

7-20-12

ORDINANCE NO. 28728

An ordinance changing the zoning classification on the following property:

BEING a portion of Lot 8A in City Block 11/971; fronting approximately 176.76 feet on the southwest line of Lemmon Avenue; fronting approximately 215.15 feet on the northwest line of Noble Avenue; and containing approximately 0.8089 acre,

from an LC Light Commercial Subdistrict within Planned Development District No. 193 (the Oak Lawn Special Purpose District) with a D Liquor Control Overlay to an LC Light Commercial Subdistrict within Planned Development District No. 193 with a D-1 Liquor Control Overlay; 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

WHEREAS, the city council finds that it is in the public interest to change the zoning classification; Now, Therefore,

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

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SECTION 1. That the zoning classification is changed from an LC Light Commercial Subdistrict within Planned Development District No. 193 (the Oak Lawn Special Purpose District) with a D Liquor Control Overlay to an LC Light Commercial Subdistrict within Planned Development District No. 193 with a D-1 Liquor Control Overlay on the property described in Exhibit A, which is attached to and made a part of this ordinance (“the Property”).

SECTION 2. That, pursuant to Section 51A-4.701 of Chapter 51A of the Dallas City Code, as amended, the property description in Section 1 of this ordinance shall be construed as including the area to the centerline of all adjacent streets and alleys.

SECTION 3. That the building official shall not issue a building permit or a certificate of occupancy for a use on the Property until there has been full compliance with the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City of Dallas.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 5. That the zoning ordinances of the City of Dallas shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 6. 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 7. 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 Casey Buyer
Assistant City Attorney

Passed AUG 08 2012

GIS_APPROVED

Walgreen Co.

Zoning Change Application for 3418 McKinney Ave., Dallas, Texas 75204

Lot and Block

BLK 11/971 LT 8A (portion thereof)

Metes and Bounds

Beginning at a 1/2 inch capped steel rod found for the most southerly corner of said Lot 8A, said rod being in the northwesterly right-of-way line of Noble Avenue;

Thence North 45 degrees 11 minutes 00 seconds West with the southwesterly boundary line of said Lot 8A (the bearing basis of this tract) a distance of 126.89 feet to the northwesterly limit of the D-Overlay as shown on the City of Dallas Zoning Map (as of September 2011);

Thence North 27 degrees 55 minutes 00 seconds East with said D-Overlay limit a distance of 235.16 feet to the northeasterly boundary line of said Lot 8A, same being in the southwesterly right-of-way line of Lemmon Avenue West;

Thence South 45 degrees 11 minutes 00 seconds East with said northeasterly boundary and said southwesterly right-of-way line a distance of 176.76 feet to a cross in concrete set for the northerly corner of a corner clip at the intersection of said southwesterly right-of-way line and said northwesterly right-of-way line;

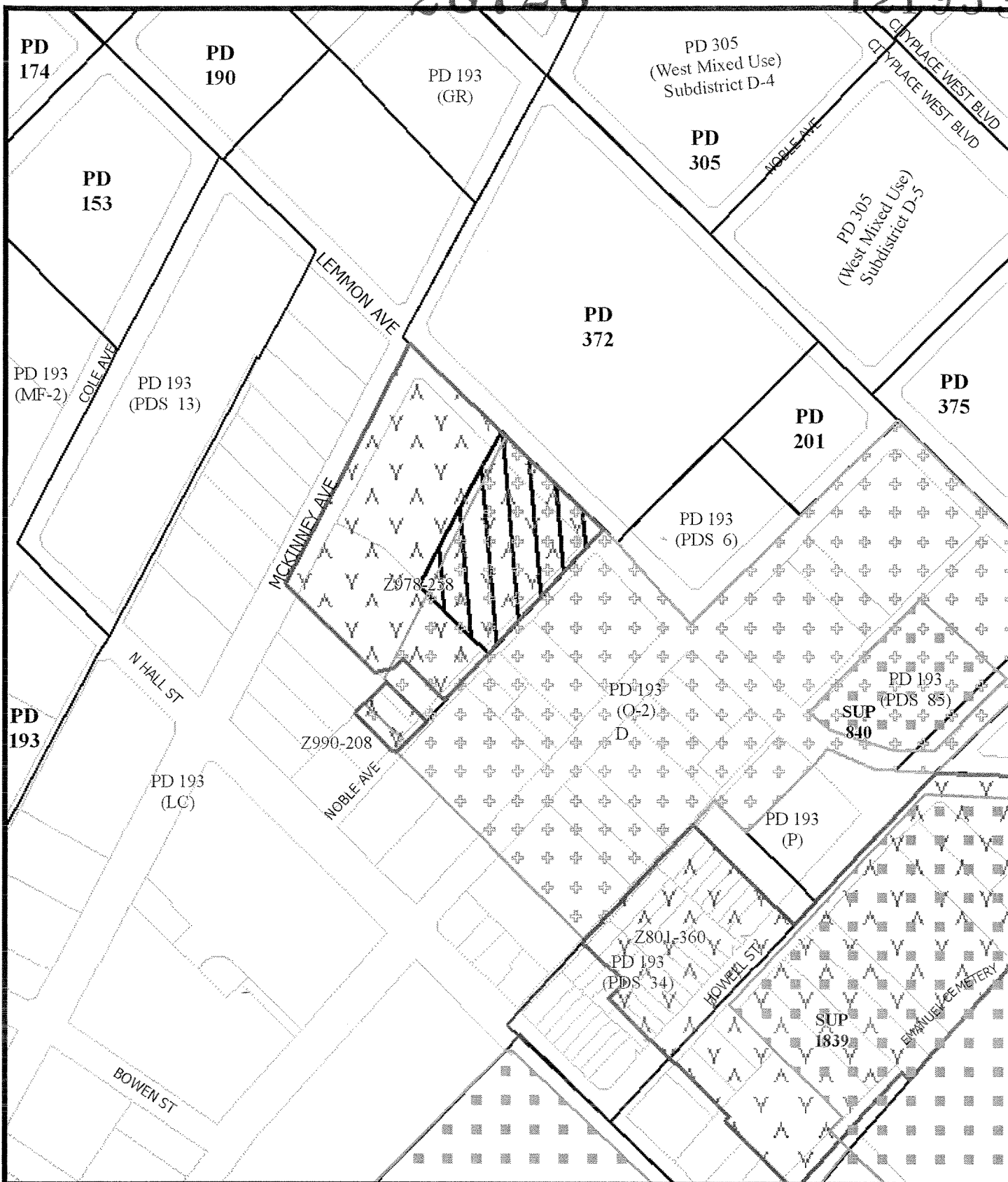
Thence South 01 degrees 15 minutes 34 seconds East with the easterly boundary line of said Lot 8A and with said corner clip a distance of 14.42 feet to a cross in concrete set for the southerly corner of said corner clip;

Thence South 42 degrees 39 minutes 27 seconds West with the southeasterly boundary line of said Lot 8A and with said northwesterly right-of-way line a distance of 215.15 feet to the point of beginning and containing 0.8089 acres of land.

Z112-231

28728

121953



1:2,400

ZONING AND LAND USE

Case no: **Z112-231**

Date: **5/24/2012**