

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY AMENDING PLANNED DEVELOPMENT NUMBER 05 PROVIDING FOR THE (LR-2) LOCAL RETAIL DISTRICT, WITH DEVELOPMENT STANDARDS TO ALLOW FOR MULTIFAMILY, TOWNHOMES, RESTAURANT, AND RETAIL MIXED-USE ON AN APPROXIMATELY 10.5-ACRE TRACT OF LAND AND LOCATED ON THE NORTHEAST CORNER OF OLD DENTON ROAD AND RAIFORD ROAD; AMENDING THE OFFICIAL ZONING MAP; AND PROVIDING FOR A PENALTY OF \$2,000 PER DAY, SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at a public hearing held on the Seventh day of September, 2017, the Planning & Zoning Commission considered and made recommendation on a certain request for a Planned Development District (Case No. 08-17Z1);

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

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.

Planned Development Number 05 is hereby amended in its entirety for an approximately 10.5-acre site described on the attached Exhibit A, and depicted on Exhibit B, providing for the following:

Development shall be in accordance with the Conceptual Site Plan, as shown on Exhibit C; Conceptual Landscape Plan, as shown on Exhibit D, Conceptual Building Elevations, as shown on Exhibit E; and Conceptual Screening Wall Elevations, shown on Exhibit F.

Permitted Uses

Tract 1:

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:

Allow Multifamily, Apartment, and Apartment House or Complex.

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.

Tract 2:

Permitted uses shall be all principal and accessory uses which are allowed by right in the (SF-A) Single Family Residential Attached, in accordance with Article V of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations of the (SF-A) Single Family Residential Attached and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided in the Carrollton Comprehensive Zoning Ordinance.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (SF-A) Single Family Residential Attached, 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.

Section 3.

Development shall be in accordance with the following special conditions, restrictions and regulations:

1. Development shall be in accordance with the Conceptual Site Plan, as shown on Exhibit C; Conceptual Landscape Plan, as shown on Exhibit D, Conceptual Building Elevations, as shown on Exhibit E; and Building Profile Comparison with Raiford Crossing, shown on Exhibit F.
2. A home owner's association (HOA) or property owner's association (POA) shall be established in accordance with the City of Carrollton Comprehensive Subdivision Ordinance prior to final platting of the first tract.
3. The HOA or POA will be responsible for the improvement and maintenance of all common areas and/or common facilities contained within the area of the Conceptual Site Plan.
4. An entry ribbon consisting of six foot wide decorative pavers or stained and pattern stamped concrete shall be provided at all entrances of the subdivision at the driveways connecting to both Old Denton Road and Raiford Road.
5. Electric meters, gas meters, air conditioning equipment and all other similar equipment and appurtenances shall not face any public street.
6. Parking:
 - a. Commercial parking shall be assigned to the ground floors of Buildings A & B plus the first two rows in Building C.
7. Streetscape and Landscaping:
 - a. Streetscape lamp posts shall be in similar design as detailed on sheet EX.D-1 of the attached Conceptual Plans and shall be provided along Raiford Road and Old Denton Road no further than 60 feet on center in the R.O.W. between the sidewalk and the curb.
 - b. Shade Trees shall be provided along Raiford Road and Old Denton Road at an average of 35 feet on private property.
 - c. Where tree plantings conflict with a stop sign (no trees shall be planted within a 115 feet sight line of a stop sign) the trees shall be placed across the sidewalk on private property in either a planting bed or a tree well.
 - d. Bicycle Racks shall be placed adjacently to commercial and restaurant building A, and restaurant building B at a distance no further than 150 linear feet on center.
 - e. A combination of two benches and one trash receptacle shall be placed along Raiford Road and Old Denton Road at 150 linear feet intervals.
 - f. The bicycle racks, bench and trash receptacle combination may be situated in a single grouping.
 - g. The north property line shall be lined with canopy trees at an average of 35 linear feet on center.
 - h. The multifamily shall, in addition to street trees, have an additional shade tree or ornamental tree as well as foundation plantings.
 - i. All dumpster areas shall be screened with an opaque masonry screen wall as well as landscape plantings.
 - j. The detention pond as shown on sheet Ex.D-1 shall be landscaped in accordance with Chapter XXV of the landscape ordinance in the CZO.

- k. On-site walking trails shall connect to existing Furneaux Creek Park trails where practical.
- 8. Building Elevations:
 - a. Minimum 90 percent brick or stone, except for openings for overall building elevations.
 - b. Minimum 100 percent brick or stone, except for openings for the first floor of mixed use multifamily buildings.
 - c. Maximum building height:
 - (1) Multifamily buildings:
 - (a) 61 feet (top of parapets), except 71 feet for landmark feature at the corner of Old Denton Road and Raiford Road.
 - (b) Minimum 16 feet height for the first story of the commercial portion of the mixed use multifamily buildings.
 - (2) Townhomes:
 - (a) As required in Article VIII of the Comprehensive Zoning Ordinance.
- 9. Setbacks and miscellaneous guidelines
 - a. **Tract 1** – (LR-2) Local Retail District allowing Multifamily
 - (1) Minimum Setbacks:
 - (a) Old Denton Rd: 54 feet
 - (b) Raiford Rd:
 - i. 21 feet for Buildings A and B
 - ii. 15.5 feet for Building C
 - (c) Along Furneaux Creek Park: 24 feet
 - b. **Tract 2** – (SF-A) Single Family Attached Residential
 - (1) Minimum Setbacks:
 - (a) Raiford Road: 4 feet
 - (b) Furneaux Creek Park: 4 feet
 - (c) Garage door setbacks for driveways: 20 feet
 - (2) Carports & garage awnings shall be prohibited.
 - (3) Townhome garage doors shall be decorative wood or “faux wood” or equivalent paneled door.

