

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE ZONING ORDINANCE AND MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY **FOR A SPECIFIC USE PERMIT RENEWAL FOR A USED CAR SALES LOT IN A COMMERCIAL (C) DISTRICT** , TO WIT: BEING A 1.29 ACRE TRACT OF LAND SITUATED IN BLOCK A OF THE ENTERPRISE COMMERCIAL PARK ADDITION, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, AND AS MORE PARTICULARLY DESCRIBED BELOW; SAID ZONING ORDINANCE AND MAP 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, on February 3, 1987, the Grand Prairie City Council granted a specific use permit via SUP-440 and Ordinance No. 4104, as filed with the City Secretary and as contained in Zoning Case File No. SU870109, authorizing a Self-Service Car Wash on a portion of the property herein described below; and

WHEREAS, on February 4, 2003, the Grand Prairie City Council granted a specific use permit via SUP-726 and Ordinance No. 6772, as filed with the City Secretary and as contained in Zoning Case File No. SU030102, authorizing a Used Car Lot on a portion of the property herein described below with a condition that the specific use permit would lapse if not renewed in five (5) years; and

WHEREAS, on February 19, 2008, the Grand Prairie City Council granted a specific use permit via SUP-726A and Ordinance No. 7739, as filed with the City Secretary and as contained in Zoning Case File No. SU030102, formally renewing Ordinance No. 6772 authorizing the indefinite extension of a Used Car lot on a portion of the property herein described below; and

WHEREAS, on December 15, 2015, the Grand Prairie City Council granted a specific use permit via SUP-986 and Ordinance No. 9989, as filed with the City Secretary and as contained in Zoning Case File No. SU030102B, formally renewing Ordinance No. 7769 authorizing the indefinite extension of a Used Car lot on a portion of the property herein described below; and

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 **for a Specific Use Permit Renewal for a Used Car Sales Lot in a Commercial (C) District**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on December 7, 2015, 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 the request **for a Specific Use Permit Renewal for a Used Car Sales Lot in a Commercial (C) District** 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 said Zoning Ordinance and Map be amended to **Renew a Specific Use Permit for a Used Car Sales Lot in a Commercial (C) District**; 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 P.M. on June 19, 2018, 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 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 WITH A COMPREHENSIVE PLAN..."

and passed and approved November 20, 1990, as amended, is hereby further amended so as to establish a Specific Use Permit numbered ##### for the property location as shown in attached Exhibit A – Site Plan as legally described as follows:

Lot 4, Block A, Enterprise Commercial Park Addition together with the north 144 feet of Lot 5, Block A, Enterprise Commercial Park Addition, generally located at the northwest corner of State Highway 303 (Pioneer Parkway) and Robinson Road.

SECTION 2: PURPOSE AND INTENT

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit Renewal 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: STANDARDS AND CONDITIONS

For operation of a **Specific Use Permit for a Used Car Lot in a Commercial (C) District**, the following standards and conditions are hereby established as part of this ordinance:

1. The development shall maintain full adherence, unless herein modified, with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the Grand Prairie Municipal Code and Unified Development Code (UDC).
2. Any land use or development standard, requirement or restriction not contained within this specific use permit ordinance shall conform to those requirements and/or standards contained within Commercial (C) District as applicable and as adopted and amended in the UDC. Where there is a conflict between the UDC and this ordinance, unless explicitly contained within this ordinance, the more restrictive will prevail.
3. The development shall adhere to the following specific standards:
 - a. Site Plan Mylars must be submitted to Planning and Development for final review and approval before any building permit or certificate of occupancy may be released or approved.
 - b. All business activities must take place onsite. Use of the rights-of-way shall be prohibited.
 - c. Must comply with the ARB ordinance.
4. The development shall continue to adhere to the original conditions of approval as codified in Ordinance 6772 and Ordinance 7739 as restated below.
 - a. Site plan to indicate approved fire land to rear of site, striping for parking areas.
 - b. Transportations revisions for drive throat and 35ft. radii.
 - c. Landscape plan for all landscaping to include planters.
 - d. Engineering plans for sanitary sewer connection.
5. Any changes to the approved site plan must be resubmitted for review and approval. Planning Director or designee shall determine if changes may be administratively approved or require Council action.

SECTION 4: COMPLIANCE

All development must conform to the approved site plan and all exhibits incorporated as exhibits to this ordinance, as well as those incorporated herein by reference.

1. 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.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be

required to reestablish the use.

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.

SECTION 5:

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:

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 ON
THIS THE 19TH DAY OF JUNE 2018.**

**Ordinance No. #####-2018
Case No. SU030102C / S180603
Specific Use Permit No. ###**