

Zoning Case 2024-012

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, rezoning 7.7 acres of land out of the H. Cook Survey, Abstract No. 235, located on the east side of Spring Creek Parkway, 540 feet west of Meadowlands Drive in the City of Plano, Denton County, Texas, from Neighborhood Office to Single-Family Residence-6 and repealing Ordinance No. 2007-7-8 for the purpose of rescinding Specific Use Permit No. 585 for Veterinary Clinic and Kennel (Indoor Pens); 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 9th day of September 2024, for the purpose of considering rezoning 7.7 acres of land out of the H. Cook Survey, Abstract No. 235, located on the east side of Spring Creek Parkway, 540 feet west of Meadowlands Drive in the City of Plano, Denton County, Texas, from Neighborhood Office to Single-Family Residence-6 and rescinding Specific Use Permit No. 585 for Veterinary Clinic and Kennel (Indoor Pens); 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 9th day of September 2024; and

WHEREAS, a three-fourths vote of City Council was required to approve the petition based upon the denial of the Planning & Zoning Commission; 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 7.7 acres of land out of the H. Cook Survey, Abstract No. 235, located on the east side of Spring Creek Parkway, 540 feet west of Meadowlands Drive in the City of Plano, Denton County, Texas, from Neighborhood Office to Single-Family Residence-6, said property being described in the legal description on 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 to rescind Specific Use Permit No. 585 for Veterinary Clinic and Kennel (Indoor Pens) as described in Ordinance No. 2007-7-8, and Ordinance No. 2007-7-8 is hereby repealed.

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 9th day of September, 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 tract of land situated in the H. Cook Survey, Abstract No. 235, City of Plano, Denton County, Texas, and being all of Lot 1, Block A of Normandy Estates, Lots 1 thru 6 Block A, according to the Conveyance Plat thereof recorded in Cabinet Y, Page 350 of the Plat Records of Collin County, Texas, and a portion of Spring Creek Parkway, a variable width right of way, dedicated in Volume 4387, Page 1492 and Volume 4705, Page 1062 of the Deed Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for the northeast corner of said Lot 1, common to the northwest corner of Lot 10, Block H of Normandy Estates, Lots 1R, 2R, 6R, 7, 8, 9 and 10, Block H, according to the plat thereof recorded in Document No. 2009-43 of the Plat Records of Denton County, Texas, being on the southerly line of Lot 3, Block 1 of Fifth Replat of Frito-Lay National Headquarters, Lots 1R, 2, and 3, Block 1, according to the plat thereof recorded in Document No. 2024-93 of the Plat Records of Denton County, Texas;

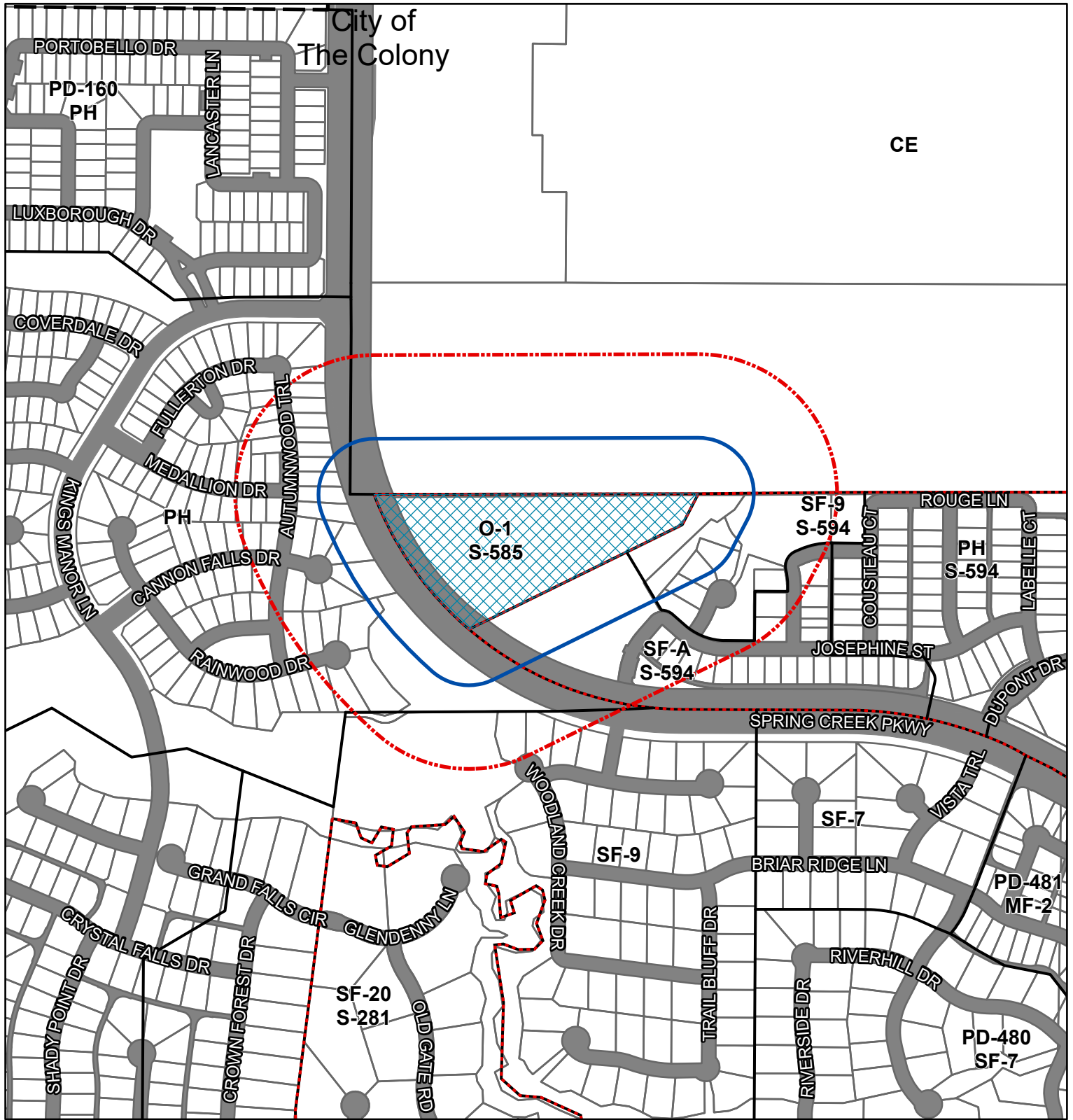
THENCE South 26°23'40" West, departing the southerly line of said Lot 3, along the common line of said Lot 1 and said Lot 10, a distance of 123.56 feet to a point for corner, from which, a 5/8 inch iron rod found for witness bears North 9°00' East, 0.25 foot;

THENCE South 62°45'53" West, continuing along said common line, passing at a distance of 777.75 feet the southeast corner of said Lot 1, common to the southwest corner of said Lot 10, being on the northeasterly right of way line of said Spring Creek Parkway, and continuing along the same course and crossing said Spring Creek Parkway, for a total distance of 865.68 feet to a point for corner in the centerline of said Spring Creek Parkway, and at the beginning of a non-tangent curve to the right with a radius of 1,200.00 feet, a central angle of 28°51'04", and a chord bearing and distance of North 36°25'59" West, 597.89 feet;

THENCE in a northwesterly direction along the centerline of said Spring Creek Parkway and with said non-tangent curve to the right, an arc distance of 604.26 feet to a point for corner;

THENCE North 88°44'47" East, departing the centerline of said Spring Creek Parkway and crossing said Spring Creek Parkway, passing at a distance of 85.99 feet the northwest corner of said Lot 1, common to the southwest corner of said Lot 3, being on the northeasterly right of way line of said Spring Creek Parkway, from which, a 3 inch aluminum disk found for witness bears North 39°02' East, 0.59 foot, and continuing along the same course and along the common line of said Lot 1 and said Lot 3, for a total distance of 1,179.99 feet to the **POINT OF BEGINNING AND CONTAINING** 7.695 acres (335,171 square feet) of land, more or less.

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



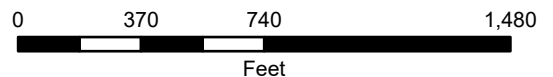
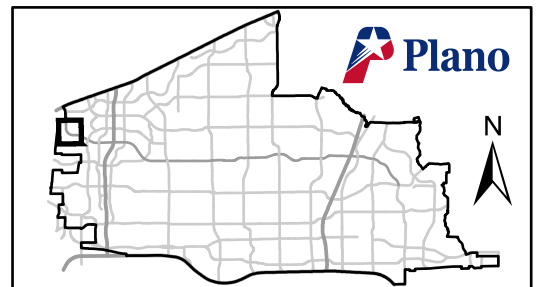
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Existing Zoning: Neighborhood Office with Specific Use Permit No. 585 for Veterinary Clinic and Kennel (Indoor Pens)

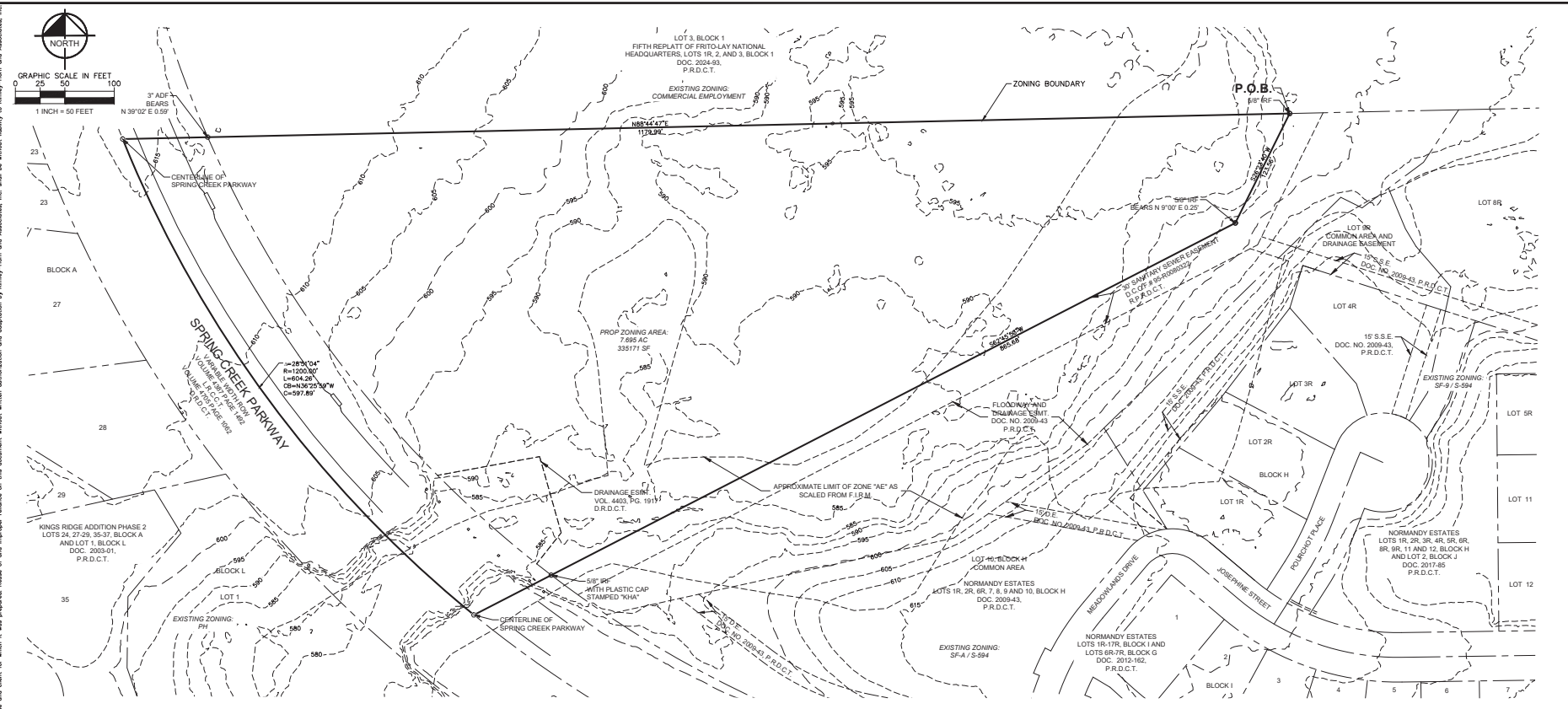
Proposed Zoning: Single-Family Residence-6

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

Source: City of Plano



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LEGAL DESCRIPTION

ZONING DESCRIPTION:

BEING a tract of land situated in the H. Cook Survey, Abstract No. 230, City of Plano, Denton County, Texas, and being all of Lot 1, Block A of Normandy Estates, Lots 1 thru 6 Block A, according to the Conveyance Plat thereof recorded in Cabinet Y, Page 300 of the Plat Records of Collin County, Texas, same being all of a called 6.617 acre tract of land described in a deed to Big OS Properties, LP, as recorded in Instrument No. 2007-107119 of the Official Records of Denton County, Texas, and a portion of Spring Creek Parkway, a variable width right of way, dedicated in Volume 4387, Page 1492 and Volume 4705, Page 1062 of the Deed Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for the northeast corner of said Lot 1, common to the northwest corner of Lot 10, Block H of Normandy Estates, Lots 1R, 2R, 6R, 7, 8, 9 and 10, Block H, according to the plat thereof recorded in Document No. 2009-43 of the Plat Records of Denton County, Texas, being on the southerly line of Lot 3, Block 1 of Fifth Replat of Frito-Lay National Headquarters, Lots 1R, 2, and 3, Block 1, according to the plat thereof recorded in Document No. 2004-65 of the Plat Records of Denton County, Texas;

THENCE South 26°23'47" West, departing the southerly line of said Lot 3, along the common line of said Lot 1 and said Lot 10, a distance of 123.56 feet to a point for corner, from which, a 5/8 inch iron rod found for witness bears North 9°00' East, 0.25 feet;

THENCE South 62°49'33" West, continuing along said common line, passing at a distance of 177.75 feet a 5/8 inch iron rod with plastic cap stamped "WIA" found for the southeast corner of said Lot 1, common to the southwest corner of said Lot 10, being on the northeasterly right of way line of said Spring Creek Parkway, and continuing along the same course and crossing said Spring Creek Parkway, for a total distance of 893.68 feet to a point for corner in the centerline of said Spring Creek Parkway, and at the beginning of a non-tangent curve to the right with a radius of 1,200.00 feet, a central angle of 28°5'10", and a chord bearing and distance of North 36°23'59" West, 597.89 feet;

THENCE in a northeasterly direction along the centerline of said Spring Creek Parkway and with said non-tangent curve to the right, an arc distance of 604.26 feet to a point for corner;

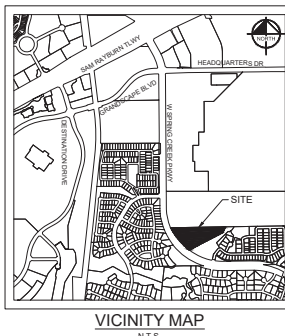
THENCE North 88°44'47" East, departing the centerline of said Spring Creek Parkway and crossing said Spring Creek Parkway, passing at a distance of 65.99 feet the northwest corner of said Lot 1, common to the southwest corner of said Lot 3, being on the northeasterly right of way line of said Spring Creek Parkway, from which, a 3 inch aluminum disk found for witness bears North 39°02' East, 0.69 feet, and continuing along the same course and along the common line of said Lot 1 and said Lot 3, for a total distance of 1,178.99 feet to the **POINT OF BEGINNING** and containing 7.695 acres (335,171 square feet) of land, more or less.

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

LEGEND	
	ZONING BOUNDARY
	DRAINAGE EASEMENT
	SANITARY SEWER EASEMENT
	EXISTING GROUND CONTOUR LINES
	EXISTING LOT LINES
	IRON ROD FOUND
	ALUMINUM DISK FOUND
	POINT OF BEGINNING

PURPOSE

THE PURPOSE OF THIS ZONING CASE IS TO REZONE THE PROPERTY FROM NEIGHBORHOOD OFFICE (O-1) TO SINGLE-FAMILY RESIDENCES (SF-4) AND TO RESCIND SPECIFIC USE PERMIT S-66.



NOTE

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

ZONING CASE #ZC2024-012

ZONING EXHIBIT

NORMANDY ESTATES
ALL OF LOT 1, BLOCK A
7.695 AC (335,171 SF)
 SITUATED IN THE H. COOK SURVEY
 ABSTRACT NO. 235
 CITY OF PLANO, DENTON COUNTY, TEXAS
 DATE: June 16, 2024

OWNER: BIG OS PROPERTIES, LP 238 Boulder Road Manchester, Connecticut 06040 Tel. No. 214-636-7955 Contact: Jennifer Bias Email: jbias@bigosproperties.com	APPLICANT: BARCO INVESTMENTS, LLC 2700 Granite Plaza, Ste 388 Plano, Texas 75024 Tel. No. 214-658-9775 Contact: Bryan A. Robertson Email: bryan@barcoinvest.com	CIVIL ENGINEER: KIMLEY-HORN AND ASSOCIATES, INC. 13455 Noel Road The Galleria Office Tower, Suite 700 Dallas, Texas 75251 Tel. No. 972-774-1300 Contact: Brian Moody, P.E.
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Kimley-Horn © 2024 KIMLEY-HORN AND ASSOCIATES, INC. 13455 NOEL ROAD, THE GALLERIA OFFICE TOWER, SUITE 700 DALLAS, TEXAS 75251 WWW.KIMLEY-HORN.COM TEXAS REGISTERED ENGINEERING FIRM F-928	KHA PROJECT NO. 24-001 DATE: JUNE 2024 SCALE: AS SHOWN DESIGNED BY: MTH DRAWN BY: JC CHECKED BY: BRM	SHEET NUMBER C-01
	REVISIONS NO. DATE BY	ZONING EXHIBIT NORMANDY ESTATES ALL OF LOT 1, BLOCK A CITY OF PLANO DENTON COUNTY, TEXAS