

ORDINANCE NO. 6730 & 6678
PLANNED DEVELOPMENT NO. 273-A
CASE NO. Z021007 & Z020701

AN ORDINANCE AMENDING THE ZONING MAP AND ORDINANCE TO REZONE A 103.73 ACRE TRACT OF LAND SITUATED IN THE D. R. CAMERON SURVEY, ABSTRACT NO. 295, DALLAS COUNTY, TEXAS, GENERALLY LOCATED ON THE SOUTH SIDE OF ARKANSAS LANE, EAST OF STATE HIGHWAY 161, AND ON THE NORTH SIDE OF WARRIOR TRAIL, APPROXIMATELY 340 FEET WEST OF CARRIER PARKWAY, FROM PLANNED DEVELOPMENT NO. 168 FOR GENERAL RETAIL, COMMERCIAL-OFFICE, SINGLE FAMILY ATTACHED CLUSTER HOUSING, AND SINGLE FAMILY-ZERO LOT LINE RESIDENTIAL USES, TO A PLANNED DEVELOPMENT FOR SINGLE FAMILY FIVE (SF-5) RESIDENTIAL, MULTI FAMILY THREE (MF-3) RESIDENTIAL, AND RESTRICTED COMMERCIAL USES; SAID ZONING MAP AND ORDINANCE BEING NUMBERED 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 **Planned Development No. 168 for Single Family Attached Cluster Housing and Single Family-Zero Lot Line Residential uses, and General Retail and Commercial-Office uses to a Planned Development for Single Family Five (SF-5) Residential, Multi Family Three (MF-3) Residential, and Restricted Commercial uses;** and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on October 28, 2002 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 8 to 0 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned from its classification of **Planned Development No. 168 for Single Family Attached Cluster Housing and Single Family-Zero Lot Line Residential uses, and General Retail and Commercial-Office uses to a Planned Development for Single Family Five (SF-5) Residential, Multi Family Three (MF-3) Residential, and Restricted Commercial 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 November 5, 2002 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 Grand Prairie Morning News addition of the Dallas Morning News, Dallas, 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 **Planned Development No. 168 for Single Family Attached Cluster Housing and Single Family-Zero Lot Line Residential uses, and General Retail and Commercial-Office uses; to a Planned Development for Single Family Five (SF-5) Residential, Multi Family Three (MF-3) Residential, and Restricted Commercial 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:

I.

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 the following described area from its classification of **Planned Development No. 168 for Single Family Attached Cluster Housing and Single Family-Zero Lot Line Residential uses, and General Retail and Commercial-Office uses to a Planned Development for Single Family Five (SF-5) Residential, Multi Family Three (MF-3) Residential, and Restricted Commercial uses** within the area as described by metes and bounds and as shown on the attached Exhibit "A" incorporated herein by reference:

Being a 103.73 acre tract of land situated in the D. R. Cameron Survey, Abstract No. 295, Dallas County, Texas and being a portion of a 110.544 acre tract of land described in deed

conveyed to Penta Development Group, Inc., as recorded in Volume 83204, Page 4564, Deed Records, Dallas County, Texas, and this 103.73 acre portion being further described by metes and bounds as follows:

BEGINNING at the called southwest corner of said Penta Tract, being a found 4 inch diameter Bois D'Arc hub, said point being the called southeast corner of a tract of land described in deed conveyed to Stuart Hunt Trust No. 3 and Hara Hunt, as recorded in Volume 77086, Page 509, Deed Records, Dallas, County, Texas;

THENCE North 00 degrees 08 minutes 00 seconds East with the west boundary line of said Penta Tract and being along the common boundary line of said Hunt Tract, according to the Boundary Line Agreement recorded in Volume 67122, Page 1118, Deed Records, Dallas County, Texas, 2,590.29 feet to a found 5/8 inch iron pin set in the south right-of-way line of Arkansas Lane, a public right-of-way of varying width, according to the right-of-way conveyance to the City of Grand Prairie recorded in Volume 86144, Page 4642, Deed Records, Dallas County, Texas, said point being South 00 degrees 08 minutes 00 seconds West 19.83 feet from 1/2 inch iron pin found at the northwest corner of said 110.544 acre Penta Tract;

THENCE with said south right-of-way line the following calls and distances:

North 89 degrees 53 minutes 35 seconds East 1,227.68 feet to a found 1/2 inch iron pin;

South 47 degrees 50 minutes 35 seconds East 29.74 feet to a found 1/2 inch iron pin;

Northerly with a curve to the right whose radius point bears North 82 degrees 15 minutes 02 seconds East 300.87 feet, a total arc distance of 40.12 feet to a point (Long Chord bears North 03 degrees 55 minutes 46 seconds West 40.09 feet);

North 89 degrees 53 minutes 25 seconds east 90.0 feet to a found 1/2 inch iron pin;

Southerly with a curve to the left whose radius point bears North 89 degrees 53 minutes 25 seconds East 607.16 feet, a total arc distance of 40.02 feet to a found 1/2 inch iron pin (Long Chord bears South 01 degrees 59 minutes 55 seconds East 40.02 feet);

North 43 degrees 26 minutes 17 seconds East 27.59 feet to a found 1/2 inch iron pin;

North 89 degrees 53 minutes 25 seconds East 897.91 feet to a found 1/2 inch iron pin being the southeast corner of Tract D of said Arkansas Lane right-of-way conveyance recorded in Volume 86144, Page 4642, Deed Records, Dallas County, Texas;

THENCE South 00 degrees 06 minutes 37 seconds West departing said right-of-way line 1,242.71 feet to a found 1/2 inch iron pin;

THENCE South 89 degrees 51 minutes 45 seconds East 335.0 feet to a found 1/2 inch iron pin located in the east boundary line of said 110.544 acre tract, said point also being located in the existing west right-of-way line of Carrier Parkway (a 100 foot right-of-way);

THENCE South 00 degrees 06 minutes 37 seconds west along the existing west right-of-way line of said Carrier Parkway, 45.0 feet to a found 1/2 inch iron pin;

THENCE leaving said west right-of-way line along the easterly south boundary line of said 110.544 acre tract, the following courses and distances;

North 89 degrees 51 minutes 57 seconds West 110.0 feet to a found 1/2 inch iron pin;

Westerly with a curve to the right whose radius point bears North 00 degrees 08 minutes 47 seconds East 378.70 feet, a total arc distance of 75.49 feet to a found 1/2 inch iron pin (Long Chord bears North 84 degrees 08 minutes 35 seconds West 75.36 feet);

Westerly with a curve to the left whose radius point bears South 11 degrees 33 minutes 19 seconds West 378.70 feet, a total arc distance of 75.49 feet to a found 1/2 inch iron pin (Long Chord bears North 84 degrees 08 minutes 35 seconds West 75.36 feet);

North 89 degrees 51 minutes 57 seconds West 175.0 feet to found 1/2 inch iron pin;

Westerly along a curve to the left whose radius point bears South 00 degrees 08 minutes 57 seconds West 1,349.38 feet, a total arc distance of 388.59 feet to found 1/2 inch iron pin (Long Chord bears South 81 degrees 53 minutes 03 seconds West 285.71 feet);

South 73 degrees 38 minutes 03 seconds West 220.0 feet to a found 1/2 inch iron pin;

Southwesterly along a curve to the right whose radius bears North 16 degrees 21 minutes 57 seconds West 995.56 feet, a total arc distance of 286.70 feet to a found 1/2 inch iron pin (Long Chord bears South 81 degrees 53 minutes 03 seconds West 285.71 feet);

North 89 degrees 51 minutes 57 seconds West 95.0 feet to a found 1/2 inch iron pin;

THENCE South 00 degrees 08 minutes 03 seconds West along the southerly east line of the aforementioned 110.544 acre tract, 880.0 feet to a found 1/2 inch iron pin;

