



CITY OF GRAND PRAIRIE ORDINANCE

MEETING DATE: 06/04/2024

REQUESTER: Monica Espinoza, Administrative Supervisor

PRESENTER: Savannah Ware, AICP, Chief City Planner

TITLE: SUP-24-04-0016 - Specific Use Permit Review - Cornhole at 1825 Galveston (City Council District 1). Review SUP No. 1148, a Specific Use Permit for Amusement Services (Indoor) authorizing a Cornhole facility, for compliance with SUP conditions, and modify, renew, or revoke if deemed appropriate based upon the review. Lots 4-7, Block 103, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Commercial, and addressed as 1825 Galveston St (On May 13, 2024, the Planning and Zoning Commission recommended renewal of the SUP by a vote of 7-0)

APPLICANT: Raymond Vasquez

RECOMMENDED ACTION: Renew

SUMMARY:

Review SUP No. 1148, a Specific Use Permit for Amusement Services (Indoor) authorizing a Cornhole facility, for compliance with SUP conditions, and modify, renew, or revoke if deemed appropriate based upon the review. Lots 4-7, Block 103, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Commercial, and addressed as 1825 Galveston St.

PURPOSE OF REQUEST:

The purpose of this request is to review the operations of the cornhole facility at 1825 Galveston Street for compliance with SUP conditions.

ADJACENT LAND USES:

The following table summarizes the zoning designation and existing use for the surrounding properties.

Table 1. Zoning and Land Use

Direction	Zoning	Existing Use
North	Light Industrial, Commercial	Industrial
South	Single Family-Four	Single Family Residential
West	Two-Family	Undeveloped
East	Two-Family	Undeveloped

HISTORY:

- April 4, 2023: City Council approved a Specific Use Permit for Amusement Services (Indoor) to authorize the use and operation of a cornhole facility, requiring a review of the SUP in one year, and establishing operational conditions (Case Number SUP-23-02-0004).

COMPLIANCE REVIEW:

The operations are in compliance with SUP conditions and all other rules/regulations. There are no violations to report.

RECOMMENDATION:

- On May 13, 2024, the Planning and Zoning Commission recommended renewal of the SUP by a vote of 7-0.
- Since operations are in compliance with SUP conditions, the Development Review Committee (DRC) recommends renewal of the SUP.

BODY:

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS AMENDING THE ZONING ORDINANCE AND MAP BY RENEWING SPECIFIC USE PERMIT NO. 1148 FOR AMUSEMENT SERVICES (INDOOR) TO ALLOW AN INDOOR CORNHOLE FACILITY: LOTS 4-7, 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 City Council of the City of Grand Prairie approved Specific Use Permit No. 1148 for Amusement Services (Indoor), authorizing the use and operation of an Indoor Cornhole Facility, said ordinance being numbered 11363-2023 and passed April 4, 2023; and

WHEREAS, SUP No. 1148 states that City Council shall conduct a public hearing one year after City Council adoption of the SUP ordinance to confirm compliance with all applicable codes; and

WHEREAS, Staff initiated the process to review SUP No. 1148 for compliance with SUP conditions, and modify, renew, or revoke if deemed appropriate based upon the review; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said SUP review on May 13, 2024, after written notice of such public hearing before the Planning and Zoning Commission on the Specific Use Permit had been sent to owners of real property lying within 300 feet of the property on which the review of a Specific Use Permit for Amusement Services 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 SUP review, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 7 to 0 to recommend renewal of Specific Use Permit No. 1125 for Amusement Services, authorizing the use and operation of a Hookah Lounge to the City Council of Grand Prairie, Texas; 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 June 4, 2024, 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 renew Specific Use Permit No. 1148 for Amusement Services (Indoor) to authorize the use and operation of an Indoor

Cornhole Facility, legally described as Lots 4-7, 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-line 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 internal sound system.
6. The operator shall provide 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 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. 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.
3. 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.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.
5. The operation of the facility shall be in strict compliance with all requirements of the Environmental Services Department, Building Inspections, Police Department and Fire Administration.

6. 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. 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. 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 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, ON THIS THE 4TH DAY OF JUNE 2024.

ORDINANCE NO. 11556-2024
SPECIFIC USE PERMIT NO. 1148A
CASE NO. SUP-24-04-0016