

ORDINANCE NO. 28253

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as a CR Community Retail District with a D-1 Liquor Control Overlay:

BEING a tract of land in City Block 6333 located at the southeast corner of Lake June Road and Holcomb Road; fronting approximately 98.5 feet on the south line of Lake June Road; fronting approximately 108.5 feet on the east line of Holcomb Road; and containing approximately 11,265 square feet of land,

to be used under Specific Use Permit No. 1866 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less use; providing that this specific use permit shall be granted subject to certain conditions; 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 this specific use permit; and

WHEREAS, the city council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the city council finds that it is in the public interest to grant this specific use permit, subject to certain conditions; Now, Therefore,

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

SECTION 1. That the zoning ordinances of the City of Dallas are amended to allow the property described in Exhibit A, which is attached to and made a part of this ordinance ("the Property"), which is presently zoned as a CR Community Retail District with a D-1 Liquor Control Overlay, to be used under Specific Use Permit No. 1866 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less use.

SECTION 2. That this specific use permit is granted on the following conditions:

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on June 22, 2013, but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. INGRESS/EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.
5. PARKING: Off-street parking must be located as shown on the attached site plan.
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

SECTION 3. That all paved areas, permanent drives, streets, and drainage structures, if any, on the Property must be constructed in accordance with standard City of Dallas specifications, and completed to the satisfaction of the director of public works and transportation.

SECTION 4. That the building official shall not issue a building permit or a certificate of occupancy for a use authorized by this specific use permit on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City of Dallas.

SECTION 5. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 6. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. 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.

LEGAL DESCRIPTION

GIS Approved

Being a tract, lot or parcel of land situated in WM. B. Elam Survey, Abstract No. 441, Dallas County, Texas, and being in City Block No. 6333, Official City Numbers, and being the same tract of land conveyed to Robert K. Chin and Ben Y. Gee by deed recorded in Volume 87211, Page 4066, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows;

BEGINNING at a point for the Northerly most Northwest corner of said Robert K. Chin and Ben Y. Gee tract in the South right-of-way line of Lake June Road (100' R.O.W.);

THENCE East, along the South right-of-way line of said Lake June Road, a distance of 98.50 feet, to a point for corner, same being the Northwest corner of that certain tract of land conveyed to Fathim Mumith by deed recorded in Instrument File No. 201000152165, Official Public Records, Dallas County, Texas;

THENCE South, along the West line of said Fathim Mumith tract, a distance of 104.28 feet, to a point for corner in the North line of that certain tract of land conveyed to Jose Jorge Duran by deed recorded in Instrument File No. 200503619351, Official Public Records, Dallas County, Texas;

THENCE West, along the North line of said Jose Jorge Duran tract, a distance of 108.50 feet, to a point for corner in the East right-of-way line of Holcomb Road (60' R.O.W.);

THENCE North, along the East right-of-way line of said Holcomb Road, a distance of 94.50 feet, to a point for corner;

THENCE North 45 degrees 38 minutes 14 seconds East, a distance of 13.99 feet, to the POINT OF BEGINNING, and containing an area of 11,265 square feet or 0.259 acres of land.

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SECTION 8. 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:

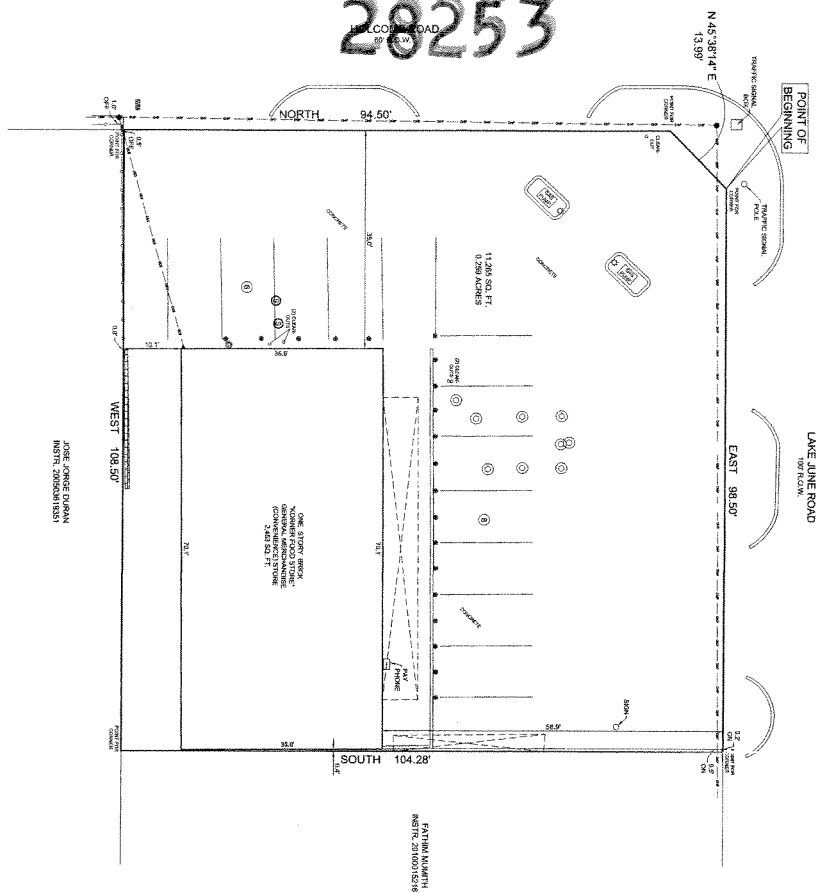
THOMAS P. PERKINS, JR., City Attorney

BY



Assistant City Attorney

Passed JUN 22 2011



Approved
City Plan Commission
May 19, 2011

REVISIONS

NO.	Revision/Issue	Date
1	REVISED PER COMMENTS	03/20/11
2	UPDATED PLAN	04/19/11
3	UPDATED PARKING	04/19/11
4	UPDATED PARKING	05/04/11

LEGEND

- | | |
|-----------------------------|-----------------------|
| ① HANDICAPPED SPACE | ② SANITARY SERVICE |
| ③ PARKING SPACE | ④ SANITARY SIGN |
| ⑤ MONITORING WELL | ⑤ POWER POLE |
| ⑥ GUY WIRE | ⑥ PIPE HYDRAULIC |
| ⑦ ROCK LOG | ⑦ ELECTRIC LEFT VALVE |
| ⑧ WATER METER | ⑧ GAS METER |
| ⑨ CHAIN LINK FENCE | ⑨ WOOD FENCE |
| ⑩ CONCRETE PAVEMENT | ⑩ CONCRETE PAVEMENT |
| ⑪ BRICK WALL | ⑪ DECK OR CURB |
| ⑫ OVERHEAD ELECTRIC SERVICE | ⑫ OVERHEAD POWER LINE |

SITE NOTES

THENCE North 45 degrees 38 minutes 14 seconds East, a distance of 13.99 feet, to the POINT OF BEGINNING, and containing an area of 11,265 square feet or 0.259 acres of land.

THE NCE North, along the East right-of-way line of said Holcomb Road, a distance of 94.50 feet, to a point for corner;

THENCE West, along the North line of said Jose Jorge Duran tract, a distance of 108.50 feet, to a point on corner in the East right-of-way line of Holcomb Road (60° R.O.W.);

in the North line of that certain tract of land conveyed to Jose Jorge Duran by deed recorded in Instrument File No. 200503619351, Official Public Records, Dallas County, Texas.

THEENCE South, along the West line of said Fatimah Murnith tract, a distance of 104.28 feet, to a point for corner

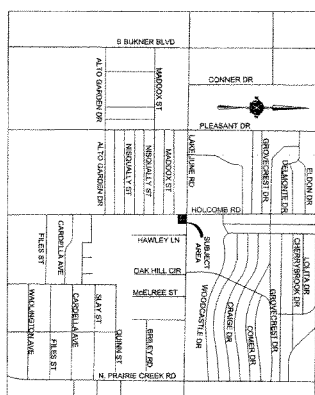
THENCE East, along the South right-of-way line of said Lake June Road, a distance of 98.50 feet, to a point for corner, same being the Northwest corner of that certain tract of land conveyed to Fathim Murnith by deed

BEGINNING at a point for the Northerly most Northwest corner of said Robert K. Chih and Ben Y. Gae tract in the South right-of-way line of Lake June Road (100' R.O.W.),

Chin and Ben Y. Gee by deed recorded in Volume 87211, Page 4066, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows;

Being a tract, lot or parcel of land situated in WM. B. Elam Survey, Abstract No. 441, Dallas County, Texas, and being in City Block No. 6333, Official City Numbers, and being the same tract of land conveyed to Robert K.

Zoning: Community Retail District, D Liquor Control Overlay
Building: One Story Brick (2,453 Sq. Ft.)
Lot Area: 11,265 Sq. Ft. (0.259 Acres)
Lot Coverage: 22%
Parking: 14 Spaces Provided



VICINITY MAP - N.T.S

TEXAS HERITAGE
SURVEYING LLC



"KORNER FOOD STORE"
8502 LAKE JUNE ROAD,
DALLAS, DALLAS
COUNTY, TEXAS

SUP SITE PLAN

Z-101-18

1100071-1
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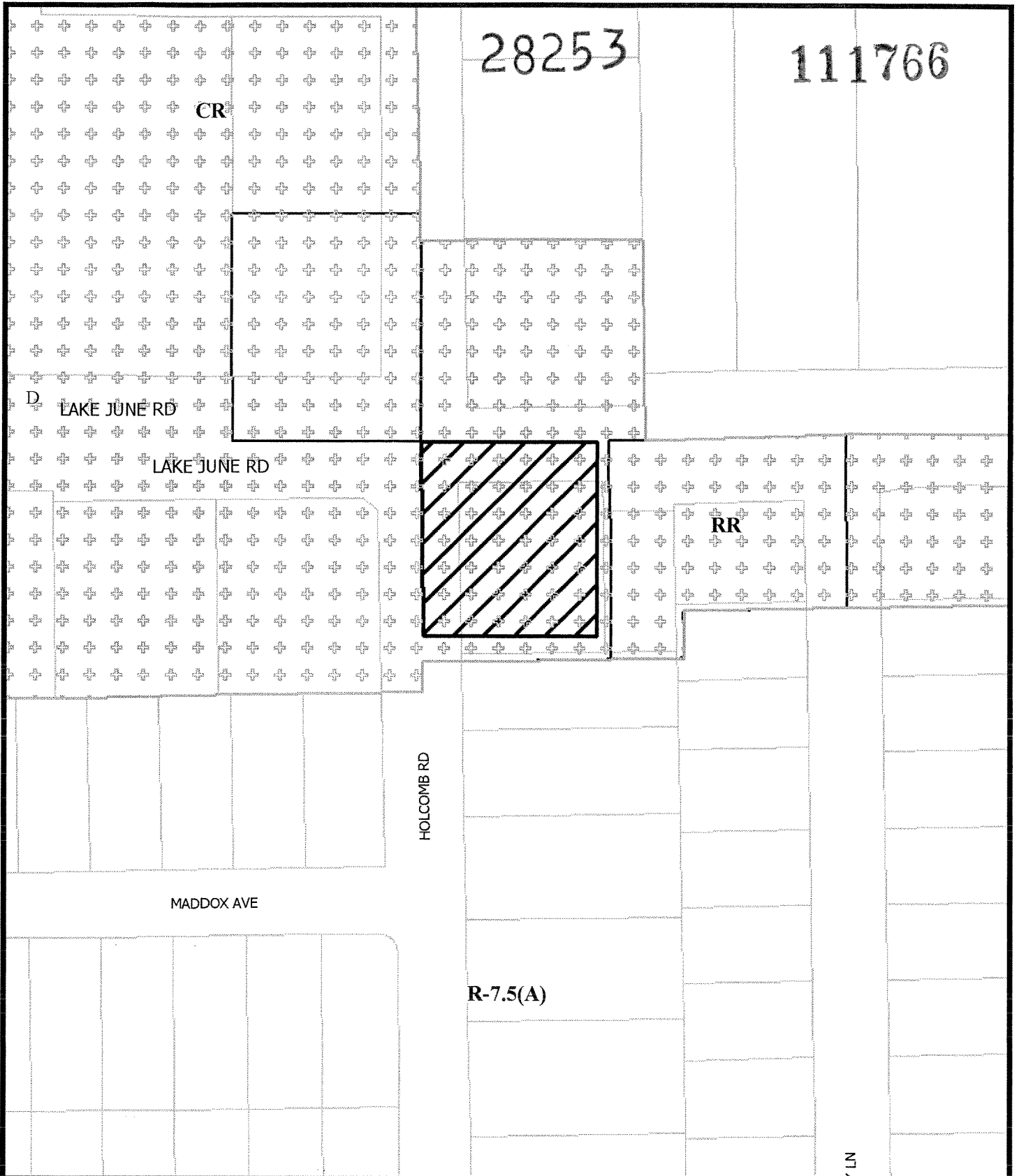
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$$10^4 = 10^4$$

ACCEPTED BY

ACCEPTED BY

DATA



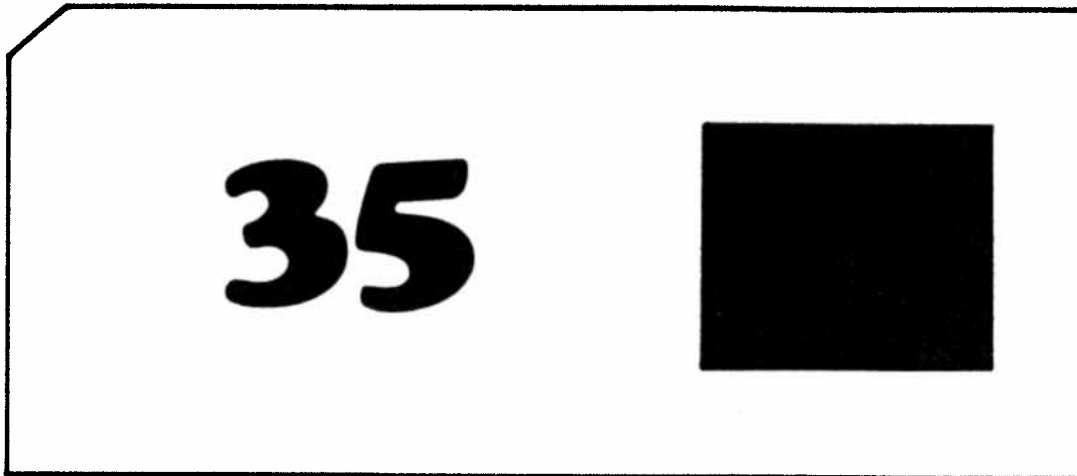
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ZONING AND LAND USE

Map no: L-10
Case no: Z101-181

DATE: May 05, 2011

NOTICE



THIS FILE INCLUDES ONE OR MORE 35MM APERTURE CARDS