

Zoning Case 2021-029

An Ordinance of the City of Plano, Texas, repealing Ordinance No. 97-5-15 in its entirety, to rescind Specific Use Permit No. 322 for Arcade on 0.1 acre of land; and granting Specific Use Permit No. 25 for Continuing Care Facility on 4.0 acres of land, both out of the Joseph Klepper Survey, Abstract No. 213 and the John M. Salmon Survey, Abstract No. 814, located at the northeast corner of Central Parkway and Haggard Street in the City of Plano, Collin County, Texas, presently zoned Planned Development-41-Corridor Commercial with Specific Use Permit No. 322 for Arcade, and with such actions amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to reflect such actions; directing changes 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 15th day of March 2022, for the purpose of considering repealing Ordinance No. 97-5-15 in its entirety, to rescind Specific Use Permit No. 322 for Arcade on 0.1 acre of land; and granting Specific Use Permit No. 25 for Continuing Care Facility on 4.0 acres of land, both out of the Joseph Klepper Survey, Abstract No. 213 and the John M. Salmon Survey, Abstract No. 814, located at the northeast corner of Central Parkway and Haggard Street in the City of Plano, Collin County, Texas, presently zoned Planned Development-41-Corridor Commercial with Specific Use Permit No. 322 for Arcade, and with such actions amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to reflect such actions; 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 15th day of March 2022; and

WHEREAS, the City Council is of the opinion and finds that repealing Ordinance No. 97-5-15 in its entirety, to rescind Specific Use Permit No. 322 for Arcade on 0.1 acre of land; and granting Specific Use Permit No. 25 for Continuing Care Facility on 4.0 acres of land, both out of the Joseph Klepper Survey, Abstract No. 213 and the John M. Salmon Survey, Abstract No. 814, located at the northeast corner of Central Parkway and Haggard Street in the City of Plano, Collin County, Texas, presently zoned Planned Development-41-Corridor Commercial with Specific Use Permit No. 322 for Arcade, and with such actions amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to reflect such actions, 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. Ordinance No. 97-5-15 duly passed and approved by the City Council of the City of Plano, Texas, on the 19th day of May 1997, granting Specific Use Permit No. 322 for Arcade on 0.1 acre of land out of the Joseph Klepper Survey, Abstract No. 213 and the John M. Salmon Survey, Abstract No. 814, presently zoned Planned Development-41-Corridor Commercial with Specific Use Permit No. 322 for Arcade, more fully described in Exhibit A attached hereto, is hereby repealed in its entirety. Consequently, Specific Use Permit No. 322 is hereby rescinded.

Section II. The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to grant Specific Use Permit No. 25 for Continuing Care Facility on 4.0 acres of land out of the Joseph Klepper Survey, Abstract No. 213 and the John M. Salmon Survey, Abstract No. 814, located at the northeast corner of Central Parkway and Haggard Street in the City of Plano, Collin County, Texas, presently zoned Planned Development-41-Corridor Commercial with Specific Use Permit No. 322 for Arcade, said property being more fully described on the legal description in Exhibit B attached hereto.

Section III. The change in Section II is granted subject to the following restrictions:

1. Continuing care facility units must be located within 260 feet of the eastern boundary of the Specific Use Permit.
2. The maximum number of beds is 163.
3. Independent living facility is prohibited.

Section IV. It is hereby directed that the Comprehensive Zoning Ordinance, No. 2015-5-2 (which is retained in electronic record format), as heretofore amended, be revised and amended, to reflect the action and zoning classification established by this Ordinance.

Section V. 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 VI. 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 VII. The repeal of any ordinance or part of ordinances effectuated 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 VIII. 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 IX. 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 X. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 15TH DAY OF MARCH 2022.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

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BEING a part of Lot 1, Block D, of Holiday Inn Plano, an addition to the City of Plano, Collin County, Texas, according to the map thereof recorded in Volume C, Page 615, Map Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at an exterior building corner which bears North 86° 15' 11" East, a distance of 178.17 feet from the most western corner of said Lot 1 ;

