

**ORDINANCE NO. 7090
PLANNED DEVELOPMENT NO. 306
CASE NO. Z040803**

AN ORDINANCE AMENDING THE ZONING MAP AND ORDINANCE TO REZONE A 30.77 ACRE TRACT OF LAND SITUATED IN THE MERCER FAIN SURVEY, ABSTRACT NO. 475, DALLAS COUNTY, CITY OF GRAND PRAIRIE, TEXAS, GENERALLY LOCATED NORTH OF EAST MARSHALL DRIVE, EAST OF SOUTH BELTLINE ROAD, FROM PLANNED DEVELOPMENT-233 (PD-233) FOR RESIDENTIAL USES AND A HORSE TRAINING FACILITY WITH ASSOCIATED USES, AND SINGLE FAMILY-ONE (SF-1) RESIDENTIAL DISTRICT TO A PLANNED DEVELOPMENT FOR SINGLE FAMILY DETACHED 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 (the zoning area) from its classification as follows:

From Planned Development-233 (PD-233) for Residential Uses and a Horse Training Facility with Associated Uses, and Single Family-One (SF-1) Residential District to a Planned Development for Single Family Detached Residential Uses, and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on August 23, 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 9 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-233 (PD-233) for Residential Uses and a Horse Training Facility with Associated Uses, and Single Family-One (SF-1) Residential District to a Planned Development for Single Family Detached Residential Uses, and

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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 September 7, 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 of **Planned Development-233 (PD-233) for Residential Uses and a Horse Training Facility with Associated Uses, and Single Family-One (SF-1) Residential 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 above described zoning area more particularly described and shown on the attached Exhibit "A" incorporated herein by reference.

II.

RESIDENTIAL SUBDIVISION DESIGN GUIDELINES

- A. The design and location of single family detached residential lots, drainage areas, and open spaces shall substantially conform to the Concept Plan depicted on the attached Exhibit “B”.
- B. Residential streets are to be curvilinear in design. Alternatives such as “Traditional Grid” street patterns may only be used in those instances where other traditional design and architectural elements are incorporated into the development.
- C. Developments should have at least two points of access for traffic distribution. Streets should be “stubbed” out to undeveloped tracts to allow connectivity as adjacent residential tracts develop.
- D. In accordance with Section 12.19.7 of the Unified Development Code (UDC), a residential development with a density of four (4) units or less per developable acre must have a minimum twenty-seven (27) foot wide street. A residential development with a density greater than four (4) units per developable acre must use: (1) a minimum twenty-seven (27) foot wide street with an alley; or (2) a minimum thirty-one (31) foot wide street without an alley. Developable acreage is based on the total platted property less the area used or dedicated for drainage or open space.
- E. In accordance with Section 12.19.15 of the Unified Development Code (UDC), Residential streets adjacent to a school site is required to dedicate sixty (60) feet of right-of-way and provide thirty-seven (37) feet of paving to accommodate parking and the mixture of pedestrian, cars, and busses typically encountered around schools. The additional ten (10) feet of right-of-way shall be dedicated on the school side of the street and shall be designated as parallel parking.
- F. Residential streets with a paved width of twenty-seven (27) feet shall not intersect arterial or collector thoroughfares unless the paving width is flared to thirty-seven (37) feet at the point of intersection with said thoroughfare. The thirty-seven (37) foot paved width shall taper back to a standard twenty-seven (27) foot paved width at a certain distance back from said thoroughfare in accordance with applicable provisions contained in Section 23, Master Transportation Plan of the Unified Development Code (UDC).
- G. Development must include landscaping and open spaces that are planned and coordinated throughout the development.

- H. All utilities shall be placed below ground, except for major high voltage transmission lines.

III.

