

PLANNED DEVELOPMENT NO. 223

ORDINANCE NO. - 5755 CASE NO. Z970304

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE A 33.5 ACRE TRACT OUT OF THE S.B. MCCOMMAS SURVEY, ABST. 887, DALLAS COUNTY, LOCATED AT THE NORTHWEST CORNER OF 1-20 AND CARRIER PKWY. **FROM PLANNED DEVELOPMENT NO. 22 AND 27 TO PLANNED DEVELOPMENT NO. 223**; 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 owners of the property described hereinbelow 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 **Planned Development No. 22 and 27 to Planned Development No. 223**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on March 24, 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 9-0 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned from **Planned Development No. 22 and 27 to PD No. 223**; 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 April 1, 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 *PD-22 and 27* 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 area **from Planned Development No. 22 and 27 to Planned Development No. 223**:
a 33.5 acre tract out of the S.B. McCommas Survey, Abst. 887, Dallas Co., located at the northwest corner of 1-20 and Carrier Pkwy.

That the following conditions are hereby established as part of this ordinance.

1. Permitted Uses

- A. All uses as permitted in the Unified Development Code for the General Retail (GR) District.
- B. Building material sales associated with a hardware store.

2. Density and Dimensional Requirements

Density and Dimensional requirements shall be those established for the GR district with the following exceptions.

A. All lots which meet the minimum lot depth, width and area requirements of the GR district shall be considered legal regardless of whether they have frontage on a dedicated street right-of-way and provided they have a mutual access rights across all other lots within this Planned Development.

B. All structures must be setback a minimum of 50 ft from residentially zoned property.

3. Building Height

The maximum permitted building height, measured to the top plate line, is 32 ft. Parapet walls and wall surfaces, architectural elements, and other portions of the exterior design of the building may exceed this height by no more than 10 ft.

4. Masonry Requirements

All building facades within this Planned Development must be 100 percent masonry, excluding doors, windows, and signage, as defined below.

A. For buildings less than 20,000 sq/ft in area, masonry construction shall be 75 percent brick material composed of hard fired (kiln fired), stacked in place, mortared joints, faced or building brick with a minimum nominal depth of three (3") inches. The remaining material may be stone, ceramic tile, or split faced or fluted concrete masonry units (CMUS).

B. For buildings 20,000 sq/ft and greater in area, masonry construction shall include all masonry construction which is composed of solid, cavity, faced, or veneer-wall construction.

1. 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.

2. 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.

3. Concrete finish for precast concrete panel (tilt wall) construction shall be exposed aggregate, bush-hammered, sandblasted, textured or textured coated, all of which may be painted or stained.

4. Split faced or fluted concrete masonry units.

5. Ceramic tile as approved by the Building Code.

C. Exterior metal walls shall be prohibited on all buildings hereafter erected, constructed, altered, repaired or used. Metal roofs and architectural features such as awnings and canopies shall be permitted.

D. Exposed walls* of the front exterior facade consisting of a single texture shall be prohibited.

E. 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.

5. Screening.

A. A solid masonry wall is required adjacent to any residential use or zone. The masonry wall may be constructed of precast panels or kiln fired brick. The wall must be erected between the property line and the nearest paved or improved area so as to provide reasonable screening of the site from the adjacent residential use or zone. The wall shall

be a minimum of 6 ft in height. Where topography necessitates, the wall should be increased in height to provide a generally level fence line. In no instance shall the wall be required be greater than 8 ft in height. All parking areas adjacent to the southern or eastern property line must be screened by a 3 ft tall berm or a solid. hedge.

C. All truck loading and maneuvering areas adjacent to residential uses or zoning must be buffered from property lines with a hedge that will grow to a height of 10 ft in height in 3 years.

D. Wherever reasonable, existing vegetation on the perimeter of the western and northern boundaries of the site should be preserved in its natural state. Where appropriate, additional landscape materials should be provided in this perimeter area to provide some additional screening. All new landscape materials shall be irrigated in accordance with the provisions of the UDC for required landscaping.

6. Landscaping Requirement

A. Landscaping shall comply with the landscape requirements of the GR-1 district except that 20 percent of the front yard setback adjacent to S. Carrier Parkway and Interstate 20 must be landscaped.

B. All required and newly planted landscape materials shall be irrigated in accordance with the **provisions of the UDC for required landscaping.**

7. On Premise Signs

A. Detached Signs

1. Lot 2 shall be entitled to one pylon multi tenant sign. The sign may advertise businesses located on Lots 1, 2, and/or 3.

a. Maximum sign height - 40 it (measured from grade of site)

b. Maximum total sign area - 425 sq/ft (excluding support columns)

2. Lot I shall be entitled to one pylon multi tenant sign. The sign may advertise businesses located on Lots 1, 2, and/or 3.

a. Maximum sign height - 60 ft (measured from grade of site)

b. Maximum total sign area - 672 sq/ft (excluding support columns)

All other separately platted lots shall be entitled to one on-premise sign per parcel.

a. Maximum sign height - 30 ft (measured from grade of site)

b. Maximum total sign area - 200 sq/ft (excluding support columns)

8. Outside Storage and Display

Goods and merchandise meant for sale may be placed outside for display on Lots 1, 2, and 3 subject to the provisions of the Unified Development Code for outside display. Outside display of plants and materials typically associated with a garden center shall be

permitted in that area designated as a garden center on Lot 2. All other outside storage of goods, merchandise, pallets, or any other materials is prohibited.

9. Lighting and Glare

A. All uses shall be operated so as not to produce obnoxious and intense glare or direct illumination across the bounding property line from a visible source of illumination of such intensity as to create a nuisance or detract from the use or enjoyment of adjacent property. All outside lights shall be constructed of a light source and reflector so selected that acting together the light beam is controlled and not directed across any bounding property line. Light sources shall be of a down-light type, indirect, diffused, or shielded type luminaries and/or so installed and maintained as to reduce glare effect and consequent interference with use of adjacent properties and boundary streets. The allowable maximum intensity measured at the property line of a residential use in a residential district shall be 0.25 foot candles.

10. Special Conditions

A. No. commercial vehicle, as defined by the Transportation Code of Texas, shall be allowed to idle on site between the hours of 9:00 p.m. and 8:00 a.m. Signs must be posted noting this requirement at loading areas and along access ways adjacent to residential zoning.

B. No speakers or other audible communication device external to a fully enclosed structure, shall be operational between the hours of 9:00 p.m. and 8:00 a.m.

C. All other development standards, not specifically prescribed by this ordinance, shall be those required of development in the General Retail-One (GR-1) district.

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 1ST day of April, 1997.

MAYOR
City of Grand Prairie, Texas

ATTEST:

City Secretary

APPROVED AS TO FORM AND LEGALITY:

City Attorney

Zoning Case No. Z970304

