

**PLANNED DEVELOPMENT
ORDINANCE NO.
PLANNING UNIT NO.**

**130-A
4455
Z881102**

AN ORDINANCE AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY SO AS TO REZONE PART OF THE JOHN W. HARWOOD SURVEY, ABSTRACT NO. 661, GENERALLY LOCATED APPROXIMATELY 2000 FEET EAST OF STATE HIGHWAY 360 AND 1500 FEET NORTH OF HARWOOD DALLAS COUNTY ROAD ON THE WEST SIDE OF LYNN ROAD FROM THE (PD) PLANNED DEVELOPMENT NO. 130 FOR GENERAL RETAIL ZONING DISTRICT TO: THE (PD) PLANNED DEVELOPMENT ZONING DISTRICT FOR SINGLE FAMILY-DETACHED RESIDENTIAL USES. 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 (PD) Planned Development No. 130 for General Retail to to (PD) Planned Development No. 130-A for Single Family-Detached; and

WHEREAS, the Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on November 14, 1988 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 8 to 0 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned so as to change its classification from (PD) Planned Development No. 130 for General Retail to (PD) Planned Development No. 130-A for Single Family-Detached; 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 November 22, 1988 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 utilization 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 (PD) Planned Development No. 130 for General Retail 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 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 establish and rezone the following described area from (PD) Planned Development No. 130 for General Retail to Planned Development 130-A for Single Family-Detached uses.

LEGAL DESCRIPTION

BEING a tract of land situated in the J.W. Harwood Survey, Abstract No. 661, City of Grand Prairie, Tarrant County, Texas, being part of the tract of land conveyed by deed from Hugh H. Moore, Trustee, to Longmark jDevelopment, a Joint Venture, as recorded in Volume 7011, Page 2303, Deed Records of Tarrant County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod set for the northeast corner of Lot 1, Block 5 of Garden Oaks Addition, Phase II, and addition to the City of Grand Prairie, as recorded in Volume 388-191, Page 85, Tarrant County Plat Records, said corner being both on the south right-of-way line of Prairie Oak Boulevard (50' width) and on a circular curve to the left having a central angle of 12 deg. 05 min. 20 sec. and a radial bearing and distance of North 02 deg. 40 min. 11 sec. West 375.00 feet;

THENCE along said circular curve to the left an arc distance of 79.12 feet and a chord bearing and distance of North 81 deg. 17 min. 09 sec. East 79.98 feet to a 1/2 inch iron rod set for corner;

THENCE South 69 deg. 24 min. 01 sec. East a distance of 16.16 feet to a 1/2 inch iron rod set for corner on a circular curve to the left having a central angle of 11 deg. 20 min. 13 sec. and a radial bearing and distance of North 56 deg. 27 min. 30 sec. East 1092.00 feet;

THENCE along said circular curve to the left an arc distance of 216.07 feet and a chord bearing and distance of South 39 deg. 12 min. 36 sec. East 215.72 feet to a 1/2 inch iron rod set for corner on a circular curve to the left having a central angle of 12 deg. 23 min. 14 sec. and a radial bearing and distance of North 52 deg 53 min. 00 sec. East 410.50 feet;

THENCE along said circular curve to the left an arc distance of 88.75 feet and a chord bearing and distance of South 43 deg. 18 min. 37 sec. East 88.58 feet to a 1/2 inch iron rod set for the beginning of a compound circular curve to the left having a central angle of 07 deg. 38 min. 54 sec. and a radial bearing and distance of North 40 deg. 29 min. 46 sec. East 1098.00 feet;

THENCE along said compound circular curve to the left an arc distance of 146.57 feet and a chord bearing and distance of South 53 deg. 19 min. 41 sec. East 146.46 feet to a 1/2 inch iron rod set for corner;

THENCE South 14 deg. 24 min. 18 sec. East a distance of 64.83 feet to a 1/2 inch iron rod set for corner;

THENCE South 29 deg. 27 min. 21 sec. West a distance of 132.14 feet to 1/2 inch iron rod set for the beginning of a circular curve to the left having a central angle of 08 deg. 57 min. 00 sec. and a radius of 310.50 feet;

THENCE along said circular curve to the left an arc distance of 48.50 feet and a chord bearing and distance of South 24 deg. 58 min. 51 sec. West 48.45 feet to a 1/2 inch iron rod set for the point of tangency;

THENCE South 20 deg. 30 min. 21 sec. West a distance of 52.84 feet to a 1/2 inch iron rod set for the east corner of Lot 11, Block 5 of aforementioned Garden Oaks Addition, said iron rod being on the northwest right-of-way line of Lynn Road (70' width);

THENCE North 50 deg. 37 min. 29 sec. West along the northeast line of said Block 5 a distance of 393.75 feet to a 1/2 inch iron rod set for corner;

THENCE North 02 deg. 40 min. 15 sec. West along the east line of said Block 5 a distance of 334.61 feet to the POINT OF BEGINNING and CONTAINING 3.0126 acres or 131,227 square feet of land.

II.
SINGLE-FAMILY DETACHED RESIDENTIAL

1. BOUNDARY DESCRIPTION:

Shown on the site plan attached hereto as Exhibit "A".

2. PERMITTED PRINCIPAL USES:

In areas designated for single-family uses, pursuant to Exhibit "A", attached hereto, no land shall be used and no building shall be erected or converted to any use other than:

- A. All uses as provided in Section B-100 of the Comprehensive Zoning Ordinance of the City of Grand Prairie for the (SF-1) Single-Family One District.
- B. One single-family detached residential dwelling on an individual lot of record.
- C. Temporary real estate sales offices located on property being sold, or on-site construction offices limited to the period of sale or construction of 90% of the lots, whichever may be the later date.
- D. Paved automobile parking areas which are necessary to the uses permitted in this district.
- E. Customary home occupations as defined in Section B-800 of the Comprehensive Zoning Ordinance of the City of Grand Prairie.
- F. Municipally owned or controlled facilities, utilities, and uses, except those uses that may require a Specific Use Permit.

3. PERMITTED ACCESSORY USES:

The following uses shall be permitted as accessory uses:

- A. Portable storage buildings not larger than one hundred twenty (120) square feet and ten (10) feet in height accessory to a principal residential use on the same lot.
- B. Private nurseries, greenhouses, swimming pools, spas or saunas, and gardens as an accessory use incidental to the principal residential use on the same lot.

4. SPECIFIC USE PERMITS:

The following uses shall be allowed in the Single Family Detached District only after approval of a Specific Use Permit in accordance with Sections B-100 and B-500 of the Comprehensive Zoning Ordinance No. 2299, including but not limited to:

- A. Institutional uses, public and non-profit, of an educational, religious, philanthropic, or cultural nature.
- B. Associated recreation clubs, private membership.
- C. Facilities for railroads or those utilities holding a franchise under the City of Grand Prairie (with the exception of actual distribution systems), and including electrical substations and telephone exchanges.
- D. Day Care Centers
- E. Portable storage buildings larger than one hundred twenty (120) square feet or one story in height, accessory to a principal residential use on the same lot.

5. PROHIBITED USES:

The following uses shall be prohibited in this District:

- A. Any building erected or land used for other than one or more of the preceding specified uses.
- B. The storage of equipment, material or vehicles, including abandoned vehicles, which are not necessary to the uses permitted in this district.
- C. A driveway or crosswalk way, as distinct from a dedicated street, to provide access to premises in a Commercial or Industrial District.
- D. Any use of property that does not meet the required minimum lot size, front, side and rear yard dimension, and/or lot width; or exceeds the maximum height, or building coverage as required.

6. AREA REQUIREMENTS:

- A. Minimum Lot Area:

<u>Percentage of Lots</u>	<u>Minimum Lot Area</u>
25%	6,500 sq. ft.
75%	6,700 sq. ft.

(Minimum square footage of lot area shall be calculated exclusive of alleys.)

(Reference SPECIAL CONDITIONS, 7(A) infra.)

