

ORDINANCE NO. 6841
PLANNED DEVELOPMENT NO. 288
CASE NO. Z030103

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE A 32.1958-ACRE TRACT OF LAND OUT OF THE CHARLES D. BALL SURVEY, ABSTRACT NO. 1699, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, GENERALLY LOCATED SOUTH OF THE FUTURE ALIGNMENT OF FORUM DRIVE AND EAST OF THE FUTURE ALIGNMENT OF SARA JANE PARKWAY, FROM PLANNED DEVELOPMENT DISTRICT NO. 29 FOR GENERAL RETAIL USES TO A PLANNED DEVELOPMENT FOR MULTI FAMILY RESIDENTIAL AND GENERAL RETAIL 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 (the zoning area) from its classification of **Planned Development District No. 29 for General Retail uses to a Planned Development for Multi Family Residential and General Retail uses**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on April 28, 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 8 to 0 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property (the zoning area) be rezoned from its classification of **Planned Development District No. 29 for General Retail uses to a Planned Development for Multi Family Residential and General Retail 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 May 6, 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 (the zoning area), 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 **Planned Development District No. 29 for General Retail uses to a Planned Development for Multi Family Residential and General Retail 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 **Planned Development District No. 29 for General Retail uses to a Planned Development for Multi Family Residential and General Retail uses** within the zoning area described as shown on the attached Exhibit “A” incorporated herein by reference.

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, the “GR” District, and the IH-20 Corridor Overlay District unless otherwise specified herein. Multi-family development shall be constructed

to the following standards:

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. 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 10% of all required garage spaces shall be directly accessible to the living area of an apartment unit.
4. 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.
5. 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)
6. Fencing and Landscaping
 - a. 6-foot high wrought iron type fence is required along all perimeter lot lines. Brick columns shall placed every 30-feet on center for fences fronting Sara Jane Parkway and Forum Drive. 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 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 Sara Jane Parkway and Forum Drive

every 50-foot on center of street frontage and be placed no closer than 8-feet from

the back of curb. A 25-foot wide landscape buffer is required along these same street frontages.

- 7. All exterior wall surfaces to be constructed of 90% brick masonry material. Ten percent (10%) of the 90% masonry requirement is to be a stone type material.
- 8. 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.
- 9. Minimum roof pitch shall be 6:12 with 8:12 accents spaced periodically throughout the roof line that highlight specific architectural features within the building facade
- 10. Prior to issuance of a building permit, commencement of construction or development, a Planned Development Site Plan shall be approved by the Planning and Zoning Commission and City Council.
- 11. Units per building shall be established by approval of a Planned Development Site Plan by the Planning and Zoning Commission and City Council.
- 12. Interior drives serving parking areas shall be aligned in a curvilinear pattern. Such alignment pattern shall be approved at time of Planned Development Site Plan approval.

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 6TH DAY OF MAY 2003.


 Mayor, Grand Prairie, Texas

ATTEST:


 City Secretary

APPROVED AS TO FORM:


 City Attorney

Zoning Case No. Z030103

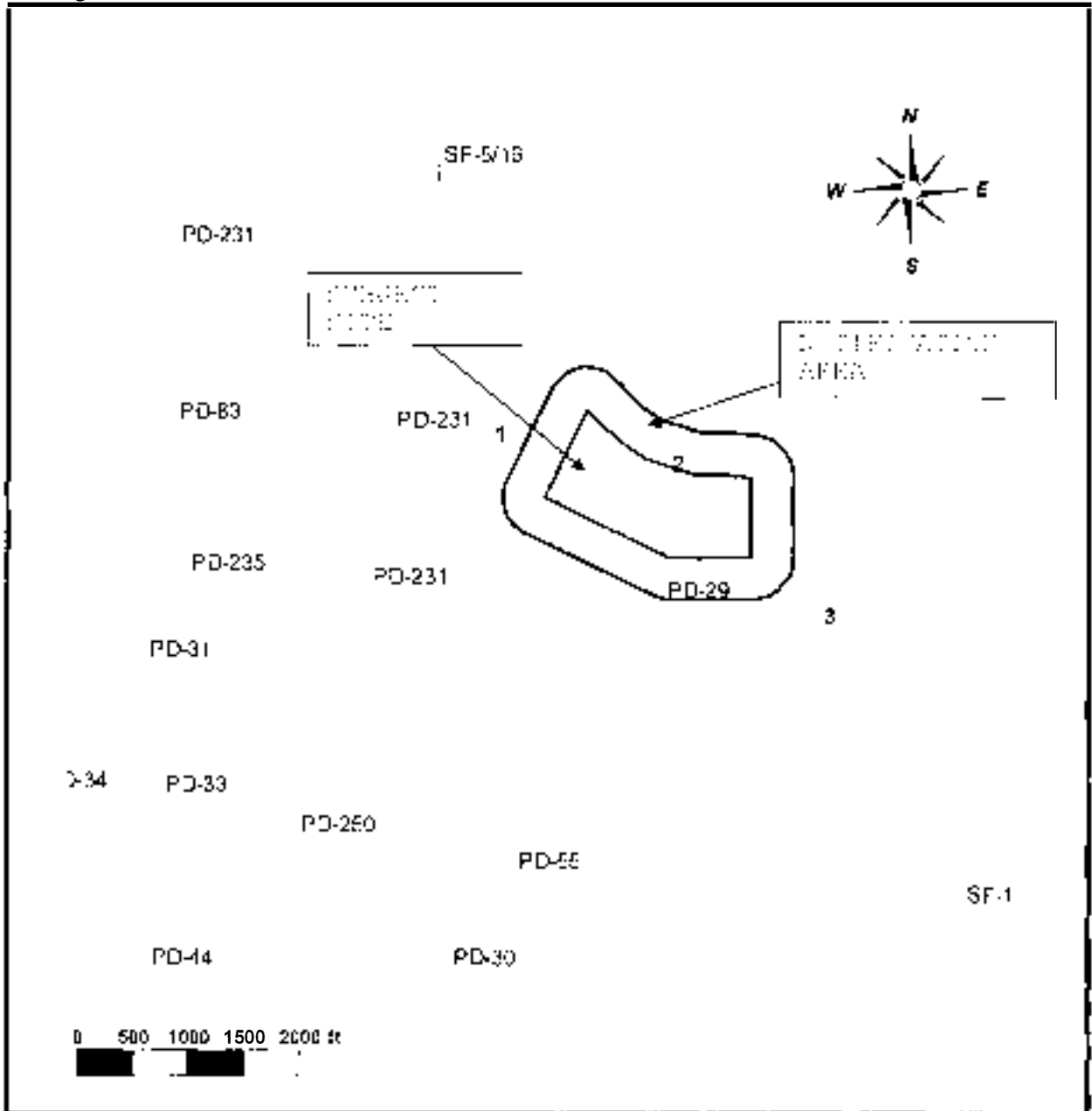


Exhibit "A"

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Cross Hatched Area Indicates Zoning Area

Z030103

Zoning Change

Zoning Change

From PD-29 General Retail Uses to a Planned Development for Multi Family Uses

Exhibit "A"

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BEING A 32.1958 ACRE TRACT OF LAND IN THE CHARLES D. BALL SURVEY, ABSTRACT NO. 1699, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS AND BEING PART OF A TRACT OF LAND CONVEYED TO TOMMY JOE WINN AND LELAND GJETLEY, BY DEED RECORDED IN VOLUME 94053, PAGE 3064, DEED RECORDS, DALLAS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERNLY CORNER CLIP AND AT THE WEST END OF SAID CLIP OF THE INTERSECTION OF THE WEST LINE OF PROPOSED SARA JANE (A PROPOSED 81 FOOT RIGHT OF WAY) AND SOUTH LINE OF PROPOSED FORUM DRIVE (A PROPOSED 90 FOOT RIGHT OF WAY), SAID POINT BEING THE MOST SOUTHERNLY AND WESTERLY END OF SAID RIGHT OF WAY CLIP OF A 1.660 ACRE TRACT OF LAND TO THE CITY OF GRAND PRAIRIE BY DEED RECORDED IN VOLUME 2002079, PAGE 39, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 85 DEGREES 09 MINUTES 50 SECONDS EAST ALONG SAID CORNER CLIP TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 04 DEGREES 28 MINUTES 30 SECONDS, A RADIUS OF 1005.00 FEET, A CHORD BEARING OF SOUTH 50 DEGREES 49 MINUTES 21 SECONDS EAST AND A CHORD DISTANCE OF 78.47 FEET;

THENCE THE FOLLOWING COURSES AND DISTANCES WITH THE PROPOSED SOUTH LINE OF FORUM DRIVE:

- SOUTHEASTERLY, ALONG SAID CURVE AN ARC DISTANCE OF 78.49 FEET TO THE POINT OF TANGENCY AT THE BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 33 DEGREES 39 MINUTES 58 SECONDS, A RADIUS OF 2045.00 FEET, A CHORD BEARING OF SOUTH 64 DEGREES 52 MINUTES 03 SECONDS EAST AND A CHORD DISTANCE OF 1184.40 FEET;
- SOUTHEASTERLY, ALONG SAID CURVE AN ARC DISTANCE OF 1184.40 FEET TO A POINT FOR A CORNER;

THENCE SOUTH 00 DEGREES 36 MINUTES 52 SECONDS EAST, DEPARTING THE SOUTH LINE OF PROPOSED FORUM DRIVE, A DISTANCE OF 850.92 FEET TO A POINT FOR A CORNER;

THENCE NORTH 89 DEGREES 23 MINUTES 08 SECONDS EAST, A DISTANCE OF 683.06 FEET TO A POINT FOR A CORNER;

THENCE NORTH 51 DEGREES 16 MINUTES 35 SECONDS WEST, A DISTANCE OF 1260.09 FEET TO A POINT FOR A CORNER IN THE EAST LINE OF PROPOSED SARA JANE;

THENCE, NORTH 38 DEGREES 43 MINUTES 25 SECONDS EAST, WITH THE SOUTH LINE OF PROPOSED SARA JANE, A DISTANCE OF 813.54 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,402,449 SQUARE FEET OR 32.1958 ACRES OF LAND.