

ORDINANCE NO. 29848

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as an IM Industrial/Manufacturing District:

BEING a tract of land in City Blocks 1145, 1160, 1169, and 1172; fronting approximately 940.78 feet on the southwest line of Lamar Street; and containing approximately 3.19 acres,

to be used under Specific Use Permit No. 2155 for a recycling buy-back center for the collection of household and industrial metals; 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 IM Industrial/Manufacturing District, to be used under Specific Use Permit No. 2155 for a recycling buy-back center for the collection of household and industrial metals.

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 recycling buy-back center for the collection of household and industrial metals.
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 September 9, 2017.
4. FLOOR AREA: The maximum floor area is 4,270 square feet.
5. GATE: Both double swing gates abutting Lamer Street and shown on the attached site plan must remain open during the hours of operation.
6. HOURS OF OPERATION: The recycling buy-back center for the collection of household and industrial metals may only operate between 7:00 a.m. and 7:00 p.m., Monday through Sunday.
7. INGRESS/ EGRESS: Ingress and egress must be provided in the location on the attached site plan. No other ingress or egress is permitted.
8. LICENSE: The Operator must maintain a secondary metal recycler’s license in accordance with Chapter 40B of the Dallas City Code.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. 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.

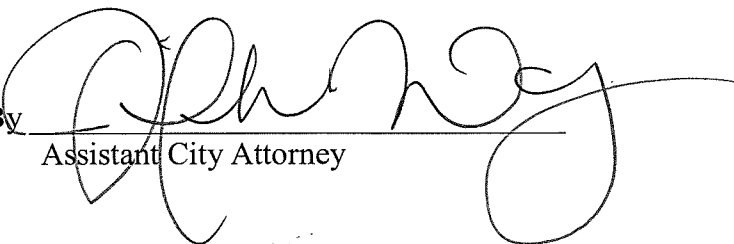
SECTION 6. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

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.

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:

WARREN M.S. ERNST, City Attorney

By   
Assistant City Attorney

SEP 09 2015

Passed \_\_\_\_\_

## EXHIBIT "A"

BEING a tract of land situated in the H.C. Long Survey, abstract No. 762, blocks 1145, 1160, 1169 and 1172, City of Dallas, Dallas County, Texas, being the property conveyed to Recycling Properties, L.P. by special warranty deed, recorded in volume 2004246, page 2222, of the deed record of Dallas County, Texas and being more particularly described as follows:

BEGINNING: at the intersection of the southwest line of south Lamar Street, (80' ROW), with the east line of Martin Luther King Jr. Boulevard, (70' ROW);

THENCE: South 44' 48' 40' east with the said Southwest line of South Lamar Street, a distance of 940.78 feet to the intersection of the said Southwest line of South Lamar Street, with the northwest line of Lenway Street to a point for corner;

THENCE: South 45' 11' 20' west with the said Northwest line of Lenway Street, for a distance of 59.54 feet to the intersection of the said Northwest line of Lenway Street, with the Northeast line of the Union Pacific Railroad right-of-way to a point for corner;

THENCE: North 57' 43' 40' west with the Northeast line of said Union Pacific Railroad right-of-way for a distance of 179.91 feet to an angle point to a point for corner:

THENCE: North 58' 46' 50' west with the said Northeast line of the Union Pacific Railroad right-of-way for a distance of 621.22 feet to the intersection of the said Northeast line of the Union Pacific Railroad right-of-way, with the said east line of Martin Luther King Jr. Boulevard to a point for corner;

THENCE: North 14' 51' 02' east with the said east line of Martin Luther King Jr. Boulevard for a distance of 1.29 feet to the beginning of a curve to the left, having a central angel of 05' 08' 32', a radius of 3090.78 feet, a chord bearing of North 12' 16' 48' east, at a distance of 277.39 feet;

NORTHERLY with said curve to the left, same being with the said east line of Martin Luther King, Jr. Boulevard, for an arc distance of 277.39 feet to a point for corner;

THENCE: North 09' 42' 30' east with the said east line of Martin Luther King Jr. Boulevard, for a distance of 19.41 feet to the point of beginning and containing 138,901 square feet or 3.1887 acres of land, more or less.

NOTE:THE COMPANY DOES NOT REPRESENT THAT THE ACREAGE AND/OR SQUARE FOOTAGE OF CALCULATIONS ARE CORRECT.

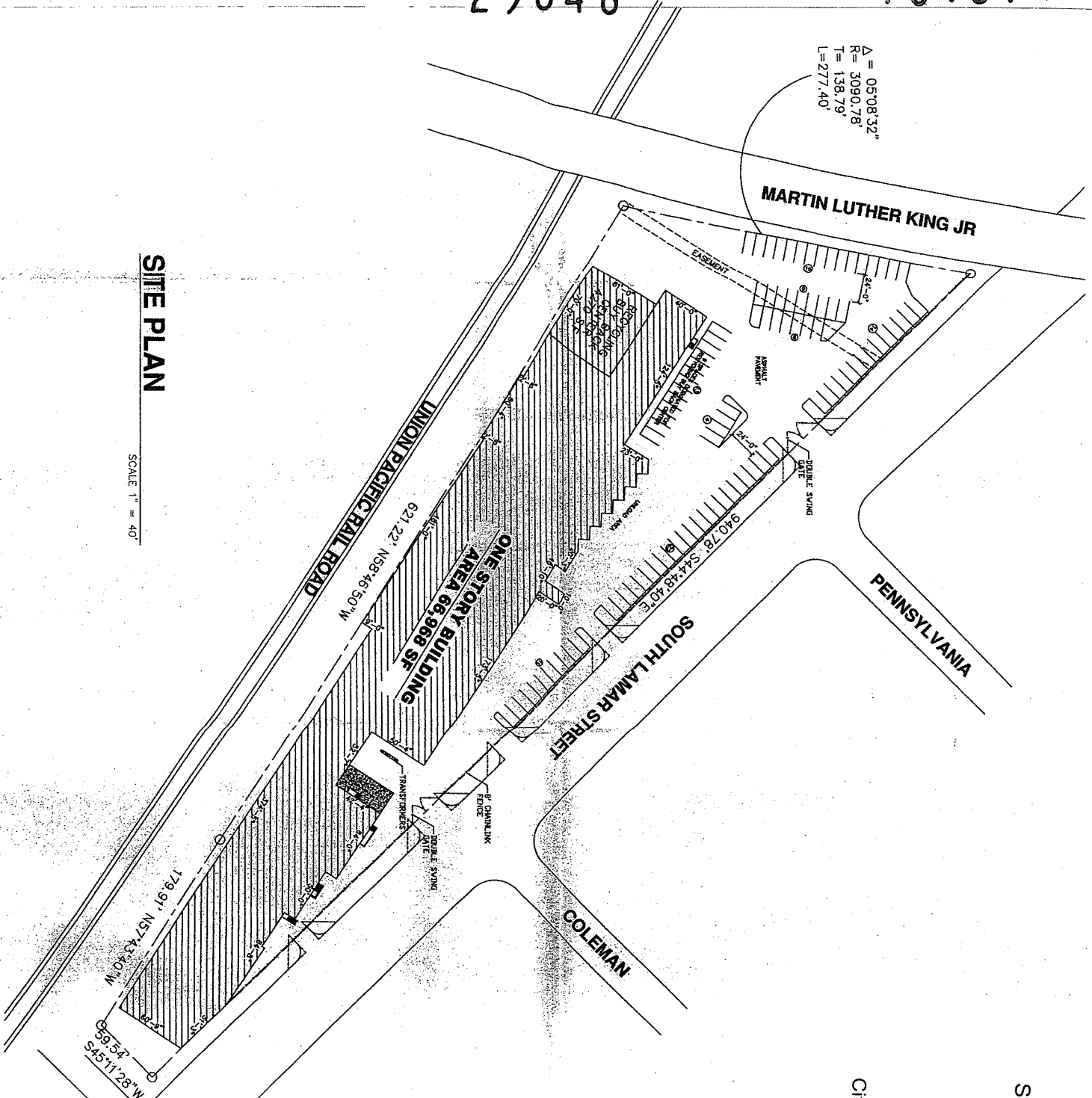
29848

151677

A = 05°08'32"  
R = 3090.78'  
T = 138.79'  
L = 277.40'

**SITE PLAN**

SCALE 1" = 40'

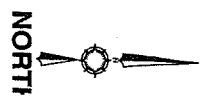


Site Plan  
Specific Use Permit  
No. 2155

Approved  
City Plan Commission  
August 6, 2015

- Legal Desc (Current 2010)
- 1: BLK 1160
  - 2: 657.40227.86573X108
  - 3: S LAMAR & PENNSYLVANIA
  - 4: V02004246/2222 D012212004 CO-00
  - 5: 1180 000 00200 2001160 000

PARKING REQUIRED R.B.C. = 4,270 SF/500 = 9 UNITS



architectural and structural  
permit submittal and represe

**KAPATECCA**  
p.e.r.m.i.t services

1201 E. 19TH STREET #410  
PLANO, TX 75074  
469.464.6605  
972.429.7900 fax kapatecca@live.c

Business Name and Address:  
**3301 S. LAMAR**  
**DALLAS, TEXAS 75215**

Project:  
Owner: GOLD AUTO PARTS RECYCLERS  
Zoning: IM Date: 10/04/2012

**C**

2/45-261

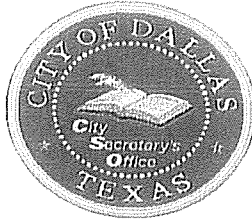


1:3,600

# ZONING MAP

Case no: Z145-261

Date: 7/21/2015



## PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL SEP 09 2015

ORDINANCE NUMBER 29848

DATE PUBLISHED SEP 12 2015

ATTESTED BY: