

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE AN APPROXIMATELY 65.2 ACRES IN ONE TRACT OF LAND OUT OF THE CHARLES D. BALL SURVEY, ABSTRACT NO. 197 (TARRANT COUNTY), AND THE CHARLES D. BALL SURVEY, ABSTRACT NO. 1699 (DALLAS COUNTY), GENERALLY LOCATED, BETWEEN FORUM DRIVE ON THE NORTH, AND THE NORTH FORK OF FISH CREEK ON THE SOUTH, APPROXIMATELY 1/3 OF A MILE EAST OF GREAT SOUTHWEST PARKWAY, **FROM PLANNED DEVELOPMENT NO. 231 FOR SINGLE FAMILY DETACHED USES (PD-231) TO A MIXED USE PLANNED DEVELOPMENT FOR SINGLE FAMILY RESIDENTIAL (+/-6.2 ACRES), PRIVATE OPEN SPACE AND ENVIRONMENTAL PRESERVATION (+/- 15.9 ACRES) GENERAL RETAIL AND OR OFFICE (+/- 23.6 ACRES), AND MULTI-FAMILY USES (+/- 15.8 ACRES);** 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. 231 For Single Family Detached Uses (Pd-231) to A Mixed Use Planned Development For Single Family Residential (+/-6.2 Acres), Open Space And Environmental Preservation (+/- 21.0 Acres) and Mixed Use Development for Housing/Employment (+/- 34.3 Acres;** and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on February 28, 2000 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 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 denial to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned from its classification of **From Planned Development No. 231 For Single Family Detached Uses (Pd-231) To A Mixed Use Planned Development For Single Family Residential (+/-6.2 Acres), Open Space And Environmental Preservation (+/- 21.0 Acres) Mixed Use Development for Housing/Employment (+/- 34.3 Acres),** and

WHEREAS, an appeal was filed per Section XX.9.5C of the Unified Development Code, and 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 August 1, 2000 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, Dallas, 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 **Planned Development No. 231 For Single Family Detached Uses (Pd-231)** 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 No. 231 For Single Family Detached Uses (Pd-231) To A Mixed Use Planned Development For Single Family Residential (+/-6.2 Acres), Private Open Space And Environmental Preservation (+/- 15.9 Acres) General Retail And Or Office (+/- 23.6 Acres), And Multi-Family Uses (+/- 15.8 Acres)**

Legal Description:

**EXHIBIT A
BOUNDARY DESCRIPTION OF
AMENDED PD-231**

BEING all that certain tract or parcel of land situated in the CHARLES D. BALL SURVEY, Abstract No. 197 (Tarrant County, Texas) and the CHARLES D. BALL SURVEY, Abstract No. 1699 (Dallas County, Texas), and being out of a 106.969 acre tract of land described in deed to C. R. Smith recorded in Volume 5149, Page 82 of the Deed Records of Tarrant County, Texas (D.R.T.C.T.), and Volume 71228, Page 1976 of the Deed Records of Dallas County, Texas (D.R.T.C.T.), and being more particularly described as follows:

BEGINNING at a 1" iron rod found with a 1/2-inch pointed top on the east side of an old cross-tie fence post at the easterly end of Forum Drive, a public street, said iron rod also being the northeasterly corner of Forum Village Southwest, an addition to the City of Grand Prairie, as recorded in Volume 388-135, Page 76, Plat Records of Tarrant County, Texas, said iron rod also being the northwest corner of this tract;

THENCE N 89°28'05" E, 865.31 feet crossing a wooded area and a cultivated field to a 3/4 - inch pipe found at a fence corner at the southeast corner of Tract 2 conveyed to Doctors Nursing Center Foundation, Inc., as recorded in Volume 11377, Page 2244, D.R.T.C.T., said pipe also being the southwest corner of a tract of land conveyed to Susie Esther Baker and Bryant O. Baker, Jr., as recorded in Volume 4781, Page 284, D.R.T.C.T.;

