

PLANNING DEPARTMENT
CITY OF CARROLLTON
Date: 07/09/2019

PLANNED DEVELOPMENT NO. 158
DEVELOPMENT NAME: Charles Ridge (Zoning)

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 158 (PD 158) AND ORDINANCE NUMBER 2607 IN THEIR ENTIRETY TO AMEND THE ZONING FOR PD 158 TO ALLOW FOR (SF-TH) SINGLE-FAMILY TOWNHOUSE RESIDENTIAL DISTRICT ON AN APPROXIMATELY 3.1-ACRE TRACT LOCATED ON THE NORTHWEST CORNER OF PLANO PARKWAY AND CHARLES STREET; TO ESTABLISH CONCEPTUAL SITE PLAN, BUILDING ELEVATIONS, LANDSCAPING, AND TO AMEND DEVELOPMENT REGULATIONS; AMENDING THE OFFICIAL ZONING MAP; PROVIDING PENALTY, SEVERABILITY, SAVINGS, AND REPEALER CLAUSES; AND PROVIDING AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at a public hearing held on the Sixth day of June, 2019, the Planning & Zoning Commission considered and made recommendation on a certain request for a Planned Development District (Case No. 05-19Z1);

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 158 is hereby restated, replaced, and amended in its entirety including a zoning change to allow (SF-TH) Single-Family Townhouse District on an approximately 3.1-acre site within PD 158 which is described on the attached Exhibit A, and depicted on Exhibit B, providing for the following:

Permitted Uses

Permitted uses shall be all principal and accessory uses which are allowed by right in the (SF-TH) Single-Family Townhouse 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-TH) Single-Family Residential Townhouses 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-TH) Single-Family Townhouse Residential, 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:

General:

1. Development shall be in accordance with the Conceptual Site Plan as shown on Exhibit C; Conceptual Landscape and Screening Plans as shown on Exhibit D; Conceptual Building Elevations as shown on Exhibit E; and Typical Street Profile, as shown on Exhibit F.
2. A Homeowners Association (HOA) shall be established in accordance with the Comprehensive Subdivision Ordinance prior to final platting of the property.
3. The HOA shall 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. Mailboxes shall be paired between front-loaded driveways or consolidated in a manner that allows maximum street frontage on each lot for on-street parking. Mailboxes shall be provided per the requirements of the U.S. Postal Service.

Streets and Rights-of-Way:

1. Streets.
 - a. Streets shall be designed with a 45-foot wide street right-of-way, consisting of 30-foot wide pavement “back-to-curb” (See Exhibit F, Typical Street Profile).

- b. A minimum 25-foot inside radius shall be provided between Buildings 1 and 2, nearest Plano Parkway and 20-foot inside radii at all other intersections for the residential streets. Street eyebrows shall not be required, per the General Design Guidelines.
 - c. An entry ribbon consisting of decorative pavers shall be placed at the entrance from Charles Street. Said entry ribbon shall be no less than 6 feet in depth and extend across the width of the entrance.
2. Sidewalks.
- a. A 4-foot wide sidewalk shall be provided against the inside edge of the right-of-way line of the residential street maximizing spacing between sidewalks and back of curb, as provided on Exhibit F Typical Street Profile.
 - b. A sidewalk maintenance easement shall be maintained along property lines adjacent to sidewalks and reflected on a plat.
 - c. The sidewalk along Charles Street shall be constructed along the inside edge of the right-of-way line adjacent to the proposed screening wall.
 - d. Sidewalks shall be constructed by the homebuilder in the public right-of-way when homes are developed. Sidewalks adjacent to open spaces are to be constructed by the developer with the public improvements.
3. Alleys.
- a. Alleys servicing Buildings 2 and 3 as shown on the conceptual site plan shall be designed with 17-foot wide alley right-of-way.
 - b. Alleys shall not be required for Buildings 1 and 4, as shown on Exhibit C, Conceptual Site Plan.

Lots and Homes:

- 1. Minimum lot size: 1,500 square feet
- 2. Minimum Lot Width:
 - a. Minimum lot width for alley-loaded driveway lots: 23 feet
 - b. Minimum lot width for front-loaded driveway lots: 28 feet
- 3. Minimum lot depth:
 - a. Minimum 100 feet for front-loaded driveway townhouse lots; and
 - b. Minimum 65 feet for alley-loaded driveway townhouse lots.
- 4. Maximum lot coverage: 80 percent
- 5. Minimum Setbacks:
 - a. Front-Loaded Driveway Lots
 - i. Front Yard: 22 feet
 - ii. Rear Yard: 10 feet
 - iii. Side Yard: 0 feet to street right-of-way and 0 feet to common area lots

- b. Alley-Loaded Driveway Lots
 - i. Front Yard: 5 feet
 - ii. Rear Yard: 6 feet
 - iii. Side Yard: 0 feet from right-of-way
- 6. Minimum floor area of dwelling unit shall be 1,800 square feet.
- 7. Maximum Building Height is 2 stories or 36 feet.
- 8. Exterior building materials shall be a minimum 98% brick or stone and chimneys shall be stucco or EIFS, as shown on Exhibit E, Conceptual Building Elevations.
- 9. Garages.
 - a. Enhanced garage doors: Garage doors shall be clad in stained cedar or faux wood.
 - b. Front-entry garages are permitted for Buildings 1 and 4, as shown on Exhibit C, Conceptual Site Plan.
- 10. Individual front-loaded driveways shall have brick pavers, decorative concrete finish or other techniques to improve the visual character of the driveway.
- 11. Building 4 facades facing north shall be limited to only having windows on the first floor.
- 12. Carports are prohibited.
- 13. Garages shall not be converted, temporarily or permanently, to use for human habitation, storage, or any other use or purpose other than originally intended.

Landscaping/Screening:

- 1. Landscaping shall be consistent with Exhibit D, Conceptual Landscape Plan.
- 2. An average 15-foot wide landscape buffer shall be provided along Plano Parkway. A license agreement between the developer and homeowner's association with the City of Carrollton is required to provide the 15-foot wide landscape buffer within the right-of-way of Plano Parkway.
- 3. A license agreement between the developer and homeowner's association with the City of Carrollton is required to allow a landscape buffer with canopy trees (Chinese Pistachio or approved equivalent) and evergreen shrubs (Yaupons or approved equivalent) within the right-of-way of Charles Street.
- 4. Landscaping shall not impact the visibility triangle at the intersection of Plano Parkway and Charles Street. A mix of ornamentals and evergreen shrubs shall be used to replace the canopy trees required due to the existing overhead power lines.
- 5. Canopy trees shall be placed along the northern property line (live oak and cedar elm or equivalents), except for the portion that abuts Unit 24 (Building 4), which shall have high-growing evergreen shrubs.

6. Detention area and Common Area Lots shall provide landscaping including shrubs and canopy trees.
7. The placement of trees shall not impede sight visibility or be located so that visibility of a stop sign is impeded per the City of Carrollton Standards. If a required tree conflicts with sight or stop sign visibility requirements, the tree shall be relocated to another appropriate area in the immediate vicinity, as determined by the Director of Development Services or designee.
8. At the time of home construction, home builders shall plant:
 - a. Canopy trees in the front yards of Buildings 1 and 3, as provided on Exhibit D, Conceptual Landscape Plan.
 - b. At least one canopy tree in the rear yard of each lot occupied by Buildings 1 and 4.
 - c. Trees shall be a minimum 3 inches in diameter measured 12 inches from the root crown, and a minimum of 10 feet in height at the time of planting. The planting of said trees shall take place in conjunction with the construction of the home.
9. Screening along Plano Parkway shall consist of a minimum 6-foot tall, ornamental metal fence, with enhanced stone columns.
10. A gate shall be provided between townhome unit 21 and the parallel ornamental fence along Plano Parkway.
11. Screening along Charles Street shall consist of a brick wall matching the existing wall adjacent to Warmington Meadows.

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 Ninth day of July, 2019.

CITY OF CARROLLTON

By: _____
Kevin W. Falconer, Mayor

ATTEST:

Laurie Garber
City Secretary

APPROVED AS TO FORM:

Susan Keller
Assistant City Attorney

APPROVED AS TO CONTENT:

Loren Shapiro, AICP
Chief Planner

Exhibit A

Legal Description

BEING a tract of land situated in the A. Dyer Survey, Abstract No. 360, City of Carrollton, Denton County, Texas and being part of that certain tract of land conveyed to Little Buddy, Ltd., a Texas limited partnership by deed recorded in Volume 4104, Page 958, Deed Records, Denton County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod set in the East ROW line of Charles Road (a 45.79' ROW), said iron rod being at the Northeast corner of said Little Buddy tract:

THENCE: S 01° 40' 02" E, along the East ROW line of Charles Road and the East line of said Little Buddy tract, a distance of 351.07 feet to a 5/8 inch iron rod set for corner at the intersection of the East ROW line of Charles Road with the Northeasterly ROW line of Plano Parkway (F. M. No. 544) (a 110' ROW):

THENCE: S 88° 28' 06" W, along the North ROW line of Plano Parkway (F. M. No. 544), a distance of 57.39 feet to a 5/8 inch iron rod set for corner:

THENCE: S 52° 28' 35" W, along the North ROW line of Plano Parkway (F. M. No. 544), a distance of 36.83 feet to a 5/8 inch iron rod set for corner:

THENCE: N 61° 55' 06" W, along the Northeasterly ROW line of Plano Parkway (F. M. No. 544), a distance of 747.68 feet to a 5/8 inch iron rod set for corner in the North line of said Little Buddy tract and the South line of a tract conveyed to Vernon Peppard, Trustee by deed recorded in Volume 3391, Page 970, Deed Records, Denton County, Texas:

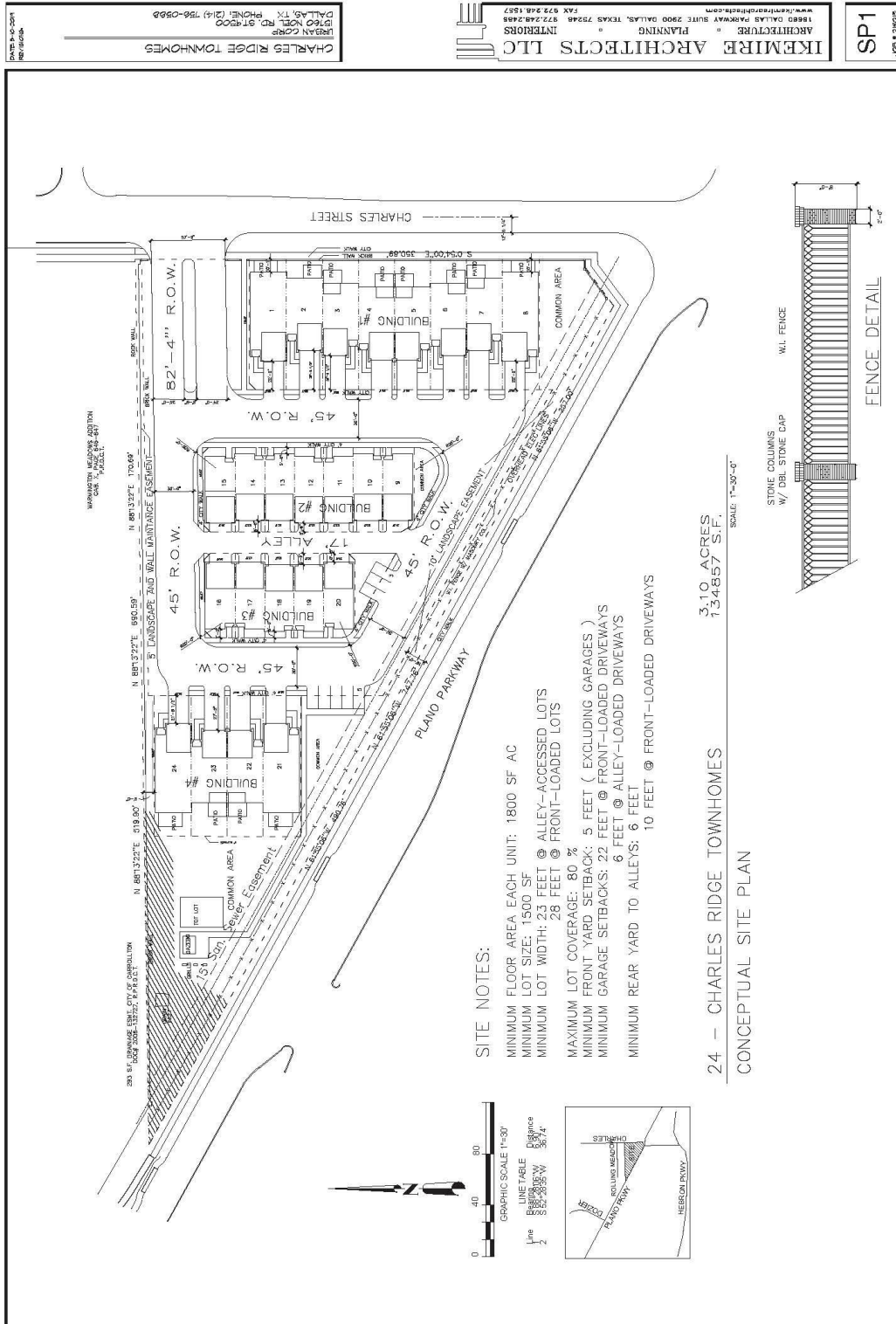
THENCE: N 88° 12' 56" E, along the North line of said Little Buddy tract and the South line of said Peppard tract, a distance of 736.39 feet to the PLACE OF BEGINNING and containing 3.484 acres of land.

And including the adjacent north ½ right of way of Plano Parkway.

CAB T 415



Exhibit C Conceptual Site Plan



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1 BLDG #1 FRONT ELEV
 1/8" = 1'-0" SCALE

2 BLDG #1 LEFT ELEV
 1/8" = 1'-0" SCALE

3 BLDG #1 RIGHT ELEV
 1/8" = 1'-0" SCALE

4 BLDG #1 REAR ELEV
 1/8" = 1'-0" SCALE

Exhibit E
Conceptual Building Elevations



IKEMIRE ARCHITECTS
 ARCHITECTURE • PLANNING • INTERIORS
 16600 DALLAS PKWY., SUITE 2900 DALLAS, TX 972-248-2466 FAX 972-248-1597

PLANO PARKWAY TOWNHOMES
 URBAN CORP.
 13760 NOEL ROAD, STE. 9300
 DALLAS, TEXAS 75245 PHONE: (214) 765-0588

03-28-19
 10:44 AM
 10/11/19
 REVISIONS

1 BLDG #3 FRONT ELEV
 1/8" = 1'-0" SCALE

2 BLDG #3 LEFT ELEV
 1/8" = 1'-0" SCALE

3 BLDG #3 RIGHT ELEV
 1/8" = 1'-0" SCALE

4 BLDG #3 REAR ELEV
 1/8" = 1'-0" SCALE

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Exhibit E
Conceptual Building Elevations



Exhibit F
Typical Street Profile

