

PLANNED DEVELOPMENT	185
ORDINANCE NO.	4134
PLANNING UNIT NO.	2870306

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY SO AS TO REZONE PART OF THE J.H. HUGHES SURVEY, ABSTRACT NO. 732, THE J.C. ARMSTRONG SURVEY, ABSTRACT NO. 43, AND THE RALPH GRAVES SURVEY, ABSTRACT NO. 569, TARRANT COUNTY, TEXAS GENERALLY LOCATED AT THE SOUTHWEST CORNER OF RAGLAND ROAD AND DAY MAIR ROAD, FROM THE AGRICULTURE (A) ZONING DISTRICT TO THE PLANNED DEVELOPMENT (PD) ZONING DISTRICT FOR COMMERCIAL-ONE (C-1) 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 Agriculture (A) to Commercial (C); and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on March 23, 1987 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 Grand Prairie, Texas, that the hereinafter described property be rezoned so as to change its classification from Agriculture (A) to Planned Development for Commercial-One (C-1) 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 for the City of Grand Prairie, Texas, in the Municipal Building at 7:00 o'clock p.m. on April 7, 1987, 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

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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 Agriculture (A) 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 rezoned the following described area from Agriculture (A) to Planned Development (PD) for Commercial-One (C-1) uses:

See Attached Exhibit "A"

II.
COMMERCIAL - ONE

1. BOUNDARY DESCRIPTION:

As described in Section I of this Ordinance.

1. PERMITTED USES:

In areas designated for commercial-one 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:

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), Church and Rectory, Fishing Pier and Bait Sales, Registered Family Home, Monastery or Convent, Recreational 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, Local Utility Distribution Lines, Off-Street Parking Incidental to Main Use, Swimming Pool (Private), Telephone Exchange, Fire Station or Similar Public Safety Buildings, Sewage Pumping Station, Water Reservoir, Water Pumping Station and well.

D. SIGN AND IDENTIFICATION USES:

Temporary Signs, Portable Signs, Special Signs, Electric 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

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Garden Shop, Greenhouse or Plant Nursery (Retail), Handcraft Shop, Household Appliance Service and Repair, Laundry or Cleaning, Self-Service, Mimeograph, Stationery or Letter Shop, Furniture or Appliance Store, Offices (Professional and Administrative), 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.

F. AUTOMOBILE AND RELATED SERVICE USES:

Commercial Auto Parklot, New Auto Parts Sales Store, Used Auto Parts Sale (in building), New Car Sales with Used Car Sales as an ancillary use.

G. COMMERCIAL TYPE USES:

Trade or Commercial School, Veterinarian Office Only (No Outside Pens), Wholesale Office and Sample Room, 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-One (C-1) 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
- 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.....25 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:.....10 stories

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- E. Maximum floor area ratio:.....2:1
- F. Maximum Lot Coverage.....60%
- G. Off-Street Parking:

Off-Street loading and parking space shall be provided in accordance with applicable provisions of Section C-2600 "Parking Standards" 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, 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 the City of Grand Prairie.

IV.
SPECIAL CONDITIONS

1. USE EXCLUSIONS

Uses that are to be specifically excluded from the Commercial-One property, are: Contractors Shop and Storage Yard, Storage or Warehouse Non-Commercial (Mini-Warehouses), Truck Stops and Terminals, Auto or Truck Repair Facilities, Manufacturing Uses, Mobile Home or Trailer Parks, Pawn Shops, Bulk Storage Terminals, Salvage Yards, Travel Trailer or RV Parks, Used motor vehicle sales except as a corollary Use to New Car Sales, Trailer Rental, Sales or Storage, Any activity with associated outside storage.

2. SIDEWALKS:

Sidewalks are required in all tracts adjacent to the 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 or development 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.

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 30% 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.
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

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 Certificate of Occupancy 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 proposed for each use.

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 holdings shall not affect the validity of the remaining portions thereof.

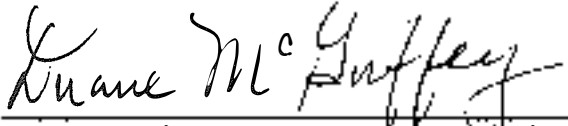
VIII.

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. 2299 and its amendments, same being the Comprehensive Zoning Ordinance of said City, unless specifically modified by the passage of this ordinance.

IX.

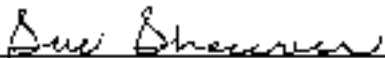
That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 7TH DAY OF APRIL, A.D., 1987.