THENCE S 89°33'01" E, 882.08 feet along the south line of said Baker tract and a north line of said Smith tract and along a fence line to a 3/4 inch pipe found at the most southerly northeast corner of said Smith tract and the northwest corner of a tract of land conveyed to Tommy Joe Winn and Leland Gielley, as recorded in Volume 94053, Page 3064, D.R.T.C.T.;

THENCE S 00°33'37" W, along the east line of said Smith tract and along the west line of said Winn and Gielley tract a distance of 1,436.4 feet to a point;

THENCE N 89°19'49" W, a distance of 289.15 feet to a point for corner, being on the east line of said tract;

THENCE S 71°56'51 " W, a distance of 131.00 feet to a point for corner;

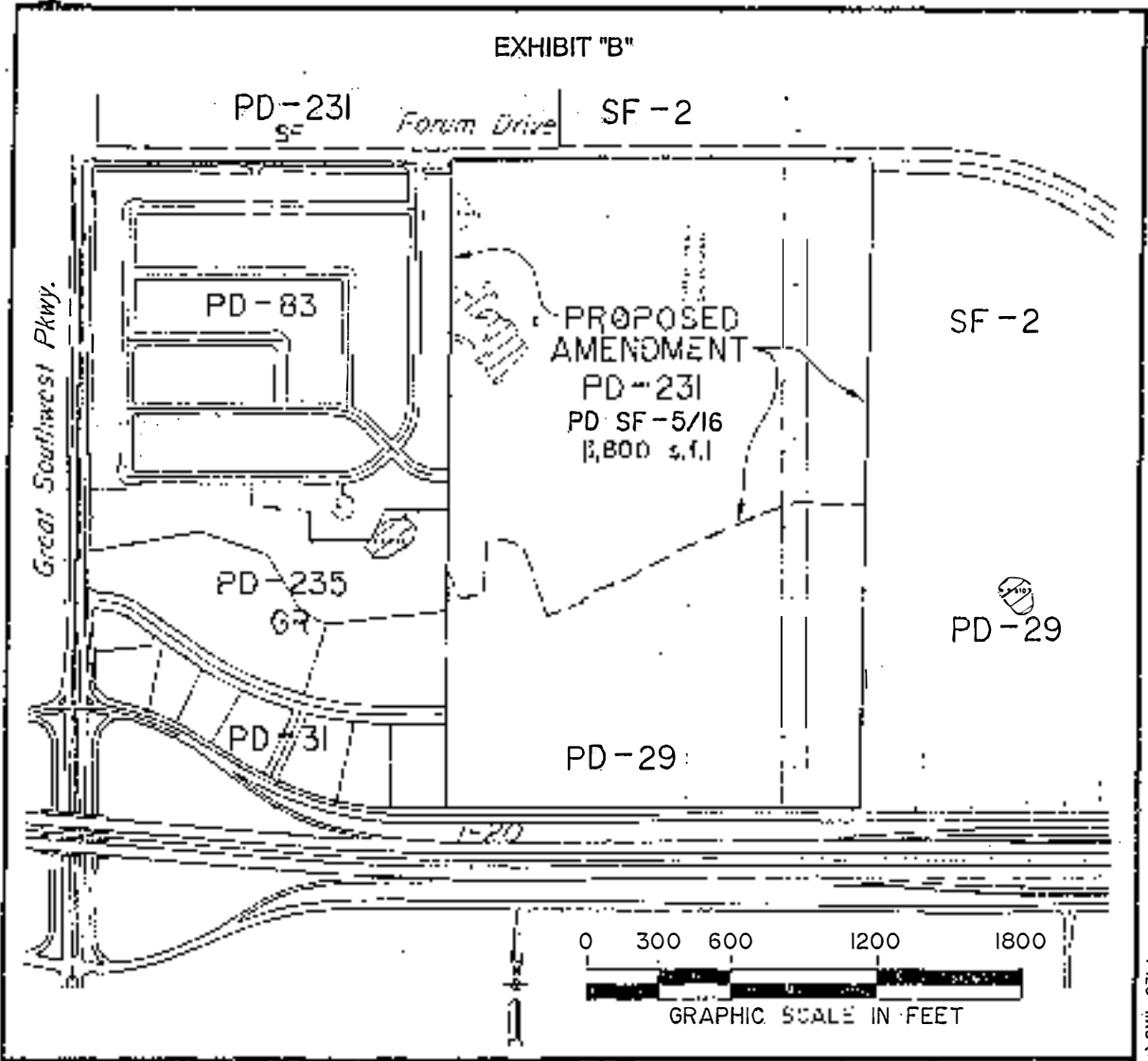
THENCE S 66°33'11" W, a distance of 381.81 feet to a point for corner;