THENCE Southerly along the easterly line of said tract and along a curve to the right whose radius point bears North 89 degrees 51 minutes 57 seconds West 518.72 feet, a total arc distance of 135.80 feet to a found 1/2 inch iron pin (Long Chord bears South 07 degrees 38 minutes 03 seconds West 13 5.41 feet);

THENCE South 15 degrees 08 minutes 03 seconds West continuing along said easterly line 154.25 feet to a found 1/2 inch iron pin;

THENCE South 89 degrees 53 minutes 12 seconds West along the westerly south line of said tract, 1,126.24 feet to the **POINT OF BEGINNING** and containing 4,518,563 square feet or 103.73 acres of land, more or less.

II.

DEVELOPMENT STANDARDS FOR TRACT 1

(Being a portion of the 103.73 acre tract situated east of the 100-foot wide Texas Power and Light Company easement that extends southward from Arkansas Lane to Warrior Trail)

The purpose of this Planned Development District is to provide the appropriate restrictions and development controls to permit the development of single family detached residential uses in a manner compatible with the surrounding development and zoning and in compliance with the City's Comprehensive Plan and the Unified Development Code.

Permitted uses for TRACT 1 shall be as designated in the Unified Development Code of the City of Grand Prairie as amended for the Single Family-Five (SF- 5) residential zoning district except as otherwise specified below:

1. PERMITTED USES

Those uses permitted in a Single Family-Five (SF-5) zoning.

2. HEIGHT REGULATIONS

No building shall exceed two and one-half (2-1/2) stories, or 31 feet in height as measured to the top plate line of wall framing.

3. DENSITY AND DIMENSIONAL REQUIREMENTS

All development must meet the minimum requirements of the Single Family-Five (SF-5) zoning district except minimum lot size and living area requirements shall be as detailed below.

A. Minimum Living Areas

1,600 sq/ft	60%	(maximum of 60% between 1600 sq/ft to 1800 sq/ft)
1,800 sq/ft	40%	(minimum of 40% greater than or equal to 1800 sq/ft)

B. Minimum Lot Sizes

6,000 sq/ft	75%	(maximum 75% between 6,000 sq/ft and 6,500 sq/ft)
6,500 sq/ft	25%	(minimum 25% greater than or equal to 6,500 sq/ft)

C. Minimum Lot Width

The minimum width of any residential lot shall be fifty (50) feet, measured at the front building line. Thirty five (35) feet shall be allowed at the terminus of a cul-de-sac or along street elbows or eyebrows.

D. Minimum Lot Depth

The minimum depth of any residential lot shall be one hundred (100) feet, measured at the midpoint of the front and rear lot lines. Ninety (90) feet shall be allowed at the terminus of a cul-de-sac or along street elbows or eyebrows.

E. Minimum Front Yard

The minimum depth of the front yard shall be twenty (20) feet.

F. Minimum Side Yard

The minimum side yard on each internal side of a lot shall be five (5) feet. The minimum side yard for corner lots shall be increased to fifteen (15) feet on the side adjacent to the street. If the side lot line abuts a street, any side/rear garage entry must be set back a minimum of twenty (20) feet.

3. LOT ORIENTATION ADJACENT TO ARTERIALS

No lot with frontage along the west side of Robinson Road, located in excess of 450 feet south of the south right-of-way line of Arkansas Lane, will be allowed to back up to Robinson Road.

4. FENCING AND STREET LANDSCAPING

A. All rear and side yards adjacent to designated arterial and collector streets must be screened with a uniform masonry screening fence with brick columns approximately 60 ft.

- B. 6-foot high masonry screening fences of a type described in Section 4.D.1 and 2 shall be provided along all thoroughfares designated as an arterial or collector street on the city's master thoroughfare plan, and along the east line of the 100-foot wide Texas Power and Light Company easement. Such fences shall extend into and along the side lot lines, where applicable, of lots abutting the residential entry street(s) extending into the subject subdivision from the designated thoroughfare.
- C. Rear yard fences extending along an exterior side lot line of two or more consecutive lots facing an interior residential street shall be constructed to the standards described in Section 4. D. 3. and be maintained by the Public Improve District and/or Homeowners Association. A 4-inch deep by 6-inch wide reinforced concrete mowing strip shall not be required at these locations.
- D. All screening fences shall be a minimum height of six feet and be constructed to the following standards where applicable:
1. Solid masonry or thin wall.
 2. Cementitious, masonry or metal (of a style similar to wrought iron) or a combination thereof.
 3. 6-foot high double-lap wood inserts on metal posts with a 4-inch deep by 6-inch wide reinforced concrete mowing strip provided at the base of all wood inserts for rear yard fences extending along an exterior side lot line of two or more consecutive lots facing an interior residential street.
 4. The use of berms with the placement of fences on top may be used to reduce the height of the fence to a minimum height of four feet through an allowed one foot reduction in height for every one foot of height of berm so that the minimum height of the combined berm and fencing is six feet. The maximum slope of any berms shall be 3:1 unless it is being retained on the private property side of the berm by a retaining wall. All landscaped areas shall be irrigated with an automatic sprinkler system and maintained by the Public Improve District or Homeowners Association.
- E. Any use of metal shall be accompanied by shrubbery in front of such metal. Shrubby when planted shall be a minimum size of five gallons placed on 36--inch centers. All landscaped areas shall be irrigated with an automatic sprinkler system and maintained by the Public Improve District or Homeowners Association.
- F. Trees of a minimum caliper of three inches shall be placed a maximum of every 50 lineal feet on center along both sides of Robinson Road. All landscaped areas shall be irrigated with an automatic sprinkler system and maintained by the Public Improve District or Homeowners Association.

- G. The project shall contain a minimum of one (1) street entry features along each side of Robinson Road. Such features shall include masonry entry monumentation, landscaping, and permanent subdivision identification signage.
- H. Plans for screening fences and entry monumentation shall be submitted to the Director of Development for approval and for determination of acceptable distance for fence extensions into side lot lines as required in Section III.4.B. Such plans shall be included with the engineering plans at time of final platting.

5. MANDANTORY PID OR HOA

A mandatory homeowners association and/or a public improvement district (“PID”) shall be created for the maintenance of public amenities specified in the Planned Development ordinance. The association and/or the PID, at its expense, shall also maintain street entry features, fencing, irrigation, and other common areas within the subject property. Water for irrigation purposes shall be separately metered.

6. OTHER DEVELOPMENT REQUIREMENTS

- A. Repeat Brick, Building Elevations, and Masonry Requirements. No use of the same brick color or duplicate building elevation shall be allowed on a house built on a lot that is within 4 lots of a structure constructed with similar building elements located on the same side of a street between intersecting street(s). No house may be built with similar building elements or brick color as one located directly across the street. All residential structures shall be constructed of a minimum of 80 percent brick. Front façade shall be 100 percent brick excluding windows and doors.
- B. Repeat Roof Shingles. The roof shingles may be of the same base color with varying hues.
- C. Restriction on Vehicular Access. No right-of-way access shall be permitted to extend through of the 100-foot wide Texas Power and Light Company easement between areas developed for single family residential and commercial uses.
- D. Lot Landscaping

Each house at the time of occupancy shall have the following minimum landscaping:

- 1. 2-three-inch caliper trees planted in front of each house.
- 2. Tree species shall be in accordance with the City of Grand Prairie approved tree list contained in Article 8 of the Unified Development Code.

3. Front yard shrubs shall be provided for each house in any size increment totaling a minimum of 30-gallons per residential lot.
- E. Fireplaces and chimney flues located on exterior walls shall be constructed of 100% masonry on all sides facing the street. The sides facing the roof may be hardy plank or stucco. Flues on interior (roof protruding) fireplaces may be constructed of hardy plank or stucco.

**III.
DEVELOPMENT STANDARDS FOR TRACT 2**

(Being a portion of the 103.73 acre tract situated west of the 100-foot wide Texas Power and Light Company easement that extends southward from Arkansas Lane to Warrior Trail)

The purpose of this Planned Development District is to provide the appropriate restrictions and development controls to permit the development of multi family and non-residential uses in a manner compatible with the surrounding development and zoning and in compliance with the City's Comprehensive Plan and the Unified Development Code.

Permitted uses for TRACT 2 shall be as designated in the Unified Development Code of the City of Grand Prairie as amended for the Multi Family Three (MF-3), General Retail (GR) and Commercial (C) zoning district except as otherwise specified below:

1. MULTI FAMILY THREE (MF-3) USES

- A. The maximum area permitted for multifamily uses shall be 20 acres. The maximum area for multifamily development shall be 20 acres. Property developed with multi-family uses shall not directly front along Warrior Trail.
- B. Parking garages shall be provided for 60% of all units developed within a project. Such garages shall be directly accessible to an enclosed common area within the main building. Detached garages are prohibited.

2. COMMERCIAL (C) USES

- A. All Commercial land uses shall be developed in conformance with all applicable requirements of the Unified Development Code of the City of Grand Prairie as amended.
- B. The following list of uses allowed in the Commercial "C" Districts by the Unified Development Code will not be permitted:

Truck Transfer/Storage Terminal (distribution facility)
Truck Driving School
Warehouse/Storage as a primary use (inside and outside)

Used Auto Supply Part Store
Heavy Machinery Sales
Bus Charter Service
Transit Maintenance/Equipment Facility
Trucking Company
Truck/Trailer Rental (in excess of two axles)
Coin Operated Car Wash
Machine Shop
Motion Picture Theatre (Outdoors)
Stadium

- B. All commercial land uses shall be developed in conformance with all applicable requirements of the Unified Development Code of the City of Grand Prairie as amended.
- C. Developers of multi-tenant buildings shall submit a signage plan for review and approval by the Director of Development, or appointed designee, in accordance with Article 9 of the Unified Development Code. Such plan will encourage unified design treatments and consolidation of multi-tenant signs.

4. NOISE RESTRICTION

- A. The generation of noise from the loading or unloading of trucks or similar large type vehicles (one (1) ton and over); including the opening, closing, or other handling of boxes, crates, containers, building material, or similar operations connected with loading or unloading of such vehicles, within any residential district or within three hundred (300) feet of any residential structure, shall be limited to daytime hours, except in the case of urgent necessity in the interest of public safety, for which approval shall be obtained from the environmental services director. *(Section 13-277 (D) of the Code of Ordinances of the City of Grand Prairie)*
- B. The operation of any engine of any standing motor vehicle with a weight in excess of ten thousand (10,000) pounds manufacturer's Gross Vehicle Weight (GVW), within any residential district or within three hundred (300) feet of any residential structure, shall be limited to a period not to exceed fifteen (15) minutes, provided however, that vehicles confined and operated within an enclosed structure shall not be subject to the provisions of this section. *(Section 13-277 (E) of the Code of Ordinances of the City of Grand Prairie)*

IV.

All ordinances or parts of ordinances in conflict herewith are specifically repealed.

V.


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, this the 5th day of November, 2002.



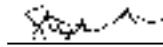
Mayor, Grand Prairie, Texas

ATTEST:



Catherine E. DiMaggio, City Secretary

APPROVED AS TO FORM:



