

AN ORDINANCE AMENDING ORDINANCE NO. 3593, BEING PLANNED DEVELOPMENT NO. 137, PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS ON MARCH 13, 1984, BEING AN AMENDMENT TO THE COMPREHENSIVE ZONING ORDINANCE NO. 2299 OF THE CITY OF GRAND PRAIRIE, TEXAS, BY AMENDING SECTION III TO CHANGE THE PERMITTED LAND USES FROM MULTI-FAMILY/CONDOMINIUM RESIDENTIAL TO COMMERCIAL; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; CONTAINING A SAVINGS CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, on March 13, 1984, the City Council of the City of Grand Prairie, Texas approved Ordinance No. 3593, being Planned Development No. 137 for General Retail and Multi-Family uses; and

WHEREAS, Section III of Ordinance No. 3593 designates Multi-Family/Condominium land uses for 16 acres of the total area covered by Planned Development No. 137; and

WHEREAS, the Planning and Zoning Commission of the City of Grand Prairie, Texas held a public hearing on December 10, 1984 to consider the advisability of amending Section III of Ordinance No. 3593 to change the permitted land uses from Multi-Family/Condominium Residential to Commercial within 16 acres of the total area of Planned Development No. 137, after written notice of such public hearing before the Planning and Zoning Commission on the proposed amendment had been sent to owners of real property lying within 200 feet of the property on which the amendment to the zoning is proposed, said notice having been given not less than ten (10) days before the date set for such 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 same, properly addressed and postage paid, in the City Post Office; and

WHEREAS, after consideration of such amendment, the Planning and Zoning Commission of the City of Grand Prairie voted 7 to 0 to recommend to the City Council of Grand Prairie, Texas, that Section III of Ordinance No. 3593 be amended to designate commercial land uses within 16 acres of Planned Development No. 137; 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 Building at 7:00 p.m. on December 18, 1984, to consider the advisability of amending Ordinance No. 3593 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 all the matter of the proposed amendment and the City Council of the City of Grand Prairie, being informed as to the location and nature of the proposed change on said property, as well as the nature and usability of surrounding property, have found and determined that Ordinance No. 3593, being Planned Development No. 137 should be amended;

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

SECTION 1:

That Section III of Ordinance No. 3593, being Planned Development No. 137, is hereby amended to read as follows:

III. COMMERCIAL

1. BOUNDARY DESCRIPTION:

BEING a tract of land situated in the Garcia-Montez and Duran Survey, Abstract No. 629 and the William J. Whiting Survey, Abstract No. 1614 in the City of Grand Prairie, Tarrant County, Texas and being more particularly described as follows:

BEGINNING at an iron pin for corner on the east line of State Highway 360 (a variable width right-of-way), said point being 482.29 feet north of the intersection of the said east line of State Highway No. 360 with the north line of Mayfield Road (a variable width right-of-way), said point also being in a curve to the left running in a northerly direction and having a central angle of $1^{\circ}42'49''$ a radius of 11,479.16 feet and a tangent bearing of N. $3^{\circ}27'11''$ W.;

THENCE along said curve, and the said east line of State Highway No. 360, 343.32 feet to the end of said curve, an iron pin for corner;

THENCE N. $5^{\circ}10'00''$ W., 224.63 feet continuing along the said east line of State Highway No. 360 to an iron pin for corner;

THENCE S. $89^{\circ}35'00''$ E., 877.30 feet to an iron pin for corner;

THENCE S. $0^{\circ}38'10''$ E., 932.20 feet to an iron pin for corner;

THENCE N. $89^{\circ}34'40''$ W., 208.71 feet to an iron pin for corner;

THENCE S. $0^{\circ}38'10''$ E., 208.71 feet to an iron pin for corner;

THENCE S. $0^{\circ}25'50''$ W., 15.00 feet to an iron pin for corner on the said north line of Mayfield Road;

THENCE N. $89^{\circ}34'40''$ W., 245.17 feet along the said north line of Mayfield Road to an iron pin for corner;

THENCE N. 0°25'20" E., 616.65 feet to an iron pin for corner;
THENCE S. 86°32'49" W., 395.21 feet to the Point of Beginning and containing 16.000 acres (696,969 square feet) of land.

2. PERMITTED USES:

In areas designated for Commercial 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:

Boat storage, Repair and Service, Church and Rectory, College or University, Private Primary or Secondary School, Day Camp, Fairgrounds, Farm, Ranch, Garden or Orchard, 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), Recreational 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, Sewage Pumping Station, Swimming Pool (Private), Telephone Exchange, Water Reservoir, Water Pumping Station and Well, Water Treatment Plant.

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 and Rummage Sale, and Tool Rental.

F. AUTOMOBILE AND RELATED SERVICE USES:

Auto Painting and Body Repair, Auto Sales and Repair Building, Commercial Auto Parklot, New Auto Part Sales Store, Used Auto Parts Sales (in Building), New or Used Auto Sales lot, Seat Cover and Muffler Installation, Tire Retreading and Capping, Truck Parking Lot or Area.

G. COMMERCIAL TYPE USES:

Scientific or Research Laboratories, Trade or Commercial School, Veterinarian Office Only (no outside pens), Bakery and Confectionery (Wholesale), Bottling Works (Wholesale), Building Material Sales, Cabinet Shop, Cleaning and Dyeing Plant (Commercial), Cleaning Plant, Bags or Carpets (Special Equipment), Clothing Manufacture or Light Compounding or Fabrication, Contractor's Shop, No Outside Storage or Display, Contractor's Shop, Conditional Outside Storage or Display, Commercial Amusements (Indoors), Engine and Motor Repairing, Machine Shop, Feed Store, Heavy Machinery Sales and Storage, Job Printing or Newspaper Printing, Laundry Plant (Commercial), Milk Depot, Dairy or Ice Cream Plant, Paint Shop, Railroad or Bus Passenger Station, Trailer Rental or Sales, Transfer, Storage and Baggage Terminal, Wholesale Office and Sample Room, Storage or Sales Warehouse (Commercial), 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 Commercial (C) 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 structure....0 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 the requirements of Section C-2600 of the Comprehensive Zoning Ordinance No. 2299.

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.

SECTION 2:

That exhibit "A" of Ordinance No. 3593, being the Use Matrix for Planned Development No. 137, is hereby amended to read as per the attached exhibit "A" which shall be deemed a part of this ordinance and Ordinance No. 3593.

SECTION 3:

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Grand Prairie, Texas, and this ordinance shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

SECTION 4:

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 provision and such holding shall not affect the validity of the remaining portions thereof.

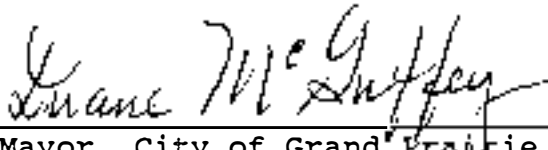
SECTION 5:

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City Official or employee charged with the enforcement of this ordinance, acting for the City of Grand Prairie, Texas, in the discharge of his duties, shall not thereby render himself personally liable; and he is hereby relieved of all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his said duties.

SECTION 6:


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 18 day of December, 1984.



Mayor, City of Grand Prairie, Texas

ATTEST:



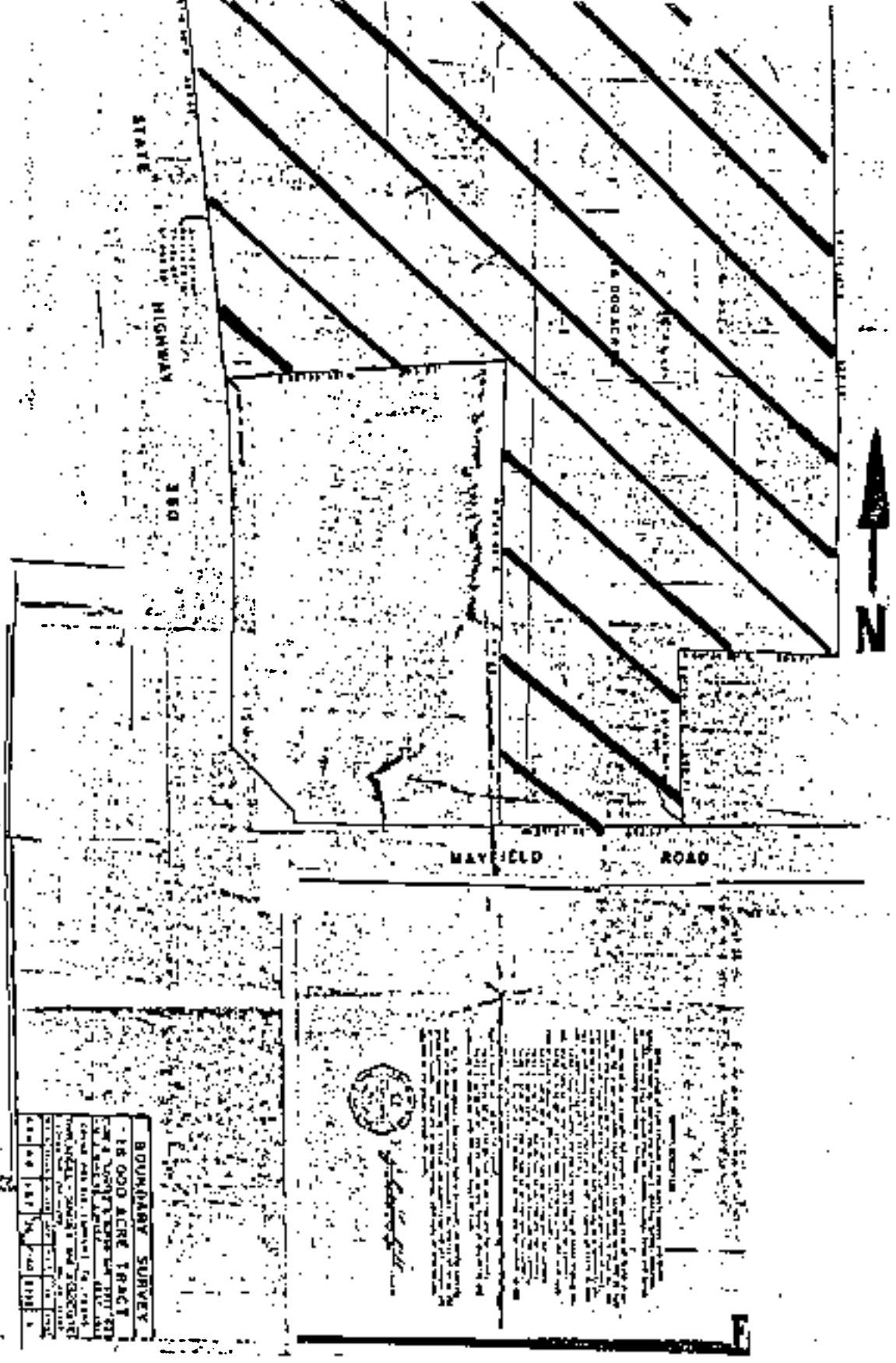
City Secretary

APPROVED AS TO FORM:



City Attorney

Zoning Case No. Z842SW21



STATE HIGHWAY 100

MAYFIELD ROAD



BOUNDARY SURVEY

1600 ACRE TRACT

BEING A PORTION OF THE TRACT
 CONTAINED IN THE SURVEY
 MADE AND RECORDED IN THE
 PUBLIC RECORDS OF THE
 COUNTY OF [] STATE OF []

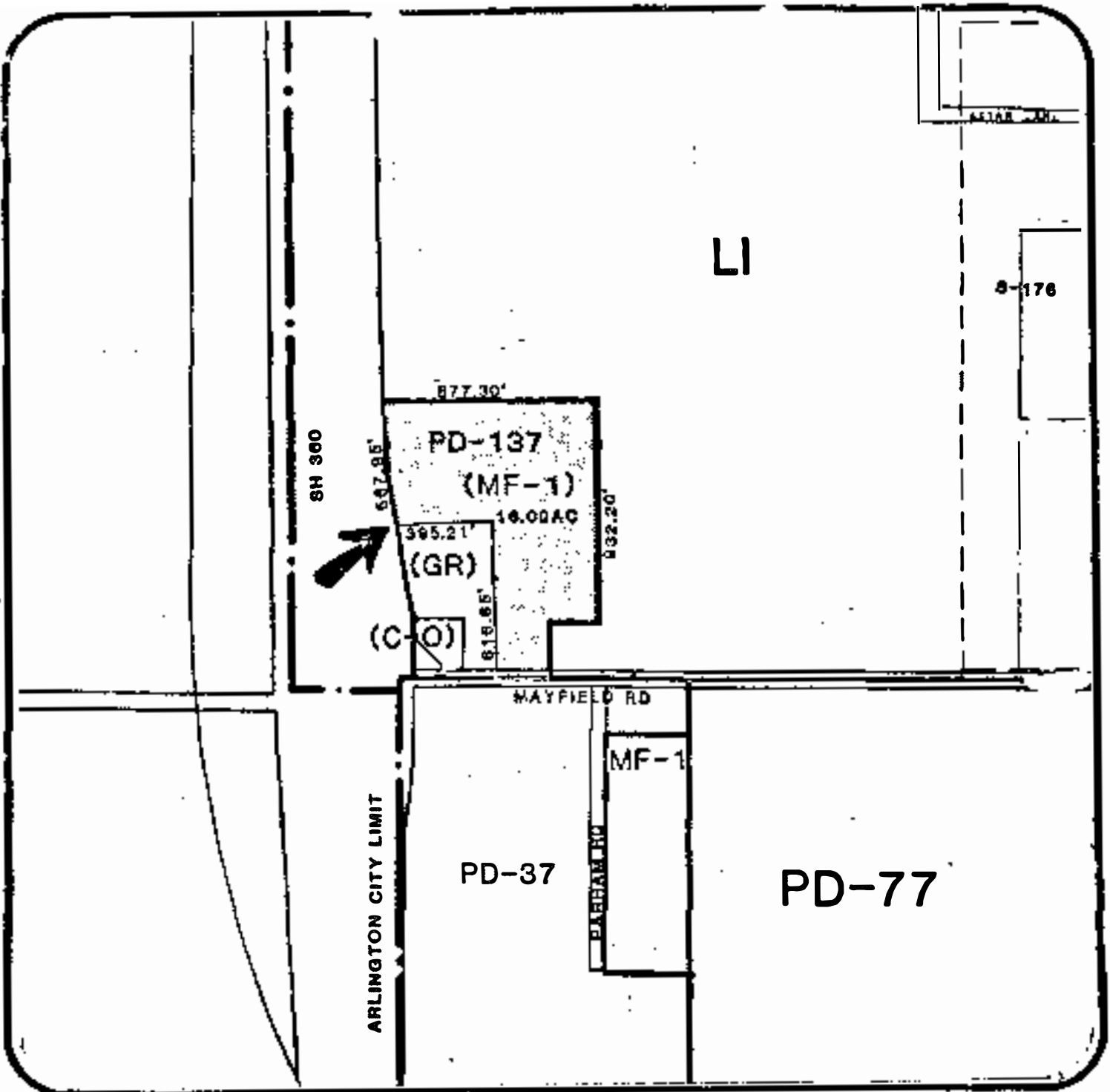
ACRES	1600
SECTION	16
TOWNSHIP	10 N
RANGE	10 E

THIS SURVEY WAS MADE BY []

ON []

AND IS CORRECT AND TRUE TO THE ORIGINAL RECORDS.

[]



**LOCATION MAP FOR A ZONING
REQUEST FROM PLANNED
DEVELOPMENT-137 TO COMMERCIAL**

APPLICANT: STHENOS PROPERTIES INC
CASE NO: Z842SW21

