

EXHIBIT C

Ordinance No. 7501
Planned Development No. 14B
Case No. Z060902

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE 13.11 ACRES, IDENTIFIED AS 2350 SW3rd STREET BEING A PART OF THE EDWARD B. WOOTEN SURVEY, ABSTRACT 1519, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, FROM PLANNED DEVELOPMENT DISTRICT NUMBER 14A (PD-14A) FOR MULTI-FAMILY AND SINGLE FAMILY DETACHED RESIDENTIAL USES TO A PLANNED DEVELOPMENT DISTRICT NUMBER 14B (PD-14B) FOR MULTI-FAMILY AND SINGLE FAMILY DETACHED RESIDENTIAL USES; SAID ZONING MAP AND ORDINANCE BEING NUMBERED ORDINANCE 4779 AND PASSED ON NOVEMBER 20, 1990; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; CONTAINING A SAVINGS CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, the owners of the property described herein below filed application with the City of Grand Prairie, Texas, petitioning an amendment of the Zoning Ordinance and map of said city so as to rezone and reclassify said property from its classification of **Planned Development District Number 14A (PD-14A) for Multi-Family and Single Family Detached Residential Uses to a Planned Development District Number 14B (PD-14B) for Multi-Family and Single Family Detached Residential Uses**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on September 25, 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 6 to 2 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property not be rezoned from its classification of **Planned Development District Number 14A (PD-14A) for Multi-Family and Single Family Detached Residential Uses to a Planned Development District Number 14B (PD-14B) for Multi Family and 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 October 3, 2006 to consider the advisability of amending the Zoning Ordinance and Map, and all citizens and parties at

EXHIBIT C

Ord. No. 7501, Page 2

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 **Planned Development District Number 14A (PD-14A) for Multi-Family and Single Family Detached Residential Uses**; and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

I.

That Ordinance Number 4779, being the Zoning Ordinance and Map of the City of Grand Prairie, Texas, showing the locations and boundaries of certain districts, and said Zoning Ordinance and Map having been made a part of an Ordinance entitled:

"AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 28 OF THE CODE OF ORDINANCES KNOWN AS THE ZONING ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS PASSED AND APPROVED BY THE CITY COUNCIL ON THE 20TH DAY OF NOVEMBER, 1990, TOGETHER WITH ALL AMENDMENTS THERETO AND ENACTING A REVISED ORDINANCE ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS; CREATING USE DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN..."

and passed and approved November 20, 1990, as amended, is hereby further amended so as to rezone the following described area from its classification of **Planned Development District Number 14A (PD-14A) for Multi-Family and Single Family Detached Residential Uses to a Planned Development District Number 14B (PD-14B) for Multi-Family and Single Family Detached Residential Uses**; as depicted on the attached Exhibit "A" incorporated herein by reference.

EXHIBIT C

Ord. No. 7501, Page 3

II.

- A. The design and location of multi family residential development shall conform to the approved Planned Development Site Plan under City of Grand Prairie case file number S010602 as amended.

III.

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 historic architectural and traditional design elements are incorporated into the development.
- 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. 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).
- E. Development must include landscaping and open spaces that are planned and coordinated throughout the development.
- F. All utilities shall be placed below ground, except for major high voltage regional transmission lines.

EXHIBIT C

Ord. No. 7501, Page 4

IV.

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 4,000 square feet.
 2. Minimum lot width to be 40-feet.
 3. Maximum lot coverage not to exceed 50%.
 4. Interior side setback shall be a minimum of 3-feet.
 5. Units sizes shall be permitted as follows:
 - a. 1,600 square feet for no more than 10 lots,
 - b. 1,500 square feet for no more than 20 lots,
 - c. 1,400 square feet for no more than 29 lots, and
 - d. 1,300 square feet for no more than 30 lots.
 6. A 20-foot front yard garage door setback shall be permitted for residential lots developed with front entry (street facing) garages. This setback provision shall be noted on the final plat for all phases of the Planned Development zoning area.
 7. A 16-foot minimum front yard setback shall be permitted for residential lots that are built with non front entry (J swing, rear and side swing type) garages. This building setback provision shall be noted on the final plat for all phases of the Planned Development zoning area.
 8. A 16-foot minimum front yard setback shall be permitted for residential lots that are built with covered front yard porches with a minimum depth of 6-feet and a minimum width comprising at least 30% of the total front façade width. Said porches shall be built in front of and attached to the front (street facing) side of the residential living unit. This building setback provision shall be noted on the final

EXHIBIT C

Ord. No. 7501, Page 5

plat for all phases of the Planned Development zoning area.

9. A building setback of 20 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.
 10. Residential buildings 2-stories in height shall be constructed with a minimum roof pitch of 8:12 for all roof structures covering main (climate controlled) residential living areas. Variation in roofing material shall be required in accordance with Section III. E. 3 of this Ordinance.
 11. A minimum roof pitch of 6:12 shall be permitted for residential buildings 1-story in height, 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.
- 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. E. 1 and 2 of this Ordinance.
 - a. The rear facing façade(s) of 2-story structures built on interior lots may be constructed of non-masonry materials. 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 rear lot line that is located closer than 160 feet to a designated arterial or collector street. Only the remaining non-rear facades shall be subject to the masonry requirement.
 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, roof mounted dormer walls and windows, areas under covered

EXHIBIT C

Ord. No. 7501, Page 6

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. E. 1 and 2 of this Ordinance.

- a. The rear facing façade(s) of structures built on interior lots may be constructed of non-masonry materials. 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, and with no part of said rear lot line being closer than 160 feet to a designated arterial or collector street. Only the remaining non-rear facades shall be subject to the masonry requirement.
 3. Minimum one-hundred percent (100%) of all building elevations directly facing, siding, and/or backing up to a designated 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, roof mounted dormer walls and windows, 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.
 - a. The rear facing façade(s) of structures built on interior lots may be constructed of non-masonry materials. 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, and with no part of said rear lot line being closer than 160 feet to a designated arterial or collector street. Only the remaining non-rear facades shall be subject to the masonry requirement.
 4. 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. All garage structures shall contain a minimum of two (2) parking spaces inside the garage.
 2. Front entry (street facing) garages constructed with a two car wide single garage door shall only be permitted on the following lots established by final plat of Kennedy Oaks Addition approved by the City of Grand Prairie under case file

EXHIBIT C

Ord. No. 7501, Page 7

number P060403:

- a. Block A, Lots 18 thru 22, 24 thru 30, 35 thru 40, and 43 thru 45.
 - b. Block B, Lots 2 thru 6.
 - c. Block C, Lots 13 thru 24.
3. Front entry (street facing) garages, that contain two separate garage doors separated by a centered column, shall be permitted for no more than 29 lots within the zoning area.
 4. The remaining lots within the zoning shall be constructed with 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. Such garages shall be constructed with two-car wide single garage doors.
- E. Variation in architectural design, color scheme, and building profile required.
1. No use of the same brick masonry or paint 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 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 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

EXHIBIT C

Ord. No. 7501, Page 8

directly across the street. Home buyers to be provided with at least 5 different shade or tone options for roof shingles.

- F. A Public Improvement District ("PID") shall be created to enforce the restrictions contained in this ordinance at the expense of the PID, and said PID shall maintain required masonry screening walls, street landscaping, monument signage, common irrigation and other common areas within the development. Documentation establishing such PID shall be required at time of final plat review.

V.

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 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.
 - a. The required six (6) foot high masonry screening fence shall also extend along that segment of Twelve Oaks Boulevard that adjoins Lots 34, 35 and 47 of Block A, established by final plat of Kennedy Oaks Addition approved by the City of Grand Prairie under case file number P060403.
 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

EXHIBIT C

Ord. No. 7501, Page 9

3 fence constructed of cement fiberboard, concrete thin-wall, or of cedar wood pickets with metal post supports. A mandatory property-owners association and/or a public improvement district ("PID") shall maintain such fences.

4. Private residential fences shall consist of cedar wood pickets with steel post supports. Such fences that are constructed along the perimeter boundary of the zoning area shall be constructed with the smooth side of fence (the picket side) facing outward toward the adjoining property.
- 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 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 tree 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 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

EXHIBIT C

Ord. No. 7501, Page 10

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.

VI.

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, D, and E 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 and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE ON THIS THE 3rd DAY OF OCTOBER 2006.

APPROVED:

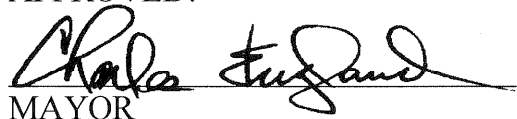
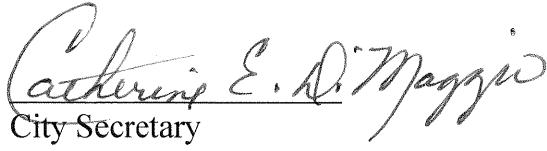

MAYOR

EXHIBIT C

Ord. No. 7501, Page 11

ATTEST:


City Secretary

APPROVED AS TO FORM:


City Attorney
Case Z060902

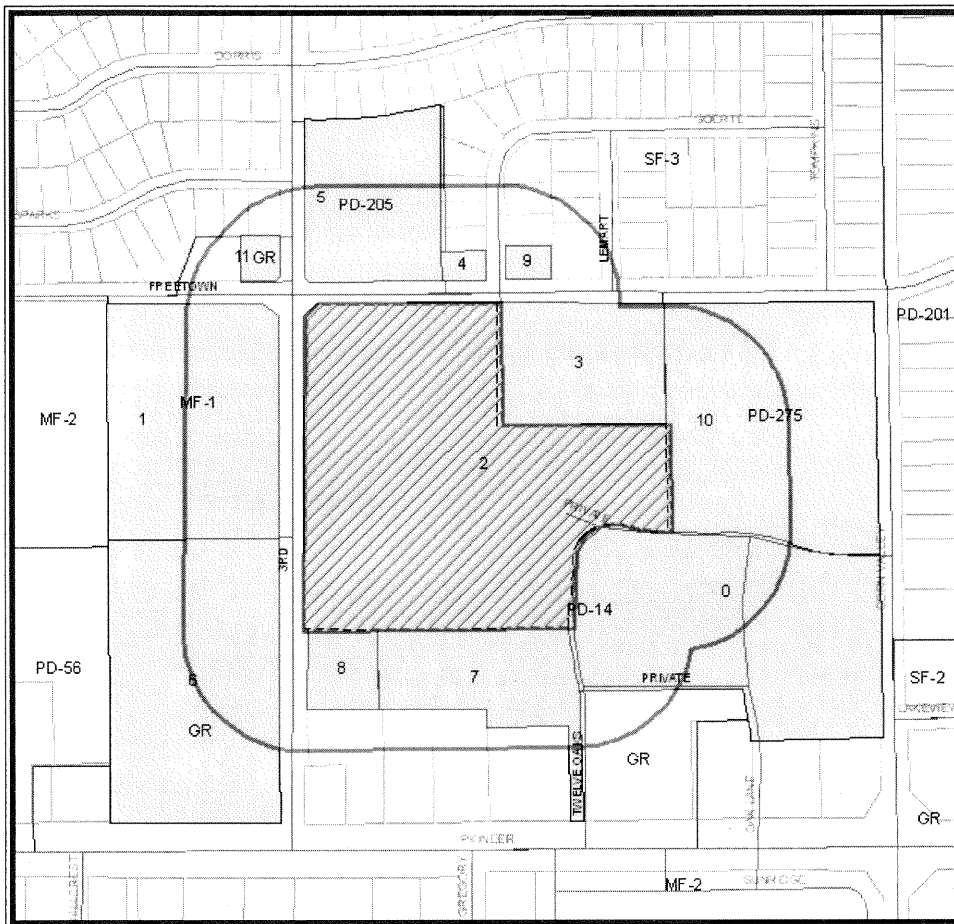
EXHIBIT C

Exhibit "A"

Page 1 of 2

Ord. No. 7501, Page 12

PROPERTY OWNER NOTIFICATION / LOCATION MAP



Cross Hatched Area
Indicates Property
Under Review

Shaded Area Indicates
Notification Boundary
(if applicable)

CASE NUMBER: Z060902

ZONING CHANGE
KENNEDY OAKS

CURRENT ZONING: PD-14A

REQUEST:

A request for approval of a Zoning Change
for a Single Family Planned Development

310 155 0 310 620 930 Feet

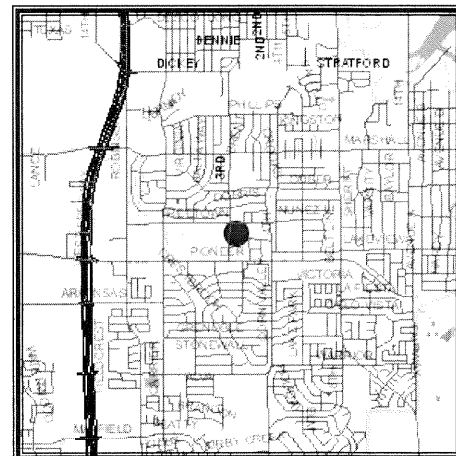


EXHIBIT C

Exhibit "A"

Page 2 of 2

Ord. No. 7501, Page 13

LEGAL DESCRIPTION Kennedy Oaks Addition

Being a 13.11 acre tract of land situated in the Edward B. Wooten Survey, Abstract No. 1519, Dallas County, Texas and being (all/a portion of) of that certain parcel conveyed to 2300 Twelve Oaks, JV by the deed recorded in Volume Page Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a found 1/2 inch iron rod for the POINT OF BEGINNING;

THENCE North 00°09'36" East, a distance of 235.10 feet to a found 3/8 inch iron rod;

THENCE North 00°02'19" East, a distance of 554.22 feet to a found 5/8 inch iron rod with plastic cap marked "SRI";

THENCE North 44°37'14" East, a distance of 46.71 feet to a found 5/8 inch iron rod with plastic cap marked "SRI";

THENCE North 89°25'37" East, a distance of 462.88 feet to a found 5/8 inch iron rod with plastic cap marked "KSC";

THENCE South 00°44'32" East, a distance of 310.18 feet to a found 1/2 inch iron rod;

THENCE North 89°23'08" East, a distance of 421.62 feet to a set 1/2 inch iron rod with plastic cap marked "GAI";

THENCE South 00°47'49" East, a distance of 275.61 feet to a found 5/8 inch iron rod with plastic cap marked "KSC" for the beginning of a non-tangent curve to the right having a radius of 500.00 feet and a central angle of 12°20'50", and a long chord which bears North 82°30'21" West, 107.54 feet;

THENCE along said curve to the right an arc distance of 107.75 feet to a PK nail for the beginning of a curve to the left having a radius of 105.00 feet, a central angle of 98°21'18", and a long chord which bears South 54°28'02" West, 158.91 feet;

THENCE along said curve to the left, an arc distance of 180.24 feet to a found 5/8 inch iron rod with plastic cap marked "KSC" for the beginning of a curve to the left having a radius of 1000.00 feet, a central angle of 9°20'31", and a long chord which bears South 00°45'13" West, 162.87 feet;

THENCE along said curve to the left, an arc distance of 163.05 feet to a found 1/2 inch iron rod;

THENCE South 89°36'03" West, a distance of 688.07 feet to a found 1/2 inch iron rod for the POINT OF BEGINNING and CONTAINING 570998 square feet, 13.11 acres of land, more or less.

Ord. No. 7501, Page 14

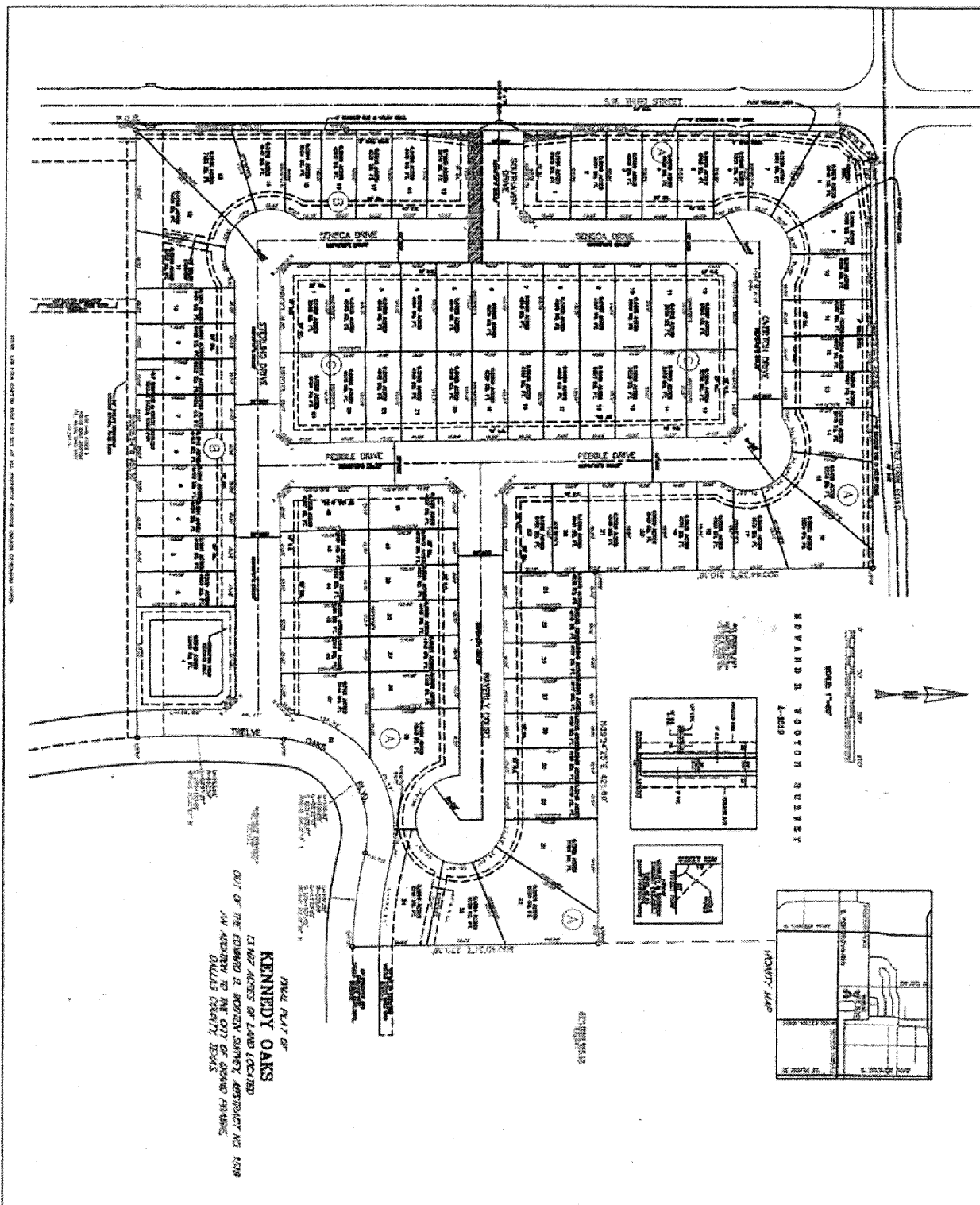


EXHIBIT C

Ord. No. 7501, Page 15

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 (Without a porch)	Front w/ non-front facing garage (See III. A. 7)	Front w/ street Facing Porches Min. 6' Deep (See III. A. 8)	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		
7.5	See 'A' below	4,000	40	100	20 for main building and garage door	16	16 for main building 20 for front facing garage door	5	3	15	20	35	50%

'A' Unit sizes:

- 1,600 square feet for no more than 10 lots,
- 1,500 square feet for no more than 20 lots,
- 1,400 square feet for no more than 29 lots, and
- 1,300 square feet for no more than 30 lots.