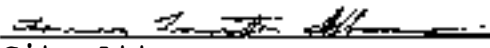
MAYOR, City of Grand Prairie, Texas

ATTEST:



City Secretary

APPROVED AS TO FORM:



City Attorney

Zoning Case No. Z870306

EXHIBIT "A"

A tract of land in the J. H. HUGHES SURVEY, Abstract No. 732, the J. C. ARMSTRONG SURVEY, Abstract No. 43, and the RALPH GRAVES SURVEY, Abstract No. 569, and being a portion of that certain tract of land conveyed to John B. Foster, Trustee by deed recorded in Volume 7003, Page 153 thru 155, of the Deed Records of Tarrant County, Texas, and being more particularly described as follows:

COMMENCING at an iron rod which is a Northwest corner of tract of land conveyed to John B. Foster, Trustee, by deed recorded in Volume 7003, Page 153 thru 155 of Deed Records of Tarrant County, Texas, in the Southerly line of Ragland Road (County Road No. 2016), 100 Varas North 60 degrees East and 25.00 feet South 30 degrees East from the Southwest corner of the Walter Farrell Survey, Abstract No. 537;

THENCE North 60 degrees East with Southerly line of Ragland Road, 60.0 feet to an iron rod for corner which is a PLACE OF BEGINNING;

THENCE North 60 degrees East with said Southerly line of Ragland Road, 1668.25 feet to an iron rod at the intersection of said Southerly line with the Southwesterly line of Day Miar Road (County Road No. 2007);

THENCE South 30 degrees 27 minutes East with said Southwesterly line, 295.07 feet to an iron rod for corner;

THENCE South 59 degrees 33 minutes West 400.0 feet to a point for corner, whence an iron rod bears South 11 degrees 43 minutes East 0.8 feet;

THENCE South 30 degrees 27 minutes East parallel with said Southwesterly line of Day Miar Road, 616.30 feet to an iron rod in fence for corner;

THENCE South 59 degrees 33 minutes West with fence, 299.00 feet to an iron rod at fence corner;

THENCE South 30 degrees 09 minutes East with fence, 955.7 feet to an iron rod at fence corner;

THENCE South 60 degrees 51 minutes 30 seconds West with fence, passing iron rods at 827.55 feet and continuing in all 837.80 feet to an iron rod;

THENCE North 29 degrees 58 minutes West 266.50 feet to an iron rod at the Northeast corner of Ralph Graves Survey, Abstract No. 569;

THENCE South 60 degrees 02 minutes West with fence 141.40 feet to an iron rod for corner;

THENCE North 29 degrees 59 minutes 57.51 seconds West 1593.39 feet to the PLACE OF BEGINNING.

SAVE AND EXCEPT, that portion of the above-described property which is situated within the proposed right-of-way of State Hwy. No. 360, and

A tract of land situated in the J.H. HUGHES SURVEY, Abst. No. 732, Tarrant County, Texas, being a tract of land conveyed to R.C. Filppin by deed recorded in Volume 3112, Page 334, Deed Records, Tarrant County, Texas, said 39.965 acres being more particularly described by metes and bounds as follows:

Beginning at a point in the centerline of County Road No. 2016, said point being the northeast corner of said Filppin tract:

THENCE S 29° 59' 59" E, along the East line of said Filppin tract, at 25.00 feet pass a ½" iron at the northwest corner of a tract of land conveyed to J.B. Foster by deed recorded in Volume 7003, Page 153, Deed Records, Tarrant County, Texas and continuing in all, 1616.99 feet to a ½" iron at the south-

EXHIBIT "A" (continued)

west corner of said Foster tract in the north line of a tract of land conveyed to Bryan Houts, by deed recorded in Volume 7000, Page 1300, Deed Records, Tarrant County, Texas;

THENCE S 59° 50' 26" W, along the north line of said Houts tract, passing the northwest corner of said Houts tract and the northeast corner of a tract of land conveyed to James Knapp, Jr., Trustee, by deed recorded in Volume 6514, Page 677, Deed Records, Tarrant County, Texas, and continuing an additional 1139.78 feet to a 1/2" iron in the north line of said Knapp tract at the southeast corner of a tract of land conveyed to F.D. Hacey, D.D. Byars, A.D. Andrew and G.M. Day, Jr., by deed recorded in Volume 5337, Page 734, Deed Records, Tarrant County, Texas;

THENCE N 29° 59' 59" W, along the east line of said Hacey et al tract, 1303.42 feet to a P.K. Nail at the northeast corner of said Hacey et al tract in the centerline of said County Road No. 2016, said point being the most westerly northwest corner of said Filppin tract;

THENCE N 44° 54' 29" E, along the centerline of said County Road No. 2016, a distance of 908.21 feet to a RT spike;

THENCE N 59° 56' 29" E, continuing along the centerline of said County Road No. 2016, a distance of 262.80 feet to the POINT OF BEGINNING and containing 39.965 acres (1,740,855 square feet) of land.

SAVE AND EXCEPT, that portion of the above described property within the proposed right-of-way of State Hwy. No. 360, and

FURTHER SAVE AND EXCEPT, that portion of the above described property which is situated within the city limits of the City of Arlington, Texas.

EXHIBIT "B"

Matrix For: FD- 185
ORD. 4134

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
	C-1	37.899	n/a	n/a	n/a	2:1	n/a	25'	0'/25'*/ 10'**	0'/22**	60%	10 stories	per section C-2600
TOTAL		30.29											

* abutting a street

** abutting residential property