

PLANNED DEVELOPMENT 172
ORDINANCE NO. 3816
PLANNING UNIT NO. Z851LS32

AN ORDINANCE AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY SO AS TO REZONE PART OF THE J. HUDNALL SURVEY, ABSTRACT NO. 643, GENERALLY LOCATED SOUTH OF INTERSTATE HIGHWAY 20 AND BOTH SIDES OF CARRIER PARKWAY AMENDING THE (PD-136), 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-136) Planned Development #136 to (PD-172) Planned Development No. 172; and

WHEREAS, the Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on July 8, 1985 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 7 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-136) Planned Development #136 to (PD-172) Planned Development #172; 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 July 16, 1985 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-136) Planned Development #136 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-136) Planned Development #136 to (PD-172) Planned Development #172 for Single Family-Detached Residential uses.

LEGAL DESCRIPTION

BEING a 155.404 acre tract of land situated in the City of Grand Prairie, Dallas County, Texas out of the Thomas J. Tone Survey, Abstract No. 1400 and the John Hudnall Survey, Abstract No. 643, said 155.404 acre tract being more particularly described as follows:

BEGINNING at an iron pin found in the east right-of-way line of Corn Valley Road (a 60-foot right-of-way) being the southwest corner of a tract of land conveyed to Alspaugh, Anderson and Morgan by deed recorded in Volume 72120, Page 962 Deed Records, Dallas County, Texas;

THENCE North 00 degrees 47 minutes 10 seconds West along said east line of Fish Creek Road a distance of 531.24 feet to an iron pin found;

THENCE North 89 degrees 55 minutes 33 seconds West a distance of 468.59 feet to an iron pin found for corner;

THENCE North 00 degrees 46 minutes 55 seconds West a distance of 1071.93 feet to an iron pin for corner;

THENCE North 70 degrees 09 minutes 51 seconds East a distance of 340.08 feet to an iron pin;

THENCE North 75 degrees 41 minutes 44 seconds East a distance of 351.81 feet to a point for corner;

THENCE North 25 degrees 01 minutes 36 seconds West a distance of 266.91 feet to a point;

THENCE North 23 degrees 27 minutes 00 seconds West a distance of 45.09 feet to a point for corner;

THENCE North 70 degrees 10 minutes 23 seconds East a distance of 38.22 feet to the POINT OF CURVATURE of a curve to the left having a central angle of 16 degrees 18 minutes 53 seconds, a radius of 1195.00 feet and a tangent length of 171.29 feet;

THENCE along said curve to the left a distance of 340.27 feet to the POINT OF TANGENCY of said curve;

THENCE North 53 degrees 51 minutes 30 seconds East a distance of 424.26 feet to the POINT OF CURVATURE of a curve to the right having a central angle of 68 degrees 53 minutes 55 seconds, a radius of 955.00 feet and a tangent length of 655.11 feet;

THENCE along said curve to the right a distance of 1148.39 feet to the POINT OF TANGENCY of said curve;

THENCE South 57 degrees 14 minutes 35 seconds East a distance of 92.69 feet to the POINT OF CURVATURE of a curve to the left having a central angle of 15 degrees 05 minutes 29 seconds, a radius 994.68 feet and a tangent length of 131.76 feet;

THENCE along said curve to the left a distance of 261.99 feet to a point for corner;

THENCE North 00 degrees 25 minutes 01 seconds East a distance of 31.46 feet to a point on the arc of a curve whose center bears North 18 degrees 13 minutes 11 seconds East a distance of 964.68 feet, having a central angle of 9 degrees 41 minutes 51 seconds and a tangent length of 81.83 feet;

THENCE along said curve in a southeasterly direction a distance of 163.27 feet to the POINT OF TANGENCY of said curve;

THENCE South 81 degrees 28 minutes 40 seconds East a distance of 71.52 feet to the POINT OF CURVATURE of a curve to the right having a central angle of 12 degrees 14 minutes 18 seconds, a radius of 869.49 feet and a tangent length of 93.22 feet;

THENCE along said curve to the right a distance of 185.72 feet to the POINT OF TANGENCY of said curve;

THENCE South 69 degrees 14 minutes 22 seconds East a distance of 149.90 feet to the POINT OF CURVATURE of a curve to the right having a central angle of 95 degrees 30 minutes 00 seconds, a radius of 830.00 feet and a tangent length of 913.76 feet;

THENCE along said curve to the right a distance of 1383.44 feet to the POINT OF TANGENCY of said curve;

THENCE South 26 degrees 15 minutes 38 seconds West a distance of 395.22 feet to a point on the north line of a 150-foot TESCO easement as recorded in Volume 219, Page 1176, Deed Records, Dallas County, Texas;

THENCE along said north line of said 150-foot TESCO easement South 75 degrees 21 minutes 14 seconds West a distance of 3034.77 feet to the POINT OF BEGINNING and containing a gross area of 155.404 acres (6,769,407 square feet) of land, of which 1.807 acres (78,706 square feet) lie within the right-of-way of said Corn Valley Road, leaving a net area of 153.597 acres (6,690,701 square feet) of land, more or less.

II.

SINGLE-FAMILY DETACHED RESIDENTIAL

1. BOUNDARY DESCRIPTION:

Shown as Tract 1A 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. 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.

5. AREA REQUIREMENTS:

- A. Minimum Lot Area:

<u>Percentage of Lots</u>	<u>Minimum Lot Area</u>
7%	More Than 10,500 sq. ft.
13%	9,500 - 10,500 sq. ft.
80%	8,000 - 9,000 sq. ft.

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

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

- B. Minimum Required Floor Area:

<u>Percentage of Lots</u>	<u>Minimum Floor Area Per Dwelling</u>
10%	1,600 sq. ft.
75%	1,400 sq. ft.
15%	1,250 sq. ft.

(Minimum required floor area as herein specified shall be computed exclusive of breezeways, garages, open porches, carports, accessory buildings or accessory space and designed and used directly and specifically for dwelling purposes.)

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

- C. Minimum Lot Frontage on a Public Street..... 65 feet
(Measured at the front building line)
- D. Minimum lot depth 115 feet
- E. Minimum depth of front setback..... 25 feet

(From front property line to face of structure)

F. Minimum depth of rear setback of all structures:
(From rear property line to any structure)

- (1) Without all y.....10 feet
- (2) With alley20 feet

G. Minimum width of side setback:
(The distance between structure and any property line that is not deemed a front or rear yard.)

- (1) Internal lot5 feet
- (2) Sideyard abutting a street.....15 feet

H. Minimum distance from the public right-of-way to the entrance to a garage or unenclosed carport, for rear or side yards18 feet

I. Minimum required exterior masonry contents:

All single-family detached residential structures shall be of exterior fire-resistant construction, having at least eighty percent (80%) of the total exterior walls below the first floor plate line, excluding doors, garage doors, windows and trim, constructed of standard size full-width-brick or stone, unless otherwise approved by the City Council.

J. Height and Area Regulations:

- (1) Maximum allowabl lot coverage35 per cent
- (2) Maximum height of structures.....2 stories

6. PARKING:

Minimum number of off-street parking spaces required for:

- A. Single-family detached residential dwelling2 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.

7. SPECIAL CONDITIONS:

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

SPECIAL CONDITIONS ATTACHED TO ORDINANCE AS APPLICABLE.

8. 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.

(1) 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.

(2) Exceptions for Certain Accessory Structures:

a. Where a fence is provided, the side or rear setback from the property line shall be three (3) feet for a swimming pool, jacuzzi, hot tub or any other accessory structure which does not exceed one hundred twenty (120) square feet in area and ten (10) feet in height.

b. Where a fence is present, a swimming pool must be set back from any easement a minimum of three (3) feet.

c. The minimum separation between the main building and a swimming pool, jacuzzi, hot tub or any other accessory structure which does not exceed one hundred twenty (120) square feet in area and ten (10) feet in height shall be a minimum of six (6) feet.

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:

- (1) On both sides of Carrier Parkway;
- (2) On one side of Bardin/Vineyard Road;
- (3) On both sides of all streets in areas designated for Single Family-Detached dwellings.

(All sidewalks shall, at a minimum, be four (4) feet wide, constructed of four (4) inches of concrete on a 6" x 6" welded wire mesh.)

- B. The location and placement of all sidewalks shall be subject to approval by the Grand Prairie Public Works and Parks and Recreation Departments.

