

**DATE:** June 18, 2024

**TO:** Petitioners with Items before the Planning & Zoning Commission

**FROM:** Planning & Zoning Commission

**VIA:** Mike Bell, AICP, Development Review Manager acting as Secretary of the Planning & Zoning Commission MB

**SUBJECT:** Results of Planning & Zoning Commission Meeting of June 17, 2024

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**AGENDA ITEM NO. 3 - ZONING CASE 2024-010**  
**PETITIONER: MONTESSORI NEW BEGINNINGS ACADEMY, INC.**

Request to amend 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 Zoned Single-Family Residence-7. Project #ZC2024-010.

**APPROVED:** 5-0

Speaker Card(s) Received:	Support:	<u>2</u>	Oppose:	<u>0</u>	Neutral:	<u>0</u>
Letters Received Within 200' Notice Area:	Support:	<u>1</u>	Oppose:	<u>2</u>	Neutral:	<u>0</u>
Petition Signatures Received:	Support:	<u>0</u>	Oppose:	<u>0</u>	Neutral:	<u>0</u>
Other Responses:	Support:	<u>89</u>	Oppose:	<u>3</u>	Neutral:	<u>0</u>

**RESULTS:**

The Commission recommended the item for approval subject to the following stipulations:

*S-550 for Day Care Center*

1. Maximum number of children: ~~304~~ 360
2. The number of day care center children must be combined with the number of private school students under S-551 and must not exceed a combined total of 360.

*S-551 for Private School*

1. Maximum number of students: ~~80360. This~~ The number of private school students must be combined with the number of day care center children under S-550 and must not exceed a combined total of 304360 children as restricted by Specific Use Permit No. 550 for Day Care Center.

2. Students must be under 14 years of age on September 1st of the school year.
3. An irrigated landscaped edge with a combination of trees and shrubs must be maintained between the easternmost building and the eastern property line.
4. Solid waste enclosures must be located between Ohio Drive and the westernmost building.
5. Interior lights must not be visible from outside the eastern facade of the eastern building from 9:00 p.m. until 6:00 a.m.
6. 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.

To view the hearing, please click on the provided link:

<https://planotx.new.swagit.com/videos/308112?ts=1212>

JK/ts

cc: Eric Hill, Assistant Director of Planning  
Christina Sebastian, Land Records Planning Manager  
Melissa Kleineck, Lead Planner  
Justin Cozart, Sr. GIS Technician  
Jeanna Scott, Building Inspections Manager  
Dorothy Alatorre, Sr. Administrative Assistant - Neighborhood Services

[Google Link](#)

**AGENDA ITEM NO. 3**

**PUBLIC HEARING:** Zoning Case 2024-010

**PETITIONER:** Montessori New Beginnings Academy, Inc.

**CASE PLANNER:** John Kim, AICP Candidate

**DESCRIPTION:** Request to amend 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. Zoned Single-Family Residence-7. Project #ZC2024-010.

**SUMMARY:**

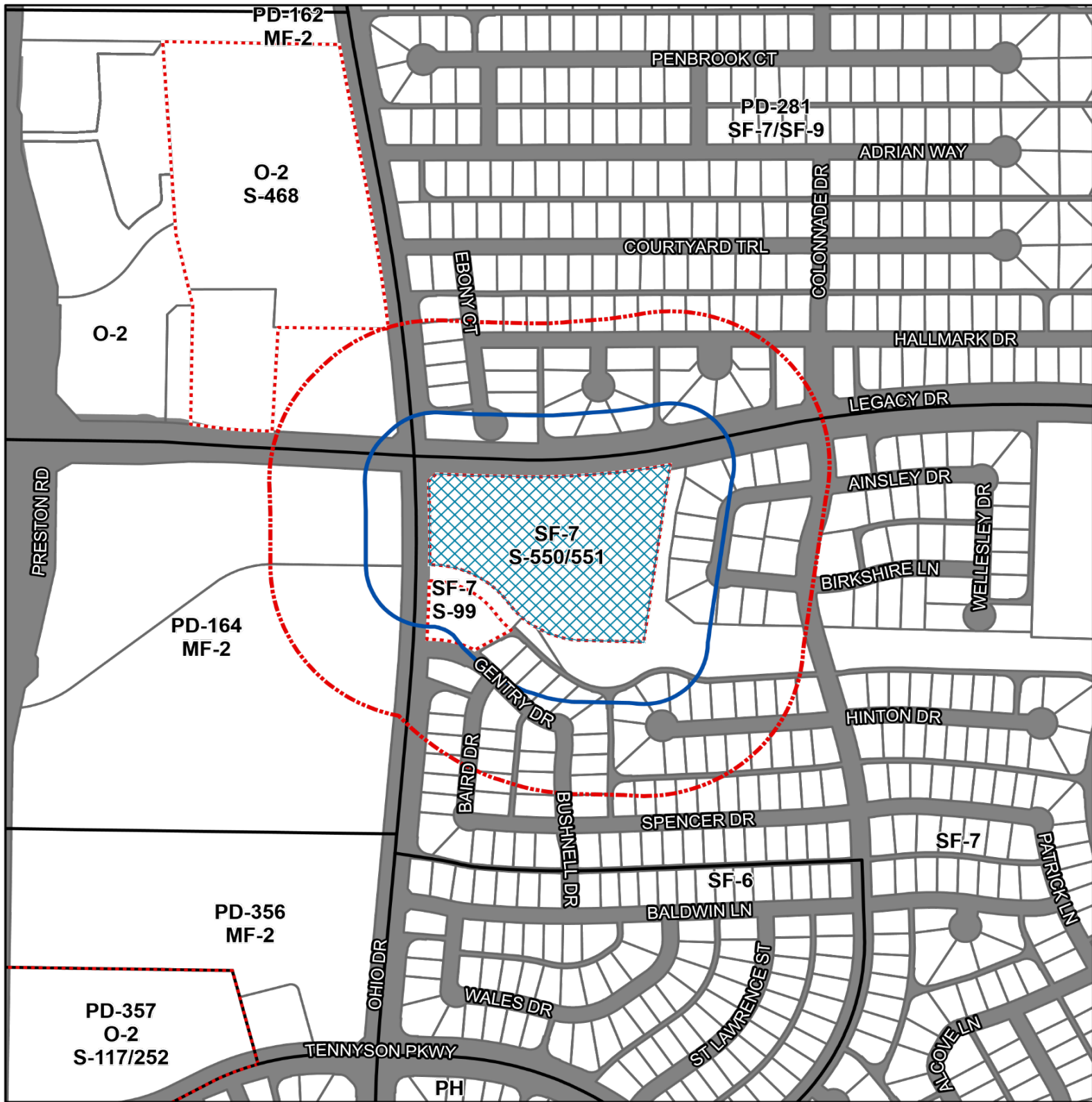
The subject property currently operates as a day care center and private school known as Archgate Montessori Academy. The applicant is requesting to amend Specific Use Permits No. 550 for Day Care Center (S-550) and 551 for Private School (S-551) for the following purposes:

1. To increase the combined maximum number of day care children and private school students from 308 to 360.
2. To remove the existing restriction of no more than 60 private school students.

Other restrictions regarding the age of students, landscape edges, solid waste enclosures, and lighting will remain unchanged. According to the applicant's letter, these changes are needed to meet increased demand for private school enrollment and allow flexibility in classroom size as grade level enrollment fluctuates. Major considerations of this request include:

- Traffic – The allowance for 56 additional children is estimated to increase the amount of trips generated by the site by 18%. There is sufficient space for queueing on site and the applicant is also using staggered pick-up/drop-off times to mitigate potential impacts to the surrounding street network.
- History of the Site – S-550 for a day care center was initially approved in 2004 and began operations in 2006. In 2018, the day care center was approved for a two-story building expansion, and in 2019, S-551 was approved temporarily for a private school, with a limit on the number of private school students. In 2020, the expiration on S-551 for Private School was removed.
- Conformance to the Comprehensive Plan – Staff finds the proposed amendments to S-550 and S-551 to be consistent with the Neighborhoods (N) future land use category of the Comprehensive Plan.

Staff is in support of the request.

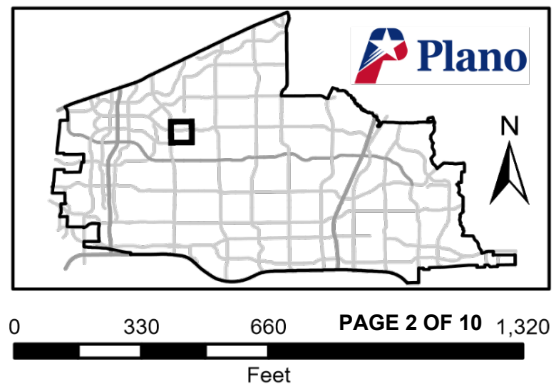


Zoning Case: 2024-010

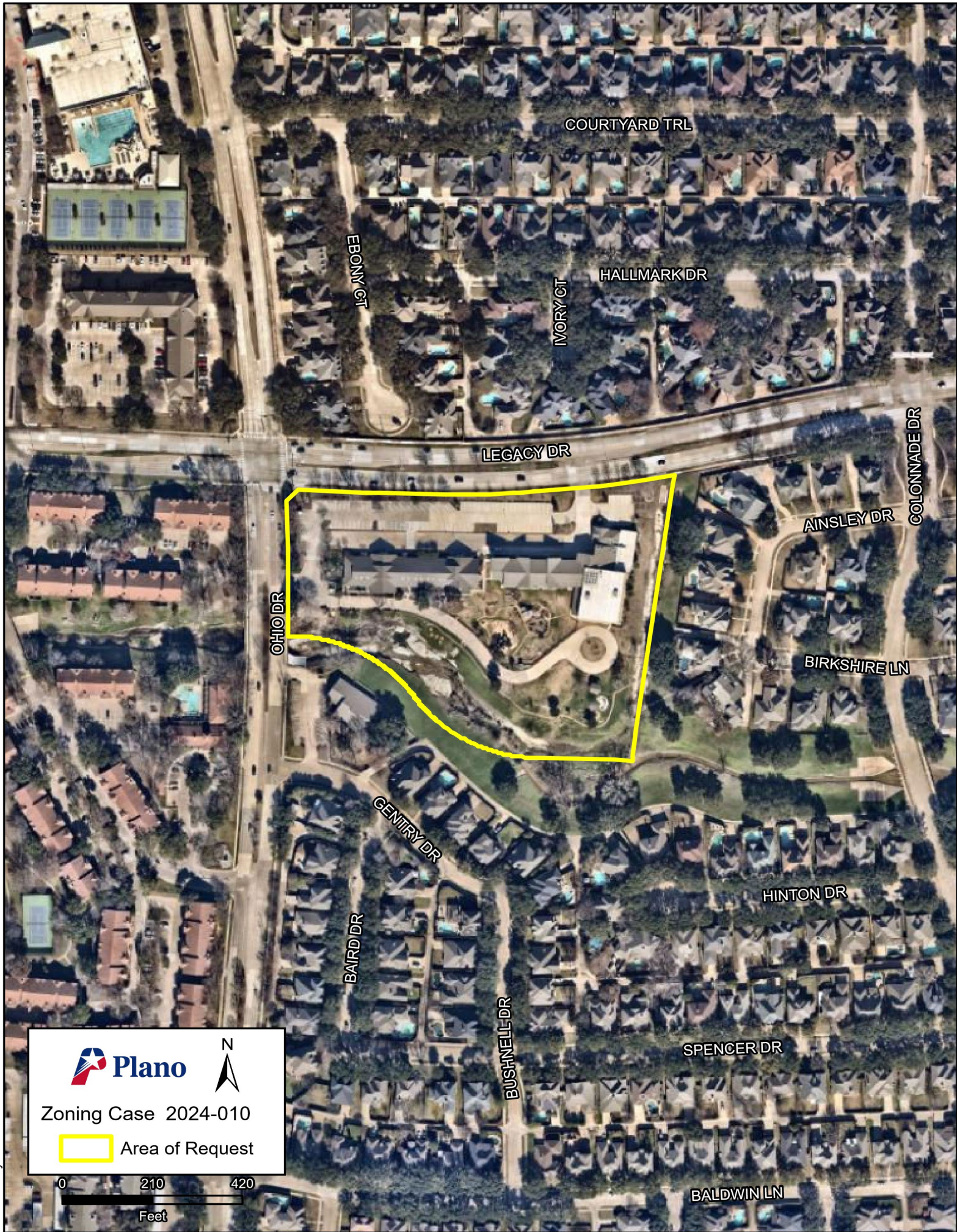
Existing Zoning: Single-Family Residence-7 with Specific Use Permits No. 550 for Day Care and No. 551 for Private School

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

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







Zoning Case 2024-010



Area of Request

0 210 420

Feet



## STAFF PRELIMINARY REPORT – INTRODUCTORY REMARKS

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The applicant is requesting to amend Specific Use Permits No. 550 for Day Care Center (S-550) and 551 for Private School (S-551) to allow a combined maximum total of 360 children/students.

Specific Use Permit – Subsection 6.100.2 (Specific Use Permits) of the Zoning Ordinance states:

*The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established.*

Additionally, Subsection 6.100.3 (Specific Use Permits) states the following:

*The Planning & Zoning Commission in considering and determining its recommendations to the City Council on any request for a specific use permit may require from the applicant plans, information, operating data, and expert evaluation concerning the location, function, and characteristics of any building or use proposed. The City Council may, in the interest of the public welfare and to ensure compliance with this ordinance, establish conditions of operation, location, arrangement, and type and manner of construction of any use for which a permit is authorized. In authorizing the location of any of the uses listed as specific use permits, the City Council may impose such development standards and safeguards as the conditions and locations indicate important to the welfare and protection of adjacent property from noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view, traffic, or other undesirable or hazardous conditions.*

Uses – The Zoning Ordinance defines private school and day care center as follows:

*Day Care Center – An operation other than public, parochial, or private school providing care for 7 or more children under 14 years of age for less than 24 hours per day at a location other than a residence.*

*School (Private) – A school under the sponsorship of a private agency or corporation other than a public or religious agency, having a curriculum generally equivalent to public elementary or secondary school.*

### S-550 and S-551 History

- 2004 – S-550 for Day Care Center was approved. The original SUP included no restrictions on the number of children or other site improvements.
- 2006 – The subject property was developed as a one-story, 14,790 square-foot building, including seven classrooms and other associated spaces. The initial concept plan for the day care center showed a future building expansion on the east side of the subject property.
- 2018 – The property owner received approval for a two-story, 31,883 square-foot building expansion that included eight classrooms, a full-service kitchen, a gymnasium, and a storm shelter. During the construction of this expansion, the city became aware that the day care's operations included the education of primary-school-aged children, so staff informed the

property owner that they must request an SUP to continue the private school use or, alternatively, they could operate only day care programs onsite.

- 2019 – After extensive discussion, S-551 for Private School was approved with a restriction limiting enrollment to no more than 50 students under 14 years of age, which, combined with the day care center, must total no more than 304 children. Standards for landscaping and solid waste enclosures were included to mitigate concerns about the building expansion's proximity to existing neighborhoods. S-550 for Day Care Center was also amended to restrict the maximum number of children to 304. These approvals were for the 2019-2020 school year only, as the ordinances included an expiration and rollback provisions effective May 31, 2020.
- 2020 (April) – S-550 and S-551 were amended to remove the expiration and rollback date restrictions. The maximum number of private school students was increased to its current limit of 80 students. Stipulations on interior and exterior lighting were also included in response to neighborhood concerns.

#### S-550 and S-551 Proposed Amendments

S-550 and S-551 stipulations are proposed to be amended as follows (additions are indicated by underline; deletions are indicated by strike-through):

