

6-17-11

ORDINANCE NO. 28265

An ordinance amending Ordinance No. 23367, passed by the Dallas City Council on December 10, 1997, as amended by Ordinance No. 26312, passed by the Dallas City Council on April 26, 2006, as amended by Ordinance No. 27641, passed by the Dallas City Council on August 26, 2009, which amended the zoning ordinances of the City of Dallas, and granted Specific Use Permit No. 1344 for an open-enrollment charter school or private school; amending the conditions in Section 2 of that ordinance; 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. 1344; and

WHEREAS, the city council finds that it is in the public interest to amend Specific Use Permit No. 1344; 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. 23367, as amended, are amended to read as follows:

- “1. USE: The only use authorized by this specific use permit are an open-enrollment charter school or private school.
2. SITE PLAN: Use and development [~~Development and use~~] of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on June 22, 2016, but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. 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 applications for automatic renewal is strictly enforced.) [~~shall automatically terminate on May 25, 2011.~~]
4. LANDSCAPING: Landscaping must be provided in accordance with the attached landscape plan. Landscaping must be completed in accordance with Article X of the Dallas Development Code, as amended. Plant materials must be maintained in a healthy, growing condition.
5. CIRCULATION: School personnel must be stationed in the locations shown on the attached site plan to direct traffic in the morning from one hour prior to the beginning of classes until one hour after the beginning of classes, and in the afternoon from one hour prior to the end of classes until one hour after the end of classes as follows:
  - (a) for enrollment of 60 students or less, school personnel A must be provided in the location shown on the attached site plan; and
  - (b) for enrollment of more than 60 students, school personnel A and B must be provided in the locations shown on the attached site plan.
6. CLASSROOMS: The maximum number of classrooms is 10.
7. ENROLLMENT: Enrollment may not exceed 100 students.
8. GRADE LEVELS PERMITTED: Enrollment is limited to grades five [5] through eight [8].
9. HOURS OF OPERATION: The open-enrollment charter school or private school may only operate between 8:00 a.m. and 6:00 p.m., Monday through Friday.
10. PICK-UP AND DROP-OFF AREA: A pick-up and drop-off area must be provided in the locations where school personnel are shown on the attached site plan.
11. SCREENING: A six-foot-high solid fence must be provided as shown on the attached site plan.

12. SIGNS: Except as provided in Paragraph 13, the only sign allowed is one ground monument sign located at the corner of Marsh Lane and Frankford Road. The sign may not include LED technology or similar electronic changeable message technology.
13. INGRESS-EGRESS: Ingress and egress must be provided as shown on the attached site plan. Signage must be provided on the Property indicating the entrance to and exit from the open-enrollment charter school or private school.
14. PARKING: Parking must be located as shown on the attached site plan.
15. MAINTENANCE: The [~~entire~~] Property must be properly maintained in a state of good repair and neat appearance.
16. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulation, and with all ordinances, rules, and regulations of the City of Dallas.”

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

SECTION 3. 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 4. 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.

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SECTION 5. 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

  
Assistant City Attorney

Passed

JUN 22 2011

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Z989-116

TIMBERGLEN RD

MF-1(A)

Z978-325

SUP  
1344

FRANKFORD RD

FRANKFORD RD

CR

MARSH LN

MARSH LN



1:2,400

# ZONING AND LAND USE

Map no: AA-6

Case no: Z101-225

DATE: April 21, 2011