

12-01-17

ORDINANCE NO. 30728

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as Planned Development District No. 842:

BEING Lots 2 through 4 in City Block 1/1905; fronting approximately 150.5 feet on the east line of Greenville Avenue between Prospect Avenue and Oram Street; and containing approximately 0.50 acres,

to be used under Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through service; 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 as Planned Development District No. 842, to be used under Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through service:

BEING Lots 2 through 4 in City Block 1/1905; fronting approximately 150.5 feet the east line of Greenville Avenue between Prospect Avenue and Oram Street; and containing approximately 0.50 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 late-hours establishment limited to a restaurant without drive-in or drive-through service.
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, 2018.
4. FLOOR AREA: The maximum floor area is 7,300 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION:
  - A. The late-hours establishment limited to a restaurant without drive-in or drive-through service may not operate between 2:00 a.m. and 6:00 a.m., Monday through Sunday.
  - B. The walk-up take out window must cease operation by 12:00 a.m., Monday through Sunday.
  - C. All customers must be removed from the Property by 2:15 a.m.
6. OUTDOOR SPEAKERS: Use of loudspeakers outdoors is prohibited between the hours of 12:00 a.m. and 2:00 a.m.
7. PATIO:
  - A. An outdoor patio is only allowed in the location shown on the attached site plan.

30728

- B. The patio may not exceed 800 square feet in area.
  - C. The patio must be uncovered
  - D. The Property owner or operator must obtain a private license for an outdoor patio, with a copy provided to the building official before the outdoor patio may be used by customers.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. 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:

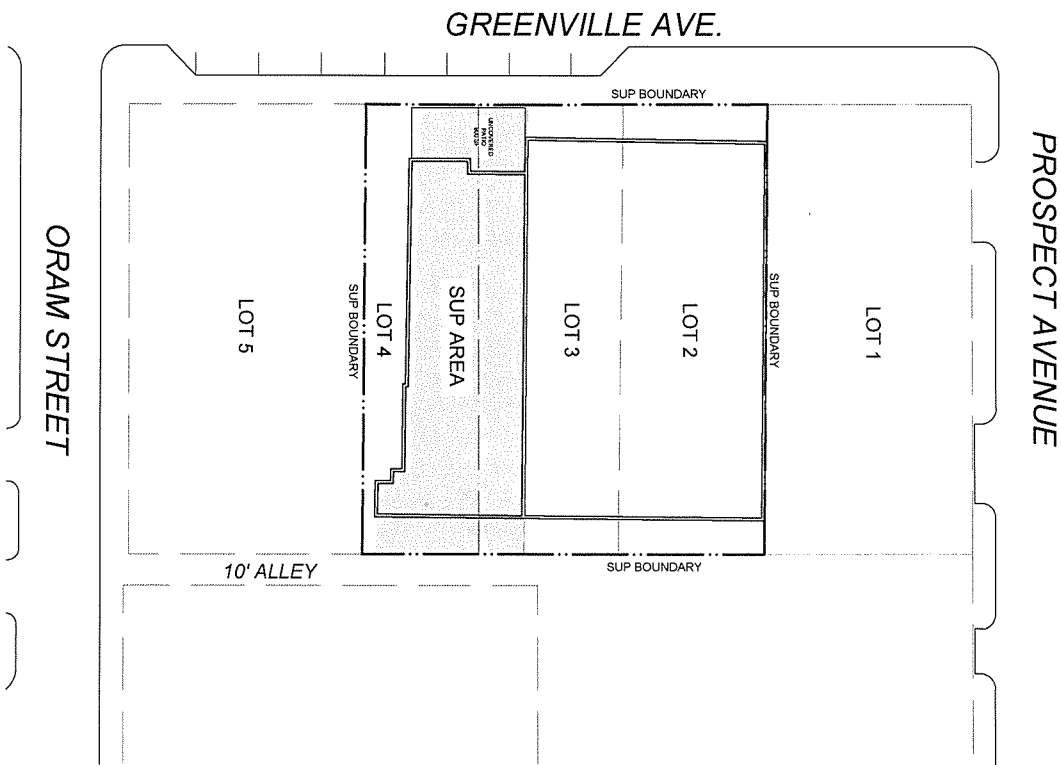
LARRY E. CASTO, City Attorney

By Arma Jumboti Holmes  
Assistant City Attorney

Passed 12-13-2017



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

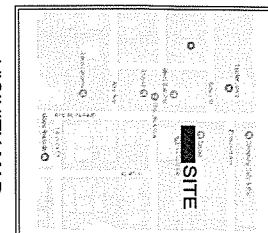


Approved  
City Plan Commission  
October 19, 2017

Specific Use Permit  
No. 2272

OVERALL LAND AREA	22,204 SF	0.509 AC
SUP LAND USE	LATE HOURS ESTABLISHMENT FOR RESTAURANT	
SUP FLOOR AREA	7,300 SF	
SUP UNCOVERED PATIO	800 SF	

