

6-20-12

ORDINANCE NO. 28696

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as an RR Regional Retail District with a D-1 Liquor Control Overlay:

BEING in interior tract of land in Lot 2 of City Block 1/6265 approximately 256 feet east of the east line of Oklaumon Drive; approximately 143 feet south of the right-of-way line of Great Trinity Forest Way (Loop 12); and containing approximately 3,019.06 square feet of land,

to be used under Specific Use Permit No. 1966 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 an RR Regional Retail District with a D-1 Liquor Control Overlay, to be used under Specific Use Permit No. 1966 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: Off-street 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

JUN 27 2012

Passed _____

GIS Approved

BEING 3019.06 SQUARE FEET OUT OF A 1.142 ACRE TRACT THAT IS PART OF LOT 2, BLOCK 1/6265 OF THE CULLUM-HAWN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT RECORDED IN VOLUME 90027, PAGE 3434 AND SAID 1.142 ACRE TRACT RECORDED IN VOLUME 2004158, PAGE 11687 AND SAID 3019.06 SQUARE FOOT TRACT DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AS A FOUND ½ INCH IRON ROD AT THE INTERSECTION OF THE EAST RIGHT OF WAY OF OKLAUNION STREEET AND THE SOUTH RIGHT OF WAY OF GREAT TRINITY FOREST BOULEVARD;

THENCE ALONG THE SOUTH RIGHT OF THE WAY OF GREAT TRINITY FOREST BOULEVARD ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2930.40 FEET, A TANGENT OF 169.94 FEET, A CENTRAL ANGLE OF 06° 38' 16" AND A CHORD BEARING OF N 86° 35' 11" E, A CHORD DISTANCE OF 339.30 FEET, FOR AN ARC DISTANCE OF 339.49 FEET;

THENCE SOUTH 06 DEGREES 44 MINUTES 03 SECOND EAST, 141.29 FEET;

THENCE NORTH 39 DEGREES 40 MINUTES 16 SECONDS WEST, 23.88 FEET;

THENCE SOUTH 88 DEGREES 25 MINUTES 25 SECOND WEST, 41.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 01 DEGREE 34 MINUTES 35 SECONDS EASTA ALONG A COMMON WALL, 62.30 FEET;

THENCE SOUTH 50 DEGREES 17 MINUTES 00 SECONDS WEST, ALONG A COMMON WALL, 11.00 FEET;

THENCE NORTH 37 DEGREES 20 MINUTES 07 SECONDS WEST, 11.20 FEET;

THENCE SOUTH 88 DEGREES 25 MINUTES 25 SECONDS WEST, 33.80 FEET;

THENCE NORTH 01 DEGREE 34 MINUTES 35 SECONDS WEST, ALONG A COMMON WALL 60.00 FEET;

THENCE NORTH 88 DEGREES 25 MINUTES 25 SECONDS EAST, 49.00 FEET TO THE POINT OF BEGINNING AND COTNAINING 3019.06 SQUARE FEET OR 0.07 ACRES OF LAND.



28696

121695

PD
533

PD 533
(Subdistrict 5)

GREAT TRINITY FOREST WAY
GREAT TRINITY FOREST WAY

RR

D-1

OKLAUNION DR

SUP
1858



R-7.5(A)

KONAWA DR

OLUSTA



1:1,200

ZONING AND LAND USE

Case no: Z112-188

Date: 4/26/2012