

AN ORDINANCE AMENDING THE ZONING MAP AND ORDINANCE TO REZONE A 38.125 ACRE TRACT OF LAND SITUATED IN THE HENRY COCKER SURVEY, ABSTRACT NO. 1703 AND THE MICHAEL FARRENS SURVEY, ABSTRACT NO. 1709, DALLAS COUNTY, CITY OF GRAND PRAIRIE, TEXAS, THE MICHAEL FARRENS SURVEY, ABSTRACT NO. 527 AND THE HENRY COCKER SURVEY, ABSTRACT NO. 334, TARRANT COUNTY, CITY OF GRAND PRAIRIE, TEXAS, GENERALLY LOCATED AT THE NORTHWEST CORNER OF WEST NORTH CARRIER PARKWAY AND ROY ORR BOULEVARD, **FROM OFFICE DISTRICT (O), MULTI-FAMILY-2 DISTRICT (MF-2) AND NEIGHBORHOOD SERVICE DISTRICT (NS) TO A PLANNED DEVELOPMENT DISTRICT FOR SINGLE FAMILY-TOWNHOUSE (SF-T) RESIDENTIAL USES AND NEIGHBORHOOD SERVICE DISTRICT (NS) 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 (the zoning area) from its classification as follows:

From Office District (O), Multi-Family-2 District (MF-2) and Neighborhood Service District (NS) to a Planned Development District for Single Family-Townhouse (SF-T) Residential Uses and Neighborhood Service District (NS) Uses, and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on June 23, 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 6 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 as follows:

From Office District (O), Multi-Family-2 District (MF-2) and Neighborhood Service District (NS) to a Planned Development District for Single Family-Townhouse (SF-T) Residential Uses and Neighborhood Service District (NS) 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 July 1, 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 as follows:

From Office District (O), Multi-Family-2 District (MF-2) and Neighborhood Service District (NS) to a Planned Development District for Single Family-Townhouse (SF-T) Residential Uses and Neighborhood Service District (NS) 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 above described area all within the zoning area as described as shown on the attached Exhibit "A" incorporated herein by reference.

II.

PERMITTED LAND USES

A. Two zoning land classifications are established within this Planned Development

District:

1. The use of land and buildings for single family townhouse residential uses shall conform to those requirements for the **Single Family-Townhouse (SF-T) District** as established in the Unified Development Code (UDC) except as otherwise specified herein.
2. The use of land and buildings within the **Neighborhood Service District (NS) District** shall be in accordance with all relevant use regulations established in the City of Grand Prairie Unified Development Code (UDC).

III.

DENSITY AND DIMENSIONAL REQUIREMENTS FOR SINGLE FAMILY-TOWNHOUSE USES

A. All townhouse development shall conform to all relevant requirements for the **Single Family-Townhouse (SF-T) District** as established in the Unified Development Code (UDC) except as otherwise specified below:

1. Maximum number of dwelling units not to exceed 320 with a maximum density not to exceed 12.5 units per acre.
2. Minimum unit size to be 1,150 square feet with seventy-five percent (75%) of all units to be greater than 1,300 square feet in area.
3. Minimum lot size to be 1,680 square feet.
4. Minimum lot width to be 21-feet.
5. Minimum lot depth to be 80-feet.
6. Minimum side yard setback facing an interior street to be 10-feet.
7. Minimum side yard setback facing an arterial street to be 20-feet.
8. Minimum rear yard to be 5-feet.

9. Minimum building separation to be 15-feet.
10. Maximum building height to be 35-feet to top plate of wall framing at the highest floor.
11. Maximum lot coverage to be 80%.

IV.

SUPPLEMENTAL DEVELOPMENT STANDARDS

- A. All development shall conform to all relevant provisions for the **Single Family-Townhouse (SF-T) District** and the **Neighborhood Service District (NS) District** as established in the Unified Development Code (UDC). In addition, the following supplemental development standards are established for the Planned Development District.
1. Each residential lot shall have access to a public street or private internal access drive and utility easement. The internal access drive and utility easement shall be dedicated as a separate lot on the final plat.
 2. Two garage-parking spaces shall be provided for all townhouse units. All garage spaces to be directly accessible to the main housing unit.
 3. Minimum eighty percent (80%) of all exterior wall surfaces shall be structurally designed for and constructed of masonry and/or stone. This percentage will be applied as a total of all exterior walls measured below the fascia board at the roof line, excluding doors, windows, boxed or bay windows, dormers, areas under covered porches one-story in height, and other architectural projections. Masonry shall be defined as stone or standard-size, full-width brick.
 4. A minimum 25% of the total masonry requirement for each residential cluster building shall be of a stone material of a size, shape and proportion that is different from standard-size, full-width brick. All building elevations for each residential cluster building submitted for site plan and building permit review shall include area and percentage tabulations broken down for brick and stone materials used. Total masonry content for each residential cluster building shall also be indicated.
 5. Repeat brick color shall not be used on consecutive residential cluster buildings.
 6. All exterior fireplace chimneys shall be 100% incased with a masonry or stone product. Hardi plank and stucco material, or derivations thereof, shall not be permitted as an exterior chimney enclosure.

7. Roof shingles to be 30-year warranty type with articulated ridge caps.
 8. Mailboxes serving townhouse units shall be centrally located within the Planned Development District and be constructed in accordance with a unified design standard utilized throughout the development. A mandatory property owners association shall be responsible for the maintenance of such mailboxes.
 9. Lot Landscaping
Each residence at the time of occupancy shall have the following minimum landscaping:
 - a. 1-three-inch caliper tree planted in front of each residence.
 - b. Tree species shall be in accordance with the City of Grand Prairie approved tree list contained in Article 8 of the Unified Development Code.
 - c. Front yard shrubs shall be provided for each residence in any size increment totaling a minimum of 30-gallons per residential lot.
 - d. Residential lots shall be fully sodded in accordance with the requirements of the Unified Development Code.
 10. A six (6) foot high masonry screening fence with a mortar bond finish on each side shall be provided along all thoroughfares designated as an arterial or collector street on the city's master thoroughfare plan. Articulated brick columns or pilasters shall be spaced along the fence at approximate 50 ft. centers.
 11. A six (6) foot high masonry screening fence with a mortar bond finish on each side shall be provided along the most northern and western property line of the approximate 2.1 acre parcel designated for Neighborhood Service District (NS) uses as shown on the attached Exhibit "B" incorporated herein by reference.
 12. A mandatory property-owners association shall be created for the maintenance of required masonry screening walls along arterial thoroughfares, street landscaping and irrigation, internal access drives, parks and other common areas within the Planned Development District. Association documents shall be reviewed by the City Attorney and be subject to approval by the City to insure that they conform to this and other applicable City ordinances and concerns. The documents shall be filed of record prior to approval of the final plat.
 13. Existing trees located within the designated 100-year flood plain of the West Fork of the Trinity River are to be preserved and remain undisturbed by any construction activity occurring within the zoning area.
- B. Final Planned Development Site Plan approval is required for the Single Family-

Townhome (SF-T) District and the Neighborhood Service District (NS) District.

1. A Planned Development Site Plan shall be reviewed and approved by the City prior to the issuance of any building permits for development within the Planned Development District. All site plan submittals shall conform to the requirements specified in Article 16 of the Unified Development Code. The Planning and Zoning Commission and City Council reserve the right to table or deny any site plan application that does not meet submittal requirements.
- C. Development within the Planned Development District shall be in substantial conformance with the attached Concept Plan as shown on the attached Exhibit "B" incorporated herein by reference. City of Grand Prairie staff may administratively approve minor amendments to the street pattern and lot layout.

V.

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

VI.

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 15th day of July, 2003.

MAYOR
City of Grand Prairie, Texas

ATTEST:

City Secretary

APPROVED AS TO FORM AND LEGALITY:

City Attorney

Zoning Case No. Z030401

EXHIBIT ALEGAL DESCRIPTION OF THE LAND

BEING a tract of land out of the HENRY COCKER SURVEY, Abstract No. 1703 and the MICHAEL FARRENS SURVEY, Abstract No. 1709 in the City of Grand Prairie, Dallas County, Texas, the MICHAEL FARRENS SURVEY, Abstract No. 527 and the HENRY COCKER SURVEY, Abstract No. 334 in the City of Grand Prairie, Tarrant County, Texas, being the 38.23 acre tract of land described in deed to Jack Pague, recorded in Volume 13106, Page 549 of the Deed Records of Tarrant County, Texas and recorded in Volume 82004, Page 2945 of the Deed Records of Dallas, County, Texas and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the north right-of-way line of Carrier Parkway (100' ROW) for the southeast corner of Lot 2, Block 1 of the TOPSY ADDITION, an addition to the City of Grand Prairie according to the plat thereof recorded in Volume 388-203, Page 5 of the Plat Records of Tarrant County, Texas;

THENCE with the east line of said Lot 2 and the east line of Lot 1, Block 1 of said TOPSY ADDITION, North 00°09'32" East, a distance of 778.30 feet to a 5/8" iron rod set with a plastic cap stamped "KHA" (hereinafter called 5/8" iron rod set), from which a fence corner found bears South 80°11' West, 4.5 feet;

THENCE with the north line of said TOPSY ADDITION, North 89°29'21" West, a distance of 209.02 feet to a 5/8" iron rod set for an ell corner in the east line GREAT SOUTHWEST INDUSTRIAL COMMUNITY No. 7, an addition to the City of Grand Prairie according to the plat thereof recorded in Volume 388-140, Page 27 of the Plat Records of Tarrant County, Texas, from which a 1/2" iron rod found bears North 60°08' East, 7.8 feet;

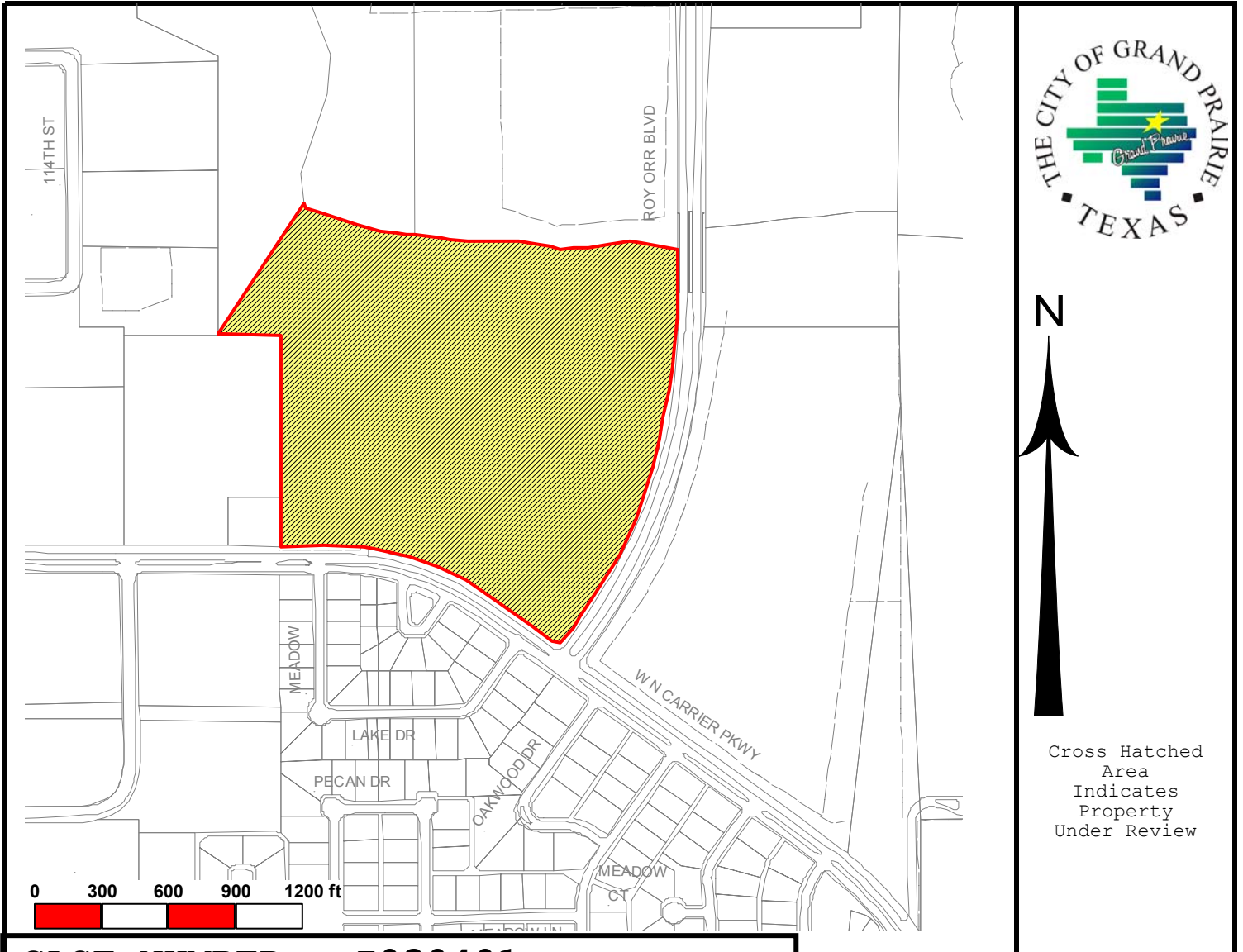
THENCE leaving the north line of said TOPSY ADDITION, North 35°18'50" East, passing a 5/8" iron rod set at a distance of 310.00 feet, in all a total distance of 544.22 feet to a point in the Trinity River;

THENCE along the meanders of said Trinity River, the following courses and distances to wit:
 South 72°24'43" East, a distance of 228.56 feet to a point for corner;
 South 80°37'48" East, a distance of 209.15 feet to a point for corner;
 South 84°24'11" East, a distance of 241.33 feet to a point for corner;
 South 69°03'32" East, a distance of 224.24 feet to a point for corner;
 North 80°15'27" East, a distance of 175.88 feet to a point for corner;
 South 88°27'52" East, a distance of 232.28 feet to a point for corner in the west right-of-way line of Roy Orr Boulevard (variable width ROW);

THENCE with said west right-of-way, the following courses and distances to wit:
 South 00°35'06" West, a distance of 225.06 feet to a 5/8" iron rod set for corner;
 South 05°23'39" East, a distance of 167.36 feet to a 5/8" iron rod set from which a 1/2" iron rod found bears North 83°15'54" West, 3.2 feet;
 South 05°49'16" West, a distance of 192.85 feet to a 1/2" iron rod found for the beginning of a non-tangent curve to the right, having a central angle of 25°54'25", a radius of 1844.86 feet and chord bearing and distance of South 24°44'26" West, 827.09 feet;
 Southwesterly with said curve, an arc distance of 834.18 feet to a 5/8" iron rod set from which a 5/8" iron rod found bears South 47°35'21" East, 3.1 feet;
 South 38°41'27" West, a distance of 40.00 feet to a 5/8" iron rod set for the beginning of a tangent curve to the right, having a central angle of 87°45'23", a radius of 35.00 feet and chord bearing and distance of South 82°34'09" West, 48.52 feet, from which a 1/2" iron rod found bears South 61°02'30" East, 1.1 feet;
 Southwesterly said curve, an arc distance of 53.61 feet to a 5/8" iron rod found in the northeast right-of-way line of said Carrier Parkway;

THENCE with said northeast right-of-way line, the following courses and distances to wit:
 North 53°33'10" West, a distance of 244.81 feet to a 5/8" iron rod set for the beginning of a tangent curve to the left, having a central angle of 36°42'57", a radius of 954.46 feet and chord bearing and distance of North 71°54'39" West, 601.22 feet;
 Northwesterly with said curve, an arc distance of 611.63 feet to a 5/8" iron rod set for corner;
 South 89°43'53" West, a distance of 193.31 feet to the POINT OF BEGINNING and containing 38.125 acres of land

Exhibit "A"
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Cross Hatched Area Indicates Property Under Review

CASE NUMBER : Z030401
ZONING REQUEST - TOWNHOMES

CURRENT ZONING: MF-2 & NS

PROPOSED USE:

A request to change the zoning from Multi-Family - Two (MF-2) and Neighborhood Services (NS) to a Planned Development for Neighborhood Services (NS) and Single Family Townhomes (SF-T)