- C. Lack of installed sidewalks as designated shall not preclude acceptance by the City of streets and utilities. However, in no instance shall a certificate of occupancy be issued for an individual dwelling unit until the prescribed sidewalk is satisfactorily in place in front of the individual unit.

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 flood plain or other areas which the City has accepted or will later accept dedication as a park.
- B. Standard street width (including curbs and gutters for all streets to be installed shall be twenty seven feet (27'), except for those streets indicated on Exhibit "A" attached hereto, and streets serving commercial, multi-family or garden home areas. Standard street width (including curbs and gutters) for all streets to be installed in garden home areas shall be ~~thirty-one~~ thirty-one feet (31') except that where an alley of

a minimum width of ten feet (10') is provided to access garden homes, the standard street width (including curbs and gutters) shall be twenty-seven feet (27').

- C. The standard street thickness required of the developer for Carrier Parkway (Corn Valley Road) and all streets in excess of forty-five (45') feet in width, shall be seven (7") inches. Collector streets of forty-one (41') feet to forty-five (45') feet in width, shall be six (6) inches in thickness.
- D. All other streets shall have a standard thickness of five inches (5"), and shall otherwise comply with the City of Grand Prairie's standards for residential streets.
- E. The developer shall be responsible for a standard street width (including curbs and gutters) of forty-five (45') feet in the installation of Carrier Parkway (Corn Valley Road) for that portion of the development with commercial and/or multi-family development frontage on both sides of the thoroughfare, and shall be responsible for installation of one-half of a standard street width (including curbs and gutters) of forty-five (45') feet for that portion of the development with single-family development frontage on one or both sides of the thoroughfare.
- F. The City of Grand Prairie will participate in the construction of any thoroughfare indicated on the Thoroughfare Plan when funds are available. In the event that the City requires oversizing of any thoroughfare, the City shall participate in such oversizing when funds are available.
- G. If the City of Grand Prairie is unable to participate in the cost of any street installations due to the unavailability of funds for such purposes, then the developer shall be permitted to proceed with its contemplated development activities, including the installation of streets no wider than twenty-seven (27') feet.

2. WATER AND SEWER LINES:

- A. Water Mains and sewer lines shall be installed by the developer as required by the City of Grand Prairie up to twelve inches (12") in size at the expense of the developer.
- B. If mains larger than twelve inches (12") are required by the City, the difference in cost (including, but not limited to, the incremental increase in installation costs) between a twelve inch (12") main and the required size shall be paid by the City when funds are available.
- C. At the request of the developer or others, the City shall pay its pro rata share of the cost (including, but not limited to, the incremental increase in installation costs) in the installation of all water mains required by the City to be extended into and through the property, when funds are available.

3. The City may accept a dedication from the developer of its proportional share of the flood plain in lieu of any additional park and recreational land dedication or cash contribution.
4. Nothing contained herein shall require the City to construct or contract to construct any project referred to herein if money is not available in the form of bond funds.
5. 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. Otherwise, a finally approved development plan or site plan shall be required as established for under existing City Ordinances in Ordinance No. 2299. No permits will be issued for construction unless in conformance with said development plan.

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 16TH DAY OF JULY, 1985, A.D.

MAYOR, City of Grand Prairie, Texas

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

Matrix For: PD-172
ORD. 3816

ACT O.	LAND USE	GROSS ACRES	DENSITY	TOTAL UNITS	LOT SIZE	FLOOR AREA	MASONRY CONTENT	MIN FRONT YARD	MIN SIDE YARD	MIN REAR YARD	MAX LOT COVER.	MAX HEIGHT	MIN PARKING
3	SF	54	-	-	7%-10,500 13%-9,500 to 10,500 80%-8,000 to 9,000 s.f.	10%-1600 75%-1400 15%-1250 s.f.	75% first floor	25'0"	5 feet, abutting a street with 15 feet.	10 feet, 20 feet with alley	55%	2-1/2 stories	2/du
4	SF	91	-	-	7%-10,500 13%-9,500 to 10,500 80%-8,000 to 9,000 s.f.	10%-1600 75%-1400 15%-1250 s.f.	75% first floor	25'0"	5 feet, abutting a street with 15 feet.	10 feet, 20 feet with alley	55%	2-1/2 stories	2/du
TOTAL													

EXHIBIT "B"

