

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE 33.628 ACRES OF LAND OUT OF THE D.P. PEARSON SURVEY, ABSTRACT NO. 1130, AND THE J. MCLAUGHLIN SURVEY, ABSTRACT NO. 846, THE CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, FROM PLANNED DEVELOPMENT DISTRICT NO. 321 (PD-321) FOR SINGLE FAMILY DETACHED RESIDENTIAL USES TO A PLANNED DEVELOPMENT FOR LIGHT INDUSTRIAL (LI) USES WITH CERTAIN LAND USES BEING PROHIBITED; SAID ZONING MAP AND ORDINANCE BEING NUMBERED ORDINANCE 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 rezone and reclassify said property from its classification of **Planned Development District No. 321 (PD-321) for Single Family Detached Residential Uses to a Planned Development for Light Industrial (LI) Uses with Certain Land Uses Being Prohibited**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on February 11, 2008 after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 300 feet of the property on which the change of classification 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 the hereinafter described property be rezoned from its classification of **Planned Development District No. 321 (PD-321) for Single Family Detached Residential Uses to a Planned Development for Light Industrial (LI) Uses with Certain Land Uses Being Prohibited**; 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 February 19, 2008

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 proposed rezoning 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 **Planned Development District No. 321 (PD-321) for Single Family Detached Residential 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:

I.

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:

"AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 28 OF THE CODE OF ORDINANCES KNOWN AS THE ZONING ORDINANCE 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 rezone the following described Zoning Area from its classification of **Planned Development District No. 321 (PD-321) for Single Family Detached Residential Uses to a Planned Development for Light Industrial (LI) Uses with Certain Land Uses Being Prohibited** as shown on the attached Exhibit "A" incorporated herein by reference.

II.

DEVELOPMENT GUIDELINES

All development occurring within the boundaries of the Zoning Area shall conform to all applicable land use and development requirements prescribed for the Light Industrial (LI) District in the Unified Development Code (UDC) with additional restrictions and regulations provided herein.

A. Conformance with Planned Development Site Plan.

The design and location of paved parking areas, buildings, drainage areas, landscaped areas and open spaces shall conform to the Planned Development Site Plan approved under case file no. S080202 as shown on the attached Exhibit “B” incorporated herein by reference.

- 1. An eight-foot (8’) high masonry fence shall be required along the south property line of the Zoning Area.
- 2. ***A six-foot (6’) high chain link fence, with a polypropylene webbing cover, shall be required along the west property line of the Zoning Area. Both the fence and cover shall be maintained in good condition at all times. (THIS IS APPLICANT’S APPEAL TO MASONRY SCREENING REQUIREMENT)***

III.

Land Use and Noise Abatement

A. Permitted land uses shall be those prescribed for the Light Industrial (LI) District with the following uses to be prohibited.

PROHIBITED USE	NAIC Code	PROHIBITED USE	NAIC Code
Sewage Station	221320	Asphaltic Materials Manuf.	324110
Alcohol w/on prem. Consumption	722110	Haz. Chem. Mfg.	325998
Alcohol Off-Prem Consumption	445310	Haz. Indus. Use ⁽¹⁾	422690
Auto Body Repair	811111	Machine Shop	332710
Auto Driving School	611692	Meat Production & Manuf.	311615
Auto Muffler Shop	811112	Sanitary Landfill	562212
Auto Wrecker Srv/Serv Stn.	447190		
Motorcycle Repair (gen)	811490		
Welding Shop	811310		
Quick Lube & Oil Change	811191		
Truck Stop with gas sales	447190		

(f) – As determined by the Environmental Services Department of the City of Grand Prairie.

B. Noise Abatement Provisions.

1. A Noise Abatement Study may be required for any new business tenants or owners that may affect residences located within 300 feet of the building area. Certain types of proposed industrial activities, such as gas drilling, concrete batch plants and similar type uses may trigger the study requirement to demonstrate that the proposed activity will comply with local noise standards. Such study must be conducted by a qualified noise consultant/engineer approved by the City's Environmental Services Director.
2. New business tenants or owners should be aware of the City's noise standards. City noise standards for all operations, with the exception of natural gas drilling, may be found in Chapter 13, Article 13 of the City's Code of Ordinances. Noise standards for natural gas drilling operations are listed in Chapter 13, Article 19 of the City's Code of Ordinances. Copies of these ordinances may be viewed on the City's internet website.
3. For non-gas drilling activities, the required noise abatement study shall be submitted, reviewed and approved prior to the release of any building permits and/or certificates of occupancy for any new business tenants or owners. Situations requiring studies will be determined on a case-by-case basis by the Senior Environmental Specialist responsible for project reviews. All proposed natural gas drilling operations will require the submittal of a noise abatement study at the time of permit application.

C. ***No idling, repair or maintenance of trailers or vehicles shall occur within the Trailer Storage Area located at the southern portion of the Zoning Area as depicted in the attached Exhibit "B". (THIS SECTION ADDED BY P&Z – 2-11-08)***

IV.

All appeals to the density, dimensional, architectural, and land use requirements of this Ordinance, as well as appeals to other applicable requirements of the Unified Development Code, shall require an amendment to this Ordinance. Such amendment shall be considered by the Planning and Zoning Commission and the City Council at a public hearing.

V.

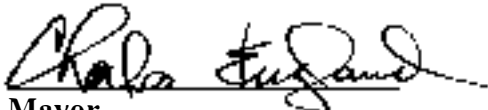
All ordinances or parts of ordinances in conflict herewith are specifically repealed.

VI.

That this Ordinance shall be in full force and effect from and after its passage and approval.

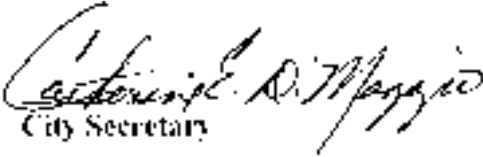
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE ON THIS THE 19th DAY OF FEBRUARY 2008.

APPROVED:




Mayor

ATTEST:



City Secretary

APPROVED AS TO FORM:



City Attorney

Case Z080201 & S080202

LEGAL DESCRIPTION

BEING 33.628 ACRES OF LAND LOCATED IN D.P. PEARSON SURVEY, ABSTRACT No. 1130 AND THE J. McLAUGHLIN SURVEY, ABSTRACT No. 846, DALLAS COUNTY, TEXAS, AND BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO SOUTH I.H. 30, Ltd., BY THE DEED RECORDED IN VOLUME 96139, PAGE 3316 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS. SAID 33.628 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A $\frac{1}{2}$ " IRON ROD SET AT THE INTERSECTION OF THE WEST BOUNDARY LINE OF THE AFORESAID SOUTH I.H. 30, Ltd. TRACT WITH THE SOUTH RIGHT-OF-WAY LINE OF GIFFORD STREET A 100 FOOT WIDE RIGHT-OF-WAY ACCORDING TO THE PLAT RECORDED IN BVOLUME 2005019, PAGE 00098 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS AND LYING S 24° 06' 07" E 549.61 FEET, ALONG THE WESTERLY BOUNDARY LINE OF SAID SOUTH I.H. 30, Ltd. TRACT FROM ITS NORTHWEST CORNER THEREOF. SAID BEGINNING POINT ALSO LYING IN THE NORTHEAST RIGHT-OF-WAY LINE OF THE GIFFORD-HILL & COMPANY INCORPORATED RAILROAD SPUR TRACT, RECORDED IN VOLUME 2551, PAGE 17 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS,

THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID GIFFORD STREET AS FOLLOWS:

1. SOUTHEASTERLY 490.37 FEET, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,000 FEET, CENTRAL ANGLE OF 28° 05' 46", CHORD BEARING S 76° 02' 53" E 485.47 FEET TO A $\frac{1}{2}$ " IRON ROD SET AT THE END OF SAID CURVE,

2. S 62° 00' 00" E 108.05 FEET, TO A $\frac{1}{2}$ " IRON ROD SET AT THE BEGINNING OF A CURVE TO THE LEFT,

3. SOUTHEASTERLY 279.74 FEET, ALONG SAID CURVE TO THE LEFT HAVING A RADIUS OF 1,100 FEET, CENTRAL ANGLE OF 14° 34' 15", CHORD BEARING S 69° 17' 07" E 278.99 FEET TO A $\frac{1}{2}$ " IRON ROD SET FOR CORNER,

THENCE S 26° 36' 30" E 848.06 FEET, DEPARTING THE SOUTH RIGHT-OF-WAY LINE OF SAID GIFFORD STREET TO A $\frac{1}{2}$ " IRON ROD SET FOR CORNER,

THENCE S 23° 16' 04" E 710.00 FEET, TO A $\frac{1}{2}$ " IRON ROD SET FOR CORNER,

THENCE S 18° 13' 29" E 534.21 FEET, TO A $\frac{1}{2}$ " IRON ROD SET IN THE SOUTHWEST BOUNDARY LINE OF THE AFORESAID SOUTH I.H. 30, Ltd. TRACT,

