

CITY OF COCKRELL HILL, TEXAS

ORDINANCE NO. 2005-B

AN ORDINANCE OF THE CITY OF COCKRELL HILL, TEXAS, AMENDING THE CITY OF COCKRELL HILL CODE OF ORDINANCES, CHAPTER 153, "ZONING CODE," AND THE CITY'S OFFICIAL ZONING MAP, BY CHANGING THE ZONING CLASSIFICATION FROM COMMERCIAL DISTRICT USE ZONING TO THE CENTRAL AREA ("CA") ZONING DISTRICT ON THE FOLLOWING COMMERCIAL PROPERTIES GENERALLY LOCATED AT 3700 JEFFERSON BOULEVARD AT GILPIN AVENUE TO 4333 JEFFERSON BOULEVARD AT COCKRELL HILL ROAD, MORE PARTICULARLY IDENTIFIED AS BLOCK B LOTS 3-9, WESTERN PART OF LOT 13 AND LOT 14, AND BLOCK C LOTS 2-3, 5A, 7-13 AND 14A OF THE COCKRELL HILL ADDITION; BLOCK F LOTS 8-11, 11A-E AND 12-16, BLOCK G LOTS 1-8 AND 15-18, BLOCK L LOTS 1-4, AND 22-23, BLOCK M LOTS 1-3, 24-27 AND PARTS OF 28-29 OF THE COCKRELL HILL ANNEX ADDITION; BLOCK A LOTS 2-10, BLOCK 1 LOTS 11-18 AND LOT 1 OF THE JEFFERSON PARKWAY ADDITION; BLOCK A LOT 2 AND LOT 14 TRACTS 13-1, 13-2, 13-4 AND 13-5 OF THE WESTMORELAND INTERURBAN PLACE ADDITION; BLOCK M LOT 29A OF THE REGENT ADDITION; TRACTS 1-2, AND 4 OF THE WESLEY COCKRELL ABSTRACT ADDITION; BLOCK 1 LOT 1 OF THE CIRCLE K ADDITION; BLOCK X PARTS OF LOTS 9-10 AND LOTS 11-12 OF THE FAIRMONT PARK ADDITION; BLOCK X LOTS 13-A AND 15-A OF THE FAIRMONT PARK REP ADDITION; LOTS 7-12 OF THE PATTON ADDITION AND LOT 1 OF THE RICHMOND HILL ADDITION ; AND PROVIDING FOR PENALTY, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Cockrell Hill ("City Council") adopted in 2002 a new Comprehensive Plan, which envisions a Jefferson Boulevard Corridor and increased retail and service uses within the Jefferson Boulevard Corridor; and

WHEREAS, the Comprehensive Plan makes a number of recommended changes to the City's current zoning regulations and land-use schemes to effectuate the goals and objectives of the Comprehensive Plan; and

WHEREAS, the City Council in December 2004, determined that it was in the best interest of the health, safety and general welfare of the public to amend Chapter 153 of the Code of Cockrell Hill, Texas, the City's Zoning Code, by creating a new Central Area "CA" Zoning District for properties that have frontage on Jefferson Boulevard or that are within two hundred feet of the Jefferson Boulevard right-of-way, and by deleting certain uses permitted by special permit with the City; and

WHEREAS, the City Council adopted Ordinance 2004-K to create the new Central Area "CA" Zoning District, but did not at that time change the zoning map to rezone any properties to Central Area District zoning; and

WHEREAS, the City Council now desires to rezone certain properties, as recommended by the City's consultant planner, from their current commercial zoning to Central Area District zoning; and

WHEREAS, the City, in accordance with state law and all applicable ordinances of the City, has given the required notices and have held the required public hearings regarding the amendment of the City's zoning map to rezone the effected properties, which properties are set forth in the attached Exhibit A to this ordinance; and

WHEREAS, all legal requirements, conditions and prerequisites have been complied with prior to the case coming before the City Council for the City of Cockrell Hill; and

