

6-22-12

ORDINANCE NO. 28694

An ordinance changing the zoning classification on the following property:

BEING Lot 1 in City Block A/7873; fronting on the southwest line of C. F. Hawn Freeway, southeast of Big Oaks Drive; and containing approximately 1.77 acres,

from Subdistrict 2 within Planned Development District No. 534 (C. F. Hawn Freeway Special Purpose District No. 2) to Subdistrict 2A within Planned Development District No. 534; amending Article 534, "PD 534," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code to create a new Subdistrict 2A; amending Sections 51P-534.105, 51P-534.106, 51P-534.107, 51P-534.108, 51P-534.109, 51P-534.113, and 51P-534.115 of Article 534 to reflect the new Subdistrict 2A; deleting Section 51P-534.116, "Zoning Map;" providing a new Exhibit 534A (subdistrict boundary descriptions); providing a new Exhibit 534B (subdistrict map); 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 this amendment to the Dallas City Code; and

WHEREAS, the city council finds that it is in the public interest to change the zoning classification and amend Article 534 as specified in this ordinance; Now, Therefore,

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

SECTION 1. That the zoning classification is changed from Subdistrict 2 within Planned Development District No. 534 to Subdistrict 2A within Planned Development District No. 534 on the property described as Subdistrict 2A in Exhibit 534A, which is attached to and made a part of this ordinance.

SECTION 2. That Section 51P-534.105, "Zoning Classification Change and District Identification," of Article 534, "PD 534," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"SEC. 51P-534.105. EXHIBITS. ~~[ZONING CLASSIFICATION CHANGE AND DISTRICT IDENTIFICATION.]~~

The following exhibits are incorporated into this article:

- (1) Exhibit 534A: subdistrict boundary descriptions.
- (2) Exhibit 534B: subdistrict map.

~~[Chapter 51A is amended by changing the zoning classification on the property described in Exhibit A of Ordinance No. 23987 to Planned Development District No. 534, to be known as the C.F. Hawn Special Purpose District No. 2.]~~

SECTION 3. That Section 51P-534.106, "Creation of Separate Subdistricts," of Article 534, "PD 534," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"SEC. 51P-534.106. CREATION OF SEPARATE SUBDISTRICTS.

This district is divided into four ~~[three]~~ subdistricts: Subdistricts 1, 2, 2A, and 3. The boundaries of all subdistricts are verbally described in Exhibit 534A. A map showing the boundaries of the various subdistricts is ~~[labelled]~~ Exhibit 534B. In the event of a conflict, the verbal descriptions in ~~[Exhibit A of Ordinance No. 23987 and]~~ Exhibit 534A control over the graphic description in Exhibit 534B."

SECTION 4. That Subsection (b) “Subdistrict 2 (Commercial and Retail Subdistrict)” of Section 51P-534.107, “Main Uses Permitted,” of Article 534, “PD 534,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“(b) Subdistricts 2 and 2A (Commercial and Retail Subdistrict).

(1) Agricultural uses.

None permitted.

(2) Commercial and business service uses.

- Building repair and maintenance shop. *[SUP]*
- Bus or rail transit vehicle maintenance or storage facility. *[RAR]*
- Catering service.
- Commercial cleaning or laundry plant. *[RAR]*
- Custom business services.
- Custom woodworking, furniture construction, or repair.
- Electronics service center.
- Job or lithographic printing.
- Labor hall. *[SUP]*
- Machine or welding shop. *[SUP]*
- Machinery, heavy equipment, or truck sales and services. *[SUP]*
- Medical or scientific laboratory. *[SUP]*
- Technical school.
- Tool or equipment rental. *[SUP]*
- Vehicle or engine repair or maintenance.

(3) Industrial uses.

- Industrial (inside) light manufacturing.

(4) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center. *[SUP]*
- Hospital. *[SUP]*
- Library, art gallery, or museum.
- Public or private school.

(5) Lodging uses.

- Hotel or motel. [SUP]

(6) Miscellaneous uses.

- Carnival or circus (temporary). *[By special authorization of the building official.]*
- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. [DIR]
- Medical clinic or ambulatory surgical center. [SUP]
- Office.

(8) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

None permitted.

(10) Retail and personal service uses.

- Ambulance service. [RAR]
- Auto service center. [SUP *in Subdistrict 2. By right in Subdistrict 2A.*]
- Business school.
- Commercial amusement (inside). [SUP]
- Commercial amusement (outside). [SUP]
- Commercial parking lot or garage. [RAR]
- Dry cleaning or laundry store.
- Furniture store. [SUP *in Subdistrict 2. By right in Subdistrict 2A.*]
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Home improvement center, lumber, brick, or building materials sales yard. [RAR]
- Motor vehicle fueling station. [SUP]
- Nursery, garden shop, or plant sales.
- Personal service uses.

- Restaurant with drive-in or drive-through service. *[DIR]*
- Restaurant without drive-in or drive-through service. *[RAR]*
- Temporary retail use.
- Theater.
- Vehicle display, sales, and service. *[SUP]*

(11) Transportation uses.

- Commercial bus station and terminal. *[DIR]*
- Heliport. *[SUP]*
- Helistop. *[SUP]*
- Transit passenger shelter.
- Transit passenger station or transfer center. *[SUP or city council resolution. See Section 51A-4.211(10)(E).]*

(12) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. *[SUP]*
- Tower/antenna for cellular communication.
- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

- Manufactured building sales lot. *[SUP]*
- Mini-warehouse. *[SUP]*
- Office showroom/warehouse. *[SUP]*

SECTION 5. That Subsection (c) of Section 51P-534.108, "Accessory Uses," of Article 534, "PD 534," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"(c) The following accessory uses are not permitted in Subdistricts 2 and 2A:

- Accessory community center (private).
- Home occupation.
- Private stable."

SECTION 6. That Subsection (b), “Subdistrict 2,” of Section 51P-534.109, “Yard, Lot, and Space Regulations,” of Article 534, “PD 534,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“(b) Subdistricts 2 and 2A. The yard, lot, and space regulations of the CR Community Retail District, contained in Section 51A-4.122(b)(4), apply in this subdistrict. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)”

SECTION 7. That Subsection (a), “In General,” of Section 51P-534.113, “Signs,” of Article 534, “PD 534,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“(a) In general. Signs within Subdistricts 1, 2, 2A, and 3 must comply with the provisions for business zoning districts contained in Article VII. In addition, all signs within this district must comply with the following regulations.”

SECTION 8. That Section 51P-534.115, “Additional Provisions,” of Article 534, “PD 534,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“SEC. 51P-534.115. ADDITIONAL PROVISIONS.

(a) The [~~entire~~] Property must be properly [~~property~~] maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all [~~applicable~~] federal and state laws and regulations, and with all [~~applicable~~] ordinances, rules, and regulations of the city.

(c) Any outside storage area within this district must be screened from the street right-of-way. See Section 51A-4.602(b).

(d) For an auto service center in Subdistrict 2A, overnight parking of vehicles is prohibited within 200 feet of the northeastern property line.”

SECTION 9. That Section 51P-534.117, “Zoning Map,” of Article 534, “PD 534,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is deleted as follows:

~~“[SEC. 51P-534.117. ZONING MAP.~~

~~PD 534 is located on Zoning Map Nos. M-10, N-10, and N-11.]”~~

SECTION 10. That, pursuant to Section 51A-4.701 of Chapter 51A of the Dallas City Code, as amended, the property descriptions in Section 1 of this ordinance shall be construed as including the area to the centerline of all adjacent streets and alleys.

SECTION 11. That Exhibit 534A (subdistrict boundary descriptions) of Article 534, “PD 534,” of Chapter 51P of the Dallas City Code, is replaced by the Exhibit 534A attached to this ordinance.

SECTION 12. That Exhibit 534B (subdistrict map) of Article 534, “PD 534,” of Chapter 51P of the Dallas City Code, is replaced by the Exhibit 534B attached to this ordinance.

SECTION 13. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 14. That the zoning ordinances of the City of Dallas and Chapter 51P of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 15. 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.

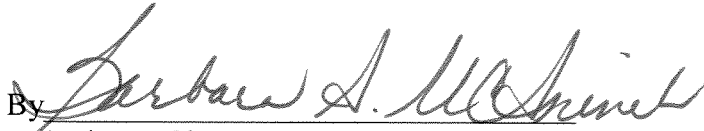
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SECTION 16. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By 
Assistant City Attorney

Passed JUN 27 2012

**EXHIBIT 534A
SUBDISTRICT BOUNDARY DESCRIPTIONS**

SUBDISTRICT 1

BEGINNING at the intersection of the centerline of C. F. Hawn Freeway (U.S. Highway 175) and the westward prolongation of the common line between City Blocks 6361 and 6362;

THENCE in an easterly direction along the westward prolongation of said common block line, and continuing along said common block line to a point for corner on the centerline of Pleasant Drive;

THENCE in a southerly direction along the centerline of Pleasant Drive to a point for corner on a line, said line being 150 feet north of the intersection of the centerline Pleasant Drive and the westward prolongation of the northern right-of-way line of C.F. Hawn Freeway (U.S. Highway 175);

THENCE in an easterly direction along said line (said line being perpendicular to the centerline of Pleasant Drive) to a point for corner on a line, said line being 393 feet east of and parallel to the centerline of Pleasant Drive;

THENCE in a southerly direction approximately 375.00 feet along said line to a point for corner on a line, said line being 536 feet north of and parallel to the common line between Lot 6-A and Lots 1 and 2 in City Block 6357;

THENCE in an easterly direction approximately 1,120 feet along said line to a point for corner on a line, said line being approximately 1,524 feet east of and parallel to the centerline of Pleasant Drive;

THENCE in a northerly direction along said line to a point for corner on the centerline of the T. & N. O. Railroad right-of-way;

THENCE in a southeasterly direction along the centerline of said railroad right-of-way to its intersection with the northeastward prolongation of the common line between City Blocks 7874 and 6357;

THENCE in a southwesterly direction along the northeastward prolongation of the common line between City Blocks 7874 and 6357, and continuing along said common block line and its southward prolongation to its intersection with the centerline of C.F. Hawn Freeway (U.S. Highway 175);

THENCE in a northwesterly direction along the centerline of C.F. Hawn Freeway (U.S. Highway 175) to its intersection with the westward prolongation of the common line between City Blocks 6361 and 6362, the POINT OF BEGINNING.

SUBDISTRICT 2

BEGINNING at the intersection of the centerline of C.F. Hawn Freeway (U.S. Highway 175) and the westward prolongation of the common line between City Blocks 6361 and 6362;

THENCE in a southeasterly direction along the centerline of C.F. Hawn Freeway (U.S. Highway 175) to a point for corner on a line, said line being the southward prolongation of the common line between City Blocks 7874 and 6357;

THENCE in a northerly and northeasterly direction along said line, and continuing along said common block line an its northeastward prolongation to a point for corner on the centerline of the T. & N. O. Railroad right-of-way;

THENCE in a southeasterly direction along the centerline of said railroad right-of-way to its intersection with the centerline of C.F. Hawn Freeway (U.S. Highway 175);

THENCE in a northwesterly direction along the centerline of C.F. Hawn Freeway (U.S. Highway 175) to a point for corner on a line, said line being the northward prolongation of the common line between City Blocks 7842 and 7838;

THENCE in a southerly direction along said line to a point for corner on the common line between City Blocks 7842 and 1/7842;

THENCE in a northwesterly direction along said common block line to a point for corner on the centerline of Cliffview Drive;

THENCE in a northeasterly direction along the centerline of Cliffview Drive to a point for corner on the eastward prolongation of the common line between City Blocks 7842 and 7873;

THENCE in a westerly direction along the eastward prolongation of said common block line, and continuing along said common block line to a point for corner on the common line between Lot 5 of City Block 7873 and City Block A/7873 (Lot 1);

THENCE in a northerly direction along the common lot line between the eastern lot line of Lot 1 in City Block A/7873 with the western lot line of Lot 5 of City Block 7873 and Tracts 1 and 2 of City Block 7873 a distance of approximately 660 feet to the centerline of C.F. Hawn Freeway;

THENCE in a northerly direction along the centerline C.F. Hawn Freeway (U.S. Highway 175) a distance of 185.40 feet to the point of intersection with the northerly projected line of the common line between City Blocks 7873 and A/7873 (Tract/Lot 1);

THENCE in a southerly direction along the northerly projected line of the common lot line between City Blocks 7873 (Tract 1) and A/7873 (Lot 1), a distance of approximately 660 feet to a point for corner on a line, said line being approximately 360 feet south of and parallel to the southwest line of C.F. Hawn Freeway (U.S. Highway 175);

THENCE in a northwesterly direction approximately 435 feet along said line, passing through (Tract/Lot 1) in Block 7873, to a point for corner on the common line between City Blocks 1/7872 and 7873;

THENCE in a northerly direction along said common block line, a distance of approximately 250 feet to a point for corner on the centerline of 15 foot wide public alley;

THENCE in a northwesterly direction along the centerline of said alley and its northwestward prolongation to a point for corner on the centerline of Big Oaks Drive;

THENCE in a northerly direction along the centerline of Big Oaks Drive and its northward prolongation to its intersection with the centerline of C.F. Hawn Freeway (U.S. Highway 175);

THENCE in a northwesterly direction along the centerline of C.F. Hawn Freeway (U.S. Highway 175) to a point for corner, which is the northerly prolongation of the northwestern boundary line of Subdistrict 3;

THENCE South $28^{\circ}35'$ West, approximately 715.00 feet along said boundary line to its intersection with the common line between City Blocks 7871(Tract 1) and 7872;

THENCE in a westerly direction along said common block line to a point for corner on a line, said line being 300 feet east of and parallel to the east line Dowdy Ferry Road;

THENCE in a northerly direction along said line to a point for corner on the common block line between City Blocks 6358 and 7871;

THENCE in a westerly direction along said common block line and its westward prolongation to a point for corner on the centerline of Dowdy Ferry Road;

THENCE in a northerly direction along the centerline of Dowdy Ferry Road to a point for corner on the centerline of Bambi Street;

THENCE in a westerly direction along the centerline of Bambi Street to a point for corner on the southward prolongation of the common line between Lots 24 and 25 in City Block 1/6360;

THENCE in a northerly direction along the southward prolongation of said common lot line, and continuing in a northerly and northwesterly direction along the rear lot line of Lots 25 through 40 in City Block 1/6360 to a point for corner on the common line between Lots 40 and 41 in City Block 1/6360;

THENCE in a northeasterly direction along the northeastward prolongation of the common line between said Lots 40 and 41 to a point for corner on the centerline of C.F. Hawn Freeway (U.S. Highway 175);

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THENCE in a northwesterly direction along the centerline of C.F. Hawn Freeway (U.S. Highway 175) to its intersection with the westward prolongation of the common line between City Blocks 6361 and 6362, the POINT OF BEGINNING.

SUBDISTRICT 2A

BEING all of Lot 1 in City Block A/7873.

SUBDISTRICT 3

BEGINNING at the intersection of the centerline of C.F. Hawn Freeway (U.S. Highway 175) and the northward prolongation of the centerline of Big Oaks Drive;

THENCE in a southerly direction along the northward prolongation of Big Oaks Drive and continuing along the centerline of Big Oaks Drive to its intersection with the eastward prolongation of the centerline of 15 foot wide public alley located north of Ryoak Drive;

THENCE in a westerly direction along the eastward prolongation of the centerline of said alley, and continuing along the centerline of said alley, a total distance of approximately 563.2 feet to a point for corner;

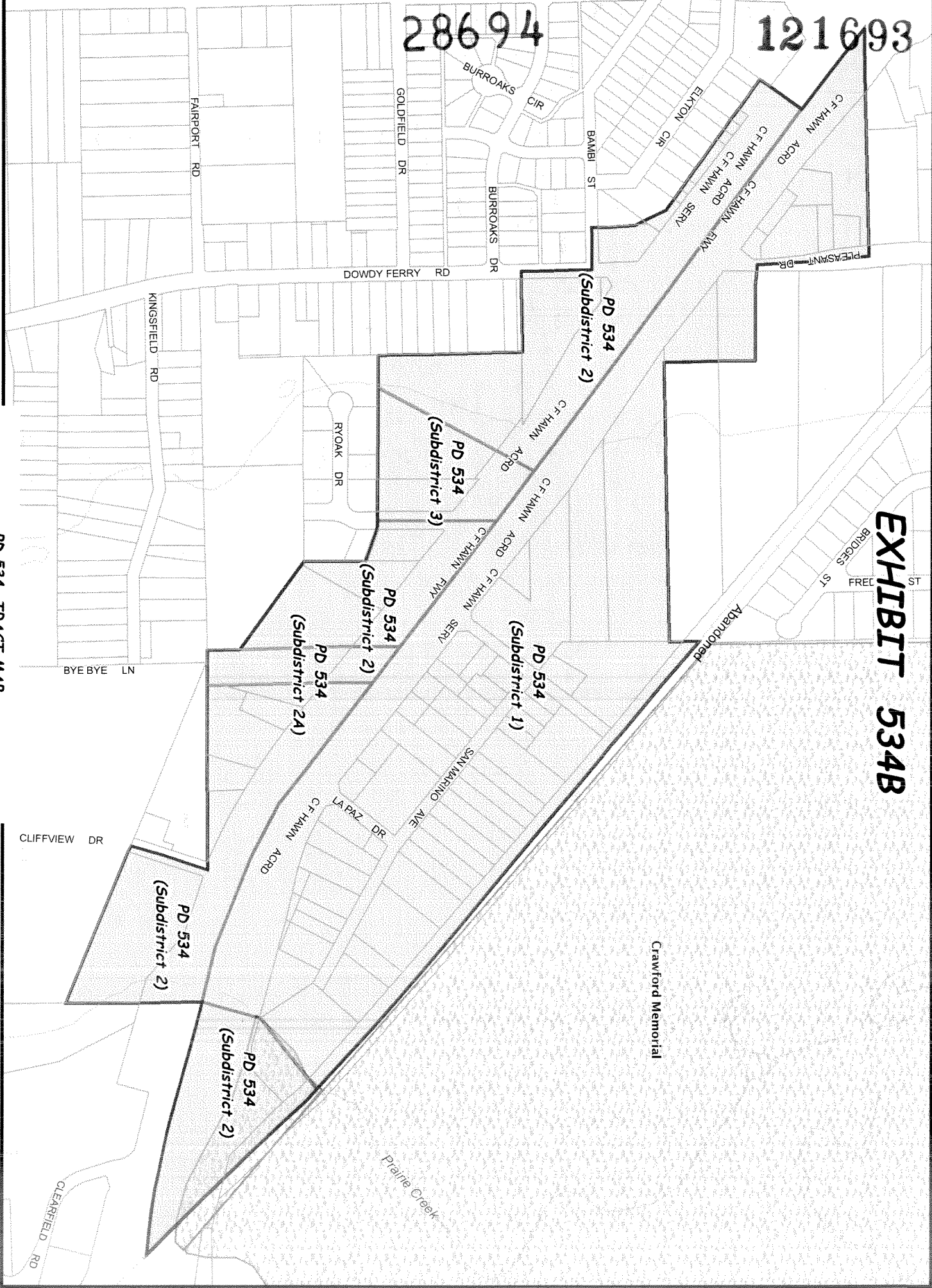
THENCE North 28°35' East, a distance of approximately 744.50 feet to a point for corner on the centerline of C.F. Hawn Freeway (U.S. Highway 175);

THENCE in a southeasterly direction along the centerline of C.F. Hawn Freeway (U.S. Highway 175), a distance of approximately 265 feet to a point on the northward prolongation of the centerline of Big Oaks Drive, the POINT OF BEGINNING.

EXHIBIT 534B

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Crawford Memorial

Prairie Creek

PD 534 TRACT MAP

Contains 4 Subdistricts: 1, 2, 2A, 3

Subdistrict 2 contains 4 non-contiguous parts

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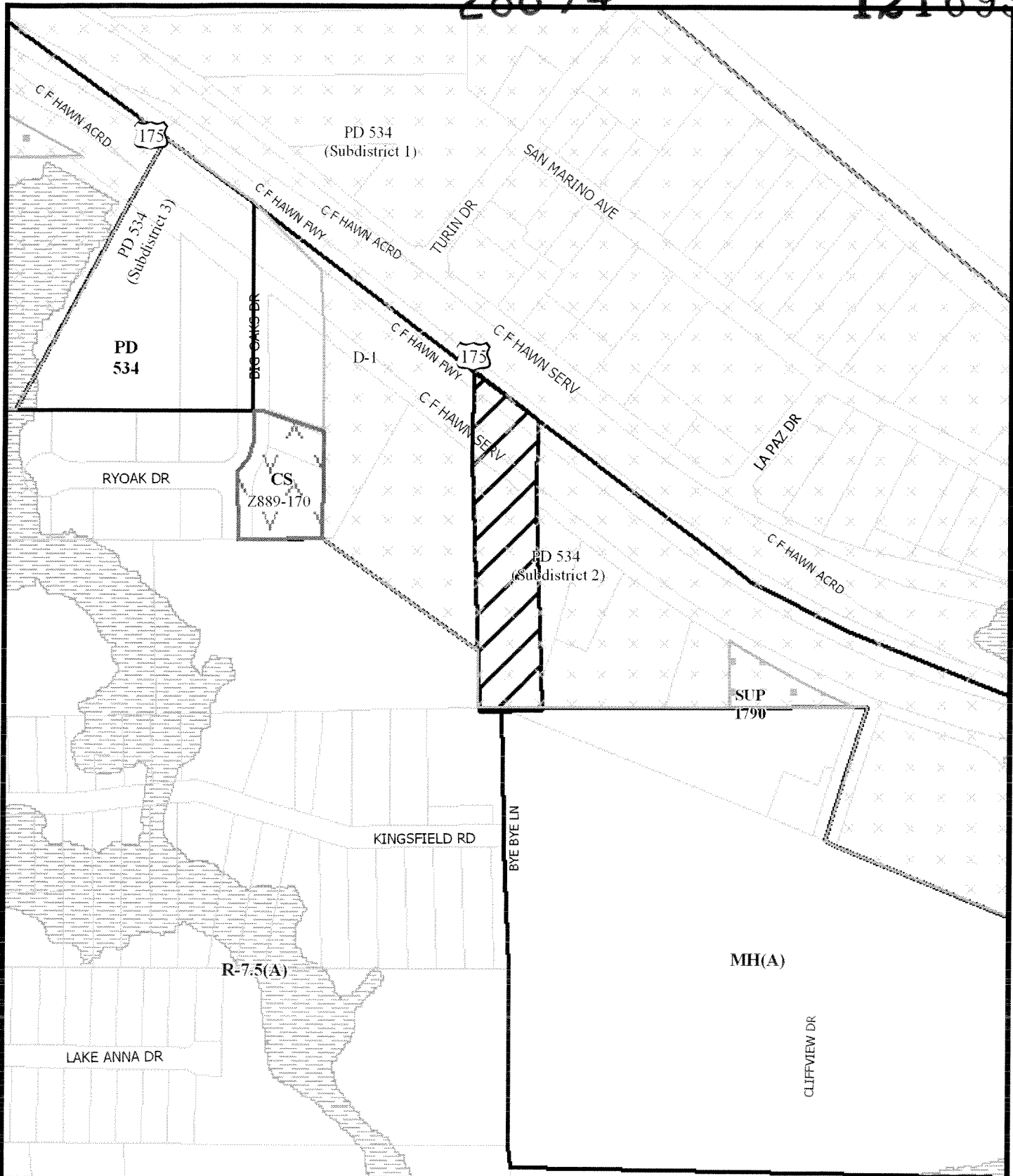
Matched to Parcel11 lines

ORDINANCES: 23987, 25164-COD

Printed Date: 6/19/2012

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1:3,600

ZONING AND LAND USE

Case no: **Z112-114**Date: **4/5/2012**