

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE 34.375 ACRES OF LAND OUT OF THE D.P. PEARSON SURVEY, ABSTRACT NO. 1130, AND THE J. MCLAUGHLIN SURVEY, ABSTRACT NO. 846, THE CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, FROM SINGLE FAMILY-FOUR (SF-4) 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 (the Zoning Area) 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-Four (SF-4) 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 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 Zoning Area, 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 7 to 2 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned from its classification of **Single Family-Four (SF-4) 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 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 **Single Family-Four (SF-4) 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 Zoning Area from its classification of **Single Family-Four (SF-4) Residential District** as described in the attached Exhibit "A" incorporated herein by reference;

II.

RESIDENTIAL SUBDIVISION DESIGN GUIDELINES

- A. The design and location of single family detached residential lots, structures, drainage areas, and open spaces shall substantially conform to the Concept Plan as shown on the attached Exhibit "B" incorporated herein by reference.
- B. The Zoning Area 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. 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.
- D. 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.
- E. 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).
- F. Development must include landscaping and open spaces that are planned and coordinated throughout the development.
- G. All utilities shall be placed below ground, except for major high voltage transmission lines.

III.

ARCHITECTURAL, DIMENSIONAL AND DENSITY GUIDELINES

- A. The use of land and buildings for single family detached residential uses shall conform to those requirements for the Single Family-Six (SF-6) District as established in the Unified Development Code (UDC) except as otherwise specified herein.
- B. 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 as shown on the attached Exhibit "C", Density and Dimensional Table, incorporated herein by reference with said standards being more particularly described below.

1. Minimum lot size to be 6,240 square feet with the range of lot sizes to be established as follows:
 - a. No more than seventy percent (70%) of all platted lots shall contain a lot size between 6,240 square feet and 7,839 square feet.
 - b. At least ten percent (10%) of all platted lots shall contain a lot size between 7,840 square feet and 9,999 square feet.
 - c. At least twenty percent (20%) of all platted lots shall contain a lot size equal to or greater than 10,000 square feet.
2. Minimum lot width to be 52-feet.
3. Maximum lot coverage not to exceed 60%.
4. Interior side setbacks shall conform to those depicted on the attached Exhibit "B", Concept Plan incorporated herein by reference.
5. Minimum living area shall be 1,525 square feet.
6. No more than forty-five percent (45%) of all platted residential lots shall contain a minimum living area less than 1,900 square feet.
7. Front and rear yard building setbacks shall conform to those depicted on the attached Exhibit "B", Concept Plan, and Exhibit "C", Density and Dimensional Table, incorporated herein by reference.
8. No building or structure shall be constructed with less than a 17.5-foot minimum front or rear yard setback. This building setback provision shall be noted on the final plat for all phases of the Zoning Area.
9. Minimum roof pitch shall be 8:12 for 50% of all platted residential lots. A minimum roof pitch of 6:12 shall be allowed for the remaining 50% of all platted residential lots. A minimum roof pitch of 6:12 shall not be permitted for residential structures located on two or more consecutive (adjoining) lots. Variation in roofing material shall be required in accordance with Section III. E. 3. of this Ordinance.
10. 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. E. 3

of this Ordinance.

- C. Exterior construction to be predominately composed of masonry materials.
1. Minimum eighty percent (80%) of all exterior wall surfaces 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, roof mounted dormer walls no greater than 8-feet wide at their base, 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, and Portland cement plaster (stucco) that does not exceed thirty percent (30%) of any exterior wall surface, or a collective series of exterior wall surfaces composing a facade. Color variation for brick masonry exteriors shall be required in accordance with Section III. E. 1. and III. E. 2. of this Ordinance.
 - a. The rear facing façade(s) of structures built on interior lots may be constructed of cementious fiber board. For the purpose of enforcing this provision, an interior lot is defined as a lot that adjoins an existing platted lot along its side and rear lot lines, with said interior lot not having a side or rear lot line that adjoins a street right-of-way, with no part of said rear lot line being closer than 200 feet to a designated arterial or collector street. Only the remaining non-rear facades shall be subject to the masonry requirement.
 - b. Cementious fiber board may be utilized on any other building façade in lieu of Portland cement plaster (stucco) as referenced in III.B.1. above. The use Cementious fiber board under this provision shall not exceed thirty percent (30%) of any exterior wall surface, or a collective series of exterior wall surfaces composing a facade.
 2. All fireplace chimney flues shall be encased in 100% masonry for all chimney types and locations.
- D. Residential garage alternatives to be provided to the home owner/purchaser.
1. Minimum twenty percent (20%) of all platted residential lots 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. Front entry garages shall only be permitted on patio homes that have, and are constructed with, a side patio orientation.

