

PLANNED DEVELOPMENT
ORDINANCE NO.
PLANNING UNIT NO.

198
4497
Z890201

AN ORDINANCE AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY SO AS TO REZONE PART OF THE AARON B. WILSON SURVEY, ABSTRACT NO. 1549, AND THE JACOB HELMS SURVEY, ABSTRACT NO. 609, GENERALLY LOCATED AT 3502 COUNTRY CLUB DRIVE FROM THE SINGLE FAMILY-ATTACHED, SINGLE FAMILY-THREE, MULTI FAMILY-ONE A14D PD-96 FOR SINGLE FAMILY-ATTACHED; WITH A SPECIFIC USE PERMIT FOR A BOTTLE CLUB ZONING DISTRICT TO: THE (PD) PLANNED DEVELOPMENT ZONING DISTRICT FOR A COUNTRY CLUB AND ASSOCIATED USES WITH A SPECIFIC USE PERMIT FOR A BOTTLE CLUB. SAID ZONING MAP AND ORDINANCE PASSED ON JANUARY, 27, 1971 AND RECORDED IN BOOK 81 PAGES 405 TO 509 OF THE ORDINANCE RECORDS OF THE CITY OF GRAND PRAIRIE, TEXAS; 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 hereinafter described property 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 SF-A, SF-3, MF-1, and PD-96 for SF-A with a Specific Use Permit for a Bottle Club to (PD) Planned Development **for Country Club and Associated Uses with a Specific Use Permit for a Bottle Club**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on February 27, 1989, after written Notice of such public hearing before the Zoning Commission on the proposed change in classification had been sent to owners of real property lying within 200 feet of the property on which the change in classification is proposed, said Notice having been given not less than ten (10) days before the date set for bearing 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 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 so as to change its classification from SF-A, SF-3, MF-1, and PD-96 for SF-A with a Specific Use Permit for a Bottle Club to (PD) Planned Development **for Country Club and associated uses with a Specific Use Permit for a Bottle Club**; and

WHEREAS, subsequent to the public bearing of the Zoning Commission, Notice was given of a further public bearing to be held by the City Council of the City of Grand Prairie, Texas, in the Municipal Building at 7:00 o'clock pm. on March 7, 1989, to consider the advisability of amending the *Zoning* Ordinance and Map as recommended by the 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 Grand Prairie Daily News, Grand Prairie, Texas, a newspaper of general circulation in such municipality; and

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WHEREAS, all **citizens and parties at interest have been given an opportunity to be heard** on 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 property sought to be rezoned, as well as the nature and utilization of surrounding property, have found and determined that the property in question, as wen 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 the classification of SF-A, SF-3, MF-1, and PD-96 for SF-A with a Specific Use Permit for a bottle club 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:

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I.

That 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 36 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 27TH DAY OF JANUARY, 1971, 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 January 27, 1971, recorded in Ordinance Book 8, Pages 405 to 509 inclusive, as amended, so as to establish and rezone the following described area from SF-A, SF-3, MF-1, and PD-96 for SF-A with a Specific Use Permit for a bottle club to Planned Development **No. 198 for a Country Club and Associated Uses with a Specific Use Permit for a Bottle Club.**

LEGAL DESCRIPTION OF ENTIRE TRACT

Being 169.465 acres of land situated in the Aaron B. Wilson Survey, Abstract No. 1549 and the Jacob Helms Survey, Abstract No. 609, in the City of Grand Prairie, Dallas County, Texas, said 169.465 acres of land being the same tract of land conveyed to Michael A. Meyers as recorded in Volume 79116, Page 334, Dallas County Deed Records, said 169.476 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at the southwest corner of the Aaron B. Wilson Survey, a 1/2 inch iron rod with plastic cap stamped "Landes & Assoc.", said iron rod being the southwest corner of said Myers tract and in the projected east-west centerline of Fish Creek Road;

THENCE North 00 degrees 07 minutes 29 seconds East at 39.84 feet passing a 1 inch iron rod found in the north right-of-way line of Fish Creek Road and a fence line and continuing in all 857.94 feet along the west line of said Wilson Survey to a 1/2 inch iron rod found;

THENCE North 88 degrees 37 minutes 03 seconds East 124.66 feet to a 1/2 inch iron rod found (called to be in a varying floodway contour elevation by the Myers deed recorded in Volume 79116, Page 334, Dallas County Deed Records;)

THENCE along the called varying floodway contour elevation the following courses and distances:

North 24 degrees 01 minutes 59 seconds East 363.99 feet to a 1/2 inch iron rod found;

North 25 degrees 30 minutes 27 seconds East 425.22 feet to a 1/2 inch iron rod found;

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North 45 degrees 40 minutes 29 seconds East 192.77 **feet to a 1/2 inch iron rod set;**

North 08 degrees 48 minutes 42 seconds East 346.49 feet to a 1/2 inch iron rod found;

North 18 degrees 20 minutes 25 seconds East 311.42 feet to a 1/2 inch iron rod set;

North 19 degrees 07 minutes 52 seconds East 156.55 feet to a 1/2 inch iron rod found;

North 10 degrees 19 minutes 26 seconds East 183.40 feet to a 1/2 inch iron rod found;

North 18 degrees - 44 minutes 35 seconds East 196.55 feet to a "x" cut in a concrete walk;

North 30 degrees 32 minutes 51 seconds East 188.98 feet to a 1/2 inch iron found;

North 23 degrees 59 minutes 19 seconds East 198.44 feet to a 1/2 inch iron rod set in the southwesterly right of-way line of a Texas Power & Light Company right-of-way as recorded in Volume 40, Page 1232 Dallas County Deed Records;

THENCE North 55 degrees 24 minutes 30 seconds East 101.27 feet crossing said right-of-way to a 1/2 inch iron rod set in the northeasterly line of said right-of-way;

THENCE North 35 degrees 27 minutes 08 seconds West 672.54 feet to a 1/2 inch iron rod set;

THENCE North 42 degrees 21 minutes 12 seconds East 252.81 feet to a 1/2 inch iron rod found;

THENCE North 05 degrees 13 minutes 51 seconds East 248.85 feet to a 3/8 inch iron rod found;

THENCE North 19 degrees 42 minutes 33 seconds East 275.90 feet to a 1/2 inch iron rod set;

THENCE South 70 degrees 04 minutes 29 seconds East 543.05 feet to a 1/2 inch iron rod set;

THENCE North 28 degrees 47 minutes 41 seconds East 325.00 feet to a 1/2 inch iron rod found;

THENCE North 42 degrees 35 minutes 46 seconds East 320.06 feet to a 1/2 inch iron rod found;

THENCE North 35 degrees 05 minutes 32 seconds East 215.31 feet to a 1/2 inch iron rod set 2.8 feet north of a 5 feet high wood fence;

THENCE North 42, degrees 01 minutes 44 seconds East 214.83 feet to a 1/2 inch iron rod found for the most northerly corner of said Myers tract in the west line of

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a. tract of land conveyed to Dallas Power & Light Co. as recorded in Volume 1991, Page 5 Dallas County Deed Records;

THENCE South 00 degrees 28 minutes 46 seconds West 1340.68 feet along said west line of said Dallas Power & Light tract to a 1/2 inch iron rod found;

THENCE South 89 degrees 56 minutes 04 seconds East 991.79 feet to a 1/2 inch iron rod set on the east bank of Fish Creek;

THENCE South 06 degrees 01 minutes 16 seconds West 157.83 feet to a 1/2 inch

iron rod found;

THENCE South 28 degrees 24 minutes 51 seconds West 246.78 feet to a 1/2 inch iron rod found;

THENCE South 30 degrees 04 minutes 53 seconds West 301.93 feet to a 1/2 inch iron rod set;

THENCE South 15 degrees 37 minutes 50 seconds West 477.85 feet to a 1/2 inch iron rod found;

THENCE South 02 degrees 25 minutes 39 seconds East 89.90 feet to a 1/2 inch iron rod found;

THENCE South 23 degrees 03 minutes 23 seconds West 255.04 feet to a 1/2 inch iron rod found;

THENCE South 07 degrees 26 minutes 02 seconds East 195.89 feet to a 1/2 inch iron rod found'

THENCE South 18 degrees 17 minutes 20 seconds West 251.01 feet to a 3/8 inch iron rod found;

THENCE South 65 degrees 48 minutes 46 seconds West 413.64 feet to a 3/8 inch iron rod found;

THENCE South 21 degrees 51 minutes 01 seconds West 220.38 feet to a 3/8 inch iron rod found;

THENCE South 26 degrees 36 minutes 50 seconds West 241.41 feet to a 3/8 inch iron rod found;

THENCE South 50 degrees 37 minutes 10 seconds West 172.64 feet to a 1/2 inch iron rod set;

THENCE South 22 degrees 21 minutes 34 seconds West 289.05 feet to a 1/2 inch iron rod found;

THEN CE South 30 degrees 31 minutes 39 seconds West 533.20 feet to a 1/2 inch iron rod found;

THENCE South 64 degrees 57 minutes 29 seconds West 297.13 feet to a 3/8 inch iron rod found;

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THENCE South 89 degrees 15 minutes 02 seconds West 294.66 feet to a 1/2 inch iron rod found;

THENCE South 77 degrees 00 minutes 04 seconds West 352.75 feet to a 3/8 inch iron rod found;

THEN CE South 59 degrees 12 minutes 23 seconds West 333.83 feet to a 3/8 inch iron rod found;

THENCE South 08 degrees 17 minutes 15 seconds East at 141.48 pass a 3/4 inch iron rod near the north fence line and right-of-way line of the aforementioned Fish Creek Road and continuing in all 181.33 feet to an iron rod found in the centerline of said road;

THENCE North 89 degrees 56 minutes 17 seconds West 368.62 feet along said centerline of said road passing the point of curve of the road as the road turns south to the POINT OF BEGINNING and containing 169.465 acres of land of which 0.333 of an acre lies within the right-of-way of Fish Creek Road.

SAVE AND EXCEPT 2.454 acres of land situated in the northern portion of the above described 169.465 acres of land, said 2.454 acres of land being more particularly described by metes and bounds as follows:

COMMENCING at the most northerly corner of said 169.465 acres of land in the west line of a tract of land conveyed to Dallas Power & Light Company as recorded in Volume 1991, Page 5, Dallas County Deed Records.

THENCE South 42 degrees 01 minutes 44 seconds West 214.83 feet;

THENCE South 35 degrees 05 minutes 32 seconds West 215.31 feet;

THENCE South 42 degrees 35 minutes 46 seconds West 320.06 feet;

THENCE South 28 degrees 47 minutes 41 seconds West 325.00 feet;

THENCE North 70 degrees 04 minutes 29 seconds West 268.92 feet to the POINT OF BEGINNING of the herein after described tract of land, also being the beginning of a non-tangent curve to the left with a radius of 259.41 feet and whose long chord bears South 15 degrees 39 minutes 14 seconds West 133.71 feet.

THENCE along said curve in a southwesterly direction through a central angle of 29 degrees 52 minutes 11 seconds, an arc distance of 135.24 feet to the end of said curve.

THENCE South 00 degrees 43 minutes 02 seconds West 33.44 feet to the beginning of a curve to the right with a radius of 293.78 feet and whose long chord bears South 06 degrees 36 minutes 57 seconds west 60.38 feet.

THENCE along said curve in a southwesterly direction, through a central angle of 11 degrees 47 minutes 48 seconds, an arc length of 60.49 feet to the-end of said curve.

THENCE South 00 degrees 43 minutes 02 seconds West 30.35 feet to a point;

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THENCE South 12 degrees 30 minutes 50 seconds West 91.89 feet to a point;

THENCE North 89 degrees 09 minutes 05 seconds West 300.35 feet to a point;'

THENCE North 05 degrees 13 minutes 51 seconds East 141.70 feet to a point;

THENCE North 19 degrees 42 minutes 33 seconds East 275.90 feet to a point;

THENCE South 70 degrees 04 minutes 29 seconds East 274.13 feet to THE POINT OF BEGINNING and containing 2.454 acres of land.

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II.

COUNTRY CLUB AND ASSOCIATED USES WITH A SPECIFIC USE PERMIT FOR BOTTLE CLUB

1. BOUNDARY DESCRIPTION:

As shown on the site plan attached hereto as Exhibit "A".

2. PERMITTED USES:

In areas designated for country club uses, pursuant to Exhibit "A", attached hereto, no land shall be used and no building shall be erected or converted to any use other than:

A. EDUCATIONAL, INSTITUTIONAL AND SPECIAL USES:

Golf Course, Private or Country Club, Tennis or Swim Club.

B. UTILITY, ACCESSORY AND INCIDENTAL USES:

Accessory Building, Electrical Substation, Electrical Transmission Line, Field or Construction Office (Temporary), Gas Transmission Line and Metering Station, Local Utility Distribution Lines, Off-Street Parking Incidental to Main Use, Railroad Track and Right-of-Way, Swimming Pool (Private), Telephone Exchange, Water Reservoir, Water Pumping Station and Well.

C. SIGN AND IDENTIFICATION USES:

Temporary, Portable, Electric, Monument, Wall, On-Premise Business, Commercial, and Official Signs are all subject to the requirements as prescribed in Section E-300 of the Comprehensive Zoning Ordinance of the City of Grand Prairie.

D. RETAIL AND SERVICE TYPE USES:

Restaurant, Pro Shop (support retail for a golf course, selling golf supplies and equipment), golf clubhouse.

E. SPECIFIC USE PERMIT REQUIRED:

The following uses shall be allowed in this district upon approval of a Specific Use Permit in accordance with Section B-500 of the Grand Prairie Zoning Ordinance: sale of alcoholic beverage s for on-site consumption in a restaurant, private club, bottle club.

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3 AREA RE REQUIREMENTS:

A. Minimum depth of front setback:25 feet
(From front property line to face of any structure)

B. Minimum width of side setback:

(Distance between any structure and any property line that is not deemed a front or rear yard.)

- 1. Internal lot0 feet
- 2. Sideyard setback abutting a street15 feet

3. Sideyard abutting residentially zoned or used property 10 feet

C. Minimum depth of rear setback:

1. From rear property line to any structure 0 feet

2. Rear yard abutting residentially zoned or used roperty 22 feet

D. Maximum height of structures: 2 stories

E. Maximum floor area ratio: 2:1

F. Off-Street Parking:

Off-street loading and parking space shall be provided in accordance with applicable provisions of Section C-2600 of the Comprehensive Zoning Ordinance of the City of Grand Prairie.

4. SPECIAL FRONT, SIDE AND REAR YARD REGULATION - NO BUILDING OR STRUCTURE SHALL HEREAFTER BE LOCATED, ERECTED OR ALTERED TO HAVE A FRONT, REAR OR SIDE YARD SMALLER THAN HEREINAFTER REQUIRED.

A. Every part of a required side or rear yard shall be open and unobstructed to the sky from a point thirty (30) inches above the general ground level of the graded lot, except for accessory buildings as permitted in Section E-200 of the Grand Prairie Zoning Ordinance and the usual landscape planting and lighting. The ordinary projections of window sills, belt courses, cornices, roof overhangs, and other architectural features may project not more than four (4) feet into the required yard.

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V.
SPECIAL CONDITIONS

1. GENERAL REQUIREMENTS AND STIPULATIONS:

A. All future uses and/or structures are subject to the approval of a site plan by the City Council after recommendation by the Planning and Zoning Commission and prior to the issuance of a building permit or Certificate of Occupancy on the premises. Site plans are to be prepared in accordance with existing City Ordinances. When a variety of land uses are proposed on a single tract of land, the site plan shall delineate the area proposed for each use.

B. No use shall be located or operated in any district which involves the emission of odorous material, smoke or particulate matter or noise.

C. Property must be platted prior to the issuance of any building permits for new structures, or prior to the subdivision of any portion of this property for any reason.

D. The site plan or development plan that will be finally adopted by the City Council shall be marked as Exhibit "A", attached hereto and made part hereof as if fully set out herein.

2. USE MATRIX:

The use matrix, attached hereto as Exhibit "B", shall be deemed to be a part of this ordinance.

VI.
CITY PARTICIPATION

1. The City of Grand Prairie will participate in the cost of any street installations (including all engineering costs covering design, layout and construction supervision) up to thirty (30%) percent of the total cost, for any street installed adjacent to a dedicated and accepted public park. All other street, bridge and utility participation by the City will be in accordance with existing City Policy.

2. Nothing contained herein shall require the City to construct or contract to construct any project referred to herein if money is not available in the form of bond funds.

3. Nothing contained herein shall be construed to require the City to appropriate money or submit to the vote of the electorate any bonds or to diminish or alter the discretion of the City Council in the issuance of bonds.

VII.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid 'or unconstitutional by -any court of competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

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VIII.

That nothing contained herein shall be construed as relieving the owner of the land described hereinabove of compliance with all other 'ordinances or charter of the City of Grand Prairie, Texas or laws of the State of Texas relating to the development of land or construction of buildings in said City, nor shall this ordinance be construed as relieving the owner of said land of compliance with all other provisions of Ordinance No. 2299 and its amendments, same being the Comprehensive Zoning Ordinance of said City, unless specifically modified by the passage of this ordinance.

IX.

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, THIS THE 7 DAY OF March, A.D., 1989.

MAYOR

Grand

City of Grand Prairie, Texas

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

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