

PLANNING DEPARTMENT  
City of Carrollton  
Date: 02/04/2020

PLANNED DEVELOPMENT NO. 123  
Heritage at Creek Valley

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY AMENDING PROVISIONS OF ORDINANCE NUMBER 3598 TO AMEND PD 123, FOR THE APPROXIMATELY 4.5-ACRE TRACT LOCATED ON THE NORTHEAST CORNER OF STATE HIGHWAY 121 AND CREEK VALLEY BOULEVARD TO AMEND TRACT H OF PD 123 FOR THE (LR-2) LOCAL RETAIL DISTRICT AMENDING CONCEPTUAL PLANS; AMENDING DEVELOPMENT REGULATIONS FOR A CONTINUING CARE RETIREMENT COMMUNITY AND ASSISTED LIVING FACILITY FOR THE ELDERLY; AMENDING THE OFFICIAL ZONING MAP; PROVIDING PENALTY, SAVINGS, AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.**

**WHEREAS**, at a public hearing held on the Second day of January 2020, the Planning & Zoning Commission considered and made recommendation on a certain request for a Planned Development District (Case No. PLZ 20-1X2).

**WHEREAS**, the change of zoning is in accordance with the adopted Comprehensive Plan of the City of Carrollton, as amended;

**WHEREAS**, the City Council conducted a public hearing on the Fourth day of February 2020, at which all persons were given an opportunity to present testimony; and

**WHEREAS**, the City Council, has determined the following amendment to the zoning laws to allow the requested use is not detrimental to the surrounding property, and is consistent with the purpose of the zoning district in which the above described property is located; and

**WHEREAS**, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:**

**Section 1.**

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Ordinance as if copied in their entirety.

## Section 2.

The regulations of Ordinance 3598 approved February 4, 2014 for Planned Development Number 123 are hereby amended for Tract H, which occupies a section of an approximately 4.5-acre tract of land located on Lot 1, Block A, Estates of Indian Creek, Phase 10 and including the north ½ right of way for Creek Valley Boulevard, west ½ right of way for Indian Run Drive, and east ½ right of way of State Highway 121, at the northeast corner of State Highway 121 and Creek Valley Boulevard, and more specifically shown on the attached Exhibit A, providing for the following uses:

### **TRACT H**

Permitted uses shall be all principal and accessory uses which are allowed by right in the (LR-2) Local Retail District, in accordance with Article V of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations of the (LR-2) Local Retail District and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided below.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (LR-2) Local Retail District, in accordance with Article V of the Comprehensive Zoning Ordinance, as amended. Such Special Use Permit(s) shall be subject to the conditions established in Articles XXI and XXXI of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations.

If developed as a Continuing Care Retirement Community or an Assisted Living Facility for the Elderly, the development shall be in accordance with the following additional special conditions, restrictions, and regulations:

1. Development shall be in general conformance with the conceptual site plan, conceptual landscape plan and conceptual building elevations drawings attached hereto as Exhibits H, I and J, respectively, with the exception to the following standards:
  - a. The building shall not exceed 50 feet in height, and shall not exceed 3 stories.
  - b. The maximum height of the clock tower feature shall be 102 feet from the top of the roof peak. In no instance shall the tower feature provide habitable space.
  - c. Creek Valley Blvd. is an arterial 4 lane divided thoroughfare (A4D) and will be considered the street adjacent to the front yard for this use. Therefore, the front yard setback abutting Creek Valley Blvd. shall be a minimum 50-foot setback for the main building, and a minimum 25-foot setback for the porte cochere.
  - d. Emergency Crossover Access shall be provided for the median curbs on Indian Run Drive aligning with the driveway onto the property to allow for safe adequate crossing of emergency vehicles.
  - e. Development shall comply with all remaining standards, special conditions, restrictions and regulations in PD-123 and the City's Comprehensive Zoning Ordinance.

### Section 3.

The Comprehensive Zoning Ordinance and the Official Map are hereby amended to reflect the action taken herein.

### Section 4.

Any person violating a provision of this ordinance, upon conviction, is guilty of an offense punishable by a fine of \$2000 per day as provided in Section 10.99 of the Carrollton City Code.

### Section 5.

The provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

### Section 6.

Ordinance Number 3598, and Ordinance Number 1470, otherwise known as the Comprehensive Zoning Ordinance, and the Official Zoning Map, as amended, shall remain in full force and effect.

### Section 7 .

To the extent of any prior ordinance of the City of Carrollton (or any provision, clause, phrase, sentence or paragraph contained therein) conflicts with this ordinance, said conflicting ordinance, provision, clause, phrase, sentence or paragraph is hereby repealed.

Section 8 .

This ordinance shall become and be effective on and after its adoption and publication.  
PASSED AND APPROVED this the Fourth day of February 2020.

CITY OF CARROLLTON

By: \_\_\_\_\_  
Kevin W. Falconer, Mayor

ATTEST:

\_\_\_\_\_  
Laurie Wilson  
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Susan Keller  
Assistant City Attorney

\_\_\_\_\_  
Loren Shapiro, AICP  
Planning Manager

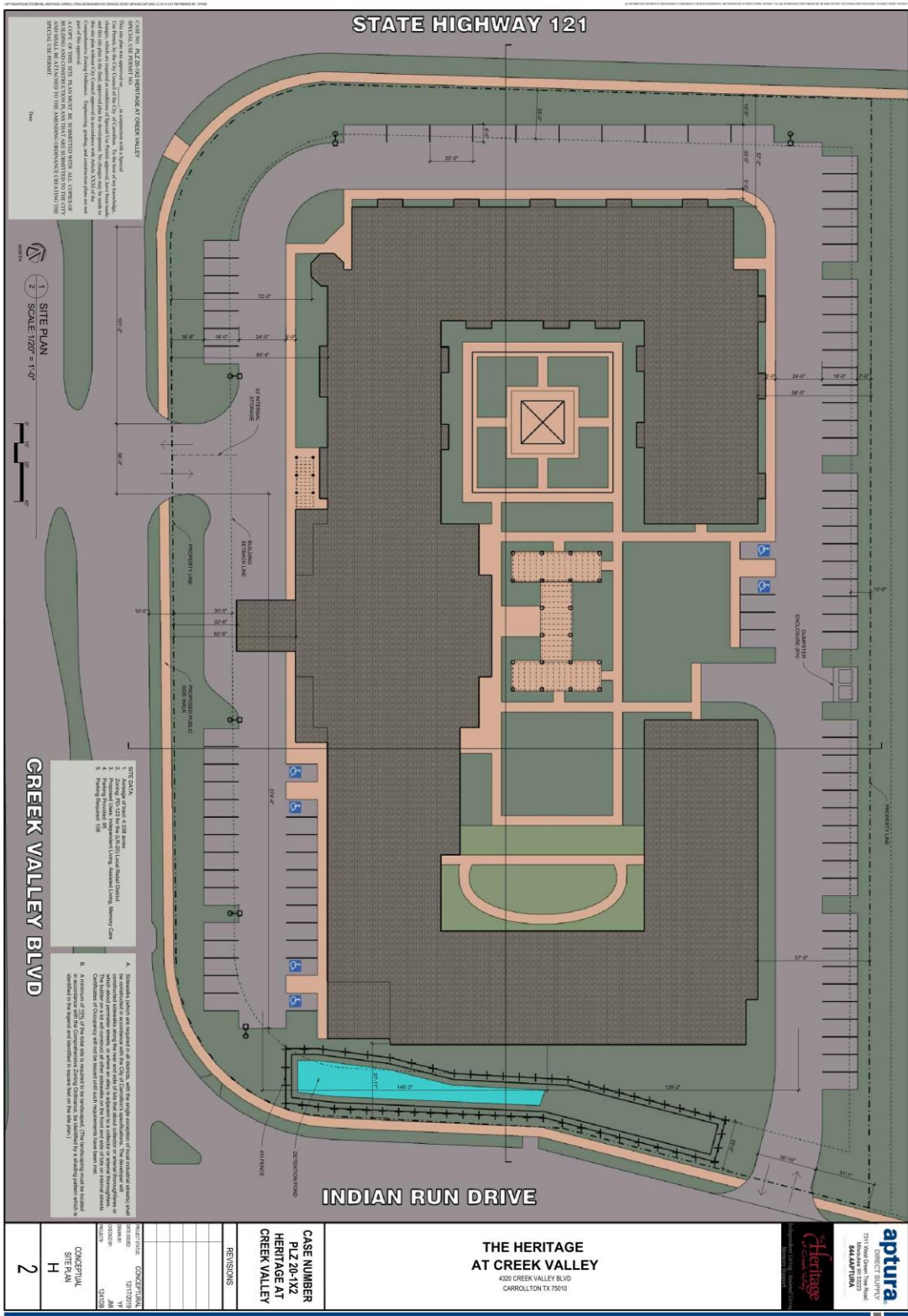
**EXHIBIT A**  
**Conceptual Plan**  
**Showing Tracts**



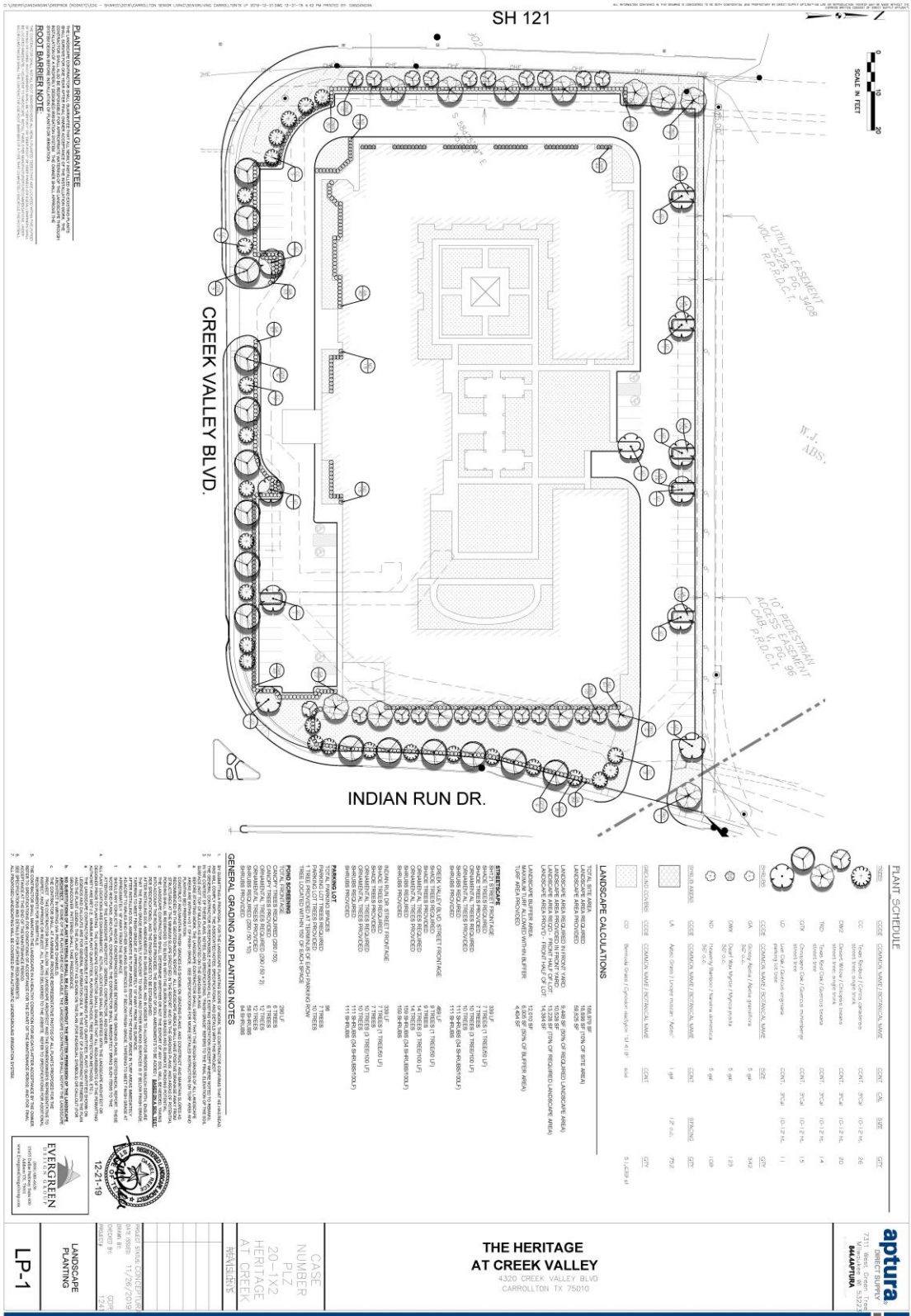
# EXHIBIT H

## Tract H

### Conceptual Site Plan







# EXHIBIT J

## Tract H

### Conceptual Elevations

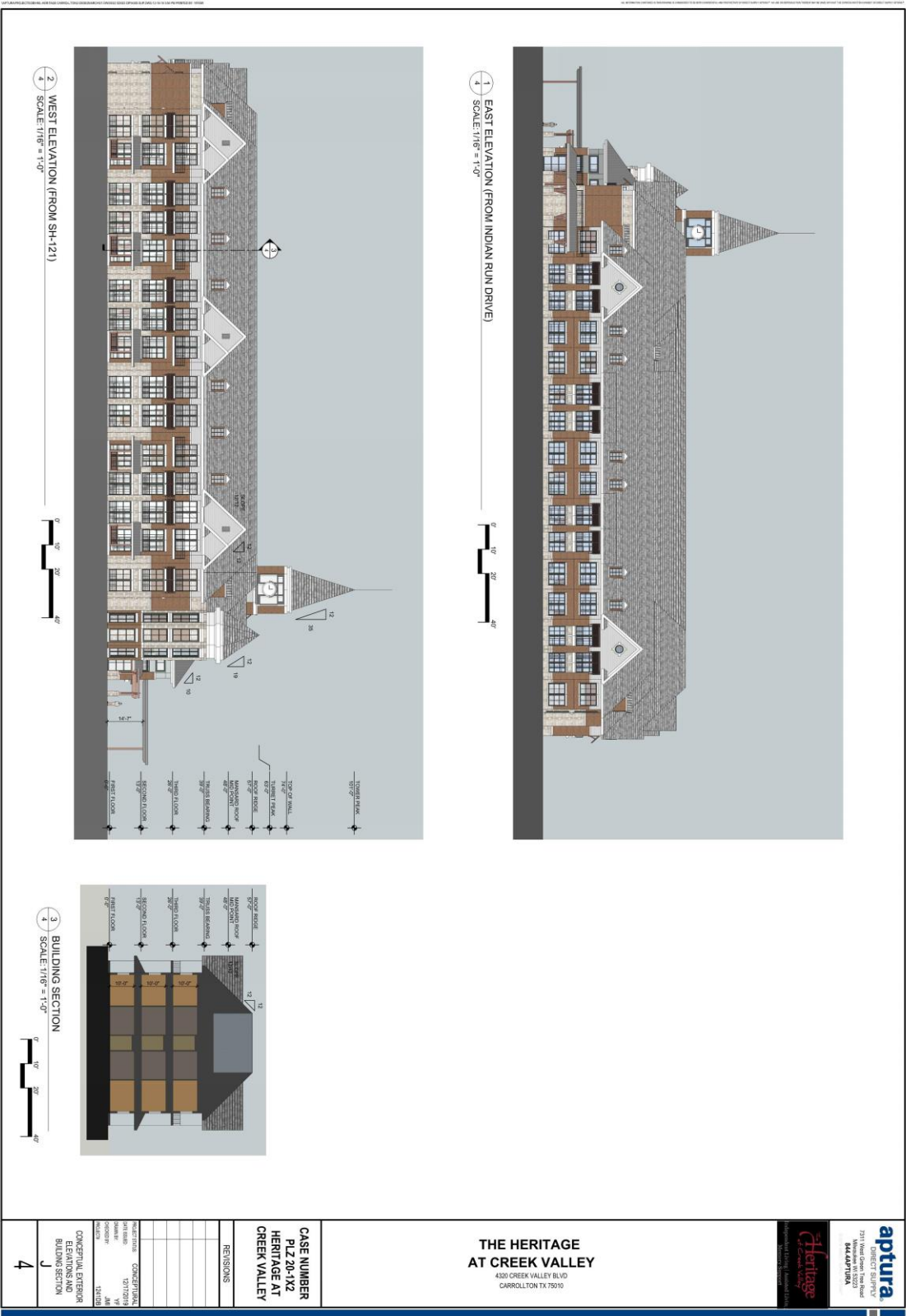
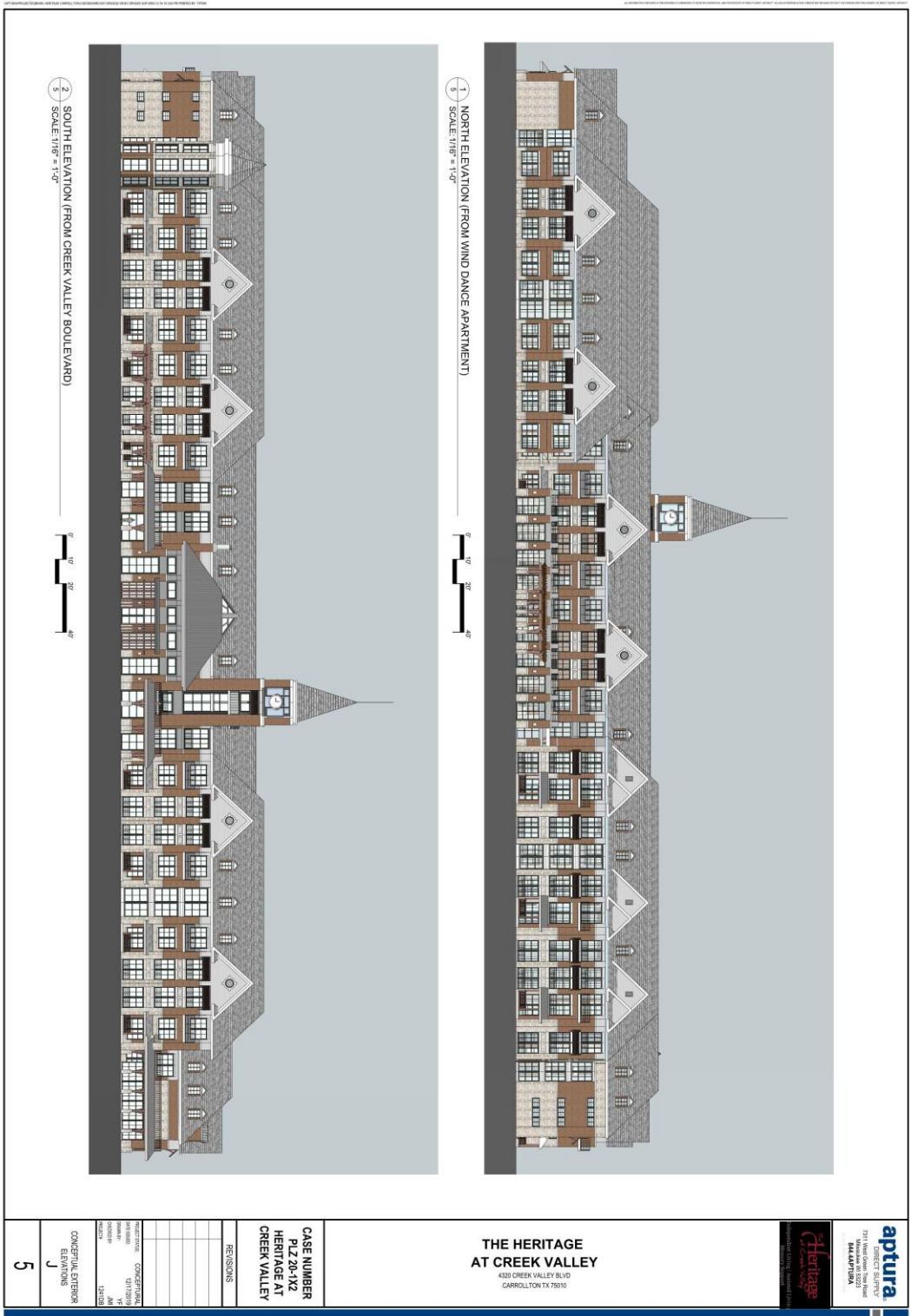




EXHIBIT J  
Tract H  
Conceptual Elevations



1 PERSPECTIVE (FROM CREEK VALLEY BOULEVARD @ SH-121)

8 SCALE

2 PERSPECTIVE (FROM CREEK VALLEY BOULEVARD @ INDIAN RUN DRIVE)

8 SCALE

**aptura**  
DIRECT SURVEY  
1711 N. UNIVERSITY AVENUE  
SUITE 200  
CARROLLTON, TX 75006  
714.477.1000

**Heritage**  
AT CREEK VALLEY

**THE HERITAGE  
AT CREEK VALLEY**  
4320 CREEK VALLEY BLVD  
CARROLLTON, TX 75006

**CASE NUMBER**  
P.L. 20-1X2  
**HERITAGE AT  
CREEK VALLEY**

REVISIONS	
NO.	DESCRIPTION
1	CONCEPT PLAN
2	PRELIMINARY
3	FINAL
4	AS-BUILT

PROJECT NUMBER: 1711 N. UNIVERSITY AVENUE  
PROJECT NAME: HERITAGE AT CREEK VALLEY  
DATE: 10/1/2020  
DRAWN BY: JAH  
CHECKED BY: JAH  
APPROVED BY: JAH

PERSPECTIVES  
J

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EXHIBIT J  
Tract H  
Conceptual Elevations



EXHIBIT J  
Tract H  
Conceptual Elevations

