

DATE: March 18, 2014
TO: Honorable Mayor & City Council
FROM: Richard Grady, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of March 17, 2014

**AGENDA ITEM NO. 8 - PUBLIC HEARING
ZONING CASE 2014-04
APPLICANT: CITY OF PLANO**

Request to rezone 14.6± acres located on the south side of Mapleshade Lane, 370± feet east of Silverglen Drive from Light-Industrial-1 to Corridor Commercial. Zoned Light Industrial-1/190 Tollway/Plano Parkway Overlay District.

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

LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA: **SUPPORT:** 1 **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: April 14, 2014 (To view the agenda for this meeting, see www.planotx.gov)

PUBLIC HEARING - ORDINANCE

EH/dc

xc: Wayne Snell, Permit Services Manager

<http://goo.gl/maps/r54wn>

CITY OF PLANO
PLANNING & ZONING COMMISSION

March 17, 2014

Agenda Item No. 8

Public Hearing: Zoning Case 2014-04

Applicant: City of Plano

DESCRIPTION:

Request to rezone 14.6± acres located on the south side of Mapleshade Lane, 370± feet east of Silverglen Drive from Light-Industrial-1 to Corridor Commercial. Zoned Light Industrial-1/190 Tollway/Plano Parkway Overlay District.

REMARKS:

This is a request to rezone an undeveloped 14.6± acre tract located on the south side of Mapleshade Lane, 370± feet east of Silverglen Drive from Light Industrial-1 (LI-1) to Corridor Commercial (CC). The existing LI-1 zoning district is intended to provide areas for light manufacturing firms engaged in processing, assembling, warehousing, research and development, and incidental services that are developed in accordance with the same performance standards applicable to all other zoning districts.

The requested zoning is CC. The CC district is intended to provide for retail, service, office, and limited manufacturing uses within major regional transportation corridors. The regulations and standards of this district are reflective of the high traffic volumes and high visibility of these regional highways.

Surrounding Land Use and Zoning

The property to the north, across Mapleshade Lane, is zoned LI-1 and is partially developed as a public/private utility. To the east, the property is undeveloped and is zoned LI-1. To the south is additional undeveloped land, zoned CC. To the west, across Silverglen Drive, the property is partially developed as a hotel and is zoned CC.

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Plan designates this property as Major Corridor Development. The CC zoning request is in conformance with the Future Land Use Plan.

Adequacy of Public Facilities - Water and sanitary sewer services are available via extensions of existing services within Mapleshade Lane and Silverglen Drive.

Extension of Mapleshade Lane and Appropriate Future Surrounding Zoning

This property is part of a large undeveloped parcel. Staff has discussed the rezoning of this area to CC with property owner representatives and they have consented to the zoning change. The subject property is located south of Mapleshade Lane. Along the frontage road of State Highway 190, the land is zoned CC. To the north and east of the subject property, Mapleshade Lane was recently extended to connect to the frontage road of State Highway 190. This right-of-way extension subdivided the remainder of the LI-1 zoned property.

