

**ORDINANCE NO. 7644
PLANNED DEVELOPMENT NO. 324
CASE NO. Z070801**

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE A 0.33 ACRE TRACT OF LAND, BEING LOT 11 AND THE WEST 40 FEET OF LOT 12, BLOCK 209, DALWORTH PARK ADDITION, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, FROM PLANNED DEVELOPMENT DISTRICT NO. 71 FOR AN INSTRUCTIONAL DANCE STUDIO TO A PLANNED DEVELOPMENT DISTRICT FOR NEIGHBORHOOD SERVICES EXCLUDING CERTAIN USES; SAID ZONING MAP AND ORDINANCE BEING NUMBERED ORDINANCE 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 herein below 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 (the Zoning Area) from its classification of **Planned Development District No. 71 for an Instructional Dance Studio to a Planned Development for Neighborhood Services excluding certain uses**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on August 20, 2007 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 300 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 8 to 0 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned from its classification of **Planned Development District No. 71 for an Instructional Dance Studio to a Planned Development for Neighborhood Services excluding certain 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 6:30 o'clock P.M. on August 28, 2007 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 Fort Worth Star

Telegram, Fort Worth, 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 its classification of **Planned Development District No. 71 for an Instructional Dance Studio to a Planned Development for Neighborhood Services excluding certain uses**; 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 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 Zoning Area from its classification of **Planned Development District No. 71 for an Instructional Dance Studio to a Planned Development for Neighborhood Services excluding certain uses** with said Zoning Area being described as shown on the attached Exhibit "A" incorporated herein by reference.

II.

DEVELOPMENT GUIDELINES

Development shall take place in accordance with the use and development standards established for the "NS" Neighborhood Services zoning district in the Grand Prairie UDC except as otherwise

listed below. The property in question is vested to development standards in place prior to November 1990; however, the property will need to retain its nonconforming status or a site plan will be required.

1. Use Restrictions:

The following uses shall be prohibited.

- Convenience Store/Gasoline Sales
 - Dry Cleaner
2. Existing asphalt parking areas shall be resurfaced to create a dust free surface at locations depicted on the attached Exhibit "A."
3. All parking shall be off-street.
4. The site shall include a wall sign or monument sign, which meets the requirements of Article 9, "Sign Standards," of the Unified Development Code. Signage shall not be internally illuminated. External landscape lights may be directed towards a monument sign.
5. Existing screening hedge on the east property line shall be maintained as approved by Planned Development-71.
6. Any type of food service operation shall meet all State and City codes.
7. A certificate of occupancy is required prior to occupying the building.
8. Building construction shall be in conformance with all applicable codes for building, electrical, plumbing, and mechanical.
9. Hours of operation to be Monday through Friday from 8:00 a.m. to 5:00 p.m., and Saturdays from 8:00 a.m. to 12:00 p.m.
10. Three large shrubs shall be planted along the east property line to increase the amount of vegetation. The shrubs shall be Oleander bushes placed approximately six feet on center.

III.

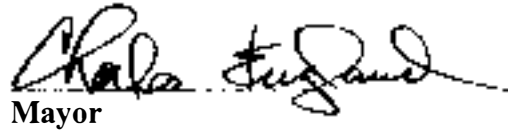
All ordinances or parts of ordinances in conflict herewith are specifically repealed.

IV.

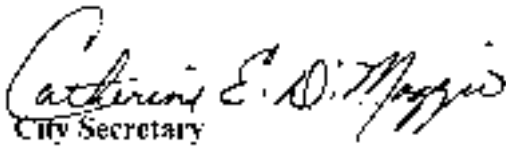
That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 28th DAY OF AUGUST 2007.

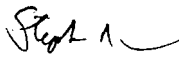
APPROVED:


Mayor

ATTEST:


City Secretary

APPROVED AS TO FORM:



City Attorney

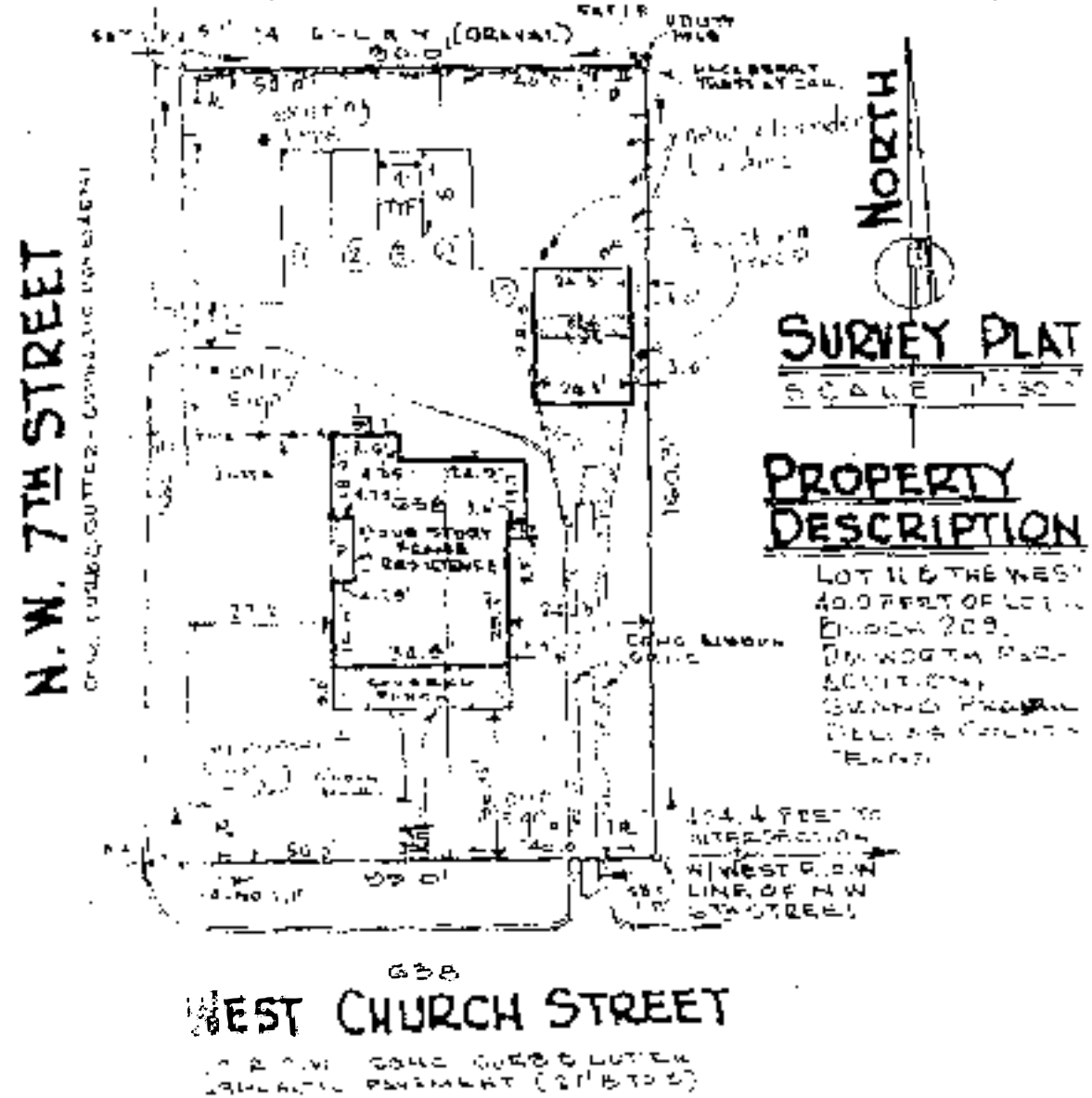
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SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED

This is to certify that I have this day made a certain and accurate survey on the ground of property as follows: 638 WEST CHURCH ST. in the city of GRAND PRairie, Texas, containing

Lot No. ALL OF LOT 11 & WEST 40 FEET OF LOT 12 Block No. 209 City Block No. of DELWORTH PLACE Addition, an addition to the City of Grand Prairie, Texas, according to the MAP as recorded in Volume 1 at page 5466547 of the Map Records of DALLAS COUNTY, TEXAS.



SURVEY PLAT

SCALE 1" = 30'

PROPERTY DESCRIPTION

LOT 11 & THE WEST 40.0 FEET OF LOT 12, BLOCK 209, DELWORTH PLACE ADDITION, GRAND PRAIRIE, DALLAS COUNTY, TEXAS.