

12-2-19

31406

ORDINANCE NO. _____

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as Subarea 7 within Planned Development District No. 298 (Bryan Area Special Purpose District):

BEING a tract of land in City Block 643; fronting approximately 66 feet along the southwest line of Washington Avenue; fronting approximately 177.5 feet along the southeast line of San Jacinto Street; and containing approximately 0.46 acre,

to be used under Specific Use Permit No. 2352 for a child-care facility; 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 Subarea 7 within Planned Development District No. 298, to be used under Specific Use Permit No. 2352 for a child-care facility.

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 child-care facility.
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 11, 2024, 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 5,416 square feet.
5. HOURS OF OPERATION: The child-care facility may only operate between 6:00 a.m. and 6:00 p.m., Monday through Friday.
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.

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:

CHRISTOPHER J. CASO, Interim City Attorney

By 
Assistant City Attorney

Passed DEC 11 2019

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GIS__Approved

EXHIBIT A

WHEREAS Dallas Independent School District is the sole owner of a tract of land situated in the John Grisby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas and being a portion of City Block 643 and being all of Lots A, B and C and a portion of Lot C, Block 643, Chitwood's Subdivision, an addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 9, Page 193, Map Records, Dallas County, Texas, same being a tract of land conveyed to Dallas Independent School District by deed recorded in Volume 92189, Page 5524, Deed Records, Dallas County, Texas, same being a tract of land conveyed to Dallas Independent School District by deed recorded in Instrument No. 201100323059, Official Public Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an "X" found in concrete for corner along the Southwest right of way line of N. Washington Avenue (variable width right of way), said corner being the North corner of a tract of land conveyed to J.G. Moore and Co., Inc., a Texas corporation by deed recorded in Volume 99162, Page 1164, Deed Records, Dallas County, Texas, from which a P.K. Nail bears, North 70 degrees 36 minutes 11 seconds East, 0.28 feet for witness;

THENCE South 44 degrees 07 minutes 57 seconds West along the Northwest line of said J.G. Moore and Co., Inc. tract, a distance of 75.00 feet to a P.K. Nail found for corner;

THENCE South 45 degrees 41 minutes 23 seconds East along the Southwest line of said J.G. Moore and Co., Inc. tract, a distance of 83.00 feet to a 60D Nail found for corner along the Northwest line of Lot 10A, Block 643, Bryan Heights Phase 3, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 2000131, Page 0001, Plat Records, Dallas County, Texas, from which a 1/2 inch iron pipe bears, South 45 degrees 41 minutes 23 seconds East, 0.35 feet for witness;

THENCE South 44 degrees 07 minutes 57 seconds West along the Northwest line of said Bryan Heights Phase 3, a distance of 102.50 feet to an "X" found in concrete for corner, said corner being the West corner of said Bryan Heights Phase 3, said corner being along the Northeast right of way line of Pecos Street (variable width right of way), from which an "X" found in concrete bears, South 42 degrees 11 minutes 04 seconds West, 0.56 feet for witness;

THENCE North 45 degrees 41 minutes 23 seconds West along the Northeast line of said Pecos Street, a distance of 149.00 feet to an "X" found in concrete for corner, said corner being along the Southeast right of way line of San Jacinto Street (48 foot right of way), from which a "X" found in concrete bears, South 27 degrees 58 minutes 27 seconds East, 3.26 feet for witness;

THENCE North 44 degrees 07 minutes 57 seconds East along the Southeast line of said San Jacinto Street, a distance of 177.50 feet to an "X" found in concrete found for corner, said corner being along the Southwest line of said N. Washington Avenue;

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GIS__Approved

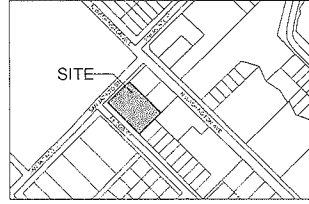
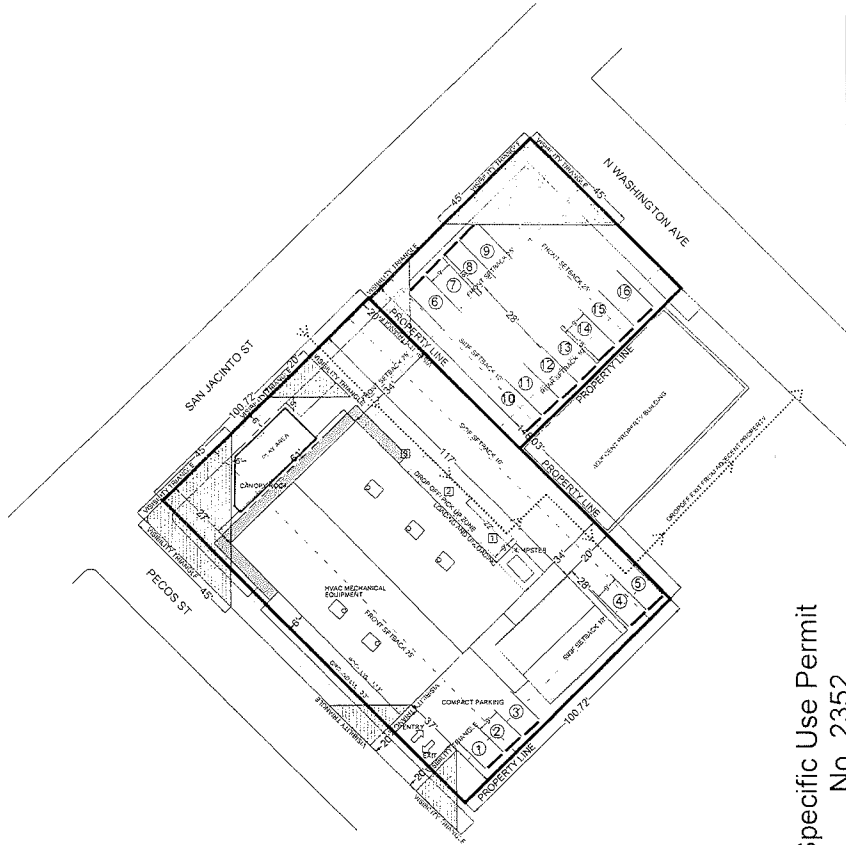
THENCE South 45 degrees 41 minutes 23 seconds East along the Southwest line of said N. Washington Avenue, a distance of 66.00 feet to the POINT OF BEGINNING and containing 20,222 square feet or 0.46 acres of land.

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Site Plan

NOTE: FOR THE SCALE TO BE CORRECT SHEET MUST BE PRINTED ON 24"x36"



VICINITY MAP

Specific Use Permit
No. 2352

Approved
City Plan Commission
October 17, 2019

ZONING INFORMATION TABLE		
PD 298 SUBAREA 7		
	REQUIRED	PROVIDED
MINIMUM FRONT YARD SETBACK=	5 FEET	25 FEET
MAXIMUM FRONT YARD SETBACK=	25 FEET	25 FEET
MINIMUM SIDE YARD SETBACK= 0 OR 10 FEET		10 FEET
MAXIMUM LOT COVERAGE=	70%	40%
MAXIMUM STRUCTURE HEIGHT=	39 FEET	10 FEET
MAXIMUM FLOOR AREA RATIO=	2:1	0.4:1

PARKING ANALYSIS		
LANDUSE	AREA	RATIO
CHILCARE FACILITY	5416 SQ.FT.	1/500
MINIMUM PARKING REQUIREMENT = 11 PARKINGS		
PARKING PROVIDED = 5 ONSITE + 11 REMOTE		

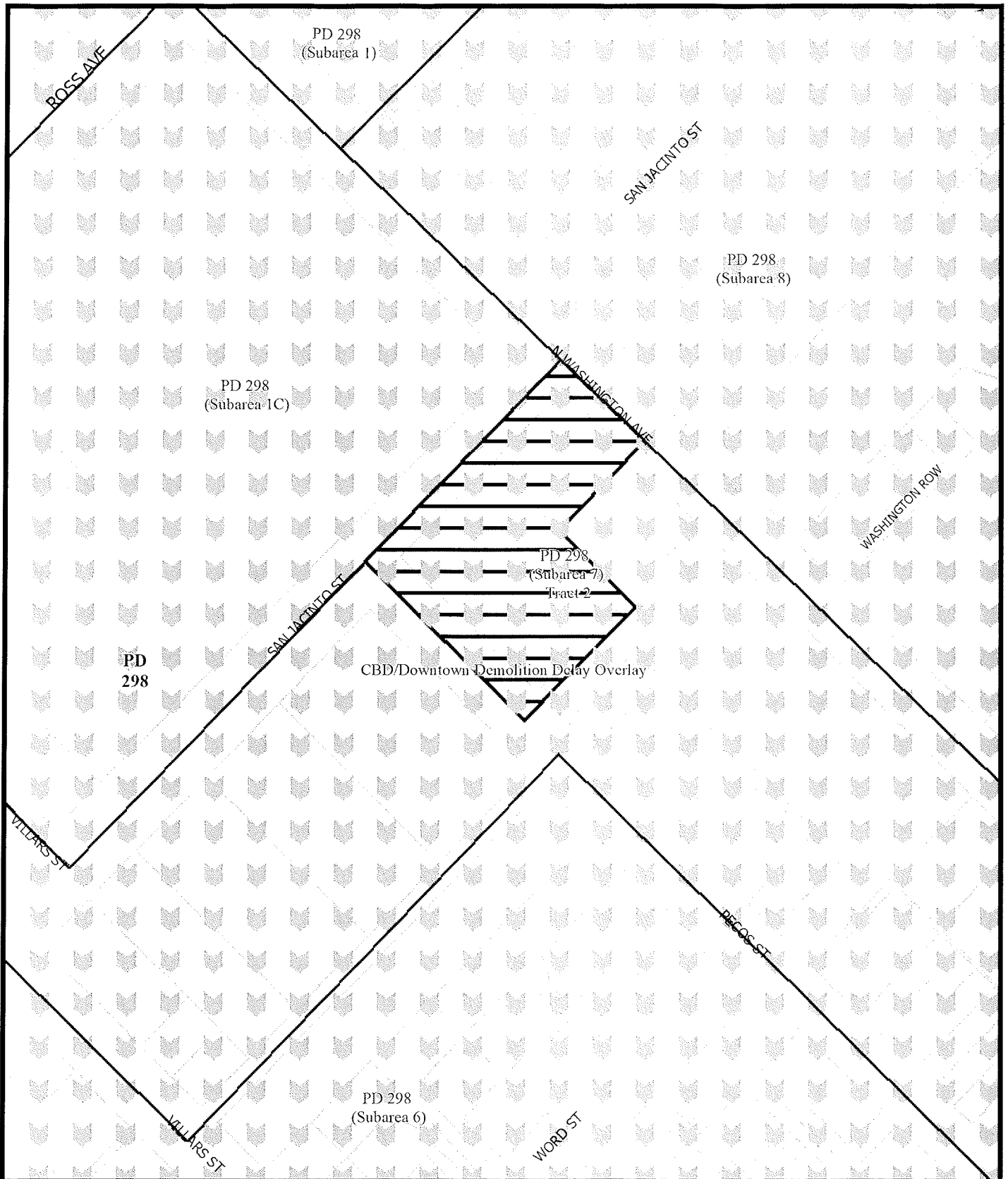
- ① - PARKING NUMBERS
11 - DROP/PICK WAITING CAPACITY
..... - DROP/PICK ROUTE

SITE PLAN	
PARCEL ID:	00000117802000000
LANDUSE:	CHILDCARE
LOT AREA:	15,272 SQ.FT.
PLOT SIZE:	24" X 36"
DRAWING DATE:	09/24/2019
DRAWING SCALE:	1"=20'
ZONING NO.:	Z189-306



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1:1,200

ZONING MAP

Case no: Z189-306

Date: 10/1/2019



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 11 2019

ORDINANCE NUMBER 31406

DATE PUBLISHED DEC 14 2019

ATTESTED BY: