

ORDINANCE NO. 30032

An ordinance changing the zoning classification on the following property:

BEING a portion of Lots 1 and 2 in City Block 15/8570 located at the northeast corner of Burgess Boulevard and Iberia Avenue (Lagoon Drive); fronting approximately 147.7 feet on the east line of Iberia Avenue (Lagoon Drive); and fronting approximately 153.56 feet on the north line of Burgess Boulevard; and containing approximately 15,673 square feet,

from an IR Industrial/Research District to an MU-1 Mixed Use District; 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 an IR Industrial/Research District to an MU-1 Mixed Use District on the property described in Exhibit A, which is attached to and made a part of this ordinance (“the Property”).

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

SECTION 5. 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 6. 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 7. 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

MAR 23 2016

Passed _____

EXHIBIT A

Metes and Bounds
4802 Iberia Avenue

Being a portion of Lots 1 and 2, Block 15/8570, of Hampton and Industrial Addition, an Addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 8, Page 185, Map Records, Dallas County, Texas, same being that tract of land conveyed to James D. Izzarelli Co., by deed recorded in Volume 89001, Page 5893, Deed Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a ½ inch iron rod found for corner, said corner being the Southwest corner of Walden Addition, an Addition to the City of Dallas, Dallas County, Texas, same being the intersection of the North right-of-way line of Burgess Boulevard (a 50 foot public right-of-way) and the East right-of-way line of Algiers Street (a 50 foot public right-of-way);

THENCE South 70 degrees 21 minutes 07 seconds East, along the North right-of-way line of said Burgess Boulevard, a distance of 311.54 feet to a ½ inch iron rod set for corner with yellow cap stamped "C.B.G. Surveying" at the POINT OF BEGINNING, said corner being the intersection of the North right-of-way line of said Burgess Boulevard and the East right-of-way line Iberia Avenue (a 50 foot public right-of-way), and from which a ½ inch iron rod found bears North 84 degrees 28 minutes 34 seconds East, a distance of 1.08 feet for witness;

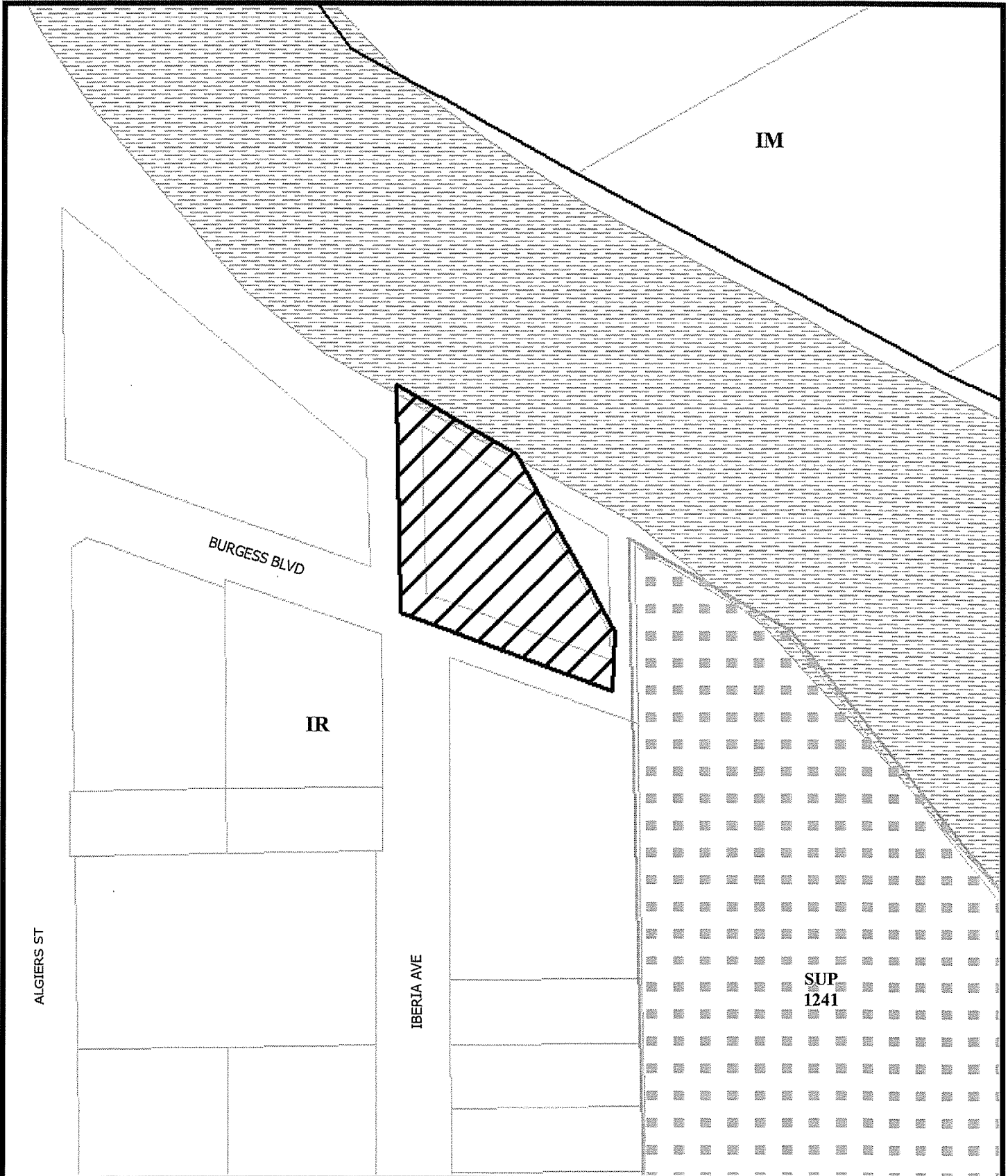
THENCE North, along the East line of said Iberia Avenue, a distance of 147.76 feet to a ½ inch iron rod found for corner;

THENCE South 60 degrees 23 minutes 09 seconds East, a distance of 79.94 feet to a ½ inch iron rod found for corner, said corner being the Northwest corner of that tract of land conveyed to the City of Dallas, by deed recorded in Volume 4763, page 182, Deed Records, Dallas County, Texas;

THENCE South 28 degrees 58 minutes 15 seconds East along the West line of said City of Dallas tract, a distance of 156.10 feet to a 3/8 inch iron rod found for corner, said corner being the South corner of said City of Dallas tract;

THENCE South 01 degrees 11 minutes 57 seconds West, a distance of 23.33 feet to a ½ inch iron rod found for corner, said corner being in the North right-of-way line of said Burgess Boulevard;

THENCE North 70 degrees 21 minutes 07 seconds West, along the North line of said Burgess Boulevard, a distance of 153.56 feet to the POINT OF BEGINNING and containing 15,673 square feet or 0.36 acres of land.



1:1,200

ZONING MAP

Case no: Z156-138

Date: 12/17/2015



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 MAR 23 2016

ORDINANCE NUMBER 30032

DATE PUBLISHED MAR 26 2016

ATTESTED BY: