



CITY OF GRAND PRAIRIE ORDINANCE

MEETING DATE: 05/21/2024

REQUESTER: Monica Espinoza, Administrative Supervisor

PRESENTER: Savannah Ware, AICP, Chief City Planner

TITLE: ZON-24-02-0006 - Zoning Change - Private Card Room for Palace Poker (City Council District 1). Amendment to PD-217 to create a definition of a Private Card Room and amend the uses permitted within PD-217 to allow a Private Card Room with City Council approval of a Specific Use Permit. Tract 31, Michael Farrans Survey, Abstract, No. 469, City of Grand Prairie, Dallas County, Texas, zoned PD-217, within IH 30 Corridor Overlay District, and addressed as 401 E Palace Pkwy (On April 8, 2024, the Planning and Zoning Commission recommended denial by a vote of 8-0)

APPLICANT: Jonathan Tooley, Hamilton Commercial

RECOMMENDED ACTION: Staff takes no position on the zoning change, but notes the use is consistent with entertainment uses currently permitted in PD-217.

SUMMARY:

Amendment to PD-217 to create a definition of a Private Card Room and amend the uses permitted within PD-217 to allow a Private Card Room with City Council approval of a Specific Use Permit. Tract 31, Michael Farrans Survey, Abstract, No. 469, City of Grand Prairie, Dallas County, Texas, zoned PD-217, within IH 30 Corridor Overlay District, and addressed as 401 E Palace Pkwy.

PURPOSE OF REQUEST:

The purpose of the request is to amend PD-217 to create a definition of a Private Card Room and amend the uses permitted within PD-217 to allow a Private Card Room with City Council approval of a Specific Use Permit.

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	PD-217	Undeveloped

South	PD-217	IH-30 / Undeveloped
West	PD-217	Undeveloped/Hotels/Apartments
East	PD-217	Ripley's Believe It or Not

HISTORY:

- September 17, 1996: City Council approved a zoning change creating PD-217 for mixed uses including entertainment, retail, and office uses (Case Number CPA960901/Z960901).
- February 21, 2023: City Council denied a PD amendment to create a definition of a Private Card Room and amend the uses permitted within PD-217 to allow a Private Card Room with City Council approval of a Specific Use Permit (ZON-22-10-0030).

PROPOSED USE CHARACTERISTICS AND FUNCTION:

The proposed PD amendment will add Private Card Room as a use that is allowed with City Council approval of a Specific Use Permit. The proposed definition is below.

- Private Card Room – A private place where members gather to play card games, including poker, billiards, chess, or other similar games.

PUBLIC NOTICE:

Notice of this item was published in the Fort Worth Star Telegram and letters were provided to 21 surrounding properties meeting the distance requirements in the Unified Development Code. As of the writing of this staff memo, the following letters have been received:

In Support: None

In Opposition: None

RECOMMENDATION:

- On April 8, 2024, the Planning and Zoning Commission recommended denial by a vote of 8-0.
- Staff takes no position on the zoning change, but notes the use is consistent with entertainment uses currently permitted in PD-217.

BODY:

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE ZONING ORDINANCE AND MAP TO AMEND PLANNED DEVELOPMENT DISTRICT NO. 217 TO CREATE A DEFINITION OF A PRIVATE CARD ROOM AND AMEND THE USES PERMITTED WITHIN PD-217 TO ALLOW A PRIVATE CARD ROOM WITH CITY COUNCIL APPROVAL OF A SPECIFIC USE PERMIT, TRACT 31, MICHAEL FARRANS SURVEY, TRACT 31, MICHAEL FARRANS SURVEY, ABSTRACT, NO. 469, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS; SAID ZONING MAP AND ORDINANCE BEING 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 amend Planned Development District No. 217 to create a definition of a Private Card Room and amend the uses permitted within PD-217 to allow a Private Card Room with City Council approval of a Specific Use Permit; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on April 8, 2024, after written notice of such public hearing before the Planning and Zoning Commission on the proposed amendment to Planned Development District No. 217 had been sent to owners of real property lying within 300 feet of the property on which the amendment 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 8-0 to recommend denial to the City Council of Grand Prairie, Texas, that Planned Development District No. 217 be amended to create a definition of a Private Card Room and amend the uses permitted within PD-217 to allow a Private Card Room with City Council approval of a Specific Use Permit; 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 May 7, 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, Grand Prairie, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, on May 7, 2024, City Council tabled this item to May 21, 2024; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed amendment to Planned Development District No. 217 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; 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 amend Planned Development District No. 217 to create a definition of a Private Card Room and amend the uses permitted within PD-217 to allow a Private Card Room with City Council approval of a Specific Use Permit for Tract 31, Michael Farrans Survey, Abstract, No. 469, as depicted in Exhibit A – Boundary Description.

SECTION 2. The intent of this zoning ordinance is to create a definition of a Private Card Room and amend the uses permitted within PD-217 to allow a Private Card Room with City Council approval of a Specific Use Permit.

SECTION 3. Section 2.1 Permitted Land Uses, Land Use List of Ordinance 5661, PD-217 attached as Exhibit B – Permissible Use Chart and incorporated for all purposes, is hereby amended by defining Private Card Room to read as “Private Card Room: A private place where members gather to play card games, including poker, billiards, chess, or other similar games” and to allow the Private Card Room Use within the boundaries of land depicted in Exhibit A – Location Map with City Council approval of a Specific Use Permit.

SECTION 4. All portions of Ordinance 5661, PD-217 not specifically amended herein shall remain unaltered and in full force and effect.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are specifically 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 6. 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 7. The terms and provisions of this Ordinance are severable and are governed by Section 1-4 of the Code of Ordinance 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, THIS 21ST DAY OF MAY 2024.

PLANNED DEVELOPMENT DISTRICT NO. #
ORDINANCE NO. #-2024
CASE NO. ZON-24-02-0006