

ORDINANCE NO. 27395

An ordinance changing the zoning classification on the following property:

Tract 1-Being a tract of land in City Block 2/1025 at the southeast corner of Oak Lawn Avenue and Congress Avenue, fronting approximately 124.99 feet on the southeast line of Oak Lawn Avenue, fronting approximately 120.99 feet on the southwest line of Congress Avenue, and containing approximately 16,945 square feet of land,

Tract 2-Being all of Lots 6 and 7 in City Block 1/1337, fronting 100 feet on the northwest line of Oak Lawn Avenue approximately 125.8 feet south of the southwest line of Congress Avenue, and containing approximately 34,480 square feet of land, and

Tract 3-Being all of Lots 12 and 13 in City Block 1/1337, fronting 100 feet on the southeast line of Shelby Avenue approximately 116.5 feet south of the southwest line of Congress Avenue, and containing approximately 16,466 square feet of land,

from a GR General Retail Subdistrict and an MF-3 Multiple Family Subdistrict with a D Liquor Control Overlay within Planned Development District No. 193 (the Oak Lawn Special Purpose District) to Planned Development Subdistrict No. 84 within Planned Development District No. 193 with the retention of the D Liquor Control Overlay; amending Part II, "PD Subdistrict Regulations," of Article 193, "PD 193," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code by creating a new Division S-84; establishing use regulations and development standards for this planned development subdistrict; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding the rezoning of the property hereinafter described; and

WHEREAS, the city council finds that it is in the public interest to establish this planned development subdistrict; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the zoning classification is changed from a GR General Retail Subdistrict and an MF-3 Multiple Family Subdistrict with a D Liquor Control Overlay within Planned Development District No. 193 (the Oak Lawn Special Purpose District) to Planned Development Subdistrict No. 84 within Planned Development District No. 193 with the retention of the D Liquor Control Overlay on the property described in Exhibit A, which is attached to and made a part of this ordinance ("the Property).

SECTION 2. That Part II, "PD Subdistrict Regulations," of Article 193, "PD 193," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended by adding a new Division S-84 to read as follows:

**"Division S-84. PD Subdistrict 84.**

**SEC. S-84.101. LEGISLATIVE HISTORY.**

PD Subdistrict 84 was established by Ordinance No. \_\_\_\_\_, passed by the Dallas City Council on November 10, 2008.

**SEC. S-84.102. PROPERTY LOCATION AND SIZE.**

PD Subdistrict 84 is established on properties located at the southeast corner of Oak Lawn Avenue and Congress Avenue and along the northwest line of Oak Lawn Avenue south of Congress Avenue. The size of PD Subdistrict 84 is approximately 1.46 acres.

**SEC. S-84.103. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and in Part I of this article apply to this division. In the event of a conflict, this division controls. In the event of a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division SUBDISTRICT means a Subdistrict of PD 193.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51.

(d) Tracts 1 and 2 are considered to be nonresidential subdistricts. Tract 3 is considered to be a residential subdistrict.

**SEC. S-84.104. EXHIBITS.**

The following exhibit is incorporated into this division:

- (1) Exhibit 84A: development plan.

**SEC. S-84.105. DEVELOPMENT PLAN.**

(a) For an animal clinic with outside run and a kennel with outside run, development and use of the Property must comply with the development plan (Exhibit 84A). If there is a conflict between the text of this division and the development plan, the text of this division controls.

(b) For all other uses, no development plan is required and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

**SEC. S-84.106. MAIN USES PERMITTED.**

- (a) Tracts 1 and 2.

(1) Except as provided in this section, the only main uses permitted in this subdistrict are those main uses permitted in the GR General Retail Subdistrict, subject to the same conditions applicable in the GR General Retail Subdistrict, as set out in Part I of this article. For example, a use permitted in the GR General Retail Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the GR General Retail Subdistrict is subject to DIR in this subdistrict; etc.

(2) The following uses are allowed in Tracts 1 and 2:

- Animal clinic with outside run.
- Kennel with outside run. [*Limited to boarding.*]

(b) Tract 3. Except as provided in this section, the only main uses permitted in this subdistrict are those main uses permitted in the MF-3 Multiple Family Subdistrict, subject to the same conditions applicable in the MF-3 Multiple Family Subdistrict, as set out in Part I of this article. For example, a use permitted in the MF-3 Multiple Family Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the MF-3 Multiple Family Subdistrict is subject to DIR in this subdistrict; etc.

(c) The following uses are prohibited in all tracts:

- Airport or landing field.
- Amateur communication tower.
- Bar, lounge, or tavern.
- Car wash.
- Inside commercial amusement.
- Commercial parking lot or garage.
- Commercial radio or television transmitting station.
- Dance hall.
- Liquor store.
- Passenger bus station and terminal.
- Private club.
- Service station.
- Sewage pumping station.
- Sewage treatment plant.
- Water reservoir, well, or pumping station.
- Water treatment plant.

#### **SEC. S-84.107.**

#### **ACCESSORY USES.**

As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

#### **SEC. S-84.108.**

#### **YARD, LOT, AND SPACE REGULATIONS.**

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

(a) In general.

(1) Tract 1 and 2. Except as provided in this section, the yard, lot, and space regulations for the GR General Retail Subdistrict apply.

(2) Tract 3. Except as provided in this section, the yard, lot, and space regulations for the MF-3 Multiple Family Subdistrict apply.

(b) Animal clinic with outside run and a kennel with outside run.(1) Front yard.

(A) Tract 1. Minimum front yard on Oak Lawn Avenue is eight feet. Minimum front yard on Congress Avenue is ten feet.

(B) Tract 2. Minimum front yard on Oak Lawn Avenue is ten feet.

(2) Side yard.

(A) Tract 1. No minimum side yard on Oak Lawn Avenue. No minimum side yard on Congress Avenue.

(B) Tract 2. No minimum side yard on Oak Lawn Avenue.

**SEC. S-84.109.****OFF-STREET PARKING AND LOADING.**

(a) Except as provided in this section, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) For an animal clinic with outside run and a kennel with outside run, Tracts 1, 2, and 3 are considered one lot for purposes of off-street parking.

**SEC. S-84.110.****ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. S-84.111.****LANDSCAPING.**

(a) For an animal clinic with outside run and a kennel with outside run, landscaping must comply with the development plan (Exhibit 84A). If there is a conflict between the text of this division and the development plan, the text of this division controls.

(b) For all other uses, landscaping and screening must be provided in accordance with Part I of this article.

(c) Plant materials must be maintained in a healthy, growing condition.

**SEC. S-84.112. OUTSIDE RUN.**

For an animal clinic with outside run and a kennel with outside run:

(1) Maximum area for the outside run in Tract 1 is 1,213 square feet in the location shown on the development plan.

(2) Maximum area for the outside run in Tract 2 is 1,809 square feet in the location shown on the development plan.

(3) Hours of use for the outside run are between 7:00 a.m. and 7:00 p.m., Monday through Sunday.

(4) Maximum number of animals in each outside run at any time is six.

(5) An attendant must be present anytime an animal is in the outside run.

**SEC. S-84.113. SIGNS.**

(a) For Tract 1 and 2, signs must comply with the provisions for business zoning districts in Article VII.

(b) For Tract 3, signs must comply with the provisions for non-business zoning districts in Article VII.

**SEC. S-84.114. ADDITIONAL PROVISIONS.**

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) Except as otherwise provided in this division or shown on the development plan, development and use of the Property must comply with Part I of this article.

**SEC. S-84.115.****COMPLIANCE WITH CONDITIONS.**

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

**SEC. S-84.116.****ZONING MAP.**

PD Subdistrict 84 is located on Zoning Map No. I-7.”

SECTION 3. That, pursuant to Section 51A-4.701 of Chapter 51A of the Dallas City Code, as amended, the property description in Section 1 of this ordinance shall be construed as including the area to the centerline of all adjacent streets and alleys.

SECTION 4. That development of this subdistrict must comply with the full-scale version of the development plan attached to this ordinance. A reduced-sized version of the plan shall be provided in Chapter 51P. Permits shall be issued based on information provided on the full-scale version of the plan.

SECTION 5. That the director of development services shall correct Zoning District Map No. I-7 in the offices of the city secretary, the building official, and the department of development services to reflect the changes in zoning made by this ordinance.

SECTION 6. That the city attorney is authorized to insert the enrolled number of this ordinance in the legislative history section of Division S-84 in Chapter 51P.

SECTION 7. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

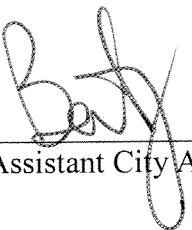
SECTION 8. That the zoning ordinances of the City of Dallas and Chapter 51P of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 9. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 10. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By  \_\_\_\_\_  
Assistant City Attorney

Passed NOV 10 2008



27395

083098

EXHIBIT A

BEING LOTS 6, 7, 12 AND 13, BLOCK 1/1337 OF J.D. CULLUM'S OAK LAWN ADDITION, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 1, Page 93, Map Records, Dallas County, Texas and described as follows:

BEGINNING at the East corner of Lot 7 on the Northwest line of Oak Lawn Avenue (60 feet wide), said corner being the South corner of Lot 8 and being South 45 degrees 00 minutes 00 seconds West 125.6 feet from Congress Street;

THENCE South 45 degrees 00 minutes 00 seconds West with the Northwest line of Oak Lawn Avenue at 50 feet the South corner of Lot 7 and continuing a total distance of 100.00 feet to a corner, said corner being the South corner of said Lot 6 and the East corner of Lot 5;

THENCE North 45 degrees 00 minutes 00 seconds West with the Southwest line of Lot 6 and Lot 13 and the Northeast line of Lot 5 and Lot 14 of said J.D. Cull ums Oak Lawn Addition Revised at 10.00 feet a 2 inch iron pipe found on the Northwest line of a 10.0 foot easement conveyed to the City of Dallas for street widening and continuing a total distance of 344.8 feet to a 3/4 inch iron pipe found in the Southeast line of Shelby Street (50 feet wide) and being the West corner of Lot 13 and the North corner of Lot 14;

THENCE North 45 degrees 00 minutes 00 seconds East with the Southeast line of Shelby Street and with the Northwest line of Lot 13 and Lot 12 a distance of 100.00 feet to a 1/4 inch iron rod found for corner, said corner being the North corner of Lot 12 and the West corner of Lot 11;

THENCE South 45 degrees 06 minutes 00 seconds East with the Northeast line of Lot 12 and Lot 7 and the Southwest line of Lot 11 and Lot 8 of J.D. Cullums Oak Lawn Addition Revised at 334.80 feet an "X" found cut in concrete on the Northwest line of said easement to the City of Dallas and continuing a total distance of 344.8 feet to the PLACE OF BEGINNING and containing 34,480 square feet of land, more or less.

TR 1  
2078-238

**EXHIBIT A****TRACT 2**

BEING a tract of land situated in the James A. Sylvester Survey, Abstract No. 1383, being all of Lots 6 and 7, Block 1/1337, Revised J. D. Cullums Oak Lawn Addition, an Addition in the City of Dallas, Texas according to the Plat thereof recorded in Volume 1, Page 93, Map Records, Dallas County, Texas and being a portion of that certain tract of land conveyed to Cannon Young Properties, LP by Deed recorded in Instrument No. 20070439532, Official Public Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point for corner in the Northwest ROW line of Oak Lawn Avenue (a 70' ROW), said point also being at the South corner of said Lot 6, Block 1/1337 and the East corner of Lot 1A, Block 1/1337, Dallas NSA Center, recorded in Volume 90112, Page 3915, Map Records, Dallas County, Texas;

THENCE: North 45 degrees 00 minutes 00 seconds West, departing the Northwest ROW line of Oak Lawn Avenue and along the common line of said Lot 6, Block 1/1337 and said Lot 1A, Block 1/1337, a distance of 180.00 feet to a point for corner at the West corner of said Lot 6, the North corner of said Lot 1A, the South corner of Lot 13, Block 1/1337 of said Revised J. D. Cullums Oak Lawn Addition and the East corner of Lot 14F, Block 1/1337, Shelby Street Townhouses, recorded in Volume 2001040, Page 54, Map Records, Dallas County, Texas;

THENCE: North 45 degrees 00 minutes 00 seconds East, along the common line of said Lot 6, Block 1/1337 and said Lot 13, Block 1/1337, at a distance of 50.00 feet passing a point at the North corner of said Lot 6, the East corner of said Lot 13, the West corner of said Lot 7, Block 1/1337 and the South corner of Lot 12, Block 1/1337 of said Revised J. D. Cullums Oak Lawn Addition, continuing along the common line of said Lot 7 and said Lot 12, a total distance of 100.00 feet to a point for corner in the Southwest line of Lot 8A, Block 1/1337, Dallas NSA Center, recorded in Volume 90112, Page 3915, Map Records, Dallas County, Texas;

THENCE: South 45 degrees 00 minutes 00 seconds East, along the common line of said Lot 7, Block 1/1337 and said Lot 8A, Block 1/1337, a distance of 180.00 feet to a point for corner in the Northwest ROW line of Oak Lawn Avenue, said point also being at the East corner of said Lot 7 and the South corner of said Lot 8A;

THENCE: South 45 degrees 00 minutes 00 seconds West, along the Northwest ROW line of Oak Lawn Avenue and the Southeast line of said Lot 7, Block 1/1337, at a distance of 50.00 feet passing the South corner of said Lot 7 and the East corner of said Lot 6, Block 1/1337, continuing along the Northwest ROW line of Oak Lawn Avenue and the Southeast line of said Lot 6, a total distance of 100.00 feet to the PLACE OF BEGINNING and containing 0.413 acres of land.

27395

## EXHIBIT A

## TRACT 3

BEING a tract of land situated in the James A. Sylvester Survey, Abstract No. 1383, being all of Lots 12 and 13, Block 1/1337, Revised J. D. Cullums Oak Lawn Addition, an Addition in the City of Dallas, Texas according to the Plat thereof recorded in Volume 1, Page 93, Map Records, Dallas County, Texas and being a portion of that certain tract of land conveyed to Cannon Young Properties, LP by Deed recorded in Instrument No. 20070439532, Official Public Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point for corner in the Southeast ROW line of Shelby Street (a 50' ROW), said point also being at the West corner of Lot 13, Block 1/1337 of said J. D. Cullums Oak Lawn Addition and the North corner of Lot 14F, Block 1/1337, Shelby Street Townhouses, recorded in Volume 2001040, Page 54, Map Records, Dallas County, Texas;

THENCE: North 45 degrees 00 minutes 00 seconds East, along the Southeast ROW line of Shelby Street and the Northwest line of said Lot 13, Block 1/1337, at a distance of 50.00 feet passing the North corner of said Lot 13 and the West corner of said Lot 12, Block 1/1337, continuing along the Southeast ROW line of Shelby Street and the Northwest line of said Lot 12, a total distance of 100.00 feet to a point for corner at the North corner of said Lot 12 and the West corner of Lot 8A, Block 1/1337 of said Dallas NSA Center;

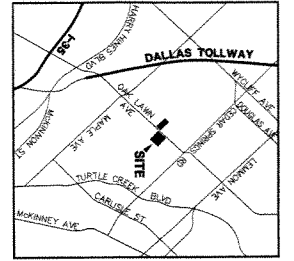
THENCE: South 45 degrees 00 minutes 00 seconds East, departing the Southeast ROW line of Shelby Street and along the common line of said Lot 12, Block 1/1337 and said Lot 8A, Block 1/1337, a distance of 164.80 feet to a point for corner at the East corner of said Lot 12 and the North corner of Lot 7, Block 1/1337 of said J. D. Cullums Oak Lawn Addition;

THENCE: South 45 degrees 00 minutes 00 seconds West, departing the Southwest line of said Lot 8A, Block 1/1337 and along the common line of said Lot 12, Block 1/1337 and said Lot 7, Block 1/1337, at a distance of 50.00 feet passing the South corner of said Lot 12, the West corner of said Lot 7, the East corner of said Lot 13, Block 1/1337 and the North corner of Lot 6, Block 1/1337 of said J. D. Cullums Oak Lawn Addition, continuing along the common line of said Lot 13 and said Lot 6, a total distance of 100.00 feet to a point for corner at the South corner of said Lot 13, the West corner of said Lot 6, the East corner of the aforementioned Lot 14F, Block 1/1337 and the North corner of Lot 1A, Block 1/1337, Dallas NSA Center, recorded in Volume 90112, Page 3915, Map Records, Dallas County, Texas;

