

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

**AGENDA ITEM NO. 8A - PUBLIC HEARING  
ZONING CASE 2012-23  
APPLICANT: UNIVERSITY OF TEXAS**

Request to rezone 4.5± acres located at the southeast corner of Silverglen Drive and Mapleshade Lane **from** Light Industrial-1 **to** Corridor Commercial and request for a Specific Use Permit for Assisted Living Facility. 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 as submitted. The Planning & Zoning Commission initiated a zoning case to rezone the remaining land south of the future extension of Mapleshade Lane from Light Industrial-1 to Corridor Commercial.

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

**PUBLIC HEARING – ORDINANCE**

EH/sf

xc: Kirk S Tames, Board of Regents of The University of Texas System  
Steve Belli, USMC North Dallas LLC

CITY OF PLANO  
PLANNING & ZONING COMMISSION

August 20, 2012

**Agenda Item No. 8A**

**Public Hearing:** Zoning Case 2012-23

**Applicant:** University of Texas

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**DESCRIPTION:**

Request to rezone 4.5± acres located at the southeast corner of Silverglen Drive and Mapleshade Lane **from** Light Industrial-1 **to** Corridor Commercial and request for a Specific Use Permit for Assisted Living Facility. Zoned Light Industrial-1/190 Tollway/Plano Parkway Overlay District.

**REMARKS:**

The applicant is requesting to rezone an undeveloped 4.5± acre tract located at the southeast corner of Silverglen Drive and Mapleshade Lane **from** Light Industrial-1 (LI-1) **to** Corridor Commercial (CC) and is requesting a Specific Use Permit (SUP) for Assisted Living Facility. 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 with an SUP for Assisted Living Facility. The existing LI-1 zoning district does not allow assisted living facility uses; therefore, the applicant is requesting to rezone the property to CC since assisted living facilities are allowed in the CC district with approval of an SUP. 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. 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.

### **Surrounding Land Use and Zoning**

The property to the north, across Mapleshade Lane, is zoned LI-1 and is developed as 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, across Silverglen Drive, is undeveloped property zoned Planned Development-216-Corridor Commercial.

### **Conformance to the Comprehensive Plan**

**Future Land Use Plan** - The Future Land Use Plan designates this property as Major Corridor Development (MCD). 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.

### **Assisted Living Facility SUP**

The applicant is requesting an SUP for assisted living facility. Approval of an SUP is required in the CC district. Adjacent properties, including PD-216-CC to the west, across Silverglen Drive, and PD-215-CC to the northwest across Mapleshade Lane, are zoned for future residential uses. The assisted living facility use would be complimentary to the future residential uses. The subject property will derive its primary access from Mapleshade Lane and Silverglen Drive. 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.

### **Extension of Mapleshade Lane and Appropriate Future Surrounding Zoning**

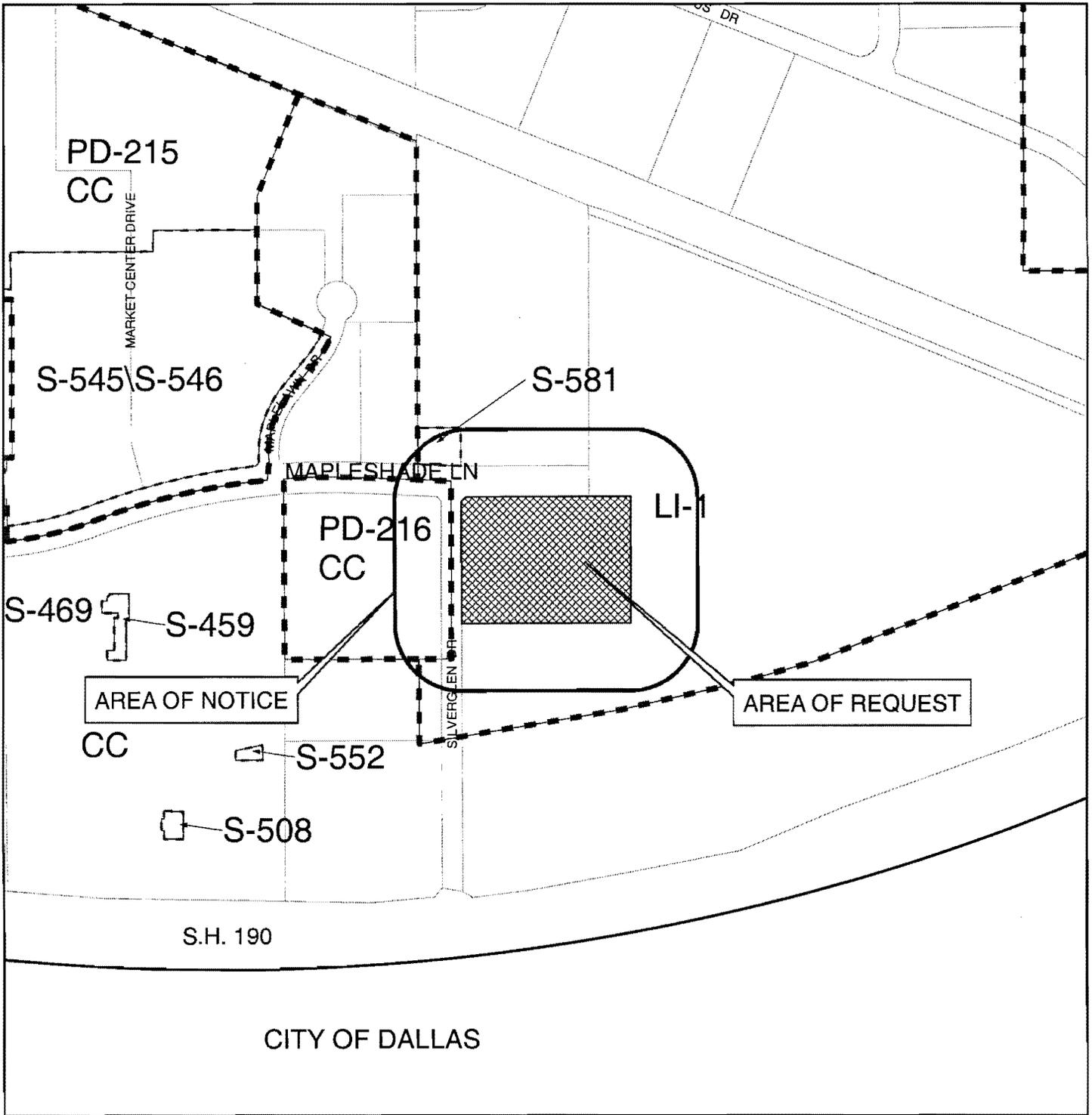
As stated previously, the land to the north, east and south of the subject property is zoned LI-1 and is owned by the University of Texas. Along the frontage road of State Highway 190, the land is zoned CC. To the north and east of the subject property, Mapleshade Lane is planned to extend eastward to connect to the frontage road of State Highway 190. Construction of this roadway extension is expected to commence during 2013, and when completed, this future right-of-way extension will subdivide the remainder of the LI-1 zoned property. Staff believes that the area south of the future right-of-way of Mapleshade Lane is more suited for commercial and employment uses than industrial uses. If the Planning & Zoning Commission and City Council believe that the requested CC zoning is appropriate for the subject property, then staff recommends that a zoning case be initiated to rezone the remaining portion of undeveloped land to the south of the future extension of Mapleshade Lane from LI-1 to CC. Staff has discussed the possibility of rezoning this area to CC with representatives for the University of Texas, and they have consented to the zoning change.

## **Summary**

The applicant is requesting to rezone an undeveloped 4.5± acre tract from LI-1 to CC and is requesting an SUP for assisted living facility. 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 and an assisted living facility given existing surrounding zoning and land uses. Therefore, staff recommends approval of the requested rezoning from CC to LI-1 with an SUP for assisted living facility. Due to the future planned extension of Mapleshade Lane eastward to connect to the State Highway 190 frontage road, staff recommends that a zoning case be initiated to rezone the remaining land south of the future extension of Mapleshade Lane from LI-1 to CC.

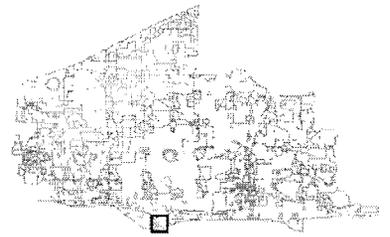
## **RECOMMENDATION:**

Recommended for approval as submitted. If the Planning & Zoning Commission and City Council approve this zoning request, staff recommends the city initiate a zoning case to rezone the remaining land south of the future extension of Mapleshade Lane from Light Industrial-1 to Corridor Commercial.

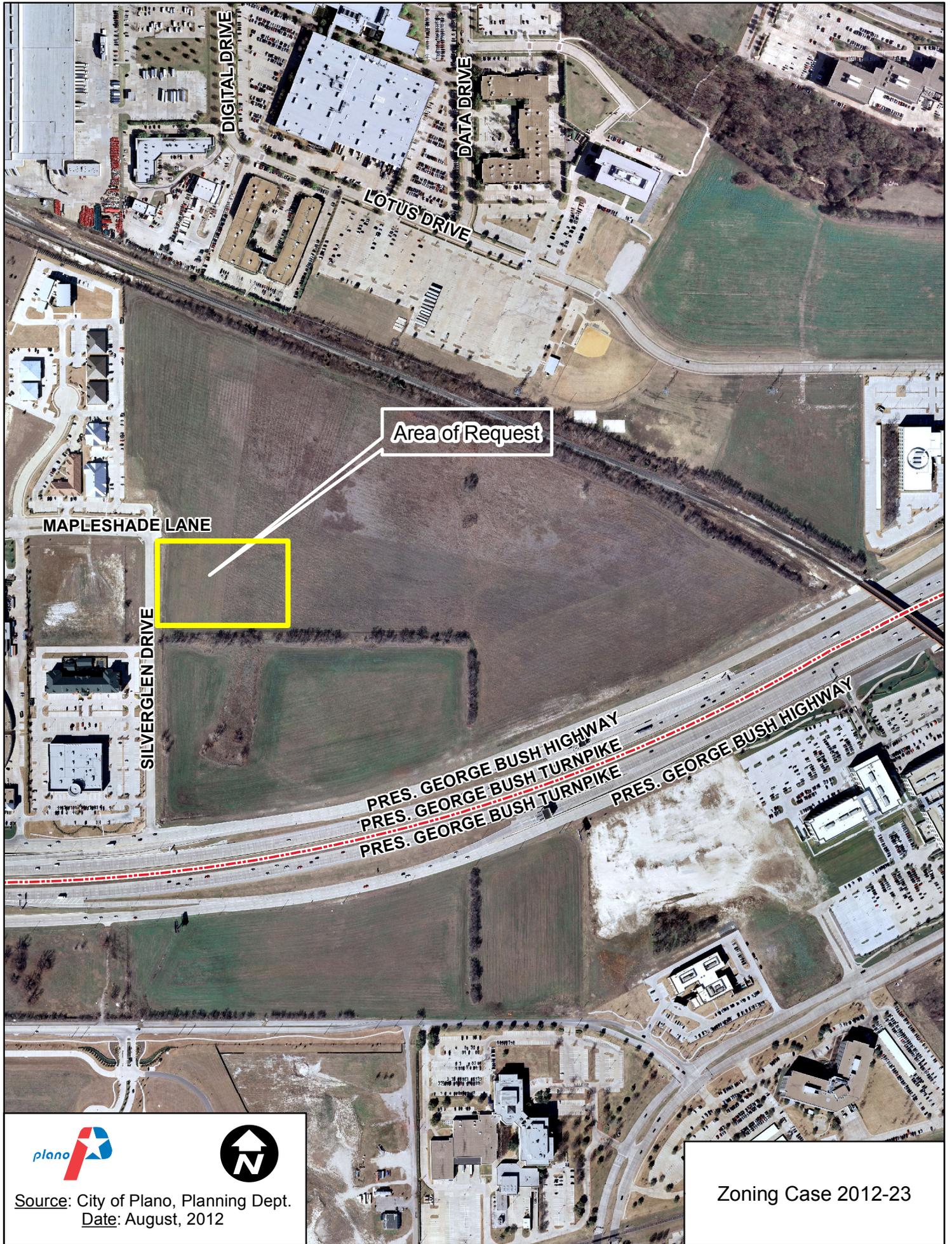


Zoning Case #: 2012-23

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



○ 200' Notification Buffer



Area of Request

MAPLESHADE LANE

SILVERGLEN DRIVE

PRES. GEORGE BUSH HIGHWAY  
PRES. GEORGE BUSH TURNPIKE  
PRES. GEORGE BUSH TURNPIKE

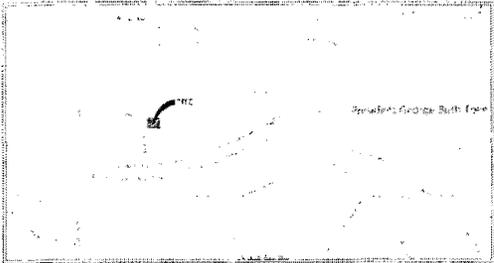
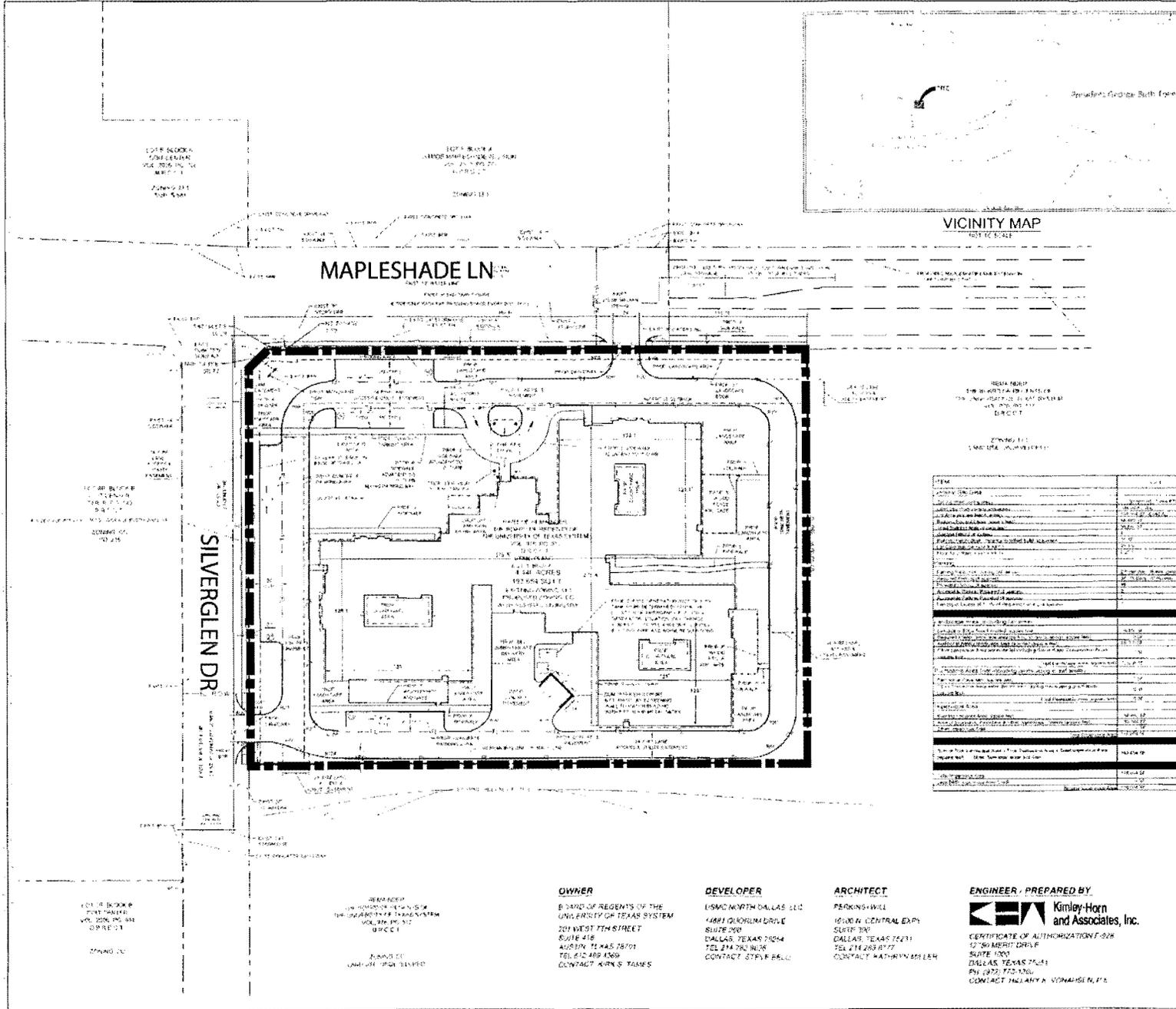
PRES. GEORGE BUSH HIGHWAY



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

Zoning Case 2012-23





VICINITY MAP  
1/8" = 1' SCALE



**BENCH MARK LIST**

THIS SITE PLAN AND THE SUBSEQUENT CONSTRUCTION SHALL BE REFERENCED TO THE BENCH MARK LIST AND THE BENCH MARK LIST SHALL BE THE BASIS OF THE EAST BOUNDARY LINE OF THE BENCH MARK LIST AND THE BENCH MARK LIST SHALL BE THE BASIS OF THE EAST BOUNDARY LINE OF THE BENCH MARK LIST.

THIS NORTH ARROW IS THE TRUE NORTH ARROW AND NOT THE MAGNETIC NORTH ARROW.

**GENERAL NOTES**

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. THE BENCH MARK LIST IS THE BASIS OF THE EAST BOUNDARY LINE OF THE BENCH MARK LIST AND THE BENCH MARK LIST SHALL BE THE BASIS OF THE EAST BOUNDARY LINE OF THE BENCH MARK LIST.
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**OTHER NOTES**

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ITEM	DESCRIPTION	DATE
1	CONSTRUCTION	10/15/2010
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4	CONSTRUCTION	10/15/2010
5	CONSTRUCTION	10/15/2010
6	CONSTRUCTION	10/15/2010
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49	CONSTRUCTION	10/15/2010
50	CONSTRUCTION	10/15/2010

Kimley-Horn and Associates, Inc.

PRELIMINARY SITE PLAN

USMC - PLANO  
PREPARED FOR  
AMERICA DEVELOPMENT

PRELIMINARY SITE PLAN  
FOR  
USMC - PLANO  
LOT 1, BLOCK 1  
CITY OF PLANO  
CITY OF PLANO, COLLIN COUNTY, TEXAS  
MARTHA MCBRIDE SURVEY, ABSTRACT NO. 593  
CROSS LOT AREA: 4.148 ACRES

C-00

**OWNER**  
BOARD OF REGENTS OF THE  
UNIVERSITY OF TEXAS SYSTEM  
201 WEST 7TH STREET  
SUITE 418  
AUSTIN, TEXAS 78701  
TEL: 512 495 4369  
CONTACT: KIM S. FRANKS

**DEVELOPER**  
USMC NORTH DALLAS LLC  
4881 QUORUM DRIVE  
SUITE 200  
DALLAS, TEXAS 75244  
TEL: 214 762 8036  
CONTACT: STYLIE BELL

**ARCHITECT**  
PERKINS+WILL  
1610 N. CENTRAL EXPY  
SUITE 300  
DALLAS, TEXAS 75201  
TEL: 214 762 8177  
CONTACT: KATHRYN WALKER

**ENGINEER - PREPARED BY**  
Kimley-Horn  
and Associates, Inc.  
CERTIFICATE OF AUTHORIZATION # 26  
12150 MERIT DRIVE  
SUITE 1000  
DALLAS, TEXAS 75244  
PH: (972) 772-7300  
CONTACT: TALLIYANA SOMASHEKAR, P.E.

LOT 1, BLOCK 1  
USMC NORTH DALLAS  
CROSS LOT AREA: 4.148 ACRES

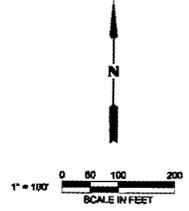
LOT 1, BLOCK 1  
USMC NORTH DALLAS  
CROSS LOT AREA: 4.148 ACRES

LOT 1, BLOCK 1  
USMC NORTH DALLAS  
CROSS LOT AREA: 4.148 ACRES

LOT 1, BLOCK 1  
USMC NORTH DALLAS  
CROSS LOT AREA: 4.148 ACRES



Area of Request



DATE: OCTOBER 2011		DESIGN BY: EVE		DRAWN BY: EVE		CHECKED BY: LTB		CITY PROJECT # 0000000	
<b>MAPLESHADE LANE EXTENSION</b> <b>CITY OF PLANO</b> <b>HORIZONTAL ALIGNMENT "B"</b>									
NO.	DESCRIPTION	BY	DATE	PRELIMINARY <small>This document is preliminary and is not to be used for construction purposes. It is subject to change without notice. It is not to be used for any other purpose without the written consent of the engineer.</small>					
				VERIFY SCALE 					
CP&Y 1600 RICAL ROW, SUITE 200 DALLAS, TEXAS 75248 PHONE: 972.243.8800 FAX: 972.243.8801 WWW.CPANDY.COM									



OFFICE OF ADMINISTRATION

THE UNIVERSITY OF TEXAS AT DALLAS

800 W. CAMPBELL RD., AD24  
RICHARDSON, TEXAS 75080-3021  
(972) 883-2213  
Fax (972) 883-2212

**MEMORANDUM**

To: Phyllis M. Jarrell, AICP – City of Plano Director of Planning

From: Calvin D. Jamison – Vice President for Administration

Date: August 15, 2012

Re: Rezoning of Corridor Commercial

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A handwritten signature in black ink, appearing to be 'C. Jamison', written over the 'From' line and extending down across the 'Date' and 'Re:' lines.

On behalf of The University of Texas at Dallas, I am in agreement with the change in zoning to Corridor Commercial, which also will assist in accommodating the planned assisted living facility. In addition, it will aid in the long-term development of this strategically located parcel of land.

Please contact me with questions or concerns.

CDJ/kc

cc: Kirk Tames – Assistant Director, Real Estate Office

## Zoning Case 2012-23

**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 4.5± acres of land out of the Martha McBride Survey, Abstract No. 553, located at the southeast corner of Silverglen Drive and Mapleshade Lane, in the City of Plano, Collin County, Texas, from Light Industrial-1 to Corridor Commercial; with Specific Use Permit No. 632 so as to allow the additional use of Assisted Living Facility; 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 10th day of September, 2012, for the purpose of considering rezoning 4.5± acres of land out of the Martha McBride Survey, Abstract No. 553, located at the southeast corner of Silverglen Drive and Mapleshade Lane, in the City of Plano, Collin County, Texas, from Light Industrial-1 to Corridor Commercial with Specific Use Permit No. 632 so as to allow the additional use of Assisted Living Facility; and

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

**WHEREAS**, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 10th day of September, 2012; and

**WHEREAS**, the City Council is of the opinion and finds that 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 4.5± acres of land out of the Martha McBride Survey, Abstract No. 553, located at the southeast corner of Silverglen Drive and Mapleshade Lane, in the City of Plano, Collin County, Texas, from Light Industrial-1 to Corridor Commercial, with Specific Use Permit No. 632 so as to allow the additional use of Assisted Living Facility 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 10TH DAY OF SEPTEMBER, 2012.**

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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

## Zoning Case 2012-23

BEING a tract of land situated in the Martha McBride Survey, Abstract No. 553, City of Plano, Collin County, Texas and 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:

BEGINNING at an "X" cut in concrete found for the southernmost corner of a right-of-way corner clip at the intersection of the east right-of-way line of Silverglen Drive (60-foot wide right-of-way) and the existing south right-of-way line of Mapleshade Lane (a variable width right-of-way);

THENCE with said right-of-way corner clip, North,  $46^{\circ} 13' 31''$  East, a distance of 20.77 feet to a 1/2-inch iron rod found for corner in the said existing south right-of-way line of Mapleshade Lane;

THENCE with the said existing south right-of-way line of Mapleshade Lane, the following courses and distances:

South,  $87^{\circ} 34' 57''$  East, a distance of 19.29 feet to a 1/2-inch iron rod found for corner;

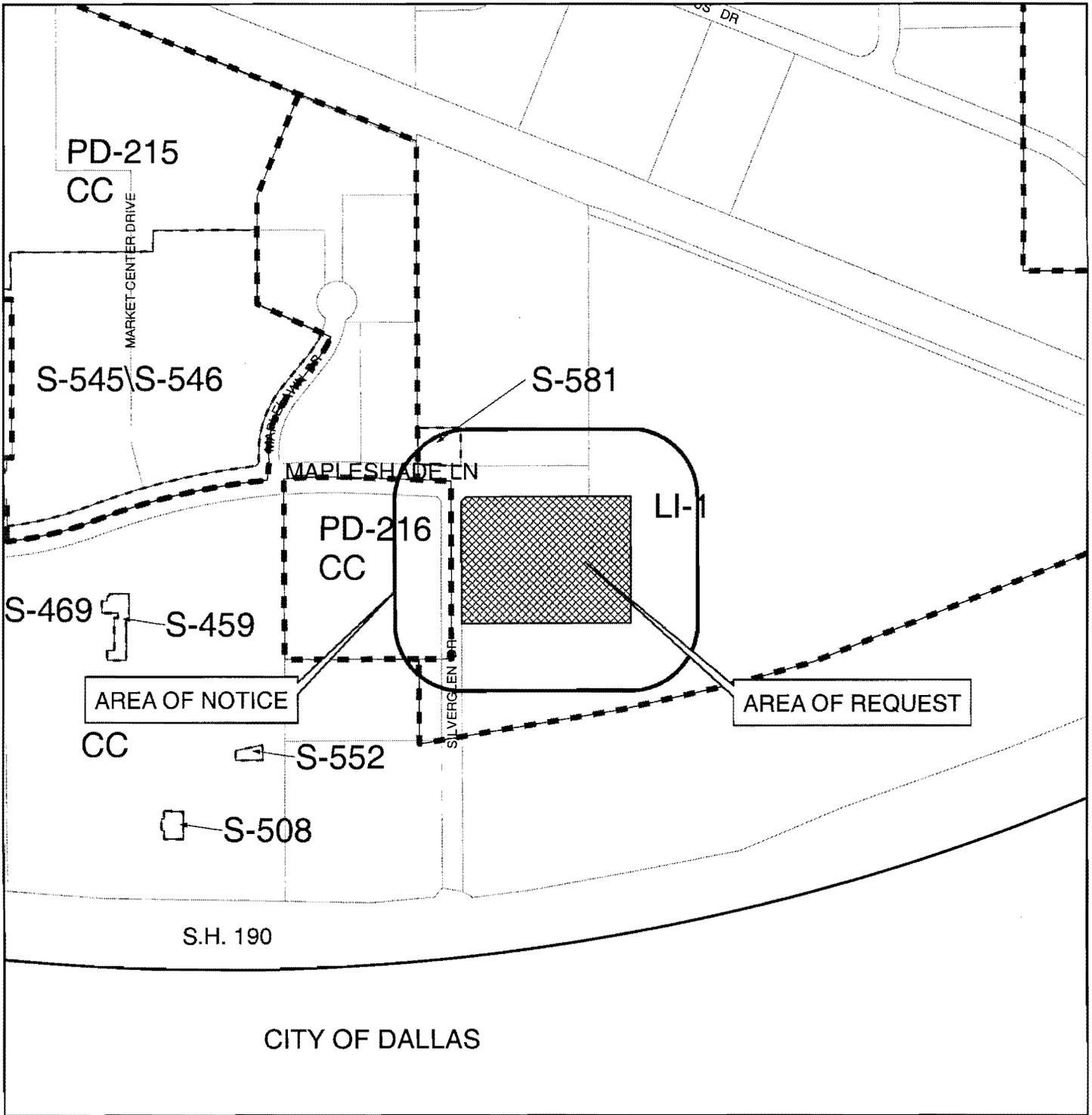
North,  $03^{\circ} 20' 59''$  West, a distance of 1.70 feet to a 1/2-inch iron rod found for corner;

South,  $89^{\circ} 57' 00''$  East, at a distance of 351.04 feet passing a 1/2-inch iron rod with cap found for the southeast terminus of said existing south right-of-way line of Mapleshade Lane, continuing with the proposed south right-of-way line of Mapleshade Lane for a total distance of 475.84 feet to a point for corner;

THENCE departing the said proposed south right-of-way line of Mapleshade Lane, South,  $00^{\circ} 02' 00''$  West, a distance of 380.00 feet to a point for corner;

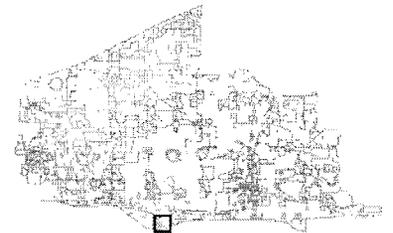
THENCE North,  $89^{\circ} 57' 00''$  West, a distance of 510.00 feet to a point for corner in the said east right-of-way line of Silverglen Drive;

THENCE with the said east right-of-way line of Silverglen Drive, North,  $00^{\circ} 02' 00''$  East, a distance of 364.72 feet to the POINT OF BEGINNING and CONTAINING 4.446 acres or 193,654 square feet of land.



Zoning Case #: 2012-23

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



○ 200' Notification Buffer

