

**ORDINANCE NO. 11158-2022**

**AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS AMENDING THE ZONING ORDINANCE AND MAP BY SHOWING THE LOCATION, BOUNDARY, AND USE OF CERTAIN PROPERTY FOR A SPECIFIC USE PERMIT FOR A MAJOR AUTO REPAIR, RETAIL AUTO PARTS (USED), AUTO SALES (NON-FRANCHISE, USED) AND AUTO BODY AND PAINT SHOP USES: BEING LOTS D1, D1A, AND D2, OF AIRPORT INDUSTRIAL PARK, CITY OF GRAND PRAIRIE, TARRANT COUNTY, TEXAS; 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; PROVIDING A PENALTY; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE AFTER PUBLICATION**

**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 amend the zoning designation of said site to include a Specific Use Permit for a Major Auto Repair, Retail Auto Parts (Used), Auto Sales (Non-Franchise, Used), and Auto Body and Paint Shop.

**WHEREAS**, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on January 10, 2022, 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 creation of a Specific Use Permit for a Major Auto Repair, Retail Auto Parts (Used), Auto Sales (Non-Franchise, Used), and Auto Body and Paint Shop 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 to recommend denial by vote of 4 to 1 to the City Council of Grand Prairie, Texas, that said Zoning Ordinance and Map be amended to allow a Specific Use Permit for a Major Auto Repair, Retail Auto Parts (Used), Auto Sales (Non-Franchise, Used), and Auto Body and Paint Shop.

**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 1, 2022, to consider the advisability of amending the Zoning Ordinance and Map, 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 THAT:**

**SECTION 1.** 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..."

passed and approved November 20, 1990, as amended, is hereby further amended so as to establish a Specific Use Permit for a Major Auto Repair, Retail Auto Parts (Used), Auto Sales (Non-Franchise, Used), and Auto Body and Paint Shop on 3.5 acres on Lots D1, D1A and D2, of Airport Industrial Park, addressed as 2620 Skyway Drive, City of Grand Prairie, Tarrant County, Texas, as depicted in Exhibit A - Location Map, attached hereto.

**SECTION 2.** The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit 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.** For development and operations of any of the Auto-Related Businesses described in this ordinance, the following standards and conditions are hereby established as part of this ordinance:

1. City Council shall conduct a public hearing 120 days after City Council adoption of the SUP ordinance to confirm compliance with all applicable codes which shall include, but not be limited to, the requirements of the SUP ordinance, the Unified Development Code, the City of Grand Prairie Code of Ordinances, City adopted building codes, City adopted fire codes, and other applicable regulatory requirements.
2. Owner/operators of existing businesses shall submit a completed application for and obtain an Auto-Related Business permit within 45 days of City Council approval of this request or cease operations until the appropriate permit is obtained.
3. Owner/operators of existing businesses that are currently operating without an approved Certificate of Occupancy shall apply for and obtain a Certificate of Occupancy within 45 days of City Council approval of this request or cease operations until a Certificate of Occupancy is obtained. This includes resolving all building code issues needed to obtain a Certificate of Occupancy.
4. Owner/operators of existing businesses whose operations extend beyond what is allowed by their existing C.O. shall apply for and obtain a C.O. for the correct use within 45 days of City Council approval of this request or cease operations until a C.O. is obtained. For example, the C.O. for L&K lists Auto Body Repair. The C.O. does not list Auto Body & Paint Shop.
5. All new businesses must obtain a Certificate of Occupancy and required permits prior to operating.

6. If an existing business relocates to another suite on the property, the business shall apply for and obtain a Certificate of Occupancy for the new suite before resuming operations in the new suite.
7. Auto salvaging and other auto-related uses not specifically authorized by this SUP shall be prohibited.
8. Outside storage of any materials used in repair or vehicle parts shall be prohibited.
9. Operations shall adhere to the approved parking plan. Parking spaces designated for a specific tenant shall only be used by that tenant. Parking spaces designated for employee parking shall only be used by employees. Parking spaces designated for customers shall only be used by customers. Storage and staging of vehicles are prohibited in the parking spaces designated for employees and customers. The owner/applicant shall stripe the parking spaces to reflect tenant and type.
10. The parking or storage of vehicles in the fire lane or drive aisle shall be prohibited.
11. The owner/operators shall not stack vehicles in parking spaces or park vehicles in the right-of-way or drive aisle.
12. The property owner/applicant shall maintain a copy of the approved site plan. If tenant spaces are combined, subdivided, or reconfigured in any way, the applicant shall submit a revised site plan including parking space designations and obtain approval prior to implementing the changes.
13. When applying for a Certificate of Occupancy or Auto-Related Business permit, the owner/applicant shall include the approved site plan as an exhibit.

**SECTION 4.** That the operations of a Major Auto Repair, Retail Auto Parts (Used), Auto Sales (Non-Franchise, Used), and Auto Body and Paint Shop shall comply with the following:

1. City Council shall conduct a public hearing 90 days after City Council adoption of the SUP ordinance to confirm compliance with all applicable codes which shall include, but not be limited to, the requirements of the SUP ordinance, the Unified Development Code, the City of Grand Prairie Code of Ordinances, City adopted building codes, City adopted fire codes, and other applicable regulatory requirements.
2. By this Ordinance, this Specific Use Permit shall automatically terminate in accordance with Section 5.4.1 of the Unified Development Code if a Certificate of Occupancy is not issued for said use within one (1) year after City Council adoption of this Ordinance, or upon cessation of said use for a period of six (6) months or more.
3. 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.
4. 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.
5. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.
6. The operation of the facility shall be in strict compliance with all requirements of the Environmental Services Department, Building Inspections, Police Department and Fire Administration.
7. Any unsafe or unauthorized operations or activities may be determined as grounds for revocation of the Specific Use Permit by the City Council.

**SECTION 5.** It is further provided that in the case a section, clause, sentence, or part of this Ordinance shall be deemed or adjudicated 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.** A violation of this Ordinance is a misdemeanor punishable in accordance with Section 1-8 of the Code of Ordinances of the City of Grand Prairie, Texas. The penalty provided herein shall be cumulative of other remedies provided by State law, and the power of injunction as provided in Texas Local Government Code Section 54.016, as amended, may be exercised in enforcing this ordinance whether or not there has been a complaint filed.

**SECTION 7.** The Unified Development Code of the City of Grand Prairie, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.


**SECTION 8.** The terms and provisions of this Ordinance are severable and are governed by Section 1-4 of the Code of Ordinances of the City of Grand Prairie, Texas.

**SECTION 9.** All ordinances or parts of ordinances in conflict herewith are specifically repealed.

**SECTION 10.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication.


**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 1<sup>ST</sup> DAY OF FEBRUARY 2022.**

**APPROVED:**



**Ron Jensen, Mayor**

**ATTEST:**

  
**City Secretary**

**APPROVED AS TO FORM:**

  
**City Attorney (Assistant)**

**SPECIFIC USE PERMIT NO. 1124  
CASE NO. SUP-21-08-0001**



CASE LOCATION MAP  
SUP-21-08-0001  
ARB at 2620 Skyway Drive



City of Grand Prairie  
Development Services

(972) 237-8255  
www.gptx.org