

ORDINANCE NO. 84- 733

AN ORDINANCE PROVIDING FOR THE AMENDMENT TO THE GENERAL ZONING ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS, BEING ORDINANCE NUMBER 77-439, AND PROVIDING A CHANGE OF ZONING FROM R-1 RESIDENTIAL TO A PLANNED DEVELOPMENT DISTRICT SPECIFICALLY DESCRIBED HEREIN; AND PROVIDING FOR IMMEDIATE EFFECT.

WHEREAS, a Request for Change in Zoning Classification was duly filed with the City of Cedar Hill, Texas, concerning the hereinafter described property;

WHEREAS, due notice of hearing was made in the time and manner prescribed by law and the Planning and Zoning Commission of the City of Cedar Hill, Texas, duly convened and conducted a public hearing for the purpose of assessing a zoning classification change on the hereinafter described property located in the City of Cedar Hill, Texas; and

WHEREAS, an additional opportunity for all interested persons to be heard was provided by the City Council of the City of Cedar Hill, Texas, at an opening meeting, with proper notice posted;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILL, TEXAS, THAT:

SECTION 1. The specific legal description of the property zoned herein is as attached hereto as Exhibit A.

SECTION 2. The zoning classification on the hereinabove described property is hereby changed from R-1 Residential to a Planned Development District to be developed in accordance with the Site Plan filed with the City and attached hereto as Exhibit "B" and in the following approximate amounts:

- a. Single-family R-1B Residential (Detached) with a minimum lot size of 7,500 square feet, no more than 4 dwelling units per acre: 159.99 acres
- b. Single-family Residential (Detached) with a minimum lot size of 7,500 square feet, no more than 4 dwellings per acre: 14.0 acres
- c. Townhomes: No more than 10 units per acre on a maximum of 14.0 acres of land;
- d. Garden Apartments: No more than 16 units per acre on a maximum of 14.0 acres of land;
- e. Garden Homes: No more than 5.5 units per acre on a maximum of 59.0 acres of land;
- f. Local Retail: 40.0 acres

SECTION 3. The property zoned as a Planned Development District herein shall have the following Special Conditions. Such conditions are hereby officially adopted, approved and ordered as a part of the Planned Development District zoned herein.

1. All utilities shall be underground except for necessary transmission facilities.

2. All paved areas, permanent drives, streets and drainage structures, if any, shall be constructed in accordance with standard City of Cedar Hill specifications adopted for such purpose, and the same shall be done to the satisfaction of the Director of Public Works. All public streets and alleys shall be of concrete structure.
3. In Single Family Detached Districts, (Tracts 2, 4, 5 and 6), the width of lot listed as minimum is understood to mean the lot width at the building line due to cul-de-sacs and irregular shaped lots.
4. The developer, Landmark Enterprises Development Corporation, shall furnish an exact metes and bound description of each tract within six (6) months of the adoption of the governing ordinances.
5. All single family detached housing shall have a 2-car rear-entry garage. Townhomes, Garden Homes shall have a minimum 2 car front-entry garage.
6. Retail area will not contain any residential usage.
7. Specific site plans for all non-residential usage, apartment and townhome zoning must be submitted to Planning and Zoning for review and the City Council for approval.
8. Screening fence - Local Retail directly bordering residential property will be screened.
9. No on street parking in collector streets.
10. Provide one 3 inch tree per 200 linear feet of R.O.W. (Each side).
11. Planting clusters allowed where justified.
12. Structures, setbacks, parking, building coverage and other zoning requirements as per current City of Cedar Hill ordinances, other than exceptions noted on plan, and plan must be approved by the Cedar Hill City Council.
13. All proposed zoning shall have site plan, preliminary and final plat approval prior to development of tracts.

SECTION 4.

The zoning classification of this Planned Development District will take immediate effect after the passage of this Ordinance by the City Council of the City of Cedar Hill, Texas

PASSED, ADOPTED AND APPROVED by the City Council of the
City of Cedar Hill, Texas, on this the 25th day
of September, 1984.

Calista Hill
MAYOR

ATTEST:

Frankie Lu
City Secretary

APPROVED AS TO FORM:

City Attorney

G. F. NUMBER: 84-M-112671

EXHIBIT "A"

COMBINATION LEGAL:

BEING a tract of land situated in the JAMES EVANS SURVEY, ABSTRACT NO. 435, Dallas County, Texas, and being all of a called 43.492 acre tract, and a called 15.718 acre tract described in deed to David Bornstein, et al, Trustees, as recorded in Volume 74104, Page 1632, Deed Records, Dallas, County, Texas, all of a called 106.27 acre tract described in deed from B. B. Short to Dr. David Bornstein, et al, Trustees, as recorded in Volume 75095, Page 1290, and all of a called 136.40 acre tract described in deed from B. B. Short to Tex Jay Cole, as recorded in Volume 75095, Page 1294, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a $\frac{1}{2}$ " diameter iron rod set at the intersection of the North line of Belt Line Road (a 100 foot right-of-way) and the East line of Joe Wilson Road (a 60 foot right-of-way);

THENCE N 00° 11' 00" E, 639.00 feet, with said East line of Joe Wilson Road and along a fence line to a $\frac{1}{2}$ " diameter iron rod set at the Southwest corner of a tract of land described in deed as Tract 2 from Tex Jay Cole to Buck Hayes, as recorded in Volume 5588, Page 297, Deed Records, Dallas County, Texas;

THENCE N 88° 32' 35" E, 380.12 feet, with the South line of said Tract 2 and along a fence line part of the way to a $\frac{1}{2}$ " diameter iron rod set at the Southeast corner of said Tract 2;

THENCE North, 449.68 feet, with the East line of said Tract 2 and the East line of Tract 1 of said deed to a $\frac{1}{2}$ " diameter iron rod set at the Northeast corner of said Tract 1;

THENCE N 89° 55' 26" W, 378.53 feet, with the North line of said Tract 1 to a $\frac{1}{2}$ " diameter iron rod set at the Northwest corner of said Tract 1;

THENCE N 00° 11' 00" E, 1500.72 feet, with said East line of Joe Wilson Road and along a fence line to a $\frac{1}{2}$ " diameter iron rod set at the Southwest corner of a called 108.661 acre tract described in deed from Cedarwood Developments, Inc. to Trustees, E-Systems, Inc., Pool Trust, as recorded in Volume 79246, Page 1032, Deed Records, Dallas County, Texas;

THENCE with the South line of said E-Systems, Inc. tract the following:

S 89° 34' 04" E, 961.44 feet along a fence line to an angle iron found;

S 83° 41' 20" E, 458.15 feet to a $\frac{1}{2}$ " diameter iron rod found in the centerline of the Bee Branch of Ten Mile Creek;

N 44° 24' 18" E, 22.02 feet, with said centerline of Bee Branch to a $\frac{1}{2}$ " diameter iron rod found;

N 74° 12' 24" E, 97.14 feet, with said centerline of Bee Branch to a $\frac{1}{2}$ " diameter iron rod found;

S 89° 14' 02" E, 357.04 feet to a $\frac{5}{8}$ " diameter iron rod found at the Southeast corner of said E-Systems, Inc. tract;

THENCE N 00° 46' 55" W, 2599.30 feet, with the East line of said E-Systems, Inc. tract to a $\frac{5}{8}$ " diameter iron rod found at the Northeast corner of said E-Systems, Inc. tract in the South line of Pleasant Run Road;

THENCE S 89° 32' 14" E, 731.15 feet, with the said South line of Pleasant Run Road (a 60 foot right-of-way) and along a fence line to a 6" diameter metal post found at the Northwest corner of a called 20.0 acre tract described in deed from Ernest B. Atchley, et ux, to E. C. Steiner, et al, as recorded in Volume 78168, Page 1831, Deed Records, Dallas County, Texas;

THENCE S 00° 38' 39" E, 1752.74 feet, with the West line of said Steiner tract and the West line of a tract of land described in deed from A. P. Ebert, et ux, to Wilson C. Stark, et ux, as recorded in Volume 3044, Page 197, and along a fence line to a 1" diameter iron rod found at the Southwest corner of said Stark tract;

G. F. NUMBER: 84-M-112671
COMBINATION LEGAL CONTINUED
PAGE 2

THENCE S 89° 57' 57" E, 2126.32 feet, with the South line of said Stark tract and along a fence line to a 1" diameter iron pipe found at the Northwest corner of a tract of land described in deed from Jack Blanchard, et ux, to H. C. Schoonover, et al, as recorded in Volume 79002, Page 1250, Deed Records, Dallas County, Texas;

THENCE S 01° 19' 55" W, 202.86 feet, with the West line of said Schoonover tract and along a fence line to a 1" diameter iron pipe found at the Southwest corner of said Schoonover tract;

THENCE N 89° 57' 52" E, 475.00 feet, with the South line of said Schoonover tract and along a fence line to a ½" diameter iron rod set at the Southeast corner of said Schoonover tract in the West line of Duncanville Road;

THENCE with the said Westerly line of Duncanville Road the following:

S 02° 56' 52" W, 306.20 feet to a ½" diameter iron rod set at the beginning of a curve to the left having a central angle of 11° 41' 36" and a radius of 854.02 feet;

With said curve in a southeasterly direction an arc distance of 174.29 feet to a ½" diameter iron rod set at the end of said curve;

S 00° 17' 52" W, 51.26 feet to a ½" diameter iron rod set at the beginning of a curve to the left having a central angle of 07° 09' 09", a radius of 864.02 feet and a tangent bearing S 12° 05' 58" E;

With said curve in a Southeasterly direction an arc distance of 107.86 feet to a ½" diameter iron rod set at the end of said curve;

S 19° 15' 07" E, 100.70 feet to a ½" diameter iron rod set;

S 00° 16' 08" E, 378.30 feet to a ½" diameter iron rod set at the Northeast corner of a called 1.3 acre tract described in deed from Kate Rexroat to Joe Smallwood, as recorded in Volume 67151, Page 1254, Deed Records, Dallas County, Texas;

THENCE N 89° 26' 08" W, 35.79 feet, with the North line of said Smallwood tract to the said centerline of Bee Branch;

THENCE with the Westerly line of said Smallwood tract and the said centerline of Bee Branch the following:

S 34° 03' 19" W, 21.20 feet;
S 33° 07' 47" W, 145.66 feet;
S 01° 28' 23" E, 92.44 feet;
S 60° 47' 50" W, 86.45 feet;
S 62° 15' 11" W, 43.24 feet;
S 26° 09' 35" E, 50.72 feet;
S 26° 30' 20" E, 99.52 feet;
S 02° 23' 31" E, 47.25 feet;
S 41° 19' 54" E, 66.09 feet;

THENCE S 89° 59' 34" W, 2514.03 feet, with the North line of a called 12 acre tract described in deed from Loeta E. Gillette to Jon Roy Reid, as recorded in Volume 77001, Page 2962, and the North line of a called 100 acre tract described in deed from Edward E. Slade, Jr., et ux, to Roy Gillette, et ux, as recorded in Volume 3452, Page 385, Deed Records, Dallas County, Texas, and along a fence line to a 5/8" diameter iron rod found at the Northwest corner of said Gillette tract;

THENCE S 00° 12' 56" W, 1593.13 feet, with the West line of said Gillette tract and along a fence line to a 5/8" diameter iron rod found at the Southwest corner of said Gillette tract in the North line of Belt Line Road;

THENCE N 89° 46' 00" W, 2613.61 feet, with said North line of Belt Line Road and along a fence line to the PLACE OF BEGINNING and containing 300.9874 acres of land, more or less.

EXHIBIT "B"

PLANNED DEVELOPMENT
306 ACRES
LANDMARK ENTERPRISES DEVELOPMENT CORPORATION

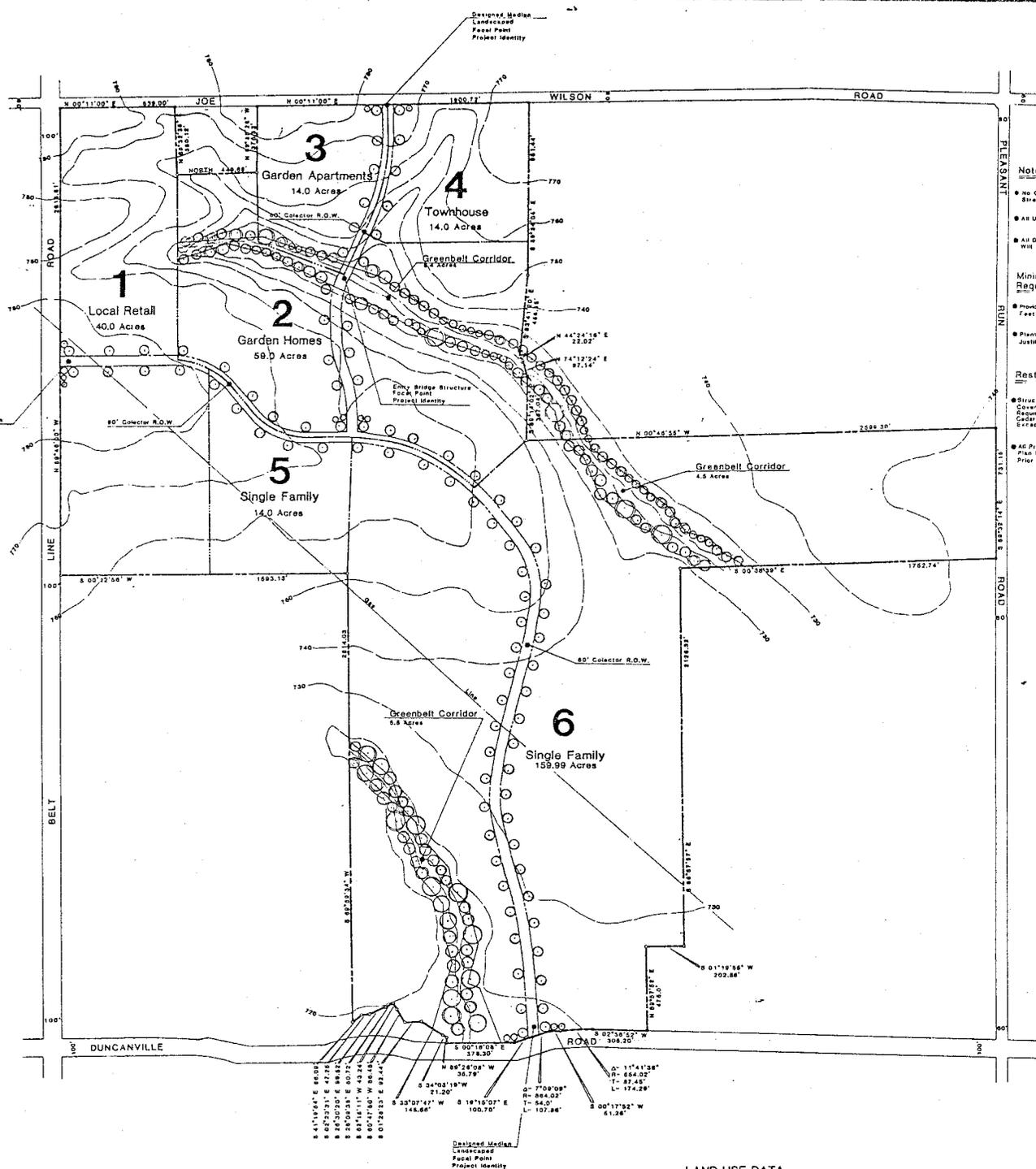
To be included in Planned Development Ordinance

Tracts identified as:

- | | |
|---------------------------------------|-----------------------------|
| a. Garden Apartment District | d. Garden Homes |
| b. Local Retail | e. Single Family (Detached) |
| c. Single Family Attached (Townhomes) | f. Single Family (Detached) |

shall be developed in accordance with the provisions of the City of Cedar Hill zoning ordinance in effect December 20, 1983, governing other Development in the same category with the following exceptions:

1. Garden Apartment District - The maximum number of apartment units per acre shall be 16 units per acre.
2. Local Retail - Shall provide for the inclusion of office buildings not to exceed six stories in height, with no residential use allowed.
3. Single Family Attached (Townhomes) - The minimum unit area of floor space shall be 1000 square feet per unit.



- Notes:**
- No On Street Parking in Collector Streets
 - All Utilities Underground
 - All Graveled Streets Will Be Concrete Streets
- Minimum Landscape Requirements**
- Provide one 3" Tree Per 200 Linear Feet of R.O.W. (Each Side)
 - Planting Clusters Allowed Where Justified
- Restrictions**
- Structures, Signposts, Parking, Building Coverage and Street Lighting Requirements As Per Current City Of Cedar Hill Ordinance, Other Than Exceptions Noted On Plan
 - All Proposed Zoning Shall Have Site Plan, Preliminary & Final Plat Approvals Prior To Development of Tracts

LAND USE DATA

Tract No.	Proposed Use	Acres	D.U.A.	% Project	Total Units	% Project
1	LOCAL RETAIL	40.0		13%		
2	GARDEN HOMES	59.0	3.6	14%	324	23%
3	GARDEN APARTMENTS	14.0	14.0	5%	224	16%
4	TOWNHOUSES	14.0	10.0	5%	140	11%
5	SINGLE FAMILY	14.0	4.0	5%	56	4%
6	SINGLE FAMILY	159.99	4.0	55%	240	46%
TOTALS		300.99		100%	1084	100%

CONCEPT ZONING PLAN
OF
WATERFORD OAKS
PLANNED DEVELOPMENT
cedar hill, texas

prepared by:
DON A. TIPTON INC.
CONSULTING ENGINEERS
4330 BELTLINE ROAD SUITE C
GARLAND, TEXAS 75042

prepared for:
LANDMARK PROPERTIES
2648 SHERRY LANE
DALLAS, TEXAS 75225

SCALE: 1"=200'

DATE: 6/84

LAND USE DATA

<u>Tract No.</u>	<u>Proposed Use</u>	<u>Acres</u>	<u>D.U.A.</u>	<u>% Project</u>	<u>Total Units</u>	<u>% Project</u>
1	Local Retail	40.0		13%		
2	Garden Homes	59.0	5.5	19%	324	23%
3	Garden Apartments	14.0	16.0	5%	224	16%
4	Townhouses	14.0	10.0	5%	140	11%
5	Single Family	14.0	4.0	5%	56	4%
6	Single Family R - IB	159.99	4.0	53%	640	46%
TOTALS		300.99		100%	1,384	100%

