

ORDINANCE NO. 5739
PLANNED DEVELOPMENT NO. 221
ZONING CASE NO. Z970104

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND MAP TO REZONE AN APPROXIMATELY 375 ACRE TRACT, BEING LOTS 1 THRU 5, BLOCK 1, STELLAR WAY ADDITION, AND TRACTS OF LAND OUT OF THE ELIZABETH GRAY SURVEY, ABSTRACT NO. 1680, THE J. FARRANS SURVEY, ABSTRACT NO. 468, THE B.B.B. & C.R.R. SURVEY, ABSTRACT NO. 202, AND THE J. SPOON SURVEY, ABSTRACT NO. 1326, DALLAS COUNTY, GENERALLY LOCATED ON THE NORTH AND SOUTH SIDES OF TRINITY BOULEVARD BETWEEN HARD ROCK ROAD AND THE CITY LIMIT LINE WEST OF BELT LINE ROAD, FROM LIGHT INDUSTRIAL (LI) TO A PLANNED DEVELOPMENT FOR MIXED RETAIL, OFFICE, WAREHOUSE/DISTRIBUTION AND LIGHT INDUSTRIAL USES; SAID ZONING MAP AND ORDINANCE BEING NUMBERED ORDINANCE NUMBER 4779 AND PASSED ON NOVEMBER 20, 1990; 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 City of Grand Prairie, Texas, initiated a zoning application petitioning an amendment of the Zoning Ordinance and map of said city so as to rezone and reclassify said property from its classification of **Light Industrial (LI)**, to **Planned Development for Mixed Retail, Office, Warehouse/Distribution and Light Industrial** Uses; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, hold a public hearing on said application on February 10, 1997 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 7 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 Light Industrial (LI), to Planned Development for Mixed Retail, Office, Warehouse/Distribution and Light Industrial Uses; 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 18, 1997 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 Zoning Ordinance from the classification of **Light Industrial (LI)** 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:

That Ordinance Number 4779, being 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 28 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 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..."

and passed and approved November 20, 1990, as amended, is hereby further amended so as to rezone the following described areas from **Light Industrial (LI), to Planned Development for Mixed Retail, Office, Warehouse/Distribution and Light Industrial Uses.**

See Exhibit "A"

II.

DEVELOPMENT REQUIREMENTS

1. PERMITTED PRINCIPAL USES.

Permitted principal uses shall be limited to those uses as listed on Exhibit "B." In addition, any use which is customarily incidental to a principal use located on the same lot or premise, shall be permitted as an accessory use even if otherwise prohibited as a primary use.

2. DIMENSIONAL AND SETBACK REQUIREMENTS

- A. Minimum lot size - 5,000 sq/ft
- B. Minimum lot width - 100 ft, corner lots 175 ft, on all frontages
- C. Minimum lot depth - 150 ft
- D. Maximum F.A.R. - 1:1
Ordinance No. 5739

E. Front yard setback (all setbacks adjacent to streets are considered front setbacks) Trinity Boulevard -40 ft for buildings and covered structures 25 ft for solid fences All other streets - 25 ft for all structures and solid fences

F. Side and rear yard setbacks - 0 ft adjacent to non-residential 25 ft adjacent to residential

G. Setbacks between buildings - 25 ft (additional setbacks may be required by the

H. Maximum building height -

3. MASONRY REQUIREMENTS

building or fire code) 50 ft (additional height may be approved by S.U.P.) Every wall shall be of masonry construction or glass and the following standards shall apply:

Masonry construction shall include all masonry construction which is composed of solid, cavity, faced, or veneer-wall construction. i.

iii.

iv.

v.

