

3-27-13

ORDINANCE NO. 28958

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as an R-5(A) Single Family District:

BEING a tract of land in City Block 6870; fronting on the south line of Highland Hills Drive between Bonnie View Road and Baraboo Drive; and containing approximately 4.852 acres,

to be used under Specific Use Permit No. 2022 for a library, art gallery, or museum limited to a public library; 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 R-5(A) Single Family District, to be used under Specific Use Permit No. 2022 for a library, art gallery, or museum limited to a public library.

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 a library, art gallery, or museum limited to a public library.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit has no expiration date.
4. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress and egress is permitted.
5. PARKING: 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 City of Dallas.

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.

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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

Passed APR 10 2013

**FIELD NOTES DESCRIBING LAND TO BE ACQUIRED BY THE CITY OF  
DALLAS IN BLOCK 6870 FROM EXCELLENCE 2000, INC.**

All that certain lot, tract or parcel of land lying and being situated in the City and County of Dallas, Texas and being more particularly described as follows:

Being a 211,368 Sq. Ft. tract of land situated in the Levi Dixon Survey, Abstract No. 380, City of Dallas, Dallas County, Texas, and being a portion of Block 6870, official City of Dallas Block Numbers, and being all of a tract of land conveyed to Excellence 2000, Inc., recorded in Volume 2005001, Page 5906, Deed Records, Dallas County, Texas and being more particularly described as follows:

Beginning a 5/8 inch iron rod with a red plastic cap stamped "City of Dallas" (hereinafter referred as "with cap") set for a corner, at a corner clip of Bonnie View Road (R.O.W. varies) with the South line of Highland Hills Drive (50' R.O.W.), from which a found 1/2 inch iron rod bears South 36°34'01" East, a distance of 1.31 feet;

Thence North 59°55'00" East, with the South line of said Highland Hills Drive, a distance of 374.46 feet to a 5/8 inch iron rod with cap set for corner at the beginning of a tangent circular curve to the left, from which a found 1/2 inch iron rod bears North 14°32'08" West, a distance of 0.22 feet;

Thence continuing with said South line of said Highland Hills Drive and said circular curve to the left having a central angle of 37°55'00", a radius of 200.00 feet, a tangent length of 68.70 feet, a chord distance of 129.95 feet, a chord bearing of North 40°57'30" East and an arc length of 132.35 feet to a 1/2 inch iron rod found for the point of tangency, from which a found 1/2 inch iron rod bears North 27°46'01" West, a distance of 0.53 feet;

Thence North 21°57'02" East, continuing with the South line of said Highland Hills Drive, a distance of 35.08 feet to a 3/4 inch iron pipe found for corner and being the intersection of the south line of said Highland Hills Drive with the Southwest line of Baraboo Drive (50' R.O.W), from which a found 1/2 inch iron rod bears North 70°07'18" West, a distance of 0.57 feet;

Thence South 59°27'23" East, continuing with the Southwest line of said Baraboo Drive, a distance 373.22 feet to a 3/4 inch iron pipe found for corner, said 3/4 inch iron pipe found being the Northeast corner of a 19.94 acres of land as described in Warranty Deed for Tabor Holding Company, Inc, and recorded in Volume 99171, Page 1910, of Deed Records of Dallas County, Texas;

Thence South 47°41'44" West, leaving said Southwest line of Baraboo Drive, a distance of 331.60 feet to a 5/8 inch iron pipe found for corner at the common line of said tract of land as described in a Deed for Vera Phillips, and recorded in Volume 1968, Page 360, of Deed Records of Dallas County, Texas;

Exhibit A

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GIS APPROVED

**FIELD NOTES DESCRIBING LAND TO BE ACQUIRED BY THE CITY OF  
DALLAS IN BLOCK 6870 FROM EXCELLENCE 2000, INC.**

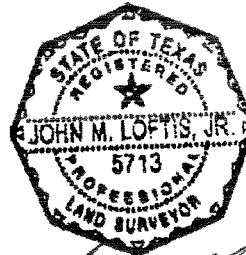
Thence South 59°55'38" West, a distance of 396.58 feet to 5/8 inch iron rod with cap set for corner at the East line of said Bonnie View Road and a tract of land as described in a Deed for the City of Dallas, and recorded in Volume 435, Page 1773, of Deed Records of Dallas County, Texas, from which a found 1 1/4 inch iron post found bears South 28°38'53" East, a distance of 1.49 feet and a found 60D nail bears South 8°53'04" West, a distance of 0.84 feet;

Thence North 28°46'34" West along the east line of said Bonnie View Road, a distance of 326.65 feet to a point for corner at a beginning of a corner clip, from which a found "X" cut on concrete bears South 43°57'40" East, a distance of 1.31 feet, a found 1/2 inch iron rod bears South 46°39'23" East, a distance of 3.73 feet and a found 1/2 inch iron rod bears South 62°18'48" East, a distance of 6.33 feet;

Thence North 15°38'14" East, along said corner clip, a distance of 7.16 feet to the point of beginning.

Said tract containing 4.852 acres (211,368 Sq. Ft.) of land.

Basis of Bearings: The South line of Highland Hills Drive as N 59°55'00" E, as recorded in a Warranty Deed for Greater Rock of Ages Missionary Baptist Church, Vol. 97100, Pg. 5261, DRDCT.



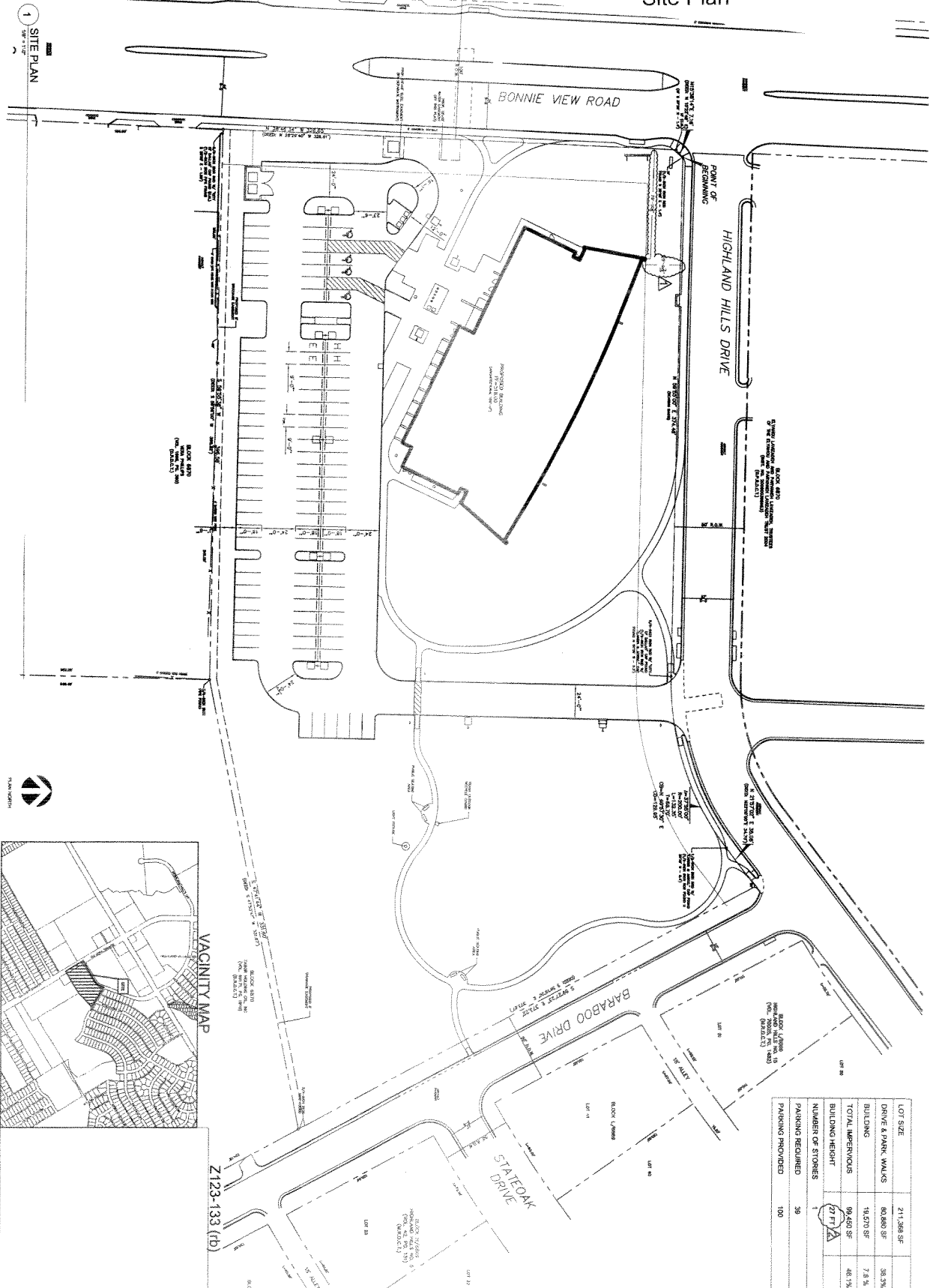
*John M. Loftis, Jr.*  
6-18-08

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# Site Plan



LOT SIZE	211,388 SF
DRIVE & PARK WALKS	80,880 SF
BUILDING	14,570 SF
TOTAL IMPERVIOUS	99,450 SF
BUILDING HEIGHT	27 FT
NUMBER OF STORES	1
PARKING PROVIDED	100

**SUP-01**  
SHEET NO.  
NOVEMBER 07, 2012

**SHEET TITLE:**  
SITE PLAN  
**ZONING CASE No.** Z123-133 (b)  
**SUP - SPECIAL USE PERMIT**

**HIGHLAND HILLS BRANCH LIBRARY**  
DALLAS PUBLIC LIBRARY  
6200 BONNIE VIEW DR  
DALLAS TX 75241

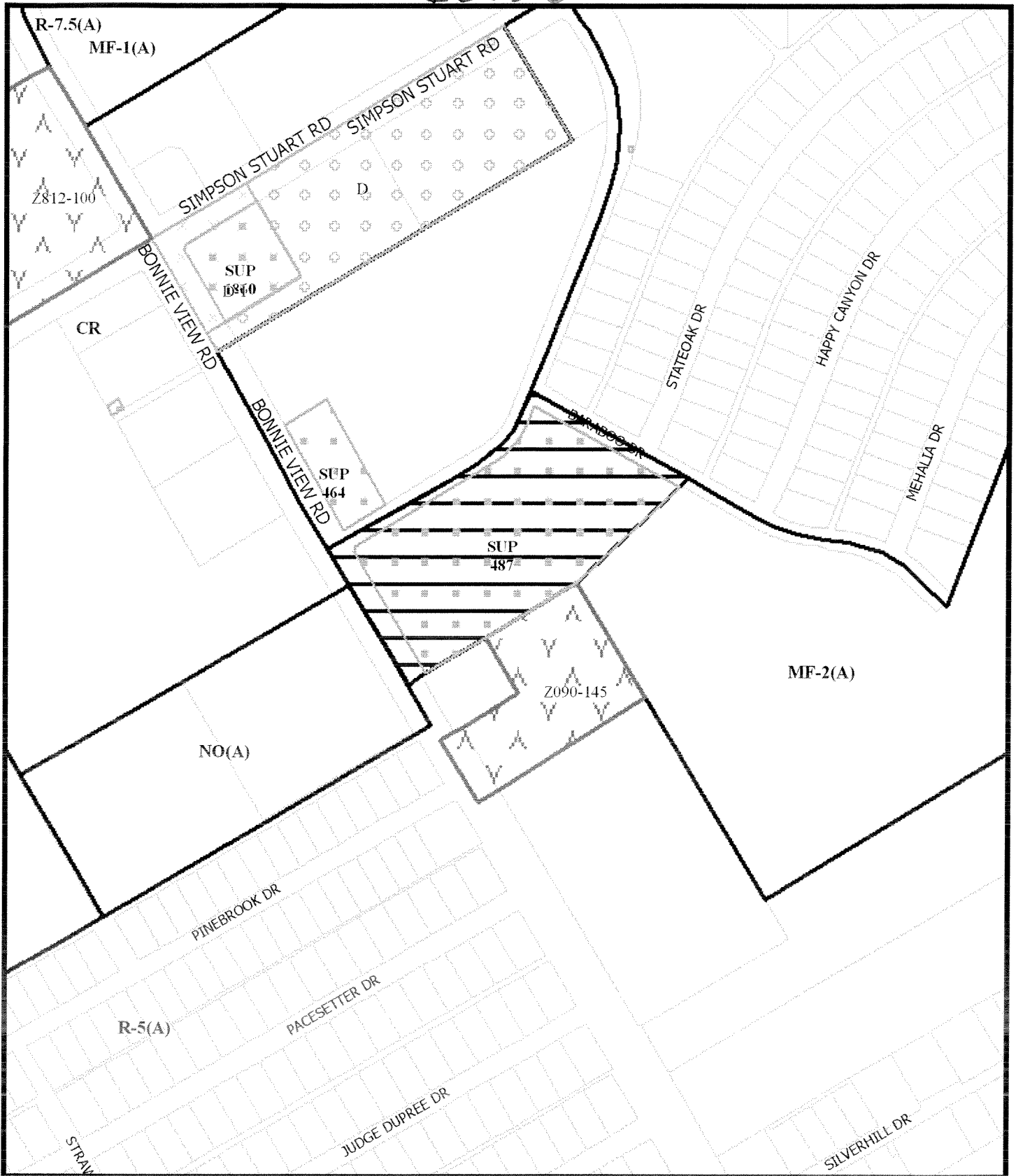
**Pacheco Koch**  
ARCHITECTS  
10000 DALLAS AVENUE, SUITE 1000  
DALLAS, TEXAS 75243  
TEL: 214.635.1000  
WWW.PACHECKOCH.COM

**NOT FOR CONSTRUCTION**

Specific Use Permit  
No. 2022  
Approved  
City Plan Commission  
February 21, 2013

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1:3,600

## ZONING AND LAND USE

Case no: Z123-133

Date: 11/29/2012