

ORDINANCE NO. 28285

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 6339 at the corner of South Buckner Boulevard and Alto Garden Drive; fronting approximately 120 feet in the east side of South Buckner Boulevard; fronting approximately 140 feet on the south side of Alto Garden Drive; and containing approximately 0.447 acres,

from Planned Development District No. 366 with a D Liquor Control Overlay to Planned Development District No. 366 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 described in this ordinance; 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 Planned Development District No. 366 with a D Liquor Control Overlay to Planned Development District No. 366 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

BEING A TRACT OF LAND SITUATED IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, OUT OF THE W.B. ELAM SURVEY, ABSTRACT NO. 441, CITY BLOCK 6339, AND BEING PART OF A CERTAIN 1.91 ACRE TRACT OF LAND CONVEYED BY CHARLES MICHAEL STANGLIN ET AL TO SADA BAHAR, INC. BY DEED DATED NOVEMBER 7, 1995, RECORDED IN VOLUME 95220, PAGE 976, DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF SOUTH BUCKNER BOULEVARD (100 FOOT RIGHT OF WAY) WITH THE SOUTH LINE OF ALTO GARDENS DRIVE;

THENCE SOUTH 89 DEGREES 45 MINUTES 05 SECONDS EAST, 10.00 FEET TO A FOUND 1/2 INCH IRON ROD AT THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 45 MINUTES 05 SECONDS EAST WITH THE SOUTH LINE OF ALTO GARDENS DRIVE, 140.00 FEET TO A 1/2 INCH IRON ROD FOUND WITH YELLOW PLASTIC CAP STAMPED D.C. & A. RPS 3935) FOR CORNER;

THENCE SOUTH 130.00 FEET TO A 1/2 INCH IRON ROD FOUND WITH YELLOW PLASTIC CAP STAMPED (D.C. & A. RPS 3935) FOR CORNER;

THENCE NORTH 89 DEGREES 45 MINUTES 05 SECONDS WEST AND PARALLEL WITH THE SOUTH LINE OF ALTO GARDENS DRIVE, 150.00 FEET TO A 1/2 INCH IRON ROD FOUND WITH YELLOW PLASTIC CAP STAMPED (D.C. & A. RPS 3935) FOR CORNER IN THE EAST LINE OF SAID SOUTH BUCKNER BOULEVARD;

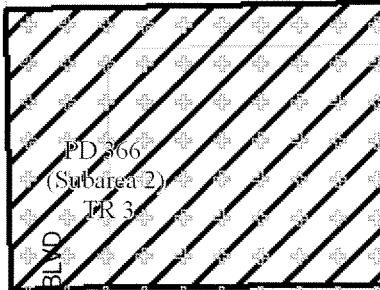
THENCE NORTH WITH SAID EAST LINE, 120.00 FEET TO A FOUND 1/2 INCH IRON ROD;

THENCE NORTH 45 DEGREES 07 MINUTES 28 SECONDS EAST, 14.11 FEET TO THE POINT OF BEGINNING AND CONTAINING 19449.82 SQUARE FEET OR 0.447 ACRES OF LAND.

28285

CR

ALTO GARDEN DR



PD 366
(Subarea 2)
TR 36

PD
366

S BUCKNER BLVD

S BUCKNER BLVD

D

R-7.5(A)

LOOP
12



1:1,200

ZONING AND LAND USE

Map no: M-10, L-10

Case no: Z101-151