

PLANNING DEPARTMENT
CITY OF CARROLLTON
DATE: 06/06/2023

PLANNED DEVELOPMENT NO. 119
THE ENCLAVE AND PARKSIDE ESTATES

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ITS COMPREHENSIVE ZONING ORDINANCE TO AMEND, RESTATE AND REPLACE PLANNED DEVELOPMENT 119 AND THEREBY SUPERSEDE ORDINANCE NUMBER 1671 IN ITS ENTIRETY TO REVISE PROVISIONS FOR PLANNED DEVELOPMENT 119; TO AMEND AND REESTABLISH PLANNED DEVELOPMENT 119 FOR AN APPROXIMATELY 3.8-ACRE TRACT LOCATED AT 2400 BRIARDALE DRIVE AND APPROXIMATELY 480 FEET EAST OF KELLY BOULEVARD; TO CHANGE THE ZONING FROM (SF-12/20) SINGLE-FAMILY RESIDENTIAL DISTRICT TO PLANNED DEVELOPMENT 119 FOR THE (SF-8.4/18) SINGLE-FAMILY RESIDENTIAL DISTRICT; TO MODIFY DEVELOPMENT STANDARDS; AND TO PROVIDE CONCEPTUAL PLANS; AMENDING THE OFFICIAL ZONING MAP; PROVIDING PENALTY, SEVERABILITY, REPEALER AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at its regular meeting held on the Second day of March 2023, the Planning and Zoning Commission considered and made recommendations on a certain request for a Planned Development District (Case No. PLZPD 2022-196); and

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

WHEREAS, the City Council conducted a public hearing on the Sixth day of June 2023, at which all persons were given an opportunity to present testimony; and

WHEREAS, this change of zoning will distinguish development standards specially applicable to the unique nature of the approximately 11.07-acre tract; 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 119, as established by Ordinance 1671 on November 20, 1990, is hereby amended, restated and replaced, thereby superseding ordinance number 1671 in its entirety and is described on Exhibit A and generally depicted on Exhibit B to provide for the following:

Permitted Uses

Permitted uses shall be all principal and accessory uses which are allowed by right in the (SF-8.4/18) Single-Family Residential 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 (SF-8.4/18) Single-Family Residential District and the Comprehensive Zoning Ordinance, as amended.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (SF-8.4/18) Single-Family Residential 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.

Section 3.

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

Tract A

1. The development shall be in general conformance with the Conceptual Site Plan, Conceptual Landscape Plan, and Conceptual Building Elevations, attached as Exhibits C, D, and E, respectively, provided however, that:
 - a. The minimum lot size shall be 9,700 square feet.
 - b. The minimum dwelling unit floor area (living area) shall be 3,000 square feet.
 - c. The minimum lot width shall be 80 feet.
 - d. Privacy fencing for lots shall be stained vertical board-on-board wood fencing with cap and metal poles. Metal poles shall be used for fence support and inside of the fence.
 - e. Privacy fences may not extend closer than ten feet (10') from the nearest front corner of the home.
 - f. Garage conversions shall be prohibited.
 - g. Garages shall not face streets.
 - h. Carports shall be prohibited.

- i. All front yards shall contain a shade tree chosen from the approved “Large Tree” list in CZO Article XXV. Landscape and Screening.
 - j. The development shall comply with the City Stormwater and Flood Protection Ordinance.
 - k. A Homeowners Association (HOA) shall be established in accordance with the Comprehensive Subdivision Ordinance prior to final platting of the property.
 - l. The HOA shall be responsible for the improvement and maintenance of all common areas and drainage ways within the area of the Conceptual Plans.
2. In the event there is any inconsistency between the text of this ordinance and any conceptual plan, the text of this ordinance shall control.

Tract B

1. The minimum dwelling unit floor area (living area) for all single-family residences shall be 2,000 square feet.

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.

This ordinance shall be cumulative of all provisions of ordinances of the City of Carrollton, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 9.

