

Zoning Case 2023-006

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 Permits No. 68 for Private Club and No. 7 for Food Truck Park on 0.8 acre of land out of the Thomas J. Cotton Survey, Abstract No. 202, located 524 feet north of Park Boulevard and 940 feet east of Preston Road in the City of Plano, Collin County, Texas, presently zoned Retail, 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 27th day of November, 2023, for the purpose of considering granting Specific Use Permits No. 68 for Private Club and No. 7 for Food Truck Park on 0.8 acre of land out of the Thomas J. Cotton Survey, Abstract No. 202, located 524 feet north of Park Boulevard and 940 feet east of Preston Road in the City of Plano, Collin County, Texas, presently zoned Retail; 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 27th day of November 2023; and

WHEREAS, the City Council is of the opinion and finds that granting Specific Use Permits No. 68 for Private Club and No. 7 for Food Truck Park on 0.8 acre of land out of the Thomas J. Cotton Survey, Abstract No. 202, located 524 feet north of Park Boulevard and 940 feet east of Preston Road in the City of Plano, Collin County, Texas, presently zoned Retail, 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.

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 grant Specific Use Permit No. 68 for Private Club on 0.8 acre of land out of the Thomas J. Cotton Survey, Abstract No. 202, located 524 feet north of Park Boulevard and 940 feet east of Preston Road in the City of Plano, Collin County, Texas, presently zoned Retail, said property being described in the legal description in Exhibit A attached hereto.

Section II. 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. 7 for Food Truck Park on 0.8 acre of land out of the Thomas J. Cotton Survey, Abstract No. 202, located 524 feet north of Park Boulevard and 940 feet east of Preston Road in the City of Plano, Collin County, Texas, presently zoned Retail, said property being described in the legal description in Exhibit A attached hereto.

Section III. The change in Section II is granted subject to the following:

The food truck park must be setback a minimum of 250 feet from the residential zoning district boundary line to the north, and a minimum of 50 feet from the eastern property line of Preston Towne Crossing, Block 1, Lot 2.

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

PASSED AND APPROVED on the 27th day of November, 2023.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

**ZONING CASE 2023-006
LEGAL DESCRIPTION**

BEING a 32,872 square foot (0.7546 of an acre) tract of land, situated in the Thomas J. Cotton Survey, Abstract No. 202, City of Plano, Collin County, Texas, and being part of Lot 2, Block 1 of Preston Towne Crossing, recorded in Cabinet G, Page 138 of the Plat Records of Collin County, Texas (P.R.C.C.T.) and also being part of a tract of land as described in a Special Warranty Deed to Amreit SSPF Preston Gold, LP, a Delaware limited partnership, recorded in Instrument No. 20061116001637830 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T) and being more particularly described by metes and bounds as follows;

COMMENCING at the northeast corner of said Lot 2 and the northwest corner of Lot 1R, Block 1, Berkeley Square Addition, recorded in Instrument No. 20190802010003340 (O.P.R.D.C.T.);

THENCE South 00 degrees 22 minutes 13 seconds East, along the east line of said Lot 2 and the west line of said Lot 1R, a distance of 59.62 feet;

THENCE Departing the east line of said Lot 2 and the west line of said Lot 1R, over and across said Lot 2, the following courses and distances;

South 89 degrees 37 minutes 47 seconds West, a distance of 74.92 feet to the northeast external corner of a building, and being the **POINT OF BEGINNING**;

South 00 degrees 25 minutes 49 seconds East, along the east exterior wall edge of said building, a distance of 210.31 feet to a point for corner;

North 89 degrees 34 minutes 11 seconds East, departing the east exterior wall edge of said building, a distance of 22.76 feet to a point for corner on the west line of a 24-foot wide fire lane, access, gas, and water easement as shown on final plat of said Preston Towne Crossing;

South 00 degrees 22 minutes 13 seconds East, along the west line of said 24-foot wide fire lane, access, gas, and water easement, a distance of 75.00 feet to a point for corner;

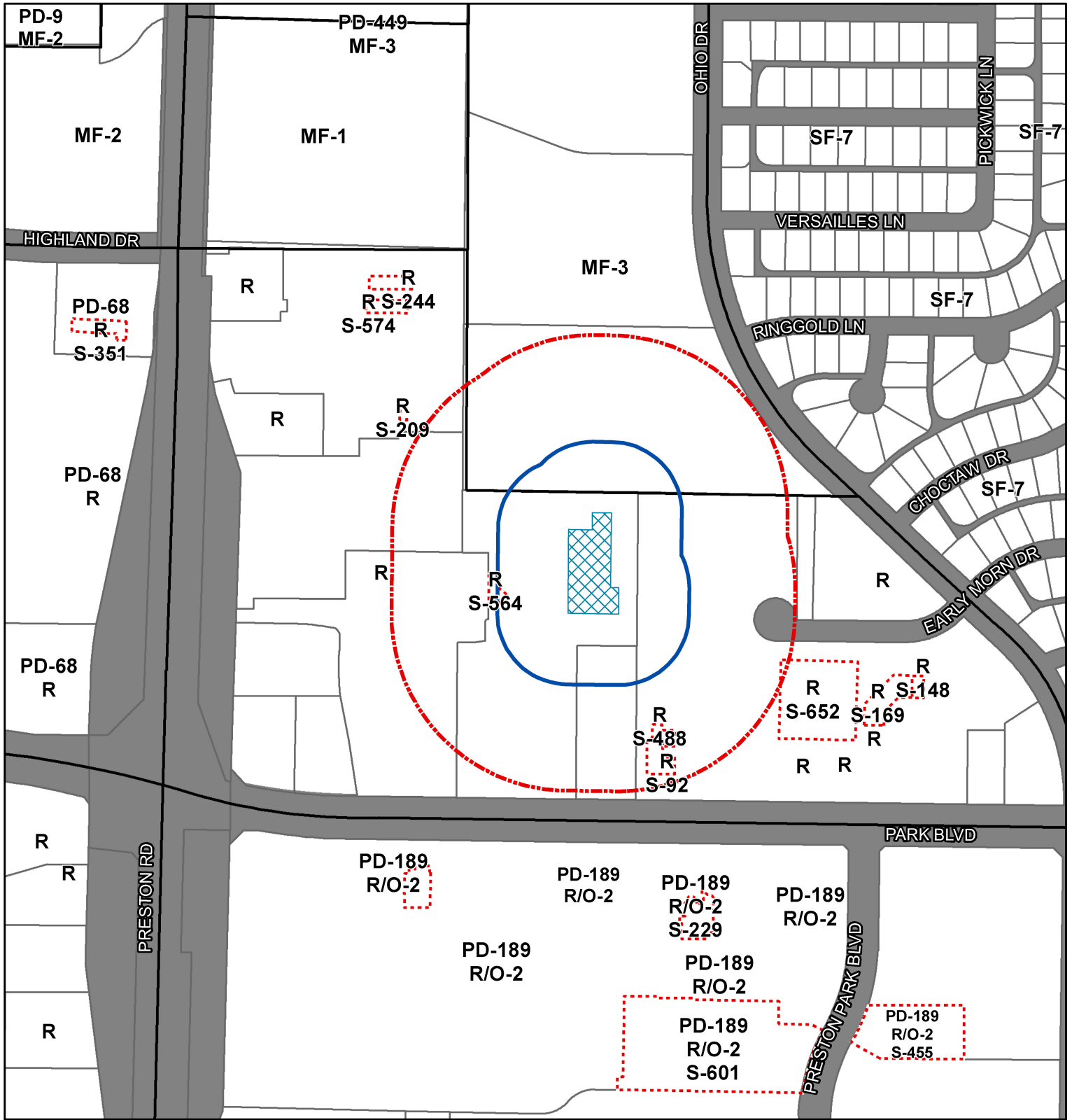
South 89 degrees 44 minutes 02 seconds West, departing the west line of said 24-foot wide fire lane, access, gas, and water easement, passing at a distance of 22.68 feet the east exterior wall edge of said building, in all, a total distance of 143.29 feet to a point for corner on the south exterior wall edge of said building;

North 00 degrees 25 minutes 49 seconds West, along the center of an interior wall of said building, a distance of 236.95 feet to a point for corner;

North 89 degrees 34 minutes 11 seconds East, along the center of an interior wall of said building a distance of 67.00 feet to a point for corner;

North 00 degrees 25 minutes 49 seconds West, along the center of an interior wall of said building, a distance of 48.00 feet to a point for corner on the north exterior wall edge of said building;

North 89 degrees 37 minutes 01 second East, along the north exterior wall edge of said building, a distance of 53.60 feet to the **POINT OF BEGINNING** and **CONTAINING** 32,872 Acres or 0.7546 of an acre, more or less.

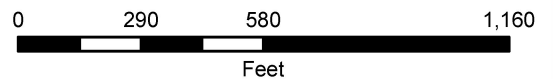
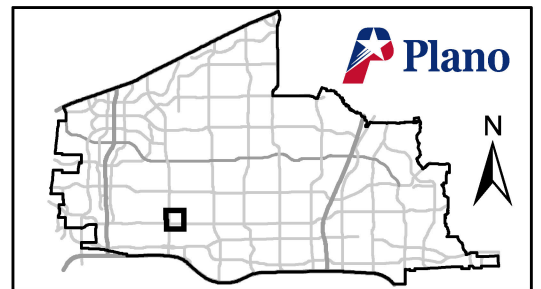


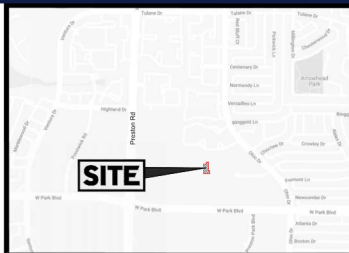
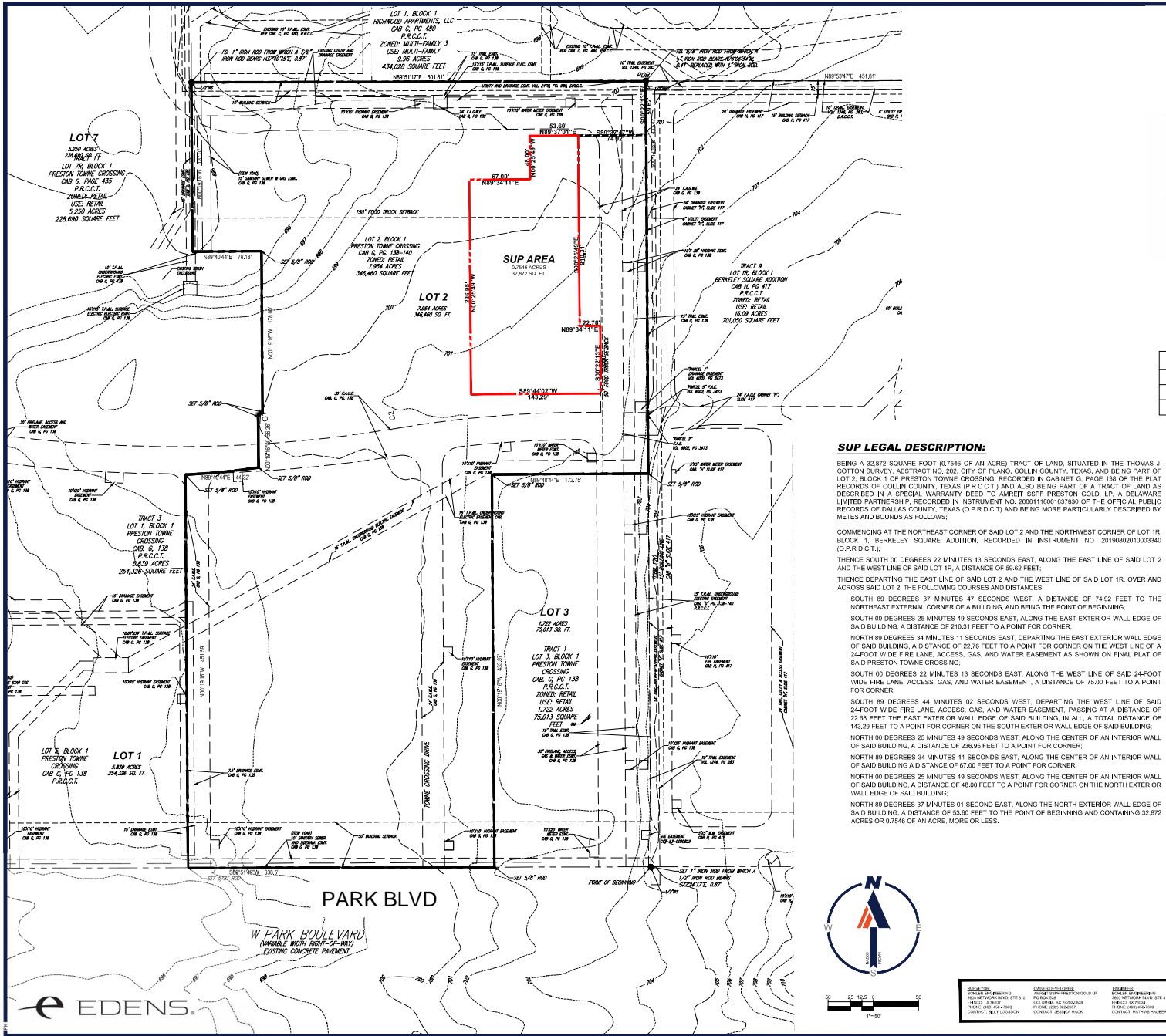
Zoning Case: 2023-006

Existing Zoning: Retail

Proposed Zoning: Specific Use Permits for Private Club and Food Truck Park

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





LOCATION MAP
SCALE: N.T.S.

NOTE:
1. APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY, PLAN, OR PLAN. APPROVAL OF DEVELOPMENT STANDARDS SHOWN HEREON, OR THE INITIATION OF THE DEVELOPMENT PROCESS, PLANNING AND ZONING COMMISSION AND/OR CITY COUNCIL ACTION ON STUDIES, PLANS, OR PLANS RELATING TO DEVELOPMENT OF THE PROPERTY SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM ACTION TAKEN ON THE ZONING CASE.

NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	126.76'	007°38'33"	860.00'	63.48'	N11°10'27"W	126.87'
C2	158.02'	043°13'50"	600.00'	79.60'	N07°34'50"W	157.96'

	PROPERTY BOUNDARY
	FUTURE R.O.W.
	ADJACENT PROPERTY BOUNDARY
	EXIST. SETBACK
	EXIST. EASEMENT
	EXIST. ELECTRIC EASEMENT

SUP LEGAL DESCRIPTION:

BEING A 32,872 SQUARE FOOT (0.7546 OF AN ACRE) TRACT OF LAND, SITUATED IN THE THOMAS J. COTTON SURVEY, ABSTRACT NO. 202, CITY OF PLANO, COLLIN COUNTY, TEXAS, AND BEING PART OF LOT 2, BLOCK 1 OF PRESTON TOWNE CROSSING, RECORDED IN GABNET G, PAGE 138 OF THE PLAT RECORDS OF COLLIN COUNTY, TEXAS (P.R.C.T.) AND ALSO BEING PART OF A TRACT OF LAND AS DESCRIBED IN A SPECIAL WARRANTY DEED TO LAWRETT SIFFER PRESTON GOULD, LP, A DELAWARE LIMITED PARTNERSHIP, RECORDED IN INSTRUMENT NO. 200611001837830 OF THE OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS (O.P.R.D.C.T.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 2 AND THE NORTHWEST CORNER OF LOT 1R, BLOCK 1, BERKELEY SQUARE ADDITION, RECORDED IN INSTRUMENT NO. 2019082001009340 (O.P.R.D.C.T.);

THENCE SOUTH 00 DEGREES 22 MINUTES 13 SECONDS EAST, ALONG THE EAST LINE OF SAID LOT 2 AND THE WEST LINE OF SAID LOT 1R, A DISTANCE OF 89.62 FEET;

THENCE DEPARTING THE EAST LINE OF SAID LOT 2 AND THE WEST LINE OF SAID LOT 1R, OVER AND ACROSS SAID LOT 2, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 89 DEGREES 37 MINUTES 47 SECONDS WEST, A DISTANCE OF 74.92 FEET TO THE NORTHEAST EXTERIOR CORNER OF A BUILDING, AND BEING THE POINT OF BEGINNING;

SOUTH 00 DEGREES 25 MINUTES 49 SECONDS EAST, ALONG THE EAST EXTERIOR WALL EDGE OF SAID BUILDING, A DISTANCE OF 210.31 FEET TO A POINT FOR CORNER;

NORTH 89 DEGREES 34 MINUTES 11 SECONDS EAST, DEPARTING THE EAST EXTERIOR WALL EDGE OF SAID BUILDING, A DISTANCE OF 22.76 FEET TO A POINT FOR CORNER ON THE WEST LINE OF A 24-FOOT WIDE FIRE LANE, ACCESS, GAS, AND WATER EASEMENT AS SHOWN ON FINAL PLAT OF SAID PRESTON TOWNE CROSSING;

SOUTH 00 DEGREES 22 MINUTES 13 SECONDS EAST, ALONG THE WEST LINE OF SAID 24-FOOT WIDE FIRE LANE, ACCESS, GAS, AND WATER EASEMENT, A DISTANCE OF 75.00 FEET TO A POINT FOR CORNER;

SOUTH 89 DEGREES 44 MINUTES 02 SECONDS WEST, DEPARTING THE WEST LINE OF SAID 24-FOOT WIDE FIRE LANE, ACCESS, GAS, AND WATER EASEMENT, PASSING AT A DISTANCE OF 22.80 FEET THE EAST EXTERIOR WALL EDGE OF SAID BUILDING, IN ALL, A TOTAL DISTANCE OF 143.20 FEET TO A POINT FOR CORNER ON THE SOUTH EXTERIOR WALL EDGE OF SAID BUILDING;

NORTH 00 DEGREES 25 MINUTES 49 SECONDS WEST, ALONG THE CENTER OF AN INTERIOR WALL OF SAID BUILDING, A DISTANCE OF 236.95 FEET TO A POINT FOR CORNER;

NORTH 89 DEGREES 34 MINUTES 11 SECONDS EAST, ALONG THE CENTER OF AN INTERIOR WALL OF SAID BUILDING, A DISTANCE OF 87.00 FEET TO A POINT FOR CORNER;

NORTH 00 DEGREES 25 MINUTES 49 SECONDS WEST, ALONG THE CENTER OF AN INTERIOR WALL OF SAID BUILDING, A DISTANCE OF 48.00 FEET TO A POINT FOR CORNER ON THE NORTH EXTERIOR WALL EDGE OF SAID BUILDING;

NORTH 89 DEGREES 37 MINUTES 01 SECOND EAST, ALONG THE NORTH EXTERIOR WALL EDGE OF SAID BUILDING, A DISTANCE OF 53.60 FEET TO THE POINT OF BEGINNING AND CONTAINING 32,872 ACRES OR 0.7546 OF AN ACRE, MORE OR LESS.

BOHLER
SITE CIVIL AND CONSULTING ENGINEERING
LANDSCAPE ARCHITECTURE
PROGRAM MANAGEMENT
PERMITTING SERVICES
TRANSPORTATION SERVICES

REV	DATE	COMMENT	DESIGNED BY

811
Know what's below.
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NOT APPROVED FOR CONSTRUCTION

PROJECT NO.: TXA220046.00
DRAWN BY: DUC/PAC
CHECKED BY: MJH
DATE: 11/01/2023
CAD ID: 11012023

ZONING EXHIBIT ZC2023-006

FOR

EDENS.

LOT 2, BLOCK 1
PRESTON TOWNE CROSSING
CAB G, P.L.S. 138-140
7.95 ACRES
SUP AREA 0.7546 AC
4817 W PARK BLVD
PLANO, COLLIN COUNTY, TEXAS

BOHLER

2600 NETWORK BLVD, STE 310
FRISCO, TX 75034
Phone: (469) 458-7300
TX@BohlerEng.com
TXR: 16451, TRS: 16, 1038413

PLANS PREPARED BY **BOHLER**
FOR REVIEW PURPOSES ONLY

ZONING EXHIBIT

SHEET TITLE

ZONING EXHIBIT

SHEET NUMBER
1 OF 1

ORG. DATE - 07/24/2023

CITY APPROVALS

ZC2023-006
ZONING EXHIBIT
LOT 2, BLOCK 1
PRESTON TOWNE CROSSING
CAB G, P.L.S. 138-140
7.95 ACRES
SUP AREA 0.7546 ACRES
4817 W PARK BLVD
PLANO, COLLIN COUNTY, TEXAS
PREPARATION DATE AUGUST 04, 2023

DESIGNED BY	INTERVIEWED BY	CHECKED BY
BOHLER, DUC/PAC	BOHLER, DUC/PAC	BOHLER, DUC/PAC
DATE: 11/01/23	DATE: 11/01/23	DATE: 11/01/23
SCALE: AS SHOWN	SCALE: AS SHOWN	SCALE: AS SHOWN

