

8-7-17

ORDINANCE NO. 30585

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as Tract A within Planned Development District No. 269 (Deep Ellum/Near East Side District):

BEING a tract of land in City Block 495; fronting on Hall Street between Elm Street and Main Street; fronting approximately 250.89 feet on the southeast line of Elm Street; fronting approximately 250.85 feet on the northwest line of Main Street; and containing approximately 1.211 acres,

to be used under Specific Use Permit No. 2253 for a bar, lounge, or tavern; 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 Tract A within Planned Development District No. 269, to be used under Specific Use Permit No. 2253 for a bar, lounge, or tavern.

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 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 August 9, 2019.
4. FLOOR AREA: The maximum floor area is 1,700 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The bar, lounge, or tavern may only operate between 11:00 a.m. and 11:00 p.m., Monday through Sunday.
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 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.

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:

LARRY E. CASTO, City Attorney

By  _____
Assistant City Attorney

Passed _____ AUG 9 2017

30585

GIS_Approved

171219

EXHIBIT A

BEING 1.211 acres or (52,733 square feet) of land in the John Grigsby Survey, Abstract Number 495, City of Dallas, Dallas County, Texas; said 2.037 acres or (88,721 square feet) of land being a portion of City Block 847, in the City of Dallas, Dallas County, Texas, said 1.211 acres or (52,733 square feet) being a portion of that certain tract of land described in a Special Warranty Deed to Westdale Properties America I, LTD. (hereinafter referred to as Westdale Properties America I tract), as recorded in Instrument Number 200600416246, Official Public Records, Dallas County, Texas, said 1.211 acres or (52,733 square feet) being a portion of Lot 3 and all of Lot 4, Block 847, GANZER'S ADDITION, as recorded in Volume 96, Page 379, Deed Records, Dallas County, Texas (D.R.D.C.T.), said 1.211 acres or (52,733 square feet) being of a portion Lot 1 and all of Lot 2 thru Lot 6 and Lot 8, Lot 9 and a portion of Lot 10, Block 847, J. BOPPS ADDITION, as recorded in Volume 106, Page 148, D.R.D.C.T. and re-filed in Volume 121, Page 161, D.R.D.C.T., said 1.211 acres or (52,733 square feet) being more particularly described, by metes and bounds, as follows:

BEGINNING at a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for the Northwesterly corner of said Westdale Properties America I tract, same being the intersection of the existing Southeasterly right-of-way line of Elm Street (variable width right-of-way) with the existing Northeasterly right-of-way line of Hall Street (100' right-of-way), as recorded in Volume 2610, Page 174, D.R.T.C.T.;

THENCE North 75 degrees 27 minutes 34 seconds East with the common line between said Westdale Properties America I tract and the existing Southeasterly right-of-way line of said Elm Street, a distance of 250.89 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set ;

THENCE South 14 degrees 31 minutes 52 seconds East, departing the existing Southeasterly right-of-way line of said Elm Street and crossing said Westdale Properties America I tract, a distance of 210.20 feet to the five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set in the Southeasterly line of said Westdale Properties America I tract, same being the existing Northwesterly right-of-way line of Main Street (66' right-of-way);

THENCE South 75 degrees 27 minutes 34 seconds West with the common line between said Westdale Properties America I tract and the existing Northwesterly right-of-way line of said Main Street, a distance of 250.85 feet to a PK nail found for the Southwesterly corner of said Westdale Properties America I tract, same being the intersection of the existing Northwesterly right-of-way line of said Main Street with the existing Northeasterly right-of-way line of said Hall Street;

THENCE North 14 degrees 32 minutes 26 seconds West with the common line between said Westdale Properties America I tract and the existing Northeasterly right-of-way line of said Hall Street, a distance of 210.20 feet to the **PLACE OF BEGINNING**, and containing a calculated area of 1.211 acres or (52,733 square feet) of land.

Site Plan

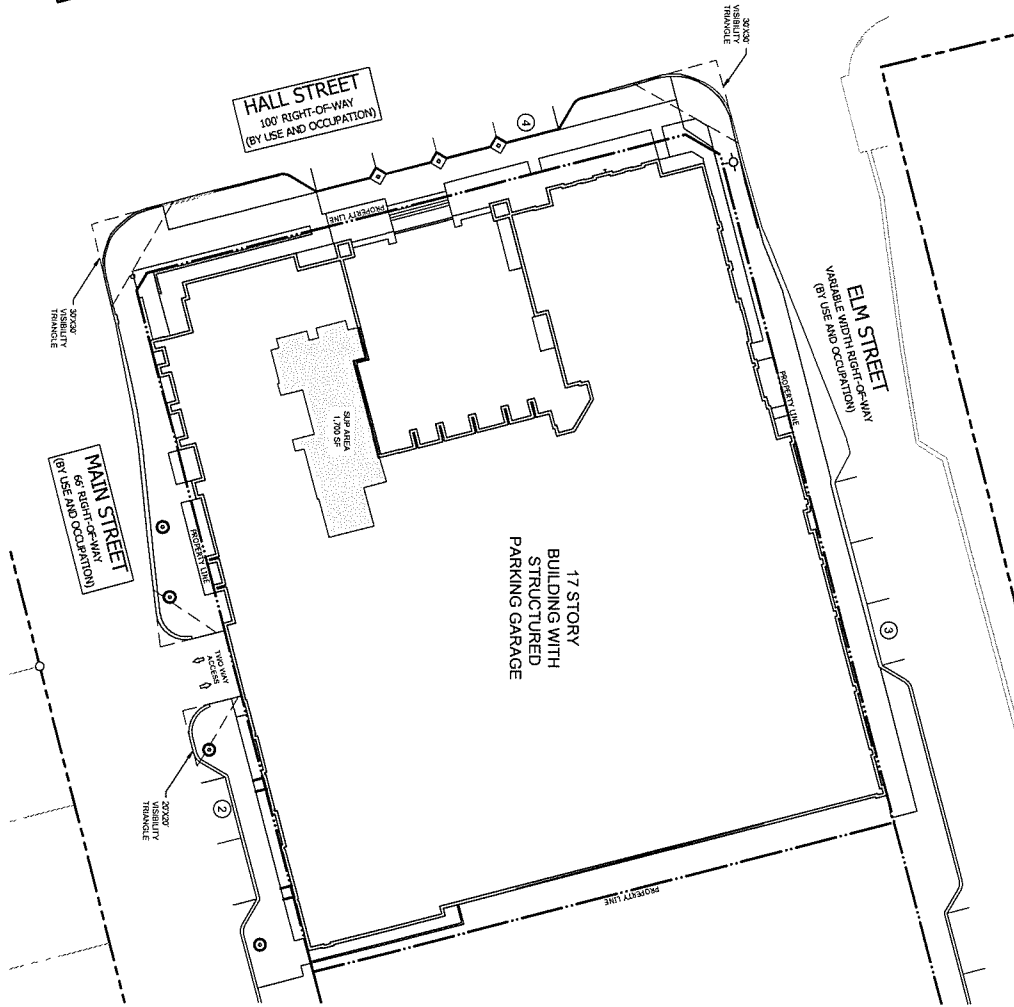
30585

171219

Specific Use Permit
No. 2253



1 SUP SITE PLAN
SCALE: 1" = 20'-0"



Approved
City Plan Commission
June 22, 2017

SUP FOR BAR, LOUNGE OR TAVERN
LIMITED TO 1,700 SQUARE FEET
IN LOCATION SHOWN
LOT AREA: 1.211 ACRES
ZONING: PD 269 TRACT A



