

## **Zoning Case 2022-020**

**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 individual Heritage Landmark Designation No. 37 (H-37) on 0.5 acre of land out of the Thomas M. Archer Survey, Abstract No. 14, located on the west side of Springbrook Drive, 960 feet south of Janwood Drive, in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-7; 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 June 2023, for the purpose of considering granting individual Heritage Landmark Designation No. 37 (H-37) on 0.5 acre of land out of the Thomas M. Archer Survey, Abstract No. 14, located on the west side of Springbrook Drive, 960 feet south of Janwood Drive, in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-7; 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 June 2023; and

**WHEREAS**, the City of Plano Heritage Preservation Plan, adopted by Resolution No. 2018-11-23(R), identifies the property as a Potential Heritage Resource; and

**WHEREAS**, the Heritage Commission, the Planning & Zoning Commission, and the City Council considered the criteria for designation in Section 16-110 of the City of Plano Code of Ordinances and finds such criteria is met; and

**WHEREAS**, the City Council is of the opinion and finds that the granting of individual Heritage Landmark Designation No. 37 (H-37) on 0.5 acre of land out of the Thomas M. Archer Survey, Abstract No. 14, located on the west side of Springbrook Drive, 960 feet south of Janwood Drive, in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-7, 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 affected properties in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

**NOW, THEREFORE, BE IT 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 grant individual Heritage Landmark Designation No. 37 (H-37) on 0.5 acre of land out of the Thomas M. Archer Survey, Abstract No. 14, located on the west side of Springbrook Drive, 960 feet south of Janwood Drive, in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-7, said property being more fully described on 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 12th day of June, 2023.

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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 METES & BOUNDS DESCRIPTION

**BEING** a 21,246 square foot (0.4877 acre) tract of land situated in the Thomas M. Archer Survey, Abstract No. 14, Collin County, Texas, and being a portion of that certain tract of land described in the Warranty Deed to the City of Plano, described in Volume 756, Page 795, Deed Records, Collin County, Texas, and being a portion of a called 0.996 acre tract of land described in the Transfer of Title Warranty Deed to the Texas Pool Foundation, recorded in Instrument No. 20161229001766170, Official Public Records, Collin County, Texas, and being more particularly described as follows:

**COMMENCING** at the east corner of the said called 0.996 acre tract, and being in the southwest right-of-way line of Springbrook Drive (a 50-foot right-of-way), and being the beginning of a non-tangent curve to the left with a radius of 503.87 feet, a central angle of 01°41'58", and a chord bearing and distance of North 35°38'40" West, 14.94 feet;

**THENCE** in a northerly direction, along the said southwest right-of-way line, and along the said non-tangent curve to the left, an arc distance of 14.95 feet to the **POINT OF BEGINNING**;

**THENCE** South 44°41'19" West, departing the said southwest right-of-way line, a distance of 95.98 feet to a point for corner;