Section 4.

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

Section 5.

Any person violating a provision of this ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

Section 6.

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

Section 7.

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 8.

To the extent 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 9.

This ordinance shall become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Tenth day of October, 2017.

CITY OF CARROLLTON

By: _____
Kevin W. Falconer, Mayor

ATTEST:

Laurie Garber
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Susan Keller
Assistant City Attorney

Loren Shapiro
Chief Planner

Exhibit A
Legal Description

Being that certain 10.401 acre tract of land situated in the G. Gaskin Survey, Abstract No. 492 and the B. Baccus Survey, Abstract No. 119, Denton County, Texas and in the W. Caruth Survey, Abstract No. 358, Dallas County, Texas, and being all that certain tract of land conveyed to JK & JY Development, LLC, by Warranty Deed recorded in Document No. 2016-86733, Official Public Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with "JBI" cap found for the Southeast corner of said JK tract, same being in the southerly line of that certain tract of land conveyed to the City of Carrollton, by deed recorded in Document No. 2008-77425, said Official Public Records, same being in the northerly right-of-way line of Raiford Road (variable width right-of-way), same being the beginning of a curve to the left, having a radius of 1045.00 feet and a central angle of 14 deg. 41 min. 15 sec.;

THENCE along the common line of said JK tract and said Raiford Road as follows:

Along said curve to the left, an arc distance of 267.88 feet and a chord bearing and distance of North 89 deg. 05 min. 16 sec. West, 267.15 feet to a 1/2 inch iron rod with yellow cap found which bears North 84 deg. 54 min. 57 sec. East, 4.06 feet for angle point;

South 83 deg. 34 min. 06 sec. West, a distance of 154.70 feet to a 1/2 inch iron rod with yellow cap found which bears North 86 deg. 55 min. 16 sec. East, 3.50 feet for the beginning of a curve to the left, having a radius of 1045.00 feet and a central angle of 23 deg. 40 min. 47 sec.; Along said curve to the left, an arc distance of 431.89 feet and a chord bearing and distance of South 71 deg. 43 min. 44 sec. West, 428.82 feet to a 1/2 inch iron rod with "JBI" cap found for the beginning of a reverse curve to the right, having a radius of 955.00 feet and a central angle of 18 deg. 54 min. 49 sec.;

Along said curve to the right, an arc distance of 315.25 feet and a chord bearing and distance of South 69 deg. 20 min. 46 sec. West, 313.82 feet to a 1/2 inch iron rod with "JBI" cap found for the beginning of a curve to the right, having a radius of 495.59 feet and a central angle of 11 deg. 45 min. 31 sec.;

Along said curve to the right, an arc distance of 101.71 feet and a chord bearing and distance of South 84 deg. 37 min. 48 sec. West, 101.53 feet to a 1/2 inch iron rod with "JBI" cap found for angle point;

North 89 deg. 32 min. 34 sec. West, a distance of 108.43 feet to a point for angle point;

South 89 deg. 09 min. 15 sec. West, a distance of 110.00 feet to a 1/2 inch iron rod with "JBI" cap found which bears South 03 deg. 58 min. 23 sec. West, 0.43 feet for corner, same being in the intersection of said Raiford Road and Old-Denton Road (FM HWY No. 2281)(variable width right-of-way), same being the beginning of a curve to the right, having a radius of 80.00 feet and a central angle of 95 deg. 50 min. 49 sec.;

THENCE along the common line of said JK tract and said intersection as follows:

Along said curve to the right, an arc distance of 133.83 feet and a chord bearing and distance of North 42 deg. 55 min. 21 sec. West, 118.76 feet to a 1/2 inch iron rod with "JBI" cap found which bears South 64 deg. 49 min. 22 sec. East, 0.37 feet for internal corner;

South 83 deg. 34 min. 05 sec. West, a distance of 25.56 feet to a point for the most westerly Southwest corner of said JK tract, same being in the easterly right-of-way line of said Old-Denton Road;

THENCE North 01 deg. 05 min. 49 sec. West, along the common line of said JK tract and said Old-Denton Road, a distance of 289.33 feet to a point for the Northwest corner of said JK tract, same being in the westerly line of aforesaid City of Carrollton tract;

THENCE along the northerly lines of said JK tract and along the remainder of said City of Carrollton tract as follows:

North 50 deg. 01 min. 51 sec. East, a distance of 85.67 feet to a 1/2 inch iron rod with "JBI" cap found for angle point;

North 72 deg. 11 min. 46 sec. East, a distance of 142.22 feet to a 1/2 inch iron rod with "JBI" cap found for angle point;

North 86 deg. 04 min. 24 sec. East, a distance of 87.13 feet to a 1/2 inch iron rod with "JBI" cap found for angle point;

South 84 deg. 16 min. 26 sec. East, a distance of 106.22 feet to a 1/2 inch iron rod with "JBI" cap found which bears South 58 deg. 28 min. 47 sec. West, 0.43 feet for angle point;

South 78 deg. 06 min. 00 sec. East, a distance of 90.66 feet to a point for angle point;

South 84 deg. 54 min. 22 sec. East, a distance 72.76 feet to a point for angle point;

South 89 deg. 00 min. 56 sec. East, a distance of 136.99 feet to a point for angle point;

South 83 deg. 11 min. 24 sec. East, a distance of 53.34 feet to a point for angle point;

South 85 deg. 04 min. 26 sec. East, a distance of 102.65 feet to a 1/2 inch iron rod with "JBI" cap found for angle point;

North 89 deg. 26 min. 56 sec. East, a distance of 85.42 feet to a 1/2 inch iron rod with "JBI" cap found for angle point;

South 85 deg. 51 min. 44 sec. East, a distance of 84.16 feet to a point for angle point;

North 89 deg. 18 min. 15 sec. East, a distance of 209.64 feet to a point for angle point;

North 89 deg. 09 min. 10 sec. East, a distance of 124.85 feet to a point for angle point;

South 84 deg. 48 min. 51 sec. East, a distance of 61.37 feet to a disturbed 1/2 inch iron rod found which bears South 79 deg. 00 min. 02 sec. West, 0.51 feet for angle point;

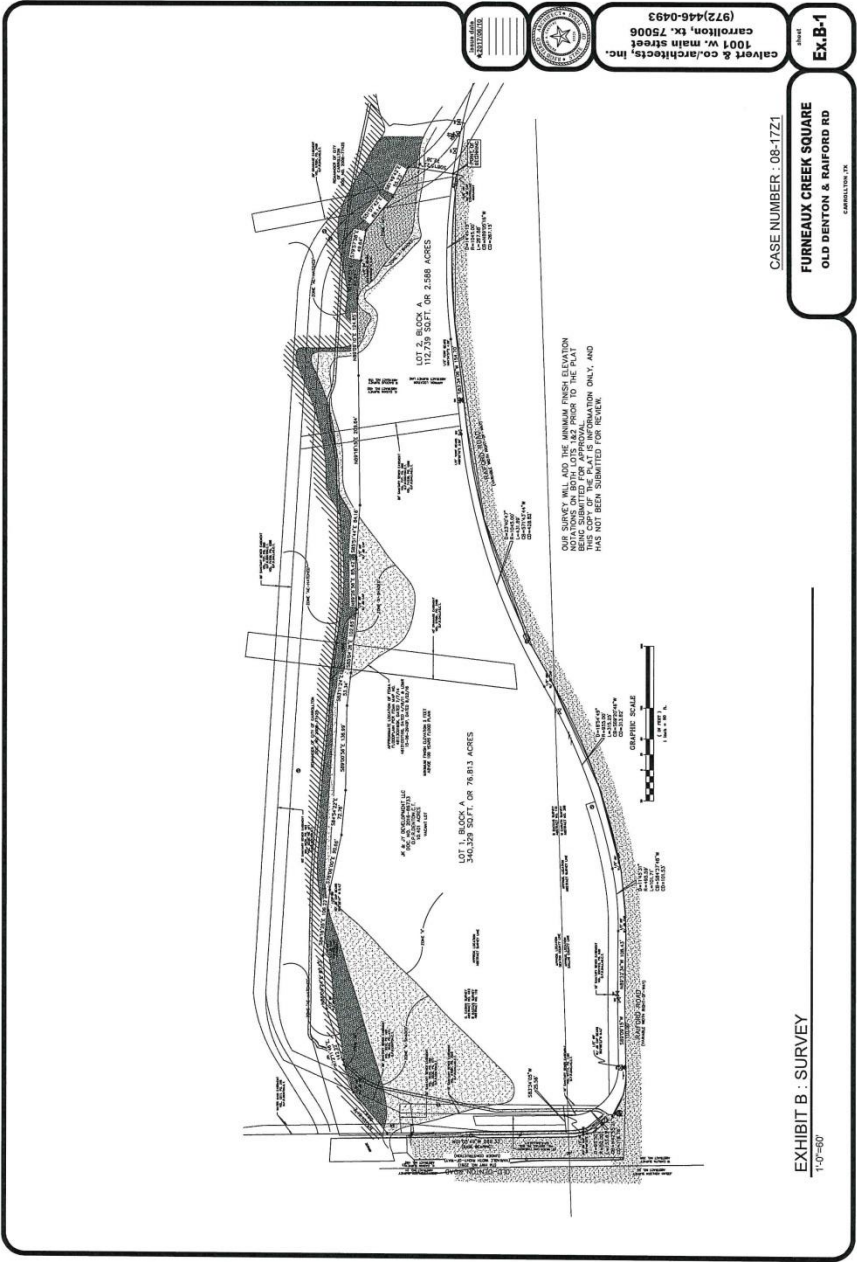
South 79 deg. 57 min. 58 sec. East, a distance of 49.64 feet to a point for angle point;

South 51 deg. 07 min. 42 sec. East, a distance of 69.14 feet to a point for angle point;

South 61 deg. 49 min. 42 sec. East, a distance of 55.23 feet to a point for the most easterly Northeast corner of said JK tract;

THENCE South 08 deg. 15 min. 22 sec. West, along the easterly line of said JK tract and along the remainder of said City of Carrollton tract, a distance of 72.38 feet to the POINT OF BEGINNING and containing 10.401 acres of computed land, more or less.

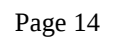
Exhibit B
Location & Tracts



Ord. _____



Ord. _____



Ord. _____

Issue date
★ 2017/05/10

Ord. _____



Ord. _____



Exhibit E:
Conceptual Building Elevations

Ord. _____

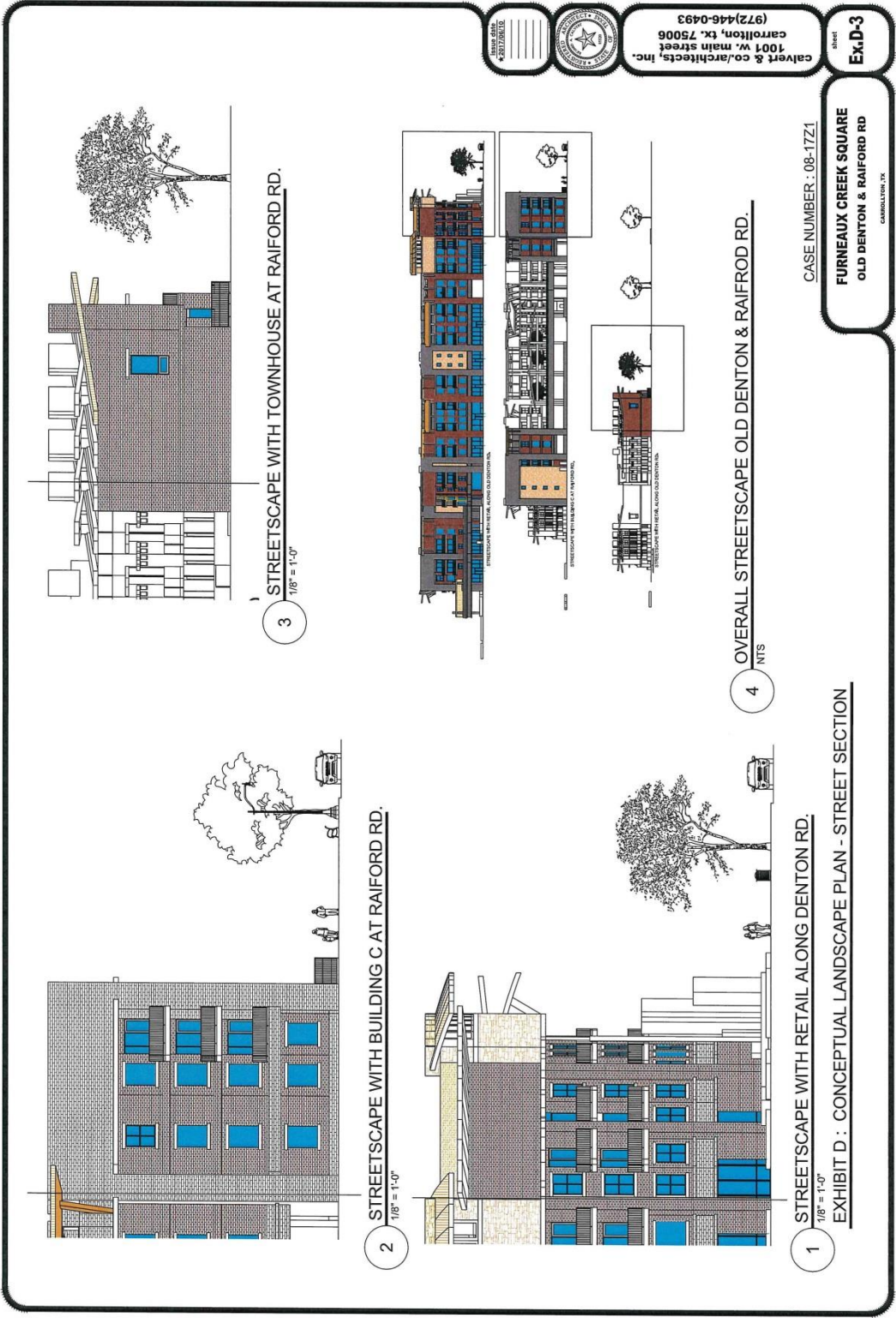
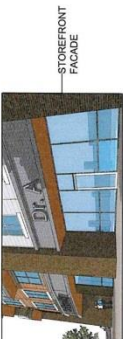
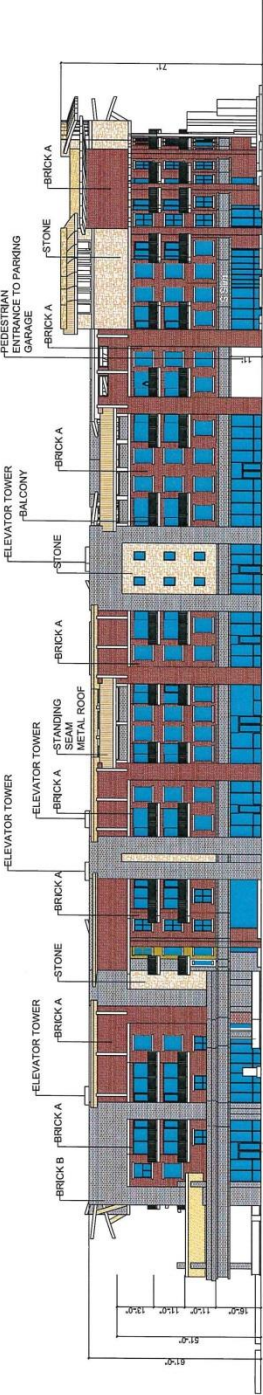


Exhibit E:
Conceptual Building Elevations

Ord. _____

ALL PARAPETS SHALL TOTALLY CONCEAL ALL ROOF TOP HVAC EQUIPMENT.

EXTERNAL FACADE MATERIAL SCHEDULE					
NO	LEVEL	DESCRIPTION	DETAIL	AMOUNT	UNIT
1	GROUND LEVEL	MASONRY AREA	BRICK	3,438 S.F.	100%
		OPENING AREA	STONE/IRON	1,438 S.F.	100%
		TOTAL AREA		5,876 S.F.	
2	OVER LEVEL	MASONRY AREA	BRICK	11,294 S.F.	84.7%
		OPENING AREA	STONE/IRON	1,438 S.F.	100%
		TOTAL AREA		12,732 S.F.	
		OVERALL TOTAL		28,608 S.F.	
		OPENING AREA		4,386 S.F.	
		TOTAL AREA		17,734 S.F.	



calvert & co./architects, inc.
1001 W. main street
carrollton, tx. 75006
(972)446-0493

Sheet
Ex-E-1

CASE NUMBER : 08-17Z1

FURNEAUX CREEK SQUARE
OLD DENTON & RAIFORD RD
CARROLLTON, TX

EXHIBIT E : CONCEPTUAL BUILDING ELEVATIONS - WEST
1/16"=1'-0"

Exhibit E:
Conceptual Building Elevations

Ord. _____

ALL PARAPETS SHALL TOTALLY CONCEAL ALL ROOF TOP
HVAC EQUIPMENT.

LEGEND

- STANDING SEAM METAL ROOF
- BRICK A
- BRICK B
- PAVED METAL VENER
- STONE
- ORNAMENTAL METAL / IRON RAILINGS

EXTERNAL FACADE MATERIAL SCHEDULE					
NO	LEVEL	DESCRIPTION	DETAIL	AMOUNT	RP%
1	GROUND LEVEL	MASONRY AREA	BRICK	2.481 S.F.	100%
		OPENING AREA	STONE	2.481 S.F.	
		TOTAL AREA	STONE	4.962 S.F.	
2	OVER LEVEL	MASONRY AREA	BRICK	9.698 S.F.	91.4%
		OPENING AREA	STONE	8.6%	
		TOTAL AREA	STONE	18.3%	
3	OVER LEVEL	MASONRY AREA	BRICK	503 S.F.	100%
		OPENING AREA	STONE	13.72 S.F.	
		TOTAL AREA	STONE	516.72 S.F.	
4	OVER LEVEL	MASONRY AREA	BRICK	13.968 S.F.	25.6%
		OPENING AREA	STONE	13.968 S.F.	
		TOTAL AREA	STONE	27.936 S.F.	



CASE NUMBER : 08-17Z1

EXHIBIT E : CONCEPTUAL BUILDING ELEVATIONS - SOUTH 1

1/16"=1'-0"

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sheet
Ex-E-2

FURNEAUX CREEK SQUARE
OLD DENTON & RAIFORD RD
CARROLLTON, TX

Exhibit E:
Conceptual Building Elevations

Ord. _____

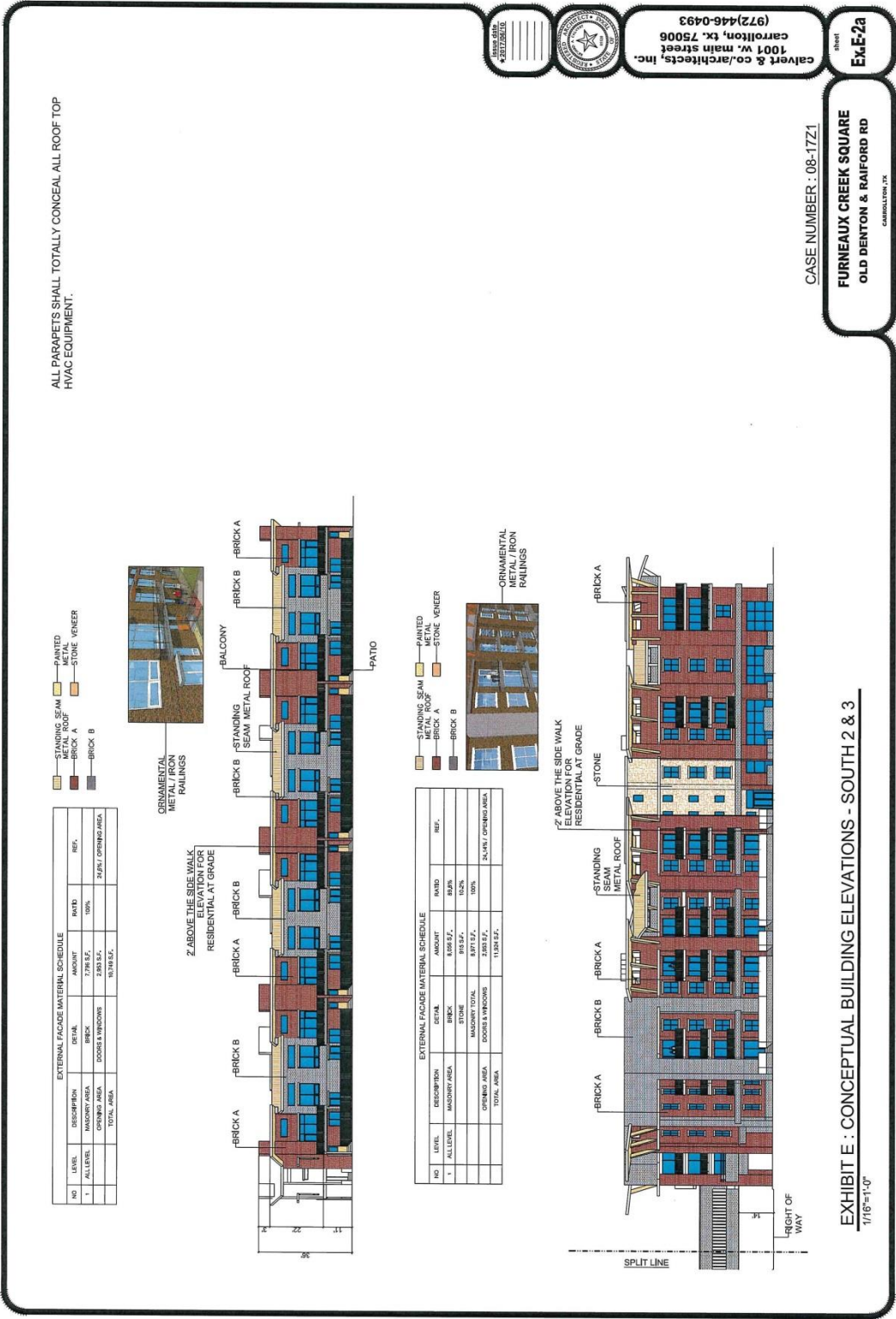


Exhibit E:
Conceptual Building Elevations

Ord. _____

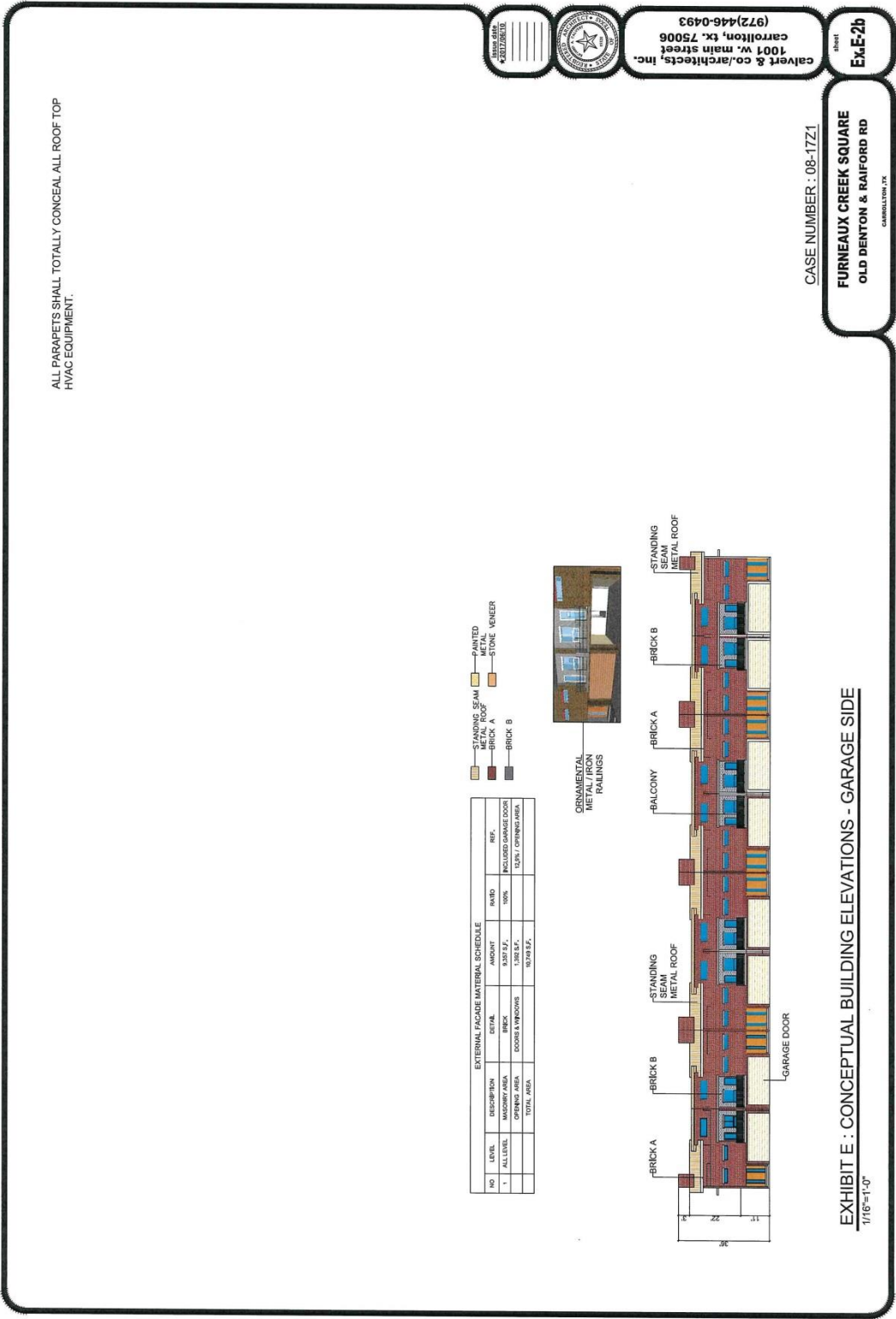
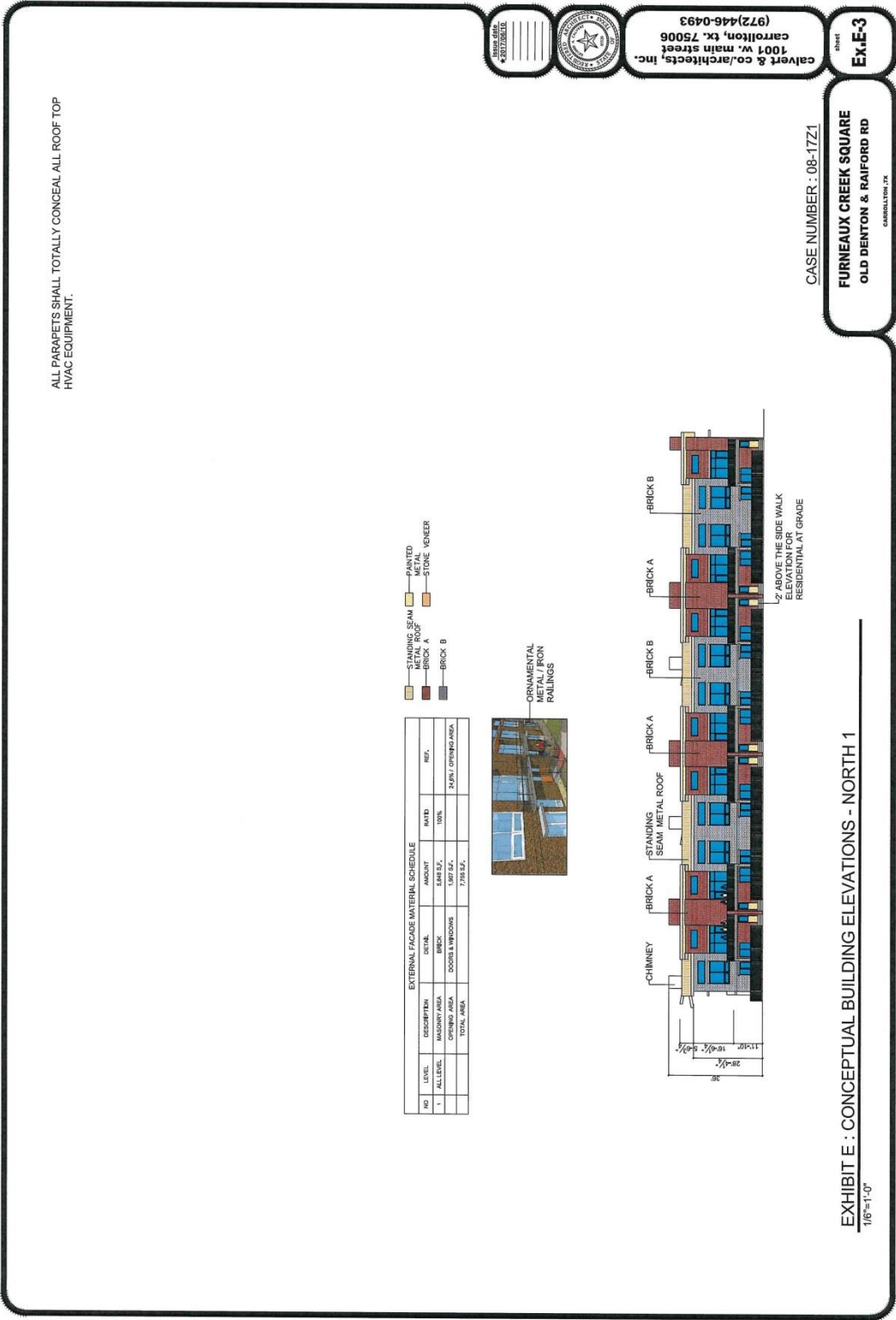


Exhibit E:
Conceptual Building Elevations

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Exhibit E:
Conceptual Building Elevations

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BIRDSEYE VIEW BLDGS A & B LOOKING NORTHEAST

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FURNEAUX CREEK SQUARE

CASE NO. 08-17Z1

**Exhibit E:
Conceptual Building Elevations**

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FURNEAUX CREEK SQUARE

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VIEW NORTHEAST – FROM RAIFORD RD AT OLD DENTON RD

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Exhibit E:
Conceptual Building Elevations

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FURNEAUX CREEK SQUARE

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VIEW NORTH — FROM RAIFORD RD AT OLD DENTON RD

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Exhibit E:
Conceptual Building Elevations

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VIEW EAST – FROM OLD DENTON Rd
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FURNEAUX CREEK SQUARE
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**Exhibit E:
Conceptual Building Elevations**

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BIRDSEYE VIEW BLDGS A & B LOOKING NORTHWEST

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FURNEAUX CREEK SQUARE

CASE NO. 08-17Z1

**Exhibit E:
Conceptual Building Elevations**

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BIRDSEYE VIEW BLDGS A & B LOOKING SOUTH
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**Exhibit E:
Conceptual Building Elevations**

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BIRDSEYE VIEW OF TOWNHOMES FROM RAIFORD RD.

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FURNEAUX CREEK SQUARE

CASE NO. 08-17Z1

Exhibit E:
Conceptual Building Elevations

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VIEW NORTH OF TOWNHOMES ALONG RAIFFORD RD.
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FURNEAUX CREEK SQUARE
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**Exhibit E:
Conceptual Building Elevations**

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FURNEAUX CREEK SQUARE

CASE NO. 08-17Z1

TOWNHOME GARAGES

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Exhibit E:
Conceptual Building Elevations

Ord. _____



TOWNHOME VIEW FROM FURNEAUX CREEK PARK

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FURNEAUX CREEK SQUARE

CASE NO. 08-17Z1

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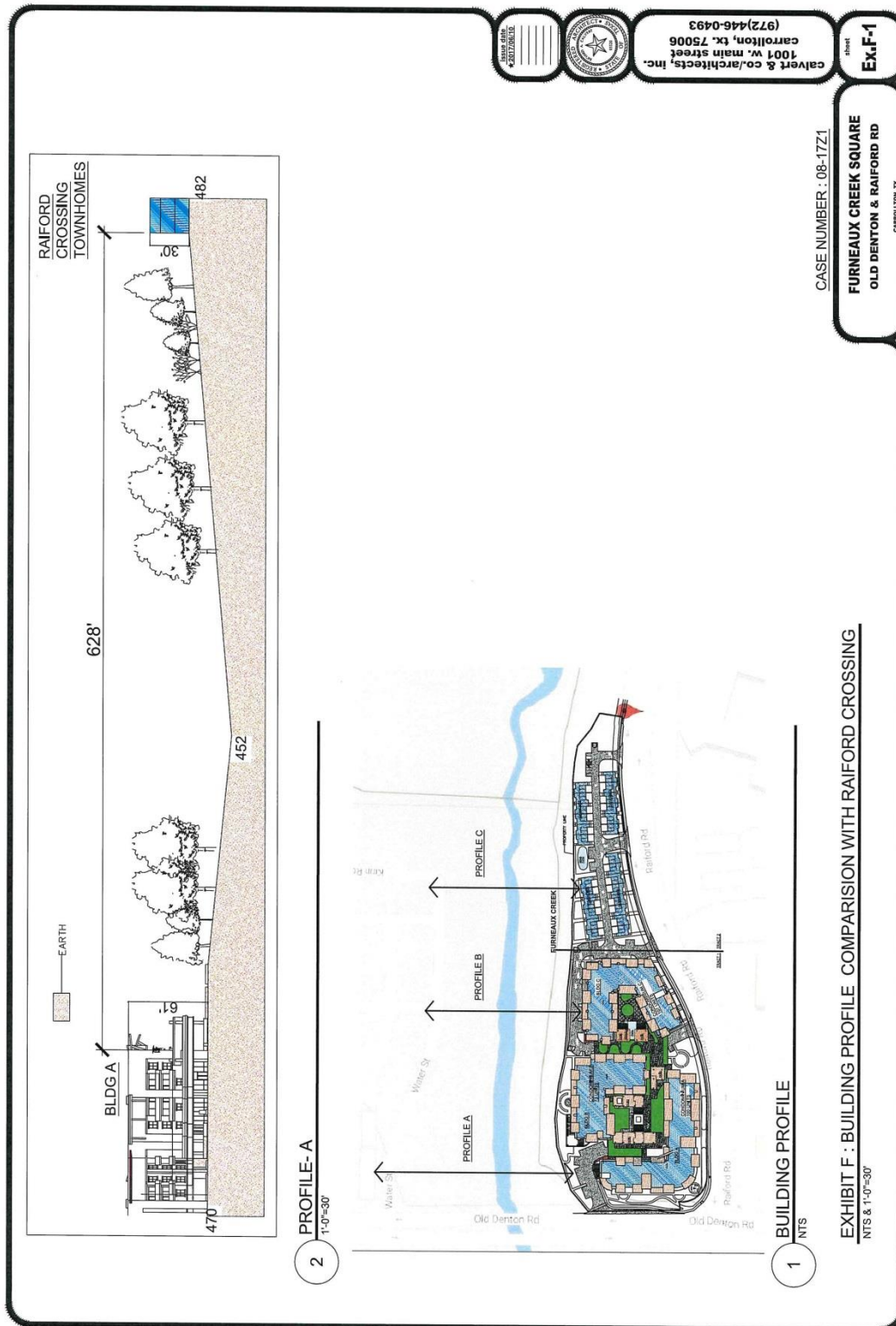


Exhibit F: Building Profile Comparison with Raiford Crossing

Ord. _____