7. PARKING:

Minimum number of off-street parking spaces required for:

- A. Single-family detached residential dwelling 2 car garage,
with a double-width driveway
(18 feet minimum)
- B. All other uses: As provided by applicable sections of the
Comprehensive Zoning Ordinance of City of Grand Prairie.

8. SPECIAL CONDITIONS:

Applicable to single-family detached residential uses, as identified in Exhibit "A", attached hereto.

- A. All lots will be restricted to access driveways from the internal street known as Oaknut Circle in which the subject lots have frontage.
- B. The developer shall not be restricted to any plan of development requiring a proportional placement of the proposed lots nor shall the developer be restricted to building a 1600 square foot dwelling on a 7700 square foot lot or a 1400 square foot to 1599 square foot dwelling on a 6848 square foot lot or vice versa, but may locate the number of lots in their respective dimensions and containing dwellings of such square footage as the developer in its discretion shall deem advisable.

9. SPECIAL RESIDENTIAL REGULATIONS:

- A. SPECIAL FRONT YARD REGULATIONS - NO BUILDING OR STRUCTURE SHALL HEREAFTER BE LOCATED, ERECTED, OR ALTERED TO HAVE A FRONT YARD SMALLER THAN HEREINAFTER REQUIRED.
 - (1) The front setback shall be measured from the property line to the front face of the building, covered porch, covered terrace, or attached accessory building. Eaves and roof extensions may project into the required front yard for a distance not to exceed twenty-four (24) inches. (See Section G-100, Illustration 5, Grand Prairie Zoning Ordinance.)
 - (2) On a lot abutting on two (2) non-intersecting streets as distinguished from a corner lot, a required front yard shall be provided on both streets, unless a building line has been established along one frontage on the plat or by ordinance, in which event only one required front yard need be observed.

B. SPECIAL SIDE AND REAR YARD REGULATIONS - NO BUILDING OR STRUCTURE SHALL HEREAFTER BE LOCATED, ERECTED OR ALTERED TO HAVE A REAR OR SIDE YARD SMALLER THAN HEREINAFTER REQUIRED.

Every part of a required side or rear yard shall be open and unobstructed to the sky from a point thirty (30) inches above the general ground level of the graded lot, except for accessory buildings as permitted in Section E-200 of the Grand Prairie Zoning Ordinance and the usual landscape planting and lighting. The ordinary projections of window sills, belt, course, cornices, roof overhangs, and other architectural features may project twenty-four (24) inches into the required yard.

C. SPECIAL OFF-STREET PARKING REGULATIONS:

- (1) Recreational vehicles, which shall mean, for the purposes of this section, a vehicular portable structure, designed for a temporary or short-term occupancy for travel, recreational or vacation uses, are prohibited from parking on a public thoroughfare. Any vehicle, including recreational vehicles, over eight (8) feet wide and over thirty-six (36) feet long shall not be stored or parked in this district.
- (2) Any commercial vehicle over 8 feet wide and 20 feet long, may not be parked or stored in this residential area, unless such vehicle is delivering goods or services in the conduct of business to a specific residence.
- (3) This section shall not apply to parking, standing and/or storage of vehicles on public property in residential areas, which has specific restrictions defined in Chapter No. 25 of the Traffic Code of Ordinances.
- (4) Floor area of structure devoted to off-street parking of vehicles shall be excluded in computing the off-street parking requirements of any use. "Offstreet Parking" shall be defined as an unenclosed or enclosed concrete surface area of not less than 180 sq. ft. (approximately 9' X 20'), not on a public street or alley but permissible within a setback, together with an all-weather surface driveway connecting the area with a street or alley permitting free ingress/egress without encroachment on the street or alley.

D. SPECIAL HEIGHT REGULATIONS:

Cooling towers, roof gables, chimneys and vent stacks may extend for an additional height not to exceed forty (40) feet above the average grade line of the building. Water stand pipes and tanks, church steeples, domes and spires and school buildings and institutional buildings, may be erected to exceed three (3) stories in height, provided that one (1) additional foot shall be added to the width and depth of front, side and rear yards for each foot that such structures exceed three (3) stories.

III.
SPECIAL CONDITIONS

1. SIDEWALKS:

- A. Sidewalks shall be provided in all tracks, unless physically restricted, next to street

2. UTILITIES:

All utilities servicing this development (other than perimeter utilities) shall be installed underground, except for any major transmission lines, either existing or proposed, located within the boundaries of this development.

3. GENERAL REQUIREMENTS AND STIPULATIONS:

- A. All proposed uses are subject to the approval of a development plan or preliminary plat by the City Council after recommendation by the Planning and Zoning Commission and prior to the issuance of a building permit or occupancy certificate on the premises. Development plans and preliminary plats are to be prepared in accordance with existing City Ordinances. When a variety of land uses are proposed on a single tract of land, the development plan shall delineate the area proposed for each use.
- B. No use shall be located or operated in any district which involves the emission of odorous material, smoke or particulate matter or noise.
- C. The site or development plan finally adopted by the City Council shall be marked Exhibit "A", attached hereto and made a part hereof as if fully set out herein.

4. USE MATRIX:

The use matrix, attached hereto as Exhibit "B", shall be deemed to be a part of this ordinance.

IV.
CITY PARTICIPATION

1. STREETS:

- A. The City of Grand Prairie will participate in the cost of any street installations (including all engineering costs covering design, layout and construction supervision) up to fifty (50%) percent of the total cost, for any street installed adjacent to a dedicated and accepted public park.
- B. Nothing contained herein shall require the City to construct or contract to construct any project referred to herein iff money is not available in the form of bond funds.
- C. Nothing contained herein shall be construed to require the City to appropriate money or submit to the vote of the electorate any bonds or to diminish or alter the discretion of the City Council in the issuance of bonds.

V.
DEVELOPMENT PLAN

The development plan for a single family detached use will be the finally approved plat for this tract as described in Section I, which under existing City Ordinances, may constitute a site plan for a planned development. * No permits will be issued for construction unless in conformance with said development plan pursuant to the (PD) Planned Development Zoning District of the Comprehensive Zoning Ordinance of the City of Grand Prairie.

VI.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

VII.

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.

VIII.

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 22ND DAY OF NOVEMBER, A.D., 1988.

B. Scott Morgan, Mayor
MAYOR, City of Grand Prairie, Texas

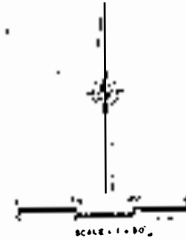
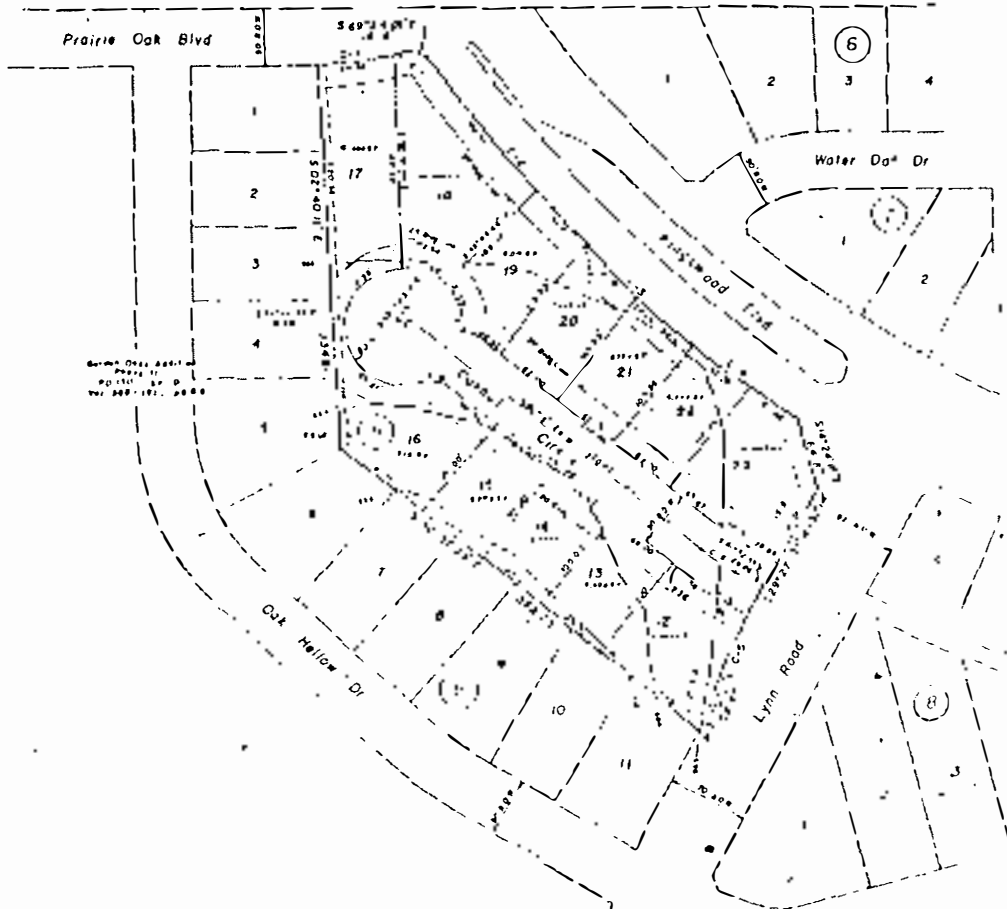
ATTEST:

