

DATE: August 21, 2012
TO: Honorable Mayor & City Council
FROM: Chris Caso, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of August 20, 2012

**AGENDA ITEM NO. 7A - PUBLIC HEARING
ZONING CASE 2012-22
APPLICANT: MARGARET E. TURNER**

Request for a Specific Use Permit for Superstore on 19.3± acres located at the southwest corner of Preston Road and Spring Creek Parkway. Zoned Planned Development-447-Retail/Multifamily Residence-2/Preston Road Overlay District.

APPROVED: 7-0 **DENIED:** _____ **TABLED:** _____

LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA: **SUPPORT:** 0 **OPPOSE:** 0

LETTERS RECEIVED OUTSIDE 200 FOOT NOTICE AREA: **SUPPORT:** 0 **OPPOSE:** 0

PETITION(S) RECEIVED: N/A **# OF SIGNATURES:** N/A

STIPULATIONS:

Recommended for approval as submitted.

FOR CITY COUNCIL MEETING OF: September 10, 2012 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

EH/sf

xc: Margaret E Turner
Scott Caruthers, Marshall Gage LLC

CITY OF PLANO
PLANNING & ZONING COMMISSION

August 20, 2012

Agenda Item No. 7A

Public Hearing: Zoning Case 2012-22

Applicant: Margaret E. Turner

DESCRIPTION:

Request for a Specific Use Permit for Superstore on 19.3± acres located at the southwest corner of Preston Road and Spring Creek Parkway. Zoned Planned Development-447-Retail/Multifamily Residence-2/Preston Road Overlay District.

REMARKS:

The requested zoning is for a Specific Use Permit (SUP) for Superstore on a 19.3± acre undeveloped tract of land located at the southwest corner of Preston Road and Spring Creek Parkway. In 2000, City Council initially adopted the superstore use and regulations. The city amended the regulations in 2005, allowing superstores in the Retail (R) district by SUP only, in order to minimize the impact of these uses on adjacent residential neighborhoods. The Zoning Ordinance defines a superstore as any retail building for a single, primary tenant that exceeds 80,000 square feet in size. A superstore may be freestanding or may be an in-line tenant in a larger center. The square footage of a superstore shall include all primary and ancillary uses with interior access to the primary tenant space including inventory storage, automotive repair, and open storage areas. The purpose and intent of a SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established.

The subject property is zoned Planned Development-447-Retail/Multifamily Residence-2 (PD-447-R/MF-2). A planned development district provides the ability to amend use, height, setback, and other development standards at the time of zoning to promote innovative design and better development controls appropriate to both off- and onsite conditions. The R district is primarily intended to provide areas for neighborhood, local, and regional shopping facilities for the retail sales of goods and services including convenience stores, shopping centers, and regional malls but not including wholesaling and warehousing. The MF-2 district is intended to accommodate condominiums and apartments at a density of 18 residential units per acre providing sufficient areas for usable open space and landscaping. However, no additional multifamily uses can be

developed within this PD. The existing multifamily development to the west consumes all the multifamily development rights.

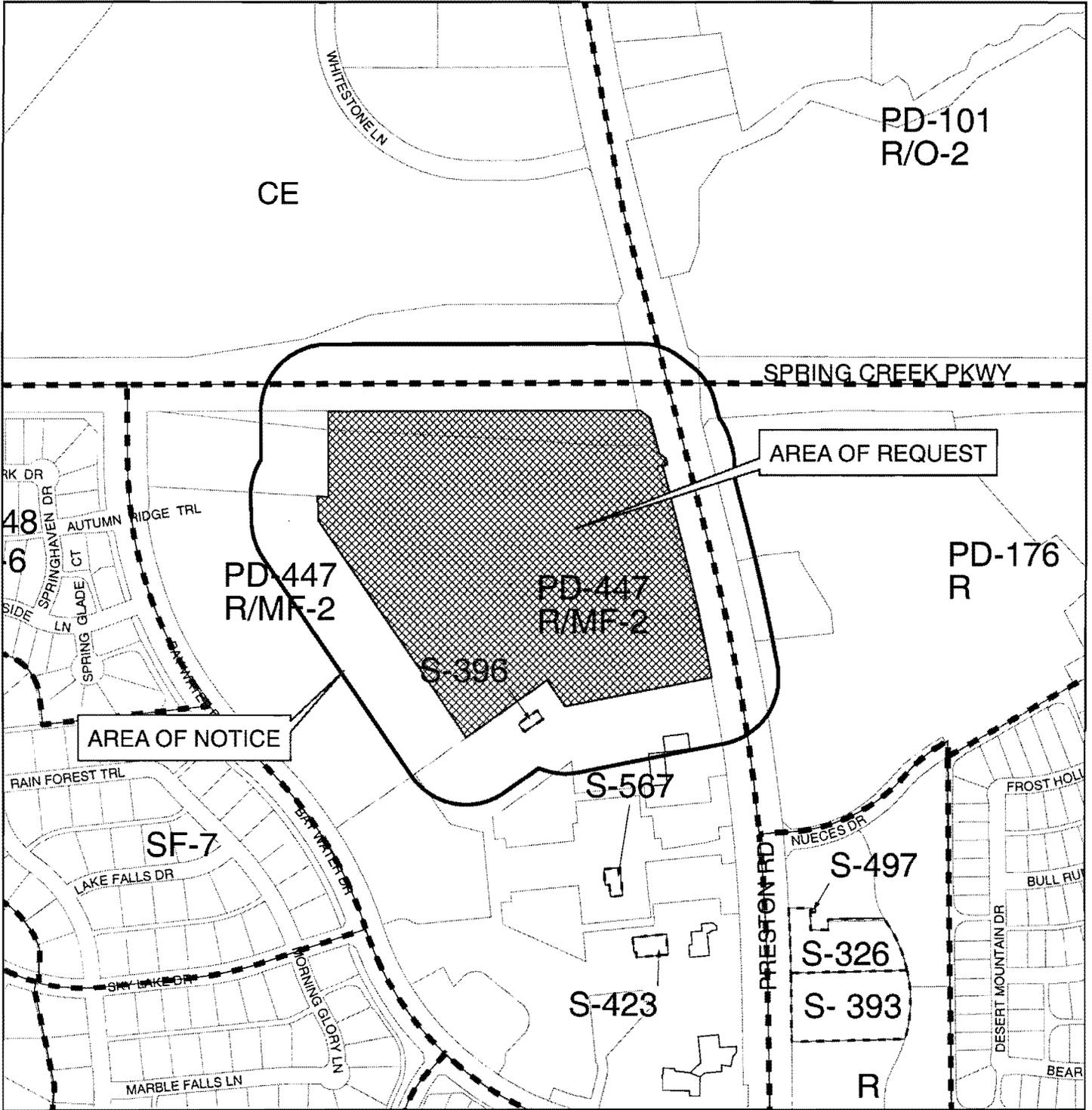
The land to the north of the subject property, across Spring Creek Parkway, is zoned Commercial Employment (CE) and is developed as multifamily residences. To the east, across Preston Road, the property is partially developed as a bank and is zoned Planned Development-176-Retail (PD-176-R). South of the subject property is an existing retail and restaurant development, and to the west are existing multifamily residences, both zoned PD-447-R/MF-2.

