

11-6-12

ORDINANCE NO. 28841

An ordinance amending Ordinance No. 28499, passed by the Dallas City Council on December 14, 2011, which amended the zoning ordinances of the City of Dallas, and granted Specific Use Permit No. 1926 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less; amending the conditions in Section 2 of that ordinance; providing a revised site and landscape 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. 1926; and

WHEREAS, the city council finds that it is in the public interest to amend Specific Use Permit No. 1926; 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. 28499 are amended to read as follows:

- “1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site and landscape plan.

3. TIME LIMIT: This specific use permit expires on November 14, 2014 [~~December 14, 2013~~], 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.)
4. DRIVE-THROUGH WINDOW: Use of the drive-through window for retail sales of alcoholic beverages is prohibited.
5. INGRESS-EGRESS:
 - (a) Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.
 - (b) Signage must be provided at all ingress and egress points to direct traffic into and out of the Property.
6. PARKING: Off-street parking [~~Parking~~] must be located as 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.”

SECTION 2. That the site plan attached to Ordinance No. 28499 is replaced by the site and landscape 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.

28841

122793

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:

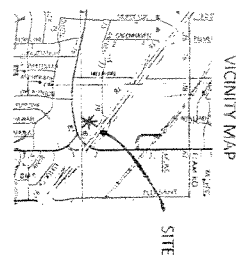
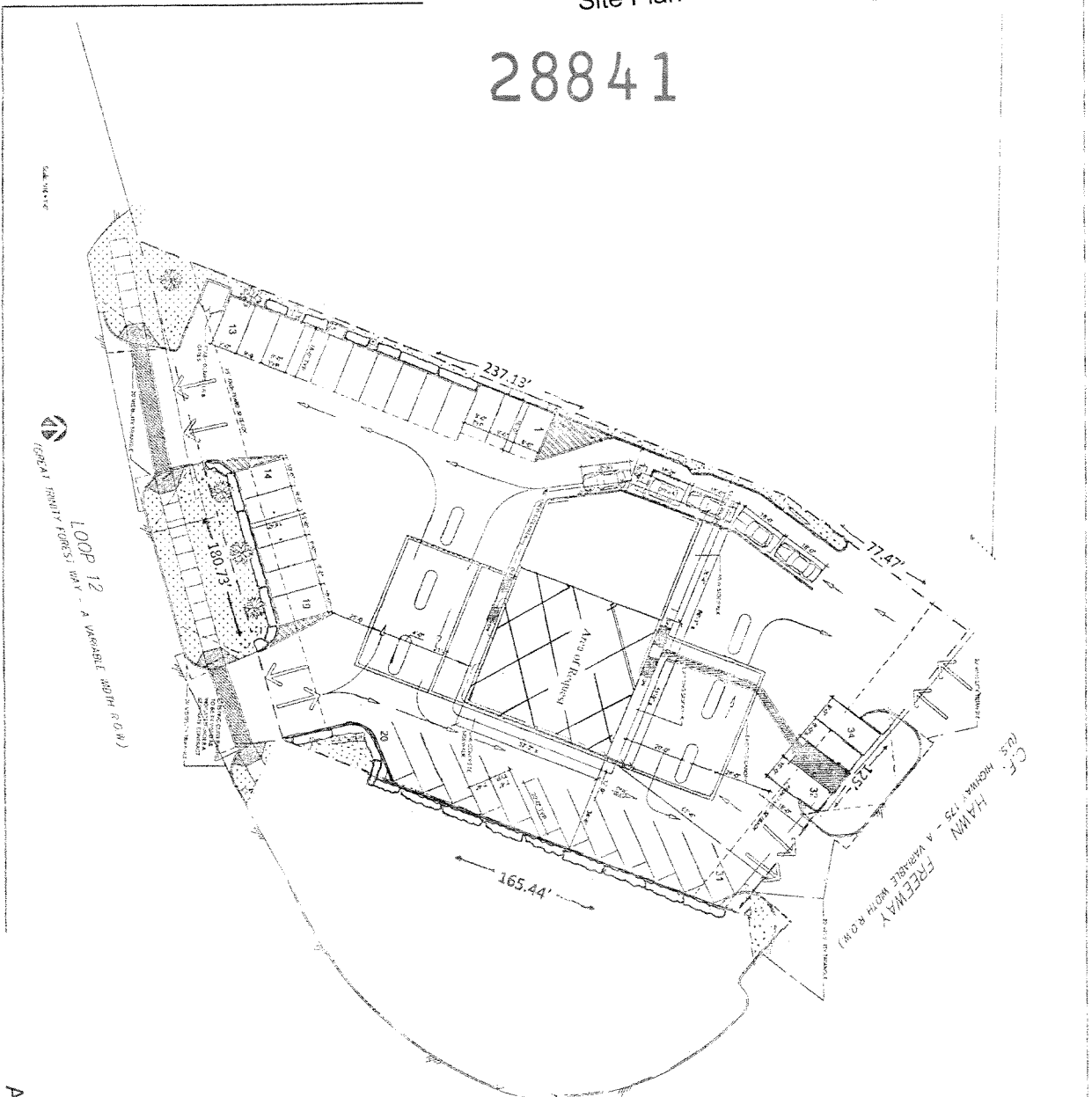
THOMAS P. PERKINS, JR., City Attorney

