

11-7-12

ORDINANCE NO. 28840

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as Planned Development District No. 366 (the Buckner Boulevard Special Purpose District) with a D-1 Liquor Control Overlay:

BEING Lot 2 and a portion of Lot 1 in City Block C/6193; fronting 155 feet on the east line of Buckner Boulevard; fronting 200 feet on the south line of Jennie Lee Lane; and containing approximately 0.71 acres,

to be used under Specific Use Permit No. 1996 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 Planned Development District No. 366 with a D-1 Liquor Control Overlay, to be used under Specific Use Permit No. 1996 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 November 14, 2017, but is eligible for automatic renewal for additional ten-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. FLOOR AREA: Maximum floor area is 2,805 square feet.
5. SCREENING: A solid screening fence must be provided where a residential adjacency exists.
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.

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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 NOV 14 2012

OWNER'S CERTIFICATE
STATE OF TEXAS
COUNTY OF DALLAS

GIS Approved

122792

WHEREAS U. S. REALTY HOLDINGS, LTD, a Texas limited partnership, is the owner of a 0.712 acre tract in the WILLIAM PRUITT SURVEY, ABSTRACT NO. 1161, being the south 75.0 feet of Lot 1 and all of Lot 2, Block C/6193 of the GERTIE ANDREWS ADDITION, on addition to the City of Dallas, Dallas County, Texas, dedicated to Dallas County and annexed to the City of Dallas, on September 12, 1945, by Ordinance No. 3690, said plat shown according to the plat recorded in Volume 9, Page 355 of the Map Records of Dallas County, Texas, by virtue of a Warranty Deed With Vendor's Lien by virtue of a deed recorded in County Clerk's File No. 200900123159, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for corner at the intersection of the East right of way line of Buckner Boulevard (variable right of way) and the south right of way line of Jennie Lee Lane (60 foot right of way)

THENCE South 89 degrees 24 minutes 00 seconds East, (basis of bearings of Jennie Lee Lane from said GERTIE ANDREWS ADDITION), 200.00 feet to a 1/2 inch iron rod found on the west right of way line of an alley;

THENCE South 00 degrees 00 minutes 00 seconds East, along the west line of said alley, 155.00 feet to the southeast corner of said Lot 2, same being on the north line of a tract conveyed to Ron and Llano Adley by deed recorded in Volume 2005093, Page 6451, Deed Records, Dallas County, Texas;

THENCE North 89 degrees 24 minutes 00 seconds West, along the north line of said Adley tract, 200.00 feet to a 1/2 inch iron rod found on the west right of way line of Buckner Boulevard;

THENCE North 00 degrees 00 minutes 00 seconds West, along the east right of way line of Buckner Boulevard, 155 feet to the point of beginning, and containing 30,999.21 square feet, or 0.712 acres of land, more or less.

Exhibit A

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Approved
City Plan Commission
October 4, 2012

S 89°50'00" E 200.00'

N 00.00.00 E 155.00

Residential
Adjoinder

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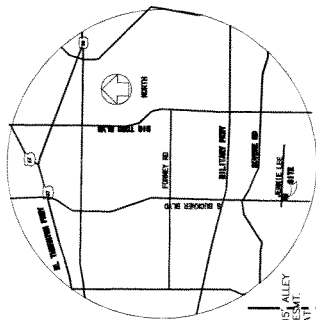
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712-293



PROPOSED
7-11 STORE
LOT 1A BLOCK A/6193
U.S. REALTY HOLDINGS
2478 BUCKNER BLVD.
311T-8207
CITY PLAN FILE #S 112-11

SITE PLAN
Z112-293

VICINITY MAP
N.T.S.

1 SPACE/200 SF =	14 SPACES
1 SPACE/200 S.F. =	2 SPACES
1 SPACE/200 S.F. =	16 SPACES
	32 spaces
SPACES PROVIDED =	34 SPACES

GENERAL MERCHANDISE/FOOD STORE = 2805 S.F. @ 1 SP
MOTOR VEHICLE FUELING STATION =
RETAIL/PERSONAL SERVICES = 3222 S.F. @ 1 SP

BENCHMARK: SQUARE CUT ON CONCRETE CURB, CENTER OF
TRAFFIC; NORTHEAST CORNER OF INTERSECTION OF JENNIE
LEE LN. & LOUITA DR.
(FOUND IN FIELD)
ELEV. 515.73

BENCHMARK: WATER DEPARTMENT BENCHMARK IN CONCRETE
CURB ON CENTER OF STORM SEWER INLET, JENNIE LEE LN.
(ELEV. 515.58)
ELEV. 515.58

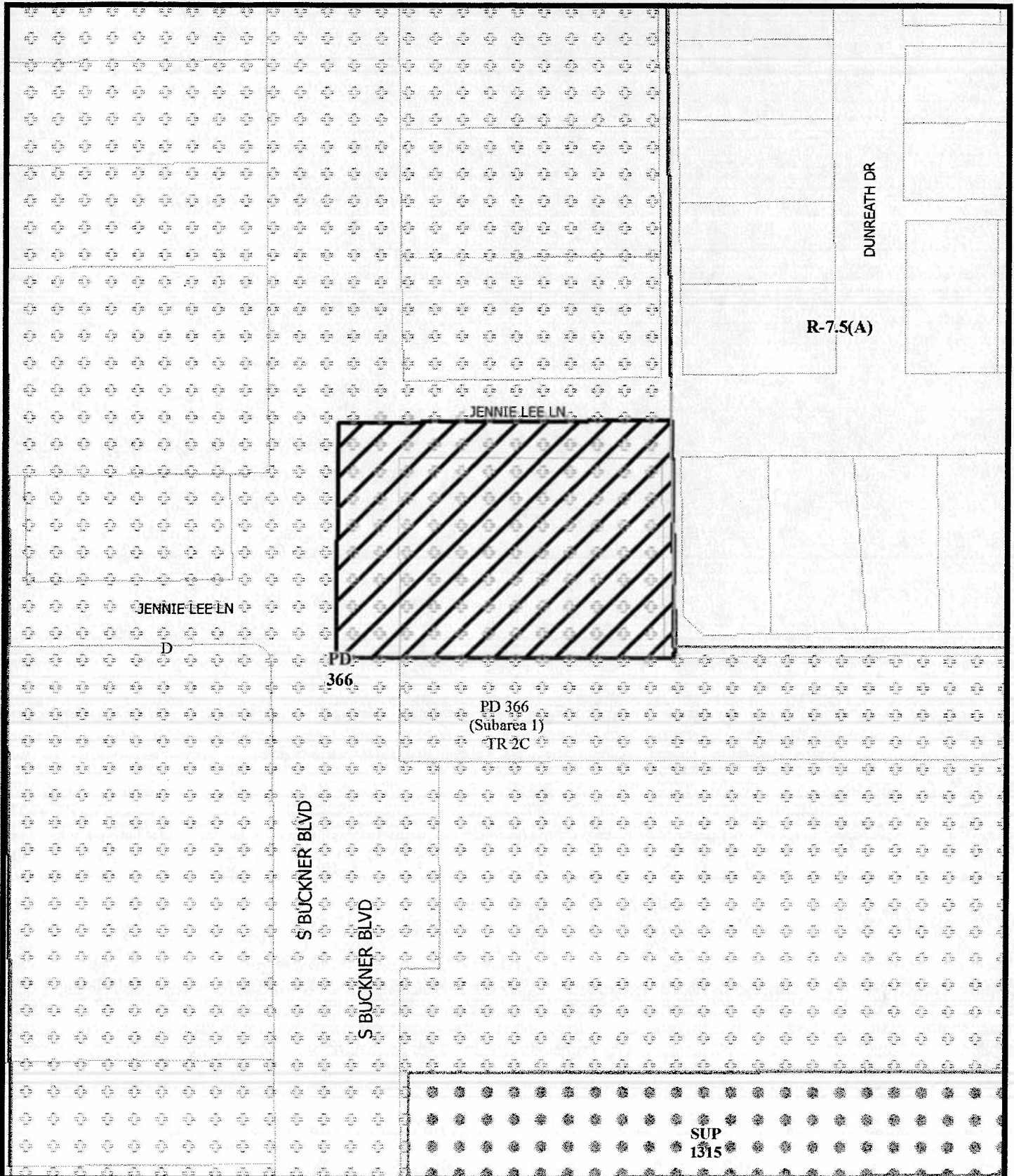
LEGEND
FH EX. FIRE HYDRANT
EX. S.S. M.H.
ON SITE VARIABLE
WIDTH PRIVATE
DRAINAGE EASEMENT.

☐ EX. CORR. INLET
☒ EX. WATER VALVE
☒ EX. LIGHT POLE
EX. 550 EX. MAJOR CONTOUR
EX. 561 EX. MINOR CONTOUR
 EX. FENCE

BENCHMARK: WATER DEPARTMENT BENCHMARK IN CONCRETE CURB ON CENTER OF STORM SEWER INLET, JENNIE LEE LN. ELEV. 513.91
& PLEASANT DR.

28840

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1:1,200

ZONING AND LAND USE

Case no: **Z112-293**

Date: **10/22/2012**