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Exhibit A: Legal Description of Area of Request (Attach additional sheet if needed)

I certify that to the best of my knowledge, this is an accurate description of the property for which this application has been submitted. I understand that I am fully responsible for the legal description provided above.

Signature of Agent/Contact

Date

\_\_\_\_\_

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## Checklist

### Submittal Documents (required)

- Application (including signature of current owner)
- Application fee
- Site Plan (If necessary) - (Two (2) 9 x 12 copies and/or Flash Drive)
- Legal Description of Property

### Additional Submittal Documents (R-AB) -REQUIRED, per Section 52-32a of Ordinance # 1144

- Interior Design Plan—Including general location of all waiting areas, restaurant seating areas reflecting the approximate number of seats, kitchen, alcoholic beverage storage and serving areas. (Two copies)
- Detailed Site Plan—Shall reflect the specifically delineated areas to be zoned for restaurant S-P-1 for R-AB and all areas necessary to provide adequate and necessary ingress/egress and parking. Only within the area specifically delineated (R-AB) may deliver mixed beverages, including wine and beer, to individual rooms of the hotel pursuant to Section 28.01(b) of the Alcoholic Beverage Code of the State of Texas. (Two copies)
- Narrative Description
- An Artist's rendering, photographs, elevation drawing or sketches, or other illustrations** for the proposed restaurant.
- Legal Description of the property for which the zoning change is requested which shall include the distance and bearing of the point of beginning from the nearest intersection of the streets and roads. If the zoning requested is for a particular suite, then metes and bounds for such suite is required.



**APPLICATION PROCEDURES**

Zoning is the legal and administrative process whereby the community protects itself against indiscriminate land uses. The power to zone is conferred upon Texas cities to promote the health, safety, morals and general welfare of the public.

When the owner of any property in Irving wishes to use it in a manner that is prohibited by the current zoning, he or his representative must apply to request the zoning be changed.

Articles 1011a to 1011j, Vernon’s Civil Statutes of Texas, and City of Irving Ordinance No. 1144 set out in detail the process for rezoning. In order to begin the process, you must supply the Planning and Community Development Department with the following informational items:

For S-P-1 for R-AB request, the applicant shall submit a site plan pursuant to Section 52-32a of Ordinance #1144 which shall satisfy all of the requirements of Section 52-32a.

1. Complete the front and back of the change of zoning request form. All items should be complete, including original signatures and correct legal description.
2. A filing fee, in cash, credit card or check, is required. This fee is based on the acreage of the request, a schedule follows. All checks should be made payable to the City of Irving. **If any site plan zoning district is requested, then Two (2) copies of the required site plan, folded to 9” x 12” must be submitted at the time of application.**

**Zoning without a Site Plan**

0 to 1.99 acres	\$625
2.00 to 4.99 acres	\$750
5.00 to 29.99 acres	\$1,000
30.00 to 99.99 acres	\$1,400
100.00 acres or more	\$2,450

**Zoning Change Detailed Site Plan (S-P-1), Site Plan for Restaurant with Alcoholic Beverage Sales (R-AB) and TOD Detailed Plan**

0 to 1.99 acres	\$750
2.00 to 4.99 acres	\$1,000
5.00 to 29.99 acres	\$1,200
30.00 to 99.99 acres	\$2,000
100.00 acres or more	\$3,600

**Zoning Change Generalized Site Plan (S-P-2), PUD Development Plan or TOD**

0 to 1.99 acres	\$625
2.00 to 4.99 acres	\$875
5.00 to 29.99 acres	\$1,050
30.00 to 99.99 acres	\$1,900
100.00 acres or more	\$3,300

3. The “Notice of Zoning Change” sign shall be posted on the property **at least ten (10) days** prior to the Planning and Zoning Commission Public Hearing, and maintained until final action by the City Council. (Ordinance #4292)- **Please note that ALL zoning case fees include maximum of 3 signs. A fee of \$15 per replacement sign will be charge.**
  
4. **If the applicant requests postponement of a case, a fee of \$200 will be charged as well as \$50.00 renotification fee**

**Other Fees:**

Administrative Amendment	\$50
<b>Landscape Standards</b> – Heard by Planning and Zoning	
• Residential, Individual Lots	\$400
• Nonresidential, Multifamily, and Single Family Residential Subdivision Development	\$600
<b>Appeal of P/Z Action – Heard by Council</b>	\$400
<b>Special Fence Project Plan</b> - Heard by Planning and Zoning Commission and City Council	
• Residential, Individual Lots	\$400
• Nonresidential, Multifamily, and Single Family Residential Subdivision Development	\$600
Multifamily Concept Plan	\$500 + \$1 per dwelling unit
New Street Signs after name change, per blade	\$155
Street Name Change	\$125
TABC	½ TABC Fee
Zoning Verification Letter	\$50

**REFUNDS FOR SUBMITTED APPLICATIONS**

Before Staff Review	100%
After Technical Review and Comment	50%
After Public Notice (items are placed on the agenda after public notice is sent)	0%
Postponement of a case	\$200
• Renotification Fee	\$50
• Additional Zoning Signs	\$15

**A zoning case must undergo the following review and actions:**

1. **Initial Application**

Upon initial application, the applicant will submit all required information and fees. He will then be advised as to the date of the Technical Committee review and the **tentative** date of the Planning and Zoning Commission Public Hearing.

2. **Technical Committee Review**

Technical Committee review is generally held every Tuesday. Technical Committee Review is for staff only. Following the meeting, the applicant will be notified by email of Technical Committee comments and the date by which all materials will be due in Planning and Community Development Department.

This deadline must be observed in order to allow the item to be heard by the Planning and Zoning Commission at the public hearing.

3. **Planning and Zoning Commission Public Hearing**

All real property owners within 200 feet of the proposed change, as well as the applicant or his/her representative, will receive a "Notice of Public Hearing". This notice will give the date, time and location of the public hearing.

The public hearing is generally held every other Monday at 7 p.m. in the City Council Chambers at City Hall, 825 W. Irving Blvd.

All proponents and opponents of the proposed change are given an opportunity to be heard by the Commission.

Generally, unless more time is needed, the Planning and Zoning Commission will reach a decision either to recommend approval or denial of the proposed zoning change.

After the Planning and Zoning Commission makes its recommendation regarding the zoning request, then the case is automatically forwarded to the next available City Council Agenda. No formal appeal is required for cases denied by the Commission.

4. **City Council Public Hearing**

A "Notice of Public Hearing" will be published in a newspaper of general circulation fifteen (15) days prior to the City Council Public Hearing. The public hearing is generally held every other Thursday at 7 p.m., in the City Council Chambers at City Hall, 825 W. Irving Blvd.

All proponents and opponents of the proposed change are given an opportunity to be heard. If the City Council approves the zoning change request, then an ordinance is prepared. If the City Council denies the request, the case is considered terminated and the zoning classification will remain unchanged.

The average time required to rezone a piece of property is approximately 60 days. Additional information may be obtained from Planning and Community Development Department at [www.cityofirving.org](http://www.cityofirving.org) or (972) 721-2424.