AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS AMENDING THE ZONING MAP AND ORDINANCE BY SHOWING THE LOCATION, BOUNDARY, AND USE OF A CERTAIN PROPERTY TO GRANT A ZONING CHANGE FROM PLANNED DEVELOPMENT 196 (PD-196) FOR COMMERCIAL AND GENERAL RETAIL USES TO PLANNED DEVELOPMENT FOR INDUSTRIAL WAREHOUSE USES, A SPECIFIC USE PERMIT FOR OUTSIDE STORAGE, AND APPROVAL OF A CONCEPTUAL PLAN ON 18.82 ACRES LOCATED WITHIN P.H. FORD SURVEY, A-1711 AND THE JOSEPH C. REED SURVEY, A-1729, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, AND AS MORE FULLY DESCRIBED BELOW; 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; 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 change the zoning designation of said property from Planned Development 196 (PD-196) for Commercial and General Retail uses to Planned Development for Industrial Warehouse uses;

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on September 8, 2014 after written notice of such public hearing before the Planning and Zoning Commission on the proposed zoning change had been sent to owners of real property lying within 300 feet of the property on which the zoning change from Planned Development 196 (PD-196) for Commercial and General Retail uses to Planned Development for Industrial Warehouse uses, a Specific Use Permit for Outside Storage, and approval of a Conceptual Plan 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;

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 said Zoning Ordinance and Map be amended to allow a zoning change from Planned Development 196 (PD-196) for Commercial and General Retail uses to Planned Development for Industrial Warehouse uses, a Specific Use Permit for Outside Storage, and approval of a Conceptual Plan;

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 September 16, 2014, 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 zoning change 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 from its classification of from Planned Development 196 (PD-196) for Commercial 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:

SECTION 1. THAT 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 WITHA COMPREHENSIVE PLAN..."

being passed and approved November 20, 1990, as amended, is hereby further amended so as to change the zoning district from its classification from Planned Development 196 (PD-196) for Commercial and General Retail uses to Planned Development for Industrial Warehouse uses and described as shown on the approved zoning exhibit labeled as Exhibit A - Legal Description and Exhibit B - Location Map, which are incorporated herein by reference.

SECTION 2.

Purpose and Intent

The purpose of this Planned Development District is to provide the appropriate restrictions and development controls to permit the development of the industrial warehouse in a manner compatible with the surrounding development and zoning and in compliance with the City's Comprehensive Plan and the Unified Development Code.

SECTION 3.

Development Standards

- 1. The Industrial Warehouse Development shall be in substantial conformance with Exhibit C Conceptual Plans and Exhibit D Elevations, attached hereto.
- 2. The Industrial Warehouse Development shall conform to the development standards of the Light Industrial (LI) District of the Unified Development Code, as may be amended.
- 3. The Industrial Warehouse Development shall conform to the development standards of the Appendix T: S. H. 161 Overlay District and Appendix F: Corridor Overlay District Standards of the Unified Development Code.
- 4. Where there is conflict between the conceptual plans/building elevations and the standards of the Unified Development Code, including Appendix F and T, the standards of the Unified Development Code shall prevail.

- 5. In conformance with Exhibit C Conceptual Plan, all ingress/egress of the subject property shall be limited to the proposed two (2) access points on January Lane and one (1) point on the State Highway 161 service road. The westerly most access point on January Lane shall primarily used for truck ingress and limited truck egress with full ingress/egress allowed for passenger vehicles. The easterly most access point on January Lane shall also be primarily used for truck ingress and egress, with full ingress/egress allowed for passenger vehicles. The State Highway 161 service road access is primarily intended for ingress/egress of passenger vehicles.
- 6. As January Lane is posted as a no truck route, all trucks exiting the subject property onto January Lane shall turn left (eastbound on January Lane) only.
- 7. Outside storage is limited to the parking of trucks and trailers in accordance with Exhibit C Conceptual Plan.

SECTION 4.

Compliance

All development must conform to the approved Development Plans, which are herein incorporated by reference.

- 1. By this SUP Ordinance, this Specific Use Permit shall automatically terminate if a Certificate of Occupancy is not issued for Industrial Warehouse Uses with Specific Use Permit for Outside Storage; within one (1) year after City Council adoption of this Ordinance, or upon cessation of the use for a period of six (6) months or more.
- 2. Furthermore, by this SUP Ordinance, the City Council shall conduct a public hearing one (1) year after City Council approval of the Site Plan to confirm compliance with all applicable codes which shall include, but not be limited to, the requirements of this SUP Ordinance, the Unified Development Code, the City of Grand Prairie Code of Ordinances, city adopted building codes, city adopted fire codes and with other applicable regulatory requirements administered and/or enforced by the state and federal government.
- 3. The operation of this site shall be in strict compliance with the requirements of this SUP Ordinance, the Unified Development Code, the City of Grand Prairie Code of Ordinances, city adopted building codes, city adopted fire codes, and with other applicable regulatory requirements administered and/or enforced by the state and federal government.
- 4. 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.
- 5. 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
- 6. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its SUP number and title.

SECTION 5. THAT it is further provided, that in case a section, clause, sentence, or part of this Ordinance shall be deemed or adjudged 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. THAT all ordinances or parts of ordinances in conflict herewith are specifically repealed.

SECTION 7. THAT 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 16^{TH} DAY OF SEPTEMBER, 2014.

APPROVED:

APPROVED AS TO FORM:

ORDINANCE NO. 9758-2014 PLANNED DEVELOPMENT NO. 347 **SPECIFIC USE PERMIT NO. 942** CASE NO. Z140901/SU140901/CP140901

Exhibit A - Legal Description

Legal Description

Being all of that certain lot, tract or parcel of land situated in the P.H.FORD SURVEY, A-1711 and the JOSEPH C. REED SURVEY, A-1729, City of Grand Prairie, Dallas County, Texas, and being a part of that same tract of land described in deed to Sullivan Investment, Inc., recorded in Volume 85110, Page 3989 of the Deed Records of Dallas County, Texas, and being the remainder of Pooled Funds Trust, Lauren King, Trustee, recorded in Volume 2003213, Page 6192, 19th Street Trust, Durwood Moore, Trustee, recorded in Volume 2003213, Page 6197, Grand Prairie Ser. Trust, Durwood Moore, Trustee, recorded in Volume 2003213, Page 6182, Series Trust 120402, David P. O'Connor, Trustee, recorded in Volume 2003148, Page 1170, and Daisy Field Trust, C.M. Edwards, Trustee, recorded in Volume 203213, Page 6202 of the Deed Records of Dallas County, Texas, and said parcel being more particularly described as follows:

BEGINNING at a ¾" iron rod set in the north R.O.W. line of January Lane (a variable width R.O.W.) and at the southeast corner of that same tract of land described in the deed to January Lane, LP., recorded in Volume 2003013, Page 5266 of the Deed Records of Dallas County, Texas; said point being East, 685.24' from the southernmost corner of a corner cutoff at the present intersection of the north line of January Lane with the east R.O.W. line of Duncan Perry Road (a 60' R.O.W.);

THENCE N 00°22'40" W, 685.03' along the east line of said January Lane, LP. property to a ½" iron rod found at the southwest corner of that same tract of land described in deed to Prairie Estates, Ltd., recorded in Volume 97223, Page 3864 of the Deed Records of Dallas County Texas;

THENCE N 88°07'38" E, 798.35' along the south line of said Prairie Estates, Ltd. property to a ½" iron rod found at the southwest corner of the Bruggemeyer and Schwartz Addition, an addition to the City of Grand Prairie, Texas, recorded in Volume 82021, Page 2309 of the Map Records of Dallas County, Texas; said point being in the common east line of said P.H. Ford Survey and the west line of said Joseph C. Reed Survey;

THENCE N 89°53'45" E, 410.15' along the south line of said Bruggemeyer and Shwartz addition to a nail set for corner in the west R.O.W. of State Highway 161 (a variable width R.O.W.);

THENCE S 17°08'45" E, 203.16' along the west line of State Highway 161 to a 3" aluminum disk found for corner;

THENCES S 22°09'02" E, 20.80' along the west line of State Highway 161 to a ¾" iron rod set at the north corner of that same tract of land described in deed to Various Opportunities, recorded in Volume 305, Page 286 of the Deed Records of Dallas County, Texas;

THENCE S 00°36′32″ E, 392.98′ along the west line of said Various Opportunities property to a ¾″ iron rod set for corner in the north line of January Lane and the beginning of a curve to the left having a central angle of 25°14′20″ and a radius of 890.00′, bearing S 12°35′07″ W;

THENCE along the north line of January Lane and around said curve, a distance of 392.05' to $\frac{1}{2}$ " iron rod set for corner;

THENCE S 77°20′48″ W, 123.58′ along the north line of January Lane to a $\frac{3}{4}$ ′ iron rod set for corner and the beginning of a curve to the left having a central angle of 02°00′17″ and a radius of 257.00′;

THENCE along the north line of January Lane and around said curve, a distance of 8.99' to a ¾" iron rod set for corner;

THENCE S 75°20′31″ W, 197.36′ along the north line of January Lane to a ¾″ iron rod set for corner and the beginning of a curve to the right having a central angle of 14°44′53″ and a radius of 820.00′;

THENCE along the north line of January Lane and around said curve, a distance of 211.07' to a ¾" iron rod set for corner;

THENCE N 89°54′36″ W, 357.54′ along the north line of January Lane to the Point of Beginning and containing 819,653.35 square feet or 18.8167 acres of land.



