

PLANNED DEVELOPMENT	165
ORDINANCE NO.	3792
PLANNING UNIT NO.	Z851NW62

AN ORDINANCE AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY SO AS TO REZONE PART OF THE MICHAEL FARRENS SURVEY, ABSTRACT NO. 469, GENERALLY LOCATED ON THE WEST SIDE OF BELT LINE ROAD (N.E. 8TH STREET) SOUTH OF INTERSTATE HIGHWAY 30 FROM THE MULTI FAMILY-ONE (MF-1) AND COMMERCIAL (C) ZONING DISTRICTS TO PLANNED DEVELOPMENT FOR COMMERCIAL AND OFFICE 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 Multi Family-One (MF-1) and Commercial (C) to (PD) Planned Development for Commercial and Office uses; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on May 13, 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 0 to recommend to the City Council of the City of Grand Prairie, Texas, that the hereinafter described property be rezoned so as to change its classification from Multi Family-One (MF-1) and Commercial (C) to (PD) Planned Development for Commercial and Office 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 May 21, 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 Multi Family-One (MF-1) and Commercial (C) 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 Multi Family-One (MF-1) and Commercial (C) to (PD) Planned Development for Commercial and Office uses.

LEGAL DESCRIPTION

BEING a tract or parcel of land lying in the Michael Farrens Survey, Abstract No. 469, Dallas County, Texas and being a tract of land lying west of Belt Line Road (N.E. 8th Street) and south of Interstate Highway No. 30 (formerly Dallas-Fort Worth Turnpike), in the City of Grand Prairie, Texas; said tract or parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a point in the North R.O.W. line of Tarrant Road, a 100.0 foot wide R.O.W., said point being 1218.0 feet West and 50.0 feet North of the S.E. corner of said Michael Farrens Survey; said BEGINNING POINT also being the S.E. corner of a tract of land deeded to Texas Conference Association of Seventh Day Adventist, 7-9-57;

THENCE N 01° 13' 30" W along the East line of said Seventh Day Adventist tract along the most Easterly East line of Scheppler Villa Addition, per map plat recorded in Volume 39, Page 127, MR., D.C.T.; a distance of 818.30 feet to the South R.O.W./line of Interstate Highway No. 30 (formerly Dallas-Fort Worth Turnpike), being point for corner;

THENCE Southeasterly along the South R.O.W. line of said I.H. 30 as follows:

S 85° 07' E, a distance 632.47 feet,  
S 75° 21' E, a distance of 355.0 feet,  
S 88° 55' 00" E, a distance of 154.09 feet to the West R.O.W. line of Belt Line Road (N.E. 8th Street), said West R.O.W. line being 90.0 feet West of the East line of said Michael Farrens Survey, being point for corner;

THENCE South along the West R.O.W. line of Belt Line Road as follows:

S 01° 18' 18" E, a distance of 493.0 feet,  
S 22° 22' 43" W, a distance of 163.58 feet,  
S 01° 08' 55" E, a distance of 15.55 feet to a point for corner in the Old Channel of the West Fork of the Trinity River;

THENCE N 70° 46' 18" W, along the said Channel and along a Northeast line of 0.97 acre tract deeded to the City of Grand Prairie by L.E. Darsey, a distance of 131.70 feet to the most Northerly N.E. corner of said 0.97 acre tract and to the S.E. corner of a 1.32 acre tract deeded to the City of Grand Prairie by L.E. Darsey being point of angle to the right; and continuing N 06° 43' 28" W, along the said channel and along the East line of said 1.32 acre tract, a distance of 254.74 feet to the N.E. corner of said 1.32 acre tract, being point for corner;

THENCE West along the north line of said 1.32 acre tract, a distance of 238.17 feet to the N.W. corner of said 1.32 acre tract, being point for corner;

THENCE South along the West line of said 1.32 acre tract, a distance of 253.0 feet to the S.W. corner of said 1.32 acre tract and to the N.E. corner of said Darsey to City of Grand Prairie 0.97 acre tract; and continuing S 01° 18' E, along the West line of said 0.97 acre tract a distance of 100.0 feet to the South line of said Michael Farrens Survey, being point for corner;

THENCE West along the south line of said Michael Farrens Survey, a distance of 434.32 feet to the North R.O.W. line of Tarrant Road, being a point in a curve to the left in said R.O.W.; and continuing along said curve to the left having a chord bearing of N 74° 44' 08" W, a chord length of 170.67, a central angle of 30° 31' 44", a radius of 324.14 feet, a tangent of 88.46 feet, an arc length of 172.71 feet to a point of tangency in the North R.O.W. line of said Tarrant Road; and continuing West along said R.O.W. line of said Tarrant Road; and continuing West along said R.O.W. line, a distance of 70.4 feet to PLACE OF BEGINNING and containing 783,170.435388 square feet or 17.979115 acres of land.

II.  
COMMERCIAL

1. BOUNDARY DESCRIPTION:

14.50 +/- acres generally located south and east of the proposed 60 ft. street and south of Interstate 30, as reflected on the attached Exhibit "A".

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.....1 story

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.

III.  
OFFICE

1. BOUNDARY DESCRIPTION:

3.47 +/- acres generally located west of the proposed 60 ft. street, as reflected in Exhibit "A".

2. PERMITTED USES:

In areas designated for 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, 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), Recreational Club, Monastery or Convent.

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.

D. SIGN AND IDENTIFICATION USES:

Temporary Signs, Portable Signs, Monument Signs, Wall 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:

Offices (Professional and Administrative), Restaurant or Cafeteria Without Drive-In Service, Studio for Photographer, Musician or Artist.

F. AUTOMOBILE AND RELATED SERVICE USES:

Commercial Auto Parklot.

G. 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 (O) Office 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:.....1 story
- E. Maximum floor area ratio:.....1:1
- F. Off-Street Parking:

Off-street loading and parking space shall be provided in accordance with applicable sections in the (O) Office 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 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.

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. Specifically, a 7 ft. high (minimum) screening fence shall be erected along the west side of the subject property adjacent to the Scheppler Villa Addition.

IV.  
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. GENERAL REQUIREMENTS AND STIPULATIONS:

A. All proposed uses are subject to the approval of a site plan by the City Council after recommendation by the Planning and Zoning Commission and prior to the issuance of a building permit or certificate of occupancy on the premises. Site plans and 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 site plan shall delineate the area proposed 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. The site plan finally adopted by the City Council shall be marked as Exhibit "C", attached hereto and made a part hereof as if fully set out herein.

5. USE MATRIX:

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

6. TRAFFIC CONTROL:

A. The proposed street providing access to the office area from Tarrant Road shall terminate with a cul-de-sac.

B. The proposed street providing access to the commercial area from Belt Line Road shall terminate with a cul-de-sac.

7. SIGNALIZATION:

A. If traffic volume requires it in the future, the developer shall be required to participate in the cost of signalization of Tarrant Road at N.E. 5th.

8. RIGHT-OF-WAY DEDICATION:

- A. The developer will be required to dedicate the required right-of-way for the Interstate 30-Belt Line interchange at the time right-of-way is needed.

V.

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 percent (30%) 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.

VI.

DEVELOPMENT PLAN

The development plan will be the finally approved site plan for this tract as described in Section I. No permits will be issued for construction unless in conformance with said site plan.

VII.

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.

VIII.

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.

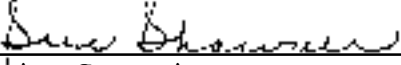
IX.

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 21ST DAY OF MAY, A.D., 1985.

  
MAYOR, City of Grand Prairie, Texas

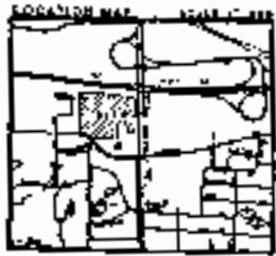
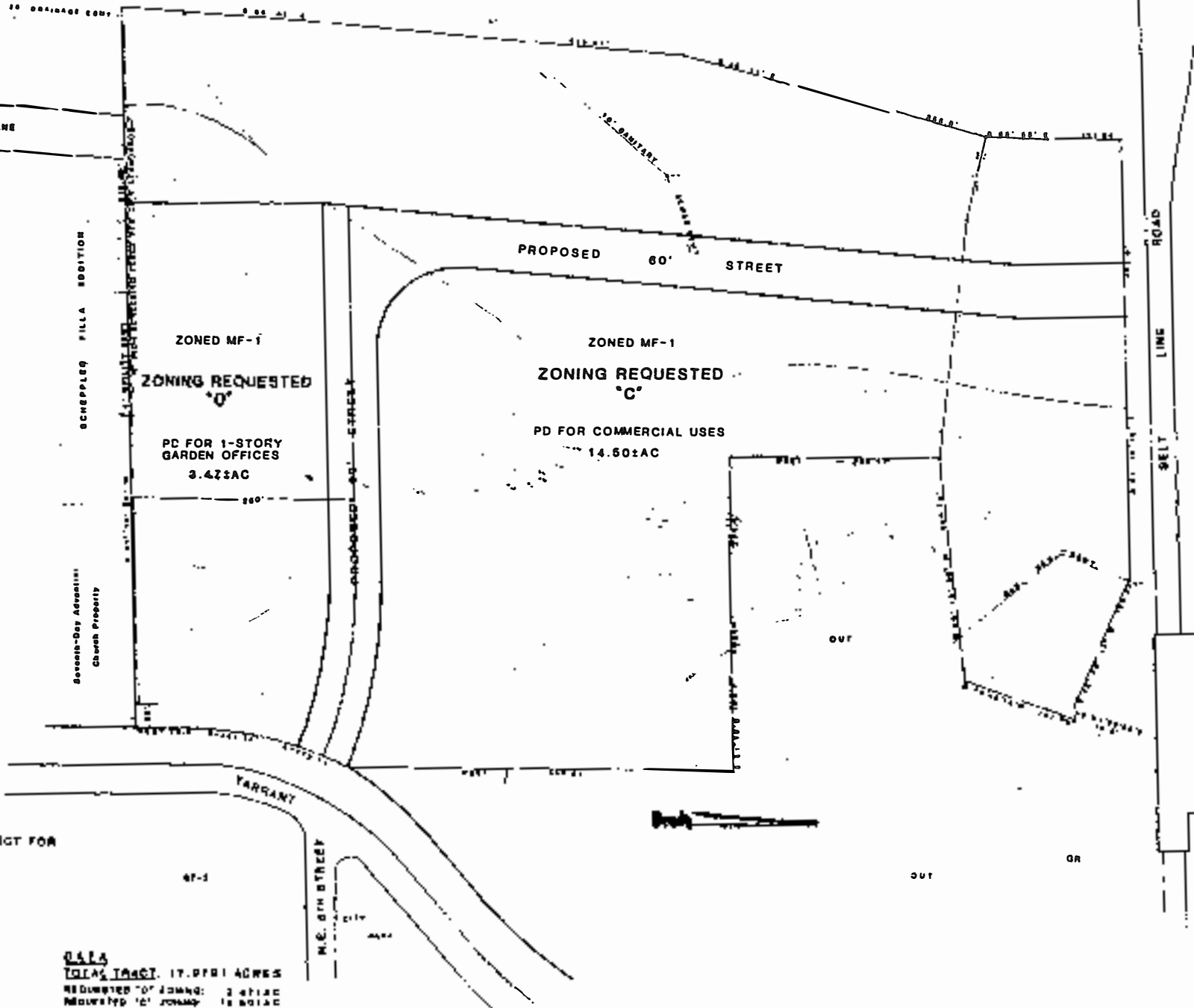
ATTEST:

  
City Secretary

APPROVED AS TO FORM:

  
City Attorney

Zoning Case No. Z851NW62



**ZONING REQUEST MAP**  
 PLANNED DEVELOPMENT DISTRICT FOR  
**GARDEN OFFICE &  
 COMMERCIAL USES**

PREPARED BY  
**PAUL REEDER**  
 2244 DUNDAS ST. WEST 1904  
 OAKVILLE, ONTARIO  
 905-709-7481

**DATA**  
 TOTAL TRACT: 17.92± ACRES  
 REQUESTED '0' ZONING: 3.42± AC  
 REQUESTED 'C' ZONING: 14.50± AC

EXHIBIT "A"

Matrix For: PD- 165  
ORD. 3792

TRACT NO.	LAND USE	GROSS ACRES	DENSITY.	TOTAL UNITS	LOT SIZE	FLOOR AREA	MASONRY CONTENT	MIN FRONT YARD	MIN SIDE YARD	MIN REAR YARD	MAX LOT COVER.	MAX HEIGHT	MIN PARKING
A	Office	3.47	N/A	N/A	N/A	1:1 max.	N/A	25'-0"	0'/10'	0'/22'	N/A	1 story	Use spec
B	Commer-	14.50	N/A	N/A	N/A	2:1 max.	N/A	25'-0"	0'/10'	0'/22'	N/A	1 story	Use spec
<b>TOTAL</b>													

EXHIBIT "B"