

ZONING CASE 2020-022

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, amending Specific Use Permit No. 370 for Day Care Center to add Private School on 2.8 acres of land out of the Grizzel Kennedy Survey, Abstract No. 499, located on the east side of Coit Road, 730 feet north of Hedgcoxe Road, in the City of Plano, Collin County, Texas, presently zoned Retail with Specific Use Permit No. 370 for Day Care Center; 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 28th day of September 2020, for the purpose of considering amending Specific Use Permit No. 370 for Day Care Center to add Private School on 2.8 acres of land out of the Grizzel Kennedy Survey, Abstract No. 499, located on the east side of Coit Road, 730 feet north of Hedgcoxe Road, in the City of Plano, Collin County, Texas, presently zoned Retail with Specific Use Permit No. 370 for Day Care Center; 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 28th day of September 2020; and

WHEREAS, the City Council is of the opinion and finds that the amending of Specific Use Permit No. 370 for Day Care Center to add Private School on 2.8 acres of land out of the Grizzel Kennedy Survey, Abstract No. 499, located on the east side of Coit Road, 730 feet north of Hedgcoxe Road, in the City of Plano, Collin County, Texas, presently zoned Retail with Specific Use Permit No. 370 for Day Care Center, would not be detrimental or injurious to the public health, safety and 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.

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to amend Specific Use Permit No. 370 for Day Care Center to add Private School on 2.8 acres of land out of the Grizzel Kennedy Survey, Abstract No. 499, located on the east side of Coit Road, 730 feet north of Hedgcoxe Road, in the City of Plano, Collin County, Texas, presently zoned Retail with Specific Use Permit No. 370 for Day Care Center, said property being more fully described on the legal description in Exhibit A attached hereto.

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

1. Maximum number of children for the private school and day care center combined: 515
2. Maximum number of students for the private school: 49
3. Private school students must be under 14 years of age on September 1st of the school year.

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 THIS THE 28TH DAY OF SEPTEMBER 2020.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

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Being, a 2.82 acre tract of land out of the Grizzel Kennedy Survey, Abstract Number 499, situated in the City of Plano, Collin County, Texas, being all of Lot 2R, Block 1 of Hedgcoxe – Coit Center, a subdivision of record in Volume N, Page 721 of the Plat Records of Collin County, Texas, Said Lot 2R having been conveyed to Pebblecreek Real Estate II, Inc. by deed of record in Document No. 20170711000905620 of the Official Public Records of Collin County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a 1/2 inch iron rod with yellow plastic cap stamped "ROOME" found in the East right-of-way line of Coit Road (130 foot wide right-of-way), Being the Northwest corner of Lot 3, Block 1 of Hedgcoxe – Coit Center, a subdivision of record in Volume K, Page 911 of said Plat Records, also Being the most Westerly Southwest corner of said Lot 2R;

Thence, N00°40'04"W, along the East right-of-way line of Coit Road and the common West line of said Lot 2R, a distance of 24.00 feet to a 100D nail found at the Southwest corner of Lot 1R of said Hedgcoxe – Coit Center of record in Volume K, Page 911, also Being the most Westerly Northwest corner of said Lot 2R;

Thence, leaving the East right-of-way line of Coit Road, along the common line of said Lot 1R and said Lot 2R, the following two courses and distances:

N89°49'27"E, a distance of 151.00 feet to an X-cut found at the Southeast corner of said Lot 1R; N00°40'04"W, a distance of 186.00 feet to a 1/2 inch iron rod found in the South line of a 15 foot wide Alley in Block C of Highland Ridge VII, a subdivision of record in Volume J, Page 820 of said Plat Records, Being the Northeast corner of said Lot 1R, also Being the most Northerly Northwest corner of said Lot 2R;

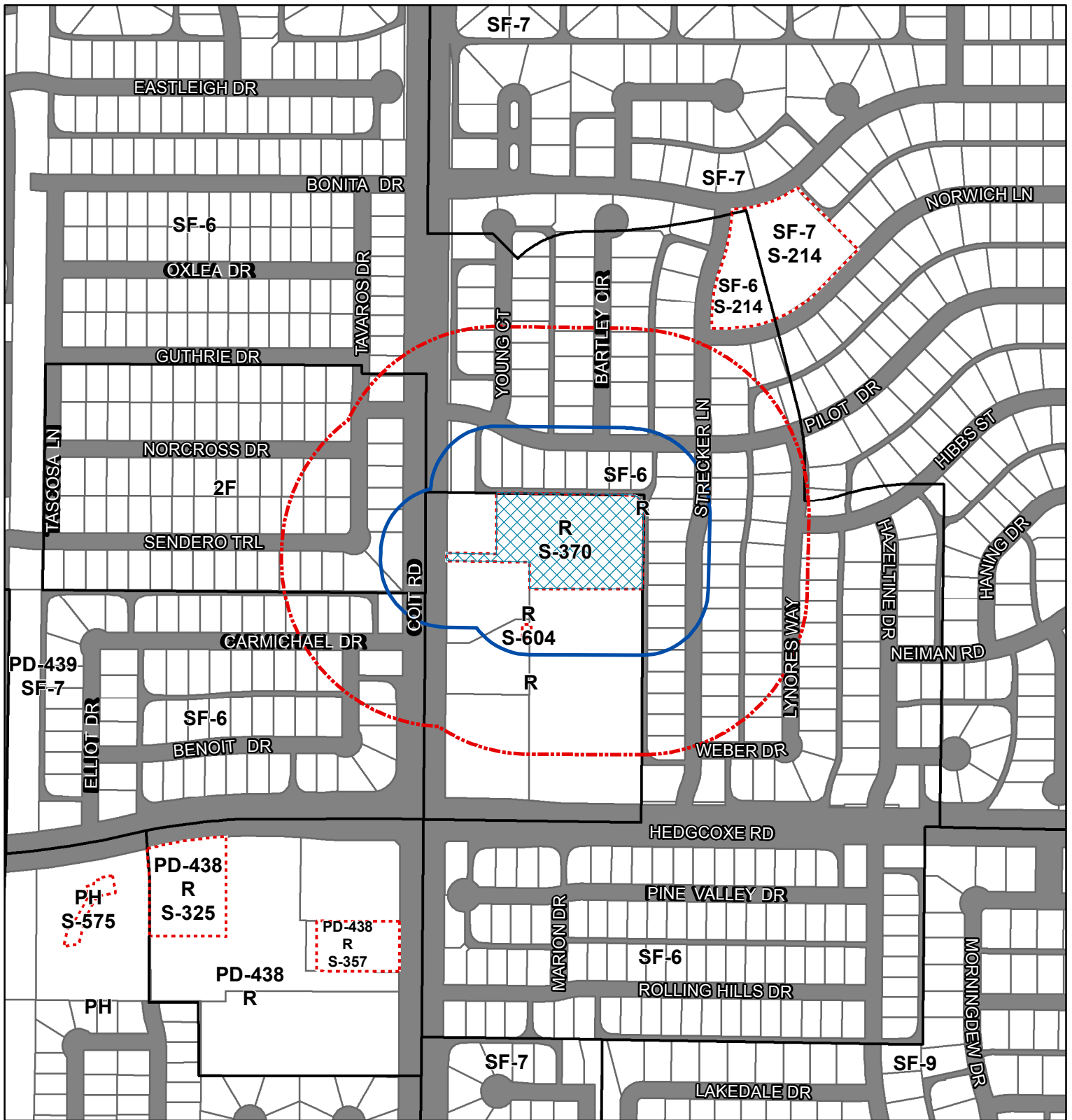
Thence, along the common line of said Alley of record and said Lot 2R, the following seven (7) courses and distances:

