

PLANNED DEVELOPMENT
ORDINANCE NO.
CASE NO.

186
4197
Z870701

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY SO AS TO REZONE PART OF S.T. BROWN SURVEY, ABSTRACT NO. 1689, GENERALLY LOCATED ON MATHEW ROAD NORTH OF THE TRAILWOOD ADDITION FROM THE PLANNED DEVELOPMENT NO. 81 (PD-81) ZONING DISTRICT FOR APARTMENT USES TO THE (PD) PLANNED DEVELOPMENT ZONING DISTRICT FOR GENERAL RETAIL 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 Planned Development No. 81 for Apartment uses to Planned Development for General Retail and Office Uses; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on July 13, 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 7 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 Planned Development No. 81 for Apartment Uses to Planned Development for General Retail 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 July 21, 1987 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

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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 Planned Development No. 81 for Apartment Uses 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 Planned Development No. 81 for Apartment Uses to Planned Development for General Retail and Office Uses:

FIELD NOTES

Tract One

BEING a 10.475 acre tract of land situated in the City of Grand Prairie, Dallas County, Texas, out of the S.T. Brown Survey, Abstract No. 1689, said 10.475 acre tract being more particularly described as follows:

COMMENCING at the northeast corner of Lot 1 Block A of Trailwood Addition First Increment as recorded in Volume 77072, Page 0010 of the Plat Records of Dallas County, Texas;

THENCE South 89 degrees 50 minutes 36 seconds East a distance of 62.23 feet to an X in concrete pavement;

THENCE North 00 degrees 11 minutes 33 seconds East a distance of 55.53 feet to the POINT OF BEGINNING of Tract One being one of the arc of a curve whose center bears South 63 degrees 45 minutes 53 seconds West a distance of 612.96 feet; having a central angle of 43 degrees 40 minutes 35 seconds and a tangent length of 245.64 feet;

THENCE Along said curve a distance of 467.26 feet to the point of tangency of said curve;

THENCE North 69 degrees 54 minutes 42 seconds West a distance of 194.73 feet to the point of curvature of a curve to the right, having a central angle of 69 degrees 58 minutes 53 seconds, a radius of 532.96 feet and a tangent length of 373.05 feet;

THENCE along said curve to the right a distance of 650.96 feet to a point for corner;

THENCE South 89 degrees 47 minutes 16 seconds East a distance of 875.00 feet to an P.K. nail set for corner;

THENCE South 00 degrees 11 minutes 33 seconds West a distance of 869.54 feet to the POINT OF BEGINNING and containing 10.475 acres of land, more or less.

TRACT TWO

BEGINNING at the northeast corner of Lot One, Block A of Trailwood Addition First Increment as recorded in Volume 77072, Page 0010 of the Plat Records of Dallas County, Texas;

THENCE along the north line of said Trailwood First Increment North 89 degrees 50 minutes 36 seconds West a distance of 894.79 feet to an iron pin found for corner;

THENCE North 00 degrees 19 minutes 02 seconds East a distance of 926.00 feet to an iron pin set on the arc of a curve whose center bears South 89 degrees 54 minutes 42 seconds East a distance of 612.96 feet, having a central angle of 70 degrees 00 minutes 00 seconds and a tangent length of 429.20 feet;

THENCE along said curve a distance of 748.87 feet to the point of tangency of said curve;

THENCE South 69 degrees 54 minutes 42 seconds East a distance of 194.73 feet to the point of curvature of a curve to the right having a central angle of 46 degrees 02 minutes 57 seconds, a radius of 532.96 feet and tangent length of 226.50 feet;

THENCE along said curve to the right a distance of 428.35 feet to the POINT OF BEGINNING and containing 7.332 acres of land, more or less.

II.
GENERAL RETAIL/OFFICE

1. BOUNDARY DESCRIPTION:

As reflected in Section I of this ordinance, and as shown on the attached Exhibit "A".

2. PERMITTED USES:

In areas designated for general retail and office 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. 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.

B. 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.

C. 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.

D. RETAIL AND SERVICE TYPE USES:

Medical Clinic, Medical Emergency Clinic, Medical Office, Antique Shop, Bakery or Confectionerys 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

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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), Household Equipment and Supply Rental.

E. AUTOMOBILE AND RELATED SERVICE USES:

Commercial Auto Parklot, New Auto Part Sales Store, Used Auto Parts Sales (In Building).

F. COMMERCIAL TYPE USES:

Trade or Commercial School, Veterinarian Office Only (No Outside Pens).

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 (GR) General Retail 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 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 45 feet

2. Rear yard abutting residentially zoned or used property 45 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 applicable sections in the (GR) General Retail District of the Comprehensive Zoning Ordinance of the City of Grand Prairie.

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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 HEREAFTER 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, minimum height being seven (7) feet.

III.
SPECIAL CONDITIONS

1. ALLEYS:

Alleys are not required.

2. SIDEWALKS:

Sidewalks shall be provided in accordance with Section 14-4(J) of the Grand Prairie Code of Ordinances.

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.

6. RIGHT-OF-WAY DEDICATION:

The required right-of-way for Lake Ridge Parkway and any necessary easements shall be dedicated by separate instruments.

IV.
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 (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.

V.
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.

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.

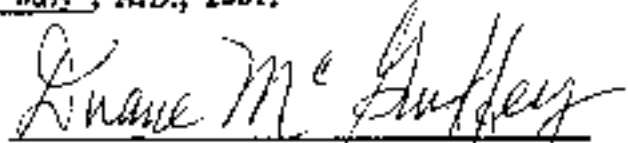
VII.

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

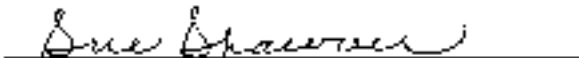
VIII.

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

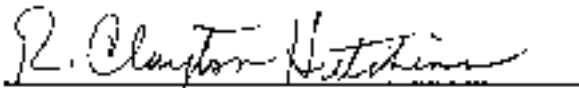
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 21 DAY OF July, A.D., 1987.


MAYOR, City of Grand Prairie, Texas

ATTEST:


City Secretary

APPROVED AS TO FORM:


City Attorney

Zoning Case No. Z870701

EXHIBIT "B"

Matrix For: ~~FD-~~ 186
~~CRD.~~ Retail and Office Uses

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
1	Retail	.129	n/a	n/a	n/a	2:1	n/a	25	Next to Street 25'	45 Next to Residential	n/a	2 Stories	Per GR Spec.
2	Retail	1.464	n/a	n/a	n/a	2:1	n/a	25	Next to Steet 25'	45 Next to Residential Zoning	n/a	2 Stories	Per GR Spec.
3	Retail	6.953	n/a	n/a	n/a	2:1	n/a	25	Next to Street 25'	45 Next to Residential Zoning	n/a	2 Stories	Per GR Spec.
4	Retail	7.400	n/a	n/a	n/a	2:1	n/a	25	Next to Street 25'	45 Next to Residential Zoning	n/a	2 Stories	Per GR Spec.
TOTAL													