

Zoning Case 2023-001

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 67 for Martial Arts Studio on 0.1 acre of land out of the James Beverly Survey, Abstract No. 120, located on the south side of Capital Avenue, 684 feet east of N Avenue in the City of Plano, Collin County, Texas, presently zoned Light Industrial-1, 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 10th day of April 2023, for the purpose of considering granting Specific Use Permit No. 67 for Martial Arts Studio on 0.1 acre of land out of the James Beverly Survey, Abstract No. 120, located on the south side of Capital Avenue, 684 feet east of N Avenue in the City of Plano, Collin County, Texas, presently zoned Light Industrial-1; 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 10th day of April 2023; and

WHEREAS, the City Council is of the opinion and finds that granting Specific Use Permit No. 67 for Martial Arts Studio on 0.1 acre of land out of the James Beverly Survey, Abstract No. 120, located on the south side of Capital Avenue, 684 feet east of N Avenue in the City of Plano, Collin County, Texas, presently zoned Light Industrial-1; would not be detrimental to the public health, safety, or 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 of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to grant Specific Use Permit No. 67 for Martial Arts Studio on 0.1 acre of land out of the James Beverly Survey, Abstract No. 120, located on the south side of Capital Avenue,

684 feet east of N Avenue in the City of Plano, Collin County, Texas, presently zoned Light Industrial-1, said property being described in the legal description in Exhibit A attached hereto.

Section II. 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 III. 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 IV. 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 V. 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 VI. 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 VII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED on the 10th day of April 2023.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

ZONING CASE 2023-001

LEGAL DESCRIPTION

WHEREAS Joe L. Griffith is the owner of a 1.133 acre tract of land as recorded under County Clerk No. 19941028000971950 of the Deed Records of Collin County, Texas, situated in the State of Texas, County of Collin, City of Plano, being part of the James Beverly Survey, Abstract No. 120, same being Lot 1, Block A of Ashland/Wordware Addition as recorded in Volume F, Page 230, of the Plat Records of Collin County, Texas, said premises being part of Lot 1, Block A of said Addition and more particularly described as follows:

COMMENCING at an "X" Found in the south right-of-way line of Capital Avenue (60' right-of-way) marking the northeast corner of Lot 7, Block E of Autogram Addition, as recorded in Volume F, Page 759 of the Plat Records of Collin County, Texas, and the northwest corner of Lot 1;