ARCHITECTURAL, DIMENSIONAL AND DENSITY GUIDELINES

- A. The zoning area should offer a variety of single family detached housing and lot types in a variety of sizes in conformance with density and dimensional standards prescribed in the attached Exhibit “C”, Density and Dimensional Table, with said standards being more particularly described below.
 - 1. Minimum lot size to be 6,500 square feet.
 - 2. Minimum lot width to be 62-feet.
 - 3. Maximum lot coverage not to exceed 50%.
 - 4. Interior side setback shall be a minimum of 6-feet.
 - 5. No more than twenty five percent (25%) of all platted residential lots to contain a house size between 1,600 square feet and 1,799 square feet.
 - 6. No more than fifty percent (50%) of all platted residential lots to contain a house size between 1,800 square feet and 1,999 square feet.
 - 7. At least twenty five percent (25%) of all platted residential lots to contain a minimum house size of 2,000 square feet or greater.
 - 8. A 20-foot front yard building setback is required for all residential lots. Those units with front entry (street facing) garages shall have an additional 5-foot garage door setback from the main primary front plane of the residential living unit closest to the street. This building setback provision shall be noted on the final plat for all phases of the Planned Development zoning area.
 - 9. No building or structure shall be constructed with less than a 20-foot minimum front yard setback. This building setback provision shall be noted on the final plat for all phases of the Planned Development zoning area.
 - 10. Rear yard building setback of 20-feet is required along all rear lot lines that adjoin a street right-of-way greater than 50-feet in width. This building setback provision

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shall be noted on the final plat for all phases of the Planned Development zoning area.

11. Minimum roof pitch of 8:12 shall be permitted for roof structures covering main (climate controlled) living areas for 50% of all platted residential lots. A minimum

roof pitch of 6:12 shall be permitted for roof structures covering main (climate controlled) living areas for the remaining 50% of all platted residential lots. A minimum roof pitch of 6:12 shall not be permitted for main (climate controlled) living areas of residential structures located on two or more consecutive (adjoining) lots.
12. For all platted residential lots, a minimum roof pitch of 6:12 shall be permitted for front yard porches and non-front entry garages that shall include, but not be limited to, side entry, front oriented ("J"swing) side entry, or detached rear yard garage configurations. Variation in roofing material shall be required in accordance with Section III. D. 3 of this Ordinance.

B. Exterior construction to be predominately composed of masonry materials.

1. 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 standard-size full-width brick, cultured stone, or stone veneer units. Color variation for masonry exteriors shall be required in accordance with Section III. D. 1. and III. D. 2. of this Ordinance.
2. 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 standard-size full-width brick, cultured stone, or stone veneer units. Color variation for masonry exteriors shall be required in accordance with Section III. D. 1. and III. D. 2. of this Ordinance.
3. Minimum one-hundred percent (100%) of all building elevations directly facing, siding, and/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

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porches one-story in height, and other architectural projections. Masonry shall be defined as standard-size full-width brick, cultured stone, or stone veneer units. Color variation for masonry exteriors shall be required in accordance with Section III. D. 1. and III. D. 2. of this Ordinance.

4. All fireplaces and chimney flues shall be encased in 100% masonry for all chimney types and locations.

C. Residential garage alternatives to be provided to the home owner/purchaser.

1. Minimum thirty percent (30%) of all platted residential lots with a width of 60-feet to 69-feet shall have non-front entry garages that shall include, but not be limited to, side entry, front oriented (J swing) side entry, or detached rear yard garage configurations.
2. Minimum fifty percent (50%) of all platted residential lots with a width of 70-feet or greater shall have non-front entry garages that shall include, but not be limited to, side entry, front oriented (J swing) side entry, or detached rear yard garage configurations.
3. No more than fifty percent (50%) of all platted residential lots that are planned for front entry (street facing) garages shall be constructed with two-car wide single garage doors.
4. For all platted residential lots, a two-car wide single garage doors shall be permitted for non-front entry garages that shall include, but not be limited to, side entry, front oriented (J swing) side entry, or detached rear yard garage configurations.
5. Front entry garages shall not be permitted on lots directly facing a "T" type street intersection, where said lots has frontage along the visual terminus (or "dead-end" position) facing towards the end of the projecting intersecting street. Where two lots have a common side lot line that generally aligns with the center of the projecting intersecting street, non-front entry garages shall be required for both lots. *See Figures 1 and 2 below for examples.*

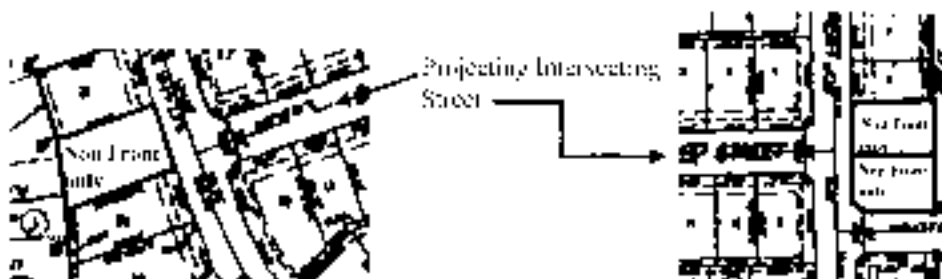


Figure 1 – One lot facing “T” intersection

Figure 2 – Two lots facing “T” intersection

- D. Variation in architectural design, color scheme, and building profile required.
1. No use of the same masonry color, duplicate building elevation, and building profile shall be allowed on a house built on a lot that is within 4 lots of a structure constructed with similar building elements and color 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.
 2. The use of stone, cultured stone, or stone veneer units of the same color and hue shall be permitted within the Planned Development zoning area but shall not consume more than thirty-five percent (35%) of an exterior wall surface, or a collective series of exterior wall surfaces composing a facade, that are directly facing, siding, and/or backing up to a major arterial thoroughfare, collector street, and/or local residential street.
 3. Three-tab type roof shingles are to be disallowed. No use of the same manufacturer produced color tone or hue of roof shingle shall be allowed on a house built on a lot that is within 4 lots of a structure constructed with a similar roof shingle color tone or hue that is located on the same side of street in-between intersecting streets. No house may be built with a similar manufacturer produced color tone or hue of roof shingle as one located directly across the street.
- E. A unifying urban design theme is to be provided for amenities and streetscape elements with provision for centralized property management to be in place.
1. Unified street signage, mail boxes and street lighting to be coordinated throughout the development.
 2. 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. Documentation establishing such district and/or association shall be required at time of final plat review.

IV.

LANDSCAPING AND SCREENING GUIDELINES

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- A. Screening fences shall 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.
1. 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. Brick columns or pilasters shall be spaced at minimum 50 foot 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 3 brick columns spaced evenly across the cul-de-sac frontage.
 2. 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.
 3. In those instances where two consecutive and adjoining side or rear yard residential fences are located across the street from a front yard condition, a Type 3 fence constructed of cedar pickets on metal posts with full 2 x 4 treated rails shall be required. The cedar pickets shall be finished with a red wood stain. Fence posts and rails shall not be visible from a public street or open space area. A mandatory property-owners association and/or a public improvement district ("PID") shall maintain such fences.
 4. Private residential fences shall consist of cedar and steel posts - no pine allowed.
- B. The residential subdivision shall have entry signage that is coordinated with the development screening wall. Four (4) sets of plans for all entry signage and screening walls shall be submitted to the Development Review Committee (DRC) for approval in conjunction with the final plat submittal. Any building permit issued for screening wall construction shall not be valid until said screen wall plans have been approved by the DRC.
1. One landscaped monument sign feature will be required at a minimum of one street entry along a designated collector or arterial thoroughfare.
- C. Single-family lot landscaping shall include two (2)-3 inch caliper trees and a total of 30

gallons of shrubs

1. Each house at the time of occupancy shall have the following minimum landscaping:
 - a. 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.
 - b. 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.
 - c. Shrubs shall be provided for each house 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 with full irrigation for entire lot.
- D. Tree preservation shall be implemented through development incentives and landscaping requirements.
1. Staff shall administratively approve building setback variances for the purpose of preserving existing trees. Tree protection provisions to be applied as condition of approval.
 2. In accordance with Section 8.7.5.7 of the Unified Development Code (UDC), if a single or two family residential subdivision preserves an average of 30 or more trees per acre by reserving open space to be dedicated to the City, including land required by the City's Park Department, or to be maintained by a homeowners' association or public improvement district, minimum lot size may be reduced by ten (10) percent. The city has the right to review and reject such dedication which, unless maintained by another organization, will not meet the provisions of this section. A tree survey will be required to determine verification of this requirement at the time of final plat approval.

V.

FACADE PLANS TO BE SUBMITTED FOR STAFF REVIEW

- A. For the purpose of verifying compliance with the architectural requirements prescribed in Section III. B, C, and D of this Ordinance, the developer/builder shall submit proposed building elevations at time of final plat review with associated information describing masonry content, masonry color, garage orientation, and roof shingle specifications. This information will be required for data entry into City's "PD Tracking System" prior to the

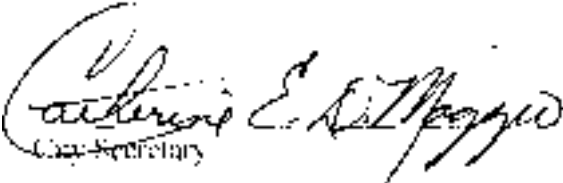
issuance of building permits for the Planned Development zoning area.

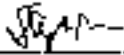
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE ON THIS THE 7th DAY OF SEPTEMBER 2004.


Mayor, Grand Prairie, Texas

ATTEST:

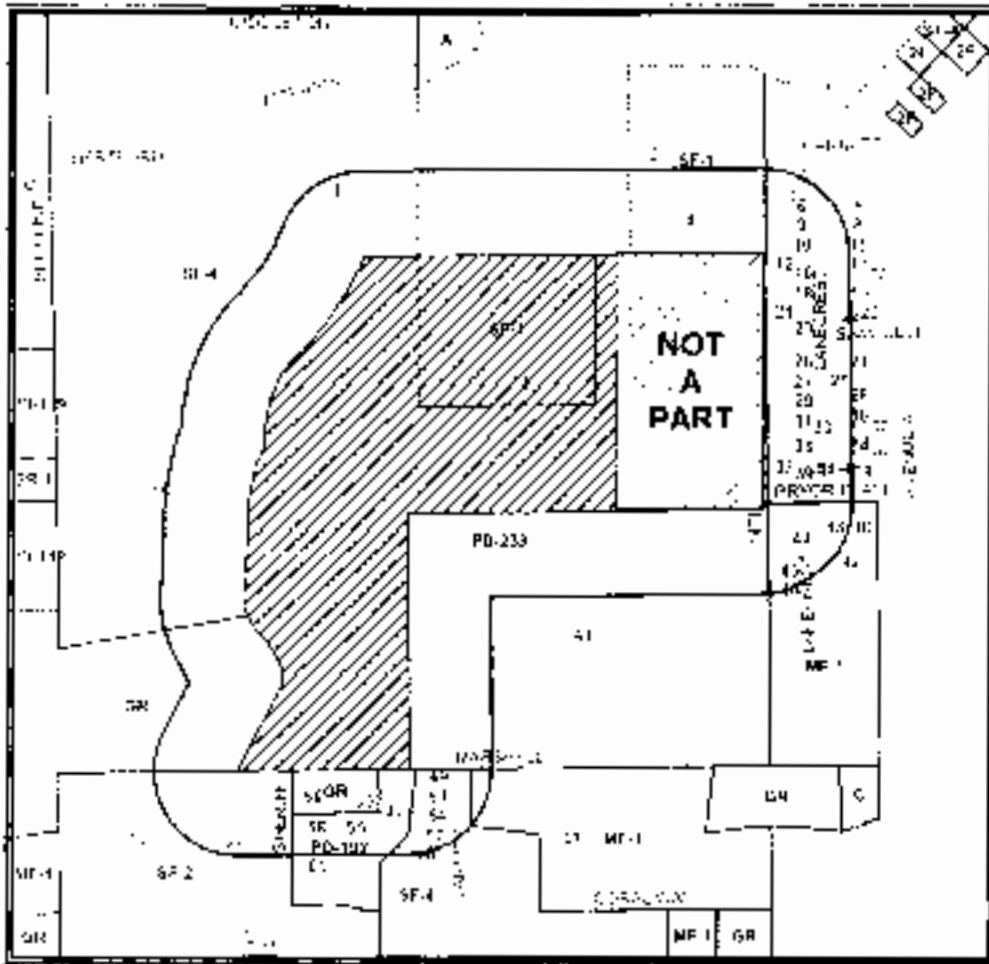
APPROVED AS TO FORM:


City Secretary


Assl. City Attorney

Case No. Z040803

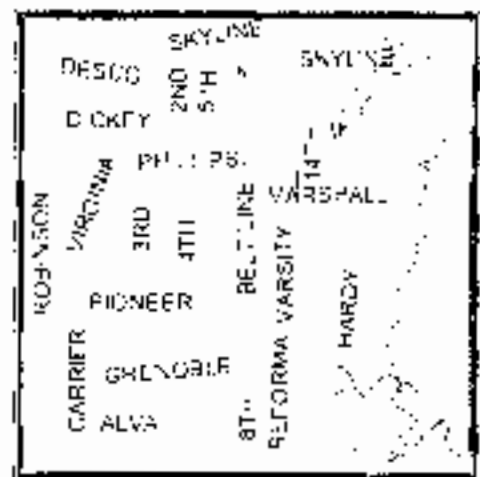
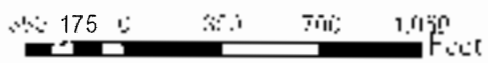
PROPERTY OWNER NOTIFICATION / LOCATION MAP



Shaded Area Indicates
Notification Boundary
(if applicable)

CASE NUMBER: Z040803
ZONING REQUEST -
SPRINGHAVEN CONCEPT PLAN
CURRENT ZONING: PD-233
REQUEST:

A request for approval of a
Zoning Change for Springhaven Development



THENCE 30.77 acre tract of land situated in the Mercer Fain Survey, Abstract No. 475, Dallas County, Texas, and being a portion of tract of land conveyed to Grand Prairie Independent School District by deed recorded in Volume 99739, Page 462, of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEING Sit at the northwest corner of Lot 1, Block 1, of the 3rd Grade Middle School, an Addition to the City of Grand Prairie, Dallas County, Texas, and being to the replat thereof recorded in Volume 2002197, Page 00105, of the Map Records of Dallas County, Texas, same being an interior corner of said Grand Prairie Independent School District tract;

THENCE South 00 deg. 39 min. 34 sec. East of a call North 00 deg. 46 min. 55 sec. West 872.34, along the common line of said Grand Prairie Independent School District tract, and said Lot 1, a distance of 839.40 feet to a point for corner, said point being on the north right-of-way line of Marshall Drive (a 70.0' right-of-way);

THENCE South 89 deg. 17 min. 44 sec. West, along the common line of said Grand Prairie Independent School District tract, and the north right-of-way line of said Marshall Drive, a distance of 490.93 feet to a point for corner, said point being the southwest corner of said Grand Prairie Independent School District tract;

THENCE North 15 deg. 54 min. 00 sec. East, along the west line of said Grand Prairie Independent School District tract, a distance of 311.50 feet to a point for corner;

THENCE North 07 deg. 27 min. 07 sec. West, along the west line of said Grand Prairie Independent School District tract, a distance of 213.00 feet to a point for corner;

THENCE North 70 deg. 31 min. 00 sec. West, along the west line of said Grand Prairie Independent School District tract, a distance of 277.70 feet to a point for corner;

THENCE North 27 deg. 42 min. 57 sec. East, along the west line of said Grand Prairie Independent School District tract, a distance of 664.09 feet to a point for corner, said point being the northwest corner of said Grand Prairie Independent School District tract;

THENCE North 89 deg. 37 min. 58 sec. East, along the north line of said Grand Prairie Independent School District tract, a distance of 821.47 feet to a point for corner;

THENCE South 70 deg. 09 min. 34 sec. East, along the north line of said Grand Prairie Independent School District tract, a distance of 957.91 feet to a point for corner, said point being on the south line of said Grand Prairie Independent School District tract, same being on the north line of said Lot 1;

THENCE South 89 deg. 37 min. 38 sec. West (Plat call South 89 deg. 13 min. 05 sec. East 1294.77) along the common line of said Grand Prairie Independent School District tract and said Lot 1, a distance of 742.91 feet to the POINT OF BEGINNING and containing 34,291 square feet or 30.77 acres of correlated land.

