

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, AMENDING FRISCO’S ZONING ORDINANCE, ORDINANCE NO. 11-04-09, AS AMENDED, AND GRANTING A SPECIFIC USE PERMIT FOR AN ASSISTED LIVING AND NURSING/CONVALESCENT HOME ON ONE LOT ON A 3.3± ACRE TRACT OF LAND, SITUATED IN THE CRAIN & WARREN SURVEY, ABSTRACT NO. 229, AND THE M.E.P & P.R.R. COMPANY SURVEY, ABSTRACT NO. 918, CITY OF FRISCO, DENTON COUNTY, TEXAS; PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; DESCRIBING THE SUBJECT TRACT; PROVIDING A PENALTY CLAUSE, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

WHEREAS, the City Council of the City of Frisco, Texas (“City Council”) finds that it would be advantageous and beneficial to the citizens of the City of Frisco, Texas (“Frisco”) to amend Frisco’s Zoning Ordinance, Ordinance No. 11-04-09, as amended (“Zoning Ordinance”), as set forth below; and

WHEREAS, FNP Financial Group, LLC (“Owner”) initiated a request for the issuance of a Specific Use Permit for an Assisted Living and Nursing/Convalescent Home on 3.3± acres of land, situated in the Crain & Warren Survey, Abstract No. 229, and the M.E.P & P.R.R. Company Survey, Abstract No. 918, City of Frisco, Denton County, Texas, more particularly described in Exhibit A, attached hereto and incorporated herein for all purposes (“Property”), and depicted in Exhibit A-1 and Exhibit A-2, both of which are attached hereto and incorporated herein for all purposes; and

WHEREAS, the City Council finds that the facts contained in the Owner’s request are true and correct; and

WHEREAS, the City Council finds that the Owner of the Property has agreed to comply with all provisions of the ordinances of Frisco, as they exist, may be amended, or in the future arising, including but not limited to, this Ordinance and the Zoning Ordinance; and the additional restrictions, standards and conditions set forth herein; and in the following exhibits, each of which are attached hereto and incorporated herein by reference for all purposes:

- The Site Plan, attached hereto as Exhibit B;
- The Open Space Plan, attached hereto as Exhibit C; and
- The Façade Plan, attached hereto as Exhibit D.

WHEREAS, all legal notices have been given in the manner and form required by law, public hearings have been held on this proposed rezoning and all other requirements have been

satisfied; and

WHEREAS, the City Council finds that it will be advantageous and beneficial to Frisco and its citizens to grant the Specific Use Permit sought by the Owner; that such grant will not be detrimental to the public welfare, safety, or health; and that the Specific Use Permit should be granted.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Specific Use Permit Granted. The Zoning Ordinance is hereby amended as follows: A Specific Use Permit is granted to allow an Assisted Living and Nursing/Convalescent Home on the Property.

The Property, as a whole and the boundaries thereof, is more particularly described in Exhibit A. The general location of the Property is depicted in Exhibit A-1, and the current condition of the Property is depicted in Exhibit A-2. The Property shall be developed in compliance with the conditions expressly stated and/or depicted in Exhibit B, Exhibit C, and Exhibit D and all other ordinances, rules and regulations of Frisco, as they currently exist, may be amended or in the future arising. To the extent that any of the exhibits attached hereto are in conflict with the provisions of this Ordinance or one another, the provisions of this Ordinance, then the provisions of Exhibit B, Exhibit C and Exhibit D shall prevail in that order.

The City Council designates the Property for its historical, cultural or architectural importance and significance pursuant to Section 3000.002(d) of the Texas Government Code.

SECTION 3: Failure to Comply; Assignment and Transfer. All terms of the Specific Use Permit shall be complied with at all times and as a condition of Frisco's issuance of a Certificate of Occupancy, if applicable. Failure to comply with any term or condition of this Ordinance or the Zoning Ordinance will result in the Specific Use Permit being declared null and void and of no force and effect. The Specific Use Permit is issued to the Property and is assignable and transferable.

SECTION 4: Specific Use Permit Regulations. Upon holding a properly noticed public hearing, the City Council may amend, change, or rescind the Specific Use Permit if:

1. A violation of any of the provisions of this Ordinance or any other Frisco ordinance occurs on the Property and there is a conviction thereof;
2. The building, premise or land uses under the Specific Use Permit are enlarged, modified, structurally altered, or otherwise significantly changed, unless a separate Specific Use Permit is granted for such enlargement, modification, structural alteration or change;

3. Violation of any provision of the terms or conditions of the Specific Use Permit;
4. Ad valorem taxes on the Property are delinquent by more than six (6) months;
5. The Specific Use Permit was obtained by fraud or deception; or
6. As otherwise permitted by law or the Zoning Ordinance.

SECTION 5: Specific Use Permit Effective Date. The Specific Use Permit shall be effective from and after the effective date of this Ordinance. Upon termination of the Specific Use Permit, the Property shall cease to be used as provided herein unless another Specific Use Permit or appropriate zoning has been obtained.

SECTION 6: Unlawful Use of Property. It shall be unlawful for any person, firm, entity or corporation to use the subject portion of the Property in some manner other than as authorized by this Ordinance or the Zoning Ordinance.

SECTION 7: No Vested Interest/Repeal. No developer or property owner shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed by the City Council in the manner provided for by law.

SECTION 8: Penalty. Any person, firm, entity, or corporation who violates any provision of this Ordinance or the Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction, therefore, shall be fined in a sum not exceeding TWO THOUSAND AND 00/100 DOLLARS (\$2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 9: Savings/Repealing. The Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 10: Severability. Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase thereof regardless of whether any one or more sections, subsections, sentences, clauses and/or phrases may be

declared unconstitutional and/or invalid.

**SECTION 11: Effective Date.** This Ordinance shall become effective from and after its adoption and publication as required by the City Charter and by law.

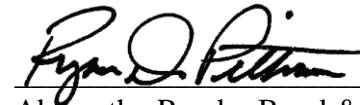
**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS** on this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Jeff Cheney, Mayor

**ATTESTED TO AND  
CORRECTLY RECORDED BY:**

\_\_\_\_\_  
Kristi Morrow, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Abernathy Roeder Boyd & Hullett, P.C.  
Ryan D. Pittman, City Attorneys

Date of Publication: \_\_\_\_\_, *Frisco Enterprise*

**Exhibit A**  
**Legal Description**

**EXHIBIT A: SUP23-0003**

BEING, all of that 3.352 acre (145,998 square foot) tract of land situated in the Crain & Warren Survey, Abstract No. 229, and the M.E.P. & P. R.R. Company Survey, Abstract No. 918, in the City of Frisco, Denton County, Texas; being part of that called 43.4684 acre tract of land described in Trustee's Deed as recorded in Instrument No. 2011-1211 of the Official Records of Denton County, Texas; and being part of Lot 24, Block A, Frisco Marketcenter, an addition to the City of Frisco as recorded in Document No. 2021-217 of the Plat Records of Denton County, Texas; said 3.352 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING, at a PK nail found at the southeast corner of said Lot 24; said point being in the west line of Lot 21, Block A, Frisco Marketcenter, an addition to the City of Frisco as recorded in Document No. 2017-486 of the Plat Records of Denton County, Texas; said point being in the north line of Lot 16, Block A, Frisco Marketcenter, an addition to the City of Frisco, Texas as recorded in Document No. 2022-267 of the Plat Records of Denton County, Texas;

THENCE, South 89 degrees 19 minutes 02 seconds West, with the south line of said Lot 24 and the north line of said Lot 16, a distance of 304.12 feet to a point for corner;

THENCE, North 18 degrees 17 minutes 48 seconds West, departing the south line of said Lot 24 and the north line of said Lot 16, a distance of 421.67 feet to a point for corner in the north line of said Lot 24; said point being in the south line of Lot 15, Block A, Frisco Marketcenter, an addition to the City of Frisco as recorded in Document No. 2014-242 of the Plat Records of Denton County, Texas;

THENCE, North 89 degrees 31 minutes 43 seconds East, with the north line of said Lot 24 and the south line of said Lot 15, a distance of 375.66 feet to a 5/8-inch iron rod with "COTTON SURVEYING" cap found for corner; said point being the beginning of a non-tangent curve to the left;

THENCE, in a southeasterly direction, continuing with the north line of said Lot 24 and the south line of said Lot 15, along said curve to the left, an arc length of 77.01 feet, having a radius of 60.00 feet, a central angle of 73 degrees 32 minutes 13 seconds, and a chord which bears South 53 degrees 42 minutes 03 seconds East, 71.83 feet to a point at the most easterly northeast corner of said Lot 24; said point being in the west line of said Lot 21;

THENCE, South 00 degrees 28 minutes 17 seconds East, with the east line of said Lot 24 and the west line of said Lot 21, a distance of 357.31 feet to the POINT OF BEGINNING and containing an area of 3.352 acres or 145,998 square feet of land, more or less.

This document was prepared under 22 Texas Administrative Code §138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

2/27/2023

Rene Silvas  
RPLS No. 5921

Date



Exhibit A-1  
General Location of the Property

**SUP23-0003**  
**Frisco Marketcenter**  
**Block A, Lot 24**





# Exhibit B

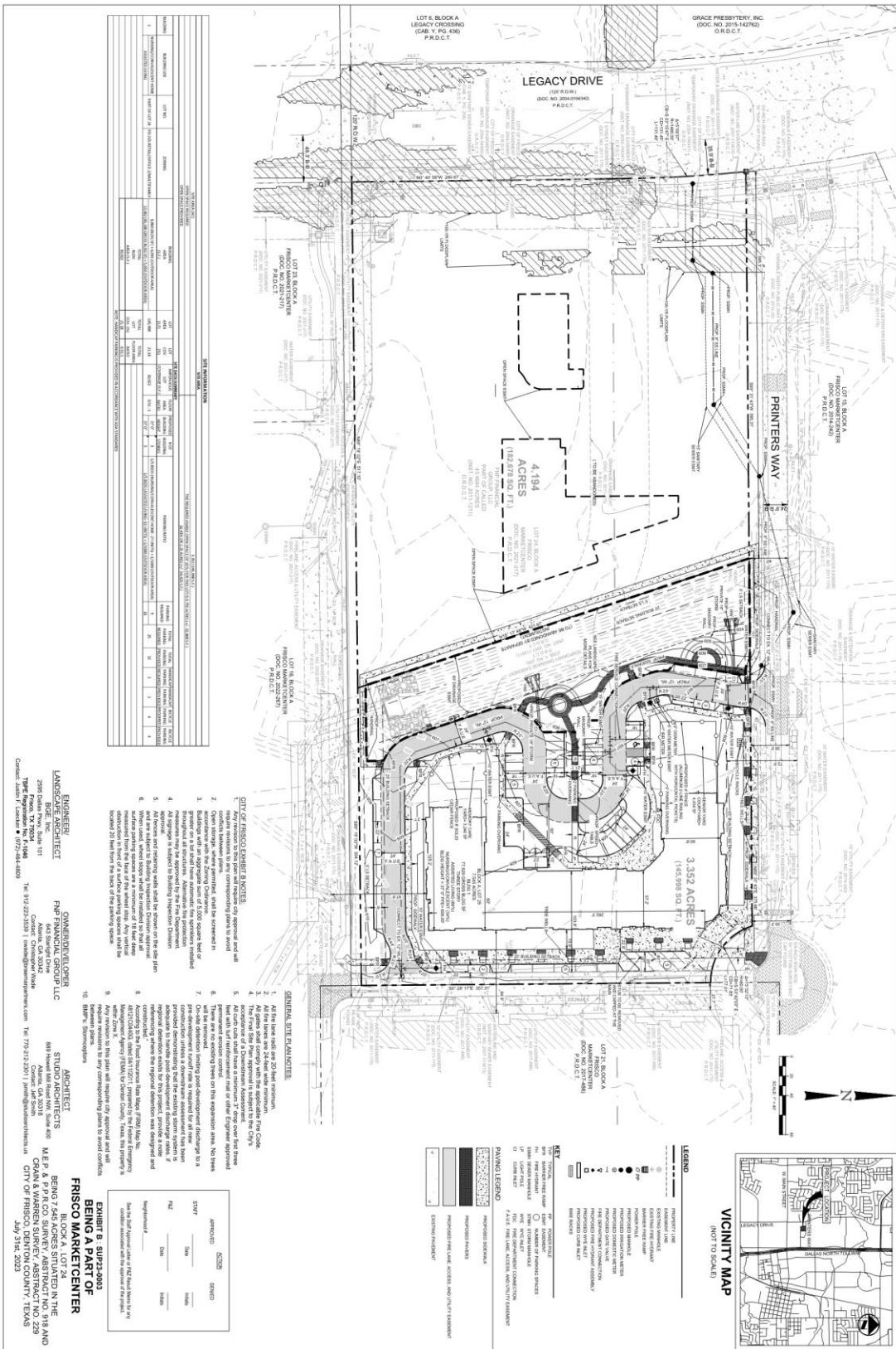
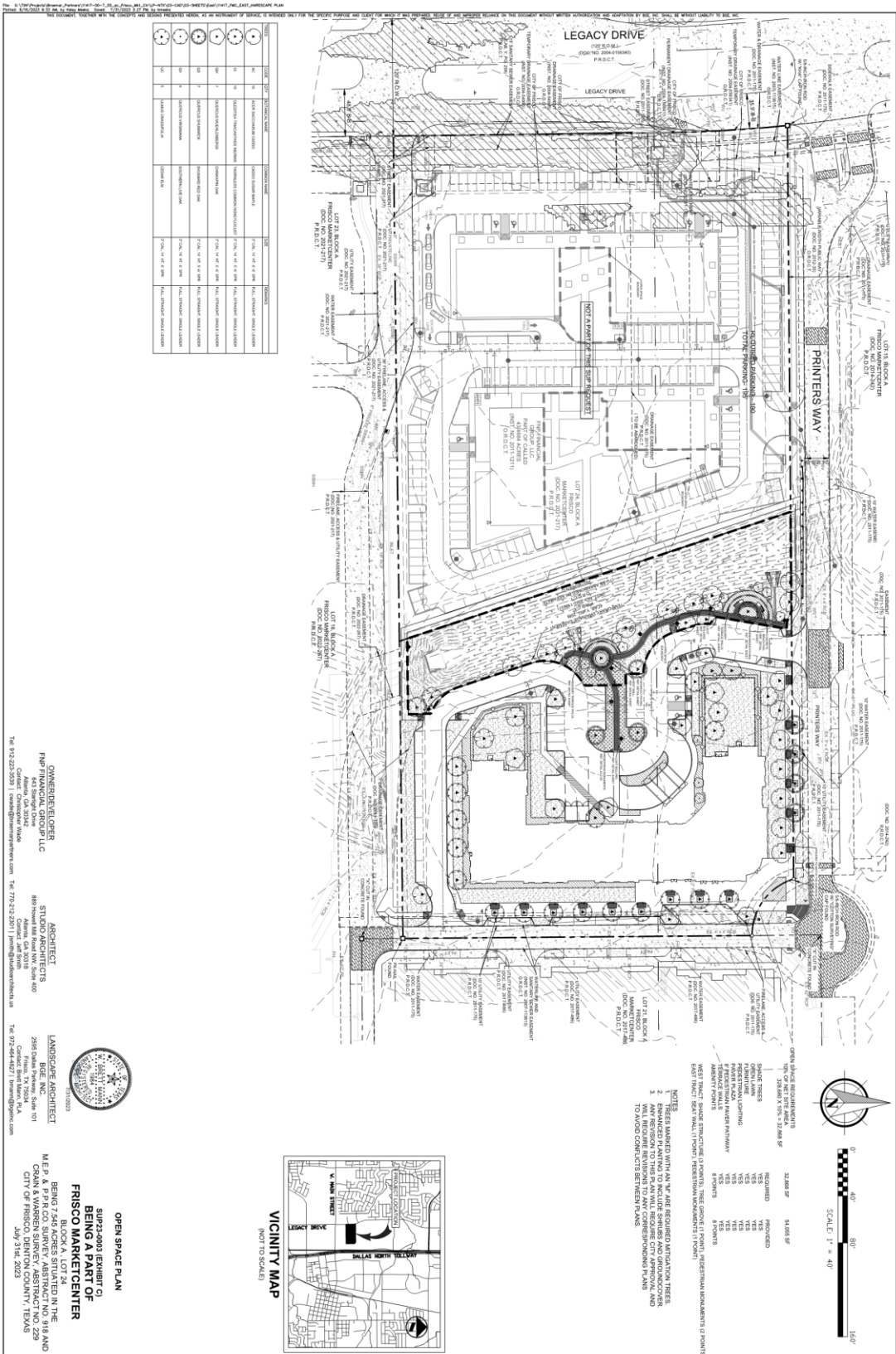




Exhibit C (1 of 5)



NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITS	07/14/2023	JL
2	REVISED PER COMMENTS FROM THE CITY OF FRISCO	07/14/2023	JL
3	REVISED PER COMMENTS FROM THE CITY OF FRISCO	07/14/2023	JL
4	REVISED PER COMMENTS FROM THE CITY OF FRISCO	07/14/2023	JL
5	REVISED PER COMMENTS FROM THE CITY OF FRISCO	07/14/2023	JL
6	REVISED PER COMMENTS FROM THE CITY OF FRISCO	07/14/2023	JL
7	REVISED PER COMMENTS FROM THE CITY OF FRISCO	07/14/2023	JL
8	REVISED PER COMMENTS FROM THE CITY OF FRISCO	07/14/2023	JL
9	REVISED PER COMMENTS FROM THE CITY OF FRISCO	07/14/2023	JL
10	REVISED PER COMMENTS FROM THE CITY OF FRISCO	07/14/2023	JL

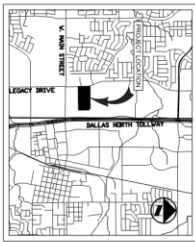
**OWNER/PROJECT OPERATOR**  
**PMP FINANCIAL GROUP, LLC**  
 644 Springs Drive  
 Frisco, TX 75034  
 Contact: Christopher Wade  
 Tel: 972.222.3333 | cswade@pmpfrisco.com

**ARCHITECT**  
**STUDIO ARCHITECTS**  
 689 Howard Hall Road NW, Suite 400  
 Frisco, TX 75034  
 Contact: Jeff Brown  
 Tel: 772.212.2071 | jbrown@studioarchitects.com

**LANDSCAPE ARCHITECT**  
**BOE, INC.**  
 2995 Quail Parkway, Suite 101  
 Frisco, TX 75034  
 Contact: Brad Miller, P.L.A.  
 Tel: 972.484.4427 | bradmiller@boe.com

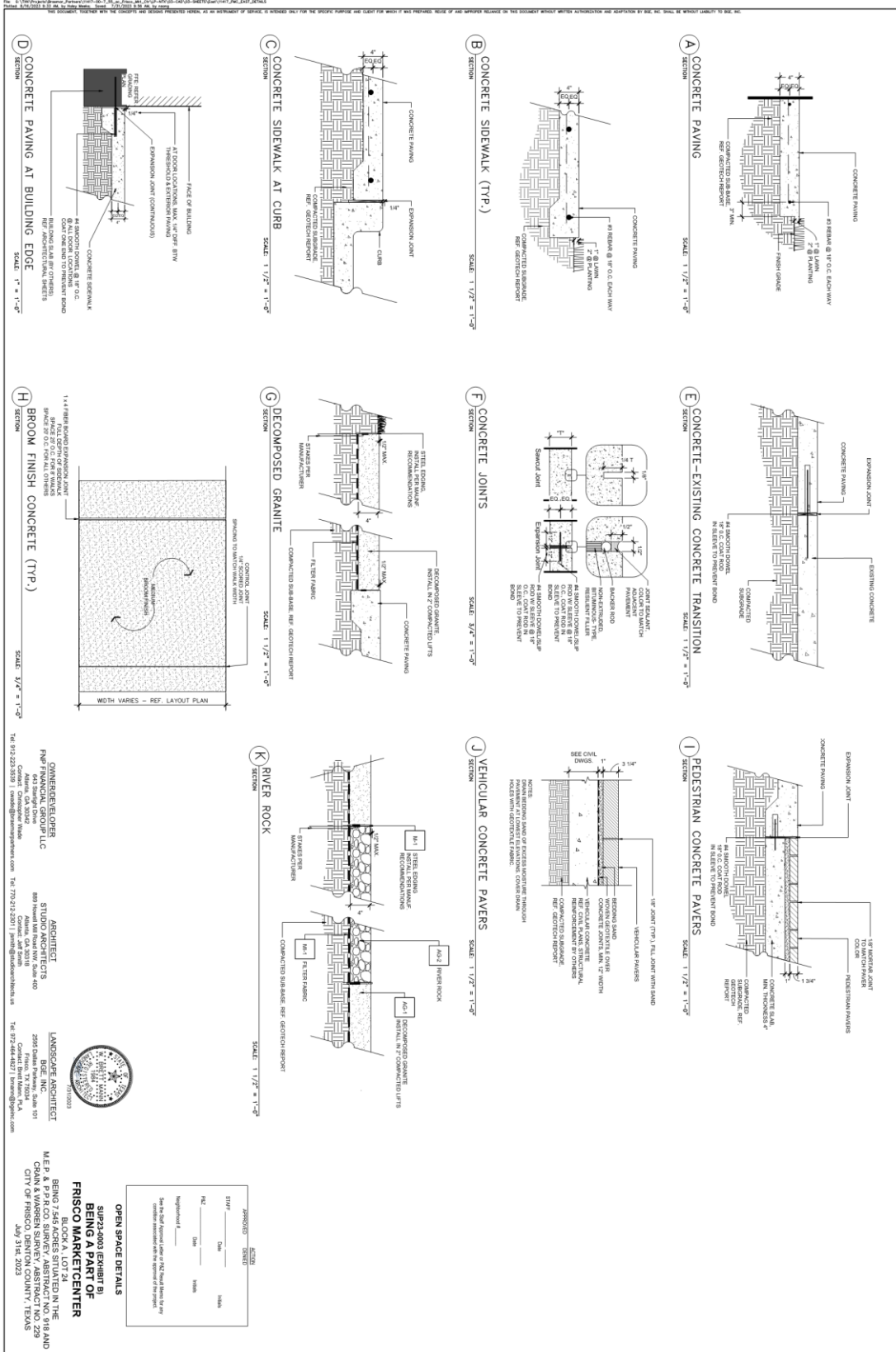


**OPEN SPACE PLAN**  
**SUP23-0003 EXHIBIT C**  
**BEING A PART OF**  
**FRISCO MARKETCENTER**  
 BLOCK A, LOT 24, EDIN THE  
 BEING 7.56 ACRES, MORE OR LESS, IN THE  
 COAN & WARREN SURVEY, ABSTRACT NO. 229  
 CITY OF FRISCO, TEXAS  
 July 14, 2023



- NOTES**
1. THESE MARKED WITH AN "X" ARE REQUIRED MITIGATION TREES.
  2. TREE REMOVAL SHALL BE IN ACCORDANCE WITH THE CITY OF FRISCO TREE REMOVAL AND REPLACEMENT ORDINANCE (MUNICIPAL CODE CHAPTER 21A, ARTICLE 21A.03).
  3. TREE REMOVAL SHALL BE IN ACCORDANCE WITH THE CITY OF FRISCO TREE REMOVAL AND REPLACEMENT ORDINANCE (MUNICIPAL CODE CHAPTER 21A, ARTICLE 21A.03).
  4. TREE REMOVAL SHALL BE IN ACCORDANCE WITH THE CITY OF FRISCO TREE REMOVAL AND REPLACEMENT ORDINANCE (MUNICIPAL CODE CHAPTER 21A, ARTICLE 21A.03).
  5. TREE REMOVAL SHALL BE IN ACCORDANCE WITH THE CITY OF FRISCO TREE REMOVAL AND REPLACEMENT ORDINANCE (MUNICIPAL CODE CHAPTER 21A, ARTICLE 21A.03).
  6. TREE REMOVAL SHALL BE IN ACCORDANCE WITH THE CITY OF FRISCO TREE REMOVAL AND REPLACEMENT ORDINANCE (MUNICIPAL CODE CHAPTER 21A, ARTICLE 21A.03).
  7. TREE REMOVAL SHALL BE IN ACCORDANCE WITH THE CITY OF FRISCO TREE REMOVAL AND REPLACEMENT ORDINANCE (MUNICIPAL CODE CHAPTER 21A, ARTICLE 21A.03).
  8. TREE REMOVAL SHALL BE IN ACCORDANCE WITH THE CITY OF FRISCO TREE REMOVAL AND REPLACEMENT ORDINANCE (MUNICIPAL CODE CHAPTER 21A, ARTICLE 21A.03).
  9. TREE REMOVAL SHALL BE IN ACCORDANCE WITH THE CITY OF FRISCO TREE REMOVAL AND REPLACEMENT ORDINANCE (MUNICIPAL CODE CHAPTER 21A, ARTICLE 21A.03).
  10. TREE REMOVAL SHALL BE IN ACCORDANCE WITH THE CITY OF FRISCO TREE REMOVAL AND REPLACEMENT ORDINANCE (MUNICIPAL CODE CHAPTER 21A, ARTICLE 21A.03).

Exhibit C (2 of 5)



**OWNER/REVELOPER**  
PWP PARTNERSHIP LP  
4415 Spring Drive  
Dallas, TX 75244  
Tel: 817-223-3539 | [info@pwp.com](mailto:info@pwp.com)

**ARCHITECT**  
STUDIO ARCHITECTS  
889 Howard Hall Road, Suite 400  
Dallas, TX 75208  
Tel: 772-212-2201 | [info@studioarchitects.com](mailto:info@studioarchitects.com)

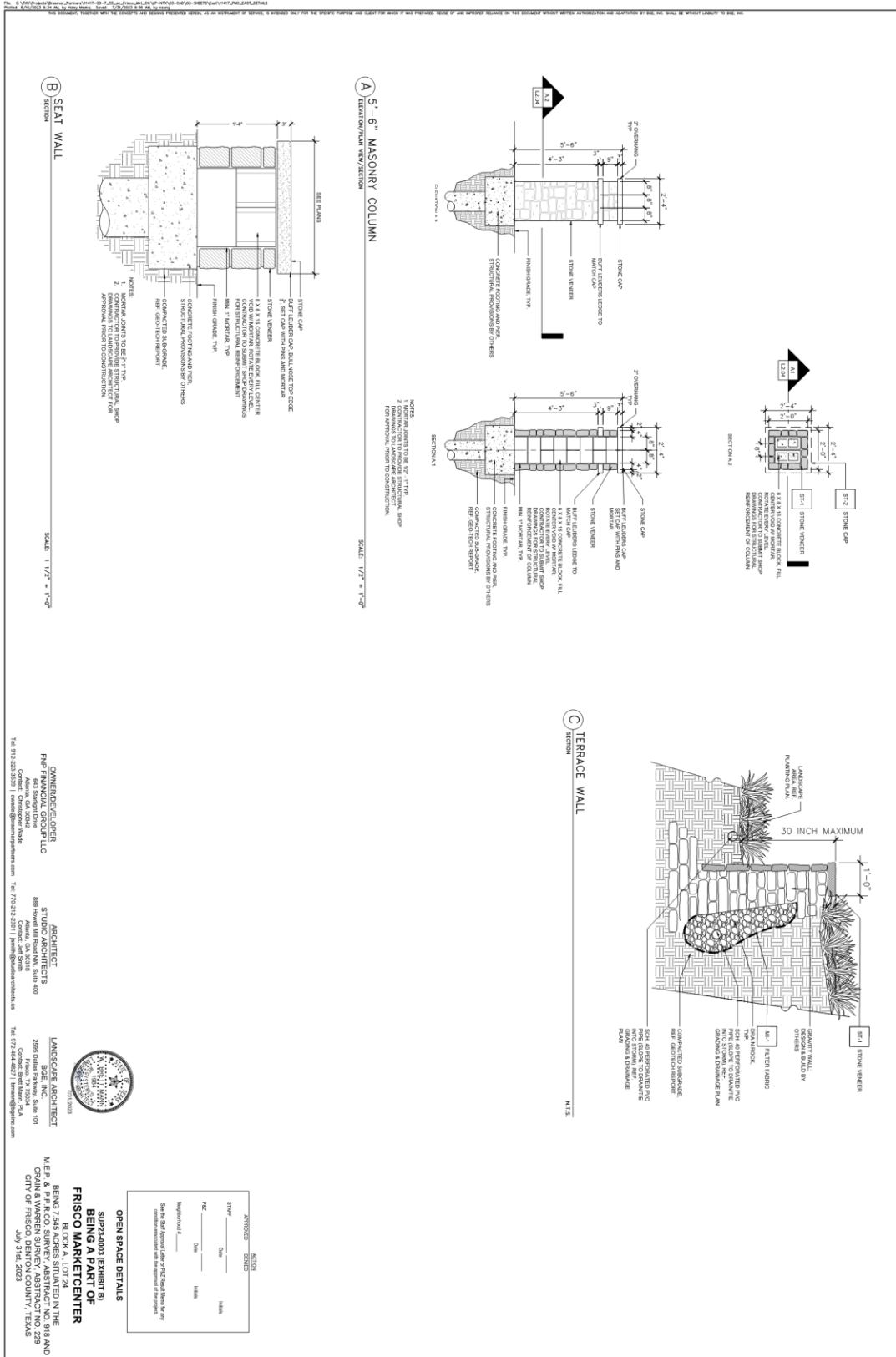
**LANDSCAPE ARCHITECT**  
FRISCO ARCHITECT  
2595 Dallas Parkway, Suite 101  
Frisco, TX 75034  
Tel: 872-444-4427 | [frisco@friscoarch.com](mailto:frisco@friscoarch.com)



**OPEN SPACE DETAILS**  
SUP23-0003 (EXHIBIT B) BEING A PART OF FRISCO MARKETCENTER  
BLOCK A, LOT 24  
M.E.P. & P.E. PROJECT NO. 229  
CRAWN & WARREN SURVEY, ABSTRACT NO. 229  
CITY OF FRISCO, DALLAS COUNTY, TEXAS  
DATE: 04/15/2023

DATE: \_\_\_\_\_  
BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

Exhibit C (3 of 5)





### ANNOVA

#### CAFE CHAIR

**SCALE: NTS**

### VICTOR STARBUCK

#### BIKE RACK

**SCALE: NTS**

### VICTOR STARBUCK

#### LITTER RECEPTACLE

**SCALE: NTS**

### Americana

#### ADIRONDACK CHAIR

**SCALE: NTS**

### ANNOVA

#### CAFE TABLE

**SCALE: NTS**

### VICTOR STARBUCK

#### BENCH

**SCALE: NTS**

### Bollard

#### LIGHT BOLLARD

**SCALE: NTS**

### LANDSCAPE ARCHITECT

#### PRODUCT CUT SHEETS

SUP23-0003 EXHIBIT C  
BEING A PART OF  
FRISCO MARKETCENTER

Block A, Lot 24  
Being 255 Acres Situated on the  
M.P. & Warren Survey, Abstract No. 229  
City of Frisco, Denton County, Texas  
August 28th, 2023

**SCALE: NTS**

OWNER/DEVELOPER  
P&P PARKS, LLC  
10000 Park Blvd, Suite 100  
Dallas, TX 75244  
Tel: 972-232-2537 | info@pandpparks.com

ARCHITECT  
STUDIO CITY ARCHITECTS  
8888 North Central Expressway, Suite 400  
Dallas, TX 75246  
Tel: 972-232-2537 | info@studiocityarchitects.com

LANDSCAPE ARCHITECT  
STUDIO CITY ARCHITECTS  
2900 Dallas Street, Suite 101  
Frisco, TX 75034  
Tel: 972-264-4427 | info@studiocity.com

Exhibit D (1 of 3)

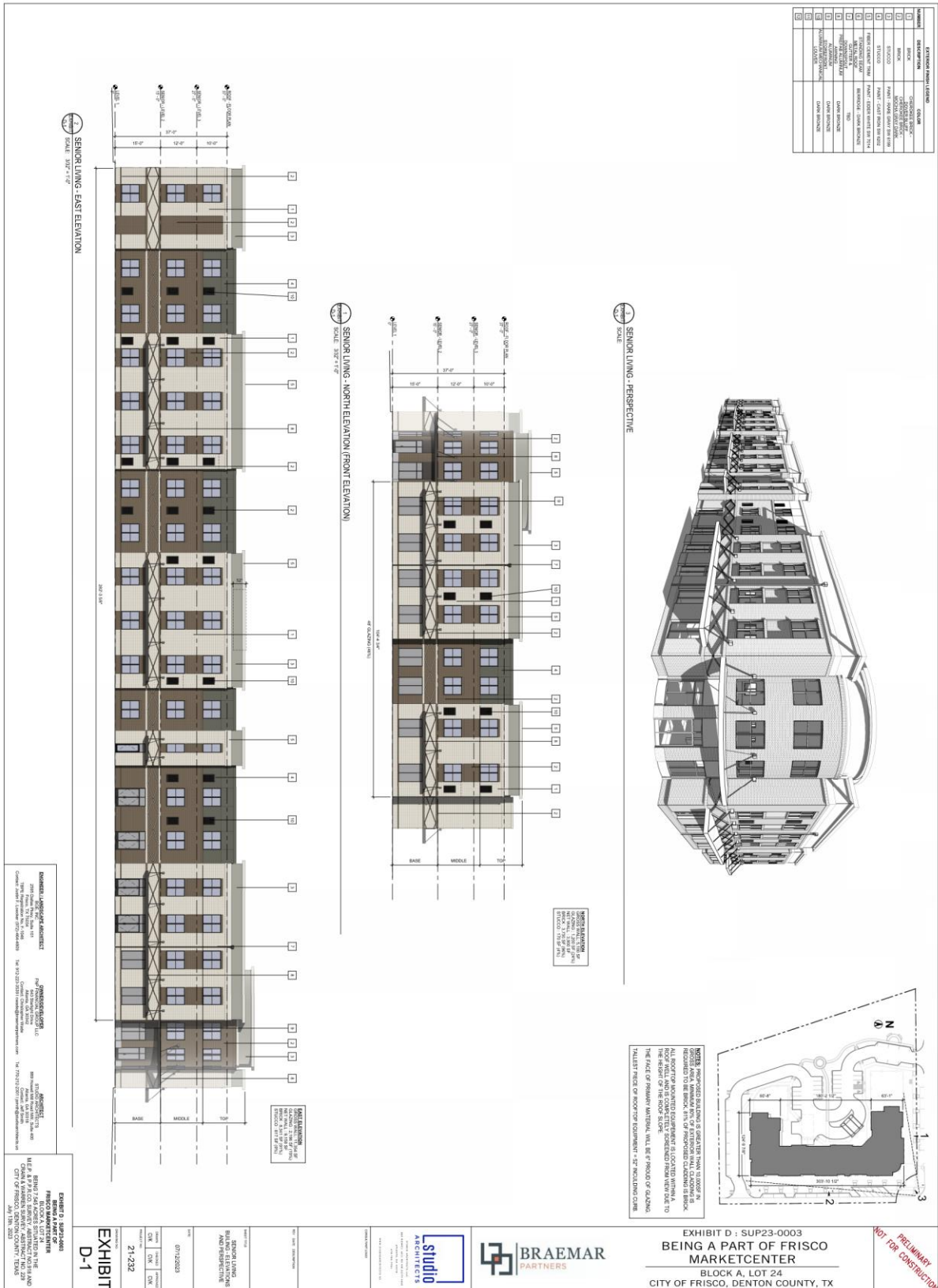


Exhibit D (2 of 3)



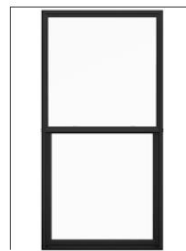
Exhibit D (3 of 3)

MATERIAL CONCEPTS

METAL ROOFING, CANOPIES:  
Berridge  
Dark Bronze



STUCCO SIDING B:  
Sand Finish

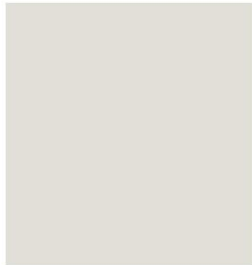


DOORS & WINDOWS:  
Vinyl  
Dark Bronze

SW 6619 Rare Gray

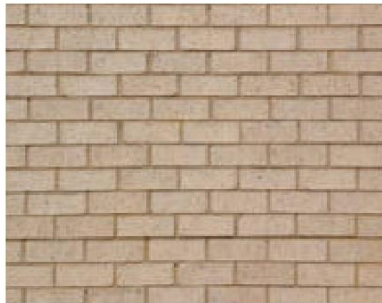
SW 7014 Eider White

SW 6202 Cast Iron



BRICK 1:  
Cherokee Brick  
Dover Bluff  
Mortar - Buff

BRICK 2:  
Cherokee Brick  
Mocha Gray Dark  
Mortar - Buff



FRISCO MARKET CENTER BLOCK A, LOT 24

FRISCO, TEXAS

REVISED - JULY 11, 2023

