

City of Plano – April 2020 – Ordinances and Resolutions

Resolution No. 2020-4-1(R): To appoint the Chief Municipal Judge and Associate Judges of the Municipal Court of Record of the City of Plano, setting the terms of office and compensation for the judges; and providing an effective date.

Resolution No. 2020-4-2(R): To find that Oncor Electric Delivery Company LLC’s (“Oncor”) application for approval to amend its Distribution Cost Recovery Factor to increase distribution rates within the City should be denied; authorizing participation with Oncor Cities Steering Committee; authorizing the hiring of legal counsel and consulting services; finding that the City’s reasonable rate case expenses shall be reimbursed by Oncor; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to Oncor and legal counsel; and providing an effective date.

Ordinance No. 2020-4-3: To repeal in its entirety Ordinance No. 2006-7-10; adopting a new Section 14-123 of Article IX. Residency Restrictions for Child Predator Offenders of Chapter 14 Offenses – Miscellaneous of the Code of Ordinances of the City of Plano, Texas to expand the offenses that require registration for sex offenders to include any offense a person is required to register on the Texas Department of Public Safety’s Sex Offender Database under Article 62.001 of the Texas Code of Criminal Procedure; simplifying the definition of residence; redefining the term “where children commonly gather” to be consistent with the language in Article 42A.453 of the Code of Criminal Procedure; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date.

Ordinance No. 2020-4-4: To repeal Division 5, Graffiti, of Article II, Signs, of Chapter 11, Licenses and Business Regulations and amend Article I, In General, of Chapter 14, Offenses - Miscellaneous, of the Code of Ordinances of the City of Plano by adding Section 14-15, to provide for procedures and notice for graffiti removal that conform to State law; to create an offense for failure to remove graffiti; and providing a penalty clause, a severability clause, a repealer clause, a savings clause, a publication clause, and an effective date.

Ordinance No. 2020-4-5 (Zoning Case 2019-020): To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend Planned Development-429-Neighborhood Office on 7.9 acres of land located on the west side of Coit Road, 680 feet south of Legacy Drive, in the City of Plano, Collin County, Texas, in order to rezone 3.7 acres located 40 feet west of Coit Road and 850 feet south of Legacy Drive, and amend the standards of the district currently zoned Planned Development-429-Neighborhood Office with Specific Use Permit No. 475 for Commercial Antenna Support Structure and Single-Family Residence-6; 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.

Ordinance No. 2020-4-6 (Zoning Case 2020-004): To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, amending Specific Use Permits No. 550 for Day Care Center and No. 551 for Private School on 7.5 acres located at the southeast corner of Legacy Drive and Ohio Drive in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-7 with Specific Use Permits No. 550 for Day Care Center and No. 551 for Private School; 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.

Resolution No. 2020-4-1(R)

A Resolution of the City of Plano, Texas, appointing the Chief Municipal Judge and Associate Judges of the Municipal Court of Record of the City of Plano, setting the terms of office and compensation for the judges; and providing an effective date.

WHEREAS, Section 4.04, Article 4, General Administration, of the Home Rule Charter for the City of Plano, Texas, established the municipal court for the trial of misdemeanor offenses; and

WHEREAS, Section 13-3, Chapter 13, Municipal Court, Plano Code of Ordinances, provides for the selection and appointment of the judges of the Municipal Court of Record; and

WHEREAS, the Chief Municipal Judge and the Associate Judges are to be selected and appointed by the City Council to serve specific terms.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS THAT:

Section I. The City Council hereby appoints the following individuals as Judges of the Municipal Court of Record of the City of Plano, Texas and sets the compensation for such individuals:

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Donald J. Stevenson	Chief Municipal Judge	\$76.70 per hour
James M. McCarthy	Senior Associate Judge	\$63.93 per hour
Paul F. McNulty	Senior Associate Judge	\$63.93 per hour
Cathy D. Haden	Senior Associate Judge	Contract
Esther A. Grossman	Associate Judge	Contract
Gwen A. Baumann	Associate Judge	Contract
Efren Ordoñez	Associate Judge	Contract
Aaron S. Kaufman	Associate Judge	Contract

Section II. The City Council hereby appoints the Judges to serve terms of office of four (4) years from the effective date of this resolution.

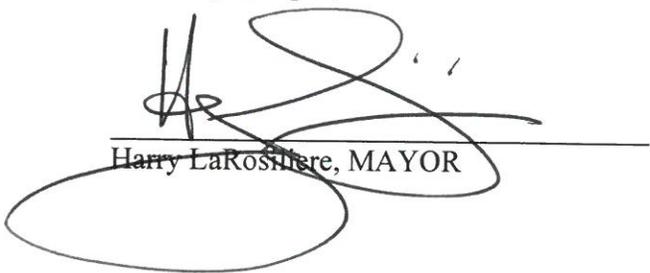
Section III. Future adjustments to compensation for associate judges are permitted for all associate judges as long as those adjustments are consistent with any authorized changes to the city's compensation plan including raises authorized as part of the annual budget process. The Chief Municipal Judge's salary shall be determined by the City Council as part of his annual performance review. The contract Judges shall receive compensation at the rate of \$75 per hour for magistrate work and \$50 per hour for mandatory judicial education, and shall be reimbursed the registration costs for the mandatory judicial education.

Section IV. Nothing in this Resolution limits or otherwise prevents the City Council from revising the compensation of any individual at any time.

Section V. This Resolution and the appointments shall become effective July 1, 2020.

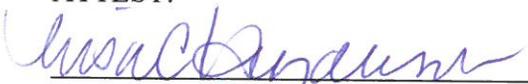
Resolution No. 2020-4-1(R)

DULY PASSED AND APPROVED this the 13th day of April, 2020.



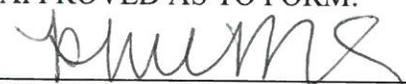
Harry LaRosiere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

Resolution No. 2020-4-2(R)

A Resolution of the City of Plano, Texas, ("City") finding that Oncor Electric Delivery Company LLC's ("Oncor") application for approval to amend its Distribution Cost Recovery Factor to increase distribution rates within the City should be denied; authorizing participation with Oncor Cities Steering Committee; authorizing the hiring of legal counsel and consulting services; finding that the City's reasonable rate case expenses shall be reimbursed by Oncor; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to Oncor and legal counsel; and providing an effective date.

WHEREAS, the City is an electric utility customer of Oncor, and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the Oncor Cities Steering Committee ("OCSC") is a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area in matters before the Public Utility Commission ("Commission") and the courts; and

WHEREAS, on or about April 3, 2020, Oncor filed with the Commission an Application to Amend its Distribution Cost Recovery Factor ("DCRF"), Commission Docket No. 50734, seeking to increase distribution rates by \$75.9 million annually (an approximately \$0.88 increase to the average residential customer's bill); and

WHEREAS, the City of Plano, Texas will cooperate with OCSC in coordinating their review of Oncor's DCRF filing with designated attorneys and consultants, prepare a common response, negotiate with the Company, and direct any necessary litigation to resolve issues in the Company's filing; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, working with the OCSC to review the rates charged by Oncor allows members to accomplish more collectively than each city could do acting alone; and

WHEREAS, OCSC's members and attorneys recommend that members deny Oncor's DCRF.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. That the City is authorized to participate with OCSC in Commission Docket No. 50734.

Section II. That subject to the right to terminate employment at any time, the City hereby authorizes the hiring of the law firm of Lloyd Gosselink Rochelle & Townsend, P.C. and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal Oncor's DCRF application.

Section III. That the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Section IV. That the Company shall continue to charge its existing rates to customers within the City.

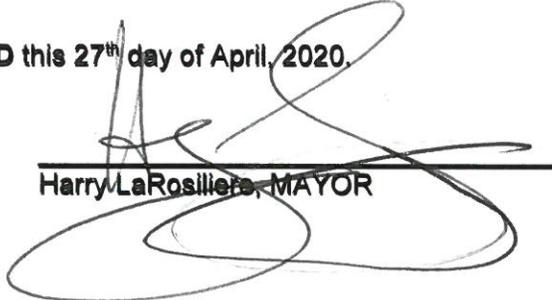
Section V. That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of the adoption of this Resolution.

Section VI. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section VII. That a copy of this Resolution shall be sent to Tab Urbantke, Attorney for Oncor, at Hunton Andrews Kurth LLP, 1445 Ross Avenue, Suite 3700, Dallas, Texas 75202, and to Thomas Brocato, General Counsel to OCSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, TX 78767-1725, or tbrocato@lglawfirm.com.

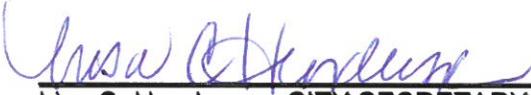
Section VIII. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this 27th day of April, 2020.



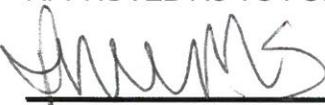
Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

ORDINANCE NO. 2020-4-3

An Ordinance of the City of Plano, Texas repealing in its entirety Ordinance No. 2006-7-10; adopting a new Section 14-123 of Article IX. Residency Restrictions for Child Predator Offenders of Chapter 14 Offenses – Miscellaneous of the Code of Ordinances of the City of Plano, Texas to expand the offenses that require registration for sex offenders to include any offense a person is required to register on the Texas Department of Public Safety’s Sex Offender Database under Article 62.001 of the Texas Code of Criminal Procedure; simplifying the definition of residence; redefining the term “where children commonly gather” to be consistent with the language in Article 42A.453 of the Code of Criminal Procedure; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date.

WHEREAS, on July 24, 2006, the City Council of the City of Plano enacted Ordinance No. 2006-7-10 to regulate regulation of sex offender residency; and

WHEREAS, staff recommends updating Section 14-123 to be consistent with Articles 62.001 and 42A.453 of the Texas Code of Criminal Procedure; and

WHEREAS, after consideration of the recommendation of staff and all matters attendant and related thereto, the City council is of the opinion that it is in the best interest of the City and its citizens that Section 14-123 of Article IX. Residency Restrictions for Child Predator Offenders of Chapter 14 Offenses – Miscellaneous of the Code of Ordinances of the City of Plano, Texas be adopted as set forth herein.

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

Section I. Ordinance No. 2006-7-10 is repealed in its entirety.

Section II. Section 14-123 of Article IX. Residency Restrictions for Child Predator Offenders of Chapter 14 Offenses – Miscellaneous of the Code of Ordinances of the City of Plano, Texas is hereby adopted to read in its entirety as follows:

“Sec. 14-123. Regulation of sex offender residency.

(a) ***Definitions.*** For the purposes of this Section, the following terms, words, and derivations thereof shall have the following meanings:

Child Care Center. Premises for operation of a child day care, as defined in 40 Texas Administrative Code Section 745.33, as amended, but excluding a child day care operation located at the residence of a child day care permit-holder.

Child Safety Zone. Premises where unrelated children commonly gather, including, but not limited to: a child care center; public or private school, neighborhood or linear park, library, playground, public or private youth center, youth athletic facility or field; video arcade, skate park or rink or amusement center; movie theater; bowling alley; public or neighborhood or apartment swimming pool; and offices for Texas Department of Family and Protective Services, and the Children’s Advocacy Center of Collin County.

Minor. A person younger than seventeen (17) years of age.

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Linear park. Public land and associated improvements to be used primarily for passive recreation and connecting residential neighborhoods to one another and to public facilities and services, as defined in Section 16.263 of the City of Plano Code of Ordinances.

Neighborhood park. Public land, with associated improvements, typically from seven and one-half (7.5) to ten (10) acres in size, and providing both active and passive recreational opportunities for neighborhood residents, as defined in Section 16.263 of the City of Plano Code of Ordinances.

Premises. Includes all improved and unimproved areas on the lot.

Reportable Conviction or Adjudication. Offense and disposition as defined in Article 62.001 of the Texas Code of Criminal Procedure, as amended.

Residence. Premises where a person resides or intends to reside for more than seven consecutive (7) days.

Register or Registry. Texas Public Sex Offender Registry maintained by the Texas Department of Public Safety, pursuant to Chapter 62 of the Texas Code of Criminal Procedure.

- (b) ***Offenses.*** It is unlawful for a person to establish a residence within one thousand (1,000) feet of a child safety zone if the person is required to register on the Texas Public Sex Offender Registry because of a reportable conviction or adjudication.
- (c) ***Measurements.*** The distance between a residence and child safety zone shall be measured by following a straight line from the nearest property line of the premises of the child safety zone to the outer property line of the premises of the residence, or where there are multiple residences on one property, from the nearest property line of the premises of the child safety zone to the nearest property line of the premises of the residence.
- (d) ***Culpable mental state not required.*** Neither allegation nor evidence of a culpable mental state is required for the proof of an offense under this Article.
- (e) ***Affirmative defenses.*** It is an affirmative defense to prosecution that any of the following conditions apply:
 - (1) The person required to register established the residence prior to the date of arrest for a reportable conviction or adjudication.
 - (2) The person required to register was a minor at the time of offense requiring such registration and was not certified as an adult for criminal prosecution.
 - (3) The premises of the child safety zone was opened after the person required to register established the residence, and the person has maintained compliance with all sex offender registration laws of the State of Texas.
 - (4) The information in the database for the Registry is incorrect, and, if corrected, this section would not apply to the person who was erroneously listed on the Registry.
 - (5) The person required to register has a court order reducing or waiving the one thousand (1,000) feet restriction.”

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

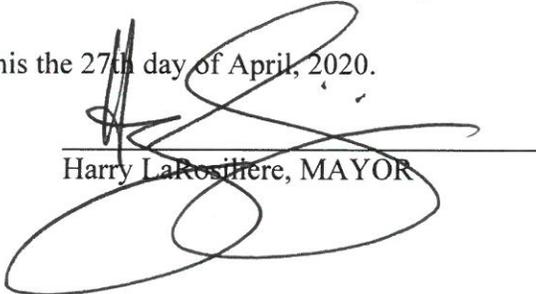
Section IV. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

Section V. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions 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(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

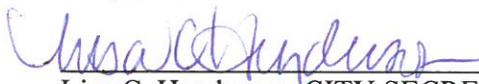
Section VII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

DULY PASSED AND APPROVED this the 27th day of April, 2020.



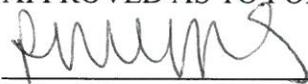
Harry LaRosiere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

ORDINANCE NO. 2020-4-4

An Ordinance of the City of Plano, Texas repealing Division 5, Graffiti, of Article II, Signs, of Chapter 11, Licenses and Business Regulations and amending Article I, In General, of Chapter 14, Offenses - Miscellaneous, of the Code of Ordinances of the City of Plano by adding Section 14-15, to provide for procedures and notice for graffiti removal that conform to State law; to create an offense for failure to remove graffiti; and providing a penalty clause, a severability clause, a repealer clause, a savings clause, a publication clause, and an effective date.

WHEREAS, the City Council of the City of Plano has previously enacted regulations regarding graffiti, which regulations are now codified in Chapter 11, Article II, Division 5, Sec. 11-95 through 11-100.3 of the Code of Ordinances of the City of Plano, Texas; and

WHEREAS, the Plano Police Department may enforce criminal offenses related to graffiti under the Texas Penal Code and Texas Health and Safety Code, as amended; and

WHEREAS, staff recommends changes to sections of Chapter 11, Article II, Division 5, Sec. 11-95 through 11-100.3 of the Code of Ordinances of the City of Plano to conform with State Laws related to Graffiti and its abatement; and

WHEREAS, after consideration of the recommendations of staff and all matters attendant and related thereto, the City Council is of the opinion that it is in the best interest of the City and its citizens and to promote health, safety and welfare of the citizens of Plano and the general public to repeal Chapter 11, Article II, Division 5, Sec. 11-95 through 11-100.3 and amend Chapter 14, Article I, by adding Sec. 14-15 Graffiti, as set forth herein.

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

Section I. Article I, In General, of Chapter 14, Offenses - Miscellaneous, of the Code of Ordinances of the City of Plano is hereby amended by adding Sec. 14-15 to read in its entirety as follows:

“ARTICLE I. - IN GENERAL

Sec. 14-15. – Graffiti.

- (a) Definitions: For purposes of section 14-15, any word not defined herein shall be construed in the context used by ordinary interpretation and not as a term of art. The terms used in section 14-15 shall have the following meanings:

Etching or engraving device means a device that makes a delineation or impression on tangible property, regardless of the manufacturer's intended use for that device.

Graffiti means one or more marking, including inscriptions, slogans, drawings, or paintings, on the tangible premises of the owner with paint, an indelible marker or an etching or engraving device without the effective consent of the owner.

ORDINANCE NO. 2020-4-4

Indelible marker means a device that makes a mark with a paint or ink product that is specifically formulated to be more difficult to erase, wash out, or remove than ordinary paint or ink products.

Notice means notice provided by the City in accordance with Texas Local Government Code, Section 250.006, as amended.

Owner means a person having ownership in or care, custody or control over real property.

Person means an individual, firm, partnership, association, business, corporation or other entity.

Premises means real property, easement areas on real property, areas between the property line of real property and the beginning of the paved surface of a street or highway, and areas between the property line of real property and a stream, creek, river, open channel, drainage course, or drainage of a floodway easement protecting a drainage course. The term includes, but is not limited to: the area between a sidewalk adjacent to real property and a curb adjacent to a street or highway; the area between a fence, wall or barrier on real property and a curb, street or highway; and the area between a fence, wall or barrier on real property and a stream, creek, river, open channel, drainage course or drainage of a floodway easement.

(b) Offense. It shall be an offense for an owner of property, after receipt of notice from the city, to intentionally or knowingly fail to paint over or remove all graffiti from the owner's premises that is visible from any public premises or right-of-way or from any private premises other than the premises on which the graffiti exists, except where the graffiti is located on transportation infrastructure and the removal of the graffiti would create a hazard for the person performing the removal.

(c) Criminal Penalty.

(1) Any person intentionally or knowingly violating a provision of section 14-15 of this chapter shall be punished by a fine not to exceed five hundred dollars (\$500.00). Each day a violation occurs shall constitute a separate offense.

(2) Repeat and habitual offenders.

a. If it is shown on the trial of an offense under section 14-15 that the defendant has previously been finally convicted of an offense under section 14-15, on conviction the person shall be punished by a fine of not less than five hundred dollars (\$500.00).

b. This subsection for repeat and habitual offenders applies only to a person finally convicted of a second or subsequent offense within three years of the date on which the most recent preceding offense was committed.

ORDINANCE NO. 2020-4-4

(d) Abatement.

(1) Public nuisance.

- a. Graffiti is declared to be a public nuisance. In addition to the criminal offense and penalty provided in Section 14-15(b) and (c) of this ordinance, the city shall have all remedies available at law and equity to abate such nuisance.
- b. An owner maintains a public nuisance if the owner fails to remove graffiti or refuses to allow graffiti to be removed from the premises after receipt of notice, unless the graffiti is located on transportation infrastructure and removal of the graffiti would create a hazard for the person performing the removal.

(2) Authority to abate.

- a. The city is authorized to abate graffiti, in accordance with Texas Local Government Code, Section 250.006, as amended.
- b. Whenever public funds are used for graffiti removal, such removal shall include only the painting or repair of the area where the graffiti is located to the extent required to avoid aesthetic disfigurement to the neighborhood.

(3) Abatement procedures.

- a. The code official shall offer free removal of graffiti by the city. The code official may remove the graffiti, at no cost to the owner, upon receiving written consent and a waiver of liability from the owner.
- b. If the owner refuses the city's offer for removal, the code official may issue written notice to the owner in accordance with Texas Local Government Code, Section 250.006, identifying the graffiti and directing its removal on or before the 15th calendar day after the owner's receipt of the written notice.
- c. The owner shall remove the graffiti within fifteen (15) calendar days after receipt of the notice from the city,
- d. If the owner fails to remove the graffiti within fifteen (15) calendar days after receipt of the notice, the city may, without further notice, enter upon the property by it or its contractors and remove the graffiti.
- e. The city may assess expenses incurred in removal of the graffiti and obtain a lien against the property where the removal of graffiti was performed, in accordance with Texas Local Government Code, § 250.006, as amended.
- f. The expenses to be collected by the city under this section shall include, in addition to the costs of removing the graffiti, the sum of two hundred dollars (\$200.00) per lot or tract of land, which sum is hereby found to be the cost to the city of administering the terms of this section.
- g. Prior to the filing of a lien, the code official shall mail to the owner a notification of expenses incurred by the municipality for the costs of removal. In the event the incurred expenses are not paid within twenty (20) days, a lien shall be filed against the property.

ORDINANCE NO. 2020-4-4

(4) Appeal.

a. The owner of property subject to abatement under this article may appeal the decision of the code official by requesting a hearing, in writing, to the code official within ten (10) days following the receipt of the notice. The hearing shall be conducted by the code official for the purpose of determining whether the conditions constitute a public nuisance under the provisions of this article. The owner shall be provided written notice of the time and place of the hearing at least ten (10) days prior thereto. At the hearing, the owner and the code official may present any evidence relevant to the proceeding. The code official's decision shall be final.

(e) Authority for criminal enforcement and abatement. The city manager or his designee shall have authority for enforcement of criminal offenses and for abatement, assessment of expenses, and obtaining liens pursuant to section 14-15.

Secs. 14-16 – 14-25. – Reserved.”

Section II. All provisions of the Code of Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section III. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

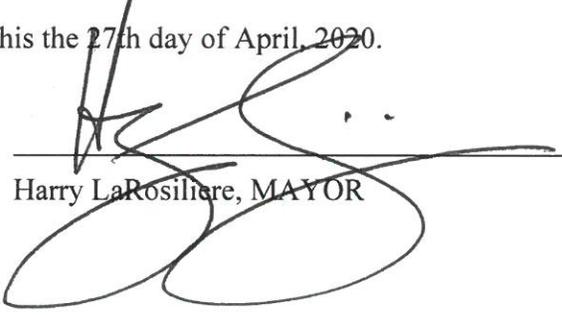
Section IV. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions 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) and 14-15(c) of the City of Plano Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VI. This ordinance shall become effective immediately upon its passage and publication as required by law.

ORDINANCE NO. 2020-4-4

DULY PASSED AND APPROVED this the 27th day of April, 2020.



Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

ORDINANCE NO. 2020-4-5

Zoning Case 2019-020

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 amend Planned Development-429-Neighborhood Office on 7.9 acres of land out of the Mary Catherine and Sally Owens Survey, Abstract No. 672, located on the west side of Coit Road, 680 feet south of Legacy Drive, in the City of Plano, Collin County, Texas, in order to rezone 3.7 acres located 40 feet west of Coit Road and 850 feet south of Legacy Drive, and amend the standards of the district currently zoned Planned Development-429-Neighborhood Office with Specific Use Permit No. 475 for Commercial Antenna Support Structure and Single-Family Residence-6; 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 27th day of April 2020, for the purpose of considering amending Planned Development-429-Neighborhood Office on 7.9 acres of land out of the Mary Catherine and Sally Owens Survey, Abstract No. 672, located on the west side of Coit Road, 680 feet south of Legacy Drive, in the City of Plano, Collin County, Texas, in order to rezone 3.7 acres located 40 feet west of Coit Road and 850 feet south of Legacy Drive, and amend the standards of the district currently zoned Planned Development-429-Neighborhood Office with Specific Use Permit No. 475 for Commercial Antenna Support Structure and Single-Family Residence-6; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 27th day of April 2020; and

WHEREAS, the City Council is of the opinion and finds that such amendment 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:

ORDINANCE NO. 2020-4-5

Section I. The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to amend Planned Development-429-Neighborhood Office on 7.9 acres of land out of the Mary Catherine and Sally Owens Survey, Abstract No. 672, located on the west side of Coit Road, 680 feet south of Legacy Drive, in the City of Plano, Collin County, Texas, in order to rezone 3.7 acres located 40 feet west of Coit Road and 850 feet south of Legacy Drive, and amend the standards of the district currently zoned Planned Development-429-Neighborhood Office with Specific Use Permit No. 475 for Commercial Antenna Support Structure and Single-Family Residence-6, 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:

1. One story height limit.
2. A maximum of 59,800 square feet of development.
3. Veterinary clinics are permitted.
4. Assembly hall is permitted as an accessory use to a professional/general administrative office use, and must not exceed 4,000 square feet.
5. A screening wall per Section 20.100.1 of the Zoning Ordinance is not required adjacent to a religious facility use.
6. The screening wall along the western edge of the planned development district may consist of alternating sections of 6-foot solid masonry wall, and 6-foot wrought iron fence combined with an irrigated living screen. Evergreen shrubs used for a landscape screen shall be placed so as to create at least a 6-foot tall solid screen within 2 years of their installation. All landscaping shall be irrigated with an automatic sprinkler system and maintained in a healthy and growing condition.
7. Uses in Tract 2 are limited to a maximum of 50 parking spaces and one accessory building with a maximum of 1,200 square feet of floor area.

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.

ORDINANCE NO. 2020-4-5

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

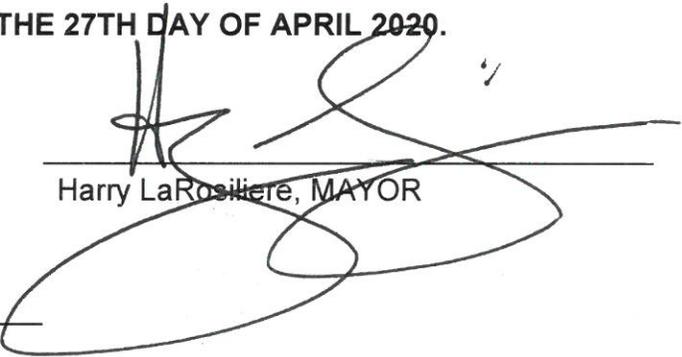
Section V. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section VI. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section VIII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 27TH DAY OF APRIL 2020.



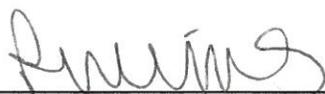
Harry LaRosiere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

ZONING CASE 2019-020

BEING a certain lot, tract, or parcel of land, situated in the Mary Catherine and Sally Owens Survey, Abstract Number 672, City of Plano, Collin County, Texas, and BEING part of Lot 1R, Block 1, of Lot 1R, Block 1, Preston Meadow Lutheran Church Addition, an addition to the City of Plano, according to the plat thereof, recorded in Cabinet O, Page 491, and Cabinet G, Page 264, Plat Records, Collin County, Texas, BEING all of Lots 1A-2A, and 1B-2B, Preston Meadows Office Park Addition, an addition to the City of Plano, according to the plat thereof, recorded in Cabinet H, Page 279, Plat Records, Collin County, Texas, and BEING all of Lots 3 and 4, Preston Meadows Office Park Addition, an addition to the City of Plano, according to the plat thereof, recorded in Cabinet G, Page 264, Plat Records, Denton County, Texas, and BEING more particularly described as follows:

BEGINNING at the northwest corner of said Lot 1R, Block 1, same point BEING in the south line of Lot 4, Block A, Lynch Park Addition, an addition to the City of Plano, according the plat thereof, recorded in Cabinet K, Page 524, Plat Records, Collin County, Texas, and BEING at the northeast corner of Block G, Fairfax Hill Addition, an addition to the City of Plano, according to the plat thereof, recorded in Cabinet G, Page 73, Plat Records, Collin County, Texas;

THENCE Northeasterly, with the most northerly north line of said Lot 1R, Block 1, with the arc of a curve to the left, having a radius of 3,500.00 feet, passing at an arc length of 242.66 feet, the most northerly northeast corner thereof, same BEING the northwest corner of said Lot 1A, Block 1, continuing a distance of 212.21 feet to the northeast corner thereof, same BEING the northwest corner of said Lot 1B, Block 1, continuing a distance of 171.23 feet to the northeast corner thereof, continuing a total distance of 691.12 feet, having a central angle of 11°18'50", whose chord bears N 64°57'22" E, a distance of 690.00 feet, to the assumed center line of Coit Road (130' Right-of-Way);

THENCE S 31°24'00" E, with said center line, a distance of 317.59 feet;

THENCE Southeasterly, with said center line, with the arc of a curve to the right, having a radius of 1074.30 feet, a central angle of 5°16'54", and an arc length of 99.03 feet, whose chord bears S 28°45'37" E, a distance of 99.00 feet;

THENCE S 63°33'36" W, passing at a distance of 65.00 feet, the southeast corner of said Lot 4, Block 1, continuing a total distance of 443.95 feet, to the southwest corner of said Lot 4, Block 1 and BEING the inner ell of said Lot 1R, Block 1;

THENCE N 89°02'40" W, a distance of 158.10 feet;

THENCE S 00°57'20" W, a distance of 403.74 feet, to the south line of said Lot 1R, Block 1, and BEING in the north line of Block A, Deer Creek at Preston Meadow, an addition to the City of Plano, according to the plat thereof, recorded in Cabinet H, Page 436, Plat Records, Collin County, Texas;

