

ORDINANCE NO. 7034
PLANNED DEVELOPMENT NO. 289B
CASE NO. Z040402

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 PLANNED DEVELOPMENT DISTRICT 289 FOR SINGLE FAMILY-TOWNHOUSE (SF-T) RESIDENTIAL USES AND PLANNED DEVELOPMENT DISTRICT AND 289A FOR GENERAL RETAIL-ONE (GR-1) USES TO A PLANNED DEVELOPMENT DISTRICT 289B FOR SINGLE FAMILY-TOWNHOUSE (SF-T) RESIDENTIAL USES, GENERAL RETAIL-ONE (GR-1) USES, AND SINGLE FAMILY DETACHED 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 (the zoning area) from its classification as follows:

From Planned Development District 289 for Single Family-Townhouse (SF-T) Residential Uses and Planned Development District 289A for General Retail-One (GR-1) Uses to a Planned Development District 289B for Single Family-Townhouse (SF-T) Residential Uses, General Retail-One (GR-1) Uses, and Single Family Detached Residential Uses, and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on April 26, 2004 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 as follows:

From Planned Development District 289 for Single Family-Townhouse (SF-T) Residential Uses and Planned Development District 289A for General Retail-One (GR-1) Uses to a Planned Development District 289B for Single Family-Townhouse (SF-T) Residential Uses, General Retail-One (GR-1) Uses, and Single Family Detached 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 May 4, 2004 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 Fort Worth Star Telegram, Fort Worth, 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 Planned Development District 289 for Single Family-Townhouse (SF-T) Residential Uses and Planned Development District 289A for General Retail-One (GR-1) 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 zoning area more particularly described and shown on the attached Exhibit "A" incorporated herein by reference.

II.

PERMITTED LAND USES

- A. Three zoning land use 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 **General Retail-One (GR-1) District** shall be in accordance with all land use restrictions, architectural controls and development requirements prescribed for Planned Development District 289A established by Ordinance No. 7007. Planned Development Site Plan approval is required.
 - 3. The use of land and buildings for single family detached residential uses shall conform to those requirements for the **Single Family-Three (SF-3) District** as established in the City of Grand Prairie Unified Development Code (UDC) except as otherwise specified herein.

III.

DENSITY AND DIMENSIONAL REQUIREMENTS FOR SINGLE FAMILY-TOWNHOUSE (SF-T) 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 160 with a maximum density not to exceed 9.0 units per acre.
 - 2. Maximum number of dwelling units not to exceed 160 with a maximum density not to exceed 9.0 units per acre.
 - 3. 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.
 - 4. Minimum lot size to be 1,680 square feet.

5. Minimum lot width to be 21-feet.
6. Minimum lot depth to be 80-feet.
7. Minimum side yard setback facing an interior street to be 10-feet.
8. Minimum side yard setback facing an arterial street to be 20-feet.
9. Minimum rear yard to be 5-feet.
10. Minimum building separation to be 15-feet.
11. Maximum building height to be 35-feet to top plate of wall framing at the highest floor.
12. Maximum lot coverage to be 80%.

IV.

SUPPLEMENTAL DEVELOPMENT STANDARDS FOR SINGLE FAMILY-TOWNHOUSE USES

- A. In addition, the following supplemental development standards are established for the Planned Development District for the **Single Family – Townhouse** use.
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. The design and material selection for said screening fence shall be consistent with the design and material selection for same fence constructed for the General Retail and Single Family Detached areas located within the Planned Development District.
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 General Retail – One (GR-1) uses as depicted on Exhibit “B”.
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 requirements. 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.
 14. All utilities along collector and arterial thoroughfares shall be placed underground.
- B. Final Planned Development Site Plan approval is required for the Single Family-Townhome (SF-T) uses.
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.

**DENSITY AND DIMENSIONAL REQUIREMENTS FOR THE
SINGLE FAMILY DETACHED RESIDENTIAL USES**

- A. All single family detached residential development shall conform to all relevant requirements for the **Single-Family-3 (SF-3) District** as established in the Unified Development Code except as specified below:
1. Maximum number of single family detached residential dwelling units shall not exceed 46 with a maximum density not to exceed 5.0 dwelling units per acre of land as depicted on Exhibit “B”.
 2. Minimum unit size to be 1,800 square feet with eighty percent (80%) of all units to be greater than 2,000 feet.
 3. Minimum lot size to be 7,800 square feet.
 4. Maximum lot coverage to be 50%.

5. Minimum lot width to be 65 feet.
6. A 25-foot front yard setback is required for all residential lots. A 5-foot reduction to the front yard setback will be allowed for living units built with non front entry (J swing type) garages, and front yard porches. The 5-foot reduction to the front yard setback applicable to front yard porches will be considered for only those front yard porches with a minimum depth of 5-feet.
7. Minimum roof pitch to be 8:12.
8. Maximum building height not to exceed one story for all structures on single family residential lots directly adjoining the right-of-way line of West North Carrier Parkway.

VI.

SUPPLEMENTAL DEVELOPMENT STANDARDS FOR SINGLE FAMILY- DETACHED USES

- A. All development shall conform to all relevant provisions for the **Single Family-Three (SF-3) District** as established in the Unified Development Code (UDC). In addition, the following supplemental development standards are established for the Planned Development District.
 1. All utilities along collector and arterial thoroughfares shall be placed underground.
 2. Screening fences are to be coordinated throughout the residential subdivision. Screening shall consist of masonry walls, berms, landscaping, wrought iron, or a combination of these elements. Screening walls shall be designed to turn into the neighborhood to avoid uncoordinated fences at all entry points.
 - a. Six (6) foot high screening fence constructed of masonry 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 Transportation Plan. Articulated brick columns or pilasters shall be spaced at minimum 50-ft. centers or placed on residential lot corners. Where a local street cul-de-sac adjoins a thoroughfare designated as an arterial or collector street on the City's Master Transportation Plan, such cul-de-sac shall be fenced with a 6-foot high wrought iron type fence with at least three brick columns spaced evenly across the cul-de-sac frontage. The design and material selection for said screening fence shall be consistent with the design and material selection for same fence constructed for the General Retail and Single Family Townhouse areas located within the Planned Development District.

- b. Screening fences required along designated arterial or collector streets shall extend (or wrap) into and along the side or rear lots lines, where such conditions exist, of residential lots that abut the local residential entry street(s) that extend into the subdivision from the arterial or collector street. The extended (or wrapping) portion of said screen fence shall not encroach into the required front yard set back for any residential lot.
 - c. In those instances where a side or rear yard residential fence is across the street from a front yard condition, a Type 3 fence constructed of cement fiberboard, concrete thin-wall, or an alternate material shall be installed. A mandatory property-owners association and/or a public improvement district (“PID”) shall maintain such fences.
 - d. Private residential fences shall consist of cedar pickets and steel posts - no pine allowed.
 - e. Required masonry screening fence described in Section VI. A. 2. a. shall extend northward from West North Carrier Parkway along the west property line of this Planned Development District to a point of termination at the most northwestern lot corner of the third residential lot situated north of West North Carrier Parkway as depicted on Exhibit “B”. A six (6) foot high wood fence consisting of cedar pickets and steel posts, with picket side facing outward to the west, shall be required for the balance of the fence along said west property line to a point of termination at a residential lot corner adjacent to the 100-year flood plain zone. A mandatory property-owners association and/or a public improvement district (“PID”) shall maintain both the masonry and wood portions of the total fence length constructed on said west property line.
3. The residential subdivision shall have entry signage that is coordinated with the development screening wall. A plan shall be submitted for approval in conjunction with the final plat submittal.
- a. One landscaped monument sign feature will be required at a minimum of one street entry along a designated collector or arterial thoroughfare.
4. Single-family lot landscaping shall include two (2)-3 inch caliper trees and a total of 30 gallons of shrubs
- a. Each house at the time of occupancy shall have the following minimum landscaping:
 - i. One (1)-three-inch caliper trees shall be planted in front of each house with the second three-inch caliper tree to be located per homeowner/builder preference.

- ii. Tree and shrub species shall be in accordance with the City of Grand Prairie approved tree and plant list contained in Article 8 of the Unified Development Code.
 - iii. Shrubs shall be provided for each house in any size increment totaling a minimum of 30-gallons per residential lot.
- b. Residential lots shall be fully sodded in accordance with the requirements of the Unified Development Code with full irrigation for entire lot.
- 5. Tree preservation shall be permitted through administrative incentives.
 - a. Staff shall administratively approve building setback variances for the purpose of preserving existing trees. Tree protection provisions to be applied as condition of approval.
- 6. Three-tab type shingles are to be disallowed. Color tone variations in roof shingles is required in accordance with Section VI. A. 8. below
- 7. Exterior construction to be predominately composed of masonry materials.
 - a. Minimum eighty percent (80%) of all exterior wall surfaces for 2-story structures or higher 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.
 - b. Minimum one-hundred percent (100%) of all exterior wall surfaces for 1-story structures 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.
 - c. Minimum one-hundred percent (100%) of all building elevations directly facing or backing up to a major arterial, collector street, or local residential street shall be structurally designed for and constructed of masonry and/or stone excluding doors, windows, boxed or bay windows, dormers, areas under covered porches one-story in height, and other architectural projections
- 8. No use of the same brick color, duplicate building elevation and building profile, or color tone of roof shingle shall be allowed on a house built on a lot that is

within four lots of a structure constructed with similar building elements and color pallet that is located on the same side of a street in-between intersecting street(s). No residential building may be built with similar aforementioned building elements and color pallet as one located directly across the street.

9. All fireplaces and chimney flues shall be encased in 100% masonry for all chimney types and locations.
10. Residential garage alternatives to be provided to the home owner/purchaser.
 - a. Minimum thirty percent (30%) of all lots with a width of 60-feet to 69-feet shall have non-front entry garages.
 - b. Minimum fifty percent (50%) of all lots with a width of 70-feet or greater shall have side entry, front oriented (J swing) side entry, or a detached rear yard garage configuration.
 - c. Those units with front entry garages shall have a minimum 25-foot front yard setback to the front of the garage.
 - d. Any J-swing or side entry type garage configurations located on the west and east sides of the residential street extending northward from West North Carrier Parkway, as depicted on Exhibit "B", shall be oriented with garage doors facing to the north.
11. Front entry garages with two or more doors are to have a minimum 12-inch offset between garage doors
12. Two-car wide single garage doors to be disallowed for front entry garages.
13. A unifying urban design theme is to be provided for amenities and streetscape elements with provision for centralized property management to be in place.
 - a. Unified street signage, mail boxes and street lighting to be coordinated throughout the development.
 - b. A Mandatory Property-Owners Association and/or a Public Improvement District ("PID") shall be created to enforce the restrictions contained in this ordinance at the expense of the property owners association and/or PID, and said association and/or PID shall also maintain required masonry screening walls, street landscaping, monument signage, common irrigation, and other common areas within the development.

VII.

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

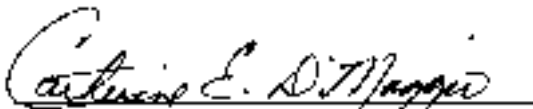
VIII.

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

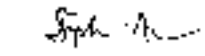
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 4th day of May, 2004.


Mayor, Grand Prairie, Texas

ATTEST:


Catherine E. DiMaggio, City Secretary

APPROVED AS TO FORM:


Stephen R. Alcorn, Assistant City Attorney

Zoning Case No. Z040402

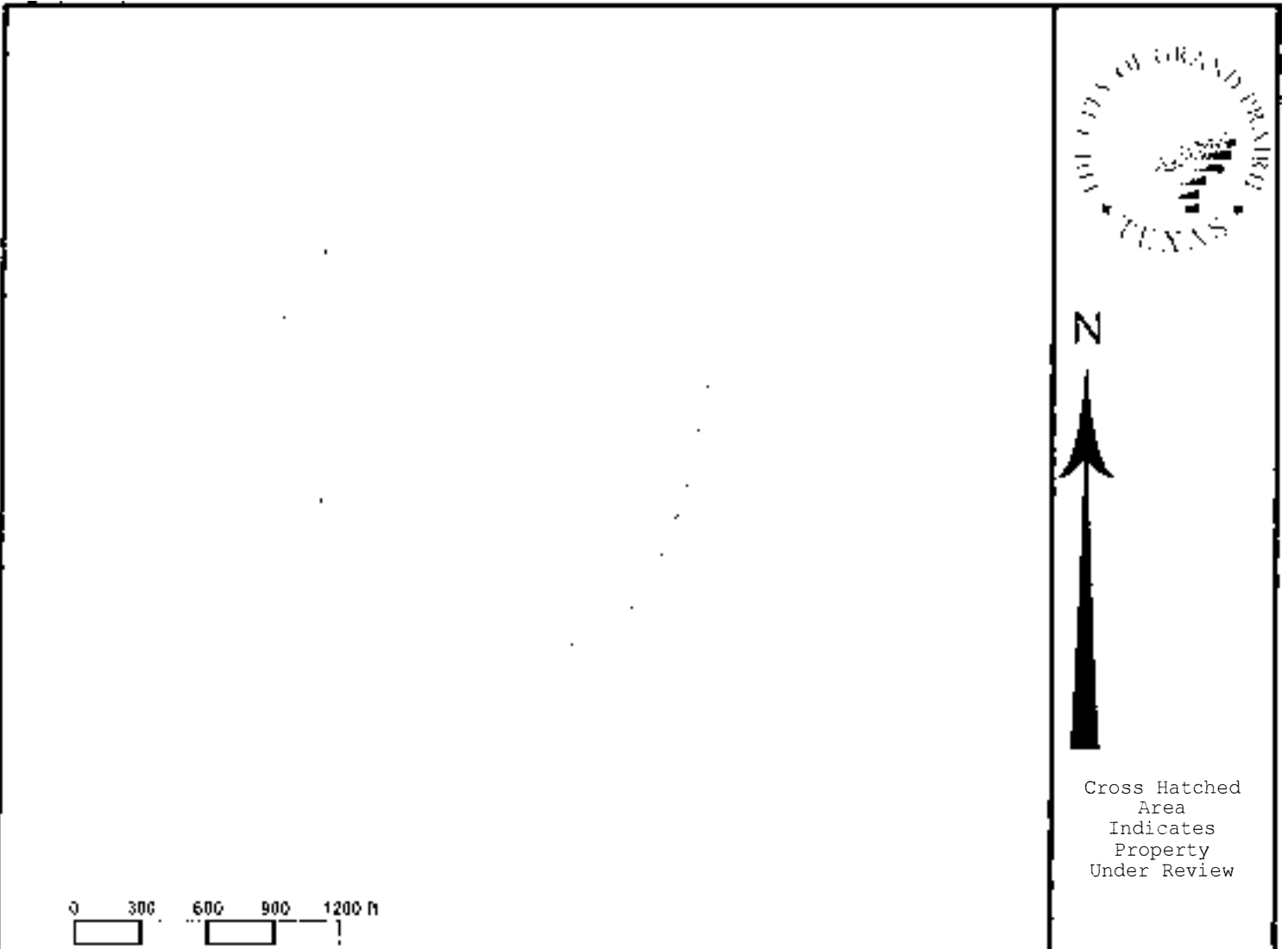
Exhibit "A"
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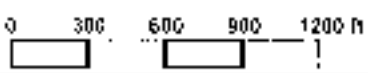
Exhibit "A"
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N



Cross Hatched Area
Indicates
Property
Under Review



CASE NUMBER : Z030401
ZONING REQUEST - TOWNHOMES

CURRENT ZONING: PD-289 and 289A

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)