THENCE along and near the outside wall of said building as follows: North 00° 28' 56.8" East, a distance of 21.38 feet; North 44° 35' 56.4" West, a distance of 26.28 feet; North 00° 36' 30.2" East, a distance of 22.31 feet; North 37° 42' 37.2" East, a distance of 8.2 feet; North 48° 00' 42.0" West, a distance of 5. 7 feet; North 45° 44' 46.1" East, a distance of 7.44 feet; North 00° 32' 2.0" East, a distance of 20.67 feet; North 45° 37' 26.9" East, a distance of 28.74 feet; South 89° 35' 32.4" East, a distance of 26.0 feet to a point in a wall;

THENCE along and near said wall as follows: South 00° 24' 21.6" West, a distance of 7.0 feet; South 44° 22' 33.1" East, a distance of 15.88 feet; South 00° 28' 56.8" West, a distance of 100.52 feet to an outside building corner;

THENCE North 89° 31' 03" West, along the outside face of a brick wall a distance of 45.0 feet to the PLACE OF BEGINNING and CONTAINING 6,346 square feet of land.

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WHEREAS, FOUR STAR DEVELOPMENT COMPANY is the owner of a tract of land situated in the Joseph Klepper Survey, Abstract No. 213 and the John M. Salmon Survey, Abstract No. 814, and being part of a 55 acre tract of land conveyed by W.O. Haggard, et ux, to Clifton R. Haggard by deed dated March 4, 1949, as recorded in Volume 401, Page 48 of the Deed Records of Collin County, Texas, said tract also being part of the Haggard-Park Boulevard Addition No. 3, an addition to the City of Plano as recorded in Volume 11, Page 6 of the Map Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a point of intersection of the north line of Haggard Street (a 60 foot right-of-way) with the southeasterly line of Central Parkway East (a variable width right-of-way);

THENCE along the said southeasterly line of Central Parkway East the following courses and distances; N.36° 29' 41" E., 164.86 feet to the beginning of a curve to the right having a central angle of 28° 21' 32" and a radius of 684.17 feet;

THENCE along said curve 338.63 feet to the end of said curve;

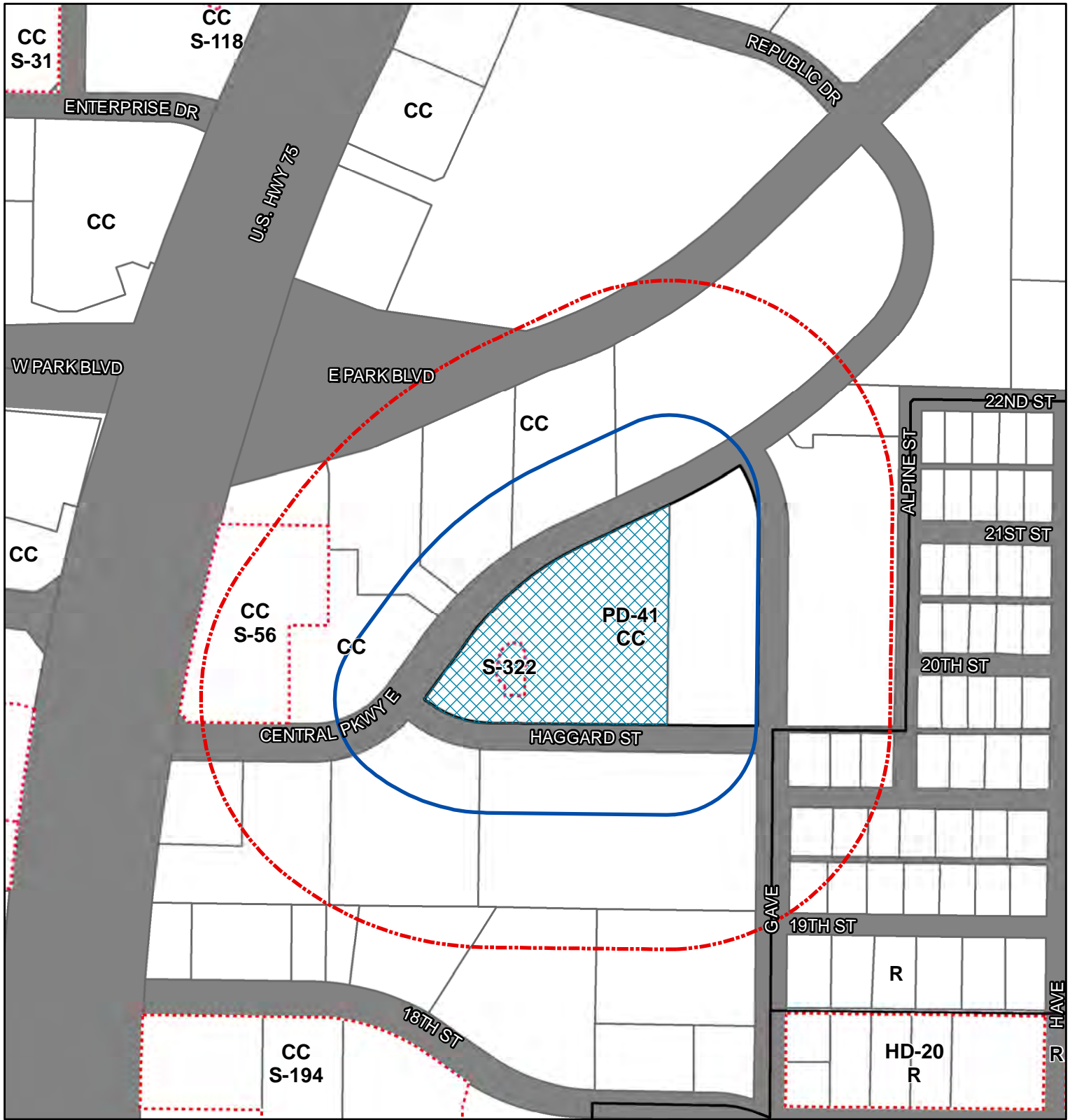
THENCE N.64° 51' 13" E., 191.23 feet to the beginning of a curve to the left having a central angle of 0° 42' 32" and a radius of 1665.10 feet; Thence along said curve 20.60 feet to the end of said curve;

THENCE leaving the said southeasterly line of Central Parkway East, S.0° 29' 41" W., 491.76 feet to a point for corner on the said north line of Haggard Street;

THENCE along the said north line of Haggard Street the following courses and distances; N.89° 30' 19" W., 402.28 feet to the beginning of a curve to the right having a central angle of 36° 00' 00" and a radius of 220.00 feet;

THENCE along said curve 138.23 feet to the end of said curve;

THENCE N.53° 19' 30" W., 16.90 feet to the POINT OF BEGINNING and CONTAINING 4.000 acres (174,240 square feet) of land.

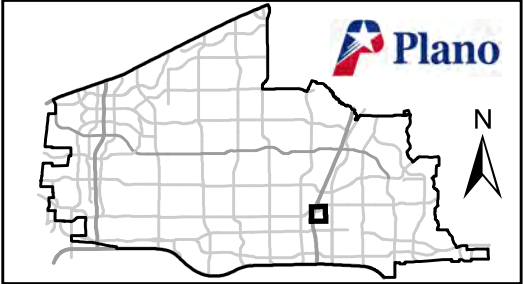


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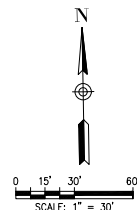
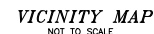
Existing Zoning: Planned Development-41-Corridor Commercial

Proposed Zoning: Request for a Specific Use Permit for Continuing Care Facility on 4.0 acres and to rescind Specific Use Permit No. 322 for Arcade on 0.1 acre

- | | | |
|-----------------------------------|----------------------------|---------------------|
| 500' Courtesy Notification Buffer | Zoning (labels) | Zoning Boundary |
| 200' Notification Buffer | Roads | Specific Use Permit |
| Subject Property | Zoning Boundary Change/SUP | |
| Streets | Municipal Boundaries | |



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, PLATS, OR PLANS RELATING TO DEVELOPMENT OF THIS PROPERTY SHALL BE CONSIDERED AS AN ACTION TAKEN ON THIS ZONING CASE.



The Basis of Bearings is from the Texas State Plane Coordinate System, NAD83, North Central Zone as derived from GPS observations using the Allterra RTK Network and adjusted to surface using a surface scale factor of 1.00015271

Being a 4.000 acre tract of land, situated in the Joseph Klepper Survey, Abstract No. 213 and the John M. Salmon Survey, Abstract No. 814, Collin County, Texas, and being that certain tract of land as described in Warranty Deed to Malvern, LLC as recorded in Collin County Document No. 20150106000015810, Official Public Records, Collin County, Texas (O.P.R.C.T.), and also being all of Lot 1, Block D, Holiday Inn Plano, an addition to the City of Plano, as recorded in Cabinet C, Slide 615, O.P.R.C.T. and being more particularly described metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod set with yellow plastic cap stamped "Traverse LS Prop Cor" at the intersection of the northerly right-of-way line of Haggard Street (60 foot wide right-of-way) and the southeasterly right-of-way line of Central Parkway East (a variable width right-of-way);

THENCE, departing the northerly line of said Haggard Street and along the common northwesterly line of said Lot 1 and the southeasterly right-of-way line of said Central Parkway East, the following four (4) courses and distances:

- North 35 degrees 30 minutes 49 seconds East, a distance of 14.837 feet to a 1/2 inch iron rod found at the beginning of a curve to the right, having a central angle of 28 degrees 21 minutes 31 seconds, a radius of 68.417 feet and a chord of 12.535 feet. From this point, a bearing of 35 degrees 30 minutes 49 seconds East, a distance of 33.518 feet to:
- Along and curve to the right, in a northeasterly direction, an arc distance of 398.63 feet to a 5/8 inch iron rod set with yellow plastic cap labeled "Traverse LSP Cop Co." at the end of said curve;
- North 64 degrees 01 minute 21 seconds East, a distance of 19.125 feet to a 5/8 inch iron rod set with yellow plastic cap, stamped "Traverse LSP Cop Co." at the beginning of a curve to the left, having a central angle of 40 degrees 42 minutes 32 seconds, a radius of 1,665.10 feet and being intersected by a chord bearing North 63 degrees 43 minutes 56 seconds East, a chord distance of 20.60 feet.
- Along and curve to the left, in a northeasterly direction, an arc distance of 20.46 feet to a 3/4 inch iron rod found at the northerly curve of and Lot 1, Block 1, same being the northeasterly corner of Lot 1, Block 1, Central Park Plaza, Phase IV, in addition to the City of Platteau, is recorded in Custer Park, Slide 6.

THENCE, South 00 degrees 20 minutes 11 seconds East, departing the southeasterly right-of-way line of said Central Parkway East and along the common east line of said Lot 1 and the westerly line of said North Central Park Phase IV Addition, a distance of 491.76 feet, to 5/8 inch iron rod set with yellow plastic cap stamped "Traverse LS Prop Cor.", at the common southeast corner of said Lot 1 and the southwest corner of said North Central Park Phase IV Addition, same being on the northerly right-of-way line of the aforementioned Higgard Street,

THENCE, along the common south line of said Lot 1 and the northerly right-of-way line of said Haggard Street, the following three (3) courses and distances:

1. South 89 degrees 39 minutes 49 seconds West, a distance of 402.28 feet, to a **CUT** 54 degrees 09 minutes at the beginning of a curve to the right, having a central angle of 36 degrees 00 minutes 00 seconds, a radius of 220.00 feet, and being subtended by a chord bearing North 72 degrees 20 minutes 11 seconds West, a chord distance of 135.97 feet;
2. Along said curve to the right, in a northwesterly direction, an arc distance of 135.97 feet, to a 1/2 inch iron rod found at the end of said curve;
3. North 54 degrees 09 minutes 22 seconds West, a distance of 16.90 feet to the **POINT OF BEGINNING** and containing 4.000 acres (174,242 square feet) of land, more or less.

ZC2021-029
ZONING EXHIBIT
4.00 ACRES

LOT 1, BLOCK D, HOLIDAY INN PLANO
JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
JOHN M. SALMON, ABSTRACT NO. 814
CITY OF PLANO, COLLIN COUNTY, TEXAS

2595 Dallas Parkway, Suite 101
Frisco, Texas 75034
(972) 464-4800
www.bgeinc.com

PRELIMINARY
NOT FOR
CONSTRUCTION

**LANDMARK PATEL ASSISTED LIVING
AND MEMORY CARE**
700 CENTRAL PARKWAY E.
PLANO, TEXAS 75074

701110C EVLIPBIT

DATE: 11/23/202

DWG. BY:	MTH
CHECKED BY:	SRF
PROJECT NO.:	

SHEET NO.

The: G:\RTX Land Planning\Working Files\700 Central Parkway - PAZEL ASSISTED LIVING\Compliance

CALL 12/17/2025 3:09 PM, 07/20/21 12:03 PM, 05/23/21 12/17/2025 3:09 PM, 07/20/21