GRand Prairke CASE LOCATION MAP

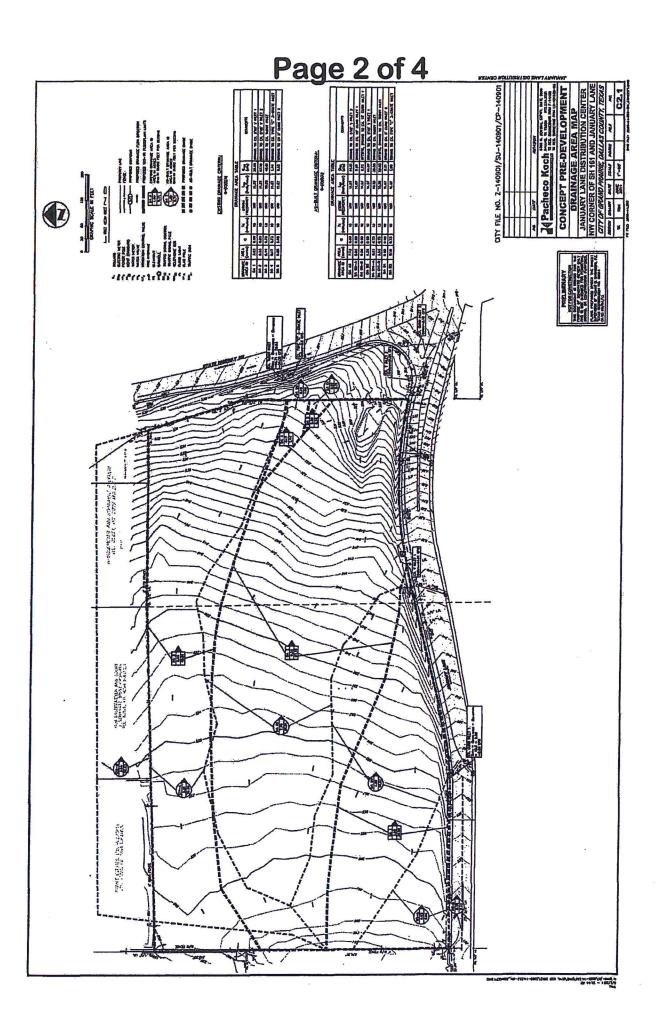
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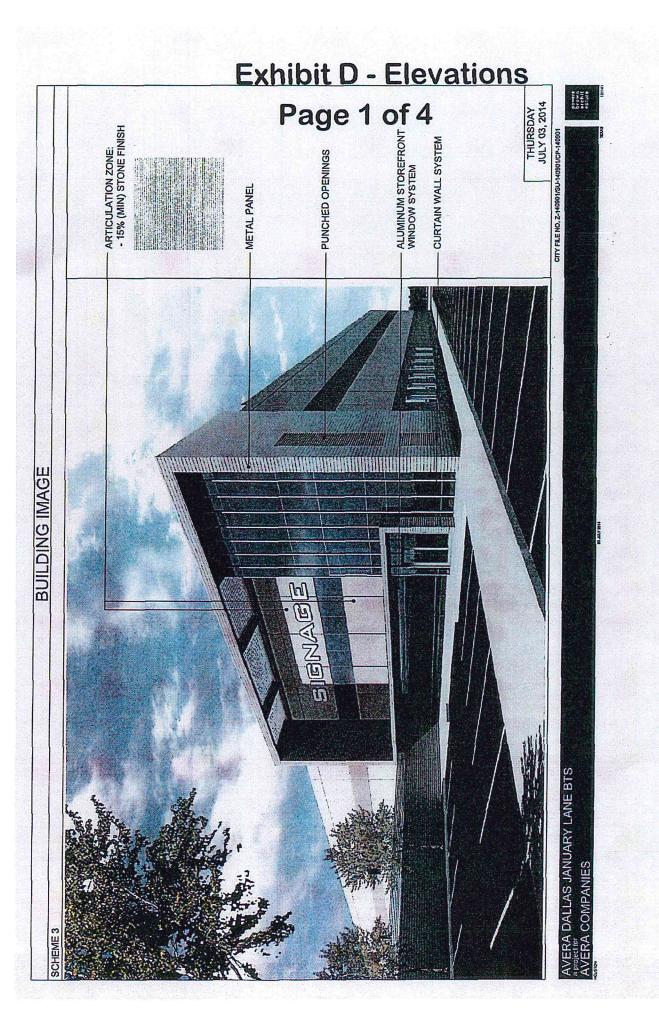
City of Grand Prairie Planning and Development

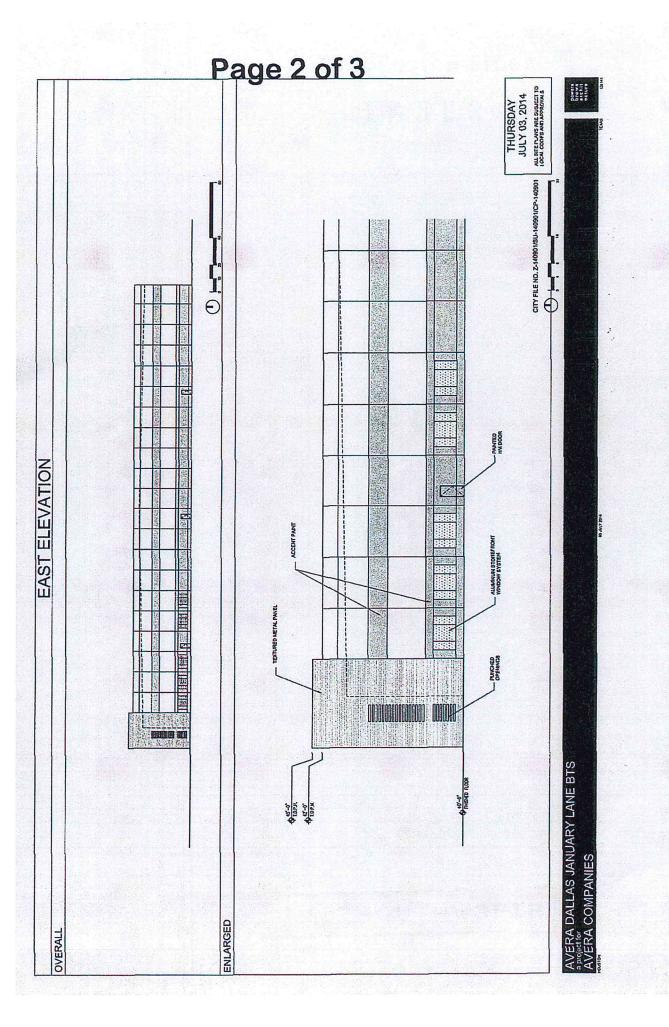
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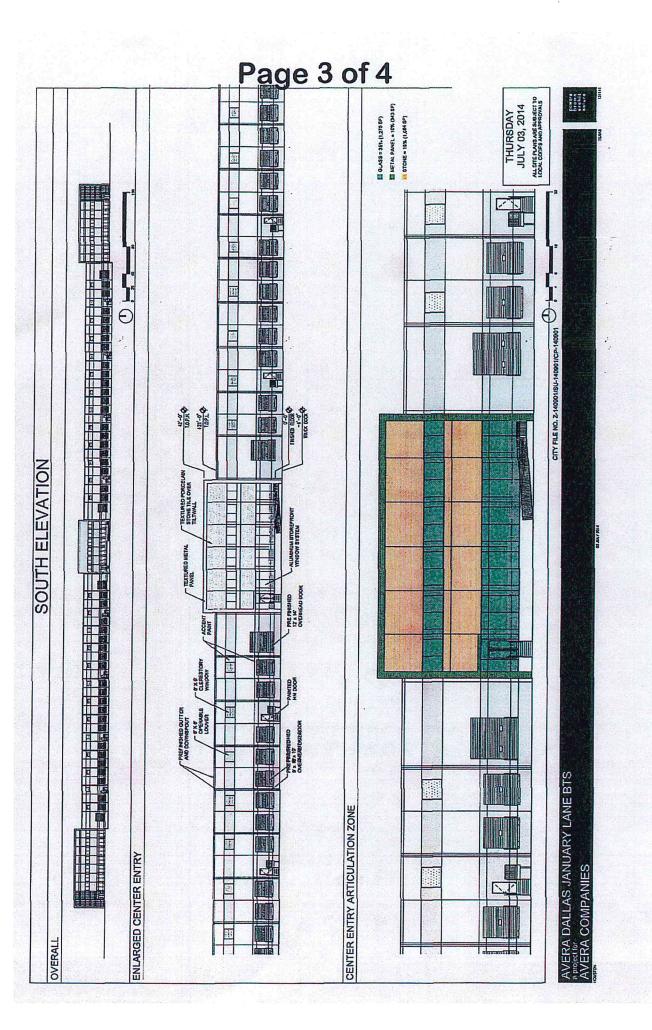
Exhibit C - Conceptual Plans CITY FILE NO. 2-140901/SU-140901/CP-140901 Tarrier by the hort to the the second to the מונג מצורות משוכן בא מצורות ומטונים אל מצור אומני משוני משו 2. PK OVILOPEDY PEL MICT THE NIMEN. LANDSCAPING AND SCHEDING SEQUEDISHINES THE CITY. CLIFFOUT ZOHNG - PD-196 FOR COLOUDICAL AND CLINDON LAND USE = UNDENDLOPED PROPOSED LAND USE = HOUSTRAL WARDHOUSE TOTAL AREA - NEBIST AC MONOTOPINA AND MARKED AND THE OWN THE PARTY AND THE PARTY WADDIDUS (543,150 SF) = 1/300 SF + 20 MM OPTICE (28,800 SF) = 1/300 SF HC PARKHGE SPACES A STORE OF THE PROPERTY OF STORE OF STO TO STATE OF THE STATE OF



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