

PLANNED DEVELOPMENT
ORDINANCE NO.
CASE NO.

204
4791
Z901201

AN ORDINANCE AMENDING THE ZONING MAP SHOWING THE LOCATION# BOUNDARY AND USE OF CERTAIN PROPERTY 80 AS TO REZONE PART OF THE S.B. MC COMMAS SURVEY, ABSTRACT NO. 888, IN DALLAS COUNTY# GENERALLY LOCATED ON THE WEST SIDE OF BELT LIKE ROAD APPROXIMATELY 1000 FT. SOUTH OF WESTCHESTER PARKWAY FROM THE SINGLE FAMILY ONE (SF-1) ZONING DISTRICT TO THE (PD) PLANNED DEVELOPMENT ZONING DISTRICT FOR MOBILE HOME USES; SAID ZONING MAP AND ORDINANCE PASSED ON JANUARY 27, 1971 AND RECORDED IN BOOK 8, PAGES 40S 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 (SF-1) Single Family-One to (PD) Planned Development for Mobile Homes; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on December 10, 1990 after written Notice of such public hearing before the Planning and 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 or 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 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 (SF-1) Single Family-One to (PD) Planned Development for Mobile Home uses; 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 December 18, 1990 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 if teen (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 (SF-1) Single Family-one 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 it

and passed and approved January 27, 1971, recorded in ordinance Book 8, Pages 405 to 509 inclusive, be amended, so as to establish and rezone the following described area from (SF-1) Single Family-One to (PD) Planned Development for Mobile Home uses:

See Attached Exhibit "All

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MOBILE HOMES

1. BOUNDARY DESCRIPTION:

As reflected in Section I of this ordinance.

2. PERM WED USES:

In areas designated for or mobile home uses no land shall be used and no building shall be erected or converted to any use other than:

A. RESIDENTIAL USES:

1. All uses as provided in Section B-100 of the Comprehensive *Zoning Ordinance* for the Single Family-One (SF-1) *Zoning District*, including customary home occupations and individual portable storage buildings not larger than 120 sq. ft. and/or 10 ft. in height.

2. Mobile homes.

B. SPECIFIC USE PERMIT REQUIRED:

Additional uses shall be allowed in this district, as prescribed in Section B-100 of the Comprehensive Zoning Ordinance of the City of Grand Prairie for or the Single Family-One (SF-1) District, upon approval of a Specific Use Permit in accordance with Section B-500 of the Grand Prairie Zoning Ordinance.

3. AREA REQUIREMENTS:

A. *Minimum lease space* 2400 sq. ft.

B. open space:

No new construction will be allowed in the area designated on the site plan as "open space."

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

A. 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*

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and the usual landscape planting and lighting. The ordinary projections of window sills, belt courses, cornices, roof overhangs, and other architectural features may project not more than two (2) feet into the required yard.

5. SCREENING REQUIREMENTS:

A 6 ft. standard screening fence shall be required along Belt Line' Road, and along the south and north property lines for a distance of 80 ft. from the front property line.

SPECIAL CONDITIONS

The following terms and conditions are hereby imposed as a part of this ordinance:

1. Each current and future resident of the park must immediately be given notice by certified mail letter with the City of Grand Prairie receiving a copy of such letter notifying them of the status of the Specific Use Permit (SUP), with another letter being sent six months prior to the SUP's termination.

2. The City of Grand Prairie will file with the Dallas County Deed Records the conditions of the SUP for public record.

3. The mobile home park will be limited to 43 mobile homes.

4. Each mobile home delivered to the site will have a decal permanently attached in a location specified by the manufacturer. The decal will certify that the Mobile Home is constructed and inspected to meet or exceed the mandatory State Code in effect at the date of manufacture by a Texas Certified Manufacturer, or a third party inspection agency (T.P.I.A.) that is registered with the State.

5. The lease space layout will be in accordance with the approved site plan for the Hidden Valley Mobile Home Park.

6. No new construction, or development, or placement of mobile homes will be allowed in the area designated as OPEN SPACE.

7. The minimum lease space area will be 2400 square feet.

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8. The Specific Use Permit for or this property will expire on July 1, 1994 and all Mobile Homes must be removed from the site by July 31, 1994.

9. Any improvements or modifications to the floodplain or floodway area will be done in strict conformance with the City of Grand Prairie Floodplain/Floodway ordinances.

10. Any time after July 1, 1994, the City of Grand Prairie may initiate a change in zoning for this property to end its designation as a planned development for mobile homes.

11. GENERAL REQUIREMENTS AND STIPULATIONS:

All proposed uses are subject to the approval of a site plan by the City Council after recommendation by the *Planning and Zoning* commission and prior to the issuance of a building permit or Certificate of Occupancy on the premises. Site plans and plats are to be prepared in accordance with existing City Ordinances. When a variety of land uses are proposed for a single tract of land, the site 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 as Exhibit "B," attached hereto, and made a part hereof as if fully set out herein.

12. USE MATRIX:

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

13. SIDEWALKS:

Sidewalks are required along all street frontages.

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IV.

CITY PARTICIPATION

1. 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 thirty percent (30%) of the total cost, for any street installed adjacent to a dedicated and accepted public park. All other street, bridge and utility participation by the City will be in accordance with existing City Policy.

2. 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.

3. 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 will be the finally approved site plan for this tract as described in Section I. No permits will be issued for *construction unless* in conformance with said site 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.

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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 18 DAY OF DECEMBER A.D., 1990.

MAYOR, City of Grand Prairie, Texas

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

Zoning Case No. Z901201

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BEING a tract or parcel Of land lying in the S. B. Mc Commas SURVEY, Abstract No. 888, Dallas County, Texas, and same parcel or tract of land being a part of a 67.62 acres of land out of said survey conveyed to T. X. Alspaugh from W. C. Hardman at ux Lena C. Hardman, et al by dead dated November 12, 2912, recorded in Volume 559, Page 404, Deed Records, Dallas County, Texas; and also being out of 34 acres of land out of said survey conveyed to S. P. Lemonds from R. Z. Stallings by dead filed February 2, 2934, recorded in Volume 2228, Page 298, Dead Records, Dallas County, Texas; said tract or parcel of land being acre particularly described as follows\$

BEGINNING at a point in the ****at R.O.W. line of belt Line Road, same point being 109.4 feet North of the Southeast corner of said 9. P. Lemonds 34.0 acre tract and 1012.6 fact South of the Northeast corner of said Z. P. Lemonds tract and said Beginning Point** also being the Northeast corner of a 2.0 acre tract conveyed by R. P. Lem to C. C. Holveck by deed filed February 26, 1952, recorded in Volume 3461, Page 55, Deed Records, Dallas County, Texas;

THENCE West along Worth line of said C. C. Holveck 1.0 acre tract, a distance of 398.0 feat to point for corner, being the Northwest corner of said C. C. Holveck 2.0 acre tract;

THENCE South along West line of said C. C. Holveck 2.0 acre tract, distance of 109.4 feet to point for corner, being the Southwest corner of said C. C. Holveck 2.0 acre tract and in the South line of said 9. P. Lemonds 34.0 acre tract;

THENCE West along South line of said X. P. ?am 34.0 acre tract, a distance of 992.0 feet to point for corner, being the southwest corner of said Z. P. Lemonds 34.0 acre tract;

THENCE north 08 degrees 27 minutes 41 seconds East along West line of B. P. Lemonds 34.0 acre tract, a distance of 213.73 feat to point for corner;

THENCE last and parallel to South line of said 2. P. Lemonds 34.0 acre tract, a distance of 960.4 feat to point for corner, being marked by I inch diameter wood post;

THENCE North 85 degrees 45 minutes Bast, a distance of 399.25 feet to point for corner, being in the West R.O.W. line of belt Line load;

THENCE South along West R.O.W. line of Belt Line Road, a distance of 131.6 feet to the Place of Beginning and containing 5.91 acres of land, more or less.

TRACT 2:

Being a tract or parcel of land lying In the Stephen Z. McCommas Survey, Abstract No. 888, Dallas County, Texas, and being a part of 9.37 acre tract of land as deeded from Z. P. Lemonds to W. C. Sexton by dead filed Juno 21, 1962, recorded In Volume 5800, Page 238, July 9, 1962, Deed Records Dallas County, Texas; said tract or parcel of land being moreparticularly described by metes and bounds as follows:

BEGINNING at the Southwest corner of the said W. C. Sexton 9.37 acre tract and said beginning point also being the Northwest corner of 5.75 acre tract as described in a dead from 1. P. Lemonds to Joseph Kennedy, dated October 25, 2956, recorded in Volume 4963,

Pago 343, Deed Records Dallas County, Texas; said beginning point lying in a tributary known as fish creek;

THENCE North 09 degrees 03 minutes 30 seconds East along the said Fish Creek, a distance of 437.06 feet to the Northwest corner of said W. C. Sexton's 9.37 acre tract# being point for corner;

THENCE East along said W. C. Sexton's North line* a distance of 267.44 feet to point for corner;

THENCE South across said W. C. Sexton's tract, a distance of 431.609 feet to the South lit* of W. C. Sexton's tract and to the North line of said Joseph Kennedy 5.75 acre tract, being point for corner;

THENCE West along the South line of said W. C. Sexton's tract and the North line of said Joseph Kennedy 5.75 acre tract, a distance of 236.25 feet to the PLACE Or BEGINNING and containing 2.00 acres of land.