

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on 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 property sought to be rezoned, 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 and the classification of Planned Development No. 97 established in Ordinance Number 3116 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:

THAT 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 36 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 27TH DAY OF JANUARY, 1971, 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 January 27, 1971, recorded in Ordinance Book 8, Pages 405 to 509 inclusive, as amended, so as to amend Ordinance Number 3116 and establish and rezone the following described area designated Planned Development No. 97;

BEGINNING at a point being the intersection of the westerly right-of-way line of Carrier Parkway and the southerly right-of-way line of Arkansas Lane;

THENCE West 2,589.17 feet to a point;

THENCE South 000 081 0711 W 2,621.0 feet to a point;

THENCE North 890 52' E 2,589.17 feet-to a point being the intersection of, the westerly right-of way line of Carrier Parkway and the northerly right-of-way line of Warrior Trail;

THENCE North 000 081 00" Ea distance of 2,621.0 feet to the POINT OF BEGINNING.

THAT-the following special terms and conditions are hereby imposed as a part of this Ordinance:

1. Internal streets, water, sanitary sewer and storm sewer to remain the developer's expense in accordance with the applicable ordinances. At the time of platting, the owner of the land designated zero lot line, townhouse and semi-detached on the attached site plan shall guarantee maintenance of the retention pond to the City's standards for a period of five (5) years or until control of the Homeowner's Association is given to the residents upon seventy-five percent (75%) private ownership, whichever comes later maintenance of said retention pond.

2. The attached site plan shows the streets to be Constructed thirty-one feet (31') in width measured back of curb to back of curb with parking allowed only on one side of said streets. "No Parking" signs shall be erected at the expense of the developer at the direction of the City and restrictive covenants shall be placed on the subject property prohibiting parking in those areas. All other streets shall be constructed twenty-seven feet (27') in width measured back of curb to back of curb. A sidewalk meeting City standards shall be constructed on one side of the thirty-one feet (31') streets to be determined in the discretion of the developer at the time of platting.

3. Provisions will be made by the developer for the construction of Warrior Trail prior to the approval of any subdivision plat on any tract of land south of Grenoble Drive. .(A letter of credit satisfactory to the City Attorney will be accepted as fulfilling this provision.) Warrior Trail will be constructed forty-five feet -(45') in width measured back of curb to back of curb. The developer will be responsible for the construction of Warrior Trail from Carrier Parkway to and through its intersection of Springdale Lane prior to the issuance of any building permits south of Grenoble Drive. The City will at some future date construct Warrior Trail from Springdale to State Highway 161. If money is collected by the City through assessment of other property owners or' other means, it shall be applied to the extension of Warrior Trail by the City.

4. Arkansas Boulevard will either be constructed or "escrow" made pursuant to the city ordinances for a street meeting city standards. The developer will be responsible for the

southern half of Arkansas Boulevard including twenty-five feet (25') in width measured back of curb to back of curb. No plats will be approved for any tracts north of Grenoble Drive until such time that provisions for Arkansas Boulevard are made. (A letter of credit satisfactory to the City Attorney will be accepted as fulfilling this "escrow" provision.) If Arkansas Boulevard is constructed in halves, the developer will be responsible for Arkansas Boulevard plus the entire median.

5. All alleyways on the attached site plan that are shown as having twenty feet (20') of right-of-way shall have twelve feet (12') of concrete paving. All other alleyways shall have ten feet (10') of concrete paving and fifteen feet (15') of right-of-way. These numbers are minimum and at the discretion of the developer can be increased.

6. Provisions will be made for the construction of that portion of a perimeter screening fence meeting City standards along Arkansas Lane, future State Highway 161, and Warrior Trail. Provisions will be made prior to the approval of any final plat of the subdivision containing the required screening fence. (A letter of credit satisfactory to the City Attorney will be accepted as fulfilling this provision.)

7. A note on all final plats will be required establishing ownership of the common areas and giving the City the right to enter - and maintain the drainage retention area, if necessary. Such maintenance shall be charged back to the property owners directly and/or to the owners' association. If such charges are not paid, there shall be a lien placed on each residential lot noted in Paragraph 1, and the note on the plats shall so state.

8. The Parks Department is under no obligation to accept the proposed retention pond for a park. If the proposed park area meets the requirements and needs of the Parks Department, it may accept the dedication and shall release the developer and owners from maintenance liability therefor.

9. The retention pond will be engineered to meet the requirements of the Engineering Department in dealing with a 100 year storm. The concept of a retention pond is approved, but drainage as part of the final plat approval is dependent upon **Engineering calculations being approved by the City Engineer.**

10. The Planned Development shall have the following square footage ratios, as a minimum:
A. All of the townhouses shall be larger than eight hundred square feet (800 sq. ft.).

B. Two-thirds (2/3) of the townhouses shall be larger than nine hundred fifty square feet (950 sq. ft.).

C. One-third (1/3) of the townhouses shall be larger than one thousand one hundred square feet (1,100 sq. ft.).

D. All of the zero lot line and semi-detached units shall be larger than one thousand square feet (1,000 sq. ft.).

E. Sixty-seven percent (67%) of the zero lot line and semi-detached units shall be larger than one thousand one hundred square feet (1,100 sq. ft.).

F. Thirty-four percent (34%) of the zero lot line and semi-detached units shall be larger than one thousand two hundred square feet (1,200 sq. ft.).

G. Fifteen percent (15%) of the zero lot line and semidetached units shall be larger than one thousand four hundred square feet (1,400 sq. ft.).

11. For purposes of this ordinance, the following words are defined:

1. Semi-detached: A building designed with two dwelling units constructed with a common wall and with each dwelling unit being on a separate lot.

2. Townhouse: A single family unit constructed in a series or a group of units having 'common walls each on a separate lot.

3. Zero Lot Line House: A single family detached dwelling unit that is built to the property line on one side with required yard areas placed on the opposite side.

12. The retention pond shown on this plat is required to protect downstream property owners from the potential effects of increased volume and velocity of storm water run off from this subdivision. The retention pond shall always be maintained in working order and operation to insure proper downstream drainage. If the retention pond becomes inoperative, out of repair and in need of maintenance, the owners of the property located in this subdivision shall repair and maintain them as directed by the City of Grand Prairie, Texas. If after notice the property owners fail or refuse to repair or maintain the retention pond, the City of Grand Prairie through its agents may enter upon and construct, reconstruct or repair the retention pond and bill the property owners in the subdivision for the cost thereof. if the

property owners fail or refuse to pay the cost thereof, the City may bill Homecraft Land Development, Inc., the original developer of this subdivision. If the City is not paid by either party, the City may enforce this covenant by taking its judgment against either party or parties in court. This shall be a covenant running with the land and lots which may be conveyed by reference to this plat and shall be included in the restrictive covenants filed herewith.

13. Minimum masonry content for residential uses 60%.

III.

THAT the site plan and "typicals" as finally approved with all stipulations contained therein shall be marked Exhibit "A", attached hereto and made a part hereof as if fully set out herein.

IV.

THAT nothing contained herein shall be construed as relieving the **owner of** the land described hereinabove of compliance with all other ordinances or Charter of the City of Grand Prairie, Texas, or laws of the State of Texas relating to the development of land or construction of buildings in said City, nor shall this ordinance be construed as relieving the owner of said land of compliance with all other provisions of Ordinance No. 2299 and its amendments, same being the Comprehensive Zoning Ordinance of said City, unless specifically modified by the passage of this ordinance.

V.

It is further provided that in case a section, clause, sentence or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this ordinance.

VI.

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

VII.

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
TEXAS, this the 15th day of February 1983.

THE CITY OF GRAND P

Is Anne Gresham
MAYOR, CITY OF GRAND PRAIRIE, TEXAS

ATTEST:

Sue Shower City Secretary