

Planned Development No.
Ordinance No.
Case No.

209
5116
Z930602

AN ORDINANCE. AMENDING THE ZONING MAP AND ORDINANCE SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY SO AS TO REZONE APPROXIMATELY 44.797 ACRES OUT OF THE JAMES LEE SURVEY, ABSTRACT NO. 96 (TARRANT AND DALLAS COUNTIES),, WESLEY CARROLL WEBB SURVEY, ABSTRACT NO. 1633 (TARRANT COUNTY) AND ABSTRACT NO. 1527 (DALLAS COUNTY) AND THE HENRY BRITE SURVEY, ABSTRACT NO. 1694 (TARRANT COUNTY) AND ABSTRACT NO. 89 (DALLAS COUNTY), GENERALLY LOCATED EAST OF LAKE RIDGE PARKWAY NORTH OF JOE POOL LAKE AT 5700 LAKE RIDGE PARKWAY FROM AGRICULTURE (A) WITH A SPECIFIC USE PERMIT FOR A MARINA AND A SPECIFIC USE PERMIT FOR THE ON-PREMISE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES TO PLANNED DEVELOPMENT FOR A MARINA AND ASSOCIATED RETAIL AND AMUSEMENT USES WITH A SPECIFIC USE PERMIT FOR THE ON-PREMISE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES; SAID ZONING MAP AND ORDINANCE BEING KNOWN AS THE UNIFIED DEVELOPMENT CODE PASSED AND APPROVED ON NOVEMBER 20, 1990; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, the City of Grand Prairie has made application with the City of Grand Prairie petitioning an amendment to the Zoning Map and Ordinance of the City of Grand Prairie so as to rezone and reclassify the hereinbelow described property from its classification from Agriculture (A) with a Specific Use Permit for a Marina and a specific Use Permit for the on-premise sale and consumption of alcoholic beverages to Planned Development for a Marina and associated retail and* amusement uses with a Specific Use Permit for the on-premise sale and consumption of alcoholic beverages; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on July 12, 1993, **after written** notice of such public hearing before the Planning and Zoning Commission 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 9

to 0 to recommend to the City Council of the City of Grand Prairie, Texas, that the hereinafter described property be rezoned so as to change its classification from Agriculture (A) with a Specific Use Permit for a Marina and a Specific Use Permit for the on-premise sale and consumption of alcoholic beverages to Planned Development for a Marina and associated retail and amusement uses with a Specific Use Permit for the on-premise sale and consumption of alcoholic beverages; 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 City Hall Building at 7:30 p.m. on July 20, 1993, 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 its classification of Agriculture by reason of such 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; and

WHEREAS, it is the desire of the City of Grand Prairie to allow for or the use of the subject property for a Marina and associated retail and amusement uses with a Specific Use Permit for the on-premise sale and consumption of alcoholic beverages, and to provide development standards for those facilities;

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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 part of an Ordinance entitled:

"THE UNIFIED DEVELOPMENT CODE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THE 20TH DAY OF NOVEMBER, 1990, 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 ...of

and passed and approved November 20, 1990, as amended, is hereby further amended so as to establish and rezone the following described area from Agriculture (A) with a Specific Use Permit for a Marina and a Specific Use Permit for the on-premise sale and consumption of alcoholic beverages to Planned Development for a Marina and associated retail and amusement uses with a Specific Use Permit (No. 572 approved April 28, 1992, Ordinance No. 4982, case No. SU920402) for the on-premise sale and consumption of alcoholic beverages:

See Exhibit "All

**II.
MARINA AND ASSOCIATED USES**

1. BOUNDARY DESCRIPTION:

As reflected in Section I of this ordinance.

2.

PERMITTED USES:

No land shall be used and no building shall be erected or converted to any use other than the following described uses associated with a marina development within the area described in Section I of this ordinance.

- A. Marina.
 - B. Floating boat slips or docks, wet or dry, covered or uncovered, with connecting walkways to land.
 - C. Boat ramps for launching and retrieving boats.
 - D. Covered or totally enclosed boat and R.V. dry storage facilities on land.
 - E. Fishing and sight seeing facilities, including piers and floating barges, connected to land with walkways; excursion or charter boat berthing facilities on land and/or on water, and tour guide services.
 - F. Retail sales of fishing bait and fishing equipment facilities.
 - G. Snack bars and vending machines on land and/or on water.
 - H. Sanitary sewage pump-out facilities on land and/or on water.
 - I. Parking areas for general vehicles, trailers and R.V.'s.
 - J. Fire fighting facilities on land and/or on water.
 - K. Restrooms with shower facilities and locker rooms on land and/or on water.
 - L. Roadways and security fencing and lighting.
 - M. Boat basin for floating boat storage.
 - N. Office and/or *administration building* on land and/or on water.
 - O. Restaurant building, with or without alcoholic beverage sales on land and/or on water. Any alcoholic beverage sales must be in compliance with the City's alcoholic beverage ordinance, City licensing ordinance, and SUP No. 572, approved April 28, 1992, Ordinance No. 4982.
 - P. Ship's chandlery store (retail sale of boat supplies or equipment of specific kinds) on land and/or on water.
- Gasoline and/or diesel fueling facilities on land and/or on water.
- R. Open boat and/or R.V. dry storage facilities on land, including boat rental, repair and/or service.

S. Golf driving range, miniature golf course, putting green and/or golf equipment sales.

T. Retail boat sales and service.

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U. R.V. sales and service.

V. Camping equipment sales including tents and trailers.

W. L.P. gas sales (pre-bottled in tanks with no on-site filling or re-filling of tanks).

X. Any incidental and/or occasional uses necessitated by the above uses.

Y. Any other indoor or outdoor amusement or retail services approved by City Council via the submittal and approval of a site plan showing the proposed use and all associated facilities.

3. AREA REQUIREMENTS:

All development within this Planned Development shall be subject to the following development standards:

- A. Minimum setback from Lake Ridge Parkway:25 ft.
- B. Minimum side and rear setback: 0 ft.
- C. Maximum height of structures:50 ft.

4. OFF-STREET PARKING:

Off-street loading, parking and storage spaces shall be provided as shown on the approved site plan. Paving material for each area shall be as shown on the approved site plan.

5. SCREENING REQUIREMENTS:

Areas utilized for any outside storage shall be screened as shown on the approved site plan. Screening materials shall include, but not be limited to wood *fencing, masonry* fencing, landscaping and berms, as approved by City Council on the approved site plan.

6. LANDSCAPING

Landscaping shall be provided as shown on the approved site plan.

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7. SIGNS:

All development within this planned development shall comply with the following sign standards and obtain permits for each sign if required:

A. All structures shall be allowed to have one wall sign not exceeding 50 sq. ft. on each facade. A permit is required for each sign.

B. The restaurant facility shall be allowed (1) one monument sign, not to exceed 120 sq. ft. in area and 12 ft. in height, along the Lake Ridge Parkway frontage, placed outside the right of way and not within the 30 ft. visibility triangle of any entrance or driveway; (2) one monument sign in front of the marina or restaurant building, not to exceed 120 sq. ft. in area and 12 ft. in height; and (3) one roof mounted sign with a maximum height of 10 ft. measured from the bottom of the sign to the top of the sign, not exceeding 120 sq. ft. Permits are required for each sign. Plans for the roof mounted sign must be signed and sealed by a registered engineer.

C. The marina building shall be allowed (1) one monument sign in front of the marina building not to exceed 120 sq. ft. in area and 12 ft. in height; and (2) one monument sign along the Lake Ridge Parkway frontage, placed outside the right of way and not within the visibility triangle of any entrance or driveway, not to exceed 120 sq. ft. in area and 12 ft. in height. Permits are required for each sign.

D. All detached signs shall have a minimum spacing of 10 feet between signs.

E. Temporary banners shall be allowed to advertise or promote certain special events occurring on-site for a maximum of 30 days per event. Banner signs shall not extend or be suspended over any right of way or driveway area within the planned development. one banner sign shall be allowed by right, with no permit required, and any additional banners will require a permit with a \$20 permit fee.

F. Directional/ informational signs not exceeding 12 sq. ft. in area and 4 feet in height shall be allowed within the planned development. A permit will be required unless the sign is requested by the Trinity River Authority as an official sign.

G. Additional signs may be approved by City Council upon the submittal of elevation drawings or architectural renderings of such signs.

H. All detached signs, wall signs and roof mounted signs within this planned development shall have a consistent complementary design utilizing similar colors, materials and letters. Appeals to staff interpretation of this requirement shall be to the City Council through the Chief' Building Official..

III. SPECIAL CONDITIONS

1. SIDEWALKS:

Sidewalks are not required along the Lake Ridge Parkway frontage of this development.

2. UTILITIES:

All utilities servicing this development shall be installed underground.

3. EXISTING SPECIFIC USE PERMIT FOR ALCOHOL SALES

Specific Use Permit No. 572 approved April 28, 1992 by Ordinance No. 4982 shall remain in effect and shall not be affected in any *manner by* the creation of this planned development. All *conditions of* approval for Specific Use Permit No. 572 shall also remain in effect.

4. GENERAL REQUIREMENTS AND STIPULATIONS:

A. All proposed uses and structures 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 shall 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. The site plan(s) finally adopted by the City Council shall be marked as Exhibits "B", "C", etc., attached hereto, and made a part hereof as if fully set out herein.

No use shall be located or operated in this district which involves the emission from structures or equipment of any odorous material, smoke or particulate matter, or noise.

IV.

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.

V.

Nothing contained herein shall be construed as relieving the owner of the land or the improvements described hereinabove of compliance with all other ordinances or the 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. 4779 and its amendments, said being the Unified Development Code of said City, unless specifically modified by the passage of this ordinance.

VI.

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 20 - DAY OF JULY A.D.,, 1993.

ATTEST:

Mayor, City of Grand Prairie, Texas

City Secretary

APPROVED AS TO FORM:

City Attorney

Zoning Case No. Z930602

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