ORDINANCE NO. 7526

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING (1) AN AMENDMENT TO PLANNED DEVELOPMENT (PD) DISTRICT 17-25 FOR MULTI-FAMILY-1 (MF-1) USES AND (2) A DETAIL PLAN FOR AN ELDER CARE - ASSISTED LIVING USE ON A 2.52-ACRE TRACT OF LAND LOCATED AT 1922 CASTLE DRIVE; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 25th day of March 2024, the Plan Commission did consider and make recommendations on a certain request for (1) an Amendment to Planned Development (PD) District 17-25 for Multi-Family-1 (MF-1) Uses and (2) a Detail Plan for an Elder Care-Assisted Living Use by David Gibbons; and

WHEREAS, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS, THAT:

Section 1

The Garland Development Code is hereby amended by approving (1) an Amendment to Planned Development (PD) District 17-25 for Multi-Family-1 (MF-1) Uses and (2) a Detail Plan for an Elder Care- Assisted Living Use and being more particularly described in Exhibit "A", attached hereto and made a part hereof.

Section 2

Development shall be in conformance with the conditions, restrictions, and regulations set forth in the Garland Development Code.

Section 3

That a violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

Section 4

NOTICE OF CONDITIONS OF COMPLIANCE: Notwithstanding the provisions of any other ordinance of the City, the full, complete, and continuing compliance with all the conditions, restrictions, and regulations of this Ordinance is a condition to the issuance and continuation of any permit, approval, authorization or consent by the City, including without limitation the issuance or continuation of any certificate of occupancy for any building or structure located on any portion of the property described in Exhibit "A". All promises, representations, obligations and undertakings made or assumed by the applicant to the City Council at any public presentation in connection with the granting of this Ordinance are hereby incorporated into and made a part of this Ordinance as if expressly set forth herein at length. No substantial deviation from any material portion of the conditions, restrictions, and regulations contained within this Ordinance are allowed except as may be provided by the City Council after a public hearing.

Section 5

That the Garland Development Code, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 6

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 7

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

PASSED	AND	APPROVED	this	7th	day of May 2024.				
					THE	CITY	OF	GARLAND,	TEXAS
					May	70r			
ATTEST	:								
Deputy	City	y Secretar	ΞΥ		-				

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 23-28

Being a 2.52-acre tract of land situated in the W. CARTER SURVEY, ABSTRACT NO. 324 according to Special Warranty Deed recorded in Instrument number 201400133931 Official Public Records of Dallas County, Texas, and being Lot 1, Block A, of Northlake Estates No. 6, Second Section, an addition to the City of Garland, Dallas County, Texas, according to the plat recorded in Volume 73147 Page 1060 of Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point on the south line of Castle Drive said point being 2327.98 feet from its intersection with the East line of Country Club Road (65' ROW), an iron stake for corner;

THENCE S 45° 25' E, 235.87 feet to the beginning of a curve to the left, an iron stake for corner;

THENCE Easterly along the side south line of Castle drive and curve to the left, said curve having a radius of 603.0 feet, an arc distance of 64.55 feet to an iron stake for corner;

THENCE S 46° 33' W, 339.18 feet to a point in the center of a creek, for corner;

THENCE upstream with the meanders of said creek the following: THINCE N 43 $^{\circ}$ 33' W, 147.79 feet; S 73 $^{\circ}$ 38' W, 74.16 feet; N 54 $^{\circ}$

33' W, 94.68 feet; N 50 $^{\circ}$ 11' W, 25.72 feet to a point for corner;

THENCE N 46° 33' E, and leaving said creek 412.95 feet to the place of Beginning and containing 2.52 acres of land.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 23-28

1922 Castle Drive

- I. Statement of Purpose: The purpose of this Planned Development is to approve an Elder Care-Assisted Living development.
- II. Statement of Effect: This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations: All regulations of the Multi-Family-1 (MF-1) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. Development Plans:

<u>Detail Plan</u>: Development shall be in general conformance with the Detail Plan labeled Exhibit C through Exhibit E. In the event there is conflict between the approved Detail Plan and the Specific Regulations below, the Specific Regulations shall apply.

