PLANNING DEPARTMENT CITY OF CARROLLTON

PLANNED DEVELOPMENT NO. 216 DEVELOPMENT NAME: Carroll Crest (Zoning)

Date: 03/02/2021

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 216 AND THEREBY SUPERSEDE ORDINANCE NUMBER 3941 IN ITS ENTIRETY TO REVISE PROVISIONS FOR PLANNED DEVELOPMENT 216 FOR THE (SF-TH) SINGLE FAMILY TOWNHOUSE RESIDENTIAL DISTRICT ON APPROXIMATELY 20-ACRES LOCATED ALONG THE NORTH AND SOUTH SIDES OF CROSBY ROAD BETWEEN LARNER ROAD AND SOUTH BROADWAY STREET AND ALONG THE SOUTH SIDE OF CROSBY ROAD BETWEEN FANNIDELLA DRIVE AND SOUTH BROADWAY STREET; TO REVISE CONCEPTUAL PLANS AND TO MODIFY 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 Fourth day of February 2021, the Planning & Zoning Commission considered and made recommendation on a certain request for a Planned Development District (Case No. PLZ2020-174);

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

WHEREAS, the City Council conducted a public hearing on the Second day of March 2021, 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 20-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 216 located on an approximately 20-acre site which is described on the attached Exhibit A, and depicted on Exhibit B, is hereby amended, restated, and replaced, thereby superseding ordinance number 3941 in its entirety, to provide 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 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 Townhouse District and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided below:

Permitted Uses: Single Family Detached Residential and Live-work units

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (SF-TH) Single Family Townhouse 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:

General:

- 1. A property/homeowner's association shall be established in accordance with the Comprehensive Subdivision Ordinance prior to issuance of residential building permits. The property/homeowner's association will be responsible for the improvement and maintenance of all common areas and/or common facilities contained within the area of the Concept Plan or on common area lots.
- 2. The neighborhood layout shall be consistent with the Conceptual Site and Landscape Plan attached as Exhibit C. Townhomes, single-family detached, and Live/Work homes shall be consistent with the Conceptual Building Elevations attached as Exhibit D. Street and alley profiles and layouts shall be consistent with the Conceptual Street Cross Sections attached as Exhibit E, except for minor variances due to site conditions as approved by City Manager or designee.
 - a. Live/Work lots shall be limited to frontage along Crosby Road or Fannidella Drive and grouped within a block separated from other residential uses by an alley or street, or where the Residential and Live/Work frontage orientation differs.
 - b. Additional uses allowed for Live/Work designated lots:

- i. Retail
- ii. Professional/General Office
- iii. Restaurant
- iv. Personal Care Services
- v. Artisan Workshop
- 3. All single-family detached lots shall have frontage on a street or on greenspace/courtyard/common area lot.
- 4. Minimum 5-foot utility easements shall be provided as needed for franchise utilities.
- 5. Dead-end mews or alleys shall not align with other mews, alleys, or streets.
- 6. Each unit shall contain a two-car garage for resident parking. Tandem parking shall be counted towards the required parking.
- 7. Lots may be designed irregularly to accommodate zig-zag single-family homes. Such lots shall provide an average lot width meeting the minimums for single-family detached lot types, as provided in this section.
- 8. Residential driveways shall be permitted to cross projected neighboring lot lines within street and alley rights-of-way.
- 9. Garage conversions shall be prohibited.
- 10. Carports shall be prohibited.
- 11. Public water, sanitary sewer, and stormwater mains shall be located within street and alley pavement.
- 12. Architectural features and balconies may project over utility easements provided that a minimum clearance height of 14 feet is maintained. In no instance shall architectural features and balconies project or extend over city utilities or right-of-way.

Lots, Homes, and Accessory Buildings

Single-Family Townhome Type

- 1. Maximum building coverage shall be 95%.
- 2. Minimum lot width shall be 15.5 feet.
- 3. Minimum lot depth shall be 38 feet.
- 4. Minimum lot area shall be 600 square feet.
- 5. Minimum floor area shall be 1,200 square feet.
- 6. Minimum front yard setback shall be 5 feet.
- 7. Minimum interior side yard setbacks:

- a. Shall be zero or 3 feet from property lines. Minimum 6 feet separation shall be provided between buildings.
- b. Zero setback shall be allowed between units within a single townhome building.
- 8. Exterior side yard setbacks from a street shall be a minimum 3-feet.
- 9. No minimum side setback is required for side entry garages accessing an alley.
- 10. No minimum rear yard setback.
- 11. Maximum height of a structure shall be 4 stories.

Single-Family Detached Lot Type

- 1. Maximum building coverage shall be 95%.
- 2. Minimum lot width shall be 25 feet.
- 3. Minimum lot depth shall be 40 feet, except up to three lots fronting Crosby Road may have a minimum average lot depth of 35 feet.
- 4. Minimum lot area shall be 800 square feet.
- 5. Minimum floor area shall be 1,500 square feet.
- 6. Minimum front yard setback shall be 5 feet.
- 7. Minimum interior side yard setbacks shall be zero or 3 feet from property lines. Minimum 6 feet separation shall be provided between buildings.
- 8. Exterior side yard setbacks from a street shall be a minimum 3-feet.
- 9. No minimum side setback is required for side entry garages accessing an alley.
- 10. No minimum rear yard setback.
- 11. Maximum height of a structure shall be 4 stories.

Live/Work Type

- 1. Maximum building coverage shall be 95%.
- 2. Minimum lot width shall be 20 feet. Lots shall provide an average lot width meeting the minimum for Live/Work lots.
- 3. Minimum lot depth shall be 40 feet.
- 4. Minimum lot area shall be 800 square feet.
- 5. Minimum floor area shall be 1,200 square feet.
- 6. Minimum front yard setback from a street shall be 5 feet.
- 7. Minimum interior side yard setbacks:
 - a. Shall be zero or 3 feet from property lines. Minimum 6 feet separation shall be provided between buildings.

- b. Zero setback shall be allowed between units within a single live/work building.
- 8. Exterior side yard setbacks from a street shall be a minimum 3-feet.
- 9. No minimum side setback is required for side entry garages accessing an alley.
- 10. No minimum rear yard setback.
- 11. Maximum height of a structure shall be 4 stories.

Accessory Buildings

- 1. Accessory buildings shall be architecturally consistent with the main building.
- 2. Minimum side yard setback shall be 1 foot.
- 3. No minimum rear yard setback.
- 4. In no instance shall the accessory building height exceed the main structure. A single-family detached home on a lot shall be considered the main structure or main building.

Streets Alleys Sidewalks and Hike/Bike:

- 1. Streets will have a minimum 29-foot back-to-back pavement section, within a 45-foot right-of-way. Sidewalks shall be a minimum 4 feet wide.
- 2. An "entry ribbon" consisting of decorative pavers shall be placed in each street intersecting with Crosby Road and Fannidella Drive. Said entry ribbon shall be no less than 10 feet in depth and shall extend across the width of the street.
- 3. Minimum pavement width in all alleys shall be 20-feet wide with a 20-foot inside radius. All alleys shall be striped as a fire lane. Minimum right of way width of an alley shall be 24-feet wide.
- 4. A minimum 6-foot wide sidewalk shall be provided along the south side of Crosby Road.
- 5. A minimum 4 foot sidewalk shall be provided in-front of each residence along green space, courtyards, and common area lots to ensure pedestrian access.
- 6. Dead-end private driveways shall be allowed. Driveways shared with more than one lot shall require a mutual access easement dedicated on the final plat.
- 7. Insets within streets shall be set aside for the placement of waste receptacles where consecutive lots are not adjacent to a street and have garage access from a dead-end alley.
- 8. Driveways accessing alleys shall have a minimum 45-degree flare from right-of-way to pavement. In the event a 45-degree flare is not feasible, then the largest feasible flare should be provided to match limits of alley pavement.
- 9. A minimum 9-foot wide driveway with a 3-foot radius shall be allowed for front-loaded homes with a single car garage door.

- 10. Traditional streetlight fixtures and poles, consistent with the description in the General Design Guidelines, shall be provided along roadways.
- 11. Ornamental metal fencing shall be allowed in front yards, not exceeding 4 feet in height. Sufficient gate access shall be provided for emergency services. Other fence materials shall be prohibited in the front yard.
- 12. No fencing shall impede sight visibility within an alley.
- 13. A 20-foot hike and bike trail shall be dedicated to the City of Carrollton along the western side of the property as shown in Exhibit C.
 - a. A 12-foot wide sidewalk shall be placed within the hike and bike trail.

Landscaping and Screening:

Landscaping, courtyards, open space, streetscape along interior streets, Crosby Road, Fannidella Drive and hike and the bike trail shall be consistent with Exhibit C: Conceptual Site and Landscaping Plans.

- 1. Common area/pocket park space
 - a. Common area community open spaces A, B, and C as shown on the conceptual site and landscape plan (Exhibit C) shall have a minimum of 25% landscaped areas consisting of a diversity of plant material. These plantings may consist of shrub, ornamental grass, perennial and ornamental groundcover species, and consist of a minimum of three plant types per planting area. Each plant type may account for no more than 33% of the planting composition per planting area. Open spaces D, E, F, G, and H are drainage easements with plantings subject to approval by the City Manager or designee.
 - b. Shade and ornamental trees shall be provided within all community open spaces. Two shade trees and three ornamental trees shall be provided for every 5,000 square foot of open space plantable area, or as determined by the City Manager or designee. Shade structures or any other structural amenity will be excluded from the plantable area.
 - c. Courtyards shall provide amenities including but not limited to decorative hardscape, trees, shrubs, and/or grasses.

2. Foundation plantings –

- a. Dwelling units within the community shall have foundation plantings covering a minimum of 65% of any street-facing façade except for front-loaded townhouses with a single car garage door.
- b. The plantings shall consist of shrub and ornamental grass and groundcover species. Planter boxes may be used to meet this requirement. Planters may be constructed using masonry or other material compatible with the facade with a minimum height of 24 inches up to a maximum of 36 inches. Planter boxes are allowed within all required setbacks, outside of visibility triangles and without impacting easements.

Ornamental grass and groundcover species may not account for more than 33% of foundation planting per dwelling unit.

3. Streetscape –

- a. Street trees shall be provided in the parkway of the right-of-way without impact to utilities or street signage and as determined by the City Engineer.
- b. Street trees shall not be located within 50 feet of a stop sign. Tree species with limbs/leafy vegetation 7-feet in-height or more above the finished grade of an adjoining street may be allowed when located 50 to 115 feet from a stop sign and not along the curvature of a roadway, or as determined by the City Manager or designee.
- c. Ornamental trees may be spaced at a minimum of 15 feet OC (on center) and a maximum of 30 feet OC, depending on species. Shade trees may be spaced at a minimum of 25 feet OC and a maximum of 40 feet OC, depending on species.
- d. Trees shall not conflict with sight visibility requirements nor obstruct or impede the view of any stop sign, as determined by the City Manager or designee.
- e. Replacement trees shall be allowed within public right-of-way, public parkland, or any other publicly-owned property. If the public area is not irrigated, landscape irrigation installation shall be provided by the developer prior to the planting of the replacement trees. The planting of replacement trees shall also be allowed within irrigated private open space.

4. Screening -

- a. A minimum 8-foot tall board on board wood fence shall be provided along the west property line adjacent to the hike and bike trail and shall be constructed in accordance with Chapter 154 of the City of Carrollton Fence Regulations Ordinance. Fencing shall not be masonry.
- b. A 3-foot wide HOA fence easement shall be provided on the final plat for the board-on-board fence, as needed.
- c. Access shall be provided for residents to access the hike and bike trail.
- d. Non-invasive ivy or evergreen shrubs shall provide screening along the outside of the fence, on the subject property.
- e. The board-on-board wood fence and associated landscaping shall be owned and maintained by the homeowner's association.

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 Second day of March, 2021.

CITY OF CARROLLTON

ATTEST:	By: K	evin W. Falconer, Mayor
Laurie Wilson City Secretary		
APPROVED AS TO FORM:	A	PPROVED AS TO CONTENT:
Susan Keller Assistant City Attorney		oren Shapiro, AICP

Exhibit A Legal Description

- 1. Riney & Price, Phase 3, Lot 1, Block 1: 2.12 Acres (1501 E. Crosby Road)
- 2. William Larner Survey 1.6 Acres (1603 E. Crosby Road)
- 3. Fannidella Apartments, Part 2, Lot 1R: 2.42 Acres (1410 Fannidella Drive)
- 4. William Larner Survey 4.643 Acres (1400 E. Crosby Road Unplatted)
- 5. William Larner Survey 7.8072 Acres (1300 E. Crosby Road Unplatted)

OVERALL DESCRIPTION - BLOCKS A - K

BEGINNING at a 1/2" iron rod found in the south right-of-way line of Crosby Road (a variable width right-of-way) at the northwest corner of Lot 2R, Block A of said Fannidella Apartments, Part 2;

THENCE with the west line of said Lot 2R, South 9°04'33" East, a distance of 180.75 feet to a 1/2" iron rod with "CP&Y" cap found for the southwest corner of said Lot 2R;

THENCE with the south line of said Lot 2R, North 89°15'59" East, a distance of 271.98 feet to a 1/2" iron rod with "CP&Y" cap found in the west right-of-way line of Fannidella Street (a 50-foot wide right-of-way) for the southeast corner of said Lot 2R;

THENCE with said west right-of-way line, South 0°37'36" East, a distance of 301.72 feet to a mag nail found for the northwest corner of said abandoned portion of Fannidella Street and being the southwest end of terminus of said Fannidella Street and being at the beginning of a non-tangent curve to the right having a central angle of 7°18'00", a radius of 90.00 feet, a chord bearing and distance of North 73°27'35" East, 11.46 feet;

THENCE with said terminus of Fannidella Street, the following courses and distances:

In a northeasterly direction, with said curve to the right, an arc distance of 11.47 feet to a mag nail found at the beginning of a reverse curve to the left having a central angle of 47°17'12", a radius of 60.00 feet, a chord bearing and distance of North 53°28'00" East, 48.12 feet:

In a northeasterly direction, with said curve to the left, an arc distance of 49.52 feet to a mag nail found for the northeast corner of said abandoned portion of Fannidella Street and being in the west line of Lot 1R, Block 1, City of Carrollton, TX, an addition to the City of Carrollton according to the plat recorded in Instrument No. 200101261303 of said Official Public Records:

THENCE with said west line of Lot 1R, South 0°37'36" East, a distance of 67.53 feet to a 5/8" iron rod with plastic cap stamped "KHA" found in the north line of Lot 1, Block 1, C/FB ISD Service Center Addition, an addition to the City of Carrollton according to the plat recorded in Volume 89021, Page 2571, Deed Records of Dallas County, Texas;

THENCE with said north line of Lot 1, Block 1, South 55°05'18" West, a distance of 859.47 feet to a 1/2" iron rod found in the east right-of-way line of the M.K.&T. railroad (a 30-foot wide right-of-way) for the northwest corner of Lot 1, Block 2, Wilson Industrial District No. 1, an addition to the City of Carrollton according to the plat recorded in Volume 91178, Page 615 of said Deed Records:

THENCE with said east right-of-way line of the M.K.&T. railroad, North 31°51'54" West, a distance of 827.01 feet to a 1/2" iron rod found at the intersection of said east right-of-way line of the M.K.&T. railroad with said south right-of-way line of Crosby Road for the northwest corner of said 7.8072 acre tract;

THENCE with said south right-of-way line of Crosby Road, the following courses and distances:

North 61°26'08" East, a distance of 321.39 feet to a "X" cut in concrete set for corner; North 67°46'06" East, a distance of 103.29 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the right having a central angle of 7°12'25", a radius of 2834.79 feet, a chord bearing and distance of North 71°26'51" East, 356.34 feet;

In a northeasterly direction, with said curve to the right, an arc distance of 356.57 feet to a mag nail found for corner;

South 52°23'56" East, a distance of 18.30 feet to a mag nail found for corner;

South 0°00'00" West, a distance of 6.00 feet to a mag nail found for corner;

North 77°17'26" East, a distance of 58.46 feet to the **POINT OF BEGINNING** and containing 14.9631 acres or 651,792 square feet of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

OVERALL DESCRIPTION:BLOCKS L - M

BEING a tract of land situated in the William Larner Survey, Abstract No. 799, City of Dallas, Dallas County, Texas and being all of Lot 1, Block 1, Riney & Price, Phase 3, an addition to the City of Carrollton according to the plat recorded in Instrument No. 201100195107, Official Public Records, Dallas County, Texas and being all of those tracts of land described as Tract 1 and Tract 2 in Special Warranty Deed to Kirby Rice, LTD recorded in Instrument No. 201900351665 of said Official Public Records and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with plastic cap stamped "KHA" set in the north right-of-way line of Crosby Road (a variable width right-of-way) at the southwest corner of said Lot 1 and being the southeast corner of a tract of land described as Tract 1 in Warranty Deed to John Earl Walvoord and wife, Carolyn Nan Walvoord recorded in Volume 96219, Page 3382 of the Deed Records of Dallas County, Texas;

THENCE with the east line of said Tract 1, North 9°47'12" West, a distance of 244.37 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for the northeast corner of said Tract 1 and being the southeast corner of Lot 1, Block 1, Riney and Price, Phase 2, an addition to the City of Carrollton according to the plat recorded in Instrument No. 20080156715 of said Official Public Records;

THENCE with the east line of said Lot 1, Block 1, Riney and Price, Phase 2, North 5°37'48" West, a distance of 117.15 feet to a 1/2" iron rod with "CGB" cap found for the southwest corner of Lot 4, Riney and Price Subdivision, an addition to the City of Carrollton according to the plat recorded in Volume 24, Page 29 of said Deed Records;

THENCE with the south line of said Riney and Price Subdivision, North 83°50'52" East, a distance of 294.15 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for the southeast corner of Lot 1 of said Riney and Price Subdivision and being in the west line of a tract of land described in General Warranty Deed with Vendors Lien to Ruben Rubio & Liliana Vazquez recorded in Volume 99247, Page 6080 of said Deed Records;

THENCE with said west line, South 0°02'17" East, a distance of 89.63 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for the southwest corner of said Ruben Rubio & Liliana Vazquez tract:

THENCE with the south line of said Ruben Rubio & Liliana Vazquez tract, North 89°31'47" East, a distance of 259.80 feet to a 3/8 iron rod found in the west line of a tract of land described in Warranty Deed with Vendors Lien to Dan L. Claiborne and wife, Cynthia A. Claiborne for the southeast corner of a tract of land described in Special Warranty Deed to The Floyd E. Hardin and Ardeth K. Hardin Revocable Living Trust recorded in Instrument No. 201000294482 of said Official Public Records;

THENCE with said west line, South 8°50'03" East, a distance of 252.40 feet to a 5/8" iron rod with plastic cap stamped "KHA" set in said north right-of-way line of Crosby Road for the southwest corner of said Claiborne tract;

THENCE with said north right-of-way line, the following courses and distances:

South 89°36'06" West, a distance of 298.40 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 87°09'56" West, a distance of 131.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 68°13'30" West, a distance of 117.17 feet to the **POINT OF BEGINNING** and containing 3.7169 acres or 161,906 square feet of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

And including the north and south ½ of Crosby Road right of way adjacent to the subject property; west ½ of Fannidella Drive right of way adjacent to the subject property; and east ½ of the DGNO Railroad adjacent to the subject property.

Exhibit B Location & Tracts

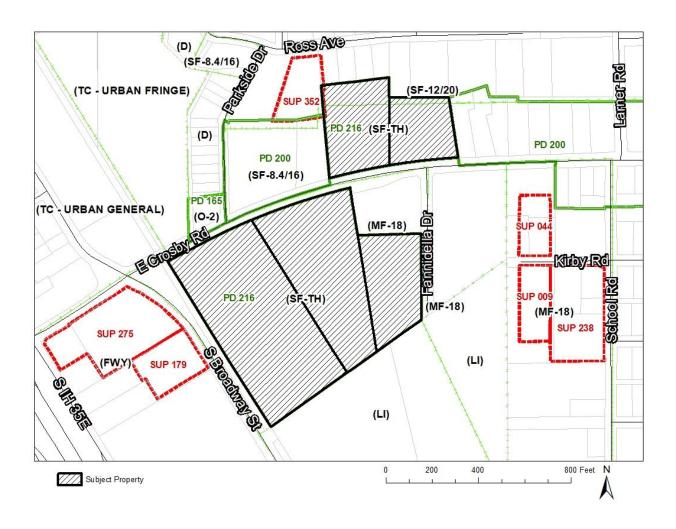
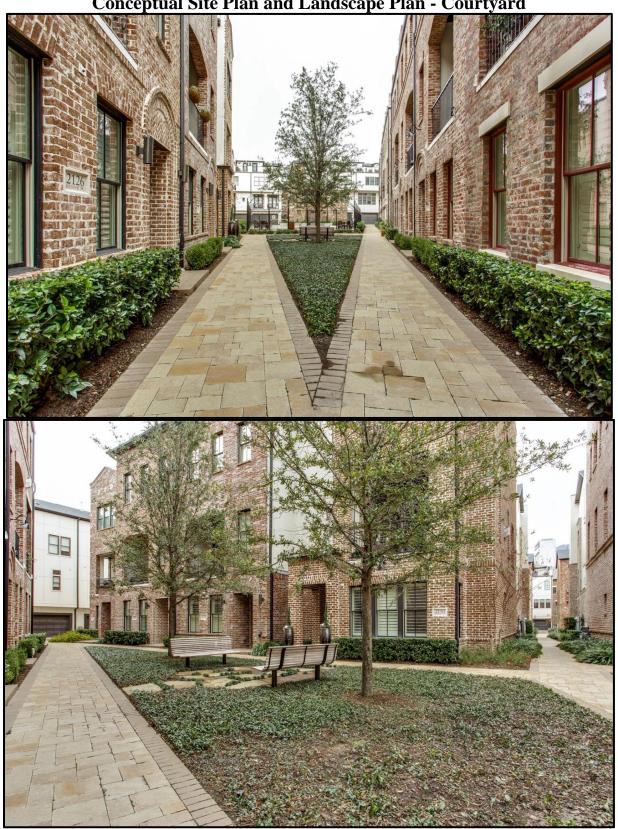
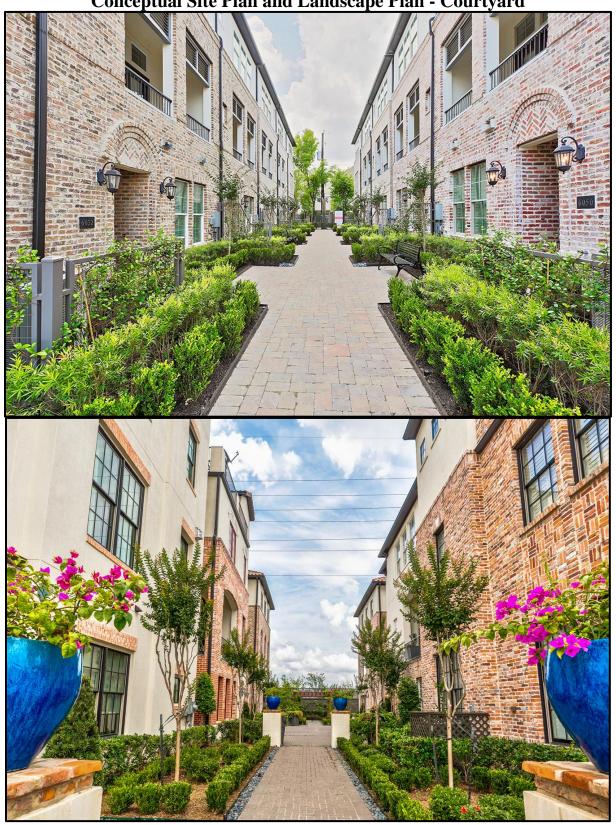


Exhibit C Conceptual Site Plan and Landscape Plan















































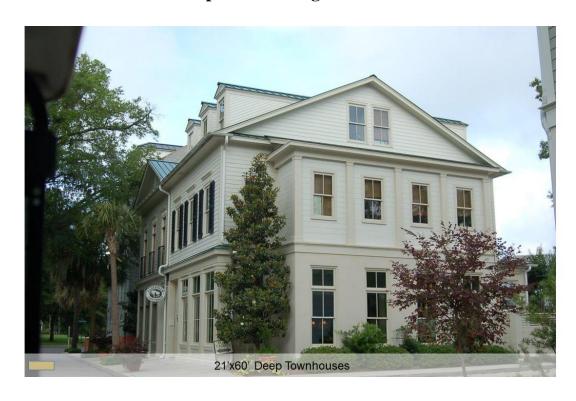


























Exhibit E Conceptual Street Cross Sections

