

**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. 9A - PUBLIC HEARING  
ZONING CASE 2014-05  
APPLICANT: UNIVERSITY OF TEXAS**

Request for a Specific Use Permit for Assisted Living Facility on 3.1± acres located on the south side of Mapleshade Lane, 370± feet east of Silverglen Drive. Zoned Light Industrial-1/190 Tollway/Plano Parkway Overlay District.

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

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

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

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

**STIPULATIONS:**

Recommended for approval subject to City Council approval of Zoning Case 2014-04.

**FOR CITY COUNCIL MEETING OF:** April 14, 2014 (To view the agenda for this meeting, see [www.planotx.gov](http://www.planotx.gov))

**PUBLIC HEARING - ORDINANCE**

EH/dc

xc: Kirk James, Board of Regents of University of Texas System  
Trey Braswell, Kimley-Horn and Associates, Inc.  
Wayne Snell, Permit Services Manager

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

CITY OF PLANO  
PLANNING & ZONING COMMISSION

March 17, 2014

**Agenda Item No. 9A**

**Public Hearing:** Zoning Case 2014-05

**Applicant:** University of Texas

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**DESCRIPTION:**

Request for a Specific Use Permit for Assisted Living Facility on 3.1± acres located on the south side of Mapleshade Lane, 370± feet east of Silverglen Drive. Zoned Light Industrial-1/190 Tollway/Plano Parkway Overlay District.

**REMARKS:**

This is a request for a Specific Use Permit (SUP) for Assisted Living Facility on 3.1± acres located on the south side of Mapleshade Lane, 370± feet east of Silverglen Drive. The existing Light Industrial-1 (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 existing LI-1 zoning district does not allow assisted living facility uses; however, Zoning 2014-04 is a request to rezone the subject property, as well as the remaining property south of Mapleshade Lane, from LI-1 to Corridor Commercial (CC). Assisted living facilities are permitted in the CC district with approval of an SUP.

An SUP authorizes and regulates 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. An assisted living facility is defined as a building or buildings, other than a single-family dwelling, designed and staffed to provide housing for residents who require some type of support for daily living, such as assistance for bathing, dressing, medication, meal preparation, or other functions. In addition to housing, this type of facility may also provide convenience services, such as meals, housekeeping, transportation, and community facilities, such as central dining rooms and activity rooms.

A preliminary site plan, USMC Addition, Block 1, Lot 2, accompanies this SUP request.

## **Surrounding Land Use and Zoning**

The property to the north, across Mapleshade Lane, is zoned LI-1 and is partially developed as a shops, office, and storage area - public/private utility. To the east, the property is undeveloped and is zoned LI-1. To the south is additional undeveloped land, zoned LI-1 and CC. To the west is an assisted living facility currently under construction, zoned CC with SUP #632 for Assisted Living Facility.