By 
Assistant City Attorney

Passed NOV 14 2012

Site Plan

28841



SITE SUMMARY
 Existing Zoning: PDD 513 Subdistrict 5 with D-1 overlay
 Proposed Zoning: SUP for off premise alcohol consumption for general merchandise store < 3500 S.F.
 Existing lot Area: 33,414.16
 Lot Coverage: 138%
 Floor Area:
 Restaurant with Drive Thru 1774 s.f.
 General Merchandise < 3500 square feet 2721 s.f.
 Required Parking: 32
 Provided Parking: 34

Site and Landscape Plan

Scale: 1" = 100'

North Arrow

Legend

Site Area

Landscaping

Other

Subway and Convenience Store

8015 C.F. HAYN FREEWAY

DALLAS, TEXAS

E. EVANS ASSOCIATES, INC.

ARCHITECTURE - ENGINEERING - INTERIOR DESIGN - LANDSCAPE ARCHITECTURE

11551 FOREST CENTRAL DRIVE, SUITE 200, FORT WORTH, TEXAS 76116

PH: (817) 340-6666 FAX: (817) 340-0055

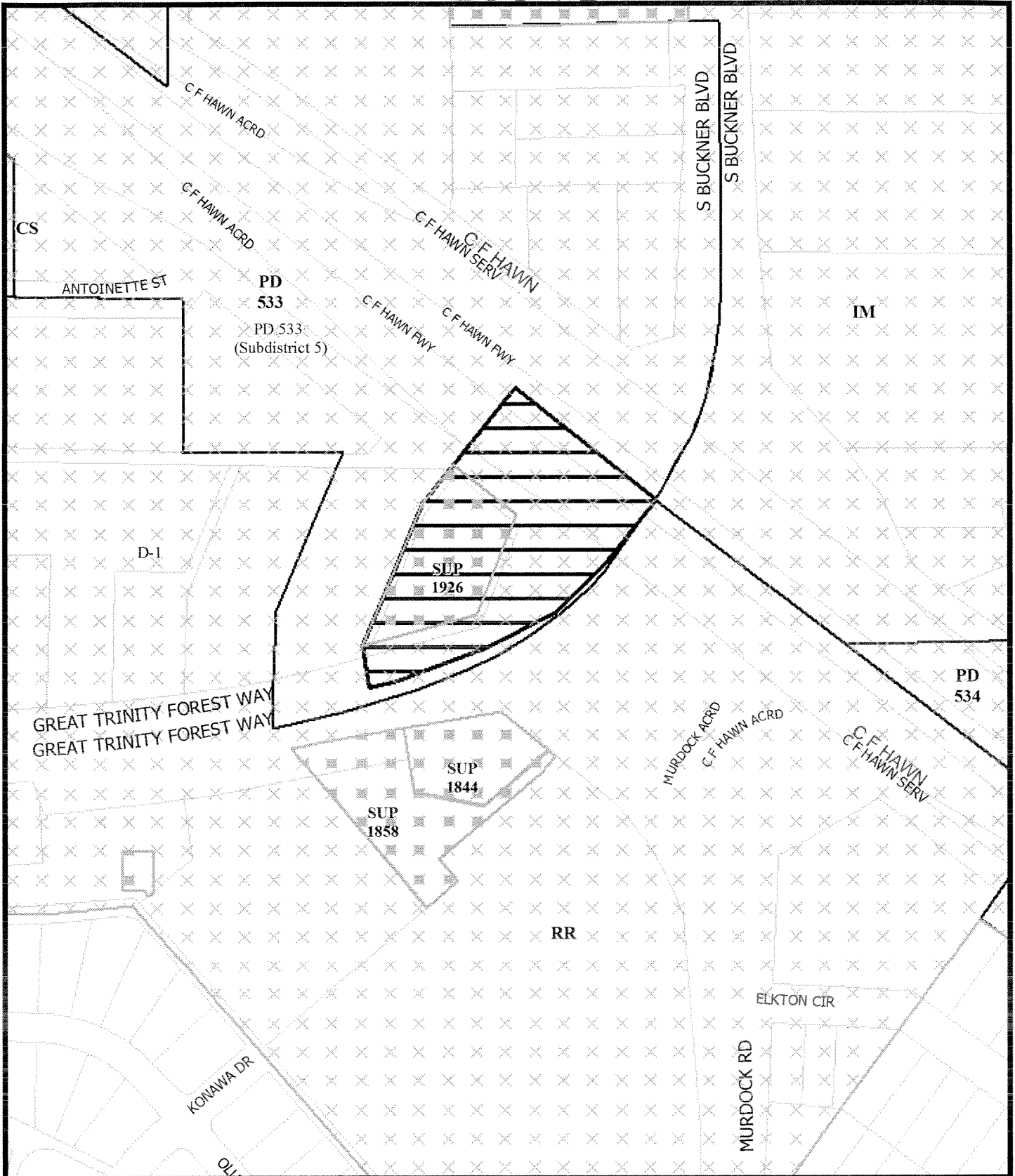
Specific Use Permit
 No. 1926

Approved
 City Plan Commission
 October 4, 2012

Z112-295

28841

122793



1:2,400

ZONING AND LAND USE

Case no: Z112-295

Date: 10/22/2012