1. N89°49'27"E, a distance of 387.34 feet to the Northeast corner of said Lot 2R;
2. S00°10'33"E, a distance of 2.00 feet to a point;
3. N89°49'27"E, a distance of 17.00 feet to the point of curvature of a tangent curve to the right;
4. Along said tangent curve to the right, having a radius of 38.00 feet, a chord bearing of S45°25'08"E, a chord length of 53.51 feet, a delta angle of 89°30'50", an arc length of 59.37 feet to the point of tangency of said curve;
5. S00°40'04"E, a distance of 17.00 feet to a point;
6. N89°19'56"E, a distance of 2.00 feet to a point;
7. S00°40'04"E, a distance of 228.06 feet to the Northeast corner of Lot 1, Block 1 of U.S. Postal Facility N.W. Plano Station, a subdivision of record in Cabinet K, Page 210 of said Plat Records;

Thence, S89°19'56"W, leaving the West line of said Alley of record, along the North line of said Lot 1, Block 1 of U.S. Postal Facility N.W. Plano Station and the common South line of said Lot 2R, a distance of 345.00 feet to a 1/2 inch iron rod with yellow plastic cap stamped "ROOME" found in the East line of said Lot 3, BEING the Northwest corner of said Lot 1, Block 1 of U.S. Postal Facility N.W. Plano Station, also BEING the most Southerly Southwest corner of said Lot 2R;

Thence, along the common line of said Lot 3 and said Lot 2R, the following two (2) courses and distances:

1. N00°40'04"W, a distance of 77.68 feet to a 1/2 inch iron rod with yellow plastic cap stamped "ROOME" found at the Northeast corner of said Lot 3;
2. S89°49'27"W, a distance of 249.99 feet to the POINT OF BEGINNING and CONTAINING an area of 2.82 Acres, or (122,625 Square Feet) of land, more or less.

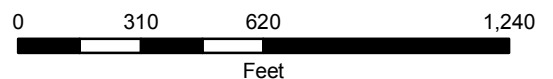
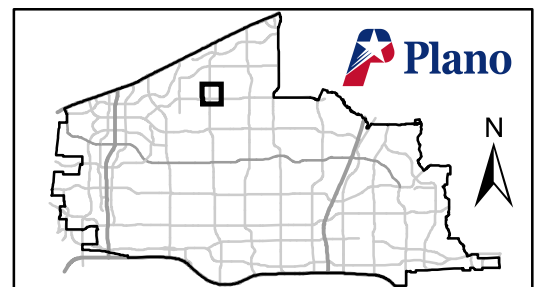


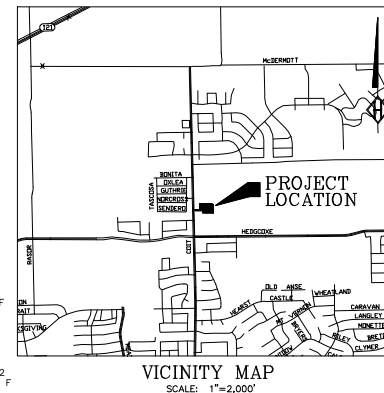
Zoning Case: 2020-022

Existing Zoning: Retail with Specific Use Permit No. 370 for Day Care Center

Proposed Zoning: Amend Specific Use Permit No. 370 for Day Care Center to add Private School

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





ZONING EXHIBIT

SHEET NO:
ZE-1

ZONING CASE #ZC2020-022
PEBBLECREEK MONTESSORI SCHOOL
HEDGECOXE-COIT CENTER
LOT 2R, BLOCK 1
2.82 ACRES
GRIZZELL KENNEDY SURVEY
ABSTRACT NO. 499
CITY OF PLANO
COLLIN COUNTY, TEXAS
SEPTEMBER 02, 2020