



# CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		April 25, 2016		
Department:		Planning		
Department Head		Christina Day		
Agenda Coordinator (include phone #): <b>Tammy Stuckey, ext 7156</b>				
<b>CAPTION</b>				
<p>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 6.5± acres of land out of the Joseph Klepper Survey, Abstract No. 213, located at the northwest corner of G Avenue and 13th/14th Connector in the City of Plano, Collin County, Texas, from Corridor Commercial to Planned Development-123-Downtown Business/Government; 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. Applicant: Plano Housing Corporation</p>				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	<b>2015-16</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>
		<b>TOTALS</b>		
Budget		0	0	0
Encumbered/Expended Amount		0	0	0
This Item		0	0	0
BALANCE		0	0	0
FUND(S): <b>N/A</b>				
<b>COMMENTS:</b> This item has no financial impact. <b>STRATEGIC PLAN GOAL:</b> Amending the Comprehensive Zoning Ordinance relates to the City's goal of a Financially Strong City with Service Excellence.				
<b>SUMMARY OF ITEM</b>				
<p>At the April 11, 2016 meeting, City Council voted 4-2 in support of Zoning Case 2016-004 expanding PD-123-BG district with additional stipulations. Staff and the developer worked to develop an additional stipulation, based on direction from City Council on April 11, 2016, which will provide a defined buffer adjacent to the residence along 13th/14th Connector. The Ordinance is a result of the zoning case approval.</p>				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Ordinance		Planning & Zoning Commission		

## **Zoning Case 2016-004**

**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 6.5± acres of land out of the Joseph Klepper Survey, Abstract No. 213, located at the northwest corner of G Avenue and 13th/14th Connector in the City of Plano, Collin County, Texas, from Corridor Commercial to Planned Development-123-Downtown Business/Government; 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 11th day of April, 2016, for the purpose of considering rezoning 6.5± acres of land out of the Joseph Klepper Survey, Abstract No. 213, located at the northwest corner of G Avenue and 13th/14th Connector in the City of Plano, Collin County, Texas, from Corridor Commercial to Planned Development-123-Downtown Business/Government; 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 11th day of April, 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.

**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 6.5± acres of land out of the Joseph Klepper Survey, Abstract No. 213, located at the northwest corner of G Avenue and 13th/14th Connector in the City of Plano, Collin County, Texas, from Corridor Commercial to Planned Development-123-Downtown Business/Government, said property being described in the legal description on Exhibit “A” attached hereto.

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

Restrictions:

The permitted uses and standards shall be in accordance with the Downtown Business/Government (BG) zoning district unless otherwise specified herein.

**General Provisions of the Planned Development:**

1. Three and 4-story multifamily uses shall be exempt from the minimum 200-foot setback requirement from single-family and two-family residential zoning districts.
2. Multifamily uses shall be exempt from Section 15.800 (Multifamily Residence).
3. Multifamily uses shall be set back a minimum of 400 feet from the centerline of U.S. Highway 75. Residential structures within 750 feet of the centerline of U.S. Highway 75 shall be screened by a minimum 10-foot wide landscape buffer with evergreen shrubs used to create at least an 8-foot tall solid screen within 2 years of their installation, placed between any building and the western property line.
4. A minimum 15-foot setback is required from Plano Original Donation, Block 28, Lot 5I where structures are adjacent. A landscape buffer and 6-foot tall solid fence shall be maintained within the setback.

**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 25TH DAY OF APRIL, 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 2016-004

Being all of Lot 2R, Block 1, final replat of Millennium Addition, an addition to the City of Plano, Collin County, Texas and all of Lots 10C, 10D, 11A, 11B, 11C, 12A, 12C, 12D and a portion of Lot 12B, Block 10, J.F. Kendrick 1st Addition, an addition to the City of Plano, Collin County, Texas as recorded in Volume 23, Page 494 of the Collin County Deed Records and a portion of "F" Avenue (to be vacated). Being a part of the Joseph Klepper Survey, Abstract No. 213 and being more particularly described as follows:

Beginning at a point in the east right-of-way line of "F" Avenue, south 66.67 feet from the south right-of-way line of 14th Street; thence with the south line of Lot 10A and the north line of Lot 10C, Block 10, J.F. Kendrick 1st Addition, South 89°34'04" East a distance of 85.96 feet to a point on the west line of Lot 10E;

Thence with the east line of Lot 10C and the west line of Lot 10E, South 00°30'24" East a distance of 65.25 feet to a point on the north line of Lot 10D;

Thence with the north line of Lot 10D and the south line of Lot 10E, North 89°29'36" East a distance of 58.47 feet to a point on the west line of Lot 10B;

Thence with the east line of Lot 10D and the west line of Lot 10B, South 00°00'00" East a distance of 67.57 feet to a point on the north line of Lot 11B and the south line of Lot 10B;

Thence with the north line of Lot 11B and the south line of Lot 10B, North 90°00'00" East a distance of 70.16 feet to a point at the northeast corner of Lot 11B and the northwest corner of Lot 12D;

Thence with the north line of Lot 12D and the south line of Lot 9A, North 90°00'00" East a distance of 204.34 feet to a point at the northeast corner of Lot 12D being on the west right-of-way of 13th and 14th Street Connector;

Thence with the northeast corner of Lot 12D and the west right-of-way line of G Avenue, North 90°00'00" East a distance of 26.22 feet to the centerline of the right-of-way of G Avenue.

Thence with the centerline of G Avenue, South 00°00'00" East a distance of 54.22 feet to the intersection of the right-of-way centerline of G Avenue and the 14th Street and the centerline right-of-way of 13th and 14th Street Connector (a variable width right-of-way).

Thence with the centerline right-of-way of 13th and 14th Street Connector, 54.80 feet along the arc of said curve to the left, having a radius of 102.09 feet, a central angle of 30°45'31" and a chord bearing North 32°02'22" East a distance of 54.15 feet to the point of tangency.

Thence with the centerline right-of-way of 13th and 14th Street Connector, South 43°02'19" West a distance of 168.32 feet along the centerline right-of-way of 13th and 14th Street Connector to the point of curvature to the left.

Thence with the centerline right-of-way of 13th and 14th Street Connector, 333.42 feet along the arc of said curve to the right, having a radius of 436.83 feet, a central angle of 43°43'56" and a chord bearing South 64°54'18" West a distance of 325.39 feet to the point of tangency.

Thence with the centerline right-of-way of 13th and 14th Street Connector, South 87°50'14" West a distance of 73.99 feet along the centerline right-of-way of 13th and 14th Street Connector to the point of tangency to the left.

Thence with the centerline right-of-way of 13th and 14th Street Connector, South 89°51'12" West a distance of 71.92 feet along the centerline right-of-way of 13th and 14th Street Connector to the point of tangency to the left.

Thence with the centerline right-of-way of 13th and 14th Street Connector, North 00°50'21" West a distance of 32.66 feet to a point on the southeast corner of Lot 51 Block 28 Silerio L. Ray.

Thence departing said north right-of-way line North 00°50'21" West a distance of 72.74 feet to a point;

Thence North 89°59'21" West a distance of 68.00 feet to a point;

Thence South 00°50'21" East a distance of 72.93 feet to a point on the north right-of-way line of 13th Street;

Thence South 00°50'21" East a distance of 30.79 feet to a point on the centerline right-of-way line of 13th Street;

Thence with said centerline right-of-way line of 13th Street South 89°51'12" West a distance of 67.99 feet to a point;

Thence North 00°50'25" West a distance of 30.79 feet to a point being the southwest corner of said Lot 2R, Block 1, Millennium Addition and the southeast corner of Lot 1R, Block 1, Millennium Addition;

Thence with the west line of said Lot 2R and the east line of Lot 1R, North 00°50'25" West a distance of 237.38 feet to a point being the northeast corner of Lot 1R, Block 1, Millennium Addition;

Thence with the north line of Lot 1R, South 87°23'00" West a distance of 262.18 feet to a point on the east right-of-way line of U.S. Highway No. 75 and being the point of curvature of a non-tangent curve to the left;

