

8-26-15

29855

ORDINANCE NO. _____

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as an RR Regional Retail District with a D-1 Liquor Control Overlay:

BEING Lot 1 in City Block B/8020; fronting approximately 425.03 feet on the northeast line of Walton Walker Boulevard; fronting approximately 417.9 feet on the west line of Duncanville Road; and containing approximately 2.12 acres,

to be used under Specific Use Permit No. 2102 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet; 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 RR Regional Retail District with a D-1 Liquor Control Overlay, to be used under Specific Use Permit No. 2102 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet:

BEING Lot 1 in City Block B/8020; fronting approximately 425.03 feet on the northeast line of Walton Walker Boulevard; fronting approximately 417.9 feet on the west line of Duncanville Road; and containing approximately 2.12 acres.

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 greater than 3,500 square feet.
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, 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. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

5. 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

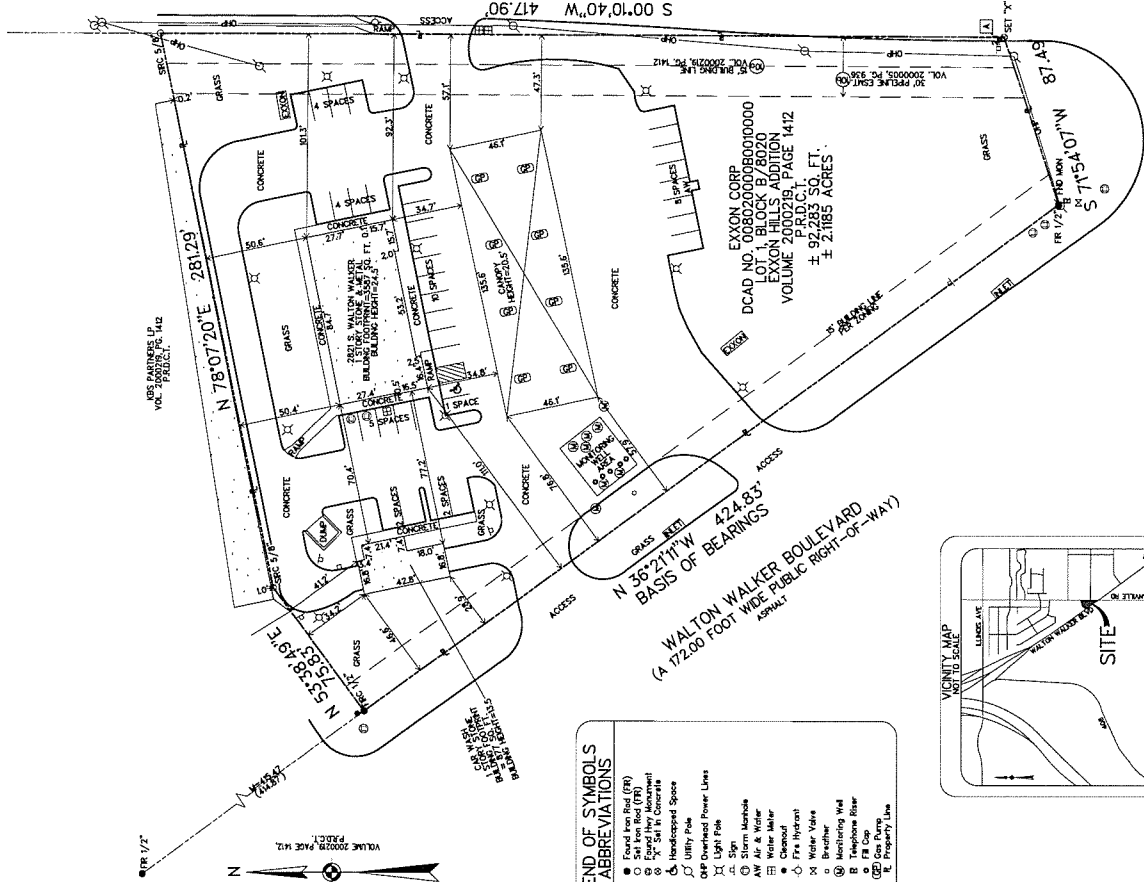
Passed _____

LEGAL DESCRIPTION

Being a Lot 1, Block B/8020 of EXXON HILLS ADDITION, in addition to the City of Dallas, Dallas County, Texas, recorded in Volume 200229, Page 1412, of the Public Records of Dallas County, Texas.

Site Plan Specific Use Permit No. 2102

DUNCANVILLE ROAD (A 100.00 FOOT WIDE PUBLIC RIGHT-OF-WAY)



GENERAL NOTES
1. The bearing lines for this survey originated from the fixed point of Exxon Hills Addition and Block B/8020 as recorded in Volume 200229, Page 1412, of the Public Records of Dallas County, Texas.

SCHEDULE B - TITLE EXCEPTION NOTES
This Surveyor has reviewed the title records with an effective date of July 20th of 2020 and has noted the following exceptions and/or one and no other matters or items that pertain to this survey.

POTENTIAL ENCROACHMENT NOTES
[A] Area of possible Right-of-Way Dedication

ZONING NOTES
Zone: R-1 - Single-Family Residential
This survey was conducted in accordance with the provisions of the Texas Surveying Act, Chapter 81, of the Texas Government Code, and the rules and regulations of the State Board of Professional Engineers and Surveyors.

FLOOD ZONE NOTE
The Flood Hazard Data for this project is based on the Flood Hazard Data for Dallas County, Texas, as published by the Texas Department of Transportation, Texas Department of Transportation, Texas Department of Transportation.

LEGEND OF SYMBOLS & ABBREVIATIONS

- Symbol for Right-of-Way (R/W)
Symbol for Easement (E)
Symbol for Encroachment (EN)
Symbol for Surveyed Point (SP)

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ALTA/ACSM LAND TITLE SURVEY

Exxon Hills Addition, Block B/8020, Lot 1, Block B/8020, Volume 200229, Page 1412, Dallas County, Texas.
Surveyor's Certification

For Inquiries Concerning This Survey Contact MKA

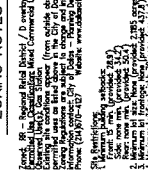
National Coordinators of Land Survey Services
6891 Commerce Court - Warrenville, Virginia 20887
Phone: (703) 461-3880
Fax: (703) 461-3881
www.mkasurveyors.com

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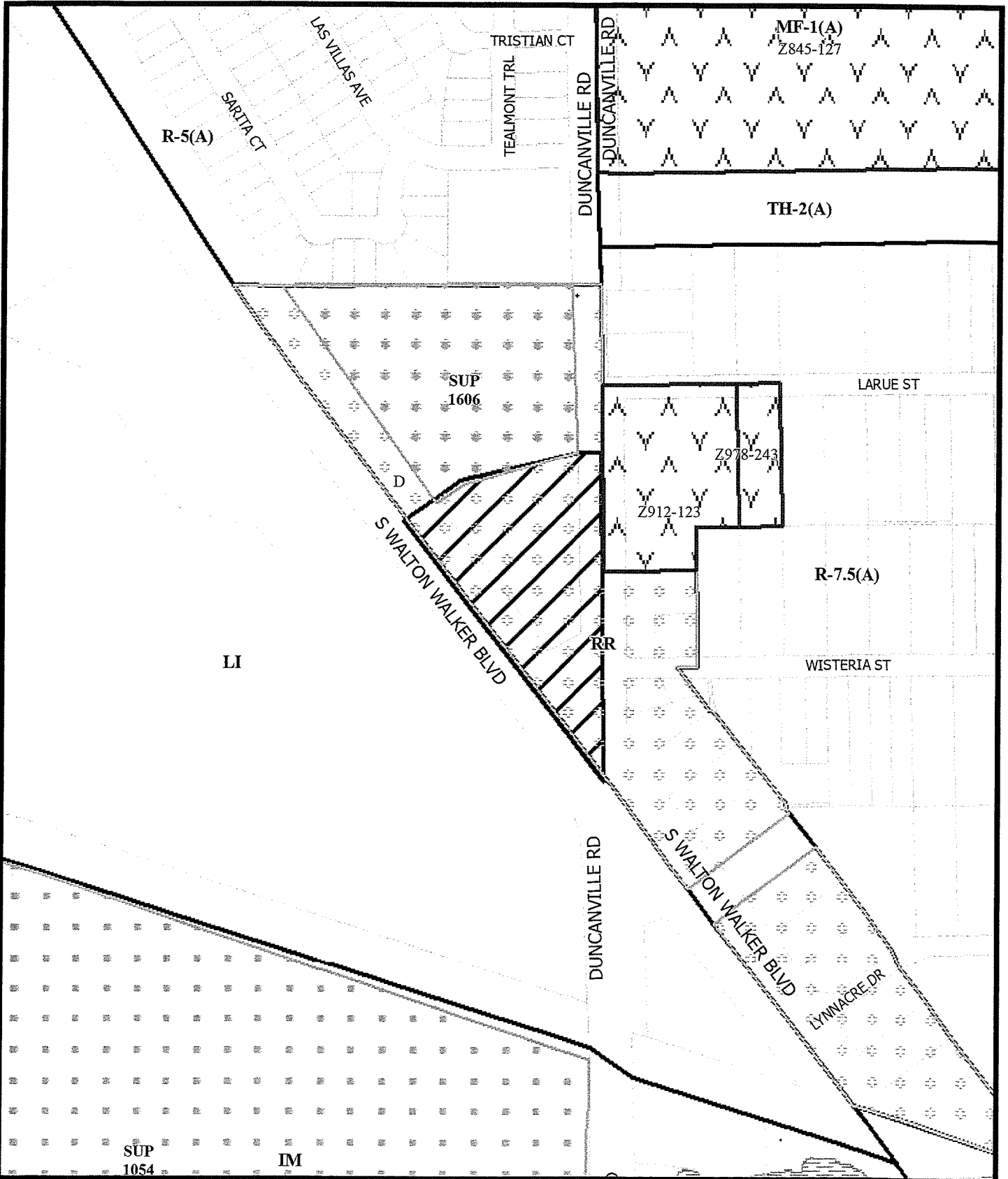
David M. Henderson
Professional Engineer
No. 4489
State of Texas
Date of Last Renewal: 08/12/2015

PROJECT NAME: Exxon Hills Addition
ADDRESS: 2021 Walton Walker Boulevard
CITY: Dallas STATE: Texas

For Inquiries Concerning This Survey Contact MKA
National Coordinators of Land Survey Services
6891 Commerce Court - Warrenville, Virginia 20887
Phone: (703) 461-3880
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MKA
A National Land Services Group

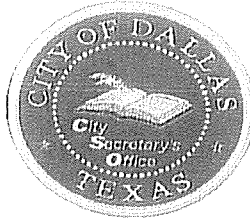
SHEET 1 OF 1



1:3,600

ZONING MAP

Case no: Z145-256
 Date: 6/11/2015



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 29855

DATE PUBLISHED SEP 12 2015

ATTESTED BY: