

12-11-12

ORDINANCE NO. 28861

An ordinance changing the zoning classification on the following property:

Tract 1: Being tracts of land generally bounded by Grand Avenue to the north, Interstate 45 and Good Latimer Expressway to the east, Pennsylvania Avenue to the south and Lamar Boulevard to the west, and containing approximately 138.94 acres;

Tract 2: Being tracts of land in City Block A/1765, B/1765, and C/1765, fronting approximately 400 feet on the northeast line of South Central Expressway/S. M. Wright Freeway; fronting 1000 feet on the northwest line of Hatcher Street; fronting approximately 98 feet on the southwest line of Leland Avenue and containing approximately 15.72 acres; and

Tract 3: Being a tract of land within in City Block E/874, fronting approximately 148 feet on the southwest line of Harwood Street; fronting approximately 206 feet on the southeast line of Coombs Street and containing approximately 0.6649 acres,

from a CC Community Commercial Subdistrict, an MF-2(A) Multifamily Subdistrict, and an NC Neighborhood Commercial Subdistrict within Planned Development District No. 595 to an FWMU-3 Form Walkable Mixed Use Subdistrict within Planned Development District No. 595 (the South Dallas/Fair Park Special Purpose District); placing an SH Shopfront Overlay on a portion of the Property; 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:

SECTION 1. That the zoning classification is changed from a CC Community Commercial Subdistrict, an MF-2(A) Multifamily Subdistrict, and an NC Neighborhood Commercial Subdistrict within Planned Development District No. 595 to an FWMU-3 Form Walkable Mixed Use Subdistrict within Planned Development District No. 595 on the property described in Exhibit A, which is attached to and made a part of this ordinance (“the Property”).

SECTION 2. That an SH Shopfront Overlay is placed on that portion of the Property described in Exhibit A, which is attached to and made a part of this ordinance.

SECTION 3. 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 4. 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 5. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

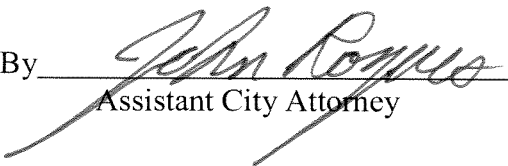
SECTION 6. That the zoning ordinances of the City of Dallas shall remain in full force and effect, save and except as amended by this ordinance.

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

DEC 12 2012

Passed _____

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SHOP FRONT OVERLAY LEGALS (2 AREAS)**AREA 1**

(formerly a portion of CC (Tract 4) (Maps: J-8, K-7, K-8)

BEGINNING at the point of intersection of the centerline of Grand Avenue and the centerline of Parnell Street;

THENCE in a southeasterly direction along the centerline of Parnell Street to the point of intersection with the centerline of South Boulevard to a point for corner;

THENCE in a southwesterly direction along the centerline of South Boulevard to the point of intersection with the northwesterly prolongation line of the center line of a 15 foot alley in City Block 8/1135 to a point for corner;

THENCE in a southeasterly direction along the centerline of said 15 foot alley in City Block 8/1135 to the point of intersection with the centerline of the southwest 15 foot alley in City Block 8/1135 to a point for corner;

THENCE in a northeasterly direction along the centerline of said 15-foot alley in City Block 8/1135 to the point of intersection with the centerline of Parnell Street to a point for corner;

THENCE in a southeasterly direction along the centerline of Parnell Street to the point of intersection with the centerline of Martin Luther King, Jr. Boulevard to a point for corner;

THENCE in a northeasterly direction along the centerline of Martin Luther King, Jr. Boulevard to the point of intersection with the centerline of Gould Street to a point for corner;

THENCE in a northwesterly direction along the centerline of Gould Street to the point of intersection with the northwesterly prolongation line of the common line between Lots 4 and 5 in City Block 2/1137 to a point for corner;

THENCE in a northeasterly direction along said common line between Lots 4 and 5 in City Block 2/1137 to the point of intersection with the centerline of a 10 foot alley between City Blocks 2/1137 and 6/1137 to a point for corner;

THENCE in a northerly direction along centerline of said alley, a distance of approximately 23 feet to a point for corner;

THENCE in a northeasterly direction along a line, a distance of approximately 700 feet, crossing Cleveland Street and Holmes Street and the common line between Lots 4 and

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5 in City Block 6/1140 to the point of intersection with the centerline of a 15 foot alley between City Blocks 6/1140 and C/1130 to a point for corner;

THENCE in a northwesterly direction along centerline of said alley and its northward prolongation, crossing South Boulevard, in all a distance of approximately 440 feet, to a point for corner on a line, said line being the northwesterly prolongation line of the common line between Lots 6 and 7A (as originally platted) in City Block C/1130;

THENCE in a northeasterly direction along said common line between Lots 6 and 7A (as originally platted) in City Block C/1130 to the point of intersection with the centerline of Ervay Street to a point for corner;

THENCE in a southeasterly direction along the centerline of Ervay Street, a distance of approximately 40 feet, to a point for corner on a line, said line being the northwesterly prolongation line of the common line between Lots 6 and 7 in City Block D/1131;

THENCE in a northeasterly direction along said common lot line, to the point of intersection with the centerline of Colonial Avenue to a point for corner;

THENCE in a southeasterly direction along the centerline of Colonial Avenue, to the point of intersection with the centerline of a 20-foot alley between City Block 5/1142 to a point for corner;

THENCE in a northeasterly direction along the centerline of said 20-foot alley, to the point of intersection with the southerly projected common line between Lots 5 and 6 in City Block 5/1142;

THENCE in a northwesterly direction along said common line between Lots 5 and 6 in City Block 5/1142, to the point of intersection with the centerline of South Boulevard to a point for corner;

THENCE in a northeasterly direction along the centerline of South Boulevard, to the point of intersection with the centerline of Julius Schepps Freeway (I-45) to a point for corner;

THENCE in a southwesterly direction along the centerline of Julius Schepps Freeway (I-45), to a point for corner on a line, said line being the northeasterly prolongation line of the centerline of a 15 foot alley in City Block 8/1150;

THENCE in a southwesterly direction along said centerline of the 15-foot alley in City Block 8/1150, to a point for corner on a line, said line being the northwesterly prolongation of the common line between Lots 7 and 8 in City Block 8/1150;

THENCE in a southeasterly direction along said common line, to the point of intersection with the centerline of Peabody Avenue to a point for corner;

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THENCE in a northeasterly direction along the centerline of Peabody Avenue, to the point of intersection with the centerline of Julius Schepps Expressway (I-45) to a point for corner;

THENCE in a southwesterly direction along the centerline of Julius Schepps Expressway (I-45), to the point of intersection with the centerline of Pennsylvania Avenue to a point for corner;

THENCE in a southwesterly direction along the centerline of Pennsylvania Avenue, to a point of intersection with the centerline of Colonial Avenue to a point for corner;

THENCE in a northwesterly direction along the centerline of Colonial Avenue to a point for corner on a line, said line being the northeasterly prolongation line of the common line between lots 20 and 21 in City Block 11/1156

THENCE in a southwesterly direction along said common line, to the point of intersection with the centerline of a 15-foot alley in City Block 11/1156 to a point for corner;

THENCE in a southeasterly direction along said centerline of the 15-foot alley, to the point of intersection with the centerline of Pennsylvania Avenue to a point for corner;

THENCE in a southeasterly direction along the centerline of Pennsylvania Avenue to a point for corner of a line, said line being the southeasterly prolongation line of the common line between lots 10 and 11 in City Block 11/1156

THENCE in a northwesterly direction along said common line, to the point of intersection with the centerline of a 15-foot alley in City Block 11/1156 to a point for corner;

THENCE in a northeasterly direction along said centerline of the 15-foot alley, to the point of intersection with the centerline of a 15-foot alley in City Block 11/1156 to a point for corner;

THENCE in a northwesterly direction along said centerline of the 15-foot alley, to the point of intersection with the centerline of a 15-foot alley between City Block 9/1149 and City Block 11/1156 to a point for corner;

THENCE in a southwesterly direction along the said alley centerline, a distance of approximately 264.33 feet, to the point of intersection with the centerline a 15-foot alley in City Block 9/1149 to a point for corner;

THENCE in a northwesterly direction along said alley centerline, to a point for corner on a line, said line being the northeasterly prolongation line of the common line between Lots 1 and 2 in City Block 9/1149;

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THENCE in a southwesterly direction along the said common line, to the point of intersection with the centerline of Holmes Street to a point for corner;

THENCE in a southeasterly direction along the centerline of Holmes Street to a point for corner on a line, said line being the northeasterly prolongation line of the common line between Lots 3 and 4 in City Block B/1148;

THENCE in a southwesterly direction along said line and continuing along said alley centerlines running through City Blocks B/1148 and B/1147, a distance of approximately 931 feet, to a point for corner on the northwesterly prolongation line of the centerline of Parnell Street with the intersection of Martin Luther King Jr. Boulevard;

THENCE in a southwesterly direction along the centerline of Martin Luther King Jr. Boulevard, to the point of intersection with the centerline of Lamar Street to a point for corner;

THENCE in a northwesterly direction along the centerline of Lamar Street, to the point of intersection with the centerline of Grand Avenue, to a point for corner;

THENCE in a northeasterly direction along the centerline of Grand Avenue, to the point of intersection with the centerline of Parnell Street, the PLACE OF BEGINNING and containing approximately 1,897,670.57 square feet, or 43.56 acres of land more or less.

AREA 2

(formerly a portion of CC (Tract 5) (Map K-8))

Being all of Lots 8 thru 14 in City Block C/1153, an area bounded by the centerlines of a 15 foot alley on the north, Pennsylvania Avenue on the south, Lamar Street on the west and Parnell Street on the east, and containing approximately 82,647.67 square feet, or 1.897 acres of land more or less.



1:5,800

Printed Date: 12/11/2012

WMU-3 District with Shop Front Overlay
Lamar/Grand/I-45/Pennsylvania/Good Latimer-Central

Z101-277(DC)(SH Overlay)(Exhibit A) Page 5 of 5

--- WMU-3



Shop Front Overlay



PD(s) not in District