



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		01/14/13		
Department:		Planning		
Department Head		Phyllis Jarrell		
Agenda Coordinator (include phone #): Doris Carter, ext. 5350				
CAPTION				
<p>Consideration of an Ordinance of the City of Plano amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 23.7± acres of land out of the James T. McCulloch Survey, Abstract No. 633, located on the north side of Plano Parkway, 800± feet east of Los Rios Boulevard and 32.9± acres of land located at the southeast corner of Plano Parkway and North Star Road, in the City of Plano, Collin County, Texas, from Research/Technology Center to Single-Family Residence-6; directing a change accordingly in the official zoning map of the City; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: Plano Distribution Center, LTD., Prologis Logistics Services Inc., & Union Pacific Railroad Company.</p>				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2012-13	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): N/A				
COMMENTS: This item has no financial impact. STRATEGIC PLAN GOAL: Rezoning relates to the City's goal of Partnering for Community Benefit.				
SUMMARY OF ITEM				
On December 18, 2012 City Council approved Zoning Case 2012-31. The attached ordinance finalizes the Council's action on December 18, 2012.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Ordinance		Planning & Zoning Commission		
Maps				

Zoning Case 2012-31

An Ordinance of the City of Plano amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 23.7± acres of land out of the James T. McCulloch Survey, Abstract No. 633, located on the north side of Plano Parkway, 800± feet east of Los Rios Boulevard and 32.9± acres of land located at the southeast corner of Plano Parkway and North Star Road, in the City of Plano, Collin County, Texas, from Research/Technology Center to Single-Family Residence-6; directing a change accordingly in the official zoning map of the City; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability 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, held on the 18th day of December, 2012, for the purpose of considering rezoning 23.7± acres of land out of the James T. McCulloch Survey, Abstract No. 633, located on the north side of Plano Parkway, 800± feet east of Los Rios Boulevard and 32.9± acres of land located at the southeast corner of Plano Parkway and North Star Road, in the City of Plano, Collin County, Texas, from Research/Technology Center to Single-Family Residence-6; 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 18th day of December, 2012; 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.

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

Section I. The Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is hereby further amended so as to rezone 23.7± acres of land out of the James T. McCulloch Survey, Abstract No. 633, located on the north side of Plano Parkway, 800± feet east of Los Rios Boulevard and 32.9± acres of land located at the southeast corner of Plano Parkway and North Star Road, in the City of Plano, Collin County, Texas, from Research/Technology Center to Single-Family Residence-6, 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 affected 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.

DULY PASSED AND APPROVED THIS THE 14TH DAY OF JANUARY, 2013.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

ZONING CASE 2012-31

Tract 1

BEING a tract of land situated in the James T. McCulloch Survey, Abstract No. 633, City of Plano, Collin County, Texas and being part of that tract of land described in Deed to Union Pacific Railroad Company, as recorded in Document No. 98-38919, Deed Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at a point for the intersection of the approximate centerline of Plano Parkway, a 110-foot right-of-way, with the west line of Bradshaw Drive, a variable width right-of-way;

THENCE westerly, with said approximate centerline, the following three (3) courses and distances:

South, $89^{\circ} 00' 04''$ West, leaving said west line, a distance of 11.25 feet to a point for corner at the beginning of a curve to the right having a central angle of $12^{\circ} 12' 31''$, a radius of 1,000.00 feet and a chord bearing and distance of North $84^{\circ} 52' 14''$ West, 212.68 feet;

Westerly, with said curve to the right, an arc distance of 213.08 feet to a point for corner; North, $78^{\circ} 45' 58''$ West, a distance of 1,180.83 feet to a point for corner;

THENCE North, $00^{\circ} 22' 33''$ seconds West, leaving said approximate centerline, a distance of 787.24 feet to a point for corner in the south line of Dallas Area Rapid Transit, a variable width right-of-way;

THENCE Easterly, with said south line, the following three (3) courses and distances:

South $80^{\circ} 35' 40''$ East, a distance of 179.87 feet to a point for corner at the beginning of a curve to the right having a central angle of $10^{\circ} 00' 43''$, a radius of 3,193.14 feet and a chord bearing and distance of South, $75^{\circ} 35' 19''$ East, 557.26 feet;

Easterly, with said curve to the right, an arc distance of 557.97 feet to a point for corner; South, $70^{\circ} 34' 58''$ East, a distance of 705.15 feet to a point for corner;

THENCE South, $00^{\circ} 22' 57''$ East, leaving said south line, a distance of 633.59 feet to the POINT OF BEGINNING and CONTAINING 23.711 acres of land, more or less.

Tract 2

BEING a tract of land situated in the James T. McCulloch Survey, Abstract No. 633, City of Plano, Collin County, Texas and being part of that tract described in Deed to Union Pacific Railroad Company, as recorded in Document No. 98-38919, Deed Records, Collin County, Texas and being part of that tract of land described in Deed to Plano Distribution Center, Ltd., as recorded in Document No. 2009-0109000027310, Deed Records, Collin County, Texas and being part of that tract of land described in Deed to Catellus Land and Development Corporation, as recorded in Volume 5575, Page 381, Deed Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at a point at the intersection of the approximate centerline of Plano Parkway, a variable width right-of-way, with the approximate centerline of North Star Road, a variable width right-of-way;

THENCE Easterly, with said approximate centerline of Plano Parkway, the following three (3) courses and distances:

South, $78^{\circ} 45' 58''$ East, a distance of 2,022.42 feet to a point for corner at the beginning of a curve to the left having a central angle of $12^{\circ} 12' 31''$, a radius of 1,000.00 feet and a chord bearing and distance of South, $84^{\circ} 52' 14''$ East, 212.68 feet;

Easterly, with said curve to the left, an arc distance of 213.08 feet to a point for corner;

North $89^{\circ} 00' 04''$ East, a distance of 11.25 feet to a point for the intersection of said approximate centerline of Plano Parkway with the west line of Bradshaw Drive, a variable width right -of -way;

THENCE South, $00^{\circ} 22' 57''$ East, leaving said approximate centerline of Plano Parkway and with said west line, a distance of 300.94 feet to a point for corner;

THENCE North, $89^{\circ} 13' 29''$ West, leaving said west line, a distance of 1,399.92 feet to a point for corner;

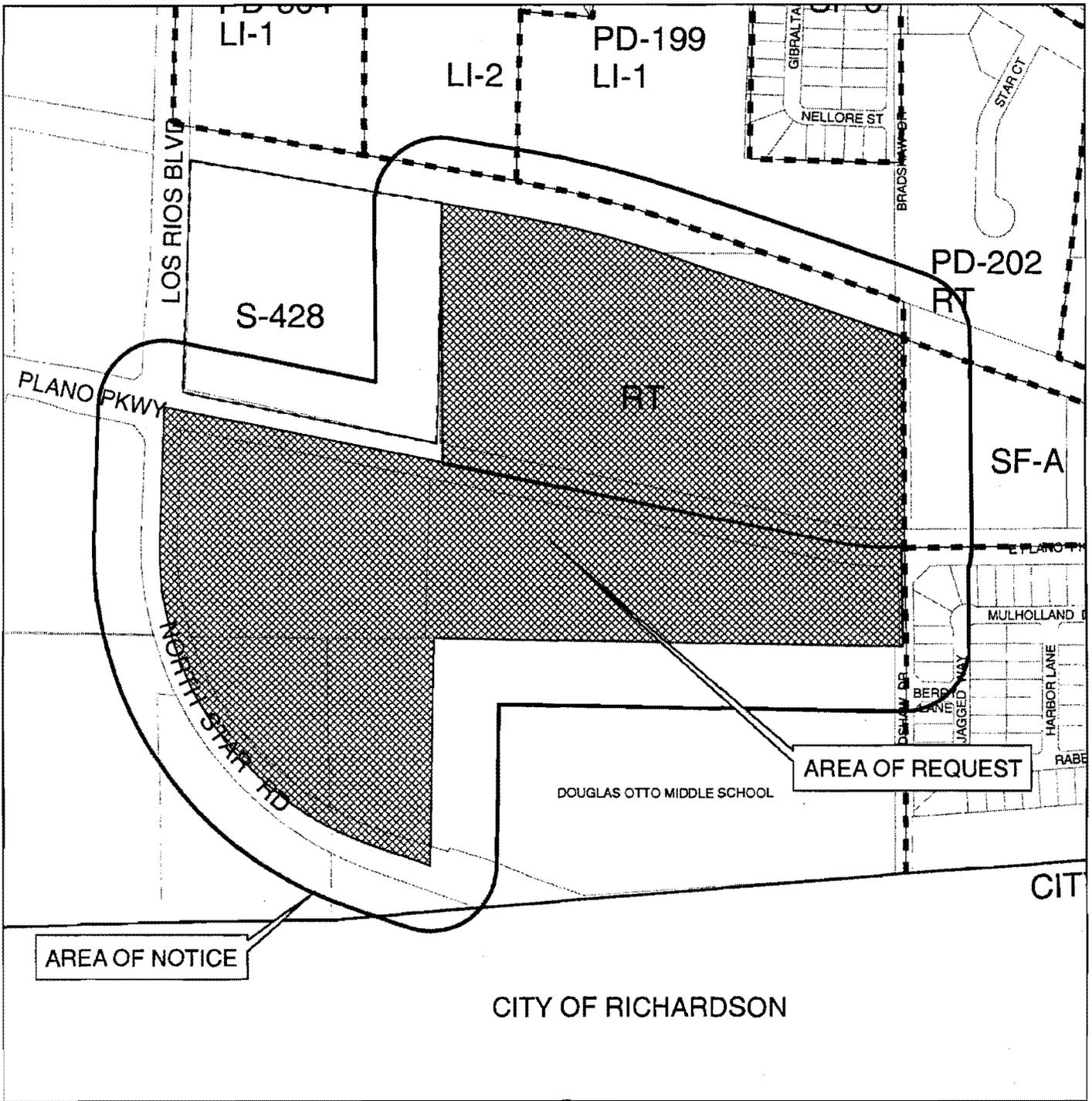
THENCE South, $00^{\circ} 41' 36''$ West, a distance of 687.62 feet to a point for corner in the above mentioned approximate centerline of North Star Road;

THENCE Northwesterly, with said approximate centerline of North Star Road, the following three (3) courses and distances:

North, $70^{\circ} 36' 23''$ West, a distance of 191.22 feet to a point for corner at the beginning of a curve to the right having a central angle of $72^{\circ} 09' 56''$, a radius of 945.50 feet and a chord bearing and distance of North $34^{\circ} 31' 25''$ West, 1,113.71 feet;

Northwesterly, with said curve to the right, an arc distance of 1,190.88 feet to a point for corner;

North, $01^{\circ} 33' 33''$ East, a distance of 401.45 feet to the POINT OF BEGINNING and CONTAINING 32.907 acres of land, more or less.

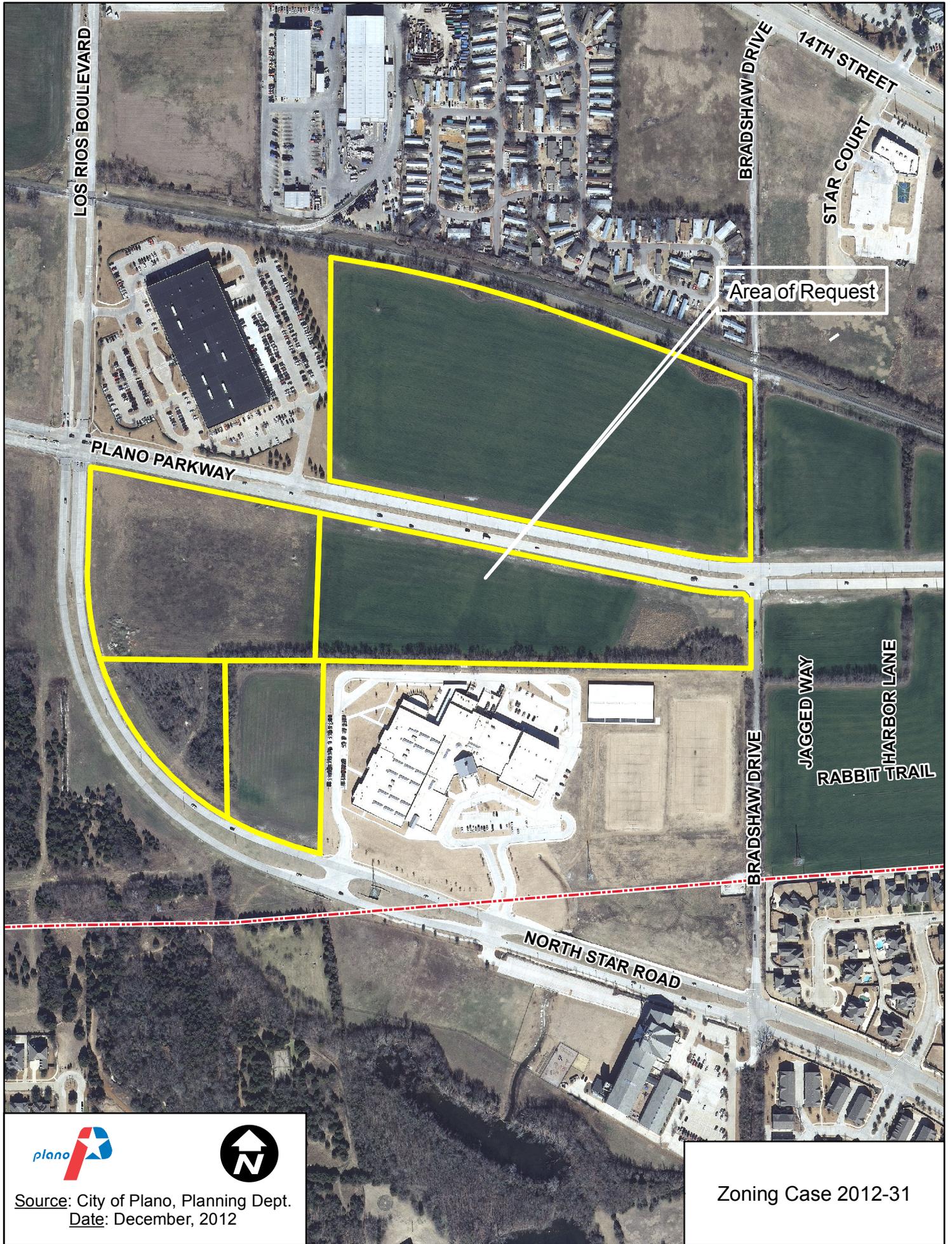


Zoning Case #: 2012-31

Existing Zoning: RESEARCH/TECHNOLOGY CENTER



○ 200' Notification Buffer



Area of Request

LOS RIOS BOULEVARD

BRADSHAW DRIVE

14TH STREET

STAR COURT

PLANO PARKWAY

BRADSHAW DRIVE

JAGGED WAY

RABBIT TRAIL
HARBOR LANE

NORTH STAR ROAD

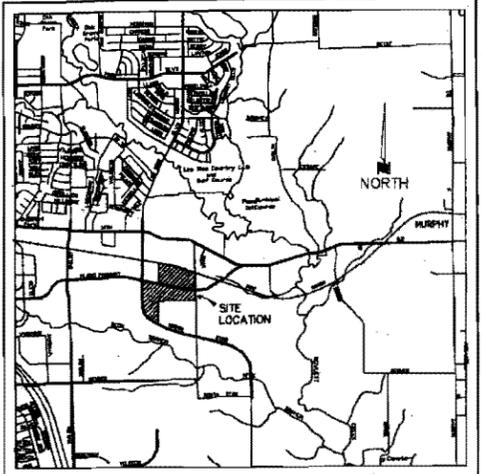
Doc Server: 12/10/2012 X:\Dept\B&Z Locators & Graphics\Z2012-31A.mxd



Source: City of Plano, Planning Dept.
Date: December, 2012

Zoning Case 2012-31

NOTE:
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.



LOCATION MAP NOT TO SCALE

TRACT 1
LEGAL DESCRIPTION
23.711 ACRES

BEING a tract of land situated in the JAMES T. MCCULLOUGH SURVEY, ABSTRACT NO. 633, City of Plano, Collin County, Texas and being part of that tract of land described in Deed to Union Pacific Railroad Company, as recorded in Document No. 98-38919, Deed Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at a point for the intersection of the approximate centerline of Plano Parkway, a 110 foot right-of-way, with the west line of Brodshaw Drive, a variable width right-of-way;

THENCE Westerly, with said approximate centerline, the following three (3) courses and distances:

South 89 degrees 00 minutes 04 seconds West, leaving said west line, a distance of 11.25 feet to a point for corner at the beginning of a curve to the right having a central angle of 12 degrees 12 minutes 31 seconds, a radius of 1,000.00 feet and a chord bearing and distance of North 84 degrees 52 minutes 14 seconds West, 212.68 feet;

Westerly, with said curve to the right, on an arc distance of 213.08 feet to a point for corner;

North 78 degrees 45 minutes 58 seconds West, a distance of 1,180.83 feet to a point for corner;

THENCE North 00 degrees 22 minutes 33 seconds East, leaving said approximate centerline, a distance of 787.24 feet to a point for corner in the south line of Dallas Area Rapid Transit, a variable width right-of-way;

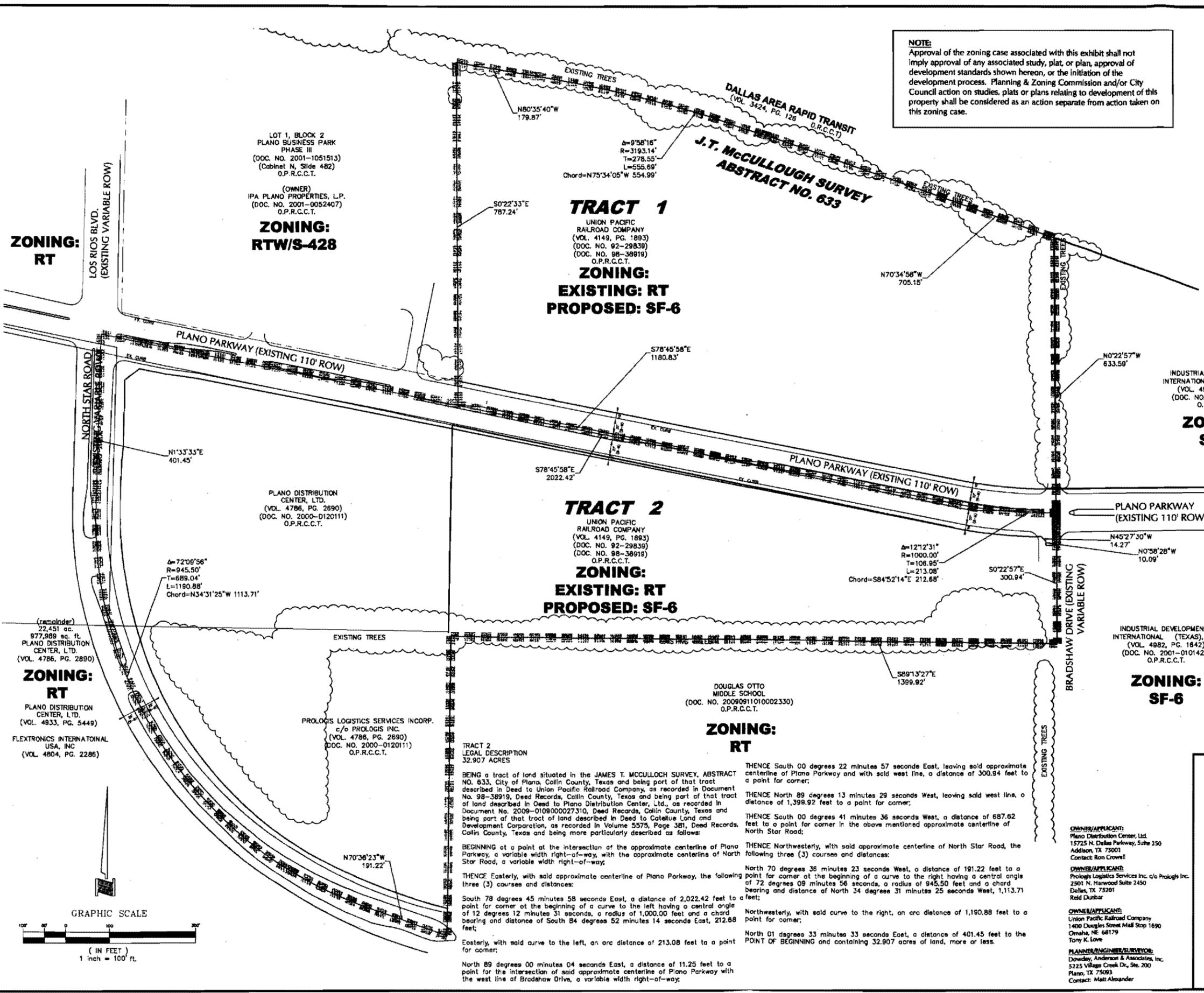
THENCE Easterly, with said south line, the following three (3) courses and distances:

South 80 degrees 35 minutes 40 seconds East, a distance of 179.87 feet to a point for corner at the beginning of a curve to the right having a central angle of 10 degrees 00 minutes 43 seconds, a radius of 3,193.14 feet and a chord bearing and distance of South 75 degrees 35 minutes 19 seconds East, 557.26 feet;

Easterly, with said curve to the right, an arc distance of 557.97 feet to a point for corner;

South 70 degrees 34 minutes 58 seconds East, a distance of 705.15 feet to a point for corner;

THENCE South 00 degrees 22 minutes 57 seconds East, leaving said south line, a distance of 633.59 feet to the POINT OF BEGINNING and containing 23.711 acres of land, more or less.



LOT 1, BLOCK 2
PLANO BUSINESS PARK
PHASE III
(DOC. NO. 2001-1051513)
(Cabinet N, Slide 482)
O.P.R.C.C.T.

(OWNER)
IPA PLANO PROPERTIES, L.P.
(DOC. NO. 2001-0052407)
O.P.R.C.C.T.

**ZONING:
RTW/S-428**

TRACT 1
UNION PACIFIC
RAILROAD COMPANY
(VOL. 4149, PG. 1893)
(DOC. NO. 92-29839)
(DOC. NO. 98-38919)
O.P.R.C.C.T.

**ZONING:
EXISTING: RT
PROPOSED: SF-6**

PLANO DISTRIBUTION
CENTER, LTD.
(VOL. 4786, PG. 2890)
(DOC. NO. 2000-D120111)
O.P.R.C.C.T.

TRACT 2
UNION PACIFIC
RAILROAD COMPANY
(VOL. 4149, PG. 1893)
(DOC. NO. 92-29839)
(DOC. NO. 98-38919)
O.P.R.C.C.T.

**ZONING:
EXISTING: RT
PROPOSED: SF-6**

(remainder)
22,451 ac.
977,989 sq. ft.
PLANO DISTRIBUTION
CENTER, LTD.
(VOL. 4786, PG. 2890)

**ZONING:
RT**

PLANO DISTRIBUTION
CENTER, LTD.
(VOL. 4833, PG. 5449)

FLEXTRONICS INTERNATIONAL
USA, INC
(VOL. 4804, PG. 2286)

DOUGLAS OTTO
MIDDLE SCHOOL
(DOC. NO. 20090911010002330)
O.P.R.C.C.T.

**ZONING:
RT**

TRACT 2
LEGAL DESCRIPTION
32.907 ACRES

BEING a tract of land situated in the JAMES T. MCCULLOUGH SURVEY, ABSTRACT NO. 633, City of Plano, Collin County, Texas and being part of that tract described in Deed to Union Pacific Railroad Company, as recorded in Document No. 98-38919, Deed Records, Collin County, Texas and being part of that tract of land described in Deed to Plano Distribution Center, Ltd., as recorded in Document No. 2009-01080002330, Deed Records, Collin County, Texas and being part of that tract of land described in Deed to Catehue Land and Development Corporation, as recorded in Volume 5575, Page 381, Deed Records, Collin County, Texas and being more particularly described as follows:

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THENCE North 89 degrees 13 minutes 29 seconds West, leaving said west line, a distance of 1,399.92 feet to a point for corner;

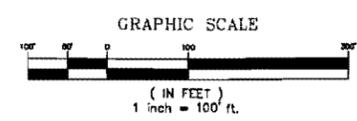
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Northwesterly, with said curve to the right, on an arc distance of 1,180.83 feet to a point for corner;

North 01 degrees 33 minutes 33 seconds East, a distance of 401.45 feet to the POINT OF BEGINNING and containing 32.907 acres of land, more or less.



OWNER/APPLICANT:
Plano Distribution Center, Ltd.
15725 N. Dallas Parkway, Suite 250
Addicks, TX 75001
Contact: Ron Crowell

OWNER/APPLICANT:
Prologis Logistics Services Inc. c/o Prologis Inc.
2501 N. Harwood Suite 2450
Dallas, TX 75201
Reid Dunbar

OWNER/APPLICANT:
Union Pacific Railroad Company
1400 Douglas Street Mail Stop 1690
Omaha, NE 68179
Tony K. Love

PLANNER/ENGINEER/SURVEYOR:
Dowdrey, Anderson & Associates, Inc.
5225 Village Creek Drive, Ste. 200
Plano, TX 75093
Contact: Matt Alexander

EXHIBIT PREPARED: SEPTEMBER 19, 2012
EXHIBIT REVISED: NOVEMBER 2, 2012

ZONING EXHIBIT
ZONING CASE# 2012-31
REZONE 56.6 +/- ACRES FROM RT TO SF-6

HUDSON HEIGHTS

CITY OF PLANO, COLLIN COUNTY, TEXAS

PLANNER/ENGINEER
DOWDREY, ANDERSON & ASSOCIATES, INC.
5225 Village Creek Drive, Ste. 200, Plano, Texas 75093 972-931-0894

JOB # 12025