

ORDINANCE NO. 9918-2015

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE ZONING ORDINANCE AND MAP BY SHOWING THE LOCATION, BOUNDARY, AND USE OF A CERTAIN PROPERTY GRANTING A TRANSFER OF MULTI-FAMILY RESIDENTIAL DENSITY FROM PLANNED DEVELOPMENT 265 (PD-265) DISTRICT TO PLANNED DEVELOPMENT-353 (PD-353) THUS AMENDING SECTION II, TRACT 2 MULTI-FAMILY, 3. MAXIMUM NUMBER OF UNITS OR APARTMENT FROM 600 DWELLING UNITS TO 264 DWELLING UNITS, TO WIT: A 65.62 ACRE TRACT OF LAND OUT OF THE CHARLES D. BALL SURVEY, ABSTRACT NO. 197, CITY OF GRAND PRAIRIE, TARRANT COUNTY, TEXAS, AND THE CHARLES D. BALL SURVEY, ABSTRACT NO. 1699, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, GENERALLY LOCATED SOUTH OF SOUTH FORUM DRIVE, NORTH OF THE NORTH FORK OF FISH CREEK, WEST OF SARA JANE PARKWAY, AND EAST OF THE SOUTH FORUM DRIVE/SAN REMO DRIVE INTERSECTION; SAID ZONING ORDINANCE AND MAP BEING ORDINANCE NUMBER 4779 AND PASSED ON NOVEMBER 20, 1990; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL

WHEREAS, the owners of the property described herein below filed application with the City of Grand Prairie, Texas, petitioning an amendment of the Zoning Ordinance and Map of said city so as to rezone and reclassify said property from its classification of **Planned Development-265 (PD-265) District to Planned Development-265A (PD-265A) District;**

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on August 31, 2015, after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 300 feet of the property on which the change of classification is proposed, said Notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such Notice being served by depositing the same, properly addressed and postage paid, in the City Post Office;

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 9 to 0 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned from its classification of **Planned Development-265 (PD-265) District to Planned Development-265A (PD-265A) District;**

WHEREAS, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building at 6:30 o'clock P.M. on September 15, 2015, consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Grand Prairie, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed rezoning and the City Council of the City of Grand Prairie, Texas, being informed as to the location and nature of the use proposed on said property, as well as, the nature and usability of surrounding property, have found and determined that the property in question, as well as, other property within the city

limits of the City of Grand Prairie, Texas, has changed in character since the enactment of the original Zoning Ordinance from its classification of **Planned Development District-265** and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. THAT Ordinance Number 4779, being the Zoning Ordinance and Map of the City of Grand Prairie, Texas, showing the locations and boundaries of certain districts, and said Zoning Ordinance and Map having been made a part of an Ordinance entitled:

“AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 28 OF THE CODE OF ORDINANCES KNOWN AS THE ZONING ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS PASSED AND APPROVED BY THE CITY COUNCIL ON THE 20TH DAY OF NOVEMBER, 1990, TOGETHER WITH ALL AMENDMENTS THERETO AND ENACTING A REVISED ORDINANCE ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS; CREATING USE DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN...”

and passed and approved November 20, 1990, as amended, is hereby further amended so as to rezone the following described area from its classification of **Planned Development-265 (PD-265)** to **Planned Development-265A (PD-265A)**:

PROPERTY DESCRIPTION - 65.62 ACRES

BEING all that certain tract or parcel of land situated in the CHARLES D. BALL SURVEY, Abstract No. 197 (Tarrant County, Texas) and the CHARLES D. BALL SURVEY, Abstract No. 1699 (Dallas County, Texas), and being out of a 106.969 acre tract of land described in deed to C. R. Smith recorded in Volume 5149, Page 82 of the Deed Records of Tarrant County, Texas (D.R.T.C.T.), and Volume 71228, Page 1976 of the Deed Records of Dallas County, Texas (D.R.T.C.T.), and being more particularly described as follows:

BEGINNING at a 1" iron rod found with a 1/2-inch pointed top on the east side of an old cross-tie fence post at the easterly end of Forum Drive, a public street, said iron rod also being the northeasterly corner of Forum Village Southwest, an addition to the City of Grand Prairie, as recorded in Volume 388-135, Page 76, Plat Records of Tarrant County, Texas, said iron rod also being the northwest corner of this tract;

THENCE N 89°28'05" E, 865.31 feet crossing a wooded area and a cultivated field to a 3/4 - inch pipe found at a fence corner at the southeast corner of Tract 2 conveyed to Doctors Nursing Center Foundation, Inc., as recorded in Volume 11377, Page 2244, D.R.T.C.T., said pipe also being the southwest corner of a tract of land conveyed to Susie Esther Baker and Bryant O. Baker, Jr., as recorded in Volume 4781, Page 284, D.R.T.C.T.;

THENCE S 89°33'01" E, 882.08 feet along the south line of said Baker tract and a north line of said Smith tract and along a fence line to a 3/4 inch pipe found at the most southerly

northeast corner of said Smith tract and the northwest corner of a tract of land conveyed to Tommy Joe Winn and Leland Gielley, as recorded in Volume 94053, Page 3064, D.R.T.C.T.;

THENCE S 00°33 '37" W, along the east line of said Smith tract and along the west line of said Winn and Gielley tract a distance of 1,436.4 feet to a point;

THENCE N 89°19'49" W, a distance of 289.15 feet to a point for corner, being on the east line of said tract;

THENCE S 71°56'51" W, a distance of 131.00 feet to a point for corner;

THENCE S 66°33'11" W, a distance of 381.81 feet to a point for corner;

THENCE S 61°41'51" W, a distance of 250.34 feet to a point for corner;

THENCE S 67°01'58" W, a distance of 91.90 feet to a point for corner;

THENCE S 73°18'30" W, a distance of 49.47 feet to a point for corner

THENCE S 49°37'47" W, a distance of 77.30 feet to a point for corner;

THENCE S 69°06'31" W, a distance of 147.50 feet to a point for corner;

THENCE N 20°09'19" W, a distance of 290.42 feet to a point for corner;

THENCE N 57°16'38" W, a distance of 45.06 feet to a point for corner;

THENCE N 75°25'37" W, a distance of 90.87 feet to a point for corner;

THENCE S 64°43'59" W, a distance of 38.61 feet to a point for corner;

THENCE South, a distance of 214.22 feet to a point for corner;

THENCE S 80°05'3" W, a distance of 101.40 feet to a point for corner;

THENCE N 26°22'22" W, a distance of 122.26 feet to a point for corner;

THENCE N 00°04'18" E, along the west line of said tract, a distance of 1,717.20 feet to the POINT OF BEGINNING and containing 65.2 acres of land, more or less.

SECTION 2. Purpose and Intent

The purpose and intent of this zoning ordinance is to transfer 336 (of the available 600 dwelling units) multi-family residential dwelling units from Planned Development-265 (PD-265) District (Ordinance Number 6289) to Planned Development 353 (PD-353) District. All other provisions of Planned Development-265 District (Ordinance Number 6289) shall remain unchanged and in effect.

SECTION 3. Development Standards

Amending item number 3 of Tract 2 (Multi-Family) of Section II of PD-265 (Ordinance No. 6289) to read as follows:

3. Maximum Number of Units or Apartments: ~~600~~ 264.

SECTION 4. Reversion of Unused Multi-Family Dwelling Units

The development rights for 336 multi-family dwelling units are hereby transferred from Planned Development-265 District for multi-family development to the adjacent Planned Development- 353 District. In the event that the transferred 336 multi-family dwelling units are not fully utilized, via a City Council approved site plan within 24-months, a portion of the transferred development rights, up to a maximum of 15% of the 336 multi-family dwelling units (50 multi-family dwellings units), shall automatically transfer back to Planned Development-265A. Any unused development rights beyond 15% shall become null and void.

SECTION 5. THAT all ordinances or parts of ordinances in conflict herewith are specifically repealed.

SECTION 6. THAT this Ordinance shall be in full force and effect from and after its passage and approval.


PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 15TH DAY OF SEPTEMBER, 2015.

APPROVED:




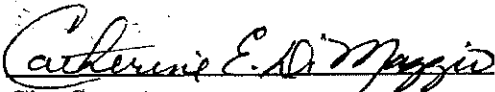
Ron Jensen, Mayor

APPROVED AS TO FORM:



City Attorney

ATTEST:

City Secretary

**ORDINANCE NO. 9918-2015
PLANNED DEVELOPMENT NO. 265A
ZONING CASE NO. Z150903**

EXHIBIT " A "

PROPOSED USES & NET DENSITY:

Total site approx. 105.090 acres

Single Family / Multi-Family

(Single Family maximum density of 5.5 units/acre. Also, variance for up to 600 MF dwelling units/acre is authorized for PD 231A)

Overall Acreage - 65.615 ac

Net Land - 55.115 ac

(outside of flood plain & easement)

Easement Acreage - 3.44 ac

Floodplain Acreage - 9.04 ac

(for density part of easement)

General Retail / Office / Multi-Family

(Max. 330 MF Dwelling Units)

Overall Acreage - 39.475 ac

Net Land - 26.449 ac

(outside of flood plain, easement & R.O.W.)

Easement Acreage - 3.01 ac

Floodplain Acreage - 0.79 ac

(not density part of easement)

R.O.W. Acreage - 3.228 ac

Flood Plain

OWNER:

Rob Smith Management
3813 Maple Creek Blvd., 1000
Dallas, Texas 75219
(214) 321-3341

APPLICANT:

ADAMS
910 S. Rusk Ave.
Dallas, Texas 75202
(214) 328-3333

NOTE:

Purpose of zoning: Change the current PD zoning on the tract north of the Interstate Highway 20 and east of the proposed Forum Dr. to allow for a density of 5.5 units/acre. Proposed zoning is indicated for the tract north of the Interstate Highway 20 and east of the proposed Forum Dr. The tract is subject to the PD 231A zoning and does not include any variance. When the zoning is changed to PD 231A, zoning on the tract between the creek and Jane Parkway, the PD 231A zoning on the tract would maintain an allowance of 5.5 units/acre. The PD 231A zoning on the tract between the creek and Jane Parkway, the PD 231A zoning on the tract would maintain an allowance of 5.5 units/acre. The PD 231A zoning on the tract would maintain an allowance of 5.5 units/acre. The PD 231A zoning on the tract would maintain an allowance of 5.5 units/acre.

Finally the existing PD Ordinance exhibits outside the revised alignment of Jane Parkway and through the process there is an opportunity to make the PD exhibit to which has since been constructed. The owner & owner that the PD affect the unit per acre density.

ZONING REVISION PD 245 & PD 231A

Address: Between IH20 & Forum Dr. with Sara Jane Pkwy intersecting

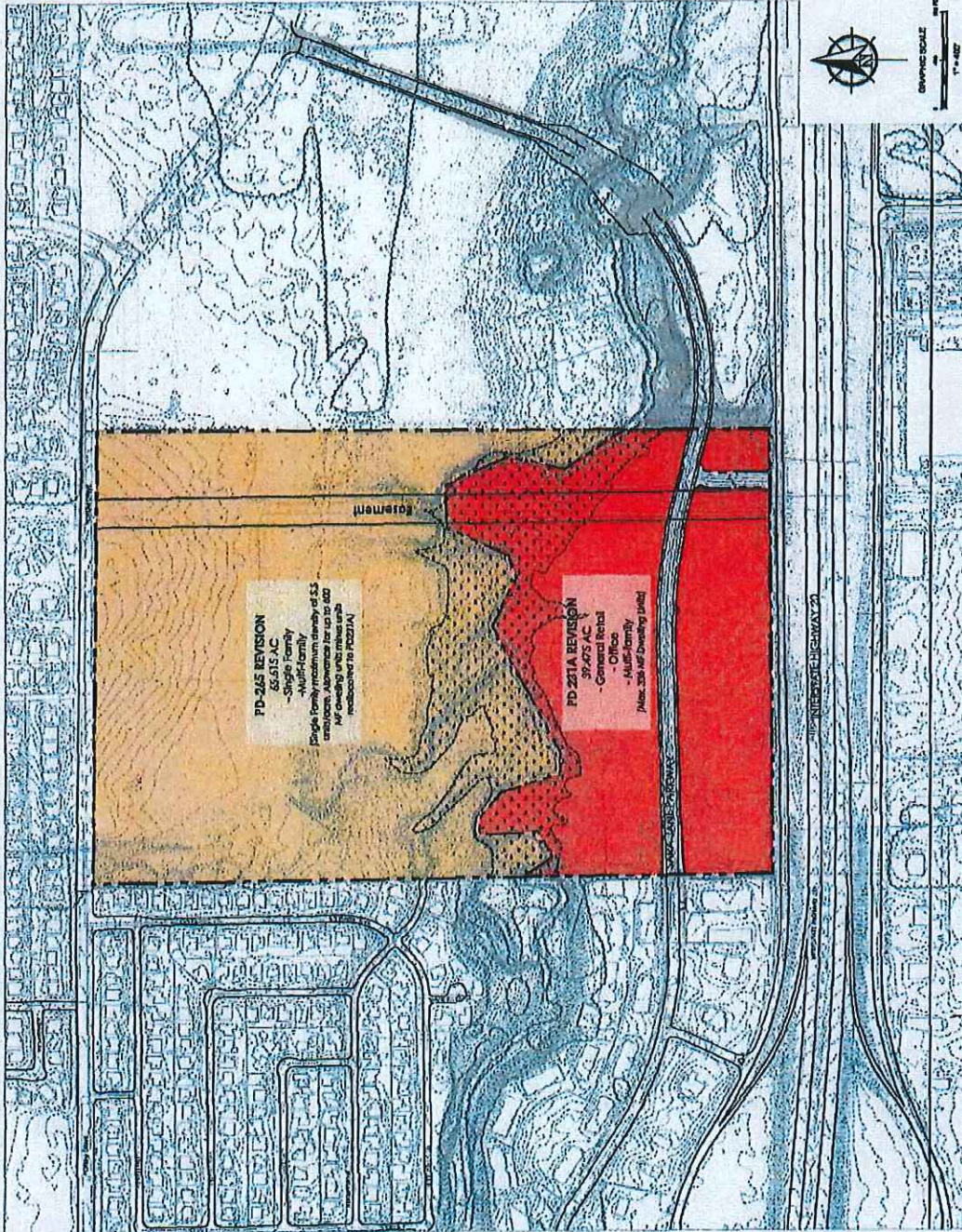
Case Number: Z150903

Existing Use PD 245: Vacant
Existing Use PD 231: Vacant



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DATE: AUGUST 26, 2015
SCALE: 1" = 400'

RECEIVED
AUG 26 2015
PLANNING DEPARTMENT