

2-24-12

ORDINANCE NO. 28588

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as Subarea 2 within Planned Development District No. 366 (the Buckner Boulevard Special Purpose District) with a D-1 Liquor Control Overlay:

BEING a tract of land in City Block 6301 located at the southwest corner of Buckner Boulevard and Lake June Road; fronting approximately 231.99 feet on the west line of Buckner Boulevard; fronting approximately 224.41 feet on the south line of Lake June Road; and containing approximately 2.576 acres,

to be used under Specific Use Permit No. 1946 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet; 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 Subarea 2 within Planned Development District No. 366 with a D-1 Liquor Control Overlay, to be used under Specific Use Permit No. 1946 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.

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 greater than 3,500 square feet.
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 March 28, 2014.
4. DRIVE-THROUGH WINDOW: Use of a drive-through window for retail sales of alcoholic beverages is prohibited.
5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
6. PARKING: Off-street parking must be provided in the location shown on the attached site plan.
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
8. 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.

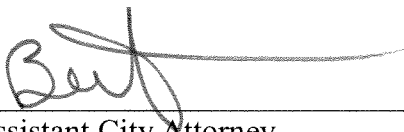
SECTION 6. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

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.

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 MAR 28 2012

PROPERTY DESCRIPTION

GIS Approved

BEING a tract of land in City Block 6301 in the Issa Elam Survey, Abstract No. 442, in the City of Dallas, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the centerline of Buckner Boulevard and the centerline of Lake June Road;

THENCE in a southerly direction along the centerline of Buckner Boulevard, a distance of approximately 335 feet to a point for corner on the eastward prolongation of the centerline of Trade-Village Place;

THENCE in a westerly direction along the centerline of Trade-Village Place and its prolongation, a distance of approximately 335 feet to a point for corner on the centerline of World Store Court;

THENCE in a northerly direction along the centerline of World Store Court and its northerly prolongation, a distance of approximately 335 feet to a point for corner on the centerline of Lake June Road;

THENCE in an easterly direction along the centerline of Lake June Road, a distance of approximately 335 feet to the POINT OF BEGINNING, and containing approximately 112,225 square feet or 2.576 acres of land.

Site Plan

28588

VICINITY MAP



SITE SUMMARY

Existing Zoning: PDD 366, D-1

Requested Zoning: SLP for general merchandise > 3500 square feet

to allow off premise alcohol consumption

Lot Area: 1.74 acres

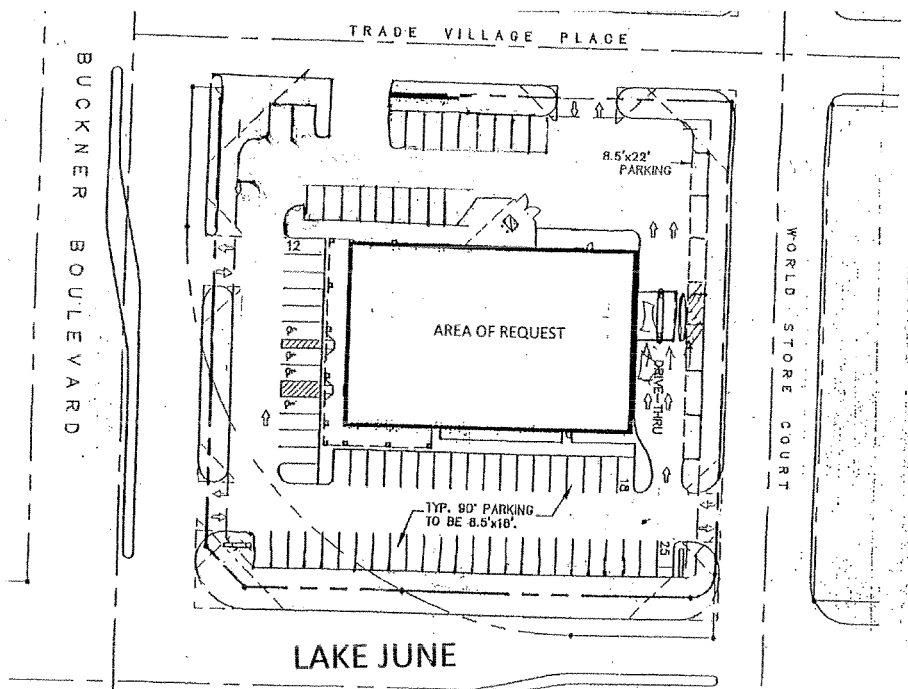
Existing Use: general merchandise greater than >3500 s.f.

Existing Area: 13,365

Existing Lot Coverage: 18 %

Required Parking: 67

Provided Parking: 79



SCALE: 1"=60'

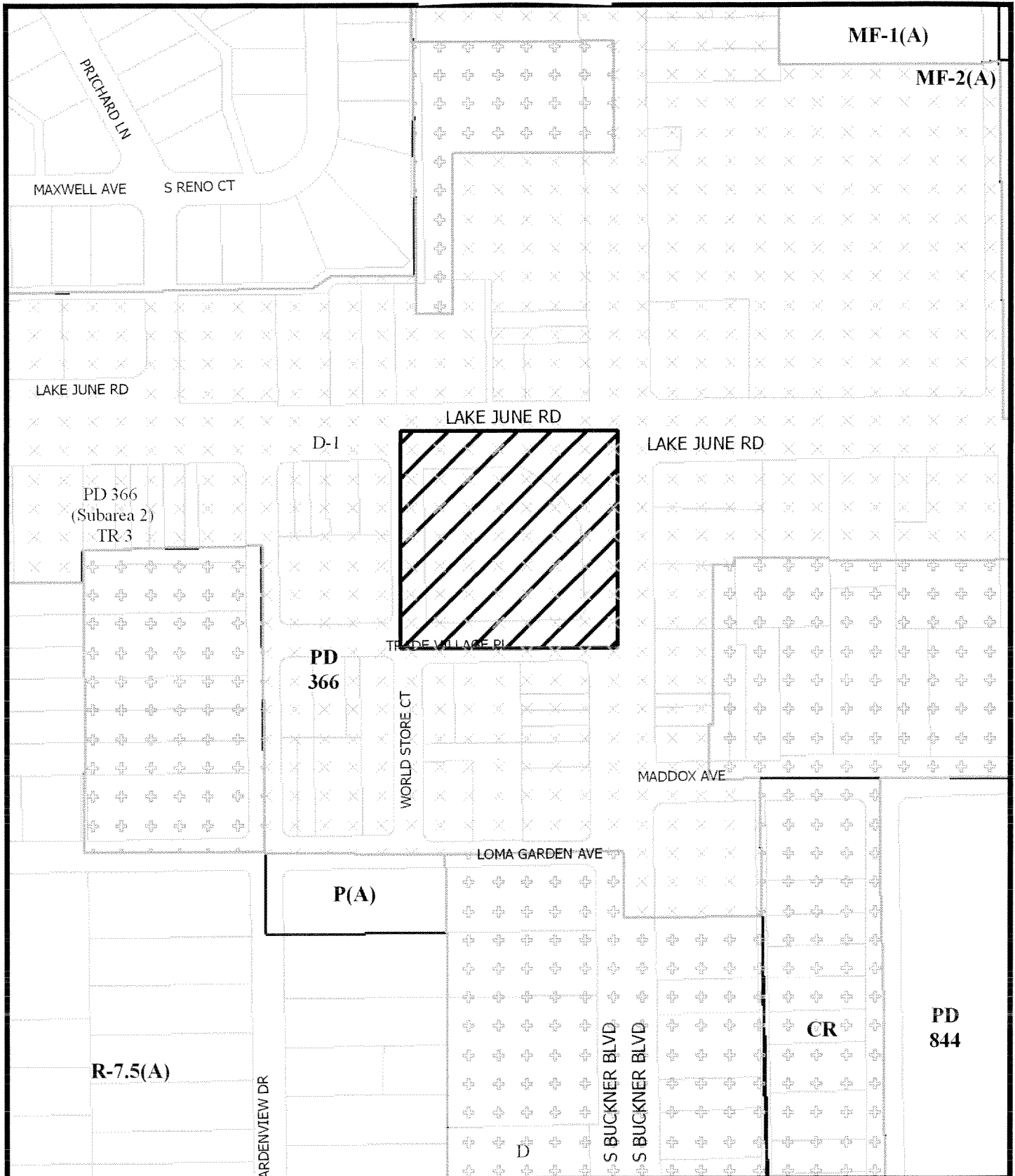
Z112-120
SITE PLAN

Specific Use Permit
No. 1946

Approved
City Plan Commission
February 16, 2011

28588

120970



1:2,400

ZONING AND LAND USE

Case no: **Z112-120**

Date: **2/2/2012**