

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND MAP TO REZONE A 56.438 ACRE TRACT, BEING A TRACT OF LAND OUT OF THE B.B.B.&C. RAILROAD. SURVEY, ABSTRACT NO. 203, AND THE JOHN W. HARWOOD SURVEY, ABSTRACT NO. 661, TARRANT COUNTY, GENERALLY LOCATED ON THE EAST SIDE OF S.H. 360 APPROXIMATELY 1050 FEET SOUTH OF KINGSWOOD- BOULEVARD, FROM SINGLE FAMILY FIVE/SIXTEEN TO A PLANNED DEVELOPMENT FOR SINGLE FAMILY DETACHED RESIDENTIAL USES; SAID ZONING MAP AND ORDINANCE BEING NUMBERED 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 property from its classification of Single Family-Five/Sixteen (SF-5/16), to a Planned Development for Single Family Detached Residential Uses; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on December 11, 1995 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 200 *et 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 9 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 Single FamilyFive/Sixteen (SF-5/16), to a Planned Development for Single Family Detached Residential 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 7:30 o'clock P.M. on December 12, 1995 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 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 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 of **Single Family-Five/Sixteen (SF-5/16)** 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.

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NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

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 areas from Single Family-Five/Sixteen (SF-5/16), to Planned Development No. 214 for Single Family Detached Residential Uses and as shown on Exhibit "A":

BEING A 56.438 ACRE TRACT OF LAND OUT OF THE B.B.B.&C. RAILROAD SURVEY, ABSTRACT NO. 203, AND THE JOHN W. HARWOOD SURVEY, ABSTRACT NO. 661, TARRANT COUNTY, GENERALLY LOCATED ON THE EAST SIDE OF S.H. 360 APPROXIMATELY 1050 FEET SOUTH OF KINGSWOOD BOULEVARD AND AS FURTHER DESCRIBED ON EXHIBIT "A."

PURPOSE AND INTENT

The purpose of this Planned Development District is to provide the appropriate restrictions and development controls to permit the development of single family detached residential subdivision in a manner consistent with the recommendations of the Lake Sector and Comprehensive Plans for the subject area;.

In.

DEVELOPMENT STANDARDS

1. Dimensional and Density Requirements

All standards shall be the requirements of the Single Family-Five/Sixteen (SF-5/16) zoning district with the exception that minimum front yard and garage setbacks shall be as follows:

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- a. A minimum front yard setback of 20 feet shall be required for lots fronting on Magna Carta. A minimum front yard setback of 15 feet shall be required for an other lots in this development.
- b. The minimum setback for front entry garages to the front property line shall be 18 feet. The minimum setback for rear entry and side entry garages to the property line shall be 20 feet.

IV

SPECIAL CONDITIONS

1. Street Trees

Any street trees in public right-of-way shall be placed a minimum of 3 feet from the back of curb and may be of the following varieties:

Shumard Red Oaks Chinese Pistachio Cedar Elm Others as approved by the Public Works and Parks and Recreation Departments

No street trees shall be planted in areas designated as future parking areas along the west side of Magna Carta Boulevard.

2. Sidewalks

Internal sidewalks shall be a minimum of 5 feet in width along both sides of all internal streets and may be placed adjacent to the outside edge of the right-of-way or sidewalk casement. The developer shall not be required to construct sidewalks at the time of street construction on the west side of Magna Carta from Cheshire Way south to the southern boundary of the development provided that the remaining sidewalks adjacent to Magna Carta be constructed when any one of the following events occurs:

- a. At the time of construction on individual lots adjacent to Magna Carta.
- b. A certificate of occupancy for the school is issued.
- c. .18 months after acceptance of the subdivision by the City.

All other sidewalks shall be constructed at the time of individual lot development.

3. Streetscape Features

Special streetscape features such as entry ways, landscape features and decorative street lighting shall be permitted in the public right-of-way subject to the establishment of a Public Improvement District (PID) and the approval of the Director of Public Works and the Director of Transportation Services.

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4. Driveway Access

No driveway access to residential lots shall be permitted to Magna Carta or the S.H. 360 frontage road.

5. On-Street Parking Lanes

The developer shall make provisions through a Public Improvement District (PID) to provide funding for a parking lane along the west side of Magna Carta when traffic warrants its construction as determined by the Department of Transportation Services. The parking lane will have sufficient capacity for 10 vehicles for the 12 lots in Phase I located between Cheshire Way and Rochester Court and for 7 vehicles for the 9 lots in Phase II located between Rochester Court and the creek on the southern property line. The PID shall be established so that adequate funds will be available for the Phase I parking lane within 5 years of the date that Phase I build out is estimated to be complete. The City will not initiate the construction of the parking lane earlier than this date.

6. Public Improvement District

A Public Improvement District (PID) shall be established to maintain all landscaping, amenities, screening walls, and improvements not accepted by the City in public right-of-way and common areas and to provide for the construction costs of possible on-street parking areas on the west side of Magna Carta as referenced Section IV.5 of this ordinance. The PID shall establish specific maintenance guidelines, approved by the City Public Works and Parks and Recreation Departments, for street trees and landscaping which may interfere with City maintenance equipment and emergency vehicles. The PID must be established prior to Building Permits being finalized for more than 5 percent of the homes within the District.

7. Limitation on City Participation

Nothing contained herein shall require the City to appropriate money for improvements not normally required by the City's subdivision ordinances.

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.

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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, this the 6th day of February, 1996.

MAYOR

City of Grand Prairie; Texas

ATTEST:

City Secretary

APPROVED AS TO FORM AND LEGALITY:

City Attorney

Zoning Case No Z951105

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