

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE AN APPROXIMATELY 100.442 ACRES IN ONE TRACT OF LAND OUT OF THE CHARLES J. BABCOCK SURVEY, ABSTRACT NO. 59, AND THE J. C. TURNER SURVEY, ABSTRACT NO. 1739 (DALLAS COUNTY, TEXAS), GENERALLY LOCATED, BETWEEN MAYFIELD ROAD ON THE SOUTH, WARRIOR TRAIL ON THE NORTH AND ON THE EAST AND WEST SIDES OF PROPOSED HIGHWAY NO. 161, FROM SINGLE FAMILY TWO, SF-2, (+/- 15.2 ACRES) AND PLANNED DEVELOPMENT NO. 91 FOR SINGLE FAMILY TWO, SF-2, (+/- 25.3 ACRES), MULTI-FAMILY ONE, MF-1, (+/- 42.7 ACRES) AND GENERAL RETAIL, GR, TO A PLANNED DEVELOPMENT FOR (+/- 17.2 ACRES) MULTI-FAMILY TWO, MF-2, (+/- 23.00 ACRES), OFFICE ONE, O-1, (+/- 8.7 ACRES), GENERAL RETAIL ONE, GR-1, (+/-35.0 ACRES), AND COMMERCIAL ONE, C-1, (+/- 6.6 ACRES) WITH A REMAINDER OF APPROXIMATELY (+/- 22.3ACRES) IN SH 161 RIGHT-OF-WAY AND (+/- 4.8 ACRES) IN MAYFIELD ROAD RIGHT-OF-WAY; 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 FROM SINGLE FAMILY TWO, SF-2 (+/- 15.2 ACRES) AND PLANNED DEVELOPMENT NO. 91 FOR SINGLE FAMILY TWO, SF-2, (+/- 25.3 ACRES) MULTI-FAMILY ONE, MF-1, (+/- 42.7 ACRES) AND GENERAL RETAIL, GR, (+/- 17.2 ACRES TO A MIXED USE PLANNED DEVELOPMENT FOR MULTI-FAMILY TWO, MF-2, (+/-23.0 ACRES), OFFICE, O, (+/- 8.7 ACRES), GENERAL RETAIL, GR, (+/- 16.3 ACRES), AND COMMERCIAL, C (+/- 6.6 ACRES) AND TO GENERAL RETAIL, GR, (+/- 18.7 ACRES) WITH A REMAINDER OF APPROXIMATELY (+/- 22.3 ACRES) IN SH 161 RIGHT-OF-WAY AND (+/- 4.8 ACRES) IN MAYFIELD ROAD RIGHT-OF-WAY ); and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on November 13, 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 FROM SINGLE FAMILY TWO, SF-2 (+/- 15.2 ACRES) AND PLANNED DEVELOPMENT NO. 91 FOR SINGLE FAMILY TWO, SF-2, (+/- 25.3 ACRES) MULTI-FAMILY ONE, MF-1, (+/- 42.7 ACRES) AND GENERAL RETAIL, GR, TO A PLANNED DEVELOPMENT FOR (+/- 17.2 ACRES) FOR MULTI-FAMILY TWO, MF-2, (+/-23.0 ACRES), OFFICE, O, (+/- 8.7 ACRES), GENERAL RETAIL, GR, (+/- 16.3 ACRES), AND COMMERCIAL, C (+/- 6.6 ACRES) AND TO

**GENERAL RETAIL, GR, (+/- 18.7 ACRES) WITH A REMAINDER OF APPROXIMATELY (+/- 22.3 ACRES) IN SH 161 RIGHT-OF-WAY AND (+/- 4.8 ACRES) IN MAYFIELD ROAD RIGHT-OF-WAY;** 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 approval to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned from its classification of;

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 November 21, 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 **SINGLE FAMILY TWO, SF-2 (+/- 15.2 ACRES) AND PLANNED DEVELOPMENT NO. 91 FOR SINGLE FAMILY TWO, SF-2, (+/- 25.3 ACRES) MULTI-FAMILY ONE, MF-1, (+/- 42.7 ACRES) AND GENERAL RETAIL, GR, (+/- 17.2 ACRES)**, 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 **SINGLE FAMILY TWO, SF-2, (+/- 15.2 ACRES) AND PLANNED DEVELOPMENT NO. 91 FOR SINGLE FAMILY TWO, SF-2, (+/- 25.3 ACRES), MULTI-FAMILY ONE, MF-1, (+/- 42.7 ACRES) AND GENERAL RETAIL, GR, (+/- 17.2 ACRES) TO A PLANNED DEVELOPMENT FOR MULTI-FAMILY TWO, MF-2, (+/- 23.00 ACRES), OFFICE ONE, O-1, (+/- 8.7 ACRES), GENERAL RETAIL ONE, GR-1, (+/-35.0 ACRES), AND COMMERCIAL ONE, C-1, (+/- 6.6 ACRES) WITH A REMAINDER OF APPROXIMATELY (+/- 22.3ACRES) IN SH 161 RIGHT-OF-WAY AND (+/- 4.8 ACRES) IN MAYFIELD ROAD RIGHT-OF-WAY** as shown on Exhibit A – Vicinity Map, Exhibit B – Legal Description, and Exhibit C – Proposed Zoning Districts which are incorporated into this ordinance by reference.

## 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. 266)

Planned Development District Number 266, as contained in Ordinance 6352, is hereby established; the boundary 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 specific zoning categories shown on "Exhibit C" attached hereto and becomes a part of this ordinance; and development within said district shall conform to the following:

#### MULTI-FAMILY DEVELOPMENT STANDARDS

1. Maximum Number of Dwellings Per Acre: 24
2. Maximum Number of Dwellings: 552
3. Maximum Number of Dwellings By Type:
 

Efficiency	25
One Bedroom	225
Two Bedroom	225
Three Bedroom	77

4. Minimum Required Floor Area By Type:
 

Efficiency	500 Square Feet
One Bedroom	650 Square Feet
Two Bedroom	800 Square Feet
Three Bedroom	1,000 Square Feet
  
5. Parking: A total of 1.75 spaces will be provided for each apartment, provided, however, one (1) garage and/or carport shall be provided for each one (1), two (2), and three (3) bedroom units.
  
6. Exterior Wall Construction: All exterior walls of apartment buildings shall be 65% masonry (excluding windows), said material includes stone, cultured stone, and brick.
  
7. Landscape Setback: A Landscape setback located between the back of the curb and the security fence or walls. Said setback shall include, but is not necessarily limited to trees, shrubs, grass, annuals, perennials, and/or sidewalks.
  
8. Security Fence or wall and Gate: Apartment complex shall be fenced and gated, said security fence or wall shall be setback a minimum of 15 feet from all public street right of-way.

**Office (O-1) Development Standards**

1. Maximum height of office building: The maximum height of all structures shall be one (1) story within 100 feet along all common property lines with single family zoned and/or used property.
  
2. Screening fence or wall: A six (6) foot minimum height masonry fence shall be constructed along all common property lines with single family zoned or used property.
  
3. Landscape buffer: A ten (10) foot wide strip of property shall be landscaped, irrigated, preserved, and perpetually maintained along all the common property lines with single family zoned or used property and the right-of-way of Highway 161.

**General Retail (GR-1) Development Standards**

1. Building Height: The maximum height of all structures/buildings shall be one story within 100 feet along all common property lines with single family zoned and used property.

- 2. Screening fence or wall: A six (6) foot minimum height masonry fence or wall shall be constructed along all common property lines with single-family zoned and used property, and public school property.
- 3. Landscape buffer: A ten (10) foot wide strip of property shall be landscaped, irrigated, preserved, and perpetually maintained along all common property lines with single family zoned and used property, public school property, property used by a church and Highway 161 right-of-way'.
- 4. Signage: No pylon type sign(s) shall be permitted closer than 150 feet to all common property lines with single family zoned and used property.
- 5. Security: General Retail in the northwest area of the tract shall provide outside surveillance.

**Commercial (C-1) Development Standards**

- I .Screening fence and/or wall: A six (6) foot minimum height masonry fence or wall shall be constructed along all common property lines with any multi-family zoned and/or used property.
- 2. Landscape buffer: A ten (10) foot wide strip of property shall be landscaped, irrigated, preserved, and perpetually maintained along all common property lines with multi family zoned and/or used property and Highway 161 right-of-way.

**Special Conditions**

- 1. Traffic Impact Analysis shall be performed with platting of this property.
- 2. Outside surveillance shall be required on the General Retail parcel located on the northwest corner of this property.

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.


**VII.**

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

VIII.

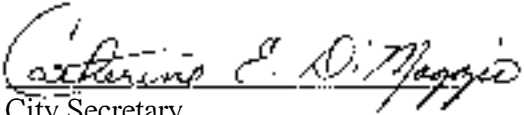
That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, this the 21st day of November, 2000.



Mayor, Grand Prairie, Texas

ATTEST:



City Secretary

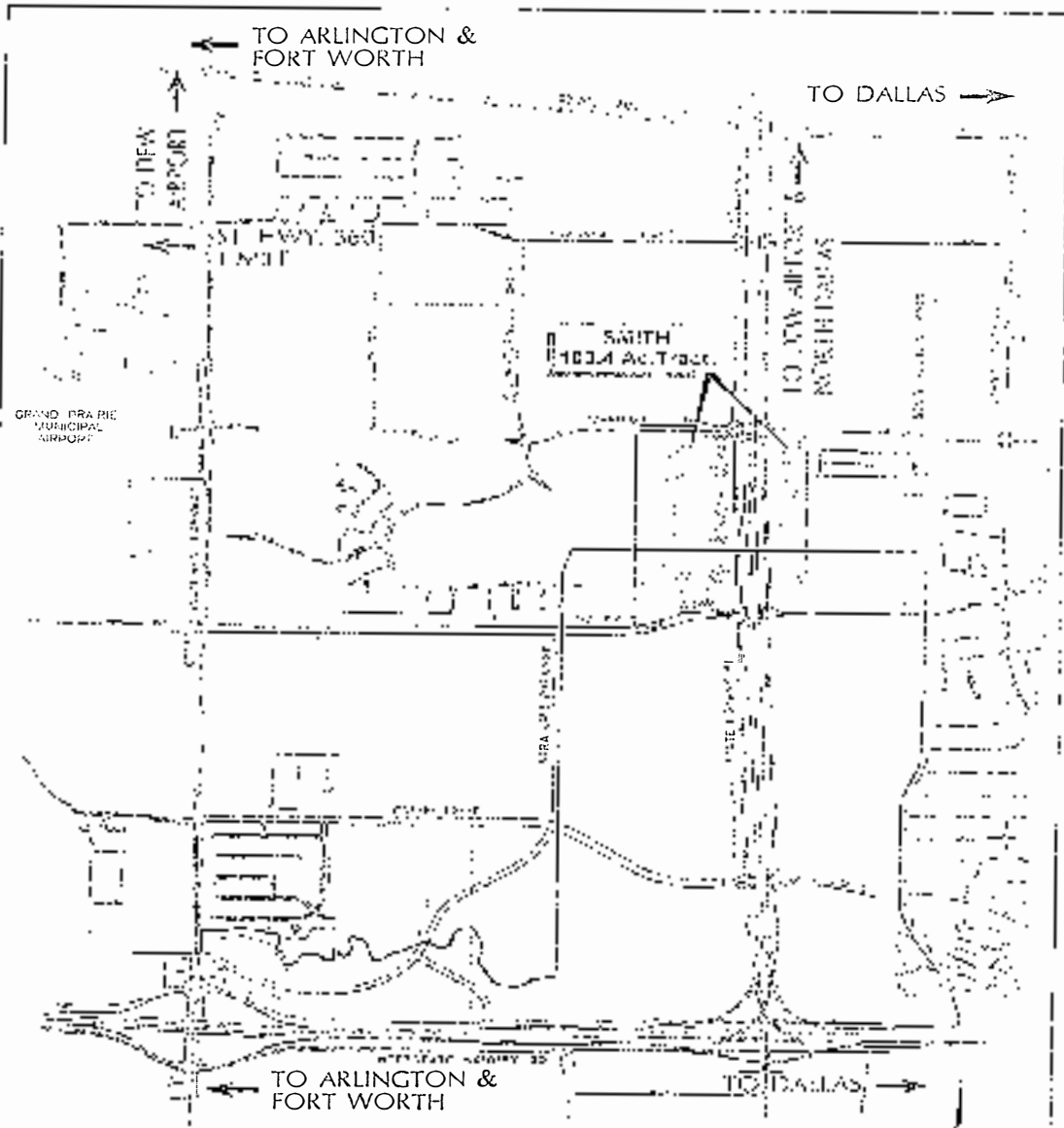
APPROVED AS TO FORM AND LEGALITY:



City Attorney

Zoning Case No. Z001101

**EXHIBIT A**  
**Vicinity Map**



**EXHIBIT A**  
**VICINITY MAP**

October 5, 2000

Development Program 100.44 Acres  
Charles J. Babcock Survey, Abstract No. 59 and  
J.C. Turner Survey, Abstract No. 1739  
Vicinity of Mayfield Road, Warrior Trail  
and Proposed Highway 101  
Dallas County, Grand Prairie, Texas

**THE ENGINEERING FIRM**  
A PROFESSIONAL CORPORATION  
2100 WEST WILSON ROAD, SUITE 100  
DALLAS, TEXAS 75224-1100  
PHONE: 214-353-1100  
FAX: 214-353-1101

**OWNER**  
Smith Investment Associates, L.P.  
3811 Turtle Creek Center  
Suite 2150, Lock Box 53  
Dallas, Texas 75219  
Phone: 214-521-3461  
FAX: 214-521-3864

**Exhibit B**  
**Legal Description:**  
 Legal Description:

Said tract being generally located between Mayfield Road and Warrior Trail and proposed Highway 161. From existing Single family two (SF-2) and Planned Development 91 (PD-91) for single family (SF-2), multi-family (MF-1), and general retail (GR) zoning districts uses to general retail (GR) and Planned Development 91 (PD-91) for multi-family (MF-2), office (O-1), general retail (GR-1), and commercial (C-1) uses. Provided further, that development within said districts shall conform to the currently adopted Unified Development Code, at the time of development, except for the following conditions, standards and regulations.

An ordinance amending the zoning map showing the location, boundary and use of certain property so as to rezone are that certain lot, tract, or parcel of land lying and being situated in the City of Grand Prairie, Dallas County, Texas described as follows:

Being a part of the CHARLES J. BABCOCK SURVEY, ABSTRACT NO. 59, and the J. C. TURNER SURVEY, ABSTRACT NO. 1739, and also being all of Tracts 1, 2, and 3, described in deed L. R. Turbeville Trust and Sally J. Smith Trust, recorded in Volume 78135, Page 314, of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 60d nail set in asphalt pavement in the center line of Mayfield Road (Beatty Road), point being the Southwest corner of said Tract 1 and Turbeville-Smith tract, point also being the Southeast corner of Kirby Creek Village, Section Two, an addition to the City of Grand Prairie, Texas, according to the file plat recorded in Volume 85208, Page 3765, of the Deed Records of Dallas County, Texas;

THENCE N 00 54'24" W 2524.06 feet along the common line between said Turbeville-Smith tract and said addition to a 1/2-inch iron pipe found for corner, point being in the North line of said Babcock Survey, point also being the Northwest corner of said Turbeville-Smith tract and Northeast corner of said addition;

THENCE S 89 59' 57" E 1869.50 feet along the North line of said Turbeville-Smith tract and Babcock Survey to a 1/2-inch iron rod set for corner at the Northeast corner of said Turbeville-Smith tract;

THENCE S 00 09'57" E 2328.00 feet along the East line of said Turbeville-Smith tract to a 60d Nail set in asphalt pavement in the center line of said Mayfield Road, point being the Southeast corner of said Turbeville-Smith tract, point also being S 89' 42' 03" W, 1332.50 feet from the center line of Belt Line Road and in the East line of said Babcock Survey;



THENCE S 89° 42'03" W 1576.80 feet along the South line of said Turbeville-Smith tract and Babcock Survey and center line of said Mayfield Road to a 3/4-inch iron pipe found for corner at the Northeast corner of said Turner Survey;

THENCE S 00° 09'57" E 189.48 feet along the East line of said Turbeville-Smith tract in Turner Survey to a 3/4-inch iron pipe found for corner at the Southeast corner of said Turner Survey and Turbeville-Smith tract;

THENCE N 89° 33'57" W 261.08 feet along the South line of said Turbeville-Smith tract and Turner Survey and center line of said Mayfield Road to the point of beginning and containing 100.4421 acres of land.