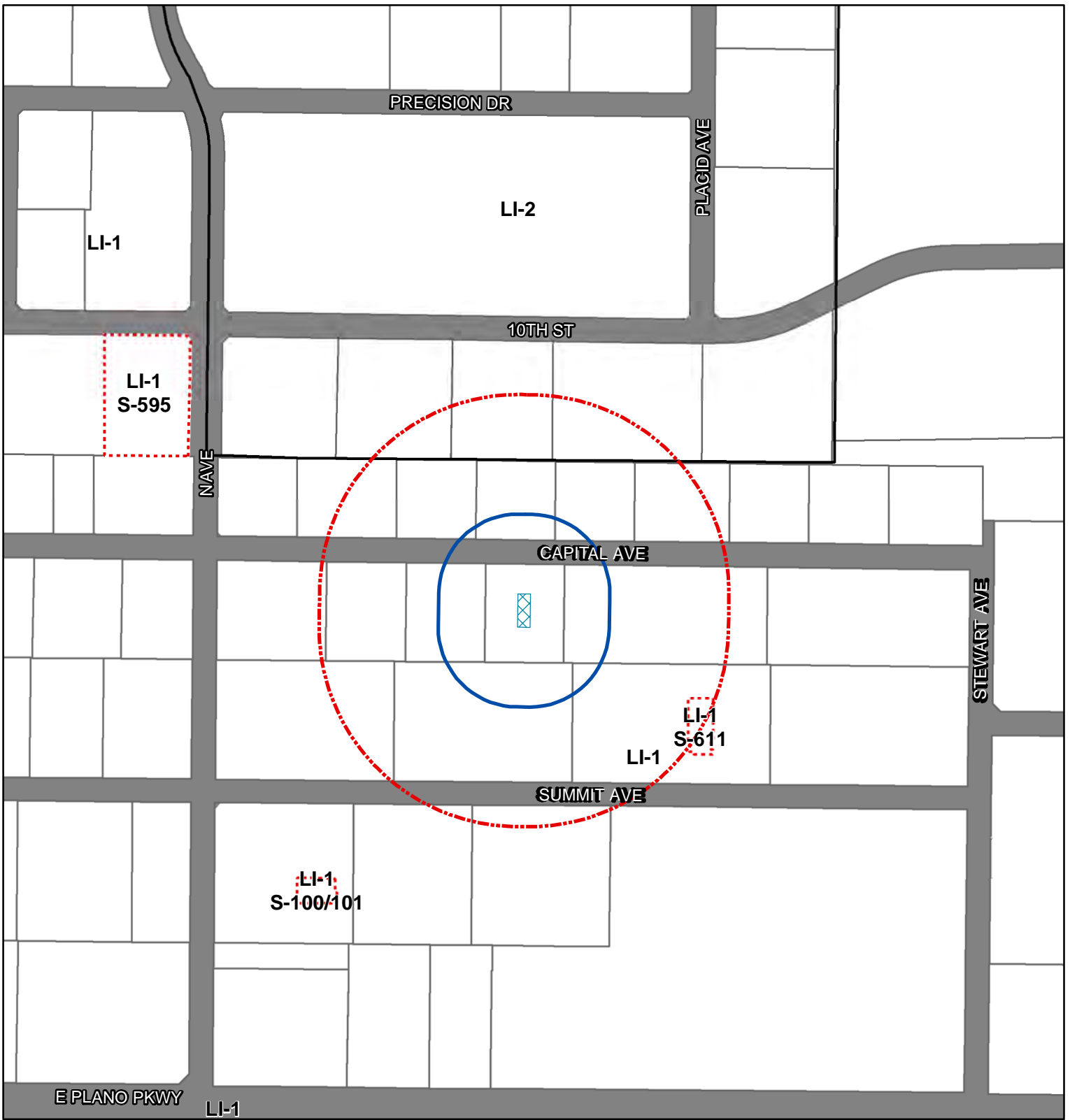
THENCE crossing through Lot 1, South 48°03'34" East, 111.71' feet, to the POINT OF BEGINNING, being in the north line of an existing building marking the northwest corner of the herein described premises;

THENCE crossing through Lot 1, with the north line of said building and the north line of said premises; North 89°58'29" East, 31.00 feet to a point marking the northeast corner of said premises;

THENCE crossing through Lot 1, with a demising wall of said building and the east line of said premises, South 00°01'31" East, 83.16 feet to a point for corner in a south line of said building, marking the southeast corner of said premises;

THENCE crossing through Lot 1, with a south line of said building and the south line of said premises, South 89°58'29" West, 31.00 feet to a point marking the southwest corner of said premises;

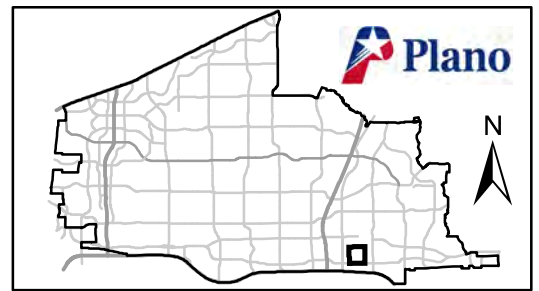
THENCE crossing through Lot 1, with a demising wall of said building and the west line of said premises; North 00°01'31" West, 83.16 feet to the **PLACE OF BEGINNING** and **CONTAINING** 2,578 square feet or 0.059 acres of land.



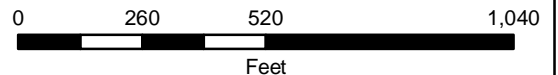
Zoning Case: 2023-001

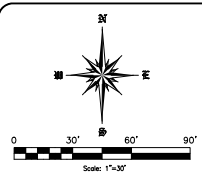
Existing Zoning: Light Industrial-1

Proposed Zoning: Specific Use Permit for Dance, Gymnastics and/or Martial Arts Studio



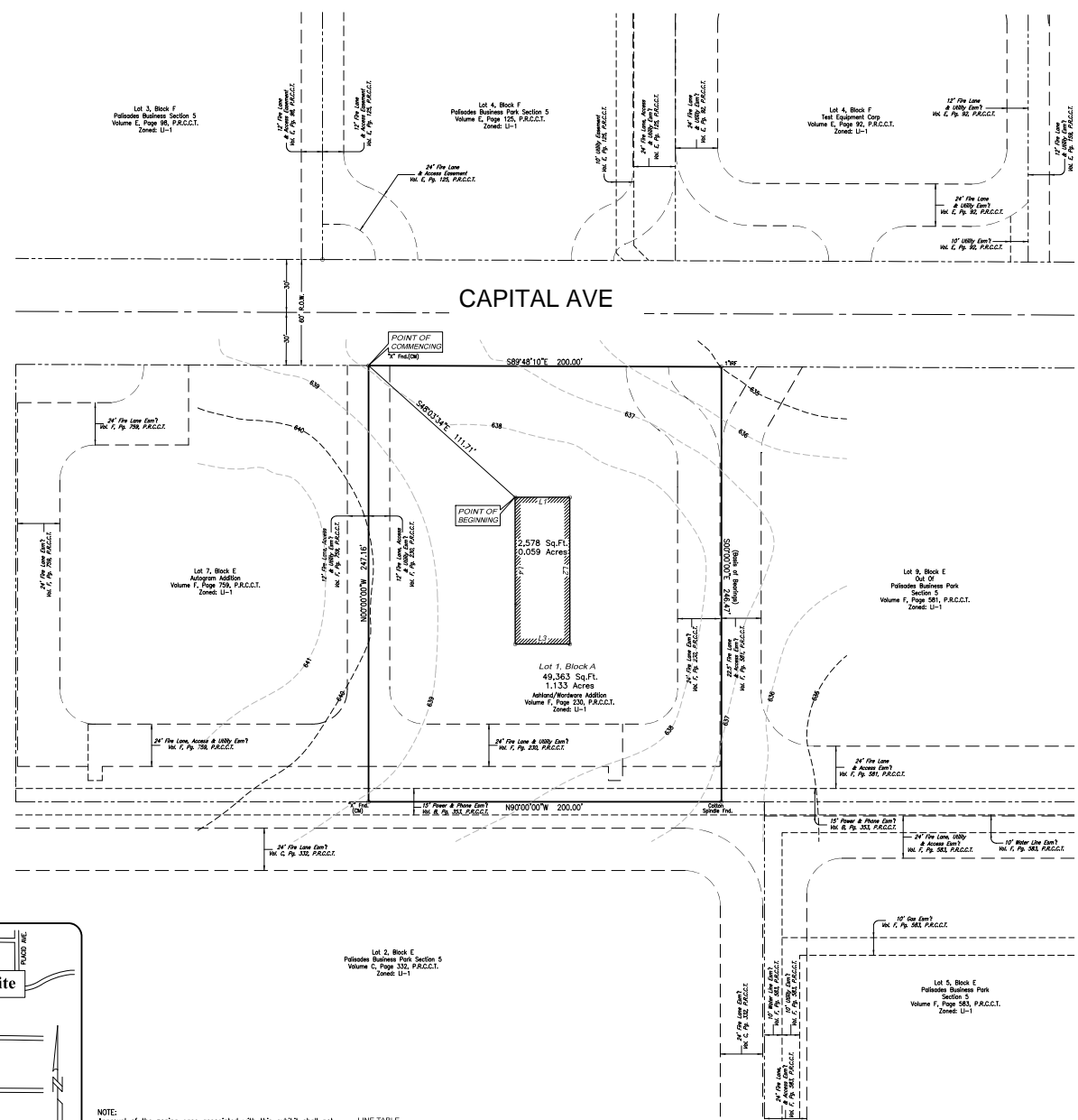
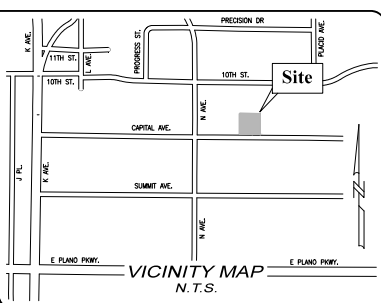
- 500' Courtesy Notification Buffer
- 200' Notification Buffer
- Subject Property
- Streets
- Municipal Boundaries
- Zoning Boundary
- Specific Use Permit
- Zoning Boundary Change/SUP





