

PLANNED DEVELOPMENT	164
ORDINANCE NO.	3807
PLANNING UNIT NO.	NW42

AN ORDINANCE AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY SO AS TO REZONE PART OF THE DAVID BRADSHAW SURVEY, ABSTRACT NO. 121, GENERALLY LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF CARRIER PARKWAY AND N.W. 19TH STREET (FUTURE STATE HIGHWAY 161) FROM THE SINGLE FAMILY-ONE ZONING DISTRICT (SF-1) TO THE (PD) PLANNED DEVELOPMENT ZONING DISTRICT FOR AGRICULTURE, GENERAL RETAIL, OFFICE AND ZERO-LOT-LINE USES, SAID ZONING MAP AND ORDINANCE PASSED ON JANUARY 27, 1971 AND RECORDED IN BOOK 8, PAGES 405 to 509 OF THE ORDINANCE RECORDS OF THE CITY OF GRAND PRAIRIE, TEXAS; 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 hereinafter described property 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) to General Retail (GR); and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on June 24, 1985 after written Notice of such public hearing before the Planning and Zoning Commission on the proposed change in classification had been sent to owners of real property lying within 200 feet of the property on which the change in 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 6 to 1 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned so as to change its classification from Single Family-One (SF-1) to Planned Development for General Retail, Office, and Single Family Zero-Lot-Line uses; and

WHEREAS, subsequent to the public hearing of the Planning and Zoning Commission, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the Municipal Building at 7:00 o'clock p.m. on July 2, 1985, 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 Grand Prairie Daily News, Grand Prairie, 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 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 property sought to be rezoned, as well as the nature and utilization 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 the classification of Single Family-One (SF-1) 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 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 36 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 27TH DAY OF JANUARY, 1971, 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 January 27, 1971, recorded in Ordinance Book 8, Pages 405 to 509 inclusive, be amended, so as to establish and rezone the following described area from (SF-1) Single Family-One to **Planned Development No. 164 for Agriculture, General Retail, Office and Zero-Lot Line uses.**

LEGAL DESCRIPTION

BEING a parcel of land out of the David Bradshaw Survey, A-121, in the City of Grand Prairie, Dallas County, Texas and described as follows:

BEGINNING at an iron at the intersection of the East line of N.W 19th Street with the Southwest line of Carrier Parkway, said beginning point being on a curve to the Left having a radius of 1187.11 feet and a central angle of 44° 21';

THENCE in a Southeasterly direction with said curve to the Left along the Southwest line of Carrier Parkway, 918.9 feet to an iron at the end of said curve;

THENCE S 68° 44' E, with fence along the South line of Carrier Parkway, 956.0 feet to an iron in place at fence corner;

THENCE S 35° 56' E with fence 796.45 feet to an iron in place at fence corner;

THENCE S 55° 19' W with fence, and partially with the Northwesterly line of Block 2 of Pradera Grande Addition, a distance of 705.01 feet to an iron for corner;

THENCE N. 35° 56' W 572.57 feet to an iron for corner;

THENCE N 89° 56' W 1111.41 feet to an iron in the East line of Northwest 19th Street;

THENCE in a Northerly direction with a fence along the East line of Northwest 19th Street as follows:

N 0° 04' E 614.5 feet;

East 10.0 feet to a fence corner;

N 0° 28' E 153.6 feet to a point for corner;

N 54° 03' E 50.7 feet to a point in the center of a creek;

N 73° 20' W 42.55 feet to a point in the East line of N.W. 19th Street;

N 0° 28' E with the East line of Northwest 19th Street, 734.0 feet to the place of beginning, containing 1,790,534 square feet of land of which 398.915 square feet lie in the future right-of-way of Proposed State Highway 161, 47,675 square feet lie in the 100-year flood plain, and 11,778 square feet lie in a 15-foot wide Sanitary Sewer Easement, leaving a net area of 1,332,166 square feet of land.

II.

AGRICULTURE

1. BOUNDARY DESCRIPTION:

The 10.0± acres along the western portion of the site that lies within the proposed S.H. 161 alignment.

2. PERMITTED USES:

In areas designated for agriculture uses, no land shall be used and no building shall be erected or converted to any use other than:

A. PERMITTED PRINCIPAL USES:

- (1) All uses as provided for the Agriculture (A) zoning district in Section B-100 of the Comprehensive Zoning Ordinance of the City of Grand Prairie.
- (2) One single-family detached residential dwelling per individual lot of record.
- (3) Temporary real estate sales offices located on property being sold, or on-site construction offices limited to the period of sale or construction.
- (4) Paved automobile parking areas which are necessary to the uses permitted in this district.
- (5) Farm, ranch, garden or orchard activities.
- (6) Customary home occupations as defined in Section B-800 of the Comprehensive Zoning Ordinance of the City of Grand Prairie.
- (7) Municipally owned or controlled facilities, utilities and uses, except those that may require a specific use permit.

B. PERMITTED ACCESSORY USES:

The following uses shall be permitted as accessory uses:

- (1) Portable buildings accessory to a principal residential use on the same lot or to a farming, ranching or gardening activity.
- (2) Private nurseries and greenhouses as an accessory to the principal residential use on the same lot.
- (3) Those accessory uses necessary to conducting farming, ranching or gardening activities.

C. SPECIFIC USE PERMITS:

The following uses shall be allowed upon approval of a Specific Use Permit in accordance with Section B-100 and Section B-500 of the Comprehensive Zoning Ordinance:

- (1) Electrical generating plant.
- (2) Public or private utility company shop or storage facility.

- (3) Day camp.
- (4) Day care centers.
- (5) Facilities for railroads or those utilities holding a franchise under the City of Grand prairie (with the exception of actual distribution systems), but including electrical substations and telephone exchanges.

D. PROHIBITED USES:

The following uses shall be prohibited in the (A) Agricultural District:

- (1) Any building erected or land used for other than one or more of the preceding specified uses.
- (2) The storage of equipment, material or vehicles, including abandoned vehicles, which are not necessary to the uses permitted in this district.
- (3) A driveway or crosswalk way, as distinct from a dedicated street, to provide access to premises in a Commercial or Industrial District.
- (4) Any use of property that does not meet the required minimum lot size, front side or rear yard dimension, and/or lot width or exceeds the maximum height, building coverage or density per net acre as specified.

3. AREA REQUIREMENTS:

- A. Minimum required floor area of dwelling unit 1600 sq.ft. (Minimum required floor area as herein specified shall be computed exclusive of breezeways, garages, open porches, carports, accessory buildings or accessory spaces not designed and used directly and specifically for dwelling purposes.)
- B. Minimum lot area.....5 acres
- C. Minimum lot frontage on a public street...100 feet
- D. Minimum lot depth.....150 feet
- E. Minimum depth of front set back.....35 feet
- F. Minimum depth of rear setback of all structures25 feet (Including accessory structures)

- G. Minimum width of side setback:
 - (1) Internal lot.....10 feet
 - (2) Sideyard setback abutting a street....15 feet
 - (3) Abutting an arterial.....40 feet
- H. Minimum distance between buildings on the same lot or parcel of land:
 - From main to accessory buildings.....10 feet
- I. Minimum distance from the public right-of-way to the entrance to a garage or unenclosed carport, for side yards20 feet
- J. Minimum required exterior masonry content:

All single-family detached residential structures shall be of exterior fire resistant construction, having at least eighty percent (80%) of the total exterior walls, excluding doors and windows, constructed of standard full-width brick or stone.
- K. Height and Area Regulations:
 - (1) Maximum allowable lot coverage.....15 percent
 - (2) Maximum height of structures.....2 stories

4. PARKING:

Minimum number of off-street parking spaces required for:

- A. Single-Family Detached Residential Dwellings2 spaces, non-stacked
- B. All Other Uses: As provided by applicable sections of the Comprehensive Zoning Ordinance of the City of Grand Prairie, Texas.

5. SPECIAL RESIDENTIAL RESTRICTIONS:

- A. SPECIAL FRONT YARD REGULATIONS - NO BUILDING OR STRUCTURE SHALL HEREAFTER BE LOCATED, ERECTED OR ALTERED TO HAVE A FRONT YARD SMALLER THAN HEREINAFTER REQUIRED.
 - (1) Where the frontage on one side of a street between two intersecting streets is divided by two or more zoning districts, the front yard shall comply with the requirements of the most restrictive district for the entire frontage.