Thence with the east right-of-way line of U.S. Highway No 75, South 87°23'00" West a distance of 33.09 feet to a point on the centerline of the northbound frontage road of U.S. Highway No 75 and being the point of curvature of a non-tangent curve to the left;

Thence with said centerline right-of-way line of U.S. Highway No. 75, 30.61 feet along the arc of said curve to the left, having a radius of 6,646.31 feet, a central angle of 00°15'50" and a chord bearing North 13°06'19" West a distance of 30.62 feet to a point;

Thence departing said centerline right-of-way line of U.S. Highway No. 75, North 87°23'00" East a distance of 33.06 feet to a point on the east right-of-way line of U.S. Highway No. 75;

Thence departing said east right-of-way line of U.S. Highway No. 75, North 87°23'00" East a distance of 268.69 feet to a point;

Thence North 00°50'25" West a distance of 256.04 feet to a point on the south right-of-way line of 14th Street;

Thence North 00°50'25" West a distance of 25.31 feet to a point on the centerline right-of-way line of 14th Street;

Thence with the centerline right-of-way of 14th Street, South 89°53'51" East a distance of 142.13 feet to a point;

Thence with the centerline right-of-way of 14th Street, South 00°22'04" East a distance of 25.31 feet to a point on the south right-of-way line of 14th Street;

Thence departing said south right-of-way line of 14th Street, South 00°22'04" East a distance of 105.01 feet to a point;

Thence South 89°53'51" East passing a concrete monument at 89.96 feet on the west right-of-way line of "F" Avenue (City of Plano coordinates: North 492,554.4833, East 2,243,244.6576) for a total distance of 99.92 feet to a point on the west right-of-way line of "F" Avenue;

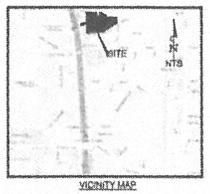
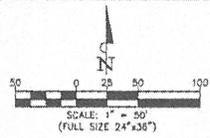
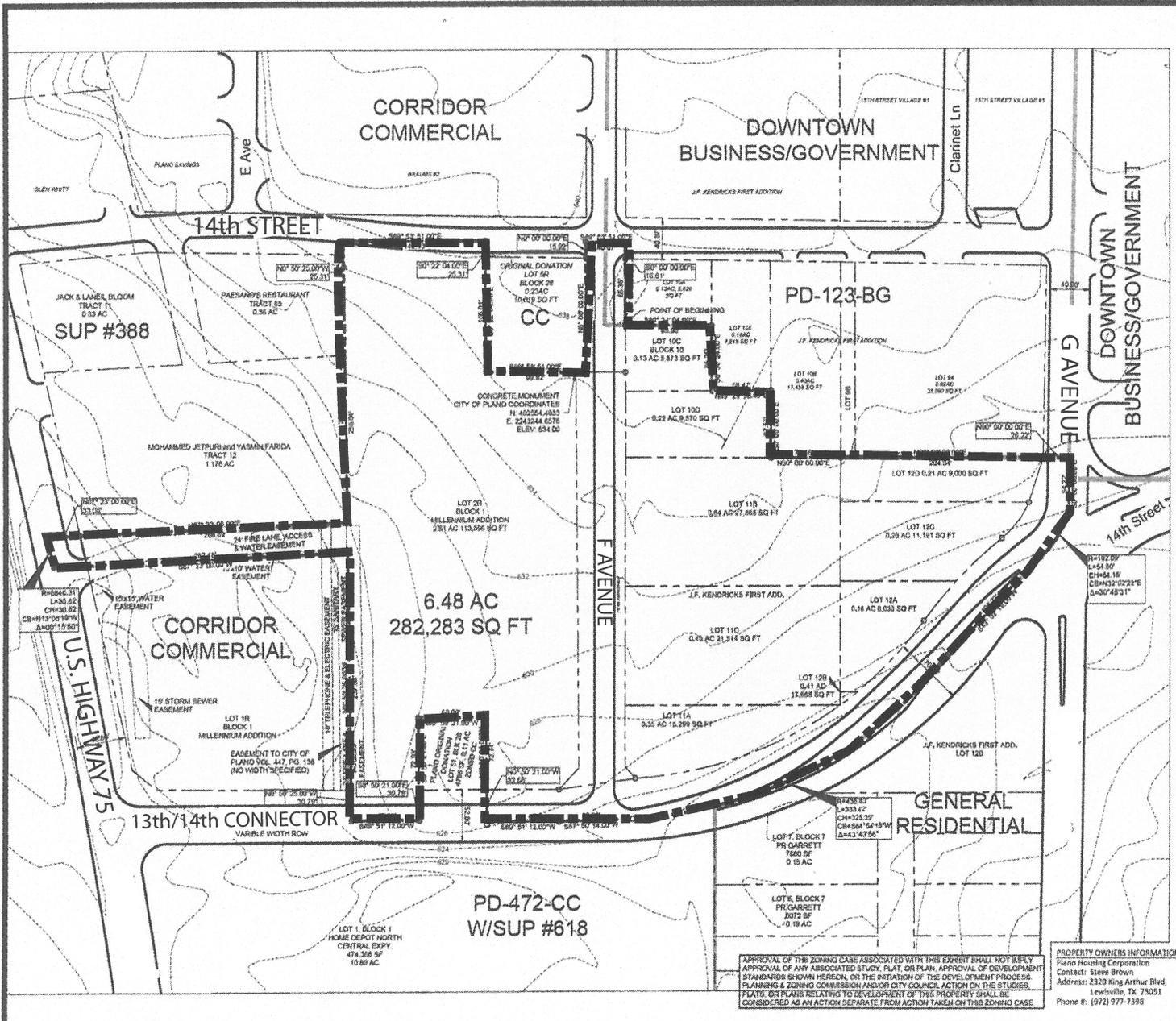
Thence with the west right-of-way line of F Avenue, North 00°00'00" East a distance of 113.05 feet to a point on the south right-of-way line of 14th Street;

Thence with the south right-of-way line of 14th Street, North 00°00'00" East a distance of 15.92 feet to a point on the centerline right-of-way line of 14th Street;

Thence with the centerline of right-of-way of 14th Street, South 89°53'51" East a distance of 40.07 feet to a point being the projection of the east right-of-way of "F" Avenue;

Thence from the centerline right-of-way line of 14th Street, South 00°00'00" East a distance of 16.81 feet to a point on the south right-of-way line of 14th Street;

Thence with the south right-of-way of 14th Street and the east right-of-way of "F" Avenue, South 00°00'00" East a distance of 65.36 feet to the POINT OF BEGINNING and CONTAINING 6.48 acres or 283,878.8716 square feet of land.



- PLANNED DEVELOPMENT STIPULATIONS:**
1. NO PERIMETER FENCING OR GATES.
  2. LANDSCAPING, LIGHTING, AND SIDEWALKS ARE REQUIRED ALONG 13TH/14TH CONNECTOR.
  3. MORE PUBLIC ART VISIBLE FROM THE ADJACENT ROW.

ZC # : 2016-004

**ZONING EXHIBIT**  
**ARTIST LOFTS**  
**BLOCK A, LOT 1**  
 ALL OF LOTS 10C, 10D, 11A, 11B, 11C, 12A, 12C, 12D & A PORTION OF 12, BLOCK 10, J. F. KENDRICKS 1st ADD. & LOT 2R, BLOCK 1, MILLENNIUM ADD. JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213  
 GROSS ACREAGE: 6.48 AC  
 CITY OF PLANO, COLLIN COUNTY, TEXAS  
 March 14, 2018

PREPARED BY: PAUL J. PADILLA (617)-877-8571



2021 WEST 7TH STREET SUITE 400  
 FORT WORTH, TEXAS 76107

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

**PROPERTY OWNERS INFORMATION**  
 Plano Housing Corporation  
 Contact: Steve Brown  
 Address: 2320 King Arthur Blvd,  
 Lewisville, TX 75051  
 Phone #: (972) 977-7396