

AN ORDINANCE AMENDING THE ZONING MAP SH014ING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY SO AS TO REZONE John W. Farrens Survey, Abstract No. 1710 and 545, generally located north of IH-30 and east of Duncan Perry Road FROM: Single Family-1 TO: Planned Development for General Retail and Multi-Family-1; SAID ZONING MAP AND ORDINANCE PASSED ON JANUARY 27, 1971 AND

RECORDED IN BOOK 8, PAGES 405 TO 509 OF THE ORDINANCE RECORDS OF THE CITY OF GRAND PRAIRIE, TEXAS; 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 hereinafter described property 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 Single Family-1 to General Retail and Multi Family-1; and

WHEREAS, the Zoning Commission of Grand Prairie, Texas, held a public bearing on said application on March 21, 1983 after written Notice of such public hearing before the Zoning Commission on the proposed change in classification had been sent to owners of real property lying within 200 feet of the property on which the change in 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 Zoning Commission of the City of Grand Prairie, Texas voted 5 to 0 to recommend to the City Council of Grand Prairie, Texas, that The hereinafter described property not be rezoned so as to change its classification from .-Single Family-1 to. General Retail & - MF-1 ; and

WHEREAS, subsequent to the public hearing of the Zoning Commission, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the Municipal Building at 7:00 o'clock p.m. on April 1.2, 1983 to consider the advisability of amending the Zoning Ordinance and Map as recommended by the 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 Daily News , Grand Prairie, 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 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 from the classification of Single Family-1 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 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 NACTING

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 establish and rezone the following described area from Single Family-1 to planned development for General Retail and Multi Family-1:

BEING a tract of land out of the John W. Fattens Survey, Abstract No. 1710. situated in the City of Grand Prairie, Dallas County, Texas, and the John W. Farrens Survey, Abstract No. 545, situated in the City of Grand Prairie. Tarrant County, Texas, and being a tract of land conveyed to Great Southwest Corporation by Robert Lee Redden et. al.as recorded in Volume 602. Page 1777, of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the north right-of-way line of the Texas Turnpike Authority, Dallas-Fort Worth Toll Road, same being known as Interstate 30, said point being an incorner of the said Turnpike property, same being located north 170 feet and 62.86 feet east of the intersection of the west line of said John W. Farrens Survey with the centerline of Interstate 30;

THENCE N 05*48'14" W-along said east ROW line of Duncan Perry Road, 230.91 feet to a -1/2 inch iron rod for corner;

THENCE N 01*01'41" W continuing along said east line of Duncan Perry Road, 238.85 feet to an iron rod set for corner at the intersection of said east line of Duncan Perry Road with the south line of Avenue "H" east Extention (a 60 foot ROW);

THENCE N 89*38'19" E along said-south ROW line of Avenue "H" east extention, 176.74 feet to the southeast corner of said Avenue "H" east extention ROW;

THENCE N 00'46'29" W along the east line of said Avenue "H" Extention ROW, at 60 feet passing the northeast corner of said extention ROW and the southeast corner of a 0.62 acre tract conveyed to the City of Grand Prairie, Texas by deed recorded in Volume 4382, Page 326, of the Deed Records of Tarrant County, Texas, in all 196.11 feet to the northeast corner of said City of Grand Prairie Tract, being a 1/2 inch iron rod found for a-corner;

THENCE N 89*38'19" E 1132.64 feet to an iron rod set for a corner;

THENCE N 00*13'13" W 17.57 feet to a 11 inch iron rod found for a corner;

THENCE S 89*59'33" E 382.78 feet to a 1/2 inch iron rod found-for a corner;

THENCE S 00*03'35" E 649-23 feet to a 5/8 inch iron rod found on the north ROW line of Interstate Highway 30 (Dallas-Fort Worth Turnpike);

THENCE S 89*57'1" W along said north ROW line of Interstate Highway 30, 380-96 feet to a 5/8 inch iron rod found for a corner;.

THENCE S 71*52'56" W continuing along said north ROW line, 128.03 feet to a 5/8 inch iron rod found for a corner;

THENCE S 89* 57' W continuing along said north ROW line, 1159.80 feet to the POINT OF BEGINNING and containing approximately 17.890 acres in Dallas County and approximately 6.927 acres in Tarrant County, for a total of 1,081,025 square feet or 24.817 acres of land. That the following special terms and conditions are hereby imposed as a part of ordinance:

1. An easement be provided for traffic access between Duncan Perry Road and N. W. 19th Street.
2. The construction on the property adjacent to Greenbriar Estates, to a width of

at least 250 feet, to be limited to no more than one story in height and an overall density of no more than 10.2 units per acre, with .approximately 20% open space for landscaping.

3. Construction of screening fences along north of development.
4. Concrete parking lots.
5. 80% brick or stone construction of all structures, first and second floors.
6. Retail portions be required to have all brick on the structures, with concrete parking lots and 20% of the area to be used for landscaping.
7. Developer to participate in paving and improvements to Duncan Perry Road at the time of platting.
8. Developer to work with the Public Works Department to obtain approval for proposed drainage.
9. Density on entire project be limited to an average of 18 units per acre.

That the site plan 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 THE CITY OF GRAND PRAIRIE, TEXAS on this the 12th day of April 19 83.

Mayor, - City of Grand Prairie, Texas

ATTEST:

City Secretary

P&Z Case No. 821105