

**ORDINANCE NO. 4277**

**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 R-1250-M RESIDENTIAL TO PD PLANNED DEVELOPMENT FOR THE RA-1100-M RESIDENTIAL ATTACHED (TOWNHOME) DISTRICT WITH DEVELOPMENT STANDARDS FOR 9.424 ACRES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL BOULEVARD AND GREENVILLE AVENUE, 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 18-21).**

**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 5<sup>th</sup> day of June, 1956, as heretofore amended, be, and the same is hereby amended so as to grant a change in zoning from R-1250-M Residential to PD Planned Development for the RA-1100-M Residential Attached (Townhome) District with development standards for 9.424 acres generally located at the southeast corner of Centennial Boulevard and Greenville Avenue, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes (the "Property").

**SECTION 2.** The property is zoned PD Planned Development for RA-1100-M Residential Attached (Townhome) District subject to the following development conditions:

A. Base Zoning District: The above described property shall be developed and used in accordance with the Concept Plan attached as Exhibit "B", and the RA-1100-M Residential Attached (Townhome) Zoning District Regulations except as otherwise provided below:

1. Building Regulations

- a. Minimum dwelling unit size: 1,320 square feet (exclusive of garage floor area and breezeways).

2. The maximum number of units shall be eighty (80) units.

3. Height Regulations

- a. The following blocks as depicted on the Concept Plan (Exhibit "B") shall be allowed a maximum building height of three (3) stories, not to exceed fifty-five (55) feet:

- i. Block A,
- ii. Block B,
- iii. Block E, and
- iv. Block F.

4. Window Treatment

- a. Block A: Translucent glass shall be required for any third story vision glass located on the north elevation for the western two (2) buildings located on Block A, as depicted on the Concept Plan (Exhibit "B").

5. Area Regulations

- a. Minimum lot area: 1,430 square feet.
- b. Minimum lot width: Twenty-two (22) feet.
- c. Minimum lot depth: Sixty-five (65) feet.
- d. Maximum lot coverage: Ninety-two (92%) percent.
- e. Minimum setback from open space: Zero (0) feet, with the exception that the front door shall be setback a minimum of six (6) feet from the property line.
- f. Minimum side yard setback for corner lots adjacent to access/fire lane easement/street: Twenty-five (25) feet.
- g. Minimum setback from access/fire lane easement: Five (5) feet. Within the five (5) foot setback, a minimum five (5) foot wide utility easement shall be provided.



h. The minimum separation between buildings: Fifteen (15) feet.

i. Parking regulations:

i. Visitor parking spaces shall be allowed within access easements as shown on the Concept Plan (Exhibit "B").

ii. Visitor parking: A minimum of 0.68 spaces per unit shall be provided.

B. Chapter 21 Subdivision and Development: The City Council in its judgment finds that the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will be substantially injured, and have received a recommendation by the city plan commission, the council authorizes variance to the regulations in Chapter 21 of the City Code in order to permit reasonable development and improvement of property because a literal enforcement of those regulations would result in an unnecessary hardship as follows:

1. Lot Frontage: All townhome lots platted individually for dwelling units shall have frontage on a minimum 24-foot paved access easement/fire lane easement within a common area lot.
2. Areas for recreation or open space shall have frontage on a public or private street or on a minimum 24-foot paved access easement/fire lane easement within a common area lot.
3. Alley Waiver: Minimum twenty-four (24) foot wide access/fire lane easements shall be allowed in lieu of alleys.
4. Sidewalk Waiver: Sidewalks shall not be required to be provided across the garage side of the residential lots.
5. Perimeter Fencing: A minimum six (6) foot tall tubular metal-screening fence with brick columns shall be constructed along the north, east and west boundaries of the development, as shown on the Concept Plan.
6. Buffering, Entry Monuments and Landscaping: Along Centennial Boulevard and Greenville Avenues, a minimum 10-foot wide landscape buffer shall be provided. The 10-foot landscape buffer shall include canopy trees, ornamental trees and shrubs. Underground irrigation shall be required, and the installation of this system. The landscape and sidewalk shall be the responsibility of the subdivision developer. Responsibility for the maintenance of the landscaping shall be by the Home Owners Association ("HOA").
7. The open space areas shown on the Concept Plan, shall be improved by the developer concurrent with the development of the property, and maintained by the HOA. At a minimum the following elements shall be provided:
  - a. Open Space I: Sidewalks, trees, benches, turf and low-level lighting.

- b. Open Space II: Sidewalks, trees, benches, turf, ground cover and low-level lighting.
- c. Open Space III: Sidewalks, trees, turf, ground cover, seasonal color, benches, low-level lighting.
- d. Open Space IV: Sidewalks, trees, turf, ground cover, shade structure(s), security fencing, kids' playground, benches and low-level lighting.
- e. Open Space V: Sidewalks, seating areas, trees, turf, ground cover, seasonal color, pergola(s), barbeque grills and low-level lighting.
- f. Open Space VI: Sidewalk, turf, landscaping and low-level lighting.
- g. Open Space VII: Sidewalks, turf, trees, benches and low-level lighting.

C. Miscellaneous:

1. Phase I of the development shall include; at a minimum, the following:
  - a. One (1), townhome building comprised of a majority of two-story units and one (1), townhome building comprised of a majority of the three (3) story units, and associated visitor parking spaces, including the appropriate infrastructure which includes but not limited to, access from Centennial Boulevard and Greenville Avenue, and the appropriate infrastructure to support vehicular and pedestrian access for the occupancy of said townhome buildings,
  - b. Pedestrian sidewalks shall be provided from all parking areas (enclosed garages and visitor parking areas); including the open space area between the townhome buildings in Block C, to the provide access to the front doors of the townhome building and/or units.
  - c. The perimeter subdivision screening wall, landscape buffer and sidewalks along Greenville Avenue, Centennial Boulevard and Abrams Road as shown on the Concept Plan, and
  - d. The items listed in subsection b. above shall be completed prior to the issuance of building final inspections for the two (2) townhome buildings required in subsection a.
2. Prior to the issuance of the building final inspection for the sixtieth (60<sup>th</sup>) townhome unit or the twelfth (12<sup>th</sup>) townhome building, whichever occurs first, the balance of the infrastructure, amenity areas and visitor parking shall be constructed as shown on the Concept Plan.
3. Garage Doors: Garage doors shall be metal carriage-style (wooden-look) or wooden garage doors.
4. The minimum dimensions for a garage for a two-story unit shall be 20'-9" (w) x 20'-1" (l).



5. The minimum dimensions for a garage for a three-story unit shall be 20'-9" (w) x 21'-1" (l).

**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.

**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.

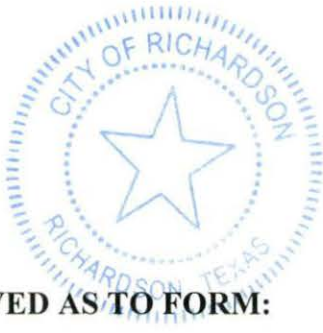
**SECTION 5.** That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided 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 5th day of November, 2018.



**APPROVED AS TO FORM:**

*Peter H Smith*

**CITY ATTORNEY**  
(PGS:10-31-18:TM 103994)

**APPROVED:**

*[Signature]*

**MAYOR**

**CORRECTLY ENROLLED:**

*Aimee Neme*

**CITY SECRETARY**

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**ZF 18-21**

**BEING** a 9.424 acre tract of land situated in the John R. Reid Survey, Abstract No. 1196, City of Richardson, Dallas County, Texas and being all of Lot 1, Block A of Rosehill Addition Phase III an addition to the City of Richardson according to the plat recorded in Volume 94168, Page 3015, Deed Records Dallas County, Texas (DRDCT) and being all of Lots 1-10, Block B and Creekview Court Common Area of Rosehill Addition Phase II an addition to the City of Richardson according to the plat recorded in Volume 97002, Page 951 (DRDCT) and being more particularly described as follows:

**BEGINNING** at a 5/8 inch iron rod set for corner at the north end of a corner cutoff line located at the intersection of the south line of Centennial Boulevard a variable width right of way and the west line of Abrams Road a 90 feet wide right of way;

**THENCE** along said corner cutoff line, SOUTH 25°38'36" EAST a distance of 34.85 feet to a 5/8 inch iron rod set for corner;

**THENCE** along the west line of said Abrams Road, SOUTH 20°06'30" WEST a distance of 176.22 feet to a 1/2 inch iron rod found for corner at the southeast line of said Lot 1, Block A;

**THENCE** along the south line of said Lot 1, Block A, NORTH 86°34'11" WEST a distance of 29.12 feet to a 5/8 inch iron rod set for corner at the northeast corner of said Lot 9, Block B;

**THENCE** along the east and south line of said Block B as follows:

SOUTH 69°26'00" WEST a distance of 36.31 feet to a 5/8 inch iron rod set for corner and being the beginning of a curve to the left having a radius of 50.00 feet and a chord bearing of SOUTH 48°56'00" WEST;

Along said curve through a central angle of 41°00'03" for an arc length of 35.78 feet to a 5/8 inch iron rod set for corner;

SOUTH 28°26'00" WEST a distance of 202.28 feet to a 5/8 inch iron rod set for corner and being the beginning of a curve to the right having a radius of 150.00 feet and a chord bearing of

SOUTH 62°37'49" WEST;

Along said curve through a central angle of 68°23'31" for an arc length of 179.05 feet to a 5/8 inch iron rod set for corner;

NORTH 83°10'23" WEST a distance of 119.64 feet to a 5/8 inch iron rod set for corner;



NORTH 06°32'57" EAST a distance of 57.90 feet to a 5/8 inch iron rod set for corner;

SOUTH 84°35'37" WEST a distance of 208.45 feet to a 5/8 inch iron rod set for corner;

SOUTH 21°10'32" WEST a distance of 15.00 feet to a 5/8 inch iron rod set for corner;

NORTH 70°40'23" WEST a distance of 323.64 feet to a 5/8 inch iron rod set for corner in the east line of Greenville Avenue a 110 feet wide right of way;

**THENCE** along the east line of said Greenville Avenue, NORTH 19°34'24" EAST a distance of 394.73 feet to a 5/8 inch iron rod set for corner;

**THENCE** continuing along said east line, NORTH 54°55'25" EAST a distance of 40.78 feet to a capped iron rod found for corner in the south line of said Centennial Boulevard;

**THENCE** along the south line of said Centennial Boulevard, SOUTH 89°44'51" EAST a distance of 520.26 feet to a 5/8 inch iron rod set for corner and being the beginning of a curve to the right having a radius of 1075.91 feet and a chord bearing of SOUTH 80°55'53" EAST;

**THENCE** continuing along said south line and along said curve through a central angle of 17°37'56" for an arc length of 331.10 feet to the **POINT OF BEGINNING**; containing 9.424 acres or 410,526 square feet of land more or less, all according to that survey prepared by A. J. Bedford Group, Inc.



**EXHIBIT "B"**  
**CONCEPT PLAN**

