

2-26-19

31128

ORDINANCE NO. _____

An ordinance changing the zoning classification on the following property:

BEING a tract of land in City Block A/4414; fronting approximately 224 feet along the northwest line of Garland Road southwest of Buckner Boulevard; and containing approximately 1.084 acres, from a CR Community Retail District with a D Liquor Control to a CR Community Retail District with a D-1 Liquor Control; 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 a CR Community Retail District with a D Liquor Control Overlay to a CR Community Retail District with a D-1 Liquor Control Overlay 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.

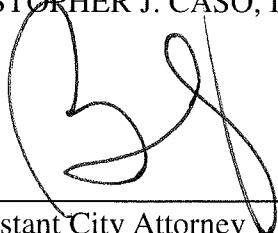
SECTION 5. That the zoning ordinances of the City of Dallas shall remain in full force and effect, save and except as amended by this ordinance.

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:

CHRISTOPHER J. CASO, Interim City Attorney

By  _____
Assistant City Attorney

Passed FEB 27 2019

EXHIBIT A

Dry Overlay_D to D-1 extends to the centerline of Garland Road

WHEREAS, Doctor Brothers, LTD., a Texas limited partnership is the owner of a tract of land situated in the C.A. Lovejoy Survey, Abstract No. 829, Dallas County, Texas in City Block A/4414, Official City Number, and being a portion of that tract of land as described by Special Warranty Deed with Vendor's Lien as recorded in Instrument No. 201800046207, Official Public Records, Dallas County, Texas, and being more particularly described by metes and Bounds as follows:

BEGINNING a 1/2 inch iron found lying on the northwesterly right-of-way Garland Road (100 foot right-of-way) and also being the easterly corner of Gaston Parkway (50 foot right-of-way) and same being the southerly corner of said Doctor Brothers, LTD., tract;

North 45 degrees 58 minutes 07 seconds West, departing said Garland Road and along the Southwesterly line of said Doctor Brothers, LTD., tract, common with the northeasterly right-of-way line of said Gaston Parkway and passing at 50.08 feet the easterly corner of Lot 6, Block A/4414, Isaminger Addition an addition to the City of Dallas, Dallas County, Texas according the map thereof recorded in Volume 28, Page 105, Map Records, Dallas County, Texas and continuing with said Lot 6, Block A/4414 a total distance of 210.08 feet to a point for corner;

THENCE North 44 degrees 04 minutes 27 seconds East, departing said Lot 6, Block A/4414 and traversing said Doctor Brothers, LTD., tract, a distance of 224.97 feet to a "X" cut in concrete found for corner, said corner being the westerly corner of that certain tract of land as described by Deed to the City of Dallas, as recorded in Volume 2651, Page 258, Deed Records, Dallas County, Texas,

THENCE South 45 degrees 54 minutes 22 seconds East, along a northeasterly line of said Doctor Brothers, LTD., tract, common with the southwesterly line of said City of Dallas, tract, passing at 199.46 feet a concrete monument found and being a northwesterly right-of-way line of said Garland Road, and continuing a total distance of 210.00 feet to a mag nail set for corner and lying on a northwesterly right-of-way line of said Garland Road;

THENCE South 44 degrees 03 minutes 17 seconds West, along a southeasterly line of said Doctor Brothers, LTD., tract common with the northwesterly right-of-way line of said Garland Road, a distance of 224.74 feet to the POINT OF BEGINNING and containing 47,228 square feet or 1.084 acres of land.



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 FEB 27 2019

ORDINANCE NUMBER 31128

DATE PUBLISHED MAR 02 2019

ATTESTED BY: