

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE 9.9621 ACRES, OUT OF THE PERRY LINNEY SURVEY, ABSTRACT NO.777, ALSO BEING KNOWN AS THE SOL SPEIGLE VILLAGE SECOND INCREMENT AS RECORDED IN VOLUME 792, PAGES 0249-0252, DEED RECORDS, DALLAS COUNTY, TEXAS, FROM PLANNED DEVELOPMENT - 98 (PD-98) FOR SINGLE FAMILY - ATTACHED (SF-A) USES TO A PLANNED DEVELOPMENT FOR LIGHT INDUSTRIAL (LI) USES; SAID ZONING MAP AND ORDINANCE BEING NUMBERED, ORDINANCE NUMBER 14779 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 - 98 (PD-98) for Single Family - Attached (SF-A) Uses to a Planned Development for Light Industrial (LI) Uses; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on May 12, 2003 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 8 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 - 98 (PD-98) for Single Family - Attached (SF-A) Uses to a Planned Development for Light Industrial (LI) Uses; 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 20, 2003 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 Grand Prairie Morning News edition of the Dallas Morning News, Dallas, 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 the classification its classification of;

of; **Planned Development - 98 (PD-98) for Single Family - Attached (SF-A) 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 October 1, 2002, as amended, is hereby further amended so as to rezone the following described area from its classification of; **Planned Development - 98 (PD-98) For Single Family - Attached (SF-A) Uses to a Planned Development for Light Industrial (LI) Uses**;

Description of Land:

9.9621 Acres, out of the Perry Linney Survey, Abstract No.777, also being known as the Sol Speigle Village Second Increment as recorded in Volume 792, Pages 0249-0252, Deed Records, Dallas County, Texas, also being described by the attached Exhibit 'A' incorporated herein by reference.

**II.**

**Purpose and Intent**

The intent of this zoning ordinance is to create a development framework that encourages and supports standards of the **Light Industrial (LI)** district.

**III.**

**Land Use**

Land uses shall be only those permitted in **Light Industrial (LI)** zoning district.

IV.

Conditions:

- 1. Development standards shall be those accepted for the **Light Industrial (Li)** zoning district.
- 2. Section 13-277 (D) of the Code of Ordinances of the City of Grand Prairie states: "The generation of noise from the loading or unloading of trucks or similar large type vehicles (one (1) ton and over); including the opening, closing, or other handling of boxes, crates, containers, building material, or similar operations connected with loading or unloading of such vehicles, within any residential district or within three hundred (300) feet of any residential structure, shall be limited to daytime hours, except in the case of urgent necessity in the interest of public safety, for which approval shall be obtained from the environmental services director".
- 3. Section 13-277 (E) of the Code of Ordinances of the City of Grand Prairie states: "The operation of any engine of any standing motor vehicle with a weight in excess of ten thousand (10,000) pounds manufacturer's Gross Vehicle Weight (GVW), within any residential district or within three hundred (300) feet of any residential structure, shall be limited to a period not to exceed fifteen (15) minutes, provided however, that vehicles confined and operated within an enclosed structure shall not be subject to the provisions of this section".
- 4. A Planned Development site plan shall be reviewed and approved by the Planning and Zoning Commission and the City Council prior to the issuance of any building permits for the subject property.

V.

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

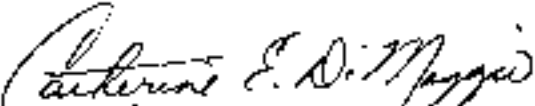
VI.

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, TEXAS, this the 20th day of May, 2003.**

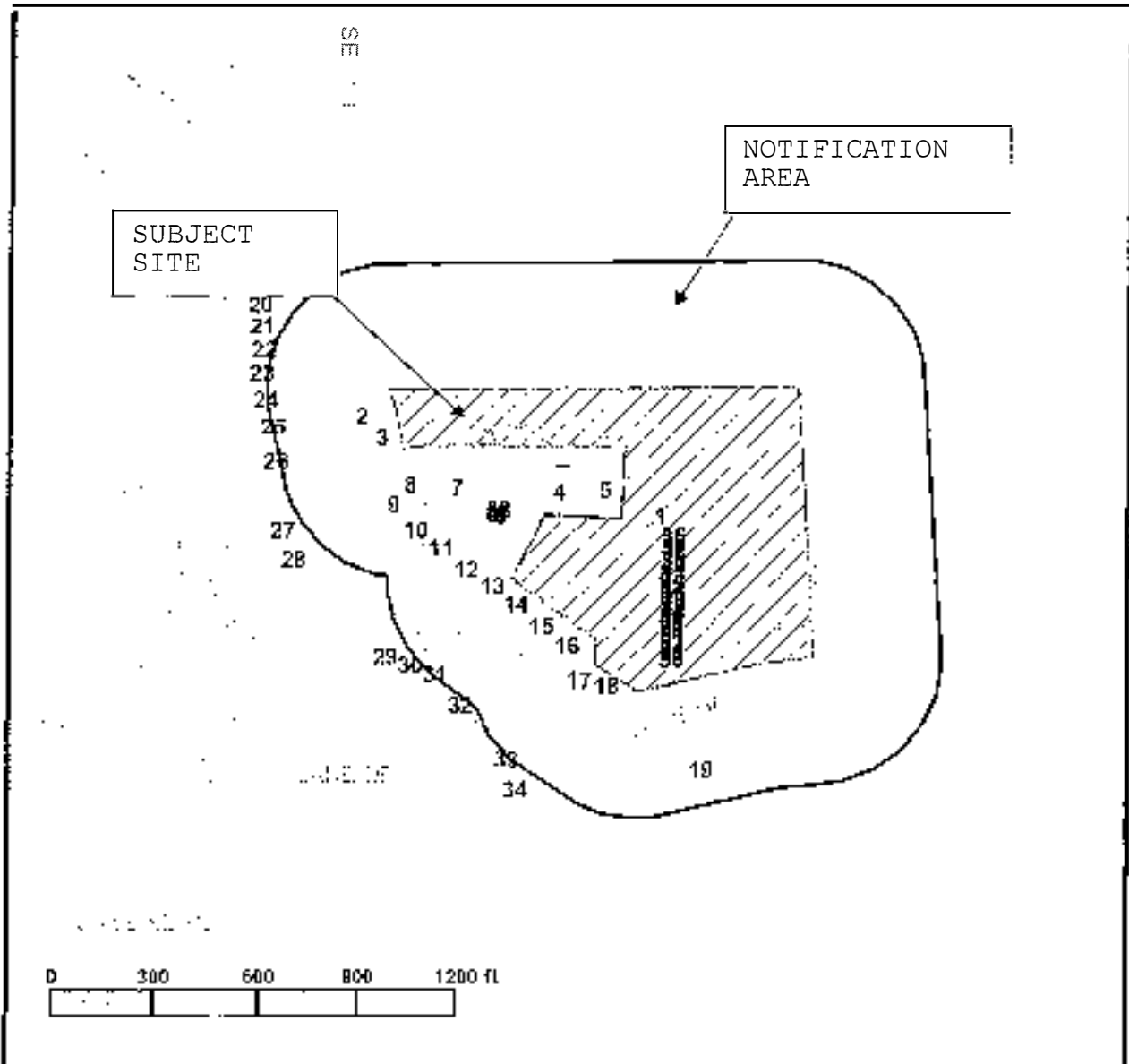
  
 Mayor, Grand Prairie, Texas

ATTEST:

  
 Catherine E. DiMaggio, City Secretary

APPROVED AS TO FORM:

  
 Stephen R. Alcorn, Assistant City Attorney



**Exhibit "A"**  
**Cross Hatched Area Indicates Property Being Zoned**

**Z030504**  
Zoning Request  
Kellum Corner  
From PD-9 for Single Family Attached to a Planned Development for Light Industrial Uses.