

ORDINANCE NO. 6812
PLANNED DEVELOPMENT NO. 286
CASE NO. Z020302

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE A 9.979-ACRE TRACT OUT OF THE WEST THOMPSON SURVEY, ABSTRACT NO. 1558, BEING A PART OF LOT 5, BLOCK 1, GREENPOINT CENTER PHASE II, AN ADDITION TO THE CITY OF GRAND PRAIRIE, TEXAS RECORDED IN VOLUME 388-205, PAGE 80, OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS, GENERALLY LOCATED SOUTH OF PIONEER PARKWAY (STATE HIGHWAY 303) AND EAST OF GREAT SOUTHWEST PARKWAY, **FROM “LI” LIGHT INDUSTRIAL DISTRICT TO A PLANNED DEVELOPMENT FOR MULTI FAMILY RESIDENTIAL USES**; SAID ZONING MAP AND ORDINANCE BEING 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 **“LI” Light Industrial District to a Planned Development for Multi Family Residential Uses**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on February 24, 2003 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 5 to 1 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned from its classification of **“LI” Light Industrial District to A Planned Development for Multi Family 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 March 11, 2003 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 “**LI**” **Light Industrial District** 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 “**LI**” **Light Industrial District to a Planned Development for Multi Family Residential Uses:**

PROPERTY DESCRIPTION

Being a tract of and situated in the City of Grand Prairie Tarrant County, Texas and in the West Thompson Survey, Abstract No. 1558, being part of Lot 3 and all of Lot 5, Block 1, Greenpoint Center Phase II, an addition to the City of Grand Prairie, Tarrant County, Texas recorded in Volume 388-205, Page 67, of the Plat Records of Tarrant County, Texas and part of Lots 4-R and 7, Block 1, Greenpoint Center Phase II, an addition to the City of Grand Prairie, Tarrant County, Texas recorded in Volume 388-207, Page 80, of the Plat Records of Tarrant County, Texas, and being more particularly described a follows:

BEGINNING at a 1/2" iron rod set with cap stamped “Precise Land Surv.” on the south right-of-way line of State Highway Spur 303 (130' right-of-way) being the northeast corner of said Lot 3 and being the most northerly northwest corner of said Lot 4-R;

THENCE South 83 degrees 27 minutes 00 seconds East, with the north line of said Lot 4-R and said south right of way line, a distance of 579.63 feet to a 1/2" iron rod set with cap stamped "Precise Land Surv." at an angle point in said right of way;

THENCE South 66 degrees 45 minutes 00 seconds East, with said south right of way line a distance of 52.38 feet to a 1/2" iron rod found being the northeast corner of said Lot 4-R and being the northwest corner of The Haystack, an addition to the City of Grand Prairie, Tarrant County, Texas recorded in Volume 388-152, Page 44 of the Plot Records of Tarrant County, Texas;

THENCE South 06 degrees 55 minutes 25 seconds West, with the common line of said Lot 4-R and said Haystack addition, a distance of 156.09 feet to a 1/2" iron rod found;

THENCE South 52 degrees 00 minutes 25 seconds West, with said common line a distance of 550.31 feet to a 1/2" iron rod set with cap stamped "Precise Land Surv.";

THENCE South 65 degrees 28 minutes 25 seconds West, with said common line passing at a distance of 31.42 feet a 60D nail found being the southwest corner of said Haystack addition and, being the north corner of Lot 1, Strickler Acres, an addition to the City of Grand Prairie, Tarrant County, Texas recorded in Volume 388-198, Page 15 of the Plat Records of Tarrant County, Texas and being the northwest corner of Lot 1, Block F, Forum Terrace, an addition to the City of Grand Prairie, Tarrant County, Texas recorded in Volume 388-118, Page 49 of the Plat Records of Tarrant County, Texas, continuing with the common line of said Lot 4-R and Lot 1, Strickler Acres, and Lot 17 Block F, Forum Terrace a total distance of 208.67 feet (deed calls 210.18 feet) to a 1/2" iron rod set with cap stamped "Precise Land Surv." from which a 1/2" iron rod found bears South 29 degrees 20 minutes 39 seconds East, a distance of 1.67 feet, said set iron rod being on the east line of Site 1-D Block A, Forum Industrial Park, an addition to the City of Grand Prairie, Tarrant County, Texas recorded in Volume 388-139, Page 60 of the Plot Records of Tarrant County, Texas, being the south corner of said Lot 4-R and the northwest corner of said Lot 17,

THENCE North 00 degrees 08 minutes 55 seconds East, with the common line of said Lot 4-R and Site 1-D a distance of 26.36 feet (plat calls 27.51 feet) to a point from which a 1/2" iron rod found bears North 00 degrees 08 minutes 55 seconds East, a distance of 0.48 feet, said point being an ell corner of said Lot 4-R and being the northeast corner of said Site 1-D;

THENCE South 89 degrees 44 minutes 46 seconds West, with the common line of said Lot 4-R and Site 1-D and Site 2, Block A, passing at a distance of 257.44 feet a 1/2" iron rod found being the most southerly southwest corner of said Lot 4-R and being the southeast corner of said Lot 5, Greenpoint Center Addition, continuing with the common line of said Site 2 and Lot 5 a total distance of 497.44 feet to a 1/2" iron rod set with cap stamped "Precise Land Surv." on the east right of way line of Great Southwest Parkway being the southwest corner of said Lot 5 and being the northwest corner of said Site 2;

THENCE North 14 degrees 00 minutes 00 seconds East, with said east right of way line, a distance of 150.50 feet to a ½” iron rod set with cap stamped "Precise Land Surv." at the beginning of a curve to the left;

THENCE with said east right of way line and said curve to the left on arc distance of 50.33 feet, having a radius of 1014.93 feet, a delta angle of 02 degrees 50 minutes 29 seconds, a chord bearing of North 12 degrees 34 minutes 46 seconds East to a 1/2" iron rod set with cop stomped "Precise Land Surv." on the west line of said Lot 4-R;

THENCE North 89 degrees 44 minutes 46 seconds East, a distance of 220.89 feet to a 1/2" iron rod set with cap stamped "Precise Land Surv.”;

THENCE North 02 degrees 22 minutes 29 seconds East, passing at 98.12 feet the southeast corner of Lot 6 said Greenpoint Center Addition and with the common line of said Lots 4-R and 6 passing at 200.23 feet the common east corner of said Lots 6 and 7, a total distance of 312.99 feet to a 1/2 inch iron rod set with cap stamped "Precise Land Surv." on the common line of said Lot 7 and Lot 2-R of Greenpoint Center Addition, recorded in Volume 388-215, Page 83, said Plat Records;

THENCE South 83 degrees 27 minutes 00 seconds East, with said common line, passing at 82.69 feet the common east corner of said Lots 7 and 2-R and the west line of said Lot 3, a distance of 217.69 feet to a 1/2" iron rod set with cop stomped "Precise Land Surv." on the common line of said Lots 3 and 4-R;

THENCE North 06 degrees 33 minutes 00 seconds East, with said common line a distance of 160.00 feet to the **Point of Beginning** containing 434.685 square feet or 9.979 acres of land.

II.

Development Standards

Development of the subject property shall be in accordance with and conform to the City of Grand Prairie Unified Development Code (UDC) for all development regulations pertaining to the “MF-2” District unless otherwise specified herein.

1. Land use density shall not exceed 18 units per net acre. Net acreage is defined as land area exclusive of flood plain areas and public right-of-way dedications.
2. All units sizes shall be in conformance with those specified in Article VI of the UDC as presented below:
 - a. 1-bedroom – 690 Square feet
 - b. 2-bedroom – 980 Square feet
 - c. 3-bedroom – 1,100 Square feet

3. Building set back along State Highway Spur 303 shall be no less than 85-feet.
4. Building set back along Great Southwest Parkway shall be no less than 60-feet.
5. Parking garages shall be provided for 60% of all units. Garage parking shall be directly accessible to the main building in which the apartment unit is located. Detached garage structures are not permitted. A minimum of 8% of all garage spaces shall be directly accessible to the living area of an apartment unit.
6. Covered parking spaces shall be provided for 70% of all units. Covered parking structures shall be architecturally enclosed on three sides by a brick or stone masonry material. The roof structure for covered parking spaces shall be constructed of a similar roofing material used for the main residential building. A flat roof design is not permitted for covered parking spaces.
7. Ten percent (10%) of all required parking spaces shall be dedicated as guest parking in accordance with the provisions of the UDC and shall be located adjacent to the clubhouse facility.(Article 10.7.4.E UDC)
8. FENCING AND LANDSCAPING
 - 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. All gates shall be installed with an opticom device or similar entry device approved by the Fire Department to facilitate emergency access (Article 11.13.1 UDC). Provision for a turnaround must be provided prior to the gate. 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 Street trees shall be required along Great Southwest Parkway and State Highway Spur 303 every 50-foot on center of street frontage. A 25-foot wide landscape buffer is required along these same street frontages.
9. All exterior wall surfaces to be constructed of 80% brick masonry or stone.
10. No more than 50% of the non-masonry portion of an exterior wall shall be composed of wood siding or a processed wood type of siding material.

- 11. Prior to issuance of a building permit, commencement of construction or development, a planned development site plan shall be approved by the City Council.

III.

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


IV.

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 11th day of March 2003.


 Mayor, Grand Prairie, Texas

ATTEST:


 Catherine E. DiMaggio, City Secretary

APPROVED AS TO FORM:


 Stephen R. Alcorn, Assistant City Attorney

Zoning Case No. Z020302

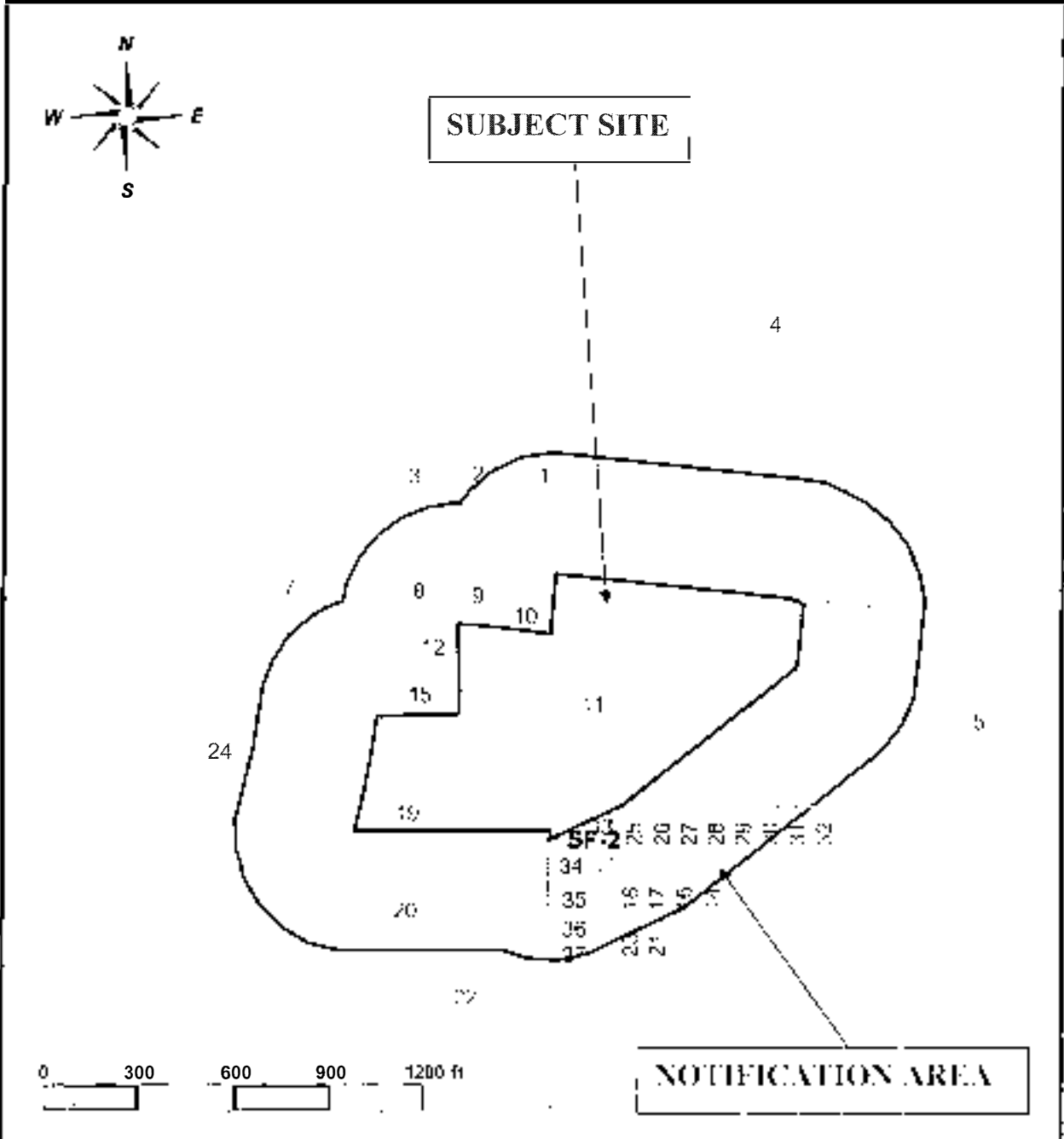


Exhibit "A"

Cross Hatched Area Indicates Property Being Zoned

Z020302

Zoning Change
Chase Oaks II Apartment Community