

ORDINANCE NO. 9714-2014

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE ZONING MAP AND ORDINANCE BY SHOWING THE LOCATION, BOUNDARY, AND USE OF A CERTAIN PROPERTY TO GRANT A ZONING CHANGE FROM SINGLE FAMILY-THREE DISTRICT TO A PLANNED DEVELOPMENT DISTRICT FOR COMMERCIAL USES ON 1.83 ACRES OF LAND OUT OF THE WILLIAM VAN GRINDERBECK SURVEY, ABSTRACT NO. 1516, DALLAS COUNTY, ADDRESSED AS 1309 S. BELT LINE ROAD AND MORE PARTICULARLY DESCRIBED BELOW; SAID ZONING MAP AND ORDINANCE BEING NUMBERED 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 amend the zoning designation of said property to obtain a **zoning change from Single Family-Three (SF-3) District to a Planned Development for commercial uses;**

WHEREAS, Dallas County has been collecting property taxes from the owners of said property based on commercial improvement valuations and tax rates even though the property was zoned Single-Family (SF-3) District;

WHEREAS, the owners of said property seek relief from all zone change application fees associated with this zone change application;

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on May 5, 2014, after written notice of such public hearing before the Planning and Zoning Commission on the proposed zoning change had been sent to owners of real property lying within 300 feet of the property on which the **zoning change from Single Family-Three (SF-3) District to a Planned Development District for commercial uses**, 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;

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 8 to 0 to recommend to the City Council of Grand Prairie, Texas, that said Zoning Ordinance and Map be amended to allow a **zoning change from Single Family-Three (SF-3) District to a Planned Development District for commercial uses;**

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 May 20, 2014, 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 zoning change 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-Three (SF-3) District** and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

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

SECTION 1. Legal Description

THAT Ordinance Number 4779, being the Unified Development Code 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:

"THE UNIFIED DEVELOPMENT CODE 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..."

being passed and approved November 20, 1990, as amended, is hereby further amended so as to change the zoning district from its classification of **Single Family - One (SF-3) to a Planned Development District for commercial uses**, and herein described below:

Being a tract or parcel of land lying in the William Van Grinderbeck Survey, Abstract No. 1516, Dallas County, Texas, and being a part of the original S. R. Carpenters farm, said tract or parcel of land being more particularly described by metes and bounds as follows:

Beginning at a point in the west R.O.W. line of the Southeast 8th Street (FM 1382), a 120.00 foot wide R.O.W., said point being in the south line of said William Van Grinderbeck Survey, 60.0 feet west of the southeast corner of said survey; said beginning point also being the southeast corner of said S. R. Carpenter farm and being South 0° 05' West, a distance of 495.68 feet from the intersecting point of south R.O.W. line of Show Place with the west R.O.W. line of Southeast 8th Street;

Thence North 89° 00' West, along the south line of said William Van Grinderbeck

Survey and along the south line of said S. R. Carpenter farm, a distance of 387.00 feet to appoint for corner;

Thence North 0° 05' East, along a line parallel to the west R.O.W. line of Southeast 8th Street, a distance of 174.4 feet to a point for corner being in the south line of the Texas Electric Service Company 50.0 feet wide R.O.W. as described in Volume 3764, Page 216, Deed Records, Dallas County, Texas;

Thence North 72° 00' East, along the south R.O.W. line of said Texas Electric Service Company R.O.W. , a distance of 162.00 feet to point of intersection with the south line of a second Texas Electric Service Company 50.0 foot wide R.O.W. as described in Volume 3764, Page 216, Deed Records, Dallas County, Texas and continuing South 80° 20' East along the south R.O.W. line of said second Texas Electric Service Company R.O.W. , a distance of 236.5 feet to the west R.O.W. line of the Southeast 8th Street, being point of corner;

Thence South 0° 05' West, along the west R.O.W. line of Southeast 8th Street, a distance of 191.4 feet to the Place of Beginning and containing 1.8296 acres more or less.

SECTION 2. Waiver of Zoning Application Fees

THAT all zoning application fees associated with this particular zone change application are hereby waived.

SECTION 3. Purpose and Intent

THAT the purpose of this Planned Development District is to provide the appropriate restrictions and development controls to permit the development of commercial uses in a manner compatible with the surrounding development and zoning and in compliance with the City's Comprehensive Plan and the Unified Development Code.

The proposed use is a new commercial office for an insurance company and the continued use and operation of the daycare facility as approved by Specific Use Permit No. 177 via Ordinance No. 2448 by City Council on July 17th 1973.

SECTION 4. Base Zoning

THAT any zoning, land use requirements and restrictions not contained in this Planned Development Ordinance shall conform to those requirements for the **Commercial (C) District**, as established and amended in the Unified Development Code (UDC). Where there is a conflict between the UDC and this ordinance, unless explicitly contained in this ordinance, the more restrictive will prevail.

SECTION 5. Planned Development

THAT the subject property, as of the adoption of this Ordinance and as contained in Exhibit A – Site Plan and Exhibit B – Floor Plan herein attached, consists of an approximate 5,800 square foot single-story building (the existing 5,000 sq. ft. day care facility and the 800 sq. ft. commercial office), two accessory storage buildings, a chain-link fenced playground with playground equipment, mature landscaping, and two parking lots - one in the front yard and one in the rear yard directly behind the primary building. The front yard parking lot consists of 9 asphalt paved parking spaces and drive aisle. Adjacent to the asphalt lot is a gravel parking area. The rear yard parking lot consists of an asphalt paved driveway and a number (approximately 8 to 12 spaces) of unstriped parking spaces.

1. As a condition of this approval, a minimum 4-foot wide sidewalk shall be installed from between the front-yard parking lot to the entrance of the commercial office.
2. All future development and/or improvements to the subject property shall conform to the Commercial (C) District standards.

SECTION 6. THAT it is further provided that in case a section, clause, sentence, or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 7. THAT all ordinances or parts of ordinances in conflict herewith are specifically repealed.

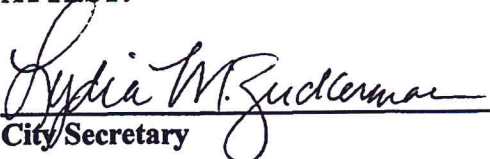
SECTION 8. THAT this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 20TH DAY OF MAY, 2014.

APPROVED:


Ron Jensen, Mayor

ATTEST:

for

City Secretary

APPROVED AS TO FORM:


City Attorney

**ORDINANCE NO. 9714-2014
PLANNED DEVELOPMENT NO. 345
CASE NO. Z140501**

