

Zoning Case 2019-017

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 139 for Independent Living Facility on 11.6 acres of land out of the Jacob Baccus Survey, Abstract No. 53, located on the south side of State Highway 121, 545 feet west of Kathryn Lane, in the City of Plano, Collin County, Texas, presently zoned Planned Development-104-Regional Commercial and Planned Development-476-Regional Employment; 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 September 2020, for the purpose of considering granting Specific Use Permit No. 139 for Independent Living Facility on 11.6 acres of land out of the Jacob Baccus Survey, Abstract No. 53, located on the south side of State Highway 121, 545 feet west of Kathryn Lane, in the City of Plano, Collin County, Texas, presently zoned Planned Development-104-Regional Commercial and Planned Development-476-Regional Employment; 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 September 2020; and

WHEREAS, the City Council is of the opinion and finds that the granting of Specific Use Permit No. 139 for Independent Living Facility on 11.6 acres of land out of the Jacob Baccus Survey, Abstract No. 53, located on the south side of State Highway 121, 545 feet west of Kathryn Lane, in the City of Plano, Collin County, Texas, presently zoned Planned Development-104-Regional Commercial and Planned Development-476-Regional Employment, 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. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to grant Specific Use Permit No. 139 for Independent Living Facility on 11.6 acres of land out of the Jacob Baccus Survey, Abstract No. 53, located on the south side of State Highway 121, 545 feet west of Kathryn Lane, in the City of Plano, Collin County, Texas, presently zoned Planned Development-104-Regional Commercial and Planned Development-476-Regional Employment, said property being more fully described on the legal description in Exhibit A attached hereto.

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

1. A maximum of 252 independent living facility units are allowed subject to the following restrictions:
 - a. Independent living facility buildings must be set back at least 65 feet from the front property line. All units must be set back at least 75 feet from the front property line.
 - b. The property will be constructed substantially and functionally consistent with Figure 2. Project Day-Night Level (Ldn) Roadway Noise Exposure as shown in Addendum 1 attached hereto.
 - c. Building IV must be constructed substantially and functionally consistent with the building elevations and wall sections as shown in Addendum 2 attached hereto.
 - d. Air intake vents must be located as far away from the expressway as practical.
 - e. All building mechanical rooms must be located on the southern side of buildings and face away from State Highway 121.
2. If the project has not obtained a building permit and commenced physical construction activity on site before January 1, 2026, the environmental health analysis expires and must be updated before the City will issue further project approvals. The updated environmental health analysis may recommend enhanced mitigation standards and, if so, this matter must be brought to the Planning & Zoning Commission for consideration of the required noise mitigation. The Planning & Zoning Commission may not impose conditions to the SUP that are unrelated to noise mitigation, including but not limited to the number of units. Changes required by the Planning & Zoning Commission as a result of updated noise mitigation requirements will be noted on the series of plans. If the updated environmental health analysis does not recommend enhanced mitigation standards, no further consideration by the Planning & Zoning Commission is required. If minimal mitigation standards are recommended, then the developer may work with staff to integrate those measures into the plans.

3. Cross access will be constructed to Custer 121 Addition, Block 1, Lot 4R.

Section III. 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 IV. 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 V. 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 VI. 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 VII. 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 VIII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 14TH DAY OF SEPTEMBER 2020.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

Zoning Case 2019-017

BEING a tract of land situated in the Jacob Baccus Survey, Abstract No. 53, City of Plano, Collin County, Texas and being part of a 18.511 acre tract of land conveyed to LA-DF Investments Funds LLC as recorded in Volume 3903, Page 1551 of the Deed Records of Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner at the southeast corner of 6.879 acre tract conveyed to the State of Texas as recorded in Volume 4593, Page 2151, D. R.C.C.T., said iron rod being in the south Right of Way line State Highway No. 121 (variable width ROW), from said corner, the southeast corner of the Jacob Baccus Survey, Abstract No. 53, bears South 00 degrees 10 minutes East, 949.5 feet;

