

6-13-12

ORDINANCE NO. 28693

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 6/6236 located at the northwest corner of Jim Miller Road and Lake June Road; fronting approximately 125 feet on the west line of Jim Miller Road; fronting approximately 125 feet on the north line of Lake June Road; and containing approximately 0.3587 acres,

to be used under Specific Use Permit No. 1967 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. 1967 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.
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: 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.

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

28693

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## Exhibit A

GIS\_APPROVED

GF No. T-367071-C

**EXHIBIT "A"**  
**(Property Description)**

Being a tract of land situated in the John Beerman Survey, Abstract No. 98 and also being a part of the City Block 6236, City of Dallas, Texas, and being more particularly described as follows:

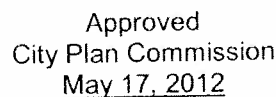
BEGINNING at an "X" found in concrete at the intersection of the North R.O.W. line of Lake June Road (a 100' R.O.W.) with the West R.O.W. line of Jim Miller Road (a 100' R.O.W.);

THENCE North 89° 50' 30" West along said North R.O.W. line of said Lake June Road, a distance of 125.0 feet to an "X" found in concrete for corner;

THENCE North leaving the North R.O.W. line of said Lake June Road, a distance of 125.0 feet to an "X" found in concrete for corner;

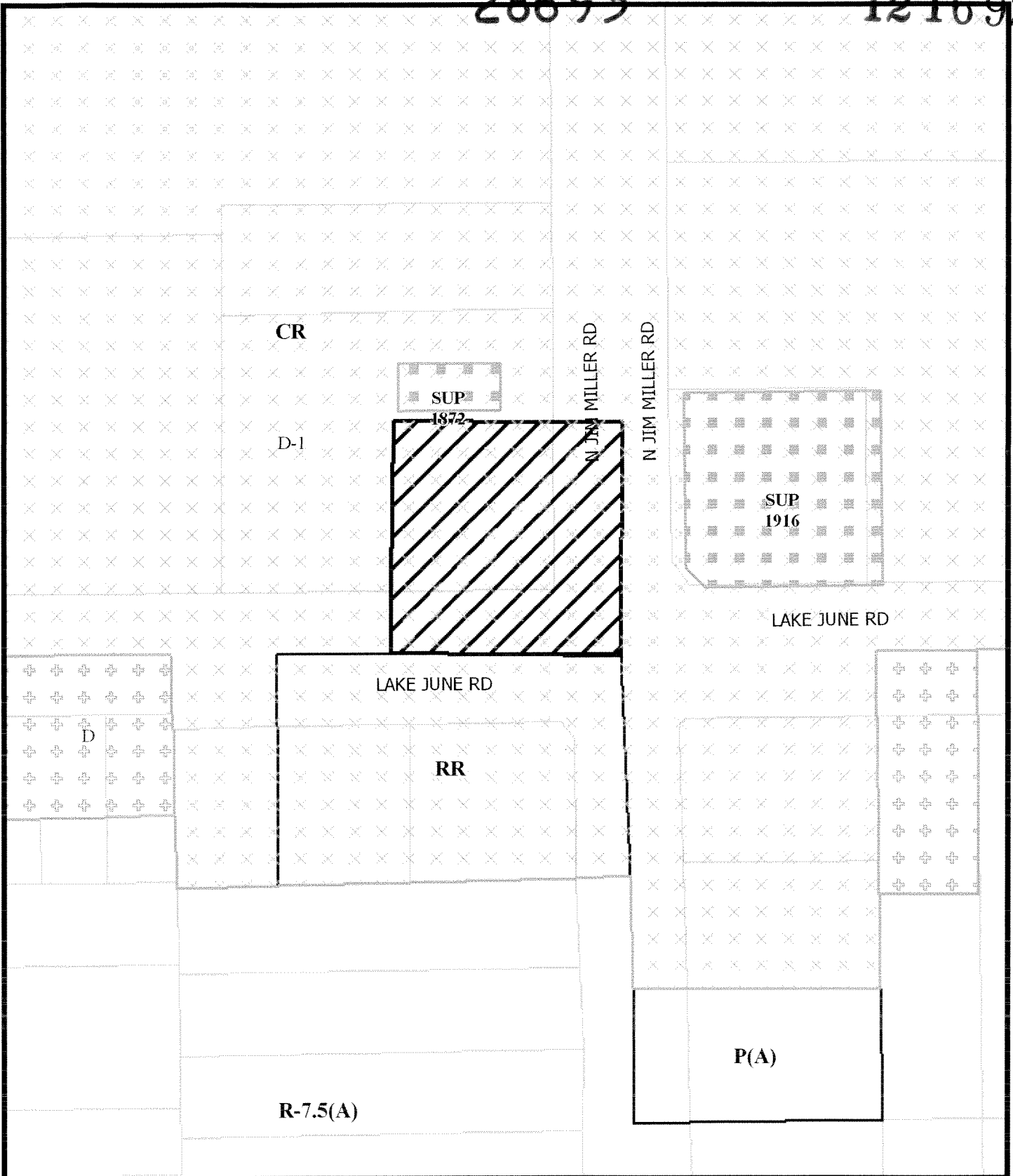
THENCE South 89° 50' 30" East being a line parallel to the North R.O.W. line of said Lake June Road, a distance of 125.0 feet to a 5/8" iron rod found for corner, said point being also the West R.O.W. line of said Jim Miller Road;

THENCE South along the West R.O.W. line of said Jim Miller Road, a distance of 125.0 feet to the POINT OF BEGINNING and CONTAINING 15,624.94 square feet or 0.3587 acres of land.



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121692



1:1,200

# ZONING AND LAND USE

Case no: Z112-111

Date: 11/17/2011