

ORDINANCE NO. 10615-2019

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND MAP TO REZONE 6.202 ACRES OUT OF THE ELIZABETH GRAY SURVEY, ABSTRACT NO. 517, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF SH 161 AND DICKEY ROAD, AND AS MORE FULLY DESCRIBED BELOW, FROM A PLANNED DEVELOPMENT (PD-12) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT FOR COMMERCIAL AND MULTI-FAMILY RESIDENTIAL USE NOT TO EXCEED 65 DWELLING UNITS PER ACRE; SAID ZONING MAP AND ORDINANCE 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 **PD, Planned Development district** to a **Planned Development for Commercial and Multi-Family Residential Uses**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on March 4, 2019, 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 6-3 to recommend denial to the City Council of Grand Prairie, Texas, of the request that the hereinafter described property be rezoned from its classification of **PD, Planned Development district** to a **Planned Development for Commercial and Multi-Family Residential 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 March 19, 2019, to 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 **PD, Planned Development district** to a **Planned Development for Commercial and Multi-Family Residential Uses**; 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 from its classification of **PD, Planned Development district** to a **Planned Development for Commercial and Multi-Family Residential Uses**; as depicted in **Exhibit A - Boundary Description**.

SECTION 2. Purpose and Intent

The purpose of this planned development to create a commercial and multi-family residential development and to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, compatible uses of land and compliance with appropriate design standards.

SECTION 3. Development Standards

I. 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 ordinance. The locations of buildings, driveways, parking areas, amenity areas, trails, fencing, and other common areas shall substantially conform to the locations shown on the approved Concept Plan (Exhibit B.)

II. Base Zoning

1. Any zoning, land use requirement or restriction not contained within this zoning ordinance shall conform to the regulations of the CA, Central Area district and Appendix W of the *Unified Development Code* applicable to multi-family development with a maximum density of 65 units per acre, and the regulations of the C, Commercial District and Appendix F of the *Unified Development Code* applicable to commercial development with the following exceptions:
 - a. Residential development shall consist of multi-family as depicted in Exhibit B, Concept Plan and Exhibit C, Conceptual Elevations, with a maximum density of 65 units to the acre and;

- b. Commercial development shall have a maximum height of 50 feet and a maximum FAR of 1.10:1 as depicted in Exhibit B, Concept Plan.
2. Multi-family residential and commercial uses may be constructed as shown on the Concept Plan with multi-family residential uses allowed on the 4.29 acre tract generally to the west of Raines Branch and commercial uses allowed on the 1.89 acre tract generally to the east of Raines Branch. An applicant may request that commercial development be allowed to occur on the residential tract to the west of Raines Branch through an amended Concept Plan. Any amendment proposed to the Concept Plan shall preserve residential uses on the balance of the property by providing a minimum of 250 units. The Concept Plan shall be amended only with the approval of City Council upon recommendation by the Planning and Zoning Commission.
3. The schedule of uses found in Article 4 of the *Unified Development Code* for the C, Commercial District shall apply to the development with the following exceptions:
 - a. Prohibited uses shall include convenience store with gas sales, parole/probation office, check cashing, pay check or car title loans, appliance repair, bait and tackle, farm products, gravestone sales, heavy machine sales, laundry or dry cleaners, laundry drop off/pick up, self-serve laundry, lawnmower sales/repair, auto or mobile home dealer, residential waste recycling, tool rental, and variety store.
 - b. Climate controlled, multi-story commercial mini-storage may be allowed by right as depicted in Exhibit B, Concept Plan and Exhibit C, Conceptual Elevations. All other commercial mini-storage shall be prohibited.
4. No certificate of occupancy may be granted for commercial mini-storage until a certificate of occupancy has been granted for at least 50% of the planned multi-family residential units within the development.
5. A minimum setback of 15 feet shall be provided along all property boundaries, except that a 10 foot setback shall be allowed along the east commercial boundary line adjoining the private access road as depicted on the Concept Plan, which private access road shall run between Dickey Road and the SH-161 northbound frontage road.
6. The private access road referenced above shall be constructed and open to traffic prior to issuance of a certificate of occupancy for any development, along with a deceleration lane providing access from SH-161 northbound frontage road to the access road as approved by the Transportation Department of the City of Grand Prairie.
7. No screening fence shall be required between the commercial and residential development on the property.
8. Conceptual Elevations (Exhibit C) are not intended to represent final elevations or confer any development variances. Final building elevations shall conform to the requirements of Appendix F and Appendix W of the *Unified Development Code* for commercial and residential development, respectively.

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.

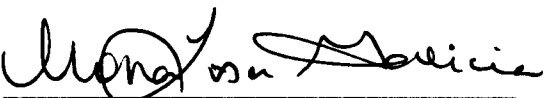
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 19TH DAY OF MARCH 2019.

APPROVED:



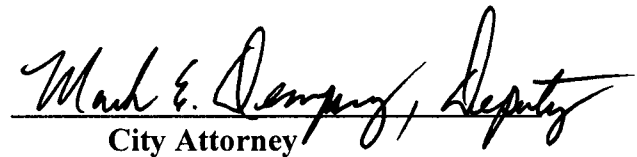
Ron Jensen, Mayor

ATTEST:



Deputy City Secretary

APPROVED AS TO FORM:



City Attorney

Case No. Z190202/CP190202

Planned Development No. 388



CASE LOCATION MAP
Case Number: Z190202
Woodhaven Mixed Use, 870 State Highway 161



City of Grand Prairie
Planning and Development
☎ (972) 237-8257 🌐 www.gptx.org

Metes & Bounds
Lot 1, Block 4, and Lot 2, Block 4

BLOCK 4

Being 6.202 acres of land located in the Elizabeth Gray Survey, Abstract No. 517, Dallas County, Texas, being a portion of the tract of land described as Tract P, in the deed to NATITEX Ltd., recorded in Volume 86247, Page 3312, Deed Records, Dallas County, Texas. Said 6.202 acres of land being more particularly described as follows:

BEGINNING at a Texas Department of Transportation Monument No. 1857 (TxDOT), said monument lying in the north line of said Tract P, said monument lying N89°50'20"E 94.06 feet from the northwest corner of said Tract P, said monument being the northeast corner of a tract of land to the State of Texas (recorded information not found), said monument being the most southerly west corner of Lot 2, Block 1, Curtiss-Wright Addition, an addition to the City of Grand Prairie, Dallas County, Texas according to the plat recorded in Volume 2004063, Page 23, Deed Records, Dallas County, Texas and said monument lying in the south line of a 60 Foot Wide Access Easement, recorded in Volume 86247, Page 3553, Deed Records, Dallas County, Texas;

THENCE along the southwest lines of said Lot 2 as follows:

1. N89°50'20"E, a distance of 44.57 feet to a 5/8" iron rod found;
2. southeasterly, 192.49 feet, along a curve to the right, having a radius of 220.00 feet, a central angle of 50°07'53" and a chord bearing S65°05'43"E 186.41 feet to an 1/2" iron rod found;
3. S39°59'21"E, a distance of 172.86 feet to an 1/2" iron rod stamped "MMR 5668" found;
4. southeasterly, 244.17 feet along a non tangent curve to the left, having a radius of 280.00 feet, a central angle of 49°57'51" and a chord bearing S64°53'16"E, 236.51 feet to an 1/2" iron rod found;
5. S89°38'45"E, a distance of 21.43 feet to an 1/2" iron rod found;
6. S02°12'03"W, a distance of 131.46 feet to an 1/2" iron rod stamped "Beasley 4050" set, from which an 1/2" iron rod found bears S00°13'36"W 1.42 feet;
7. S00°01'12"W, a distance of 193.39 feet to an 1/2" iron rod stamped "Beasley 4050" set at the southeast corner of said Lot P, from which an 1/2" iron rod found at the southwest corner of said Lot 2 bears S04°16'52"E 0.95 feet;

THENCE along the south line of said Lot P as follows:

1. S89°18'35"W, a distance of 343.76 feet to an 1/2" iron rod stamped "Beasley 4050" set;
2. N84°58'23"W, a distance of 100.57 feet to an 1/2" iron rod stamped "Beasley 4050" set;
3. S89°18'37"W, a distance of 60.37 feet to an 1/2" iron rod stamped "Beasley 4050" set, from which the southwest corner of said Tract P bears N89°57'18"W 123.36 feet, said iron rod being the southeast corner of said State of Texas tract;

THENCE along the east line of said State of Texas tract as follows:

1. N51°57'30"W, a distance of 87.23 feet to a TxDOT Monument No. 1853 found;
2. N03°52'30"E, a distance of 152.00 feet to a TxDOT Monument No. 1854 found;
3. N02°22'10"E, a distance of 152.00 feet to a TxDOT Monument No. 1855 found;
4. N00°51'50"E, a distance of 152.00 feet to a TxDOT Monument No. 1856 found;
5. N00°29'52"W, a distance of 122.87 feet to the point of beginning, containing 6.202 acres of land.

The bearings recited hereon are oriented to City of Grand Prairie GPS Monument No. 77.

Exhibit A - Boundary Description

Page 3 of 3

REGISTERED PROFESSIONAL SURVEYORS

HERBERT S. BEASLEY
LAND SURVEYORS L.P.
• LAND • TOPOGRAPHIC
• CONSTRUCTION SURVEYING
FIRM NO. 100948000
METRO 817-429-0194
FAX 817-446-5488
hbeasley@msn.com

P. O. BOX 8873
FORT WORTH, TEXAS 76124

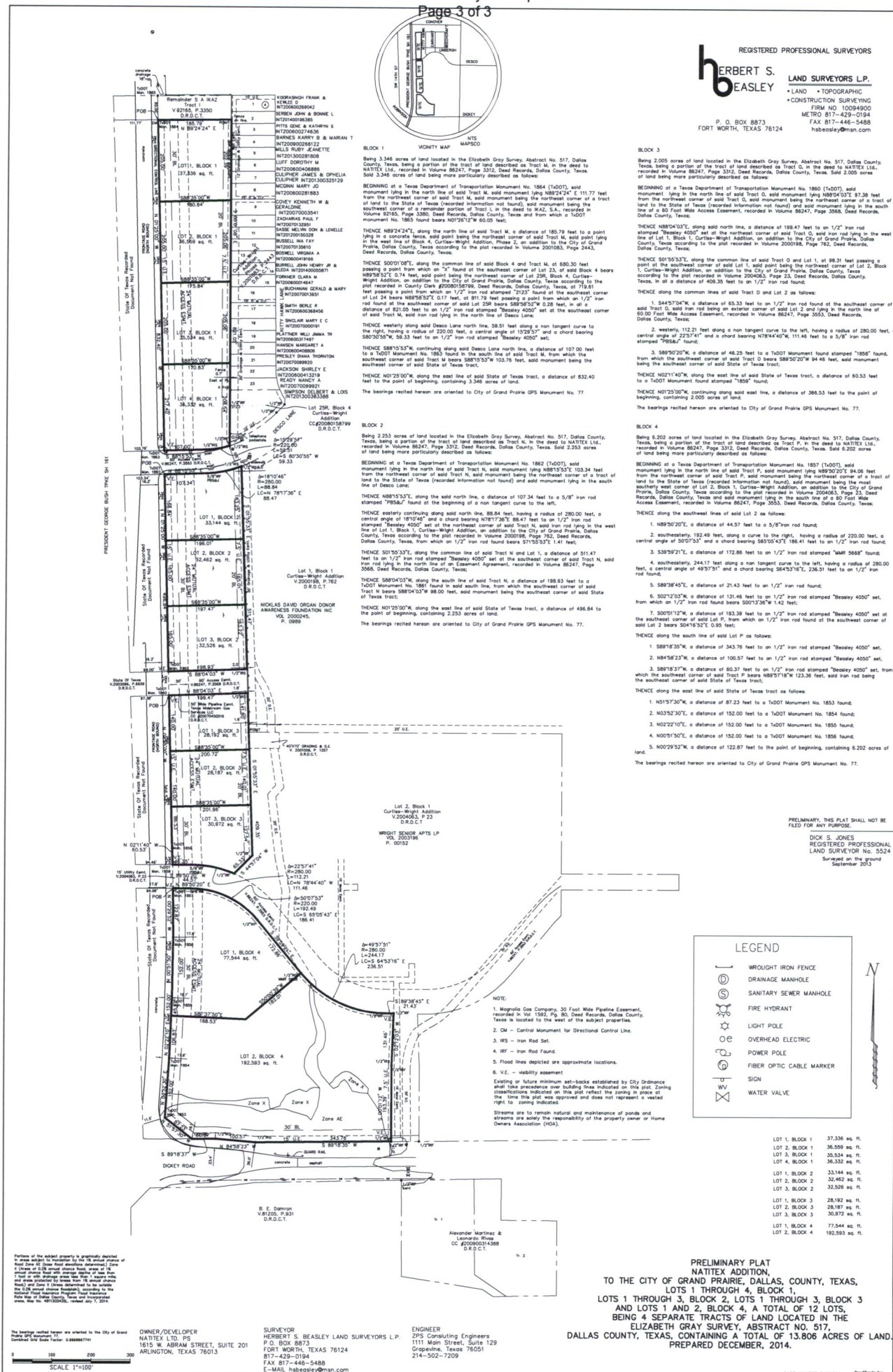


Exhibit B - Concept Plan

PD175



AERIAL - N.T.S.

LEASING OFFICE
AT GROUND FLOOR
CLUB HOUSE
AT TOP FLOOR

S. H. 161

DECEL LANE

MAIN ENTRANCE

70,443 S.F. G./Lvl.

Garage
82 sp./lvl.
27,060 S.F.
410 sp. @ 5 lvs.

RAINES BRANCH

130'
27,950 S.F./Lvl.
83,850 S.F. Tot.
@ 3 Lvs.
38' Bldg. Ht.
1.89 AC.
F.A.R.=1.02:1
COVERAGE: 33.97%
41 spaces

Landscape Area:
4,114 sf / 5%

Landscape Area:
28,040 sf / 15%

DICKEY RD.

PD12



10' 30' 80'
0' 20' 40' 120'

Total Building Area: **281,772 SF**
@ 850 SF avg. unit size
 $70,443 \text{ SF/lvl} \times 0.82 = 57,763 \text{ SF}/850 = \text{68 units/lvl}$
@ 4 levels = **272 units Total**
 $136 \text{ units} \times 1.5 \text{ sp.} + 136 \text{ units} \times 1.25 = \text{374 spaces req.}$
Total Parking Structure Area: **135,300 SF**
410 spaces prov. @ 5 levels + 16 surf. sp. = **426 sp. Total prov.**
Site Area: 4.29 Ac.
Site Coverage: 37.68%
63 units/ Ac.

RETAINING WALL

O'BRIEN
ARCHITECTS

SP-06

Date: 01.15.2019

Scale: 1" = 40'

S. H. 161 & Dickey Rd.

Grand Prairie, Texas

Case # Z190202/CP190202

Developer:
Woodhaven Partners, LLC
12440 Wood Manor Circle
Dallas, TX 75234

Robert C. Dye
rob@woodhavendevelopment.com
469.877.4165

Woodhaven Development



SOUTH + WEST FACADE
MULTI-FAMILY // WOODHAVEN DEVELOPMENT

Exhibit C - Conceptual Elevations



SOUTH + WEST FACADE
MULTI-FAMILY // WOODHAVEN DEVELOPMENT



COURTYARD
MULTI-FAMILY // WOODHAVEN DEVELOPMENT

