

ORDINANCE NO. 9405-2012

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE ZONING MAP AND ORDINANCE BY SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY TO GRANT A ZONING CHANGE FROM CENTRAL AREA (CA), COMMERCIAL (C), AND SINGLE FAMILY-FOUR (SF-4) DISTRICT TO A PLANNED DEVELOPMENT (PD) DISTRICT FOR ALL USES PERMITTED IN THE COMMERCIAL (C) DISTRICT, AND A SPECIFIC USE PERMIT FOR A PHOTO-CHEMICAL ETCHING & MACHINING OPERATION; TO WIT: BEING 1.35 ACRES AND BEING A PART OF BLOCK 5, TRACTS 1, 2, & 3, OUT OF THE D.M. MILLER ADDITION, AND A SINGLE TRACT OF LAND DESCRIBED IN DEEDS TO RKR MANUFACTURING, PARCELS BEING ADDRESSED AS 415 DALLAS STREET, 418 GRAND PRAIRIE ROAD, AND 313 SE 5TH STREET, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS; SAID ZONING MAP AND ORDINANCE BEING NUMBERED ORDINANCE 4779 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, on July 17, 2012, 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 from **Central Area (CA), Commercial (C), and Single Family-Four (SF-4) District to a Planned Development (PD) District for all uses permitted in the Commercial (C) District, and a Specific Use Permit for a Photo-Chemical Etching & Machining Operation;** and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on September 10, 2012, 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 6 to 0 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned from its classification of **Central Area (CA), Commercial (C), and Single Family-Four (SF-4) District to a Planned Development (PD) District for all uses permitted in the Commercial (C) District, and a Specific Use Permit for a Photo-Chemical Etching & Machining Operation;** 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 Council Chambers, Grand Prairie City Hall, 317 W. College Street, at 6:30 o'clock P.M. on September 18, 2012 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:

SECTION 1. THAT 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..."

and passed and approved on November 20, 1990, as amended, is hereby further amended so as to is rezone the following described area from its classification of **Central Area (CA), Commercial (C), and Single Family-Four (SF-4) District to a Planned Development (PD) District for all uses permitted in the Commercial (C) District**, and is hereby further amended so as to establish a Specific Use Permit numbered 900 for a **Photo-Chemical Etching & Machining Operation**, for the property location described as follows:

Being 1.35 acres and being a part of Block 5, Tracts 1, 2, & 3, out of the D.M. Miller Addition, and a single tract of land described in deeds to RKR Manufacturing, parcels being addressed as 415 SE Dallas Street, 418 Grand Prairie Road, and 313 SE 5th Street, City of Grand Prairie, Dallas County, Texas, as shown on the Site Plan labeled as Exhibit 'A', which is incorporated herein by reference.

SECTION 2. Specific Use Permit

FOR OPERATION OF A PHOTO-CHEMICAL ETCHING OPERATION IN A PLANNED DEVELOPMENT (PD) DISTRICT FOR ALL USES PERMITTED IN THE COMMERCIAL (C) DISTRICT. The following conditions are hereby established as part of this ordinance:

1. All operations must conform to the City Council approved site plan and operational plan as shown in attached Exhibit 'A'.
2. Any future improvements or modifications to the approved site and operational plan must be resubmitted to the City for review and approval.
3. Only the following chemicals may be used on site.

Ferric Chloride - 3000 gallons
Sulfuric Acid - 25 gallons
Soaps - 25 gallons
Acetone - 5 gallons

No other chemicals may be stored or used on the premises. Prior review and approval must be obtained from the City for all new hazardous chemicals used on the premises.

4. Outside storage is not permitted within a Commercial (C) District. Outdoor chemical storage is prohibited.
5. Operation shall maintain compliance with federal, state and local environmental regulations.
6. Obtain an industrial wastewater discharge permit at least 60 days prior to planned discharge.
7. Must practice all best management practices listed in the City's Storm Water Pollution Prevention Plan.
8. Must have sufficient security measures installed to prevent unauthorized access to the facility.
9. Must maintain compliance with federal, state and local pretreatment regulations, specifically 40 CFR 403 and 40 CFR 413.
10. Facility is prohibited from producing offensive odors and must comply with the City Noise Ordinance.
11. Must provide documentation to the Environmental Services Department that proves technology and equipment have been approved by appropriate regulatory agencies.
12. An updated emergency spill plan must be kept on file at all times.
13. Must maintain contract with emergency response company acceptable to City staff and post name and phone number on front window.
14. Must obtain and comply with an industrial storm water permit or no exposure certification.
15. Must obtain air authorization from and comply at all times with the Texas Commission on Environmental Quality.
16. Secondary containment of 110% of the largest container around all outside chemical storage is required.

17. Chemical Etching is considered an H-4 classification for corrosives per the 2009 IBC. All "H" occupancies are required to have an automatic fire extinguishing system which is installed in conformance with the City's current Fire Code. (2009 IFC)
18. All areas of H-4 occupancy as determined by the Fire Marshal and the Chief Building Official must maintain industry standard ventilation equipment and number of air changes as required per the 2009 Mechanical Code.
19. The facility must maintain an up to date Hazardous Material Management Plan (HMMP) on site and on file with Fire Administration at all times.
20. The facility must maintain an up to date Hazardous Material Inventory List (HMIL) on site and on file with Fire Administration at all times.
21. Only those processes and chemicals approved by the City of Grand Prairie, or those currently used by Harris Manufacturing are permitted by this SUP. Processes are limited to cleaning metals, machining, heating, lamination and etching. Any change of ownership, processes, or chemicals used on site which are not approved by the City may be considered as cause for SUP termination and revocation of the Certificate of Occupancy.
22. If no Certificate of Occupancy for the proposed use is issued within 6 months the Specific Use Permit will become void.

SECTION 3.

Compliance

COMPLIANCE - All development must conform to the approved site plan labeled as Exhibit "A", which is incorporated herein by reference.

1. The Specific Use Permit (SUP) shall automatically terminate in accordance with Section 5.4.1 of the Unified Development Code if no Building Permit is issued for "**Photo-Chemical Etching Operation**" 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 Ordinance, the Specific Use Permit (SUP) shall automatically terminate if no Certificate of Occupancy is issued for "**Photo-Chemical Etching Operation**" within six (6) months after the issuance of a building permit.
 - a. If a building permit is not required for the use, the Specific Use Permit shall automatically terminate if no Certificate of Occupancy is issued for "**Auto "Photo-Chemical Etching Operation**" within six (6) months after City Council adoption of this Ordinance.

3. Furthermore, by this SUP Ordinance, the City Council shall conduct a public hearing one (1) year after City Council adoption of this Ordinance 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.

SECTION 4. 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 5. THAT all ordinances or parts of ordinances in conflict herewith are specifically repealed.

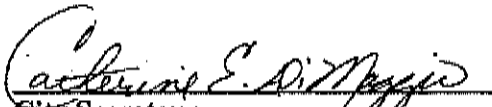
SECTION 6. THAT this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 18TH DAY OF SEPTEMBER, 2012.

APPROVED:


Charles England, Mayor

ATTEST:


Catherine E. DiMaggio
City Secretary

APPROVED AS TO FORM:


City Attorney

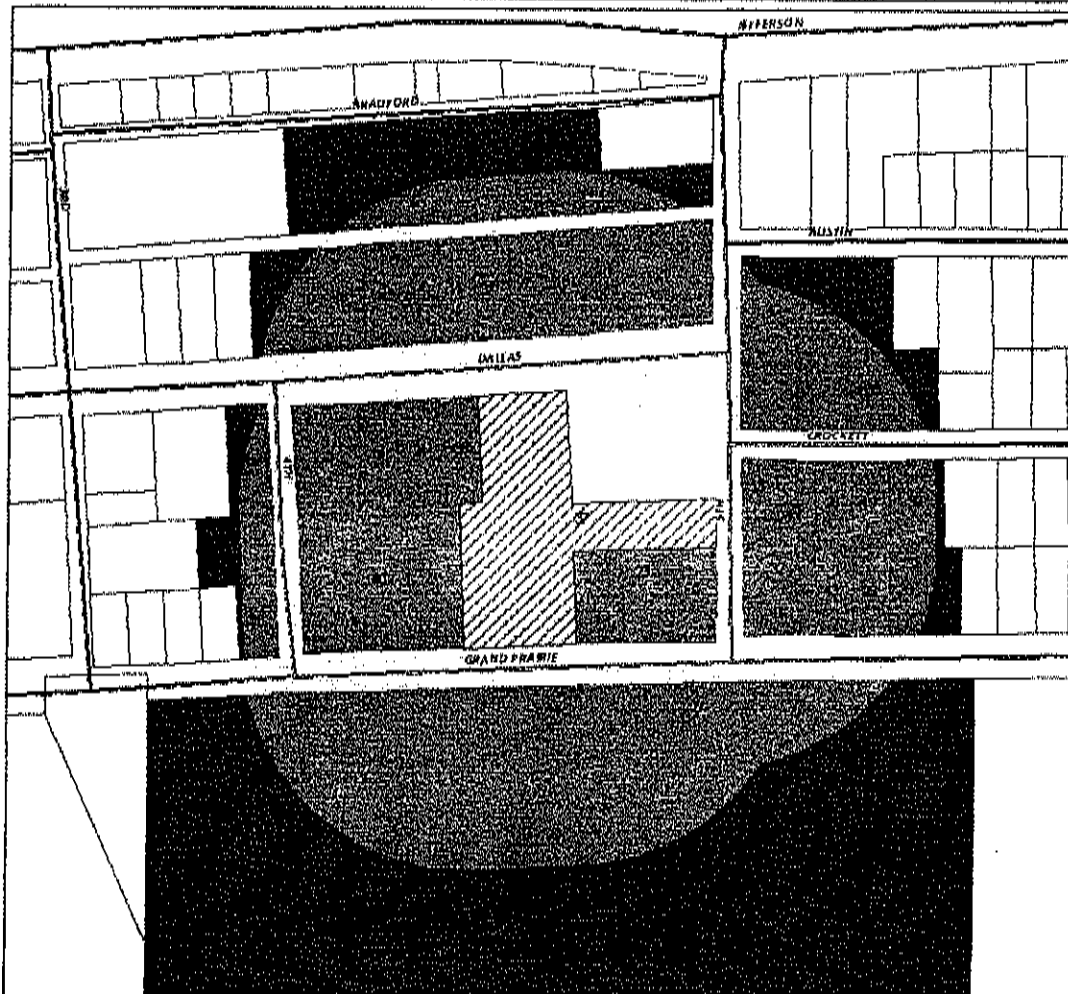
**ORDINANCE NO. 9405-2012
SPECIFIC USE PERMIT NO. 900
PLANNED DEVELOPMENT NO. 337
CASE NO. Z120902/SU080802A**

EXHIBIT 'A'




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Location Map

KFP TX Property Owner Notification
LOCATION MAP



CASE NUMBER Z120902/SU080802A
Case Name: 425 SE Dallas St
Current Zoning: C, CA, SF-4
Request: Consideration of a request for approval of a Zoning Change from Commercial (C) District, Central Area (CA) District and Single Family Four (SF-4) District to Planned Development (PD) District with chemical etching operations as an associated use by Specific Use Permit. The site is a part of an existing manufacturing facility located on 1.35 acres.

 Case Location
 300 ft Buffer
 Property within Buffer


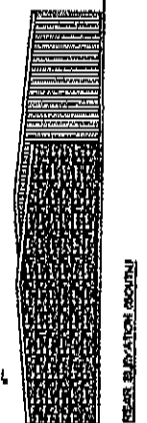
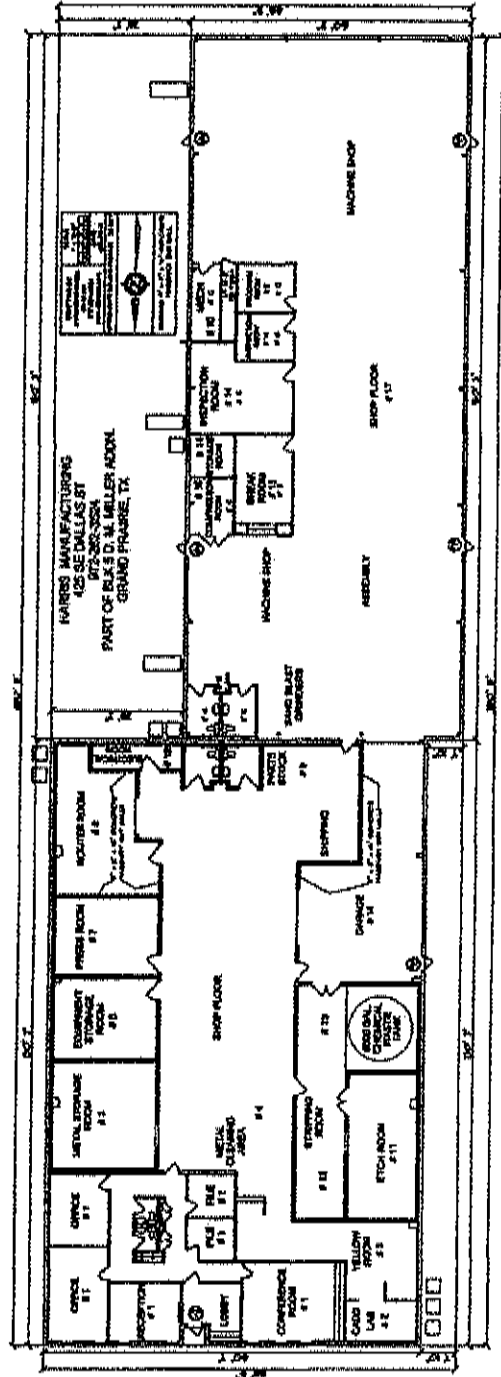


Exhibit 'A'
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 Floor Plan & Elevations



CASE # Z120902SU090892A

Exhibit 'A'
Operational Plan
Page 5 of 9



HARRIS MANUFACTURING COMPANY, INC.

425 S.E. Dallas Street, Grand Prairie, TX 75051
Phone: 972/262-3524 Fax: 972/262-0342
E-mail -- harrismfg@harrismfg.net

July 10, 2012

Mr. Martin Barkman
Senior Planner
City of Grand Prairie
206 W Church Street
Grand Prairie, Texas 75053.

Mr. Barkman,

Harris Manufacturing is requesting a Special Use Permit to move our chemical etching operations from our current location at 309 SE 14th Street and combining them with our machine shop operations at 425 SE Dallas Street.

Harris Manufacturing has been operating our chemical etching operations at our current location at 309 SE 14th Street since 1976. In 2004 we purchased the old RKR Manufacturing Company, but a contractor fire in early 2005 pushed back the merger and combining both operations under one roof until recently.

Harris Manufacturing produces parts that are primary used in the defense and aerospace industries. Harris Mfg is the only company in the State of Texas that has been awarded 11 P2 Awards, acknowledging our commitment to both environmental safety and compliance.

The combining of both facilities will create an enhanced work environment for the employees as well as continue to expand the production capabilities of Harris Mfg.

In 2006 Harris Manufacturing completed a new landscape program that created a friendlier environment for both our neighbors as well as our employees. We currently do not anticipate any major landscape projects at this time.

Currently, Harris Manufacturing employees 13 full time people. We plan to grow that number to approximately 16 employees over the next couple of years. Our current parking lot requirement based on square footage is 47 parking slots. We have designed the parking lot to include 39 parking slots that include 2 handicap slots. We request that the reduced number of parking slots be approved. At 39 slots that are show on the plans is 3 times our current employee or anticipated employee base.

I have enclosed a current floor plan that was required for our Environmental Permits from both TCEQ as well as the City of Grand Prairie. The required environmental permits from TCEQ has

Exhibit 'A'
Operational Plan
Page 6 of 9

been received and all permit submissions required by the City of Grand Prairie have been applied for and have been attentively approved.

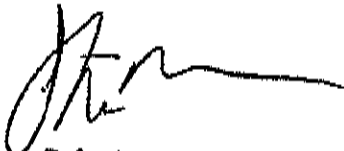
I have also enclosed a copy of s descriptive analysis of each of the spaces that will be utilized once both facilities have been combined. Over the past 6 months, Harris Mfg has worked very closely various departments within the City of Grand Prairie. We have worked with and coordinated the anticipated relocation with the Environmental Services Department, the Building Department as well as the Fire Department. Harris Mfg has provided all requested documents as well as answering any questions that have come up to date. Harris mfg has provided numerous tours of both facilities to make sure everyone has knowledge of the anticipated move.

This has been very much a team work concept to help coordinate the move and further grow Harris manufacturing for the foreseeable future.

If additional documentation is required or requested, Harris Mfg will provide all information as needed.

We respectfully request approval of the SUP. We believe that this approval will benefit both the City of Grand Prairie and well as Harris Manufacturing.

Regards,



Steve Robertson
President

Enclosures'

Exhibit 'A'
Operational Plan
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Area 1: Front Office

The Front Office is used to perform general office duties using general office equipment. In this area you will find several offices, a conference room, two bathrooms and two filing rooms and a general storage area for office supplies.

Area 2: AutoCAD

AutoCAD drafting is performed in this area. AutoCAD requires general office equipment and a light table.

Area 3: Yellow Room

The Yellow Room contains the preheating of raw material, laminating, exposing and developing processes. In this area you will find one oven, one laminator, an exposure machine, and one developer tank.

Area 4: Cleaning Machine

The Cleaning Machine area contains the raw material cleaning machine. The cleaning machine consists of a dual brush scrubber, an alkaline cleaning bath, a water rinse bath, a sulfuric acid bath, another water rinse bath, and a knife dryer.

Area 5: Metal Room

The Metal Room contains raw materials for production. These materials include aluminum, stainless steel, steel, various plastics, copper, brass, phenolic, etc. Storage of general cleaning/bathroom products is also done in the Metal Room.

Area 6: Equipment Storage Room

The Equipment Storage Room contains various pieces of general welding equipment.

Area 7: Press Room

The Press Room contains three fifty ton hydraulic presses used in the bonding operation of materials under specific heat, pressure and time requirements.

Area 8: Router Room

The Router Room contains a high speed router for machining raw materials, a Time Saver machine and dust collector system for removing burrs from material, and a clam shell steel rule die machine.

Area 9: Shipping/Stock

The Shipping /Stock area contains general office equipment used in the shipping process. Finished goods are kept in the stock area. There are also two bathrooms and an eye wash station in the Shipping/Stock area.

Exhibit 'A'
Operational Plan
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Area 10: Electric Room

The Electric Room contains main electrical panels for building and machine operation.

Area 11: Etch Room

The Etch Room contains three oscillating bar tray etchers used for photo chemical machining of raw materials.

Area 12: Stripping

The Stripping area contains a sink, a nitric acid bath for passivation of raw stainless, a nitric acid rinse bath, and a stripping tank to remove laminate from etched parts.

Area 13: Chemical Storage

The Chemical Storage area contains new chemical storage of ferric chloride, sulfuric acid, stripper, developer, and alkaline soap. Hazardous waste is collected here in a 6,500 gallon, double lined storage tank.

Area 12: Garage

The Garage area contains one forklift, propane gas tanks to fuel forklift and one drum pallet for used oil and coolant storage.

Area 13: Scrap Material Storage Building

The Scrap Material Storage Building contains one hopper for collection of scrap materials from production.

Area 14: Inspection

The Inspection area contains general office equipment and more specialized equipment for the inspection of production parts.

Area 15: Employee Break room

Area 16: Compressor

The Compressor Area contains one air compressor.

Area 17: Machine Shop

The Machine Shop area contains general machine shop equipment. In this area, you will find 7 CNC mills, 3 CNC lathes, several manual mills and lathes, several drill presses, a sandblaster, several saws, a hardware installation machine, and a tumbler. There are also several tables and racks which hold tooling and raw materials.

Exhibit 'A'
Metes & Bounds Description

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LEGAL DESCRIPTION:

BEING PART OF BLOCK 5 OF D.M. MILLER'S ADDITION, AN ADDITION TO THE CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 200, PAGE 59 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS, AND BEING ALL OF TRACTS 1, 2, AND 3, AND ALL OF A SINGLE TRACT OF LAND DESCRIBED IN DEEDS TO RKR MANUFACTURING, INC, ET AL, RECORDED IN VOLUME 86053, PAGE 3590 AND VOLUME 86053, PAGE 3586, RESPECTIVELY, DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 3/8" IRON ROD FOUND FOR CORNER IN THE SOUTH RIGHT-OF-WAY LINE OF SOUTHEAST DALLAS STREET (75' R.O.W.), AT THE NORTHWEST CORNER OF SAID TRACT 1;

THENCE NORTH 86°45'00" EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID SOUTHEAST DALLAS STREET, A DISTANCE OF 124.19 FEET TO A 5/8" IRON ROD FOUND FOR CORNER AT THE NORTHEAST CORNER OF SAID TRACT 2;

THENCE SOUTH 02°12'35" EAST, ALONG THE EAST BOUNDARY LINE OF SAID TRACT 2, A DISTANCE OF 147.07 FEET TO A "60D" NAIL SET FOR CORNER IN A 6 INCH TREE AT THE NORTHEAST CORNER OF SAID TRACT 3;

THENCE SOUTH 00°26'09" EAST, ALONG THE EAST BOUNDARY LINE OF SAID TRACT 3, A DISTANCE OF 8.89 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE NORTHWEST CORNER OF SAID SINGLE TRACT;

THENCE SOUTH 89°42'49" EAST, ALONG THE NORTH BOUNDARY LINE OF SAID SINGLE TRACT, A DISTANCE OF 191.76 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE NORTHEAST CORNER THEREOF AND BEING IN THE WEST RIGHT-OF-WAY LINE OF SOUTHEAST 5TH STREET;

THENCE SOUTH 00°13'04" WEST, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID SOUTHEAST 5TH STREET, A DISTANCE OF 65.20 FEET TO A 1/2" IRON ROD FOUND FOR CORNER AT THE SOUTHEAST CORNER THEREOF;

THENCE NORTH 89°42'49" WEST, ALONG THE SOUTH BOUNDARY LINE OF SAID SINGLE TRACT, A DISTANCE OF 190.49 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE SOUTHWEST CORNER THEREOF AND BEING IN THE EAST BOUNDARY LINE OF SAID TRACT 3;

THENCE SOUTH 00°12'29" EAST, ALONG THE EAST BOUNDARY LINE OF SAID TRACT 3, A DISTANCE OF 132.62 FEET TO A 5/8" IRON ROD FOUND FOR CORNER AT THE SOUTHEAST CORNER THEREOF AND BEING IN THE NORTH RIGHT-OF-WAY LINE OF SAID GRAND PRAIRIE ROAD;

THENCE SOUTH 88°43'19" WEST, ALONG THE NORTH BOUNDARY LINE OF SAID GRAND PRAIRIE ROAD, A DISTANCE OF 137.76 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE SOUTHWEST CORNER OF SAID TRACT 3;

THENCE NORTH 00°21'35" WEST, ALONG THE WEST BOUNDARY LINE OF SAID TRACT 3, A DISTANCE OF 204.40 FEET TO A 3/8" IRON ROD FOUND FOR CORNER AT THE NORTHWEST CORNER THEREOF;

THENCE NORTH 87°39'34" EAST, ALONG THE NORTH BOUNDARY LINE OF SAID TRACT 3, A DISTANCE OF 13.38 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE SOUTHWEST CORNER OF SAID TRACT 1;

THENCE NORTH 02°12'35" WEST, ALONG THE WEST BOUNDARY LINE OF SAID TRACT 1, A DISTANCE OF 144.87 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.353 ACRES OF LAND.

COMMITMENT NOTE:

IN REGARDS TO ITEM 100 LISTED ON SCHEDULE "B" OF TITLE COMMITMENT NO. 2239000025, PROVIDED BY LANDAMERICA COMMONWEALTH, I FIND THE FOLLOWING:

100) DALLAS-FORT WORTH REGIONAL AIRPORT ORDINANCE NO. 71-100, RECORDED IN VOLUME 82173, PAGE 178, DEED RECORDS, DALLAS COUNTY, TEXAS. (THE PROPERTY IS SUBJECT TO)

ZONING NOTE:

1) THE PROPERTY SHOWN HEREON IS ZONED "C"-COMMERCIAL, "CBD"-CENTRAL BUSINESS DISTRICT AND "SF-4"-SINGLE FAMILY 4; THE BUILDING LINES INDICATED ARE PER THE CURRENT ZONING GUIDELINES SET FORTH BY THE CITY OF GRAND PRAIRIE PLANNING AND DEVELOPMENT DEPARTMENT.

2) THE PROPERTY SHOWN HEREON MAY BE SUBJECT TO THE PARKING REQUIREMENTS SET FORTH BY THE CITY OF GRAND PRAIRIE UNIFIED DEVELOPMENT CODE ARTICLE 10 WHICH VARY DEPENDING UPON LAND USE.