

PLANNED DEVELOPMENT  
ORDINANCE NO.  
CASE NO.

206  
3763  
**Z843SE54**

**AN ORDINANCE AMENDING THE ZONING 14AP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY SO AS TO REZONE PART OF THE S.B. MCCOMMAS SURVEY, ABSTRACT NO. 897, IN DALLAS COUNTY, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF S. CARRIER PARKWAY AND CROSSLAND BLVD. FROM THE SINGLE FAMILY TWO (SF-2) ZONING DISTRICT 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 (SF-2) Single Family-Two to **(GR) GENERAL RETAIL.**

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on February 25, 1985 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 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 Zoning Commission of the City of Grand Prairie, Texas voted 4 to 2 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned so as to change its classification from (SF-2) Single Family-Two to (PD) **Planned Development for General Retail uses.**

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 p.m. on April 9, 1985 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 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

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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 (SF-2) Single Family-Two by reason of changed conditions, does consider. and find that this amendatory Ordinance should be enacted since its 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 . . ."

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 (SF-2) Single Family-Two to **Planned Development for General Retail** uses.

ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND LYING IN THE S.B. MCC OMMAS SURVEY, ABSTRACT NO. 887, DALLAS COUNTY, TEXAS, AND BEING OUT OF THE J.P. GOINS 36 ACRE TRACT RECORDED IN VOLUME 395, PAGE 273, DEED RECORDS, DALLAS COUNTY, TEXAS, SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST R.O.W. LINE OF CARRIER PARKWAY (FORMERLY CORN VALLEY ROAD) AS ESTABLISHED BY R.O.W. DEED TO THE COUNTY OF DALLAS, TEXAS, DATED 7/21/55, SAID BEGINNING POINT BEING THE SOUTH R.O.W. LINE OF PROPOSED CROSSLAND BLVD.;

THENCE ALONG CROSSLAND BLVD. AS FOLLOWS:

SOUTH 88 deg. 03 min. 34 sec. WEST, 20.87 FEET; AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 805.28 FEET AND A CENTRAL ANGLE OF 11 deg. 31 min. 38 sec., A DISTANCE OF 162.00 FEET; AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 740.57 FEET AND A CENTRAL ANGLE OF 3 deg. 34 min. 33 sec., A DISTANCE OF 46.21 FEET TO A POINT FOR CORNER;

THENCE SOUTH 2 deg. 07 min. 47 sec. EAST, 201.27 FEET TO A POINT FOR CORNER;

THENCE NORTH 88 deg. 03 min. 32 sec. EAST, 223.35 FEET;

THENCE ALONG THE WEST R.O.W. LINE OF CARRIER PKWY. NORTH 0 deg. 48 min. 01 sec. WEST, 178.73 FEET TO THE POINT OF BEGINNING AND CONTAINING 42,049.3464 SQUARE FEET OR 0.9653 ACRES OF LAND.

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II.

GENERAL RETAIL

1. BOUNDARY DESCRIPTION:

As reflected in Section I of this ordinance.

2. PERMITTED USES:

In areas 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, 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.

D. SIGN AND IDENTIFICATION USES:

Temporary Sign, 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.

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 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), Pawn Shop, Pet Shop, Restaurant or Cafeteria Without Drive-in Service, Restaurant with Drive-in Service, Retail Store 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 Sal (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 . . . . . 9 .  
 . . a 0 feet

2. Sideyard setback abutting a street .....15 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

Do ..... 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.

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, cornices, roof overhangs, and other 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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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 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 noises

C. The site or development plan finally adopted by the City Council shall be marked as Exhibit "A," 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.

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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 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 riot 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 an 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*.

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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 9th DAY OF April

A.D., 1985.

MAYOR, City of Grand Prairie, **Texas**

ATTEST:

City Secretary

APPROVED AS TO FORM:

City A

Case No. Z843SE54

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