

Zoning Case 2024-016

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 Permit No. 75 for Electrical Substation on 0.7 acre of land out of the William Beverly Survey, Abstract No. 135, located 345 feet south of Summit Avenue and 1,245 feet west of Klein Road in the City of Plano, Collin County, Texas, presently zoned Research/Technology Center and located within the 190 Tollway/Plano Parkway Overlay District, 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 23rd day of September 2024, for the purpose of considering granting Specific Use Permit No. 75 for Electrical Substation on 0.7 acre of land out of the William Beverly Survey, Abstract No. 135, located 345 feet south of Summit Avenue and 1,245 feet west of Klein Road in the City of Plano, Collin County, Texas, presently zoned Research/Technology Center and located within the 190 Tollway/Plano Parkway Overlay District; 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 23rd day of September 2024; and

WHEREAS, the City Council is of the opinion and finds that granting Specific Use Permit No. 75 for Electrical Substation on 0.7 acre of land out of the William Beverly Survey, Abstract No. 135, located 345 feet south of Summit Avenue and 1,245 feet west of Klein Road in the City of Plano, Collin County, Texas, presently zoned Research/Technology Center and located within the 190 Tollway/Plano Parkway Overlay District, 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. 75 for Electrical Substation on 0.7 acre of land out of the William Beverly Survey, Abstract No. 135, located 345 feet south of Summit Avenue and 1,245 feet west of Klein Road in the City of Plano, Collin County, Texas, presently zoned Research/Technology Center and located within the 190 Tollway/Plano Parkway Overlay District, said property being described in 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 23rd 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 0.74 acre tract of land situated in the William Beverly Survey, Abstract No. 135, in the City of Plano, Collin County, Texas; said tract being part of Lot 1R, Block A, Memory Tech, Inc., Phase I, an addition to the City of Plano according to the plat recorded in Volume 2017, Page 842 of the Official Public Records of Collin County, Texas said tract being more particularly described as follows:

COMMENCING at a "+" cut in concrete found in the south right-of-way line of Summit Avenue (a 60-foot wide right-of-way); said point being the northwest corner of said Lot 1R; from said point a "+" cut in concrete found for the southwest corner of said Lot 1R bears South 00°28'53" East, a distance of 589.13 feet;

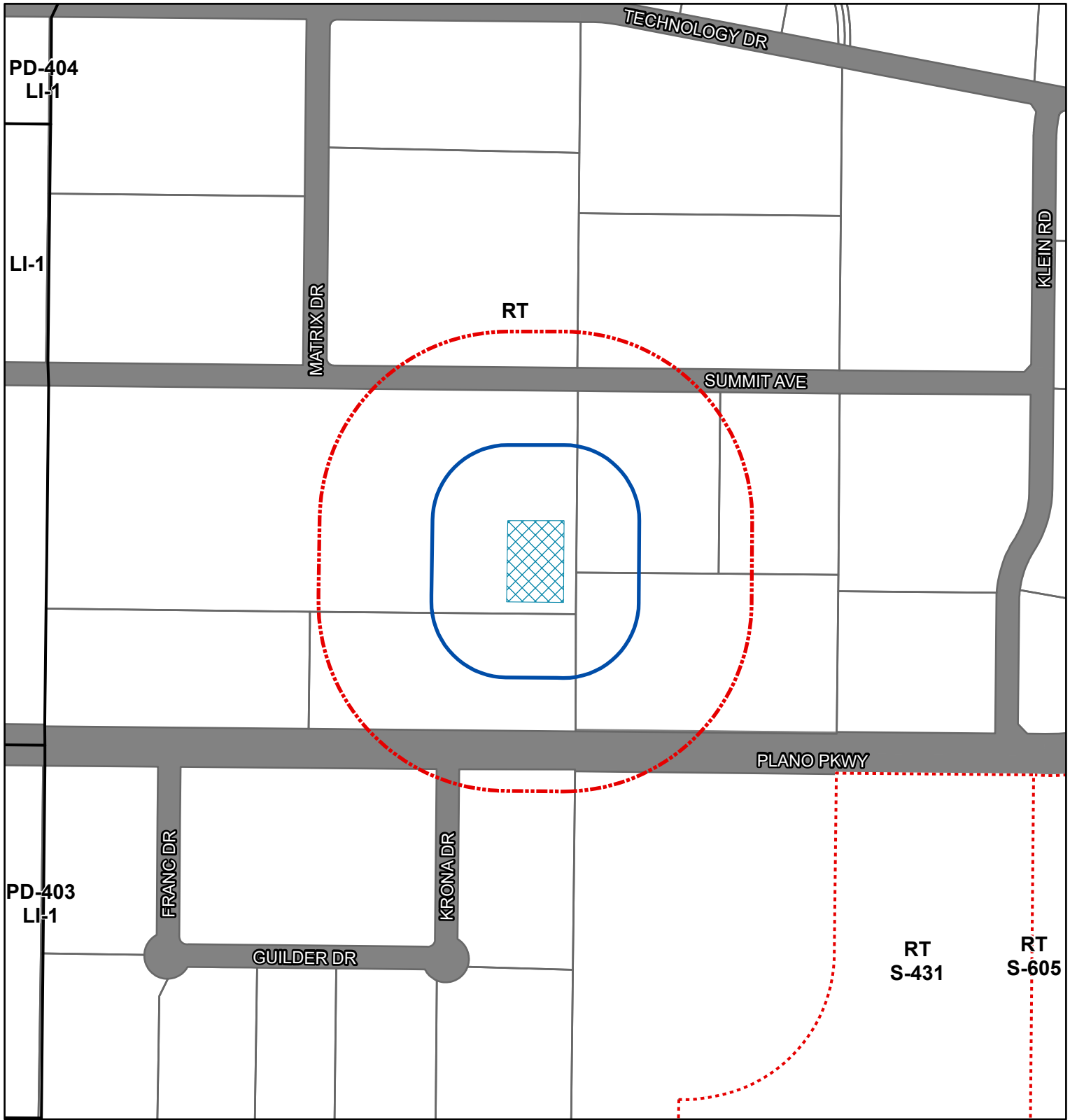
THENCE South 74°42'57" East, departing the said south line of Summit Avenue, a distance of 1,270.38 feet to the **POINT OF BEGINNING**;

THENCE North 89°31'07" East, a distance of 150.00 feet to a point for corner;

THENCE South 00°28'53" East, a distance of 215.00 feet to a point for corner;

THENCE South 89°31'07" West, a distance of 150.00 feet to a point for corner;

THENCE North 00°28'53" West, a distance of 215.00 feet to the **POINT OF BEGINNING AND CONTAINING** 0.74 acres of land, more or less.

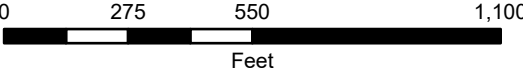
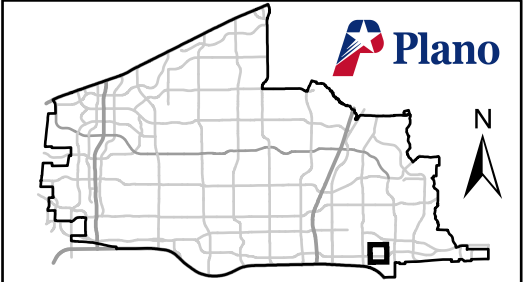


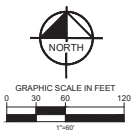
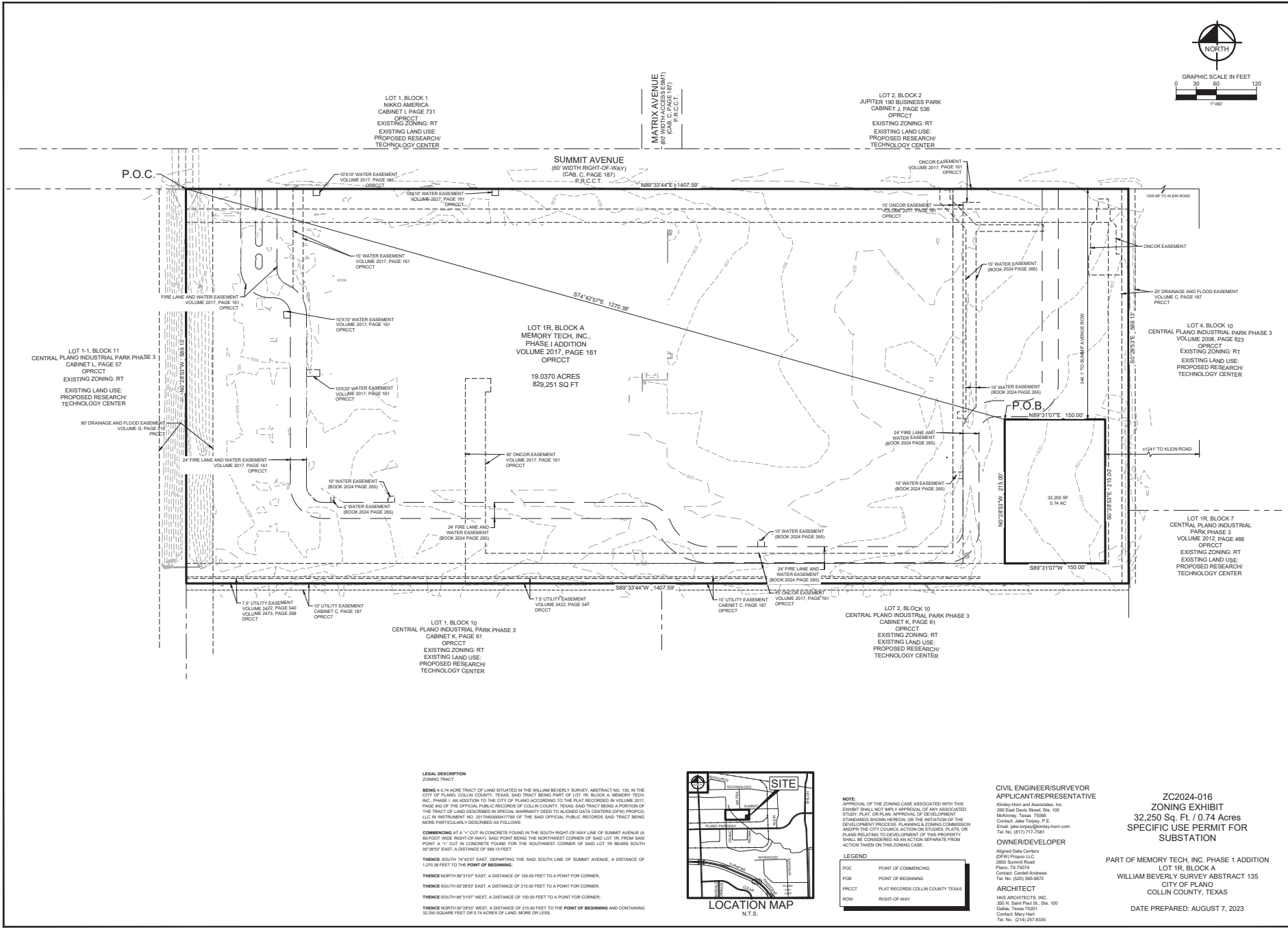
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Existing Zoning: Research/Technology Center and located within the 190 Tollway/Plano Parkway Overlay District

Proposed Zoning: Specific Use Permit for an Electrical Substation

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





LEGAL DESCRIPTION
ZONING TRACT
BEING A 0.74 ACRE TRACT OF LAND SITUATED IN THE WILLIAM BEVERLY SURVEY, ABSTRACT NO. 135, IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS, SAID TRACT BEING PART OF LOT 1R, BLOCK A, MEMORY TECH, INC., PHASE I, AN ADDITION TO THE CITY OF PLANO, COLLIN COUNTY, TEXAS, SAID TRACT BEING A PORTION OF THE TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED TO ADJUDICATED DATA CENTERS (SPW) PRODCO, LLC IN INSTRUMENT NO. 20170808041790 OF THE SAID OFFICIAL PUBLIC RECORDS SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A "V" CUT IN CONCRETE FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF SUMMIT AVENUE (A 60' WIDE RIGHT-OF-WAY) SAID POINT BEING THE NORTHWEST CORNER OF SAID LOT 1R FROM SAID POINT A "V" CUT IN CONCRETE FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 1R BEARS SOUTH 07°25'00" EAST, A DISTANCE OF 389.13 FEET;
THENCE SOUTH 14°02'51" EAST, DEPARTING THE SAID SOUTH LINE OF SUMMIT AVENUE, A DISTANCE OF 1,270.38 FEET TO THE **POINT OF BEGINNING**;
THENCE NORTH 89°31'07" EAST, A DISTANCE OF 150.00 FEET TO A POINT FOR CORNER;
THENCE SOUTH 07°25'00" EAST, A DISTANCE OF 215.00 FEET TO A POINT FOR CORNER;
THENCE NORTH 89°31'07" WEST, A DISTANCE OF 150.00 FEET TO A POINT FOR CORNER;
THENCE NORTH 07°25'00" WEST, A DISTANCE OF 215.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 32,250 SQUARE FEET OR 0.74 ACRES OF LAND, MORE OR LESS.



NOTE:
APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY PLAT OR PLAT APPROVAL OF DEVELOPMENT STANDARDS (SHOWN HEREIN, OR THE INTENTION OF THE DEVELOPMENT PROPOSER, PLANNING & ZONING COMMISSION AND/OR THE 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.

LEGEND
POC POINT OF COMMENCING
POB POINT OF BEGINNING
PRCCT PLAT RECORDS COLLIN COUNTY TEXAS
ROW RIGHT-OF-WAY

CIVIL ENGINEER/SURVEYOR
APPLICANT/REPRESENTATIVE
Kimley-Horn and Associates, Inc.
280 East Davis Street, Ste. 100
McKinney, Texas 75069
Contact: Jake Trosper, P.E.
Email: jake.trosper@kimley-horn.com
Tel. No. (817) 717-7581

OWNER/DEVELOPER
Aligned Data Centers (DFW) Phase LLC
2800 Summit Road
Plano, TX 75074
Contact: Carol Andrews
Tel. No. (214) 355-8072

ARCHITECT
HKS ARCHITECTS, INC.
350 N. State Street, Ste. 100
Dallas, Texas 75201
Contact: Mary Hart
Tel. No. (214) 257-8335

ZC2024-016
ZONING EXHIBIT
32,250 Sq. Ft. / 0.74 Acres
SPECIFIC USE PERMIT FOR SUBSTATION

PART OF MEMORY TECH, INC. PHASE I ADDITION
LOT 1R, BLOCK A
WILLIAM BEVERLY SURVEY ABSTRACT 135
CITY OF PLANO
COLLIN COUNTY, TEXAS

DATE PREPARED: AUGUST 7, 2023

PROJECT NO. 08200044 SHEET NO. 24/26		DATE: DECEMBER 2023 SCALE: AS SHOWN DESIGNED BY: JH DRAWN BY: JH CHECKED BY: JH	
ALIGNED PLANO DFW02 2800 SUMMIT AVE PLANO, COLLIN COUNTY, TEXAS ALIGNMENT DATA CENTERS		ZONING EXHIBIT	
SHEET NUMBER EXHIBIT		DATE	

280 EAST DAVIS STREET, SUITE 100
MCKINNEY, TEXAS 75069
PHONE: 469.901.5200
WWW.KIMLEY-HORN.COM
TEXAS REGISTRATION NO. 00044-0004