THENCE S 61°41'51" W, a distance of 250.34 feet to a point for corner;

THENCE S 67°01'58" W, a distance of 91.90 feet to a point for corner;

THENCE S 73°18'30" W, a distance of 49.47 feet to a point for corner

THENCE S 49°37'47" W, a distance of 77.30 feet to a point for corner;
THENCE S 69°06'31" W, a distance of 147.50 feet to a point for corner;
THENCE N 20°09'19" W, a distance of 290.42 feet to a point for corner;
THENCE N 57°16'38" W, a distance of 45.06 feet to a point for corner;
THENCE N 75°25'37" W, a distance of 90.87 feet to a point for corner;
THENCE S 64°43'59" W, a distance of 38.61 feet to a point for corner
THENCE South, a distance of 214.22 feet to a point for corner;
THENCE S 80°05'31" W, a distance of 101.40 feet to a point for corner;
THENCE N 26°22'22" W, a distance of 122.26 feet to a point for corner;
THENCE N 00°04'18" E, along the west line of said tract, a distance of 1,717.20 feet to the POINT OF BEGINNING and containing 65.2 acres of land, more or less.



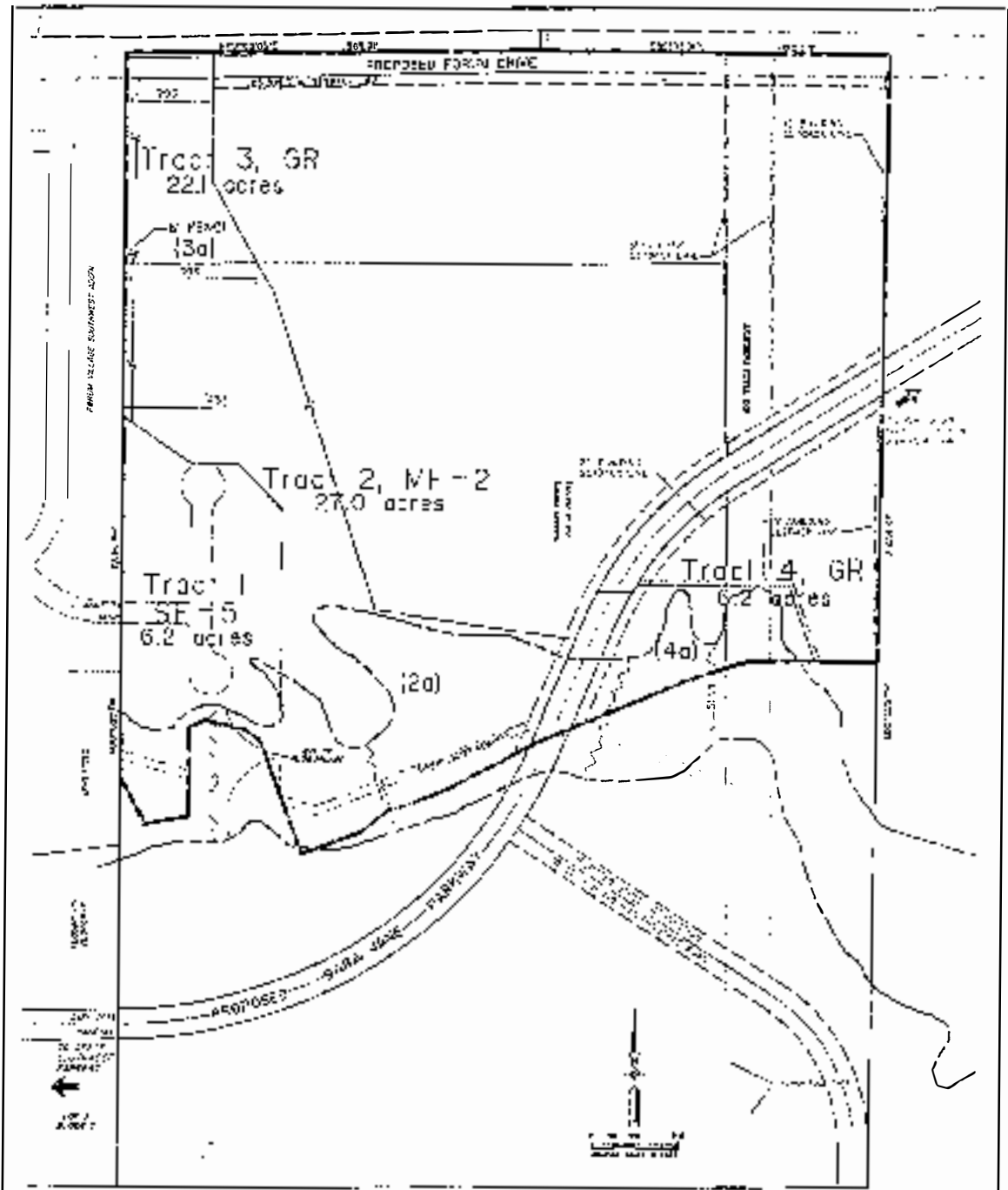
