

12-7-04

ORDINANCE NO. 25823

An ordinance amending the zoning ordinances of the City of Dallas, as amended, by permitting Tracts 1 and 2 of the following described property (approximately 1.99 acres of land), to wit:

Tract 1:

BEING the west 100 feet of Lot 4 and all of Lots 5, 6, and the east approximately 43.6 feet of Lot 7 in City Block 107/3090 at the northwest corner of Jefferson Boulevard and Marsalis Avenue, fronting 188.6 feet on the northwest line of Jefferson Boulevard, and fronting 217 feet on the west line of Marsalis Avenue; and

Tract 2:

BEING all of Lots 5 and 6 in City Block 107A/3090, fronting approximately 80 feet on the northeast line of Denver Street, beginning at a point 191.25 feet northeast of the northwest line of Jefferson Boulevard,

both tracts being presently zoned as an RR Regional Retail District within HD No. 90 (the Oak Cliff United Methodist Church Historic District Overlay) and an MF-2(A) Multifamily District respectively, to be used under Specific Use Permit No. 1570 for an open-enrollment charter school (Tract 1) and a private recreation center, club, or area (Tract 2); 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 applicable ordinances of the city, have

given the required notices and have held the required public hearings regarding this application for a specific use permit on the property hereinafter described; 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:

SECTION 1. . That the zoning ordinances of the City of Dallas, as amended, are amended insofar as they apply to the property hereinafter described ("the Property"), which presently zoned as an RR Regional Retail District within HD No. 90 (the Oak Cliff United Methodist Church Historic District Overlay) and an MF-2(A) Multifamily District, and which shall be used under Specific Use Permit No. 1570 for an open-enrollment charter school (Tract 1) and a private recreation center, club, or area (Tract 2), to wit:

Tract 1:

BEING the west 100 feet of Lot 4 and all of Lots 5, 6, and the east approximately 43.6 feet of Lot 7 in City Block 107/3090 at the northwest corner of Jefferson Boulevard and Marsalis Avenue, fronting 188.6 feet on the northwest line of Jefferson Boulevard, and fronting 217 feet on the west line of Marsalis Avenue; and

Tract 2:

BEING all of Lots 5 and 6 in City Block 107A/3090, fronting approximately 80 feet on the northeast line of Denver Street, beginning at a point 191.25 feet northeast of the northwest line of Jefferson Boulevard.

SECTION 2. That this specific use permit is granted upon the following conditions:

1. USES: The only uses authorized by this specific use permit are an open-enrollment charter school on Tract 1 only and a private recreation center, club, or area on Tract 2 only.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit is approved for a time period that expires on December 8, 2009, and is eligible for automatic renewal for additional five-year time periods, pursuant to Section 51A-4.219 of CHAPTER 51A of the Dallas City Code, as amended. In order 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 application for automatic renewal is strictly enforced.)
4. INGRESS-EGRESS: Ingress-egress must be provided as shown on the attached site plan. Egress onto Tenth Street is limited to right-turns only.
5. OFF-STREET PARKING AND LOADING:
 - (a) For an open-enrollment charter school with five or more high school classrooms, a minimum of 53 off-street parking spaces must be provided within Tract 1 and located as shown on the attached site

plan. Prior to a final inspection for "Future School Building 1" and "Future School Building 2," additional off-street parking spaces must be provided as required by the Dallas Development Code, as amended.

- (b) For a private recreation center, club, or area, a minimum of 10 off-street parking spaces must be provided within Tract 2 and located as shown on the attached site plan.
6. CLASSROOMS: The maximum permitted number of classrooms is 11. Of this number, no more than five classrooms may be located within the "Education Building" as shown on the attached site plan.
 7. TRAFFIC CIRCULATION: For an open-enrollment charter school, school personnel must be provided onsite between the hours of 7:30 a.m. and 8:00 a.m. and between 4:30 p.m. and 5:00 p.m. Monday through Friday, to facilitate traffic circulation and passenger loading/unloading. Additionally, pavement markings delineating the directional flow of traffic must be provided as shown on the attached site plan.
 8. LOADING/UNLOADING: A loading/unloading area for staff and students must be provided as located on the attached site plan.
 9. OUTDOOR PLAY AREA REQUIRED: An outdoor play area is required, and must be located as shown on the attached site plan.
 10. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.
 11. 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 director of public works and transportation.

SECTION 4. That the building official shall not issue 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 and with the construction codes and all other ordinances, rules, and regulations of the City of Dallas.

SECTION 5. That the director of development services shall correct Zoning District Map No. L-7 in the offices of the city secretary, the building official, and the department of development services to reflect the changes in zoning made by this ordinance.

SECTION 6. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 7. 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 8. 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 9. 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:

MADELEINE B. JOHNSON, City Attorney

By John P. Wurbanejo
Assistant City Attorney

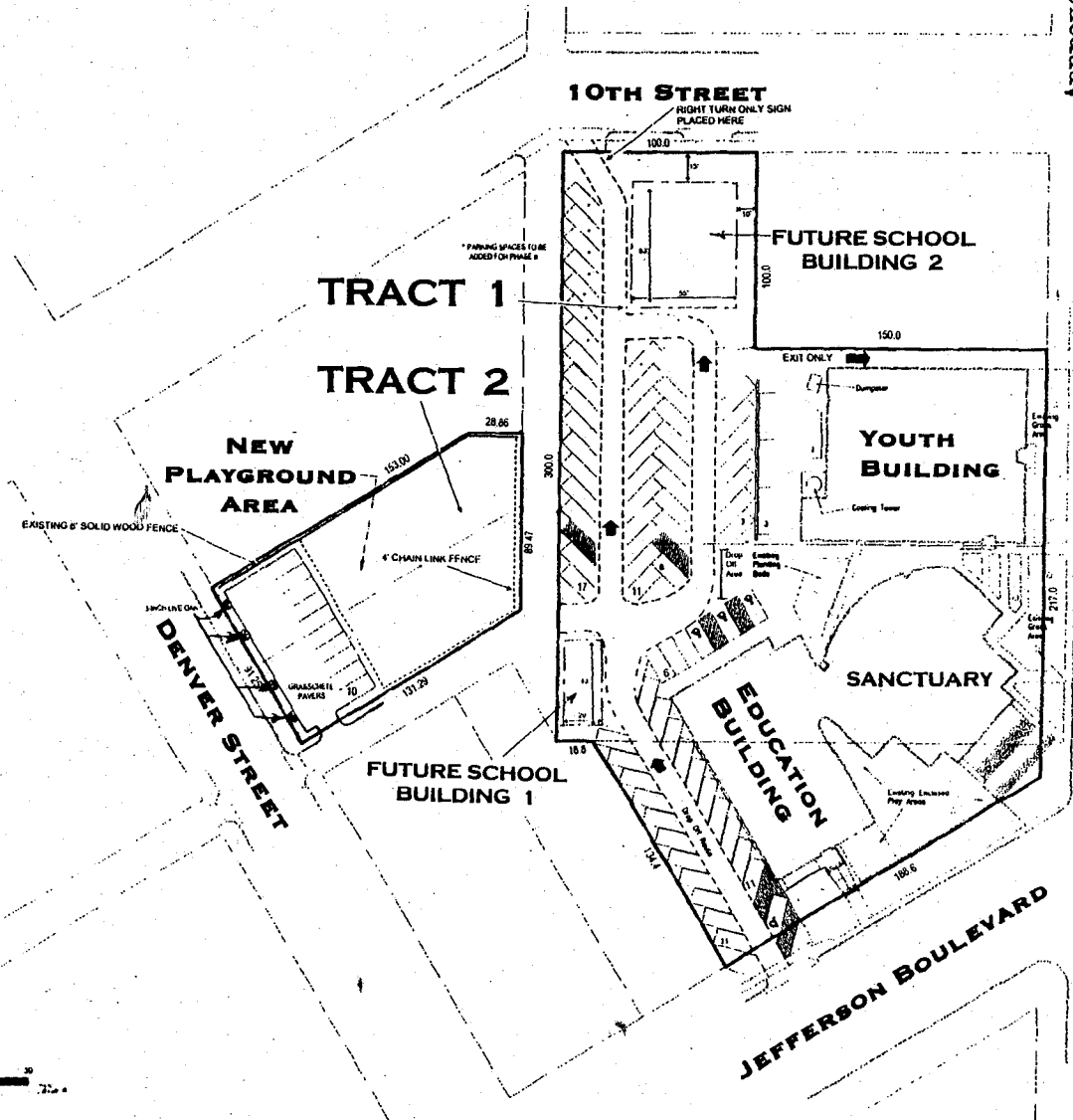
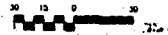
Passed DEC 08 2004

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Site Plan 25833

SETBACK REQUIREMENTS	
OPEN ENROLLMENT CHARTER SCHOOL	TRACT 1
PRIVATE RECREATION CENTER, CLUB OR AREA	TRACT 2
EXISTING CLASSROOMS	
EDUCATION BUILDING	5
FUTURE CLASSROOMS	
FUTURE SCHOOL BLDG 1	2
FUTURE SCHOOL BLDG 2	4
REQUIRED PARKING	
CHURCH (351 Seats)	87*
CHILD CARE (7,500 Sq. Feet)	14*
SCHOOL (8 High School Classrooms)	48
PRIVATE RECREATION CENTER, CLUB OR AREA	5
PROVIDED PARKING	
CHURCH	87*
CHILD CARE	14*
SCHOOL (8 Classrooms)	53
SCHOOL (Phase II)	18
PRIVATE RECREATION CENTER, CLUB OR AREA	10
LAND AREA	
Square Feet	87,089
Acres	1.99
SETBACKS	
	As Shown
LANDSCAPING	
	Per Article 3
HEIGHT	
R# 7031 District	30 Ft. Max
R# District	70 Ft. Max

* Not part of SUP request, provided for informational purposes only
 NOTE: School personnel must monitor drop-off route for security purposes
 The Private Recreation Center, Club or Area is limited to an outdoor playground area.



Approved
 City Plan Commission

10-7-04

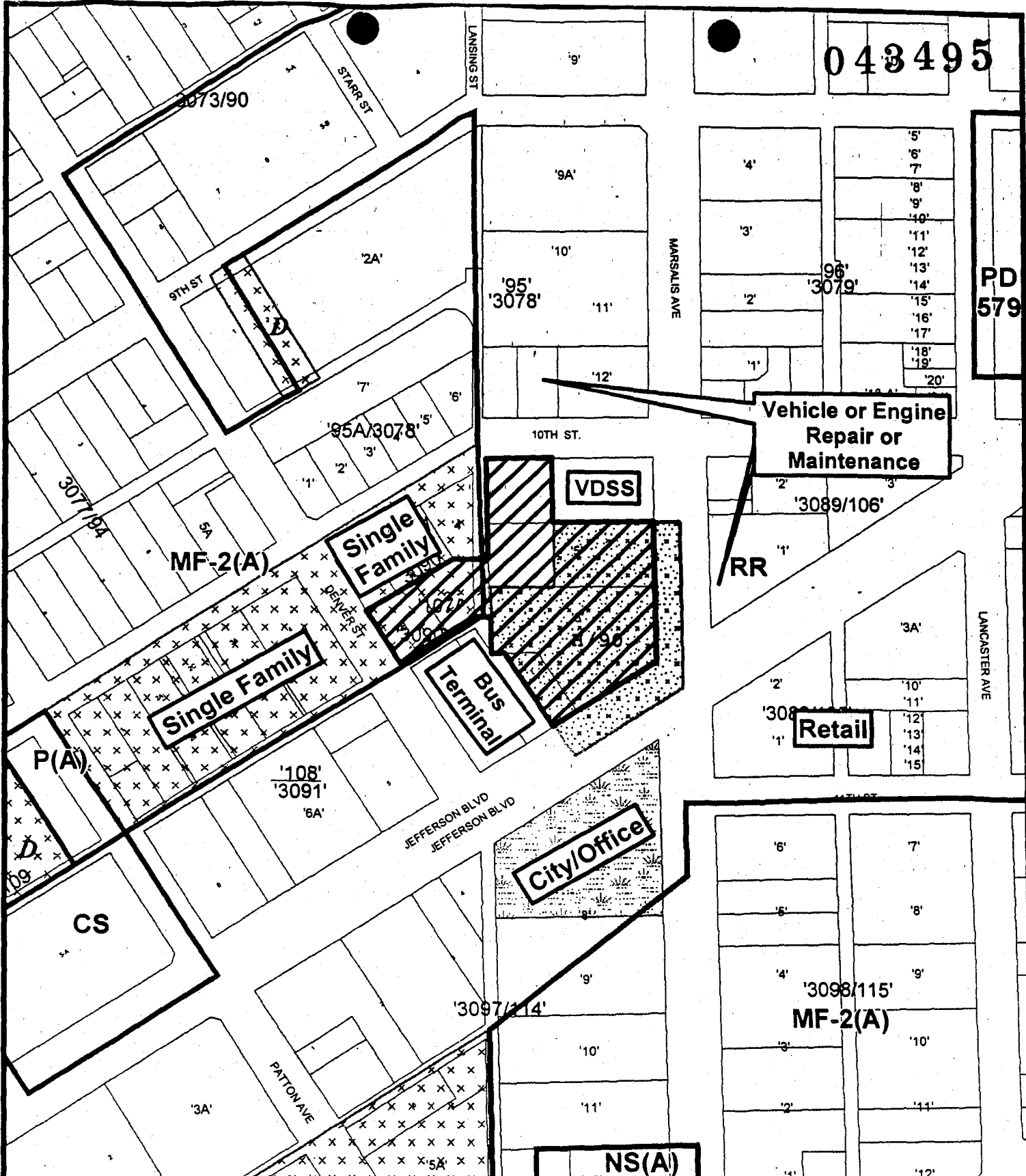
MARSALIS AVENUE

SPECIFIC USE PERMIT NO. 1570

SITE PLAN
 SPECIFIC USE PERMIT
 FOR OPEN-ENROLLMENT
 CHARTER SCHOOL
 AND
 PRIVATE RECREATION
 CENTER, CLUB OR AREA
 547 E. JEFFERSON BOULEVARD
 NORTHWEST CORNER
 JEFFERSON BLVD. &
 MARSALIS AVE.
 OWNER:
 OAK CLIFF UNITED
 METHODIST CHURCH
 REPRESENTATIVE:
 ZONE SYSTEMS, INC.
 (214) 941-4440
 (214) 941-5259 FAX
 PREPARED 7/27/04
 REVISED 9/21/04
 CASE NO. Z034 - 288(RB)

043495

PD
579



1:2,400

ZONING AND LAND USE

Map no: L-7
 Case no: Z034-288/10633(RB)