

ORDINANCE NO 2021-723

AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS, AMENDING THE ZONING ORDINANCE, ORDINANCE NO. 2001-64, AS AMENDED; BY AMENDING THE ZONING MAP DISTRICT CLASSIFICATION OF CERTAIN PROPERTY LOCATED ON THE EAST CORNER OF SOUTH J. ELMER WEAVER FREEWAY (HIGHWAY 67) AND TIDWELL STREET LEGALLY DESCRIBED AS PORTIONS OF TRACTS 7 and 7.10 OF THE JOESPH MUNDEN SURVEY. ABSTRACT NO. 881, FROM "LR" – LOCAL RETAIL DISTRICT AND "SF-8.5" – SINGLE-FAMILY RESIDENTIAL DISTRICT – MINIMUM 8,500-SQUARE-FOOT LOTS TO "CC" – CAMPUS COMMERCIAL DISTRICT; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, a request for a change in zoning classification from "LR" – Local Retail District and "SF-8.5" – Single-Family Residential District - minimum 8,500-square-foot lots to "CC" – Campus Commercial District, was duly filed with the City of Cedar Hill, Texas, and was assigned case no. Z-344-2021; and

WHEREAS, the zoning classification of the subject property and the surrounding area are shown on "**Exhibit A**"; and

WHEREAS, the "CC" – Campus Commercial District is in general conformance with the City's adopted Comprehensive Plan, as amended; and

WHEREAS, the City of Cedar Hill caused notice of the required public hearings regarding the zoning change to this Ordinance to be published in the Focus Daily News on April 18, 2021, and mailed notice to property owners within 200 feet of the subject property; and

WHEREAS, the City's Planning and Zoning Commission held a public hearing and accepted comments regarding the zoning change of this Ordinance on May 4, 2021; and

WHEREAS, following its public hearing, the Planning and Zoning Commission forwarded its report and recommendation regarding this Ordinance to the City Council; and

WHEREAS, the City Council, after conducting a public hearing on May 11, 2021, found the proposed amendment to be in the best interests of the City of Cedar Hill.

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

SECTION 1 – PROPERTY DESCRIPTION. This ordinance applies solely to approximately 40.00 acres of land legally described in “**Exhibit B**”, being portions of Tracts 7 and 7.10 of the Joseph Munden Survey, Abstract No. 881 located on the east corner of South J. Elmer Weaver Freeway (Highway 67) and Tidwell Street.

SECTION 2 – CHANGE IN ZONING DISTRICT CLASSIFICATION. The zoning district classification for the property described in Section 1 is hereby changed from “LR” – Local Retail District and “SF-8.5” – Single-Family Residential District minimum 8,500-square-foot lots to “CC” – Campus Commercial District. The official zoning map for the city shall be changed to reflect this change in zoning district classification.

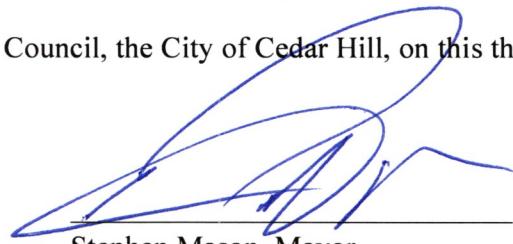
SECTION 3 – SAVINGS CLAUSE. In the event that any other Ordinance of the City of Cedar Hill, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

SECTION 4 – SEVERANCE CLAUSE. Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 5 – EFFECTIVE DATE. Because of the nature of the interests sought to be protected and of the safeguards sought to be provided by this Ordinance, and in the interest of the health, safety, and welfare of the citizens of Cedar Hill, Texas, this Ordinance shall take effect immediately after its passage, approval, and publication as required by law. The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

SECTION 6 PUBLICATION. The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED, APPROVED and ADOPTED by the City Council, the City of Cedar Hill, on this the 11th day of May 2021.



Stephen Mason, Mayor
City of Cedar Hill, Texas

ATTEST:



Belinda Berg
City Secretary

APPROVED AS TO FORM:



Ron G. MacFarlane, Jr.
City Attorney

City of Cedar Hill

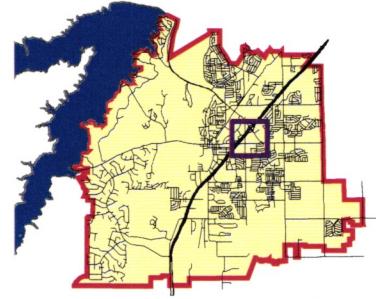
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Case Z-344-2021



1 inch = 712 feet

0 250 Feet



Map Printed - April 2021
Cedar Hill Planning Department

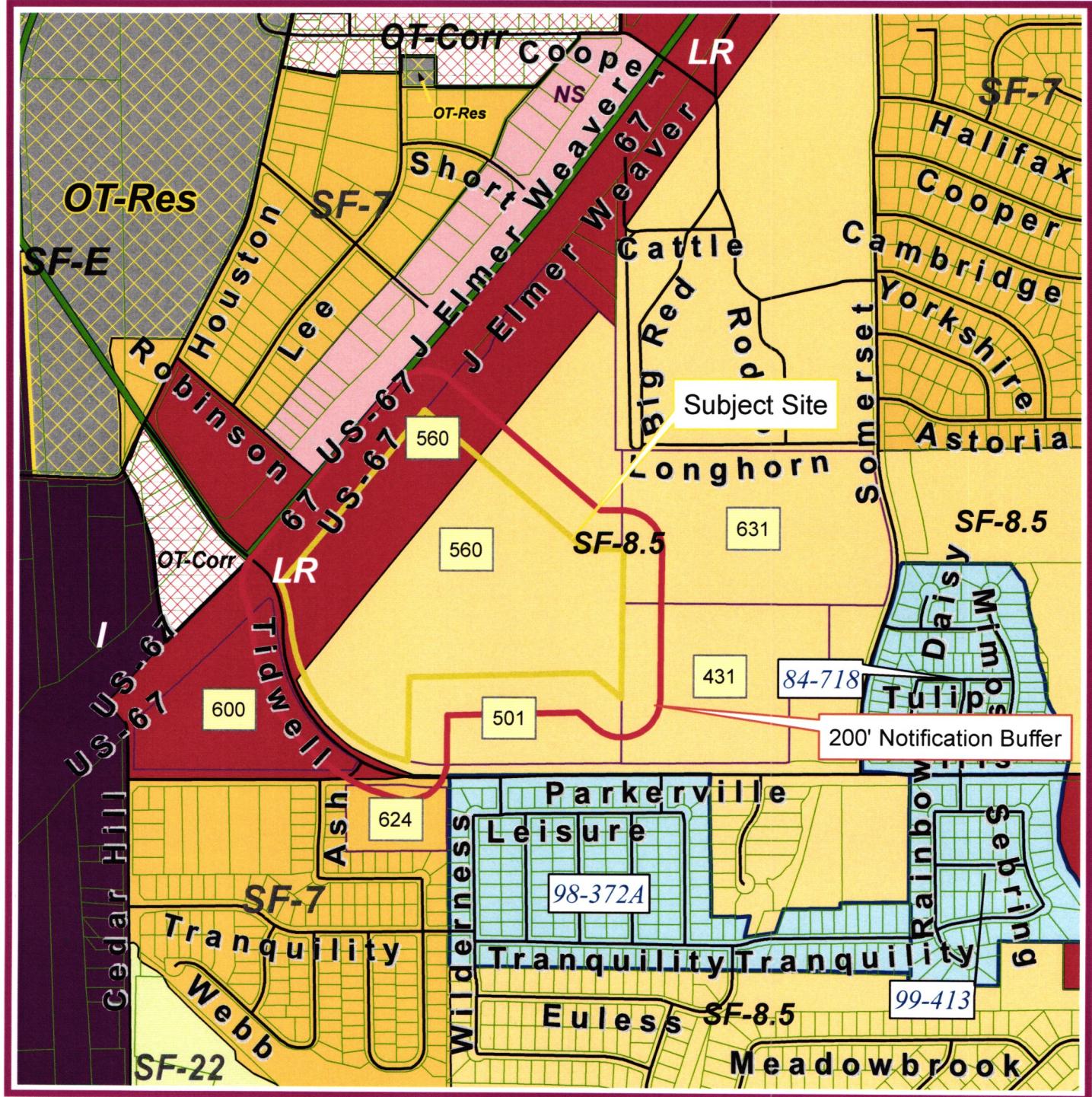


Exhibit B - page 1 out of 2

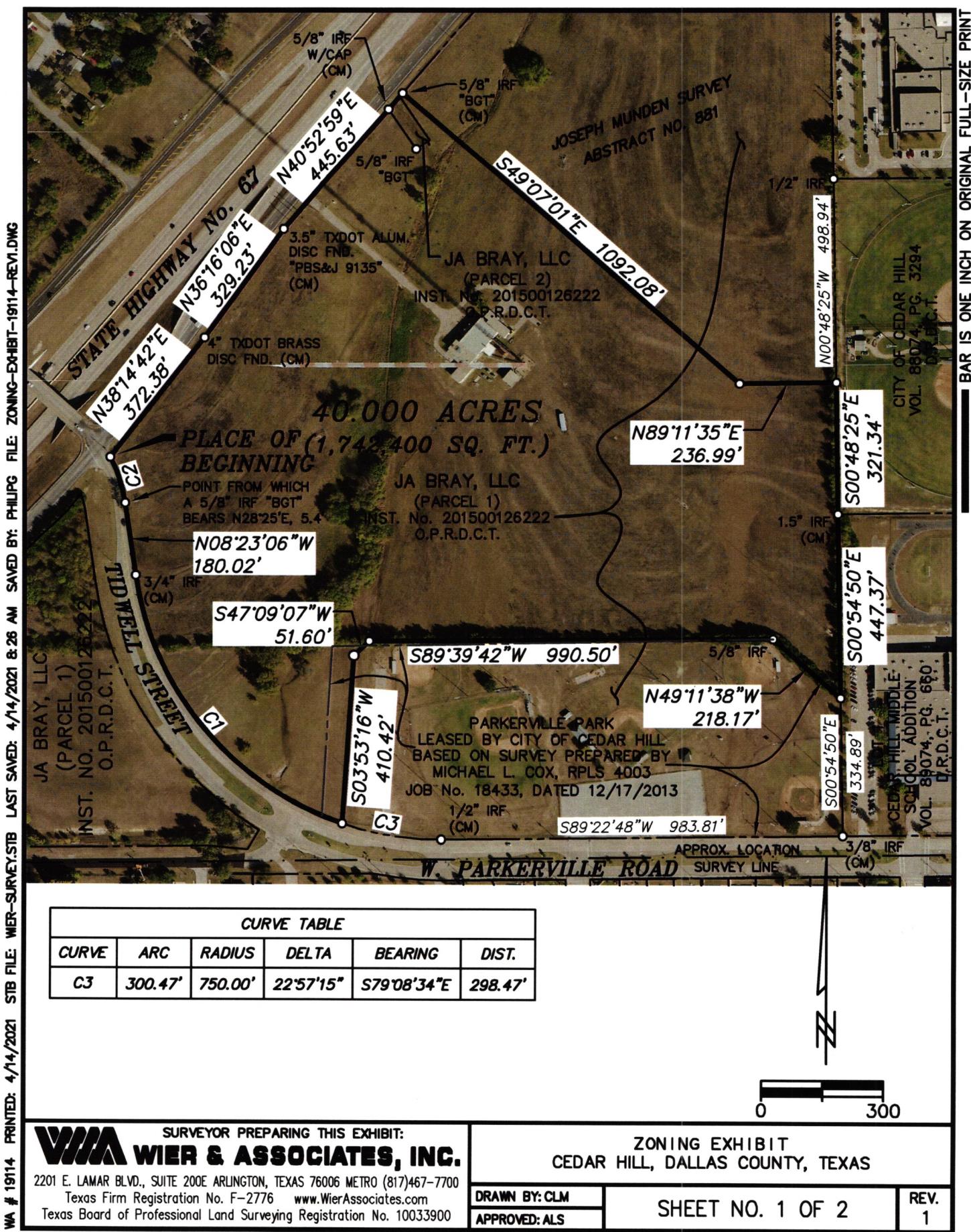


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FIELD NOTES – DESCRIPTION ZONING EXHIBIT

BEING A TRACT OF LAND LOCATED IN THE JOSEPH MUNDEN SURVEY, ABSTRACT NO. 881, DALLAS COUNTY, TEXAS, BEING A PORTION OF A TRACT OF LAND DESCRIBED AS "PARCEL 1" AND ALL OF A TRACT OF LAND DESCRIBED AS "PARCEL 2" IN A DEED TO JA BRAY, LLC, RECORDED IN INSTRUMENT NUMBER 201500126222, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS (O.P.R.D.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHWEST LINE OF SAID PARCEL 1, BEING THE INTERSECTION OF THE NORTHEAST RIGHT-OF-WAY LINE OF TIDWELL STREET (100' WIDE RIGHT-OF-WAY) WITH THE SOUTHEAST RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 67 (VARIABLE WIDTH RIGHT-OF-WAY);

THENCE ALONG THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY NO. 67 AND THE NORTHWEST LINE OF SAID PARCEL 1 AND PARCEL 2 AS FOLLOWS:

- 1) N 38°14'42" E, 372.38 FEET TO A 4" TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) BRASS DISC FOUND;
- 2) N 36°16'06" E, 329.23 FEET TO A 3.5" TXDOT ALUMINUM DISC FOUND STAMPED "PBS&J 9135";
- 3) N 40°52'59" E, 445.36 FEET TO A 5/8" IRON ROD FOUND WITH A CAP STAMPED "BGT";

THENCE S 49°07'01" E, DEPARTING THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY NO. 67 AND THE NORTHWEST LINE OF SAID PARCEL 1, A DISTANCE OF 1092.08 FEET TO A POINT;

THENCE N 89°11'35" E, 236.99 FEET TO A POINT IN THE EAST LINE OF SAID PARCEL 1 AND THE WEST LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO THE CITY OF CEDAR HILL, RECORDED IN VOLUME 88074, PAGE 3294, DEED RECORDS, DALLAS COUNTY, TEXAS (D.R.D.C.T.), FROM WHICH A 1/2" IRON ROD FOUND BEARS N 00°48'25" W, 498.94 FEET, SAID IRON ROD BEING THE NORTHWEST CORNER OF SAID CITY OF CEDAR HILL TRACT;

THENCE S 00°48'25" E, ALONG THE EAST LINE OF SAID PARCEL 1 AND THE WEST LINE OF SAID CITY OF CEDAR HILL TRACT, 321.34 FEET TO A 1.5" IRON ROD FOUND, BEING THE SOUTHWEST CORNER OF SAID CITY OF CEDAR HILL TRACT AND THE NORTHWEST CORNER OF LOT 1, CEDAR HILL MIDDLE SCHOOL ADDITION, AN ADDITION TO THE CITY OF CEDAR HILL, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 89074, PAGE 660, D.R.D.C.T.;

THENCE S 00°54'50" E, CONTINUING ALONG THE EAST LINE OF SAID PARCEL 1 AND THE WEST LINE OF SAID LOT 1, CEDAR HILL MIDDLE SCHOOL ADDITION, 447.37 FEET TO A POINT FROM WHICH A 3/8" IRON ROD FOUND IN THE NORTH RIGHT-OF-WAY LINE OF WEST PARKERVILLE ROAD (A VARIABLE WIDTH RIGHT-OF-WAY) BEARS S 00°54'50" E, 334.89 FEET, SAID IRON ROD BEING THE SOUTHWEST CORNER OF SAID LOT 1, CEDAR HILL MIDDLE SCHOOL ADDITION;

THENCE N 49°11'38" W, DEPARTING THE EAST LINE OF SAID PARCEL 1 AND THE WEST LINE OF SAID LOT 1, CEDAR HILL MIDDLE SCHOOL ADDITION, 218.17 FEET TO A 5/8" IRON ROD FOUND;

THENCE S 89°39'42" W, 990.50 FEET TO A POINT;

THENCE S 47°09'07" W, 51.60 FEET TO A POINT;

THENCE S 03°53'16" W, 410.42 FEET TO A POINT IN THE NORTHEAST RIGHT-OF-WAY LINE OF SAID TIDWELL STREET, BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

THENCE ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID TIDWELL STREET AS FOLLOWS:

- 1) NORTHWESTERLY, AN ARC LENGTH OF 829.56 FEET ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 750.00 FEET, A CENTRAL ANGLE OF 63°22'26", AND A CHORD BEARING OF N 40°04'19" W, 787.92 FEET TO A 3/4" IRON ROD FOUND;
- 2) N 08°23'06" W, 180.02 FEET TO A POINT, BEING THE BEGINNING OF A CURVE TO THE LEFT, FROM WHICH A 5/8" IRON ROD FOUND WITH A STAMPED "BGT" BEARS N 28°25' E, 5.4 FEET;
- 3) NORTHWESTERLY, AN ARC LENGTH OF 118.41 FEET ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 351.56 FEET, A CENTRAL ANGLE OF 19°17'52", AND A CHORD BEARING OF N 18°02'02" W, 117.85 FEET TO THE PLACE OF BEGINNING AND CONTAINING 40.000 ACRES (1,742,400 SQUARE FEET) OF LAND, MORE OR LESS.

WIA SURVEYOR PREPARING THIS EXHIBIT:
WIER & ASSOCIATES, INC.

2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)467-7700
Texas Firm Registration No. F-2776 www.WierAssociates.com
Texas Board of Professional Land Surveying Registration No. 10033900

ZONING EXHIBIT
CEDAR HILL, DALLAS COUNTY, TEXAS

DRAWN BY: CLM
APPROVED: ALS

SHEET NO. 2 OF 2

REV.
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