

Zoning Case 2023-003

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 99.0 acres of land out of the Maria C. Vela Survey, Abstract No. 935, and the Jacob Cook Survey, Abstract No. 189, located at the southeast corner of Legacy Drive and Parkwood Boulevard in the City of Plano, Collin County, Texas, from Commercial Employment to Planned Development-62-Commercial Employment; 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 14th day of August, 2023, for the purpose of considering rezoning 99.0 acres of land out of the Maria C. Vela Survey, Abstract No. 935, and the Jacob Cook Survey, Abstract No. 189, located at the southeast corner of Legacy Drive and Parkwood Boulevard in the City of Plano, Collin County, Texas, from Commercial Employment to Planned Development-62-Commercial Employment; and

WHEREAS, the City Secretary of 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 on the 14th day of August 2023 and heard all persons wishing to be heard both for and against the change in the Zoning Ordinance and tabled the item to the 11th day of September 2023, during which time the item was once again opened to public hearing and Council heard all persons wishing to be heard both for and against the change in the Zoning Ordinance and tabled to the 23rd day of October 2023, during which time the item was again tabled to the 7th day of November 2023, when it held an additional public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance; and

WHEREAS, the City Council is of the opinion and finds that such rezoning, as amended by the stipulations agreed upon during the public hearing, 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.

NOW, THEREFORE, BE IT 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 99.0 acres of land out of the Maria C. Vela Survey, Abstract No. 935, and the Jacob Cook Survey, Abstract No. 189, located at the southeast corner of Legacy Drive and Parkwood Boulevard in the City of Plano, Collin County, Texas, from Commercial Employment to Planned Development-62-Commercial Employment, 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, which were stipulated by the petitioner:

1. Use Restrictions & Modifications

A. Mid-rise residential is an additional permitted use with the following exceptions:

- i. Maximum Number of Units: 775
- ii. Buildings must be constructed within 250 feet of Parkwood Boulevard right-of-way.
- iii. A minimum of 50% of units must have a true balcony or patio with minimum dimensions of 7 feet deep by 8 feet wide.

B. Moderate-intensity manufacturing is prohibited within 700 feet of Parkwood Boulevard.

C. Above-grade portions of the primary central building of the original EDS Headquarters campus must not be demolished.

D. Heliport and helistop uses are allowed on the same lot as mid-rise residential and school uses; however, helipads and helistops must be located a minimum of 1,000 feet from mid-rise residential buildings.

2. Modified Area, Yard, and Bulk Requirements

Description	Residential Requirements
Minimum Front Yard Setback along Parkwood Boulevard	30 feet for any building or portion of a building up to 50 feet in height 50 feet for any building or portion of a building taller than 50 feet in height
Minimum Mid-Rise Residential Unit Size	
Efficiency	500 square feet
1 bedroom	650 Square feet
2 bedroom	800 square feet
Each Additional Bedroom	200 square feet

3. Additional Parking & Development Regulations:

A. Structured Parking

- i. The maximum height for parking structures must be 8 stories at or above grade. Structured parking located within 250 feet of Legacy Drive and Tennyson Parkway must have a maximum height of 5 stories/60 feet.
- ii. Structured parking must be designed to minimize the ground-level view of automobiles below their hood lines, and light fixtures. Parking structure facades must have consistent architectural materials, openings, and variation in the facade depth to the buildings which they serve. Pedestrian entrances to parking garages must be directly accessed by a sidewalk or through an internal building vestibule.
- iii. Parking structure ramps must not be visible from any adjacent right-of-way.

B. The site must contain a quasi-public street, of a minimum length of 600 feet connecting Legacy Drive to Parkwood Boulevard per the following standards:

- i. **Quasi-Public Street Definition:** Quasi-public streets are privately owned and maintained drives open to public access. A quasi-public street easement must be dedicated for all quasi-public streets, and a fire lane must be located within all quasi-public street easements. On-street parking and sidewalks provided along quasi-public streets must be located within the quasi-public street easement, if provided. Lots may derive required street frontage from quasi-public streets and may be platted to the center line of quasi-public streets.
- ii. Parallel parking is required along the quasi-public street.

4. Streetscape/Sidewalks

A. Sidewalks with a minimum width of 7 feet are required along both sides of the quasi-public street and along one side of internal driveways and open space areas.

B. Street Trees: Along public and quasi-public streets, street trees, with a minimum size of 4-inch caliper, are required at the rate of one tree per 40 linear feet. Trees must be placed in planting beds or tree grates within five feet of the back of the street curb.

5. Screening: Screening must meet the requirements of Section 19.200 except that architectural metal panels that are both decorative and provide full screening are permitted as an alternative material to masonry.

6. General Stipulations

A. Open Space:

- i. A minimum of 9.5 acres of contiguous open space must be placed west of the primary central building and adjacent to the quasi-public street, consistent with designated areas within the adopted open space plan. The open space may include landscaping, associated walks, amenities, and other hardscape elements. Required landscape edges are to be excluded from the required open space.
- ii. Wet detention ponds and amenity ponds are permitted within a maximum of 2.2 acres of open space.
- iii. Trails with a minimum width of 10 feet must be provided throughout the open space and around any ponds.
- iv. A variety of trees, shrubs, and ground cover must be used within the open space to create an area with biodiversity with plant materials to be approved by the City of Plano.
- v. Except for dog parks, recreational courts, and/or required fencing for detention ponds, open space must be open to the public and not fenced.

B. Exterior building materials will conform to Article 23 of the Plano Zoning Ordinance and development within this district will benefit from the associated incentives provided by the Zoning Ordinance.

C. Development Phasing: A construction permit for the addition of any new mid-rise residential building or hotel building will not be approved until all of the following standards are met:

- i. A minimum of 946,700 square feet of the primary central building of the original EDS Headquarters campus must receive a certificate of occupancy; and
- ii. A minimum of 375,000 square feet of manufacturing must receive a certificate of occupancy; and
- iii. A minimum of 7 acres of open space is open for public use.

D. Mid-rise residential uses will occupy no more than 50% of the square footage within the planned development district.

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 on the 7th day of November, 2023.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

**ZC2023-003
LEGAL DESCRIPTION**

BEING a tract of land situated in the Maria C. Vela Survey, Abstract No. 935, and the Jacob Cook Survey, Abstract No. 189, City of Plano, Collin County, Texas and being all of Lot 1, Block A, EDS Headquarters recorded in Volume H, Page 624, Official Public Records, Dallas County, Texas and being all of a tract of land described in Special Warranty Deed to EDS Legacy Partners, LLC recorded in Instrument No. 20181217001524200, Official Public Records, Dallas County, Texas and being part of Legacy Drive (variable width right-of-way), and being part of Tennyson Parkway (a 121-foot wide right-of-way), and being part of Parkwood Blvd. (variable width right-of-way), and being more particularly described as follows:

BEGINNING at a point at the intersection of the centerline of said Parkwood Blvd. and the centerline of said Legacy Drive;

THENCE with said centerline of Legacy Drive, the following courses and distances:

North 89°22'07" East, a distance of 264.99 feet to a point for corner;
North 85°33'16" East, a distance of 98.13 feet to a point for corner;
North 89°22'07" East, a distance of 152.21 feet to a point for corner;
South 86°37'38" East, a distance of 100.24 feet to a point for corner;
North 89°22'07" East, a distance of 327.88 feet to a point for corner;
North 82°02'28" East, a distance of 54.01 feet to a point for corner;
North 89°21'55" East, a distance of 614.97 feet to a point for corner;

THENCE departing said centerline of Legacy Drive, over and across said Legacy Drive, and with the east lines of said Lot 1, the following courses and distances:

South 00°37'53" East, passing a distance of 60.48 feet, an "X" cut in concrete found for the northeast corner of said Lot 1, and continuing with said east line of Lot 1 for a total distance of 1,429.99 feet to an aluminum disc found for an east corner of said Lot 1;
North 89°22'07" East, a distance of 120.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found for corner;
South 00°37'53" East, passing a distance of 1,173.50 feet, an "X" cut in concrete found for the southeast corner of said Lot 1 in the north right-of-way line of said Tennyson Parkway, and departing said north right-of-way line of Tennyson Parkway, over and across said Tennyson Parkway, for a total distance of 1234.00 feet to a point for corner in the centerline of said Tennyson Parkway;

THENCE with said centerline of Tennyson Parkway, the following courses and distances:

South 89°22'07" West, a distance of 532.64 feet to a point for corner;
North 85°37'50" West, a distance of 80.31 feet to a point for corner;
South 89°22'07" West, a distance of 117.55 feet to a point at the beginning of a tangent curve to the right with a radius of 1,139.00 feet, a central angle of 11°49'09", and a chord bearing and distance of North 84°43'19" West, 234.54 feet;

In a westerly direction, with said tangent curve to the right, an arc distance of 234.96 feet to a point for corner;

South 14°13'58" West, a distance of 7.01 feet to a point at the beginning of a non-tangent curve to the right with a radius of 1,146.00 feet, a central angle of 08°05'19", and a chord bearing and distance of North 74°45'01" West, 161.65 feet;

In a westerly direction, with said non-tangent curve to the right, an arc distance of 161.78 feet to a point for corner;

North 70°42'21" West, a distance of 307.15 feet to a point for corner;

North 66°53'31" West, a distance of 97.72 feet to a point for corner;

North 70°42'21" West, a distance of 247.32 feet to a point for corner at the intersection of said centerline of Parkwood Blvd. and said centerline of Tennyson Parkway;

THENCE with said centerline of Parkwood Blvd., the following courses and distances:

North 00°37'53" West, a distance of 286.69 feet to a point for corner;

North 00°37'59" West, a distance of 475.62 feet to a point for corner;

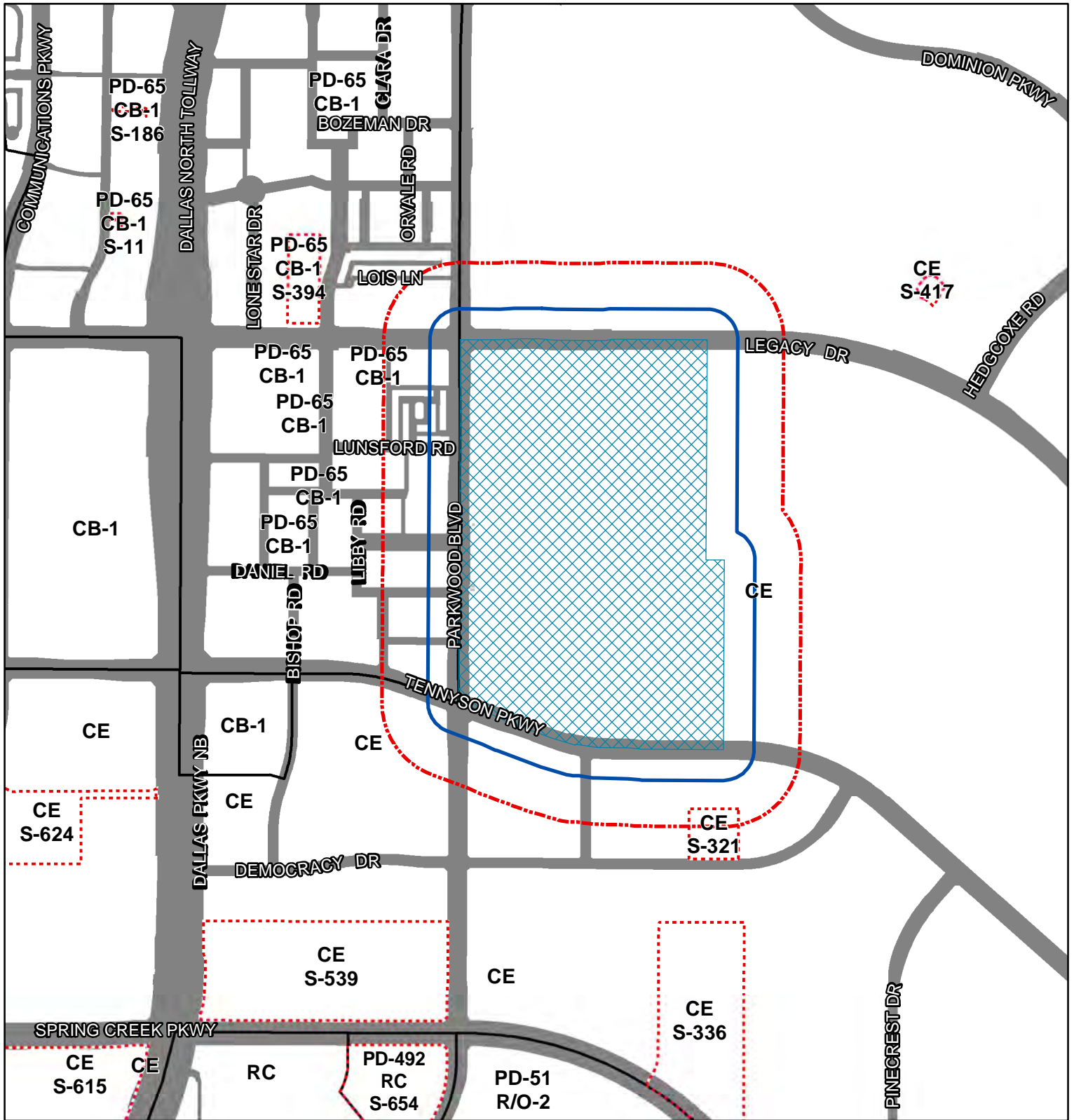
North 00°37'46" West, a distance of 382.27 feet to a point for corner;

North 00°37'53" West, a distance of 908.95 feet to a point for corner;

North 00°38'02" West, a distance of 307.09 feet to the **POINT OF BEGINNING** and **CONTAINING** 4,313,300 square feet or 99.0197 acres of land.

Bearing system based on the State Plane Coordinate, Texas North Central Zone (4202), North American Datum of 1983. (2011)

THIS DOCUMENT WAS PREPARED UNDER 22 TAC §663.21, 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.

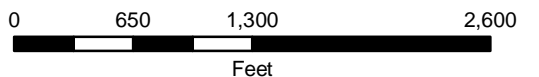
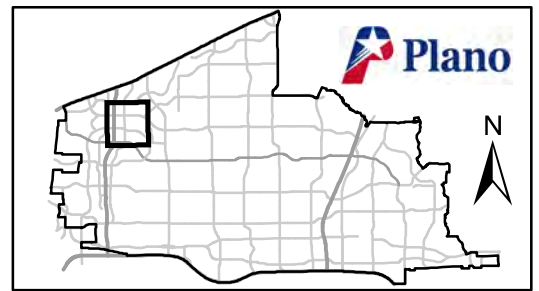


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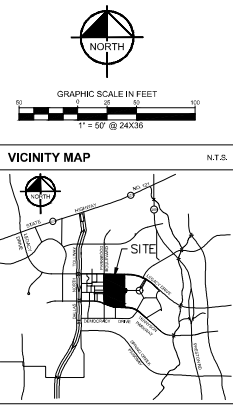
Existing Zoning: Commercial Employment

Proposed Zoning: Planned Development-Commercial Employment

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



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LEGEND

VOL./PG. = VOLUME/PAGE
 P.O.B. = POINT OF BEGINNING
 SQ. FT. = SQUARE FEET
 INST. NO. = INSTRUMENT NUMBER
 IRSC = 5/8" IRON ROD WITH PLASTIC CAP STAMPED "KHA" SET
 IRF = IRON ROD FOUND
 IRFC = IRON ROD WITH CAP FOUND
 "X" = "X" CUT IN CONCRETE FOUND
 O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS

ZONING DESCRIPTION

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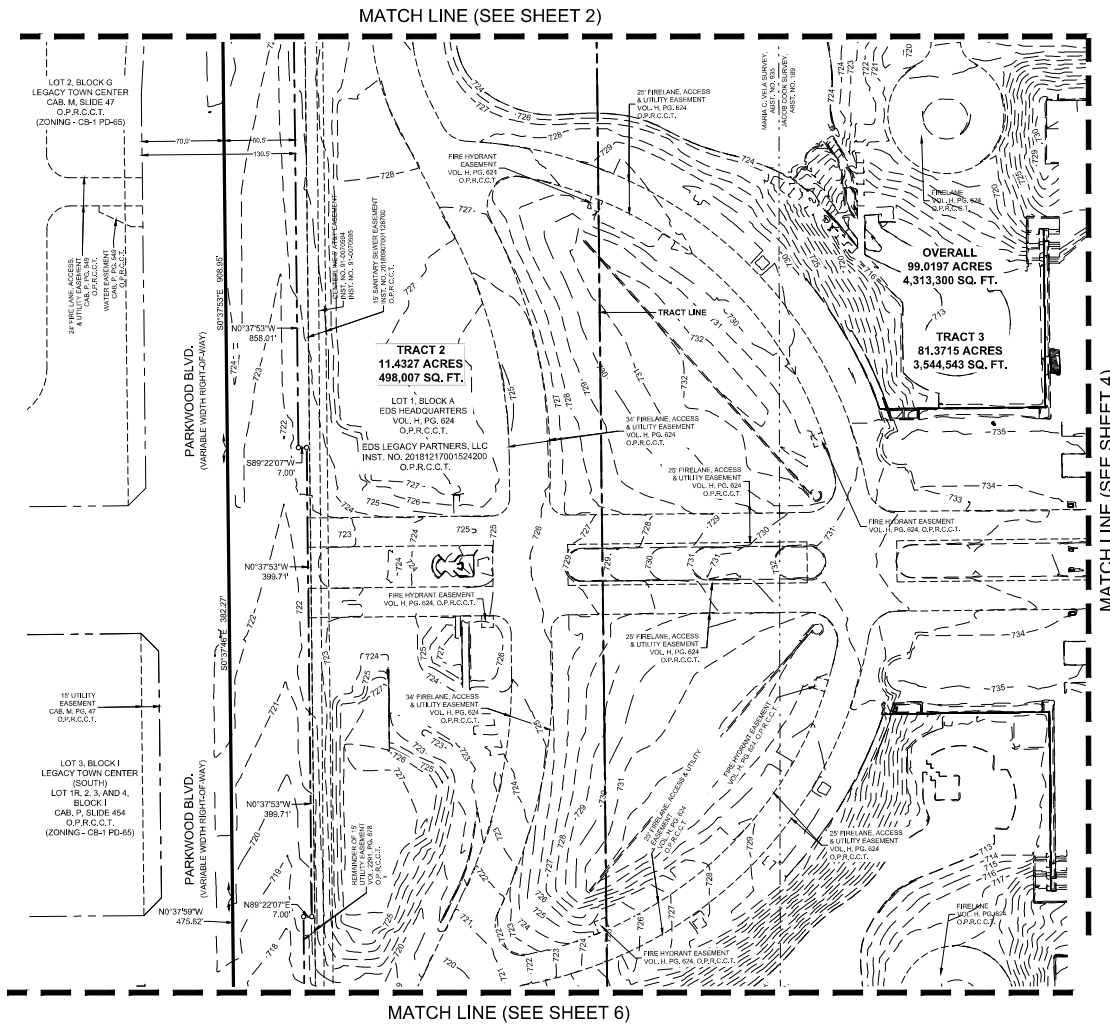
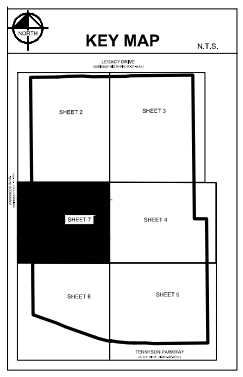
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 North 89°37'50" West, a distance of 80.31 feet to a point for corner;
 South 89°22'07" West, a distance of 117.55 feet to a point at the beginning of a tangent curve to the right with a radius of 1,139.00 feet, a central angle of 11°42'09", and a chord bearing and distance of North 84°43'19" West, 234.54 feet;
 In a westerly direction, with said tangent curve to the right, an arc distance of 234.96 feet to a point for corner;
 South 14°12'58" West, a distance of 7.01 feet to a point at the beginning of a non-tangent curve to the right with a radius of 1,146.00 feet, a central angle of 08°05'19", and a chord bearing and distance of North 74°45'01" West, 161.65 feet;
 In a westerly direction, with said non-tangent curve to the right, an arc distance of 161.79 feet to a point for corner;
 North 79°42'21" West, a distance of 307.15 feet to a point for corner;
 North 68°53'21" West, a distance of 97.72 feet to a point for corner;
 North 70°42'21" West, a distance of 247.32 feet to a point for corner at the intersection of said centerline of Parkwood Blvd. and said centerline of Tennyson Parkway;

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 North 00°37'50" West, a distance of 475.62 feet to a point for corner;
 North 00°37'49" West, a distance of 982.27 feet to a point for corner;
 North 00°37'53" West, a distance of 908.95 feet to a point for corner;
 North 00°38'52" West, a distance of 307.09 feet to the **POINT OF BEGINNING** and containing 4,313,300 square feet or 99.0197 acres of land.

Bearing system based on the State Plane Coordinate, Texas North Central Zone (4202), North American Datum of 1983, (2011)

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OWNER:
 EDS LEGACY PARTNERS, LLC
 7900 PARKWOOD BLVD., PLANO, TX 75024
 TEL. NO. 214-262-0000
 CONTACT: MATTHEW MCGRAWER
 EMAIL: mmcgraw@edspartners.com

SURVEYOR:
 KIMLEY-HORN AND ASSOCIATES, INC.
 INC.
 13865 NOL ROAD, TWO GALLERIA OFFICE
 TOWER, STE 700
 DALLAS, TEXAS 75240
 TEL. NO. 972-776-1100
 CONTACT: A. NEWBY@KHORNS.COM, RPLS



811
 Know what's below. Call before you dig.

THE CONTRACTOR SHALL FIELD VERIFY THE HORIZONTAL AND VERTICAL LOCATIONS OF ALL UTILITIES PRIOR TO START OF CONSTRUCTION AND SHALL NOTIFY THE CONTRACTOR MANAGER/CONTRACTOR SUPERVISOR IMMEDIATELY IF ANY UTILITIES ARE DISCOVERED. CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES WITHIN SCOPE OF CONSTRUCTION. IF ANY EXISTING UTILITIES ARE DAMAGED, THE CONTRACTOR SHALL REPLACE THEM AT HIS OWN EXPENSE, CALL IT AT LEAST 72 HOURS BEFORE ANY CONSTRUCTION BEGINS WITHIN THE SCOPE OF THE PROJECT.

PROJ. NO.	217601	DRAWN BY	LDV
SCALE	1" = 40'	CHECKED BY	JAD
SHEET SIZE	24x36	APPROVED BY	JAD
DRAWING TITLE	ZONING CASE # ZC0203-003		
DRAWING NUMBER	99.0197 ACRES		
SHEET NUMBER	Sheet No. 7 OF 7		

Kimley-Horn
 CONSULTING ENGINEERS
 1400 RUEL ROAD, SUITE 200
 DALLAS, TEXAS 75240
 WWW.KIMLEY-HORN.COM
 TEXAS REGISTERED ENGINEERING FIRM #219

CPA
 CONSULTING ARCHITECT FIRM
 6500 N. MACARTHUR BOULEVARD
 SUITE 1000
 DALLAS, TEXAS 75248
 PHONE: 469-907-9700
 FAX: 469-907-0711

NEXPOINT
 TEXAS RESEARCH QUARTER - TRQ

REV.	DATE	DESCRIPTION

LICENSE

Professional Engineer Seal for Kimley-Horn and Associates, Inc.

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