

6-18-12

ORDINANCE NO. 28688

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 B/8822, fronting approximately 152.2 feet on the west line of Beltline Road; fronting approximately 125 feet on the south line of Seagoville Road; and containing approximately 0.506 acres,

to be used under Specific Use Permit No. 1970 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less; 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. 1970 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.

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 27, 2014, 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. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. 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.

28688

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 27 2012

28688

## DESCRIPTION OF PROPERTY

A 22,055 Sq. Ft. tract

Part of City Block 8823

GIS Approved

**BEING** located at 15130 Seagoville Road in the City of Dallas, Texas, being a tract of land situated in the Robert Kleberg Survey, Abstract No. 716, part of City Block 8822, City of Dallas, Dallas County, Texas, being the same tract of land conveyed to Shahzad Memon, by deed recorded in Instrument No 20080388439, Official Property Records Dallas County, Texas, and being more particularly described as follows;

**BEGINNING** at a point at the most Southerly corner of a visibility cut-back line for the intersection of the Northwest line of S. Beltline Road, (a 100' R.O.W.), with the Southwest line of Seagoville Road, (an 80' R.O.W.), a 1/2" capped iron rod set for corner;

**THENCE:** South 45 deg. 00 min. 00 sec. West, with the said Northwest line of S. Beltline Road, a distance of 152.20 feet to an Easterly corner of a tract of land conveyed to Charles M. Floyd by deed recorded in Volume 84145, Page 3555, Deed Records Dallas County, Texas, an "x" set in concrete for corner;

**THENCE:** North 45 deg. 50 min. 55 sec. West, with a Northeast line of said Floyd tract, a distance of 85.00 feet to an "x" set in concrete for corner;

**THENCE:** South 45 deg. 00 min. 00 sec. West, a distance of 4.00 feet to a 1/2" capped iron rod set for corner;

**THENCE:** North 45 deg. 50 min. 55 sec. West, with a Northeast line of said Floyd tract, a distance of 50.00 feet to a 1/2" iron rod found for corner;

**THENCE:** North 45 deg. 00 min. 00 sec. East, with a Southeast line of said Floyd tract, a distance of 166.28 feet to a point in the said Southwest line of Seagoville Road, a 1/2" iron rod found for corner;

**THENCE:** South 45 deg. 50 min. 55 sec. East, with the said Southwest line of Seagoville Road, a distance of 125.00 feet to the most Northerly corner of said visibility cut-back line, a 1/2" capped iron rod set for corner;

**THENCE:** South 00 deg. 11 min. 02 sec. East, with said visibility cut-back line, a distance of 14.10 feet to the **PLACE OF BEGINNING** and **CONTAINING** 22,055 square feet or 0.506 acres of land.