Vicinity Map

Shaded Area Indicates Property Under Review



Proposed PD-265

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LAND USE ANALYSIS - PD 231 AMENDMENT

1. TRACT 1 - SINGLE FAMILY DETACHED	=	5.2 ACRES
2. TRACT 2 - MULTI-FAMILY DWELLINGS (600 UNITS)	=	27.0 ACRES
DWELLINGS/SITE IMPROVEMENTS	=	15.8 ACRES
OPEN SPACE	=	11.2 ACRES
3. TRACT 3 - OFFICE/RETAIL	=	22.1 ACRES
BUILDINGS/SITE IMPROVEMENTS	=	19.7 ACRES
OPEN SPACE	=	2.4 ACRES
4. TRACT 4 - OFFICE/RETAIL	=	6.2 ACRES
BUILDINGS/SITE IMPROVEMENTS	=	5.6 ACRES
OPEN SPACE	=	2.3 ACRES
5. RIGHT-OF-WAY	=	3.7 ACRES
SARA JANE PKWY.	=	1.9 ACRES
FORUM DRIVE	=	1.8 ACRES

**EXHIBIT C
EXISTING and PROPOSED
LAND USE/ZONING**

JULY 2000

SMITH INVESTMENT ASSOCIATES SCHRICKEL, ROLLING, & ASSOCIATES, INC.
 (214) 531-3461 • METRO 1871 640-622

Planned Development No. 265

II.**Purpose and Intent**

The intent of this zoning ordinance is to create a development framework that encourages and supports higher standards usually found in a master planned community.

III.**Land Use**

EXHIBIT D
MIXED USE PLANNED DEVELOPMENT
(Planned Development District No. 265)

Planned Development District Number 265, as contained in Ordinance _____, is hereby established; the boundary of said district is described in the metes and bounds description shown on "Exhibit A" attached hereto; the general location is shown on the map entitled Vicinity Map, Exhibit B, attached hereto; further, said district is subdivided into Tracts 1, 2, 3, and 4 shown on "Exhibit C" attached hereto and becomes a part of this ordinance; and development within said district shall conform to the following:

TRACT I
SINGLE FAMILY DEVELOPMENT STANDARDS

Tract I contains approximately 6.2 acres of land located east of Augusta Lane and on the westerly side of said tract. Said development shall conform to the SF-5/16 codes and ordinances contained in the city's UDC, provided however said dwellings shall be constructed with a minimum living area (air conditioned) of 1,800 square feet. The street and lot layout of this development shall generally conform to Exhibit C.

SUBTRACTS 2A, 3A, AND 4A
PRIVATE OPEN SPACE & ENVIRONMENTAL PRESERVATION

These tracts contain approximately 15.9 acres of land generally located along the westerly side of the property contained in said district and along the north side of the North Fork of Fish Creek (as shown on Exhibit C attached hereto), including the flood plain, treed area along the flood plain, and property adjacent to the flood plain. Said tract of land shall generally be preserved in its present condition, provided however said area may be altered so as to permit the development of all or part of the following uses: (1) passive and active recreational facilities including picnic stations, pools, tennis courts, basketball courts, group shelters, water-based recreation structures, multipurpose open space recreational facilities, senior citizen recreational facilities, environmental element signage and identification facilities and miscellaneous support facilities; (2) circulation and access facilities including nature trails, multipurpose trails, vehicular circulation or drives and parking spaces and/or structures, public and/or quasi-public utility

facilities, culverts and drainage improvements as required by the UDC, and Sara Jane Parkway roadway improvements and/or other streets and/or roadways as may be required by the City of Grand Prairie for vehicular circulation and the subdivision regulations. Prior to issuance of a certificate of occupancy, said open space shall be cleared of all debris that does not occur naturally, except for improvements constructed by the Owner and/or the City of Grand Prairie. Said tracts shall be considered in part or total as a part of the development and/or ownership of Tracts 2 and/or Tract 4. Implementation of this regulation shall occur with/during the platting process.

TRACTS 3 AND 4

GENERAL RETAIL DEVELOPMENT

Tracts 3 and 4 (exclusive of open space) contain approximately 23.6 acres of land located on the easterly and northerly sides of the property contained in said district, and as shown on Exhibit C attached hereto. Said tract(s) shall be developed in conformance to codes and ordinance contained in the city's UDC except as modified or restricted herein. Development and/or land uses shall be as contained in the general retail (GR) and/or office (O) districts. Provided however, said development shall conform to the minimum and/or maximum development requirements when in conflict with said zoning districts as follows:

1. Building Setbacks

The building setback for all buildings without regard to usage shall comply with the following:

- a. Along all streets - 25' for front, side, and/or rear
- b. Along the side lot line of a platted lot line not adjacent to a public street - 10'
- c. Along the rear lot line of a platted lot line not adjacent to a public street - 10'
- d. Between buildings - 10'

2. Building Height Requirements

- a. Maximum height - 35' to the top plate line, provided however, the building height may be increased in 1' height for each 2' increase in the minimum building setback.

3. Landscaping

- a. Fifty (50) percent of the required front yard setback must be developed with perimeter landscaping with a minimum of 2 of the following landscaping elements (grass, ground cover, shrubs, or trees).
- b. Perimeter landscaping for all development - A 20 ft wide landscape area shall be required adjacent to all public street right-of ways. For each fifty linear feet of frontage adjacent to all public right-of-way, 1 tree (3" caliper), and 3 small shrubs or trees shall be provided. A public sidewalk a minimum of 4 ft in width shall meander through the perimeter landscape area. The Landscaping and Pedestrian area shall be open to the public and not enclosed by a fence.

- C. All surface parking areas adjacent to the Perimeter Landscaping and adjacent to all public street right-of-way(s) shall be screened from the street by either a 3 ft tall berm or shrubs. The minimum size of shrubs shall be a two gallon container with a minimum height of 24 inches and placed at a spacing which shall provide a solid screen at maturity.
 - d. All required landscaping shall be maintained in a healthy growing state and irrigated by an automatic irrigation system.
4. Parking Requirements
- a. Required Parking - shall be screened from old public streets by an earthen berm and/or living screen.
5. All Other Development Standards
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 General Retail zoning district (GR) and the Office (O) zoning district.
6. All development within this tract shall be required to submit a site plan in conformance with Article XVI, "Site Plan Approval," of the Unified Development Code of the City of Grand Prairie.

TRACT 2
MULTI-FAMILY

Tract2 (exclusive of open space) contains approximately 15.8 acres of land and is located north of the proposed extension of Sara Jane Parkway. Said development shall conform to the MF-2 zoning district codes and ordinances contained in the city's UDC except as modified or restricted herein. Provided however said development shall conform to the following minimum and/or maximum development requirements when in conflict with said MF-2 zoning district regulations.

- 1. Height of Building: Multi family structures will not exceed two stories in height which are located adjacent (within 40 feet) and contiguous to the east boundary (north-south line) of the open space (Tract 2a), same being the west boundary of the 15.8 acre tract, all other multi family structures will not exceed three stories. Further, 2" caliper shade trees shall be planted on 50-foot centers along the west boundary of Tract 2.
- 2. Maximum Number Dwellings Per Acre: 22.2
- 3. Maximum Number of Units or Apartments: 600

4. Maximum Number of Dwellings by Type:

Efficiency	25
One Bedroom	249
Two Bedroom	249
Three Bedroom	77

5. Minimum Required Floor Area by Type:

Efficiency	500 SF
One Bedroom	650 SF
Two Bedroom	800 SF
Three Bedroom	1,000 SF

6. Parking: A total of 1.75 spaces will be provided for each apartment, of these, 50% will be garages (attached or detached) and 50% will be a covered carport (attached or detached).

7. Exterior Wall Construction: All exterior walls of apartment buildings shall be 65% masonry (excluding windows), said material includes, stone, cultured stone, brick and/or stucco.

8. Recreational Facilities: Minimum area used for the construction and development of indoor and outdoor recreation facilities is 15%. Their elements include, trails, pool, tennis court, clubhouse, open irrigated grassed area, and other facilities typical to apartment development. Said facilities may be located anywhere on the platted lot.

9. Open Space: Minimum permanent open space as defined herein shall be 40% of the lot area.

10. Building Coverage: Maximum building coverage shall be 45% of the lot area.

11. Balconies: A balcony shall be provided for each apartment unit above the ground floor.

12. Roof Slope: Roof shall be a minimum of a 5:12 slope, with an architecture, 35 year shingle.

13. Landscape Setback: A landscape setback from a public street shall be provided between the street and the security fence, said setback will include, but is not necessarily limited to, trees, shrubs, grass, annuals, perennials, and sidewalk.

14. Fencing and Gating: Apartment complex(s) shall be fenced and gated.

15. A site plan as required in the UDC shall be required prior to the issuance of a building permit.

It is further provided that the area in acres contained herein may vary because of on the ground surveying, a change of street right-of-way requirements of the City and/or the relocation of street right-of-ways.

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.

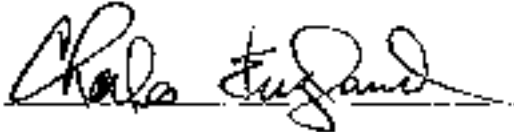
VII.

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

VIII.

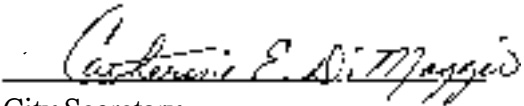
That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, this the 1st day of August, 2000.



Mayor, Grand Prairie, Texas

ATTEST:



City Secretary

APPROVED AS TO FORM:



City Attorney

Zoning Case No. Z000103