City Attorney

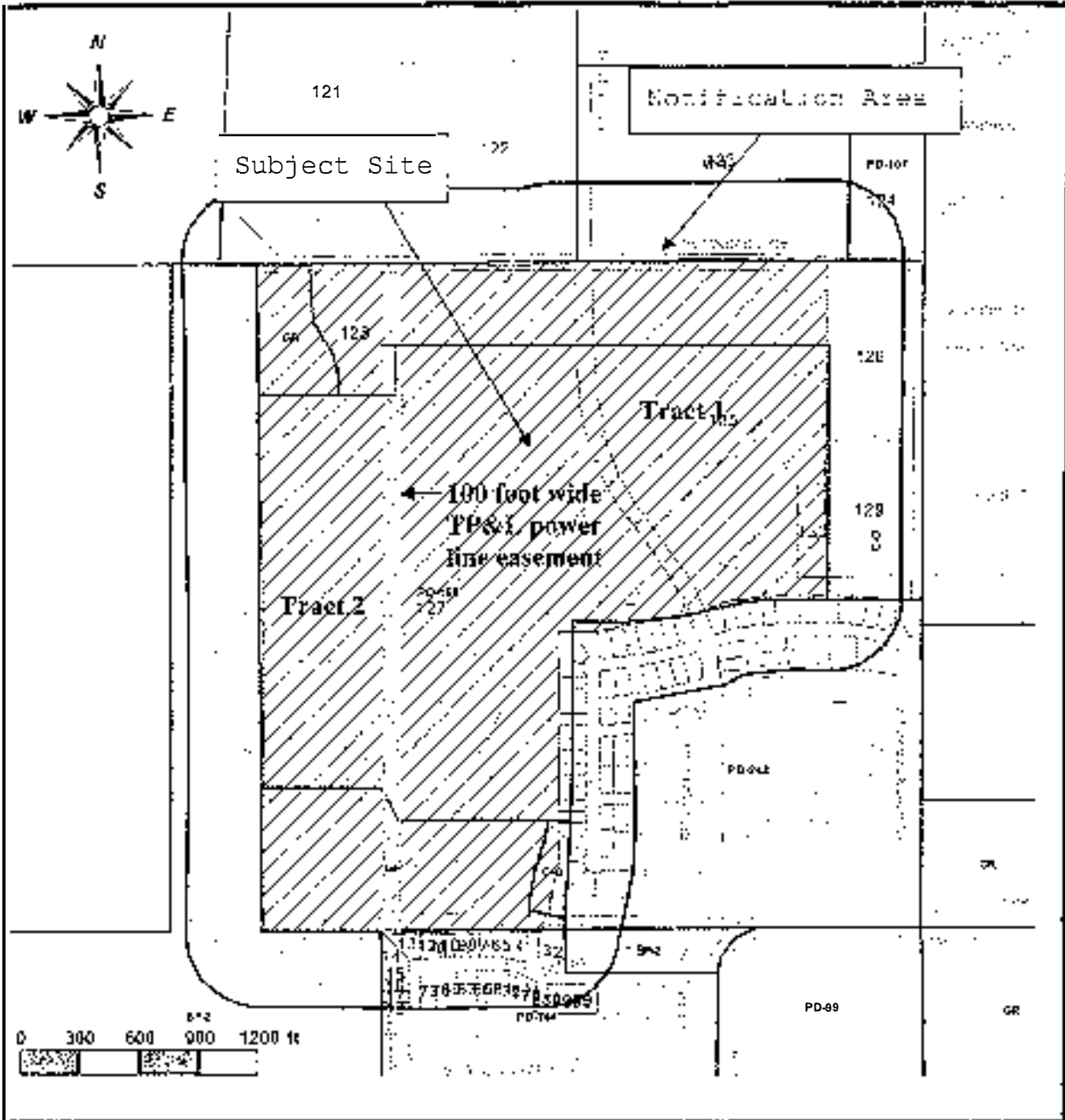


Exhibit "A"

Cross Hatched Area Indicates Property Being Zoned

Zoning Case Z020701 & Z 021007

From Planned Development No. 168 for Single Family Attached Cluster Housing and Single Family-Zero Lot Line Residential uses, and General Retail and Commercial-Office uses; to a Planned Development for Single Family Five (SF-5) Residential, Multi Family Three (MF-3) Residential, and Restricted Commercial uses