Stone material used for masonry construction may consist of granite, sandstone, slate, limestone, marble, or other hard and durable all weather stone. Ashlar, cut stone, and dimension stone construction techniques are acceptable.

ii. Brick material used of masonry construction shall composed of hard fired (kiln fired), stacked in place, mortared joints, faced or building brick with a minimum nominal depth of three (3") inches. Concrete finish for precast concrete panel (tilt wall) construction shall be exposed aggregate, bush-hammered, sandblasted, or textured, all of which may be painted or stained. Split faced, fluted, sandblasted, glazed or textured concrete masonry units. Ceramic tile as approved by the Building Code.

B. Glass walls shall include glass curtain walls or glass block construction. Glass curtain wall shall be defined as an exterior wall which carries no floor or roof loads, and which may consist of a combination of metal, glass and other surfacing material supported in metal framework. Exterior metal walls shall be prohibited

on all structures.

D. Exposed walls of the front exterior facade consisting of a single texture shall be prohibited. Not less than 15% of the total area of exposed walls, excluding windows, doors, or garage doors, of the front exterior facade shall be constructed from an alternate material, or a contrasting texture or color.

4. LANDSCAPING

A. Front Yard - Thirty percent (30%) of the required 25 foot front yard setback adjacent to all street frontages shall be landscaped with a minimum of 2 landscape elements inclusive of required street trees and parking screening. Landscape elements may include grass, trees, shrubs, and ground cover.

B. Street Trees - One street tree shall be required for every 50 ft of frontage.

3

Ordinance No. 5739

C. Parking and Loading - Screening shrubs are required parallel to parking lots and/or loading areas along all streets. Berms may be allowed in lieu of shrubs. The minimum size of the shrubs shall be a two 2 gallon container with a minimum height of twenty- four (24) inches. The minimum height (as measured from the grade of the parking lot) for berms used to screen parking or loading areas is three (3) feet. All parking lots exceeding 100 parking spaces shall contain one (1) tree per twenty, 20 parking spaces.

D. Screening Fence - One (1) tree shall be required for every 30 linear feet of a solid fence adjacent to a street.

E. Minimum Size Requirements

i. Trees - All trees required to meet the landscaping requirement shall be a minimum three (3) inch caliper measured at the height of six (6) inches above the ground. Multiple trunk trees are measured: (1) measure largest trunk circumference; (2) remaining trunks, measure circumference divided by two; sum (1) and (2) for the total circumference, divide total by 3.14 for caliper. Existing trees of 3" caliper (measured at 6" above grade) or larger may be substituted for required landscaping trees of equal size on a one to one basis.

ii. Shrubs - In order to meet landscape requirements, all shrubs shall be a minimum of two (2) gallon container size meeting the standards of the American Association of Nurserymen.

F. Irrigation Required - When the total of all required landscaping is more than 1,000 square feet, the required landscaping shall be irrigated by an automatic underground irrigation system buried a minimum of twelve inches below grade level, with a freeze sensor, and designed by a licensed professional irrigator, a registered Landscape Architect, Architect, or Engineer. (Refer to Article 875 1, Texas Revised Civil Statutes and the Texas Board of Irrigators.) When the total of all required landscaping is less than 1,000 square feet, and all of the required landscaping is within 100 feet of a hose bib, the required landscaping may be irrigated with a hose bib system. If any of die landscaping is farther than 100 feet from the hose bib, all of the required landscaping shall be irrigated by an underground irrigation system.

5. SCREENING

No materials, supplies, equipment, finished or semi-finished products or articles of any nature shall be permitted to be stored on any area exterior to a building unless it is screened by a solid fence in accordance with the screening provisions of the Unified Development Code in effect as of the effective date of this ordinance except that where generally parallel to and directly visible from public streets a required fence shall be a permanent wall consistent in design and nature with materials utilized on the building structure. Trailer and vehicle storage areas shall also be subject to these same screening standards except that trailer drop areas which meet the minimum paving standards of the UDC and are ancillary to a warehouse, distribution, or transfer/storage use on the same site, and located immediately adjacent to loading areas, shall not be required to be screened. Sections VIII.25, "Required Screening

Regulations," VIII.26, "Fence Construction," and VIII.27, "Exceptions," of the Unified Development Code in effect as of the effective date of this ordinance are attached as Exhibit T."

4
6.

Ordinance No. 5739
OUTSIDE STORAGE

Accessory outside storage shall be limited to 50 percent of a site (*this is a standard interpretation of "accessory" outside storage*). Any outside storage use of a site which exceeds 50 percent of a site is considered a primary use of the site and, in accordance with use provisions of this Planned Development, shall require a Specific Use Permit.

7.

PAVING STANDARDS

All parking, loading, trailer storage, access, and maneuvering areas shall meet the minimum paving requirements of the UDC for non-residential parking lots. All outside storage and vehicle storage areas shall meet the above requirements or alternatively be a minimum of 5 inches of asphalt on a 6 inch lime stabilized subgrade.

8.

PROHIBITED SIGNS

The following signs shall be prohibited:

Balloon signs
Portable signs
Off-Premise signs
Banner signs

9.

SITE PLAN APPROVAL

All development within this Planned Development is subject to site plan approval. Site plans may be administratively approved by the Chief Building Official and the Director of Planning and Development, or their designees, under the following conditions:

- A. The site plan is for the development of a use or uses allowed by the planned development district, and is not for the purpose of designating the allowable land uses on a particular tract or tracts; or
- B. The purpose of the site plan is to allow the expansion of an existing building if the proposed expansion is consistent with the existing building's facade materials, architectural style and colors, and the proposed expansion meets all the requirements of the planned development ordinance; and
- C. The proposed development meets all the specific requirements of the planned development ordinance; i.e., landscaping, facade materials, screening regulations, setbacks, use restrictions, signage, parking, etc.; and
- D. The site plan meets all requirements of City ordinances.

In cases where there is disagreement between an applicant and City staff, or where an applicant requests that a requirement of this Planned Development not be applied to a site plan, then the site plan shall be processed for approval by the City Council after Planning and Zoning Commission recommendation, in accordance with Article XVI of the Unified Development Code, and upon payment of the fee normally assessed for site plan approval by the City Council, with credit given for any fees already paid.

5 Ordinance No. 5739

Exhibit "C"

SECTION 25 - REQUIRED SCREENING REGULATIONS

VIII.25.1

Single Family

A. The developer of all single family detached, single family attached and two-family residential development platted after adoption of this Code shall be required to construct a continuous screening fence along all lots which back up to a collector and/or an arterial.

B. The developer of lots platted prior to the adoption of this code shall be exempt from providing a screening fence unless screening was required by either the applicable zoning regulations in effect at the time of platting, or by a note on the plat. If a screening fence was required but not installed for lots platted prior to the adoption of this Code, the screening fence shall be installed by the builder at the time of construction of the house on the subject lot.

VIII.25.2 Multi-Family

All multi-family development shall provide a standard screening fence from any other use.

VIII.25.3

Non-Residential

All non-residential development, including Planned Developments, shall be screened from any adjacent residentially zoned land which exists at the time of the non-residential development by a standard screening fence.

VIII.25.4

Mechanical and Electrical Equipment

All non-residential building mechanical and electrical equipment other than utility service and equipment, located adjacent to the building, thoroughfare or a residentially zoned area shall be screened from view. Sufficient clearance shall be provided and maintained between the equipment and the screening to provide adequate access for maintenance and ventilation.

VIII.25.5

Outside Storage

Outside storage areas, as permitted in the Use Charts, which are associated with developments receiving a Certificate of Occupancy after the date of adoption of this Code, shall be screened by a standard screening fence or a minimum six (6) foot masonry wall. Materials stored, excluding trucks and machinery, shall be stacked no higher than one (1) foot below the top of the fence or wall.

Sections 25, 26, and 27, Article VIII, "Landscaping and Screening," of the Unified Development Code in effect on February 18, 1997.

Exhibit "C"

VIII.25.6 Refuse

Areas reserved for refuse storage shall be screened by a solid non-transparent masonry wall or a standard screening fence. Said fence shall be a minimum of six (6) feet in height, and shall be on all sides of the refuse storage area except the side used for garbage pick-up service. A staggered entrance to preclude visibility of the dumpsters may be allowed on one side, other than the refuse side.

VIII.25.7

Alley's

When a standard screening fence runs parallel and adjacent to an alley, two (2) additional stringers (bottom and middle) shall be required to be placed on the opposite side of the three (3) required stringers to stabilize and add rigidity.

VIII.25.8

Salvage Yards

The premises of an auto salvage business shall be screened in accordance with the Auto Salvage Yard Ordinance. (Refer to Appendix M).

SECTION 26 - FENCE CONSTRUCTION

VIII.26.1 Where screening is required, the screening shall be the standard screening fence or a solid masonry wall in accordance with adopted fence standards, which is a minimum six (6) feet high (reference Appendix "C" for exhibit of Standard Screening Fence), unless an alternate design is authorized by City Council. Such screening shall be located on the subject property, adjacent to the common property line.

VIII.26.2 The standard screening fence which is required for screening purposes, shall be constructed with the following standards:

- A. Said fence shall be a minimum of six (6) feet in height, and shall have a minimum of six (6) inch wide concrete mowing strips installed under the entire length. The mowing strips shall be constructed with a minimum four (4) inch thick reinforced concrete. The mowing strip shall be flush with finished grade and not interfere with natural drainage.
- B. All vertical posts shall be two and three eighths (2-3/8) inch minimum outside diameter standard pipe gauge, or two and one half (2-1/2) inch square by one eighth (1/8) inch wall gauge galvanized steel.
- C. All wood materials shall be decay resistant, such as redwood, cedar or wolmanized pine exterior grade.

Sections 25, 26, and 27, Article VIII, "Landscaping and Screening," of the Unified Development Code in effect on February 18, 1997.

Exhibit "C"

D. Nail the vertical slats to three horizontal bracing stringers (bottom, middle, and top nailer boards) running from vertical post to post. The size of the stringers shall be no less than two (2) inch by three (3) inch.

E. All nails or fasteners shall be of non-rusting, non-corrosive metal such as hot dipped galvanized steel. All nails or fasteners shall be of the type (such as screw shank, ring shank, or divergent point staples) that when properly driven, will not work free due to wind, vibration, or shrinkage of members.

F. All materials shall be securely fastened, vertical boards to horizontal stringers, stringers to vertical posts, top rail, to ensure an ongoing attractive appearance and safe condition, free from rust, rot, vandalism, and other sources of decay.

G. The attached sketch indicates basic dimensional requirements and types of materials to be used. Standard and customary fence construction practices are required. (See Appendix "C")

H. A chain link fence with slat inserts shall not constitute a standard screening fence.

SECTION 27 - EXCEPTIONS

VIII.27.1 An exception to the screening fence requirement may be granted by the City Council. One or more of the following conditions must be present or apply for consideration of an exception:

A. Topographical variations that would preclude a normal installation, or act as a screening mechanism. A, topographical variation may serve as a screening device if the zoning district requiring the screening fence is separated from the adjoining use by a thirty percent (30%) slope or greater, as long as the elevation between the two uses is at least six (6) feet. (property requiring the screening fence is at the higher elevation)

B. The land is located in the flood plain.

C. An existing fence is in place on the applicant's property that is determined as sufficient and is structurally sound.

D. Vegetation exists which is at least six (6) feet high and non-transparent year-round.

Sections 25, 26, and 27, Article VIII, "Landscaping and screening," of the Unified Development Code in effect on February 18, 1997.

Exhibit "C"

E. An exception for chain link fences may be granted by the City Council upon notification to property owners which are adjacent to, or directly across the street from said fence.

Sections 25, 26, and 27, Article VIII, "Landscaping and Screening," of the Unified Development Code in effect on February 18, 1997.