

ORDINANCE NO. 28998

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 Lot 21 in City Block 24/7146; fronting approximately 49 feet on the west line of Westmoreland Road north of Angelina Drive; and containing approximately 7,350 square feet of land,

to be used under Specific Use Permit No. 2030 for a convenience store with drive-through; 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 following property ("the Property"), which is presently zoned a CR Community Retail District, to be used under Specific Use Permit No. 2030 for a convenience store with drive-through:

BEING Lot 21 in City Block 24/7146; fronting approximately 49 feet on the west line of Westmoreland Road north of Angelina Drive; and containing approximately 7,350 square feet of land.

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 a convenience store with drive-through.
2. SITE AND LANDSCAPE 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 May 22, 2015.
4. FLOOR AREA: The maximum floor area is 600 square feet.
5. HOURS OF OPERATION: The convenience store with drive-through may only operate between 9:00 a.m. and 11:00 p.m., Monday through Thursday; 9:00 a.m. and 12:00 a.m. (midnight) on Friday; 9:00 a.m. and 1:00 a.m. (the next day) on Saturday; and 9:00 a.m. and 10:00 p.m. on Sunday.
6. INGRESS-EGRESS: Ingress and egress must be provided in the locations shown on the attached site and landscape plan. No other ingress or egress is permitted.
7. LIGHTING: Exterior lighting must be directed away from adjoining properties and right-of-way.
8. OUTSIDE SPEAKERS: Outside speakers are prohibited.
9. PARKING: Parking must be located as shown on the attached site and landscape plan.
10. SCREENING FENCE: A minimum eight-foot-high solid screening fence must be maintained along the western boundary of the Property and a minimum six-foot-high solid screening fence must be maintained along the northern boundary of the Property as shown on the attached site and landscape plan.

11. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
12. 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 City of Dallas.