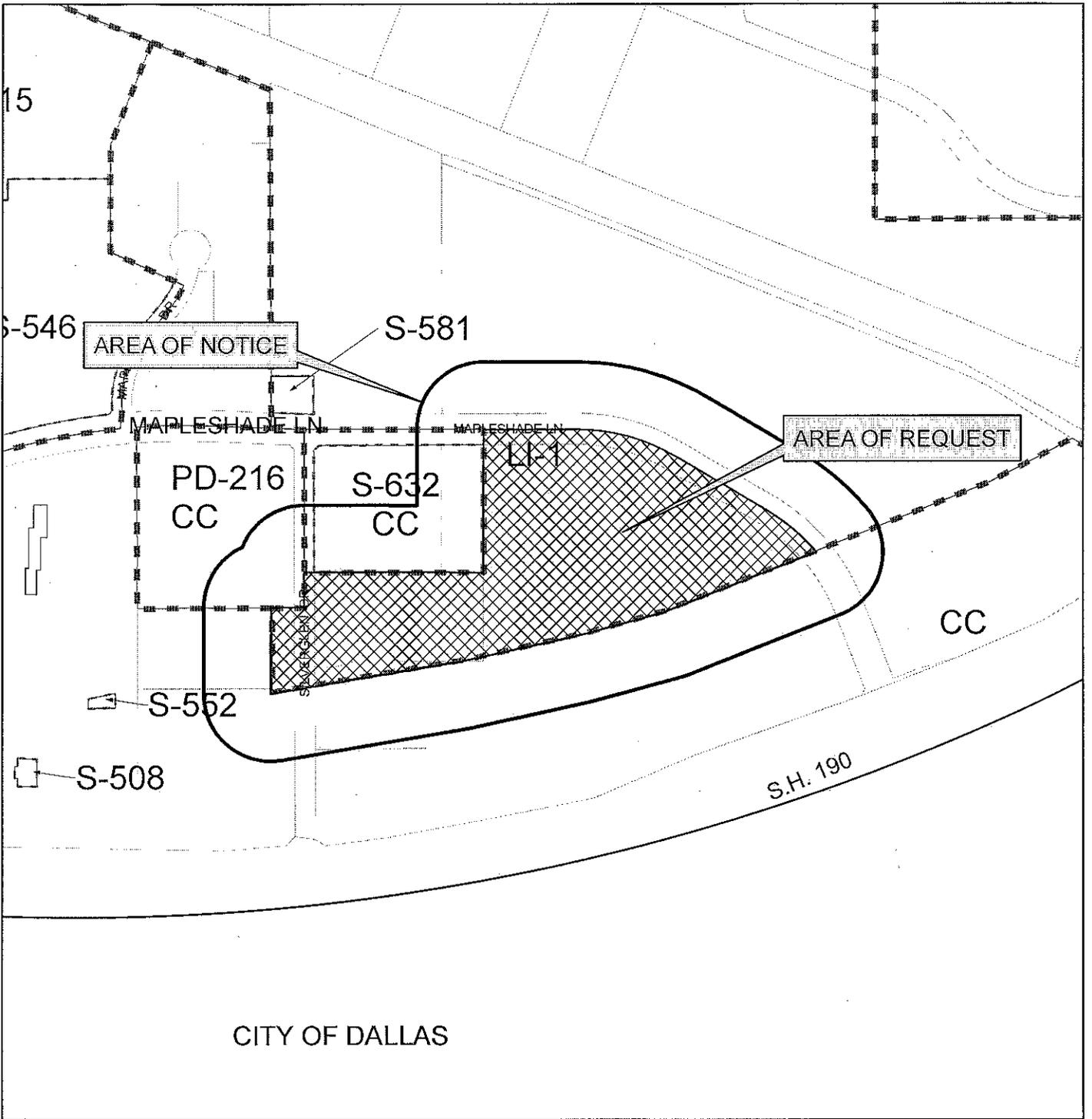
Staff believes that the area south of Mapleshade Lane is more suitable for commercial and employment uses than industrial uses. Currently, uses in this area include an assisted living facility which is under construction at the southeast corner of Mapleshade Lane and Silverglen Drive. To the south of this facility, a hotel development has been proposed, and to the east, a Specific Use Permit (SUP) for Assisted Living Facility is being requested with zoning case 2014-05. Given the proposed uses for the area, especially those related to senior living, staff believes this area is better suited for CC zoning.

Summary

This is a request to rezone an undeveloped 14.6± acre tract from LI-1 to CC. The request is in conformance with the Future Land Use Plan of the Comprehensive Plan, which designates the property as Major Corridor Development. Overall, staff believes the proposed location is appropriate for CC zoning given existing surrounding zoning and land uses coupled with the recent extension of Mapleshade Lane.

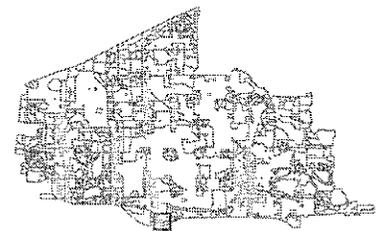
RECOMMENDATION:

Recommended for approval as submitted.



Zoning Case #: 2014-04

Existing Zoning: LIGHT INDUSTRIAL-1/
190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT



○ 200' Notification Buffer





MARKET CENTER DRIVE

DATA DRIVE

LOTUS DRIVE

Area of Request

MAPLESHADE LANE

SILVERGLEN DRIVE

PRES GEORGE BUSH TURNPIKE

PRES GEORGE BUSH HIGHWAY

FRANKFORD ROAD

REVEILLE RUN

WATERVIEW PARKWAY



Source: City of Plano, Planning Dept.
Date: March, 2014

Zoning Case 2014-04

Zoning Case 2014-04

An Ordinance of the City of Plano amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 14.6± acres of land out of the Martha McBride Survey, Abstract No. 553, located on the south side of Mapleshade Lane, 370± feet east of Silverglen Drive in the City of Plano, Collin County, Texas, from Light-Industrial-1 to Corridor Commercial; directing a change accordingly in the official zoning map of the City; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability 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 14th day of April 2014, for the purpose of considering rezoning 14.6± acres of land out of the Martha McBride Survey, Abstract No. 553, located on the south side of Mapleshade Lane, 370± feet east of Silverglen Drive in the City of Plano, Collin County, Texas, from Light-Industrial-1 to Corridor Commercial; 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 14th day of April, 2014; and

WHEREAS, the City Council is of the opinion and finds that such rezoning would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

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

Section I. The Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is hereby further amended so as to rezone 14.6± acres of land out of the Martha McBride Survey, Abstract No. 553, located on the south side of Mapleshade Lane, 370± feet east of Silverglen Drive in the City of Plano, Collin County, Texas, from Light-Industrial-1 to Corridor Commercial, said property being described in the legal description on 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 14TH DAY OF APRIL, 2014.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

Zoning Case 2014-04

BEING a tract of land situated in the Martha McBride Survey, Abstract No. 553, City of Plano, Collin County, Texas; being part of a tract of land described in Deed of Gift to the Board of Regents of the University of Texas System recorded in Volume 976, Page 517, Deed Records of Collin County, Texas, part of a tract of land described as Tract 2, Mapleshade Lane Right-of-Way (a 92-foot wide right-of-way) described in Special Warranty Deed to the City of Plano, Texas, recorded in Instrument No. 20130702000917810, Land Records of Collin County, Texas, part of Silverglen Drive R.O.W. Dedication, a 60-foot wide right-of-way according to the plat recorded in Cabinet O, Page 613, of the Plat Records of Collin County, Texas, part of Lot 5, Block B, Coit Center, an addition to the City of Plano, Texas, according to the plat recorded in Cabinet R, Page 208 of the Plat Records of Collin County, Texas, and part of Lot 6R, Block B, Coit Center, an addition to the City of Plano, Texas, according to the plat recorded in Volume 2006, Page 694 of the Plat Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a point on the centerline of said Mapleshade Lane, from said point a 1/2-inch iron rod found at the northeast corner of a right-of-way corner clip at the intersection of the south right-of-way line of said Mapleshade Lane and the east right-of-way line of said Silverglen Drive bears South, 84° 38' 17" West, a distance of 497.21 feet;

THENCE along the said centerline of Mapleshade Lane, the following courses and distances:

South, 89° 57' 00" East, a distance of 278.39 feet to a point at the beginning of a tangent curve to the right having a central angle of 30° 10' 16", a radius of 599.99 feet, a chord bearing and distance of South, 74° 51' 52" East, 312.31 feet;
In a southeasterly direction, with said curve to the right, an arc distance of 315.95 feet to a point for corner;
South, 59° 46' 45" East, a distance of 311.98 feet to a point at the beginning of a tangent curve to the right having a central angle of 19° 07' 42", a radius of 600.00 feet, a chord bearing and distance of South, 50° 12' 54" East, 199.38 feet;
In a southeasterly direction, with said curve to the right, an arc distance of 200.31 feet to a point for corner;

THENCE departing the said centerline of Mapleshade Lane, the following courses and distances:

South, 68° 33' 19" West, a distance of 495.22 feet to a point for corner;
South, 74° 58' 33" West, a distance of 278.92 feet to a point for corner;
South, 77° 43' 30" West, a distance of 346.74 feet to a point for corner;

South, 80° 25' 39" West, passing at a distance of 450.25 feet the east right-of-way line of said Silverglen Drive, at a distance of 511.09 feet passing the west right-of-way line of said Silverglen Drive and the east line of said Lot 5, continuing for a total distance of 581.61 feet to a point for corner ;

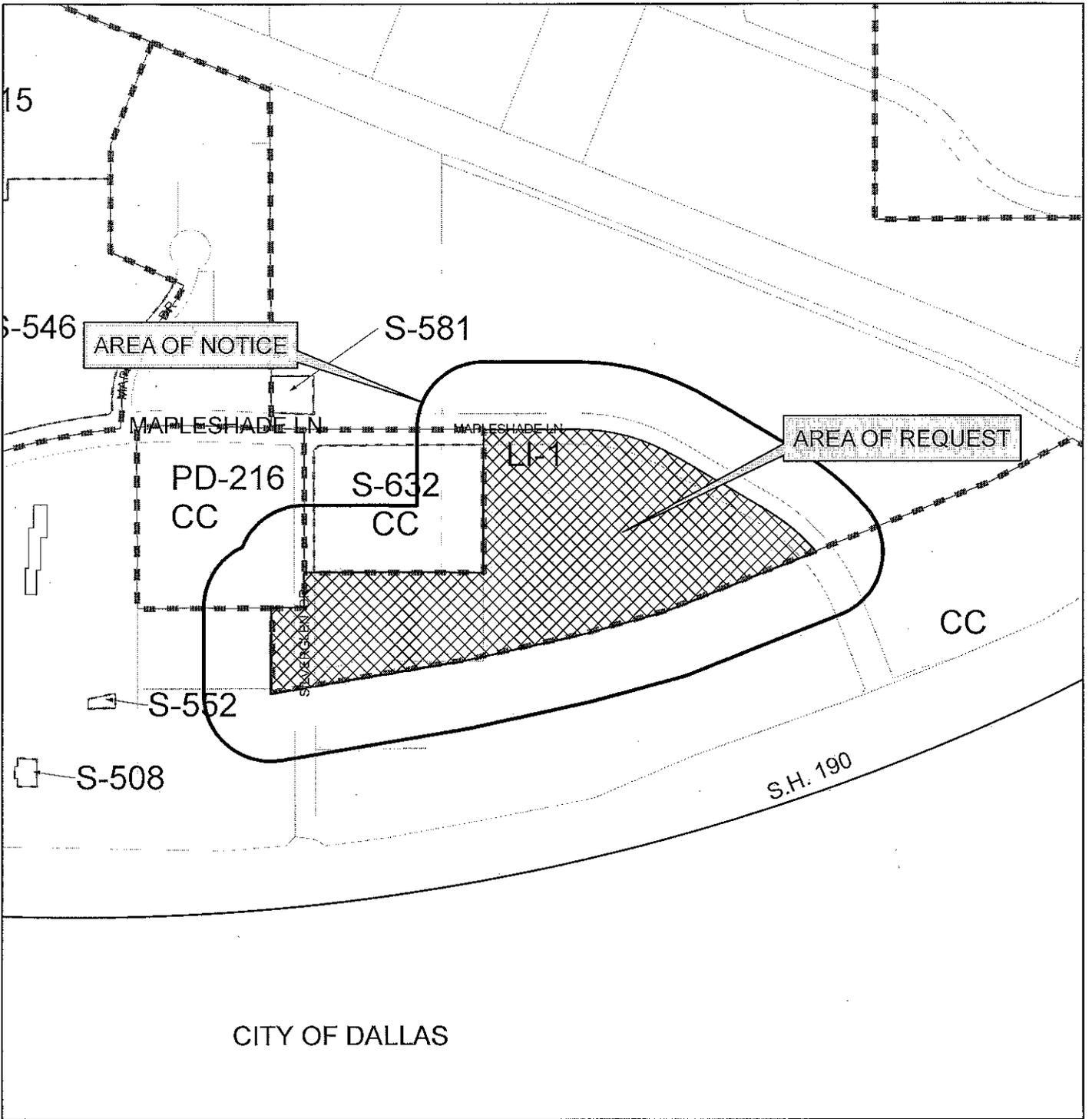
THENCE North, 00° 01' 27" East, at a distance of 18.59 feet passing the south line of said Lot 6R and continuing for a total distance of 259.59 feet to a point for corner in the north line of said Lot 6R;

THENCE with the said north line of Lot 6R, South, 89° 58' 02" East, passing at a distance of 69.59 feet a 1/2-inch iron rod found in the said west right-of-way line of Silverglen Drive at the northeast corner of said Lot 6R, continuing for a total distance of 99.66 feet to a point for corner in the centerline of said Silverglen Drive;

THENCE with the said centerline of Silverglen Drive, North, 00° 01' 27" East, a distance of 105.14 feet to a point for corner;

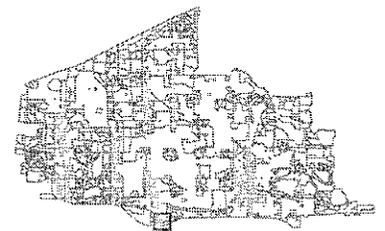
THENCE South, 89° 57' 00" East, at a distance of 29.93 feet passing the said east right-of-way line of Silverglen Drive, continuing for a total distance of 539.92 feet to a point for corner;

THENCE North, 00° 02' 00" East, a distance of 426.00 feet to the POINT OF BEGINNING and CONTAINING 14.607 acres or 636,299 square feet of land.



Zoning Case #: 2014-04

Existing Zoning: LIGHT INDUSTRIAL-1/
190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT



○ 200' Notification Buffer



ZONING REQUEST SUMMARY
 ZONING CASE #2014-04
 14.87 ACRES
 25000 S. SILVERGLEN DR.
 7500 GENERAL COUNTY

ZONING STATEMENT
 PURPOSE OF THE ZONING CASE ASSOCIATED WITH THE EXHIBIT SHALL NOT BE APPROVED BY ANY ASSOCIATED ENTITY PLAT, OR PLAT, RECORD, OF DEVELOPMENT PROPOSED EXCEPT IN ACCORD WITH THE INTENT OF THE DEVELOPMENT PROPOSED. PLANNING AND ZONING COMMISSIONS AND CITY COUNCIL ACTION ON THIS EXHIBIT SHALL BE CONSIDERED AS AN ACCEPTANCE OF THE WORK HEREON, BUT DOES NOT CONSTITUTE AN ACCEPTANCE FROM ANY OTHER ENTITY ON THIS EXHIBIT.