WHEREAS, the City Council, after determining that all legal requirements of notice and hearing have been met, has determined that the properties forth in the attached Exhibit A to this ordinance, and as graphically displayed in the attached Central Area "CA" Zoning District map, should be rezoned to the Central Area District zoning classification and that such rezoning would provide for and would be in the best interest of the health, safety, morals and general welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COCKRELL HILL, TEXAS:

Section 1. That all of the above premises are hereby found to be true and correct legislative findings of the City and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

Section 2. The Code of Cockrell Hill, Chapter 153, the Zoning Ordinance of the City of Cockrell Hill, Ordinance 1968-F, as amended, be and the same is hereby amended insofar as the properties described in the attached Exhibit A to this ordinance shall be rezoned and classified from Commercial Use to Central Area District Use and be subject to the provisions of the Zoning Ordinance generally, and the Zoning Map be and is hereby amended and corrected so that said property which is presently zoned Commercial Use shall reflect Central Area District zoning. The City Secretary is hereby directed to correct the Zoning Map of the City of Cockrell Hill to reflect the change in zoning herein.

Section 3. All nonconforming uses created by the enactment of this ordinance are expressly recognized and will be subject to Section 153.080 of the City's Zoning Code, except that in the event that a structure occupied by a nonconforming use is destroyed by an Act of God, a natural disaster, the elements or other unforeseen event not of the owner's creation or cause, the structure may be rebuilt and the nonconforming use continued, provided that the structure is built to current building and safety codes.

Section 4. If any section, article, paragraph, sentence clause, phrase or word in this ordinance or application thereto any person or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of this ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5. This ordinance shall become effective, and be in full force and effect, from and after the date of its passage, and it is accordingly so ordained.

PASSED AND APPROVED the 8th day of February, 2005.

C. P. Slayton, Mayor

ATTEST:

John Hubbard, City Secretary

APPROVED AS TO FORM:

Robert F. Brown, City Attorney

EXHIBIT A: PROPERTIES REZONED INTO CA DISTRICT

In accordance with ordinance 2005-B, Feb. 8, 2005

1. **720 S COCKRELL HILL RD**
COCKRELL HILL ANNEX
BLK M PT LT 2
BUSHONG LANNY D
4315 W JEFFERSON BLVD
DALLAS, TEXAS 75211-4622
2. **4333 W JEFFERSON AVE**
COCKRELL HILL ANNEX
BLK M W PT LT 1
97.5X96X69.9X10
WILLIAMS DARRELL H
4333 W JEFFERSON BLVD
DALLAS, TEXAS 75211-4622
3. **4309 W JEFFERSON AVE**
COCKRELL HILL ANNEX
BLK M PT LTS 1 & 2 1912 SQFT
LOMAX EDWIN GENE
6430 DIXIE GARDEN
DALLAS, TEXAS 75236-0000
4. **4315 W JEFFERSON AVE**
COCKRELL HILL ANNEX
BLK M PT LTS 1 & 2
BUSHONG LANNY D
4315 W JEFFERSON BLVD
DALLAS, TEXAS 75211-4622
5. **4336 W JEFFERSON AVE**
COCKRELL HILL
BLK B LT 5, PTS LT 4 & 6
OMARS FINANCIAL GROUP INC
2019 KENNETH HOPPER DR
MESQUITE, TEXAS 75149-8607
6. **922 S COCKRELL HILL RD**
COCKRELL HILL
BLK B LOT 3 & S 25 FT LOT 4
FERGUSON BILLIE CARROLL
1234 RITA LN
DUNCANVILLE, TEXAS 75116-2040
7. **926 S COCKRELL HILL RD**
COCKRELL HILL
BLK B LTS 1 & 2 ACS 0.4396
TEAM PPTIES PARTNERSHIP
2040 FARRINGTON ST
DALLAS, TEXAS 75207-6616
8. **4307 W JEFFERSON BLVD**
REGENT
BLK M LOT 29A
REGENT CONST CO
%REGENT JEWELRY & LOAN CO
4307 W JEFFERSON BLVD
DALLAS, TEXAS 75211-4622
9. **4301 W JEFFERSON BLVD**
COCKRELL HILL ANNEX
BLK M E PT LOTS 28 & 29
GARCIA APOLINAR
13557 SHAHAN DR
FARMERS BRANCH, TEXAS 75234-5168
10. **4316 W JEFFERSON ST**
COCKRELL HILL
BLK B PT LOTS 6, 7 & 8 ACS 0.2052
WILLIAMS ALICE
4316 W JEFFERSON BLVD
DALLAS, TEXAS 75211-4621
11. **4308 W JEFFERSON ST**
COCKRELL HILL
BLK B PT LTS 7 & 8
DIAZ ROBERTO &
ANTONIA SALAS ET AL
8361 RAYVILLE DR
DALLAS, TEXAS 75217-4449
12. **4300 W JEFFERSON ST**
COCKRELL HILL
BLK B E PT LTS 7 & 8
CLEVELAND JAMES RANDALL
2981 KNOXVILLE ST
DALLAS, TEXAS 75211-7902
13. **901 OGDEN AVE**
COCKRELL HILL
BLK B LOT 9
CLEVELAND JAMES R
2981 KNOXVILLE ST
DALLAS, TEXAS 75211-7902

14. 902 OGDEN AVE
COCKRELL HILL REP
BLK C LOT 5A ACS 0.4396
CLEVELAND JAMES R
2981 KNOXVILLE ST
DALLAS, TEXAS 75211

15. 900 OGDEN AVE
COCKRELL HILL
BLK C LOT 7
GLEASON WILLIAM M &
KERRI C
2911 LONG BEACH
MIDLOTHIAN, TEXAS 76065

16. 4230 W JEFFERSON BLVD
COCKRELL HILL
BLK C W PT LTS 8 & 9
CLEVELAND JIM
2981 KNOXVILLE ST
DALLAS, TEXAS 75211-7902

17. 4224 W JEFFERSON BLVD
COCKRELL HILL
BLK C E PT LOTS 8 & 9
TURNER JOE R & JO ANN
4321 CAROLINA ST
GRAND PRAIRIE, TEXAS 75052-3430

18. 4200 W JEFFERSON BLVD
COCKRELL HILL
BLK C LOTS 10 & 11
MCCOY WILLIAM M
905 SUNNYSIDE AVE
DALLAS, TEXAS 75211-4968

19. 4209 W JEFFERSON AVE
COCKRELL HILL ANNEX
BLK L 0.75 W PT LOT 1
MILLER EDWARD H
716 OGDEN AVE
DALLAS, TEXAS 75211-4666

20. 707 OGDEN AVE
COCKRELL HILL ANNEX
BLK M LT 27
MANRIQUEZ MICHAEL J
PO BOX 815543
DALLAS, TEXAS 75381-5543

21. 710 OGDEN AVE
COCKRELL HILL ANNEX
BLK L LOT 2
TAYLOR TROY W JR
710 OGDEN AVE
DALLAS, TEXAS 75211-4666

22. 4207 W JEFFERSON AVE
COCKRELL HILL ANNEX
BLK L MID PART LT 1
MILLER EDWARD HENRY
716 OGDEN AVE
DALLAS, TEXAS 75211-4666

23. 4205 W JEFFERSON AVE
COCKRELL HILL ANNEX
BLK L PT LOT 1 ACS 0.0196
LYONS LESLIE &
KATHLEEN F LYONS
3422 BURLINGDELL AVE
DALLAS, TEXAS 75211-5009

24. 4203 W JEFFERSON BLVD
COCKRELL HILL ANNEX
BLK L PT LT 1
ANDERSON CHARLES M
4203 W JEFFERSON BLVD
DALLAS, TEXAS 75211-4620

25. 4203 W JEFFERSON BLVD
COCKRELL HILL ANNEX
BLK L PT LT 1
ANDERSON CHARLES M
4203 W JEFFERSON BLVD
DALLAS, TEXAS 75211-4620

26. 4201 W JEFFERSON BLVD
COCKRELL HILL ANNEX
BLK L W PT LTS 22 & 23
HUMES VIRGIL C
% DALE C HUMES
206 N MOROCCO AVE
DALLAS, TEXAS 75211-3837

27. 4201 W JEFFERSON AVE
COCKRELL HILL ANNEX
PT LT 22 & 23
HUMES VIRGIL C
% DALE C HUMES
6951 COUNTY ROAD 4098
KAUFMAN, TEXAS 75142-8907

28. 4201 W JEFFERSON BLVD
COCKRELL HILL ANNEX
BLK L E PT LTS 22 & 23
SD & HR INVEST GROUP INC
4201 W JEFFERSON BLVD
COCKRELL HILL, TEXAS 75211-4620

29. 714 S COCKRELL HILL RD
COCKRELL HILL ANNEX
BLK M LT 3 & PT 2
LAUDERMILK PHILIP MICHAEL
714 S COCKRELL HILL RD
DALLAS, TEXAS 75211-4609

30. 701 OGDEN AVE
COCKRELL HILL ANNEX
BLK M LOT 26
MAYA HERLINDA G LIFE EST
701 OGDEN AVE
DALLAS, TEXAS 75211-4667

31. 635 OGDEN AVE
COCKRELL HILL ANNEX
BLK M LOT 25
OROZCO MARIA EDITH VILLA
635 OGDEN AVE
COCKRELL HILL, TEXAS 75211-4646

32. 633 OGDEN AVE
COCKRELL HILL ANNEX
LOT 24 BLOCK M
GIBBONS KENNETH
2027 MATAGORDA
DALLAS, TEXAS 75232

33. 634 OGDEN AVE
COCKRELL HILL ANNEX
BLK L LOT 4
ARRIETA JUANITA
634 OGDEN AVE
DALLAS, TEXAS 75211-4645

34. 636 OGDEN AVE
COCKRELL HILL ANNEX
LOT 3 BLK L
TAYLOR TROY W JR
710 OGDEN AVE
DALLAS, TEXAS 75211-4666

35. 625 PHINNEY AVE
COCKRELL HILL ANNEX
BLK G LT 17
ALCARAZ REFUGIO
506 GRANADA DR
GARLAND, TEXAS 75043-5118

36. 621 PHINNEY AVE
COCKRELL HILL ANNEX
BLK G LTS 15 & 16
VILLA ADAN &
GUILLERMINA HERNANDEZ
621 PHINNEY AVE
DALLAS, TEXAS 75211-4652

37. 4311 PENROD AVE
COCKRELL HILL
BLK B W PT LOTS 13 & 14
TREVATHAN J W
4311 PENROD AVE
DALLAS, TEXAS 75211-4942

38. 919 OGDEN AVE
COCKRELL HILL
BLK B E PT LOT 14
WALL CHARLIE MACK
% WILLOW SHADOW FARM
5880 FM 663
MIDLOTHIAN, TEXAS 76065-6029

39. 818 SUNNYSIDE AVE.
COCKRELL HILL ANNEX
BLK F LOT 9
HOUSEWRIGHT W D
527 CLAYTON ST
GRAND PRAIRIE, TEXAS 75052

40. 900 OGDEN AVE
COCKRELL HILL
BLK C LOT 7
GLEASON WILLIAM M &
KERRI C
2911 LONG BEACH
MIDLOTHIAN, TEXAS 76065

41. 633 SUNNYSIDE AVE
COCKRELL HILL ANNEX
BLK L LT 16R ACS 1.3189
DUPRIEST HARVEY & SONS
633 SUNNYSIDE AVE
DALLAS, TEXAS 75211-4660

42. 4131 W JEFFERSON BLVD
COCKRELL HILL ANNEX
W. PT LT 1 BLOCK G
HARRIS RONALD D
1937 SHADY GLEN LN
DALLAS, TEXAS 75232-2351

43. 810 SUNNYSIDE AVE
COCKRELL HILL
BLK F W PT LT 10
HOUSEWRIGHT W D
DBA PRINTING BY BUCK
810 SUNNYSIDE AVE
DALLAS, TEXAS 75211-4949

44. 4130 W JEFFERSON BLVD
COCKRELL HILL ANNEX
BLK F
W PT OF LT 0011A
TAYLOR DUANE D D S
1441 COCKRELL HILL RD
DALLAS, TEXAS 75211-1306

45. 4128 W JEFFERSON BLVD
COCKRELL HILL ANNEX
BLOCK F PT OF LT 11
TAYLOR DUANE KEITH &
SUSAN LORRAINE
1441 COCKRELL HILL RD
DALLAS, TEXAS 75211-1306

46. 4124 W JEFFERSON BLVD
COCKRELL HILL ANNEX
BLOCK F LT 11B
TAYLOR DUANE K
1441 COCKRELL HILL RD
DALLAS, TEXAS 75211-1306

47. 4122 W JEFFERSON BLVD
COCKRELL HILL ANNEX
BLK F PT OF LT 0011B
SERRANGO JOHNNY T
4122 W JEFFERSON BLVD
DALLAS, TEXAS 75211-4617

48. 4120 W JEFFERSON BLVD
COCKRELL HILL ANNEX
BLOCK F
E 28 FT LT 11B
MANSON BILLY ETAL
4120 W JEFFERSON BLVD
DALLAS, TEXAS 75211-4617

49. 4118 W JEFFERSON BLVD
COCKRELL HILL ANNEX
BLOCK F 19' LT 11
PHAIKOH SOMCHAI &
VERONICA
4118 W JEFFERSON BLVD
DALLAS, TEXAS 75211-4617

50. 4112 W JEFFERSON BLVD
COCKRELL HILL ANNEX
BLK F LTS 11D, 11E & PT 11-C
MASONIC LODGE 2
4112 W JEFFERSON BLVD
DALLAS, TEXAS 75211-4617

51. 800 PHINNEY AVE
COCKRELL HILL
BLK F LOTS 12-16 ACS 1.1386
COCKRELL HILL CHURCH OF
CHRIST
4100 W JEFFERSON BLVD
DALLAS, TEXAS 75211-4617

52. 4101 W JEFFERSON BLVD
COCKRELL HILL ANNEX
BLK G LT 18, PT LTS 1-4 & PT
ABND
DORWARD DONALD M
713 S GILPIN AVE
DALLAS, TEXAS 75211-5051

53. 4121 W JEFFERSON BLVD
COCKRELL HILL ANNEX
BLK G E PT LOTS 1-4
ALLEN HORACE DAVID
4121 W JEFFERSON BLVD
DALLAS, TEXAS 75211-4618

54. 905 SUNNYSIDE AVE
COCKRELL HILL
BLK C LT 14A ACS 0.440
MCCOY WILLIAM M
905 SUNNYSIDE AVE
DALLAS, TEXAS 75211-4968

55. 4101 W JEFFERSON BLVD
COCKRELL HILL ANNEX
BLK G LT 18, PT LTS 1-4 & PT ABND
ROW ACS 0.6615
DORWARD DAVID A &
RUSSELL V DORWARD
HC 64 BOX 27
CLIFTON, TEXAS 76634-9405

56. 622 SUNNYSIDE AVE
COCKRELL HILL ANNEX
BLK G LTS 5-8
DELGADO ANTONIO &
MARTHA
10426 CRICKET DR
DALLAS, TEXAS 75217-7800

57. 4027 W JEFFERSON BLVD
WESTMORELAND INTERURBAN
PLACE
LOT 14 TR 13.5 ACS 0.1317
BABOOL SHIRAZ
4029 W JEFFERSON BLVD
DALLAS, TEXAS 75211-4723

58. 4023 W JEFFERSON BLVD
WESTMORELAND INTERURBAN
PLACE
LOT 14 TR 13-1 ACS 0.1341
STUART DOUGLAS RAY & MARY
4023 W JEFFERSON BLVD
DALLAS, TEXAS 75211-4723

59. 4021 W JEFFERSON BLVD
WESTMORELAND INTERURBAN
PLACE
LOT 14 TR 13-4 ACS 0.0620
IRBY HAROLD & REBA TRS
IRBY REVOCABLE LIV TR
2605 HIDDEN RIDGE DR
ARLINGTON, TEXAS 76006-4013

60. 4019 W JEFFERSON BLVD
WESTMORELAND INTERURBAN
PLACE
LOT 14 TR 13-2 & W3' BLK A LOT 2
STUART DOUGLAS RAY &
MARY A
4023 W JEFFERSON BLVD
DALLAS, TEXAS 75211-4723

61. 4015 W JEFFERSON AVE
JEFFERSON PARKWAY
BLK A LT 2
MOORE KEVIN BARNELL
119 YUMA DR
MABANK, TEXAS 75156-9186

62. 4011 W JEFFERSON AVE
JEFFERSON PARKWAY
BLK A LOT 3
SWANN ALISON M ET AL
% ROBERT SWANN IV
3208 BEVERLY DR
DALLAS, TEXAS 75205-2925

63. 4001 W JEFFERSON BLVD
JEFFERSON PARKWAY
BLK A LOTS 4 & 5 & PT LOT 6
DIAZ ROBERTO SR &
ARMANDO DIA
4001 W JEFFERSON BLVD
COCKRELL HILL, TEXAS 75211-4723

64. 822 SUNNYSIDE AVE
COCKRELL HILL
BLK F LOT 8
BIESANZ SCOTT K &
JANE BIESANZ
PO BOX 847
WINONA, MINNESOTA 55987-0847

65. 3929 W JEFFERSON BLVD
JEFFERSON PARKWAY
BLK A PT LOTS 7 & 8
BANDA MARIA L & HERMILO
1217 GOLDIE AVE
DALLAS, TEXAS 75211-4508

66. 3919 W JEFFERSON BLVD
JEFFERSON PARKWAY
BLOCK A, PT LTS 7, 8, AND 9
FOSTER FRED & JEANNETTE
210 CALUMET AVE
DALLAS, TEXAS 75211-3512

67. 3909 W JEFFERSON BLVD
JEFFERSON PARKWAY
PT LOTS 8 AND 9 41.4X42.5X81.4X
CARTER PAUL H & MILDRED S
C/O JIMMY CARTER STE#270
12700 HILLCREST RD
DALLAS, TEXAS 75230-2030

68. 3905 W JEFFERSON BLVD
JEFFERSON PARKWAY
BLK A MID 20' LOT 9
DORWARD DONALD M
713 S GILPIN AVE
DALLAS, TEXAS 75211-5051

69. 3901 W JEFFERSON AVE
JEFFERSON PARKWAY
LT 10 AND PT. OF 9
WEBSTER CHARLIE
1217 SUNNYSIDE AVE
DALLAS, TEXAS 75211-6240

70. 3813 W JEFFERSON ST
JEFFERSON PARKWAY
BLK 1 LOTS 11-18
DORWARD DONALD
713 S GILPIN AVE
DALLAS, TEXAS 75211-5051

71. 905 SUNNYSIDE AVE
COCKRELL HILL
BLK C LOTS 12 & 13
MCCOY WILLIAM M
905 SUNNYSIDE AVE
DALLAS, TEXAS 75211-4968

72. 4018 HIGGINS AVE
JEFFERSON PARKWAY ADDN
LOT 1
DORWARD DONALD M
713 S GILPIN AVE
DALLAS, TEXAS 75211-5051

73. 3700 W JEFFERSON BLVD
RICHMOND HILL
LT 1
TRIANGLE PARTNERS LP &
DONALD M DORWARD
3416 BURLINGDELL AVE
DALLAS, TEXAS 75211-5009

74. 4317 W JEFFERSON BLVD
COCKRELL HILL ANNEX
26.54X42.5X15.1X39.75
SHIELDS ERNA
PO BOX 210806
DALLAS, TEXAS 75211-0806