THIS BEING

Exhibit "B"
Concept Plan

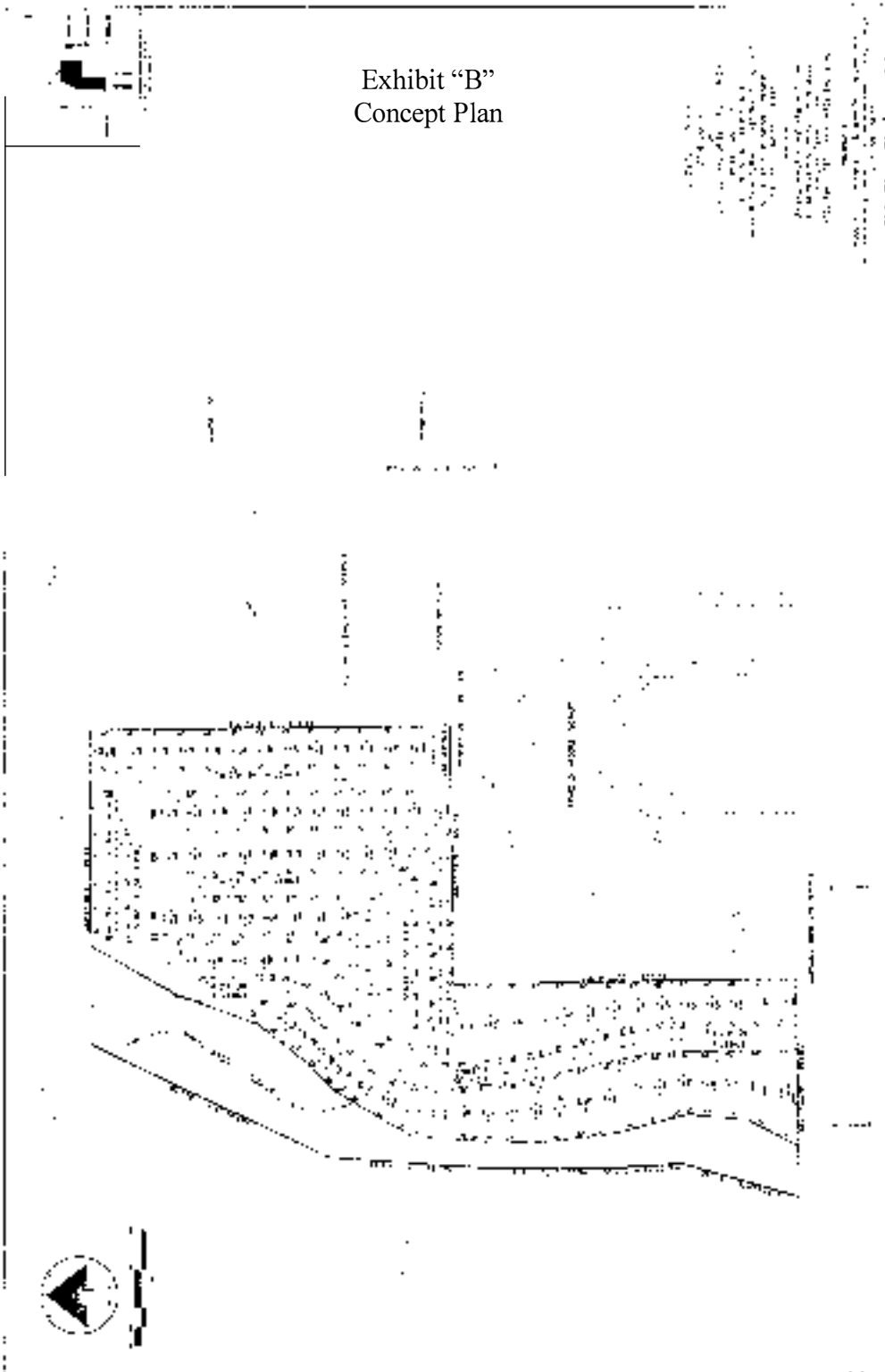


Exhibit "C"
Density and
Dimensional Table

Maximum Density per Gross Acre	Minimum Living Area SF per Unit	Minimum Lot Sizes & Dimensions			Min Yard Setbacks in Feet							Max. Height (Feet)	Max. Lot Coverage
		Area (SF)	Width (Feet)	Depth (Feet)	Front w/ front facing garage	Front w/ non-front facing garage	Street Facing Porches Min. 5' Deep (Feet)	Internal Rear	Internal Side	Side on Street	Rear on Street greater than 50-foot right-of-way		
4.0	25% = 1,600 to 1,799 50% = 1,800 to 1,999 25% = 2,000 or greater	6,500	62	100	20 to front wall plane; 25 to front of garage	20	20	10	6	15' (1.)	20	35	50%

(1.) A front yard setback condition will be required on key lots and shall be identified and noted on the final plat for all phases of the Planned Development zoning area.