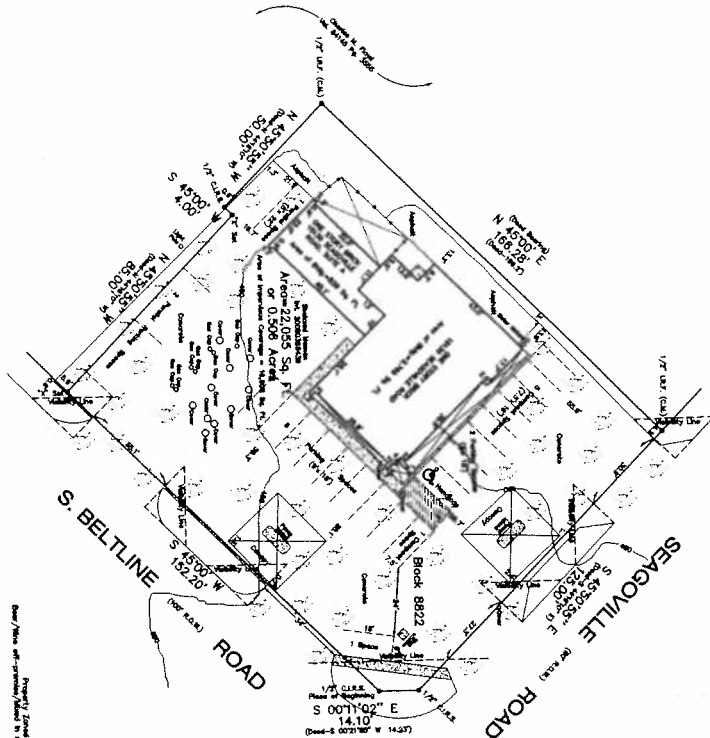


Ben D. Rychlik, R.P.L.S. No. 1630

Z112-108

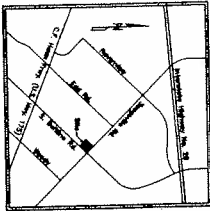
## Site Plan

## SITE PLAN



ZONING CASE NO. 2112-108

Vicinity Map



DALLAS, TEXAS 75203

## SURVEYING ASSOCIATES

1018 SOUTH BECKLEY AVE.

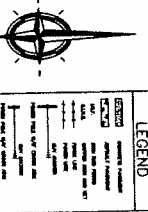
PHONE 974-946-3344  
FAX 974-946-7340  
Email: B@schlumberger.com



PROPOSED	EXISTING
1. Building Footprint	2. Building Footprint
3. Building Footprint	4. Building Footprint
5. Building Footprint	6. Building Footprint

NOTE: Property and adjacent to a 100-year flood plain. The flood plain is shown on the map. The flood plain is shown on the map. The flood plain is shown on the map.

Scale 1" = 20'



**SITE PLAN**  
**SEAGO PANTRY FOOD STORE #2**  
**15130 SEAGOVILLE ROAD**  
**DALLAS, TX. 75253**  
**Block 8823**

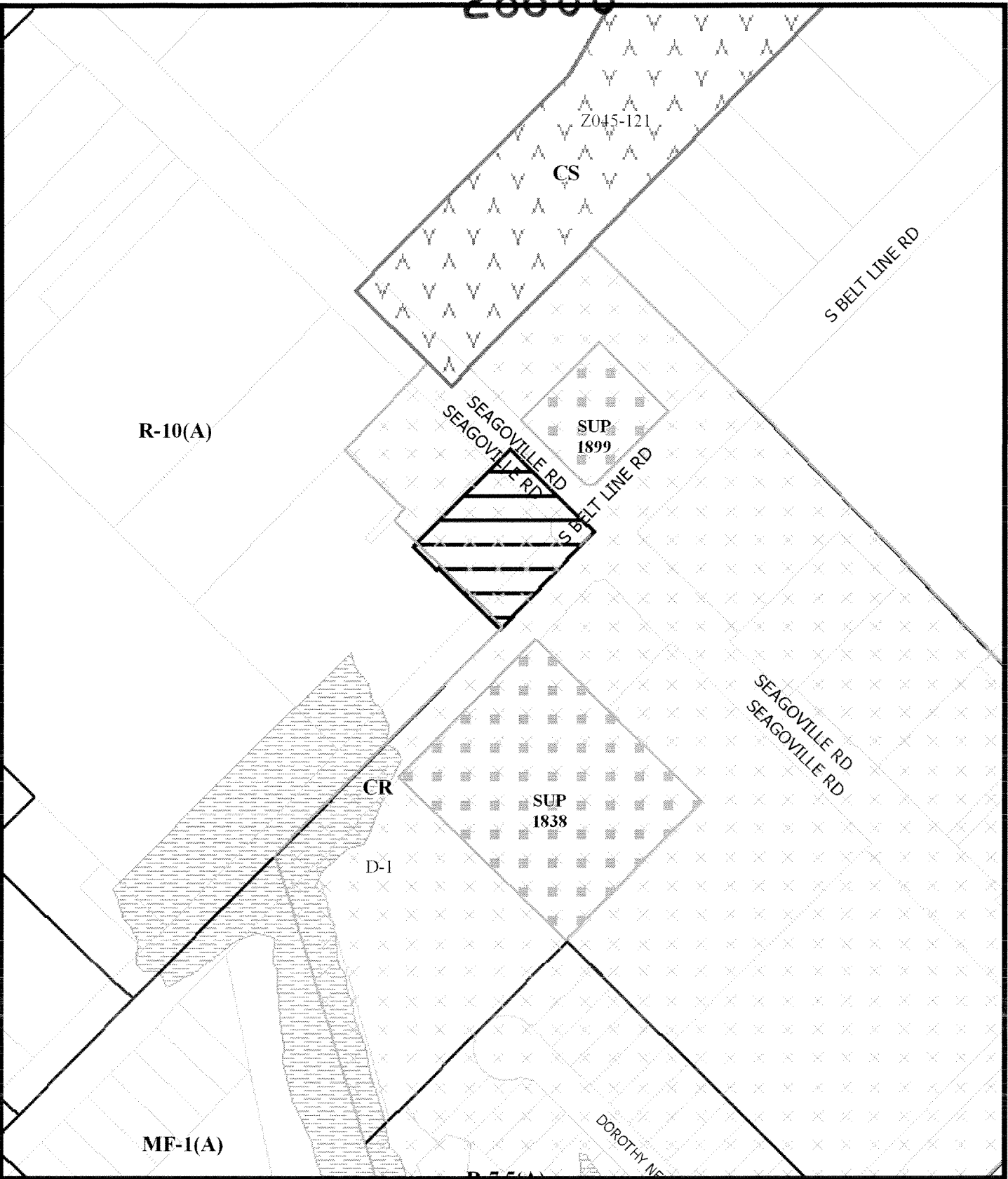
Date Prepared: April 1, 2011  
Revised: January 20, 2012  
Revised: April 3, 2012  
Revised: April 3, 2012

Specific Use Permit  
No. 1970

Approved  
City Plan Commission  
May 17, 2012

28688

121687



1:2,400

## ZONING AND LAND USE

Case no: Z112-108

Date: 11/17/2011

28688



City of Dallas

# Department of Development Services

1500 Marilla Street Room 5B North Dallas, TX 75201 Phone 214.670.4209 Fax 214.670.4210

## Zoning Change Application

October 2002

Applicant		Representative		Owner	
Owner <input checked="" type="checkbox"/> <input type="checkbox"/> Prospective Buyer Tenant <input type="checkbox"/>				Individual <input checked="" type="checkbox"/> <input type="checkbox"/> Corporation Partnership <input type="checkbox"/> <input type="checkbox"/> Trust	
Name:	Revenge Incorporated	Name:	Ramela Craig	Name:	Shahzad Memon
Address:	15130 Seagoville Rd	Address:	1720 Regal Row #218	Address:	4609 Ford Ham Dr
City/ST/Zip:	Dallas TX 75253	City/ST/Zip:	Dallas TX 75235	City/ST/Zip:	Garland TX 75042
Telephone:	972-286-7108	Telephone:	972-215-8851	Telephone:	214 501 3516
Fax:		Fax:	214-631-2759	Fax:	
E-mail:	seagopantry@yahoo.com	E-mail:	ableoftexas@sbcglobal.net	E-mail:	
Signature of Applicant: <i>[Signature]</i>		Signature of Representative: <i>[Signature]</i>		Signature of Owner: <i>[Signature]</i>	

Existing zoning:	CR <del>30</del> D1	Location & cross street:	NW Corner of Seagoville Rd & Beltline Rd	
Mapsc no.	70-3E	Request:	To allow for the current use of General Merchandise located in CR zoning with a D-1 overlay to allow for the sale of Beer & wine.	
Zoning map no.	N.13			
Council district	8			
School district	DISD			
Census tract no.	0171.01	Lot(s)/Block(s):	portion of B 8822	Size of request: 6.506 acre

Areas below to be completed by staff during application intake.

General Zoning Change*	Specific Use Permit*	Planned Development District*	Deed Restrictions*
	New <input checked="" type="checkbox"/> <input type="checkbox"/> Renewal Amendment <input type="checkbox"/> <input type="checkbox"/> Auto Renewal***		Termination <input type="checkbox"/> <input type="checkbox"/> Amendment
Proper signatures <input type="checkbox"/>	Proper signatures*** <input checked="" type="checkbox"/>	Proper signatures <input type="checkbox"/>	Proper signatures <input type="checkbox"/>
Letter(s) of authorization <input type="checkbox"/>	Letter(s) of authorization*** <input checked="" type="checkbox"/>	Letter(s) of authorization <input type="checkbox"/>	Letter(s) of authorization <input type="checkbox"/>
Land use statement <input type="checkbox"/>	Land use statement <input checked="" type="checkbox"/>	Land use statement <input type="checkbox"/>	Land use statement <input type="checkbox"/>
Zoning Location Maps (2) <input type="checkbox"/>	Draft Conditions <input checked="" type="checkbox"/>	Draft Conditions <input type="checkbox"/>	Zoning Location Maps (2) <input type="checkbox"/>
Tax Plat Maps (2) <input type="checkbox"/>	Zoning Location Maps (2)*** <input checked="" type="checkbox"/>	Zoning Location Maps (2) <input type="checkbox"/>	Tax Plat Maps (2) <input type="checkbox"/>
Correct lot & block or Metes & Bounds survey with drawing (2) <input type="checkbox"/>	Tax Plat Maps (2) <input checked="" type="checkbox"/>	Tax Plat Maps (2) <input type="checkbox"/>	Correct lot & block or Metes & Bounds survey with drawing (2) <input type="checkbox"/>
Copy of Deed <input type="checkbox"/>	Correct lot & block or Metes & Bounds survey with drawing (2) <input checked="" type="checkbox"/>	Correct lot & block or Metes & Bounds survey with drawing (2) <input type="checkbox"/>	Copy of Deed <input type="checkbox"/>
Tax and lien statements <input type="checkbox"/>	Copy of Deed <input type="checkbox"/>	Copy of Deed <input type="checkbox"/>	Tax and lien statements <input type="checkbox"/>
Traffic Impact Worksheet <input type="checkbox"/>	Tax and lien statements <input checked="" type="checkbox"/>	Tax and lien statements <input type="checkbox"/>	List of partners/principals/officers** <input type="checkbox"/>
Traffic Impact Study or Waiver** <input type="checkbox"/>	Traffic Impact Worksheet <input type="checkbox"/>	Traffic Impact Worksheet <input type="checkbox"/>	Termination instrument** <input type="checkbox"/>
List of partners/principals/officers** <input type="checkbox"/>	Traffic Impact Study or Waiver** <input type="checkbox"/>	Traffic Impact Study or Waiver** <input type="checkbox"/>	New instrument** <input type="checkbox"/>
	List of partners/principals/officers** <input type="checkbox"/>	List of partners/principals/officers** <input type="checkbox"/>	Copy of executed deed restrictions** <input type="checkbox"/>
	Site Plans (10 folded) <input type="checkbox"/>	Conceptual plans (10 folded) or Development Plans (10 folded) <input type="checkbox"/>	
	Landscape Plans (10 folded)** <input type="checkbox"/>	Landscape Plans (10 folded)** <input type="checkbox"/>	
	Tree Survey (2 folded)** <input type="checkbox"/>	Tree Survey** <input type="checkbox"/>	
	Alcohol Measurement Survey <input type="checkbox"/>	Elevation/perspectives (optional) <input type="checkbox"/>	

\*Additional requirements may be determined as necessary prior to application acceptance. \*\* If required.

2 year waiver: Y <input type="checkbox"/> N <input type="checkbox"/>	Filing fee: \$ 1,170 =	Sign fee: \$ 20	Date filed: 10-14-11
Easement: Y <input type="checkbox"/> N <input type="checkbox"/>	Receipt no. 3538	Receipt no. 3538	Accepted by: O.T.H.
Floodplain: Y <input type="checkbox"/> N <input type="checkbox"/>	Notification area: 200 FT.	No. of signs: 2	Date withdrawn:

Tentative CPC Hearing Date: 12-1-11 Planner: Nimer File No.: 2112-1081 MW

ENRB