

**DATE:** March 8, 2016

**TO:** Honorable Mayor & City Council

**FROM:** John Muns, Chair, Planning & Zoning Commission

**SUBJECT:** Results of Planning & Zoning Commission Meeting of March 7, 2016

**AGENDA ITEM NO. 3A - PUBLIC HEARING  
ZONING CASE 2016-003  
APPLICANT: J.C. PENNEY CORPORATION, INC.**

Request to rezone 123.1± acres from Commercial Employment and Central Business-1 with Specific Use Permit #265 for Day Care Center to Central Business-1 located at the northwest corner of Legacy Drive and Communications Parkway.

**APPROVED:** 6-0 **DENIED:** \_\_\_\_\_ **TABLED:** \_\_\_\_\_

**Letters Received Within 200 Foot Notice Area:** **Support:** 2 **Oppose:** 0 **Neutral:** 0

**Letters Received Outside 200 Foot Notice Area:** **Support** 0 **Oppose:** 0 **Neutral:** 0

**Petition(s) Received:** 0 **# Of Signatures:** 0

**STIPULATIONS:**

Recommended for approval as submitted.

**FOR CITY COUNCIL MEETING OF:** March 28, 2016 (To view the agenda for this meeting, see [www.plano.gov](http://www.plano.gov))

EM/amf

xc: Bradley Syverson, J.C. Penney Corporation, Inc.  
Trey Braswell, Kimley-Horn and Associates  
Wayne Snell, Building Inspections

<https://goo.gl/maps/uJaTXq33yVr>

CITY OF PLANO  
PLANNING & ZONING COMMISSION

March 7, 2016

**Agenda Item No. 3A**

**Public Hearing:** Zoning Case 2016-003

**Applicant:** J.C. Penney Corporation, Inc.

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**DESCRIPTION:**

Request to rezone 123.1± acres **from** Commercial Employment and Central Business-1 with Specific Use Permit #265 for Day Care Center **to** Central Business-1 located at the northwest corner of Legacy Drive and Communications Parkway.

**REMARKS:**

The purpose for this zoning request is to rezone the subject property to Central Business-1 (CB-1) and rescind Specific Use Permit #265 for Day Care Center. The existing zoning is Commercial Employment (CE) and CB-1. The CE district is intended to provide the flexibility for an integrated development that may include retail, office, commercial, light manufacturing, and multifamily residences. The major focus of the CE district is to be corporate headquarters and research facilities arranged in a campus-like setting.

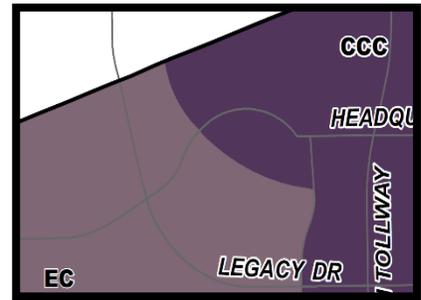
The CB-1 district is intended for use in conjunction with the CE district to permit a highly concentrated business center similar to traditional downtown areas of major cities. A revised site plan and concept plan, Legacy West Addition, Block E, Lots 2R, 3, 4, 5, 6, and 7 accompanies this request as Agenda Item 3B.

**Surrounding Land Use and Zoning**

The properties to the north, across Headquarters Drive, are zoned Planned Development-64-Central Business-1 (PD-64-CB-1) and CB-1 and are developed and under construction as general offices. To the east, is a mixed-use development currently under construction zoned Planned Development-65-Central Business-1 (PD-65-CB-1). To the south and west, across Legacy Drive, are general offices and undeveloped properties zoned CE.

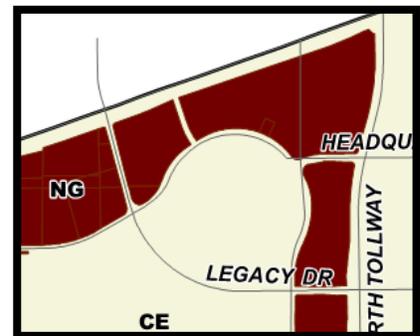
## Conformance to the Plano Tomorrow Comprehensive Plan

**Future Land Use Map** - The Future Land Use Map designates the northern portion of the property as Compact Complete Center (CCC). The remainder of the property is designated as Employment Center (EC). The CCC future land use designation applies to areas that may see new growth or experience significant redevelopment. Land uses supported within the CCC include mid-rise buildings with office, retail, service, entertainment, and residential uses, which are based on the concepts of mixed-use, community design, and where possible, transit-oriented design. The EC future land use category applies to business centers. The primary uses for employment centers are commercial uses which provide corporate office campuses, medical centers, educational facilities, technology centers, and research facilities. Limited manufacturing and warehouse uses may be allowed to support the employment centers. Adequate building setbacks must be considered when development is proposed near neighborhoods. Residential development is not appropriate within these centers in order to ensure the city's ability to attract and maintain employment generating uses.



The CE and CB-1 zoning districts are similar in regards to allowable uses. Although the CB-1 district allows for a range of nonresidential uses focused on business centers and commercial uses, it does not allow any additional residential uses. The Zoning Ordinance allows a maximum of 2,500 multifamily units by right to be shared between the two districts. Additional multifamily and mid-rise uses require a specific use permit (SUP). Currently, there are only 46 units remaining which have not been constructed or planned for future construction. The allowed uses are consistent with the EC and CCC land use designations. This request is in conformance with the Future Land Use Map.

**Growth and Change Map** - The purpose of the Growth and Change Map is to describe the level of change that is expected to occur on sites around the city and provide general direction for new development and redevelopment projects. The Growth and Change Map designates the subject property as Conserve and Enhance (CE). These areas are expected to retain the current form of development but will experience some minor infill and ongoing rehabilitations consistent with the present form and character. The general area is experiencing significant change in the form of new corporate campus sites and mixed-use development. The proposed zoning will allow for more flexibility in site design and modifications of proposed uses, while preserving the viability of the existing corporate campus. The zoning request does not greatly impact the applicant's ability to develop the vacant portions of the subject property, but it does impact the form of development and permitted uses. For this reason, this request is in conformance with the Growth and Change Map.



## **ISSUES:**

### **Area, Yard, and Bulk Requirements**

The proposed CB-1 zoning allows for flexibility in area, yard, and bulk requirements including no minimum front, side, or rear yard setback. Additionally, CB-1 allows for reduced residential unit size, no maximum lot coverage or height, and reduced open space requirements. Due to these minimal requirements, an urban or suburban style of development could be constructed in order to suit an individual applicant's needs. A large portion of the subject property surrounding the existing office buildings is undeveloped. Rezoning to the CB-1 district will allow a developer to plan for a variety of site layouts. Staff believes the requested CB-1 zoning standards will be beneficial to attracting future development opportunities on the subject property.

### **Uses**

The CB-1 zoning district allows for a similar range of nonresidential uses as the CE zoning district. Additional nonresidential uses which are permitted by right or by SUP in CB-1 include several automobile related uses, dry cleaning plant, farmer's market, furniture store, kennel with indoor pens, service contractor with no outside storage, trade schools, and others. Additionally, there are some uses which are disallowed in CB-1 which are permitted by right or by SUP in the existing CE zoning such as outdoor commercial amusement, automobile storage, commissary, hospital, manufacturing, and heavy truck sales. As stated in the descriptions of these districts, the two zoning classifications are intended for use in conjunction with each other. The requested rezoning will be complimentary to the surrounding CE and CB-1 zoned properties.

### **Rescinding SUP#265**

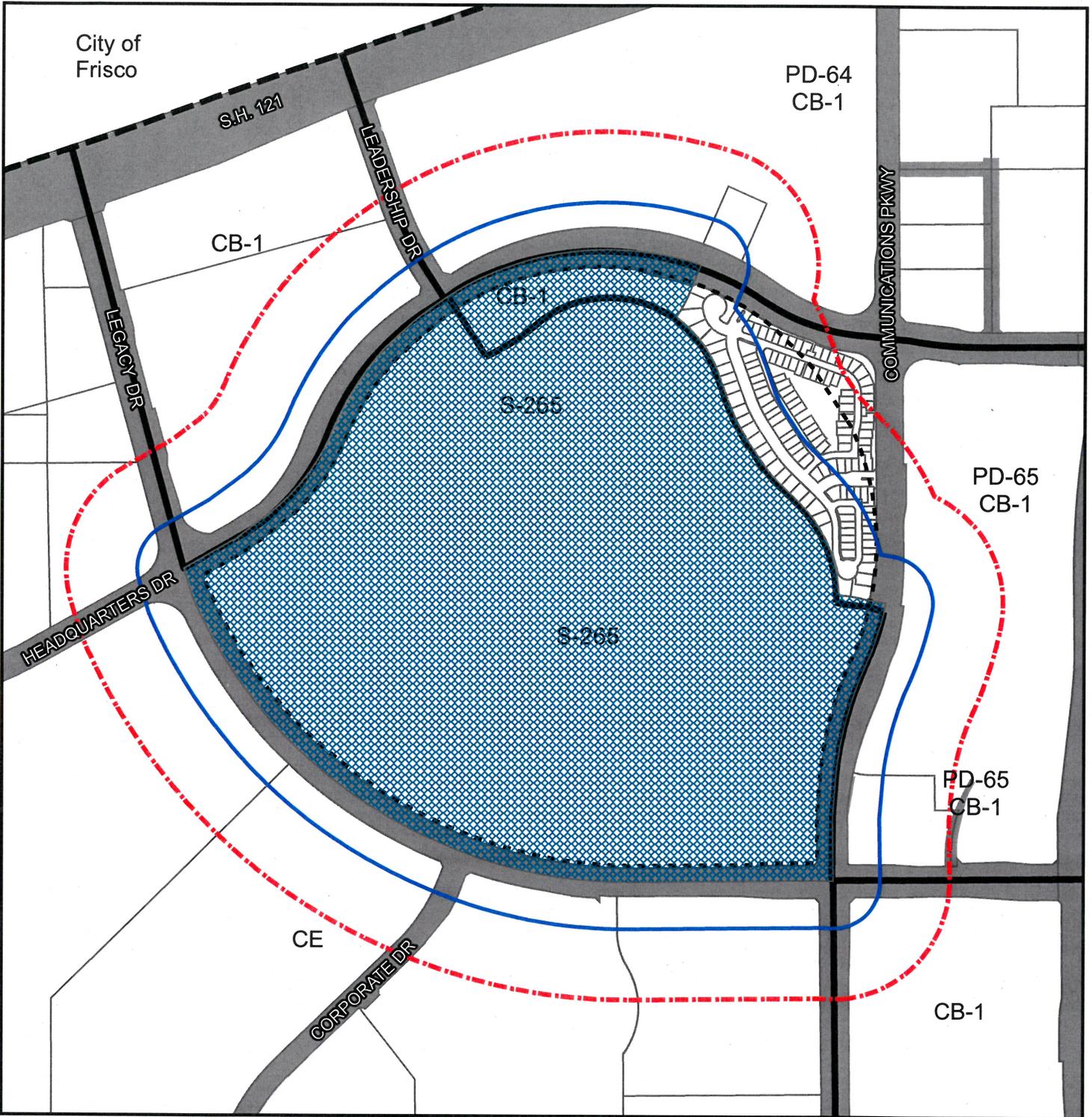
Previously, the CE zoning district required an SUP for a Day Care Center. In 1996, the city modified the allowances for day cares. Currently, neither the CE nor CB-1 district require an SUP for a day care center, therefore, the applicant is requesting to rescind the SUP. Staff is in support of the rescission of this unnecessary SUP.

## **SUMMARY:**

The applicant is requesting to rezone the subject property to CB-1 and rescind SUP #265 for Day Care Center. The request is consistent with the recommendations of the Comprehensive Plan. The requested CB-1 zoning would allow for flexibility in the area, yard, and bulk requirements as well as allow for some changes in the allowable nonresidential uses. Lastly, the SUP for Day Care Center is no longer needed as the use is currently permitted by right. For these reasons, staff is in support of the rezoning request.

## **RECOMMENDATION:**

Recommended for approval.

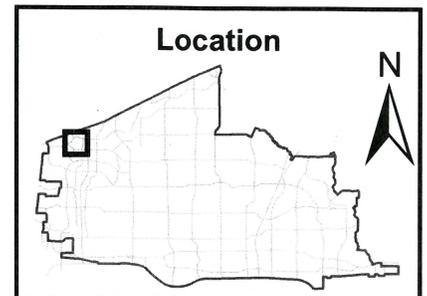


Zoning Case #: 2016-003

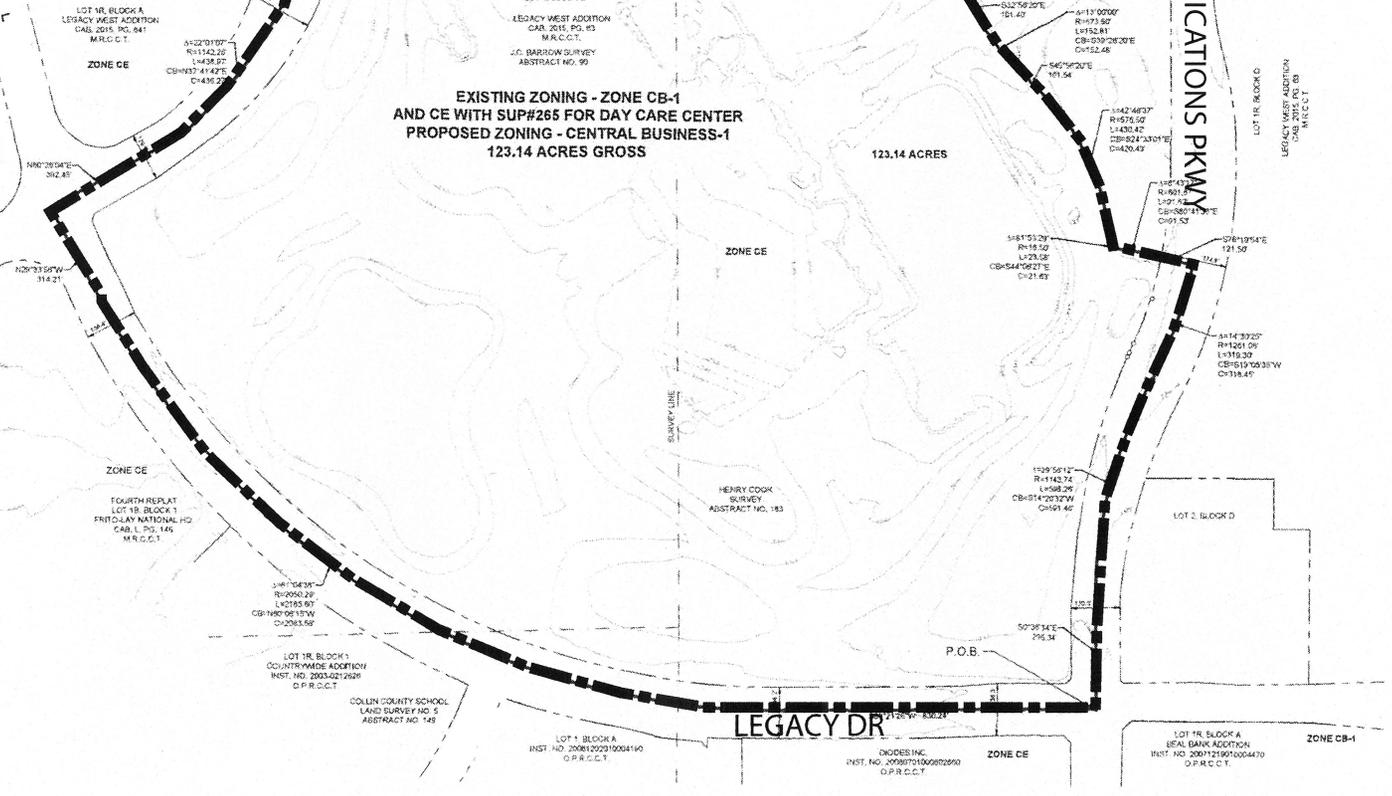
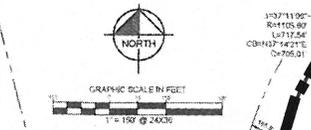
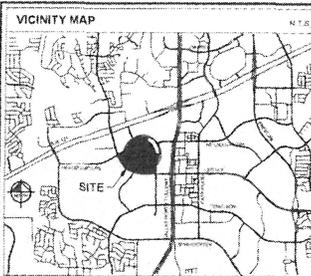
Existing Zoning: Central Business-1 (CB-1) & Commercial Employment (CE) w/Specific Use Permit #265

Proposed Zoning: Central Business-1 (CB-1) and rescinding Specific Use Permit #265

- 500' Courtesy Notification Buffer
- 200' Notification Buffer
- Subject Property
- Zoning Boundary
- Specific Use Permit
- City Limits
- Right-of-Way



Source: City of Plano Planning Department



**EXISTING ZONING - ZONE CB-1  
AND CE WITH SUP#265 FOR DAY CARE CENTER  
PROPOSED ZONING - CENTRAL BUSINESS-1  
123.14 ACRES GROSS**

123.14 ACRES

**LEGAL DESCRIPTION**

**BEING** a tract of land situated in the Henry Cook Survey, Abstract No. 183, the H.N. Thompson Survey, Abstract No. 896, the J.C. Barrow Survey, Abstract No. 90, and the Collin County School Land Survey No. 5, Abstract No. 149, City of Plano, Collin County, Texas and being all of Lot 1, Block E, Legacy West Addition, an addition to the City of Plano, Texas according to the 1981 plat in Collin County, Texas, Page 03, Map Records of Collin County, Texas and being more particularly described as follows:

**BEGINNING** at the intersection of the centerline of Communications Parkway (a variable width right-of-way) and Legacy Drive (a variable width right-of-way);

**THENCE** with the centerline of said Legacy Drive, the following courses and distances to wit:

South 52°24'25" West, a distance of 65.24 feet to a point at the beginning of a tangent curve to the left having a central angle of 61°04'32"; a radius of 2050.29 feet, a chord bearing and distance of North 60°36'19" West, 2083.58 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 2185.60 feet to a point for corner;

North 09°35'47" West, a distance of 314.21 feet to the intersection of the centerline of said Legacy Drive and the centerline of Headquarters Drive (a variable width right-of-way);

**THENCE** with the centerline of said Headquarters Drive, the following courses and distances to wit:

North 60°20'04" East, a distance of 550.45 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 22°01'07"; a radius of 1142.26 feet, a chord bearing and distance of North 37°41'42" East, 436.21 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 438.97 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 37°11'05"; a radius of 1157.50 feet, a chord bearing and distance of North 37°14'21" East, 705.01 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 717.54 feet to a point for corner;

North 56°19'00" East, a distance of 114.38 feet to a point for corner;

North 50°09'40" East, a distance of 72.77 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 51°39'07"; a radius of 1191.79 feet, a chord bearing and distance of North 44°01'21" East, 1038.34 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 1074.75 feet to a point for corner;

**THENCE** following said centerline of Headquarters Drive and with the southwest side of Lot 2, Block E, the following courses and distances to wit:

South 20°00'07" West, a distance of 99.01 feet to a point at the beginning of a tangent curve to the right having a central angle of 13°16'41"; a radius of 618.75 feet, a chord bearing and distance of South 26°44'22" East, 143.07 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 143.33 feet to a point for corner;

South 10°03'44" East, a distance of 7.23 feet to a point at the beginning of a non-tangent curve to the right having a central angle of 33°29'27"; a radius of 506.50 feet, a chord bearing and distance of South 36°41'40" East, 292.09 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 296.37 feet to a point for corner;

South 12°59'27" East, a distance of 141.50 feet to a point at the beginning of a tangent curve to the left having a central angle of 13°00'00"; a radius of 673.50 feet, a chord bearing and distance of South 24°20'20" East, 152.48 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 152.31 feet to a point for corner;

South 32°56'27" East, a distance of 101.40 feet to a point at the beginning of a tangent curve to the left having a central angle of 13°00'00"; a radius of 673.50 feet, a chord bearing and distance of South 32°26'20" East, 152.48 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 152.81 feet to a point for corner;

South 45°54'27" East, a distance of 101.54 feet to a point at the beginning of a tangent curve to the right having a central angle of 42°49'37"; a radius of 673.50 feet, a chord bearing and distance of South 24°33'01" East, 420.48 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 23.58 feet to a point at the beginning of a reverse curve to the right having a central angle of 81°53'29"; a radius of 16.50 feet, a chord bearing and distance of South 30°41'33" East, 91.53 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 430.42 feet to a point for corner;

South 78°18'47" East, a distance of 121.50 feet to a point at the centerline of said Communications Parkway at the beginning of a non-tangent curve to the right having a central angle of 14°30'25"; a radius of 1261.08 feet, a chord bearing and distance of South 19°05'35" West, 319.45 feet;

**THENCE** with the centerline of said Communications Parkway, the following courses and distances to wit:

In a southwesterly direction, with said curve to the right, an arc distance of 319.30 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 29°56'12"; a radius of 1143.74 feet, a chord bearing and distance of South 14°00'32" West, 581.45 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 508.26 feet to a point for corner;

South 0°38'34" East, a distance of 295.34 feet to the **POINT OF BEGINNING** and containing 123.14 acres of land.

This document was prepared under 22 TAC §900.21, does not reflect the results of an on or off ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

ZONING CASE # 2016-003

**ZONING EXHIBIT  
123.14 ACRES  
HENRY COOK SURVEY, ABSTRACT NO. 183  
H.N. THOMPSON SURVEY, ABSTRACT NO. 896  
J.C. BARROW SURVEY, ABSTRACT NO. 90  
COLLIN COUNTY SCHOOL LAND SURVEY NO. 5  
ABSTRACT NO. 149  
CITY OF PLANO, COLLIN COUNTY, TEXAS**

**NOTES:**

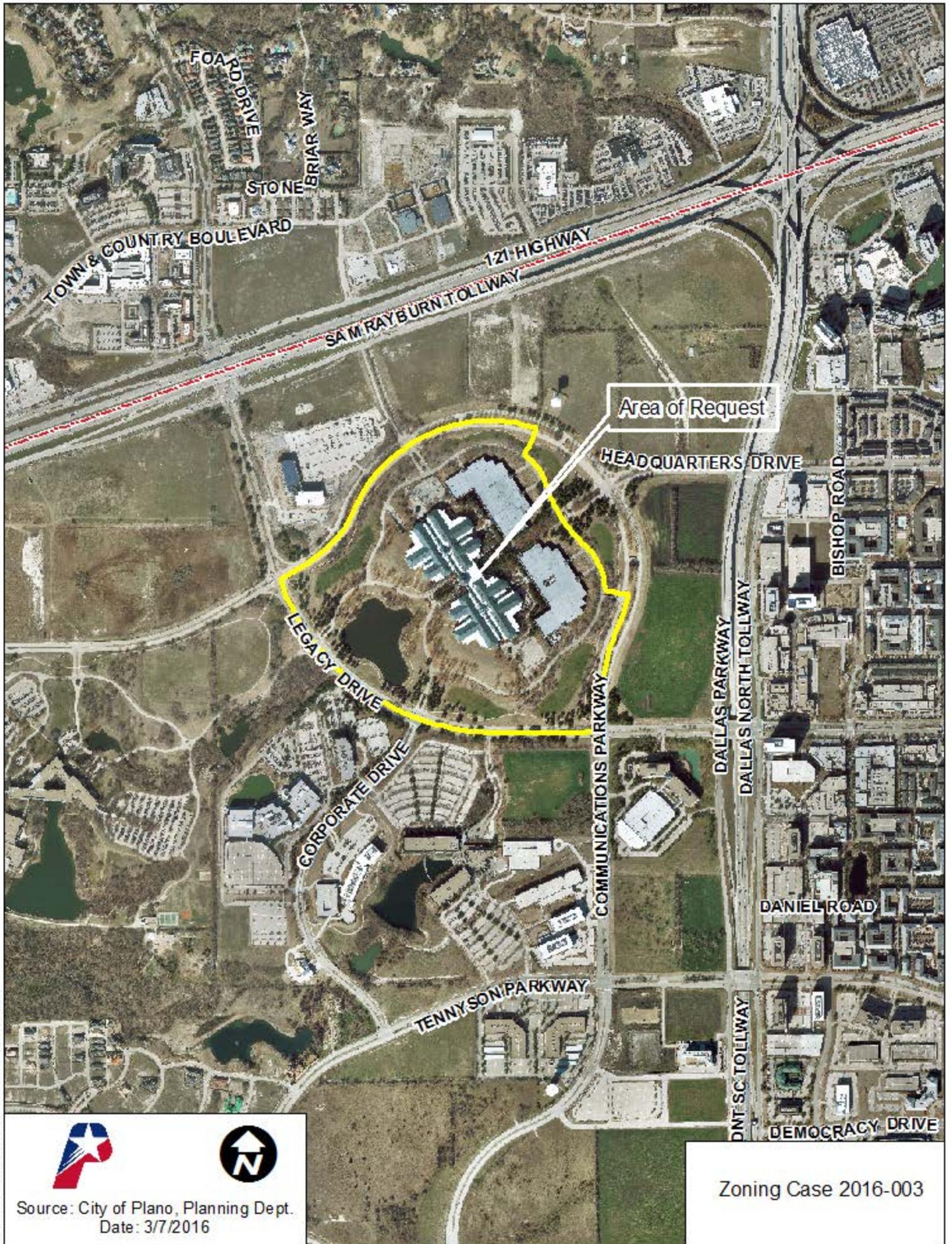
Approval of the zoning case associated with this exhibit shall not imply approval of any associated study, plan, or plan approval of on-neighborhood standards shown herein, or the initiation of the development process. Planning and Zoning Commission and/or City Council action on studies, plans or plans relating to development of this property shall be considered as an action separate from action taken on this zoning case.

**OWNER/APPLICANT:**  
J.C. BARROW CORPORATION INC.  
6501 LEGACY DRIVE, M.E. 1104  
PLANO, TX 75024  
PHONE: 972.431.1442  
CONTACT: Brad Swenson

**SURVEYOR/PREPARER:**  
KIMLEY-HORN AND ASSOCIATES, INC.  
12750 Main Drive, Suite 1900  
Dallas, Texas 75221  
Contact: Erica Johnson, RPLS

**Kimley-Horn**

12750 Main Drive, Suite 1900 Dallas, Texas 75221	FORM # 07/15/20	Tel. No. 972.770.1300
Scale: 1" = 150'	Drawn by: BRD	File No. 072.203.9000
Checked by: TB	Date: FEB. 2016	Sheet No. 1 OF 1

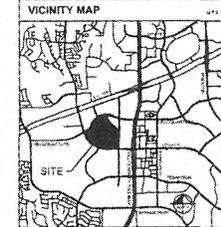
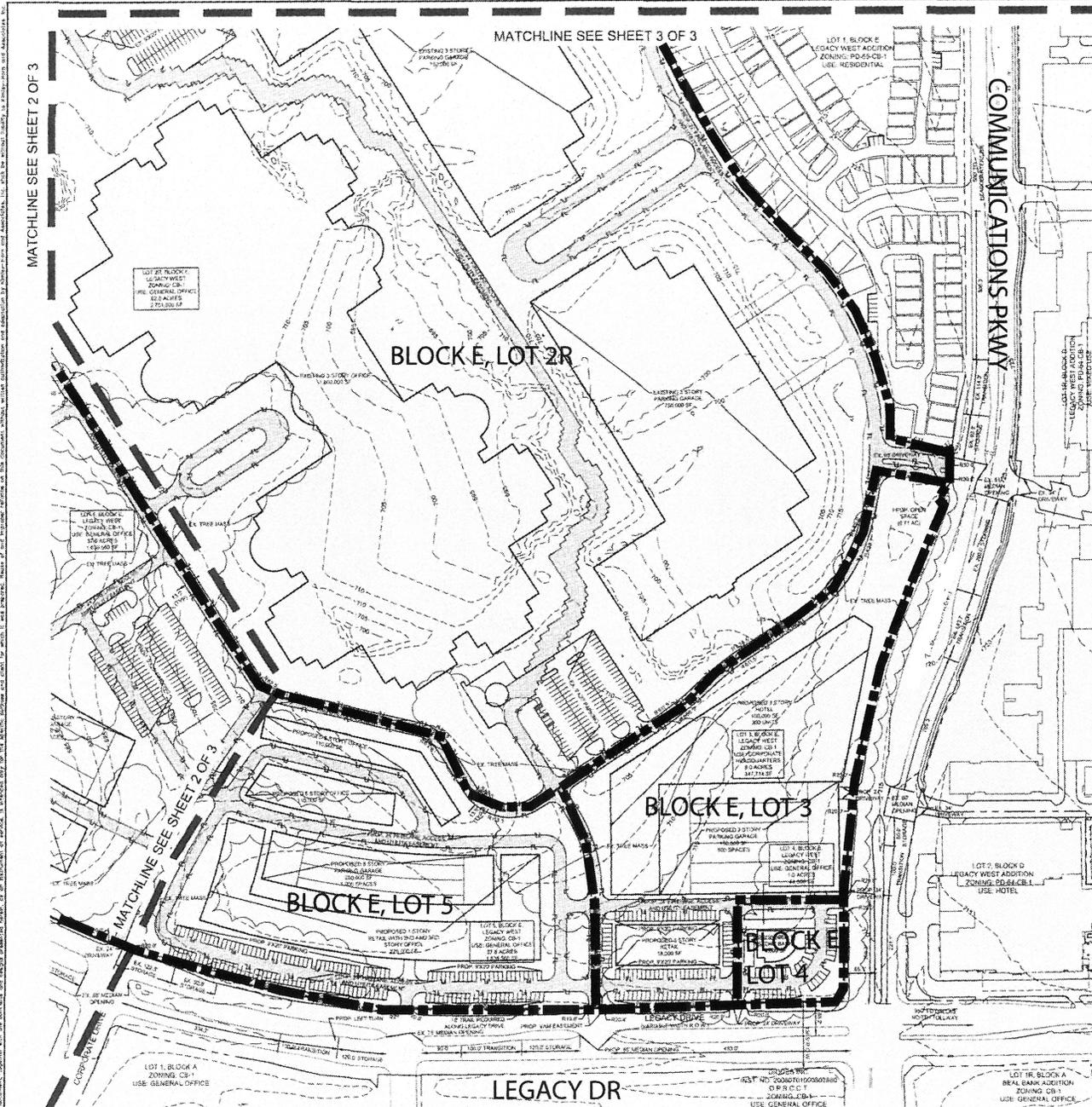


Drawn 2/10/2016 by K. Edwards/PSZ, Location: C:\Graphics\2016-003A.mxd



Source: City of Plano, Planning Dept.  
Date: 3/7/2016

Zoning Case 2016-003



LINE TABLE	
LINE	LENGTH BEARINGS
L1	25.00 S84°12'28.55"W
L2	182.33 S89°12'26.65"W
L3	18.64 S85°13'26.55"W
L4	79.07 S87°23'26.65"W
L5	218.66 S85°21'26.65"W
L6	250.96 S85°21'26.65"W
L7	101.42 S32°56'19.64"E
L8	101.64 S45°56'19.64"E
L9	17.47 N57°23'23.96"E
L10	15.90 S27°14'23.55"E
L11	142.85 S4°21'31.65"W
L12	152.33 S0°38'24.11"E
L13	218.78 N65°21'26.65"E
L14	203.23 N0°38'33.35"W
L15	239.83 S0°38'33.35"E
L16	55.28 S32°52'19.45"E
L17	134.52 S45°54'14.37"E
L18	290.16 S45°54'14.37"E
L19	106.18 S32°55'45.62"E
L20	303.59 S78°51'27.80"E
L21	850.90 S32°55'45.62"E

CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD DELTA TANGENT
C13	873.99	152.81	S28°23'20"E	152.48 13°00'00"
C14	673.52	152.81	S39°26'20"E	152.48 12°00'00"
C15	575.52	430.42	S24°33'01"E	420.49 42°14'37"
C16	16.50	23.58	S44°06'27"E	21.63 81°53'29"
C17	631.67	91.82	S65°41'53"E	91.53 8°43'17"
C18	960.00	131.70	S13°14'34"W	111.02 5°36'26"
C19	326.00	128.02	S21°14'15"W	127.91 7°33'30"
C20	1574.00	25.73	S24°29'59"W	25.78 0°55'18"
C21	1574.00	537.57	S14°13'35"W	534.96 18°36'08"
C22	300.62	188.58	S16°44'26"E	186.37 32°11'49"
C23	541.37	148.67	S81°13'17"E	148.22 15°31'20"
C24	550.02	157.52	N12°35'31"E	156.89 15°24'33"
C25	300.00	189.55	N38°58'01"E	186.78 38°16'21"
C26	625.00	122.07	N51°25'52"E	122.47 11°14'44"
C27	625.00	122.67	N51°25'52"E	122.47 11°14'44"
C28	100.00	157.08	S77°55'46"E	141.42 90°00'00"
C29	75.00	55.42	S54°56'37"E	55.08 44°12'42"
C30	75.00	55.42	S54°56'37"E	55.08 44°12'42"

SITE DATA SUMMARY TABLE						
ITEM	SP	1	2	3	4	TOTAL
ACREAGE		1.19	2.42	2.42	2.42	11.65
LOT AREA		51,920 SF	103,840 SF	103,840 SF	103,840 SF	463,440 SF
NET IMPROVEMENT AREA		21,731 SF	43,462 SF	43,462 SF	43,462 SF	174,117 SF
TOTAL IMPROVEMENT AREA		56,290 SF	111,724 SF	111,724 SF	111,724 SF	471,462 SF
LOT COVERAGE		42.8%	42.8%	42.8%	42.8%	42.8%
LOT AREA RATIO		0.428	0.428	0.428	0.428	0.428
CONCRETE		0.00	0.00	0.00	0.00	0.00

**REVISED SITE PLAN**  
 PROJECT # RSP2016-007  
**LEGACY WEST ADDITION**  
 LOT 2R, BLOCK E  
 66.8 AC

**CONCEPT PLAN**  
 PROJECT # CP2016-006  
**LEGACY WEST ADDITION**  
 LOTS 3, 4, 5, 6 AND 7 BLOCK E  
 94.78 AC

SITUATED IN THE  
 COLLIN COUNTY SCHOOL LAND SURVEY NO. 6  
 ABSTRACT NO. 149  
 J.C. BARRICK SURVEY ABSTRACT NO. 90  
 H.A. THOMPSON SURVEY ABSTRACT NO. 896  
 HENRY COOK SURVEY ABSTRACT NO. 181  
 CITY OF PLANO, COLLIN COUNTY, TEXAS

DRAWN BY: J.C. BARRICK  
 CHECKED BY: J.C. BARRICK  
 DATE: 10/10/2016

**Kimley»Horn**  
 333 S. BARRICK  
 PLANO, TEXAS 75074  
 PHONE: (972) 424-1100  
 FAX: (972) 424-1101  
 WWW.KIMLEYHORN.COM

NO.	REVISIONS	DATE

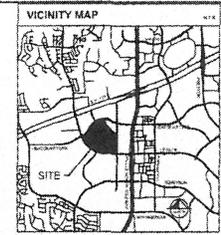
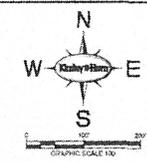
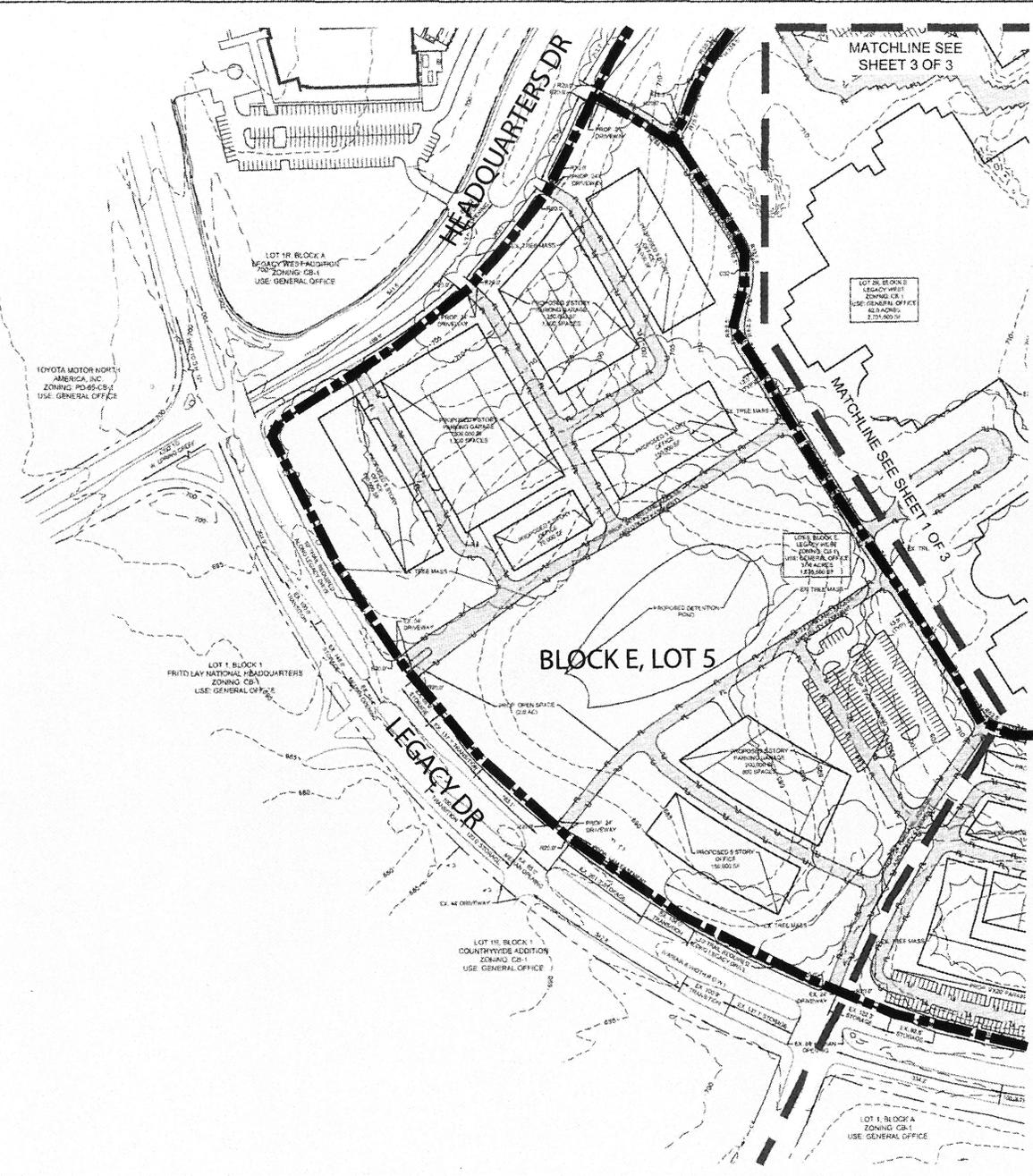
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**LEGACY WEST**  
 PLANO, TEXAS

**CONCEPT PLAN**

SHEET NUMBER  
**1 OF 3**

THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE USED AS A BASIS FOR ANY OTHER ACTION. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED AS A BASIS FOR ANY OTHER ACTION. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



**LINE TABLE**

LINE	LENGTH	BEARING
L7	78.30	N24°22'23.35"W
L8	25.00	N21°11'22.87"E
L9	182.44	N60°28'04.85"E
L10	166.42	N53°22'23.85"E
L20	303.59	S76°47'31.80"E
L29	550.80	S32°08'45.83"E
L30	63.87	S12°34'14.37"W
L31	169.68	S32°05'45.83"E
L32	75.67	S64°34'44.10"E
L33	43.95	N31°39'49.41"E

**CURVE TABLE**

CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	1983.00'	2067.80'	N60°34'45"W	1993.31'	69°05'30"	1181.67'
C2	1983.00'	184.82'	N20°34'45"W	184.79'	5°20'24"	92.47'
C3	311.00'	458.59'	N27°47'59"E	492.47'	31°09'12"	255.62'
C4	1175.00'	34.62'	N22°49'20"E	24.62'	1°12'00"	12.31'
C30	78.00'	58.40'	S34°58'37"E	58.08'	44°08'42"	30.73'
C31	78.00'	59.09'	S10°28'45"E	58.17'	45°00'00"	31.49'
C32	124.00'	97.37'	S10°28'45"E	94.91'	45°00'00"	51.36'
C33	300.00'	163.72'	S48°48'19"E	163.62'	31°38'58"	85.63'
C34	62.00'	19.09'	N22°49'44"E	19.01'	17°38'02"	9.62'
C35	350.00'	216.33'	N39°34'17"E	305.67'	51°47'02"	169.89'

**SITE DATA SUMMARY TABLE**

ITEM	1	2	3	4	5	6	7	TOTAL
LOT AREA	38,816 SF	8,872 SF	4,200 SF	3,812 SF	22,824 SF	22,824 SF	111,928 SF	173,276 SF
PERCENTAGE IMPROVEMENT AREA	12.02%	11.91%	4.20%	2.42%	14.80%	14.80%	11.75%	11.75%
PERCENTAGE OPEN SPACE	1.19%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
PERCENTAGE IMPROVEMENT	10.83%	11.91%	4.20%	2.42%	14.80%	14.80%	11.75%	11.75%
PERCENTAGE OPEN SPACE	1.19%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL AREA	38,816 SF	8,872 SF	4,200 SF	3,812 SF	22,824 SF	22,824 SF	111,928 SF	173,276 SF
TOTAL IMPROVEMENT	4,200 SF	10,664 SF	4,200 SF	3,812 SF	33,624 SF	33,624 SF	64,520 SF	109,040 SF
TOTAL OPEN SPACE	34,616 SF	-1,792 SF	0.00 SF	0.00 SF	0.00 SF	0.00 SF	47,408 SF	64,236 SF

REVISED SITE PLAN  
 PROJECT # RSP2016-007  
**LEGACY WEST ADDITION**  
 LOT 2R, BLOCK E  
 56.75 AC.

**CONCEPT PLAN**  
 PROJECT # CP2016-008  
**LEGACY WEST ADDITION**  
 LOTS 3, 4, 5, 6, AND 7 BLOCK E

SITUATED IN THE  
 COLLIN COUNTY SCHOOL LAND SURVEY NO. 5  
 ABSTRACT NO. 148  
 J.C. BARRON SURVEY ABSTRACT NO. 90  
 H.W. THOMPSON SURVEY ABSTRACT NO. 108  
 HENRY COOK SURVEY ABSTRACT NO. 183  
 CITY OF PLANO, COLLIN COUNTY, TEXAS

COMPILED BY:  
 C. Kimley-Horn and Associates, Inc.  
 5150 Campbell Dr., Suite 200  
 Plano, Texas 75074  
 Phone: 972-333-7300  
 Fax: 972-333-0719  
 E-mail: ckh@kimley-horn.com

**Kimley-Horn**  
 CONSULTING ENGINEERS

DATE OF PREPARATION: 01/23/2016

**Kimley-Horn**  
 CONSULTING ENGINEERS  
 5150 CAMPBELL DR., SUITE 200, PLANO, TX 75074  
 PHONE: 972-333-7300 FAX: 972-333-0719  
 TEXAS REGISTERED ENGINEERING FIRM F-428

**LEGACY WEST**  
 PLANO, TEXAS

**CONCEPT PLAN**

SHEET NUMBER  
**2 OF 3**

NO.	REVISIONS	DATE	BY



## Zoning Case 2016-003

**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 123.1± acres of land out of the Henry Cook Survey, Abstract No. 183, the H.N. Thompson Survey, Abstract No. 896, the J.C. Barrow Survey, Abstract No. 90, and the Collin County School Land Survey No. 5, Abstract No. 149, from Commercial Employment and Central Business-1 to Central Business-1 and repealing in its entirety Ordinance No. 94-10-17, thereby rescinding Specific Use Permit No. 265 for Day Care Center on 123.1± acres, located at the northwest corner of Legacy Drive and Communications Parkway in the City of Plano, Collin County, Texas; 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 March, 2016, for the purpose of rezoning 123.1± acres of land out of the Henry Cook Survey, Abstract No. 183, the H.N. Thompson Survey, Abstract No. 896, the J.C. Barrow Survey, Abstract No. 90, and the Collin County School Land Survey No. 5, Abstract No. 149, from Commercial Employment and Central Business-1 to Central Business-1 and repealing in its entirety Ordinance No. 94-10-17, thereby rescinding Specific Use Permit No. 265 for Day Care Center on 123.1± acres, located at the northwest corner of Legacy Drive and Communications Parkway in the City of Plano, Collin County, Texas; 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 March, 2016; 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 is of the opinion and finds that the rescinding of Specific Use Permit No. 265 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 rezone 123.1± acres of land out of the Henry Cook Survey, Abstract No. 183, the H.N. Thompson Survey, Abstract No. 896, the J.C. Barrow Survey, Abstract No. 90, and the Collin County School Land Survey No. 5, Abstract No. 149, from Commercial Employment and Central Business-1 to Central Business-1, located at the northwest corner of Legacy Drive and Communications Parkway, said property being described in the legal description on Exhibit "A" attached hereto.

**Section II.** Ordinance No. 94-10-17 duly passed and approved by the City Council of the City of Plano, Texas, on October 10, 1994, granting Specific Use Permit No. 265 for the additional use of a Day Care Center on 123.1± acres of land out of the Henry Cook Survey, Abstract No. 183, the H.N. Thompson Survey, Abstract No. 896, the J.C. Barrow Survey, Abstract No. 90, and the Collin County School Land Survey No. 5, Abstract No. 149, located at the northwest corner of Legacy Drive and Communications Parkway in the City of Plano, Collin County, Texas, currently zoned Commercial Employment and Central Business-1 with Specific Use Permit No. 265 for Day Care Center, more fully described on Exhibit "B" attached hereto, is hereby repealed in its entirety. Consequently, Specific Use Permit No. 265 is hereby rescinded.

**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 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 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 MARCH, 2016.**

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Harry LaRosiliere, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY

### Zoning Case 2016-003

BEING a tract of land situated in the Henry Cook Survey, Abstract No. 183, the H.N. Thompson Survey, Abstract No. 896, the J.C. Barrow Survey, Abstract No. 90, and the Collin County School Land Survey No. 5, Abstract No. 149, City of Plano, Collin County, Texas and being all of Lot 1, Block E, Legacy West Addition, an addition to the City of Plano, Texas according to the plat recorded in Cabinet 2015, Page 63, Map Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at the intersection of the centerline of Communications Parkway (a variable width right-of-way) and Legacy Drive (a variable width right-of-way);

THENCE with the centerline of said Legacy Drive, the following courses and distances to wit:

South  $89^{\circ}21'26''$  West, a distance of 830.24 feet to a point at the beginning of a tangent curve to the right having a central angle of  $61^{\circ}04'38''$ , a radius of 2,050.29 feet, a chord bearing and distance of North  $60^{\circ}06'15''$  West, 2083.58 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 2,185.60 feet to a point for corner;

North  $29^{\circ}33'56''$  West, a distance of 314.21 feet to the intersection of the centerline of said Legacy Drive and the centerline of Headquarters Drive (a variable width right-of-way);

THENCE with the centerline of said Headquarters Drive, the following courses and distances to wit:

North  $60^{\circ}26'04''$  East, a distance of 392.45 feet to a point at the beginning of a non-tangent curve to the left having a central angle of  $22^{\circ}01'07''$ , a radius of 1,142.26 feet, a chord bearing and distance of North  $37^{\circ}41'42''$  East, 436.27 feet;

In a northeasterly direction, with said curve to the left, an arc distance of 438.97 feet to a point at the beginning of a non-tangent curve to the right having a central angle of  $37^{\circ}11'06''$ , a radius of 1,105.60 feet, a chord bearing and distance of North  $37^{\circ}14'21''$  East, 705.01 feet;

In a northeasterly direction, with said curve to the right, an arc distance of 717.54 feet to a point for corner;

North  $56^{\circ}19'06''$  East, a distance of 114.38 feet to a point for corner;

North  $55^{\circ}00'46''$  East, a distance of 72.77 feet to a point at the beginning of a non-tangent curve to the right having a central angle of  $51^{\circ}39'00''$ , a radius of 1,191.79 feet, a chord bearing and distance of North  $84^{\circ}01'12''$  East, 1,038.34 feet;

In a northeasterly direction, with said curve to the right, an arc distance of 1,074.35 feet to a point for corner;

THENCE departing said centerline of Headquarters Drive and with the southwest line of Lot 2, Block E, the following courses and distances to wit:

South  $20^{\circ}06'07''$  West, a distance of 99.01 feet to a point at the beginning of a tangent curve to the right having a central angle of  $13^{\circ}16'41''$ , a radius of 618.75 feet, a chord bearing and distance of South  $26^{\circ}44'27''$  West, 143.07 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 143.39 feet to a point for corner;

South 10°03'44" East, a distance of 7.23 feet to a point at the beginning of a non-tangent curve to the right having a central angle of 33°30'52", a radius of 506.50 feet, a chord bearing and distance of South 36°41'46" East, 292.06 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 296.27 feet to a point for corner;

South 19°56'20" East, a distance of 141.58 feet to a point at the beginning of a tangent curve to the left having a central angle of 13°00'00", a radius of 673.50 feet, a chord bearing and distance of South 26°26'20" East, 152.48 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 152.81 feet to a point for corner;

South 32°56'20" East, a distance of 101.40 feet to a point at the beginning of a tangent curve to the left having a central angle of 13°00'00", a radius of 673.50 feet, a chord bearing and distance of South 39°26'20" East, 152.48 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 152.81 feet to a point for corner;

South 45°56'20" East, a distance of 101.54 feet to a point at the beginning of a tangent curve to the right having a central angle of 42°46'37", a radius of 576.50 feet, a chord bearing and distance of South 24°33'01" East, 420.49 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 430.42 feet to a point at the beginning of a reverse curve to the left having a central angle of 81°53'29", a radius of 16.50 feet, a chord bearing and distance of South 44°06'27" East, 21.63 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 23.58 feet to a point at the beginning of a reverse curve to the right having a central angle of 8°43'17", a radius of 601.87 feet, a chord bearing and distance of South 80°41'33" East, 91.53 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 91.62 feet to a point for corner;

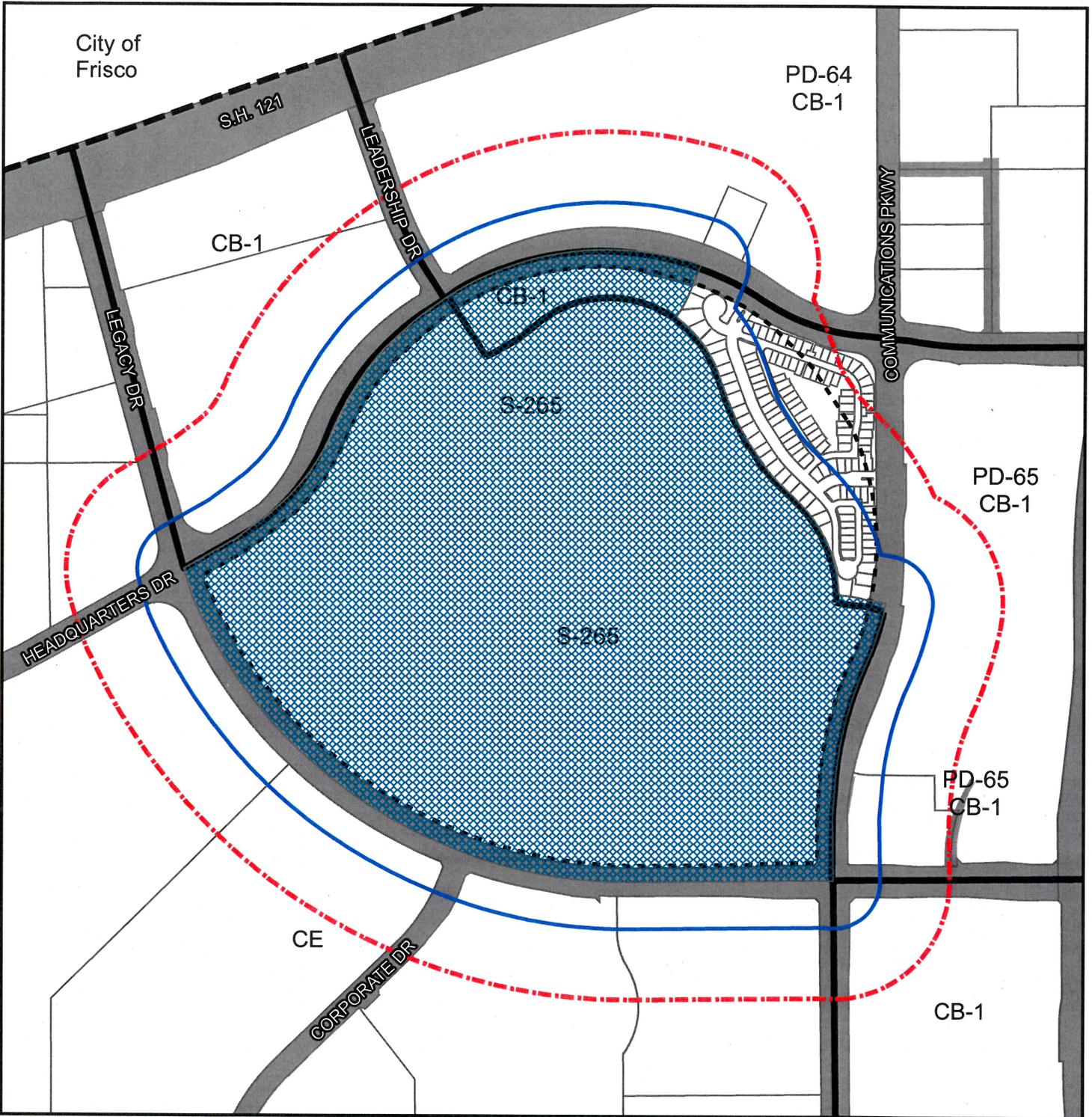
South 76°19'54" East, a distance of 121.50 feet to a point in the centerline of said Communications Parkway, at the beginning of a non-tangent curve to the right having a central angle of 14°30'25", a radius of 1,261.08 feet, a chord bearing and distance of South 19°05'35" West, 318.45 feet;

THENCE with the centerline of said Communications Parkway, the following courses and distances to wit:

In a southwesterly direction, with said curve to the right, an arc distance of 319.30 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 29°58'12", a radius of 1143.74 feet, a chord bearing and distance of South 14°20'32" West, 591.46 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 598.26 feet to a point for corner;

South 0°38'34" East, a distance of 295.34 feet to the POINT OF BEGINNING and CONTAINING 123.14 acres of land.

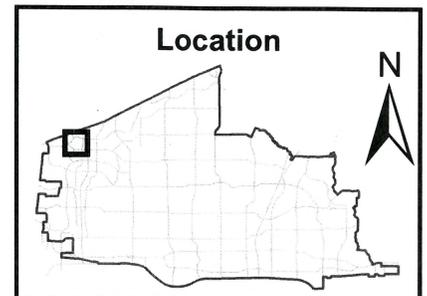


Zoning Case #: 2016-003

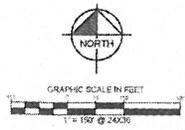
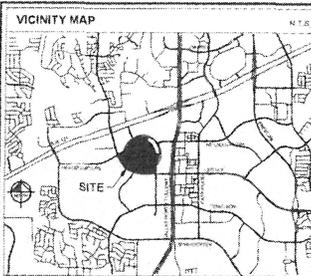
Existing Zoning: Central Business-1 (CB-1) & Commercial Employment (CE) w/Specific Use Permit #265

Proposed Zoning: Central Business-1 (CB-1) and rescinding Specific Use Permit #265

- 500' Courtesy Notification Buffer
- 200' Notification Buffer
- Zoning Boundary
- Specific Use Permit
- Subject Property
- City Limits
- Right-of-Way



Source: City of Plano Planning Department



**EXISTING ZONING - ZONE CB-1  
AND CE WITH SUP#265 FOR DAY CARE CENTER  
PROPOSED ZONING - CENTRAL BUSINESS-1  
123.14 ACRES GROSS**

123.14 ACRES

**LEGACY DR**

INDESIGN INC.  
INST. NO. 2009070100902260  
O.P.R.C.C.T.

**NOTES:**

Approval of the zoning case associated with this exhibit shall not imply approval of any associated study, plan, or plan approval of on-attachment standards shown herein, or the initiation of the development process. Planning & 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.

**OWNER/APPLICANT:**  
J.C. PENNEY CORPORATION INC.  
6501 LEGACY DRIVE, M.E. 1104  
PLANO, TX 75024  
PHONE: 972.431.1442  
CONTACT: Brad Swenson

**SURVEYOR/PREPARER:**  
KIMLEY-HORN AND ASSOCIATES, INC.  
12750 Main Drive, Suite 1900  
Dallas, Texas 75221  
Contact: Erica Hines, RPLS

**LEGAL DESCRIPTION**

**BEING** a tract of land situated in the Henry Cook Survey, Abstract No. 183, the H.N. Thompson Survey, Abstract No. 896, the J.C. Barrow Survey, Abstract No. 90, and the Collin County School Land Survey No. 5, Abstract No. 149, City of Plano, Collin County, Texas and being all of Lot 1, Block E, Legacy West Addition, an addition to the City of Plano, Texas according to the 1981 plat in Collin County, Texas, Page 03, Map Records of Collin County, Texas and being more particularly described as follows:

**BEGINNING** at the intersection of the centerline of Communications Parkway (a variable width right-of-way) and Legacy Drive (a variable width right-of-way);

**THENCE** with the centerline of said Legacy Drive, the following courses and distances to wit: South 52°24'25" West, a distance of 612.24 feet to a point at the beginning of a tangent curve to the left having a central angle of 61°04'32"; a radius of 2050.29 feet; a chord bearing and distance of North 60°36'19" West, 2083.58 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 2186.60 feet to a point for corner;

North 09°35'47" West, a distance of 314.21 feet to the intersection of the centerline of said Legacy Drive and the centerline of Headquarters Drive (a variable width right-of-way);

**THENCE** with the centerline of said Headquarters Drive, the following courses and distances to wit: North 60°20'04" East, a distance of 550.45 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 22°01'07"; a radius of 1142.26 feet; a chord bearing and distance of North 37°41'42" East, 436.21 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 438.97 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 37°11'05"; a radius of 1157.50 feet; a chord bearing and distance of North 37°14'21" East, 705.01 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 717.54 feet to a point for corner;

North 56°19'00" East, a distance of 114.38 feet to a point for corner;

North 50°09'40" East, a distance of 72.77 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 51°39'07"; a radius of 1191.79 feet; a chord bearing and distance of North 44°01'27" East, 1038.34 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 1074.75 feet to a point for corner;

**THENCE** following said centerline of Headquarters Drive and with the southwest tie of Lot 2, Block E, the following courses and distances to wit: South 20°00'07" West, a distance of 99.01 feet to a point at the beginning of a tangent curve to the right having a central angle of 13°16'41"; a radius of 618.75 feet; a chord bearing and distance of South 26°44'22" East, 143.07 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 143.33 feet to a point for corner;

South 10°03'44" East, a distance of 7.23 feet to a point at the beginning of a non-tangent curve to the right having a central angle of 33°29'27"; a radius of 506.50 feet; a chord bearing and distance of South 36°41'40" East, 292.09 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 296.37 feet to a point for corner;

South 12°59'27" East, a distance of 141.50 feet to a point at the beginning of a tangent curve to the left having a central angle of 13°00'00"; a radius of 673.50 feet; a chord bearing and distance of South 24°20'20" East, 152.48 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 152.81 feet to a point for corner;

South 32°56'27" East, a distance of 101.40 feet to a point at the beginning of a tangent curve to the left having a central angle of 13°00'00"; a radius of 673.50 feet; a chord bearing and distance of South 33°26'20" East, 152.48 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 152.81 feet to a point for corner;

South 45°54'27" East, a distance of 101.54 feet to a point at the beginning of a tangent curve to the right having a central angle of 42°49'37"; a radius of 673.50 feet; a chord bearing and distance of South 24°33'01" East, 420.48 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 233.58 feet to a point at the beginning of a reverse curve to the right having a central angle of 43°13'17"; a radius of 601.67 feet; a chord bearing and distance of South 30°41'33" East, 91.53 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 430.42 feet to a point for corner;

South 44°09'27" East, 21.53 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 233.58 feet to a point at the beginning of a reverse curve to the right having a central angle of 43°13'17"; a radius of 601.67 feet; a chord bearing and distance of South 30°41'33" East, 91.53 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 91.62 feet to a point for corner;

South 78°18'47" East, a distance of 121.50 feet to a point at the centerline of said Communications Parkway at the beginning of a non-tangent curve to the right having a central angle of 14°30'25"; a radius of 1261.08 feet; a chord bearing and distance of South 19°05'35" West, 319.45 feet;

**THENCE** with the centerline of said Communications Parkway, the following courses and distances to wit: In a southwesterly direction, with said curve to the right, an arc distance of 319.30 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 29°56'12"; a radius of 1143.74 feet; a chord bearing and distance of South 14°00'32" West, 581.45 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 508.26 feet to a point for corner;

South 0°38'34" East, a distance of 295.34 feet to the **POINT OF BEGINNING** and containing 123.14 acres of land.

ZONING CASE # 2016-003

**ZONING EXHIBIT  
123.14 ACRES  
HENRY COOK SURVEY, ABSTRACT NO. 183  
H.N. THOMPSON SURVEY, ABSTRACT NO. 896  
J.C. BARROW SURVEY, ABSTRACT NO. 90  
COLLIN COUNTY SCHOOL LAND SURVEY NO. 5  
ABSTRACT NO. 149  
CITY OF PLANO, COLLIN COUNTY, TEXAS**

**Kimley-Horn**

12750 Main Drive, Suite 1900 Dallas, Texas 75221	PHONE: 972.431.1442	FAX: No. 972.238.3600
FORM # Z015-00	DATE: FEB. 2016	SCALE: 1" = 150'
CHECKED BY: TB	DATE: FEB. 2016	PROJECT NO: 094110068
DATE: FEB. 2016	SCALE: 1" = 150'	SHEET NO: 1 OF 1