

AN ORDINANCE AMENDING ORDINANCE NO. 5212, BEING PLANNED DEVELOPMENT NO. 210, PASSED AND APPROVED BY THE CITY COUNCIL ON FEBRUARY 1, 1994, SO AS TO AMEND THE DEVELOPMENT REQUIREMENTS OF PLANNED DEVELOPMENT NO 210 TO REQUIRE DEVELOPMENT TO RETAIL, COMMERCIAL, AND OFFICE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, on February 1, 1994, the City Council approved Ordinance No. 5212, being Planned Development No. 210 for single family attached uses; and

WHEREAS, the owners of the property described herein below, filed application with the City of Grand Prairie, petitioning **an amendment to Planned Development No. 210 to amend the development requirements to require development to conform with retail, commercial, and office standards**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on February 8, 1999 after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 200 feet of the property on which the change of 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 1 to recommend to the City Council of Grand Prairie, Texas, that certain amendments to Planned Development No. 210 be approved; and

WHEREAS, 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 Plaza Building at 7:30 o'clock P.M. on February 16, 1999 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 all 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 use proposed on said property, as well as the nature and usability 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 Planned Development No. 210 and, 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 of PD-210 is amended to PD-210 which will allow the development requirements to conform with retail, commercial, and office standards, under the following conditions:

1. Building material facades will consist of brick masonry with plaster accent areas. Brick masonry will be of a color consistent with the shopping center on the northwest corner of Westchester Parkway and Carrier Parkway.
2. An 8 ft masonry wall will be erected adjacent to all property lines adjacent to residential zoning. The wall must be 8 ft in height as measured from the grade of the adjacent paved access way.
3. Trash Dumpster pick-up will be limited to hours between 8:00 a.m. and 9:00 p.m.
4. Access to the site will be limited to entrances on Carrier Pkwy and Westchester Pkwy. No access will be permitted to the site from Edge View Ct.
5. The site plan must be amended to delete the 28 spaces on the southern property line between the store and the drainage right-of-way and the 21 spaces on the eastern property line between the store and the drainage right-of-way. This area is to serve as an additional buffer area.
6. The required screening wall must be erected prior to any construction above the foundation.
7. All detached signs shall be limited to monument signs as defined in the Unified Development Code.
8. A wrought iron fence must be erected across the drainage right-of-way along Westchester Pkwy and Carrier Pkwy between the residential fences and the required screening fence.
9. Outside storage is prohibited. Temporary storage must be screened from any adjacent access ways.
10. No commercial vehicles, as defined by the Transportation Code of Texas, shall be allowed to idle on site within 200 ft of the southern or eastern property line between the hours of 9:00 p.m. and 7:00 a.m. Signs noting this requirement must be posted at the rear of the building and in the loading areas.
11. All landscaping installed by the developer on site and in the drainage right-of-way must be maintained in a healthy, growing, state at all times.
12. All graffiti must be removed from any walls of buildings, screening walls, or retaining walls within 5 days of the store manager being notified of the graffiti.
13. The applicant must meet with adjacent residential property owners to discuss drainage issues and landscaping adjacent to residential areas prior to City approval of engineering plans

A. PERMITTED USES

Those uses are changed from single family to retail, commercial, and office uses, and specifically supermarket/grocery store.

II.

The property is described as a portion of PD210 originally zoned for single family, generally described as the southeast corner of South Carrier Parkway and Westchester Parkway.

III.

All ordinances or parts of ordinances in conflict herewith are specifically repealed.

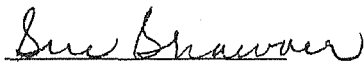
IV.

That this Ordinance shall be in full force and effect from and after its passage and approval.

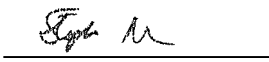
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, this the 16th day of February, 1999.

  
MAYOR  
City of Grand Prairie, Texas

ATTEST:

  
City Secretary

APPROVED AS TO FORM AND LEGALITY:

  
City Attorney

Zoning Case No. Z990202