

AN ORDINANCE AMENDING THE ZONING MAP AND ORDINANCE TO REZONE A 47.893 ACRE TRACT OF LAND SITUATED IN THE S.C. NEILL SURVEY, ABSTRACT NO. 1159, TARRANT COUNTY, CITY OF GRAND PRAIRIE, TEXAS, GENERALLY LOCATED NORTH OF SEETON ROAD AND WEST OF DAY MIAR ROAD, FROM AGRICULTURE (A) DISTRICT AND PLANNED DEVELOPMENT DISTRICT NO. 318 (PD-318) FOR SINGLE FAMILY DETACHED RESIDENTIAL USES TO PLANNED DEVELOPMENT DISTRICT NO. 318-A (PD-318-A) 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 Agriculture (A) District and Planned Development District No. 318 (PD-318) for Single Family Detached Residential Uses to Planned Development District No. 318-A (PD-318-A) 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 June 12, 2006 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 Agriculture (A) District and Planned Development District No. 318 (PD-318) for Single Family Detached Residential Uses to Planned Development District No. 318-A (PD-318-A) 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 June 20, 2006 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 **Agriculture (A) District and Planned Development District No. 318 (PD-318) 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 above described zoning area more particularly described and shown on the attached Exhibit "A" incorporated herein by reference.

II.

RESIDENTIAL SUBDIVISION DESIGN GUIDELINES

- A. 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.
- B. 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.

- C. 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. All other street classifications will be based on the city's Thoroughfare Plan. Developable acreage is based on the total platted property less the area used or dedicated for drainage or open space.
- D. Residential streets with a standard 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 Article 23, Master Transportation Plan of the Unified Development Code (UDC).
- E. Development must include landscaping and open spaces that are planned and coordinated throughout the development in a manner generally depicted on the proposed land plan shown on Exhibit "C".
- F. All utilities shall be placed underground.

III.

LANDSCAPING AND SCREENING GUIDELINES

- A. 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.
 - 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 setback 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 cement fiberboard, concrete thin-wall, or an alternate material shall be installed. A mandatory property-owners association or a public improvement district (“PID”) shall maintain such fences.
 4. Private residential fences shall consist of cedar and steel posts. Pine is not allowed.
- B. Each residential subdivision shall have entry signage that is coordinated with the development screening wall. A plan for all entry signage and screening walls shall be submitted for approval in conjunction with the final plat submittal.
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:
1. Each house at the time of occupancy shall have the following minimum landscaping:
 - a. Two (2)-three-inch caliper trees shall be provided for each residential lot. One tree shall be planted in front of each house with the second 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 will be applied as condition of approval.

IV.

DENSITY AND DIMENSIONAL REQUIREMENTS

- 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 "B", Density and Dimensional Table, with said standards being more particularly described below.
1. The design and location of single family detached residential lots, drainage areas and open spaces shall substantially conform to the proposed land plan depicted on Exhibit "C", Concept Plan.
 2. A 25-foot front yard building setback is required for residential lots developed with front entry (street facing) garages. 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.
 3. Covered front yard porches with a minimum depth of 5 feet, built in front of or 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.
 4. Architectural building projections, such as exterior stairs, exterior chimneys, stoops, bay and/or boxed windows, awnings, and other similar features may project in to the respective building set back by no more than 24-inches.
 5. No main building or structure shall be constructed with less than a 20-foot minimum front yard building setback. This building setback provision shall be noted on the final plat for all phases of the Planned Development zoning area.

V.

SUPPLEMENTAL DEVELOPMENT STANDARDS

- A. Architectural guidelines are to be established for the Planned Development zoning area.
1. 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 V. A. 5. c. of this Ordinance.
 2. 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 V. A. 5. c. of this Ordinance.

3. 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. 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 V. A. 5. a. and b. of this Ordinance.
 - 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. 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 V. A. 5. a. and b. of this Ordinance.
 - c. 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 V. A. 5. a. and b. of this Ordinance.
 - d. All fireplace chimney flues shall be encased in 100% masonry for all chimney types and locations.
4. Residential garage alternatives to be provided to the home owner/purchaser.
 - a. 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.

- b. 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.
- c. Front entry garages with two or more doors are to have a minimum 12-inch offset between garage doors.
- d. 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.
- e. 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.*

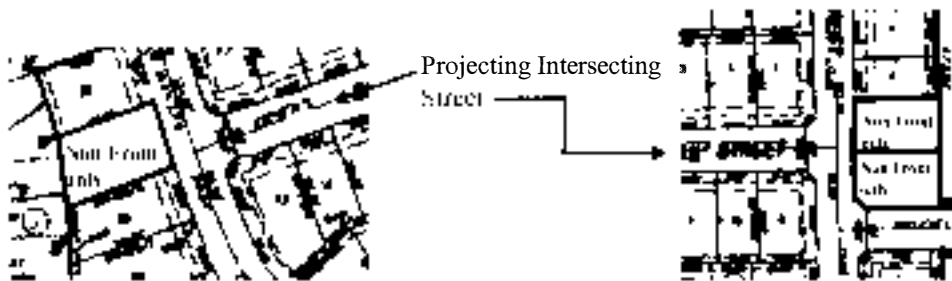


Figure 1 – One lot facing “T” intersection

Figure 2 Two lots facing “T” intersection

- 5. Variation in architectural design, color scheme, and building profile required.
 - a. 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.
 - b. 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.

- c. 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.
- B. 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.

VI.

FACADE PLANS TO BE SUBMITTED FOR STAFF REVIEW

- A. For the purpose of verifying compliance with the architectural requirements prescribed in Section V. A. 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.

VII.

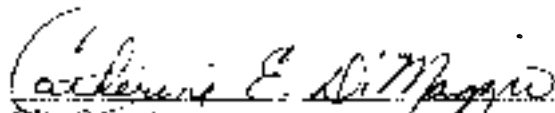
All ordinances or parts of ordinances in conflict herewith are specifically repealed.

VIII.

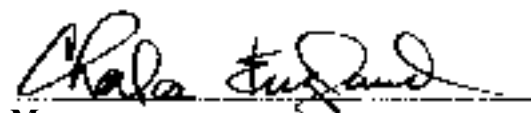
That this Ordinance shall be in full force and effect from its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, this the 20th day of June, 2006.

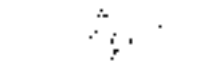
ATTEST:


City Secretary

APPROVED:


Mayor

APPROVED AS TO FORM AND LEGALITY:


City Attorney

Zoning Case No. Z060603

Exhibit "A"

Page 1 of 2

LEGAL DESCRIPTION

BEING a piece of land in the City of Grand Prairie, Tarrant County, Texas, a part of the S.C. And Survey, Abstract No. 1159, being a part of that 50.3079 acre tract of land conveyed to J.A. Herrmin Land Holdings, LP as recorded in Document No. D206119868, Tarrant County Deed Records, and being all that 7.211 acre tract of land conveyed to J.A. Herrmin Land Holdings, LP as recorded in Document No. D206116955, Tarrant County Deed Records, and being further described as follows:

COMMENCING at a P.K. nail found at the northwest corner of said 50.3079 acre tract of land, said point being the center line intersection of Day Miar Road (a prescriptive use right-of-way) with Seeton Road (a prescriptive use right-of-way);

THENCE South 89 degrees 25 minutes 00 seconds East, 658.72 feet along the north line of said 50.3079 acre tract of land and along the center of Seeton Road to a P.K. nail set at the POINT OF BEGINNING of this tract of land;

THENCE South 85 degrees 25 minutes 00 seconds East, 957.00 feet along the center of Seeton Road to a P.K. nail set at the northeast corner of said 50.3079 acre tract of land;

THENCE along the east line of said 50.3079 tract of land as follows:

South 11 degrees 22 minutes 00 seconds East, 180.45 feet to a concrete monument found for corner;

South 62 degrees 04 minutes 07 seconds East, 458.98 feet to a concrete monument found for corner;

South 26 degrees 34 minutes 00 seconds West, 290.98 feet to a concrete monument found for corner;

South 77 degrees 27 minutes 00 seconds West, 184.00 feet to a concrete monument found for corner;

South 18 degrees 40 minutes 30 seconds West, 581.95 feet to a concrete monument found for the southeast corner of said 50.3079 acre tract of land;

THENCE North 89 degrees 40 minutes 38 seconds West, 684.85 feet along the south line of said 50.3079 acre tract of land to a concrete monument found at the northeast corner of said 7.211 acre tract of land;

THENCE South 00 degrees 01 minutes 32 seconds East, 123.19 feet to a concrete monument found at the southeast corner of said 7.211 acre tract of land;

THENCE along the south line of said 7.211 acre tract of land as follows:

South 55 degrees 39 minutes 24 seconds West, 663.66 feet to a concrete monument found for corner;

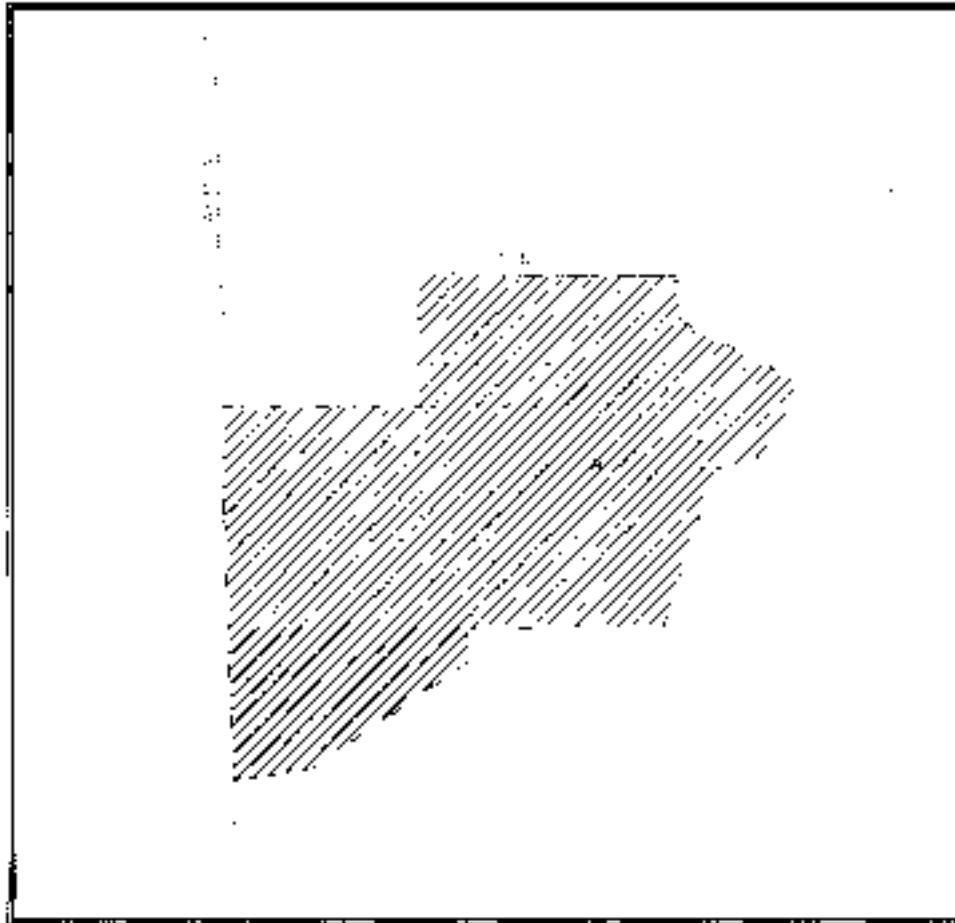
South 81 degrees 27 minutes 23 seconds West, 308.17 feet to a P.K. nail set at the southwest corner of said 7.211 acre tract of land, and said point being in the center of Day Miar Road;

THENCE North 00 degrees 32 minutes 00 seconds West, 1128.35 feet along the center of Day Miar Road to a P.K. nail set for corner;

THENCE South 89 degrees 39 minutes 25 seconds East, 653.55 feet to a one-half inch iron rod set for corner;

THENCE North 00 degrees 13 minutes 47 seconds West, 658.72 feet to the POINT OF BEGINNING and containing 2,086,205 square feet or 47.893 acres of land.

PROPERTY OWNER NOTIFICATION / LOCATION MAP



Cross Hatched Area
Indicates Notification Boundary
(if applicable)

Shaded Area Indicates
Notification Boundary
(if applicable)

CASE NUMBER: Z060603
ZONING REQUEST -
LAKEVIEW WEST

CURRENT ZONING: **PD-318 and "A"**
REQUEST:

A request for approval of a
Zoning Change for
Lakeview West Addition.

400 200 0 400 800 1,200
Feet

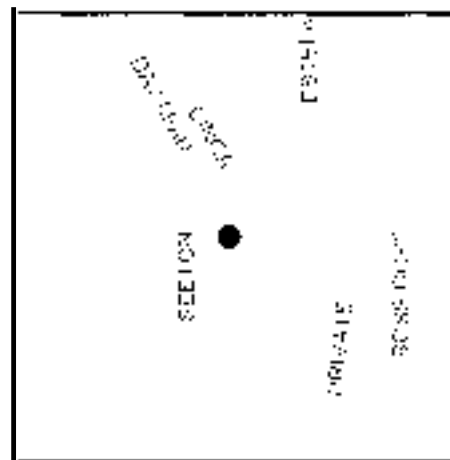


Exhibit “B”
Density and
Dimensional Table

Maximum Density per Gross Acre	Minimum Living Area per Unit (SF)	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, and/or front facing porches min. 5' deep	Rear	Internal Side Yard	Side on Street	Rear on Street Greater than 50- foot Right-of- Way		
4.0	1,800 SF 20% lots	7,800	65	120	25	20	10	6	15	15	35	50%
	2,000 SF 80% lots											

