

ORDINANCE NO.

4273

PLANNING UNIT NO.

Z871002

AN ORDINANCE AMENDING THE ZONING MAP SHOWING THE LOCATION BOUNDARY AND USE OF CERTAIN PROPERTY SO AS TO REZONE PART OF THE DAVID BRADSHAW SURVEY, ABSTRACT NO. 1211 GENERALLY LOCATED AT THE SOUTHEAST CORNER OF NORTHWEST 19TH STREET AND NORTH CARRIER PARKWAY FROM THE PLANNED DEVELOPMENT (PD) ZONING DISTRICT FOR AGRICULTURAL (AG) USES TO THE PLANNED DEVELOPMENT (PD) ZONING DISTRICT FOR GENERAL RETAIL (GR) 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 (PD) for Agricultural (AG) use to Planned Development (PD) No. 189; and

WHEREAS, the Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on October 12, 1987 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 la& 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 4 to 1 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. (PD) for Agricultural (AG) uses to (PD) Planned Development No. 189 for ~ General Retail (GR) uses; 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 pm. on October 20, 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 and place of such hewing having been given at least fifteen (15) days prior to such hearing by publication in the Grand Prairie Daily News, Grand Prairies, 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 Prairies, 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,

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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*

of Manned Development (PD) for Agricultural (AG) 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.

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 Planned Development (PD) for Agricultural (AG) uses to Planned Development (PD) for General Retail (GR) uses.

LEGAL DESCRIPTION OF ENTIRE TRACT

BEING a 9.157 acre tract of land situated in the David Bradshaw Survey, Abstract No. 121, City of Grand Prairie, Dallas County, Texas, and being a portion of a tract of land described in deed in Volume 85196" Page 3317, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the point of intersection of the east right-of-way line of N. W. 19th Street (a variable width public right-of-way) and the southerly right-of-way line of North Carrier Parkway (a 100' wide public right-of-way), same being a point in a non-tangent curve concave to the northeast -whose radius is 1187.11 feet and whose long chord bears South 43 degrees 07 minutes 26 seconds Eastor 762.70 feet, said point bears North 00 degrees 00 minutes 43 seconds West, 0.26 beet from a found 1/2-inch iron rod;

THENCE Southeasterly along said curve and southerly right-of-way line through a central angle of 37 degrees 28 minutes 34 seconds, an arc length of 776.47 feet to *a point*;

THENCE South 63 degrees 03 minutes 59 seconds West, 120.01 feet to *a point*;

THENCE South 18. degrees 03 minutes 59 seconds West, 680.46 feet to *a point*;

THENCE South 15 degrees .12 minutes 18 seconds West, 296-65 *feet to a point*;

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THENCE **South 89 degrees 56 minutes 00 seconds West, 143.78 feet to a found 1/2-inch iron rod** in the east **right-of-way line of said N.W. 19th Street**;

THENCE North 00 degrees 04 minutes **00 seconds East, 614.5 feet along said east right-of-way** line to a point;

THENCE East, 10.00 feet along said east right-of-way line to a point;

THENCE North 00 degrees 28 minutes 00 seconds East, 153.6 feet *along*. said east right-of-way line to a point;

THENCE North 54 degrees 03 minutes 00 seconds East;, 50.7.0 feet along said east right-of-way line to a point;

THENCE North 73 degrees 20 -minutes 00 seconds West, 42.55 feet along said east right-of-way line to a point;

THENCE North 00 degrees 28 minutes 00 seconds East, 734.00 feet along said east right-of-way line to the POINT OF BEGINNING and containing 9.157 acres or 398,894 square re feet of land more or less of which 11,634 square feet lie in a 201 wide sanitary sewer easement.

GENERAL RETAIL

1.

BOUNDARY DESCRIPTION:

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), Tennis or

'Swim Club.

C. UTILITY, ACCESSORY AND INCIDENTAL USES:

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Accessory Building Electrical Substation, Electrical Transmission Field cc Construction
Office (Temporary), Gas Transmission Line and Metering Station, Home Occupation,
Local UWtty Lines, off-street Parking Incidental to Main Use, Private Club, Railroad
Track and- Right-of-way, Swimming Pod (Private): Telephone **Exchange**, Water
Reservoir, Water Pumping Station and Well.

D. SIGN AND IDENTIFICATION USES:

Temporary Signs, Portable - **sign%** Electric Signs, Commercial Sign% 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 Storer 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
Storer 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)*...

F. AUTOMOBILE AND RELATED SERVICE USES:

Commercial Auto Parklot, Gasoline Service Station, Car-Wash or Car Care Center, New Auto Part Sales Store, Used
Auto Parts Sales (In Building).

G. COMMERCIAL TYPE USES:

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

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 - (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

2. Sideyard setback abutting a street25 feet

3. Sideyard abutting residentially zoned or used property

C. Minimum depth of rear setback:.....0 feet

1. From rear property line to any structure 0 feet

2. Residentially zoned or used property Rear yard abutting feet

D. Maximum height of structures: 2 2 stories

Maximum floor area ratio: 9 9 9:1

E.

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.

4. REAR YARD REGULATION SPECIAL FRONT , SIDE AND 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) 0 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 War& 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.

3. GENERAL REQUIREMENTS AND STIPULATIONS:

A. All proposed use are subject to the approval of a development 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. 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.

B..... No use shall be located or operated in any district which involves theemission of odorous material, 'smoke or particulate matter or noise.

C. The site or development plan when finally adopted by the City Council -hall be marked as Exhibit "All- attached hereto, and made a part hereof as if fully set out herein.

D. Northwest Sector Plan recommends this property be used for S.H. 161 right-of-way.

E. Northwest Sector Plan recommends N.W. 19th Street as an M5U. U. A minimum of 90' of right-of-way is necessary along the entire length of the]property

F. This, site will require a flood study prior to development.

Must submit a site grading and drainage plan to the Engineering Division for approval prior to issuance of building permit.

H. Must comply with all FEMA requirements.

I. Request that the 100'x100' corner clip at N.W. 19th and Carrier and the 5 feet of' additional. right-of-way dedication along N.W. 19th Streets east right-of-way line be dedicated by separate instrument prior to approval of this zoning case.

J. This site is located within the boundaries of proposed S. H. 161.

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K. All identified right-of-way dedication for N.W. 19th Street should be performed by separate instrument prior to approval of zoning.

L. Application and floor plans for convenience store must be submitted to the Environmental Health Department for approval before. construction begins (Code of Ordinances, 13-20).

4. USE MATRIX:

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

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 for a single family detached use will be the finally approved ,plat for this tract as described in Section I, which under existing City Ordinances, may constitute a site plan for a planned development. Otherwise, a finally approved development plan or site plan shall be required as established for under. existing City Ordinances in Ordinance No. 2299. 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

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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.

VII

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 20TH DAY OF OCTOBER, A.D., 3,987.