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

PASSED AND APPROVED this the Sixth day of June 2023.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

Albert Thomas
Assistant City Attorney

APPROVED AS TO CONTENT:

Michael McCauley
Senior Planner

**EXHIBIT A
LEGAL DESCRIPTIONS**

**TRACT A
THE ENCLAVE**

This is to certify that I have, this date, made an on the ground survey of the property located on 2400 Briardale Drive in the City of Carrollton, Texas, described as follows:

Being that certain 3.88-acre tract of land situated in the John Warner Survey Abstract No. 1591, City of Carrollton, Dallas County, Texas and being port of Tract No. 1 as described in deed to Roy P. warranty deed recorded in Instrument No. 201200111238, Official Public Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 Inch iron rod found for the Southeast corner of said Nguyen and Le tract, some Records, Dallas County, Texas, some being in the North line of the D. P. & L. Co. right of way (Volume 4746, Page 265) (a variable width right of way);

THENCE South 89 deg. 33 min. 51 sec. West along the common line of said Nguyen and Le tract, and said D. P. & L Co right of way, a distance of 241.42 feet to a 1/2-inch iron rod set with "Pelser & Mankin SURV red plastic cap (hereinafter referred to as 1/2 Inch iron rod set) for the Southwest corner of said Nguyen and Le tract, same being the Southeast corner of Parkside Estates, an addition to the City of Carrollton, Dallas County, Texas, according to the plat thereof recorded in Volume 92068, Page 2748, said Map Records;

THENCE North 00 deg. 24 min. 16 sec. West, along the common line of said Nguyen and Le tract, and said Parkside Estates, a distance of 142.56 feet to a 1/2-inch iron rod set at the Southwest corner of that certain tract of land to the City of Carrollton, by deed recorded in Volume 92055, Page 8105, aforesaid Deed Records;

THENCE along the common line of said Nguyen and Le tract and said City of Carrollton tract as follows:

South 89 deg. 24 min. 46 sec. East, a distance of 99.59 feet to a 1/2-inch iron rod set for the Southeast corner of said City of Carrollton tract;

North 00 deg. 35 min. 14 sec. East, a distance of 50.00 feet to a 1/2-inch iron rod set for the Northeast corner of said City of Carrollton tract;

North 89 deg. 24 min. 46 sec. West, a distance of 100.46 feet to a 1/2-inch iron rod set for the Northwest corner of said City of Carrollton tract, same being a Southwest corner of sold Nguyen and Le tract, same being in the East line of aforesaid Parkside Estates;

THENCE North 00 deg. 24 min. 16 sec. West, along the common line of said Nguyen and Le tract, and said Parkside Estates, passing the Northeast corner of said Parkside Estates, same being the Southeast corner of Parkside Estates, Phase-2, on addition to the City of Carrollton, Dallas County, Texas, according to the plat thereof recorded in Volume 2000089, Page 6, aforesaid Map Records and continuing along said common line of Nguyen and Le tract and said Parkside Estates, Pahse-2, a total distance of 508.60 feet to a 1/2 inch iron rod set for the

Northwest corner of said Nguyen and Le tract, same being a Southwest corner of aforesaid Copperwood Addition Phase II;

THENCE along the common line of said Nguyen and Le tract and said Copperwood Addition Phase as follows:

North 89 deg. 58 min. 09 sec. East, a distance of 241.43 feet to a ½-Inch iron rod set for the Northeast corner of sold Nguyen and Le tract, same being an internal corner of said Copperwood Addition Phase II;

South 00 deg. 24 min. 16 sec. East, a distance of 699.46 feet to the **POINT OF BEGINNING** and containing 169,073 square feet or 3.88 acres of computed land, more or less,

**TRACT B
PARKSIDE ESTATES**

BEING all of that certain lot, tract or parcel of land situated in the JOHN WARNER SURVEY, A-1591, City of Carrollton, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 3/4" iron rod at the northernmost southwest corner of Copperwood Addition, Phase II, an addition to the City of Carrollton, Texas, recorded in Volume 83028, Page 2863 of the Deed Records of Dallas County, Texas; said point also being the northwest corner of the M. H. Carter 3.87 acre tract of land; **THENCE** S 00°17'56" E, 44.68' with the west line of said Carter tract to a 3/4" iron rod at the **PLACE OF BEGINNING**:

THENCE S 00°17'56" F, 657.62' with the west line of said Carter tract to a 3/4" iron rod for corner in the north line of a variable width D.P.& L. Company R.O.W.;

THENCE S 89°51'54" W, 498.66' with the north line of said D.P.& L. Company property to a 3/4" iron rod for corner in the east line of Kelly Springfield Road and on a curve to the left having a central angle of 13°56'34" and a radius of 500.00' bearing N 75°24'56" W;

THENCE northeasterly around said curve and with the east line of Kelly Springfield Road, a distance of 121.67';

THENCE N 00°38'00" E, 543.82' with the east line of Kelly Springfield Road to a 3/4" iron rod for corner;

THENCE S 89°21'30" E, 473.09' to the place of beginning and containing 316,798.13 square feet or 7.2727 acres of land.

