

ORDINANCE NO. 9957-2015

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 ZONING CHANGE FROM PLANNED DEVELOPMENT-185 (PD-185) DISTRICT AND AGRICULTURE (A) DISTRICT TO PLANNED DEVELOPMENT-185A (PD-185A) DISTRICT FOR MULTI-FAMILY RESIDENTIAL USES AND COMMERCIAL-ONE (C-1) DISTRICT USES ON A 64.287 ACRE TRACT OF LAND OUT OF THE J. C. ARMSTRONG SURVEY, ABSTRACT NO. 43, CITY OF GRAND PRAIRIE, TARRANT COUNTY, TEXAS, AND THE J.H. HUGHES SURVEY, ABSTRACT NO. 732, CITY OF GRAND PRAIRIE, TARRANT COUNTY, TEXAS, GENERALLY LOCATED SOUTH OF RAGLAND ROAD BETWEEN STATE HIGHWAY 360 (SH 360) AND DAY MIAR ROAD; 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-185 (PD-185) District and Agriculture (A) District to Planned Development-185A (PD-185A) District allowing multi-family residential uses and Commercial-One (C-1) District uses**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on October 5, 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; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 6 to 3 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned from its classification of **Planned Development-185 (PD-185) District and Agriculture (A) District to Planned Development-185A (PD-185A) District allowing multi-family residential uses and Commercial-One (C-1) District uses**; and

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 October 13, 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-185 (PD-185) District and Agriculture (A) District** 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 area from its classification of **Planned Development-185 (PD-185) District and Agriculture (A) District to Planned Development-185A (PD-185A) District allowing multi-family residential uses and Commercial-One (C-1) District uses** as shown in attached Exhibit A - Location Map and as legally described in attached Exhibit B - Legal Description.

SECTION 2. Purpose and Intent

The purpose and intent of this zoning ordinance is to establish appropriate restrictions and development controls necessary to ensure that the future horizontal mixed-use development of the subject property is in keeping with the Grand Prairie Comprehensive, maintains compatible with the surrounding development/zoning districts, and preserves all elements of Planned Development 185 (PD-185) District as adopted via Ordinance Number 4134 on April 7, 1987, except as specifically called out in the following sections.

SECTION 3. Development Standards

1. Applicability

All development on land located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this zoning ordinance.

2. Base Zoning

Any zoning, land use requirement or restriction not contained within this zoning ordinance shall conform to those requirements and/or standards contained within Planned Development-185 (PD-185), which adopted the Commercial-One (C-1) District standards, and/or the Multi Family

Three (MF-3) District, as applicable, and as adopted and amended in the Unified Development Code (UDC). Where there is a conflict between the UDC and this ordinance, unless explicitly contained within this ordinance, the more restrictive will prevail.

3. Conceptual Plan

- a. Development shall be in substantial conformance, as determined by the Planning Director or his designee, with the attached Exhibit C - Zoning Concept Plan.
- b. The site layout of the multifamily project shall provide for any surface parking to the side and behind buildings along the primary drive in front of the project as well as adjacent to the frontage road of SH 360.
- c. Green spaces shall be integrated within the multifamily project; and those spaces shall be made accessible by walkable pathways and linked to the exterior of the project for convenient access to neighboring greenspaces and parks.

4. District-Wide Provisions

- a. Building setbacks shall be as follows:
 - i. Front Yard - 10 feet
 - ii. Side Yard - 20 feet (interior side yard); 10 feet (exterior side yard)
 - iii. Rear Yard -10 feet.
- b. Fencing - fences shall not be required on internal streets and property lines, except as indicated below:
 - i. Storage and areas used for utility purposes shall be screened in accordance with the UDC as amended.
 - ii. Perimeter fencing along the exterior property lines shall be provided in accordance with the UDC as amended.
- c. Landscape Buffer - the landscape buffer required adjacent to rights-of-way by Appendix F of the UDC, as amended, shall be reduced to match the required setback specified in this ordinance.

5. Commercial-One District Amendments to PD-185

The provisions contained in PD-185 (Ordinance Number 4134) shall apply with the exception of the following:

- a. "Section II, 1. Permitted Uses, E. Retail and Service Types, Restaurant with drive-in" or drive-through. The words drive through shall be added to the permitted uses and treated the same as "drive-in".
- b. "Section II, 1. Permitted Uses, F. Automobile and Related Service Uses, ~~Commercial Auto Parklot~~, New Auto Parts Sale (as an accessory use to a large format department

store), ~~Used Auto Parts Sales (in building)~~, Franchise New Car Sales with Used Car Sales as an ancillary use (permissible with approval of a specific use permit)". This section shall be amended to remove Commercial Auto Parklot and Used Auto Parts Sales (in building) from the list of permissible uses and permit Franchise New Car Sales with Used Car Sales as an ancillary use with the approval of a specific use permit.

