



AGENDA



AGENDA

PLANNING & ZONING COMMISSION

Tuesday, April 23, 2024

7:00PM at City Hall

Chairman – Russell Newton

Commissioner – Judy Hudson

Commissioner – Jose Valencia

Commissioner – Derrick Little

Commissioner – OPEN

Commissioner – OPEN

Commissioner – OPEN

REGULAR MEETING

1. Call to Order and Declaration of Quorum for the Planning and Zoning (P&Z) Commission.
2. Public comment-
Citizens are invited to address the meeting with public comments. Comments regarding items for which notice has not been given will be limited to three minutes. Responses shall be in accordance with Sec. 551.042 of the Texas Government Code. Comments regarding an item on the agenda may be given before or during discussion of that item when recognized by the Chair. An intentional act intended to disrupt a Government meeting is a violation of law.

CONSENT AGENDA: ACTION

3. Approval of Previous Meeting's Minutes – January 9, 2024

CONSENT AGENDA: ACTION

4. Deliberation and take any appropriate action on the Legacy Park Addition – Preliminary Plat.
5. Deliberation and take any appropriate action on the Multi-Family Dwellings portion of the City Ordinance to prepare for future consideration.

FUTURE AGENDA ITEMS

6. *Future agenda items shall be designated by the Planning & Zoning Chairman. In addition, a motion and a second from any two P&Z commissioners shall be sufficient to add an agenda item for a future meeting. Staff and counsel shall have prior consent of the Chairman to add an agenda item for a future meeting.*
 - 1.
 - 2.
 - 3.
 - 4.
7. Adjournment/Closing –

CERTIFICATION

This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. At any time during the meeting, the Council reserves the right to adjourn into executive session on any of the above-posted agenda items in accordance with the sections 551.071 [litigation and certain consultation with attorney], 551.072 [acquisition of an interest in real property], 551.073 [contract for gift to City], 551.074 [certain personnel deliberations] or 551.076 [deployment/ implementation of security personnel or devices]. The City of Nevada is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. **Please call the Assistant City Secretary at (972) 853-0027 Ext: 101 for information.**

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the other boards, commissions and/or committees shall not deliberate or decide any matters relating to items listed on this agenda and no minutes shall be prepared.

A member or member of the government body holding this meeting may attend via videoconference pursuant to the provisions of Tex. Gov't Code 551.127. In the event that a member or members of the government body holding this meeting attends via videoconference, a quorum of the government body holding this meeting will be physically present at the location identified above.

I certify that the above agenda for this meeting of the City Council of the City of Nevada, Texas, was posted on the bulletin board at City Hall, in Nevada, Texas, **on Friday, April 19, 2024**, by 5:00 pm pursuant to Chapter 5 51 of the Texas Government Code.



Heather Schell, Assistant City Secretary

A large, light-colored, semi-transparent map of the state of Texas is centered on the page. The map is rendered in a pale, almost white color with a slight texture, making it a subtle background element. Overlaid on the map is the text "AGENDA ITEM #3".

AGENDA ITEM

#3



MINUTES

PLANNING & ZONING COMMISSION

Tuesday, January 9, 2024

7:00PM at City Hall

Planning & Zoning Chairman – Russell Newton

Commissioner – Jeff Cook

Commissioner – Shane Brinton

Commissioner – Judy Hudson

Commissioner – Jose Valencia

Commissioner – OPEN

Commissioner – OPEN

City Staff:

Heather Schell, Assistant City Secretary

Chris Donnan, City Engineer

Jim Shepherd, City Attorney

Citizens:

Bart Carroll

Nathan Olson

Jim Woomeer

REGULAR MEETING

1. **Call to Order and Declaration of Quorum-**

Time: 7:20PM

Commissioners Cook and Brinton were absent.

2. **Public Comment –**

Citizens are invited to address the meeting with public comments. Comments regarding items for which notice has not been given will be limited to three minutes. Responses shall be in accordance with Sec. 551.042 of the Texas Government Code. Comments regarding an item on the agenda may be given before or during discussion of that item when recognized by the Chair. An intentional act intended to disrupt a government meeting is a violation of law.

There was no public commentary.

CONSENT AGENDA: ACTION

3. **Approval of Previous Meeting Minutes – July 25, 2023**

Commissioner Hudson made a motion to approve the Minutes as written; Commissioner Valencia seconded the motion. Y: 3 N: 0

REGULAR AGENDA

4. Review and Consider the Bear Creek Preliminary Plat

Chris Donnan, City Engineer spoke regarding the Bear Creek Preliminary Plat and provided his recommendation to approve the plat with the conditions outlined in his recommendation letter. Commissioner Hunson made a motion to accept the plat with the conditions to the Bear Creek Preliminary Plat. Commissioner Valencia seconded the motion.

Y: 3 N: 0

5. Review and Consider Potential Updates for the 1/2 – Acre Ordinance regarding Accessory Building Roof Height, Lot Width, and Roof Pitch:

Commissioner Hudson motioned to accept the amendments to the 1/2 – Acre Ordinance regarding Accessory Building Roof Height to 20ft and the Roof Pitch to 6 and 12. No action was taken regarding the Lot Width on the 1/2 Acre Ordinance. Commissioner Valencia Seconded the motion.

Y: 3 N: 0

6. Review and Consider Potential Updates for the 1 – Acre Ordinance regarding Accessory Building Roof Height, Lot Width, and Roof Pitch:

Commissioner Hudson motioned to accept and amend the 1 – Acre Ordinance regarding Accessory Building Roof Height to 20ft and the Roof Pitch to 6 and 12. No action was taken regarding the Lot Width on the 1/2 Acre Ordinance. Commissioner Valencia Seconded the motion.

Y: 3 N: 0

7. Future Agenda Items –

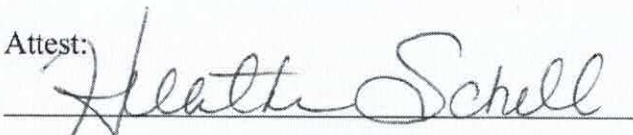
- 1.
- 2.
- 3.
- 4.

6. Adjournment / Closing –

Time: 8:07PM

Russell Newton, Chairman

Attest:



Heather Schell, Assistant City Secretary



A large, light blue, semi-transparent map of the state of Texas is centered on the page. The map is slightly faded and serves as a background for the text.

AGENDA ITEM

#4

City of Nevada
424 E FM 6, Nevada TX 75173
972 853-0027 Fax 972 853-0027
APPLICATION FOR PLAT

OFFICE USE ONLY

Cash Number: 24-00066-04
Fee: \$4865.00

Submittal Date: 4/5/2024
Received By: Heather Schell

DESCRIPTION OF PROPERTY

Legal Description: Attach a metes and bounds description of subject property and a survey plat.

Address of Property: 615 E. FM 6, NEVADA, TX 75173

General Location: Northwest of the intersection of FM 6 and CR 595

Proposed Name of Subdivision: Legacy Park Addition

Acreage of Subdivision: 57.174 acres

Number of Lots: 73

Residential and Commercial Density: 1.27/ac
(based on gross acreage)

Present Zoning of Subject Property: Developer's Agreement

Owner
Owner(s): HNJN LLC

Applicant
Applicant: Carroll Consulting Group, Inc.

Address: 7157 Chelsea Dr
North Richland Hills, TX, 76180

Address: 203 W. FM 6
Nevada, TX 75173

Telephone: _____

Telephone: 972-840-1506

Fax: _____

Fax: _____

E-mail: hdnhdb@yahoo.com

E-mail: orders@landsurveytx.com

Person preparing Plat: Carroll Consulting Group, Inc.

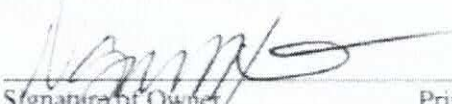
Name of Firm: _____

Address: _____

Phone: _____ Fax: _____ E-mail: _____

Designation of Agent Form

I hereby authorize the person designated below, to act in the capacity as my agent for the application, processing and representation of this request. The designated agent shall be the principal contact person with the city (and vice versa) in processing and responding to requirements, information requests or other issues relative to this request.

 Hui Nguyen 4-4-24
Signature of Owner Printed Name Date

 SAM CARROLL 4/2/24
Signature of Applicant Printed Name Date
(if different from designated agent)

Signature of Agent Printed Name Date

Address of Agent: _____

Phone: _____
Fax: _____
Cell Phone: _____



Russell Newton
Planning and Zoning Commission Chair
City of Nevada
424 FM 6
Nevada, TX 75173

April 11, 2024

RE: Legacy Park Addition – Preliminary Plat
HEI Job Number 385001-86.32

Dear Mr. Newton,

Hayter Engineering has reviewed the Legacy Park Addition preliminary plat. Our review was for general conformance and shall not relieve the developer or the developer's surveyor or design engineer of full responsibility for the adequacy and integrity of the survey and design, or for conformance to Local, State, and Federal codes.

Construction plans and specifications were submitted; however, will be reviewed separately from the preliminary plat. As such, Hayter Engineering's review was of the preliminary plat only. After review, Hayter Engineering recommends that the Legacy Park Addition preliminary plat be approved with the following conditions:

1. A closure report shall be submitted (Ordinance No. 17-14, Article IV, Sec. 17).
2. Ensure labels do not cover up/overlap other labels (Ordinance No. 17-14, Article IV, Sec. 17).
3. Called boundary line bearings do not match bearings noted in the metes and bounds description on page two (Ordinance No. 17-14, Article IV, Sec. 17 (1) a).
4. The ½ inch iron pin found, at the point of beginning, called for in the metes and bounds description is not shown on page one of the plat (Ordinance No. 17-14, Article IV, Sec. 17 (1) a).
5. Denote the existing roadway width of CR 595 and FM 6 (Ordinance No. 17-14, Article IV, Sec. 17 (1) b).
6. Show existing features such as existing driveways, buildings, pools, and other structures (Ordinance No. 17-14, Article IV, Sec. 17 (1) b).
7. Show the existing city limit boundary on the plat (Ordinance No. 17-14, Article IV, Sec. 17 (1) b).
8. There is an existing 100-foot-wide Atmos gas easement running northeast through the subject property. The plat should list any restrictions (e.g. fencing, structures, OSSF) within this easement (Ordinance No. 17-14, Article IV, Sec. 17 (1) b).
 - a. Typically, Atmos allows very little within their easement. Assuming that is the case, Lots 46 through 53 are for all intents and purposes only approximately 0.35-acres.
 - b. If Atmos does not allow portions of a lot's OSSF within their easement, this could further reduce the buildable area of these lots.

Practical Infrastructure Solutions

4445 SE Loop 286 | Paris, TX 75460 | haytereng.com
TxEng F-315 | Txsurv F-10028600 | OSBPE/LS #503 | ASBPE #2521
Texas | Oklahoma | Arkansas

9. There is an existing 110-foot-wide Seaway crude pipeline easement cutting across the northwest corner of the subject property. The plat should list any restrictions (e.g. fencing, structures, OSSF) within this easement (Ordinance No. 17-14, Article IV, Sec. 17 (1) b).
 - a. Provide confirmation that the Seaway easement does not cross any other portions of the subject property as it extends southeast toward FM 6.
10. Confirm there is no TxDOT drainage easement along the channel that crosses under FM 6 near the southwest corner of the subject property (Ordinance No. 17-14, Article IV, Sec. 17 (1) b).
11. Provide confirmation from both Atmos and Seaway that they have reviewed the proposed development and have no issues with the roads, utilities, and lots that are within their easements.
12. Show and label existing utilities including water lines, valves, hydrants, franchise utilities (e.g. fiber, electric, gas, cable), driveway and roadway culverts (Ordinance No. 17-14, Article IV, Sec. 17 (1) c).
13. The metes and bounds description call out three tracts (3.00-, 15.04-, 39.13-acre) within the platted area. These tracts should be identified with a unique line type and labeled (Ordinance No. 17-14, Article IV, Sec. 17 (1) e).
14. It is unclear who will own and maintain Common Areas A and B (Ordinance No. 17-14, Article IV, Sec. 17 (2) e).
15. There is an existing creek that runs through Lots 32, 33, and 34. The existing creek should be placed in a drainage easement (Ordinance No. 17-14, Article IV, Sec. 17 (2) f).
16. For all intents and purposes, Lot 9 is only 80-feet wide. Depending on the Atmos easement restrictions and orientation and square footage of the future house, access to the backyard could be severely limited (Ordinance No. 17-14, Article IV, Sec. 17 (2) g).
17. The development of Lot 33 will be impacted by the existing channel and associated flood boundary. Based on the results of Base Flood Elevation (BFE) determination (see comments below), care should be taken to ensure this lot is truly developable. It is possible that this lot will need to be combined with an adjacent lot to provide sufficient space for future development (Ordinance No. 17-14, Article IV, Sec. 17 (2) g).
18. As mentioned above, Lots 46 through 53 could be severely impacted by the Atmos gas easement. It is possible that these lots will need to be modified to accommodate the easement and provide sufficient space for future development (Ordinance No. 17-14, Article IV, Sec. 17 (2) g).
19. There are two creeks that cut through the subject property, one near the northeast corner (Lots 32, 33, and 34) and another near the southwest corner (Lots 7, 8, and 9). While neither channel is within a FEMA designated Special Flood Hazard Area (SFHA), that does not mean that both channels do not have an associated floodplain. Base Flood Elevations (BFE) should be determined and mapped for both channels (pre- and post-project conditions) to determine potential impacts both channels and the associated roadway crossings will have on lots within the subject tract as well as adjacent properties to the subject tract. Doing this will aid in setting finished floor elevations and determining where structures should and should not be located on impacted lots. Furthermore, any proposed fill being placed within the determined flood limits should be accounted for too. Ultimately, there can be no adverse impacts to adjacent property owners. (Ordinance No. 17-14, Article IV, Sec. 17 (2) i).
20. Based on the submitted plat, there appears to be no proposed detention pond(s) to ensure post-development flows do not exceed pre-development flows. Please provide an explanation as to why a detention pond(s) is not required. Alternatively, a downstream assessment showing the

existing downstream facilities can handle post-development flows would be an acceptable alternative (Ordinance No. 17-14, Article IV, Sec. 17 (3)).

21. Please provide evidence that the existing CR 595 culverts and FM 6 culverts are sized to handle the post-development runoff. If they are not, then the culverts will need to be upsized accordingly. Regardless of the outcome, BFEs should be determined and mapped to show the culverts' impacts on the proposed development (Ordinance No. 17-14, Article IV, Sec. 17 (3)).
22. A typical cross section of the proposed roadways should be included on the plat (Ordinance No. 17-14, Article IV, Sec. 17 (5)).
23. The preliminary plat approval block should be updated to match the wording found in the City's Subdivision Ordinance (Ordinance No. 17-14, Article IV, Sec. 17 (6)).

If you have any questions regarding the comments for this preliminary plat, please do not hesitate to call (903.785.0303) or email (cdonnan@haytereng.com).

Sincerely,

HAYTER ENGINEERING, INC.



Christopher M. Donnan, P.E., CFM
Principal/Project Manager



OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN
I, the undersigned authority, a Notary Public in and for the State of Texas, do hereby certify that the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated.

SURVEYOR CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, that I, the undersigned authority, a Notary Public in and for the State of Texas, do hereby certify that the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated.

NOTARY CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN
Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day of _____, 2024, the following instrument was presented to me for my signature and seal and the same was acknowledged to me that he executed the same in the capacity therein stated.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

My commission expires: _____
Notary Public in and for the State of Texas
My commission expires: _____

WITNESSES MY HAND THIS DAY OF _____, A.D. 2024.

The undersigned, the City Secretary of the City of Nevada, Texas, hereby certifies that the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated.

RECOMMENDED FOR APPROVAL

City Secretary
City of Nevada, Texas
Date
CERTIFICATE OF COMPLETION
"Accepting"

APPROVED

Mayor, City of Nevada, Texas
Date
CERTIFICATE OF COMPLETION
"Accepting"

WITNESSES MY HAND THIS DAY OF _____, A.D. 2024.

Notary Public in and for the State of Texas
My Commission Expires

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

My Commission Expires

WITNESSES MY HAND THIS DAY OF _____, A.D. 2024.

Notary Public in and for the State of Texas
My Commission Expires

WITNESSES MY HAND THIS DAY OF _____, A.D. 2024.

Notary Public in and for the State of Texas
My Commission Expires

WITNESSES MY HAND THIS DAY OF _____, A.D. 2024.

Notary Public in and for the State of Texas
My Commission Expires

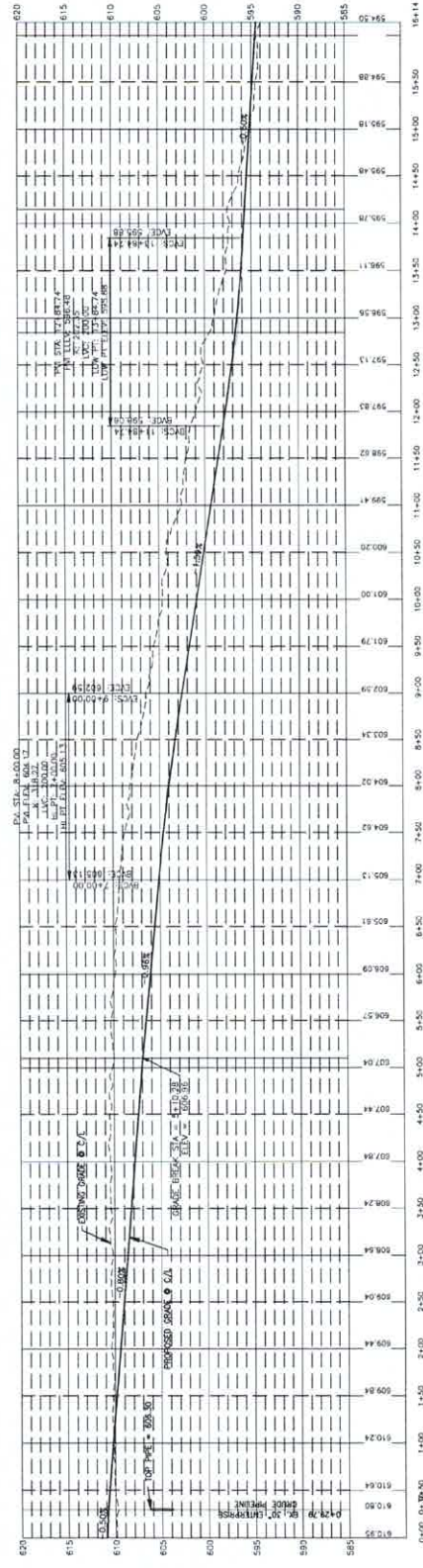
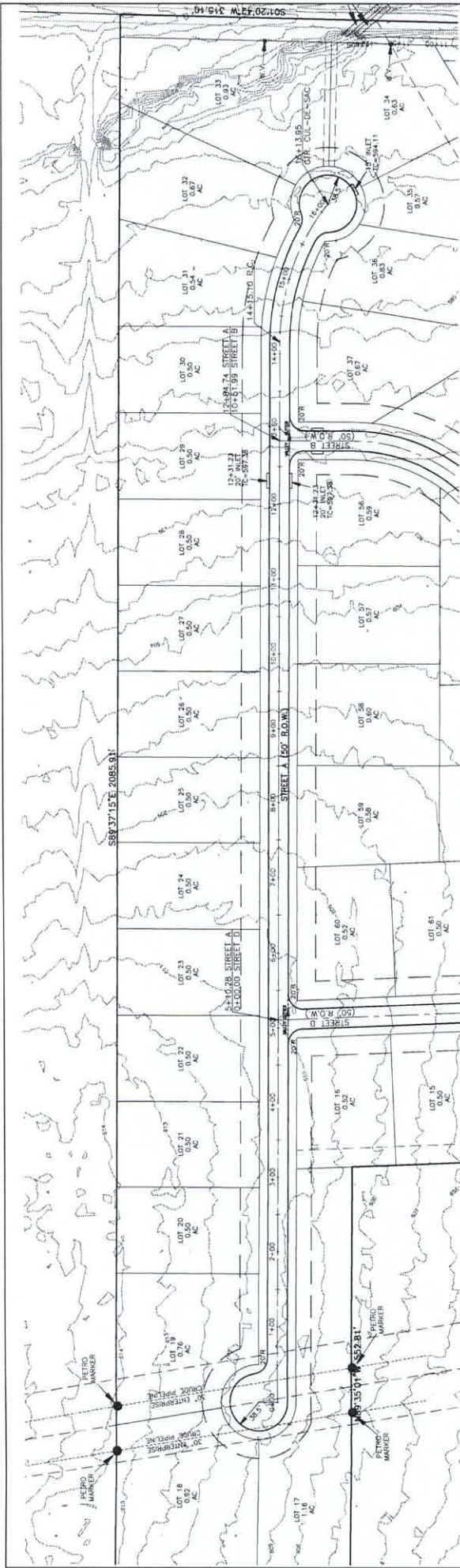
WITNESSES MY HAND THIS DAY OF _____, A.D. 2024.

Notary Public in and for the State of Texas
My Commission Expires

ENGINEER: NED, P.E.
5231 HWY 75, SUITE 200
DALLAS, TEXAS 75246
PHONE: 972-714-8847
FIRM NO. F-11286
OWNERS:
HUN, LLC
101 THANE NGUYEN
7157 CHELSEA DRIVE
NORTH RICHLAND HILLS, TX 78180



LEGACY PARK ADDITION
73 RESIDENTIAL LOTS
57.174 ACRES OF LAND
AND BEING SITUATED IN THE
JAMES OSGOOD SURVEY, ABSTRACT NO. 673
CITY OF NEVADA, COLLIN COUNTY, TEXAS
CARROLL CONSULTING GROUP, INC.
P.O. BOX 11
LAVON, TEXAS 75186
TELEPHONE: 972-742-4411
TELEFAX: 972-742-4411
DATE PREPARED: MARCH 28, 2024
DRAWN BY:
JOB NO.:
SCALE: 1"=100'
MARCH 28, 2024
CP



1

PAVING PLAN/PROFILE
 STREET A
 LEGACY PARK ADDITION

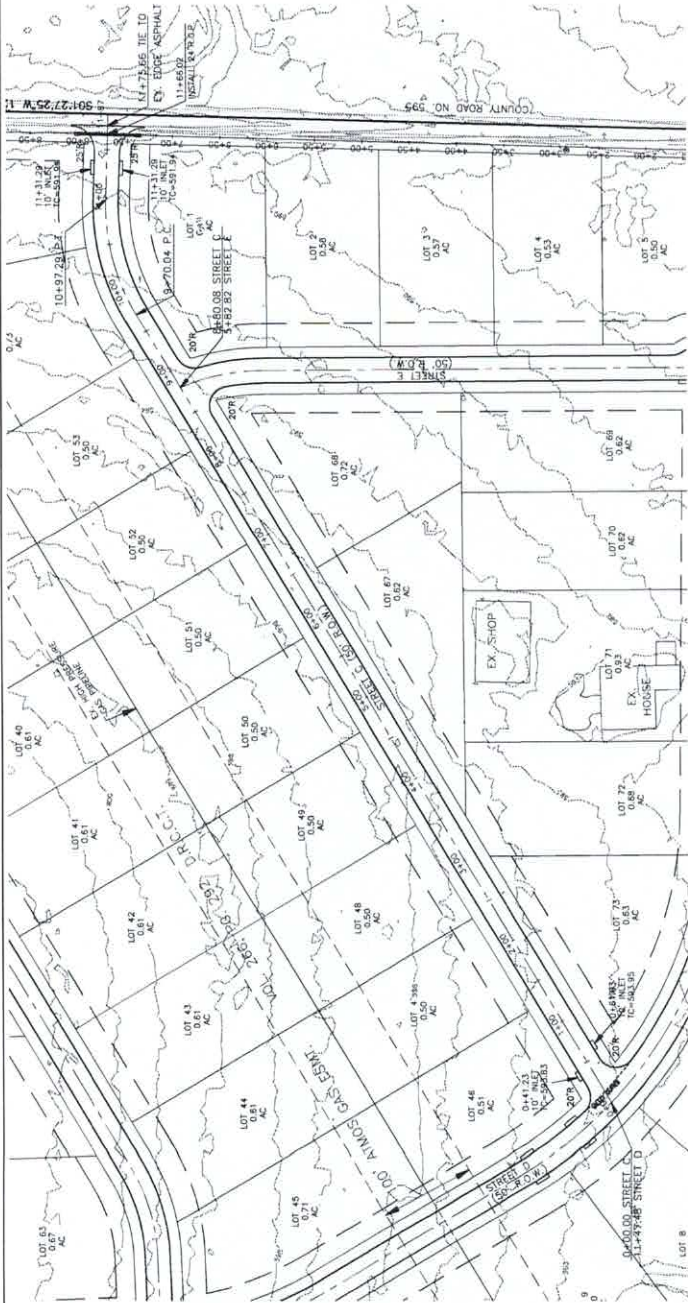
CARROLL CONSULTING GROUP, INC.
 P.O. BOX 11 972-742-4411 TBPELS REGISTRATION NO: F-21608
 LAVON, TEXAS 75166 TEXAS FIRM REGISTRATION NO: 10007200

JOB NO. DATE PREPARED: SCALE: H = 1"=30' V = 1"=5'
 LEGACY PARK ADDITION MARCH 26, 2024 DRAWN BY: CP

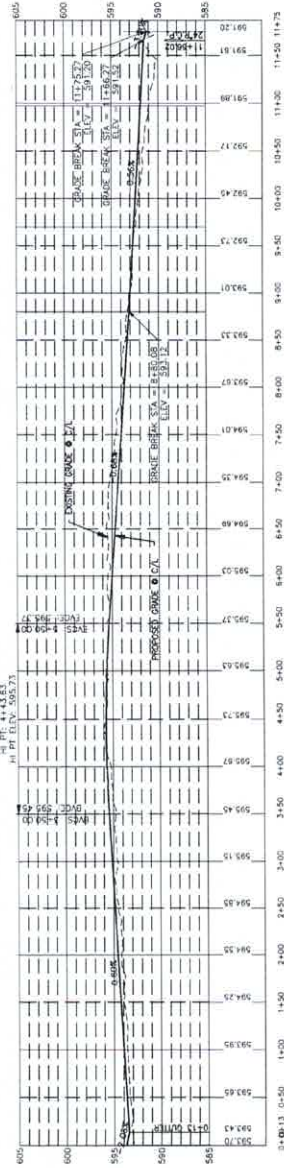
LEGEND
 --- EXISTING CONTOUR
 --- EXISTING CONTOUR
 --- EXISTING CONTOUR



GRAPHIC SCALE
 1" = 40'



PM STA. 4+50.00
 PVI ELEV. 596.05
 G.S. 2.00%
 L.S. 200.00'
 H.P. 11+35.5'
 H.P. 11+35.5'
 H.P. 11+35.5'



NOTE:
 TOP OF CURB GRADE IS 0.23'
 HIGHER THAN CENTERLINE GRADE.

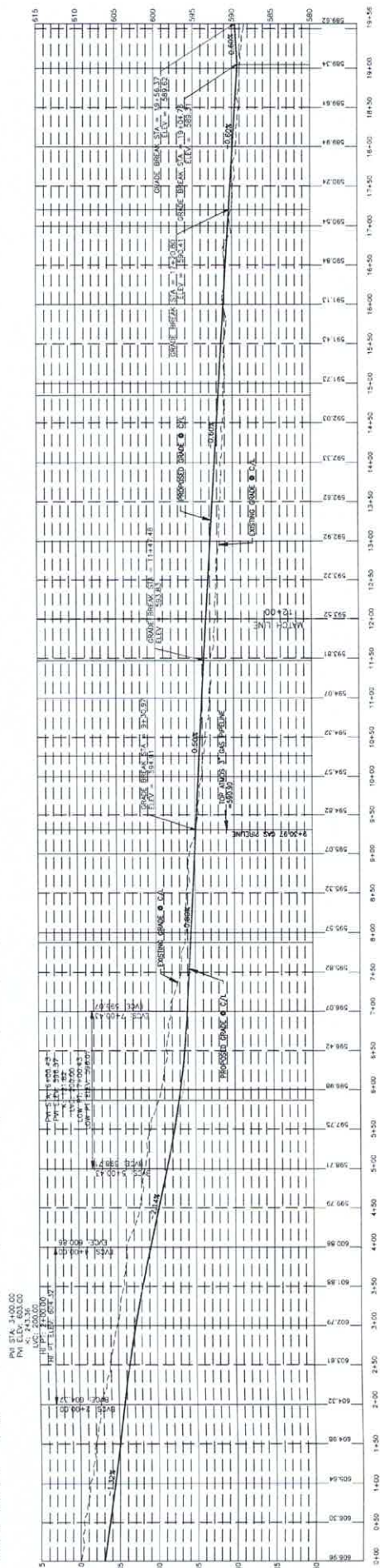
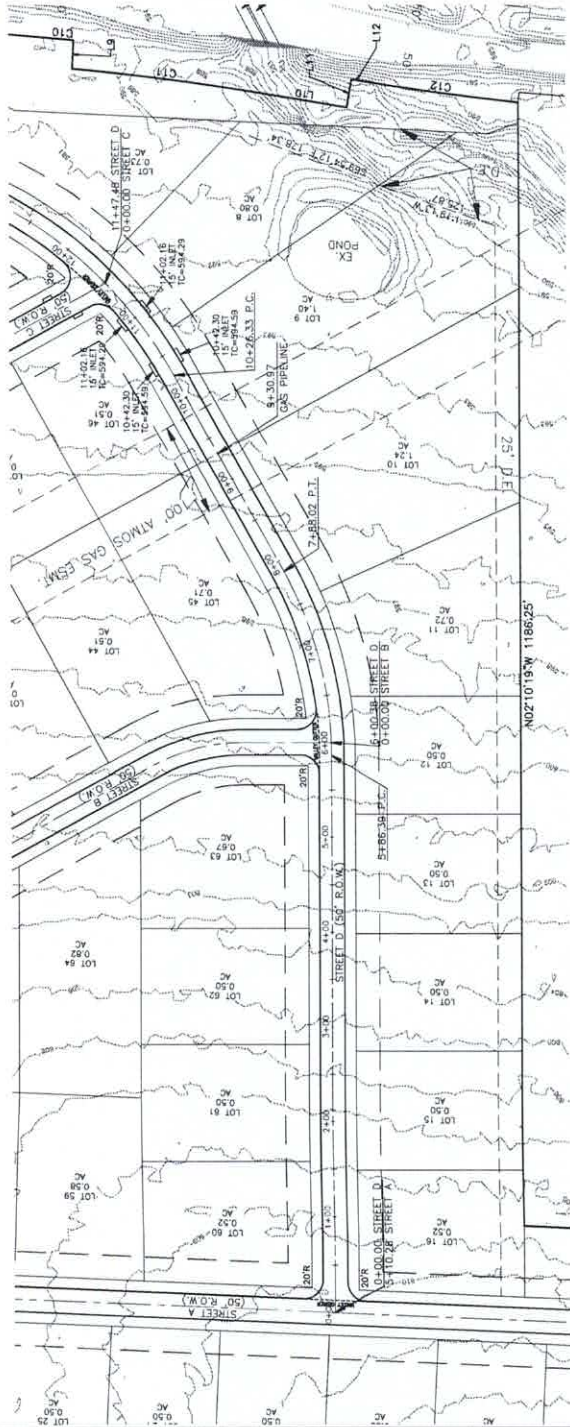


3

PAVING PLAN/PROFILE

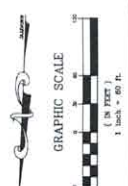
STREET C
LEGACY PARK ADDITION

CARROLL CONSULTING GROUP, INC.
 P.O. BOX 11 972-742-4411 TBPES REGISTRATION NO.: F-21608
 LAVON, TEXAS 75166 TEXAS FIRM REGISTRATION NO.: 10007200
 JOB NO. DATE PREPARED: MARCH 28, 2024 N = 1"=80'
 LEGACY PARK ADDITION DRAWN BY: CP V = 1"=40'



NOTE:
TOP OF CURB GRADE IS 0.23"
HIGHER THAN CENTRELINE GRADE

LEGEND
 --- EXISTING CONTOUR
 --- EXISTING CONTOUR
 --- EXISTING CONTOUR



PAVING PLAN/PROFILE

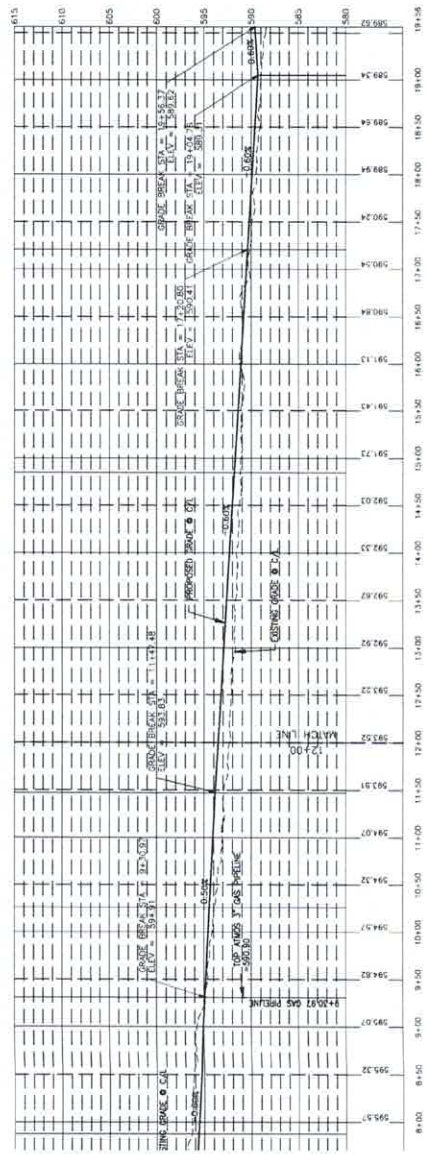
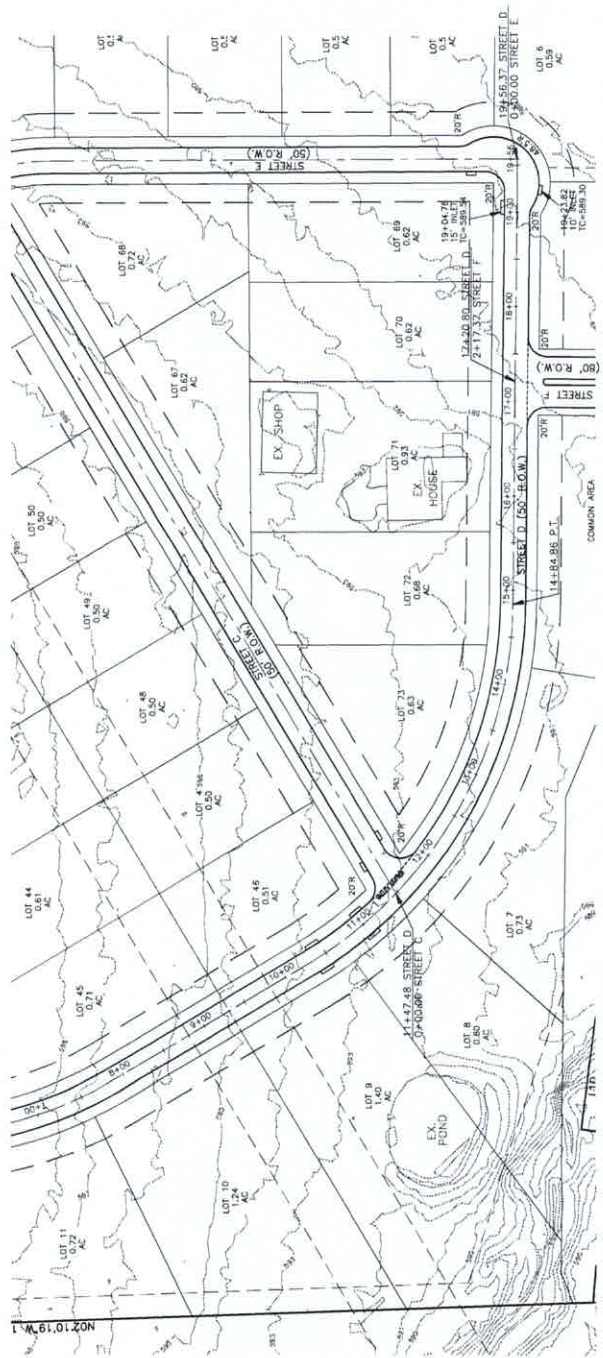
STREET D STA 0+00 TO STA 12+00

LEGACY PARK ADDITION

CARROLL CONSULTING GROUP, INC.

P.O. BOX 11 972-742-4411 TBP&LS REGISTRATION NO.: F-21618
LAWON, TEXAS 75166 TEXAS FPM REGISTRATION NO.: 1007200

JOB NO. LEGACY PARK ADDITION	DATE PREPARED: MARCH 28, 2024	SCALE: H = 1"=40' V = 1"=4'
DRAWN BY: CP		



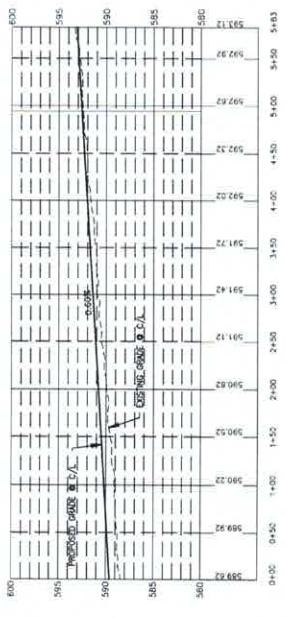
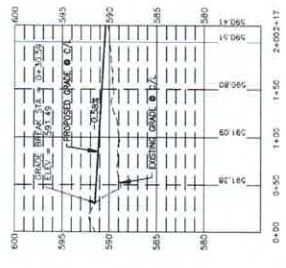
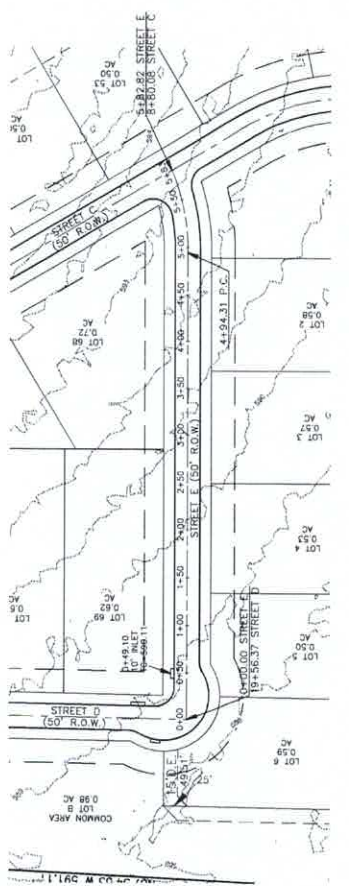
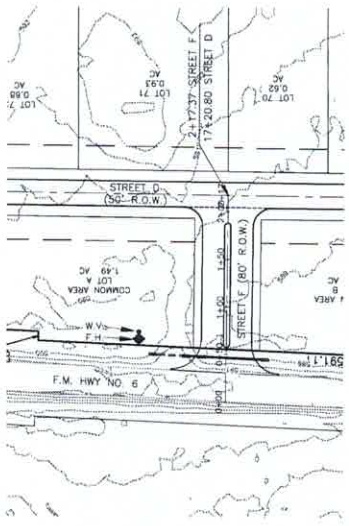
NOTE:
TOP OF CURB GRADE IS 0.23'
HIGHER THAN CENTERLINE GRADE

LEGEND
--- EXISTING CONTOUR
--- EXISTING CONTOUR
--- EXISTING CONTOUR

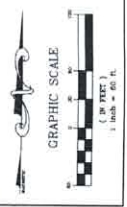


5

PAVING PLAN/PROFILE
STREET D STA 12+00 TO STA 19+56.37
LEGACY PARK ADDITION
CARROLL CONSULTING GROUP, INC.
P.O. BOX 11 972-742-4411 TBEELS REGISTRATION NO.: F-21608
LAVON, TEXAS 75166 TEXAS FIRM REGISTRATION NO.: 10007200
JOB NO. DATE PREPARED: MARCH 28, 2024 SCALE: N = 1"=40'
LEGACY PARK ADDITION DRAWN BY: V = 1"=8'



NOTE:
TOP OF CURB GRADE IS 0.23'
HIGHER THAN CENTERLINE GRADE



LEGEND	
---	EXISTING CONTOUR
—	601 - EXISTING CONTOUR

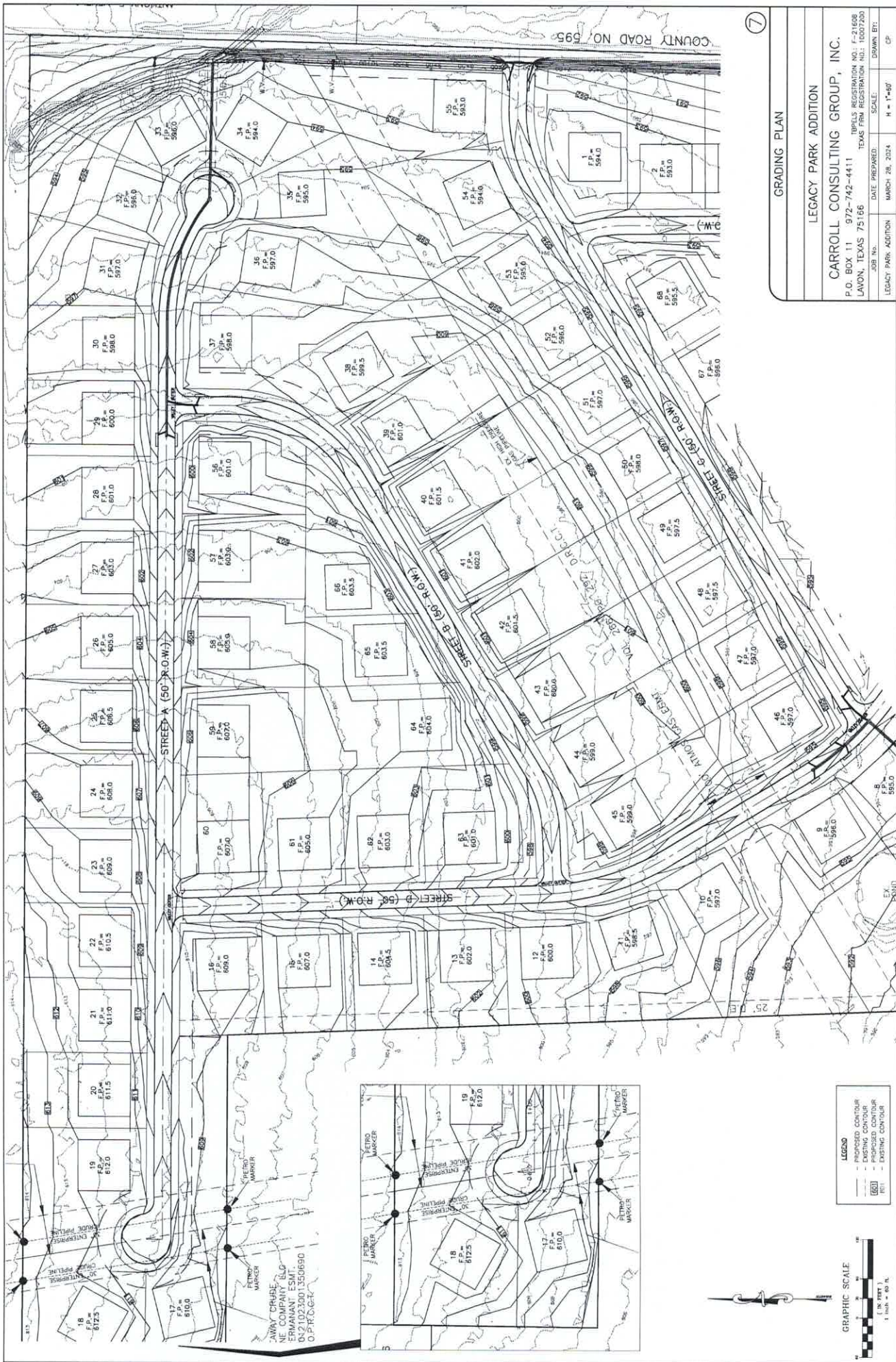
(6)

PAVING PLAN/PROFILE
STREET E & STREET F
LEGACY PARK ADDITION

CARROLL CONSULTING GROUP, INC.

P.O. BOX 11 972-742-4411 TBPELS REGISTRATION NO.: F-21608
LAVON, TEXAS 75166 TEXAS FIRM REGISTRATION NO.: L0007200

JOB NO.: LEGACY PARK ADDITION DATE PREPARED: MARCH 28, 2024 DRAWN BY: CP
SCALE: H = 1"=60' V = 1"=6'



7

GRADING PLAN

LEGACY PARK ADDITION

CARROLL CONSULTING GROUP, INC.

P.O. BOX 11 972-742-4411 TBPELS REGISTRATION NO.: F-21608
 LAYON, TEXAS 75166 TEXAS FIRM REGISTRATION NO.: 10007200

JOB NO. DATE PREPARED: MARCH 28, 2024 SCALE: H = 1"=40'
 LEGACY PARK ADDITION DRAWN BY: CP

LEGEND

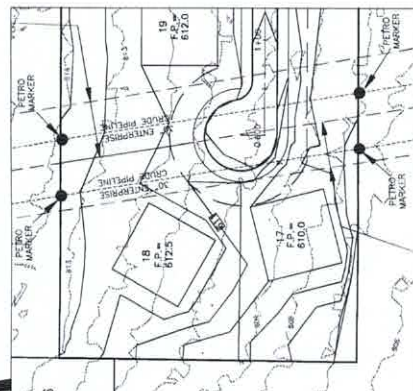
— PROPOSED CONTOUR
 - - - EXISTING CONTOUR
 (---) PROPOSED CONTOUR
 (---) EXISTING CONTOUR

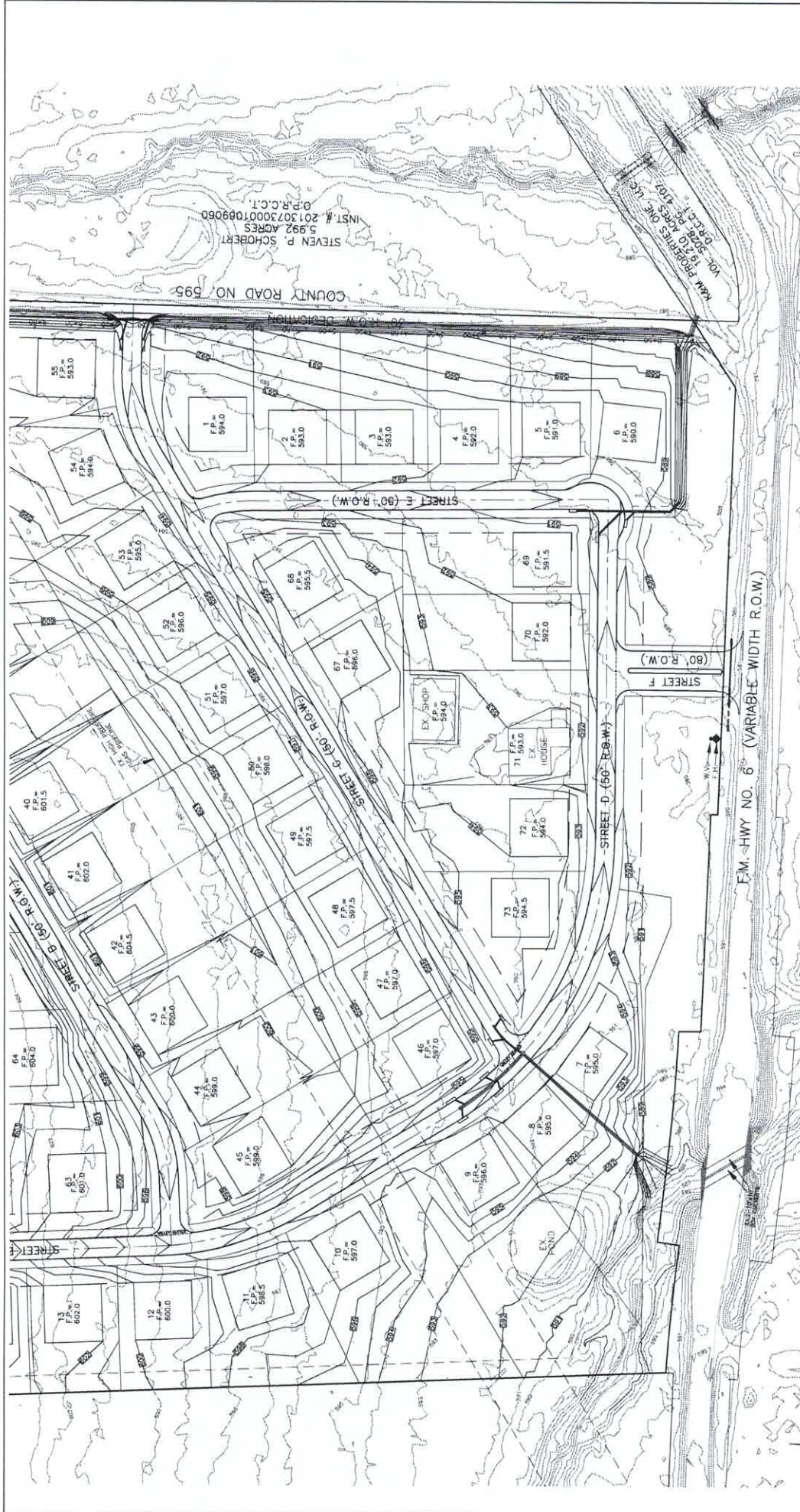
GRAPHIC SCALE

1" = 40'

1 inch = 40 feet

ANY CHANGES
 BY COMPANY (L.G.)
 ERMANT ESMT
 0421023001350690
 O.P.H.C.G.C.





STEVEN P. SCHOBERT
 5992 ACRES
 INST. # 20130730001089080
 O.P.R.C.C.T.

KAM PROPERTIES ONE LLC
 VOL. 18 2020 PAGES 4107

GRADING PLAN

LEGACY PARK ADDITION

CARROLL CONSULTING GROUP, INC.

P.O. BOX 11 972-747-4411 TBPELS REGISTRATION NO.: F-21608
 LAVON, TEXAS 75166 TEXAS FIRM REGISTRATION NO.: 10007200

JOB NO. DATE PREPARED: MARCH 28, 2024 DRAWN BY: CP
 SCALE: H = 1"=40'