THENCE South 00 degrees 32 minutes 38 seconds East, a distance of 541.53 feet to a capped (DAA) iron rod found for corner;

THENCE South 00 degrees 09 minutes 22 seconds East, a distance of 31.67 feet to a capped (DAA) iron rod found for corner;

THENCE North 77 degrees 45 minutes 51 seconds West, a distance of 399.88 feet to a 1" iron rod found for corner;

THENCE South 62 degrees 48 minutes 26 seconds West, a distance of 126.00 feet to a 1" iron rod found for corner;

THENCE South 09 degrees 32 minutes 22 seconds West, a distance of 285.49 feet to a capped iron rod found for corner;

THENCE North 88 degrees 58 minutes 48 seconds West, a distance of 57.72 feet to a capped iron rod found for corner;

THENCE North 85 degrees 27 minutes 25 seconds West, a distance of 136.30 feet to a capped iron rod found for corner;

THENCE North 83 degrees 32 minutes 37 seconds West, a distance of 114.40 feet to a capped iron rod found for corner;

THENCE North 73 degrees 33 minutes 24 seconds West, a distance of 143.43 feet to a capped iron rod found for corner;

THENCE North 80 degrees 53 minutes 52 seconds West, a distance of 112.91 feet to a capped iron rod found for corner;

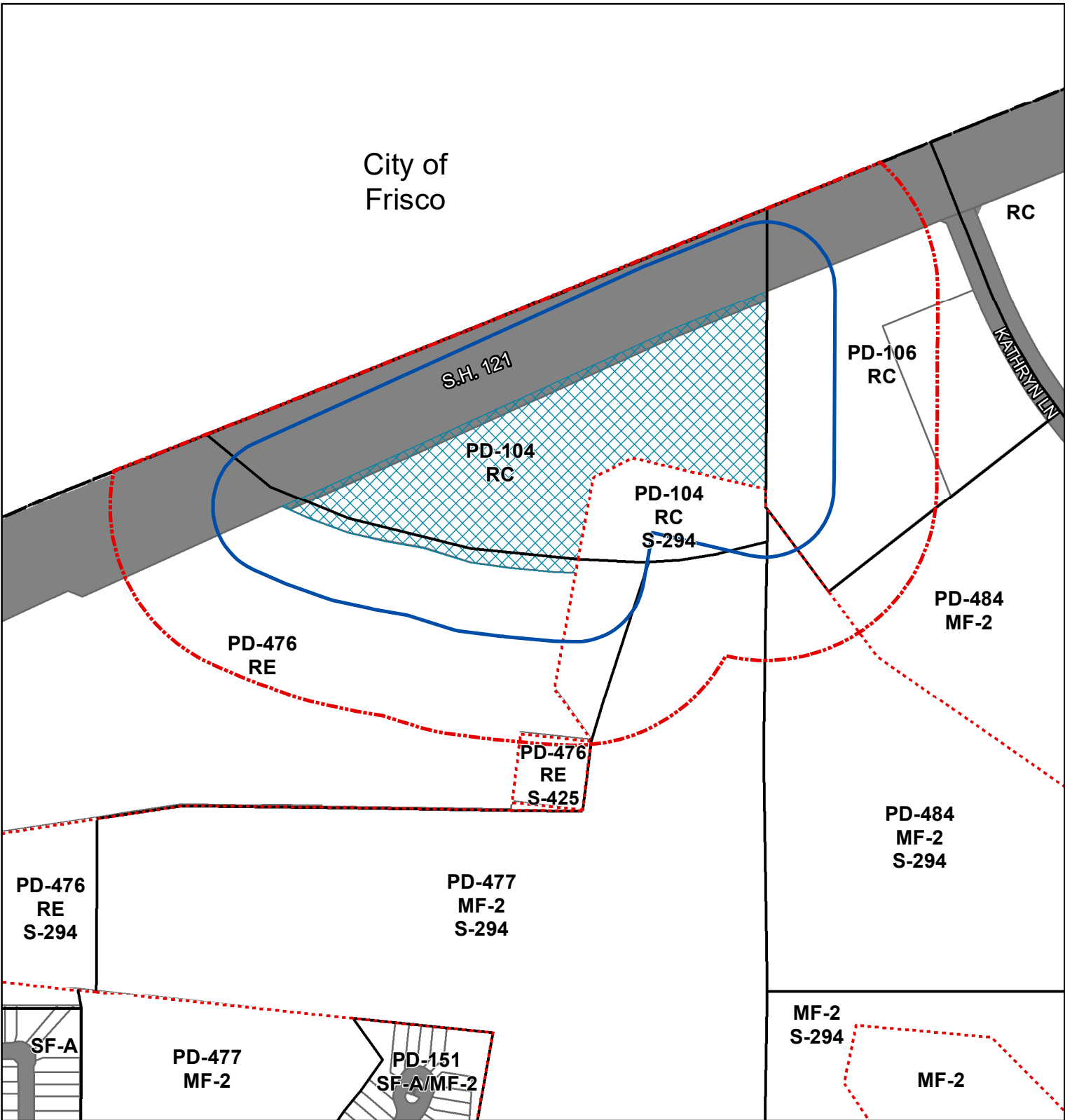
THENCE North 78 degrees 17 minutes 56 seconds West, a distance of 111.82 feet to a capped iron rod found for corner;

THENCE North 70 degrees 57 minutes 42 seconds West, a distance of 120.60 feet to a capped iron rod found for corner;

THENCE North 67 degrees 12 minutes 37 seconds West, a distance of 87.78 feet to a capped 1/2 inch iron rod found in the south ROW line of said S.H. No. 121, said point lies within a creek;

THENCE North 64 degrees 48 minutes 08 seconds East following the south ROW line of said S.H. No. 121, a distance of 1256.13 feet to a broken concrete highway monument found for corner;

THENCE North 67 degrees 06 minutes 57 seconds East following the south ROW line of said S.H. No. 121, a distance of 292.08 feet to the POINT OF BEGINNING and containing 505,232 square feet or 11.599 acres of land.

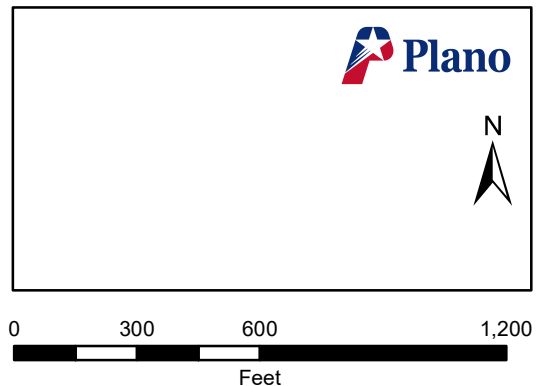


Zoning Case: 2019-017

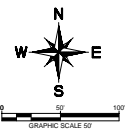
Existing Zoning: Planned Development-104-Regional Commercial and
Planned Development-476-Regional Employment and
located within the State Highway 121 Overlay District

Proposed Zoning: Specific Use Permit for Independent Living Facility

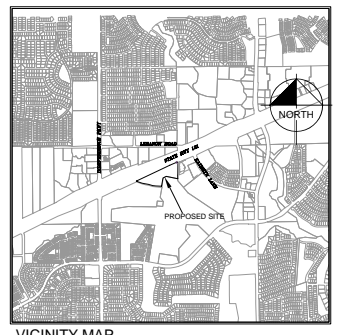
- 500' Courtesy Notification Buffer
- 200' Notification Buffer
- Subject Property
- Streets
- Zoning Boundary Change/SUP
- Specific Use Permit
- Zoning Boundary
- Municipal Boundaries



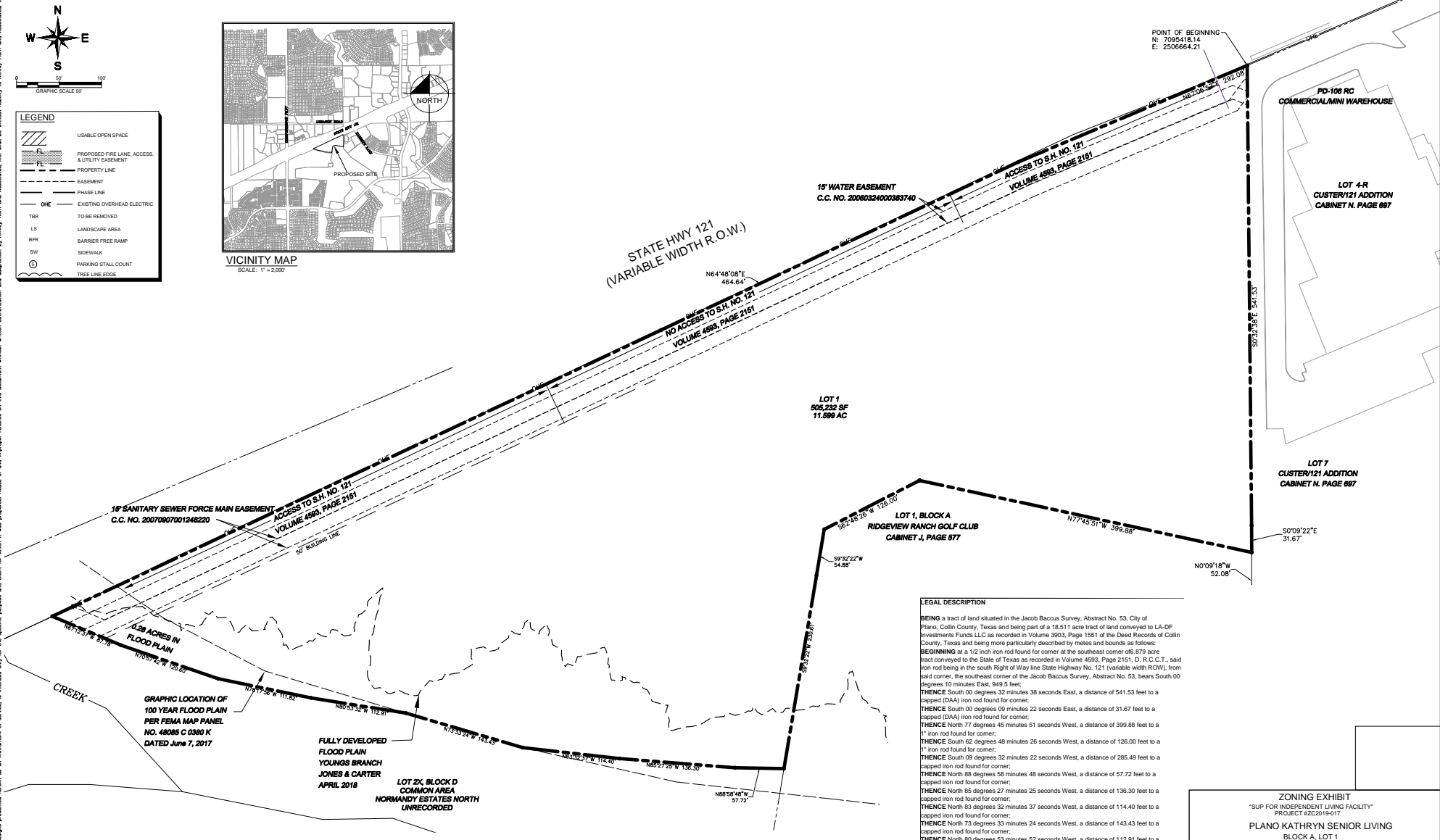
This document, together with the concepts and design presented herein, are an instrument of service, to be retained only for the specific purpose and client for which it was prepared. Please of and register reliance on this document without substitution and adaptation by Kiersey-Horn and Associates, Inc. shall be without liability to Kiersey-Horn and Associates, Inc.



LEGEND	
	USABLE OPEN SPACE
	PROPOSED FIRE LANE, ACCESS, & UTILITY EASEMENT
	PROPERTY LINE
	EASEMENT
	PHASE LINE
	EXISTING OVERHEAD ELECTRIC
	TO BE REMOVED
	LANDSCAPE AREA
	BARrier FREE RAMP
	SIDEWALK
	PARKING STALL COUNT
	TREE LINE EDGE



VICINITY MAP
SCALE: 1" = 2,000'



LEGAL DESCRIPTION

BEING a tract of land situated in the Jacob Bacous Survey, Abstract No. 53, City of Plano, Collin County, Texas and being part of a 18.511 acre tract of land conveyed to LA-DF Investments Funds LLC as recorded in Volume 3903, Page 1551 of the Deed Records of Collin County, Texas and being more particularly described by metes and bounds as follows:

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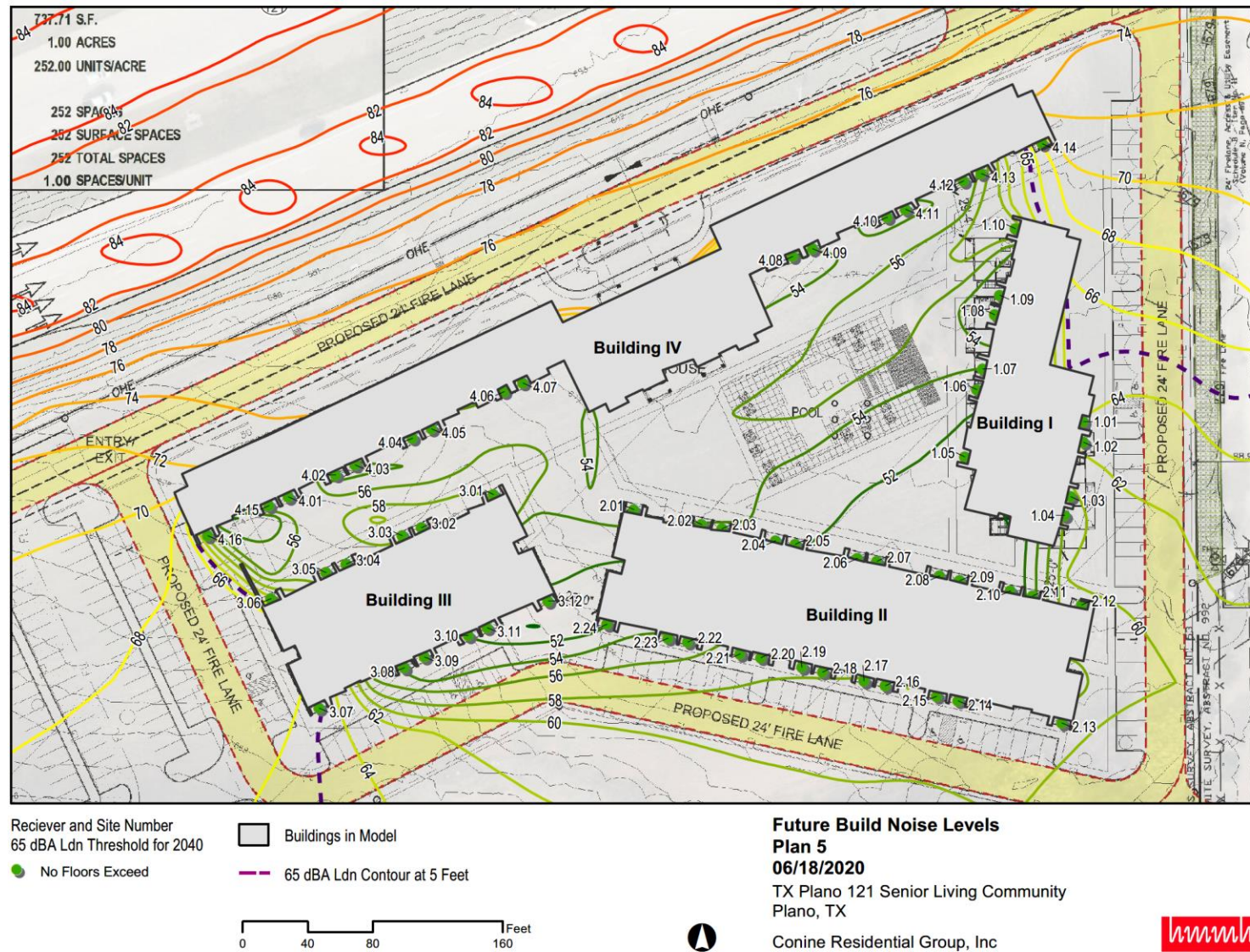
THENCE North 67 degrees 06 minutes 57 seconds East following the south ROW line of said S.H. No. 121, a distance of 292.08 feet to the **POINT OF BEGINNING** and containing 505,232 square feet or 11.599 acres of land.

APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY, PLAT OR PLAN. APPROVAL OF DEVELOPMENT STANDARDS SHOWN HEREON ON 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.

ZONING EXHIBIT "SUP FOR INDEPENDENT LIVING FACILITY" PROJECT #202019-017			
PLANO KATHRYN SENIOR LIVING BLOCK A, LOT 1 BEING 11.599 ACRES OUT OF THE JACOB BACOUS SURVEY, ABSTRACT NO. 53 IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS			
OWNER: LA-DF INVESTMENTS FUND & LLC 1812 DALLAS PARKWAY, DALLAS, TX 75244 Tel: (972) 386-4600 Contact MONT CONNOR / MEG CONNOR	DEVELOPER: TX PLANO KATHRYN SENIOR LIVING, LP 1812 DALLAS PARKWAY, #100 DALLAS, TEXAS 75244 Tel: (972) 386-4600 Contact MONT CONNOR / MEG CONNOR	ENGINEER/SURVEYOR: 8160 Warren Parkway, Suite 210 Frisco, TX 75034 Tel: (972) 335-5380 Contact: NEHA HOSEBERRY, P.E.	DESIGNED: JBA DRAWN: JTH CHECKED: JBA SCALE: AS SHOWN DATE: 8/14/2020 KH PROJECT NO.: KH2020001
Z-1			

Figure 2. Project Day-Night Level (Ldn) Roadway Noise Exposure

Source: HMMH 2020.



Addendum 2 - Building Elevations



FRONT ELEVATION -A

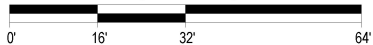


FRONT ELEVATION -B



SIDE ELEVATIONS

SCALE: 3/32" = 1'-0" (24"x36" SHEET)



A415

121 Senior Living
SAN ANTONIO, TX
HPA# 20104

BUILDING 4 - ELEVATIONS

July 17, 2020

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

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NOTES:

1. PLATE HEIGHTS AND TRUSS HEEL HEIGHTS ARE FOR DESIGN INTENT ONLY. TRUSS MANUFACTURER TO VERIFY.
2. REFER TO STRUCTURAL DRAWINGS AND TRUSS FABRICATION DRAWINGS FOR EXACT PLATE AND HEEL HEIGHTS.
3. REFER TO STRUCTURAL DRAWINGS FOR SILL PLATE ANCHOR BOLT SIZES, EMBEDMENT, DEPTHS, AND SPACINGS.
4. REFER TO ROOF PLAN FOR THE HEEL HEIGHT OF SIMILAR SECTIONS.



These drawings are for preliminary coordination only and not to be used for regulatory approval or construction.

HUMPHREYS & PARTNERS
URBAN ARCHITECTURE, L.P.
5339 ALPHA ROAD • SUITE 300 • DALLAS, TEXAS 75240
(972) 701-9636 • (972) 701-9639 FAX
www.humphreys.com



SHEET CONTENTS:

**WALL SECTIONS TYPICAL
BUILDING 4**

SHEET NO.

A5.12

20104

3 EXTERIOR WALL SECTION

2 EXTERIOR WALL SECTION
SCALE: 1/2" = 1'-0"

1 EXTERIOR WALL SECTION
SCALE: 1/2" = 1'-0"

PROGRESS SET: 05-06-2020