

**ORDINANCE NO. 7294
PLANNED DEVELOPMENT NO. 317
CASE NO. Z050701**

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE 8.07 ACRES, OUT OF THE ELIZIBETH GRAY SURVEY ABSTRACT NO. 1680, DALLAS COUNTY, TEXAS, ACCORDING TO MAP THEREOF RECORDED IN VOLUME 4, PAGE 340 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, FROM SINGLE FAMILY-ONE (SF-1) RESIDENTIAL DISTRICT AND NEIGHBORHOOD SERVICE (NS) DISTRICT TO PLANNED DEVELOPMENT (PD) DISTRICT FOR SINGLE FAMILY DETACHED RESIDENTIAL; 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 and Neighborhood Service (NS) District to Planned Development (PD) District for Single Family Detached Residential**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on September 26, 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 9 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 and Neighborhood Service (NS) District to Planned Development (PD) District for Single Family Detached Residential**; 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 October 4, 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 and Neighborhood Service (NS) 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 following described area from its classification of **Single Family-One (SF-1) Residential District and Neighborhood Service (NS) District to Planned Development (PD) District for Single Family Detached Residential**;

Description of Land:

8.07 ACRES, OUT OF THE ELIZIBETH GRAY SURVEY ABSTRACT NO. 1680, DALLAS COUNTY, TEXAS, AND AS SHOWN ON EXHIBIT 'A' WHICH IS HEREIN INCORPORATED 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 6,000 square feet.
 2. Minimum lot width to be 60-feet.
 3. Maximum lot coverage not to exceed 50%.
 4. Interior side setback shall be a minimum of 5-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.
 8. A 20-foot minimum front yard setback will be permitted for residential lots that are built with non front entry (J swing /side swing type) garages. This building setback provision shall be noted on the final plat for all phases of the Planned Development zoning area.
 9. Covered front yard porches with a minimum depth of 5-feet, built in front of and attached to the front (street facing) side of the residential living unit, may be constructed with 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. 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.
11. A building setback of 17-feet is required along all rear and side lot lines that adjoin a street right-of-way greater than 50-feet in width. This building setback provision shall be noted on the final plat for all phases of the Planned Development zoning area.
12. 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.
13. 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.

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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.
 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. 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. Front entry garages with two or more doors are to have a minimum 12-inch offset between garage doors.
 4. 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.
 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

Projecting Intersecting Street

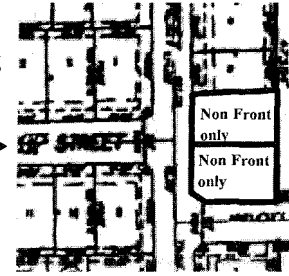


Figure 2 – Two lots facing “T” intersection

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.

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.

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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

- 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. 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.

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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.

PLANNED 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.

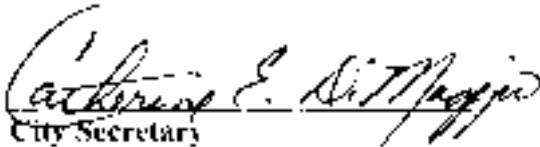
All ordinances or parts of ordinances in conflict herewith are specifically repealed.

VII.

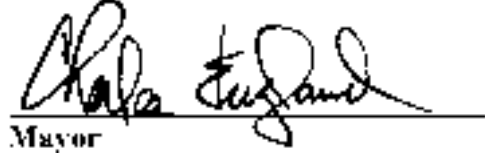
That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE ON THIS THE 4th DAY OF OCTOBER 2005.

ATTEST:


Catherine E. DiMaggio
City Secretary

APPROVED:


John E. England
Mayor

APPROVED AS TO FORM:

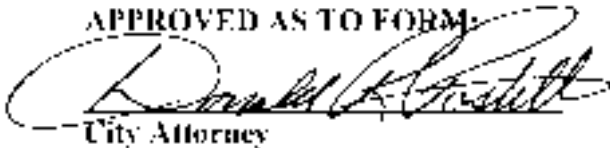

Donald B. Forstall
City Attorney

Exhibit "A"
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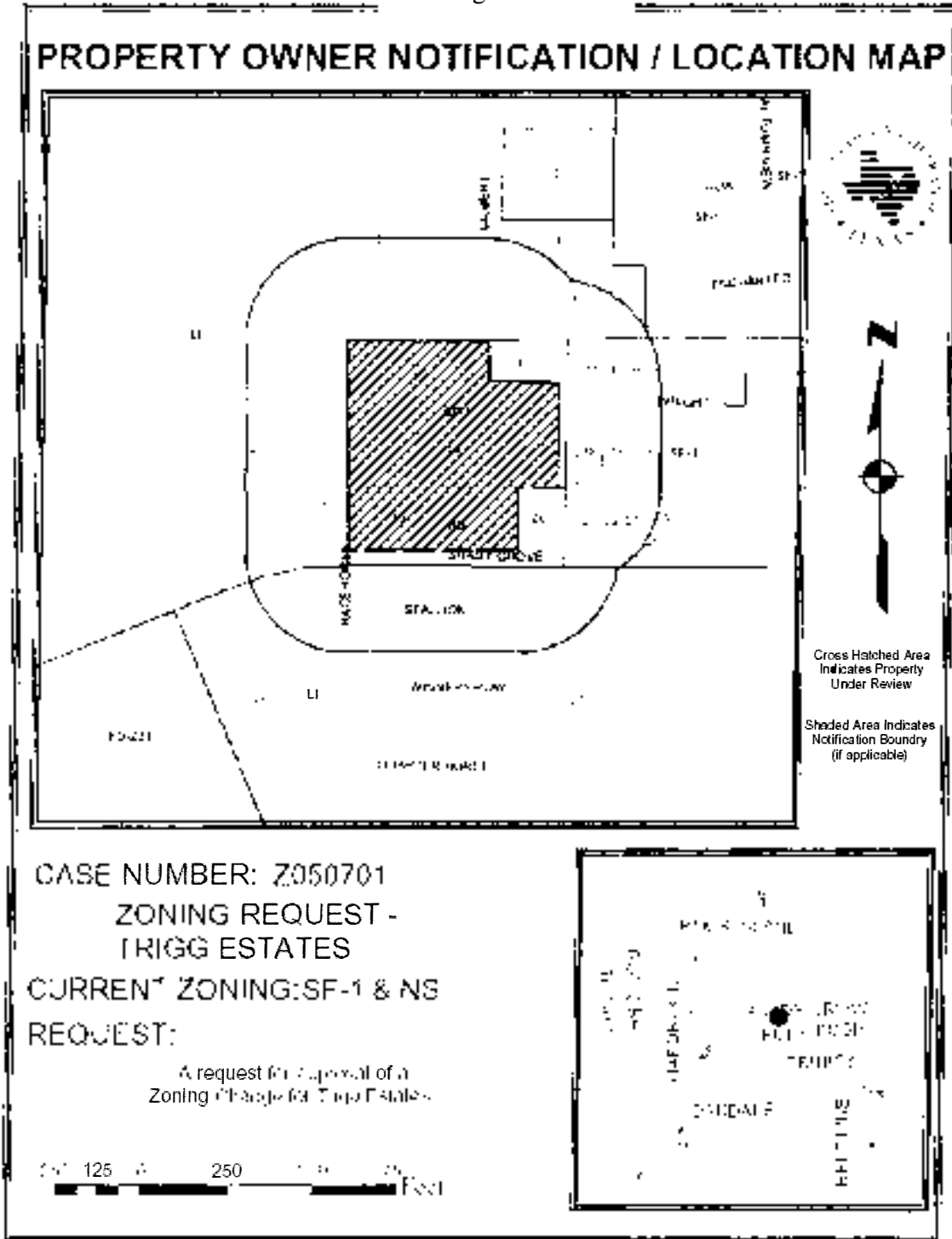


Exhibit "A"
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BEING a tract of land out of the ELIZABETH GRAY SURVEY, ABSTRACT NO. 1689, and being a portion of a 10 Acre tract of land deeded by J.M. Moore to John Trigg by deed dated April 16, 1888, recorded in Volume 196, Page 607, Deed Records of DALLAS County, Texas, said tract being described as follows:

BEGINNING at the intersection of the North right-of-way line of Snady Grove Road with the West boundary line of said 10 Acre tract;

THENCE North 630.00 feet to a point for corner;

THENCE East 451.00 feet to a point for corner;

THENCE South 124.50 feet to a point for corner;

THENCE East 209.00 feet to a point for corner;

THENCE South 315.50 feet to a point for corner;

THENCE West 201.48 feet to a point for corner;

THENCE South 190.00 feet to a point for corner;

THENCE West 458.52 feet to the POINT OF BEGINNING, and containing 8.07 Acres of land, more or less.

Exhibit "B"
Concept Plan

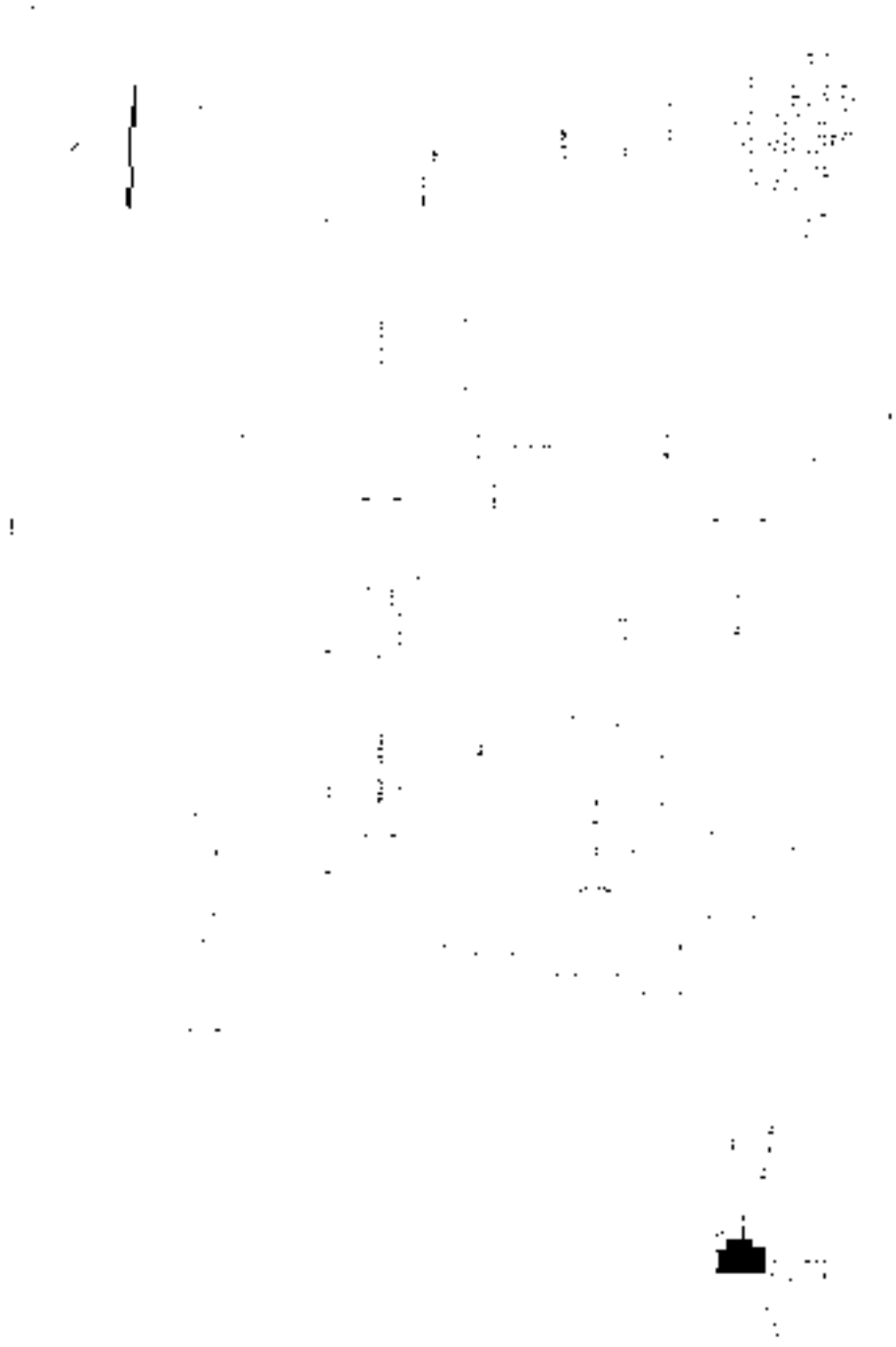


Exhibit "C"
Density and
Dimensional Table

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 <i>(Applicant Appeal 6,600 SFL)</i>	65 <i>(Applicant Appeal 60 Ft)</i>	120	25 to front wall plane; 30 to front of garage	20	20	15	6 <i>(Applicant Appeal 5 Ft)</i>	15	20 <i>(Applicant Appeal 17 Ft)</i>	35	50%	