VICINITY MAP
NTS



Z167-283

210 HALL STREET
CITY OF DALLAS, TEXAS

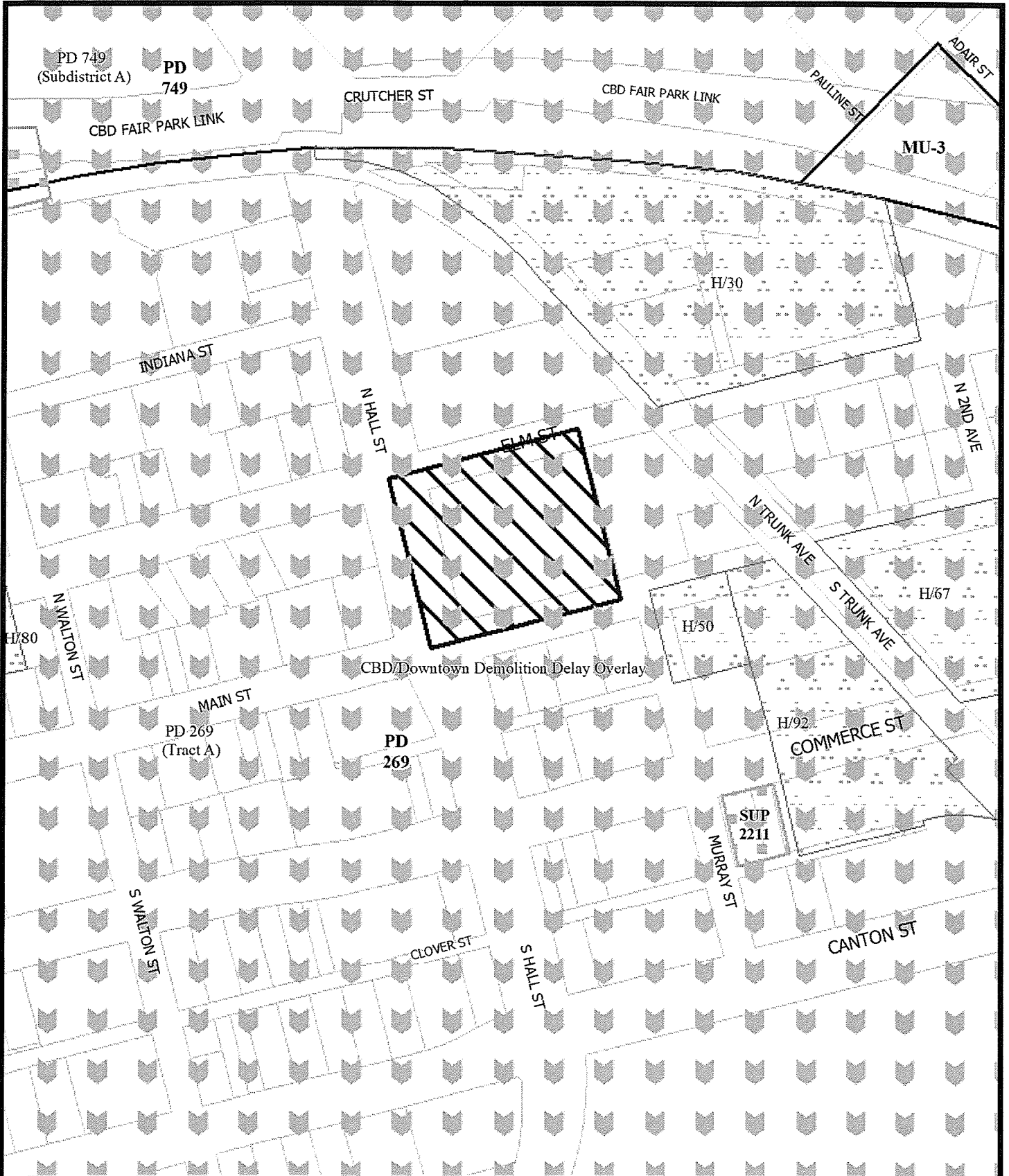
Baldwin
Associates

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ASSOCIATES

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04/18/2017

Z167-283



1:2,400

ZONING MAP

Case no: Z167-283

Date: 5/10/2017



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL AUG 9 2017

ORDINANCE NUMBER 30585

DATE PUBLISHED AUG 12 2017

ATTESTED BY: