

ORDINANCE NO. 9286-2011

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE ZONING MAP TO REZONE 54.85 ACRES OF LAND, BEING SITUATED AT THE NORTHWEST CORNER OF THE INTERSECTION S. FORUM DRIVE (FORMERLY NAMED CROSSLAND BOULEVARD) AND STATE HIGHWAY 161; SAID TRACTS BEING A PART OF THE WILLIAM REED SURVEY, ABSTRACT NO. 1193 AND THE FREDERICK DOHME SURVEY, ABSTRACT NO. 395, IN THE CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, FROM PLANNED DEVELOPMENT DISTRICT 294 (PD-294) FOR MULTI FAMILY-THREE (MF-3) AND GENERAL RETAIL (GR) USES, TO A PLANNED DEVELOPMENT DISTRICT FOR COMMERCIAL (C) 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 from its classification of **Planned Development District 294 (PD-294) for Multi Family-Three (MF-3) and General Retail (GR) uses to a Planned Development District for Commercial (C) uses**, and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on October 3, 2011 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 294 (PD-294) for Multi Family-Three (MF-3) and General Retail (GR) uses to a Planned Development District for Commercial (C) 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 October 18, 2011 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 294 (PD-294) for Multi Family-Three (MF-3) and General Retail (GR) uses to a Planned Development District for Commercial (C) uses** and by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted and established 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:

SECTION 1. That Ordinance Number 4779, being the Unified Development Code 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:

“THE UNIFIED DEVELOPMENT CODE 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 its classification of **Planned Development District 294 (PD-294) for Multi Family-Three (MF-3) and General Retail (GR) uses to a Planned Development District for Commercial (C) uses** as shown on the attached in Exhibit ‘A’ incorporated herein by reference.

SECTION 2. PURPOSE AND INTENT

The purpose of this Planned Development District is to provide the appropriate restrictions and development controls to permit the development of commercial uses in a manner compatible with the surrounding development, zoning, and overlay district controls and in compliance with the City’s Comprehensive Plan and the Unified Development Code.

SECTION 3. DEVELOPMENT STANDARDS

- A. All development occurring within the boundaries of the zoning area shall conform to the development and land use standards contained in this Ordinance. Development and land use standards not explicitly mentioned in this Ordinance shall be governed by all pertinent development and land use standards specified in Appendix T, “SH-161 Overlay District,” and Appendix F, “Corridor Overlay District Standards,” of the Unified Development Code. Any

remaining standards not addressed in these Appendices shall default to the development and land use standards in the Unified Development Code.

1. Planned Development Site Plan Required. A Planned Development Site Plan shall be reviewed and approved by the Planning and Zoning Commission and the City Council for all development within the zoning area prior to the issuance of any building permits.
2. Land Use Regulations. Except as otherwise provided in this Ordinance, the Commercial (C) District regulations for permissible land uses of Article 4, "Permissible Uses," of the Unified Development Code shall apply with the exception of the following land uses which shall be prohibited within the zoning area.

| Prohibited Land Uses | NAICS Code |
|--|-------------------|
| Auto Body Shop (and/or Paint) | 811121/811111 |
| Auto Dealer (Franchise/Non-Franchise - New or Used) | 441110/441120 |
| Auto Driving School | 611692 |
| Auto Interior Shop | 811121 |
| Auto Muffler Shop | 811112 |
| Auto Paint Shop | 811121 |
| Auto Parts Sales (Used) | 441310 |
| Auto Repair (General, Minor, Specialty or Associated) | 811111/811118 |
| Auto Sales (Wholesale) | 421110 |
| Auto Tire Repair | 811198 |
| Auto Tire Sale or Installation (Indoors/Outdoors) | 441320 |
| Auto Wrecker Service or Service Station | 447190 |
| Auto/Truck Rental (No Chauffer) | 532111 |
| Boat Repair or Storage | 811490 |
| Cemetery/Mausoleum/Crematorium | 812200 |
| Check Cashing/Pay-Day Loans/Car Title Loans ¹ | 522390 |
| Commercial Auto Parking | 812930 |
| Consignment Retail | 453310 |
| Contractor Shop/Office (Inside/Outside Storage) | 811310 |
| Exterminator Service/Storage | 561710 |
| Funeral Home | 812210 |
| Gravestone Sales | 453998 |
| Heavy Machine Sales (Outside Display) | 421810 |
| Laundry (Self Service/Coin Operated) | 812310 |
| Mini-Storage | 463220 |
| Mobile Home Dealer | 453930 |
| Motor Cycle Repair | 811490 |
| RV Park/Parking | 721211 |
| RV Sales or Repair | 441210 |
| Security Living Quarters at Business | 561612 |
| Truck Stop with Gas Sales | 722200 |
| Veterinarian with Outdoor Kennel | 812910 |
| Warehouse (with Outside Storage) | 493110 |
| Welding Shop | 811310 |

¹ As defined in Section 4.11 of the Unified Development Code.

