

ORDINANCE NO 2016-582

AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS AMENDING THE ZONING ORDINANCE, ORDINANCE NO. 2001-64, AS AMENDED; BY AMENDING THE ZONING MAP DISTRICT CLASSIFICATION OF CERTAIN PROPERTY OUT OF ABSTRACT 1226 FROM SF-10 SINGLE FAMILY RESIDENTIAL TO PD PLANNED DEVELOPMENT DISTRICT; INCORPORATING A CONCEPT PLAN; ESTABLISHING SPECIFIC STANDARDS AND CONDITIONS; PROVIDING FOR CONFLICTS, A SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a request for a change in zoning classification from SF-10 to a PD Planned Development District, was duly filed with the City of Cedar Hill, Texas, and was assigned case no. 15-39 PD-ZC; and

WHEREAS, the proposed PD District is accompanied by a Concept Plan that depicts 22 single story detached and 2 single story duplex buildings (4 dwelling units) resulting in a gross density of 4.33 units per acre; and

WHEREAS, residential development within the proposed PD District would be subject to the rules and regulations applicable in a MF-Multiple-Family Residential District, except as modified herein; and

WHEREAS, the proposed PD District contains open space and amenities that will substantially benefit the future residents; and

WHEREAS, the proposed PD District is in conformance with the City's adopted Comprehensive Plan, as amended; and

WHEREAS, the City of Cedar Hill caused notice of the required public hearings regarding the zoning change to this Ordinance to be published in the Focus Daily News on January 31, 2016, and mailed notice to property owners within 200-feet of the subject property; and

WHEREAS, the City's Planning and Zoning Commission held a public hearing and accepted comments regarding the zoning change of this Ordinance on February 16, 2016; and

WHEREAS, following its public hearing, the Planning and Zoning Commission forwarded its report and recommendation regarding this Ordinance to the City Council; and

WHEREAS, the City Council, after conducting a public hearing on March 8, 2016, found the proposed amendment to be in the best interests of the City of Cedar Hill.

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

SECTION 1 – PROPERTY DESCRIPTION. This ordinance applies solely to approximately 6.00 acres of land out of Abstract 1226, Dallas County, generally located east of the dead-end of Maplegrove Drive, as more particularly described in **Exhibit “A”** which is attached hereto and incorporated by reference herein as if fully set forth.

SECTION 2 – CHANGE IN ZONING DISTRICT CLASSIFICATION. The zoning district classification for the property described in Section 1 hereby is changed from SF-10 – Single Family Residential to PD-Planned Development District for 22 detached dwelling units and 2 single story duplex buildings (4 dwelling units) for the elderly. The official zoning map for the city shall be changed to reflect this change in zoning district classification.

SECTION 3 – PURPOSE AND INTENT. The purpose and intent of this Planned Development District is to provide for development of detached retirement housing for the elderly, defined herein as persons 60 years of age or over only, under standards generally applicable within the MF-Multi-Family Residential District as herein modified, and in accordance with the attached Concept Plan.

SECTION 4 – CONCEPT PLAN. Development of this property shall be consistent with the Concept Plan, attached hereto as **“Exhibit B”** and incorporated by reference herein as if fully set forth. The location of authorized land uses shall be as depicted on the Concept Plan

SECTION 5 – AUTHORIZED LAND USES. Attached and detached retirement housing for the elderly and accessory uses authorized in the MF-Multi-Family Residential District, Section 3.10 of Ord. No. 2001-64 as herein modified, is authorized within the PD District.

SECTION 6 – MAXIMUM DENSITY. The maximum dwelling unit density with the PD-Planned Development District shall not exceed 4.33 dwelling units per gross acre.

SECTION 7 – DEVELOPMENT STANDARDS. Development within the PD District shall conform to the standards of the MF-Multi-Family Residential District, Section 3.10 of the Zoning Ordinance, , except as otherwise expressly provided in the standards and conditions contained in **“Exhibit C”**, attached hereto and incorporated by reference herein as if fully set forth, shall apply to development within the PD District.

SECTION 8. – OPEN SPACE. A minimum of 35% open space will be provided within the PD District and as shown in the Concept Plan.

SECTION 9 – TRAFFIC IMPACT ANALYSIS. The requirements of Traffic Impact Analysis within the PD District hereby are waived.

SECTION 10 – DEVELOPMENT PLANS. The option of a Development Plan for this PD Development is hereby waived.

SECTION 11 - SITE PLANS. Site Plans shall be approved prior to any construction or development within the PD District in accordance with the standards in Section 3.19 of the Zoning Ordinance.

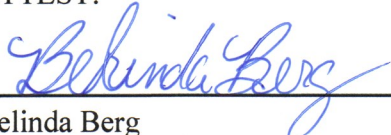
SECTION 12- CONFLICTS. This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances for the City of Cedar Hill, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event, conflicting provisions of such ordinances and Code are hereby superseded.

SECTION 13 – SEVERABILITY. The terms and provisions of this ordinance shall be deemed to be severable and if the validity of any section, subsection, sentence, clause or phrase of this ordinance should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause or phrase of this Ordinance.

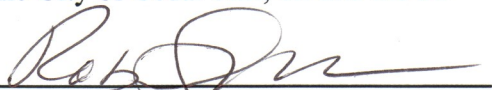
SECTION 14 - EFFECTIVE DATE. Because of the nature of the interests sought to be protected and of the safeguards sought to be provided by this Ordinance, and in the interest of the health, safety, and welfare of the citizens of Cedar Hill, Texas, this Ordinance shall take effect immediately after its passage, approval, and publication as required by law. The City Secretary is hereby authorized and directed to cause publication of the descriptive caption hereof as an alternative method of publication provided by law.

PASSED AND APPROVED by the City Council, the City of Cedar Hill, on this the 22nd day of March, 2016.

ATTEST:

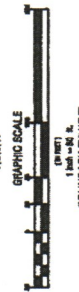


Belinda Berg
City Secretary



Rob Franke, Mayor
City of Cedar Hill, Texas

EXHIBIT "A"



CRESTHAVEN VILLAGE - PHASE III
BOUNDARY EXHIBIT
6,000 ACRES OUT OF THE S. RAMSEY SURVEY A-1226
City of Cedar Hill, Dallas County, Texas
January, 2016

CRISTAVEN COLLAGES, JV
285 West Pleasant Run Road
Cedar Hill, Texas 75104
(972) 291-5521 (F)
(972) 291-8601 (F)
COWI@COWI.DEN

SHEET 1 of 1

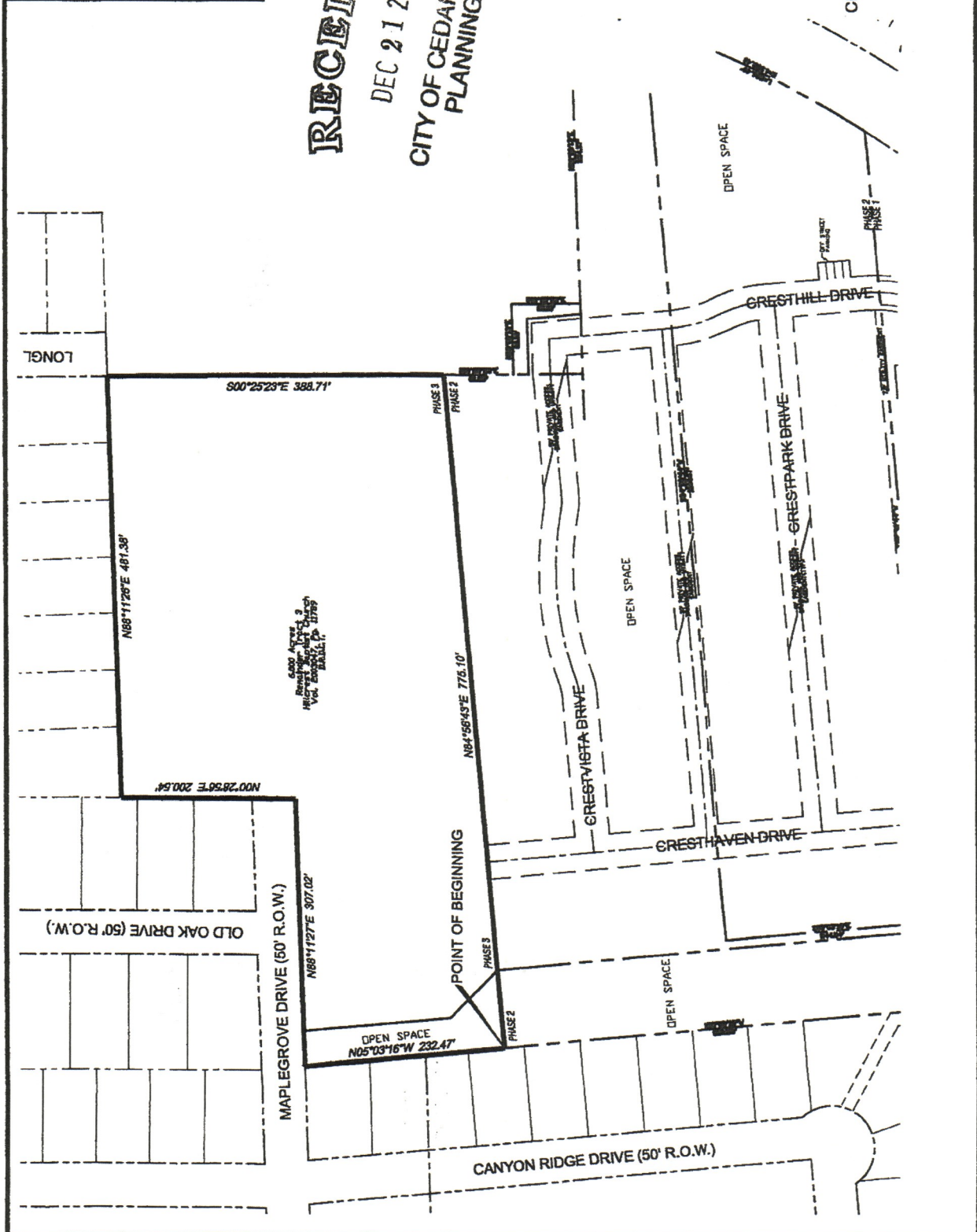


EXHIBIT A

LEGAL DESCRIPTION HILLCREST ADDITION SECTION 3

BEING a tract of land situated in the City of Cedar Hill, Dallas County, Texas, in the Samuel Ramsey, Abstract No. 1226, and being a part of a 17.750 acre tract of land described in a deed to Hillcrest Baptist Church, and recorded in Volume 2003047, Page 11789 of the Deed Records of Dallas County, Texas, and being a re-survey of a 0.147 acre tract of land described in a deed to Hillcrest Baptist Church, Inc., and recorded in Volume 2004195, Page 02744 of the Deed Records of Dallas County, Texas, and being more fully described as follows:

BEGINNING at a 1/2-inch iron rod found with a yellow plastic cap stamped "DIETZ ENG" (hereinafter referred to as a 1/2-inch iron rod found) for a corner, said point lying in the west line of the said 17.750 acre tract and also lying in the east line of the Hillcrest Addition Phase II, an addition to the City of Cedar Hill, Dallas County, Texas, according to the plat recorded in volume 99082, Page 00032, of the Deed Records of Dallas County Texas (D.R.D.C.T.);

THENCE North 84 degrees 56 minutes 43 seconds, East, departing the west line of the said 17.750 acre tract and the east line of the said Hillcrest Addition, a distance of 775.10 feet to a 1/2-inch iron rod set for a corner in the east line of the said 17.750 acre tract, said iron rod also in the westerly most west line of the remainder of a tract of land conveyed to A.D. Campbell in Volume 72208, Page 142, D.R.D.C.T.;

THENCE North 00 degrees 25 minutes 23 seconds, West, along the said east line of the 17.750 acre tract, a distance of 388.71 feet to a 1/2-inch iron rod found for a corner at the Southeast corner of Lot 1, Block 9, Heritage Addition IIIB, an addition to the City of Cedar Hill according to the plat recorded in Volume 2001201, Page 00034, D.R.D.C.T.;

THENCE South 88 degrees 11 minutes 26 seconds West, along the south line of the said Heritage Addition IIIB, a distance of 481.38 feet to a 1/2-inch iron rod found at the Southwest corner of said Heritage Addition IIIB and also being the southwest corner of Lot 7, Block 9, of said Heritage Addition IIIB and also lying in the east line of the Heritage Addition IIIA, an addition to the City of Cedar Hill, Texas, according to the plat recorded in Volume 2000225, Page 5797, D.R.D.C.T.;

THENCE South 00 degrees 28 minutes 56 seconds West, along the said east line of the Heritage Addition IIIA and leaving the said south line of the Heritage Addition IIIB, a distance of 200.54 feet to a 1/2-inch iron rod found for a corner in the north line of the said 17.750 acre tract and

EXHIBIT A

also being the south right of way line of Maple grove Drive (50-foot R.O.W.) according to the plat of the said Heritage Addition IIIA;

THENCE South 88 degrees 11 minutes 27 seconds West, along the south right-of-way line of the said Maplegrove Drive, a distance of 307.02 feet to a 1/2-inch iron found for a corner at the northeast corner of Lot 1, Block 5, of the Heritage Addition, an addition to the City of Cedar Hill, Texas, according to the plat recorded in Volume 98139, Page 67, D.R.D.C.T.;

THENCE South 05 degrees 03 minutes 16 seconds East, along the east line of the said Heritage Addition and leaving the south line of said Maplegrove Drive, a distance of 232.47 feet to the POINT OF BEGINNING and containing 6.000 acres of land more or less.

Basis of bearing is between City of Cedar, Texas GPS Monuments 1004 and 1006.

EXHIBIT B

Project Overview Cresthaven Village, Phase 3 Planned Development Case Number 2015-39 Concept Plan

Planned Development Concept Plan Informational Statement

The proposed development is the third and final phase of the Cresthaven Village project. The homes will be located within a Gated Community with Single One-Story units ranging from 1,300 square feet to 3,000 square feet in living area, complete with two (2) car garages (Single being one unit per rooftop). The Development area is currently zoned SF-10. The Planned Development (PD) proposes to use the MF zoning district as the basis for the development, as it was in the previous phases, in lieu of the current SF-10 zoning.

The project will continue the development approach taken in the previous two phases and will be designed with the needs and requirements of seniors in the 60 plus age group as its criteria. The area will have close proximity to existing retirement facilities, whose services, food, meeting rooms, hobbies, etc., could be utilized on an as needed basis and is encouraged by the retirement facility management.

The Phase 3 development will be enclosed within a beautiful masonry screening fence just as Phases 1 and 2 are. The main access will be provided by the existing gated entry from Covenant Street. Secondary access is through a gated entrance from Old Clark Road. Phase 3 will have a minimum of 0.25 acres of open space for the residents. They will also have full access to over three acres of open spaces on the west and east perimeters of the previous phases. The exterior elevations of these units will be comparable with units constructed in Phases I and II.

The lighting will meet or exceed the required minimum for streets, walking paths, open green areas, off-street visitor parking and entries. There will be a minimum of interior fencing to emphasize the open area concept.

All structures will be 80% brick veneer. Phase III will include twenty-two (22) single units and two duplex units on private streets. This results in a density of approximately 4.3 units per acre.

The streets, water, sanitary sewer and storm drains will all comply with Cedar Hill City Standards.

The development will be under the control of a Homeowner's Association that will take care of insurance, lawn care, repair of streets, security and outside home maintenance. There will be a sprinkler system for landscaping. Landscaping in street yard will comply with M.F. District. All homeowners will be required to be a member of the Homeowner's Association and pay dues according to the square footage of their home. This is estimated to be in the range of \$0.07 to \$0.10 per square foot per month at the present time.

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JAN 15 2016

**CITY OF CEDAR HILL
PLANNING**

EXHIBIT C

Cresthaven Village, Phase 3 PD Development Standards

All the standards, definitions and requirements of the MF-Multi-Family District, as here and after may be amended, and related to Retirement Housing for the elderly limited to persons 60 years of age or older, shall apply for this Planned Development except for only the following:

Lot Dimension Requirements:

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| Maximum Density | 4.3 Units per Acre |
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Yard Requirements:

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| Minimum Front Yard | 20-feet |
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| Minimum Side Yard | 10-feet |
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| Minimum Rear Yard | 10-feet |
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| Minimum Building Separation | 10-feet |
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Structure Standards:

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| Maximum Height | One Story |
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| Minimum Dwelling Unit Size | 1,300 Sq. Ft. |
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| Minimum Exterior Masonry | 80% of each building |
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| Living Unit Mix | No restrictions of number of bedrooms per unit. |
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| Parking | 2 garage spaces per unit |
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| Other Requirements | Buildings are not required to build to single family standards |
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| Open Space Minimum: | 35% of site to be Open Space; Multifamily Open Space requirements shall not apply. |
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|------------------|---------------------------|
| Sidewalks: | No sidewalks are required |
|------------------|---------------------------|

Private Streets: The streets in Phases 1 and 2 are private and maintained by the development's homeowner association. Four-inch lay down curbs are used in the previous phases and are being requested for Phase 3. Other than the laydown curbs, streets will be built to the city's standard details and specifications.