

**ORDINANCE NO. 7255
PLANNED DEVELOPMENT NO. 316
CASE NO. Z050801**

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE 1.12 ACRES, IDENTIFIED AS TRACTS 9 THROUGH 13 AND TRACT 23, OUT OF THE JOHN C. REED SURVEY, ABSTRACT NO. 1183, DALLAS COUNTY, TEXAS, AND ADDRESSED AS 3517, 3521, AND 3525 E. GILBERT ROAD, FROM SINGLE FAMILY-ONE (SF-1) RESIDENTIAL DISTRICT TO A PLANNED DEVELOPMENT DISTRICT FOR SINGLE FAMILY DETACHED RESIDENTIAL USES; SAID ZONING MAP AND ORDINANCE BEING NUMBERED ORDINANCE 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 from its classification of **Single Family-One (SF-1) Residential District to a Planned Development District 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 22, 2005 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 be rezoned from its classification of **Single Family-One (SF-1) Residential District to a Planned Development District for 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 September 6, 2005 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

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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 **Single Family-One (SF-1) Residential District to a Planned Development District for Single Family Detached Residential 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 **Single Family-One (SF-1) Residential District to a Planned Development District for Single Family Detached Residential Uses**;

Description of Land:

Tracts 9-13 and 23, out of the John C. Reed Survey, Abstract No. 1183, Dallas County, Texas and as depicted on the attached Exhibit “A” which is 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. 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 7,800 square feet.
 - 2. Minimum lot width to be 58-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 percent (20%) of all platted residential lots shall contain a minimum house size of 1,800 square feet or greater.
 - 6. At least eighty percent (80%) of all platted residential lots shall contain a minimum house size in excess of 2,000 square feet.
 - 7. A 25-foot front yard building setback is required for residential lots developed with front entry (street facing) garages. Those units with front entry garages shall have a minimum 30-foot front yard setback to the front of the garage with a minimum 5-foot 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.

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8. Minimum roof pitch to be 8:12 for all roof structures covering main (climate controlled) living areas. Variation in roofing material shall be required in accordance with Section III. D. 3. of this Ordinance.
 9. 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. Certain architectural features shall be excluded from the masonry calculation that would include, but not be limited to, doors, windows, boxed or bay windows, dormers, areas under covered porches one-story in height, and other similar architectural projections. Masonry shall be defined as standard-size full-width brick, stone, cultured stone or stone veneer units. Color variation for brick 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. Certain architectural features shall be excluded from the masonry calculation that would include, but not be limited to, doors, windows, boxed or bay windows, dormers, areas under covered porches one-story in height, and other similar architectural projections. Masonry shall be defined as standard-size full-width brick, stone, cultured stone or stone veneer units. Color variation for brick 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. Certain architectural features shall be excluded from the masonry calculation that would include, but not be limited to, doors, windows, boxed or bay windows, dormers, areas under covered porches one-story in height, and other similar architectural projections. Masonry shall be defined as standard-size full-width brick, stone, cultured stone or stone veneer units. Color variation for brick masonry exteriors shall be required in accordance with Section III. D. 1. and III. D. 2. of this Ordinance.

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4. All fireplace 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. Front entry garages with two or more doors are to have a minimum 12-inch offset between garage doors.
 2. Two-car wide single garage doors are not permitted for front entry garages, but 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.
- D. Variation in architectural design, color scheme, and building profile required.
1. No use of the same brick 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 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. One roof shingle color may be used throughout the Planned Development zoning area. However, no use of the same shade or tone of roof shingle color shall be allowed on a house built on a lot within 3 lots of a structure constructed with a similar roof shingle shade or tone that is located on the same side of street in-between intersecting streets. No house may be built with a similar roof shingle shade or tone as one located directly across the street. Home buyers to be provided with at least 5 different shade or tone options for roof shingles.

IV.

LANDSCAPING AND SCREENING GUIDELINES

- A. Screening fences for private residential fences shall consist of cedar and steel posts – no pine allowed.
- B. 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.
- C. 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.

V.

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.

VI.

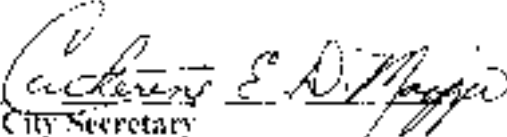
All ordinances or parts of ordinances in conflict herewith are specifically repealed.

VII.

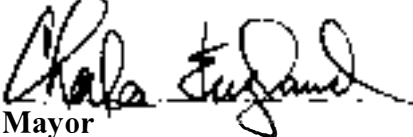
That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE ON THIS THE 6TH DAY OF SEPTEMBER 2005.

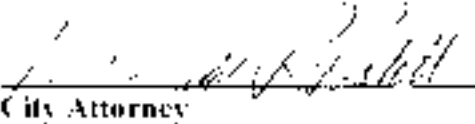
ATTEST:


Catherine E. DiMaggio
City Secretary

APPROVED:


Chala Ferguson
Mayor

APPROVED AS TO FORM:


City Attorney

Case Z050801

Exhibit "A"

SURVEY DESCRIPTION

Being all that certain tract or parcel of land out of the John C. Read Survey, Abstract No. 1183, City of Grand Prairie, Dallas County, Texas, and being the same tract as conveyed to Otis L. Perkins, Sr. and wife, Mary Ann Perkins by that certain instrument of conveyance of record in Volume 97214, Page 2140 in the Deed Records of Dallas County, Texas, said tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch steel rod found in the west line of East Gilbert Road (45 foot right of way), same being the southeast corner of that tract conveyed to the Colored M.E. Church of America by that certain instrument of conveyance of record in Volume 128, Page 316, Deed Records of Dallas County, Texas.

THENCE, South 00 degrees 45 minutes 00 seconds East, along the west line of said Gilbert Road, a distance of 292.70 feet to a 5/8-inch steel rod with a plastic cap stamped "JDJR" set for corner, same being the northeast corner of that tract conveyed to Jimmy L. Box by that certain instrument of conveyance of record in Volume 96114, Page 7051 of the Deed Records of Dallas County, Texas;

THENCE, North 89 degrees 40 minutes 43 seconds West, a distance of 209.91 feet to a steel pipe found for corner in the east line of that tract conveyed to R.C. McGriff and wife, Norma G. McGriff by that certain instrument of conveyance of record in Volume 3850, Page 667 of the Deed Records of Dallas County, Texas, same being the northwest corner of said Box Tract;

THENCE, North 00 degrees 55 minutes 40 seconds West, a distance of 74.73 feet to a steel pipe found in the south line of that tract conveyed to Santhosh Skariah by that certain instrument of conveyance of record in Volume 95249, Page 360 of the Deed Records of Dallas County, Texas, same being the northeast corner of said McGriff Tract.

THENCE, South 85 degrees 47 minutes 41 seconds East, a distance of 59.74 feet to a steel pipe found for corner, same being the southeast corner of said Skariah Tract.

THENCE, North 00 degrees 39 minutes 38 seconds West, a distance of 217.84 feet to a 5/8-inch steel rod with a plastic cap stamped "JDJR" set for corner in the south line of said Church of America Tract, same being the northeast corner of that tract conveyed to T. Ruzay and wife, Vanelle G. Ruzay by that certain instrument of conveyance of record in Volume 84142, Page 1356 of the Deed Records of Dallas County, Texas;

THENCE, South 89 degrees 40 minutes 55 seconds East, along the south line of said Church of America Tract, a distance of 150.00 feet to the PLACE OF BEGINNING and containing a computed area of 48,430 square feet or 1.112 acres of land.

Exhibit "B"
Concept Plan

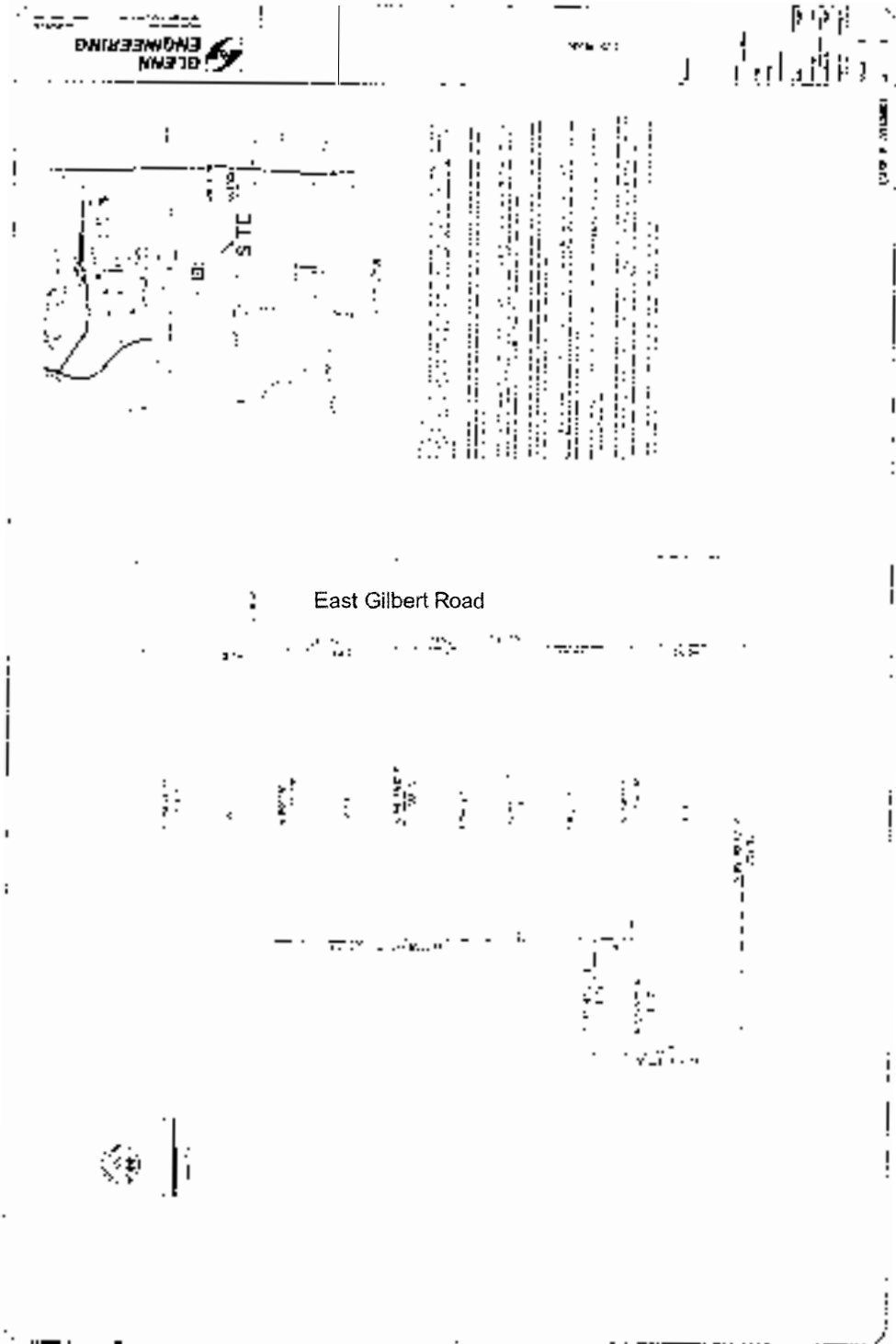


Exhibit "C"
 Density and Dimensional Table

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 w/ equal or less than a 50-foot right-of-way	Side and Rear on Street greater than 50-foot right-of-way		
3.5	1,800 SF for min. 20% of units. 2,000 SF for min. 80% of units.	7,800	58	120	25 to front wall plane; 30 to front of garage	20	20	15	6	15	20	35	50%