

12-5-17

ORDINANCE NO. 30719

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

BEING Lot 3 in City Block 13/191; fronting approximately 50 feet on the south line of Commerce Street west of Malcom X Boulevard; and containing approximately 0.143 acres,

to be used under Specific Use Permit No. 2267 for 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:

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SECTION 1. That the zoning ordinances of the City of Dallas are amended to allow the following property ("the Property"), which is presently zoned as Tract A of Planned Development District No. 269, to be used under Specific Use Permit No. 2267 for a microbrewery, microdistillery, or winery:

BEING Lot 3 in City Block 13/191; fronting approximately 50 feet on the south line of Commerce Street west of Malcom X Boulevard; and containing approximately 0.143 acres,

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 microbrewery, micro distillery, 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 13, 2020, but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. FLOOR AREA: The maximum floor area is 6,250 square feet.
5. PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269.
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
7. 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.

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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.

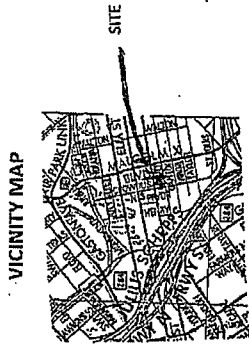
SECTION 8. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By   
Assistant City Attorney

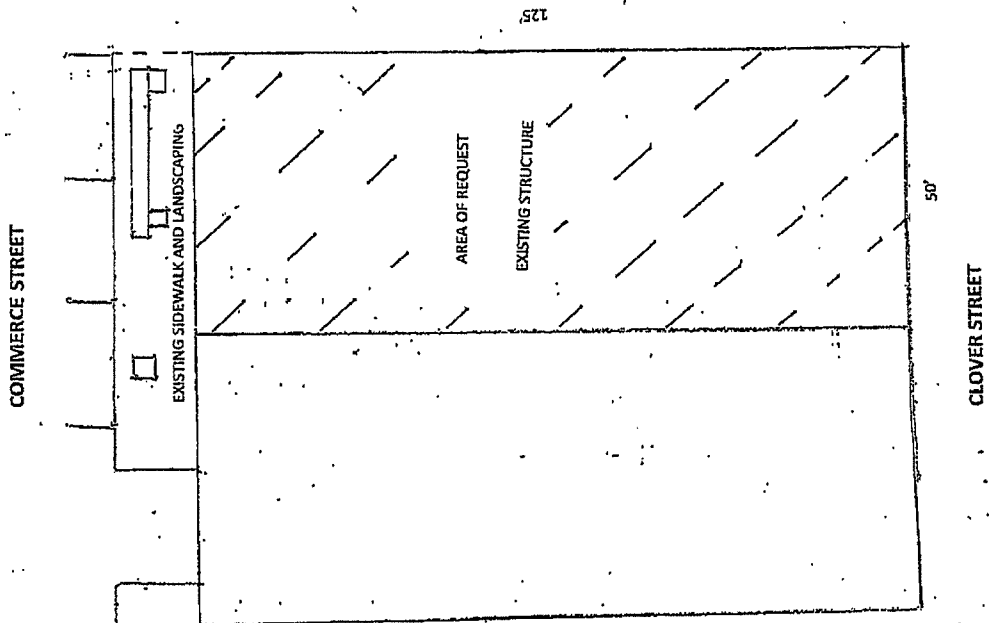
Passed DEC 13 2017



**SITE SUMMARY**  
 ZONING: POD 269 (TRACT A)  
 USE: Microbrewery, microdistillery, or winery  
 FLOOR AREA: 6250  
 REQUIRED PARKING: 1  
 PROVIDED PARKING: 2

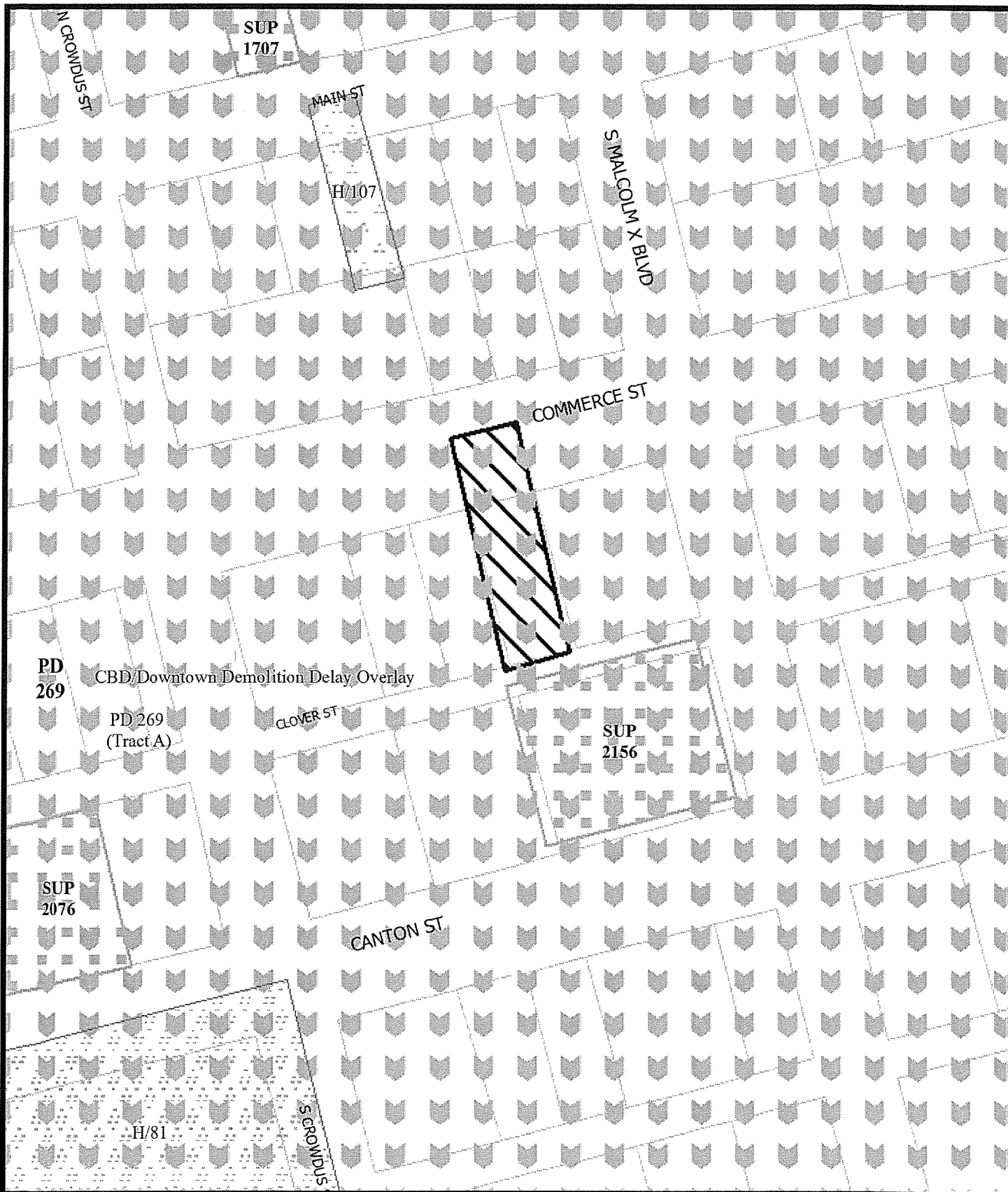
Z167-346  
 SITE PLAN

SCALE: 1" = 20'



Specific Use Permit  
 No. 2267

Approved  
 City Plan Commission  
 November 9, 2017

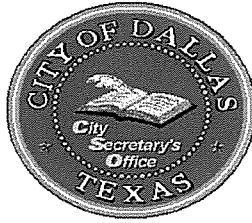


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# ZONING MAP

Case no: Z167-346

Date: 10/19/2017



## 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.

DEC 13 2017

DATE ADOPTED BY CITY COUNCIL \_\_\_\_\_

30719

ORDINANCE NUMBER \_\_\_\_\_

DEC 16 2017

DATE PUBLISHED \_\_\_\_\_

ATTESTED BY: