

PLANNING DEPARTMENT
City of Carrollton
Date: 11/21/2016

PLANNED DEVELOPMENT NO. 207
Trails at Arbor Hills (Zoning)

ORDINANCE NUMBER _____

ORDINANCE NO. _____ OF THE CITY OF CARROLLTON AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY ESTABLISHING PLANNED DEVELOPMENT NUMBER 207 PROVIDING FOR THE (SF-5/12) SINGLE-FAMILY DISTRICT WITH MODIFIED DEVELOPMENT STANDARDS; PROVIDING PENALTY, SEVERABILITY, REPEALER AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at its special meeting held on the Seventh day of November, 2016, the Planning and Zoning Commission considered and made recommendations on a certain request for a Planned Development District (Case No. 11-16Z2);

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

WHEREAS, this establishment of zoning will distinguish development standards specially applicable to the unique nature of the approximately 13.7-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 207 is hereby established for a certain approximately 13.7-acre tract of land located on the on the south side of Parker Road and west side of Dozier Road, and more specifically described on the attached Exhibit A and depicted on Exhibit B, providing for the following:

I. Permitted Uses

Permitted uses shall be all principal and accessory uses which are allowed by right in the (SF-5/12) 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-5/12) Single-Family Residential District and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided in Section II below.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (SF-5/12) 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.

II. Special Development Standards

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

General:

1. Development shall be in accordance with the Conceptual Site Plan, as shown as Exhibit C; Conceptual Landscaping Plans and Buffers, as shown as Exhibit D; and Conceptual Building Elevations, as shown as Exhibit E.
2. A homeowner's association (HOA) shall be established in accordance with the Comprehensive Subdivision Ordinance prior to final platting of the tract.
3. The HOA 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 and Landscape Plans.

Streets:

1. Alleys are not required.
2. Mountable curbs are allowed.
3. Four (4) foot sidewalks along street frontage shall be constructed by the home builder in the public right-of-way when homes are developed. Sidewalks adjacent to open spaces to be constructed by developer with the public improvements.
4. Entry ribbon/enhancement details shall be constructed by the Developer at the intersections of Parker and Dozier Roads.

Lots and Homes:

1. On corner lots, the "corner clips" shall not be considered when measuring setbacks. In no case shall buildings, structures or fencing impact site visibility. For corner lots, the side setback adjacent to the right-of-way shall be ten (10) feet, including key lots.
2. Carports are prohibited.

3. Front-entry garages are permitted.
4. All garage doors shall be a decorative wood or “faux wood” or equivalent paneled door.
5. On driveways, allow the radius or flare point at the street of any single-family driveway to extend beyond the property line. Individual property owners of lots will maintain their respective driveways where the radius or flare point at the alley extends beyond the property line.
6. At the time of home construction, home builders shall plant one street tree (minimum 3” caliper) in the front yard of each residential lot. Root barriers will be installed as required by the City of Carrollton GDS based on location of tree relative to the back of curb.
7. Minimum floor area of homes shall be no less than 2,000 square feet.
8. Minimum masonry content for facades abutting Parker Road and Dozier Road shall be 90%.
9. Chimneys provided on homes adjacent to Parker Road and Dozier Road shall either be 100% masonry or direct vent.
10. Driveways on corner lots shall be located a minimum of 30 feet from the back of curb on the adjacent side street.

Landscaping/Screening:

1. Perimeter screening/fencing around the subdivision shall consist of a combination of solid masonry with periodic ornamental steel fence sections along Parker Road and Dozier Road. Perimeter screening/fencing along all other property boundaries to be 8-foot tall, board-on-board, wooden privacy fence, as shown on the Exhibit D.
2. A minimum 15-foot wide landscaping buffer will be provided along Parker Road and Dozier. Landscaping will consist of the following:
 - a. Two shade trees for each 100 linear feet or fraction thereof, two ornamental trees for each 100 linear feet or fraction thereof, and 65 shrubs or ornamental grasses for each 100 linear feet or fraction thereof.
 - b. Groundcover or decomposed granite and ornamental boulders will be provided in the landscape buffer.
 - c. Alternative landscaping requirements, as approved by the City Arborist, may be utilized if private utility companies prohibit the ability of the developer to provide the landscaping elements noted in items a and b.
3. The main entry monument sign fronting Parker Road just east of Timber Trail Lane as shown on the Conceptual Site and Landscape Plan (Exhibit “B”) shall be allowed to encroach into the Parker Road right-of-way line outside of any sight visibility triangle and with an encroachment agreement with applicable utility companies and the City of Carrollton.
4. Parkland dedication “fees-in-lieu-of” shall be \$300 per lot.

SECTION 3.

The Comprehensive Zoning Ordinance and the Official Zoning 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 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.

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 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 become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Sixth day of December, 2016

CITY OF CARROLLTON

By: _____
Matthew Marchant, 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 a 596,473 square foot (13.693 acre) tract of land situated in the Samuel B. Evans Survey, Abstract No. 397 and the Samuel H. Brown Survey, Abstract No. 111, Denton County, Texas, and being all of "Tract 1" and "Tract 2", and part of "Tract 3", "Tract 4", and "Tract 5", as conveyed to Janice Dianne Culpepper, Shirley Dean Shearin, Sherry Jean Luman, and William Stanley Dozier, Jr., by deed recorded AS Document No. 2004-7392 of the Official Public Records of Denton County, Texas (OPRDCT), and also being part of a called 10.00 acre tract of land described in a deed to Diane Dozier Culpepper, recorded in Volume 545, Page 478, Deed Records, Denton County, Texas (DRDCT) and being more particularly described as follows (Bearings are based on State Plane Coordinates using City of Carrollton Monuments COC-8 and COC-12):

BEGINNING at a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set in the south right-of-way line of Parker Road (a variable width right-of-way) at the northwest corner of said Tract 5 common to the northeast corner of a 4.994 acre tract of land conveyed to Turrentine Holdings, Inc. by deed recorded as Document No. 2004-9946 (OPRDCT), from which a 1/2" iron rod found for reference, bears North 59°14'29" East, a distance of 1.54 feet;

THENCE North 89°22'31" East, along the south right-of-way line of said Parker Road and the north line of said Tract 5, a distance of 174.03 feet to a point for corner at the beginning of a non-tangent curve to the right having a radius of 1115.59 feet and a chord which bears South 83°21'34" East, a distance of

104.80 feet, from which a 5/8" iron rod found for reference, bears South 73°14'15" East, a distance of

0.36 feet, said corner being the most western corner of various right-of-way parcels deeded to the County of Denton and designated as parcels 8-10;

THENCE in an easterly direction along the right-of-way as established by said parcels as

follows: Easterly along said curve to the right, through a central angle of 05°23'03",

an arc distance of

104.84 feet to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set at the end of said curve and the beginning of a non-tangent curve to the right, having a radius of 950.00 feet and a chord which bears South 79°18'46" East a distance of 49.68 feet;

Southeasterly along said curve to the right, through a central angle of 02°59'48", an arc distance of 49.69 feet to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set in the east line of said Tract 3 and the west line of a called 1.97 acre tract of land conveyed to Turrentine Holdings, Inc., recorded as Document no. 2014-51245

(OPRDCT);

THENCE South 00°26'56" East, along the common line of last mentioned tracts, a distance of 608.62 feet to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set at a common corner thereof;

THENCE North 88°41'29" East, along the south line of said 1.97 acre tract and a tract of land conveyed to Turrentine Holdings, Inc. by deed recorded in Volume 3119, Page 587, Deed Records of Denton County, Texas (DRDCT) and the north lines of said Tracts 1 and 2 and through the remainder of said Tract 4, a distance of 476.10 feet to a point for corner at the southeast corner of said Turrentine Holdings tract and being in the west right-of-way line of Dozier Road (80' right-of-way), said point also being in the east line of said Tract 4 from which a 1/2" iron rod found for reference, bears South 88°41'29" West, a distance of 0.39 feet;

THENCE South 30°06'43" East, along the common line of last mentioned tract and right-of-way, a distance of 291.91 feet to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set at the beginning of a non-tangent curve to the right, having a radius of 533.00 feet and a chord which bears South 26°29'34" East a distance of 65.98 feet;

THENCE Southeasterly along said curve to the right, through a central angle of 07°05'50", an arc distance of 66.02 feet to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set at the southeast corner of said Tract 4, common to the northeast corner of a called 10.00 acre tract conveyed to Diane Dozier Culpepper by deed recorded in Volume 545, Page 478 (DRDCT);

THENCE South 89°21'07" West, along the north line of said 10.00 acre tract and the south lines of said Tracts 4, 2, and 1, respectively, a distance of 649.49 feet to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set for corner;

THENCE South 00°26'56" East, a distance of 328.84 feet to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set for corner in the south line of said 10.00 acre tract common to the north line of a tract of land described in a deed to Billingsley Pin Oak Partners, Ltd, (BPOP) recorded as Document No. 2013- 43151 (DRDCT);

THENCE South 89°22'04" West, along the south line of said 10.00 acre tract and a north line of said BPOP tract a distance of 358.03 feet to a point for corner in the east line of Lot 1 Block A of Austin Ranch Commercial Addition recorded as Document No. 2014-254 (OPRDCT), from which A 5/8" iron rod found for reference bears South 89°22'04" West a distance of 0.64 feet;

THENCE North 00°44'10" West, partly along the east line of said Lot 1, a distance of 328.74 feet to a point for corner in the north line of said 10 acre tract common to the south line of a

1.003 acre tract conveyed to J.C. Partnership Holdings Inc. by deed recorded as Document No. 2004-89272 (OPRDCT), from which A 1/2" iron rod with cap stamped "RLG" found for reference bears South 01°16 '03" West a distance of 4.34 feet;

THENCE North 89°21'07" East, along the common line of last mentioned tracts, a distance of 39.11 feet to a 5/8" iron rod with a yellow cap stamped "RPLS 3963", set for corner at the southeast corner of said

1.003 acre tract and the southwest corner of said Tract 5;

THENCE North 00°49'35" West, along the west line of said Tract 5 and the east lines of said 1.003 acre tract and tracts described in deeds recorded as document numbers 2006-10043, 2010-38383, and said 2004-9946 (DRDCT), respectively, a distance of 939.81 feet to the PLACE OF BEGINNING and Containing 596,473 square feet, or 13.693 acres of land.

EXHIBIT B

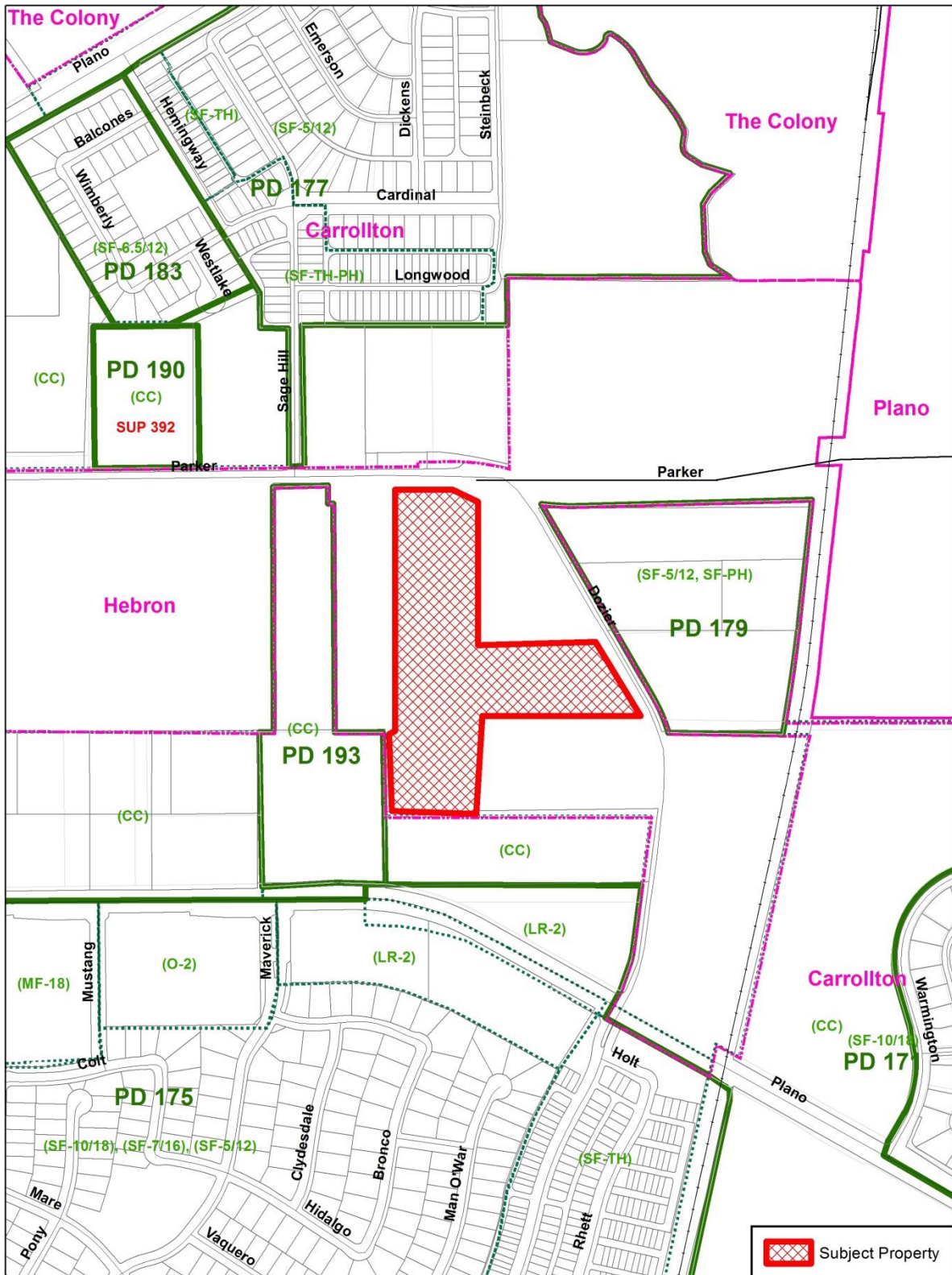


EXHIBIT C Conceptual Site Plan

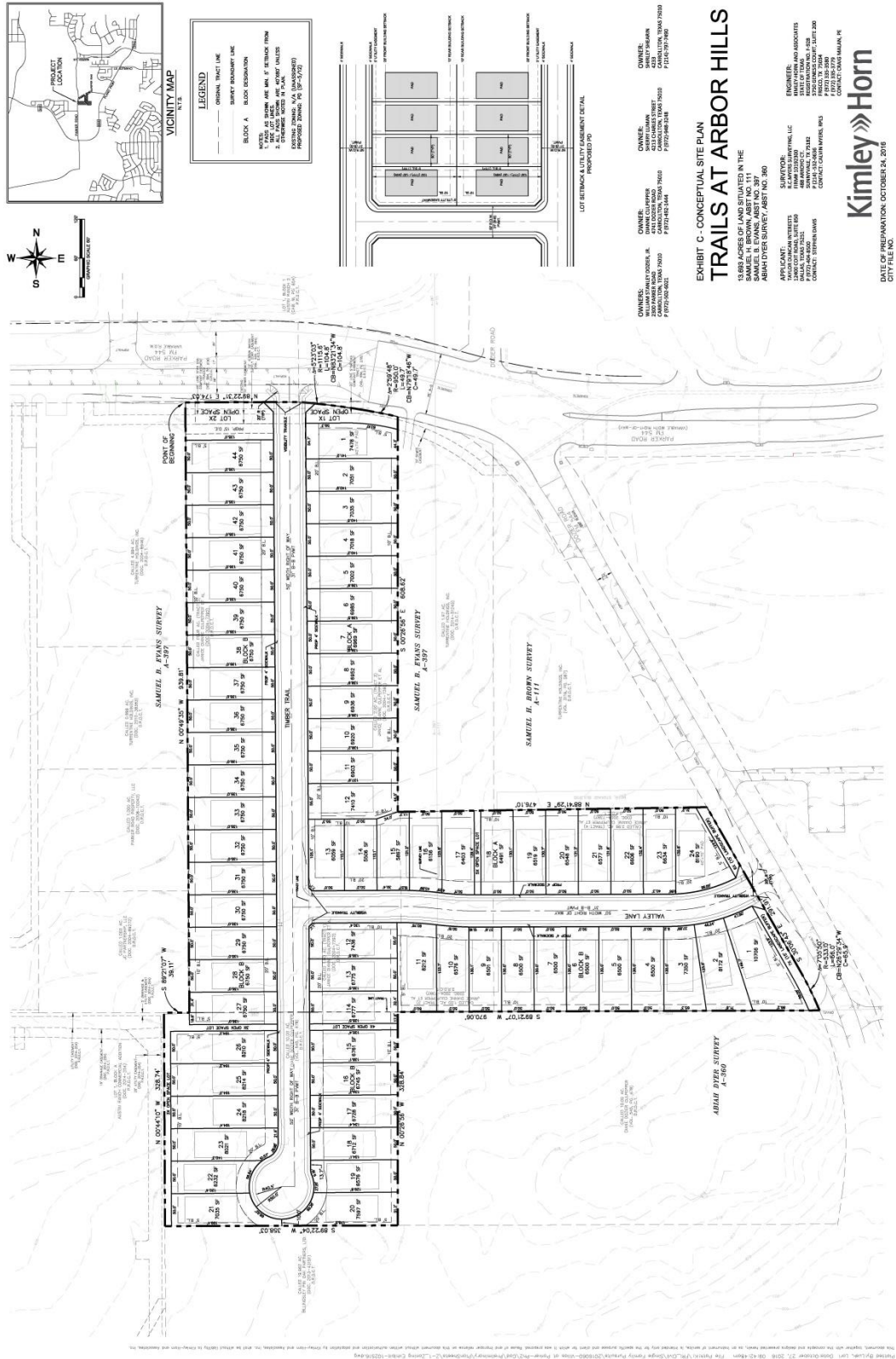


EXHIBIT D

Conceptual Landscape Plan

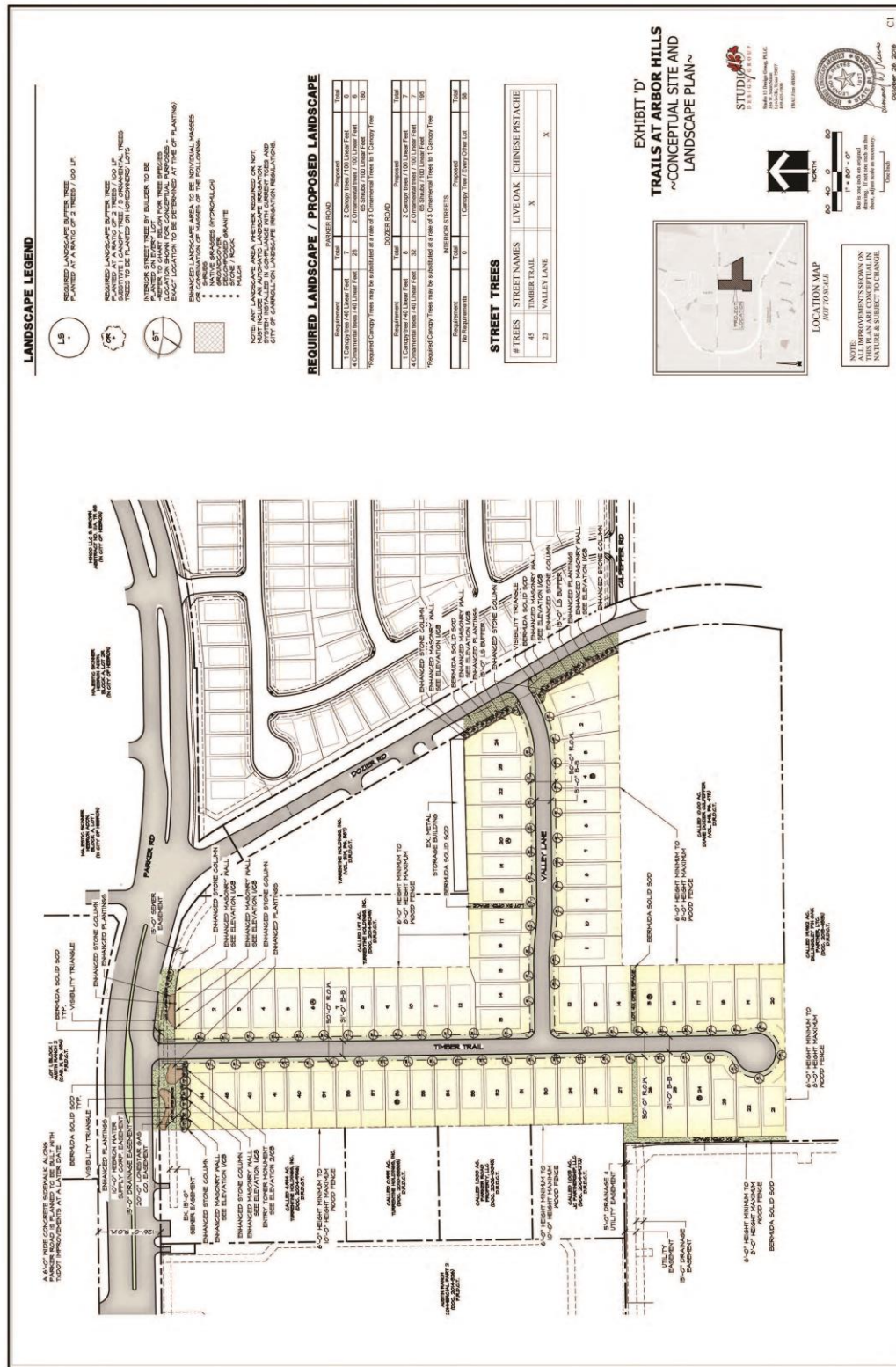


EXHIBIT D

Conceptual Landscape Plan

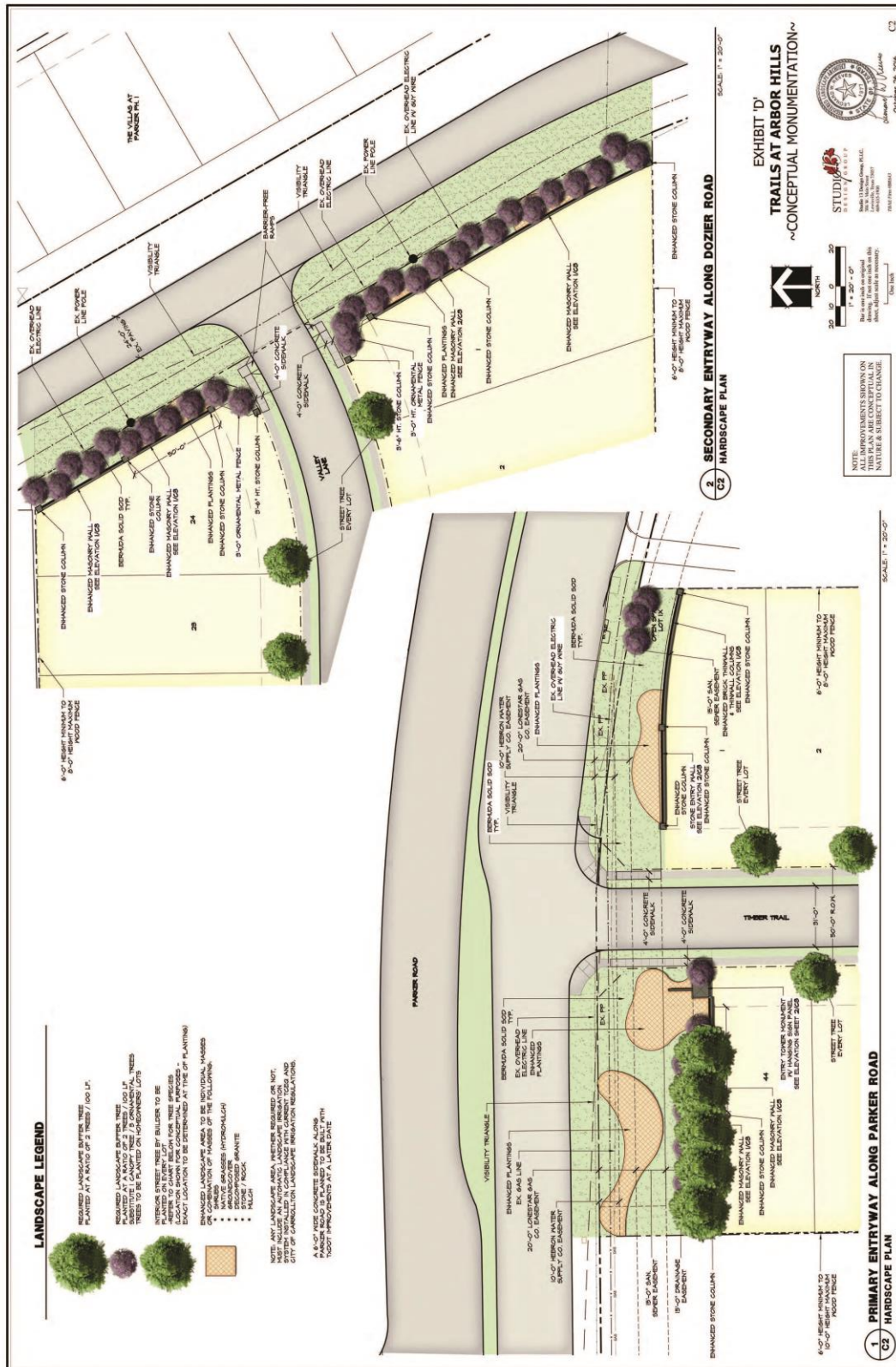


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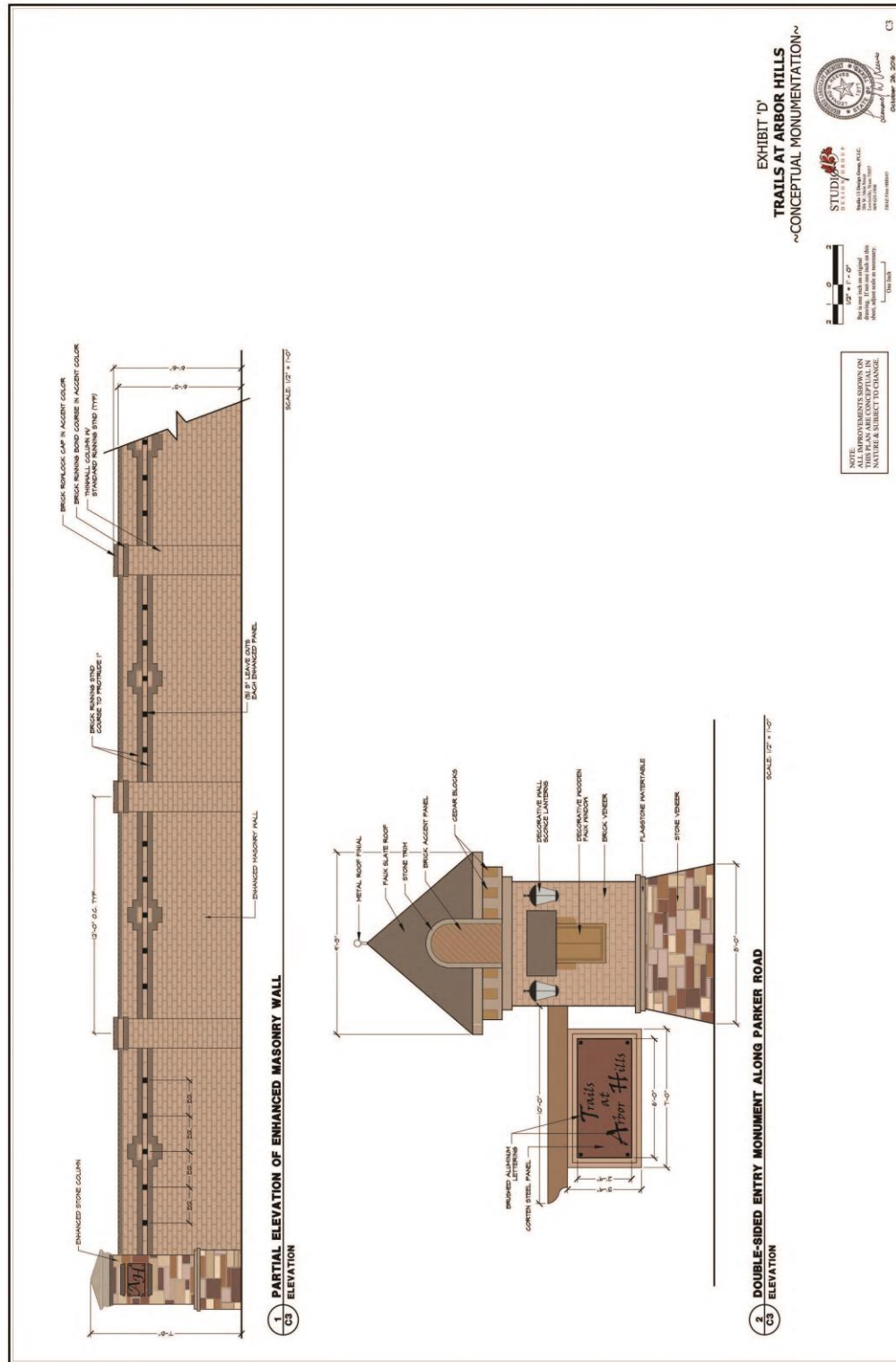


EXHIBIT E
Conceptual Building Elevations



EXHIBIT E
Conceptual Building Elevations



Ord. No. _____