

WHEREAS, Section 51A-4.605 of the Dallas Development Code establishes design standards for a general merchandise and food store use 100,000 sq. ft. or more, and

WHEREAS, Section 51A-4.605 of the Dallas Development Code states that “large retail uses often have negative impacts on community aesthetics, the environment, mass transit, pedestrian circulation, the scale and rhythm of streetscapes, traffic, and urban sprawl. These design standards are intended to ensure that large retail uses are compatible with the surrounding area and mitigate the negative impact of large retail uses while allowing creativity, flexibility, and variety in design.”, and

WHEREAS, Section 51A-4.605(a)(10) of the Dallas Development Code allows an applicant to request variations and exceptions from the design standards, and

WHEREAS, on May 7, 2008, in Case No. M089-023, the City Plan Commission approved a site plan that would require certain revisions to the applicant’s requested site plan, and

WHEREAS, Section 51A-4.605(a)(10) of the Dallas Development Code allows an applicant to appeal the decision of the City Plan Commission to the City Council, and

WHEREAS, the applicant has appealed this decision to the City Council; **Now, Therefore,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the City Plan Commission's decision to approve a site plan that will require certain revisions is reversed and the applicant's submitted site plan is affirmed.

Section 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED BY
CITY COUNCIL

JUN 10 2009


City Secretary