

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 13-2022

AN ORDINANCE OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING TO PLANNED DEVELOPMENT-RESIDENTIAL 21-02 AMENDED (PD-21-02-A) (A) FOR AN APPROXIMATELY 66.75 ACRE TRACT LEGALLY DESCRIBED AND DEPICTED IN EXHIBIT "A-1" AND CURRENTLY ZONED PLANNED DEVELOPMENT-RESIDENTIAL 21-02 (PD 21-02) FOR SINGLE FAMILY AND MULTIFAMILY USES FOR AND (B) FOR AN APPROXIMATELY 22.44 ACRES PARCEL BEING COMPOSED OF TWO (2) TRACTS OF LAND LEGALLY DESCRIBED AS TRACT 13.2 CONSISTING OF 9.98± ACRES AND TRACT 13.3 CONSISTING OF 12.46± ACRES BOTH BEING SITUATED IN THE JOHN D. MERCHANT SURVEY, ABSTRACT 850, BEING LEGALLY DESCRIBED IN EXHIBIT "A-2" AND CURRENTLY ZONED SINGLE-FAMILY DWELLING R-5 ("R-5), FOR A TOTAL OF APPROXIMATELY 89.19 ACRES COMMONLY REFERRED TO AS 1370 ALTO ROAD, IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS; PROVIDING FOR DEVELOPMENT REGULATIONS; PROVIDING FOR THE APPROVAL OF THE CONCEPT PLAN, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "B"; 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 Seagoville, Texas, in compliance with the laws of the State of Texas, and pursuant to the Comprehensive Zoning Ordinance of the City of Seagoville, 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 Application No. Z2022-07 (PD 21-02-A) 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 SEAGOVILLE, TEXAS:

SECTION 1. The Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, duly passed by the governing body of the City of Seagoville, Texas, as heretofore amended, is hereby amended by granting a change in zoning to Planned Development-Residential 21-02 Amended (PD-21-02-A):

- (A) For an approximately 66.75 acre parcel currently zoned Planned Development-Residential 21-02 (PD 21-02) for single family and multifamily uses, said parcel being more particularly described in Exhibit "A-1" attached hereto and incorporated herein by reference; and
- (B) For an approximately 22.44 acre parcel currently zoned Single Family Dwelling R-5 (R-5), being comprised of two (2) tracts of land legally described as Tract 13.2 consisting of 9.98± acres and Tract 13.3 consisting of 12.46± acres, both in the John D. Merchant Survey, Abstract 850, and being more particularly described in Exhibit "A-2" attached hereto and incorporated herein by reference,

the entire property being comprised of approximately 89.19 acres, and being commonly known as 1370 Alto Road, in the City of Seagoville, Dallas County, Texas. (the "Property").

SECTION 2. The Property shall be developed and used in accordance with the City of Seagoville Code of Ordinances, including the City of Seagoville Zoning Ordinance and Construction Standards, except as amended herein, and the following development regulations:

- A. Development of the Property shall be in accordance with the approved concept plan(s) attached hereto as Exhibit "B".
- B. All Development Regulation set forth in Ordinance 10-2021, adopted April 19, 2021, shall be and remain in full force and effect for the Property.

SECTION 3. The Property shall be developed and used only in accordance with the concept plan(s) attached as Exhibit "B" and incorporated herein for all purposes, which is hereby approved.

SECTION 4. The Property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended and as amended herein.

SECTION 5. All provisions of the Ordinances of the City of Seagoville, 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 6. 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 7. 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 8. 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 Seagoville, 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 9. 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 by the City Council of the City of Seagoville, Texas, this the 16th day of May 2022.

APPROVED:



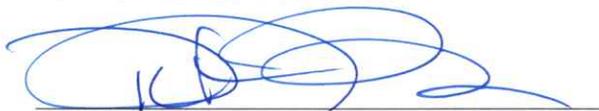
MAYOR

DENNIS K. CHILDRESS,

ATTEST:

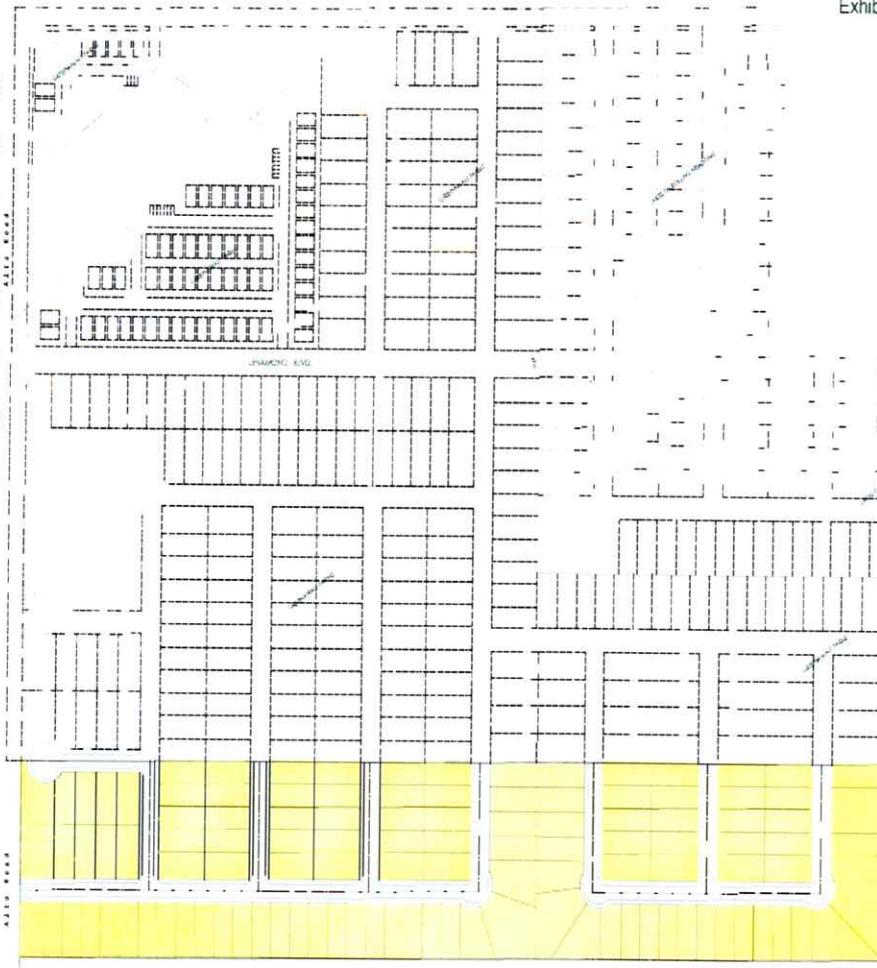
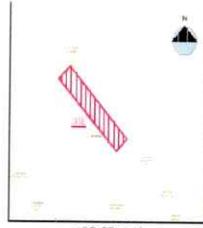

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:



VICTORIA THOMAS, CITY ATTORNEY
(051322wtTM129603)

Exhibit 5



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DEVELOPER



GREENAWALT FARMS-PH. 2
22.48 ACRES
115 LOTS
(50'x120' Typ. Lot)

CONCEPT PLAN
GREENAWALT FARMS - PH. 2
SEAGOVILLE, TEXAS

Date: 01/13/2022
SHEET NO. 1 OF 1
PROJECT: 000000