**THENCE** North 85°57'22" West, a distance of 6.16 feet to a point for corner;

**THENCE** North 79°55'26" West, a distance of 24.01 feet to a point for corner;

**THENCE** North 16°54'47" East, a distance of 1.19 feet to a point for corner;

**THENCE** North 77°59'11" West, a distance of 31.41 feet to a point for corner;

**THENCE** North 54°30'06" West, a distance of 25.98 feet to a point for corner;

**THENCE** North 36°55'24" West, a distance of 10.07 feet to a point for corner;

**THENCE** North 29°05'56" West, a distance of 28.30 feet to a point for corner;

**THENCE** North 14°12'05" West, a distance of 11.37 feet to a point for corner;

**THENCE** North 28°38'19" West, a distance of 38.37 feet to a point for corner;

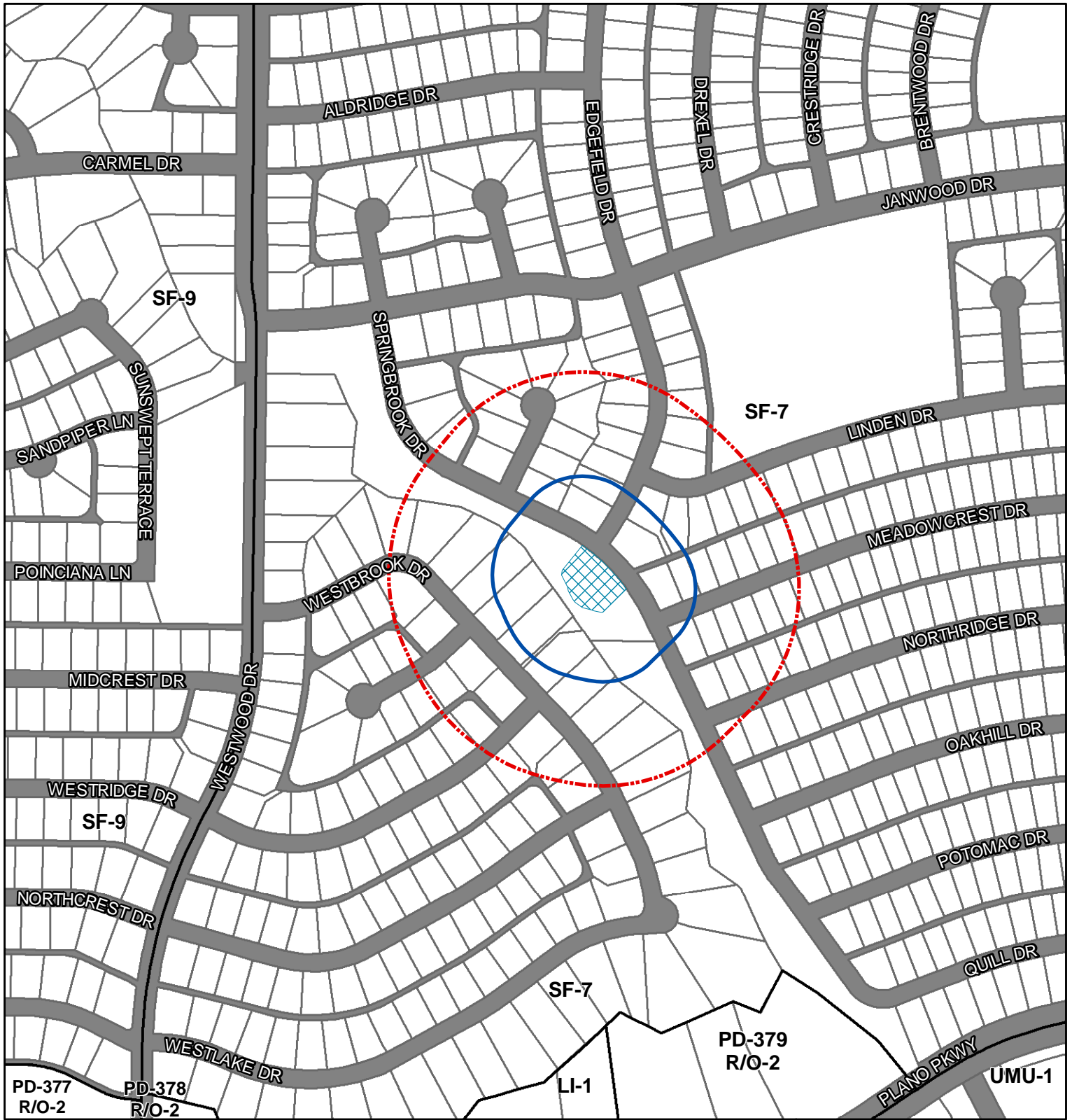
**THENCE** North 10°07'43" East, a distance of 14.39 feet to a point for corner;

**THENCE** North 38°22'13" East, a distance of 91.73 feet to a point for corner, being in the aforementioned southwest right-of-way line, and being the beginning of a non-tangent curve to the right with a radius of 503.87 feet, a central angle of 20°27'49", and a chord bearing and distance of South 46°43'33" East, 179.01 feet;

**THENCE** in a easterly direction, along the said southwest right-of-way line, and along the said non-tangent curve to the right, at an arc distance of 1.99 feet passing the north corner of the said called 0.996 acre tract, and continuing in all a total arc distance of 179.96 feet to the **POINT OF BEGINNING** and containing 21,246 square feet or 0.4877 acres of land, more or less.

### NOTE:

This document was prepared under 22 Texas Administrative Code §138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



Zoning Case: 2022-020

Existing Zoning: Single-Family Residence-7 (SF-7)

Proposed Zoning: Heritage Landmark

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

