

ORDINANCE NO. 4165

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING FROM PD PLANNED DEVELOPMENT FOR C-M COMMERCIAL USES TO PD PLANNED DEVELOPMENT FOR PATIO HOMES FOR 2.44 ACRES GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CITYLINE DRIVE AND FOXBORO DRIVE, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 16-02).

WHEREAS, the City Plan Commission of the City of Richardson and the governing body of the City of Richardson, in compliance with the laws of the State of Texas and the ordinances of the City of Richardson, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning Map of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended so as to grant a change in zoning from PD Planned Development for C-M Commercial uses to PD Planned Development for Patio Homes for 2.44 acres generally located at the southwest corner of CityLine Drive and Foxboro Drive, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That the change in zoning for the property to PD Planned Development for Patio Homes is hereby granted subject to the following development conditions:

That the above described property shall be used and developed in accordance with the Development Standards attached hereto as Exhibit "B" and the Concept Plan attached as Exhibit "C", incorporated herein for all purposes.

SECTION 3. That the above-described tract of land shall be used in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Richardson, Texas, as heretofore amended, and subject to the aforementioned special conditions.

SECTION 4. That all provisions of the ordinances of the City of Richardson in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. That an offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars

(\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 8. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 9th day of May, 2016.



APPROVED:

MAYOR

APPROVED AS TO FORM:


CITY ATTORNEY
(PGS:4-22-16:TM76598)

CORRECTLY ENROLLED:


CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 16-02

BEING a tract of land situated in the F.J. Vance Survey, Abstract No. 939, in the City of Richardson, Collin County, Texas, and being all of Lot 5B, Block B of Galatyn Park North Lots 5B & 6, Block B, an addition to the City of Richardson, Collin County, Texas, according to the Plat thereof recorded in Instrument No. 20150617010002130 of the Official Public Records of Collin County, Texas.

EXHIBIT “B”
Centre Living Homes – CityLine

1. BASE ZONING

RP -1500-M Patio Home District.

2. USE REGULATIONS

The development and use of the property shall be subject to the regulations set forth herein and shall not be governed by the development regulations of the RP-1500-M patio District regulations.

3. PERMITTED USES

The only permitted use shall be Single-family (Detached) dwellings.

4. BUILDING REGULATIONS

a. Minimum size (principle building):

1,500 square feet (excluding garages, breezeways and covered patios).

b. Type of materials:

All building exterior facades, excluding doors, windows, breezeways and courtyards, of single-family residential structures shall have at least seventy-five (75%) percent masonry material. Exterior walls facing a porch or patio shall be included in the total wall area calculation for purposes of this article. Chimneys for newly constructed single-family structures or additions to existing dwellings shall be of 100 percent (100%) exterior masonry material. No one wall may be less than fifty percent (50%) masonry material unless said wall is on a porch, patio, courtyard, or breezeway; in which event, said wall may be of non-masonry material.

5. HEIGHT REGULATIONS

a. Principal building: Maximum fifty-five (55) feet.

b. Accessory building: Maximum twelve (12) feet.

6. AREA REGULATIONS

a. Minimum Lot Area: 1,800 square feet.

b. Minimum Lot Width: Thirty (30) feet.

- c. Minimum Lot Depth: Sixty (60) feet.
- d. Maximum Lot coverage: Eighty (80%) percent (excluding breezeways and covered patios).
- e. Minimum Front Setback:
 - i. Along CityLine Drive: Ten (10) feet.
 - ii. Along Foxboro Drive: Five (5) feet.
 - iii. For lots along the common property lines adjacent to the commercial use to the west: Zero (0) feet.

Exception: Non-enclosed porches, fireplaces, eaves, bays, and balconies may extend into the required front yard setback a maximum of four (4) feet along CityLine Drive and five (5) feet along Foxboro Drive.

- f. Side setback:
 - i. Adjacent to a street: Minimum ten (10) feet.
 - ii. One side of a building shall be built on the property line, herein designated as the “zero side” for no less the sixty percent (60%) of the lot length.

Buildings must be separated by a minimum distance of three (3) feet. A minimum three (3) foot wide maintenance easement shall be dedicated opposite, but adjacent to the “zero side” yard adjacent to a residential lot to allow for property owner maintenance. An easement for the benefit of each lot is hereby reserved over, across, and upon each lot adjoining to such lot for roof overhangs not exceeding two (2) feet in width.

A gutter and downspout shall be required along the “zero side” of the dwelling to ensure drainage is handled on the owner’s property and said gutter system shall not be included in the calculation of the eave encroachment. Said gutter shall be tied into a subsurface drain (pop-up) that discharges behind the sidewalk.

- iii. No side setback shall be required from an interior side lot line for mechanical equipment (e.g. air conditioning units) or an uncovered porch or patio.
- g. Minimum rear yard: Zero (0) feet; however, a maximum eighteen (18) inch encroachment into the street easement shall be allowed for second story projections and eaves.

7. PARKING REGULATIONS

- a. Two off-street parking spaces, accessible from a driveway constructed of an approved parking surface, shall be provided on the lot in an enclosed garage structure behind the front building line to accommodate two motor vehicles for each dwelling unit. The garage may be either attached to or detached from the principal building.

- b. Guest parking shall be provided at a minimum ratio of 0.25 spaces per dwelling unit. Guest parking may be located on CityLine Drive, Foxboro Drive and/or in designated off-street parking areas. It is intended that guest parking be located conveniently and dispersed throughout the project so as to best serve residents and their guests.

8. LANDSCAPING, SCREENING AND ENTRY MONUMENTS

a. Landscaping:

- i. Along CityLine Drive: A 10-foot landscape and pedestrian easement shall be provided within the property lines. The easement shall include a six (6) foot sidewalk located behind the adjacent on-street parking.
- ii. Along Foxboro Drive: A six (6) foot sidewalk shall be provided. An equivalent of one (1) tree per thirty-five (35) linear feet of public street frontage shall be installed.

In the event that on-street parallel parking is constructed and provided along the west side of Foxboro Drive, a six (6) foot sidewalk shall be provided behind the adjacent on-street parking. An equivalent of one (1) tree per thirty-five (35) linear feet of public street frontage shall be installed, said plantings shall be installed between the street curb and sidewalk where on-street parking is not provided and in parking space bulb-outs where provided.

- iii. A five (5) foot sidewalk shall be installed within the Common Area Lots as depicted on Exhibit "C" and be accessible from the front of the adjacent homes. The Common Area Lots shall include landscaping consisting of trees, shrubs or other plantings.

An underground irrigation system shall be required, and the installation of this system, the landscaping and sidewalk shall be the responsibility of the subdivision developer. Responsibility for maintenance of the landscaping shall be by the HOA.

b. Screening:

- i. Along the common property lines adjacent to the commercial use on the west, the developer shall provide screening from vehicle headlights. The screening shall consist of a minimum three (3) foot high masonry screen wall with or without fencing; and shall include canopy trees and/or ornamental trees. Gated or non-gated openings shall be allowed along said screening wall for pedestrian connections to and from the development.

c. Entry Monuments

- i. Entry monuments shall be set back a minimum of three (3) feet from any property line; however, no entry monument may encroach within any easement or visibility/sight triangle.

9. SPECIAL STANDARDS

- a. The finished floor elevation of each residential unit shall be a minimum of eighteen (18) inches above the front sidewalk along CityLine Drive, Foxboro Drive and Common Area C-1 as depicted on Exhibit "C".
- b. Garage Doors: Garage doors shall be contemporary style doors constructed of anodized metal finish with either anodized metal or glass panels, or stained wooden doors.
- c. No lot containing a dwelling unit may contain any accessory building(s) or structures with the exception of arbors, pergolas, decks, planters, above ground spas or trellises. Outdoor fireplaces and/or outdoor kitchens are allowed; provided that they have proper screens and covers to contain sparks and embers from escaping. Said structures may be either attached or detached and may have rear and side setbacks of zero (0) feet provided, that no such structure is located within any maintenance easement adjacent to the rear or side property line.
- d. All lots shall front onto a dedicated public street with the exception of the lots along the common property lines adjacent to the commercial use to the west as depicted on Exhibit "C", which may front onto a minimum thirty (30) foot wide dedicated street easement.
- e. The developer/owner of the property shall at its costs cause all electrical, telecommunication and street lighting (lateral and/or service distribution) lines and wires to be placed underground.
- f. A mandatory Home Owners' Association (HOA) shall be established in accordance with Chapter 21, Subdivision of Development Code, Section 21-57 of the City of Richardson Code of Ordinances, as amended, and shall contain a provision providing notice to lot owners and for builders to post a notice in all model homes and sales office, that the property is adjacent to non-residential uses with associated impacts (i.e., lighting, noise and odor). Said Association documents shall be submitted to the City for review and approval prior to approval of the preliminary plat for the property.
- g. For purposes of this planned development district and the development and performance standards in the City's Comprehensive Zoning Ordinance, this planned development district shall not be considered a residential district or apartment zoning district.