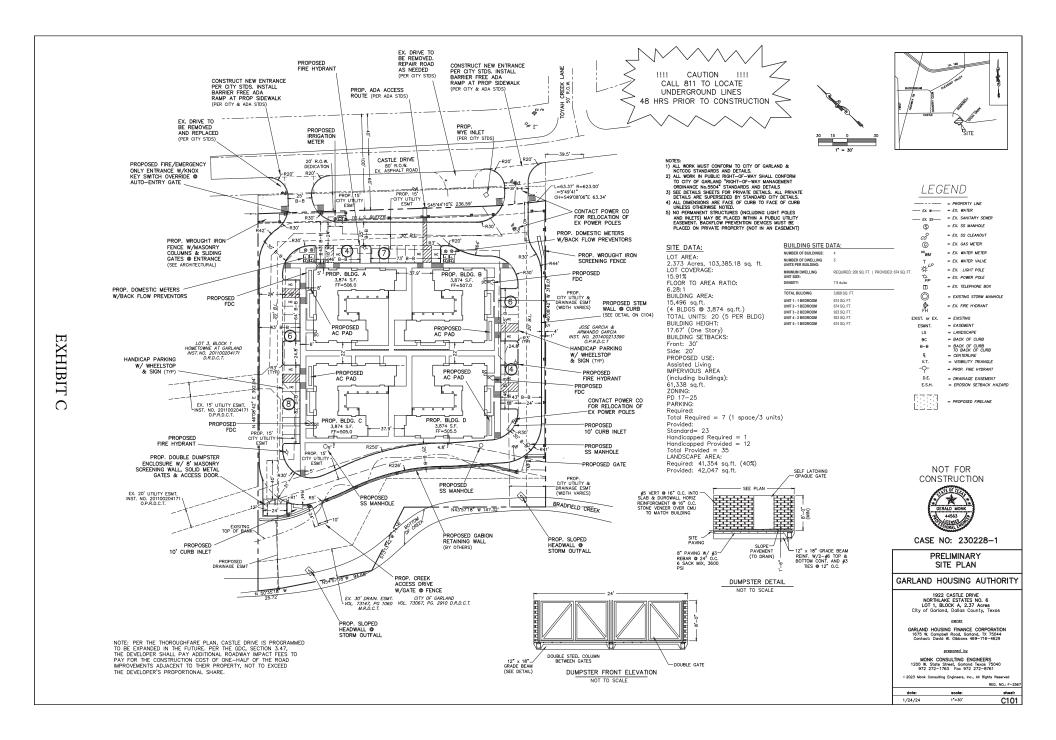
V. Specific Conditions:

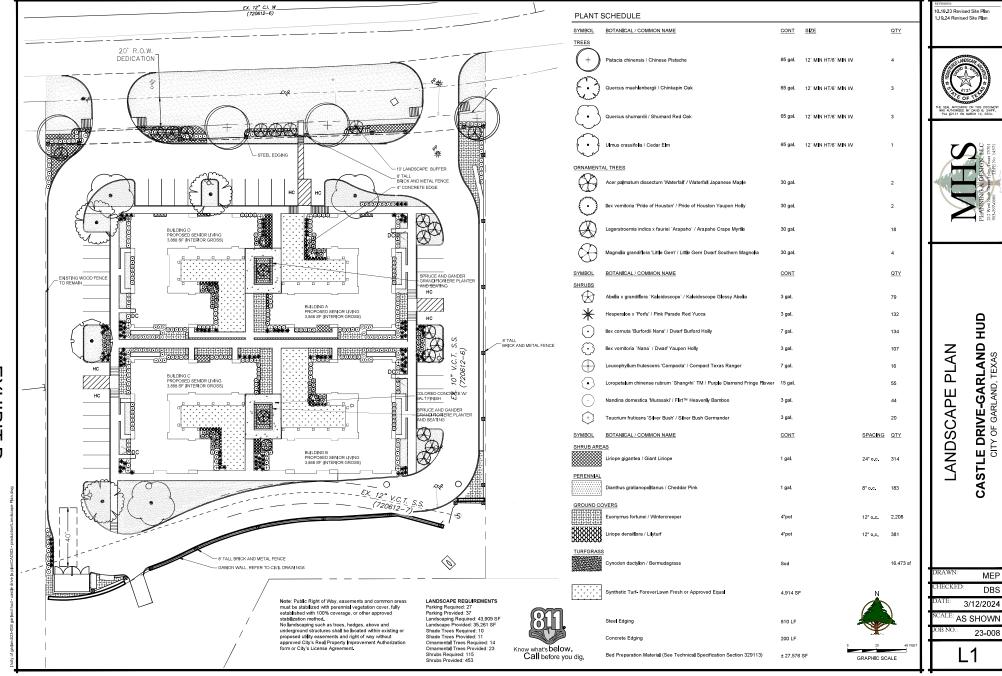
- A. <u>Permitted Uses</u>: Elder Care Assisted Living Use and Elder Care Independent Living Use, as defined by the Garland Development Code, only shall be permitted.
- B. <u>Site Plan</u>: The site layout, building placement, parking, and other development proposed shall be in general conformance with the approved Site Plan labeled Exhibit C.
- C. <u>Dwelling Units:</u> A total of twenty (20) dwelling units shall be permitted.
- D. <u>Landscape Plan</u>: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D. The existing wood fence along the northwest property line shall remain. At all other locations the perimeter fencing shall be developed with ornamental

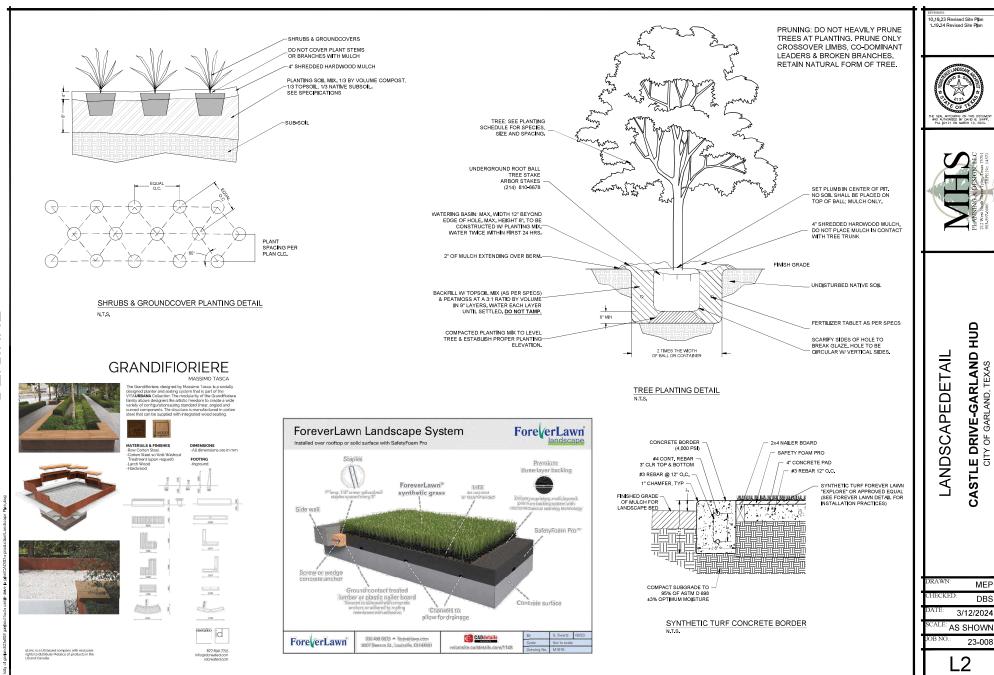
metal fence with masonry columns.

- 1. Landscaping must be regularly maintained in a healthy, growing condition and in compliance with this PD Ordinance, the Garland Development Code, the Code of Ordinances of the City of Garland, and the landscaping plan attached hereto at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, or other maintenance of all plantings as needed. All exposed ground surfaces on or within the premises shall be properly improved, covered with screening or other approved solid material, or protected with a vegetative growth that prevents soil erosion and ameliorates objectionable dust conditions.
- 2. Any plant or vegetation that dies must be replaced with another approved plant variety that complies with the approved landscape plan within sixty (60) days after receipt of written notification from the City. In the event the property owner fails to remedy a violation of any landscaping maintenance regulation within sixty (60) days after receipt of written notification from the City, the City may, in addition to any other remedy available by law, withhold future city permits, licenses and/or certificates requested by the property owner for the premises to which such violation applies.
- 3. Screening and paving must be regularly maintained in compliance with this PD Ordinance, the Garland Development Code, and the Code of Ordinances of the City of Garland at all times. The property owner is responsible for regular maintenance of all screening and paving as needed. In the event the property owner fails to remedy a violation of any screening or paving maintenance regulation within sixty (60) days after receipt of written notification from the City, the City may, in addition to any other remedy available by law, withhold future city permits, licenses and/or certificates requested by the property owner for the premises to which such violation applies.

E. <u>Elevations</u>: Building Elevations shall be in general conformance with the elevations labeled Exhibit E.

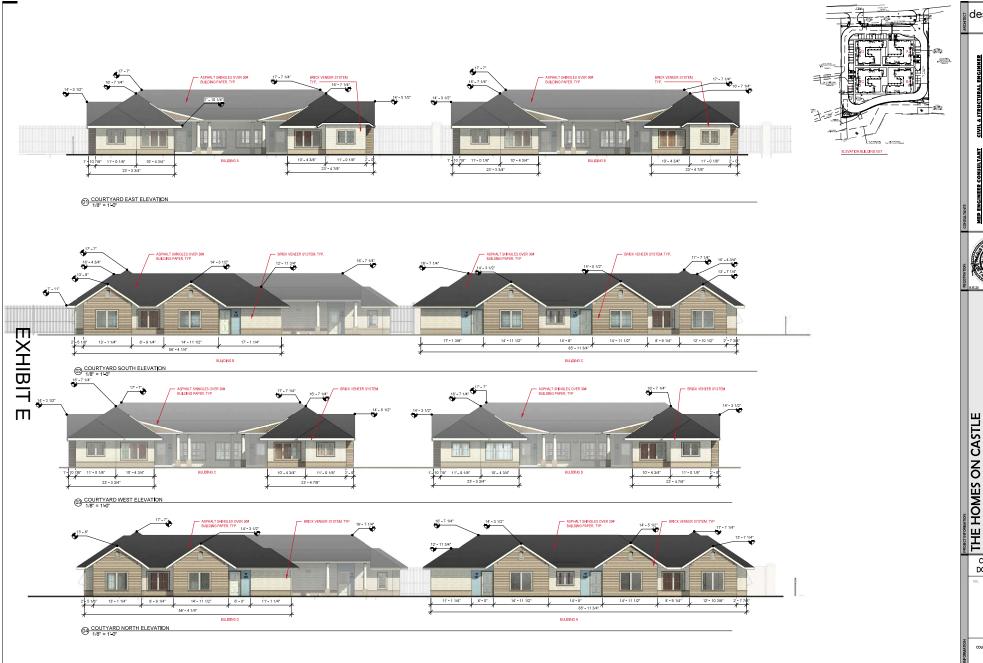






MEP

DBS



designkör

CIVIL & STRUCTURAL ENCINNER MONK CONSULTING ENGINEERS, INC GERALD E. MONK, PE 972-272-763

GHFC 1922 CASTLE DRIVE GARLAND, TEXAS Case Number: 230228

CONTRACT DOCUMENTS

COURTYARD ELEVATIONS A-200





ELEVATION FACING CASTLE DRIVE



ZONING CALCULATIONS:

ELEVATION AREA = WINDOWS & DOORS = WINDOW & DOOR % =

520 SQ. FT. 134.75 SQ. FT 25.9%

HORIZONTAL LENGHT OF FACADE= 25% UNARTICULATED FACADE ALLOWED= UNARTICULATED FACADE AS DESIGNED= 56'-4' 14'-1' 11'-1' ZONING CALCULATIONS:

ELEVATION AREA = WINDOWS & DOORS = WINDOW & DOOR % = 797.75 SQ. FT. 211.8 SQ. FT 26.5%

HORIZONTAL LENGHT OF FACADE= 25% UNARTICULATED FACADE ALLOWED= UNARTICULATED FACADE AS DESIGNED= 86'-0" 21'-6" 11'-1" g designkör



THE HOMES ON CASTLE GHFC 1922 CASTLE DRIVE GARLAND, TEXAS Case Number: 230228-

CONTRACT DOCUMENTS

05.30.23 A-202

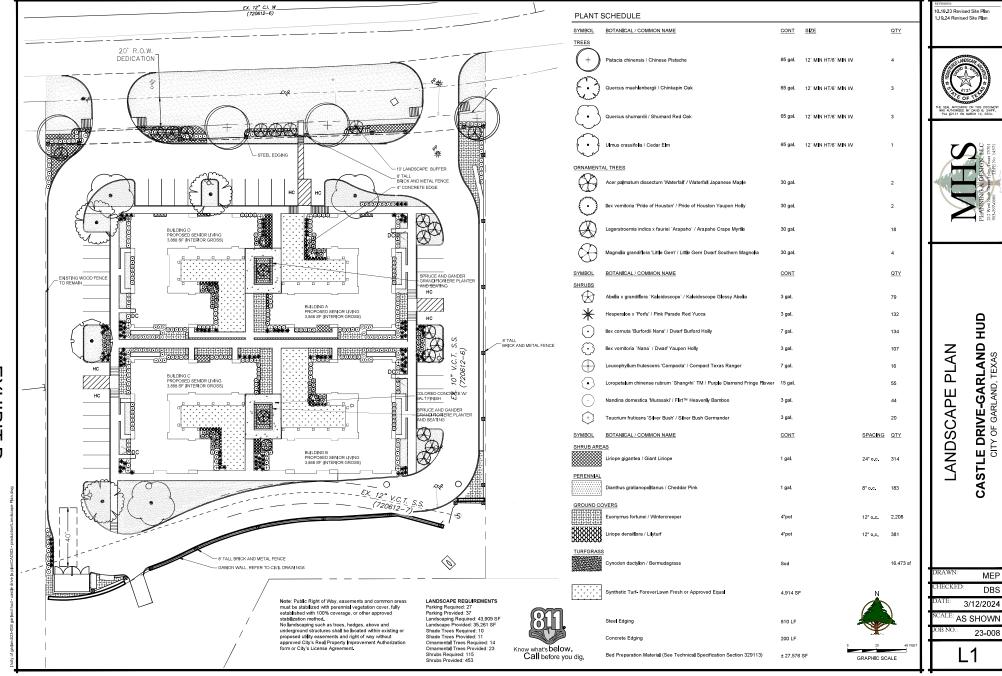
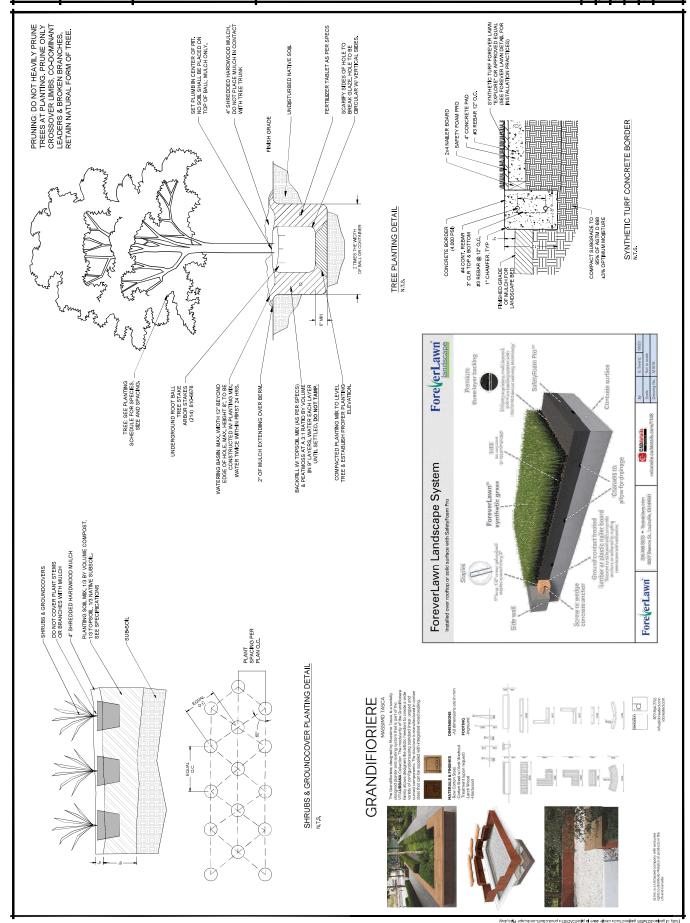
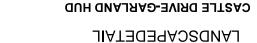


EXHIBIT D





CITY OF GARLAND, TEXAS

603-261-0000 AIBB NO 14211 515 Med Multi Sheek 14162 (1000) AIBB NO 1410 DEVARING SO DESIGN FFC









ELEVATION FACING CASTLE DRIVE



ZONING CALCULATIONS:

ELEVATION AREA = WINDOWS & DOORS = WINDOW & DOOR % =

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