

10-16-13

ORDINANCE NO. 29180

An ordinance amending Ordinance No. 28452, passed by the Dallas City Council on October 26, 2011, which amended the zoning ordinances of the City of Dallas, and granted Specific Use Permit No. 1912 for a late-hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge or tavern; amending the conditions in Section 2 of that ordinance; providing a revised site 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. 1912; and

WHEREAS, the city council finds that it is in the public interest to amend Specific Use Permit No. 1912; 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. 28452 are amended to read as follows:

- “1. USE: The only use authorized by this specific use permit is a late-hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge or tavern.
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 October 23, 2016 [~~26, 2013~~].
4. ~~[CERTIFICATE OF OCCUPANCY: The owner or operator must obtain a certificate of occupancy for a late hours establishment before operating after 12:00 a.m. (midnight).~~

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- 5.] FLOOR AREA: Maximum floor area is 2,803 square feet in the location shown on the attached site plan.
- 5[6]. HOURS OF OPERATION:
- A. The late-hours establishment may only operate between 12:00 a.m. (midnight) and 2:00 a.m., Monday through Sunday.
 - B. All customers must leave the Property by 2:15 a.m.
- 6[7]. OUTDOOR LOUDSPEAKERS: Use of outdoor loudspeakers on the Property is prohibited.
- 7[8]. PARKING: Parking must be provided in accordance with Planned Development District No. 842 and MD-1 Modified Delta Overlay No. 1.
8. PATIO:
- A. An uncovered patio not to exceed 360 square feet in area is permitted in the location shown on the attached site plan.
 - B. The owner or operator must obtain a private license for the uncovered patio, with a copy of the private license provided to the building official before the uncovered patio may be used by customers.
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 the site plan attached to Ordinance No. 28452 is replaced by the site 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.

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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.

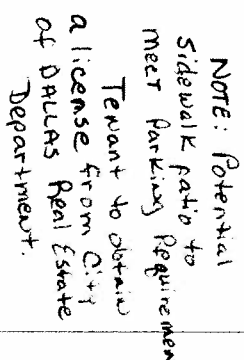
APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By Casey Buyess
Assistant City Attorney

Passed OCT 23 2013

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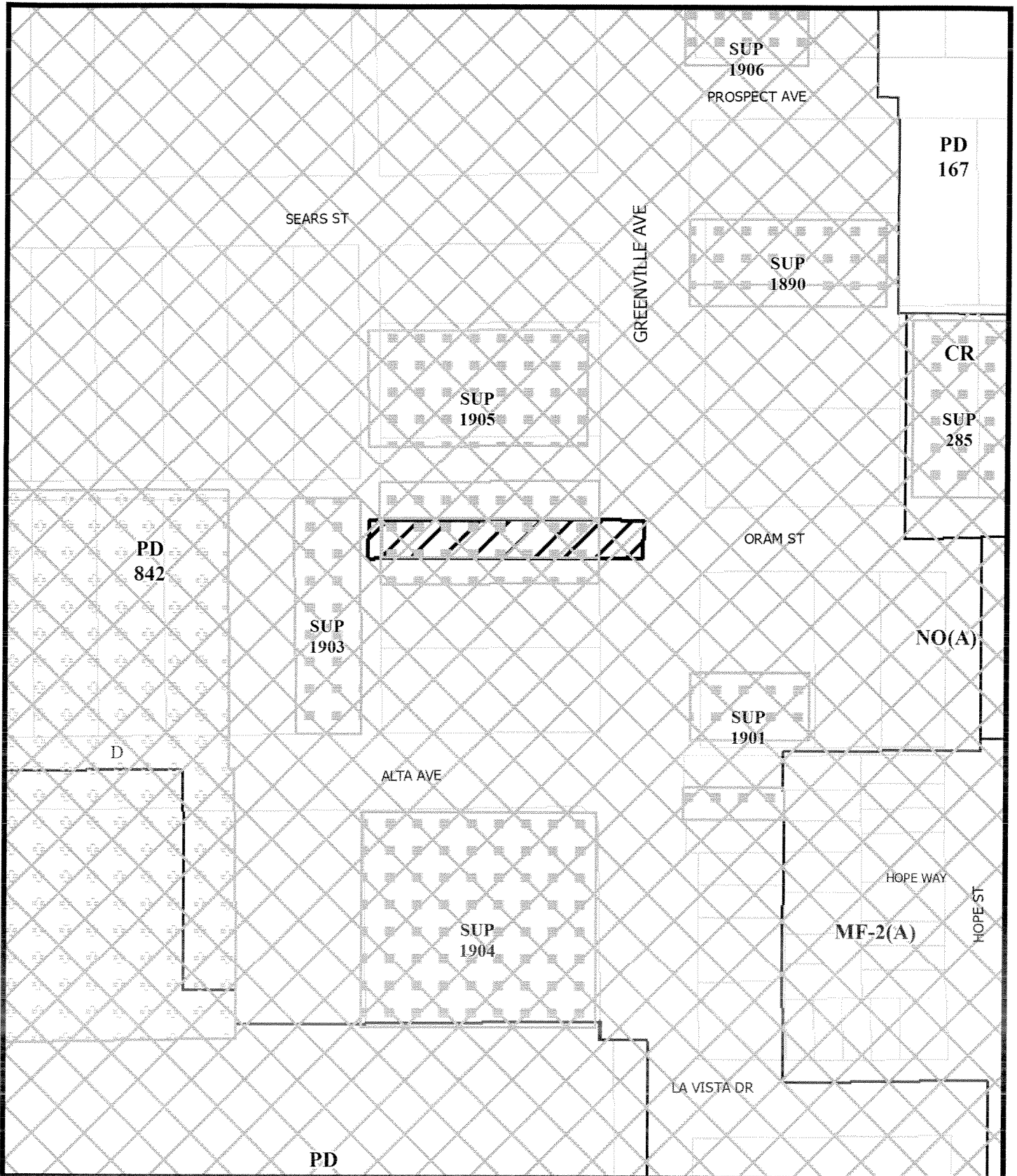


Z123-315 (RB)

01 SITE PLAN - S.U.P.

29180

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1:1,200

ZONING MAP

Case no: Z123-315

Date: 10/9/2013