

COUNCIL CHAMBER

August 12, 2020

WHEREAS, Section 51A-4.701(d) of the Dallas Development Code states that “after a final decision is reached by the Commission or City Council either granting or denying a request for a change in a zoning district classification or boundary, no further applications may be considered for that property for two years from the date of the final decision; and

WHEREAS, the code allows for a property owner to apply for a waiver of the two-year limitation; and

WHEREAS, the City Plan Commission may waive the time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing; and

WHEREAS, if the City Plan Commission denies the request, the applicant may appeal to the City Council; and

WHEREAS, On January 9, 2020, the City Plan Commission denied an application for an MF-2(A) Multifamily Subdistrict on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District; and

WHEREAS, on March 26, 2020, in case no. W190-005, the City Plan Commission denied a request for a waiver of the two-year waiting period; and

WHEREAS, the applicant is appealing this decision to the City Council.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Plan Commission’s decision to deny a waiver of the two-year waiting period to submit an application on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, is reversed.

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SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By: _____
Assistant City Attorney