

ORDINANCE NO. O2025-1106A

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR A USE CLASSIFIED AS "ACCESSORY BUILDING/STRUCTURE (COMMERCIAL)" LOCATED AT 400 EAST PLEASANT RUN ROAD (CRETE CARRIER), IN THE HIGHWAY CORRIDOR DISTRICT AND WITHIN THE LIGHT INDUSTRIAL ZONING DISTRICT OF WILMER, DALLAS COUNTY, TEXAS. MORE DETAILS CAN BE FOUND IN EXHIBIT "A," ATTACHED TO THIS ORDINANCE; PROVIDING FINDINGS OF FACT; THIS ORDINANCE REPEALS ANY CONFLICTING ORDINANCES; ESTABLISHES A PENALTY OF UP TO TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; INCLUDES A SEVERABILITY CLAUSE; AND SETS AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Wilmer, Texas, held a public hearing on October 29, 2025, on a request for a Conditional Use Permit (CUP). The subject property being described as Parcel ID No. 65127160010070000, DCAD; and being situated in the Robert Sloan Abstract No. 1271, Page 600, Tract 7, Acres 35.2748, of the Deed Records of Dallas County, City of Wilmer, Dallas County, Texas; and

WHEREAS, the Planning and Zoning Commission of the City of Wilmer, Texas, held a public hearing on October 29, 2025, and has concluded that granting the Conditional Use Permit for the Light Industrial District (I-1) and Highway Corridor (HC) Overlay aligns with the interests of the citizens of Wilmer and is consistent with the Future Land Use Map of the City of Wilmer, Dallas County, Texas.

WHEREAS, the City Council has determined that all notice requirements have been given in compliance with the laws and ordinances of the City of Wilmer and State Law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILMER, TEXAS:

SECTION 1. A Conditional Use Permit is hereby granted, subject to the conditions contained in this Ordinance, to allow for a use of an "Accessory Building/Structure (Commercial)" defined as "A subordinate building, the use of which is incidental to that of the main building on the same lot." in the Light Industrial zoning district and Highway Corridor Overlay.

The subject property being described as Parcel ID No. 65127160010070000, DCAD; and being situated in the Robert Sloan Abstract No. 1271, Page 600, Tract 7, Acres 35.2748 of the Deed Records of Dallas County, City of Wilmer, Dallas County, Texas; and

(As fully described herein as Exhibit "A" – Legal Description and Exhibit "B" – Location Map).

SECTION 2. This Conditional Use Permit is subject to the following conditions: 1. The accessory structure must remain incidental and subordinate to the principal commercial use on the property, 2. The use, scale and function of the accessory structure shall clearly support the primary business and shall not operate independently, and 3. The property must have access to a water source for sanitary purposes.

SECTION 3. All ordinances or part of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed. In addition to the regulations described herein, the subject property shall be subject to all other applicable codes and ordinances of federal, state, county and other entities having jurisdiction.

SECTION 4. The subject property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance (Ord. No.12.6.88) as adopted or amended.

SECTION 5. Any person, entity or corporation violating any provisions of this ordinance shall be considered in violation of the adopted Comprehensive Zoning Ordinance of the City of Wilmer and be subject, upon conviction, to the penalties and remedies therein.

SECTION 6. The recitals are true and correct and are incorporated herein by this reference.

SECTION 7. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 8. An offense committed before the effective date of this ordinance is governed by the prior law and by then-applicable City ordinances that were in effect when such offense was committed and the former law is continued in effect for this purpose.

SECTION 9. Any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided by the Comprehensive Zoning Ordinance of the City of Wilmer, as heretofore amended, and upon conviction shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and

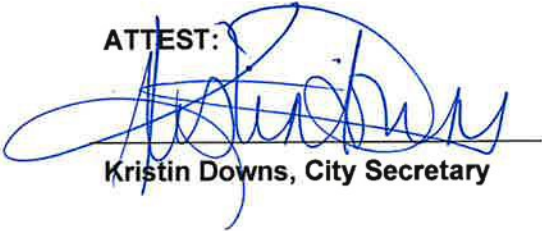
each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 10. This Ordinance will take effect immediately from and after its passage and the publication of the caption, as the law in such case provides.

SECTION 11. Findings of Fact. All of the above Recitals are hereby found to be true and correct legislative and factual findings of the City and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

DULY PASSED and approved by the City Council of the City of Wilmer, Texas, on this the 6th day of November 2025.

ATTEST:


Kristin Downs, City Secretary

APPROVED:


Sheila Petta, Mayor

APPROVED AS TO FORM:


Michael B. Halla, City Attorney



97300886
128 LANC
\$11.00

WARRANTY DEED

11/17/97 2240825
Deed 745539 \$11.00

DATE: November 5, 1997

GRANTOR: D/H STAR JOINT VENTURE, a Texas Joint Venture

GRANTEE: CRETE CARRIER CORPORATION, a Nebraska Corporation
P.O. Box 81228 in Lincoln, Nebraska, 68501

CONSIDERATION: TEN DOLLARS (\$10.00) and other considerations

PROPERTY (including any improvements):

Being a 35.6548-acre tract of land, more or less, situated in the Robert Sloan Survey, Abstract No. 1271, City of Wilmer, Dallas County, Texas, and being a part of that certain tract of land conveyed as Tract 2 by Santa Fe Pacific Realty Corporation to SF Pacific Properties, Inc., by Deed recorded in Volume 90002, Page 1496, Deed Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the intersection of the east line of Southern Pacific Railroad right-of-way (100 foot wide) with the south line of Pleasant Run Road (85 foot wide at this point); THENCE North 60 degrees 01 minutes 40 seconds East, along the south line of Pleasant Run Road (30 feet southerly from its original centerline), a distance of 1101.17 feet (1100.38 feet per deed) to a 1/2 inch iron pipe found for the PLACE OF BEGINNING for the herein described property;

THENCE North 60 degrees 01 minutes 40 seconds East, continuing along the south line of Pleasant Run Road, a distance of 318.69 feet to a 1/2 inch iron rod found as set in December 1996 survey at the northwest corner of a tract of land conveyed by SF Pacific Properties to the State of Texas, by Deed recorded in Volume 96105, Page 2941, Deed Records, Dallas County, Texas, from which a 4 inch aluminum Texas Department of Transportation Monument found bears North 29 degrees 17 minutes 30 seconds East, a distance of 1.10 feet;

THENCE along the new and existing westerly right-of-way for Interstate Highway 45 as follows:

South 29 degrees 58 minutes 56 seconds East, a distance of 13.82 feet (13.76 feet per deed) to a 1/2 inch iron rod found as set in December 1996 survey, from which a 4 inch aluminum Texas Department of Transportation Monument found bears North 30 degrees 20 minutes East, a distance of 1.37 feet;

North 67 degrees 21 minutes 57 seconds East, a distance of 506.71 feet (505.89 feet per deed) to a 4 inch aluminum Texas Department of Transportation Monument found for corner;

South 69 degrees 36 minutes 12 seconds East, a distance of 40.82 feet to a 4 inch aluminum Texas Department of Transportation Monument found for corner;

South 26 degrees 28 minutes 20 seconds East, a distance of 562.99 feet (563.46 feet per deed) to a 1/2 inch iron rod found for corner;

South 21 degrees 46 minutes 15 seconds East, a distance of 1,120.68 feet to a 1/2 inch iron rod found at the beginning of a nontangent curve to the left;

Southeasterly with said curve to the left having a central angle of 01 degrees 43 minutes 43 seconds, a radius of 11,609.16 feet, and a chord bearing South 22 degrees 28 minutes 30 seconds East, an arc distance of 350.25 feet to a 1/2 inch iron rod found for corner;

THENCE South 59 degrees 38 minutes 57 seconds West, leaving said Westerly line of Interstate Highway 45, a distance of 594.57 feet (594.92 feet per deed) to a 1/2 inch iron rod found for corner;

THENCE North 30 degrees 18 minutes 58 seconds West, a distance of 2,132.34 feet (2,132.67 feet per deed) to the PLACE OF BEGINNING and containing 1,553,125 square feet or 35.6548 acres of land, more or less.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This conveyance is subject to all presently recorded and effective restrictions, reservations, rights-of-way, easements, covenants, conditions, oil and gas leases, mineral severances and other instruments, other than liens and conveyances, that affect the property.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

Taxes as originally assessed for 1997 are the responsibility of Grantor, the same being prorated.

When the context requires, singular nouns and pronouns include the plural.

D/H STAR JOINT VENTURE
BY:

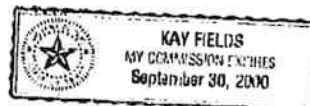
Myron W. Goff
MYRON W. GOFF, Managing Partner

THE STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged before me on the 5th day of November, 1997, by MYRON W. GOFF, Managing Partner of D/H STAR JOINT VENTURE, a Texas Joint Venture, on behalf of same and in the capacity stated.

Kay Fields
NOTARY PUBLIC, STATE OF TEXAS



Crete Carrier Corp.
P.O. Box 81228
Lincoln, NE 68501

COUNTY CLERK, Dallas County, Texas



NOV 17 1997

Any provision hereinafter made in violation of the laws, rules, or use of the
unrecordable under federal law.
I hereby certify this instrument was filed on the date and time
stamped herein by me and was duly recorded in the volume and
page of the named records of Dallas County, Texas as stamped
hereon by me.

E. J. LOCK
COUNTY CLERK
DALLAS COUNTY

97 NOV 14 PM 3:59

FILED

5130 42224



Site Location Map

-  Subject Property
-  City Limits
-  Streets
-  Parcels



City of Wilmer
Serving Our Community
Page 7 of 7

Date: 09/01/2025