3. 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.
 4. Front entry garages shall contain two or more single car wide doors with a minimum 12-inch offset between garage doors.
- E. Variation in architectural design, color scheme, and building profile required.
1. No use of the same brick masonry color, siding 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 across the street. For the purpose of enforcing this provision, a lot is “across the street” from another lot if more than 50% of its street frontage overlaps the frontage of the lot 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 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 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 4 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. For the purpose of enforcing this provision, a lot is “across the street” from another lot if more than 50% of its street frontage overlaps the frontage of the lot directly across the street.
- F. 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 are 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

- 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 in accordance with the provisions of this Ordinance. 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 troweled type 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 one (1) brick column spaced within 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, as defined in Article 8 of the Unified Development Code, constructed of cementitious fiber board, concrete thin-wall, or an alternate material shall be installed with smooth side of fence facing the street. Such fences shall be painted with a wood stain and be constructed with a top-rail trim member facing the street. A mandatory property-owners association and/or a public improvement district ("PID") shall maintain such fences.

4. An eight (8) foot high wood screening fence on galvanized metal posts shall be erected along the west property line of the Zoning Area that adjoins the railroad right-of-way. A mandatory property-owners association and/or a public improvement district (“PID”) shall maintain this fence.
- 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 the street entry along Gifford Road.
- 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 tree shall be planted in front of each house with a 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 the front and side yards.
- 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 by staff 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.

FAÇADE 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 Zoning Area.

VI.

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

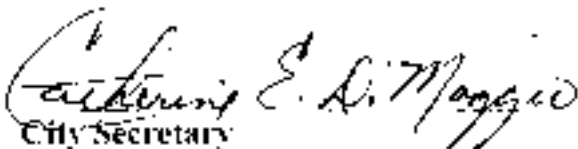
VII.

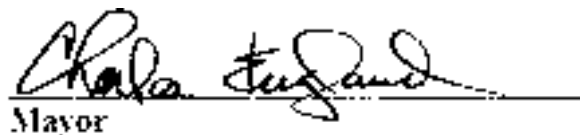
That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE ON THIS THE 20th DAY OF JUNE 2006.

ATTEST:

APPROVED:


Catherine E. DiMaggio
City Secretary


Chala Ferguson
Mayor

APPROVED AS TO FORM:

A handwritten signature in dark ink, appearing to be "Steph L.", written above a horizontal line.

City Attorney

Case Z060602

34,375 acre tract of land situated in the D.P. Pearson Survey, Abstract No. 1150, and the J. McLaughlin Survey, Abstract No. 846, Dallas County, Texas, and being a portion of that tract of land conveyed to South L.H. 30, Ltd. as recorded in Volume 96139, Page 3316, of the Deed Records of Dallas County, Texas D.R.D.C.T., said 34,375 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a point at the intersection of the west boundary line of the aforesaid South L.H. 30, Ltd. tract with the south right-of-way line of Gifford Street is 100 feet right-of-way, according to the plat recorded in Volume 200509, Page 98, D.R.D.C.T., and lying South 24 degrees 37 minutes 20 seconds East, a distance of 594.61 feet along the westerly boundary line of said South L.H. 30, Ltd. tract from the northeast corner thereof, said beginning point also lying in the northeast right-of-way line of the Gifford Hill & Company Incorporated Railroad Spur tract as recited in Volume 7551, Page 17, D.R.D.C.T., said point also being the beginning of a curve to the right having a radius of 1000.00 feet, and whose chord bears South 78 degrees 34 minutes 06 seconds East, a distance of 485.41 feet;

THENCE southeasterly, along said curve to the right, and along said south right-of-way line, through a central angle of 24 degrees 03 minutes 46 seconds, for an arc distance of 490.37 feet to a 1/2-inch found iron rod with Brittain & Crawford cap for corner;

THENCE South 62 degrees 31 minutes 17 seconds East, continuing along said south right-of-way line, a distance of 108.05 feet to the point of curvature of a circular curve to the left having a radius of 1100.00 feet, and whose chord bears South 69 degrees 48 minutes 20 seconds East, a distance of 278.23 feet;

THENCE southeasterly, along said curve to the left, and continuing along said south right-of-way line, through a central angle of 14 degrees 34 minutes 10 seconds for an arc distance of 278.74 feet to a point for corner;

THENCE South 27 degrees 37 minutes 43 seconds East, departing said south right-of-way line of said Gifford Street, a distance of 848.06 feet to a 1/2-inch found iron rod with Brittain & Crawford cap for corner;

THENCE South 23 degrees 47 minutes 17 seconds East, a distance of 710.00 feet to a 1/2-inch found iron rod with Brittain & Crawford cap for corner;

THENCE South 18 degrees 44 minutes 42 seconds East, a distance of 534.21 feet to a 1/2-inch found iron rod with Brittain & Crawford cap for corner in the southwest boundary line of the aforesaid South L.H. 30, Ltd. tract;

THENCE along the southwest boundary line of said South L.H. 30, Ltd. tract as follows:

North 87 degrees 17 minutes 56 seconds West, a distance of 475.87 feet to a 3/8-inch iron rod found for corner;

South 65 degrees 36 minutes 04 seconds West, a distance of 185.50 feet to a 1/2-inch iron rod found for corner in the northeasterly line of the aforesaid Gifford-Hill & Company tract and the west boundary line of said South L.H. 30, Ltd. tract;

THENCE along the easterly right-of-way line of said Gifford-Hill & Company tract as follows:

North 24 degrees 46 minutes 26 seconds West, a distance of 877.81 feet to a 1/2-inch found iron rod with Brittain & Crawford cap for corner;

North 24 degrees 34 minutes 18 seconds West, a distance of 377.19 feet to a 1/2-inch found iron rod with Brittain & Crawford cap for corner;

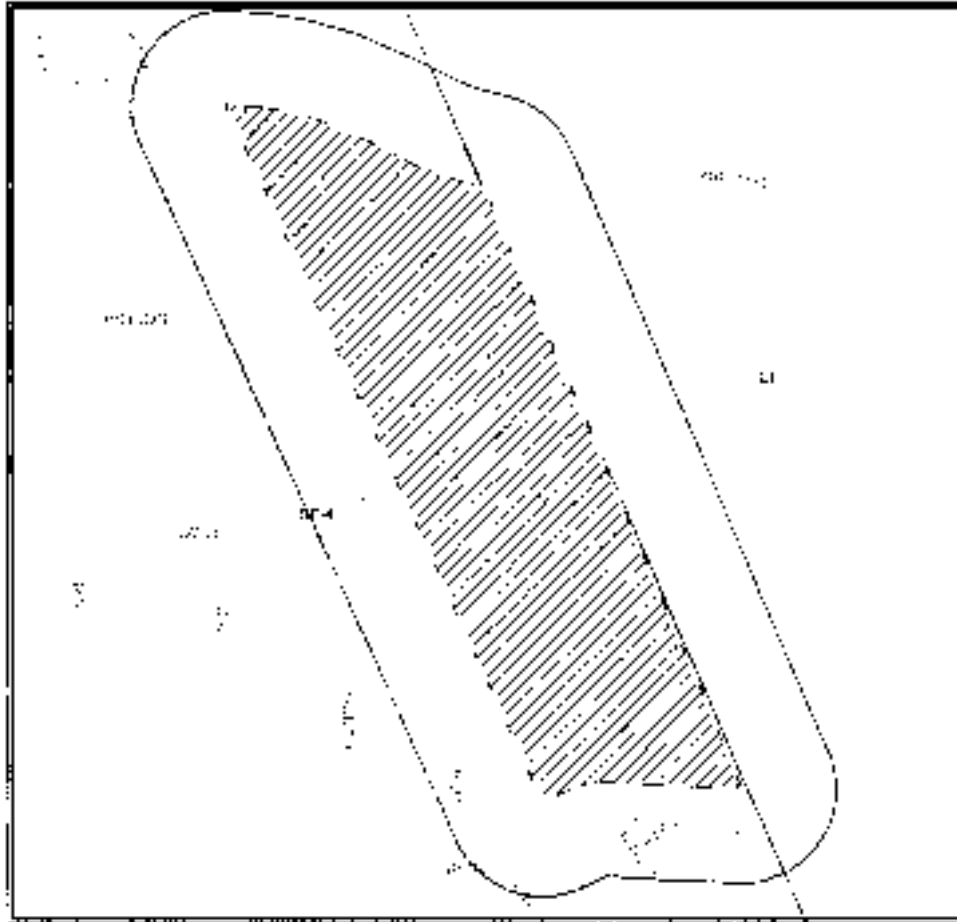
South 65 degrees 30 minutes 26 seconds West, a distance of 10.00 feet to a 1/2-inch found iron rod with Brittain & Crawford cap for corner;

North 24 degrees 30 minutes 47 seconds West, a distance of 842.85 feet to a 5/8-inch iron rod found for corner;

North 24 degrees 36 minutes 39 seconds West, a distance of 322.70 feet to the POINT OF BEGINNING AND CONTAINING 1,497,374 square feet or 34.175 acres of land, more or less.

Basis of Bearing in the Texas State Plane Coordinate System 1983 (1993) Texas North Central Zone 42 02.

PROPERTY OWNER NOTIFICATION / LOCATION MAP



Cross Hatched Area
Indicates Property
Under Review

Shaded Area Indicates
Notification Boundary
(if applicable)

CASE NUMBER: Z060602
ZONING REQUEST -
GRAND LAKES RESIDENTIAL
CURRENT ZONING: SF-4
REQUEST:

A request for approval of a
Zoning Change for the
Grand Lakes Residential Addition

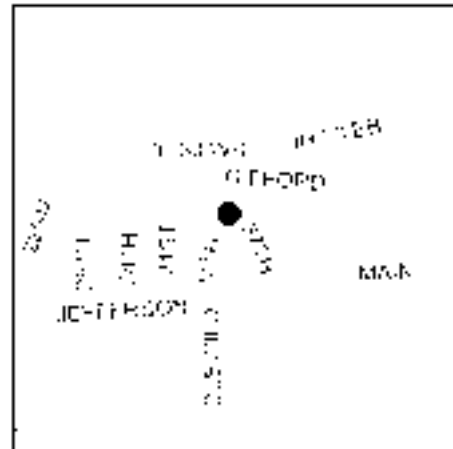
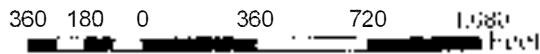
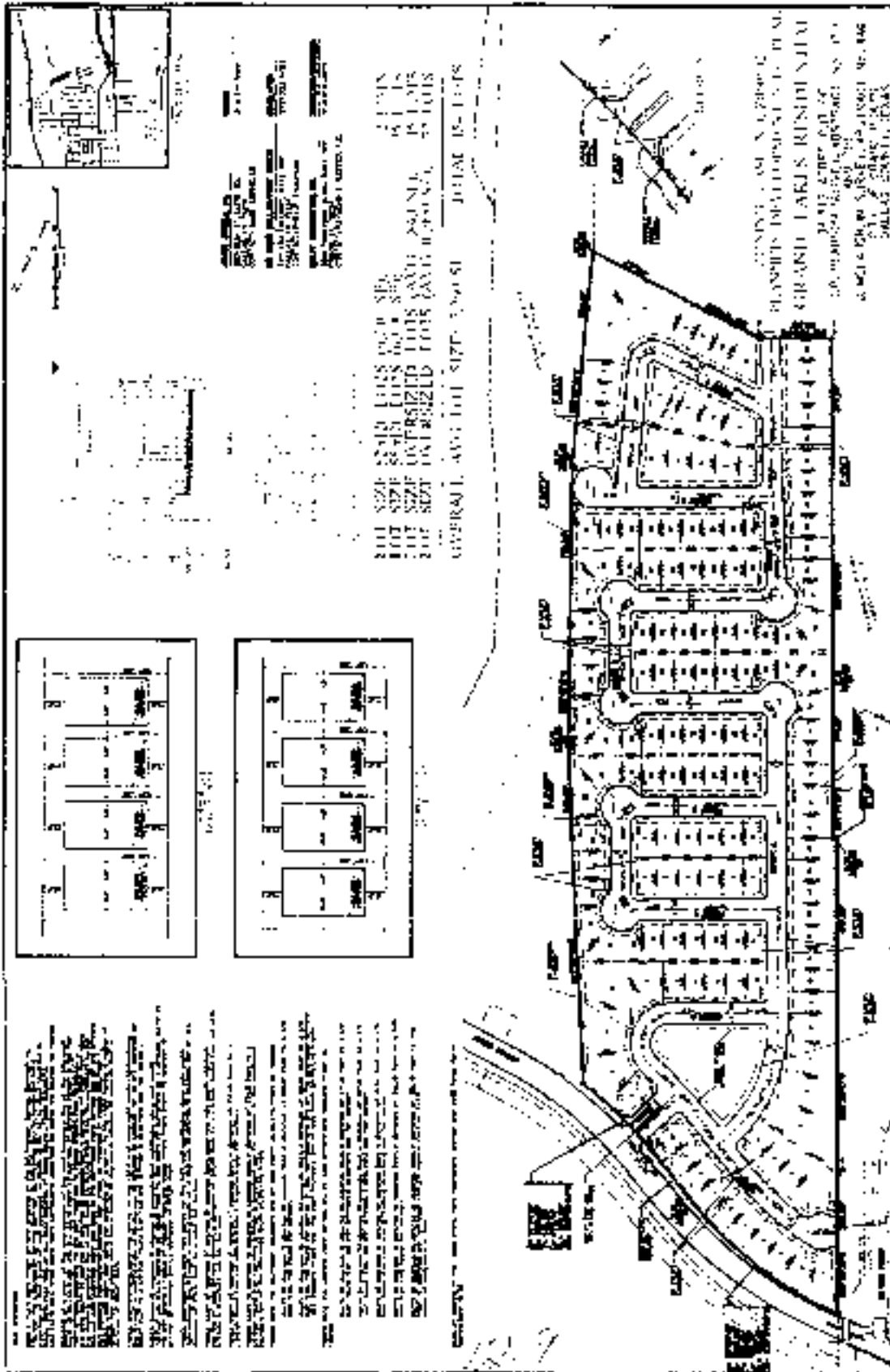


Exhibit "B"
 Concept Plan

ORD. NO. 7423, page 13



**Exhibit “C”
Density and
Dimensional Table
(Per Section III.)**

Maximum Unit Density per Developable Acres (1)	Minimum Living Area SF per Unit	Minimum Lot Sizes & Dimensions			Min Yard Setbacks in Feet							Max. Height (Feet)	Max. Lot Cov.
		Area (SF)	Width (Feet)	Depth (Feet)	Front w/ front facing garage (Double door type only)	Front w/ non-front facing garage	For Street Facing Porches	Internal Rear	Internal Side	Side on Street w/ equal or less than a 50-foot right-of-way	Side and Rear on Gifford Road and Street “E”		
4.5	1,525 SF min. with no more than 45% of units being less than 1,900 SF.	6,240 SF (See III.B.1. for range.)	52	105	17.5	17.5	17.5	17.5	Per Exhibit “B”	10.5	20	35 (To top plate)	60%

(1) Developable acreage is based on the total platted property less the area used or dedicated for drainage or open space.