

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 148 (PD 148) AND ORDINANCE NUMBER 2265 IN THEIR ENTIRETY TO AMEND THE ZONING FOR A PORTION OF PD 148 TO ALLOW (MF-18) MULTIFAMILY DISTRICT ON AN APPROXIMATELY 9.81-ACRE TRACT LOCATED ON THE WEST SIDE OF MIDWAY ROAD, SOUTH OF HEBRON PARKWAY; TO ESTABLISH CONCEPTUAL SITE PLAN, BUILDING ELEVATIONS, LANDSCAPING, AND AMENDING DEVELOPMENT REGULATIONS; 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 Fourth day of April, 2019, the Planning & Zoning Commission considered and made recommendation on a certain request for a Planned Development District (Case No. 03-19Z3);

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 148 is hereby restated, replaced, and amended in its entirety including a zoning change to allow (MF-18) multifamily district on an approximately 9.81-acre site within PD 148 which is described on the attached Exhibit A, and depicted on Exhibit B, providing for the following:

Permitted Uses

Tracts 1 and 2:

Permitted uses shall be all principal and accessory uses which are allowed by right in the (HC) Heavy Commercial 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 (HC) Heavy Commercial 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 (HC) Heavy Commercial 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.

Tract 3:

Permitted uses shall be all principal and accessory uses which are allowed by right in the (MF-18) Multifamily 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 (MF-18) Multifamily District and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided in Subsection II below.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (MF-18) Multifamily 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 special conditions, restrictions and regulations:

Special Development Standards

A. Tract 1:

1. A maximum of 30 percent of the floor area of any development can be occupied by a warehouse/distribution use; and
2. A 40-foot height limitation shall be imposed along a 500 foot wide strip of land located on the north side of the ROW of the railroad tracks.

B. Tract 2:

1. A maximum of 95 percent of the floor area of any development can be occupied by a warehouse/distribution use; and
2. A 40-foot height limitation shall be imposed along a 500 foot wide strip of land located on the north side of the ROW of the railroad tracks.

C. Tract 3:

1. Shared parking between all uses and all lots, and parking on a lot separate from the main use (whether required or non-required) shall be allowed by right.
2. Screening walls shall not be required along any property lines.
3. Special development standards for any multifamily residential development shall be:
 - a. Development shall be in substantial conformance with the Conceptual Site and Landscape Plan and Conceptual Building Designs attached herein as Exhibits C & D respectively.
 - b. The maximum number of multifamily dwelling units shall be 380.
 - c. The minimum number of parking spaces for multifamily residential development shall be 1.5 per dwelling unit.
 - d. The requirement that all parking spaces shall be within 150 feet of the dwelling unit served by such parking space (Article X, Section K (l) of the CZO) shall not apply.
 - e. The minimum dwelling unit sizes shall be 500 square feet (efficiency), 550 square feet (one bedroom), 700 square feet (two bedroom) and 1,000 square feet (three or more bedroom).
 - f. The maximum height of any building shall be 5 stories.
 - g. Carports shall not locate between buildings and streets, shall be screened

from streets, and match architectural features of multifamily buildings.

- h. The parking garage shall not be visible from Midway Road.
- i. All signs shall be in conformance with the Sign Ordinance.

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 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 9.

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

PASSED AND APPROVED this the Seventh day of May, 2019.

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, AICP
Chief Planner

Exhibit A
Legal Description

BEING a tract of land situated in the J. S. Haynes Survey, Abstract No. 457, Collin County, Texas; J. Myers Survey, Abstract No. 619, Collin County, Texas; J. Myers Survey, Abstract No. 822, Denton County, Texas; D. Andrews Survey, Abstract No. 1455, Denton County, Texas, and the George Syms Survey, Abstract No. 1200, Denton County, Texas, and said tract being located in the city of Carrollton, Denton and Collin Counties, Texas, and more particularly described as follows:

COMMENCING at the intersection of the Denton and Collin County line with the south line of F.M. Road 544 (a 70' ROW at this point), said point also being on the center line of Midway Road (a 100' ROW),

THENCE, along said south line of F. M. Road 544 the following:

In a westerly direction and around a curve to the right having a central angle of 12°33', a radius of 989.93 feet and a tangent bearing S79°33'10"N a distance of 216.33 feet to end of said curve;

N87°53'50W a distance of 370.50 feet to the **PLACE OF BEGINNING**, an iron stake for corner;

THENCE, S02°06'10"W, leaving said south line of F.M. Road 544, a distance of 610.0 feet to an iron stake for corner;

THENCE S87°53'50"E, a distance of 650.0 feet to a point on the east line of Midway Road, an iron stake for corner;

THENCE N01°38'21"E, along said east line of Midway Road, a distance of 259.07 feet to an iron stake for corner;

THENCE, N74°45'E, leaving said east line of Midway Road, a distance of 309.85 feet to the beginning of a curve to the right having a central angle of 16°17'21" and a radius of 410.0 feet, an iron stake for corner;

THENCE, in an easterly direction and around said curve, a distance of 116.56 feet to end of said curve, an iron stake for corner;

THENCE, S 88°57'39"E, a distance of 783.82 feet to an iron stake for corner; THENCE S0°42'W, a distance of 942.40 feet to an iron stake for corner; THENCE S0°48'E, a distance of 1124.31 feet to an iron stake for corner; THENCE S03°33'37"E, a distance of 53.98 feet to an iron stake for corner;

THENCE N88°57'39"W, a distance of 1313.33 feet to a point on the proposed centerline of Midway Road, an iron stake for corner;

THENCE, S01°29'41"W along said proposed centerline of Midway Road, a distance of 904.51 feet to a point on the northerly line of the AT. & S. F. Railroad, an iron stake for corner;

THENCE, in a northwesterly direction along said northerly line of the A.T. & S.F. Railroad, and around a curve to the right having a central angle of 38°11'5", a radius of 5654.70 feet, and a tangent bearing of N 38°04'W, a distance of 3769.94 feet to end of said curve, an iron stake for corner;

THENCE, leaving said northerly line of the A.T. & S.F. Railroad and long the centerline of Marsh Lane, (a 100' ROW), the following:

N43°14'36"E, a distance of 234.46 feet to the beginning of a curve to the left having a central angle of 39°46' and a radius of 1050.0 feet, an iron stake for corner,

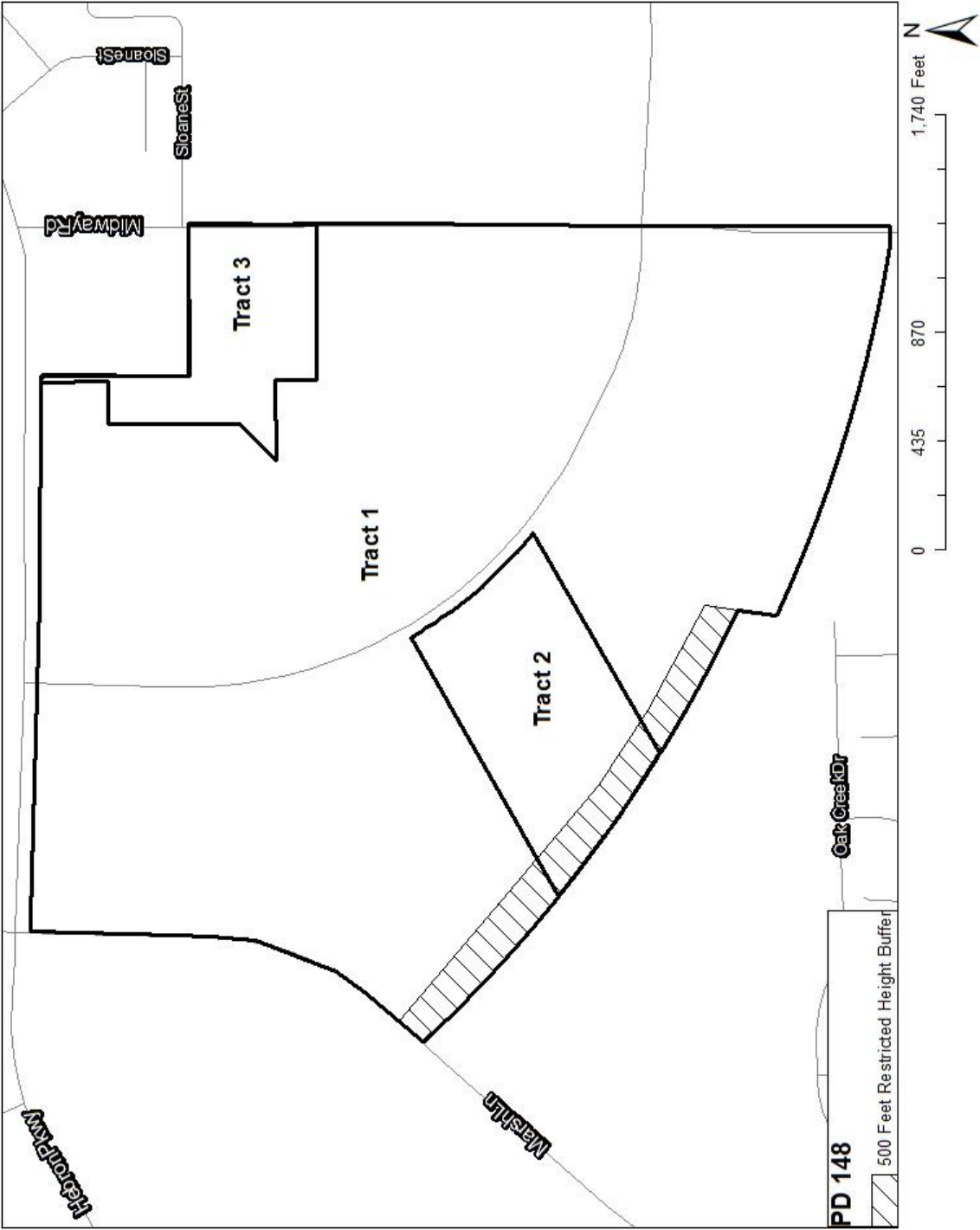
In a northerly direction and around said curve, a distance of 729.37 feet to end of said curve, an iron stake for corner;

Thence, N03°26'36"E, a distance of 757.44 feet to a point on the southerly line of F.M. Road 544, an iron stake for corner;

THENCE S36°33'24"E along said southerly line of F.M. Road 514, a distance of 933.66 feet to the PLACE OF BEGINNING and containing 231.627 acres, more or less.

And including the adjacent right of way of Hebron Parkway and the adjacent east ½ of Marsh Lane and west ½ of Midway Road.

Exhibit B
Location & Tracts



Ord. No. _____



Exhibit D:
Conceptual Building Elevations

Ord. No. _____



- 1 BRICK
- 2 SIDING
- 3 STONE VENEER
- 4 MANUFACTURED PANEL
- 5 METAL RAILING
- 6 METAL AWNING
- 7 BALCONY SYSTEM
- 8 PAINTED CAP
- 9 METAL ROOF
- 10 WOOD RAFTERS
- 11 WOOD CEILING
- 12 CAST STONE BAND
- 13 STOREFRONT SYSTEM
- 14 METAL PANEL
- 15 METAL CANOPY
- 16 PAINTED GRAPHIC

HLR
ARCHITECTS

SLOANE STREET WEST
4 STORY CONCEPT RENDERINGS

BILLINGSLEY
COMPANY

Exhibit D:
Conceptual Building Elevations

Ord. No. _____



16

7

12

8

4

6

5

1

- 1 BRICK
- 2 SIDING
- 3 STONE VENEER
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- 16 PAINTED GRAPHIC



SLOANE STREET WEST
3 STORY CONCEPT RENDERINGS



**Exhibit D:
Conceptual Building Elevations**

Ord. No. _____



S L E Y

SLOANE STREET WEST

HLR
TECHS