

**DATE:** March 22, 2011  
**TO:** Honorable Mayor & City Council  
**FROM:** Chris Caso, Chairman, Planning & Zoning Commission  
**SUBJECT:** Results of Planning & Zoning Commission Meeting of March 21, 2011

**AGENDA ITEM NO. 6 - PUBLIC HEARING  
ZONING CASE 2011-03  
APPLICANT: HSP OF TEXAS, INC./MEDICAL CENTER OF PLANO**

Request for a Specific Use Permit for Helistop on 9.1± acres located at the southwest corner of Amelia Court and American Drive. Zoned Planned Development-137-General Office.

**APPROVED:** 7-0 **DENIED:** \_\_\_\_\_ **TABLED:** \_\_\_\_\_

**LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA:** **SUPPORT:** 1 **OPPOSE:** 23

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

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

**STIPULATIONS:**

Approved subject to the Helistop locations shall be a minimum 300-foot setback from residential zoning district boundary lines.

**FOR CITY COUNCIL MEETING OF:** March 28, 2011 (To view the agenda for this meeting, see [www.planotx.org](http://www.planotx.org))

**PUBLIC HEARING - ORDINANCE**

EH/dw

xc:

# CITY OF PLANO

## PLANNING & ZONING COMMISSION

March 21, 2011

### Agenda Item No. 6

**Public Hearing:** Zoning Case 2011-03

**Applicant:** HSP of Texas, Inc./Medical Center of Plano

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#### **DESCRIPTION:**

Request for a Specific Use Permit for Helistop on 9.1± acres located at the southwest corner of Amelia Court and American Drive. Zoned Planned Development-137-General Office. Tabled 03/07/11.

#### **REMARKS:**

This item was tabled at the March 7, 2011, Planning & Zoning Commission meeting. It needs to be removed from the table.

The subject property is currently developed as a hospital. The requested zoning is for a Specific Use Permit (SUP) for Helistop. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district, which could benefit in a particular case the general welfare, provided that adequate development standards and safeguards are established. The Zoning Ordinance defines helistop as an area of land, water, or a structural surface which is used, or intended for use, for the landing and taking off of helicopters, and any appurtenant areas which are used, or intended for use for helistop. No refueling, maintenance, repairs, or storage of helicopters is permitted.

The current zoning is Planned Development-137-General Office (PD-137-O-2). The O-2 district is intended to allow for a variety of low-, mid-, and high-rise office developments providing for professional, financial, medical, and similar services to local residents; corporate offices for regional and national operations; and major centers of employment for Plano and surrounding communities. 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.

To the south is the existing hospital property, which is zoned Planned Development-129-General Office with Specific Use Permit #105 for Hospital (PD-129-O-2 w/SUP-#105). To the west is an existing medical office development also zoned PD-137-O-2. To the north, across American Drive is a long-term care facility zoned O-2 and additional vacant land zoned Neighborhood Office (O-1). To the east is a single-family development zoned Planned Development-136-Patio Home (PD-136-PH) and two

multifamily developments (of which one is a condominium arrangement) zoned Planned Development-22-Multifamily Residence-2 (PD-22-MF-2).

