 06°48'11", a radius of 3350.00 feet, a tangent length of 199.12 feet, and a chord bearing N62°59'00"W, 397.53 feet;  
 THENCE in a northwesterly direction along said curve to the right, and with the centerline of Legacy Drive, an arc distance of 397.53 feet to the end of said curve;  
 THENCE N59°34'55"W, with the centerline of Legacy Drive, a distance of 115.88 feet to the beginning of a curve to the left having a central angle of 28°23'33", a radius of 1200.00 feet, a tangent length of 303.95 feet, and a chord bearing N73°46'42"W, 588.59 feet;  
 THENCE in a northwesterly direction along said curve to the left, and with the centerline of Legacy Drive, an arc distance of 594.65 feet to the end of said curve;  
 THENCE N67°58'28"W, with the centerline of Legacy Drive, a distance of 90.09 feet to a point;  
 THENCE N01°42'52"E, leaving Legacy Drive, a distance of 530.00 feet to a point;  
 THENCE N46°42'52"E, a distance of 27.61 feet to a 1" iron found;  
 THENCE N02°40'25"E, a distance of 68.16 feet to a point;  
 THENCE N00°58'10"W, a distance of 307.38 feet to a 1" iron found for corner;  
 THENCE N24°45'00"E, a distance of 320.80 feet to the POINT OF BEGINNING and CONTAINING 1,589,079 square feet, or 36.480 acres of land.



CITY PROJECT No. ZC2022-015  
 ZONING EXHIBIT

## CHASE OAKS APARTMENTS LOT 1, BLOCK A Zoned PD-489/MF-1 36.480 Acres Situated In The DANIEL ROWLETT SURVEY ~ ABST. 738 PLANO, COLLIN COUNTY, TEXAS

**Owner**  
 Starpoint Properties LLC  
 433 N. Camden Dr. Ste 1000  
 Beverly Hills, California 90210  
 Telephone 310-651-2093

**Engineer**  
 RLK Engineering, Inc.  
 Texas Registration No. 579  
 Attn: Seth Kelly  
 111 West Main Street  
 Allen, Texas 75013  
 Telephone 972 359-1733

**Surveyor**  
 Surdukan Surveying, Inc.  
 Attn: David Surdukan  
 P.O. Box 126  
 Anna, Texas 76809  
 Telephone 972 924-8200

October 25, 2022

**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.

**NOTE:**  
 All easements recorded in Cabinet K, Page 32, unless noted otherwise.