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

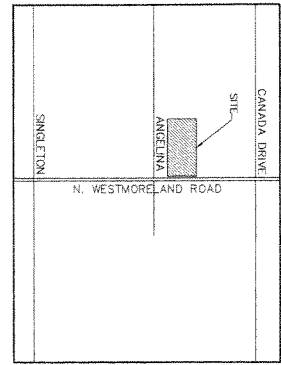
BY Casey Buys
Assistant City Attorney

Passed MAY 22 2013

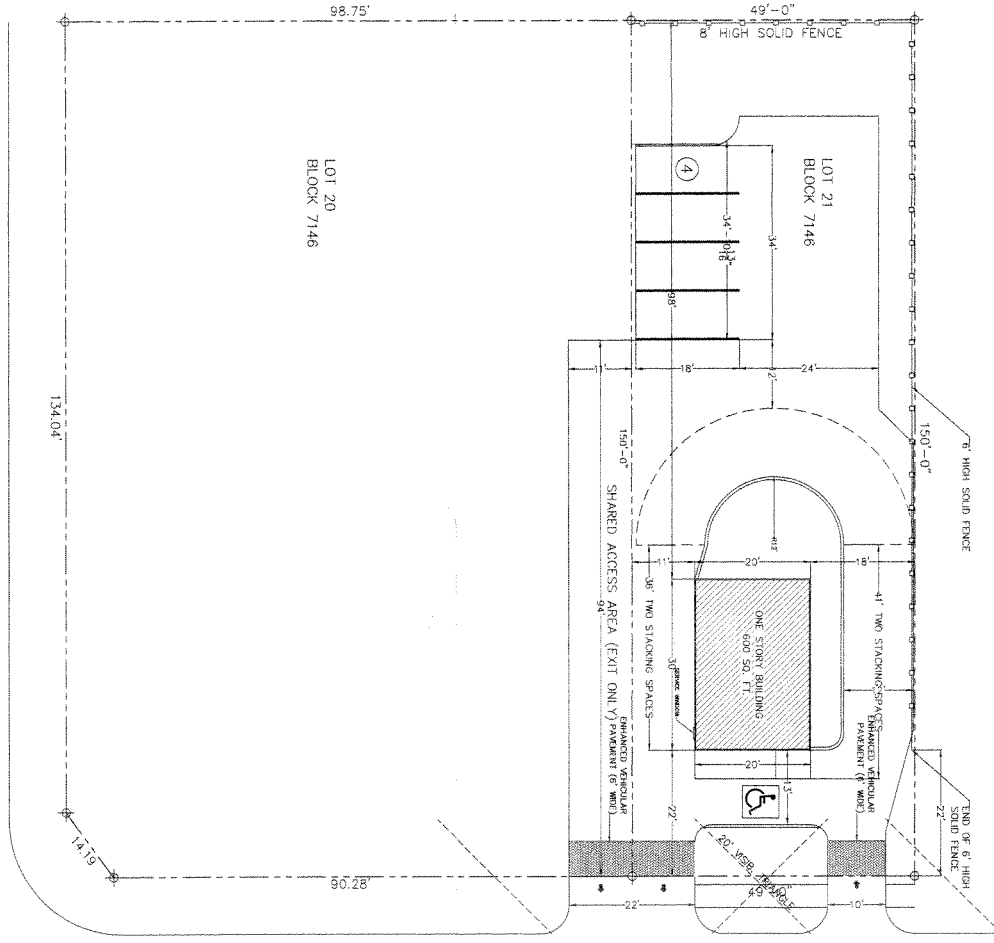
Site Plan

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VICINITY MAP



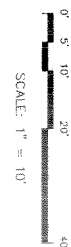
ANGELINA DRIVE



N. WESTMORELAND ROAD (6-LANE DIVIDED)

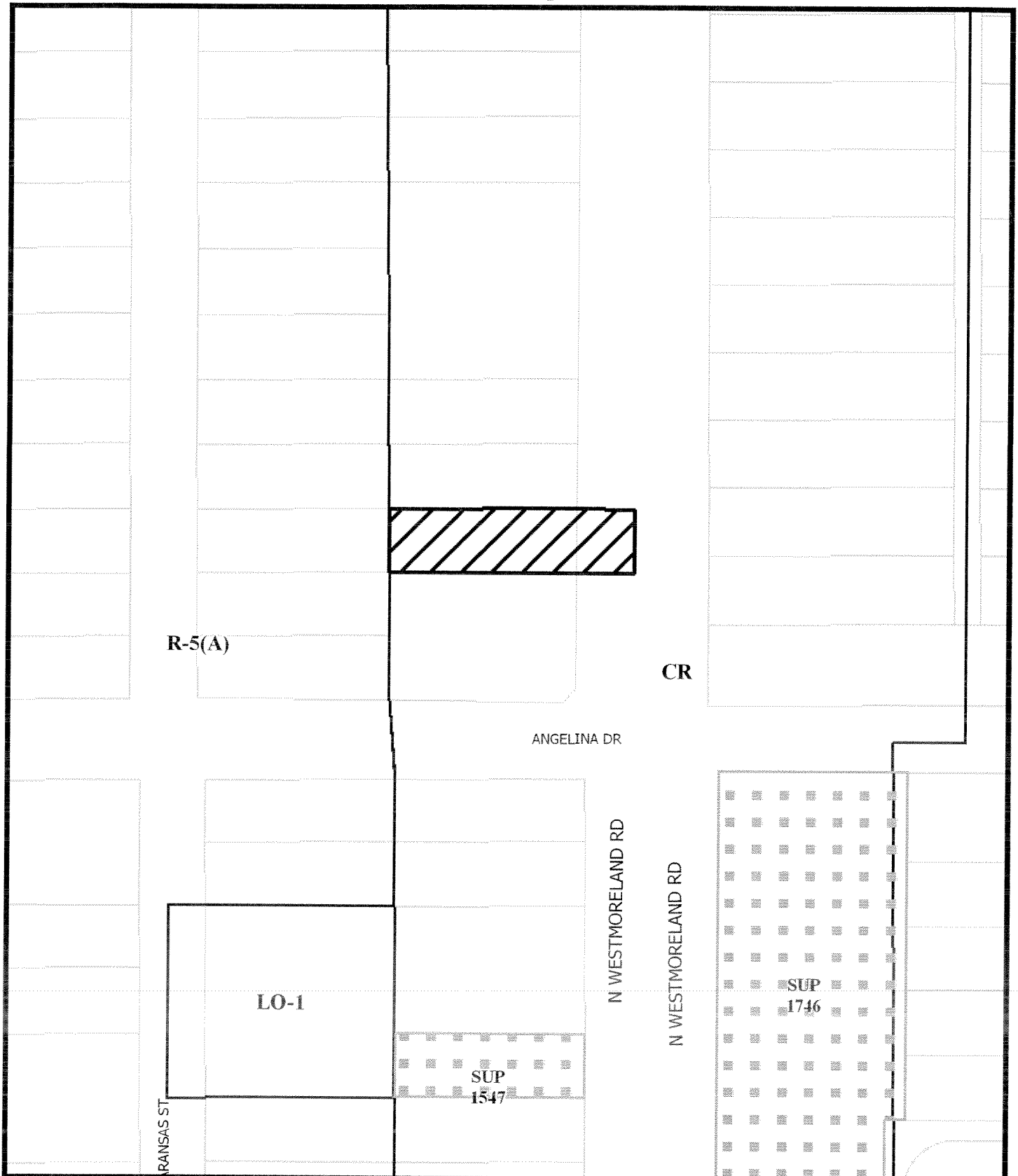
SITE PLAN			
4011 N. WESTMORELAND ROAD			
Z112-323			
DEPARTMENT OF CURRENT PLANNING			
CITY OF DALLAS			
DESIGN BY:	DRAWN BY:	DATE:	SCALE:
ARANDA	ARANDA	APRIL 30, 2013	1" = 20'

PARKING ANALYSIS:
 LAND USE: GENERAL MERCHANDISE w/ SUP FOR DRUG-THRU
 PARKING REQ: 1700 SQ. FT.
 PARKING PROVIDED: 5 SPACES
 LAND AREA: 7,250 sq. ft.
 LOT COVERAGE: 8.1%
 OUTSIDE SPEAKERS ARE NOT PERMITTED
 LANDSCAPE AS PER ARTICLE 6, DALLAS DEVELOPMENT CODE



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1:1,200

ZONING AND LAND USE

Case no: Z112-323

Date: 4/2/2013