3. Concept Land Use Plan. The zoning Area shall generally conform to the approved concept plan as shown on the attached Exhibit "B" incorporated herein by reference.

4. SH-161 Corridor Overlay District. Per Section 7, "Development Requirements," of Appendix T, "SH-161 Overlay District," of the Unified Development Code, the development standards in Appendix F, "Corridor Overlay District Standards," of the Unified Development Code shall apply within the zoning area, except as provided within this Ordinance.

SECTION 4. All appeals to the density, dimensional, architectural, and land use requirements of this Ordinance, as well as appeals to other applicable requirements of the Unified Development Code relating to this Ordinance, shall require an amendment to this Ordinance. Such amendment shall be considered by the Planning and Zoning Commission and the City Council at a public hearing.

SECTION 5. It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION 6. All ordinances or parts of ordinances in conflict herewith are specifically repealed.

SECTION 7. That this Ordinance shall be in full force and effect from and after its passage and approval.

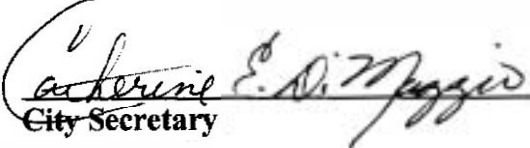
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 18TH DAY OF OCTOBER 2011.

APPROVED:


Charles England, Mayor

ATTEST:

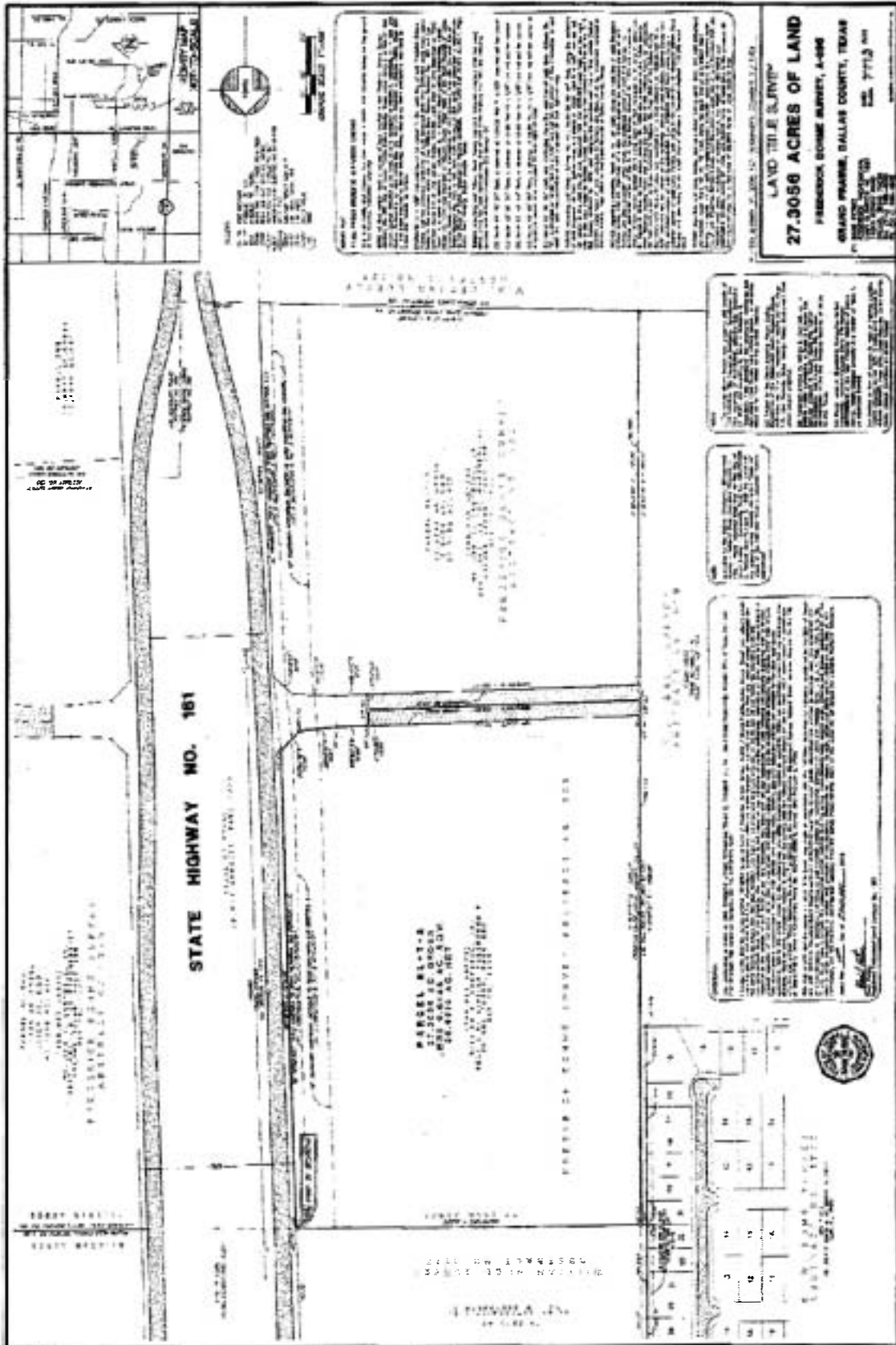
APPROVED AS TO FORM:


Catherine E. DiMaggio
City Secretary


City Attorney

PLANNED DEVELOPMENT NO. 331
CASE NO. Z111002/CP111001

EXHIBIT 'A'
Zoning Area
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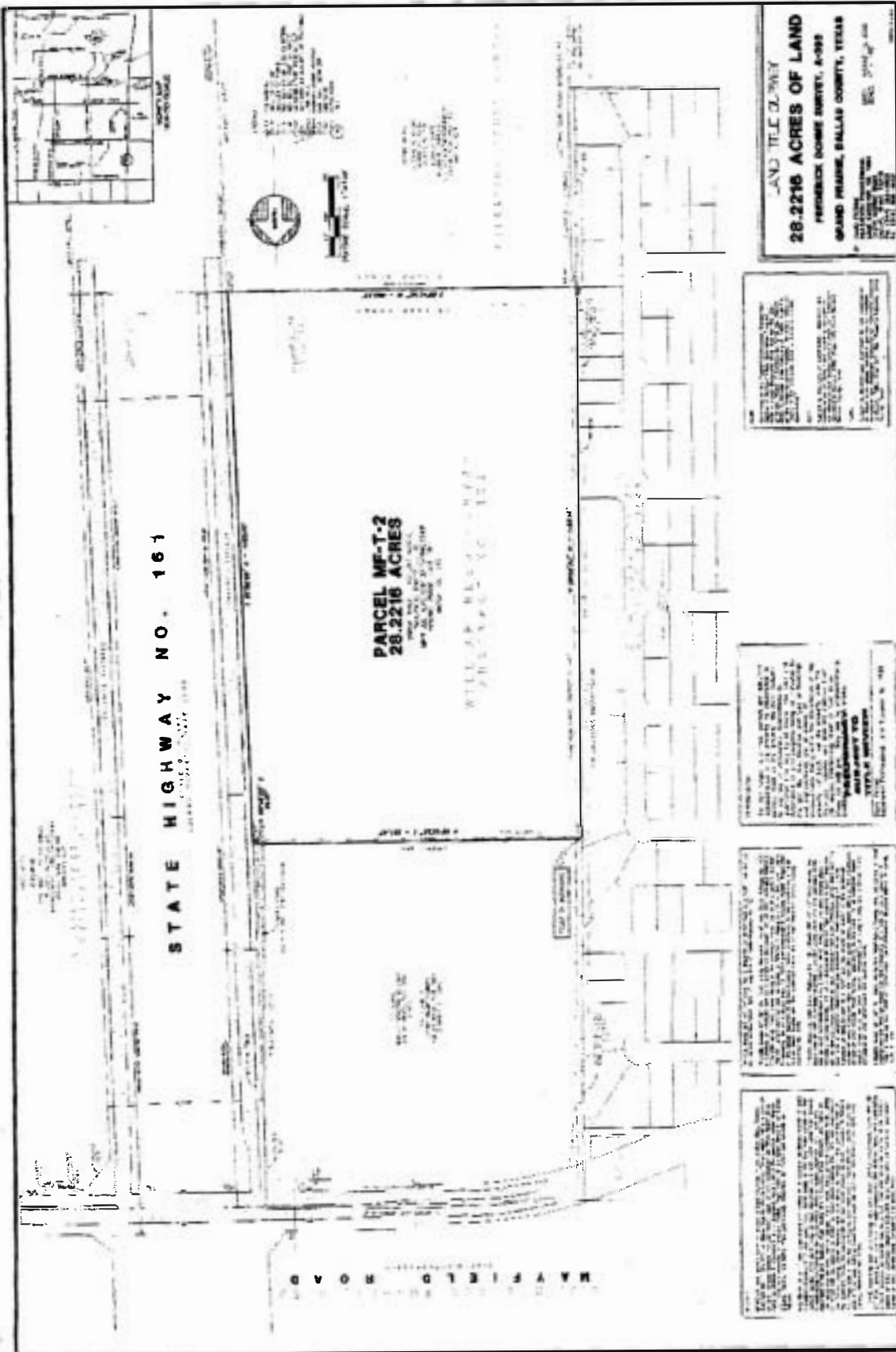
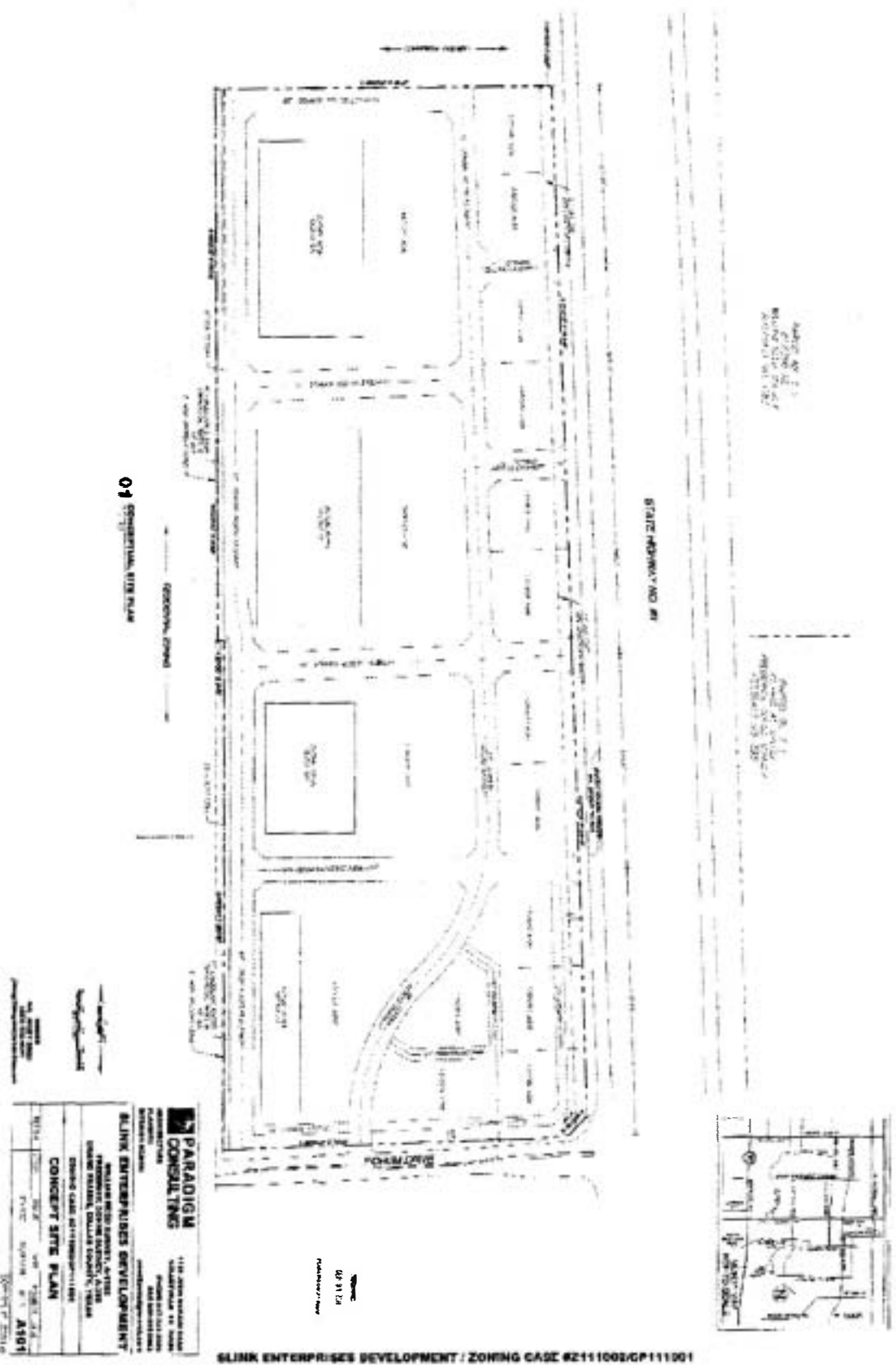


EXHIBIT 'B'
 Concept Plan
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SLINK ENTERPRISES DEVELOPMENT / ZONING CASE #2111002/GP111001

EXHIBIT 'C'

Location Map

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