



CITY OF GRAND PRAIRIE ORDINANCE

MEETING DATE: 12/17/2024

REQUESTER: Monica Espinoza, Administrative Supervisor

PRESENTER: Savannah Ware, AICP, Chief City Planner

TITLE: SUP-24-09-0036 - Specific Use Permit - Cell Tower at 1355 E Seeton Rd (City Council District 6). Specific Use Permit for a 160-foot Cell Tower on 14.212 acres. Lot 1, Block 1, CRC Mira Lagos Addition, City of Grand Prairie, Tarrant County, Texas, zoned PD-318B, within Lake Ridge Corridor Overlay, with an approximate address of 1355 E Seeton Rd (On December 9, 2024, the Planning and Zoning Commission recommended approval by a vote of 9-0)

APPLICANT: Alan Scivally, Broadus Services

RECOMMENDED ACTION: Approve with conditions

SUMMARY:

Specific Use Permit for a 160-foot Cell Tower on 14.212 acres. Lot 1, Block 1, CRC Mira Lagos Addition, City of Grand Prairie, Tarrant County, Texas, zoned PD-318B, within Lake Ridge Corridor Overlay, with an approximate address of 1355 E Seeton Rd.

PURPOSE OF REQUEST:

The applicant seeks a Specific Use Permit to construct a cell tower on the parking lot of an existing church.

ADJACENT LAND USES:

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

Table 1. Zoning and Land Use

Direction	Zoning	Existing Use
North	PD-428	Single Family Residential
South	Agriculture (A)	Undeveloped/Joe Pool Lake
West	City of Mansfield	Single Family/Lake Ridge High School
East	PD-318A	Single Family Residential

HISTORY:

- June 20, 2006: City Council approved PD-318A (Ordinance No. 7419) for single-family residential uses (Case Number Z060603).
- December 14, 2010: City Council approved the Site Plan for a church (Case Number S101201).
- May 16, 2011: The Planning and Zoning Commission approved a final plat for the property (Case Number P101201).
- November 19, 2013: City Council approved an Amendment to PD-318A to allow the use of temporary modular buildings for the duration of either the completion of the second phase build-out or a maximum of five (5) years (Case Number Z131101/S131101).
- February 20, 2018: The City approved the Site Plan for the second phase of the church's addition (Case Number S180103).

TELECOMMUNICATIONS FACILITIES:

Pursuant to the general guidelines provided in the Federal Telecommunication Act of 1996, Article 24 of the Unified Development Code (UDC) provides the following regulations for telecommunication facilities:

Fencing and Screening:

If security fencing is installed, UDC requires a wrought iron or steel chain link fence with an evergreen hedge or a masonry wall, each at least 6 feet tall. The proposed screening is a masonry wall with stucco veneer painted to match the existing church. The proposal meets the screening requirements.

Distance from Residential Zoning:

Telecommunication towers must be at least a 3 to 1 distance-to-height ratio from a single-family residential district. The proposed tower is 160 feet in height. The subject property abuts single-family zoned properties to the east and north, requiring a variance for the minimum distance of 480 feet from single-family zoned properties.

Staff does not object to this request. The nearest single-family residence is to the northeast, located approximately 640 feet from the tower.

Table 2. Distance from Residential Zoning

	Required (ft)	Provided (ft)	Meets
Single-Family (Min. 3 to 1 ratio)	480	0	Variance

Gravel Access Drive:

Article 10, Section 4 of the UDC requires all non-residential private access drives shall be concrete. The applicant is requesting that the 12-foot driveway to access the tower pad be constructed with gravel. The communication tower pad site will only be accessed for routine maintenance and will not generate much vehicular traffic. Staff does not object to this request.

VARIANCES:

The applicant is requesting the following variances:

1. Distance from Residential Zoning – The applicant is requesting a variance to 480 feet distance from Single-Family District to allow 0 feet.
2. Gravel Drive – The applicant is requesting a variance to the required concrete pavement to allow a gravel driveway.

PUBLIC NOTICE:

Notice of this item was published in the Fort Worth Star Telegram and letters were provided to 32 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: One (1)

RECOMMENDATION:

- On December 9, 2024, the Planning and Zoning Commission recommended approval by a vote of 9-0
- The Development Review Committee (DRC) and staff recommends approval with the following conditions:
 1. Any temporary storage of materials and fencing associated with the Seeton Road construction shall be removed once the construction is completed.

BODY:

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 A COMMUNICATIONS TOWER ON 14.212 ACRES: LOT 1, BLOCK 1, CRC MIRA LAGOS ADDITION, CITY OF GRAND PRAIRIE, TARRANT COUNTY, TEXAS; 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 a Communications Tower; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on December 9, 2024, 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 a Communications Tower 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 Specific Use Permit for a Communications Tower; 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 December 17, 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 establish a Specific Use Permit for a Communications Tower on Lot 1, Block 1, CRC Mira Lagos Addition, City of Grand Prairie, Tarrant County, Texas, as depicted in Exhibit A – Boundary Description 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 the development and operations of a Communications Tower, the following standards and conditions are hereby established as part of this ordinance:

1. The development shall maintain compliance with all Federal, State, and Local regulations; including but not necessarily limited to, all applicable standards and regulations of the Grand Prairie Code of Ordinance and Unified Development Code
2. The development shall adhere to the City Council approved Exhibit B – Site Plan, which is herein incorporated by reference.
3. To the extent allowed under the law, the development shall comply with “Article 24 – Wireless Telecommunications Facilities” of the Unified Development Code.
4. The City Council has granted the following variance from Article 24 and Article 10 standards:
 - A. Distance from Residential Zoning: Variance to 480 feet distance from Single-Family District to allow 0 feet distance.
 - B. Gravel Drive: Variance to required concrete pavement to allow a gravel driveway.

SECTION 4. The operations of a Communications Tower 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 six (6) months 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 laws and applicable requirements of the Public Health and Environmental Quality 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. 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 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 Ordinances of the City of Grand Prairie, Texas.

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

SECTION 9. 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 17TH DAY OF DECEMBER 2024.

SPECIFIC USE PERMIT NO.
CASE NO. SUP-24-09-0036