

**ORDINANCE NO. 19-0905B**

**AN ORDINANCE OF THE CITY OF WILMER, TEXAS, AMENDING ORDINANCE NO. 12.6.88, THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF WILMER, AS HERETOFORE AMENDED, BY AMENDING THE PLANNED DEVELOPMENT – HUD-CODE MANUFACTURED HOME PARK (PD-MH) ZONING CLASSIFICATION FOR A 74.5± ACRE PROPERTY (THE CROSSINGS ADDITION, FORMERLY KNOWN AS THE CLAYTON CROSSING ADDITION) THAT IS GENERALLY LOCATED AT THE NORTHWEST CORNER OF PLEASANT RUN ROAD AND MILLER FERRY ROAD, AS MORE PARTICULARLY DESCRIBED IN EXHIBITS “A” AND “B” ATTACHED HERETO, IN THE CITY OF WILMER, DALLAS COUNTY, TEXAS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission of the City of Wilmer and the governing body of the City of Wilmer, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings, and in compliance with the Texas Zoning Enabling Act, Chapter 211 in the Texas Local Government Code, and affording a full and fair hearing to all persons interested in the exercise of its legislative discretion, the governing body of the City of Wilmer has concluded that the Comprehensive Zoning Ordinance and Map, as heretofore amended, should be further amended as provided herein as such amendment is in the best interest of the City, and promotes the public health, safety and general welfare of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILMER, TEXAS:**

**SECTION 1.** That the Comprehensive Zoning Ordinance and Map of the City of Wilmer, Texas, duly passed by the governing body of the City of Wilmer on the 6<sup>th</sup> day of December, 1988, as heretofore amended, be, and the same are hereby, amended by amending the Planned Development (PD) zoning classification for approximately 69.4± acres of the subject property that was originally approved by the Wilmer City Council at a duly posted and lawful meeting occurring on or about November 23, 1999, and such original approval that was subsequently ratified by the Wilmer City Council at a duly posted and lawful meeting occurring on March 17, 2011 by approval and adoption of Ordinance No. 11-0317, by adding approximately 4.5± acres of land to the originally approved and ratified Planned Development (PD) district, said combined 74.5± acre property as further described in Exhibit “A” and as further depicted in Exhibit “B”, both exhibits which are attached to this ordinance and made a part hereof.

**SECTION 2.** That all development within the amended Planned Development – HUD-Code Manufactured Home Park (PD-MH) district granted hereby shall be subject to the special Planned Development standards set forth in Exhibit “C”, which is attached to this ordinance and made a part hereof.

**SECTION 3.** That all development within the Planned Development – HUD-Code Manufactured Home Park (PD-MH) district granted hereby shall be subject to general conformance with the concept/park plan set forth in Exhibit “D”, which is attached to this ordinance and made a part hereof.

**SECTION 4.** That the Planned Development – HUD-Code Manufactured Home Park (PD-MH) district zoning classification is hereby approved on the property, subject to compliance with all other codes and ordinances of the City of Wilmer, and subject to compliance with all other applicable laws and codes of federal, state, county and other entities having jurisdiction on the subject property.

**SECTION 5.** That the recitals are true and correct and are incorporated herein by this reference.

**SECTION 6.** That all provisions of the ordinances of the City of Wilmer in conflict with the provisions of this ordinance, as applicable to the property described herein, are hereby repealed and all other provisions of the ordinances of the City of Wilmer not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 7.** That an offense committed before the effective date of this ordinance is governed by the prior law and by then-applicable City ordinances that were in effect when such offense was committed and the former law is continued in effect for this purpose.


**SECTION 8.** 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 hereof, other than the part so declared to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 9.** 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 by the Comprehensive Zoning Ordinance of the City of Wilmer, 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 10.** This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and City Charter in such cases provide.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF WILMER, TEXAS ON  
THIS 5<sup>TH</sup> DAY OF SEPTEMBER, 2019.**

Approved:

  
Emmanuel Wealthy-Williams, Mayor

Attest:

  
Mayra Ortiz, City Secretary

Approved as to Form:

\_\_\_\_\_  
Michael Halla, City Attorney

**ORDINANCE NO. 19-0905B**

**EXHIBIT "A"**

**LEGAL DESCRIPTION FOR:  
THE CROSSINGS – FINAL PLAT (74.57-ACRES)**

**BEING** A 74.570-ACRE TRACT OF LAND OF THE REPLAT OF LOT 1, BLOCK 1, CLAYTON CROSSING ADDITION AND A PORTION OF THE JAMES S. LEWIS SURVEY, ABSTRACT NO. 767, CITY OF WILMER, DALLAS COUNTY, TEXAS, AND BEING A PORTION OF TRACT 1 BY SANTA FE PACIFIC REALTY CORPORATION TO SF PACIFIC PROPERTIES, INC. BY DEED RECORDED IN VOLUME 90002, PAGE 1496, DEED RECORDS, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A ½ INCH ROD FOUND FOR CORNER AT THE RIGHT-OF-WAY INTERSECTION OF THE WESTERLY LINE OF MILLER'S FERRY ROAD AND THE NORTHERLY LINE OF PLEASANT RUN ROAD (60-FEET WIDE);

**THENCE** SOUTH 60°29'10" WEST (SOUTH 60°25'01" WEST PER DEED) ALONG THE NORTHERLY LINE OF PLEASANT RUN ROAD, A DISTANCE OF 152.49 FEET (153.36 FEET PER DEED) TO A ½ INCH ROD FOUND;

**THENCE** CONTINUING ALONG SAID RIGHT-OF-WAY LINE SOUTH 59°39'10" WEST (SOUTH 59°35'01" WEST PER DEED) A DISTANCE OF 852.02 FEET (851.42 FEET PER DEED) TO A ½ INCH ROD FOUND AT THE BEGINNING OF A CURVE TO THE RIGHT;

**THENCE** CONTINUING ALONG SAID RIGHT-OF-WAY LINE, 108.83 FEET (112.08 FEET PER DEED) WITH THE ARC OF SAID CURVE, HAVING A RADIUS OF 543.13 FEET, A CENTRAL ANGLE OF 11°28'51" AND A CHORD BEARING SOUTH 65°23'35" WEST A DISTANCE OF 108.65 FEET TO A ½ INCH ROD FOUND IN THE WESTERLY LINE OF THE SLOAN SURVEY;

**THENCE** DEPARTING SAID RIGHT-OF-WAY LINE, NORTH 30°21'50" WEST (NORTH 30°19'54" WEST PER DEED) A DISTANCE OF 2116.63 FEET (2114.19 FEET PER DEED) TO A ½ INCH ROD FOUND AT THE COMMON CORNER OF SAID SLOAN AND LEWIS SURVEYS;

**THENCE** NORTH 30°21'50" WEST A DISTANCE OF 419.54 FEET TO A 5/8 INCH IRON ROD SET ON THE EASTERLY LINE OF THE T.J. CAMPBELL SURVEY ABSTRACT NO. 299 AND THE WESTERLY LINE OF TRACT 1 BY SANTA FE PACIFIC REALTY CORPORATION TO SF PACIFIC PROPERTIES, INC.;

**THENCE** NORTH 69°15'18" EAST A DISTANCE OF 1088.94 FEET TO A 5/8 INCH IRON ROD SET;

**THENCE** NORTH 72°47'39" EAST A DISTANCE OF 472.44 FEET TO A 5/8 INCH IRON ROD SET;

**THENCE** SOUTH 30°21'50" EAST A DISTANCE OF 2.14 FEET TO A 5/8 INCH IRON ROD SET AT THE COMMON LINE OF TRACT 1 BY SANTA FE PACIFIC REALTY CORPORATION TO SF PACIFIC PROPERTIES, INC. AND S. LEWIS SURVEY, ABSTRACT NO. 767;

**THENCE** NORTH 59°38'10" EAST A DISTANCE OF 19.98 FEET ALONG THE SOUTH LINE OF TRACT 1 BY SANTA FE PACIFIC REALTY CORPORATION TO SF PACIFIC PROPERTIES, INC. AND S. LEWIS SURVEY, ABSTRACT NO. 767 TO A 5/8 INCH IRON ROD SET ON THE WESTERLY RIGHT-OF-WAY LINE OF MILLER'S FERRY ROAD.

**THENCE** SOUTH 19°18'50" EAST ALONG THE WESTERLY LINE OF SAID MILLER'S FERRY ROAD, A DISTANCE OF 2300.59 FEET TO THE POINT OF BEGINNING AND CONTAINING 74.570 ACRES OR 3,248,261 SQUARE FEET OF LAND.

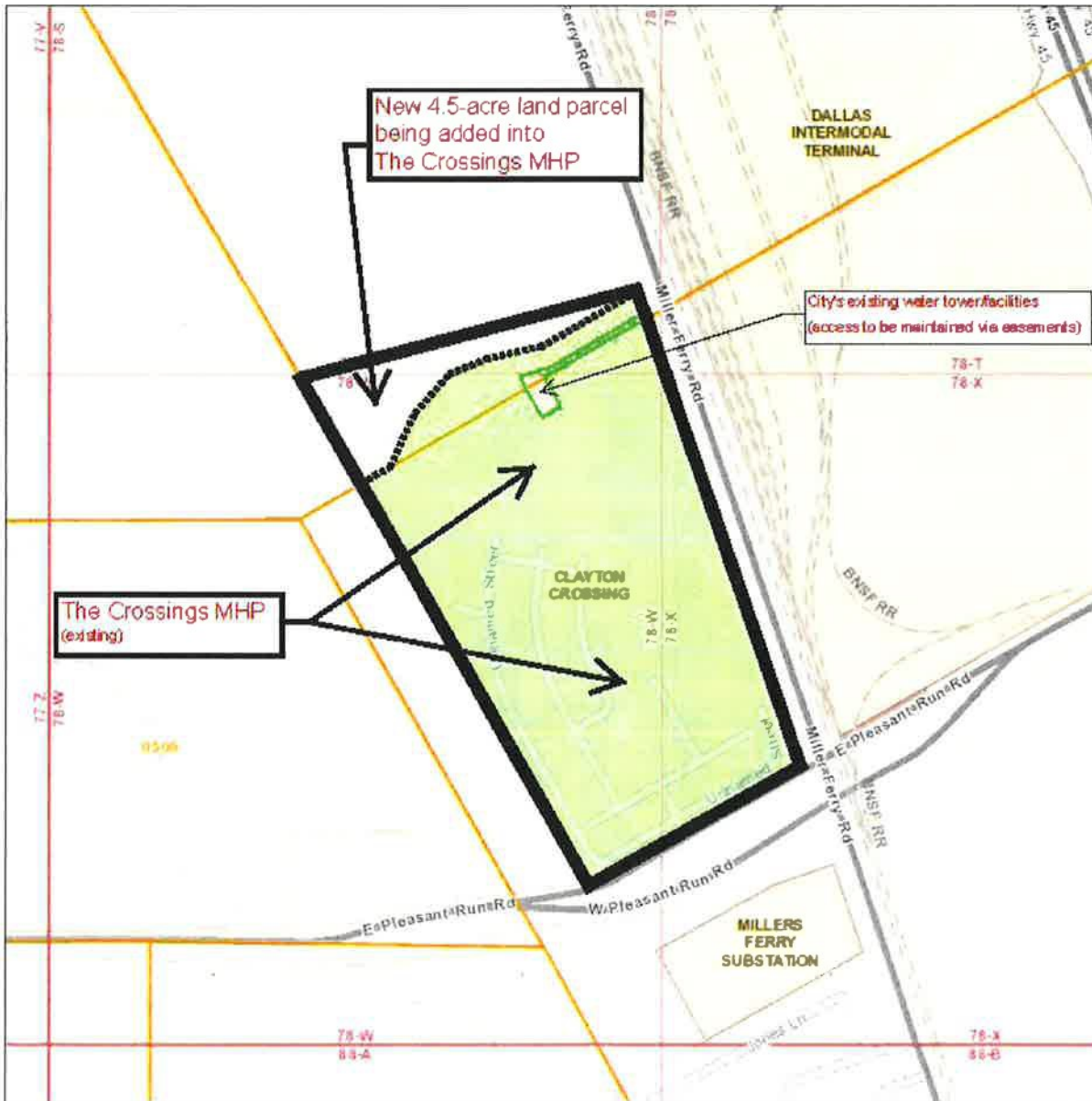
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EXHIBIT "B"

**The Crossings - requests to amend PD and to replat**

DCAD ID: 75007050074420000

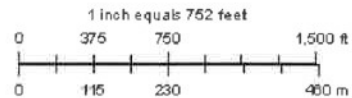
Date of copy: 7/27/2019



This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



Dallas Central Appraisal District  
2949 N Stemmons Freeway  
Dallas, TX 75247-6195  
(214) 631-1342  
www.dallasoad.org



DCAD, NCTCOG, USGS, Esri, Inc

**ORDINANCE NO. 19-0905B**

**EXHIBIT “C”**

**PLANNED DEVELOPMENT – HUD-CODE MANUFACTURED HOME PARK (PD-MH)**

**SECTION 1. LEGISLATIVE HISTORY.**

The Planned Development (PD) zoning classification for approximately 69.4± acres of the subject property was originally approved by the Wilmer City Council on or about November 23, 1999, and such original PD approval was subsequently ratified by the Wilmer City Council on March 17, 2011 by approval and adoption of Ordinance No. 11-0317. This Ordinance No. 19-0905B adds approximately 4.5± acres of land to the originally approved and ratified PD district.

**SECTION 2. PROPERTY LOCATION AND SIZE.**

This PD-MH zoning district is established on property generally located at the northwest corner of Pleasant Run Road and Miller Ferry Road. The size of this PD-MH zoning district is approximately 74.5± acres (see legal description in Exhibit “A”, and depiction of the property in Exhibit “B”).

**SECTION 3. DEFINITIONS AND INTERPRETATIONS.**

- (a) Unless otherwise stated, the definitions and interpretations of the City of Wilmer Zoning Ordinance (the “Zoning Ordinance”), as amended, shall apply to this PD-MH zoning district.
- (b) All provisions of the Zoning Ordinance, as amended, that are not in conflict with this PD-MH zoning district shall apply. If there is a conflict between this PD-MH zoning district and the Zoning Ordinance, as amended, this PD-MH ordinance controls.
- (c) This PD-MH district is considered to be a residential zoning district, and is intended to be used and developed for HUD-Code manufactured home park residential purposes. The Property (or portions of the Property) may also be used and developed for other uses that are allowed by right, or that may be allowed by Conditional Use Permit (CUP), by the HUD-Code Manufactured Home Park (MH) zoning district, as amended.

**SECTION 4. DEVELOPMENT REGULATIONS.**

- (a) Base Zoning District: The base zoning district for this PD-MH district shall be the HUD-Code Manufactured Home Park (MH) district, as amended. Except as otherwise specifically provided herein, all of the City’s zoning, development, building, fire, and other applicable code regulations of the MH zoning district shall apply.
- (b) Concept/Park Plan: Development and use of the Property must substantially comply with the Concept/Park Plan (Exhibit “D”), except that modifications to the overall layout of the site shall be allowed at the time of review/approval of the civil engineering plans without the necessity of legislatively amending the Concept/Park Plan.

- (c) HUD-Code Manufactured Home Lots: Each HUD-Code manufactured home lot within this PD-MH shall be designed and maintained in accordance with the following requirements:

|                     |                   |
|---------------------|-------------------|
| Area                | 4,000 square feet |
| Lot width (average) | 40 feet           |
| Front Yard          | 15 feet           |
| Side Yard           | 5 feet            |
| Rear Yard           | 5 feet            |

- (d) Parking: There shall be at least two (2) off-street parking spaces for each HUD-Code manufactured home lot within this PD-MH. Additional temporary guest parking shall be provided on the private streets throughout the community and within the common community/recreation area.
- (e) Landscaping (Unused Areas): All areas not used for access, parking, circulation, buildings, and service shall be completely and permanently landscaped with grass/groundcover, and the entire site maintained in good condition. Landscaping of the common community/recreation area shall be provided. Individual space landscaping is provided by tenant(s) at time of lot (i.e., space) occupancy, and shall be maintained by such tenant(s).
- (f) Screening: Screening shall be provided according to the following requirements:
1. Screening with vegetative material is provided or will be provided only along Pleasant Run Road and the western Property line, and such screening along the western Property line shall be in the form of a solid, evergreen hedge of a plant species that is known to be hardy and drought-tolerant for this geographic region, that will attain a minimum height of six feet (6') within three years following planting, and that is 100% irrigated with an automatic underground irrigation system that is equipped with freeze- and moisture-sensors; and
  2. No solid masonry fencing shall be required along any Property boundary line.
- (g) Access: The development shall abut a public street, and each HUD-Code manufactured home lot shall have direct access to a private interior street.
- (h) Interior Streets: All project streets shall be composed of reinforced concrete paving with a minimum width of 27' from back curb to back of curb. Such streets shall be paved according to the City's specifications for residential streets, and shall be maintained by the Property owner in good condition and lighted at night.
- (i) Distances Between Homes: The minimum distance between each HUD-Code manufactured home shall be not less than ten (10) feet, or in accordance with the City's then-current building and fire codes, whichever is/are more stringent.
- (j) Placement/Anchorage Requirements: All HUD-Code manufactured homes shall be placed and anchored in accordance with either State standards or manufacturers' specifications, or in accordance with the City's then-current building code, whichever is more stringent.
- (k) Utilities: All piped utilities within this PD-MH district shall be installed in accordance with the approved civil engineering plans. All wire utilities within this PD-MH district shall be installed in accordance with the requirements of the applicable utility service provider. Fire hydrants shall be located in accordance with the specifications of the National Fire Protection Association, or in accordance with the City's then-current fire code, whichever is more stringent.

- (l) Recreational Sites: There shall be provided within this PD-MH district an adequate site(s) for recreation for the exclusive use of the community's occupants. Such recreational site(s) shall have a minimum area of at least 2.35% of the gross land area (i.e., 1.634 acres).
- (m) Recreational Vehicles and Boat Storage: All boats and recreational vehicles within this PD-MH district shall be stored in accordance with state and/or City standards, whichever is more stringent, on a approved surface material.

**SECTION 5. ADDITIONAL PROVISIONS.**

- (a) The Property must be properly maintained in a state of good repair and neat appearance at all times.
- (b) Development of the Property shall be subject to platting and installation of required site improvements, per the Subdivision Ordinance, as amended.
- (c) Development and use of the Property must comply with all applicable federal and state laws and regulations, and with all applicable ordinances, rules, and regulations of the City of Wilmer and Dallas County.

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EXHIBIT "D"

