

PLANNED DEVELOPMENT
ORDINANCE NO.
PLANNING UNIT NO.

146
3560
Z834SW12

AN ORDINANCE AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY SO AS TO REZONE PART OF THE T. HOLLAND SURVEY, ABSTRACT NO. 644, GENERALLY LOCATED ON GALVESTON STREET BETWEEN S.W. 19TH ST. AND S.W. 21ST ST., FROM THE (2F) TWO-FAMILY RESIDENTIAL ZONING DISTRICT TO: THE (PD) PLANNED DEVELOPMENT ZONING DISTRICT FOR COMMERCIAL 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 (2F) Two-Family Residential to (PD) Planned Development No. 146; and

WHEREAS, the Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on January 9, 1984 after written Notice of such public hearing before the 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 Zoning Commission of the City of Grand Prairie, Texas voted 6 to 0 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned so as to change its classification from (2F) Two-Family to (PD) Planned Development No. 146; and

WHEREAS, subsequent to the public hearing of the 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 January 17, 1984 to consider the advisability of amending the Zoning Ordinance and Map as recommended by the 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 (2F) Two-Family 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, as amended, so as to establish and rezone the following described area from (2F)Two-Family to (PD) Planned Development for Commercial uses.

II
COMMERCIAL

1. BOUNDARY DESCRIPTION:

Lots 1 thru 20, Block 101 of the Dalworth Park Addition to the City of Grand Prairie.

2. PERMITTED USES:

In areas designated for commercial uses, pursuant to Exhibit "A", attached hereto, 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 or Rectory, College or University, Private Primary or Secondary School, Day Nursery or Kindergarten School, Farm, Ranch, Garden or Orchard, Fishing Pier and Bait 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, 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), Gas Transmission Line and Metering Station, Home Occupation, Local Utility Distribution Lines, Off-Street Parking Incidental to Main Use, Private Club, Public or Private Utility Co., 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, Political Signs, Commercial Signs, Outdoor Advertising 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, 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), Tool Rental, Second Hand Store, Used Furniture Sales.

F. AUTOMOBILE AND RELATED SERVICE USES:

Gasoline Service Station, Car-Wash or Car Care Center, New Auto Part Sales Store.

G. COMMERCIAL TYPE USES:

Scientific or Research Laboratories, Trade or Commercial School, Veterinarian Office Only, (No Outside Pens), all other uses as allowed in the (C) Commercial Zoning District, as prescribed by Section B-100 of the Comprehensive Zoning Ordinance of the City of Grand Prairie.

H. SPECIFIC USE PERMIT REQUIREMENTS:

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 (C) Commercial District, upon approval of a Specific Use Permit in accordance with Section B-500 of the Grand Prairie Zoning Ordinance.

III.
SPECIAL CONDITIONS

1. 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.

2. GENERAL REQUIREMENTS AND STIPULATIONS:

- A. All proposed uses are subject to the approval of a development plan or preliminary plat 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 preliminary plats 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 for each use.
- 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. All single-family and duplex residential structures which are in existence on official lots of record at the time of passage of this ordinance, shall be allowed to remain, be rebuilt upon destruction, or expanded, in accordance with the area requirements prescribed in this ordinance. However, no new or additional residential structures shall be constructed within this district.
- D. The business establishment located on Lot 3, Block 101 of the Dalworth Park Addition shall be improved to meet all minimum applicable standards of the codes and ordinances of the City of Grand Prairie, within one year from the date of passage of this ordinance.

IV.
CITY PARTICIPATION

- (a) 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 fifty (50%) 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.
- (b) 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.
- (c) 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.

3. AREA REQUIREMENTS:

- A. Minimum depth of front setback..... 25 feet, plus $\frac{1}{2}$
(From front property line to face of structure) building height
over 36 feet
- 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, plus
 $\frac{1}{2}$ building height
over 36 feet
- C. Minimum depth of rear setback: 0 feet
(From rear property line to any structure)
 - 1. Rear yard abutting residentially zoned or used property22 feet,
plus $\frac{1}{2}$
building height
over 36 feet
- D. Maximum height of structures.....2 stories
- E. Off-Street Parking:
Off-street loading and parking space shall be provided in accordance with
applicable sections in the (C) Commercial District of the Comprehensive
Zoning Ordinance of the City of Grand Prairie.

4. SPECIAL FRONT, SIDE AND REAR YARD REGULATION-NO BUILDING OR
STRUCTURE SHALL HEREAFTER BE LOCATED, ERECTED OR ALTERED TO
HAVE A 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
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 with
a non-transparent fence constructed to the following minimum requirements:

7 feet in vertical height, constructed of wood, with metal support posts; no
curbing at the base of fence structure shall be required.

V.
DEVELOPMENT PLAN

The development plan will be the finally approved plat for this tract as described in Section II, which under existing City Ordinances, may constitute a site plan for a planned development. No permits will be issued for construction unless in conformance with said development plan.

VI.

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.

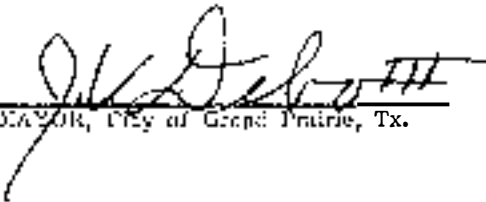
VII.

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. 2205 and its amendments, same being the passage of this ordinance.

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, TEXAS, THIS THE 17th day of January, A.D., 1984.



Mayor, City of Grand Prairie, Tx.

ATTEST:



City Secretary

APPROVED AS TO FORM:



Asst. City Attorney