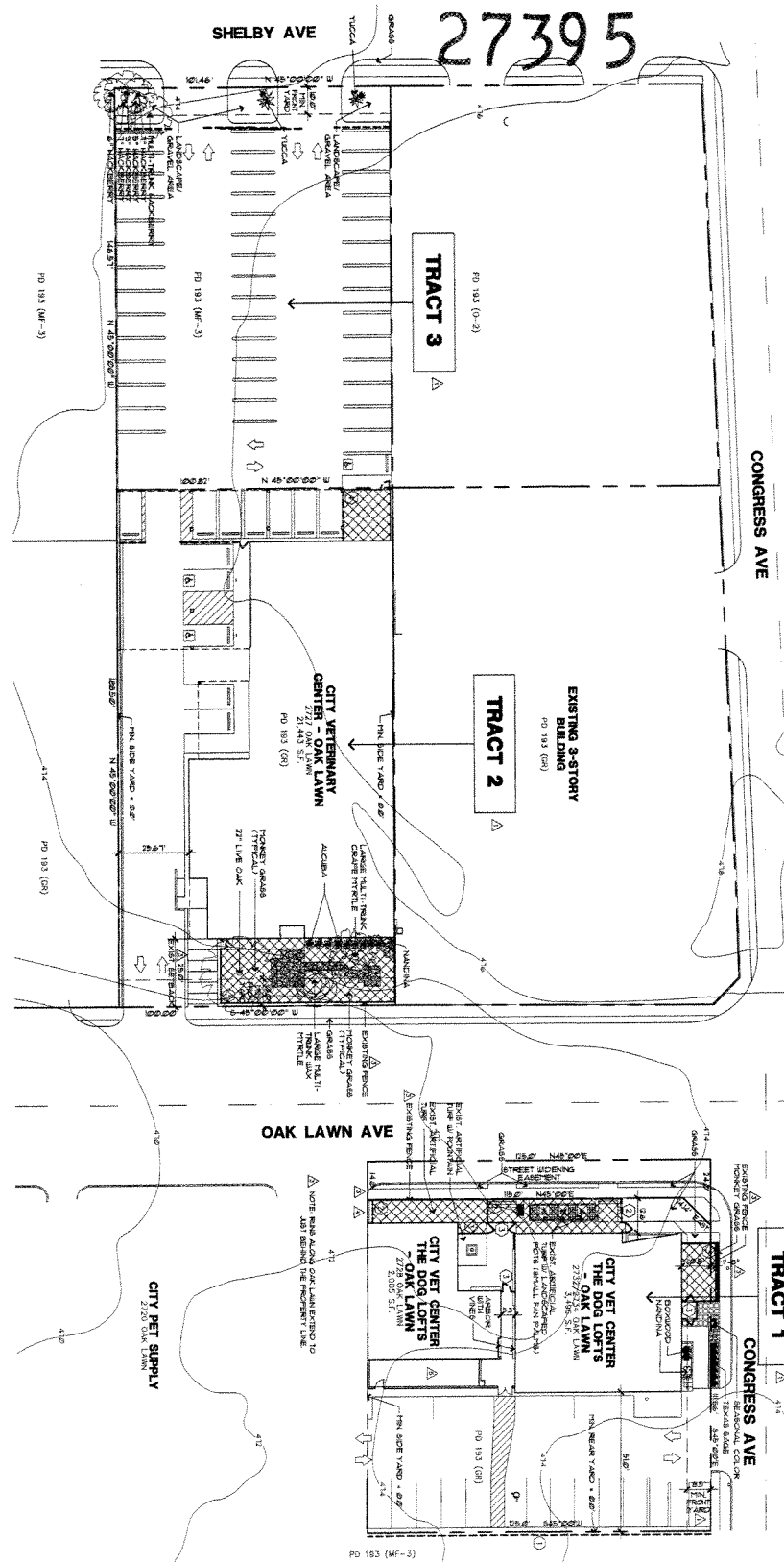
THENCE: North 45 degrees 00 minutes 00 seconds West, along the common line of said Lot 13, Block 1/1337 and said Lot 14F, Block 1/1337, a distance of 164.80 feet to the PLACE OF BEGINNING and containing 0.378 acres of land.

083093

- KEY NOTES**
- ① EXISTING 8'-0" WOOD FENCE
  - ② EXISTING 6" BLOCK/BRICK/CONCRETE FENCE
  - ③ EXISTING 6" BLOCK/BRICK/CONCRETE FENCE
  - ④ EXISTING 6" CHAIN-LINK FENCE



SITE DATA	TRACT 1	TRACT 2	TRACT 3	TOTAL
USE:	ANIMAL CLINIC WITHOUT OUTSIDE RUNS AND OFFICE (INCLUDES INDOOR ANIMAL DAY CARE & INDOOR BOARDING)	ANIMAL CLINIC WITHOUT OUTSIDE RUNS AND OFFICE (INCLUDES INDOOR ANIMAL DAY CARE & INDOOR BOARDING)	PARKING	
CURRENT:	ANIMAL CLINIC WITHOUT OUTSIDE RUNS AND OFFICE (INCLUDES INDOOR ANIMAL DAY CARE & INDOOR BOARDING)	ANIMAL CLINIC WITHOUT OUTSIDE RUNS AND OFFICE (INCLUDES INDOOR ANIMAL DAY CARE & INDOOR BOARDING)	PARKING	
PROPOSED:	ANIMAL CLINIC & KENNEL WITH OUTSIDE RUNS AND OFFICE	ANIMAL CLINIC & KENNEL WITH OUTSIDE RUNS AND OFFICE	PARKING	
SITE AREA:	0.348 ACRES ±	0.433 ACRES ±	0.534 ACRES ±	1.115 ACRES ±
EXISTING BUILDING AREA:	5,501 S.F. ±	8,745 S.F. ±	0.00 S.F.	28,944 S.F.
OUTSIDE RUN AREA:	1,213 SQ. FT. ±	1,809 SQ. FT. ±	0.00 SQ. FT.	3,022 SQ. FT. ±
LOT COVERAGE:	36.3%	48.4%	0.00%	29.3%
HEIGHT:	18 FT.	28 FT.	N/A	
STORIES:	ONE STORY	TWO STORY	N/A	
PARKING:	REQUIRED: 5,501 S.F. @ 1 CAR/200 S.F. = 18 CARS PROVIDED: 17 CARS	REQUIRED: 13,956 S.F. @ 1 CAR/200 S.F. = 52 CARS OFFICE: 5,879 S.F. @ 1 CAR/266 S.F. = 18 CARS TOTAL: 68 CARS	EXISTING: 54 CARS TRACTS 2 & 3 COMBINED: 9 CARS TOTAL: 63 CARS	86 CARS



**DEVELOPMENT PLAN**  
SCALE: 1" = 20'-0"

**OUTSIDE RUNS**

**ZONING PROPOSAL**  
CASE NUMBER: 2078-235

**2727, 2728 & 2732/2734 OAK LAWN AVE.**  
LOT# 57212 & 13 OF BLOCK 27025 & PART OF BLOCK 27025  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

**OWNER: CANNON PROPERTIES LP**  
2727 Oak Lawn Ave, Suite 201  
214-522-0030/714-572-0040 fax

**DANIEL S. & ASSOCIATES ARCHITECTS**  
Suite C202  
Irving, Texas 75038  
972-255-1515  
972-255-4141 fax

**GRAPHIC SCALE**  
0' 25' 50' 100'

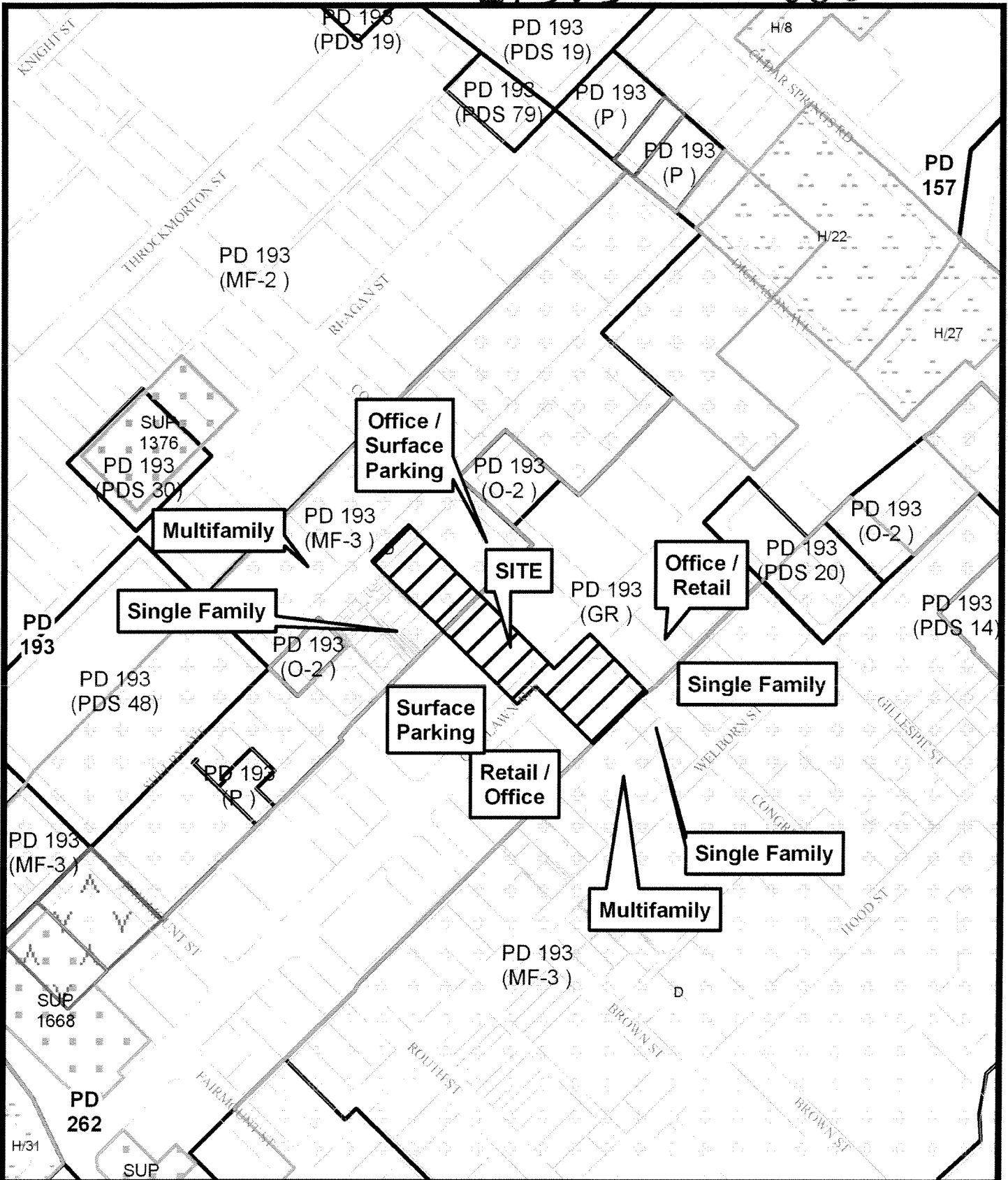
**LEGEND**

EXISTING 8'-0" WOOD FENCE	1" = 1'-0"
EXISTING 6" BLOCK/BRICK/CONCRETE FENCE	1" = 1'-0"
EXISTING 6" CHAIN-LINK FENCE	1" = 1'-0"
PROPOSED 8'-0" WOOD FENCE	1" = 1'-0"
PROPOSED 6" BLOCK/BRICK/CONCRETE FENCE	1" = 1'-0"
PROPOSED 6" CHAIN-LINK FENCE	1" = 1'-0"
PROPOSED 8'-0" WOOD FENCE	1" = 1'-0"
PROPOSED 6" BLOCK/BRICK/CONCRETE FENCE	1" = 1'-0"
PROPOSED 6" CHAIN-LINK FENCE	1" = 1'-0"
PROPOSED 8'-0" WOOD FENCE	1" = 1'-0"
PROPOSED 6" BLOCK/BRICK/CONCRETE FENCE	1" = 1'-0"
PROPOSED 6" CHAIN-LINK FENCE	1" = 1'-0"

**A1**

Planned Development  
Subdistrict No. 84

Planned Development  
District No. 193



↑

1:3,000

# ZONING AND LAND USE

Map no:           I-7          

Case no:           Z078-238 RB