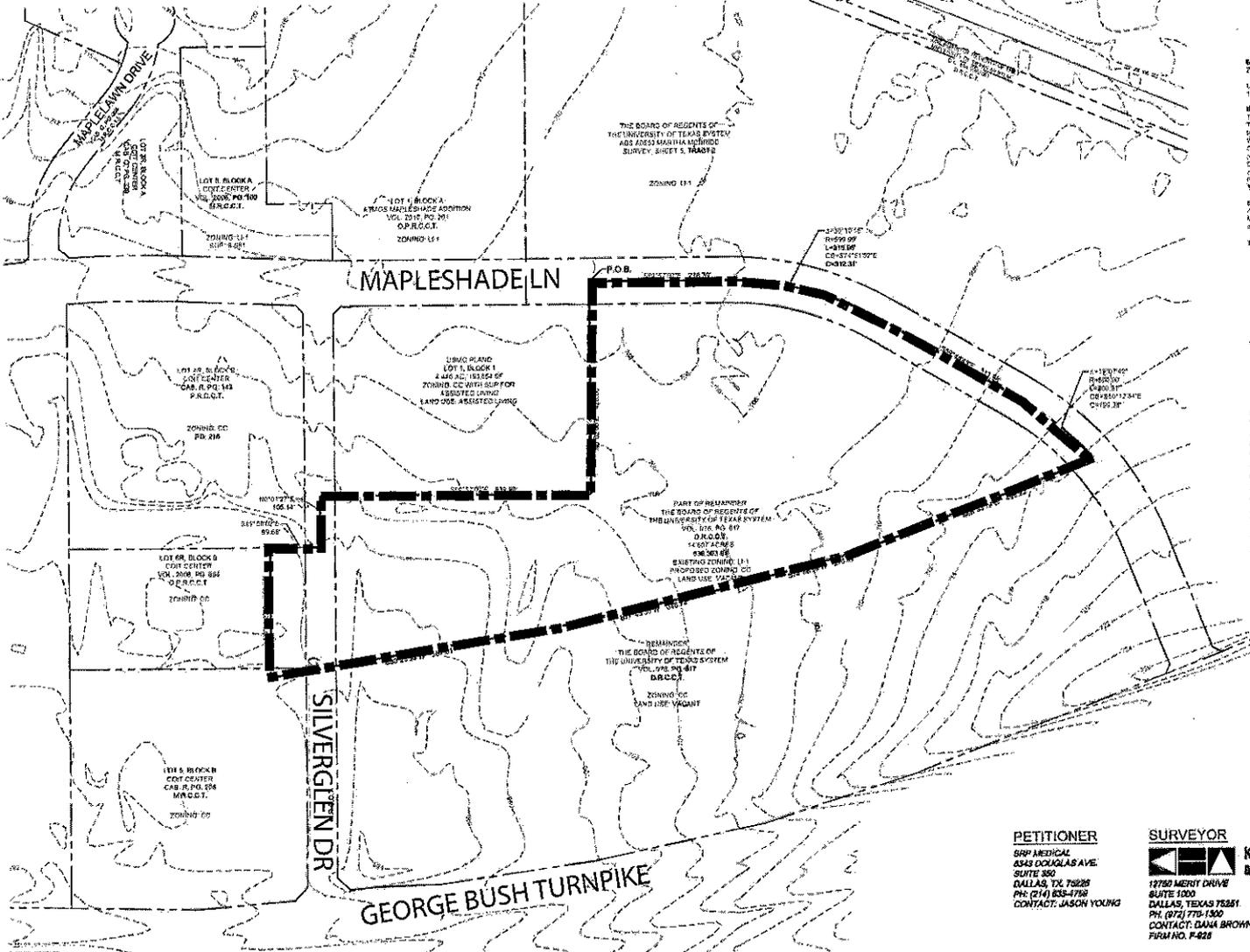
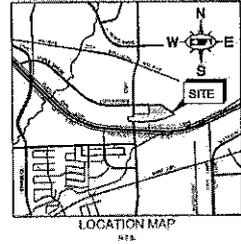
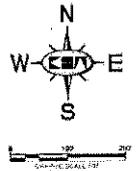


EXHIBIT A FOR
 ZONING CASE #2014-04
 LEGAL DESCRIPTION
 14.87 ACRES

BEING a part of land situated in the Seaside Middle Survey, Acreed No. 507, City of Plano, Collin County, Texas, being part of a tract of land described in Tract of 208 in the Report of Replacers of the University of Texas System recorded in volume 270, Page 417, Book 417, Deed Records of Collin County, Texas, part of a tract of land described as Tract 2, Magnolia Lane, High 42000 for 42000 sq. ft. (9.52 acres) right of way donated in Special Warranty Deed to the City of Plano, Texas, recorded in book 001, 2203030300000175, 175, and Deed Records of Collin County, Texas, part of a tract of land described in O.W. Davidson, a 400 acre tract of land according to the plat recorded in Volume 11, Page 208 of the Plat Records of Collin County, Texas, and part of Lot 87, Block 8, East Cameron an addition to the City of Plano, Texas, according to the plat recorded in volume 206, Page 106 of the Plat Records of Collin County, Texas, including those interests described as above.

BEGINNING at a point on the eastern line of East Mapleshade Lane, from said point a 100' curved front of the 100' front corner of an adjoining corner 400' at the location of the 100' front corner of East Mapleshade Lane, and the west right of way line of said East Mapleshade Lane, South 87°58'15" West, a distance of 497.71 feet.

EVIDENCE along the said northern line of Mapleshade Lane, the following courses and distances:
 South 84°50'00" East, a distance of 270.00 feet to a point at the beginning of a straight course to the right having a bearing angle of 307°05'00", a distance of 400.00 feet, a closed bearing with measure of South 74°52'50" East 342.31 feet.
 In a southeasterly direction, with said course to the right, an arc distance of 315.00 feet to a point for corner.
 South 89°46'15" East, a distance of 311.00 feet to a point at the beginning of a straight course to the right having a bearing angle of 197°00'00", a distance of 400.00 feet, a closed bearing and distance of South 60°12'54" East, 139.50 feet.
 In a southeasterly direction, with said course to the right, an arc distance of 200.00 feet to a point for corner.

EVIDENCE describe the last easterly line of Mapleshade Lane, the following courses and distances:
 South 68°05'15" West, a distance of 400.00 feet to a point for corner.
 South 74°52'50" West, a distance of 270.00 feet to a point for corner.
 South 74°52'50" West, a distance of 342.31 feet to a point for corner.
 South 80°23'00" West, passing at a distance of 450.00 feet the west right of way line of said East Mapleshade Lane, a distance of 450.00 feet along the same right of way line of said East Mapleshade Lane and the west right of way line of said East Mapleshade Lane, a distance of 450.00 feet to a point for corner.

EVIDENCE South 89°46'15" East, a distance of 311.00 feet passing the south line of said Lot 87 and continuing to a total distance of 200.00 feet to a point for corner on the west line of said Lot 87.
EVIDENCE with the east corner line of Lot 87, South 89°46'15" East, bearing at a distance of 400.00 feet to a point on the east line of said Lot 87, continuing here a distance of 39.00 feet to a point for corner in the northeast corner of said East Mapleshade Lane.

EVIDENCE with the east corner line of East Mapleshade Lane, South 87°58'15" East, a distance of 100.00 feet to a point for corner.
EVIDENCE South 89°46'15" East, a distance of 311.00 feet along the same right of way line of said East Mapleshade Lane, continuing here a distance of 39.00 feet to a point for corner.

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EVIDENCE South 89°46'15" East, a distance of 311.00 feet along the same right of way line of said East Mapleshade Lane, continuing here a distance of 39.00 feet to a point for corner.

PETITIONER
 SRP MEDICAL
 6345 DOUGLAS AVE.
 SUITE 350
 DALLAS, TX 75226
 PH: (214) 853-7789
 CONTACT: JASON YOUNG

SURVEYOR

 17750 MERRY DRIVE
 SUITE 1000
 DALLAS, TEXAS 75241
 PH: (972) 778-1300
 CONTACT: DANA BROWN, RPLS
 FIRM NO. F-428

ZONING CASE #2014-04
ENGINEER

 5700 GENERAL COUNTY
 SUITE 1000
 FRODOO, TEXAS 75084
 PH: (972) 535-5580
 CONTACT: TROY BRASHWELL, P.E.
 FIRM NO. F-428

NO.	REVISIONS	DATE	BY

Kinley-Horn and Associates, Inc.
 5700 GENERAL COUNTY, SUITE 1000, FRODOO, TEXAS 75084
 PHONE: 972-535-5580
 WWW.KINLEY-HORN.COM
 TEXAS REGISTERED PROFESSIONAL ENGINEER: 11-1258

SRP ASSISTED LIVING PLANO
 COLLIN COUNTY, TEXAS

SRP ASSISTED LIVING PLANO
 COLLIN COUNTY, TEXAS

ZONING EXHIBIT

SHEET NUMBER
 1 OF 1