THENCE ALONG THE SOUTHWEST BOUNDARY LINE OF SAID I.H. 30, Ltd. TRACT AS FOLLOWS:

1. N 86° 46' 43" W 475.87 FEET, TO $\frac{3}{8}$ " IRON ROD FOUND FOR CORNER,

2. S 66° 07' 17" W 185.50 FEET, TO A $\frac{1}{2}$ " IRON ROD FOUND FOR CORNER IN THE NORTHEASTERLY LINE OF THE AFORESAID GIFFORD HILL RAILROAD SPUR, AND THE WEST BOUNDARY LINE OF SAID SOUTH I.H. 30, Ltd.;

THENCE ALONG THE WEST BOUNDARY LINE OF SAID SOUTH I.H. 30, Ltd. TRACT AS FOLLOWS:

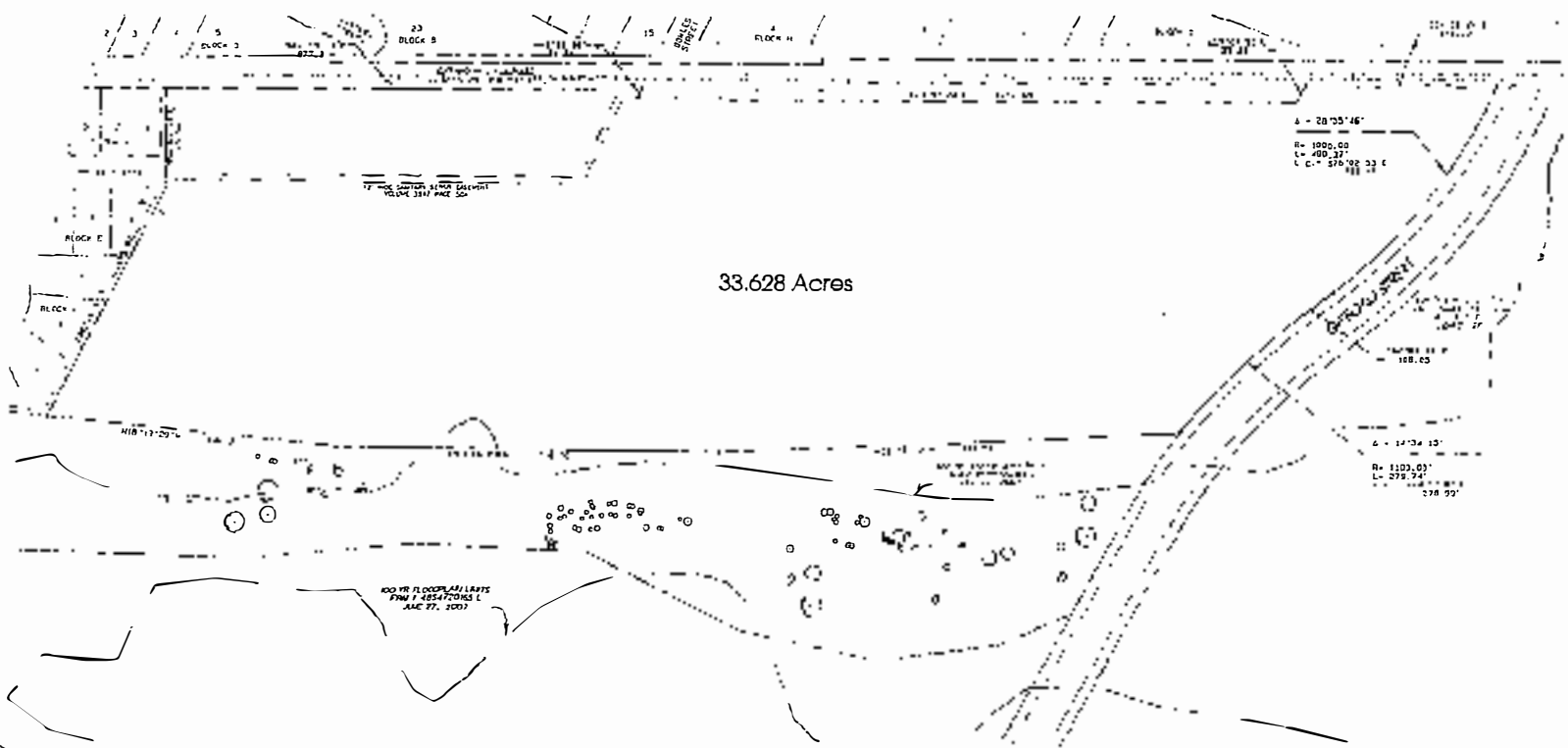
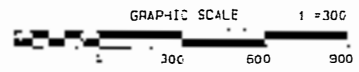
1. N 24° 15' 13" W 877.81 FEET, TO A $\frac{1}{2}$ " IRON ROD SET FOR CORNER,

2. S 89° 27' 00" E 21.04 FEET,

3. N 23° 57' 23" W 1214.89 FEET,

4. N 89° 21' 23" W 33.34 FEET,

5. N 24° 05' 26" W 352.70 FEET, TO THE PLACE OF BEGINNING, CONTAINING 33.628 ACRES (1,464,845 SQUARE FEET) OF LAND.



33.628 Acres

PREPARED BY:

GOODWIN & MARSHALL
CIVIL ENGINEERS - PLANNERS - SURVEYORS
2405 Mustang Drive, Grapevine, Texas 76051
Metro (817) 323-4370

DEVELOPED BY:

CROW HOLDINGS
2100 McKinney Avenue, Suite 700
Dallas, TX 75201
Phone: (214) 661 - 8355
Fax: (214) 661 - 8041

**GRAND LAKES
DISTRIBUTION CENTER
ZONING EXHIBIT**

Exhibit "B"
Planned Development Site Plan
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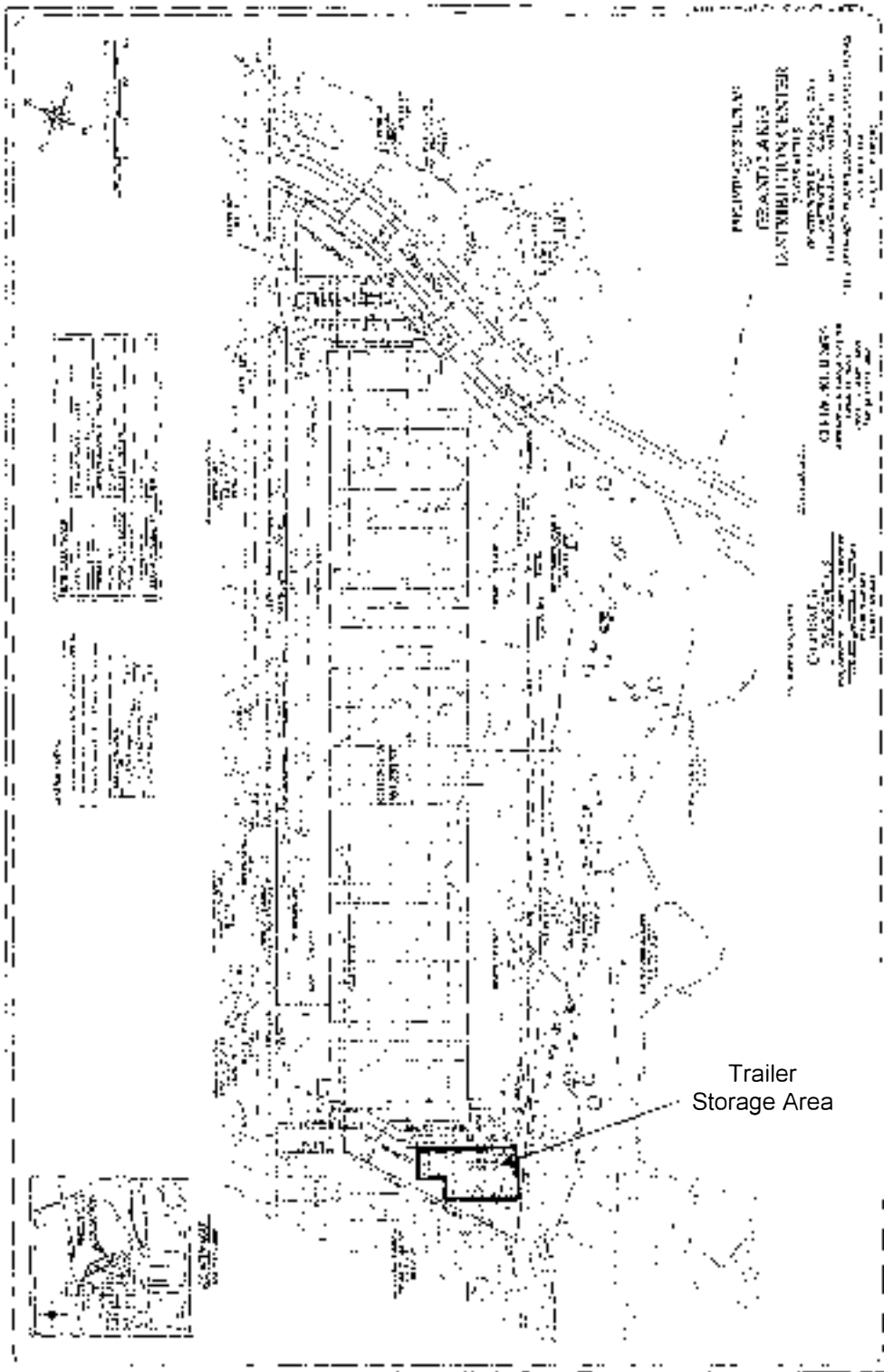