The companion preliminary site plan/concept plan for Turner Heritage Addition, Block 1, Lots 1, 2 and 3, is associated with this zoning request. The applicant is proposing a 103,000 square foot grocery development with a fuel center and additional future retail buildings. Subsection 3.113 (Superstores) of Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses) of Article 3 (Supplementary Regulations) of the Zoning Ordinance requires superstores to comply with certain development design criteria. These criteria include providing covered walkways, landscape islands, façade material and building design requirements, and loading dock orientation. In compliance with Subsection 3.113, the applicant is providing landscape islands along the front facade of the proposed superstore, and the proposed loading operations are oriented away from the adjacent multifamily development and will be screened with a fourteen foot masonry screening wall. If the SUP request is approved, the remaining criteria will be reviewed when the applicant submits a facade plan with the final site plan application.

Staff believes this is an appropriate location for a superstore. The subject property has frontage on and will derive its primary access from Spring Creek Parkway and Preston Road. The proposed superstore use is consistent with the existing mix of development within the Spring Creek Parkway and Preston Road corridors and adjacent properties.

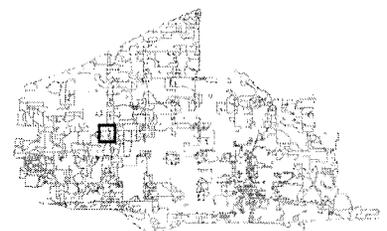
RECOMMENDATION:

Recommended for approval as submitted.



Zoning Case #: 2012-22

Existing Zoning: PLANNED DEVELOPMENT-447-RETAIL/
 MULTIFAMILY RESIDENCE-2/
 PRESTON ROAD OVERLAY DISTRICT



○ 200' Notification Buffer





SPRING CREEK PARKWAY

WHITESTONE LANE

PRESTON

Area of Request

MEADOWSIDE LANE

BAYWATER DRIVE

RAIN FOREST TRAIL

NUECES DRIVE

LAKE FALLS DRIVE

MORNING GLORY LANE

DOVE CREEK LANE

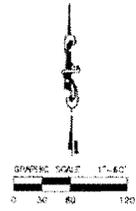
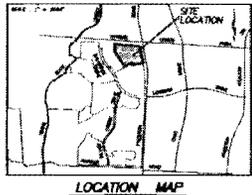
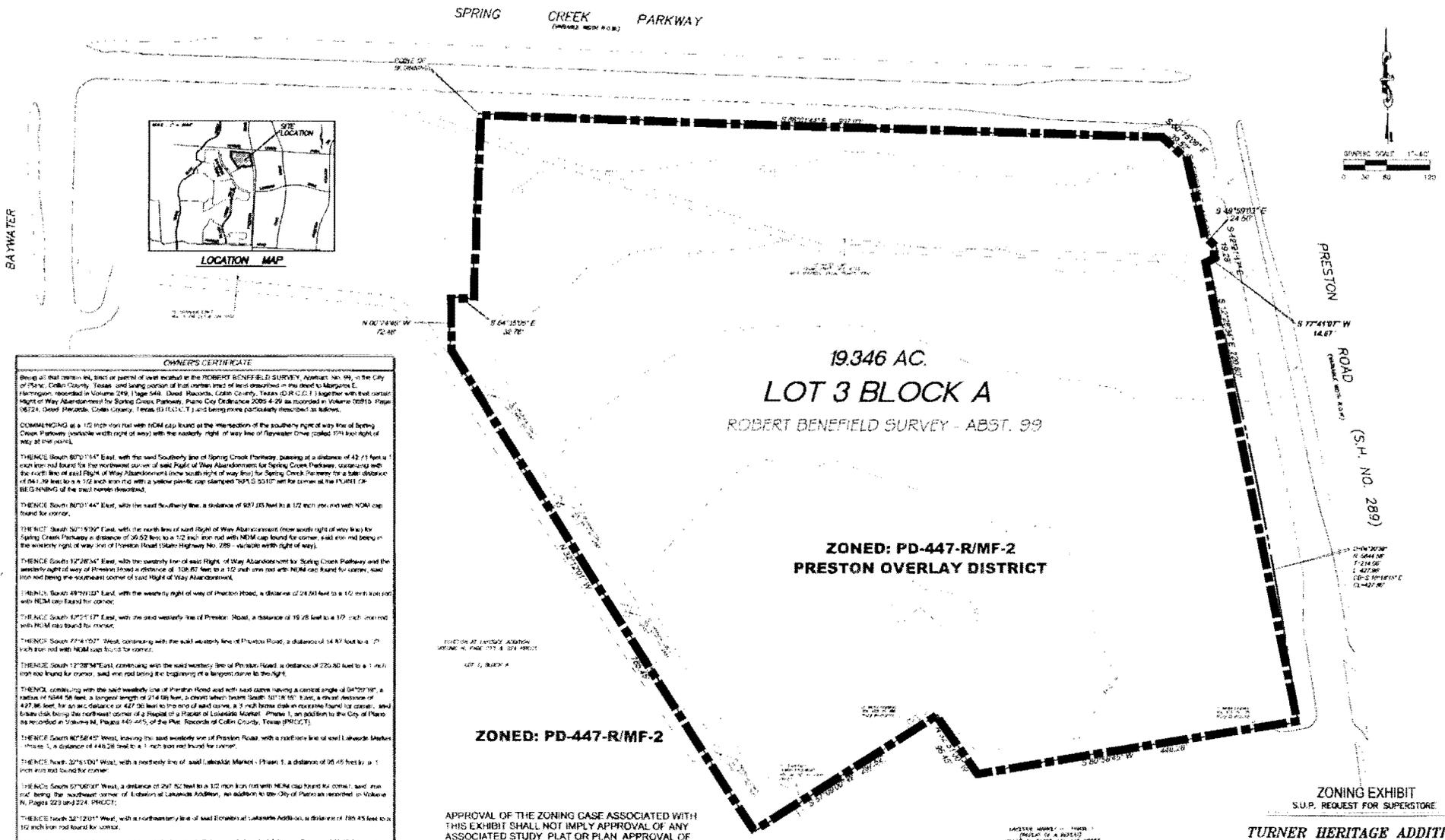
SKY LAKE DRIVE