Sue Shawcross
City Secretary

APPROVED AS TO FORM:

R. Clayton Hester
City Attorney

Robert C. Findley
Vol 7104, pg 1690
PD-169



Garland Oaks Addition
Phase III
PD 130 BF-D

Garland Oaks Addition
Phase II
PD 130 BF-D

As shown by Survey of Temporary Encroachments Against Final Plat, Reference Map Book 17794, Page 1690, Vol. 7104, C. 1000, February 1, 1988, the survey is hereby shown and is within the 100-foot Road Right-of-Way.

**A PRELIMINARY PLAT OF
LOT 12-23, BLOCK 5
GARDEN OAKS
PHASE A**

A SUBDIVISION OF 3.0126 ACRES
LOCATED IN THE
JOHN W. HARWOOD SURVEY, ABST. No. 661
CITY OF GRAND PRAIRIE
TARRANT COUNTY, TEXAS

CASE NO. P88-101

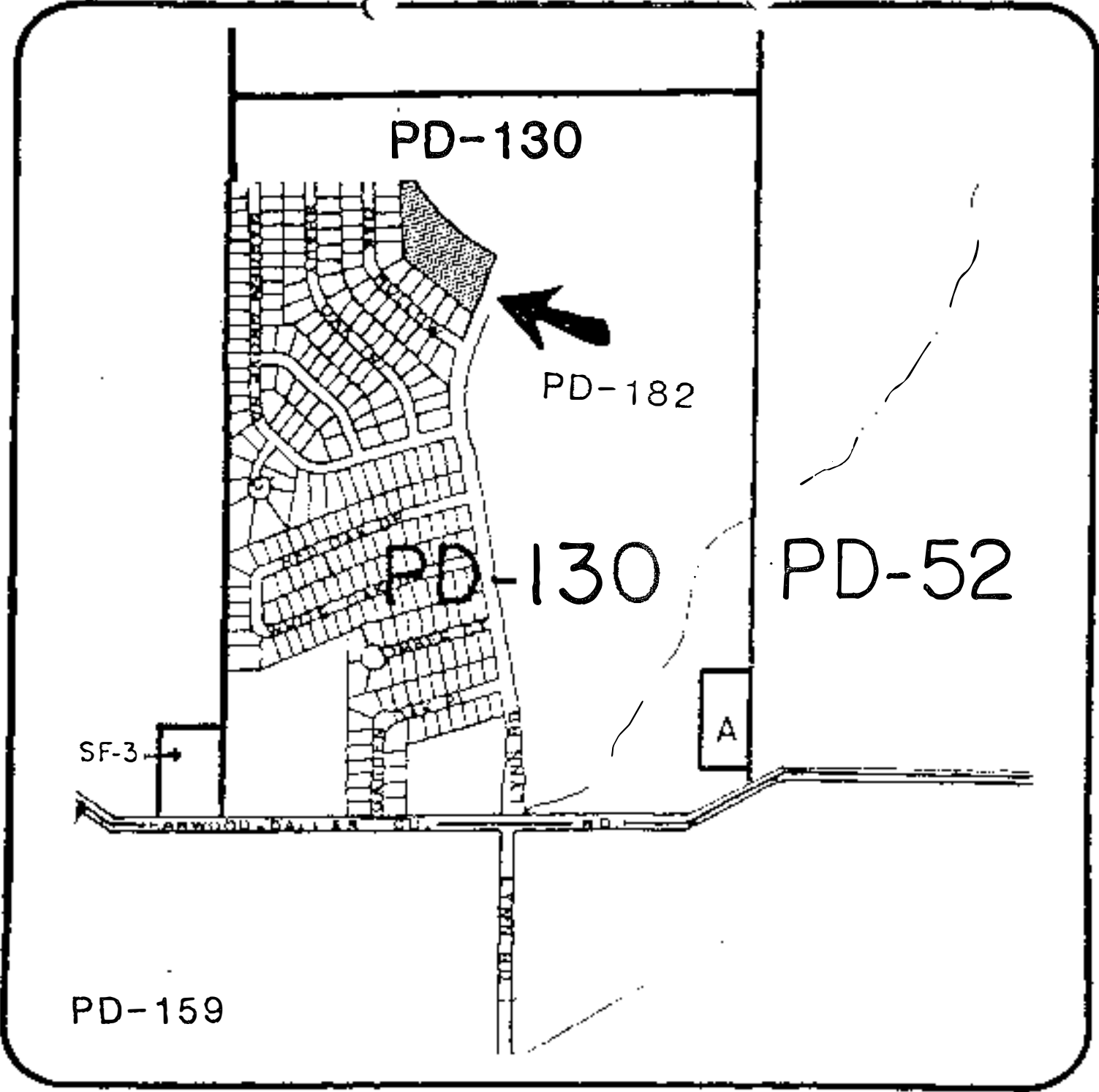
12 LOTS 1 BLOCK
ZONED: PD 130
SEPTEMBER 15, 1988
SCALE: 1" = 50'

OWNER
GREAT WESTERN DEVELOPMENT CO.
4288 SAN FELIPE
HOUSTON, TEXAS 77067
(713) 880-4900

CURVE DATA				
CURVE	DELTA	RADIUS	CHORD	LENGTH
C-1	12° 06' 20"	375.00'	76.71'	79.12'
C-2	11° 30' 15"	375.00'	76.71'	79.12'
C-3	12° 25' 14"	375.00'	76.71'	79.12'
C-4	01° 36' 05"	1000.00'	71.88'	100.00'
C-5	00° 47' 00"	316.50'	31.75'	36.75'
C-6 (INT. R.)	00° 46' 47"	178.00'	17.77'	20.70'
C-6 (EXT. R.)	00° 46' 10"	806.00'	71.88'	34.67'
C-6 (TANG.)	00° 46' 10"	806.00'	71.88'	34.67'
C-7	42° 27' 41"	75.00'	35.00'	44.33'
C-8	87° 28' 41"	75.00'	75.00'	104.33'

Preliminary Plat - For Inspection Purposes Only

218 No. 228, 11/24/88
Architect/Engineer
 G. W. Findley & Associates, Inc.
 1111 West 11th Street, Suite 100
 Fort Worth, Texas 76102
 (817) 733-1111



**LOCATION MAP FOR A ZONING CHANGE
FROM PLANNED DEVELOPMENT NO. 130 FOR
GENERAL RETAIL TO A PLANNED
DEVELOPMENT FOR SINGLE FAMILY
DETACHED**

OWNER: GREAT WESTERN DEVELOPMENT CORP.
CASE NO: Z881102

