

3-26-13

ORDINANCE NO. 28964

An ordinance amending Ordinance No. 28225, passed by the Dallas City Council on June 8, 2011, which amended the zoning ordinances of the City of Dallas, and granted Specific Use Permit No. 1856 for alcoholic beverage establishment uses limited to bar, lounge, or tavern uses and for commercial amusement (inside) uses for dance halls; 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. 1856; and

WHEREAS, the city council finds that it is in the public interest to amend Specific Use Permit No. 1856; 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. 28225 are amended to read as follows:

- “1. USE: The only uses authorized by this specific use permit are alcoholic beverage establishment uses limited to bar, lounge, or tavern uses and commercial amusement (inside) uses for dance halls.
2. SITE PLAN: Use and development of the Property must comply with the attached site plans. An alcoholic beverage establishment use limited to a bar, lounge, or tavern may not be operated on the street-level.
3. TIME LIMIT: This specific use permit expires on April 10, 2016 [~~automatically terminates on June 8, 2013~~].

4. DANCE FLOOR: The total combined dance floor area is limited to 906 square feet.
5. FLOOR AREA: The maximum total floor area is 29,094 square feet. The maximum total floor area for alcoholic beverage establishment uses limited to bar, lounge, or tavern uses is 22,000 square feet.
6. HOURS OF OPERATION: The alcoholic beverage establishment uses limited to bar, lounge, or tavern uses and commercial amusement (inside) uses for dance halls may only operate between 11:00 a.m. and 2:00 a.m. (the next day), Monday through Sunday.
7. ON-SITE SECURITY: A minimum of four licensed peace officers must be provided on site between 10:00 p.m. and 2:00 a.m. (the next day).
8. OUTSIDE SPEAKERS: Outside speakers are permitted on the rooftop and may only operate between the hours of 11:00 a.m. and 11:00 p.m. The speakers must be oriented towards the seating area.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. 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 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:

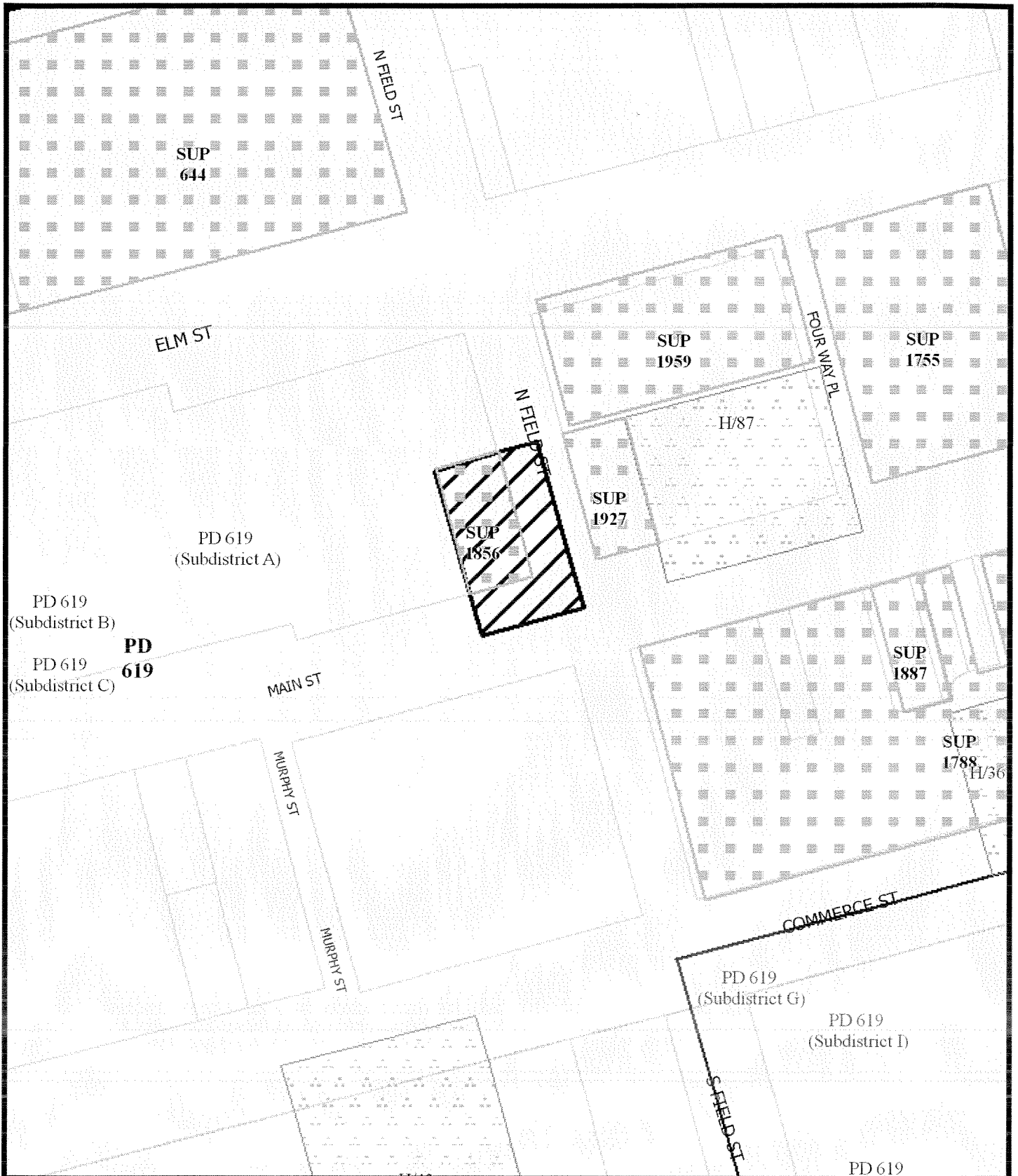
THOMAS P. PERKINS, JR., City Attorney

By Cathy Bunos
Assistant City Attorney

Passed APR 10 2013

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ZONING AND LAND USE

Case no: **Z123-182**Date: **2/11/2013**