

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE A 2.2-ACRE TRACT OUT OF THE S. B. MCCOMMAS SURVEY, ABSTRACT NO. 887, CITY OF GRAND PRAIRIE, TARRANT COUNTY, TEXAS, AND BEING FURTHER DESCRIBED AS PARCEL NO. 1 BY ORDINANCE NO. 3817 ADOPTED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE ON JULY 16, 1985, SITUATED AT THE NORTHEAST CORNER OF WESTCHESTER PARKWAY AND ROBINSON ROAD, **AMENDING SAID PARCEL 1 FROM PLANNED DEVELOPMENT FOR COMMERCIAL AND OFFICE USES TO PLANNED DEVELOPMENT FOR COMMERCIAL, OFFICE AND MULTI FAMILY USES**; SAID ZONING MAP AND ORDINANCE BEING 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 Parcel 1 as described in Ordinance No. 3817 from its classification of **Planned Development for Commercial and Office uses to Planned Development for Commercial, Office and Multi Family uses**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on April 29, 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 7 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 for Commercial and Office uses to Planned Development for Commercial, Office and Multi Family 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 May 7, 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 Dallas Morning 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 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 the classification its classification of **Planned Development for Commercial and Office 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 for Commercial and Office uses** to **Planned Development for Commercial, Office and Multi Family uses**:

PROPERTY DESCRIPTION

BEING an approximate 2.2-acre parcel out of the S. B. McCommas Survey, Abstract No. 877, City of Grand Prairie, Dallas County, Texas, and depicted as Parcel No. 1. by Ordinance No. 3817 adopted by the City Council of the City of Grand Prairie on July 16, 1985. Said Parcel No. 1 being situated at the northeast corner of Westchester Parkway and Robinson Road.

II.

That all zoning and land use requirements and restrictions for Commercial, Office and Multi Family development to be constructed on said parcel shall conform those requirements and restrictions established by Ordinance No. 3817 adopted by the City Council of the City of Grand Prairie on July 16, 1985, and shall also conform to those requirements specified in Section III of this Ordinance.

**III.
Supplemental Development Requirements**

1. 25-foot front building setback along Westchester Parkway and Robinson Road to be 100% landscaped with planting materials comparable to those of the existing multi family development located on Lot 1, Block1, Westchester Village as approved by case file no. S960502. Sidewalks shall be required in accordance with the Unified Development Code.
2. Parking garages shall be provided for 20% of all multi family buildings constructed on said parcel. Garage parking may be included in the parking calculation.
3. Sixteen (16) existing trees in excess of an 12-inch caliper width as measured 4-feet and 6-inches (4'-6") above ground shall be preserved and incorporated into the site plan design. This requirement applies to those species of trees listed in Exhibit 2 of Article VIII, "Landscaping and Screening" of the Unified Development Code.
4. Multi family developments shall contain security gates at all entrances to the complex. Provision for a turnaround must be provided prior to the gate. All gates shall be installed with an opticon device or similar entry device approved by the Fire Department to facilitate emergency access.
5. A planned development site plan shall be reviewed and approved by the City prior to the issuance of any building permits.


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 7th day of May 2002.


 Mayor, Grand Prairie, Texas

ATTEST:


 City Secretary

APPROVED AS TO FORM:


 City Attorney

Zoning Case No. Z020402