- (2) Where a building line has been established by plat or Ordinance approved by the Planning and Zoning Commission or enacted by the City Council and such line requires a greater or lesser front yard setback than is prescribed by this Ordinance for the district in which the building line is located, the required front yard shall comply with the building line so established by such Ordinance or plat.
- (3) The front yard shall be measured from the property line to the front face of the building, covered porch, covered terrace, or attached accessory building. Eaves and roof extensions may project into the required front yard for a distance not to exceed twenty-four (24) inches.
- (4) Where lots have double frontage, running through from one street to another, a required front yard shall be provided on both streets, unless a building line for accessory buildings has been established along one frontage on the plat or by ordinance, in which event only one required front yard need be observed.

B. SPECIAL FRONT, SIDE AND REAR YARD REGULATIONS - NO BUILDING OR STRUCTURE SHALL HEREAFTER BE LOCATED, ERECTED OR ALTERED TO HAVE A REAR YARD SMALLER THAN HEREINAFTER REQUIRED.

Every part of a required side or rear yard shall be open and unobstructed to the sky from a point thirty (30) inches above the general ground level of the graded lot, except for accessory buildings as permitted in Section E-200 of the Comprehensive Zoning Ordinance, and the ordinary projections of window sills, belt courses, cornices, roof overhangs, and other architectural features projecting for a distance not to exceed twenty-four (24) inches into the required side or rear yard and the usual landscape planting and lighting.

C. SPECIAL AREA REGULATIONS:

The minimum required lot area, width and depth shall be in accordance with the appropriate sections for area, width and depth except that a lot having less area, width, or depth than herein required which was an "official lot of record" prior to the adoption of this ordinance may be used for a one-family dwelling and no lot existing at the time of passage of this ordinance shall be reduced in area, width, or depth below the minimum set forth herein.

D. SPECIAL HEIGHT REGULATIONS:

Cooling towers, roof gables, chimneys, and vent stacks, may extend for an additional height not to exceed forty (40) feet above the average grade line of the building. Water stand pipes and tanks, church steeples, domes and spires, school buildings and institutional buildings may be erected to exceed (3) stories in height, provided that one (1) additional foot shall be added to the width and depth of front, side and rear yards for each foot that such structures exceed three (3) stories.

III.
GENERAL RETAIL/OFFICE

1. BOUNDARY DESCRIPTION:

- A. The 14.1± acre portion of the site designated as retail development, adjacent to and east of the Proposed State Highway 161 alignment.
- B. The 9.6± acre portion of the site, designated as garden office development, adjacent to Carrier Parkway between the proposed retail and proposed recreational development.
- C. The 1.9± acre portion of the site, designated as recreational development, between the proposed garden office and proposed townhouse developments.

2. PERMITTED USES:

In areas designated for general retail/office uses no land shall be used and no building shall be erected or converted to any use other than:

A. PRIMARY RESIDENTIAL USES:

Hotel or motel.

B. EDUCATIONAL, INSTITUTIONAL AND SPECIAL USES:

Church and Rectory, College or University, Private Primary or Secondary School, Farm, Ranch, Garden or Orchard, Fishing Pier and Boat Sales, Fraternal Organization, Lodge or Civic Club, Golf Course, Private or Country Club, Hospital (General Acute Care), Hospital (Chronic Care), Institutions of Religious or Philanthropic Nature, Registered Family Home, Monastery or Convent, Park, Playground or Public Community Center, Residence Home for Aged, School, (Public or Parochial), Tennis or Swim Club.

C. UTILITY, ACCESSORY AND INCIDENTAL USES:

Accessory Building, Electrical Substation, Electrical Transmission Line, Field or Construction Office (Temporary), Fire Station or Similar Public Safety Building, Gas Transmission Line and Metering Station, Home Occupation, Local Utility Distribution Lines, Off-Street Parking Incidental to Main Use, Railroad Track and Right-of-Way, Swimming Pool (Private), Telephone Exchange, Water Reservoir, Water Pumping Station and Well.

D. SIGN AND IDENTIFICATION USES:

Temporary Signs, Portable Signs, Electric Signs, Commercial Signs, Official Signs, all subject to the requirements as prescribed in Section E-300 of the Comprehensive Zoning Ordinance of the City of Grand Prairie.

E. RETAIL AND SERVICE TYPE USES:

Antique Shop, Bakery or Confectionery Shop (Retail), Cleaning and Pressing, Small Shop and Pickup, Custom Personal Service Shop, Discount Variety or Department Store, Drapery, Needlework or Weaving Shop, Florist or Garden Shop, Greenhouse or Plant Nursery (Retail), Handcraft Shop, Household Appliance Service and Repair, Laundry or Cleaning, Self-Service, Mimeograph, Stationery or Letter Shop, Mortuary or Funeral Parlor, Furniture or Appliance Store, Offices (Professional and Administrative), Pawn Shop, Pet Shop, Restaurant or Cafeteria Without Drive-in Service, Restaurant with Drive-in Service, Retail Stores and Shops other than listed, Studio for Photographer, Musician or Artist, Theater (Indoor), Secondhand Store, Used Furniture or Rummage Sale.

F. AUTOMOBILE AND RELATED SERVICE USES:

Commercial Auto Parklot, New Auto Part Sales Store, Used Auto Parts Sales (In Building).

G. COMMERCIAL TYPE USES:

Trade or Commercial School, Veterinarian Office Only (No Outside Pens), Upholstery Shop.

H. SPECIFIC USE PERMIT REQUIRED:

Additional uses shall be allowed in this district, as prescribed in Section B-100 of the Comprehensive Zoning Ordinance of the City of Grand Prairie for the (GR) General Retail District, upon approval of a Specific Use Permit in accordance with Section B-500 of the Grand Prairie Zoning Ordinance.

3. AREA REQUIREMENTS:

A. Minimum depth of front setback:.....25 feet
(From front property line to face of structure)

B. Minimum width of side setback:
(Distance between structure and any property line that is not deemed a front or rear yard.)

1. Internal lot.....0 feet

2. Sideyard setback abutting a street....15 feet

3. Sideyard abutting residentially zoned or used property.....10 feet

C. Minimum depth of rear setback:

1. From rear property line to any structure0 feet

2. Rear yard abutting residentially zoned or used property.....22 feet

D. Maximum height of structures:.....2 stories

E. Maximum floor area ratio:.....2:1

F. Off-Street Parking:

Off-street loading and parking space shall be provided in accordance with Section C-2600 of the Comprehensive Zoning Ordinance.

4. SPECIAL FRONT, SIDE AND REAR YARD REGULATION - NO BUILDING OR STRUCTURE SHALL HEREAFTER BE LOCATED, ERECTED OR ALTERED TO HAVE A FRONT, REAR OR SIDE YARD SMALLER THAN HEREINAFTER REQUIRED.

A. Every part of a required side or rear yard shall be open and unobstructed to the sky from a point thirty (30) inches above the general ground level of the graded lot, except for accessory buildings as permitted in Section E-200 of the Grand Prairie Zoning Ordinance and the usual landscape planting and lighting. The

ordinary projections of window sills, belt courses, cornices, roof overhangs, and other architectural features may project not more than four (4) feet into the required yard.

- B. Gasoline service station pump islands may not be located nearer than 20 feet to the front property line. The outer edge of the canopy shall not be nearer than 10 feet to the front property line.

5. SCREENING REQUIREMENTS:

Non-residential uses shall be screened from residentially zoned or used land in accordance with Section E-400 of the Comprehensive Zoning Ordinance of the City of Grand Prairie.

IV.

SINGLE FAMILY RESIDENTIAL
ZERO LOT LINE

1. BOUNDARY DESCRIPTION

The 5.4 acre portion of the site designated as Townhouse development between the proposed recreational/garden office development and the existing residential development.

2. PERMITTED PRINCIPAL USES:

In areas designated for zero-lot-line dwellings, the following uses shall be permitted as a principal use:

- A. All uses as provided in the (SF-ZLL) Zero-Lot-Line District of the Comprehensive Zoning Ordinance of the City of Grand Prairie.
- B. One single-family residential dwelling on an individual lot of record.
- C. Temporary real estate sales offices located on property being sold, or on-site construction offices limited to the period of sale of construction of 90% of the lots, whichever may be the later date.
- D. Paved automobile parking areas which are necessary to the uses permitted in this district.
- E. Customary home occupations as defined in Section B-800 of the Comprehensive Zoning Ordinance of the City of Grand Prairie.
- F. Municipally owned or controlled facilities, utilities, and uses, except those uses that may require a Specific Use Permit.

3. PERMITTED ACCESSORY USES:

The following uses shall be permitted as accessory uses:

- A. Portable storage buildings not larger than one hundred twenty (120) square feet and ten (10) feet in height accessory to a principal residential use on the same lot.
- B. Private nurseries, greenhouses, swimming pools, spas or saunas, and gardens as an accessory use incidental to the principal residential use on the same lot.

4. PROHIBITED USES:

The following uses shall be prohibited in this District:

- A. Any building erected or land used for other than one or more of the preceding specified uses.
- B. The storage of equipment, material or vehicles, including abandoned vehicles, which are not necessary to the uses permitted in this district.
- C. A driveway or crosswalk way, as distinct from a dedicated street, to provide access to premises in a Commercial or Industrial District.
- D. Any use of property that does not meet the required minimum lot size, front, side and rear yard dimension, and/or lot width or exceeds the maximum height, or building coverage as specified.

5. AREA REQUIREMENTS:

- A. Minimum Lot Area:.....6,500 sq. ft.
- B. Minimum Required Floor Area.....2,000 sq. ft.

(Minimum required floor area as herein specified shall be computed exclusive of breezeways, garages, open porches, carports, accessory buildings or accessory space and shall include only that area designed and used directly and specifically for dwelling purposes.)

- C. Minimum Lot Frontage on a Public Street....65 feet
(Measured at the front building line)
- D. Minimum lot depth.....100 feet
- E. Minimum depth of front setback.....25 feet
(From front property line to face of structure)

- F. Minimum depth of rear setback of all structures10 feet
- G. Minimum width of side setback:
(The distance between structure and any property line that is not deemed a front or rear yard.)
 - (1) Exterior side wall coincident with the property line.....0 feet
 - (2) Side exterior wall not designated coincident with the property line. (Provided however that there shall be a minimum distance of 5 feet between residential structures on separately platted lots.)8 feet
 - (3) Sideyard setback abutting a street....15 feet
 - (4) Sideyard setback abutting an arterial.20 feet
- H. Minimum distance from the public right-of-way to the entrance to a garage or unenclosed carport, for rear or side yards.20 feet
- I. Minimum required exterior masonry content:

All single-family residential structures shall be of exterior fire-resistant construction, having at least sixty percent (60%) of the total exterior walls below the first floor plate line, excluding doors, garage doors, windows and trim, constructed of standard full-width brick or stone, unless otherwise approved by the City Council.
- J. Height and Area Regulations:
 - (1) Maximum allowable lot coverage....40 per cent
 - (2) Maximum height of structures.....2 stories

6. PARKING:

Minimum number of off-street parking spaces required for:

- A. Single-family residential dwelling....2 car garage (400 sq. ft. minimum) plus 2 non-stacked spaces
- B. All other uses: As provided by applicable sections of the Comprehensive Zoning Ordinance of the City of Grand Prairie.

7. SPECIAL RESIDENTIAL REGULATIONS:

A. SPECIAL FRONT YARD REGULATIONS- NO BUILDING OR STRUCTURE SHALL HEREAFTER BE LOCATED, ERECTED OR ALTERED TO HAVE A FRONT YARD SMALLER THAN HEREINAFTER REQUIRED.

(1) The front setback shall be measured from the property line to the front face of the building, covered porch, covered terrace, or attached accessory building. Eaves and roof extensions may project into the required front yard for a distance not to exceed twenty-four (24) inches.

(2) On a lot abutting on two (2) non-intersecting streets as distinguished from a corner lot, a required front yard shall be provided on both streets, unless a building line for accessory buildings has been established along one frontage on the plat or by ordinance, in which event only one required front yard need be observed.

B. SPECIAL SIDE, AND REAR YARD REGULATIONS - NO BUILDING OR STRUCTURE SHALL HEREAFTER BE LOCATED, ERECTED OR ALTERED TO HAVE A REAR OR SIDE YARD SMALLER THAN HEREINAFTER REQUIRED.

(1) Every part of a required side or rear yard shall be open and unobstructed to the sky from a point thirty (30) inches above the general ground level of the graded lot, except for accessory buildings as permitted in Section E-200 of the Grand Prairie Zoning Ordinance and the usual landscape planting and lighting. The ordinary projections of window sills, belt courses, cornices, roof overhangs, and other architectural features may project twenty-four (24) inches into the required yard.

(2) Exceptions for Certain Accessory Structures:

a. Where a fence is provided, the side or rear setback from the property line shall be three (3) feet for a swimming pool, jacuzzi, hot tub or any other accessory structure which does not exceed one hundred twenty (120) square feet in area and ten (10) feet in height.

b. The minimum separation between the main building and a swimming pool, jacuzzi, hot tub or any other accessory structure which does not exceed one hundred twenty (120) square feet in area and ten (10) feet in height shall be a minimum of six (6) feet.

C. SPECIAL OFF-STREET PARKING REGULATIONS:

- (1) Recreational vehicles, which shall mean, for the purposes of this section, a vehicular portable structure, designed for a temporary or short-term occupancy for travel, recreational or vacation uses, are prohibited from parking on a public thoroughfare. Any vehicle, including recreational vehicles, over eight (8) feet wide and over thirty-six (36) feet long shall not be stored or parked in this district.
- (2) Any commercial vehicle over 8 feet wide and 20 feet long may not be parked or stored in this residential area, unless such vehicle is delivering goods or services in the conduct of business to a specific residence.
- (3) This section shall not apply to parking, standing and/or storage of vehicles on public property in residential areas, which has specific restrictions defined in Chapter No. 25 of the Traffic Code of Ordinances.
- (4) Floor area of structures devoted to off-street parking of vehicles shall be excluded in computing the off-street parking requirements of any use. "Offstreet Parking" shall be defined as an unenclosed or enclosed concrete surface area of not less than 162 sq. ft. (approximately 9' X 18'), not on a public street or alley but permissible within a setback, together with an all-weather surface driveway connecting the area with a street or alley permitting free ingress-egress without encroachment on the street or alley.

D. SPECIAL HEIGHT REGULATIONS:

Cooling towers, roof gables, chimneys and vent stacks may extend for an additional height not to exceed forty (40) feet above the average grade line of the building. Water stand pipes and tanks, church steeples, domes and spires, school buildings and institutional buildings may be erected to exceed three (3) stories in height, provided that one (1) additional foot shall be added to the width and depth of front, side and rear yards for each foot that such structures exceed three (3) stories.

E. MAINTENANCE EASEMENT:

- (1) Any side lot line may be designated as the zero lot line. When such designation is made, there shall be a maintenance easement of not less than five feet (5) established on the same lot coincident with the opposite side lot line.
- (2) Such maintenance easement shall extend the full length of the structure coincident with the property line.
- (3) A maintenance easement shall be provided in conjunction with an adjacent zero lot line residential structure in order to provide an area in which to repair and maintain a structure located on the property line. The maintenance easement shall be maintained as an open space with no paved driving surface, storage of materials, principal or accessory structure, or shrubbery located thereon except upon finding by the Chief Building Official that such does not impede the use of said easement for the maintenance of the adjoining structure.
- (4) All maintenance easements shall be noted on a filed plat of the property.

V.

SPECIAL CONDITIONS

1. ALLEYS:

All tracts shall have alleys except in areas that are physically restricted (cul-de-sacs, etc.)

2. SIDEWALKS:

Sidewalks shall be provided in all tracts, unless physically restricted, next to street.

3. UTILITIES:

All utilities servicing this development (other than perimeter utilities) shall be installed underground, except for any major transmission lines, either existing or proposed, located within the boundaries of this development.

4. DEVELOPER PARTICIPATION:

The applicant shall be assessed 90% of the cost of half of the widening of N.W. 19th Street from Carrier Parkway to Egyptian Street.

5. GENERAL REQUIREMENTS AND STIPULATIONS:

- A. All proposed uses are subject to the approval of a development plan or site plan by the City Council after recommendation by the Planning and Zoning Commission and prior to the issuance of a building permit or occupancy certificate on the premises. Development plans and site plans are to be prepared in accordance with existing City Ordinances. When a variety of land uses are proposed on a single tract of land, the development plan shall delineate the area proposed for each use. This development plan or site plan shall be attached to this ordinance as Exhibit "A" and shall be a part hereof as if fully set out herein upon its approval by the City Council.
- B. No use shall be located or operated in any district which involves the emission of odorous material, smoke or particulate matter or noise.
- C. The applicant shall work with the homeowners on North Town Drive adjacent to the site to deed the affected residents 25 feet for additional backyards.
- D. The applicant shall do some clearing of the 10± acres of future state Highway 161 right-of-way.

6. USE MATRIX:

The use matrix, attached hereto as Exhibit "B", shall be deemed to be a part of this ordinance.

VI.

CITY PARTICIPATION

- 1. The City of Grand Prairie will participate in the cost of any street installations (including all engineering costs covering design, layout and construction supervision) up to thirty (30%) percent of the total cost, for any street installed adjacent to a dedicated and accepted public park. All other street, bridge and utility participation by the City will be in accordance with existing City Policy.
- 2. Nothing contained herein shall require the City to construct or contract to construct any project referred to herein if money is not available in the form of bond funds.

3. Nothing contained herein shall be construed to require the City to appropriate money or submit to the vote of the electorate any bonds or to diminish or alter the discretion of the City Council in the issuance of bonds.

VII.
DEVELOPMENT PLAN

The development plan for this tract will be the finally approved site plan and shall be attached to this ordinance and become a part of this ordinance as Exhibit "A" upon its approval by the City Council. No permits will be issued for construction unless in conformance with said development plan.

VIII.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

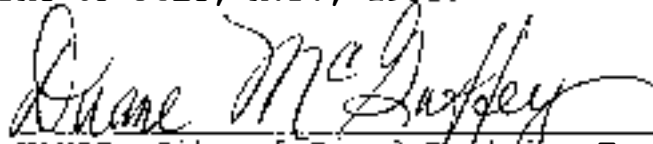
IX.

That nothing contained herein shall be construed as relieving the owner of the land described hereinabove of compliance with all other ordinances or charter of the City of Grand Prairie, Texas or laws of the State of Texas relating to the development of land or construction of buildings in said City, nor shall this ordinance be construed as relieving the owner of said land of compliance with all other provisions of Ordinance No. 2299 and its amendments, same being the Comprehensive Zoning Ordinance of said City, unless specifically modified by the passage of this ordinance.

X.

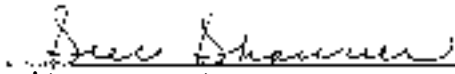
That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 2ND DAY OF JULY, A.D., 1985.



MAYOR, City of Grand Prairie, Texas

ATTEST:



City Secretary

APPROVED AS TO FORM:



City Attorney

Zoning Case No. Z851NW42

EXHIBIT " B "

MATRIX FOR:
 PLANNED DEVELOPMENT NO. 164
 ORDINANCE NO. 3807

TRACT NO.	LAND USE	GROSS ACRES	DENSITY	TOTAL UNITS	LOT SIZE	FLOOR AREA	MASONRY CONTENT	MINIMUM FRNT YD	MINIMUM SIDE YD	MINIMUM REAR YD	MAX. LOT COVERAGE	MAX. HGT.	MINIMUM PARKING
	R.O.W. S.H. 161	10.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	RETAIL	4.2	N/A	N/A	N/A	2:1	N/A	25'0"	25'0" adjacent to Carrier, 22'0" adjacent to residential	0'0"	N/A	2 story	Use Spec.
	OFFICE	9.6	N/A	N/A	N/A	2:1	N/A	25'0"	0'0"	22'0"	N/A	2 story	Use Spec.
	RECREATIONAL	1.9	N/A	N/A	N/A	2:1	N/A	25'0"	10'0"	22'0"	N/A	2 story	Use Spec.
	ZERO- LOT LINE	5.4	5.2 du/A	28	6500	2000	60%	25'0"	see note	10'0"	40%	2 story	2-car garage
TOTAL		41.1											

NOTES: 0'0" for exterior sidewalks coincident with property line. 8'0" for walls not on property line.