

12-7-12

ORDINANCE NO. 28856

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as a CR Community Retail District:

BEING a tract of land in City Block 6991 located approximately 193.23 feet south of the intersection of Preston Road and Lindenshire Lane; fronting approximately 274.90 feet on the west side of Preston Road; and containing 4.96 acres,

to be used under Specific Use Permit No. 1999 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a microbrewery, microdistillery, or winery; providing that this specific use permit shall be granted subject to certain conditions; 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 specific use permit; and

WHEREAS, the city council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the city council finds that it is in the public interest to grant this specific use permit, subject to certain conditions; Now, Therefore,

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

SECTION 1. That the zoning ordinances of the City of Dallas are amended to allow the property described in Exhibit A, which is attached to and made a part of this ordinance ("the Property"), which is presently zoned as a CR Community Retail District, to be used under Specific Use Permit No. 1999 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a microbrewery, microdistillery, or winery.

SECTION 2. That this specific use permit is granted on the following conditions:

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a bar, lounge, or tavern and a microbrewery, microdistillery, or winery.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on December 12, 2015.
4. FLOOR AREA: The maximum floor area is 1,425 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The use may only operate between 11:00 a.m. and 11:00 p.m., Monday through Sunday.
6. OUTSIDE STORAGE: Outside storage silos and outside storage of spent organic material is prohibited.
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 3. That all paved areas, permanent drives, streets, and drainage structures, if any, on the Property must be constructed in accordance with standard City of Dallas specifications, and completed to the satisfaction of the director of public works and transportation.

SECTION 4. That the building official shall not issue a building permit or a certificate of occupancy for a use authorized by this specific use permit on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City of Dallas.

SECTION 5. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 6. 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 7. 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 8. 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 DEC 12 2012

## Exhibit A

28856

## Exhibit A

Metes and Bounds Description  
11909 Preston Road

Being a portion of a 5.8465 acre tract of land situated in the I. Park survey, Abstract No. 1144 and the S. Lockhart Survey, Abstract No. 821, City of Dallas, Dallas County, Texas, and being all of a called 4.96 acre portion from that tract of land described in deed to Marie F. Meletio recorded in volume 2000249, Page 4676 of the Deed Records of Dallas County, Texas and more particularly described as follows:

COMMENCING at a point that is the southeast point of the corner clip at the intersection of Lindenshire Lane and the west right-of-way line of Preston Road;

THENCE South 05 degrees, 13 minutes, 00 seconds, West along the west right-of-way line of Preston Road a distance of 468.13 feet to the POINT OF BEGINNING;

BEGINNING at a ½ inch iron rod set for corner in the west right-of-way line of Preston Road (100' ROW) at the southeast corner of said Meletio Tract:

THENCE South 89 degrees, 16 minutes, 3 seconds, West along the South boundary line of said Meletio tract, a distance of 771.70;

THENCE North 00 degrees, 39 minutes, 42 seconds, East along the west boundary line of said Meletio tract, a distance of 279.01;

THENCE North 89 degrees, 39 minutes, 55 seconds, East along the north boundary line of said Meletio tract, a distance of 793.42;

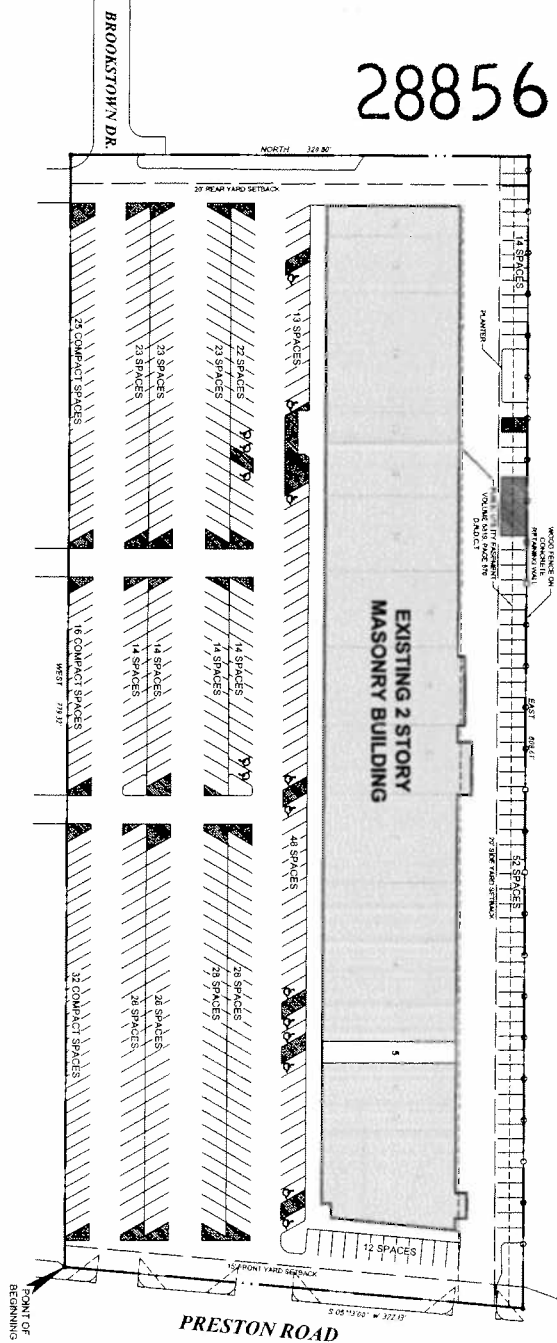
THENCE South 05 degrees 13 minutes 00 seconds West along the west right-of-way line of said Preston Road, a distance of 274.90 feet to the POINT OF BEGINNING and containing 4.96 acres or 216,167.72 square feet of land. This is an unofficial (not an on the ground survey) metes and bounds survey.

Site Plan

28856

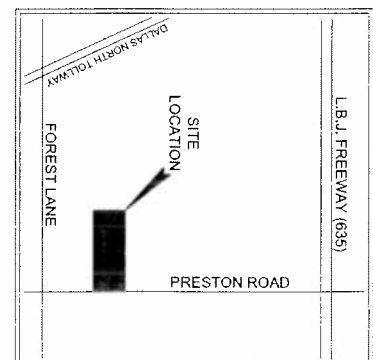


SITE PLAN - SUITE 1415  
SCALE: 1" = 40'-0"



Specific Use Permit  
No. 1999

Approved  
City Plan Commission  
November 1, 2012



VICINITY MAP  
NTS

Item #	Item Name	Area (sq. ft.)	Volume (cu. yd.)
1	1.1719 Surface City	1,620	1.17
2	2.1411 Surface City	1,620	1.17
3	3.1411 Surface City	1,620	1.17
4	4.1411 Surface City	1,620	1.17
5	5.1411 Surface City	1,620	1.17
6	6.1411 Surface City	1,620	1.17
7	7.1411 Surface City	1,620	1.17
8	8.1411 Surface City	1,620	1.17
9	9.1411 Surface City	1,620	1.17
10	10.1411 Surface City	1,620	1.17
11	11.1411 Surface City	1,620	1.17
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CITY OF DALLAS, TEXAS

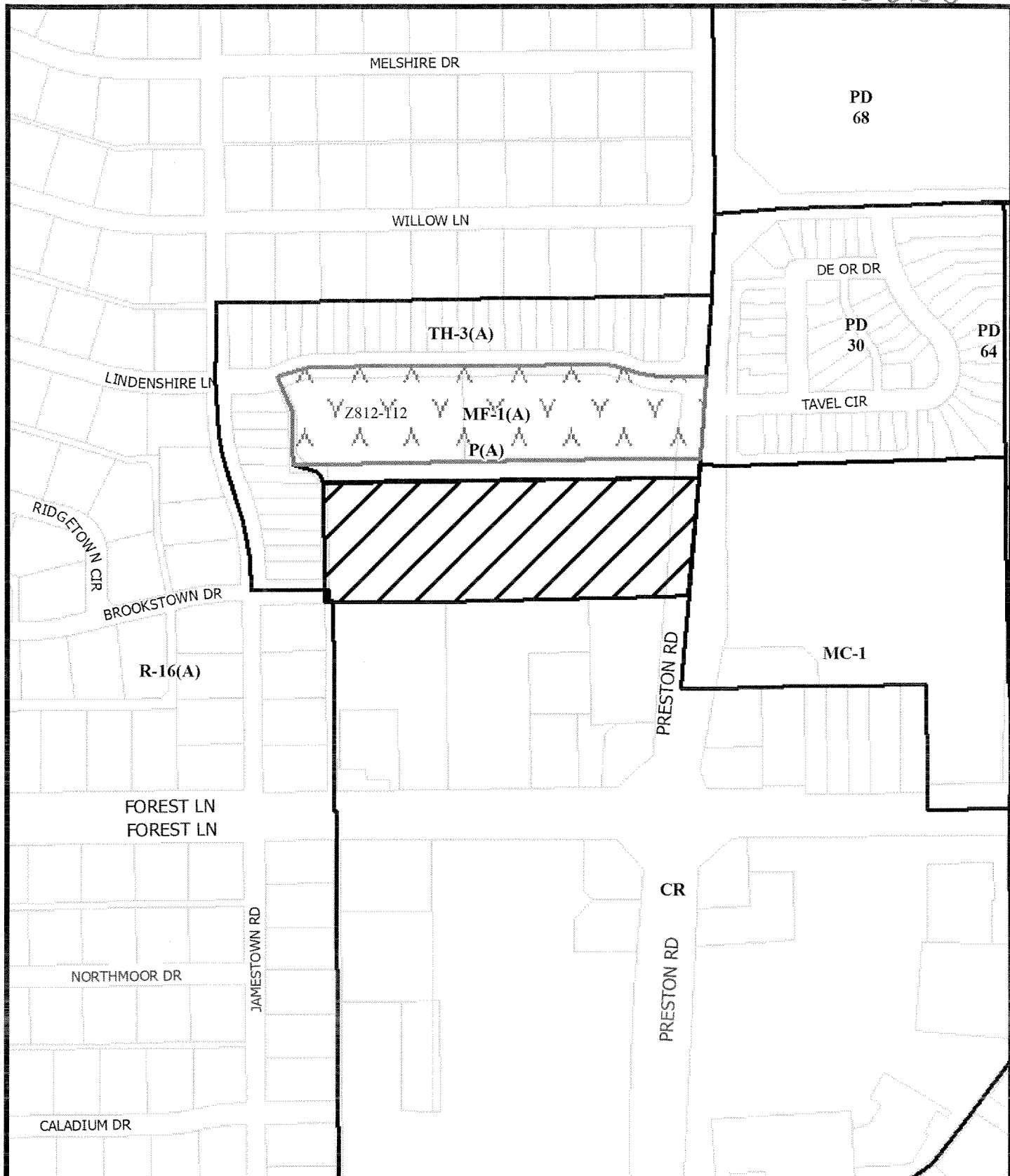


PERMITTED  
DEVELOPMENT  
416 S. Ervay Street  
Dallas, Texas 75201  
214.686.3635  
www.permitteddevelopmentdallas.com

10/23/12  
PROJECT NUMBER  
CASE NUMBER

28856

123026



1:3,600

## ZONING AND LAND USE

Case no: Z112-313

Date: 10/16/2012