LORIM



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

Zoning Case 2012-22



OWNER'S CERTIFICATE

Being all that certain lot, tract or parcel of land located in the ROBERT BENEFIELD SURVEY, Abstract No. 99, in the City of PLANO, Collin County, Texas, and being portion of that corner tract of land described in the deed to Margaret E. Harrington, recorded in Volume 259, Page 549, Deed Records, Collin County, Texas (D.R. 02-1) together with that certain Right of Way Abandonment for Spring Creek Parkway, Plano City Ordinance 2005-4-29 as recorded in Volume 089D, Page 08724, Deed Records, Collin County, Texas (D.R. 02-1) and being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod with NDM cap found at the intersection of the southern right of way line of Spring Creek Parkway (variable width right of way) with the westerly right of way line of Preston Road (width 75 ft. less right of way of this parcel);

THENCE South 87°01'47" East, with the said Southern line of Spring Creek Parkway, bearing of a distance of 42.71 feet to a cast iron rod found for the northwest corner of said Right of Way Abandonment for Spring Creek Parkway, adjoining with the north line of said Right of Way Abandonment (the south right of way line) for Spring Creek Parkway for a total distance of 64.138 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "N.D.S. 2011" set for corner at the POINT OF BEGINNING of the tract herein described;

THENCE South 87°01'44" East, with the said Southern line, a distance of 187.185 feet to a 1/2 inch iron rod with NDM cap found for corner;

THENCE South 50°15'09" East, with the north line of said Right of Way Abandonment (the south right of way line) for Spring Creek Parkway a distance of 36.52 feet to a 1/2 inch iron rod with NDM cap found for corner, said iron rod being in the westerly right of way line of Preston Road (State Highway No. 289 - variable width right of way);

THENCE South 12°28'34" East, with the southerly line of said Right of Way Abandonment for Spring Creek Parkway and the westerly right of way of Preston Road a distance of 138.87 feet to a 1/2 inch iron rod with NDM cap found for corner, said iron rod being the southeast corner of said Right of Way Abandonment;

THENCE South 49°02'02" East, with the westerly right of way of Preston Road, a distance of 228.50 feet to a 1/2 inch iron rod with NDM cap found for corner;

THENCE South 87°01'17" East, with the said westerly line of Preston Road, a distance of 19.25 feet to a 1/2 inch iron rod with NDM cap found for corner;

THENCE South 87°01'17" West, adjoining with the said westerly line of Preston Road, a distance of 14.87 feet to a 1/2 inch iron rod with NDM cap found for corner;

THENCE South 12°28'34" East, adjoining with the said westerly line of Preston Road, a distance of 226.80 feet to a 1/2 inch iron rod found for corner, said iron rod being the beginning of a larger curve to the right;

THENCE, commencing with the said westerly line of Preston Road and with said curve having a central angle of 167°09'10", a radius of 164.54 feet, a longest length of 274.88 feet, a chord (the bearing South 101°16'05" East, a chord distance of 427.86 feet, for an arc distance of 427.26 feet to the end of said curve, a 3 inch brass disk in a rock is found for corner, and from said disk being the northeast corner of a Parcel of Land in the Parish of Louisiana (Phase 1), an addition to the City of Plano as recorded in Volume 84, Page 445 and 446, of the Deed Records of Collin County, Texas (PROJECT);

THENCE South 80°58'45" West, leaving the said westerly line of Preston Road with a back-sight line of said Lakeview Market House 1, a distance of 148.28 feet to a 1/2 inch iron rod found for corner;

THENCE South 32°15'07" West, with a back-sight line of said Lakeview Market - Phase 1, a distance of 95.45 feet to a 1/2 inch iron rod found for corner;

THENCE South 07°06'37" West, a distance of 297.162 feet to a 1/2 inch iron rod with NDM cap found for corner, said iron rod being the southwest corner of a Parcel of Land in the Parish of Louisiana as recorded in Volume 84, Page 445 and 446, of the Deed Records of Collin County, Texas (PROJECT);

THENCE North 32°12'01" West, with a north-south line of said Lakeview Market Addition, a distance of 185.45 feet to a 1/2 inch iron rod found for corner;

THENCE North 02°24'43" West, with an easterly line of said Addition at Lakeview Addition, a distance of 12.44 feet to a 1/2 inch iron rod with NDM cap found for corner;

THENCE South 84°30'07" East, a distance of 32.75 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "N.D.S. 2011" set for corner;

THENCE North 01°14'31" East, a distance of 256.45 feet to the POINT OF BEGINNING of hereby described tract, commencing 842.719 inches (feet) or 19,346 acres of land.

19,346 AC.
LOT 3 BLOCK A
 ROBERT BENEFIELD SURVEY - ABST. 99

ZONED: PD-447-R/MF-2
PRESTON OVERLAY DISTRICT

ZONED: PD-447-R/MF-2

APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY, PLAN OR PLAN APPROVAL OF 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

ZONED: PD-447-R/MF-2
PRESTON OVERLAY DISTRICT

ZONING EXHIBIT
 S.U.P. REQUEST FOR SUPERSTORE

TURNER HERITAGE ADDITION
 LOT 3 BLOCK A - 19,346 ACRES

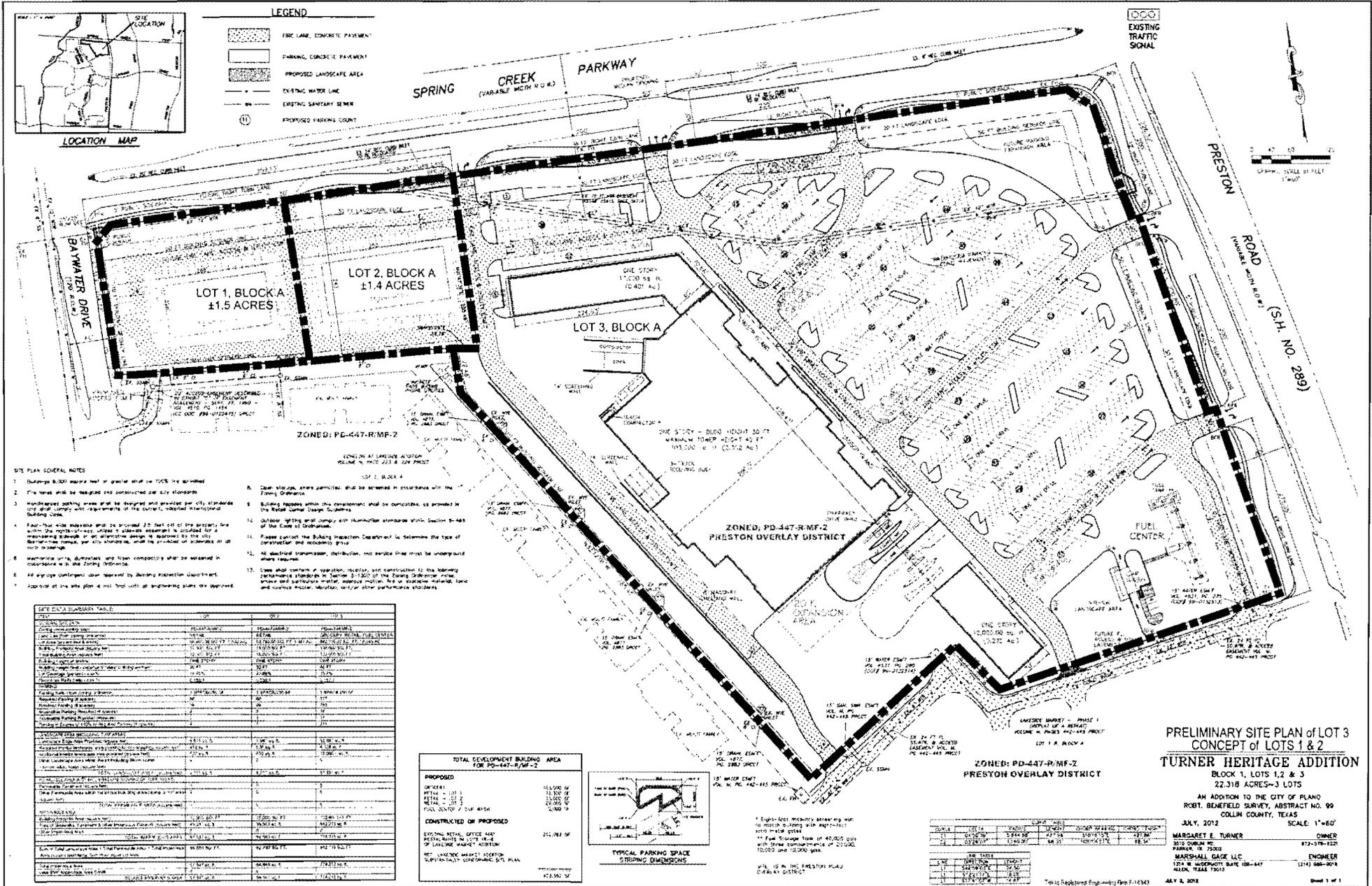
AN ADDITION TO THE CITY OF PLANO
 ROBT. BENEFIELD SURVEY, ABSTRACT NO. 99
 COLLIN COUNTY, TEXAS

JULY, 2012 SCALE: 1"=60'

MARGARET E. TURNER OWNER
 3812 HARRIS RD.
 PLANO, TX 75042

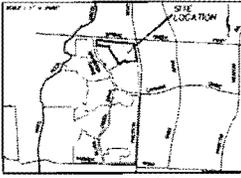
MARSHALL GAGE, LLC ENGINEER
 1214 W. HARRISWAY TURN, 108-1047
 ALLEN, TEXAS 75015 (915) 266-1014

ZONING CASE # 2012-22

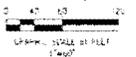


LEGEND

- ERIC LAMB, CONCRETE PAVEMENT
- PARKING, CONCRETE PAVEMENT
- PROPOSED LANDSCAPE AREA
- EXISTING WATER LINE
- EXISTING SANITARY SEWER
- PROPOSED PARKING QUANT



EXISTING TRAFFIC SIGNAL



- SITE PLAN GENERAL NOTES**
1. Streets 6.000' wide or greater shall be 100% tree planted.
 2. The trees shall be specified and constructed per city standards.
 3. Unimproved parking areas shall be designed and provided per city standards and shall comply with requirements of the current adopted International Building Code.
 4. Four-foot wide sidewalks shall be provided 2.0 feet out of the property line within the right-of-way unless a placard easement is provided for a minimum sidewalk or an alternative design is approved by the city. Alternative names, per city standards, shall be provided on sidewalks at each intersection.
 5. Watermain, utility, and sewer lines shall be installed in accordance with the zoning ordinance.
 6. All signage submitted shall be approved by Planning Inspection Department.
 7. Location of the site plan is not final until all engineering plans are approved.

8. Other signage, where permitted, shall be screened in accordance with the zoning ordinance.
9. Building heights within the development shall be consistent as provided in the Code of Ordinances.
10. Outdoor lighting shall comply with illumination standards within Section 5-6-05 of the Code of Ordinances.
11. Please contact the Building Inspection Department to determine the type of construction and occupancy group.
12. All electrical transmission, distribution, and service lines must be underground where required.
13. Users shall conform in operation, location, and construction to the following performance standards in Section 5-13-01 of the zoning ordinance, noise, smoke and particulate matter, odorous matter, fire or explosion, radiation, land and natural matter, vibration, and/or other performance standards.

SITE DATA SUMMARY TABLE

ITEM	UNIT	AMOUNT	REMARKS
TOTAL AREA	SQ. FT.	1,120,000	
Lot 1, Block A	SQ. FT.	620,000	
Lot 2, Block A	SQ. FT.	480,000	
Lot 3, Block A	SQ. FT.	200,000	
Other	SQ. FT.	20,000	
TOTAL DEVELOPMENT BUILDING AREA	SQ. FT.	1,120,000	
Other	SQ. FT.	20,000	
TOTAL	SQ. FT.	1,140,000	

TOTAL DEVELOPMENT BUILDING AREA FOR PD-447-R/MF-2

PROPOSED	CONSTRUCTED OR PROPOSED
OFFICE	10,000 SF
RETAIL	10,000 SF
RESIDENTIAL	10,000 SF
INDUSTRIAL	10,000 SF
OTHER	10,000 SF
TOTAL	40,000 SF



Eight-foot mobility staking shall be installed in all parking spaces with a minimum width of 40.000' with a minimum depth of 20.000'.

PROPOSED LOT 3, BLOCK A

ITEM	UNIT	AMOUNT	REMARKS
TOTAL AREA	SQ. FT.	200,000	
Other	SQ. FT.	20,000	
TOTAL	SQ. FT.	220,000	

PRELIMINARY SITE PLAN of LOT 3 CONCEPT of LOTS 1 & 2 TURNER HERITAGE ADDITION
 BLOCK 1, LOTS 1, 2 & 3
 22.318 ACRES-3 LOTS

AN ADDITION TO THE CITY OF PLANO
 ROBT. BEECHFIELD SURVEY, ABSTRACT NO. 99
 COLLIN COUNTY, TEXAS

JULY, 2012 SCALE: 1"=60'

MARGARET E. TURNER OWNER
 3515 DOWNEY RD.
 PLANO, TX 75025 817-378-8220

MARSHALL GAGE LLC ENGINEER
 1274 W. WOODWAY DRIVE, SUITE 447
 PLANO, TEXAS 75075 (214) 968-8018

July 8, 2012

Zoning Case 2012-22

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 631 so as to allow the additional use of Superstore on 19.3± acres of land out of the Robert Benefield Survey, Abstract No. 99, located at the southwest corner of Preston Road and Spring Creek Parkway, in the City of Plano, Collin County, Texas, presently zoned Planned Development-447-Retail/Multifamily Residence-2; 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 10th day of September, 2012, for the purpose of considering granting Specific Use Permit No. 631 for the additional use of Superstore on 19.3± acres of land out of the Robert Benefield Survey, Abstract No. 99, located at the southwest corner of Preston Road and Spring Creek Parkway, in the City of Plano, Collin County, Texas, presently zoned Planned Development-447-Retail/Multifamily Residence-2; 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 10th day of September, 2012; and

WHEREAS, the City Council is of the opinion and finds that the granting of Specific Use Permit No. 631 for the additional use of Superstore on 19.3± acres of land out of the Robert Benefield Survey, Abstract No. 99, located at the southwest corner of Preston Road and Spring Creek Parkway, in the City of Plano, Collin County, Texas, presently zoned Planned Development-447-Retail/Multifamily Residence-2, 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. 2006-4-24, as the same has been heretofore amended, is hereby further amended so as to grant Specific Use Permit No. 631 for the additional use of Superstore on 19.3± acres of land out of the Robert Benefield Survey, Abstract No. 99, located at the southwest corner of Preston Road and Spring Creek Parkway, in the City of Plano, Collin County, Texas, presently zoned Planned Development-447-Retail/Multifamily Residence-2, said property being more fully described on the legal description in Exhibit "A" attached hereto.

Section II. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

Section III. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section IV. The repeal of any ordinance or part of ordinances 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.

PASSED AND APPROVED THIS THE 10TH DAY OF SEPTEMBER, 2012.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

ZONING CASE 2012-22

BEING all that certain lot, tract or parcel of land located in the Robert Benefield Survey, Abstract No. 99, in the City of Plano, Collin County, Texas and being portion of that certain tract of land described in the deed to Margaret E. Harrington, recorded in Volume 249, Page 549, Deed Records, Collin County, Texas (D.R.C.C.T.) together with that certain Right-of-Way Abandonment for Spring Creek Parkway, Plano City Ordinance 2005-4-29 as recorded in Volume 05915, Page 06724, Deed Records, Collin County, Texas (D.R.C.C.T.) and being more particularly described as follows:

COMMENCING at a 1/2-inch iron rod with NDM cap found at the intersection of the southerly right-of-way line of Spring Creek Parkway (variable width right-of-way) with the easterly right-of-way line of Baywater Drive (called 120 foot right-of-way at this point);

THENCE South, 88° 01' 44" East, with the said southerly line of Spring Creek Parkway, passing at a distance of 42.71 feet a 1-inch iron rod found for the northwest corner of said Right-of-Way Abandonment for Spring Creek Parkway, continuing with the north line of said Right-of-Way Abandonment (new south right-of-way line) for Spring Creek Parkway for a total distance of 541.39 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner at the POINT OF BEGINNING of the tract herein described;

THENCE South, 88° 01' 44" East, with the said southerly line, a distance of 937.03 feet to a 1/2-inch iron rod with NDM cap found for corner;

THENCE South, 50° 15' 09" East, with the north line of said Right-Of-Way Abandonment (new south right-of-way line) for Spring Creek Parkway a distance of 39.52 feet to a 1/2-inch iron rod with NDM cap found for corner, said iron rod being in the westerly right-of-way line of Preston Road (State Highway No. 289 – variable width right-of-way);

THENCE South, 12° 28' 34" East, with the easterly line of said Right-of-Way Abandonment for Spring Creek Parkway and the westerly right-of-way of Preston Road a distance of 108.67 feet to a 1/2-inch iron rod with NDM cap found for corner, said iron rod being the southeast corner of said Right-of-Way Abandonment;

THENCE South, 49° 59' 03" East, with the westerly right-of-way of Preston Road, a distance of 24.50 feet to a 1/2-inch iron rod with NDM cap found for corner;

THENCE South, 12° 21' 17" East, with the said westerly line of Preston Road, a distance of 19.28 feet to a 1/2-inch iron rod with NDM cap found for corner;

THENCE South, 77° 41' 07" West, continuing with the said westerly line of Preston Road, a distance of 14.87 feet to a 1/2-inch iron rod with NDM cap found for corner;

THENCE South, 12° 28' 34" East, continuing with the said westerly line of Preston Road, a distance of 220.80 feet to a 1-inch iron rod found for corner, said iron rod being the beginning of a tangent curve to the right;

THENCE continuing with the said westerly line of Preston Road and with said curve having a central angle of 04° 20' 39", a radius of 5644.58 feet, a tangent length of 214.08 feet, a chord which bears south 10° 18' 15" East, a chord distance of 427.86 feet, for an arc distance of 427.96 feet to the end of said curve, a 3-inch brass disk in concrete found for corner, said brass disk being the northeast corner of a Replat of a Replat of Lakeside Market – Phase 1, an addition to the City of Plano as recorded in Volume M, Pages 442-445, of the Plat Records of Collin County, Texas (PRCCT);

THENCE South, 80° 58' 45" West, leaving the said westerly line of Preston Road, with a northerly line of said Lakeside Market – Phase 1, a distance of 448.28 feet to a 1-inch rod found for corner;

THENCE North, 32° 51' 00" West, with a northerly line of said Lakeside Market – Phase 1, a distance of 95.45 feet to a 1-inch iron rod found for corner;

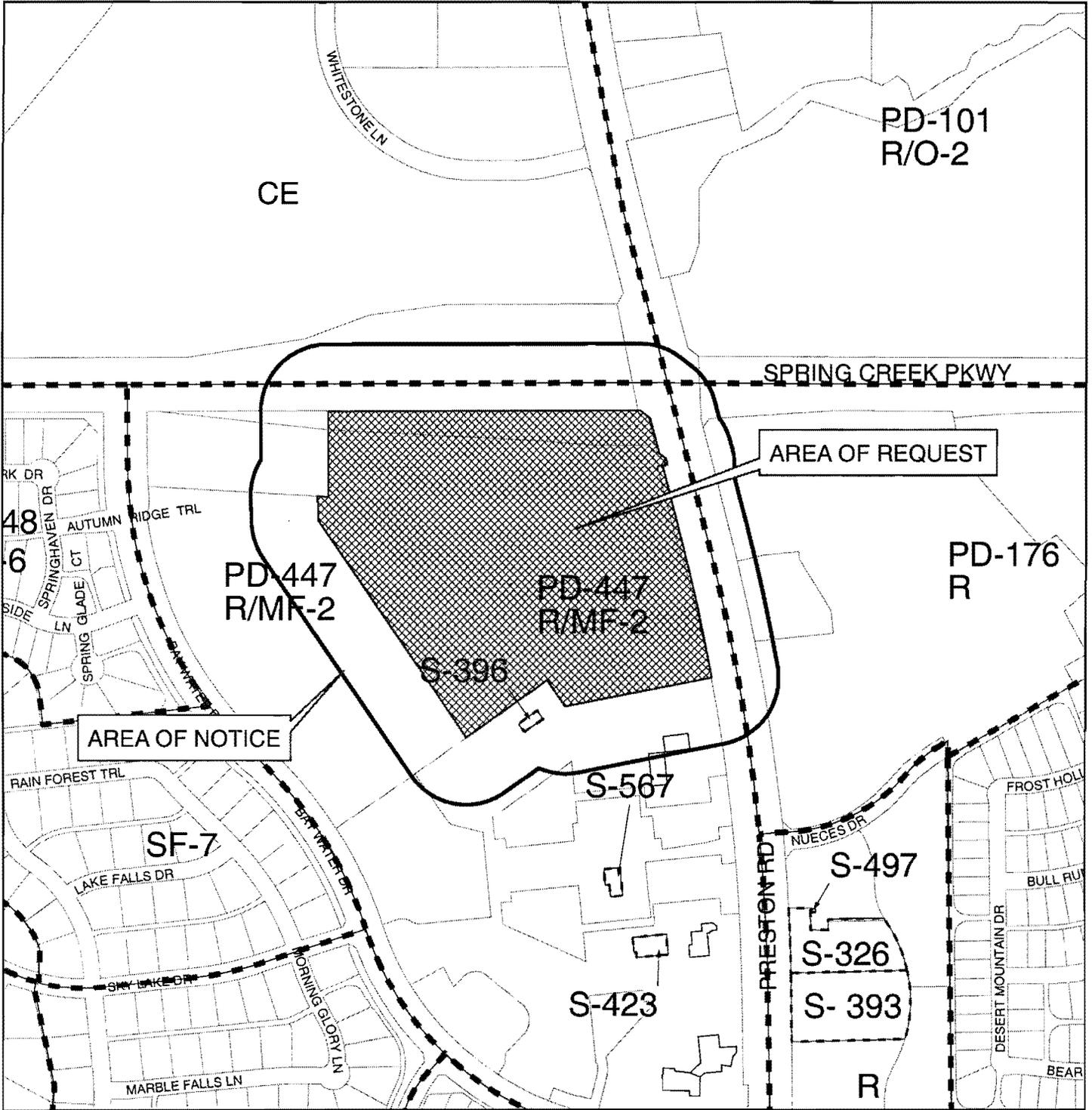
THENCE South 57° 09' 00" West, a distance of 297.52 feet to a 1/2-inch iron rod with NDM cap found for corner, said iron rod being the southeast corner of Echelon at Lakeside Addition, an addition to the City of Plano as recorded in Volume N, pages 223 and 224, PRCCT;

THENCE North, 32° 12' 01" West, with a northeasterly line of said Echelon at Lakeside Addition, a distance of 785.45 feet to a 1/2-inch iron rod found for corner;

THENCE North, 00° 24' 45" West, with an easterly line of said Echelon at Lakeside Addition, a distance of 72.48 feet to a 1/2-inch iron rod with NDM cap found for corner;

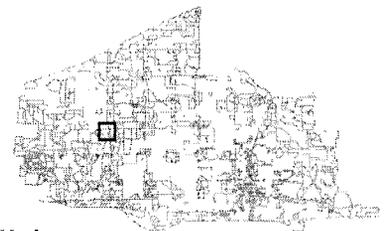
THENCE South, 84° 35' 05" East, a distance of 32.75 feet to a 1/2-inch iron rod with yellow plastic cap stamped "RPLS 5310" set for corner;

THENCE North, 01° 47' 31" East, a distance of 255.49 feet to the POINT OF BEGINNING of herein described tract, CONTAINING 842,710 square feet, or 19.346 acres of land.



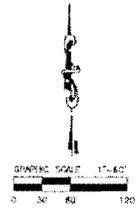
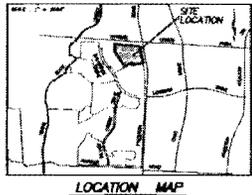
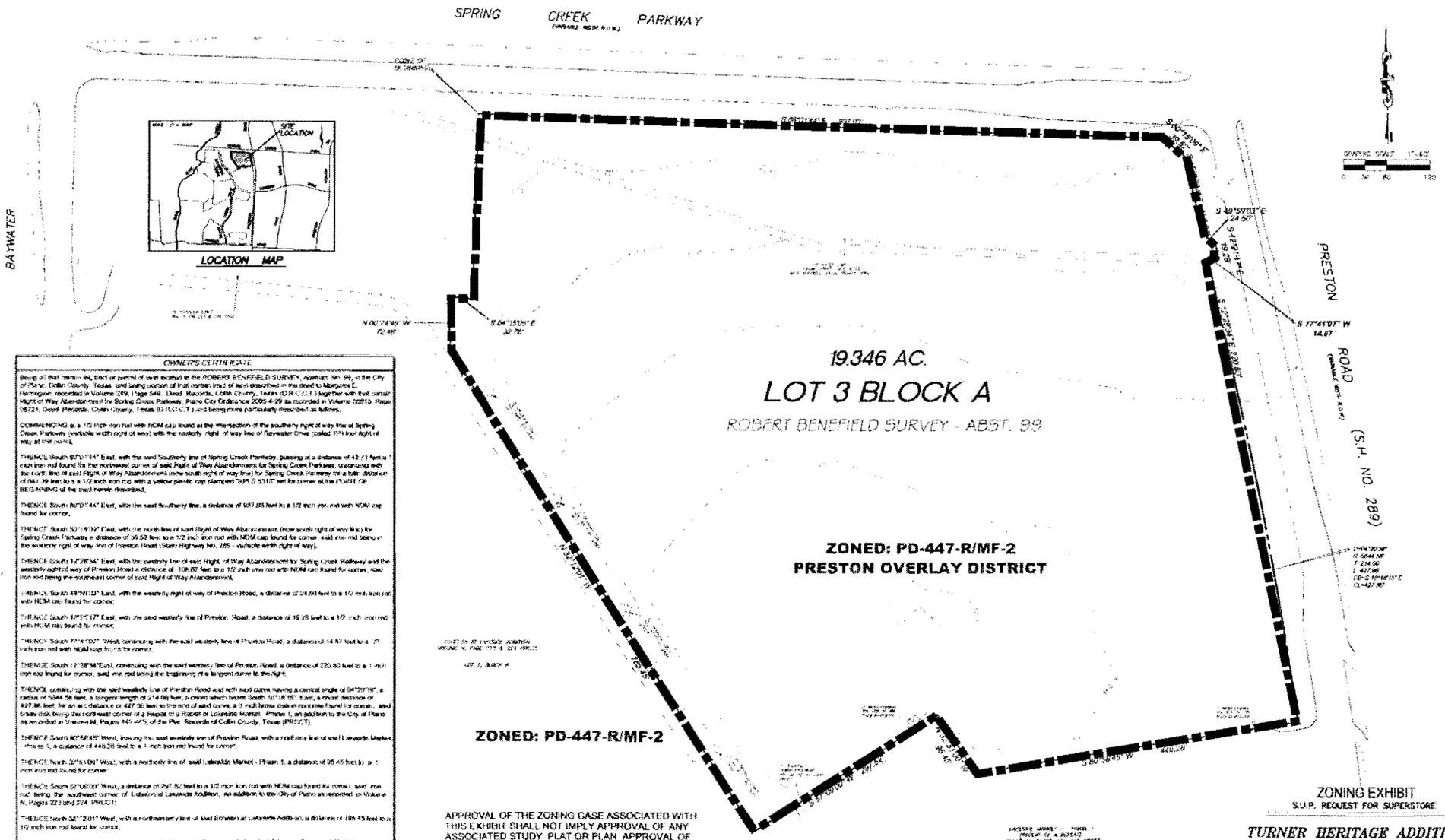
Zoning Case #: 2012-22

Existing Zoning: PLANNED DEVELOPMENT-447-RETAIL/
 MULTIFAMILY RESIDENCE-2/
 PRESTON ROAD OVERLAY DISTRICT



○ 200' Notification Buffer





OWNER'S CERTIFICATE

Being all that certain lot, tract or parcel of land located in the ROBERT BENEFIELD SURVEY, Abstract No. 99, in the City of PLANO, Collin County, Texas, and being portion of that corner tract of land described in the deed to Margaret E. Huntington, recorded in Volume 259, Page 549, Deed Records, Collin County, Texas (D.R. 02-1) together with that certain Right of Way Abandonment for Spring Creek Parkway, Plano City Ordinance 2005-4-29 as recorded in Volume 089D, Page 08724, Deed Records, Collin County, Texas (D.R. 02-1) and being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod with NDM cap found at the intersection of the southern right of way line of Spring Creek Parkway (variable width right of way) with the westerly right of way line of Preston Road (width 75 ft. bear right of way of this parcel);

THENCE South 87°01'47" East, with the said Southern line of Spring Creek Parkway, bearing of a distance of 42.71 feet to a cast iron rod found for the northwest corner of said Right of Way Abandonment for Spring Creek Parkway, adjoining with the north line of said Right of Way Abandonment (the south right of way line) for Spring Creek Parkway for a total distance of 64.130 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "N.D.S. 2011" set for corner at the POINT OF BEGINNING of the tract herein described;

THENCE South 87°01'44" East, with the said Southern line, a distance of 187.35 feet to a 1/2 inch iron rod with NDM cap found for corner;

THENCE South 50°15'09" East, with the north line of said Right of Way Abandonment (the south right of way line) for Spring Creek Parkway a distance of 36.52 feet to a 1/2 inch iron rod with NDM cap found for corner, said iron rod being in the westerly right of way line of Preston Road (State Highway No. 289 - variable width right of way);

THENCE South 12°28'34" East, with the southerly line of said Right of Way Abandonment for Spring Creek Parkway and the westerly right of way of Preston Road a distance of 138.87 feet to a 1/2 inch iron rod with NDM cap found for corner, said iron rod being the southeast corner of said Right of Way Abandonment;

THENCE South 49°39'22" East, with the westerly right of way of Preston Road, a distance of 228.50 feet to a 1/2 inch iron rod with NDM cap found for corner;

THENCE South 87°21'17" East, with the said westerly line of Preston Road, a distance of 19.25 feet to a 1/2 inch iron rod with NDM cap found for corner;

THENCE South 87°14'19" West, adjoining with the said westerly line of Preston Road, a distance of 14.87 feet to a 1/2 inch iron rod with NDM cap found for corner;

THENCE South 12°28'34" East, adjoining with the said westerly line of Preston Road, a distance of 226.80 feet to a 1/2 inch iron rod found for corner, said iron rod being the beginning of a larger curve to the right;

THENCE, commencing with the said westerly line of Preston Road and with said curve having a central angle of 161°59'18", a radius of 164.54 feet, a longest length of 274.88 feet, a chord (the bearing South 101°16'05" East, a chord distance of 427.86 feet, for an arc distance of 427.26 feet to the end of said curve, a 3 inch brass disk in concrete found for corner, and bearing the northeast corner of a Parcel of Land located in Phase 1, an addition to the City of Plano as recorded in Volume 84, Page 445 and 446, of the Deed Records of Collin County, Texas (PROJECT);

THENCE South 80°58'45" West, leaving the said westerly line of Preston Road with a back-sight line of said Lakeview Market House, S., a distance of 148.28 feet to a 1/2 inch iron rod found for corner;

THENCE South 32°51'07" West, with a back-sight line of said Lakeview Market - Phase 1, a distance of 95.45 feet to a 1/2 inch iron rod found for corner;

THENCE South 07°06'37" West, a distance of 297.52 feet to a 1/2 inch iron rod with NDM cap found for corner, said iron rod being the southwest corner of Extension of Lakewood Addition, as recorded in Volume N, Page 223 and 224, PROJECT;

THENCE North 32°12'01" West, with a north-south line of said Extension of Lakewood Addition, a distance of 185.45 feet to a 1/2 inch iron rod found for corner;

THENCE North 02°24'43" West, with an easterly line of said Extension of Lakewood Addition, a distance of 12.44 feet to a 1/2 inch iron rod with NDM cap found for corner;

THENCE South 84°30'07" East, a distance of 32.75 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "N.D.S. 2011" set for corner;

THENCE North 01°41'31" East, a distance of 256.45 feet to the POINT OF BEGINNING of hereby described tract, commencing 842.719 inches (feet) or 19,346 acres of land;

19,346 AC.
LOT 3 BLOCK A
 ROBERT BENEFIELD SURVEY - ABST. 99

ZONED: PD-447-R/MF-2
PRESTON OVERLAY DISTRICT

ZONED: PD-447-R/MF-2

APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY, PLAN OR PLAN APPROVAL OF 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

ZONED: PD-447-R/MF-2
PRESTON OVERLAY DISTRICT

ZONING EXHIBIT
 S.U.P. REQUEST FOR SUPERSTORE

TURNER HERITAGE ADDITION
 LOT 3 BLOCK A - 19,346 ACRES

AN ADDITION TO THE CITY OF PLANO
 ROBT. BENEFIELD SURVEY, ABSTRACT NO. 99
 COLLIN COUNTY, TEXAS

JULY, 2012 SCALE: 1"=60'

MARGARET E. TURNER OWNER
 3812 HARRIS RD.
 PLANO, TX 75042

MARSHALL GAGE, LLC ENGINEER
 1214 W. HARRISWAY TURN, 108-1047
 ALLEN, TEXAS 75015 (915) 586-1018

ZONING CASE # 2012-22