

PLANNED DEVELOPMENT  
ORDINANCE NO.  
PLANNING UNIT NO.

194  
4295  
2871101

AN ORDINANCE AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY SO AS TO REZONE A TRACT OR A PARCEL OF LAND OUT OF THE JOSE GILL SURVEY, ABSTRACT NO. 1714 AND THE I & G N RR SURVEY, ABSTRACT NO. 1625 IN DALLAS COUNTY, GENERALLY LOCATED ON THE NORTHWEST CORNER OF WARRIOR TRAIL AND WATERWOOD DRIVE FROM THE (MF-1) MULTI FAMILY-ONE AND (GR) GENERAL RETAIL ZONING DISTRICTS TO THE (PD) PLANNED DEVELOPMENT ZONING DISTRICT FOR GENERAL RETAIL 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 (MF-1) Multi Family-one and (GR) General Retail to (PD) Planned Development for Commercial uses; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on November 9, 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 (MF-1) Multi Family-one and (GR) General Retail to (PD) Planned Development for General Retail 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 November

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17, 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 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 (MF-1) Multi Family-One and (GR) General Retail 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:

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... 11

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 (MF-1) Multi Family-One and (GR) General Retail to (PD) Planned Development No. 194 for General Retail uses.

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CERTIFIED LEGAL DESCRIPTION

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE JOSE GILL SURVEY, A-1714 AND THE I & G N RR SURVEY, A-1625 IN DALLAS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD FOUND FOR CORNER IN THE NORTH RIGHT-OF-WAY LINE OF, ' WARRIOR TRAIL, ACCORDING TO THE PLAT RECORDED IN VOLUME 802091, PAGE 1168, DEED RECORDS, DALLAS COUNTY, TEXAS AND HAVING TEXAS COORDINATE SYSTEM, NORTH CENTRAL TEXAS ZONE COORDINATES OF X=2,143,234.41 AND Y=375,545.94 AND FURTHER BEING 2835.40 FEET EASTERLY FROM THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF GREAT SOUTHWEST PARKWAY;

THENCE LEAVING SAID RIGHT-OF-WAY LINE NORTH 0 deg. 01 min. 29 sec. EAST, A DISTANCE OF 442.57 FEET TO AN IRON ROD FOUND FOR CORNER;

THENCE SOUTH 89 deg. 58 min. 15 sec. EAST, A DISTANCE OF 515.53 FEET TO AN IRON ROD FOUND FOR CORNER 3 0 FEET WEST OF THE EAST LINE OF A 158.456 ACRE TRACT CONVEYED BY DEED RECORDED 8 NOVEMBER 1972;

THENCE SOUTH 0 deg. 02 min. 14 sec. EAST, A DISTANCE OF 74.38 FEET TO AN IRON ROD SET FOR CORNER;

THENCE AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 648.21 FEET A DISTANCE OF 187.31 FEET TO AN IRON ROD FOR REVERSE CURVE;

THENCE AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 1060 FEET, 12.08 FEET TO AN IRON ROD FOR CORNER;

THENCE SOUTH 00 deg. 02 min. 14 sec. WEST, 170.04 FEET TO AN IRON ROD FOR CORNER;

THENCE SOUTH 88 deg. 18. min. 01 sec. EAST, 33.87 FEET TO AN IRON ROD FOR CORNER;

THENCE AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 1060 FEET, 2.30 FEET TO AN IRON ROD BEING THE NORTHWEST CORNER OF WARRIOR TRAIL AND WATERWOOD DRIVE;

THENCE NORTH 89 deg. 58 min. 15 sec. WEST, 579.52 FEET TO THE POINT OF BEGINNING AND CONTAINING 235,392.531 SQUARE FEET OR 5.4039 ACRES OF LAND.

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II.

GENERAL RETAIL

1. BOUNDARY DESCRIPTION:

As shown on the site plan labeled Exhibit "A", attached hereto and made a part hereof as if fully set out herein.

2. PERMITTED USES:

In areas designated for general retail 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 USES:

All uses allowed in the General Retail zoning district as established in the Comprehensive Zoning Ordinance No. 2299, Section B-100.

B. 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. From side property line to any structure ..... 0 feet
- 2. Side yard abutting residentially zoned or used property ..... 10 feet
- 3. Side yard abutting a street ..... 25 feet

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C. Minimum depth of rear setback:

- 1. From rear property line to any structure... 0 feet

2. Rear yard abutting residentially owned or used property

.....22 feet

D. Maximum height of structures .....2 stories

E. ;Maximum floor area ratio: ..... 2:1

F. 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.

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.

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III.

SPECIAL CONDITIONS

SIDEWALKS:

Sidewalks shall be provided in all tracts, unless physically restricted, next to street.

2. 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.

3. 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 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 approved by the City Council will be labeled Exhibit "B", attached hereto and made a part hereof as if fully set out herein.

#### IV. CITY PARTICIPATION

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 percent (50%) 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.

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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.

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.

#### VI.

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.

#### 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 17TH DAY OF NOVEMBER, A.D. 198 .

MAYOR, City of Grand Prairie , Texas

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

Zoning Case No. Z871101

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