

4-1-13

ORDINANCE NO. 28960

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as an NC(E) Neighborhood Commercial (Enhanced) Subdistrict within Planned Development District No. 595 (the South Dallas/Fair Park Special Purpose District):

BEING Lots 3, 4, and 5 in City Block 4/1693 and Lots 4 and 5 in City Block 6/2121 at the south corner of Hatcher Street and Central Expressway; and containing approximately 22,651 square feet of land,

to be used under Specific Use Permit No. 2021 for a motor vehicle fueling station; 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 following property ("the Property"), which is presently zoned as an NC(E) Neighborhood Commercial (Enhanced) Subdistrict within Planned Development District No. 595, to be used under Specific Use Permit No. 2021 for a motor vehicle fueling station:

BEING Lots 3, 4, and 5 in City Block 4/1693 and Lots 4 and 5 in City Block 6/2121 at the south corner of Hatcher Street and Central Expressway; and containing approximately 22,651 square feet of land.

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 motor vehicle fueling station.
2. SITE PLAN: Use and development of the Property must comply with the attached site and landscape plan.
3. TIME LIMIT: This specific use permit expires on April 10, 2016, but is eligible for automatic renewal for additional five-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. LANDSCAPING: Prior to the issuance of a certificate of occupancy, landscaping must be provided as shown on the attached site and landscape plan.
5. INGRESS-EGRESS: Ingress and egress must be provided as shown on the attached site and landscape plan. No other ingress or egress is permitted.

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.

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.

28960

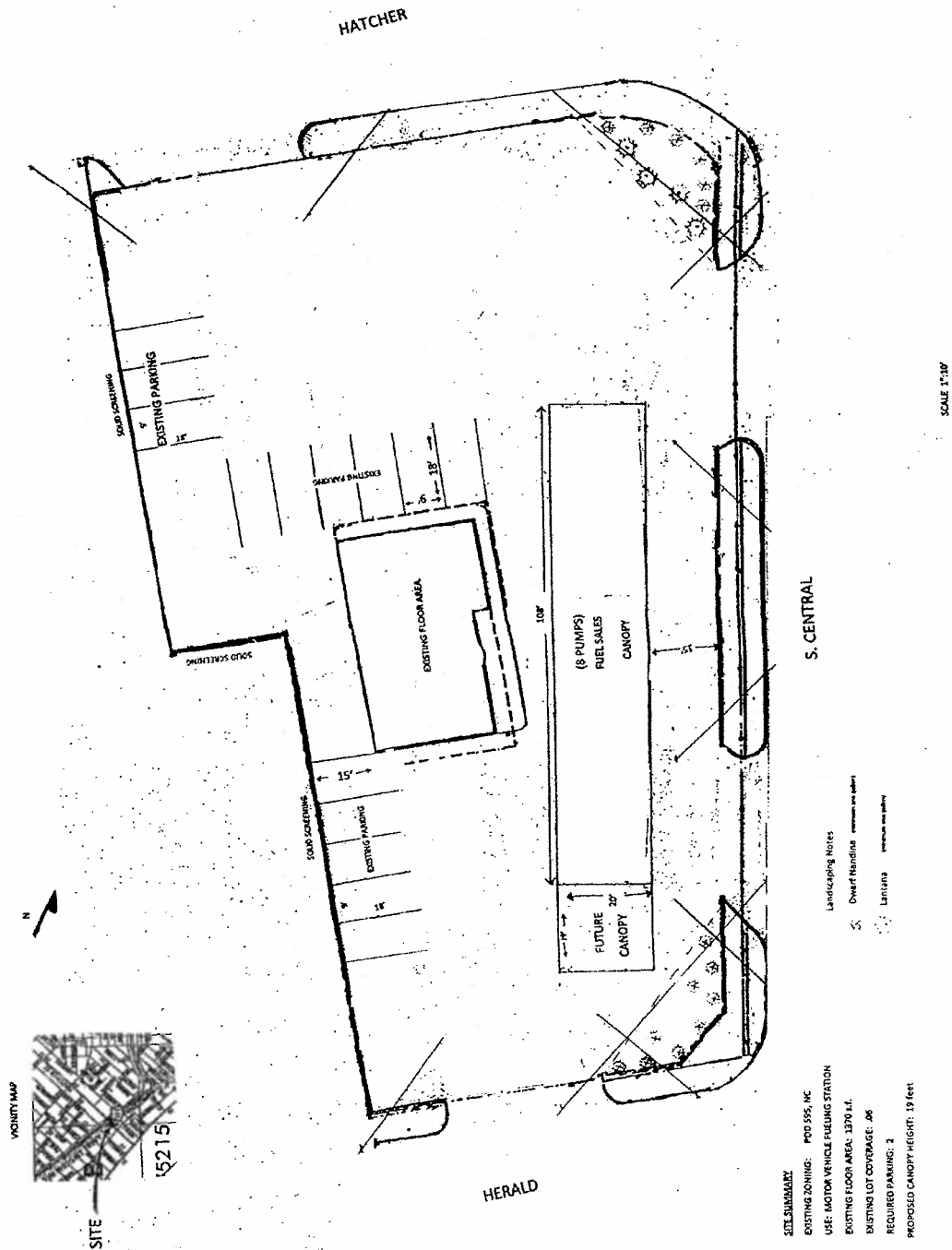
SECTION 8. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

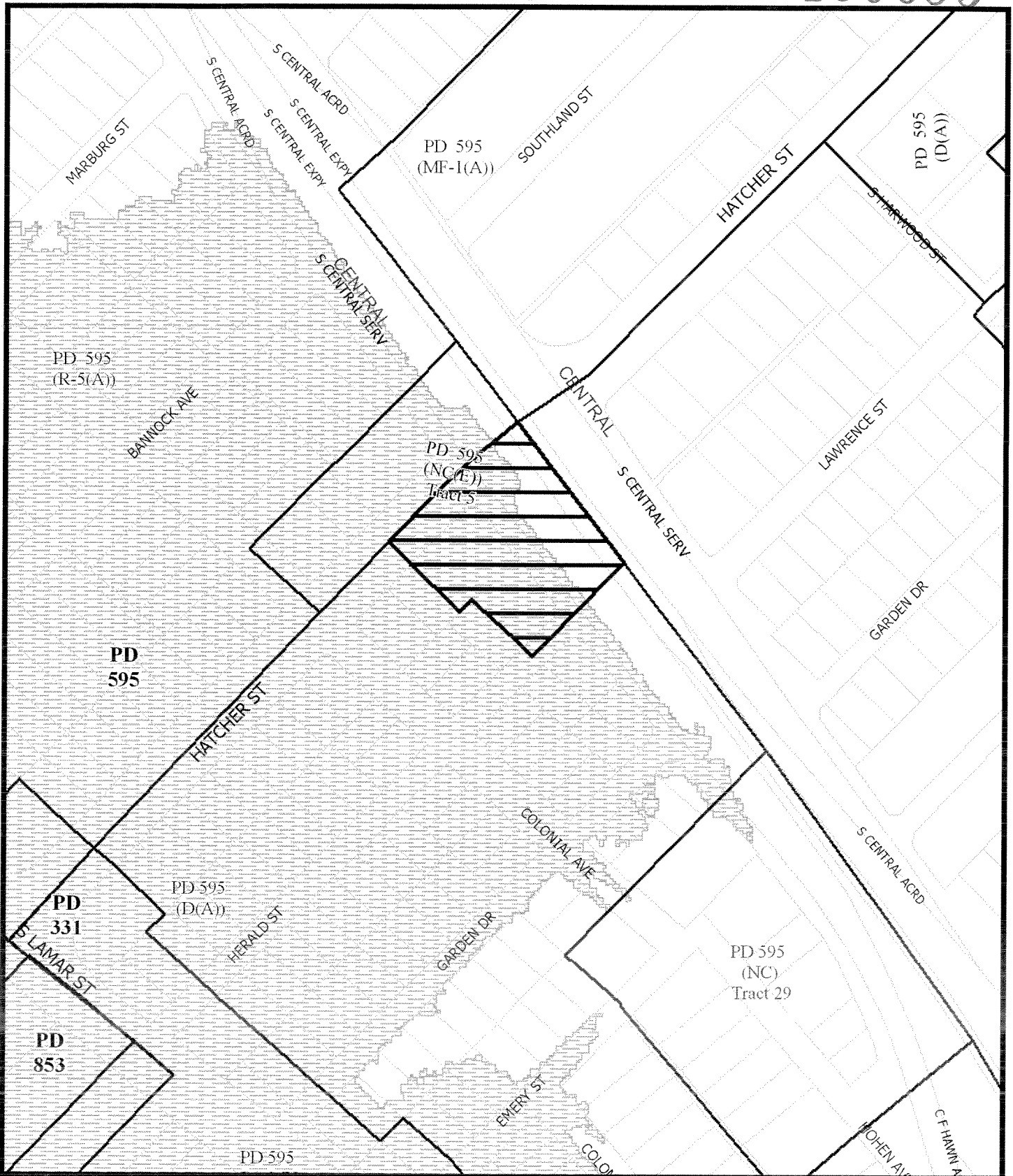
BY 
Assistant City Attorney

Passed APR 10 2013



28960

130655



1:2,400

ZONING AND LAND USE

Case no: **Z123-150**

Date: **12/26/2012**