**PROPOSED REQUEST:**

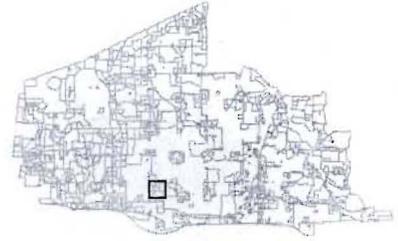
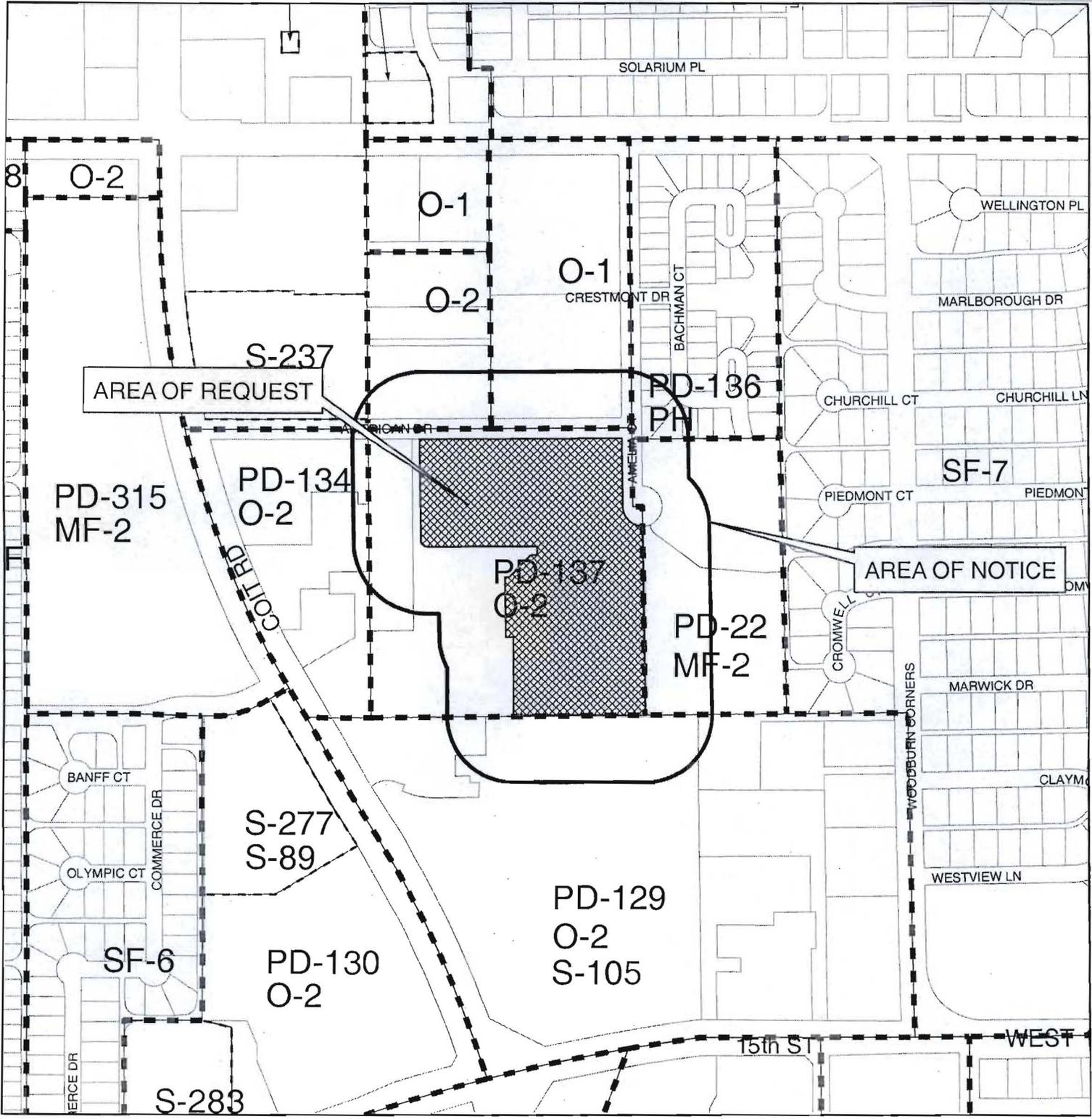
The applicant is proposing to add a helistop adjacent to an existing helistop on the north side of the hospital building. Periodically, the hospital receives requests to accommodate emergency services from two separate helicopters at the same time. Currently, when this situation arises, the hospital clears off a landing area in its parking lot to accommodate the arrival of a second helicopter. The proposed helistop would allow the hospital to accommodate two helicopters at the same time without having to clear a landing area in its existing parking lot.

The hospital property is currently split into two different zoning classifications. The southern portion, which includes the entirety of the hospital building, is zoned PD-129-O-2 w/SUP-#105. PD-129 allows helistops by right in conjunction with the hospital use. The portion of the lot that includes the existing helistop and the proposed location for the second helistop is within PD-137-O-2 which allows helistops by SUP only. The existing helistop was constructed without obtaining approval of an SUP. The area of this request encompasses only the northern portion of the hospital property zoned PD-137-O-2. If approved, the SUP will bring the existing helistop into compliance with existing zoning regulations, and allow the addition of the proposed helistop.

Subsection 3.106 (Heliports, Helistops, and Airports) of the Zoning Ordinance requires helistops to meet certain setbacks from residential zoning; however, these provisions do not apply to helistops operated in conjunction with hospitals for medical emergency flight purposes. Staff believes that the approval of the SUP is appropriate since it is common for regional hospitals to have helistops associated with emergency operations. There are two other regional hospitals within Plano that also have helistops associated with their emergency operations. The second helistop will provide a permanent facility in lieu of the hospital temporarily using the existing parking lot.

**RECOMMENDATION:**

Recommended for approval.



Zoning Case #: 2011-03

Existing Zoning: PLANNED DEVELOPMENT-137-GENERAL OFFICE



○ 200' Notification Buffer



## Zoning Case 2011-03

**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. 609 so as to allow Helistop on 9.1± acres of land out of the Martha McBride Survey, Abstract No. 553, located at the southwest corner of Amelia Court and American Drive, in the City of Plano, Collin County, Texas, presently zoned Planned Development-137-General Office; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.**

**WHEREAS**, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 28th day of March, 2011, for the purpose of considering granting Specific Use Permit No. 609 so as to allow Helistop on 9.1± acres of land out of the Martha McBride Survey, Abstract No. 553, located at the southwest corner of Amelia Court and American Drive, in the City of Plano, Collin County, Texas, presently zoned Planned Development-137-General Office; and

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

**WHEREAS**, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 28th day of March, 2011; and

**WHEREAS**, the City Council is of the opinion and finds that the granting of Specific Use Permit No. 609 so as to allow Helistop on 9.1± acres of land out of the Martha McBride Survey, Abstract No. 553, located at the southwest corner of Amelia Court and American Drive in the City of Plano, Collin County, Texas, 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. 609 so as to allow Helistop on 9.1± acres of land out of the Martha McBride Survey, Abstract No. 553, located on the southwest corner of Amelia Court and American Drive, in the City of Plano, Collin County, Texas, presently zoned Planned Development-137-General Office, said property being more fully described on the legal description in Exhibit "A" attached hereto.

**Section II.** The change granted in Section I is granted subject to the Helistop locations shall be a minimum 300-foot setback from residential zoning district boundary lines.

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

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

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

**Section VI.** Any person, firm or corporation found to be violating any term or provision of this Ordinance, shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

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

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

**PASSED AND APPROVED THIS THE 28TH DAY OF MARCH, 2011.**

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Phil Dyer, MAYOR

ATTEST:

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Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

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Diane C. Wetherbee, CITY ATTORNEY

ZC 2011-03

BEING a 9.128 acre tract of land situated in the Martha McBride Survey, Abstract Number 553, City of Plano, Collin County, Texas, and being a part of Lot 1R of "Lot 1R and 2, Block 1, Plano Medical Plaza", an addition to the City of Plano, Collin County, Texas, recorded in Document Number 2001-0161614, Official Public Records of Collin County, Texas (O.P.R.C.C.T.), and being more particularly described as follows:

BEGINNING at a point for corner at the intersection of the south right-of-way line of American Drive (a 60-foot wide right-of-way) with the west right-of-way line of Amelia Court (a 60-foot wide right-of-way), same being the northeast corner of said Lot 1R and 2, Block 1, Plano Medical Plaza;

THENCE South  $00^{\circ} 02' 17''$  East, departing said south right-of-way line of American Drive and along the common west right-of-way line of Amelia Court and the east line of said Lot 1R, Block 1, a distance of 205.09 feet to the point of curvature of a tangent circular curve to the left having a radius of 60.00 feet, whose chord bears South  $45^{\circ} 06' 14''$  East, a distance of 84.95;

THENCE southeasterly, continuing along said common line and along said curve, through a central angle of  $90^{\circ} 07' 53''$ , an arc distance of 94.39 feet to a point for corner, said point being in the common east line of said Lot 1R, Block 1 and the west line of "Block B, Lot 1, Parkbluff Addition, Phase II", an addition to the City of Plano, Collin County, Texas, recorded in Cabinet E, Slide 86, O.P.R.C.C.T.;

THENCE South  $00^{\circ} 10' 10''$  East, along said common line, a distance of 563.81 feet to a point for the corner;

THENCE North  $89^{\circ} 14' 33''$  West, departing said common line and across said Lot 1R, Block 1, a distance of 394.68 feet to a point for ell corner in the common west line of said Lot 1R, Block 1 and the east line of "American Drive Office Park, Phase 1, Block A, Lot 1R", an addition to the City of Plano, Collin County, Texas recorded in Cabinet J, Slide 735, O.P.R.C.C.T.;

THENCE North  $00^{\circ} 46' 45''$  East, along said common line, a distance 234.06 feet to a point for corner;

THENCE South  $89^{\circ} 51' 58''$  West, continuing along said common line, a distance of 23.00 feet to a point for corner;

THENCE North  $00^{\circ} 08' 02''$  West, continuing along said common line, a distance of 178.73 feet to a point for corner;

THENCE South  $89^{\circ} 30' 02''$  East, continuing along said common line, a distance of 10.12 feet to the point of curvature of a tangent circular curve to the left having a radius of 7.50 feet, whose chord bears North  $67^{\circ} 21' 07''$  East, a distance of 5.90 feet;

THENCE northeasterly, continuing along said common line and along said curve, through a central angle of  $46^{\circ} 17' 42''$ , an arc distance of 6.06 feet to the point of tangency;

THENCE North 44° 10' 42" East, continuing along said common line, a distance of 82.73 feet to the point of curvature of a tangent circular curve to the right having a radius of 11.47 feet, whose chord bears North 67° 25' 53" East, a distance of 9.06 feet;

THENCE northeasterly, continuing along said common line and along said curve, through a central angle of 46° 30' 22", an arc distance of 9.31 feet to the point of tangency;

THENCE South 89° 18' 00" East, continuing along said common line, a distance of 14.24 feet to a point for corner;

THENCE North 01° 07' 14" East, continuing along said common line, a distance of 25.13 feet to a point for corner;

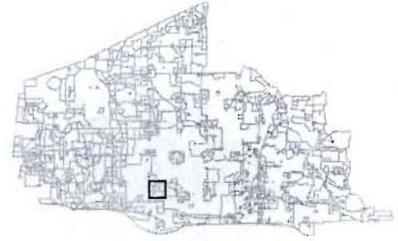
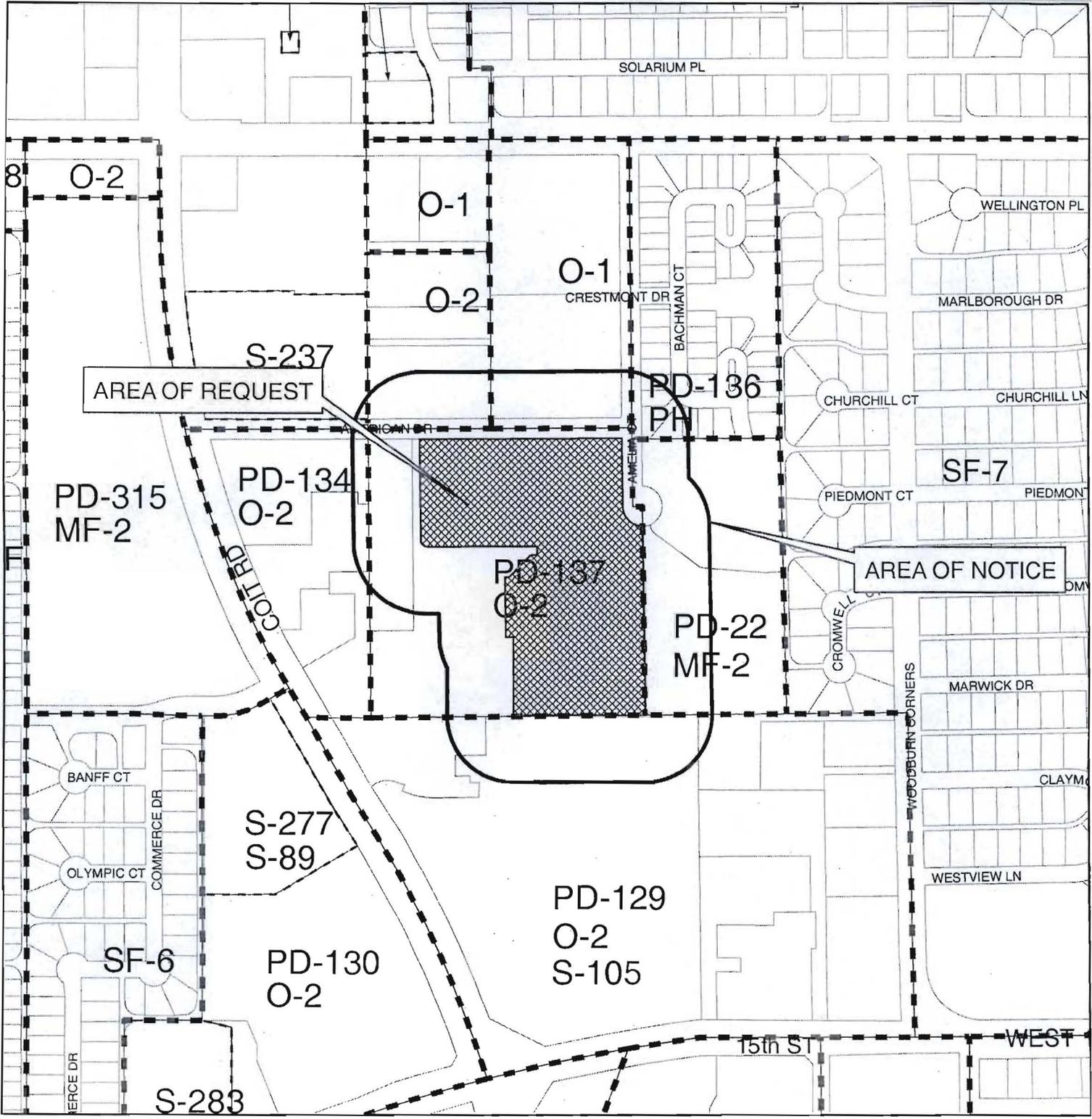
THENCE North 89° 30' 02" West, continuing along said common line, a distance of 328.89 feet to the point of curvature of a tangent circular curve to the right having a radius of 20.00 feet, whose chord bears North 53° 55' 11" West, a distance of 23.27 feet;

THENCE northwesterly, continuing along said common line and along said curve, through a central angle of 71° 09' 41", an arc distance of 24.84 feet to the point of tangency;

THENCE North 00° 08' 02" West, continuing along said common line, a distance of 308.51 feet to a point for corner, same being the northwest corner of said Lot 1R, Block 1 and the northeast corner of said "American Drive Office Park, Phase 1, Block A, Lot 1R", said point also being on said south right-of-way line of American Drive;

THENCE South 89° 36' 43" East, departing said common line and along said south right-of-way line and along the north line of said Lot 1R, Block 1, a distance of 605.01 feet to the POINT OF BEGINNING and CONTAINING 397,606 square feet or 9.128 acres of land, more or less.

Basis of Bearing is South 89° 36' 43" East, along the south right-of-way line of American Drive as shown by the plat of "Lot 1R and 2, Block 1, Plano Medical Plaza", an addition to the City of Plano, Collin County, Texas, recorded in Document Number 2001-0161614, O.P.R.C.C.T.



Zoning Case #: 2011-03

Existing Zoning: PLANNED DEVELOPMENT-137-GENERAL OFFICE



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