

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE APPROXIMATELY 60.623 ACRES OF LAND OUT OF THE THOMAS J. TONE SURVEY, ABSTRACT NO. 1460, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS. GENERALLY LOCATED WEST AND SOUTHWEST OF THE INTERSECTION OF CAMP WISDOM ROAD AND ROBINSON ROAD, **FROM PLANNED DEVELOPMENT DISTRICT NO. 138, TO PLANNED DEVELOPMENT DISTRICT NO. 272 FOR SINGLE FAMILY DETACHED AND SINGLE FAMILY ATTACHED 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 **Planned Development District No. 138, to Planned Development District No. 272 for Single Family Detached and Single Family Attached Residential Uses**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on July 22, 2002 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 300 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 6 to 0 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned from its classification of **Planned Development District No. 138, to Planned Development District No. 272 for Single Family Detached and Single Family Attached 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 6:30 o'clock P.M. on August 6, 2002 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 Morning News addition of 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 District No. 138** 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 District No. 138, to Planned Development District No. 272 for Single Family Detached and Single Family Attached Residential Uses** within the area as described by metes and bounds as Exhibit "A", and as shown on the concept plan labeled as Exhibit 'B' which are incorporated herein by reference:

II.

DEVELOPMENT STANDARDS

(Being 60.623 acres on the south side of Camp Wisdom Road
As Depicted on Attached Exhibit 'B')

Development standards and zoning requirements for TRACT III and IV shall be as designated in the Unified Development Code of the City of Grand Prairie as amended for the Single Family-Four (SF- 4) and the Single Family Attached (SF-A) residential zoning districts except as otherwise specified below:

II.1. DISTRICT BOUNDARIES

II.1.A. Single Family Four (SF-4) detached residential uses shall be located parallel to and within approximately 500 linear feet of the south right-of-way of Camp Wisdom Road.

II.1.B. Single Family Attached (SF-A) attached residential uses shall be situated on lots located as depicted on attached Exhibit "B".

II.1.C. Single Family Four (SF-4) detached residential units may be developed within the Single Family Attached district. However, lots must be platted or replatted to meet the minimum lot requirements as herein prescribed in this Ordinance.

II.2. HEIGHT REGULATIONS

II.1.A. No building shall exceed two and one-half (2-1/2) stories, or 31 feet, in height.

II.3. AREA REGULATIONS

The following area regulations shall apply:

II.3.A Minimum Lot Area.

1. The minimum area of any single family detached residential lot shall be seven thousand, two hundred (7,200) square feet.
2. The minimum area of single family attached residential lot shall be three thousand, three hundred (3,300) square feet for an interior lot, and end unit of three thousand, six hundred (3,600) square feet.
3. Undevelopable areas in and adjacent to the 100 year flood plain shall be developed with walking paths and amenity areas.

II.2.B Minimum Lot Width.

1. The minimum width of any single family detached residential lot shall be sixty (60) feet, measured at the front building line.
2. Forty (40) feet shall be allowed at the terminus of a cul-de-sac or along street elbows or eyebrows.
3. Minimum lot width for any single family attached residential lot shall be thirty (30) feet.

II.2.C Minimum Lot Depth.

1. The minimum depth of any residential lot shall be one hundred ten (110) feet, measured at the midpoint of the front and rear lot lines.
2. Ninety (90) feet shall be allowed at the terminus of a cul-de-sac or along street elbows or eyebrows.

II.2.D Minimum Front Yard.

1. The minimum depth of the front yard shall be twenty (20) feet.

II.2.E Minimum Rear Yard.

1. The minimum depth of the rear yard shall be twenty (20) feet for lots with front entry garages.
2. The minimum depth of the rear yard shall be ten (10) feet for lots with side entry or rear yard garages.

II.2.F Minimum Side Yard.

1. The minimum side yard on each internal side of a lot shall be five (5) feet.
2. The minimum internal side yard shall be reduced to five (5) feet for each lot containing a side entry or rear yard garage driveway.
3. The minimum side yard of comer lots shall be increased to fifteen (15) feet on the side adjacent to the street where no adjacent front yards set backs are projecting onto same lot from abutting lots. The minimum side yard of comer lots shall be increased to twenty (20) feet on the side adjacent to the street where adjacent front yards set backs are projecting onto same lot from abutting lots.
4. If the side lot line abuts a street or alley, any side/rear garage entry must be set back a minimum of twenty (20) feet.

II.2.G Minimum Dwelling Size.

1. The minimum area of each single family detached dwelling unit shall be one thousand eight hundred (1,800) square feet, exclusive of garages, breezeways and porticos for all houses within the single family district.
2. Within the single family attached district minimum structure size for a two-unit building shall be three thousand two hundred (3,200) square feet exclusive of garages, breezeways and porticos.

II.3. OTHER REQUIREMENTS

II.3.A. Repeat Brick Building Elevations and Masonry Requirement: No use of the same brick color or duplicate building elevation shall be allowed on a house built on a lot that is within 4 lots of a structure constructed with similar building elements located on the same side of a street between intersecting street(s). No house may be built with similar building elements or brick color as one located directly across the street. Both halves of duplex structures shall be constructed of the same brick color. All residential structures shall be constructed of a minimum of 80 percent brick. Front façade shall be 100 percent brick excluding windows and doors. All sides of exterior wall chimneys visible from a public right of way shall be brick, sides facing away from street right of way shall be constructed of Hardy Plank or other approved material. Interior roof protruding chimneys may be constructed of hardy plank or stucco material.

II.3.B. Repeat Roof Shingles. The roof shingles may be of the same base color with varying hues. Duplex roof structures shall be the same roof color and material.

II.3.C. Entry Monumentation. The project shall contain a street entry feature along Camp Wisdom Road. Such feature shall include masonry entry monumentation, landscaping, and permanent subdivision identification signage.

II.3.D. Single Family Detached Parking & Garages. Garages may be front entry, "J swing" with side entry or detached back yard entry. Front entry garages shall have a minimum of 12" to 18" offset between the front of the home and the garage.

III.3.E. Single Family Attached Parking & Garages. Each dwelling unit shall have 2 non stacked parking spaces in off street parking and two spaces within a garage. Garages may be front entry, rear entry, side entry, attached or detached. Detached garages must meet the same masonry requirement as the main structure. Front entry garages shall have a minimum of 12" to 18" offset between the front of the dwelling unit and the garage.

III.3.F. Lot Landscaping Requirements. Individual lot landscaping shall include the following:

1. 2 - 3in. Caliper Trees
2. Front Yard Shrubs – Any increment totaling 30 gallons.
3. Grass shall be placed in all front, rear, and side yards. Installation shall be 100 percent sod or seeded.
4. An irrigation system shall be installed for each platted lot.

III.3.G. Alleys: Alleys shall be constructed by the applicant and dedicated to the City in fee simple consistent with street right-of-way dedication procedures at time of final plat approval. A minimum 15-foot right-of-way width shall be dedicated for all alleyways. Pavement width shall be a minimum of 12-feet.

II.4 SCREENING WALL

II.4.A. Masonry screening fences shall be provided along all thoroughfares designated as an arterial or collector street on the city's master thoroughfare plan. Such streets will include Camp Wisdom Road (P6D), and Robinson Road (P4D). Such fences shall extend into and along the side lot lines, where applicable, of lots abutting the residential entry street(s) that extend into the subject subdivision from the designated thoroughfare.

II.4.B. Screening fences shall be a minimum height of six feet and may be comprised of any of the following.

1. Solid masonry or thin wall
2. Combination of masonry and metal (of a style similar to wrought iron)
3. A 6-foot high board on board wood fence on metal posts extending along the west side of the single family attached development.
3. Plans for screening fences and entry monumentation shall be submitted to the Director of Development for approval and for determination of acceptable distance for fence extensions into side lot lines as required in Section II.4.A. Such plans shall be included with the engineering plans at time of final platting.

II.4.C. Any use of metal shall be accompanied by shrubbery in front of such metal. Shrubby when planted shall be a minimum size of five gallons placed on 36-inch centers.

II.4.D. The use of berms with the placement of fences on top may be used to reduce the height of the fence to a minimum height of four feet through an allowed one foot reduction in height for every one foot of height of berm so that the minimum height of the combined berm and fencing is six feet. The maximum slope of any berms shall be 3:1 unless it is being retained on the private property side of the berm by a retaining wall.

II.4.E. Trees of a minimum caliper of three inches shall be placed a maximum of every 50 lineal feet on center along all thoroughfares designated as an arterial or collector street.

III.5. PUBLIC AMENITIES

III.5.A Water Feature - The applicant shall provide on site detention of storm water as a permanent water feature and maintain a minimum water surface elevation as determined by the Public Works Department. The water feature shall be furnished with adequate aeration equipment.

III.5.B. Walking Paths – On the perimeter of the water feature, the applicant shall construct a six (6) foot wide concrete walking path which shall connect to public street sidewalks at three separate locations. Four bench seating areas shall be provided along the walking paths. Paths will also include year round landscaping, grass sodded areas and areas for seasonal planting. Trash receptacles shall also be provided at the seating areas.

III.5.D. Pavilion Meeting Area – A pavilion structure shall be constructed adjacent to the walking path, and public right of way for use by the community.

III.6. HOMEOWNERS ASSOCIATION AND/OR PUBLIC IMPROVEMENT DISTRICT

III.6.A. A mandatory homeowners association and/or a public improvement district (“PID”) shall be created for the maintenance of public amenities specified in the Planned Development ordinance. The association and/or the PID, at its expense, shall also maintain street entry features, fencing, irrigation, and other common areas within the subject property. Water for irrigation purposes shall be separately metered.

IV.

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

V.

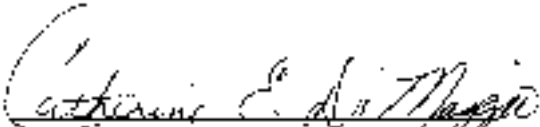
That this Ordinance shall be in full force and effect from and after its passage and approval.

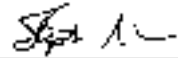
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, this 20th day of August 2002.


Mayor, Grand Prairie, Texas

ATTEST:

APPROVED AS TO FORM:


Catherine E. DiMaggio, City Secretary



City Attorney

EXHIBIT 'A'**LEGAL DESCRIPTION:**

BEING a tract of land located in the THOMAS J.TONE SURVEY, ABSTRACT NO. 1460, Grand Prairie, Dallas County, Texas and being a part of a tract of land described in Deed to Sidney E. Seider, recorded in Volume 99175, Page 6762, Deed Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point in the West line of Robinson Road at the Southeast corner of said Seider tract;

THENCE South 82 degrees 59 minutes 02 seconds West, a distance of 2,633.27 feet to a point for the Southwest corner of said Seider tract;

THENCE North 00 degrees 07 minutes 40 seconds West, a distance of 931.40 feet to a point for corner;

THENCE North 00 degrees 12 minutes 28 seconds West, a distance of 677.12 feet to a point for corner at the beginning of a non-tangent curve to the right having a central angle of 04 degrees 19 minutes 28 seconds, a radius of 1,812.48 feet, and a chord bearing and distance of South 75 degrees 33 minutes 30 seconds East, 136.76 feet;

THENCE Easterly, along said curve to the right, an arc distance of 136.80 feet to a point for corner;

THENCE South 73 degrees 23 minutes 46 seconds East, a distance of 1,843.35 feet to a point for corner at the beginning of a curve to the left having a central angle of 09 degrees 42 minutes 07 seconds, a radius of 1,522.45 feet and a chord bearing and distance of South 78 degrees 14 minutes 50 seconds East, 257.49 feet;

THENCE Easterly, along said curve to the left, a distance of 257.80 feet to a point for corner;

THENCE South 04 degrees 27 minutes 47 seconds East, a distance of 353.72 feet to a point for corner;

THENCE North 85 degrees 40 minutes 30 seconds East, a distance of 300.02 feet to a point for corner in the said West line of Robinson Road, said point being in a nontangent curve to the left having a central angle of 25 degrees 40 minutes 36 seconds, a radius of 517.46 feet, and a chord bearing and distance of South 17 degrees 18 minutes 05 seconds East, 229.96 feet;

THENCE Southerly, along said West line and said curve to the left, an arc distance of 231.90 feet to a point for corner;

THENCE South 30 degrees 08 minutes 23 seconds East, continuing along said West line, a distance of 143.37 feet to the **POINT OF BEGINNING** and containing 2,640,740 square feet or 60.623 acres of land.

Exhibit 'B'

