

ORDINANCE NO. 11363-2023

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS AMENDING THE ZONING ORDINANCE AND MAP BY SHOWING THE LOCATION, BOUNDARY, AND USE OF CERTAIN PROPERTY FOR A SPECIFIC USE PERMIT FOR AMUSEMENT SERVICES (INDOOR) TO ALLOW AN INDOOR CORNHOLE FACILITY: LOTS 407, BLOCK 103, DALWORTH PARK ADDITION, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, LOCATED AT 1825 GALVESTON ST; 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; PROVIDING A PENALTY; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE AFTER PUBLICATION

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 amend the zoning designation of said site to include a Specific Use Permit for Amusement Services (Indoor) to allow an indoor cornhole facility; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on March 13, 2023, after written notice of such public hearing before the Planning and Zoning Commission on the proposed Specific Use Permit had been sent to owners of real property lying within 300 feet of the property on which the creation of a Specific Use Permit for Amusement Services (Indoor) to allow an indoor cornhole facility 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 7 to 1 to recommend to the City Council of Grand Prairie, Texas, that said Zoning Ordinance and Map be amended to allow a Specific Use Permit for Amusement Services (Indoor) to allow an indoor cornhole facility; 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 April 4, 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, 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 Specific Use Permit and the City Council of the City of Grand Prairie, Texas, being informed as to the location and nature of the specific 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 to the extent that a specific use may be made of said property as herein provided 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 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..."

passed and approved November 20, 1990, as amended, is hereby further amended so as to establish a Specific Use Permit for Amusement Services (Indoor) to allow an indoor cornhole facility on Lots 407, Block 103, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, located at 1825 Galveston St, as depicted in Exhibit A – Location Map, attached hereto.

SECTION 2. The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and Unified Development Code.

SECTION 3. For development and operations of Amusement Services (Indoor), the following standards and conditions are hereby established as part of this ordinance:

1. The development shall adhere to the City Council approved Exhibit B – Site Plan and Exhibit C – Operational Plan of this ordinance, which are herein incorporated by reference.
2. Eight-liner gaming machines shall be prohibited.
3. The applicant shall maintain the existing parking agreement to ensure that adequate parking is available.
4. The operator shall monitor the parking lots and shall clear them of any trash or debris 30 minutes after closing.
5. The operator shall not play music on the internal sound system.
6. The operator shall provide a designated area for coolers and beverages, which shall be monitored by TABC certified staff.
7. TABC certified staff shall monitor BYOB operations.
8. Saturday operations shall be limited to the hours between 12 PM and 12 AM.
9. Staff shall issue a wristband to patrons that are at least 21 years of age to indicate that they are allowed to drink alcoholic beverages.

SECTION 4. The operations of Amusement Services (Indoor) shall comply with the following:

1. By this Ordinance, this Specific Use Permit shall automatically terminate in accordance with Section 5.4.1 of the Unified Development Code if a Certificate of Occupancy is not issued for said use within one (1) year after City Council adoption of this Ordinance, or upon cessation of said use for a period of six (6) months or more.

2. City Council shall conduct a public hearing in one year after City Council adoption of the SUP ordinance to confirm compliance with all applicable laws and codes which shall include, but not be limited to, the requirements of the SUP ordinance, the Unified Development Code and Code of Ordinances of the City of Grand Prairie, city adopted building codes, City adopted fire codes, and other applicable regulatory requirements.
3. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Grand Prairie. Violation of this provision may be punishable in accordance with Section 1-8 of the Code of Ordinances of the City.
4. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
5. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.
6. The operation of the facility shall be in strict compliance with all applicable laws and requirements of the Public Health and Environmental Quality Department, Building Inspections, Police Department and Fire Administration.
7. Any unsafe or unauthorized operations or activities may be determined as grounds for revocation of the Specific Use Permit by the City Council.

SECTION 5. It is further provided that in the case a section, clause, sentence or part of this Ordinance shall be deemed or adjudicated 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. A violation of this Ordinance is a misdemeanor punishable in accordance with Section 1-8 of the Code of Ordinances of the City of Grand Prairie, Texas. The penalty provided herein shall be cumulative of other remedies provided by State law, and the power of injunction as provided in Texas Local Government Code Section 54.016, as amended, may be exercised in enforcing this ordinance whether or not there has been a complaint filed.

SECTION 7. That 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 8. 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 9. All ordinances or parts of ordinances in conflict herewith are specifically repealed.

SECTION 10. This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE,
TEXAS, THIS THE 4TH DAY OF APRIL, 2023.**

**SPECIFIC USE PERMIT NO. 1148
CASE NO. SUP-23-02-0004**

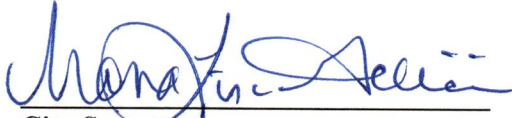
APPROVED:



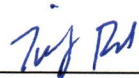
Ron Jensen, Mayor

ATTEST:

APPROVED AS TO FORM:



City Secretary



City Attorney (Deputy)

Exhibit A - Location Map
Page 1 of 1



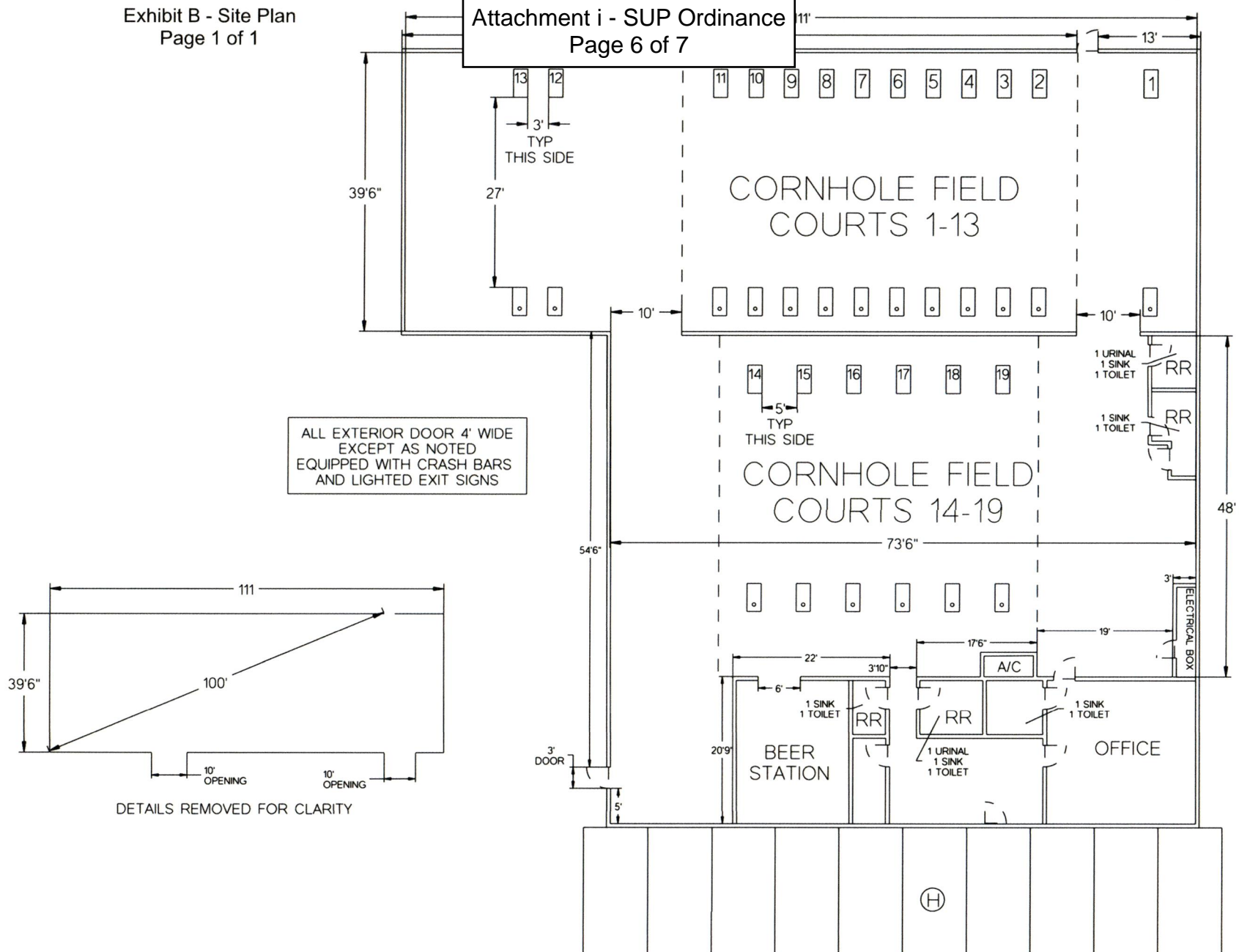
CASE LOCATION MAP
SUP-23-02-0004- SPECIFIC USE PERMIT
AMUSEMENT SERVICES (INDOOR)



City of Grand Prairie
Development Services

(972) 237-8255
www.gptx.org

Attachment i - SUP Ordinance
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1 = HANDICAPPED PARKING

9 = 9X18 PARKING

ADDITIONAL PARKING ACROSS STREET

Chase's Cad services 1032 Rock Springs Dr Burleson Tx, 76028			
DRAWN BY	C NUZIARD	12/7/22	AJ'S SPORTS
CONSULTANT	T SHOTWELL		1825 GALVESTON SUITE 200
OWNER			FLOORPLAN
		CASE NUMBER	REV -
		SCALE 1" = 20'	SHT 1 OF 1

Business Plan for 1825 Galveston Suite 100

Business Name: AJ's Sports

Business Contact person: Raymond Vasquez

Phone #: 214-240-9674

This first class facility is designed for cornhole competition and recreational play. There will be both tournament and open play. The plan includes future league play.

Also being considered are possible future pickle ball courts.

This is an indoor, climate controlled facility.

Hours of operation are:

Sunday: 1:00p to 10:00p

Monday through Thursday: 5:00p to 11:00p

Friday: 5:00p to 12:00a

Saturday: Noon to 12:00a

There are 11 onsite parking spaces, including one handicap space. There are 68 additional parking spaces provided by attached shared parking agreement directly across Galveston Street to the north at CPC Rheaco Manufacturing Center.

The parcel information is:

DALWORTH PARK

BLK 103 LTS 4,5,6,&

7 Grand Prairie,

Tx. .678 acres