##### *S-550 for Day Care Center*

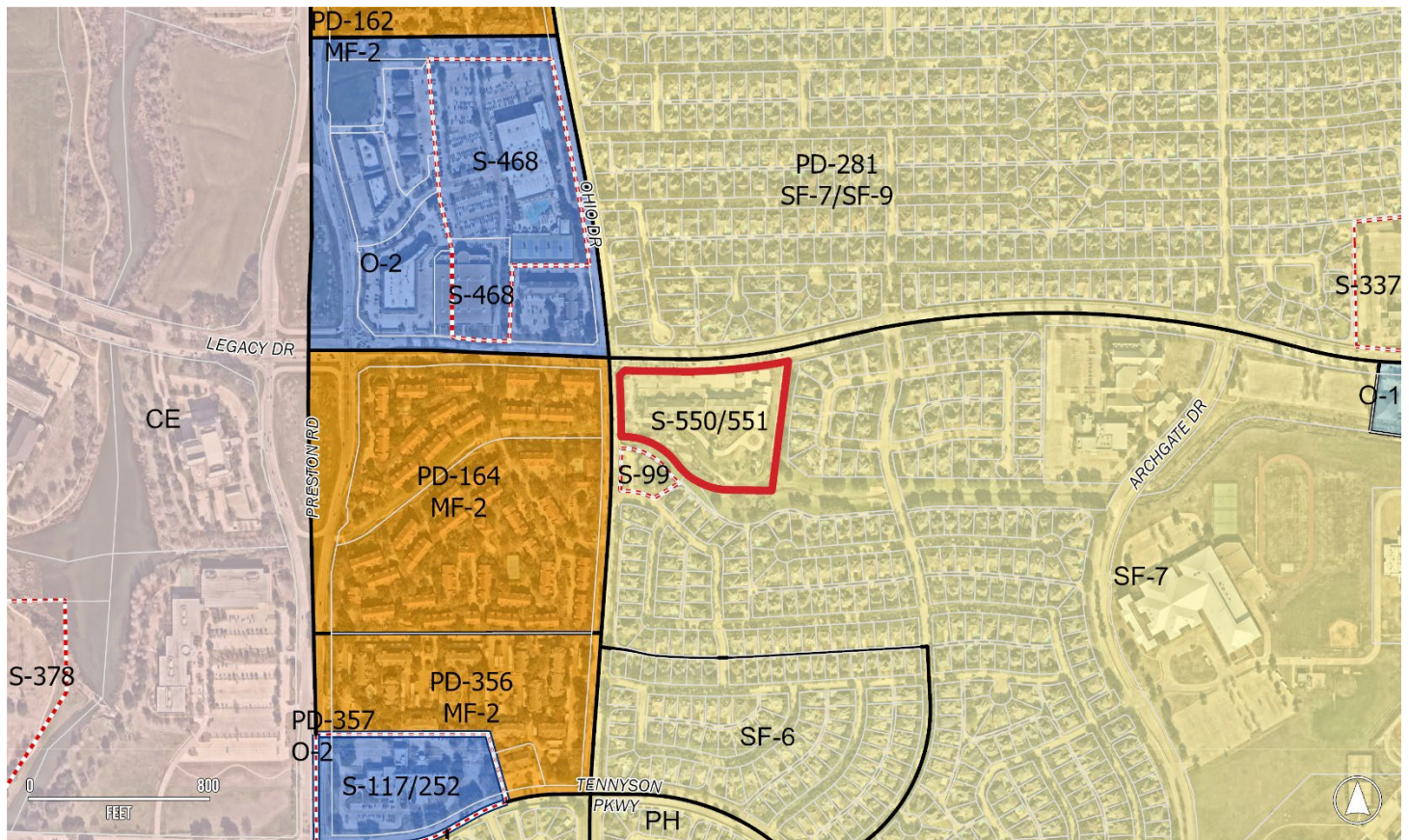
1. Maximum number of children: ~~304~~ 360
2. The number of day care center children must be combined with the number of private school students under S-551 and must not exceed a combined total of 360.

##### *T-551 for Private School*

1. Maximum number of students: ~~80~~360. ~~This~~ The number of private school students must be combined with the number of day care center children under S-550 and must not exceed a combined total of ~~304~~360 ~~children as restricted by Specific Use Permit No. 550 for Day Care Center.~~
2. Students must be under 14 years of age on September 1st of the school year.
3. An irrigated landscaped edge with a combination of trees and shrubs must be maintained between the easternmost building and the eastern property line.
4. Solid waste enclosures must be located between Ohio Drive and the westernmost building.
5. Interior lights must not be visible from outside the eastern facade of the eastern building from 9:00 p.m. until 6:00 a.m.
6. 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.

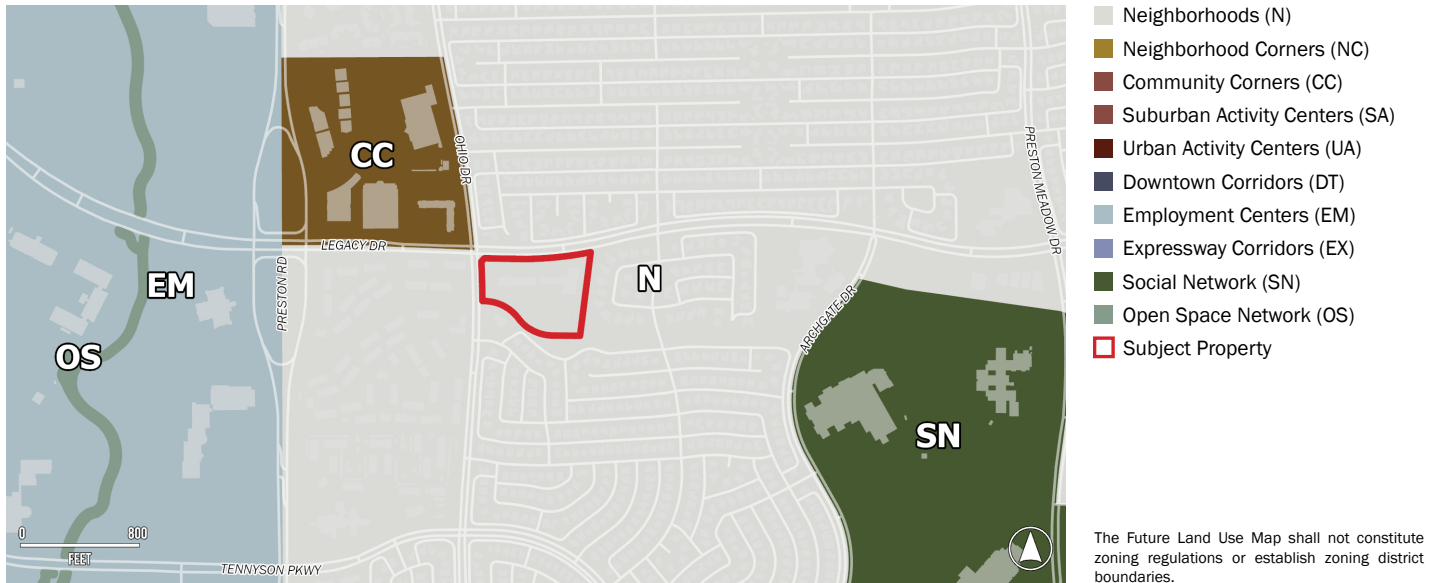
## Surrounding Land Use and Zoning

North	The properties to the north across Legacy Drive are zoned Planned Development-281-Single-Family Residence-7/Single-Family Residence-9 (PD-281-SF-7/SF-9) and are developed with single-family residences.
East	The properties are zoned Single-Family Residence-7 (SF-7) and are developed with single-family residences.
South	The properties are zoned Single-Family Residence-7 (SF-7) and SF-7 with Specific Use Permit No. 99 (S-99) for Day Care Center. They are developed with single-family homes and a day care center.
West	The properties to the west across Ohio Drive are zoned Planned Development-164-Multifamily Residence-2 (PD-164-MF-2) and developed with multifamily residences. The properties to the northwest are zoned General Office (O-2) and O-2 with Specific Use Permits No. 468 for Expanded Health/Fitness Center; these properties are developed with a hotel, health and fitness center, and medical offices.



VISION: "Plano is a global leader, excelling in exceptional education, abounding with world class businesses and vibrant neighborhoods"  
GUIDING PRINCIPLES: Plano Today. Plano 2050. Plano Together.

## 1 | Future Land Use Map



### Neighborhoods (N)

### PRIORITIES

The Neighborhoods future land use category consists primarily of residential areas focused on sustaining a high quality of life through well-maintained infrastructure, housing, open space, schools, and limited service/institutional uses.

**Residential Areas** - Single-family residential should remain the primary use within neighborhoods. It is the intention to preserve and enhance these uses and to regulate the design of new residential infill products to be within the context of the surrounding environment. Existing multifamily developments, which function as transitions from moderate and high intensity commercial areas, should be well maintained to preserve neighborhood character. With few large tracts left for residential development, some infill and redevelopment opportunities may not fit the typical neighborhood design.

**Non-Residential Areas** - Institutional, light office, and service uses are considered secondary uses and may be located along the frontage of arterial streets and intersections.

**Residential Adjacency Standards** - Adequate transitions in building setbacks and height must be provided when development is proposed near established neighborhoods.

1. Preserving neighborhood character and quality of life
2. Upkeep of existing housing stock
3. Requiring adjacent commercial land uses to provide adequate transitions
4. Variety of housing heights, sizes, and types

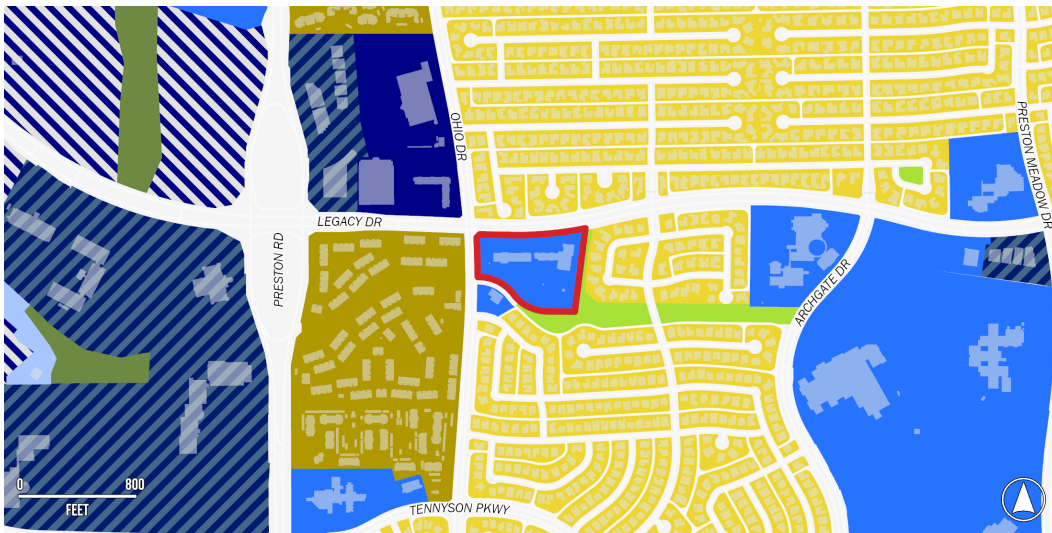


## 2 | Mix of Uses



Click here for  
"How to Read  
The Dashboards"

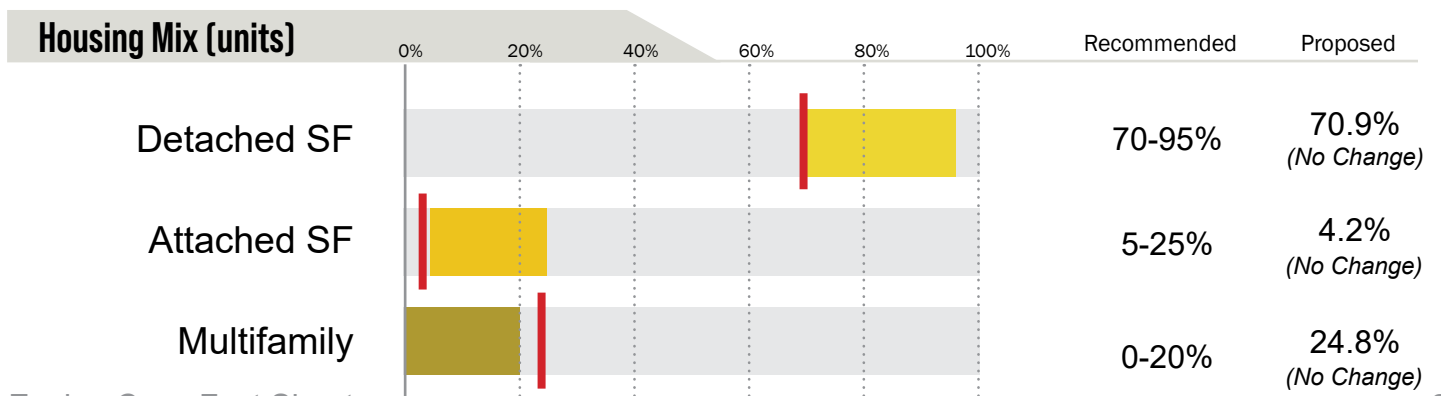
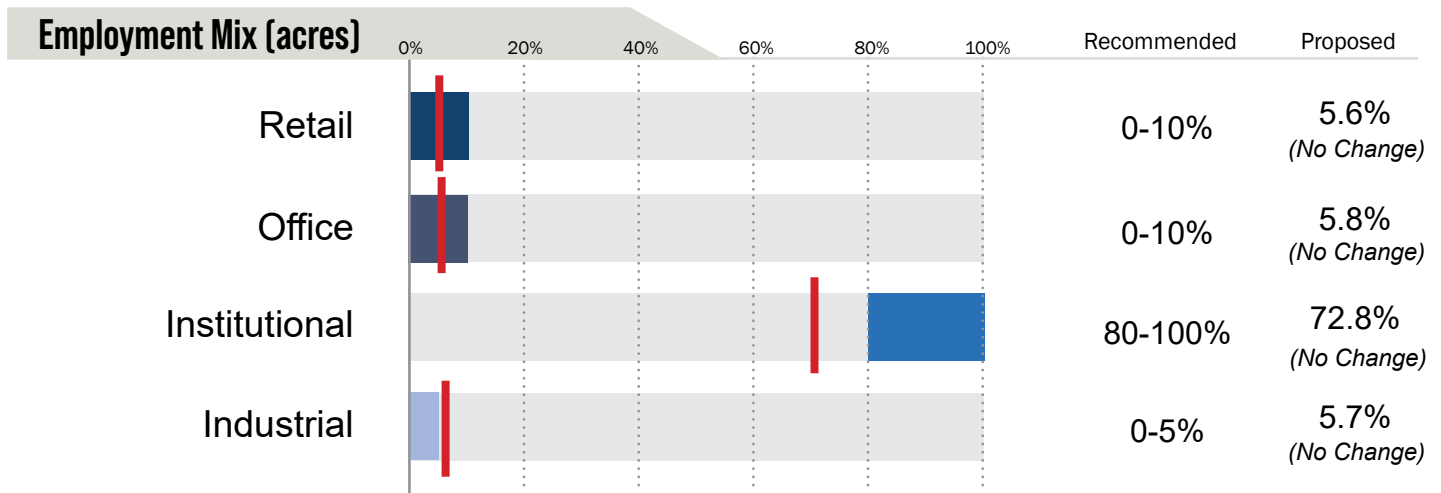
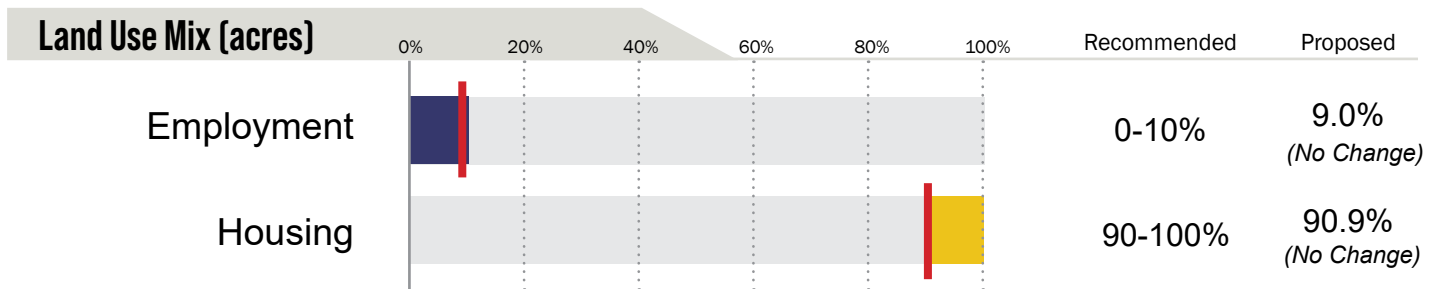
If approved, the request would result in the following Mix of Uses:



### Land Use & Housing Inventory (LUHI)

- Employment, Retail Types
- Employment, Office Types
- Employment, Institutional Types
- Employment, Industrial Types
- Housing, Detached SF Types
- Housing, Attached SF Types
- Housing, Multifamily Types
- Housing, Open Space
- Employment, Undeveloped
- Housing, Undeveloped
- General Open Space
- Subject Property

LUHI Snapshot Date: 1/1/2023  
Measurement Area: All properties within the EX  
Category along US 75



### 3 | Desirable Character Defining Elements

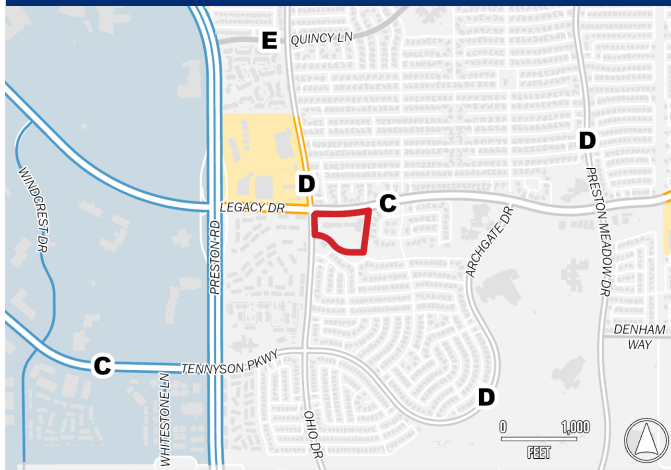


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The Dashboards"

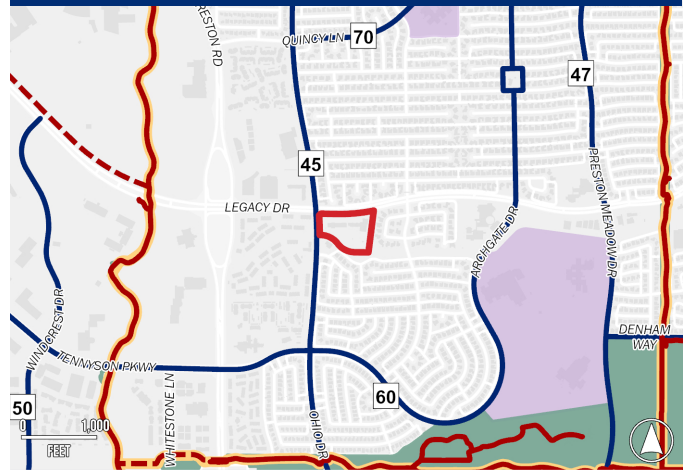
DESIRABLE CHARACTER DEFINING ELEMENT	RECOMMENDED BY COMPREHENSIVE PLAN	APPLICANT PROPOSAL
Building Heights	1 to 2 stories	
Density	SF: 0.5 to 10 DUA MF: 10 to 22 DUA	
Intensity	Low (0 to 50% Lot Coverage)	
Open Space	10% to 50% Passive Open Space	
Parking Orientation	<i>Res:</i> garages with driveways <i>Non-res:</i> surface lots	
Block Pattern & Streetscape	Gridded or curvilinear blocks Traditional Residential Streets	
Multimodal Access		
1. Automobiles	HIGH: Direct access from local streets	
2. Transit	MEDIUM: Served by bus on pe- rimeter arterial streets	
3. Micromobility	HIGH: Connected to trails and bike routes	
4. Pedestrians	HIGH: Walkable to parks and schools	

## 4 | Other Comprehensive Plan Maps

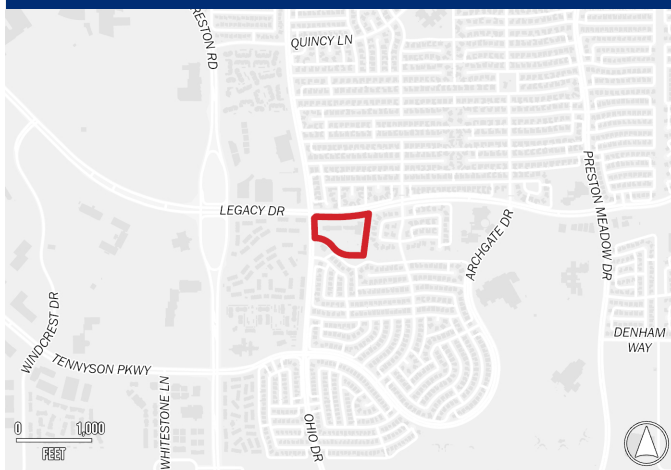
**Thoroughfare Plan Map**



**Bicycle Transportation Plan Map**



**Expressway Corridor  
Environmental Health Map**

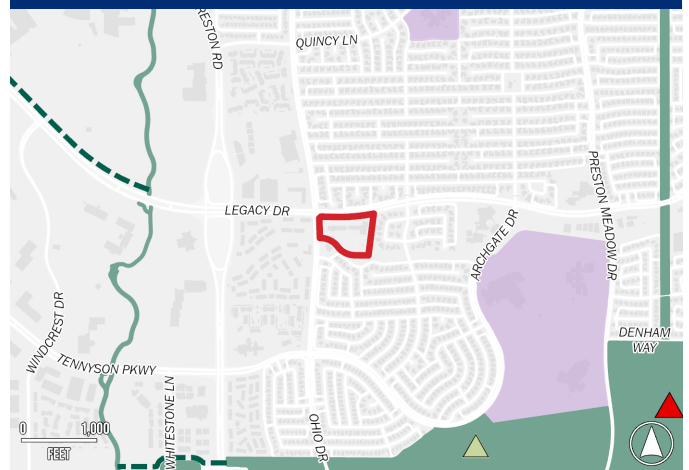


EHA-1

EHA-2

Not Applicable

**Parks Master Plan Map**



## 5 | Comprehensive Plan Policies & Actions

**CORE POLICIES:** The following policies are applicable to all zoning cases. No specific analysis of these policies are provided in the staff report as these serve as the fundamental basis for all staff recommendations.



**Land Use:** Plano will support a system of organized land use to provide housing and employment choices aligned with the market, where new and redevelopment areas respect the viability and quality of life for existing neighborhoods, businesses, and institutions.



**Redevelopment & Growth Management:** Plano will protect and preserve the well-established built environment of Plano and prevent overcrowding by requiring new growth and redevelopment to respect the unique development patterns, suburban character, housing needs, infrastructure capacity considerations, and fiscal constraints of our community.

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**LAND USE-RELATED POLICIES:** The following policies are applicable on a case-by-case basis depending upon the type, location, and general nature of the request. Refer to the staff report for analysis of these policies with the respect to the proposed zoning change, where applicable.



**Redevelopment of Regional Transportation Corridors:** Plano will encourage reinvestment and redevelopment of identified regional transportation corridors to create cohesive developments that incorporate well-designed commercial, retail, and housing opportunities, where those uses are appropriate according to the Future Land Use Map and other related Comprehensive Plan standards.

Applicable  
Not Applicable



**Revitalization of Retail Shopping Centers:** Plano will encourage reinvestment, revitalization, and redevelopment of underperforming neighborhood retail corners to accommodate a viable combination of local commercial, retail, and entertainment uses. Where appropriate transitions can be maintained, redevelopment may present opportunities to introduce residential uses and improve access.

Applicable  
Not Applicable



**Special Housing Needs:** Plano will support the special housing needs of residents including seniors, people with disabilities, and low- to moderate-income households through inclusive regulations and programs and actions furthering the goals stated in the Consolidated Plan. Proposed locations for special housing needs should be afforded the same health and safety considerations as other housing.

Applicable  
Not Applicable



**Transit-Oriented Development:** Plano will proactively encourage development within walking distance of existing and planned transit stations to create an integrated mix of uses including residential, employment, retail, and civic spaces.

Applicable  
Not Applicable



**Undeveloped Land:** Plano will reserve its remaining undeveloped land for high quality development with distinctive character, prioritizing businesses offering skilled employment. New housing in these areas will only be considered appropriate where it is consistent with the Future Land Use Map and other related Comprehensive Plan standards.

Applicable  
Not Applicable

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**OTHER POLICIES/DOCUMENTS:** Additional policies may apply where applicable:

Envision Oak Point (2018)  
Downtown Vision & Strategy Update (2019)  
Spring Creekwalk Master Plan (1990)

**FOR RESIDENTIAL AND MIXED-USE DEVELOPMENTS ONLY:** The following actions from the Redevelopment & Growth Management (RGM) Policy are applicable to requests for mixed-use developments:

<b>RGM5:</b> Ensure that any rezoning requests for multiuse development include:	Applicable
A) No more than 50% square footage for residential uses. Requests should also conform with other identifying elements (density, building heights, etc.) in the applicable Dashboard descriptions.	Not Applicable
B) Phasing requirements that prevent the disproportionate completion of residential uses prior to nonresidential uses within the development. Nonresidential square footage must constitute a minimum of 33% of all square footage approved for occupancy during development (e.g., every 2 square feet of residential development requires at least 1 square foot of nonresidential development; and	
C) Key design features provided prior to, or concurrent with, the construction of any residential uses. These include elements of the development supporting the long-term value to the overall community, and specifically any new residents, such as open/green space, amenities, street enhancements, and trails.	
<b>RGM8:</b> Limit new residential development to areas that are appropriate based on individual site considerations and consistency with the Future Land Use Map and Dashboards. Multifamily developments should also meet a housing diversification or economic development need of the city, including transit-oriented development, special housing needs (as defined by the city's Considated Plan), or be constructed as part of a high-rise 10 stories or greater.	Applicable
	Not Applicable

## 6 | Findings Policy

### RGM1: Mix of Uses, Density, & Building Height

In accordance with the Redevelopment and Growth Management (RGM) Policy Action 1, zoning change requests that do not conform to the mix of uses, density, and building heights as described in the Dashboards are **disfavored**. Requests that do not conform to these criteria may be occasionally allowed when found:

- ▶ Consistent with the Guiding Principles of the Comprehensive Plan; and
- ▶ Substantially beneficial to the immediate neighbors, surrounding community, and general public interest.

### RGM5: Mixed-Use Developments

In addition, the Redevelopment and Growth Management (RGM) Policy Action 2 requires findings when approving a mixed-use development that exceeds 50% square footage for residential uses and/or does not conform to other identifying elements (density, height, etc.) in the applicable Dashboard.

Are Findings Required?	
Yes, because the request does not comply with the Mix of Uses of the associated Dashboard.	
Yes, because the request does not comply with the Building Heights of the associated Dashboard.	
Yes, because the request does not comply with the Maximum Density of the associated Dashboard.	
Yes, because the request is inconsistent with Action RGM5 (for mixed-use developments).	
No, findings are not required.	



## STAFF PRELIMINARY REPORT – CONFORMANCE TO THE COMPREHENSIVE PLAN

The proposed request has been reviewed for conformance with the Comprehensive Plan. Major factors included in the analysis are provided below, but the Comprehensive Plan Fact Sheet has more specific details about the request.

**Guiding Principles** – This set of Guiding Principles to the Comprehensive Plan establishes overarching themes that apply to all policies and actions and express values for *Plano Today*, *Plano 2050*, and *Plano Together*. Since the principles do not stand alone but are used in concert with one another and carry across the Plan as a whole, each principle must be judged through a lens that incorporates all other principles to be fully and accurately understood. As such, the Commission is encouraged to review the full list of Guiding Principles and judge zoning requests through the lens of all principles.

### Future Land Use Map Category & Dashboard

**Future Land Use Category** – The subject property is located in the [Neighborhoods \(N\)](#) category of the Future Land Use Map (FLUM). Institutional uses, such as day care center and private schools, are secondary uses that are supported along the frontage of arterial roadways and intersections. Staff finds the request consistent with the description of the N category.

FLUM – N Description and Priorities		
Description		Meets
Priorities	Preserving neighborhood character and quality of life	N/A
	Upkeep of existing housing stock	N/A
	Requiring adjacent commercial land uses to provide adequate transitions	N/A
	Variety of housing heights, sizes, and types	N/A

**Mix of Uses** – The private school and daycare is classified as an *Institutional Type* of use in the Land Use & Housing Inventory (LUHI) tool. The proposed amendment would not alter the type of use. Thus, there is no impact on the Mix of Uses.

FLUM – N Mix of Uses	
Land Use Mix	Meets
Employment Mix	Meets

**Desirable Character Defining Elements** – The proposed amendments will apply to the existing site and no significant changes are proposed to the site. Therefore, the Desirable Character Defining Elements section of the N dashboard is not applicable to this request.

FLUM – N Desirable Character Defining Elements	
Not Applicable	

**Other Comprehensive Plan Maps** – The scope of the request would not require improvements applicable to the *Thoroughfare Plan Map*, *Bicycle Transportation Plan Map*, *Expressway Corridor Environmental Health Map*, or *Parks Master Plan Map*.

Other Comprehensive Plan Maps
Not Applicable

## Policies & Actions of the Comprehensive Plan and Other Studies

**Land Use Policy** – This policy emphasizes the need for new and redevelopment areas to respect the viability and quality of life of existing neighborhoods, businesses, and institutions. The subject site is currently developed and operating as a private school and daycare. If approved, the increased traffic from additional students is not anticipated to impact the surrounding area. Staff finds the request consistent with the Land Use Policy.

## Comprehensive Plan Summary

Staff finds the proposed amendments to S-550 and S-551 consistent with the Comprehensive Plan as no significant changes are proposed to the site, and that the request is generally consistent with the description of the **Neighborhoods (N)** Future Land Use Map category.

### Comprehensive Plan Policy Summary

Policy or Study	Analysis
Future Land Use Map and Dashboards: <ul style="list-style-type: none"> <li>Description &amp; Priorities</li> <li>Mix of Uses</li> <li>Character Defining Elements</li> </ul>	Meets Meets N/A
Thoroughfare Plan Map	N/A
Bicycle Transportation Plan Map	N/A
Parks Master Plan Map	N/A
Expressway Corridor Environmental Health Map	N/A
Land Use Policy	Meets

**Public Safety Response Time** – Fire emergency response times will be sufficient to serve the site based on existing personnel, equipment, and facilities.

### Access to and Availability of Amenities and Services

**Parks:** The subject property is located within Park Fee Service Area 10.

**Libraries:** The subject property is located within the Maribelle M. Davis Library's service area, and service to future residents would be possible with the current library resources.

## STAFF PRELIMINARY REPORT – ANALYSIS & RECOMMENDATION

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Number of Students – The applicant’s request would allow Archgate Montessori Academy to have any mix of day care children and private school students up to a combined total of 360 children/students. All students must be under 14 years of age. According to the applicant, this would allow the school to be flexible with enrollment and allow more day care students to continue in their elementary and middle school programs. The license for childcare from the State of Texas rates the applicant’s capacity at 629 students. The applicant is requesting to enroll 60% of the allowed capacity to assuage concerns regarding noise, traffic, and disturbances from the property.

Traffic – Day care centers are estimated to generate 4.10 daily trips per student and private schools (K-8) are estimated to generate 4.11 daily trips per student. This request would allow an additional 56 students/children in the school, resulting in an estimated increase of up to 230 trips per day (note: each entering vehicle and existing vehicle are considered separate trips).

Trip Generation		
Existing	304 students	1,250 trips (625 entering/exiting)
Proposed	360 students	1,480 trips (740 entering/exiting)
Net Change	56 students	230 trips (115 entering/exiting)

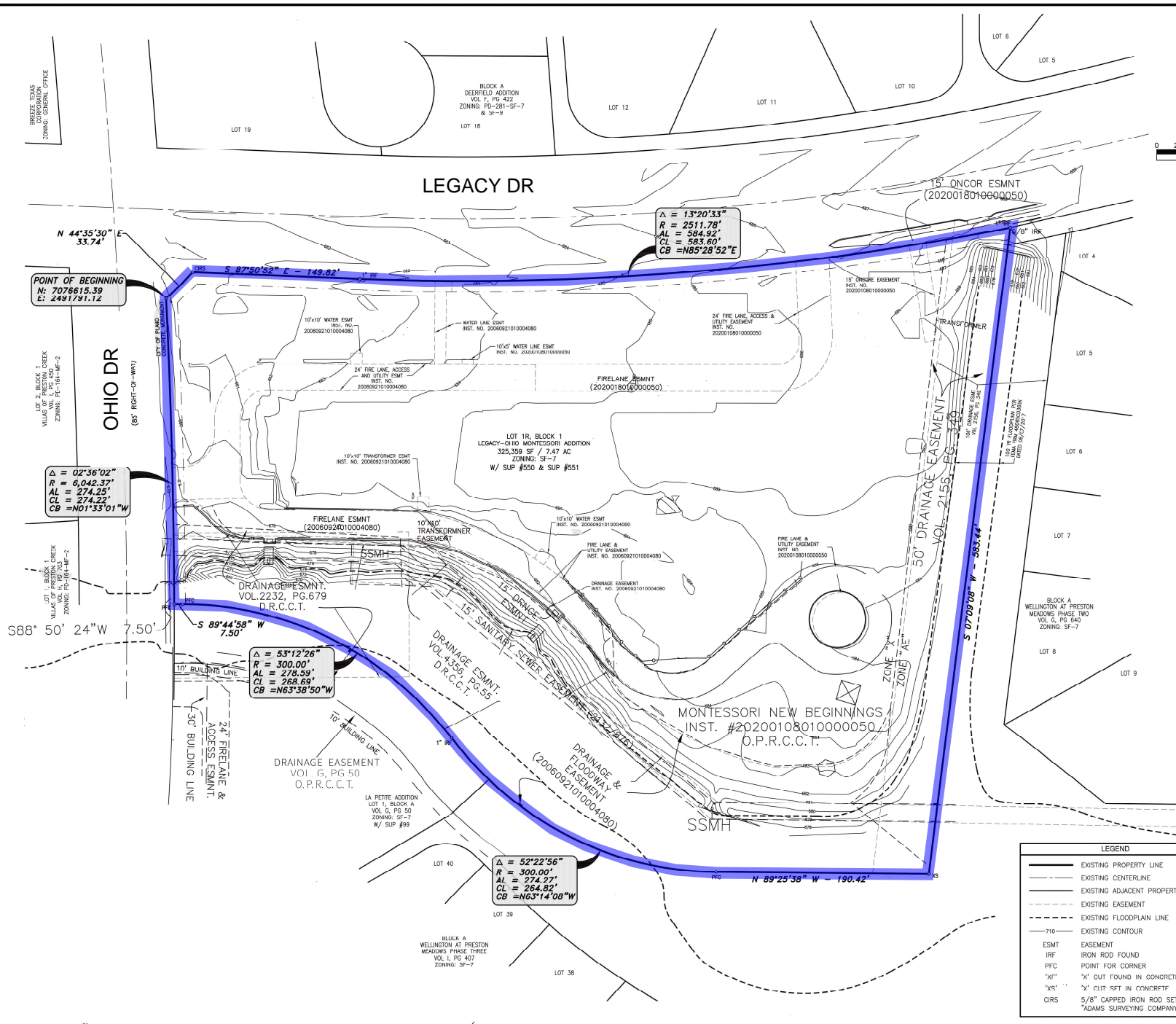
Onsite queuing capacity was reviewed by the Engineering Department and determined to be adequate to prevent queuing traffic from backing up onto adjacent streets. The school operates multiple drop-off and pick-up locations, including the front of the west building and the front and back of the east building. To help mitigate the impact on the traffic in the area, the drop-off and pick-up times are staggered to reduce or prevent traffic backup onto Legacy Drive or Ohio Drive.

### SUMMARY:

The property owner is requesting to amend Specific Use Permits No. 550 for Day Care Center and 551 for Private School to increase the allowed maximum number of children and students on site from 304 to 360. These amendments will allow the existing onsite educational programs to continue serving a wide age range of children in the community while sustaining a high quality of life for adjacent residential properties. The request is in conformance with the recommendations of the Comprehensive Plan. Staff is in support of the proposed amendments.

### RECOMMENDATION:

Recommended for approval as submitted.



#### 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 KEY 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°38'30"E, A DISTANCE OF 33.74 FEET TO A SET 58 INCH IRON ROD WITH CAP MARKED 17 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 149.02 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 2511.70, AN ARC LENGTH OF 504.92 FEET, AND A CHORD OF N80°20'22"E, 503.00 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 503.44 FEET TO A SET "X" IN A CONCRETE FLUME;

THENCE N80°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 S80°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 00°00'00", 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.

APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY, PLAN, OR PLAN, APPROVAL OF DEVELOPMENT STANDARDS SHOWN HEREON, OR THE INITIATION OF THE DEVELOPMENT PROCESS. PLANNING & ZONING COMMISSION AND/OR CITY COUNCIL ACTION ON STUDIES, PLANS, OR PLANS RELATING TO DEVELOPMENT OF THIS PROPERTY SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM THE ACTION TAKEN ON THIS ZONING CASE.

OWNER	ENGINEER
ARCHARGE MONTESSORI ACADEMY 4660 LEGACY DRIVE PLANO, TEXAS 75024 (972) 491-1250 CONTACT: IAN MATTHEWS	CATES-CLARK & ASSOCIATES, LLP 14500 QUORUM DRIVE, SUITE 200 DALLAS, TEXAS 75254 (972) 385-2272 CONTACT: ROBERT FRUETT, P.E.

ZONING CASE NO.: ZC2024-010

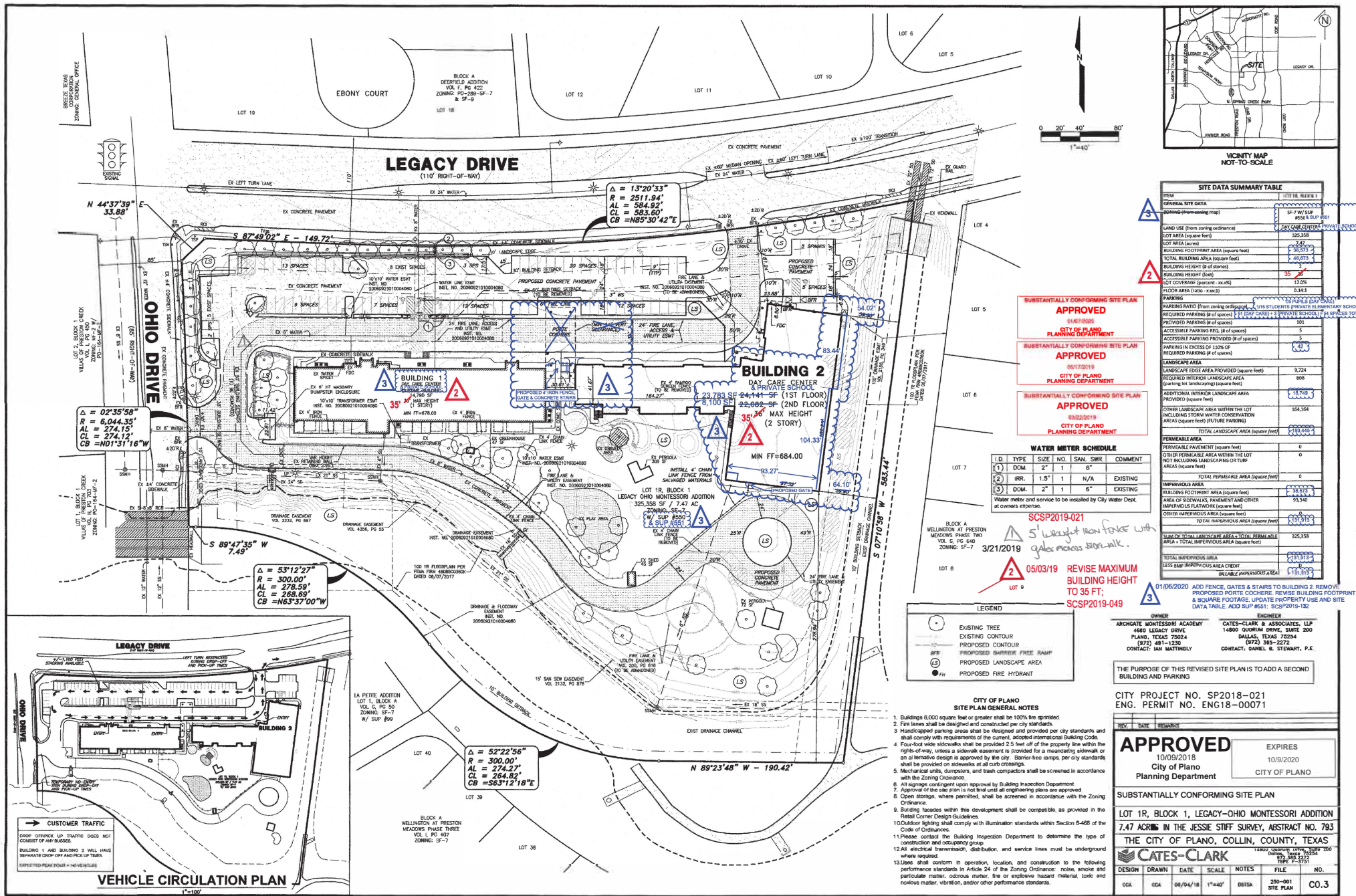
#### ZONING EXHIBIT

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

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
CCA	LANDRY	04/26/24	1"=40'	DETA	250-0018	CO.1





SITE DATA SUMMARY TABLE	
GENERAL SITE DATA	ITEM 1718, REUSE 1
LAND USE (From zoning ordinance)	SP-7 W/ SUP
LOT AREA (square feet)	325,358
BUILDING FOOTPRINT AREA (square feet)	34,000
TOTAL BUILDING AREA (square feet)	359,358
BUILDING HEIGHT (ft of story)	35
BUILDING HEIGHT (ft)	35
FLOOR AREA (sq ft) - 1st floor	32,673
FLOOR AREA (sq ft) - 2nd floor	1,325
PARKING	
REQUIRED PARKING (ft of space)	174
PROVIDED PARKING (ft of space)	174
ACCESSIBLE PARKING REQ. (ft of space)	5
ACCESSIBLE PARKING PROVIDED (ft of space)	5
PARKING IN EXISTING LOT (ft of space)	174
REQUIRED PARKING (ft of space)	174
LANDSCAPE AREA	
LANDSCAPE EDGE AREA PROVIDED (square feet)	9,724
REQUIRED INTERIOR LANDSCAPE AREA (square feet)	9,724
ADDITIONAL INTERIOR LANDSCAPE AREA (square feet)	18,749
OTHER LANDSCAPE AREA WITHIN THE LOT (square feet)	164,354
TOTAL LANDSCAPE AREA (square feet)	193,827
PERMEABLE AREA	
PERMEABLE PAVEMENT (square feet)	0
OTHER PERMEABLE AREA WITHIN THE LOT (square feet)	0
TOTAL PERMEABLE AREA (square feet)	0
IMPERVIOUS AREA	
BUILDING FOOTPRINT AREA (square feet)	34,000
AREA OF SIDEWALKS, PAVEMENT AND OTHER IMPERVIOUS SURFACES (square feet)	93,340
OTHER IMPERVIOUS AREA (square feet)	0
TOTAL IMPERVIOUS AREA (square feet)	127,340
SUM OF TOTAL LANDSCAPE AREA + TOTAL PERMEABLE AREA + TOTAL IMPERVIOUS AREA (square feet)	325,358
TOTAL IMPERVIOUS AREA (square feet)	127,340
LESS IMPERVIOUS AREA CREDIT	11,193
NET IMPERVIOUS AREA (square feet)	116,147

WATER METER SCHEDULE			
I.D.	TYPE	SIZE	NO. SAN. SWR. COMMENT
1	DOM.	2"	1 6" EXISTING
2	IRR.	1.5"	1 N/A EXISTING
3	DOM.	2"	1 6" EXISTING

SCSP2019-021  
5' W/ 1/2" IRON FENCE WITH GALV. POSTS 800'-WIDE.  
05/03/19 REVISE MAXIMUM BUILDING HEIGHT TO 35 FT.  
SCSP2019-049

LEGEND	
(Symbol)	EXISTING TREE
(Symbol)	EXISTING CONTOUR
(Symbol)	PROPOSED CONTOUR
(Symbol)	PROPOSED BARRIER FREE RAMP
(Symbol)	PROPOSED LANDSCAPE AREA
(Symbol)	PROPOSED FIRE HYDRANT

- CITY OF PLANO  
SITE PLAN GENERAL NOTES**
- Buildings 6,000 square feet or greater shall be 100% fire sprinkled.
  - Fire lanes shall be designed and constructed per city standards.
  - Handicapped parking spaces shall be designed and provided per city standards and shall comply with requirements of the current, adopted International Building Code.
  - Four-foot wide sidewalk shall be provided 2.5 feet off of the property line within the right-of-way, unless a sidewalk easement is provided for a meandering sidewalk or an alternative design is approved by the city. Barrier-free ramps, per city standards shall be provided on sidewalks at all curb crossings.
  - Mechanical units, dumpsters, and trash compactors shall be screened in accordance with the Zoning Ordinance.
  - All signage contingent upon approval by Building Inspection Department.
  - Approval of the site plan is not final until all engineering plans are approved.
  - Open storage, where permitted, shall be screened in accordance with the Zoning Ordinance.
  - Building facades within this development shall be compatible, as provided in the Retail Center Design Guidelines.
  - Outdoor lighting shall comply with illumination standards within Section 4-468 of the Code of Ordinances.
  - Please contact the Building Inspection Department to determine the type of construction and occupancy group.
  - 12" AM electrical transmission, distribution, and service lines must be underground where required.
  - Use shall conform in operation, location, and construction to the following performance standards in Article 24 of the Zoning Ordinance: noise, smoke and particulate matter, odorous matter, fire or explosive hazard material, toxic and noxious matter, vibration, and/or other performance standards.

**THE PURPOSE OF THIS REVISED SITE PLAN IS TO ADD A SECOND BUILDING AND PARKING**

**CITY PROJECT NO. SP2018-021  
ENG. PERMIT NO. EN18-00071**

REV.	DATE	REVISION
1	10/09/2018	APPROVED
2	10/09/2020	EXPIRES

**APPROVED**  
10/09/2018  
City of Plano  
Planning Department

**EXPIRES**  
10/09/2020  
CITY OF PLANO

**SUBSTANTIALLY CONFORMING SITE PLAN**

**LOT 1R, BLOCK 1, LEGACY-OHIO MONTESSORI ADDITION  
7.47 ACRES IN THE JESSE STIFF SURVEY, ABSTRACT NO. 793**

**THE CITY OF PLANO, COLLIN COUNTY, TEXAS**

**CATES-CLARK**  
14000 WEST 15TH STREET  
DALLAS, TEXAS 75244  
PHONE: 972-735-2272  
FAX: 972-735-2272

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
OGA	OGA	06/04/18	1"=400'	DATA:	289-001 SITE PLAN	CO.3





We are so grateful that our school community continues to thrive, and for the positive impact we've made in the City of Plano and the educational journey of our students and their families. Our reputation as one of the finest private academic institutions in DFW continues.

Our families value the Montessori education provided at Archgate and want to keep their children in the program through elementary and increasingly through middle school. We want to meet their needs and not deny a child the opportunity to learn and thrive in our unique American Montessori Society member program.

To address this increased demand in private school enrollment, and to ensure continuity for our current families, we are requesting the following amendments to our Private School Special Use Permit (SUP as referenced below), changes highlighted in bold, and some text to be removed, all other restrictions to remain as is:

Private School (Ordinance Nos. 2019-8-3 and 2020-4-6) 1. ~~Maximum number of private school students: 80.~~ **The number of private school students must be combined with the number of day care children and must not exceed a combined total of 304 360 children** as restricted by Specific Use Permit No. 550 for Day Care Center. 2020-004 2019-005 City of Plano, Texas January 9, 2024 Page 20 Specific Use Permits Listed with Conditions of Approval Number Description Zoning Case 2. Students must be under 14 years of age on September 1st of the school year. 3. An irrigated landscaped edge with a combination of trees and shrubs must be maintained between the easternmost building and the eastern property line. 4. Solid waste enclosures must be located between Ohio Drive and the westernmost building. 5. 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. 6. 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.

This requested adjustment to the SUP restrictions allows us to better serve our community and uphold our commitment to providing quality Montessori education to current and future families. The change in overall headcount allows for flexibility within our programs in the case that our Archgate community needs change. For example: our toddler program currently only allows for 12 students per classroom, while our preschool program has the highest per classroom headcount at 24 in the same size classroom. Allowing a total combined headcount of 360 students means we can transition a toddler room to a preschool room if primary enrollment surges and toddler enrollment dwindles. We can add elementary classrooms when needed, and transition those back to toddler classrooms if that is where demand is in the future, without having to seek additional modifications to the SUP restrictions. It gives us the flexibility to run our business in a way that best serves the community.

Additionally, the removal of the private school cap would mean that we no longer must turn away rising elementary students. We regularly have a waiting list for all our programs, but having to turn away students that are already a part of our community and usually have siblings in one of our programs due to a restriction to our SUP is disappointing. Our upper elementary and middle school programs are flourishing, but the cap is keeping us from filling those



classrooms to a normal size, which makes teacher/student ratios difficult and economically suboptimal. Right now, we have only 12 students in 3 of our classrooms, 3 in another, and one room is completely empty. Removing the private school cap would allow us to fill classrooms based on demand and give us a sustainable revenue to meet our obligations for payroll and other costs.

We value the positive relationship we have with our neighbors and have honored the five-year agreement we made with them in 2019. We have made several accommodations to our direct neighbors including moving our International Festival, our biggest event of the year, indoors to limit disruptions to the immediate neighbors. Based on direct neighbor feedback, we invested in \$10,000 remote-controlled blackout shades for windows that were allowing light to shine out of the gym in the afternoons and early evening. We set them to close after school and prevent any spillover lights from our after-school activities or from our cleaning team between 6-9pm. And our teachers are still able to raise them during the day to allow natural light into the play space for the children. We have planted \$10,000 in additional landscaping to provide privacy for neighbors. Drop-off and release times are staggered to prevent traffic backup onto Legacy or Ohio. We have continued to turn down offers to rent our facility and our gym as our promise to our neighbors.

We have continued to communicate with our neighbors, inviting them to our board meetings, open houses, offering to host neighbor meetings, communicating through both Homeowners Associations, even dropping off Starbucks gift cards to our direct neighbors as a thank you for their patience during our big annual weekend event at the school. We have kept the line of communication open for our neighbors, and when we have received constructive feedback, we have always attempted to either address or solve any issues.

Our license for childcare from the State of Texas states our capacity of 629 students, and we are humbly asking that we be permitted to enroll only 60% of the state allowed capacity. Our neighbors' concerns regarding noise, traffic, and disturbances will inevitably be lower with the cap of 360 students as compared to the state max for a daycare. Allowing for toddlers through middle school programs equates to even fewer cars, as our Archgate families typically have multiple children across our multi-stage programming.

The pandemic was a huge hardship on our school as well as other childcares around us. Preston Meadows Montessori that was behind us on Ohio Drive, closed their 36-year-old business after the COVID grant deadline lapsed in May 2023. The building continues to be vacant now a year later. A local childcare investor purchased the building last summer and has unsuccessfully had it on the market for lease and/or sale since. And several other daycares have closed within close proximity to our location. We are thriving, and we are grateful. We want to be a good neighbor, but we need a little more flexibility to our current SUP to be able to operate our business in a way that supports our school community and is flexible enough to adjust our daycare/private school mix as needed.