

ORDINANCE NO. 6713
PLANNED DEVELOPMENT NO. 275
CASE NO. Z020903

AN ORDINANCE AMENDING THE ZONING MAP AND ORDINANCE TO REZONE A 7.527 ACRE TRACT OF LAND SITUATED IN THE EDWARD B. WOOTEN SURVEY, ABSTRACT NO. 1519, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, GENERALLY LOCATED ON THE SOUTHWEST CORNER OF FREETOWN ROAD AND CORN VALLEY ROAD, **FROM SINGLE FAMILY-THREE (SF-3) AND A PORTION OF PLANNED DEVELOPMENT DISTRICT NO. 14, TO A PLANNED DEVELOPMENT FOR MULTI FAMILY RETIREMENT HOUSING 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 **Single Family-Three (SF-3) and a Portion of Planned Development District No. 14 to a Planned Development for Multi Family Retirement Housing uses;** and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on September 23, 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 **Single Family-Three (SF-3) and a Portion of Planned Development District No. 14 to a Planned Development for Multi Family Retirement Housing 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 October 1, 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 its classification of **Single Family-Three (SF-3) and a Portion of Planned Development District No. 14 to a Planned Development for Multi Family**

Retirement Housing uses 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-Three (SF-3) and a Portion of Planned Development District No. 14 to a Planned Development for Multi Family Retirement Housing uses** within the area as described by metes and bounds and as shown on the attached Exhibit "A" incorporated herein by reference:

Tract 4

Being a certain 3.713 acre tract of land situated in the Edward B. Wooten Survey Abstract No. 1519, City of Grand Prairie, Dallas County, Texas and being more particular described as follows:

Commencing at an X found in the concrete for the southwest corner of the intersection south line of Freetown Road with the west line of Corn Valley Road;

Thence South 00 Degrees 31 Minutes and 42 Seconds East with the west line of Corn Valley Road for a distance of 310.62 feet to the **Point of Beginning** of herein described 3.713 acre tract;

Thence South 00 Degrees 31 Minutes and 42 Seconds East with the west line of Corn Valley Road for a distance of 337.84 feet to a ¼ inch iron rod in concrete found at the intersection of the west line of said Corn Valley Road with the center of an improved street called Twelve Oaks Drive (Private Street);

Thence South 89 Degrees 28 Minutes 18 Seconds West, along the center of said street for a distance of 35.0 feet to a 5/8 iron rod found at the beginning of a curve to the right;

Thence in a northwesterly direction with the center of said Twelve Oaks Drive and with said curve to the right having a radius of 560.0 feet and through a central angle of 19 Degrees 31 Minutes 44

Seconds for an arc length of 190.87 feet to a ½ inch iron rod found at the point of beginning of a reverse curb to the left;

Thence continuing with the center of said Twelve Oaks Drive and with said curve to the left having a radius of 560.0 feet and through a central angle of 18 Degrees 56 Minutes 14 Seconds for an arc length of 185.09 feet to a ½ inch iron rod found at the end of said curb;

Thence North 89 Degrees 56 Minutes 12 Seconds West, continuing with the center Twelve Oaks Drive for a distance of 118.31 feet to a ½ inch iron rod found at the beginning of a curve to the right;

Thence continuing with the center of said Twelve Oaks Drive and with said curve to the right having a radius of 500.0 feet, and through a central angle of 1 Degree 40 Minutes 09 Seconds and for an arch length 14.57 feet to a point for a corner;

Thence North 00 Degrees 19 Minutes 49 Seconds West, with the west line of said 3.713 acre tract for a distance of 275.44 feet to a ½ inch found iron rod at the southeast corner of a certain called 3.0 acre tract described in deed to Security Company Trustee recorded in Volume 82043, Page 1678, of the Deed Records of Dallas County, Texas;

Thence North 89 Degrees 51 Minutes 20 Seconds East, for a distance of 535.54 feet to the **Point of Beginning** and containing 161,738 square feet or 3.713 acres of land, more or less.

Tract 5

Being a certain 3.814 acre tract of land situated in the Edward B. Wooten Survey, Abstract No. 1519, City of Grand Prairie, Dallas County, Texas and being more particularly described as follows;

Beginning at an X found in the concrete for the southwest corner of the intersection of the south line of Freetown Road with the west line of Corn Valley Road;

Thence South 00 Degrees 31 Minutes 42 Seconds East with the west line of said Freetown Road for a distance of 310.62 feet to a point for corner;

Thence South 89 Degrees 51 Minutes 20 Seconds West for a distance of 535.54 feet to a ½ inch found iron rod at the southeast corner of a certain called 3.0 acre tract described in deed to Security Company Trustee recorded in Volume 82043, Page 1678, of the Deed Records of Dallas County, Texas;

Thence North 00 Degrees 19 Minutes 49 Seconds West with the east line of said 3.0 acre tract for distance of 310.52 feet to a ½ inch iron found for the northeast corner of said 3.0 acre tract and being in the south line of said Freetown Road;

Thence North 89 Degrees 50 Minutes 43 Seconds east with the south line of said Freetown Road for a distance of 534.46 feet to the **Point of Beginning** and containing 166,154 square feet or 3.814 acres of land, more or less.

II.

DEVELOPMENT STANDARDS

All development must meet the minimum requirements of the Multi-Family 2 (MF-2) zoning district except as detailed below. A final plat of this site must be filed prior to building permits being issued. A Planned Development Site Plan shall be reviewed and approved by the City prior to the issuance of any building permits.

1. PERMITTED USES

- A. Those uses involving the operation of multi family buildings specifically designed for the housing of retired senior citizens. Establishments engaged in the operation of commercial apartment buildings, hotels, commercial rooming and boarding houses, or similar types of transient lodging is prohibited.
- B. Accessory uses related and ancillary to the primary use shall be permitted under the following conditions:
 - a. Only those uses that serve the resident public and related individuals. Such uses may include, but not be limited to, medical and nursing services, convenience retail and gift shops, transportation services, concierge and related office uses.
 - b. Accessory uses are to be located inside the main building. Detached accessory structures will require site plan amendment and approval in accordance with the requirements of the Unified Development Code.
 - c. Accessory uses that primarily serve the non-resident public are not permitted. The establishment of such non-resident uses shall require an amendment to the Planned Development ordinance as determined by the Director of Development or appointed designee.

2. HEIGHT REGULATIONS

No building shall exceed three (3) stories, or thirty-five (35) feet in height as measured to the midpoint of the highest roof span.

3. DENSITY AND DIMENSIONAL REQUIREMENTS

- A. Unit density shall not exceed 16.5 units per net acre. All units may be located in one building of a unified design and common architectural theme.
- B. Minimum Living Areas

Living areas shall be established by approval of a Planned Development Site Plan in accordance with the requirements of the Unified Development Code.

C. Minimum Front Yard

- a. A minimum building setback of 125-feet is required along Corn Valley Road.

D. Minimum Side Yard

- a. A minimum building setback of 160-feet is required along Freetown Road.
- b. A minimum building setback of 90-feet is required along Twelve Oaks Boulevard as measure from the centerline of said Boulevard at its intersection with the west line of Corn Valley Road.

E. Minimum Rear Yard

- a. A minimum building setback of 90-feet is required along the west property line.

4. FENCING AND LANDSCAPING

- A. A 6-foot high tubular steel fence is required along all perimeter lot lines with brick columns placed every 30-feet on center. Steel columns are to be placed in between the brick columns every 10-feet on center. Access gates shall not be required at drive approaches. Such fence cannot be constructed within the visibility triangle at street corner intersections.
- B. Landscaping requirements shall comply with Article VIII, “Landscaping and Screening” of the Unified Development Code.
- C. All new landscape construction must be irrigated and maintained in a healthy state and be devoid of weeds or unplanned vegetation. All dead landscape materials must be promptly removed and replaced as required.
- D. Existing on-site trees to be preserved for landscape credits shall be documented on the Planned Development Site Plan. Such trees shall be of a species listed in Exhibit 2 of Article VIII, “Landscaping and Screening” of the Unified Development Code.
- E. Additional street trees shall be required along Freetown Road and Corn Valley Road to supplement existing tree species that are to be preserved in accordance with Section 3.D. of this Ordinance. A designated street tree shall be required every 50-feet of street frontage and may be composed of a combination of existing credited species and new trees. All required street trees shall be documented on the Planned Development Site Plan.

5. PARKING

- A. All parking shall be surface parking provided at a ratio one space per dwelling unit.
- B. A minimum of 28 parking spaces shall be covered parking constructed with an architecturally compatible structure approved on the Planned Development Site Plan.

6. OTHER DEVELOPMENT REQUIREMENTS

A. Exterior walls to be constructed of 80% brick masonry or stone.

IV.

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

V.

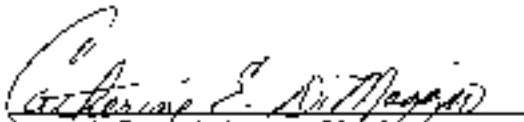
That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, this the 1st day of October, 2002.




Mayor, Grand Prairie, Texas

ATTEST:



Catherine E. DiMaggio, City Secretary

APPROVED AS TO FORM:



City Attorney

Zoning Case No. 2020903

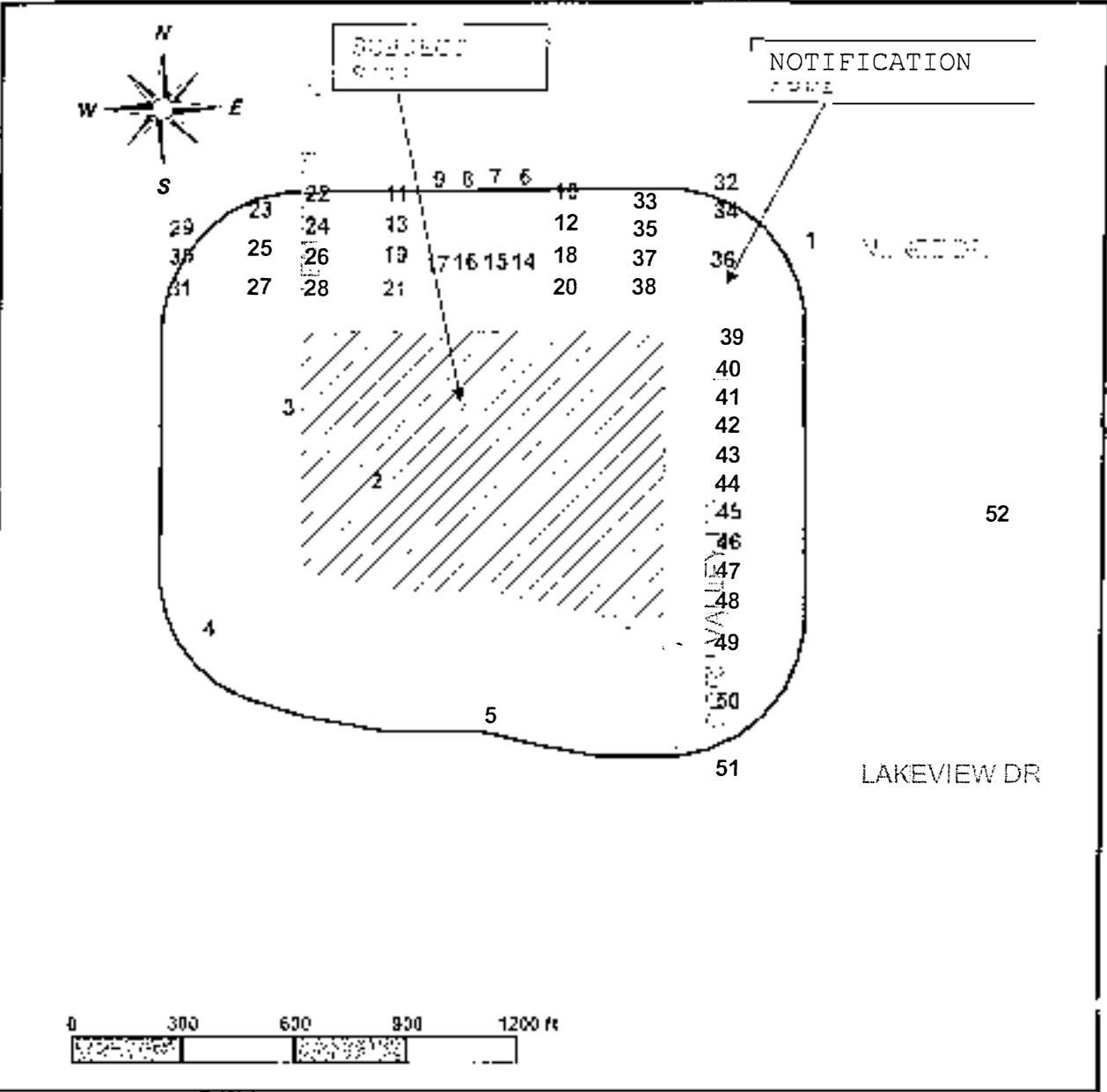


Exhibit A

Cross Hatched Area Indicates Subject Property

Z020903

Zoning Change
From Single Family 3 (SF-3) to a PD for a 3 Story 124 unit retirement community.