

ORDINANCE NO. 10190-2016

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE ZONING MAP AND ORDINANCE BY SHOWING THE LOCATION, BOUNDARY, AND USE OF A CERTAIN PROPERTY TO GRANT A ZONING CHANGE FROM SINGLE FAMILY-TWO (SF-2) DISTRICT TO A PLANNED DEVELOPMENT FOR GENERAL RETAIL (GR) DISTRICT USES ON 4.98 ACRES SITUATED ON BLOCK A, LOTS 14, 15.1 AND PART OF LOT 12, LAKELAND HEIGHTS ADDITION, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, AND AS MORE FULLY DESCRIBED BELOW; 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 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 change the zoning designation of said property **from Single Family-Two (SF-2) District to a Planned Development for General Retail (GR) District uses**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on November 7, 2016 after written notice of such public hearing before the Planning and Zoning Commission on the proposed zoning change had been sent to owners of real property lying within 300 feet of the property on which the zoning change **from Single Family-Two (SF-2) District to a Planned Development for General Retail (GR) District uses** 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 to 0 to recommend to the City Council of Grand Prairie, Texas, that said Zoning Ordinance and Map be amended to allow a zoning change **from Single Family-Two (SF-2) District to a Planned Development for General Retail (GR) District 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 November 15, 2016, 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 zoning change 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 **from Single Family-Two (SF-2) District to a Planned Development for General Retail (GR) District 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:

SECTION 1. 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:

"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..."

being passed and approved November 20, 1990, as amended, is hereby further amended so as to change the zoning district from its classification of **from Single Family-Two (SF-2) District to a Planned Development for General Retail (GR) District uses** and as described in Exhibit A - Legal Description and Exhibit B - Location Map, which are 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 commercial development of the subject property in a manner compatible with the surrounding development and zoning and in compliance with the City's Comprehensive Plan and the Unified Development Code.

SECTION 3. PERMISSIBLE USES

1. All principal uses of the subject property shall be limited to those uses listed under the General Retail (GR) District column as contained within the Use Charts of Section 14, Article 4 of the Unified Development Code, as may be amended.
2. No principal use shall be permitted unless a symbol appears below the General Retail (GR) District column and opposite the row of a listed use contained within the Use Charts of Section 14, Article 4 of the Unified Development Code, as may be amended.
 - a. The symbol "X" shall mean that the principal use is permitted as a use by right.
 - b. The symbol "S" shall mean that the principal use is permitted only after obtaining a "Specific Use Permit" as set forth in Article 5, "Specific Uses" of the Unified Development Code, as may be amended.
 - c. A blank square shall mean that the principal use is not allowed.
3. Accessory and temporary uses shall be permissible in accordance with Article 4 of the Unified Development Code, as may be amended.

SECTION 4. DIMENSIONAL AND DEVELOPMENT STANDARDS

1. All development shall conform to the dimensional and development standards of the General Retail (GR) District of the Unified Development Code, as may be amended.
2. Where there is a conflict between the Unified Development Code and this Ordinance, unless explicitly contained in this ordinance, the more restrictive will prevail.
3. Site Plan approval, in accordance with Article 16 of the Unified Development Code, shall be required for any application for a project.

SECTION 5. CONCEPTUAL PLAN

Future development of the subject property shall be in substantial conformance with the approved conceptual plan as contained in Exhibit C- Conceptual Plan.

SECTION 6. THAT 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 7. THAT all ordinances or parts of ordinances in conflict herewith are specifically repealed.

SECTION 8. THAT this Ordinance shall be in full force and effect from and after its passage and approval.

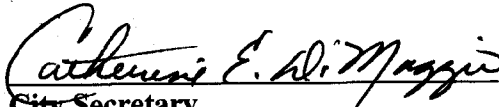
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 15TH DAY OF NOVEMBER, 2016.

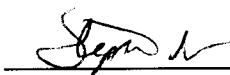
APPROVED:


Ron Jensen, Mayor

ATTEST:

APPROVED AS TO FORM:


Catherine E. DiMaggio
City Secretary



City Attorney

Exhibit A - Location Map



CASE LOCATION MAP

Case Number Z161101

General Retail at SEC of Belt Line and Marshall

City of Grand Prairie
Planning and Development

(972) 237-8257



www.cityofgp.org

Exhibit B – Legal Description

A 4.5087 acre tract or parcel of land in the M. W. Allen Survey, Abstract No. 9, Dallas County, Texas, and being composed of part of Lot 14 and part of Lot 12, Block A of Lakeland Heights Addition to the City of Grand Prairie, Texas, per map plat recorded in Volume 8, Page 55 and 56, Map Records, Dallas County, Texas; said 4.5087 acre tract or parcel of land being more particularly described by metes and bounds as follows.

BEGINNING POINT being the intersecting point of the East R.O.W. line of Farm Market Road No. 1382 (S.E. 8th Street), a 135.0 foot wide R.O.W. with the South R.O.W. line of Marshall Drive, a 65.0 foot wide R.O.W.;

THENCE S 00 degrees 30 minutes West, along the East R.O.W. line of S.E. 8th Street, a distance of 445.49 feet to point for corner; said point being 5.8 feet North 00 degrees 30 minutes East along the East R.O.W. line of S.E. Street from the South line of Lot 14;

THENCE South 87 degrees 38 minutes 08 seconds East, a distance of 145.07 feet to point; said point being 1.3 feet North of the South line of Lot 14; and continuing South 89 degrees 10 minutes 24 seconds East, a distance of 159.00 feet to point said point also being the N.E. corner of Lot 15, and the S.E. corner of said Lot 14 and the S.W. corner of said Lot 12; and continuing South 89 degrees 48 minutes 30 seconds East along the North line of said Block A of Coral Heights Addition and along the South line of said Lot 12, a distance of 79.49 feet to point for corner;

THENCE North 07 degrees 43 minutes East, along a line Northeasterly across said Lot 12, a distance of 270.70 feet to point of angle to the right in said Northeasterly line and continuing North 38 degrees 59 minutes East, a distance of 226.0 feet to the South R.O.W. line of Marshall Street, being point for corner;

THENCE North 89 degrees 06 minutes 50 seconds West, along the South R.O.W. line of Marshall Street, a distance of 558.14 feet to PLACE OF BEGINNING and containing 196,375.9844 Square Feet or 4.5087 Acres of Land

Together with a 0.4632 tract or parcel of land in the M. W. Allen Survey, Abstract No. 9, Dallas, Texas and being composed of Lot 15.1, Block A of Lakeland Heights Addition to the City of Grand Prairie, Texas.