## **SUP Request**

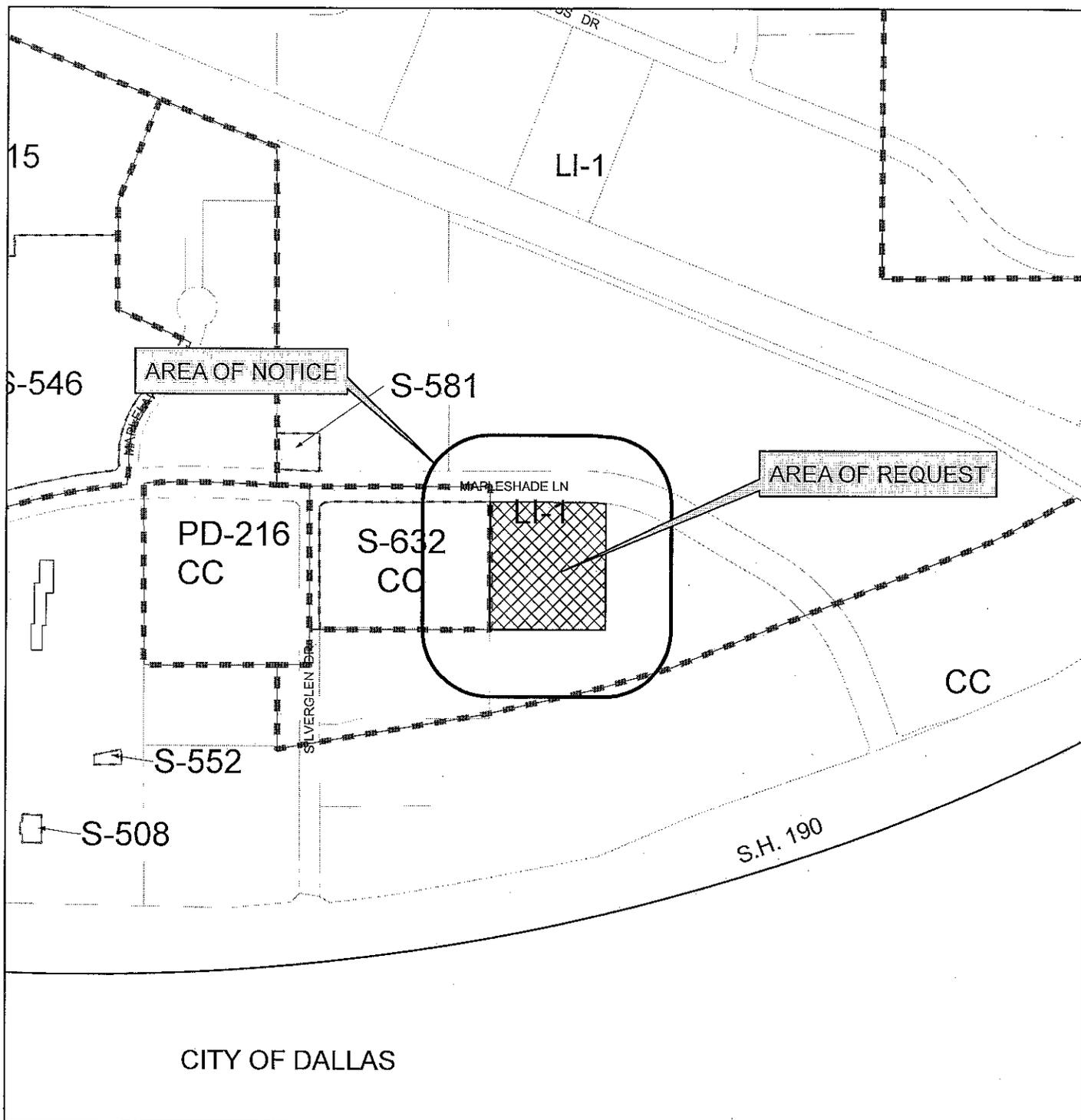
The requested SUP is consistent with the existing SUP #632 for Assisted Living Facility immediately adjacent to the west. Additionally several nearby properties, including PD-216-CC to the west, across Silverglen Drive, and PD-215-CC to the northwest across Mapleshade Lane, are zoned and partially developed as multifamily residential uses. The subject property will derive its primary access from Mapleshade Lane. The site does not have frontage on State Highway 190, and should be buffered by future commercial and employment developments to the south and east. For these reasons, staff believes this is an appropriate location for an assisted living facility.

## **Summary**

The applicant is requesting an SUP for Assisted Living Facility. Staff believes the proposed location is appropriate for an assisted living facility given existing surrounding zoning and land uses. Therefore, staff recommends approval of the requested SUP for Assisted Living Facility.

## **RECOMMENDATION:**

Recommended for approval subject to City Council approval of Zoning Case 2014-04.

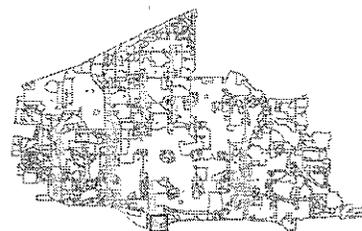


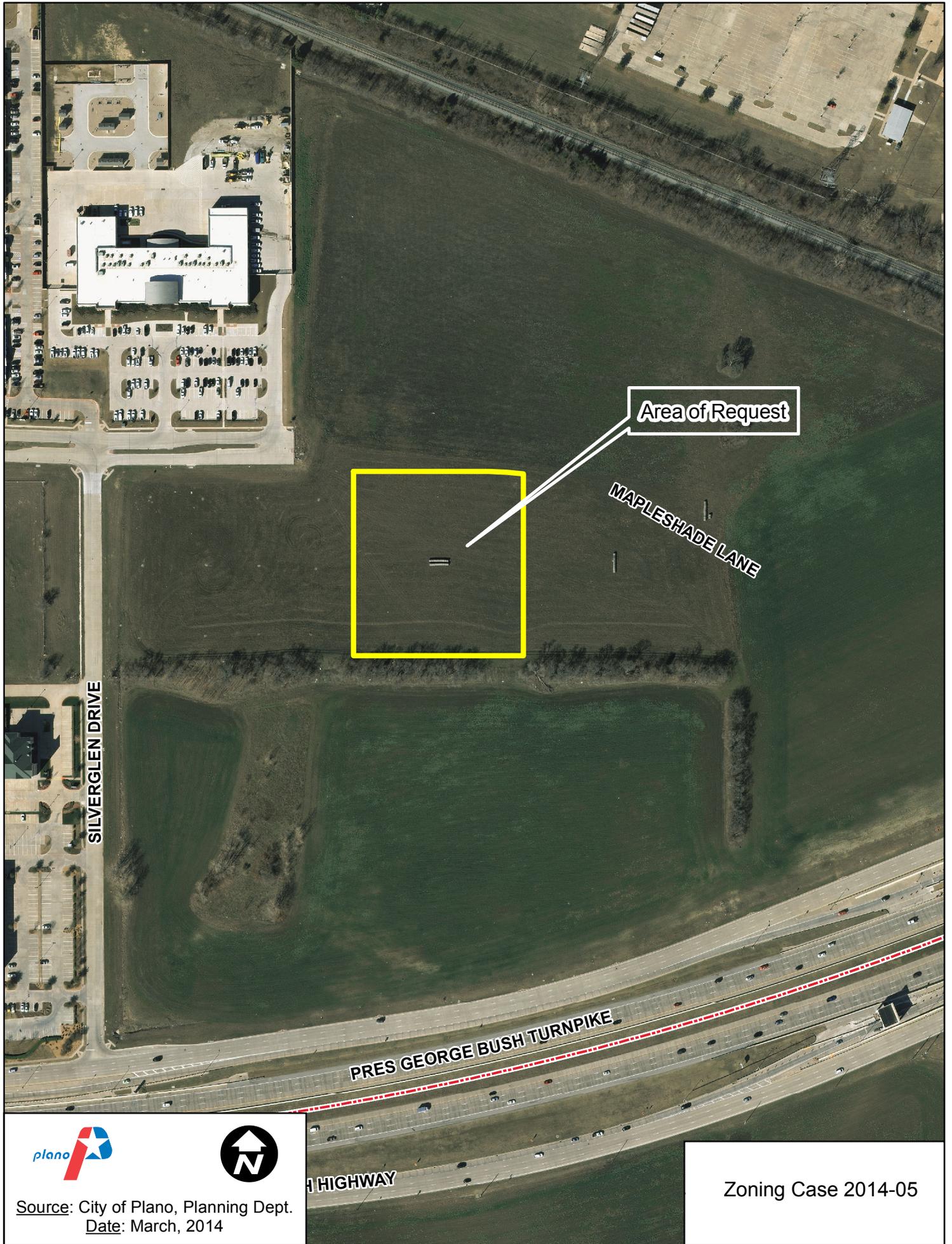
Zoning Case #: 2014-05

Existing Zoning: LIGHT INDUSTRIAL-1/

190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT

○ 200' Notification Buffer





Area of Request

MAPLESHADE LANE

SILVERGLEN DRIVE

PRES GEORGE BUSH TURNPIKE

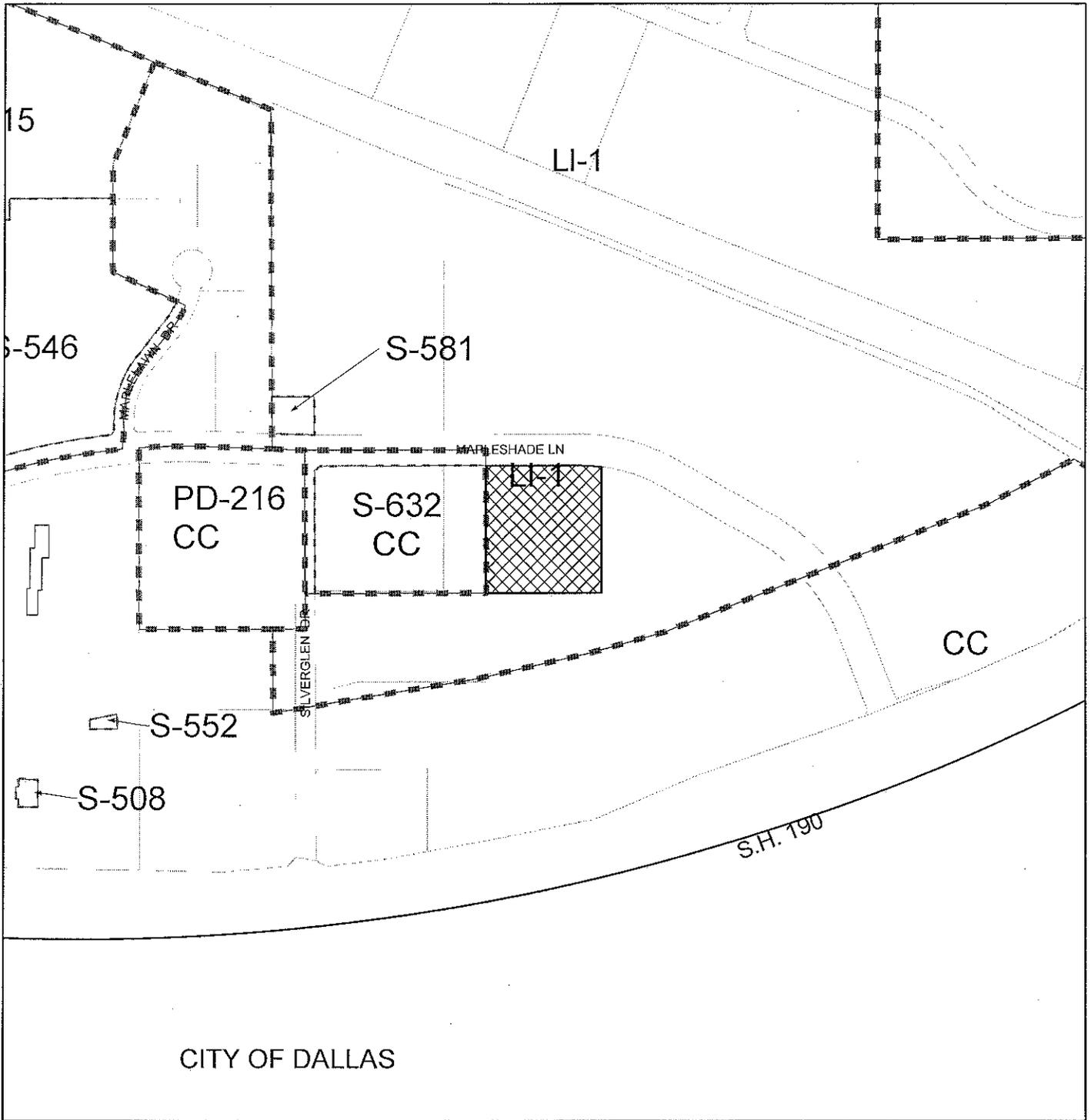
HIGHWAY



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

Zoning Case 2014-05



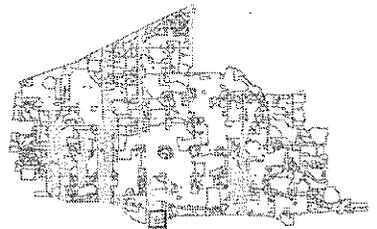


Item Submitted: PRELIMINARY SITE PLAN

Title: USMC PLANO  
BLOCK 1, LOT 2

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

○ 200' Notification Buffer





## Zoning Case 2014-05

**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. 646 so as to allow the additional use of Assisted Living Facility on 3.1± 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, presently zoned Corridor Commercial; 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 14th day of April, 2014, for the purpose of considering granting Specific Use Permit No. 646 for the additional use of Assisted Living Facility on 3.1± 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, presently zoned 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 the granting of Specific Use Permit No. 646 for the additional use of Assisted Living Facility on 3.1± 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, presently zoned Corridor Commercial, 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. 646 for the additional use of Assisted Living Facility on 3.1± 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, presently zoned Corridor Commercial, said property being more fully described on the legal description in Exhibit "A" attached hereto.

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

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

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

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

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

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

**PASSED AND APPROVED THIS THE 14TH DAY OF APRIL, 2014.**

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Harry LaRosiliere, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY

Zoning Case 2014-05

**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, and being more particularly described as follows:

**COMMENCING** at a point for the northern corner of a corner clip at the intersection of the south right-of-way line of Mapleshade Lane (variable width right-of-way) and the east right-of-way line of Silverglen Drive (variable width right-of-way);

