

3-29-19

ORDINANCE NO. 31170

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as Planned Development District No. 842:

BEING all of Lots 2, 3, and 4 in City Block 1/1905; fronting approximately 150 feet along the east side of Greenville Avenue south of Stonebriar Court; and containing approximately 0.51 acres, to be used under Specific Use Permit No. 2327 for a late-hours establishment limited to a restaurant without drive-in or drive-through service; 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:

SECTION 1. That the zoning ordinances of the City of Dallas are amended to allow the following property (“the Property”), which is presently zoned as Planned Development District No. 842, to be used under Specific Use Permit No. 2327 for a late-hours establishment limited to a restaurant without drive-in or drive-through service:

BEING all of Lots 2, 3, and 4 in City Block 1/1905; fronting approximately 150 feet along the east side of Greenville Avenue south of Stonebriar Court; and containing approximately 0.51 acres.

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 a late hours establishment limited to a restaurant without drive-in or drive-through service.
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 April 10, 2020.
4. FLOOR AREA: The maximum floor area is 2,035 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The late hours establishment limited to a restaurant without drive-in or drive-through service must cease operation by 2:00 a.m., Monday through Sunday with the exception that the outdoor patio area must close at midnight. All customers must be removed from the Property by 2:15 a.m.
6. OUTDOOR LIVE MUSIC AND SPEAKERS: Outdoor live music and the use of outdoor speakers and amplification on the Property are prohibited.
7. PARKING: Parking must be provided in accordance with Planned Development District No. 842 and MD-1 Modified Delta Overlay No. 1.
8. PATIO:
 - A. An outdoor patio is permitted only in the location shown on the attached site plan.
 - B. The maximum area of the patio is 650 square feet.
 - C. The patio must be uncovered.

31170

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 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.

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.

31170

190550

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, Interim City Attorney

By  _____
Assistant City Attorney

Passed APR 10 2019

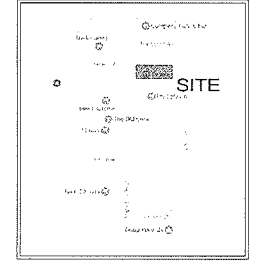
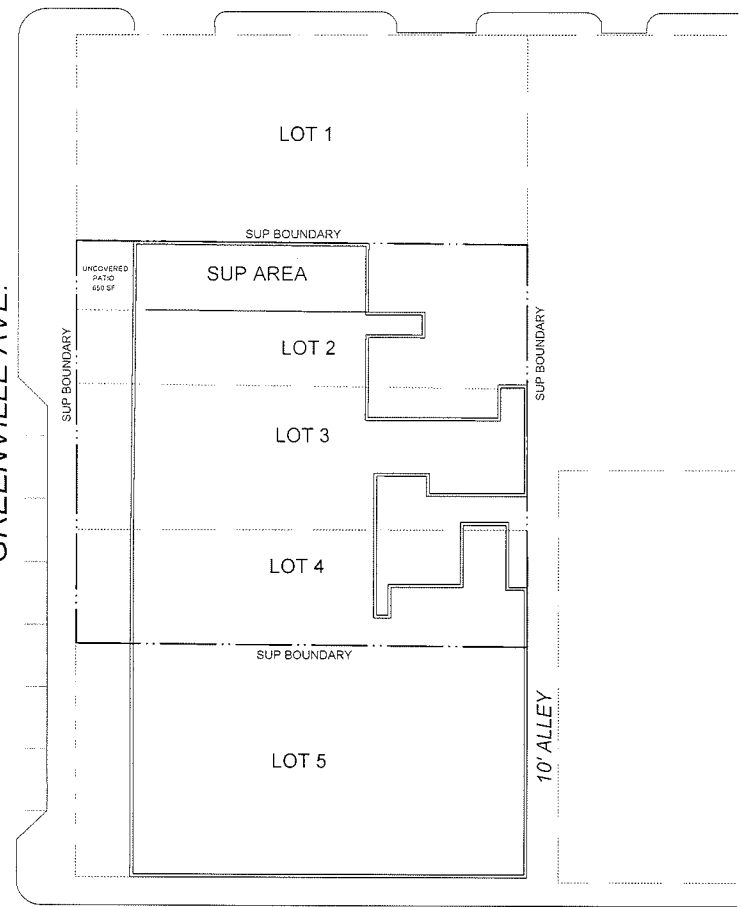
190550

31170

PROSPECT AVENUE

Site Plan

GREENVILLE AVE.



VICINITY MAP
NTS



SUP FOR LATE HOURS ESTABLISHMENT
 SUP BOUNDARY: LOTS 2-4
 SUP LIMITED TO PORTIONS OF LOT 2 AS SHOWN

OVERALL LAND AREA	24,000 SF	0.551 AC
SUP LAND USE	LATE HOURS ESTABLISHMENT FOR RESTAURANT	
SUP FLOOR AREA	2,035 SF	
SUP UNCOVERED PATIO	650 SF	

REQUIRED PARKING FOR SUITE AND LICENSE AREA PER MD-1: 23
 REQUIRED PARKING FOR BUILDING SITE AND TOTAL LICENSE AREA PER MD-1: 168
 PARKING PROVIDED VIA REMOTE PARKING AGREEMENTS ON FILE

02/14/2019

BALDWIN ASSOCIATES
 3004 Elm Street, Suite B
 Dallas, TX 75226
 MOBILE: 214.728.7949
 OFFICE: 214.824.7949
 rob@baldwinplanning.com

Baldwin
 Associates

2010 GREENVILLE AVE.
 CITY OF DALLAS, TEXAS

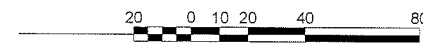
ORAM STREET

Specific Use Permit
 No. 2327

Approved
 City Plan Commission
 February 21, 2019

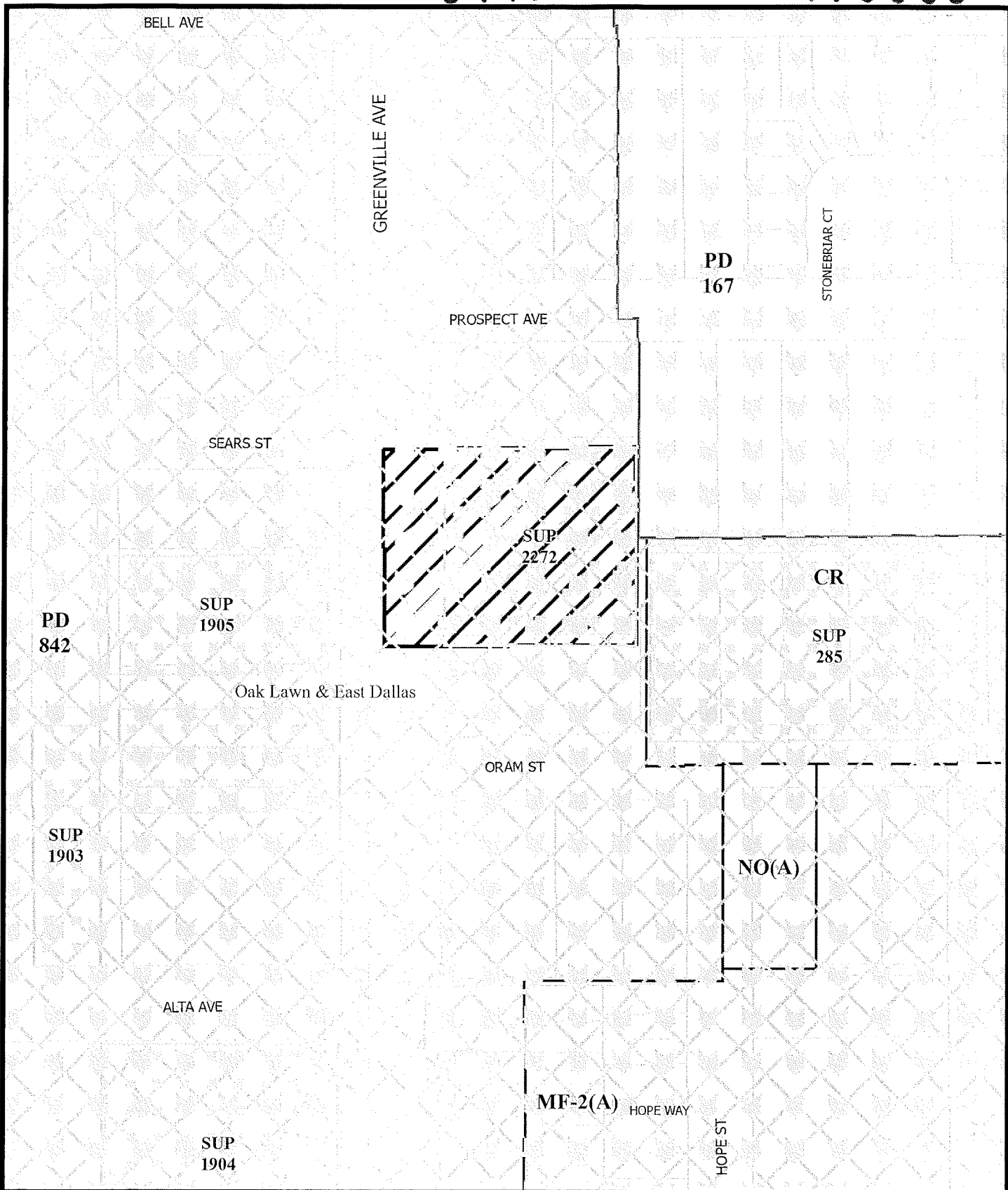


1 SUP SITE PLAN
 SCALE: 1" = 20'-0"



31170

190550

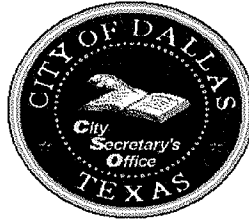


1:1,200

ZONING MAP

Case no: Z189-150

Date: 1/15/2019



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 APR 10 2019

ORDINANCE NUMBER 31170

DATE PUBLISHED APR 13 2019

ATTESTED BY: