

ORDINANCE No. 5807
PLANNED DEVELOPMENT No. 228
ZONING CASE No. Z970804

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND MAP TO REZONE AN APPROXIMATELY 40.517 ACRE TRACT, BEING A TRACT OF LAND OUT OF THE DAVID BRADSHAW SURVEY, ABSTRACT No. 121, IN DALLAS COUNTY, GENERALLY LOCATED ON THE EAST SIDE OF NORTH CARRIER PARKWAY, SOUTH OF LOWER TARRANT RD, FROM SINGLE FAMILY-ONE (SF-1) TO A PLANNED DEVELOPMENT FOR THOSE USES PERMITTED IN THE SINGLE FAMILY-TOWNHOUSE (SF-T) AND SINGLE FAMILY-ATTACHED (SF-A) DISTRICTS; 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 City of Grand Prairie, Texas, initiated 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-One (SF-1), to approximately 2.3 acres of General Retail (GR) and approximately 38.2 acres of Single Family-Townhouse (SF-T)**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on August 5, 1997 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 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 'Fax 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 6 to 2 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 **Family-One (SF-1) to a Planned Development for those uses permitted in a Single Family-Townhouse (SF-T) District** on the entire tract and voted 5 to 3 to recommend to the City Council that an approximate 5 acre portion of the hereinafter described property conditionally allow those uses permitted in a General Retail-One (GR-1) district; 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 September 2, 1997 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-One (SF-1) 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.

1

Ordinance No. 5807

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 generally described area from **Single Family-One (SF-1), to Planned Development No. 228 for those uses permitted in the Single Family-Townhouse and Single Family-Attached districts:**

Being an approximately 40.517 acre tract, being a tract of land out of the David

Bradshaw Survey, Abstract No. 121, in Dallas County, generally located on the east side of North Carrier Parkway, south of Lower Tarrant Road and further described on Exhibits "A" and "B".

DEVELOPMENT REQUIREMENTS

1. Penn Permitted -Principal Uses

Those uses permitted in the Single Family-Townhouse (SF-T) and Single Family Attached (SF-A) district in accordance with the Article IV, "Permitted Uses," of the Unified Development of the City of Grand Prairie.

2. Development Standards

All Development Standards for this district shall be those required of development in the Single Family Attached (SF-A) district with the following exceptions:

- A. Minimum Living Area - 1,600 sq/ft
- B. Minimum Masonry Requirement shall be that 80 percent of the facade area, measured to the top plate line of the first floor, excluding doors and windows, shall be constructed of stone or standard-size full-width brick.
- C. Minimum off-street parking requirement shall be a two car garage with two additional, non-stacked spaces (non-stacked spaces may be in front of two car garage).

2 Ordinance No. 5807

D. Maximum Density of entire tract may not exceed 243 dwelling units which is equivalent to a density of 6 units per acre on the 40.517 acre tract.

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.

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 2nd day of September, 1997.

MAYOR
City of Grand Prairie, Texas

ATTEST:

City Secretary

APPROVED AS TO FORM AND LEGALITY:

City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION

BEING 40.517 acres of land out of the David Bradshaw Survey, Abstack No. 121 in Grand Prairie, *Dallas County, Texas and being a part of a 24.7696 acre tract of land deeded by C.I. Hall to A.W. Sowell as recorded in Volume 69225, Page 1999 of the D.R.D.C.T. and a 5.00 acre tract of land deeded by C.I. Hall to A.W. Sowell as recorded in Volume 75007, Page 0365, D.R.D.C.T. and being more particularly described by metes and bounds as follows;*

BEGINNING *at a cross cut in a concrete approach slab, for corner said point being 40#03 feet South 84*32'22" East, and 3.09 feet, South 0*00'18" East, of the northwest corner of said David Bradshaw Survey (Recorded), same point being located in the east R.O.W. line of North carrier Parkway, same point being north, 7.906 feet from the new recognized south line of lower Tarrant Road, ; THENCE SOUTH 84*47'44" EAST, with the north line of this tract of land a distance of 700.49 feet-to an iron rod for corner, said iron rod being north 0030132" east, 11. 10 feet from said old wire fence by a brass disc in concrete monument for corner;*

THENCE South 003013211 **West**, with a barb wire fence and the west line of a 10 acre tract of land deeded to J. Goode Et Ux, Volume 4872, Page 622 D.R.D.C.T., for a distance of 1,194,22 feet to an iron rod for corner;

THENCE South 84*58'20" East, along an old wire fence and the north line of said A.W. Sowell tract of land same being the south line of said J. Good tract of land, a distance of 267.14 feet to an iron rod for the most southerly northeast corner of said Sowell tract of land;

THENCE South \$500512311 East, *continuing* along said south line of J. Good tract of land, 'and the south line of a tract of land being a part of a 30.0 acre tract of land *as described in a dead from T.R. Copeland to C.J. Clonts as recorded in Volume 2104, Page 291 D.R.D.C.T., a distance of 373.40 feet to an iron rod for corner;*

THENCE South 84*45'49" East, *along the south line of a 10,958 acre tract of land for a distance of 150.40 fact to an iron rod for corner;*

THENCE South 84050102" East along the south line of a 3.6991 acre tract, a distance of 465.55 feet *to an iron rod for corner the point of intersection of the north R.O.W. line with the west R.O.W. line of a 30.0 foot wide gravel road;*

EMIDIT

"A"

EXHIBIT "A"

THENCE South 43*15'06" East, a distance of 21.85 feet to an iron rod in the center line intersection of said 30.0 foot wide gravel road;

THENCE South 0106,14511 West, along said center line, a *distance of 390.49 feet to a point for corner;*

THENCE 8405411811 West, along the north line of Roy Dean Ragsdale, Et Ux, tract of land, at 15.06 feet passing an iron rod at the northeast corner of said *Ragsdale tract*, continuing in *all a* distance of 507.71 feet to an iron rod for the northwest corner of said Ragsdale tract;

THEN" South 000614511 West, along the west line of said Ragsdale tract, a distance of. 130.25 feet to an iron rod for the southwest corner of said Ragsdale tract;

THENCE North 84*54'18" West, along the south line of the A.W. Sowell 1.5 acre tract of land as recorded in Volume 70038, Page 0558, D.R.D.C.T., a distance of 502.99 feet to *an iron rod for corner*;

THENCE North \$4,14515111, West, along the south line of the A.W. Sowell tract of land described in Volume 69225, Page 1999, D.R.D.C.T. , a *distance -of* 532.28 feet to *an iron rod* the beginning of a curve to the right;

THENCE in a northwesterly direction, along the arc of a circular curve to the right, having a radius of 422.96 feet, and through a *central angle of* 39*12'12", for an arc distance of 289.40 feet to *an iron rod the end of* said curve;

THENCE North 4603313911 West, a distance of 143.55 feet to *an iron rod for corner*,

THENCE North 26414108" West, a distance of 56,63 feet to an iron rod for corner in the east R.O.W. line of North Carrier Parkway;

THENCE North *0902118" West, a distance of 41.63 feet to an iron rod for corner in the east R.O.W. line of North carrier Parkway;

THENCE North 4055118" West, a distance of 356,24 feet to an iron rod for corner in the east R.O.W. line of North Carrier Parkway;

THENCE North 0*00'18" West, a distance of 1.099-99 feet in the.. POINT Of BEGINNING and CONT41NIJU 11764.942 square feet or 40. 517 acres of land of which 12.617 square feet or 0.29 acres lie in the right-of-way of lower Warrant Road. Leaving a net of 1,752-326 square feet or 40.228 acres of land.