

Memorandum



CITY OF DALLAS

DATE April 6, 2018

TO Honorable Mayor and Members of the City Council

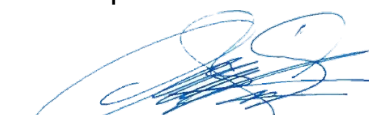
SUBJECT **April 11, 2018 Council Agenda Item No. 55 – Z167-336**

On Wednesday, April 11, 2018, City Council will consider zoning case Z167-336, Item no. 55. The request is for a Planned Development Subdistrict for LC Light Commercial Subdistrict, restaurant, and personal service uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the east line of McKinney Avenue, north of Knox Street.

The City Plan Commission (CPC) recommended approval of the request on March 1, 2018, subject to a revised development plan and revised conditions. Revised conditions were distributed to the Commission during the briefing prior to the public hearing. After the public hearing, it was determined that the applicant's development plan did not comply with the CPC approved conditions and would need to be presented to the City Council during the public hearing and a motion made to accept the revised plan. The attached revised development plan complies with the CPC recommended conditions.

The Council case report included the conditions originally presented to CPC and not the final CPC recommended conditions. The CPC recommended conditions begin on page 10 of the Council case report. The changes are highlighted on the attachment. The changes include a provision to disallow a minor amendment to the development plan, correctly reflect the square footage of the restaurant use, and correctly reflect the parking requirements approved by CPC.

If you have any questions, please contact David Cossum, Director of Sustainable Development and Construction, at 214-671-9293.



Majed Al-Ghafry
Assistant City Manager

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|-------------------------------------------------------------|----------------------------------------------------------------------|
| T.C. Broadnax, City Manager | Jon Fortune, Assistant City Manager |
| Larry Casto, City Attorney | Joey Zapata, Assistant City Manager |
| Craig D. Kinton, City Auditor | M. Elizabeth Reich, Chief Financial Officer |
| Billerae Johnson, City Secretary (Interim) | Nadia Chandler Hardy, Chief of Community Services |
| Daniel F. Solis, Administrative Judge | Raquel Favela, Chief of Economic Development & Neighborhood Services |
| Kimberly Bizzor Tolbert, Chief of Staff to the City Manager | Theresa O'Donnell, Chief of Resilience |
| Jo M. (Jody) Puckett, Assistant City Manager (Interim) | Directors and Assistant Directors |

SEC. S-XXX.101. LEGISLATIVE HISTORY.

PD Subdistrict XXX was established by Ordinance No. _____, passed by the Dallas City Council on _____. (Ord.)

SEC. S-XXX.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict XXX is established on property generally located on the east side of McKinney Avenue, north of its intersection with Knox Street. The size of PD Subdistrict 121 is approximately 0.305 acre. (Ord.)

SEC. S-XXX.103. DEFINITIONS AND INTERPRETATIONS.

- (a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part I of this article controls.
- (b) In this division, SUBDISTRICT means a subdistrict of PD 193.
- (c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.
- (d) This subdistrict is considered to be a nonresidential zoning district.

SEC. S-XXX.104. EXHIBIT.

The following exhibit is incorporated into this division: Exhibit S-XXXXA: development plan.

SEC. S-XXX.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit S-XXXXA). If there is a conflict between the text of this division and the development plan, the text of this division controls. **The development plan approved by the City Council on Xxxx, xx, 2018 cannot be amended through Section 51-4.702(h). Any amendment to the development plan approved on Xxxx, xx, 2018, must comply with the requirements for a Zoning Amendment as specified in Section 51-4.701.**

SEC. S-XXX.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted in this subdistrict are those main uses permitted in the LC Light Commercial Subdistrict, subject to the same conditions applicable in the LC Light Commercial Subdistrict, as set out in Part I of this article. For example, a use permitted in the LC Light Commercial Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the LC Light Commercial Subdistrict is subject to DIR in this subdistrict; etc.

SEC. S-XXX.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

SEC. S-XXX.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

(b) Except as provided in this section, the yard, lot, and space regulations for the LC Light Commercial Subdistrict apply.

(c) For a restaurant use, **as shown on the attached development plan, the maximum floor area used for seating and kitchen is 3,200 3,705** square feet.

SEC. S-XXX.109. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) **The following off-street parking and loading requirements apply to the development plan attached to this ordinance as approved by the City on Xxxx, xx, 2018.** For a personal service use, one space per ~~279~~ **465** square feet of floor area is required. For a restaurant use, one space per ~~156~~ **185** square feet of floor area is required. A covered patio is not counted in restaurant square footage.

(c) The parking reduction for bicycle specified in Section 51A-4.314, apply to this Subdistrict.

(d) Spaces that use the alley for maneuvering shall be counted toward the off-street parking total under this PDS.

SEC. S-XXX.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S-XXX.111. LANDSCAPING.

(d) Landscaping and screening must be provided in accordance with Part I of this article.

(e) Plant materials must be maintained in a healthy, growing condition.

SEC. S-XXX.112. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. S-XXX.113. ADDITIONAL PROVISIONS.

(f) The Property must be properly maintained in a state of good repair and neat appearance.

(g) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(h) Development and use of the Property must comply with Part I of this article.

SEC. S-XXX.114. COMPLIANCE WITH CONDITIONS.

(i) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(j) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

4616 McKinney Ave.

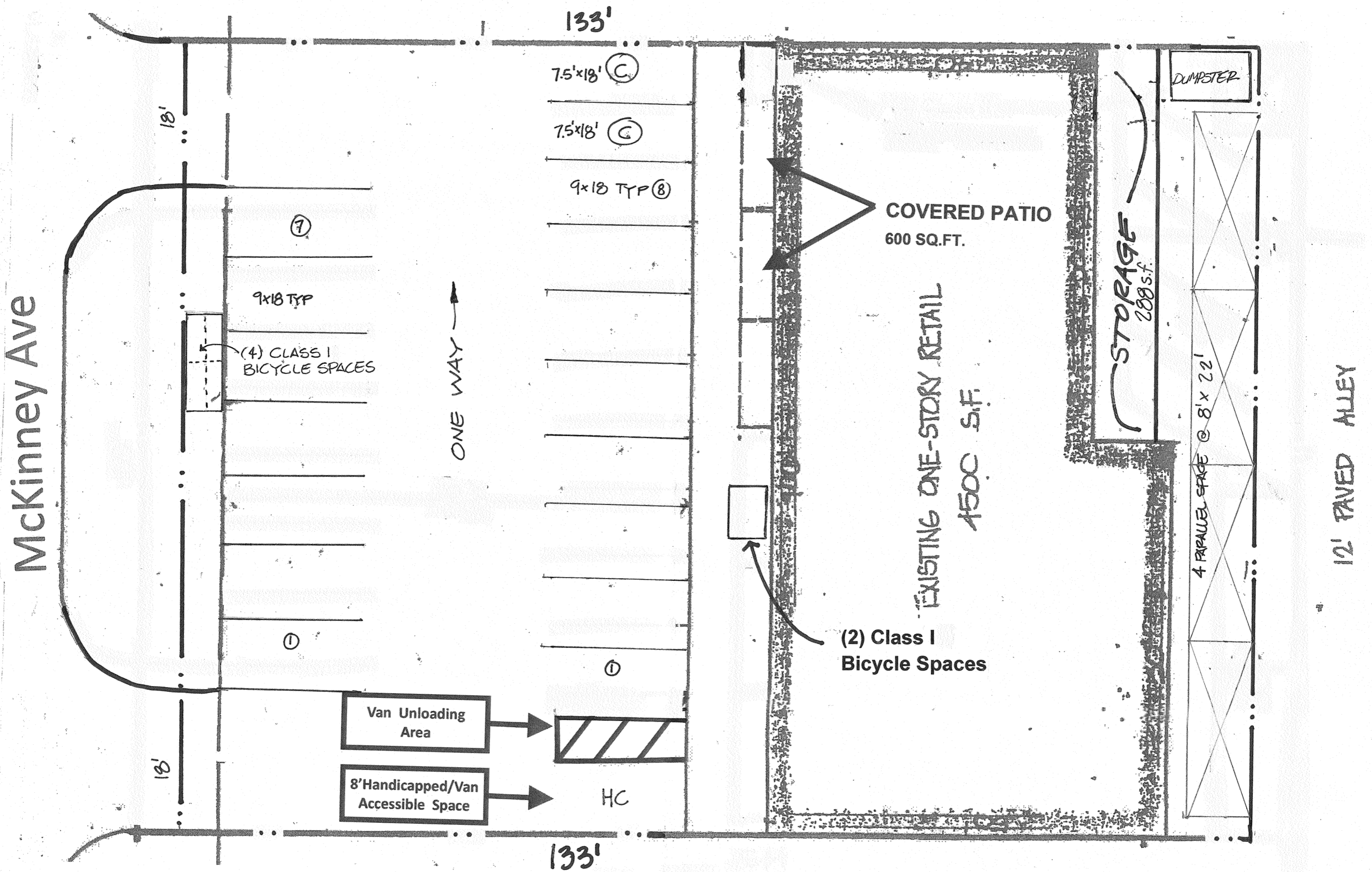
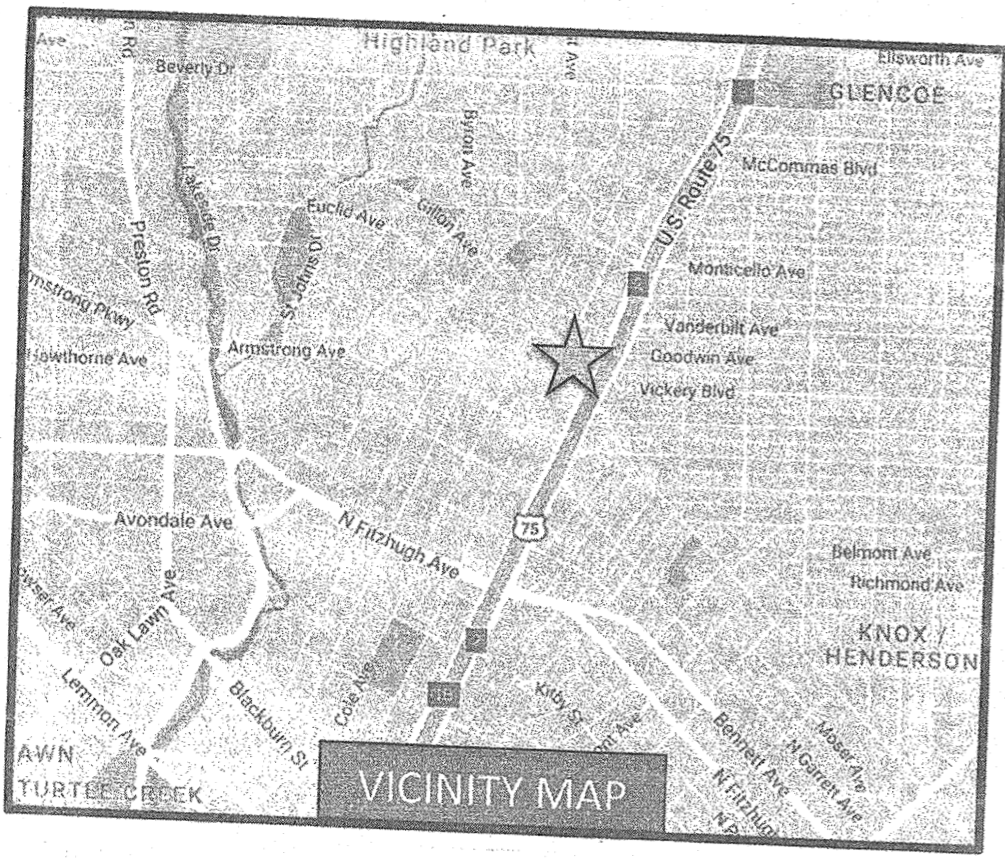
Land Area	13,300 sf
Height	20 ft.
Lot Coverage	40%

Use

Restaurant (seated area)	3,705 sf
Personal Services	1,395 sf
TOTAL FLOOR AREA (inc. storage)	5,388 sf

Parking

Restaurant (seating area only)	
1:185 sf	20 spaces
Personal Services	
1:465 sf	3 spaces
Bicycle reduction	-1 space
Total Parking spaces provided	22 spaces



Development Plan

SCALE: 1" = 10'