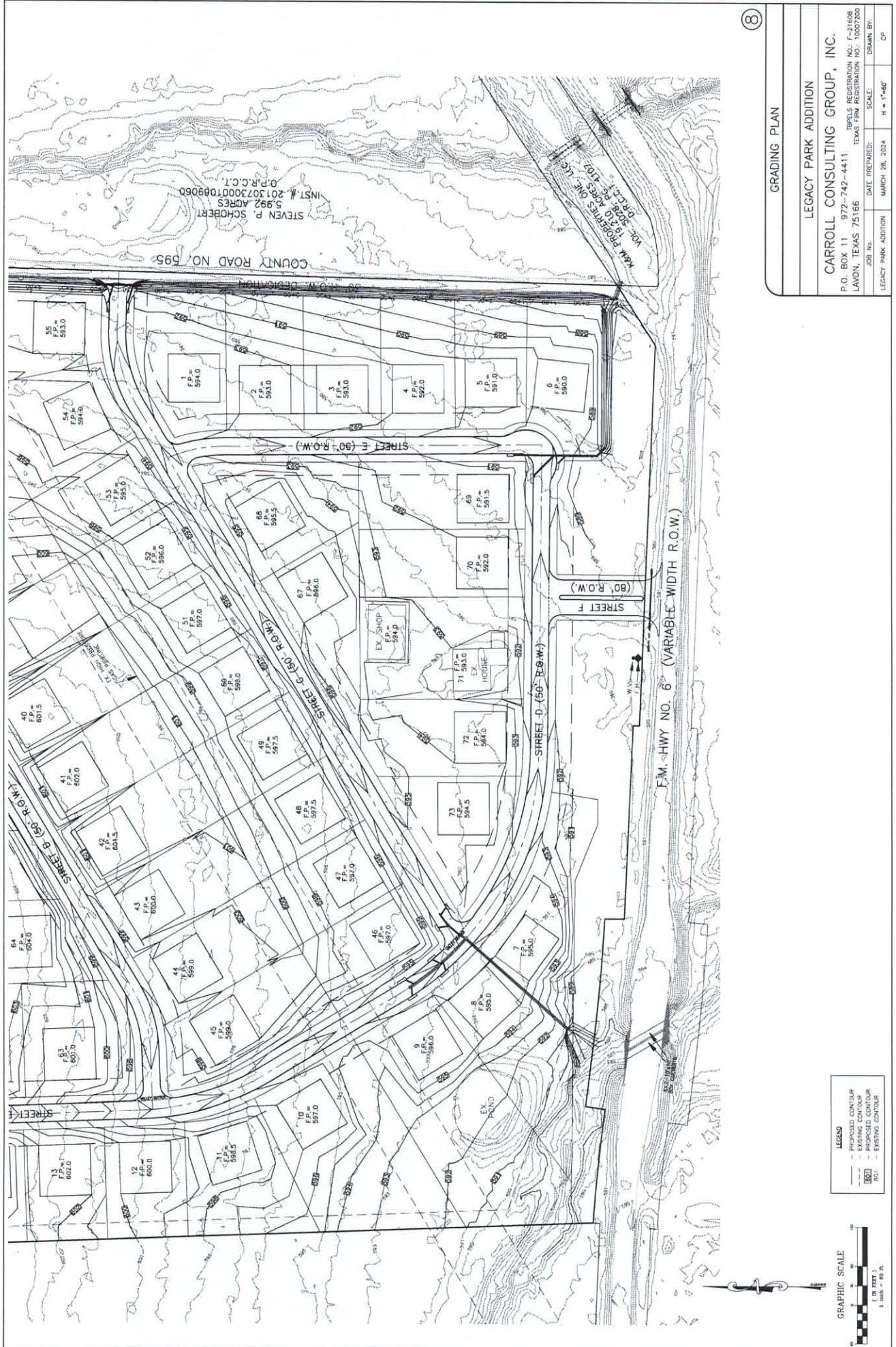
8

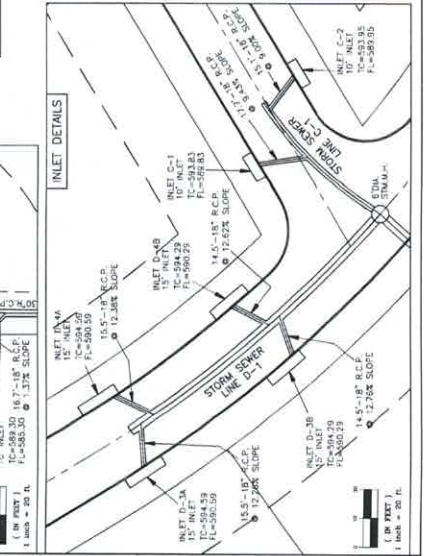
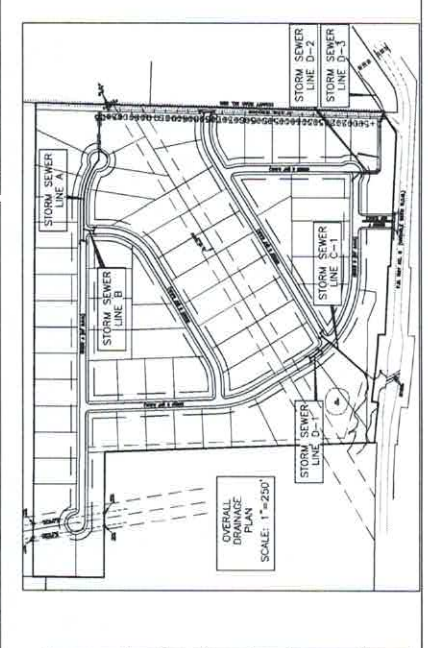
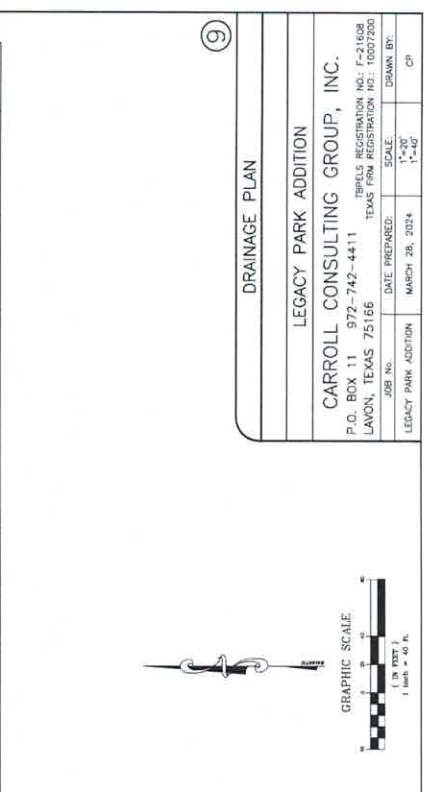
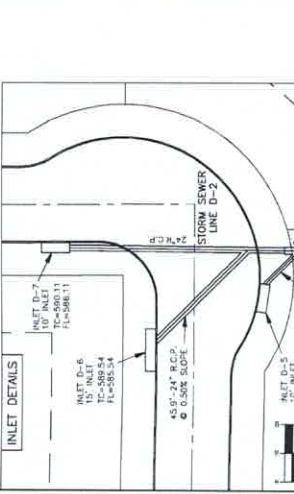
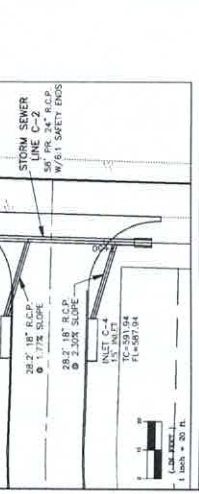
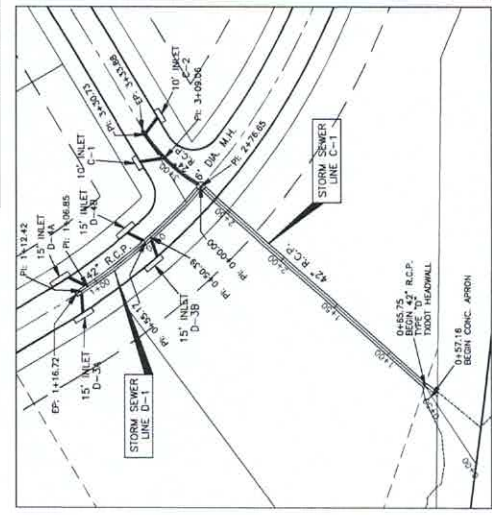
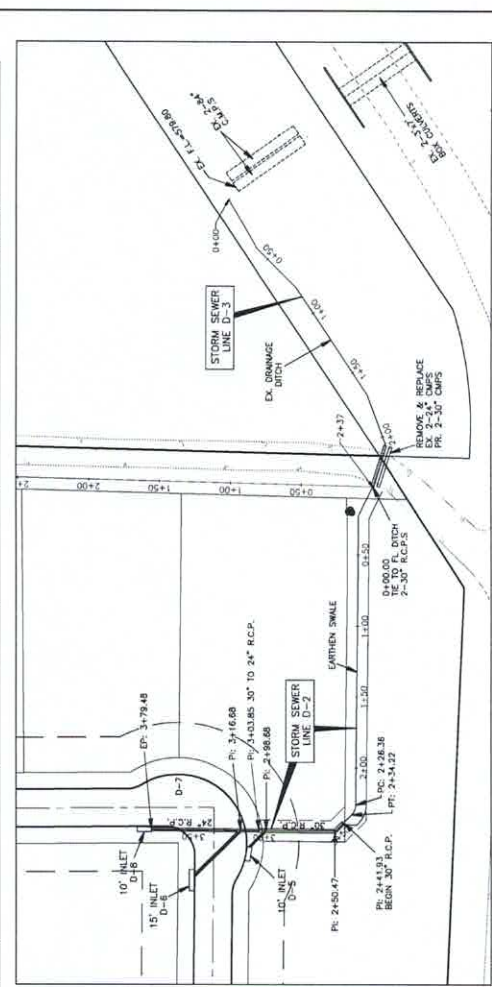
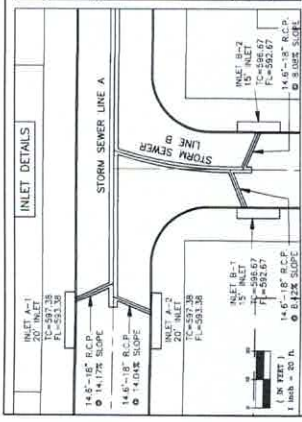
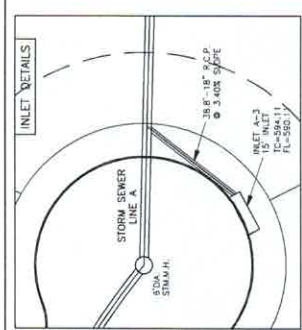
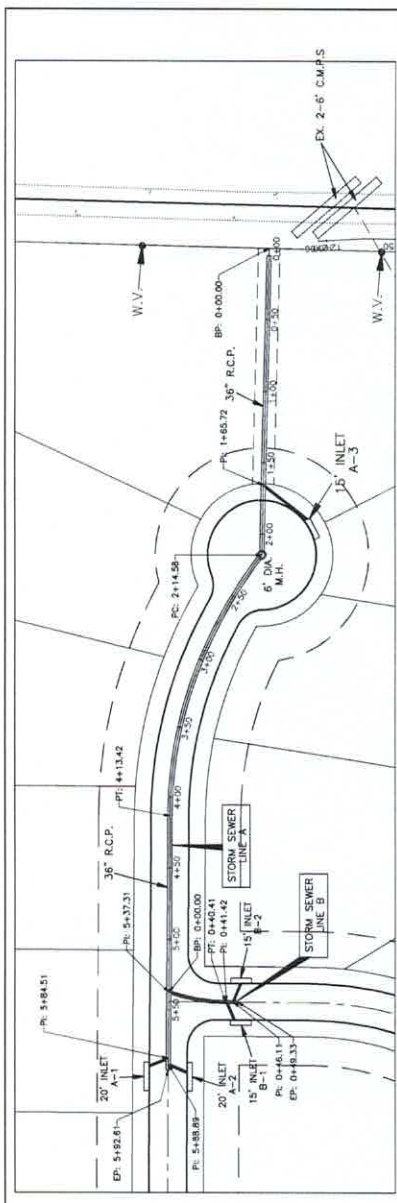
LEGEND

- PROPOSED CONTOUR
- - - EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING CONTOUR



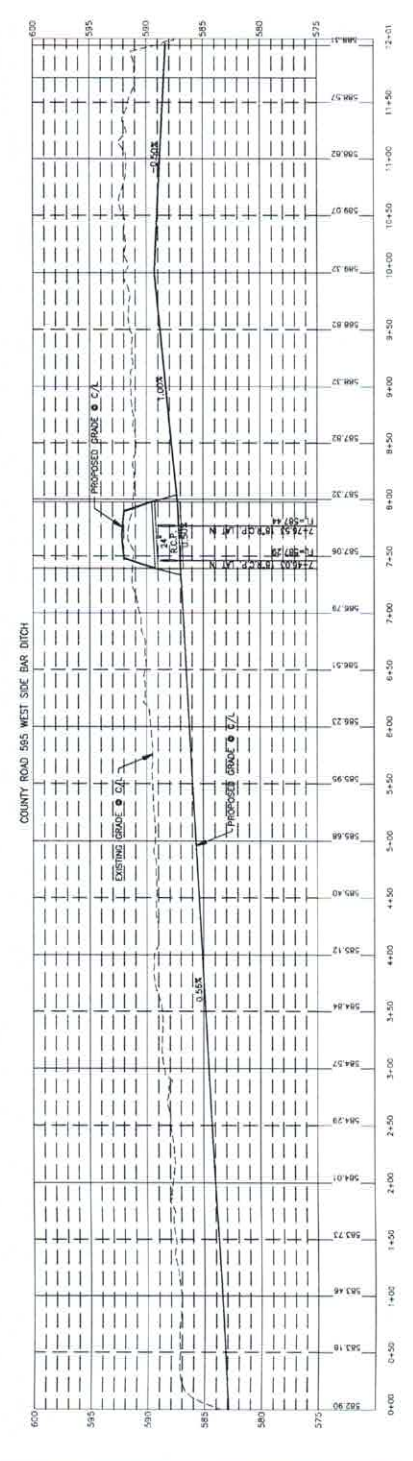
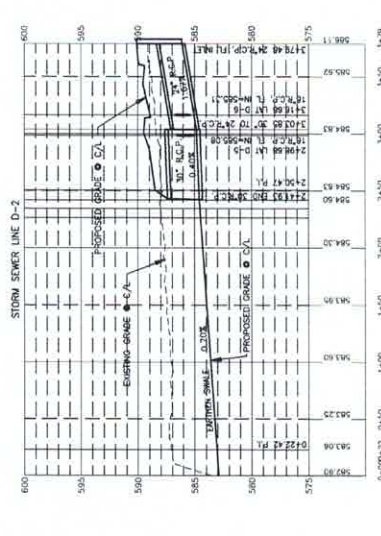
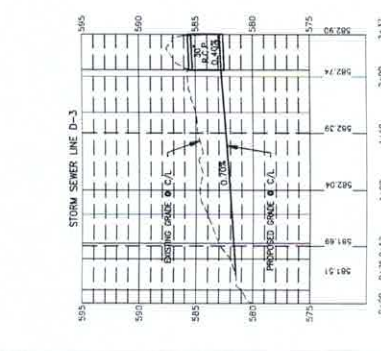
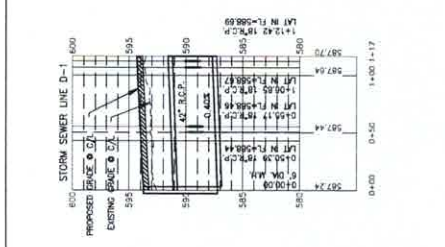
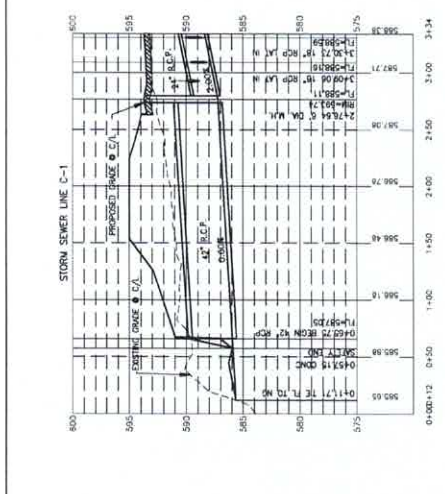
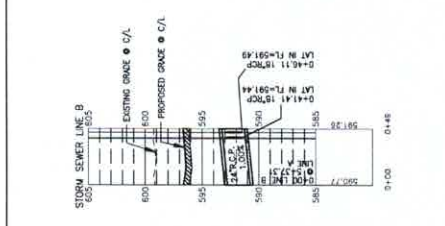
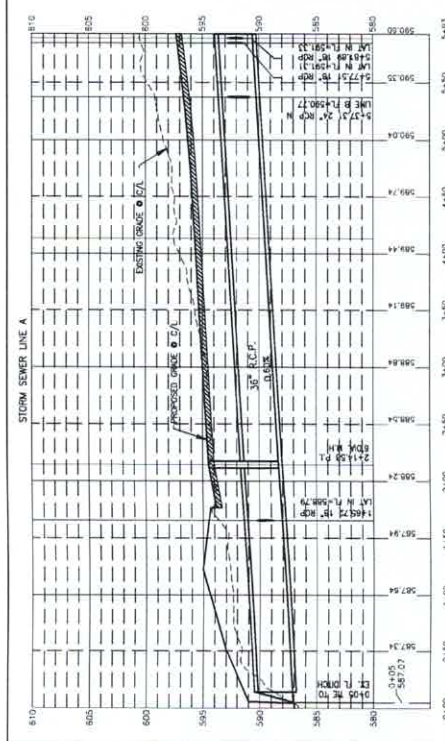
F.M. HWY NO. 6 (VARIABLE WIDTH R.O.W.)





DRAINAGE PLAN	
LEGACY PARK ADDITION	
CARROLL CONSULTING GROUP, INC.	
P.O. BOX 11 972-742-4411 TBEELS REGISTRATION NO.: F-21608	
LAWSON, TEXAS 75166 TEXAS FIRM REGISTRATION NO.: 10007200	
JOB NO.	DATE PREPARED:
LEGACY PARK ADDITION	MARCH 28, 2024
SCALE:	DRAWN BY:
1" = 30'	CP
1" = 40'	

9



(10)

STORM DRAINAGE PROFILES

LEGACY PARK ADDITION

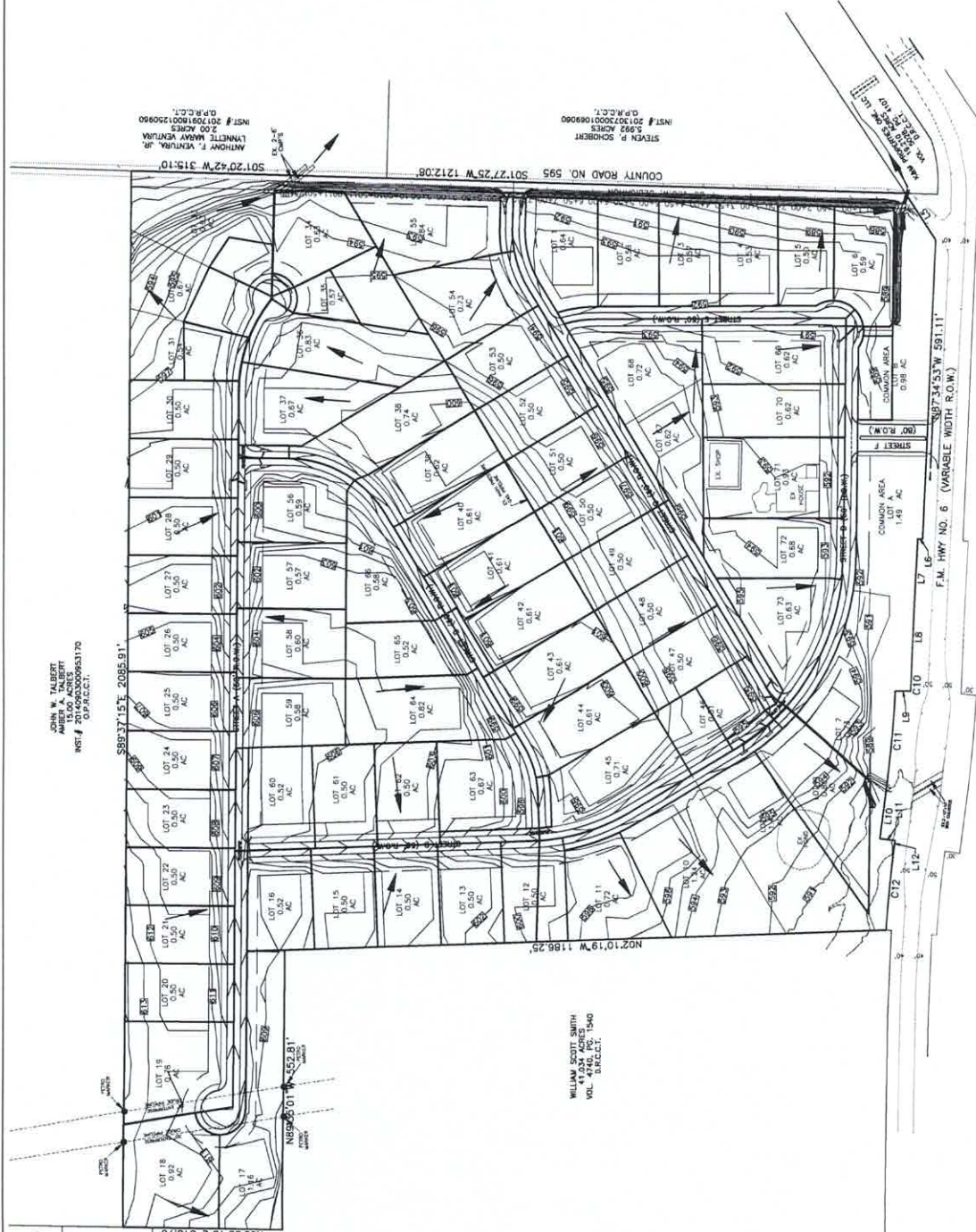
CARROLL CONSULTING GROUP, INC.
P.O. BOX 11 972-742-4411
LAVON, TEXAS 75166

TIBELS REGISTRATION NO.: F-21608
TEXAS FIRM REGISTRATION NO.: 10007200

DATE PREPARED:	MARCH 28, 2024
SCALE:	H = 1"=50' V = 1"=5'
DRAWN BY:	CP

SCOTT S. DILLARD
 RONDA L. DILLARD
 VOL. 28862, PG. 743
 DIR.C.C.T.

SCOTT S. DILLARD
 RONDA L. DILLARD
 4.00 ACRES
 VOL. 28862, PG. 746
 DIR.C.C.T.



JOHN W. TALBERT
 ANTHONY F. VENTURA, JR.
 185.00 ACRES
 VOL. 2016902, PG. 631.70
 DIR.C.C.T.

ANTHONY F. VENTURA, JR.
 LYNNETTE WEAVER VENTURA
 2.00 ACRES
 INST. # 201791801209050
 D.P.M.C.T.

STEVEN SCHOBERT
 298 ACRES
 INST. # 2013073001089090
 D.P.M.C.T.

WILLIAM SCOTT SMITH
 VOL. 4744, PG. 1540
 DIR.C.C.T.



LEGEND
 - - - PROPOSED CONTOUR
 - - - EXISTING CONTOUR
 (---) PROPOSED CONTOUR
 (---) EXISTING CONTOUR

12

DRAINAGE AREA MAP
PROPOSED DRAINAGE AREAS
LEGACY PARK ADDITION

CARROLL CONSULTING GROUP, INC.

P.O. BOX 11 972-747-4411 TBPCLS REGISTRATION NO.: F-21608
 LAVON, TEXAS 75166 TEXAS FIRM REGISTRATION NO.: 10007200

JOB NO. DATE PREPARED: SCALE: DRAWN BY: C/P
 LEGACY PARK ADDITION MARCH 28, 2024 1/4" = 1'-00"

PROPOSED DRAINAGE AREA CALCULATIONS

LEGACY PARK ADDITION

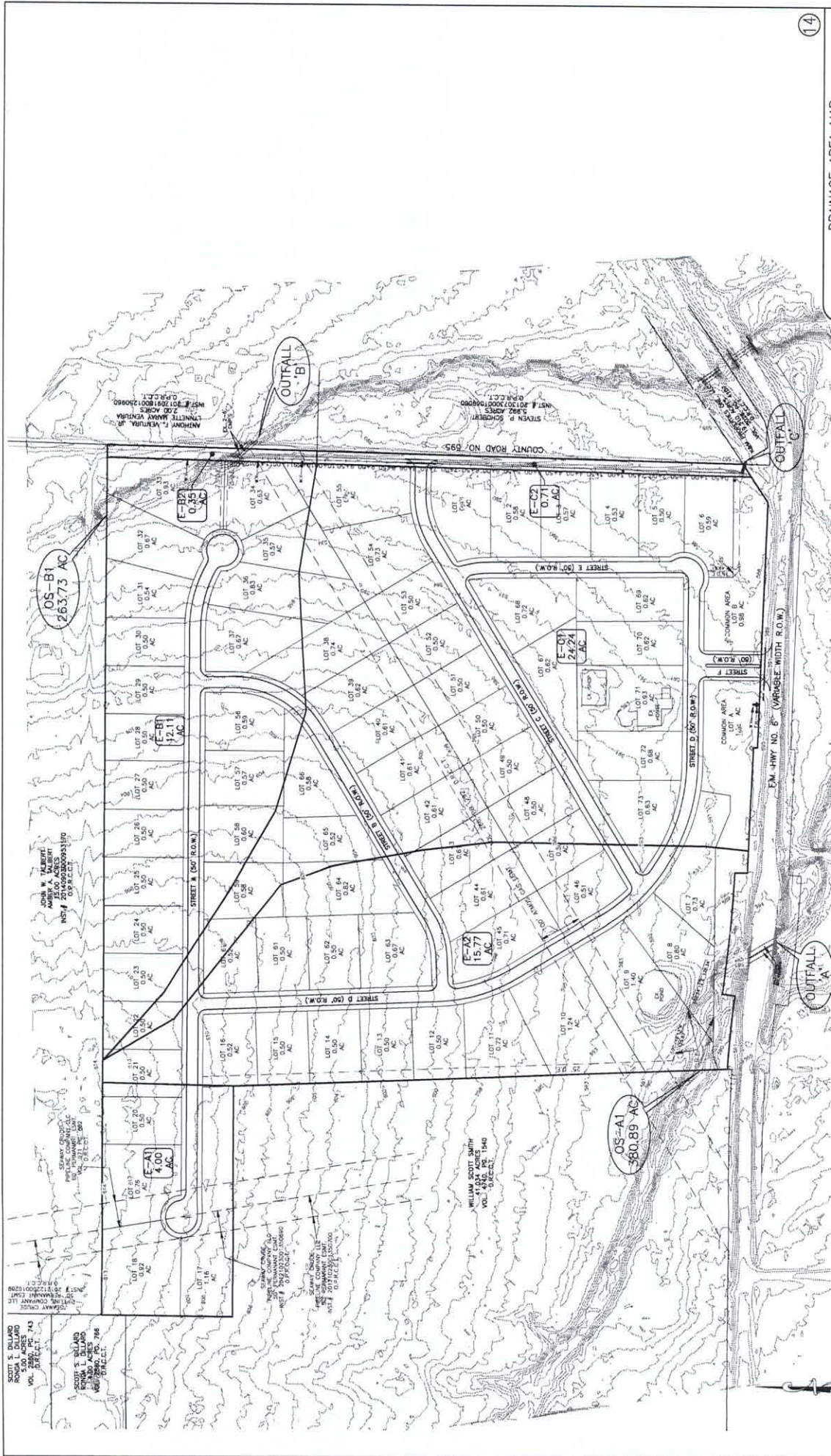
CARROLL CONSULTING GROUP, INC.

P.O. BOX 11 972-742-4411 TBEPS REGISTRATION NO.: F-21608 LAVON, TEXAS 75166 TEXAS FRM REGISTRATION NO.: 10097200

DATE PREPARED: MARCH 28, 2024 SCALE: H = 1"=100' DRAWN BY: CP

Table with columns: NODE POINT, STREET NAME - LOT NUMBERS, DRAINAGE AREA (sq ft), C FACTOR, CA, C (E/INCH), Tc (MINUTES), RAINFALL INTENSITY (IN/HR), RAINFALL CAPACITY (CU FT)

Table with columns: DRAINAGE AREA (sq ft), C FACTOR, CA, C (E/INCH), Tc (MINUTES), RAINFALL INTENSITY (IN/HR), RAINFALL CAPACITY (CU FT)



14

DRAINAGE AREA MAP
 EXISTING DRAINAGE AREAS
 LEGACY PARK ADDITION

CARROLL CONSULTING GROUP, INC.
 P.O. BOX 11 972-742-4411 TBPILLS REGISTRATION NO: F-21608
 LAVON, TEXAS 75166 TEXAS FRM REGISTRATION NO: 10007200

JOB NO: DATE PREPARED: MARCH 24, 2024 DRAWN BY: CP
 SCALE: H = 1"=100'

SCOTT S. DILLARD
 ROWA L. DILLARD
 VOL. 2880, PG. 743
 DISTRICT

SCOTT S. DILLARD
 ROWA L. DILLARD
 VOL. 2880, PG. 743
 DISTRICT

JOHN W. TALBERT
 AMY L. TALBERT
 15.00 ACRES
 NS# 20144903000031970
 DISTRICT

PERKINS CONSULTING GROUP
 10000 W. STATE ST. SUITE 100
 FORT WORTH, TX 76132
 DISTRICT

STANLEY POWERS
 10000 W. STATE ST. SUITE 100
 FORT WORTH, TX 76132
 DISTRICT

WILLIAM SCOTT SMITH
 VOL. 4940, PG. 1940
 DISTRICT

STEVEN P. SCHROEDER
 1.800 ACRES
 NS# 20130320001042900
 DISTRICT

MINOR L. VENTURA JR.
 2.00 ACRES
 NS# 201281800120060
 DISTRICT

STREET A (50' R.O.W.)
 STREET B (50' R.O.W.)
 STREET C (50' R.O.W.)
 STREET D (50' R.O.W.)
 STREET E (50' R.O.W.)
 STREET F (50' R.O.W.)

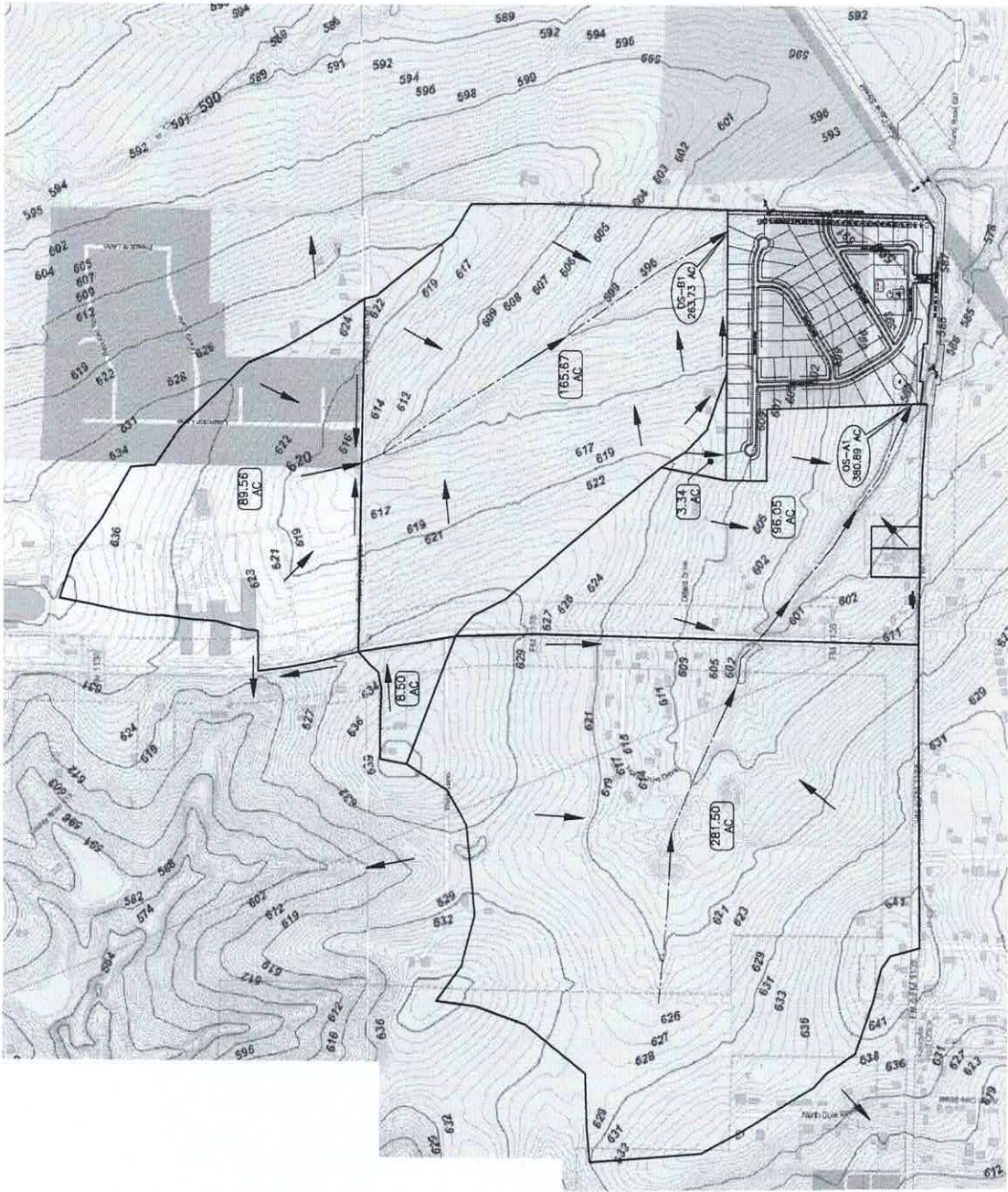
COMMON AREA
 COMMON AREA
 COMMON AREA
 COMMON AREA
 COMMON AREA

OUTFALL A
 OUTFALL B
 OUTFALL C

OS-A1 580.89 AC
 OS-B1 263.773 AC
 E-A1 4.00 AC
 E-B1 12.11 AC
 E-C1 0.35 AC
 E-D1 15.72 AC
 E-E1 24.72 AC
 E-F1 0.71 AC

LEGEND
 - - - PROPOSED CONTOUR
 - - - EXISTING CONTOUR
 [] PROPOSED CONTOUR
 [] EXISTING CONTOUR

GRAPHIC SCALE
 1" = 100'



DRAINAGE AREA MAP	
EXISTING OFFSITE	
LEGACY PARK ADDITION	
CARROLL CONSULTING GROUP, INC.	
P.O. BOX 11 972-742-4411 TPELS REGISTRATION NO.: F-21608	
LAVON, TEXAS 75166 TEXAS FPM REGISTRATION NO.: 10007200	
JOB NO.	SCALE:
DATE PREPARED:	MARCH 28, 2024
DRAWN BY:	H = 1"=400'
LEGACY PARK ADDITION	CP

City of Nevada
424 E. FM 6
Nevada, TX 75173

Receipt #: 748
User: deuce.waters@cityofnevadatx.org
Payment Date: 4/5/2024
Batch: 50526 - 4/1/24 - 4/30/24

24-00066-01 Carroll Consulting Group, Inc.
Preliminary Plat - 24-00066-01

615 E. FM 6

Amount Due: \$4,865.00
Applied: \$4,865.00
Balance: \$0.00

Applied

Check #: 1004

Check: \$4,865.00

Applied: \$4,865.00
Change: \$0.00



AGENDA ITEM

#5

ARTICLE XIII-A. A-1000-M APARTMENT DISTRICT REGULATIONS

Sec. 1. Use regulations.

In the A-1000-M Apartment District, no land shall be used and no building shall be erected for or converted to any use other than:

- (a) Apartments in compliance with all provisions and area regulations of this district.
- (b) Duplex dwellings in compliance with all provisions and area regulations of the D-1400-M Duplex District.
- (c) Single-family detached dwellings and other uses in compliance with all provisions and area regulations of the R-1500-M Residential District.
- (d) Patio homes in compliance with all provisions and area regulations of the RP-1500-M Patio Home District.
- (e) Townhomes in compliance with all provisions and area regulations of the RA-1100-M Residential Attached (Townhome) District.

(Ord. No. 2816-A, § 17, 1-14-91; Ord. No. 3009-A, § 1B, 2-13-95; Ord. No. 3377-A, § 1, 1-14-02)

Sec. 2. Building regulations.

- (a) *Minimum floor area of dwelling unit.* The minimum floor area per apartment living unit shall be 1,000 square feet.
- (b) *Building separation.* Buildings shall be separated from other buildings on the same lot by a minimum of 16 feet, unless one of the exposed walls is constructed as a fire wall in accordance with the Richardson Building Code.
- (c) *Type of materials.* **REPEALED**
 - (1) All buildings shall have a minimum of 75 percent of the exterior walls constructed of masonry construction; provided, however, that chimneys for newly constructed apartments or additions to existing apartment buildings shall be of 100 percent masonry construction. At the time of site plan review, the city plan commission may approve alternate materials, which are allowed by the Building Code, to provide a superior appearance.
 - (2) A maximum of 15 percent of the exterior walls may be of a nonmasonry material as defined in the comprehensive zoning ordinance.
 - (3) The remaining exterior walls may be constructed of masonry-type materials, such as exterior stucco, manmade or natural stone, exterior insulating finishing systems (E.I.F.S.) or other materials approved by the Building Code.
 - (4) For "chateau," "mansard" or any other design where the roof serves as an exterior wall, the above percentages shall apply.
- (d) *Nonresidential structures.* Structures other than dwelling units, including, but not limited to, churches, schools, day care facilities and hospitals, shall comply with the building regulations of the LR-M(1) district.

(Ord. No. 836-A, § 4, 3-26-73; Ord. No. 2816-A, § 17, 1-14-91; Ord. No. 3009-A, § 1B, 2-13-95; Ord. No. 3377-A, § 1, 1-14-02; Ord. No. 3715, § 3, 7-14-08)

Editor's note(s)—Section 6 of Ord. No. 836-A provides as follows:

"Section 6. That Section 2 of Articles XII-A, XIII-A and XV of the Comprehensive Zoning Ordinance of the City be and the same are hereby amended by adding thereto the drawing marked Exhibit `A' which is attached hereto and made a part hereof for all purposes and which shall become a part of and attached to the above articles of the Comprehensive Zoning Ordinance."

Exhibit A is not set out herein, but is on file and available for inspection in the office of the city secretary.

Sec. 3. Height regulations.

- (a) *Principal building.* No principal building shall exceed two stories in height. The first story shall not exceed 25 feet in height. The second story shall not exceed 15 feet in height. In addition, no building shall exceed one story when located within 150 feet of a residential or duplex zoning district, said measurement to include streets and alleys.
- (b) *Accessory buildings.* Accessory buildings shall be a maximum of one story in height. Accessory buildings of 150 square feet or less shall not exceed 12 feet in height. Accessory buildings of more than 150 square feet shall be limited to one story not to exceed 25 feet in height.

(Ord. No. 3377-A, § 1, 1-14-02)

Sec. 4. Area regulations.

- (a) *Lot area and dimensions.*
 - (1) *Lot area.* The minimum lot area shall be one acre.
 - (2) *Lot dimensions.* The minimum lot dimensions shall be:
 - (a) Minimum width: 200 feet.
 - (b) Minimum depth: 200 feet.
 - (3) *Density.* In no instance shall the density in the A-1000-M district exceed 14 units per acre.
- (b) *Lot coverage.* The principal building(s) and any accessory buildings (exclusive of parking structures) shall not cover more than 30 percent of the total area of the lot, tract, parcel, estate, or other land upon which apartment building is located.
- (c) *Front setback.*
 - (1) There shall be a landscaped front setback having a minimum depth of 30 feet, subject, however, to the following exceptions.
 - a. *Exceptions to front setback requirements.* Along streets already having a uniform building line, new structures shall conform to that so existing. If there is a variance in the depth of those already existing in the same block and on the same side of the street as the lot to be built on, the building line of the new building shall conform to that of the building on its right when looking toward the street. If such new building is to be constructed on a corner lot, the front building line shall conform to that of the building nearest thereto on the same side of the street in the same block. In no event shall a building line setback of less than 30 feet or more than 50 feet from the front lot line be required.

-
- (2) On corner lots, the required front setback shall be required on both streets.
 - (3) Where lots have double frontage, running through from one street to another, the required front setback shall be provided on both streets.
 - (4) No structures shall be located in the required front setback or in a required side setback abutting a street.
 - (5) No parking shall be allowed in any front setback area. However, drives of ingress and egress from the public street to the parking area shall be allowed to cross the front setback from front to rear.
- (d) *Side setback.*
- (1) Where the ends of the building are adjacent to and parallel to the side lot lines, the setback shall be not less than ten feet or ten percent of the width of the lot, whichever is smaller, but in no case shall the side setback be less than eight feet.
 - (2) Where the long sides of the apartment building, other than the ends, are adjacent to or parallel to the side lot lines, the side setback shall be not less than ten percent of the length of the building side adjacent to the side setback, but in no case shall the side setback be less than 12 feet.
 - (3) Where the side of a building containing openings for access to the building faces the side lot line, side setbacks shall have a minimum width equal to ten percent of the length of the building but in no case shall this distance be less than 16 feet.
 - (4) In the case of open court, closed court apartment buildings or the construction of parallel apartment buildings facing or backing to each other on a single lot or tract or a combination of lots, or where the ends of an apartment building are adjacent to and parallel to the side of another apartment building, or where corners of apartment buildings are the closest points between buildings, then a side lot shall be assumed to exist along the centerline of any such court, yard or open space across which the sides or corners of apartment buildings face or back upon each other.
- (e) *Rear setback.* There shall be a rear setback having a depth of not less than 25 feet.
- (f) *Unusable land areas.* No pond, creek or other unusable terrain shall be changed without the approval of such plans by the director of public works. All required setback areas shall be measured from the edge of the usable land available for development as determined by the city plan commission.
- (g) *Overhang and fireplaces.* The minimum setback requirements shall apply in all cases, except that fireplaces, eaves, bays, balconies and fireproof outside stairways may extend up to a maximum of 3½ feet into the required front, side or rear yards.
- (h) Reserved.
- (i) *Accessory buildings and uses.* Accessory buildings and uses shall be permitted only to the extent necessary and normal to the limited types of use permitted in this district. All accessory buildings which are not a part of the main buildings shall be separated from the main buildings by a minimum of ten feet.
- (j) Reserved.
- (k) Reserved.
- (l) Reserved.
- (m) Reserved.
- (n) Reserved.

(Ord. No. 635-A, § 2, 10-13-69; Ord. No. 636-A, §§ 1(1), 3, 10-20-69; Ord. No. 2816-A, § 17, 1-14-91; Ord. No. 2881-A, § 2, 5-11-92; Ord. No. 3377-A, § 1, 1-14-02; Ord. No. 3530, § 3, 11-28-05; Ord. No. 3598, § 3, 3-26-07)

Sec. 5. Special requirements.

(a) *Reserved.*

(b) *Recreational areas.*

- (1) Each apartment complex shall provide indoor or outdoor recreational or playground to meet the requirements of the residents in such complex, including facilities for children, adolescents and adults.
- (2) Each apartment complex shall provide at least one indoor or outdoor play area for the first 250 apartment units or portion thereof. Said play area shall be a minimum of 900 square feet in area and shall be designed for use by children under ten years of age. Safe, weather-resistant play equipment suitable for children of this age shall be provided. All play equipment must meet the guidelines of the Consumer Product Safety Commission for play equipment and safety surface. Playground access and equipment must be in compliance with A.D.A. requirements.

One additional playground meeting the specifications described above shall be provided for each 250 additional units within the development or portion thereof.

- (3) In addition, with each apartment complex, additional recreational amenities must be provided. These amenities, listed below, shall accrue points based on the values assigned. A minimum of 70 recreational amenity points must be accumulated for each 250 apartment units or portion thereof.
 - a. Additional playgrounds designed for children ten years or age or younger meeting the specifications listed above. (Ten points; maximum ten points per apartment complex.)
 - b. Clubhouse/gameroom/multi-purpose room a minimum of 400 square feet in area for each 250 units. (Ten points.)
 - c. Equipment, such as pool tables, ping-pong tables, foosball tables, etc., in the clubhouse/gameroom/multi-purpose room; electronic videogames or pinball games shall not be eligible for points. The appropriateness of the equipment shall be determined by the city's director of parks and recreation. (One point for each piece of approved equipment.)
 - d. Outdoor multi-use sport court, tennis court, racquetball court or similar facility. (Five points/court.)
 - e. Indoor multi-use sport court, tennis court, racquetball court or similar facility. (Ten points/court.)
 - f. Indoor fitness center at least 400 square feet in area for each 250 units. (Ten points.)
 - g. Swimming pool, including wading area. Pools shall be fenced and secured according to the requirements of the City of Richardson. (Ten points; 20 points maximum per 250 unit apartment complex.)
 - h. Reinforced concrete jogging trail, bike path or combination thereof, a minimum of eight feet in width. (Ten points.)
 - i. Usable open space, at least 1,000 square feet in area, to include at least three of the following: cluster of trees, water features, seating areas, picnic tables, barbecue grills, gazebos or other elements as approved by the city's director of parks and recreation. (Ten points; maximum 30 points per 250 unit apartment complex.)
 - j. Other recreational amenities as approved by the city's director of parks and recreation. (One through ten points, to be determined by the director of parks and recreation.)

Creeks and drainageways, which would otherwise be required to remain in an open state, shall not be eligible for the accumulation of points toward the total requirement, nor shall improvements in any required front or side yard areas.

- (4) It shall be the responsibility of the director of parks and recreation of the city to review the proposed recreational amenities and provide a written assessment of their adequacy to the city plan commission prior to consideration of the site plan.
 - (5) Open space shall be disposed in such a manner as to ensure the safety and welfare of residents.
- (c) *Mechanical equipment.* Mechanical equipment shall be constructed, located and screened so as not to interfere with the peace, comfort and repose of the occupant(s) of any adjoining building or residence.
- (d) *Additional special requirements for apartments.*
- (1) All apartment developments shall have roof coverings applied in accordance with the Richardson Building Code and/or in accordance with manufacturer's recommendations. The following materials shall be permitted: slate, concrete or clay roofing tile, copper, steel or aluminum, laminated asphalt shingles of at least 300 pounds per square, or other material approved by the building official. Wood shingles are expressly prohibited.
 - (2) Each apartment complex shall be enclosed by a perimeter fence. Where the fence is adjacent to a street or within any front yard area or adjacent to any street, it shall be constructed of masonry, native stone, wrought iron or other material approved by the city engineer as being at least equivalent to the above and shall provide at least 50 percent through vision. Where the fence is within a side or rear yard area, it may be constructed of masonry material, native stone, wrought iron, chain link with a landscape hedge material which will reach at least the height of the fence at maturity. Said perimeter fence may include access control features at the entrances to the development. Access control shall be in conformance with city policies for such devices.
 - (3) Exterior front doors on all structures except garages shall be constructed of metal a minimum of 20 gauge in thickness with an insulated core or fiberglass with an insulated core. Glass inserts to allow light shall be permitted. Patio doors may be of a French or sliding glass type with metal or solid wood frames. Garage doors shall be constructed of metal a minimum of 24-gauge thickness. No hollow core or wooden doors shall be permitted.
 - (4) All balcony and stairway surfaces shall be constructed of noncombustible materials. The structural elements may be constructed of noncombustible materials or decay-resistant wood or as required by the Standard Building Code. All handrails and guardrails shall be constructed of noncombustible materials. Trim on balconies and stairways may be constructed of noncombustible or combustible materials.
 - (5) For purposes of this section, "apartment communities" shall be defined as multifamily developments with a maximum of 250 dwelling units that share common access and circulation, parking areas, recreational areas and other facilities. Any new multifamily developments or substantial redevelopment of existing multifamily developments shall be determined to be apartment communities and shall be designed in such a way so that a maximum of 250 dwelling units share common access and circulation, parking areas, recreational areas and other facilities. Physical separation between apartment communities shall be required by means of permanent perimeter fencing with no openings for vehicular or pedestrian traffic.

(Ord. No. 358-A, 8-3-64; Ord. No. 635-A, § 1, 10-13-69; Ord. No. 2816-A, § 17, 1-14-91; Ord. No. 3009-A, § 1B, 2-13-95; Ord. No. 3598, § 4, 3-26-07; Ord. No. 4330, § 2, 2-10-20)

Sec. 6. Reserved.

Editor's note(s)—Ord. No. 3598, § 4, adopted March 26, 2007, repealed § 6, which pertained to site plan approval and derived from Ord. No. 635-A, § 1, adopted Oct. 13, 1069; and Ord. No. 2816-A, § 17, adopted Jan. 14, 1971.

Sec. 7. Reserved.

Editor's note(s)—Ord. No. 3598, § 4, adopted March 26, 2007, repealed § 7, which pertained to landscape plan approval and derived from Ord. No. 2816-A, adopted Jan. 14, 1991.

ARTICLE XV. A-950-M APARTMENT DISTRICT REGULATIONS¹

Sec. 1. Use regulations.

In the A-950-M Apartment District, no land shall be used and no building shall be erected for or converted to any use other than:

- (a) Apartments in compliance with all provisions and area regulations of this district.
- (b) Duplex dwellings in compliance with all provisions and area regulations of the D-1400-M Duplex District.
- (c) Single-family detached dwellings and other uses in compliance with all provisions and area regulations of the R-1500-M Residential District.
- (d) Patio homes in compliance with all provisions and area regulations of the RP-1500-M Patio Home District.
- (e) Townhomes in compliance with all provisions and area regulations of the RA-1100-M Residential Attached (Townhome) District.

(Ord. No. 2816-A, § 18, 1-14-91; Ord. No. 3009-A, § 1B, 2-13-95; Ord. No. 3377-A, § 1, 1-14-02)

Sec. 2. Building regulations.

- (a) *Minimum floor area of dwelling unit.* The minimum floor area per apartment living unit shall be 700 square feet.
- (b) *Building separation.* Buildings shall be separated from other buildings on the same lot by a minimum of 16 feet, unless one of the exposed walls is constructed as a fire wall in accordance with the Richardson building code.
- (c) *Type of materials.* **REPEALED**
 - (1) All buildings shall have a minimum of 75 percent of the exterior walls constructed of masonry construction; provided, however, that chimneys for newly constructed apartments or additions to existing apartment buildings shall be of 100 percent masonry construction. At the time of site plan

¹Editor's note(s)—See the editor's note to article XIII-A.

review, the city plan commission may approve alternate materials, which are allowed by the Building Code, to provide a superior appearance.

- (2) A maximum of 15 percent of the exterior walls may be of a nonmasonry material as defined in the comprehensive zoning ordinance.
 - (3) The remaining exterior walls may be constructed of masonry-type materials, such as exterior stucco, manmade or natural stone, exterior insulating finishing systems (E.I.F.S.) or other materials approved by the Building Code.
 - (4) For "chateau," "mansard" or any other design where the roof serves as an exterior wall, the above percentages shall apply.
- (d) *Nonresidential structures.* Structures other than dwelling units, including, but not limited to, churches, schools, day care facilities and hospitals, shall comply with the building regulations of the LR-M(1) district.
- (Ord. No. 836-A, § 5, 3-26-73; Ord. No. 2816-A, § 18, 1-14-90; Ord. No. 3009-A, § 1B, 2-13-95; Ord. No. 3377-A, § 1, 1-14-02; Ord. No. 3715, § 4, 7-14-08)

Editor's note(s)—Section 6 of Ord. No. 836-A provides as follows:

"Section 6. That Section 2 of Articles XII-A, XIII-A and XV of the Comprehensive Zoning Ordinance of the City be and the same are hereby amended by adding thereto the drawing marked Exhibit 'A' which is attached hereto and made a part hereof for all purposes and which shall become a part of and attached to the above articles of the Comprehensive Zoning Ordinance."

Exhibit A is not included herein, but is on file and available for inspection in the office of the city secretary.

Sec. 3. Height regulations.

- (a) *Principal building.* No principal building shall exceed two stories in height. The first story shall not exceed 25 feet in height. The second story shall not exceed 15 feet in height. In addition, no building shall exceed one story when located within 150 feet of a residential or duplex zoning district, said measurement to include streets and alleys.
 - (b) *Accessory buildings.* Accessory buildings shall be a maximum of one story in height. Accessory buildings of 150 square feet or less shall not exceed 12 feet in height. Accessory buildings of more than 150 square feet shall be limited to one story not to exceed 25 feet in height.
- (Ord. No. 3377-A, § 1, 1-14-02)

Sec. 4. Area regulations.

- (a) *Lot area and dimensions.*
 - (1) *Lot area.* The minimum lot area shall be 16,000 square feet.
 - (2) *Lot dimensions.* The minimum lot dimensions shall be:
 - (a) Minimum width: 75 feet;
 - (b) Minimum depth: 120 feet.
 - (3) *Density.* In no instance shall the density in the A-950-M district exceed 18 units per acre.

-
- (b) *Lot coverage.* The principal building(s) and any accessory buildings (exclusive of parking structures) shall not cover more than 30 percent of the total area of the lot, tract, parcel, estate, or other land upon which apartment building is located.
- (c) *Front setback.*
- (1) There shall be a landscaped front setback having a minimum depth of 30 feet, subject, however, to the following exceptions:
 - a. *Exception to front setback requirements.* Along streets already having a uniform building line, new structures shall conform to that so existing. If there is a variance in the depth of those already existing in the same block and on the same side of the street as the lot to be built on, the building line of the new building shall conform to that of the building on its right when looking toward the street. If such new building is to be constructed on a corner lot, the front building line shall conform to that of the building nearest thereto on the same side of the street in the same block. In no event shall a building line set back less than 30 feet or more than 50 feet from the front lot line be required.
 - (2) On corner lots, the required front setback shall be required on both streets.
 - (3) Where lots have double frontage, running through from one street to another, the required front setback shall be provided on both streets.
 - (4) No structures shall be located in the required front setback or in a required side setback abutting a street.
 - (5) No parking shall be allowed in any front setback area. However, drives of ingress and egress from the public street to the parking area shall be allowed to cross the front setback from front to rear.
- (d) *Side setback.*
- (1) Where the ends of the building are adjacent to and parallel to the side setback shall be not less than ten feet or ten percent of the width of the lot, whichever is smaller, but in no case shall the side setback be less than eight feet.
 - (2) Where the long sides of the apartment building, other than the ends, are adjacent to or parallel to the side lot lines, the side setback shall be not less than ten percent of the length of the building side adjacent to the side setback, but in no case shall the side setback be less than 12 feet.
 - (3) Where the side of a building containing openings for access to the building faces the side lot line, side setbacks shall have a minimum width equal to ten percent of the length of the building, but in no case shall this distance be less than 16 feet.
 - (4) In the case of open court, closed court apartment buildings or the construction of parallel apartment buildings facing or backing to each other on a single lot or tract or a combination of lots, or where the ends of an apartment building are adjacent to and parallel to the side of another apartment building, or where corners of apartment buildings are the closest points between buildings, then a side lot shall be assumed to exist along the centerline of any such court, yard or open space across which the sides or corners of apartment buildings face or back upon each other.
- (e) *Rear yard setback.* There shall be a rear setback having a depth of not less than 25 feet.
- (f) *Unusable land areas.* No pond, creek or other unusable terrain shall be changed without the approval of such plans by the director of public works. All required setback areas shall be measured from the edge of the usable land available for development as determined by the city plan commission.

-
- (g) *Overhang and fireplaces.* The minimum setback requirements shall apply in all cases, except that fireplaces, eaves, bays, balconies and fireproof outside stairways may extend to a maximum of 3½ feet into the required front, side or rear yards.
 - (h) Reserved.
 - (i) *Accessory buildings and uses.* Accessory buildings and uses shall be permitted only to the extent necessary and normal to the limited types of use permitted in this district.

All accessory buildings which are not a part of the main building shall be separated from the main buildings by a minimum of ten feet.

(Ord. No. 635-A, § 2, 10-13-69; Ord. No. 636-A, §§ 1(2), 3, 10-20-69; Ord. No. 2816-A, § 18, 1-14-91; Ord. No. 2881-A, § 3, 5-11-92; Ord. No. 3377-A, § 1, 1-14-02; Ord. No. 3598, § 3, 3-26-07)

Sec. 5. Special requirements.

- (a) *Reserved.*
- (b) *Recreational areas.*
 - (1) Each apartment complex shall provide indoor or outdoor recreational or playground to meet the requirements of the residents in such complex, including facilities for children, adolescents and adults.
 - (2) Each apartment complex shall provide at least one indoor or outdoor play area for the first 250 apartment units or portion thereof. Said play area shall be a minimum of 900 square feet in area and shall be designed for use by children under ten years of age. Safe, weather-resistant play equipment suitable for children of this age shall be provided. All play equipment must meet the guidelines of the Consumer Product Safety Commission for play equipment and safety surface. Playground access and equipment must be in compliance with A.D.A. requirements.

One additional playground meeting the specifications described above shall be provided for each 250 additional units within the development or portion thereof.
 - (3) In addition, with each apartment complex, additional recreational amenities must be provided. These amenities, listed below, shall accrue points based on the values assigned. A minimum of 70 recreational amenity points must be accumulated for each 250 apartment units or portion thereof.
 - a. Additional playgrounds designed for children ten years or age or younger meeting the specifications listed above. (Ten points; maximum ten points per apartment complex.)
 - b. Clubhouse/gameroom/multi-purpose room a minimum of 400 square feet in area for each 250 units. (Ten points.)
 - c. Equipment, such as pool tables, ping-pong tables, foosball tables, etc., in the clubhouse/gameroom/multi-purpose room; electronic videogames or pinball games shall not be eligible for points. The appropriateness of the equipment shall be determined by the city's director of parks and recreation. (One point for each piece of approved equipment.)
 - d. Outdoor multi-use sport court, tennis court, racquetball court or similar facility. (Five points/court.)
 - e. Indoor multi-use sport court, tennis court, racquetball court or similar facility. (Ten points/court.)
 - f. Indoor fitness center at least 400 square feet in area for each 250 units. (Ten points.)

-
- g. Swimming pool, including wading area. Pools shall be fenced and secured according to the requirements of the City of Richardson. (Ten points; 20 points maximum per 250 unit apartment complex.)
 - h. Reinforced concrete jogging trail, bike path or combination thereof, a minimum of eight feet in width. (Ten points.)
 - i. Usable open space, at least 1,000 square feet in area, to include at least three of the following: cluster of trees, water features, seating areas, picnic tables, barbecue grills, gazebos or other elements as approved by the city's director of parks and recreation. (Ten points; maximum 30 points per 250 unit apartment complex.)
 - j. Other recreational amenities as approved by the city's director of parks and recreation. (One through ten points, to be determined by the director of parks and recreation.)

Creeks and drainageways, which would otherwise be required to remain in an open state, shall not be eligible for the accumulation of points toward the total requirement, nor shall improvements in any required front or side yard areas.

- (4) It shall be the responsibility of the director of parks and recreation of the city to review the proposed recreational amenities and provide a written assessment of their adequacy to the city plan commission prior to consideration of the site plan.
 - (5) Open space shall be disposed in such a manner as to ensure the safety and welfare of residents.
- (c) *Mechanical equipment.* Mechanical equipment shall be constructed, located and screened so as not to interfere with the peace, comfort and repose of the occupant(s) of any adjoining building or residence.
- (d) *Additional special requirements for apartments.*
- (1) All apartment developments shall have roof coverings applied in accordance with the Richardson Building Code and/or in accordance with manufacturer's recommendations. The following materials shall be permitted: slate, concrete or clay roofing tile, copper, steel or aluminum, laminated asphalt shingles of at least 300 pounds per square, or other material approved by the building official. Wood shingles are expressly prohibited.
 - (2) Each apartment complex shall be enclosed by a perimeter fence. Where the fence is adjacent to a street or within any front yard area or adjacent to any street, it shall be constructed of masonry, native stone, wrought iron or other material approved by the city engineer as being at least equivalent to the above and shall provide at least 50 percent through vision. Where the fence is within a side or rear yard area, it may be constructed of masonry material, native stone, wrought iron, chain link with a landscape hedge material which will reach at least the height of the fence at maturity. Said perimeter fence may include access control features at the entrances to the development. Access control shall be in conformance with city policies for such devices.
 - (3) Exterior front doors on all structures except garages shall be constructed of metal a minimum of 20 gauge in thickness with an insulated core or fiberglass with an insulated core. Glass inserts to allow light shall be permitted. Patio doors may be of a French or sliding glass type with metal or solid wood frames. Garage doors shall be constructed of metal a minimum of 24-gauge thickness. No hollow core or wooden doors shall be permitted.
 - (4) All balcony and stairway surfaces shall be constructed of noncombustible materials. The structural elements may be constructed of noncombustible materials or decay-resistant wood or as required by the Standard Building Code. All handrails and guardrails shall be constructed of noncombustible materials. Trim on balconies and stairways may be constructed of noncombustible or combustible materials.

-
- (5) For purposes of this section, "apartment communities" shall be defined as multifamily developments with a maximum of 250 dwelling units that share common access and circulation, parking areas, recreational areas and other facilities. Any new multifamily developments or substantial redevelopment of existing multifamily developments shall be determined to be apartment communities and shall be designed in such a way so that a maximum of 250 dwelling units share common access and circulation, parking areas, recreational areas and other facilities. Physical separation between apartment communities shall be required by means of permanent perimeter fencing with no openings for vehicular or pedestrian traffic.

(Ord. No. 358-A, 8-3-64; Ord. No. 635-A, § 1, 10-13-69; Ord. No. 2816-A, § 18, 1-14-91; Ord. No. 3009-A, § 1B, 2-13-95; Ord. No. 3598, §§ 4, 5, 3-26-07; Ord. No. 4330, § 3, 2-10-20)

Sec. 6. Reserved.

Editor's note(s)—Ord. No. 3598, § 4, adopted March 26, 2007, repealed § 6, which pertained to site plan approved and derived from Ord. No. 635-A, § 1, adopted Oct. 13, 1969; and Ord. No. 2816-A, § 1, adopted Jan. 14, 1991.

Sec. 7. Reserved.

Editor's note(s)—Ord. No. 3598, § 4, adopted March 26, 2007, repealed § 7, which pertained to landscape plan approval and derived from Ord. No. 2816-A, § 18, adopted Jan. 14, 1991.

ARTICLE XVI. A-850-F APARTMENT DISTRICT REGULATIONS

Sec. 1. Use regulations.

The use regulations, building regulations, height regulations, area regulations and other requirements of the A-850-F Apartment District classification shall be the same as those contained in article XV, A-950-M Apartment District regulations, of the comprehensive zoning ordinance.

(Ord. No. 358-A, 8-3-64; Ord. No. 3377-A, § 1, 1-14-02)