SUP FOR LATE HOURS ESTABLISHMENT  
SUP BOUNDARY: LOTS 2-4  
SUP LIMITED TO PORTIONS OF LOTS 3 & 4 AS SHOWN



VICINITY MAP  
NTS



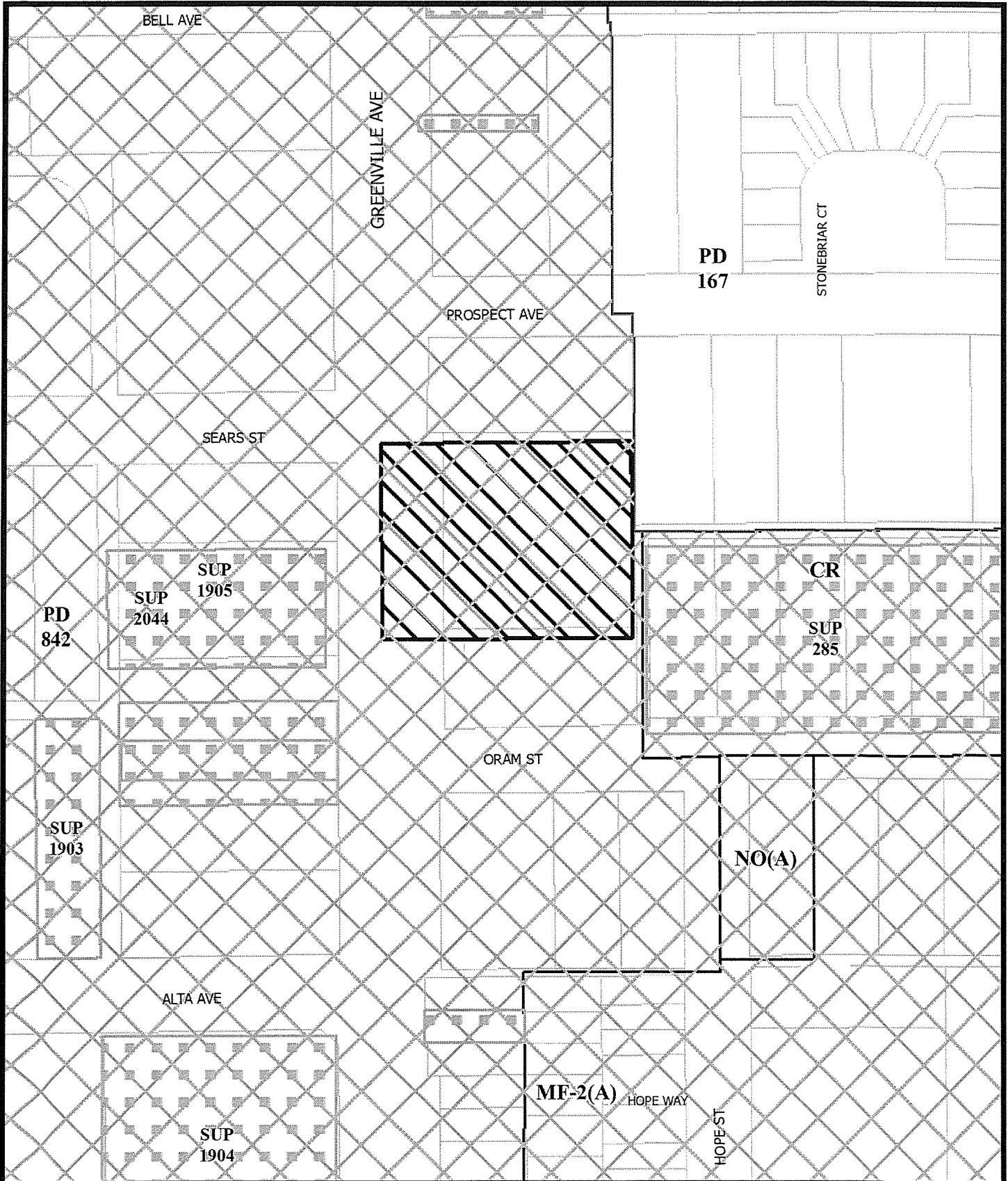
Z167-367

2010 GREENVILLE AVE.  
CITY OF DALLAS, TEXAS

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Associates

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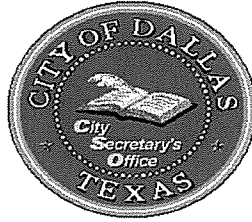


1:1,200

# ZONING MAP

Case no:           Z167-367          

Date:           9/22/2017



## 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 DEC 13 2017

ORDINANCE NUMBER 30728

DATE PUBLISHED DEC 16 2017

ATTESTED BY: