



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, July 11, 2013
AGENDA

| | | |
|----------------|------------------|------------|
| BRIEFINGS: | 5ES | 11:00 a.m. |
| PUBLIC HEARING | Council Chambers | 1:30 p.m. |

*The City Plan Commission may be briefed on any item on the agenda if it becomes necessary.

Theresa O'Donnell, Director
David Cossum, Assistant Director of Current Planning

BRIEFINGS:

Discussion of workshop scheduling for code amendments to gas drilling and production regulations

David Cossum, Assistant Director
Tammy Palomino, Assistant City Attorney, City of Dallas

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket Planner: Paul Nelson

Consent Items:

- (1) **S123-182**
(CC District 2)
- An application to create one lot from a 1.147 acre tract of land in City Block 2570 located on Mockingbird Lane north of Maple Avenue.
Applicant/Owner: Prescott Interests, LTD
Surveyor: Davis Land Surveying
Application Filed: June 12, 2013
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (2) **S123-186**
(CC District 8)
- An application to create one 11.748 acre lot from an 11.748 acre tract of land in City Block 3/8291 located at 34501 Lyndon B. Johnson Freeway/Interstate Highway No. 20, west of Bonnie View Road.
Applicant/Owner: Berkeley Capital Advisers, LLC/LBJ Truck Court LLC
Surveyor: Michael Peeples Engineers and Planners
Application Filed: June 13, 2013
Zoning: CS
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S123-188**
(CC District 6)
- An application to create one 2.734 acre lot, and one 2.702 acre lot from a 5.436 acre tract of land in City Block 5794 on property located at 10120 Harry Hines Boulevard / State Highway Loop No. 354 at Storey Lane, northeast corner.
Applicant/Owner: Texas Forest Properties / Sikka Investments LLC
Surveyor: A&W Surveyors, Inc
Application Filed: June 14, 2013
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S123-189**
(CC District 14)
- An application to replat a 1.934 acre tract of land containing all of Lot 4, part of Lot 5, and apportion of an abandoned 17 foot wide alley in City Block 978 into one 0.794 acre lot, and one 1.140 acre lot on property located on Lemmon Avenue East between Cole Avenue and McKinney Avenue.
Applicant/Owner: RP Town & Country SC, LP; RP 10% SC Properties, L.P.
Surveyor: Winkelmann & Associates
Application Filed: June 14, 2013
Zoning: PD 193 (GR)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (5) **S123-190**
(CC District 3)
- An application to replat a 5.024 acre tract of land containing part of Lot 4 in City Block 5985 to create one 1.732 acre lot, one 0.689 acre lot, one 0.702 acre lot, one 0.722 acre lot, and one 1.179 acre lot on property located at 3603 Marvin D. Love Freeway.
- Applicant/Owner: Sikka Investments, LLC / Alex Daredia
Surveyor: A&W Surveyors, Inc.
Application Filed: June 17, 2013
Zoning: RR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (6) **S123-191**
(CC District 14)
- An application to replat a 0.2613 acre tract of land containing part of Lots 10 and 11 and part of an abandoned 10 foot alley in City Block A/1877 to create one lot on property located at 6021 Ross Avenue at Live Oak Street, north corner.
- Applicant/Owner: T&A Nelson Resources, Ltd.
Surveyor: Oliver Surveyors
Application Filed: June 17, 2013
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (7) **S123-192**
(CC District 13)
- An application to replat a 34.552 acre tract of land containing City Block A/8391, and part of City Blocks 8389, 8390, and 8391 to create one 12.046 acre lot, one 16.617 acre lot, one 0.521 acre lot, one 0.925 acre lot, one 1.306 acre lot, one 1.103 acre lot, one 0.998 acre lot, and one 1.036 acre lot on property located on Midway Road at Lyndon B. Johnson Freeway/Interstate Highway No. 635, Southwest Corner.
- Applicant/Owner: Prescott Interests Midway Plaza, Inc.; 4121 Harvest Hill Road Holdings, LP; ECF North Ridge Associates, LP
Surveyor: Kimley Horn & Associates, Inc.
Application Filed: June 17, 2013
Zoning: PD 885
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Building Line Reduction/Removal:

- (8) **S123-181**
(CC District 11)
- An application to replat a 0.321 acre tract of land containing all of Lots 5 and 6 in City Block 50/7460 into one lot; and to remove the seven foot platted building line between Lots 5 and 6; and to remove the one foot platted building line from the west line of Lot 5 on property located at 11 Winding Lake Drive, north of Forest Lane.
- Applicant/Owner: Brian and Christina Rudman
Surveyor: CBG Surveying, Inc
Application Filed: June 12, 2013
Zoning: PD 719
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (9) **S123-187**
(CC District 9)
- An application to replat a 1.224 acre tract of land containing all of Lots 10 and 11 in City Block C/4405 into one 0.546 acre lot, and reduction of a portion of the existing 50 foot platted building line by 2.5 feet along the west line of Benedict Drive; and to create one 0.678 acre lot on property located at 4720 Chapel Hill Road and 7594 Benedict Drive.
- Applicant/Owner: Gregory and Susan Turner
Surveyor: CBG Surveying, Inc
Application Filed: June 13, 2013
Zoning: R-16(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (10) **S123-193**
(CC District 13)
- An application to replat all of Lot 1-AA in City Block 2/5515 to remove the 30 foot platted building line along the east line of Jourdan Way, and to remove the 60 foot platted building line parallel to the south line of Lakehurst Avenue on property located at 5914 Lakehurst Avenue.
- Applicant/Owner: Paul Larkin
Surveyor: Peiser & Mankin Surveying, LLC
Application Filed: June 18, 2013
Zoning: R-10(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (11) **S123-200**
(CC District 11)
- An application to remove the existing platted 25 foot building line along the north line of Walnut Hill Lane and to remove the 25 foot building line along the west line of N. Central Expressway; and to replat a 41.1085 acre tract of land containing all of Lots 1 and 1A in City Block S/5454 to create 145 single family lots; and to create 9 nonresidential lots from a 42.1085 acre tract of land on property located at the northwest corner of U.S. Highway 75 North at Walnut Hill Lane.
- Applicant/Owner: 75 and Walnut Hill, LLC
Surveyor: David R. Petree
Application Filed: July 2, 2013
Zoning: PD 750
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- Residential Replats:
- (12) **S123-180**
(CC District 9)
- An application to replat a 3.650 acre tract of land containing all of lot 7B in City Block 4408 into one 1.949 acre lot and one 1.701 acre lot on property located at 4231 W. Lawther Road.
- Applicant/Owner: Darren Phillips
Surveyor: CBG Surveying, Inc
Application Filed: June 12, 2013
Zoning: R-1ac.(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (13) **S123-183**
(CC District 13)
- An application to replat a 1.083 acre tract of land containing all of Lots 5 and 6 in City Block B/5668 into one lot at 5233 Stonegate Road at Inwood Road, northwest corner.
- Applicant/Owner: Joseph Palladino
Surveyor: Davis Land Surveying
Application Filed: June 12, 2013
Zoning: R-16(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (14) **S123-184**
(CC District 14)
- An application to replat a 0.189 acre tract of land containing all of Lot 12A in City Block A/1030 into one 0.07 acre lot and one 0.119 acre lot on property located at 3520 Gillespie Street north of Sale Street.
Applicant/Owner: Craig Clint Stiff, Jr.
Surveyor: Hennessey Engineering, Inc.
Application Filed: June 13, 2013
Zoning: PD 193, Subdistrict 29
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (15) **S123-185**
(CC District 10)
- An application to replat a 7.507 acre tract of land in City Block 7081 to create an 80 lot shared access area development containing lots ranging in size from 2,784 square feet to 4,596 square feet on property located at 8501 Plano Road, south of Le Mans Drive.
Applicant/Owner: Wilbow-One Development Corporation
Surveyor: Kadleck & Associates
Application Filed: June 13, 2013
Zoning: PD 888
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Items:

- M123-017**
Richard Brown
(CC District 9)
- An application for a minor amendment to the development plan and landscape plan for Planned Development District No. 251 for a Private school for the instruction of learning disabled students and R-7.5(A) Single Family District Uses, on the north corner of Lake Highlands Drive and Tiffany Way.
Staff Recommendation: **Approval**
Applicant: Dallas Academy
Representative: Dallas Cothrum

- W123-006**
Carrie Gordon
(CC District 14)
- An application of a waiver of the two-year waiting period to establish a new subdistrict in the Downtown Special Purpose Sign District to increase the number if detached premise signs and the effective area of such signs associated with the Bank of America Tower in an area bound by Main Street, elm Street, north Lamar Street, and North Griffin Street.
Staff Recommendation: **Approval**
Applicant: Masterplan
Representative: Maxwell Fisher

- D112-011**
Olga Torres Holyoak
(CC District 3)
An application for a development plan and landscape plan for Planned Development District No. 521 on the south side of West Camp Wisdom Road, west of Eagle Ford Drive.
Staff Recommendation: **Approval**
Applicant: MASTERPLAN, Karl Crawley
Representative: 4023 Oak Lawn Assoc. LP.
- D123-018**
Olga Torres Holyoak
(CC District 6)
An application for a development plan and landscape plan for Planned Development District No. 741 on the west side of Cypress Waters Boulevard, north of Hackberry Road.
Staff Recommendation: **Approval**
Applicant/Representative: Billingsley Company, tom Holland
- D123-019**
Olga Torres Holyoak
(CC District 8)
An application for a development plan and landscape plan for Planned Development District No. 240 on the south quadrant of LBJ Freeway and Penn Farm Road.
Staff Recommendation: **Approval**
Applicant: TCDFW Development, Inc.
Representative: Robert Brandt, TCDFW Development, Inc.
- D123-020**
Olga Torres Holyoak
(CC District 14)
An application for a development plan and landscape plan for Planned Development District No. 375 on the northwest corner of Central Expressway and City Place West Boulevard.
Staff Recommendation: **Approval**
Applicant: Blackburn Central Holdings, LP
Representative: Barry R. Knight, Winstead PC
- D123-021**
Olga Torres Holyoak
(CC District 6)
An application for a development plan and landscape plan for Planned Development District No. 741 on the east side of Cypress Waters Boulevard, north of Hackberry Road.
Staff Recommendation: **Approval**
Applicant/Representative: Billingsley Company, Tom Holland

Miscellaneous Items – Under Advisement:

- D123-001**
Olga Torres Holyoak
(CC District 11)
An application for a development plan and landscape plan for Planned Development District No. 750 on the north side of Walnut Hill Lane, west of Central Expressway.
Staff Recommendation: **Approval**
Applicant: Provident Realty
Representative: Masterplan, Gladys Bowen
U/A From: June 20, 2013

M123-029

Richard Brown
(CC District 11)

An application for a minor amendment to the development plan for Planned Development District No. 719 on the north line of Forest Lane, west of Forest Lakes Lane.

Staff Recommendation: **Approval**

Applicant/Representative: Isaac Molina

U/A From: June 20, 2013

Zoning Cases – Consent:

1. **Z123-256(RB)**

Richard Brown
(CC District 7)

An application for the renewal of Specific Use Permit No. 1854 for a Metal salvage facility on property zoned an IM Industrial Manufacturing District on the northeast line of South Central Expressway, north of Loop 12.

Staff Recommendation: **Approval** of the renewal of Specific Use Permit No. 1854 for a four-year period, with eligibility for automatic renewal for additional four-year periods, subject to a revised site plan and revised conditions.

Applicant: Falcon Transit, LLC-Benji Smith, Sole Officer
Representative: Santos Martinez

2. **Z123-272(RB)**

Richard Brown
(CC District 7)

An application for an amendment to existing deed restrictions on property zoned an RS-I(E) Regional Service Industrial (Enhanced) Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the west line of Ash Lane between 3rd Avenue and 4th Avenue and the north line of Ash Lane, west of 3rd Avenue.

Staff Recommendation: **Approval**, subject to revised deed restrictions.

Applicant: Devin Hall

Representative: Johnny Sudbury

3. **Z123-224(CG)**

Carrie Gordon
(CC District 14)

An application for an amendment to and an expansion of Specific Use Permit No. 1796 for an attached projecting non-premise district activity videoboard sign on property zoned Planned Development District No. 619 on the south side of Main Street, west of North Ervay Street.

Staff Recommendation: **Approval** for a six-year period, subject to a revised site plan and conditions.

Applicant: Dunhill 1530 Main, L.P.

Representative: MASTERPLAN, Santos Martinez

4. **Z123-246(AB)**
Audrey Butkus
(CC District 5)
- An application for the renewal of Specific Use Permit No. 1900 for the sale of alcoholic beverages in conjunction with a general merchandise use greater than 3,500 square feet on property zoned Subdistrict 1 within Planned Development District No. 366 with a D-1 Liquor Control Overlay on the northwest corner of South Buckner Boulevard and Cordell Drive.
Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to conditions.
Applicant: Vilas Kumar
Representative: Santos Martinez, MASTERPLAN
5. **Z123-240(WE)**
Warren Ellis
(CC District 5)
- An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the north line of Lake June Road, west of North Jim Miller Road.
Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.
Applicant: Malones Food Store
Representative: Rhonda Davis
6. **Z123-241(WE)**
Warren Ellis
(CC District 2)
- An application for an amendment to and an expansion of Specific Use Permit No. 1197 for a restaurant with drive-in or drive-through service on property within Subarea 12 of Planned Development District No. 298, the Bryan Area Special Purpose District on the east corner of North Washington Avenue and Gaston Avenue.
Staff Recommendation: **Approval**, subject to a revised site plan and conditions.
Applicant: McDonalds Real Estate
Representative: Julianne McGee
7. **Z123-257(WE)**
Warren Ellis
(CC District 2)
- An application for the renewal of Specific Use Permit No. 1857 for an alcoholic beverage establishment use for a bar, lounge, or tavern on property within Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the north side of Commerce Street, west of Pryor Street.
Staff Recommendation: **Approval** for a five-year period, subject to conditions.
Applicant: Dallas Comedy House - Amanda Austin – Sole Owner
Representative: Audra Buckley

8. **Z123-261(WE)**
Warren Ellis
(CC District 12)
An application for a TH-2(A) Townhouse District and termination of the deed restrictions on property zoned an NO(A) Neighborhood Office District on the northwest corner of Levelland Road and Gold Dust Trail.
Staff Recommendation: **Approval** for a TH-2(A) Townhouse District and **approval** of the termination of the deed restrictions.
Applicant: Stephen L. & Cheryl D. Landers
Representative: Mike Coker - Michael R. Coker Company
9. **Z123-284(WE)**
Warren Ellis
(CC District 13)
An application for an amendment to Specific Use Permit No. 7 for a private school on property zoned an R-16(A) Single Family District on the west line of Inwood Road, between Forest Lane and Welch Road.
Staff Recommendation: **Approval**, subject to a site plan, revised traffic management plan and conditions
Applicant: The Lamplighter School
Representative: Robert Baldwin – Baldwin Associate

Zoning Cases – Under Advisement:

10. **Z123-229(WE)**
Warren Ellis
(CC District 6)
An application for the renewal of Specific Use Permit No. 1750 for a commercial motor vehicle parking use on property zoned a CS Commercial Service District on the northwest corner of Chalk Hill Road and Fitchburg Street.
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a revised site plan and conditions.
Applicant/Representative: Gamaliel Albarran
U/A From: June 20, 2013
11. **Z123-249(AB)**
Audrey Butkus
(CC District 9)
An application for the renewal of Specific Use Permit No. 1864 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned CR Community Retail District with a D-1 Liquor Control Overlay located north of Centerville Road, west of Aledo Drive.
Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to conditions.
Applicant: John Matthews
Representative: Parvez Malik
U/A From: June 6, 2013

12. **Z123-221(RB)**
Richard Brown
(CC District 9)
- An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned an R-7.5(A) Single Family District on the east line of La Prada Drive, north of Oates Drive.
- Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions.
- Applicant: Verizon Wireless
- Representative: Peter Kavanagh
- U/A From: June 20, 2013
13. **Z123-234(RB)**
Richard Brown
(CC District 12)
- An application for a Specific Use Permit for a Swap or buy shop on property zoned a CR Community Retail District on the southeast corner of Midway Road and Frankford Road.
- Staff Recommendation: **Approval** for a three-year period, subject to conditions.
- Applicant/Representative: Cynthia Clark
- U/A From: June 6, 2013 and June 20, 2013

Zoning Cases – Individual:

14. **Z123-313(JH)**
Jennifer Hiromoto
(CC District 1)
- An application for a Planned Development District for multifamily uses on property zoned a MF-1(A) Multifamily District on the southeast corner of South Zang Boulevard and West Louisiana Avenue.
- Staff Recommendation: **Approval**, subject to a conceptual plan and staff conditions.
- Applicant: WCH Limited Partnership
- Representative: Rob Baldwin
15. **Z123-148(WE)**
Warren Ellis
(CC District 11)
- An application for a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive.
- Staff Recommendation: **Denial**
- Applicant: Steppington SLJ/McKinney L.P.
- Representative: Maxwell Fisher, MASTERPLAN
16. **Z123-273(WE)**
Warren Ellis
(CC District 6)
- An application for an RR Regional Retail District on property zoned an LO-3 Limited Office District on the west line of North Walton Walker Freeway, north of Twenty Grand Drive.
- Staff Recommendation: **Denial**
- Applicant: 601 Walton Walker, LLC - David Varela – Managing Member
- Representative: MASTERPLAN, Santos Martinez

17. **Z123-263(MW)**
Megan Wimer
(CC District 14)

An application for a Specific Use Permit for a restaurant with drive-in or drive-through service on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District on the west corner of Lemmon Avenue and Reagan Street.

Staff Recommendation: **Denial**

Applicant: Taco Bell of America c/o Icon Engineering
Representative: Peter Kavanagh, Zone Systems, Inc.

Authorization of Hearings:

Mark Doty
(CC District 1)

Consideration of a public hearing to decide whether to authorize a public hearing to determine the proper zoning on property zoned Planned development District No. 409 for public school and R-7.5(A) Single Family District uses with consideration given to an historic overlay for the Sunset High school on the south side of Jefferson Boulevard, between Tennant Street and Oak Cliff Boulevard. This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.

Other Matters

Minutes: June 20, 2013

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Thursday, July 11, 2013

ZONING ORDINANCE COMMITTEE (ZOC) MEETING - Thursday, July 11, 2013, City Hall, 1500 Marilla Street, in 5ES, at 9:00 a.m., to consider (1) **DCA 123-001** - Consideration of amending the Dallas Development Code to amend Handicap Group Dwelling Unit regulations to increase the number of Handicap persons living in a handicap group dwelling unit.

SUBDIVISION REVIEW COMMITTEE (SRC) MEETING - Thursday, July 11, 2013, City Hall, 1500 Marilla Street, Council Chambers, at 10:30 a.m., to consider (1) **NC123-003** – An application to change the name of the 9300 to 10300 block of Teagarden Road to “Ebby Halliday Road”.

EXECUTIVE SESSION NOTICE

The Commission may hold a closed executive session regarding any item on this agenda when:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the Commission/Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex, Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.086]

CITY PLAN COMMISSION**THURSDAY, JULY 11, 2013****FILE NUMBER:** S123-182**Subdivision Administrator:** Paul Nelson**LOCATION:** Mockingbird Lane, North of Maple Avenue**DATE FILED:** June 12, 2013**ZONING:** IR**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 1.147 Acres**MAPSCO:** 34-P**OWNER/APPLICANT:** Prescott Interest, LTD.

REQUEST: An application to create one lot from a 1.147 acre tract of land in City Block 2570 located on Mockingbird Lane north of Maple Avenue.

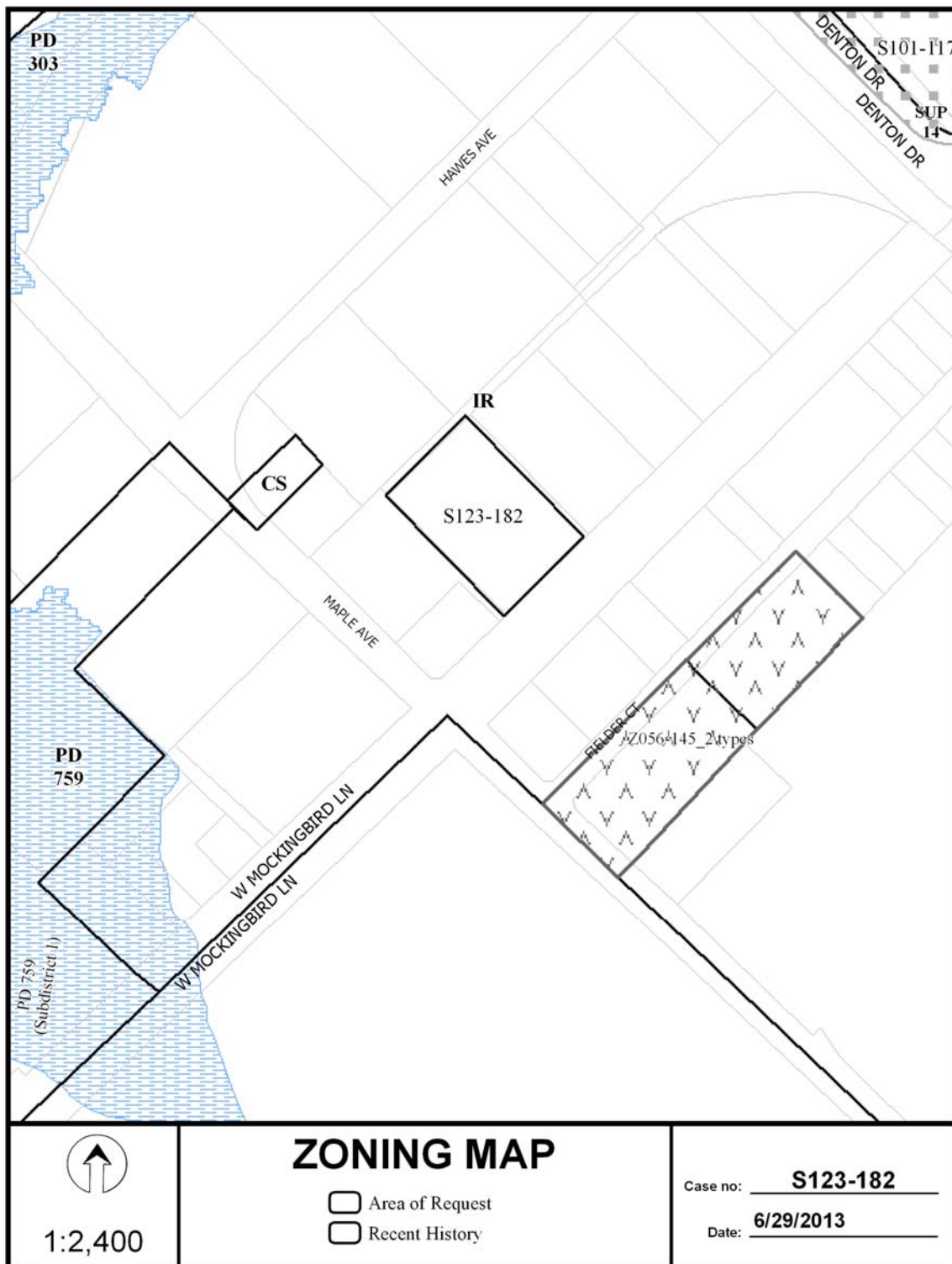
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

STAFF RECOMMENDATION: The request complies with the requirements of the IR District; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments

must be verified by the Chief City Surveyors Office in the Public Works Department.

10. The maximum number of lots permitted by this plat is 1.
11. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat show the recording information on all existing easements within 150 feet of the property.
14. On the final plat monument set two control monuments.
15. On the final plat choose a different addition name.
16. Water/wastewater main extension may be required by Private Development Contract.
17. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
18. A large water service over 2 inches in diameter into Mockingbird Lane requires engineering plans and a P-contract.





1:2,400

AERIAL MAP

- ☐ Area of Request
- ☐ Recent History

Case no: **S123-182**

Date: **6/29/2013**

CITY PLAN COMMISSION**THURSDAY, JULY 11, 2013****FILE NUMBER:** S123-186**Subdivision Administrator:** Paul Nelson**LOCATION:** 34501 Lyndon B. Johnson Freeway / Interstate 20, West of Bonnie View Road**DATE FILED:** June 13, 2013**ZONING:** CS**CITY COUNCIL DISTRICT:** 8 **SIZE OF REQUEST:** 11.748 Acres **MAPSCO:** 66-X**OWNER/APPLICANT:** Berkley Capitol Advisors, LLC/LBJ Truck Court, LLC

REQUEST: An application to create one 11.748 acre lot from an 11.748 acre tract of land in City Block 3/8291 located at 34501 Lyndon B. Johnson Freeway / Interstate 20, west of Bonnie View Road.

SUBDIVISION HISTORY:

1. S067-172 was an application to create one 10.606 acre lot from a tract of land which is part of the present request. The plat was not completed and the plat expired due to age.

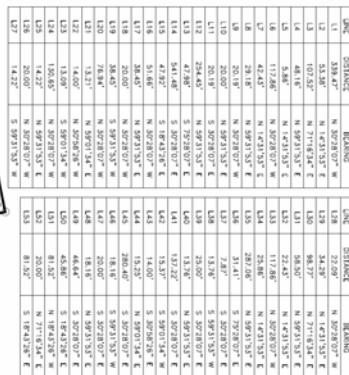
STAFF RECOMMENDATION: The request complies with the requirements of the CS zoning District; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
13. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
14. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
15. On the final plat add the following note: "Any new access or modification to IH-20 requires TxDOT approval."
16. On the final plat show how all adjoining right-of-way was created.
17. On the final plat show the recording information on all existing easements within 150 feet of the property.
18. On the final plat monument all set corners per the monumentation provisions of Section 51A-8.617 of the Dallas Development Code. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
19. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
20. On the final plat change L.B.J Freeway (Interstate Highway 20) to Lyndon B. Johnson Freeway / Interstate Highway No. 20.







COUNTY OF DALLAS

[illegible]

LANDS RECOVERED BY NEED TO SAVE TRAIL. The CENTRAL LANDS DIVISION OF THE U.S. FOREST SERVICE has announced that it has acquired 1,000 acres of private land in Needham Heights, Massachusetts, to protect the 100-year-old Needham Heights Reservation. The land, which is located on the eastern edge of the reservation, is owned by the Needham Heights Land Trust. The land is being acquired to protect the reservation's natural resources and to provide a buffer between the reservation and the surrounding community. The land is being acquired for \$1.2 million. The acquisition is part of a larger program to acquire private land in the Needham Heights Reservation. The program is being funded by the U.S. Forest Service and the State of Massachusetts. The program is expected to acquire a total of 1,500 acres of private land in the reservation. The land is being acquired to protect the reservation's natural resources and to provide a buffer between the reservation and the surrounding community. The land is being acquired for \$1.2 million. The acquisition is part of a larger program to acquire private land in the Needham Heights Reservation. The program is being funded by the U.S. Forest Service and the State of Massachusetts. The program is expected to acquire a total of 1,500 acres of private land in the reservation. The land is being acquired to protect the reservation's natural resources and to provide a buffer between the reservation and the surrounding community. The land is being acquired for \$1.2 million.

THAT UAW TRUCK COURT LLC, A PRIVATELY OWNED LIMITED LIABILITY COMPANY, IS THE SOLE AUTHORIZED AGENT FOR THE SALE OF NEW AND USED TRUCKS AND TRUCK EQUIPMENT THROUGHOUT THE UNITED STATES AND TERRITORIES OF THE UNITED STATES.

[illegible]

This PAI APPROVED SUBJECT TO ALL PENDING COMMENTS, NOTICES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF DALLAS.

WITNESSE MY HAND AT DALLAS, TEXAS, THIS _____ DAY OF _____, 2018.

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a notary public in and for said county and state of Texas, the within and foregoing instrument, together with the exhibits thereto, was presented to me by the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY _____ 2011.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES: _____



L. MICHAEL N. PERELES, A BOSTON, TEXAS, ATTORNEY AT LAW, PLAIN

DATE: MAY 14, 2013

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this _____ day of _____, 2011, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given Under My Hand and Seal of Office.
Notary Public in and for the State of Texas
My Commission Expires: _____

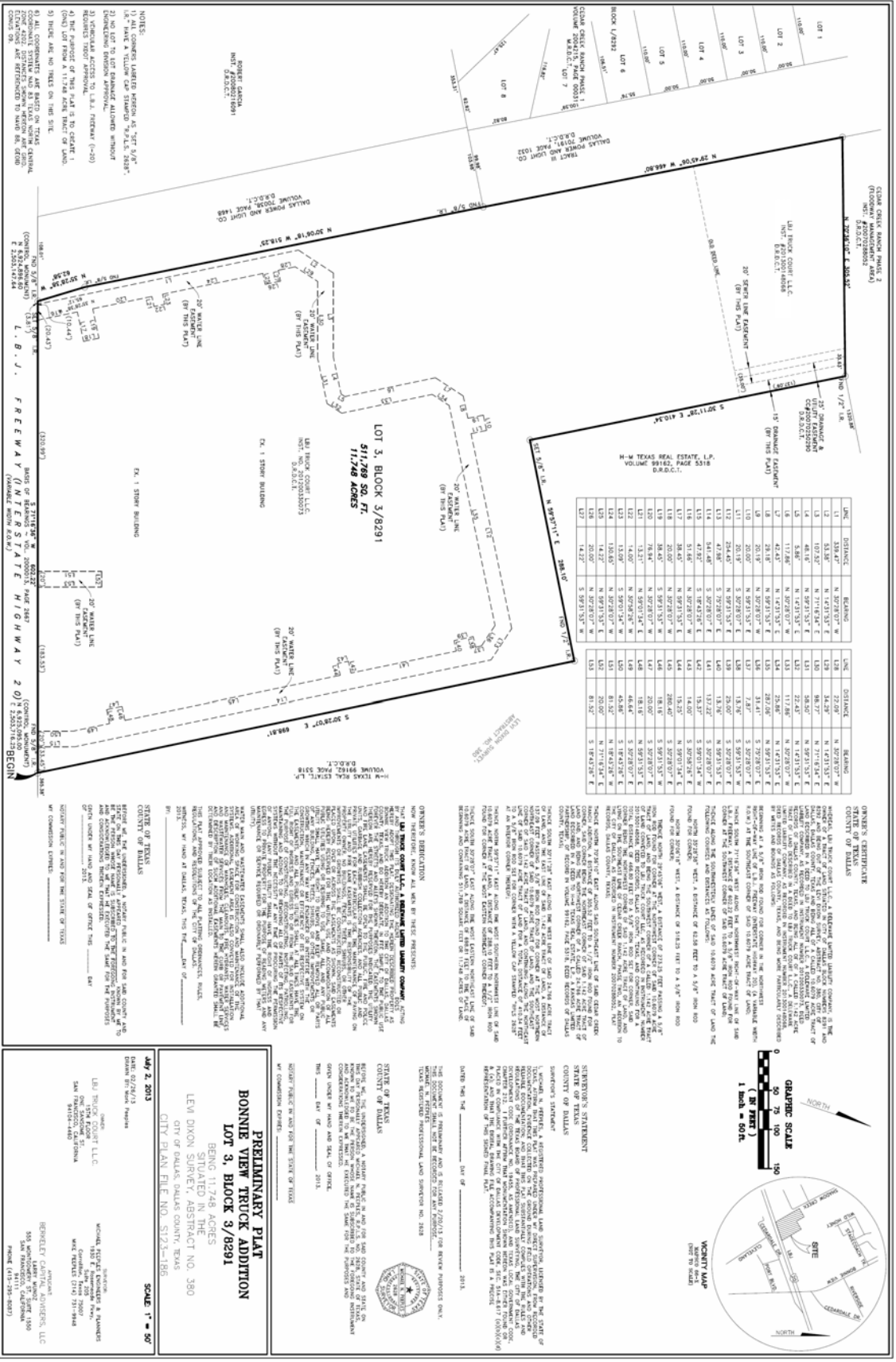
PRELIMINARY PLAT

BONNIE VIEW TRUCK ADDITION
LOT 3, BLOCK 3/8291
BEING 11.748 ACRES
SITUATED IN THE
LEW DIXON SURVEY, ABSTRACT NO. 380
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S1273-186

July 2, 2013 SCALE 1" = 50'

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SAN FRANCISCO, CALIFORNIA
415-774-8888



CITY PLAN COMMISSION**THURSDAY, JULY 11, 2013****FILE NUMBER:** S123-188**Subdivision Administrator:** Paul Nelson**LOCATION:** 10120 Harry Hines Boulevard / State Highway Loop No. 354 at Storey Lane, northeast corner**DATE FILED:** June 14, 2013**ZONING:** IR**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 5.436 Acres**MAPSCO:** 23X**OWNER/APPLICANT:** Texas Forest Properties / Sikka Investments LLC

REQUEST: An application to create one 2.734 acre lot and one 2.702 acre lot from a 5.436 acre tract of land in City Block 5794 located at 10120 Harry Hines Boulevard / State Highway Loop No. 354 at Storey Lane, northeast corner.

SUBDIVISION HISTORY:

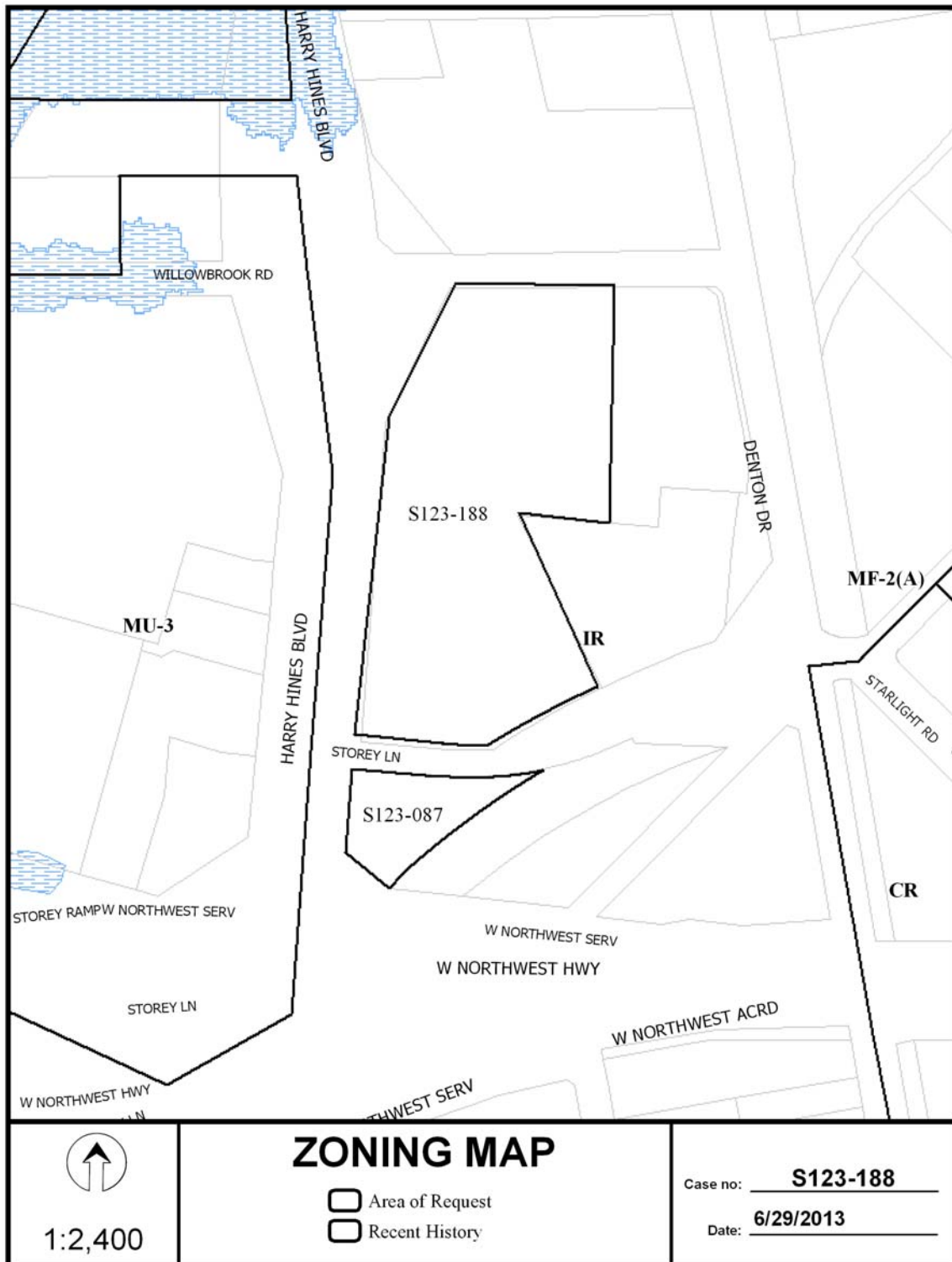
1. S123-087 was an application to create one 0.699 acre lot from a 0.699 acre tract of land in City Block 5794 on property located at 10002 Harry Hines Boulevard / State Highway Loop No. 354 at Storey Lane, southeast corner. The request was approved on March 7, 2013 but has not been recorded.

STAFF RECOMMENDATION: The request complies with the requirements of the IR zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
14. On the final plat dedicate 53.5 feet of right-of-way from the established center line of Storey Lane.
15. On the final plat dedicate 65 feet of right-of-way from the established centerline of Harry Hines Boulevard / State Highway Loop No. 354.
16. On the final plat dedicate a 15 foot by 15 foot corner clip at Harry Hines Boulevard / State Highway Loop No. 20 and Storey Lane.
17. Add the following note to the face of the final plat: "Any new access or modifications along Harry Hines Boulevard / State Highway Loop No. 354 requires TxDOT approval.
18. On the final plat show how all adjoining right-of-way was created.
19. On the final plat show the recording information on all existing easements within 150 feet of the property.
16. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information
17. On the final plat monument all set corners per the monumentation provisions of Section 51A-8.617 of the Dallas Development Code. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
18. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
19. On the final plat change Harry Hines Boulevard to Harry Hines Boulevard / State Highway Loop No. 354.

20. Prior to final plat provide documentation for any dedications, abandonments, or existing improvements for Storey Lane as shown on the preliminary plat to Dwayne Taylor at 214-671-9057.





CITY PLAN COMMISSION**THURSDAY, JULY 11, 2013****FILE NUMBER:** S123-189**Subdivision Administrator:** Paul Nelson**LOCATION:** Lemmon Avenue East between Cole Avenue and McKinney Avenue**DATE FILED:** June 14, 2013**ZONING:** PD 193(GR)**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 1.934 Acers. **MAPSCO:** 35X, Y**OWNER/APPLICANT:** RP Town & Country SC, LP; RP 10% SC Properties, L.P.

REQUEST: An application to replat a 1.934 acre tract of land containing all of Lot 4, part of Lot 5, and a portion of an abandoned 17 foot wide alley, in City Block 978 into one 0.794 acre lot, and one 1.140 acre lot on property located on Lemmon Avenue East between Cole Avenue and McKinney Avenue.

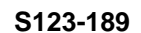
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

STAFF RECOMMENDATION: The request complies with the requirements of PD 193(GR); therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and right-of-way abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
12. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
13. On the final plat dedicate a 10 foot by 10 foot corner clip at Cole Avenue and Lemmon Avenue East.
14. On the final plat dedicate a 10 foot by 10 foot corner clip at McKinney Avenue and Lemmon Avenue East.
15. On the final plat show how all adjoining right-of-way was created.
16. On the final plat chose a different addition name.
17. On the final plat show two controlling monuments.
18. On the final plat extend around all street easements adjacent to property.
19. Water/wastewater main extension is required by Private Development Contract.
20. On the final plat show alley abandonment recording information on plat as follows: Abandonment authorized by ORD. 15462 and recorded in as Vol. 93104 pg. 3698.
21. On the final plat change Lemmon Avenue to Lemmon Avenue East.

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CITY PLAN COMMISSION**THURSDAY, JULY 11, 2013****FILE NUMBER:** S123-190**Subdivision Administrator:** Paul Nelson**LOCATION:** 3603 Marvin D. Love Freeway.**DATE FILED:** June 17, 2013**ZONING:** RR**CITY COUNCIL DISTRICT:** 3 **SIZE OF REQUEST:** 5.024 Acres**MAPSCO:** 64B**OWNER/APPLICANT:** Sikka Investments, LLC / Alex Daredia

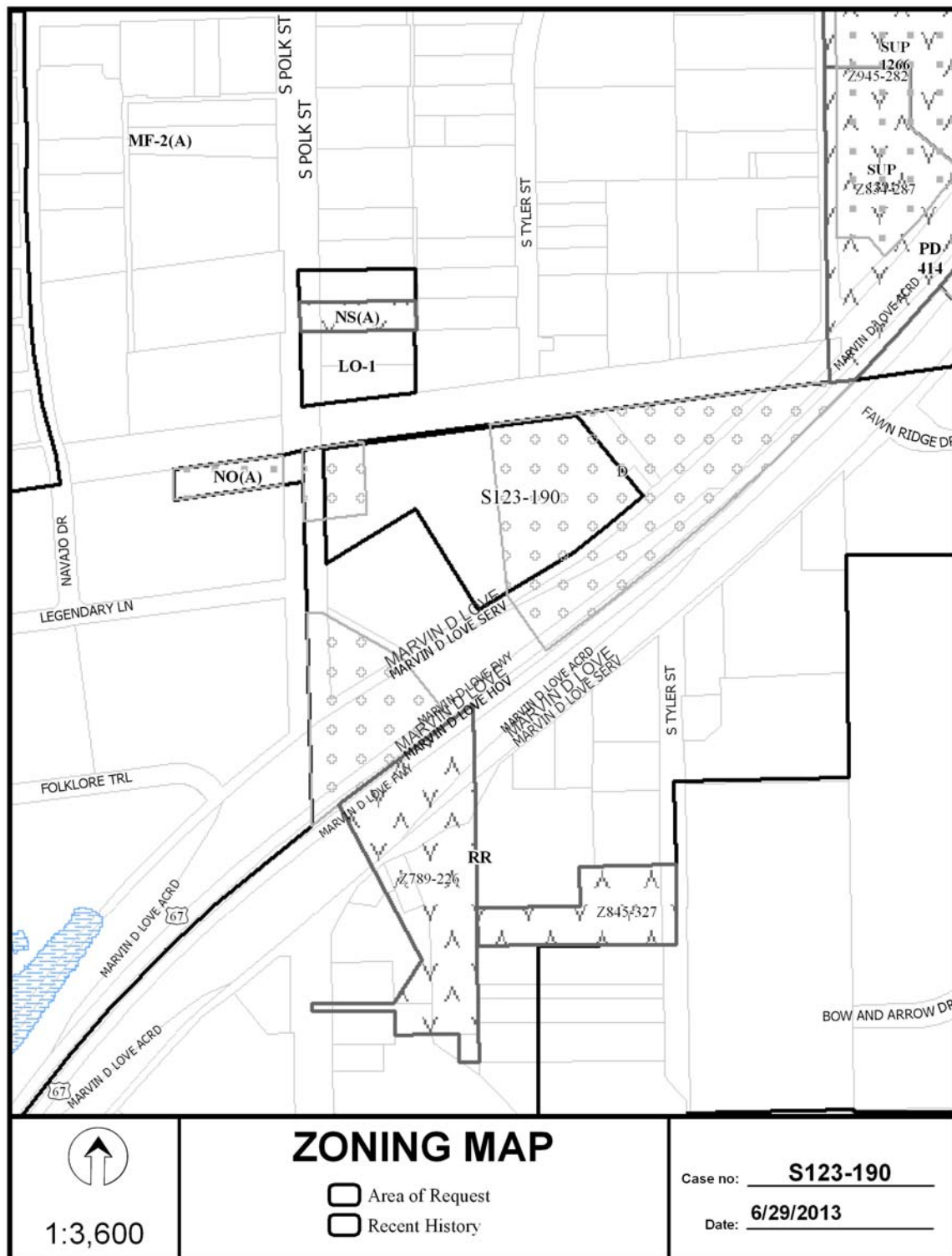
REQUEST: An application to replat a 5.024 acre tract of land containing part of Lot 4 in City Block 5985 into one 1.732 acre lot, one 0.689 acre lot, one 0.702 acre lot, one 0.722 acre lot, and one 1.179 acre lot on property located at 3603 Marvin D. Love Freeway.

SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

STAFF RECOMMENDATION: The request complies with the requirements of the RR District; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and right-of-way abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 5.
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
12. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
13. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
14. On the final plat add the following note: "Any new access or modification to IH 67 requires TxDOT approval."
15. On the final plat choose a different addition name.
16. On the final plat show dimensions on all easements by this plat.
17. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
18. Water/wastewater main extension is required by Private Development Contract.





CITY PLAN COMMISSION**THURSDAY, JULY 11, 2013****FILE NUMBER:** S123-191**Subdivision Administrator:** Paul Nelson**LOCATION:** 6021 Ross Avenue at Live Oak Street, north corner**DATE FILED:** June 17, 2013**ZONING:** MF-2(A)**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 0.2613 Ac.**MAPSCO:** 36X**OWNER/APPLICANT:** T&A Nelson Resources, Ltd.

REQUEST: An application to replat a 0.2613 acre tract of land containing part of Lots 10 and 11, and part of an abandoned 10 foot alley in City Block A/1877 to create one lot on property located at 6021 Ross Avenue at Live Oak Street, north corner.

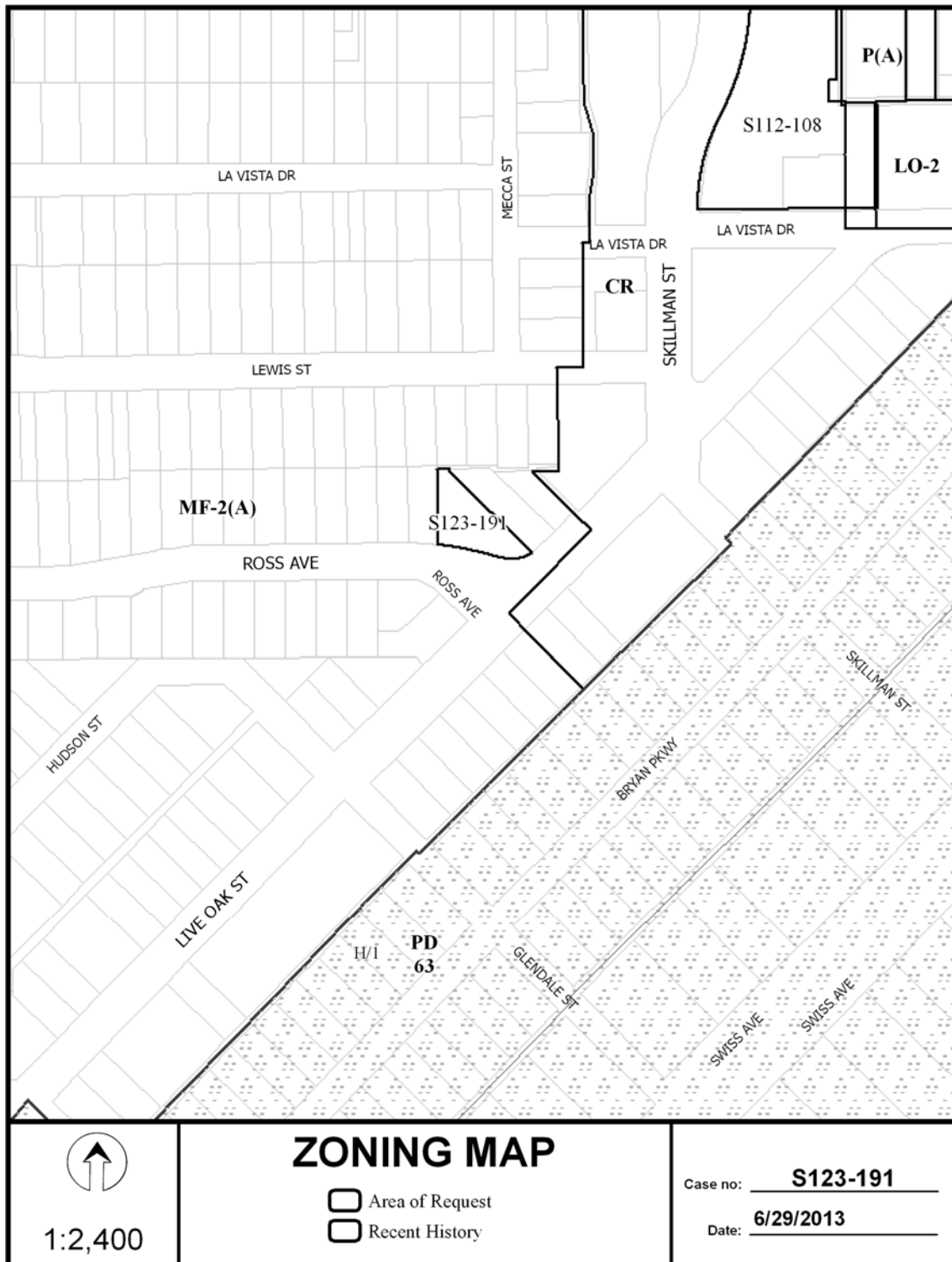
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

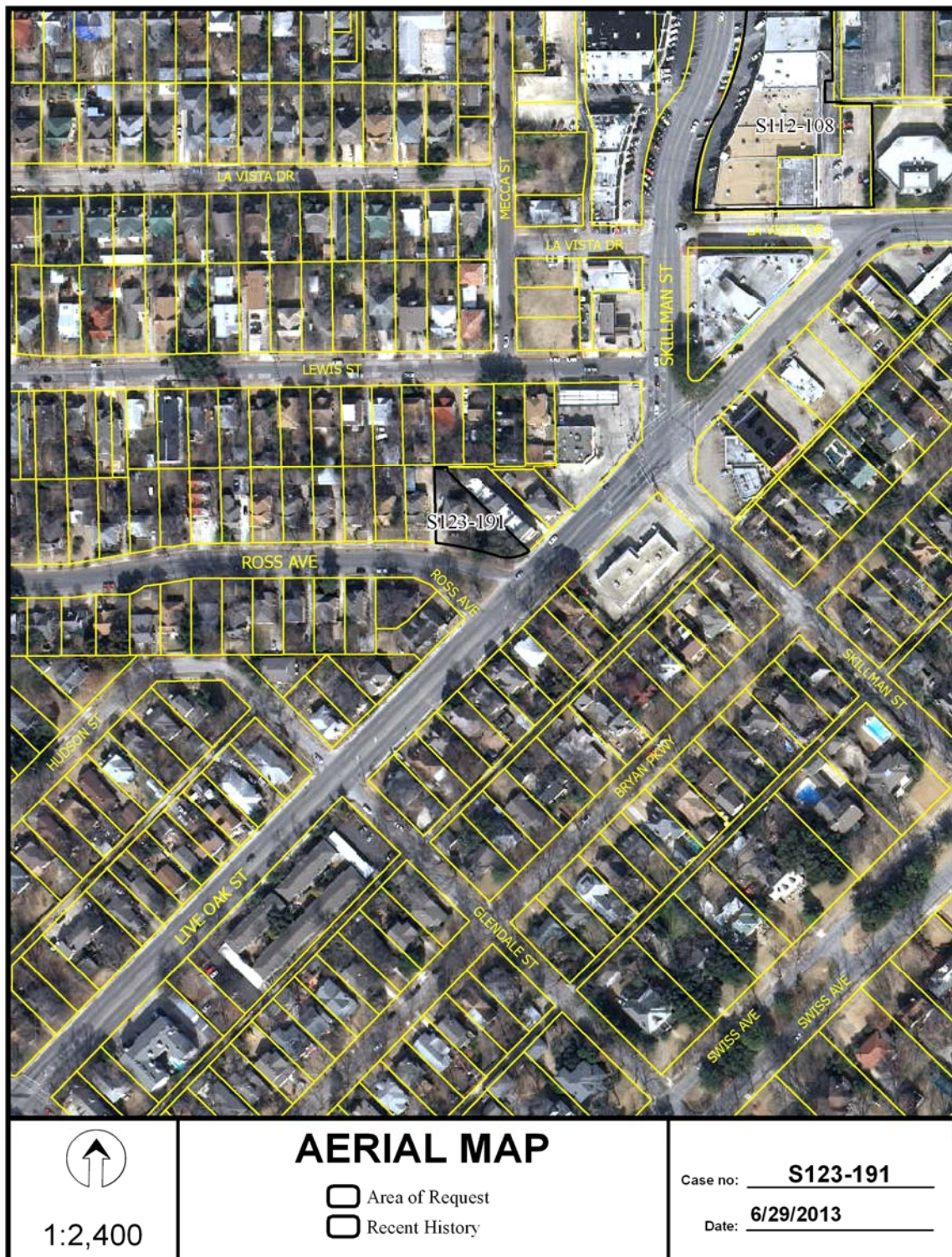
STAFF RECOMMENDATION: The request complies with the requirements of the MF-2(A) District; therefore, staff recommends approval subject to compliance with the following conditions:

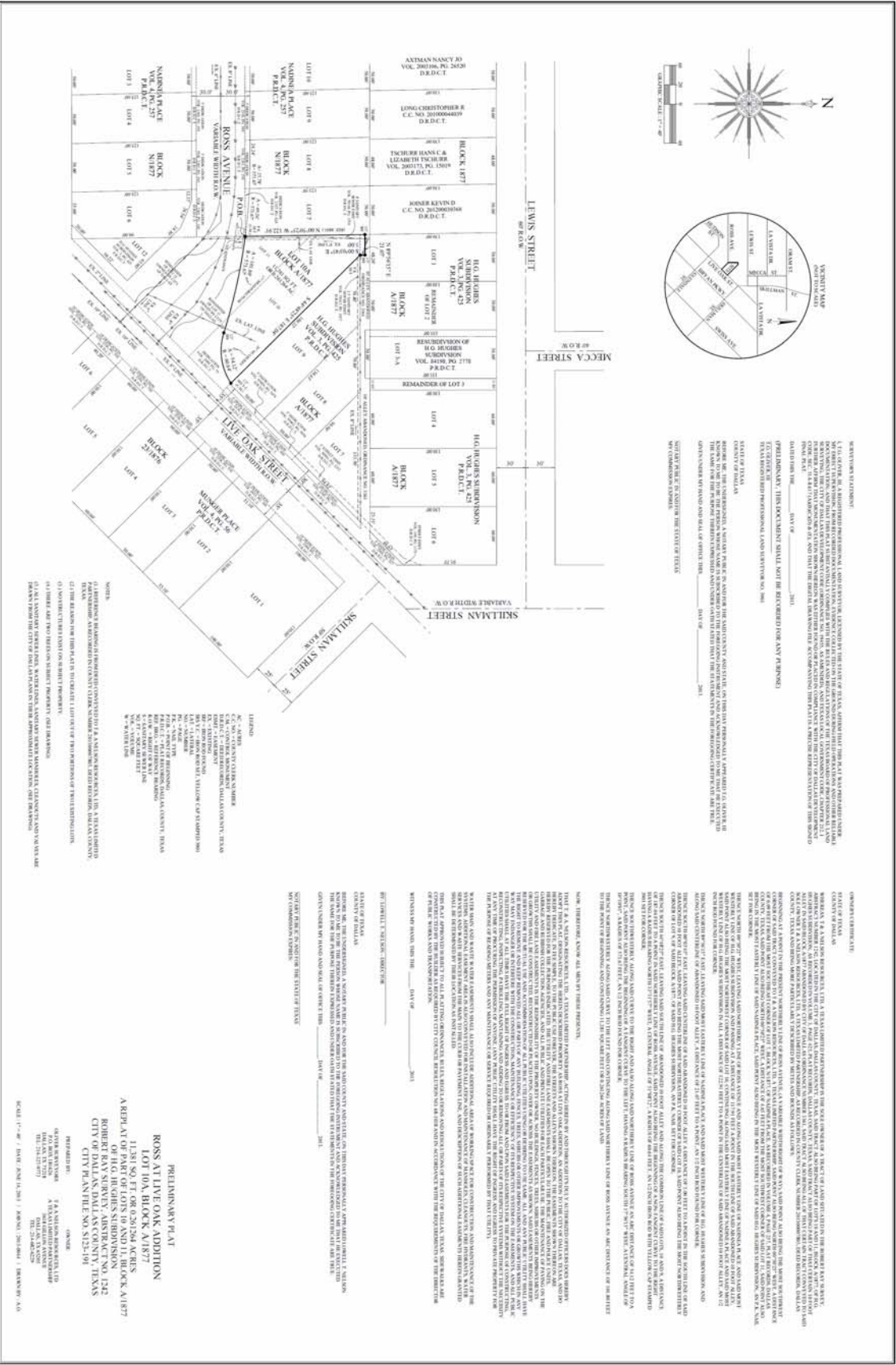
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and right-of-way abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments

must be verified by the Chief City Surveyors Office in the Public Works Department.

10. The maximum number of lots permitted by this plat is 1.
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
12. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
13. Comply with Peaks Branch drainage requirement. Finish floor elevation must be 3 feet above nearest inlet, top of curb.
14. On the final plat show how all adjoining right-of-way was created.
15. On the final plat list the utility easements as retained within street abandonments when stated in the abandonment ordinance.







CITY PLAN COMMISSION**THURSDAY, JULY 11, 2013****FILE NUMBER:** S123-192**Subdivision Administrator:** Paul Nelson**LOCATION:** Midway Road and Lyndon B. Johnson Freeway / Interstate Highway No. 635, Southwest Corner**DATE FILED:** June 17, 2013**ZONING:** PDD 885**CITY COUNCIL DISTRICT:** 13 **SIZE OF REQUEST:** 34.552 Acers **MAPSCO:** 14-T**OWNER/APPLICANT:** Prescott Interests Midway Plaza, Inc.; 4121 Harvest Hill Road Holdings, LP; ECF North Ridge Associates, LP

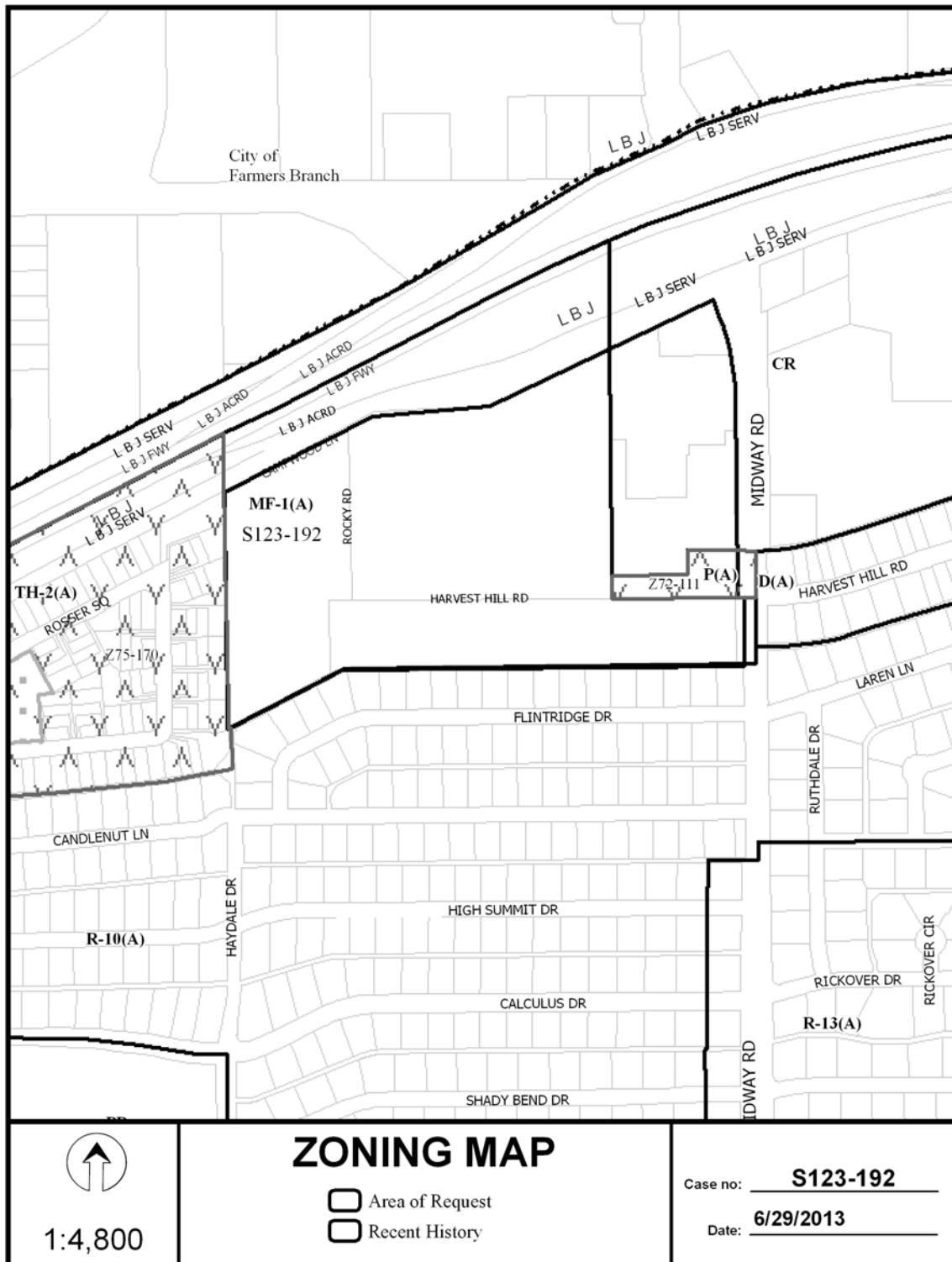
REQUEST: An application to replat a 34.552 acre tract of land containing City Block A/8391, and part of City Blocks 8389, 8390, and 8391 to create one 12.046 acre lot, one 16.617 acre lot, one 0.521 acre lot, one 0.925 acre lot, one 1.306 acre lot, one 1.103 acre lot, one 0.998 acre lot and one 1.036 acre lot on property located on Midway Road at Lyndon B. Johnson Freeway / Interstate Highway No. 635, Southwest Corner.

SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

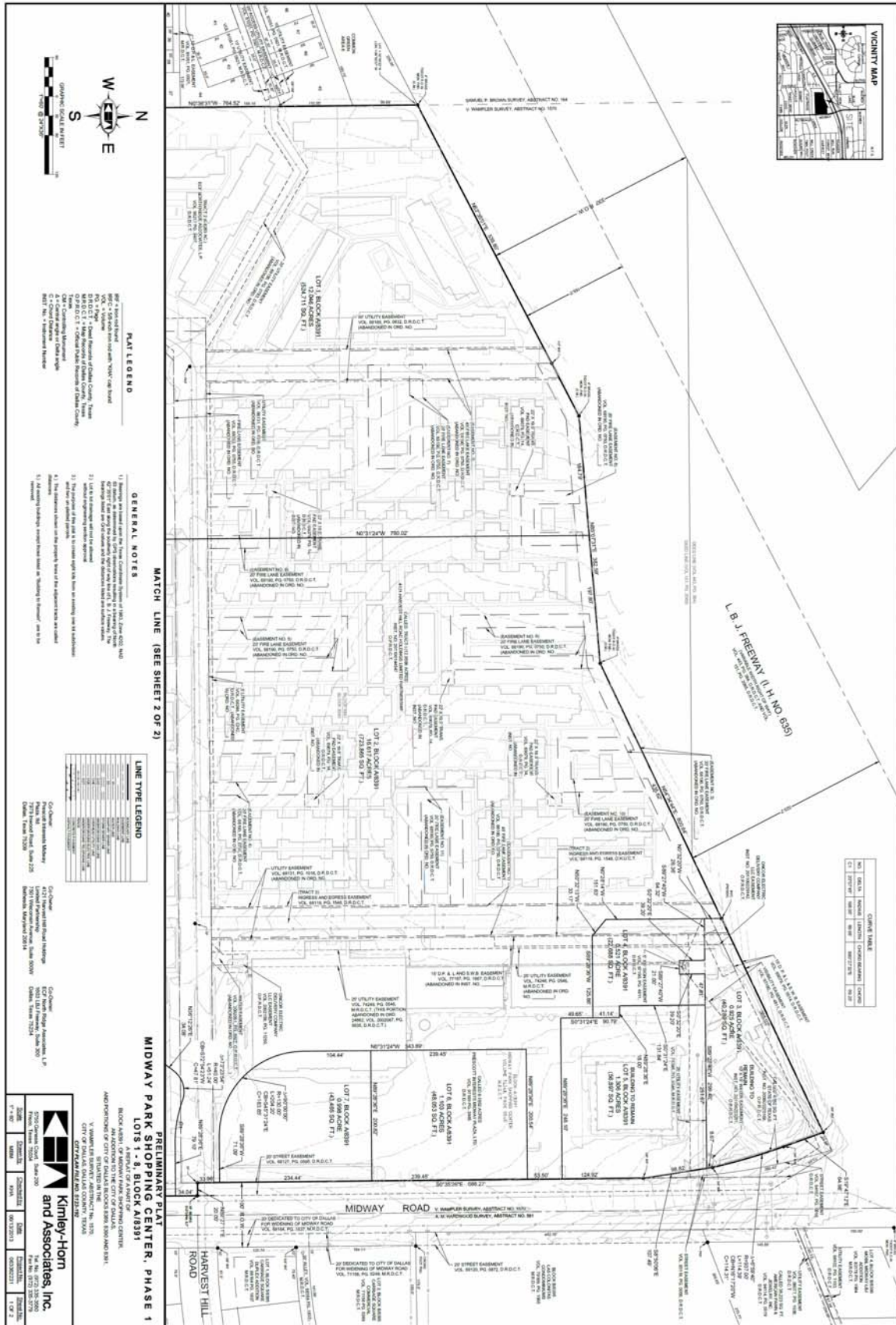
STAFF RECOMMENDATION: The request complies with the requirements of the PDD 885; therefore, staff recommends approval subject to compliance with the following conditions:

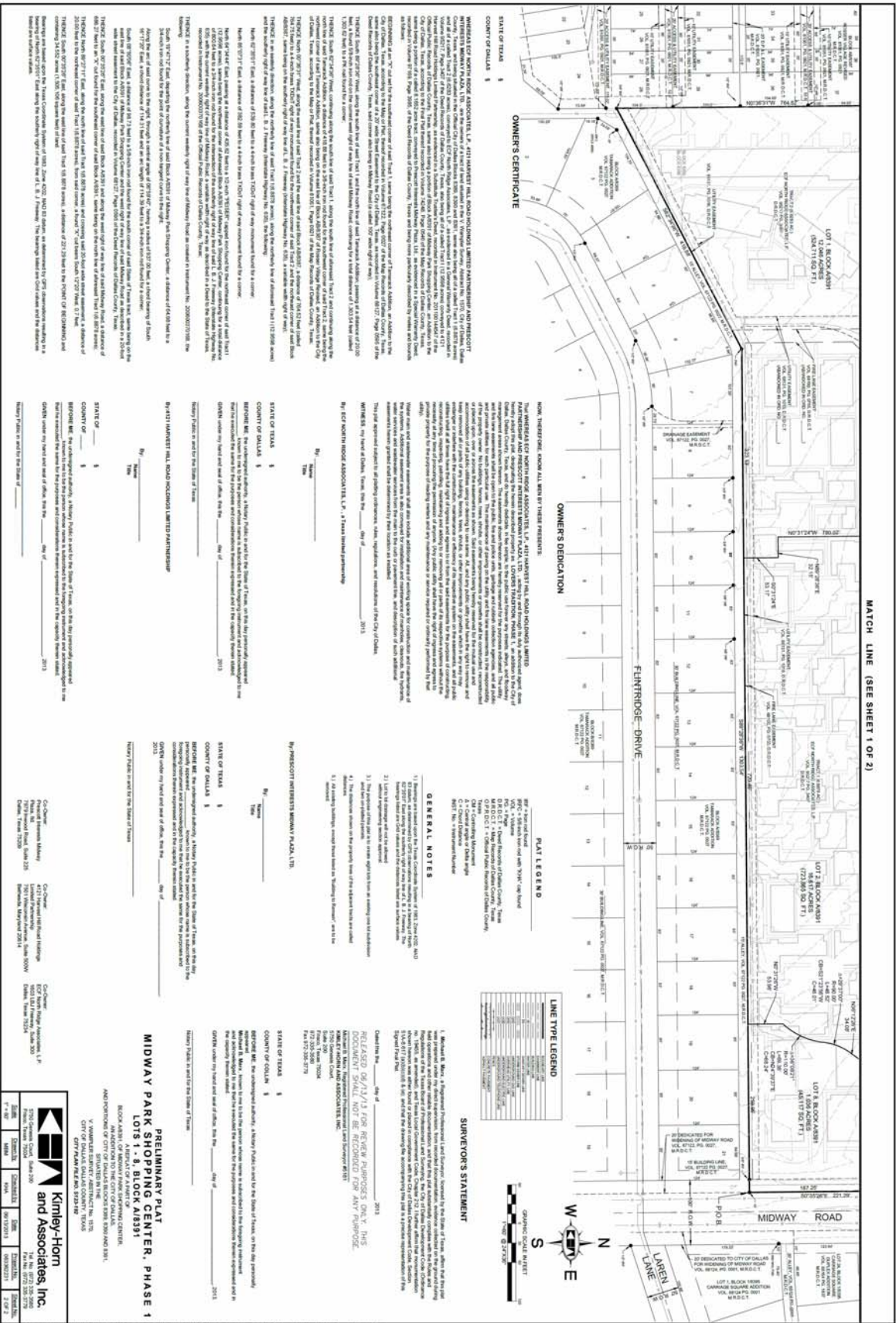
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and right-of-way abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 8.
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
12. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
13. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
14. On the final plat dedicate 50 feet of right-of-way from the established centerline of Midway Road.
15. On the final plat dedicate a 15 foot by 15 foot alley sight easement at Midway Road and Alley.
16. On the final plat add the following note: "Any new access or modification to Lyndon B. Johnson / Interstate Highway No. 635 requires TxDOT approval.
17. On the final plat show the correct recording information for the subject property.
18. On the final plat chose a different addition name.
19. On the final plat list the utility easements as retained within street abandonments when stated in the abandonment ordinance.
20. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
21. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
22. On the final plat label all abandonment areas as follows: Abandonment authorized by Ordinance No._____and recorded as Instrument no._____.
23. On the final plat change L.B.J Freeway (I.H. NO. 635) to Lyndon B. Johnson Freeway /Interstate Highway No. 635.









CITY PLAN COMMISSION**THURSDAY, JULY 11, 2013****FILE NUMBER:** S123-181**Subdivision Administrator:** Paul Nelson**LOCATION:** 11 Winding Lake Drive, north of Forest Lane**DATE FILED:** June 12, 2013**ZONING:** PD 719**CITY COUNCIL DISTRICT:** 11 **SIZE OF REQUEST:** 0.321 Acres **MAPSCO:** 15-Y**OWNER:** Brian and Christina Rudman

REQUEST: An application to replat a 0.321 acre tract of land containing all of Lots 5 and 6 in City Block 50/7460 into one lot; and to remove the seven foot platted building line between Lots 5 and 6; and to remove the one foot platted building line from the west line of Lot 5 on property located at 11 Winding Lake Drive, north of Forest Lane.

SUBDIVISION HISTORY:

- 1, S123-059 was an application to replat a tract of land containing all of Lots 7 and 8 in City Block 50/7460 into one 0.412 acre lot on property located at 13 – 15 Winding Lake Drive, north of Forest Lane. The request was approved on February 7, 2013 but has not been recorded.

The minor amendment to the development plan for PD 719 to combine the 2 lots of this replat into one lot is scheduled for action by the Plan Commission on July 11, 2013.

BUILDING LINE REMOVAL STANDARD: The commission may approve a relocation or removal of the platted building line with a minimum front, side, or rear yard setback greater than required by zoning regulation only:

(1) upon the affirmative vote of at least three- fourths of the commission members present; and

(2) if the commission finds that relocation or removal of the platted building line will not:

“(i) require a minimum front, side, or rear yard setback less than required by zoning regulation;”

- The removal of the seven foot platted building line between Lots 5 and 6; and the removal the platted one foot building line from the west line of Lot 5 will allow the development of the lot to comply with the PD requirements which are a five foot front yard setback; side yard of one foot and seven feet on the contiguous lot with a minimum 8 foot separation between homes; and a minimum rear yard of 10 feet.

“(ii) be contrary to the public interest;”

- On June 14, 2013, 26 notices were sent to property owners within 200 feet of the request with 0 replies in favor and 0 replies in opposition.

“(iii) adversely affect neighboring properties; and”

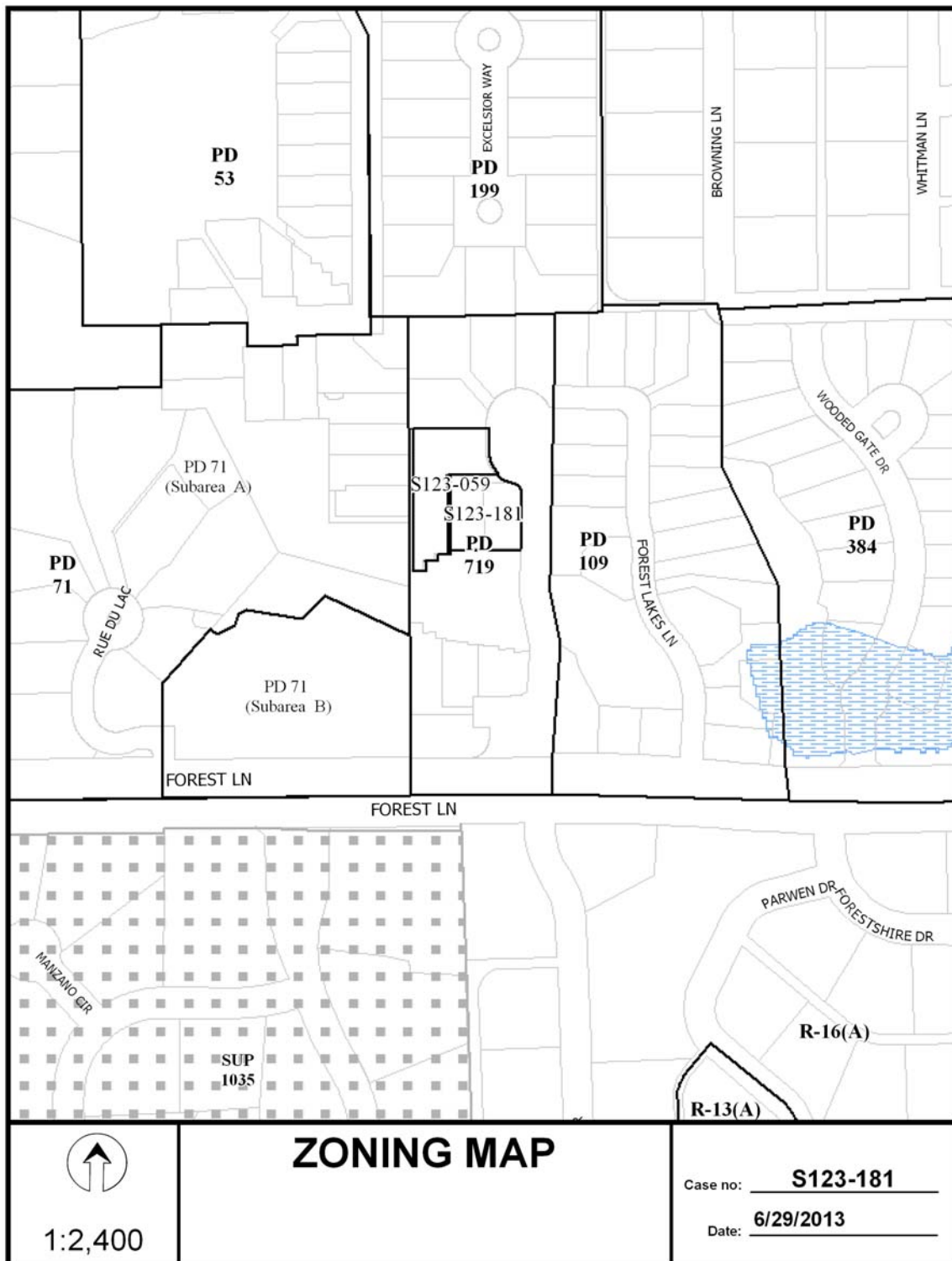
- The removal of the building line will allow development on this property to be developed in compliance with the PD requirements and maintain the same setback requirements as the remainder of the subdivision.
- “(iv) adversely affect the plan for the orderly development of the subdivision.”
- The plat allows a maximum of 12 lots; this request will provide one less lot than approved but maintains the development pattern of the subdivision.

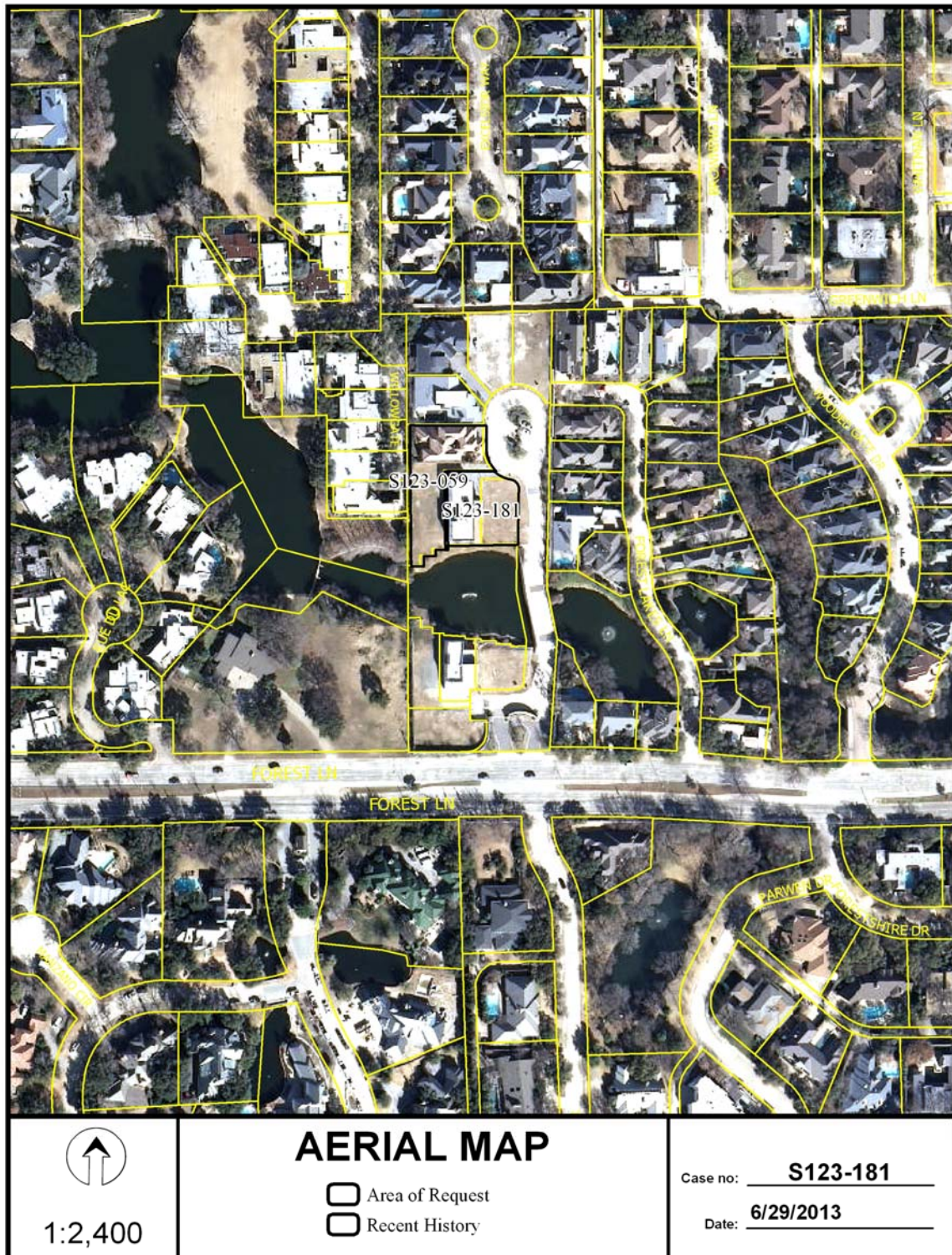
STAFF RECOMMENDATION OF BUILDING LINE REMOVAL: The request to remove the platted building lines will maintain the required setbacks of the property because the applicant must receive approval of a minor amendment before this plat can be recorded. The platted building lines will be removed but the property must still comply with the required setbacks of the planned development district. The minor amendment is scheduled for action on July 11, 2013; therefore, staff recommends **approval** of the removal of the building lines.

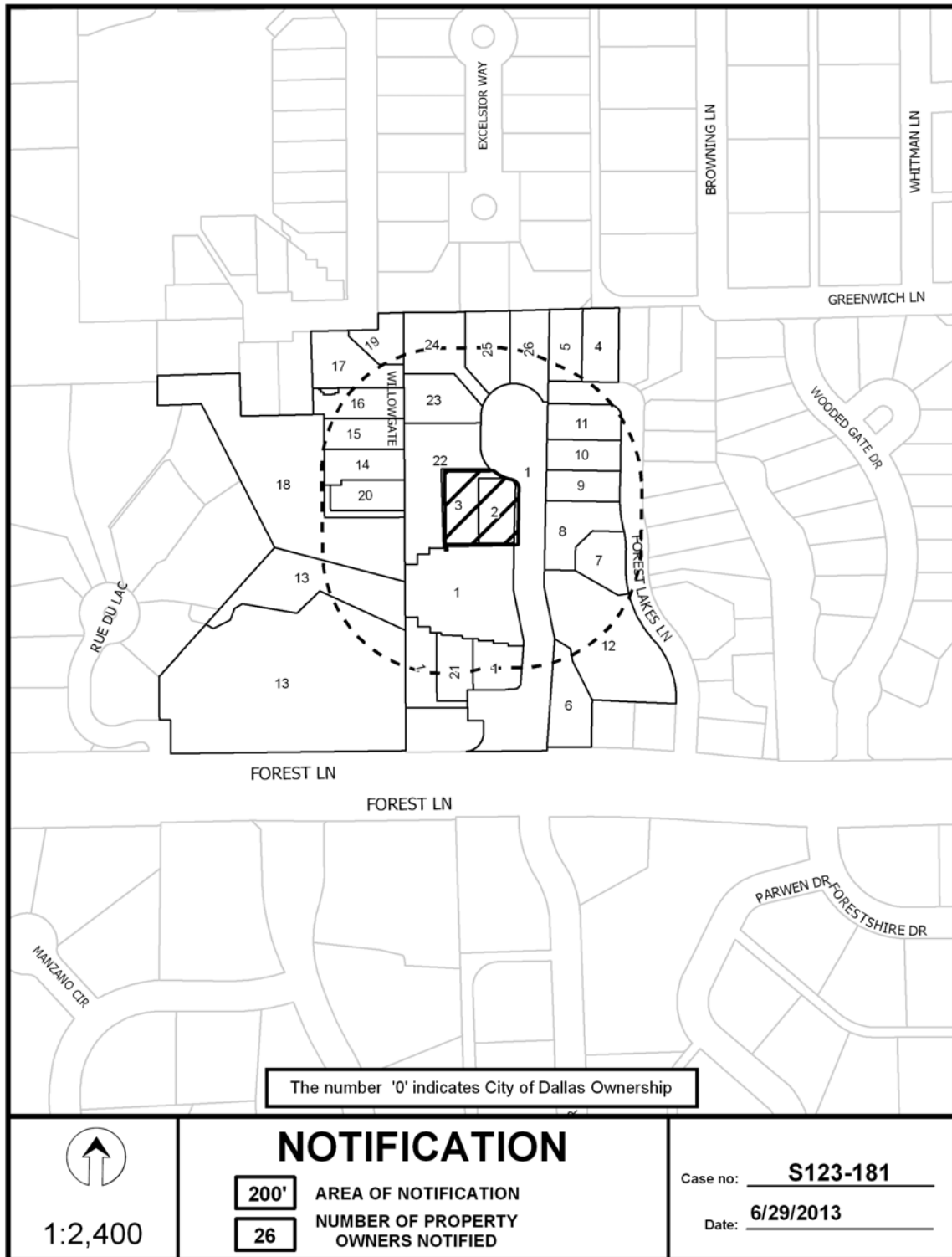
STAFF RECOMMENDATION FOR PLAT: The request complies with the requirements of the removal or relocation of building lines; therefore, staff recommends **approval** subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the “Microstation” format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: “Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection.”

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat show distances/width of right-of-way across Winding Lake Drive.
14. On the final plat add a note stating: "The seven foot building line on Lot 6; and the one foot platted building line parallel to the west line of Lot 5 are removed by this plat."





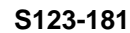


Notification List of Property Owners
S123-181

26 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---|
| 1 | 4 WINDING LAKE DR | 6300 FOREST LANE LLC |
| 2 | 9 WINDING LAKE DR | CRESCENT ESTATES CUSTOM HOMES LP |
| 3 | 11 WINDING LAKE DR | MOAYEDI MEHRDAD |
| 4 | 11936 FOREST LAKES LN | SEAL CLAUDE E II |
| 5 | 11940 FOREST LAKES LN | KING JEFFREY J & CAROL A |
| 6 | 6405 FOREST LN | BROOKS STEPHANIE N |
| 7 | 11825 FOREST LAKES LN | HICKS CHARLES L |
| 8 | 11907 FOREST LAKES LN | DAVIS JON W |
| 9 | 11911 FOREST LAKES LN | WYLL STANLEY L |
| 10 | 11917 FOREST LAKES LN | ARMSTRONG DEANE R |
| 11 | 11921 FOREST LAKES LN | WESTERGAARD DEBORAH |
| 12 | 11801 FOREST LAKES LN | COMBINED AMERICA DEV % DALE CLINE |
| 13 | 6243 FOREST LN | ZUMWALT CONSTANCE MARIE |
| 14 | 6298 WILLOWGATE LN | SHELDON ROY G & LYNNE B |
| 15 | 6296 WILLOWGATE LN | JAFFE MARLENE & DENNIS CLOUSE |
| 16 | 6294 WILLOWGATE LN | COX FRANK H |
| 17 | 6292 WILLOWGATE LN | JACOBSON ERROL & ESME |
| 18 | 6243 FOREST LN | WOLLOWGATE HOMEOWNERS ASSOCIATION |
| 19 | 6300 WILLOWGATE LN | WILLOWGATE HOMEOWNERS ASSOCIATION |
| 20 | 6300 WILLOWGATE LN | VICTOR F GRANT & JULIANNE K FAMILY LIVING TRUST |
| 21 | 5 WINDING LAKE DR | SAADI PAUL D |
| 22 | 15 WINDING LAKE DR | STEPHAN MICHEL & NAYLA |
| 23 | 17 WINDING LAKE DR | WILLIAMS REVOCABLE TRUST |
| 24 | 19 WINDING LAKE DR | RUSK KEITH & RUSK DANA |
| 25 | 21 WINDING LAKE DR | LEE DEBORAH |
| 26 | 12 WINDING LAKE DR | KURJI RAHIM N & NEELIMA |

Friday, June 14, 2013



CITY PLAN COMMISSION**THURSDAY, JULY 11, 2013****FILE NUMBER:** S123-187**Subdivision Administrator:** Paul Nelson**LOCATION:** 4720 Chapel Hill Road and 7594 Benedict Drive**DATE FILED:** June 13, 2013**ZONING:** R-16(A)**CITY COUNCIL DISTRICT:** 9**SIZE OF REQUEST:** 1.224 Acres**MAPSCO:** 37F**OWNER/APPLICANT:** Gregory and Susan Turner

REQUEST: An application to replat a 1.224 acre tract of land containing all of Lots 10 and 11 in City Block C/4405 into one 0.546 acre lot and reduction of a portion of the existing 50 foot platted building line by 2.5 feet along the west line of Benedict Drive; and to create one 0.678 acre lot on property located at 4720 Chapel Hill Road and 7594 Benedict Drive.

SUBDIVISION HISTORY:

1. S789-261 is the recorded plat for "Lots 10 & 11 in Block C/4405" and does not reflect that the building line parallel to Benedict Drive encroaches into the 50 foot building line. The plat was recorded July 23, 1979.

BUILDING LINE REMOVAL STANDARD: The commission may approve a relocation or removal of the platted building line with a minimum front, side, or rear yard setback greater than required by zoning regulation only:

- (1) upon the affirmative vote of at least three- fourths of the commission members present; and
- (2) if the commission finds that relocation or removal of the platted building line will not:

"(i) require a minimum front, side, or rear yard setback less than required by zoning regulation;"

- The reduction of the building line will allow the existing house to encroach 2.5 feet into the front yard but the setback will still be significantly greater than what is required by the R-16(A) zoning that governs the development.

"(ii) be contrary to the public interest;"

- On June 18, 2013, 21 notices were sent to property owners within 200 feet of the request with 0 replies in favor and 0 replies in opposition to the request.

"(iii) adversely affect neighboring properties; and"

- The reduction of the building line will allow development on this property to encroach 2.5 feet closer to the street but will still have a significantly greater setback than the properties north of the site along both Benedict Drive and Chapel Hill Road.

"(iv) adversely affect the plan for the orderly development of the subdivision."

- The plat "Lots 10 & 11 Block C/4405 Cloisters Revised" has a 50 foot building line on Chapel Hill Road and Benedict Drive, and a 20 foot building line on Axminister Court.

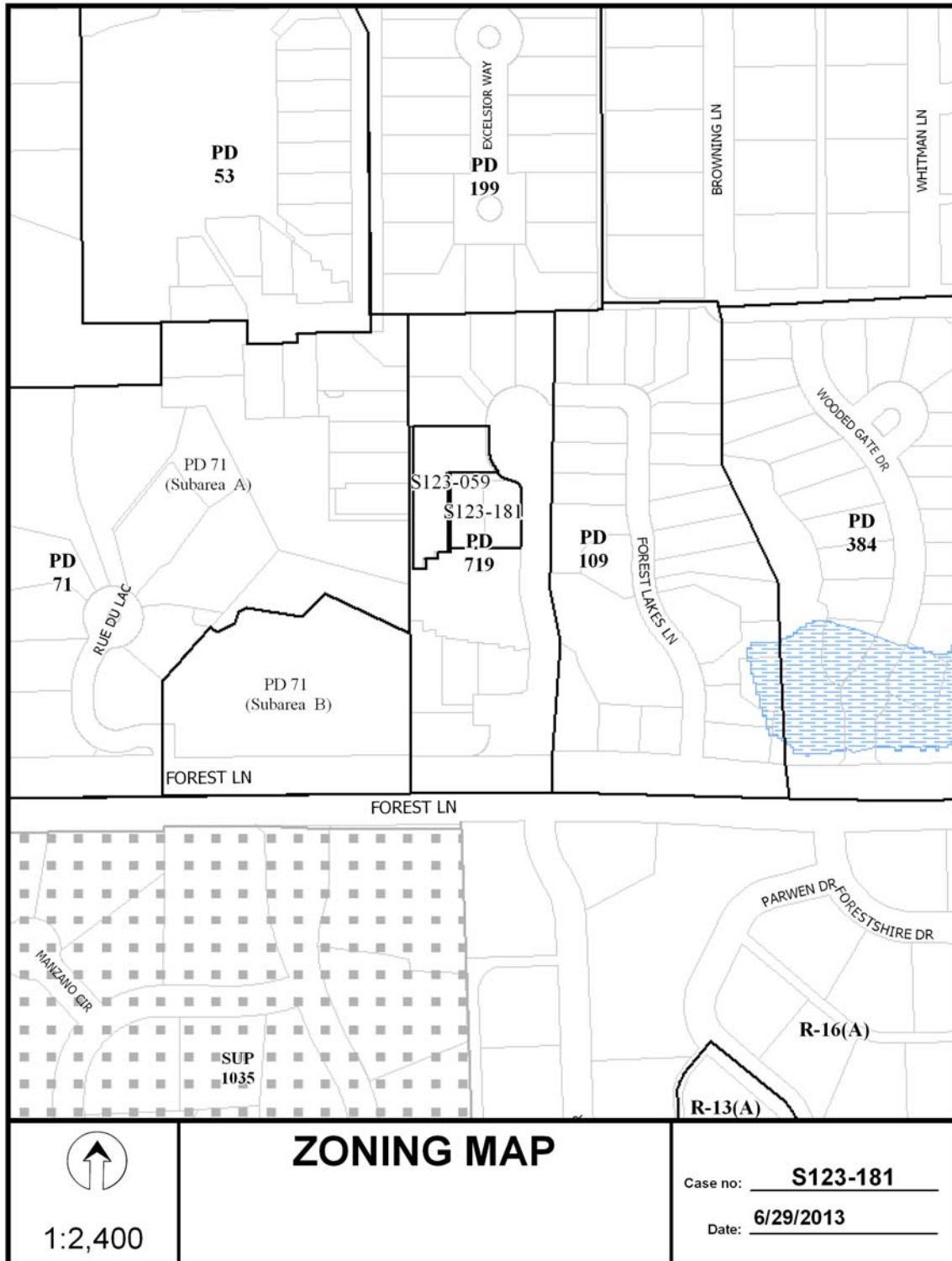
STAFF RECOMMENDATION OF BUILDING LINE REDUCTION: The request to reduce the 50 foot platted building line by 2.5 feet to "wrap around" the east line of the structure will remove the encroachment into the platted building line and maintain the integrity of the development of the property. The 50 foot platted building line only occurs on these 2 lots. The lots contiguous on the north have a 40 foot platted building line. The reduction of the building line is consistent with the established building lines of the area, and maintains the lot area of the R-16(A) zoning district, and removes one encroachment into the platted building line; therefore, staff recommends **approval** of the reduction of the 50 foot building line.

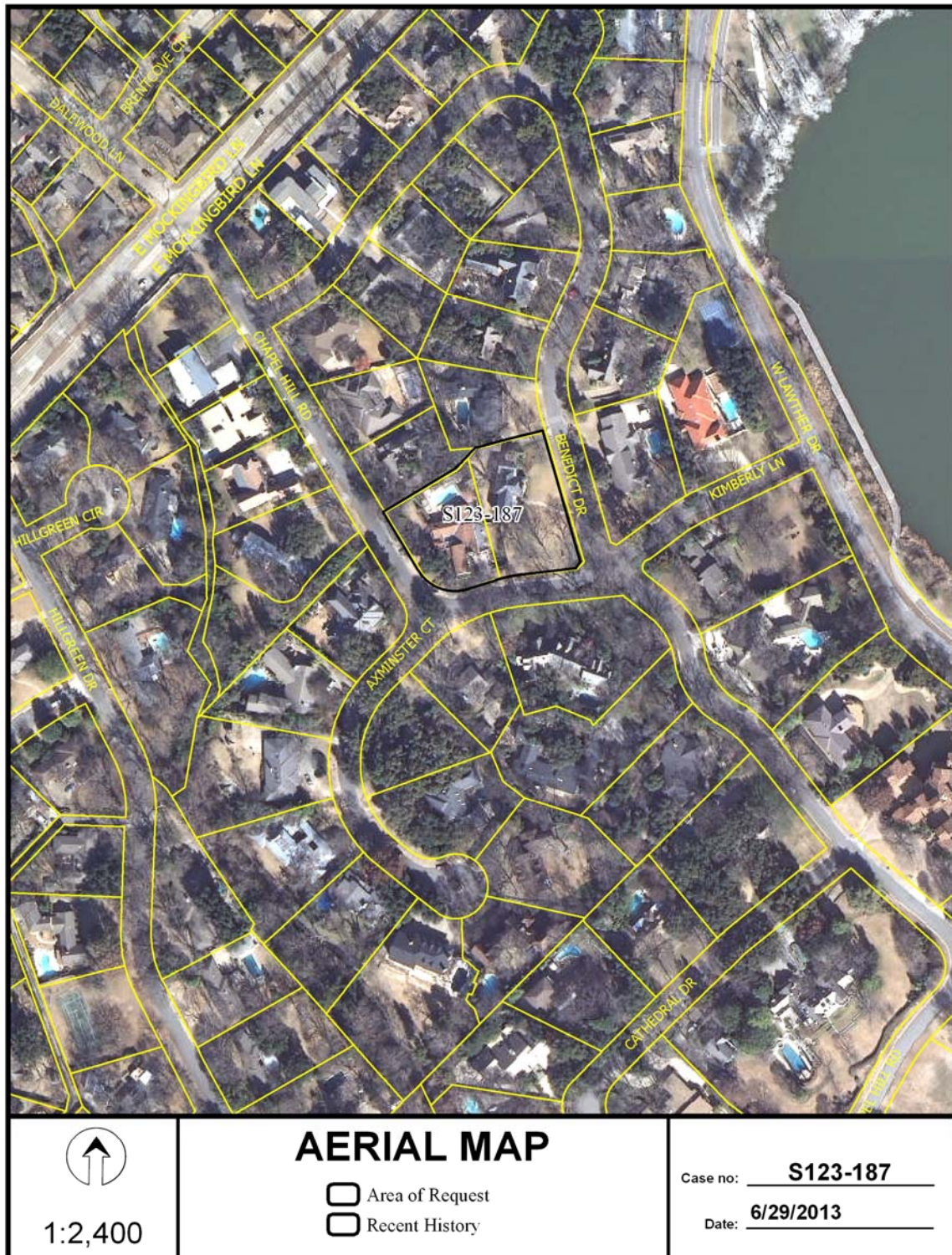
STAFF RECOMMENDATION FOR PLAT: The request complies with the requirements of the reduction of the building line; therefore, staff recommends **approval** of the removal of the reduction of the 50 foot building line subject to compliance with the following conditions:

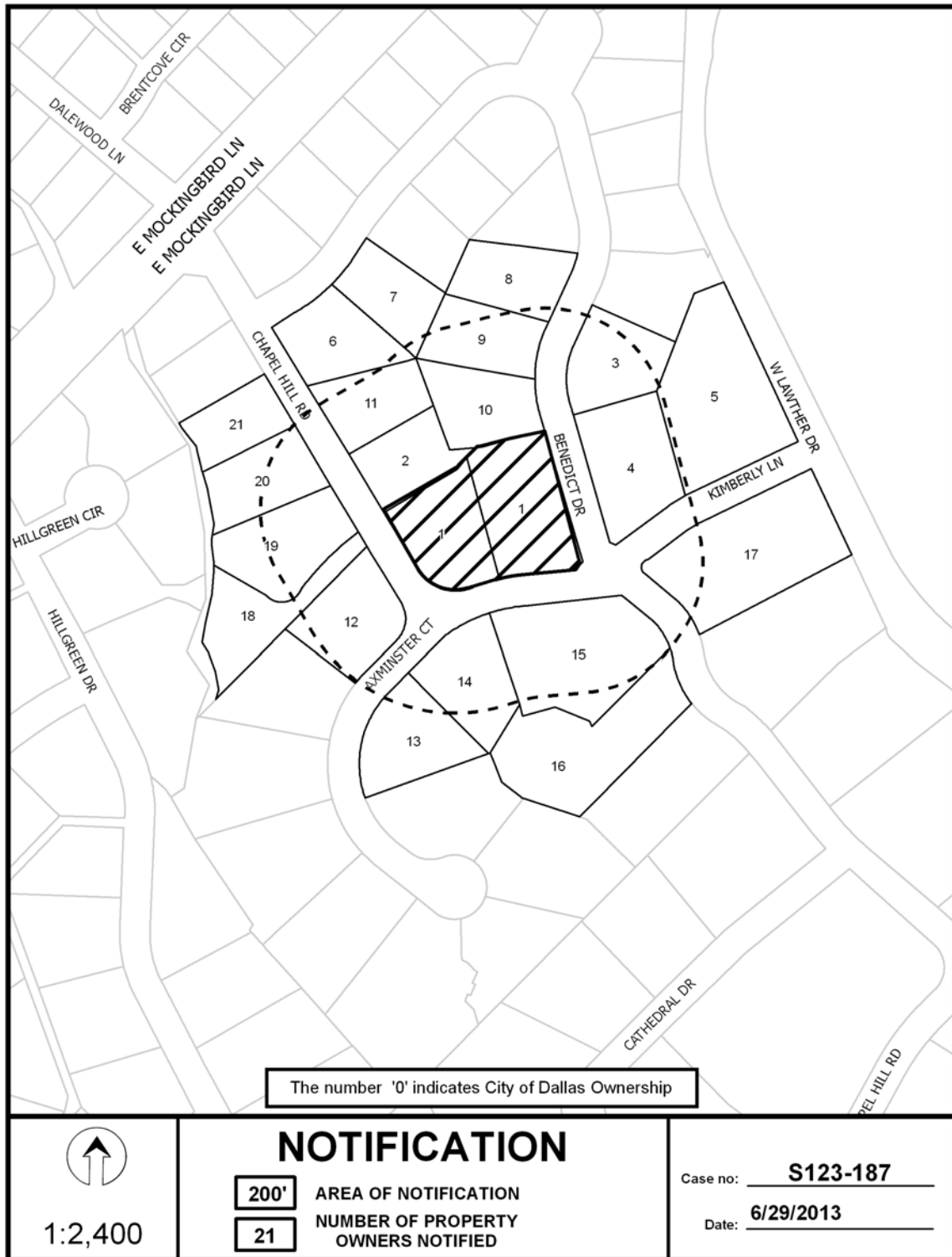
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments

must be verified by the Chief City Surveyors Office in the Public Works Department.

10. The maximum number of lots permitted by this plat is 2.
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
12. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
13. On the final plat show the correct recording information for the subject property.
14. On the final plat chose a different addition name.
15. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
16. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater, 25 feet for an easement having both water and sewer and 66 inch wastewater line needs additional easement.
15. The water service cannot cross lot lines; a utility plan showing the existing location of water and wastewater service needs to be provided to the Engineering Division, Water Section in Room 200, 320 E. Jefferson Blvd. prior to submittal of the final plat for the Chairman's signature.
16. On the final plat provide a 25 foot wide easement for the 66 inch wastewater main.



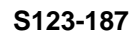




S123-187**21 Property Owners Notified**

| Label # | Address | Owner |
|----------------|---------------------|----------------------------------|
| 1 | 7594 CHAPEL HILL RD | TURNER GREGORY & SUSAN |
| 2 | 4730 CHAPEL HILL RD | DUBE STEPHEN & LINDA KITCHIN |
| 3 | 7581 BENEDICT DR | ELLIOTT SHERRY L |
| 4 | 7595 BENEDICT DR | CHADWICK LARRY E & DONNA KAY |
| 5 | 7515 KIMBERLY LN | BUKHARI HASSAN I |
| 6 | 7506 BENEDICT DR | WARREN MARCIA |
| 7 | 7514 BENEDICT DR | SMITH GARY P & SUZANNE B |
| 8 | 7576 BENEDICT DR | HARGROVE STEPHEN H SR & JENNIE K |
| 9 | 7582 BENEDICT DR | FLORENCE CRAIG B & KRISTIN |
| 10 | 7588 BENEDICT DR | OROURKE MICHAEL G & CYNTHIA A |
| 11 | 4740 CHAPEL HILL RD | CHAKMAKJIAN ZAVEN |
| 12 | 7439 AXMINSTER CT | KOLENDO CRYSTAL |
| 13 | 7424 AXMINSTER CT | NIKULA MICHAEL & |
| 14 | 4715 CHAPEL HILL RD | SKRABANEK HENRY J & ELAINE A |
| 15 | 4707 CHAPEL HILL RD | ALLEN ELGIN B JR & RACHEL ALLEN |
| 16 | 4657 CHAPEL HILL RD | SESSIONS JUANITA DIAZ |
| 17 | 4666 CHAPEL HILL RD | JONES ELLWOOD |
| 18 | 4725 CHAPEL HILL RD | COLLINS JANET ANN |
| 19 | 4735 CHAPEL HILL RD | LARSON TED W & JANICE E LARSON |
| 20 | 4745 CHAPEL HILL RD | JOGLAR JOSE & JEANNE |
| 21 | 4755 CHAPEL HILL RD | MAXWELL JAMES T |

Tuesday, July 02, 2013



CITY PLAN COMMISSION**THURSDAY, JULY 11, 2013****FILE NUMBER:** S123-193**Subdivision Administrator:** Paul Nelson**LOCATION:** 5914 Lakehurst Avenue**DATE FILED:** June 13, 2013**ZONING:** R-10(A)**CITY COUNCIL DISTRICT:** 13 **SIZE OF REQUEST:** 0.189 Acres **MAPSCO:** 25-K**OWNER/APPLICANT:** Paul Larkin

REQUEST: An application to replat all of Lot 1-AA in City Block 2/5515 to remove the 30 foot platted building line along the east line of Jourdan Way, and to remove the 60 foot platted building line parallel to the south line of Lakehurst Avenue on property located at 5914 Lakehurst Avenue.

SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

BUILDING LINE REMOVAL STANDARD: The commission may approve a relocation or removal of the platted building line with a minimum front, side, or rear yard setback greater than required by zoning regulation only:

(1) upon the affirmative vote of at least three- fourths of the commission members present; and

(2) if the commission finds that relocation or removal of the platted building line will not:

“(i) require a minimum front, side, or rear yard setback less than required by zoning regulation;”

- The removal of the side building line of 30 feet will allow the 6 foot side-yard setback of the R-10(A) zoning district to govern the development. The removal of the 60 foot front yard building line will allow the front yard setback to be controlled by the zoning requirement of a 30 foot front yard. The properties to the east are also controlled by the 30 foot front yard setback requirement and do not have a building line.

“(ii) be contrary to the public interest;”

- On June 21, 2013, 15 notices were sent to property owners within 200 feet of the request with 0 replies in favor and 0 replies in opposition.

“(iii) adversely affect neighboring properties; and”

- The removal of the building lines will not negatively impact development of the property or other properties within the original subdivision that have a platted 30 foot or 60 foot building line.

“(iv) adversely affect the plan for the orderly development of the subdivision.”

- The plat has a platted 30 foot side building line on Jourdan Way, and a 60 foot platted front building line along Lakehurst Avenue. The removal of the platted building lines will allow the development of the property to occur in

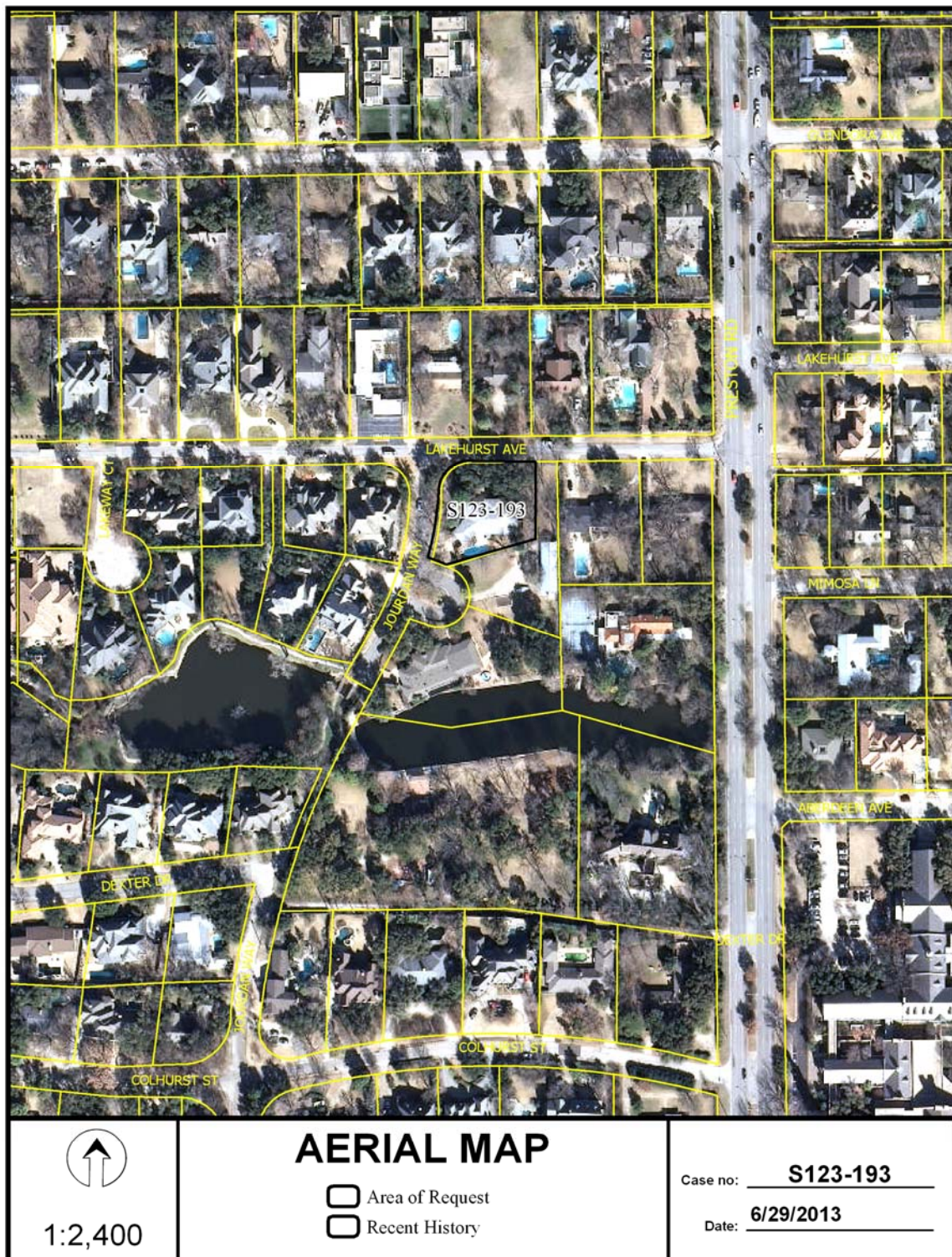
accordance with the zoning requirements of a 6 foot side yard and a 30 foot front yard setback.

STAFF RECOMMENDATION OF BUILDING LINE REMOVAL: The request to remove the 30 foot building line will eliminate the encroachment into building line along Jourdan Way and maintain the integrity of the development along Jourdan Way. The 60 foot building line only occurs on this one lot. The lots contiguous on the east have no building lines and the properties west of Jourdan Way have a 40 foot building line. The removal of the building line maintains the lot area of the R-10(A) zoning district, and removes one encroachment into the platted building line; therefore, staff recommends **approval** of the removal of the 60 foot and 30 foot building lines.

STAFF RECOMMENDATION OF PLAT: The request complies with the requirements of the R-10(A) zoning District; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.

11. On the final plat add the following note: "The 60 foot platted building line parallel to the south line of Lakehurst Avenue, and the 30 foot building line parallel to the east line of Jourdan Way are removed by this plat".



7/2/2013

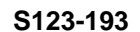
Notification List of Property Owners

S123-193

15 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---------------------------------------|
| 1 | 9912 JOURDAN WAY | BYRD D HAROLD JR STE 982 LB 51 |
| 2 | 5914 LAKEHURST AVE | LARKIN PAUL L |
| 3 | 5911 LAKEHURST AVE | GAZDAR ADI F & CELIA |
| 4 | 5903 LAKEHURST AVE | CANTONI HOUSE LLC |
| 5 | 5917 LAKEHURST AVE | TANG NHAM |
| 6 | 5923 LAKEHURST AVE | LAWSON RAY M & KAY D |
| 7 | 10001 PRESTON RD | MASON M THOMAS & NANCY C |
| 8 | 5934 LAKEHURST AVE | BRODRICK JOHN |
| 9 | 5924 LAKEHURST AVE | BLUNK RICHARD A & JUNE E |
| 10 | 9909 PRESTON RD | DORFMAN LOUIS |
| 11 | 5867 LAKEHURST AVE | MONTGOMERY WILL |
| 12 | 5866 LAKEHURST AVE | SAENZ HERNAN & SYLVIA CESPEDES |
| 13 | 5878 LAKEHURST AVE | QUINN HAL DOUGLAS & QUINN ELIZABETH |
| 14 | 9925 JOURDAN WAY | DAS TONY S & LAURA J |
| 15 | 5862 LAKEHURST AVE | LANGDON ROBERT W & JOSEPHINE B PHELAN |

Tuesday, July 02, 2013



CITY PLAN COMMISSION**THURSDAY, JULY 11, 2013****FILE NUMBER:** S123-200**Subdivision Administrator:** Paul Nelson**LOCATION:** N. Central Expressway at Walnut Hill Lane, northwest corner**DATE FILED:** July 2, 2013**ZONING:** PDD 750**CITY COUNCIL DISTRICT:** 11 **SIZE OF REQUEST:** 42.1085 ac. **MAPSCO:** 26N**APPLICANT:** 75 and Walnut Hill, LLC

REQUEST: An application to remove the existing platted 25 foot building line along the north line of Walnut Hill Lane and to remove the 25 foot building line along the west line of N. Central Expressway; and to replat a 41.1085 acre tract of land containing all of Lots 1 and 1A in City Block S/5454 to create 140 single family lots; 10 nonresidential lots and 11 common area's from a 42.1085 acre tract of land on property located at the northwest corner of U.S. Highway 75 North at Walnut Hill Lane.

SUBDIVISION HISTORY:

1. S078-115 was an application to replat a 42.143 acre tract of land containing part of Lot 1, City Block S/5455 and all of Lot 1A, City Block S/5455 into one 17.341 acre lot, and one 24.801 acre lot on N. Central Expressway; at Walnut Hill Lane, northwest corner. The request was approved on February 28, 2008 but has not been recorded.
2. S123-169 was an application to remove the existing platted 25 foot building line along the north line of Walnut Hill Lane and to remove the 25 foot building line along the west line of N. Central Expressway; and to replat a 41.1085 acre tract of land containing all of Lots 1 and 1A in City Block S/5454 to create 145 single family lots; and to create 9 nonresidential lots from a 42.1085 acre tract of land on property located at the northwest corner of U.S. Highway 75 North at Walnut Hill Lane and was withdrawn on June 20, 2013

BUILDING LINE REMOVAL STANDARD: The commission may approve a relocation or removal of the platted building line with a minimum front, side, or rear yard setback greater than required by zoning regulation only:

(1) upon the affirmative vote of at least three- fourths of the commission members present; and

(2) if the commission finds that relocation or removal of the platted building line will not:

“(i) require a minimum front, side, or rear yard setback less than required by zoning regulation;”

- The removal of the 25 feet building lines will allow the setbacks of the planned development district govern the development.

“(ii) be contrary to the public interest;”

- Notices were not sent because this is a non residential development.

“(iii) adversely affect neighboring properties; and”

- The removal of the building lines will allow development on this property to be consistent with the development plan for the property.

“(iv) adversely affect the plan for the orderly development of the subdivision.”

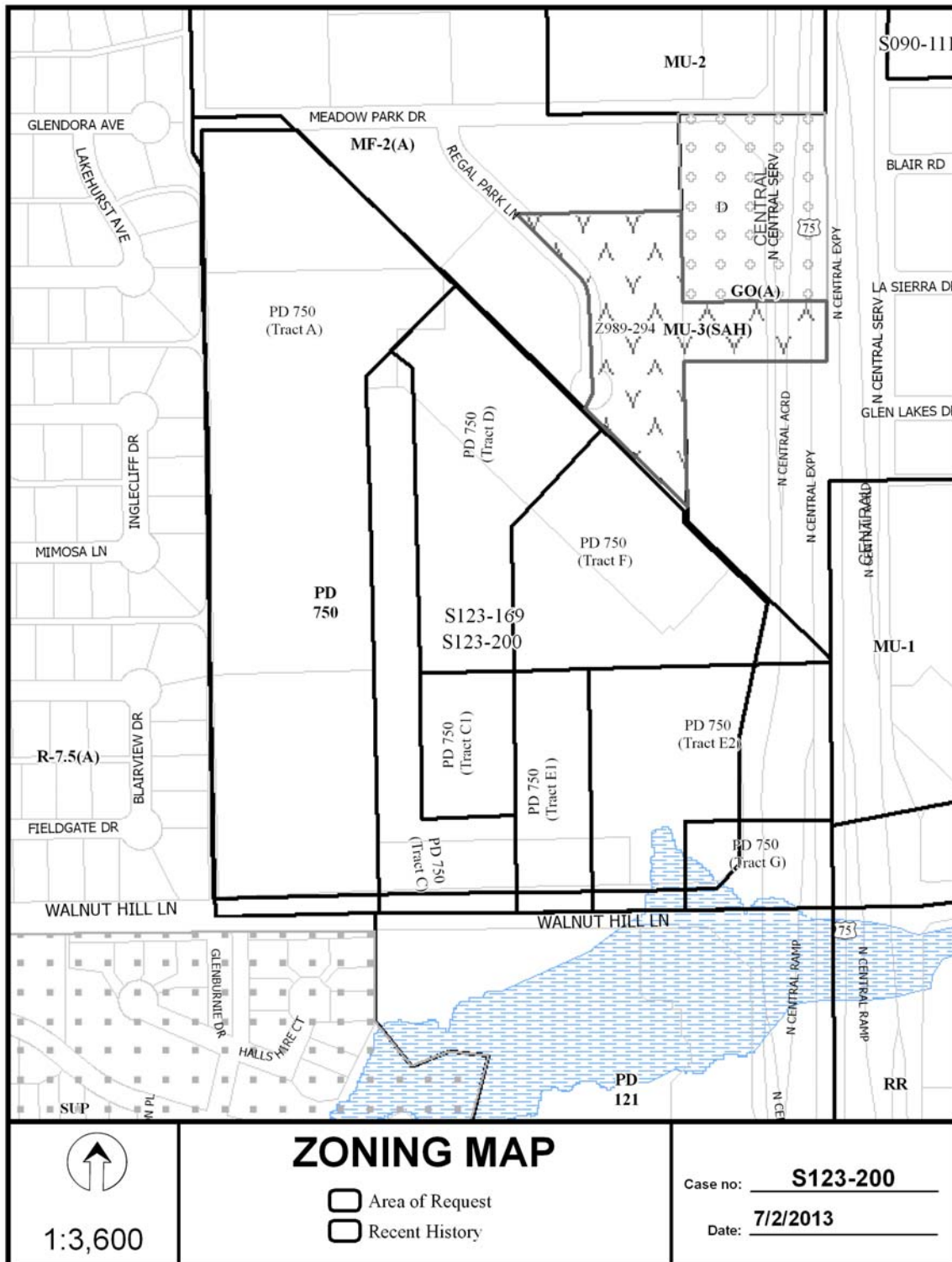
- The property will be developed in compliance with the development plan for the planned development district.

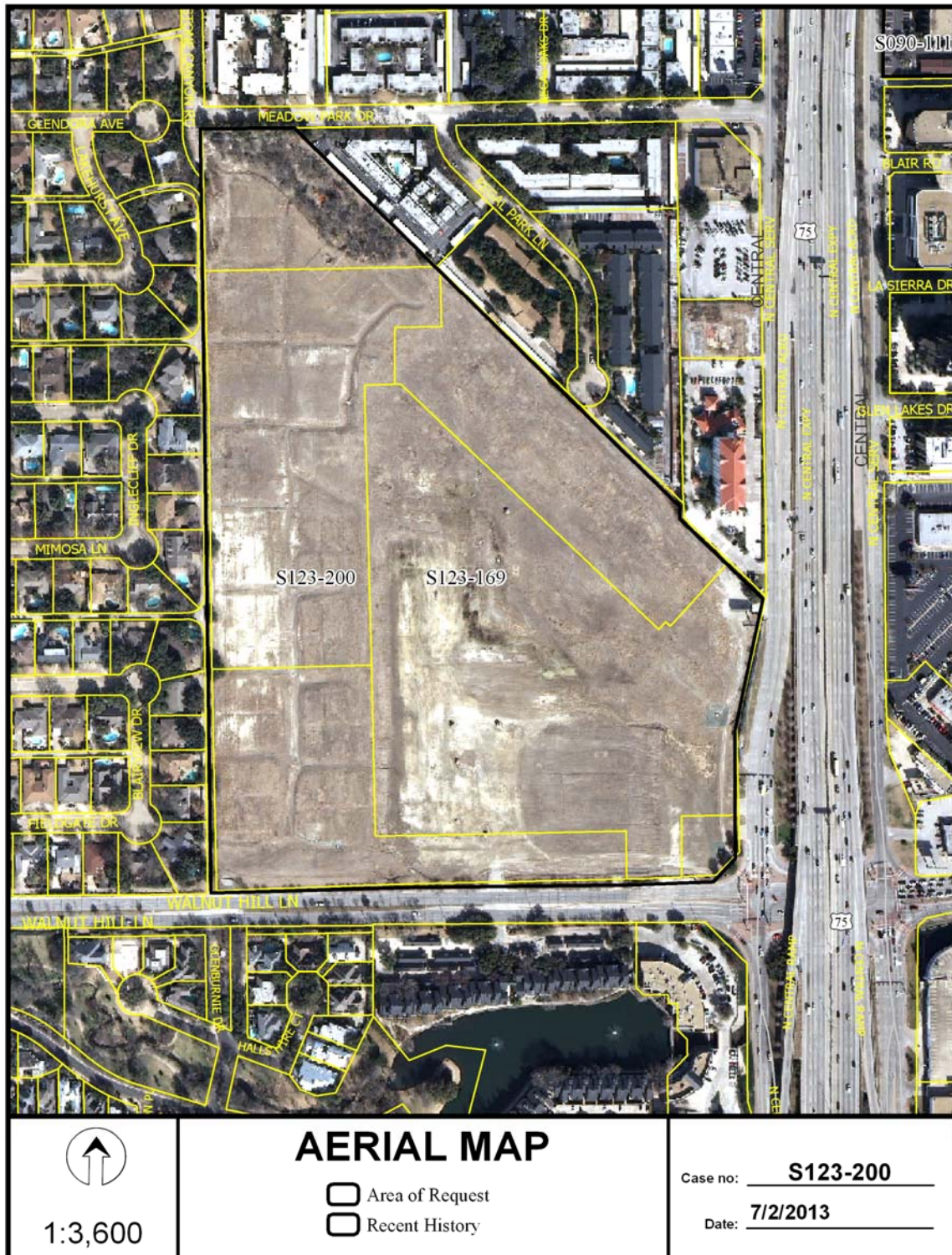
STAFF RECOMMENDATION: BUILDING LINE REMOVAL: The staff recommends approval of the removal of both of the 25 foot building lines because development of the property is governed by the conditions of the planned development district.

STAFF RECOMMENDATION: The proposed plat complies with the minimum zoning regulations in PDD No. 750; therefore, staff recommends approval subject to compliance with the following conditions:

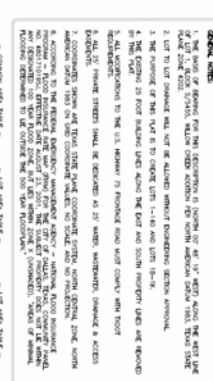
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City.
4. Fire apparatus access roads must comply with Article 10 Division II of the Dallas Fire Code.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines unless any proposed construction, renovation, conversion, etc. of the building complies with the Dallas Building Code to permit the building to cross lot lines. In addition, any detached sign must be shown on the final plat.
7. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the City Plan Commission in a format that is compatible with the “Microstation” format.
8. On the final plat the total number of lots permitted is 154.
9. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
10. Place a note on the final plat “Lot-to-lot drainage is not permitted without Engineering Section approval.”
11. On the final plat dedicate a 10 foot by 10 foot corner clip at Stone Canyon Drive and Meadow Park Drive.

12. On the final plat dedicate a 15 foot by 15 foot alley sight easement at Walnut Hill Lane and the alley.
13. On the final plat provide 15 foot by 15 foot corner clips at all private streets at Meadow Park, Walnut Hill Lane, and the Highway 75 frontage road.
14. On the final plat provided 10 foot by 10 foot corner clips at all intersections within the boundaries of this plat.
15. All private streets must comply with the City of Dallas requirements and the requirements of PD No. 750.
16. Place a note on the final plat that states: "All; modifications to the US Highway 75 frontage Road must comply with TxDOT requirements.
17. On the final plat show how all adjoining right-of-way was created.
18. On the final plat show the recording information on all existing easements within 150 feet of the property.
19. On the final plat show two control monuments.
20. On the final plat add a note: "The existing 25 foot building lines along the east and south property lines are removed by this plat."
21. On the final plat show the distances/width of right-of-way across Walnut Hill Lane and across Stone Canyon Drive.
22. On the final plat use corporate dedication statements in the owner's dedication.
23. On the final plat define the areas that are shown with an "X".
24. On the final plat define areas without any annotation.
25. Prepare the final plat using the SPRG checklist.
26. On the final lat add the Lot Area Summary chart for all of the lots.
27. On the final plat change Inflecliff Drive to Inglecliff Drive.
28. On the final plat change Mimosa Drive to Mimosa Lane.
29. Engineer shall furnish plans for water and sanitary sewer. Developer shall furnish a contract for water and sanitary sewer.
31. Site plan needs to be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
32. Water/wastewater main extension is required by Private Development Contract.





(VARIABLE WIDTH RIGHT OF WAY)



| C | - C10 and C16 | | - C10 and C18 | |
|---|----------------------|----------------------|----------------------|----------------------|
| | W | W | W | W |
| A | 0.004 M ^c | 0.105 M ^c | 0.004 M ^c | 0.105 M ^c |
| B | 0.004 M ^c | 0.095 M ^c | 2 | 3.259 M ^c |
| C | 0.009 M ^c | 0.104 M ^c | 15 | 1.574 M ^c |
| D | 0.04 M ^c | 0.15 M ^c | 16 | 1.775 M ^c |
| E | 0.04 M ^c | 0.15 M ^c | 17 | 1.847 M ^c |
| F | 0.001 M ^c | 0.094 M ^c | 18 | 1.862 M ^c |
| G | 0.013 M ^c | 0.093 M ^c | 19 | 2.098 M ^c |
| H | 0.019 M ^c | 0.094 M ^c | 20 | 1.855 M ^c |
| I | 0.017 M ^c | 0.093 M ^c | 21 | 3.672 M ^c |
| J | 0.017 M ^c | 0.093 M ^c | 22 | 1.877 M ^c |
| K | 0.030 M ^c | 0.091 M ^c | 23 | 1.877 M ^c |
| | | 69 | 0.091 M ^c | |

PRELIMINARY PLAT
OF
PRESTON HOLLOW VILLAGE
LOTS 1-140 AND LOTS 1B-1K
BLOCK S/5455
BEING A REPEAT OF

| Franchise | Start-Up Cost | Company |
|---|--|--|
| URBAN CHICKENS GROUP, INC. 167 TURTLE CREEK BLVD., SUITE A DALLAS, TEXAS 75227 (214) 352-2200 CONTACT: DAVE N. TAYLOR, P.E. | DAVID R. FETTER, R.P.L.S. 11015 MEADOW ROAD DALLAS, TEXAS 75228 (214) 358-0000 CONTACT: DAVE R. FETTER, R.P.L.S. | 75 AND HAZARD HILL, LLC 5400 LBJ FRYDAWAY, SUITE #7 DALLAS, TEXAS 75246 (214) 358-0000 CONTACT: MATT TREMPER |

ROBERTS SURVEY - ABSTRACT NO. 1190
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO.: 5123-200

CITY PLAN COMMISSION**THURSDAY, JULY 11, 2013****FILE NUMBER:** S123-180**Subdivision Administrator:** Paul Nelson**LOCATION:** 4231 W. Lawther Road**DATE FILED:** June 12, 2013**ZONING:** R-1ac.(A)**CITY COUNCIL DISTRICT:** 9 **SIZE OF REQUEST:** 3.650 Acres**MAPSCO:** 37K**OWNER/APPLICANT:** Darren Phillips

REQUEST: An application to replat a 3.650 acre tract of land containing all of lot 7B in City Block 4408 into one 1.949 acre lot and one 1.701 acre lot on property located at 4231 W. Lawther Road.

SUBDIVISION HISTORY:

1. S101-081 was an application to create a 2.140 acre lot from a tract of land containing part of City Block 4410 at 7317 Fisher Road and approved on May 5, 2011 but has not been recorded.
2. S112-139 was an application to replat a 2.4839 acre tract of land containing part of Tract 4 in City Block 4408 to create one 1.3837 acre lot and one 1.1002 acre on W. Lawther Drive, northeast of Fisher Road and approved on June 21, 2012 but has not been recorded.
3. S123-005 was an application to create a 1.686 acre lot from a tract of land in City Block 4410 located on property at 4012 Dalgren Dr. & 7315 Fisher Rd. and was approved on November 1, 2012 and recorded on June 19, 2013.

STAFF RECOMMENDATION: Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of streets..."

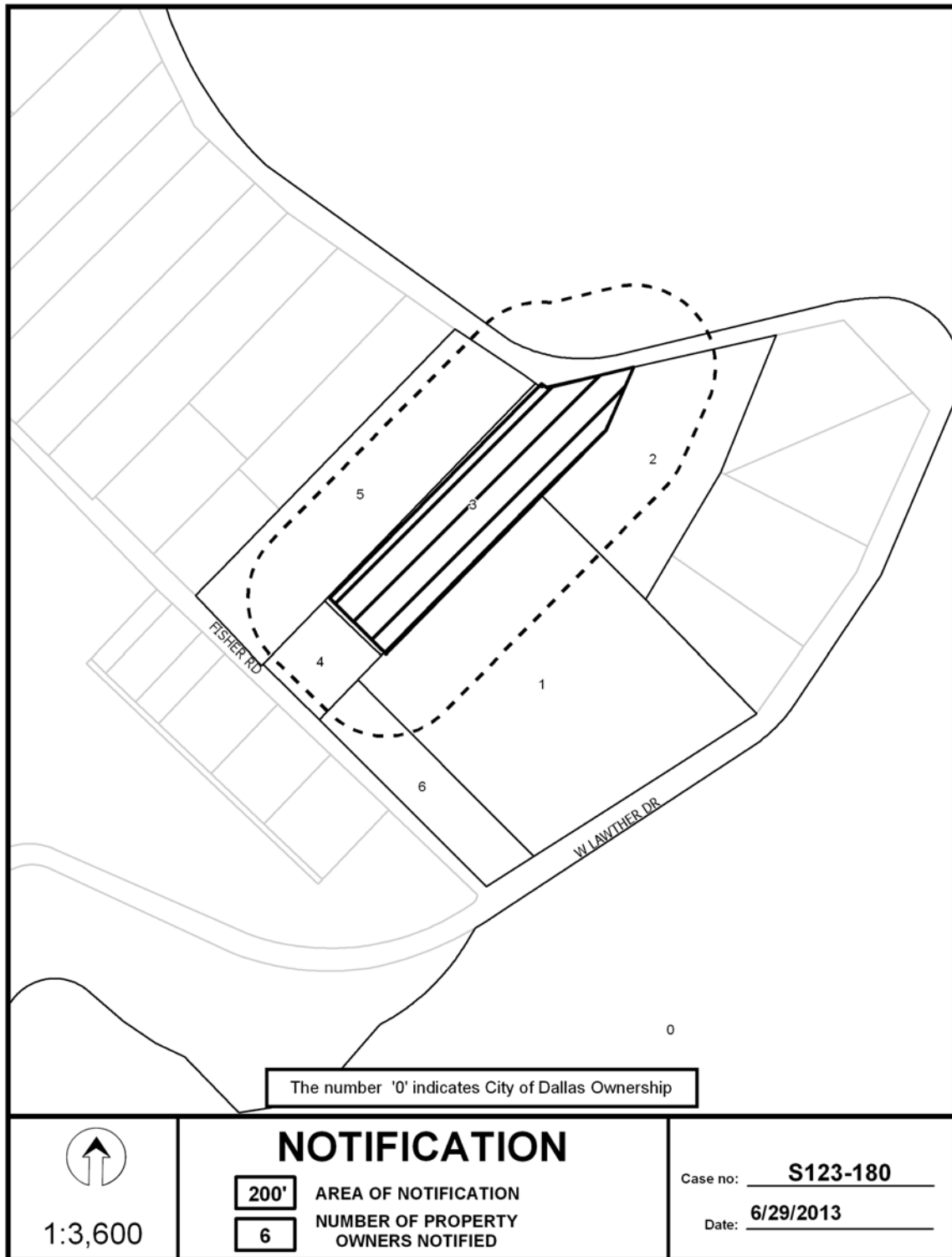
There is no established lot pattern within close proximity to this request, however, the parcel configuration is similar to the lot pattern north along Fisher Road and along W. Lawther Road and is similar in size to some other lots in the area; therefore, staff recommends approval of the request subject to compliance with the conditions listed as follows:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.

3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat show the recording information on all existing easements within 150 feet of the property.
14. On the final plat choose a different addition name.
15. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
16. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
17. Water/wastewater main extension is required by Private Development Contract.
18. There is no wastewater service available to the property; a wastewater covenant recorded and the recording information placed on the face of the plat is required prior to submitting the final plat for the Chairman's signature.





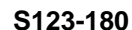


Notification List of Property Owners
S123-180

6 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|-----------------------------|
| 1 | 4009 LAWTHOR DR | AMEND JOHN T & TERESA A |
| 2 | 4211 LAWTHOR DR | SAUNDERS KENNETH E & KYLE M |
| 3 | 4231 LAWTHOR DR | PHILLIPS DARREN |
| 4 | 7701 FISHER RD | NASH GLORIA H |
| 5 | 4303 LAWTHOR DR | MCDONALD MELVIN D & JANE |
| 6 | 4001 LAWTHOR DR | REEVES BRADLEY C & HOLLY |

Friday, June 14, 2013



CITY PLAN COMMISSION**THURSDAY, JULY 11, 2013****FILE NUMBER:** S123-183**Subdivision Administrator:** Paul Nelson**LOCATION:** 5233 Stonegate Road at Inwood Road, northwest corner**DATE FILED:** June 12, 2013**ZONING:** R-16(A)**CITY COUNCIL DISTRICT:** 13 **SIZE OF REQUEST:** 1.083 Acres **MAPSCO:** 24-Z**OWNER:** Joseph Palladino

REQUEST: An application to replat a 1.083 acre tract of land containing all of Lot 5 and Lot 6 in City Block B/5668 into one lot at 5233 Stonegate Road at Inwood Road, northwest corner.

SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

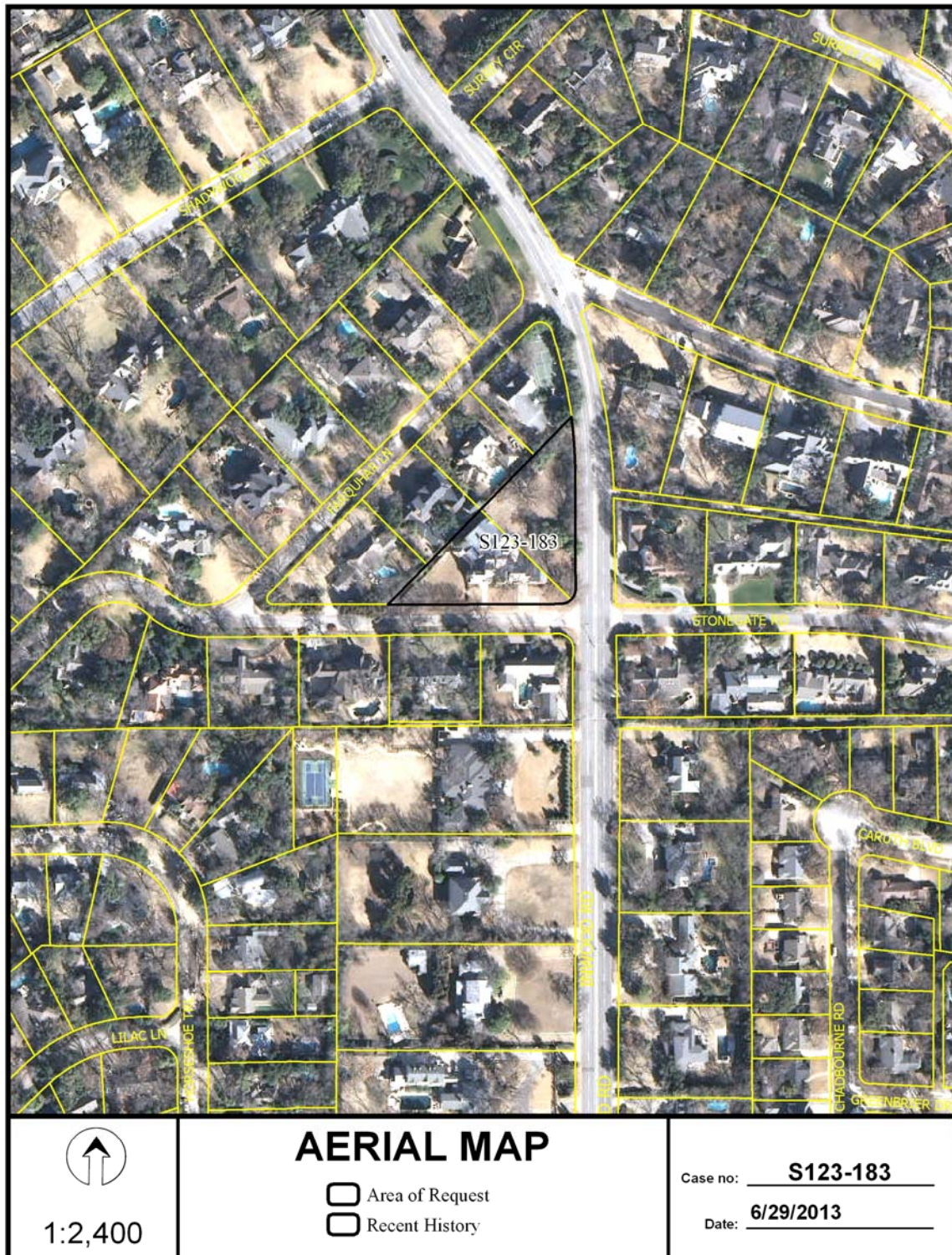
STAFF RECOMMENDATION: Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of streets..."

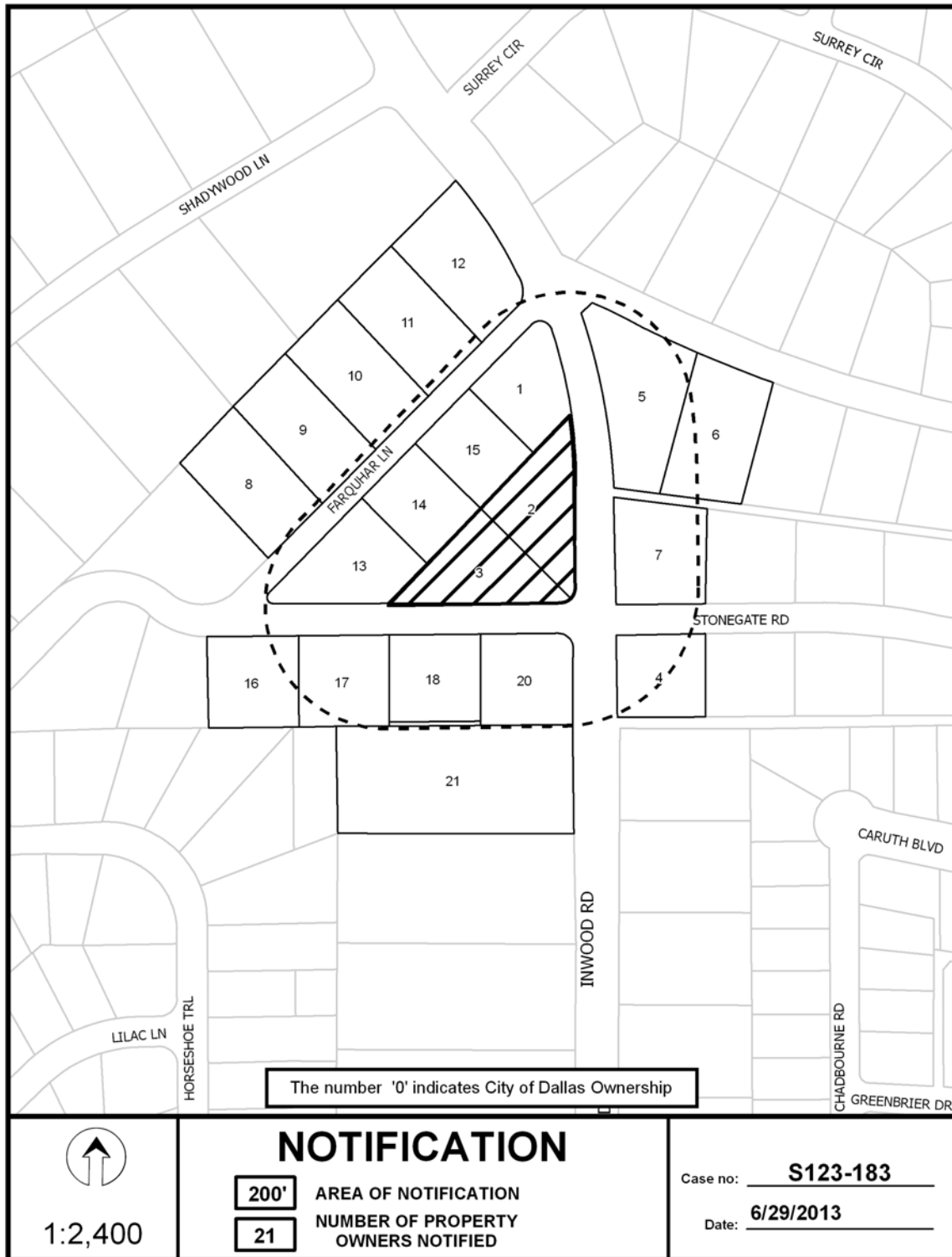
The combination of lots is not consistent with the existing parcels along Farquhar Lane; however, it appears that the proposal is consistent with the lot sizes to the east along Stonegate Lane, and along Inwood Road. The request also appears to eliminate a potential encroachment into the side yard setback between Lots 5 and 6. The parcel size is greater than required by the R-16(A) zoning district and will be similar to other lots in the area; therefore, staff recommends approval of the request subject to compliance with the conditions as follows:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.

6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat dedicate 40 feet of right-of-way from the established centerline of Inwood Road.
14. On the final plat dedicate a 10 foot by 10 foot corner clip at Inwood Road and Stonegate Road.
15. On the final plat show how all adjoining right-of-way was created.
16. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information for each tract.
17. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
18. Prior to final plat contact Real Estate for verification how concrete in right-of-way along Stonegate Road is used; if concrete shown is for non public use (i.e. public access), obtain a license from Real Estate or remove concrete from within the right-of-way.







7/2/2013

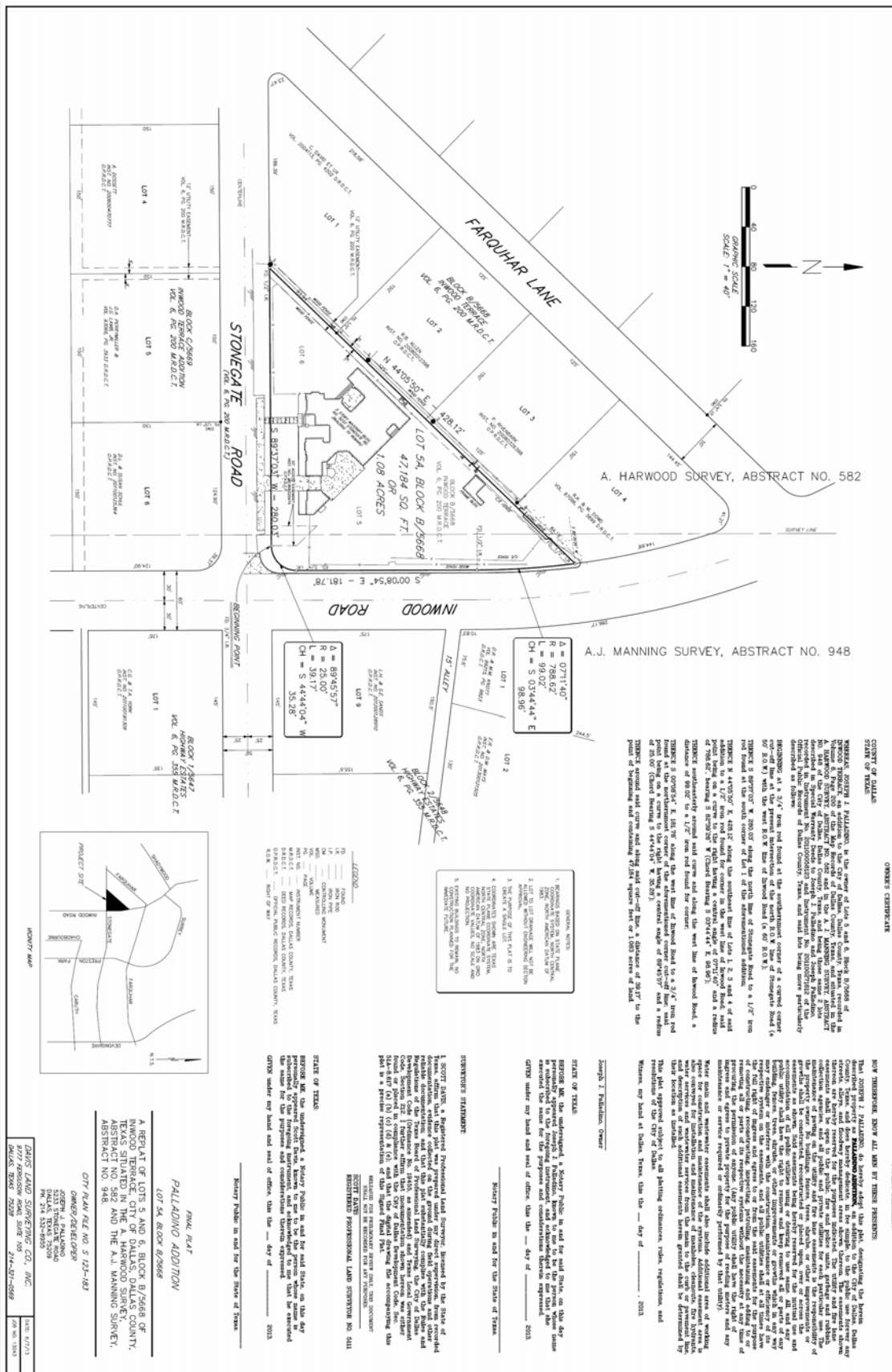
Notification List of Property Owners

S123-183

21 Property Owners Notified

| Label # | Address | Owner |
|----------------|-------------------|---------------------------------------|
| 1 | 5246 FARQUHAR LN | DOWD ROBERT K & MARGARET |
| 2 | 5233 STONEGATE RD | PADDADINO JOSEPH |
| 3 | 5233 STONEGATE RD | PALLADINO JOSEPH J |
| 4 | 5310 STONEGATE RD | YORK CHRISTOPHER G & TIFFANY A |
| 5 | 5314 FARQUHAR LN | KNOTT DANIEL A & MARGARET M |
| 6 | 5324 FARQUHAR LN | SANDS WILSON L & LAURA G SANDS |
| 7 | 5311 STONEGATE RD | SANDS LOWELL H & SANDI E |
| 8 | 5211 FARQUHAR LN | SWEET JASON D & BLAKEY COLLEEN S |
| 9 | 5223 FARQUHAR LN | GAFFORD FAMILY TRUST |
| 10 | 5231 FARQUHAR LN | HUTTON WILLIAM L & SUE |
| 11 | 5243 FARQUHAR LN | FAGIN D KYLE & CHRISTY |
| 12 | 8903 INWOOD RD | RATHBUN KENT & TRACY UNIT 4 |
| 13 | 5212 FARQUHAR LN | CHANCE DAVID & CHRISTA CHANCE |
| 14 | 5222 FARQUHAR LN | ALLEN ROBERT B |
| 15 | 5230 FARQUHAR LN | RIVENBARK PENELOPE |
| 16 | 5208 STONEGATE RD | HOLZEM JAMES O & |
| 17 | 5222 STONEGATE RD | DOSSETT ANDREW |
| 18 | 5232 STONEGATE RD | PERRYMILLER DAVIDSON A JOHN G LAMB JR |
| 19 | 5232 STONEGATE RD | LOPEZ ROGER |
| 20 | 5244 STONEGATE RD | SCHUL PATRICK L & SUSAN |
| 21 | 8715 INWOOD RD | LOPEZ ROGER II & SANDRA V |

Tuesday, July 02, 2013



CITY PLAN COMMISSION**THURSDAY, JULY 11, 2013****FILE NUMBER:** S123-184**Subdivision Administrator:** Paul Nelson**LOCATION:** 3520 Gillespie Street north of Sale Street**DATE FILED:** June 13, 2013**ZONING:** PD 193 PDS 29**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 0.189 Acres **MAPSCO:** 45A**OWNER/APPLICANT:** Craig Clint Stiff, Jr.

REQUEST: An application to replat a 0.189 acre tract of land containing all of Lot 12A in City Block A/1030 into one 0.07 acre lot and one 0.119 acre lot on property located at 3520 Gillespie Street north of Sale Street.

SUBDIVISION HISTORY:

1. S101-152 was an application on the present request site to replat a 0.189 acre tract of land containing all of Lots 12 and 13 in City Block A/1030 into one 0.189 acre lot on Gillespie Avenue southeast of Hood Street. The request was approved September 1, 2011 and was recorded on December 13, 2012.

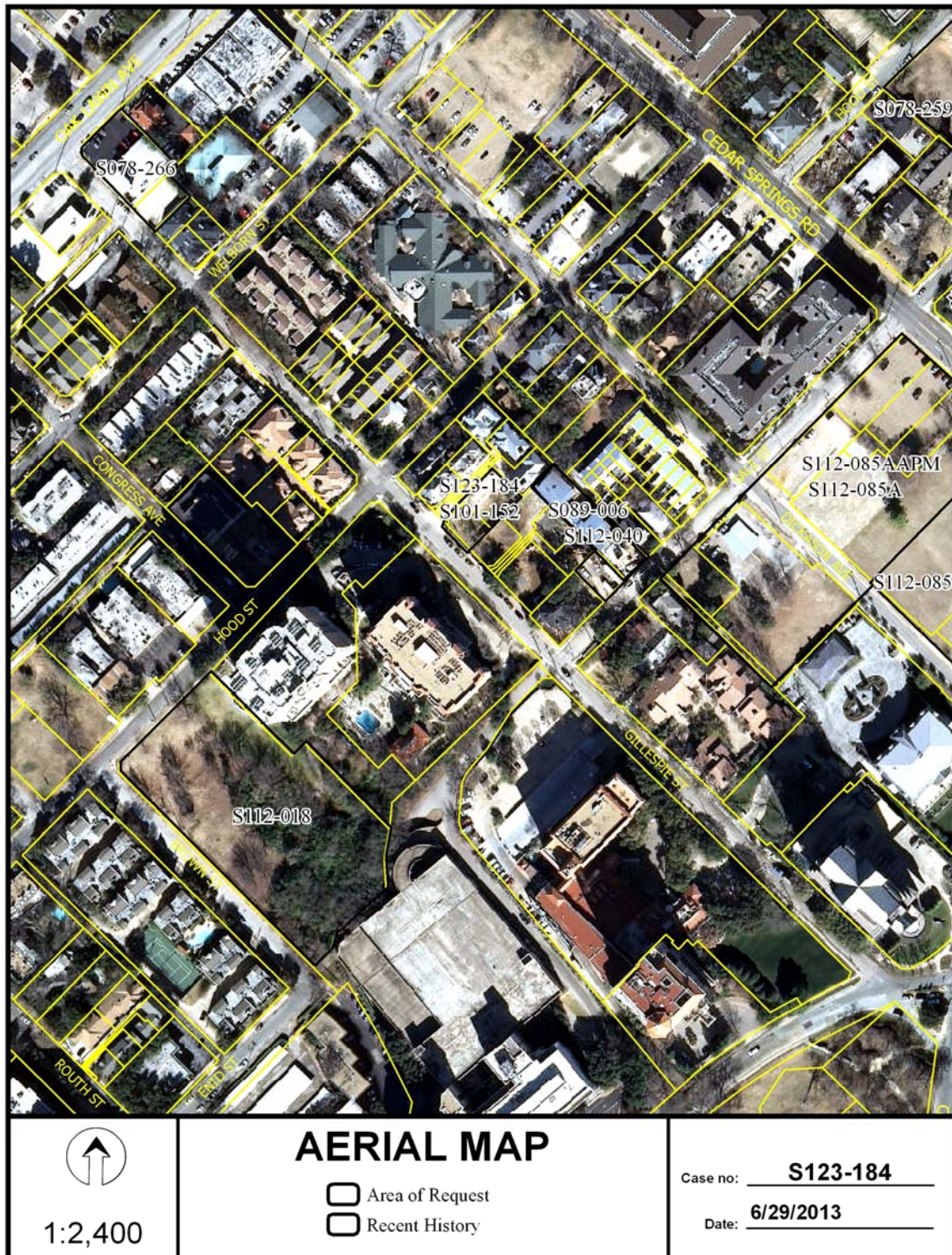
STAFF RECOMMENDATION: Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of streets..."

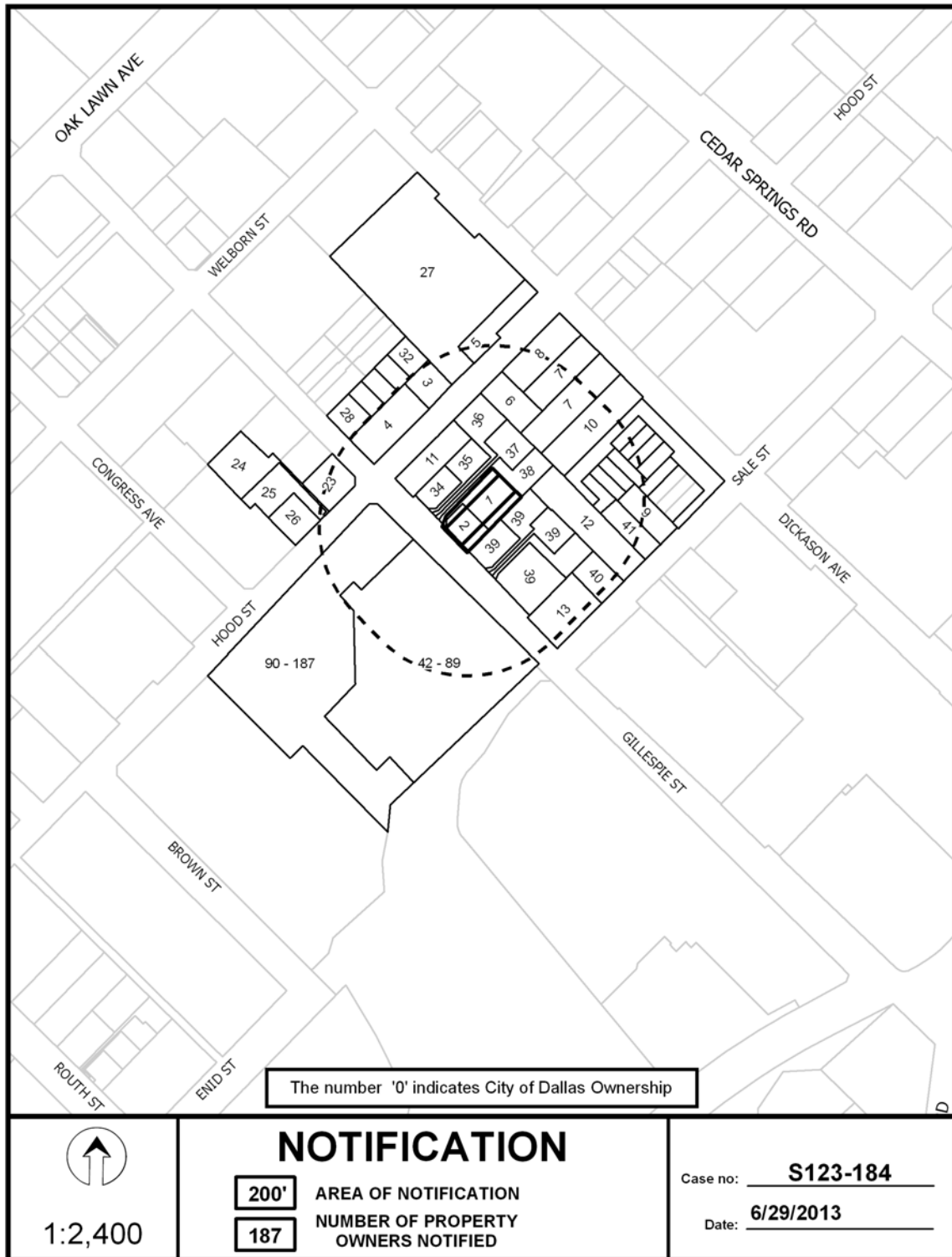
The creation of two lots is consistent with the approved development plan. The staff recommends approval of the replat subject to compliance with the conditions listed below:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.

6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
12. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
13. On the final plat show how all adjoining right-of-way was created.
14. On the final plat choose a different addition name.







Notification List of Property Owners

S123-184

187 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|--|
| 1 | 3520 GILLESPIE ST | STIFF CRAIG C JR PMB 1001 |
| 2 | 3518 GILLESPIE ST | STIFF CRAIG C JR PMB 1001 |
| 3 | 2913 HOOD ST | TABATABAIE HOSSEIN G |
| 4 | 3600 GILLESPIE ST | BAKER DALE & KAY BAKER |
| 5 | 3601 DICKASON AVE | CLARK RICHARD M |
| 6 | 2914 HOOD ST | JACKS HOWARD |
| 7 | 3521 DICKASON AVE | BECKER STEPHEN J |
| 8 | 3529 DICKASON AVE | MARTIN JIM & ELLEN |
| 9 | 2921 SALE ST | PERKINS JOE B LIFE ESTATE REM: SCOTT GRANOWSKI |
| 10 | 3515 DICKASON AVE | BECKER STEPHEN |
| 11 | 3530 GILLESPIE ST | MORGAN CHARLES D & MORGAN JANIS S |
| 12 | 2913 SALE ST | LENNOX EDWARD & LENNOX LISA |
| 13 | 3502 GILLESPIE ST | KLEMENT MICHAEL |
| 14 | 3511 DICKASON AVE | LENTZ HAROLD CALVIN III UNIT 1 |
| 15 | 3511 DICKASON AVE | LIN CHUN HAN & UNIT A |
| 16 | 3509 DICKASON AVE | STREIDL LISA APT 901 |
| 17 | 3509 DICKASON AVE | WAINSCOTT PATRICK JOSEPH TRUSTEE WAINSCOTT |
| 18 | 3507 DICKASON AVE | ARKAN EROL E UNIT 5 |
| 19 | 3507 DICKASON AVE | ROSA EMILIO |
| 20 | 3505 DICKASON AVE | ADAMS DAVID G BLDG B UNIT 7 |
| 21 | 3505 DICKASON AVE | STILES DONNA M UNIT A |
| 22 | 3503 DICKASON AVE | HOSFORD LESLIE L SORRELL |
| 23 | 2845 HOOD ST | SMITH ALEXANDER W & ANNE |
| 24 | 2833 HOOD ST | DOROTHY L MANAGEMENT TR I |
| 25 | 2825 HOOD ST | COOKE HOWARD F TR |
| 26 | 2821 HOOD ST | GANARAJ POSAVANIKE S & RATNA CO TRUSTEES |

Friday, June 14, 2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-------------------|---|
| 27 | 3611 DICKASON AVE | SSL LANDLORD LLC |
| 28 | 3610 GILLESPIE ST | MINNA JOHN D & LYNN REVOCABLE TRUST JOHN D |
| 29 | 3610 GILLESPIE ST | REMICK KARL V |
| 30 | 3610 GILLESPIE ST | ROSE BRYAN F & |
| 31 | 3610 GILLESPIE ST | HEILMAN RONALD H & KAREN L HEILMAN |
| 32 | 3610 GILLESPIE ST | REMICK KARL V & SVETLANA N |
| 33 | 3500 DICKASON AVE | SALE STREET HOMEOWNERS AS |
| 34 | 3528 GILLESPIE ST | PEARL GREGORY J |
| 35 | 3526 GILLESPIE ST | ROBERTSON JEFFREY W & KELLEY W |
| 36 | 2908 HOOD ST | MORGAN CHARLES D & JANIS |
| 37 | 3524 GILLESPIE ST | ANDERSON WILLIAM BRANTLEY |
| 38 | 3522 GILLESPIE ST | MCKEON JOHN C & DEBORAH |
| 39 | 3516 GILLESPIE ST | REGENTS PARK RESIDENCES II LP |
| 40 | 2909 SALE ST | LENNOX EDWARD L & LISA LENNOX % SERVICE KING |
| 41 | 2917 SALE ST | GRANOWSKI SCOTT |
| 42 | 3535 GILLESPIE ST | ALTERNATIVE ASSET HOLDINGS LLC |
| 43 | 3535 GILLESPIE ST | FLOOD JOAN M |
| 44 | 3535 GILLESPIE ST | GUERIN DEAN & JO ALICE |
| 45 | 3535 GILLESPIE ST | MURPHY SUSAN W UNIT 104 |
| 46 | 3535 GILLESPIE ST | AUGUR MARILYN |
| 47 | 3535 GILLESPIE ST | BRINDELL CHARLES R JR & |
| 48 | 3535 GILLESPIE ST | GREEN LEE A |
| 49 | 3535 GILLESPIE ST | MONTANA ROBERT C II & PRISCILA A C MONTANA |
| 50 | 3535 GILLESPIE ST | THE BANK OF NEW YORK MELLON TR CO % DLS INVOICE |
| 51 | 3535 GILLESPIE ST | WIDNER ROBERT S LIVING TRUST |
| 52 | 3535 GILLESPIE ST | CROZIER LESLIE ANN |
| 53 | 3535 GILLESPIE ST | GREEN G GARDINER JR & BOBBIE S |
| 54 | 3535 GILLESPIE ST | MALONE MARY LINK EST OF |
| 55 | 3535 GILLESPIE ST | SWEENEY FRANCIS & PAULA |
| 56 | 3535 GILLESPIE ST | FARRAR WILLIAM D |
| 57 | 3535 GILLESPIE ST | FRANK ANDREW G APT 406 |

Friday, June 14, 2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-------------------|--|
| 58 | 3535 GILLESPIE ST | HOWELL BILLYE |
| 59 | 3535 GILLESPIE ST | ANTIOCO JOHN F UNIT 304 |
| 60 | 3535 GILLESPIE ST | ALVAREZ SERGIO R |
| 61 | 3535 GILLESPIE ST | KELLEY CHARLES D & FRANCES J |
| 62 | 3535 GILLESPIE ST | MARCHBANK SUNIE G TR |
| 63 | 3535 GILLESPIE ST | SALMANS TODD L & DEBORAH K SALMANS |
| 64 | 3535 GILLESPIE ST | NAVIAS LOUIS & ARLENE |
| 65 | 3535 GILLESPIE ST | HEATHER DAVID & LINDA HEATHER |
| 66 | 3535 GILLESPIE ST | KRAUSSE BILLIE B UNIT 404 |
| 67 | 3535 GILLESPIE ST | KNEESE CAROLYN C APT 121 |
| 68 | 3535 GILLESPIE ST | SAVAREGO VELINDA UNIT 406 |
| 69 | 3535 GILLESPIE ST | MCWILLIAMS GEORGE L & REBECCA D MCWILLIAMS |
| 70 | 3535 GILLESPIE ST | DESRUISSEAU ANNE E UNIT 408 |
| 71 | 3535 GILLESPIE ST | PARK REAL ESTATE PLAZA 501 LLC |
| 72 | 3535 GILLESPIE ST | LAPHAM PHYLLIS UNIT 502 |
| 73 | 3535 GILLESPIE ST | PARK REAL ESTATE PLAZA 503 LLC |
| 74 | 3535 GILLESPIE ST | SANDERS GEORGE STE 650 |
| 75 | 3535 GILLESPIE ST | WELLS FARGO HOME MORTGAGE |
| 76 | 3535 GILLESPIE ST | ZEIDMAN MARK & MAGGIE ZEIDMAN |
| 77 | 3535 GILLESPIE ST | BRADLEY KATRINA D |
| 78 | 3535 GILLESPIE ST | STEPHENSON KAREN |
| 79 | 3535 GILLESPIE ST | CROZIER LESLIE ANN UNIT 602 |
| 80 | 3535 GILLESPIE ST | COULTER JAMIE B |
| 81 | 3535 GILLESPIE ST | FERNANDES GARY J & SANDRA UNIT 604 |
| 82 | 3535 GILLESPIE ST | BOWMAN BRUCE W & BEVERLY |
| 83 | 3535 GILLESPIE ST | RITZ ESTHER |
| 84 | 3535 GILLESPIE ST | LARSON WILLIAM D |
| 85 | 3535 GILLESPIE ST | SHAMIS CAROLYN T ESTATE |
| 86 | 3535 GILLESPIE ST | KIVOWITZ STACEY & DON RESIDENCE TRUST DONALD P |
| 87 | 3535 GILLESPIE ST | WOLFSWINKEL RANDALL V |
| 88 | 3535 GILLESPIE ST | MCGONIGLE J OLIVER |

Friday, June 14, 2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-------------------|--|
| 89 | 3535 GILLESPIE ST | TEMPLETON WILLIAM M # 706 |
| 90 | 2828 HOOD ST | PLAZA APARTMENTS PHASE II LTD |
| 91 | 2828 HOOD ST | PLAZA TURTLE CREEK IV |
| 92 | 2828 HOOD ST | MINITAS COMPANY SA |
| 93 | 2828 HOOD ST | UTLEY ROBERT & ANN |
| 94 | 2828 HOOD ST | UTLEY GROUP II LTD UNIT 403 |
| 95 | 2828 HOOD ST | UTLEY GROUP II LTD STE 601 |
| 96 | 2828 HOOD ST | WOODWARD PROPERTIES LTD |
| 97 | 2828 HOOD ST | MOUSSA STANLEY A UNIT 406 |
| 98 | 2828 HOOD ST | RISINGER DENNIS R & MELBA |
| 99 | 2828 HOOD ST | ADAMO KENNETH R |
| 100 | 2828 HOOD ST | SONNENSCHN INVESTMENTS LTD |
| 101 | 2828 HOOD ST | GODSEYJETSON CATHY G & |
| 102 | 2828 HOOD ST | MASSINGILL LYNN |
| 103 | 2828 HOOD ST | HARVEY R CHRIS & LEA F |
| 104 | 2828 HOOD ST | BAKER CHARLES DON UNIT 505 |
| 105 | 2828 HOOD ST | NEUFELD JOHN A & CHERYL M |
| 106 | 2828 HOOD ST | PINK ELISABETH R UNIT 507 |
| 107 | 2828 HOOD ST | BASILBAY PARTICIPATION BOX 3129 |
| 108 | 2828 HOOD ST | MEXICAN & GOURMET INTL UNIT 601 |
| 109 | 2828 HOOD ST | MORRISON ROBERT E & DEANNA L |
| 110 | 2828 HOOD ST | WASKOM ENTERPRISES LLC UNIT 603 |
| 111 | 2828 HOOD ST | PE GLORIA ST |
| 112 | 2828 HOOD ST | HENRY JOAN MARILYN |
| 113 | 2828 HOOD ST | WHITELEY CARMALETA |
| 114 | 2828 HOOD ST | GARZA CESAR JR UNIT 607 |
| 115 | 2828 HOOD ST | DRENNAN JOHN C IV |
| 116 | 2828 HOOD ST | ADAMO KENNETH R |
| 117 | 2828 HOOD ST | SAFIR ANN GENE UNIT 702 |
| 118 | 2828 HOOD ST | MARCIA MORAN ELLIS FAMILY LIVING TRUST |
| 119 | 2828 HOOD ST | DW OPERATING LLC ATTN DAVID WEISSMAN |

Friday, June 14, 2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|----------------|--|
| 120 | 2828 HOOD ST | LAGUARDIA LOUIS M & ELENA |
| 121 | 2828 HOOD ST | STONER MARY & DAVID YOST |
| 122 | 2828 HOOD ST | TELLO RHONDA # 707 |
| 123 | 2828 HOOD ST | COX BARTON R & JACQUELINE R |
| 124 | 2828 HOOD ST | MINITAS COMPANY S A % JERRY CARDEN |
| 125 | 2828 HOOD ST | GINERIS MARC A & JEAN M |
| 126 | 2828 HOOD ST | KRUMSICK HERBERT L & KATHLEEN |
| 127 | 2828 HOOD ST | PARNELL JAMES MICHAEL & PARNELL KATHY JO |
| 128 | 2828 HOOD ST | PORTER JARVIS H & PAMELA |
| 129 | 2828 HOOD ST | FOKAS TERRY |
| 130 | 2828 HOOD ST | SILCOCK JAMES |
| 131 | 2828 HOOD ST | DEUTSCHE BK NATL TR CO |
| 132 | 2828 HOOD ST | COLE TOM |
| 133 | 2828 HOOD ST | GRAY RICHARD A JR UNIT 903/904 |
| 134 | 2828 HOOD ST | WILLIFORD WARD & ROBERTA WILLIFORD |
| 135 | 2828 HOOD ST | LOPEZ LEONARD MR |
| 136 | 2828 HOOD ST | IBI KEIKO |
| 137 | 2828 HOOD ST | STEPHENSON KAREN |
| 138 | 2828 HOOD ST | SAHLIYEH HANNA F UNITS 1003 & 1004 |
| 139 | 2828 HOOD ST | SELL STEPHEN G |
| 140 | 2828 HOOD ST | GILBERT REVOCABLE TRUST UNIT 1006 |
| 141 | 2828 HOOD ST | HAYNES NORINE C |
| 142 | 2828 HOOD ST | NEW YORK LIFE INSURANCE & ANNUITY CORP ATTN: |
| 143 | 2828 HOOD ST | YATES DENISE |
| 144 | 2828 HOOD ST | GOURLEY JOHN D |
| 145 | 2828 HOOD ST | MOORER REVOCABLE TRUST |
| 146 | 2828 HOOD ST | KETTMAN JOHN R & DIANA M UNIT 1104 |
| 147 | 2828 HOOD ST | MCGARRY MICHAEL J |
| 148 | 2828 HOOD ST | CONDAL LLC UNIT 1106 |
| 149 | 2828 HOOD ST | GARRETT DONNA N STE 1107 |
| 150 | 2828 HOOD ST | REVERCHON PARTNERS II LTD |

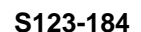
Friday, June 14, 2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|----------------|---|
| 151 | 2828 HOOD ST | BRODIE RACHEL D |
| 152 | 2828 HOOD ST | JACOBSON EUGENE B & MARGARET M |
| 153 | 2828 HOOD ST | BURFORD CORP |
| 154 | 2828 HOOD ST | ZELAZNY CHARLES L |
| 155 | 2828 HOOD ST | FANNIE MAE |
| 156 | 2828 HOOD ST | WISMER ANN |
| 157 | 2828 HOOD ST | MICKEY DAWN CAROL |
| 158 | 2828 HOOD ST | REICHSTADT EMIL & SHIRLEY |
| 159 | 2828 HOOD ST | ST PE ROZALYN |
| 160 | 2828 HOOD ST | FORD JOE T & JO ELLEN FORD |
| 161 | 2828 HOOD ST | BECKETT JAMES III |
| 162 | 2828 HOOD ST | CARTNER STUART |
| 163 | 2828 HOOD ST | RVO TEXAS HOLDINGS LLC |
| 164 | 2828 HOOD ST | BACKA RICHARD F & LOUISE P |
| 165 | 2828 HOOD ST | WOLIN BARTON AND JUDITH UNIT 1401 |
| 166 | 2828 HOOD ST | SIEMER CLEMENS H & MARY RITA |
| 167 | 2828 HOOD ST | BARTON THOMAS P & ANNIE A #1403 |
| 168 | 2828 HOOD ST | LEACH JAMES E ESTATE OF %JENNIFER D PORT EXTR |
| 169 | 2828 HOOD ST | HIGHFIELD EQUITIES INC ATTN: RUSSELL JENKINS |
| 170 | 2828 HOOD ST | MINITAS CO SA |
| 171 | 2828 HOOD ST | HOWARD CASSIE |
| 172 | 2828 HOOD ST | BALDWIN WILLIAM L & NANCY D |
| 173 | 2828 HOOD ST | HULL CRAIG W & MARY W |
| 174 | 2828 HOOD ST | JOHNSON STEPHEN C & MIMI |
| 175 | 2828 HOOD ST | ARP DONNA LIFE ESTATE |
| 176 | 2828 HOOD ST | ROBINSON DAVID B & REBECCA M |
| 177 | 2828 HOOD ST | HAMMER DRU ANN |
| 178 | 2828 HOOD ST | SAHLIYEH HANNA F #1003 |
| 179 | 2828 HOOD ST | STINSON FRANK M & BRENDA B STINSON |
| 180 | 2828 HOOD ST | KAUFMAN CHESTER & DELPHINE 1992 TRUST |
| 181 | 2828 HOOD ST | HULSEY ROBERT A & SHARON D |

Friday, June 14, 2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|----------------|---|
| 182 | 2828 HOOD ST | HALL CRAIG & KATHRYN HALL CO-TRUSTEES |
| 183 | 2828 HOOD ST | DALE RICHARD P JR |
| 184 | 2828 HOOD ST | FISCHER BENNO JOHN UNIT 1705 |
| 185 | 2828 HOOD ST | TISSA C DHARMAGUNARATNE REVOCABLE TRUST |
| 186 | 2828 HOOD ST | MINITAS COMPANY S A |
| 187 | 2828 HOOD ST | LARUE JOHN |

Friday, June 14, 2013



CITY PLAN COMMISSION**THURSDAY, JULY 11, 2013****FILE NUMBER:** S123-185**Subdivision Administrator:** Paul Nelson**LOCATION:** 8501 Plano Road, south of Le Mans Drive**DATE FILED:** June 13, 2013**ZONING:** PD 888**CITY COUNCIL DISTRICT:** 10 **SIZE OF REQUEST:** 7.507 Acres **MAPSCO:** 28S**OWNER/APPLICANT:** Wilbow-One Development Corporation

REQUEST: An application to replat a 7.507 acre tract of land in City Block 7081 to create an 80 lot shared access area development containing lots ranging in size from 2,784 square feet to 4,596 square feet on property located at 8501 Plano Road, south of Le Mans Drive.

SUBDIVISION HISTORY:

1. S090-014 was an application to create a 1.995 acre lot, a 5.285 acre lot and a 6.043 acre lot out of a tract of land in City Block A/7081 located at the intersection of E. Northwest Hwy. and Lullwater Dr., northwest corner and was approved on November 19, 2009 and recorded on March 29, 2010.

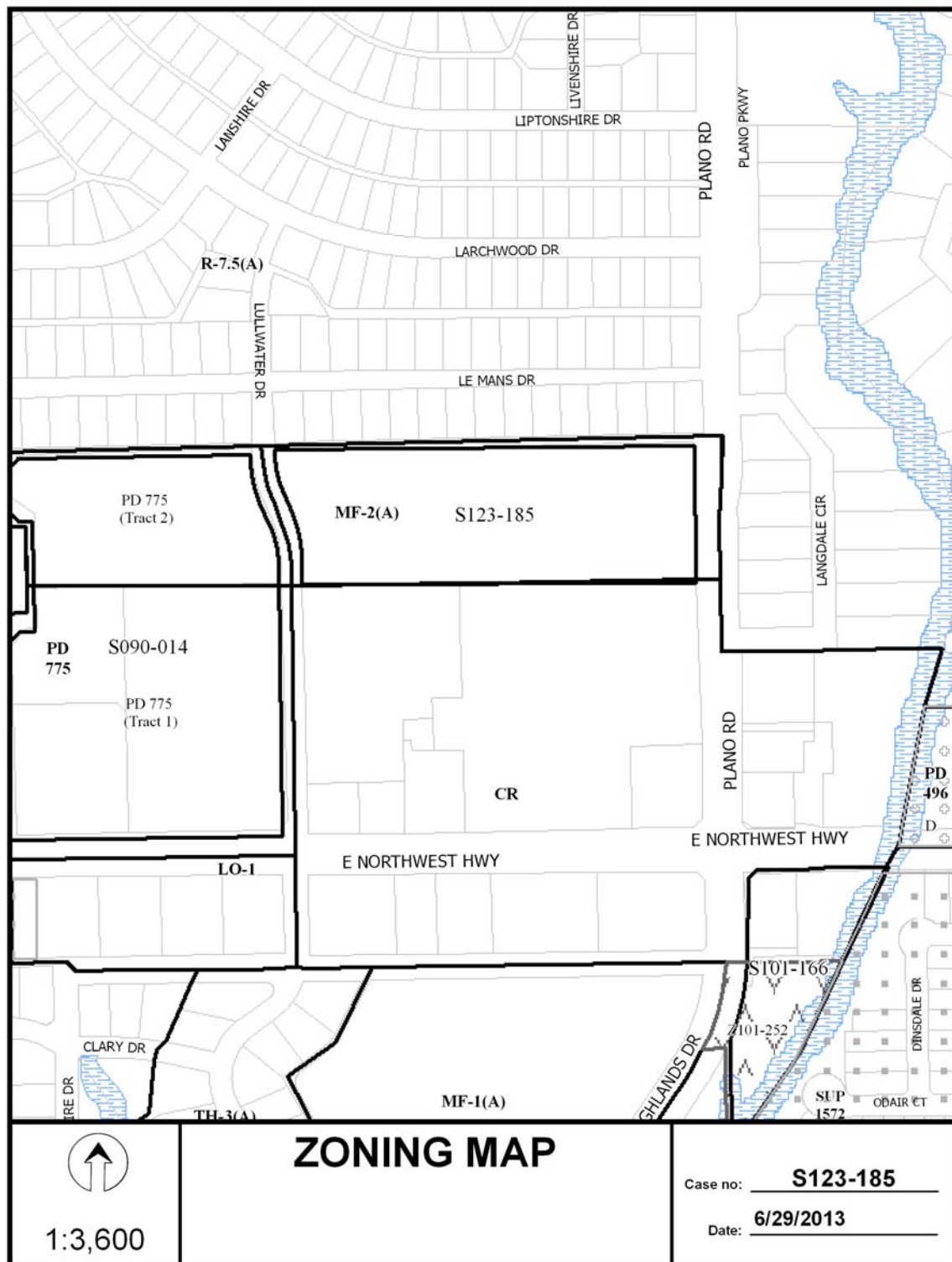
STAFF RECOMMENDATION: Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of streets..."

The proposed lots comply with the minimum 2,000 square foot minimum lot size, the average lot size is 4,087.71 square feet and meets the other requirements of the planned development district; therefore, staff recommends approval of the request subject to compliance with the conditions as follows:

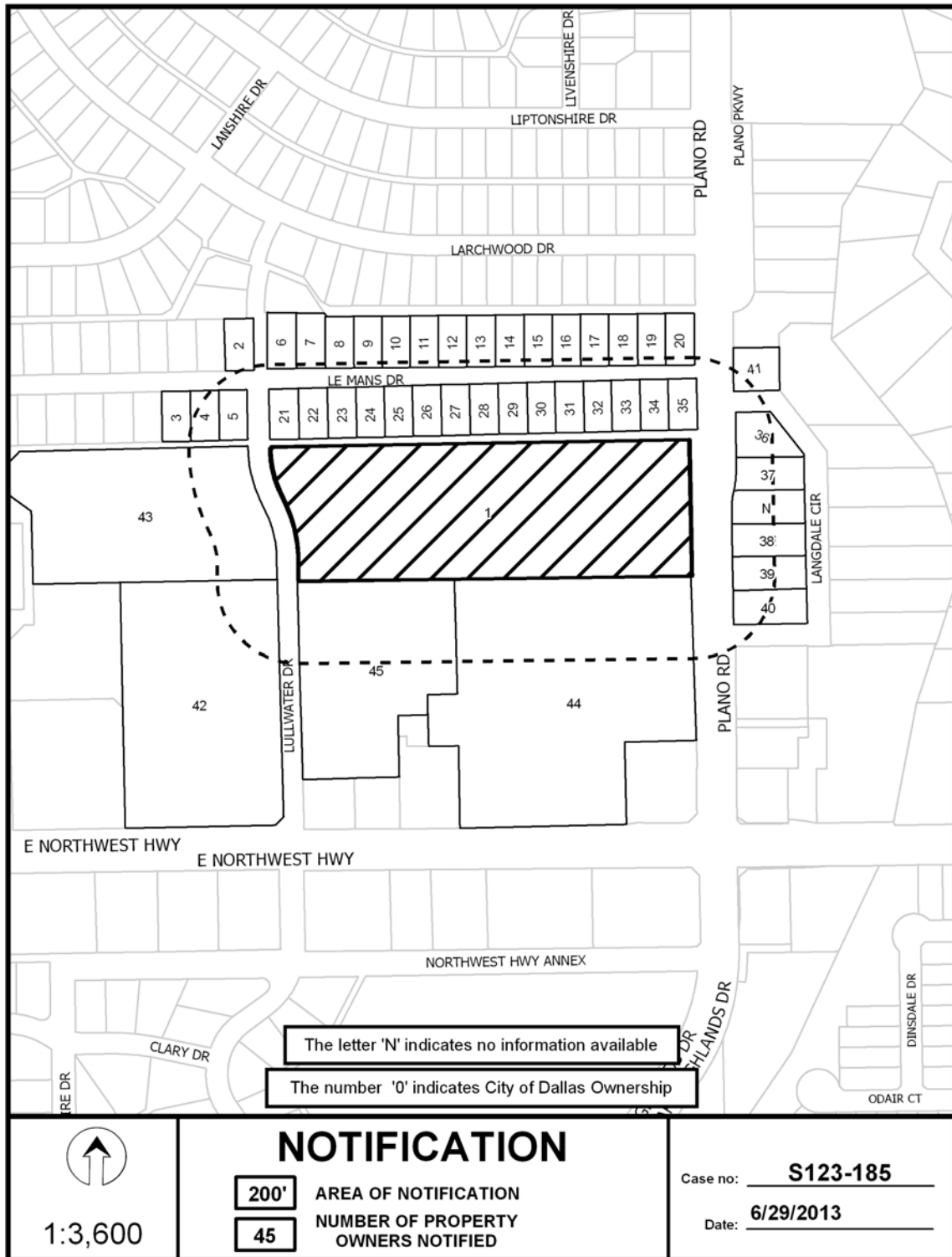
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.

6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The Shared Access Area easement must be at least 20 feet wide and contain a minimum paving width of 16 feet.
11. A water and wastewater easement at least 12 feet wide to be used exclusively for public water and wastewater below grade must be provided within the Shared Access Area easement & labeled on the plat.
12. No building permit may be issued to authorize work in the shared access development until the final plat and the Shared Access Area Agreement have been recorded in the real property records of Dallas County, and all requirements of the shared access area have been met.
13. Prior to submittal of the final plat the Shared Access Development must meet all of the requirements of Section 51A-4.411 of the Dallas City Code, as amended unless otherwise amended by PD 888.
14. The recording information of the "Shared Access Area Agreement" must be placed on the final plat prior to being submitted to the City Plan Commission Chairman for signature. The Shared Access Area Agreement shall include a metes and bounds description of the shared access area as part of an attachment to the document.
15. For frontage purposes and determining building setback lines only, all of the property in this shared access development is considered to be one lot.
16. Regardless of the minimum front yard setback of the applicable zoning district, the minimum front yard setback must be at least 20 feet from the right-of-way line of a street or alley if the parking space for the lot(s) is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley.
17. Include the words "Shared Access Development" in the title block of the final plat.
18. Add a note to the final plat stating "This development is restricted to single family dwellings only."
19. The final plat shall limit the number of lots to a maximum of 80 single family lots.

20. On the final plat show 0.25 guest parking spaces per lot on the plat. Such spaces may be provided in the Shared Access Area as long as they are not located over a water/wastewater easement.
21. Place a note on the final plat stating: "No vehicular access is permitted to adjacent property outside the platted property from the shared access area except to a public or City Council approved Private Street."
22. If a guard house is provided, it must be at least 30 feet from the shared access entry point.
23. The Shared Access Area Easement must be terminated a minimum of 3 feet from the contiguous property or right-of-way.
24. On the final plat provide a city of Dallas approved street name for the Shared Access Area Easements. Contact the Public Works and Transportation Department, GIS Section to obtain an approved street name.
25. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
26. On the final plat dedicate a 15 foot by 15 foot alley sight easement at Plano Road and the alley.
27. On the final plat dedicate a 15 foot by 15 foot alley sight easement at Lullwater Drive and the alley.
28. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
29. On the final plat show how all adjoining right-of-way was created.
30. On the final plat all utility easement abandonments must be shown with the correct recording information.
31. On the final plat label open space as common areas.
32. Water/wastewater main extension is required by Private Development Contract.
33. On the final plat all private easements must be abandoned and/or created by separate instrument and the recording information placed on the face of the plat.
34. On the final plat remove the "Private Street" label.
35. Fire hydrant(s) are not permitted within the boundaries of the Shared Access Area.
36. The Engineer shall furnish plans for water and sanitary sewer. Developer shall furnish a contract for water and sanitary sewer.
37. On the final plat state that the "abandonment is authorized by Ordinance Number _____ and recorded as Instrument No. _____ .
38. A Real Estate Division release is required prior to submittal of the final plat for the Chairman's signature.







Notification List of Property Owners

S123-185

45 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---|
| 1 | 8501 PLANO RD | NORTHLAKE HIGHLANDS PTNR |
| 2 | 10565 LE MANS DR | GOBERT DENISE M |
| 3 | 10554 LE MANS DR | JOHNSON MARGARET F |
| 4 | 10558 LE MANS DR | METCALF CYNTHIA |
| 5 | 10564 LE MANS DR | WICKERSHAM BONNIE KAY |
| 6 | 10605 LE MANS DR | WILSON MARK B |
| 7 | 10611 LE MANS DR | TURNER RYAN A & LEA ANN |
| 8 | 10617 LE MANS DR | MAX TRAVIS |
| 9 | 10623 LE MANS DR | STEVENSON MARK |
| 10 | 10629 LE MANS DR | DENSLOW DAVID ALAN & LADONNA J |
| 11 | 10635 LE MANS DR | BOSMA MICHAEL A |
| 12 | 10641 LE MANS DR | LEAVERTON GRANT & ANGELA |
| 13 | 10647 LE MANS DR | ROBASON BETTY G |
| 14 | 10653 LE MANS DR | SELF SCOTT & ARYN |
| 15 | 10659 LE MANS DR | ADAMS JAMES F & KATHLEEN P |
| 16 | 10665 LE MANS DR | ADAMS KENNETH M & JOYCE M FAMILY LIVING TRUST |
| 17 | 10671 LE MANS DR | PARKER TRUDY O |
| 18 | 10677 LE MANS DR | LANGE JERRY W & BONNIE W |
| 19 | 10683 LE MANS DR | HERRING AL G |
| 20 | 10689 LE MANS DR | MATURA MATTHEW C |
| 21 | 10606 LE MANS DR | SHEPARD VICKI P |
| 22 | 10612 LE MANS DR | REKIETA CORY W & LEAH S |
| 23 | 10618 LE MANS DR | POLSTON JEFFREY J & MELANIE M |
| 24 | 10624 LE MANS DR | TANG CHI KUO |
| 25 | 10630 LE MANS DR | COKER STANLEY D & ALICE E COKER |
| 26 | 10636 LE MANS DR | VANDIVERE KAREN H |

City Plan Commission
Tuesday, July 02, 2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|---------------------|---|
| 27 | 10642 LE MANS DR | FOX DONALD C LF ESTATE & MARTHA Y FOX LF ESTATE |
| 28 | 10648 LE MANS DR | VAUGHN TY |
| 29 | 10654 LE MANS DR | BENSON LYNDA MILOT |
| 30 | 10660 LE MANS DR | CROTTY CHRISTOPHER M |
| 31 | 10664 LE MANS DR | GATES KELLY E & DAVID T |
| 32 | 10672 LE MANS DR | OATES MAYME ELIZABETH M |
| 33 | 10678 LE MANS DR | BUCHANAN JONATHAN D |
| 34 | 10684 LE MANS DR | BUCHANAN JONATHAN & CELINA M |
| 35 | 10690 LE MANS DR | JOHNSON DANIEL A |
| 36 | 8675 LANGDALE CIR | WEBSTER MARY WORCH |
| 37 | 8655 LANGDALE CIR | MEADOR NORMAN W LF EST APT 159 |
| 38 | 8641 LANGDALE CIR | VASEK JULIAN PRESTON |
| 39 | 8635 LANGDALE CIR | FUNK LESLIE H APGAR |
| 40 | 8629 LANGDALE CIR | KUN DAVID |
| 41 | 8676 LANGDALE CIR | KHIRALLAH RAPHAEL T & CATHERINE D CHOBERKA-KHIR |
| 42 | 8501 LULLWATER DR | CHARTWELL AT LAKE HIGHLANDS LP |
| 43 | 8615 LULLWATER DR | JSC LAKE HIGHLANDS REALTY LP SUITE 890 |
| 44 | 10677 NORTHWEST HWY | ACP NORTHVIEW PLAZA LP |
| 45 | 8550 LULLWATER DR | DALLAS ELKS LODGE 71 |

Tuesday, July 02, 2013

FILE NUMBER: M123-017

DATE FILED: March 11, 2013

LOCATION: Lake Highlands Drive and Tiffany Way, North Corner

COUNCIL DISTRICT: 9

MAPSCO: 37 H

SIZE OF REQUEST: Approx. 2.14

CENSUS TRACT: 129

APPLICANT/OWNER: Dallas Academy

REPRESENTATIVE: Dallas Cothrum

MISCELLANEOUS DOCKET ITEM

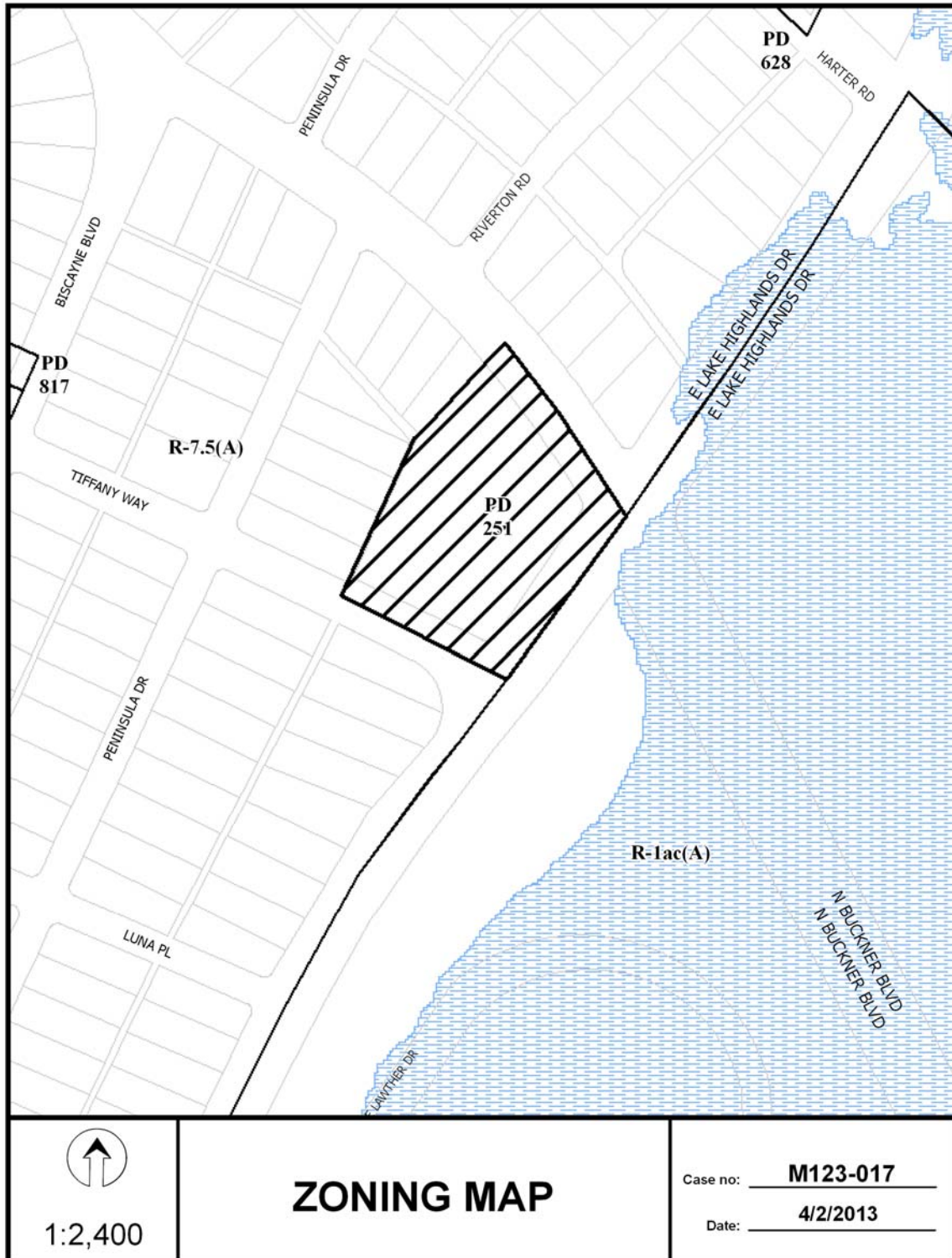
Minor Amendment for Development Plan and Landscape Plan

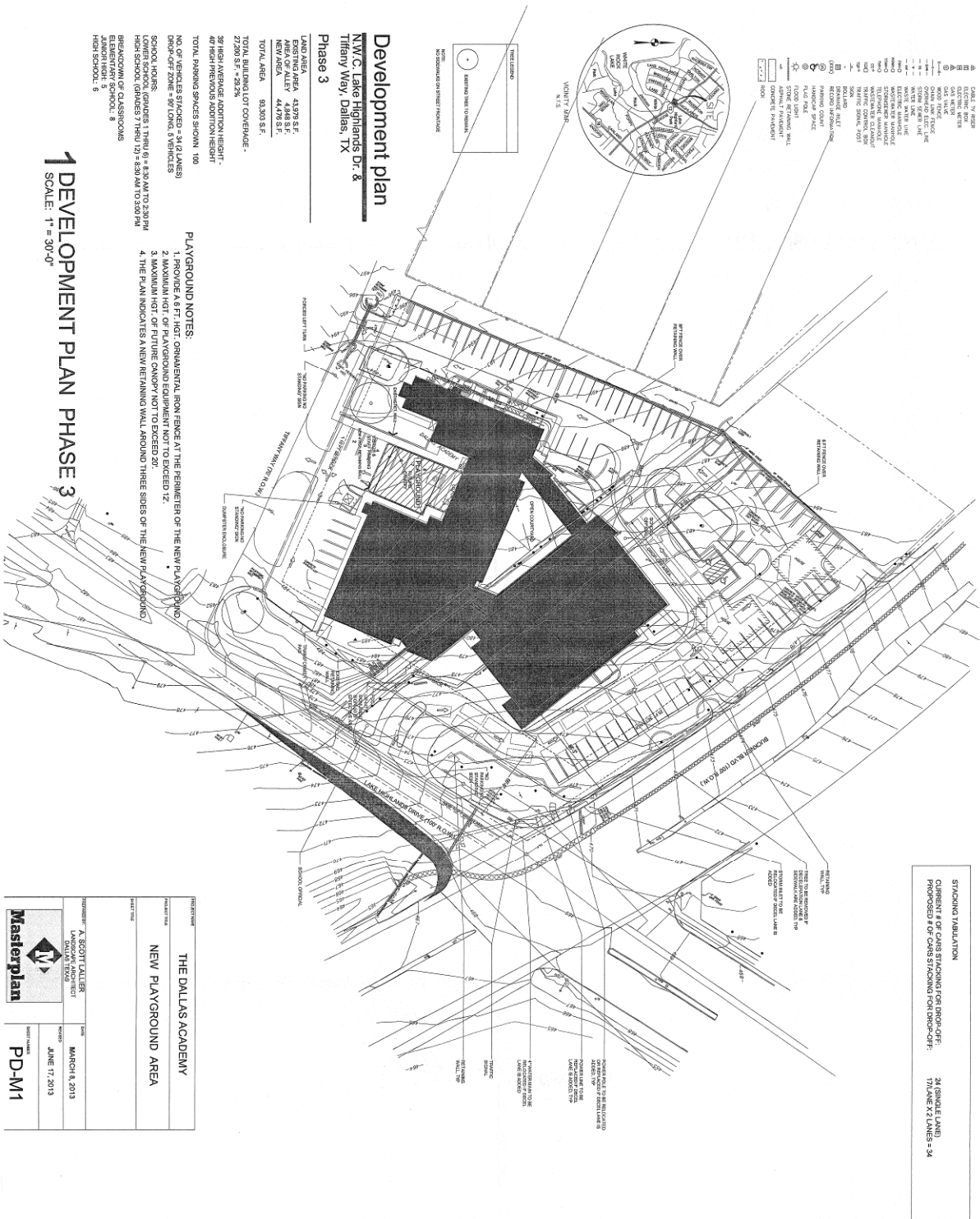
On October 8, 1996, the City Council passed Ordinance No. 25286 which established Planned Development District No. 251 for a Private school for the instruction of learning of disabled students and R-7.5(A) Single Family District Uses on property at the above location. Various amendments to the ordinance have been approved, most recently Ordinance No. 26576, adopted by the City Council on February 14, 2007.

At this time, the property owner has submitted an application for consideration of a minor amendment to the Phase 3 development plan to provide for a covered outdoor play area along the Tiffany Way frontage. The landscape plan is being revised to provide for consistency with these two items. It should be noted that staff is recommending amendments to both previously approved development plans (Phase 1 and Phase 2A) so as to ensure consistency with the various phasing points of development of the property.

The requested minor amendment does not impact any of the other provisions of the ordinance permitting this use.

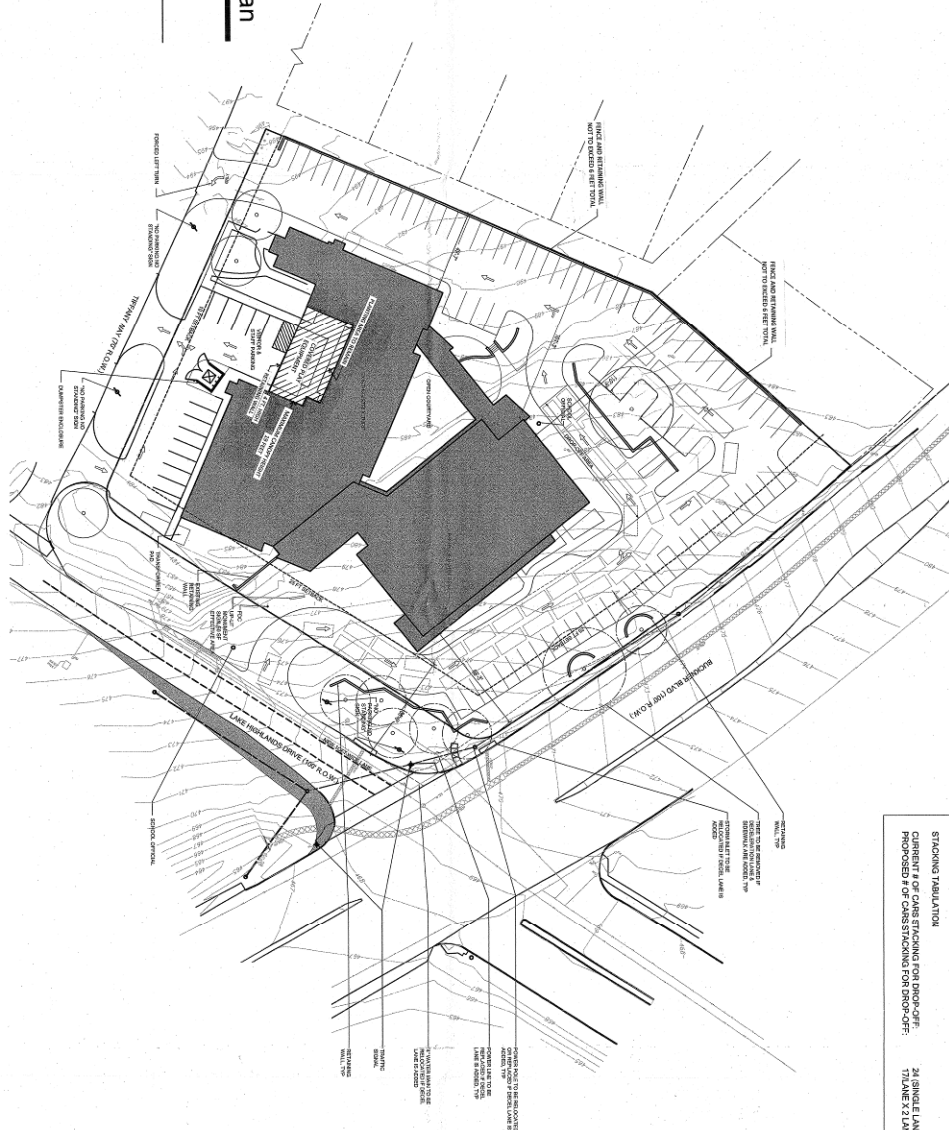
STAFF RECOMMENDATION: Approval





Development plan
N.W.C. Lake Highlands Dr. &
Tiffany Way, Dallas, TX
Phase 3

LAND AREA: 4,207.0 S.F.
AREA OF LAWN: 4,448.0 S.F.
NEW AREA: 44,471 S.F.
TOTAL AREA: 92,300 S.F.
TOTAL BUILDING LOT COVERAGE: 28,900 S.F. = 31%
38' HIGH AVERAGE ADJUTION HEIGHT -
40' HIGH PREVIOUS ADJUTION HEIGHT
NO. OF PARKING SPACES: 100
NO. OF PARKING SPACES: 34 (2 LANE)
DRIVE OFF ZONE: 6 (1 LANE) OFFERS
NO. OF BUSHES PLANTED: 34 (2 LANE)
SCHOOL HOURS: GRADERS 7:30 AM TO 2:30 PM
HIGH SCHOOL: 7:30 AM TO 2:30 PM
BROOKWOOD (GRADERS 7 THRU 12) = 8:30 AM TO 2:30 PM
BROOKWOOD (K-6) CLASSROOMS
EASTERN HILL SCHOOL: 8
HILL SCHOOL: 6



| STACKING TABULATION | 24 (SINGLE LANE) 71LANE X 2 LANES = 36 |
|---|---|
| CURRENT # OF CARS STACKING FOR DROP-OFF: | |
| PROPOSED # OF CARS STACKING FOR DROP-OFF: | |

1 DEVELOPMENT PLAN PHASE 3

Z056-309

Exhibit 251A
3 of 3Planned Development
District No. 251

APPROVED BY CITY PLANNING COMMISSION
IN ACCORDANCE WITH THE PROVISIONS OF
SECTION 51A.012 OF THE DALLAS DEVELOPMENT
CODE
DATE 8/8/10
PLANNED DEVELOPMENT DISTRICT NO. 251
FILE NO. 223-131

[illegible]

THE DALLAS ACADEMY
N.W.C. LAKE HIGHLANDS DR. &
TIFFANY WAY
DALLAS, TEXAS

NOT FOR CONSTRUCTION USE



Good Fulton & Farrell Architects

2808 Fairmount Street
Suite 300
Dallas, Texas 75201

© Good Fulton & Farrell 2006

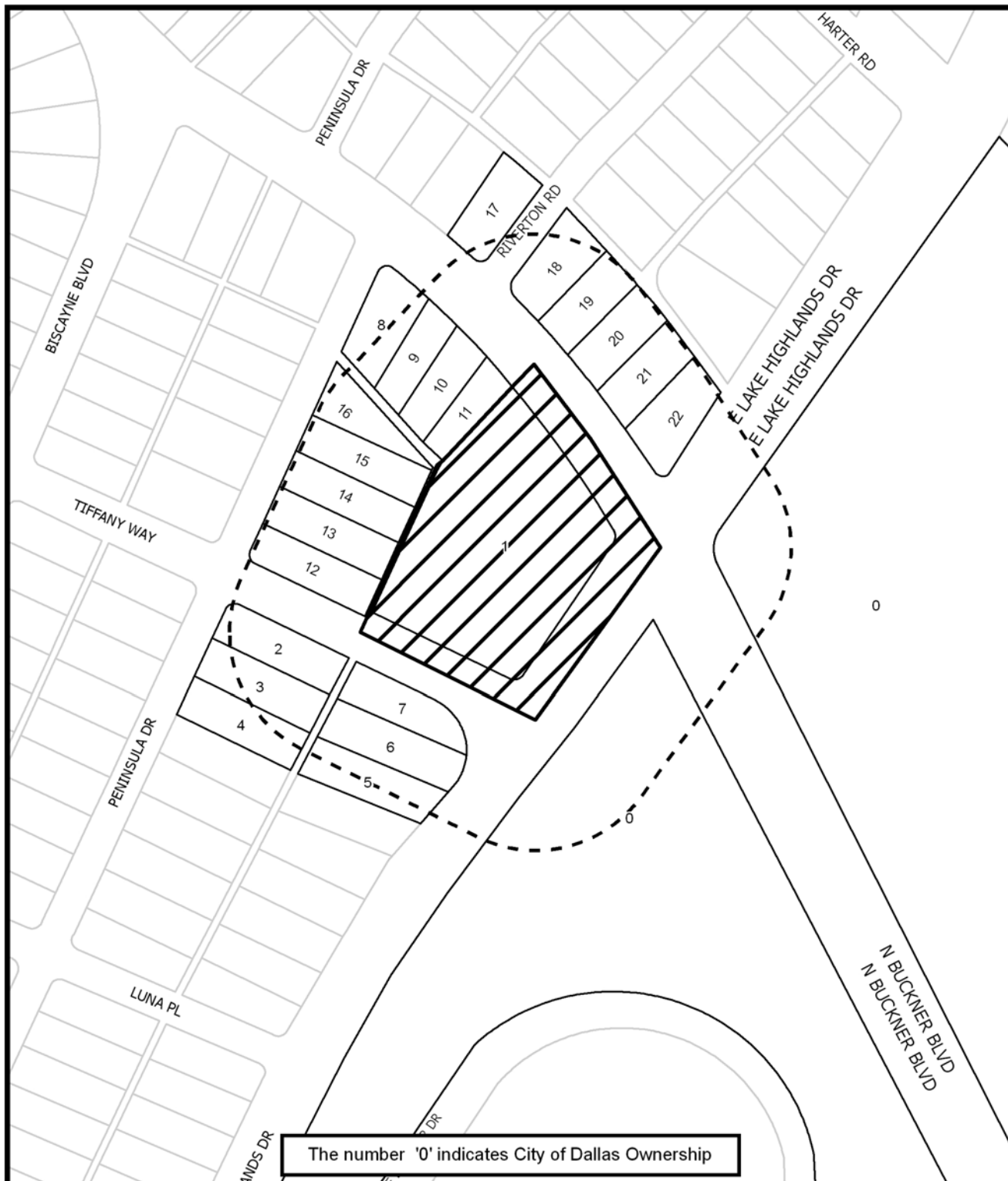
214.303.1500/Tel
214.303.1512/Fax
www.gff.com

214.555.131
www.gff.com

DEVELOPMENT
PLAN - PHASE 3

| | |
|---------------|---------|
| Project No. | 04045C |
| Date | 01.10.0 |
| Last Revision | 4.30.1 |

Existing Development Plan-Phase 3



| | | |
|--|---|---|
|  1:2,400 | <h2 style="text-align: center;">NOTIFICATION</h2> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px; width: 40px; text-align: center;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px; width: 40px; text-align: center;">22</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div> | Case no: <u>M123-017</u> Date: <u>4/2/2013</u> |
|--|---|---|

Notification List of Property Owners

M123-017

22 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|------------------------|---|
| 1 | 950 TIFFANY WAY | DALLAS ACADEMY |
| 2 | 9346 PENINSULA DR | ORTH BARBARA |
| 3 | 9340 PENINSULA DR | EDELMAN DAWN ELISE |
| 4 | 9334 PENINSULA DR | MACALIK ROBERT T & MELISSA M MACALIK |
| 5 | 9335 LAKE HIGHLANDS DR | SINEX MARGARET M |
| 6 | 9341 LAKE HIGHLANDS DR | MARTELLI MARK N & KANDY |
| 7 | 9345 LAKE HIGHLANDS DR | CHAN ELIZA |
| 8 | 935 BUCKNER BLVD | VINSON RICHARD J & KAREN |
| 9 | 939 BUCKNER BLVD | FLACK ALTON B & BARBARA L APT 507 |
| 10 | 945 BUCKNER BLVD | STRUSE AMANDA & ROBERT H PLSEK |
| 11 | 951 BUCKNER BLVD | BRAWNER THOMAS EDWARD & PRISCILLA ANN BR |
| 12 | 9402 PENINSULA DR | CORKER WILLIAM CHASE |
| 13 | 9408 PENINSULA DR | VENTURA MISTY |
| 14 | 9412 PENINSULA DR | PARSON JANICE |
| 15 | 9418 PENINSULA DR | PARSON JANICE G |
| 16 | 9424 PENINSULA DR | VEGA ALFRED A |
| 17 | 9505 RIVERTON RD | SOLIZ LINDA |
| 18 | 930 BUCKNER BLVD | CHANAA TERESA |
| 19 | 936 BUCKNER BLVD | REIMER CYRSTAL |
| 20 | 940 BUCKNER BLVD | GARDNER TERESA D & MARTI BETH KRANZBERG |
| 21 | 946 BUCKNER BLVD | EATON DESIREE D |
| 22 | 952 BUCKNER BLVD | RHODESBEESON ROBERTA A |

FILE NUMBER: W123-006**DATE FILED:** June 28, 2013**LOCATION:** Area bound by Main Street, Elm Street, N. Lamar Street, and N. Griffin Street**COUNCIL DISTRICT:** 14**MAPSCO:** 45-P**SIZE OF REQUEST:** \pm 1.53 acres**CENSUS TRACT:** 31.01**MISCELLANEOUS DOCKET ITEM:****Waiver of Two-Year Waiting Period**

On October 10, 2012, the City Council approved an amendment to the Downtown Special Purpose Sign District (SPSD), Section 51A-7.900 of the Dallas City Code, to allow non-premise district activity videoboard signs on parking garages and lodging uses. According to Section 51A-4.701(d) of the Dallas Development Code, a new application on this property cannot be filed prior to October 10, 2014, without a waiver of the two-year waiting period.

The applicant is requesting a waiver of the two-year waiting period to establish a new subdistrict in the Downtown SPSP to increase the number of detached premise signs and the effective area of such signs associated with the Bank of American Tower. Further, the applicant believes "the waiver is warranted as it does not violate the intent or purpose of the 2-year waiting period, which is to protect adjacent property owners from successive or repeat zoning applications that could be contrary to the public interest."

According to the Dallas Development Code, "the commission may waive the time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing."

Staff Recommendation: Approval.

W123-006

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. TBD

Location 901 Main Street

Date of last CPC or CC Action 10/10/12

Applicant's Name, Address & Phone Number Maxwell Fisher or Dallas Cothrum; Masterplan
900 Jackson Street, Suite 640 Dallas, TX 75202

Property Owner's Name, Address and Phone No., if different from above
Dallas Main LP% Sunbelt Mgmt. Co. 455 N Cityfront Plaza Drive FL24
Chicago, IL 60611-5518
214-761-6110

State briefly change of circumstances since the last hearing on the property that would warrant reconsideration of another request in less than two years.

Our client proposes a new subdistrict in the Downtown Special Provision Sign District. We believe the waiver is warranted as it does not violate the intent or purpose of the 2-year waiting period, which is to protect adjacent property owners from successive or repeat zoning applications that could be contrary to the public interest. The previous amendment was to allow additional video boards and supergraphics for the retail core whereas our proposal would establish a new subdistrict to accommodate a sign program appropriate for the Bank of America Tower -- a campus the size of a city block comprised of the tallest building in the DFW area.


Applicant's Signature


Owner's Signature (if individual) or
Letter of Authorization (from corporation/partnership)

RECEIVED BY

JUN 28 2013

Current Planning

Date Received
Fee: \$300.00

June 27, 2013

Mr. David Cossum, Assistant Director
Department of Development Services
Dallas City Hall
Dallas, Texas 75201

RE: 901 Main Street, Bank of America Tower Dallas (BLK 50/54, LTS
108, and ROW & PT of BLK 61 consisting of approximately 1.54 acres)

Dear Mr. Cossum:

The undersigned owner hereby authorizes MASTERPLAN to represent the undersigned in all matters regarding an application to waive the 2-year waiting period limitation for a zoning change application (text amendment) per Sec. 51A-4.701(d) of Chapter 51A of the Dallas Development Code for the property described above.

Owner: Dallas Main L.P.

By:  V.P. Engineering
(Name and Title of Person Signing for Entity)

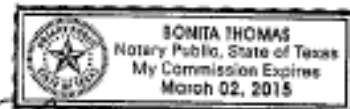
Before me, the undersigned authority, on this day personally

appeared William Gibony, V.P. Engineering
(Name of person signing for Entity) (Title of person signing)

of Dallas Main L.P., known to me to be the person
(Name of entity)

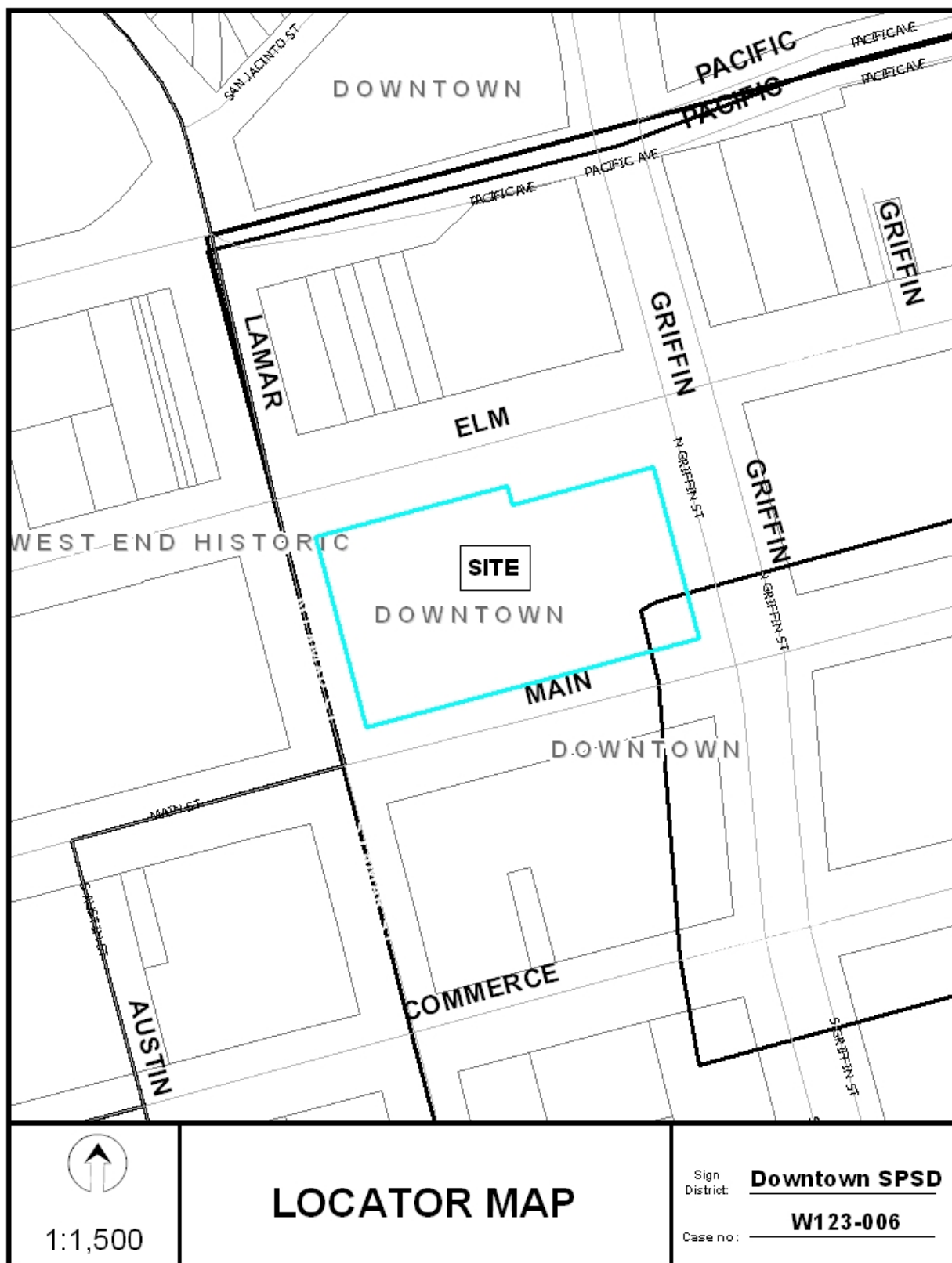
whose name is subscribed to this letter, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated as the act and deed of said corporation.

Given under my hand and seal of office on this 28th day of June,
2013.



Bonita Thomas
Notary Public, State of Texas

My commission expires March 2, 2015



Date: July 11, 2013

CITY PLAN COMMISSION

THURSDAY, JULY 11, 2013

Planner: Olga Torres-Holyoak

FILE NUMBER: D112-011

DATE FILED: June 11, 2012

LOCATION: On the south side of West Camp Wisdom, west of Eagle Ford Drive.

COUNCIL DISTRICT: 3

MAPSCO: 61A-Z

SIZE OF REQUEST: Approx. 17.60 acres

CENSUS TRACT: 165.10

MISCELLANEOUS DOCKET ITEM

APPLICANT: MASTERPLAN, Karl Crawley

REPRESENTATIVE: 4023 Oak Lawn Assoc. LP.

Development Plan and Landscape Plan:

On November 11, 1998, the City Council passed Ordinance No. 23711 that established Planned Development District No. 521 on property generally located along both sides of Interstate Highway 20 between Spur 108 and Clark Road on the east side of Mountain Creek Parkway and FM 1382 on the west.

The zoning was granted as a "Concept Development Plan-North Zone" and "Concept Development Plan South Zone" and requires City Plan Commission approval of a development plan and a landscape plan for each phase of development prior to the issuance of a building permit.

In conjunction with the above requirement, the attached development plan and landscape plan are being submitted to the CPC for approval. The proposed development is located in Subdistrict S-2B. The proposed development is for an open-enrollment charter school.

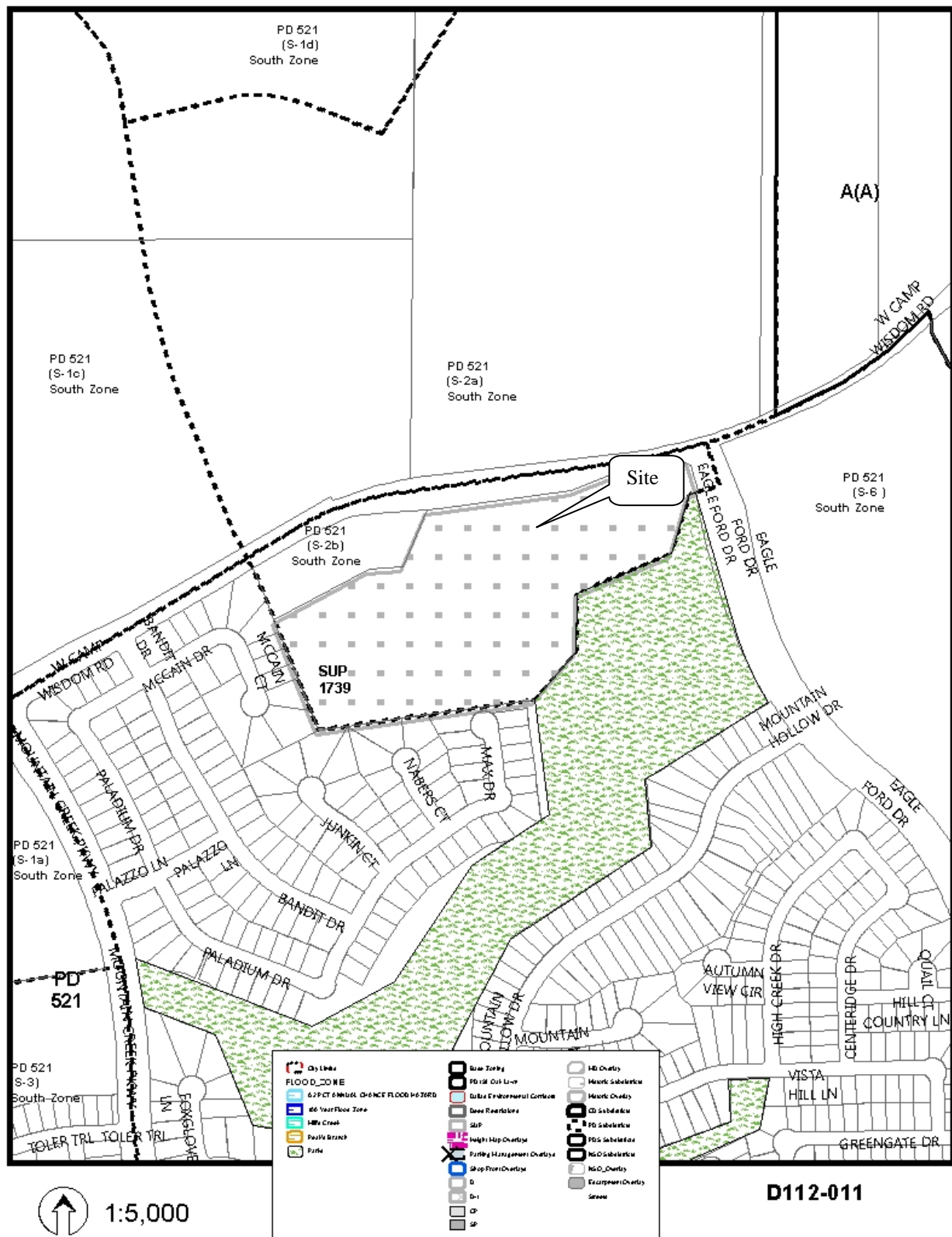
STAFF RECOMMENDATION: Approval

List of Officers/Partners

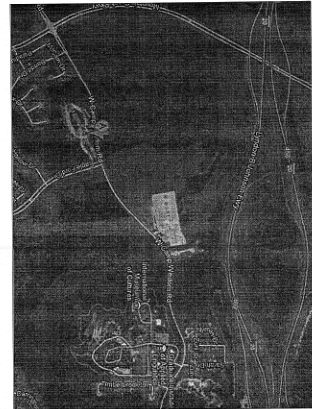
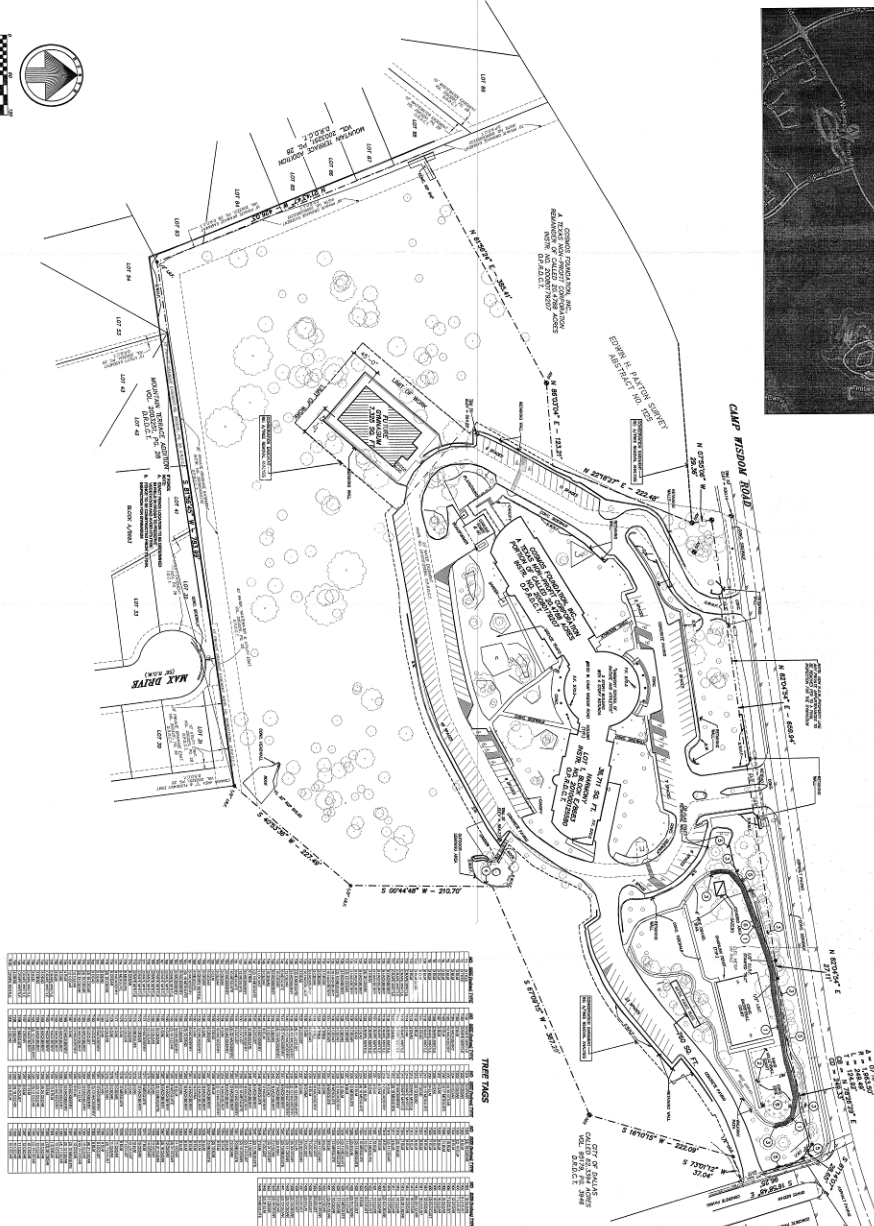
HARMONY SCHOOL OF NATURE AND ATHLETICS

Soner Tarim Superintendent
Nihat Bayhan Area Superintendent
Yalcin Akyildiz CFO
Erdal Caglar COO
Ozgur Ozer CAO
Mehmet Basoglu, Principal

ZONING MAP



| | |
|---|------------------|
| 6 | DEVELOPMENT PLAN |
|---|------------------|

**VICINITY MAP**

- 1 NEW LOCATION FOR CHAINED GUNITE BUILDING UNIT, REMOTE DISTING THAT IS OUTSIDE OF PROPERTY LINE.
- 2 REMOTE DISTING VETERANAL COURT.
- 3 BE NEW COULDED DISTING WILKIND FROM TO DISTINGNO MORE FROM.
- 4 REMOTE DISTING STONE WALL, THAT IS OUTSIDE OF DISTING WALL AND REMOVED AS DISTING. WHICH DISTING WALL DISTING WALL TO BE REMOVED.
- 5 DISTING SHORT DISTING WALL TO BE REMOVED.
- 6 BLACK 6" OF HIGH WAIN COVERED OVER LINK FENCE.
- 7 NEW OUTDOOR WORKING OF EQUIPMENT MOUNTED CONCRETE SLAB.

[illegible][illegible]

LEGEND

1. SOLUBLE POLYMERIZATION - INJECTION S.I.P.

2. SOLUBLE POLYMERIZATION - INJECTION S.I.P.

3. LIFT COEFFICIENT $C_L = 0.47$

4. LIFT COEFFICIENT $C_L = 0.47$

JOHN F. FINE,
1400 E. 10TH AVE.,
DENVER, CO 80202
DENTIST

[illegible]

SCALD: $1'' = 60' = 0''$

| | |
|--|----------|
| PROJECT NO. 11209 | DATE |
| DRAWN | 07/06/13 |
| CHECKED | BJT |
| REVISIONS | BJT |
| BUILT FOR CONSTRUCTION | |
| <h1>A1.01</h1> <h2>DEVELOPMENT PLAN</h2> | |

PRR
Architecture
Engineering
Planning
Facility Consulting


Seal of the State of Texas Registered Architects

1600 West Loop West
22nd Floor
Houston, Texas 77056-1104
Phone 713 965-0000
Fax 713 961-4571

**HARMONY SCHOOLS
OF NATURE NEW GYMNASIUM**

PHASE II

COSMOS FOUNDATION

[illegible]

~~021382~~



FILE NUMBER: D123-018

DATE FILED: May 10, 2013

LOCATION: On the west side of Cypress Waters Boulevard, north of Hackberry Road.

COUNCIL DISTRICT: 6

MAPSCO: 11A-P

SIZE OF REQUEST: 12.39 acres

CENSUS TRACT: 141.27

MISCELLANEOUS DOCKET ITEM

Owner: CW02 land, Ltd.

Applicant/Representative: Billingsley Company, Tom Holland

Development Plan and Landscape Plan:

On January 25, 2006, Dallas City Council approved Ordinance No. 26233 which established Planned Development District No. 741. The size of the PD is approximately 1,030.08 acres of land and is located on the north side of Hackberry Road, east of Belt Line Road. The proposed development is located in Subarea A-2 within Planned Development District No. 741.

The zoning was granted as a conceptual planned development district and requires City Plan Commission approval of a development plan and a landscape plan prior to the issuance of a building permit for each phase. Staff has reviewed the proposed development plan landscape plan and it complies with the requirement of the ordinance.

In conjunction with the above requirement, the attached development plan and landscape plan are submitted for Commission's consideration. The plans provide for the construction of an office building with approximately 152,830 square feet of office space.

STAFF RECOMMENDATION: Approval

List of Applicant/Owner Officers

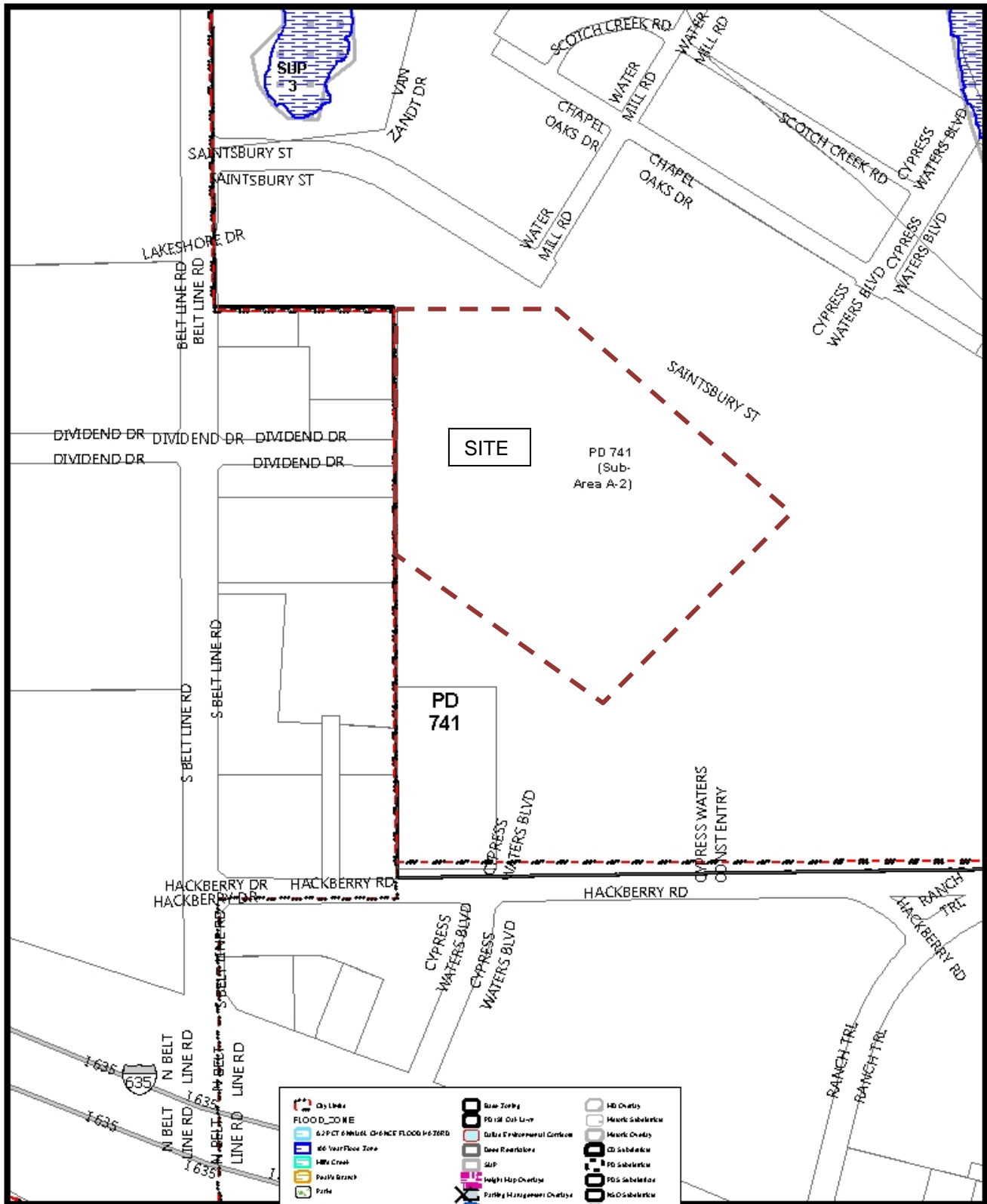
Cypress Waters Spec Office **List of Owners/Partnerships**

CW02 Land, Ltd., a Texas limited partnership

- Billingsley 380 North GP, LLC – General Partner
 - Lucy Billingsley – Member/Manager
 - Kimberly Meyer– Manager
 - Kenneth Mabry – Manager
- Billingsley Holdings B, LLC, a Texas limited liability company – Limited Partner
- Anne Sumner Billingsley Trust II, a Texas trust – Limited Partner

Billingsley Development Corporation, a Texas corporation

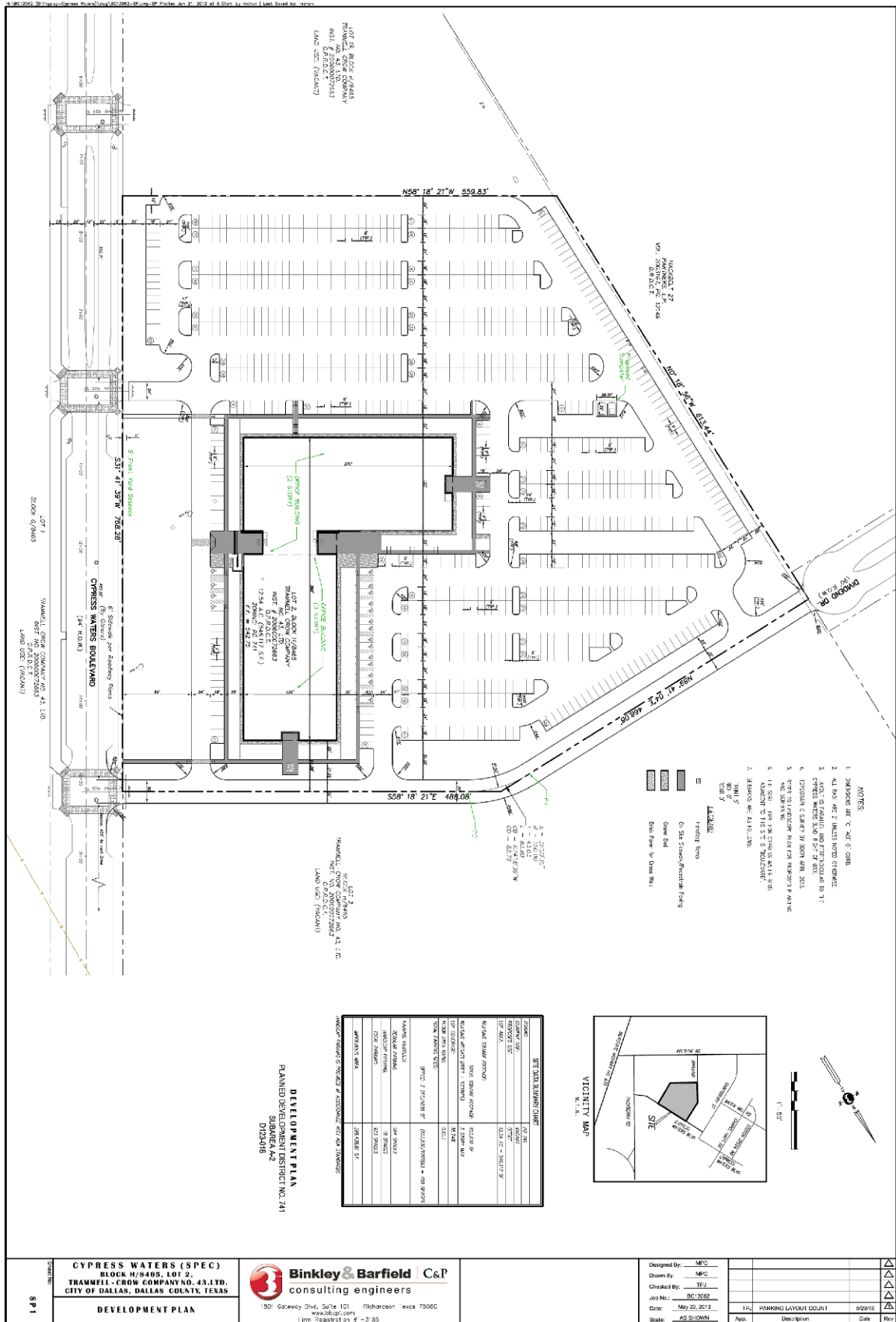
- Lucilo Pena – President
- Lucy Billingsley - Treasurer
- Kenneth D. Mabry – Senior Vice President
- Kimberly H. Meyer – Senior Vice President/Secretary



1:5,000

D123-018

PROPOSED DEVELOPMENT PLAN



LOT 1 - BLOCK H9465
566,138 S.F.

SPEC. OFFICE BUILDING

PRIVATE ROAD

CYPRESS WATERS BLVD. - 34' ROW

PLANT LEGEND

| PLANT | QUANTITY | PLANT | QUANTITY |
|-------------|----------|-------------|----------|
| 1. LANTANA | 100 | 11. LANTANA | 100 |
| 2. LANTANA | 100 | 12. LANTANA | 100 |
| 3. LANTANA | 100 | 13. LANTANA | 100 |
| 4. LANTANA | 100 | 14. LANTANA | 100 |
| 5. LANTANA | 100 | 15. LANTANA | 100 |
| 6. LANTANA | 100 | 16. LANTANA | 100 |
| 7. LANTANA | 100 | 17. LANTANA | 100 |
| 8. LANTANA | 100 | 18. LANTANA | 100 |
| 9. LANTANA | 100 | 19. LANTANA | 100 |
| 10. LANTANA | 100 | 20. LANTANA | 100 |

NOTES

1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

4. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

5. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

6. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

7. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

8. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

9. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

10. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

11. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

12. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

13. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

14. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

15. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

16. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

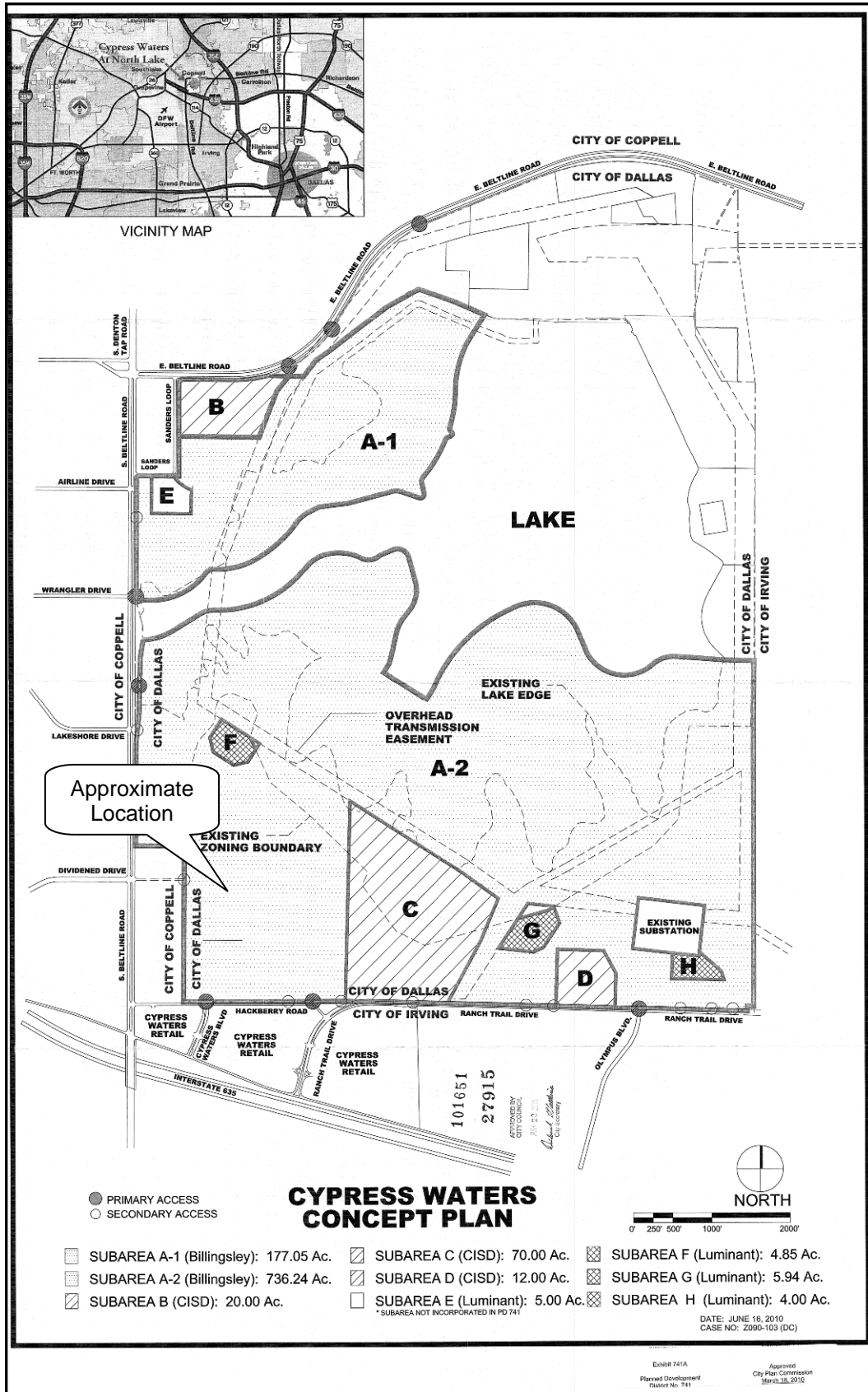
17. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

18. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

19. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

20. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE PLAN SPECIFICATIONS.

EXISTING CONCEPTUAL PLAN



FILE NUMBER: D123-019

DATE FILED: April 24, 2013

LOCATION: On the south quadrant of LBJ Freeway and Penn Farm Road.

COUNCIL DISTRICT: 8

MAPSCO: 74-E, F

SIZE OF REQUEST: 45.1 acres

CENSUS TRACT: 166.05

MISCELLANEOUS DOCKET ITEM

Owner/Applicant: TCDFW Development, Inc.

Representative: Robert Brandt, TCDFW Development, Inc.

Development Plan & Landscape Plan:

On July 16, 1986 the City Council approved Ordinance No. 19217 which established PD No. 240 on property generally located along the south line of Lyndon B. Johnson Freeway (I-20), east of the east line of Hampton Road. The size of PD No. 240 is approximately 102.46 acres. The proposed development is located in Tract 4.

On April 10, 2013, PD No. 240 was amended to consolidate Tracts 2C, 4A, 4B, and 4C into a new Tract 4.

The zoning was granted as a conceptual planned development district and requires City Plan Commission approval of a development plan for each tract prior to the issuance of a building permit on that on that tract. A Landscape plan in accordance with Article X must be approved by the City Plan Commission prior to the issuance of any building permit on the respective tract. Staff has reviewed the proposed development plan and landscape plan and they comply with the requirements of the PD ordinance and Article X respectively.

In conjunction with the above requirement, the attached development plan and landscape plan are submitted for Commission's consideration. The plans provide for the construction of approximately 800,000 square feet of warehouse.

STAFF RECOMMENDATION: Approval

List of Applicant/Owner Officers

2816 Lucas Drive

Melrose Capital, LLC

2828 South Routh Street – Suite 500

Dallas, TX 75201-1438

Richard M. Barge - Manager

2924 Lucas Street

Southwest Embarcadero, LP

2929 South Routh Street – Suite 500

Dallas, TX 75201-1416

Richard M. Barge - Manager

Trinisc Residential Group

3100 Monticello Avenue – Suite 900

Dallas, Texas 75205

Brian Tusa – Managing Director

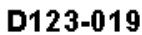
S. Joseph Bennett – Managing Director

Adam Brown – Managing Director

Timothy Welsh – Vice President of Construction

Silas Graham – Managing Director

Gregory Jones – Managing Director



[illegible]

[illegible]

EXISTING CONCEPTUAL PLAN

130663

Exhibit 240A

CROW/PENN TRADE CENTER

| GROSS LAND AREA | |
|-----------------|------------|
| ZONE 1 | 24.40 AC. |
| ZONE 2 | 24.40 AC. |
| ZONE 3 | 24.40 AC. |
| ZONE 4 | 46.43 AC. |
| ZONE 5 | 24.40 AC. |
| TOTAL | 100.55 AC. |

| SETBACKS (ALL ZONES) | |
|----------------------|--------|
| FRONT YARD | 25 FT. |
| REAR YARD | 10 FT. |
| SIDE YARD | 10 FT. |

| MAXIMUM FLOOR AREA | |
|--------------------|--------------|
| ZONE 1 | 353,000 SF |
| ZONE 2 | 353,000 SF |
| ZONE 3 | 353,000 SF |
| ZONE 4 | 353,000 SF |
| ZONE 5 | 353,000 SF |
| TOTAL | 1,765,000 SF |

| MAXIMUM COVERAGE | |
|------------------|--------------|
| ZONE 1 | 40% |
| ZONE 2 | 40% |
| ZONE 3 | 40% |
| ZONE 4 | 40% |
| ZONE 5 | 40% |
| TOTAL | 1,765,000 SF |

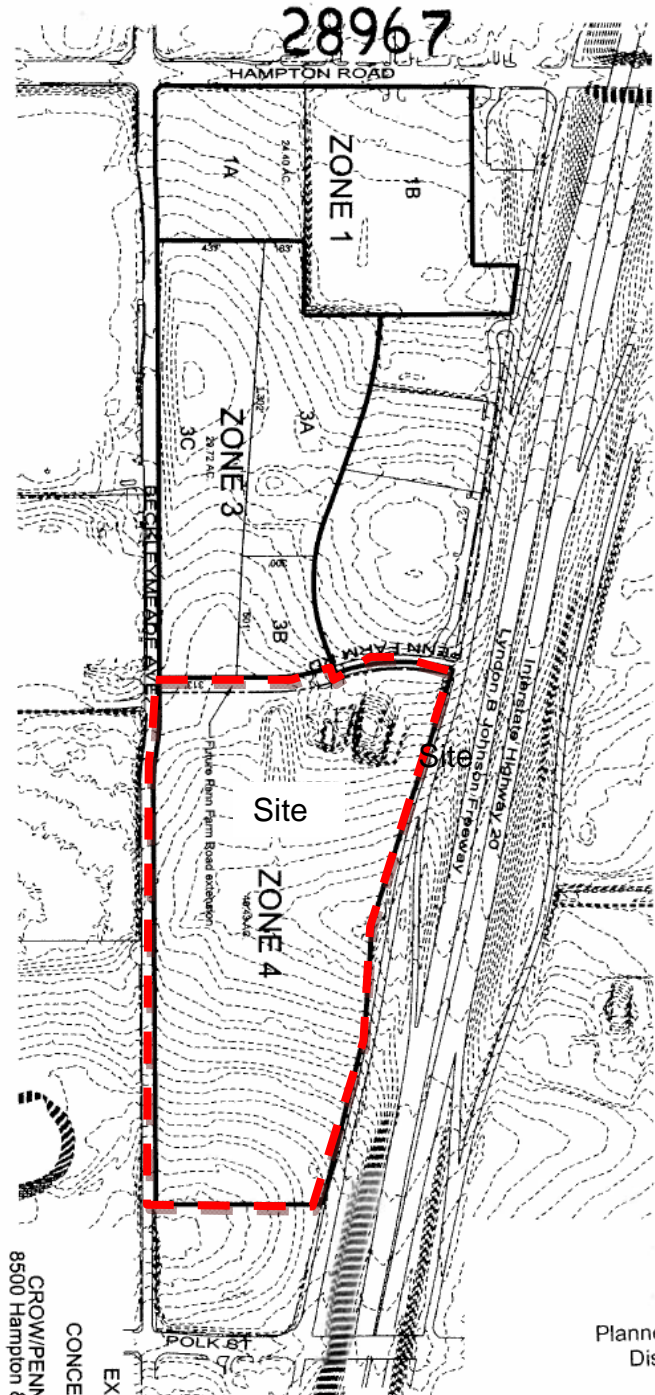
| MAXIMUM HEIGHT | |
|----------------|---------|
| ZONE 1A | 60 FT. |
| ZONE 1B | 60 FT. |
| ZONE 2A | 70 FT. |
| ZONE 2B | 70 FT. |
| ZONE 3A | 100 FT. |
| ZONE 3B | 100 FT. |
| ZONE 4 | 120 FT. |

| PARKING | |
|---------------------|--|
| AS REQUIRED BY CODE | |

| LANDSCAPING | |
|--|--|
| A DETAILED LANDSCAPE PLAN WHICH MEETS THE REQUIREMENTS OF THE CITY OF TAMPA (LANDSCAPE REGULATIONS) MUST BE SUBMITTED WITH THE DETAILED DEVELOPMENT PLAN FOR EACH PHASE OF DEVELOPMENT | |

| ZONING CASE NO. | |
|-----------------|--|
| 2123-152(WF) | |

| Revisions | |
|------------------|--|
| January 16, 2013 | |



Planned Development
District No. 240

Approved
City Plan Commission
March 7, 2013

EXHIBIT 'A'
CONCEPTUAL PLAN
CROW/PENN TRADE CENTER
8500 Hampton & 39401 LBJ Freeway

FILE NUMBER: D123-020

DATE FILED: May 28, 2013

LOCATION: On the northwest corner of Central Expressway and City Place West Boulevard.

COUNCIL DISTRICT: 14

MAPSCO: 35-Y, 45-C

SIZE OF REQUEST: 2.5 acres

CENSUS TRACT: 7.01

MISCELLANEOUS DOCKET ITEM

Owner/ Applicant: Blackburn Central Holdings, LP

Representative: Barry R. Knight, Winstead PC

Development Plan and Landscape Plan:

On November 11, 1,992, the City Council Ordinance No. 21480 which established Planned Development District No. 375 located on the west side of North Central Expressway, north of Lemmon Avenue. The size of PD No. 375 is approximately 11.4114 acres.

On May 23, 2012, the City Council approved an amendment of PD No. 375 to provide for several amendments including but not limited to a new conceptual plan, and Tract I Subdistrict property descriptions.

The zoning was granted as a conceptual planned development district and requires City Plan Commission approval of a development plan prior to the issuance of a building permit for each phase. Staff has reviewed the proposed development plan and it complies with the requirement of the ordinance.

In conjunction with the above requirement, the attached development plan and landscape plan are submitted for Commission's consideration. The proposed development is located in Tract I within PD No. 375. The plan provides for the construction of three buildings for office, retail and restaurant space.

STAFF RECOMMENDATION: Approval

List of Applicant/Owner Officers

Blackburn Central Holdings, L.P.

Blackburn Central Holdings, L.P. is a Texas limited partnership, whose general partner is Ross Venture Land Investments, L.P., a Texas limited partnership, whose general partner is Hampstead Associates, Inc., a Texas corporation. The officers of Hampstead Associates, Inc. are: Donald McNamara, President, Neal Sleeper, Vice President, Dan Decker, Vice President.

Neal Sleeper is the Texas registered agent for Blackburn Central Holdings, L.P.

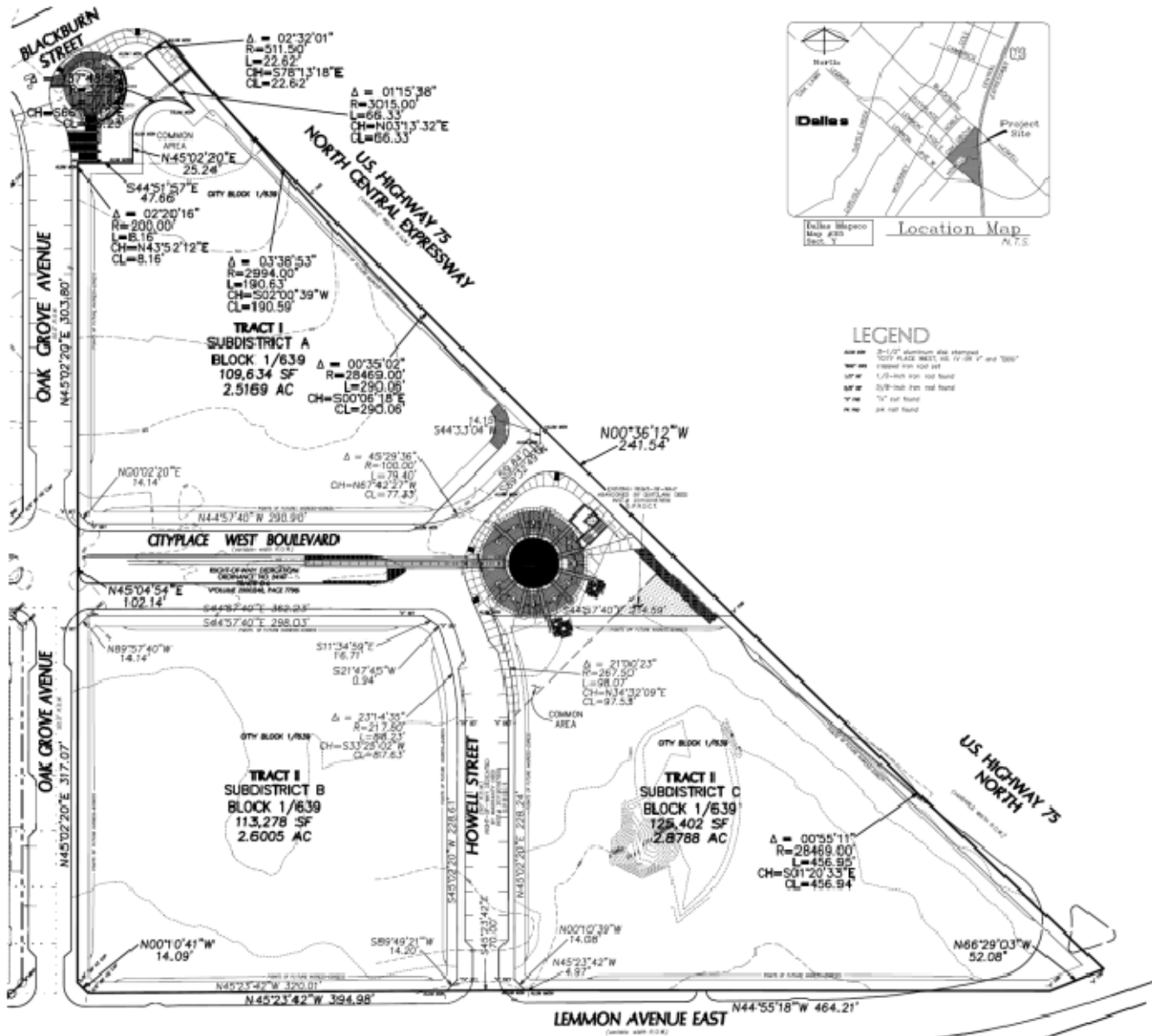
3



4



EXISTING CONCEPTUAL PLAN



CITYPLACE: PD375, Tract 1

| Subdistrict | Max Stories | Max Height | Max fAR | Land Area | Max Lot Coverage |
|-------------|-------------|------------|---------|----------------------|------------------|
| A | 20 | 270 | 5.00 | 109,636 SF(2.517 AC) | 90% |
| B | 43 | 546 | 5.00 | 113,278 SF(2.601 AC) | 90% |
| C | 43 | 546 | 5.00 | 125,402 SF(2.879 AC) | 90% |

CITYPLACE: PD375, Tract II

| | Max Stories | Max Height | Square Footage | Land Area | Max Lot Coverage |
|----------|-------------|------------|----------------|----------------------|------------------|
| Troct II | 3 | 36' | 23,305 SF | 36,871 SF(0.8464 AC) | 34% |

CITY PLAN COMMISSION**THURSDAY, JULY 11, 2013****Planner: Olga Torres-Holyoak****FILE NUMBER:** D123-021**DATE FILED:** May 10, 2013**LOCATION:** On the east side of Cypress Waters Boulevard, north of Hackberry Road.**COUNCIL DISTRICT:** 6**MAPSCO:** 11A-P**SIZE OF REQUEST:** 6.06 acres**CENSUS TRACT:** 141.27

MISCELLANEOUS DOCKET ITEM

Owner: CW02 land, Ltd.

Applicant/Representative: Billingsley Company, Tom Holland

Development Plan and Landscape Plan:

On January 25, 2006, Dallas City Council established Planned Development District No. 741 by Ordinance No. 26233. The size of the PD is approximately 1,030.08 acres of land and it is located on the north side of Hackberry Road, east of Belt Line Road. The proposed development is located in Tract A-2 within Planned Development District No. 741.

The zoning was granted as a conceptual planned development district and requires City Plan Commission approval of a development plan and a landscape plan prior to the issuance of a building permit for each phase. Staff has reviewed the proposed development plan and it complies with the requirement of the ordinance.

In conjunction with the above requirement, the attached development plan and landscape plan are submitted for Commission's consideration. The plans provide for the construction of three office buildings with approximately 340,800 square feet for office use.

STAFF RECOMMENDATION: Approval

List of Applicant/Owner Officers

Cypress Waters Spec Office **List of Owners/Partnerships**

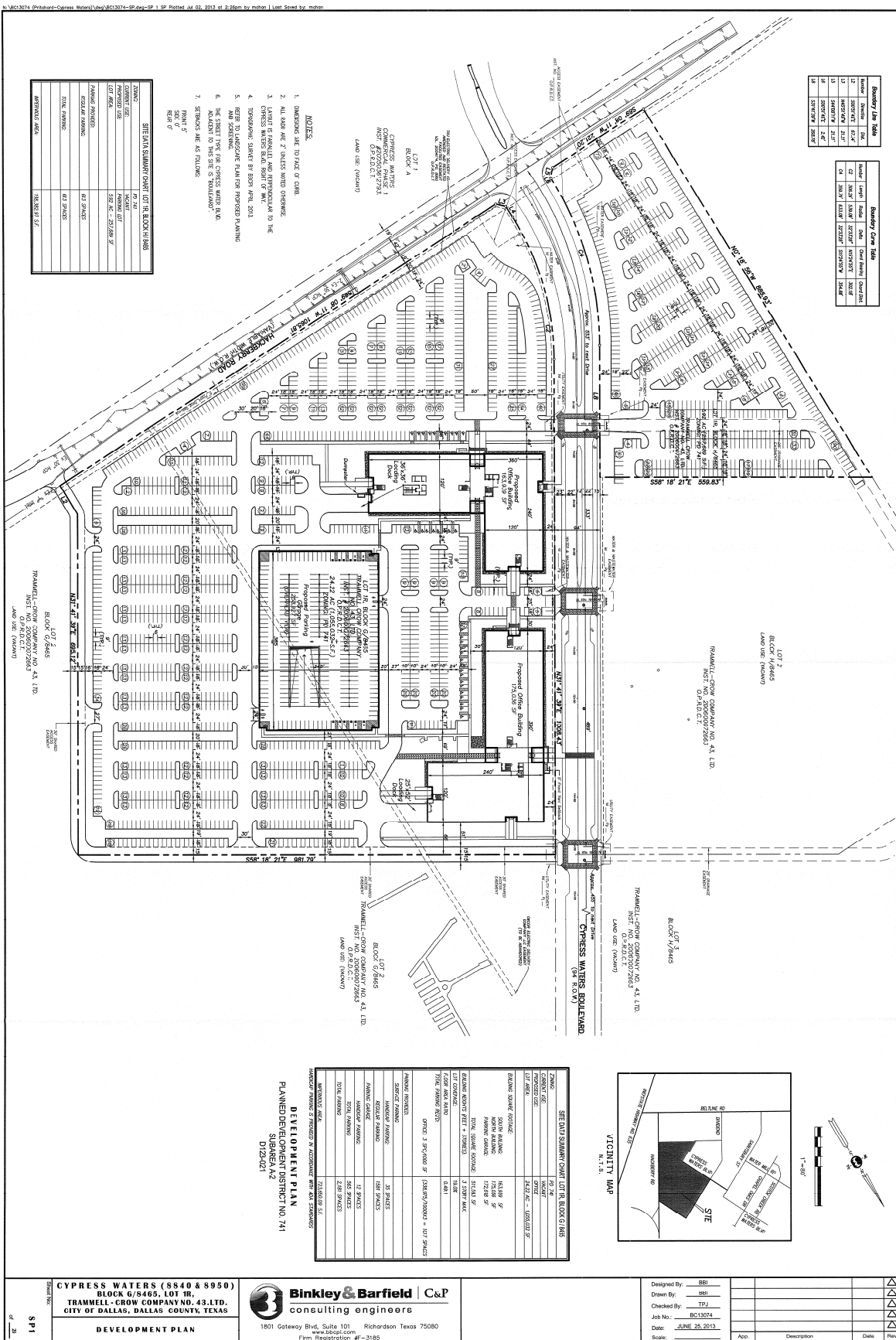
CW02 Land, Ltd., a Texas limited partnership

- Billingsley 380 North GP, LLC – General Partner
 - Lucy Billingsley – Member/Manager
 - Kimberly Meyer– Manager
 - Kenneth Mabry – Manager
- Billingsley Holdings B, LLC, a Texas limited liability company – Limited Partner
- Anne Sumner Billingsley Trust II, a Texas trust – Limited Partner

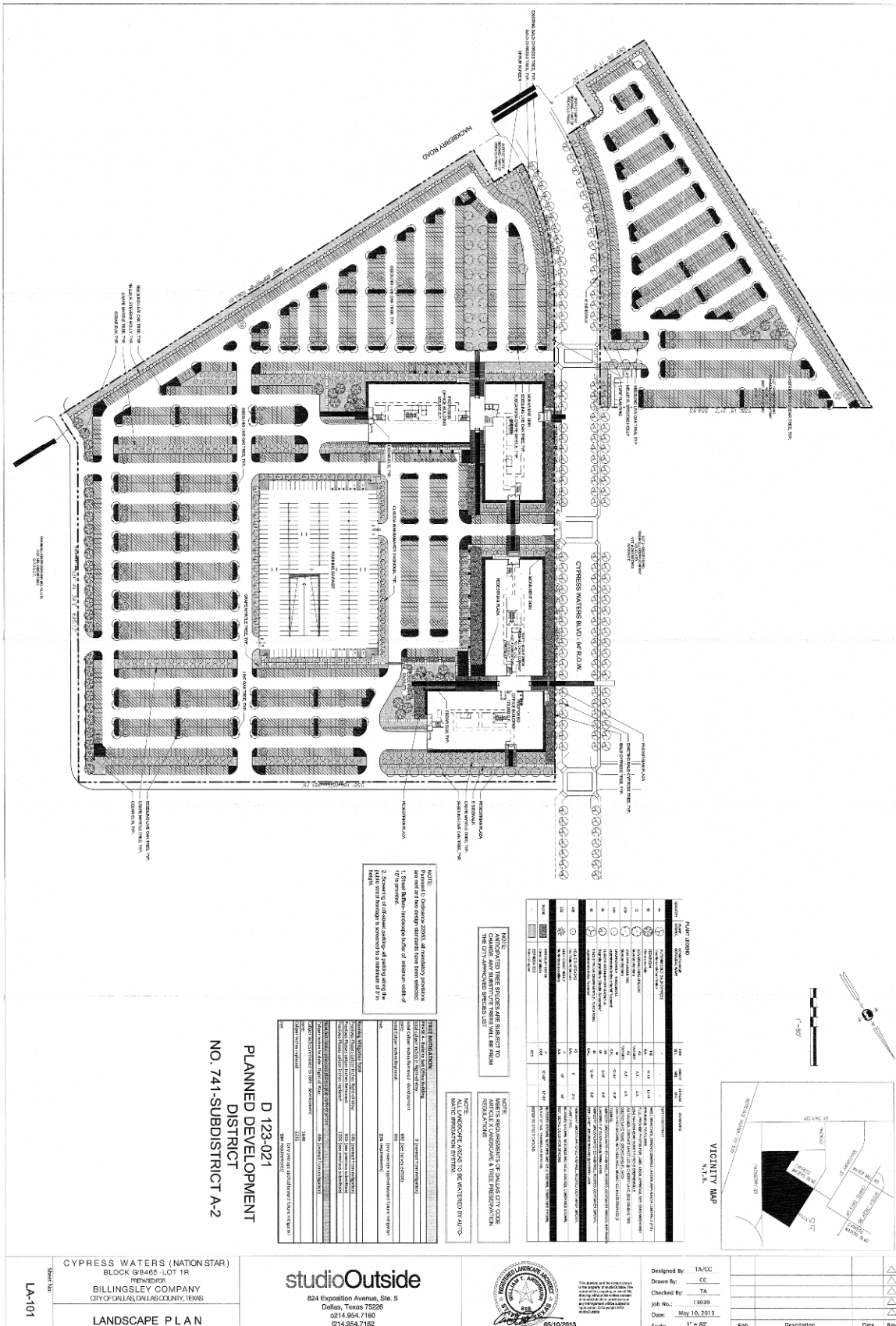
Billingsley Development Corporation, a Texas corporation

- Lucilo Pena – President
- Lucy Billingsley - Treasurer
- Kenneth D. Mabry – Senior Vice President
- Kimberly H. Meyer – Senior Vice President/Secretary

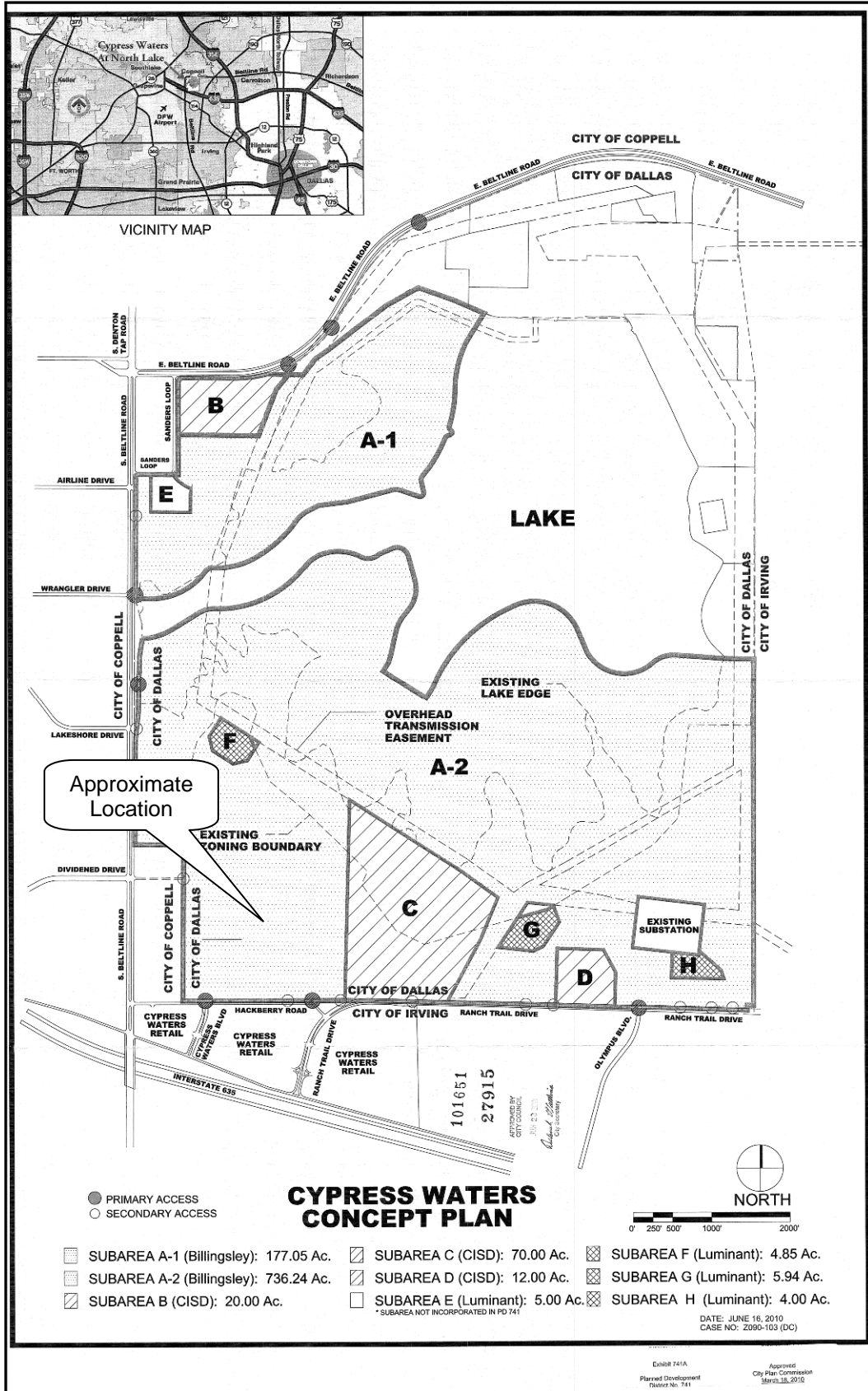
PROPOSED DEVELOPMENT PLAN



PROPOSED LANDSCAPE PLAN



EXISTING CONCEPTUAL PLAN



FILE NUMBER: D123-001

DATE FILED: October 24, 2012

LOCATION: North side of Walnut Hill Lane, west of Central Expressway.

COUNCIL DISTRICT: 11

MAPSCO: 26 N, J

SIZE OF REQUEST: Approx. 3.08 acres

CENSUS TRACT: 131.04

MISCELLANEOUS DOCKET ITEM

Owner: 75 and Walnut Hill, LLC

Applicant: Provident Realty

Representative: Masterplan, Gladys Bowen

Development Plan and Landscape Plan:

On November 8, 2006, the City Council passed Ordinance No. 26510 which established Planned Development District No. 750 on property located on the northwest corner of North Central Expressway and Walnut Hill Lane. The size of the PD is approximately 42.148 acres of land.

The zoning was granted as a conceptual planned development district and requires City Plan Commission approval of a development plan for each phase of development prior to the issuance of a building permit. The request is located in all of Tracts C1, E1, E2 and G and portion of Tracts C, D, and F within Planned Development District No. 750.

In conjunction with the above requirement, the attached development plan and landscape plan have been submitted for Commission's consideration. The plan provides for the development of 818,606 square feet for residential use, 125,000 square feet for office use and 102,619 square feet for retail use.

STAFF RECOMMENDATION: Approval

CPC PREVIOUS ACTION: On June 20, 2013, CPC held this case under advisement until July 11, 2013.

List of Officers

75 and Walnut Hill, LLC

Leon Becker, President

Provident Realty Advisors

Brushy Enterprises, LP

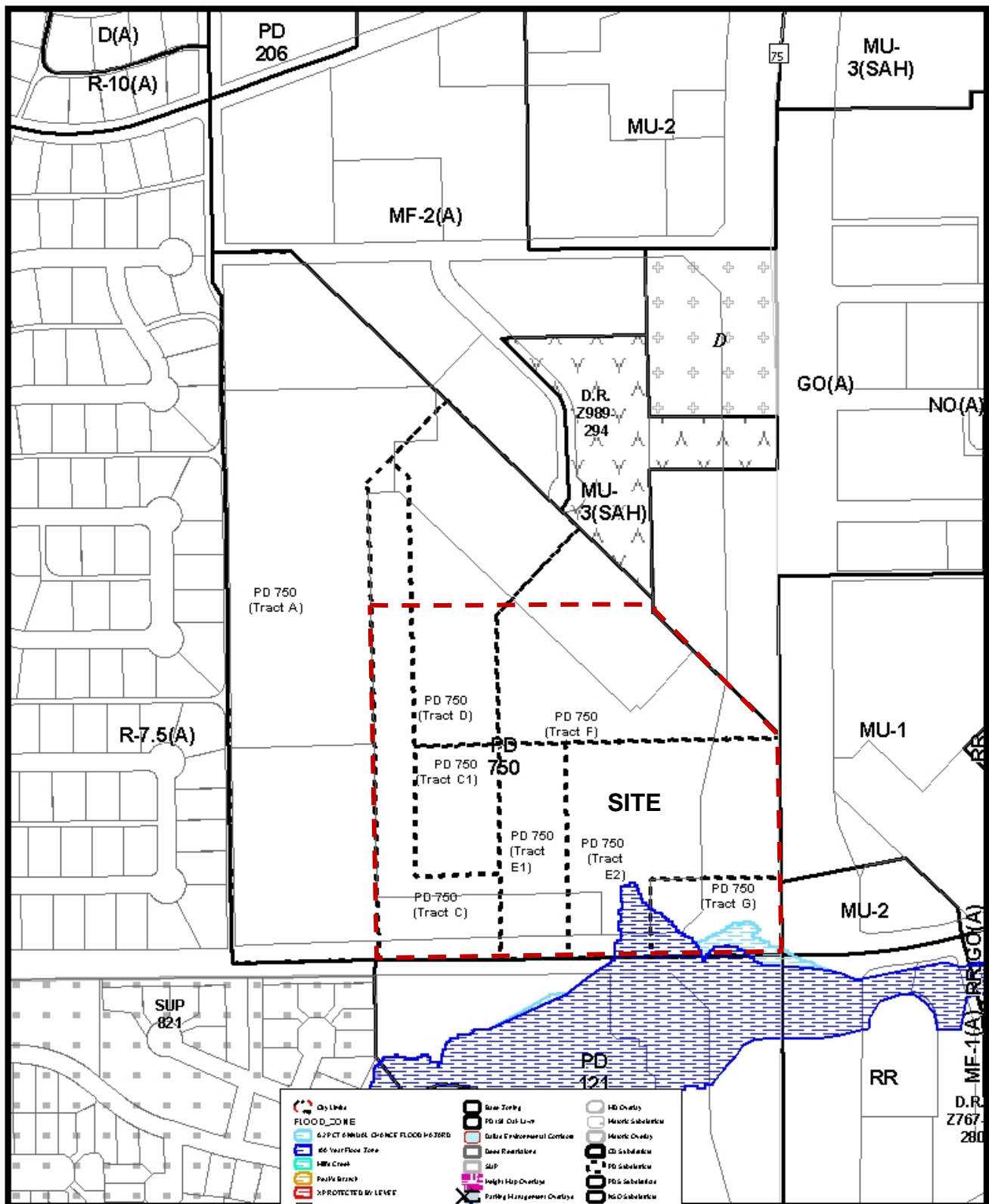
Leon J. Bakes, President

Kevin Cherry, Secretary

Brad Kruger, Vice President

Joan Hammer, Vice President

Jay Hawes, Vice President



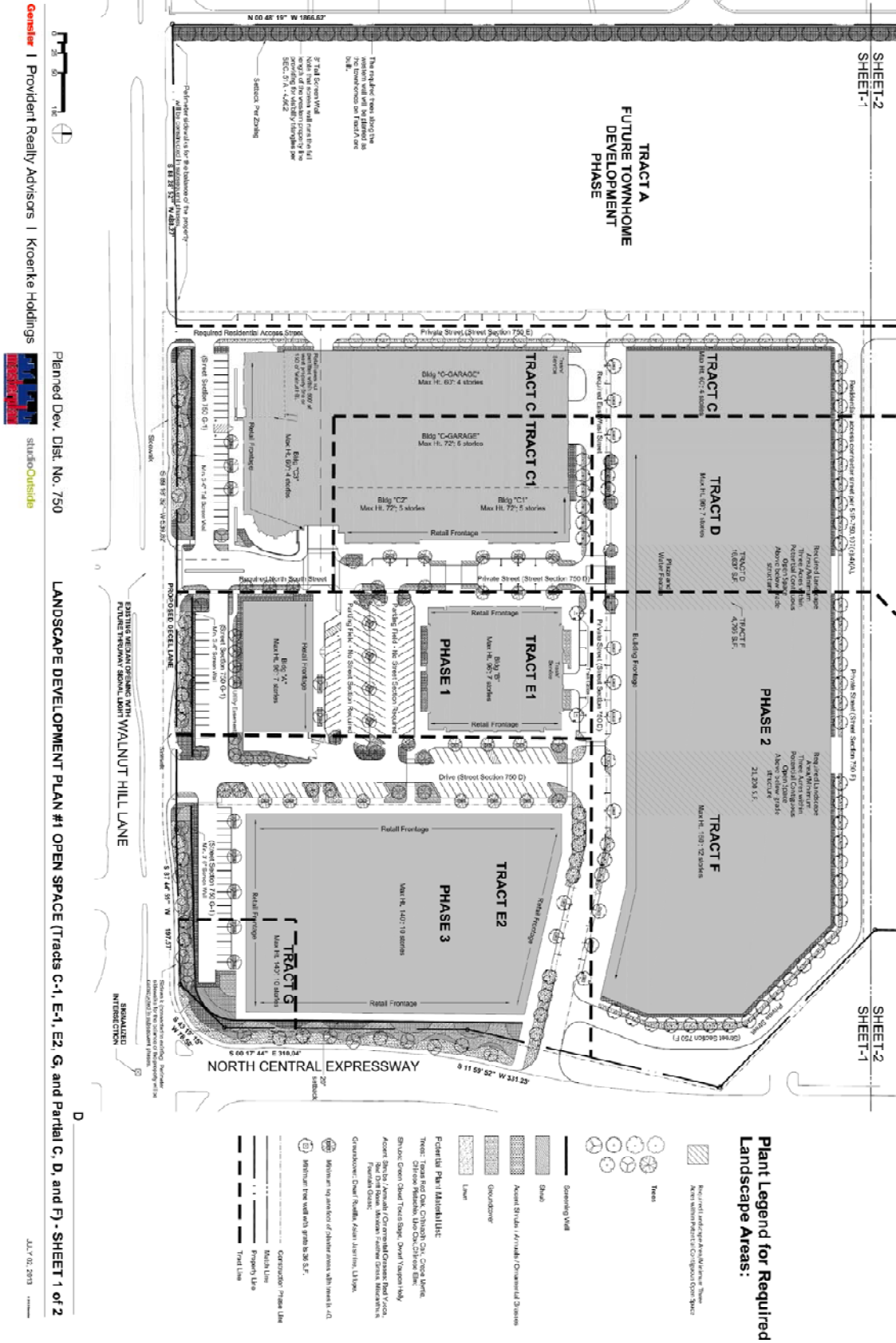
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D123-001

4

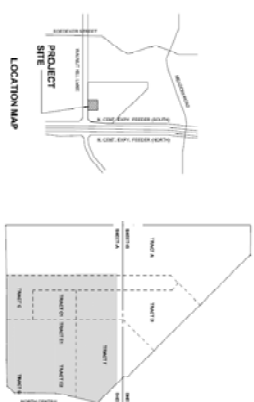


PROPOSED LANDSCAPE PLAN

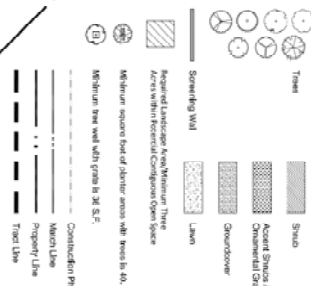


LANDSCAPE DEVELOPMENT PLAN - CHART FOR PHASE 1

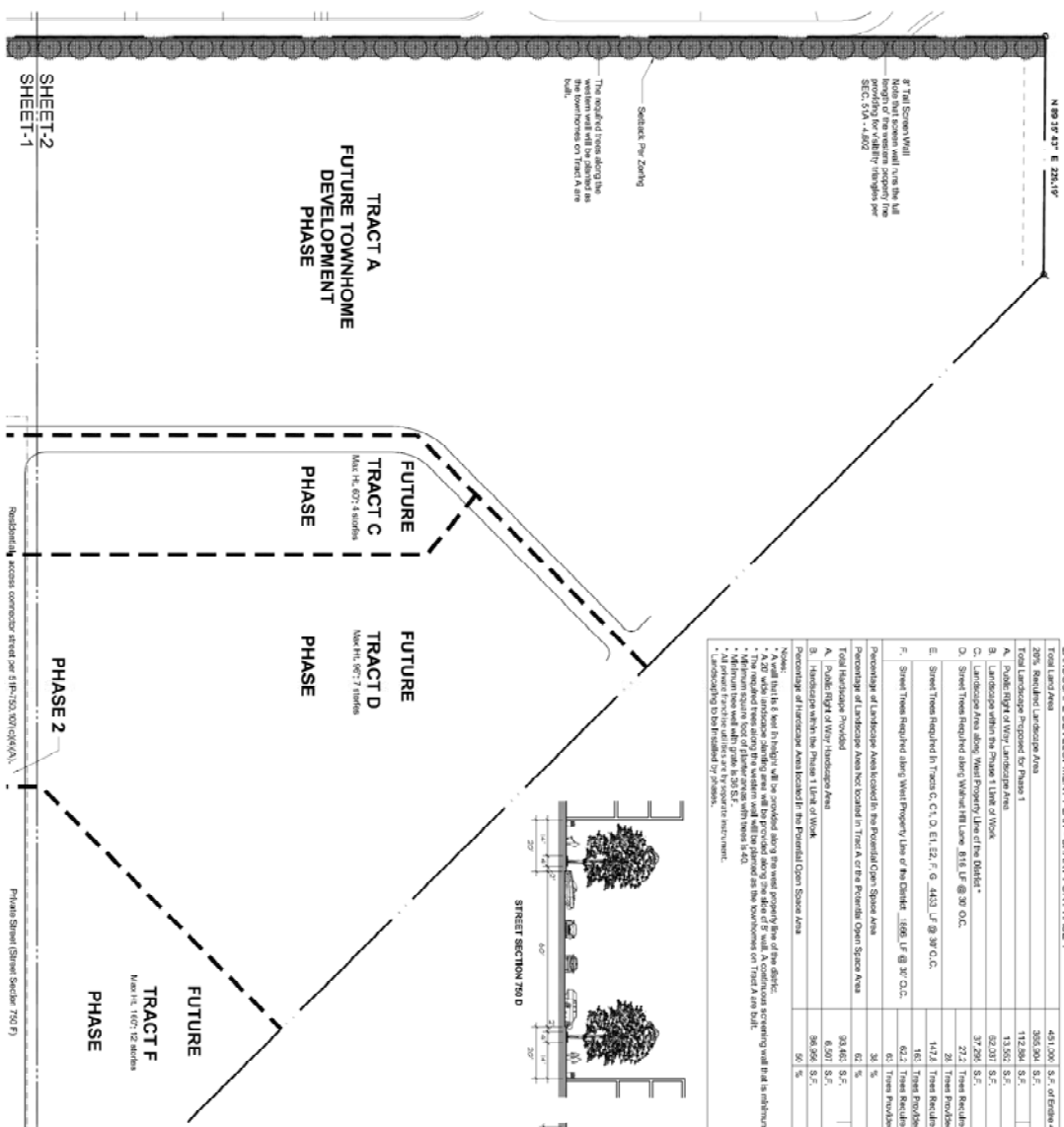
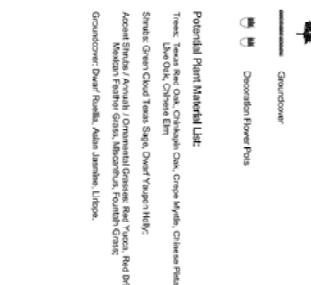
| | | | |
|---|---------|-----------------------------|------------------------------------|
| Total Land Area | 451,300 | S.F. | of Total 42 Acres |
| 20% Required Landscape Area | 90,260 | S.F. | |
| 1. Total Required Landscape Area for Phase 1 | 13,520 | S.F. | 6.1% of Total Area in the District |
| A. Public Right of Way (Landscape Area) | 13,520 | S.F. | |
| B. Landscape Area along West Property Line of the District* | 82,307 | S.F. | |
| C. Landscape Area along West Property Line of the District* | 37,292 | S.F. | |
| D. Street Trees Required along Westside Lane 2116 LF @ 30' O.C. | 27.2 | Tree Required - 4" Cal. 80% | |
| E. Street Trees Required in Tracts C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z | 147.2 | Tree Required - 4" Cal. 80% | |
| F. Street Trees Required along West Property Line of the District - 1698 LF @ 30' O.C. | 169.8 | Tree Required - 4" Cal. 80% | |
| Percentage of Landscape Area Located in the Potential Open Space Area | 90,260 | S.F. | 5.1% of Total Area in the District |
| A. Public Right of Way (Landscape Area) | 90,260 | S.F. | |
| B. Landscape Area along West Property Line of the District* | 82,307 | S.F. | |
| C. Landscape Area along West Property Line of the District* | 37,292 | S.F. | |
| D. Street Trees Required along Westside Lane 2116 LF @ 30' O.C. | 27.2 | Tree Required - 4" Cal. 80% | |
| E. Street Trees Required in Tracts C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z | 147.2 | Tree Required - 4" Cal. 80% | |
| F. Street Trees Required along West Property Line of the District - 1698 LF @ 30' O.C. | 169.8 | Tree Required - 4" Cal. 80% | |
| Percentage of Landscape Area Located in the Potential Open Space Area | 90,260 | S.F. | 5.1% of Total Area in the District |
| A. Public Right of Way (Landscape Area) | 90,260 | S.F. | |
| B. Landscape Area along West Property Line of the District* | 82,307 | S.F. | |
| C. Landscape Area along West Property Line of the District* | 37,292 | S.F. | |
| D. Street Trees Required along Westside Lane 2116 LF @ 30' O.C. | 27.2 | Tree Required - 4" Cal. 80% | |
| E. Street Trees Required in Tracts C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z | 147.2 | Tree Required - 4" Cal. 80% | |
| F. Street Trees Required along West Property Line of the District - 1698 LF @ 30' O.C. | 169.8 | Tree Required - 4" Cal. 80% | |



Plant Legend for Required Landscape Areas:

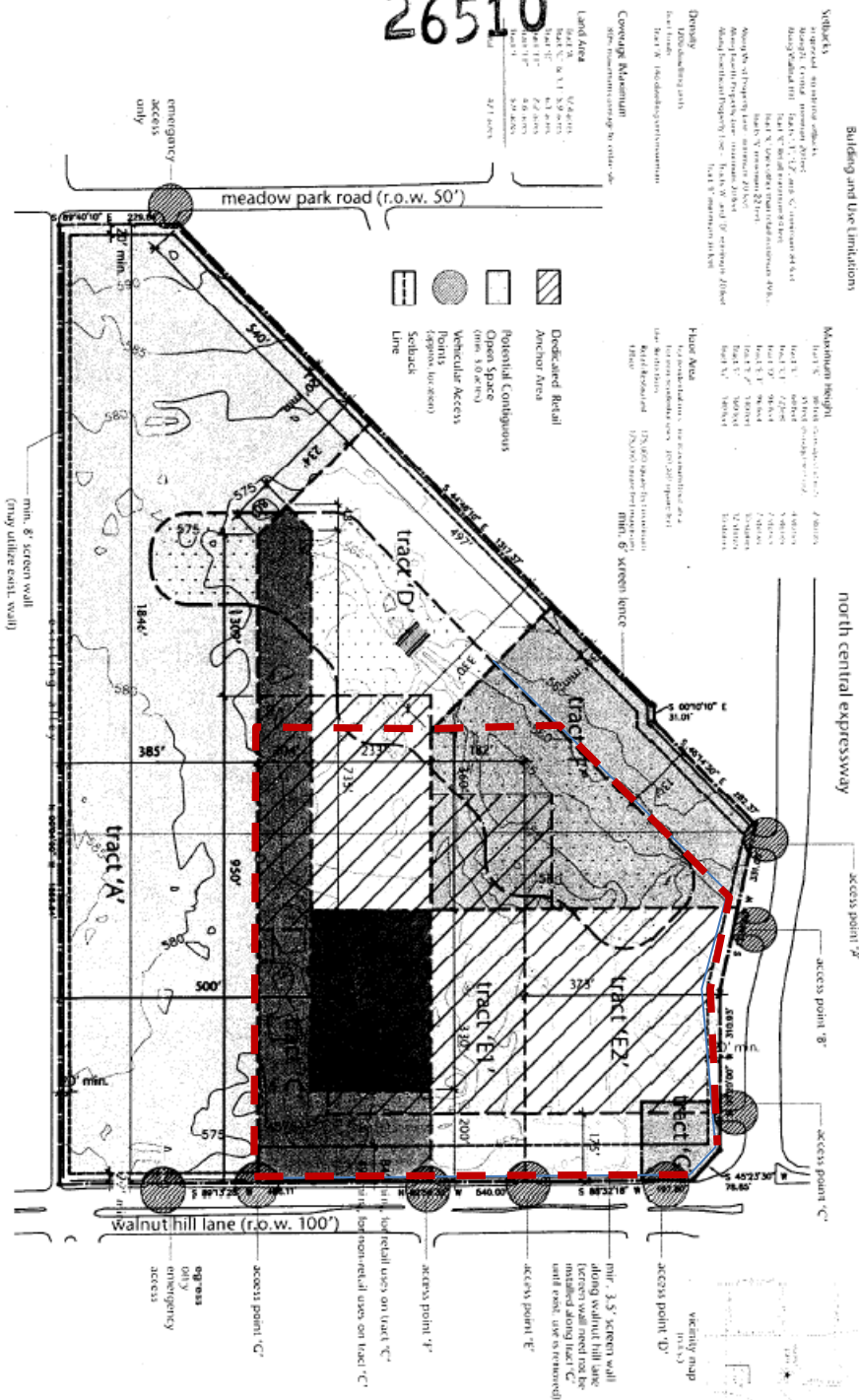


Section Legend:



063115

26510



Provident Realty Advisors, Inc.

conceptual plan - exhibit B
Z045-254 (RB)

dallas, texas

november • 2005

FILE NUMBER: M123-029 **DATE FILED:** December 6, 2012**LOCATION:** North Line of Forest Lane, West of Forest Lakes Lane**COUNCIL DISTRICT:** 11 **MAPSCO:** 15 Y**SIZE OF REQUEST:** Approx. 15,653 Sq. Ft. **CENSUS TRACT:** 132

APPLICANT: Isaac Molina, Representative**OWNER:** Chrissy Rudman**MISCELLANEOUS DOCKET ITEM****Minor Amendment for Development Plan**

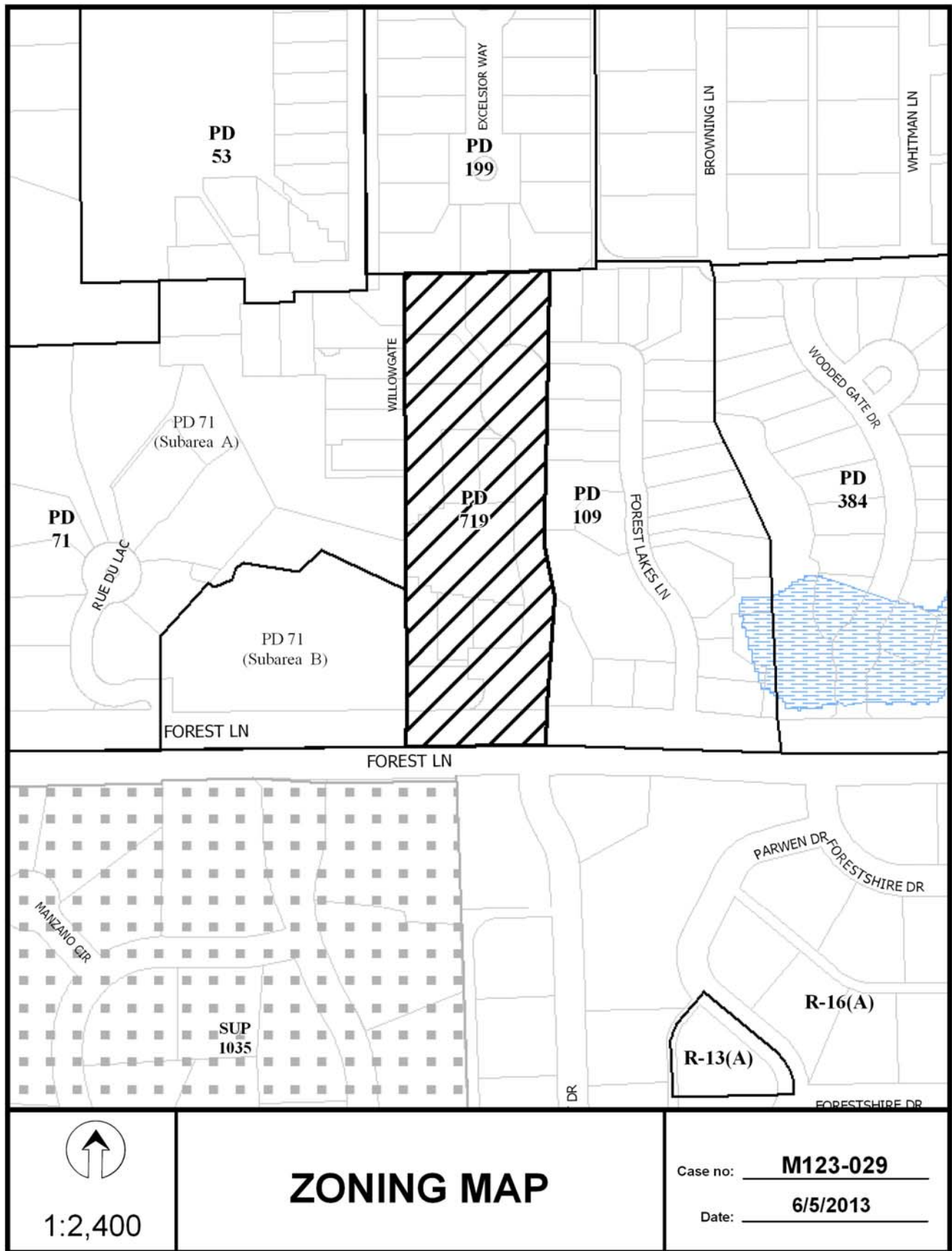
On February 23, 2005, the City Council passed Ordinance No. 25897 which established Planned Development District No. 719 on property at the above location.

At this time, the applicant is requesting an amendment to the development plan to provide for a consolidation (by replat) of two residential lots within the middle of the PDD perimeter boundary. A replat of the lots is scheduled for consideration by the City Plan Commission on this same date.

The request does not impact any other provisions regulating the property and complies with the criteria for consideration of a minor amendment to a development plan.

STAFF RECOMMENDATION: Approval.

PRIOR CPC ACTION: On June 20, 2013, the City Plan Commission held this request under advisement until July 11, 2013.



6300 FOREST LANE ADDITION
SKIBELL PROPERTIES, L.C.
CITY OF DALLAS, TEXAS
DEVELOPMENT PLAN

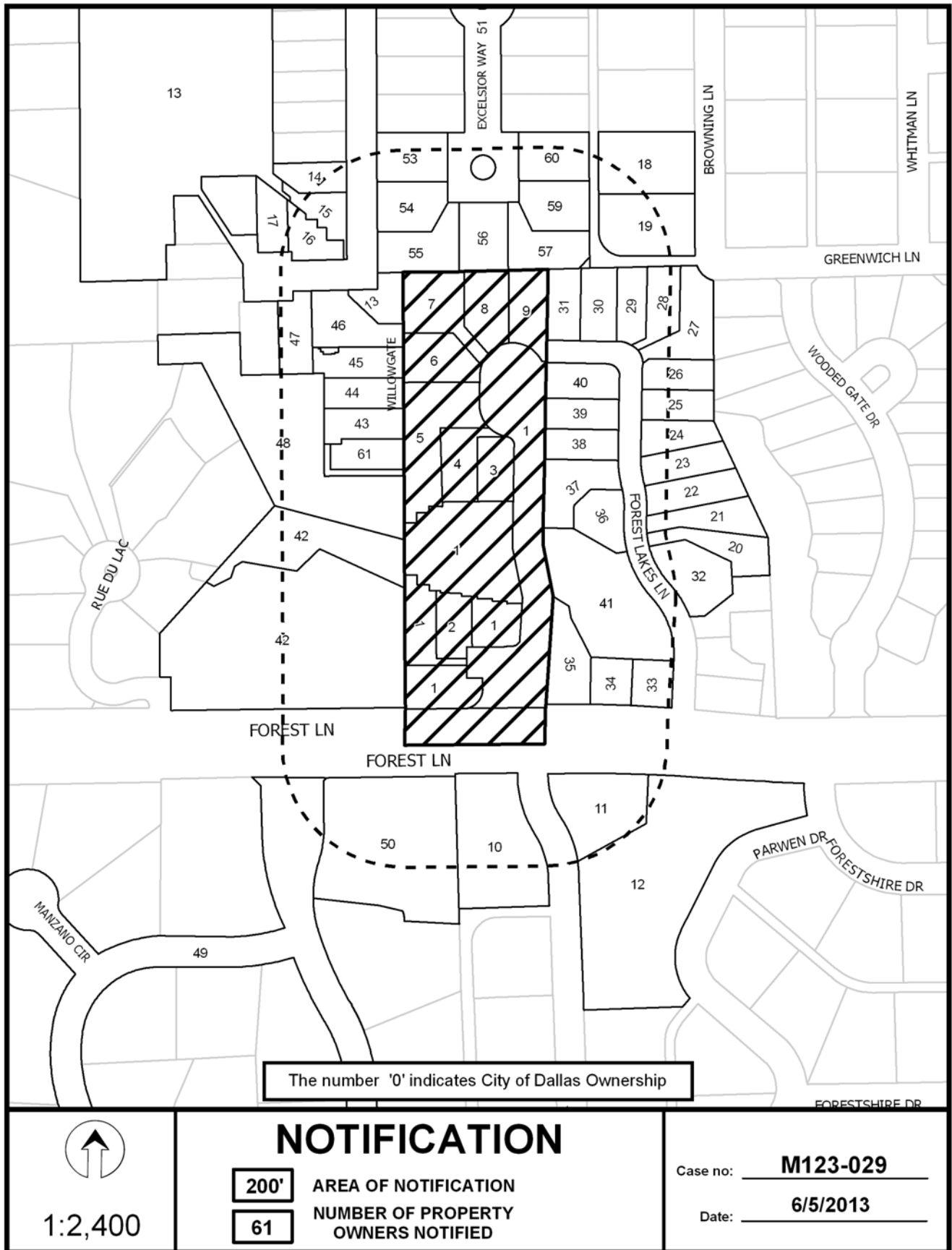
PLANNED DEVELOPMENT # 719
PROPOSED MINOR AMENDMENT
COMBINE LOTS 5 AND 6
Christina L. Rudman & Dr. Brian D. Rudman
#11 Winding Lake Drive (Lot 6)
C/O Lakeside Architects
214-862-7250

DEVELOPMENT PLAN
City Block 7460
Volume 5276, Page 108 (DRDCT)
City of Dallas, Texas
3.845 Acres, 167,474 Sq. Ft.
Drawn By: [Signature]
Checked By: [Signature]
Date: 06-20-13
Sheet: D-1
of 1
Project No.:

NOTES: This Development Plan represents a minor amendment.

EXISTING ZONING: PD 719
LAND AREA: 3.845 ACRES / 167,474 S.F.
PRO ZONING DATA:
MINIMUM LOT SIZE: 10,000 S.F.
MAXIMUM LOT COVERAGE: 60% (4 STORY)
MINIMUM FRONT YARD SETBACK: 10' (4 STORY)
MINIMUM SIDE YARD SETBACK: 5' (4 STORY)
MINIMUM REAR YARD SETBACK: 5' (4 STORY)
MINIMUM OFF STREET PARKING: 8 SPACES

LEGEND:
 1. PROPOSED MINOR AMENDMENT
 2. PROPOSED MINOR AMENDMENT
 3. PROPOSED MINOR AMENDMENT
 4. PROPOSED MINOR AMENDMENT
 5. PROPOSED MINOR AMENDMENT
 6. PROPOSED MINOR AMENDMENT
 7. PROPOSED MINOR AMENDMENT
 8. PROPOSED MINOR AMENDMENT
 9. PROPOSED MINOR AMENDMENT
 10. PROPOSED MINOR AMENDMENT
 11. PROPOSED MINOR AMENDMENT
 12. PROPOSED MINOR AMENDMENT
 13. PROPOSED MINOR AMENDMENT
 14. PROPOSED MINOR AMENDMENT
 15. PROPOSED MINOR AMENDMENT



Notification List of Property Owners

M123-029

61 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---|
| 1 | 4 WINDING LAKE DR | 6300 FOREST LANE LLC |
| 2 | 5 WINDING LAKE DR | SAADI PAUL D |
| 3 | 9 WINDING LAKE DR | CRESCENT ESTATES CUSTOM HOMES LP |
| 4 | 11 WINDING LAKE DR | MOAYEDI MEHRDAD |
| 5 | 15 WINDING LAKE DR | STEPHAN MICHEL & NAYLA |
| 6 | 17 WINDING LAKE DR | WILLIAMS REVOCABLE TRUST |
| 7 | 19 WINDING LAKE DR | RUSK KEITH & RUSK DANA |
| 8 | 21 WINDING LAKE DR | LEE DEBORAH |
| 9 | 12 WINDING LAKE DR | KURJI RAHIM N & NEELIMA |
| 10 | 11727 PINE FOREST DR | JABBOUR RAMSEY E & MARY E |
| 11 | 11726 PINE FOREST DR | COAN BEVERLY ANN & DARLENE A PITTS |
| 12 | 900001 PARWEN DR | FOREST PLACE HOMEOWNERS % SBB MANAGEMENT |
| 13 | 6232 WILLOW LN | WILLOWGATE HOMEOWNERS ASSOCIATION |
| 14 | 6262 WILLOWGATE LN | ROSENTHAL H S |
| 15 | 6266 WILLOWGATE LN | KITCHEN HEATHER M |
| 16 | 6270 WILLOWGATE LN | FIELDS ANNE |
| 17 | 6274 WILLOWGATE LN | MILLER NORMAN E & ANNE K |
| 18 | 12007 BROWNING LN | DRORY DANIEL M & EVE PROCTOR DRORY |
| 19 | 12001 BROWNING LN | WHITE SARAH B & THOMAS B RAU |
| 20 | 11820 FOREST LAKES LN | BROWN CAROLE ANN |
| 21 | 11824 FOREST LAKES LN | WHALEN FORREST J & CAROL S WHALEN |
| 22 | 11904 FOREST LAKES LN | REYNOLDS J MIKEL & CANDI C |
| 23 | 11908 FOREST LAKES LN | ASPGREN RONALD E ETAL |
| 24 | 11912 FOREST LAKES LN | SUNDEEN DONALD & MELANIE |
| 25 | 11916 FOREST LAKES LN | WACASER KARIN E |
| 26 | 11920 FOREST LAKES LN | TINSLEY CLAY MARSHALL |

6/5/2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-----------------------|---|
| 27 | 11924 FOREST LAKES LN | GRANT WILLIAM B & JANE P |
| 28 | 11928 FOREST LAKES LN | BREDLAU MICHAEL A & MARY PMB 149 |
| 29 | 11932 FOREST LAKES LN | SILVERMAN IRA W TR JOAN NEUSTADT LEVY TR |
| 30 | 11936 FOREST LAKES LN | SEAL CLAUDE E II |
| 31 | 11940 FOREST LAKES LN | KING JEFFREY J & CAROL A |
| 32 | 11800 FOREST LAKES LN | COMBINED AMERICA DEV % DALE CLINE |
| 33 | 11803 FOREST LAKES LN | HEARD WILLIAM F & MARY JANE |
| 34 | 6409 FOREST LN | ALLEN JANET G |
| 35 | 6405 FOREST LN | BROOKS STEPHANIE N |
| 36 | 11825 FOREST LAKES LN | HICKS CHARLES L |
| 37 | 11907 FOREST LAKES LN | DAVIS JON W |
| 38 | 11911 FOREST LAKES LN | WYLL STANLEY L |
| 39 | 11917 FOREST LAKES LN | ARMSTRONG DEANE R |
| 40 | 11921 FOREST LAKES LN | WESTERGAARD DEBORAH |
| 41 | 11801 FOREST LAKES LN | COMBINED AMERICA DEV % DALE CLINE |
| 42 | 6243 FOREST LN | ZUMWALT CONSTANCE MARIE |
| 43 | 6298 WILLOWGATE LN | SHELDON ROY G & LYNNE B |
| 44 | 6296 WILLOWGATE LN | JAFFE MARLENE & DENNIS CLOUSE |
| 45 | 6294 WILLOWGATE LN | COX FRANK H |
| 46 | 6292 WILLOWGATE LN | JACOBSON ERROL & ESME |
| 47 | 6290 WILLOWGATE LN | MYERS DAVE & |
| 48 | 6243 FOREST LN | WOLLOWGATE HOMEOWNERS ASSOCIATION |
| 49 | 6200 ROBLEDO DR | LOS ARBOLES HOMEOWNERS %SBB MGMT COMPANY |
| 50 | 1 ROBLEDO DR | WHIDDON JAMES N |
| 51 | 12000 EXCELSIOR WAY | EXCELSIOR WAY HOA INC |
| 52 | 12070 EXCELSIOR WAY | SHARIF MUNIR DAVIDSON DEV % SELECT MANAG |
| 53 | 12011 EXCELSIOR WAY | GORELICK STEVEN H & VERNELL L |
| 54 | 12007 EXCELSIOR WAY | MILLER EVALEE |
| 55 | 12003 EXCELSIOR WAY | BRYCE CHARLOTTE N |
| 56 | 12004 EXCELSIOR WAY | TAYLOR LARRY R & CAROL B |
| 57 | 12008 EXCELSIOR WAY | ROBERTS WILLIAM T & NANCY |

6/5/2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|---------------------|--|
| 58 | 12008 EXCELSIOR WAY | STONE STUART R & NANCY J |
| 59 | 12012 EXCELSIOR WAY | CRISP DON W & CAROL A |
| 60 | 12016 EXCELSIOR WAY | WIRTH TONI KAY |
| 61 | 6299 WILLOWGATE LN | VICTOR F GRANT & JULIANNE K FAMILY LIVIN |

FILE NUMBER: Z123-256(RB)

DATE FILED: April 15, 2013

LOCATION: Northeast Line of South Central Expressway, North of Loop 12

COUNCIL DISTRICT: 7

MAPSCO: 56 Z

SIZE OF REQUEST: Approx. 3.89 Acres

CENSUS TRACT: 86.03

APPLICANT/OWNER: Falcon Transit, LLC-Benji Smith, Sole Officer

REPRESENTATIVE: Santos Martinez

REQUEST: An application for the renewal of Specific Use Permit No. 1854 for a Metal salvage facility on property zoned an IM Industrial Manufacturing District.

SUMMARY: The applicant is requesting the renewal of SUP No. 1854 for continued operation of the existing use.

STAFF RECOMMENDATION: Approval of the renewal of Specific Use Permit No. 1854 for a four-year period, with eligibility for automatic renewal for additional four-year periods, subject to a revised site plan and revised conditions.

BACKGROUND INFORMATION:

- The request site consists of improvements associated with the operation of a metal salvage facility.
- The applicant proposes to continue operation of the existing use with the site plan being revised to provide for additional plantings along the property frontage as well as better defining the no-stacking area within the northeast corner of the site.
- On June 8, 2011, the City Council approved an IM District along with SUP No. 1854 for a two-year period with eligibility for automatic renewal for additional four-year periods.
- The applicant did not submit an application for automatic renewal in a timely manner, thus the requested 'renewal'.

Zoning History: There has been no recent zoning activity in the immediate area relevant to the request.

Thoroughfare

South Central Expressway

Designation: Existing & Proposed ROW

Freeway; Variable ROW

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered an Industrial Area. Industrial Areas, which offer important employment opportunities, occupy large areas of land and usually are near major roads and heavy rail lines. Evolving technology and the need for freight movement through Dallas to the rest of the country and internationally means this sector can offer good opportunities for jobs. Logistics and warehousing, a growing industry with strong potential for upward mobility of skilled workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial Areas rely on quality road access and may be linked to rail for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

LAND USE ELEMENT

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility: The request site consists of improvements associated with a metal salvage facility, permitted under SUP No. 1854. As the applicant did not timely file for the automatic renewal provision, this request is being considered as a 'renewal' of the SUP. Additionally, the site plan is being revised to reflect additional plantings along the property frontage as well as better depicting the no-stacking area within the northeast corner of the site.

The predominate land use in the immediate area consists of industrial/commercial uses in all directions with single family uses to the northeast, across the variable width railroad right-of-way.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant has operated in a responsible manner during the past two years. The site is screened from adjacent properties, with the surrounding land use unchanged from two years ago. Additionally, the applicant is further proposing defined hours of operation (see amending conditions). As a result of staff's analysis, support for the renewal of SUP No. 1854 is given, subject to the attached amending site plan and conditions.

Traffic: The Engineering Section of the Department Sustainable Development and Construction has reviewed the requested renewal and determined that it will not negatively impact the surrounding street system.

Landscaping: The site possesses minimal landscaping with trees located along its perimeter and adjacent to the three facades of the existing structure. The attached

Z123-256(RB)

revised site plan provides for additional planting materials along the site's frontage on South Central Expressway.

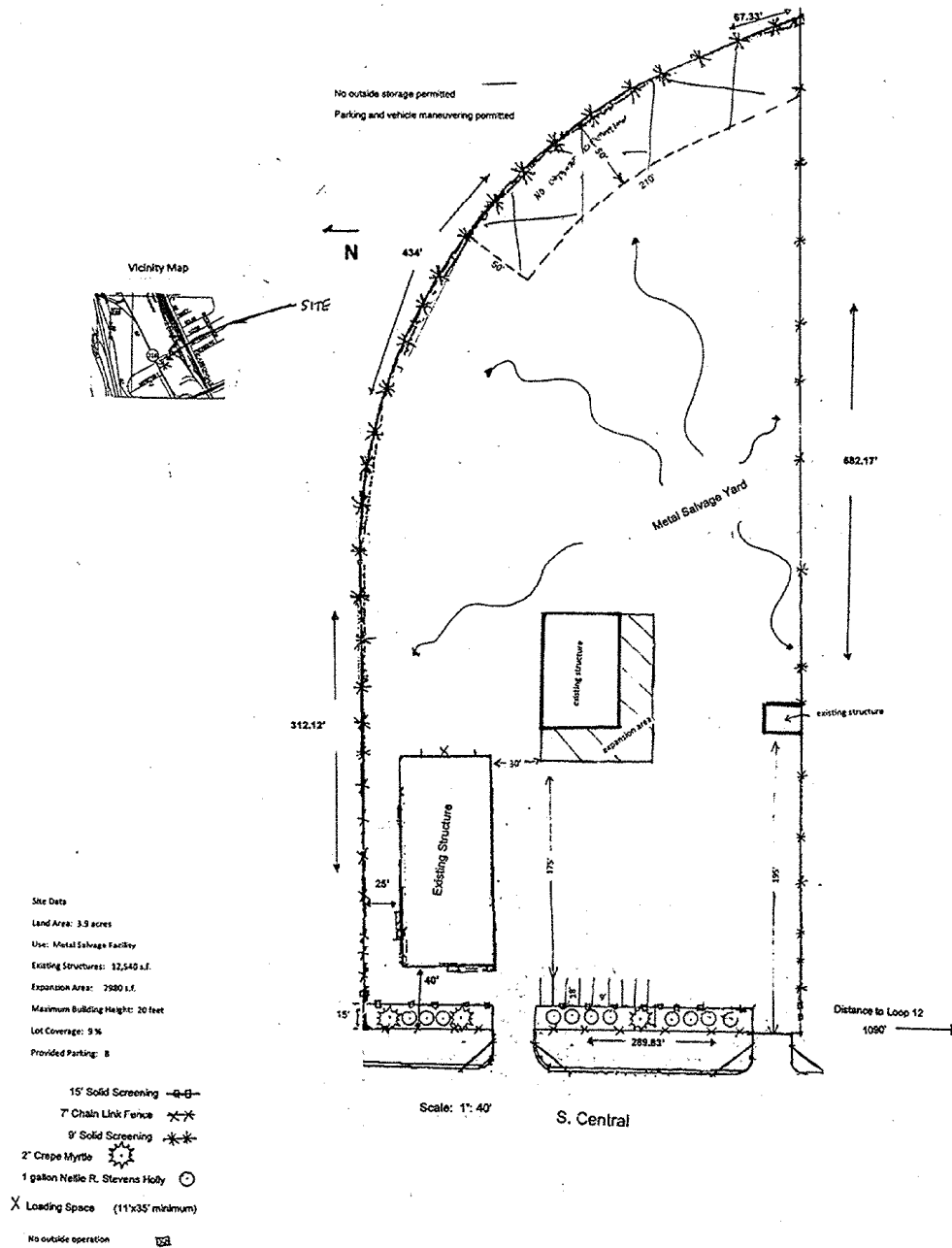
STAFF'S RECOMMENDED AMENDING CONDITIONS FOR SUP NO. 1854

1. USE: The only use authorized by this specific use permit is a metal salvage 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 four years ~~June 8, 2013~~, but is eligible for automatic renewal for additional four-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. LANDSCAPING:
 - A. Landscaping must be provided as shown on the attached site plan by September 8, 2011.
 - B. Landscaping for the expansion area shown on the attached site plan must be provided in accordance with Article X of the Dallas Development Code, as amended, prior to the issuance of a certificate of occupancy for any use in the expansion area.
 - C. Plant materials must be maintained in a healthy, growing condition.
5. INGRESS/EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.
6. LICENSE: The operator must obtain a secondary metal recyclers license in accordance with Chapter 40B of the Dallas City Code.
7. OUTSIDE OPERATIONS: Outside operations for a metal salvage facility~exclusive of surface parking, are prohibited in the area shown on the attached site plan. Any activities associated with a metal salvage facility in this area, exclusive of surface parking, must be fully contained within a structure.
8. PARKING: Parking must be located as shown on the attached site plan.

9. HOURS OF OPERATION: The vehicle display, sales, and service use limited to motorcycle sales may only operate between 8:00 a.m. and 4:00 p.m., Monday through Thursday; between 8:00 a.m. and 5:00 p.m. on Friday; and between 8:00 a.m. and 12:00 p.m. on Saturday.

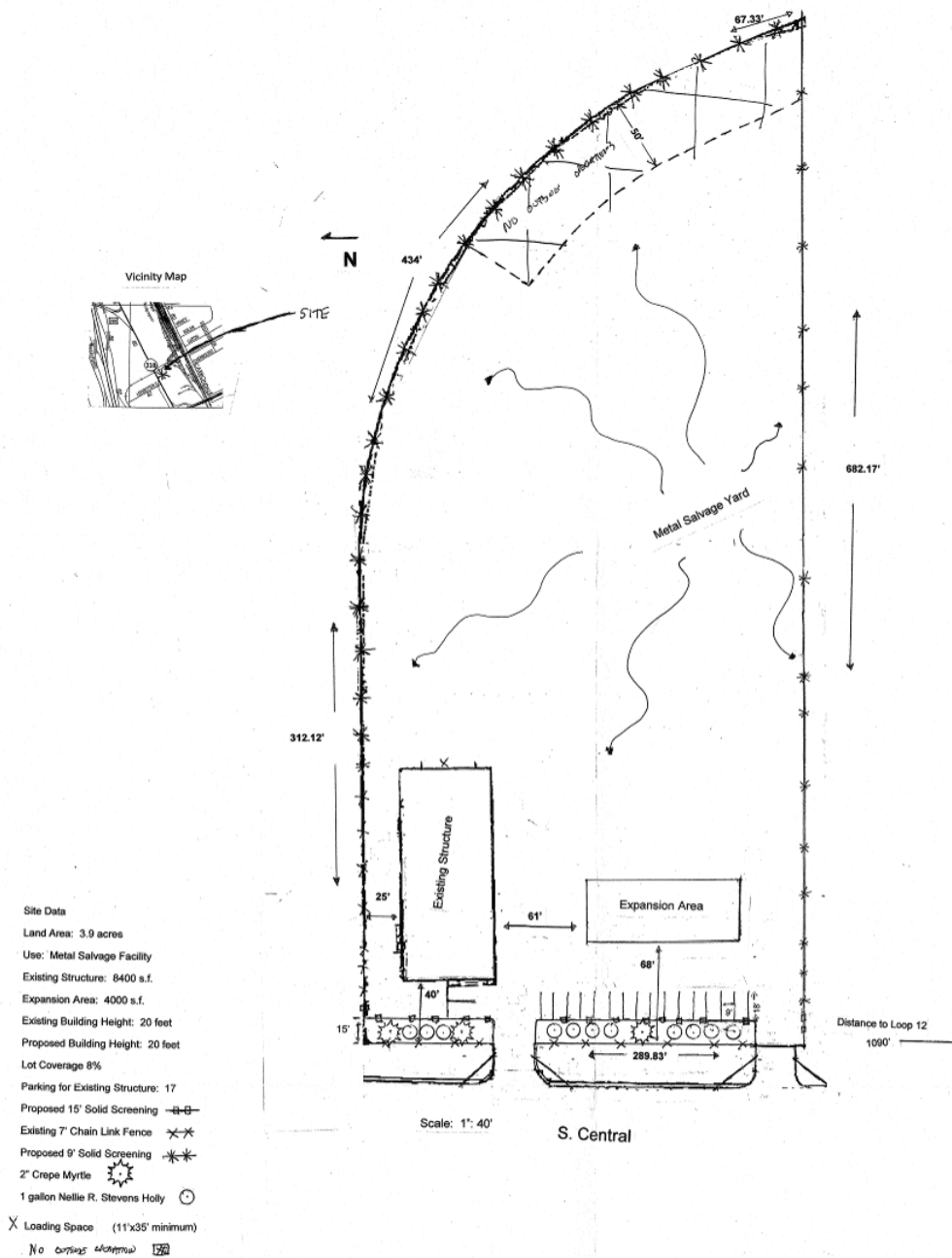
10 9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

110. 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.



SITE PLAN Z123-256

Proposed Site Plan



111562

28235

APPROVED BY
CITY COUNCIL

JUN - 8 2011

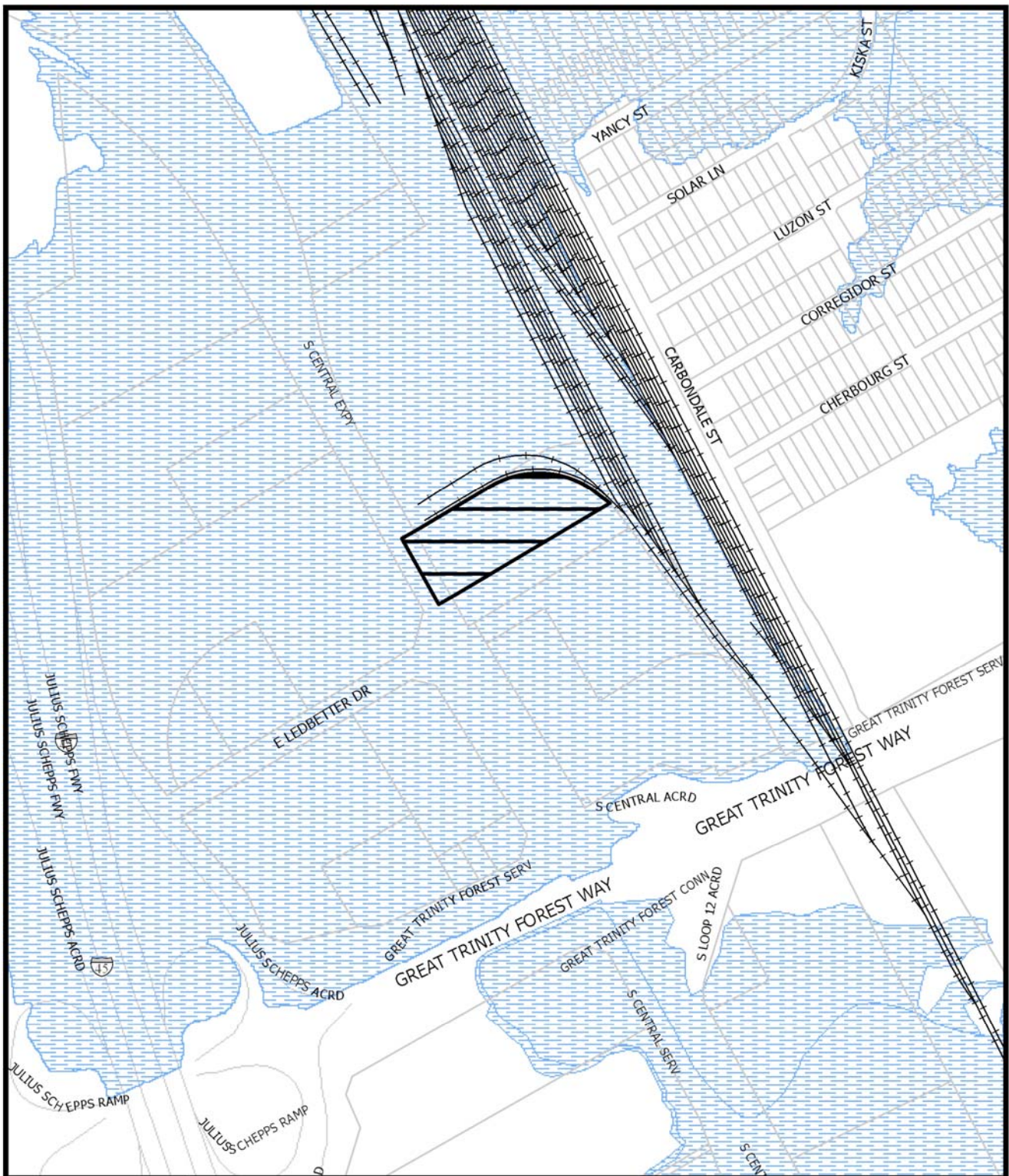
Richard M. Heston
City Secretary

Specific Use Permit
No. 1854

Approved
City Plan Commission
Sept. 7, 2011

SITE PLAN Z090-234

Existing Site Plan

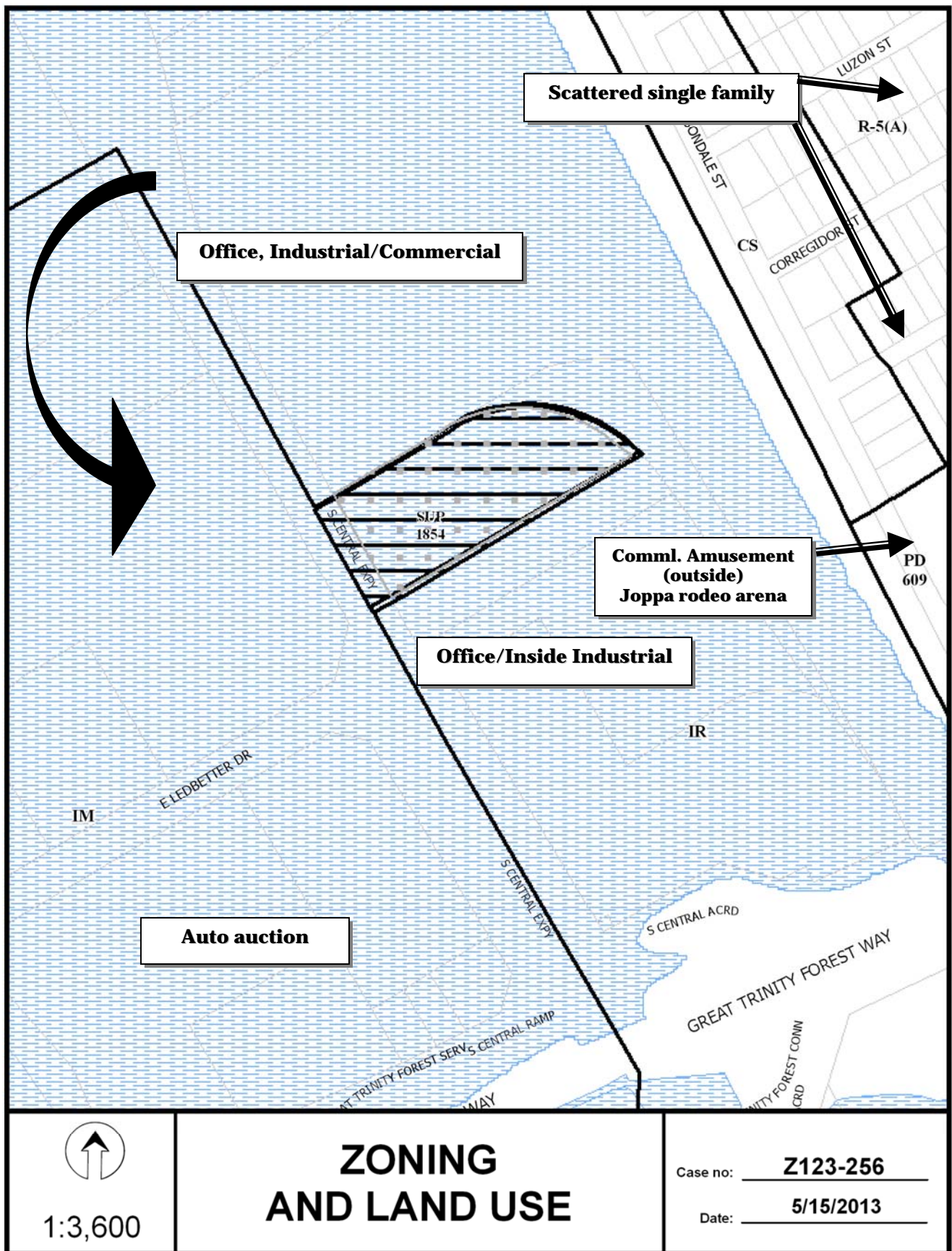



1:6,000

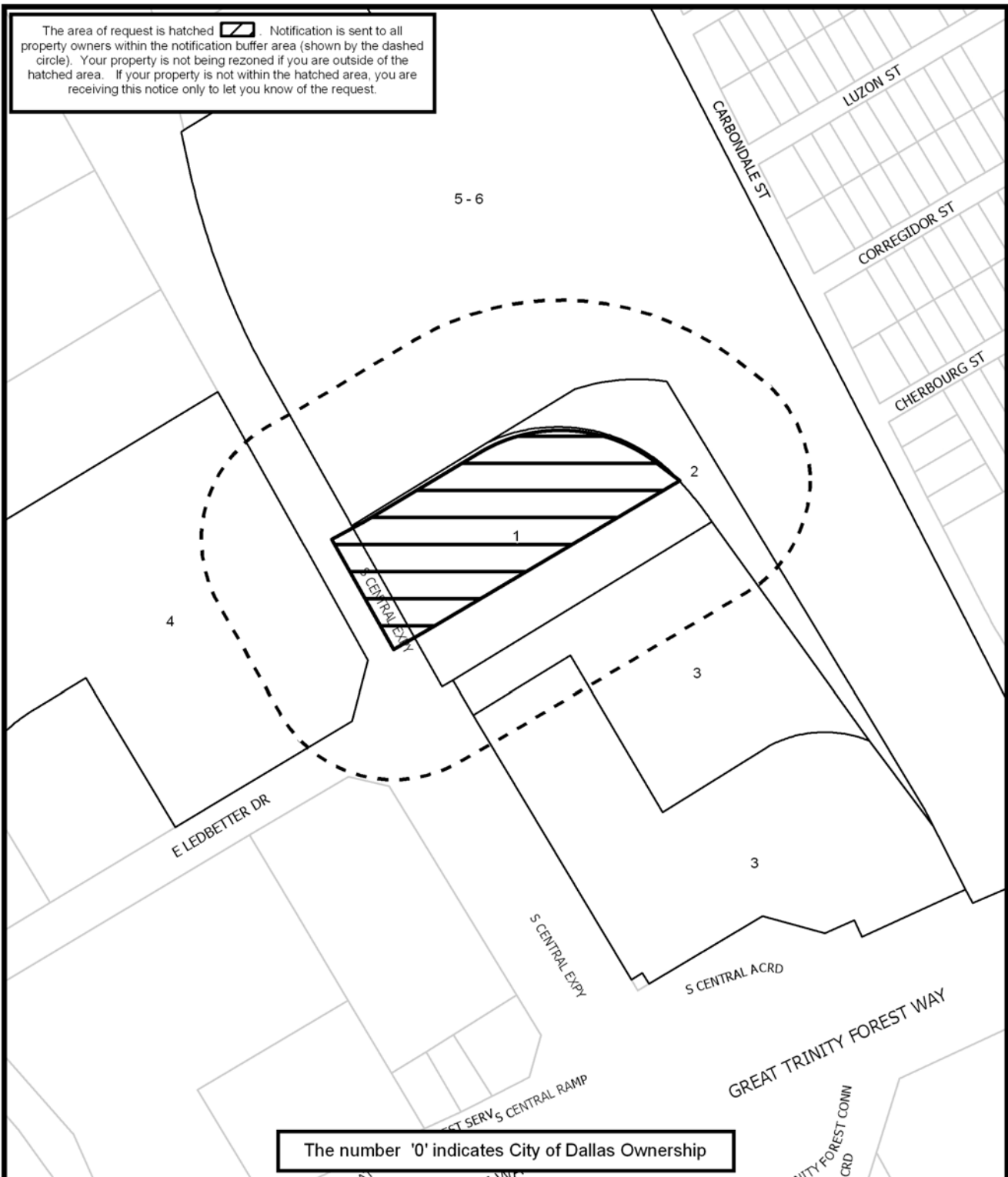
VICINITY MAP

Case no: **Z123-256**

Date: **5/15/2013**



The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.



1:3,600

NOTIFICATION

300'

AREA OF NOTIFICATION

6

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z123-256**

Date: **5/15/2013**

Z123-256(RB)

5/15/2013

Notification List of Property Owners

Z123-256

6 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---|
| 1 | 8242 CENTRAL EXPY | FALCON TRANSIT LLC |
| 2 | 8700 CENTRAL EXPY | TEXAS UTILITIES ELEC CO % STATE & LOCAL |
| 3 | 8300 CENTRAL EXPY | TURNERS MACHINERY INC |
| 4 | 8201 CENTRAL EXPY | AIR PRODUCTS & CHEMICALS INC |
| 5 | 9999 NO NAME ST | UNION PACIFIC RR CO % TAX DEPT |
| 6 | 4401 LINFIELD RD | ST LOUIS S W RAILWAY CO % UNION PACIFIC |

FILE NUMBER: Z123-272(RB)

DATE FILED: April 29, 2013

LOCATION: West Line of Ash Lane between 3rd Avenue and 4th Avenue and the North Line of Ash Lane, West of 3rd Avenue

COUNCIL DISTRICT: 7

MAPSCO: 46N, P

SIZE OF REQUEST: Approx. 4.87 Acres

CENSUS TRACT: 203

APPLICANT: Devin Hall

REPRESENTATIVE: Johnny Sudbury

OWNER: Third and Ash, LLC; Devin Hall-Managing Member, Floydell Hall and Durand Hall-Members

REQUEST: An application for an amendment to existing deed restrictions on property zoned an RS-I(E) Regional Service Industrial (Enhanced) Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

SUMMARY: The applicant is requesting an amendment to the existing deed restrictions to permit the custom woodworking, furniture construction, or repair use.

STAFF RECOMMENDATION: Approval, subject to revised deed restrictions.

BACKGROUND INFORMATION:

- The request site consists of three distinct parcels and the abandoned portions of an alley (between Ash Lane and IH 30) and section of a public street (Oak Lane between Third Avenue and Fourth Avenue). The eastern half of the site is developed with an inside manufacturing and warehouse floor area as well as office/administrative areas. The balance of the site is undeveloped (west of the existing improvements) with a surface parking area on the north line of 3rd Street.
- On December 8, 2003, the City Council adopted an RS-I(E) Subdistrict, subject to deed restrictions volunteered by the applicant.
- The applicant does not have any plans for improvements within the undeveloped portion of the site.

Zoning History: Other than noted above as well as a recent amendment to the entire PDD No. 595 area, there has been no significant zoning activity in the immediate area relevant to this request.

| <u>Street</u> | <u>Existing & Proposed ROW</u> |
|----------------------|---|
| Third Avenue | Local; 60' ROW |
| Fourth Avenue | Local; 60' ROW |
| Ash Lane | Local; 50' ROW |

Comprehensive Plan: The request site is located in an area considered an Industrial Area. These areas, which offer important employment opportunities, occupy large areas of land and usually are near major roads and heavy rail lines. Evolving technology and the need for freight movement through Dallas to the rest of the country and internationally means this sector can offer good opportunities for jobs. Logistics and warehousing, a growing industry with strong potential for upward mobility of skilled workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial Areas rely on quality road access and may be linked to rail for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Area Plans: The site lies within the boundary of two specific study areas:

The South Dallas/Fair Park Neighborhood Preservation and Economic Development Plan (specifically Areas 2 and 3), adopted by the City Council in February, 1987 recommends commercial uses for the general area.

The South Dallas/Fair Park Economic Development Corridor Plan, adopted by the City Council in September, 2001, identifies the area as appropriate for 'Regional Service Area' uses. The study was a precursor to the South Dallas/Fair Park Special Purpose District (PDD No. 595), which led to the existing zoning for this area as well as property within the entire PDD boundary.

PDD No. 595 adopted, as a foundation, the general land use guidelines identified in both studies.

STAFF ANALYSIS

Land Use Compatibility: The request site consists of three distinct parcels and the abandoned portions of an alley (between Ash Lane and IH 30) and section of a public street (Oak Lane between 3rd Avenue and 4th Avenue). The eastern half of the site is developed with an inside manufacturing and warehouse floor area as well as office/administrative areas. The balance of the site is undeveloped (west of the existing improvements) with a surface parking area on the north line of 3rd Street.

Surrounding land use is somewhat scattered, consisting of various commercial/inside industrial uses. Undeveloped parcels zoned for RS-MU Subdistrict Uses to the northeast, east, south, and southwest. A DART maintenance yard is developed on property to the north/northwest (RS-I Subdistrict).

The RS-I Subdistrict within PDD No. 595 is characterized to possess more intense commercial and industrial uses that require close proximity to access of regional transportation infrastructure (rail, freeway/interstate, thoroughfare). It should be noted that during the time when PDD No. 595 was being created, staff worked with property owners and stakeholders within the area to address existing uses and a mechanism in which to address conforming status in the more intense areas of the proposed PDD boundary. As a result, the (E) Enhanced designation was established [i.e., RS-I(E)] and adopted by the City Council.

The existing deed restrictions (see attached) provide for various prohibited uses. As the majority of commercial/industrial uses within the immediate area tend to confine operations within a structure, the request to amend these deed restrictions to permit the custom woodworking, furniture construction, or repair use for this site will be consistent in application (i.e., inside operations) with those parcels possessing development. As a result, staff supports the amendment to the existing deed restrictions.

Traffic: The Engineering Section of the Sustainable Development and Construction Department has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

Landscaping: The site possesses existing landscape materials, concentrated around the perimeter of the existing improvements. A few mature trees traverse the undeveloped portion of the site.

The request will not trigger, nor require, any additional landscaping. It should be noted that any future improvements will require compliance with the landscape regulations within PDD No. 595 and submitted to the building official at the time of permitting.

EXISTING DEED RESTRICTIONS

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

The following uses are prohibited on the Property:

- Building repair and maintenance shop.
- Bus or rail transit vehicle maintenance or storage facility
- ~~Custom woodworking, furniture construction, or repair.~~ **EXISTING PROHIBITED USE REQUESTED AS A PERMITTED USE (SUBJECT TO AMENDED DEED RESTRICTION INSTRUMENT PROVIDED BY THE APPLICANT)**

- Labor hall.
- Machine or welding shop.
- Machinery, heavy equipment, or truck sales and service'
- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.
- Vehicle or engine repair or maintenance.
- Industrial (inside) potentially incompatible.
- Industrial (outside) potentially incompatible.
- Halfway house.
- Alcoholic beverage establishments.
- Car wash.
- Liquor store.
- Pawn shop.
- Auto auction.

Z123-272(RB)

- Building mover's temporary storage yard.
- Contractor' s maintenance yard.
- Freight terminal.
- Manufactured building sales lot.
- Mini-warehouse.
- Outside storage (with visual screening).
- Recycling drop-off for special occasion collection.

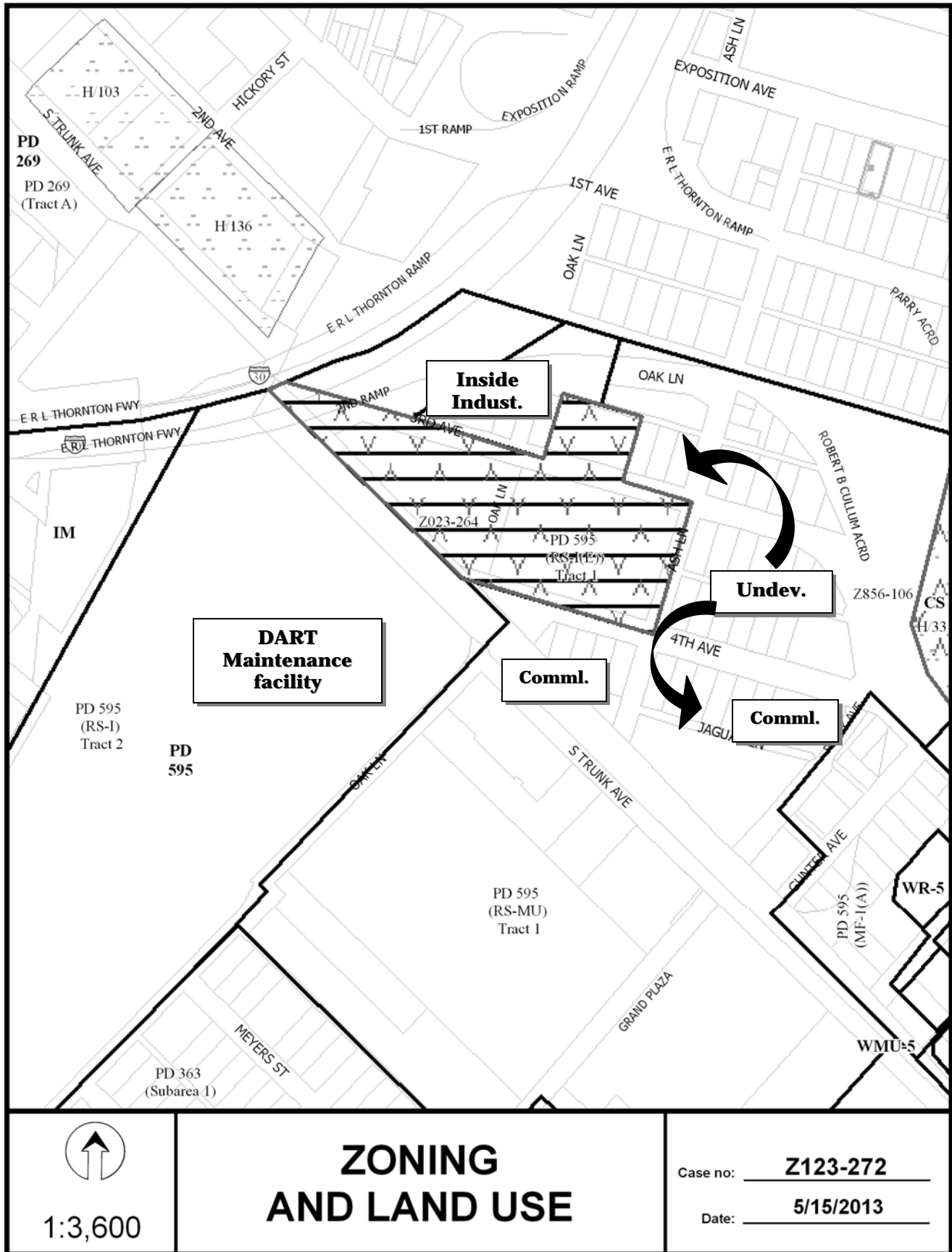



1:7,200

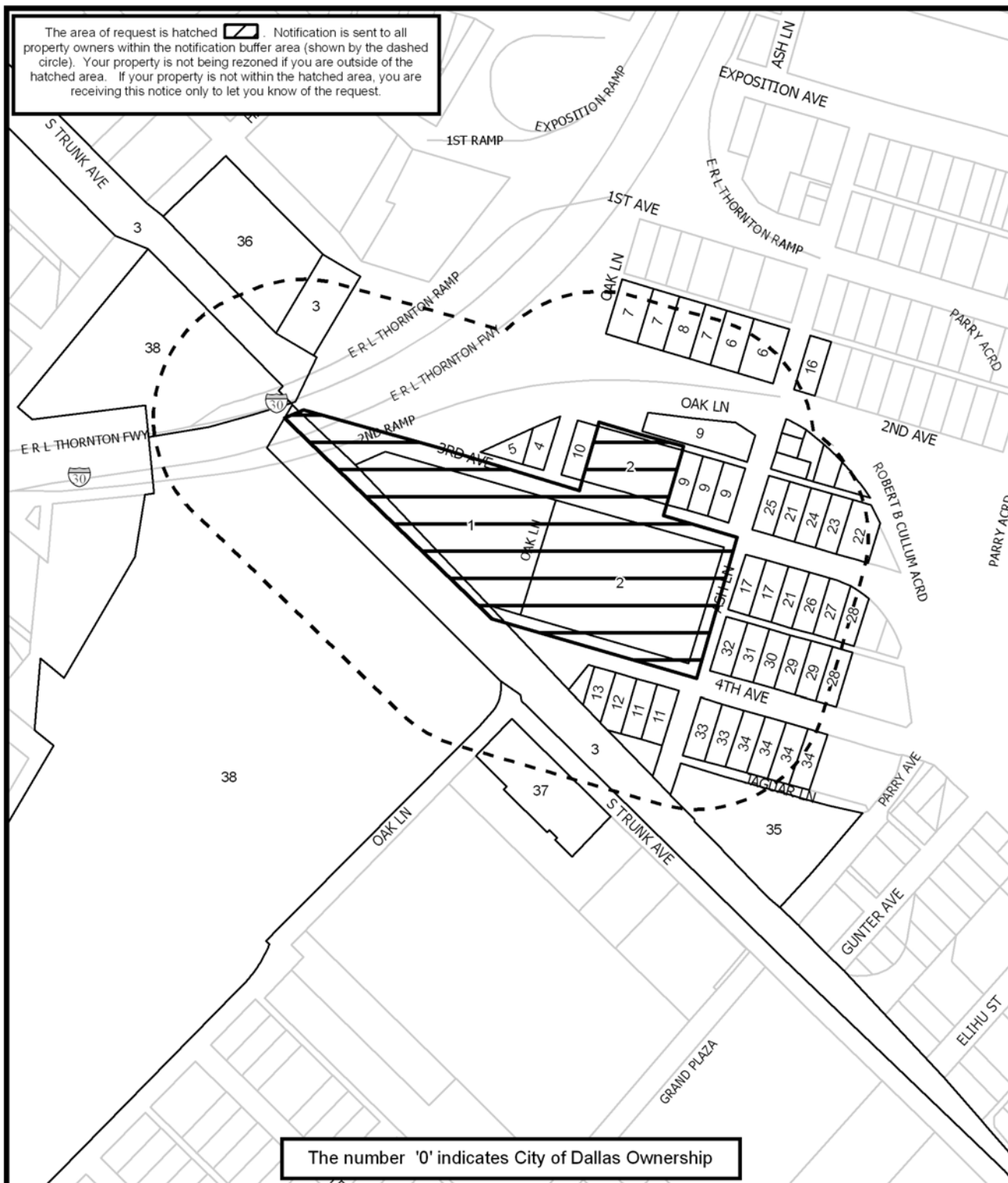
VICINITY MAP

Case no: **Z123-272**

Date: **5/15/2013**



The area of request is hatched  . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.



The number '0' indicates City of Dallas Ownership



1:3,600

NOTIFICATION

300'

AREA OF NOTIFICATION

38

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z123-272**

Date: **5/15/2013**

5/15/2013

Notification List of Property Owners***Z123-272******38 Property Owners Notified***

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-------------------------|--|
| 1 | 3301 OAK LN | AMERICAN PERMANENT WARE ATTN RALPH MORSE |
| 2 | 704 3RD AVE | AMERICAN PERMANENT WARE |
| 3 | 555 2ND AVE | DART |
| 4 | 3407 OAK LN | GRTP LTD SUITE 606 |
| 5 | 636 3RD AVE | MINNICK GREGORY J & DEBORAH L |
| 6 | 728 2ND AVE | PARK A LOT LP |
| 7 | 716 2ND AVE | CITY PARK A LOT LP |
| 8 | 712 2ND AVE | EXPO PARK PARTNERS LTD & HARVEY H MUELLE |
| 9 | 715 2ND AVE | PAYNE OUIDA M |
| 10 | 700 3RD AVE | GRUBBS DAVID K |
| 11 | 723 J B JACKSON JR BLVD | VILLANUEVA OMAR |
| 12 | 715 J B JACKSON JR BLVD | MURPHY RANDALL |
| 13 | 713 J B JACKSON JR BLVD | MURPHY RANDALL E |
| 14 | 701 J B JACKSON JR BLVD | MARMOLEJO JOSE D |
| 15 | 3203 ASH LN | VILLANUEVA ALFREDO & |
| 16 | 800 2ND AVE | TEXAS STATE OF EXEMPT 1976 |
| 17 | 3410 ASH LN | DARBY ELSON III ET AL |
| 18 | 3416 ASH LN | FAIR PARK J V SUITE 310 |
| 19 | 801 2ND AVE | SMITH THOMAS M & BRIAN E HUMPHRIES |
| 20 | 807 2ND AVE | DARBY EVERETT V & %ELSON DARBY III |
| 21 | 809 2ND AVE | DARBY MAYE E |
| 22 | 818 3RD AVE | JERNIGAN ARVEL L |
| 23 | 812 3RD AVE | CAMPBELL BERNARD D |
| 24 | 808 3RD AVE | DARBY ELSON JR EST OF % ELSON DARBY III |
| 25 | 802 3RD AVE | CHAMPION DAVID W |
| 26 | 813 3RD AVE | DARBY ELSON JR EST OF & CLINT C NORTON |

Z123-272(RB)

5/15/2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-------------------------|--|
| 27 | 817 3RD AVE | MYERS BODONA |
| 28 | 821 3RD AVE | RESOURCES ASSISTANT CORPORATION |
| 29 | 816 J B JACKSON JR BLVD | BELCLAIRE REALTY LTD |
| 30 | 808 J B JACKSON JR BLVD | MUHAMMAD NISSA |
| 31 | 804 J B JACKSON JR BLVD | WWM PARTNERSHIP TRUST |
| 32 | 800 J B JACKSON JR BLVD | C E EDENS FINANCIAL INVESTMENT CORPORATI |
| 33 | 801 J B JACKSON JR BLVD | CHAMPION DAVID |
| 34 | 809 J B JACKSON JR BLVD | WEISS ALLAN C |
| 35 | 801 JAGUAR LN | JOHNS CARS INC |
| 36 | 501 2ND AVE | KAELSON COMPANY PROPERTIES INC |
| 37 | 3104 OAK LN | PAMACO INC |
| 38 | 3101 OAK LN | DALLAS AREA RAPID TRANSIT REAL ESTATE DE |

CITY PLAN COMMISSION

THURSDAY, MAY 2, 2013

Planner: Carrie F. Gordon

FILE NUMBER: Z123-224(CG)

DATE FILED: March 5, 2013

LOCATION: South side of Main Street, West of North Ervay Street

COUNCIL DISTRICT: 14

MAPSCO: 45-L, Q

SIZE OF REQUEST: ±0.5297 acres

CENSUS TRACT: 31.01

REPRESENTATIVE: Masterplan, Santos Martinez

APPLICANT: Dunhill 1530 Main, LP

OWNER: Dunhill 1530 Main, LP

REQUEST: An application for an amendment to Specific Use Permit No. 1796 for an attached projecting non-premise district activity videoboard sign on property zoned Planned Development District No. 619.

SUMMARY: The applicant seeks to relocate an approved videoboard on a structure that lies within the Downtown Special Provision Sign District (Retail Core).

STAFF RECOMMENDATION: Approval for a six-year period, subject to a site plan and amended conditions.

SSDAC RECOMMENDATON: Approval for a six-year period, subject to a site plan and amended conditions.

BACKGROUND INFORMATION:

- On February 24, 2010, City Council approved SUP NO. 1796 for an attached projecting non-premise district activity videoboard sign for a six (6) year period (February 24, 2016).
- The request site lies within PD 619 and is currently developed with hotel, restaurant, retail, and office uses.
- The applicant seeks to relocate an approved videoboard 250 feet east of the original site. (The approved videoboard had never been installed.)
- The Special Sign Advisory Committee (SSDAC) considered this request on 4/9/2013, and recommended approval of the appropriateness of the videoboard.

Zoning History:

| # | SUP/CASE No. | APPROVED | EXPIRATION |
|--------|--------------------------|------------------------------|------------|
| 1 2 | SUP #1755 (SPSD 067-003) | 6/10/09 (two videoboards) | 6/10/2015 |
| 3 | SUP #1788 (Z089-263) | 12/9/2009 | 12/9/2015 |
| 4 | SUP #1791 (Z089-264) | 1/13/2010 | 1/13/2016 |
| 5 | SUP #1796 (Z090-111) | 2/24/2010 | 2/24/2016 |
| 6 | SUP #1955 (Z101-369) | 4/25/2012 | 4/25/2013 |
| 7 | SUP #1956 (Z101-370) | 4/25/2012 | 4/25/2013 |
| 8 | SUP #1957 (Z101-372) | 4/25/2012 | 4/25/2018 |
| 9 | SUP #1958 (Z101-375) | 4/25/2012 | 4/25/2018 |
| 10 | SUP #1959 (Z101-382) | 4/25/2012 | 4/25/2018 |
| 11 | SUP #2008 (Z123-110) | 1/23/2012 | 1/23/2019 |
| 12 | SUP #2009 (Z123-111) | 1/23/2012 | 1/23/2019 |
| 13 | SUP #2007 (Z123-112) | 1/23/2012 | 1/23/2019 |
| 14 | SUP #2006 (Z123-122) | 1/23/2012 | 1/23/2019 |
| 15 | SUP #2005 (Z123-123) | 1/23/2012 | 1/23/2019 |

Comprehensive Plan:

The subject site is identified as being within the Downtown Area on the ***forwardDallas!*** **Vision Illustration**, adopted June 2006. The Downtown is a centrally located hub that provides high intensity, concentrated regional job and commercial activity supported by high-density housing.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.3 Build a dynamic and expanded Downtown.

GOAL 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN

Policy 2.3.3 Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas.

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.4 Enhance visual enjoyment of public space.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.2 Promote the character of the city's significant districts, linkages and areas.

Land Use Compatibility:

The applicant seeks to relocate the previously approve sign 250 to the east. It would be located off the second floor of a new office suite. There are no lodging rooms on this portion of the property. The 144 square foot videoboard will be installed 17 feet 9 inches above the sidewalk, and be visible from Main Street. Land use in the surrounding area consists of hotel, restaurant, retail and office uses.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Section 51A-7.909(g) - Non-premise district activity videoboard signs are only permitted on buildings with retail and personal service uses, lodging uses, or office uses occupying at least 75 percent of the leasable ground floor area and an overall building occupancy of at least 50 percent. Non-premise district activity videoboard signs are not allowed on a lot containing a commercial surface parking lot use.

The applicant's request, subject to a site plan and amended conditions, complies with the general provisions for consideration of an SUP. Staff is recommending a new six (6) year time period.

Development Standards:

A maximum of 15 non-premise district activity videoboard signs are permitted and may only be erected on buildings with frontage on streets within the Retail Subdistrict bounded by Jackson Street, Lamar Street, Pacific Street, and Cesar Chavez Boulevard.

Non-premise district activity videoboard signs may not be placed on Pacific Avenue between Akard Street and Ervay Street. Non-premise district activity videoboard signs may not be placed on building facades facing Main Street Garden or Belo Garden.

A maximum of one non-premise district activity videoboard sign is permitted per block face. Non-premise district activity videoboard signs must have a minimum of 100 square feet in effective area and may have maximum of 150 square feet in effective area.

Non-premise district activity videoboard signs are only permitted by SUP.

Projecting non-premise activity videoboard signs:

- must have a vertical orientation with height exceeding the width at a minimum of 16:9 width-to-height ratio;
- may project a maximum of 12 feet into the right-of-way;
- must have a minimum clearance of 15 feet above the sidewalk and a maximum clearance of 35 feet above the sidewalk; and
- must have video displays on both sides of the sign

All videoboard signs:

- must contain a default mechanism that freezes the image in one position in case of malfunction
- must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:
 - the ambient light level measure in luxes, divided by 256 and then rounded down to the nearest whole number, equals the dimming level; then
 - the dimming level, multiplied by .0039 equal the brightness level; then
 - the brightness level, multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed brightness, measured in nits;
- must be turned off between 1:00 a.m. and 7:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday; and
- may not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance

Non-premise district activity videoboard signs:

- must have a full color display able to display a minimum of 281 trillion color shades; and
- must be able to display a high quality image with a minimum resolution equivalent to 19mm maximum pixel size

Changes of message must comply with the following:

- Each message must be displayed for a minimum of eight seconds
- Changes of message must be accomplished within two seconds
- Changes of message must occur simultaneously on the entire sign face
- No flashing, dimming, or brightening of message is permitted except to accommodate changes of message

Traffic:

The applicant submitted a traffic study conducted by an independent firm. The traffic analysis concluded that the proposed non-premise district activity videoboard sign will not significantly interfere with the effectiveness of the traffic control device within 300 feet of the sign.

Special Sign District Advisory Committee (SSDAC):

April 9, 2013

Motion: It was moved to **approve** an amendment to Specific Use Permit No. 1796 to relocate an attached projecting non-premise district activity videoboard on property zoned Planned Development District No. 619 on Main Street and Ervay Street, Main Street façade, subject to site plan and amended conditions.

Maker: Tarpley
Second: Van Dermark
Result: Carried: 4 to 0

For: 4 – Bauer, Gomez, Tarpley, Van Dermark

Against: 0
Absent: 0
Conflict: 0

1600 Main Street Holdings LP
List of Officers

| | |
|----------------------|---------------------|
| Timothy Headington | President |
| Michael E. Tregoning | Vice President, CFO |
| R. Keith Bunch | Treasurer |

EXISTING CONDITIONS FOR SUP 1796

1. **USE**: The only use authorized by this specific use permit is an attached projecting non-premise district activity videoboard sign.
2. **SITE PLAN**: Use and development of the Property must comply with the attached site plan and elevation.
3. **TIME LIMIT**: This specific use permit automatically terminates on February 24, 2016.

Staff & SSDAC Recommendation:

TIME LIMIT: This specific use permit automatically terminates on (six years from the passage of this ordinance).

4. **CLEARANCE**: The attached projecting non-premise district activity videoboard sign must have a minimum clearance of 27 feet above the sidewalk.

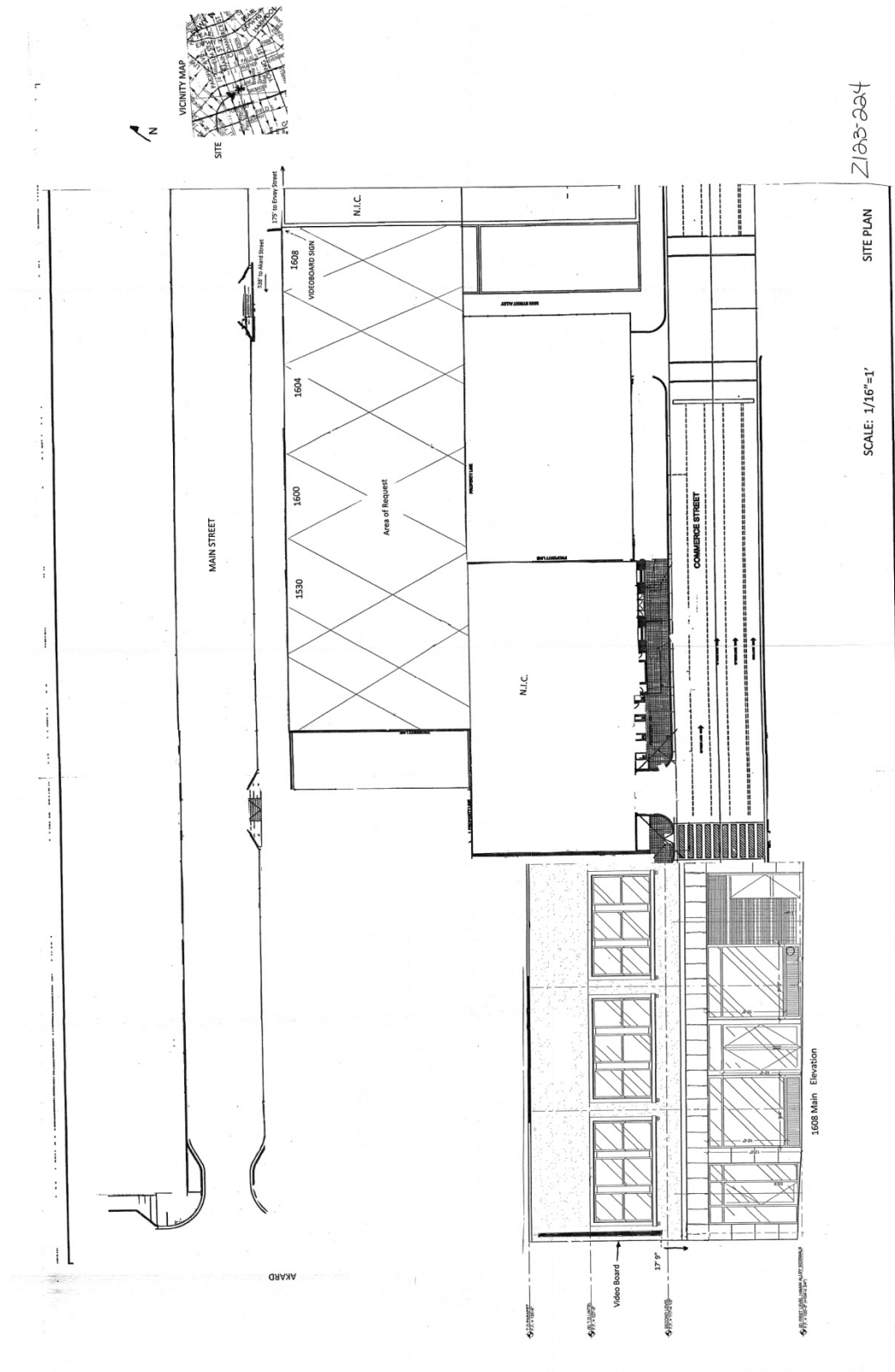
Staff & SSDAC Recommendation:

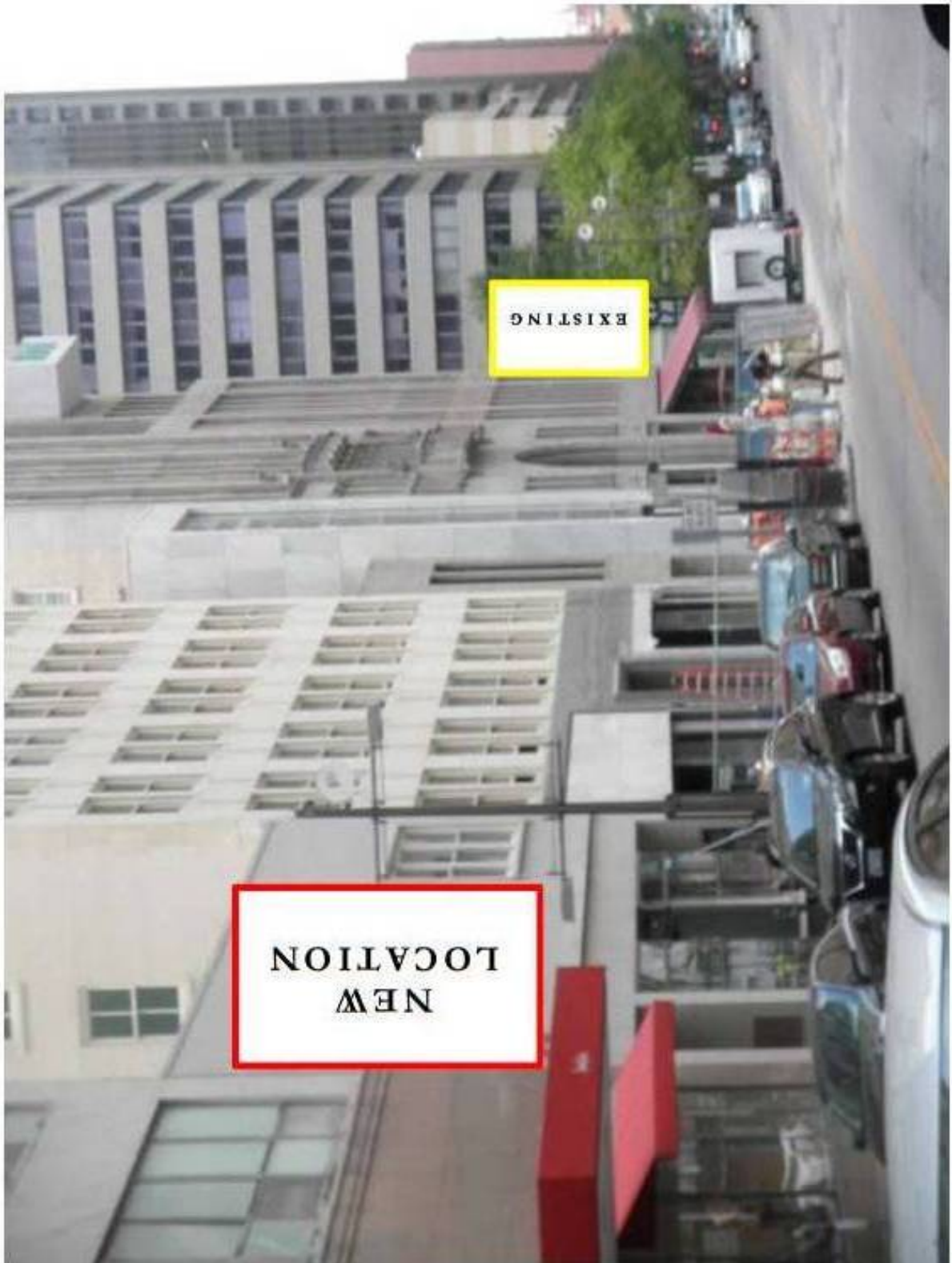
CLEARANCE: The attached projecting non-premise district activity videoboard sign must have a minimum clearance of 17 feet 9 inches above the sidewalk.

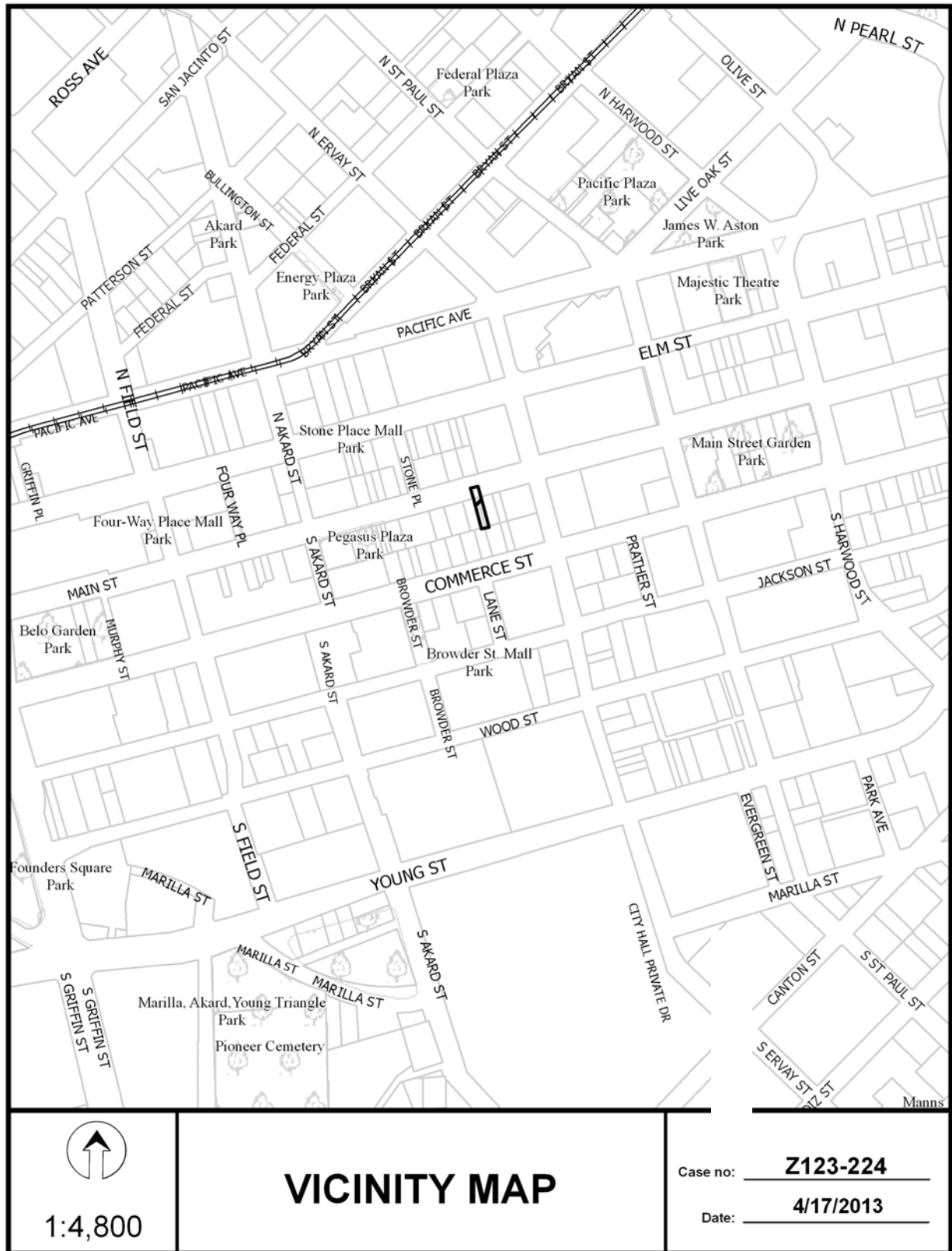
5. **GUEST ROOM SEPARATION**: A one-story separation must be provided between the highest point of the attached projecting non-premise district activity videoboard sign and any guest room.
6. **DIMENSIONS**: The attached projecting non-premise district activity videoboard sign may not exceed a vertical length of 16 feet as shown on the attached site plan and elevation.
7. **SIZE**: The attached projecting non-premise district activity videoboard sign is limited to a maximum effective area of 144 square feet as shown on the attached site plan and elevation.
8. **MAINTENANCE**: The Property must be properly maintained in a state of good repair and neat appearance.

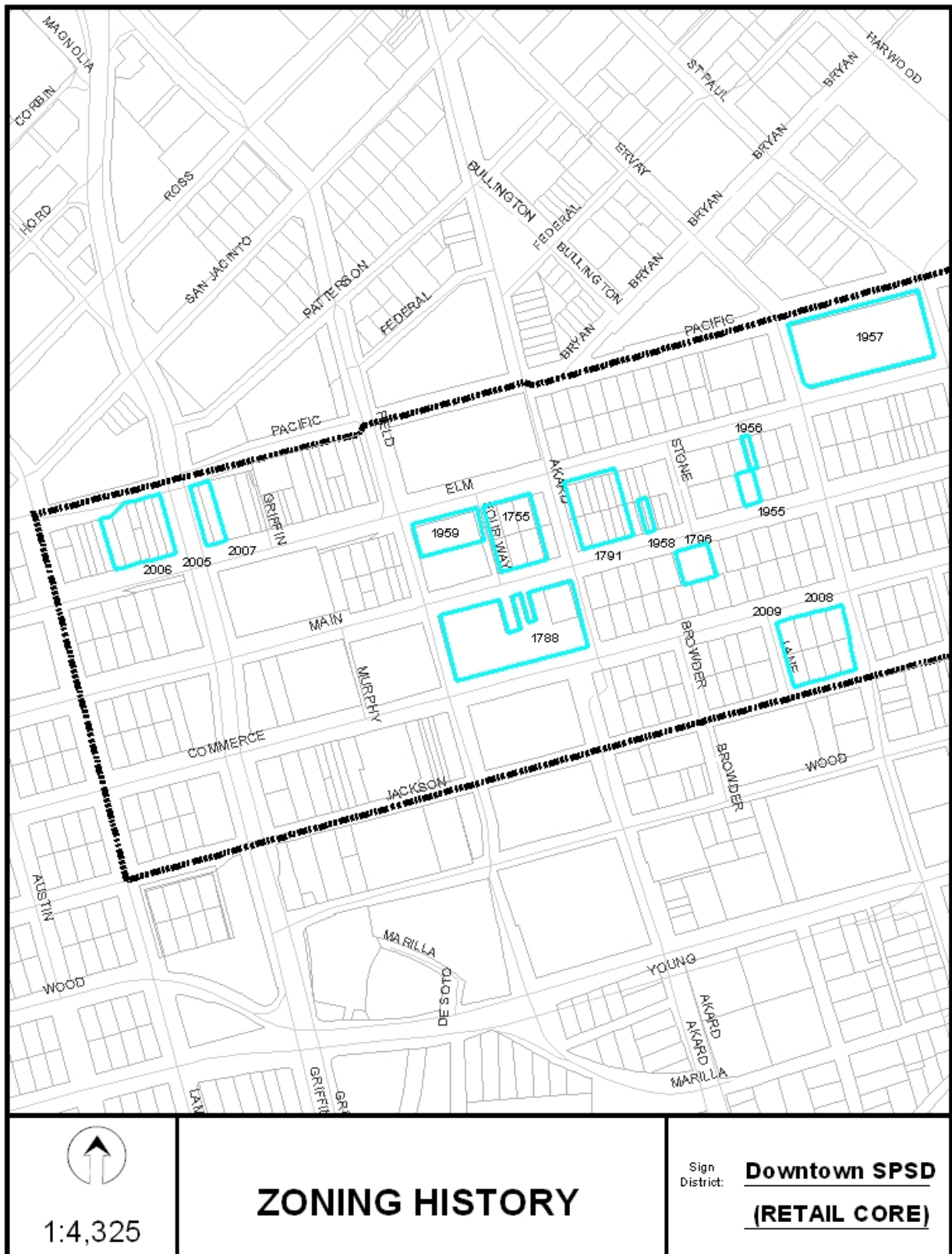
Z123-224(CG)

SITE PLAN









EFFECTIVE: 01/23/2012



4/16/2013

Notification List of Property Owners***Z123-224******21 Property Owners Notified***

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|--|
| 1 | 1608 MAIN ST | 1600 MAIN STREET HOLDINGS LP |
| 2 | 1525 COMMERCE ST | POLLOCK ROBERT ETAL ATTN: GEORGE A RAWLI |
| 3 | 1603 COMMERCE ST | NEIMAN MARCUS CO LESSEE ATTN: GEORGE A R |
| 4 | 1616 MAIN ST | THE DALLAS FOUNDATION ATTN: MARY JALONIC |
| 5 | 1604 ELM ST | ELM AT STONEPLACE HOLDINGS LLC STE 2800 |
| 6 | 1606 ELM ST | ELM AT STONEPLACE HOLDINGS LLC |
| 7 | 1607 MAIN ST | ELM AT STONEPLACE HOLDINGS LLC |
| 8 | 1623 MAIN ST | FC WP BUILDING LLC |
| 9 | 1612 ELM ST | ELM AT STONEPLACE HOLDINGS LLC ATTN: JOH |
| 10 | 1608 ELM ST | 1610 ELM STREET LLC |
| 11 | 1622 MAIN ST | NEIMAN MARCUS CO LESSEE ATTN: GEORGE A R |
| 12 | 1603 COMMERCE ST | NEIMAN MARCUS CO ATTN: GEORGE A RAWLINGS |
| 13 | 1618 MAIN ST | THE NEIMAN MARCUS GROUP INC ONE MARCUS S |
| 14 | 1604 MAIN ST | 1600 MAIN STREET HOLDINGS LP |
| 15 | 1513 COMMERCE ST | PACIFICO PARTNERS LTD |
| 16 | 1517 COMMERCE ST | PACIFICO PARTNERS LTD STE A205 |
| 17 | 1607 COMMERCE ST | ROGERS WILLIAM S ETAL ATTN: GEORGE A RAW |
| 18 | 1609 COMMERCE ST | NEIMAN MARCUS GROUP INC ATTN: GEORGE A R |
| 19 | 1512 COMMERCE ST | HAMILTON DPL LP SUITE 170 |
| 20 | 1600 COMMERCE ST | DALPARK LAND LEASE LTD STE A |
| 21 | 1530 MAIN ST | DUNHILL 1530 MAIN LP |

FILE NUMBER: Z123-246 (AB)

DATE FILED: April 5, 2013

LOCATION: Northwest corner of S. Buckner Boulevard and Cordell Drive

COUNCIL DISTRICT: 5

MAPSCO: 58-C

SIZE OF REQUEST: Approx. 1.07 acres

CENSUS TRACT: 91.01

REPRESENTATIVE: Santos Martinez, MASTERPLAN

APPLICANT/OWNER: Vilas Kumar

REQUEST: An application to renew Specific Use Permit No. 1900 for the sale of alcoholic beverages in conjunction with a general merchandise use greater than 3,500 square feet on property zoned Subdistrict 1 within Planned Development District No. 366 with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to continue the sale alcohol for off-premise consumption in conjunction with the existing convenience store.

STAFF RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewal of additional five year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store greater than 3,500 square feet use, a motor vehicle fueling station, and an accessory drive-through automatic carwash.
- The proposed use is to continue to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on property is permitted by Specific Use Permit in a D-1 Liquor Control Overlay.
- The applicant failed to submit their application within the allowed period of time to be eligible for automatic renewal. The two-year time limit is recommended due to the applicant's late application submission, with eligibility for automatic-renewals for additional five year periods.

Zoning History: There have been no recent zoning requests in the area.

Thoroughfares/Streets:

| Thoroughfares/Street | Type | Existing ROW |
|----------------------|--------------------|--------------|
| Buckner Boulevard | Principle Arterial | 107 feet |

STAFF ANALYSIS:

Comprehensive Plan:

The fowardDallas! Comprehensive Plan was adopted by the City Council in June 2006. The fowardDallas! Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in the Multi-modal Corridor Block.

Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Multi-modal

corridors in particular would diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit orientation and access.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility:

The approximately 1.07-acre request site is zoned Planned Development District No. 366 Subarea 1 with a D-1 Liquor Control Overlay and is currently developed with a general merchandise or food store greater than 3,500 square feet use and a motor vehicle fueling station. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which is not allowed by the D-1 Liquor Control Overlay but requires a specific use permit in the D-1 Liquor Control Overlay.

The adjacent land uses are single family residential to the west; retail and personal service uses, including a child care facility to the south; office, auto service center, and personal service uses to the north; and office, medical office, retail, and personal services uses across Buckner Boulevard to the east. A church is located to the north of the request site greater than 300 feet by front door to front door measurement, therefore complying with the distance separation requirement. The child care facility to the south does not require a distance separation per Chapter 6 because the applicant is not seeking a beer or wine on-premise retailer's license; the applicant is seeking an off-premise license.

The "D" Overlay District is a Liquor Control Overlay District which prohibits an individual from selling or serving alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the

welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually.

The applicant's request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The adjacent residential uses could be considered incompatible, but the property is located on Buckner Boulevard, a major commercial corridor. The initial short time period will also require that the request be reevaluated to ensure the use is compatible in this location.

Development Standards:

| DISTRICT | SETBACKS | | Density FAR | Height | Lot Coverage | Special Standards | Primary Uses |
|-------------------------------|--|---|--|-----------------|-----------------|----------------------|------------------------------------|
| | Front | Side/Rear | | | | | |
| Existing | | | | | | | |
| PDD 366 Sub 1-D Commercial | 15' adjacent to thoroughfare; OTHER No Min. | 20' adjacent to residential OTHER: No Min. | 0.5 Lodging / Office/ Retail 0.75 All uses combined | 45' / 3 Stories | 80% | Proximity Slope | Retail, Office, Commercial Service |

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area and 2 spaces for a motor vehicle fueling station. The development requires 17 spaces with 18 being provided per the attached site plan.

Z123-246 (AB)

Landscaping:

Landscaping required per PDD No. 366.

DPD Report

Police Reports from September 28, 2009 – September 28, 2011
2 Years Before SUP

Dallas Police Department Reports

Public Offense Search Results

| | SERVICE # | OFFENSE DATE | TYPE | COMPLAINANT | ADDRESS | BEAT | REPORTING AREA |
|----|-----------|--------------|--------------------------|------------------------|---------------------|------|----------------|
| 1 | 0350870-W | 11/26/2009 | FORGERY & COUNTERFEITING | *SHELL SERVICE STATION | 02313 S BUCKNERBLVD | 324 | 1242 |
| 2 | 0064936-X | 03/09/2010 | AGGRAVATED ASSAULT | MARTINEZ,ANGEL | 02313 S BUCKNERBLVD | 324 | 1242 |
| 3 | 0103311-X | 04/15/2010 | OTHER OFFENSES | GERARDO,OLGA | 02313 S BUCKNERBLVD | 324 | 1242 |
| 4 | 0224051-X | 07/29/2010 | OTHER OFFENSES | MCCLINTON,AMBER | 02313 S BUCKNERBLVD | 324 | 1242 |
| 5 | 0004351-Y | 01/05/2011 | OTHER OFFENSES | *SHELL GAS STATION | 02313 S BUCKNERBLVD | 324 | 1242 |
| 6 | 0095428-Y | 04/16/2011 | AGGRAVATED ASSAULT | FLORES,CARLOS, | 02313 S BUCKNERBLVD | 324 | 1242 |
| 7 | 0095432-Y | 04/16/2011 | AGGRAVATED ASSAULT | LEYVA,JUAN | 02313 S BUCKNERBLVD | 324 | 1242 |
| 8 | 0095429-Y | 04/16/2011 | AGGRAVATED ASSAULT | ALMAZAM,LOM | 02313 S BUCKNERBLVD | 324 | 1242 |
| 9 | 0095433-Y | 04/16/2011 | AGGRAVATED ASSAULT | LUCAS,RICARDO | 02313 S BUCKNERBLVD | 324 | 1242 |
| 10 | 0184206-Y | 07/13/2011 | FORGERY & COUNTERFEITING | *SHELL | 02313 S BUCKNERBLVD | 324 | 1242 |
| 11 | 0184951-Y | 07/14/2011 | THEFT | *W.O.E. CONSTRUCTION | 02313 S BUCKNERBLVD | 324 | 1242 |

Police Reports from September 28, 2011 – June 26, 2013
2 Years After SUP

Dallas Police Department Reports

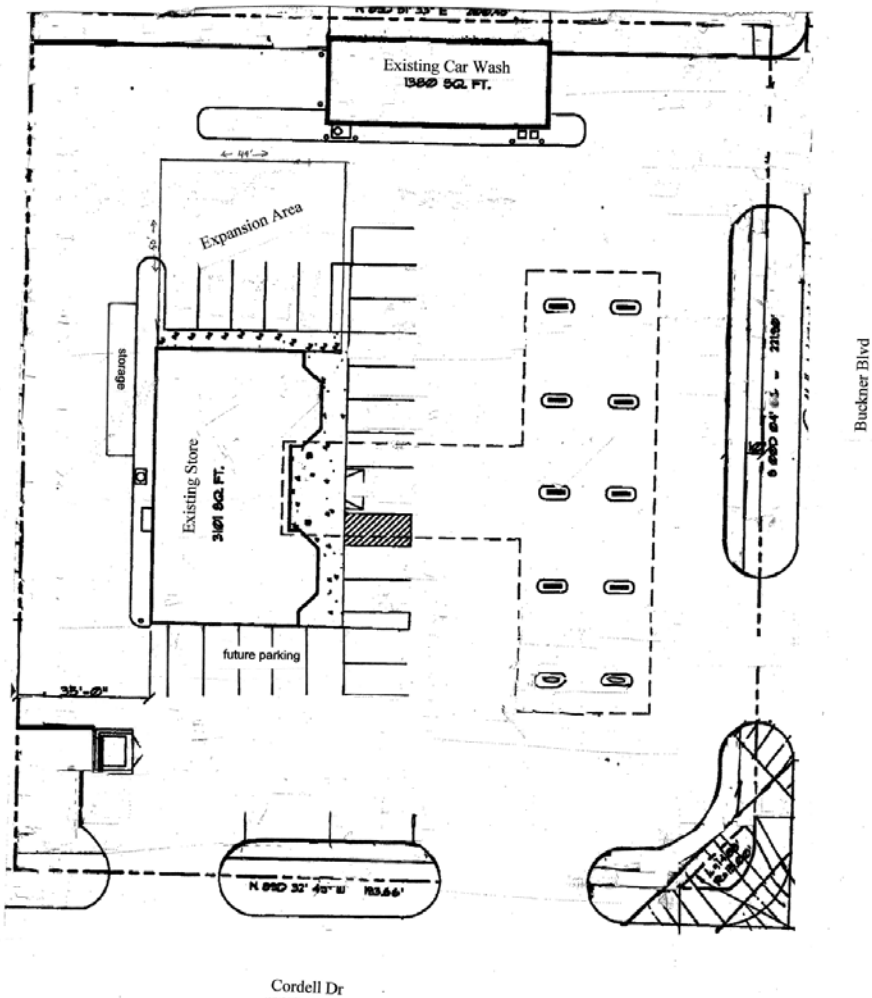
Public Offense Search Results

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| 4 | 0224051-X | 07/29/2010 | OTHER OFFENSES | MCCLINTON,AMBER | 02313 S BUCKNERBLVD | 324 | 1242 |
| 5 | 0004351-Y | 01/05/2011 | OTHER OFFENSES | *SHELL GAS STATION | 02313 S BUCKNERBLVD | 324 | 1242 |
| 6 | 0095428-Y | 04/16/2011 | AGGRAVATED ASSAULT | FLORES,CARLOS, | 02313 S BUCKNERBLVD | 324 | 1242 |
| 7 | 0095432-Y | 04/16/2011 | AGGRAVATED ASSAULT | LEYVA,JUAN | 02313 S BUCKNERBLVD | 324 | 1242 |
| 8 | 0095429-Y | 04/16/2011 | AGGRAVATED ASSAULT | ALMAZAM,LOM | 02313 S BUCKNERBLVD | 324 | 1242 |
| 9 | 0095433-Y | 04/16/2011 | AGGRAVATED ASSAULT | LUCAS,RICARDO | 02313 S BUCKNERBLVD | 324 | 1242 |
| 10 | 0184206-Y | 07/13/2011 | FORGERY & COUNTERFEITING | *SHELL | 02313 S BUCKNERBLVD | 324 | 1242 |
| 11 | 0184951-Y | 07/14/2011 | THEFT | *W.O.E. CONSTRUCTION | 02313 S BUCKNERBLVD | 324 | 1242 |

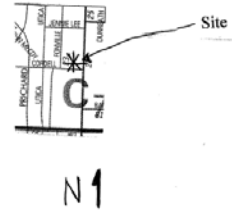
SUP Conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages for off-premise consumption as part of the operation of a general merchandise or food store greater than 3,500 square foot.
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 (~~September 28, 2013~~) (two years), 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. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. 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.

PREVIOUSLY APPROVED SITE PLAN



Vicinity Map



Site Summary

Zoning: PDD 366- SD-1- D

Zoning Request: PDD 366-SD-1 D-1 with SUP for off premise alcohol sales

Existing Use: General Merchandise > 3500 square feet

Lot Area: 46783 square feet

Lot Coverage: 15 percent

Building Area: 4481 square feet

Expansion Area: 2450 square feet

Total Building Area: 6930 square feet

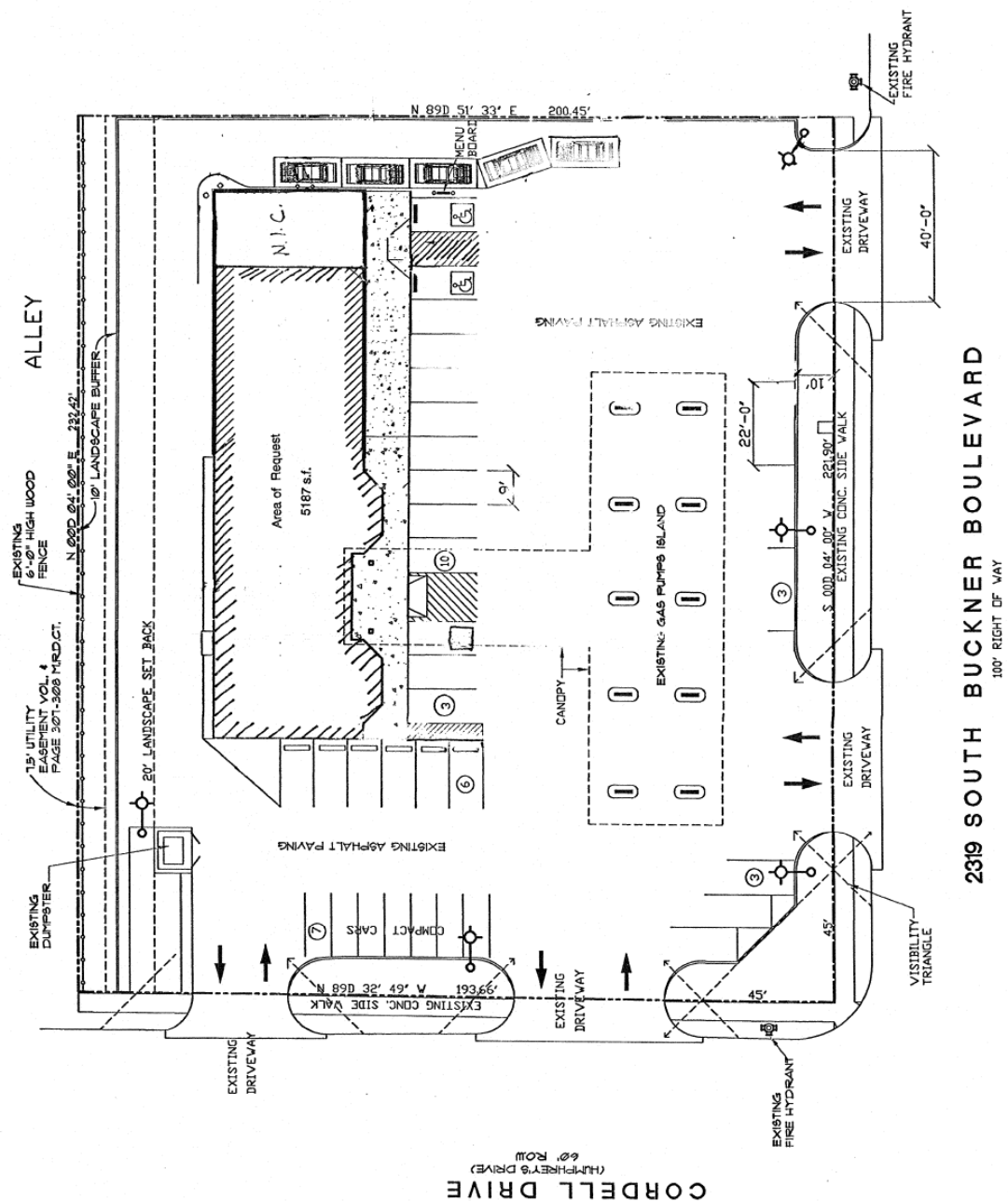
Required Parking: 17

Provided Parking: 10

Scale: 1" = 20'

Site Plan

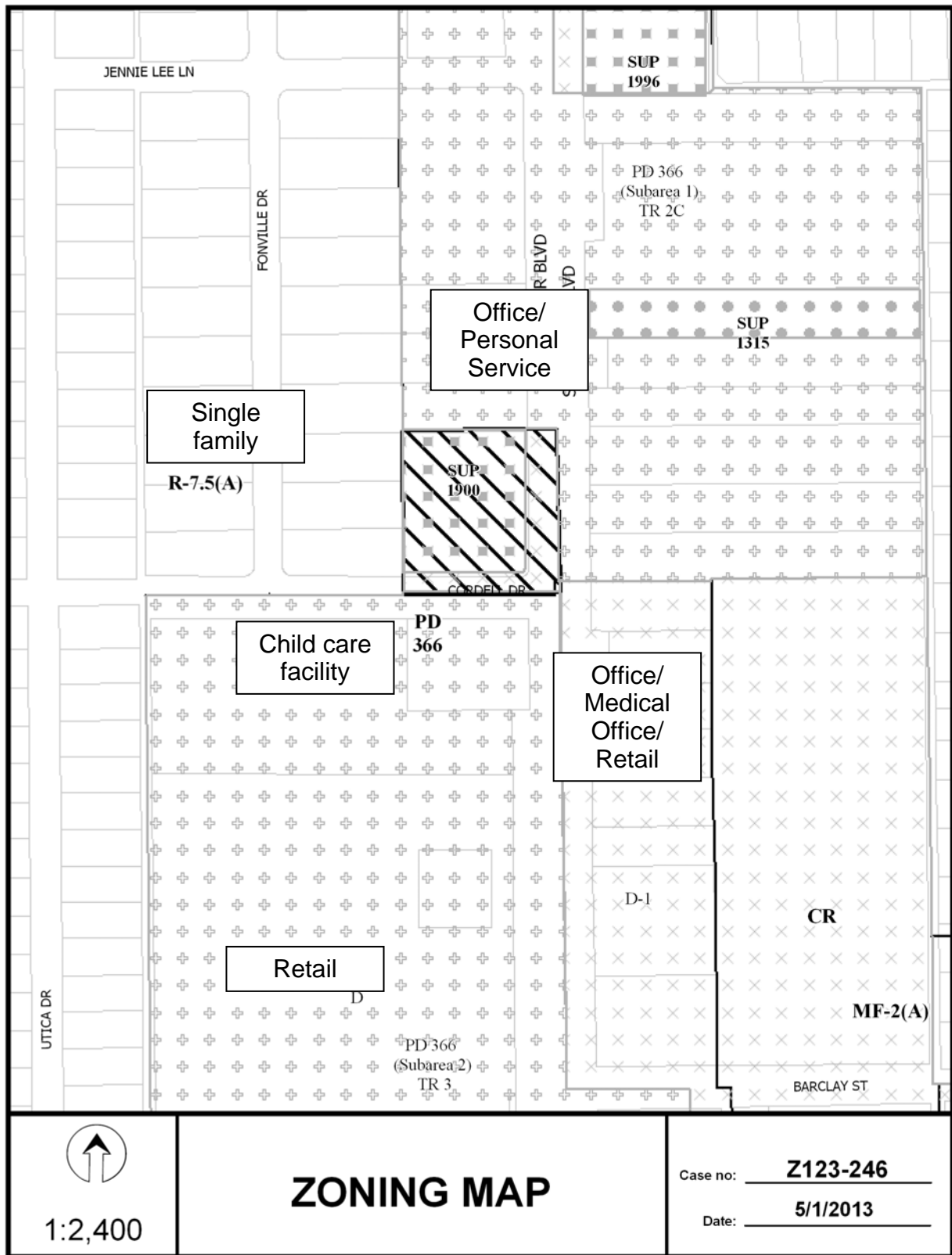
PROPOSED SITE PLAN

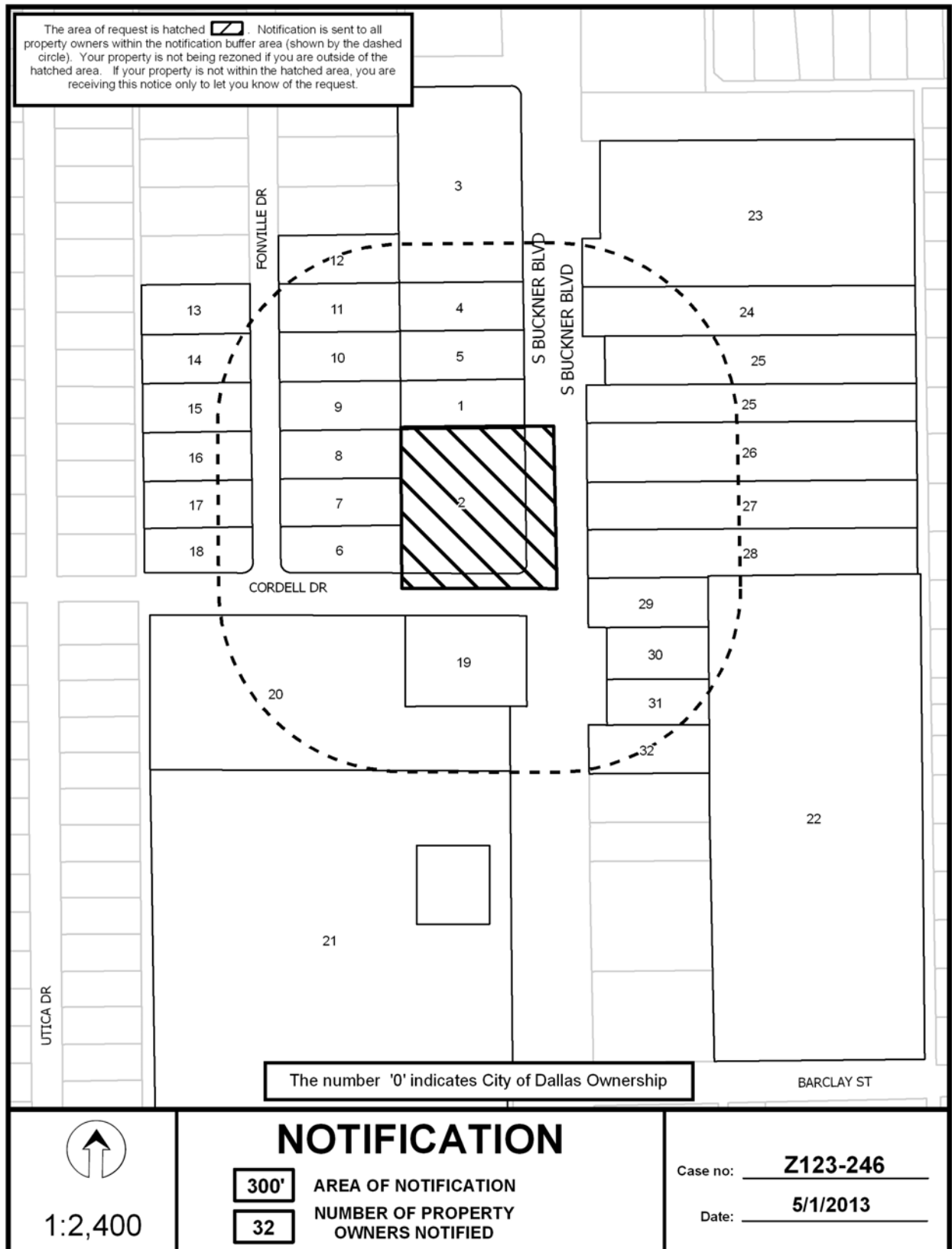


The applicant's property has begun phase two of construction, building a drive-thru restaurant on the northern side of the site. The new restaurant is not included in the request site however a new site plan was needed in order to show restriped parking and building footprint changes.

Z123-246 (AB)







5/1/2013

Notification List of Property Owners***Z123-246******32 Property Owners Notified***

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---|
| 1 | 2323 BUCKNER BLVD | PLEASANT GROVE DEV LP |
| 2 | 2313 BUCKNER BLVD | KUMAR VILAS D/B/A BUCKNER FINA |
| 3 | 2423 BUCKNER BLVD | CHRIST HOLY TEMPLE CHURCH |
| 4 | 2405 BUCKNER BLVD | QAREM FADI |
| 5 | 2327 BUCKNER BLVD | ESSENFELD FAMILY TRUST APT 530 |
| 6 | 2300 FONVILLE DR | DELGADO ENRIQUE F & MORENA E R |
| 7 | 2310 FONVILLE DR | SILVA MARICELA & MARGARITO |
| 8 | 2316 FONVILLE DR | ALVARADO JAVIER E |
| 9 | 2322 FONVILLE DR | ALFAN MARLENE & EMILIO GUZMAN |
| 10 | 2328 FONVILLE DR | GUZMAN JERONIMO & MARIA |
| 11 | 2404 FONVILLE DR | THE REAL ADVANTAGE INC DBA WILKINS FAMIL |
| 12 | 2410 FONVILLE DR | GALLARDO ERASMO |
| 13 | 2405 FONVILLE DR | MORALES HORLANDO APT 1 |
| 14 | 2329 FONVILLE DR | PAULIN MANUEL & YOLANDA |
| 15 | 2323 FONVILLE DR | ROPER GREGORY WAYNE & |
| 16 | 2317 FONVILLE DR | ZEPEDA ARTURO & MARIA DEL SOCORRO |
| 17 | 2311 FONVILLE DR | SILVA MARGARITO & MARICELA |
| 18 | 2301 FONVILLE DR | RAMIREZ PEDRO & JUANA ABRAHANA RODRIGUEZ |
| 19 | 2253 BUCKNER BLVD | NICHOLS TINA |
| 20 | 7900 CORDELL DR | KRS PARTNERSHIP % KATE RENNER SIDRAN |
| 21 | 2223 BUCKNER BLVD | KRS PARTNERSHIP LTD % KATE RENNER SIDRAN |
| 22 | 8117 BARCLAY ST | KV6 BARCLAY LLC |
| 23 | 2414 BUCKNER BLVD | PALOMA ISABELA INVESTMENTS INC |
| 24 | 2336 BUCKNER BLVD | TNS INVESTMENTS LTD |
| 25 | 2328 BUCKNER BLVD | GOMEZ GEORGE J |
| 26 | 2312 BUCKNER BLVD | SILVA MAGDALENO |

Z123-246 (AB)

5/1/2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-------------------|---------------------------------|
| 27 | 2306 BUCKNER BLVD | MILLER & MARTIN CHILDRENS TRUST |
| 28 | 2300 BUCKNER BLVD | DEL REY PARTNERS LLC |
| 29 | 2264 BUCKNER BLVD | NGHIEM MEI WANG |
| 30 | 2248 BUCKNER BLVD | PNYX LIMITED PARTNERSHIP |
| 31 | 2244 BUCKNER BLVD | BRIAN L HOCHSTEIN LLC |
| 32 | 2240 BUCKNER BLVD | SC THREE STAR INVESTMENT LLC |

FILE NUMBER: Z123-240(WE) **DATE FILED:** April 5, 2013

LOCATION: North line of Lake June Road, west of North Jim Miller Road,

COUNCIL DISTRICT: 5 **MAPSCO:** 58-J

SIZE OF REQUEST: Approx. 2.1174 acres **CENSUS TRACT:** 91.03

APPLICANT/ OWNER: Malones Food Store.

REPRESENTATIVE: Rhonda Davis

REQUEST: An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to sell alcohol for off-premise consumption in conjunction with the existing general merchandise or food store.

STAFF RECOMMENDATION: Approval for a two-year with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store greater than 3,500 square feet.
- The proposed use is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on property requires a specific use permit in the D-1 Liquor Control Overlay.

Zoning History: There have been three zoning changes requested in the area.

1. Z101-212 On Wednesday, August 10, 2011, the City Council approved a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.
2. Z101-340 On November 7, 2011, the City Council approved a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet for a two-year period without automatic renewal on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.
3. Z112-111 On June 27, 2012, the City Council approved a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW | Proposed ROW |
|---------------------|--------------------|--------------|--------------|
| Lake June Road | Principal Arterial | 100 ft. | 100 ft. |
| Jim Miller Road | Minor Arterial | 100 ft. | 100 ft. |

Land Use:

| | Zoning | Land Use |
|--------------|--|-----------------------------------|
| Site | CR-D-1 | General merchandise or food store |
| North | CR-D-1, | Multifamily |
| South | RR-D | Undeveloped, Auto related uses |
| East | CR-D-1, SUP No. 1916, SUP No. 1967, SUP No. 1872 | Retail & personal service |
| West | CR-D-1 | Retail |

COMPREHENSIVE PLAN: The forwardDallas! Comprehensive Plan was adopted by the City Council in June 2006. The forwardDallas! Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in on a Multi-modal Corridor.

Transit centers support a compact mix of employment, retail, cultural facilities and housing. Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Multi-modal corridors in particular would diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit orientation and access. Interactive public plazas and/or civic uses will be centrally located and residential roof terraces and balconies overlooking transit station areas add "eyes on the street" that can aid public safety.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

STAFF ANALYSIS:

Land Use Compatibility: The approximately 2.11 acre site is developed with an existing 28,500 square foot general merchandise or food store adjacent and is zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, but requires a Specific Use Permit.

The request site is adjacent to retail and personal services and multifamily uses. The properties south of the site, across Lake June Road, consist of a vehicle display, sales and service use, a car wash and auto repair shop.

Between August 2011 and June 2012, the City Council approved three Specific Use Permits for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less. These sites are located east of the request site.

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant's request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The initial short time period will also require that the request be reevaluated to ensure the use is compatible in this location.





Development Standards:




| DISTRICT | SETBACKS | | Density | Height | Lot Coverage | Special Standards | PRIMARY Uses |
|----------------------------|----------|--|--------------------------------|------------------|--------------|--|--------------------------------------|
| | Front | Side/Rear | | | | | |
| CR-D-1 Community retail | 15' | 20' adjacent to residential OTHER: No Min. | 0.75 FAR overall 0.5 office | 54' 4 stories | 60% | Proximity Slope Visual Intrusion | Retail & personal service, office |
| | | | | | | | |

Landscaping: Landscaping of any development will be in accordance with Article X, as amended.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Dallas Police Department: A copy of a police report of the past 5 years of offenses is provided below.

| <div>  DALLAS POLICE DEPARTMENT <div> UCR Codes Year Codes Property Class Codes </div> </div> | | | | | | | | | | |
|---|--------------|----------------------|-----------------------|-------|-----|-----------|------|-----------------------------|-------|---------|
| Virtual Viewer - Public Access | | | | | | | | | | Welcome |
|    | | | | | | | | | | |
| Search Records - Offense | | | | | | | | Filter <input type="text"/> | | |
| Service # | Offense Date | Complainant | Offense | Block | Dir | Street | Beat | Reporting Area | UCR1 | UCR2 |
| 0018123... | 01/23/2013 | DELARA,ANTONIA | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06952 | |
| 0019154-Z | 01/23/2012 | EVANS,ROBERT | TRAFFIC MOTOR VEH... | 07007 | | LAKEJU... | 331 | 1248 | 32090 | |
| 0020959-Z | 01/25/2012 | FORBES,ANITA | OTHER OFFENSES | 07007 | | LAKEJU... | 331 | 1248 | 26000 | |
| 0023193-Z | 01/27/2012 | *MALONES COST PLUS | CRIMINAL MISCHIEF/... | 07007 | | LAKEJU... | 331 | 1248 | 14082 | |
| 0038973... | 02/10/2010 | GARDNER, SUZANNE ... | TRAFFIC MOTOR VEH... | 07007 | | LAKEJU... | 331 | 1248 | 32090 | |
| 0043683-Z | 02/22/2012 | HERNANDEZ, YESENIA | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06941 | |
| 0048522... | 02/28/2013 | SIFUENTES,ANITA | TRAFFIC MOTOR VEH... | 07007 | | LAKEJU... | 331 | 1248 | 32090 | |
| 0059260... | 03/03/2010 | *MALONES COST PLUS | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06932 | |
| 0060554... | 01/20/2009 | PRESTON, KRISTEN | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06901 | |
| 0064678... | 03/08/2010 | PROCTOR,ROYSE | AUTO THEFT-UUMV | 07007 | | LAKEJU... | 331 | 1248 | 07212 | |
| 0070909... | 03/14/2010 | *MALONES FOOD ST... | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06933 | |
| 0073862... | 03/29/2013 | *MALONE'S COST PL... | CRIMINAL MISCHIEF/... | 07007 | | LAKEJU... | 331 | 1248 | 14082 | |
| 0077679... | 03/21/2010 | *MALONES COST PLU... | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06935 | |
| 0081792... | 03/24/2009 | HERNANDEZ,BANTOLO | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06952 | |
| 0089706... | 04/10/2011 | ALONSO,MARTHA | ROBBERY | 07007 | | LAKEJU... | 331 | 1248 | 03942 | 06122 |

| <div>  DALLAS POLICE DEPARTMENT </div> <div> UCR Codes Year Codes Property Class Codes </div> | | | | | | | | | | |
|---|--------------|-----------------------|-----------------------|-------|-----|-----------|------|----------------|-------|---------|
| Virtual Viewer - Public Access | | | | | | | | | | Welcome |
| <div>   </div> | | | | | | | | | | |
| Search Records - Offense | | | | | | | | | | Filter |
| Service # | Offense Date | Complainant | Offense | Block | Dir | Street | Beat | Reporting Area | UCR1 | UCR2 |
| 0089778... | 04/10/2011 | *MALONES COST PLUS | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06932 | |
| 0094181... | 04/05/2009 | *MALONE'S COST PL... | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06935 | |
| 0094753... | 04/18/2013 | *MALONE'S COST PL... | BURGLARY | 07007 | | LAKEJU... | 331 | 1248 | 05131 | |
| 0105457... | 04/14/2010 | SOLIS, MA, DELSOCO... | TRAFFIC MOTOR VEH... | 07007 | | LAKEJU... | 331 | 1248 | 32090 | |
| 0109370... | 04/29/2011 | WASHINGTON, PAULA,... | ASSAULT | 07007 | | LAKEJU... | 331 | 1248 | 08421 | |
| 0114617... | 04/25/2010 | REYES, JOSE | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06903 | |
| 0136351... | 05/17/2010 | MORALES, LUSELINA | AUTO THEFT-UUMV | 07007 | | LAKEJU... | 331 | 1248 | 07961 | |
| 0137164-Z | 06/04/2012 | HERNANDEZ, WILBER | TRAFFIC MOTOR VEH... | 07007 | | LAKEJU... | 331 | 1248 | 32090 | |
| 0140823... | 05/21/2010 | CAVAZOS, ALBA | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06951 | |
| 0142051-Z | 06/09/2012 | MCNEARY, SAUNDRA | TRAFFIC MOTOR VEH... | 07007 | | LAKEJU... | 331 | 1248 | 32090 | |
| 0145535-Z | 06/13/2012 | LOPEZ, ANNALEE | AGGRAVATED ASSAULT | 07007 | | LAKEJU... | 331 | 1248 | 04322 | |
| 0162114-Z | 07/01/2012 | ROJAS, GERARDO | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06941 | |
| 0166691... | 06/14/2010 | SERENO, ANGELICA | CRIMINAL MISCHIEF/... | 07007 | | LAKEJU... | 331 | 1248 | 14082 | |
| 0169643... | 06/17/2010 | DE'LARA, ANTONIA | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06902 | |
| 0174017... | 07/03/2011 | TORRES, ALICIA, R. | FORGERY & COUNTER... | 07007 | | LAKEJU... | 331 | 1248 | 10021 | |
| 0179395... | 06/20/2009 | VIELMA, JOSE | TRAFFIC MOTOR VEH... | 07007 | | LAKEJU... | 331 | 1248 | 32090 | |
| 0182392-Z | 07/23/2012 | @CITY OF DALLAS/VI... | FOUND PROPERTY | 07007 | | LAKEJU... | 331 | 1248 | 43020 | |
| 0186324... | 06/27/2009 | *MALONE'S COST PLUS | CRIMINAL MISCHIEF/... | 07007 | | LAKEJU... | 331 | 1248 | 14082 | |
| 0189527... | 07/18/2011 | ESTRADA, RAYMUNDO | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06941 | |
| 0190595... | 06/30/2009 | SMITH, DORIS | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06905 | |
| 0191047... | 07/20/2011 | CONTRERAS, ADRIANA | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06952 | |
| 0195172... | 07/24/2011 | MODESTO, LARA | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06952 | |
| 0196862... | 07/06/2009 | MARTINEZ, NORMA, | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06951 | |
| 0199992... | 07/29/2011 | SERRATO, MARIA | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06102 | |
| 0211594... | 07/19/2009 | MORENO, MARIA | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06951 | |
| 0217230... | 08/16/2011 | HART, JONATHAN | TRAFFIC MOTOR VEH... | 07007 | | LAKEJU... | 331 | 1248 | 32090 | |
| 0220707... | 07/27/2009 | VAZQUEZ, JOSE | OTHER OFFENSES | 07007 | | LAKEJU... | 331 | 1248 | 26000 | |
| 0240282... | 09/09/2011 | WALKER, JERMAINE | ROBBERY | 07007 | | LAKEJU... | 331 | 1248 | 03911 | |
| 0240762... | 08/14/2009 | *MALONE'S GROCERY... | FORGERY & COUNTER... | 07007 | | LAKEJU... | 331 | 1248 | 10021 | |
| 0241743... | 09/11/2011 | ALEXANDER, MARY | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06951 | |
| 0243427... | 08/16/2009 | VASQUEZ, ULISES | AUTO THEFT-UUMV | 07007 | | LAKEJU... | 331 | 1248 | 07691 | |
| 0247374... | 08/20/2009 | SMITH, SHONDA | AUTO THEFT-UUMV | 07007 | | LAKEJU... | 331 | 1248 | 07172 | |
| 0252042-Z | 10/09/2012 | RAMIREZ ROSAS, NIC... | ASSAULT | 07007 | | LAKEJU... | 331 | 1248 | 08111 | |
| 0261295... | 08/23/2008 | TATUM, JACQUELINE | ASSAULT | 07007 | | LAKEJU... | 331 | 1248 | 08412 | |
| 0263179... | 09/03/2009 | LUNA, JOSE | ROBBERY | 07007 | | LAKEJU... | 331 | 1248 | 03941 | |
| 0269891... | 09/27/2010 | *MALONE'S COST PL... | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06934 | |
| 0269892... | 09/27/2010 | SOLIS, MARIA | ASSAULT | 07007 | | LAKEJU... | 331 | 1248 | 08312 | |
| 0277136... | 10/04/2010 | GERALDO, LEON | AUTO THEFT-UUMV | 07007 | | LAKEJU... | 331 | 1248 | 07221 | |
| 0277249... | 09/07/2008 | MARIN, BIANCA | ROBBERY | 07007 | | LAKEJU... | 331 | 1248 | 03911 | |
| 0289395... | 11/02/2011 | COLSON, RENEE | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06951 | |
| 0293271-Z | 11/26/2012 | *MALONES FOOD ST... | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06933 | |
| 0298925... | 11/12/2011 | MEDINA, ANTONIO | ANIMAL BITES | 07007 | | LAKEJU... | 331 | 1248 | 37010 | |
| 0301091-Z | 12/05/2012 | PORTER, MICHAEL | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06952 | |
| 0305115... | 11/19/2011 | *MALONE'S COST PLUS | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06935 | |
| 0311692-Z | 12/17/2012 | @CITY OF DALLAS | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06942 | |
| 0318439... | 11/18/2010 | *MALONES FOOD ST... | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06935 | |
| 0323926... | 11/24/2010 | *MALONE COST PLUS... | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06934 | |
| 0377775... | 12/24/2009 | *MALONE'S COST PL... | THEFT | 07007 | | LAKEJU... | 331 | 1248 | 06934 | |

| |
|--|
| <p>LIST OF OFFICERS Malone's Food Store LLC</p> |
|--|

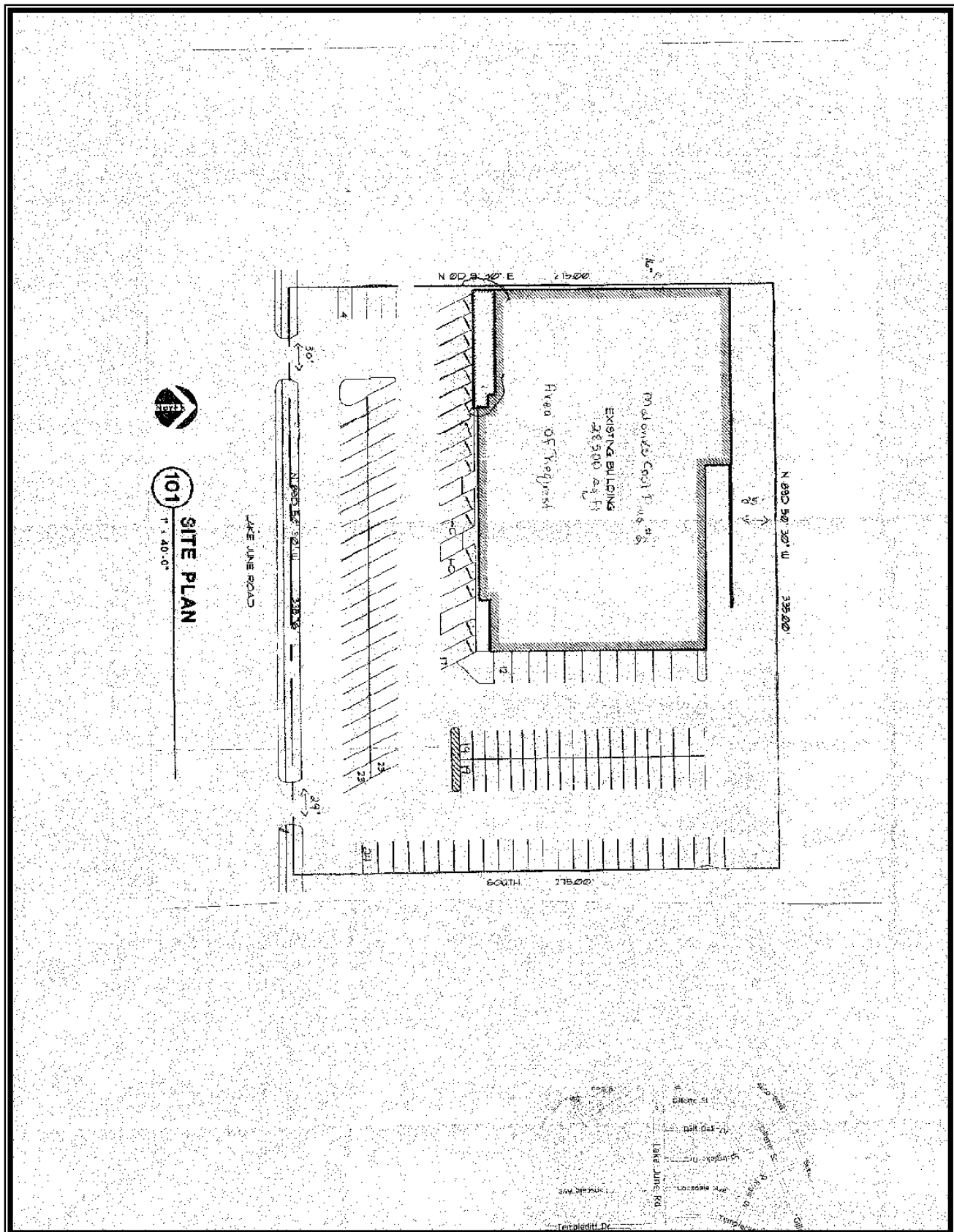
Ronnie J. Malone

President and Member

| |
|--------------------------------|
| PROPOSED SUP CONDITIONS |
|--------------------------------|

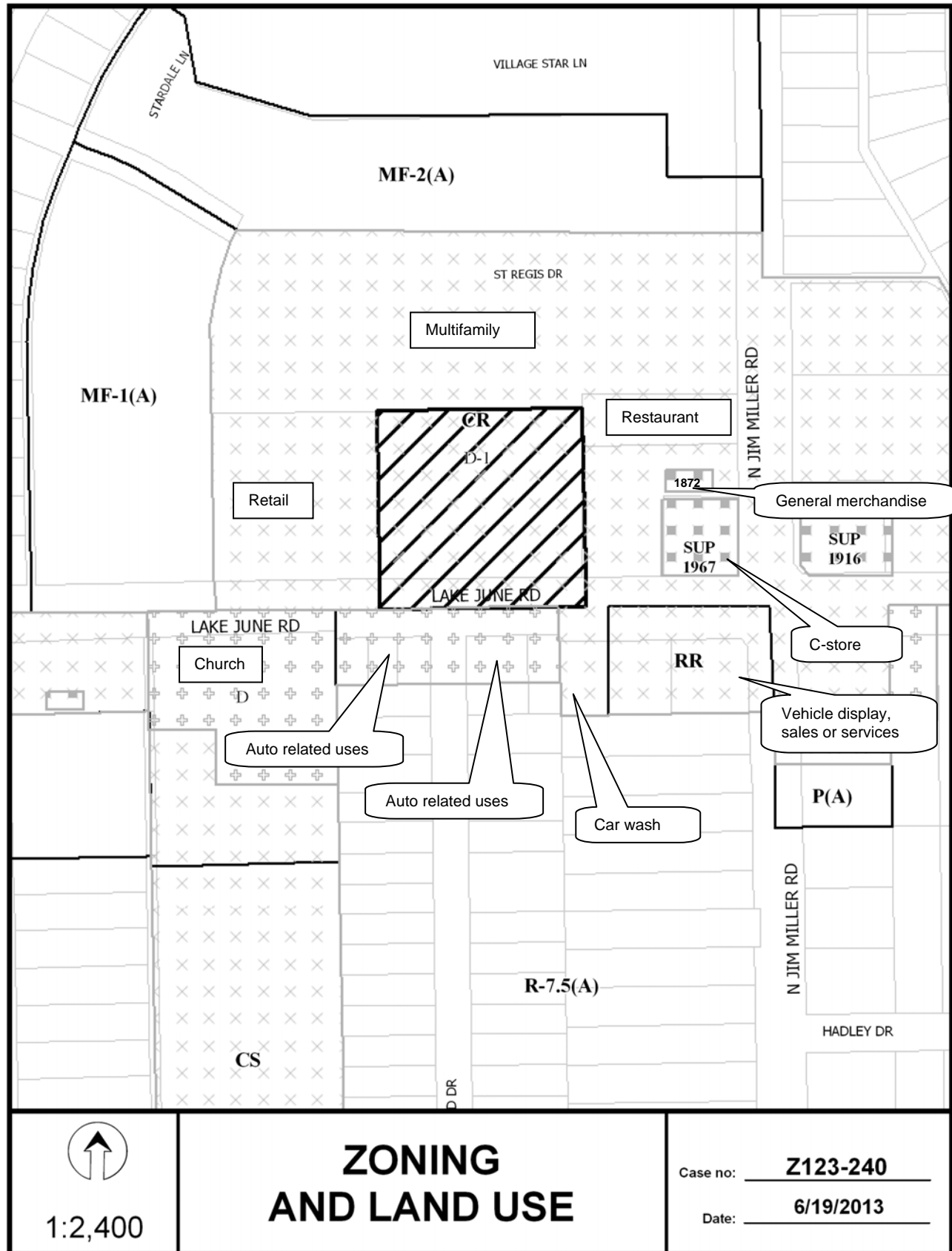
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on_____, (two-year period from the passage of this ordinance), 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. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
5. PARKING: Parking must be located as shown on the attached site plan.
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.

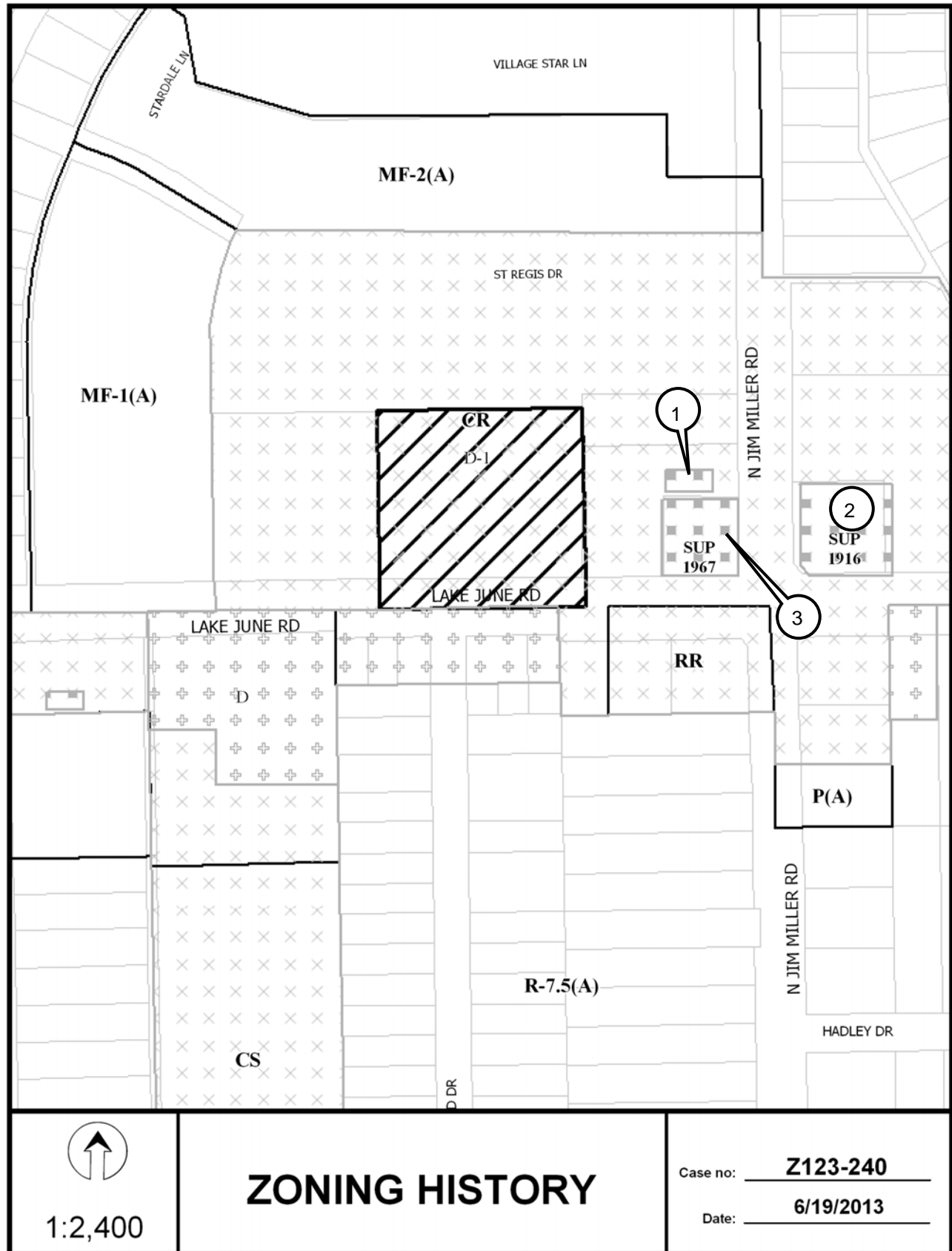
PROPOSED SITE PLAN

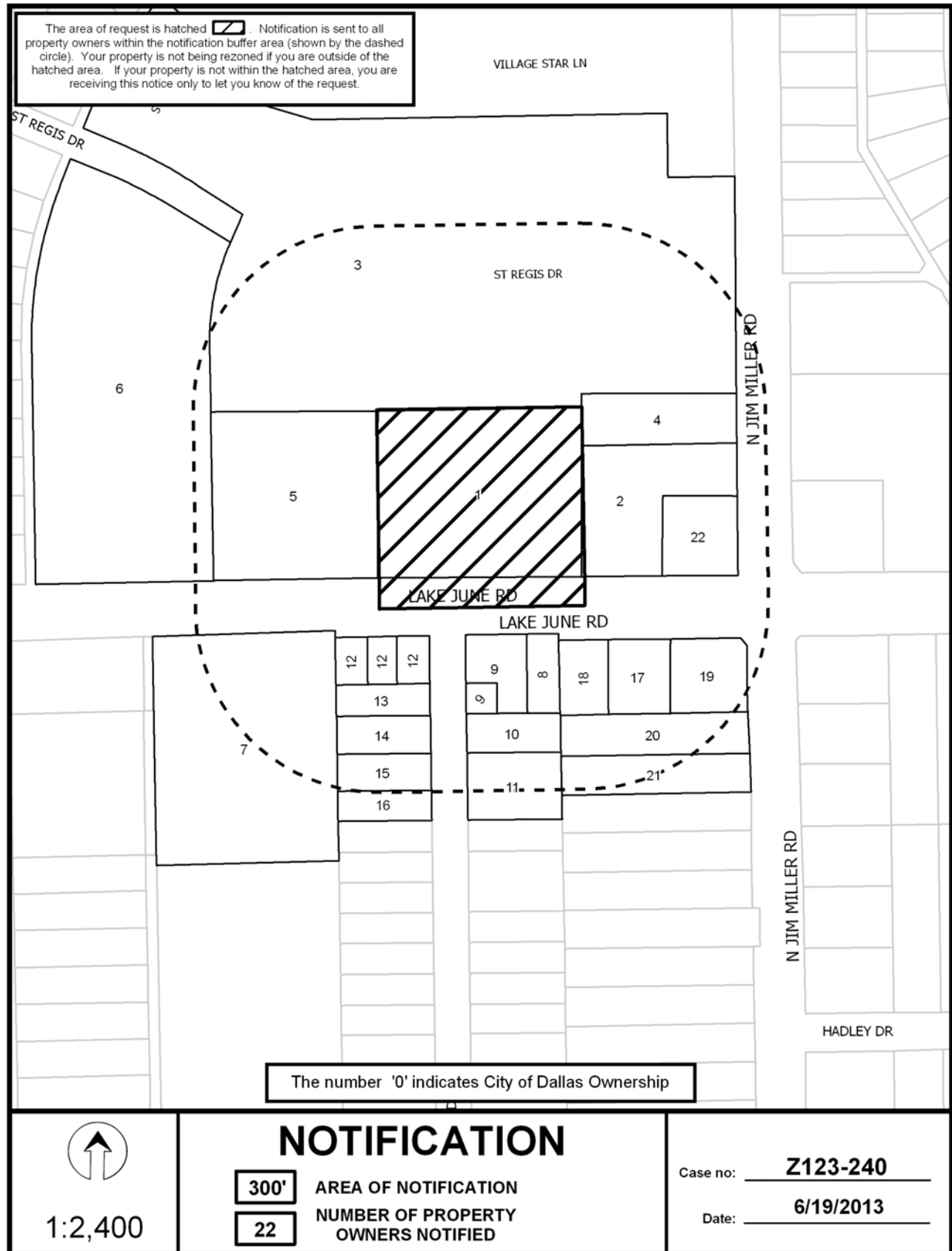


Z123-240(WE)









Notification List of Property Owners

Z123-240

| <i>22</i> | | | <i>Property Owners Notified</i> |
|-----------------------|-----------------------|---------------|--|
| <i>Label #</i> | <i>Address</i> | | <i>Owner</i> |
| 1 | 7007 | LAKE JUNE RD | MALONES FOOD STORE LTD |
| 2 | 7035 | LAKE JUNE RD | LEE CHUN KOO & YOUNG SOOK |
| 3 | 1341 | JIM MILLER RD | ST REGIS SQUARE LTD |
| 4 | 1331 | JIM MILLER RD | WILLIAMS TIMMY J |
| 5 | 6919 | LAKE JUNE RD | MARCER INV LLC |
| 6 | 6819 | LAKE JUNE RD | MOUNT SINAI BAPTIST CH |
| 7 | 6916 | LAKE JUNE RD | FAITH KINGDOM CHURCH OF GOD IN CHRIST |
| 8 | 7010 | LAKE JUNE RD | VILLANUEVA BERNARDO & MARIA C |
| 9 | 1242 | RIDGEWOOD DR | VILLANUEVA BERNARDO & MARIA C |
| 10 | 1234 | RIDGEWOOD DR | VALLADARES MANUEL D |
| 11 | 1226 | RIDGEWOOD DR | MORALES RICARDO |
| 12 | 6928 | LAKE JUNE RD | FAITH KINGDOM CHURCH OF GOD IN CHRIST |
| 13 | 1241 | RIDGEWOOD DR | ALBITER HUMBERTO |
| 14 | 1235 | RIDGEWOOD DR | SANGUINO DANIEL A |
| 15 | 1231 | RIDGEWOOD DR | RABADAN GEMA |
| 16 | 1227 | RIDGEWOOD DR | GONZALEZ JOSE RUBEN & DANINETH L |
| 17 | 7024 | LAKE JUNE RD | MADI ALI K ET AL |
| 18 | 7016 | LAKE JUNE RD | BLANSIT LISA DBA DUCK CREEK INTEREST |
| 19 | 7034 | LAKE JUNE RD | MADI ALI K & JAMAL OSMAN SALEM |
| 20 | 1235 | JIM MILLER RD | VILLANUEVA ALDO |
| 21 | 1231 | JIM MILLER RD | WASHINGTON TRUMAN |
| 22 | 7037 | LAKE JUNE RD | MARTIN EAGLE OIL CO % SOUTHLAND CORP 233 |

Planner: Warren F. Ellis**FILE NUMBER:** Z123-241(WE) **DATE FILED:** February 4, 2013**LOCATION:** North Washington Avenue and Gaston Avenue, east corner**COUNCIL DISTRICT:** 2 **MAPSCO:** 46-E**SIZE OF REQUEST:** Approx. 0.83 acres **CENSUS TRACT:** 22.00

APPLICANT / OWNER: McDonalds Real Estate**REPRESENTATIVE:** Julianne McGee**REQUEST:** An application for an amendment to, and an expansion of, Specific Use Permit No. 1197 for a restaurant with drive-in or drive-through service on property within Subarea 12 of Planned Development District No. 298, the Bryan Area Special Purpose District.**SUMMARY:** The purpose of this request is to permit an existing restaurant with drive-in or drive-through service to increase the building's footprint by 35 square feet, and install an additional speaker box and surface parking.**STAFF RECOMMENDATION:** Approval, subject to a revised site plan and conditions.

BACKGROUND INFORMATION:

- The applicant's request for an amendment to, and an expansion of, Specific Use Permit No. 1197 will permit several modifications to the site plan. These modifications include 1) an increase the building's footprint by 35 square feet, 2) installation of an additional speaker box, and 3) providing additional surface parking on the eastern property line.
- In May 1994, the City Council approved a Specific Use Permit for a restaurant with drive-through service on property within Subarea 12 of Planned Development District No. 298, the Bryan Area Special Purpose District for a permanent time period.
- In May 2013, the Board of Adjustment approved a variance to the front yard setback regulations of 63 feet on North Washington Avenue. North Washington Avenue is classified as a pedestrian linkage street and requires specific front yard setbacks.
- The request site is surrounded by a variety of medical offices and a multifamily use.

Zoning History: There has been one recent zoning change and one Board of Adjustment case requested in the area.

1. BDA 123-044 On May 2013, the Board of Adjustment Panel C granted a variance to the front yard setback regulations of 63 feet at 3802 Gaston Avenue. (request site)
2. Z123-196 On June 26, 2013, the City Council recommended approval of a Specific Use Permit for a restaurant with drive-through service on property within Subarea 12 of Planned Development District No. 298, the Bryan Area Special Purpose District.

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW | Proposed ROW |
|-------------------------|-------|--------------|--------------|
| Gaston Road | Local | 60 ft. | 60 ft. |
| North Washington Avenue | Local | 70 ft. | 70 ft. |

Land Use:

| | Zoning | Land Use |
|------------------|----------------------------|---|
| Site | PDD No. 298 w/SUP No. 1197 | Restaurant with drive-in or drive-through service |
| Northeast | PDD No. 298 | Medical offices, Undeveloped |
| Southeast | PDD No. 298 | Medical office |
| Northwest | PDD No. 298 | Medical office, Multifamily |
| Southwest | PDD No. 749 | Medical office |

Comprehensive Plan: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in an Urban Mixed Use Building Block.

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

LAND USE**GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

STAFF ANALYSIS:

Land Use Compatibility: The 0.83 acre site is developed with a restaurant with drive-through service and is adjacent to a variety of medical offices and multifamily uses. The applicant's request for an amendment to Specific Use Permit No. 1197 will allow for several modifications to the site. These modifications include 1) an increase in the building's footprint by 35 square feet, 2) installation of an additional speaker box, and 3) additional surface parking along the northeastern property line.

The expansion of Specific Use Permit No. 1197 will incorporate an additional 7,875 square feet of land that will be used to provide 17 off-street parking spaces. The additional parking spaces are needed in order to meet the required off-street parking requirements for a restaurant with drive-through service.

In May 1994, the City Council approved a Specific Use Permit for a restaurant with drive-in or drive-through service on property within Subarea 12 of Planned Development District No. 298, the Bryan Area Special Purpose District for a permanent time period.

In May 2013, the Board of Adjustment approved a variance to the front yard setback regulations of 63 feet on North Washington Avenue. North Washington Avenue is classified as a pedestrian linkage street and requires specific front yard setbacks.

Staff's recommendation is for approval of an amendment to, and an expansion of, Specific Use Permit No. 1197 for a restaurant with drive-through service, subject to a revised site plan and conditions.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

Development Standards:

| <u>DISTRICT</u> | <u>SETBACKS</u> | | Density | Height | Lot Coverage | Special Standards | PRIMARY Uses |
|------------------------|------------------------|------------------|----------------|---------------|---------------------|--------------------------|--|
| | Front | Side/Rear | | | | | |
| PDD No. 298 | 5' to 15' | 0/5' | 4:1 | 160' | 90% | Proximity Slope | Commercial & business services, Office, Residential, retail and Personal service |
| | | | | | | | |

Landscaping: Landscaping of any development will be in accordance with Article X requirements, as amended. There are no changes to the landscape plan.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and has determined that the proposed development will not have a negative impact on the surrounding street system.

Plat- The applicant will not have to re-plat their property that includes the additional surface parking located along the northeastern property line. The applicant will file an application with the Building Official for a remote parking agreement showing that both properties are owned by the same entity and that the restaurant with drive-through service will meet the required off-street parking requirements.

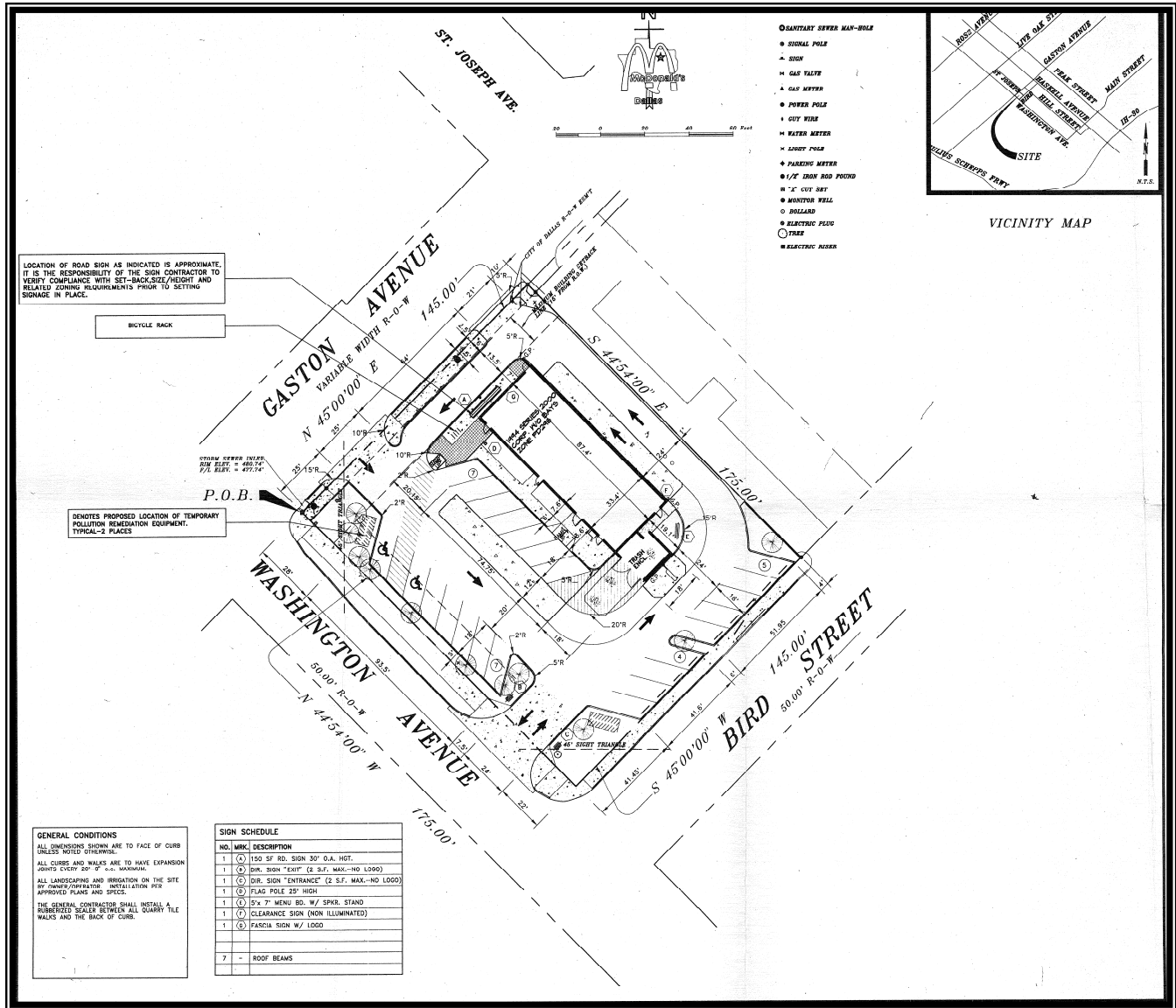
| |
|--------------------------|
| LIST OF DIRECTORS |
|--------------------------|

- Peter J. Bensen
- Gloria Santona
- Jeffrey P. Stratton

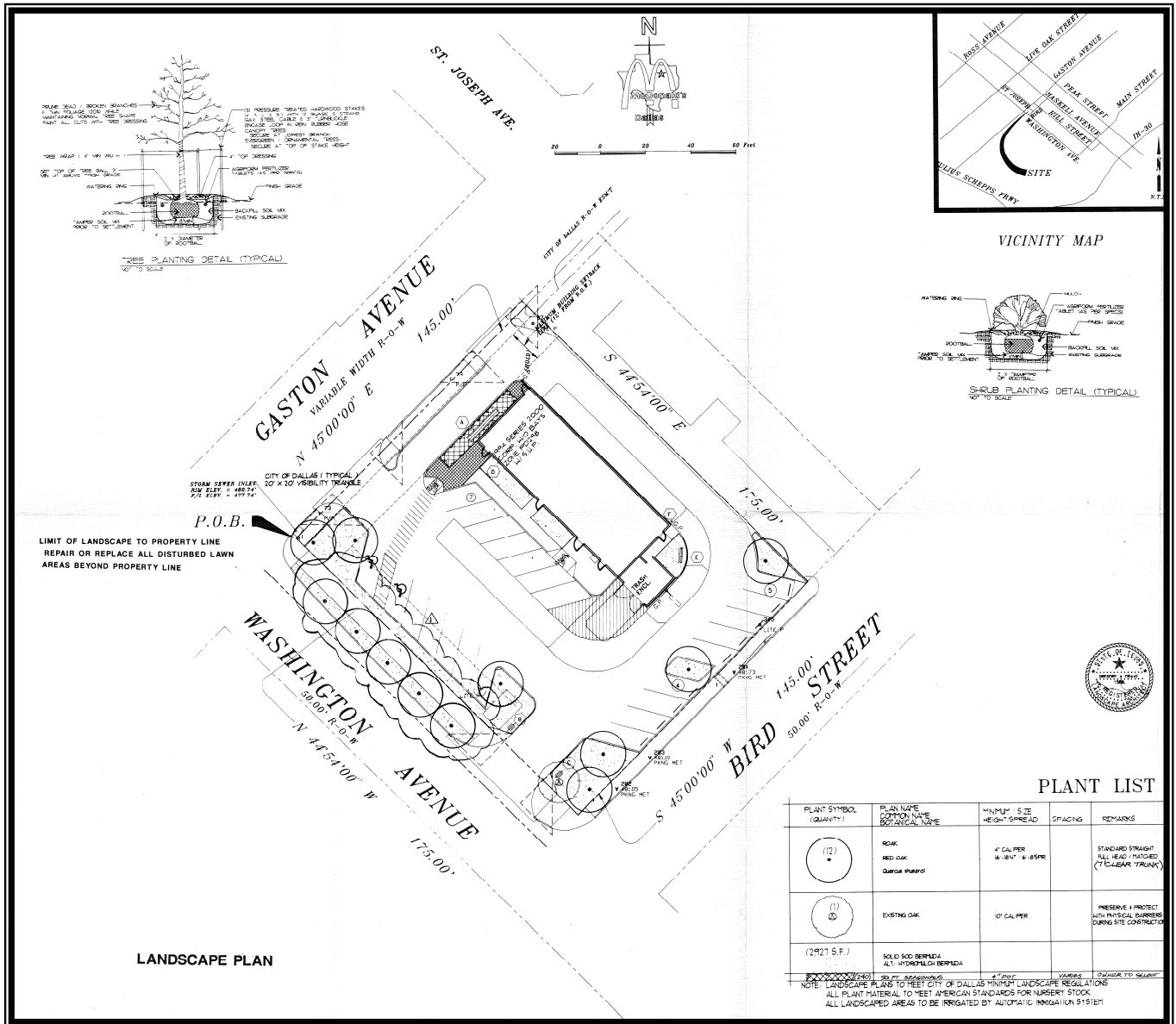
| |
|--------------------------------|
| PROPOSED SUP CONDITIONS |
|--------------------------------|

1. USE: The only use authorized by this specific use permit is a restaurant with 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 has no expiration date.
4. LANDSCAPING: Landscaping must be provided as shown on the attached landscape plan.
5. INGRESS/ EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
6. PARKING: Minimum off-street parking is 37 spaces and must be located as shown on the attached site plan.
- [5]7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
- [6]8. 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.

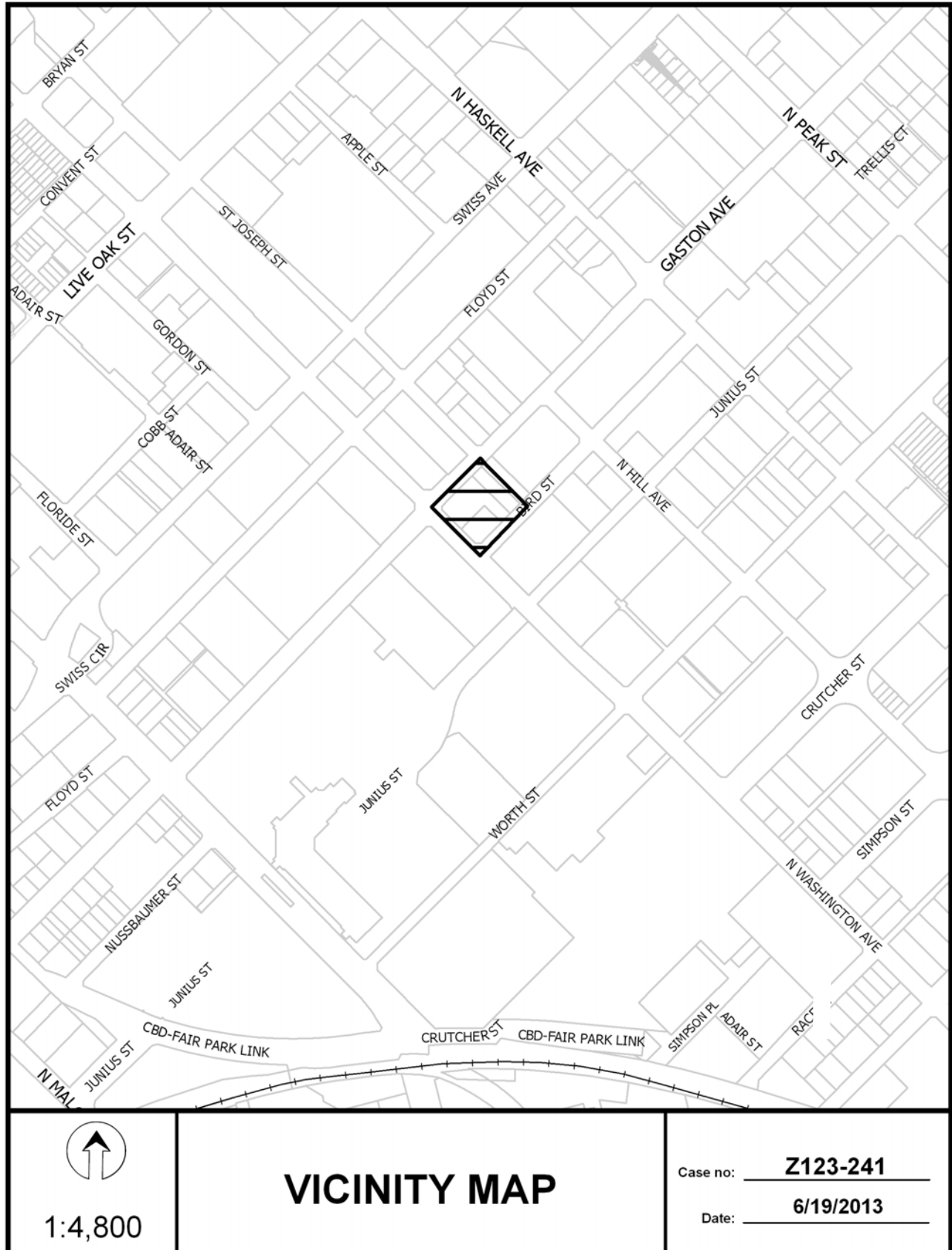
APPROVED SITE PLAN

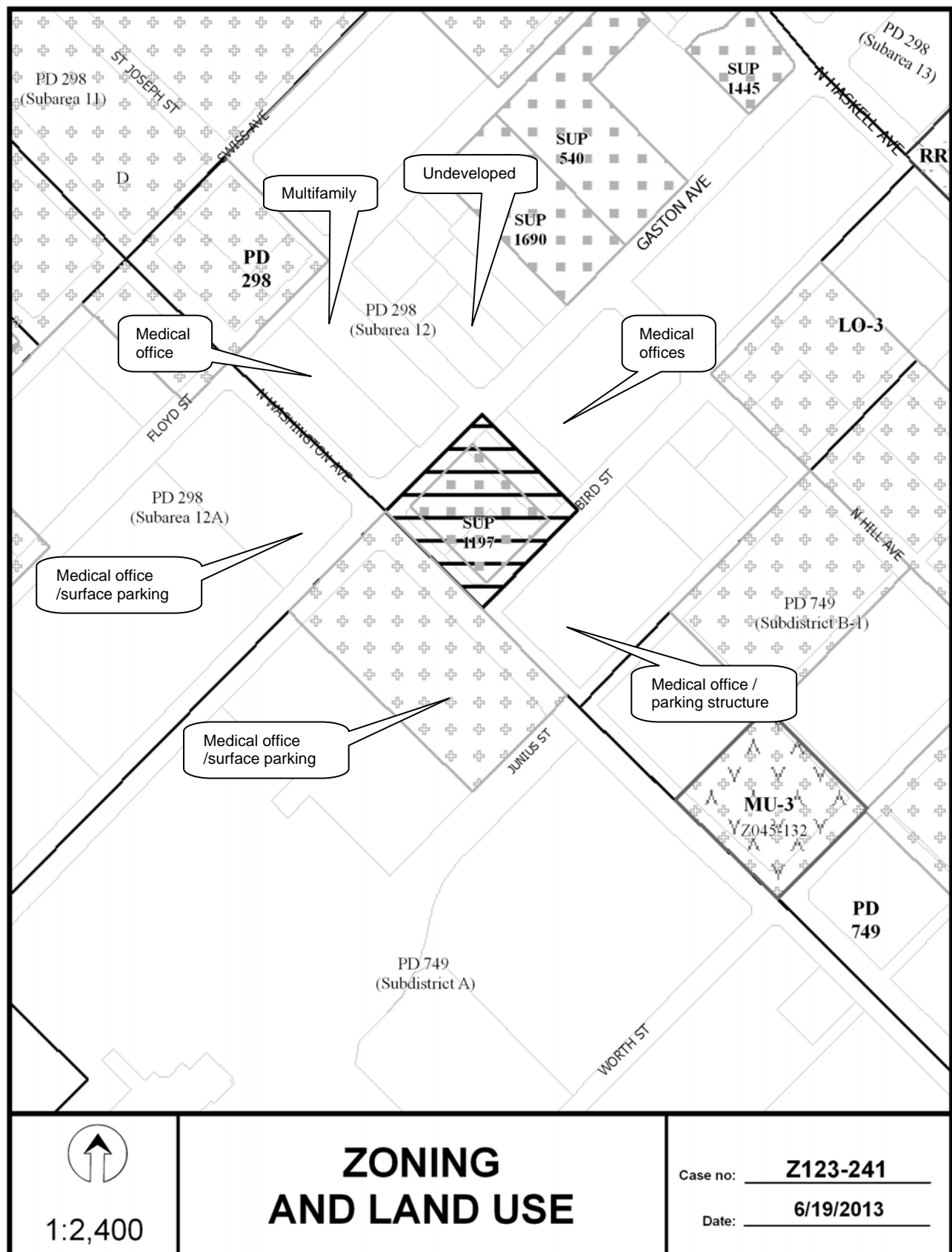


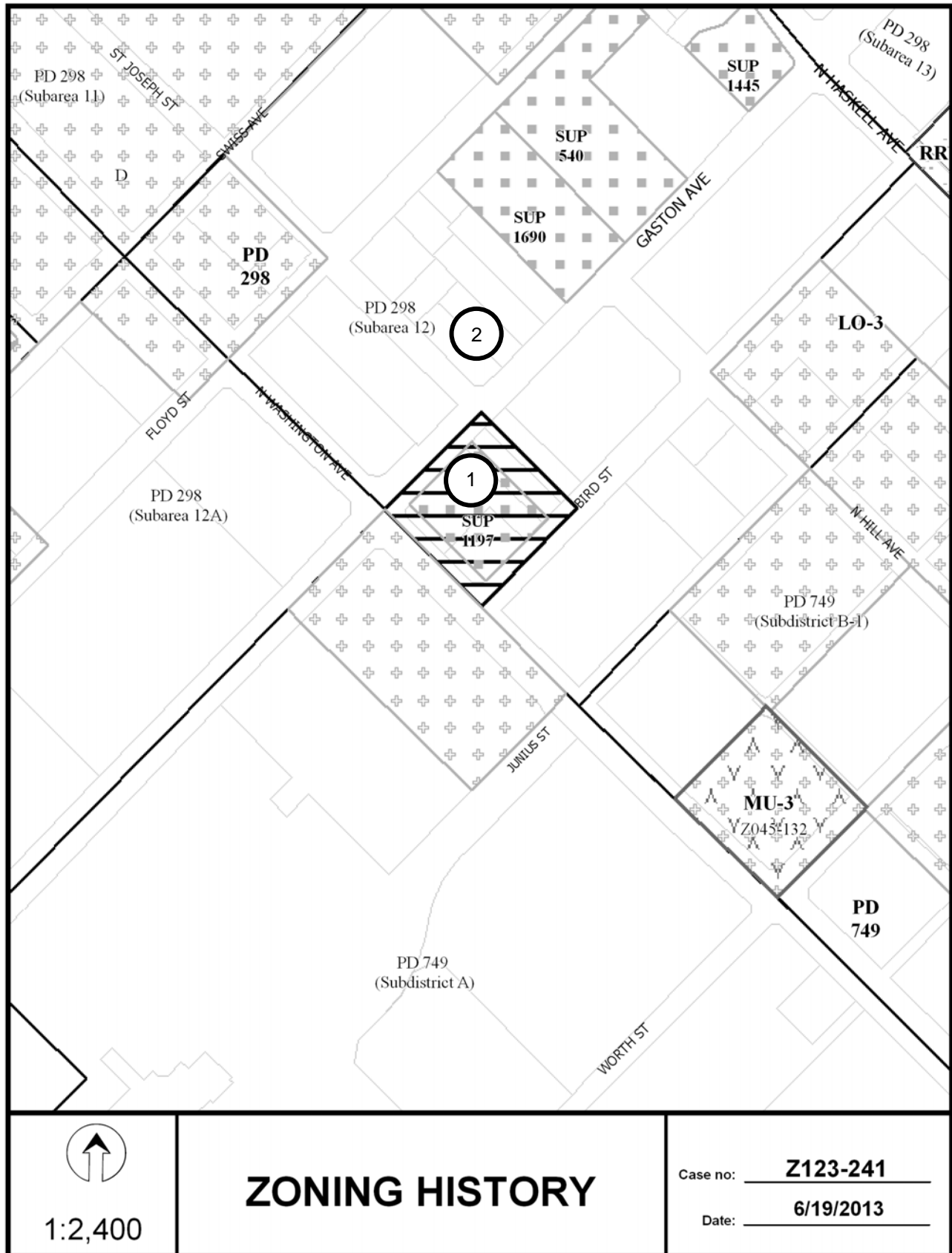
APPROVED LANDSCAPE PLAN









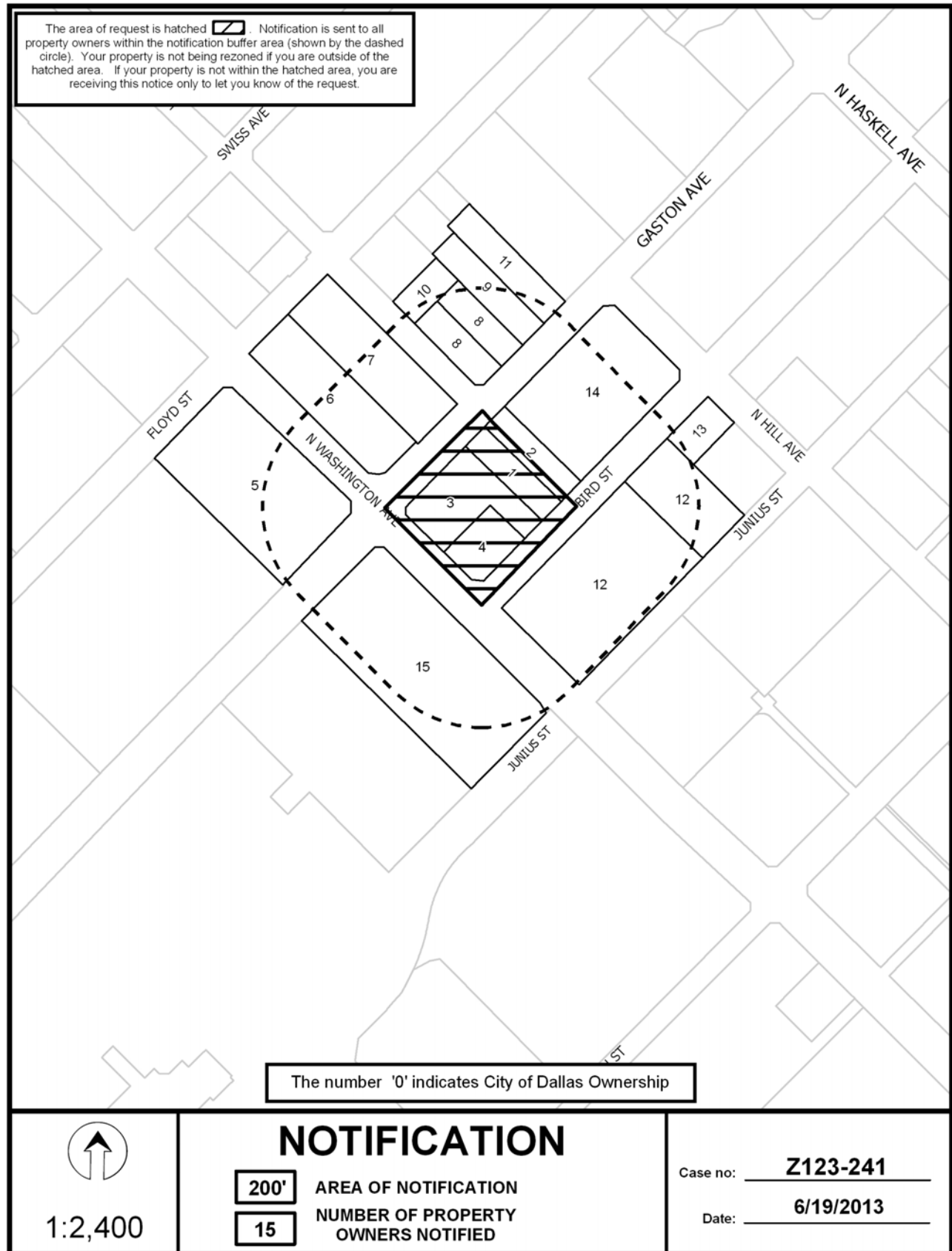


1:2,400

ZONING HISTORY

Case no: **Z123-241**

Date: **6/19/2013**



Notification List of Property Owners

Z123-241

15 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|--|
| 1 | 3812 GASTON AVE | DAULAT JANAK ET AL |
| 2 | 3902 GASTON AVE | NEVIL HOLLY D JR & JANET D |
| 3 | 3802 GASTON AVE | MCDONALD CORPORATION SUITE 640 LB 17 |
| 4 | 3801 BIRD ST | MCDONALDS CORPORATION % KAREN INDUSTRIES |
| 5 | 3707 GASTON AVE | BAYLOR HEALTH CARE SYSTEM |
| 6 | 3801 GASTON AVE | MONDRIAN MEDICAL LP SUITE 218 |
| 7 | 911 ST JOSEPH ST | DICKINSON PLACE CHARITABLE CORPORATION |
| 8 | 3905 GASTON AVE | MCMAHAN CURTIS PALMER & CHARLOTTE K |
| 9 | 3909 GASTON AVE | MCMAHAN CURTIS P & CHARLOTTE K |
| 10 | 916 ST JOSEPH ST | DICKINSON PLACE CHARITABLE CORP |
| 11 | 3911 GASTON AVE | BANDY ROLAND % GRANITE CAPITAL |
| 12 | 712 WASHINGTON AVE | WASHINGTON TOWER JV % W ROBERT DYER JR |
| 13 | 711 HILL AVE | CLARK FAMILY TRUST |
| 14 | 3910 GASTON AVE | GASTON BIOMEDICAL LP SUITE 218 |
| 15 | 3500 GASTON AVE | BAYLOR HEALTH CARE SYSTEM SUITE 2200 |

FILE NUMBER: Z123-257(WE) **DATE FILED:** April 16, 2013

LOCATION: North side of Commerce Street, west of Pryor Street

COUNCIL DISTRICT: 2 **MAPSCO:** 45-M

SIZE OF REQUEST: Approx. 2,613.6 sq. ft. **CENSUS TRACT:** 204

APPLICANT: Dallas Comedy House
Amanda Austin – Sole Owner

OWNER: 42 Deep Ellum L.P.

REPRESENTATIVE: Audra Buckley

REQUEST: An application for the renewal of Specific Use Permit No. 1857 for an alcoholic beverage establishment use for a bar, lounge, or tavern on property within Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

SUMMARY: The purpose of this request is to allow the facility to continue operating as a bar, tavern or lounge within the Deep Ellum District.

STAFF RECOMMENDATION: Approval, for a five-year period, subject to conditions

BACKGROUND INFORMATION:

- The applicant's request for a Specific Use Permit is to allow for the continued operation of the bar, lounge or tavern in the Deep Ellum District.
- In June 2006, the City Council amended the Deep Ellum Planned Development District to require certain businesses to have Specific Use Permits to operate and to sunset the non-conforming rights for those establishments.
- In June, 2011, the City Council approved a Specific Use Permit for an alcoholic beverage establishment use for a bar, lounge, or tavern on property within Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District for a two year period.
- The request site is located within a one-story multi-tenant mixed use development. The development consists of a variety of retail and commercial uses that shares surface parking spaces on Commerce Street and a small off-street parking lot on the west side of request site.

Zoning History: There have been nine recent zoning changes requested within Planned Development District No. 296, the Deep Ellum/Near East Side Special Purpose District.

1. Z056-271 On January 10, 2007, the City Council approved a Specific Use Permit for a Tattoo Studio or Body Piercing Studio on property within Planned Development District No. 269 on the south side of Main Street, west of Pryor Street.
2. Z067-305 On December 7, 2007, the City Council denied a Specific Use Permit for a bar, lounge, or tavern and an inside commercial amusement for a dance hall on property zoned Tract A within Planned Development District No. 269 on the southeast corner of Main Street and Good Latimer Expressway.
3. Z067-335 On November 28, 2007, the City Council approved a Specific Use Permit for a bar, lounge or tavern and an inside commercial amusement for a dance hall on property zoned Planned Development District No. 269 on the south side of Commerce Street, west of Henry Street.
4. Z067-347 On December 12, 2007, the City Council approved of a Specific Use Permit for an alcoholic beverage establishment for a bar, lounge or tavern and an Inside commercial amusement limited to a live music venue on the southwest line of Elm Street, west of Crowds Street.

5. Z067-342 On December 7, 2007, the City Council approved of a Specific Use Permit for a bar, lounge or tavern for a one-year period on property zoned Planned Development District No. 269 on the north side of Commerce Street, east of Good Latimer Expressway.
6. Z089-273 On December 9, 2009, the City Council approved of a Specific Use Permit for an alcoholic beverage establishment use limited to a bar, lounge, or tavern and an inside commercial amusement limited to a Class A dance hall on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the South side of Elm Street, west of Crowds Street.
7. Z089-211 On August 12, 2009, the City Council approved of a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the north side of Commerce Street, east of Good Latimer.
8. Z089-275 On October 28, 2009, the City Council approved of an amendment to Specific Use Permit No. 1767 for a bar, lounge, or tavern on property zoned Planned Development District No. 269 the Deep Ellum/Near East Side Special Purpose District, on the north side of Commerce Street, east of Good Latimer Expressway.
9. Z101-219 On June 8, 2011, the City Council approved a Specific Use Permit for an alcoholic beverage establishment use for a bar, lounge, or tavern on property within Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the north side of Commerce Street, west of Pryor Street. (request site)

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW | Proposed ROW |
|---------------------|--------------|--------------|--------------|
| Commerce Street | Local Street | 80 ft. | 80 ft. |

Land Use:

| | Zoning | Land Use |
|--------------|--|-----------------------|
| Site | PDD No. 269, Tract A w/SUP No. 1857 | Bar, lounge or tavern |
| North | PDD No. 269 Tract A, SUP No. 1651 | Retail, Tattoo studio |
| South | PDD No. 269 Tract A | Surface parking |
| East | PDD No. 269 Tract A | Commercial |
| West | PDD No. 269 Tract A | Surface parking |

COMPREHENSIVE PLAN:

The comprehensive plan does not make a specific land use recommendation related to the request, however the forward Dallas! Vision Illustration is comprised of a series of Building Blocks that shows general land use patterns. They are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The request site lies within an Urban Mixed-Use Building Block. This Building Block provides for a healthy balance of housing, job, and shopping that permits residents to live, work, shop, and play in the same neighborhood. Wide sidewalks and pedestrian features offer alternative access options to this type of area, thus permitting foot and bike traffic to benefit from the mix of uses.

STAFF ANALYSIS:

Land Use Compatibility: The 2,323 square foot site is located within a one-story multi-tenant mixed use development and is adjacent to a variety of retail, office, restaurant and bar, lounge or tavern uses. The request for the renewal of Specific Use Permit No. 1857 for a bar, lounge or tavern will allow the applicant to continue to operate the alcoholic beverage establishment limited to a bar, lounge or tavern within the existing structure. There are no changes to the existing site plan. The only change to the conditions will be reflected in the time period in which the applicant can operate the use. There are no changes to the site plan.

In June 8, 2011, the City Council approved a Specific Use Permit for an alcoholic beverage establishment use limited to a bar, lounge, or tavern on property within Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District for a two year period.

A bar, lounge, or tavern means an establishment principally for the sale and consumption of alcoholic beverages on the premises that derives 75 percent or more of its gross revenue from the service of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code, for on-premise consumption.

PDD No. 269 specifies that “no off-street parking spaces are required for the first 2,500 square feet of floor area in a ground level use that has a separate certificate of occupancy if the use is located in an original building. Otherwise, one space for each 100 square feet of floor area. No parking is required for outside seating. Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement.”

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

Landscaping: The request site is located within an existing structure and the landscaping requirements will not be triggered.

Traffic: The Engineering Section of the Department Development Services has reviewed the request and determined that it will not significantly impact the surrounding street system for the proposed development.





Parking: PDD No. 269 gives a credit for the first 2,500 square feet of bar, lounge, or tavern uses when located on the first floor in an original building.

Dallas Police Department: A copy of a police report of the past 5 years of offenses is provided below.

Offenses prior to a Specific Use Permit – June 8, 2009 to June 8, 2011

- No record of any offenses during this time period

Offenses after issuance of Specific Use Permit – June 8, 2011 to June 8, 2013

| <div>  DALLAS POLICE DEPARTMENT </div> <div> UCR Codes Year Codes Property Class Codes </div> | | | | | | | | | | |
|---|--------------|-------------------|--------|-------|-----|-----------|------|-----------------------------|-------|---------|
| Virtual Viewer - Public Access | | | | | | | | | | Welcome |
|    | | | | | | | | | | |
| Search Records - Offense | | | | | | | | Filter <input type="text"/> | | |
| Service # | Offense Date | Complainant | Offens | Block | Dir | Street | Beat | Reporting Area | UCR1 | UCR2 |
| <u>0132469-Z</u> | 05/30/2012 | DIODATI, MONICA | THEFT | 02645 | | COMMER... | 153 | 2078 | 06941 | |
| <u>0212957-Y</u> | 08/11/2011 | KRIEGER, ALICE, J | FRAUD | 02645 | | COMMER... | 153 | 2078 | 11080 | |

LIST OF OFFICERS
42 Deep Ellum

42 Deep Ellum, L.P.,

Scott Rohrman – General Partner

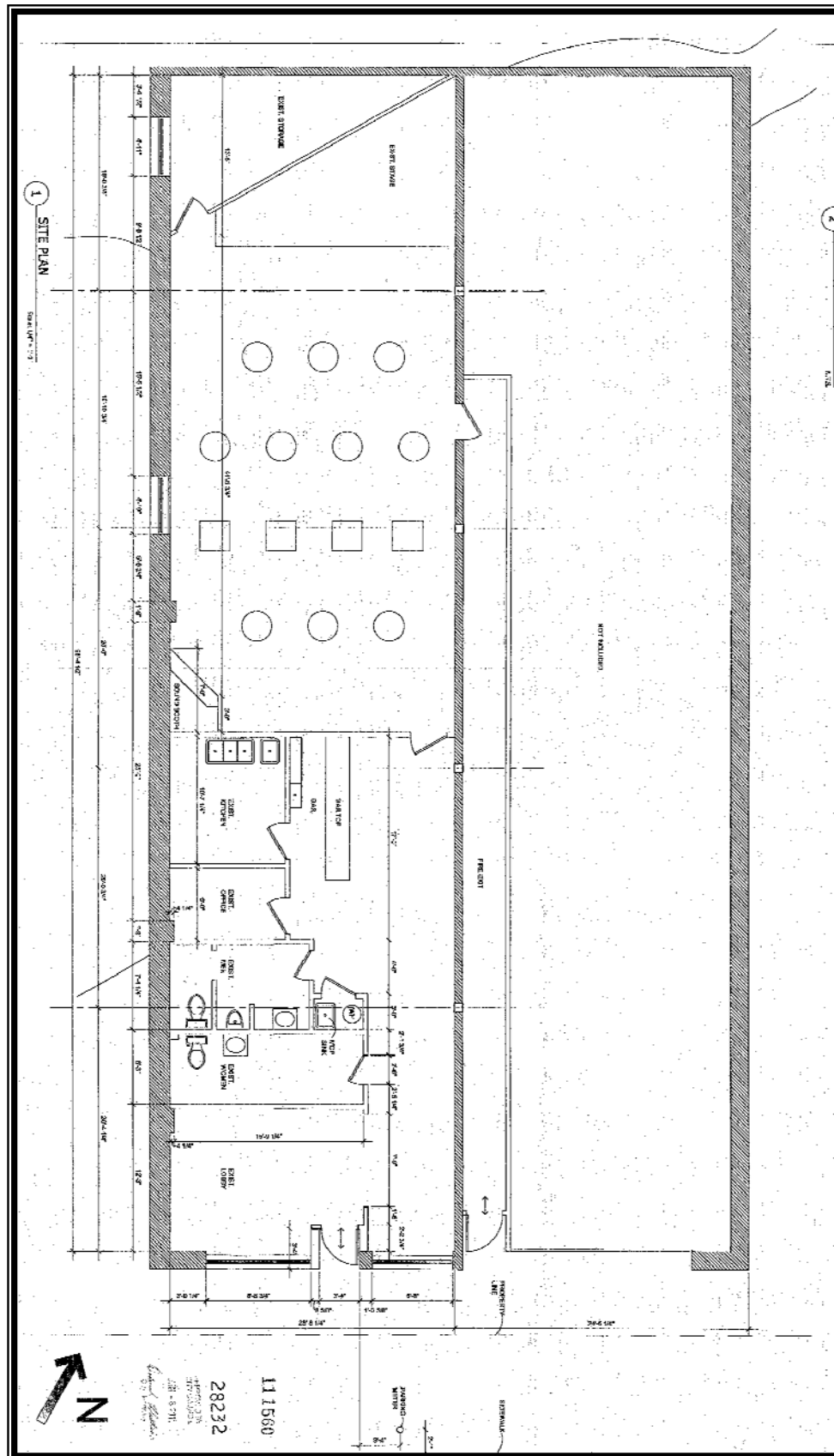
LIST OF OFFICERS
42 General Partner Deep Ellum

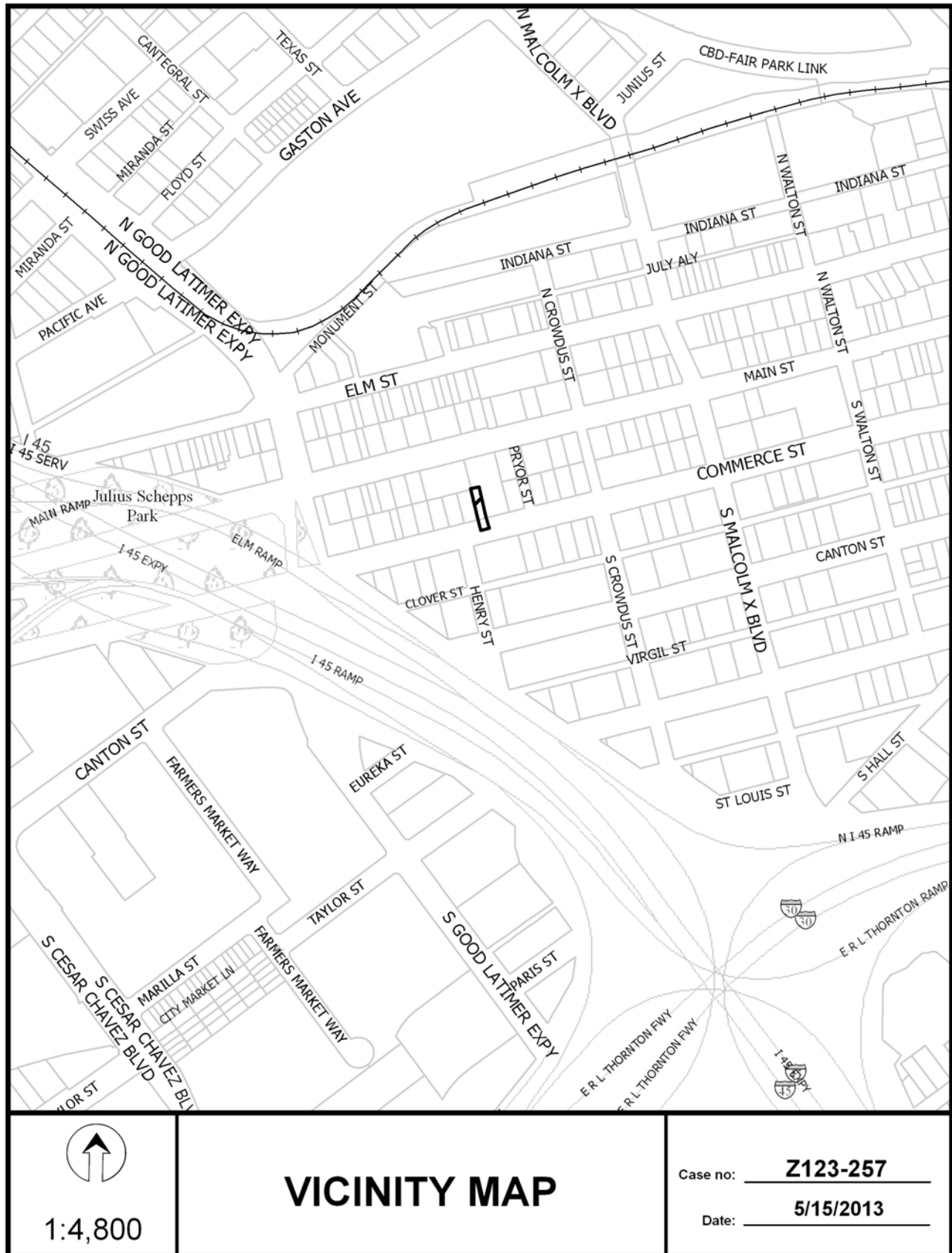
Scott Rohrman – Managing Member

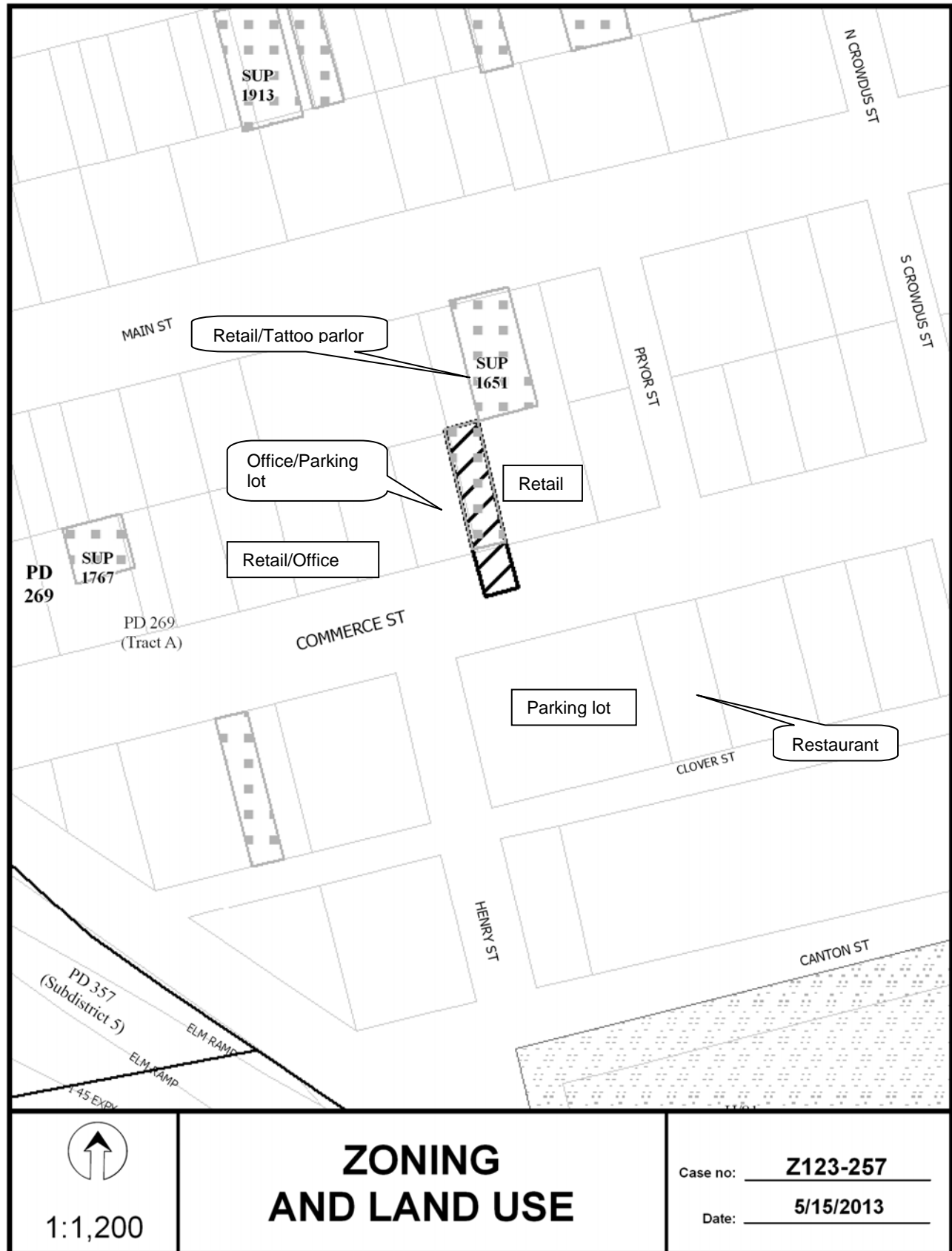
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| PROPOSED SUP CONDITIONS |
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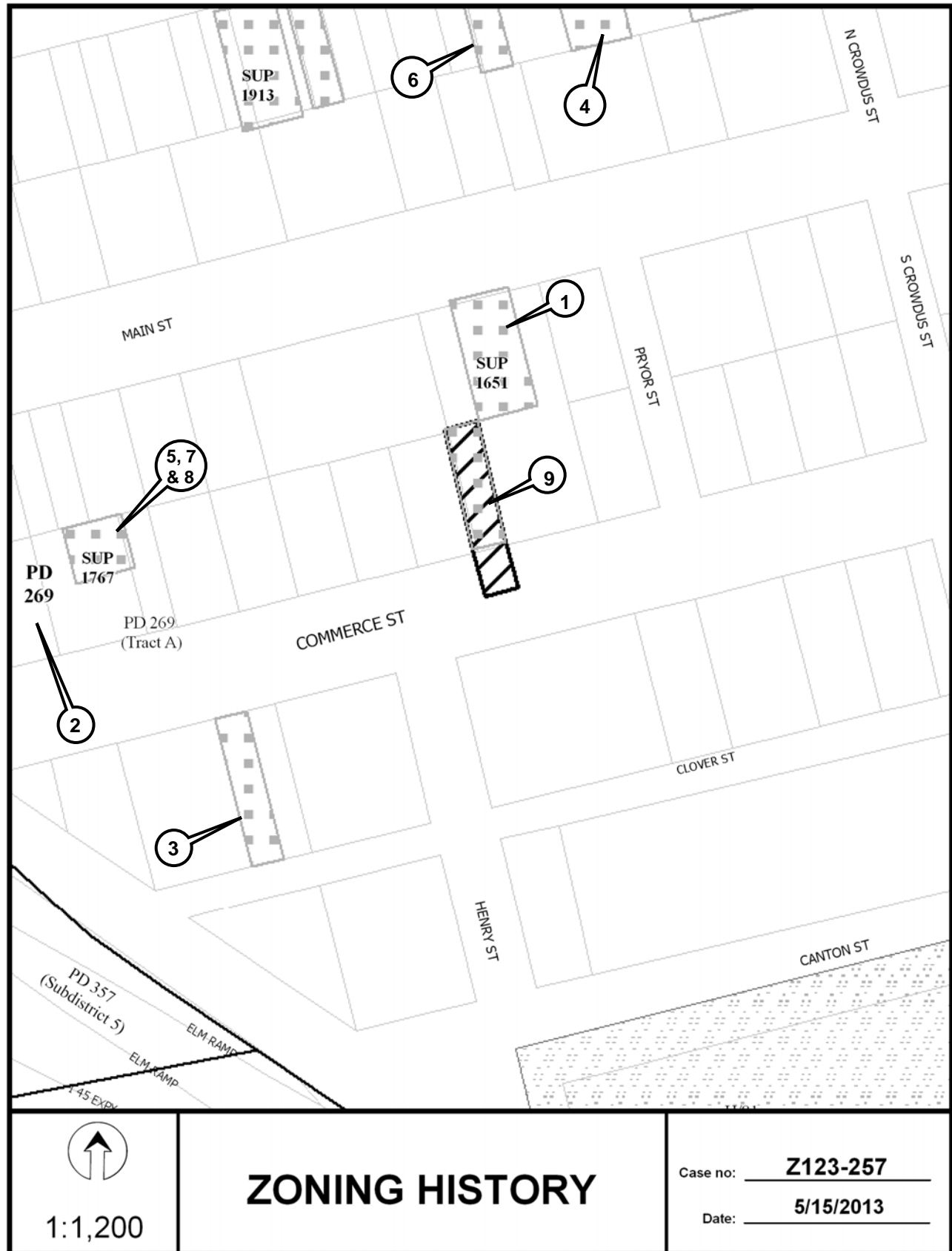
1. USE: The only use authorized by this specific use permit is a bar, lounge₁ or tavern.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires ~~[automatically terminates]~~ on ~~[June 8, 2013.]~~, (five-year period from the passage of this ordinance).
4. FLOOR AREA: The maximum floor area for a bar, lounge₁ or tavern is 2,323 square feet.
5. HOURS OF OPERATION: The bar, lounge₁ or tavern use may only operate between 4:00 p.m. and 2:00 a.m. (the next day), Monday through Sunday.
6. OFF-STREET PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269. Delta credits, as defined in Section 51A-4.704(b)(4), may not be used to meet the off-street parking requirement.
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
8. 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.

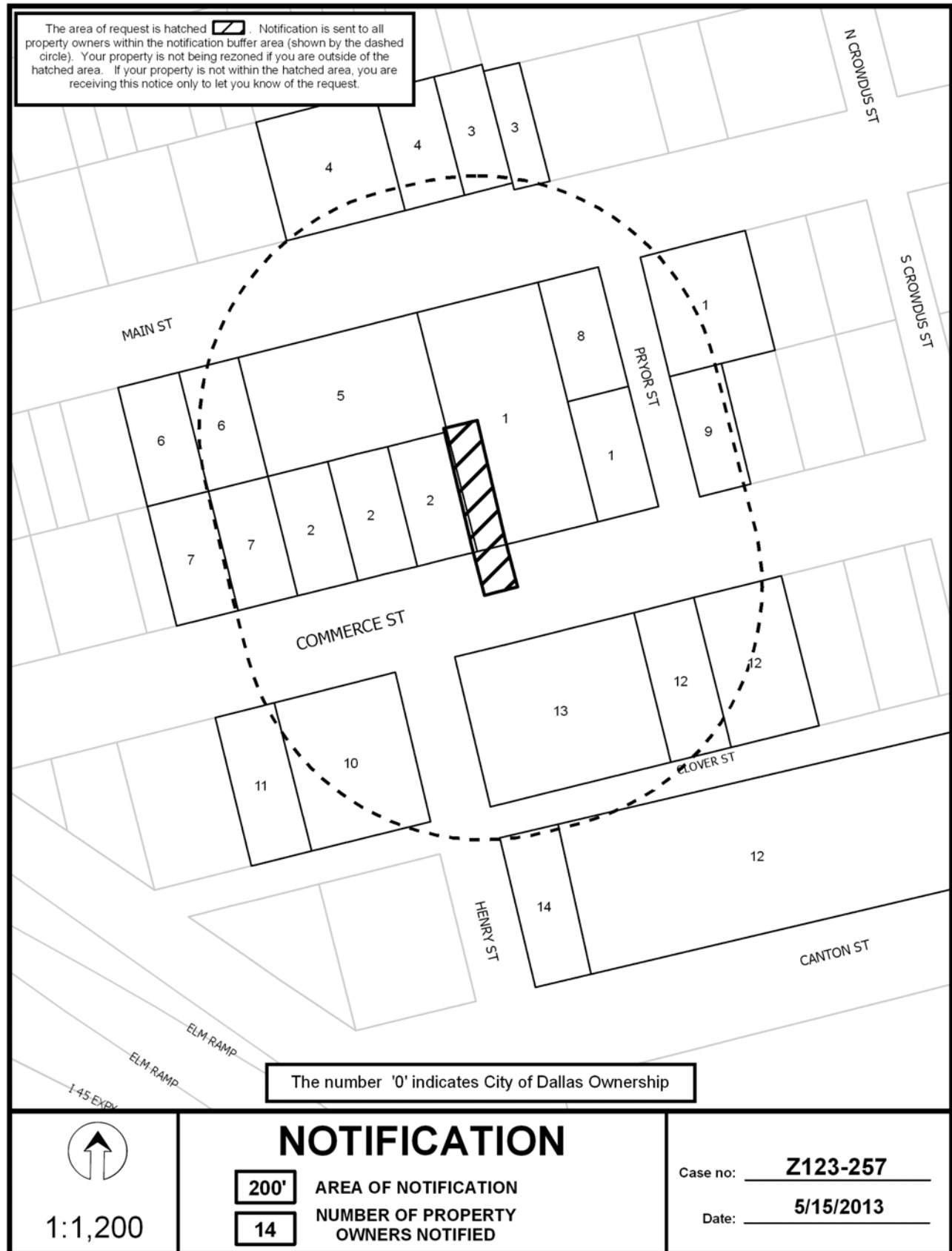
APPROVED SITE PLAN











Notification List of Property Owners

Z123-257

14 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---|
| 1 | 2650 MAIN ST | JERNIGAN REALTY PTNR LP |
| 2 | 2629 COMMERCE ST | DEEP ELM II LTD STE B |
| 3 | 2649 MAIN ST | PETERS WILSON G APT A |
| 4 | 2647 MAIN ST | MERRILL ROBERT |
| 5 | 2642 MAIN ST | MERRILL ROBERT L & KAREN L MERRILL |
| 6 | 2626 MAIN ST | COMMERCE STREET PS LTD |
| 7 | 2625 COMMERCE ST | PARK A LOT LTD % FRED BAKER |
| 8 | 2656 MAIN ST | SCHWARTZ HYMIE TRUST & JEANNETTE SCHWART |
| 9 | 2703 COMMERCE ST | SCHWARTZ JEANNETTE TRUST SUITE 203 |
| 10 | 2630 COMMERCE ST | WESTDALE PPTIES AMERICA I LTD |
| 11 | 2622 COMMERCE ST | SDL PARTNERS LTD % HCS PROPERTIES |
| 12 | 2718 COMMERCE ST | 2713 CANTON LTD |
| 13 | 2700 COMMERCE ST | WESTDALE PROPERTIES AMERICA I LTD |
| 14 | 2701 CANTON ST | WESTBROOK JAMES P |

FILE NUMBER: Z123-261(WE) **DATE FILED:** April 19, 2013

LOCATION: Levelland Road and Gold Dust Trail, northwest corner

COUNCIL DISTRICT: 12 **MAPSCO:** 5- L

SIZE OF REQUEST: Approx. 0.688 acres **CENSUS TRACT:** 317.18

APPLICANT/ OWNER: Stephen L. & Cheryl D. Landers

REPRESENTATIVE: Mike Coker
Michael R. Coker Company

REQUEST: An application for a TH-2(A) Townhouse District and termination of the deed restrictions on property zoned an NO(A) Neighborhood Office District.

SUMMARY: The purpose of this request is to permit the development of single family detached residences on the site. The applicant proposes to terminate the existing deed restrictions that currently restrict the site's development to office and R-10(A) Single Family District uses. In addition, the deed restrictions also prohibit access to the site from Levelland Drive.

STAFF RECOMMENDATION: Approval for a TH-2(A) Townhouse District and approval of the termination of the deed restrictions.

BACKGROUND INFORMATION:

- The applicant's request for a TH-2(A) Townhouse District uses will allow the development of single family dwellings on site.
- The applicant also proposes to terminate the existing deed restrictions that restrict 1) the site's development to office and R-10(A) Single Family District uses, 2) prohibit access onto the site from Levelland Drive, 3) limits the maximum height of non-residential structures and signs to 16 feet, and 4) prohibits parking or maneuvering areas within 30 feet of the existing right-of-way of Levelland Drive. There are additional restricts that are imposed on the site.
- The request site is adjacent to a townhome development to the north, single family development to the east, across Levelland Drive, commercial and auto related uses to south, across Gold Dust Trail and retail and personal service uses to the west.

Zoning History: There has not been any recent zoning change requested in the area.

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW | Proposed ROW |
|---------------------|-------|--------------|--------------|
| Levelland Drive | Local | 60 ft. | 60 ft. |
| Gold Dust Trial | Local | 60 ft. | 60 ft. |

Land Use:

| | Zoning | Land Use |
|--------------|---------------------------|------------------------------|
| Site | NO(A) w/deed restrictions | Undeveloped |
| North | TH-2(A) | Townhomes |
| South | CS | Commercial, Auto related use |
| East | PDD No. 106 | Single Family, Undeveloped |
| West | CS w/deed restrictions | Retail |

Comprehensive Plan: The forwardDallas! Comprehensive Plan was adopted by the City Council in June 2006. The forwardDallas! Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in a Residential Building Block.

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

The request site is located within a residential area and surrounded by a mix a residential, retail and commercial uses. The applicant proposes to develop the 0.688 site with single family uses. The applicant's request is in compliance with the goals and policies in the forwardDallas! Comprehensive Plan.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

STAFF ANALYSIS:

Land Use Compatibility: The 0.688 acres acre site is undeveloped and is adjacent to a mix of residential, retail and commercial related uses. The applicant's request for a TH-2(A) Townhouse District will allow for the development of single family dwellings on site.

In September 1985, the City Council approved a change in the zoning on the request site from Planned Development District No. 106 to an O-1 Office District with deed restrictions volunteered by the applicant. The deed restrictions currently restrict the site's development to the following:

- 1 Office and R-10(A) Single Family District uses.
2. The maximum permitted height, of any non-residential structure or sign, is 16 feet measured from grade to the highest point of the structure or sign.
3. No access to Levelland Drive is permitted from the property.
4. No part of any structure of sign is permitted within 30 feet of the existing right-of-way of Levelland Drive.

5. No parking spaces or maneuvering areas are permitted within 30 feet of the existing right-of-way of Levelland Drive.

6. No part of any structure is permitted within 30 feet of the existing right-of-way of Gold Dust Trail.

7. No parking spaces or maneuvering areas are permitted within 10 feet of the existing right-of-way of Gold Dust Trail.

8. Prior to the issuance of any building permit, a site plan, building elevation drawings, and a landscape plan must be submitted to the City Plan Commission and must be approved.

9. A six foot tall solid masonry screening wall must be constructed along the northern boundary of the property prior to the issuance of a building permit for any structure which is primarily to be used for office uses, as defined in the Dallas Development Code, as amended. The wall must extend along the northern boundary of the property, from the western boundary of the property to a point 30 feet west of the existing right-of-way of Levelland Drive.

10. The person submitting the site plan, building elevation drawings, and landscape plan must send a notice to Ms. Lucie Bellew at 7338 Williamswood Drive, Dallas, Texas 75252, at least 15 days prior to the meeting at which the plans are submitted to the City Plan Commission.

The applicant is requesting to terminate the deed restrictions on the property to permit the development of single family detached uses on the site, which is consistent with the adjacent single family developments in the area.

Staff's recommendation is for approval of the TH-2(A) Townhouse District and approval of the termination of the deed restrictions.

Development Standards:

| <u>DISTRICT</u> | <u>SETBACKS</u> | | <u>Density</u> | <u>Height</u> | <u>Lot Coverage</u> | <u>Special Standards</u> | <u>PRIMARY Uses</u> |
|------------------------------------|------------------------|--|------------------------|----------------------|----------------------------|----------------------------------|----------------------------|
| | <u>Front</u> | <u>Side/Rear</u> | | | | | |
| TH-2(A) - proposed Townhouse | 0' | 0' | 9 Dwelling Units/ Acre | 36' | 60% | Min. Lot: 2,000 sq. ft | Single family |
| NO(A) existing Neighborhood Office | 15' | 20' adjacent to residential OTHER: No Min. | 0.5 FAR | 30' 2 stories | 50% | Proximity Slope Visual Intrusion | Office |
| | | | | | | | |

Landscaping: Landscaping of any development will be in accordance with Article X requirements, as amended.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and has determined that the proposed development will not have a negative impact on the surrounding street system.

| |
|----------------------------|
| EXISTING DEED RESTRICTIONS |
|----------------------------|

DEED RESTRICTIONS

85293

THE STATE OF TEXAS)
)
 COUNTY OF COLLIN)

KNOW ALL MEN BY THESE PRESENTS:
BOOK 2216 PAGE 108

58027

That the undersigned, Yousef Saadi, is the owner of the following described property situated in Collin County, Texas, being in particular a tract of land in City Block A/8727, City of Dallas, Collin County, Texas, and being that same tract of land conveyed to Yousef Saadi by S & M Partnership by deed dated June 11, 1984, and recorded in Volume 2, Page 9 in the Deed Records of Collin County, Texas, and being more particularly described as follows:

Being all of Lots 20 and 21 in City Block A/8727 of the Preston Road Highland Addition, Revised, an addition to Collin County, now situated in the City of Dallas.

That the undersigned Yousef Saadi, does hereby impress all the above described property with the following deed restrictions, to-wit;

1. The property is restricted to office uses, and all uses permitted in an R-10 Single Family District, as those uses are defined by the Dallas Development Code, as amended. 2. The maximum permitted height, of any non-residential structure or sign, is 16 feet measured from grade to the highest point of the structure or sign. 3. No access to Levelland Drive is permitted from the property. 4. No part of any structure or sign is permitted within 30 feet of the existing right-of-way of Levelland Drive. 5. No parking spaces or maneuvering areas are permitted within 30 feet of the existing right-of-way of Levelland Drive. 6. No part of any structure is permitted within 30 feet of the existing right-of-way of Gold Dust Trail. 7. No parking spaces or maneuvering areas are permitted within 10 feet of the existing right-of-way of Gold Dust Trail. 8. Prior to the issuance of any building permit, a site plan, building elevation drawings, and a landscape plan must be submitted to the City Plan Commission and must be approved. 9. A six foot tall solid masonry screening wall must be constructed along the northern boundary of the property prior to the issuance of a building permit for any structure which is primarily to be used for office uses, as defined in the Dallas Development Code, as amended. The wall must extend along the northern boundary of the property, from the western boundary of the property to a point 30 feet west of the existing right-of-way of Levelland Drive. 10. The person submitting the site plan, building elevation drawings, and landscape plan must send a notice to Ms. Lucie Bellew at 7338 Williamswood Drive, Dallas, Texas 75252, at least 15 days prior to the meeting at which the plans are submitted to the City Plan Commission.

These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless terminated in the manner specified herein.

These restrictions shall not be altered, amended or terminated without a public hearing before the City Plan Commission and the City Council of the City of Dallas. Notice of such hearings shall be given as would be required by law for a zoning change on the property described herein.

Z834-427/6519-N

**PROPOSED TERMINATION
OF DEED RESTRICTIONS**

TERMINATION OF DEED RESTRICTIONS

THE STATE OF TEXAS)
COUNTY OF COLLIN)

KNOW ALL PERSONS BY THESE PRESENTS:

I.

The undersigned, Stephen L. and Cheryl D. Landers ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the _____ Survey, Abstract No. 169, part of City Block A/8727, City of Dallas ("City"), Collin County, Texas, and being that same tract of land conveyed to the Owner by Texas Torah Institute, by deed dated March 18, 2013, and recorded in Instrument Number 20130319000364330, in the Deed Records of Collin County, Texas, and being more particularly described as follows:

Being Lots 20 and 21, in Block A/8727, of Preston Road Highlands Addition Revised, an Addition to the City of Dallas, Collin County, Texas, according to the Map thereof recorded in Volume 2, Page 9, Map Records, Collin County, Texas.

II.

The Property was impressed with certain deed restrictions ("restrictions") as shown in an instrument dated September 11, 1985, signed by Yousef Saadi and recorded in Volume 2216, Page 108, of the Deed Records of Collin County, Texas, a true and correct copy of which is attached to this instrument as Exhibit "A" and made a part of this instrument.

III.

The Owner does hereby terminate and release the following restrictions as they apply to the Property, to wit:

1. The property is restricted to office uses, and all uses permitted in an R-10 Single Family District, as those uses are defined by the Dallas Development Code, as amended. 2. The maximum permitted height, of any non-residential structure or sign, is 16 feet measured from grade to the highest point of the structure or sign. 3. No access to Levelland Drive is permitted from the property. 4. No part of any structure or sign is permitted within 30 feet of the existing right-of-way of Levelland Drive. 5. No parking spaces or maneuvering areas are permitted within 30 feet of the existing right-of-way of Levelland Drive. 6. No part of any structure is

permitted within 30 feet of the existing right-of-way of Gold Dust Trail. 7. No parking spaces or maneuvering areas are permitted within 10 feet of the existing right-of-way of Gold Dust Trail. 8. Prior to the issuance of any building permit, a site plan, building elevation drawings, and a landscape plan must be submitted to the City Plan Commission and must be approved. 9. A six foot tall solid masonry screening wall must be constructed along the northern boundary of the property prior to the issuance of a building permit for any structure which is primarily to be used for office uses, as defined in the Dallas Development Code, as amended. The wall must extend along the northern boundary of the property, from the western boundary of the property to a point 30 feet west of the existing right-of-way of Levelland Drive. 10. The person submitting the site plan, building elevation drawings, and landscape plan must send a notice to Ms. Lucie Bellew at 7338 Williamswood Drive, Dallas, Texas 75252, at least 15 days prior to the meeting at which the plans are submitted to the City Plan Commission.

IV.

The above termination was made following a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings was given as would have been required by law for a zoning change on the Property. The Owner must file this instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the termination becomes effective.

V.

The termination of these restrictions is not intended to restrict the right of the City Council of the City to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

VI.

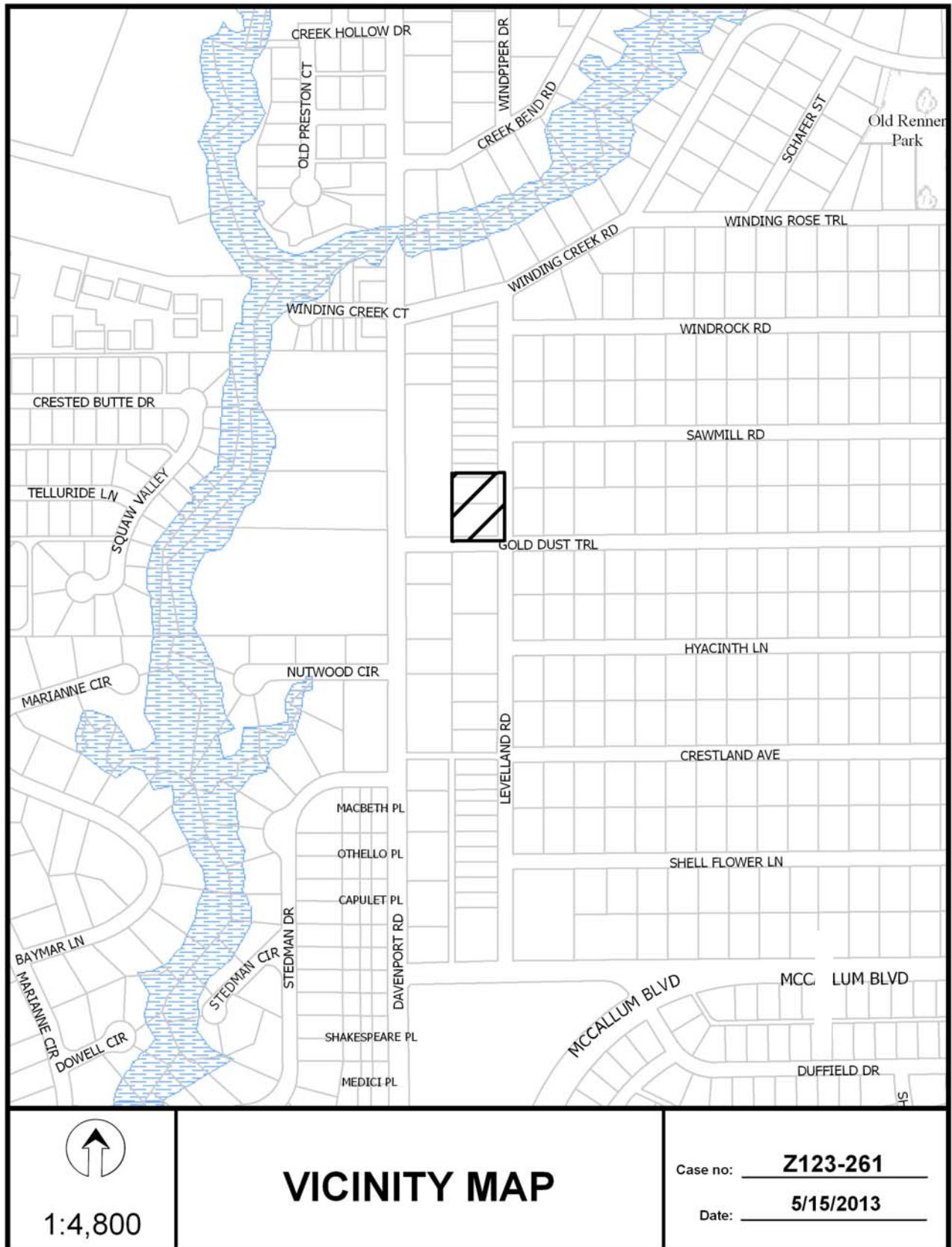
The Owner agrees to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with this termination.

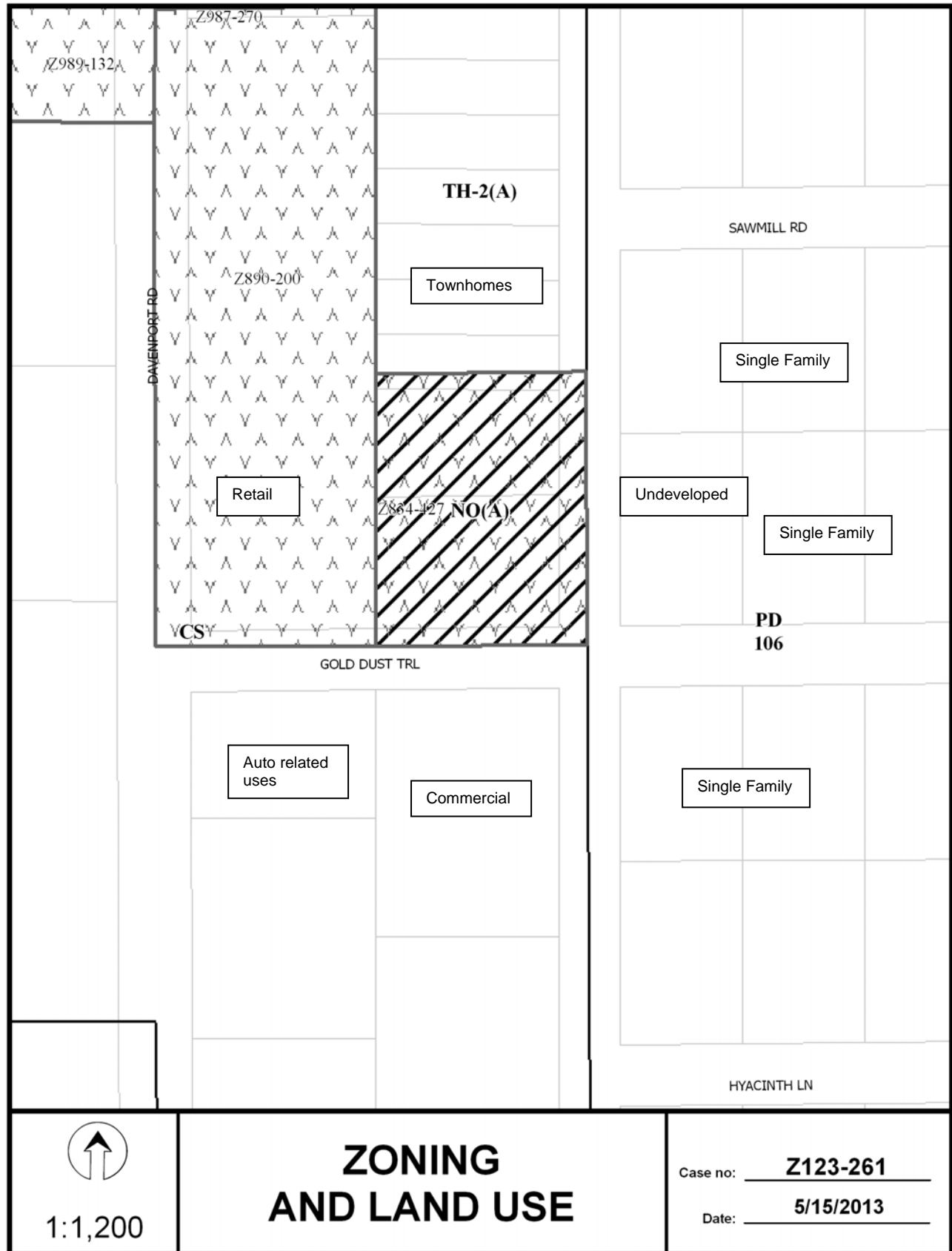
VII.

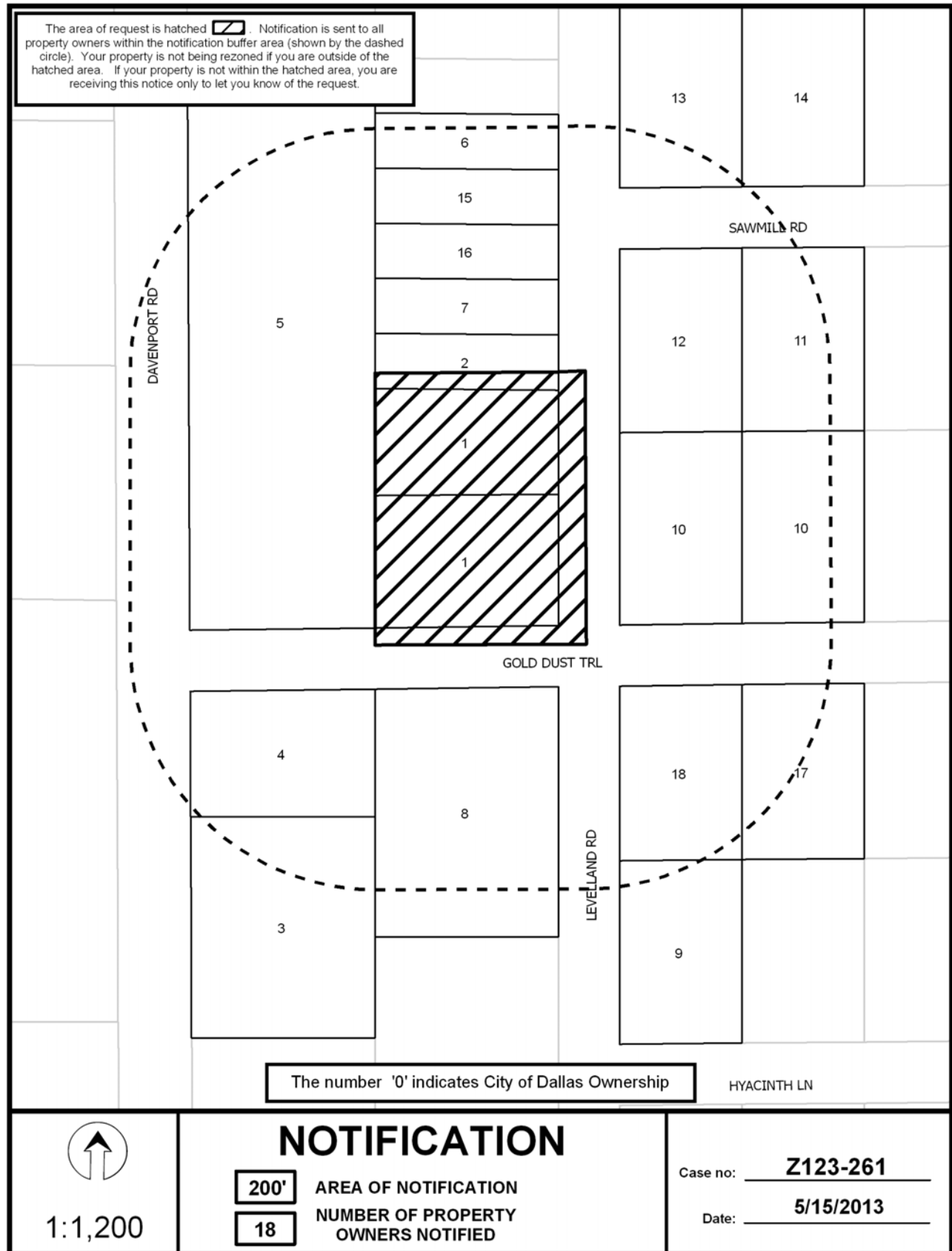
Unless stated otherwise in this instrument, the definitions and provisions of Chapter 51A of the Dallas City Code, as amended, apply and are incorporated into this instrument as if recited in this instrument.

VIII.

The Owner certifies and represents that there are no mortgages or liens, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.







Notification List of Property Owners

Z123-261

18 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---|
| 1 | 6903 LEVELLAND | TEXAS TORAH INSTITUTE |
| 2 | 6905 LEVELLAND | DAVIS TIMOTHY J |
| 3 | 17738 DAVENPORT | BOLD JIMMY |
| 4 | 17752 DAVENPORT | HERSON RODNEY AUTOMOTIVE |
| 5 | 17800-17818 DAVENPORT | DSW DAVENPORT PROPERTIES LP C/O DUTTON & |
| 6 | 6915 LEVELLAND | VAYNMAN JEFF & RITA |
| 7 | 6907 LEVELLAND | TABARIA ELI & DANA F |
| 8 | 6825 LEVELLAND | LEVELLAND D & S PROPERTIES LP C/O DUTTON |
| 9 | 6601 HYACINTH | MORGAN JAMIE |
| 10 | 6601 GOLD DUST | ETHERIDGE LEE R |
| 11 | 6606 SAWMILL | POTASH ED & DEBRA |
| 12 | 6602 SAWMILL | QUEVEDO ALDO & ROCIO |
| 13 | 6601 SAWMILL | CAMPOS-FIELD LAURIE ANN & FIELD ERIC |
| 14 | 6605 SAWMILL | KATZ BRUCE M ETUX DEBBIE |
| 15 | 6911 LEVELLAND | FLANSBURG STEVEN & PATTI M |
| 16 | 6909 LEVELLAND | GOAD CHARLES E |
| 17 | 6604 GOLD DUST | VAN CREVELD ASHLEY & KAREN |
| 18 | 6600 GOLD DUST | SUPANGAT WELLY L |

FILE NUMBER: Z123-284(WE) **DATE FILED:** April 15, 2013

LOCATION: West line of Inwood Road, between Forest Lane and Welch Road

COUNCIL DISTRICT: 13 **MAPSCO:** 24-D

SIZE OF REQUEST: Approx. 12.66 acres **CENSUS TRACT:** 135

APPLICANT / OWNER: The Lamplighter School

REPRESENTATIVE: Robert Baldwin
Baldwin Associates

REQUEST: An application for an amendment to Specific Use Permit No. 7 for a private school on property zoned an R-16(A) Single Family District.

SUMMARY: The purpose of this request is to allow the existing school to install a 1,300 square foot modular building on the southwest quadrant of the campus.

STAFF RECOMMENDATION: Approval, subject to a site plan, revised traffic management plan and conditions

BACKGROUND INFORMATION:

- The applicant's request for an amendment to Specific Use Permit No. 7 will allow for a modular building to be placed on site to be used as a classroom. The private school's enrollment will not change and is currently at 495 students.
- In March 1955, the City Council approved Specific Use Permit No. 7 for a private school for a permanent time period. Prior to June 2008, Specific Use Permit No. 7 encompassed a larger tract of land, which included the Hockaday School.
- In June 2008, the City Council approved Planned Development District No. 578 (Hockaday School) for a private school, private school dormitory, child-care facility and R-16(A) Single Family District uses and terminated a portion of Specific Use Permit No. 7.
- The primary land uses that are adjacent to the request site consist of Planned Development District No. 578 and single family uses.

Zoning History: There has not been any recent zoning change requested in the area.

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW | Proposed ROW |
|---------------------|--------------------|----------------------------|----------------------------|
| Inwood Road | Principal Arterial | Variable width r-o-w lanes | Variable width r-o-w lanes |

Land Use:

| | Zoning | Land Use |
|--------------|---------------------|----------------|
| Site | R-16(A) w/SUP No. 7 | Private School |
| North | PDD No. 578 | Undeveloped |
| South | R-16(A) | Single family |
| East | R-1/2ac(A) | Single Family |
| West | PDD No.578 | Private School |

COMPREHENSIVE PLAN: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in an Residential Building Block.

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this

description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

STAFF ANALYSIS:

Land Use Compatibility: The 12.66 acre site is developed with a private school and is adjacent to Planned Development District No. 578 and R-16(A) Single Family District uses. The applicant's request for an amendment to Specific Use Permit No. 7 will allow for a modular building to be placed on the southwest quadrant of the campus. The proposed modular building will provide an additional classroom on the campus; thus increasing the number classrooms from 35 to 36.

Presently, the private school's enrollment is at approximately 495 students. There are no plans at this time to increase the student enrollment. The school serves grades pre-kindergarten through 4th grade.

In March 1955, the City Council approved Specific Use Permit No. 7 for a private school for a permanent time period. Prior to June 2008, Specific Use Permit No. 7 encompassed a larger tract of land, which included the Hockaday School. In June 2008, the City Council approved Planned Development District No. 578 (Hockaday School) for a private school, private school dormitory, child-care facility and R-16(A) Single Family District uses and terminated a portion of Specific Use Permit No. 7.

Currently, there are two driveway approaches that serve as ingress and/or egress onto the campus from Inwood Road. The driveway approach close to Del Roy Drive provides both an egress and ingress to the school while the northern driveway approach serves only as an egress point. A third driveway approach is on Forest Lane and only serves as an egress point from the campus.

Staff recommends approval of an amendment to Specific Use Permit No. 7 for a private school, subject to a revised traffic management plan, site plan and conditions.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as

the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Development Standards:

| DISTRICT | SETBACKS | | Density | Height | Lot Coverage | Special Standards | PRIMARY Uses |
|-----------------------------------|-----------------|------------------|-----------------------------------|---------------|---------------------|--------------------------|---------------------|
| | Front | Side/Rear | | | | | |
| R-7.5(A) - Existing Single Family | 25' | 5' | 1 Dwelling Unit/ 7,500 sq. ft. | 30' | 45% | | Single family |
| | | | | | | | |

Parking: The requirement for off-street parking for a school, pursuant to the Dallas Development Code is:

- one and one-half spaces for each elementary classroom; and

The number of required off-street parking spaces for the proposed school is 54 spaces and the applicant is proposing to provide 130 off-street parking spaces. The total number of proposed classrooms determines the number of required parking spaces. The school is proposing to increase the number of classroom from 35 to 36. The private school provides education for students in pre-kindergarten through 4th grade.

Landscaping: Landscaping of any development will be in accordance with Article X requirements, as amended.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the applicant's request and traffic management plan and determined that the proposed development will not have a negative impact on the surrounding street system.

Specific Use Permit Conditions: The only changes to the existing Specific Use Permit No. 7 conditions are to the number of the classrooms and a new provision that relates to a traffic management plan. In 2008, staff began requiring applicant's to submit a traffic management plan and circulation plan for all public and private schools. This included any amendments to an application or new applications for a public or private school.

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| <p>LIST OF OFFICERS The Lamplighter School</p> |
|--|

- | | |
|------------------|-----------------------------|
| • Nila K. Sharma | President and Director |
| • Catherine Rose | Secretary and Director |
| • Leslie Krakow | Treasurer and Director |
| • Sarah Weinberg | Vice President and Director |

PROPOSED SUP CONDITIONS

(1) SITE PLAN: Use and development of the Property must comply with the site plan that is attached to and made a part of this ordinance.

(2) LANDSCAPING: Landscaping must be provided as shown on the attached site plan [~~that is attached to and made a part of this ordinance~~]. All plant material must be maintained in a healthy, growing condition at all times. All new landscaping must be installed in accordance with Article X of the Dallas Development Code, as amended.

(3) USES: The only use authorized [~~permitted~~] by this specific use permit is a private school with pre-school, kindergarten, and first through fourth grades.

(4) INGRESS-EGRESS: A circular drive or similar area must be provided for the off-street loading and unloading of children as shown on the attached site plan. The owner of the Property shall ensure that access to and egress from the Property through the residential alley to the south is prohibited.

(5) CLASSROOMS: The private school [~~use on the Property~~] is limited to [~~35~~] 36 classrooms.

(6) INDOOR AREA: A minimum of 50 square feet of indoor area must be provided for each child in attendance.

(7) OUTDOOR PLAY AREA: A minimum of 100 square feet of play area must be provided for each child in the outdoor play area at one time, and located as shown on the attached site plan.

(8) TIME LIMIT: This specific use permit has no expiration date.

(9) REFUSE PICK-UP: The owner shall ensure that refuse pick-up is limited to the hours between 8:00 a.m. and 6:00 p.m.

(10) TRAFFIC MANAGEMENT PLAN:

A. In general. Operation of the open-enrollment charter school must comply with the attached traffic management plan.

B. Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

C. Traffic study.

1. The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by **March 1, 2015**. After

the initial traffic study, the Property owner or operator shall submit annual updates of the traffic study to the director by March 1st of each odd number of years.

2. The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

- i. ingress and egress points;
- ii. queue lengths;
- iii. number and location of personnel assisting with loading and unloading of students;
- iv. drop-off and pick-up locations;
- v. drop-off and pick-up hours for each grade level;
- vi. hours for each grade level; and
- vii. circulation;

3. Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

i. If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

ii. If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

D. Amendment process.

1. A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A of the Dallas City Code, as amended.

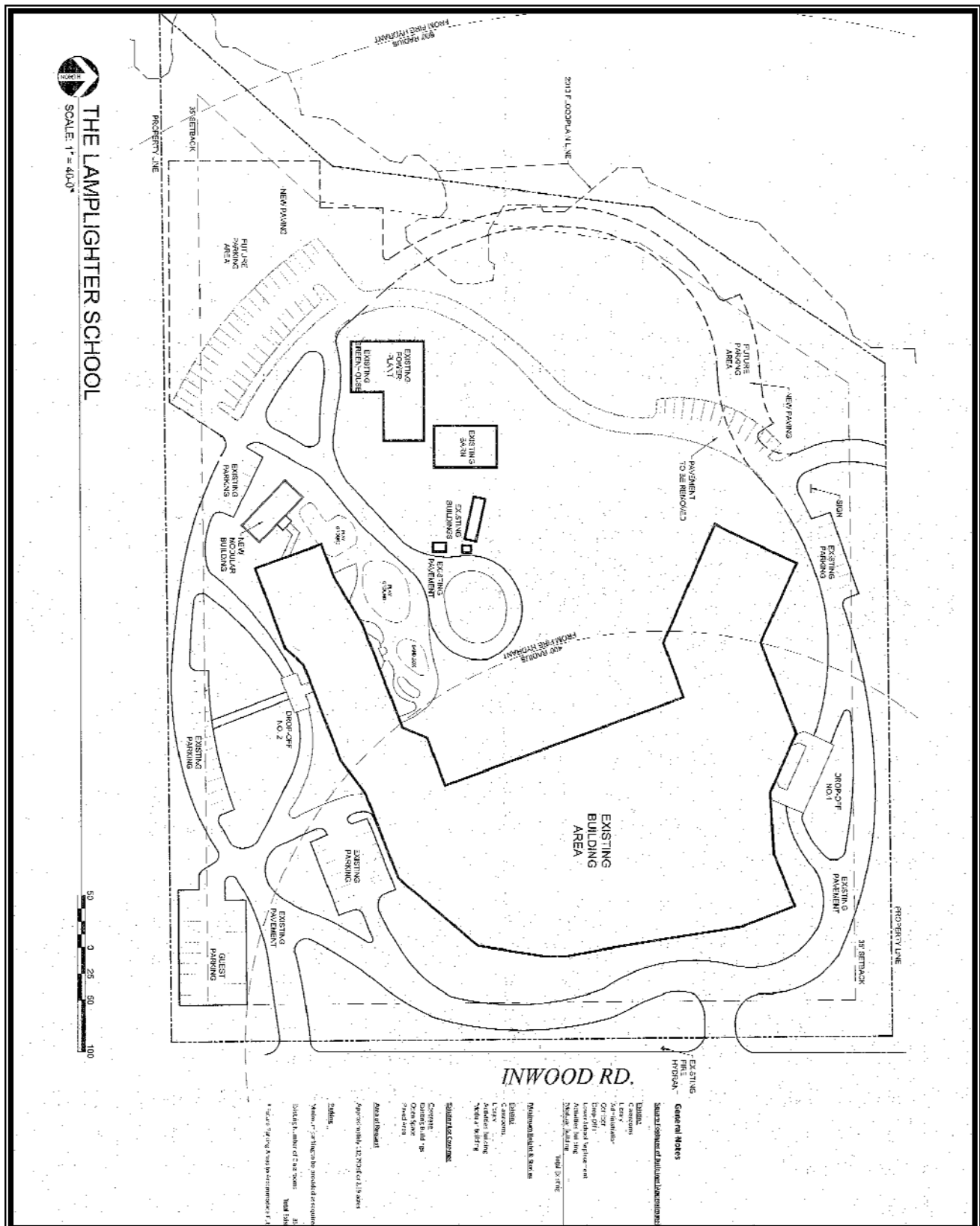
2. The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or

traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

(11) MAINTENANCE: The ~~[entire]~~ Property must be properly maintained in a state of good repair and neat appearance ~~[at all times]~~.

(12) ~~[(14)]~~ GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ~~[the requirements of all other applicable]~~ ordinances, rules, and regulations of the City of Dallas.”

PROPOSED SITE PLAN



| |
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| <p>Lamplighter School Traffic Management Plan</p> |
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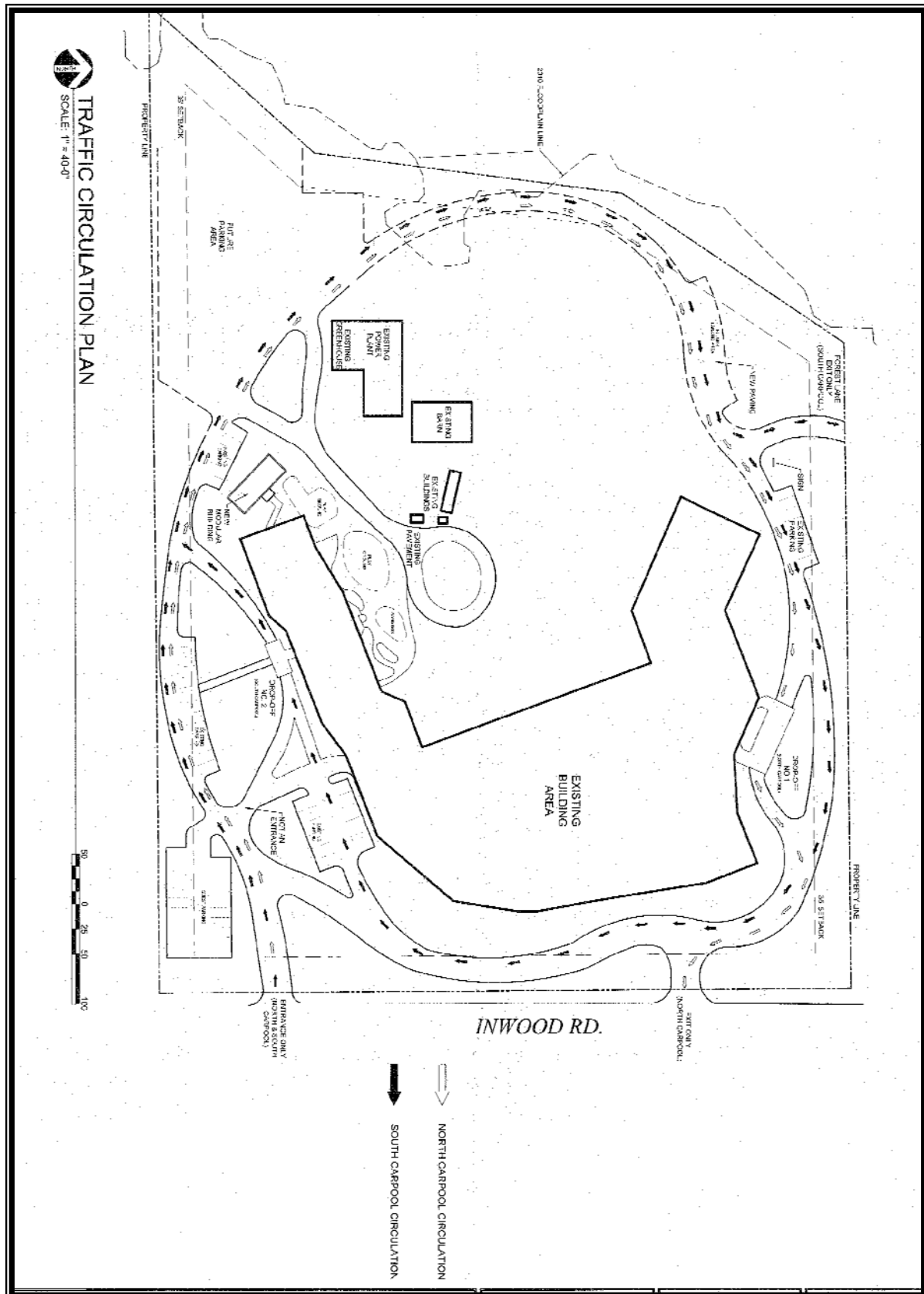
Circulation

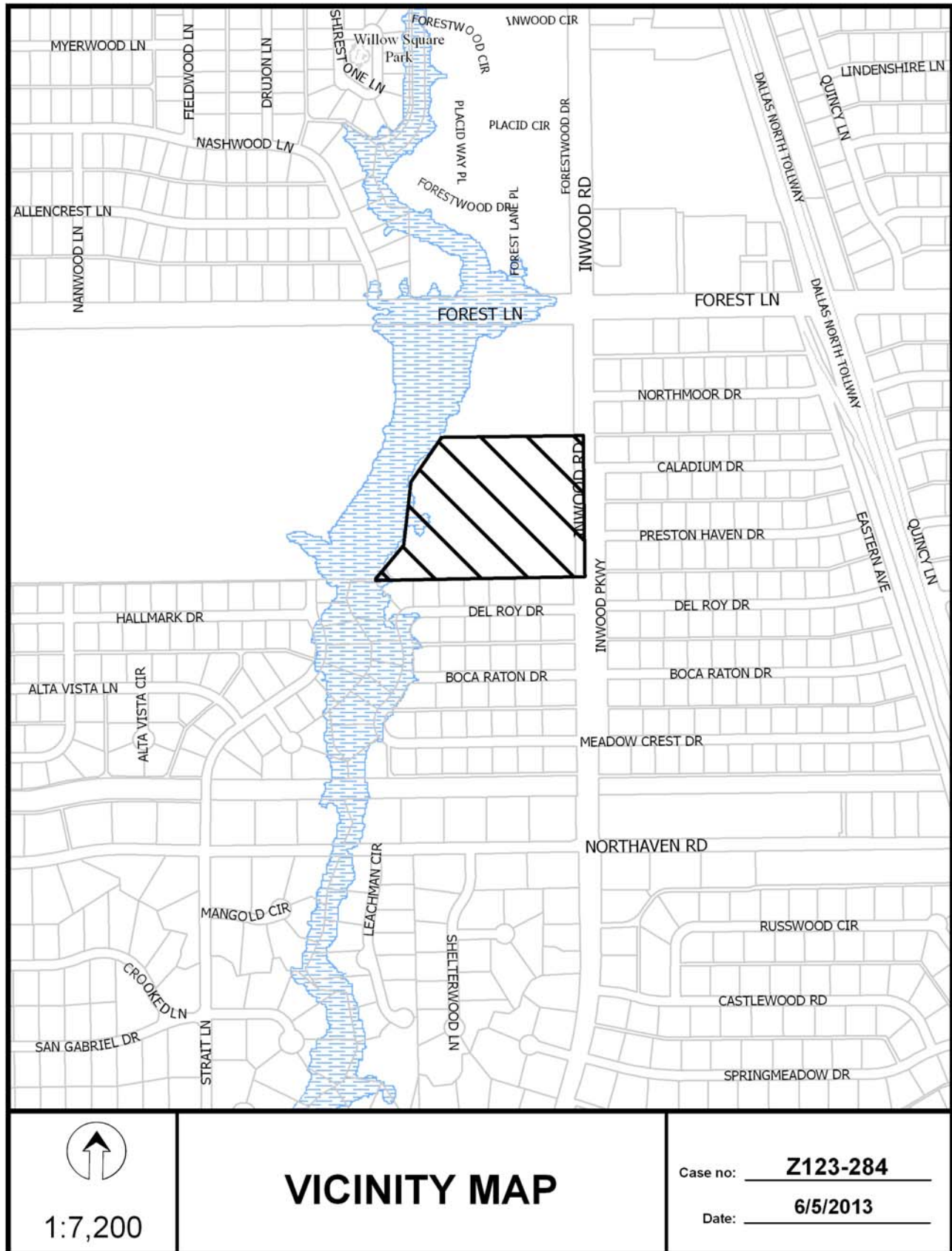
All vehicles enter the property on the south side of the campus on Inwood Road. That this point, the vehicles are directed into one of two vehicle queues: the north carpool and the south carpool. The north carpool line heads west through the campus and drops the children off at the Drop Off Number 1 as shown on the attached diagram. The travel distance from where the vehicles enter the property to where they drop off the children is approximately 1,500 feet. Once the children are dropped off, the cars from the north carpool then exits the site on Inwood Road, approximately 400 feet north of the entrance. The south carpool line follows a similar pattern. These vehicles enter the property on Inwood Road and circulate entirely around the campus and are then discharge the children on the south side of the campus, identified as Drop Off Area 2 on the Circulation Plan. This travel distance is approximately 2,200 feet. Once the south carpool vehicles discharge the children, they then proceed around the building, approximately 1,200 feet to a dedicated exit to eastbound Forest Lane.

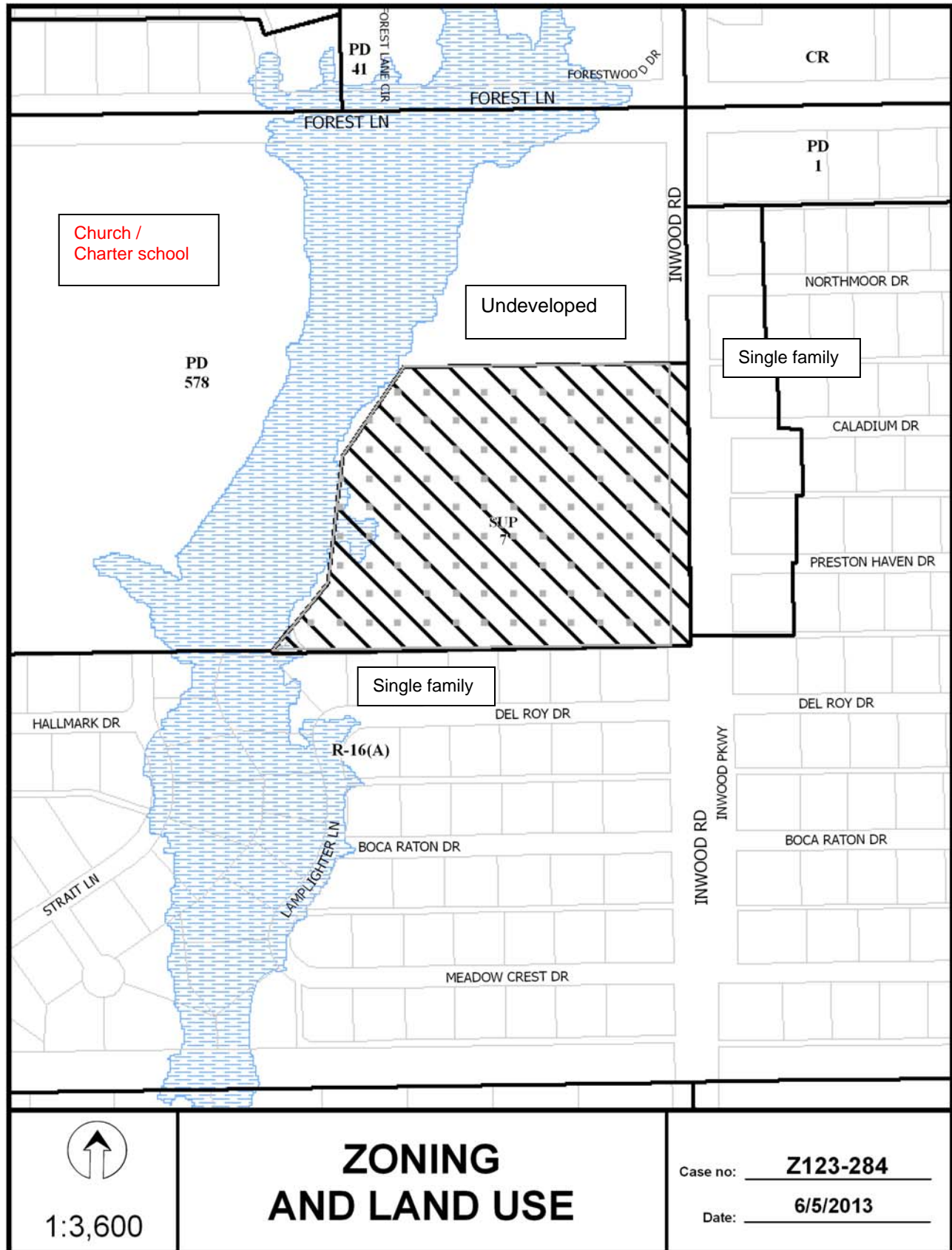
The Lamplighter School has been using this carpool circulation pattern for several years and it has been very effective at keeping the vehicles off of Inwood Road during the morning and afternoon pick up times. The proposed new portable building will not add any new students.

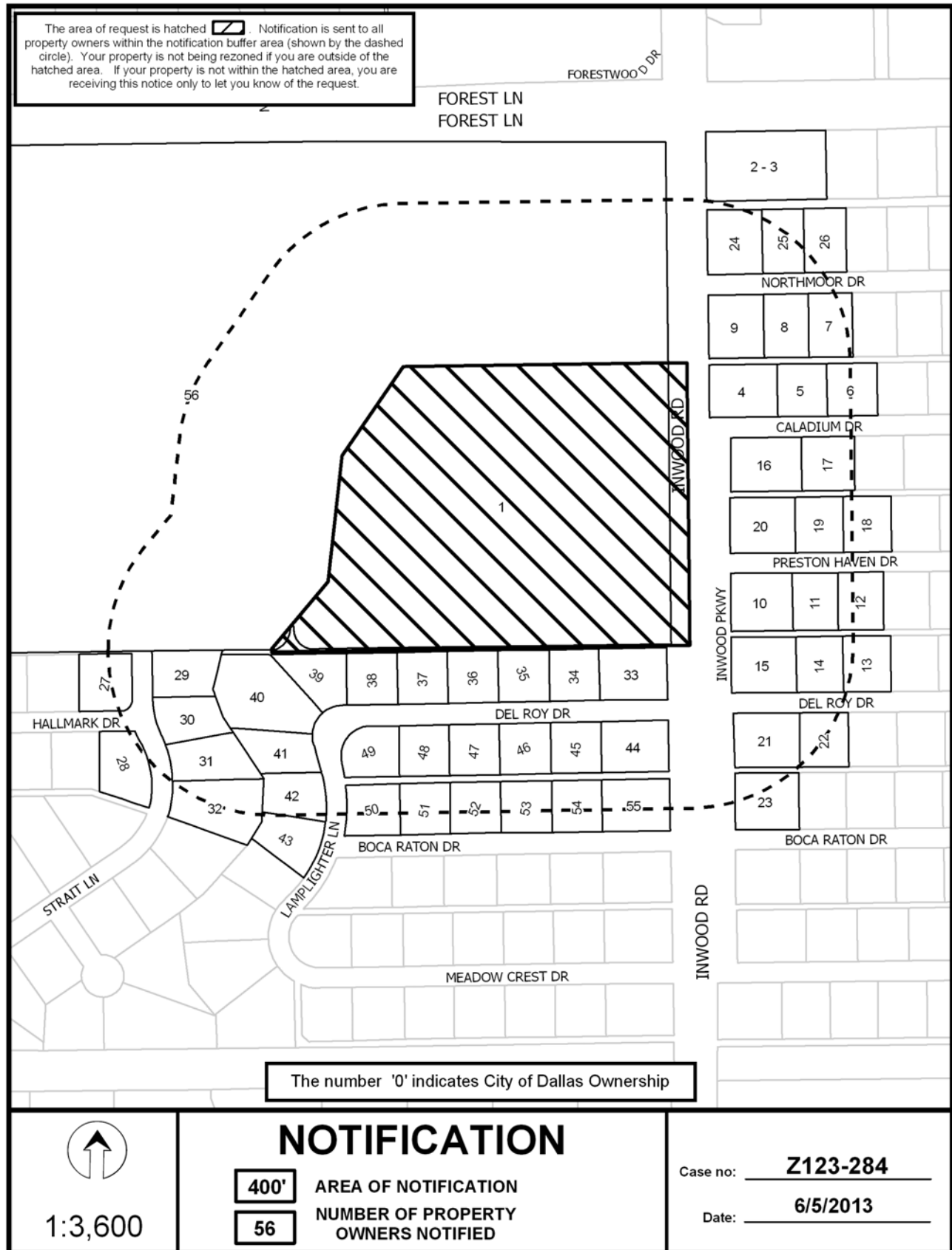
Lamplighter School

Traffic Management Circulation Plan









Notification List of Property Owners

Z123-284

56 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---|
| 1 | 11611 INWOOD RD | LAMPLIGHTER SCHOOL THE |
| 2 | 5200 FOREST LN | FOREST VILLAGE INC C/O COLLIERS INT L |
| 3 | 5200 FOREST LN | FORESTWOOD NATIONAL BANK C/O COLLIERS IN |
| 4 | 5207 CALADIUM DR | LOCHTE CYNTHIA G & JOANNE M HAIDVOGL |
| 5 | 5217 CALADIUM DR | BUCY J FRED III |
| 6 | 5227 CALADIUM DR | HUBER PHILIP J JR |
| 7 | 5228 NORTHMOOR DR | CHUDIK MARK A & MARY A |
| 8 | 5218 NORTHMOOR DR | SIMMONS MICHAEL OLIVER & LISEL M |
| 9 | 5208 NORTHMOOR DR | DELAY ROY E III |
| 10 | 5208 PRESTON HAVEN DR | OH HELEN H |
| 11 | 5216 PRESTON HAVEN DR | HOYT ROBERT & JANICE |
| 12 | 5224 PRESTON HAVEN DR | SCANLIN DENISE L AKERLAND & MICHAEL W |
| 13 | 5229 DEL ROY DR | BRANDT VICKIE S & CARL TERRY |
| 14 | 5219 DEL ROY DR | HUTCHINSON SUSAN F & MARTIN S |
| 15 | 5209 DEL ROY DR | JOHNSON GEORGE C & PATRICIA B |
| 16 | 5208 CALADIUM DR | LIPTAK VIRGIL F |
| 17 | 5218 CALADIUM DR | ADERHOLD JOSEPH |
| 18 | 5225 PRESTON HAVEN DR | TILLEY CAROLYN BEAMON |
| 19 | 5217 PRESTON HAVEN DR | KLEIN DANA G |
| 20 | 5209 PRESTON HAVEN DR | MANG JOHN E JR & DENISE L SCHOPFER |
| 21 | 5210 DEL ROY DR | BENTON EDWARD G & EMILY A |
| 22 | 5220 DEL ROY DR | SMITH SUSAN PHILLIPS |
| 23 | 5209 BOCA RATON DR | BROWNE RYAN J |
| 24 | 5207 NORTHMOOR DR | REICHL SUE HARROLD |
| 25 | 5217 NORTHMOOR DR | CHO KYUNG KU & HO SOON |
| 26 | 5227 NORTHMOOR DR | HOUSMAN XAN ASHLEY |

6/5/2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|----------------------|---|
| 27 | 4841 HALLMARK DR | KIM NANCY YOUNG |
| 28 | 4848 HALLMARK DR | THOR DANIEL W |
| 29 | 11508 STRAIT LN | DEUBER MARK & |
| 30 | 11492 STRAIT LN | LEVENE DONALD L ETAL |
| 31 | 11484 STRAIT LN | HATCHETT TRUST JOHN HENRY CARNEY TRUSTEE |
| 32 | 11476 STRAIT LN | CUNNINGHAM KATHLEEN |
| 33 | 5165 DEL ROY DR | BIDERMAN HELEN |
| 34 | 5155 DEL ROY DR | HUDNALL MATTHEW N & ANNE K |
| 35 | 5145 DEL ROY DR | MCGILVERY FRANK R |
| 36 | 5135 DEL ROY DR | WATTS TERRY L & MARNIE E WATTS |
| 37 | 5125 DEL ROY DR | NICOLAOU ANTOINETTE |
| 38 | 5115 DEL ROY DR | DURBIN CLYDE TR |
| 39 | 5105 DEL ROY DR | FORNEY LYNETTE |
| 40 | 11457 LAMPLIGHTER LN | CEJUDO RAUL FERNANDO & MAUDE E CEJUDO |
| 41 | 11451 LAMPLIGHTER LN | LEVI BERNADINE G |
| 42 | 11443 LAMPLIGHTER LN | LOWE TOMMYE & JACK FLOYD STULTS JR |
| 43 | 11433 LAMPLIGHTER LN | WALMSLEY ADRIAN J |
| 44 | 5164 DEL ROY DR | RANKIN GREGORY A & GERRI L Y |
| 45 | 5154 DEL ROY DR | ALEXANDER JACKSON S |
| 46 | 5144 DEL ROY DR | WARREN DIANE HENNE |
| 47 | 5134 DEL ROY DR | CUNNINGHAM TAMMIE T |
| 48 | 5124 DEL ROY DR | HEEMANN PAUL A & ROBERTA A |
| 49 | 5114 DEL ROY DR | NELSON DONALD KURT & PATRICIA ANN |
| 50 | 5111 BOCA RATON DR | JOHNSON JAMES W |
| 51 | 5121 BOCA RATON DR | MAYFIELD CORNELIUS A IV & SARAH C |
| 52 | 5131 BOCA RATON DR | MIRZA ALI H & HAYLEY L |
| 53 | 5141 BOCA RATON DR | CHOATE LISA G & JOHN E GEIDER |
| 54 | 5151 BOCA RATON DR | HO YIU K |
| 55 | 5161 BOCA RATON DR | REDDELL KELLY N |
| 56 | 11600 WELCH RD | HOCKADAY SCHOOL |

FILE NUMBER: Z123-229(WE) **DATE FILED:** March 12, 2013

LOCATION: Chalk Hill Road and Fitchburg Street, northwest corner

COUNCIL DISTRICT: 6 **MAPSCO:** 42-Q

SIZE OF REQUEST: Approx. 15,000 sq. ft. **CENSUS TRACT:** 106.02

APPLICANT/OWNER: Gamaliel Albarran

REPRESENTATIVE: Gamaliel Albarran

REQUEST: An application for the renewal of Specific Use Permit No. 1750 for a commercial motor vehicle parking use on property zoned a CS Commercial Service District.

SUMMARY: The purpose of this request is to allow the applicant to continue to operate a commercial motor vehicle parking lot on the property.

STAFF RECOMMENDATION: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.

PREVIOUS ACTION: On June 20, 2013, the City Plan Commission held this case under advisement to allow the applicant to facility a neighborhood meeting to discuss the proposed zoning application.

BACKGROUND INFORMATION:

- The applicant's request for the renewal of Specific Use Permit No. 1750 will allow for the continued use of a commercial motor vehicle parking lot.
- A commercial motor vehicle parking use is permitted by right, in the CS Commercial Service District, except when the use is located within 500 feet of a residential district; a Specific Use permit is required. The single family District is adjacent to the request site.
- In April, 2009, the City Council approved a Specific Use Permit for a commercial motor vehicle parking for two-years with eligibility for automatic renewals for additional two-year periods.
- The applicant missed the submittal deadline to begin the automatic renewal process. As a result, the applicant had to submit an application for the renewal of SUP No. 1750.

Zoning History: There has been one recent zoning changes requested in the area.

1. Z089-138 On Wednesday, April 22, 2009, the City Council approved a Specific Use Permit for commercial motor vehicle parking on property zoned a CS Commercial Service District on the northwest corner of Chalk Hill Road and Fitchburg Street. (request site)

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW | Proposed ROW |
|---------------------|-----------|--------------|--------------|
| Chalk Hill Road | Collector | 100 ft. | 50 ft. |
| Fitchburg Street | Local | 50 ft. | 50 ft. |

Land Use:

| | Zoning | Land Use |
|-------|-------------------|--------------------------------|
| Site | CS w/SUP No. 1750 | Commercial parking lot |
| North | CS | Single Family, vehicle storage |
| South | IM | Industrial |
| East | IM | Industrial |
| West | R-5(A) | Single Family |

Comprehensive Plan: The forwardDallas! Comprehensive Plan was adopted by the City Council in June 2006. The forwardDallas! Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being located in an Industrial Building Block.

The request site is located near an industrial area and is in close proximity to a railroad line. The request site is also near an Industrial Building Block which typically areas offer important employment opportunities that occupy large areas of land are usually near major roads and heavy rail lines. Evolving technology and the need for freight movement through the Dallas area means that this sector of the city can offer an excellent opportunity for jobs. Logistics and warehousing, a growing industry with strong potential for upward mobility of skilled workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial areas rely on quality road access and may be linked to rail for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

Land Use Element

Goal 1.2 Promote Desired Development

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

STAFF ANALYSIS:

Land Use Compatibility: The 15,000 square foot site is developed with a commercial motor vehicle parking lot that has approximately 12 trucks on site. The applicant's request for the renewal of Specific Use Permit No. 1750 will allow for the continued operation of a commercial motor vehicle parking lot. The applicant has reduced the number of spaces from 12 spaces to 11 spaces to allow the trucks to maneuver within the lot. The revised site plan reflects the reduction in the off-street parking for the commercial motor vehicles.

The CS Commercial Service District permits a commercial motor vehicle use by right, except when the use is located within 500 feet of a residential district; a Specific Use permit is required. The single family district is adjacent to the request site.

In April, 2009, the City Council approved a Specific Use Permit for a commercial motor vehicle parking for two-years with eligibility for automatic renewals for additional two-year periods. However, due to the applicant missing the renewal deadline, an application was submitted for the renewal of SUP No. 1750.

The request site is adjacent to single family uses, even though the entire block face on Chalk Hill Road is zoned a CS Commercial Service District. In addition, Chalk Hill Road is the dividing line that separates an IM industrial Manufacturing District, which is a more intensive use than the CS Commercial Service District. The land uses surrounding the site consist of a single family dwelling to the north and single family uses to the west. East of the request site, across Chalk Hill Road, are uses that are developed industrial in nature and are zoned an IM Industrial Manufacturing District. The property south of the site is developed with an industrial use and is zoned an IM industrial Manufacturing District.

Staff recommendation is for approval of the renewal of Specific Use Permit No. 1750 for a five-year period with eligibility for automatic renewals for additional five year periods, subject to a revised site plan and conditions because the applicant has been a good neighbor and staff has not received any complaints from the adjacent residents.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards.

Development Standards:

| <u>DISTRICT</u> | <u>SETBACKS</u> | | Density | Height | Lot Coverage | Special Standards | PRIMARY Uses |
|--------------------------|--------------------|--|---|------------------|--------------|--|--|
| | Front | Side/Rear | | | | | |
| CS Commercial Service | 15' 0' on minor | 20' adjacent to residential OTHER: No Min. | 0.75 FAR overall 0.5 office/ lodging/ retail combined | 45' 3 stories | 80% | Proximity Slope Visual Intrusion | Commercial & business service, supporting retail & personal service & office |
| | | | | | | | |

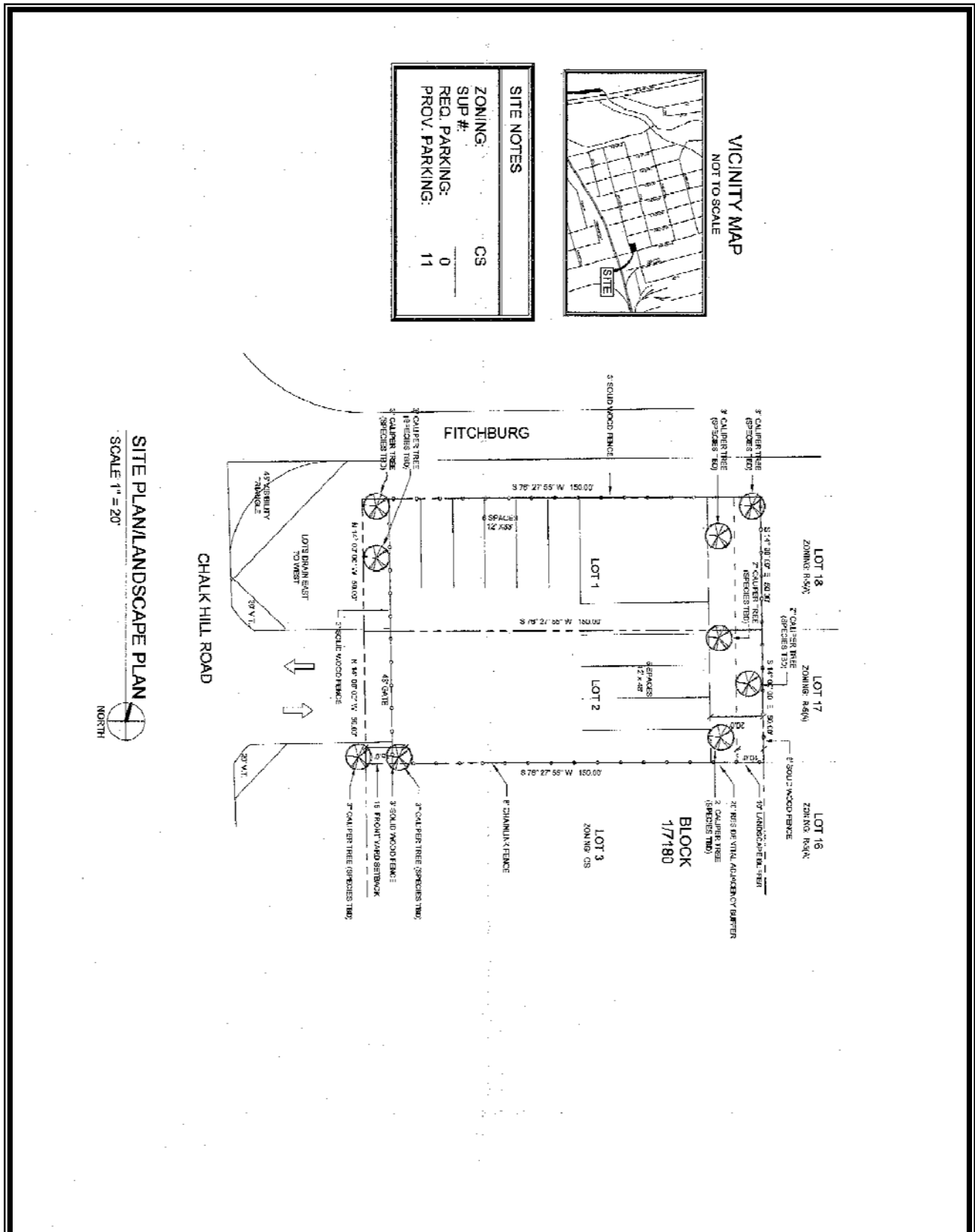
Landscaping: Landscape of any development will be in accordance with the landscaping requirements in Article X, as amended.

Subdivision: Staff has indicated to the applicant that they will have to re-plat the properties as one lot because the request site is divided into two lots with one driveway approach onto Chalk Hill Road. The vehicles are crossing the property line to gain access to the southern parking lot.

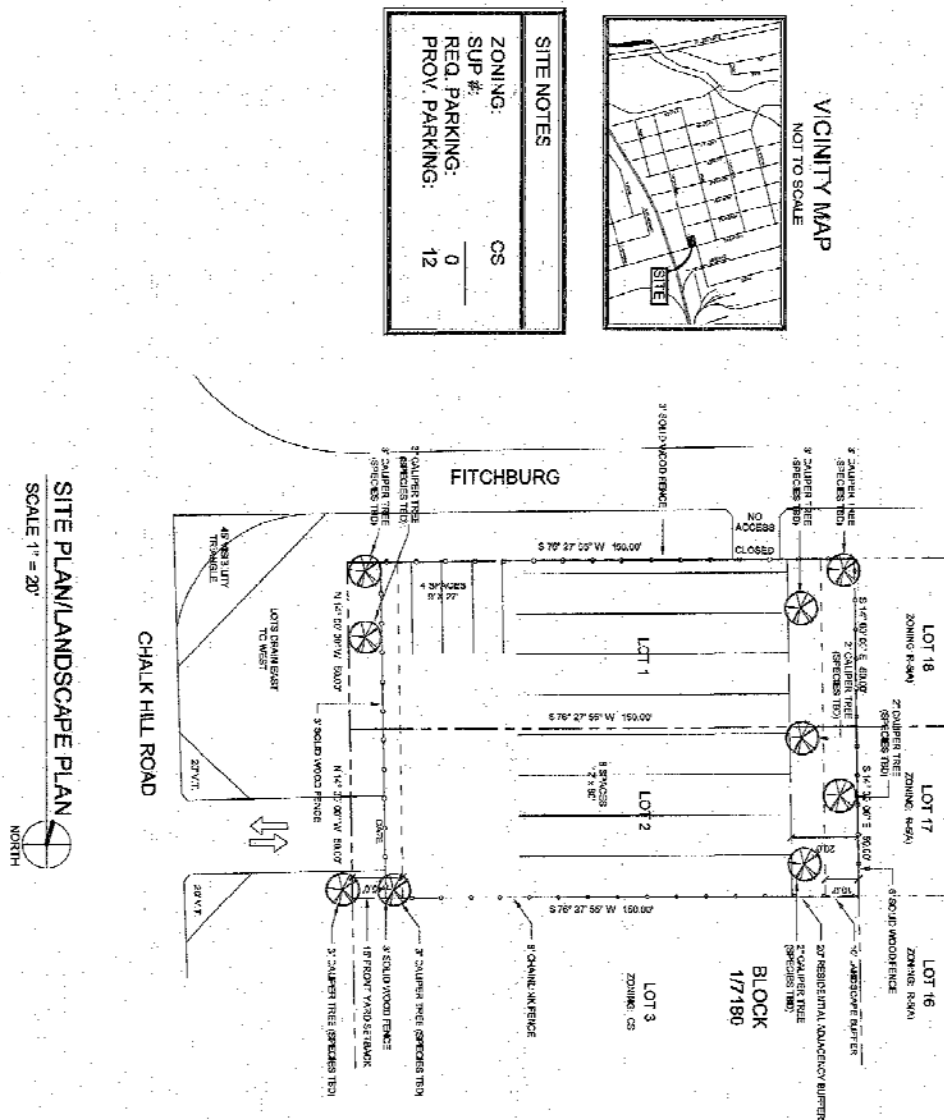
| |
|--------------------------------|
| PROPOSED SUP CONDITIONS |
|--------------------------------|

1. USE: The only use authorized by this specific use permit is commercial motor vehicle parking.
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_____, (~~two~~ five-year period from the passage of this ordinance), but is eligible for automatic renewal for additional [~~two~~ 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. LANDSCAPING: landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.
5. HOURS OF OPERATION: Ingress and egress of commercial motor vehicles may only occur between 9:30 a.m. and 4:00 p.m., Monday through Friday; and between 11:00 a.m. and 3:00 p.m. on Saturday.
6. INGRESS/EGRESS: ingress and egress must be provided in the location shown on the attached site plan. No other ingress and egress is permitted.
7. OUTDOOR LOUDSPEAKERS: Outdoor loudspeakers are prohibited.
8. PARKING: Eight commercial motor vehicle parking spaces and [~~four~~ three off-street parking spaces must be located as shown on the attached site plan.
9. REFRIGERATION UNITS: Trailers with refrigeration units are prohibited.
10. SCREENING: A six-foot-high solid fence must be provided in the location shown on the attached site plan.
11. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
12. 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.

PROPOSED SITE PLAN



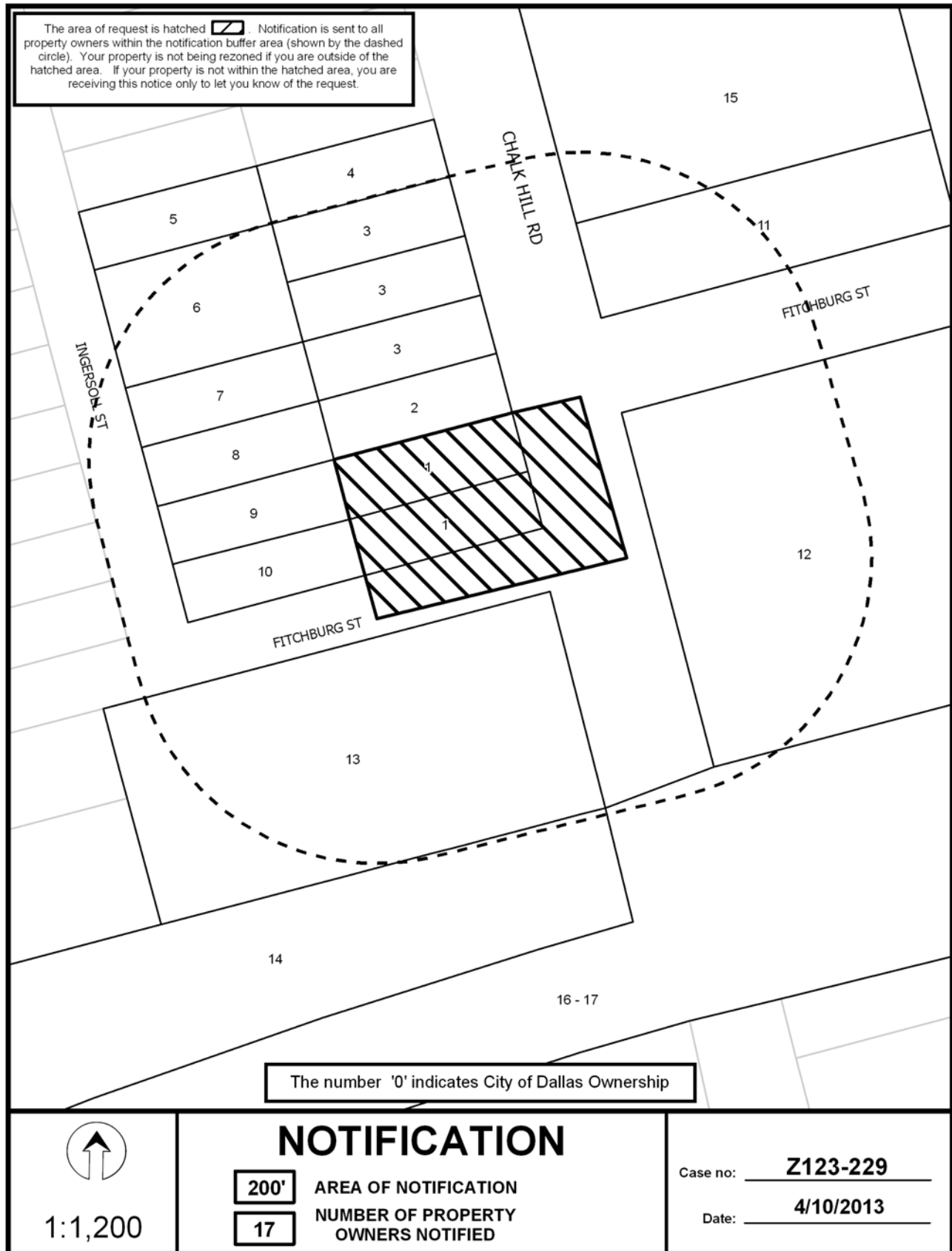
APPROVED SITE PLAN











Notification List of Property Owners

Z123-229

17 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|--|
| 1 | 2403 CHALK HILL RD | ALBARRAN GAMALIEL SR |
| 2 | 2411 CHALK HILL DR | RODRIGUEZ JUANA B & SANTOS RODRIGUEZ |
| 3 | 2415 CHALK HILL RD | GARCIA ROQUE & ROSALBA |
| 4 | 2427 CHALK HILL RD | WR PROPERTIES LTD |
| 5 | 2426 INGERSOLL ST | SANTOS RAUL A |
| 6 | 2418 INGERSOLL ST | HERNANDEZ ANTONIO JR |
| 7 | 2414 INGERSOLL ST | GONZALEZ SALLY B |
| 8 | 2410 INGERSOLL ST | LARA ALEJANDRO |
| 9 | 2406 INGERSOLL ST | GARFIAS MARIA L & JOSAFAT |
| 10 | 2402 INGERSOLL ST | ALBARRAN CONRADO J |
| 11 | 2518 CHALK HILL DR | AZTECA ENTERPRISES INC |
| 12 | 2414 CHALK HILL DR | BENITEZ FREDIS & MARGARITA |
| 13 | 2323 CHALK HILL RD | A TRUCK EXPRESS INC |
| 14 | 5401 FANNIE ST | MISSOURI PACIFIC RR CO % UNION PACIFIC P |
| 15 | 2518 CHALK HILL DR | FOUR L CAPITAL LTD |
| 16 | 9999 NO NAME ST | UNION PACIFIC RR CO % TAX DEPT |
| 17 | 4401 LINFIELD RD | ST LOUIS S W RAILWAY CO % UNION PACIFIC |

FILE NUMBER: Z123-249 (AB)

DATE FILED: April 8, 2013

LOCATION: North of Centerville Road, west of Aledo Drive

COUNCIL DISTRICT: 9

MAPSCO: 38-G

SIZE OF REQUEST: Approx. 0.12 acres

CENSUS TRACT: 127.01

REPRESENTATIVE: Parvez Malik

APPLICANT: John Matthews

OWNER: Amedio Centerville, LLC

REQUEST: An application to renew Specific Use Permit No. 1864 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned CR Community Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to continue to sell alcohol for off-premise consumption in conjunction with the existing approximately 5,158 square foot convenience store.

STAFF RECOMMENDATION: Approval for a two-year period with eligibility for automatic renewal of additional five year periods, subject to conditions

PREVIOUS CPC ACTION: On June 6, 2013 the City Plan Commission held this case under advisement until July 11, 2013.

BACKGROUND INFORMATION:

- The request site is currently developed with a multi-tenant commercial building.
- The proposed use is to continue to sell alcohol for off-premise consumption in conjunction with the existing approximately 5,158 square foot general merchandise use on the property.
- On August 10, 2011 Specific Use Permit No. 1864 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet was approved for a two-year period with eligibility for automatic renewal for additional five-year periods. The applicant did not submit their renewal application until after the deadline to file for automatic renewal, necessitating a full renewal process.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on property is permitted through a D-1 Liquor Control Overlay.

Zoning History: There have been no recent zoning requests in the area.

Thoroughfares/Streets:

| Thoroughfares/Street | Type | Existing ROW |
|----------------------|-----------|--------------|
| Centerville Road | Collector | 60 feet |

STAFF ANALYSIS:**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in the Residential Neighborhood Block.

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections. Neighborhood "pocket parks" provide open space for families. These areas rely primarily on cars for access, although traffic on neighborhood streets is expected to be low. Cut-through traffic or spill over from commercial areas will be strongly discouraged. While public transit may be available, typically it involves longer walks to bus stops or the need to drive to park-and-ride facilities. Newly developed neighborhoods may provide better pedestrian access to community services through shorter block lengths, narrower streets, sidewalks and greenbelts with hike and bike trails and might also provide improved access to transit service. Public investment will

focus on protecting quality of life by providing amenities such as parks, trails, road improvements and strong code enforcement.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility:

The approximately 0.12-acre request site is zoned CR Community Retail District with a D-1 Liquor Control Overlay and is currently developed with a general merchandise or food store greater than 3,500 square feet use within a multi-tenant commercial building. The applicant is proposing to continue the sale of alcohol for off-premise consumption in conjunction with the general merchandise use on the property.

On August 10, 2011 Specific Use Permit No. 1864 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet was approved for a two-year period with eligibility for automatic renewal for additional five-year periods. The applicant did not submit their renewal application until after the deadline to file for automatic renewal, necessitating a full renewal process.

The adjacent land uses are single family residential to the north, east, and southeast; retail and personal service uses and auto service center to the south; and office to the west.

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined

as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually.

The previously approved site plan is currently inconsistent with the striped off-street parking on the ground. The applicant will be required to re-stripe the parking lot to match the site plan before the case can proceed to City Council. The lack of consistency between the site plan and the site on the ground also creates the need for a shorter time frame. The applicant's request, subject to the attached conditions and on-the-ground improvements, is consistent with the intent of the Dallas Development Code.

Development Standards:

| DISTRICT | SETBACKS | | Density FAR | Height | Lot Coverage | Special Standards | Primary Uses |
|----------------------------|----------|---|--------------------------------|------------------|-----------------|-------------------------------------|--------------------------------------|
| | Front | Side/Rear | | | | | |
| Existing | | | | | | | |
| CR-D-1 Community retail | 15' | 20' adjacent to residential OTHER: No Min. | 0.75 FAR overall 0.5 office | 54' 4 stories | 60% | Proximity Slope Visual Intrusion | Retail & personal service, office |

Parking/Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding street system for the proposed development.

The general merchandise or food store use requires one space for every 200 square feet of floor area. The site plan shows that 57 off-street parking spaces are provided for the strip shopping center. A parking analysis provided by the applicant indicates that 79 off-street parking spaces are required. The strip shopping center was constructed in approximately 1953 according to DCAD records. It appears that the request site has approximately 22 delta credits.

Z123-249(AB)

Landscaping:

Landscaping required per Article X of the Dallas Development Code.

Z123-249(AB)


List of Partners/Principals/Officers

Amedio Centerville, LLC, a Texas Limited Liability Company

Leiva McBride, Managing Partner

DPD Report

The following is the police report from August 10, 2009 to August 10, 2011 before the original SUP for alcohol sales was granted:






DALLAS POLICE
DEPARTMENT

Virtual Viewer - Public Access

[UCR Codes](#)[Year Codes](#)[Property Class Codes](#)

Welcome




Search Records - Offense

Filter

| Service # | Offense Date | Complainant | Offense | Block | Dir | Street | Beat | Reporting Area | UCR1 | UCR2 |
|---------------------------|--------------|-----------------|-----------------------|-------|-----|---------------|------|----------------|-------|------|
| 0006995-Y | 01/08/2011 | DORRIS,DEBORAH, | FOUND PROPERTY | 01551 | | CENTERVILLERD | 226 | 1129 | 43020 | |
| 0103194-Y | 04/23/2011 | ALVARADO,IRMA | AGGRAVATED ASSAULT | 01551 | | CENTERVILLERD | 226 | 1129 | 04361 | |
| 0131026-Y | 05/21/2011 | JOHN, MATHEWS | TRAFFIC MOTOR VEHICLE | 01551 | | CENTERVILLERD | 226 | 1129 | 32090 | |
| 0165493-X | 06/13/2010 | SUDDEATH,JAMES | OTHER OFFENSES | 01551 | | CENTERVILLERD | 226 | 1129 | 26000 | |
| 0173202-Y | 07/02/2011 | AGUIRE, CECILIO | THEFT | 01551 | | CENTERVILLERD | 226 | 1129 | 06951 | |

The following is the police report from August 11, 2011 to May 22, 2013, after the original SUP for alcohol sales was granted:






DALLAS POLICE
DEPARTMENT

[UCR Codes](#) [Year Codes](#) [Property Class Codes](#)

Virtual Viewer - Public Access

Welcome

Search Records - Offense

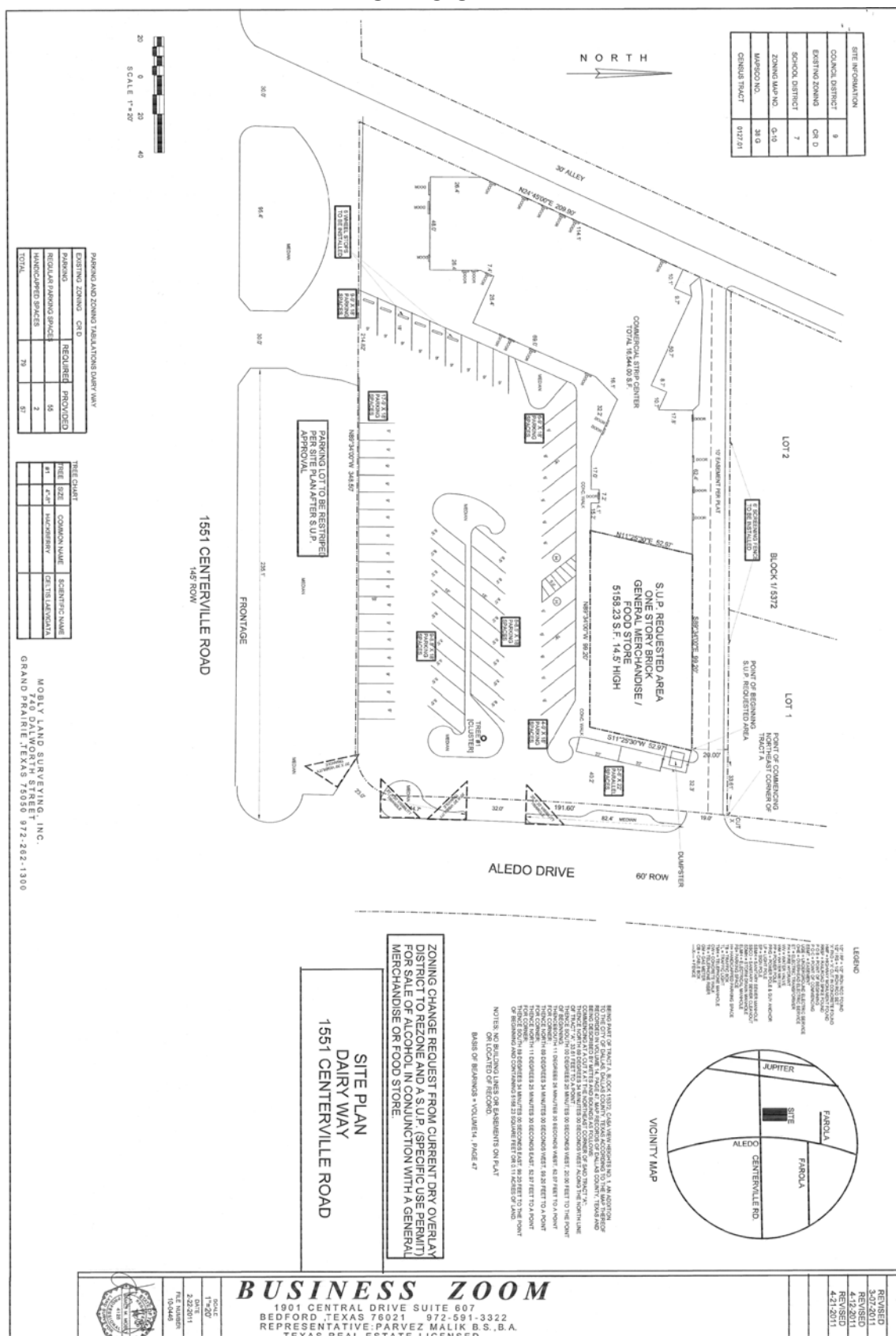
Filter

| Service # | Offense Date | Complainant | Offense | Block | Dir | Street | Beat | Reporting Area | UCR1 | UCR2 |
|---------------------------|--------------|-----------------------|--------------------------|-------|-----|---------------|------|----------------|-------|------|
| 0048561-A | 02/28/2013 | *NEW DAIRYWAY GROCERY | FORGERY & COUNTERFEITING | 01551 | | CENTERVILLERD | 226 | 1129 | 10021 | |
| 0069018-A | 03/23/2012 | BALDERAS,JESUS | AUTO THEFT-UUMV | 01551 | | CENTERVILLERD | 226 | 1129 | 07271 | |
| 0267370-Y | 10/09/2011 | *NEW DAIRY WAY | BURGLARY | 01551 | | CENTERVILLERD | 226 | 1129 | 05128 | |
| 0292211-Y | 11/05/2011 | *DAIRY WAY | BURGLARY | 01551 | | CENTERVILLERD | 226 | 1129 | 05128 | |
| 0293968-Z | 10/27/2012 | *NEW DAIRY WAY | LOST PROPERTY | 01551 | | CENTERVILLERD | 226 | 1129 | 42020 | |

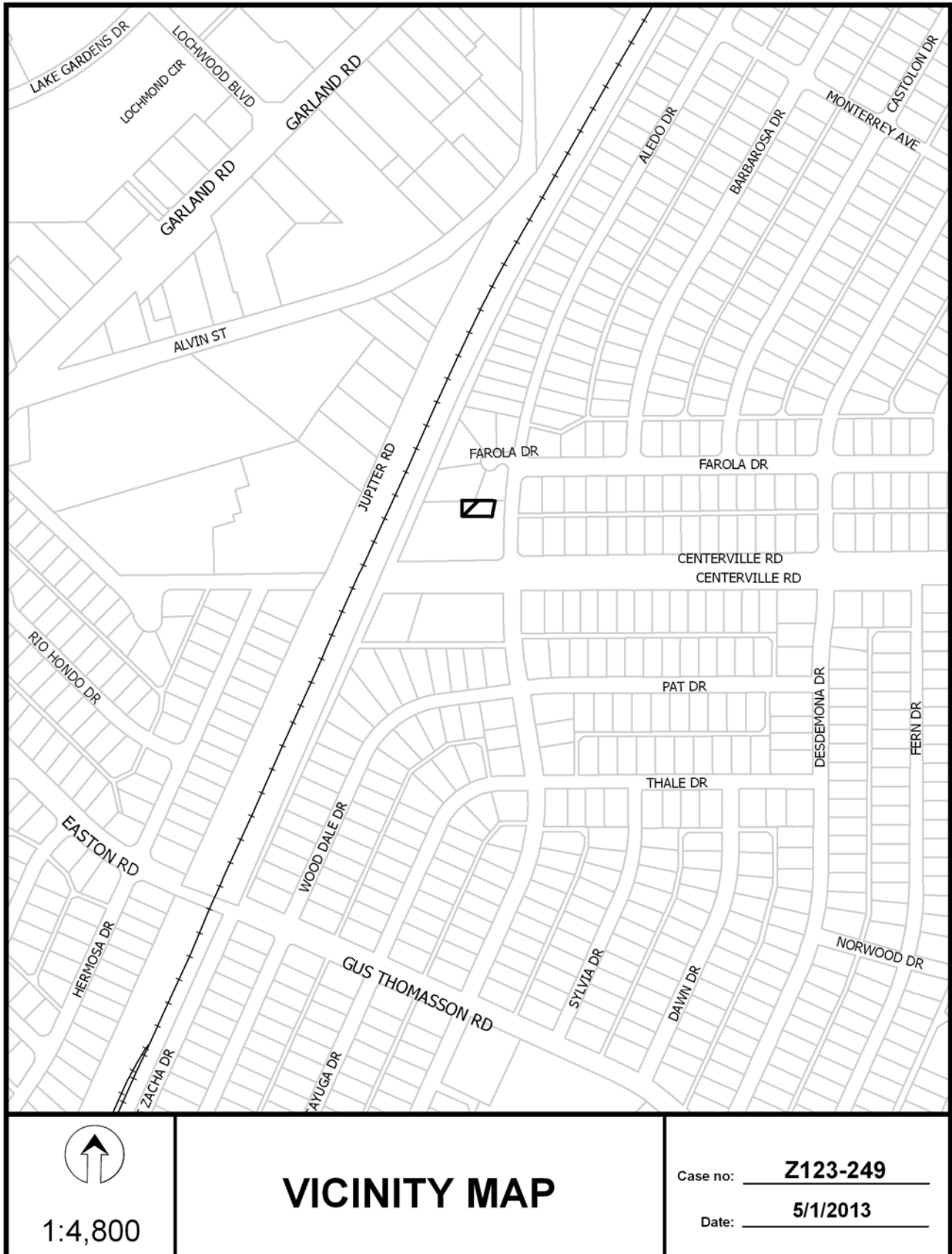
SUP Conditions

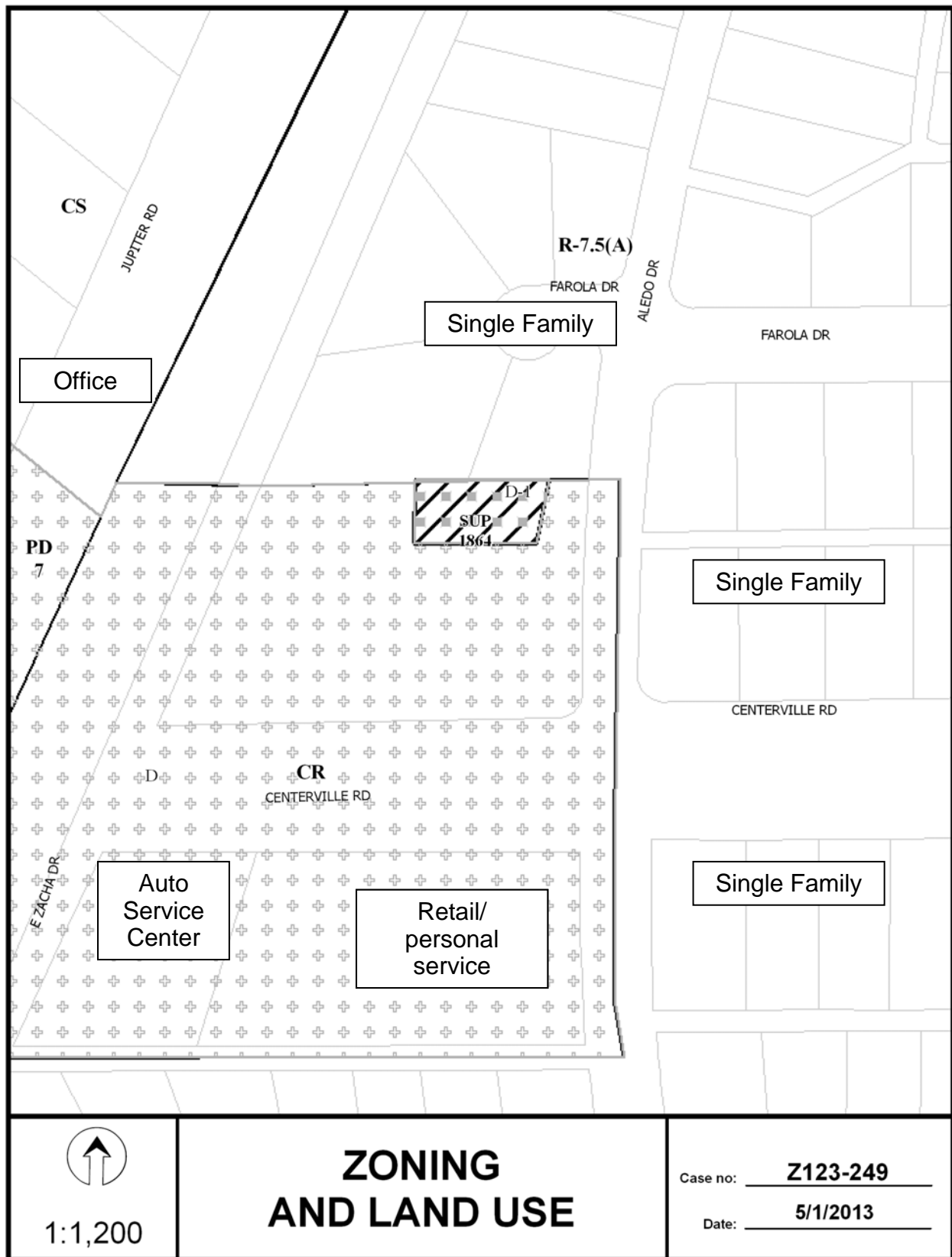
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages for off-premise consumption as part of the operation of a general merchandise or food store greater than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on ~~(August 18, 2013)~~(two years), 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. SCREENING: A minimum six-foot-high solid screening fence must be maintained along the northern boundary of the Property. The screening fence must be located outside of the visibility obstruction triangle. Screening must be constructed before issuance of a building permit, alcohol measurement certification, or certificate of occupancy.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. 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.

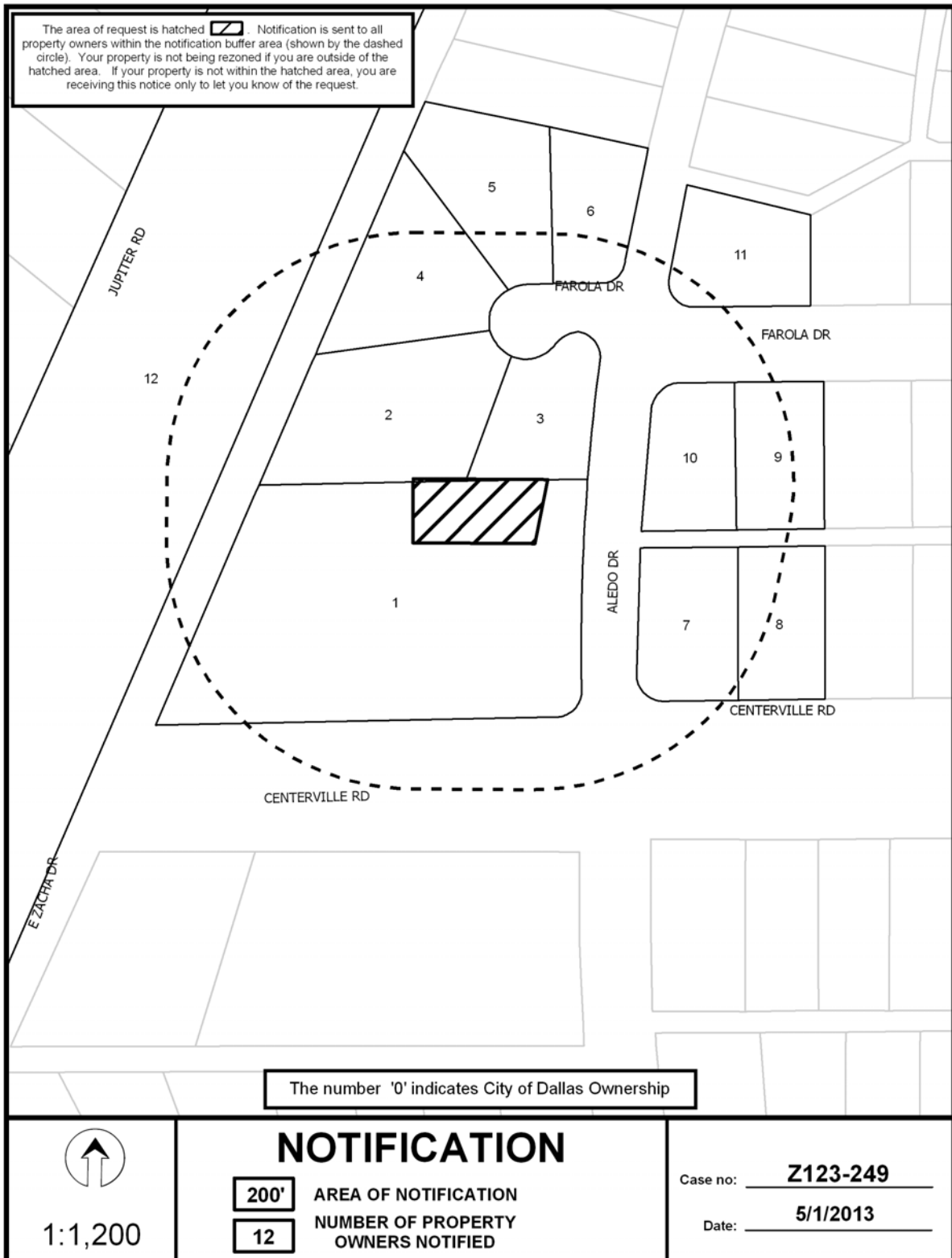
EXISTING SITE PLAN



Z123-249(AB)







5/1/2013

Notification List of Property Owners

Z123-249

12 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|------------------------------------|
| 1 | 1503 CENTERVILLE RD | AMEDIO CENTERVILLE LLC |
| 2 | 1510 FAROLA DR | 818 GRANDVIEW LTD |
| 3 | 1514 FAROLA DR | MENDOZA MARIA E |
| 4 | 1511 FAROLA DR | PARIS RUTH EVELYN %STEPHEN N PARIS |
| 5 | 1515 FAROLA DR | BELITERE NICHOLAS JR |
| 6 | 1519 FAROLA DR | GARCIA JOSE A |
| 7 | 1605 CENTERVILLE RD | BELLEW LISA Y |
| 8 | 1611 CENTERVILLE RD | ANDERSON NILS CHRISTIAN |
| 9 | 1610 FAROLA DR | MEDINA RICARDO JR & NELLY |
| 10 | 1602 FAROLA DR | PARIS RUTH RIGGS |
| 11 | 10806 ALEDO DR | GUZMAN RAQUEL O |
| 12 | 99999 NO NAME ST | KANSAS CITY SOUTHERN RR |

FILE NUMBER: Z123-221(RB)

DATE FILED: March 4, 2013

LOCATION: East line of La Prada Drive, North of Oates Drive

COUNCIL DISTRICT: 7

MAPSCO: 39 S

SIZE OF REQUEST: Approx. 525 Sq. Ft.

CENSUS TRACT: 125

APPLICANT: Verizon Wireless

REPRESENTATIVE: Peter Kavanagh

OWNER: Shiloh Terrace Baptist Church

REQUEST: An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes to construct an 80-foot monopole tower and provide for a supporting equipment enclosure.

STAFF RECOMMENDATION: Denial.

BACKGROUND INFORMATION:

- The request site is located east of the La Prada right-of-way, and is situated within an existing surface parking area that serves the church and accessory uses developed on the property.
- The applicant proposes to construct an 80-foot tower/antenna monopole tower and provide for a supporting equipment enclosure.
- Design of the tower will be architecturally compatible (i.e., inclusive of a cross on each panel of the three-sided structure) with the existing 61 foot-tall existing crosstower affixed to the main structure.
- The applicant previously submitted a similar request (100 foot-tall monopole tower), but withdrew prior to the public hearing process.

Zoning History: Other than noted above, there has been no recent zoning activity in the immediate area relevant to this request.

Thoroughfare

Designation; Existing & Proposed ROW

La Prada Drive

Principal Arterial; 100' & 100' ROW

Oates Drive

Principal Arterial; 100' & 100' ROW

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered a Residential Neighborhood. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility: The applicant is requesting an SUP in order to provide for a 80-foot monopole tower and accompanying equipment enclosure. The site is situated on property developed with a church and surface parking area.

The site is surrounded by existing low-density single family development. Additionally, SUP No. 1591 for a Community service center is situated along the south line of Oates Drive.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

A specific use permit is required for a monopole cellular tower in all residential zoning districts. Pursuant to Section 51A-4.407 of the Dallas Development Code, a monopole cellular tower is exempt from residential proximity slope (RPS) height restrictions if a specific use permit is required for the monopole cellular tower use. However, pursuant to Section 51A-4.408 of the Dallas Development Code, the impact of the tower height must be considered in the SUP process. Therefore, the City Council considers each case on its own merits to determine if waiving the RPS height restrictions is appropriate.

With respect to this request, residential adjacency exists in all directions. For information purposes, an 80 foot-tall structure would require the following spacing elements (setback) from the respective residentially zoned property, while providing as noted:

| Residentially zoned property to the: | Required setback (as measured from monopole to residentially zoned property line) | Provided setback (as measured from monopole to residentially zoned property line) |
|---|--|--|
| North | 240' | 157' |
| East | 240' | 289' |
| South | 240' | 470' |
| West | 240' | 331' |

While the monopole tower is considered a passive use (i.e., not a traffic generating use, non-intrusive as to noise and glare), staff is concerned with the visual intrusion associated with an 80-tall structure. It was suggested the applicant revise the location of the tower, moving it to the south (closer to the main church structure). This would allow compliance with the residential proximity slope in all directions. It is staff's understanding this is not an option.

As a result of staff's analysis, it has been determined the request does not comply with the provisions for consideration of an SUP. The attached recommended conditions are provided per the city attorney's review should CPC recommend approval of the request.

Parking: The Dallas Development Code requires one off-street parking space for this use when an auxiliary building that houses electronic equipment exceeds 120 square feet of floor area. The equipment will be housed in cabinets instead of an enclosed structure, therefore, no parking requirements exist.

Traffic: The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

Landscaping: The site possesses established planting areas associated with the existing church. The requested improvements do not trigger requirements for additional landscaping.



February 6, 2013

Mr. David Cossum
Department of Development Services
City of Dallas
1500 Marilla
Dallas, TX 75201

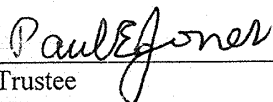
Re: Shiloh Terrace Baptist Church, a Texas Non Profit Corporation

Dear Mr. Cossum:

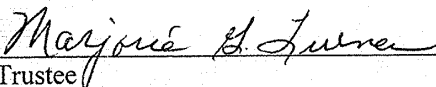
The Trustees of Shiloh Terrace Baptist Church, a Texas Non Profit Corporation have authorized Scott McLaughlin, Church Business Administrator, to sign documents on behalf of the church in matters relating to government approvals of Church real estate matters.

Thank you for your consideration.

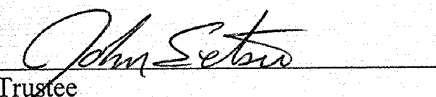
Very Truly Yours,



Trustee



Trustee



Trustee

Z123-221

Verizon Board of Directors

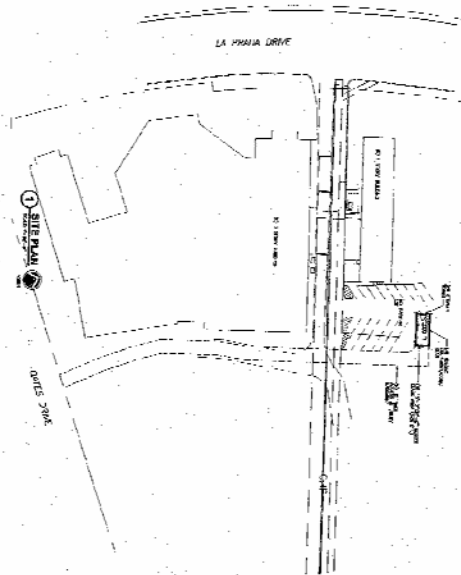
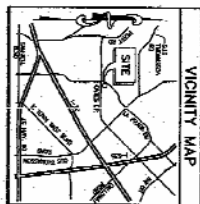
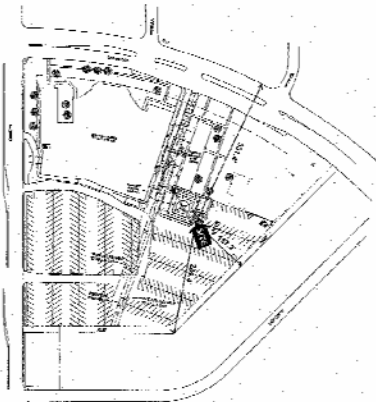
Richard Carrion
melanie Healey
M. Francil Keeth
Robert Lane
Lowell McAdam
Sandra Moose
Joseph Neubauer
Donald Nicolaisen
Charence Otis, Jr.
Hugh Price
Rodney Slater
Kathryn Tesija
Gregory Wasson

Verizon Officers

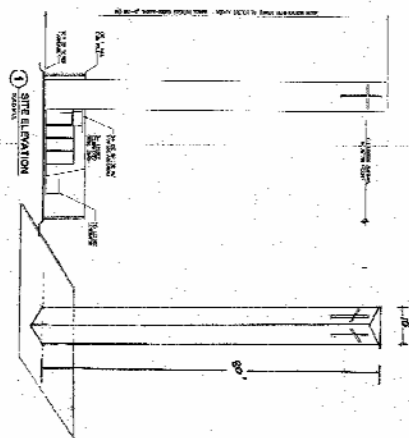
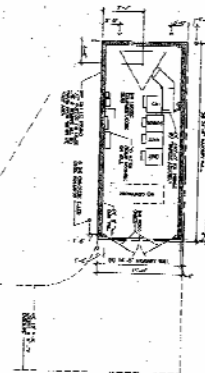
Lowell, McAdam, Chairman
Roy Chestnutt, Executive VP
Rolger Gurnani, Executive VP
Daniel Mead, Executive VP
Anthony Malone, Executive VP
Randal Milch, Executive VP
W.R. Mudge, President consumer markets
John Stratton, Executive VP
Robert Barish, Senior VP
Mathew Ellis, Senior VP
Holyce E. Hess Groos, Senior VP
William Horton, Jr. Senior VP
Shane Sanders, Senior VP
Michael Stefanski, Senior VP
Marc Reed, Executive VP
Francil Shammo, Executive VP
Rose Stucky Kirk, President Verizon Foundation

**CITY ATTORNEY-APPROVED CONDITIONS FOR A SPECIFIC USE PERMIT
FOR A TOWER/ANTENNA FOR CELLULAR COMMUNICATION**

1. **USE:** The only use authorized by this specific use permit is a Tower/antenna for cellular communication, limited to a monopole cellular tower.
2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan. Design of the monopole cellular tower must comply with the elevation shown on the attached site plan.
3. **TIME LIMIT:** This specific use permit expires on (ten years from the passage of the ordinance), but is eligible for automatic renewal for additional fifteen-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. **STRUCTURE HEIGHT:** Maximum structure height is 80 feet.
5. **SCREENING WALL:** A seven-foot-tall masonry wall must be constructed in the location shown on the attached site plan.
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.



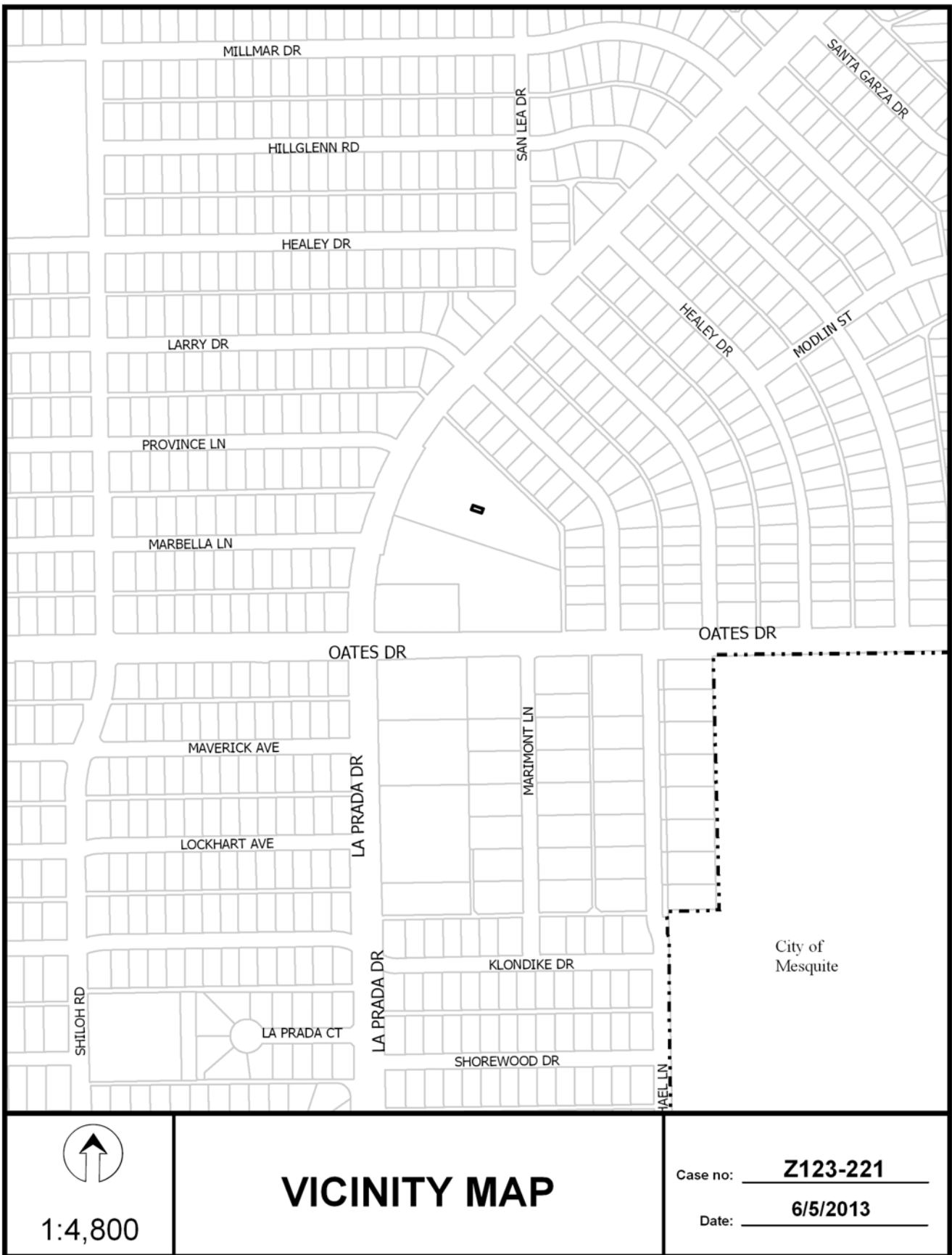
1 DETAILED SITE PLAN

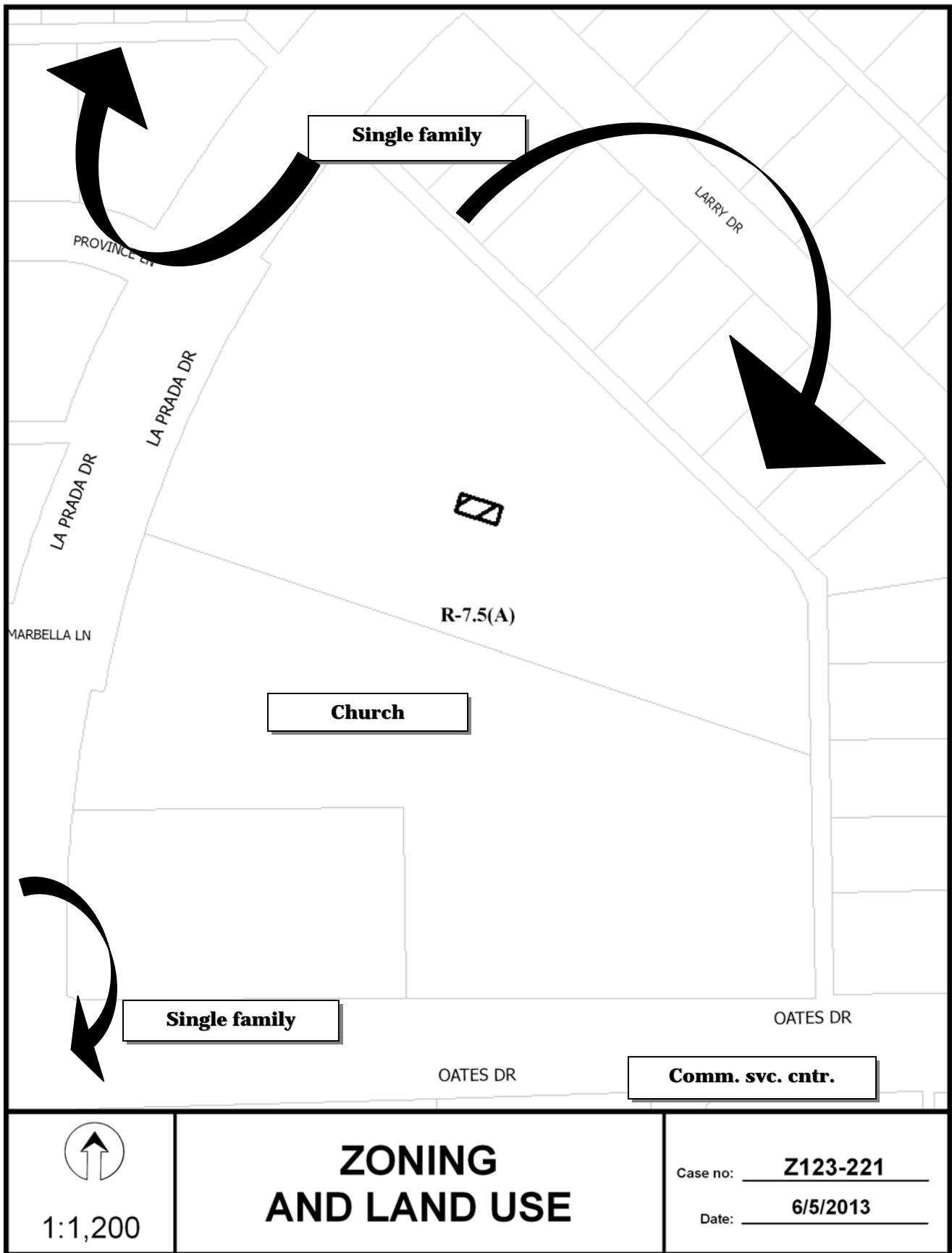



1 SITE ELEVATION

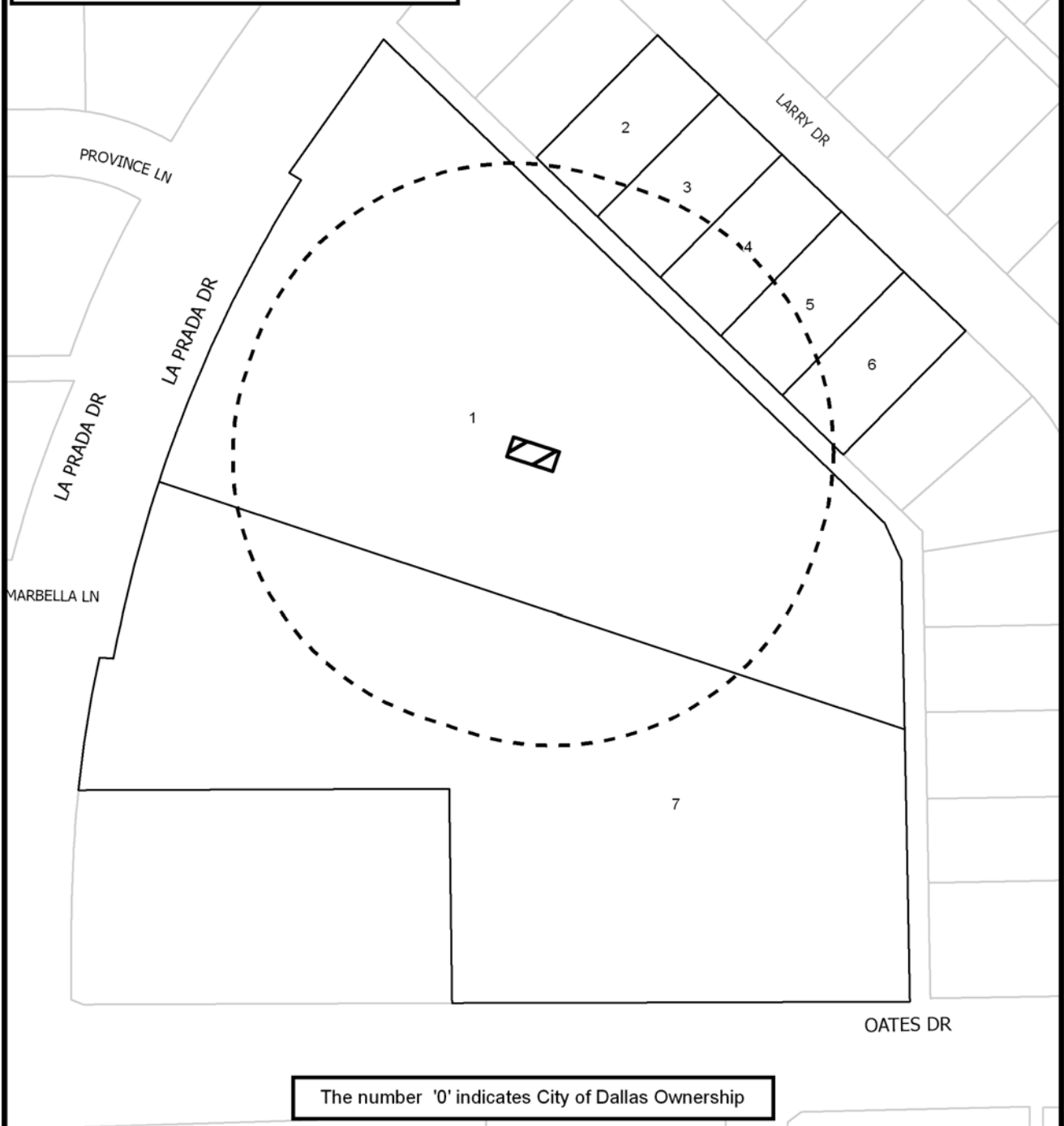
SITE PLAN
Z123-221 (RB)

Specific Use Permit
Use: Tower/Structure for
Cellular Communication
Facilities: Enclosed antenna structure
Equipment cabinets at ground
Antenna structure and ground
equipment enclosed by eight (8)
foot masonry wall





The area of request is hatched  Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.



The number '0' indicates City of Dallas Ownership



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

7

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z123-221**

Date: **6/5/2013**

6/5/2013

Notification List of Property Owners

Z123-221

7 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|--------------------------|
| 1 | 9840 LA PRADA DR | SHILOH TERRACE BAPT CH |
| 2 | 3014 LARRY DR | GOURD PAMELA J |
| 3 | 3018 LARRY DR | MONSIVAIS BLANCA |
| 4 | 3022 LARRY DR | PETTIGREW LEE E |
| 5 | 3026 LARRY DR | SCUDDER PERRIN & MARYANN |
| 6 | 3032 LARRY DR | RAMADAN HASSAN |
| 7 | 9810 LA PRADA DR | SHILOH TERRACE BAPT CH |

CITY PLAN COMMISSION

THURSDAY, JULY 11, 2013

Planner: Richard E. Brown

FILE NUMBER: Z123-234(RB)

DATE FILED: March 20, 2013

LOCATION: Midway Road and Frankford Road, Southeast Corner

COUNCIL DISTRICT: 12

MAPSCO: 4F

SIZE OF REQUEST: Approx. 3,946 Sq. Ft.

CENSUS TRACT: 317.04

APPLICANT: Cynthia Clark, Representative

OWNER: Frankford Center, Ltd.

REQUEST: An application for a Specific Use Permit for a Swap or buy shop on property zoned a CR Community Retail District.

SUMMARY: The applicant is proposing to operate a swap or buy shop within a suite within a multi-tenant retail center.

STAFF RECOMMENDATION: Approval, for a three-year period, subject to conditions.

PRIOR CPC ACTION: On June 6, 2013, the City Plan Commission held this request under advisement until June 20, 2013. On June 20, 2013, the City Plan Commission held this request under advisement until July 11, 2013.

BACKGROUND:

- The request site represents approximately 1,995 square feet of lease space within a multi-tenant retail center.
- The applicant is requesting an SUP for a swap or buy shop within the extreme western portion of the retail development.
- SUP No. 1682 for a private club-bar exists within the multi-tenant retail center (see Zoning and Land Use Map).

Zoning History: There has been no recent zoning activity in the immediate area relating to this request.

Thoroughfare

Designation; Existing & Proposed ROW

Midway Road

Principal Arterial; 100' & 100' ROW

Frankford Road

Principal Arterial; 100' & 100' ROW

STAFF ANALYSIS:

Comprehensive Plan: The Comprehensive Plan does not specifically address the proposed use, however, the Quality of Life statement within the Core Values section does serve as a foundation for all of the plan's recommendations:

Quality of Life: Dallas' diverse population wants equally diverse choices in where and how to live and ways to shop and have fun.

Land Use Compatibility: The request site represents approximately 1,995 square feet of lease space within a multi-tenant retail center. The applicant is requesting an SUP for a swap or buy shop.

A swap or buy shop is defined as an entity for the purchase and retail sale or exchange of new or used regulated property where more than 25% of inventory is obtained from sources other than a manufacturer or authorized vendor. The operator is required to obtain a license under Chapter 39B, "Regulated Property - Purchase and Sale" of the Dallas City Code, which requires certain reporting and record keeping efforts.

Surrounding land use consists of retail and scattered office/medical office uses in all four quadrants of the intersection of Frankford Road and Midway Road. The area to the east

and south of the site is developed with low-to-medium density residential uses (multifamily uses-condominium ownership). Multifamily uses are developed to the west/southwest across Midway Road.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be compatible with the adjacent property and consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all zoning regulations and standards.

Staff has determined the proposed use is consistent in terms of intensity (i.e., storefront presence) and operational characteristics of other retail uses typically found in multi-tenant retail centers. All operations are contained inside the lease space. As a result of this analysis, staff supports the request, subject to the attached site plan and conditions.

Traffic: The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the requested amendment and determined that it will not significantly impact the surrounding street system.

Parking: The existing multi-tenant development will provide for the required parking for this use (ten spaces).

Landscaping: The overall development possesses landscaping along its perimeter that complies with Article X. It should be noted the request site represents an internal suite within the multi-tenant development and does not contain landscape materials. The applicant's request does not trigger additional landscaping on the site.

Z123-234(RB)

Landlord: Frankford Center, Ltd.

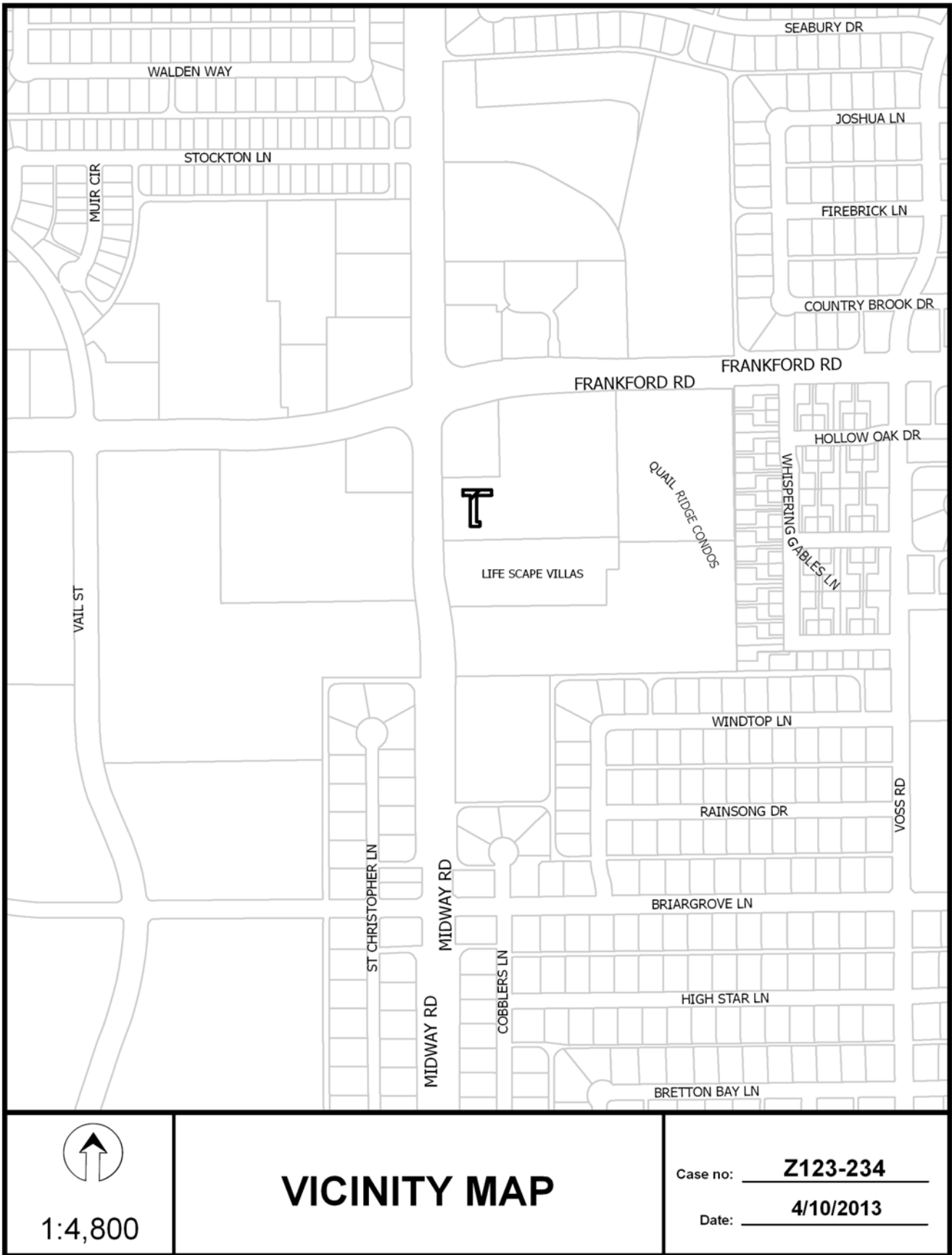
General Partner: Frankford Center GP, Inc.

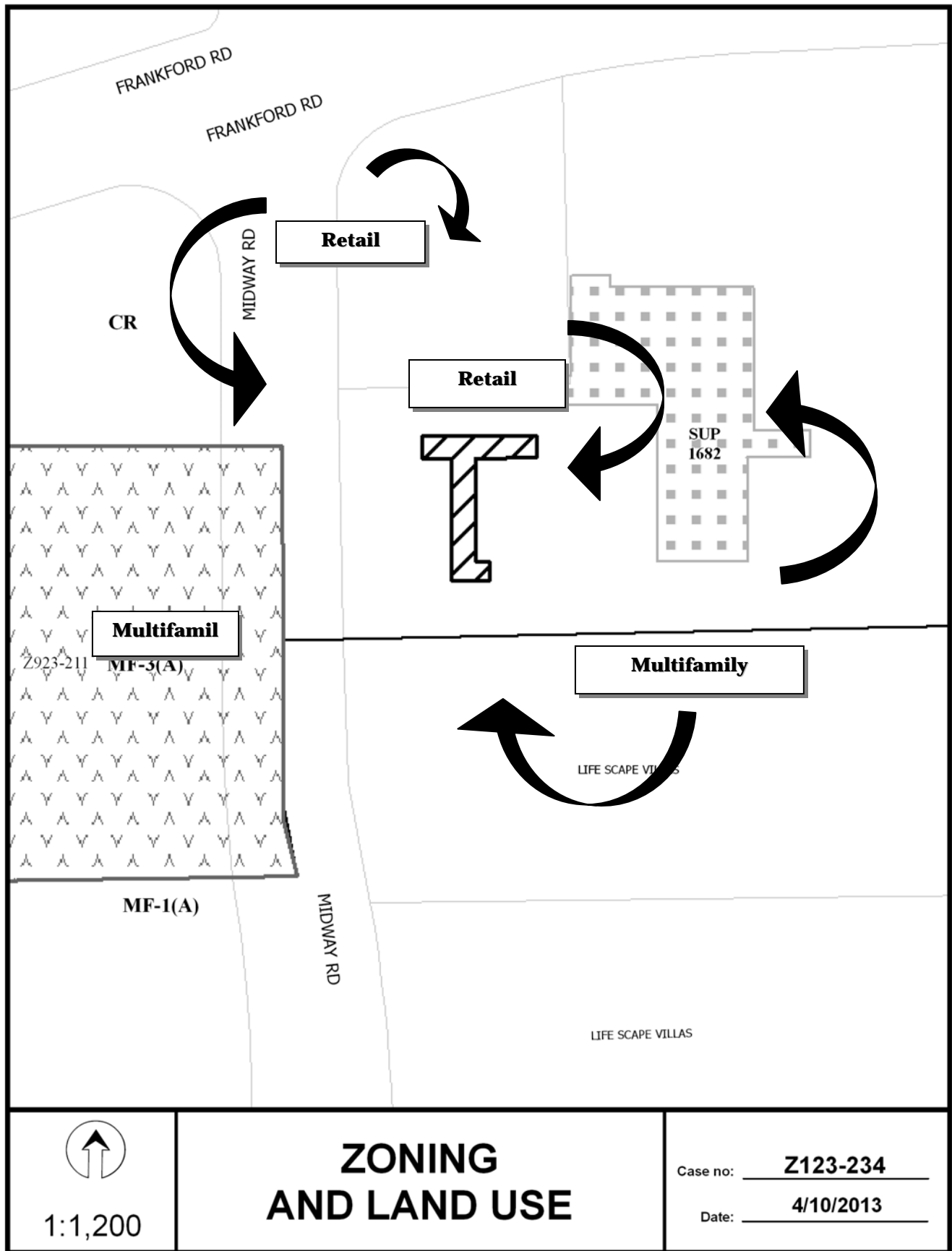
President: Jeffrey L. Olyan


Secretary: Kay Mead

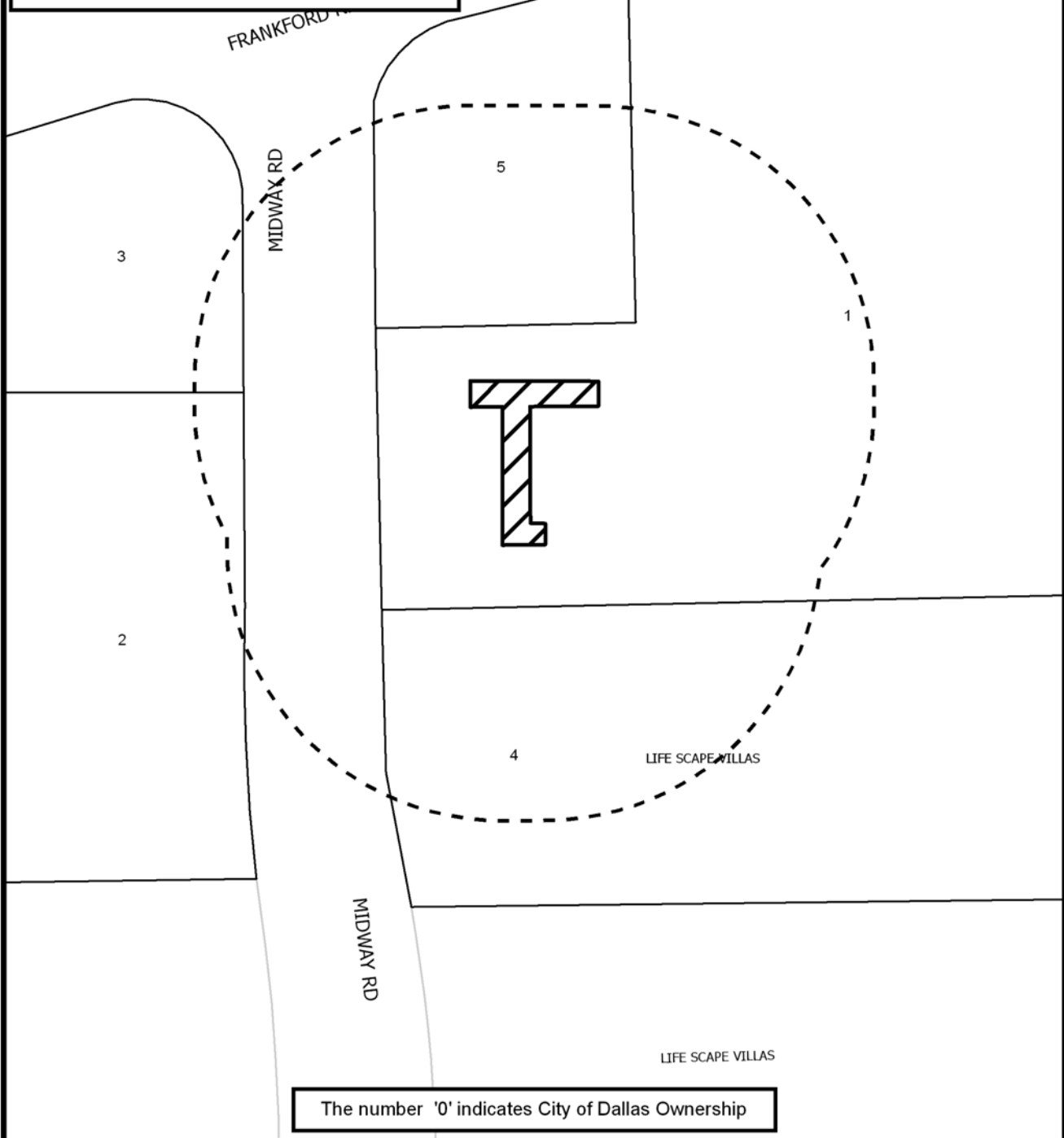
**RECOMMENDED CONDITIONS FOR A SPECIFIC USE PERMIT
FOR A SWAP OR BUY SHOP**

1. USE: The only use authorized by this specific use permit is a swap or buy shop.
2. SITE PLAN: Use and development of the Property must comply with the attached site and landscape plan.
3. TIME LIMIT: This specific use permit expires on (three years).
4. FLOOR AREA: Maximum floor area is 1,995 square feet.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. 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.





The area of request is hatched  . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

5

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z123-234**

Date: **4/10/2013**

Z123-234(RB)

4/9/2013

Notification List of Property Owners

Z123-234

5 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---|
| 1 | 18110 MIDWAY | FRANKFORD CENTER LTD C/O RETAIL PLAZAS I |
| 2 | 18175 MIDWAY | NORTHLAND STANFORD COURT LP |
| 3 | 18181 MIDWAY | HUFFMAN BUILDERS LP |
| 4 | 18040 MIDWAY | ROTTER TRACY |
| 5 | 18118 MIDWAY | SOUTHLAND CORPORATION THE AD VALOREM TAX |

FILE NUMBER: Z123-313 (JH)

DATE FILED: June 18, 2013

LOCATION: Southeast corner of S. Zang Boulevard and W. Louisiana Avenue

COUNCIL DISTRICT: 1

MAPSCO: 54-Q

SIZE OF REQUEST: Approx. 3.982 acres

CENSUS TRACT: 62

REPRESENTATIVE: Rob Baldwin

APPLICANT/OWNER: WCH Limited Partnership

REQUEST: An application for a Planned Development District for multifamily uses on property zoned an MF-1(A) Multifamily District.

SUMMARY: The applicant proposes to construct a multifamily development with approximately 165 dwelling units and a maximum of four story buildings.

STAFF RECOMMENDATION: Approval, subject to a conceptual plan and staff conditions

BACKGROUND INFORMATION:

- The request site is currently developed with approximately 40 dwelling units constructed in or about 1949. The applicant is proposing to redevelop the property with approximately 165 dwelling units.

Zoning History: There have been no recent zoning requests in the area.

Thoroughfares/Streets:

| Thoroughfares/Street | Type | Existing ROW |
|----------------------|----------------|--------------|
| Zang Boulevard | Minor Arterial | 125 ft. |
| Louisiana Boulevard | Local | 50 ft. |

STAFF ANALYSIS:

Comprehensive Plan:

The request site is located in an area designated as a Commercial Corridor on the Vision Illustration within FowardDallas comprehensive plan. The scale of the multifamily development fits within this building block.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Commercial Corridor: These areas primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. These corridors, commonly at the intersection of major streets, are easily accessed via automobiles. Buckner Boulevard is an example of a Commercial Corridor. Buildings in these areas tend to be on separate parcels and stand one to five stories with offices, restaurants and a range of retail and commercial uses. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums. Landscaping and urban design will enhance the visitor's experience and is used to separate sidewalks from major roads and define pedestrian routes in large parking lots. For large shopping centers, this may involve adding public plazas or other "town center" features. Public transit enhancements as well as quality access and visibility are important components of successful auto-oriented development.

The applicant's request complies with the following goals and policies of the comprehensive plan because the PD conditions will put emphasis on creating a desirable public realm, or space between the buildings, and the street along Zang Boulevard. The applicant worked with the Design Studio and staff to create PD conditions that would enhance the urban design of the proposed development and promote a safe neighborhood.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

NEIGHBORHOOD ELEMENT

GOAL 7.1 PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS

Policy 7.1.2 Promote neighborhood-development compatibility.

Policy 7.1.4 Promote clean and safe neighborhoods.

The proposed development is a recipient of tax credits, though the PD conditions do not require that the development be restricted to affordable housing. The redevelopment of 40 multifamily units into a maximum of 165 dwelling units provides additional housing opportunities in location with a mix of land uses in walking distance.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

HOUSING ELEMENT

GOAL 3.3 EXPAND AFFORDABLE HOUSING ALTERNATIVES

Policy 3.3.3 Obtain support to develop affordable housing.

URBAN DESIGN

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Land Use Compatibility:

The applicant is proposing to redevelop the approximately four acre request site from a development of nine two-story buildings almost 65 years old containing 40 multifamily units with a maximum of 165 dwellings in two to three buildings and structured parking. The proposed buildings will range from two to four stories, up to a maximum height of 55 feet for the structure with additional height for mechanical projections.

The property is located east of the Wynnwood Shopping Center, which contains a variety of retail and personal service uses primarily. To the south of the property are an adult daycare center and a convenience store at the intersection of Zang Boulevard and Illinois Avenue. East of the property across the creek are single family residential uses. Multifamily development is north of the property and developed in the same manner as the request site.

The existing MF-1(A) Multiple Family District allows for a maximum height of 36 feet with an additional 12 feet for mechanical equipment and other listed structures. Staff is comfortable with the requested height of 55 feet, but proposes only 4 additional height for projections for mechanical equipment while the applicant proposes additional height of 10 feet; staff also proposes height be restricted to 36 feet for the easternmost 100 feet of the request site. The proposed development would not comply with the Residential Proximity Slope (RPS), which would be a 1:3 slope originating from the single family properties to the east. Staff recommends relief from RPS with the 100 foot height zone just described and a minimum 20 foot landscaping buffer on the eastern boundary.

The property is separated from single family structures to the east by a creek. The property is also located partially within a floodplain. The development must either build outside of the floodplain or the applicant obtains a fill permit.

Staff supports the applicant's request to increase height and density in order to redevelop the property. The applicant has worked with the Design Studio in 2012 in an area study and was the subject property of a charrette in November. Since their application for zoning, the applicant has worked with the Design Studio and staff to develop PD conditions that will capture the community's recommendations from the charrette and general urban design criteria that will enhance the development.

Development Standards:

| DISTRICT | SETBACKS | | Density FAR | Height | Lot Coverage | Special Standards | Primary Uses |
|------------------------|--------------------------------------|-----------|--|-----------------------|-----------------|--|---------------------------------------|
| | Front | Side/Rear | | | | | |
| Proposed | | | | | | | |
| PD Multifamily | 15'-25' Zang; 15' Louisiana | 0/5' | Max 165 dwellings | 55' / 4 stories | 60% | Street activating residential standards | Multifamily |
| Existing | | | | | | | |
| MF-1(A) Multifamily | 15' | 15' | Min lot 3,000 sq. ft. 1,000 sq ft – E 1,400 sq. ft – 1 BR 1,800 sq ft – 2 BR +200 sq ft each add BR | 36' | 60% | Proximity Slope | Multifamily, duplex, single family |

Parking/Traffic:

The PD conditions propose a ratio of 1.3 off-street parking spaces per dwelling unit rather than the code requirement of one space per bedroom. The preliminary bedroom mix indicates the code requirement would have the development provide a minimum of 312 off-street parking spaces. The applicant provided a parking statement from the property management company indicating the parking demand experienced at the property is reflected in the 1.3 spaces per unit, which would require 215 off-street parking spaces for 165 dwelling units, and that many residents use the bus. A bus shelter is located in the area near the intersection of Zang Boulevard and Louisiana Boulevard. Due to the late receipt of the parking statement, staff analysis was not complete at the time of this case report and an update will be provided at the City Plan Commission briefing. The PD conditions indicate a default staff recommendation that the development comply with code until the staff analysis and recommendation is complete.

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code with specific landscaping required along Zang Boulevard. An exhibit prepared by the Design Studio is attached to illustrate the location and average spacing for parkway trees, small trees, pedestrian lighting, and sidewalk network.

List of Partners/Principals/Officers

WCH Limited Partnership
Wynnewood Senior Housing GP, LLC
511 N. Akard Street – Suite 301
Dallas, TX 75201

Banc of America Community Development Corporation
401 N. Tryon St – NCI-021-02-20
Charlotte, NC 28202

- Charles Holliday, Jr. Director
- Sharon Allen, Director
- Susan Bies, Director
- Jack Bovender, Jr., Director
- Frank Bramble, Sr. Director
- Arnold Donald, Director
- Charles Gifford, Director
- Linda Hudson, Director
- Monica Lozano, Director
- Thomas May, Director
- Brian Moynihan, Director
- Lionel Nowell, III, Director
- R. David Yost, Director

Wynnewood Seniors Housing CP. LLC
Central Dallas Community Development Corporation
2814 Main Street – Suite 102
Dallas, TX 75226

Larry James, President & Director
Gerald Britt, Vice President & Director
Edd Eason, Secretary & Director
John Greenan, Executive Director
Dan Hopkins, Director
Allene Medlock, Director
David Dunnigan, Director
Lynda Zimmerman, Director
Sam Coats, Director

PD CONDITIONS

“ARTICLE ____.

P.D. ____

SEC. 51P-____.101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No. _____, passed by the Dallas City Council on _____, 2013.

SEC. 51P-____.102. PROPERTY LOCATION AND SIZE.

PD _____ is established on property located at the southeast corner of South Zang Boulevard and West Louisiana Boulevard. The size of PD _____ is approximately 3.982 acres.

SEC. 51P-____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this division,

(1) BLADE SIGN means an attached premise sign projecting perpendicularly from a main building façade, visible from both sides, and made of rigid or soft materials.

(2) STOOP means a small porch leading to the entrance of a residence.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are articles, divisions, or sections in Chapter 51A.

(c) This Property is considered to be a residential zoning district.

SEC.51P-____.104 EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit ____A: Conceptual Plan

(2) Exhibit ____B: Zang Boulevard Streetscape

SEC.51P-____.105 CONCEPTUAL PLAN.

Development and use of the property must comply with the conceptual plan (Exhibit ____A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.

SEC.51P-____.106 DEVELOPMENT PLAN.

A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work on the Property. If there is a conflict between the text of this article and the approved development plan, the text of this article controls.

SEC.51P-____.107 MAIN USES PERMITTED.

The only main uses permitted are those main uses permitted in the MF-2(A) Multifamily District, subject to the same conditions applicable in the MF-2(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-2(A) Multifamily District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MF-2(A) Multifamily District is subject to DIR in this district; etc.

SEC.51P-____.108. ACCESSORY USES.

(a) In general. As a general rule, an accessory use is permitted in any subarea in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.
- Amateur communication tower.
- Day home.
- General waste incinerator.
- Private stable.

SEC.51P-____.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) Setbacks.

(1) Encroachments.

(A) For residential uses, unenclosed balconies, bay windows, awnings, stoops, and patios may encroach up to five feet into the required Zang Boulevard minimum front yard setback. Retaining walls, raised planters, sculptures, and other decorative landscape items may be located within the required setback.

(2) Front yard.

(A) Minimum front yard is 15 feet.

(B) Maximum front yard setback for 80 percent of the Zang Boulevard frontage is 25 feet. No maximum front yard setback is required for the Louisiana Boulevard frontage.

(C) No urban form setback is required.

(3) Side and rear yard. Minimum side or rear yard setback is five feet if a setback is provided; otherwise, no minimum side or rear yard is required.

(b) Density. Maximum number of dwelling units is 165.

Staff recommended

(c) Height.

(1) Except as provided, maximum structure height is 55 feet and projections specified in Sec. 51A-4.408(a)(2)(A) are permitted to project an additional four feet above the maximum building height.

(2) The eastern 100 feet of the Property is limited to a maximum height of 36 feet.

Applicant proposed

(c) Height. Maximum structure height is 55 feet and additional projections specified in Sec. 51A-4.408(a)(2)(A) are permitted to project an additional 10 feet above the maximum building height.

(d) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots, and underground parking structures are not.

(e) Lot size. No minimum lot size.

(f) Stories. Maximum number of stories above grade is four. No maximum number of stories for parking structures.

SEC.51P-____.110. URBAN DESIGN ELEMENTS FOR RESIDENTIAL USES.

(a) Street-facing, ground floor dwelling units.

(1) A minimum of 80 percent of the street-facing, ground floor dwelling units must have individual entries that access the street and must have an improved path connecting to the sidewalk.

(2) Street-facing facades must be clearly visible from the street.

(b) Architectural elements.

(1) In order to break up long walls, building articulation of a minimum depth of one foot is required for every 50 feet of length of a street facing façade is required.

(2) A minimum of two different façade materials is required on each street-facing facade.

(3) Special architectural elements, such as architecturally prominent public entrances, a canopy or awning, attached tower or turret, are required at the building corners at street intersections and building public entry points.

(4) Exterior parking structure facades are those facades on an aboveground parking structure that are visible from a public right-of-way or the eastern property line of the district. The exterior parking structure facade must be concealed with a facade that is similar in materials, architecture, and appearance to the facade of the main structure. Breaks in the exterior parking structure facade not exceeding 40 feet in width are permitted at driveway and entryway locations. Openings in the exterior parking structure facade may not exceed 60 percent of the total parking structure facade area. An aboveground exterior parking structure façade which faces the eastern property line must provide solid screening of a minimum 42 inches from the floor level within the parking structure to screen vehicles and vehicle headlights. Openings must be screened with architectural grill work or other decorative visual screening materials that provide ventilation.

(c) Pedestrian amenities.

(1) A minimum of two of each of the following pedestrian amenities are required along each 200 feet of street frontage per lot: bench and trash receptacle.

(2) Pedestrian scale lighting must be provided at an average of one lighting fixture per 60 feet of street frontage.

(3) A minimum unobstructed sidewalk width of six feet must be provided. Trees and tree grates are sidewalk obstructions. The sidewalk must be located in the area between parkway trees and the street-facing façade as shown on Exhibit ____B. If a sidewalk is located in the front yard, the property owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrian way.

(4) Pedestrian crossings at driveways must be distinguished by a change in surface materials such as pavers or patterned concrete. Pedestrian crossings may not be distinguished by paint alone.

(5) A minimum of eight percent of the lot area must be provided as open space. Open space may be provided at or below grade or above ground through the use of an outside roof deck, rooftop garden, pool area, or similar type of outside common area. Open space cannot be parked or driven upon. Area for enhanced public space does not count towards this requirement.

(6) Compliance with Crime Prevention Through Environmental Design (CPTED) review standards is encouraged for all construction requiring a building permit. Contact the building official plans examiner for information on CPTED review standards.

(7) Enhanced public space must be provided at intersection of Zang Boulevard and Louisiana Boulevard in the location shown on the conceptual plan and contain or meet the following requirements.

(A) Enhanced public space must preserve and protect existing trees at the time of new construction.

(B) Enhanced public space may be level, stepped, or gently sloping.

(C) A minimum of 50 percent of the enhanced public space must be landscape area consisting of trees, turf, or ground cover. The balance may be any paved surface. Pervious paving materials must make up 70 percent of paved surface.

(D) Enhanced public space may be furnished with paths, benches, and open shelters.

(E) Fencing in the enhanced public space may not be further than 10 feet from a main building.

Sec. 51P-____.111. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

Staff Recommended

| |
|--|
| (b) For multifamily uses, a minimum of 1.3 spaces per dwelling unit are required. |
|--|

Applicant proposed

| |
|---|
| (b) For multifamily uses, a minimum of 1.3 spaces per dwelling unit are required. |
|---|

(#) Lighting fixtures on the top level of a parking structure must be attached to the structure or bollards and may not be taller than 48 inches above the floor of the top level.

SEC.51P-____112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC.51P-____.113. LANDSCAPING AND SIDEWALKS.

(a) In general. Except as provided in this section, landscaping and tree mitigation must be provided in accordance with Article X. If there is a conflict between the text of this article and Article X, the text of this article controls.

(b) Landscaping.

(1) Plant materials must be maintained in a healthy, growing condition.

(2) Large trees must be planted a minimum of 10 feet away from a building.

(c) Zang Boulevard frontage. The following applies only to the Zang Boulevard frontage. Landscaping must be provided in accordance with Exhibit ____B and this section. Tree planting requirements are an average spacing, not an on center requirement. If there is a conflict between the text of this article and Exhibit ____B, the text of this article controls.

(1) Parkway trees.

(A) Tree planting zone. Parkway trees must be located within the tree planting zone, which is that area parallel to and between two-and-one-half and 10 feet from the back of the projected street curb. Trees planted within the tree planting zone may count toward street tree requirements.

(B) Number. The minimum number of required parkway trees is determined by dividing the number of feet of street frontage, exclusive of visibility triangles, by 30. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number.

(C) Type. Parkway trees must be recommended for local area use by the building official. The building official may recommend an alternate species in the event of a utility conflict.

(D) Height and caliper. Parkway trees must have a minimum height of 14 feet and a minimum caliper of three-and-one-half inches measured at a point 12 inches above the root ball at the time of installation.

(E) Spacing. Parkway trees must be spaced as uniformly as practicable, but must be within 50 feet of the trunk of another required tree.

(2) Private yard.

(A) Tree planting zone. Private yard trees must be located in the buffer or private yard area shown on Exhibit __B.

(B) Number. The minimum number of required private yard trees is determined by dividing the number of feet of street frontage by 60. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number.

(C) Type. Private yard trees must be small trees recommended for local area use by the building official.

(D) Height and caliper. Private yard trees must have a minimum height of 10 feet and a minimum caliper of two inches measured at a point 12 inches above the root ball at the time of installation.

(E) Foundation planting area. The foundation planting area is a minimum seven foot area along the foundation of a street facing façade of a building in the transition zone shown on Exhibit __B. The foundation planting area must contain living trees, shrubs, or vines that are recommended for local area use by the director. Turf grass and ground cover are not counted toward meeting these minimum planting requirements. Initial plantings must be calculated to cover a minimum of 50 percent of this area at a minimum height of 24 inches within a three-year period. There must be at least one plant for each four square feet of this area unless a landscape architect recommends an alternative planting density as part of a landscape plan that the building official determines is capable of satisfying the minimum coverage requirement for this area.

(d) Creekside buffer. The residential adjacency buffer required along the eastern boundary must be a minimum of 20 feet in width and comply with Section 51A-10.125(b)(7).

SEC.51P-____.114 FENCING AND REQUIRED SCREENING.

(a) Solid fencing is prohibited.

(b) Fencing between a street-facing façade and the right-of-way is limited to a maximum height of four feet.

(c) Individual entries may be gated and private yards or patios fenced if the fencing is a minimum of 70 percent open, such as wrought iron, and a maximum height of four feet.

(d) Fencing between a street-facing façade and the right-of-way that is not used for an individual private yard must provide one pedestrian gate for every 150 feet of fence length.

(e) Any surface parking areas that require screening from adjoining residential property in accordance with Section 51A-4.301(f) must use landscaping or a berm as described in Section 51A-4.301(f)(3)(ii) or (iii).

SEC.51P-____.115 SIGNS.

(a) In general. Except as provided in this subsection, signs must comply with the provisions for non-business zoning districts.

(b) Blade signs. A multifamily premise may erect no more than two blade signs that project no further than four feet from the vertical building surface. The sign may not be illuminated, exceed 20 square feet in effective area, extend above the roof or over any public right-of-way, be located within the space 10 feet above grade, or be on a premise with a detached sign. No blade signs are allowed to project from a building façade facing Louisiana Boulevard.

SEC.51P-____.116 ADDITIONAL PROVISIONS.

(c) The Property must be properly maintained in a state of good repair and neat appearance.

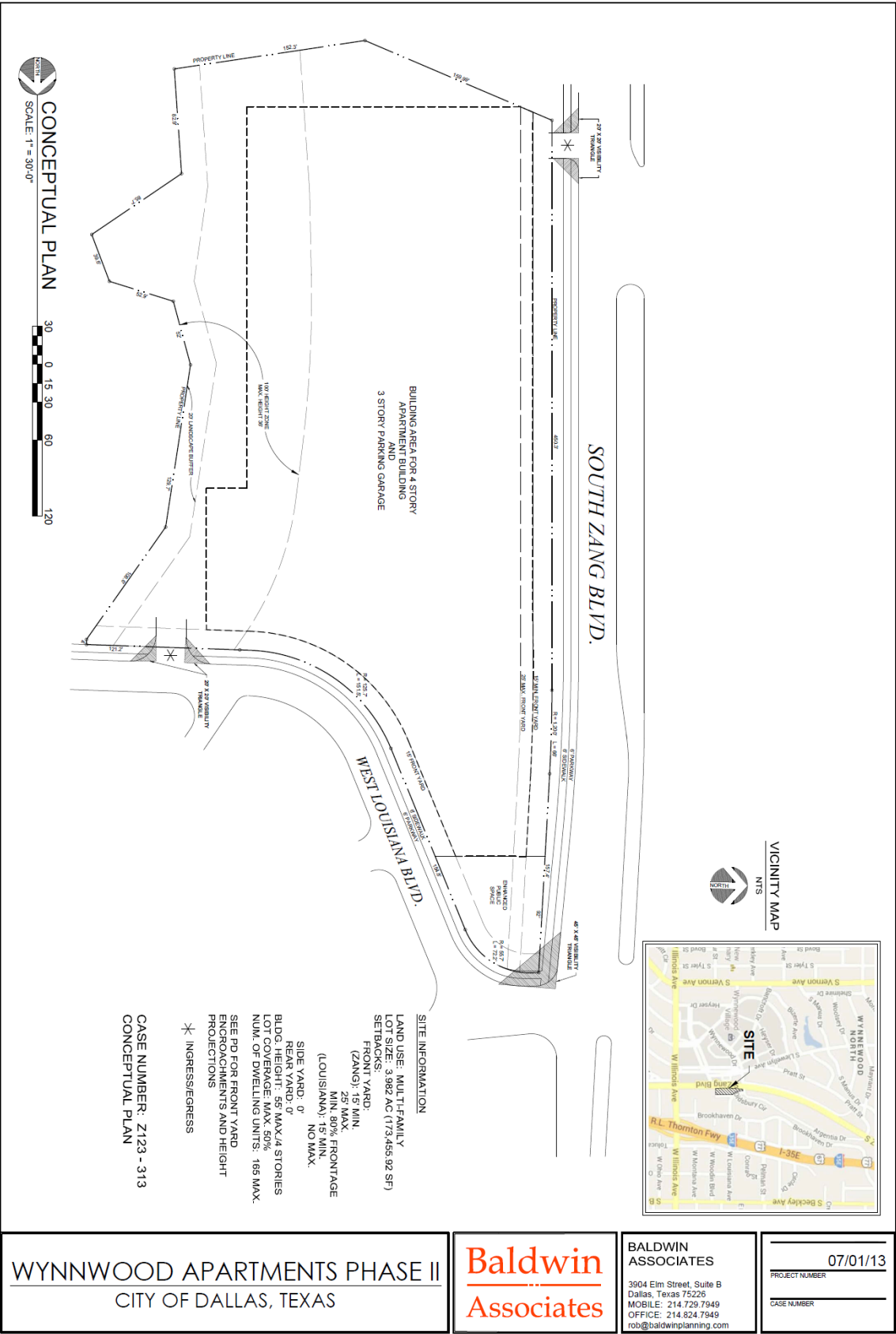
(d) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

SEC.51P-____.117 COMPLIANCE WITH CONDITIONS.

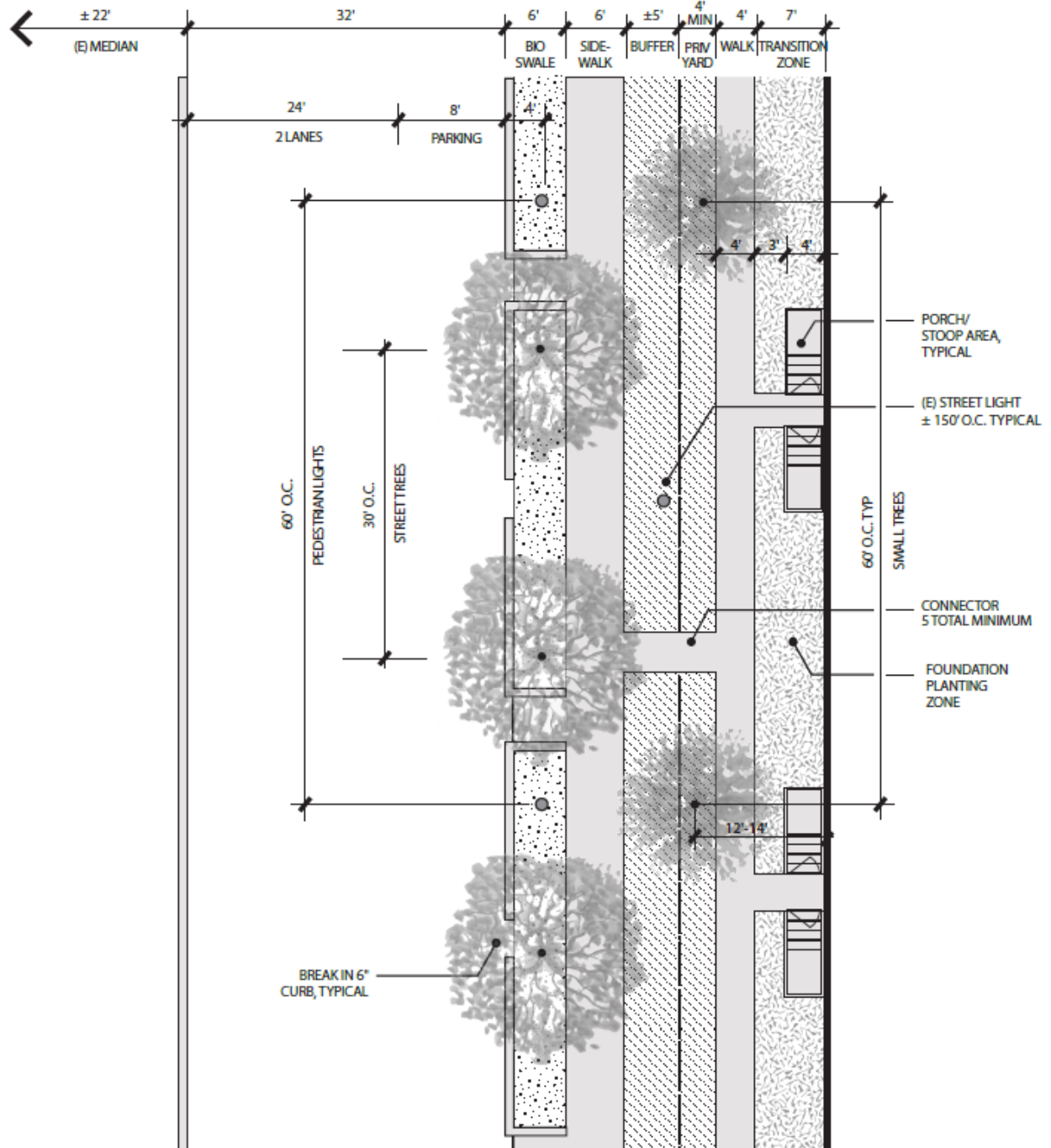
(a) All paved areas, permanent drives, streets and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

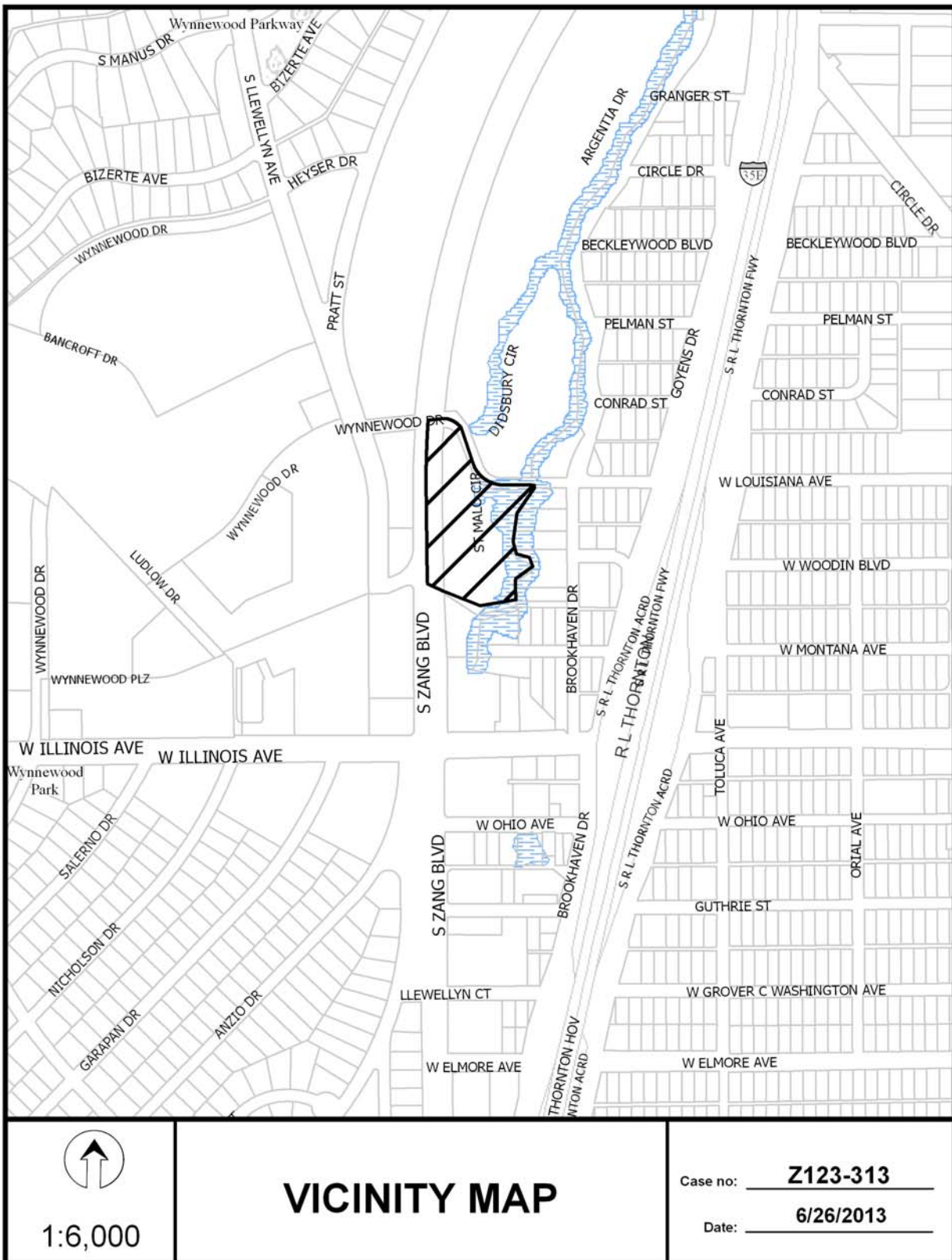
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

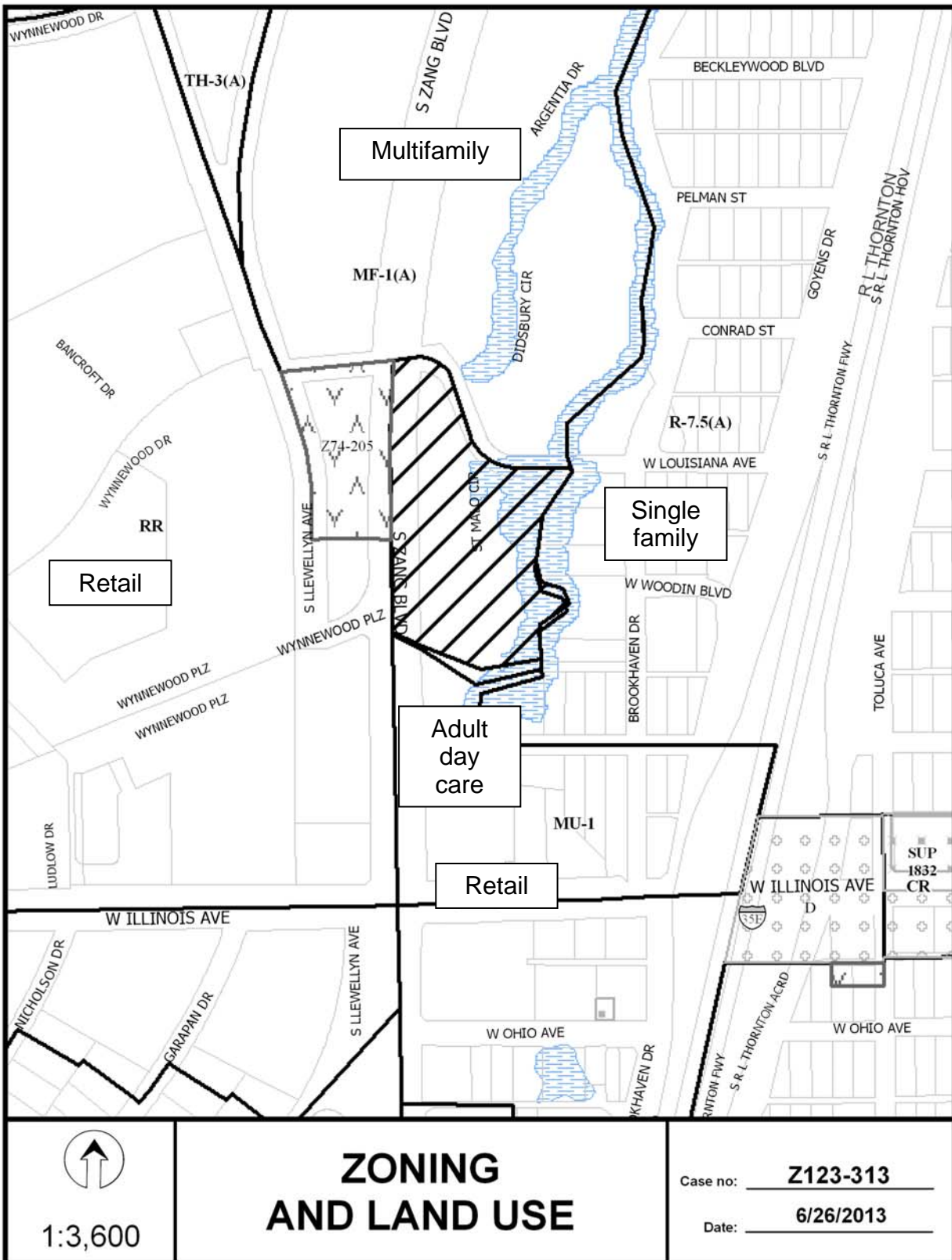
CONCEPTUAL PLAN

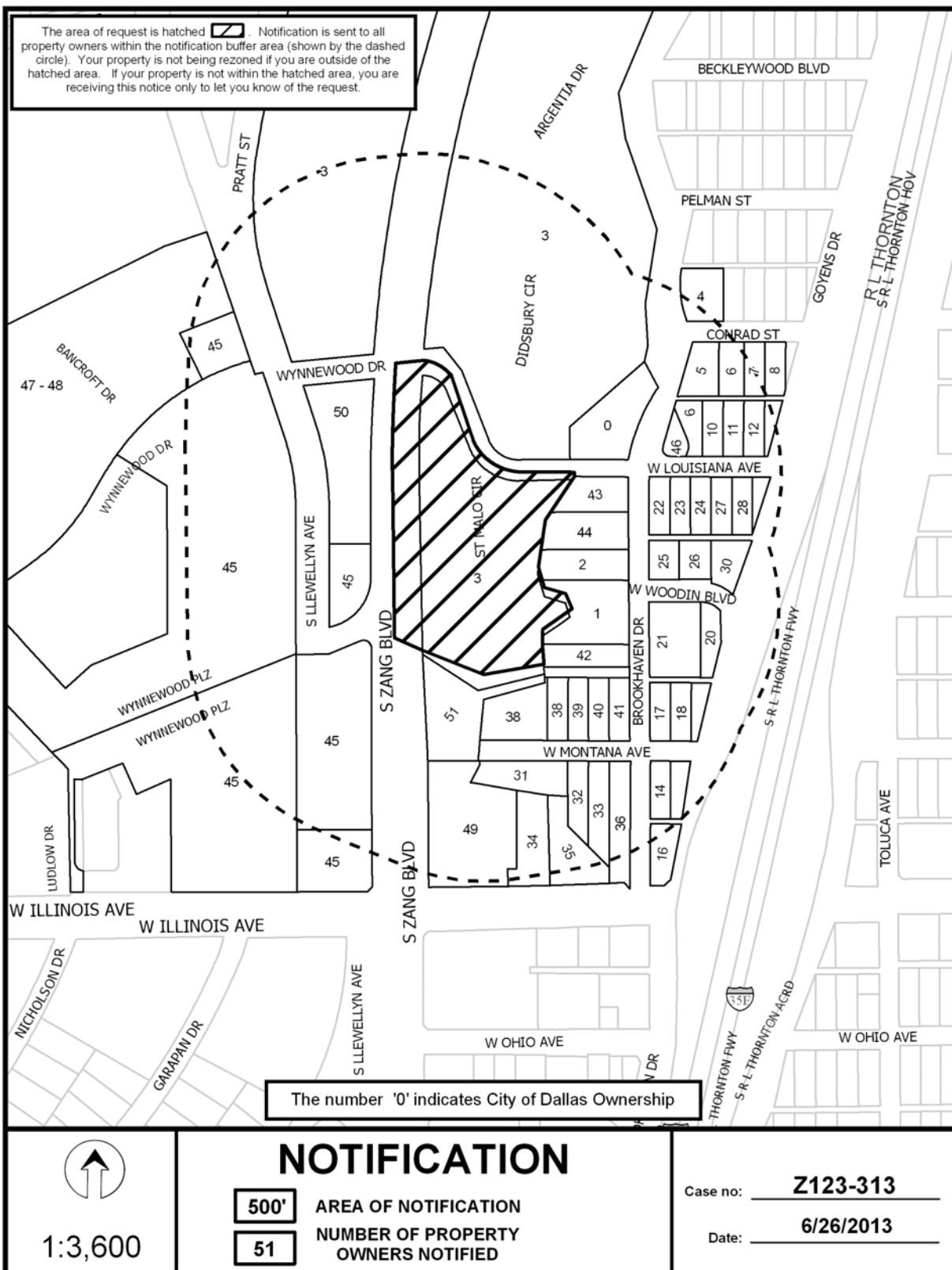


ZANG BOULEVARD LANDSCAPING EXHIBIT









Notification List of Property Owners

Z123-313

51 Property Owners Notified

| Label # | Address | Owner |
|---------|--------------------|--|
| 1 | 2107 BROOKHAVEN DR | SANCHEZ CESAREO |
| 2 | 2045 BROOKHAVEN DR | GONZALEZ ALEJANDRA & REYES ISIDRO SR |
| 3 | 1404 PRATT ST | WCH LIMITED PARTNERSHIP % PARKS AT WYNNE |
| 4 | 331 CONRAD ST | LOPEZ LEOPOLDO N |
| 5 | 332 CONRAD ST | BURKLEO RICHARD R |
| 6 | 326 CONRAD ST | SOLIS IRMA O |
| 7 | 322 CONRAD ST | BERRINGER DIANA L |
| 8 | 318 CONRAD ST | SALANA PPTIES LTD |
| 9 | 335 LOUISIANA AVE | HALL L & MAMIE |
| 10 | 331 LOUISIANA AVE | TELLEZ EVANGELINA SILVA & JORGE CEJA |
| 11 | 327 LOUISIANA AVE | BAYWOOD HOMES LLC |
| 12 | 323 LOUISIANA AVE | CLARK LORRAINE |
| 13 | 319 LOUISIANA AVE | BASS JOHN |
| 14 | 342 MONTANA AVE | TREMERICA INDUSTRIES LLC |
| 15 | 338 MONTANA AVE | PERRY DOUGLAS S ATTN SHERRY WHITE |
| 16 | 343 ILLINOIS AVE | ILLINOIS BRAKE CORP |
| 17 | 343 MONTANA AVE | FRAIRE PASCUAL |
| 18 | 339 MONTANA AVE | JIMENEZ VINCENT F |
| 19 | 335 MONTANA AVE | GARCIA JUAN J & REBECA |
| 20 | 332 WOODIN BLVD | VILLAREAL HILDA |
| 21 | 342 WOODIN BLVD | MOORE LARRY |
| 22 | 342 LOUISIANA AVE | GAETA JOSE B |
| 23 | 338 LOUISIANA AVE | HODO JERRY & BONNIE |
| 24 | 334 LOUISIANA AVE | OWENS REDONIA |
| 25 | 341 WOODIN BLVD | FORD MURPHY |
| 26 | 335 WOODIN BLVD | BALLINAS JUAN R & MARIA L |

| Label # | Address | Owner |
|---------|--------------------|------------------------------------|
| 27 | 330 LOUISIANA AVE | CARTER ARDIS J |
| 28 | 326 LOUISIANA AVE | ANDERSON JENNIFER L |
| 29 | 322 LOUISIANA AVE | WILEY JOE B |
| 30 | 331 WOODIN BLVD | MENDEZ DOMINGO & SOFIA |
| 31 | 414 MONTANA AVE | LAFUENTE LUPE & GLORIA LAFUENTE |
| 32 | 410 MONTANA AVE | PADILLO REBECCA L R C/O BECKY ROMO |
| 33 | 408 MONTANA AVE | GONZALES MARIA DE JESUS |
| 34 | 425 ILLINOIS AVE | LOCAL PROPERTIES LLC |
| 35 | 407 ILLINOIS AVE | PNYX LIMITED PARTNERSHIP |
| 36 | 401 ILLINOIS AVE | RELIANCE ENTERPRISES INC |
| 37 | 2119 BROOKHAVEN DR | KNIGHT IRVING SUITE 1118 |
| 38 | 419 MONTANA AVE | LAFUENTE ANGEL JOSEPH |
| 39 | 411 MONTANA AVE | CORONADO MARIA VASQUEZ OLIVIA |
| 40 | 407 MONTANA AVE | VAZQUEZ OLIVIA |
| 41 | 403 MONTANA AVE | PEREZ ABAD J |
| 42 | 2115 BROOKHAVEN DR | CITIMORTGAGE INC |
| 43 | 2031 BROOKHAVEN DR | RODRIGUEZ FRANCISCO |
| 44 | 2037 BROOKHAVEN DR | CURL DANIEL V & MARY L |
| 45 | 2150 LLEWELLYN AVE | CENTRO NP HOLDINGS 12 SPE LLC |
| 46 | 300 LOUISIANA AVE | CONNELLY J M |
| 47 | 701 ILLINOIS AVE | BELLAIRE CAPITAL PS LP |
| 48 | 701 ILLINOIS AVE | CENTRO NP HOLDINGS 12 SPE LLC |
| 49 | 2242 ZANG BLVD | 7 ELEVEN INC |
| 50 | 2000 LLEWELLYN AVE | 200 PIER ASSOCIATES LLC |
| 51 | 2200 ZANG BLVD | NEW HOPE FOUNDATION |

Planner: Warren F. Ellis**FILE NUMBER:** Z123-148(WE) **DATE FILED:** December 12, 2012**LOCATION:** Steppington Drive and Riverfall Drive, northeast corner**COUNCIL DISTRICT:** 11 **MAPSCO:** 26 – E, F, J, K**SIZE OF REQUEST:** Approx. 4.42 acres **CENSUS TRACT:** 131.05

APPLICANT/ OWNER: Steppington SLJ/McKinney L.P.**REPRESENTATIVE:** Maxwell Fisher
MASTERPLAN**REQUEST:** An application for a Planned Development District for non-residential uses on property zoned a GO(A) General Office District.**SUMMARY:** The purpose of this request is to permit the development of various retail, office and storage uses on site. The applicant is proposing to divide the site into two subareas. Each subarea will be developed separately, with Subarea A being developed with approximately 150,000 square feet of retail and personal service uses and Subarea B with approximately 315,000 square feet of mini-warehouse of uses.**STAFF RECOMMENDATION:** Denial

BACKGROUND INFORMATION:

- The applicant's request for a Planned Development District for non-residential uses will allow for the development of mini-warehouses, office and limited retail uses. The applicant will create two subareas within the request site to accommodate the proposed development.
- The applicant has incorporated specific language that relates to the development rights and standards for mini-warehouse uses in both subareas. In Subarea A, the maximum floor area is 150,000 square feet and for Subarea B, the maximum floor area is 315,000 square feet; totaling approximately 465,000 square feet of buildable floor area in both subareas.
- The request site is adjacent to multifamily uses to west, across Steppington Drive, and office uses to the east and south. Properties south of the request site, across Riverfall Drive, consist of a child-care facility and retail uses.

Zoning History: There has not been any recent zoning change requested in the area.

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW | Proposed ROW |
|---------------------|-------|----------------------|----------------------|
| Steppington Drive | Local | 30 ft. | 30 ft. |
| Riverfall Drive | Local | 30 ft. | 30 ft. |
| Central Expressway | | Variable lane widths | Variable lane widths |

Land Use:

| | Zoning | Land Use |
|--------------|-----------------|---------------------|
| Site | GO(A) | Office, Undeveloped |
| North | MF-3(A) | Multifamily |
| South | MU-1, GO(A), RR | Retail, Office |
| East | GO(A) | Office |
| West | GO(A), MF-4(A) | Multifamily |

Comprehensive Plan: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in a Commercial Center or Corridor and being located a Transit Center or Multi-modal Corridor.

Business Centers or Corridors

These areas primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. These corridors, commonly at the intersection of major streets, are easily accessed via automobiles. Buckner Boulevard is an example of a Commercial Corridor. Buildings in these areas tend to be on separate parcels and stand one to five stories with offices, restaurants and a range of retail and commercial uses. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums. Landscaping and urban design will enhance the visitor's experience and is used to separate sidewalks from major roads and define pedestrian routes in large parking lots. For large shopping centers, this may involve adding public plazas or other "town center" features. Public transit enhancements as well as quality access and visibility are important components of successful auto-oriented development.

Transit Centers or Multi-Modal Corridors

Transit centers support a compact mix of employment, retail, cultural facilities and housing. Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Multi-modal corridors in particular would diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit orientation and access. Interactive public plazas and/or civic uses will be centrally located and residential roof terraces and balconies overlooking transit station areas add "eyes on the street" that can aid public safety.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

STAFF ANALYSIS:

Land Use Compatibility: The 4.42 acre site is developed with a 2-two story, office building. The applicant's request for a Planned Development District for non-residential uses will allow for the development of mini-warehouses, office and limited retail uses. The applicant will create two subareas within the request site to accommodate the proposed development. The total buildable area combined for both subareas is approximately 465,000 square feet of floor area. Subarea A will allow for the development of 140,000 square feet of mini-warehouses and up to 10,000 square feet of ground retail and personal service uses. Subarea B, on the other hand, will permit the development of approximately 315,000 square feet of mini-warehouse uses.

In addition, the applicant has provisions in the Planned Development District conditions that pertain to the treatment of the building's elevation. These provisions require certain building materials and architectural features for a mini-warehouse development.

Since the applicant is proposing to work around the SUP requirement for mini-warehouse uses typically required in all retail and mixed use districts by requesting a planned development district, at a minimum staff believes they need to submit a development plan with the zoning change request to regulate the use in a manner more consistent with the SUP requirement and a Council approved site plan. Staff also objects to the requested waiver of the residential proximity slope (RPS) and urban form setback adjacent to the multifamily uses to the north and to the west (urban form). Staff would also favor a minimum required development of uses other than mini-warehouses in the development, particularly along Central Expressway.

Staff has requested a development plan from the applicant's representative showing the proposed uses on site. However, a development plan was not submitted and at the request of the representative to proceed with the case with the conceptual plan. Staff believes the mini-warehouse uses are not conducive or compatible with the surrounding uses nor are they the best and highest use for this location along Central Expressway. Based on the information the applicant has provided as it relates to the conceptual plan and conditions, staff's recommendation is denial of a Planned Development District for non-residential uses.

Development Standards:

| <u>DISTRICT</u> | <u>SETBACKS</u> | | Density | Height | Lot Coverage | Special Standards | PRIMARY Uses |
|-----------------------------------|------------------------|--|---|--------------------|---------------------|--|--|
| | Front | Side/Rear | | | | | |
| GO(A) -existing General office | 15' | 20' adjacent to residential OTHER: No Min. | 4.0 FAR | 270' 20 stories | 80% | Proximity Slope U-form setback Tower spacing Visual Intrusion | Office, lodging – limited retail & personal service uses |
| PDD - Proposed non-residential | 15' | 20' adjacent to residential | 150,000 sq. ft. Subarea A 315,000 sq. ft. Subarea B 4.0 FAR | Varies | 75% | Proximity Slope U-form setback Tower spacing Visual Intrusion | Office, lodging – limited retail & personal service uses, mini-warehouse |
| | | | | | | | |

Landscaping: Landscaping of any development will be in accordance with Article X requirements, as amended.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and has determined that the proposed development will not have a negative impact on the surrounding street system.

Planned Development District Conditions: Staff reviewed the applicant's conditions and cannot support the specific uses that are proposed in both Subareas. These uses in Subarea A include, under the retail and personal service uses, a general merchandise or food store greater than 3,500 square feet and both uses that are listed under the Wholesale, Distribution and Storage use. As for the Subarea B, staff cannot support the mini-warehouse use which is also listed under the Wholesale, Distribution and Storage. In addition, staff is opposed to any outside storage of any vehicles, trailers and recreational vehicles within a mini-warehouse use.

As a result of the requirements and regulations the applicant has incorporated in the conditions for a mini-warehouse use, staff cannot support the applicant's request for a Planned Development District for non-residential uses.

All other uses that are listed in Subarea A and Subarea B are a permitted use in the GO(A) General Office District, with only a few exceptions. Staff can support the few main uses the applicant has inserted into conditions.

Miscellaneous – conditions: The city attorney has reviewed and has made the necessary changes to the applicant's proposed conditions in the event the zoning case is approved by the City Plan Commission and then forwarded for City Council consideration.

| |
|-------------------------|
| LIST OF OFFICERS |
|-------------------------|

General Partners:

Steppington SLJ / McKinney L.P., a Texas Limited Liability Company

- J. Tim Moore President

SLJ COMPANY, LLC, a Texas Limited Liability Company

- Louis H. Lebowitz President

Limited Partners:

2009 MCKINNEY INVESTMENTS FUND, L.P., a Texas Limited Partnership

- J. Tim Moore President

SLJ / EOF VIII, LTD, a Colorado Limited Partnership

- Louis H. Lebowitz President

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|--|
| APPLICANT'S PROPOSED PDD CONDITIONS |
|--|

"ARTICLE

PD

SEC. 51P- __.101 . LEGISLATIVE HISTORY.

PD__ was established by Ordinance No.____, passed by the Dallas City Council on _____, 2013.

SEC. 51P- __.102. PROPERTY LOCATION AND SIZE.

PD__ is established on property located west of North Central Expressway and north of Riverfall Drive. The size of PD __ is approximately 4.42 acres.

SEC. 51P- __.103 DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a nonresidential zoning district.

SEC 51P- __.104 CREATION OF SUBAREAS.

The district is divided into two subareas: Subarea A and B.

SEC 51P- __.105 EXHIBITS.

The following exhibit is incorporated in this article:

Exhibit S-__ conceptual plan.

SEC 51P- __.106 CONCEPTUAL PLAN.

Development of the Property must comply with the conceptual plan (Exhibit S-__). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.

SEC 51P- __.107 DEVELOPMENT PLAN.

A development plan must be approved by the city plan commission before the issuance of any building permit to authorize construction involving an increase in building footprint. If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC 51P- __.108 MAIN USES PERMITTED.

(a) Subarea A. The following uses are the only main uses permitted:

(1) Commercial and business services.

- Custom business services.
- Medical or scientific laboratory.

(2) Lodging uses.

- Hotel or motel [subject to restrictions of Section 51P __.117 below].
- Extended stay hotel or motel [subject to restrictions of Section 51P __.117 below].

(3) Office uses.

- Financial institution with drive-in window.
- Financial institution without drive-in window.
- Medical clinic or ambulatory surgical center.
- Office.

(4) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Church.

(5) Retail and personal service.

- Business school.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Personal services use.
- Restaurant without drive-in or drive-through window.

(6) Wholesale, distribution, and storage uses.

- Mini-warehouse.

- Office showroom/warehouse.
- (7) Miscellaneous Uses.

-- Temporary construction or sales office.

(b) Subarea B.

(1) Except as provided in this subsection, the only main uses permitted are those main uses permitted in the GO(A) General Office District, as set out in Chapter 51A. For example, a use permitted in the GO(A) General Office District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the GO(A) General Office District is subject to DIR in this district, etc. The following main uses are also permitted by right:

(2) The following main uses are permitted by right:

(A) Institutional and Community Service Uses:

-- Child-care facility.

(B) Wholesale, distribution, and storage uses:

-- Mini-warehouse.

SEC 51P-___.109

ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) Outside storage is permitted as an accessory use restricted per Section 51P-__ 115 below.

SEC. 51P-___.110 YARD, LOT AND SPACE PROVISIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot and space regulations for the GO(A) District apply.

(b) Residential proximity slope. The residential proximity slope regulations in Section 51A-4.412 apply only to the external perimeter of the property. The residential proximity slope applies only if there are windows above 26 feet on the northern elevation facing the multifamily district to the north.

(c) Urban form. No urban form setback is required.

(d) Setbacks. The setback from Central Expressway, Steppington Drive, and Riverfall Drive is 15 feet. The setback from the northern property line is 20 feet. The setback from the southern property line of Subarea A is 0 feet. The setback from the eastern property line of Subarea B is 0 feet. There are no setbacks for interior property lines.

(e) Lot Coverage. The maximum lot coverage for Subareas A and B combined is 75 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground structures are not.

(f) Height.

(1) Subarea A. Maximum structure height is 120 feet with exception of buildings occupied by a mini-warehouse use, in which case the maximum structure height is 54 feet.

(2) Subarea B. Maximum structure height is 120 feet with exception of buildings occupied by a mini-warehouse use, in which case the maximum structure height is 41 feet. Buildings are exempted from the maximum story provisions.

(3) Roof-top equipment. Roof-top mechanical equipment may extend up to 12 feet above the roofline or the maximum allowable building height for all subareas. Mechanical equipment, skylights, and solar panels on roofs must be integrated into the building design, screened, or setback so that they are not visible from a point five feet, six inches above grade at the Property line.

(g) Floor Area.

(1) Mini-warehouse.

(A) In Subarea A, maximum floor area for a mini-warehouse use is 150,000 square feet.

(B) In Subarea B, maximum floor area for a mini-warehouse use is 315,000 square feet.

(2) Office showroom/warehouse. The office showroom component of an office showroom/warehouse use must comprise at least 25 percent of the total floor area.

(h) Stories. No maximum number of stories.

SEC. 51P- __.111 OFF-STREET PARKING AND LOADING.

(a) Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) For the purpose of meeting the parking requirements, this district is considered as one lot.

SEC. 51P __. 112 ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- __. 113 LANDSCAPING AND SCREENING.

(a) Landscaping must be provided in accordance with Article X.

(b) Landscaping must be maintained in a healthy, growing condition.

SEC. 51P- __.114 SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P- __.115 BUILDING ELEVATIONS.

Building elevation treatments for mini-warehouse uses.

(1) The exterior materials of the building elevations facing public street rights-of-way must be comprised of a minimum 80 percent masonry, excluding glass or openings. Masonry includes stone, brick, concrete, stucco, hollow clay tile, cementitious fiber siding, decorative concrete blocks or tile, glass block, other similar building materials, or a combination of those materials.

(2) A minimum of three architectural features are required on the eastern building elevation in Subarea A. A minimum of two architectural features are required on the southern and western building elevations in Subarea B. Of the required architectural features, a minimum of one of the following features must be used on each of the elevations described above.

(a) A repeating pattern of pilasters projecting from the facade wall by a minimum of eight inches or architectural or decorative columns.

(b) Display windows, faux windows, or decorative windows.

(c) Trim or accent elements using decorative contrasting colors or decorative neon lighting of at least 10 percent of the area of the facade wall exclusive of fenestration.

(d) Canopies, awnings, or similar projections.

(3) The following materials may only be used on internal walls not directly facing a public street:

(a) Smooth-faced concrete block that is non-tinted or non-burnished.

(b) Tilt-up concrete panels that are unadorned or untextured. Textured painted tilt wall is acceptable.

(c) Prefabricated steel panels.

SEC. 51P-___.116 CONFORMING – STRUCTURES.

Buildings existing at the time of adoption of this ordinance shall be considered conforming with respect to building setbacks, floor area, and height.

SEC. 51P-___.117 ADDITIONAL PROVISIONS.

(a) For a mini-warehouse:

(1) Storage units in Subarea A must be accessed by an internal corridor.

(2) The outside storage of vehicles, trailers, and recreational vehicles is limited to internal areas screened by perimeter walls or buildings. Any outside storage areas must be located a minimum of 40 feet from public rights-of-way.

(3) Inside retail sales is permitted. Outside retail sales is prohibited.

(b) For a hotel or motel or extended stay hotel or motel, all guest rooms must have primary access to an internal hallway.

(c) The Property must be properly maintained in a state of good repair and neat appearance.

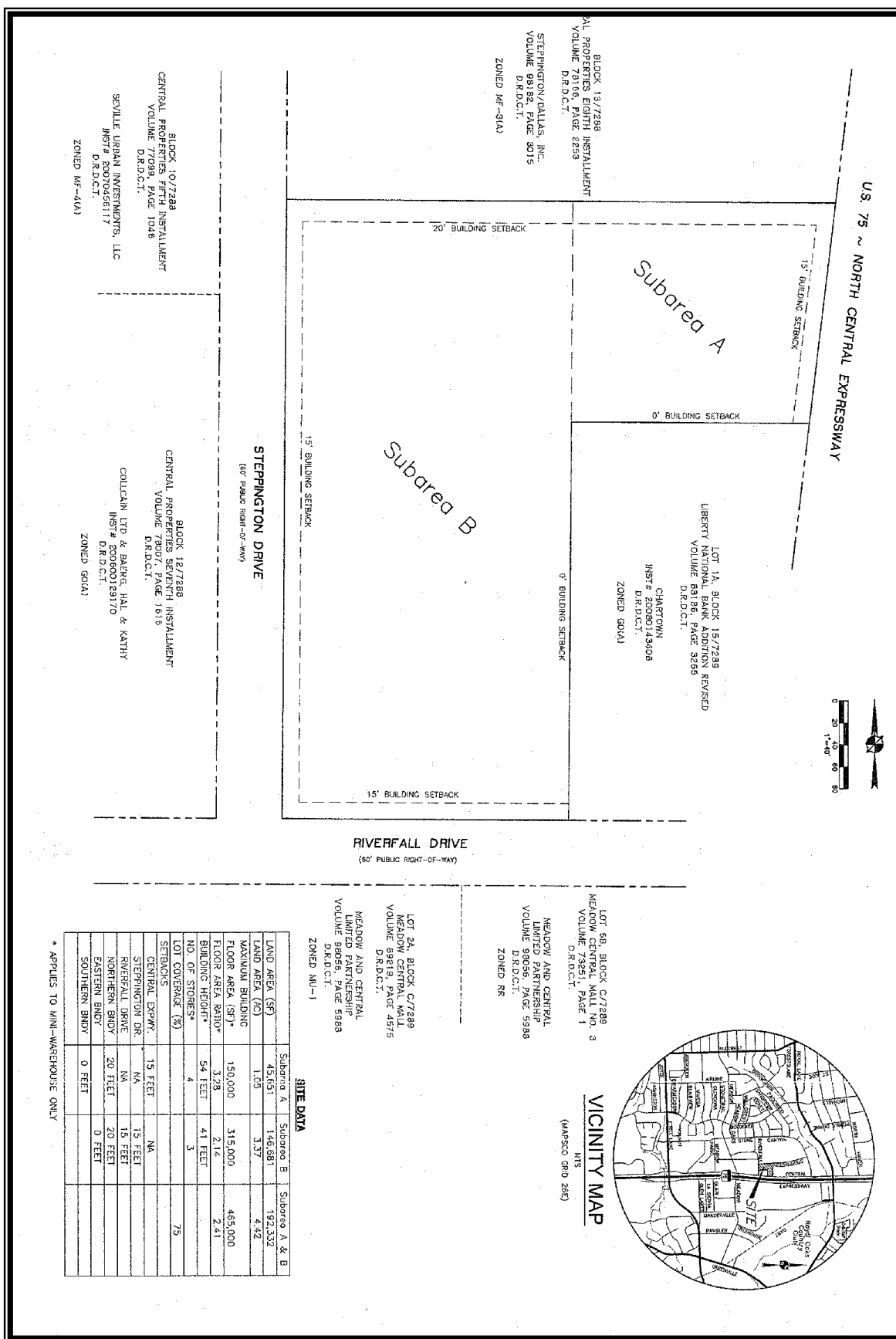
(d) Development and use of the property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

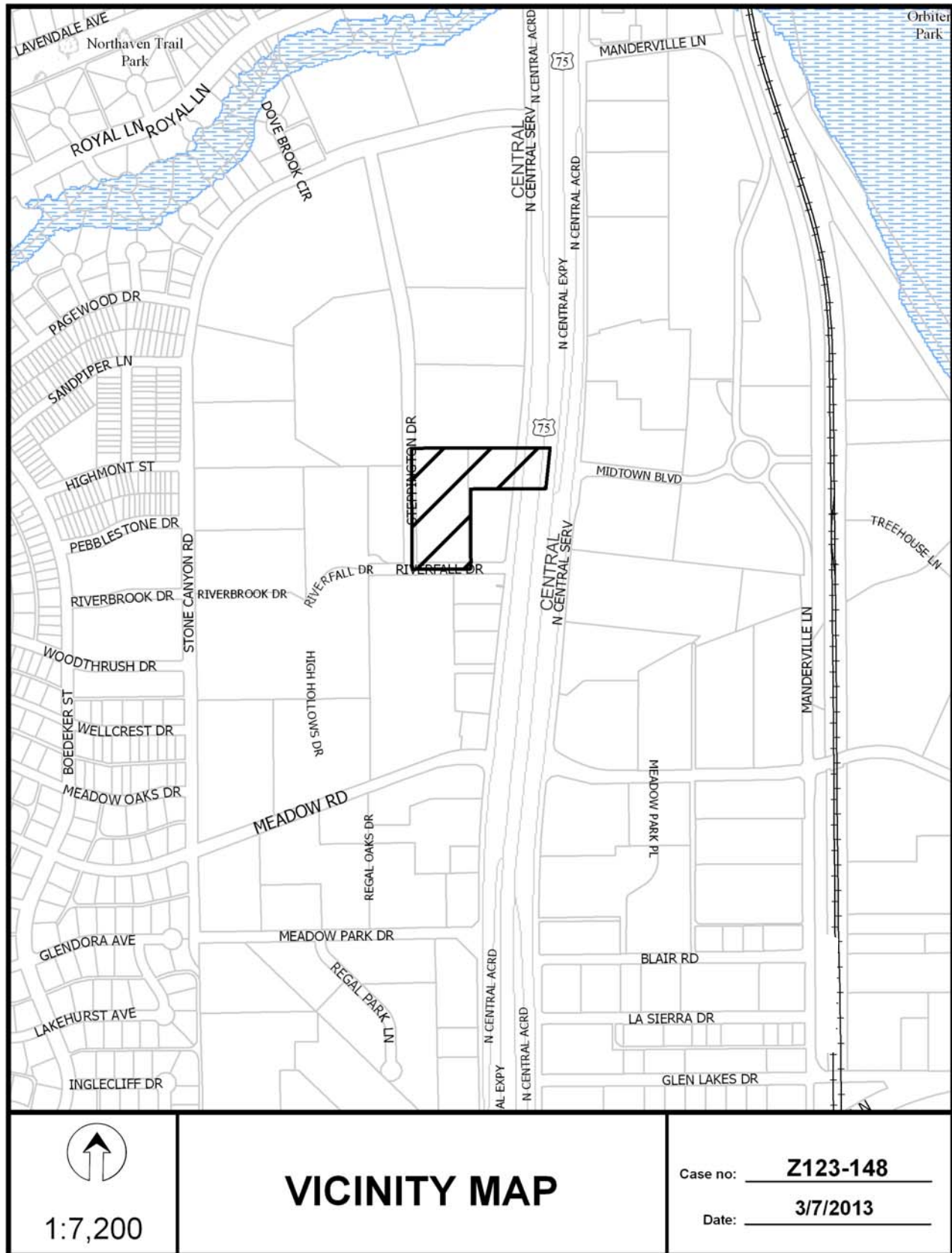
SEC. 51P-___.118 COMPLIANCE WITH CONDITIONS.

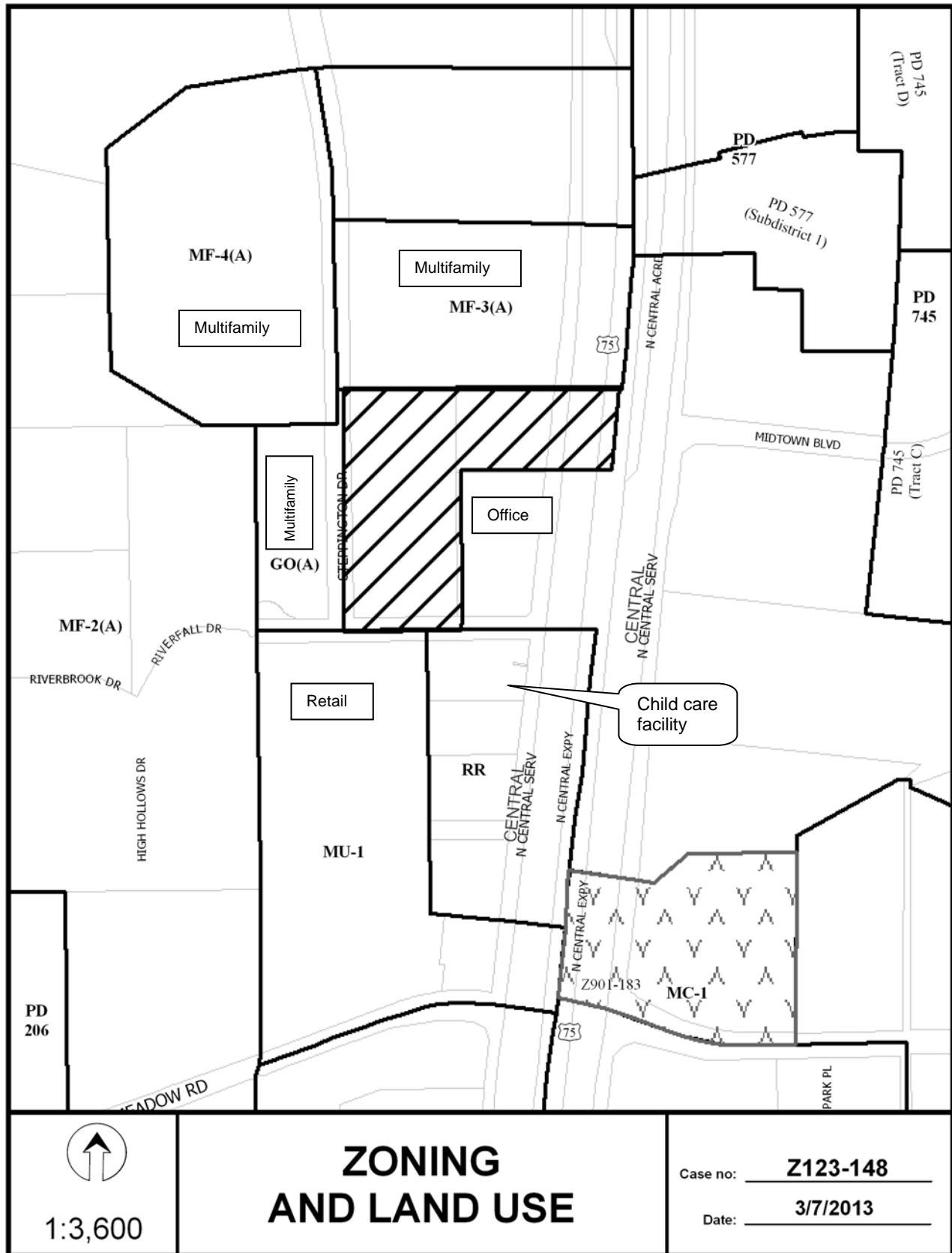
(a) All new paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

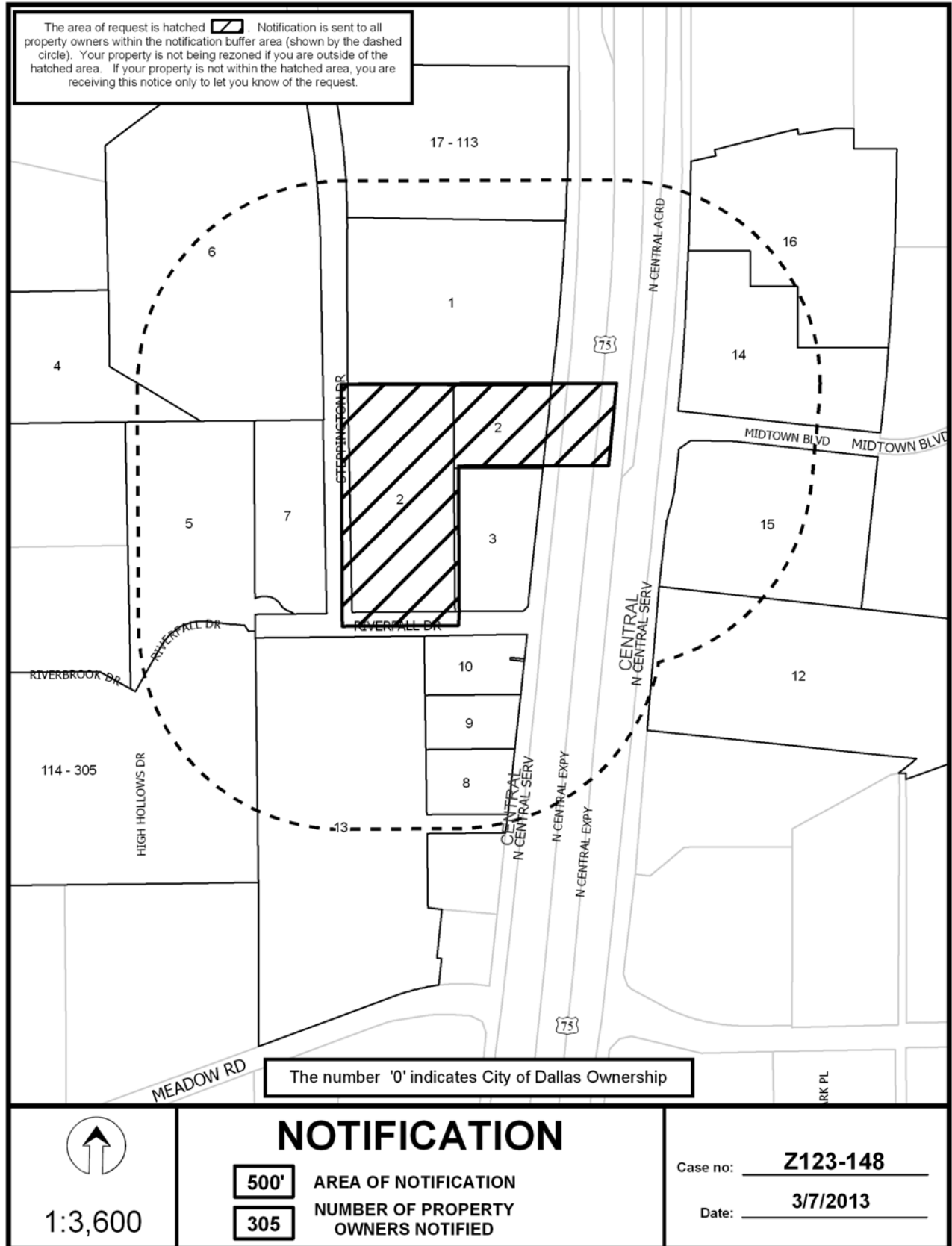
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

PROPOSED CONCEPTUAL PLAN









Notification List of Property Owners

Z123-148

305 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---|
| 1 | 10640 STEPPINGTON DR | STEPPINGTON DALLAS INC 20TH FLOOR TX 492 |
| 2 | 10500 STEPPINGTON DR | 06 QCC 0121 LLC SUITE 400 |
| 3 | 10501 CENTRAL EXPY | CHARTOWN NC GENERAL PS |
| 4 | 10602 STONE CANYON RD | FATH VIEWPOINT LP STE 2300 |
| 5 | 7879 RIVERFALL DR | IRG RIVERFALL LLC % ILIAD REALTY GROUP |
| 6 | 10641 STEPPINGTON DR | SEVILLE URBAN INVESTMENTS LLC |
| 7 | 10501 STEPPINGTON DR | COLLCAIN LTD |
| 8 | 10433 CENTRAL EXPY | CCP MEADOWCENT I LP STE 1500 |
| 9 | 10443 CENTRAL EXPY | CHAN NELSON S & BELLE H |
| 10 | 10453 CENTRAL EXPY | MEADOW & CENTRAL LTD PS SUITE 500 |
| 11 | 10453 CENTRAL EXPY | PRESCOTT INTERESTS LTD STE 225 |
| 12 | 10550 CENTRAL EXPY | COMMODORE PARTNERS LTD |
| 13 | 10455 CENTRAL EXPY | MEADOW & CENTRAL LTD PS |
| 14 | 10670 CENTRAL EXPY | SEARCH PLAZA OFFICE LP STE 500 |
| 15 | 10650 CENTRAL EXPY | COMMORDORE PTNRS LTD % CARL WESTCOTT |
| 16 | 10720 CENTRAL EXPY | SK23 NORTH DALLAS LTD |
| 17 | 10650 STEPPINGTON DR | GALVEZ CHARLES BLDG A UNIT 101 |
| 18 | 10650 STEPPINGTON DR | DUCHON MADELINE BLDG A UNIT 102 |
| 19 | 10650 STEPPINGTON DR | CABRIA MARIOLA M |
| 20 | 10650 STEPPINGTON DR | TALIS PAMELA D & |
| 21 | 10650 STEPPINGTON DR | SHELLENBERG DONALD P BLDG A UNIT 201 |
| 22 | 10650 STEPPINGTON DR | KAZIC EDIN & SAIDA KAZIC |
| 23 | 10650 STEPPINGTON DR | MINIKES ALAN N |
| 24 | 10650 STEPPINGTON DR | HERRON RODNEY GLEEN & HERRON JACQUELYN E |
| 25 | 10650 STEPPINGTON DR | MOORE JACQUELINE P BLDG B UNIT 105 |
| 26 | 10650 STEPPINGTON DR | LONG MICHAEL A UNIT 106 |

3/7/2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|----------------------|---------------------------------------|
| 27 | 10650 STEPPINGTON DR | BOSWELL YOLANDA ANN |
| 28 | 10650 STEPPINGTON DR | NAIK JANDRERAI & MADHU # 108 |
| 29 | 10650 STEPPINGTON DR | NEWMAN KATHERINE |
| 30 | 10650 STEPPINGTON DR | WRETA DAWIT BLDG B UNIT 206 |
| 31 | 10650 STEPPINGTON DR | REICHARDT WILLIAM |
| 32 | 10650 STEPPINGTON DR | MALHI K S & MANJIT |
| 33 | 10650 STEPPINGTON DR | NELSON VIRGINIA D #111 |
| 34 | 10650 STEPPINGTON DR | LEJEUNE AMANDA # 112 |
| 35 | 10650 STEPPINGTON DR | BURSTYN PEARCE L BLDG C UNIT 211 |
| 36 | 10650 STEPPINGTON DR | ZOU YONGLONG & WANG YUAN |
| 37 | 10650 STEPPINGTON DR | MCCART TERRY D |
| 38 | 10650 STEPPINGTON DR | ANDRADE MIRIAM C UNIT #115 |
| 39 | 10650 STEPPINGTON DR | BEHROOZI KAMRAN |
| 40 | 10650 STEPPINGTON DR | CREIGHTON LARRY & CREIGHTON CAROL |
| 41 | 10650 STEPPINGTON DR | SHACKELFORD LEWIS L III |
| 42 | 10650 STEPPINGTON DR | ADCOCK SHIRLEY A #215 |
| 43 | 10650 STEPPINGTON DR | DARRAH JOHN S |
| 44 | 10650 STEPPINGTON DR | BRASLAVSKY GEORGY & LILYA UNIT 217 |
| 45 | 10650 STEPPINGTON DR | PYSIAK GREGORY & EVA |
| 46 | 10650 STEPPINGTON DR | BRUER HOMER L BLDG E UNIT 110 |
| 47 | 10650 STEPPINGTON DR | DAVIDSON ROBERT LAWRENCE & |
| 48 | 10650 STEPPINGTON DR | SUTTERFIELD ODIS R TR & MARY J TR |
| 49 | 10650 STEPPINGTON DR | RUBIO ROSA APT 120 |
| 50 | 10650 STEPPINGTON DR | LANGE NATALIE G UNIT 121 |
| 51 | 10650 STEPPINGTON DR | DELA PENA A & GABRIELA |
| 52 | 10650 STEPPINGTON DR | VALENTINE CANDICE & |
| 53 | 10650 STEPPINGTON DR | LONDON ALAN N & JEAN A |
| 54 | 10650 STEPPINGTON DR | LONDON ALAN N & JEAN A |
| 55 | 10650 STEPPINGTON DR | CAUSEVIC HASAN & DIKA BLGD G UNIT 218 |
| 56 | 10650 STEPPINGTON DR | WHITE SUE # 219 |
| 57 | 10650 STEPPINGTON DR | GARVIN CATHERINE L BLDG H UNIT 122 |

3/7/2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|----------------------|--|
| 58 | 10650 STEPPINGTON DR | FOWLER CHERYL A |
| 59 | 10650 STEPPINGTON DR | HARRISON MARY B |
| 60 | 10650 STEPPINGTON DR | SPANN LIBERTY MANAGEMENT C/O MATT HARTMA |
| 61 | 10650 STEPPINGTON DR | CARRASCO GILDA L |
| 62 | 10650 STEPPINGTON DR | CASTANEDA GEORGE |
| 63 | 10650 STEPPINGTON DR | GOLDMAN STANLEY |
| 64 | 10650 STEPPINGTON DR | HAILU YODIT BLDG H UNIT 223 |
| 65 | 10650 STEPPINGTON DR | SPRUIELL STANLEY M BLDG H UNIT 224 |
| 66 | 10650 STEPPINGTON DR | JACOBS SUSAN D BLDG H UNIT 225 |
| 67 | 10650 STEPPINGTON DR | LONDON ALAN M & JEAN A |
| 68 | 10650 STEPPINGTON DR | MURILLO ESTALLA B |
| 69 | 10650 STEPPINGTON DR | BARNETT DON & MARY ALICE BARNETT |
| 70 | 10650 STEPPINGTON DR | CAUSEVIC ADEL |
| 71 | 10650 STEPPINGTON DR | CHAROENDIREKSAP RUNGRATH |
| 72 | 10650 STEPPINGTON DR | BAILEY TONYA B BLDG I UNIT 132 |
| 73 | 10650 STEPPINGTON DR | WIDEMAN TERRENCE T UNIT 133 |
| 74 | 10650 STEPPINGTON DR | PATRICK & SONS LLC |
| 75 | 10650 STEPPINGTON DR | TOLEDO TEX LLC |
| 76 | 10650 STEPPINGTON DR | MORALES MARIBEL G BLDG I UNIT 230 |
| 77 | 10650 STEPPINGTON DR | SMITH SHIRLEY A APT 231 |
| 78 | 10650 STEPPINGTON DR | GHEBRAY STEFANOS T |
| 79 | 10650 STEPPINGTON DR | JACKSON JAMES APT 233 |
| 80 | 10650 STEPPINGTON DR | WILBER LYN REID SUITE 134 |
| 81 | 10650 STEPPINGTON DR | LIU YAN |
| 82 | 10650 STEPPINGTON DR | FUENTES ALMA BLDG J-136 |
| 83 | 10650 STEPPINGTON DR | GREBOW MARTIN BLDG J UNIT 137 |
| 84 | 10650 STEPPINGTON DR | ABAY ASMAMAW #234 |
| 85 | 10650 STEPPINGTON DR | COX KIMBERLY LOU APT 235 |
| 86 | 10650 STEPPINGTON DR | SHULTS JANICE S UNIT 236 |
| 87 | 10650 STEPPINGTON DR | REASONOVER TODD UNIT 237 BLGD J |
| 88 | 10650 STEPPINGTON DR | CHERNYAKHOVSKY CYNTHIA |

3/7/2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-----------------------|-------------------------------------|
| 89 | 10650 STEPPINGTON DR | ZERMENO MARIA # 217 |
| 90 | 10650 STEPPINGTON DR | AGS INVESTMENTS LLC UNIT 140 |
| 91 | 10650 STEPPINGTON DR | DAVIS JON T |
| 92 | 10650 STEPPINGTON DR | GARCIA VICTOR MANUEL UNIT 238 |
| 93 | 10650 STEPPINGTON DR | DILLINGHAM TOM # 239 |
| 94 | 10650 STEPPINGTON DR | MURPHY STEPHEN CHAD BLDG K UNIT 240 |
| 95 | 10650 STEPPINGTON DR | RIOPELLE ONEIDA |
| 96 | 10650 STEPPINGTON DR | PERL JACK & PERL MARY |
| 97 | 10650 STEPPINGTON DR | ANDREWS SUSAN |
| 98 | 10650 STEPPINGTON DR | EBBIGHAUSEN RAY & JEAN |
| 99 | 10650 STEPPINGTON DR | HUMPHRIES JOHN F JR & DENNIS R |
| 100 | 10650 STEPPINGTON DR | PERRY MELISSA |
| 101 | 10650 STEPPINGTON DR | PYSIAK GREGORY & EWA |
| 102 | 10650 STEPPINGTON DR | LEE FLOYD H BLDG L UNIT 246 |
| 103 | 10650 STEPPINGTON DR | GANE SUE H UNIT 247 |
| 104 | 10650 STEPPINGTON DR | LEE FLOYD H |
| 105 | 10650 STEPPINGTON DR | SANFORD LILA APT 149 |
| 106 | 10650 STEPPINGTON DR | LONDON ALAN W & JEAN A |
| 107 | 10650 STEPPINGTON DR | SCHENKLER BRUCE G APT 151 |
| 108 | 10650 STEPPINGTON DR | KAZIC ESMA UNIT # 248 |
| 109 | 10650 STEPPINGTON DR | MILLER SHERALYN O |
| 110 | 10650 STEPPINGTON DR | SUMMEY JOHN M APT 250 |
| 111 | 10650 STEPPINGTON DR | WALL SIMEON H |
| 112 | 10650 STEPPINGTON DR | MCINTOSH JAMES L BLDG N UNIT 152 |
| 113 | 10650 STEPPINGTON DR | NGUYEN MYLY T |
| 114 | 10526 STONE CANYON RD | HOWELL CRAIG |
| 115 | 10526 STONE CANYON RD | MILLER MURIEL LIEBERS APT 102 |
| 116 | 10526 STONE CANYON RD | FARRIS ROY D JR |
| 117 | 10526 STONE CANYON RD | STEWART VERA A |
| 118 | 10526 STONE CANYON RD | BERRY KENNETH # 201 |
| 119 | 10526 STONE CANYON RD | VYAS ABHINAV BLDG A UNIT 202 |

3/7/2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-----------------------|---------------------------------------|
| 120 | 10526 STONE CANYON RD | TIMRECK THOMAS J UNIT 203 |
| 121 | 10526 STONE CANYON RD | FLEMING GRACE |
| 122 | 10530 STONE CANYON RD | EVANS EVA L BLDG B UNIT 105 |
| 123 | 10530 STONE CANYON RD | KLEINMAN DIANA E APT 106 |
| 124 | 10530 STONE CANYON RD | MAY JANET WOODWARD |
| 125 | 10530 STONE CANYON RD | SCHNORMEIER MARILYN R UNIT 108 BLDG B |
| 126 | 10530 STONE CANYON RD | KANNER LEONARD |
| 127 | 10530 STONE CANYON RD | SPT REAL ESTATE SUB III LLC |
| 128 | 10530 STONE CANYON RD | TURNER KEVIN F & ET AL 104-216 |
| 129 | 10530 STONE CANYON RD | NEWBERG MARVIN APT 247 |
| 130 | 10532 STONE CANYON RD | KLP INVESTMENTS LLC |
| 131 | 10532 STONE CANYON RD | HARTSOCK MARLENE BLDG C UNIT 110 |
| 132 | 10532 STONE CANYON RD | DALEY PATRICK |
| 133 | 10532 STONE CANYON RD | STONE MARILYN R & ALTON H |
| 134 | 10534 STONE CANYON RD | HERNANDEZ REGINA T |
| 135 | 10534 STONE CANYON RD | LITTLEJOHN COREY |
| 136 | 10534 STONE CANYON RD | HAMILTON GREGORY G BLDG D UNIT 114 |
| 137 | 10534 STONE CANYON RD | HERMOSILLO JOSE UNIT 115 |
| 138 | 10534 STONE CANYON RD | WILKINSON AARON C & |
| 139 | 10534 STONE CANYON RD | RUBENSTEIN LEON LIVING TRUST |
| 140 | 10534 STONE CANYON RD | VELEZ OSCAR GOMEZ & HALE PAUL |
| 141 | 10534 STONE CANYON RD | VELEZ OSCAR GOMEZ & PAUL HALE |
| 142 | 10536 STONE CANYON RD | LONGORIA BARBARA BLDG E UNIT 116 |
| 143 | 10536 STONE CANYON RD | REEVES TERRY F |
| 144 | 10536 STONE CANYON RD | GONZALES VANESSA V |
| 145 | 10536 STONE CANYON RD | TAYLOR DEBORAH G NO 119 |
| 146 | 10536 STONE CANYON RD | DIAZ HUGH BLDG E UNIT 216 |
| 147 | 10536 STONE CANYON RD | LOZANO ENEDELIA |
| 148 | 10536 STONE CANYON RD | EMERSON NORA C BLDG E UNIT 218 |
| 149 | 10536 STONE CANYON RD | PHAM JACQUELINE BLDG E UNIT 219 |
| 150 | 10544 STONE CANYON RD | WARD BERT TRUST |

3/7/2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-----------------------|---|
| 151 | 10544 STONE CANYON RD | MIDDLETON CHARLES ZACHARY UNIT 121 |
| 152 | 10544 STONE CANYON RD | MURPHREE JOHN E |
| 153 | 10544 STONE CANYON RD | GOODSON CAROLYN K BLDG F UNIT 123 |
| 154 | 10544 STONE CANYON RD | WEISFELD RONALD A |
| 155 | 10544 STONE CANYON RD | DONALDSON JAMES A |
| 156 | 10544 STONE CANYON RD | ZAMLEN CYNTHIA JO STE 109-285 |
| 157 | 10544 STONE CANYON RD | WIGLEY ROBERT TR |
| 158 | 10546 STONE CANYON RD | ZAK MICHAEL S UNIT #124 |
| 159 | 10546 STONE CANYON RD | BROWN LAUREN B BLDG G UNIT 125 |
| 160 | 10546 STONE CANYON RD | KAGAN ALAN M |
| 161 | 10546 STONE CANYON RD | LEVINE LAWRENCE J & MARCIA P |
| 162 | 10546 STONE CANYON RD | NAVARRO WENDY C #224 |
| 163 | 10546 STONE CANYON RD | WILDE TARA C |
| 164 | 10546 STONE CANYON RD | SANTIAGO DEWITT L |
| 165 | 10546 STONE CANYON RD | MULLEY MARY UNIT 227 |
| 166 | 10548 STONE CANYON RD | DUKE BILLY J BLDG H UNIT 128 |
| 167 | 10548 STONE CANYON RD | DUKE BJ #128 |
| 168 | 10548 STONE CANYON RD | ISAKSSON CHARLIE & JAHLYN C BLDG H UNIT |
| 169 | 10548 STONE CANYON RD | WALLACE JILL SANDEL BALLARD #131 |
| 170 | 10548 STONE CANYON RD | ISAACSON PAMELA UNIT 228 |
| 171 | 10548 STONE CANYON RD | CONDON KATHLEEN UNIT 229 |
| 172 | 10548 STONE CANYON RD | CHANNING JENNIFER A BLDG H UNIT 230 |
| 173 | 10548 STONE CANYON RD | COLEMAN CALEB & VANESSA SALAZAR |
| 174 | 10550 HIGH HOLLOWS DR | HOLLOWS NORTH CONDO ASSOC UNIT 132 |
| 175 | 10550 HIGH HOLLOWS DR | DAVIS MICHAEL UNIT 133 |
| 176 | 10550 HIGH HOLLOWS DR | WANG DIING-YUAN & |
| 177 | 10550 HIGH HOLLOWS DR | CANTY JOHN P # 233 |
| 178 | 10552 HIGH HOLLOWS DR | SMITH DONALD R & LYNDIA J BLDG J UNIT 134 |
| 179 | 10552 HIGH HOLLOWS DR | FRITTS REX CALLOWAY #J135 |
| 180 | 10552 HIGH HOLLOWS DR | HAVERSTICK MICHAEL |
| 181 | 10552 HIGH HOLLOWS DR | CLARK NATHAN BLDG J UNIT 137 |

3/7/2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-----------------------|--|
| 182 | 10552 HIGH HOLLOWS DR | HOLLOWS NORTH CONDOMINIUM ASSOCIATION IN |
| 183 | 10552 HIGH HOLLOWS DR | GENTILE NANCY UNIT 235 |
| 184 | 10552 HIGH HOLLOWS DR | FOREMAN SHERYL L UNIT 236 |
| 185 | 10552 HIGH HOLLOWS DR | CARSON WILLIAM C APT 237 |
| 186 | 10556 HIGH HOLLOWS DR | FITZGERALD DAVID M |
| 187 | 10556 HIGH HOLLOWS DR | SEARSON REX LEROY & |
| 188 | 10556 HIGH HOLLOWS DR | WHIDDEN DAVID L III & GRIFFITH ALICIA A |
| 189 | 10556 HIGH HOLLOWS DR | SCHILL TERRY M # 141 |
| 190 | 10556 HIGH HOLLOWS DR | BARGONETTI MERRY ANN UNIT 238 |
| 191 | 10556 HIGH HOLLOWS DR | STERLING TRACY UNIT 239 |
| 192 | 10556 HIGH HOLLOWS DR | BURKET JAMES BLDJ K UNIT 240 |
| 193 | 10556 HIGH HOLLOWS DR | DAVIS ROBERT A ET AL BLDG K UNIT 241 |
| 194 | 10558 HIGH HOLLOWS DR | MATISE JAN C |
| 195 | 10558 HIGH HOLLOWS DR | KENDRA KAROL A UNIT 143 |
| 196 | 10558 HIGH HOLLOWS DR | MOMIN ASMA S UNIT 144 |
| 197 | 10558 HIGH HOLLOWS DR | WHITESIDE TRACY |
| 198 | 10558 HIGH HOLLOWS DR | MANTANONA TINA UNIT 242 |
| 199 | 10558 HIGH HOLLOWS DR | SOMMER CLAUDIA M UNIT 243-L |
| 200 | 10558 HIGH HOLLOWS DR | GOSNELL DAVID WILLIAM # 244 |
| 201 | 10558 HIGH HOLLOWS DR | HARTLEP KORY UNIT 215 |
| 202 | 10562 HIGH HOLLOWS DR | MINTZ ERIN M |
| 203 | 10562 STONE CANYON RD | LEE SELMA RUE |
| 204 | 10562 HIGH HOLLOWS DR | GUARDIAN MTG CO INC |
| 205 | 10562 HIGH HOLLOWS DR | ISAKSSON CHARLIE & BLDG M UNIT 149 |
| 206 | 10562 HIGH HOLLOWS DR | KLEIN KATHERINE JOANNA # 246 |
| 207 | 10562 HIGH HOLLOWS DR | NEWBERG MARVIN J APT 247 |
| 208 | 10562 HIGH HOLLOWS DR | BLAIR DAVID C # 248 |
| 209 | 10562 HIGH HOLLOWS DR | HANNAH BRYON W |
| 210 | 10564 HIGH HOLLOWS DR | HOLLOWS NORTH CONDO ASN INC |
| 211 | 10564 HIGH HOLLOWS DR | HINKLE MELISSA # 151 |
| 212 | 10564 HIGH HOLLOWS DR | BARBERO ISABEL |

3/7/2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-----------------------|--|
| 213 | 10564 HIGH HOLLOWS DR | DRYZER LOWELL M TRUST & RUTH A DRYZER TR |
| 214 | 10564 HIGH HOLLOWS DR | MCCURRACH PAMELA & DAVID BLDG N UNIT 25 |
| 215 | 10564 HIGH HOLLOWS DR | HUD |
| 216 | 10564 HIGH HOLLOWS DR | GRIFFITH CHARLES D #252 |
| 217 | 10564 HIGH HOLLOWS DR | HOLM RICHARD D |
| 218 | 10566 HIGH HOLLOWS DR | BARRETT MARTHA E BLDG O UNIT #154 |
| 219 | 10566 HIGH HOLLOWS DR | VINSONHALER MARY C UNIT 155 BLDG O |
| 220 | 10566 HIGH HOLLOWS DR | BERNBAUM PHYLISS N APT 417 |
| 221 | 10566 HIGH HOLLOWS DR | COUNTS LYNNA KAY #O157 |
| 222 | 10566 HIGH HOLLOWS DR | ORDNER JOHN R & KAREN W TRUSTEES ORDNER |
| 223 | 10566 HIGH HOLLOWS DR | MOORE D P |
| 224 | 10566 HIGH HOLLOWS DR | LEON JAIRO CHING |
| 225 | 10566 HIGH HOLLOWS DR | ALCALA LUIS M BLDG O UNIT 257 |
| 226 | 10570 HIGH HOLLOWS DR | SORIA MARIO & |
| 227 | 10570 HIGH HOLLOWS DR | POUNDS TIM L & BUNNI |
| 228 | 10570 HIGH HOLLOWS DR | YARBROUGH DANA LEE UNIT 258 |
| 229 | 10570 HIGH HOLLOWS DR | CATHCART PATRICIA BLDG P UNIT 259 |
| 230 | 10572 HIGH HOLLOWS DR | MONTGOMERY MILLIE BLDG Q UNIT 160 |
| 231 | 10572 HIGH HOLLOWS DR | TSCHUMY SHEILA A #161 |
| 232 | 10572 HIGH HOLLOWS DR | ALCALEN LIVING TRUST ELADIETO E & ERLIND |
| 233 | 10572 HIGH HOLLOWS DR | ANDERSON DENISE |
| 234 | 10574 HIGH HOLLOWS DR | WILKERSON KAREN M |
| 235 | 10574 HIGH HOLLOWS DR | ALOI TOM UNIT 163 |
| 236 | 10574 HIGH HOLLOWS DR | SMITH SHARON E # 164 |
| 237 | 10574 HIGH HOLLOWS DR | DUBNOV WILLIAM L UNIT 165 |
| 238 | 10574 HIGH HOLLOWS DR | GROCE TERESA ANN |
| 239 | 10574 HIGH HOLLOWS DR | GLENN DON V |
| 240 | 10574 HIGH HOLLOWS DR | MCCOY DENNIS G |
| 241 | 10574 HIGH HOLLOWS DR | JSL TRUST |
| 242 | 10578 HIGH HOLLOWS DR | MARTIN OPAL S UNIT 166 |
| 243 | 10578 HIGH HOLLOWS DR | VIRDEN JOHN C #167 |

3/7/2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-----------------------|--|
| 244 | 10578 HIGH HOLLOWS DR | MARSHALL JUNE |
| 245 | 10578 HIGH HOLLOWS DR | SMITH DIANNE #169 |
| 246 | 10578 HIGH HOLLOWS DR | D & F PRODUCTIONS LTD |
| 247 | 10578 HIGH HOLLOWS DR | ZIELINSKI TANYA A |
| 248 | 10578 HIGH HOLLOWS DR | JACKSON LORIE M |
| 249 | 10578 HIGH HOLLOWS DR | CURTIS CONSTANCE C UNIT 269 |
| 250 | 10580 HIGH HOLLOWS DR | KEOUGH KATHRYN UNIT 170 |
| 251 | 10580 HIGH HOLLOWS DR | SAIDI ROSAMOND VIRGINIA BLDG T UNIT 171 |
| 252 | 10580 HIGH HOLLOWS DR | AIKMAN ANITA G UNIT 172 |
| 253 | 10580 HIGH HOLLOWS DR | BLOCK HOWARD |
| 254 | 10580 HIGH HOLLOWS DR | RING INTERNATIONAL LLC |
| 255 | 10580 HIGH HOLLOWS DR | ARONSON THOMAS W APT 271 |
| 256 | 10580 HIGH HOLLOWS DR | FRANCE WARREN D UNIT 272 BLDG T |
| 257 | 10580 HIGH HOLLOWS DR | GUCHEREAU JAN UNIT 273 |
| 258 | 10584 HIGH HOLLOWS DR | WILMOTH AMANDA BYARS & STEPHEN R APT 174 |
| 259 | 10584 HIGH HOLLOWS DR | LOWE FRED FAMILY PTNRS LTD |
| 260 | 10584 HIGH HOLLOWS DR | MILAKOVICH MARKS & ANNA |
| 261 | 10584 HIGH HOLLOWS DR | FISHER FRANCES JUNE EST OF BLDG U UNIT 1 |
| 262 | 10584 HIGH HOLLOWS DR | BAGGETT SUSANNE L |
| 263 | 10584 HIGH HOLLOWS DR | GARNER NANCY #275 |
| 264 | 10584 HIGH HOLLOWS DR | DIA PROPERTIES |
| 265 | 10584 HIGH HOLLOWS DR | GARRETT CONNIE BLDG U UNIT 277 |
| 266 | 10586 HIGH HOLLOWS DR | PHILLIPS JOYCE I & MAC D & PHEBE P HARGR |
| 267 | 10584 HIGH HOLLOWS DR | BRZEZINSKI ARTUR & ETAL BLDG V UNIT 179 |
| 268 | 10586 HIGH HOLLOWS DR | JANIAK TERESA UNIT 278 |
| 269 | 10586 HIGH HOLLOWS DR | GOLDBERG DAVID V |
| 270 | 10588 HIGH HOLLOWS DR | GALER VINCENT H #180 |
| 271 | 10588 HIGH HOLLOWS DR | GERSON CHARISSE BLDG W UNIT 181 |
| 272 | 10588 HIGH HOLLOWS DR | WERN JASON E BLDG W APT 182 |
| 273 | 10588 HIGH HOLLOWS DR | WILLIAMS CAROL RAND TR |
| 274 | 10588 HIGH HOLLOWS DR | WILLIAMS-EAKINS CATEHRINE E |

3/7/2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-----------------------|---|
| 275 | 10588 HIGH HOLLOWS DR | TOASTON TANISHA A # 281 |
| 276 | 10588 HIGH HOLLOWS DR | MARTINEZ ARMANDO & FLORENCIA UNIT 282 |
| 277 | 10588 HIGH HOLLOWS DR | KATZEN ELLEN BLDG W UNIT 283 |
| 278 | 10590 HIGH HOLLOWS DR | HUNTER TANA LYNN |
| 279 | 10590 HIGH HOLLOWS DR | CALVERT EVELYN A |
| 280 | 10590 HIGH HOLLOWS DR | BRUCH MICHELE APT 186 |
| 281 | 10590 HIGH HOLLOWS DR | DOWLER LYNNE L UNIT 187 |
| 282 | 10590 HIGH HOLLOWS DR | TRUSTEE SERVICES OF AMERICA INC TRUSTEE |
| 283 | 10590 HIGH HOLLOWS DR | LAMBERT HELEN & MICHAEL LAMBERT SR |
| 284 | 10590 HIGH HOLLOWS DR | DOWLER LYNNE L & DONALD R |
| 285 | 10590 HIGH HOLLOWS DR | REN XIJING |
| 286 | 10594 HIGH HOLLOWS DR | LAMBERT ALLISON UNIT 188 |
| 287 | 10594 HIGH HOLLOWS DR | MONARCH MARTHA # 189 |
| 288 | 10594 HIGH HOLLOWS DR | ASTRAHAN EDELWEISS P BLDG Y UNIT #190 |
| 289 | 10594 HIGH HOLLOWS DR | GARCIA RUBIELA VILLA UNIT 191 |
| 290 | 10594 HIGH HOLLOWS DR | WILDBERGER PAUL L |
| 291 | 10594 HIGH HOLLOWS DR | CLARK ADAIR W #289 |
| 292 | 10594 HIGH HOLLOWS DR | HALL LEANNE C BLDG Y UNIT 290 |
| 293 | 10594 HIGH HOLLOWS DR | MINOR TRACY BLDG Y UNIT 291 |
| 294 | 10596 HIGH HOLLOWS DR | SEIJAS ENNIE UNIT 192 |
| 295 | 10596 HIGH HOLLOWS DR | SCHROEDER WENDY K BLDG Z UNIT 193 |
| 296 | 10596 HIGH HOLLOWS DR | SEIJAS ENNIE G BLDG Z UNIT 292 |
| 297 | 10596 HIGH HOLLOWS DR | CADY LESLIE G & CHARLINE APT 293 |
| 298 | 10598 HIGH HOLLOWS DR | BARNETT DON & MARY |
| 299 | 10598 HIGH HOLLOWS DR | MUETHER ROBERT MICHAEL UNIT 195 |
| 300 | 10598 HIGH HOLLOWS DR | GOULD KEVIN A UNIT 196 |
| 301 | 10598 HIGH HOLLOWS DR | SMITH SUSAN L #197 |
| 302 | 10598 HIGH HOLLOWS DR | GRANGER GAYLE E BLDG AA UNIT 294 |
| 303 | 10598 HIGH HOLLOWS DR | RUPP BETTY JO UNIT 295 |
| 304 | 10598 HIGH HOLLOWS DR | SCHLICHTING STEPHEN J |
| 305 | 10598 HIGH HOLLOWS DR | GRAY EMILY E |

FILE NUMBER: Z123-273 (WE) **DATE FILED:** April 29, 2013

LOCATION: West line of North Walton Walker Freeway, north of Twenty Grand Drive

COUNCIL DISTRICT: 6 **MAPSCO:** 52- E

SIZE OF REQUEST: Approx. 1.87 acres **CENSUS TRACT:** 107.03

APPLICANT/ OWNER: 601 Walton Walker, LLC
David Varela – Managing Member

REPRESENTATIVE: MASTERPLAN
Santos Martinez

REQUEST: An application for an RR Regional Retail District on property zoned an LO-3 Limited Office District.

SUMMARY: The purpose of this request is to allow for the development of retail type uses on the site.

STAFF RECOMMENDATION: Denial.

BACKGROUND INFORMATION:

- The applicant's request for an RR Retail Regional District will allow for a variety of retail and personal services uses on the site.
- The request site is adjacent to an LO-3 District, an RR Regional Retail District and an R-7.5(A) Single Family District where the development is primarily a church and single family uses. The properties to the north and west of the site are undeveloped.

Zoning History: There has not been any recent zoning change requested in the area.

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW | Proposed ROW |
|---------------------|----------------------|--------------|--------------|
| N. Walton Walker | Variable lane widths | | |
| Twenty Grand Drive | Local | 50 ft. | 50 ft. |

Land Use:

| | Zoning | Land Use |
|--------------|--------|-----------------------|
| Site | LO-3 | Undeveloped |
| North | LO-3 | Undeveloped |
| South | RR | Undeveloped |
| East | LO-3 | Walton Walker Freeway |
| West | LO3 | Church, Undeveloped |

Comprehensive Plan: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in an Residential Building Block.

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

The request site is located within an area that limits office uses and is in close proximity to residential uses. The RR District is a more intensive district than the surrounding LO-3 District. The proposed RR Regional Retail District could have a negative impact on the adjacent uses even though the request site is adjacent to a frontage road.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

STAFF ANALYSIS:

Land Use Compatibility: The 1.87 acre site is undeveloped and is adjacent to an institutional use and several undeveloped tracts of land. There is also a single family development that is within close proximity of the request site; which is located south of Twenty Grand Drive and west of Furlough Drive.

The applicant's request for an RR regional Retail District will allow for the development of various retail and personal service uses. Certain uses that are permitted within the RR District are not compatible with adjacent to LO-3 District uses. In addition, there are R-7.5(A) Single Family uses that are in close proximity to the request site. Even though there are some tracts of land to the south of Twenty Grand Drive that are zoned an RR Regional Retail District, staff proposes that the RR zoning boundary line not extend beyond the northern line of Twenty Grand Drive. Staff is concerned that further encroachment of the RR Regional Retail District to the north, could have a negative impact on the surrounding uses. An RR Regional Retail District is intended to "provide for the development of regional-serving retail, personal service, and office uses. This district is not intended to be located in areas of low density residential development."

A less intensive and intrusive zoning district that is compatible with the adjacent uses is more plausible for the site. The current LO-3 Limited Office District or an NO(A) Neighborhood Office District provides the appropriate transition between the residential and office uses. The request site is adjacent to a LO-3 District and is in close proximity to an R-7.5(A) Single Family District were the development is primarily a church and single family uses. The properties to the north and a portion to the west are undeveloped.

Staff's recommendation is denial of the applicant's request for an RR Regional District.

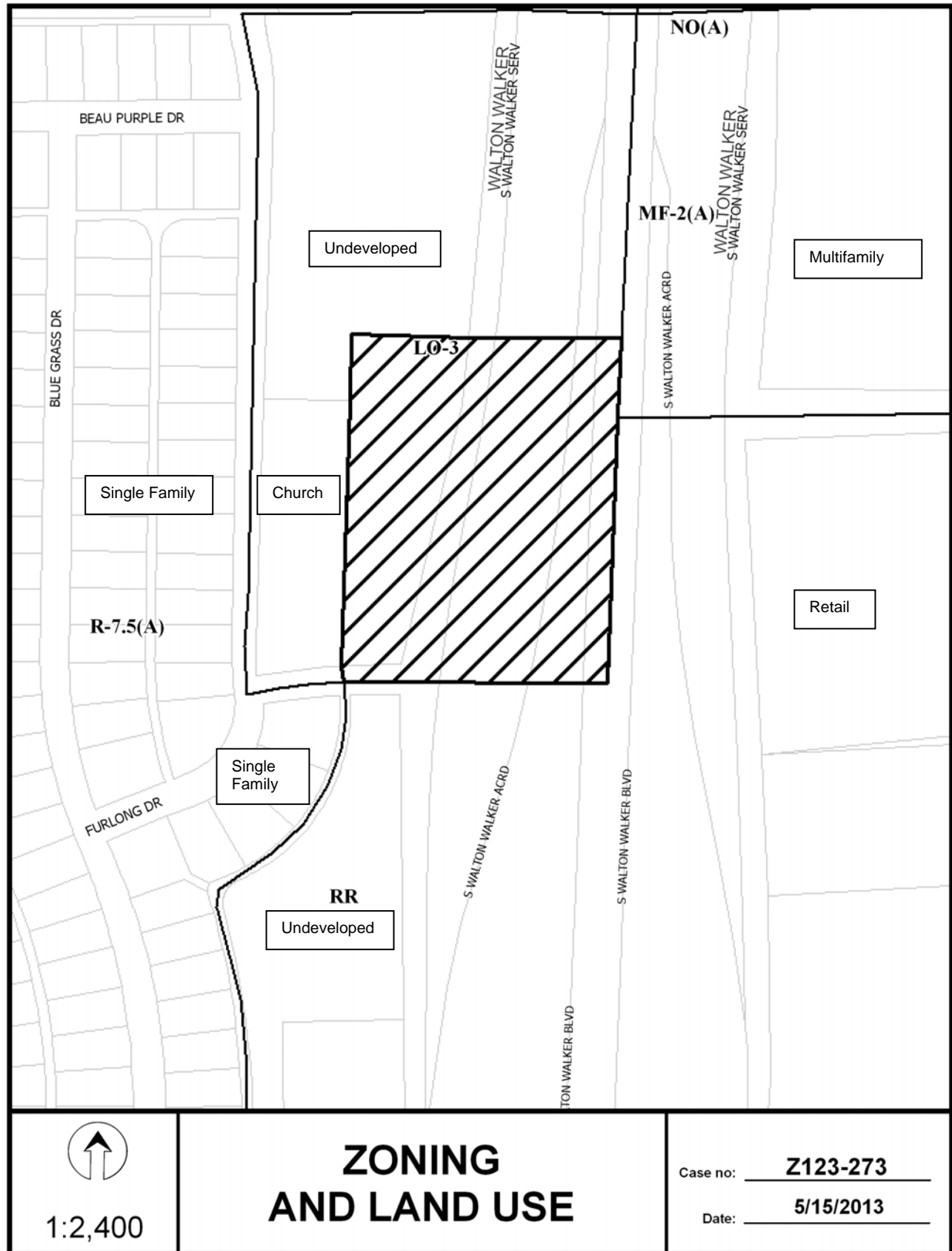
Development Standards:

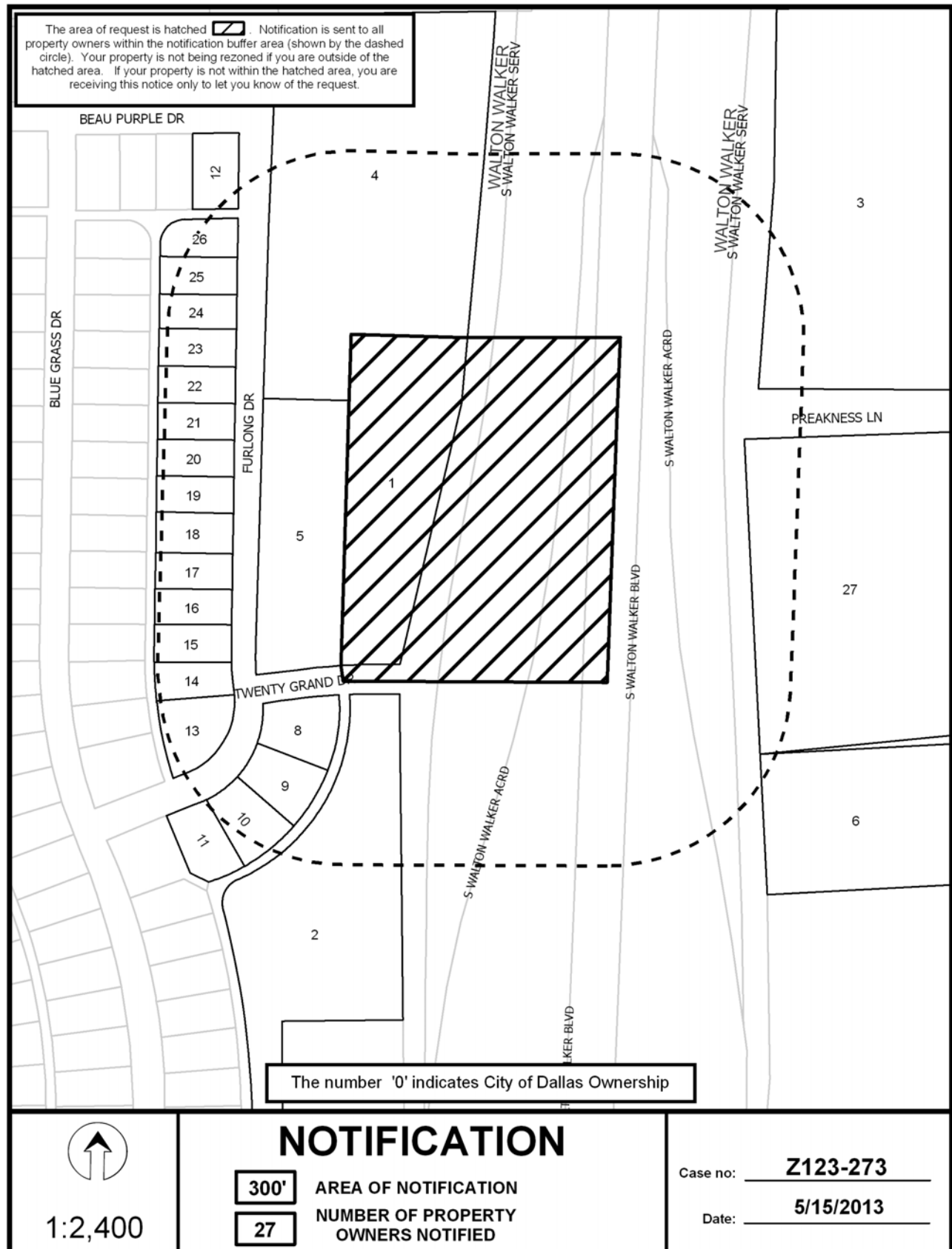
| DISTRICT | SETBACKS | | Density | Height | Lot Coverage | Special Standards | PRIMARY Uses |
|---------------------------------------|----------|--|-------------------------------|-------------------|--------------|--|--|
| | Front | Side/Rear | | | | | |
| LO-3 - existing Limited office – 3 | 15' | 20' adjacent to residential OTHER: No Min. | 1.75 FAR | 115' 9 stories | 80% | Proximity Slope U-form setback Tower spacing Visual Intrusion | Office, lodging – limited retail & personal service uses |
| RR - proposed Regional retail | 15' | 20' adjacent to residential OTHER: No Min. | 1.5 FAR overall 0.5 office | 70' 5 stories | 80% | Proximity Slope U-form setback Visual Intrusion | Retail & personal service, office |
| | | | | | | | |

Landscaping: Landscaping of any development will be in accordance with Article X requirements, as amended.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and has determined that the proposed development will not have a negative impact on the surrounding street system.







Notification List of Property Owners

Z123-273

27 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|------------------------|--|
| 1 | 601 WALTON WALKER BLVD | 601 WALTON WALKER LLC |
| 2 | 701 WALTON WALKER BLVD | AUTO LATIN INC |
| 3 | 400 WALTON WALKER BLVD | RIDGECREST TERRACE INVESTORS LLC BLDG B |
| 4 | 500 FURLONG DR | LOS LUPES INC |
| 5 | 500 FURLONG DR | DALLAS CHRISTIAN CENTER ASSEMBLY OF GOD |
| 6 | 704 WALTON WALKER BLVD | FIESTA GROUP LP |
| 7 | 714 WALTON WALKER BLVD | SUPER FIESTA LP |
| 8 | 704 FURLONG DR | WEST ROSE M |
| 9 | 708 FURLONG DR | CALLADO GISELA |
| 10 | 714 FURLONG DR | LAFUENTE MICHAEL & ESTHER |
| 11 | 720 FURLONG DR | URBINA MANUEL |
| 12 | 5834 BEAU PURPLE DR | GONZALEZ ARMANDO |
| 13 | 711 FURLONG DR | LOPEZ RICARDO R & |
| 14 | 653 FURLONG DR | REYES RAFAEL & ESTHER |
| 15 | 647 FURLONG DR | SERRANO NORA I % PRIVADA RETORNO DEL REO |
| 16 | 641 FURLONG DR | PEREZ GILBERTO M |
| 17 | 635 FURLONG DR | GARCIA ELADIO G |
| 18 | 629 FURLONG DR | WILLIAMS CLARENCE |
| 19 | 623 FURLONG DR | RJ RICHARDSON & REMELL K REV LIV TRUST |
| 20 | 619 FURLONG DR | FORD D WILSON |
| 21 | 611 FURLONG DR | WEBBER DONNA |
| 22 | 605 FURLONG DR | MORENO PEDRO & VALERIA MORENO |
| 23 | 533 FURLONG DR | VONWALLENBERG GEOFFREY |
| 24 | 527 FURLONG DR | RIOS EFRAIN |
| 25 | 521 FURLONG DR | ARREDONDO GUADALUPE |
| 26 | 515 FURLONG DR | UMANZOR NELSON G & DORA A GALEAS |

Z123-273(WE)

5/15/2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-------------------|--------------------------|
| 27 | 5600 PREAKNESS LN | AUTO CENTER UNLIMITED LP |

FILE NUMBER: Z123-263(MW)

DATE FILED: April 22, 2013

LOCATION: West corner of Lemmon Avenue and Reagan Street

COUNCIL DISTRICT: 14

MAPSCO: 35-X

SIZE OF REQUEST: ±12,730 square feet

CENSUS TRACT: 6.05

REPRESENTATIVE: Peter Kavanagh, Zone Systems, Inc.

APPLICANT: Taco Bell of America c/o Icon Engineering

OWNER: 3903 Lemmon Avenue, Ltd.

REQUEST: An application for a Specific Use Permit for a restaurant with drive-in or drive-through service on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District

SUMMARY: The applicant intends to redevelop the site with a ±1,549-square foot restaurant with drive-through service.

STAFF RECOMMENDATION: **Denial**

BACKGROUND INFORMATION:

- The ±12,730-square foot request site is developed with a vacant ±4,921-square foot converted residence, which was constructed in 1925. The structure was most recently utilized as an alcoholic beverage establishment.
- The request site is surrounded by restaurants (with and without drive-through service) and a personal service use to the northeast; a restaurant to the southeast; multifamily residential to the south and southwest and a vacant retail structure to the northwest.

Zoning History:

1. **Z123-217:** On August 8, 2012, the City Council denied without prejudice, a Specific Use Permit for a restaurant with drive-in or drive-through service on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District.

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW |
|---------------------|--------------------|--------------|
| Lemmon Avenue | Principal Arterial | 80 feet |
| Reagan Street | Local | 60 feet |

Land Use:

| | Zoning | Land Use |
|------------------|------------------------------------|-------------------------------|
| Site | GR in PDD 193 | Converted residence (vacant) |
| Northeast | GR in PDD 193 | Restaurants; personal service |
| Southeast | GR in PDD 193 | Restaurant |
| South | PDD No. 180 with deed restrictions | Multifamily |
| Southwest | MF-2 in PDD 193; SUP No. 1192 | Multifamily (condominiums) |
| Northwest | GR in PDD 193 | Retail (vacant) |

STAFF ANALYSIS:

Area Plans:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.
- (3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.
- (4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.
- (5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.
- (6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.
- (7) To promote landscape/streetscape quality and appearance.

The applicant's proposal to develop the site with an auto-oriented use is not consistent with these objectives.

Comprehensive Plan:

The comprehensive plan does not make a specific land use recommendation related to the request, however the ***forwardDallas! Vision Illustration***, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The request site is identified as being within an Urban Neighborhood Building Block on the ***forwardDallas! Vision Illustration***, adopted June 2006. Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments.

These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

The proposed auto-oriented use in this area of the City does not comply with the following goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

URBAN DESIGN

GOAL 5.2 Strengthen community and neighborhood identity

NEIGHBORHOOD ELEMENT

GOAL 7.1: PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS

Policy 7.1.3 Encourage a sense of community and identity.

Development Standards:

| District | Setbacks | | Density | Height | Lot Coverage | Special Standards | Primary Uses |
|----------------------|----------|-----------|-----------------------------------|--------|--------------|-------------------|-----------------------------------|
| | Front | Side/Rear | | | | | |
| GR General Retail | 10' | No min. | 0.75 FAR overall 0.5 office | 80' | 80% | N/A | Retail & personal service, office |

Land Use Compatibility:

The ±12,730-square foot request site is developed with a vacant ±4,921-square foot converted residence, which was constructed in 1925. The structure was most recently utilized as an alcoholic beverage establishment. The applicant intends to redevelop the site with a ±1,549-square foot restaurant with drive-through service.

The request site is surrounded by restaurants (with and without drive-through service) and a personal service use to the northeast; a restaurant to the southeast; multifamily residential to the south and southwest and a vacant retail structure to the northwest. To promote compatibility with the adjacent residential development, the applicant proposes a six-foot solid screening wall along southwest property line, a trash enclosure internal to the request site and speakers angled towards Reagan Street.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Staff is concerned that the ±12,730-square foot request site cannot safely accommodate the proposed restaurant with drive-through service. Specifically, staff foresees conflicts between the configuration of the required off-street parking spaces and onsite circulation. The applicant proposes ingress and egress points on Lemmon Avenue and Reagan Street; however, staff believes that limiting access on Reagan Street to one way (ingress only) could help alleviate potential circulation issues. Furthermore, the majority of the off-street parking spaces located on the southwest portion of the request site are not adjacent to the building. As proposed, customers utilizing these spaces must traverse through two-way traffic and the queuing lane to access the restaurant. Based on these factors, staff does not support this request.

Traffic:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

Parking:

Pursuant to the PDD No. 193, a restaurant with drive-in or drive-through service requires one (1) space per 100 square feet of floor area. Therefore, the proposed ±1,549-square foot restaurant requires 16 spaces. However, Section 51P-193.113 allows the reduction of one off-street parking space for each dumpster located in a garbage storage area when the garbage storage area setback and landscaping requirements of PDD No. 193 are met. A maximum of two off-street parking spaces can be reduced in this manner unless the Board of Adjustment grants a special exception.

Consistent with the provision, the applicant intends to provide 15 off-street parking spaces as depicted on the proposed site plan. It is noted that the dumpster is accessed via the handicapped loading area which is concerning to staff.

Landscaping:

Landscaping must be provided in accordance the GR General Retail landscaping requirements of PDD No. 193, the Oak Lawn Special Purpose District.

Proposed Conditions:

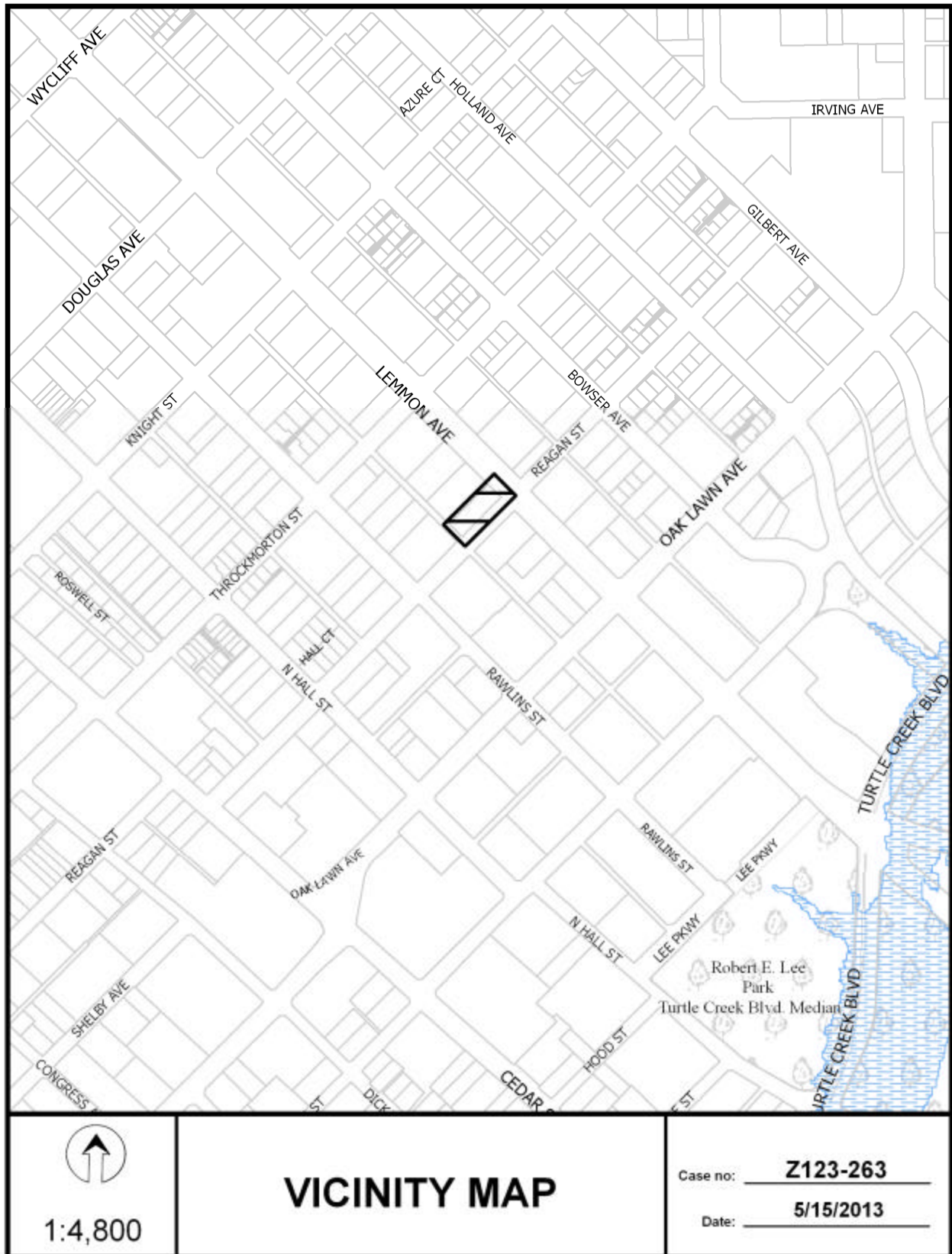
Staff does not support the request. However, conditions have been provided for the City Plan Commission's consideration in the event that the Commission opts not to follow staff's recommendation. These conditions have been reviewed by the City Attorney's Office.

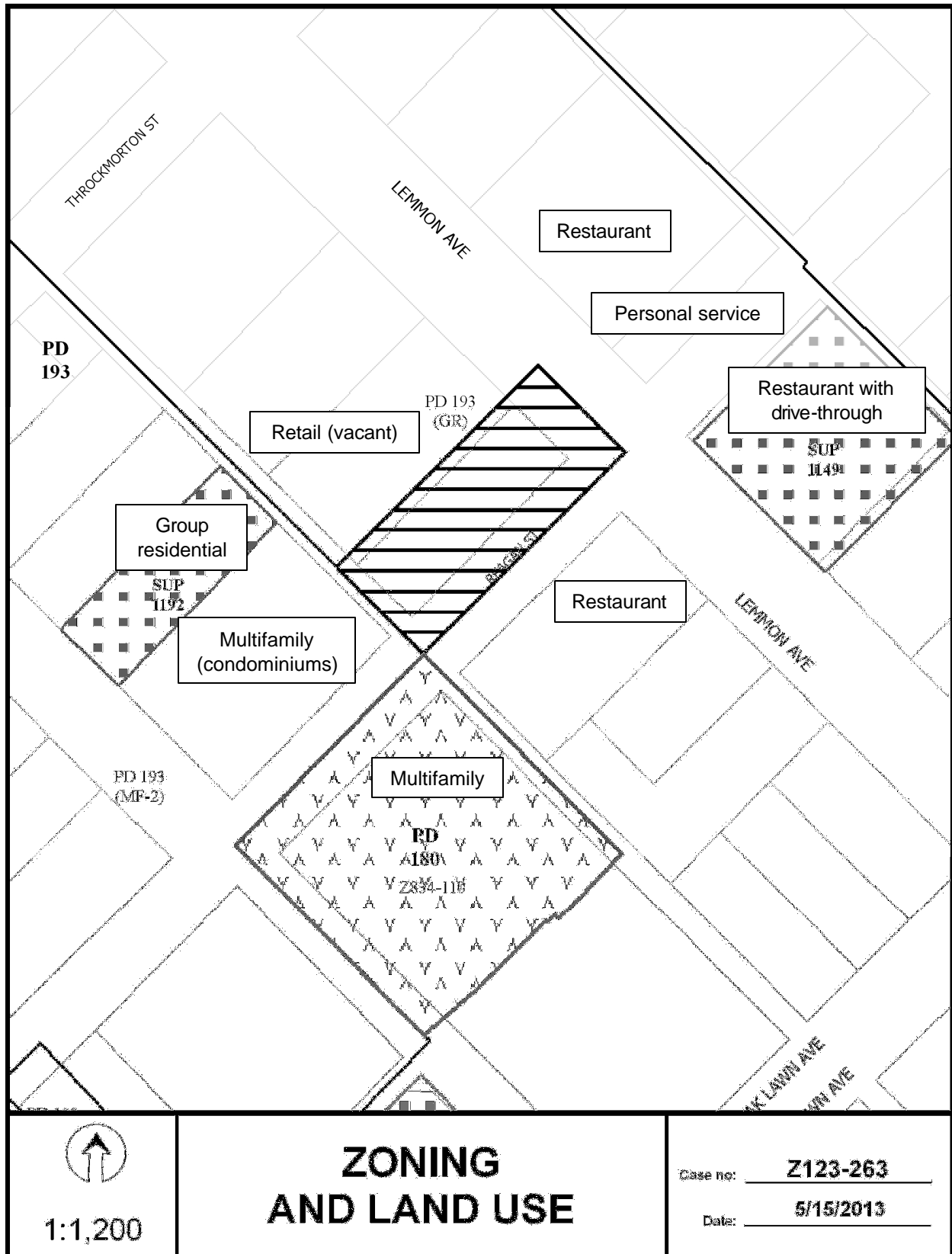
Z112-263
Applicant Proposed SUP Conditions

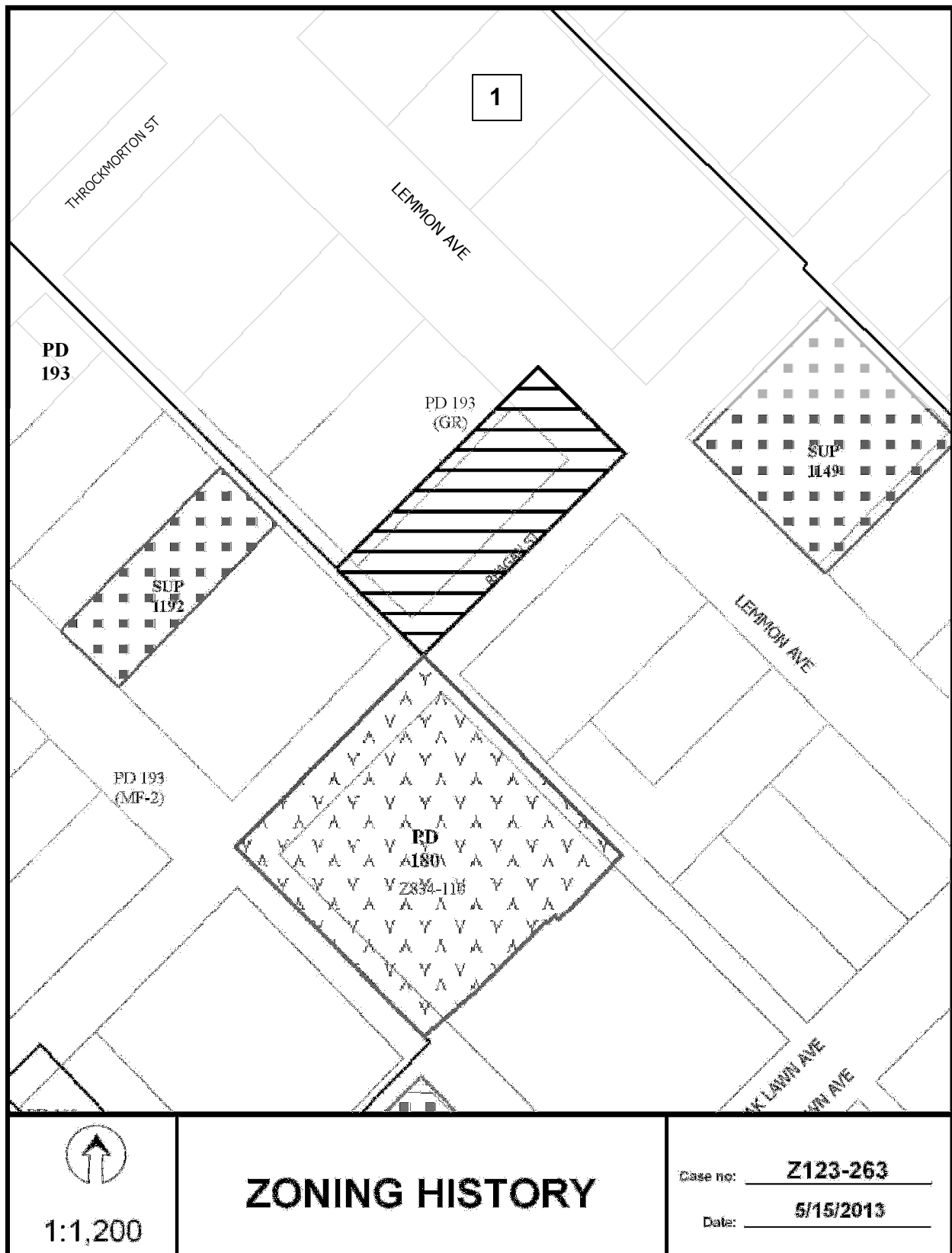
Note: While staff does not support the request, conditions, which have been reviewed by the City Attorney's Office, have been provided for the Commission's consideration.

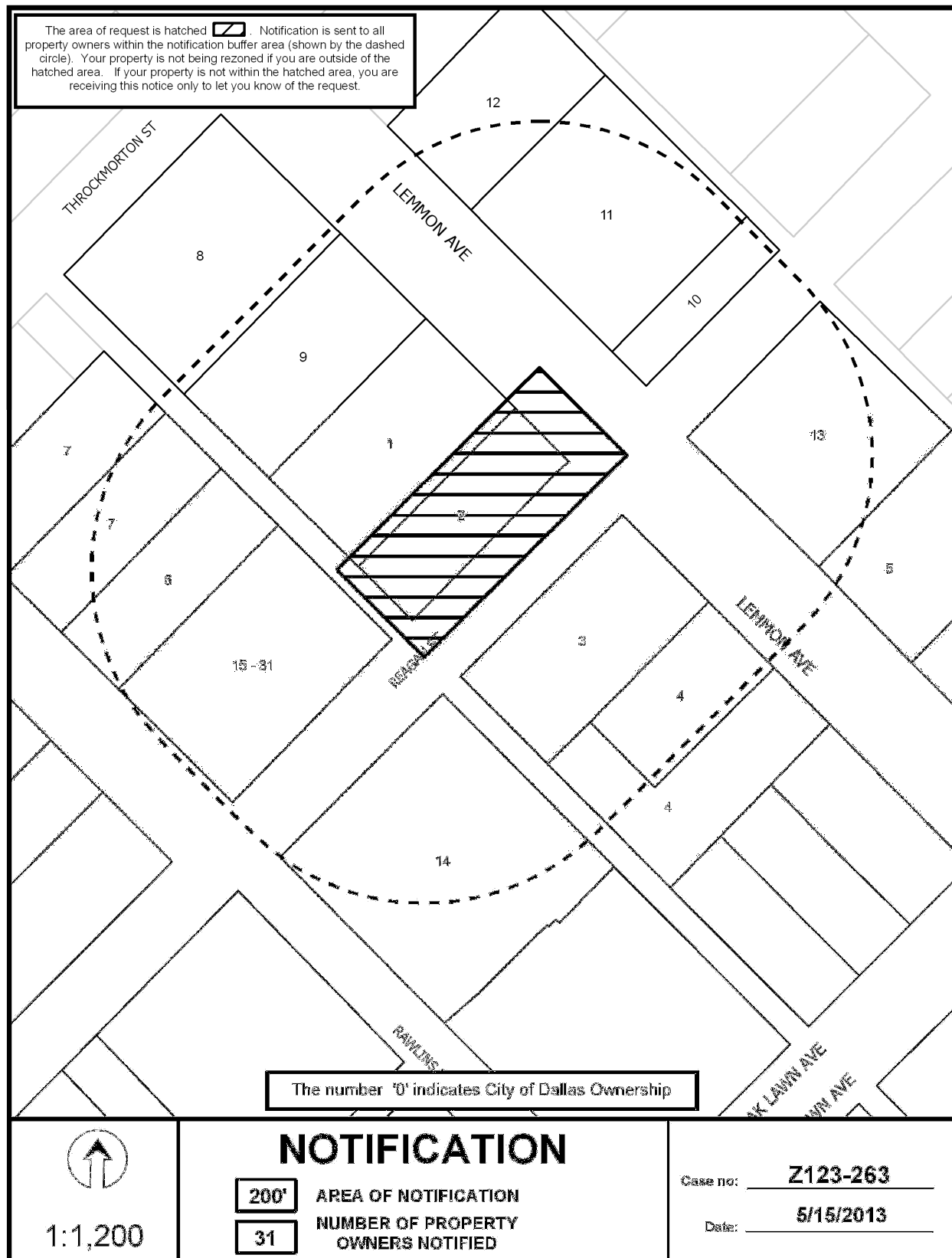
1. USE: The only use authorized by this specific use permit is a restaurant with drive-in or drive-through service.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on ~~(ten~~ years), but is eligible for automatic renewal for additional ten-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. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
5. PARKING: Parking must be located as shown on the attached site plan.
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.











5/15/2013

Notification List of Property Owners***Z123-263******31 Property Owners Notified***

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|--|
| 1 | 3911 LEMMON AVE | 3911 LEMMON AVE ASSOCIATE % CONNIE COLEM |
| 2 | 3903 LEMMON AVE | 3903 LEMMON AVE LTD |
| 3 | 3827 LEMMON AVE | HASKELL LEMMON PTR LTD % MITCHELL RASANS |
| 4 | 3817 LEMMON AVE | RP LEMMON PPTIES LP |
| 5 | 3812 LEMMON AVE | DBS REAL ESTATE LP C/O S & S APARTMENTS |
| 6 | 3912 RAWLINS ST | OUR FRIENDS PLACE THE EPISCOPAL GIRLS HO |
| 7 | 3916 RAWLINS ST | MALT INVESTMENTS INC % LYLE TURNER |
| 8 | 3923 LEMMON AVE | BLUE PROPERTIES LLC %MICHAEL SHEBAY |
| 9 | 3915 LEMMON AVE | STANLEY GAINES & VICKIE |
| 10 | 3900 LEMMON AVE | PANOUSOPOULUS NICKOS |
| 11 | 3906 LEMMON AVE | BERLIN RONALD P & GAIL M |
| 12 | 3922 LEMMON AVE | RP HH/LEMMON PPTIES LP |
| 13 | 3826 LEMMON AVE | KLINE TRUST INV LTD ATTN: TRUST REAL EST |
| 14 | 3838 RAWLINS ST | NAKASH LINCOLN COURT LLC % ROBERT A SPIE |
| 15 | 3904 RAWLINS ST | STEWART BRIAN & ABBIE KOPF |
| 16 | 3904 RAWLINS ST | LOHNER JACK E JR BLDG B UNIT 102 |
| 17 | 3904 RAWLINS ST | COOK KATHERINE R |
| 18 | 3904 RAWLINS ST | SMITH JENNIFER L |
| 19 | 3904 RAWLINS ST | GENTRY NEWMAN F BLDG B UNIT 105 |
| 20 | 3904 RAWLINS ST | MCORE PROPERTIES INC |
| 21 | 3904 RAWLINS ST | SLACK DELPIN SUE ANN |
| 22 | 3904 RAWLINS ST | DELANO JEANA M # 108 |
| 23 | 3904 RAWLINS ST | TRIPRO SERVICES INC |
| 24 | 3904 RAWLINS ST | CRUIT TARA T # 110 |

Z123-263(MW)

| | | | |
|----|------|------------|----------------------------------|
| 25 | 3904 | RAWLINS ST | TORRES GERARDO J BLDG C UNIT 111 |
|----|------|------------|----------------------------------|

5/15/2013

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-----------------|-----------------------------------|
| 26 | 3904 RAWLINS ST | BIRNBAUM MARC A & JEFFREY BOROVAY |
| 27 | 3904 RAWLINS ST | WHISMAN LOYSE B |
| 28 | 3904 RAWLINS ST | HUBBLE JONATHAN |
| 29 | 3904 RAWLINS ST | WEBB NATALIE L |
| 30 | 3904 RAWLINS ST | TANG STEVEN BLDG C UNIT 116 |
| 31 | 3904 RAWLINS ST | PHILLIPS JAMIE |

Memorandum



DATE July 11, 2013

TO Joe Alcantar, Chair and
City Plan Commissioners

SUBJECT City Plan Commission Authorized Hearing
South side of Jefferson Boulevard, between Tennant Street and Oak Cliff
Boulevard

Commissioners Anglin, Ridley, and Tarpley request that the City Plan Commission authorize a public hearing to determine the proper zoning on property zoned Planned Development District No. 409 for a public school and R-7.5(A) Single Family District uses with consideration given to an historic overlay for the Sunset High School. Attached is a location map for your review.

This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.

Mark Doty, Senior Planner
Current Planning Division - Historic Preservation
Sustainable Development and Construction Department

Memorandum



CITY OF DALLAS

DATE June 6, 2013

TO David Cossum, Assistant Director
Department of Sustainable Development and Construction

SUBJECT Request for Agenda Item for Authorized Hearing;
South side of Jefferson Boulevard, between Tennant Street and Oak
Cliff Boulevard

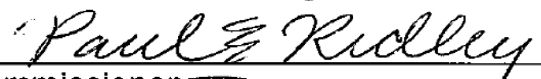
We respectfully request that the following item be placed on the City Plan Commission agenda and advertised as required by Section 51A-7.701(a)(1) of the City of Dallas Development Code.

Consideration of a hearing to authorize a public hearing to determine the proper zoning on property zoned Planned Development District No. 409 for a public school and R-7.5(A) Single Family District uses. Consideration is to be given to an historic overlay for the Sunset High School. A map of the area to be considered is attached.

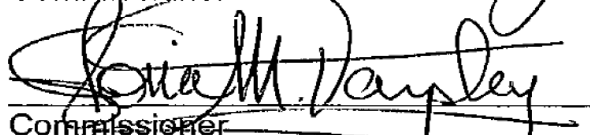
Thank you for your attention to this matter.



Michael Anglin, Commissioner



Commissioner



Commissioner

