

ORDINANCE NO. 28257

An ordinance amending the zoning ordinances of the City of Dallas by changing the zoning classification on the following property:

BEING a tract of land in City Block 16/6666; fronting approximately 216 feet on the north line of Elam Road between Southgate Lane and Sunburst Drive; and containing approximately 0.81 acre,

from a CR Community Retail District with a D Liquor Control Overlay to a CR Community Retail District with a D-1 Liquor Control Overlay; 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 grant this change in zoning; Now, Therefore,

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

SECTION 1. That the zoning classification is changed from a CR Community Retail District with a D Liquor Control Overlay to a CR Community Retail District with a D-1 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, 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 3. That the building official shall not issue a building permit or a certificate of occupancy for a use on the Property until there has been full compliance with the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City of Dallas.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 5. That the zoning ordinances of the City of Dallas shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 6. 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 7. 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

28257

## LEGAL DESCRIPTION

GIS\_APPROVED

Being a portion of a tract of land situated in the Joel Roberts Survey, Abstract No. 1222 in the City of Dallas, Dallas County Texas, same being a portion of Tract 16, Block 16/6666, Brookside Acres Addition, an addition to the City of Dallas, Dallas County, Texas according to the map thereof recorded in Volume 3, Page 94, Map Records, Dallas County, Texas, and being that same portion of a tract of land conveyed to Bobby's Corporation by deed recorded in Volume 2000091, Page 4382, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a point for corner in the North line of Elam Road (a variable width right-of-way), said point being the Southeast corner of Lot 3, Block 16/6666, Brookside Acres Addition, an addition to the City of Dallas, Dallas County, Texas according to the map thereof recorded in Volume 20, Page 363, Map Records, Dallas County, Texas;

Thence North, along the East line of said Lot 3 and along the East line of a 15 foot alley, a distance of 164.03 feet to a point for corner, said point being the Southwest corner of the remainder of said Bobby's Corporation tract;

Thence East, along the South line of the remainder of said Bobby's Corporation tract, a distance of 220.90 feet to a point for corner, said point being the Southeast corner of the remainder of said Bobby's Corporation tract, and being in the West line of Lot 11, Block 1/6667, Rodrigo Villanueva Addition, an addition to the City of Dallas, Dallas County, Texas according to the map thereof recorded in Volume 98247, Page 0004, Map Records, Dallas County, Texas;

Thence South 01 degrees 47 minutes 52 seconds West, along the West line of said Lot 11, a distance of 158.48 feet to a point for corner, said point being the Southwest corner of said Lot 11, and being in the North line of said Elam Road;

Thence South 88 degrees 30 minutes 27 seconds West, along the North line of said Elam Road, a distance of 216.00 feet to the Point of Beginning and containing 35,204.38 square feet or 0.81 acres of land.

Z101-191

