

9-22-10

ORDINANCE NO. 28003

An ordinance amending Ordinance No. 27044, passed by the Dallas City Council on December 12, 2007, which amended the zoning ordinances of the City of Dallas, and granted Specific Use Permit No. 1695 for a bar, lounge, or tavern and an inside commercial amusement limited to a live music venue; amending the conditions in Section 2 of that ordinance; providing a revised site plan; 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 amendment to Specific Use Permit No. 1695; and

WHEREAS, the city council finds that it is in the public interest to amend Specific Use Permit No. 1695; Now, Therefore,

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

SECTION 1. That the conditions in Section 2 of Ordinance No. 27044 are amended to read as follows:

- “1. USE: The only uses authorized by this specific use permit are [~~an alcoholic beverage establishment limited to~~] a bar, lounge, or tavern and an inside commercial amusement [~~inside~~] limited to a live music venue.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME PERIOD: This specific use permit automatically terminates on September 22, 2014 [~~June 1, 2010~~].

4. ~~[CERTIFICATE OF OCCUPANCY: The alcoholic beverage establishment limited to a bar, lounge, or tavern and commercial amusement inside limited to a live music venue must obtain an amended certificate of occupancy from the Building Official by January 11, 2008. All requirements of this specific use permit and Planned Development District No. 269 (the Deep Ellum/Near East Side District), must be met before the Building Official may issue the amended certificate of occupancy.~~

5.] FLOOR AREA:

- A. ~~[Alcoholic beverage establishment limited to a]~~ B[b]ar, lounge, or tavern.

[(4)] The maximum floor area is 850 square feet in the location shown on the attached site plan.

[(2)] ~~The maximum area for the patio is 690 square feet in the location shown on the attached site plan.]~~

- B. Inside c[C]ommercial amusement [inside use] limited to a live music venue. The maximum floor area is 1,350 square feet in the location shown on the attached site plan.

5[6]. OFF-STREET PARKING:

- A. ~~[Alcoholic beverage establishment limited to a]~~ B[b]ar, lounge, or tavern.
No off-street parking is required.

- B. Inside commercial amusement limited to a live music venue.

(1) A m[M]inimum of six off-street parking spaces must be provided on the Property in the location shown on the attached site plan.

(2) Additional off-street parking must be provided in accordance with the remote and special parking requirements of Planned Development District No. 269 (the Deep Ellum/Near East Side District).

- 6[7]. PATIO: A patio/courtyard, not to exceed 690 square feet in area, is permitted in the location shown on the attached site plan.

7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

8. 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.”

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SECTION 2. That the site plan attached to Ordinance No. 27044 is replaced by the site plan attached to this ordinance.

SECTION 3. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 4. 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 5. 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 6. 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:

THOMAS P. PERKINS, JR., City Attorney

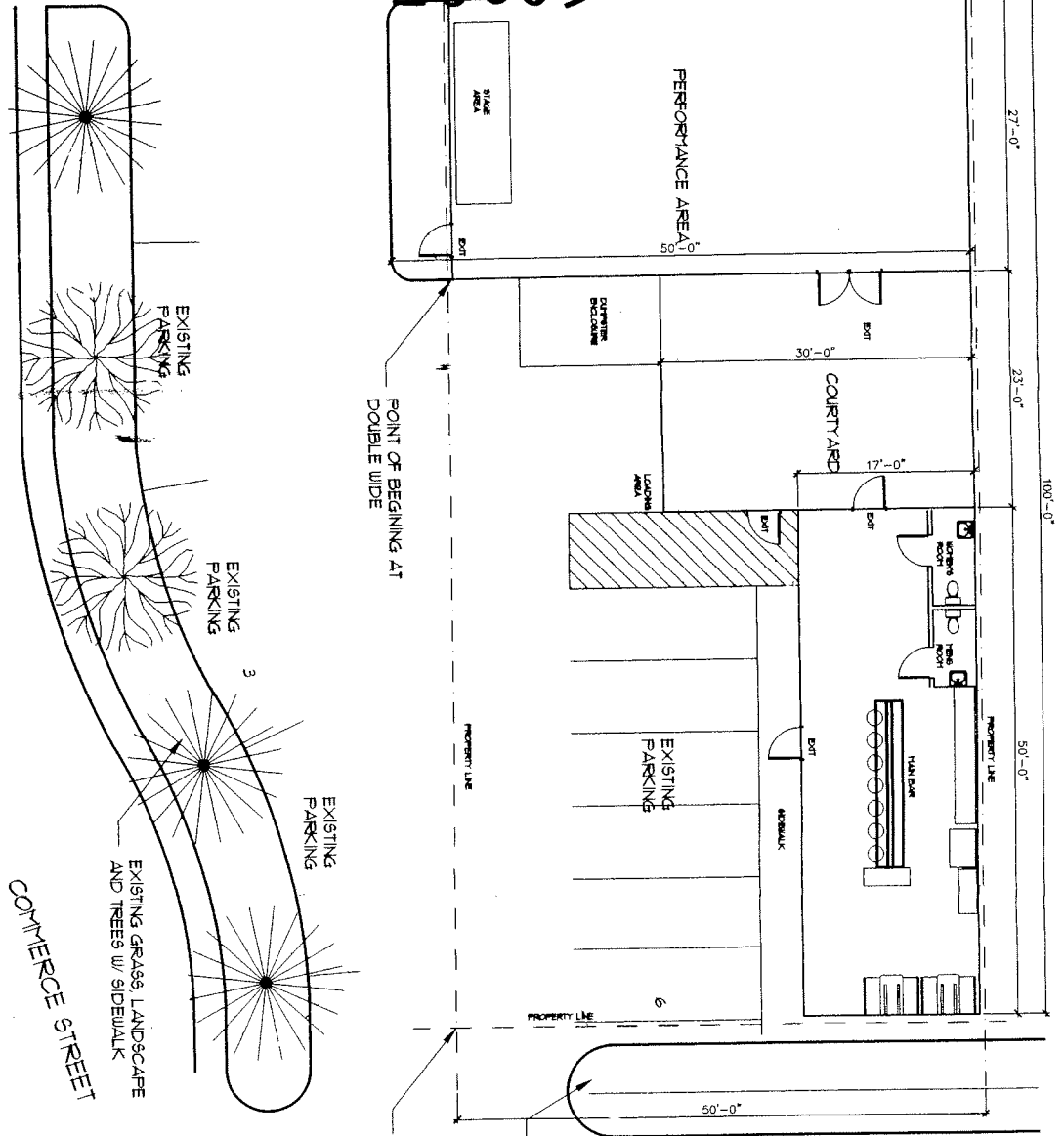
By Carey B. Myers
Assistant City Attorney

Passed SEP 22 2010

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EXISTING ADJACENT BUILDING

EXISTING ADJACENT BUILDING



POINT OF BEGINNING AT DOUBLE WIDE

LA FRANCE (SMITH) STREET

LA FRANCE (SMITH) STREET

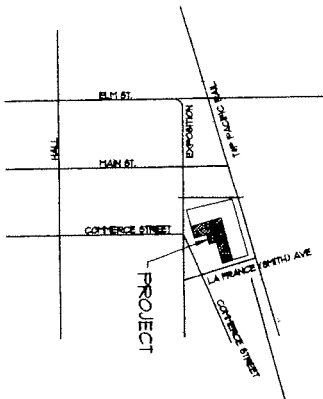
EXISTING GRASS LANDSCAPE AND TREES W/ SIDEWALK

POINT OF BEGINNING AT J BRIGSBY SURVEY, ABSTRACT 49E AT BLOCK 821, LOT 10

USE/FLOOR AREA	REQUIRED OFF STREET PARKING
BAR, LOUNGE, OR TAVERN 850 SF	NONE
COMMERCIAL AMUSEMENT OR LIVE MUSIC VENUE 1,350 SF	14 (6% ON-SITE)
PATIO 690 SF	N/A

02 Site/Floor Plan and Landscape Layout
1/8" = 1'-0"

01 Vicinity Map
NO SCALE



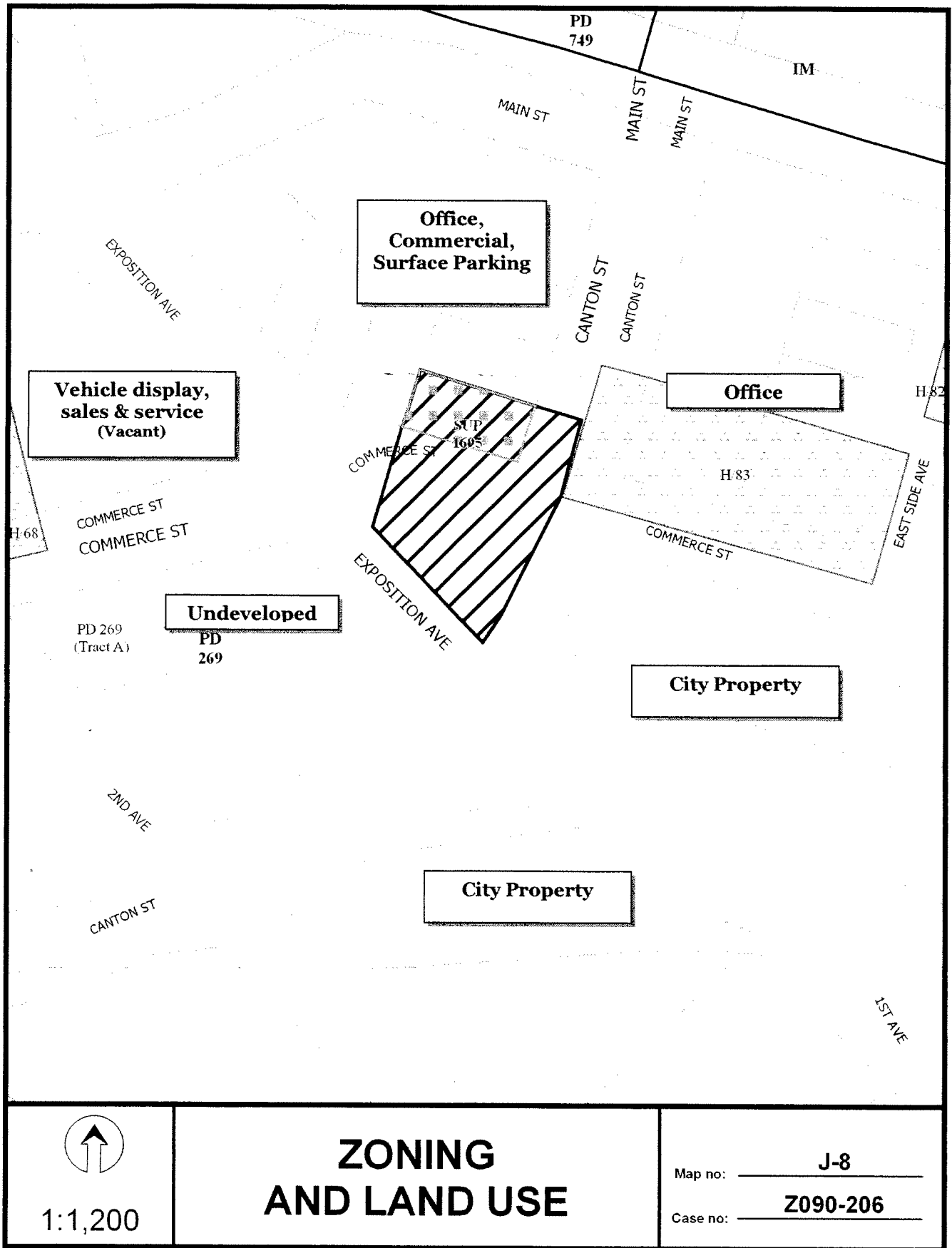
Specific Use Permit
No. 1695

Approved
City Plan Commission
August 19, 2010

Hamilton Wolf Andrews Architecture / Design / Development Restaurant Design / Prototype Development <small>Copyright © 2010 HWA. Hamilton Wolf Andrews. All rights reserved.</small>		Double Wide 3510 Commerce Street Dallas, Texas 75226	
PROJECT / CLIENT PROJECT NO. DATE: 8-19-10 SHEET NO.	DRAWN BY CHECKED BY DATE: 8-19-10 SHEET NO.	1. Performance Area 1,350 SF 2. Performance Area 1,350 SF 3. Performance Area 1,350 SF 4. Performance Area 1,350 SF 5. Performance Area 1,350 SF 6. Performance Area 1,350 SF 7. Performance Area 1,350 SF 8. Performance Area 1,350 SF 9. Performance Area 1,350 SF 10. Performance Area 1,350 SF	1. Performance Area 1,350 SF 2. Performance Area 1,350 SF 3. Performance Area 1,350 SF 4. Performance Area 1,350 SF 5. Performance Area 1,350 SF 6. Performance Area 1,350 SF 7. Performance Area 1,350 SF 8. Performance Area 1,350 SF 9. Performance Area 1,350 SF 10. Performance Area 1,350 SF

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1:1,200

ZONING AND LAND USE

Map no: J-8

Case no: Z090-206

DATE: June 01, 2010