EXHIBIT B
GENERAL DEPICTIONS (1 OF 2)

TRACT A
THE ENCLAVE



EXHIBIT B
GENERAL DEPICTIONS (2 OF 2)

TRACT B
PARKSIDE ESTATES

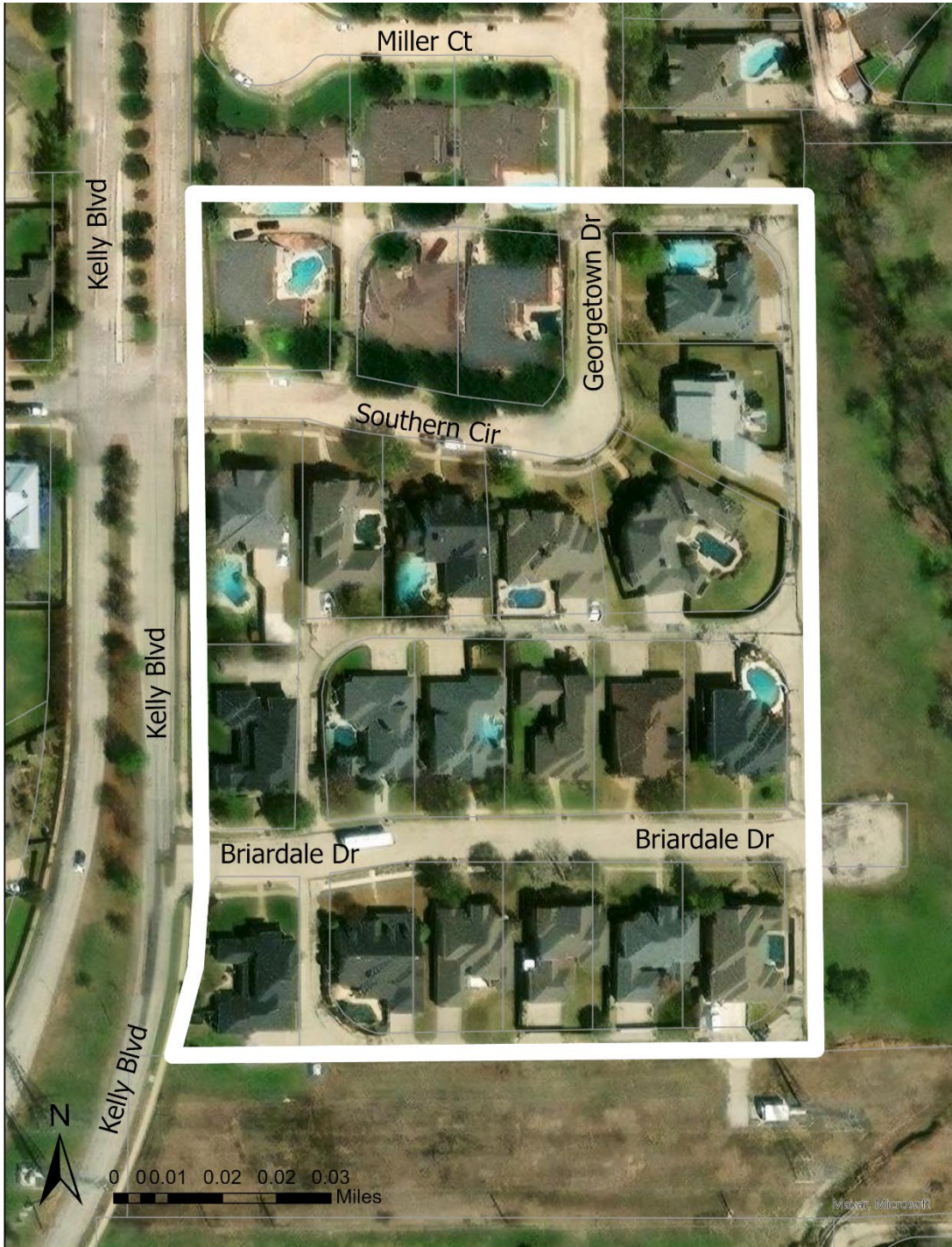


EXHIBIT D CONCEPTUAL LANDSCAPE PLAN

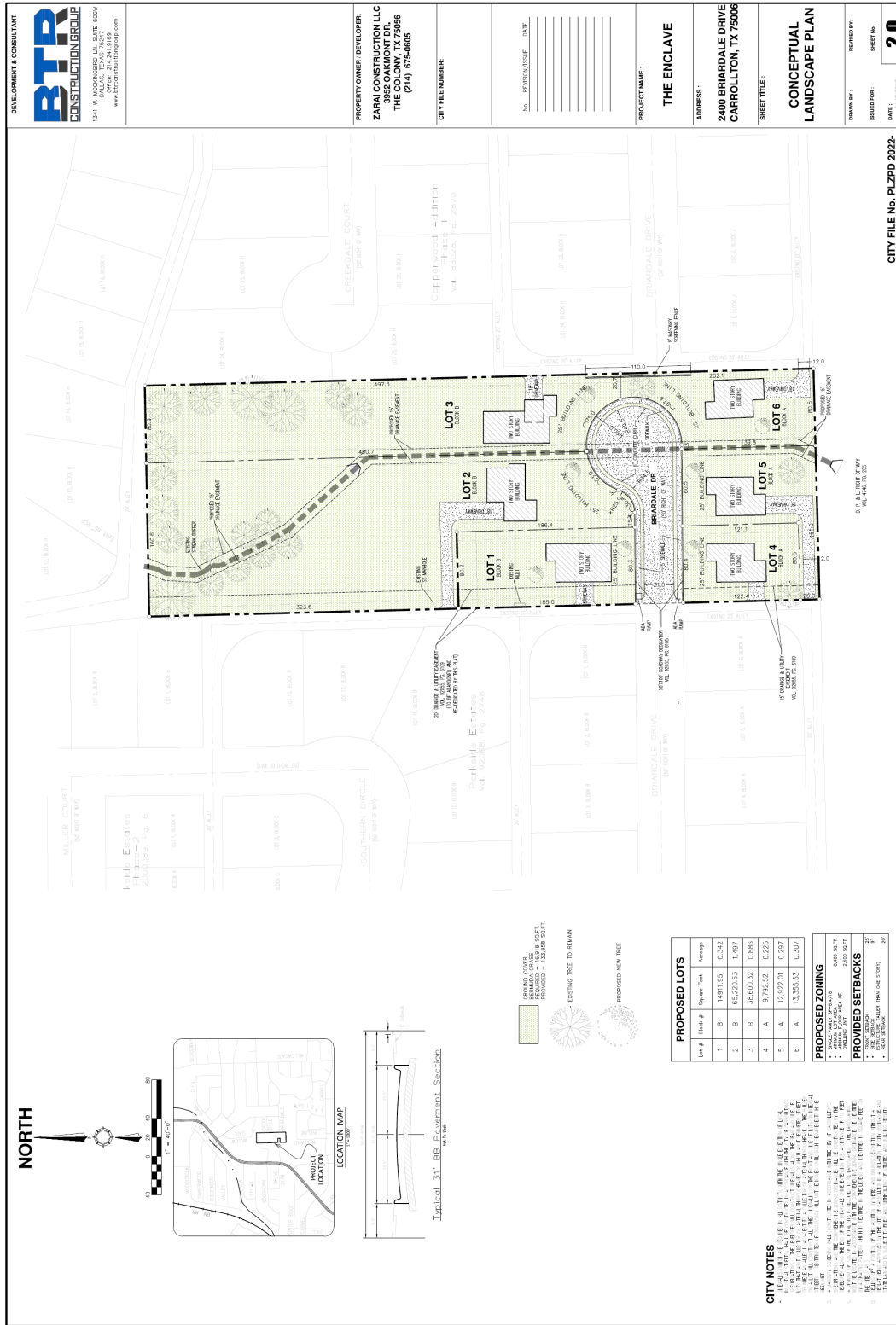


EXHIBIT E
CONCEPTUAL BUILDING ELEVATIONS (1 OF 2)



EXHIBIT E
CONCEPTUAL BUILDING ELEVATIONS (2 OF 2)