5. Multifamily Residential District

Development within the boundary of this development shall comply with the Multi-Family Three (MF-3) District provisions contained in the UDC, as amended, with the exception of the following:

- a. Maximum Density:
 - i. Thirty (30) dwelling units per acre.
 - ii. The density calculation shall be based on net acreage, in accordance with the UDC, as amended.
- b. Building Façade Materials: All building façades shall be a minimum of 80% masonry as defined by the UDC, as amended.
- c. Garages:
 - i. A minimum of 15% of the required parking shall be attached garages.
 - ii. Direct access from an attached garage into the building's hall corridor may be provided in lieu of direct access to individual dwelling units.
 - iii. All other provisions relating to attached garages shall be provided in accordance with the UDC, as amended.
- d. Height: Maximum of 55 feet and no more than four (4) stories.

SECTION 4. THAT a site plan shall be reviewed and approved by the City Council prior to the issuance of any building permits.

SECTION 5. THAT it is further provided, that in case a section, clause, sentence, or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 6. THAT all ordinances or parts of ordinances in conflict herewith are specifically repealed.

SECTION 7. 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 13TH DAY OF OCTOBER, 2015.

APPROVED:



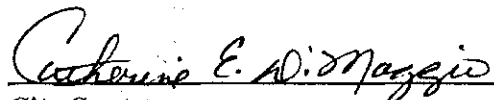
Ron Jensen, Mayor

APPROVED AS TO FORM:



City Attorney

ATTEST:



City Secretary

ORDINANCE NO. 9957-2015
PLANNED DEVELOPMENT NO. 352
CASE NO. Z151002



Exhibit A - Location

RAGLANLY

LOYD PARK

DAYMAR

LOYD PARK

HWY.360.SVC.NB

HWY.360.SVC.SB



CASE LOCATION MAP

Case Number Z151002
Southgate



City of Grand Prairie
Planning and Development

(972) 237-8257
www.gptx.org

Exhibit B - Legal Description

LEGAL DESCRIPTION

(Compiled from field notes)

64.287 acres of land situated in the J.C. ARMSTRONG SURVEY, ABSTRACT NO. 43 and the J.H. HUGHES SURVEY, ABSTRACT NO. 732, City of Grand Prairie, Tarrant County, Texas, being all of those certain tracts of land conveyed to TA Land Fund I, LP. by deed recorded in Clerk's File No. D214238444, Deed Records, Tarrant County, Texas, TA Land Fund I, LP. by deed recorded in Clerk's File No. D214263495 and Charles Clayton Stidham by deed recorded in Clerk's File No. D209121587, Deed Records, Tarrant County, Texas and embracing Lot 1, Block 1, SOUTHGATE COMMERCIAL ADDITION, an Addition to the City of Grand Prairie, Tarrant County, Texas, according to the Plat recorded in Cabinet A, Slide 10278, Plat Records, Tarrant County, Texas, said 64.287 acres being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" Iron found at the intersection of the East line of State Highway 360 (R.O.W. varies) and the West line of said TA Land tract (CC# D214238444), said iron being the most Easterly Northeast corner of a tract of land conveyed to John B. Foster, Tr. by deed recorded in Volume 7003, Page 153, Deed Records, Tarrant County, Texas;

THENCE along the East line of said State Highway as follows:

N 02° 16' 16" E, 306.94 feet to a TXDOT monument found at the beginning of a curve to the right whose radius is 1402.39 feet and whose long chord bears N 13° 39' 08" E, 552.50 feet;

ALONG said curve in a Northeasterly direction, thru a central angle of 22° 43' 17", a distance of 556.14 feet to a broken monument found at the end of said curve;

N 25° 00' 46" E, 272.01 feet to a broken monument found at the beginning of a curve to the left whose radius is 984.93 feet and whose long chord bears N 16° 53' 10" E, 278.64 feet;

ALONG said curve in a Northeasterly direction, thru a central angle of 16° 15' 50", a distance of 279.58 feet to a 1/2" Iron set with Fulton Surveying cap at the end of said curve;

N 32° 56' 46" E, 178.04 feet to a 1/2" Iron set with Fulton Surveying cap;

N 01° 03' 14" W, 36.06 feet to a 1/2" Iron set with Fulton Surveying cap at the intersection of the East line of said State Highway and the South line of Ragland Road (R.O.W. varies);

THENCE N 59° 59' 46" E, along the South line of said Ragland Road, 520.20 feet to a 1/2" iron set with Fulton Surveying cap at the intersection of the South line of said Ragland Road and the West line of Day Mlar Road (R.O.W. varies);

THENCE S 30° 27' 15" E, along the West line of said Day Mlar Road, 295.07 feet to a 1/2" iron set with Fulton Surveying cap at the Northeast corner of a tract of land conveyed to Lakeview Boat & RV Storage, LLC. by deed recorded in Clerk's File No. D213040166, Deed Records, Tarrant County, Texas;

THENCE along the common lines of said TA Land (CC# D214238444) and Lakeview tracts as follows:

S 59° 27' 11" W, 400.15 feet to a 1/2" Iron found;

S 30° 27' 45" E, 616.30 feet to a 1/2" Iron set with Fulton Surveying cap at the Southwest corner of said Lakeview tract in the North line of said TA Land tract (CC# D214263495);

THENCE N 59° 25' 07" E, along the common line of said TA Land (CC# D214263495) and Lakeview tracts, 400.00 feet to a 1/2" Iron found in the West line of said Day Mlar Road;

THENCE S 29° 53' 33" E, along the West line of said Day Mlar Road, 606.39 feet to a 5/8" Iron found at the Northeast corner of a tract of land conveyed to James Harrlson Willingham by deed recorded in Volume 9568, Page 1737, Deed Records, Tarrant County, Texas;

THENCE along the common line of said TA Land (CC# D214263495) and Willingham tracts as follows;

S 60° 06' 27" W, 206.40 feet;

S 29° 53' 18" E, 363.03 feet to a 1/2" Iron found at the Northeast corner of said Stidham tract in the West line of a tract of land conveyed to Jerry E. Pierce and wife, Victoria T. Pierce by deed recorded in Volume 15142, Page 257, Deed Records, Tarrant County, Texas;

THENCE along the common line of said Stidham and Pierce tracts as follows:

S 30° 03' 09" E, 210.10 feet to a 3/4" Iron found;

N 59° 36' 45" E, 207.57 feet to a 1/2" Iron found in the West line of said Day Mlar Road;

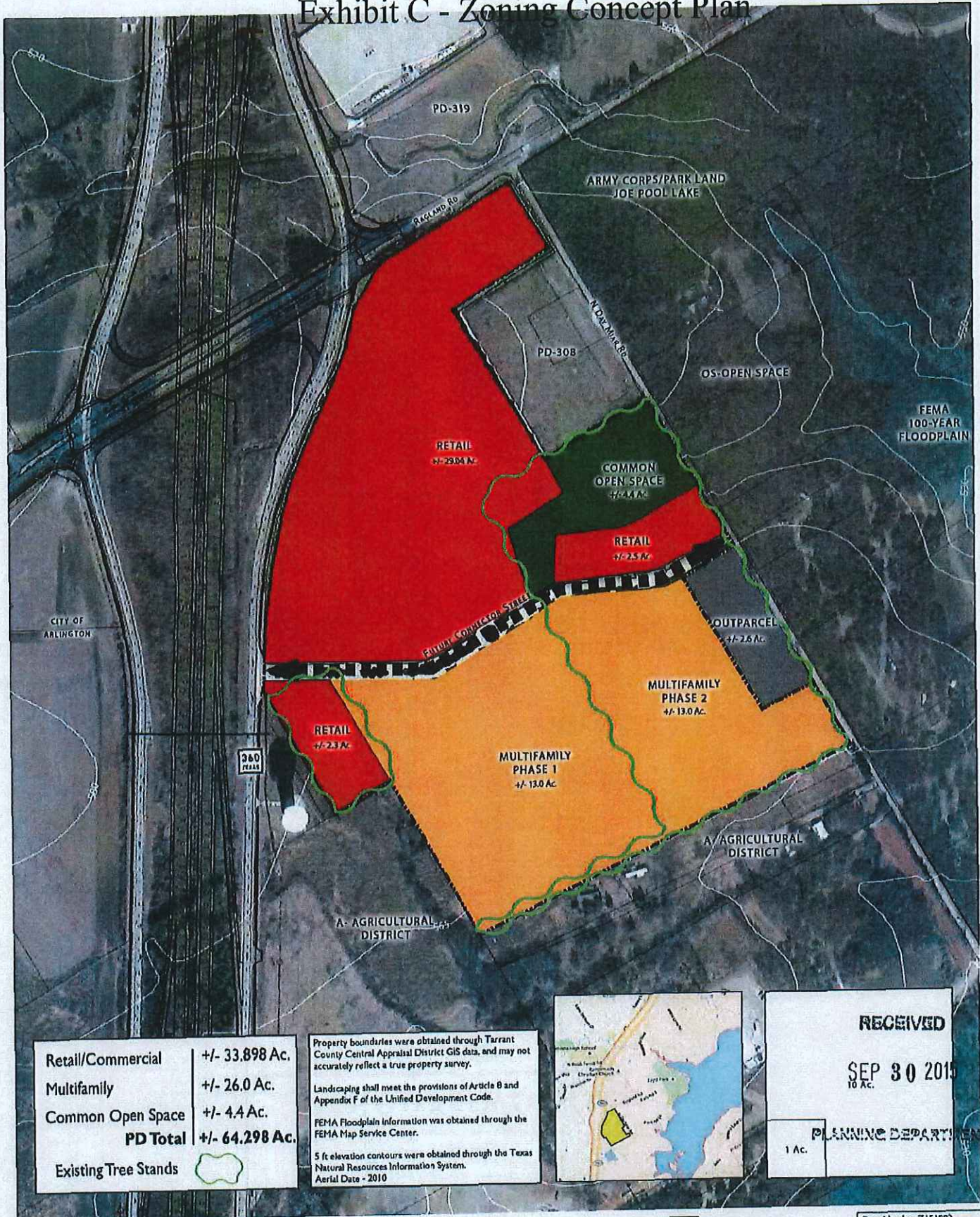
THENCE S 29° 27' 10" E, along the West line of said Day Mlar Road, 244.49 feet to a 1/2" Iron found at the Southeast corner of said Stidham tract and the Northeast corner of a tract of land conveyed to Eddle B. Martin and Norma Jean Martin by deed recorded in Volume 13555, Page 437, Deed Records, Tarrant County, Texas;


THENCE S 64° 23' 39" W, along the common line of said Stidham and Martin tracts, 1535.80 feet to a 1/2" Iron set with Fulton Surveying cap in the West line of said ARMSTRONG SURVEY;

THENCE N 29° 56' 08" W, along the West line of said ARMSTRONG SURVEY, 623.06 feet to a 1/2" iron found at the Northeast corner of a tract of land conveyed to Webb Sand, Inc. by deed recorded in Volume 12231, Page 2362, Deed Records, Tarrant County, Texas;

THENCE S 59° 55' 07" W, along the South line of said TA Land (CC# D214238444) and Webb Sand tracts, 141.47 feet to a 1/2" Iron found at the most Westerly Southwest corner of said TA Land tract (CC# D214238444) and the Easterly Southeast corner of said Foster tract;

Exhibit C - Zoning Concept Plan



Retail/Commercial	+/- 33,898 Ac.
Multifamily	+/- 26.0 Ac.
Common Open Space	+/- 4.4 Ac.
PD Total	+/- 64,298 Ac.
Existing Tree Stands	

Property boundaries were obtained through Tarrant County Central Appraisal District GIS data, and may not accurately reflect a true property survey.

Landscaping shall meet the provisions of Article 8 and Appendix F of the Unified Development Code.

FEMA Floodplain information was obtained through the FEMA Map Service Center.

5 ft elevation contours were obtained through the Texas Natural Resources Information System.

Aerial Date - 2010



RECEIVED

SEP 30 2015

10 Ac.

PLANNING DEPARTMENT

1 Ac.

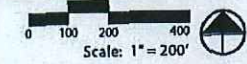
Owner:
TA Land Fund I LP
c/o Charlie Anderson
4801 W Lovers Ln.
Dallas, TX 75209
214.505.7301

Preparer:
Gateway Planning
Scott Polkov
3100 McKinnon St.
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Dallas, TX 75201
817.348.9500

Engineer:
Bury
Jim Knight
5310 Harvest Hill Rd
Suite 100
Dallas, TX 75230
972.991.0011

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SouthGate
PD- —
Grand Prairie, Texas



GATEWAY PLANNING

BURY
September 22, 2015

Case Number Z151002
SouthGate
ARMSTRONG, JAMES C
SURVEY
Abstract: 43 Tracts 6c, 6c01,
6d, 6f and 6n
64,298 +/- Acres
Grand Prairie, Tarrant County