Legend

- CM Controlling Monument
- BM Benchmark
- PRCT Plat Records Collin County Texas
- R.O.W. Right-of-Way



Lot 2, Block E
Pinedas Business Park Section 5
Volume C, Page 332, P.R.C.C.T.
Zone: U-1

NOTE:
Approval of the zoning case associated with this exhibit shall not imply approval of any associated study, plat, or plan, approved of development standards shown herein, 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	BEARING	DISTANCE
L1	N89°58'29"E	31.00'
L2	S80°01'51"W	83.16'
L3	S89°58'29"W	31.00'
L4	N00°01'51"W	83.16'

PROPERTY DESCRIPTION

WHEREAS Joe L. Griffith is the owner of a 1.133 acre tract of land as recorded under County Clerk No. 1994102800071950 of the Deed Records of Collin County, Texas, situated in the State of Texas, County of Collin, City of Plano, being part of the James Beverly Survey, Abstract No. 120, some being Lot 1, Block A of Ashland/Wordware Addition as recorded in Volume F, Page 230, of the Plat Records of Collin County, Texas, said premises being part of Lot 1, Block A of said Addition and more particularly described as follows:

COMMENCING at an "X" Found in the south right-of-way line of Capital Avenue (60' right-of-way) marking the northeast corner of Lot 7, Block E of Autogram Addition, as recorded in Volume F, Page 759 of the Plat Records of Collin County, Texas, and the northwest corner of Lot 1;

THENCE crossing through Lot 1, South 48°03'34" East, 111.71' feet, to the POINT OF BEGINNING, being in the north line of an existing building marking the northwest corner of the herein described premises;

THENCE crossing through Lot 1, with the north line of said building and the north line of said premises, North 89°58'29" East, 31.00 feet to a point marking the northeast corner of said premises;

THENCE crossing through Lot 1, with a demising wall of said building and the east line of said premises, South 00°01'51" East, 83.16 feet to a point for corner in a south line of said building, marking the southeast corner of said premises;

THENCE crossing through Lot 1, with a south line of said building and the south line of said premises, South 89°58'29" West, 31.00 feet to a point marking the southwest corner of said premises;

THENCE crossing through Lot 1, with a demising wall of said building and the west line of said premises, North 00°01'51" West, 83.16 feet to a point of beginning and containing 2,578 square feet or 0.059 acres of land.

Project # ZC2023-001
Zoning Exhibit
2,578 Sq.Ft. / 0.059 Acres
Specific Use Permit for
Martial Arts Studio
Part of Lot 1, Block A
Ashland/Wordware Addition
Recorded in Vol. F, Pg. 230, P.R.C.C.T.
James Beverly Survey, Abstract No. 120
City of Plano, Collin County, Texas
February 2023

Submitted: 02.01.2023 Revised: 02.13.2023 Revised: 02.20.2023	Designer: Joe L. Griffith 18 Country Lane Dr Carrollton, TX 75006 (972) 533-0398 Alt: Joe L. Griffith email: joegr72@yahoo.com	Recorder: Roome Land Surveying 2000 Ave G, Suite 810 Plano, TX 75074 (972) 423-4372 Alt: Fred Sprenklemeier email: fred@roomeinc.com	<p>Roome Land Surveying 2000 Avenue G, Suite 810 Plano, Texas 75074 Phone (972) 423-4372 / Fax (972) 423-7523 www.roomesurveying.com / Firm No. 100313100</p>
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