**THENCE** with said south right-of-way line, the following courses and distances to wit:

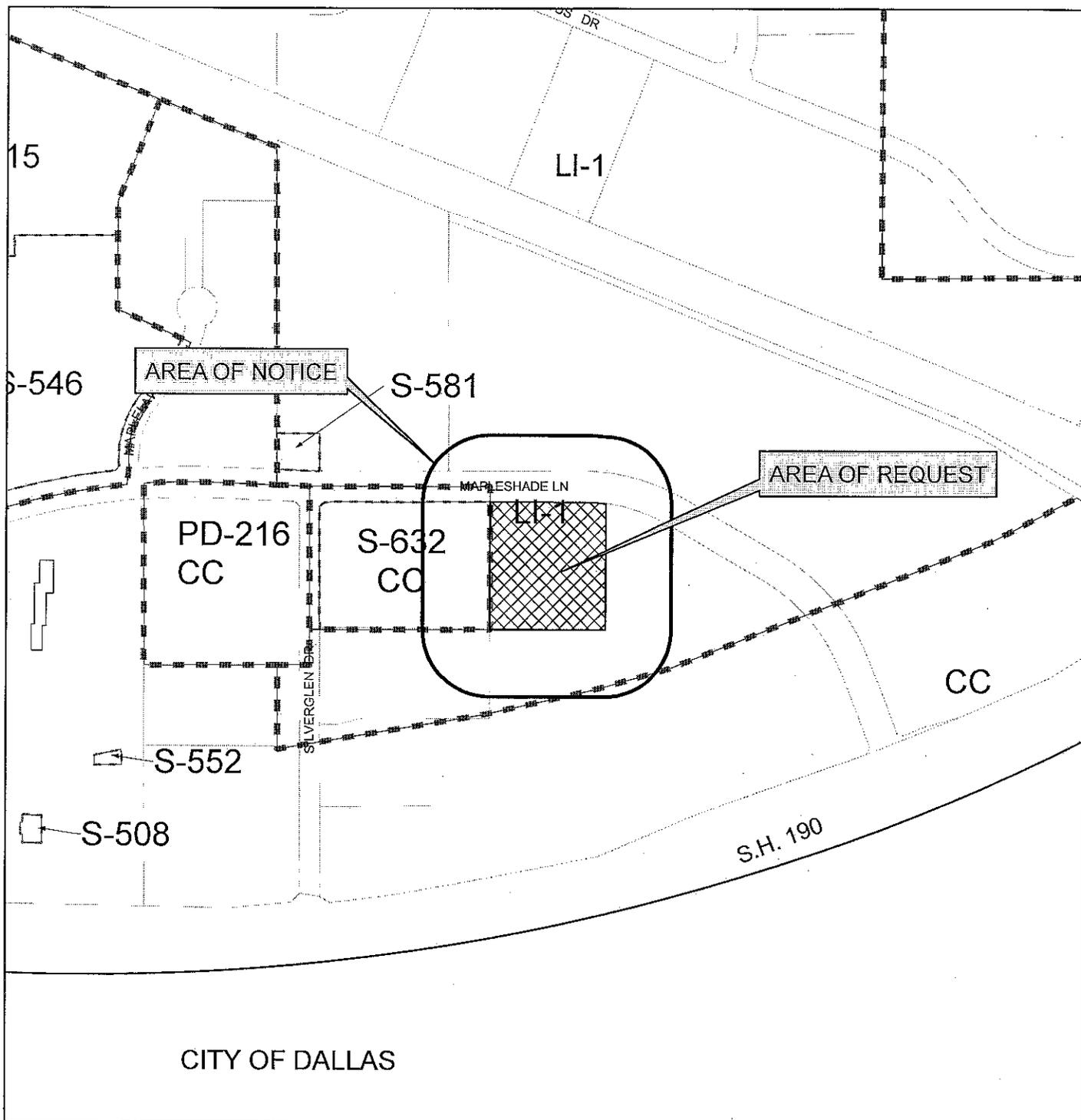
South, 87° 34' 57" East, a distance of 19.29 feet to a point for corner;  
North, 03° 20' 59" West, a distance of 1.70 feet to a point for corner;  
South, 89° 57' 00" East, a distance of 475.84 feet to the POINT OF BEGINNING;

**THENCE** along the said right-of-way line of Mapleshade Lane, the following courses and distances:

South, 89° 57' 00" East, a distance of 278.36 feet to a point at the beginning of a tangent curve to the right having a central angle of 07° 25' 29", a radius of 554.00 feet, a chord bearing and distance of South, 86° 14' 15" East, 71.74 feet;  
In a southeasterly direction, with said curve to the right, an arc distance of 71.79 feet to a point for corner;

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

South, 00° 03' 00" West, a distance of 375.36 feet to a point for corner;  
North, 89° 57' 00" West, a distance of 349.83 feet to a point for corner;  
North, 00° 02' 00" East, a distance of 380.00 feet to the POINT OF BEGINNING and CONTAINING 3.050 acres of land.



Zoning Case #: 2014-05

Existing Zoning: LIGHT INDUSTRIAL-1/

190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT

○ 200' Notification Buffer