Exhibit "B"
Planned Development Site Plan
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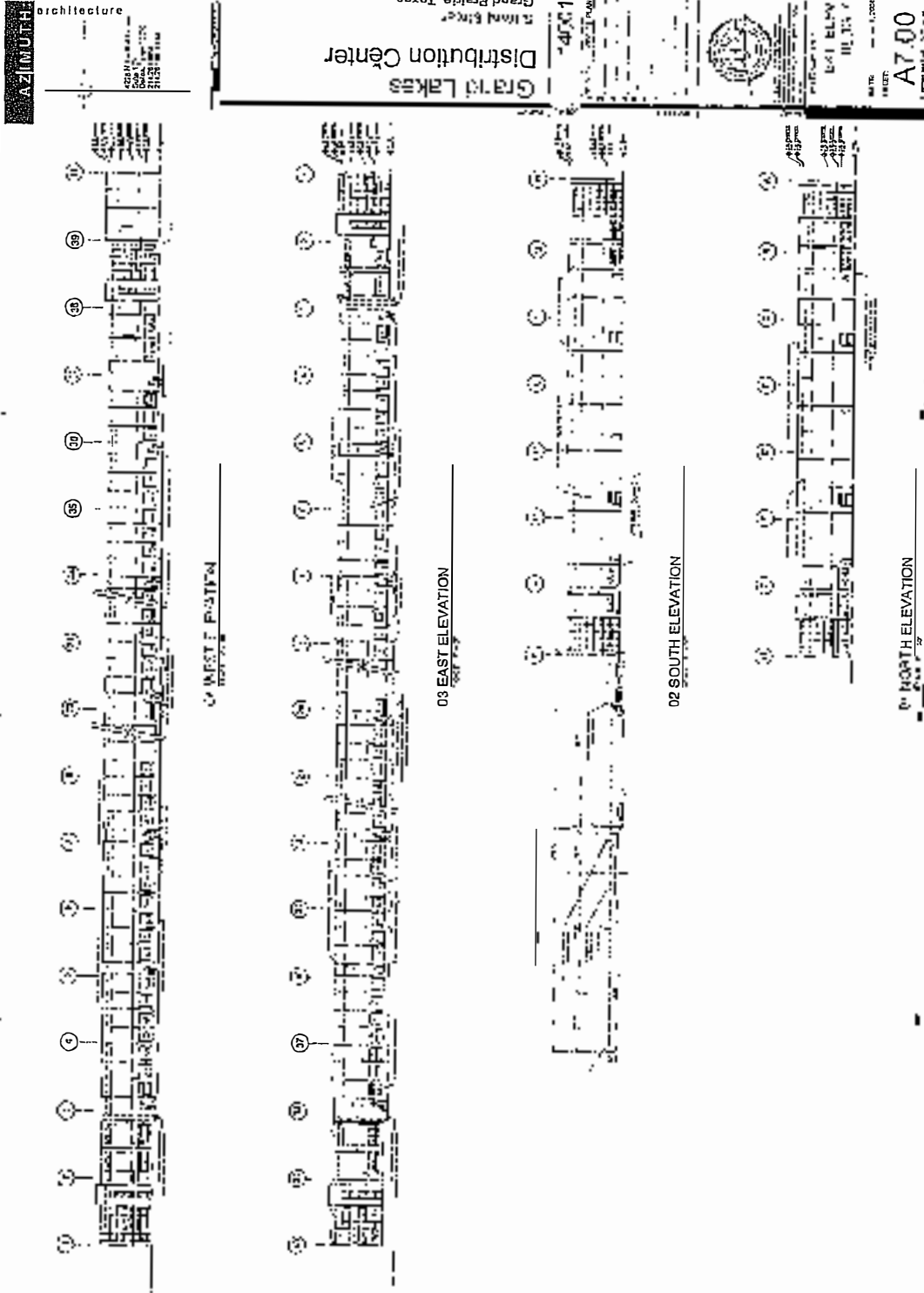


Exhibit "B"
Planned Development Site Plan
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