

Zoning Case 2024-005

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 0.9 acre of land out of the McKinney & Williams Survey, Abstract No. 650, located at the northeast corner of Tokalon Drive and National Drive in the City of Plano, Collin County, Texas, from Regional Employment to Regional Commercial; 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 June 2024, for the purpose of considering rezoning 0.9 acre of land out of the McKinney & Williams Survey, Abstract No. 650, located at the northeast corner of Tokalon Drive and National Drive in the City of Plano, Collin County, Texas, from Regional Employment to Regional Commercial; 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 Planning & Zoning Commission denied the petition to rezone and offered reasons for the denial at the public hearing, and the petitioner, upon its own motion, filed a written request that a public hearing be scheduled and held before the City Council regarding the petition; 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 June 2024; and

WHEREAS, a three-fourths vote of City Council was required to approve the petition based upon both the denial of the Planning & Zoning Commission and the protest against the petition; 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; and

WHEREAS, the City Council authorized this Ordinance to be executed without further consideration.

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 0.9 acre of land out of the McKinney & Williams Survey, Abstract No. 650, located at the northeast corner of Tokalon Drive and National Drive in the City of Plano, Collin County, Texas, from Regional Employment to Regional Commercial, said property being described in the legal description on 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 June, 2024.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

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Being a 0.918 acre tract of land situated in the McKinney & Williams Survey, Abstract No. 650, Collin County, Texas, being a portion of Lot 4R, Block B, Northglen 2 Addition, an addition to the City of Plano, Collin County, Texas, according to the map or plat thereof recorded in Document No. 2017-923, Plat Records, Collin County, Texas (p.r.c.c.t.), same being a portion of that tract of land described to Talo Two LLC in Special Warranty Deed Recorded in Doc. No. 20170621000809140, Deed Records, Collin County, Texas (d.r.c.c.t.), being a portion of State Highway No. 121 (variable width right-of-way), being a portion of Tokalon Drive (60' right-of-way) and a portion of National Drive (60' right-of-way), and being more particularly described by metes and bounds as follows (bearings and distances are based on the state plane coordinate system, Texas North Central Zone (4202) North American Datum 83 (nad83)(us foot) with a combined scale factor of 1.000136506):

Beginning at a cut "X" found at the intersection of the centerline of said National Drive and the centerline of said Tokalon Drive;

Thence, north 00 degrees 20 minutes 45 seconds west, over, across and upon said Tokalon Drive, said Lot 4R, and said State Highway No. 121, a distance of 436.01 feet to a point for corner;

Thence, south 28 degrees 14 minutes 57 seconds east, over, across and upon said State Highway No. 121, passing at a distance of 74.75 feet the northernmost corner of said Lot 4R and continuing with the common lines of said Lot 4R and Lot 1R, of said Northglen 2 Addition, a total distance of 89.76 feet to a 1/2-inch rebar capped "Windrose" set for a northeast corner of said Lot 4R and of said Lot 1R;

Thence with the common lines of said lot 4r and said lot 1r, the following bearings and distances:

South 61 degrees 45 minutes 03 seconds west, a distance of 25.32 feet to a 1/2-inch rebar capped "Windrose" set for corner;

South 28 degrees 14 minutes 57 seconds east, a distance of 20.42 feet to a 1/2-inch rebar capped "Windrose" set for corner;

North 61 degrees 45 minutes 03 seconds east, a distance of 29.81 feet to a 1/2-inch rebar capped "Windrose" set for corner;

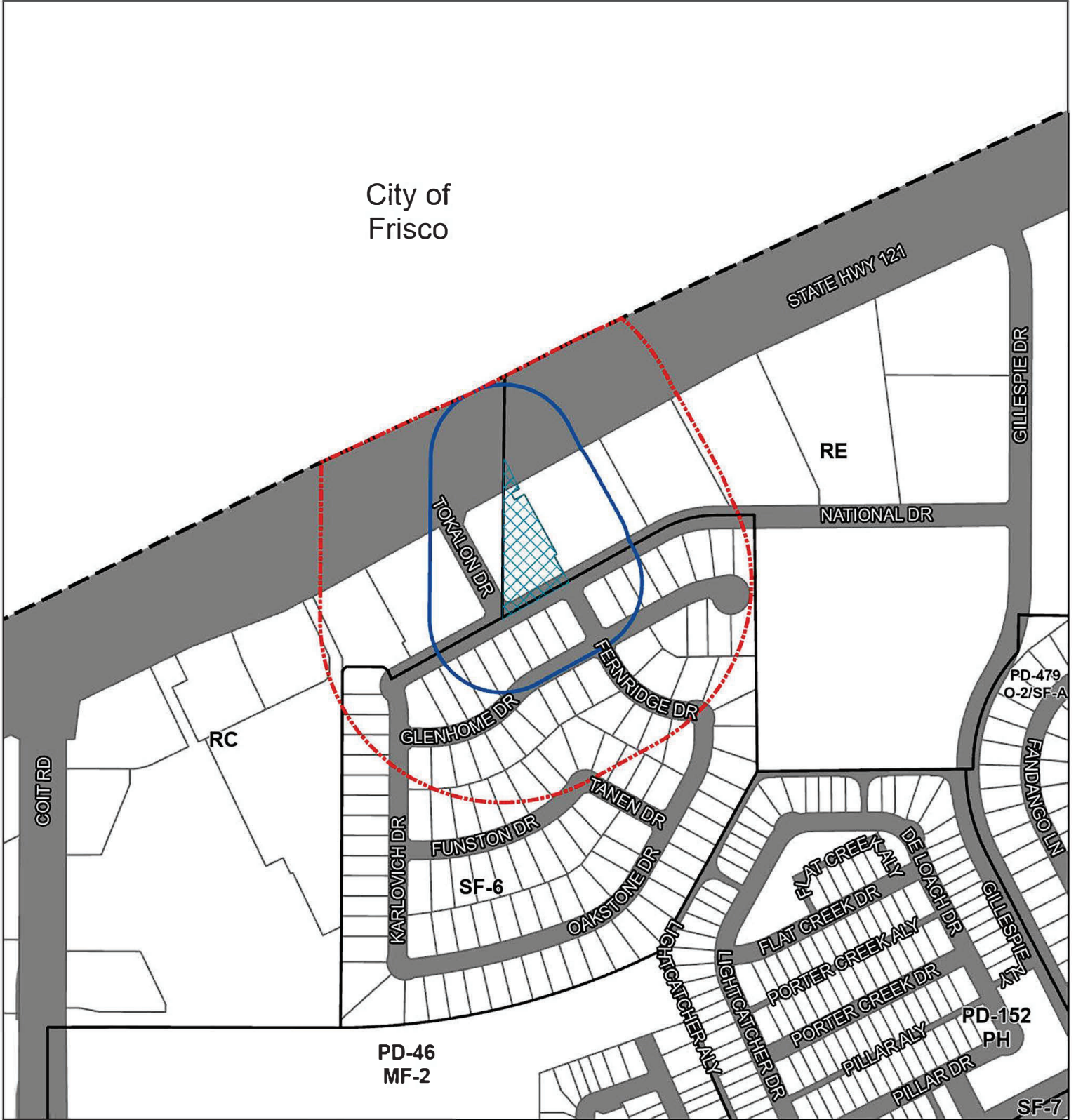
South 30 degrees 31 minutes 56 seconds east, a distance of 185.67 feet to a 1/2-inch rebar capped "Windrose" set for corner;

South 61 degrees 45 minutes 03 seconds west, a distance of 8.89 feet to a 1/2-inch rebar capped "Windrose" set for corner;

Thence, south 28 degrees 14 minutes 57 seconds east, with a northeast line of said Lot 4R and a southwest line of said Lot 1R, over, across and upon said National Drive, a distance of 84.05 feet to a point for corner, said point lying on the centerline of said National Drive;

Thence, south 60 degrees 12 minutes 38 seconds west, with the centerline of said National Drive, a distance of 207.12 feet to the **POINT OF BEGINNING** and **CONTAINING** 0.918 acres or 40,006 square feet of land, more or less.

City of Frisco

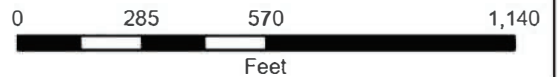
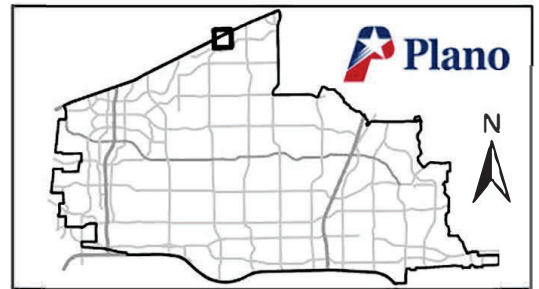


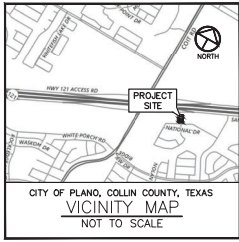
Zoning Case: 2024-005

Existing Zoning: Regional Employment

Proposed Zoning: Regional Commercial

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





- LEGEND OF ABBREVIATIONS**
- D.R.C.C.T. DEED RECORDS, COLLIN COUNTY, TEXAS
 - P.R.C.C.T. PLAT RECORDS, COLLIN COUNTY, TEXAS
 - C.M. CONTROLLING MONUMENT
 - VOL. VOLUME
 - P.G. PAGE
 - DOC. NO. DOCUMENT NUMBER
 - SQ. FT. SQUARE FEET
 - P.O.C. POINT OF COMMENCING
 - P.O.B. POINT OF BEGINNING

DESCRIPTION

BEING A 0.918 ACRE TRACT OF LAND SITUATED IN THE MCKINNEY & WILLIAMS SURVEY, ABSTRACT NUMBER (NO.) 400, COLLIN COUNTY, TEXAS, BEING A PORTION OF LOT 4R, BLOCK B, NORTHGLENN 2 ADDITION, AN ADDITION TO THE CITY OF PLANO, COLLIN COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT (DOC.) NO. 2017-923, PLAT RECORDS, COLLIN COUNTY, TEXAS (P.R.C.C.T.), SAME BEING A PORTION OF THAT TRACT OF LAND DESCRIBED TO TALO TWO LLC IN THE ABSTRACT BEING RECORDED IN DOCUMENT (DOC.) NO. 2017-923, DEED RECORDS, COLLIN COUNTY, TEXAS (D.R.C.C.T.), BEING A PORTION OF STATE HIGHWAY NO. 121 (VARIABLE RIGHT-OF-WAY) AND A PORTION OF NATIONAL DRIVE (60' RIGHT-OF-WAY) BEING A PORTION OF TOKALON DRIVE (60' RIGHT-OF-WAY) AND A PORTION OF NATIONAL DRIVE (60' RIGHT-OF-WAY) BEING A PORTION OF NATIONAL DRIVE (60' RIGHT-OF-WAY) AS FOLLOWS (BEARINGS AND DISTANCES ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM 83 (NAD83) US FOOT) WITH A COMBINED SCALE FACTOR OF 1.000136059:

BEGINNING AT A CUT X, FORMED AT THE INTERSECTION OF THE CENTERLINE OF SAID NATIONAL DRIVE AND THE CENTERLINE OF SAID TOKALON DRIVE;

THENCE NORTH 00 DEGREES 20 MINUTES 45 SECONDS EAST, OVER, ACROSS AND UPON SAID TOKALON DRIVE, SAID LOT 4R, SAID SAID STATE HIGHWAY NO. 121, A DISTANCE OF 436.01 FEET TO A POINT FOR CORNER;

THENCE SOUTH 28 DEGREES 14 MINUTES 57 SECONDS EAST, OVER, ACROSS AND UPON SAID STATE HIGHWAY NO. 121, PASSING AT A DISTANCE OF 14.75 FEET THE NORTHWEST CORNER OF SAID LOT 4R AND CONTINUING WITH THE COMMON LINE OF SAID LOT 4R AND LOT 1R, OF SAID NORTHGLENN 2 ADDITION, A TOTAL DISTANCE OF 89.70 FEET TO A 1/2-INCH REBAR CAPPED WINDROSE SET FOR A NORTHEAST CORNER OF SAID LOT 4R AND SAID LOT 1R;

THENCE WITH THE COMMON LINES OF SAID LOT 4R AND SAID LOT 1R, THE FOLLOWING BEARINGS AND DISTANCES:

SOUTH 61 DEGREES 45 MINUTES 03 SECONDS WEST, A DISTANCE OF 25.32 FEET TO A 1/2-INCH REBAR CAPPED WINDROSE SET FOR CORNER;

SOUTH 28 DEGREES 14 MINUTES 57 SECONDS EAST, A DISTANCE OF 20.42 FEET TO A 1/2-INCH REBAR CAPPED WINDROSE SET FOR CORNER;

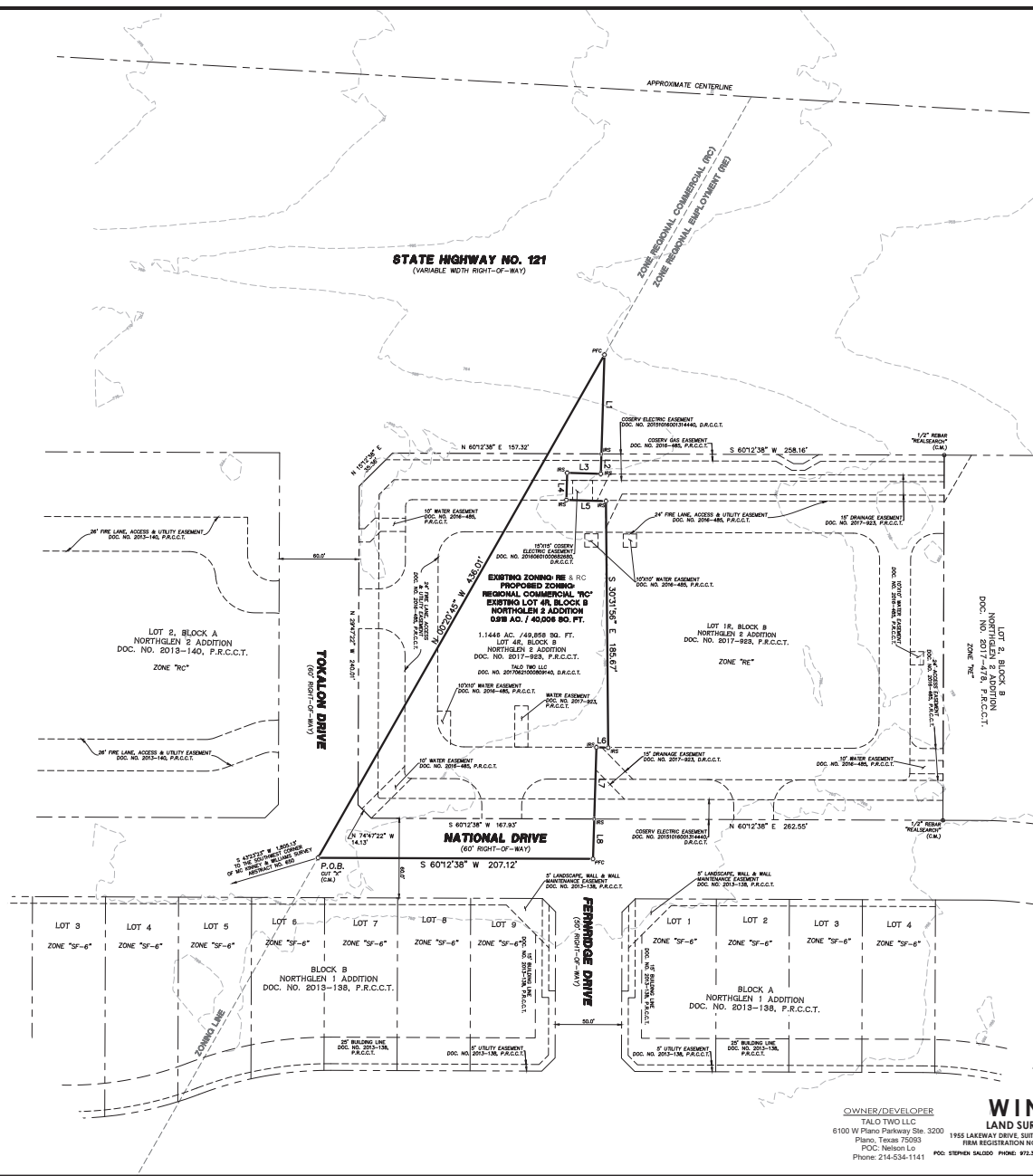
NORTH 91 DEGREES 45 MINUTES 03 SECONDS EAST, A DISTANCE OF 29.81 FEET TO A 1/2-INCH REBAR CAPPED WINDROSE SET FOR CORNER;

SOUTH 30 DEGREES 31 MINUTES 56 SECONDS EAST, A DISTANCE OF 195.67 FEET TO A 1/2-INCH REBAR CAPPED WINDROSE SET FOR CORNER;

SOUTH 61 DEGREES 45 MINUTES 03 SECONDS WEST, A DISTANCE OF 8.29 FEET TO A 1/2-INCH REBAR CAPPED WINDROSE SET FOR CORNER;

THENCE SOUTH 28 DEGREES 14 MINUTES 57 SECONDS EAST, WITH A NORTHEAST LINE OF SAID LOT 4R AND A SOUTHWEST LINE OF SAID LOT 1R, OVER ACROSS AND UPON SAID NATIONAL DRIVE, A DISTANCE OF 84.05 FEET TO A POINT FOR CORNER, SAID POINT LYING ON THE CENTERLINE OF SAID NATIONAL DRIVE;

THENCE SOUTH 69 DEGREES 12 MINUTES 38 SECONDS WEST, WITH THE CENTERLINE OF SAID NATIONAL DRIVE, A DISTANCE OF 207.12 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.918 ACRES OR 40,006 SQUARE FEET OF LAND, MORE OR LESS.



GENERAL NOTES

- ALL BEARINGS AND DISTANCES ARE SURFACE, AND WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202) HAD 03 USING A SCALE FACTOR OF 1.000136059.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP FROM THE COLLIN COUNTY, TEXAS MAP NO. 490502000, DATED JUNE 07, 2017, THE PRELIMINARY DETERMINATION OF THE UNDESIGNED ZONE, THE DETERMINATION WAS DONE BY GRAPHIC PLOTTING AND IS APPROXIMATE ONLY AND HAS NOT BEEN FIELD VERIFIED. THIS STATEMENT DOES NOT MEAN THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. IN RARE OCCASIONS FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL PROCESSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WINDROSE LAND SERVICES.
- 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.

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | S 28°14'57" E | 74.75' |
| L2 | S 28°14'57" E | 15.01' |
| L3 | S 61°45'03" W | 25.32' |
| L4 | S 28°14'57" E | 8.29' |
| L5 | N 91°45'03" E | 29.81' |
| L6 | S 30°31'56" E | 195.67' |
| L7 | S 28°14'57" E | 64.04' |
| L8 | S 28°14'57" E | 30.01' |



WINDROSE
LAND SURVEYING & PLATTING
OWNER/DEVELOPER
TALO TWO LLC
6100 W Plano Parkway Ste. 3200
Plano, Texas 75093
POC: Neilson Lo
Phone: 214-634-1141
1965 LAKEVIEW DRIVE, SUITE 220 | LEWISVILLE, TX 75057 | 214.217.2544
FIRM REGISTRATION NO. 1014331 | WINDROSESERVICES.COM
POC: STEPHEN SACCO | PHONE: 972.370.2871 | EMAIL: STEPHEN.SACCO@WINDROSESERVICES.COM

ZONING EXHIBIT ZC2024-005
LOT 4R, BLOCK B, NORTHGLENN 2 ADDITION
0.918 ACRES / 40,006 SQ. FT.
SITUATED IN THE
MCKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 650
CITY OF PLANO, COLLIN COUNTY, TEXAS
DATE PREPARED: FEBRUARY 19, 2024

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FIELDED BY: JB CHECKED BY: MNP JOB NO. D59310
DRAWN BY: TD DATE: 01/18/2024 SHEET NO. 1 OF 1