

PLANNED DEVELOPMENT
ORDINANCE NO.
CASE NO.

195
4375
Z880702

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY SO AS TO REZONE PART OF THE MCKINNEY AND WILLIAMS SURVEY, ABSTRACT NO. 1045, DALLAS COUNTY.. TEXAS, AND LOTS 1-4, BLOCK A, LOTS 1-3 AND 35, BLOCK H, AND LOTS 1-9, BLOCK V OF THE INDIAN HILLS ADDITION, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CARRIER PARKWAY AND WEST JEFFERSON BOULEVARD FROM THE COMMERCIAL (C) AND SINGLE FAMILY-FOUR (SF-4) 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 81 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 classifications of Commercial (C) and Single Family-Four (SF-4) to Planned Development (PD) for General Retail uses; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on July 5, 1988 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 classifications from Commercial (C) and Single FamilyFour (SF-4) to Planned Development (PD) 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 July 19, 1988 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 Commercial (C) and Single Family-Four (SF-4) 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 ...

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and passed and approved January 27, 1971, recorded in Ordinance Book No. 8, Pages 405 to 509 inclusive, as amended, so as to establish and rezone the following described area from Commercial (C) and Single Family-Four (SF-4) to Planned Development (PD) for General Retail uses:

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LEGAL DESCRIPTION

Being situated in the County of Dallas, State of Texas, and being 3.31 acres of land out of the McKinney and Williams Survey, Abstract-#1045, in the City of Grand Prairie, Dallas County, Texas, and described as follows:

BEGINNING at an -iron at the Northwest corner of Indian Hills Addition, to the City of Grand Prairie, Texas, same being in the South line of Jefferson Boulevard easterly along said South line, 360.0 feet from the east line of Carrier Parkway;

THENCE South along the West line of Indian Hills Addition 684.7 feet to an iron for corner;

THENCE South 89 degrees 37 minutes 30 West 100.3 feet to an iron in the East line of Carrier Parkway;

THENCE in a Northwesterly direction with the East line of Carrier Parkway with a 4.78 degree curve to the left, 28.44 feet to the end of said curve;

THENCE North 25 degrees 00 minutes West along the East line of Carrier Parkway, 176.48 feet to the beginning of a curve to the right;

THENCE in a Northwesterly direction with a 1.52 degree curve to the right along the East line of Carrier Parkway, 394.76 feet to an iron in the South line of Jefferson Boulevard;

THENCE in a Northeasterly, direction with a 2 degree curve to the left along the South line of Jefferson Boulevard, 360.0 feet to the PLACE OF BEGINNING,

and including all of Lots 1-4, Block A; Lots 1-3 and 35, Block H; and Lots 1-9, Block V; in Indian Hills Addition.

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II.

GENERAL RETAIL

1. BOUNDARY DESCRIPTION:

As reflected in Section I of this ordinance.

2. PERMITTED USES:

In area's designated for general retail 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, Fishing Pier and Bait Sales, 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.

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, OffStreet 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.

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E. RETAIL AND SERVICE TYPE USES:

Antique Shop, Bakery or Confectioners 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).

F. AUTOMOBILE AND RELATED SERVICE USES:

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

G. COMMERCIAL TYPE USES:

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
(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 street15 feet
- 3. Sideyard abutting residentially zoned
or used property10 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 zoned or used property 22 feet

D. Maximum height of structures

E. Maximum floor area ratio

F. Off-street Parking:

2 stories

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.

III.

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 next to the street.

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.

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 City Council hereto, and herein.

5. USE MATRIX:

development plan finally adopted by the shall be marked as Exhibit "A," attached made a part hereof as if fully set out

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

6. PLATTING:

Prior to the issuance of a building permit, this property must be replatted.

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7. LANDSCAPING:

A minimum of 4% of the total site area shall be landscaped.

8. SPECIAL SIGN REGULATIONS:

The existing Sign Ordinance of the City of Grand Prairie shall be used within this Planned Development with the following exceptions:

A. Maximum height for on-premise signs: 35 ft. above the grade of the thoroughfare nearest the sign.

B. Maximum sign area: 143 sq. ft.

IV.

CITY PARTICIPATION

I 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.

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 an 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.

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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 19 DAY OF JULY, A.D. 1988.

MAYOR, City of Grand Prairie Texas

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

Zoning Case No. Z880702

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Matrix For: PD-195

ORD. 4375

EXHIBIT "B"

TRACT NO.	LAND Use	GROSS ACRES	DENSITY	TOTAL UNITS	LOT SIZE	FLOOR AREA	MASONRY CONTENT	mom FRONT YANG	mom SIDE YARD	MON NEAR YARD
	GR	6.59				2:1		25'	of 15' abut a street 10' abut residen- - tial	of 22' abut residen- tial
	TOTAL	6.59				2:1				