

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE ZONING ORDINANCE AND MAP TO REZONE 42.79 ACRES LOCATED WITHIN THE STEPHEN B MCCOMMAS SURVEY, ABSTRACT NO. 888, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS FROM PLANNED DEVELOPMENT NO. 28 AND PLANNED DEVELOPMENT NO. 294B TO A PLANNED DEVELOPMENT DISTRICT FOR MULTI-FAMILY AND GENERAL RETAIL USES; SAID ZONING MAP AND ORDINANCE BEING ORDINANCE NUMBER 7779 AND PASSED ON NOVEMBER 20, 1990; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; CONTAINING A SAVINGS CLAUSE; CONTAINING A SEVERABILITY 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 PD-28 and PD-294B to a Planned Development District for Multi-Family and General Retail Uses; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on February 27, 2023, 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 PD-28 and PD-294B to a Planned Development District for Multi-Family and General Retail 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 March 7, 2023, 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, Grand Prairie, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, on March 7, 2023, the City Council tabled this item to March 21, 2023; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on 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, changing the zoning from its classification of PD-28 and PD-294B to a Planned Development District for Multi-Family and General Retail 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 THAT:

SECTION 1. 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..."

and passed and approved November 20, 1990, as amended, is hereby further amended so as to rezone the following described area from PD-28 and PD-294B to a Planned Development District for Multi-Family and General Retail Uses.

Description of Land:

42.79 ACRES OF LAND BEING MULTIPLE PARCELS LOCATED WITHIN THE STEPHEN B MCCOMMAS SURVEY, ABSTRACT NO. 888, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, AND AS DEPICTED IN THE ATTACHED EXHIBIT A – LOCATION MAP AND EXHIBIT B – BOUNDARY DESCRIPTION, INCORPORATED HEREIN BY REFERENCE.

SECTION 2. The intent of this zoning ordinance is to create a horizontal mixed-use development that substantially conforms to referenced exhibits, Exhibit C – Concept Plan, and Exhibit D – Conceptual Elevations, which are hereby incorporated by reference.

SECTION 3. The following development standards shall apply to all development within this district.

A. APPLICABILITY

1. All development on land located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in these Planned Development District Standards.
2. Except as provided, these Planned Development District Standards govern development within this Property. In the event of any conflict or inconsistency between these Planned Development District Standards and the applicable City regulations, the terms and provisions of these Planned Development District Standards shall control. In the event of any conflict between the text of the Planned Development District Standards and the concept plan, the concept plan shall control.

B. GENERAL

1. Development of the subject property shall be in accordance with and conform to the City of Grand Prairie Unified Development Code (UDC) unless otherwise specified herein.

C. CONCEPT PLAN

1. A Concept Plan has been included, to delineate the building and driveway layout. The Concept Plan is conceptual in nature and intended to be illustrative of the standards herein. Detailed Site Plans will be submitted as required in the UDC, in subsequent applications as parcels are developed.
2. Approval of a detailed Site Plan shall be required with the Final Plat for each phase to ensure compliance with the standards of the Planned Development. If the Detailed Site Plan is shown to comply with the standards and requirements of the PD, approval by the Planning and Zoning Commission and City Council shall be non-discretionary and no public hearing shall be required.

D. LAND USES AND DEVELOPMENT REQUIREMENTS

1. Base Zoning Districts

- a. Multi-Family District: Multi-Family development shall comply with the provisions for Multi-Family Three (MF-3) District and Appendix W in the UDC, as amended, except as amended as follows.
 1. The minimum internal side setback shall be 10 ft.
 2. The minimum setback along Robinson Rd shall be 5 ft.
 3. The minimum setback along SH 161 shall be 10 ft.
 4. The number of multi-family units shall not exceed 305.
- b. General Retail: General Retail development shall comply with the provisions for General Retail District and Appendix F in the UDC, as amended.

2. Permitted Uses

- a. Multi-Family District: The uses in the Multi-Family District shall be those uses provided for Multi-Family Three (MF-3) District in the UDC, as amended.
- b. General Retail District: The uses in the General Retail District shall be those uses provided for the General Retail District in the UDC, as amended.

SECTION 4. A Site Plan shall be reviewed and approved by the City Council prior to the issuance of any building permits.

SECTION 5. The Unified Development Code of the City of Grand Prairie, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

SECTION 6. All ordinances or parts of ordinances not consistent or conflicting with the provisions of this Ordinance are hereby repealed. Provided that such repeal shall be only to the extent of such inconsistency and in all other respects this Ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered in this Ordinance.

SECTION 7. The terms and provisions of this Ordinance are severable and are governed by Section 1-4 of the Code of Ordinances of the City of Grand Prairie, Texas.

SECTION 8. 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 21ST DAY OF MARCH 2023.**

**Zoning Case No. ZON-23-01-0004
Planned Development No. 441**

APPROVED:

A handwritten signature in black ink, appearing to read 'Ron Jensen', is written over a horizontal line.

Ron Jensen, Mayor

ATTEST:

APPROVED AS TO FORM:

City Secretary

City Attorney