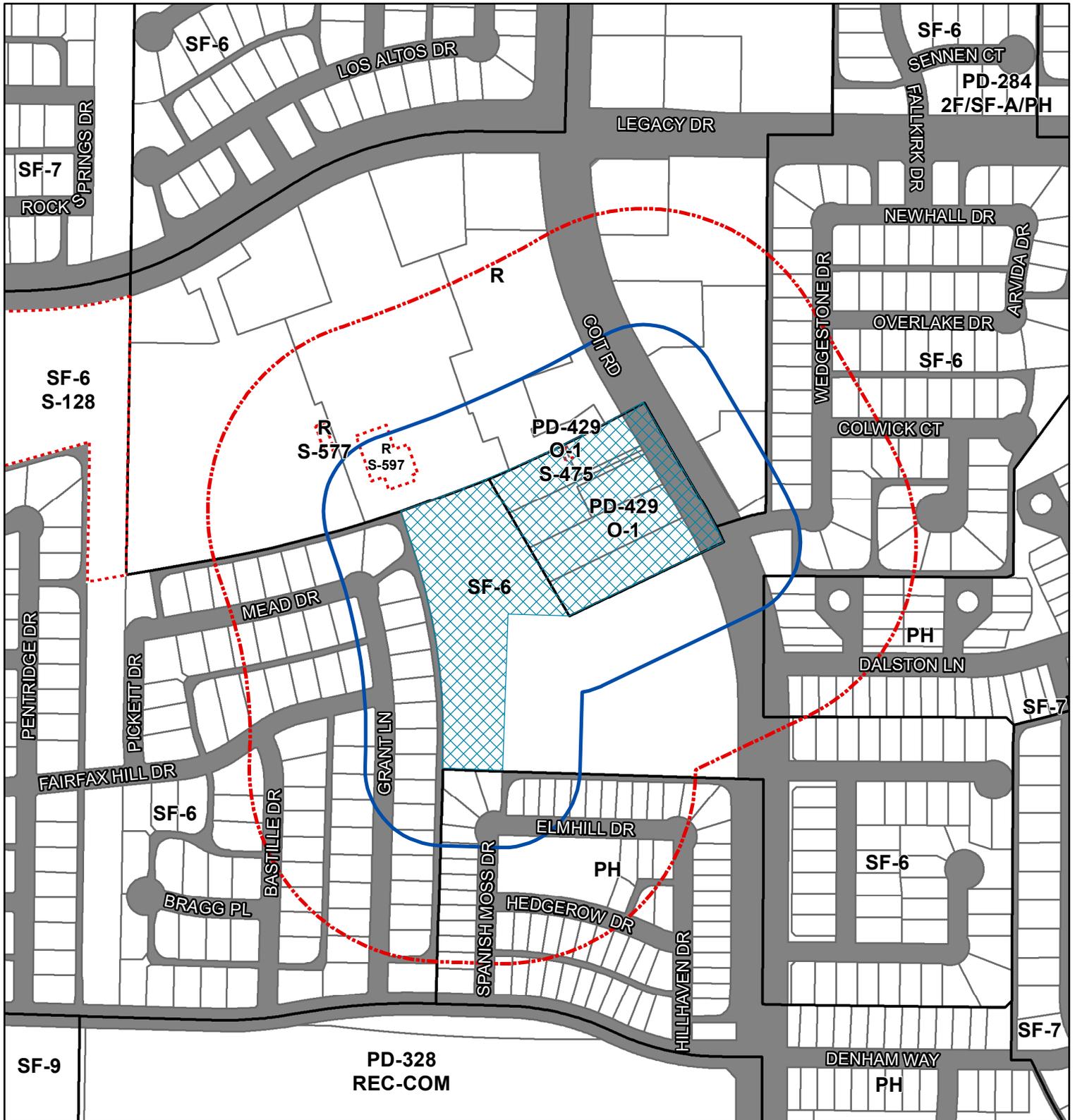
THENCE N 89°02'40" W, with the south line of said Lot 1R, Block 1, and the north line of said Block A, Deer Creek at Preston Meadow, a distance of 157.22 feet, to the southwest corner of said Lot 1R, Block 1, same BEING the northwest corner of Lot 12, Block A, of said Deer Creek at Preston Meadow, and BEING in the east line of said Block G, Fairfax Hill Addition;

THENCE with the west line of said Lot 1R, Block 1, and the east line of said Block G Fairfax Hill Addition, the following three (3) courses and distances:

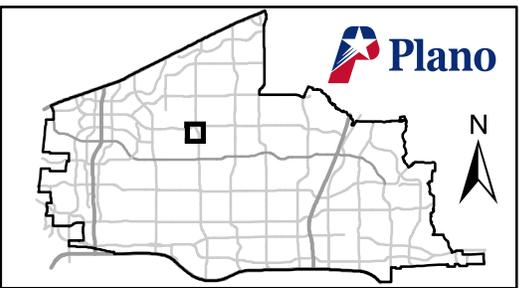
N 00°51'03" E, a distance of 43.74 feet;

Northwesterly, with the arc of a curve to the left, having a radius of 1,500.00 feet, a central angle of 20°14'07", and an arc length of 529.76 feet, whose chord bears N 09°16'01" W, a distance of 527.01 feet;

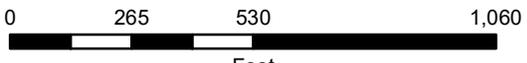
N 19°23'05" W, a distance of 103.90 feet to the POINT OF BEGINNING AND CONTAINING approximately 7.945 acres of land.



Zoning Case: 2019-020
 Existing Zoning: Zoned Planned Development-429-Neighborhood Office with Specific Use Permit No. 475 for Commercial Antenna Support Structure and Single-Family Residence-6.
 Proposed Zoning: Request to amend and expand Planned Development-429-Neighborhood Office



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



Plano Office Building

MADAMS
 The John R. Madams
 Planning, Inc.
 111 Madison Drive
 Dallas, TX 75202
 972.493.8172
 11111 Madison Drive
 Dallas, TX 75202
 972.493.8172



PRESTON MEADOW LUTHERAN CHURCH SURVEY
 PRESTON MEADOW LUTHERAN CHURCH SURVEY
 374 ACRES
 Lot 1R Block 1
 Plano Office Building

ZONING EXHIBIT

PRELIMINARY PLANS
 THIS PLAN IS PRELIMINARY AND IS NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSES.
 DATE: 10/27/2020
 P.L.C. #P02027-04-000
 DATE: 2/27/2020

W-GA-19030



LAND DESCRIPTION
 7.945 ACRES
 VISIBILITY MAP 1"=1000'

Block 1, containing tract or part of lot 1R, situated in the Mary Carey and Sally Owens Survey, Abstract 1818, in the Preston Meadows Addition, and also in the Preston Meadows Addition, according to the plat thereof, recorded in the Public Records of Collin County, Texas, being all of lots 1A, 2A, 3A, 4A, 5A, 6A, 7A, 8A, 9A, 10A, 11A, 12A, and 13A, and also in the Preston Meadows Addition, according to the plat thereof, recorded in the Public Records of Collin County, Texas, being all of lots 14A, 15A, 16A, 17A, 18A, 19A, 20A, 21A, 22A, 23A, 24A, 25A, 26A, 27A, 28A, 29A, 30A, 31A, 32A, 33A, 34A, 35A, 36A, 37A, 38A, 39A, 40A, 41A, 42A, 43A, 44A, 45A, 46A, 47A, 48A, 49A, 50A, 51A, 52A, 53A, 54A, 55A, 56A, 57A, 58A, 59A, 60A, 61A, 62A, 63A, 64A, 65A, 66A, 67A, 68A, 69A, 70A, 71A, 72A, 73A, 74A, 75A, 76A, 77A, 78A, 79A, 80A, 81A, 82A, 83A, 84A, 85A, 86A, 87A, 88A, 89A, 90A, 91A, 92A, 93A, 94A, 95A, 96A, 97A, 98A, 99A, 100A, 101A, 102A, 103A, 104A, 105A, 106A, 107A, 108A, 109A, 110A, 111A, 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ORDINANCE NO. 2020-4-6

Zoning Case 2020-004

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, amending Specific Use Permits No. 550 for Day Care Center and No. 551 for Private School on 7.5 acres out of the Jessie Stiff Survey, Abstract No. 793, located at the southeast corner of Legacy Drive and Ohio Drive in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-7 with Specific Use Permits No. 550 for Day Care Center and No. 551 for Private School; 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 27th day of April 2020, for the purpose of amending Specific Use Permits No. 550 for Day Care Center and No. 551 for Private School on 7.5 acres out of the Jessie Stiff Survey, Abstract No. 793, located at the southeast corner of Legacy Drive and Ohio Drive in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-7 with Specific Use Permits No. 550 for Day Care Center and No. 551 for Private School; 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 27th day of April 2020; and

WHEREAS, the City Council is of the opinion and finds that amending Specific Use Permits No. 550 for Day Care Center and No. 551 for Private School on 7.5 acres out of the Jessie Stiff Survey, Abstract No. 793, located at the southeast corner of Legacy Drive and Ohio Drive in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-7 with Specific Use Permits No. 550 for Day Care Center and No. 551 for Private School, 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 amending the specific use permits 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.

ORDINANCE NO. 2020-4-6

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

Section I. The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to amend Specific Use Permits No. 550 for Day Care Center and No. 551 for Private School on 7.5 acres out of the Jessie Stiff Survey, Abstract No. 793, located at the southeast corner of Legacy Drive and Ohio Drive in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-7 with Specific Use Permits No. 550 for Day Care Center and No. 551 for Private School, said property being more fully described on the legal description in Exhibit A attached hereto.

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

1. Amend restrictions on Specific Use Permit No. 550 for Day Care Center as follows:

Maximum number of children: 304

2. Amend restrictions on Specific Use Permit No. 551 for Private School as follows:

- a. Maximum number of students: 80. This number must be combined with the number of day care center children and must not exceed a combined total of 304 children as restricted by Specific Use Permit No. 550 for Day Care Center.
- b. Students must be under 14 years of age on September 1st of the school year.
- c. An irrigated landscaped edge with a combination of trees and shrubs must be maintained between the easternmost building and the eastern property line.
- d. Solid waste enclosures must be located between Ohio Drive and the westernmost building.
- e. Interior lights must not be visible from outside the eastern façade of the eastern building from 9:00 p.m. until 6:00 a.m.
- f. Exterior lighting located within 65 feet of the easternmost property line must not be visible from 9:00 p.m. until 6:00 a.m. unless directed downward.

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.

ORDINANCE NO. 2020-4-6

Section V. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section VI. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section VIII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 27TH DAY OF APRIL 2020.



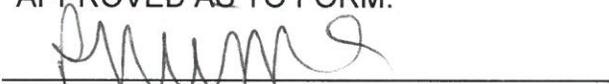
Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

ZONING CASE 2020-004

WHEREAS Montessori New Beginnings Academy, Inc. is the owner of a 7.47 acre tract of land located in the Jessie Stiff Survey, Abstract No. 793, City of Plano, Collin County, Texas, being all of Lot 1R, Block 1, Legacy Ohio-Montessori Addition, an addition to the City of Plano as recorded in Instrument No. 20200108010000050, Official Public Records Collin County, Texas, and being more particularly described as follow:

BEGINNING at a set City of Plano monument (aluminum disk in concrete) for the southerly southeast corner for the intersection of Ohio Drive (variable width right of way) and Legacy Drive (variable width right of way), being the westerly northwest corner for said Lot 1R;

THENCE N44°35'30"E, a distance of 33.74 feet to a set 5/8 inch iron rod with cap marked "Adams Surveying Company, LLC" (CIRS) for the most northerly northwest corner of said Lot 1R and being on the southerly right of way line for said Legacy Drive;

THENCE easterly with said southerly right of way line as follow:

S87°50'52"E, a distance of 149.82 to a found 1 inch iron rod for the beginning of a curve to the left;

Along said curve to the left, having a central angle of 13°20'33", a radius of 2511.78, an arc length of 584.92 feet, and a chord of N85°28'52"E, 583.60 feet to a set City of Plano monument (aluminum disk in concrete) to replace a found 1 inch iron rod for the northeast corner of said Lot 1R;

THENCE S07°09'08"W leaving said right of way line, a distance of 583.44 feet to a set "X" in a concrete flume;

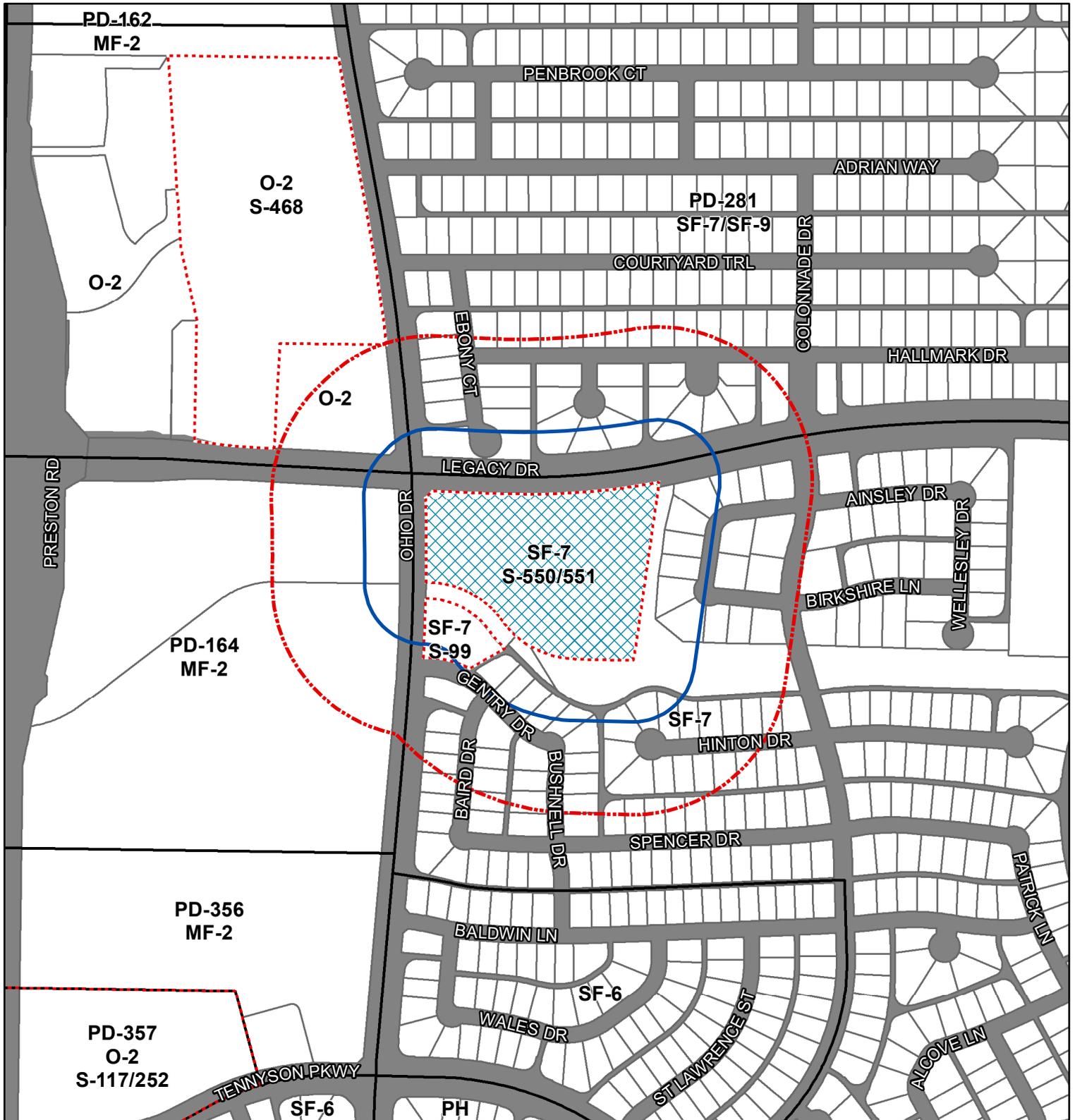
THENCE N89°25'38"W, a distance of 190.42 to a point for corner, BEING the beginning of a curve to the right;

THENCE westerly along said curve to the right, having a central angle of 52°22'56", a radius of 300.00 feet, an arc length of 274.27, and a chord of N63°14'08"W, 264.82 feet to a found 1 inch iron rod for a point of reverse curvature;

THENCE along said reverse curve, having a central angle of 53°12'26", a radius of 300.00, an arc length of 278.59 feet, and a chord of N63°38'50"W, 268.69 feet to a point for corner;

THENCE S89°44'58"W, a distance of 7.50 to a point for corner, BEING the southwest corner of said Lot 1R, and BEING on the easterly right of way for Ohio Drive;

THENCE northerly along said right of way line and a curve to the left, having a central angle of 02°36'02", a radius of 6042.37, an arc length of 274.25 feet, and a chord of N01°33'01"W, 274.22 feet to the POINT OF BEGINNING AND CONTAINING 7.47 acres (325,359 square feet) of land, more or less.

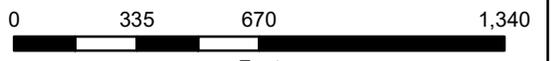
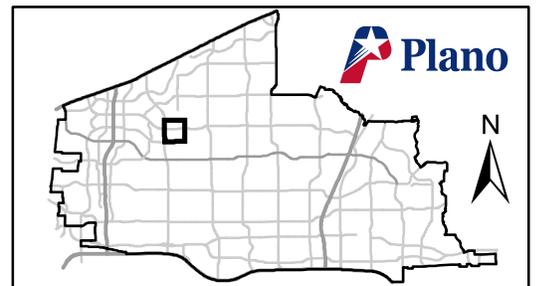


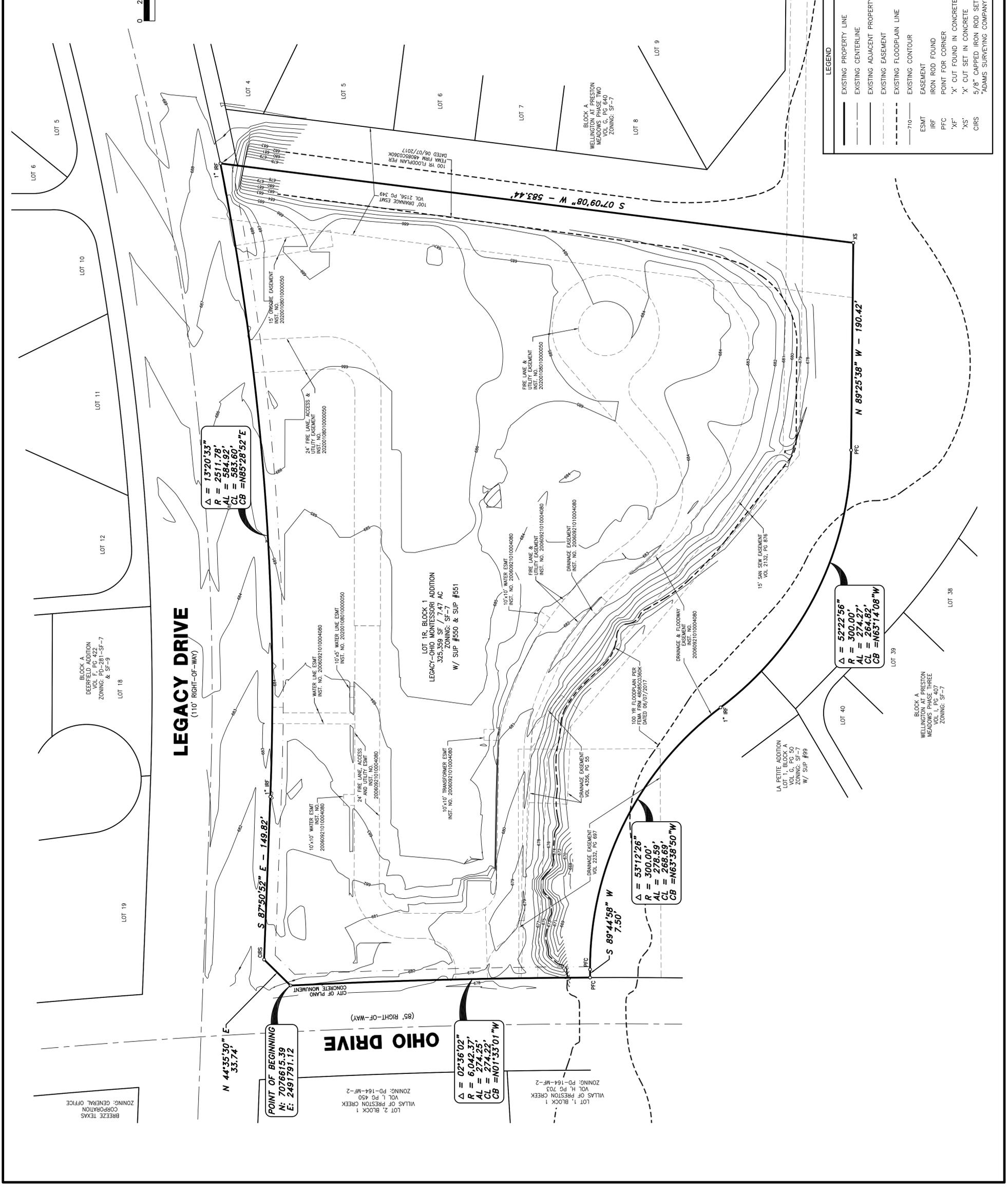
Zoning Case: 2020-004

Existing Zoning: Single-Family Residence-7 with Specific Use Permits No. 550 for Day Care Center and No. 551 for Private School (SF-7 w/ S-550 & S-551)

Proposed Zoning: Amend Specific Use Permits No. 550 for Day Care Center and No. 551 for Private School

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





$\Delta = 13^{\circ}20'33''$
 $R = 2511.78'$
 $AL = 584.92'$
 $CL = 583.60'$
 $CB = N85^{\circ}28'52''E$

POINT OF BEGINNING
 $N: 7076615.39$
 $E: 2491791.12$
 $N 4^{\circ}35'30'' E - 33.74'$

$\Delta = 02^{\circ}36'02''$
 $R = 6,042.37'$
 $AL = 274.25'$
 $CL = 274.22'$
 $CB = N01^{\circ}33'01''W$

$\Delta = 53^{\circ}12'26''$
 $R = 300.00'$
 $AL = 278.59'$
 $CL = 268.69'$
 $CB = N63^{\circ}38'50''W$

$\Delta = 52^{\circ}22'56''$
 $R = 300.00'$
 $AL = 274.27'$
 $CL = 264.82'$
 $CB = N63^{\circ}14'08''W$

LEGAL DESCRIPTION AND METES & BOUNDS:
 WHEREAS MONTESSORI NEW BEGINNINGS ACADEMY, INC. IS THE OWNER OF A 7.47 ACRE TRACT OF LAND LOCATED IN THE JESSIE STIFF SURVEY, ABSTRACT NO. 793, CITY OF PLANO, COLLIN COUNTY TEXAS, BEING ALL OF LOT 1R, BLOCK 1, LEGACY-OHIO-MONTESSORI ADDITION, AN ADDITION TO THE CITY OF PLANO AS RECORDED IN INSTRUMENT NO. 20200108010000050, OFFICIAL PUBLIC RECORDS COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A SET CITY OF PLANO MONUMENT (ALUMINUM DISK IN CONCRETE) FOR THE SOUTHERLY SOUTHEAST CORNER FOR THE INTERSECTION OF OHIO DRIVE (VARIABLE WIDTH RIGHT OF WAY) AND LEGACY DRIVE (VARIABLE WIDTH RIGHT OF WAY), BEING THE WESTERLY NORTHWEST CORNER FOR SAID LOT 1R;
 THENCE N44°35'30"E, A DISTANCE OF 33.74 FEET TO A SET 5/8 INCH IRON ROD WITH CAP MARKED "ADAMS SURVEYING COMPANY, LLC" (CIRS) FOR THE MOST NORTHERLY NORTHWEST CORNER OF SAID LOT 1R AND BEING ON THE SOUTHERLY RIGHT OF WAY LINE FOR SAID LEGACY DRIVE;
 THENCE EASTERLY WITH SAID SOUTHERLY RIGHT OF WAY LINE AS FOLLOWS:
 S87°50'52"E, A DISTANCE OF 149.82 TO A FOUND 1 INCH IRON ROD FOR THE BEGINNING OF A CURVE TO THE LEFT;
 ALONG SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 13°20'33", A RADIUS OF 2511.78, AN ARC LENGTH OF 584.92 FEET, AND A CHORD OF N85°28'52"E, 583.60 FEET TO A SET CITY OF PLANO MONUMENT (ALUMINUM DISK IN CONCRETE) TO REPLACE A FOUND 1 INCH IRON ROD FOR THE NORTHEAST CORNER OF SAID LOT 1R;
 THENCE S07°09'08"W, LEAVING SAID RIGHT OF WAY LINE, A DISTANCE OF 583.44 FEET TO A SET "X" IN A CONCRETE FLUME;
 THENCE N89°44'58"W, A DISTANCE OF 190.42 TO A POINT FOR CORNER, BEING THE BEGINNING OF A CURVE TO THE RIGHT;
 THENCE WESTERLY ALONG SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 52°22'56", A RADIUS OF 300.00 FEET, AN ARC LENGTH OF 274.27, AND A CHORD OF N63°14'08"W, 264.82 FEET TO A FOUND 1 INCH IRON ROD FOR A POINT OF REVERSE CURVATURE;
 THENCE ALONG SAID REVERSE CURVE, HAVING A CENTRAL ANGLE OF 53°12'26", A RADIUS OF 300.00, AN ARC LENGTH OF 278.59 FEET, AND A CHORD OF N63°38'50"W, 268.69 FEET TO A POINT FOR CORNER;
 THENCE S89°44'58"W, A DISTANCE OF 7.50 TO A POINT FOR CORNER, BEING THE SOUTHWEST CORNER OF SAID LOT 1R, AND BEING ON THE EASTERLY RIGHT OF WAY FOR OHIO DRIVE;
 THENCE NORTHERLY ALONG SAID RIGHT OF WAY LINE AND A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 02°36'02", A RADIUS OF 6,042.37, AN ARC LENGTH OF 274.25 FEET, AND A CHORD OF N01°33'01"W, 274.22 FEET TO THE POINT OF BEGINNING AND CONTAINING 7.47 ACRES (325,359 SQUARE FEET) OF LAND, MORE OR LESS.

APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY, PLAT, OR PLAN, APPROVAL OF DEVELOPMENT STANDARDS SHOWN HEREON, OR THE INITIATION OF CITY COUNCIL ACTION ON STUDIES, PLATS, OR PLANS RELATING TO DEVELOPMENT AND/OR CITY COUNCIL ACTION ON STUDIES, PLATS, OR PLANS SEPARATE FROM THE ACTION TAKEN ON THIS ZONING CASE.

OWNER
 ARCHGATE MONTESSORI ACADEMY
 4660 LEGACY DRIVE
 PLANO, TEXAS 75024
 CONTACT: IAN MATTINGLY

ENGINEER
 CATES-CLARK & ASSOCIATES, LLP
 14800 QUORUM DRIVE, SUITE 200
 DALLAS, TEXAS 75254
 (972) 385-2272
 CONTACT: ROBERT PRIETT, P.E.

ZONING CASE NO.: ZC2020-004

LEGEND

---	EXISTING PROPERTY LINE
---	EXISTING CENTERLINE
---	EXISTING ADJACENT PROPERTY LINE
---	EXISTING EASEMENT
---	EXISTING FLOODPLAIN LINE
---	EXISTING CONTOUR
---	EASEMENT
---	IRON ROD FOUND
---	POINT FOR CORNER
'X'	'X' CUT FOUND IN CONCRETE
'XS'	'X' CUT SET IN CONCRETE
CIRS	5/8" CAPPED IRON ROD SET
	"ADAMS SURVEYING COMPANY, LLC"

ZONING EXHIBIT

LOT 1R, BLOCK 1, LEGACY-OHIO MONTESSORI ADDITION
 7.47 ACRES IN THE JESSIE STIFF SURVEY, ABSTRACT NO. 793
 THE CITY OF PLANO, COLLIN COUNTY, TEXAS

CATES-CLARK
 Cates-Clark & Assoc. - Landev Engineers, Inc.
 14800 Quorum Dr. Ste 200, Dallas, TX 75254
 972.385.2272 | Cates-Clark.com | TxEng F-4387

DESIGN	DATE	SCALE	NOTES	FILE	NO.
LANEY	03/09/20	1"=40'	DSTA	290-0018 SUP	CO.1