

6-18-20

ORDINANCE NO. 31564

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

BEING a tract of land in City Block 6794; fronting approximately 203 feet along the east line of St. Augustine Road; fronting approximately 275 feet along the south line of Military Parkway; and containing approximately 1.42 acre,

to be used under Specific Use Permit No. 2357 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:

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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 a CR Community Retail District with a D-1 Liquor Control Overlay, to be used under Specific Use Permit No. 2357 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.

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 June 24, 2022.
4. DRIVE-THROUGH WINDOW: Use of the drive-through window for retail sales of alcoholic beverages is prohibited.
5. FLOOR AREA: The maximum floor area for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet is 3,700 square feet in the location shown on the attached site plan.
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
7. 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.

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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:

CHRISTOPHER J. CASO, City Attorney

By Caden Byers
Assistant City Attorney

Passed JUN 24 2020

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201030

GIS_Approved

EXHIBIT A

Beginning at the northeast corner of dedicated corner clip for the southeast corner of Military Parkway and Saint Augustine Road,

Thence North $89^{\circ} 47' 30''$ East a distance of 260 feet,

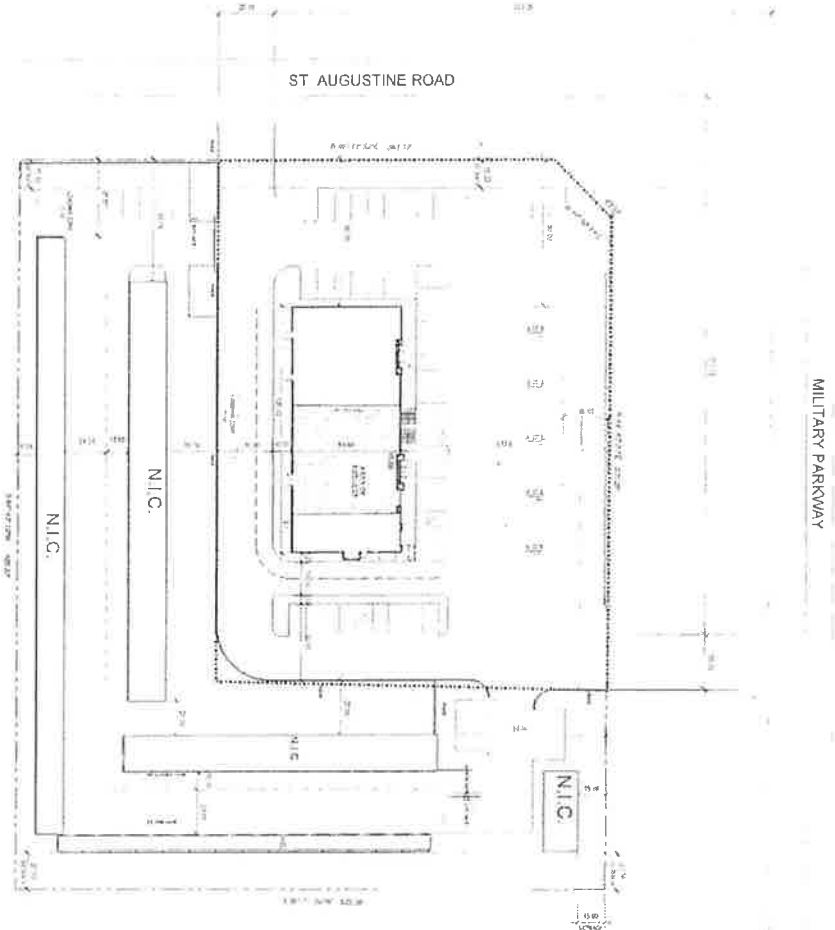
Thence South $0^{\circ} 11' 52''$ West a distance of 213.02 feet,

Thence South $89^{\circ} 47' 30''$ West a distance of 289.869 feet,

Thence North $0^{\circ} 11' 52''$ East a distance of 183.023 feet,

Thence North $44^{\circ} 53' 14''$ East a distance of 42.50 feet to the Point of Beginning and containing approximately 1.42 acres.

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.



1 SITE PLAN

PROJECT NO. 201030
 DATE: 08/11/10
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: AS SHOWN
 PROJECT LOCATION: 4561 WOODBLUFF DRIVE, MESQUITE, TX 75150

Z189-221

ASP-A10

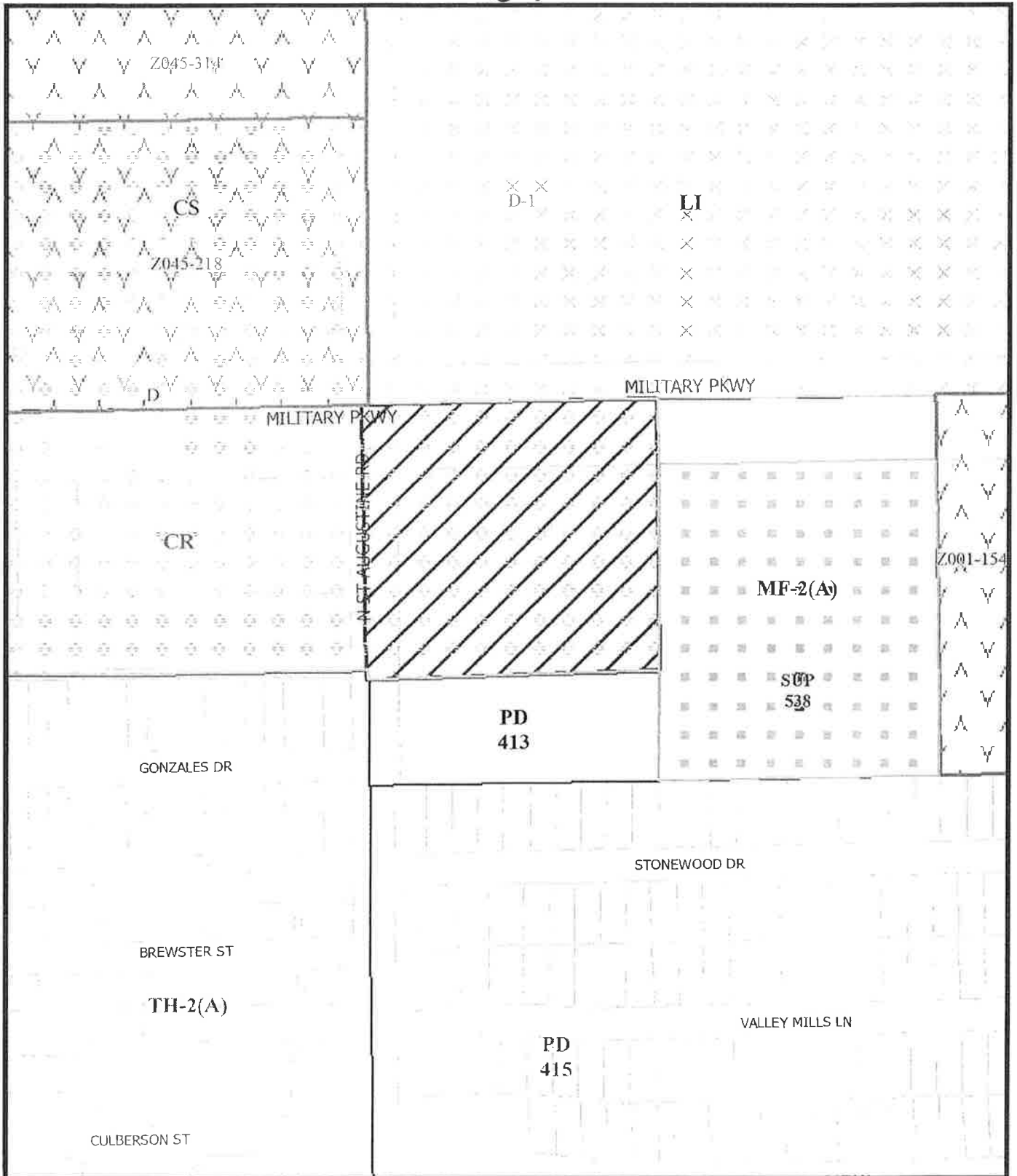
MIX USE RETAIL STORAGE
 MILITARY PARKWAY
 DALLAS, TX

AKRAM ALZOUBI
 4561 Woodbluff Drive
 Mesquite, TX 75150

INTERSECTION
 MILITARY PARKWAY
 ST AUGUSTINE ROAD
 DALLAS, TX

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201030



1:2,400

ZONING MAP

Case no: Z189-221

Date: 10/4/2019



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 JUN 24 2020

ORDINANCE NUMBER 31564

DATE PUBLISHED JUN 27 2020

ATTESTED BY: