

8-22-19

ORDINANCE NO. 31296

An ordinance amending Ordinance No. 23829, passed by the Dallas City Council on March 24, 1999, as amended by Ordinance No. 25224, passed by the Dallas City Council on April 9, 2003, as amended by Ordinance No. 27510, passed by the Dallas City Council on March 25, 2009, which amended the zoning ordinances of the City of Dallas, and granted Specific Use Permit No. 1382 for a processing use; amending the conditions in Section 2 of that ordinance; providing a revised property description; providing a revised site plan; 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 amendment to Specific Use Permit No. 1382; and

WHEREAS, the city council finds that it is in the public interest to amend Specific Use Permit No. 1382; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the property description in Section 1 of Ordinance No. 23829, as amended, is replaced by the property description attached to this ordinance as Exhibit A.

SECTION 2. That the conditions in Section 2 of Ordinance No. 23829, as amended, are amended to read as follows:

- “1. USE: The only use authorized by this specific use permit is a processing use.
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 August 28, 2024. [~~March 25, 2014, 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:
- A[a]. Except as provided in this section, landscaping must be provided and maintained in accordance with [~~the requirements of the ordinance governing~~] Planned Development District No. 540.
- B[b]. A 5,000 square foot screening area must be provided in the location shown on the attached site plan. Four rows of yaupon hollies must be provided in the screening area at 10-foot intervals and must be at least two caliper inches at the time of planting. The two westernmost rows of yaupon hollies must be provided by April 1, 2009. The remaining rows must be provided by April 1, 2010.
- C[e]. All required plant materials must be located a maximum of 100 feet from an irrigation source with a permanently installed threaded hose connection. Proposed watering methods (irrigation or otherwise) must be:
- i. shown on the attached site plan; and
- ii. capable of maintaining the plant materials in a healthy, growing condition at all times.
- D. Plant materials must be maintained in a healthy, growing condition.
5. PARKING: Parking areas must be constructed before issuance of a certificate of occupancy. Parking must be located as shown on the attached site plan.
6. HOURS OF OPERATION: The processing use may only operate between 7:00 a.m. and 6:00 p.m., Monday through Friday.
7. FLOOR AREA: The maximum floor area is 41,000 square feet, as shown on the attached site plan.

8. OUTSIDE STORAGE:

A[a]. The maximum stacking height of outside storage is 15 [~~eight~~] feet in the locations shown on the attached site plan.

B[b]. Outside storage may not encroach into the 50-foot landscape buffer or within any designated floodplain areas shown on the attached site plan. Permanent stakes must be provided to delineate the approved processing and storage areas from the required setback and open space floodplain areas.

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 the site plan attached to Ordinance No. 23829, as amended, is replaced by the site plan attached to this ordinance.

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, as amended, 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

**AUG 28 2019**

Passed \_\_\_\_\_

## EXHIBIT A

BEING a tract of land situated in the JB Richards Survey, Abstract No. 1192, City of Dallas, Dallas County, Texas, and being a part of City Block 8002, and being a part of several tracts of land described in deed from Gifford-Hill & Co., Inc. to Gifco Properties, Inc. as recorded in Volume 71002, Page 1746, Deed Records, Dallas County, Texas, and being all of a called 8.9 acre tract of land described in deed from Gifco Properties, Inc. to Gifford-Hill & Co., Inc. as recorded in Volume 73142, Page 1859, Deed Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a ½ inch diameter iron rod set in the southeast line of River Oaks Road, said iron rod also being North 61 degrees 47 minutes 35 seconds East, 215.00 feet from the northeast line of the Texas & New Orleans Railroad (100 foot right-of-way);

THENCE South 89 degrees 28 minutes 49 seconds East, 184.33 feet to a ½ inch diameter iron rod set;

THENCE South 35 degrees 59 minutes 35 seconds East, 1015.00 feet, along a fence line to a fence corner;

THENCE North 54 degrees 23 minutes 53 seconds East, 375.49 feet, along a fence line, to a fence corner;

THENCE South 80 degrees 20 minutes 07 seconds East, 362.11 feet to a ½ inch diameter rod set;

THENCE South 56 degrees 58 minutes 49 seconds East, 1113.30 feet to a fence corner found at the most easterly north corner of J.J. Lemmon Subdivision, an unrecorded addition to the City of Dallas, Texas;

THENCE with the northwest, northeast, and southwest line of said addition and along a fence line the following:

South 60 degrees 25 minutes 07 seconds West, 229.40 to a fence corner;

North 30 degrees 47 minutes 50 seconds West, 140.37 to a fence corner;

South 59 degrees 58 minutes 15 seconds West, 299.41 to a fence corner;

South 30 degrees 25 minutes 15 seconds East, 279.02 to a fence corner in the northwest line of Floral Farms Addition, an unrecorded Addition to the City of Dallas, Texas;

THENCE South 60 degrees 32 minutes 55 seconds West, 1139.50 feet with the said northwest line of Addition, to a ½ inch diameter iron rod set at the east corner of a tract of land described in

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GIS\_Approved

deed to the H. & T.C. Railroad as recorded in Volume 1241, Page 572, Deed Records, Dallas County, Texas;

THENCE North 29 degrees 52 minutes 21 seconds West, 1015.56 feet with the northeast line of said Railroad tract, to a ½ inch diameter iron rod set in the northeast line of the Texas & New Orleans Railroad (a 100 foot right-of-way);

THENCE North 26 degrees 00 minutes 00 seconds West, 918.50 feet with the said northeast line of railroad and along a fence line to a fence corner found at the south corner of a tract of land described in a deed to E.V. Mitchell, as recorded in Volume 2885, Page 252, Deed Records, Dallas County, Texas;

THENCE North 62 degrees 01 minutes 59 seconds East, 187.20 feet with the southeast line of said Mitchell tract and along a fence line to a fence corner;

THENCE North 28 degrees 33 minutes 42 seconds West, 491.93 feet with the northeast line of said Mitchell tract and along a fence line part of the way, to a ½ inch diameter iron rod set in the southeast line of River Oaks Road;

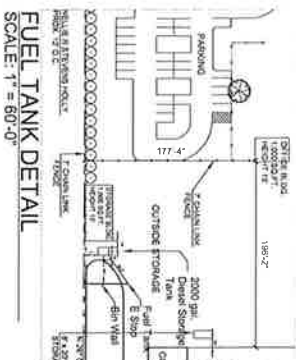
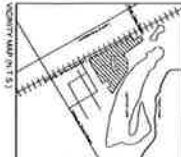
THENCE North 61 degrees 47 minutes 35 seconds East, 50.00 feet and continuing North 63 degrees 30 minutes 28 seconds East, 0.12 feet with the said southeast line of River Oaks Road to the PLACE OF BEGINNING and containing 50.8383 acres of land, more or less.

NOTE: This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in the real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

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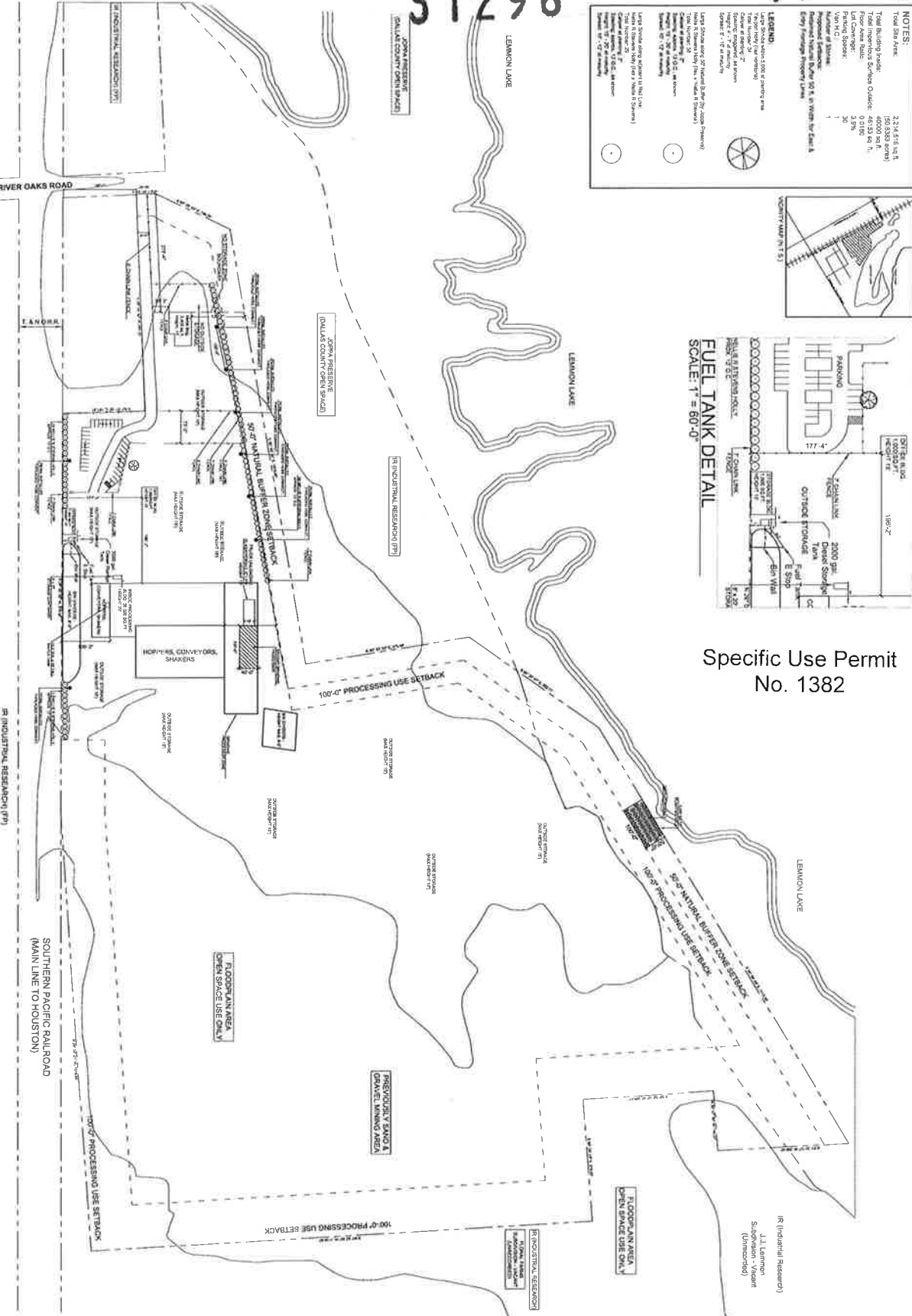
Site Plan 31296

**NOTES:**  
 Total Site Area: 2,214,516 sq. ft. (50,533 acres)  
 Total Building Footprint: 46,033 sq. ft.  
 Total Impervious Surface: 46,033 sq. ft.  
 Total Impervious Surface Density: 0.0180  
 Lot Coverage: 3.25%  
 V<sub>100</sub> H<sub>100</sub>: 3'  
 V<sub>10</sub> H<sub>10</sub>: 3'  
 Maximum of 10% of the total site area may be used for parking areas.  
**LEGEND:**  
 Large Shaded Area: 100' or greater setback  
 Medium Shaded Area: 50' or greater setback  
 Small Shaded Area: 25' or greater setback  
 Dotted Area: 10' or greater setback  
 Unshaded Area: 5' or greater setback  
 Large Shaded Area: 100' or greater setback  
 Medium Shaded Area: 50' or greater setback  
 Small Shaded Area: 25' or greater setback  
 Dotted Area: 10' or greater setback  
 Unshaded Area: 5' or greater setback  
 Large Shaded Area: 100' or greater setback  
 Medium Shaded Area: 50' or greater setback  
 Small Shaded Area: 25' or greater setback  
 Dotted Area: 10' or greater setback  
 Unshaded Area: 5' or greater setback



Specific Use Permit No. 1382

A SITE PLAN SCALE: 1" = 100'-0"



Oldcastle Lawn & Garden, Inc.  
 4930 RIVER OAKS ROAD  
 DALLAS, TEXAS



Issue/Revision	No.	Date	Description
Issue	01	01/21/09	Initial Issue
Revision	02	01/21/09	Revised
Revision	03	01/21/09	Revised
Revision	04	01/21/09	Revised
Revision	05	01/21/09	Revised
Revision	06	01/21/09	Revised
Revision	07	01/21/09	Revised
Revision	08	01/21/09	Revised
Revision	09	01/21/09	Revised
Revision	10	01/21/09	Revised
Revision	11	01/21/09	Revised
Revision	12	01/21/09	Revised
Revision	13	01/21/09	Revised
Revision	14	01/21/09	Revised
Revision	15	01/21/09	Revised
Revision	16	01/21/09	Revised
Revision	17	01/21/09	Revised
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Revision	95	01/21/09	Revised
Revision	96	01/21/09	Revised
Revision	97	01/21/09	Revised
Revision	98	01/21/09	Revised
Revision	99	01/21/09	Revised
Revision	100	01/21/09	Revised

Approved  
 City Plan Commission  
 July 11, 2019

S-1

Signature: Hester, Agri  
 Title: City Engineer  
 Date: 07/11/2019

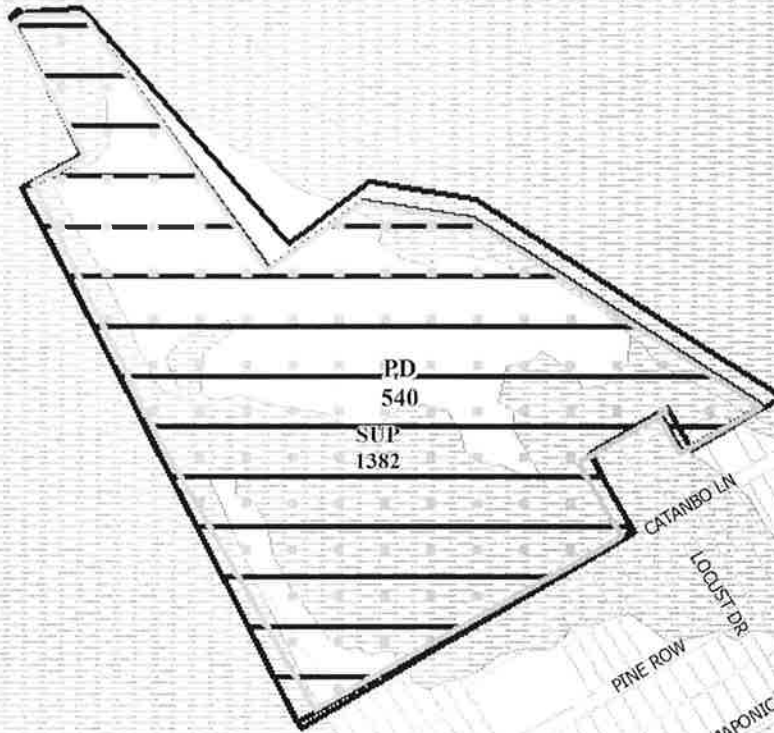
SUP  
383

PD 883  
(Subarea 4a)

PD  
883

IR

RIVER OAKS RD



PD  
540

SUP  
1382

CATANIBO LN

LOCUST DR

PINE ROW

JAPONICO LN

WESTERN AVE

FLORAL DR

DELL AVE

LOCUST DR

DELL AVE

S. CENTRAL EXPY

BIRD LN

BIRD LN

PD 778  
(Area B)

PD

IM



1:7,200

# ZONING MAP

Case no: Z189-113

Date: 2/21/2019





## 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 AUG 28 2019

ORDINANCE NUMBER 31296

DATE PUBLISHED AUG 31 2019

ATTESTED BY: