

ORDINANCE NO. 6969
PLANNED DEVELOPMENT NO. 299
CASE NO. Z031201

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE A 21.416-ACRE TRACT (THE ZONING AREA) OUT OF THE ALLEN JENKINS SURVEY, ABSTRACT NO. 713, AND BEING A PART OF BLOCK 1 AND PART OF BLOCK 2, COMMUNITY SQUARE ADDITION, AN ADDITION TO THE CITY OF GRAND PRAIRIE, RECORDED IN VOLUME 80244, PAGE 1414, DALLAS COUNTY TEXAS, SAID ZONING AREA BEING SITUATED AT THE NORTHEAST CORNER OF ARKANSAS LANE AND ROBINSON ROAD, **FROM “MF-1” MULTI-FAMILY – ONE DISTRICT AND “GR” GENERAL RETAIL DISTRICT TO A PLANNED DEVELOPMENT FOR “SF-A” SINGLE FAMILY ATTACHED AND “SF-ZLL” SINGLE FAMILY ZERO LOT LINE 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 said property from its classification of **“MF-1” Multi-Family – One District and “GR” General Retail District to a Planned Development for “SF-A” Single Family Attached and “SF-ZLL” Single Family Zero Lot Line uses**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on December 8, 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 2 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned from its classification of **“MF-1” Multi-Family – One District and “GR” General Retail District to a Planned Development for “SF-A” Single Family Attached and “SF-ZLL” Single Family Zero Lot Line 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 January 6, 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 Grand Prairie Morning News edition 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 **“MF-1” Multi-Family – One District and “GR” General Retail District to a Planned Development for “SF-A” Single Family Attached and “SF-ZLL” Single Family Zero Lot Line 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 **“MF-1” Multi-Family – One District and “GR” General Retail District to a Planned Development for “SF-A” Single Family Attached and “SF-ZLL” Single Family Zero Lot Line uses** within the area as described by metes and bounds and as shown on the attached Exhibit “A” incorporated herein by reference:

II.

Any zoning, land use requirements and restrictions not contained in this Planned Development Ordinance shall conform to those requirements for the **“SF-ZLL” Single Family Zero Lot Line District** as established in the Unified Development Code (UDC)

III.

Density and Dimensional Requirements

- 1. Maximum density not to exceed 8 units to the acre.
- 2. Minimum unit sizes to be 1,400 square feet with seventy-five percent (75%) of all units to be greater than 1,500 square feet in area.

3. Minimum lot size to be 3,500 square feet.
4. Minimum lot width to be 37-feet.
5. Minimum lot depth to be 95-feet.
6. Minimum front setback to main living unit and/or garage door to be 20-feet. All front entry garages shall be setback a minimum of 12” from the nearest front street facing building elevation.
7. Minimum front setback of 10-feet to be allowed for living units constructed with a front street facing porch measuring at least 6 feet in depth.
8. Minimum side yard setback facing an interior street to be 10-feet.
9. Minimum side yard setback facing an arterial street to be 20-feet.
10. Minimum rear yard to be 10-feet.
11. Minimum building separation to be 8-feet for all non-attached living units.
12. Maximum building height to be two stories.
13. Maximum lot coverage to be seventy percent (70%).

IV.

Design and Amenity Standards

1. Each residential lot shall have access to a public street by a private drive. Private internal access drives and utility easements 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. Garage units shall be used only for the parking of motor vehicles containing no more than two wheel axles and that are used as the primary mode of street transportation by the occupant.
3. Minimum ninety percent (90%) 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. One hundred (100) percent of all exterior wall surfaces directly facing a collector or arterial thoroughfare shall be structurally designed for and constructed of masonry and/or stone.
4. Repeat brick color shall not be used within four consecutive residential buildings.

5. All exterior fireplace chimneys shall be one hundred percent (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.
6. No use of the same brick color, duplicate building elevation and building profile, or color tone of roof shingle shall be used within four consecutive residential buildings on the same side of the street. No residential building may be built with similar aforementioned building elements as one located directly across the street.
7. All units shall be provided with a front porch or veranda of a unified architectural design with a minimum depth of 6 feet.
8. Flat roof design is prohibited. Minimum roof pitch to be 6:12 with a 3:12 roof pitch for front porches.
9. Roof shingles to be a 30-year warranty type with articulated ridge caps.
10. 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.
11. Minimum of fifty percent (50%) of all residential units shall be detached units.
12. 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 and irrigated in accordance with the requirements of the Unified Development Code.
13. A six (6) foot high masonry or masonry concrete screening fence, with a mortar bond finish on both sides, shall be provided along Robinson Road and Arkansas Lane, and shall be provided along property zoned for non-residential uses. Articulated brick columns shall be spaced along the fences facing Robinson Road and Arkansas Lane at approximate 50 ft. centers. Such screening fences and brick columns 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 extends 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 of any residential lot. Said masonry or concrete masonry screening fence with brick columns shall be extended from Robinson Road and Arkansas Lane approximately 150-feet into the north and east interior property lines perpendicular from said thoroughfares to a point of terminus at a brick column located on a platted lot corner. A 6-foot high concrete thin-wall type fence with no brick columns is to be constructed between the masonry fences with brick columns that extend into the aforementioned 150-foot lot corners.

- 14. 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.
- 15. Private residential lot fences shall consist of Cedar wood pickets on steel posts. All private residential lot fences shall be maintained by a mandatory property-owners association and/or a public improvement district ("PID").
- 16. A mandatory property-owners association and/or a public improvement district ("PID") shall be created for the maintenance of required masonry screening walls, private residential lot fences, side street lot fences across the street from front yards, street landscaping and irrigation, park 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 or record prior to approval of the final plat.

V.

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

VI.

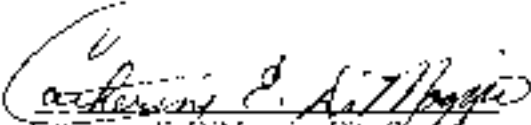
That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, this 6th day of January, 2004.




 Mayor, Grand Prairie, Texas

ATTEST:



 Catherine E. DiMaggio, City Secretary

APPROVED AS TO FORM:



 Stephen R. Alcorn, Assistant City Attorney

Exhibit "A"
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SECTION 1.01 PURPOSE

The purpose of this Ordinance is to establish a uniform system of...

It is the intent of the Board of Directors to amend the existing...

The Board of Directors hereby ordains and enacts the following...

SECTION 1.02 DEFINITIONS

As used in this Ordinance, the following definitions shall apply:

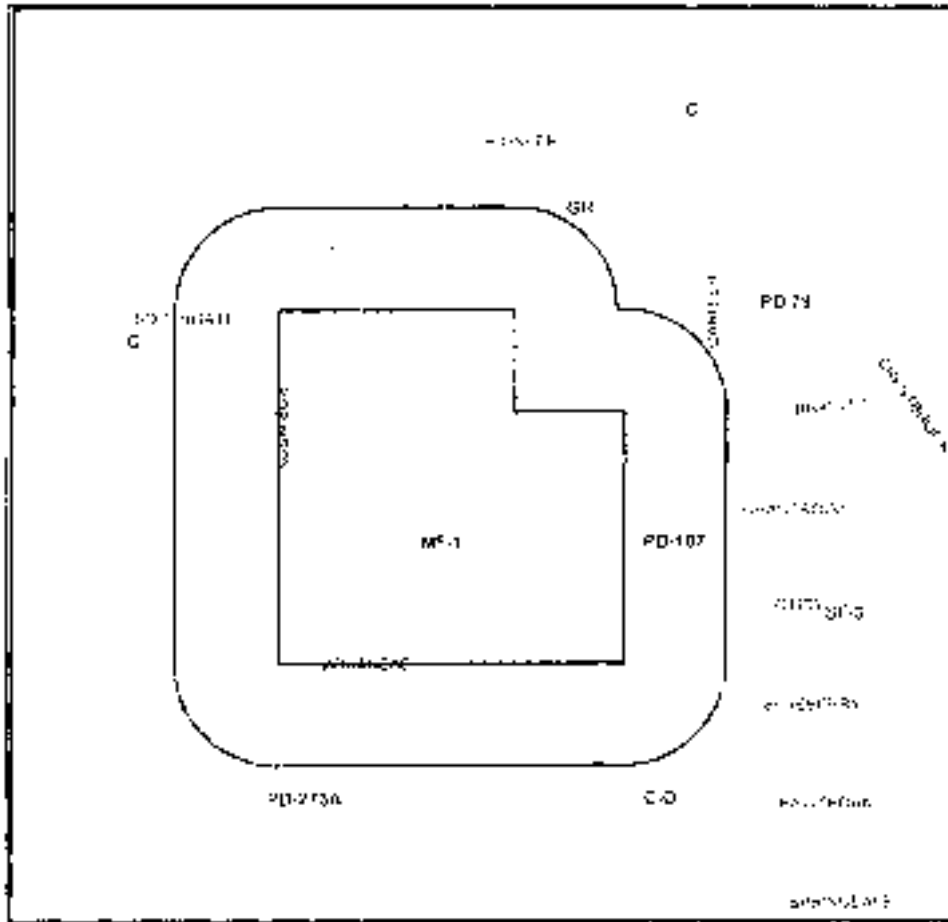
1. "Board of Directors" shall mean the governing body of the...

2. "City" shall mean the City of...

3. "Ordinance" shall mean any law or regulation enacted by the...

4. "Resolution" shall mean a formal expression of the opinion or...

EXHIBIT 'A' page 2 of 2



Cross Hatched Area Indicates Property Under Review
 Shaded Area Indicates Notification Boundary (if applicable)

CASE NUMBER: Z031201
ZONING REQUEST - BERKSHIRE PARK

CURRENT ZONING: MF-1, GR

REQUEST:

a request for approval of a zoning change of approximately 21.42 acres from General Retail (GR) and Multi-Family-One (MF-1) to a Planned Development (PD) for 156 unit single family attached addition

