

ORDINANCE NO. 6039 PLANNED DEVELOPMENT NO. 239 CASE NO. Z990201

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE A 13.9 ACRE TRACT, BEING TRACTS ID, IA, 1A2, AND 1E OUT OF THE E. ROLAND SURVEY, ABSTRACT NO. 1313, TARRANT COUNTY, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF MAYFIELD ROAD AND STATE HIGHWAY 360, FROM PLANNED DEVELOPMENT NO. **37 FOR RETAIL USES TO A PLANNED DEVELOPMENT FOR MULTI FAMILY RESIDENTIAL AND RETAIL 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 **Planned Development No. 37 to a Planned Development for Multi Family Residential and Retail uses**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on February 22, 1999 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 Tax Roll, and such Notice being served by depositing the he 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 I to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned from Planned Development No. 37 to a **Planned Development for Multi Family Residential and Retail 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 March 2, 1999 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

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the enactment of the original Zoning Ordinance from the classification of **Planned Development** No. 37 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:

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 **Planned Development No. 37** to **Planned Development No. 239** **for Multi Family Residential and Retail uses:**

a 13.9 acre tract, being tracts ID, IA, 1A2, and 1E out of the E. Rolland Survey, Abstract No. 1313, Tarrant County, generally located at the southeast corner of Mayfield Road and State Highway 360 and as indicated on Exhibit "A".

H. Purpose and Intent

The purpose of this Planned Development District is to provide the appropriate restrictions and development controls to permit the development of multi family residential development and retail development consistent with the standards of area properties and in compliance with the City's Comprehensive Plan and the Unified Development Code.

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Development Standards

1. PERMITTED USES

TRACT A (10.9 acre tract as indicated on Exhibit "A") - Those uses permitted in the Multi Family-Two (MF-2) or the General Retail (GR) zoning district as designated in the Unified Development Code of the City of Grand Prairie as amended.

TRACT B (3 acre tract as indicated on Exhibit "A") - Those uses permitted in the General Retail (GR) zoning district as designated in the Unified Development Code of the City of Grand Prairie as amended.

2. MULTI FAMILY PARKING REQUIREMENTS

A minimum of 15 percent of the required parking shall be located under roof, either in an enclosed garage or a carport.

3. MULTI FAMILY SECURITY AND SCREENING REQUIREMENTS

A- All multi family development shall be secured by a minimum 6 ft tall security fence and have controlled access.

B. All fencing adjacent to a public right-of-way shall be constructed of an ornamental "wrought iron" style fence with masonry columns a minimum of 60 ft on center and be a minimum of 6 ft in height.

C. Fencing along all other property lines shall be constructed of brick, ornamental iron, wood or any combination of these materials. Any wood fence must conform to the construction requirements for a "standard screening fence" as detailed in Section VIII.26 of the Unified Development Code.

4. NOISE REDUCTION REQUIREMENT

Noise reduction construction techniques must be used for all residential development such that all habitable rooms will have an interior noise level of 45 Ldn or less.

5. OTHER DEVELOPMENT REQUIREMENTS

All other development requirements not specifically provided for in this ordinance shall be as designated in the Unified Development Code of the City of Grand Prairie for the Multi Family-Two (MF-2) zoning district for multi family development or the General Retail-One (GR-1) district for office, retail or service development.

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SPECIAL CONDITIONS

A- No excavation, clearing and/or grubbing may occur on any portion of the site until such time as a site plan has been approved for development on the site. The developer shall work with City staff to preserve as many trees as possible on site.

B. No building permits may be issued for development on TRACT B until such time as the non-conforming billboard use has ceased. The billboard may continue as a non-conforming use until such time as any portion of TRACT B is developed.

All ordinances or parts of ordinances in conflict herewith are specifically repealed.

VI.

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 March, 1999.

MAYOR
City of Grand Prairie, Texas

ATTEST:

City Secretary

APPROVED AS TO FORM AND LEGALITY:

City Attorney

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