

ORDINANCE NO. 24-015

AN ORDINANCE OF THE CITY OF RED OAK, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF RED OAK, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM PLANNED DEVELOPMENT 28 REVISED (PD-28R) TO PLANNED DEVELOPMENT 28 REVISED 2 (PD-28R2), FOR THE DEVELOPMENT OF A SENIOR MULTI-FAMILY COMPLEX ON APPROXIMATELY 2.7824± ACRES OF REAL PROPERTY DESCRIBED AS LOT 2B, PLEASANT RIDGE RETIREMENT COMMUNITY, CITY OF RED OAK, ELLIS COUNTY, TEXAS, AS PROVIDED IN EXHIBIT “A”, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING SITE PLAN, CONCEPT PLAN, ELEVATION PLANS AND PLANNED DEVELOPMENT REGULATIONS, ATTACHED HERETO AS EXHIBITS “B” THROUGH “E”, RESPECTIVELY; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Red Oak, Texas, in compliance with the laws of the State of Texas and pursuant to the Comprehensive Zoning Ordinance of the City of Red Oak, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that zoning change should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RED OAK, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Red Oak, Texas, duly passed by the governing body of the City of Red Oak, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Planned Development 28 Revised (PD-28R) to Planned Development 28 Revised 2 (PD-28R2), for the development of a senior multi-family complex on approximately 2.7824± acres of real property described as Lot 2B Pleasant Ridge Retirement Community, City of Red Oak, Ellis County Texas as provided in Exhibit “A”, which is attached hereto and incorporated herein.

SECTION 2. That the property shall be developed, constructed and maintained to allow the uses as set forth in the Site Plan, Concept Plan, Elevation Plans and Planned Development Regulations set forth in Exhibits “B” through “E”, respectively.

SECTION 3. That the regulations set forth in PD-28, except as amended herein, shall remain in full force and effect, save and except as amended by this ordinance; and, should any conflict

with the previous regulations adopted herein shall prevail; and, such uses development regulations adopted shall apply to the revised real property set forth herein.

SECTION 4. That all provisions of the Ordinances of the City of Red Oak, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

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

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

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Red Oak, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

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

DULY PASSED AND APPROVED by the City Council of the City of Red Oak, Texas, on the 8th day of April, 2024.

APPROVED:



MARK L. STANFILL, DVM, MAYOR

ATTEST:



CARYN STEVENS, TRMC, CITY SECRETARY

APPROVED AS TO FORM:



ROBERT E. HAGER, CITY ATTORNEY



Exhibit A

Mozart Townhomes Villa

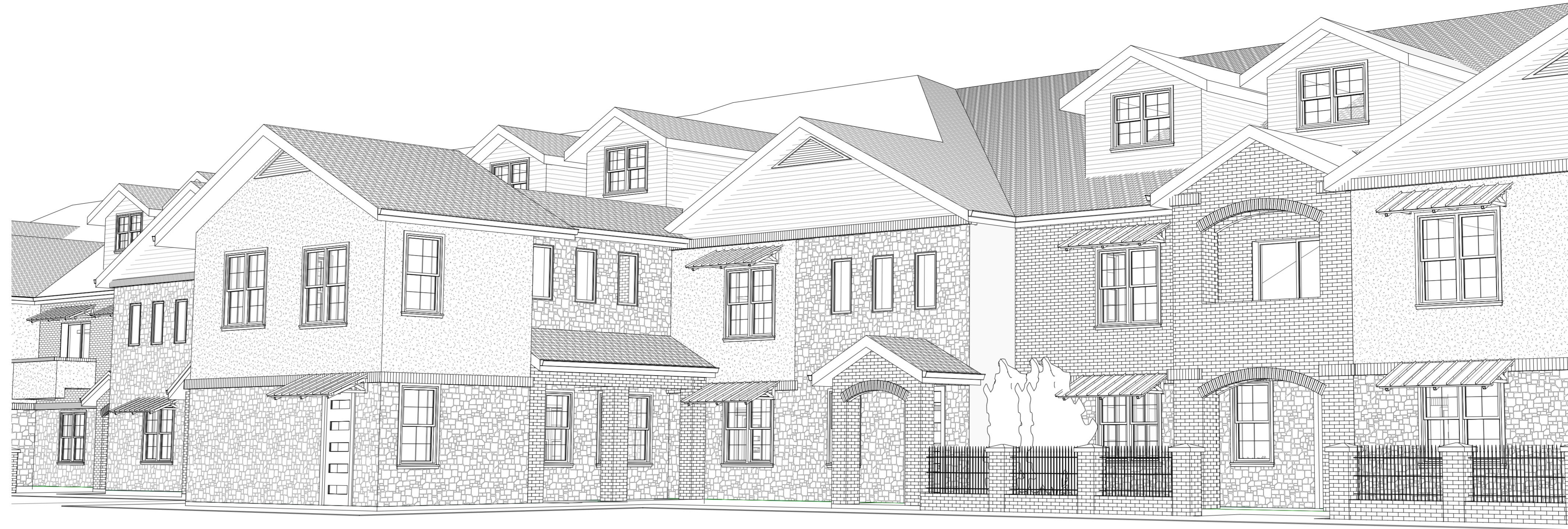
- Property
- 200ft Buffer
- Property Owners
- City Limits
- Streets

Zoning Districts 9.22.20

- AG
- C1
- PD
- R2

0 100 200 ft





**Planned Development Conditions for
Mozart 55+ apartment villa**

1. Purpose and Intent:

Purpose and intent of this Planned Development (PD) is to allow for the development of up to 32 apartment units in Red Oak (Mozart 55+ apartment villa) for the 55+ community. The development proposal is to have: 32 units total. There will be (4) Studio units, (20) One bedrooms units, and (8) Two Bedroom units. The facility will also have 3 Elevators/Stair locations and an Office/Community Center. All building units and shared facility space will be connected by an enclosed central corridor system. The Mozart 55+ apartment villa Project is a single lot development on 2.782 Ac. Any standards not written herein shall default to the City of Red Oak Zoning and Subdivision ordinances
2. Permitted Uses:
 - A. Multifamily Residential (Apartments) – All uses included in the A district.
3. Height Regulations:
 - A. Multifamily Residential (Apartments) - No structure or building shall exceed Forty feet (40') or two stories.
4. Area Regulations:
 - A. Residential
 - a. Maximum Lot Coverage including accessory: 60%
 - b. Minimum Living Area: 800 sq. ft.
 - c. Minimum parking Spaces: 2 Car/Per Dwelling Unit
5. Type of Exterior Construction:
 - A. Any exterior elevation parallel to a public ROW shall be a minimum of one hundred (100) percent masonry.
 - B. All other exterior elevations shall be a minimum of eighty (80) percent masonry.
 - C. For purposes of this Section, the calculations for masonry construction exclude roofs, garage doors, dormers, windows, fascia, gutters, and doors.
 - D. Roofs
 - i. Residential shall utilize a 30 yr. architectural shingle or standing seam metal.
 - E. Elevations:
 - i. All materials and elevations shall substantially match the corresponding architectural renderings and elevation included in this Planned Development District document set as determined by staff.
 - ii. Any elevation greater than 30 feet in horizontal length shall have recesses, projections, windows, arcades or other distinctive features to interrupt the length of the building façade. Elements including, but not limited to, balconies, setbacks, and recesses or projections greater than 16 inches may be used to provide architectural interest.
 - iii. All building façades shall include at least five elements listed below on a front elevation, at least four on a side elevation viewable from ROW all other elevations shall require at least three of the elements listed below.
 1. Color change.
 2. Texture change.
 3. Material change.
 4. Change in pattern of single and same material (such as adding a soldier course of brick on a brick façade or a brick herringbone pattern, etc).
 5. Medallions / accent pieces.
 6. Decorative light fixtures.
 - a. For all façades that face a public street, windows and doors shall comprise at least 20% of the wall area. All other façades may be reduced to 10% or may provide one window or door per sleeping area (as defined by the Building Code). Shutters, trims, or false windows shall not count toward the minimum requirement.
6. Materials and Colors:
 - A. All buildings within the project shall be constructed of building materials from a similar color and material palette. This is intended to create a theme or cohesion of development; it is not intended to require the exact same materials with adjacent properties within the development.

7. Landscaping Requirements:
 - A. Residential
 - i. Foundation Plantings shall cover a minimum of 60% of the front elevations
 - ii. All front, back, and sideyards must be 100% sodded exclusive of trees and planter beds and concrete flatwork.
 - iii. The property shall have an automatic sprinkler system with appropriate head location to cover the entire lot. Landscaping must be irrigated or located within seventy-five (75) feet of a water source for proper maintenance and care.
 - iv. All planted trees shall originate from the Recommended Tree List per the City of Red Oak Zoning Ordinance. Planted trees shall be At least 6" in diameter measured at breast height. (6" DBH) Landscaping shall generally be in conformance with the attached Concept Plan. A detailed landscape plan is required prior to final approval.
8. Fencing, Screening and Sidewalk Requirements:
 - A. Residential Fencing
 - i. Six foot (6') Masonry screening walls shall be installed as depicted on Concept Plans
 - ii. Decorative Metal. Decorative metal means wrought iron or other decorative metal with a black powder coated finish. Other decorative metal may only be used with prior staff approval. Where decorative metal is used (along the southside of the property) columns of brick or stone shall be used at property corners and in intervals no greater than 50'.
 - iii. Gates - Gates across streets or fire lane access shall meet the approval of the Fire Marshal and Building Department. Security gates shall be maintained and an approved means of emergency operation shall be provided and maintained by Property Management. An Opticom receiver and Knox key switch shall be provided.
 - B. Residential sidewalks
 - i. Developer shall provide treed 4' sidewalks interconnecting building units that connect to public ROW and fitness trails.
 - ii. The Developer shall construct at least 75% of the courtyard area between the building as areas that are permeable (allow water to pass through) - either permeable paving, plants, mulch, or a combination of these. 50% of the courtyard area must be planted.
 - iii. Developers shall install 6' wide trails as depicted on the concept plan.
9. Property Management will be established to maintain all of the common area, such as Balcony space areas, playground equipment, benches, sidewalks, irrigation, and brick screening walls, detention areas, landscaping, bar and ditches and cluster mailboxes.
10. Variation and diversity of front elevations adds character and interest to communities. Units may vary in choice of exterior materials; siding, brick, stone, metal awnings and paint colors.
11. Minimum Roof Pitch: The minimum roof pitch shall be 6:12
12. Minimum Wall Plates: The minimum wall plate for any ground floor shall be a minimum of 10'. The minimum plate for any second floor shall be 8'.
13. Minimum Front Door Height: Minimum front door height for all homes shall be 8'.
14. Mail Boxes: Cluster mail boxes shall be provided and be consistent with the provided plans. Mail Boxes shall be covered and be cased in stone or brick of a similar color and style to the subdivision screening improvements. Mail Boxes shall be installed prior to acceptance of the public improvements.
15. Street Lights and Street Signs: Decorative street lights and street signs shall be installed. Street lights shall be maintained by the electric company.
16. Street Pavers and Stamped Concrete: The subdivision entryways shall have paver or stamped concrete design.
17. On Site Detention: On site detention is required. Detention ponds shall be owned and maintained by the Developer/Management including but not limited to, landscaping, irrigation, sidewalks, benches, etc. Landscaping and sidewalks shall be installed per the development and landscape plans. The Developer may elect to construct a retention pond instead of a detention pond. If the Developer constructs a retention pond, the pond must be aerated and sealed.
18. Dumpster: Each refuse facility shall be screened from view on three (3) sides by a masonry wall not less than six (6) feet in height, with the fourth side enclosed by metal doors of equivalent height. Pipe bollards shall be installed around the refuse facility in a manner that will protect the masonry walls and metal doors from vehicle impact or collision.

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REVISIONS:

DATE:	03/07/2024
DRAWN BY:	VAR
DESIGN BY:	VAR
REVIEWED BY:	VAR
PLANS:	Concept Plans

LEGAL DESCRIPTION:
 LOT 2B PLEASANT RIDGE
 RETIREMENT COMMUNITY
 2.782 AC
 PARCEL ADDRESS:
 ENCHANTED CT.

MOZART CONDO UNITS
 LOT 2B PLEASANT RIDGE RETIREMENT COMMUNITY
 RED OAK, TEXAS 75154
 Cover

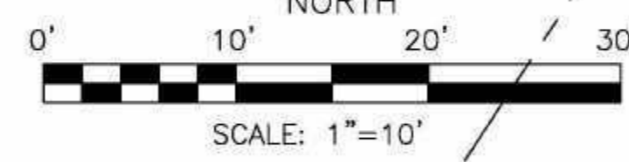
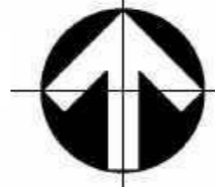
REVISIONS:

DATE: 03/07/2024
 DRAWN BY: VAR
 DESIGN BY: VAR
 REVIEWED BY: VAR
 PLANS: Concept Plans

LEGAL DESCRIPTION:
 LOT 2B PLEASANT RIDGE
 RETIREMENT COMMUNITY
 2.782 AC
 PARCEL ADDRESS:
 ENCHANTED CT.

MOZART CONDO UNITS
 LOT 2B PLEASANT RIDGE RETIREMENT COMMUNITY
 RED OAK, TEXAS 75154
Concept Site Plan

Exhibit B



CITY OF RED OAK LANDSCAPE REQUIREMENTS

REQUIRED SITE 20% OF TOTAL SITE TO BE LANDSCAPED LANDSCAPING
REQUIRED: 84,071 SF X 20% = 16,814 SF PROVIDED: 54,646 SF - 65%
REQUIRED FRONT YARD LANDSCAPING 50% OF REQUIRED LANDSCAPE AREA TO BE IN FRONT YARD
REQUIRED: 16,814 SF X 50% = 8,407 SF PROVIDED: 20,515 SF - 48%
REQUIRED PARKING SCREENING LANDSCAPING 50% OF GROSS FRONTAGE REQUIRED TO BE SCREENED
REQUIRED: 184 LF X 50% = 92 LF PROVIDED: 140 LF
STREET FRONTAGE TREES 1 TREE PER EVERY 40 FT OF FRONTAGE
REQUIRED: 184 LF / 40 = 5 TREES PROVIDED: 6 TREES
PARKING LOT LANDSCAPE 90 SF FOR EVERY 12 SPACES
REQUIRED: 64 SPACES / 12 X 90 = 480 SF PROVIDED: 1620 SF
PARKING LOT TREES FOR EVERY 12 PARKING SPACES
REQUIRED: 64 SPACES / 12 = 5 TREES PROVIDED: 10 TREES

SITE SUMMARY

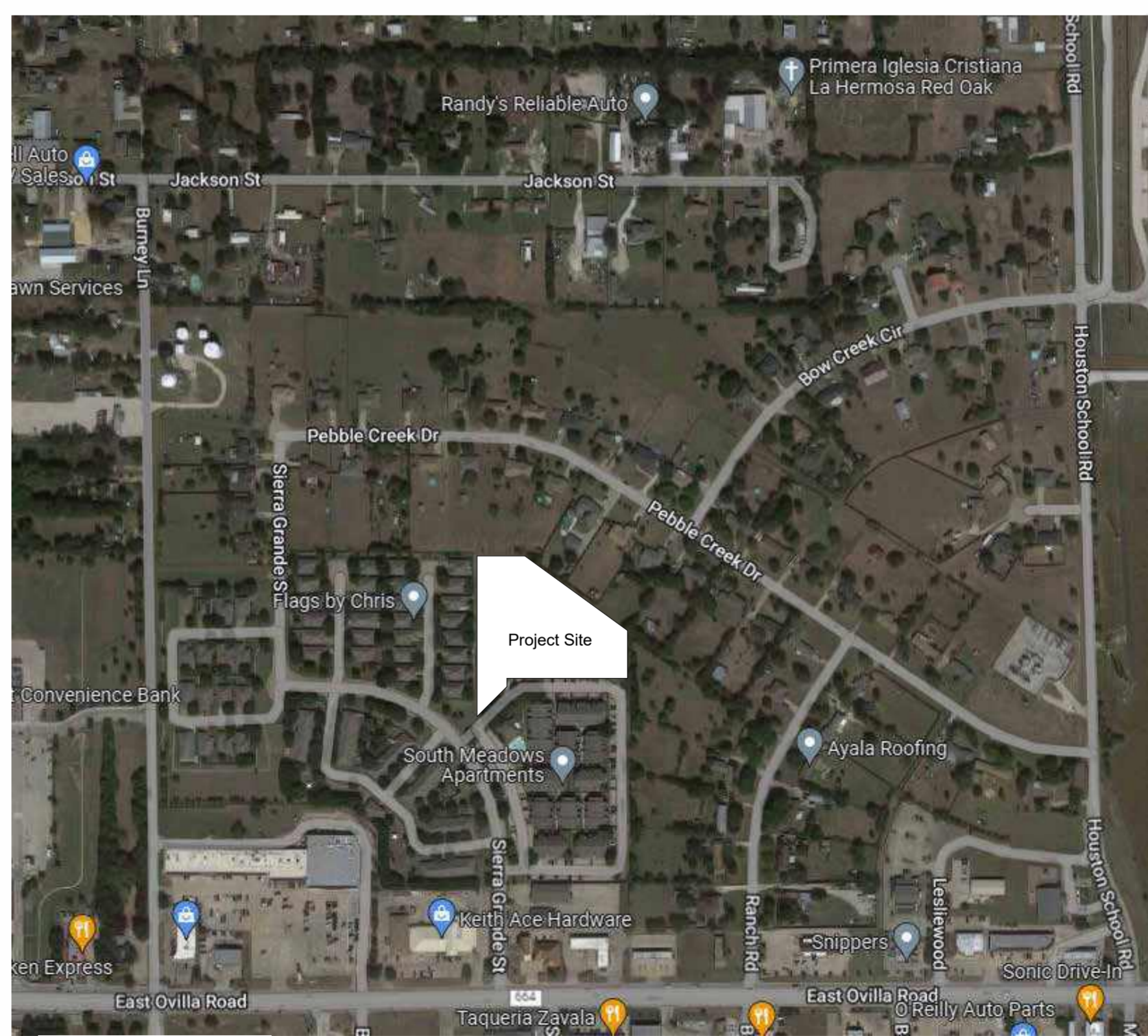
Zoning: PD-28
Lot Area: 2.78 acres total lot less rightway: 1.93 acres Rightway area: .85 acres
Building sq.ft.: 42,430 sq.ft. Building Ht.: 2 stories, 38'-9" 26% lot coverage

LEGEND

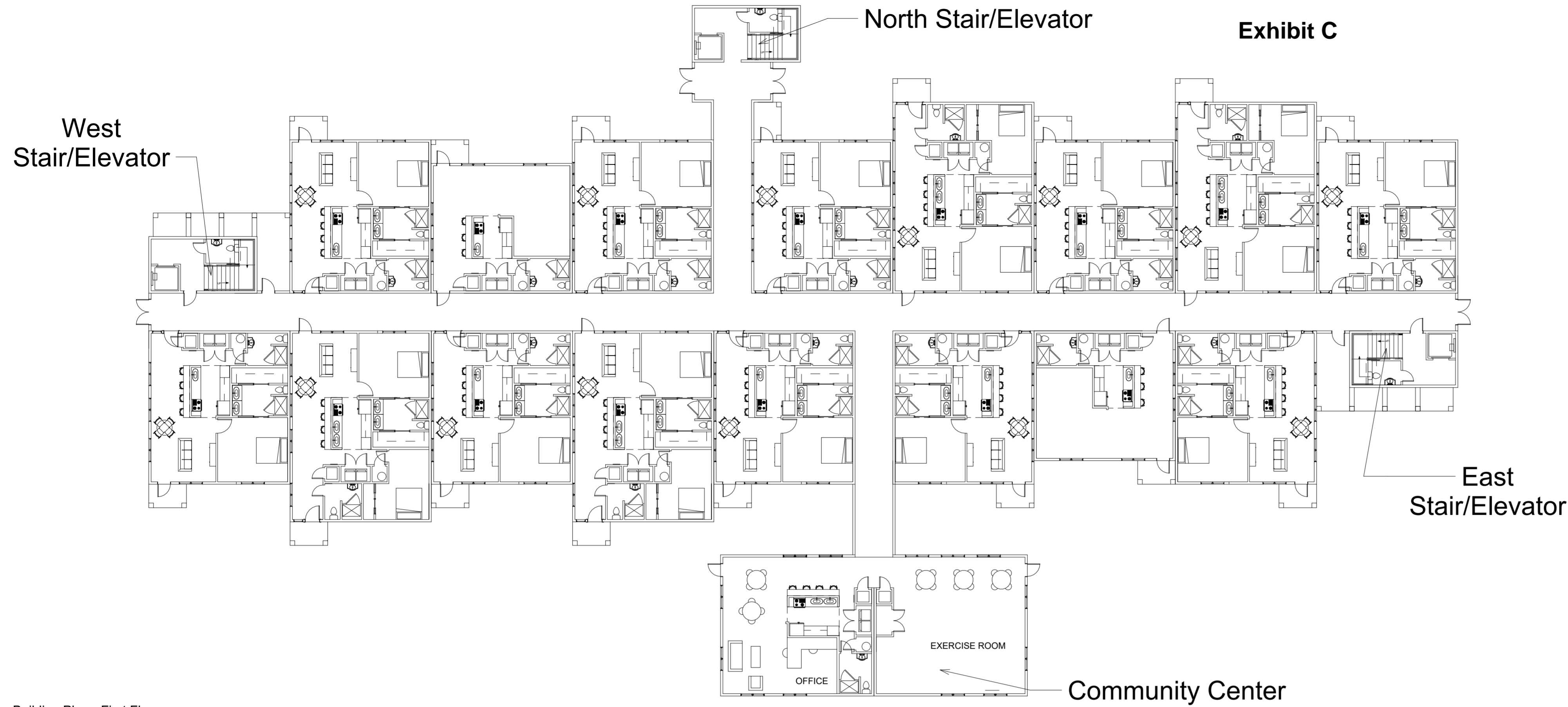
	GUY WIRE OR DOWN GUY
	POWER POLE
	OVERHEAD ELECTRIC LINE
	WIRE FENCE
	CHAIN LINK FENCE
	WOOD FENCE
	EXISTING DIRECTION OF TRAFFIC
	PROPOSED DIRECTION OF TRAFFIC
	SANITARY SEWER MANHOLE
	FIRE HYDRANT
	WATER METER
	EXISTING CONTOUR ELEVATION
	EXISTING RUNOFF FLOW DIRECTION
	PROPOSED RUNOFF FLOW DIRECTION
	PROPOSED CONTOUR ELEVATION
	EXISTING TREES



Planter Areas
 plants will be selected as native and adapted plant species suitable for planned landscapes in North Central Texas. Perennials, Annuals plants, ornamental grasses, ground covers and vines planted on the site shall comply per the City of Red Oak Zoning Ordinance.



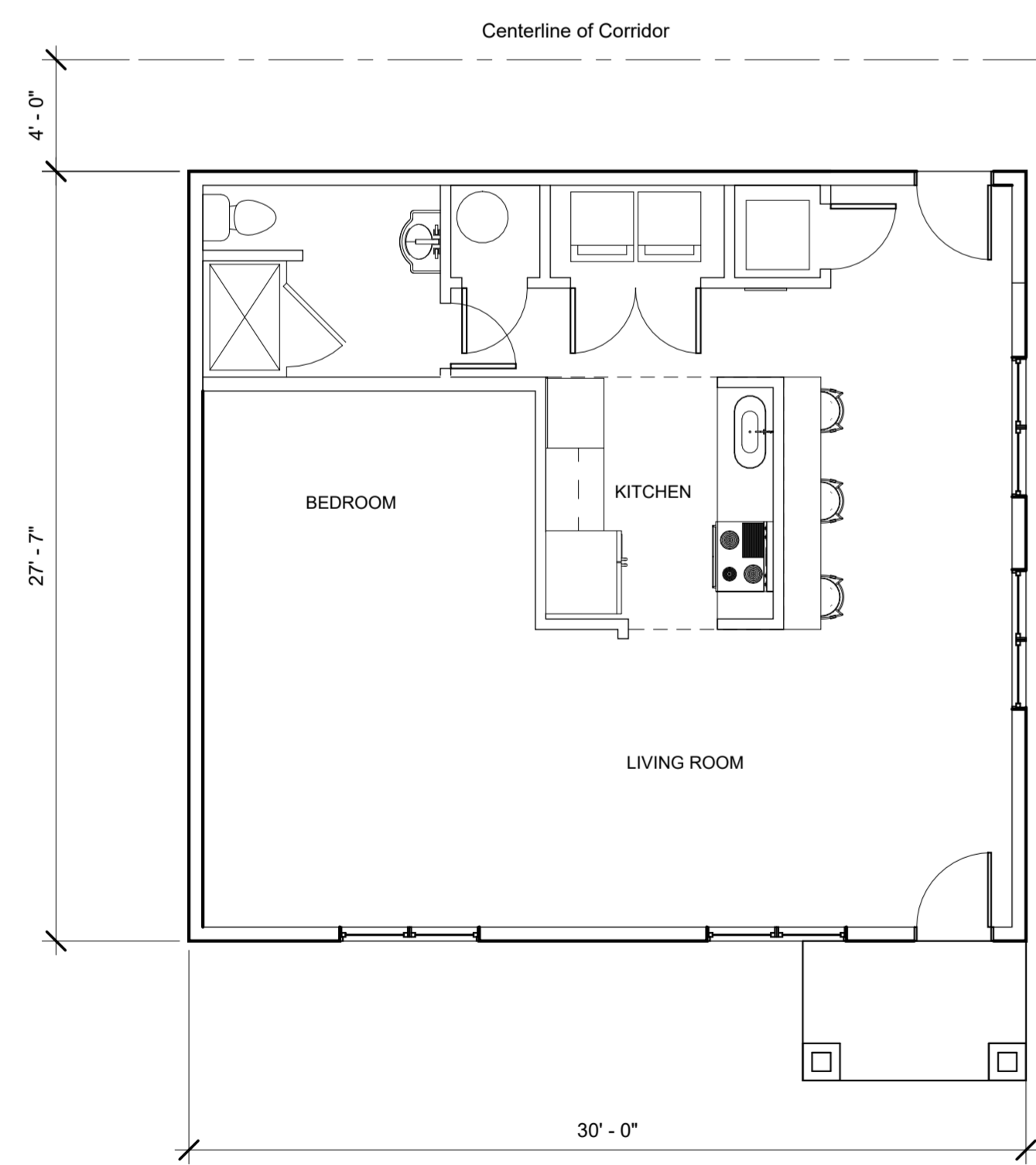
Vicinity Map



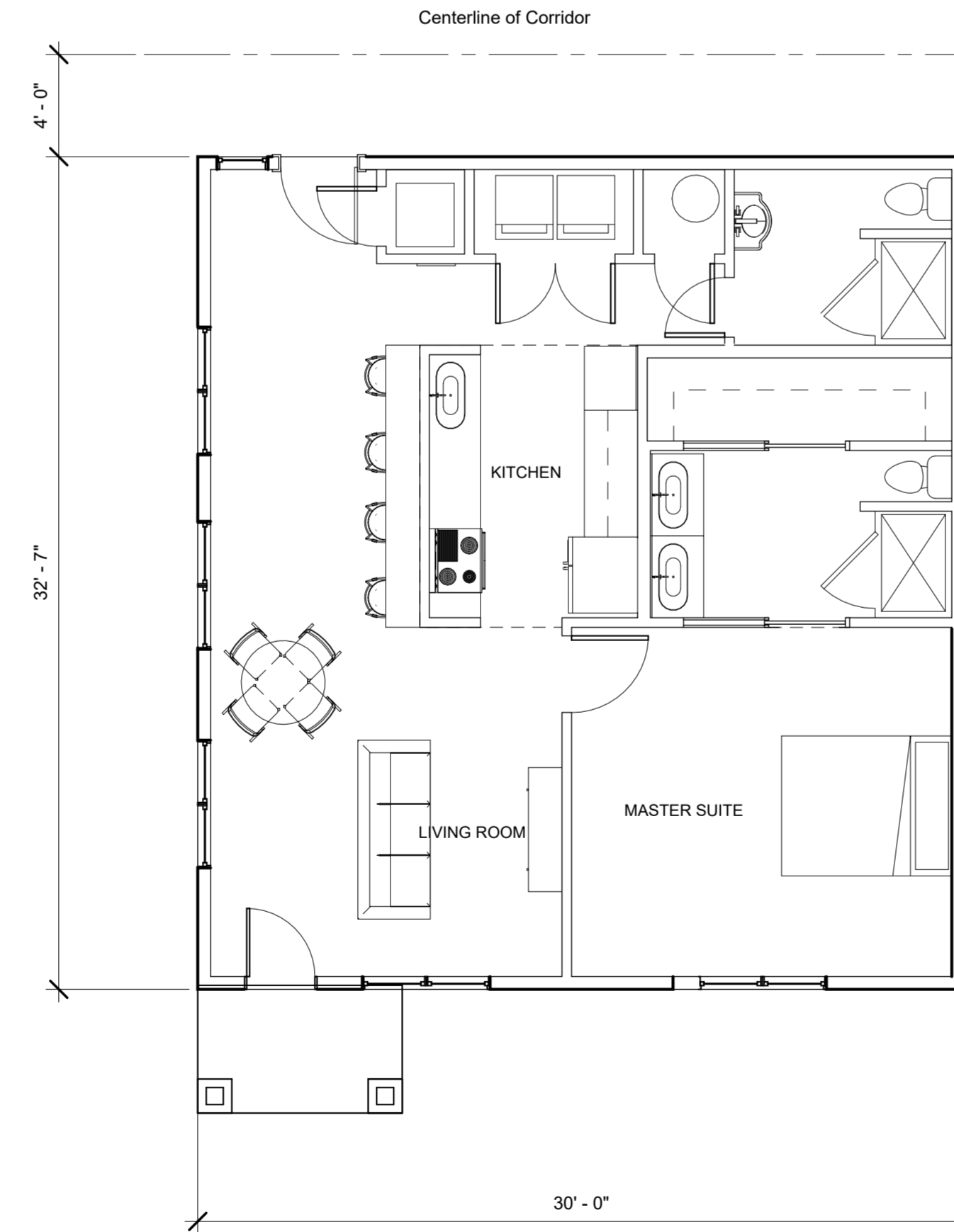
Building Square Footage	
First Floor	22,106 sq.ft.
Second Floor	20,324 sq.ft.
Total:	42,430 sq.ft.

Unit Schedule		
Unit Type	sq.ft.	# of units
Studio	816	4
One Bedroom	991	20
Two Bedroom	1234	8
Community Center	1782	
Total:		32

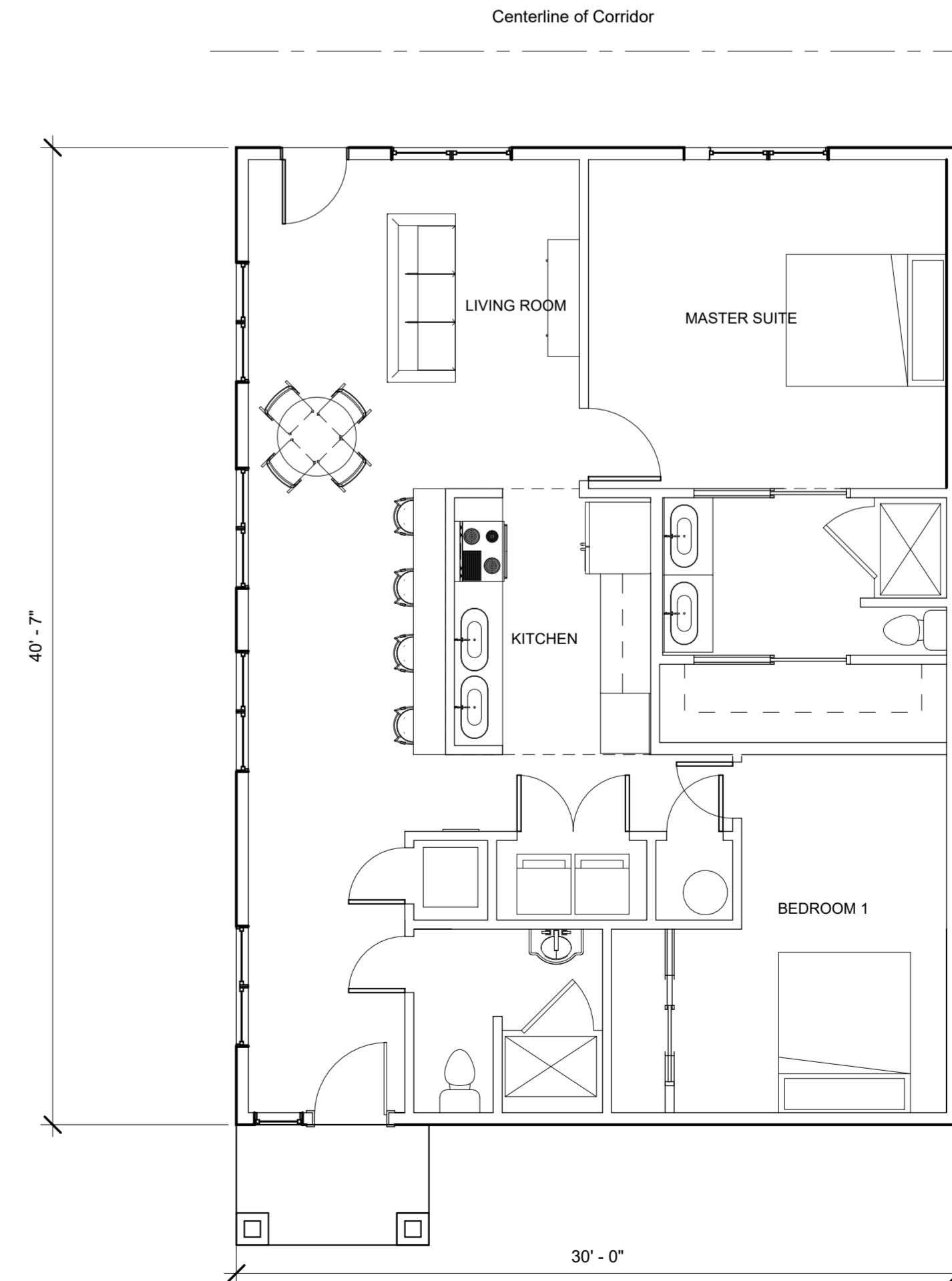
4 Building Plan - First Floor
1/16" = 1'-0"



3 Studio - Unit
3/16" = 1'-0"



5 One Bed Room - Unit
3/16" = 1'-0"



6 Two Bed Room - Unit
3/16" = 1'-0"

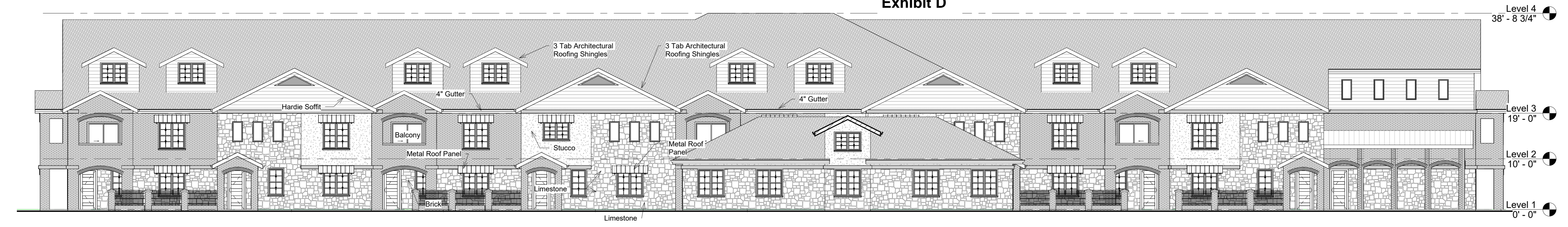
REVISIONS:

DATE: 03/07/2024
 DRAWN BY: VAR
 DESIGN BY: VAR
 REVIEWED BY: VAR
 PLANS: Concept Plans

LEGAL DESCRIPTION:
 LOT 2B PLEASANT RIDGE
 RETIREMENT COMMUNITY
 2.782 AC
 PARCEL ADDRESS:
 ENCHANTED CT.

MOZART CONDO UNITS
 LOT 2B PLEASANT RIDGE RETIREMENT COMMUNITY
 RED OAK, TEXAS 75154
 Concept Plans

Exhibit D



2 South
3/32" = 1'-0"



3 East
3/32" = 1'-0"



1 North
3/32" = 1'-0"



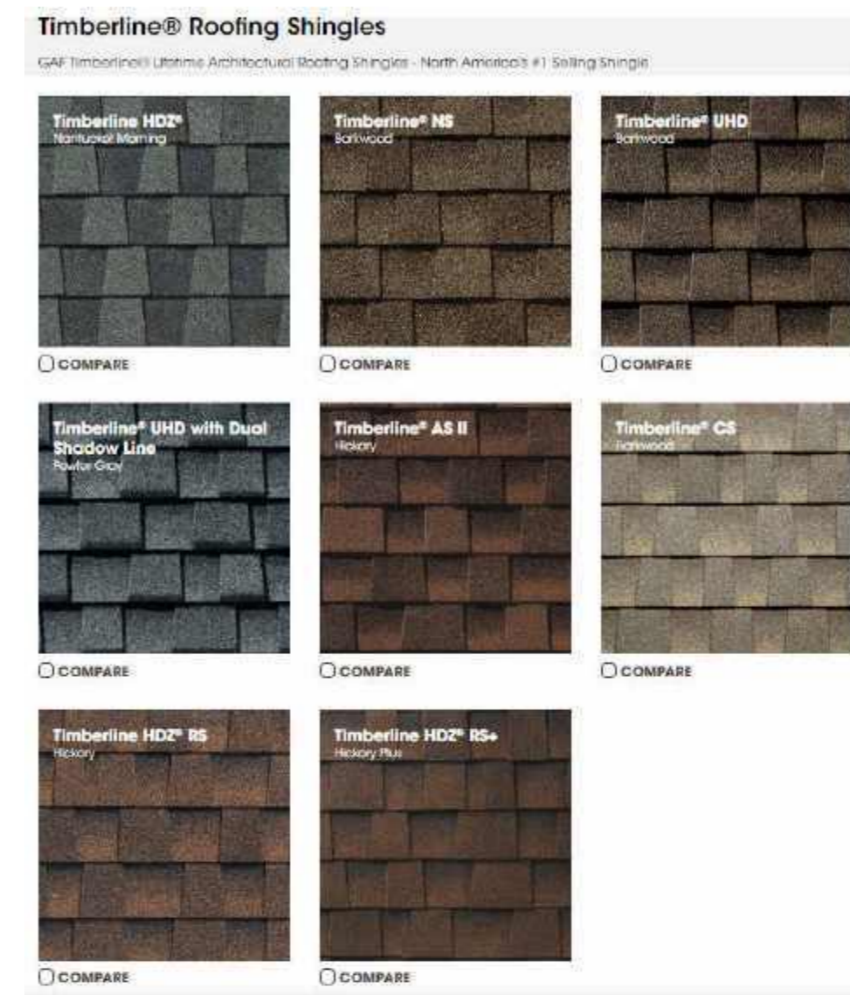
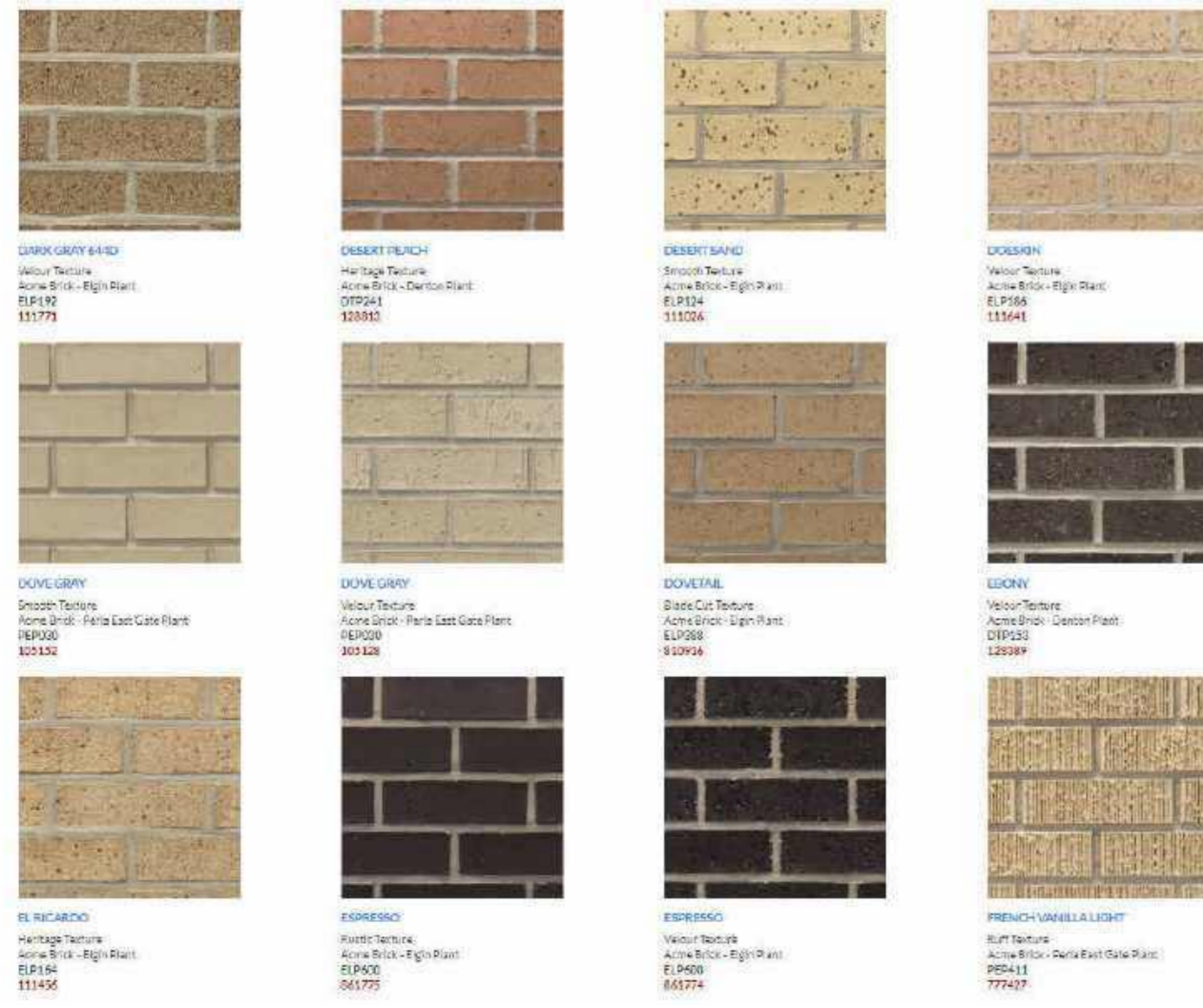
4 West
3/32" = 1'-0"

REVISIONS:

DATE: 03/07/2024
 DRAWN BY: VAR
 DESIGN BY: VAR
 REVIEWED BY: VAR
 PLANS: Concept Plans

LEGAL DESCRIPTION:
 LOT 2B PLEASANT RIDGE
 RETIREMENT COMMUNITY
 2.782 AC
 PARCEL ADDRESS:
 ENCHANTED CT.

MOZART CONDO UNITS
 LOT 2B PLEASANT RIDGE RETIREMENT COMMUNITY
 RED OAK, TEXAS 75154
Elevations



REVISIONS:

DATE: 03/07/2024
DRAWN BY: VAR
DESIGN BY: VAR
REVIEWED BY: VAR
PLANS: Concept Plans

LEGAL DESCRIPTION:
LOT 2B PLEASANT RIDGE
RETIREMENT COMMUNITY
2.782 AC
PARCEL ADDRESS:
ENCHANTED CT.

MOZART CONDO UNITS
LOT 2B PLEASANT RIDGE RETIREMENT COMMUNITY
RED OAK, TEXAS 75154
Concept Renderings/Materials

Exhibit E

Planned Development Conditions for Mozart 55+ apartment

1. Purpose and Intent:

Purpose and intent of this Planned Development (PD) is to allow for the development of up to 32 apartment units in Red Oak (Mozart 55+ apartment) for the 55+ community. The development proposal is to have: 32 units total. There will be (4) Studio units, (20) One bedrooms units, and (8) Two Bedroom units. The facility will also have 3 Elevators/Stair locations and an Office/Community Center. All building units and shared facility space will be connected by an enclosed central corridor system. The Mozart 55+ apartment Project is a single lot development on 2.782 Ac. Any standards not written herein shall default to the City of Red Oak Zoning and Subdivision ordinances

2. Permitted Uses:

A. Multifamily Residential (Apartments) – All uses included in the A district.

3. Height Regulations:

A. Multifamily Residential (Apartments) - No structure or building shall exceed Forty feet (40') or two stories.

4. Area Regulations:

A. Residential

- a. Maximum Lot Coverage including accessory: 60%
- b. Minimum Living Area: 800 sq. ft.
- c. Minimum parking Spaces: 2 Car/Per Dwelling Unit

5. Type of Exterior Construction:

- A. Any exterior elevation parallel to a public ROW shall be a minimum of one hundred (100) percent masonry.
- B. All other exterior elevations shall be a minimum of eighty (80) percent masonry.
- C. For purposes of this Section, the calculations for masonry construction exclude roofs, garage doors, dormers, windows, fascia, gutters, and doors.
- D. Roofs

i. Residential shall utilize a 30 yr. architectural shingle or standing seam metal.

E. Elevations:

- i. All materials and elevations shall substantially match the corresponding architectural renderings and elevation included in this Planned Development District document set as determined by staff.
- ii. Any elevation greater than 30 feet in horizontal length shall have recesses, projections, windows, arcades or other distinctive features to interrupt the length of the building façade. Elements including, but not limited to, balconies, setbacks, and recesses or projections greater than 16 inches may be used to provide architectural interest.
- iii. All building façades shall include at least five elements listed below on a front elevation, at least four on a side elevation viewable from ROW all other elevations shall require at least three of the elements listed below.
 1. Color change.
 2. Texture change.
 3. Material change.

4. Change in pattern of single and same material (such as adding a soldier course of brick on a brick façade or a brick herringbone pattern, etc).
5. Medallions / accent pieces.
6. Decorative light fixtures.
 - iv. For all facades that face a public street, windows and doors shall comprise at least 20% of the wall area. All other facades may be reduced to 10% or may provide one window or door per sleeping area (as defined by the Building Code). Shutters, trims, or false windows shall not count toward the minimum requirement.

6. Materials and Colors:

A. All buildings within the project shall be constructed of building materials from a similar color and material palette. This is intended to create a theme or cohesion of development; it is not intended to require the exact same materials with adjacent properties within the development.

7. Landscaping Requirements:

A. Residential

- i. Foundation Plantings shall cover a minimum of 60% of the front elevations
- ii. All front, back, and sideyards must be 100% sodded exclusive of trees and planter beds and concrete flatwork.
- iii. The property shall have an automatic sprinkler system with appropriate head location to cover the entire lot.
- iv. All planted trees shall originate from the Recommended Tree List per the City of Red Oak Zoning Ordinance.
 - Planted trees shall be At least 6" in diameter measured at breast height. (6 " DBH)
 - Landscaping shall generally be in conformance with the attached Concept Plan. A detailed landscape plan is required prior to final approval.

8. Fencing, Screening and Sidewalk Requirements:

A. Residential Fencing

- i. Six foot (6') Masonry screening walls shall be installed as depicted on Concept Plans
- ii. Decorative Metal. Decorative metal means wrought iron or other decorative metal with a black powder coated finish. Other decorative metal may only be used with prior staff approval. Where decorative metal is used (along the southside of the property) columns of brick or stone shall be used at property corners and in intervals no greater than 50'.
- lii. Gates - Gates across streets or fire lane access shall meet the approval of the Fire Marshal and Building Department. Security gates shall be maintained and an approved means of emergency operation shall be provided and maintained by Property Management. An Opticom receiver and Knox key switch shall be provided.

B. Residential sidewalks

- i. Developer shall provide treed 4' sidewalks interconnecting building units that connect to public ROW and fitness trails .
- ii. The Developer shall construct at least 75% of the courtyard area between the building as areas that are permeable (allow water to pass through) - either permeable paving, plants, mulch, or a combination of these. 50% of the courtyard area must be planted.
- iii. Developers shall install 6' wide trails as depicted on the concept plan.

9. Property Management will be established to maintain all of the common area, such as open space areas, playground equipment, benches, sidewalks, irrigation, and brick screening walls, gates, detention areas, landscaping, bar and ditches and cluster mailboxes.

10. Variation and diversity of front elevations adds character and interest to communities. Units may vary in choice of exterior materials; siding, brick, stone, metal awnings and paint colors.

11. Minimum Roof Pitch: The minimum roof pitch shall be 6:12

12. Minimum Wall Plates: The minimum wall plate for any ground floor shall be a minimum of 10'. The minimum plate for any second floor shall be 8'.

13. Minimum Front Door Height: Minimum front door height for all homes shall be 8'.

14. Mail Boxes: Cluster mail boxes shall be provided and be consistent with the provided plans. Mail Boxes shall be covered and be cased in stone or brick of a similar color and style to the subdivision screening improvements. Mail Boxes shall be installed prior to acceptance of the public improvements.

15. Street Lights and Street Signs: Decorative street lights and street signs shall be installed. Street lights shall be maintained by the electric company.

16. Street Pavers and Stamped Concrete: The subdivision entryways shall have paver or stamped concrete design.

17. On Site Detention: On site detention is required. Detention ponds shall be owned and maintained by the Developer/Management including but not limited to, landscaping, irrigation, sidewalks, benches, etc. Landscaping and sidewalks shall be installed per the development and landscape plans. The Developer may elect to construct a retention pond instead of a detention pond. If the Developer constructs a retention pond, the pond must be aerated and sealed.

18. Dumpster: Each refuse facility shall be screened from view on three (3) sides by a masonry wall not less than six (6) feet in height, with the fourth side enclosed by metal doors of equivalent height. Pipe bollards shall be installed around the refuse facility in a manner that will protect the masonry walls and metal doors from vehicle impact or collision.