

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 23-2022

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 FROM PLANNED DEVELOPMENT WITH MIX USES FOR MULTI-FAMILY RESIDENTIAL, OFFICE, LOCAL RETAIL AND COMMERCIAL (PD-20-03) TO PLANNED DEVELOPMENT WITH MIX USES FOR MULTI-FAMILY RESIDENTIAL, OFFICE, LOCAL RETAIL AND COMMERCIAL AMENDED-1 (PD-20-03-A1) ON APPROXIMATELY 21.567± ACRES COMMONLY KNOWN AS 108 SOUTH HIGHWAY 175, IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DEPICTED AND DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR DEVELOPMENT REGULATIONS; PROVIDING FOR THE APPROVAL OF THE SITE 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. Z2022-21PD (PD 20-03-A1) 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. That 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, be and the same is hereby amended by granting a change in zoning from Planned Development with mixed uses for Multi-Family Residential, Office, Local Retail and

Commercial (PD-20-03) to Planned Development with mix uses for Multi-Family Residential, Office, Local Retail and Commercial Amended-1 (PD-20-03-A1) on approximately 21.567± acres commonly known as 108 South Highway 175, in the City of Seagoville, Dallas County, Texas, and being legally described and depicted in Exhibit “A”, attached hereto and incorporated herein.

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

Lot 1R (approx. 6.926 +/- acres) – Permitted Uses:

- Animal Shelter or Clinic
- Auto Part Retail Sales
- Beer and Wine Sales -included with general merchandise sales and/or a food store
- Business School
- Car Wash
- Commercial Amusement (inside)
- Convenience Store
- Dry Cleaners or Laundry Service
- Gasoline/motor fuel sales - included with general merchandise sales and/or a food store
- Furniture Store
- Grocery Store, General Merchandise, or Food Store
- Household Equipment and Appliance Store
- Nursery, Garden, and Plant Store
- Restaurant (with or without drive through)

Lot 2R (approx. 14.641 +/- acres) – Permitted Uses:

- Apartment Buildings
- Townhome Buildings
- Accessory Uses: Clubhouse with amenities
- Walking Trail System

Lot 2A (approx. 0.6 acres) Permitted Uses:

- Stormwater facilities
- Drainage facilities

Any use not listed above as a Permitted Use is prohibited use.

SECTION 3. The property shall be developed in accordance with the City of Seagoville Zoning Ordinance and Construction Standards, except as amended herein, and the following development regulations:

- A. Development in accordance with the approved updated site plan which includes a 48,460± SF grocery store

- B. Apartment Buildings not to exceed Twelve (12) including Townhome Buildings
- C. Apartment Dwelling Units – minimum of 650 SF and maximum of 1,700 SF
- D. Townhomes and Townhome clusters – up to six (6) dwelling units per building
- E. Accessory Uses – Multi-use Clubhouse Building (for tenant use only)
- F. Clubhouse Building – Limited Hours Laundry Facility
- G. Clubhouse Building – Limited Hours swimming pool 6 feet and under
- H. Clubhouse Building – Limited Hours Exercise room
- I. Clubhouse Building will have limited hours of availability to tenants for Office and Business Center
- J. Signs must comply with City of Seagoville sign ordinance including height limits, with the exception of the Grocery Store and Gasoline/motor fuel sales Pylon sign shall not exceed forty-five (45') feet in height
- K. Number of Parking Lot spaces Uncovered to comply with City of Seagoville ordinances
- L. Number of Covered Parking Lot spaces not to exceed 80 spaces
- M. Walking Trail to be installed per approved plan submission to City of Seagoville
- N. Structure height on Lot 1 shall not exceed forty-five (45') feet
- O. Structure height on Lot 2 shall not exceed forty-five (45') feet
- P. Parking shall be provided at a ratio of 1.5 spaces per multifamily unit
- Q. Five (5') foot sidewalk shall be constructed along East Malloy Bridge Road within a dedicated public sidewalk easement to be maintained by the City
- R. Five (5') foot sidewalk shall be constructed along the U.S. Highway 175 Frontage Road outside the Highway's right-of-way to be maintained by the development's owner
- S. All interior sidewalks to be at least three (3') foot wide and be built as each lot develops
- T. Construction of a twenty-four (24') foot wide concrete fire lane as each lot develops
- U. All screening walls to be masonry and at least six (6') feet tall

SECTION 4. The property shall be developed and used only in accordance with the site plan attached as Exhibit "B" and incorporated herein for all purposes, which is hereby approved.

SECTION 5. That 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. That 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. That 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. That 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.

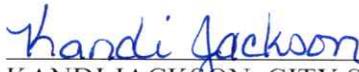
DULY PASSED by the City Council of the City of Seagoville, Texas, this the 3rd day of October 2022.

APPROVED:



DENNIS K. CHILDRESS, MAYOR

ATTEST:


KANDI JACKSON, CITY SECRETARY



APPROVED AS TO FORM:

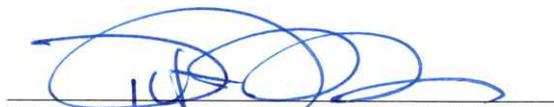

VICTORIA THOMAS, CITY ATTORNEY

EXHIBIT "A" PROPERTY

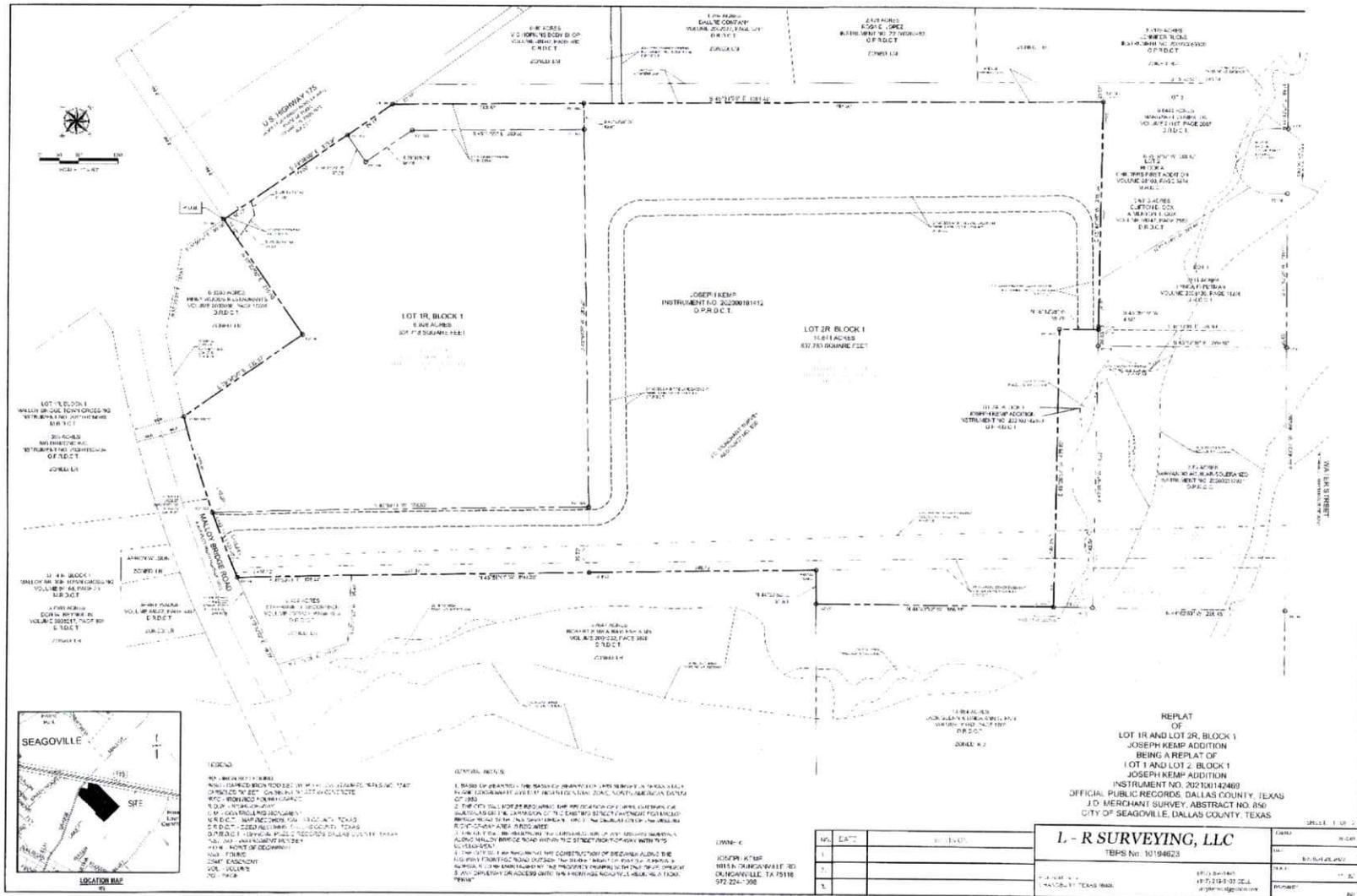
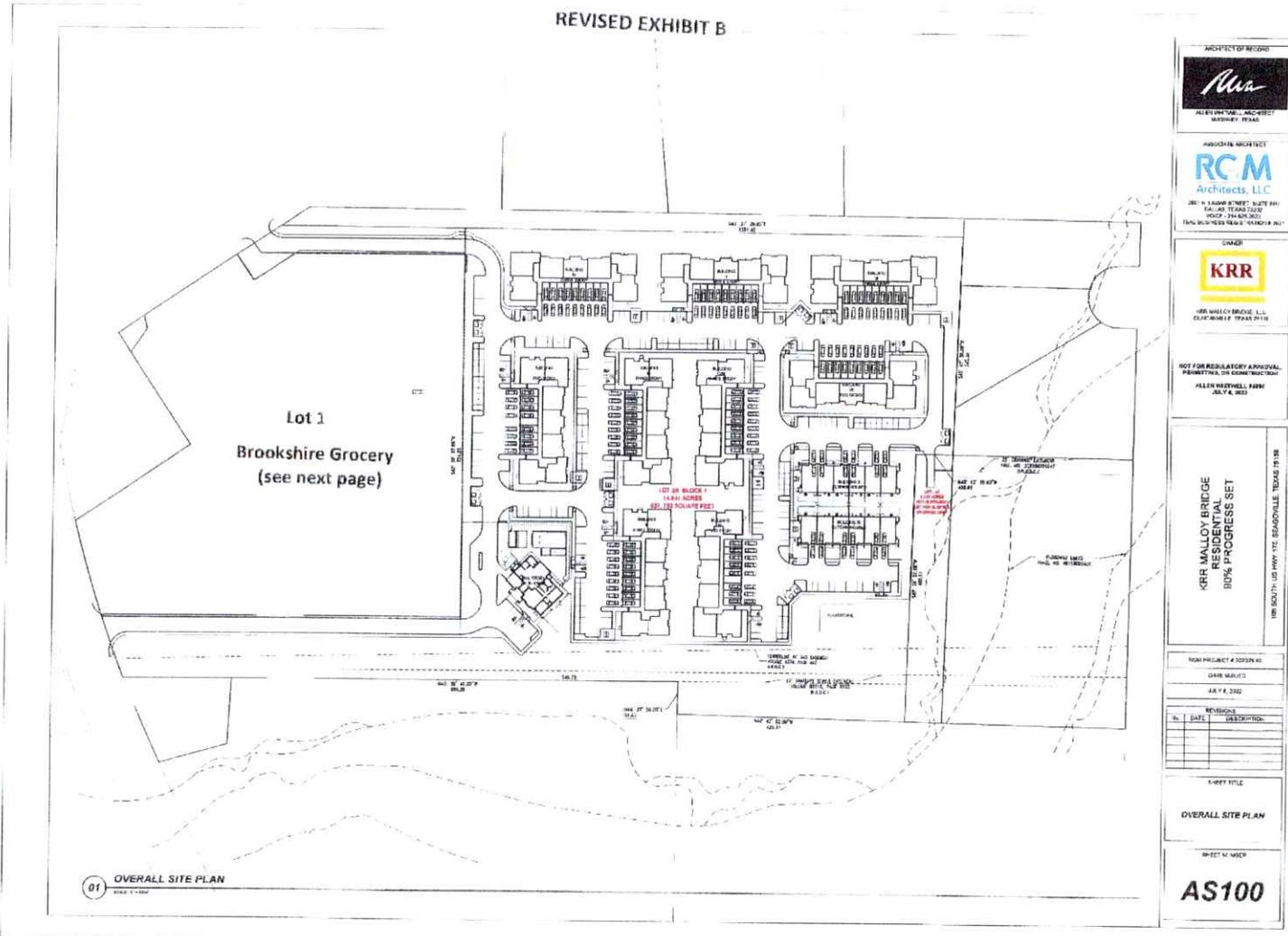


EXHIBIT "B" SITE PLAN

REVISED EXHIBIT B



ARCHITECT OF RECORD

Alma
ALLEN STEWART ARCHITECT
MOORE, TEXAS

ARCHITECT OF RECORD

RCM
Architects, LLC
200 W. LAURE STREET, SUITE 800
DALLAS, TEXAS 75202
TEL: 214.760.1000 FAX: 214.760.1001

OWNER

KRR
KERR MALLORY BRIDGE, L.L.C.
1100 W. WILSON ST. TEXAS 75110

NOT FOR REGULATORY APPROVAL
PERMITTING OR CONSTRUCTION

ALLEN STEWART ARCHITECT
JULY 18, 2018

KRR MALLORY BRIDGE
RESIDENTIAL
80% PROGRESS SET

1100 W. WILSON ST. DALLAS, TEXAS 75110

PROJ. NO. 18-0001

DATE: 7/18/18

DESCRIPTION:

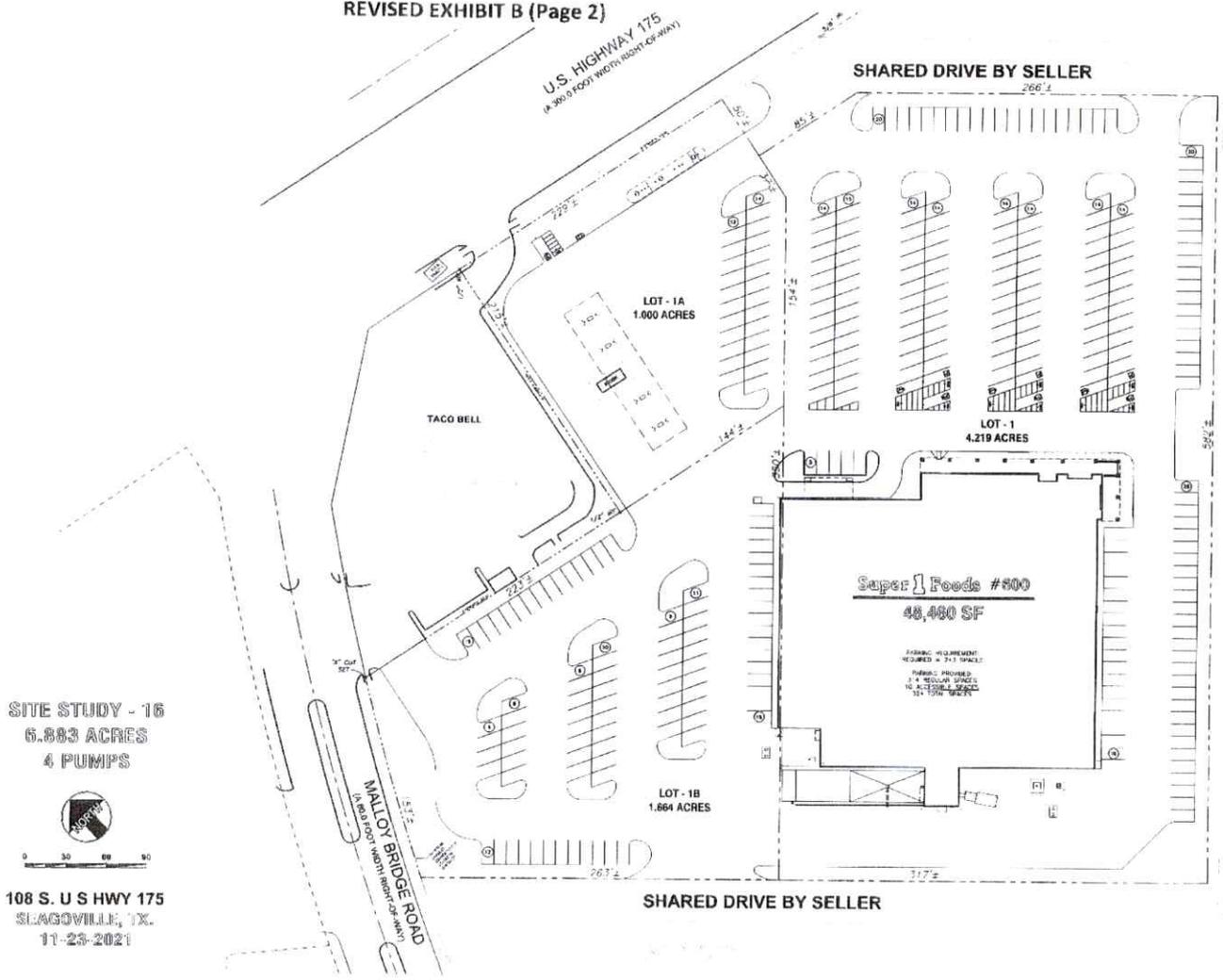
OVERALL SITE PLAN

DRAWN BY: M. MOORE

AS100

EXHIBIT "B" SITE PLAN

REVISED EXHIBIT B (Page 2)



SITE STUDY - 16
6.683 ACRES
4 PUMPS



108 S. U.S HWY 175
SLAGOVILLE, TX.
11-23-2021