



CITY OF DALLAS  
CITY PLAN COMMISSION  
Thursday, March 24, 2011  
AGENDA

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BRIEFINGS:	6ES	10:30 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.

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

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**BRIEFINGS:**

Subdivision Docket  
Zoning Docket

**ACTION ITEMS:**

Subdivision Docket Planner: Paul Nelson

Consent Items:

- (1) **S101-058**  
(CC District 13)      An application to create one 3.404 acre lot from a tract of land in City Block 5627 and all of City Block 2/5627 on 8001 Westchester Drive bounded by Westchester Drive, Weldon Howell Parkway and Douglas Avenue.  
Applicant/Owner: Roman Catholic Diocese of Dallas  
Surveyor: Brockette Davis Drake  
Application Filed: February 24, 2011  
Zoning: PD 314, Tr. 7  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (2) **S101-059**  
(CC District 3)      An application to replat a tract of land containing the remainder of Tract 3 Block 3406 into one 0.3525 acre lot at Beckley Avenue at Comstock Street, southeast corner.  
Applicant/Owner: Prescott Interests, Ltd.  
Surveyor: Davis Land Surveying Co., Inc.  
Application Filed: February 24, 2011  
Zoning: IR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket

- (3) **S101-062**  
(CC District 6) An application to create two 0.505 acre lots from a 1.010 acre tract of land in City Block A/7184 on 5403 Fannie S. between Clymer Street and Chalk Hill Road.  
Applicant/Owner: Builders of Hope Community Development Corporation  
Surveyor: CBG Surveying Inc.  
Application Filed: February 28, 2011  
Zoning: R-5(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S101-063**  
(CC District 2) An application to replat 2.248 acre tract of land containing all of Lot 5A in City Block D/3370 into one 1.443 acre lot and one 0.805 acre lot Stutz Drive northwest of Forest Park Drive.  
Applicant/Owner: Stutz Road Limited Partnership  
Surveyor: Votex Surveying Co.  
Application Filed: March 1, 2011  
Zoning: MU-2  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S101-064**  
(CC District 6) An application to replat a 0.772 acre tract of land containing all of lots 6, 7, 8 and 9 in City Block 19/8342 into one lot on 5424 and 5426 W. Jefferson Boulevard and 120 N. Tatum Avenue.  
Applicant/Owner: Herman Rodriguez  
Surveyor: Keeton Surveying Co.  
Application Filed: March 1, 2011  
Zoning: CR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (6) **S101-066**  
(CC District 2) An application to replat a 1.396 acre tract of land containing all of Lots 1, 3 and 5 in City Block G/1056, abandoned Butte Street and unplatted land into one lot on Carroll Avenue at Parry Avenue, east corner.  
Applicant/Owner: Jubilee Park and Community Center Corp.  
Surveyor: CBG Surveying  
Application Filed: March 2, 2011  
Zoning: PD 486 Tract 1, CH  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (7) **S101-067**  
(CC District 7)
- An application to replat a 0.613 acre tract of land containing all of lots 3, 4, 5 and 6 in City Block 21/812 and part of an abandoned alley on 3223 Elihu Street between J.B. Jackson Jr. Boulevard and Trunk Avenue.  
Applicant/Owner: Joe and Floydell Hall  
Surveyor: Gonzalez & Schneeberg  
Application Filed: March 3, 2011  
Zoning: PD 595 (MF-1(A))  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (8) **S101-068**  
(CC District 8)
- An application to plat a 14.36 acre tract of land containing two tracts of land in City Blocks 8011 and 8250 into one 9.776 acre lot fronting on S. Central Expressway and one 4.588 acre lot fronting on Zonie Road both lots being southeast of Simpson Stuart Road.  
Applicant/Owner: Central Foliage Corporation  
Surveyor: Piburn and Carson  
Application Filed: March 3, 2011  
Zoning: A(A), IR and CS  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (9) **S101-069**  
(CC District 3)
- An application to replat a 4.5285 acre tract of land containing all of City Block 5973 of the Wynnewood Bank Plaza Addition into one 1.6246 acre lot and one 2.9039 acre lot on Vernon Avenue at Illinois Avenue, northeast corner.  
Applicant/Owner: Comerica Bank of Texas  
Surveyor: Raymond L. Goodson, Jr. Inc.  
Application Filed: March 3, 2011  
Zoning: LO-3  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (10) **S101-070**  
(CC District 5)
- An application to replat part of City Block 1/8617 of the Fruitdale Acres First Installment Addition into one 0.4157 acre lot on 3724 Fordham Road southwest of Kolloch Drive.  
Applicant/Owner: Carlos Sanchez  
Surveyor: John F. Wilder  
Application Filed: March 8, 2011  
Zoning: CS  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Individual Items:

- (11) **S101-057**  
(CC District 13) An application to replat all of Lot 8 and a tract of land (abandoned Douglas Avenue R.O.W.) in City Block G/5614 to create one 0.594 acre lot on 5813 Park Lane at Douglas Avenue, northeast corner.  
Applicant/Owner: Tahir M. and Aisha Rana  
Surveyor: Harry Rowell & Associates, Inc.  
Application Filed: February 24, 2011  
Zoning: R-1ac(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (12) **S101-060**  
(CC District 7) An application to replat all of Lots 6 thru 18 in City Block C/4450 and all of Lot 1, 2, 3, 4, 5 and Lot 1A in City Block D/4450 and part of City Block 4450 into one 9.781 acre lot on 3400 Garden Lane and bounded by Second Avenue, Garden Lane and Vannerson Drive.  
Applicant/Owner: Dallas Independent School District  
Surveyor: Salcedo Group, Inc.  
Application Filed: February 24, 2011  
Zoning: PD 595 (R-5(A)) and PD 595 (NC)(E)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (13) **S101-065**  
(CC District 10) An application to replat all of Lot 29 and a tract of land in City Block B/5446 into one 0.378 acre lot and to remove the platted 30 foot building line along Goforth Road at 7770 Goforth Circle at Goforth Road, east corner.  
Applicant/Owner: Jeffrey and Jennifer Batson  
Surveyor: Shields and Lee Surveying  
Application Filed: March 1, 2011  
Zoning: R-7.5(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Docket

- D101-007**  
Olga Torres Holyoak  
(CC District 14) Development plan for Planned Development District No. 619 on property fronting the south side of Main Street and fronting the north side of Commerce Street, between South Akard Street and South Ervay Street.  
Staff Recommendation: **Approval**  
Applicant: TIF Hotel, Inc.  
Representative: Craig Melde

- D101-008**  
Olga Torres Holyoak  
(CC District 9)
- Development plan for Planned Development District No. 287 on the north corner of Garland Road and East Lawther Drive.  
Staff Recommendation: **Approval**  
Applicant: Dallas Arboretum & Botanical Gardens, Park & Recreation Department, City of Dallas  
Representative: Robert Reeves & Associates
- D101-006**  
Michael Grace  
(CC District 2)
- Development plan and landscape plan for Planned Development District No. 305 on Central Expressway at Haskell Avenue.  
Staff Recommendation: **Denial**  
Applicant: Cityville Dallas Haskell Limited Partnership  
Representative: Mike Arbour, JHP Architecture/Urban Design
- M101-009**  
Richard Brown  
(CC District 14)
- Minor amendment to the development/landscape plan within Planned Development Subdistrict No. 65 for a Public school other than an open-enrollment charter school and certain GR Subdistrict Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, and the Subdistrict C-1 portion of Planned Development District No. 305 for Mixed Uses, on the southwest line of Haskell Avenue between Cole Avenue and McKinney Avenue.  
Staff Recommendation: **Approval**  
Applicant: Dallas Independent School District  
Representative: Karl Crawley
- M101-008**  
Richard Brown  
(CC District 6)
- Minor amendment to the development plan for Planned Development District No. 391 for an Industrial (inside) potentially incompatible use to be operated as a Foundry and other IM Industrial Manufacturing District Uses on the northeast and southeast corners of Joe Field Road and Newkirk Street.  
Staff Recommendation: **Approval**  
Applicant: Hensley Industries, Inc., Owner  
Representative: Robert Reeves
- M101-011**  
Richard Brown  
(CC District 11)
- A minor amendment to the landscape plan for Planned Development District No. 711 for Multifamily Uses and RR Regional Retail District Uses at the southeast corner of Arapaho Road and Prestonwood Boulevard.  
Staff Recommendation: **Approval**  
Applicant: Prestonwood Tradition, LP  
Representative: Dallas Cothrum

- M101-012**  
Richard Brown  
(CC District 5)
- A minor amendment to the site plan for Specific Use Permit No. 1730 for an Alcoholic beverage establishment for a Private-club bar, on the northeast corner of Buckner Boulevard and Kipling Drive.  
Staff Recommendation: **Approval**  
Applicant: What's Hot Fun World, Ltd.  
Representative: Jonathan Vinson
- M101-013**  
Richard Brown  
(CC District 7)
- A minor amendment to the Phase II development plan for Planned Development District No. 549 for certain Recreation Uses, Institutional and Community Service Uses, and R-7.5(A) Single Family District Uses in the southeast quadrant of Samuell Boulevard and Buckner Boulevard.  
Staff Recommendation: **Approval**  
Applicant: Blackbird Studio  
Representative: Jody Hogue
- M101-014**  
Richard Brown  
(CC District 5)
- A minor amendment to the development plan for Planned Development District No. 805 for certain CR Community Retail District Uses, on the east line of Masters Drive and the north line of Lake June Road.  
Staff Recommendation: **Approval**  
Applicant: NEC Lake June & Masters, L.P.  
Representative: Derek Ferem

Zoning Cases – Consent

1. **Z101-132(RB)**  
Richard Brown  
(CC District 3)

An application for an amendment to Specific Use Permit No. 1746 for a Community service center on property zoned a CR Community Retail District and an R-5(A) Single Family District, on the southeast corner of Westmoreland Road and Angelina Drive.  
Staff Recommendation: **Approval**, subject to a site plan and conditions.  
Applicant/Representative: Suzanne Griffin, Representative

2. **Z090-181(WE)**  
Warren Ellis  
(CC District 14)

An application for a Planned Development District for mixed uses on property zoned an MU-3 Mixed Use District on the southeast corner of the North Central Expressway and SMU Boulevard.  
Staff Recommendation: **Approval** of a Planned Development District for mixed uses, subject to a conceptual plan, Subarea 1 development plan, Subarea 2 development plan and conditions.  
Applicant: Southern Methodist University/Phillip Jabour  
Representative: Jackson Walker, LLP - Suzan Kedron

3. **Z101-110(WE)**  
Warren Ellis  
(CC District 7)

An application for a Specific Use Permit for a vehicle storage lot within Planned Development District No. 323, the Urbandale Area Special Purpose District on the southeast line of Forney Road, between Peachtree Street and Lawnview Avenue.  
Staff Recommendation: **Approval** for a three-year time period with eligibility for automatic renewals for additional three-year periods, subject to a site plan and conditions.  
Applicant: Larry Parker  
Representative: Joe Bowers
4. **Z101-125(WE)**  
Warren Ellis  
(CC District 14)

An application for a Specific Use Permit for an alcoholic beverage establishment for a bar, lounge, or tavern on property within Subdistrict C of the West Mixed Use Sub-zone of Planned Development District No. 305, the City Place Planned Development District in an area generally bounded by Cole Avenue, E. Lemmon Avenue, McKinney Avenue and southwest of Blackburn Street.  
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: West Village 2004 PO L.P.  
Representative: Roger Albright
5. **Z101-129(WE)**  
Warren Ellis  
(CC District 7)

An application for an amendment to the deed restrictions of Tract B on property zoned an RR Regional Retail District on the north line of R. L. Thornton Freeway, east of Buckner Boulevard (Loop 12).  
Staff Recommendation: **Approval**  
Applicant: Victor Beck  
Representative: Michael Mershawn
6. **Z101-131(WE)**  
Warren Ellis  
(CC District 8)

An application for a renewal of Specific Use Permit No. 1395 for an Outside Salvage and Reclamation use on property zoned an IM Industrial Manufacturing District on the northeast corner of South Central Expressway (U.S. 75) and Youngblood Road.  
Staff Recommendation: **Approval** for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to a site plan and conditions.  
Applicant: Jay Eisenberg  
Representative: MASTERPLAN - Santos Martinez

7. **Z101-155(WE)**  
Warren Ellis  
(CC District 8)
- An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property zoned a RR-D-1 Regional Retail District with a D-1 Dry Liquor Control Overlay on the southwest corner of Great Trinity Forest Way (Loop 12) and Murdock Road.  
Staff Recommendation: **Approval** for a two-year time period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: JPKP Enterprises Inc.  
Representative: MASTERPLAN - Santos Martinez
8. **Z101-156(WE)**  
Warren Ellis  
(CC District 8)
- An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property zoned a CS-D-1 Commercial Service District with a D-1 Dry Liquor Control Overlay on the northwest corner of Kleberg Road and S. Belt Line Road.  
Staff Recommendation: **Approval** for a two-year time period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: Malik Baharia  
Representative: MASTERPLAN - Santos Martinez
9. **Z101-157(WE)**  
Warren Ellis  
(CC District 3)
- An application for a D-1 Dry Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property zoned a CR-D Community Retail District with a D Dry Liquor Control Overlay on the northwest corner of W. Kiest Boulevard and S. Cockrell Hill Road.  
Staff Recommendation: **Approval** of a D-1 Dry Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year time period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: Ann, Inc.  
Representative: MASTERPLAN - Santos Martinez

10. **Z101-158(WE)**  
Warren Ellis  
(CC District 8)
- An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property within Subdistrict-2 of Planned Development District 535, the C.F. Hawn Special Purpose District No. 3 with a D-1 Dry Liquor Control Overlay on the northeast corner of C. F. Hawn Freeway and S. Masters Drive.  
Staff Recommendation: **Approval** for a two-year time period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: Kawai Financial Inc.  
Representative: MASTERPLAN - Santos Martinez
11. **Z101-162(WE)**  
Warren Ellis  
(CC District 4)
- An application for a D-1 Dry Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property zoned a CS-D Commercial Service District with a D Dry Liquor Control Overlay on the north line of Bruton Road between Jim Miller Road and Mack Lane.  
Staff Recommendation: **Approval** of a D-1 Dry Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year time period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: Mehdi Rezaeizadeh  
Representative: MASTERPLAN - Santos Martinez
12. **Z101-166(MG)**  
Michael Grace  
(CC District 7)
- An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use less than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Dry Liquor Control Overlay on the northeast corner of Lawnview Avenue and Military Parkway.  
Staff Recommendation: **Approval** for a two-year period with eligibility for additional five year periods, subject to a site plan and conditions.  
Applicant: Mohammad Rahman  
Representative: Santos Martinez - Masterplan

13. **Z101-151(JH)**  
Jennifer Hiromoto  
(CC District 5)
- An application for a D-1 Dry Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less on property zoned Subdistrict 2 within Planned Development District No. 366 with a D Dry Liquor Control Overlay at the southeast corner of S. Buckner Boulevard and Alto Garden Drive.  
Staff Recommendation: **Approval** of a D-1 Dry Liquor Overlay and **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise use 3,500 square feet or less for a two-year period with eligibility for automatic renewal of additional five-year periods, subject to a site plan and conditions.  
Applicant: Nimesh Gajera  
Representative: Parvez Malik, Business Zoom
14. **Z101-147(MW)**  
Megan Wimer  
(CC District 3)
- An application for a Specific Use Permit for a recycling buy-back center on property zoned an IR Industrial Research District on the northeast corner of Joseph Hardin Drive and Mint Way.  
Staff Recommendation: **Approval** for a two-year time period, subject to a site plan and conditions.  
Applicant/Representative: American Cat Con, Inc.
15. **Z101-180(MW)**  
Megan Wimer  
(CC District 11)
- An application to renew Specific Use Permit No. 1634 for a Private School on property zoned an R-16 (A) Single Family District on the north side of Churchill Way, east of Preston Road.  
Staff Recommendation: **Approval** for a five-year period, subject to a site plan and conditions.  
Applicant: Mission Laïque Française  
Representative: Robert Baldwin

Zoning Cases – Under Advisement

16. **Z101-144(MW)**  
Megan Wimer  
(CC District 6)
- An application for a CR Community Retail District on property zoned an R-5(A) Single Family District on the southwest corner of Chalk Hill Road and Chippewa Drive with consideration of an NS(A) Neighborhood Service District.  
Staff Recommendation: **Approval** of an NS(A) Neighborhood Service District in lieu of the requested CR Community Retail District.  
Applicant: Sergio Coronado  
Representative: Norberto Ornelas  
U/A From: February 17, 2011

17. **Z101-146(JH)**  
Jennifer Hiromoto  
(CC District 4)
- An application for a D-1 Dry Liquor Control Overlay and a Specific Use Permit 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 Subdistrict 1 within Planned Development District No. 366 with a D Dry Liquor Control Overlay at the northwest corner of S. Buckner Boulevard and Cordell Drive.
- Staff Recommendation: **Approval** of a D-1 Dry Liquor Control Overlay and **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise use greater than 3,500 square feet for a two-year period with eligibility for automatic renewal of additional five year periods, subject to a site plan and conditions.
- Applicant: Vilas Kumar  
Representative: Santos Martinez, MASTERPLAN  
U/A From: March 3, 2011

Zoning Cases – Individual

18. **Z101-143(JH)**  
Jennifer Hiromoto  
(CC District 13)
- An application for a Specific Use Permit for a restaurant without drive in or drive through service on property zoned an NO(A) Neighborhood Office District on the southeast corner of Harvest Hill Road and the Dallas North Tollway.
- Staff Recommendation: **Approval** for a 10-year period with eligibility for automatic renewal of additional 10-year periods, subject to a site plan and conditions.
- Applicant: Toll Hill Properties, Ltd.  
Representative: Dallas Cothrum, Masterplan
19. **Z101-148(MG)**  
Michael Grace  
(CC District 1)
- An application for an amendment to and expansion of Planned Development District No. 682 for a public school other than an open enrollment charter school and MF-2(A) Multifamily District uses on property zoned Planned Development District No. 682 and an MF-2(A) Multifamily District with a Dry Liquor Control Overlay on a portion and generally bound by Beckley Avenue, Storey Street, 8<sup>th</sup> Street, Patton Avenue, the alley south of E. 10<sup>th</sup> Street excluding the lot on the southwest corner of E. 10<sup>th</sup> Street, Patterson Avenue and an area on the northeast corner of Patton Avenue and E. 10<sup>th</sup> Street.
- Staff Recommendation: **Approval**, subject a development/landscape plan, circulation plan and conditions.
- Applicant: Dallas Independent School District (see attached list of Board Members)  
Representative: MASTERPLAN - Karl Crawley

20. **Z090-233(RB)**  
Richard Brown  
(CC District 13)

An application for an amendment to Planned Development District No. 457 for a Home improvement center, lumber, brick, or building material sales yard and certain Mixed Uses, on the east line of Inwood Road, north of Forest Lane.

Staff Recommendation: **Approval**, subject to a development plan and conditions.

Applicant: John Witherspoon

Representative: Michael R. Coker

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Other Matters

City Plan Commission FY2009-10 Annual Report

Minutes: March 3, 2011

Adjournment

**CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS**

**Thursday, March 24, 2011**

**ZONING ORDINANCE COMMITTEE (ZOC) MEETING** - Thursday, March 24, 2011, City Hall, 1500 Marilla Street, in 5ES, at 9:00 a.m., to consider (1) **DCA090-010** - Consideration of amending the Dallas Development Code to amend parking regulations.

### 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]

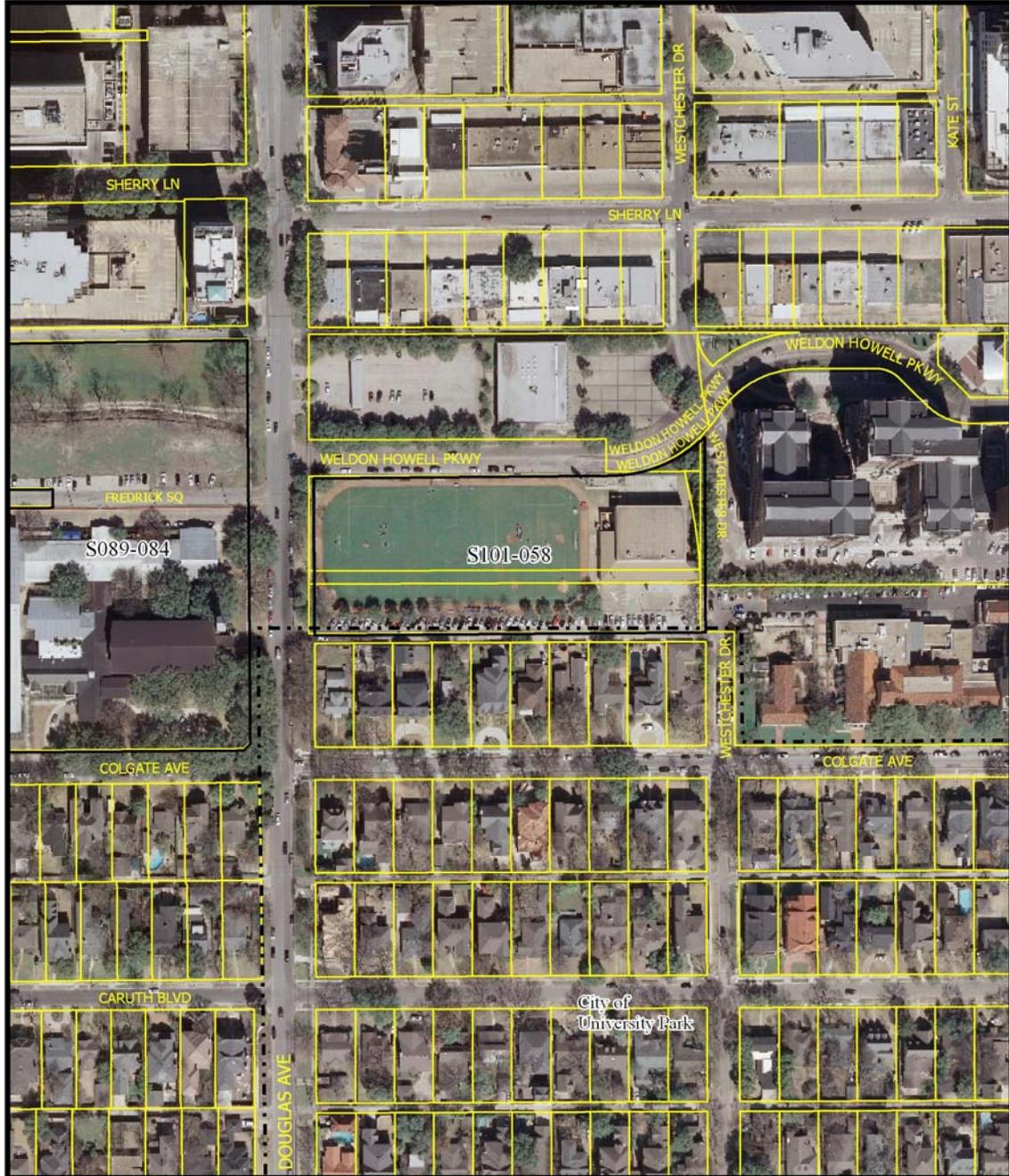
**CITY PLAN COMMISSION****THURSDAY, MARCH 24, 2011****FILE NUMBER:** S101-058**Subdivision Administrator:** Paul Nelson**LOCATION:** 8001 Westchester Dr. bounded by Westchester Dr., Weldon Howell Pkwy and Douglas Avenue**DATE FILED:** February 24, 2011**ZONING:** PD 314, Tr. 7**CITY COUNCIL DISTRICT:** 13**SIZE OF REQUEST:** 3.404 ac.**MAPSCO:** 25X**APPLICANT/OWNER:** Roman Catholic Diocese Of Dallas**REQUEST:** An application to create one 3.404 acre lot from a tract of land in City Block 5627 and all of City Block 2/5627 on 8001 Westchester Drive bounded by Westchester Drive, Weldon Howell Parkway and Douglas Avenue.**SUBDIVISION HISTORY:**

1. S089-084 was an application west of the present request to replat 11.2488 acres containing all of Lot 1A in City Block I/5628 and part of City Block 5626 into one lot located at the intersection of Douglas Ave. and Colgate Ave., northwest corner; it was approved on April 16, 2009 and recorded on November 6, 2009.

**STAFF RECOMMENDATION:** The request complies with the PD 314, Tr. 7 requirements; therefore, staff recommends approval subject to compliance with the following conditions:

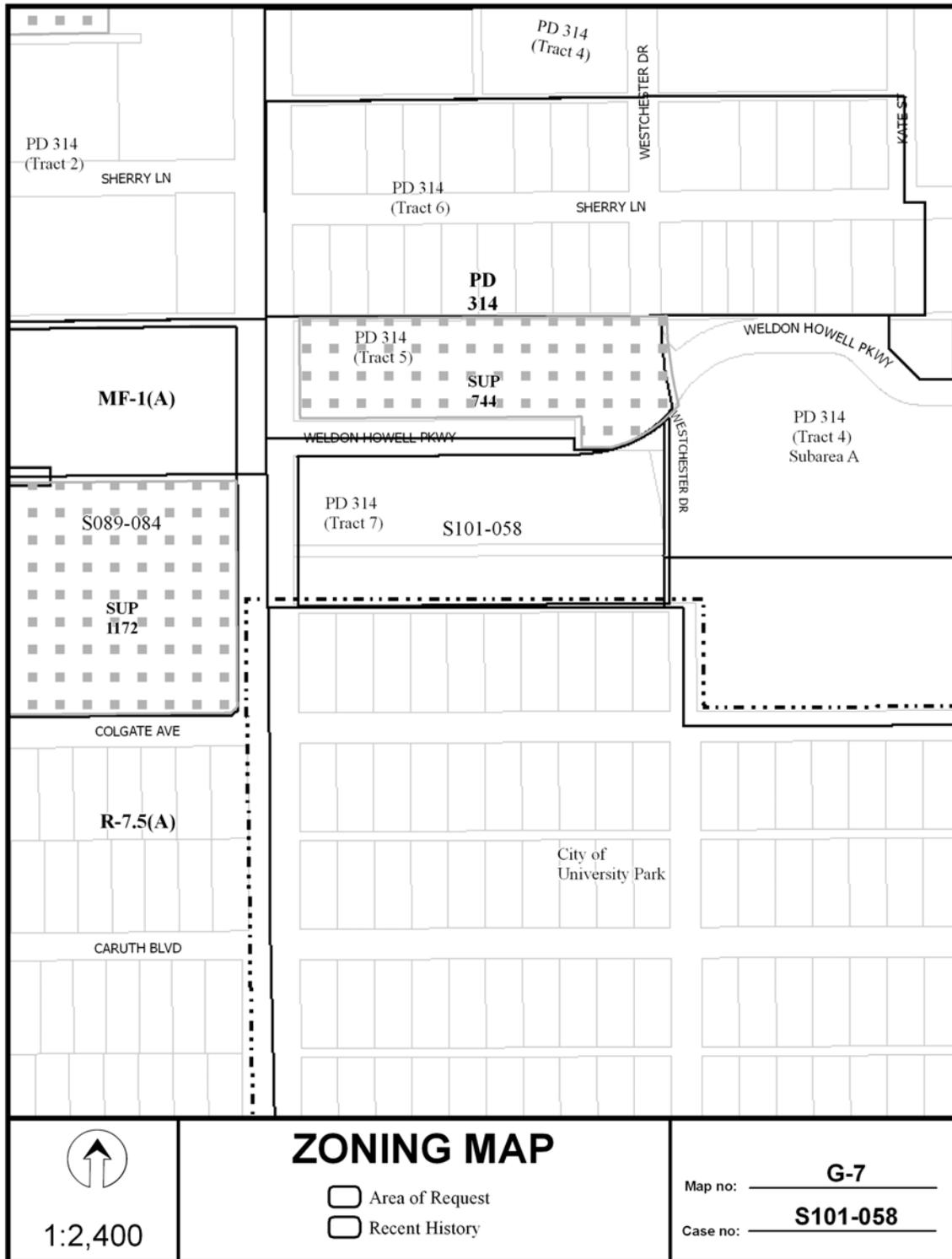
1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the city.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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.
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. The final plat is limited to a maximum of 1 lot.

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 will not be allowed without Engineering Section approval."
11. On the final plat dedicate a 10 foot by 10 foot corner clip at Douglas Avenue and Weldon Howell Parkway.
12. On the final plat dedicate a 15 foot by 15 foot alley sight easement at Douglas Avenue and the existing aley.
13. On the final plat show all additions or tracts of land with the recording information within 150 feet of the property.
14. Specify on the final plat list the street, water, wastewater, and/or storm drainage utility easements retained within street abandonments when stated in the abandonment ordinance.
15. On the final plat show distances/width of right of way across the alley.
16. On the final plat clearly show the street right of way widths within 150 feet of the boundary of the 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. On the final plat show new water and/or wastewater easements.
19. The capacity of the existing waste water system is questionable. Submit proposed G.P.M. and P.S.I. investigation needs for the development.
20. On the final plat label the lot as Lot 1, City Block 2/5627.



 <b>1:2,400</b>	<h2>AERIAL MAP</h2> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	<p>Map no: <u>      <b>G-7</b>      </u></p> <p>Case no: <u>      <b>S101-058</b>      </u></p>
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DATE: March 09, 2011



**CITY PLAN COMMISSION****THURSDAY, MARCH 24, 2011****FILE NUMBER:** S101-059**Subdivision Administrator:** Paul Nelson**LOCATION:** Beckley Avenue at Comstock Street**DATE FILED:** February 24, 2011**ZONING:** IR**CITY COUNCIL DISTRICT:** 3**SIZE OF REQUEST:** 0.3525 ac.**MAPSCO:** 44V**APPLICANT/OWNER:** Prescott Interests, Ltd.

**REQUEST:** An application to replat a tract of land containing the remainder of Tract 3 Block 3406 into one 0.3525 acre lot at Beckley Avenue at Comstock Street, southeast corner.

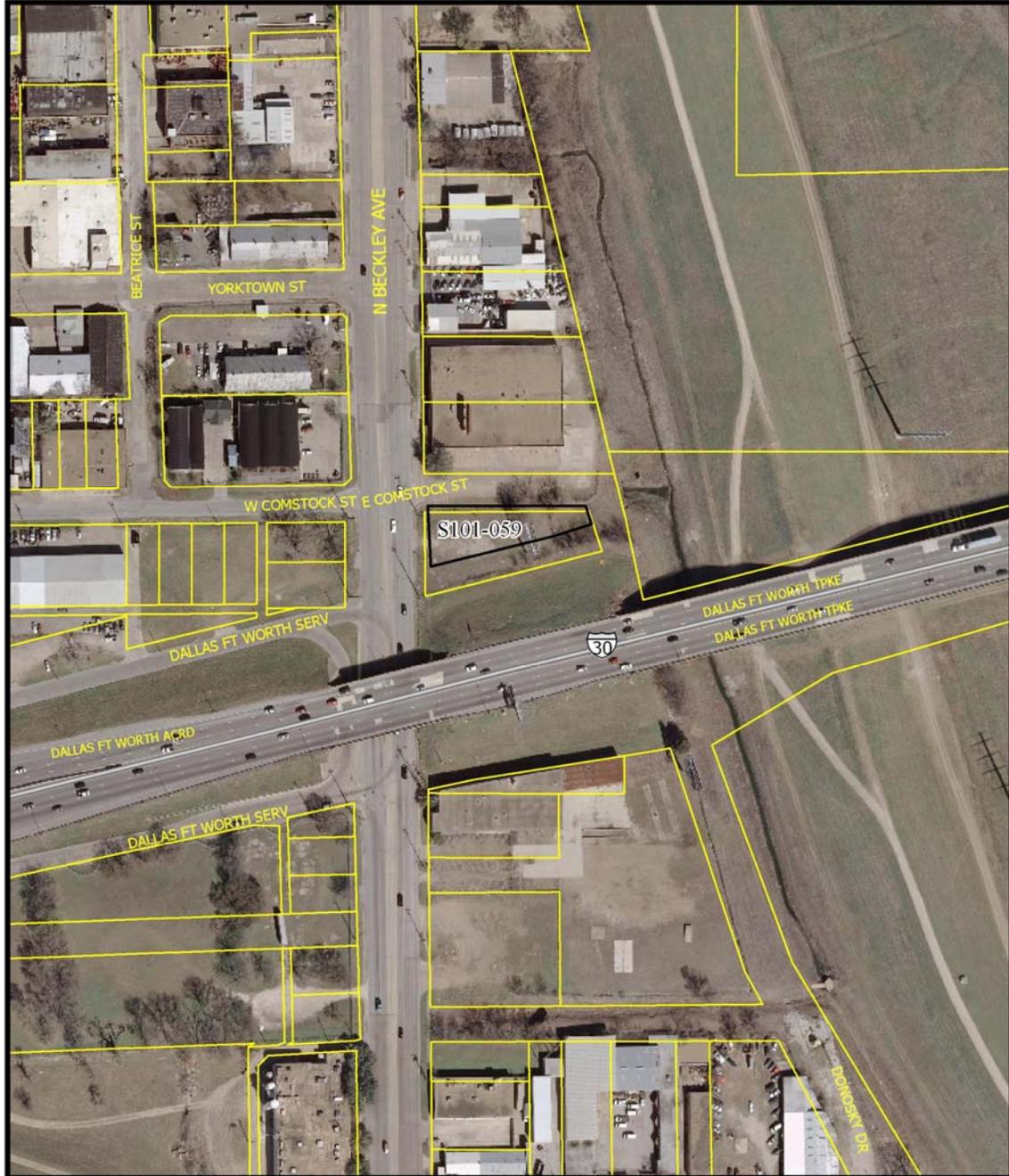
**SUBDIVISION HISTORY:** There has been no recent subdivision activity within close proximity of the request site.

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

1. The final plat must conform with 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. Sustainable Development and Construction, 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. The final plat must comply with all plans, contracts, ordinances and requirements of the city.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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.
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. The final plat is limited to a maximum of 1 lot.
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

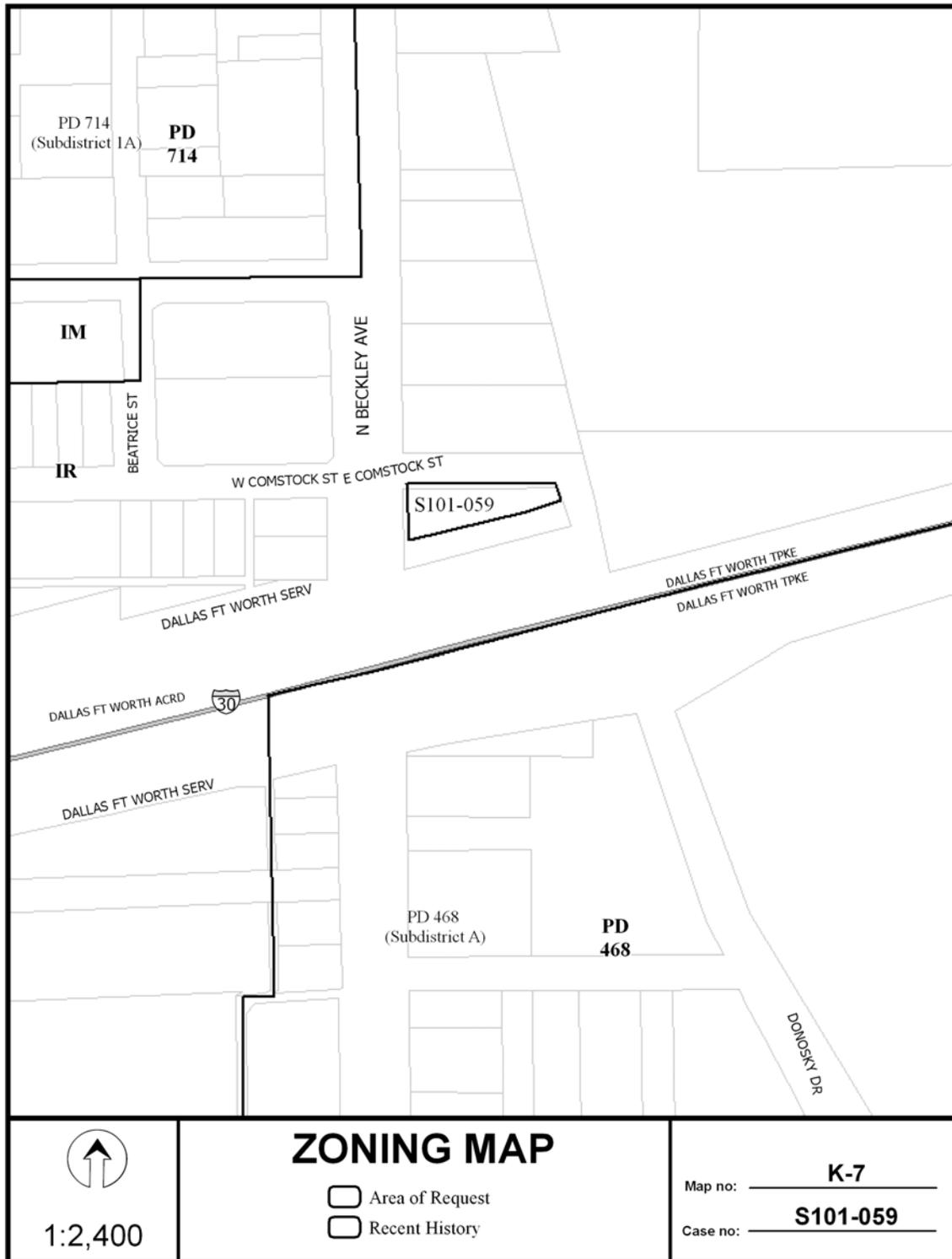
10. On the final plat dedicate 28 feet of ROW from the established centerline, or dedicate a street easement, or Public Utility and Sidewalk Easement to equal 28 feet from the established centerline of Donosky Drive.
11. On the final plat dedicate 50 feet of ROW from the established centerline of Beckley Avenue.
12. On the final plat dedicate a 15 foot by 15 foot corner clip at Comstock Street and Beckley Avenue.
13. On the final plat dedicate a 10 foot by 10 foot corner clip at Comstock Street and Donosky Drive.
14. On the final plat add a note: "Access or modification to I-30 requires TXDOT approval."
15. Determine the 100 year water surface elevation across the plat.
16. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
17. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain)
18. On the final plat specify minimum fill and minimum finished floor elevations.
19. On the final plat show natural channel setback from crest of the natural channel.
20. Set floodway monument markers and provide documentation that the monuments have been set prior to submittal of the final plat for recording.
21. Provide information regarding fill permit or floodplain alteration permit if such permit is applied for.
22. Any proposed construction within 150 feet of the toe of the levee must be approved by the U.S. Army Corp of Engineers.
23. On the final plat provide distances/width of Beckley Avenue at a minimum of 2 locations.
24. On the final plat show the easement for the billboard, also show the easement for the overhead electric lines.
25. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
26. A "Fire Protection Certificate" must be signed and approved by the Building Inspection Chief Plans Examiner (or assigned representative) in Room 105 of the Oak Cliff Municipal Center, 320 E. Jefferson Blvd. and must be submitted to the Manager of Water and Sewer Services, Engineering Division, in Room 200, 320 E. Jefferson Blvd. prior to submittal of the final plat for signature by the Chairperson of the City Plan Commission. A signed Fire Protection Certificate is also required prior to the approval of an "Early Release Building Permit" application.

27. On the final plat label the lot as Lot 3A, City Block 2/3406.



 <p>1:2,400</p>	<h2 style="text-align: center;">AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request  <input type="checkbox"/> Recent History         </p>	<p>Map no: <u>          K-7          </u></p> <p>Case no: <u>          S101-059          </u></p>
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DATE: March 09, 2011



DATE: March 09, 2011

**CITY PLAN COMMISSION****THURSDAY, MARCH 24, 2011****FILE NUMBER:** S101-062**Subdivision Administrator:** Paul Nelson**LOCATION:** 5403 Fannie St. between Clymer St. and Chalk Hill Rd.**DATE FILED:** February 28, 2011**ZONING:** R-5(A)**CITY COUNCIL DISTRICT:** 6**SIZE OF REQUEST:** 1.010 ac.**MAPSCO:** 42U**APPLICANT/OWNER:** Builders of Hope Community Development Corporation

**REQUEST:** An application to create two 0.505 acre lots from a 1.010 acre tract of land in City Block A/7184 on Fannie Street, west of Chalk Hill Road.

**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 request complies with the R-5(A) district regulations. The request is compatible with the lot pattern established to the west in plat S045-205 but the because of the shape of the tract and the location of the railroad on the north the proposed lots are larger than the lots contiguous on the east or adjacent on the south. Staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform with 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. Sustainable Development and Construction, 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. The final plat must comply with all plans, contracts, ordinances and requirements of the city.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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.
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. The final plat is limited to a maximum of 2 lots.
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 will not be allowed without Engineering Section approval."
11. On the final plat dedicate 26.5 feet of ROW from the established centerline, or dedicate a street easement, or Public Utility and Sidewalk Easement to equal 26.5 feet from the established centerline of Fannie Street.
12. On the final plat show all recording information for all existing easements within 150 feet of the property boundary.
13. On the final plat show distances/width of right-of-way across Fannie Street.
14. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
15. The finished floor elevation of all structures must be 18 inches above the controlling sanitary sewer lid in Fannie Street.
16. On the final plat label the lots as Lot 1 and Lot 2, City Block B/7184.



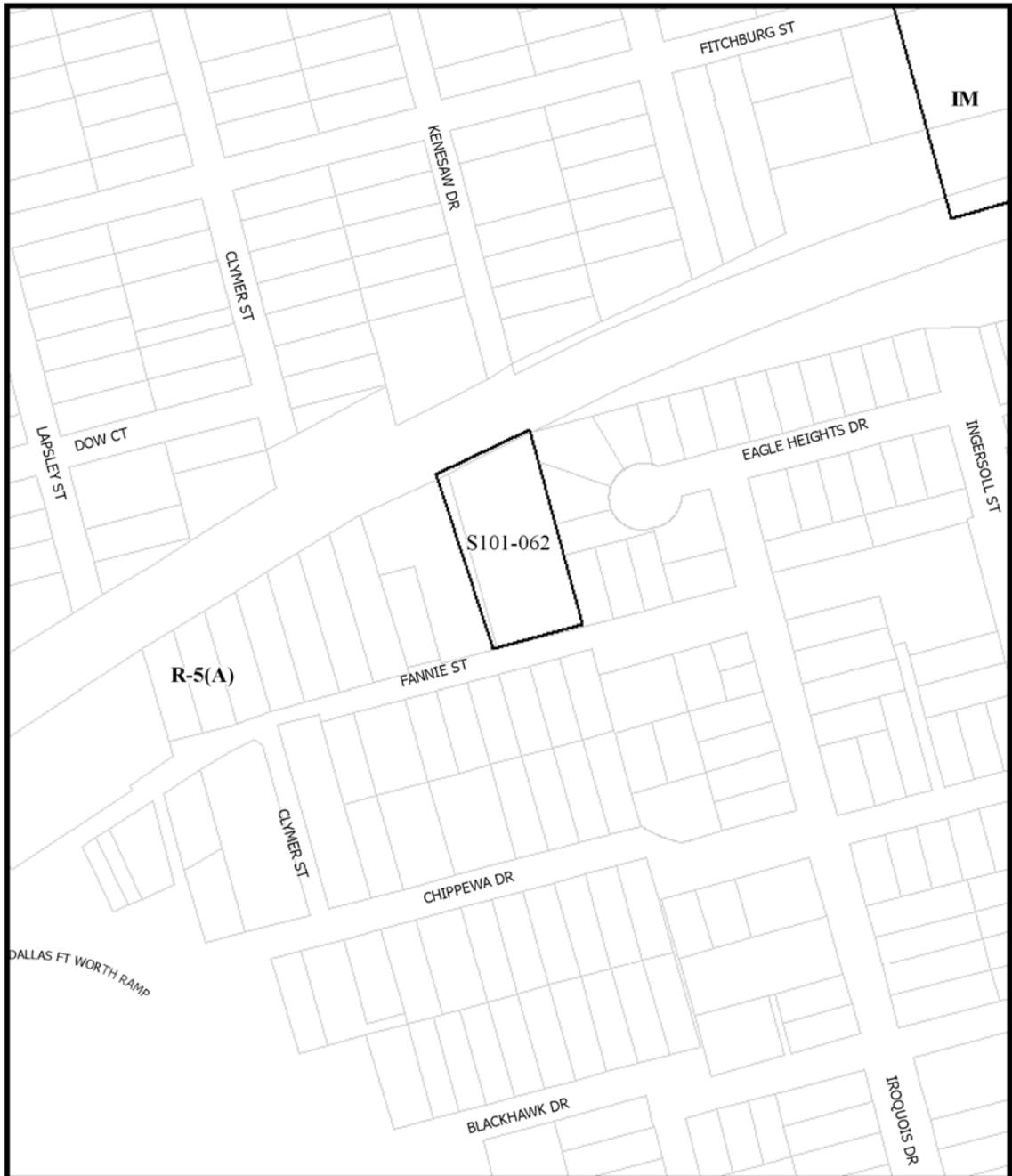
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### AERIAL MAP

- Area of Request
- Recent History

Map no:           K-4            
 Case no:           S101-062          

DATE: March 09, 2011



 1:2,400	<h2>ZONING MAP</h2> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	Map no: <u>          K-4          </u> Case no: <u>          S101-062          </u>
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DATE: March 09, 2011



**CITY PLAN COMMISSION****THURSDAY, MARCH 24, 2011****FILE NUMBER:** S101-063**Subdivision Administrator:** Paul Nelson**LOCATION:** 2303 Stutz Drive northeast of Forest Park Drive**DATE FILED:** March 1, 2011**ZONING:** MU-2**CITY COUNCIL DISTRICT:** 2**SIZE OF REQUEST:** 2.248 ac.**MAPSCO:** 34T**APPLICANT/OWNER:** Stutz Road Limited Partnership

**REQUEST:** An application to replat 2.248 acre tract of land containing all of Lot 5A in City Block D/2370 into one 1.443 acre lot and one 0.805 acre lot on 2303 Stutz Avenue northeast of Forest Park Drive.

**SUBDIVISION HISTORY:**

1. S101-037 was an application to create a 6.006 acre lot from a tract of land in City Block 5721 that had preliminary plat approval for 4 shared access developments (S067-029, S067-030, S067031 and S067-032) in the 6100 block of Maple Avenue between Kimsey Street and Bomar Street. The request was approved on February 3, 2011 but has not been recorded.
2. S090-122 was an application adjacent on the southwest to replat a 0.631 acre tract of land being all of Lot 19 in City Block D/2371 into one 0.124 acre lot, one 0.150 acre lot, and one 0.357 acre lot on property located on 2316 Stutz Drive between Maple Avenue and Forest Park Road. The request was approved on August 5, 2010 but has not been recorded.
3. S078-199 was an application contiguous on the north of the present request to create one lot from a tract of land containing 7.795 acres in City Block D/2370, on 5919 and 5925 Maple Ave. The request was approved on June 12, 2008 but has not been recorded.
4. S067-163 was an application on the property subject to this application to replat a 2.248 acre tract of land containing all of Lots 5, 6, 7, 8, 9 and part of Lot 10 in City block D/2370 into one lot on Stutz Avenue between Forest Park and Maple Avenue. The plat was approved on May 10, 2007 and recorded on August 28, 2009.
5. S067-029 was an application northwest of this request on Maple Avenue to create a 20 lot Shared Access Area Development from a 1.380 acre tract of land containing part of City Block 5721 on Maple Avenue northwest of Kimsey Drive is contiguous on south of this request and was approved on December 7, 2006 but has not been recorded as of this date.
6. S067-030 was an application northwest of this request on Maple Avenue to create a 23 lot Shared Access Area Development from a 1.380 acre tract of land containing part of City Block 5721 on Maple Avenue northwest of Kimsey Drive and is contiguous on the northeast of this request and was approved on

December 7, 2006 but has not been recorded as of this date.

7. S067-031 was an application northwest of this request on Maple Avenue to create a 23 lot Shared Access Area Development from a 1.389 acre tract of land and containing part of City Block 5721 on Maple Avenue northwest of Kimsey Drive is contiguous on the east of this request and was approved on December 7, 2006 but has not been recorded as of this date.
8. S067-032 was an application northwest of this request on Maple Avenue to create a 20 lot Shared Access Area Development from a 1.380 acre tract of land containing part of City Block 5721 on Maple Avenue northwest of Kimsey Drive and was approved on December 7, 2006 but has not been recorded as of this date.

**STAFF RECOMMENDATION:** The request complies with the MU-2 requirements; therefore, staff recommends approval of the request subject to compliance with the following conditions:

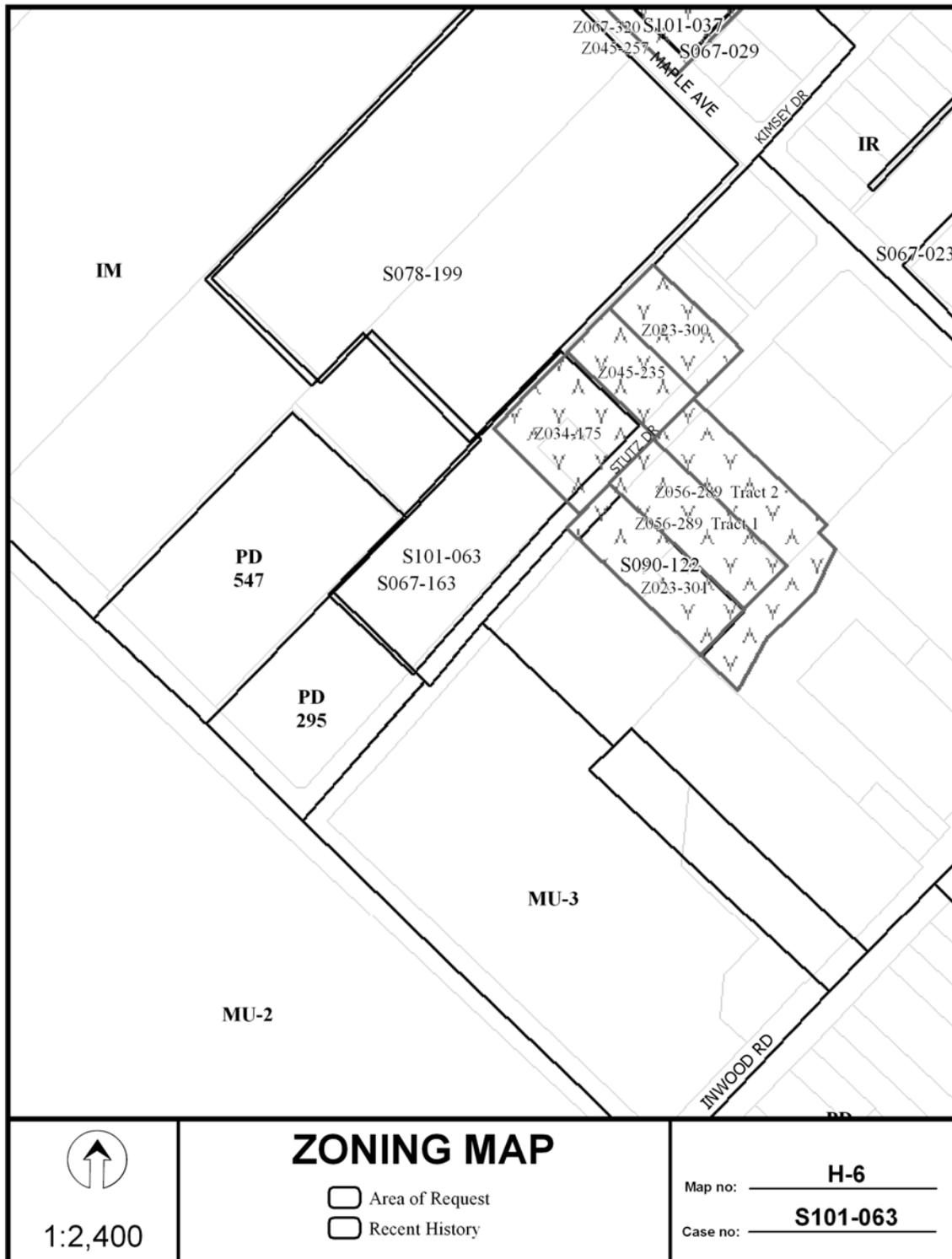
1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the city.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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.
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. The final plat is limited to a maximum of 2 lots.
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 will not be allowed without Engineering Section approval."

11. On the final plat dedicate 28 feet of ROW from the established centerline, or dedicate a street easement, or Public Utility and Sidewalk Easement to equal 28 feet from the established centerline of Stutz Drive.
12. On the final plat show all additions or tracts of land within 150 feet of the property boundary
13. On the final plat the abandonment information needs to be revised to read as follows: "Abandonment authorized by Ordinance No. \_\_\_\_\_ and recorded as Instrument No. \_\_\_\_\_." A release of the final plat by the Real Estate Division is required prior to the Chairman signing the final plat.
14. The site is within the 65 Ldn contour of Love Field Airport and this noise level may require special construction standards for certain uses per the building code.
15. On the final plat show the Lien Holders subordination statement.
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. On the final plat label the lot as Lots 5B and 5C, City Block D/3370.
18. On the final plat change Stutz Avenue to "Stutz Drive".



 1:2,400	<h2>AERIAL MAP</h2> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	Map no: <u>          H-6          </u> Case no: <u>          S101-063          </u>
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DATE: March 09, 2011



**CITY PLAN COMMISSION****THURSDAY, MARCH 24, 2011****FILE NUMBER:** S101-064**Subdivision Administrator:** Paul Nelson**LOCATION:** 5424 and 5426 W. Jefferson Blvd. and 120 N. Tatum Avenue**DATE FILED:** March 1, 2011**ZONING:** CR**CITY COUNCIL DISTRICT:** 6**SIZE OF REQUEST:** 0.772 ac.**MAPSCO:** 52B**APPLICANT/OWNER:** Herman Rodriguez

**REQUEST:** An application to replat a 0.772 acre tract of land containing all of lots 6, 7, 8 and 9 in City Block 19/8342 into one lot on 5424 and 5426 W. Jefferson Blvd. and 120 N. Tatum Avenue.

**SUBDIVISION HISTORY:**

1. S078-190 was an application west of the present request to replat part of Lot 39 and all of Lot 40, also known as 200 and 202 N. Ira Ave., in City Block 20/8342 into one 17,060 sq. ft. lot located on the east side of N. Ira Ave. south of W. Jefferson Blvd. The request was approved on June 5, 2008 and recorded on March 25, 2010.

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

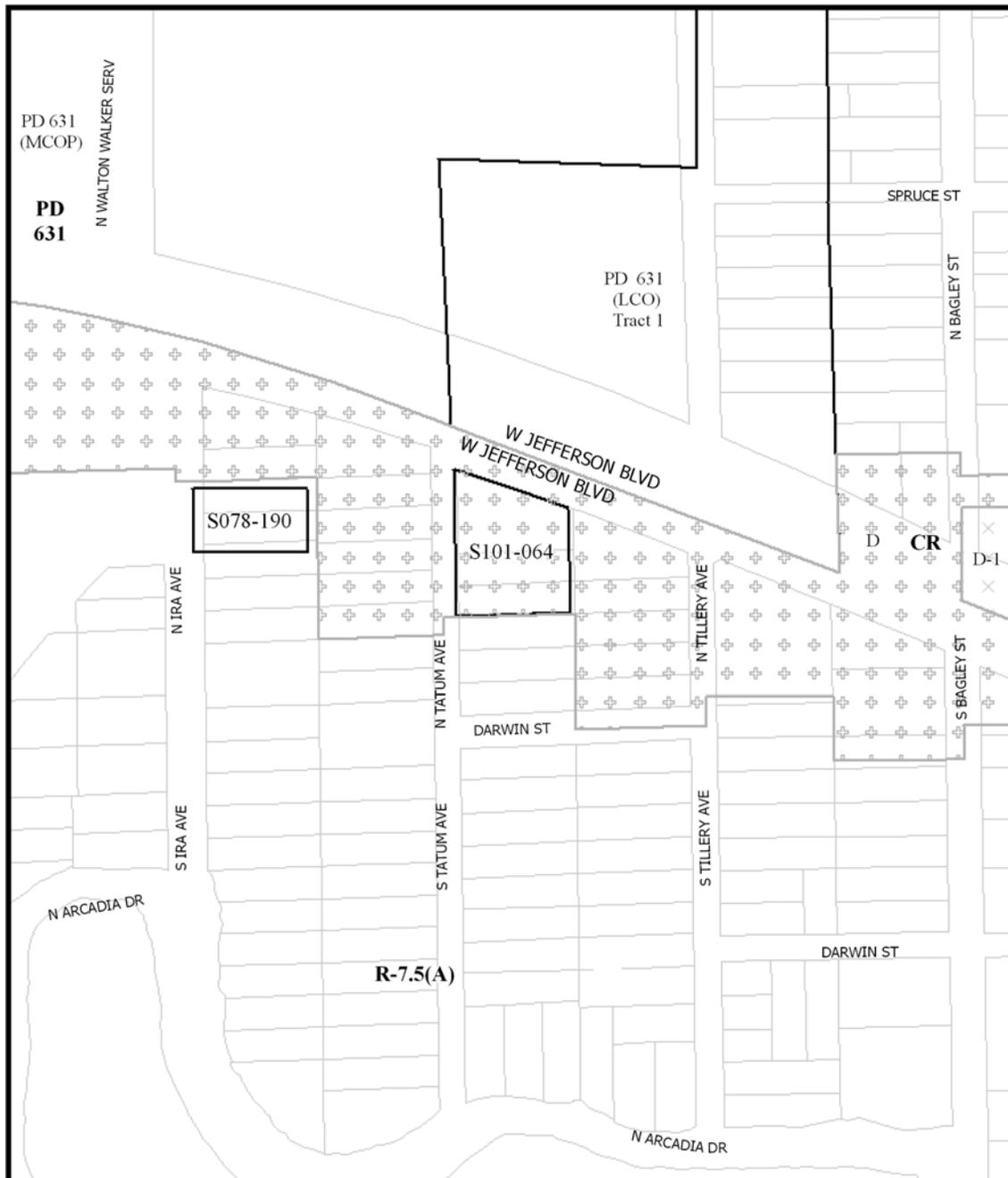
1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the city.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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.
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. The final plat is limited to a maximum of 1 lot.

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 will not be allowed without Engineering Section approval.
11. On the final plat dedicate 28 feet of ROW from the established centerline, or dedicate a street easement, or Public Utility and Sidewalk Easement to equal 28 feet from the established centerline of Tatum Avenue.
12. On the final plat dedicate a 15 foot by 15 foot corner clip at Jefferson Blvd. and Tatum Avenue.
13. On the final plat choose a different addition name.
14. On the final plat indicate in the preamble of the legal description that Arcadia Park was dedicated to Dallas County and indicate the date and Ordinance number of the annexation of Arcadia Park into the City of Dallas.
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. On the final plat label the lot as Lot 6A, City Block 19/8342.
17. On the final plat change Tillery Street to "Tillery Avenue".



 1:2,400	<h2>AERIAL MAP</h2> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	Map no: <u>          L-4          </u> Case no: <u>          S101-064          </u>
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DATE: March 09, 2011



 <b>1:2,400</b>	<h2>ZONING MAP</h2> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	<p>Map no: <u>      <b>L-4</b>      </u></p> <p>Case no: <u>      <b>S101-064</b>      </u></p>
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DATE: March 09, 2011

**CITY PLAN COMMISSION****THURSDAY, MARCH 24, 2011****FILE NUMBER:** S101-066**Subdivision Administrator:** Paul Nelson**LOCATION:** Carroll Avenue at Parry Avenue, east corner**DATE FILED:** March 2, 2011**ZONING:** PD 486, Tract 1, CH**CITY COUNCIL DISTRICT:** 2**SIZE OF REQUEST:** 1.396 ac.**MAPSCO:** 46L**APPLICANT/OWNER:** Jubilee Park and Community Center Corp.

**REQUEST:** An application to replat a 1.396 acre tract of land containing all of lots 1, 3 and 5 in City Block G/1056, abandoned Butte Street and unplatted land into one lot on Carroll Avenue at Parry Avenue, east corner.

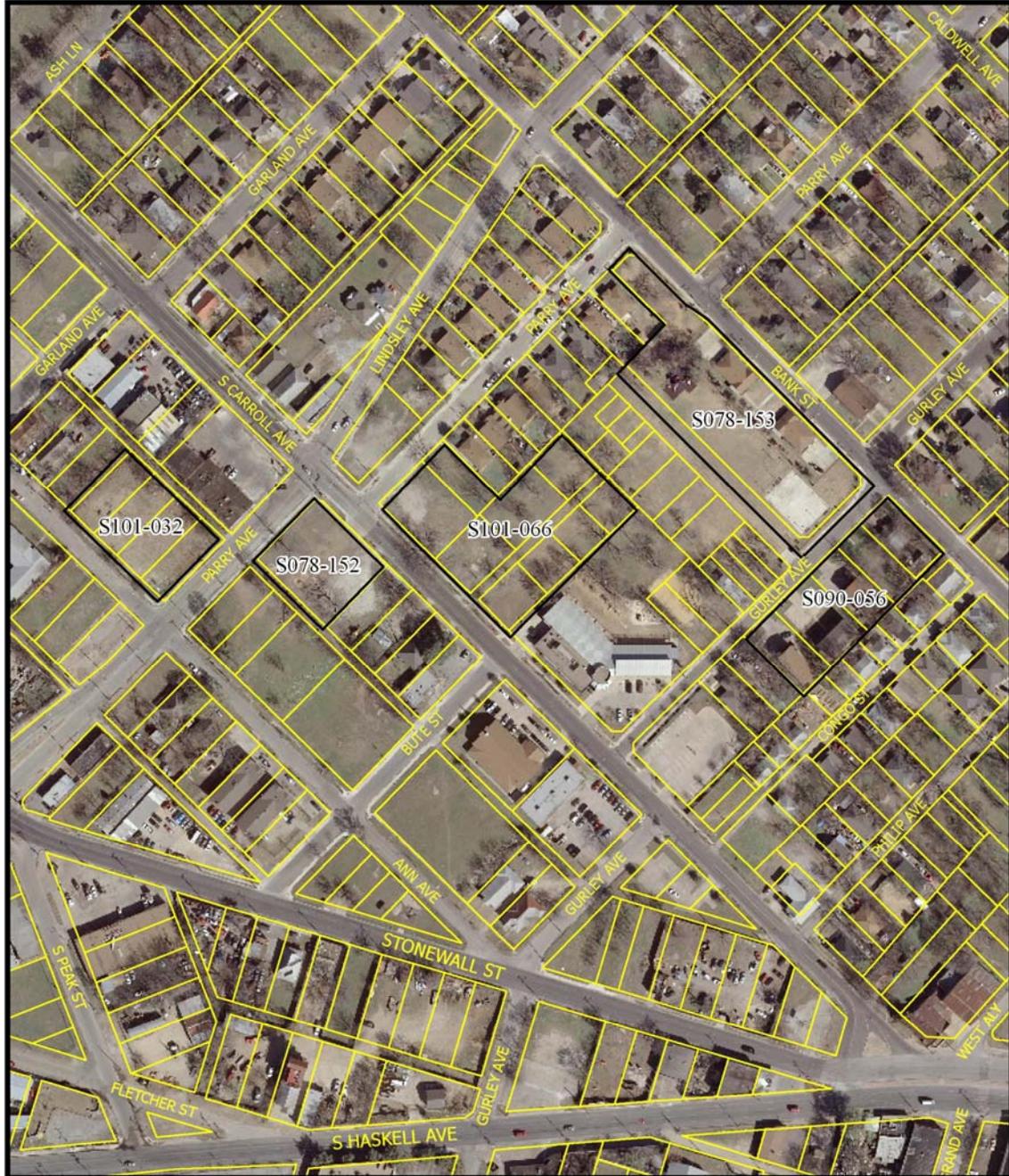
**SUBDIVISION HISTORY:**

1. S101-032 was an application northwest of the present request at Parry Avenue and Carroll Avenue to replat all of Lots 11, 12, 13 and 14 in City Block 13/1080 into one 0.615 acre lot located at the west corner of 812 – 820 Ann Avenue at Parry Avenue and was approved on January 20, 2011 but has not been recorded.
2. S078-152 was an application adjacent on the west of the present request to replat all of Lot 1A and Lot 3 in City Block 17/1261 into one 0.4614 acre lot located at the intersection of Carroll Ave. and Parry Ave., southwest corner. The request was approved on April 10, 2008 and recorded on December 8, 2008.

**STAFF RECOMMENDATION:** The request complies with the PD 486, Tract 1 and CH district requirements; therefore, staff recommends approval subject to compliance with the following conditions:

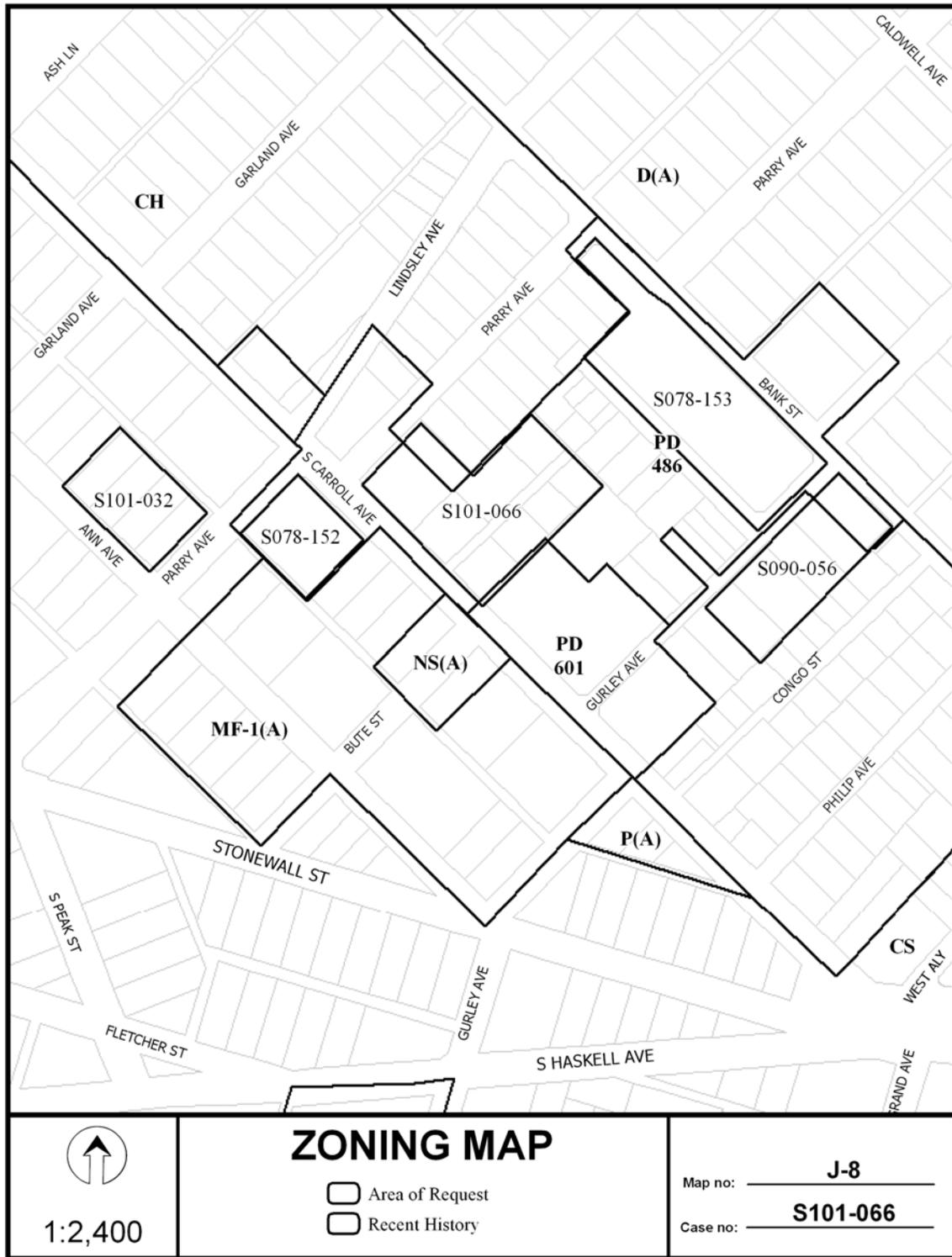
1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the city.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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.

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. The final plat is limited to a maximum of 1 lot.
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. On the final plat dedicate 28 feet of ROW from the established centerline, or dedicate a street easement, or Public Utility and Sidewalk Easement to equal 28 feet from the established centerline of Parry Avenue.
11. On the final plat dedicate a 10 foot by 10 foot corner clip at Parry Avenue and Carroll Avenue.
12. All abandonments must be shown with recording information.
13. List utility easements as retained within street abandonments when stated in ordinance.
14. On final plat change Bute Street to Bute Alley.
15. On the final plat verify the exact location of the most easterly-northeast property line.
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. Existing water and wastewater mains must be shown on the plat per Section 51A-8.403(a)(1)(A)(xii).
18. New water and/or wastewater easements must be shown on the final plat.
19. Wastewater main relocation may be required by Private Development Contract.
20. On the final plat label the lot as Lot 1A, City Block G/1058.
21. On the final plat provide the ordinance number for the portion of "Bute Street" to be abandoned.



 <p>1:2,400</p>	<h2 style="text-align: center;">AERIAL MAP</h2> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	<p>Map no: <u>          J-8          </u></p> <p>Case no: <u>          S101-066          </u></p>
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DATE: March 09, 2011



**CITY PLAN COMMISSION****THURSDAY, MARCH 24, 2011****FILE NUMBER:** S101-067**Subdivision Administrator:** Paul Nelson**LOCATION:** 3223 Elihu Street between J.B. Jackson Jr. Blvd. and Trunk Ave.**DATE FILED:** March 3, 2011**ZONING:** PD 595 (MF-1(A))**CITY COUNCIL DISTRICT:** 7**SIZE OF REQUEST:** 0.613 ac.**MAPSCO:** 46P**APPLICANT/OWNER:** Joe and Floydell Hall

**REQUEST:** An application to replat a 0.613 acre tract of land containing all of lots 3, 4, 5 and 6 in City Block 21/812 and part of an abandoned alley on 3223 Elihu Street between J.B. Jackson Jr. Blvd. and Trunk Ave.

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

**STAFF RECOMMENDATION:** The request complies with the PD 595 (MF-1(A)) district requirements; therefore, staff recommends approval subject to compliance with the following conditions:

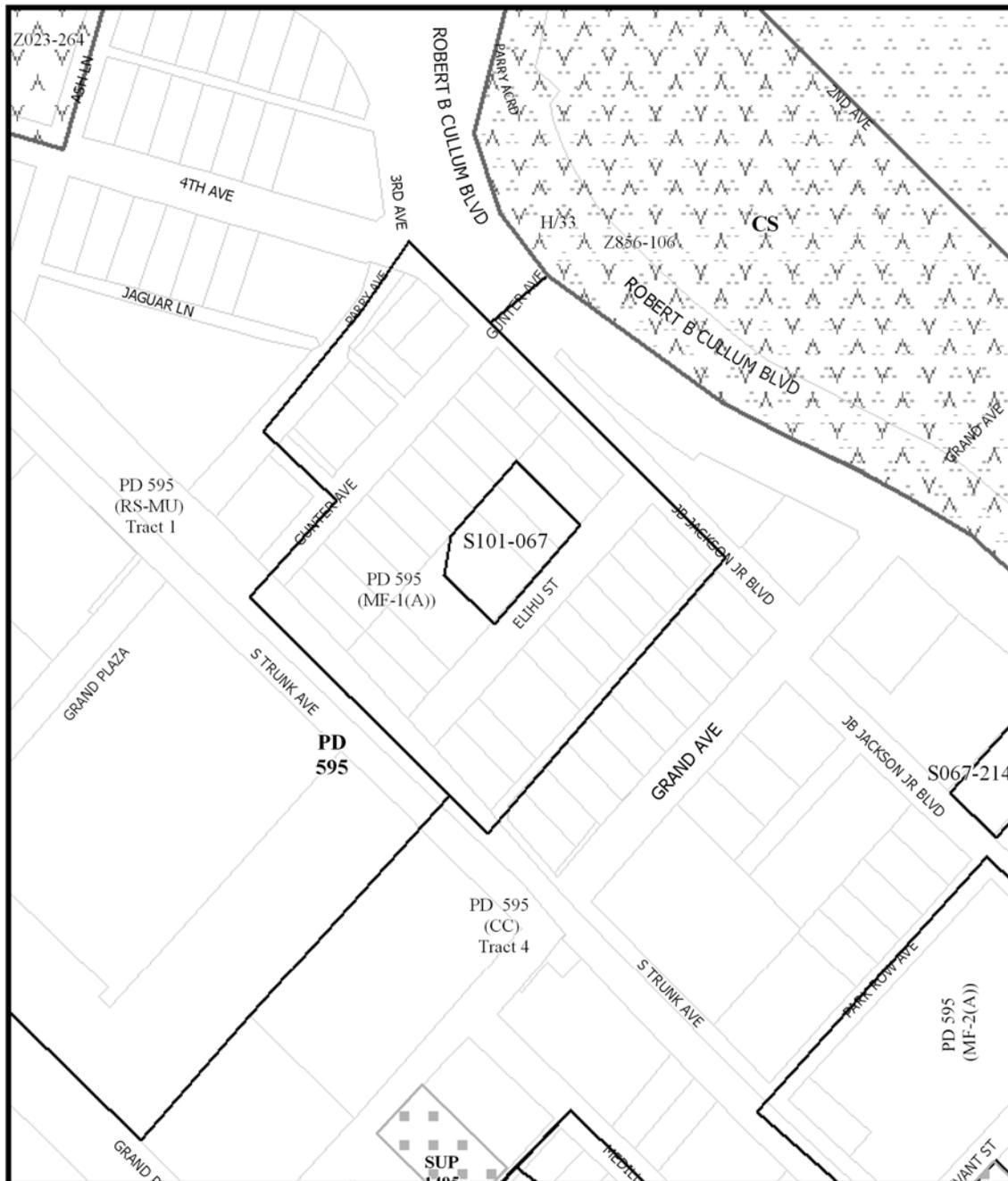
1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the city.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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.
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. The final plat is limited to a maximum of 1 lot.
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 will not be allowed without Engineering Section approval."
11. On the final plat show all additions or tracts of land within 150 feet of property.
12. On the final plat monument all set corners per monumentation ordinance.
13. Engineer shall furnish plans for water and sanitary sewer. Developer shall furnish a contract for water and sanitary sewer.
14. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
15. A water/wastewater main extension is required by Private Development Contract.
16. On the final plat label the lot as Lot 3A, City Block 21/812.
17. On the final plat change J.B. Jackson to "J.B. Jackson Jr. Boulevard".



 1:2,400	<h3 style="text-align: center;">AERIAL MAP</h3> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	Map no: <u>          J-8          </u> Case no: <u>          S101-067          </u>
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DATE: March 09, 2011



 <b>1:2,400</b>	<h2>ZONING MAP</h2> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	<p>Map no: <u>      <b>J-8</b>      </u></p> <p>Case no: <u>      <b>S101-067</b>      </u></p>
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DATE: March 09, 2011

**CITY PLAN COMMISSION****THURSDAY, MARCH 24, 2011****FILE NUMBER:** S101-068**Subdivision Administrator:** Paul Nelson**LOCATION:** S. Central Expressway and Zonie Road, southeast of Simpson Stuart Road**DATE FILED:** March 3, 2011**ZONING:** A(A), IR and CS**CITY COUNCIL DISTRICT:** 8**SIZE OF REQUEST:** 14.36 ac.**MAPSCO:** 67J**APPLICANT/OWNER:** Central Foliage Corporation

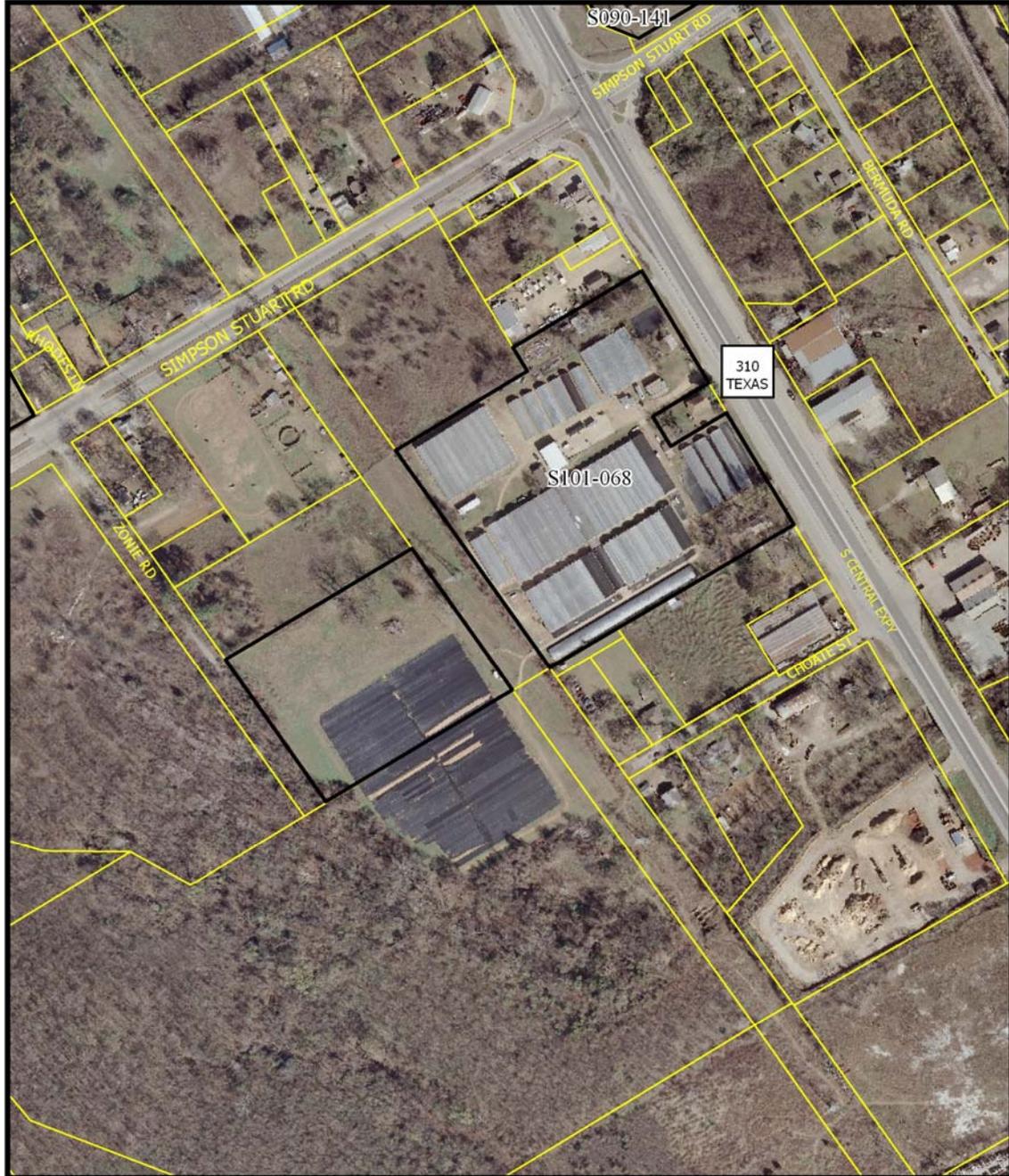
**REQUEST:** An application to plat a 14.36 acre tract of land containing two tracts of land in City Blocks 8011 and 8250 into one 9.776 acre lot fronting on S. Central Expressway and one 4.588 acre lot fronting on Zonie Road both lots being southeast of Simpson Stuart Road.

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

**STAFF RECOMMENDATION:** The request complies with the A(A), IR and CS district requirements; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must conform with 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. Sustainable Development and Construction, 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. The final plat must comply with all plans, contracts, ordinances and requirements of the city.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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.
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. The final plat is limited to a maximum of 2 lots.
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 will not be allowed without Engineering Section approval."
  11. On the final plat dedicate 28 feet of ROW from the established centerline, or dedicate a street easement, or Public Utility and Sidewalk Easement to equal 28 feet from the established centerline of Zonie Road.
  12. Dedicate the ROW, design and construct Zonie Road and a turnaround at the southern boundary of the property and Zonie Road's terminus.
  13. On the final plat add a note stating: "Access or modification to S. Central Expressway requires TXDOT approval."
  14. Determine the 100 year water surface elevation across the plat.
  15. Include additional paragraph in owner's certificate (pertaining to floodplain)
  16. Specify minimum fill and minimum finished floor elevations.
  17. Provide information regarding fill permit or floodplain alteration permit if such permit is applied for.
  18. On the final plat show all recording information for all existing easements within 150 feet of the property boundary.
  19. On the final plat show the easements for overhead power on Lots 1 and 2.
  20. Engineer shall furnish plans for water and sanitary sewer. Developer shall furnish a contract for water and sanitary sewer.
  21. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
  22. Water/wastewater main extension is required by Private Development Contract.
  23. Proposed Lot 2 doesn't have any access to water or wastewater facilities.
  24. On the final plat label the lot as Lot 1, City Block A/8011 and Lot 1, City Block A/8250.
  25. On the final plat change U.S. Highway No. 75 to "State Highway 310".



1:3,600

### AERIAL MAP

- Area of Request
- Recent History

Map no:           O-9            
 Case no:           S101-068          

DATE: March 09, 2011



**CITY PLAN COMMISSION****THURSDAY, MARCH 24, 2011****FILE NUMBER:** S101-069**Subdivision Administrator:** Paul Nelson**LOCATION:** Vernon Avenue at Illinois Avenue, northeast corner**DATE FILED:** March 3, 2011**ZONING:** LO-3**CITY COUNCIL DISTRICT:** 3**SIZE OF REQUEST:** 4.5285 ac.**MAPSCO:** 54P**APPLICANT/OWNER:** Comerica Bank of Texas

**REQUEST:** An application to replat a 4.5285 acre tract of land containing all of City Block 5973 of the Wynnewood Bank Plaza Addition into one 1.6246 acre lot and one 2.9039 acre lot on Vernon Avenue at Illinois Avenue, northeast corner.

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

**STAFF RECOMMENDATION:** The request complies with the LO-3 district requirements; therefore, staff recommends approval subject to compliance with the following conditions:

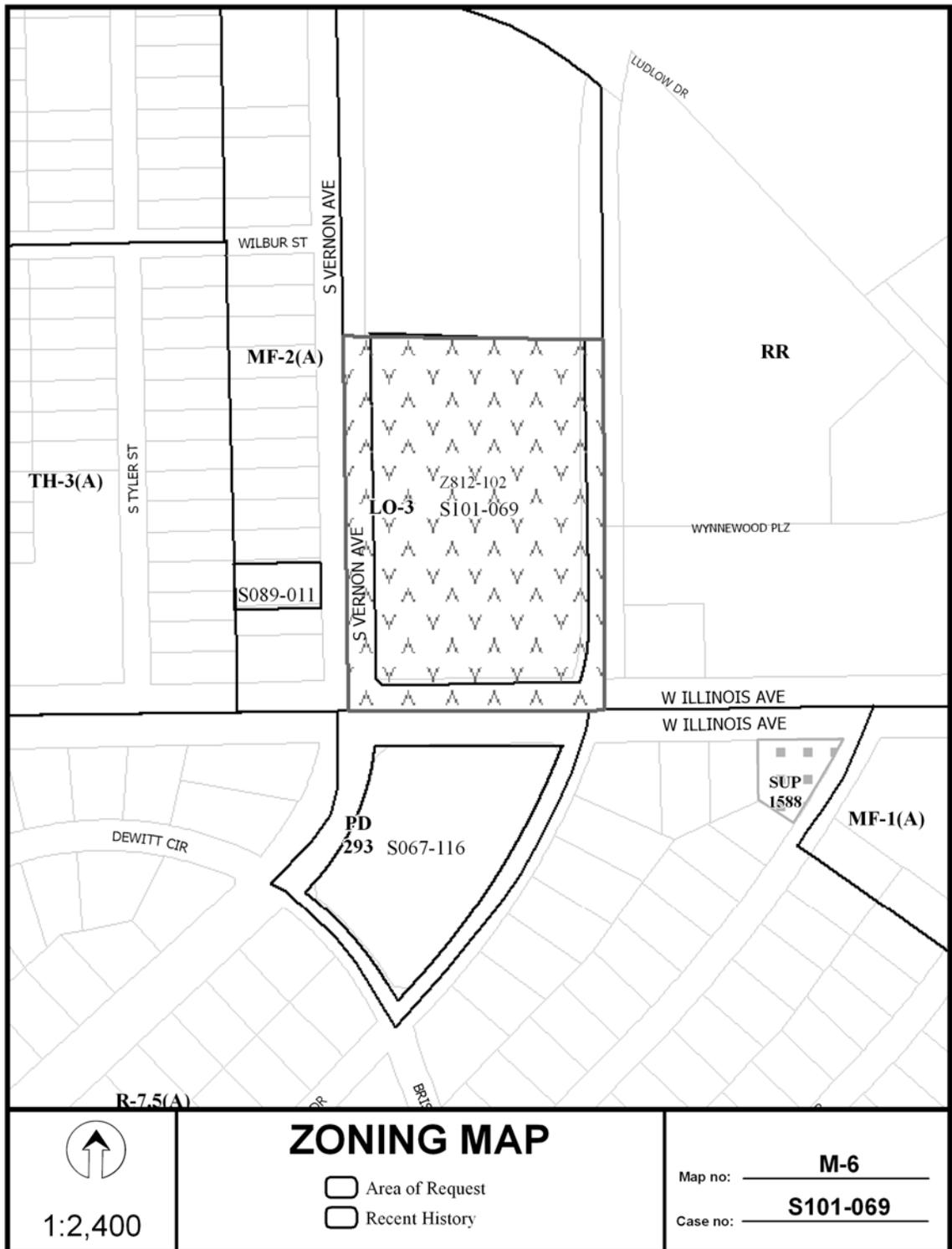
1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the city.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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.
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. The final plat is limited to a maximum of 2 lots.
9. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."

10. Provide a detailed lot grading plan prepared by a Professional Engineer for review and approval to the Paving and Drainage Section of the Engineering Division in Room 200, 320 E. Jefferson Blvd.
11. On the final plat dedicate a 15 foot by 15 foot corner clip at Vernon Avenue at Illinois Avenue and Wynnewood Drive at Illinois Avenue.
12. On the final plat show all recording information for all existing easements within 150 feet of the property boundary.
13. On the final plat provide a different addition name.
14. On the final plat add a note stating "no ingress-egress to Illinois Avenue" as indicated on the previous recorded plat for this property.
15. A site plan must to 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 and is 25 feet for an easement having both water and sewer.
17. Private water and wastewater services cannot cross lot lines.
18. On the final plat label the lot as Lots 1, and 2, City Block 1/5973.



 1:2,400	<h2 style="text-align: center;">AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request  <input type="checkbox"/> Recent History         </p>	<p>Map no: <u>          M-6          </u></p> <p>Case no: <u>          S101-069          </u></p>
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DATE: March 09, 2011



**CITY PLAN COMMISSION****THURSDAY, MARCH 24, 2011****FILE NUMBER:** S101-070**Subdivision Administrator:** Paul Nelson**LOCATION:** 3724 Fordham Road southwest of Kolloch Drive**DATE FILED:** March 8, 2011**ZONING:** CS**CITY COUNCIL DISTRICT:** 5**SIZE OF REQUEST:** 0.4157 ac.**MAPSCO:** 56T**APPLICANT/OWNER:** Carlos Sanchez

**REQUEST:** An application to replat part of City Block 1/8617 of the Fruitdale Acres First installment Addition into one 0.4157 acre lot on 3724 Fordham Road southwest of Kolloch Drive.

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

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

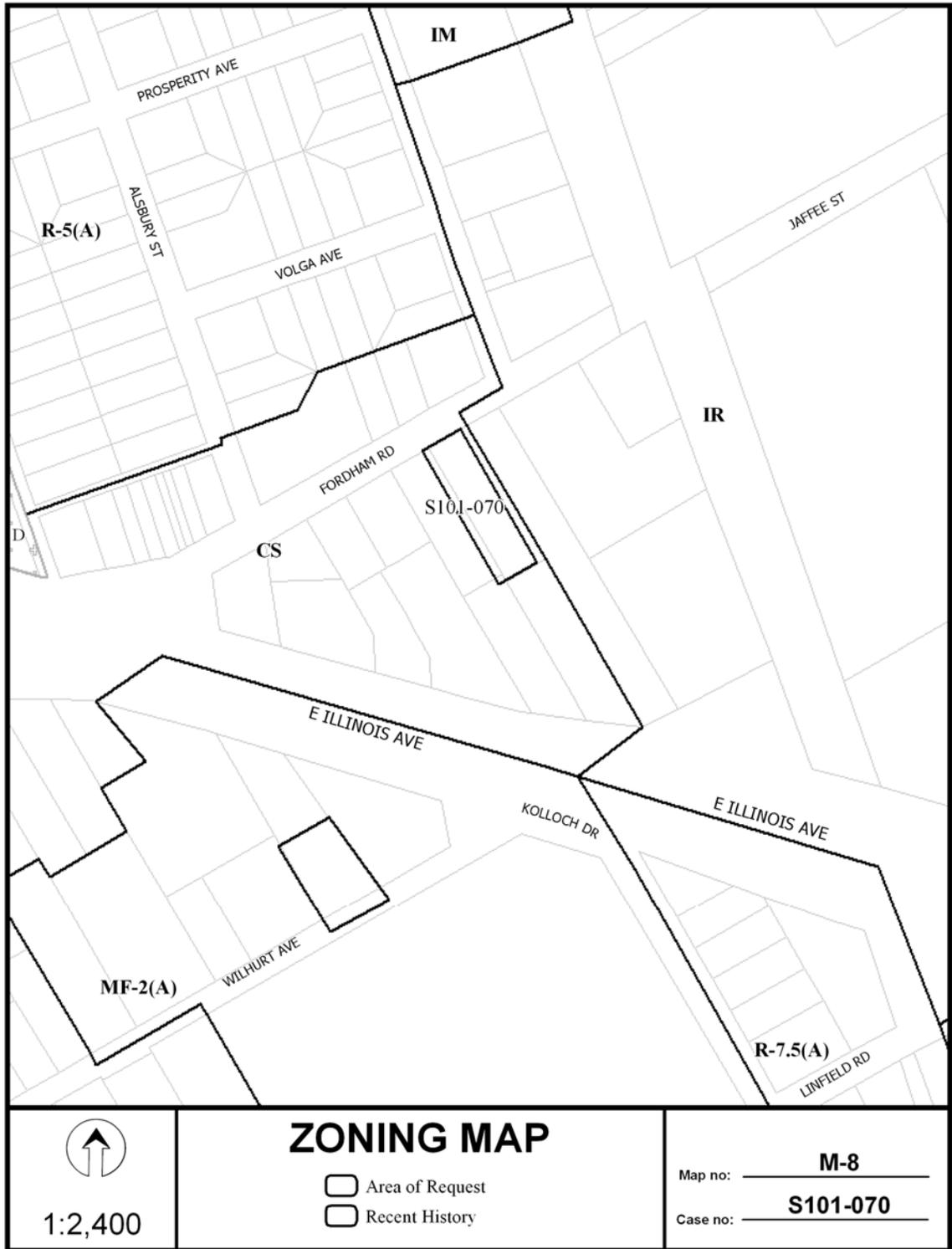
1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the city.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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.
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. The final plat is limited to a maximum of 1 lot.
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 will not be allowed without Engineering Section approval."
11. On the final plat dedicate 28 feet of ROW from the established centerline, or dedicate a street easement, or Public Utility and Sidewalk Easement to equal 28 feet from the established centerline of Fordham Road.
12. On the final plat monument all set corners per the monumentation ordinance.
13. Choose a different addition name.
14. On the final plat label the lot as Lot 1, City Block 1/8617.



 <b>1:2,400</b>	<h2 style="text-align: center;">AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request  <input type="checkbox"/> Recent History         </p>	<p>Map no: <u>          <b>M-8</b>          </u></p> <p>Case no: <u>          <b>S101-070</b>          </u></p>
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DATE: March 09, 2011



**CITY PLAN COMMISSION****THURSDAY, MARCH 24, 2011****FILE NUMBER:** S101-057**Subdivision Administrator:** Paul Nelson**LOCATION:** 5813 Park Lane at Douglas Avenue, northeast corner**DATE FILED:** February 24, 2011**ZONING:** R-1ac.(A)**CITY COUNCIL DISTRICT:** 13**SIZE OF REQUEST:** 0.594 ac.**MAPSCO:** 25N**APPLICANT/OWNER:** Tahir M. and Aisha Rana

**REQUEST:** An application to replat all of Lot 8 and a tract of land (abandoned Douglas Avenue R.O.W.) in City Block G/5614 to create one 0.594 acre lot on 5813 Park Lane at Douglas Avenue, northeast corner.

**SUBDIVISION HISTORY:**

1. S090-101 was an application to replat all of Lot 1 in City Block F/5614 and a portion of abandoned Douglas Avenue to create one 0.592 acre lot on 5806 Watson Avenue at Douglas Avenue, southeast corner. The request was approved on June 3, 2010 and recorded on August 11, 2010.

**DATES NOTICES SENT:** 10 notices were sent March 4, 2011.

**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..."

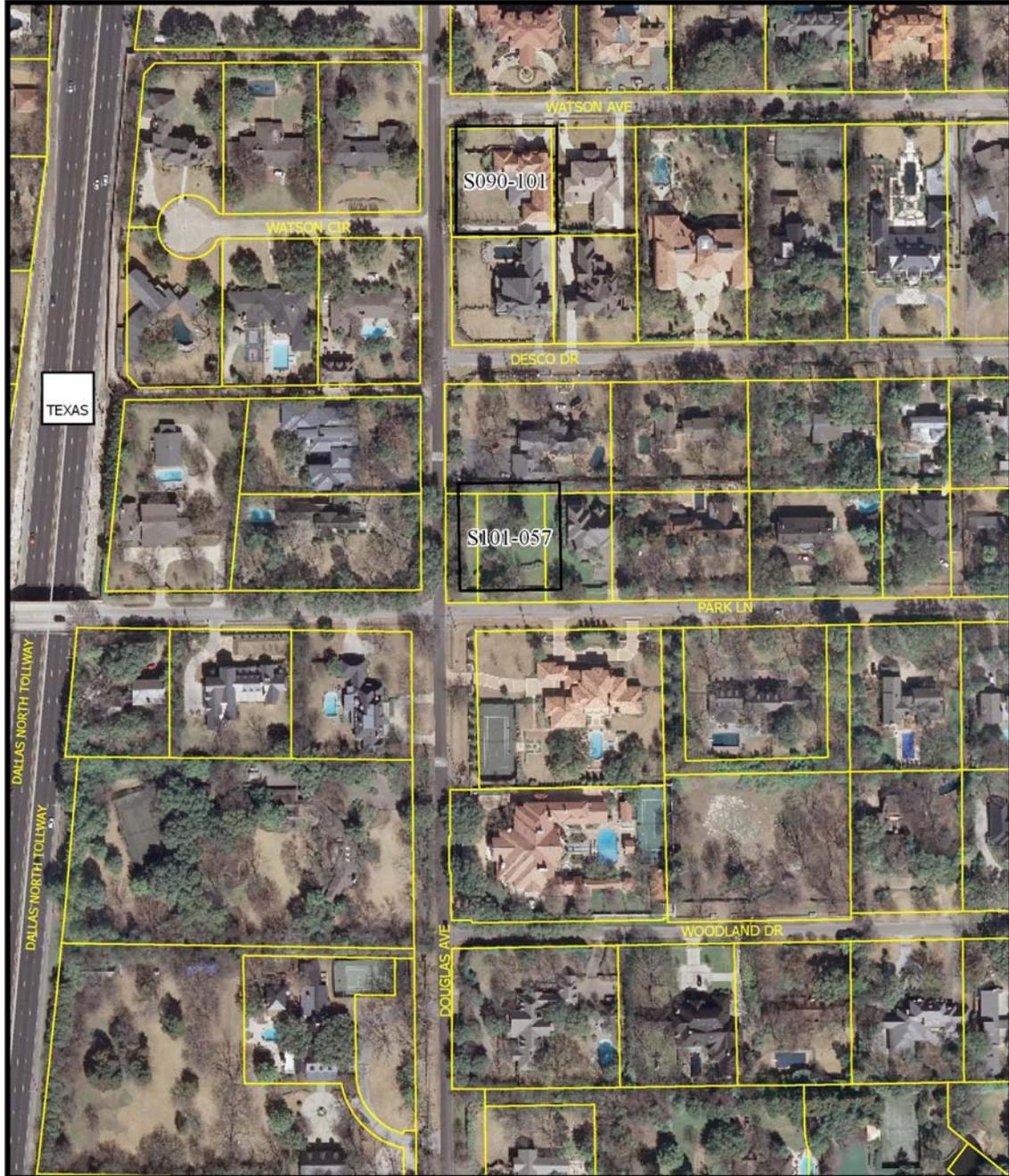
The request complies with the requirements of Section 51A-4.601(a)(2) (Creation of a Building Site) of the Dallas Development Code which states that "A parcel was separately owned before September 11, 1929, before annexation or consolidation and the parcel has contact, through fee simple ownership, with a dedicated street. A parcel is considered separately owned if "(A) is described in a different deed than that of adjacent properties; and (B) has remained in the same configuration since September 10, 1929, regardless of whether ownership has changed since that date."

Lot 8 was created by the "El Parado Addition" which was recorded on March 12, 1925 and fronted 105.9 feet along the north line of Park Lane, and 166 feet along the east line of Armstrong Parkway (now Douglas Avenue) which was 50 feet of ROW at that time. The 50 feet of ROW was abandoned by Ordinance No. 16217 adopted by the city council May 9, 1979. The staff has determined that the request is in compliance with Section 51A-4.601(a)(2) and Section 51A-8.503(a) of the Development Code; therefore, staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform with 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.

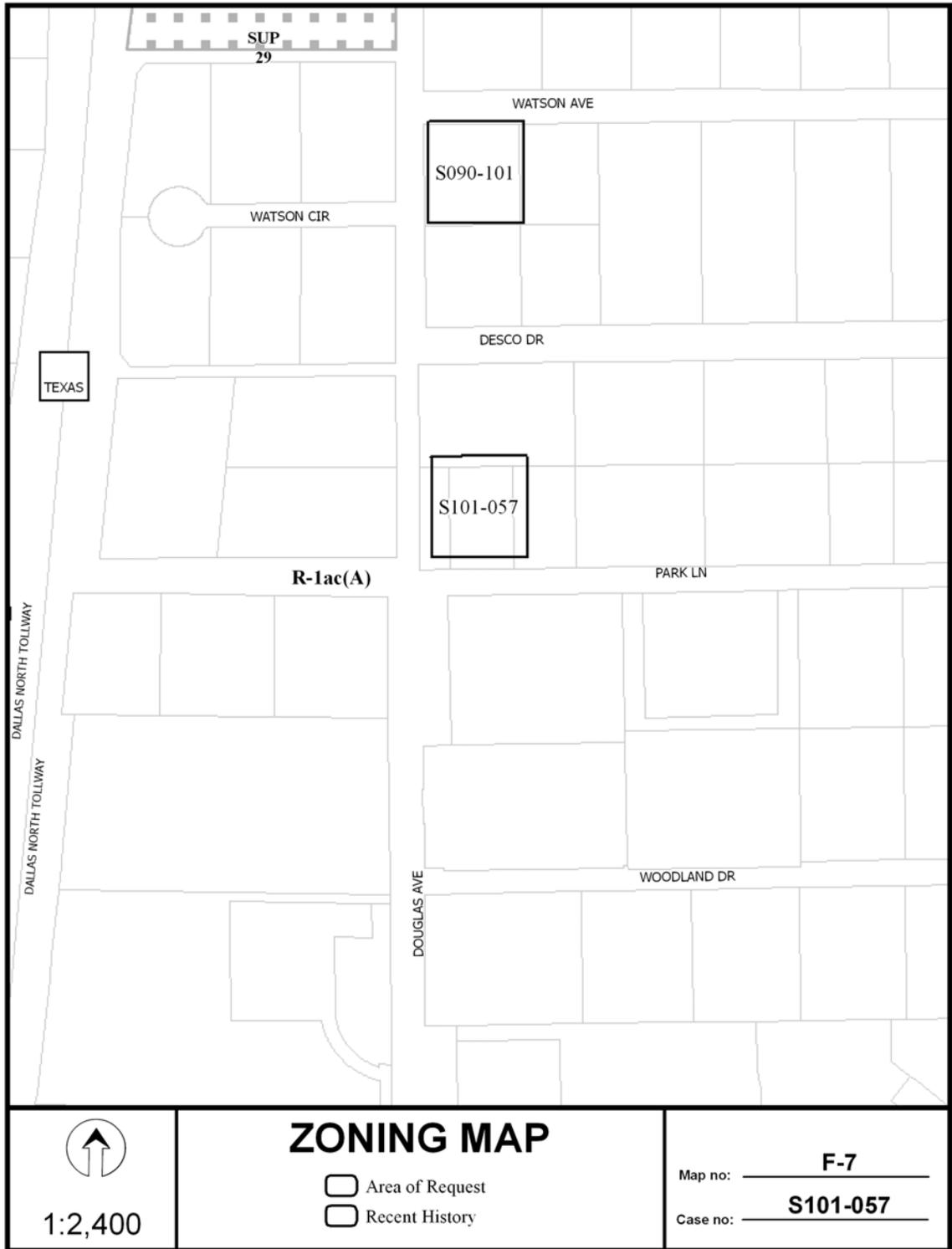
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the City.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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.
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. The final plat is limited to a maximum of 1 lot.
9. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
10. Provide a detailed lot grading plan prepared by a Professional Engineer for review and approval to the Paving and Drainage Section of the Engineering Division in Room 200, 320 E. Jefferson Blvd.
11. On the final plat dedicate 26.5 feet of ROW from the established centerline, or dedicate a street easement, or Public Utility and Sidewalk Easement to equal 26.5 feet from the established centerline of Douglas Avenue.
12. On the final plat dedicate a 10 foot by 10 foot corner clip at Douglas Avenue at Park Lane.
12. Monument all set corners per monumentation ordinance.
13. On the final plat change the addition name.
14. On the final plat the existing 20 foot common access easement must be shown with the existing recording information.
15. On the final plat show all additions or tracts of land within 150 feet of the plat boundary perimeter.
16. On the final plat show the correct recording information for the subject property.
17. On the final plat show two control monuments.
18. Change the addition name.
19. On the final plat list the utility easements as retained within street abandonments when stated in the abandonment ordinance.

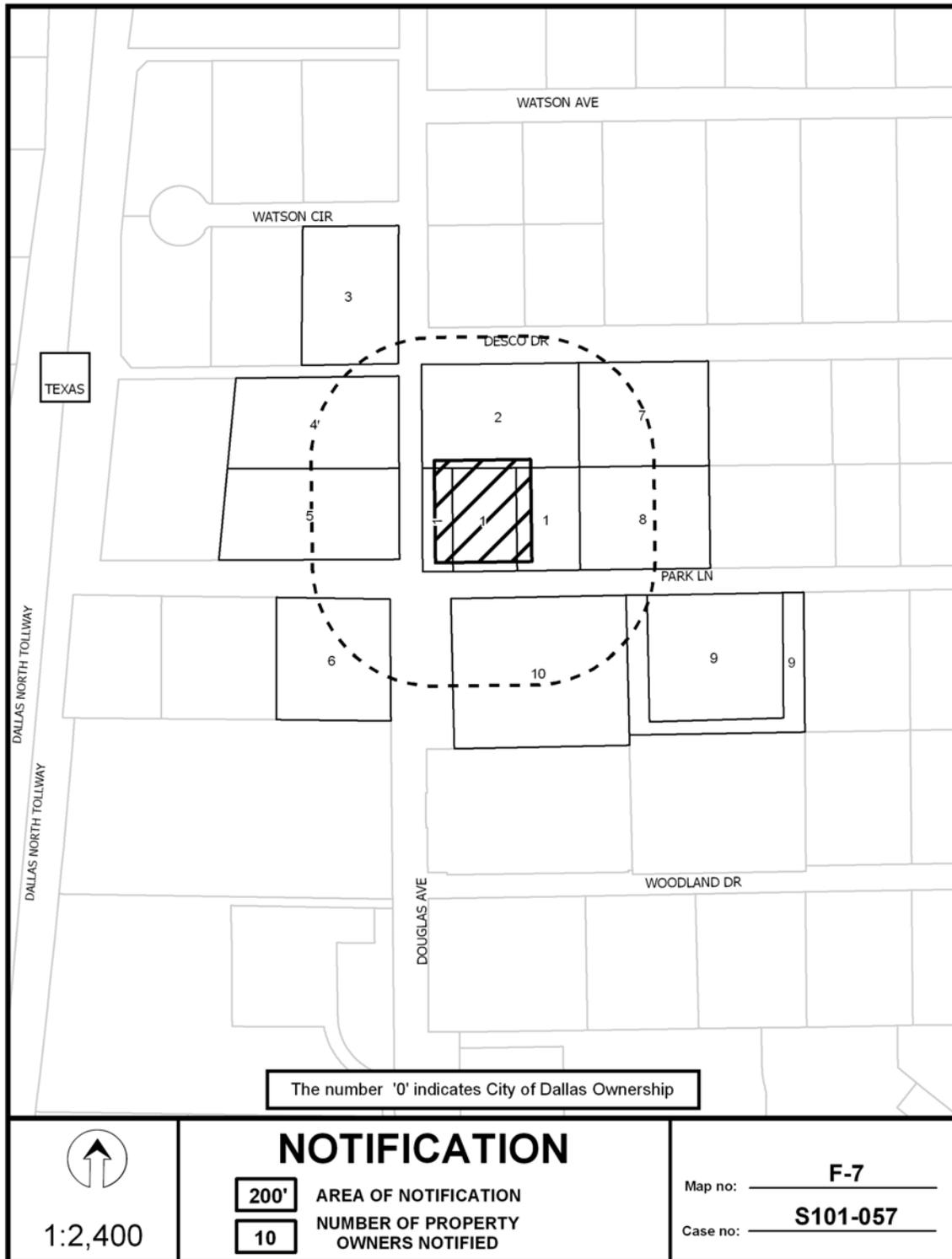
20. On the final plat show the abandonment Ordinance number for the abandonment of Douglas Avenue.
21. On the final plat label the property as Lot 8A, City Block G/5614.



 1:2,400	<h2 style="text-align: center;">AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request  <input type="checkbox"/> Recent History         </p>	<p>Map no: <u>          F-7          </u></p> <p>Case no: <u>          S101-057          </u></p>
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DATE: March 09, 2011





DATE: March 09, 2011

## Notification List of Property Owners

**S101-057**

### 10 Property Owners Notified

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	5815 PARK	MCDONALD MILLY S
2	5808 DESCO	JOHNSON LEE
3	5730 WATSON	JOHNSTON CARY LAUGHLIN & RANDOLPH G JOHNSTON
4	9111 DOUGLAS	VERBEEK ARNOLDUS & STACEY SNYDER VERBEEK
5	9101 DOUGLAS	BROWN JAMES WILLIAM
6	9025 DOUGLAS	LANDE SIDNEY & BEVERLY LANDE
7	5830 DESCO	HENDERSON RALPH A ESTATE OF
8	5825 PARK	FOBARE TOD M
9	5834 PARK	BELL CARL W & LINDA M
10	5810 PARK	WEINER CLIFFORD M

Tuesday, March 15, 2011

**CITY PLAN COMMISSION****THURSDAY, MARCH 24, 2011****FILE NUMBER:** S101-060**Subdivision Administrator:** Paul Nelson**LOCATION:** 3400 Garden Ln., bounded by Second Ave., Garden Ln. and Vannerson Dr.**DATE FILED:** February 24, 2011**ZONING:** PD 595(R-5(A), NC(E), (Tr. 4)**CITY COUNCIL DISTRICT:** 7**SIZE OF REQUEST:** 9.781 ac.**MAPSCO:** 46Z**APPLICANT/OWNER:** Dallas Independent School District

**REQUEST:** An application to replat all of Lots 6 thru 18 in City Block C/4450 and all of Lots 1, 2, 3, 4, 5 and Lot 1A in City Block D/4450 and part of City Block 4450 into one 9.781 acre lot on 3400 Garden Lane and bounded by Second Avenue, Garden Lane and Vannerson Drive.

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

**DATES NOTICES SENT:** 42 notices were sent March 7, 2011.

**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 request complies with the PD 595(R-5(A), and NC(E), (Tr. 4) district regulations. The request is compatible with the parcels adjacent on the south, southwest and southeast of the property but combines a number of lots and tracts of land into one lot. The request will also make a nonconforming structure conforming because of the removal of existing lot lines crossing through existing buildings. Staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform with 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. Sustainable Development and Construction, 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. The final plat must comply with all plans, contracts, ordinances and requirements of the City.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.

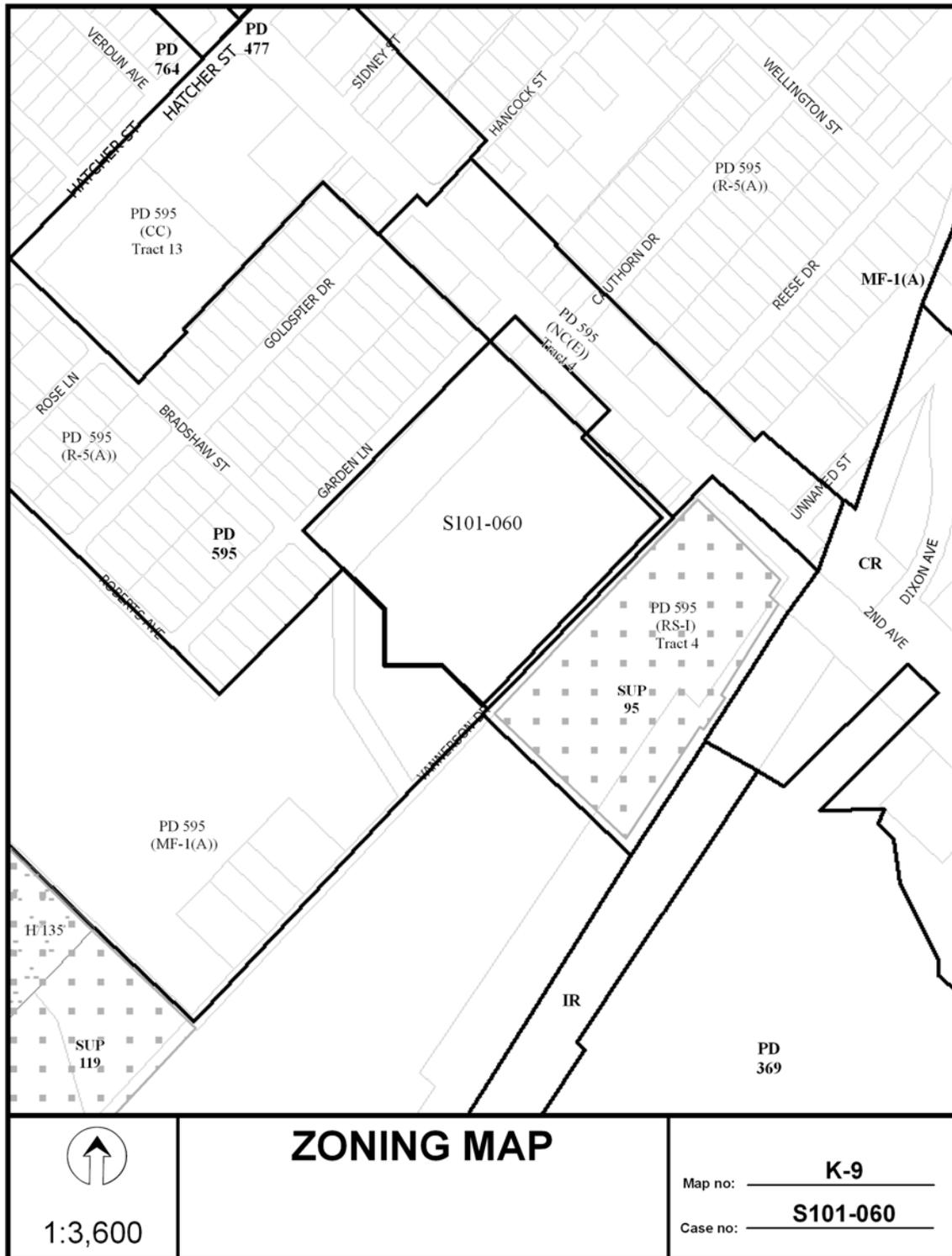
6. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the City Plan Commission in a format that is compatible with the "Microstation" format.
7. On the final plat, all easement abandonments and ROW abandonments 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 the 16 foot alley abandonment information must be revised to read as follows: "Abandonment authorized by Ordinance \_\_\_\_\_ and recorded as Instrument No. \_\_\_\_\_."
9. On the final plat clarify what the cross-hatching represents in the area labeled exiting 16 foot alley and confirm that the 16 foot alley area is to be dedicated. A written release is required from the Real Estate Division prior to the release of the final plat for the chairman's signature.
10. The final plat is limited to a maximum of 1 lot.
11. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff
13. 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.
14. On the final plat dedicate 28 feet of ROW from the established centerline, or dedicate a street easement, or Public Utility and Sidewalk Easement to equal 28 feet from the established centerline of Garden Lane, Bradshaw Street and Vannerson Drive.
15. On the final plat dedicate 40 feet of ROW from the established centerline of Second Avenue.
16. On the final plat dedicate a 15 foot by 15 foot corner clip at Garden Lane and Second Avenue.
17. On the final plat dedicate a 15 foot by 15 foot alley sight easement at Vannerson Drive and the alley.
18. On the final plat dedicate ROW, design and construct an alley turn out to Second Avenue.
19. On the final plat dedicate a 10 foot by 10 foot corner clip at Garden Lane and Bradshaw Street.
20. On the final plat list utility easements as retained within street abandonments when stated in the abandonment ordinance.

21. On the final plat provide distances/width of ROW across Second Avenue in a minimum of 2 places.
22. Abandon the existing 6 foot easement that has a building built over it and relocate the existing line(s) if active lines are located within the easement.
23. Monument all set corners per monumentation ordinance.
24. On the final plat change the addition name.
25. On the final plat the existing 20 foot common access easement must be shown with the existing recording information.
26. On the final plat show abstract lines within 150 feet of the plat boundary perimeter.
27. On the final plat verify that the existing sanitary sewer main shown on the original plat has been abandoned. Show the recording information on the face of the plat.
28. A site plan must to be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
29. 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.
30. Water/wastewater main extension is required by Private Development Contract.
31. On the final plat label the property as Lot 1A, City Block C/4450.
32. On the final plat change Second Street to "Second Avenue" and change Cauthorn Road to "Cauthorn Drive."



 <p>1:3,600</p>	<h2 style="text-align: center;">AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request  <input type="checkbox"/> Recent History         </p>	<p>Map no: <u>          K-9          </u></p> <p>Case no: <u>          S101-060          </u></p>
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DATE: March 09, 2011





## Notification List of Property Owners

S101-060

### 42 Property Owners Notified

Label #	Address	Owner
1	5026 MEADOW	PARMER VILLAS HOUSING LP SUITE 1145
2	5025 GARDEN	Dallas ISD
3	3227 GARDEN	BUSSEY J Z ESTATE OF % MARTHA ROSBOROUGH
4	3223 GARDEN	RICHARDSON CREATHOMAS ESTATE OF
5	3219 GARDEN	NICHOLS HARVEY L
6	3215 GARDEN	SNEED JEROME E
7	3226 GARDEN	SALTER LOVIS
8	3222 GARDEN	KING FREDRICK B
9	3218 GARDEN	DANIELS LINDA D &
10	3214 GARDEN	LOTT BOOKER T JR
11	5219 2ND	SJR SECOND AVE REALTY LP STE 200
12	4915 2ND	TAN HENRY COMPANY
13	4919 2ND	GIZAW GETACHEW & FIKREMARIAM DERESSE
14	3334 GOLDSPIER	KING FREDRICK B & JELLETTA K KING
15	3330 GOLDSPIER	KING FREDRICK BERNARD & JELLETTA KAREN
16	3326 GOLDSPIER	TINOCO EDUARDA & PEREZ EVERARDO
17	3322 GOLDSPIER	JACKSON EMMA
18	3318 GOLDSPIER	HEMMATI HESHMATOLLAH
19	3314 GOLDSPIER	KING FREDERICK B & JELLETTA K
20	3310 GOLDSPIER	MULLEN AARON L
21	3306 GOLDSPIER	CHAMBERS THOMAS
22	3302 GOLDSPIER	CHAMBERS THOMAS M
23	3301 GARDEN	GUINN ODESSA
24	3307 GARDEN	HARPER YOLANDA
25	3311 GARDEN	SALTER LOVIS & BETTY
26	3315 GARDEN	DAVIS JOSH & LILLY

Tuesday, March 15, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3319 GARDEN	BAUGH ROBERT III & PATRICIA A
28	3323 GARDEN	CASSELBERRY DONALD
29	3327 GARDEN	BRIGHT ELLA V J
30	3331 GARDEN	RAGLAND VERDIA M ROLFE
31	3335 GARDEN	HAWKINS SHARON O
32	3339 GARDEN	ROBINSON J T
33	3403 GARDEN	SWEET TIMOTHY
34	3407 GARDEN	SILVA CAMILO
35	3411 GARDEN	SIMS GEORGE
36	5041 2ND	BEAM JAMES F
37	5037 2ND	LIM TAU V &
38	4930 2ND	NICODEMUS JACK H
39	5002 2ND	MAKAN HUSHMUKH ET AL % BIG D
40	5018 2ND	GOOD LUCK FAMILY LP
41	5102 2ND	BEAM JAMES F
42	4914 2ND	LIVINGSTON JOSEPH

*Tuesday, March 15, 2011*



**CITY PLAN COMMISSION**

**THURSDAY, MARCH 24, 2011**

**FILE NUMBER:** S101-065

**Subdivision Administrator:** Paul Nelson

**LOCATION:** 7770 Goforth Circle at Goforth Road, east corner

**DATE FILED:** March 1, 2011

**ZONING:** R-7.5A)

**CITY COUNCIL DISTRICT:** 10

**SIZE OF REQUEST:** 0.378 ac.

**MAPSCO:** 27X

**APPLICANT/OWNER:** Jeffrey and Jennifer Batson

**REQUEST:** An application to replat all of Lot 29 and a tract of land in City Block B/5446 into one 0.378 acre lot and to remove the platted 30 foot building line along Goforth Road on 7770 Goforth Circle at Goforth Road, east corner.

**SUBDIVISION HISTORY:**

1. S101-008 was an application contiguous on the southeast of the present request to replat all of Lot 28A and a tract of land into one 0.280 acre lot in City Block B/5446 on 7766 Goforth Circle southeast of Goforth Road and was approved on November 18, 2010 but has not been recorded.
2. S090-138 was an application contiguous on the northeast of the present request to replat a 0.525 acre tract of land containing all of Lots 30, 31 and 32 in City Block B/5446 into one 11,614 square foot lot and one 11,266 square foot lot on 8803, 8807 and 8811 Bargiames Lane, contiguous to the present request. The request was approved on September 16, 2010 but has not been recorded yet.

**DATES NOTICES SENT:** 17 notices were sent March 8, 2011.

**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 R-7.5(A) District requires a minimum 25 foot front yard setback, this property has 2 front yards. The 30 foot building line is being requested to be removed along Goforth Road. After the removal of the building line the lot will have a setback dictated by the R-7.5(A) district and the corner lot regulations in the Development Code.

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

- 17 notices were sent on March 8, 2011 with no replies in favor or against as of 03/12/2011.

“(iii) adversely affect neighboring properties; and”

- The properties northeast and southwest of this request do not have a platted building line along Goforth Road.
- “(iv) adversely affect the plan for the orderly development of the subdivision.”
- There is no known adverse impacts on the adjoining properties or negative impacts on the orderly development of the area.

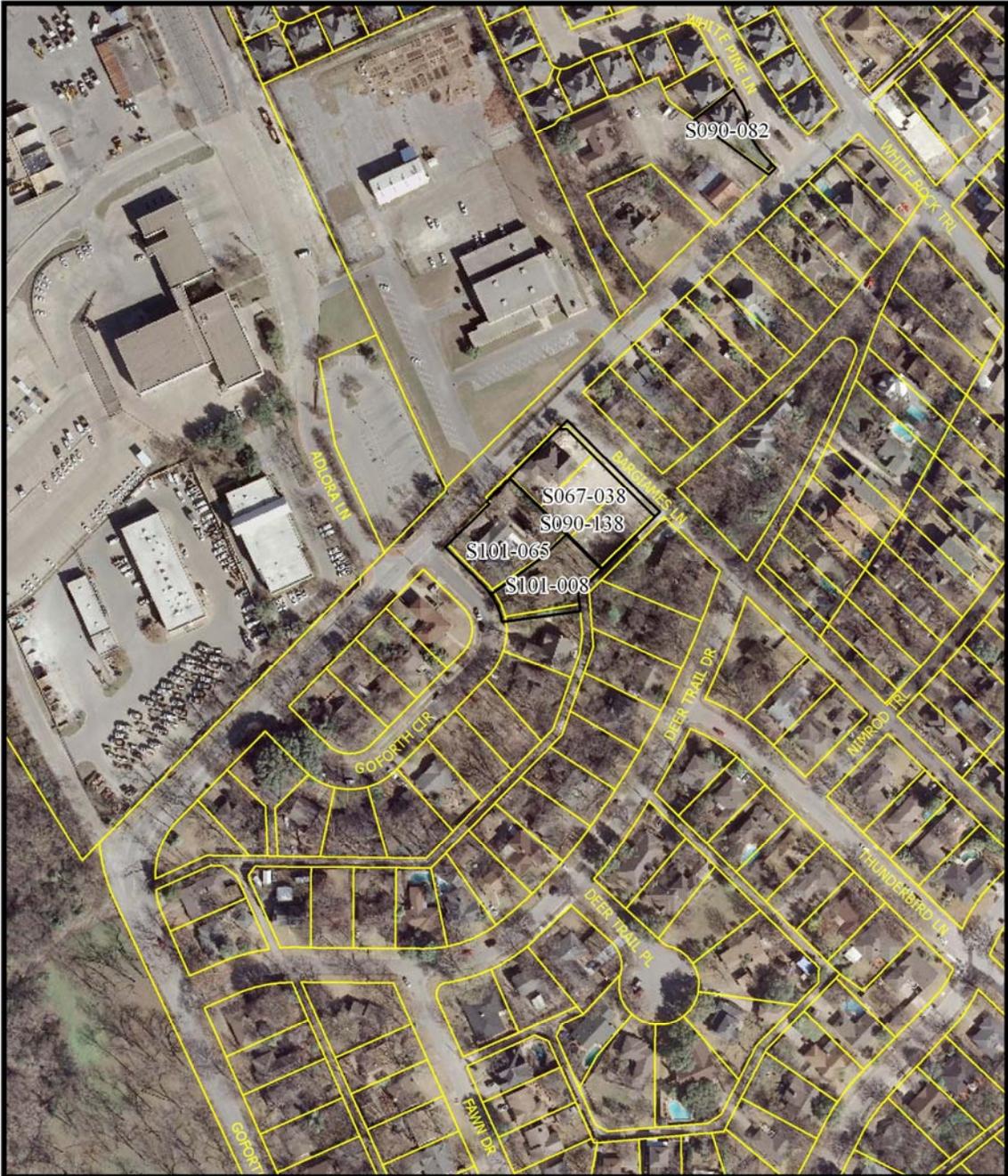
**STAFF RECOMMENDATION OF BUILDING LINE REMOVAL:** The request has been found to comply with the requirements of Section 51A-8.505(c) for reduction or removal of building lines; therefore, staff recommends approval of the building line reduction.

**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 request complies with the R-7.5(A) district regulations. The request is compatible with the lots in close proximity to the property that have been replatted and doesn't increase the number of lots but only combines a tract of land into the existing lot. Staff recommends approval of the request subject to compliance with the following conditions:

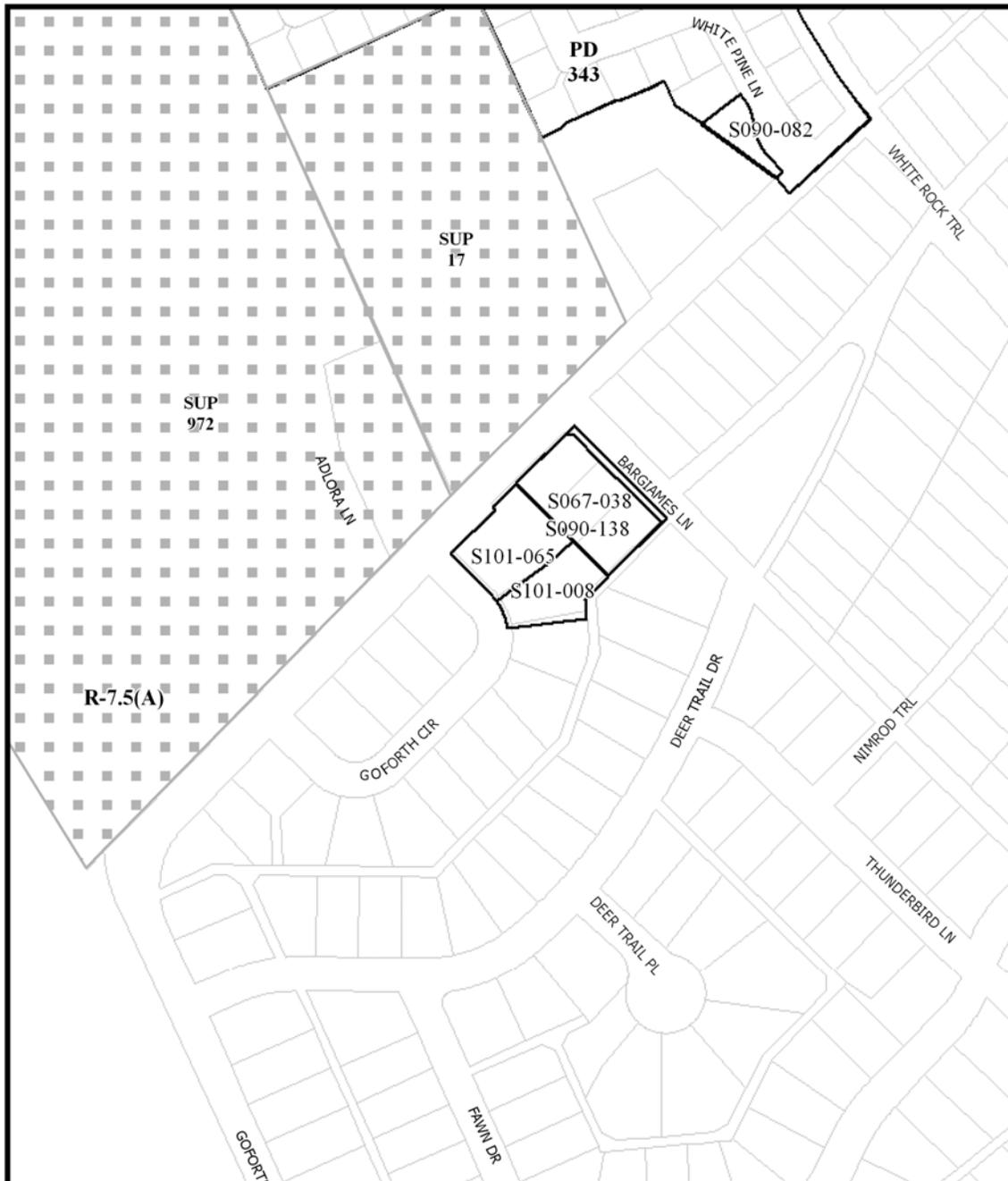
1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the City.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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.
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. The final plat is limited to a maximum of 1 lot.

9. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
10. Provide a detailed lot grading plan prepared by a Professional Engineer for review and approval to the Paving and Drainage Section of the Engineering Division in Room 200, 320 E. Jefferson Blvd.
11. On the final plat dedicate a 10 foot by 10 foot corner clip at Goforth Circle and Goforth Road.
12. On the final plat label the property as Lot 29A, City Block B/5446.



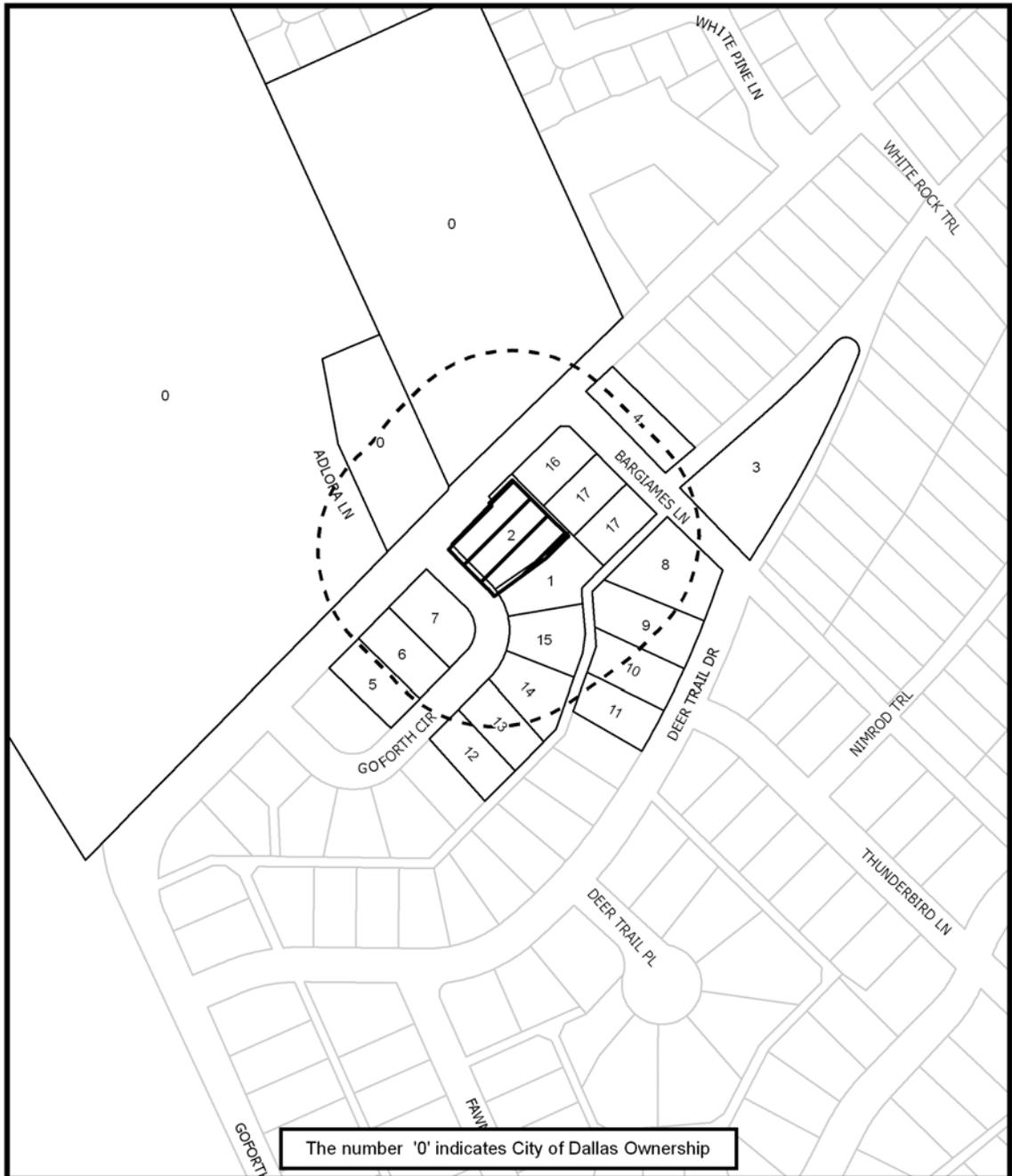
 <p>1:2,400</p>	<h3 style="text-align: center;">AERIAL MAP</h3> <p> <input type="checkbox"/> Area of Request  <input type="checkbox"/> Recent History         </p>	<p>Map no: <u>          F-9          </u></p> <p>Case no: <u>          S101-065          </u></p>
---	--	---

DATE: March 09, 2011



 1:2,400	<h2>ZONING MAP</h2>	Map no: <u>          F-9          </u> Case no: <u>          S101-065          </u>
--	---------------------	--

DATE: March 09, 2011



 1:2,400	<b>NOTIFICATION</b>		Map no: <b>F-9</b>
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">17</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Case no: <b>S101-065</b>

DATE: March 09, 2011

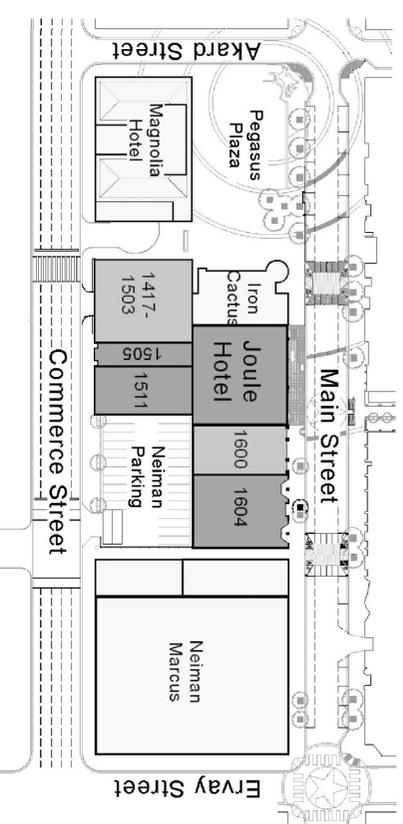
## Notification List of Property Owners

### S101-065

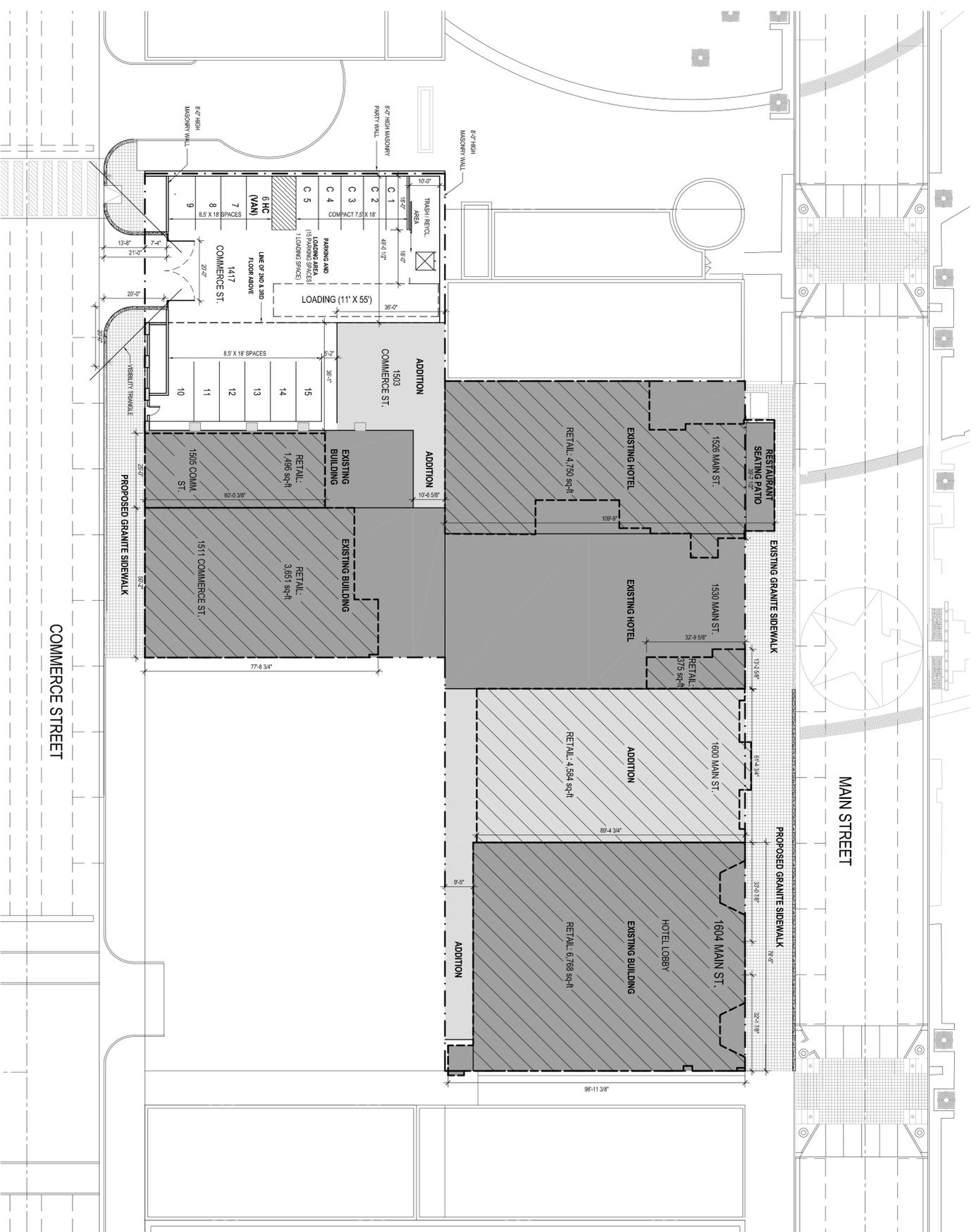
#### 17 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7766 GOFORTH	CRAWFORD JULIANA
2	7770 GOFORTH	DEUPREE KELLY
3	7901 DEER TRAIL	SVEDEMAN DOUG & RHONDA SVEDEMAN
4	7900 GOFORTH	ROBINSON MARK JOHN
5	7749 GOFORTH	AMES STEPHANIE
6	7753 GOFORTH	WILSON ROBERT JOSEPH II
7	7757 GOFORTH	BENNETT BRANDI
8	7839 DEER TRAIL	HALL GLINDA N
9	7835 DEER TRAIL	ROZZELL WILMA
10	7827 DEER TRAIL	VANCE GWEN & GLENN C VANCE SR
11	7821 DEER TRAIL	LONEY THOMAS A
12	7750 GOFORTH	GLDREDGE GROUP LLC
13	7754 GOFORTH	MCELROY VENTURES LLC
14	7758 GOFORTH	GIMB INC
15	7762 GOFORTH	HUEBNER MITCHELL L & KRISTIN A MILOTA
16	8811 BARGIAMES	STEELE SARAH M & JOSHUA J
17	8807 BARGIAMES	MURPHY SENN CUSTOM HOMES

Tuesday, March 15, 2011



**2** Vicinity Plan  
No Scale



**1** Development Plan  
1" = 20'

PROJECT INFORMATION	PROPOSED USAGE
<b>PROPERTY ADDRESS</b> 1526-1604 MAIN ST. 1417-1511 COMMERCE ST. DALLAS, TEXAS 75201	<b>NEW BUILDING/ADDITION USES</b> HOTEL: 16,328 SQFT PENTHOUSE RETAIL: 3,072 SQFT 10,300 SQFT
<b>BUILDING SQFT</b> EXISTING: 231,029 SQFT NEW/ADDITION: 29,700 SQFT DALLAS, TEXAS 75201	<b>HOTEL:</b> 16,328 SQFT <b>PENTHOUSE</b> <b>1604 MAIN:</b> 3,072 SQFT <b>RETAIL:</b> 10,300 SQFT
<b>LOT DESIGNATION</b> LOT 5A BLOCK 77	<b>PARKING REQUIREMENTS</b> 29,700 SF ADDITION: 15 SPACES <b>OFF STREET LOADING</b> 1 REQUIRED
<b>SITE AREA</b> 39,315 SF /0.9025 ACRES	
<b>LOT COVERAGE</b> 34315 SF / 87%	
<b>BUILDING HEIGHTS</b> 1526 MAIN ST.: 92'-6" 1530 MAIN ST.: 201'-10" 1600 MAIN ST.: 54'-6" 1604 MAIN ST.: 107'-1" 1503 COMMERCE ST.: 43'-8" 1505 COMMERCE ST.: 47'-0" 1511 COMMERCE ST.: 43'-8"	

**DEVELOPMENT PLAN**  
**PLANNED DEVELOPMENT DISTRICT**  
**No. 619**  
**SUBDISTRICTS A,B,C**  
**D101-007**

Site Plan



ARCHITECTEXAS  
 ARCHITECTURE, PLANNING AND  
 HISTORIC PRESERVATION, INC.  
 1417-1511 COMMERCE STREET  
 DALLAS, TEXAS 75201  
 TEL: 214-758-6868 FAX: 214-758-6868  
 WWW.ARCHITECTEXAS.COM

REVISIONS  
 REV 1 - 2/16/2011

THIS DOCUMENT IS INCOMPLETE  
 UNTIL IT HAS BEEN REVIEWED AND  
 APPROVED BY THE ARCHITECT  
 OR CONSTRUCTION.

Site Plan

DRAWN BY  
 CHECKED BY  
 DATE 10 Jan, 2011  
 PROJECT NO. 10004  
 SHEET NO. A1.00

**Joule Hotel Expansion**  
 1526-1604 Main St.  
 1417-1511 Commerce St.  
 Dallas, Texas 75201

**Planner: Olga Torres-Holyoak**

**FILE NUMBER:** D101-008

**DATE FILED:** January 13, 2011

**LOCATION:** On the north corner of Garland Road and East Lawther Drive.

**COUNCIL DISTRICT:** 9

**MAPSCO:** 37- R

**SIZE OF REQUEST:** Approx. 10.9 acres

**CENSUS TRACT:** 81

---

**MISCELLANEOUS DOCKET ITEM**

**Owner/Applicant:** Dallas Arboretum & Botanical Gardens, Park & Recreation Department, City of Dallas

**Representative:** Robert Reeves & Associates

**Development Plan:**

On March 23, 1988, the City Council passed Ordinance No. 19904 which established Planned Development District No. 287 on property located at the north corner of Garland Road and East Lawther Drive. The size of PD 287 is approximately 66.8898 acres.

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.

In conjunction with the above requirement, the attached development plan has been submitted for Commission's consideration. The plan provides for the development of the Rory Meyers Children's Adventure Garden for the Dallas Arboretum.

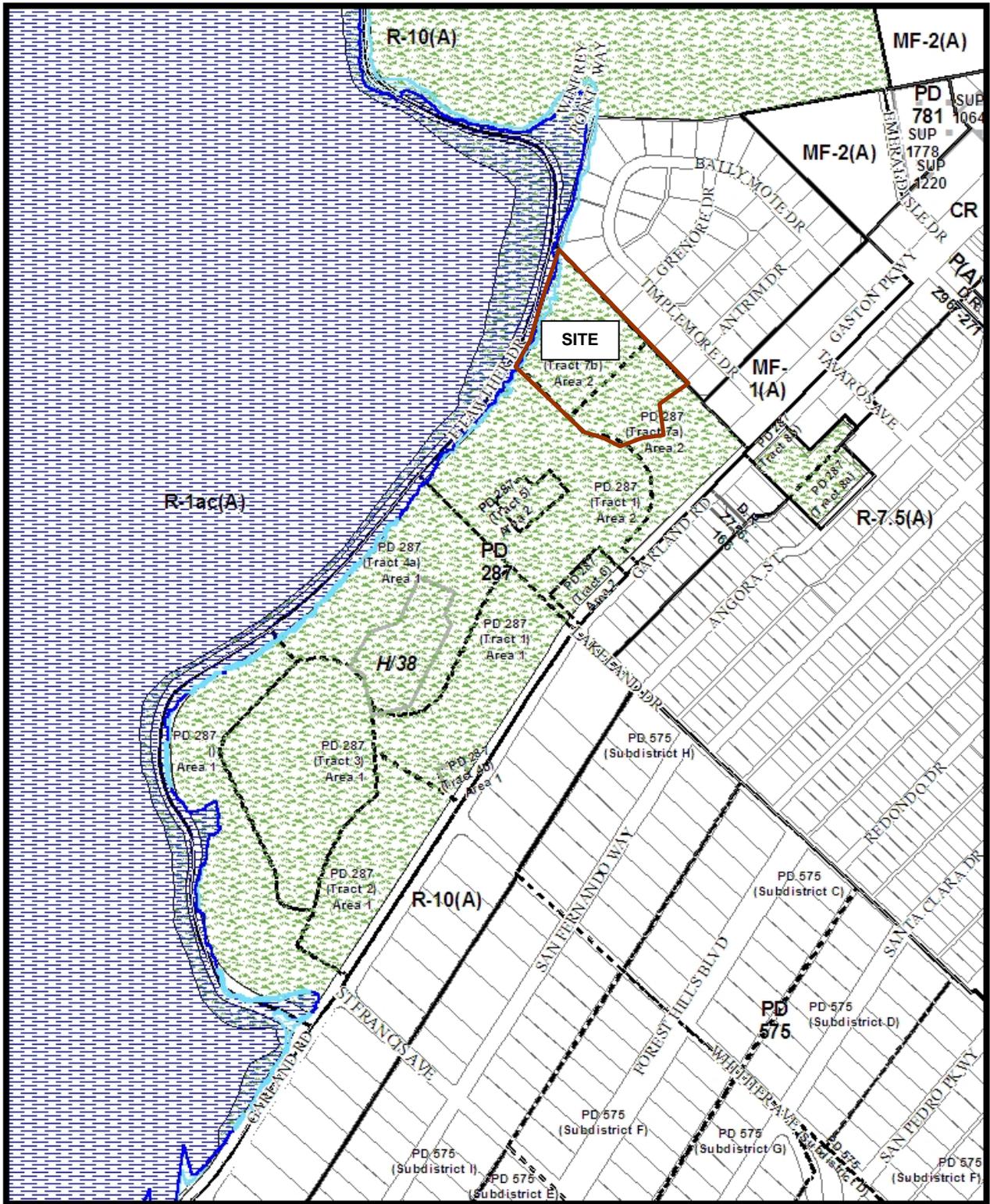
**STAFF RECOMMENDATION:** Approval

## List of Applicant, Owner and Representative

### Dallas Arboretum & Botanical Garden 2011 Board Offices

Steve Coke	Chairman of the Board
Brian Shivers	Vice Chairman and Chairman Elect
Nathan Robinett	Treasurer
Judy Gibbs	Secretary
Roger Gault	Past Chairman

# ZONING MAP



↑ 1:6,000

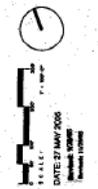
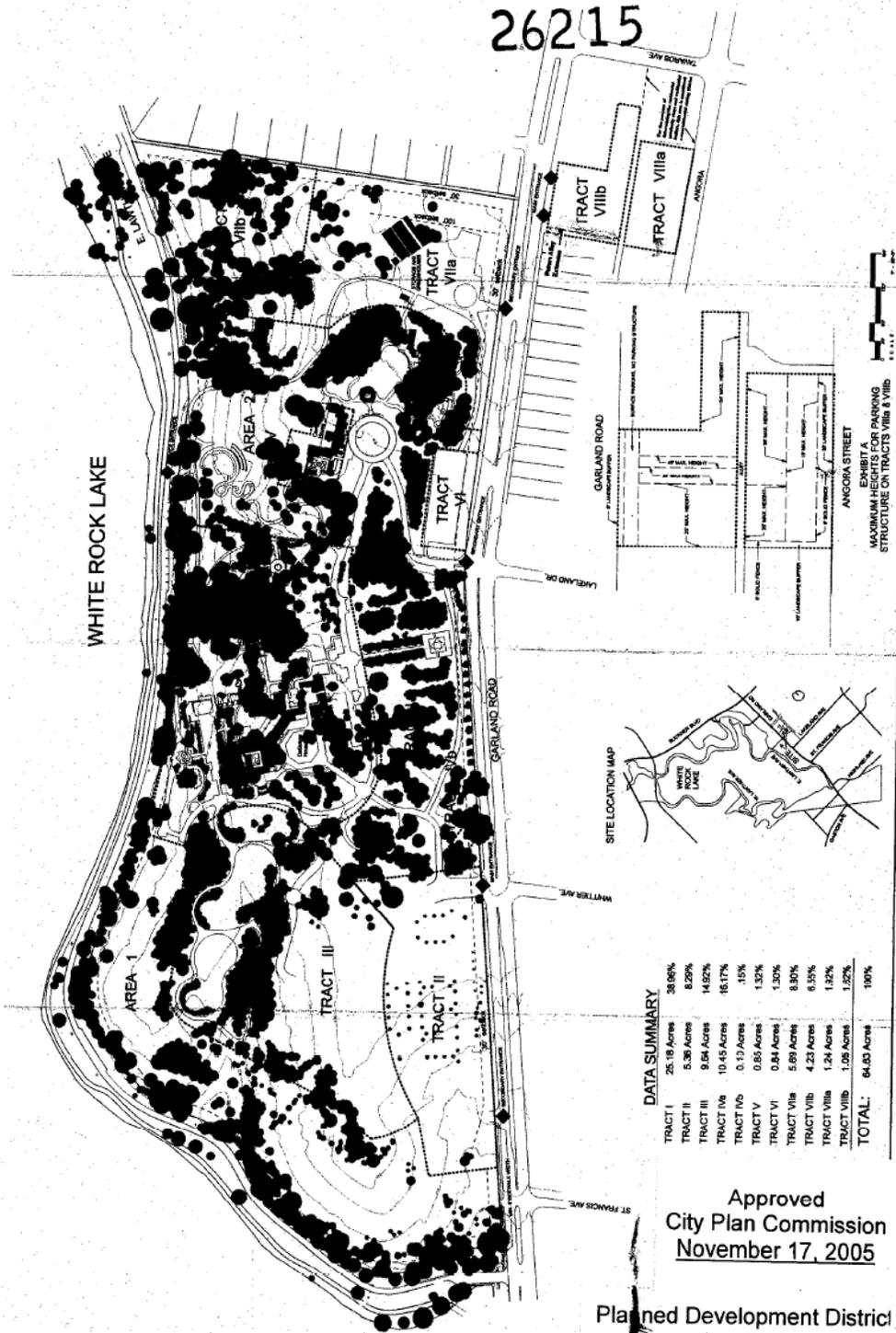
Case ID: D101-008

# EXISTING CONCEPTUAL PLAN

Exhibit 287 A

060155

26215



Concept Plan: Planned Development District #287

**DATA SUMMARY**

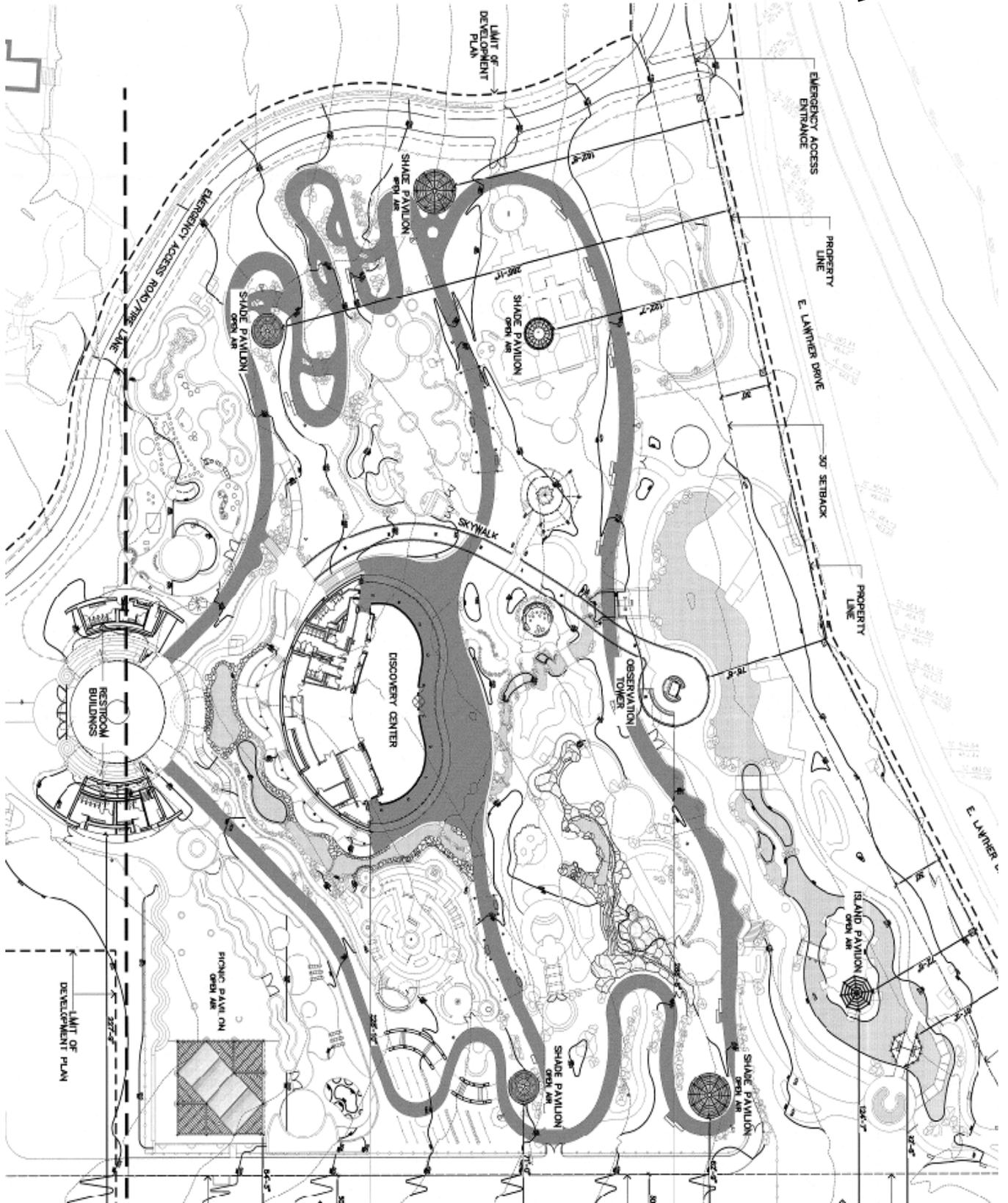
TRACT I	25.18 Acres	38.86%
TRACT II	5.36 Acres	8.29%
TRACT III	9.58 Acres	14.92%
TRACT IVa	10.45 Acres	16.17%
TRACT IVb	0.17 Acres	.15%
TRACT V	0.85 Acres	1.32%
TRACT VI	0.84 Acres	1.30%
TRACT VIIa	5.69 Acres	8.80%
TRACT VIIb	4.23 Acres	6.55%
TRACT VIIc	1.24 Acres	1.92%
TRACT VIII	1.08 Acres	1.65%
<b>TOTAL:</b>	<b>64.83 Acres</b>	<b>100%</b>

Approved  
City Plan Commission  
November 17, 2005

Planned Development District  
No. 287

Dallas  
Botanical Society, Inc.  
8617 Garland Road  
Dallas, TX 75248  
Ph: (214) 315-2000

# PROPOSED DEVELOPMENT PLAN



**Planner: Mike Grace, AICP**

**FILE NUMBER:** D101-006

**DATE FILED:** October 12, 2010

**LOCATION:** Central Expressway at Haskell Avenue

**COUNCIL DISTRICT:** 2

**MAPSCO:** 35 Y, Z & 45 C, D

**SIZE OF REQUEST:** Approx. 9.93 acres

**CENSUS TRACT:** 8.00

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**MISCELLANEOUS DOCKET ITEM**

Owner/Applicant: Cityville Dallas Haskell Limited Partnership

Representative: Mike Arbour, JHP Architecture/Urban Design

Development plan and Landscape Plan

On January 10, 1990, the City Council passed Ordinance No. 20546 which established Planned Development District No. 305 on property generally located along Haskell Avenue, running north and south of its intersection with Central Expressway.

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.

In conjunction with the above requirement, the attached development plan and landscape plan have been submitted for Commission's consideration. The development plan provides for 113,000 square feet of retail space, 356 apartment units, a six-level parking garage containing 692 spaces and 327 surface parking spaces.

The proposed development plan adds additional access points to the subject site that were not included on the previously approved conceptual plan. Thus, staff is not in support of the proposed development plan.

**STAFF RECOMMENDATION:** Denial

## **Partners**

Cityville Dallas Haskell GP, L.L.C.

Cityville Dallas Haskell Limited Partnership (RR)

Cityville Dallas Haskell LP, L.L.C.

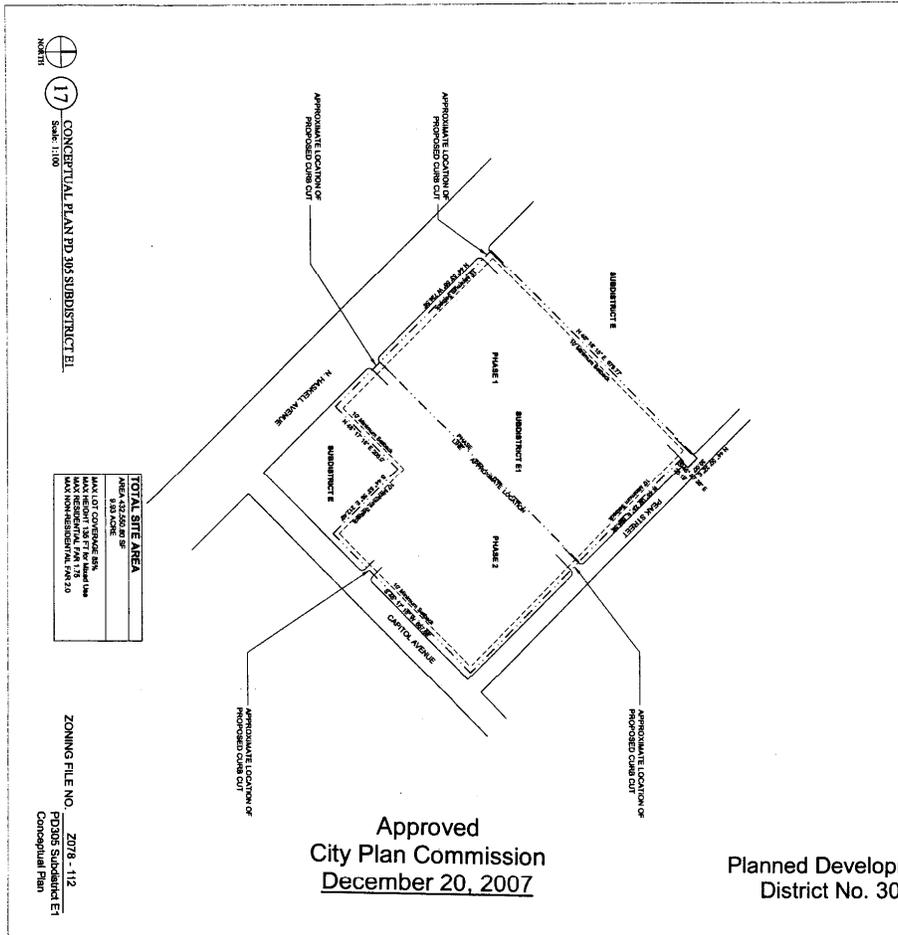
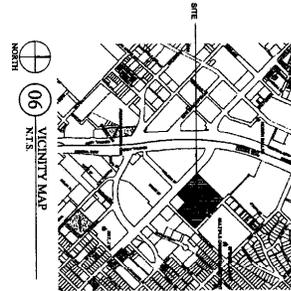
Inland American Communities Group, Inc. (SWW)

# EXISTING CONCEPTUAL PLAN

Exhibit 305K

080435

27077



17 CONCEPTUAL PLAN PD 305 SUBDISTRICT E1  
Scale: 1/8" = 1'-0"

TOTAL SITE AREA	
AREA 1 (2,500,000 SF)	5.83 ACRES
AREA 2 (2,500,000 SF)	5.83 ACRES
AREA 3 (2,500,000 SF)	5.83 ACRES
AREA 4 (2,500,000 SF)	5.83 ACRES
AREA 5 (2,500,000 SF)	5.83 ACRES
AREA 6 (2,500,000 SF)	5.83 ACRES
AREA 7 (2,500,000 SF)	5.83 ACRES
AREA 8 (2,500,000 SF)	5.83 ACRES
AREA 9 (2,500,000 SF)	5.83 ACRES
AREA 10 (2,500,000 SF)	5.83 ACRES
AREA 11 (2,500,000 SF)	5.83 ACRES
AREA 12 (2,500,000 SF)	5.83 ACRES
AREA 13 (2,500,000 SF)	5.83 ACRES
AREA 14 (2,500,000 SF)	5.83 ACRES
AREA 15 (2,500,000 SF)	5.83 ACRES
AREA 16 (2,500,000 SF)	5.83 ACRES
AREA 17 (2,500,000 SF)	5.83 ACRES
AREA 18 (2,500,000 SF)	5.83 ACRES
AREA 19 (2,500,000 SF)	5.83 ACRES
AREA 20 (2,500,000 SF)	5.83 ACRES

ZONING FILE NO. 2078-112  
DUNE Subdistrict E1  
Conceptual Plan

Approved  
City Plan Commission  
December 20, 2007

Planned Development  
District No. 305

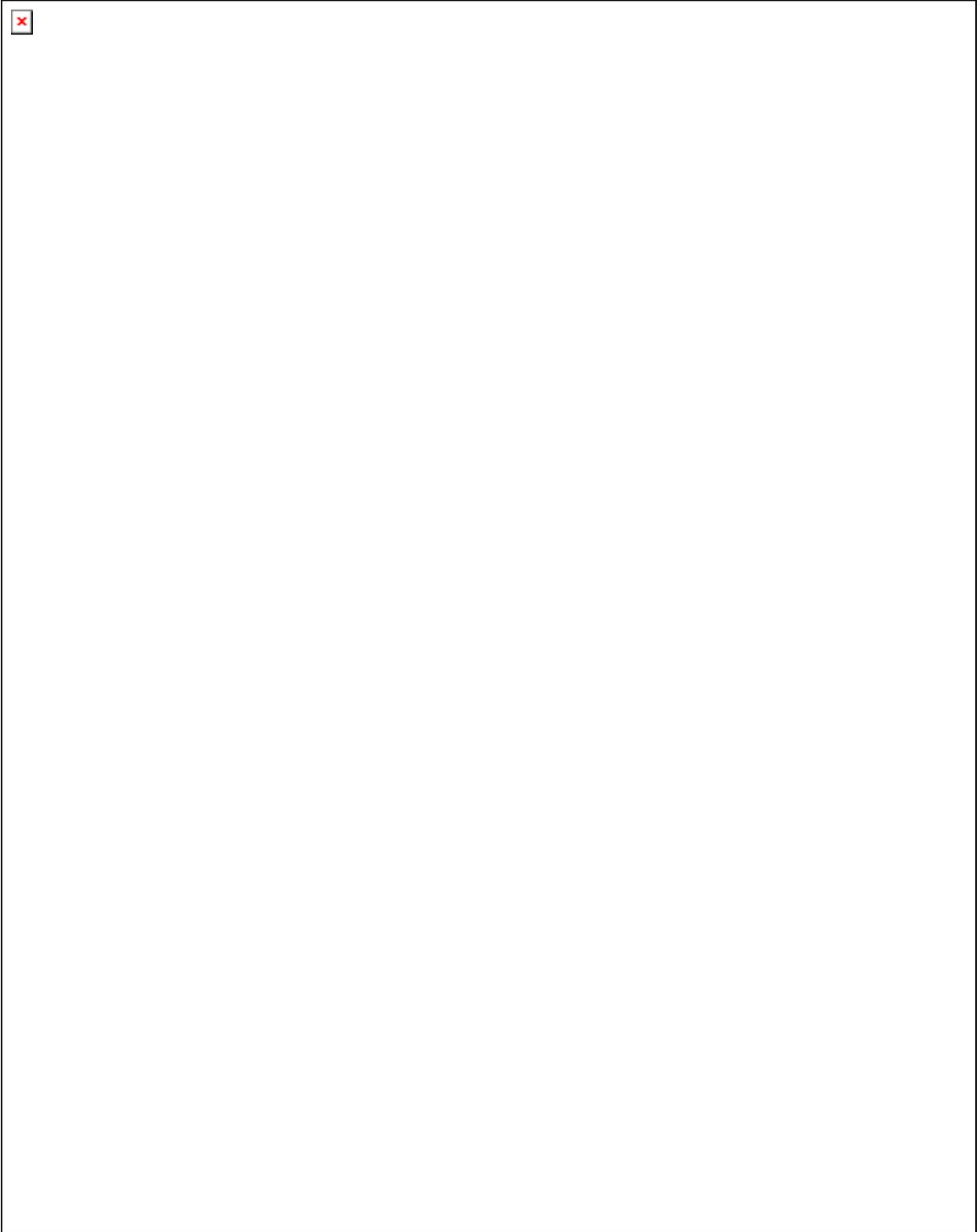
Project Name	27077
Project No.	1020707
Project Date	10/20/07
Project Status	Approved
Project Location	2600 N. Haskell Avenue, Dallas, TX 75205-4581
Project Description	Cityplace Subdistrict E1
Project Owner	Inland
Project Architect	JMP
Project Engineer	
Project Planner	
Project Designer	
Project Surveyor	
Project Consultant	
Project Reviewer	
Project Approver	
Project Date	
Project Status	
Project Location	
Project Description	
Project Owner	
Project Architect	
Project Engineer	
Project Planner	
Project Designer	
Project Surveyor	
Project Consultant	
Project Reviewer	
Project Approver	

CONCEPTUAL PLAN  
Cityplace Subdistrict E1  
2600 N. Haskell Avenue  
Dallas, Texas 75205 - 4581





# PROPOSED LANDSCAPE PLAN



**FILE NUMBER:** M101-009

**DATE FILED:** December 10, 2010

**LOCATION:** Southwest Line of Haskell Avenue between Cole Avenue and  
McKinney Avenue

**COUNCIL DISTRICT:** 14

**MAPSCO:** 35 Y

**SIZE OF REQUEST:** Approx. 1.48 Acres

**CENSUS TRACT:** 7.01

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**APPLICANT/OWNER:** Dallas Independent School District

**REPRESENTATIVE:** Karl Crawley

**MISCELLANEOUS DOCKET ITEM**

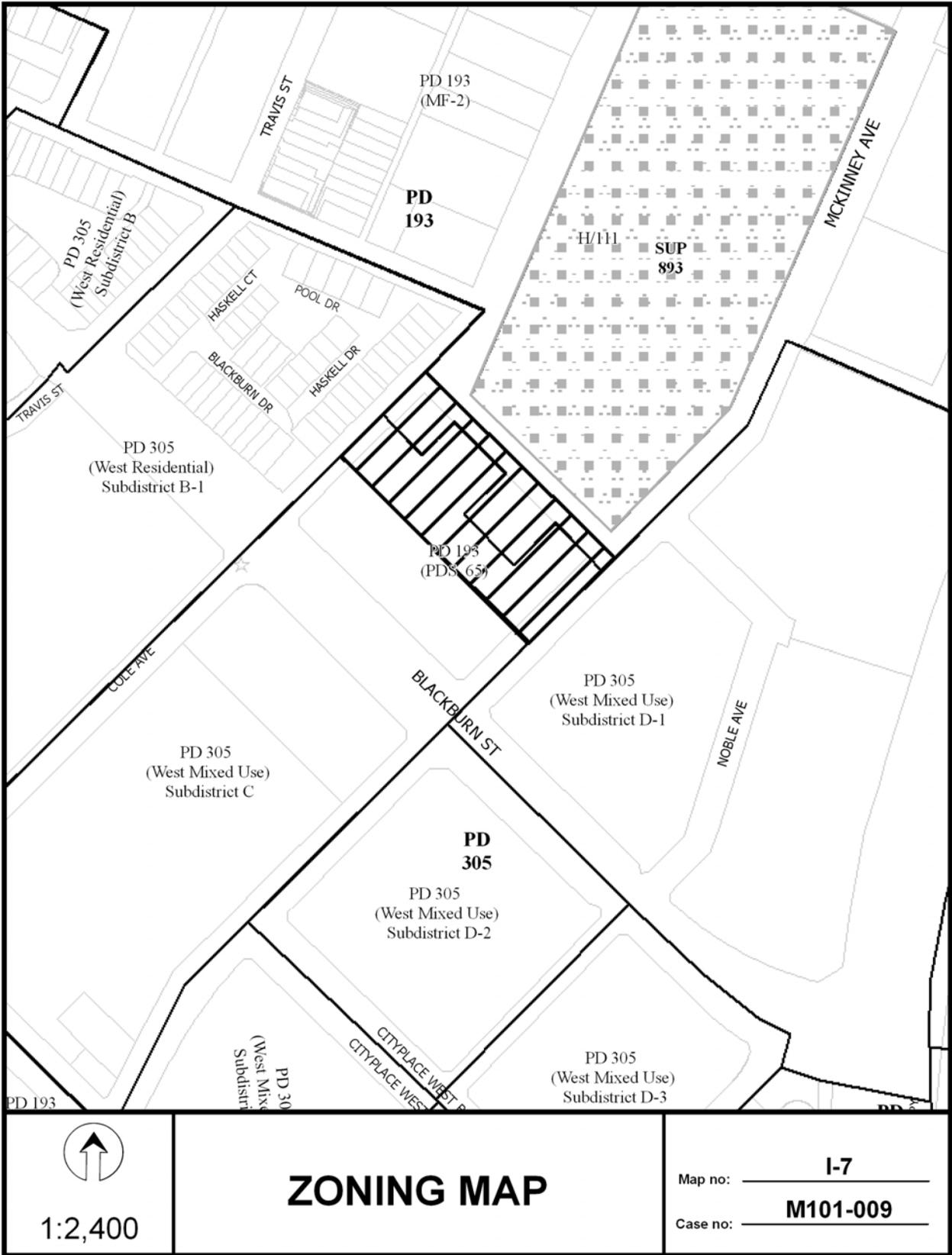
**Minor Amendment for Development Plan/Landscape Plan**

On August 24, 2005, the City Council passed Ordinance No. 26077 which established Planned Development Subdistrict No. 65 for a Public school other than an open-enrollment charter school and GR General Retail Subdistrict Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, and the Subdistrict C-1 portion of Planned Development District No. 305 for Mixed Uses.

At this time, the property owner has submitted an application for a minor amendment to permit the addition of a lab structure, dumpster enclosure, and additional surface parking.

The applicant's request does not impact any of the other regulations governing the property and otherwise complies with the provisions for consideration of a minor amendment to a development plan and landscape plan.

**STAFF RECOMMENDATION:** Approval



1:2,400

# ZONING MAP

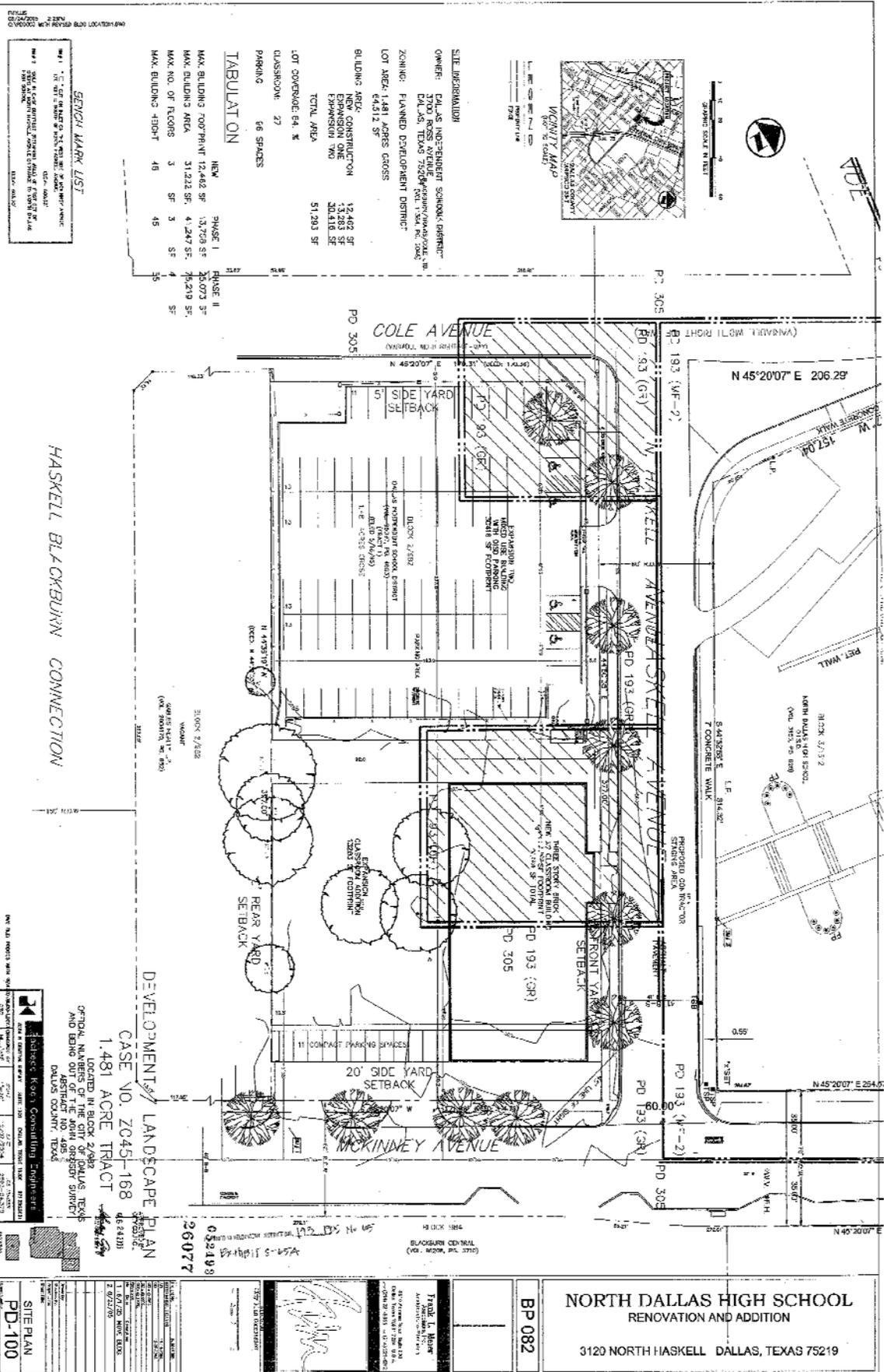
Map no: I-7

Case no: M101-009

DATE: February 23, 2011







**SITE DESCRIPTION**  
 OWNER: D.A.S. INDEPENDENT SCHOOLS DISTRICT  
 3700 ROSS AVENUE  
 DALLAS, TEXAS 75204  
 ZONING: PLANNED DEVELOPMENT DISTRICT  
 LOT AREA: 1,481 ACRES GROSS  
 643,112 SF  
 BUILDING AREA CONSTRUCTION  
 12,442 SF  
 EXPANSION ONE  
 13,283 SF  
 EXPANSION TWO  
 20,418 SF  
 TOTAL AREA  
 51,293 SF  
 LOT COVERAGE: 64 %  
 CLASSROOM: 27  
 PARKING: 56 SPACES

**TABULATION**

	NEW	PHASE I	PHASE II
MAX. BUILDING FOOTPRINT	12,442 SF	13,283 SF	20,418 SF
MAX. BUILDING AREA	31,222 SF	4,124 SF	16,219 SF
MAX. NO. OF FLOORS	3	3	4
MAX. BUILDING HEIGHT	46	45	35

**GENCH MARK LIST**

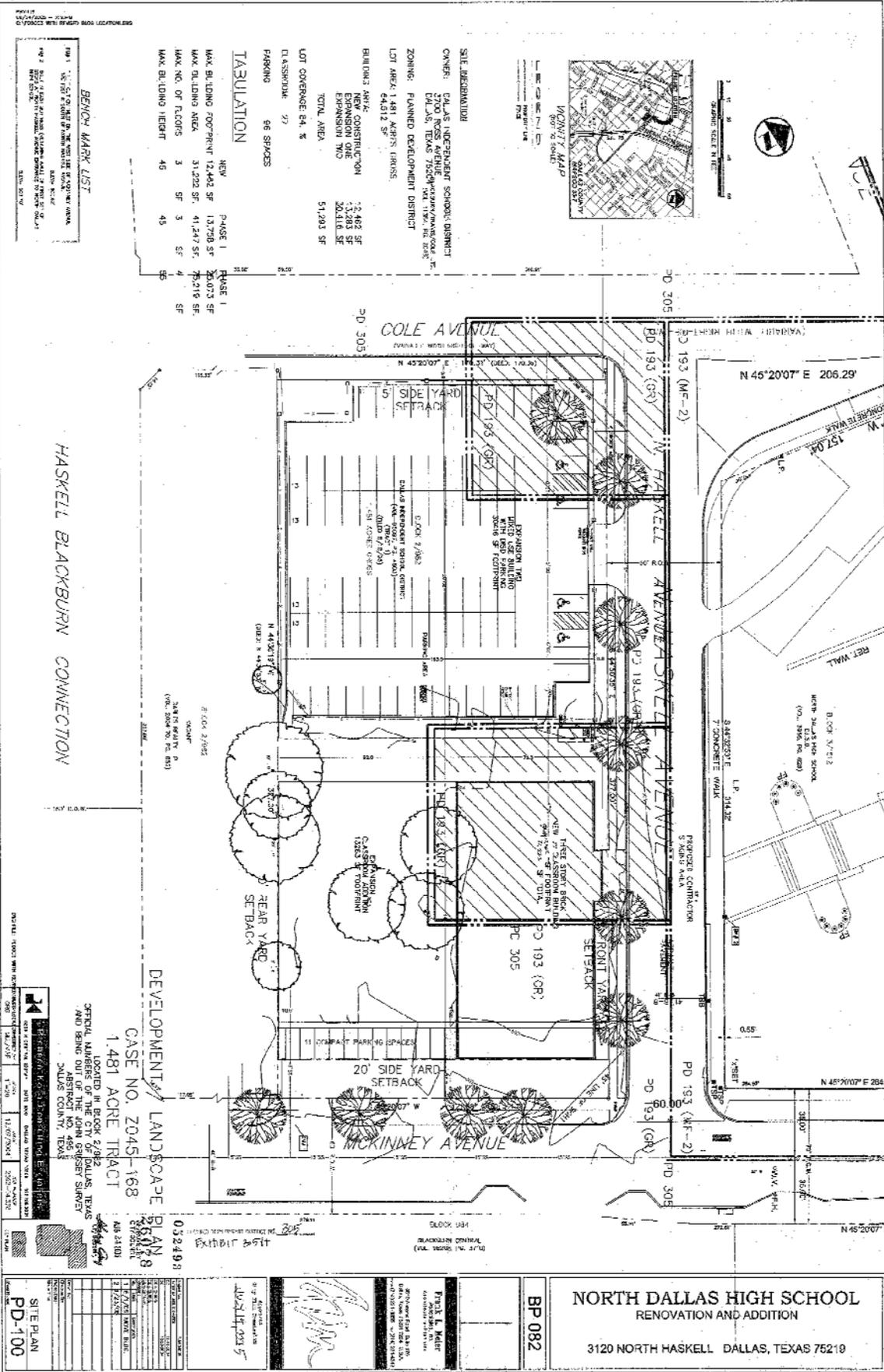
NO. 1: 15' OF THE AREA OF THE PROJECT, 2' FROM THE ADJACENT PROPERTY LINE TO THE CENTERLINE OF THE ADJACENT PROPERTY LINE.  
 NO. 2: 15' OF THE AREA OF THE PROJECT, 2' FROM THE ADJACENT PROPERTY LINE TO THE CENTERLINE OF THE ADJACENT PROPERTY LINE.  
 NO. 3: 15' OF THE AREA OF THE PROJECT, 2' FROM THE ADJACENT PROPERTY LINE TO THE CENTERLINE OF THE ADJACENT PROPERTY LINE.  
 NO. 4: 15' OF THE AREA OF THE PROJECT, 2' FROM THE ADJACENT PROPERTY LINE TO THE CENTERLINE OF THE ADJACENT PROPERTY LINE.  
 NO. 5: 15' OF THE AREA OF THE PROJECT, 2' FROM THE ADJACENT PROPERTY LINE TO THE CENTERLINE OF THE ADJACENT PROPERTY LINE.  
 NO. 6: 15' OF THE AREA OF THE PROJECT, 2' FROM THE ADJACENT PROPERTY LINE TO THE CENTERLINE OF THE ADJACENT PROPERTY LINE.  
 NO. 7: 15' OF THE AREA OF THE PROJECT, 2' FROM THE ADJACENT PROPERTY LINE TO THE CENTERLINE OF THE ADJACENT PROPERTY LINE.  
 NO. 8: 15' OF THE AREA OF THE PROJECT, 2' FROM THE ADJACENT PROPERTY LINE TO THE CENTERLINE OF THE ADJACENT PROPERTY LINE.  
 NO. 9: 15' OF THE AREA OF THE PROJECT, 2' FROM THE ADJACENT PROPERTY LINE TO THE CENTERLINE OF THE ADJACENT PROPERTY LINE.  
 NO. 10: 15' OF THE AREA OF THE PROJECT, 2' FROM THE ADJACENT PROPERTY LINE TO THE CENTERLINE OF THE ADJACENT PROPERTY LINE.

**DEVELOPMENT / LANDSCAPE PLAN**  
 CASE NO. Z045-168  
 1.481 ACRE TRACT  
 LOCATED IN BLOCK 2/680  
 OFFICIAL NUMBERS OF THE CITY OF DALLAS, TEXAS  
 AND BEING OUT OF THE MAIN GRESSEY SURVEY  
 DALLAS COUNTY, TEXAS

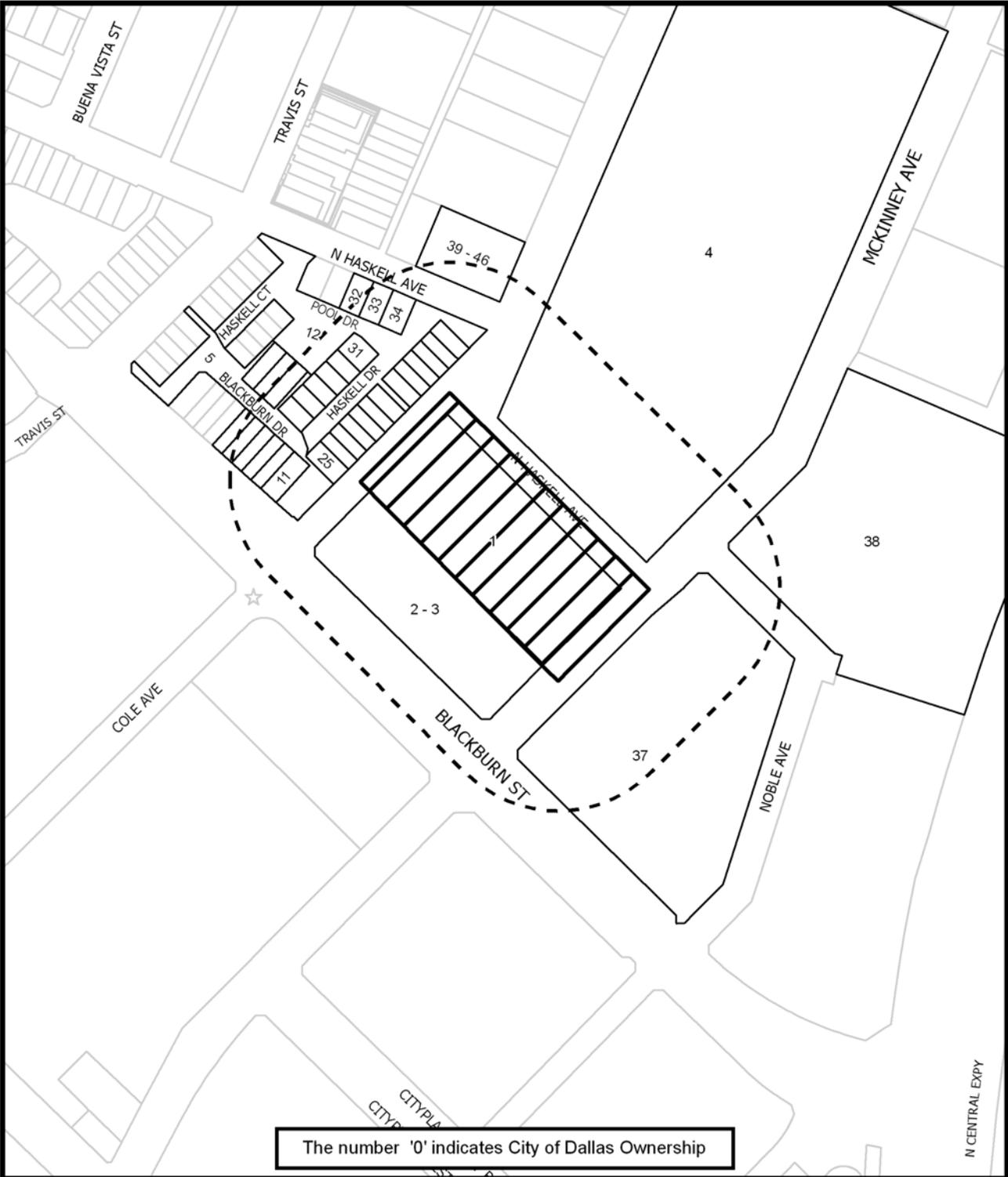
**FRANK L. HAYES**  
 ENGINEER  
 1500 WEST END AVENUE, SUITE 100  
 DALLAS, TEXAS 75201  
 (214) 750-1234  
 FAX: (214) 750-1235  
 E-MAIL: FRANK@FRANKLHAYES.COM  
 WWW.FRANKLHAYES.COM

NO.	DATE	DESCRIPTION
1	10/15/08	PRELIMINARY PLAN
2	11/10/08	REVISED PLAN
3	12/15/08	REVISED PLAN
4	01/15/09	REVISED PLAN
5	02/15/09	REVISED PLAN
6	03/15/09	REVISED PLAN
7	04/15/09	REVISED PLAN
8	05/15/09	REVISED PLAN
9	06/15/09	REVISED PLAN
10	07/15/09	REVISED PLAN
11	08/15/09	REVISED PLAN
12	09/15/09	REVISED PLAN
13	10/15/09	REVISED PLAN
14	11/15/09	REVISED PLAN
15	12/15/09	REVISED PLAN
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93	06/15/16	REVISED PLAN
94	07/15/16	REVISED PLAN
95	08/15/16	REVISED PLAN
96	09/15/16	REVISED PLAN
97	10/15/16	REVISED PLAN
98	11/15/16	REVISED PLAN
99	12/15/16	REVISED PLAN
100	01/15/17	REVISED PLAN

**Existing Development/Landscape Plan  
 PDS No. 65**



**Existing Development/Landscape Plan  
 PDD No. 305, Subdistrict C-1**



The number '0' indicates City of Dallas Ownership

N CENTRAL EXPY



1:2,400

# NOTIFICATION

**200'**

AREA OF NOTIFICATION

**46**

NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: 1-7

Case no: M101-009

DATE: February 23, 2011

## *Notification List of Property Owners*

### *M101-009*

#### *46 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3813 MCKINNEY	Dallas ISD
2	3839 MCKINNEY	CIM 3839 MCKINNEY AVE LP STE 900
3	3839 MCKINNEY	WV77 LP
4	3120 HASKELL	Dallas ISD
5	3201 HASKELL	BLVD BLDRS/VALENCIA LP STE 345
6	3216 BLACKBURN	RIVAS HOMERO & RIVAS JENIFER S
7	3214 BLACKBURN	MEADE RICARDO & KIMBERLY
8	3212 BLACKBURN	HERRICK BRIAN & TANG CONNIE
9	3210 BLACKBURN	BRUCHMILLER BRETT
10	3208 BLACKBURN	BIDWELL PHILIP J & MICHELLE R
11	3206 BLACKBURN	DILLARD AMANDA LATIMER
12	3223 POOL	BOULEVARD BUILDERS/VALENCIA LP STE 345
13	3839 COLE	WOOMING GEORGE
14	3837 COLE	KOBETT PATRICK
15	3835 COLE	OWEN RANDALL S OWEN DALE B
16	3833 COLE	GORDISH DAN & STEFANIE
17	3831 COLE	HOFF NANCY A
18	3829 COLE	PARKER RONALD C
19	3825 COLE	KHYBER HOLDINGS LLC
20	3823 COLE	JOHNSON MARY T
21	3821 COLE	SFTF HOLDINGS LLC
22	3819 COLE	WYSONG RACHEL
23	3817 COLE	BRYANT DAVID B
24	3815 COLE	CONATSER JENNIFER ELAINE
25	3811 COLE	WOODRUFF LAURA A
26	3815 HASKELL	CONE KRISTEN G

*Wednesday, February 23, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3817 HASKELL	HENDIN COURTNEY
28	3819 HASKELL	WEIDE MARK & ABERASTURY ABRIL
29	3821 HASKELL	WALLACE CHRIS
30	3823 HASKELL	DE NAPOLI TOM
31	3825 HASKELL	BALL JOHN G
32	3223 HASKELL	BUTCHER HOLLY & JIMMY
33	3219 HASKELL	BOULEVARD BUILDERS/VALENCIA LP STE 345
34	3215 HASKELL	MARIN PABLO
35	3230 BLACKBURN	SULAMI ORLY
36	3232 BLACKBURN	DUPRE DEBBIE & JEFF
37	3000 BLACKBURN	LOADSTAR INC
38	3930 MCKINNEY	CRITERION MCKINNEY NOBEL APTS LP SUITE 515
39	3901 COLE	NGUYEN JULIAN H
40	3901 COLE	HANSON SABRA ET AL BLDG A UNIT 6
41	3901 COLE	TUCKER THOMAS A BLDG A UNIT 7
42	3901 COLE	FERGUSON ELIZABETH BLDG A UNIT 8
43	3901 COLE	BOGARD KERRY BRYAN
44	3901 COLE	SOMMERS CHRISTOPHER
45	3901 COLE	BREWER EMILY M BLDG B UNIT 3
46	3901 COLE	SOKOLOVIC BENJAMIN S VENESA L SOKOLOVIC



**FILE NUMBER:** M101-008

**DATE FILED:** November 30, 2010

**LOCATION:** Joe Field Road and Newkirk Street, Northeast and Southeast Corners

**COUNCIL DISTRICT:** 6

**MAPSCO:** 22 G, L

**SIZE OF REQUEST:** Approx. 20.97 Acres

**CENSUS TRACT:** 99

---

**APPLICANT:** Hensley Industries, Inc., Owner

**REPRESENTATIVE:** Robert Reeves

**MISCELLANEOUS DOCKET ITEM:**

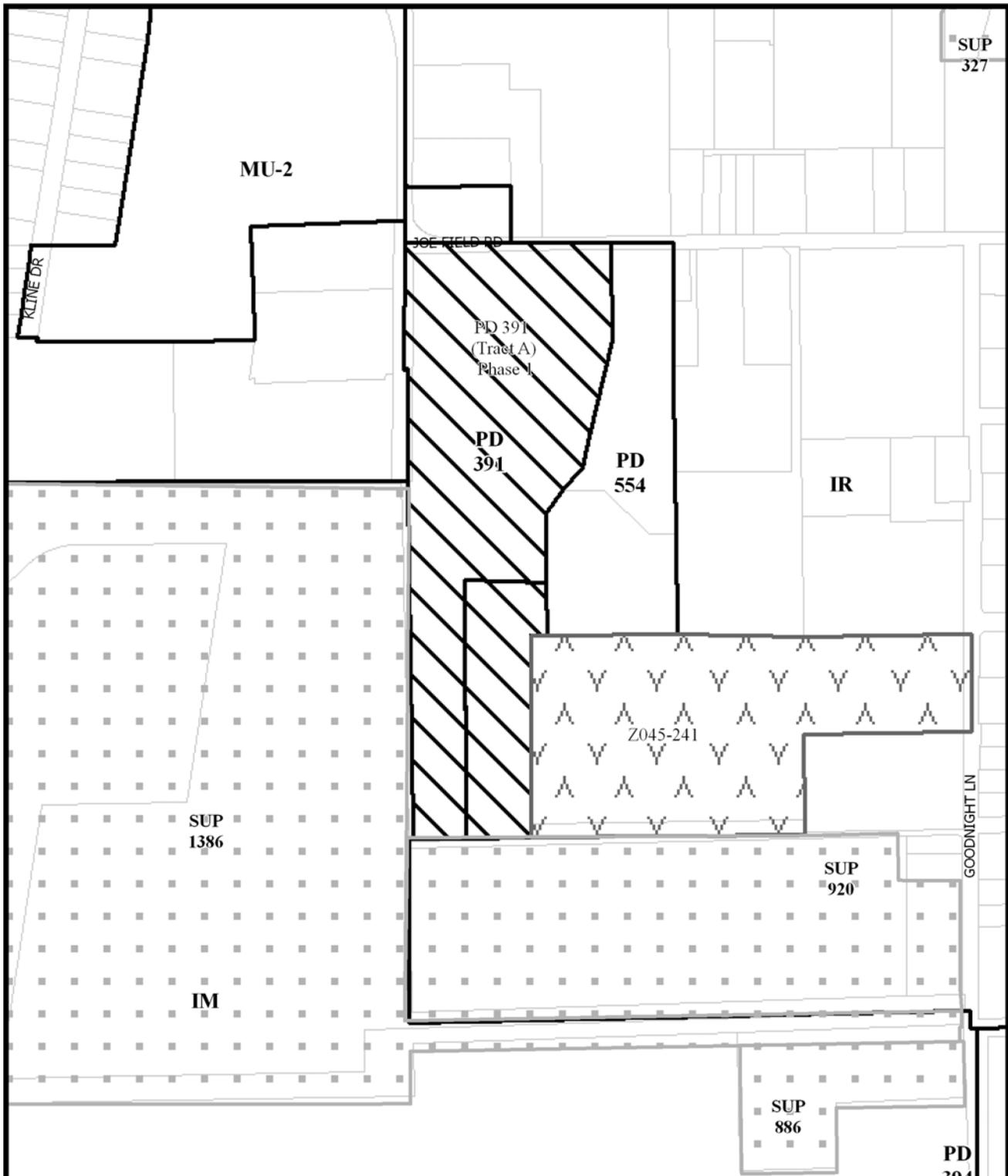
Minor Amendment for Development Plan

On October 27, 1993, the City Council passed Ordinance No. 21871 which established Planned Development District No. 391 for an Industrial (inside) potentially incompatible use to be operated as a Foundry and other IM Industrial Manufacturing District Uses on property at the above location. The PDD was subsequently amended by Ordinance No. 26426 which amended the conceptual plan, development plan and conditions. The PDD provides for three tracts. The requested amendment is within the Tracts A and B portion of the property.

At this time, the property owner has requested consideration of a minor amendment to the development plan to provide for a revised footprint for the 'Special Foundry Manufacturing Use'. Specifically, permitted floor area is being reduced along the western façade and being relocated to the eastern façade (surface parking area within Tract B). This parking area will be revised to remove five spaces to accommodate the bump-out of the building.

The above referenced items do not impact the other provisions required by the ordinance regulating the PDD.

**STAFF RECOMMENDATION:** Approval



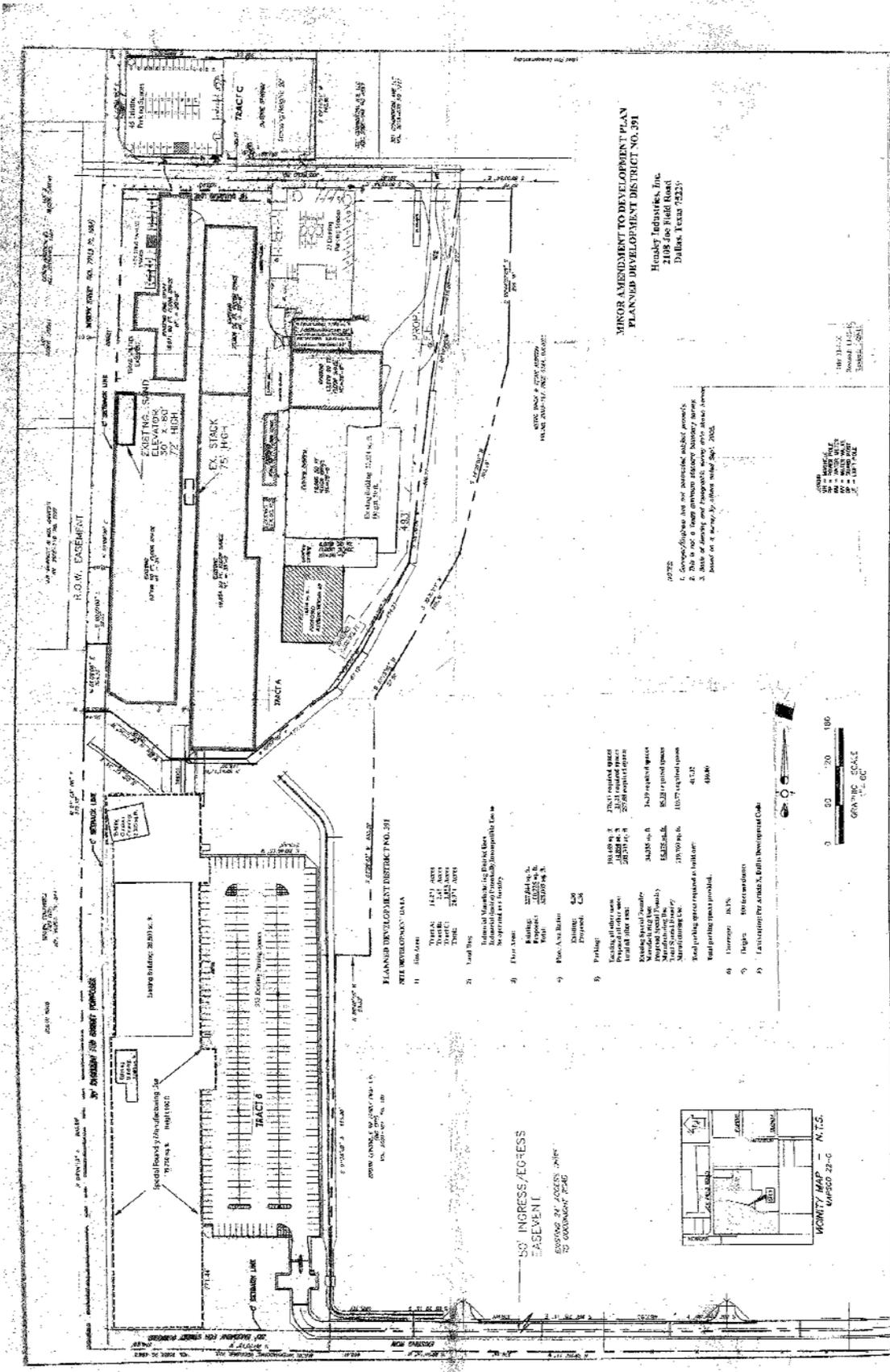
1:4,800

# ZONING MAP

Map no:           E-4          

Case no:           M101-008          

DATE: January 21, 2011



**MINOR AMENDMENT TO DEVELOPMENT PLAN  
PLANNED DEVELOPMENT DISTRICT NO. 311**

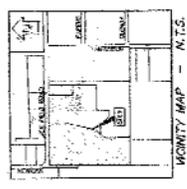
Hindley Industries, Inc.  
2108 Joe Field Road  
Dallas, Texas 75223

- NOTES:
1. General/Specific and not associated with other notes.
  2. This is not a final approved plat. Platting survey based on a survey by others dated Sept. 2002.
  3. Date of Issuance and Issuance: Survey and Platting based on a survey by others dated Sept. 2002.

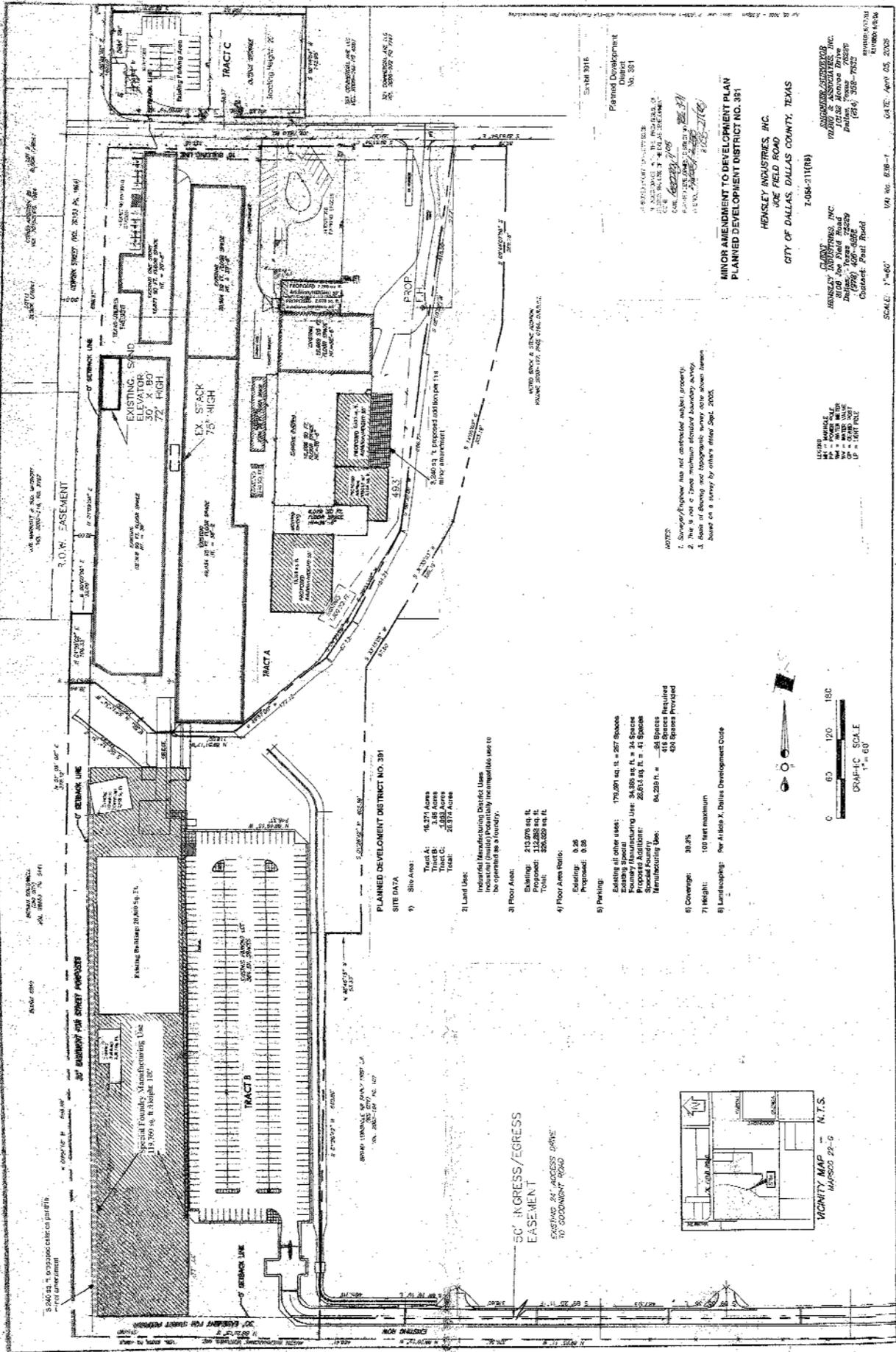
**PLANNED DEVELOPMENT DISTRICT NO. 311**

1. **Site Data:**  
 TRACT: 14271 ACRES  
 TRACT: 14271 ACRES  
 TIME: 25/71 ACRES
2. **Land Use:**  
 Intention of Manufacture (see District Code)  
 No other use is intended.
3. **Floor Area:**  
 Building: 222,244 sq. ft.  
 Proposed: 1,020,000 sq. ft.  
 Total: 1,242,244 sq. ft.
4. **Flow Area:**  
 Existing: 1,000,000 sq. ft.  
 Proposed: 1,000,000 sq. ft.
5. **Parking:**  
 Existing: 1,000,000 sq. ft.  
 Proposed: 1,000,000 sq. ft.
6. **Existing Structure:**  
 10,000 sq. ft.  
 20,000 sq. ft.  
 30,000 sq. ft.  
 40,000 sq. ft.  
 50,000 sq. ft.  
 60,000 sq. ft.  
 70,000 sq. ft.  
 80,000 sq. ft.  
 90,000 sq. ft.  
 100,000 sq. ft.
7. **Proposed Structure:**  
 110,000 sq. ft.  
 220,000 sq. ft.  
 330,000 sq. ft.  
 440,000 sq. ft.  
 550,000 sq. ft.  
 660,000 sq. ft.  
 770,000 sq. ft.  
 880,000 sq. ft.  
 990,000 sq. ft.
8. **Lot Area:**  
 10,000 sq. ft.  
 20,000 sq. ft.  
 30,000 sq. ft.  
 40,000 sq. ft.  
 50,000 sq. ft.  
 60,000 sq. ft.  
 70,000 sq. ft.  
 80,000 sq. ft.  
 90,000 sq. ft.  
 100,000 sq. ft.
9. **Lot Dimensions:**  
 100' x 100'  
 100' x 200'  
 100' x 300'  
 100' x 400'  
 100' x 500'  
 100' x 600'  
 100' x 700'  
 100' x 800'  
 100' x 900'  
 100' x 1000'
10. **Lot Shape:**  
 Rectangular  
 Irregular  
 Triangular  
 Circular  
 Polygonal
11. **Lot Orientation:**  
 North-South  
 East-West  
 Diagonal
12. **Lot Access:**  
 Front  
 Side  
 Rear
13. **Lot Easements:**  
 Easement  
 Right of Way  
 Easement
14. **Lot Encroachments:**  
 Encroachment  
 Encroachment
15. **Lot Setbacks:**  
 Setback  
 Setback
16. **Lot Frontage:**  
 Frontage  
 Frontage
17. **Lot Depth:**  
 Depth  
 Depth
18. **Lot Area Ratio:**  
 Area Ratio  
 Area Ratio
19. **Lot Coverage:**  
 Coverage  
 Coverage
20. **Lot Height:**  
 Height  
 Height
21. **Lot Volume:**  
 Volume  
 Volume
22. **Lot Weight:**  
 Weight  
 Weight
23. **Lot Density:**  
 Density  
 Density
24. **Lot Intensity:**  
 Intensity  
 Intensity
25. **Lot Productivity:**  
 Productivity  
 Productivity
26. **Lot Efficiency:**  
 Efficiency  
 Efficiency
27. **Lot Effectiveness:**  
 Effectiveness  
 Effectiveness
28. **Lot Reliability:**  
 Reliability  
 Reliability
29. **Lot Durability:**  
 Durability  
 Durability
30. **Lot Sustainability:**  
 Sustainability  
 Sustainability

50' INGRESS/ADDRESS  
EASEMENT  
EXIST. DRIVE  
EXIST. SIDEWALK



**Proposed Development Plan**

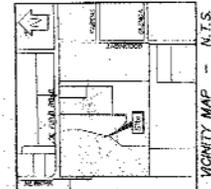


**SITE DATA**

- 1) **Site Area:**
  - Tract A: 46,574 Acres
  - Tract B: 3,136 Acres
  - Tract C: 1,683 Acres
  - Total: 20,374 Acres
- 2) **Land Use:**

Industrial/Manufacturing District Uses  
 Industrial (possibly) Potentially Incompatible uses to be operated as a facility.
- 3) **Floor Area:**
  - Building: 213,978 sq. ft.
  - Proposed: 112,288 sq. ft.
  - Total: 326,266 sq. ft.
- 4) **Floor Area Ratio:**
  - Building: 0.25
  - Proposed: 0.35
- 5) **Parking:**
  - Existing at other uses: 179,091 sq. ft. = 267 Spaces
  - Existing at other uses: 24,885 sq. ft. = 34 Spaces
  - Proposed Addition: 26,815 sq. ft. = 41 Spaces
  - Manufacturing Use: 84,239 sq. ft. = 64 Spaces Required
  - 616 Spaces Provided
  - 400 Spaces Provided
- 6) **Coverage:** 38.8%
- 7) **Height:** 100 feet maximum
- 8) **Landscaping:** Per Article X, Dallas Development Code

50' INGRESS/EGRESS EASEMENT  
 EXISTING 24' ACCESS DRIVE TO GOVERNMENT ROAD



- NOTES**
1. Survey/Engineer has not conducted a field survey.
  2. This is not a final, multi-division boundary survey.
  3. Dates of survey and appropriate survey data shown herein based on a survey by others dated 08/11/2005.

Planned Development District No. 381

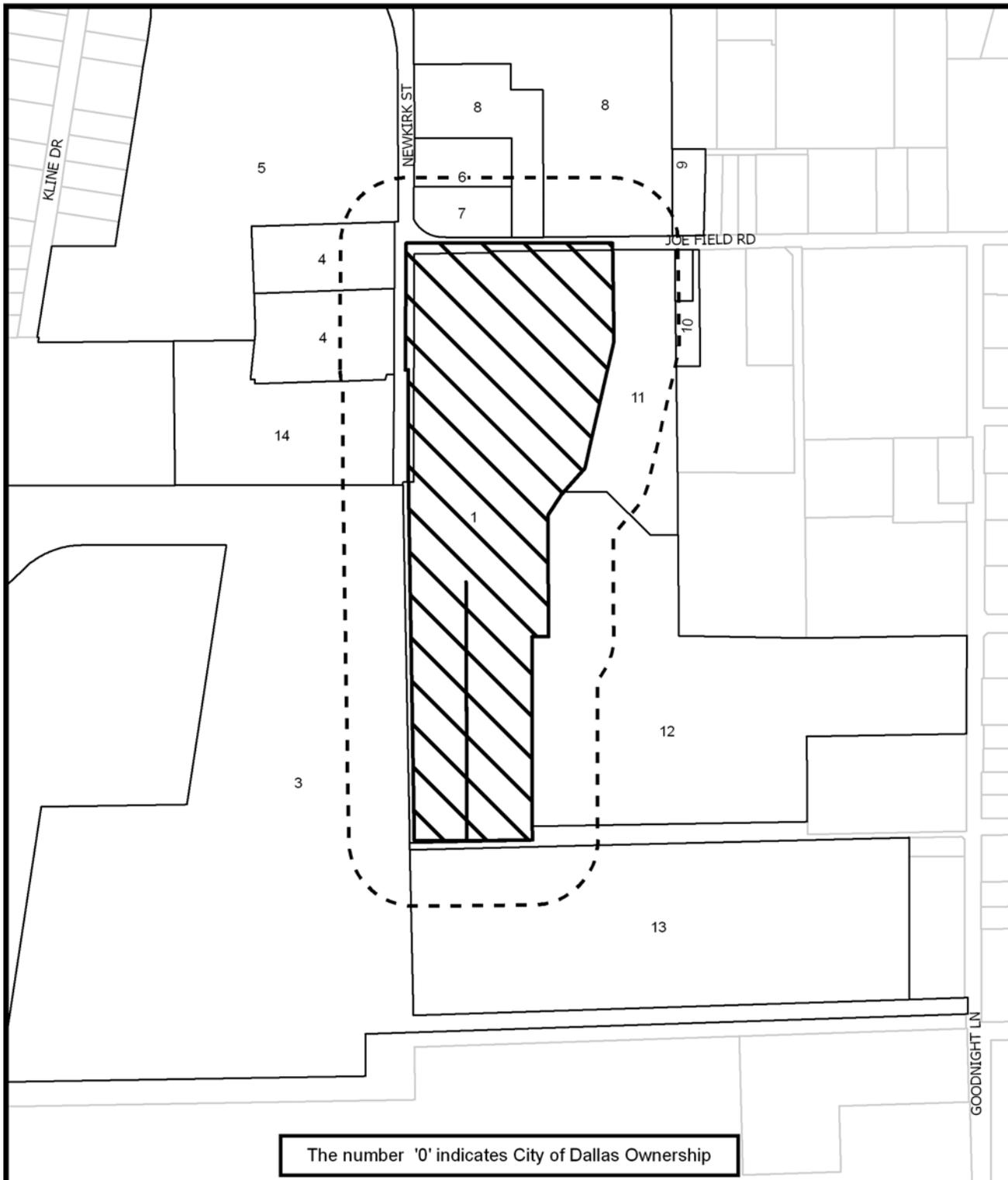
**MINOR AMENDMENT TO DEVELOPMENT PLAN  
 PLANNED DEVELOPMENT DISTRICT NO. 381**

HENSLEY INDUSTRIES, INC.  
 3000 Joe Field Road  
 Dallas, Texas 75244  
 Phone: (214) 400-4000  
 Fax: (214) 400-4002  
 Website: www.hensley.com

**CITY OF DALLAS, DALLAS COUNTY, TEXAS**  
 7-084-311(B)  
 ENGINEER/ARCHITECT  
 HENSLEY INDUSTRIES, INC.  
 3000 Joe Field Road  
 Dallas, Texas 75244  
 Phone: (214) 400-4000  
 Fax: (214) 400-4002  
 Website: www.hensley.com

DATE: April 25, 2005  
 SCALE: 1" = 60'  
 MAPS20 22-6  
 N.T.S.

**Existing Development Plan**



1:4,800

# NOTIFICATION

**200'**

AREA OF NOTIFICATION

**14**

NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: **E-4**

Case no: **M101-008**

DATE: January 21, 2011

1/21/2011

## ***Notification List of Property Owners***

***M101-008***

***14 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2108 JOE FIELD	HENSLEY G H
2	2204 JOE FIELD	HYDRATECH SALES&LEAS CO
3	11101 NEWKIRK ST	BROWN SOUTHWELL PPTIES INC
4	11301 NEWKIRK ST	COHEN CHARLES INC %CLARA JO COHEN
5	11323 NEWKIRK ST	ROYAL LANE VILLAGE LTD % MARQUIS
	MANANGEMENT	
6	11310 NEWKIRK ST	AMINI KUROSH H
7	11306 NEWKIRK ST	HENSLEY INDUSTRIES INC
8	2144 ROYAL	321 COMMERCIAL AVE LLC & 329 COMMERCIAL
	AVE LLC	
9	2203 JOE FIELD	GENE & NORMA MGT LTD &
10	2206 JOE FIELD	ARNIM TOOL CO INC % KINGSTON ARNIM
11	2260 JOE FIELD	METRO BRICK & STONE CO
12	11200 GOODNIGHT	BROWN LEWISVILLE RAILROAD FAMILY FIRST
	LP	
13	11143 GOODNIGHT	AUSTIN INTERNATIONAL VENTURES INC
14	11235 NEWKIRK ST	CHOI MYOUNG S & HEE A

***Friday, January 21, 2011***

**FILE NUMBER:** M101-011

**DATE FILED:** December 27, 2010

**LOCATION:** Arapaho Road and Prestonwood Boulevard, Southeast Corner

**COUNCIL DISTRICT:** 11

**MAPSCO:** 5 W

**SIZE OF REQUEST:** Approx. 5.6 Acres

**CENSUS TRACT:** 136.12

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**APPLICANT/OWNER:** Prestonwood Tradition, LP

**REPRESENTATIVE:** Dallas Cothrum

**MISCELLANEOUS DOCKET ITEM**

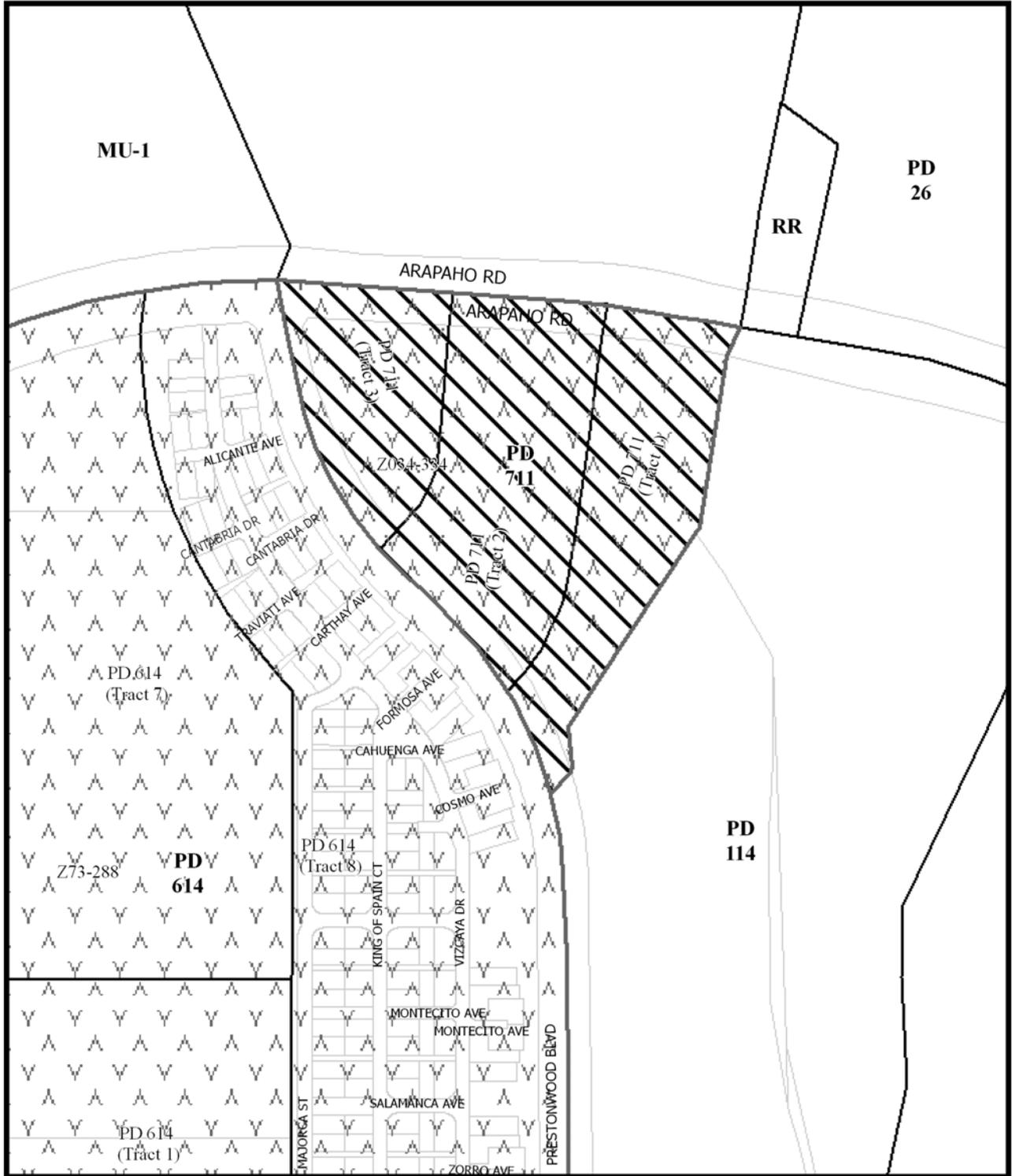
Minor Amendment for Landscape Plan

On January 12, 2005, the City Council passed Ordinance No. 25844 which established Planned Development District No. 711 for Multifamily Uses and RR Regional Retail District Uses on property at the above location. The PDD was amended by Ordinance No. 27078 providing for retirement housing uses, and Ordinance No. 27558 providing for revisions related to retirement housing.

At this time, the property owner has submitted an application for consideration of a minor amendment to the landscape plan to provide for alternative species and planting areas. It should be noted the biggest revision relates to replacing large canopy trees in close proximity to overhead utilities. The screening of the property at the perimeter remains consistent with that originally approved.

The requested minor amendment does not impact any of the other provisions of the ordinance permitting this use and otherwise complies with the provisions for a minor amendment to a landscape plan.

**STAFF RECOMMENDATION:** Approval

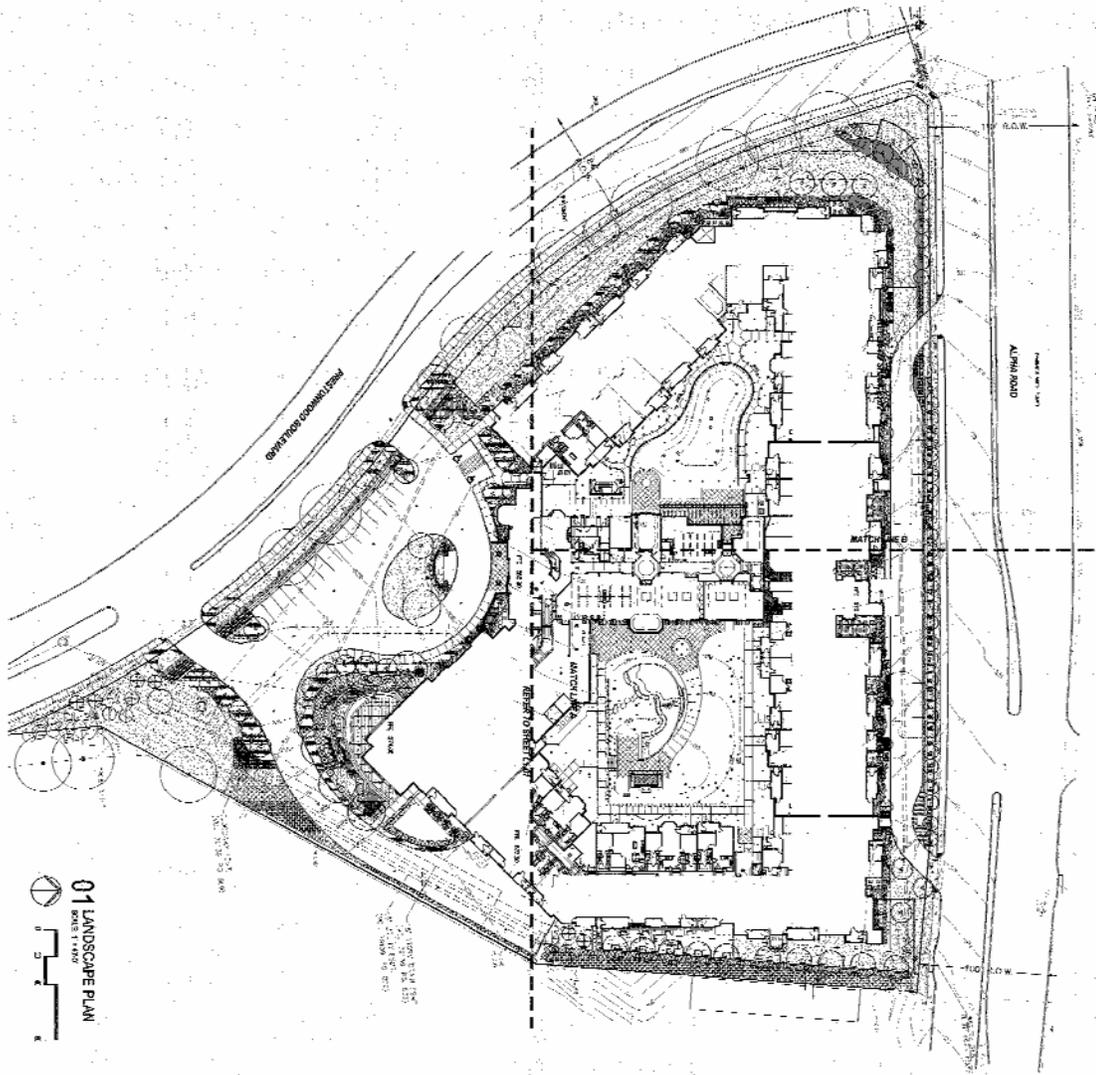


  
 1:2,400

# ZONING MAP

Map no:           B-7            
 Case no:           M101-011          

DATE: January 21, 2011



01 LANDSCAPE PLAN  
SCALE 1/8" = 1'-0"

**PLANT LEGEND**

NO.	SYMBOL	PLANT TYPE	SIZE
1	(Symbol)	Aspen	12"
2	(Symbol)	Aspen	18"
3	(Symbol)	Aspen	24"
4	(Symbol)	Aspen	36"
5	(Symbol)	Aspen	48"
6	(Symbol)	Aspen	60"
7	(Symbol)	Aspen	72"
8	(Symbol)	Aspen	84"
9	(Symbol)	Aspen	96"
10	(Symbol)	Aspen	108"
11	(Symbol)	Aspen	120"
12	(Symbol)	Aspen	132"
13	(Symbol)	Aspen	144"
14	(Symbol)	Aspen	156"
15	(Symbol)	Aspen	168"
16	(Symbol)	Aspen	180"
17	(Symbol)	Aspen	192"
18	(Symbol)	Aspen	204"
19	(Symbol)	Aspen	216"
20	(Symbol)	Aspen	228"
21	(Symbol)	Aspen	240"
22	(Symbol)	Aspen	252"
23	(Symbol)	Aspen	264"
24	(Symbol)	Aspen	276"
25	(Symbol)	Aspen	288"
26	(Symbol)	Aspen	300"
27	(Symbol)	Aspen	312"
28	(Symbol)	Aspen	324"
29	(Symbol)	Aspen	336"
30	(Symbol)	Aspen	348"
31	(Symbol)	Aspen	360"
32	(Symbol)	Aspen	372"
33	(Symbol)	Aspen	384"
34	(Symbol)	Aspen	396"
35	(Symbol)	Aspen	408"
36	(Symbol)	Aspen	420"
37	(Symbol)	Aspen	432"
38	(Symbol)	Aspen	444"
39	(Symbol)	Aspen	456"
40	(Symbol)	Aspen	468"
41	(Symbol)	Aspen	480"
42	(Symbol)	Aspen	492"
43	(Symbol)	Aspen	504"
44	(Symbol)	Aspen	516"
45	(Symbol)	Aspen	528"
46	(Symbol)	Aspen	540"
47	(Symbol)	Aspen	552"
48	(Symbol)	Aspen	564"
49	(Symbol)	Aspen	576"
50	(Symbol)	Aspen	588"
51	(Symbol)	Aspen	600"
52	(Symbol)	Aspen	612"
53	(Symbol)	Aspen	624"
54	(Symbol)	Aspen	636"
55	(Symbol)	Aspen	648"
56	(Symbol)	Aspen	660"
57	(Symbol)	Aspen	672"
58	(Symbol)	Aspen	684"
59	(Symbol)	Aspen	696"
60	(Symbol)	Aspen	708"
61	(Symbol)	Aspen	720"
62	(Symbol)	Aspen	732"
63	(Symbol)	Aspen	744"
64	(Symbol)	Aspen	756"
65	(Symbol)	Aspen	768"
66	(Symbol)	Aspen	780"
67	(Symbol)	Aspen	792"
68	(Symbol)	Aspen	804"
69	(Symbol)	Aspen	816"
70	(Symbol)	Aspen	828"
71	(Symbol)	Aspen	840"
72	(Symbol)	Aspen	852"
73	(Symbol)	Aspen	864"
74	(Symbol)	Aspen	876"
75	(Symbol)	Aspen	888"
76	(Symbol)	Aspen	900"
77	(Symbol)	Aspen	912"
78	(Symbol)	Aspen	924"
79	(Symbol)	Aspen	936"
80	(Symbol)	Aspen	948"
81	(Symbol)	Aspen	960"
82	(Symbol)	Aspen	972"
83	(Symbol)	Aspen	984"
84	(Symbol)	Aspen	996"
85	(Symbol)	Aspen	1008"
86	(Symbol)	Aspen	1020"
87	(Symbol)	Aspen	1032"
88	(Symbol)	Aspen	1044"
89	(Symbol)	Aspen	1056"
90	(Symbol)	Aspen	1068"
91	(Symbol)	Aspen	1080"
92	(Symbol)	Aspen	1092"
93	(Symbol)	Aspen	1104"
94	(Symbol)	Aspen	1116"
95	(Symbol)	Aspen	1128"
96	(Symbol)	Aspen	1140"
97	(Symbol)	Aspen	1152"
98	(Symbol)	Aspen	1164"
99	(Symbol)	Aspen	1176"
100	(Symbol)	Aspen	1188"
101	(Symbol)	Aspen	1200"
102	(Symbol)	Aspen	1212"
103	(Symbol)	Aspen	1224"
104	(Symbol)	Aspen	1236"
105	(Symbol)	Aspen	1248"
106	(Symbol)	Aspen	1260"
107	(Symbol)	Aspen	1272"
108	(Symbol)	Aspen	1284"
109	(Symbol)	Aspen	1296"
110	(Symbol)	Aspen	1308"
111	(Symbol)	Aspen	1320"
112	(Symbol)	Aspen	1332"
113	(Symbol)	Aspen	1344"
114	(Symbol)	Aspen	1356"
115	(Symbol)	Aspen	1368"
116	(Symbol)	Aspen	1380"
117	(Symbol)	Aspen	1392"
118	(Symbol)	Aspen	1404"
119	(Symbol)	Aspen	1416"
120	(Symbol)	Aspen	1428"
121	(Symbol)	Aspen	1440"
122	(Symbol)	Aspen	1452"
123	(Symbol)	Aspen	1464"
124	(Symbol)	Aspen	1476"
125	(Symbol)	Aspen	1488"

- LANDSCAPE NOTES**
1. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  4. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  5. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  6. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  7. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  8. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  9. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  10. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
- GENERAL LANDSCAPE NOTES**
1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  4. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  5. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  6. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  7. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  8. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  9. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
  10. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION.
- SOIL NOTES**
1. ALL SOILS SHALL BE TESTED AND FOUND TO BE SUITABLE FOR PLANTING.
  2. ALL SOILS SHALL BE TESTED AND FOUND TO BE SUITABLE FOR PLANTING.
  3. ALL SOILS SHALL BE TESTED AND FOUND TO BE SUITABLE FOR PLANTING.
  4. ALL SOILS SHALL BE TESTED AND FOUND TO BE SUITABLE FOR PLANTING.
  5. ALL SOILS SHALL BE TESTED AND FOUND TO BE SUITABLE FOR PLANTING.
  6. ALL SOILS SHALL BE TESTED AND FOUND TO BE SUITABLE FOR PLANTING.
  7. ALL SOILS SHALL BE TESTED AND FOUND TO BE SUITABLE FOR PLANTING.
  8. ALL SOILS SHALL BE TESTED AND FOUND TO BE SUITABLE FOR PLANTING.
  9. ALL SOILS SHALL BE TESTED AND FOUND TO BE SUITABLE FOR PLANTING.
  10. ALL SOILS SHALL BE TESTED AND FOUND TO BE SUITABLE FOR PLANTING.



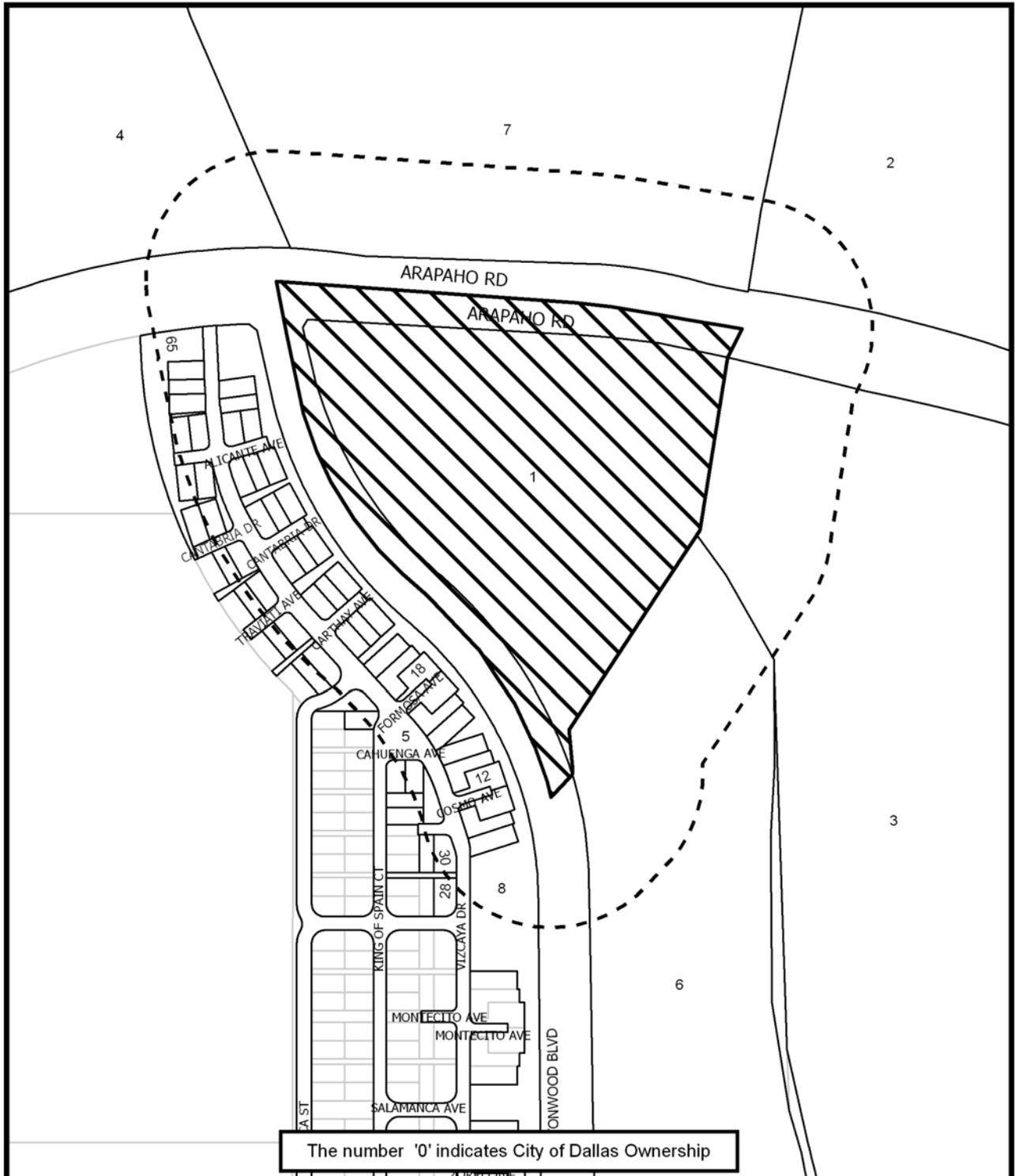
<p>PROJECT: LANDSCAPE PLAN</p> <p>DATE: 08/08/2015</p> <p>SCALE: 1/8" = 1'-0"</p> <p>PROJECT NO: 15010</p>	<p>DATE: 08/08/2015</p> <p>SCALE: 1/8" = 1'-0"</p> <p>PROJECT NO: 15010</p>	<p>DATE: 08/08/2015</p> <p>SCALE: 1/8" = 1'-0"</p> <p>PROJECT NO: 15010</p>	<p>DATE: 08/08/2015</p> <p>SCALE: 1/8" = 1'-0"</p> <p>PROJECT NO: 15010</p>	<p>DATE: 08/08/2015</p> <p>SCALE: 1/8" = 1'-0"</p> <p>PROJECT NO: 15010</p>	<p>DATE: 08/08/2015</p> <p>SCALE: 1/8" = 1'-0"</p> <p>PROJECT NO: 15010</p>
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**smr**  
landscape architects, inc.  
1700 H Griffin Street Dallas, Texas 75248  
Tel: 214.671.0288 Fax: 214.671.0546  
Email: smr@smrll.com

**EVH LANDSCAPES**  
Landscape Architects

The Tradition- Prestonwood  
15250 Prestonwood Boulevard  
Dallas, Texas 75248





  
 1:2,400

## NOTIFICATION

200' AREA OF NOTIFICATION  
70 NUMBER OF PROPERTY OWNERS NOTIFIED

Map no:           B-7            
 Case no:           M101-011          

DATE: January 21, 2011

1/21/2011

## *Notification List of Property Owners*

### *M101-011*

#### *70 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	15250 PRESTONWOOD	PRESTONWOOD TRADITION LP STE 101A
2	15901 PRESTON	PRESTONWOOD GOLF CLUB CORP
3	5840 ARAPAHO	PRESTONWOOD GOLF CLUB CORP
4	5519 ARAPAHO	PV PRESTONWOOD I LTD
5	200 VIZCAYA	SCI ESTANCIA FUND SUITE 300
6	15190 PRESTONWOOD	TURNBERRT TRUST STE#200
7	5665 ARAPAHO	BERKELY INDUSTRIES LTD % JON HAMILTON
8	15196 VIZCAYA	SCI ESTANCIA FUND SUITE 300
9	15206 VIZCAYA	SCI ESTANCIA FUND SUITE 300
10	15210 VIZCAYA	SCI ESTANCIA FUND SUITE 300
11	5566 COSMO	SCI ESTANCIA FUND SUITE 300
12	5565 COSMO	SCI ESTANCIA FUND SUITE 300
13	15216 VIZCAYA	SCI ESTANCIA FUND SUITE 300
14	15220 VIZCAYA	SCI ESTANCIA FUND SUITE 300
15	15228 VIZCAYA	SCI ESTANCIA FUND SUITE 300
16	15232 VIZCAYA	SCI ESTANCIA FUND SUITE 300
17	5568 FORMOSA	SCI ESTANCIA FUND SUITE 300
18	5567 FORMOSA	SCI ESTANCIA FUND SUITE 300
19	15238 VIZCAYA	SCI ESTANCIA FUND SUITE 300
20	15242 VIZCAYA	SCI ESTANCIA FUND SUITE 300
21	5558 CARTHAY	SCI ESTANCIA FUND SUITE 300
22	5562 CARTHAY	SCI ESTANCIA FUND SUITE 300
23	5566 CARTHAY	SCI ESTANCIA FUND SUITE 300
24	15256 MAJORCA	SCI ESTANCIA FUND SUITE 300
25	15237 KING OF SPAIN	SCI ESTANCIA FUND SUITE 300
26	15210 KING OF SPAIN	SCI ESTANCIA FUND SUITE 300

*Friday, January 21, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	15213 VIZCAYA	SCI ESTANCIA FUND SUITE 300
28	5547 BRENTWOOD	SCI ESTANCIA FUND SUITE 300
29	5554 COSMO	SCI ESTANCIA FUND SUITE 300
30	5558 COSMO	SCI ESTANCIA FUND SUITE 300
31	15226 KING OF SPAIN	SCI ESTANCIA FUND SUITE 300
32	15230 KING OF SPAIN	SCI ESTANCIA FUND SUITE 300
33	5542 CAHUENGA	SCI ESTANCIA FUND SUITE 300
34	5546 CAHUENGA	SCI ESTANCIA FUND SUITE 300
35	22 VIZCAYA	SCI ESTANCIA FUND SUITE 300
36	15255 MAJORCA	SCI ESTANCIA FUND SUITE 300
37	15259 MAJORCA	SCI ESTANCIA FUND SUITE 300
38	5544 TRAVIAU	SCI ESTANCIA FUND SUITE 300
39	5548 TRAVIAU	SCI ESTANCIA FUND SUITE 300
40	5557 CARTHAY	SCI ESTANCIA FUND SUITE 300
41	5561 CARTHAY	SCI ESTANCIA FUND SUITE 300
42	5565 CARTHAY	SCI ESTANCIA FUND SUITE 300
43	5556 CANTABRIA	SCI ESTANCIA FUND SUITE 300
44	5560 CANTABRIA	SCI ESTANCIA FUND SUITE 300
45	5564 CANTABRIA	SCI ESTANCIA FUND SUITE 300
46	44 VIZCAYA	SCI ESTANCIA FUND SUITE 300
47	5543 TRAVIAU	SCI ESTANCIA FUND SUITE 300
48	5547 TRAVIAU	SCI ESTANCIA FUND SUITE 300
49	5546 CANTABRIA	SCI ESTANCIA FUND SUITE 300
50	5550 CANTABRIA	SCI ESTANCIA FUND SUITE 300
51	5555 CANTABRIA	SCI ESTANCIA FUND SUITE 300
52	5559 CANTABRIA	SCI ESTANCIA FUND SUITE 300
53	5563 CANTABRIA	SCI ESTANCIA FUND SUITE 300
54	5560 ALICANTE	SCI ESTANCIA FUND SUITE 300
55	5564 ALICANTE	SCI ESTANCIA FUND SUITE 300
56	5568 ALICANTE	SCI ESTANCIA FUND SUITE 300
57	5541 CANTABRIA	SCI ESTANCIA FUND SUITE 300

*Friday, January 21, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	5545 CANTABRIA	SCI ESTANCIA FUND SUITE 300
59	5548 ALICANTE	SCI ESTANCIA FUND SUITE 300
60	5552 ALICANTE	SCI ESTANCIA FUND SUITE 300
61	5559 ALICANTE	SCI ESTANCIA FUND SUITE 300
62	5563 ALICANTE	SCI ESTANCIA FUND SUITE 300
63	15262 VIZCAYA	SCI ESTANCIA FUND SUITE 300
64	15266 VIZCAYA	SCI ESTANCIA FUND SUITE 300
65	55 VIZCAYA	SCI ESTANCIA FUND SUITE 300
66	5547 ALICANTE	SCI ESTANCIA FUND SUITE 300
67	5551 ALICANTE	SCI ESTANCIA FUND SUITE 300
68	15263 VIZCAYA	SCI ESTANCIA FUND SUITE 300
69	15267 VIZCAYA	SCI ESTANCIA FUND SUITE 300
70	15271 VIZCAYA	SCI ESTANCIA FUND SUITE 300

**FILE NUMBER:** M101-012

**DATE FILED:** January 7, 2011

**LOCATION:** Buckner Boulevard and Kipling Drive, Northeast Corner

**COUNCIL DISTRICT:** 5

**MAPSCO:** 58 U

**SIZE OF REQUEST:** Approx. 4.42 Acres

**CENSUS TRACT:** 117.01

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**APPLICANT/OWNER:** What's Hot Fun World, Ltd.

**REPRESENTATIVE:** Jonathan Vinson

**MISCELLANEOUS DOCKET ITEM**

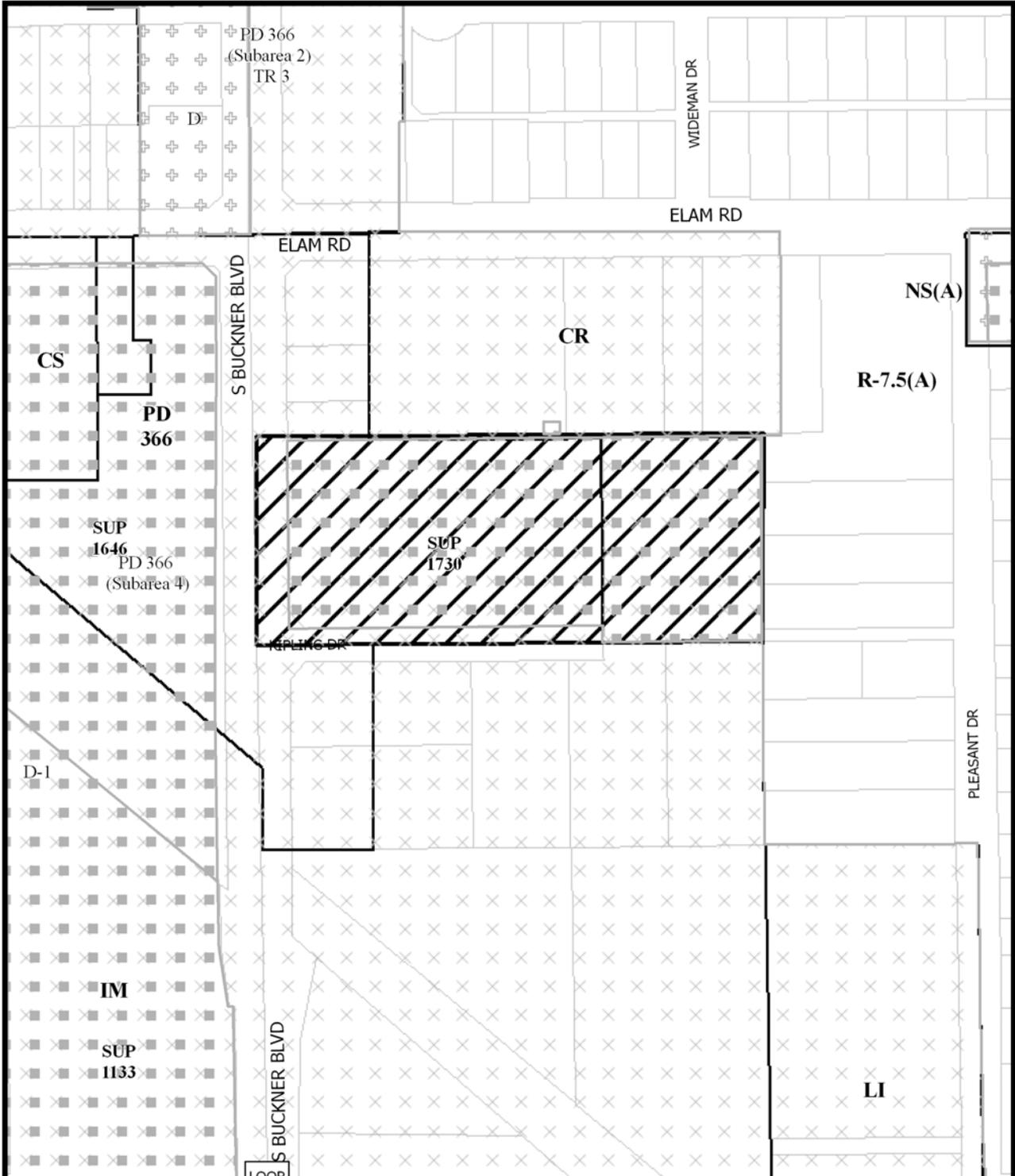
Minor Amendment for Site Plan

On October 22, 2008, the City Council passed Ordinance No. 27364 which established Specific Use Permit No. 1730 for an Alcoholic beverage establishment for a Private-club bar on property at the above location.

At this time, the property owner has submitted an application for consideration of a minor amendment to the site plan to provide for a revision to the off-street parking area to accommodate an increase in dance floor area, which is a use permitted by right.

The requested minor amendment does not impact any of the other provisions of the ordinance permitting this use and otherwise complies with the provisions of a minor amendment to a site plan.

**STAFF RECOMMENDATION:** Approval

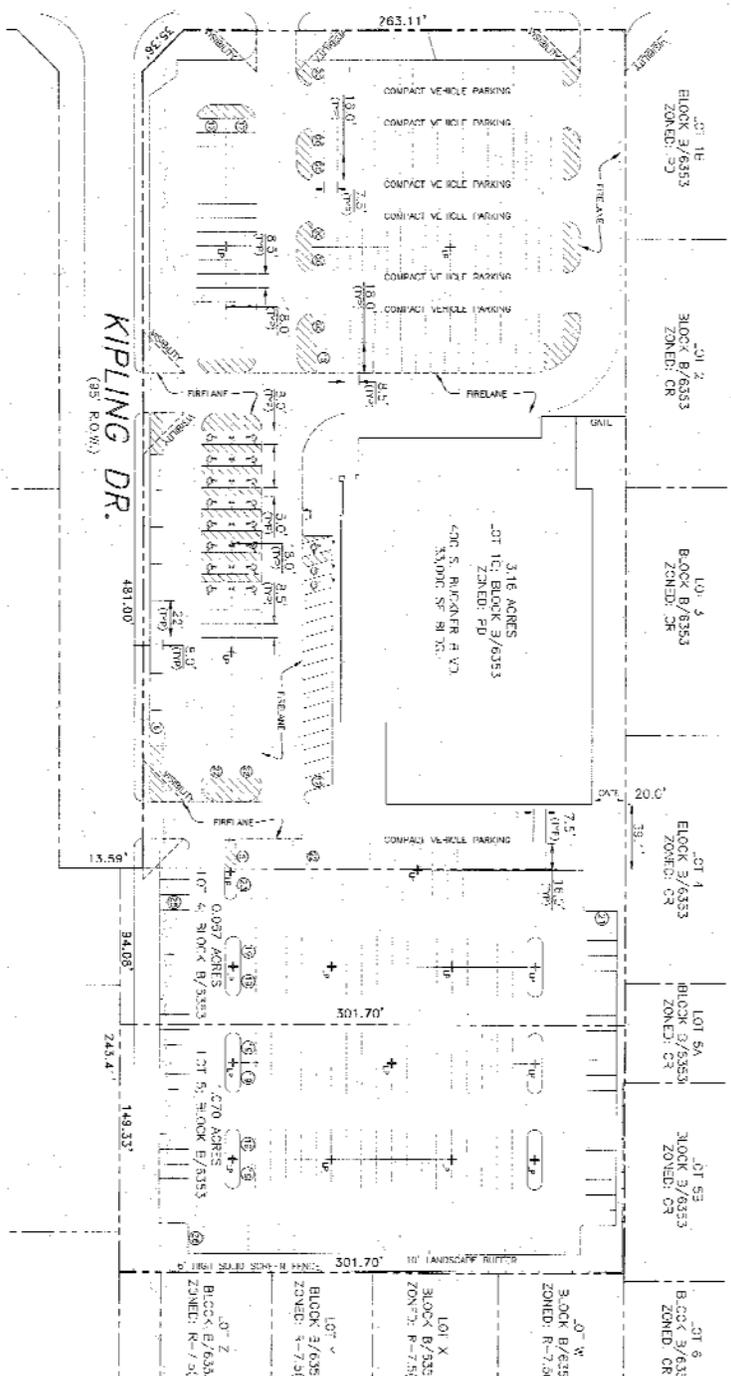


 1:2,400	<h1>ZONING MAP</h1>	Map no: <u>          M-10          </u> Case no: <u>          M101-012          </u>
--	---------------------	---

DATE: March 09, 2011

# S. BUCKNER BLVD.

(95' R.O.W.)



## KIPLING DR.

(95' R.O.W.)

**NOTE**

1. THIS PLAN IS FOR THE PROPOSED DEVELOPMENT OF THE SITE SHOWN HEREON AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.
2. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.
3. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.

**GRAPHIC SCALE**

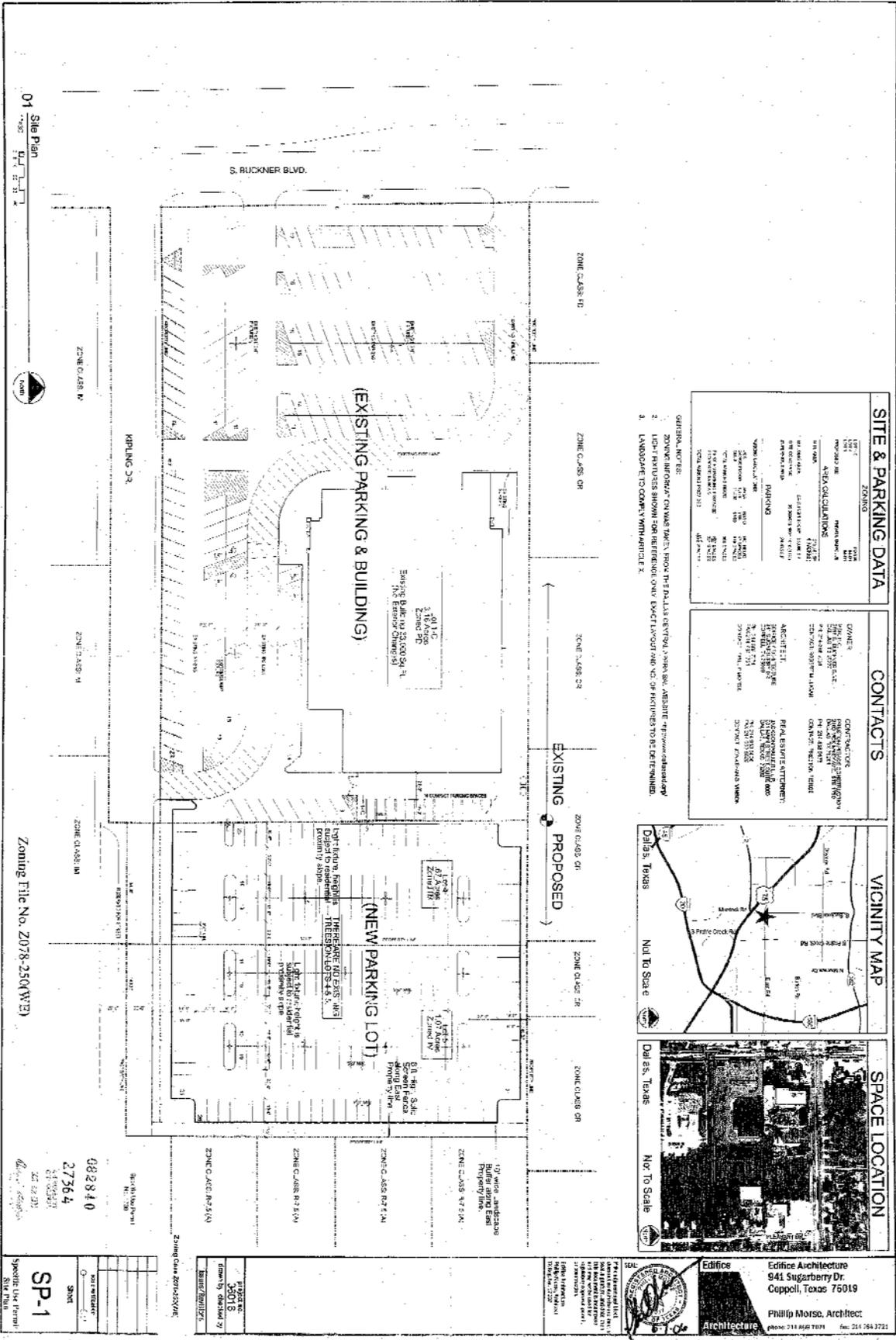
1" = 50' (AS SHOWN)

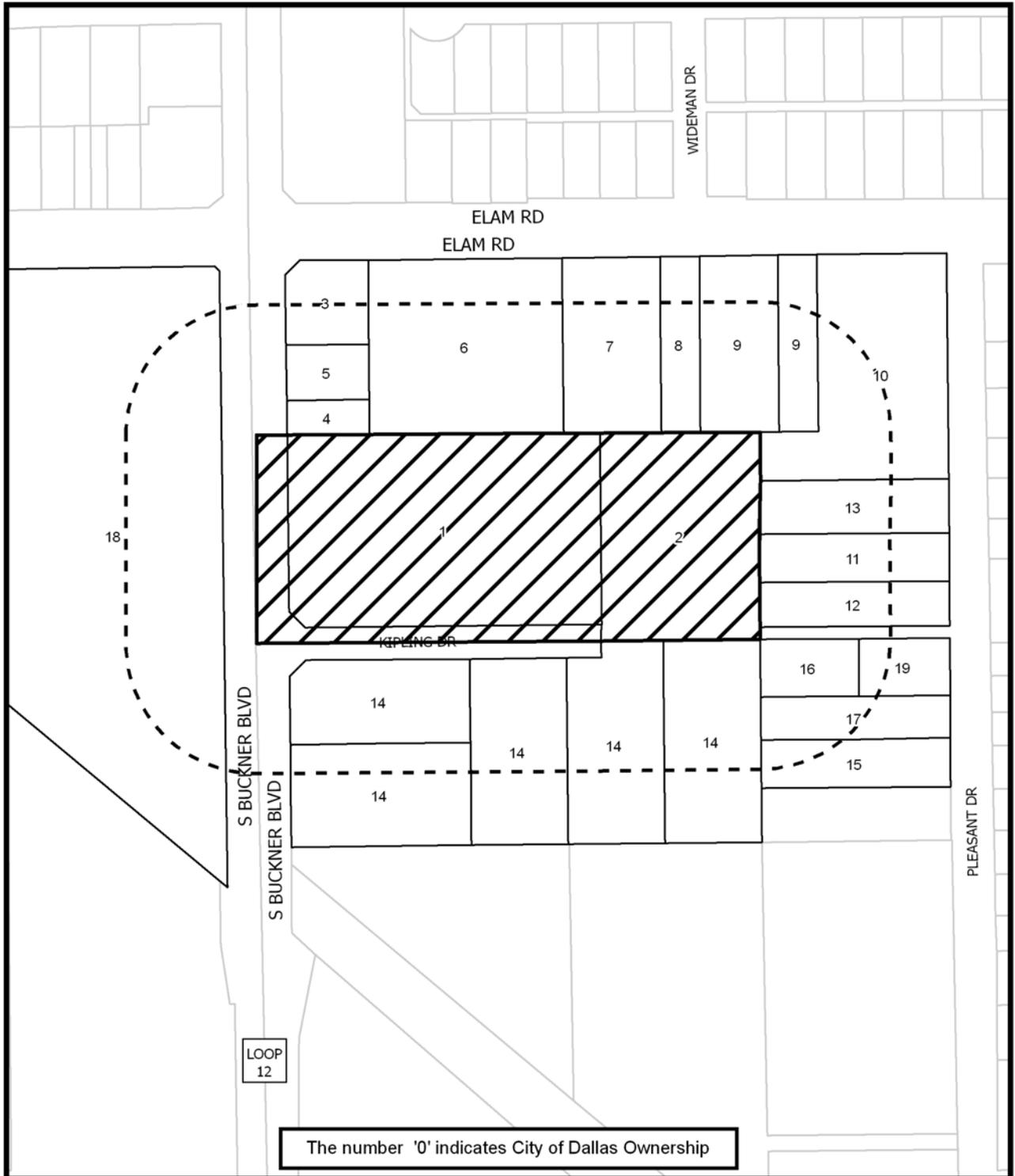
**SITE DATA**

2.29 ACRES  
 LOT 103  
 LOT 104  
 LOT 105  
 LOT 106  
 LOT 107  
 LOT 108  
 LOT 109  
 LOT 110  
 LOT 111  
 LOT 112  
 LOT 113  
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 LOT 190  
 LOT 191  
 LOT 192  
 LOT 193  
 LOT 194  
 LOT 195  
 LOT 196  
 LOT 197  
 LOT 198  
 LOT 199  
 LOT 200

**PREPARED BY:** BARRAGAN GROUP LLC  
 1000 N. GILBERT ST., SUITE 100  
 DALLAS, TEXAS 75207  
 TEL: 214.750.1000  
 FAX: 214.750.1001  
 WWW.BARRAGAN.COM

**Proposed Site Plan**





The number '0' indicates City of Dallas Ownership

 <p>1:2,400</p>	<h2 style="text-align: center;">NOTIFICATION</h2> <p><b>200'</b> AREA OF NOTIFICATION</p> <p><b>19</b> NUMBER OF PROPERTY OWNERS NOTIFIED</p>	<p>Map no: <b>M-10</b></p> <p>Case no: <b>M101-012</b></p>
---	---	--

DATE: March 09, 2011

3/9/2011

## *Notification List of Property Owners*

### *M101-012*

#### *19 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	400 BUCKNER	WHATS HOT FUND WORLD LTD &
2	8106 KIPLING	MILLIGAN ROBERT K
3	440 BUCKNER	ALYENA PROPERTIES INC
4	426 BUCKNER	MILLIGAN ROBERT
5	432 BUCKNER	CASAS MANUEL
6	8114 ELAM	SOUTHWESTERN BELL SBC COMM INC PPTY TAX DEP
7	8202 ELAM	RPS VENTURES INC
8	8214 ELAM	CARTER JOSEPH LEWIS
9	8228 ELAM	CARTER JOSEPH L
10	8238 ELAM	IGLESIA BAUTISTA NUEVA CANZION INC
11	411 PLEASANT	MONROY VERONICA & RAUL F
12	405 PLEASANT	AGUILAR PRISCILLA M
13	415 PLEASANT	CASTANEDA JOSE
14	350 BUCKNER	U S POSTAL SERVICE
15	351 PLEASANT	BUSSELL JAMES PHILLIPS
16	363 PLEASANT	BUSSELL MICHAEL D
17	355 PLEASANT	BUSSELL JAMES PHILLIP
18	435 BUCKNER	DALLAS AREA RAPID TRANSIT
19	363 PLEASANT	BUSSELL PHILLIP B

Wednesday, March 09, 2011

**FILE NUMBER:** M101-013

**DATE FILED:** January 1, 2011

**LOCATION:** Samuell Boulevard and Buckner Boulevard, Southeast Quadrant

**COUNCIL DISTRICT:** 7

**MAPSCO:** 48 G

**SIZE OF REQUEST:** Approx. 5.8 Acres

**CENSUS TRACT:** 122.07

---

**APPLICANT:** Blackbird Studio

**REPRESENTATIVE:** Jody Hogue

**OWNER:** Buckner International

**MISCELLANEOUS DOCKET ITEM**

Minor Amendment for Phase II Development Plan

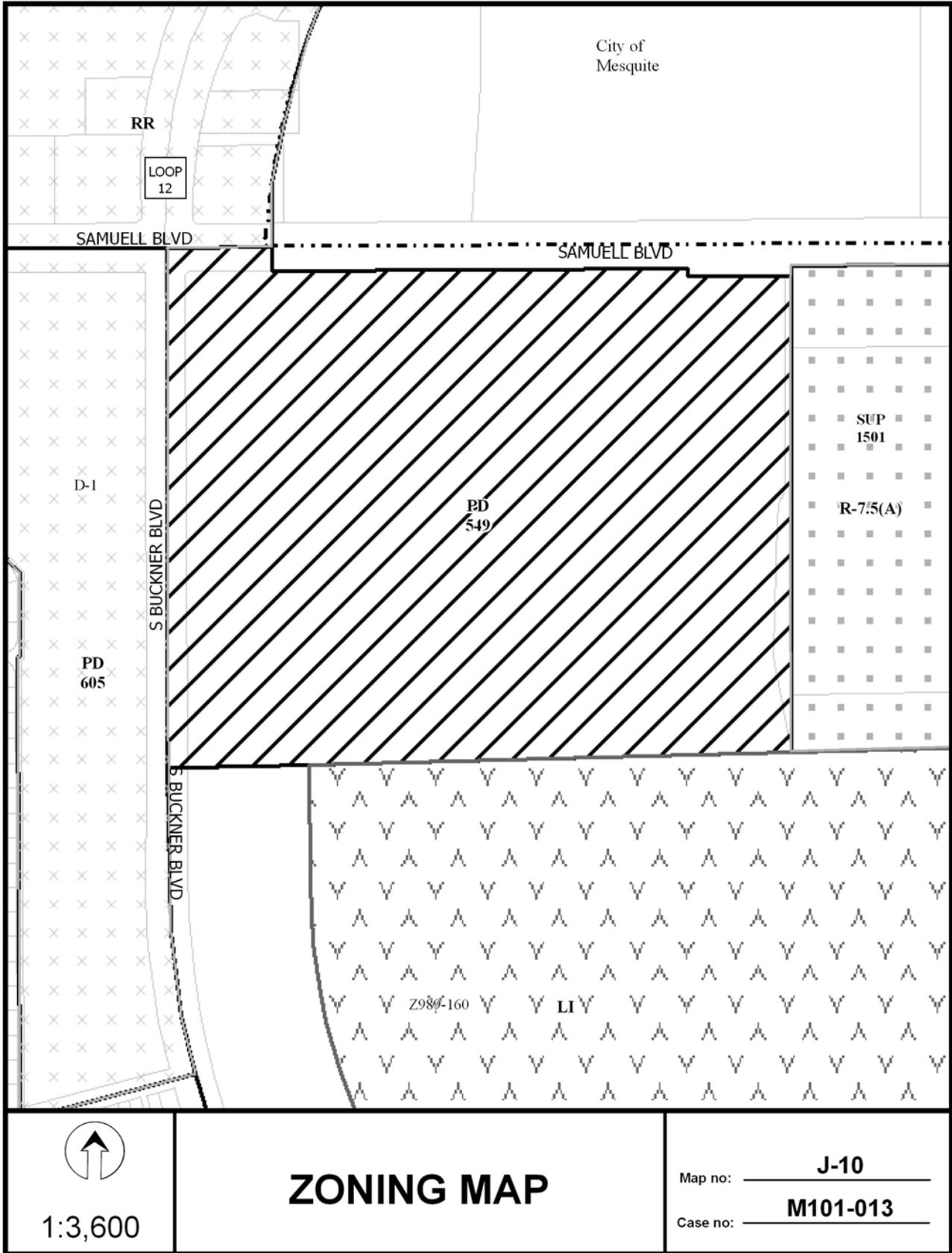
On May 26, 1999, the City Council passed Ordinance No. 23894 which established Planned Development District No. 549 for certain Recreation Uses, Institutional and Community Service Uses, and R-7.5(A) Single Family District Uses.

The zoning was granted as a conceptual planned development district and requires City Plan Commission approval of a development plan for each building site prior to the issuance of a building permit. On November 18, 1999, the City Plan Commission recommended approval of a development plan for the Phase II portion of the property.

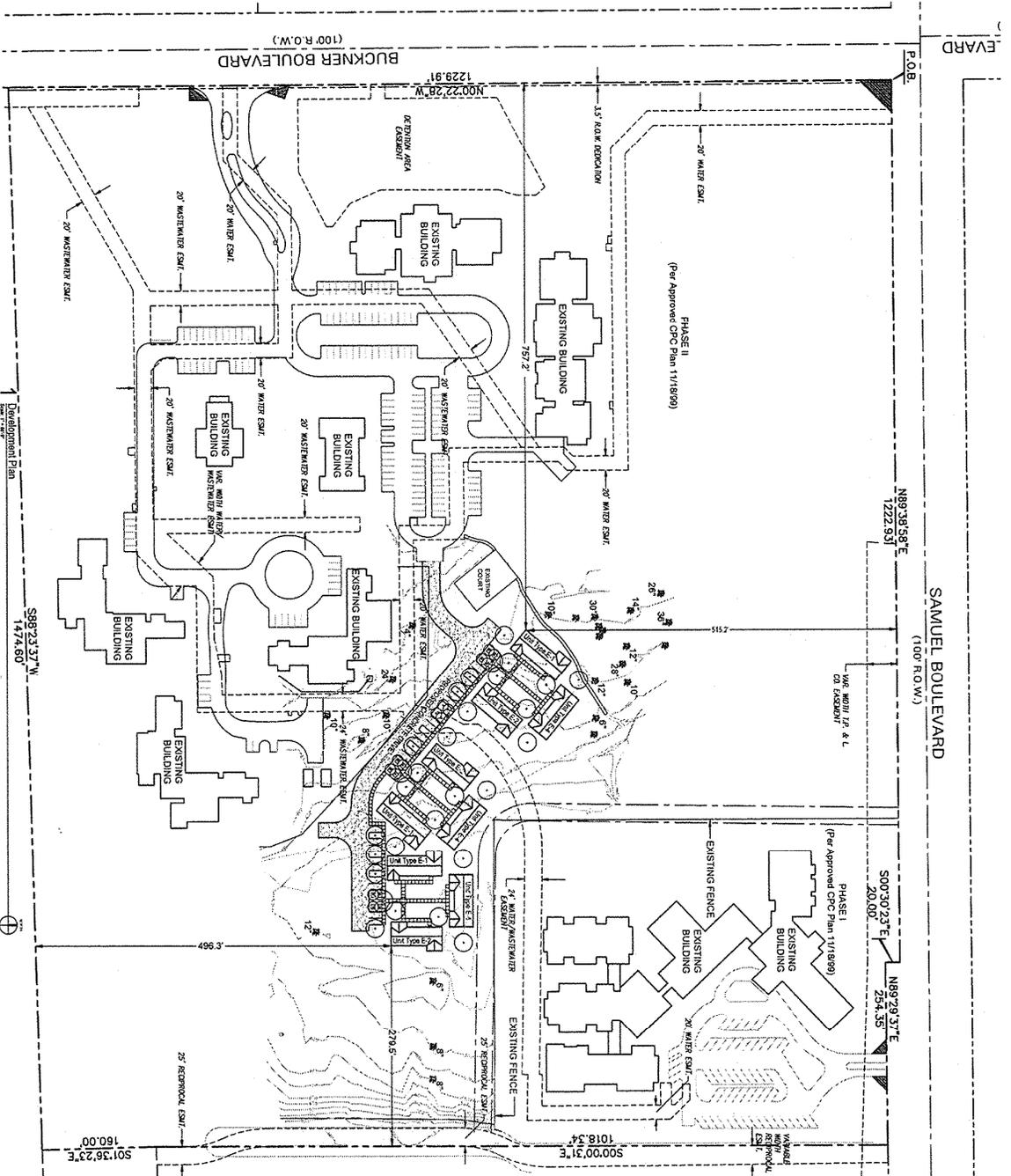
At this time, the property owner has submitted an application for consideration of a minor amendment to the Phase II development plan to provide for the addition of 39 beds in conjunction with the existing special institutional use. The plan provides for the additional required parking for the increase in bed count.

The applicant's request does not impact any of the other regulations governing the property and otherwise complies with the provisions for consideration of a minor amendment to a development plan.

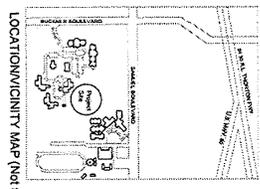
**STAFF RECOMMENDATION:** Approval



DATE: March 09, 2011



M/D-013



**GENERAL INFORMATION**

1. PROJECT: BUCKNER CHILDREN & FAMILY SERVICES  
6002 South Park Street  
Dallas, Texas 75227
2. OWNER: Buckner International  
600 North Park Street  
Dallas, Texas 75201  
214.752.8800
3. DEVELOPER: Buckner Children & Family Services  
600 North Park Street  
Dallas, Texas 75201  
214.752.8800
4. PROPOSED SERVICES PROVIDED: 174  
Number of Beds = 111  
Number of Rooms = 72
5. NUMBER OF BEDS: 111  
Standard Spikes = 197
6. LOT COVERAGE: Building Area = 51,426 sqm  
Total Area = 40,524 sqm  
Lot Coverage Percentage = 7.50 %
7. NON-REVENUE COVER: Non-Revenue Area = 7.4 Acres  
Total Area = 40,524 sqm  
Non-Revenue Coverage Percentage = 18 %
8. The buildings are used for "Special Land Use".



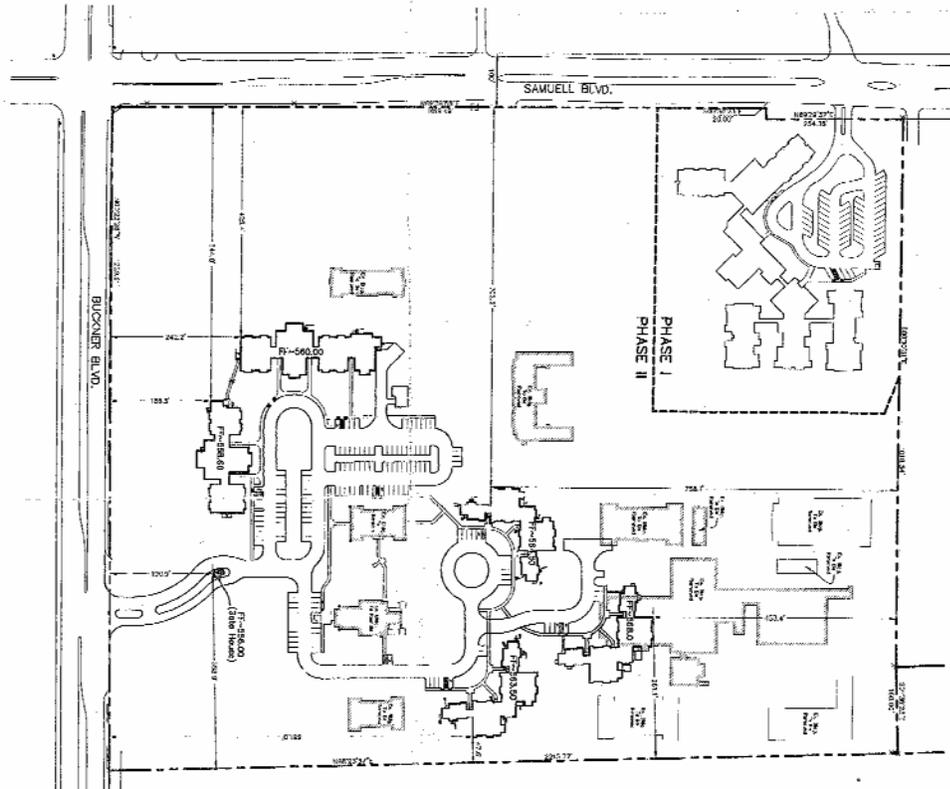
MapInfo Software  
12720 Hill Country Road, Suite 100  
Dallas, Texas 75244  
972.303.4000  
www.mapinfo.com

**BUCKNER**  
BUCKNER CHILDREN & FAMILY SERVICES  
5202 SOUTH BUCKNER BLVD.  
Dallas, Texas 75227

Developed by  
Project Name: 157001  
Date: 01/15/2002  
Author: January 5, 2011  
MapInfo  
Copyright 2011, Bentley Systems, Incorporated

A1.00

**Proposed Development Plan**

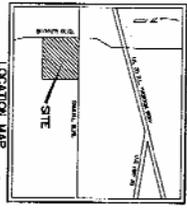


JONES & BOND, INC.  
 ENGINEERS & ARCHITECTS  
 1100 N. GILBERT ST. SUITE 200  
 DALLAS, TEXAS 75202  
 PHONE 972-248-7700  
 FAX 972-248-1118

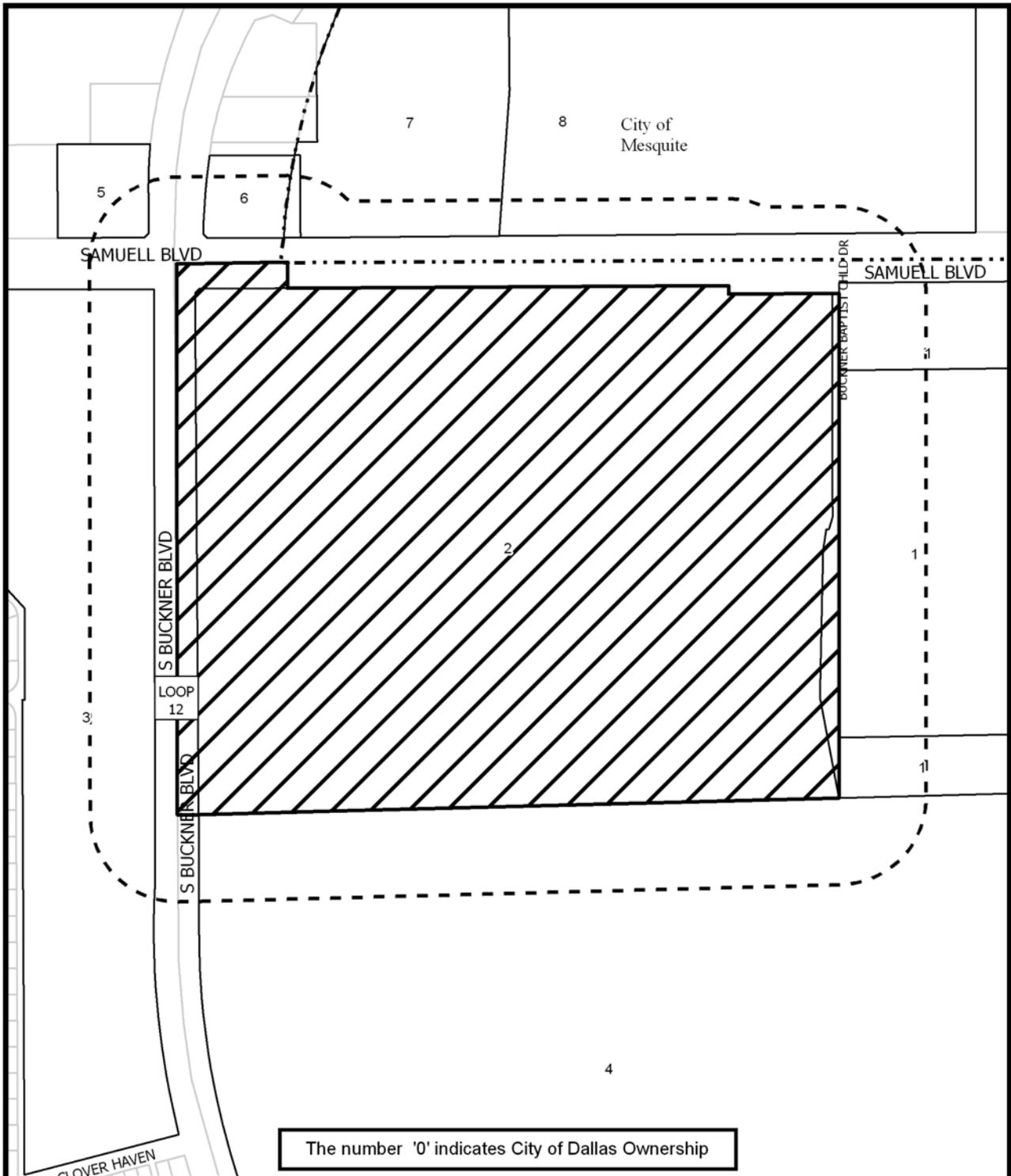
SCALE: AS SHOWN  
 DATE: 11/2/00  
 PROJECT: BUCKNER CHILDREN'S HOME  
 CITY OF DALLAS  
 DALLAS COUNTY  
 1 OF 1

**GENERAL INFORMATION**

1. CONSULTING, ADDRESS AND INFO DETAILS:  
 Buckner Children's Home  
 Buckner Child Development  
 500 N. East Street, Suite 300  
 Dallas, Texas 75201  
 (214) 758-8002  
 FAX: 758-8001
2. DEVELOPING NAME, ADDRESS AND PHONE NUMBER:  
 Buckner Children's Home  
 500 N. East Street, Suite 300  
 Dallas, Texas 75201  
 (214) 758-8002
3. PARKING SPACES PROVIDED = 153
4. NUMBER OF BAYS = 72
5. LOT COVERAGE:  
 Building Area (incl. covered areas) = 288,000 sq. ft.  
 Lot Area = 4,000 sq. ft.  
 Lot Coverage Percentage = 7.20%
6. LOT COVERAGE:  
 Building Area (incl. covered areas) = 288,000 sq. ft.  
 Lot Area = 4,000 sq. ft.  
 Lot Coverage Percentage = 7.20%
7. NON-PARKING COVER:  
 Non-parking cover = 710 sq. ft.  
 Lot Area = 4,000 sq. ft.  
 Non-parking cover Percentage = 17.75%
8. The building is to "Special" including JAW



5/4/0  
 11/2/00



 1:3,600	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="0"> <tr> <td style="border: 1px solid black; padding: 2px; text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px; text-align: center;">8</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	8	NUMBER OF PROPERTY OWNERS NOTIFIED	Map no: <u>          J-10          </u> Case no: <u>          M101-013          </u>
200'	AREA OF NOTIFICATION					
8	NUMBER OF PROPERTY OWNERS NOTIFIED					

DATE: March 09, 2011

## *Notification List of Property Owners*

*M101-013*

### *8 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5000 SAMUELL	FIRST BAPTIST ACADEMY
2	5202 BUCKNER	BUCKNER BAPTIST BENEVOLENCES
3	5204 BUCKNER	BUCKNER BAPT BENEVOLENCE
4	7890 SAMUELL	PROLOGIS
5	5501 BUCKNER	7-ELEVEN INC TAX DEPARTMENT #33275
6	5500 BUCKNER	RESOURCE ONE CREDIT UNION
7	5361 SAMUELL	BC RETAIL INVESTMENT LP
8	5351 SAMUELL	PROLOGIS FIRST US PROPERTIES LP

*Wednesday, March 09, 2011*



**FILE NUMBER:** M101-014

**DATE FILED:** January 27, 2011

**LOCATION:** East Line of Masters Drive and the North Line of Lake June Road

**COUNCIL DISTRICT:** 5

**MAPSCO:** 59 L

**SIZE OF REQUEST:** Approx.

**CENSUS TRACT:** 119

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**APPLICANT/OWNER:** NEC Lake June & Masters, L.P.

**REPRESENTATIVE:** Derek Ferem

**MISCELLANEOUS DOCKET ITEM**

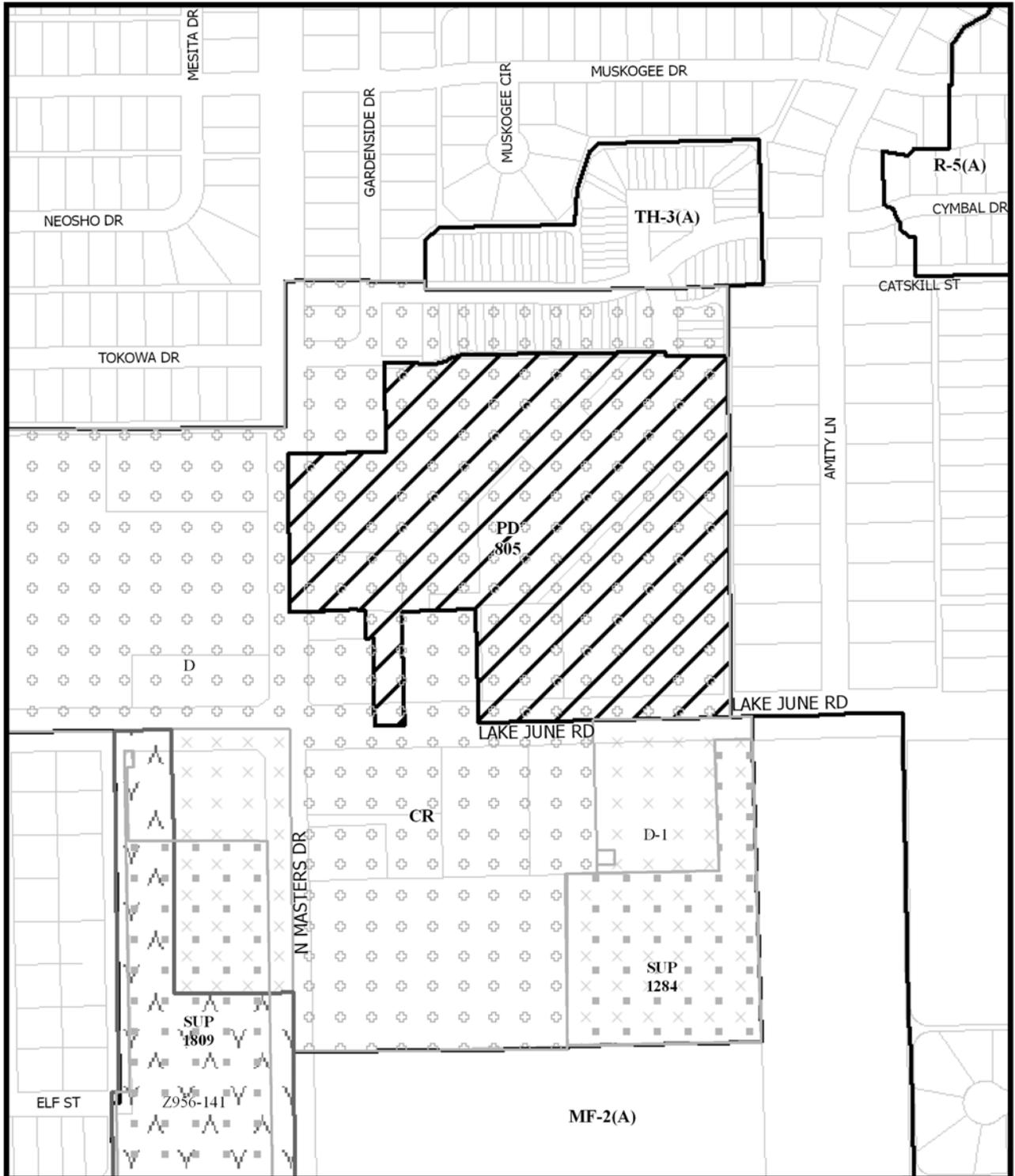
Minor Amendment for Development Plan

On March 25, 2009, the City Council passed Ordinance No. 27515 which established Planned Development District No. 805 for certain CR Community Retail District Uses on property at the above location.

At this time, the property owner has submitted an application for consideration of a minor amendment to the development plan to provide for revisions to approved building footprints, the addition of awning within the extreme northeast quadrant of the property, and the relocation of a monument sign along the Lake June Road frontage.

The requested minor amendment does not impact any of the other provisions of the ordinance permitting this use and otherwise complies with the provisions for consideration of a minor amendment to a development plan.

**STAFF RECOMMENDATION:** Approval



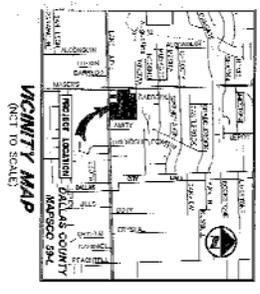
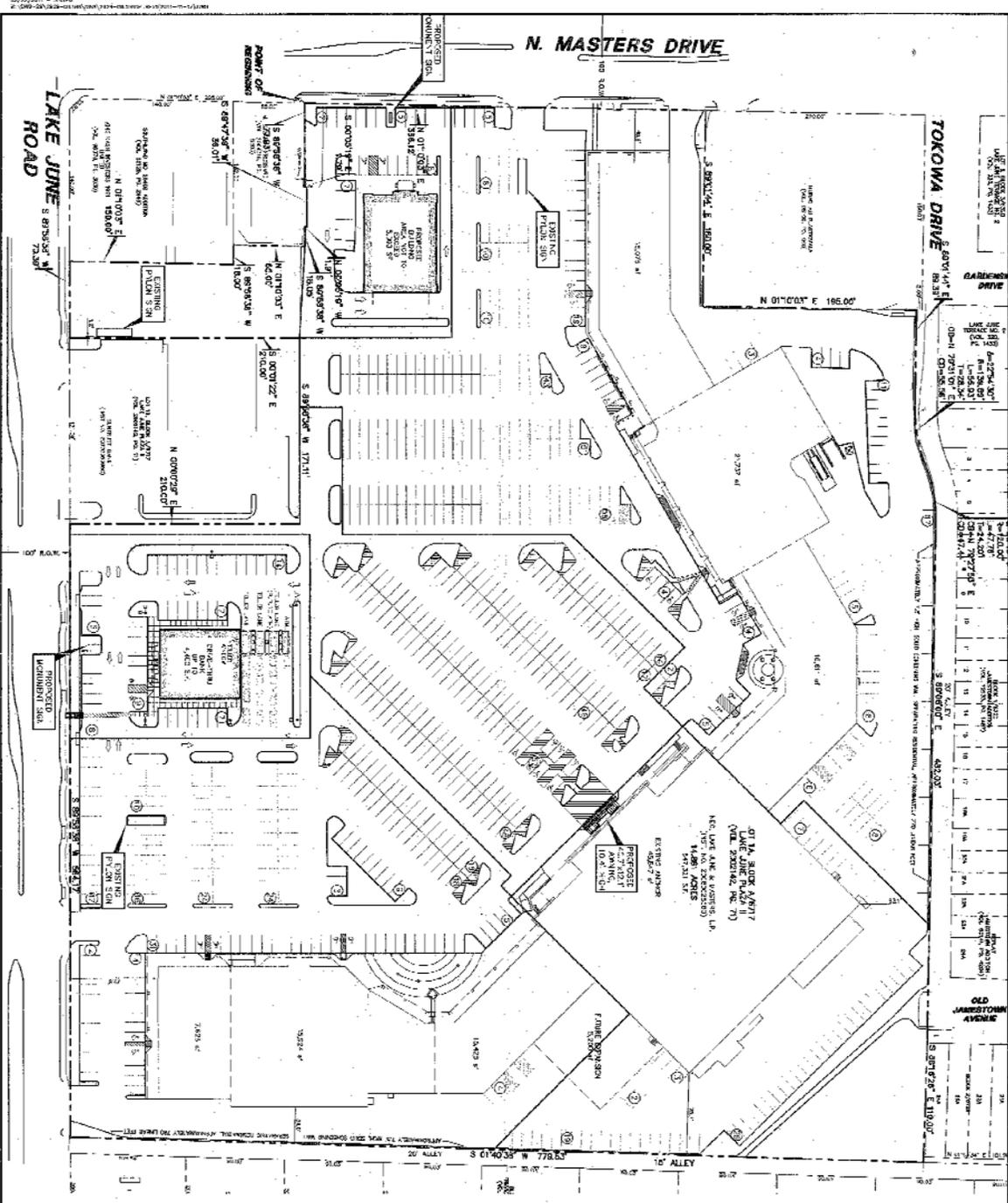
1:3,600

# ZONING MAP

Map no:           L-11          

Case no:           M101-014          

DATE: March 09, 2011



**SITE DATA**

DATE	NOV 11 2011	SCALE	AS SHOWN
PROJECT	LAKE JUNE PLAZA II ADDITION	DATE	NOV 11 2011
CLIENT	PACHECO KECH	PROJECT NO.	11-000000-01
NO. 1	LAKE JUNE PLAZA II ADDITION	NO. 2	LAKE JUNE PLAZA II ADDITION
NO. 3	LAKE JUNE PLAZA II ADDITION	NO. 4	LAKE JUNE PLAZA II ADDITION
NO. 5	LAKE JUNE PLAZA II ADDITION	NO. 6	LAKE JUNE PLAZA II ADDITION

0.15" = 1'-0" (VERTICAL SCALE) 1" = 100'-0" (HORIZONTAL SCALE)

**LAKE JUNE PLAZA II ADDITION  
LOT 1A, BLOCK A8712  
CITY OF DALLAS, TEXAS**

**TORRE VISTA  
DEVELOPMENT PLAN**

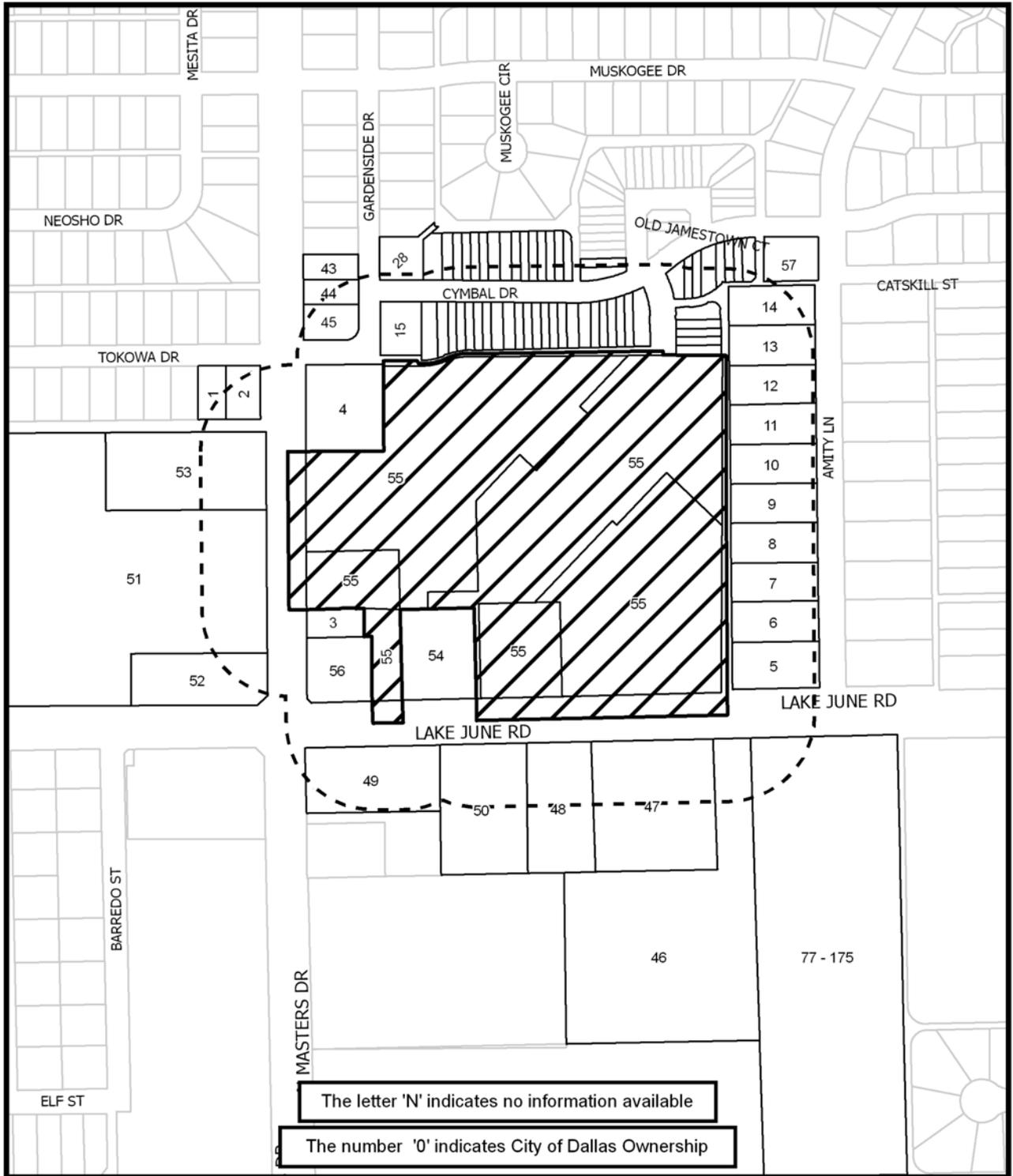
**Pacheco Kech** ARCHITECTS  
1100 N. GORMAN DRIVE, SUITE 100  
DALLAS, TEXAS 75202  
PHONE: (214) 742-1111 FAX: (214) 742-1112  
WWW.PACHECOKECH.COM

NO.	DATE	DESCRIPTION
001	11/11/11	PRELIMINARY PLAN
002	11/11/11	FINAL PLAN

DATE: 11/11/11  
DRAWN BY: J. SMITH  
CHECKED BY: M. SMITH  
SCALE: AS SHOWN  
PROJECT NO.: 11-000000-01

**Proposed Development Plan**





The letter 'N' indicates no information available

The number '0' indicates City of Dallas Ownership

  
 1:3,600

## NOTIFICATION

**200'** AREA OF NOTIFICATION  
**175** NUMBER OF PROPERTY OWNERS NOTIFIED

Map no:           L-11            
 Case no:           M101-014          

DATE: March 09, 2011

3/9/2011

## *Notification List of Property Owners*

### *M101-014*

#### *175 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10124 TOKOWA	CARDENAS LAURA
2	10128 TOKOWA	LOPEZ FERMIN & SELENE
3	1318 MASTERS	LAKE JUNE INVESTMENT PARTNERS III LP
4	1346 MASTERS	PLASTICWALA MURAD ALI
5	1307 AMITY	WALLACE MITCHELL W & LINDA
6	1311 AMITY	NELSON JOHN T ETAL
7	1319 AMITY	LOPEZ MA JOSEFINA
8	1327 AMITY	ALARCON DAVID
9	1333 AMITY	CALAHAN STACEY
10	1341 AMITY	CORIA ANTONIO
11	1347 AMITY	SHOFNER TOMMY JOE JR
12	1355 AMITY	LOPEZ MA JOSEFINA
13	1363 AMITY	ARREOLA JOSE ISMAEL
14	1369 AMITY	ARREOLA PATRICIA
15	10306 CYMBAL	ZAMORA JOSE LUIS
16	10308 CYMBAL	WHITE ORCHID HOLDING CO STE 701
17	10312 CYMBAL	WHITE ORCHID HOLDING CO # 701
18	10344 CYMBAL	FROSSARD T E JR
19	10352 CYMBAL	HYDEN DAVID C & DELORES M
20	10332 CYMBAL	GARCIA MARIA DEL SOCORRO &
21	10336 CYMBAL	ANDRADE RODOLFO
22	10340 CYMBAL	MIRANDA LEO
23	10348 CYMBAL	RODRIGUEZ CRISTINA
24	10356 CYMBAL	PLEASANT GROVE BUILDERS INC
25	10360 CYMBAL	BARBEE WILLIAM
26	10364 CYMBAL	KBAC ENTERPRISES LLC

*Wednesday, March 09, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	10368 CYMBAL	WHITE ORCHID HOLDING CO
28	1420 GARDENSIDE	HERNANDEZ FELIPE GARAY & CATALINA CASIANO
29	10367 CYMBAL	BARRERA JESUS & MARIA ELENA
30	10363 CYMBAL	MORA MARIA DEL CARMEN & FAUSTINO MORA
31	10359 CYMBAL	LEWIS ANTHONY W SR
32	10355 CYMBAL	TORRES JOSE VALENCIA & ALEJANDRO
33	10351 CYMBAL	VELAZQUEZ FERNANDO & ELODIA ESTRADA
34	10347 CYMBAL	RODRIGUEZ ABEL R & ALEJANDRA
35	10343 CYMBAL	JOHNSON ALBERT & BELINDA
36	10339 CYMBAL	BARRERA JESUS & MARIA
37	10372 CYMBAL	HERRMANN ROGER
38	10331 CYMBAL	REIS ANGELA
39	10323 CYMBAL	GARY DEMETIRE
40	10319 CYMBAL	MCPHERSON O LEWIS
41	10315 CYMBAL	VELASQUEZ PATRICIA
42	10309 CYMBAL	NAVEJAS VICKEY
43	1415 GARDENSIDE	HERNANDEZ JESUS R & EVA
44	1409 GARDENSIDE	BENAVIDES PATRICIO & EVA
45	1403 GARDENSIDE	SNEED JEROME E
46	10406 LAKE JUNE	SANDLIAN COLBY B & GENEVIEVE B REVOC TRUST
47	10320 LAKE JUNE	LAKE JUNE INVESTMENT PARTNERS II LP ATTN: MR
48	10304 LAKE JUNE	RETAIL BUILDINGS INC
49	10208 LAKE JUNE	EXXON CORP PPTY TAX DIV
50	10218 LAKE JUNE	AUTOZONE INC DEPT 8700
51	10121 LAKE JUNE	PINFIN PROPERTIES LP % THE PINNACLE PROPERTY
52	10155 LAKE JUNE	KING KASH INVESTORS 1991 LIMITED
53	1339 MASTERS	SUNRISE ENTERPRISES INC
54	10315 LAKE JUNE	OREILLY AUTOMOTIVE INC
55	8 MASTERS	NEC LAKE JUNE & MASTERS L STE 625
56	10201 LAKE JUNE	LAKE JUNE INVESTMENT PARTNERS LP
57	10440 CYMBAL	STERLING PROJECTS INC

*Wednesday, March 09, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	10430 CYMBAL	BROOKS JOCIEL
59	10422 CYMBAL	GARCIA SANTIAGO
60	10418 CYMBAL	WILKERSON ODIS R
61	10414 CYMBAL	BRIMM RICHARD
62	10410 CYMBAL	WASHINGTON LYNARVAL J
63	10406 CYMBAL	ACRES ESTATES LLC
64	10402 CYMBAL	REYNA SAMUEL
65	1366 OLD JAMESTOWN	LEWIS NAPOLEON
66	1362 OLD JAMESTOWN	HADNOT TROY DION
67	1358 OLD JAMESTOWN	HENDRICKS BARRY L & ANDREA D
68	1354 OLD JAMESTOWN	WILLIAMS BENTON NEAL
69	1350 OLD JAMESTOWN	SMITH SHIRLEY J
70	10376 CYMBAL	VILLALOBOS FRANCISCO J
71	10380 CYMBAL	HUME MARY JO & MARGARET MARIE DORAN
72	10384 CYMBAL	DUARTE MARIA DOLORES
73	10392 CYMBAL	MATTHEWS EDWARD L
74	10396 CYMBAL	CONDE FLORENCIO R
75	1405 OLD JAMESTOWN	SMITH PHYLLIS LYNELLE
76	1401 OLD JAMESTOWN	CHAKAMOI MATIDI
77	10500 LAKE JUNE	WEED KELLY RYAN
78	10500 LAKE JUNE	WEED WILLIAM DAVID
79	10500 LAKE JUNE	APEX FINANCIAL CORP
80	10500 LAKE JUNE	MIDFIRST BANK
81	10500 LAKE JUNE	WEED KELLY RYAN
82	10500 LAKE JUNE	WEED KELLY R
83	10500 LAKE JUNE	BREWER TIM & LUCINDA A STE D
84	10500 LAKE JUNE	EGUEAVOEN PATIENCE
85	10500 LAKE JUNE	WILLIAMS MAURICE
86	10500 LAKE JUNE	MENGESHA TSIGEREDA A
87	10500 LAKE JUNE	CHACKO THOMAS
88	10500 LAKE JUNE	HENDRICKS BARRY L & ANDREA D

*Wednesday, March 09, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	10500 LAKE JUNE	SALAZAR ANGELICA BLDG B UNIT 6
90	10500 LAKE JUNE	DWORAK JOSEPH %TIM BREWER
91	10500 LAKE JUNE	APEX FINANCIAL CORPORATION
92	10500 LAKE JUNE	MCCLAIN KELLY A
93	10500 LAKE JUNE	WALDREP SHARON L BLDG C UNIT 1
94	10500 LAKE JUNE	JOHNSON RODNEY L
95	10500 LAKE JUNE	SPURLOCK MARIA LILIA APT 434
96	10500 LAKE JUNE	SHELTON SIMON PETER
97	10500 LAKE JUNE	MULLEN JAMES J III
98	10500 LAKE JUNE	SIMMONS ANTHONY T UNIT 6
99	10500 LAKE JUNE	WHITE FRENCHHELL
100	10500 LAKE JUNE	DARTY DAVID
101	10500 LAKE JUNE	KYLE ROSALIND R HICKS
102	10500 LAKE JUNE	WEED KELLY
103	10500 LAKE JUNE	WEED KELLY
104	10500 LAKE JUNE	CRAVER TUNGU S #2-D
105	10500 LAKE JUNE	CHESNEY LARRY & DEBBIE
106	10500 LAKE JUNE	SAXTON JERRY E & JANICE M
107	10500 LAKE JUNE	RENTAL TRANSITION LLC
108	10500 LAKE JUNE	ADEYEMI MARGARET M
109	10500 LAKE JUNE	DIETRICH JAMES H
110	10500 LAKE JUNE	BAILEY DAVID S UNIT E3
111	10500 LAKE JUNE	RODRIGUEZ NANCY C UNIT 4-E
112	10500 LAKE JUNE	LOMMEL ARTHUR J
113	10500 LAKE JUNE	GARDNER ILENE L UNIT 7E
114	10500 LAKE JUNE	BAILEY DAVID SCOTT
115	10500 LAKE JUNE	DISANTI MARK 182A-352
116	10500 LAKE JUNE	FOSTER C R
117	10500 LAKE JUNE	WHITAKER A C JR
118	10500 LAKE JUNE	RUTLEDGE BILLY
119	10500 LAKE JUNE	LATTIMORE MORSIE L

*Wednesday, March 09, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	10500 LAKE JUNE	LAMANTIA LARRY JR & JULIE
121	10500 LAKE JUNE	BREWER TIM & LUCINDA BREWER
122	10500 LAKE JUNE	SULTHAR INVESTMENTS LLC
123	10500 LAKE JUNE	BUTLER ANTHONY E
124	10500 LAKE JUNE	PULTE HOMES CORPORATION SUITE 750A
125	10500 LAKE JUNE	HENDRICKS BARRY & ANDREA
126	10500 LAKE JUNE	DANIELS KELVIN
127	10500 LAKE JUNE	DELOATCHE DARREN
128	10500 LAKE JUNE	IBUDE EDWIN N
129	10500 LAKE JUNE	BENNETT PATRICIA ANN BLDG I UNIT 4
130	10500 LAKE JUNE	LEWIS BRIAN H BLDG I UNIT 5
131	10500 LAKE JUNE	RUIZ REYNA
132	10500 LAKE JUNE	THIBODEAUX GENNY
133	10500 LAKE JUNE	TOLLIVER GEROGE M
134	10500 LAKE JUNE	LEE JOHN H & CHERYL PMB 158
135	10500 LAKE JUNE	LACY STEPHANIE
136	10500 LAKE JUNE	WILLIAMS ERROLL JR
137	10500 LAKE JUNE	DAVIS DOROTHY
138	10500 LAKE JUNE	HOME BUYERS COMPLETE LLC
139	10500 LAKE JUNE	MCWILLIAMS MELISSA J
140	10500 LAKE JUNE	CHESTER ROBERT C JR
141	10500 LAKE JUNE	KIMBROUGH AURELIA
142	10500 LAKE JUNE	GARCIA JUANA G UNIT 480
143	10500 LAKE JUNE	BAILEY DAVID SCOTT UNIT K5
144	10500 LAKE JUNE	WEED KELLY
145	10500 LAKE JUNE	SECRETARY OF HOUSING & URBAN DEV % SW
ALLIANCE		
146	10500 LAKE JUNE	KING ROYLE & MARY KING
147	10500 LAKE JUNE	WEED KELLY & KATHY
148	10500 LAKE JUNE	TJS PROPERTIES LLC
149	10500 LAKE JUNE	HARRIS SORAINYA D
150	10500 LAKE JUNE	WILLIAMS RODNEY BLDG L UNIT 5

*Wednesday, March 09, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	10500 LAKE JUNE	MARSAW CORA A &
152	10500 LAKE JUNE	ALLEN GLADYS LOUISE BLDG L UNIT 8
153	10500 LAKE JUNE	MORRIS RONNIE C
154	10500 LAKE JUNE	DEES JAMES D
155	10500 LAKE JUNE	MANTHURUTHIL GEORGE
156	10500 LAKE JUNE	JEFFERSON ROGENIA W
157	10500 LAKE JUNE	GRAHAM RACHEL
158	10500 LAKE JUNE	DUNN FAMILY TRUST
159	10500 LAKE JUNE	SEASONS IN THE SUN REALTY INC
160	10500 LAKE JUNE	RENTAL EQUITY LLC
161	10500 LAKE JUNE	BATY CHANDRA N
162	10500 LAKE JUNE	WEED KELLY R
163	10500 LAKE JUNE	COLLIER SAUNDRA W
164	10500 LAKE JUNE	BUTLER ANTHONY E & CATHY L
165	10500 LAKE JUNE	LOMMEL ARTHUR J
166	10500 LAKE JUNE	SABEDRA RICHARD
167	10500 LAKE JUNE	WHITEHEAD ROD
168	10500 LAKE JUNE	MADOJEMU ANTHONY OBIYEZE
169	10500 LAKE JUNE	WILSON CINDY R UNIT 3P
170	10500 LAKE JUNE	WASHINGTON ERMA
171	10500 LAKE JUNE	ROBERSON DORIS M UNIT 5 BLDG P
172	10500 LAKE JUNE	SPEARS GRETA % H G SANDLIN
173	10500 LAKE JUNE	HUGHES TREMA
174	10500 LAKE JUNE	MORGAN BETTYE A
175	10500 LAKE JUNE	GARRETT PHYLLIS A

*Wednesday, March 09, 2011*

**Planner: Richard E. Brown**

**FILE NUMBER:** Z101-132(RB))      **DATE FILED:** November 23, 2010

**LOCATION:** Westmoreland Road and Angelina Drive, Southeast Corner

**COUNCIL DISTRICT:** 3      **MAPSCO:** 43 F

**SIZE OF REQUEST:** Approx. 1.044 Acres      **CENSUS TRACT:** 102.0

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**APPLICANT:** Suzanne Griffin, Representative

**OWNER:** Brother Bill's Helping Hand

**REQUEST:** An application for an amendment to Specific Use Permit No. 1746 for Community service center on property zoned a CR Community Retail District and an R-5(A) Single Family District.

**SUMMARY:** The applicant is requesting an amendment SUP No. 1746 to provide for a mezzanine and small storage addition with accommodating revisions to off-street parking areas.

**STAFF RECOMMENDATION:** Approval, subject to a site plan and conditions.

**BACKGROUND INFORMATION:**

- On February 11, 2009, the City Council approved Specific Use Permit No. 1746 for a Community service center, providing for the construction of an 11,000 square foot facility and surface parking area for the undeveloped parcel.
- The applicant met with staff to address an omission regarding a proposed mezzanine and small storage area. It was determined the increase in floor area would not qualify as a minor amendment.
- On November 18, 2010, the City Plan Commission approved an application for the waiver of the two-year waiting period in order to permit the applicant the opportunity to submit a zoning request to accommodate the increase in development rights.

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

<b><u>Thoroughfare/Street</u></b>	<b><u>Existing &amp; Proposed ROW</u></b>
Westmoreland Road	Principal Arterial; 100' & 100' ROW
Angelina Drive	Local; 60' 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.

**Land Use Compatibility:** The request site is undeveloped with frontage on both Westmoreland Road and Angelina Drive. The applicant inadvertently did not address a proposed mezzanine during the initial submission for a request for an SUP for the proposed community service center. During a meeting with staff, it was determined this omission exceed in floor area what is permitted through the minor amendment process for an SUP. As a result, this application to amend the existing SUP will provide for the mezzanine as well as a small storage area and revisions to the off-street parking area providing for required parking for these additions.

The predominate land use to the immediate north and east from the site is low density residential uses. The remaining development consists of scattered retail and office

uses along both lines of Westmoreland Road, with an auto service center abutting the site's southern property line.

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.

Staff has worked with the applicant to ensure this application provides for all anticipated development while maintaining a sensitivity to its residential adjacency. As a result, staff maintains support for the requested amendment subject to the attached plans and conditions.

**Landscaping:** At the time of submission of building plans, the applicant will be required to submit a landscape plan that complies with Article X.

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

**OWNER-PROVIDED INFORMATION**

22 November 2010

SUP Applicant: Brother Bill's Helping Hand  
3430 Odessa Street  
Dallas, TX 75212

Applicant, Representative & Owner:

Suzanne Griffin, Executive Director  
Brother Bill's Helping Hand  
PO Box 565846  
Dallas, TX 75356  
214-638-2196  
214-638-2198 Fax  
[Helpinghand@bbhh.org](mailto:Helpinghand@bbhh.org)

Commitment for Title Insurance: See Attached.

Copies of Tax and Lien Statements: See Attached.

Brother Bill's Helping Hand is a 501©(3). A copy of the IRS determination letter is attached.

Partners, Principals, Officers of the Corporation:

Board of Trustees

Brad Bowman, President  
Janet Denison  
Mary Beth Fikse  
Walker Harman  
Felicia Matthews  
Bill McCann  
Susan Sharp  
Bill Sims  
Victor Toledo  
Tyler Whann  
Debra Wilson

Executive Director: Suzanne Presley Griffin

Operating Hours: Monday – Saturday 8:00am – 6:00pm

Legal Description of the Property:

LOT 7B, BLOCK A/7141, MADI ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 20044185, PAGE 176, PLAT RECORDS, DALLAS COUNTY, TEXAS.

Traffic Impact: Total trips generated are less than 1000 per day, so no Traffic Impact Study is needed.

Z101-132

**STAFF RECOMMENDED AMENDING CONDITIONS FOR SUP. NO. 1746 FOR A  
COMMUNITY SERVICE CENTER**

7. PARKING: A minimum of ~~65~~ 62 off-street parking spaces must be provided in the location shown on the attached site plan.

**Existing Conditions**

27480

090444

WHEREAS, the city council finds that it is in the public interest to grant this specific use permit, subject to certain conditions; Now, Therefore,

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

SECTION 1. That the zoning ordinances of the City of Dallas are amended to allow the following property ("the Property"), which is presently zoned as a CR Community Retail District and an R-5(A) Single Family District, to be used under Specific Use Permit No. 1746 for a community service center:

BEING all of Lot 7B in City Block A/7141, fronting approximately 145.00 feet on the south line of Angelina Drive, fronting approximately 318.38 feet on the east line of North Westmoreland Road, and containing approximately 1.0446 acre.

SECTION 2. That this specific use permit is granted on the following conditions:

1. USE: The only use authorized by this specific use permit is a community service center.
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 February 11, 2019, but is eligible for automatic renewal for additional 10-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: The community service center may only operate between 8:00 a.m. and 4:00 p.m., Monday through Saturday.

27480

090444

6. INGRESS/EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.
7. PARKING: A minimum of 62 off-street parking spaces must be provided in the location shown on the attached site plan.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

SECTION 3. That all paved areas, permanent drives, streets, and drainage structures, if any, on the Property must be constructed in accordance with standard City of Dallas specifications, and completed to the satisfaction of the director of public works and transportation.

SECTION 4. That the building official shall not issue a building permit or a certificate of occupancy for a use authorized by this specific use permit on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City of Dallas.

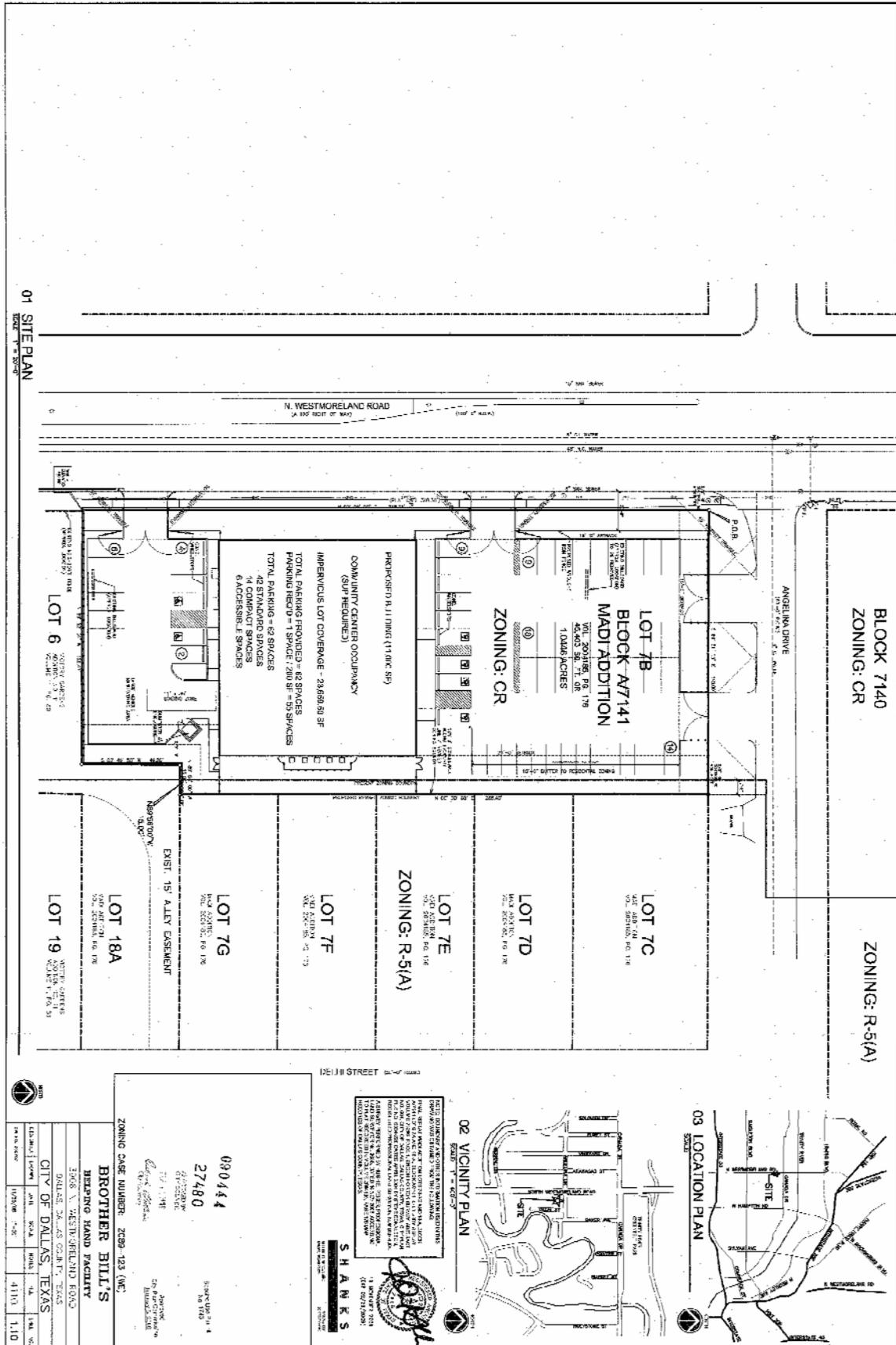
SECTION 5. That the director of development services shall correct Zoning District Map No. J-5 in the offices of the city secretary, the building official, and the department of development services to reflect the changes in zoning made by this ordinance.

SECTION 6. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

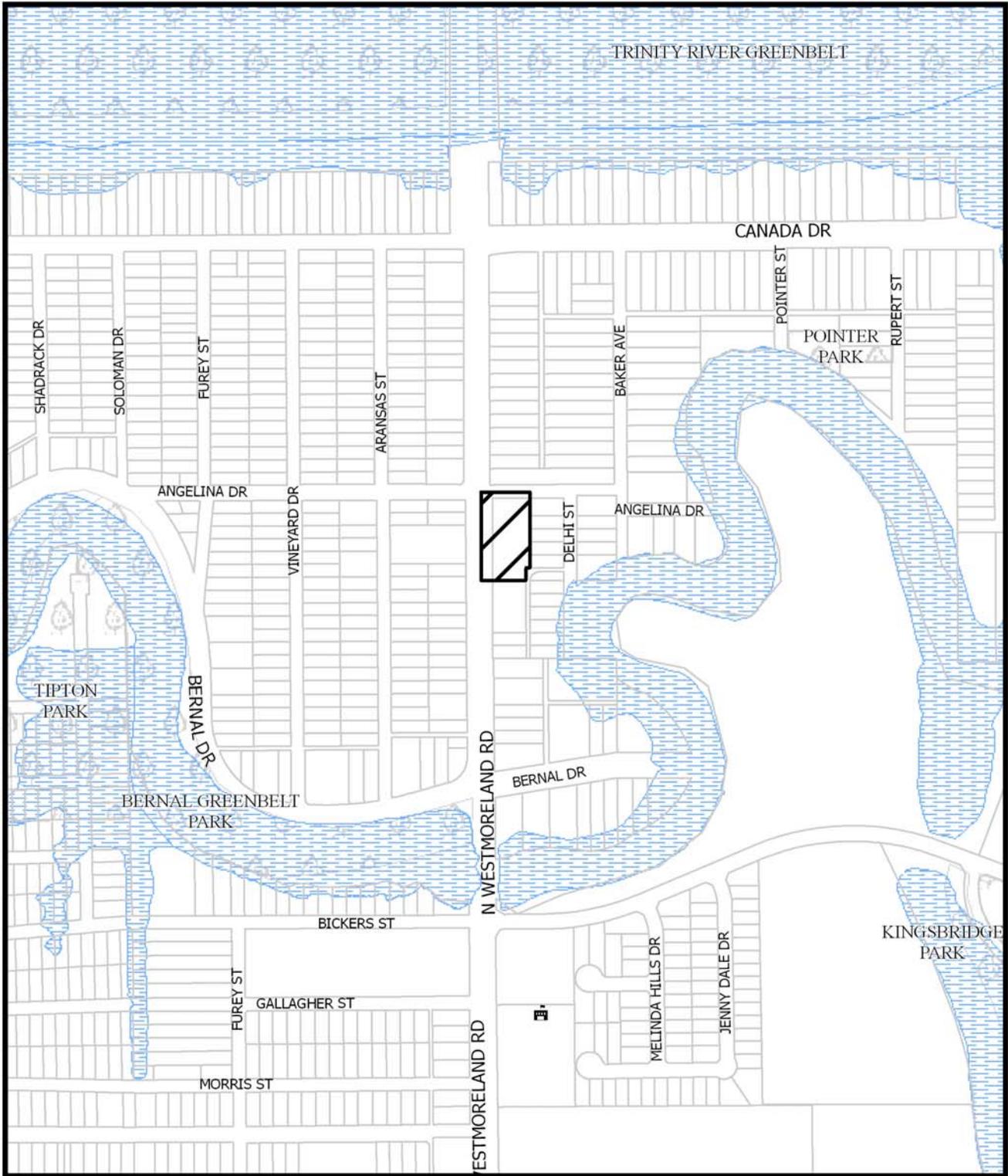
SECTION 7. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.





**Existing Site Plan**



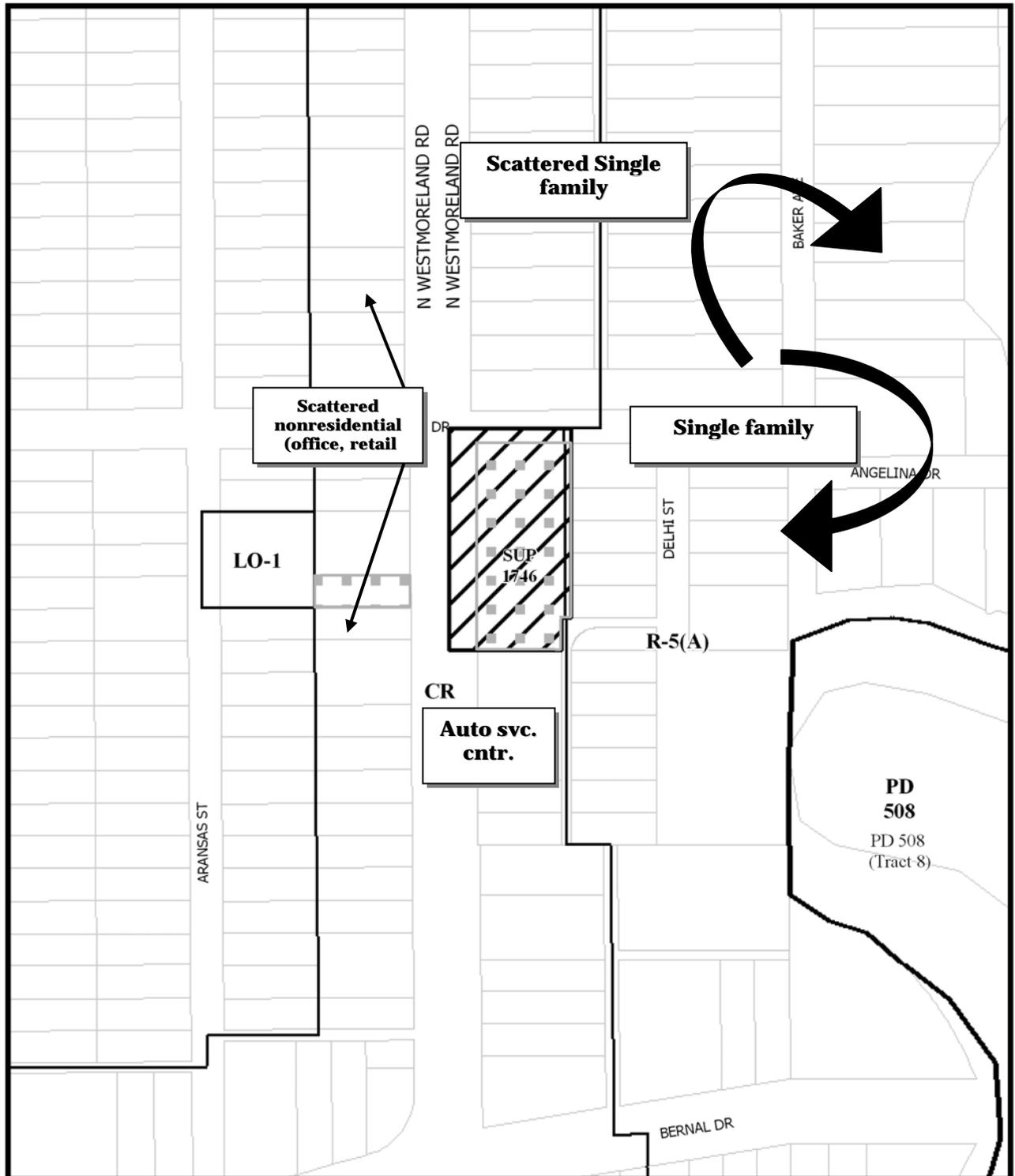
1:6,000

# VICINITY MAP

Map no:           J-5          

Case no:           Z101-132          

DATE: February 23, 2011



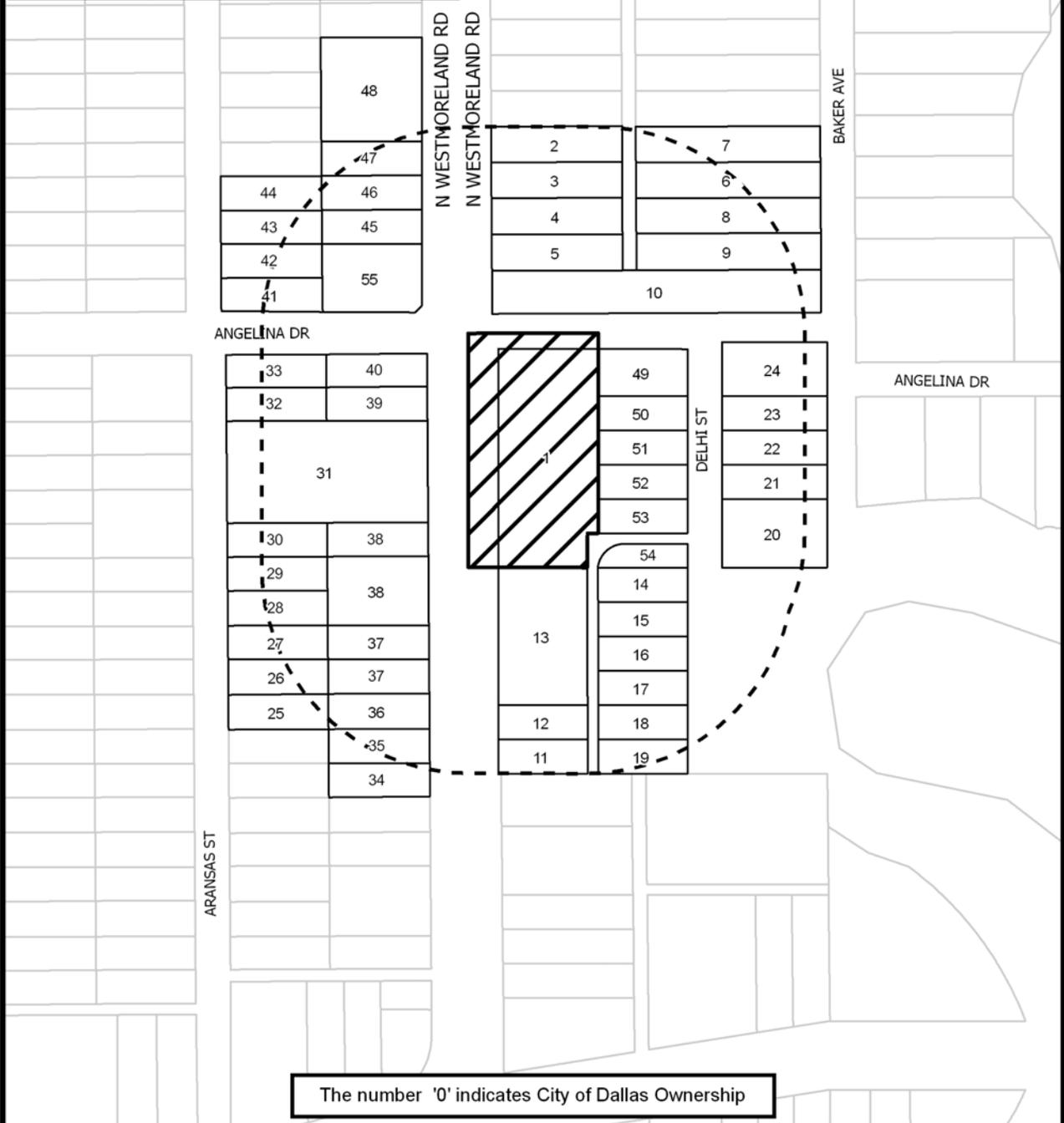
1:2,400

# ZONING AND LAND USE

Map no:           J-5            
 Case no:           Z101-132          

DATE: February 23, 2011

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.



  
1:2,400

## NOTIFICATION

**300'** AREA OF NOTIFICATION  
**55** NUMBER OF PROPERTY OWNERS NOTIFIED

**J-5**

Map no: \_\_\_\_\_  
Case no: **Z101-132**

DATE: February 23, 2011

## **Notification List of Property Owners**

### **Z101-132**

#### **55 Property Owners Notified**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	3906 WESTMORELAND	BROTHER BILLS HELPING HAND
2	4014 WESTMORELAND	BARRON JUANITA
3	4012 WESTMORELAND	RAUDALEZ HELEN &
4	4010 WESTMORELAND	RAUDALEZ LISA M
5	4006 WESTMORELAND	MARTINEZ REYNALDO
6	4019 BAKER	MARTIN DALLAS INC
7	4021 BAKER	ORTIZ RAYMOND Z & MARIA P
8	4015 BAKER	MAREZ MARTIN
9	4007 BAKER	CHAVEZ ALEJANDRO & SAN JUANITA ISABEL
10	3200 ANGELINA	BROTHER BILL S HELPING HAND
11	3810 WESTMORELAND	CAMPBELL DAVID
12	3814 WESTMORELAND	E T I MGMT CO INC
13	3822 WESTMORELAND	LOPEZ MARTHA A
14	3903 DELHI	REED EUGENE
15	3827 DELHI	TAYLOR ROSE & LILLIE TAYLOR
16	3805 DELHI	PATRICK D J ESTATE OF
17	3819 DELHI	JACOB DORETHA & GIRRY
18	3815 DELHI	PENA CATALINA
19	3809 DELHI	CAMPBELL DAVID & MILDRED B
20	3910 DELHI	GARCIA MANUELA
21	3918 DELHI	GARCIA EVA VICENTA
22	3922 DELHI	DIAZ MARY ANN % TASHA DIAZ
23	3924 DELHI	PALOMO IGNACES EST OF
24	3928 DELHI	ORTEGA FRANK
25	3818 ARANSAS	SILMON JOHNNIE JACKSON
26	3822 ARANSAS	HALTOM DEBRA A

**Thursday, February 17, 2011**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
27	3826 ARANSAS	LNUKX OZUMBA O TRIBAL CHIEF
28	3830 ARANSAS	MCGOWN ANNIE L EST OF
29	3902 ARANSAS	PADILLA JESUS
30	3906 ARANSAS	DIAZ MIGUEL
31	3915 WESTMORELAND	CONLEY R T
32	3922 ARANSAS	BIGGINS CLYDE
33	3926 ARANSAS	HILL JERRY LYNN
34	3811 WESTMORELAND	MITCHELL EDDIE MARIE
35	3815 WESTMORELAND	MITCHELL ROY D
36	3819 WESTMORELAND	BADILLO MARGARITO
37	3827 WESTMORELAND	WASHINGTON CLIFTON ET AL
38	3907 WESTMORELAND	GIPSON JOSEPH LEE & BEVERLY JEAN GIPSON
39	3923 WESTMORELAND	SANCHEZ CARLOS
40	3927 WESTMORELAND	ELLER MEDIA COMPANY
41	4002 ARANSAS	LOPEZ HECTOR
42	4006 ARANSAS	PEGRAM JOHN W &
43	4010 ARANSAS	BROWN POLK MARY LOUISE
44	4014 ARANSAS	POLK MARIAN L
45	4011 WESTMORELAND	MALDONADO LUCIO ANTONIO
46	4015 WESTMORELAND	CLINE DOROTHY MAE APT 507
47	4019 WESTMORELAND	HMK LTD
48	4027 WESTMORELAND	BUSSEY WILLIAM M
49	3927 DELHI	VELA MIGUEL
50	3923 DELHI	CAMPOS JUAN ANTONIO
51	3919 DELHI	REYES GONZALO & MARILIN
52	3915 DELHI	DEUTSCHE BANK NATL TR
53	3911 DELHI	LERMA EDY & CARMEN
54	3907 DELHI	DE LA LUZ RAMOS MARIA
55	4001 WESTMORELAND	MARTINES HUGO

**Thursday, February 17, 2011**



**Planner: Warren F. Ellis**

**FILE NUMBER:** Z090-181(WE)                      **DATE FILED:** March 25, 2010  
**LOCATION:** North Central Expressway and SMU Boulevard, southeast corner  
**COUNCIL DISTRICT:** 14                                      **MAPSCO:** 36-E  
**SIZE OF REQUEST:** Approx. 7.8496 acres              **CENSUS TRACT:** 79.05

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**APPLICANT/OWNER:** Southern Methodist University/Phillip Jabour

**REPRESENTATIVE:** Jackson Walker, LLP  
Suzan Kedron

**REQUEST:** An application for a Planned Development District for mixed uses on property zoned an MU-3 Mixed Use District.

**SUMMARY:** The purpose of this request is to permit the construction of a mixed use development that will accommodate and support the graduate program at the Southern Methodist University. The proposed development will consist of office, student and faculty lodging and other related facilities.

**STAFF RECOMMENDATION:** Approval of a Planned Development District for mixed uses, subject to a conceptual plan, Subarea 1 development plan, Subarea 2 development plan and conditions

**BACKGROUND INFORMATION:**

- The request for a Planned Development District for mixed uses will allow for the development of student and facility housing and other related uses that support the University's Graduate Program. The proposed PDD will also consider 1) providing alternative urban form setbacks and tower spacing requirements, 2) maximizing the allowable floor area that is permitted on site, 3) no minimum front yard setback and 4) modifying the parking requirements.
- On December 10, 2010, the City Council approved a similar request for a Planned Development District for mixed uses on an adjacent site.
- The request site is developed with a high rise office building and a javelin/ discus throwing area. The remaining portion of the site is being used for off-street parking.

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

1. Z067-284 On December 8, 2010, the City Council approved a Planned Development District for MU-3 District uses and approved no change in zoning for that portion of the original submission currently under new ownership on the northwest quadrant of North Central Expressway and Twin Sixties.
2. Z067-189 On September 26, 2007, the City Council approved a Planned Development District for MU-3 District uses on property zoned an MU-3 Mixed Use District on the north line of Yale Boulevard, east of Prentice Street.
3. Z078-168 On June 11, 2008, the City Council approved a Planned Development District for MU-3 District uses on property zoned an MU-3 Mixed Use District on the south side of Yale Boulevard between Greenville Avenue and Worcola Street.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
SMU Boulevard	Collector	100 ft.	100 ft.
North Central Expressway		Variable Street widths	Variable Street widths

**Land Use:**

	Zoning	Land Use
<b>Site</b>	MU-3	Office/Lodge, Private rec. ctr. club or area, surface parking
<b>North</b>	MU-3	North Office
<b>South</b>	MU-3, PDD No. 834 (Tract 3)	Office, Hotel
<b>East</b>	MU-3	Post Office
<b>West</b>	University Park	Multifamily

**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 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.

## **Economic**

### **GOAL 2.1 PROMOTE BALANCED GROWTH.**

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

### **GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT**

Policy 2.2.2 Maximize development opportunities around DART stations

## **Housing**

### **GOAL 3.2 ANSWER THE NEED FOR HOUSING OPTIONS**

Policy 3.2.2 Encourage higher density housing within a quarter-mile of DART stations

## **Urban Design**

### **GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WORKABILITY**

Policy 5.1.3 Encourage complementary building height, scale, design and character

## **STAFF ANALYSIS:**

**Land Use Compatibility:** The 7.8496 acre site is developed with a high rise office building and a javelin/discus throwing area on the north and northwest portion of the Property. The remaining portion of the site is being used for off-street parking. The applicant's request for a Planned Development District for mixed uses will allow for the site's redevelopment of certain uses that will support the SMU's Graduate Program. The existing high rise office building will remain and may be converted into student and faculty housing.

In addition, the proposed PDD will also consider 1) providing alternative urban form setbacks and tower spacing requirements, 2) maximizing the allowable floor area that is permitted on site, 3) no minimum front yard setback and 4) modifying the parking

requirements. The proposed development is consistent with the development standards and regulation of the MU-3 Mixed Use District uses with the exception of minor modifications to the yard, lot, space regulations. These minor changes are consistent with the requirements a university may offer to their graduate students, such as, providing a research lab, and a pathological waste incinerator as an accessory use.

During each development phase, the applicant will have to submit a development plan for each Subarea of the development for City Plan Commission consideration. The development rights and standards of the proposed development are consistent with the adjacent with PDD No. 834 that was approved by Council in December 2010, which consisted of student housing and retail uses. The proposed request is a part of SMU's Master Plan. Moreover, the applicant has proposed to provide pedestrian amenities along SMU Boulevard. These amenities will be installed when any development is constructed in Subarea 2.

In addition, there are several Planned Development Districts that were approved in the surrounding area that are consistent with the proposed development (PDD No. 769, PDD No. 786 & PDD No. 834). These Planned Development Districts were approved with the intent to support the SMU campus and provide residential and retail uses near the DART light rail station. The request site is within an area that is proposed for mixed use developments because of it proximately to the DART light rail station and access to a major thoroughfare (North Central Expressway).

Staff's recommendation is for approval of a Planned Development District for mixed uses, subject to a conceptual plan, Subarea 1 development plan, Subarea 2 development plan and conditions. The proposed development should not have an adverse impact on the surrounding areas.

**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
MU-3 – Existing Mixed use-3	15'	20' adjacent to residential OTHER: No Min.	3.2 FAR base 4.0 FAR maximum + bonus for residential	270' 20 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential, trade center
PDD for TOD Proposal	0'	0'/0'	4.5 FAR	270' 20 stories	80%	Urban Form	Office, retail & personal service, lodging, residential, trade center, Student housing

**Parking:** Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. However, the applicant has proposed a 30 percent parking reduction for certain uses that are within ¼ mile of the DART station. Typically staff supports a parking reduction of 20 percent when a proposed development is within ¼ mile of a DART station, however, staff can support the

applicant's request for a parking reduction of 30 percent because the various public transportation systems that are provided in the area.

**Landscaping:** Landscaping of any development will be in accordance with Article X, as amended. The applicant is proposing to provide certain type of pedestrian amenities along SMU Boulevard. These amenities will be installed when any development is constructed in Subarea 2.

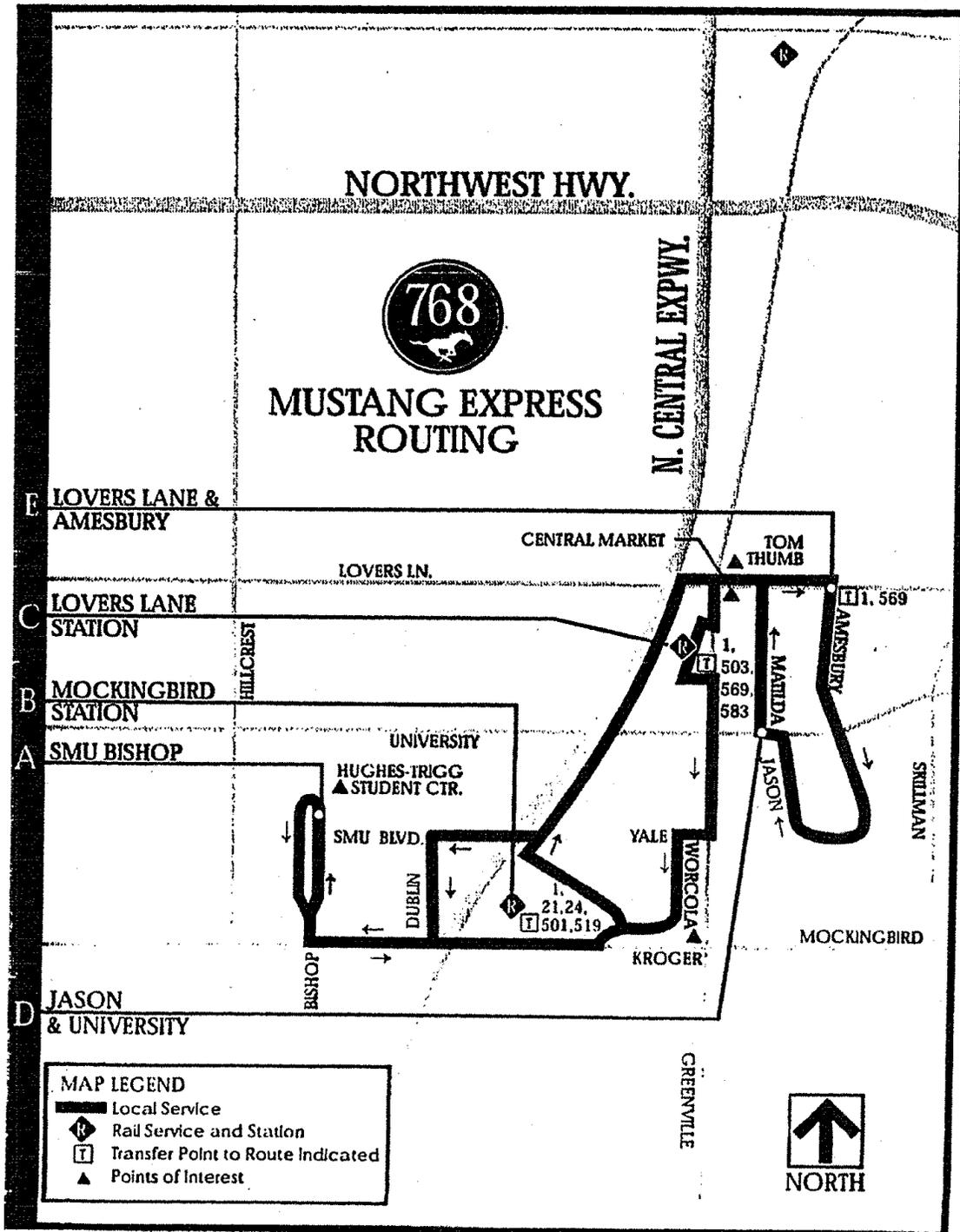
**Traffic:** The Engineering Section of the Department Development Services has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

**DART Infrastructure:** The Dallas Area Rapid Transit operates at the Mockingbird Park and Ride station, which is approximately ¼ mile southwest of the proposed site. The applicant is working with various public entities (DART, the Council of Governments, and the City) to provide for infrastructure improvements along Yale Boulevard fight-of-way, between the northern service road of North Central Expressway and Greenville Avenue. A bus service that operates through the area is linked to the SMU campus and is anticipating expanding the service route (see attached bus routes).



EXISTING ROUTE

### FARE PAYMENT COURTESY OF SMU





**LIST OF OFFICERS**  
**Southern Methodist University**

- R. Gerald Turner, President
- Paul W. Ludden, Provost and Vice President for Academic Affairs
- Thomas E. Barry, Vice President for Executive Affairs
- Christine Casey, Vice President for Business and Finance
- Brad E. Cheves, Vice President for Development and External Affairs
- Paul Ward, Vice President for Legal Affairs and Governmental Relations
- Michael A. Condon, Chief Investment Officer

**PROPOSED PDD CONDITIONS**

**“ARTICLE \_\_\_\_\_ .**

**PD \_\_\_\_\_.**

**SEC.51P-\_\_\_\_.101. LEGISLATIVE HISTORY.**

PD \_\_ was established by Ordinance No. \_\_\_\_\_, passed by the Dallas City Council on \_\_\_\_\_.

**SEC.51P- \_\_\_\_\_.102. PROPERTY LOCATION AND SIZE.**

PD \_\_\_\_\_ is established on property located at the southeast corner of SMU Boulevard and Central Expressway. The size of PD \_\_ is approximately 7.8496 acres.

**SEC.51P- \_\_\_\_\_.103 DEFINITIONS AND INTERPRETATIONS.**

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

(1) UNIVERSITY HOUSING means housing intended for university faculty, staff, visitors, or students.

(2) TANDEM PARKING means one parking space in front of another parking space, making it necessary to pass through one parking space to gain vehicular access to the other parking space.

(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.

(d) Structures may span over the Zone lines.

**SEC.51P- \_\_\_\_\_.104. EXHIBITS.**

The following exhibits are incorporated into this article:

(a) Exhibit \_\_\_\_\_A: conceptual plan.

(b) Exhibit \_\_\_\_\_B: development plan for Subarea 1.

(c) Exhibit \_\_\_\_\_C: development plan for Subarea 2.

**SEC.51P- \_\_\_.105. CREATION OF SUBAREAS.**

This district is divided into three subareas: Subarea 1, Subarea 2, and Subarea 3 as shown on the conceptual plan (Exhibit \_\_\_A).

**SEC.51P- \_\_\_.106. 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- \_\_\_.107. DEVELOPMENT PLAN.**

(a) Subarea 1. Development and use of the Property must comply with the Subarea 1 development plan (Exhibit \_\_\_B). If there is a conflict between the text of this article and the Subarea 1 development plan, the text of this article controls.

(b) Subarea 2. Development and use of the Property must comply with the Subarea 2 development plan (Exhibit \_\_\_C). If there is a conflict between the text of this article and the Subarea 2 development plan, the text of this article controls.

(c) Subarea 3. A development plan must be approved by the city plan commission before the issuance of a building permit for work other than repair of existing structures, demolition and grading, or other structures for security purposes, or work intended to provide for the irrigation or maintenance of landscaping. If there is a conflict between the text of this article and the development plan, the text of this article controls. The provision of Section 51A-4.702 requiring submission of a development plan within six months after city council approval of this district is not applicable.

**SEC.51P- \_\_\_.108. MAIN USES PERMITTED.**

(a) The following uses are the only main uses permitted.

(1) Agricultural uses.

– None permitted.

(2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Labor hall. [SUP]
- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.

(3) Industrial uses.

- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(4) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center.
- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Foster home.
- Hospital.
- Library, art gallery, or museum.
- Open-enrollment charter school or private school.
- Public school other than an open-enrollment charter school.

(5) Lodging uses.

- Extended stay hotel or motel. *[SUP]*
- Hotel or motel.

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. *[DIR]*
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- College dormitory, fraternity, or sorority house.

- Duplex.
- Group residential facility. *[SUP required if spacing component of Section 51A-4.209(b)(3) is not met.]*
- Multifamily.
- Residential hotel.
- Retirement housing.
- University housing.

(10) Retail and personal service uses.

- Alcoholic beverage establishments. *[See Section 51A-4.210(b)(4).]*
- Animal shelter or clinic without outside runs.
- Business school.
- Commercial parking lot or garage.
- 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.
- General merchandise or food store 100,000 square feet or more. *[SUP]*
- Household equipment and appliance repair.
- Liquor store.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. *[DIR]*
- Temporary retail use.
- Theater.

(11) Transportation uses.

- Helistop. *[SUP]*
- Private street or alley.
- Railroad passenger station. *[SUP]*
- Transit passenger shelter.
- Transit passenger station or transfer center. *[By SUP or city council resolution. See Section 51A-4.211(10).]*

(12) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(13) Wholesale, distribution, and storage uses.

- Mini-warehouse. [SUP]
- Office showroom/warehouse.
- Recycling buy-back center [SUP or RAR may be required. See Section 51A-4.213 (11).]
- Recycling collection center. [SUP or RAR may be required. See Section 51A-4.213(11.1).]
- Recycling drop-off container. [SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]
- Recycling drop-off for special occasion collection. [SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]
- Trade center.

**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) The following accessory use is not permitted:

- Private stable.

(c) The following accessory uses are permitted by SUP only:

- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.

**SEC.51P- \_\_.110. 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 of 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 MU-3 Mixed Use District apply.

(b) Front yard. A 15-foot front yard setback is required for that portion of a structure above 45 feet in height; otherwise no minimum front yard.

(c) Side and rear yard. No minimum side and rear yard. Tower spacing does not apply.

(d) Floor area. Maximum floor area is 1,538,679 square feet.

(e) Height. Residential proximity slope does not apply.

**SEC.51P-\_\_\_\_.111. OFF-STREET PARKING AND LOADING.**

(a) In general. 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.

(b) University housing. A minimum of one space per bedroom is required.

(c) Parking reductions for proximity to DART light rail stations.

(1) Required off-street parking may be reduced by 30 percent if the property is  $\frac{1}{4}$  mile or less from a DART light rail station and a minimum six-foot-wide pedestrian connection is provided. Pedestrian connections must be illuminated such that a minimum maintained average illumination level of 1.5 footcandles is provided.

(2) Measurements to a light rail station may be calculated as a radial measurement from the nearest point of the light rail station to the nearest point of the property containing the use.

(d) Screening of off-street loading spaces and service areas.

(1) Off-street loading spaces and service areas must be screened from all public streets, and from all adjoining property whether abutting or directly across a street or alley.

(2) The screening must be at least nine feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided by using any of the methods for providing screening described in

Section 51A-4.602(b)(3), except that screening around service areas for trash collection must be screened by a masonry wall.

(e) Parking structures. Below-grade parking structures may project to the lot line.

(f) On-street parking. On street parking is allowed in the location shown on the conceptual plan and the Subarea 2 development plan. On-street parking does not count as required parking.

(g) Tandem parking. Tandem parking is permitted for all residential uses.

(h) Remote parking. For a college, university, or seminary use, a special parking license is not required to extend the walking distance for remote parking beyond 600 feet.

(i) Location. The entire district is considered one lot for parking purposes.

(j) Fees. A property owner may charge occupants or customers of the use a fee on a daily, hourly, or other basis for the use of required off-street parking.

(k) Development plan. Parking spaces are not required to be shown on a development plan.

#### **SEC.51P- \_\_ .112. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

#### **SEC.51P- \_\_ .113. LANDSCAPING.**

(a) In general. Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) Subarea 1. All landscaping within the parkway may count towards Article X, as amended landscaping requirements.

(c) Pedestrian amenities.

(1) Pedestrian amenities must be located along SMU Boulevard in the pedestrian amenity area as shown on the conceptual plan.

(2) Pedestrian amenities must be publicly accessible.

(3) A minimum of two of the following pedestrian amenities must be provided in the pedestrian amenities area labeled on the conceptual plan.

(i) At least three light fixtures.

- (ii) At least two park benches.
- (iii) At least two bicycle racks.
- (iv) At least two large canopy trees with a caliper of at least three inches.
- (v) At least two pieces of outdoor furniture, including tables and chairs.
- (vi) At least two trash receptacles.
- (vii) At least one piece of public art.

(4) In Subarea 2, pedestrian amenities must be installed prior to the issuance for a certificate of occupancy for any new structures.

(5) Subarea 3 improvements will not trigger any pedestrian amenities in Subarea 2.

(6) Pedestrian amenities are not required to be shown on a development plan.

(d) Private license granted.

(1) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this district for the exclusive purpose of authorizing compliance with the pedestrian amenity requirements of this article. "Parkway" means the portion of a street right-of-way between the street curb and the lot line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(2) An owner or tenant is not required to comply with any landscaping requirements to the extent that compliance is made impossible due to the city council's revocation of the private license granted by this subsection.

(3) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(4) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this subsection does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(e) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the building official. The application must be in writing on a form approved by the building official and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(2) Upon receipt of the application and any required fees, the building official shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the building official determines that the construction, planting, or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the building official shall issue a parkway landscape permit to the property owner; otherwise, the building official shall deny the permit.

(3) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the building official's denial of a parkway landscape permit.

(4) A parkway landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time the building official determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirements of this section if compliance is made impossible due to the building official's revocation of a parkway landscape permit.

(5) The issuance of a parkway landscape permit under this subsection does not excuse the property owner, his agents, or employees from liability for the installation or maintenance of trees or other amenities in the public right-of-way.

(f) Plant materials must be maintained in a healthy, growing condition.

**SEC.51P- \_\_.114. SIGNS.**

(a) In general.

(1) Except as provided in this section, signs must comply with the provisions for business zoning districts in Article VII.

(2) The entire district is considered one premise.

(b) Expressway sign.

(1) One expressway sign is permitted in the location as shown on the conceptual plan.

(2) No minimum setback is required.

(3) Maximum height is 50 feet.

(4) Maximum effective area is 500 square feet.

(c) Development plan. Signs are not required to be shown on a development plan.

**SEC.51P- \_\_.115. ADDITIONAL PROVISIONS.**

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) 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.

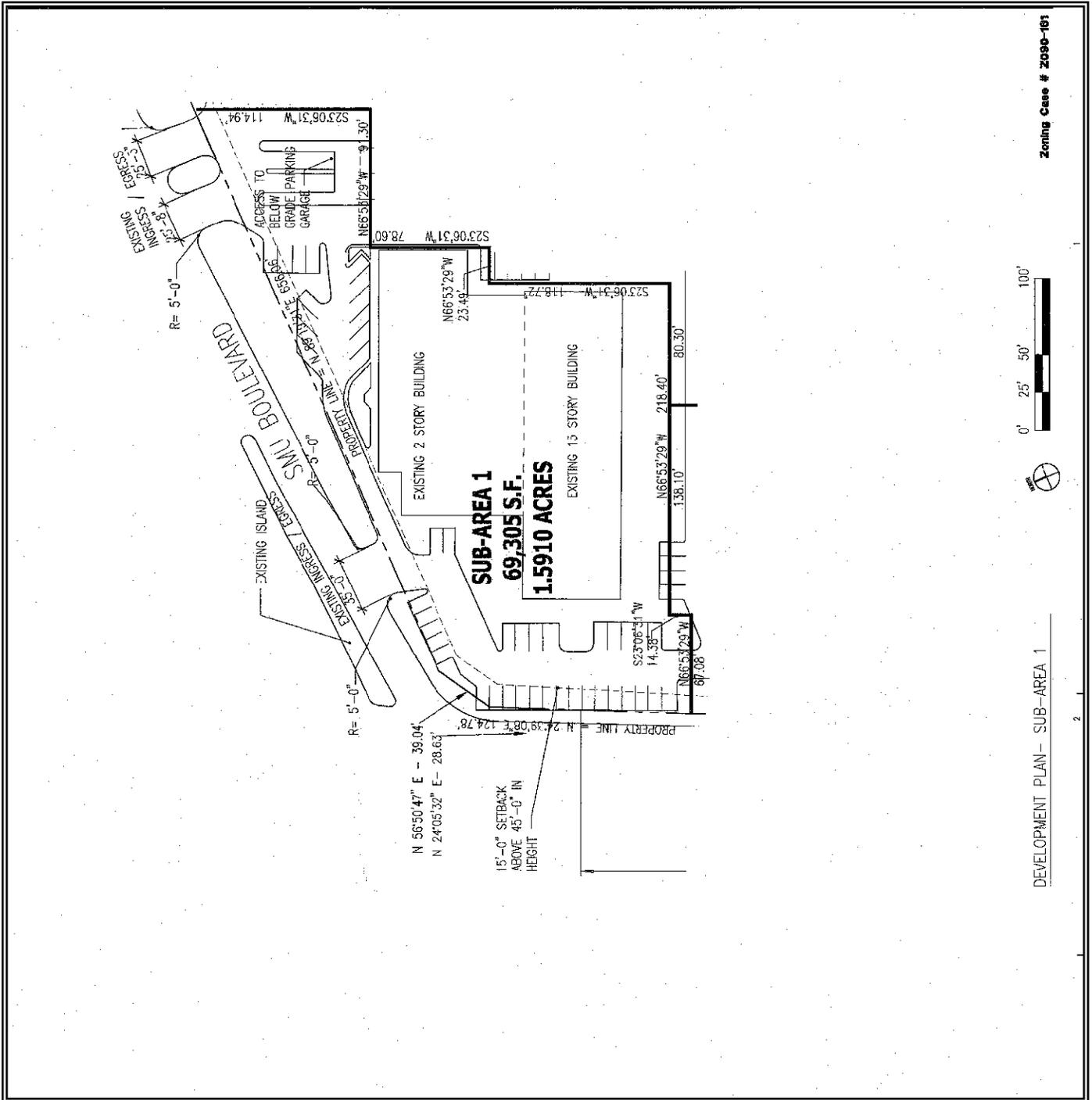
**SEC.51P- \_\_.116. COMPLIANCE WITH CONDITIONS.**

(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.

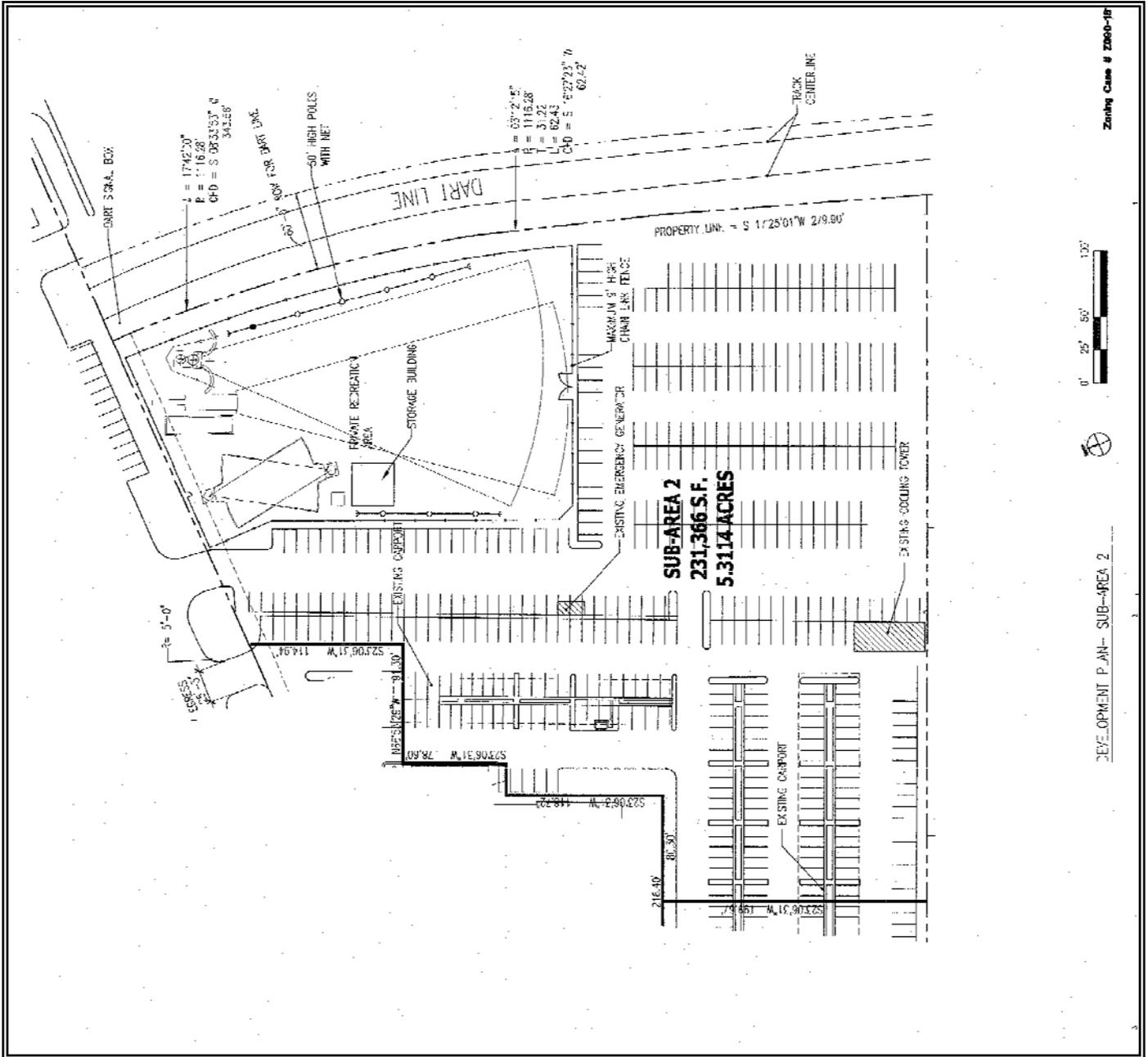
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.



**PROPOSED DEVELOPMENT PLAN  
Subarea 1**



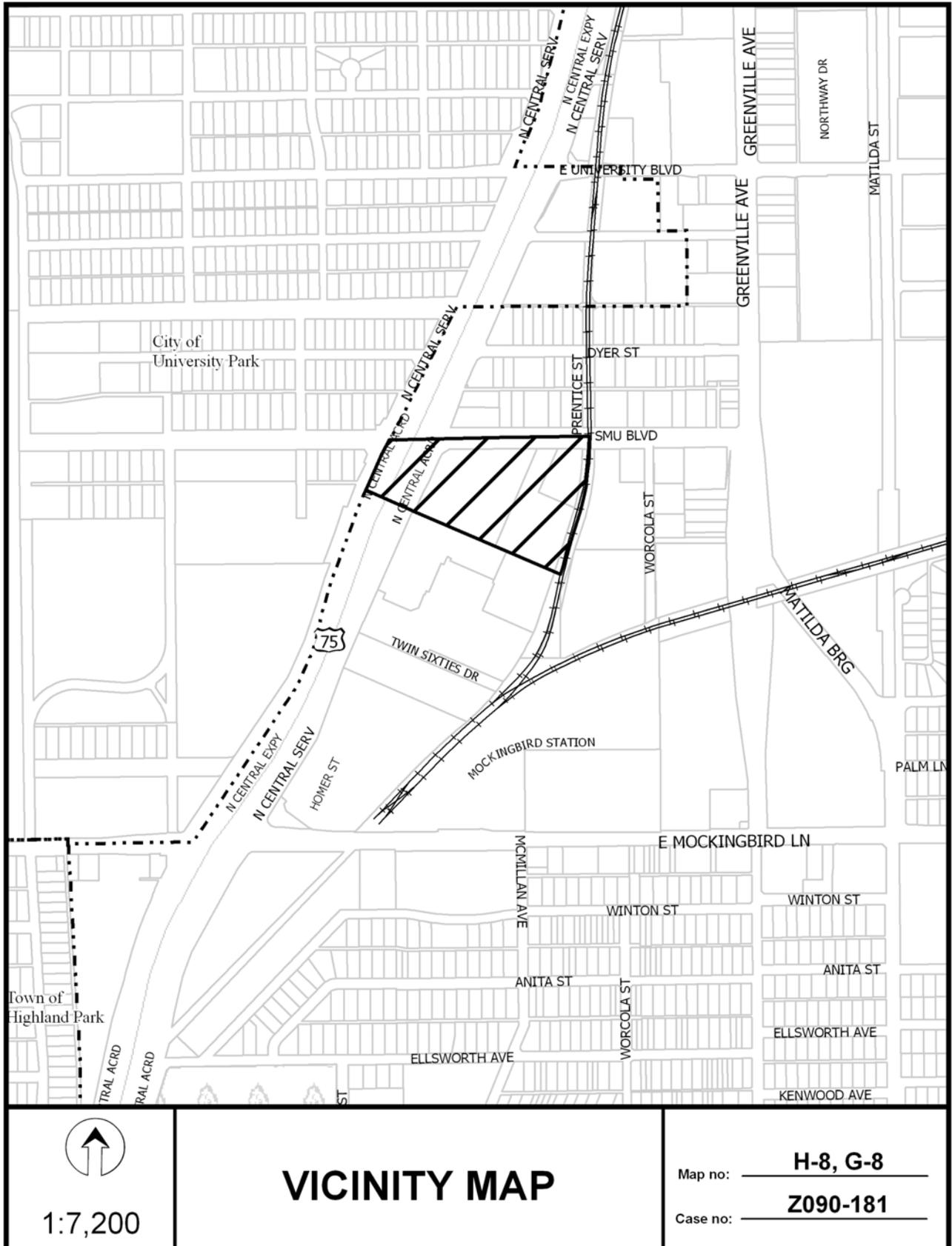
**PROPOSED DEVELOPMENT PLAN  
Subarea 2**



Zoning Case # Z090-18



DEVELOPMENT PLAN- SUB-AREA 2

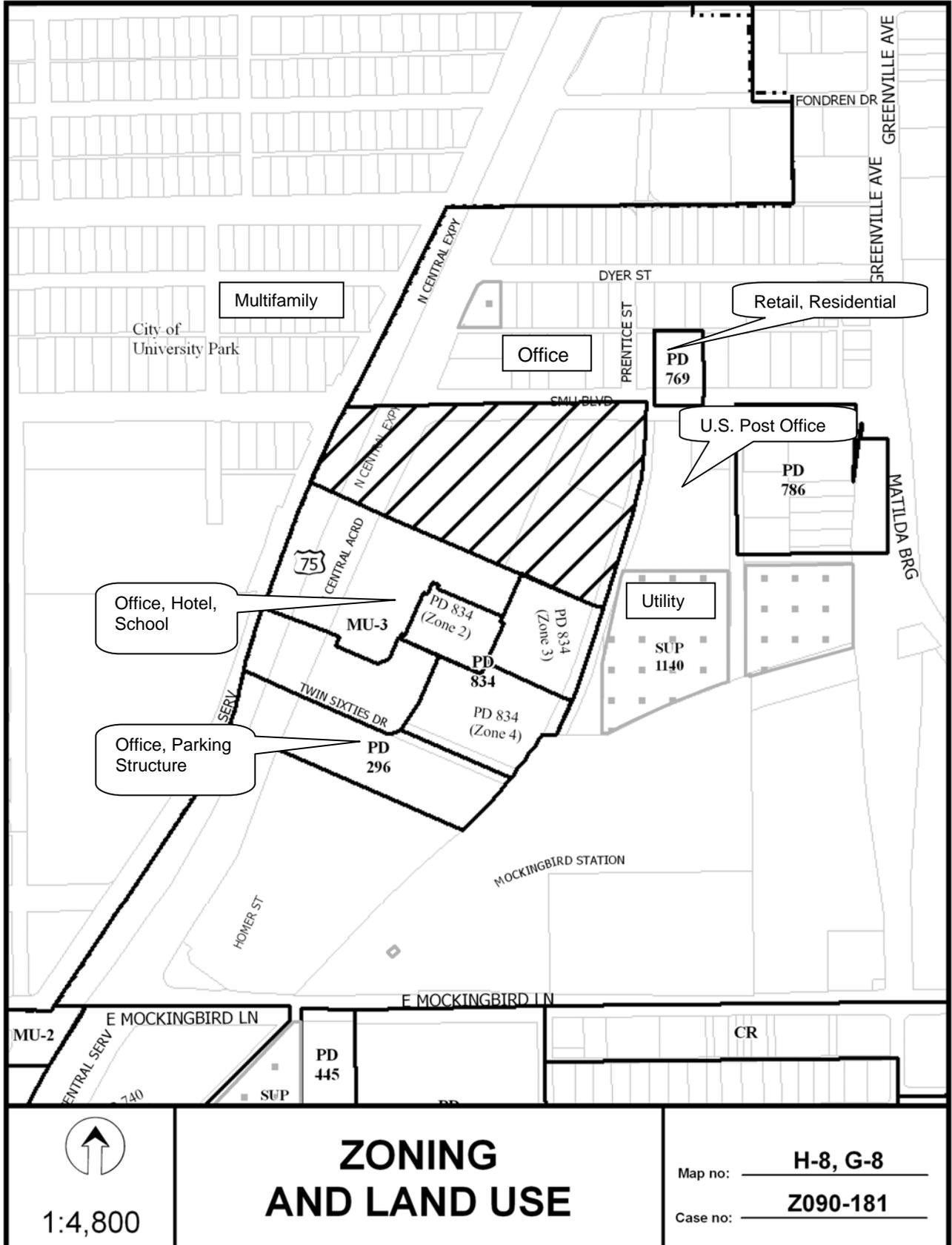


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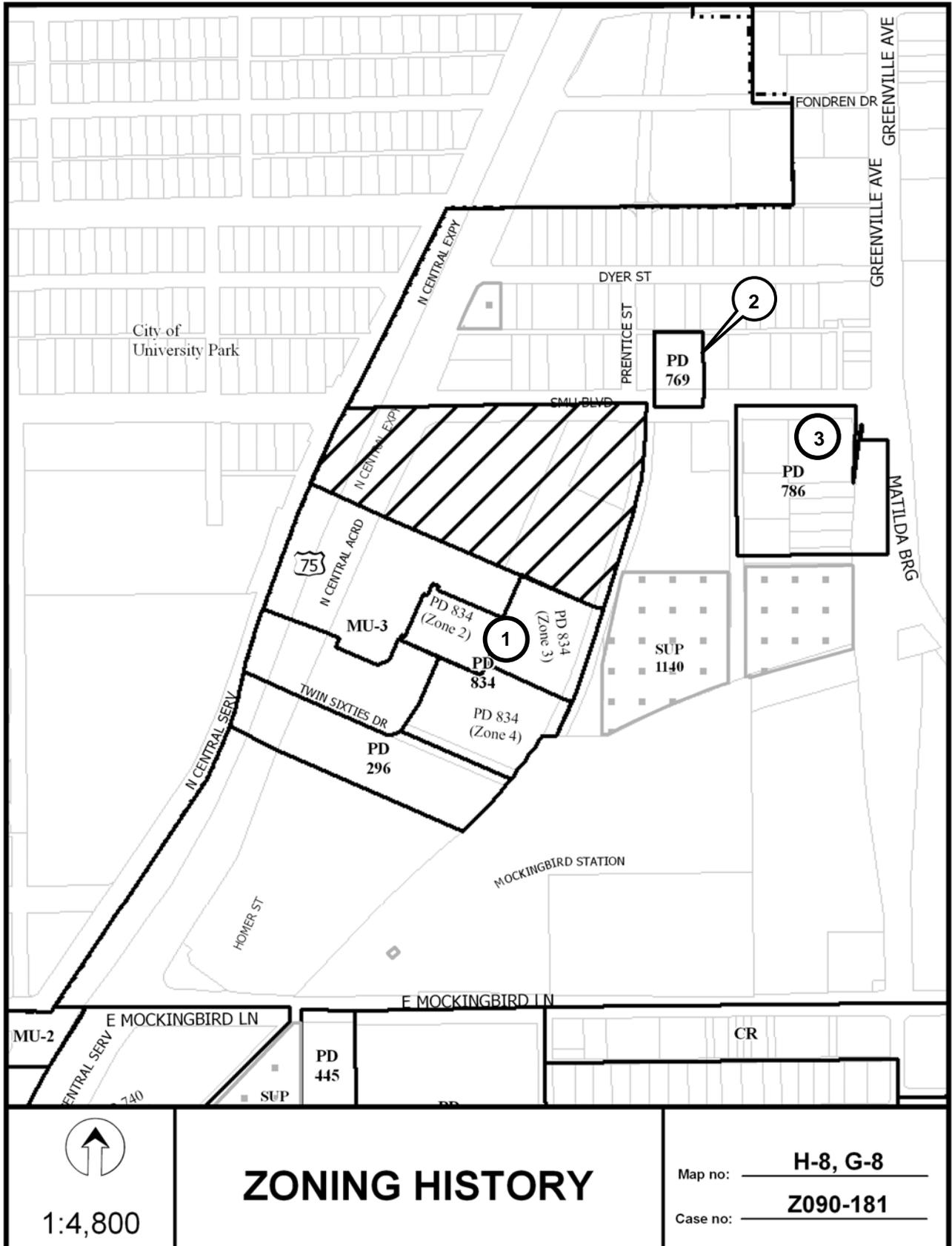
# VICINITY MAP

Map no: **H-8, G-8**  
Case no: **Z090-181**

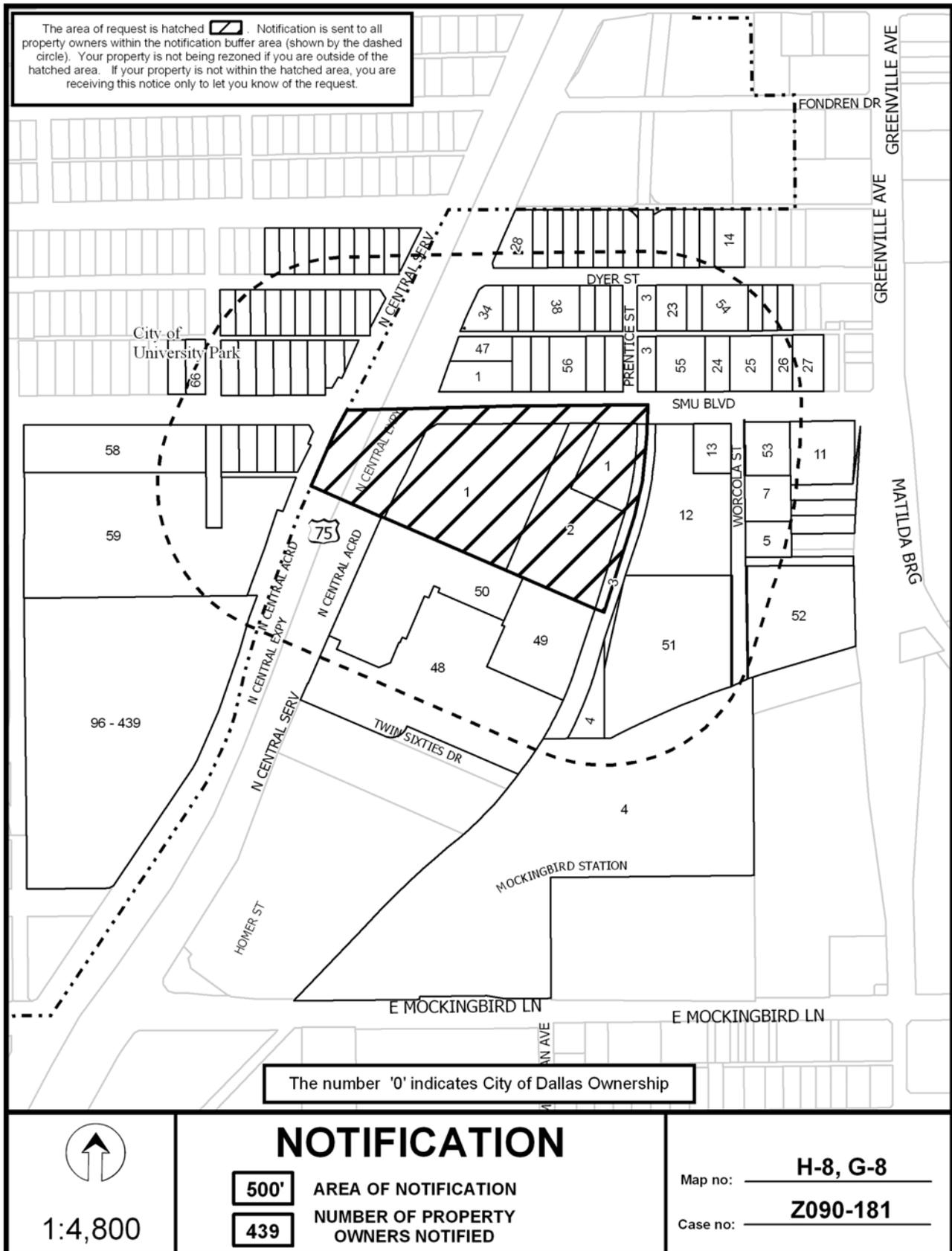
DATE: January 12, 2011



DATE: January 12, 2011



DATE: January 12, 2011



DATE: January 12, 2011

## Notification List of Property

### Z090-181

#### 103 *Property Owners Notified*

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	6200 YALE	SOUTHERN METHODIST UNIVERSITY
2	5540 YALE	SOUTHERN METHODIST UNIV OFFICE OF REAL ESTATE
3	555 2ND	DART
4	5465 WORCOLA	DALLAS AREA RAPID TRANSIT
5	4463 WORCOLA	MC TOWNHOMES I LP STE 642
6	4439 GREENVILLE	MC TOWNHOMES I LP
7	4417 GREENVILLE	UNIVERSITY PARK CITY OF CITY HALL
8	5606 YALE	U S POSTAL SERVICE
9	5612 YALE	YALE CENTRAL LLC
10	5619 DYER	DYER STREET INVESTORS LP
11	5615 DYER	HAYS JERRY
12	5607 DYER	RUCKER GALE A & DONALD R POLAN
13	5605 DYER	BALLARD VENDORS INC % W L BALLARD JR
14	5601 DYER	BALLARD VENDORS INC % BILL BALLARD
15	5634 DYER	PRENGLER HERSCHEL
16	5630 DYER	JACKSON LEASING PARTNERS LTD
17	5610 DYER	DIFRANCESCO PSP PARTNERS LTD
18	5602 DYER	NAK JOINT VENTURE LTD
19	5619 YALE	HOLTVET HOLDINGS LLC
20	5629 YALE	HARBISON JEWELL G SUITE 603
21	5635 YALE	EDM ASSOCIATES INC
22	5641 YALE	5641 YALE LTD PS
23	6300 CENTRAL	MANHATTAN CONSTRUC CO INC
24	5523 DYER	MEADOR REALTY COMPANY
25	5527 DYER	MAHLER JAMES A
26	5539 DYER	SOUTHERN METHODIST UNIVERSITY

**Tuesday, March 01, 2011**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
27	5543 DYER	5543 DYER LLC
28	5547 DYER	5547 DYER LLC
29	6222 CENTRAL	MANGRIN CORPORATION THE C/O THE GRINNAN
30	6222 CENTRAL	SOWELL JAMES COMPANY LP
31	5512 DYER	THOMPSON JACK H JR
32	5518 DYER	ACHILIKE GREGORY & EDITH N
33	5526 DYER	MANGRIN CORP C/O THE GRINNAN COMPANIES
34	5534 DYER	SOUTHERN METHODIST UNIVERSITY
35	5538 DYER	SOUTHERN METHODIST UNIVERSITY
36	5555 YALE	SECRET SALES CO INC
37	5551 YALE	STARK JERRY COMPANIES INC
38	5535 YALE	5535 YALE BLVD PARTNERSHP
39	6210 CENTRAL	SOUTHERN METHODIST UNIV
40	6060 CENTRAL	AP PRESCOTT TWIN SIXTIES
41	6080 CENTRAL	AP PRESCOTT 6080 LP
42	6070 CENTRAL	AP APH DALLAS LP SUITE 310
43	4420 WORCOLA	UNIVERSITY PARK CITY OF
44	5630 YALE	MC TOWNHOMES I LP SUITE 101
45	5622 DYER	DYER STREET INVESTORS LP
46	5609 YALE	MC 5609 YALE LP
47	5539 YALE	SWIFT PROPERTY CO STE 100
48	2816 BINKLEY	SOUTHERN METHODIST UNIV PPTY MANAGEMENT
49	2909 SMU	SOUTHERN METHODIST UNIV
50	2964 BINKLEY	SOUTHERN METHODIST UNIV % SMU STUDENT HOUSING
51	2904 SMU	SOUTHERN METHODIST UNIV
52	2841 DYER	KPOIDLANSKY MARK A & SHERI L
53	2837 DYER	SCHIFF CALVIN E & THERESA M
54	2833 DYER	CAOLO JACK P
55	2829 DYER	BECKER WILLIAM & ELAINE
56	2825 DYER	KHETAN RAINER & ANITA

**Tuesday, March 01, 2011**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
57	2821 DYER	KHETAN RAINER & ANITA
58	2817 DYER	KHETAN ROGER
59	2813 DYER	CATES SONIA A
60	2809 DYER	CANTRELL TIM L
61	2805 DYER	UNIVERSITY PARK CITY OF
62	2828 SMU	SOUTHERN METHODIST UNIVERSITY
63	2824 SMU	SOUTHERN METH UNIV
64	2828 DYER	LUCAS MATTHEW C & PAULINE
65	2824 DYER	HENSLEY SHERRY
66	2820 DYER	WFW FAMILY LIMITED PARTNERSHIP % JOHN KLEIN
67	2816 DYER	SHUMWAY STEPHEN & MARLO M SHUMWAY
68	2812 DYER	BINNS GREGORY D & KATHERINE W
69	2808 DYER	HOLLAND HARRY T
70	2806 DYER	RAIN JAMES T & MEGAN M
71	2804 DYER	QUINONES EDGARDO E
72	6025 TARRYTOWN	PERUNA PROPERTIES INC ATTN: ACCOUNTING
73	6025 TARRYTOWN	PERUNA PROP INC ATTN: ACCOUNTING
74	5929 DUBLIN	PERUNA PROPERTIES INC
75	6029 TARRYTOWN	PERUNA PROPERTIES INC
76	5808 OXFORD TERRACE	PERUNA PPTIES INC ATTN: ACCOUNTING
77	6029 DUBLIN	PERUNA PROPERTIES INC ATTN: ACCOUNTING
78	6006 OXFORD TERRACE	PERUNA PROPERTIES INC ACCOUNTING
79	5801 CENTRAL	PERUNA PROPERTIES INC % SMU
80	5920 DUBLIN	LOVELL EARL BLDG B UNIT 2106
81	6004 TARRYTOWN	PERUNA PROP INC CORP
82	6028 TARRYTOWN	PERUNA PPTIES INC ATTN: ACCOUNTING
83	6028 DUBLIN	PERUNA PROPERTIES INC % ACCOUNTING
84	6004 CHALET	PERUNA PROPERTIES INC %ACCOUNTING
85	5925 CHALET	PERUNA PROPERTIES IN
86	6028 OXFORD TERRACE	PERUNA PROPERTIES INC ATTN ACCOUNTING
87	6000 DUBLIN	PERUNA PPTIES, INC ACCOUNTING

**Tuesday, March 01, 2011**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
88	6016 OXFORD TERRACE	PERUNA PROPERTIES INC ATTN:ACCOUNTING
89	2829 COLLEGE PLAZA	PERUNA PROPERTIES
90	2801 COLLEGE PLAZA	STRADLEY MARK EDWARD
91	5923 CENTRAL	PERUNA PROP S INC
92	6023 TARRYTOWN	PERUNA PROPERTIES INC % ACCOUNTING
93	6019 TARRYTOWN	PERUNA PROPERTIES INC % LINDA SUTTON
94	6005 TARRYTOWN	PERUNA PROPERTIES INC L % ACCOUNTING
95	6005 TARRYTOWN	SOUTHERN METHODIST UNIVERSITY % LEON BENNETT
96	6008 TARRYTOWN	PERUNA PPTIES INC
97	6028 TARRYTOWN	PERUNA PROP INC
98	2725 OXFORD TERRACE	NIFCO INC % HARWOOD PACIFIC CORP
99	2701 OXFORD TERRACE	PPTIES PERUNA, INC % ACCOUNTING
100	2912 OXFORD TERRACE	PERUNA PROPERTIES INC
101	2922 OXFORD TERRACE	STRADLEY FRED S
102	2800 OXFORD TERRACE	PERUNA PPTIES INC
103	2726 OXFORD TERRACE	PERUNA PPTIES INC

**Tuesday, March 01, 2011**

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z101-110(WE)                      **DATE FILED:** November 11, 2011

**LOCATION:** Southeast line of Forney Road, between Peachtree Street and  
Lawnview Avenue

**COUNCIL DISTRICT:** 7                                      **MAPSCO:** 47-L

**SIZE OF REQUEST:** Approx. 3.12 acres              **CENSUS TRACT:** 84

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**APPLICANT / OWNER:** Larry Parker

**REPRESENTATIVE:** Joe Bowers

**REQUEST:** An application for a Specific Use Permit for a vehicle storage lot within PDD No. 323, the Urbandale Area Special Purpose District.

**SUMMARY:** The purpose of this request is to allow for the site to be used as a vehicle storage lot. The applicant proposes to operate the business, seven days a week, 24 hours a day.

**STAFF RECOMMENDATION:** Approval, for a three year time period with eligibility for automatic renewals for additional three year periods, subject to a site plan and conditions.

**BACKGROUND INFORMATION:**

- The applicant’s request for a Specific Use Permit will allow cars to be impounded and stored within the property.
- There are deed restrictions on a portion of the site that limits only a warehouse use and all uses in a GR General Retail District as well as limits the structure height to 24 feet. The deed restrictions will remain on a portion of the property.
- The surrounding land uses consist of mix of uses; industrial, commercial, warehouse retail, office, single family and auto related uses.

**Zoning History:** There has been one zoning change requested in the area.

1. Z056-287 On Wednesday, June 13, 2007 the City Council approved a new subarea to allow the use for a tower/antenna for cellular communication within Planned Development District No. 323 on the northwest side of Cresthill Road between Military Parkway and Lawnview Avenue.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Forney Road	Local	60 ft.	60 ft.
Lawnview Road	Local	50 ft.	50 ft.

**Land Use:**

	Zoning	Land Use
<b>Site</b>	PDD No. 323 w/deed restrictions on a portion	Office/Warehouse, parking lot
<b>North</b>	CR, LI	Auto related uses, Industrial
<b>South</b>	PDD No. 323	Warehouses, Parking lot
<b>East</b>	CR-D, R-7.5(A)	Office , Retail, Single Family
<b>West</b>	PDD No. 323	Single Family, Warehouse

**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 a Commercial Centers or Corridors Building Block.

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.

## **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 3.12 acre site is developed as an office/warehouse and is being used to park several tractor trailers. The applicant's request for a Specific Use Permit will allow cars to be impounded and stored within the property. In addition, a portion of the site has deed restrictions that limit a warehouse use and all uses in a GR General Retail District. The deed restrictions also limit the structure height not to exceed 24 feet in height.

Planned Development District No. 323 was created to "to provide for the development of commercial and business serving uses that may involve outside storage, service or display". The surrounding land uses consist of mix of uses; industrial, commercial, warehouse retail, office, single family and auto related uses.

Staff has reviewed the applicant's request and will recommend approval of a Specific Use Permit for a vehicle storage lot for a three year time period with eligibility for automatic renewals for additional three year periods, subject to a revised site plan and attached conditions. The proposed vehicle storage lot should not adversely impact the surrounding area.

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:**

<b><u>DISTRICT</u></b>	<b><u>SETBACKS</u></b>		<b><u>Density</u></b>	<b><u>Height</u></b>	<b><u>Lot Coverage</u></b>	<b><u>Special Standards</u></b>	<b><u>PRIMARY Uses</u></b>
	<b><u>Front</u></b>	<b><u>Side/Rear</u></b>					
PDD No. 323	0'	0'/0'	1.0 FAR for all combined uses	45'	80%	Proximity Slope	Commercial & business service, retail & personal service, lodging, Industrial

**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.

**EXISTING DEED RESTRICTIONS**

City of Dallas, Dallas County, Texas, and being part of a tract of land conveyed to Hollis E. Parker and Ella Beth Parker by Town East Joint Venture by deed dated October 10, 1984, and recorded in Volume 84201, Page 0168, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the south line of Forney Road (70 feet wide at this point), said point also being the most northerly corner of Lot 1 of said Town East Addition;

THENCE South 43 degrees, 03 minutes, 56 seconds East along the northeasterly line of the Broadview Addition recorded in Volume 3, Page 177 of Dallas County Map Records, a distance of 166.50 feet to a point for corner;

THENCE South 80 degrees, 12 minutes, 33 seconds West a distance of 209.85 feet to a point for corner;

THENCE North 09 degrees, 47 minutes, 27 seconds West a distance of 122.00 feet to a point for corner, said point being in the south line of Forney Road and being in the northwesterly line of said Town East Addition;

THENCE North 80 degrees, 12 minutes, 33 seconds East along the south line of said Forney Road and northwesterly line of said Town East Addition, a distance of 65.21 feet to a point for corner;

THENCE North 62 degrees, 19 minutes, 05 seconds East continuing along the south line of said Forney Road and the northwesterly line of said Town East Addition, a distance of 56.00 feet to the POINT OF BEGINNING and containing 21,274 square feet or .4884 acres of land, more or less.

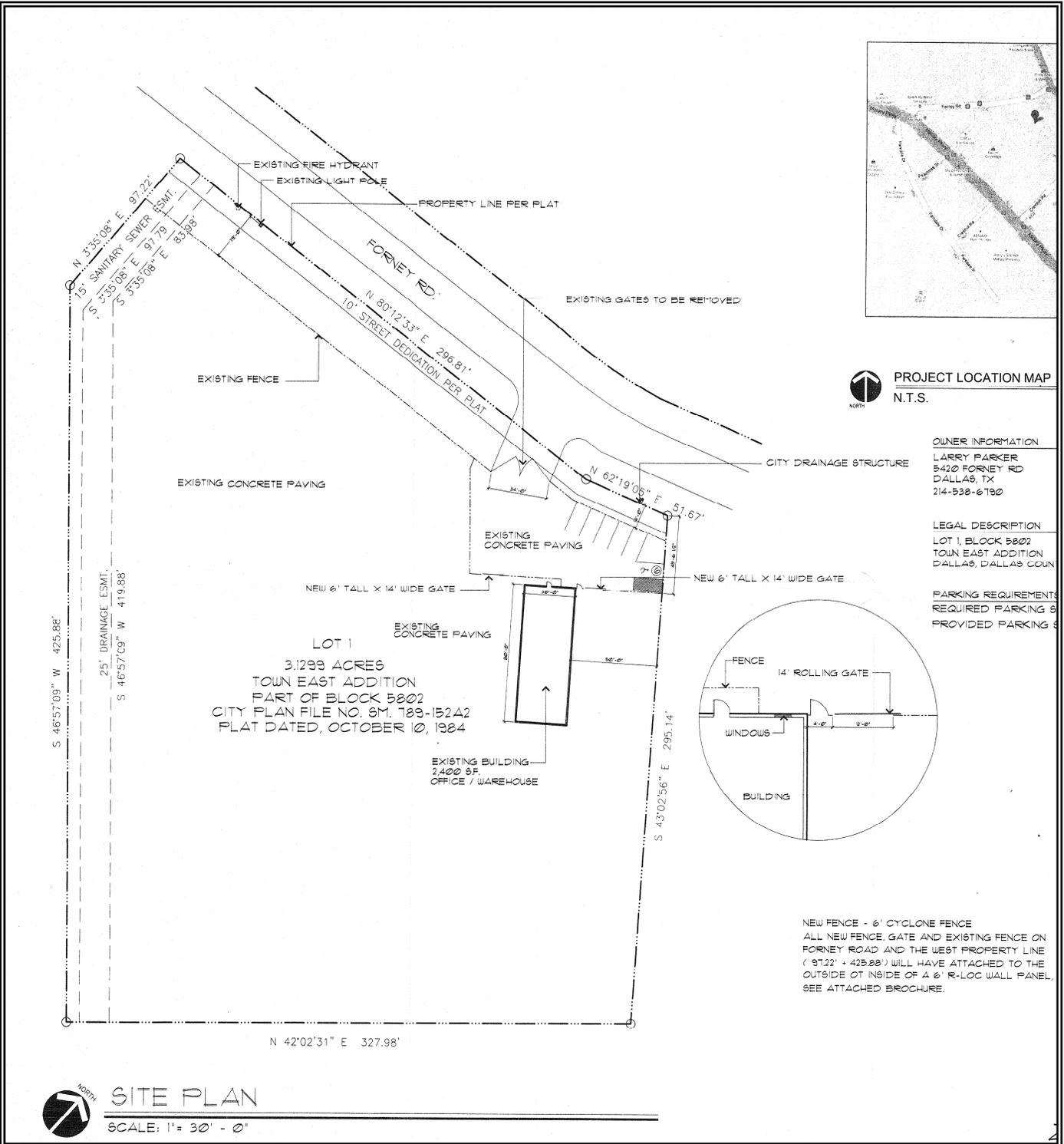
That the undersigned, Hollis E. Parker and Ella Beth Parker, do hereby impress all the above described property with the following deed restrictions, to wit:

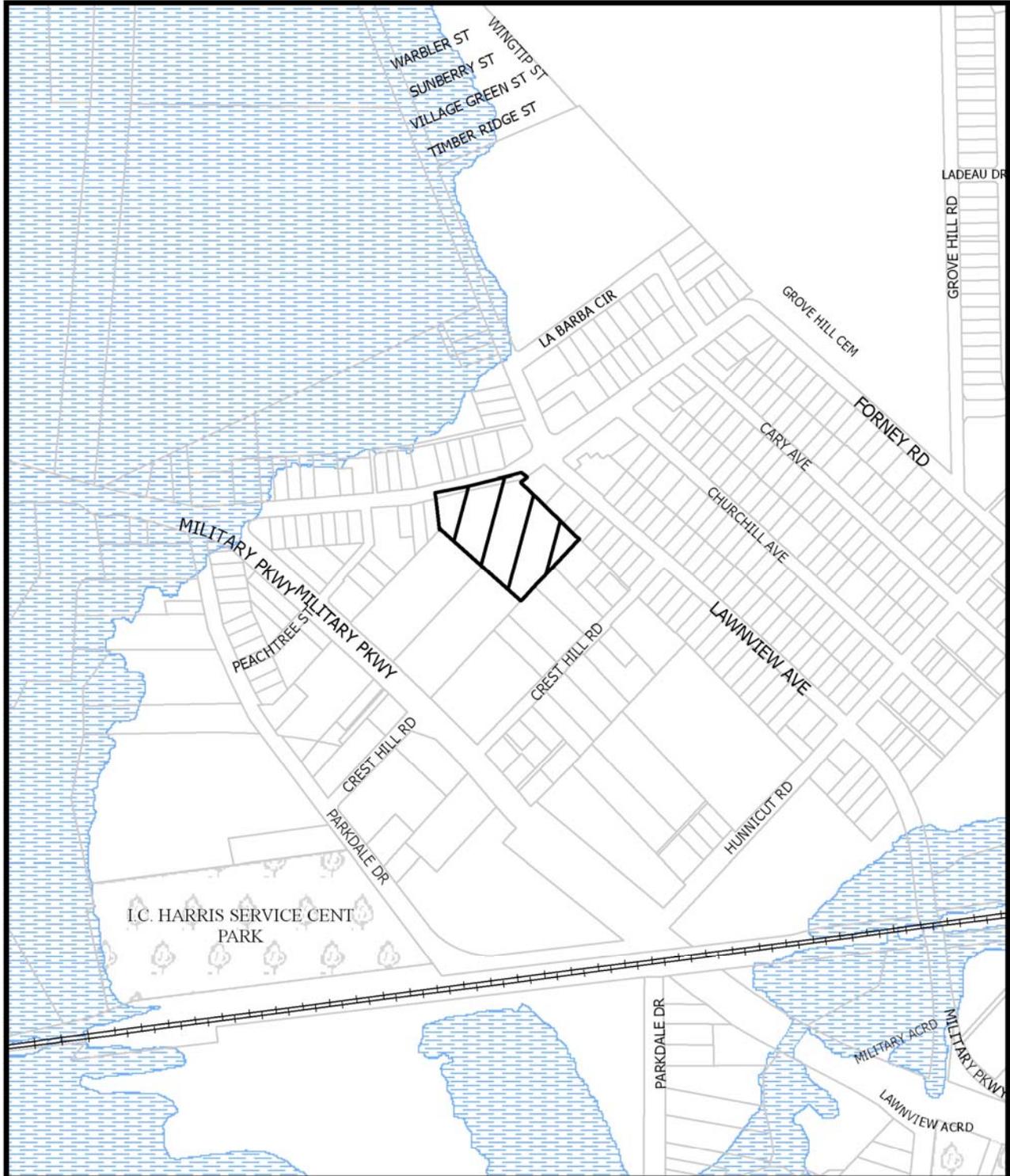
1. Use of the above described property is limited to warehouse uses as defined by the Dallas Development Code, as amended, and all uses permitted in a GR (General Retail) zoning district, according to the Dallas Development Code, as amended.
2. No Building on the property may exceed 24 feet in height.

**PROPOSED SUP CONDITIONS**

1. USE: The only use authorized by this specific use permit is a vehicle storage lot.
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\_\_\_\_\_, (three-year period from the passage of this ordinance), but is eligible for automatic renewal for additional three-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 application 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. OUTDOOR LOUDSPEAKERS: Outdoor loudspeakers are prohibited to operate on the Property.
6. PARKING: Off-street parking must be located as shown on the attached site plan.
7. SCREENING: A minimum six-foot-high solid screening fence must be maintained as shown on the attached site plan. The screening materials must consist of solid masonry, concrete, brick, stucco, stone, or wood.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

**PROPOSED SITE PLAN**





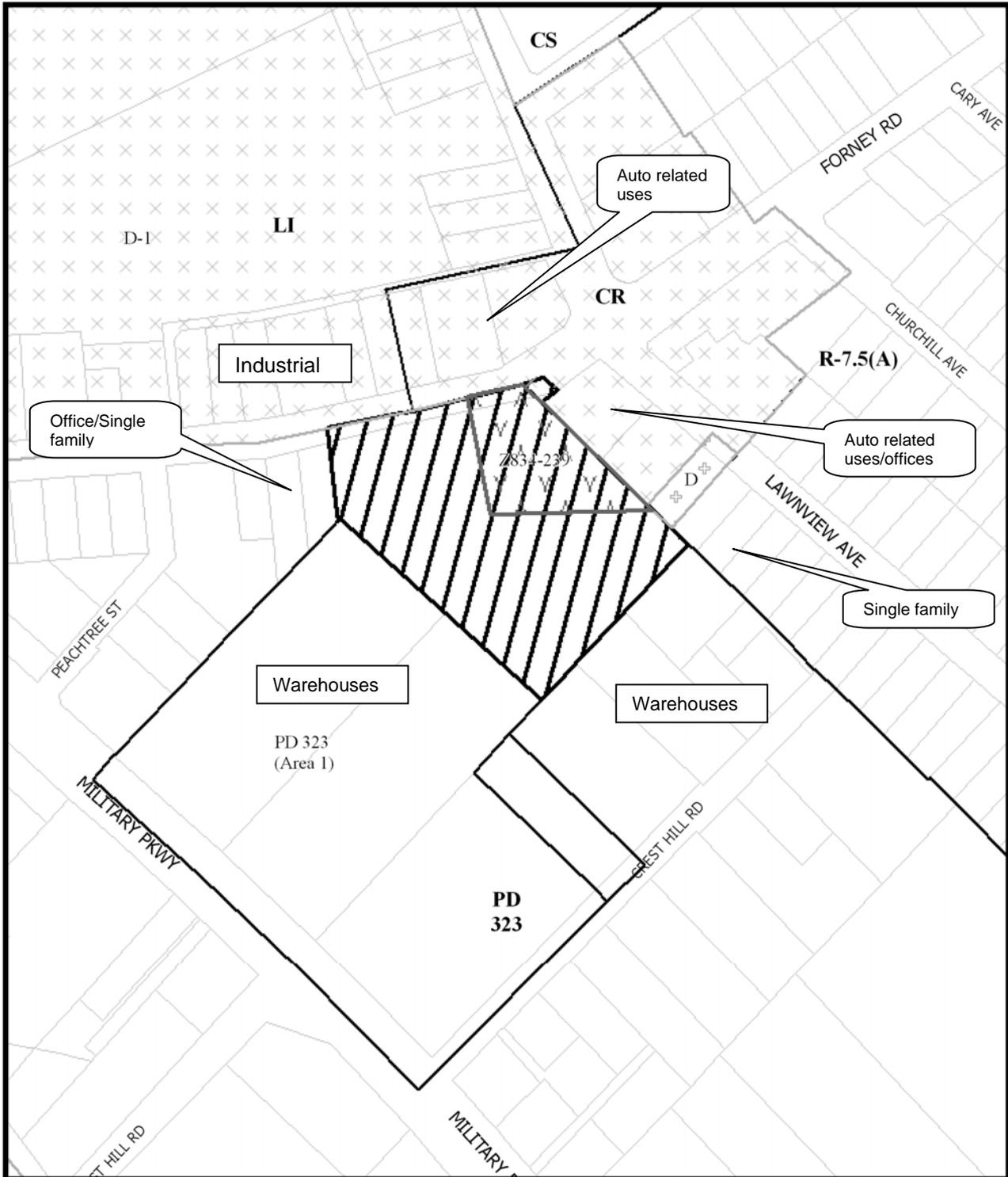
1:6,000

# VICINITY MAP

Map no:           J-9          

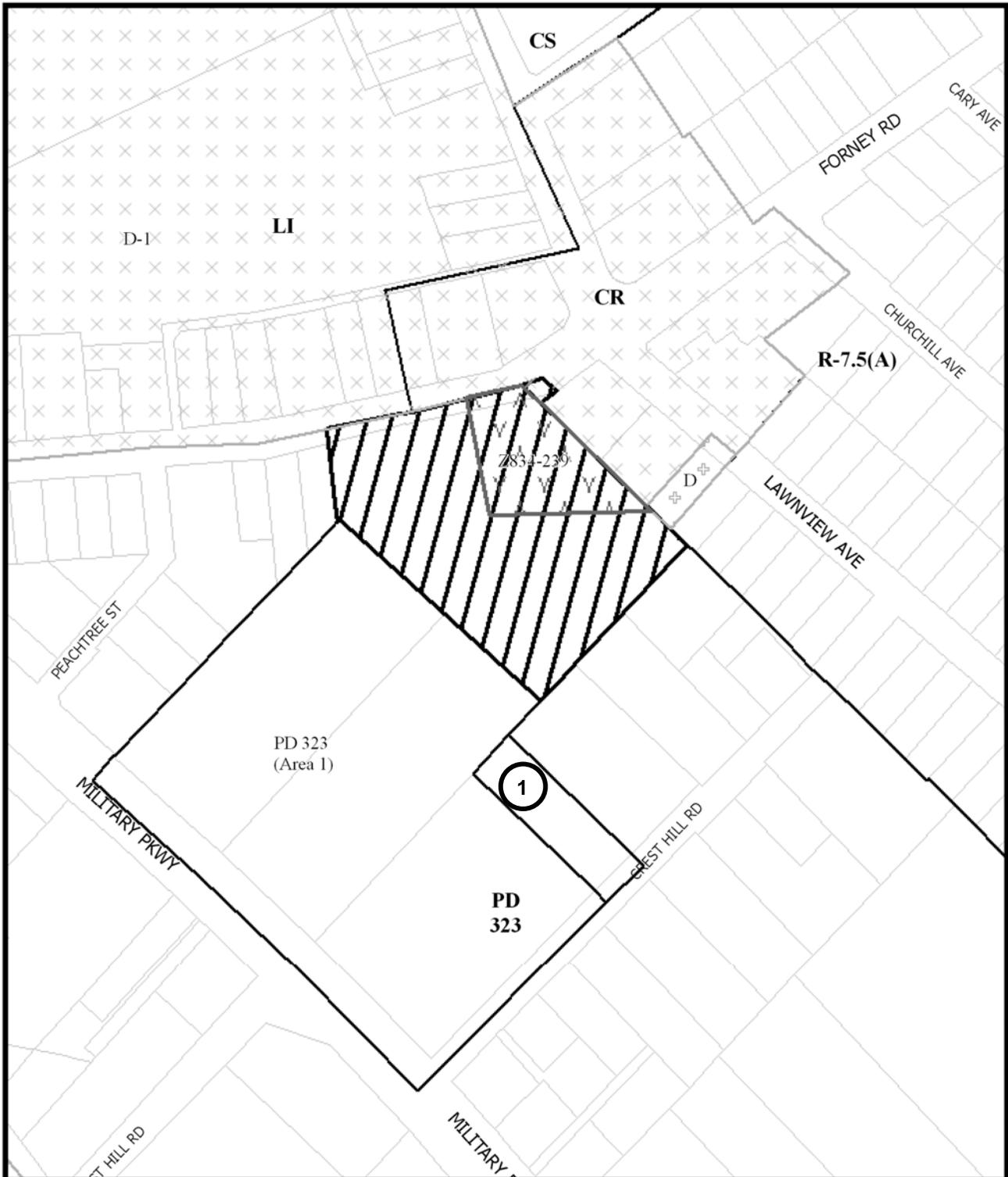
Case no:           Z101-110          

DATE: January 31 2011



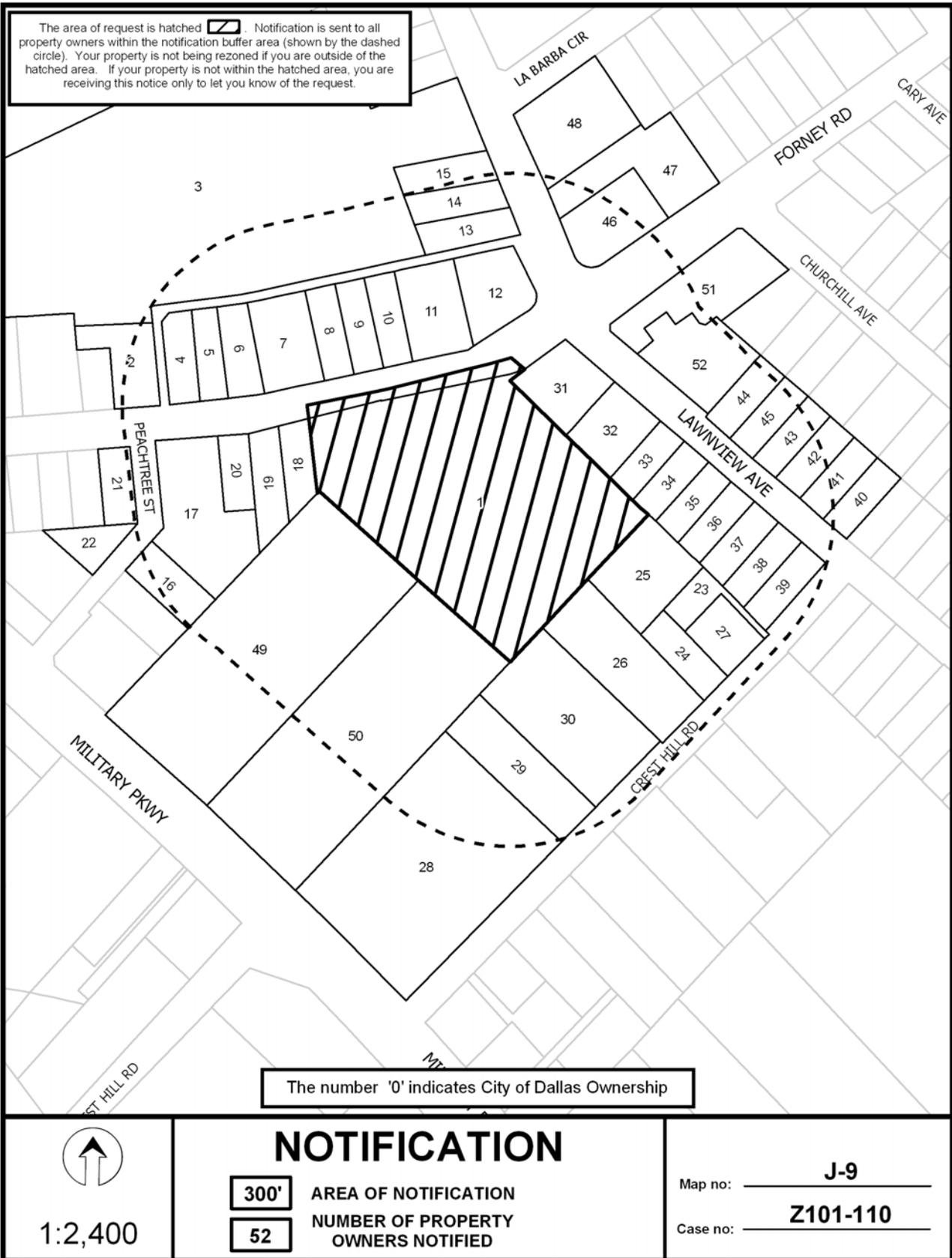
 1:2,400	<h2 style="text-align: center;">ZONING AND LAND USE</h2>	Map no: <u>          J-9          </u> Case no: <u>          Z101-110          </u>
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DATE: January 31, 2011



 1:2,400	<h1>ZONING HISTORY</h1>	Map no: <u>          J-9          </u> Case no: <u>          Z101-110          </u>
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DATE: January 31, 2011



## **Notification List of Property Owners**

### **Z101-110**

#### **52 Property Owners Notified**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	5420 FORNEY	PARKER LAURENCE E
2	5345 FORNEY	HEROLD DAVID
3	4585 LAWNVIEW	LABARBA ANTHONY ET AL % ERNEST A LABARBA
4	5407 FORNEY	BOONE CONSTRUCTION CO
5	5411 FORNEY	BOONE CONSTRUCTION
6	5415 FORNEY	BOONE CONSTRUCTION CO % J BOONE
7	5419 FORNEY	BOONE J K % BOONE CONSTRUCTION CO
8	5427 FORNEY	LABARBA ERNEST A ET AL % FRANK LA BARBA JR
9	5431 FORNEY	ESCOBAR J ALEJANDRO & GLORIA MILILA ESCOBAR
10	5435 FORNEY	ESCOBAR J ALEJANDRO & GLORIA MILILA ESCOBAR
11	5439 FORNEY	ESCOBAR J ALEJANDRO & GLORIA MILILA ESCOBAR
12	4503 LAWNVIEW	RAUDRY FIDEL
13	4515 LAWNVIEW	BLACK RICHARD & BLACK STEPHANIE
14	4525 LAWNVIEW	BURRESCIA MINTA
15	4535 LAWNVIEW	BURRESCIA MINTA
16	3950 PEACHTREE	SCOTT WILLIAM E ETAL R
17	5402 FORNEY	FRAGA JULIA
18	5418 FORNEY	ALAFA RAMON
19	5414 FORNEY	FUENTES ROBERTO & NORMA FUENTES
20	5410 FORNEY	ALCARAZ CANDELARIO
21	5342 FORNEY	CHILCOTE STEVE
22	3947 PEACHTREE	BEARD RICHARD G
23	4073 CREST HILL	HARPER GARLAND E
24	4063 CREST HILL	ORR TOM & FRANCES BAGLEY
25	4045 CREST HILL	ORR TOM & FRANCES BAGLEY

**Thursday, January 27, 2011**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
26	4045 CREST HILL	ORR TOM & FRANCES BAGLEY
27	4071 CREST HILL	WILLIFORD COILLA WITT
28	5615 MILITARY	CORSAIR GRP LTD A LTD PTRS STE 1 C
29	4025 CREST HILL	PETTUS GARY BEN
30	4035 CREST HILL	ORR TOM & FRANCES BAGLEY
31	4439 LAWNVIEW	GRACE KK INV LLC
32	4431 LAWNVIEW	OTTO IRIS
33	4427 LAWNVIEW	MCLEOD BILLY JOE
34	4423 LAWNVIEW	MCLEOD BILLY JOE
35	4419 LAWNVIEW	HOLLAND TRUDY M
36	4415 LAWNVIEW	ALLUMBAUGH F R
37	4411 LAWNVIEW	HARPER GARLAND E
38	4407 LAWNVIEW	HARPER GARLAND E
39	4403 LAWNVIEW	VERGARA MA ABDIAS C
40	4404 LAWNVIEW	LEE JORETTA
41	4408 LAWNVIEW	TOBAR INVESTMENTS LLC
42	4412 LAWNVIEW	CEJA RAMON S & ROSA
43	4416 LAWNVIEW	ZAVALA AURELIO H
44	4424 LAWNVIEW	PEREZ-GUARDADO OLGA L
45	4420 LAWNVIEW	HM EXECUTIVE HOMES INC
46	5511 FORNEY	MANTZURANIS TONY
47	4510 LAWNVIEW	MANTZURANIS TONY
48	4540 LAWNVIEW	LAWNVIEW PPTIES JV % JOE H HILL
49	5535 MILITARY	CORSAIR GROUP LTD A LTD PTRS STE 1 C
50	5555 MILITARY	CORSAIR GROUP LTD A LTD PTRS
51	4442 LAWNVIEW	MESSINA ROBERT L & DARLENE
52	4440 LAWNVIEW	MYERS JOHN &

**FILE NUMBER:** Z0101-125(WE)

**DATE FILED:** November 15, 2011

**LOCATION:** Generally bounded by Cole Avenue, E. Lemmon Avenue, McKinney Avenue and southwest of Blackburn Street

**COUNCIL DISTRICT:** 14

**MAPSCO:** 35-Y

**SIZE OF REQUEST:** 5.1617 acres

**CENSUS TRACT:** 7.01

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**APPLICANT/OWNER:** West Village 2004 PO L.P.

**REPRESENTATIVE:** Roger Albright

**REQUEST:** An application for a Specific Use Permit for an alcoholic beverage establishment for a bar, lounge, or tavern on property within Subdistrict C of the West Mixed Use Sub-zone of Planned Development District No. 305, the City Place Planned Development District.

**SUMMARY:** The purpose of this request is to allow a bar, tavern or lounge to continue to operate within the existing multi-tenant mixed use development. The proposed bar, tavern or lounge use may occupy more than one suite within the development, but cannot exceed a maximum floor area of 5,000 square feet. In January 2010, Specific Use Permit No. 1461 expired for the bar, tavern or lounge use.

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

**BACKGROUND INFORMATION:**

- On November 10, 2004, the City Council approved the applicant’s request for a Specific Use Permit for one or more alcoholic beverage establishment for a bar, lounge, or tavern uses for a five year period.
- In January 2010, Specific Use Permit No. 1461 expired. The applicant has filed an application for a Specific Use Permit for one or more alcoholic beverage establishment for a bar, lounge, or tavern uses and to modify the time limit for the proposed use. The applicant is requesting a permanent time period for the alcoholic beverage establishment for a bar, lounge, or tavern use. The previous Specific Use Permit conditions will remain except for the change in the time period.
- The land uses surrounding the request site consist of retail uses to the northeast, across Thompson Street (within the development), multifamily, retail, office, and restaurant uses to the southeast, multifamily uses to the northwest, across Cole Avenue and retail and a general merchandise store to the southwest, across E. Lemmon Avenue.

**Zoning History:** There have been two recent zoning changes requested in the area.

1. Z001-269 On Wednesday, January 9, 2002, the City Council approved a Specific Use Permit for an alcoholic beverage establishment for a bar, lounge or tavern use within Subdistrict C of the West Mixed use Sub-Zone of Planned Development District No. 305, the City Place Planned Development District.
2. Z034-299 On Wednesday, November 10, 2004, the City Council approved a Specific Use Permit for an alcoholic beverage establishment for one or more bar, lounge or tavern uses within Subdistrict C of the West Mixed use Sub-Zone of Planned Development District No. 305, the City Place Planned Development District.

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW	Proposed ROW
McKinney Avenue	Minor Arterial	60 ft.	60 ft.
Blackburn Street	Collector	Variable lane width	Variable lane width
Cole Avenue	Minor Arterial	50 ft.	50 ft.
E. Lemmon Avenue	Principal Arterial	100 ft.	100 ft.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PDD No. 305, Subdistrict C	Restaurant, Multifamily, Retail
<b>Northeast</b>	PDD No. 305, Subdistrict B	Retail
<b>Southeast</b>	PDD No. 305, Subdistrict D-4	Multifamily, Retail, Office, Restaurant
<b>Northwest</b>	PDD No. 305, Subdistrict B-1	Multifamily
<b>Southwest</b>	GR w/in PDD No. 193	Retail, General merchandise store

**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 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.

**Land Use Compatibility:** The 5.1617 acre site is developed as a multi-tenant, mixed use development with retail on the ground floor. The request for a Specific Use Permit for an alcoholic beverage establishment for a bar, lounge or tavern will allow the applicant the possibility to operate one or more bar, lounge or tavern uses within the mixed use development.

Previously, the applicant received approval for a three year time period and a five year time period, respectively, for the use (January 9, 2002, and November 10, 2004). In

January 2010, Specific Use Permit No. 1461 for one or more alcoholic beverage establishment for a bar, lounge, or tavern uses expired.

The request site is located within a mixed use area and is surrounded by retail uses to the northeast, across Thompson Street (within the development), multifamily, retail, office, and restaurant uses to the southeast, multifamily uses to the northwest, across Cole Avenue and retail and a general merchandise store to the southwest, across E. Lemmon Avenue.

Staff recommendation is for approval of a Specific Use Permit for one or more alcoholic beverage establishments to be used for bar, lounge or tavern uses, limited to 5,000 square feet of floor area, subject to the site plan and conditions. Staff proposes using the Specific Use Permit conditions that were approved by Council, but will recommend changing the time period to a five year period with eligibility for automatic renewals for additional five periods.

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:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 305 Mixed use-	10'	10'	1.5 FAR - non-residential 1.5 FAR - residential	90"	80%	Proximity Slope U-form setback	Office, retail & personal service, lodging, residential, trade center

**Landscaping:** Landscaping must be provided and completed in accordance with Planned Development District No. 305, as modified by Board of Adjustment Case No. BDA 989-189 and the landscape plan approved in BDA 989-189.

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

**Dallas Police Department:** The applicant's representative has provided a list of tenants and their suite numbers that are or were occupied with alcohol permits. These businesses are or were Cru at 167, Lemon Bar at 1353, Social House (# not known), Nikita (was in the basement-now vacant), Mi Cocina at 168, Malai at 1505, Village Burger Bar at 188 and Taco Diner at 175.

A copy of a police report of the past 5 years of offenses is provided below.

DALLAS POLICE DEPARTMENT													
										UCR Codes		Year Codes	Property Class Codes
Virtual Viewer - Public Access											Welcome		
Search Records - Offense <span style="float: right;">Filter</span>													
Service #	Offense Date	Complainant	Offense	▲	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2		
<a href="#">0346186-X</a>	12/18/2010	*LASH STUDIO	BURGLARY		03699		MCKINNE...	124	2003	05C31			
<a href="#">0025242-Y</a>	01/29/2011	DUCKERT, CRYSTAL	CRIMINAL MISCHIEF/VANDALI...		03699		MCKINNE...	124	2003	14031			
<a href="#">0067838-X</a>	03/11/2010	MAKEWITA, SAMANTHA...	CRIMINAL MISCHIEF/VANDALI...		03699		MCKINNE...	124	2003	14081			
<a href="#">0235801-X</a>	08/22/2010	*URBAN PARTNERS	CRIMINAL MISCHIEF/VANDALI...		03699		MCKINNE...	124	2003	14031			
<a href="#">0281143-X</a>	10/09/2010	EDWARDS,CHRISTY	CRIMINAL MISCHIEF/VANDALI...		03699		MCKINNE...	124	2003	14092			
> <a href="#">0353544-X</a>	12/28/2010	*LEMMON BAR	CRIMINAL MISCHIEF/VANDALI...		03699		MCKINNE...	124	2003	14081			
> <a href="#">0375438...</a>	12/22/2009	*SOCIAL HOUSE BAR A...	FRAUD		03699		MCKINNE...	124	2003	11020			
> <a href="#">0201418-R</a>	03/19/2006	*VILLAGE BURGER BAR	BURGLARY		03699		MCKINNE...	125	2003	05336			
> <a href="#">0665102-R</a>	05/06/2006	*CRU WINE BAR	FRAUD		03699		MCKINNE...	125	2003	11051			

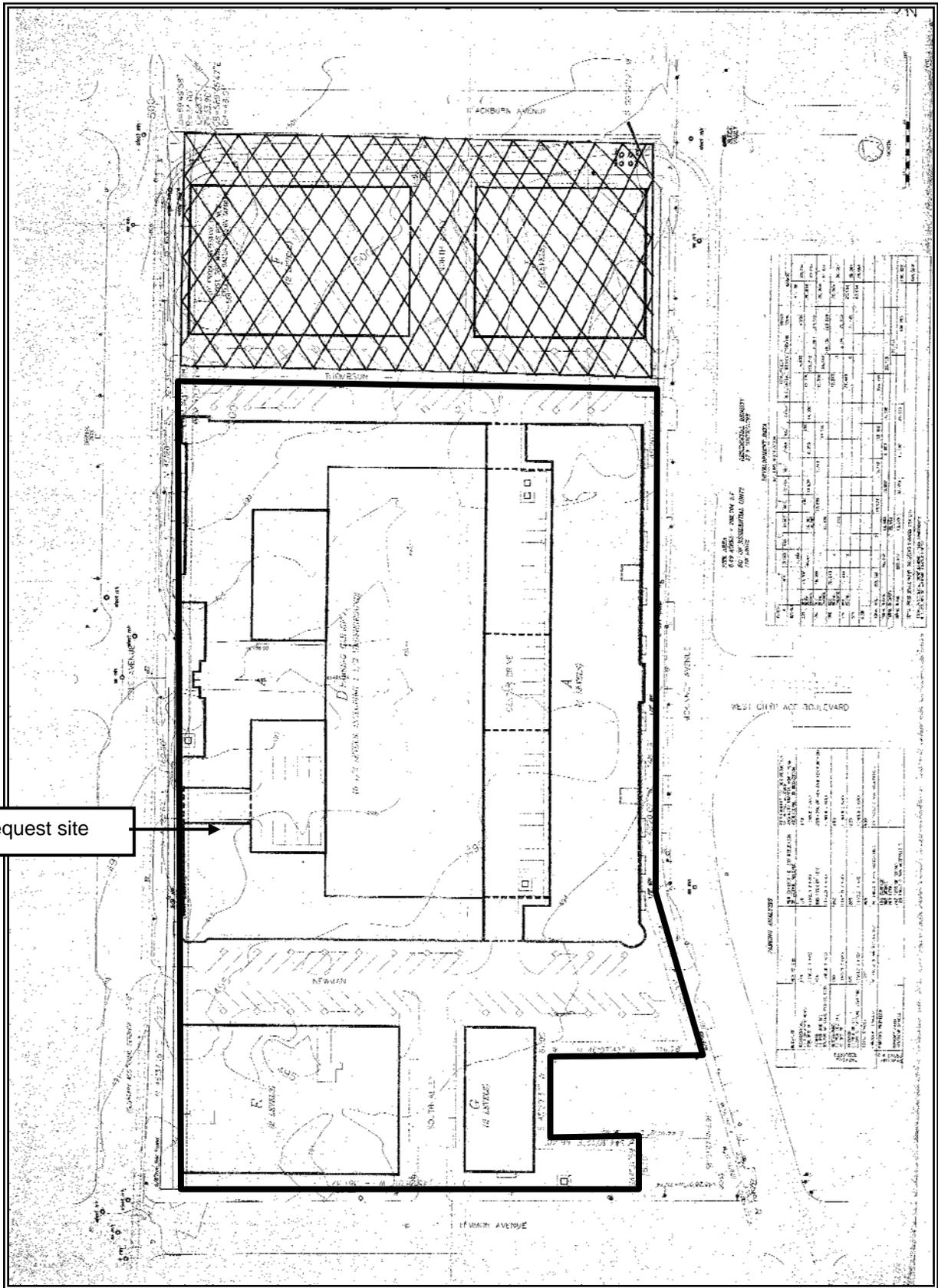
**LIST OF PARTNERS  
West Village 2004, PO L.P.**

- J. Blake Pogue
- Robert W. Bagwell

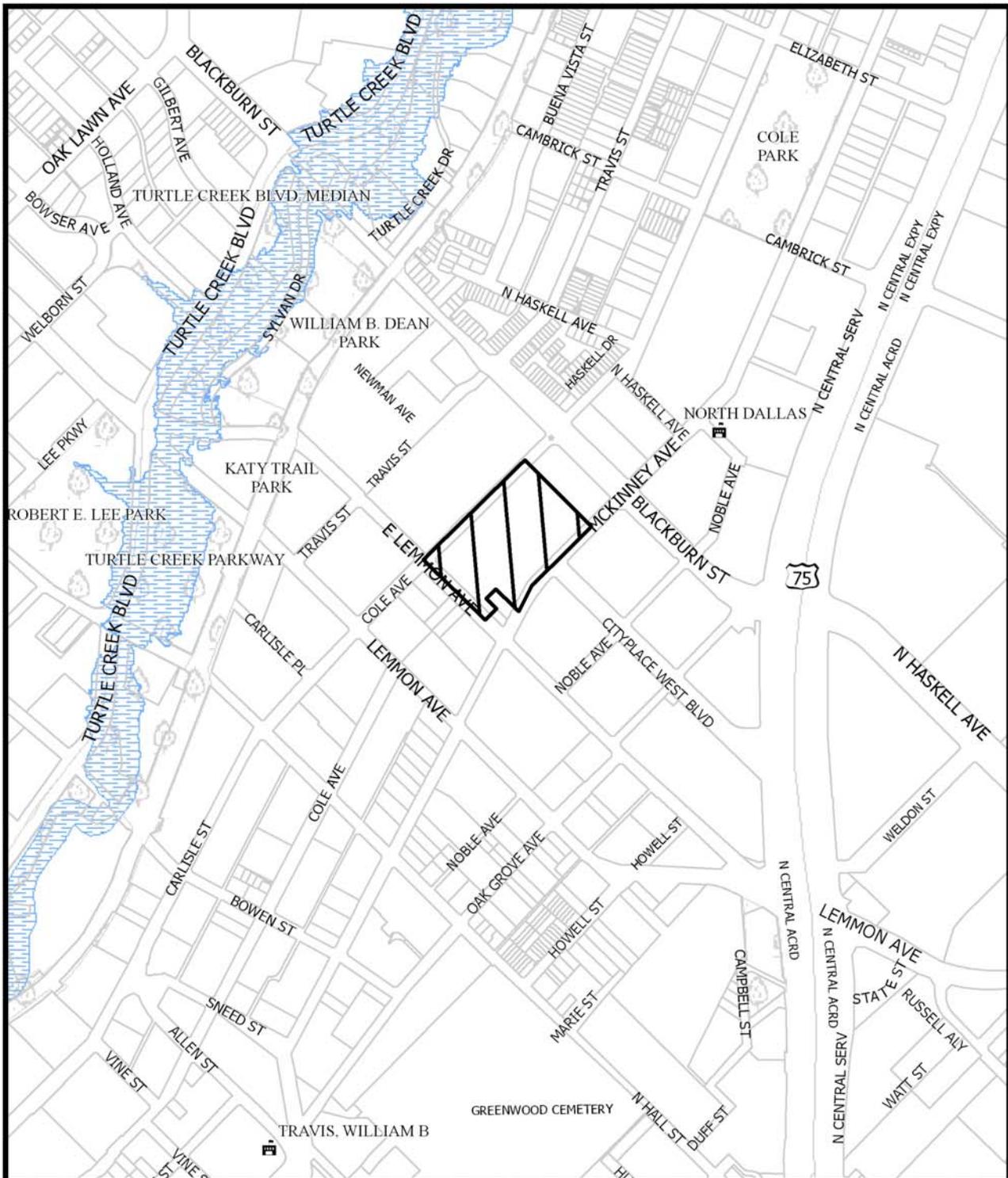
**PROPOSED SUP CONDITIONS**

1. USE: The only use authorized by this specific use permit is one or more alcoholic beverage establishments to be used for bar, lounge, or tavern uses.
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 (five 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. LANDSCAPING: Landscaping must be provided and maintained in accordance with the requirements of Planned Development District No. 305, as modified by Board of Adjustment Case No. BDA 989-189.
5. FLOOR AREA: The maximum floor area for all bar, lounge, and tavern uses combined is 5,000 square feet.
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.

APPROVED SITE PLAN





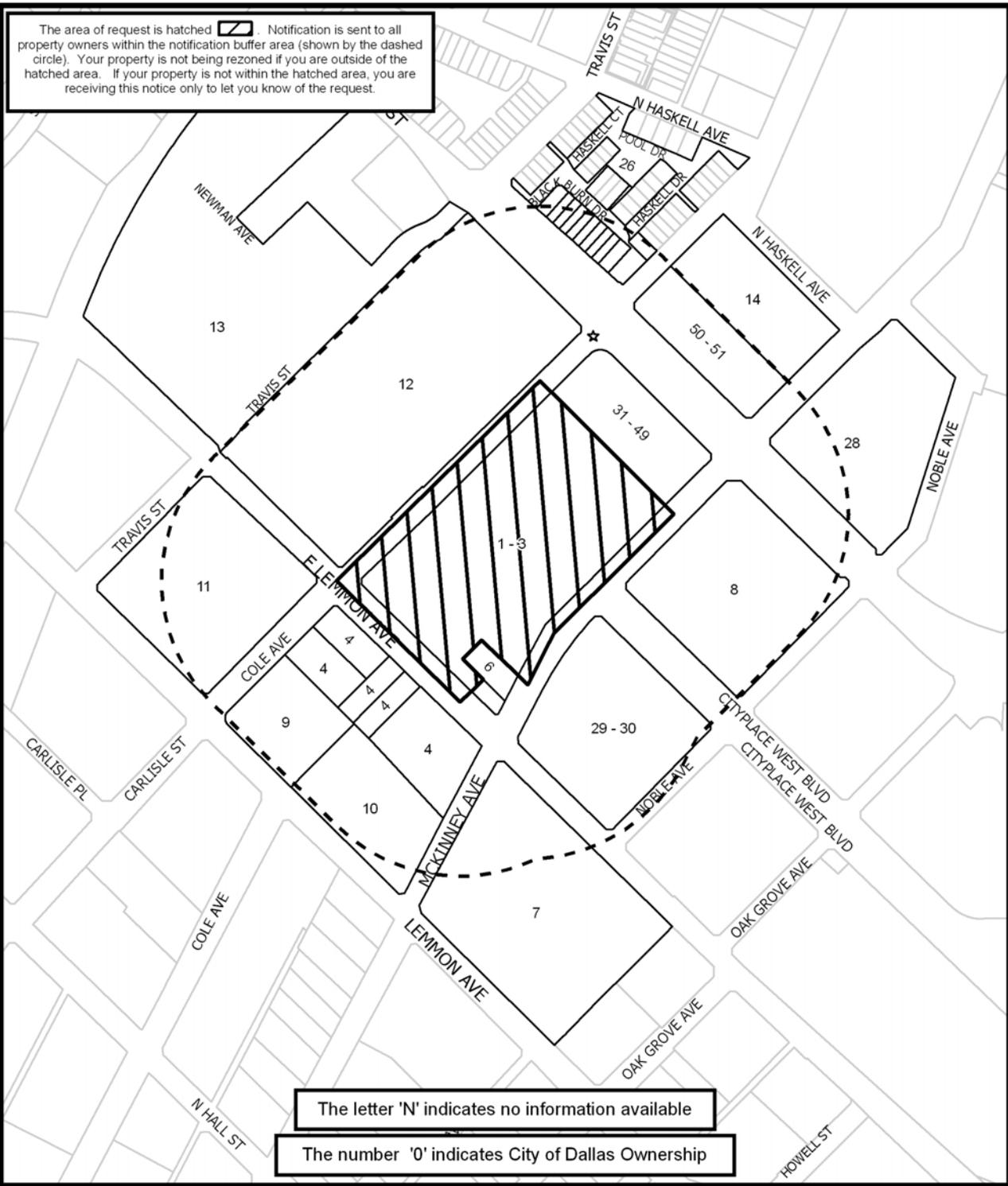


 1:7,200	<h1>VICINITY MAP</h1>	Map no: <u>          I-7          </u> Case no: <u>          Z101-125          </u>
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DATE: February 24, 2011







 1:3,600	<h2>NOTIFICATION</h2> <p>  AREA OF NOTIFICATION   NUMBER OF PROPERTY OWNERS NOTIFIED                 </p>	Map no: <u>          I-7          </u> Case no: <u>          Z101-125          </u>
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DATE: February 24, 2011

## Notification List of Property

### Z101-125

#### 51 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3699 MCKINNEY	CWS VILLAGE RESIDENTIAL LP
2	3699 MCKINNEY	SOUTH ALLEY LOFT LLC BLDG A UNIT 221
3	3699 MCKINNEY	MILLER HENRY S III & ANGELA AHMADI
4	3522 MCKINNEY	RP TOWN & COUNTRY SC
5	3128 LEMMON	BLACKBURN CTRL HLDG LP SUITE 890 LB 12
6	3605 MCKINNEY	MESSINA MARIO L SUITE 913 LB 64
7	3524 MCKINNEY	PAN COASTAL LIMITED PS % SOUTHSTATE MGMT CORP
8	3700 MCKINNEY	BLACKBURN CENTRAL HOLDINGS LP LB 12
9	3130 LEMMON	LEMMON & COLE PARTNERS LP STE 100
10	3501 MCKINNEY	3501 MCKINNEY LTD % REILLY BROTHERS PROP
11	3530 TRAVIS	3530 TRAVIS ST APARTMENTS
12	3711 COLE	LG CITYPLACE LP
13	3377 BLACKBURN	TC BLACKBURN %B&D EQUITY PROPERTY TAX GRP
14	3813 MCKINNEY	Dallas ISD
15	3201 HASKELL	BLVD BLDRS/VALENCIA LP STE 345
16	3224 BLACKBURN	PARIKH MAULIK P & MANISHA SHETTY PARIKH
17	3222 BLACKBURN	TALBOTT JOHN E
18	3220 BLACKBURN	MCCRAY SCOTT & LINDSEY
19	3218 BLACKBURN	HERRING GAR
20	3216 BLACKBURN	RIVAS HOMERO & RIVAS JENIFER S
21	3214 BLACKBURN	MEADE RICARDO & KIMBERLY
22	3212 BLACKBURN	HERRICK BRIAN & TANG CONNIE
23	3210 BLACKBURN	BRUCHMILLER BRETT
24	3208 BLACKBURN	BIDWELL PHILIP J & MICHELLE R
25	3206 BLACKBURN	DILLARD AMANDA LATIMER
26	3223 POOL	BOULEVARD BUILDERS/VALENCIA LP STE 345

*Thursday, February 24, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3811 COLE	WOODRUFF LAURA A
28	3000 BLACKBURN	LOADSTAR INC
29	3636 MCKINNEY	CIM/3636 MCKINNEY AVE LP STE 900
30	3636 MCKINNEY	3600 MCKINNEY LTD PS STE 890
31	3699 MCKINNEY	WEST VILLAGE 2004 PO LTD % PHOENIX PROPERTY
32	3699 MCKINNEY	WALSH JOHN F
33	3699 MCKINNEY	KAPORIS HELEN %SENDERA TITLE INC
34	3699 MCKINNEY	WALSH JOHN F & UNIT 483
35	3699 MCKINNEY	SAVAGE TAMARA ANN
36	3699 MCKINNEY	KALISER MARC S
37	3699 MCKINNEY	WOODWARD MICHAEL BRYAN UNIT 486
38	3699 MCKINNEY	SHERWOOD STEVEN TRUST SUITE 300
39	3699 MCKINNEY	ROGERS MARTIN
40	3699 MCKINNEY	SCHULZE MARK
41	3699 MCKINNEY	GC MAIN ST, LTD
42	3699 MCKINNEY	ADAMS THOMAS UNIT 581
43	3699 MCKINNEY	CWS URBAN LOFTS LP
44	3699 MCKINNEY	LUCIA RYAN UNIT 583
45	3699 MCKINNEY	REBELLO EUPHRASON G
46	3699 MCKINNEY	YOUNG FREDERICK C
47	3699 MCKINNEY	MOEDER JILL BLDG E UNIT 586
48	3699 MCKINNEY	MULVANY STEPHEN J
49	3699 MCKINNEY	CWS URBAN LOFTS LP
50	3839 MCKINNEY	CIM 3839 MCKINNEY AVE LP STE 900
51	3839 MCKINNEY	WV77 LP

*Thursday, February 24, 2011*

**FILE NUMBER:** Z0101-129(WE)

**DATE FILED:** November 19, 2011

**LOCATION:** North line of R. L. Thornton Freeway, east of Buckner Boulevard  
(Loop 12)

**COUNCIL DISTRICT:** 7

**MAPSCO:** 48-D

**SIZE OF REQUEST:** 4.34 acres

**CENSUS TRACT:** 123.02

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**APPLICANT:** Victor Beck

**OWNER:** Heartline Ministries

**REPRESENTATIVE:** Michael Mershawn

**REQUEST:** An application for an amendment to the deed restrictions of Tract B on property zoned an RR regional Retail District.

**SUMMARY:** The purpose of this request is to amend the deed restrictions to permit a church use on the property. Several of the original uses that were permitted on this site will be removed.

**STAFF RECOMMENDATION:** Approval

**BACKGROUND INFORMATION:**

- The applicant’s request for an amendment to the deed restrictions to Tract B will permit the development of a church use.
- In May 1986, deed restrictions were volunteered by the applicant that only limited certain uses to be developed on the site. The deed restrictions also limited the maximum structure height to 75 feet or 5 stories as well as prohibited non-premise signs on the site.
- The applicant is proposing to permit the following use on the site: Business School; Child-care facility; Church; College, university, or seminary; Financial institution without drive-in window; Hotel/Motel; Open enrollment charter school or private school; Private recreation center, club or area; Public school other than an open enrollment charter school; and a Restaurant without drive-in or drive-through service. The remaining sections of the deed restrictions will not change.
- The land uses surrounding the request site are undeveloped, with the exception to the property west of the site. There is a commercial use that sells accessory truck parts.

**Zoning History:** There has been one zoning change requested in the area.

1. Z845-374 On Wednesday, May 7, 1986, the City Council approved a TH-2 Townhouse 2 District on Tract 1, a TH-3 District on Tract II and a LI-D-1 LC light Commercial D-1 with a Dry Liquor Control Overlay on property zoned a R-7.5 Single Family District and approval of deed restriction volunteered by the applicant on Tract A and Tract B.

**Thoroughfares/Streets:**

<b>Thoroughfares/Street</b>	<b>Type</b>	<b>Existing ROW</b>	<b>Proposed ROW</b>
C.F. Hawn Freeway frontage		Variable width lane	Variable width lane

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	RR-D-1 w/deed restrictions	Undeveloped
<b>North</b>	TH-3(A)	Undeveloped
<b>South</b>	C.F. Hawn Freeway Frontage	
<b>East</b>	City of Mesquite	Commercial
<b>West</b>	R-7.5(A)	Undeveloped

**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 on a commercial center or 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..

**LAND USE**

**GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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

**AREA PLAN:** The request site is located within the *Buckner/John West Land Use Study November 1984*. The Plan recommends that the land uses north of C.F. Hawn Freeway, east of Buckner Boulevard (Loop 12) should be developed as low-rise to mid rise office uses.

However, due to the infrastructure improvements to C.F. Hawn Freeway and Buckner Boulevard, the request site has now become land locked for any potential development of low to mid rise office uses.

**Land Use Compatibility:** The 4.34 acre site is undeveloped and is contiguous to undeveloped land to the north and east. West of the site is a commercial use that sells accessory truck parts.

In May 1986, a larger tract of land was re-zoned and divided into three tracts. Deed restrictions were placed on two of the three tracts and the applicant limited certain uses on Tract B, which is the request site. The deed restrictions also limited the maximum structure height to 75 feet or 5 stories as well as prohibited non-premise signs on the site. The Plan for the area recommends that the land uses, north of C.F. Hawn Freeway, east of Buckner Boulevard (Loop 12), be developed as low-rise to mid rise office uses. However, when the original zoning change was considered in May 1986, volunteered deed restrictions were accepted that limited the uses to mix of office and personal service uses on the property. The demand to develop office uses did not exist at this particular location. The request site is located within the Buckner/John West Land Use Study November 1984.

Since 1986, the 4.34 acre site has remained undeveloped and the applicant is proposing to amend the deed restriction to Tract B to allow for the development of a church use. Currently, the deed restrictions do not permit a church use on the property. The applicant has removed a majority of the original uses that were permitted on site and have narrowed the list to only 10 uses. These uses include: Business School; Child-care facility; Church; College, university, or seminary; Financial institution without drive-in window; Hotel/Motel; Open enrollment charter school or private school; Private recreation center, club or area; Public school other than an open enrollment charter school; and a Restaurant without drive-in or drive-through service.

Even though the proposed uses in the amended deed restrictions are not consistent with the recommendations in the Buckner/John West Land Use Study, the proposed uses could encourage future development in the surrounding area. Moreover, due to the infrastructure improvements that were made to C.F. Hawn Freeway and Buckner Boulevard, the request site has now become landlocked for any potential development of low to mid rise office uses. Access to the request site will be from the C.F. Hawn Freeway, until such time, Chenault Street is developed from Dilido Road to the Mesquite city limits. The Public Works and Transportation Department shows this roadway on the Thoroughfare Plan as a 4-lane undivided roadway.

Staff recommendation is for approval of the amendment to the deed restriction to Tract B. The proposed uses should not have any adverse impact on the surrounding area.

**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
RR 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, as amended.

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

**LIST OF  
OFFICERS/DIRECTORS  
Heartline Ministries**

- Victor D. Beck                      Pastor
- Tracy Cartwright                      Secretary
- Arthur Hooks                      Director
- Patricia Hogue                      Director
- Victor D. Beck                      Director
- Victor Pereira                      Director

**AMENDED DEED RESTICIONS**

THE STATE OF TEXAS                    )  
  )        KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF DALLAS                    )

I.

The undersigned, Heartline Ministries Worship Center, Inc. ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the Isaac Beeman Survey, Abstract No. 82, part of City Block 7364, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Abraham Mathai, Abraham Thomas, E.G. Varghese, and Abraham Manaloor, by deed dated January 9, 2007, and recorded as Instrument No. 20070016640 in the Deed Records of Dallas County, Texas, and being more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes.

II.

That the Property was impressed with certain deed restrictions ("Original Restrictions") as shown in an instrument dated April 14, 1986, signed by Thomas S. Mackie and recorded in Volume 86096, Page 1797, of the Deed Records of Dallas County, Texas, a true and correct copy of which is attached to this instrument as Exhibit "B" and made a part of this instrument.

III.

That the Owner does hereby amend restriction A of the Original Restrictions for Tract B to read as follows:

- A. The only permitted uses on Tract B are:
  1. Business school. [~~Post-Office~~]
  2. Child-care facility. [~~Day-Care Center~~]
  3. Church. [~~Medical Laboratory~~]
  4. College, university, or seminary. [~~Retail Optical Shop~~]
  5. Financial institution without drive-in window. [~~Hotel/Motel~~]
  6. Hotel or motel. [~~Medical Appliance Fitting & Sales Store~~]
  7. Open-enrollment charter school or private school. [~~Business School~~]
  8. Private recreation center, club, or area. [~~Art Gallery~~]
  9. Public school other than an open-enrollment charter school. [~~Game Court Center~~]
  10. Restaurant without drive-in or drive-through service. [~~Restaurant, Without Drive-In Service~~]
  11. ~~Catering Service~~

12. ~~Office~~
13. ~~Bank or Savings & Loan, With or Without Drive-In Service~~
14. ~~Barber and/or Beauty Shop~~
15. ~~Custom Cleaning Shop~~
16. ~~Laundry or Cleaning Pick-Up and Receiving Station~~
17. ~~Travel Bureau~~
18. ~~Safe Deposit Boxes~~
19. ~~Antique Shop~~
20. ~~Hobby and Arts Supply Store~~
21. ~~Paint and Wallpaper Store~~
22. ~~Swimming Pool Supply Store~~
23. ~~Tool and Equipment Rental Store (inside display only)~~
24. ~~Appliance Repair Shop~~
25. ~~Duplication Shop~~
26. ~~Garden, Plant Sales or Greenhouse Shop~~
27. ~~Diamond and Precious Stones~~
28. ~~Veterinary Office]~~

IV.

That the preceding amendment was made following notice and public hearing before the City Plan Commission and City Council of the City as required in the Original Restrictions, and notice of such public hearing 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 amendment becomes effective.

V.

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

VI.

That the invalidation of any provision in this instrument by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.

VII.

That it is expressly stipulated and understood that the preceding amendment of restriction A for Tract B accomplished hereby shall in no manner operate to impair or reduce the enforceability of the Original Restrictions, as originally written, and that all restrictions and provisions contained in the deed restriction instrument dated April 16, 1986, and recorded in Volume 86096, Page 1797 of the Deed Records of Dallas County, Texas, shall remain in full force and effect except as amended by Paragraph III of this instrument. Furthermore, it is expressly stipulated and understood that all provisions contained in the aforementioned deed restriction instrument apply to this instrument as if recited herein.

EXISTING DEED RESTRICTIONS

861421

DEED RESTRICTIONS

STATE OF TEXAS  
COUNTY OF DALLAS

COUNTY CLERK'S MEMO.  
PORTIONS OF THIS  
DOCUMENT NOT  
REPRODUCIBLE  
WHEN RECORDED

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, THOMAS S. MACKIE, is the owner of the following described property situated in Dallas County, Texas, being in particular a tract of land out of the Isaac Beeman Survey, Abstract No. 82, City Block 7364, City of Dallas, Dallas County, Texas and being that same tract of land conveyed to Thomas S. Mackie by Ottie Frank Cauthen Motley, Individually and as Trustee under that Trust Agreement dated January 15, 1971, Markham Lee Motley, John Charles Motley, Emily Ann Motley and Cistercian Monastery, Our Lady of Dallas, a non-profit charitable organization by deed dated March 5, 1984, and recorded in Volume 83048, Page 4128 in the Deed Records of Dallas County, Texas, and being more particularly described in Exhibit A attached hereto and made a part hereof for all purposes (the "Property"):

That the undersigned, Thomas S. Mackie does hereby impress that portion of the Property designated as Tract A in Exhibit B attached hereto and made a part hereof for all purposes with the following deed restrictions, to wit:

- A. The only permitted use on Tract A is Single-Family.
- B. No more than 71 dwelling units are permitted on Tract A.
- C. No structure on Tract A may exceed thirty-six feet in height or two-stories, whichever is lower.
- D. For the purposes of these restrictions, all definitions of the Dallas Development Code, as amended, are incorporated into this document, as if recited herein.

That the undersigned, Thomas S. Mackie, does hereby impress that portion of the Property designated as Tract B in Exhibit B with the following deed restrictions, to-wit:

A. The only permitted uses on Tract B are:

1. Post Office
2. Day-Care Center
3. Medical Laboratory
4. Retail Optical Shop
5. Hotel/Motel
6. Medical Appliance Fitting & Sales Store
7. Business School
8. Art Gallery
9. Game Court Center
10. Restaurant, Without Drive-In Service
11. Catering Service
12. Office
13. Bank or Savings & Loan, With Or Without Drive-In Service
14. Barber and/or Beauty Shop
15. Custom Cleaning Shop
16. Laundry or Cleaning Pick-Up and Receiving Station
17. Travel Bureau
18. Safe Deposit Boxes
19. Antique Shop
20. Hobby and Arts Supply Store
21. Paint and Wallpaper Store
22. Swimming Pool Supply Store
23. Tool and Equipment Rental Store (inside display only)
24. Appliance Repair Shop
25. Duplication Shop
26. Garden, Plant Sales or Greenhouse Shop
27. Diamond and Precious Stones
28. Veterinary Office

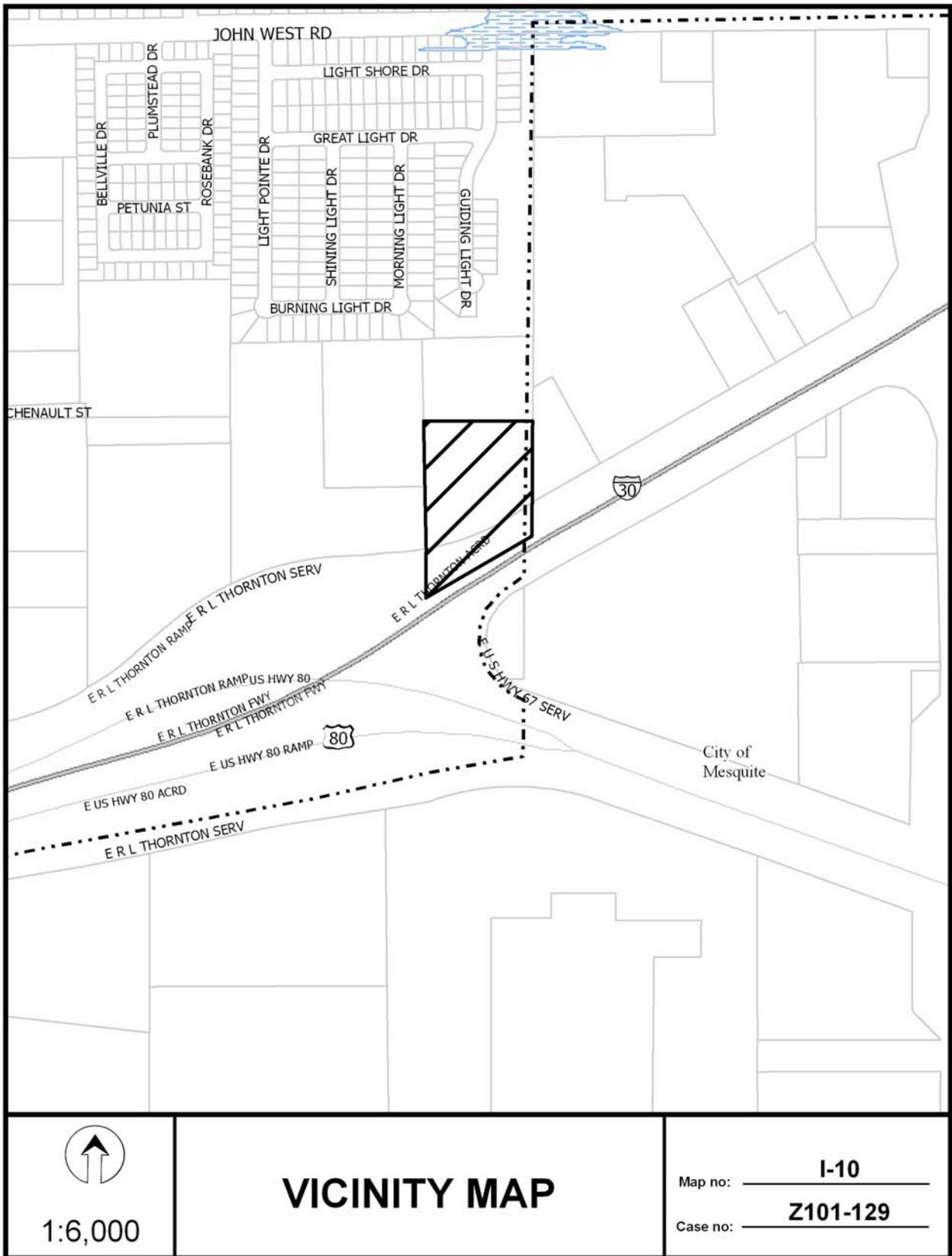
B. No alcoholic beverages of any kind may be sold, nor may the consumption thereof be permitted, upon the premises of any place of business situated on Tract B.

C. No structure on Tract B may exceed seventy-five feet in height or 5 stories, whichever is lower.

D. Non-premise signs are not permitted on Tract B.

E. All signs within 100' of the south right-of-way line of Chenault Street must comply with the provisions for non-business zoning districts, with the exception of the number of signs permitted per premise, which are controlled by the provisions for business zoning districts, as defined in the Dallas Development Code as amended.

F. For the purposes of these restrictions, all definitions of the Dallas Development Code, as amended, are incorporated into this document, as if recited herein.



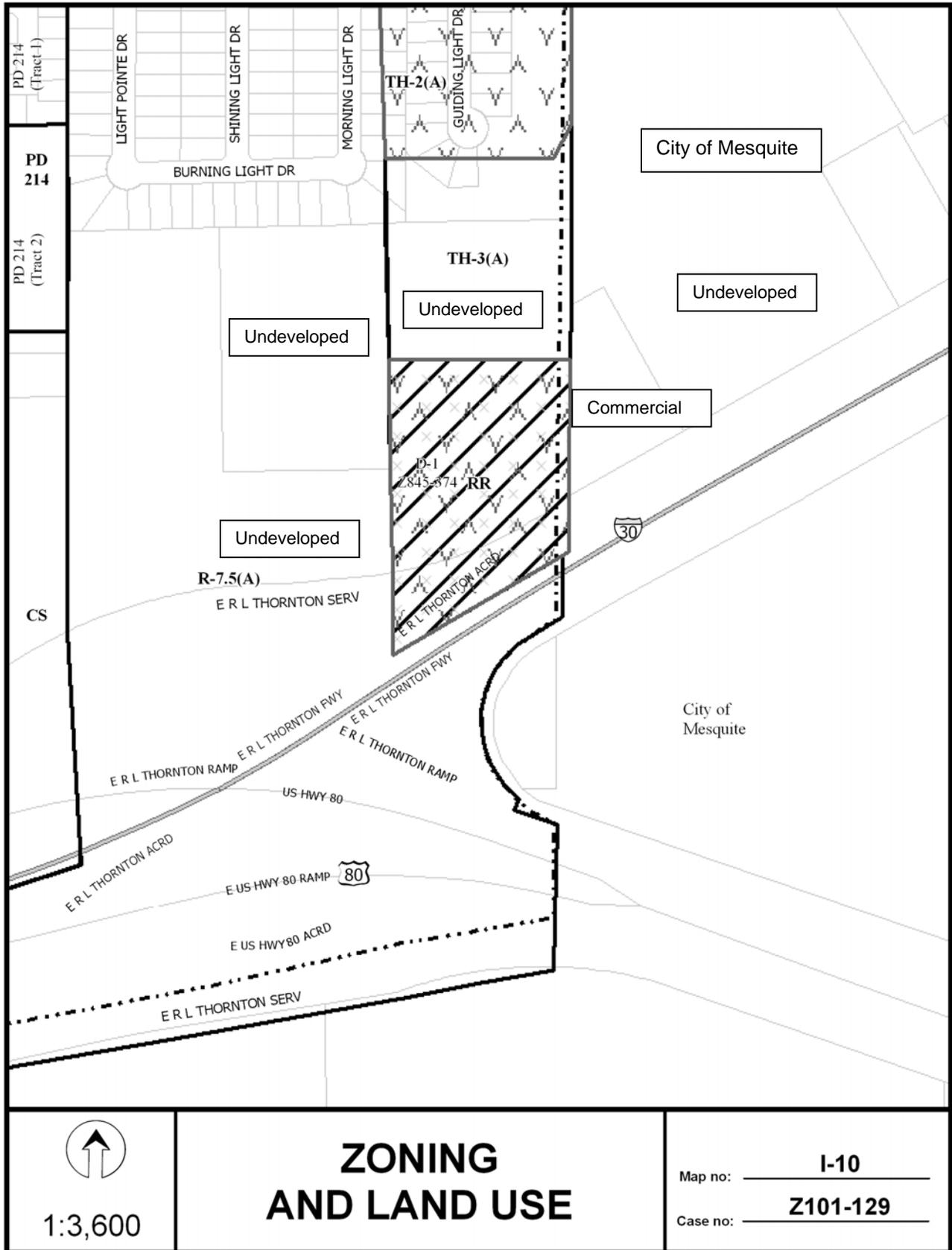
1:6,000

# VICINITY MAP

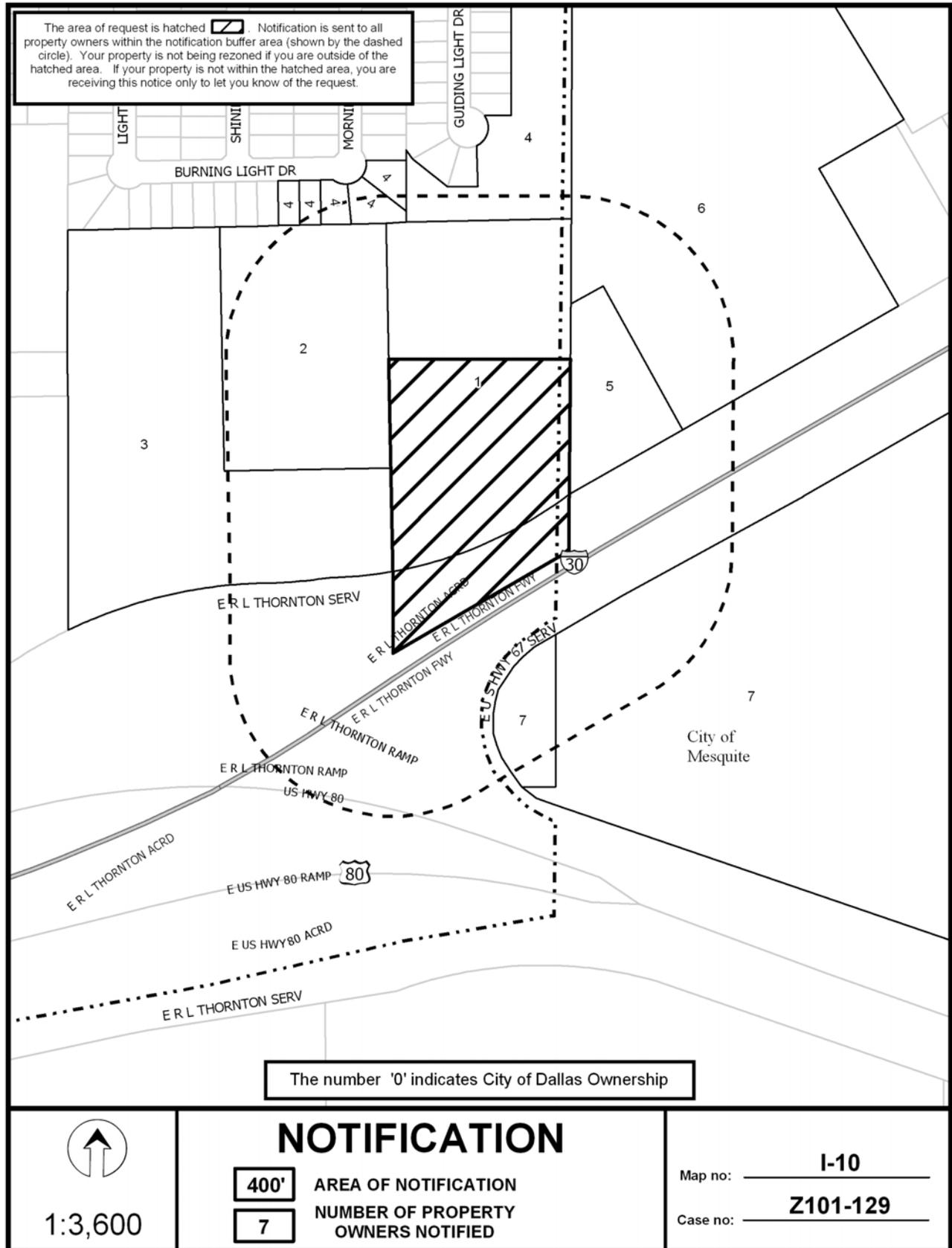
Map no:           I-10          

Case no:           Z101-129          

DATE: March 09, 2011



DATE: March 09, 2011



## ***Notification List of Property Owners***

### ***Z101-129***

#### ***7 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2210 JOHN WEST	HEARTLINE MINISTRIES WORSHIP CENTER INC
2	2200 JOHN WEST	ASHMORE JANE M
3	9743 R L THORNTON	ASHMORE JANE MOTLEY
4	3352 MORNING LIGHT	VRF LIGHT POINTE LLC %FORTRESS VRF ADVISORS I LLC
5	4784 IH 30	EMA CMA PROPERTIES LTD
6	2600 EASTFIELD	A & B HOSPITALITY LP ATTN B R PATEL
7	9700 R L THORNTON	TEXAS STATE OF

***Wednesday, March 09, 2011***

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z101-131(WE)                      **DATE FILED:** November 23, 2010

**LOCATION:** South Central Expressway (U.S. 75) and Youngblood Road,  
northeast corner

**COUNCIL DISTRICT:** 8                                      **MAPSCO:** 67-K & P

**SIZE OF REQUEST:** Approx. 11.95 acres              **CENSUS TRACT:** 114.02

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**APPLICANT / OWNER:** Jay Eisenberg

**REPRESENTATIVE:** MASTERPLAN  
Santos Martinez

**REQUEST:** An application for a renewal of Specific Use Permit No. 1395 for an Outside Salvage and Reclamation use on property zoned an IM Industrial Manufacturing District.

**SUMMARY:** The purpose of this request is to permit the operation of an outside salvage or reclamation use that is limited to salvage or reclamation of wood and composition roofing shingles.

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

**BACKGROUND INFORMATION:**

- The applicant request is for a renewal of Specific Use Permit No. 1395 for an outside salvage and reclamation use limited to salvage or reclamation of wood and composition roofing shingles.
- In January 2000, the City Council approved the request for a two year period without any automatic renewals.
- In January 2002, the applicant filed an application for a renewal of Specific Use Permit 1395 for an outside salvage or reclamation use. However, in 2003, the City Council moved to hold the case under advisement indefinitely as a result of the site being in a flood plain and the owner receiving several environmental citations from the City of Dallas Storm Water Quality Division.
- In 2010, the Department of Sustainable Development and Construction made a determination that the applicant could file a new application for the renewal of Specific Use Permit No. 1395.
- In an IM Industrial Manufacturing District, an SUP is required for an outside salvage or reclamation use.
- The use occupies approximately 12 acres of land. There are no buildings proposed on the request site. A minimum of five parking spaces are required.
- The request site is surrounded by an outside storage use to the north. A railroad track and an industrial use are to the east. An outside salvage yard or reclamation use is west of the site and south of site is the City of Dallas' McCommas Bluff Landfill.

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
S. Central Expressway (U.S. 75)		Variable lane widths	Variable lane widths
McCommas Bluff Road	Local Street	35 ft.	35 ft.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	IM w/SUP No. 1395	Vacant structure
<b>Northwest</b>	AA, IM w/SUP No. 1665	Industrial, Potentially incompatible – wood processing
<b>Southeast</b>	IM, SUP No. 705	Land Fill
<b>Northeast</b>	IR, IM, SUP No. 705	Industrial, land Fill
<b>Southwest</b>	AA, CS	Undeveloped, Auto storage, Auto related uses

**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 an Industrial Building Block.

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**

**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 11.95 acre site is undeveloped and is receiving wood and roofing shingles on the property. The applicant's request for a renewal of Specific Use Permit No. 1395 for an outside salvage and reclamation use will limit the material on site to salvage or reclamation of wood and composition roofing shingles. The applicant has identified a 6,400 square foot expansion area on the site plan. A modular

office building is being considered to be located within the designated area. At the present time, there are no structures on the property.

In January 2000, the applicant initially received approval of the Specific Use Permit for an outside salvage and reclamation use for a two year period. However in 2003, during their renewal process, the City Council moved to hold the case under advisement indefinitely as a result of the site being in a flood plain and the owner receiving several environmental citations from the City of Dallas Storm Water Quality Division.

The Department of Sustainable Development and Construction made a determination that the applicant could file a new application for the renewal of Specific Use Permit 1395. The applicant has provided staff with a letter from FEMA indicating that a portion of the site is no longer within a flood plain (see pg. 8 & 9). In addition, the applicant has no current outstanding citations with the Storm Water Quality Division and the State of Texas.

The request site is surrounded by an industrial use to the north. A railroad track, an industrial use and the City of Dallas' McCommas Bluff Landfill are located to the east and there are several auto related uses that are west and southwest of the site; across S. Central Expressway. The Property south of the site is the entrance to the City of Dallas' McCommas Bluff Landfill.

Staff recommends approval for the renewal of the Specific Use Permit for a three year period with eligibility for automatic renewals for additional three year periods, subject to the site plan and conditions. The only changes that are being made to the initial SUP conditions are the time period in which the use can operate and the site plan.

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.

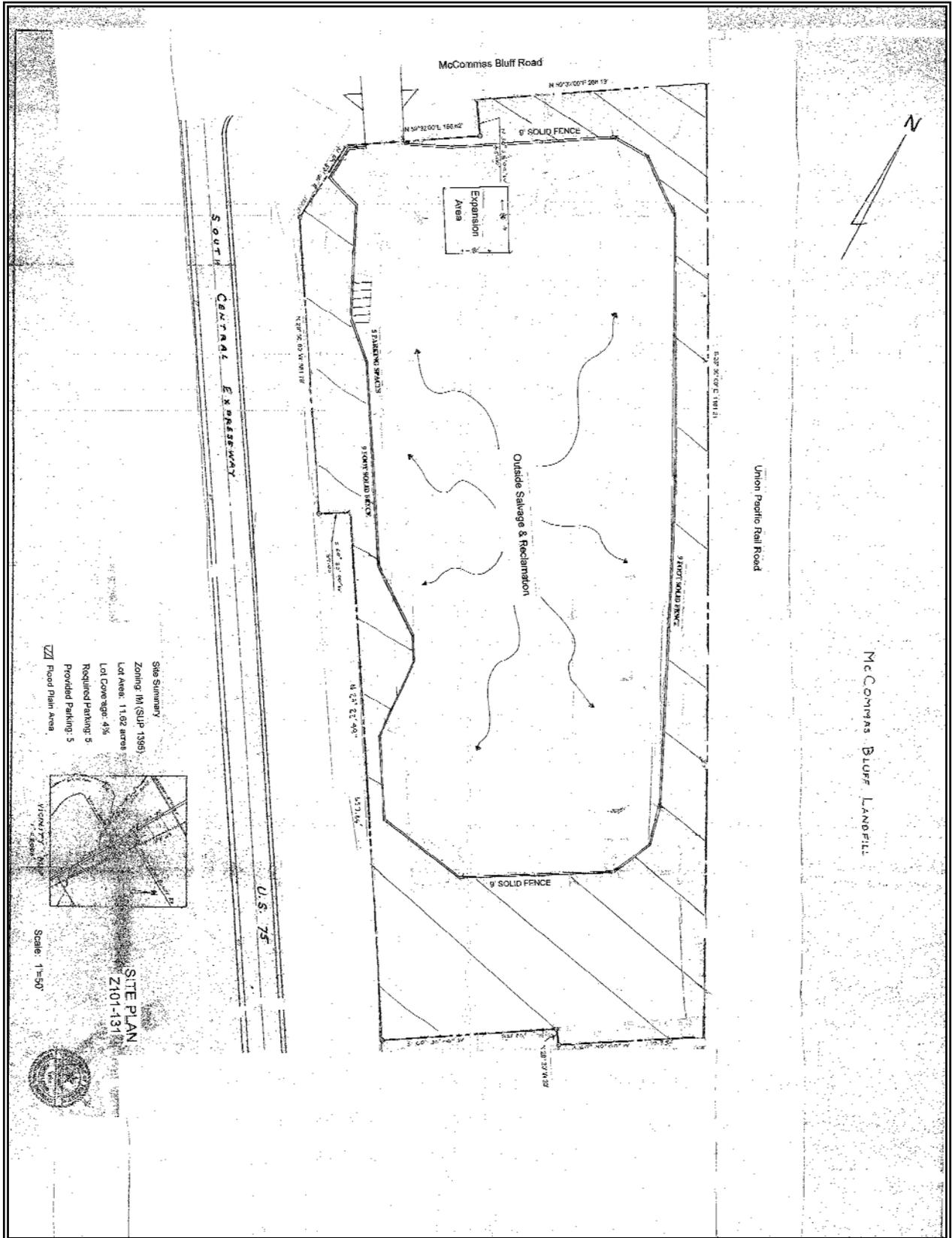
**Landscaping:** Landscaping must be provided in accordance with Article X, as amended. In addition to any landscaping required by Article X, a row of three inch minimum caliper evergreen trees, 30 feet on center, must be planted along the southwest property line as shown on the attached site plan, prior to the issuance of a certificate of occupancy on the site. Plant materials must be maintained in a healthy, growing condition.

**PROPOSED SUP  
CONDITIONS**

1. USE: The only use authorized by this specific use permit is an outside salvage or reclamation use limited to salvage or reclamation of wood and composition roofing shingles.
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 \_\_\_\_\_(three years from the passage of this ordinance), but is eligible for automatic renewal for additional three-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 and maintained in accordance with Article X of the Dallas Development Code, as amended.
  - b. In addition to any landscaping required by Article X, a row of three caliper inch evergreen trees, 30 feet on center, must be planted along the southwest property line as shown on the attached site plan, prior to the issuance of a certificate of occupancy on the site.
  - c. Plant materials must be maintained in a healthy, growing condition.
5. DUST CONTROL Prior to the issuance of a certificate of occupancy, a water system consisting of sprinklers controlled by timers must be installed to control dust.
6. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
7. PARKING: A minimum of five off-street parking spaces must be provided in the location shown on the attached site plan.

8. STACKING: Materials may not be stacked higher than nine feet, except that materials within 40 feet of the visual screen may not be stacked higher than eight feet.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. 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



**FEMA DETERMINATION  
LETTER**

Page 1 of 2 **JUL 01 1999** Case No.: 99-06-1421A LOMR-F



**Federal Emergency Management Agency**  
Washington, D.C. 20472

**LETTER OF MAP REVISION BASED ON FILL  
DETERMINATION DOCUMENT (REMOVAL)**

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	City of Dallas, Texas	A portion of Tract 1, Block 8007, Levy Dixon Survey, Abstract No. 380, as described in the Warranty Deed recorded in Volume 84024, Pages 1502 through 1505, in the Office of the County Clerk, Dallas County, Texas  The legal description of the portion mentioned above is as follows:  COMMENCING at the southerly right-of-way line of McCommas Bluff Road and the westerly right-of-way line of the T. & N.O. Railroad; thence S 58°51'00" W, 288.13 feet; thence S 31°09'00" E, 66.33 feet to the POINT OF BEGINNING; thence N 57°56'01" E, 78.72 feet; thence N 61°40'20" E, 93.58 feet; thence S 72°17'57" E, 40.13 feet; thence S 48°02'28" E, 44.03 feet; thence S 36°33'38" E, 81.25 feet; thence S 30°34'08" E, 163.85 feet; thence S 27°41'41" E, 235.30 feet;
	COMMUNITY NO: 480171	
MAP PANEL AFFECTED	NUMBER: 0215 C	
	NAME: City of Dallas, Texas DATE: March 16, 1993	
FLOODING SOURCE: Five Mile Creek		APPROXIMATE LATITUDE & LONGITUDE: 32.880468, -96.73131 SOURCE OF LATITUDE & LONGITUDE: OFF THE SHELF SOFTWARE

**DETERMINATION**

LOT	BLOCK/SECTION	SUBDIVISION	STREET ADDRESS	OUTCOME WHAT IS REMOVED FROM THE SFHA	NEW FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NGVD)	LOWEST ADJACENT GRADE ELEVATION (NGVD)	LOWEST FLOOR ELEVATION (NGVD)	LOWEST LOT ELEVATION (NGVD)
Tract 1	8007	Levy Dixon Survey	N/A	Portion of Property	B	397.7 feet	N/A	N/A	400.0 feet

Special Flood Hazard Area (SFHA) – The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

- ADDITIONAL CONSIDERATIONS** (If the appropriate box is checked, please refer to the appropriate section on Attachment 1)
- |   |  |
|---|--|
| <input checked="" type="checkbox"/> 1. PROPERTY DESCRIPTION (CONTINUED) | <input checked="" type="checkbox"/> 6. STUDY UNDERWAY              |
| <input type="checkbox"/> 2. DETERMINATION TABLE (CONTINUED)             | <input type="checkbox"/> 7. FILL RECOMMENDATION                    |
| <input type="checkbox"/> 3. PORTIONS REMAIN IN THE FLOODWAY             | <input checked="" type="checkbox"/> 8. PORTIONS REMAIN IN THE SFHA |
| <input type="checkbox"/> 4. INADVERTENT INCLUSION IN THE FLOODWAY       |  |
| <input type="checkbox"/> 5. ZONE V OR ZONE A                            |  |

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Revision based on Fill for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we determined the property is not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document revises the effective NFIP map to remove the property from the SFHA; therefore, the federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2827 (FEMA MAP) or by letter addressed to the FEMA LOMA DEPOT, 3601 Eisenhower Avenue, Suite 800, Alexandria, VA 22304-6439.

*Matthew B. Miller*  
Matthew B. Miller, P.E., Chief  
Hazards Study Branch  
Mitigation Directorate

JUL 01 1999

Case No.: 99-06-1421A

LOMR-F



**Federal Emergency Management Agency**  
Washington, D.C. 20472

**LETTER OF MAP REVISION BASED ON FILL  
DETERMINATION DOCUMENT (REMOVAL)  
ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)**

**1. PROPERTY DESCRIPTION (CONTINUED)**

thence: S 19°41'16" E, 136.66 feet; thence S 12°12'04" E, 133.42 feet; thence S 41°06'46" W, 164.50 feet; thence S 53°02'55" W, 102.36 feet; thence S 87°39'06" W, 91.03 feet; thence N 30°11'01" W, 206.36 feet; thence N 02°21'21" E, 32.10 feet; thence N 31°57'36" W, 328.89 feet; thence N 40°33'27" W, 47.20 feet; thence N 22°07'20" W, 106.70 feet; thence N 08°24'58" E, 65.16 feet; thence N 29°34'07" W, 51.90 feet; thence N 27°48'24" E, 26.98 feet; thence N 65°55'25" E, 35.39 feet; thence N 54°09'44" E, 79.09 feet to the POINT OF BEGINNING.

**6. STUDY UNDERWAY**

This determination is based on the flood data presently available. However, the Federal Emergency Management Agency is currently revising the National Flood Insurance Program (NFIP) map for Dallas, County Texas and Incorporated Areas. New flood data could be generated that may affect this property. When the new NFIP map is issued it will supersede this determination. The Federal requirement for the purchase of flood insurance will then be based on the new effective NFIP map.

**8. PORTIONS OF THE PROPERTY REMAIN IN THE SFHA**

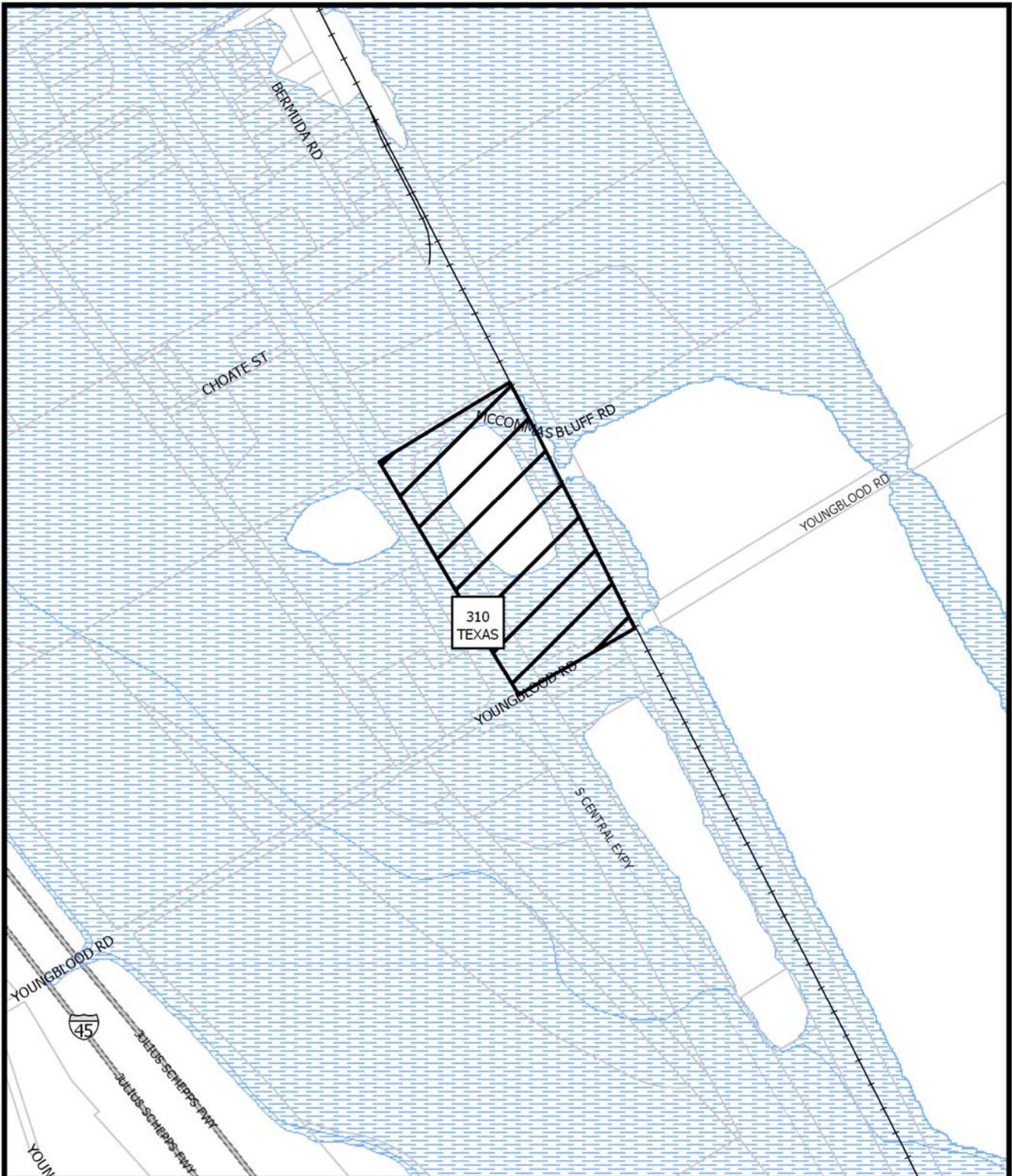
The Determination Document has removed the subject of the determination from the Special Flood Hazard Area (SFHA). However, portions of the property may remain in the SFHA. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State, and local regulations for floodplain management.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the Federal Emergency Management Agency Map Assistance Center toll free at 1-877-336-2627 (FEMA MAP) or by letter addressed to the FEMA LOMA DEPOT, 3601 Eisenhower Avenue, Suite 600, Alexandria, VA 22304-6439.

*Matthew B. Miller*

Matthew B. Miller, P.E., Chief  
Hazards Study Branch  
Mitigation Directorate

Version 1.0 217952205202064381421



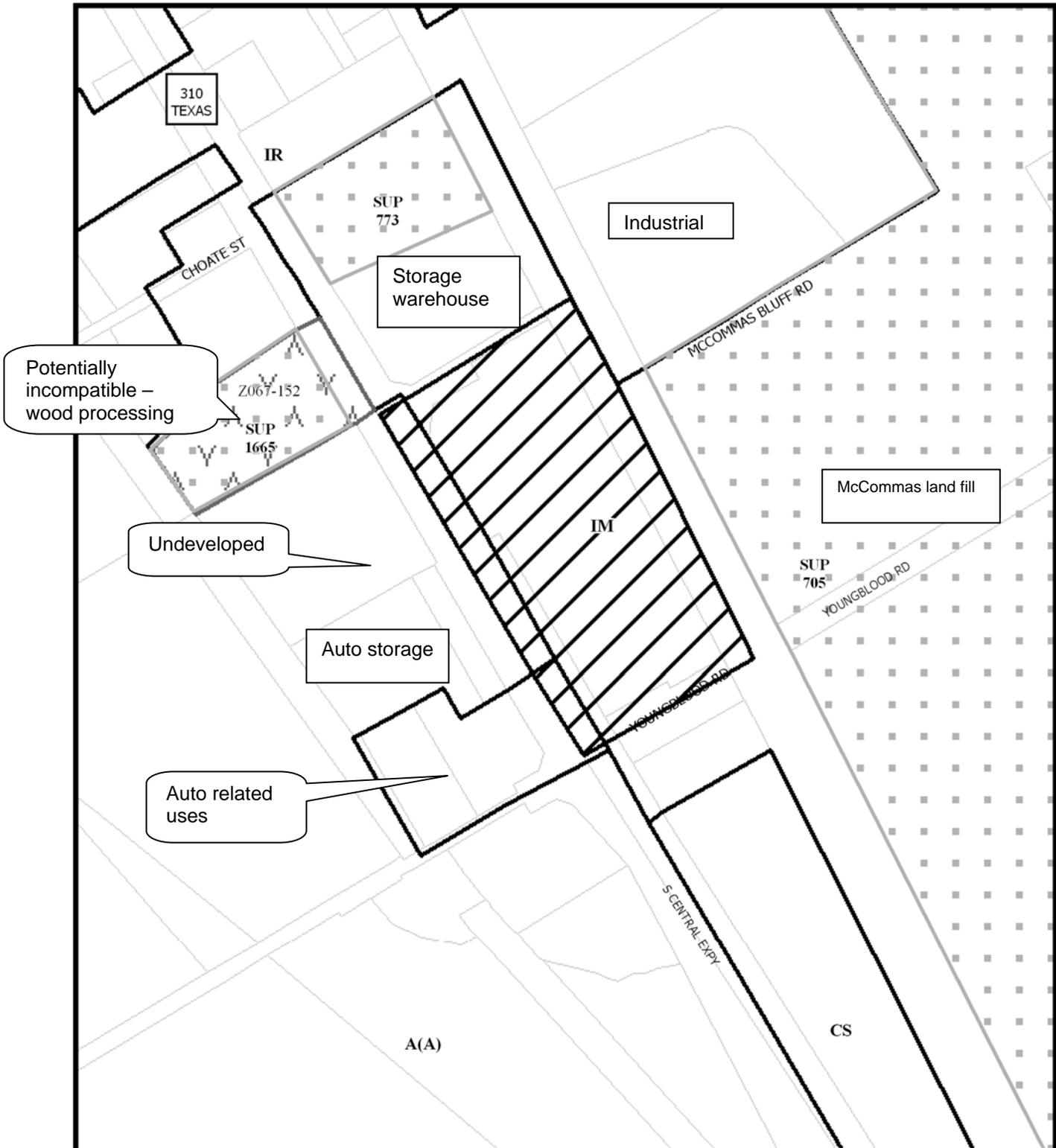
1:7,200

# VICINITY MAP

Map no:           O-9          

Case no:           Z101-131          

DATE: December 27, 2010



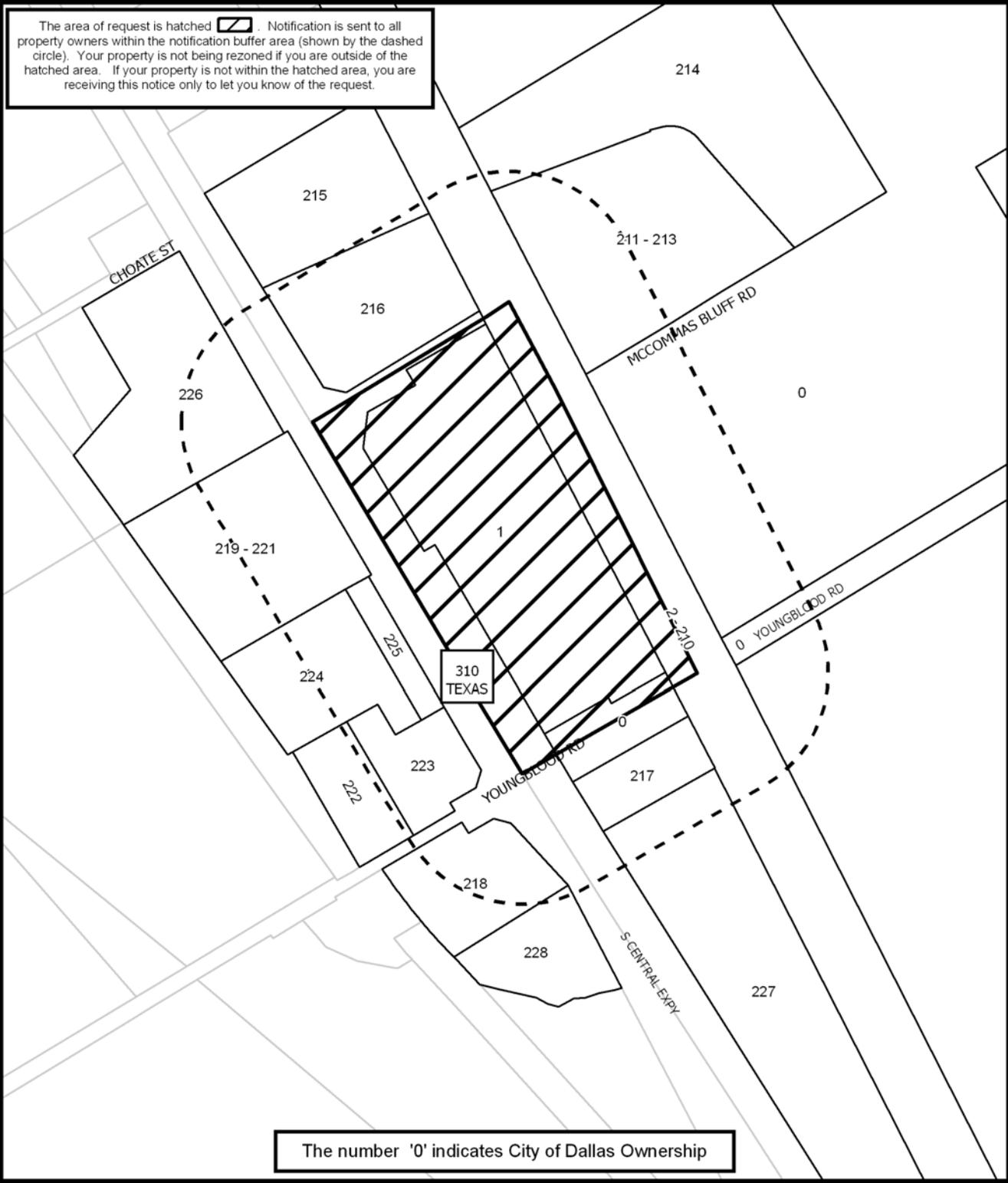
1:4,800

# ZONING AND LAND USE

Map no:           O-9          

Case no:           Z101-131

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



1:4,800

# NOTIFICATION

**400'** AREA OF NOTIFICATION  
**228** NUMBER OF PROPERTY OWNERS NOTIFIED

Map no:           O-9            
 Case no:           Z101-131

## **Notification List of Property Owners**

### **Z101-131**

#### **14 Property Owners Notified**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	9500 CENTRAL	EISENBERG JAY
2	9999 NO NAME	UNION PACIFIC RR CO % TAX DEPT
3	4401 LINFIELD	ST LOUIS S W RAILWAY CO % UNION PACIFIC PPTY TAX
4	5543 MCCOMMAS BLUFF	CASA FLORA INC
5	5543 MCCOMMAS BLUFF	CASA FLORA INC
6	5453 MCCOMMAS BLUFF	ENVIRONMENTAL INVESTMENTS LP
7	9506 CENTRAL	EISENBERG JOE ET AL
8	5321 MCCOMMAS BLUFF	EISENBERG INVESTMENTS
9	9600 YOUNGBLOOD	COMET AUTO SALVAGE INC
10	9800 CENTRAL	DAVIS MARIBELLE M &
11	9601 CENTRAL	DAVIS MARIBELLE M &
12	5305 YOUNGBLOOD	NICKS BIG TRUCK SALES % NICHOLAS BARAJAS
13	9651 CENTRAL	NELAN COMPANY THE
14	9901 CENTRAL	County of Dallas ATTN COUNTY CLERK

**Tuesday, March 01, 2011**

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z101-155(WE)                      **DATE FILED:** January 7, 2011

**LOCATION:** Great Trinity Forest Way (Loop 12) and Murdock Road,  
southwest corner

**COUNCIL DISTRICT:** 8                                      **MAPSCO:** 58-Y

**SIZE OF REQUEST:** Approx. 20,908.8 sq. ft.      **CENSUS TRACT:** 116.01

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**APPLICANT / OWNER:** JPKP Enterprises Inc.

**REPRESENTATIVE:** MASTERPLAN  
Santos Martinez

**REQUEST:** A Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property zoned a RR-D-1 Regional Retail District with a D-1 Dry Liquor Control Overlay

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

**STAFF RECOMMENDATION:** Approval, for a two year time period 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 less than 3,500 square feet use, and a motor vehicle fueling station.
- 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 Dry Liquor Control Overlay.
- The surrounding land uses consist of retail and general merchandise stores. A church is located south of the request site.

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Great Trinity Forest Way (Loop 12)	Local	Variable width lane	Variable width lane
Murdock Road	Local	Variable width lane	Variable width lane

**Land Use:**

	Zoning	Land Use
<b>Site</b>	RR-D-1	Service Station & general Merchandise store
<b>North</b>	PDD No. 533-D-1	Service Station & general Merchandise store, restaurant
<b>South</b>	RR-D-1	Church
<b>East</b>	RR-D-1	Undeveloped
<b>West</b>	RR-D-1	Service Station & general Merchandise store, restaurant

**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 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 20,908.8 square foot site is zoned an RR-D-1 Regional Retail District with a D-1 Dry Liquor Control Overlay and is currently developed with a general merchandise or food store less 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, but requires a Specific Use Permit. The applicant is seeking an off-premise license.

The adjacent uses consist primarily of retail and general merchandise stores. A church is located south of the request site and is greater than 300 feet by front door to front door measurement, therefore complying with the distance separation requirement.

The "D" Dry 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" Dry 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 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					
RR-D-1 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, as amended.

**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 16 spaces with 16 being provided per the attached site plan.

**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.

The screenshot shows the Dallas Police Department Virtual Viewer interface. At the top, it says "DALLAS POLICE DEPARTMENT" and "Virtual Viewer - Public Access". There are links for "UCR Codes", "Year Codes", and "Property Class Codes". Below that, it says "Welcome". The main section is titled "Search Records - Offense" and has a "Filter" input field. A table displays one search record:

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
<a href="#">0280709-X</a>	10/08/2010	@TEAXCO #1200	CRIMINAL MISCHIEF/VAN...	08089	S	LOO...	353	2209	14081	

At the bottom of the page, there are navigation buttons (back, forward, search) and a page indicator: "Page 1 of 1 (1 items)".

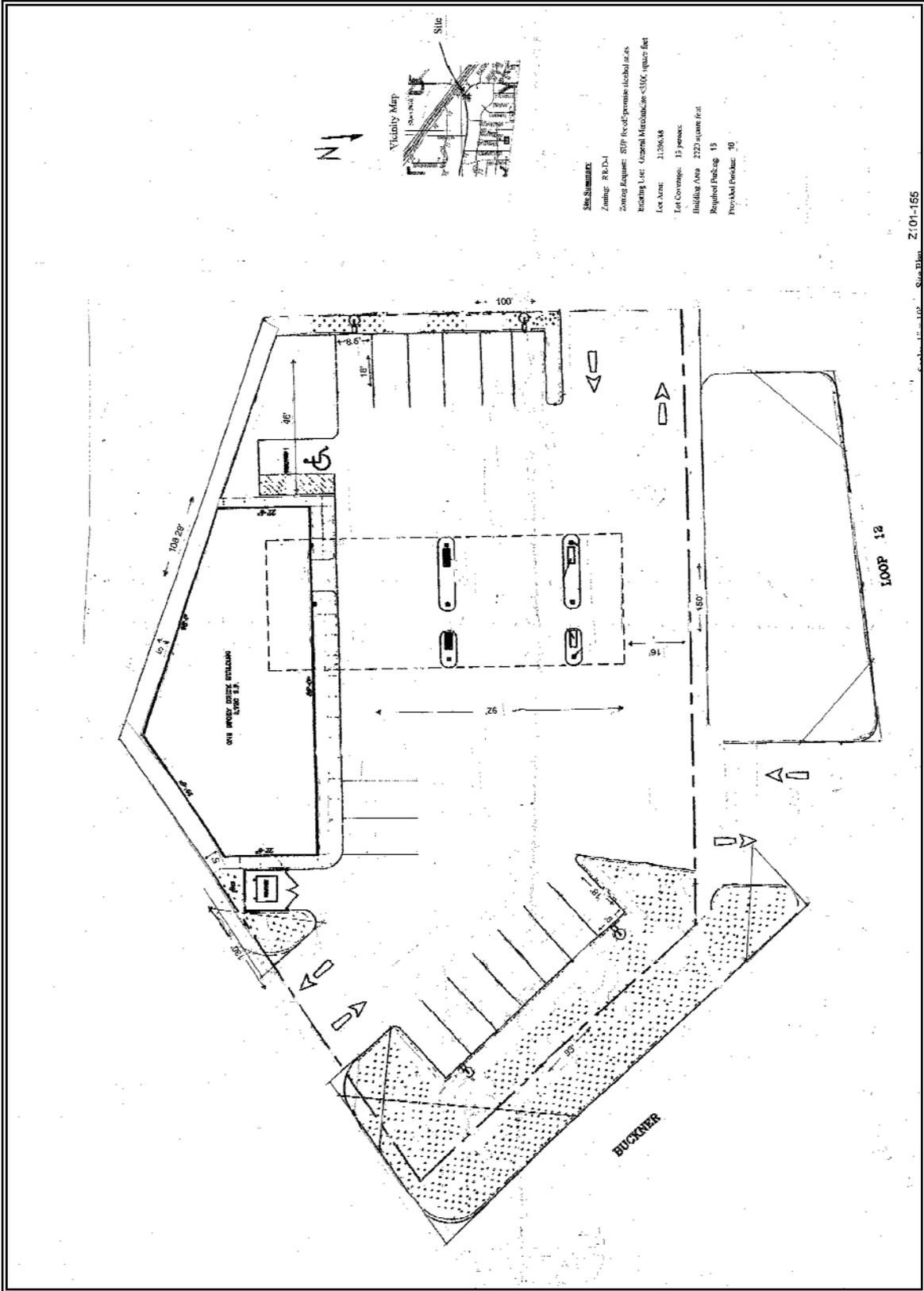
**LIST OF OFFICERS**  
JPKP Enterprises Inc.

- Abdul Karim Pirani      President

**PROPOSED 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 less 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: Off-street 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



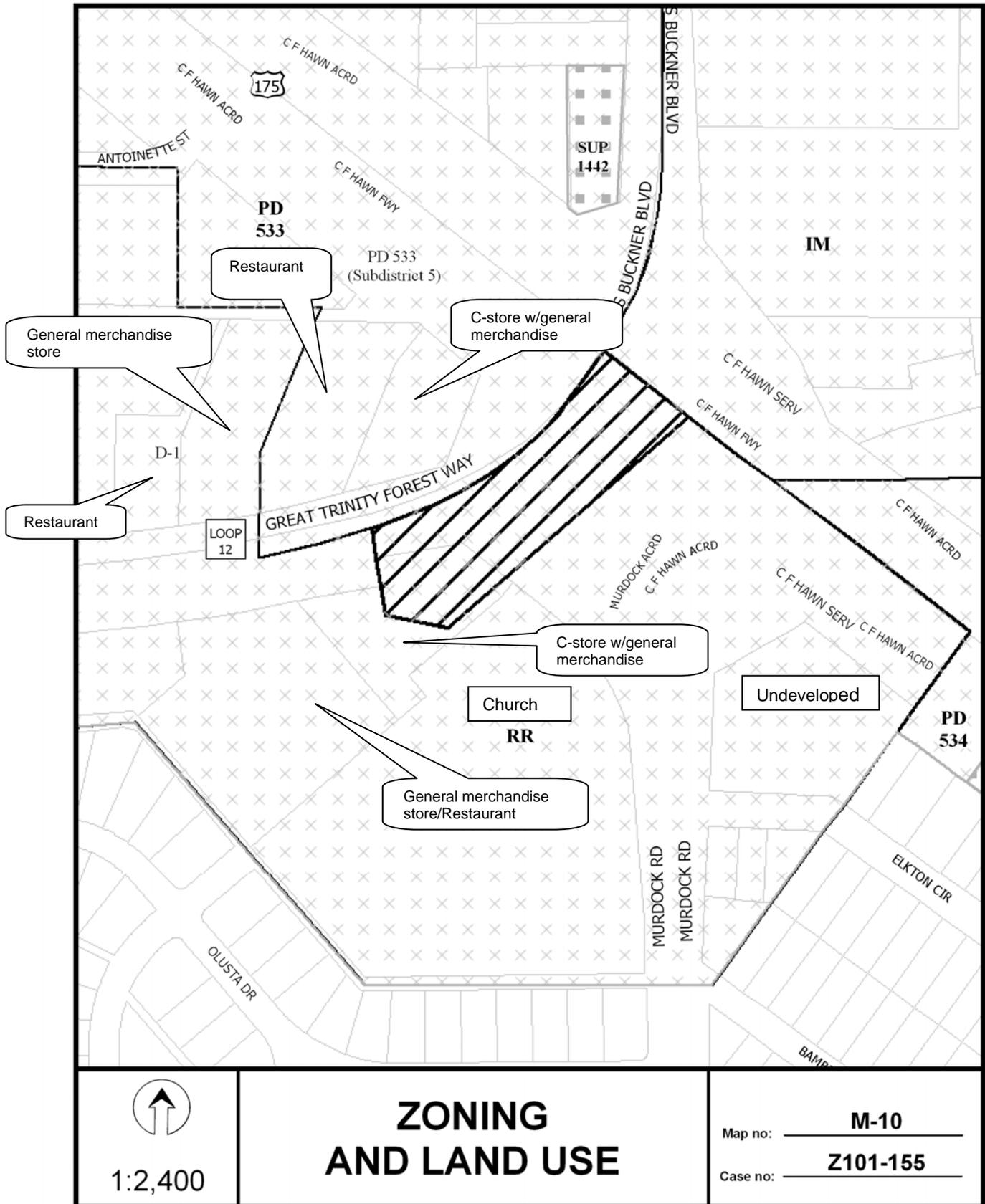
**Site Summary:**  
Zoning: RRD-1  
Zoning Acquirer: STP For off-permitted residential uses  
Resisting Use: General Merchandise <5500 square feet  
Lot Area: 21,306.48  
Lot Coverage: 15 percent  
Building Area: 3,227 square feet  
Required Parking: 13  
Proposed Parking: 10

Scale: 1" = 100'  
Sheet No.: Z:01-155

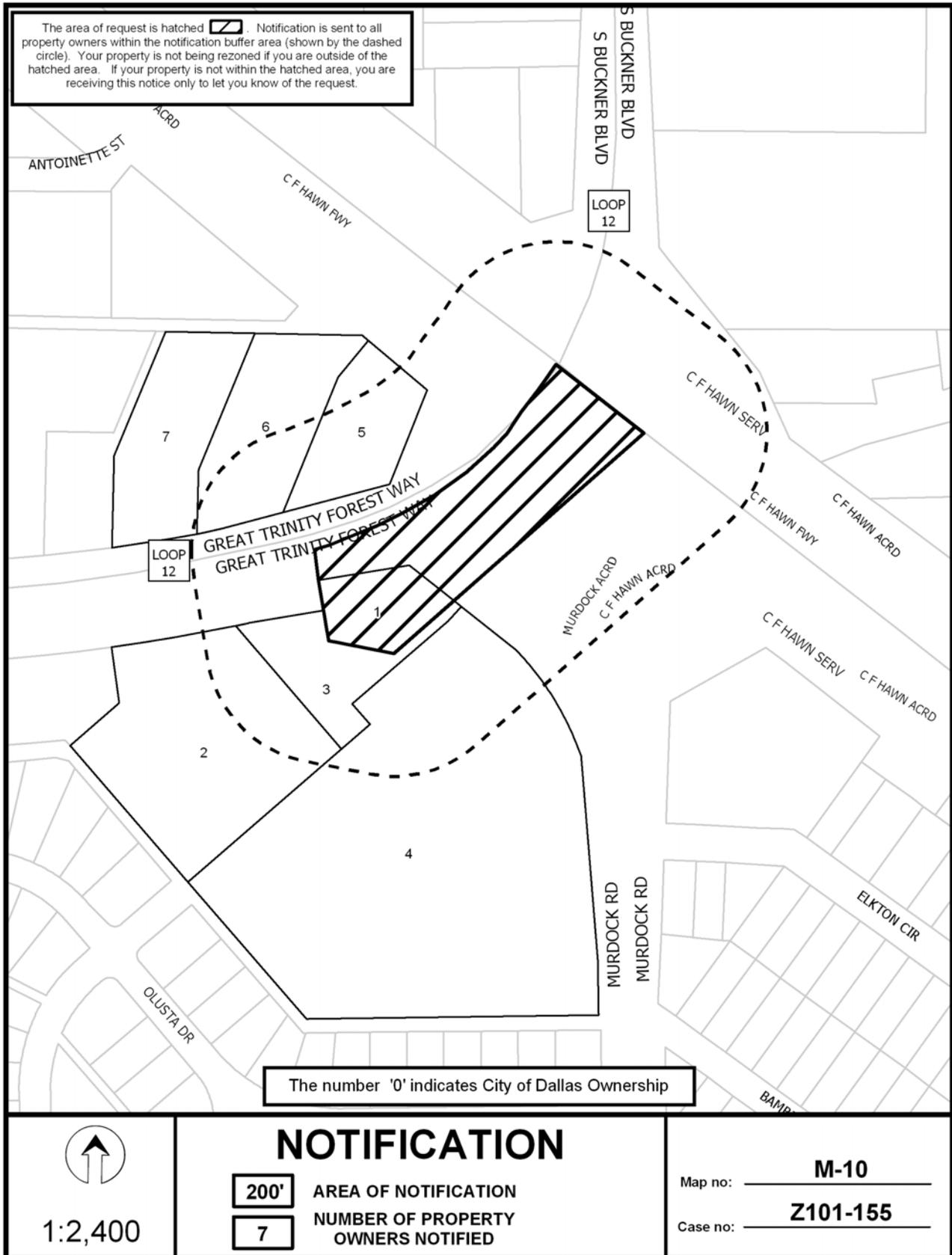
Z101-155WE)



DATE: February 24, 2011



DATE: February 24, 2011



## ***Notification List of Property Owners***

### ***Z101-155***

#### ***7 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	8098 LOOP 12	JPKP ENTERPRISES INC
2	7932 LOOP 12	KIMODALE INC
3	8000 LOOP 12	R & R SULEIMAN LLC
4	7930 LOOP 12	UNITED HOUSE OF PRAYER FOR ALL PEOPLE % TRUSTEE
5	8015 C F HAWN	I & C TEXAS ENT INC
6	8055 LOOP 12	BENJAMIN FRANKLIN FEDERAL SAV ASSN % ROLAND
7	7900 LOOP 12	FAMILY DOLLAR STORES TX ATTN: TAX DEPT

***Thursday, February 24, 2011***

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z101-156(WE) **DATE FILED:** January 7, 2011

**LOCATION:** Kleberg Road and S. Belt Line Road, northwest corner

**COUNCIL DISTRICT:** 8 **MAPSCO:** 69A-U

**SIZE OF REQUEST:** Approx. 16,552.8 sq. ft. **CENSUS TRACT:** 171.02

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**APPLICANT / OWNER:** Malik Baharia

**REPRESENTATIVE:** MASTERPLAN  
Santos Martinez

**REQUEST:** An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property zoned a CS-D-1 Commercial Service District with a D-1 Dry liquor Control Overlay

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

**STAFF RECOMMENDATION:** Approval, for a two year time period 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 less than 3,500 square feet use, and a motor vehicle fueling station.
- 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 Dry Liquor Control Overlay.
- There are several single family properties that are adjacent to the request site. These single family uses are non-conforming because they are located within a CS-D-1 Commercial Service District. A CS District does not permit residential uses. Properties to the north, south and southeast of the request site are undeveloped.

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

1. Z023-182 On Wednesday, August 13, 2003, the City Council approved an R-5(A) Single Family District on property zoned an MF-1(A) Multifamily District, an IR-D-1 Industrial Research District with a Dry Overlay, and R-7.5(A) Single Family District, subject to the deed restrictions volunteered by the applicant’s representative.
2. Z045-244 On Wednesday, August 24, 2005, the City Council approved an R-1/2ac(A) Single Family District on property zoned a CS-D-1 Commercial Service District with Liquor Control Overlay.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
S. Belt Line Road		100 ft.	100 ft.
Kleberg Road	Collector	40 ft.	40 ft.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	CS-D-1	Service Station & general Merchandise store
<b>North</b>	CS-D-1	Undeveloped
<b>South</b>	CS-D-1	Undeveloped
<b>East</b>	CS-D-1	Single Family
<b>West</b>	CS-D-1	Single Family

**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 a Residential Neighborhood 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 approximately 16,552.8 square foot site is zoned a CS-D-1 Commercial Service District with a D-1 Dry Liquor Control Overlay and is currently developed with a general merchandise or food store less 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 requires a Specific Use Permit in the D-1 Dry Liquor Control Overlay.

There are several single family properties that are adjacent to the request site. These single family uses are non-conforming because there are located within a CS-D-1 Commercial Service District. Properties to the north, south and southeast of the request site are undeveloped.

The "D" Dry 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" Dry 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 Kleberg Road. 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					
CS-D-1 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:** Landscaping of any development will be in accordance with Article X, as amended.

**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 14 spaces with 14 being provided per the attached site plan.

**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.

The screenshot shows the Dallas Police Department's Virtual Viewer interface. At the top, there is a header with the Dallas Police Department logo and navigation links for UCR Codes, Year Codes, and Property Class Codes. Below the header is a yellow bar with 'Virtual Viewer - Public Access' and a 'Welcome' message. The main content area is titled 'Search Records - Offense' and features a table with columns for Service #, Offense Date, Complainant, Offense, Block, Dir, Street, Beat, Reporting Area, UCR1, and UCR2. The table contains 18 rows of offense records. At the bottom of the table, there are navigation arrows and a page indicator 'Page 1 of 2 (20 items)'.

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0002486-T	01/01/2007	*FINA GAS STATION	THEFT	02449	S	BELTLI...	359	4435	069F3	
0031130-V	01/31/2008	*1ST CHOICE FOOD M...	BURGLARY	02449	S	BELTLI...	357	4435	05134	
0041680-Y	02/18/2011	BORUNDA, GUILLERMO	THEFT	02449	S	BELTLI...	356	4435	06941	
0054464-X	02/24/2010	*AIR SERV	THEFT	02449	S	BELTLI...	356	4435	06901	
0074511-V	03/13/2008	*FINA	TRAFFIC MOTOR VEHICLE	02449	S	BELTLI...	357	4435	32090	
0132163-X	05/13/2010	*1ST CHOICE FOOD M...	THEFT	02449	S	BELTLI...	356	4435	06901	
0142678...	05/16/2009	*FIRST CHOICE FOOD ...	THEFT	02449	S	BELTLI...	356	4435	06901	
0230110...	08/05/2009	*FIRST CHOICE FOODS	BURGLARY	02449	S	BELTLI...	356	4435	05131	
0231532-V	07/26/2008	*STOP & GO GAS STAT...	BURGLARY	02449	S	BELTLI...	357	4435	05134	
0240301-X	08/27/2010	SHORT, JEFFERY	ACCIDENTAL INJURY - PUBLIC...	02449	S	BELTLI...	356	4435	33082	
0328540-R	05/03/2006	LEWIS,ELISHA	THEFT	02449	S	BELTLI...	359	4435	06942	
0334131...	11/09/2009	*CHOICE FOOD MART	BURGLARY	02449	S	BELTLI...	356	4435	05324	
0335806-V	10/31/2008	*FINA GAS STATION	ROBBERY	02449	S	BELTLI...	357	4435	03312	
0354515-V	11/19/2008	*1ST CHOICE FOOD M...	BURGLARY	02449	S	BELTLI...	357	4435	05131	
0383406-V	12/18/2008	*1ST CHOICE FOOD M...	ROBBERY	02449	S	BELTLI...	357	4435	03312	



**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
<a href="#" style="color: red; text-decoration: underline;">0468988-R</a>	06/20/2006	*1ST CHOICE FOOD M...	CRIMINAL MISCHIEF/VANDALI...	02449	S	BELTLINE	359	4435	14031	
<a href="#" style="color: red; text-decoration: underline;">0496814-T</a>	07/03/2007	*FIRST CHOICE FOOD	BURGLARY	02449	S	BELTLINE	359	4435	05131	
<a href="#" style="color: red; text-decoration: underline;">0521056-R</a>	07/08/2006	*1ST CHOICE FOODMA...	CRIMINAL MISCHIEF/VANDALI...	02449	S	BELTLI...	359	4435	14082	
<a href="#" style="color: red; text-decoration: underline;">0626563-R</a>	08/17/2006	*1ST CHOICE FOOD	THEFT	02449	S	BELTLI...	359	4435	06931	
<a href="#" style="color: red; text-decoration: underline;">0861785-R</a>	11/14/2006	*FINA STATION	THEFT	02449	S	BELTLINE	359	4435	06933	

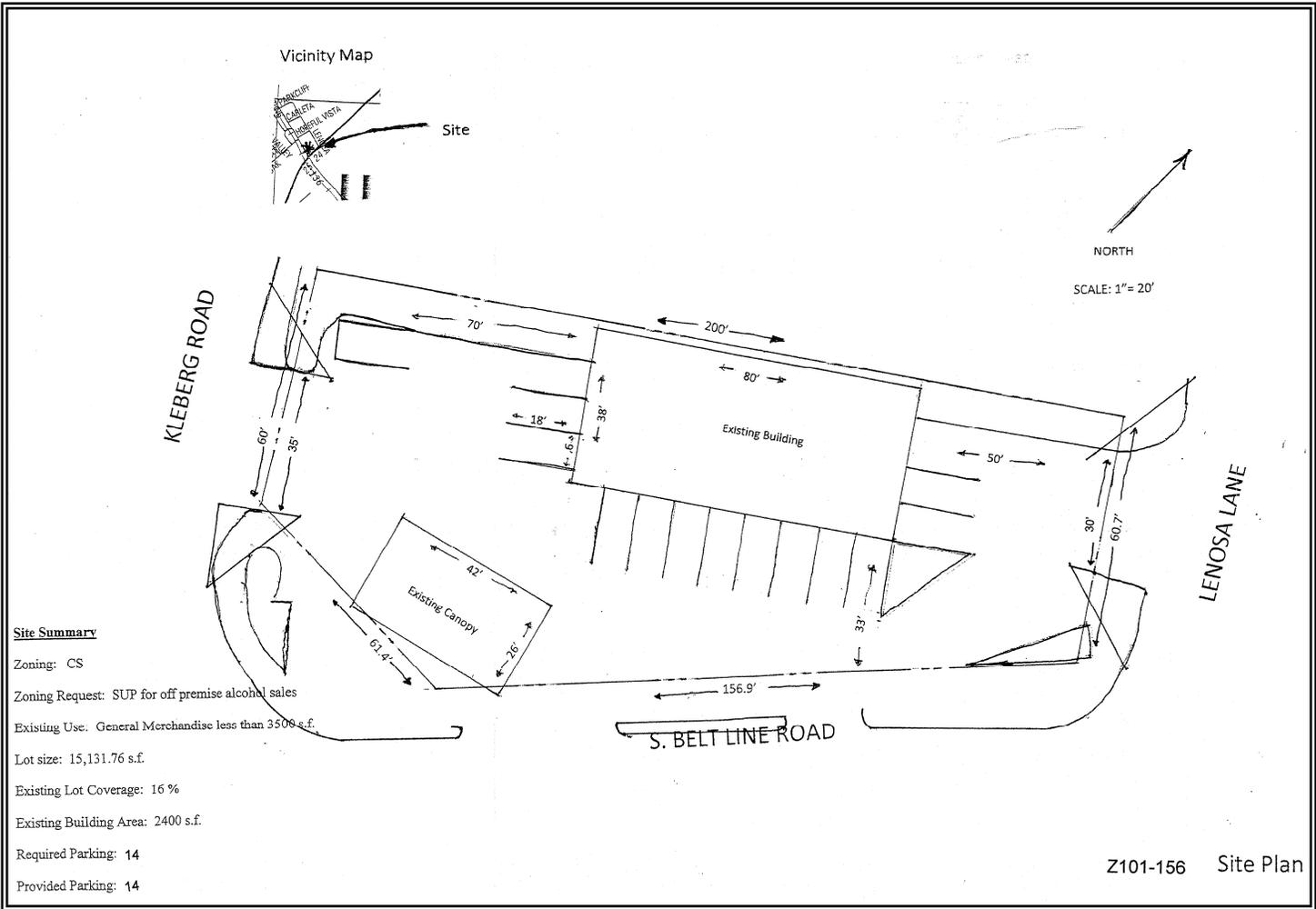


Page 2 of 2 (20 items)

**PROPOSED 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 less 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: Off-street 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.

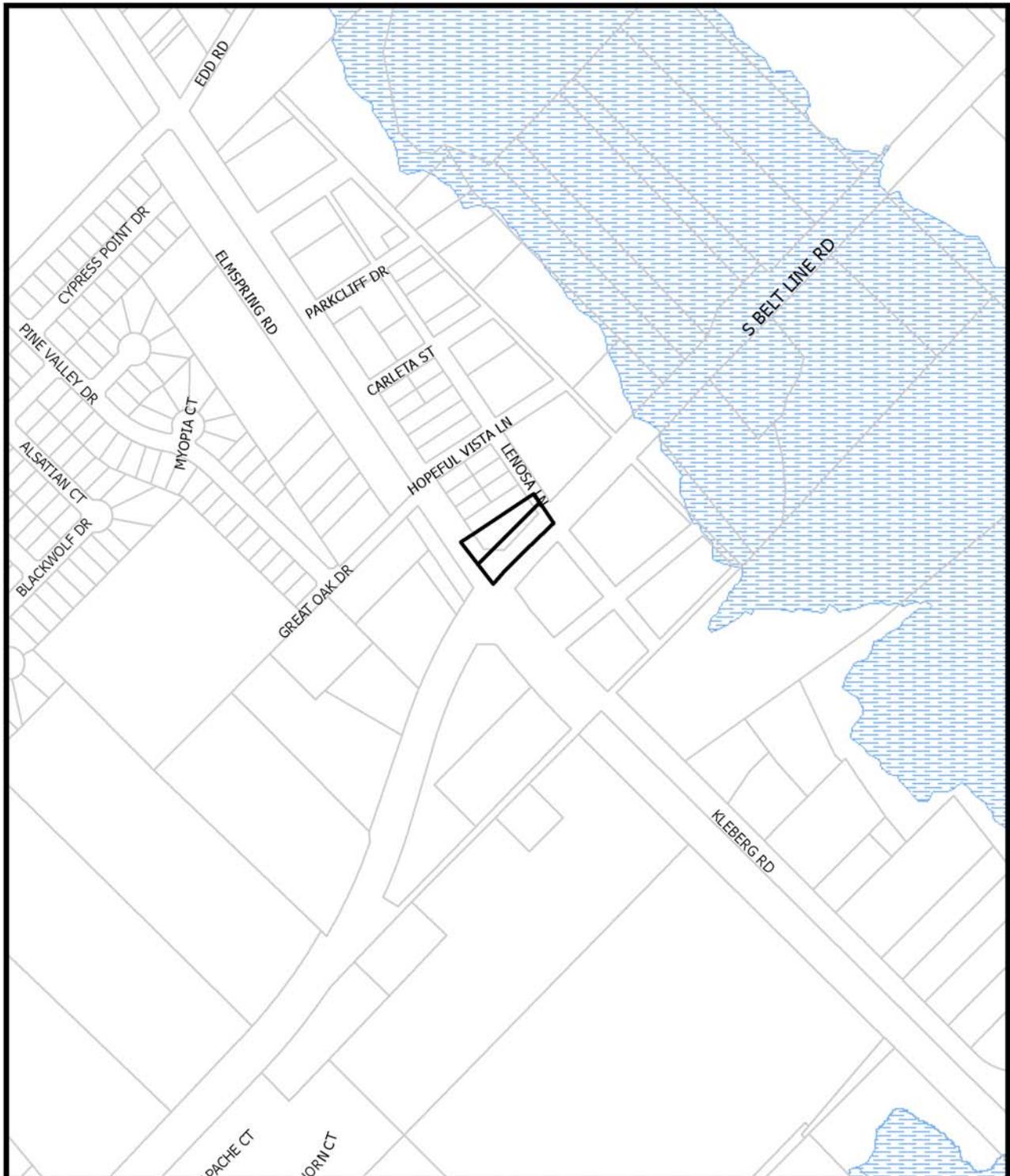
# PROPOSED SITE PLAN



**Site Summary**

Zoning: CS  
Zoning Request: SUP for off premise alcohol sales  
Existing Use: General Merchandise less than 3500 s.f.  
Lot size: 15,131.76 s.f.  
Existing Lot Coverage: 16 %  
Existing Building Area: 2400 s.f.  
Required Parking: 14  
Provided Parking: 14

Z101-156 Site Plan



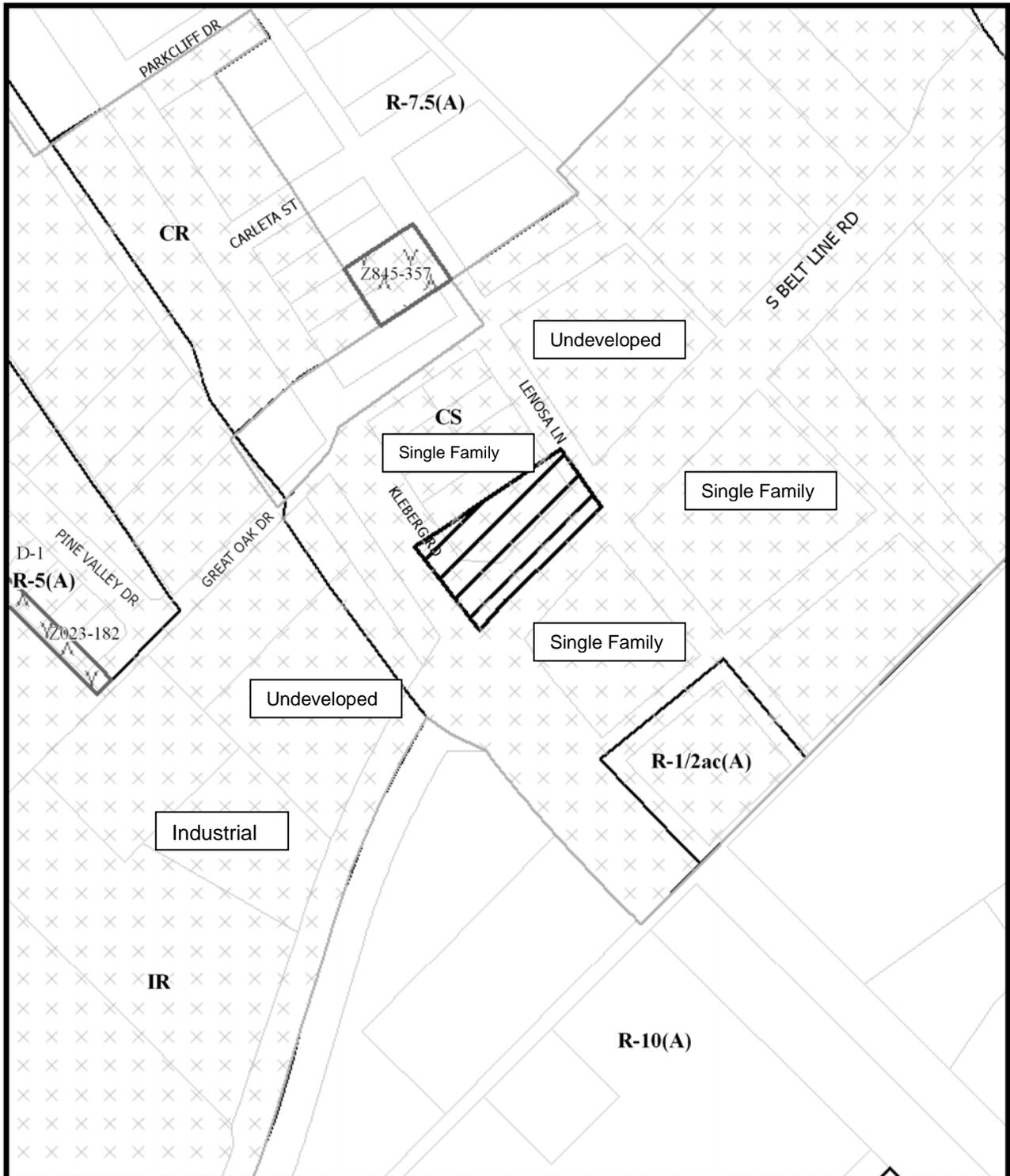
1:4,800

### VICINITY MAP

Map no:           O-12          

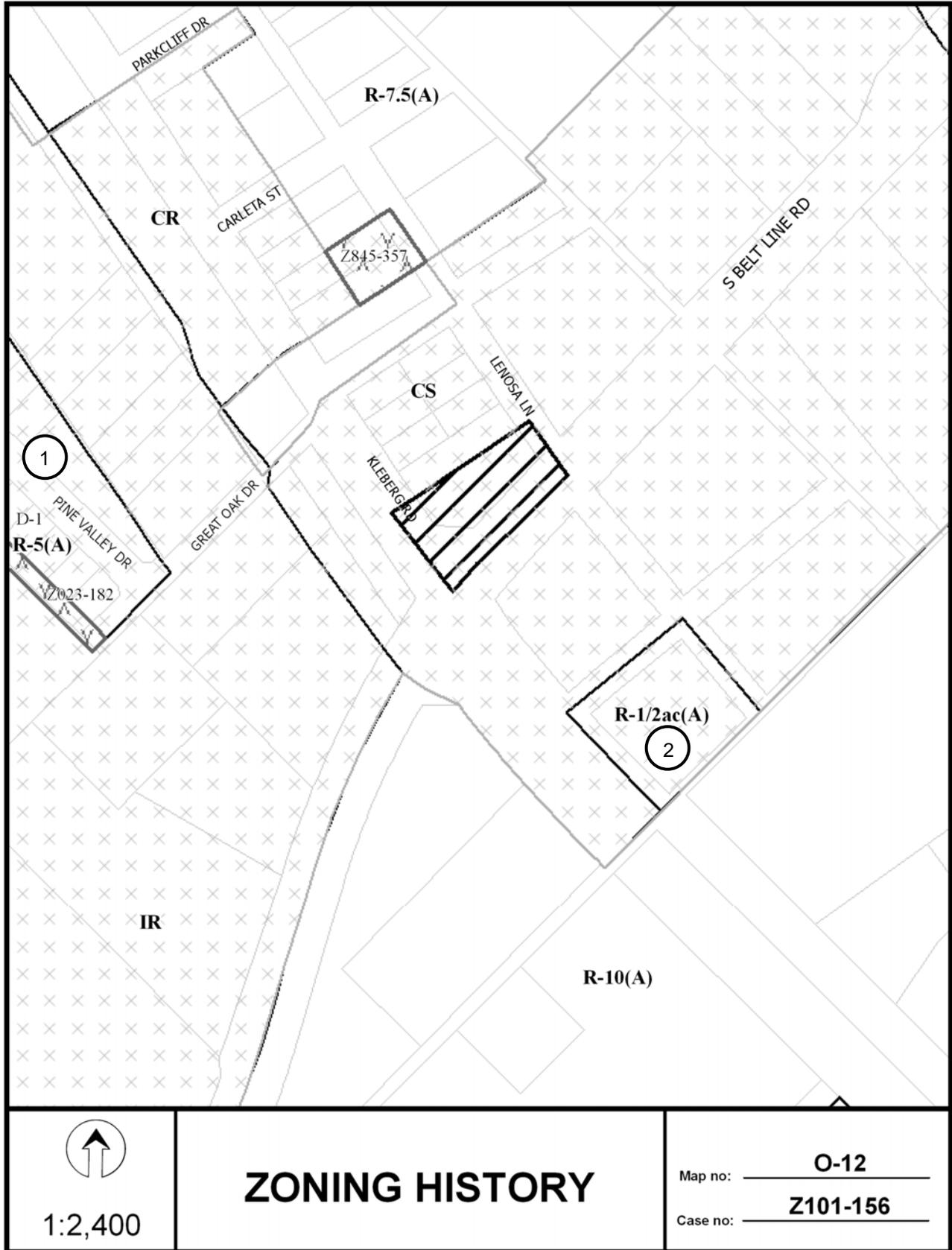
Case no:           Z101-156          

DATE: March 09, 2011



 1:2,400	<h1>ZONING AND LAND USE</h1>	Map no: <u>          O-12          </u> Case no: <u>          Z101-156          </u>
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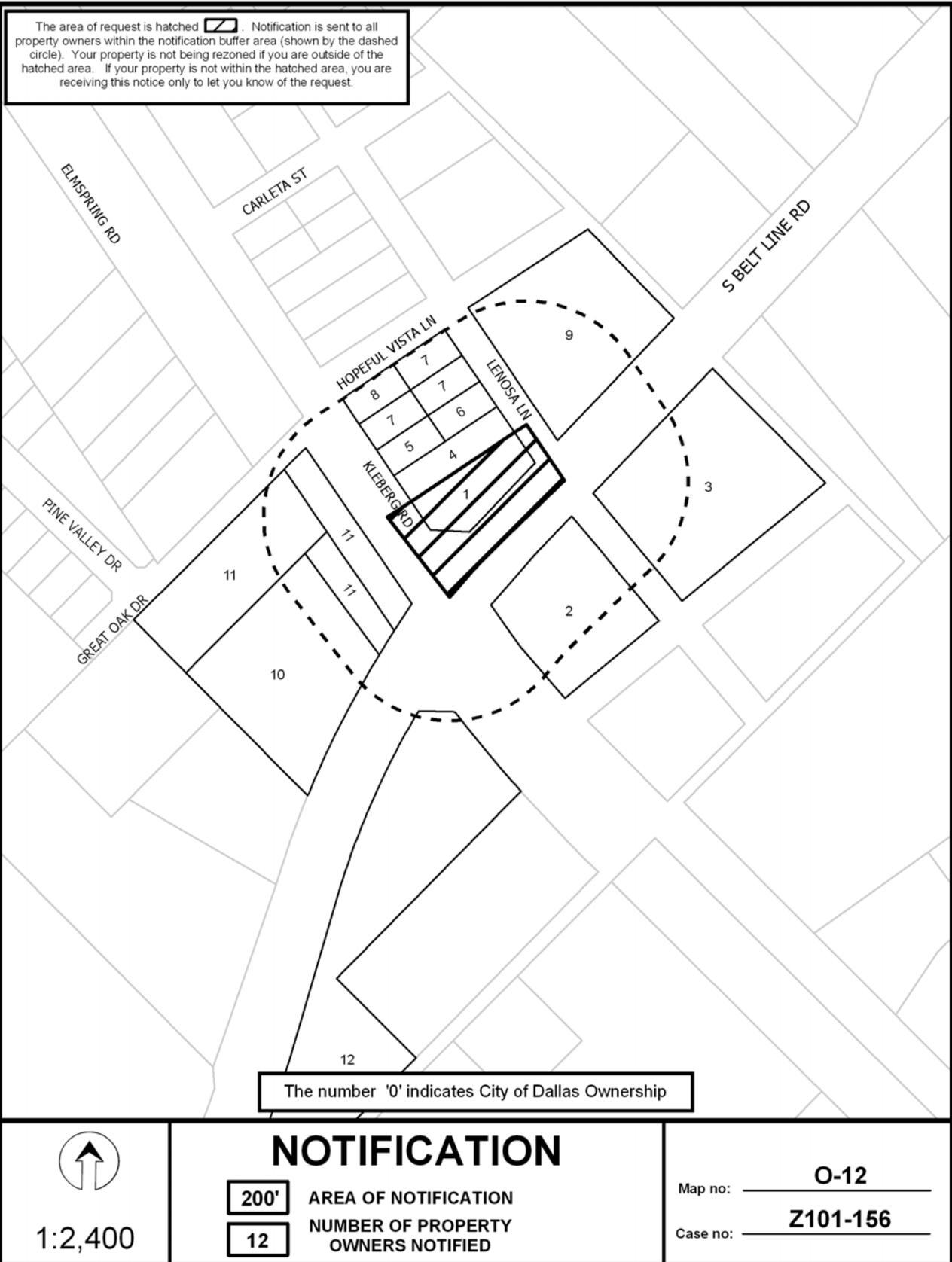
DATE: March 09, 2011



DATE: March 09, 2011

# ZONING HISTORY

Map no:           O-12            
Case no:           Z101-156



DATE: March 09, 2011

## ***Notification List of Property Owners***

### **Z101-156**

#### **12 Property Owners Notified**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	13529 KLEBERG	BAHARIA MALIK A
2	2450 BELTLINE	SALAZAR FRANCISCO & MIRIAM DELACRUZ
3	2436 BELTLINE	WARREN CAROL
4	13523 KLEBERG	GEORGE BEN E
5	13517 KLEBERG	HALL SALLY E L & THOMAS T
6	13530 LENOSA	FOREMAN BOB
7	2410 LENOSA	VIKING COMMERCIAL SERVICE
8	13505 KLEBERG	VIKING COMERCIAL SERVICE
9	13511 LENOSA	SEAGOVILLE ISD % DALLAS ISD
10	2511 BELTLINE	STUTTS DAVID O & CATHY E
11	2500 GREAT OAK	TEXAS UTILITIES ELEC CO % STATE & LOCAL TAX DEPT
12	2500 BELTLINE	CHAMBLESS JOSEPH C & MARJORIE L CHAMBLESS TR

**Wednesday, March 09, 2011**

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z101-157(WE) **DATE FILED:** January 10, 2011

**LOCATION:** W. Kiest Boulevard and S. Cockrell Hill Road, northwest corner

**COUNCIL DISTRICT:** 3 **MAPSCO:** 52-Z

**SIZE OF REQUEST:** Approx. 31,101.84 sq. ft. **CENSUS TRACT:** 108.02

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**APPLICANT / OWNER:** Ann, Inc.

**REPRESENTATIVE:** MASTERPLAN  
Santos Martinez

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

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

**STAFF RECOMMENDATION:** Approval of a D-1 Dry Liquor Control Overlay and approval of a Specific Use Permit for a two year time period 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 less than 3,500 square feet use, and a motor vehicle fueling station.
- 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 is prohibited in a D Dry Liquor Control Overlay and requires a specific use permit in the D-1 Dry Liquor Control Overlay.
- The surrounding land uses consist of a retail development that is partially vacant with a general merchandise store to the north and northwest of the site. The properties south of W. Kiest Boulevard and east of S. Cockrell Hill Road are undeveloped.

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

1. Z045-199 On Wednesday, June 8, 2005, the City Council approved a Specific Use Permit for an Accessory Community Center (private) and a pool facility on property zoned a CH Clustered Housing District.
2. Z045-205 On Wednesday, June 8, 2005, the City Council approved an R-10(A) Single Family District with retention of the D Liquor Control Overlay on the south line of W. Kiest Boulevard, east of S. Cockrell Hill Road. (not shown on map)

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
W. Kiest Blvd	Principal Arterial	60 ft.	100 ft.
S. Cockrell Hill Road	Principal Arterial	60 ft.	60 ft.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	CR-D	Service Station & general Merchandise store
<b>North</b>	CS-D	Parking lot
<b>South</b>	R-16(A)	Undeveloped
<b>East</b>	PDD No. 731-D	Undeveloped
<b>West</b>	CS-D	Vacant retail/general merchandise store

**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 is on Transit or Multi-Modal or 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 approximately 31,101.84 square foot site is zoned a CR-D Community Retail District with a D Dry 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 Dry Liquor Control Overlay but requires a Specific Use Permit in the D-1 Dry Liquor Control Overlay. The applicant is seeking an off-premise license.

The surrounding land uses consist of a retail development that is partially vacant with a general merchandise store to the north and northwest of the site. The properties south of W. Kiest Boulevard and east of S. Cockrell Hill Road are undeveloped.

The "D" Dry 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" Dry 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 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 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.

**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 18 spaces with 21 being provided per the attached site plan.

**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.

DALLAS POLICE DEPARTMENT										
Virtual Viewer - Public Access										
Welcome										
Search Records - Offense										
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
<a href="#">0012140-X</a>	01/13/2010	TORRES, ALICIA	ASSAULT	04411	W	KIESTB...	434	4202	08312	
<a href="#">0012141-X</a>	01/13/2010	DENNARD, KRISTINA	ROBBERY	04411	W	KIESTB...	434	4202	03942	
<a href="#">0018162-Y</a>	01/22/2011	*SHELL GAS STATION	CRIMINAL MISCHIEF/VA...	04411	W	KIESTB...	434	4202	14083	
<a href="#">0027957-Z</a>	01/29/2010	*SHELL	THEFT	04411	W	KIESTB...	434	4202	06935	
<a href="#">0035615-V</a>	02/04/2008	@CITY OF DALLAS	FOUND PROPERTY	04411	W	KIESTB...	448	4202	43020	
<a href="#">0063757-V</a>	03/03/2008	NEWMAN, CHERYL	THEFT	04411	W	KIESTB...	448	4202	06942	
<a href="#">0074042-T</a>	02/01/2007	*CITGO	OTHER OFFENSES	04411	W	KIESTB...	424	4202	26530	
<a href="#">0086219-V</a>	03/24/2008	KIRK, NIKKI	THEFT	04411	W	KIESTB...	448	4202	06941	
<a href="#">0102678-W</a>	04/13/2009	*SHELL	THEFT	04411	W	KIESTB...	434	4202	06935	
<a href="#">0104135-T</a>	02/15/2007	@CITY OF DALLAS	FOUND PROPERTY	04411	W	KIESTB...	424	4202	43020	
<a href="#">0112071-X</a>	04/23/2010	@CITY OF DALLAS	FOUND PROPERTY	04411	W	KIESTB...	434	4202	43020	
<a href="#">0112789-X</a>	04/24/2010	*CITGO GAS STATION	CRIMINAL MISCHIEF/VA...	04411	W	KIESTB...	434	4202	14082	
<a href="#">0143498-V</a>	05/15/2008	*MIDWEST CITY PD	FOUND PROPERTY	04411	W	KIESTB...	448	4202	43030	
<a href="#">0151783-T</a>	03/05/2007	*CITGO	OTHER OFFENSES	04411	W	KIESTB...	424	4202	26530	
<a href="#">0167996-V</a>	06/06/2008	*SHELL	CRIMINAL MISCHIEF/VA...	04411	W	KIESTB...	448	4202	14082	
<a href="#">0170405-X</a>	06/15/2010	*SHELL	THEFT	04411	W	KIESTB...	434	4202	06932	
<a href="#">0171940-V</a>	06/09/2008	AVILA, VICTORIA	THEFT	04411	W	KIESTB...	448	4202	06952	
<a href="#">0176322-T</a>	03/13/2007	*Kiest CITGO	ROBBERY	04411	W	KIESTB...	424	4202	03311	
<a href="#">0220739-X</a>	08/06/2010	@DENTON PD	FOUND PROPERTY	04411	W	KIESTB...	434	4202	43040	
<a href="#">0227528-W</a>	08/02/2009	STARK, KNEDRA	ASSAULT	04411	W	KIESTB...	434	4202	08411	
<a href="#">0242683-X</a>	08/28/2010	MOLINA, FAUSTINO	LOST PROPERTY	04411	W	KIESTB...	434	4202	42020	
<a href="#">0274905-T</a>	04/18/2007	*CHURCH'S CHICKEN	ROBBERY	04411	W	KIESTB...	424	4202	03441	
<a href="#">0275581-T</a>	04/19/2007	*Kiest SHELL	OTHER OFFENSES	04411	W	KIESTB...	424	4202	26530	
<a href="#">0304096-R</a>	04/24/2006	*CITGO	THEFT	04411	W	KIESTB...	424	4202	06904	
<a href="#">0313055-X</a>	11/12/2010	*Kiest SHELL	THEFT	04411	W	KIESTB...	434	4202	06935	
<a href="#">0313275-V</a>	10/09/2008	*WEST Kiest SHELL	ROBBERY	04411	W	KIESTB...	448	4202	03312	
<a href="#">0317710-T</a>	05/03/2007	PRINCE,STEPHANIE	THEFT	04411	W	KIESTB...	424	4202	06904	
<a href="#">0326048-T</a>	05/06/2007	*SHELL	THEFT	04411	W	KIESTB...	424	4202	06935	
<a href="#">0326396-T</a>	05/06/2007	*SHELL GAS STATION	OTHER OFFENSES	04411	W	KIESTB...	424	4202	26530	
<a href="#">0334639-V</a>	10/30/2008	MARTIN,ANDRAE	LOST PROPERTY	04411	W	KIESTB...	448	4202	42020	
Search Records - Offense										
<a href="#">0357013-V</a>	11/21/2008	SANDRANI, HAMID	ASSAULT	04411	W	KIESTB...	448	4202	08192	
<a href="#">0366481-V</a>	12/01/2008	*SHELL GAS STATION	THEFT	04411	W	KIESTB...	448	4202	06935	
<a href="#">0368962-T</a>	05/20/2007	HARRIS,LYNDON	ROBBERY	04411	W	KIESTB...	424	4202	03912	
<a href="#">0371719-W</a>	12/18/2009	*CITGO GAS STATION	THEFT	04411	W	KIESTB...	434	4202	06935	
<a href="#">0373999-R</a>	05/19/2006	TREJO,WILLIAM	AUTO THEFT-UUMV	04411	W	KIESTB...	424	4202	07171	
<a href="#">0388255-T</a>	05/27/2007	LOTT,CANDACE MARIE	TRAFFIC MOTOR VEHICLE	04411	W	KIESTB...	424	4202	32090	
<a href="#">0398612-R</a>	05/26/2006	*CITGO/CHURCHES CHI...	BURGLARY	04411	W	KIESTB...	424	4202	05331	
<a href="#">0455169-T</a>	06/19/2007	*SHELL GAS STATION	THEFT	04411	W	KIESTB...	424	4202	06932	
<a href="#">0461398-R</a>	06/17/2006	*CITGO	THEFT	04411	W	KIESTB...	424	4202	06901	
<a href="#">0560395-T</a>	07/26/2007	AGUIRRE,MARIA	TRAFFIC MOTOR VEHICLE	04411	W	KIESTB...	424	4202	32090	
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<a href="#">0669121-T</a>	09/26/2007	*Kiest/CITGO-SHELL	THEFT	04411	W	KIESTB...	424	4202	06901	
<a href="#">0723633-R</a>	09/23/2006	*CITGO	THEFT	04411	W	KIESTB...	424	4202	06931	
<a href="#">0738124-T</a>	11/14/2007	FLOYD, LAKISHA	CRIMINAL MISCHIEF/VA...	04411	W	KIESTB...	448	4202	14081	
<a href="#">0784161-R</a>	10/15/2006	MILLER,LAQUINTA	ASSAULT	04411	W	KIESTB...	424	4202	08491	

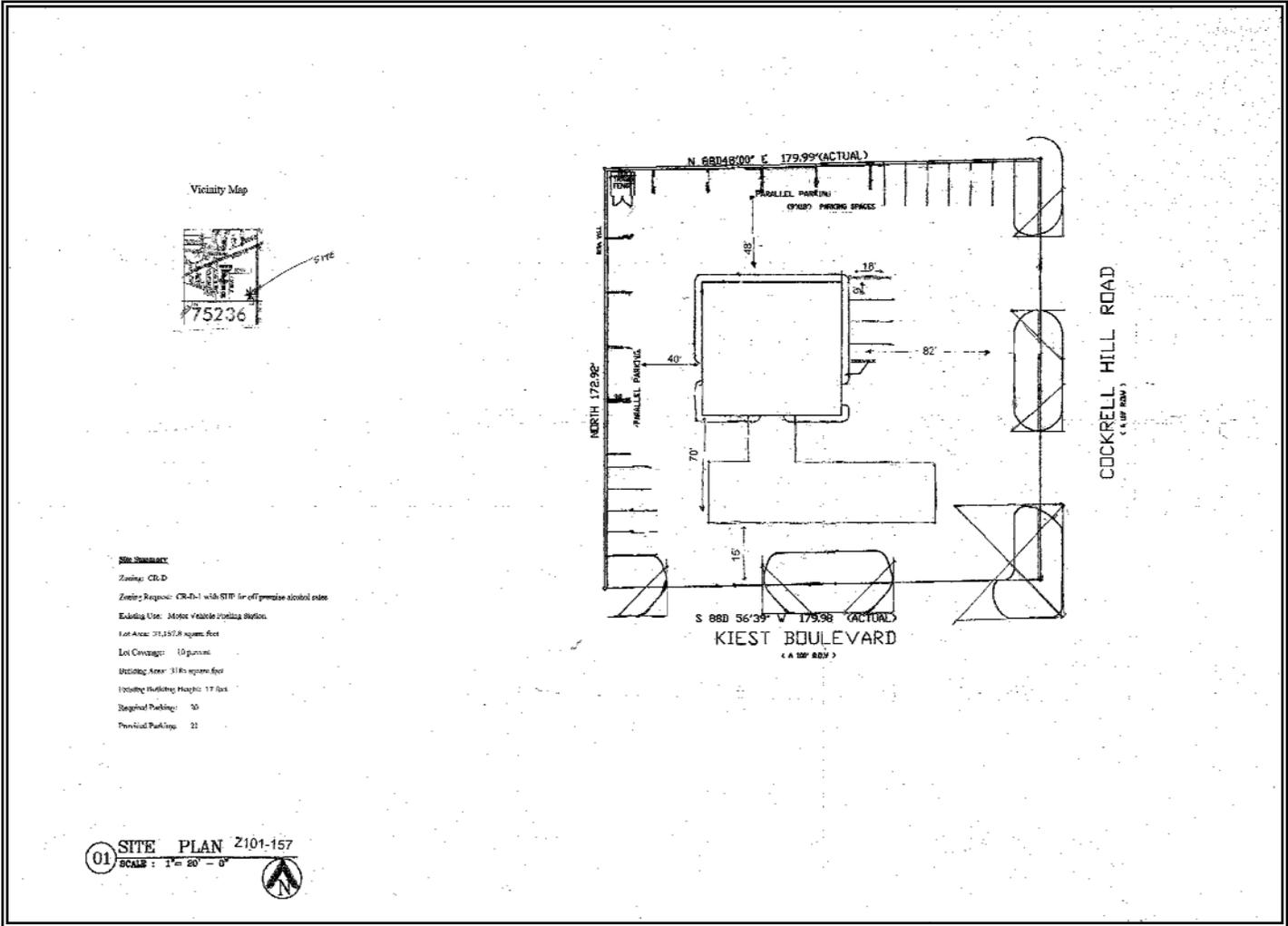
**LIST OF OFFICERS**  
Ann, Inc.

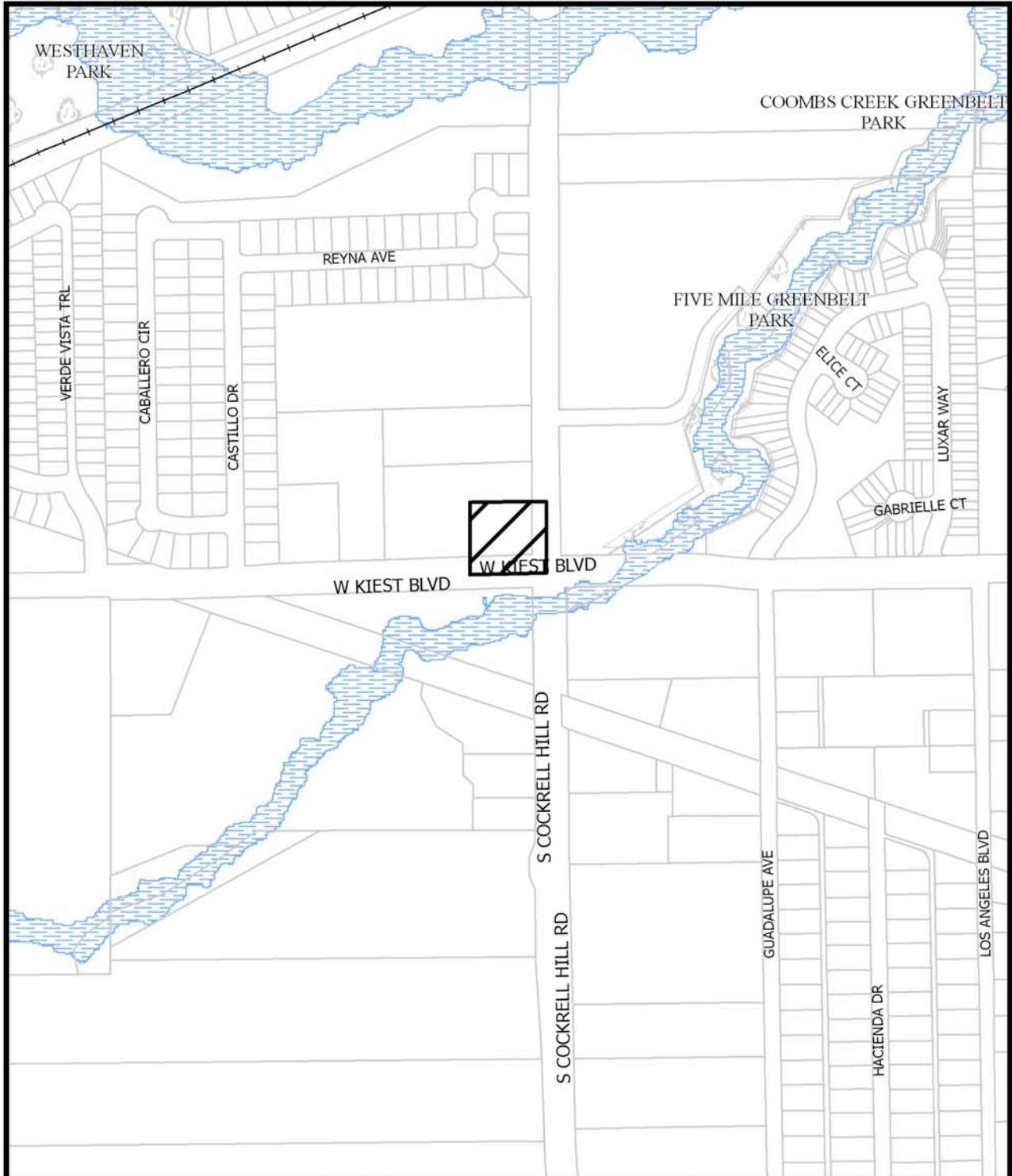
- Hashim Punjani      President
- Aziz Jiwani      Officer

**PROPOSED 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 less 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: Off-street 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**





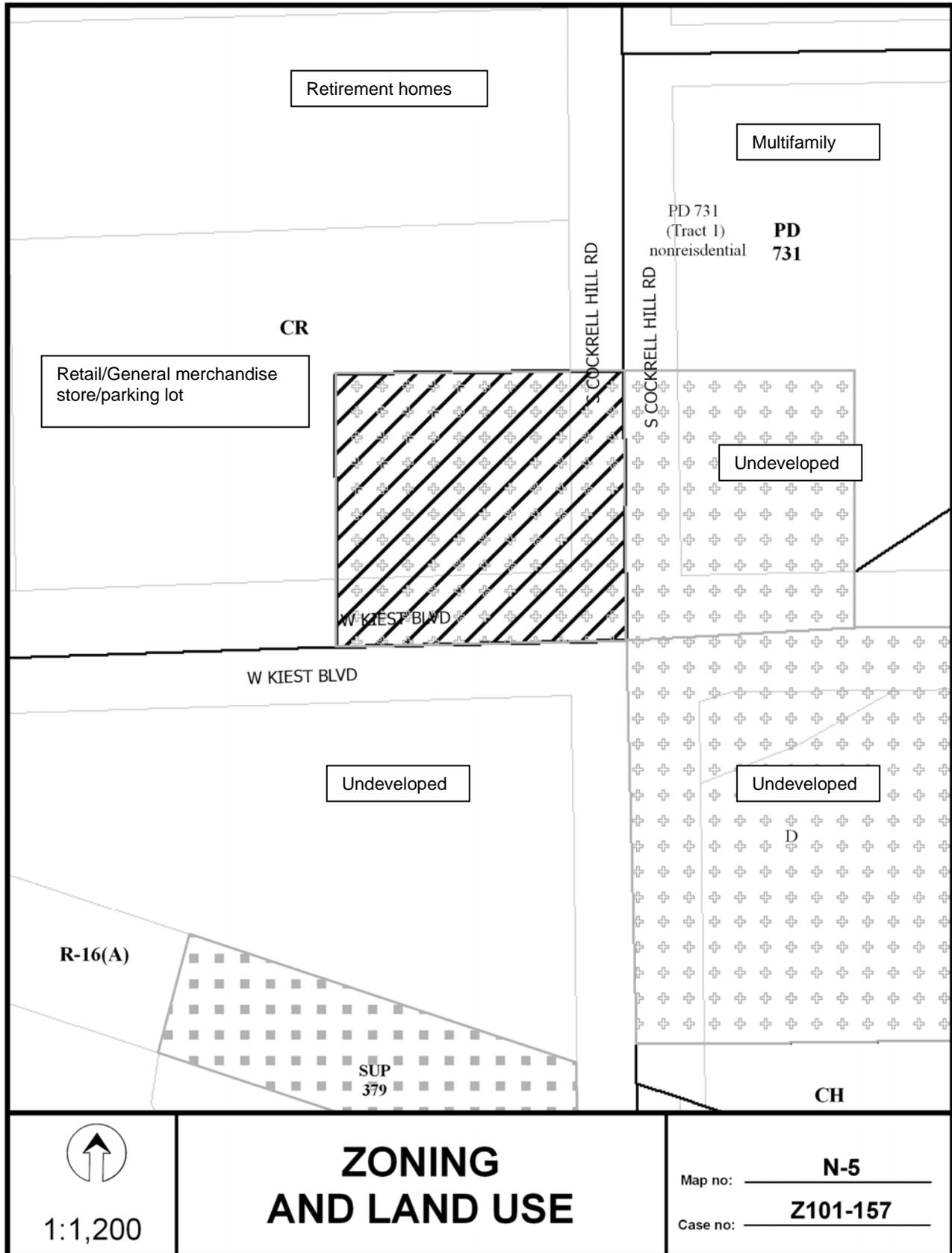
1:4,800

# VICINITY MAP

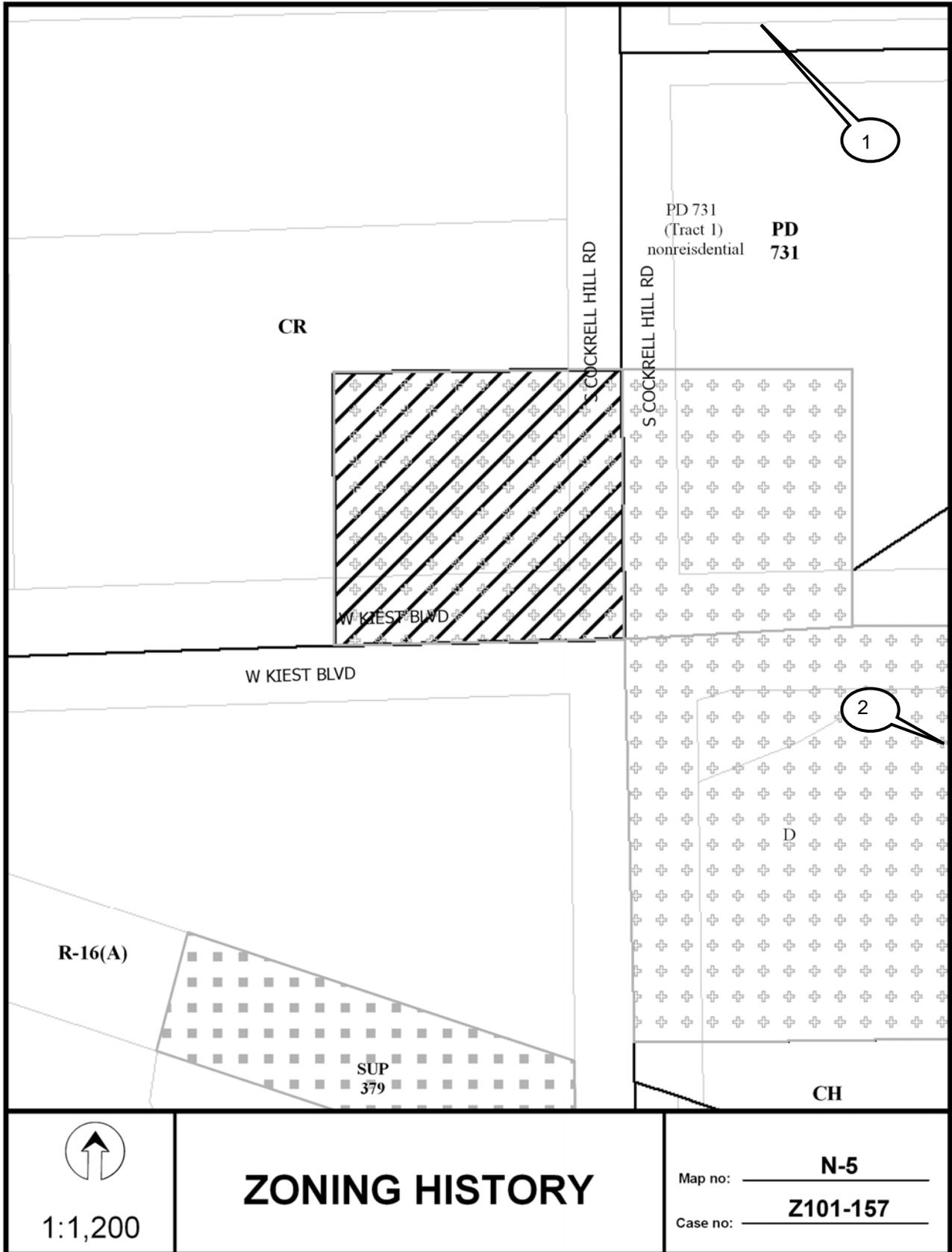
Map no:           N-5          

Case no:           Z101-157          

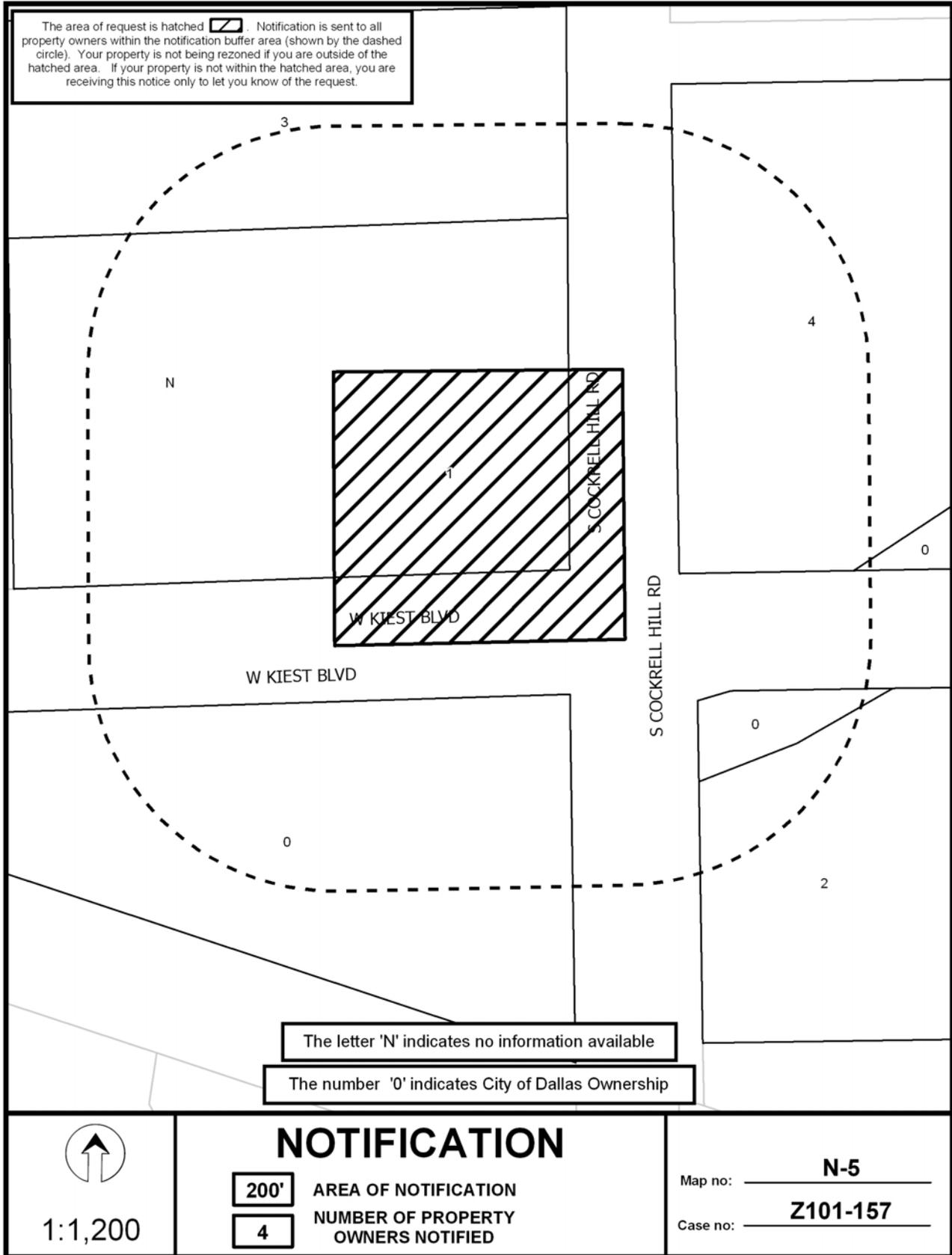
DATE: February 24, 2011



DATE: February 24, 2011



DATE: February 24, 2011



DATE: February 24, 2011

## ***Notification List of Property Owners***

### ***Z101-157***

#### ***4 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4411 Kiest	ANN INC
2	4306 Kiest	ALCANTAR VIDAL &
3	3011 COCKRELL HILL	GABON PROPERTIES LP
4	3110 COCKRELL HILL	SDC OAKWOOD TOWNHOMES LP

***Thursday, February 24, 2011***

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z101-158(WE) **DATE FILED:** January 10, 2011

**LOCATION:** C. F. Hawn Freeway and S. Masters Drive, northeast corner

**COUNCIL DISTRICT:** 8 **MAPSCO:**

**SIZE OF REQUEST:** Approx. 22,651.2 sq. ft. **CENSUS TRACT:** 117.02

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**APPLICANT / OWNER:** Kawai Financial, Inc.

**REPRESENTATIVE:** MASTERPLAN  
Santos Martinez

**REQUEST:** An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property within Subdistrict-2 of Planned Development District 535, the C.F. Hawn Special Purpose District No. 3 with a D-1 Dry Liquor Control Overlay.

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

**STAFF RECOMMENDATION:** Approval, for a two year time period 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 less than 3,500 square feet use, a motor vehicle fueling station, and a restaurant with a drive through window.
- 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 Dry Liquor Control Overlay.
- The surrounding land uses primarily consist of undeveloped land. However, there are single family uses that are north and northwest of the request site.

**Zoning History:** There has not been any zoning change(s) requested in the area.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
S. Master Road	Minor Arterial	65 ft.	100 ft.
C.F. Hawn freeway Frontage Road		Variable lane widths	Variable lane widths

**Land Use:**

	Zoning	Land Use
<b>Site</b>	CR-D	Service Station & general Merchandise store
<b>North</b>	CS-D	Undeveloped
<b>South</b>	R-16(A)	Undeveloped
<b>East</b>	PDD No. 731-D	Undeveloped
<b>West</b>	CS-D	Undeveloped

**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 a Commercial Centers or Corridors Building Block.

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.

## **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 22,651.2 square foot site is located within Subdistrict-2 of Planned Development District 535, the C.F. Hawn Special Purpose District No. 3 with a D-1 Dry Liquor Control Overlay. The request site is currently developed with a general merchandise or food store less 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 requires a specific use permit in the D-1 Dry Liquor Control Overlay. The applicant is seeking an off-premise license.

The surrounding land uses primarily consist of undeveloped land. However, there are single family uses that are north and northwest of the request site.

The "D" Dry 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" Dry 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 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					
PDD No. 535 Subdistrict -2	15'	30' adjacent to residential OTHER: No Min.	1.0 FAR overall 0.75 office/ retail 0.5 retail	70' 5 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

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

**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 16 spaces with 18 being provided per the attached site plan.

**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.

DALLAS POLICE DEPARTMENT										
Virtual Viewer - Public Access										
Welcome										
Search Records - Offense										
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
<a href="#">0003955-W</a>	01/04/2009	MARTIN, STACEY	FOUND PROPERTY	10201		CFHAWN...	352	2219	43020	
<a href="#">0006896-W</a>	01/07/2009	SALINAS, ABNER	ASSAULT	10201		CFHAWN...	338	2219	08111	
<a href="#">0006897-W</a>	01/07/2009	BARAJAS, MARCELINO	ASSAULT	10201		CFHAWN...	338	2219	08111	
<a href="#">0036905-W</a>	02/07/2009	MARTINEZ, JESSICA	TRAFFIC MOTOR VEHICLE	10201		CFHAWN...	338	2219	32090	
<a href="#">0055387-T</a>	01/05/2007	*KAWAL FINANCIAL	LOST PROPERTY	10201		CFHAWN...	355	2219	42020	
<a href="#">0105516-V</a>	04/11/2008	HERVEY, DUSTIN	ROBBERY	10201		CFHAWN...	352	2219	03941	
<a href="#">0106817-W</a>	04/17/2009	LAGARD, MICHAEL	AGGRAVATED ASSAULT	10201		CFHAWN...	338	2219	04161	08161
<a href="#">0110587-V</a>	04/15/2008	*VALERO GAS STATION	OTHER OFFENSES	10201		CFHAWN...	352	2219	26530	
<a href="#">0119605-X</a>	01/11/2010	REINDOLLAR, JUSTINE	AUTO THEFT-UUMV	10201		CFHAWN...	338	2219	07171	
<a href="#">0122862-X</a>	05/04/2010	HAUGHT, RALPH	ROBBERY	10201		CFHAWN...	338	2219	03A11	
<a href="#">0127126-V</a>	04/30/2008	*VALERO GAS STATION	OTHER OFFENSES	10201		CFHAWN...	352	2219	26530	
<a href="#">0162821-X</a>	06/11/2010	MADDOX, DEBORAH,	OTHER OFFENSES	10201		CFHAWN...	338	2219	26000	
<a href="#">0168955-T</a>	03/11/2007	LEE, AL-MALIK	ROBBERY	10201		CFHAWN...	355	2219	03962	
<a href="#">0229573-X</a>	08/14/2010	ANDRADE, JOSE	THEFT	10201		CFHAWN...	338	2219	06951	
<a href="#">0256923-V</a>	08/08/2008	*VALERO KWIK MART	CRIMINAL MISCHIEF/VA...	10201		CFHAWN...	352	2219	14030	
Search Records - Offense										
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
<a href="#">0277884-X</a>	10/05/2010	@LEWISVILLE PD	FOUND PROPERTY	10201		CFHAWN...	338	2219	43030	
<a href="#">0301661-R</a>	04/20/2006	BEATTY, CARL	THEFT	10201		CFHAWN...	355	2219	06941	
<a href="#">0308214-V</a>	10/03/2008	SMITH, LORI	ROBBERY	10201		CFHAWN...	352	2219	03941	
<a href="#">0357528-V</a>	11/22/2008	MORELAND, JERRY	ROBBERY	10201		CFHAWN...	352	2219	03911	
<a href="#">0375373-V</a>	12/08/2008	*ACTEK MEDIA	THEFT	10201		CFHAWN...	352	2219	06901	
<a href="#">0396583-T</a>	05/30/2007	OLIVER, BILLY, FLOY	OTHER OFFENSES	10201		CFHAWN...	355	2219	26140	
<a href="#">0501100-T</a>	07/04/2007	KOVAR, GARY	THEFT	10201		CFHAWN...	355	2219	06945	
<a href="#">0595753-T</a>	08/08/2007	MELLENDEZ, SOPHIA	ASSAULT	10201		CFHAWN...	355	2219	08311	
<a href="#">0607053-T</a>	08/12/2007	GALVAN, NANCY	THEFT	10201		CFHAWN...	355	2219	06954	
<a href="#">0660099-T</a>	09/17/2007	GORE, BONNIE	ROBBERY	10201		CFHAWN...	355	2219	03A11	
<a href="#">0694556-T</a>	10/20/2007	GODINEZ, MAURICIO	ROBBERY	10201		CFHAWN...	355	2219	03A41	
<a href="#">0745127-T</a>	11/21/2007	PURCELL, JOHN	AUTO THEFT-UUMV	10201		CFHAWN...	352	2219	07191	

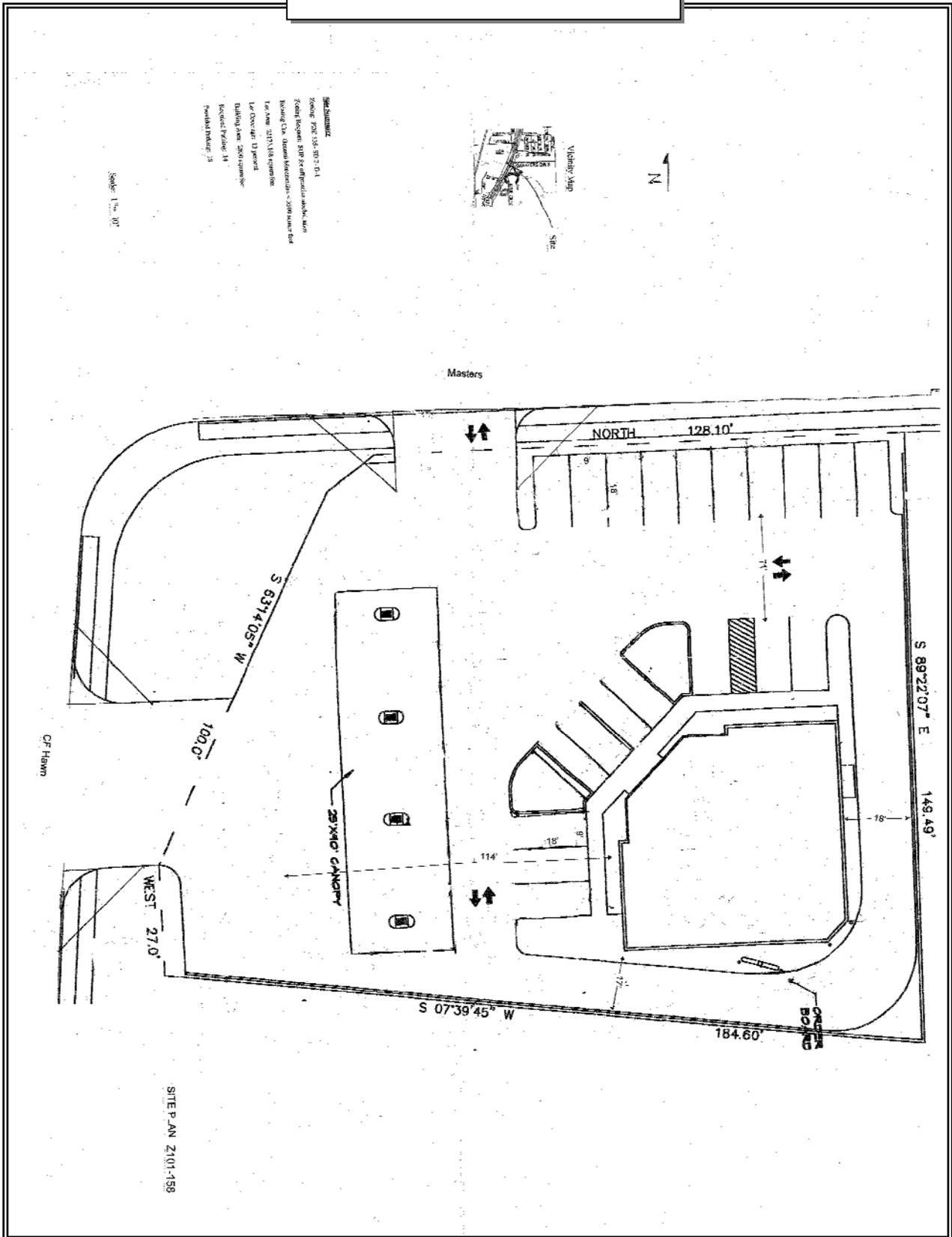
**LIST OF OFFICERS**  
Kawai Financial, Inc.

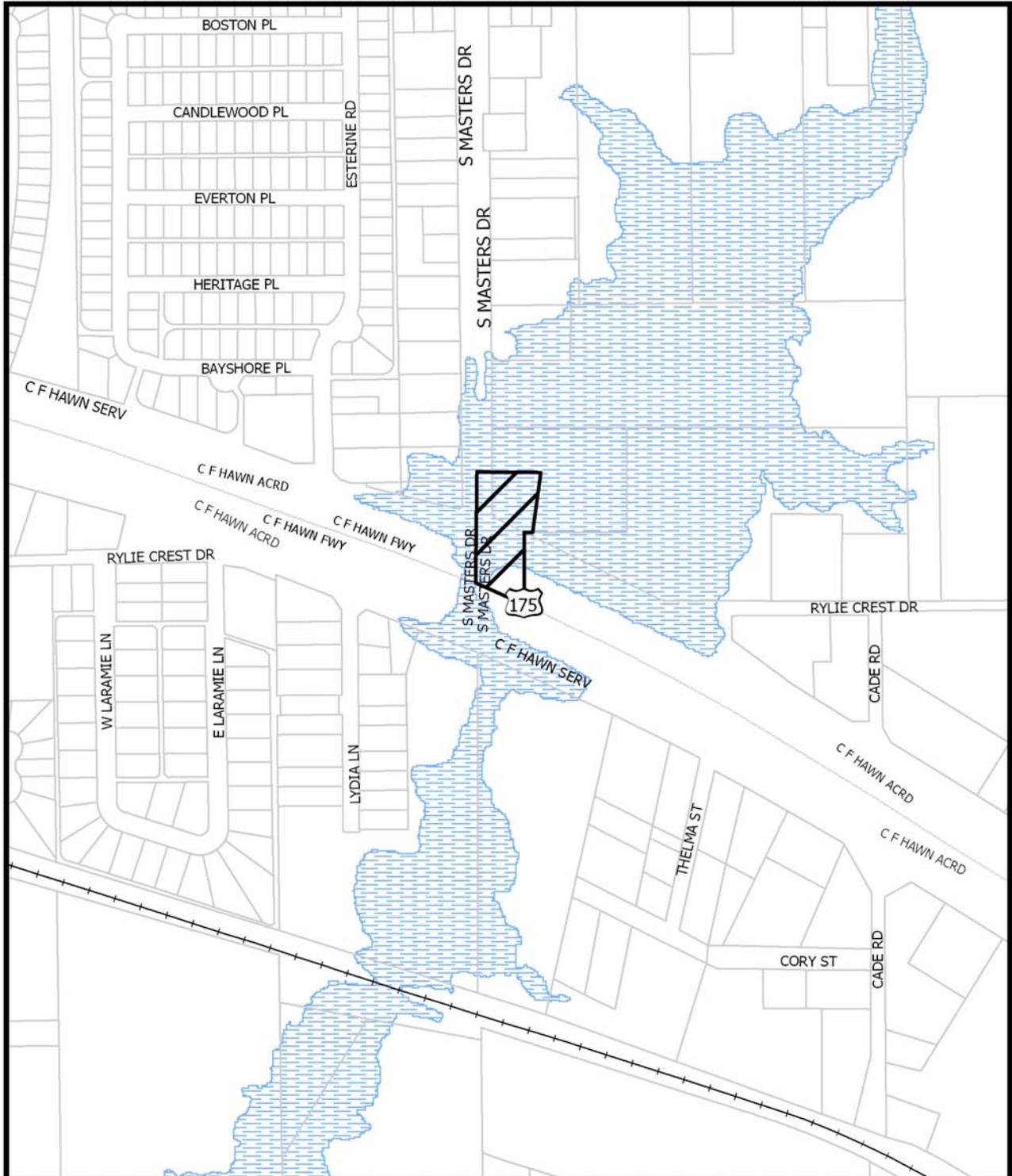
- Mohammed Jiwani      President
- Nooruddin Jivani      Officer
- Shiraz Jivani      Officer

**PROPOSED 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 less 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. DRIVE-THROUGH WINDOW: The general merchandise or food store may not utilize the drive-through window for retail sales. See Dallas City Code Section 51A-4.210(b)(13)(A).
5. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
6. PARKING: Off-street parking must be located as shown on the attached site plan.
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.

# PROPOSED SITE PLAN





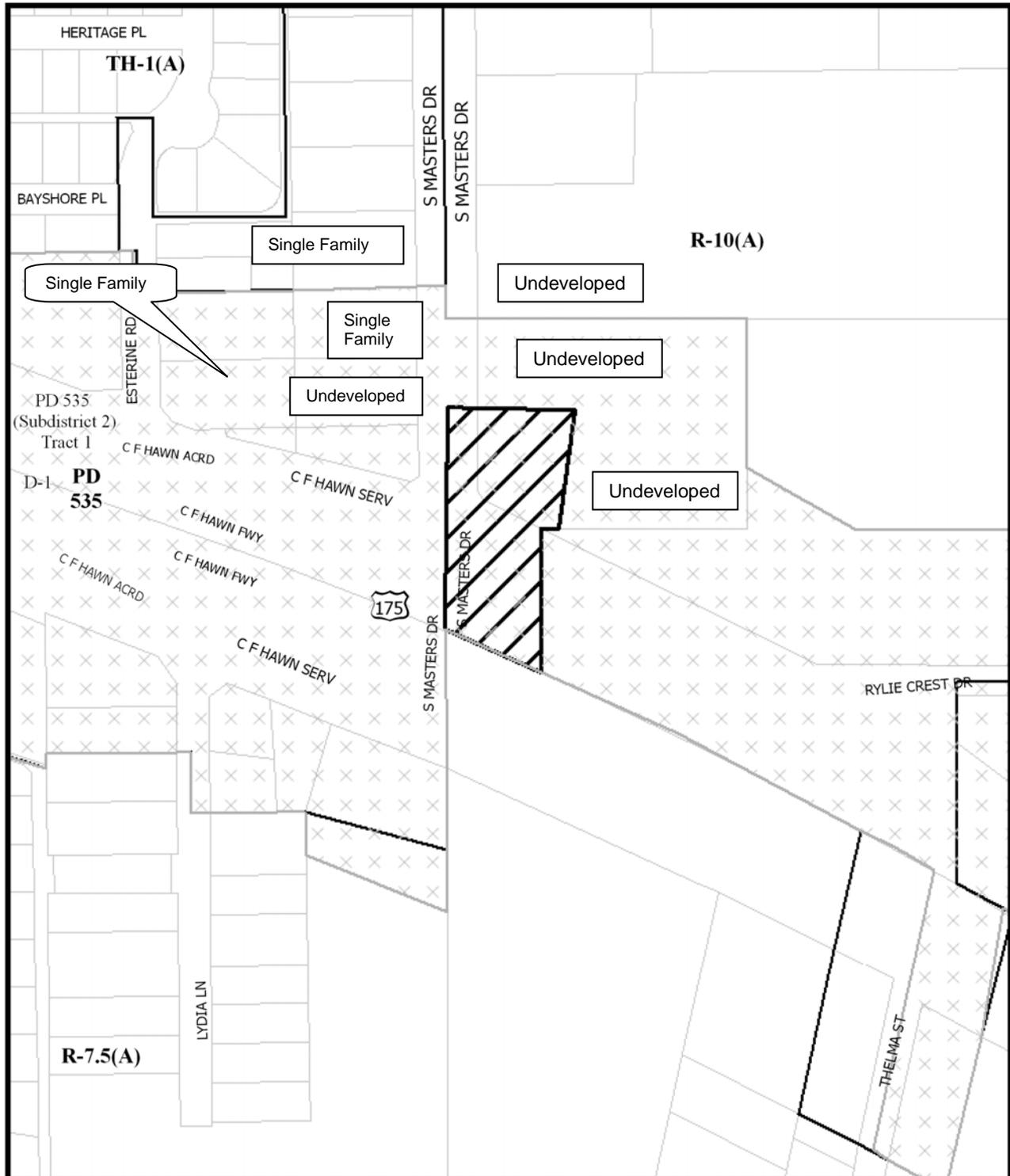
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# VICINITY MAP

Map no:           N-11          

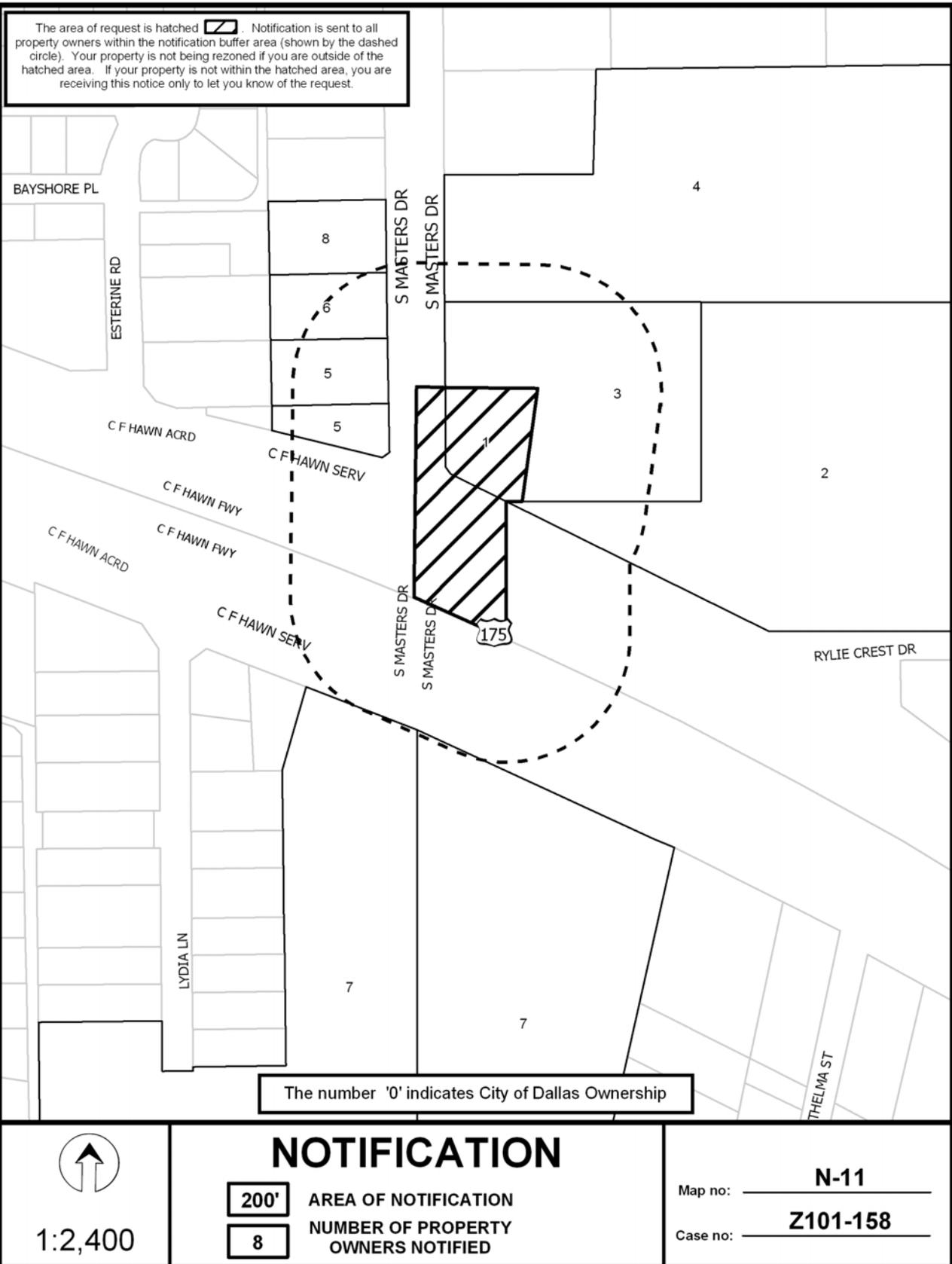
Case no:           Z101-158          

DATE: February 24, 2011



 1:2,400	<h1>ZONING AND LAND USE</h1>	Map no: <u>      N-11      </u> Case no: <u>      Z101-158      </u>
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DATE: February 24, 2011



DATE: February 24, 2011

## ***Notification List of Property Owners***

### **Z101-158**

#### **8 Property Owners Notified**

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	10201 C F HAWN	KAWAL FINANCIAL INC
2	10407 RYLIE CREST	RAHIMI ATA
3	720 MASTERS	OMILADE BETTY ETAL %BOBBY HICKS
4	650 MASTERS	PRATLEY JACK H ETAL
5	735 MASTERS	JIVWANI REAL ESTATE LLC
6	715 MASTERS	BEDOLLA GILBERTO JR
7	10300 C F HAWN	SHIREY GEORGE L & CAROL E
8	675 MASTERS	DIAZ FRANCISCO

***Thursday, February 24, 2011***

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z101-162(WE) **DATE FILED:** January 14, 2011

**LOCATION:** North line of Bruton Road between Jim Miller Road and Mack Lane

**COUNCIL DISTRICT:** 4 **MAPSCO:** 58-A

**SIZE OF REQUEST:** Approx. 14,810.4 sq. ft. **CENSUS TRACT:** 91.01

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**APPLICANT / OWNER:** Mehdi Rezaeizadeh

**REPRESENTATIVE:** MASTERPLAN  
Santos Martinez

**REQUEST:** An application for a D-1 Dry Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property zoned a CS-D Commercial Service District with a D Dry Liquor Control Overlay

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

**STAFF RECOMMENDATION:** Approval of a D-1 Dry Liquor Control Overlay and approval of a Specific Use permit for a two year time period 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 less than 3,500 square feet use, and a motor vehicle fueling station.
- 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 is prohibited in a D Dry Liquor Control Overlay and requires a specific use permit in the D-1 Dry Liquor Control Overlay.
- The surrounding land uses consist primarily of office/personal service uses, general merchandise store and several auto related uses on the northeast and southeast intersection of Bruton Road and Jim Miller Road. Properties, east of the request site, are single family uses.

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Bruton Road	Principal Arterial	100 ft.	100 ft.

**Land Use:**

	Zoning	Land Use
<b>Site</b>	CS-D	Service Station & general Merchandise store
<b>North</b>	CS-D	
<b>South</b>	CS-D	Auto related uses, General merchandise store, Church
<b>East</b>	R-7.5(A)	Undeveloped, Single Family
<b>West</b>	CS-D	Office, Auto related uses

**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 a Residential Neighborhood 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 approximately 14,810.4 square foot site is zoned a CS-D Commercial Service District with a D Dry Liquor Control Overlay and is currently developed with a general merchandise or food store less 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 Dry Liquor Control Overlay but requires a specific use permit in the D-1 Dry Liquor Control Overlay. The applicant is seeking an off-premise license.

The surrounding land uses consist primarily of office/personal service uses, general merchandise store and several auto related uses on the northeast and southeast intersection of Bruton Road and Jim Miller Road. Properties, east of the request site, are single family uses. A church use is located southeast, across Bruton Road, of the site and is located beyond the 300 foot distance of the general merchandise or food store. The distance is measured from the front door of the store to the front door of the church, along the right-of-way-lines.

The "D" Dry 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" Dry 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 adjacency to the residential uses may not adversely impact the surrounding area, because the proposed use is located on a major arterial. The initial short time period will also require that the request be reevaluated to ensure the use is compatible in this location.

**Development Standards:**

<b><u>DISTRICT</u></b>	<b><u>SETBACKS</u></b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
CS-D 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:** Landscaping of any development will be in accordance with Article X, as amended.

**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 9 spaces with 9 being provided per the attached site plan.

**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.

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
<a href="#">0019171-V</a>	01/19/2008	*BRUTON TOP MART	BURGLARY	07047		BRUTO...	332	1239	05131	
<a href="#">0021289...</a>	01/22/2009	*BURTON TOP MART	AGGRAVATED ASSAULT	07047		BRUTO...	315	1239	04162	06935
<a href="#">0023028-V</a>	01/23/2008	CUMMINGS,DAVID	THEFT	07047		BRUTO...	332	1239	06941	
<a href="#">0033805-Y</a>	02/07/2011	MARTINEZ, RAMON ABAD	THEFT	07047		BRUTO...	315	1239	06901	42020
<a href="#">0044540-V</a>	02/13/2008	SHARIF, MOHAMMAD	ASSAULT	07047		BRUTO...	332	1239	08192	
<a href="#">0097258-V</a>	04/02/2008	*TOP MART	THEFT	07047		BRUTO...	332	1239	06901	
<a href="#">0147350-X</a>	05/27/2010	GARCIA, JOSE	THEFT	07047		BRUTO...	315	1239	06901	
<a href="#">0173608...</a>	06/15/2009	*BRUTON FOOD MART	THEFT	07047		BRUTO...	315	1239	06934	
<a href="#">0183192...</a>	06/24/2009	AZIZ,AMGAD	ASSAULT	07047		BRUTO...	315	1239	08112	
<a href="#">0206007-V</a>	06/27/2008	*BRUTON FOOD MART	CRIMINAL MISCHIEF/VANDALI...	07047		BRUTO...	332	1239	14081	
<a href="#">0207449-V</a>	07/03/2008	AWADA,SAM	ACCIDENTAL INJURY - PUBLIC...	07047		BRUTO...	332	1239	33070	
<a href="#">0217257...</a>	07/24/2009	*BRUTON FOOD MART	ROBBERY	07047		BRUTO...	315	1239	03711	
<a href="#">0253947-X</a>	09/09/2010	*TOP FOOD MART	BURGLARY	07047		BRUTO...	315	1239	05328	
<a href="#">0453793-R</a>	06/15/2006	ALVARADO, SYLVIA	TRAFFIC MOTOR VEHICLE	07047		BRUTO...	324	1239	32090	
<a href="#">0647366-T</a>	09/06/2007	*TOP MART	ROBBERY	07047		BRUTO...	324	1239	03341	05127
<a href="#">0737417-T</a>	11/14/2007	*BRUTON FOOD MART	BURGLARY	07047		BRUTO...	332	1239	05128	

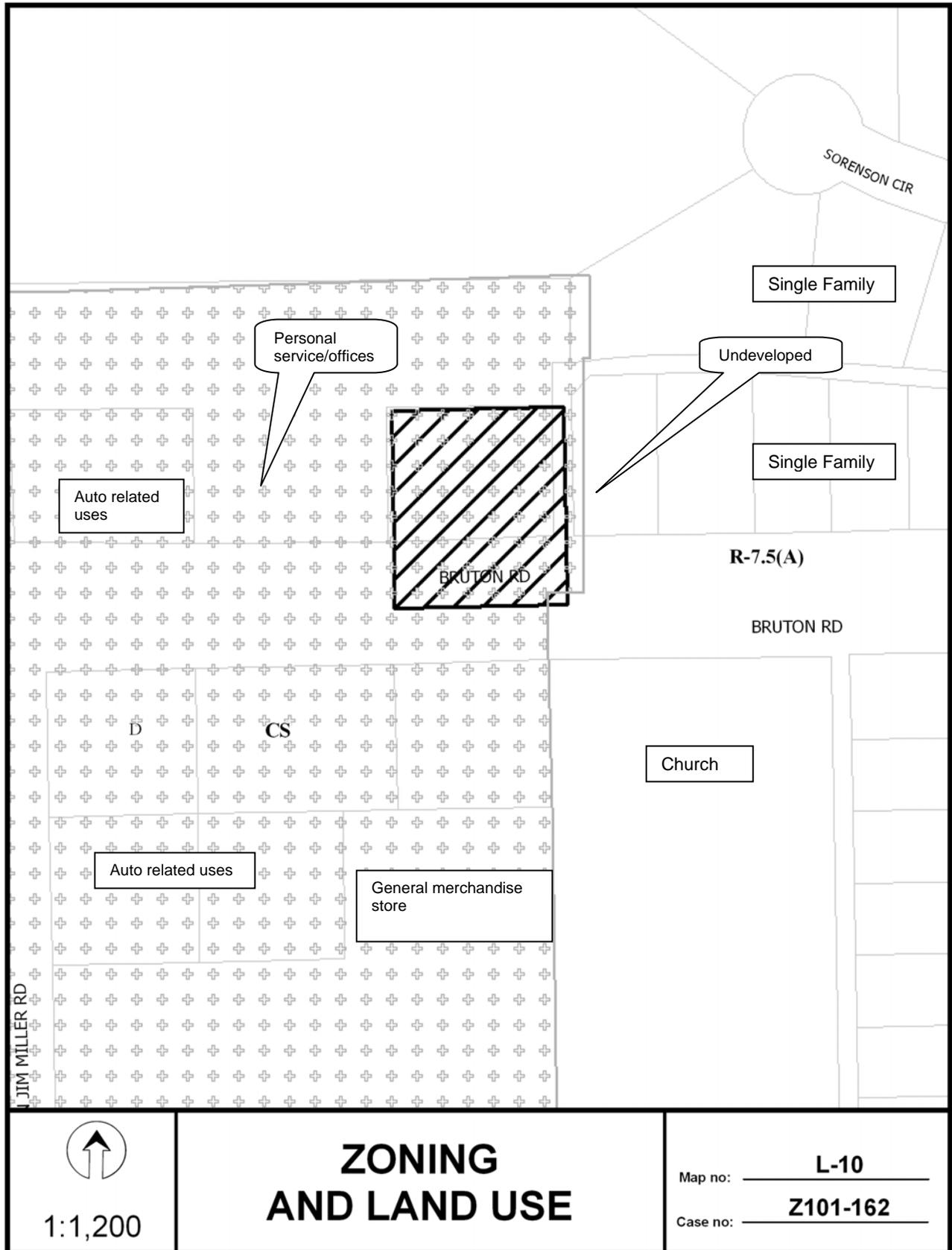
Page 2 of 2 (17 items)

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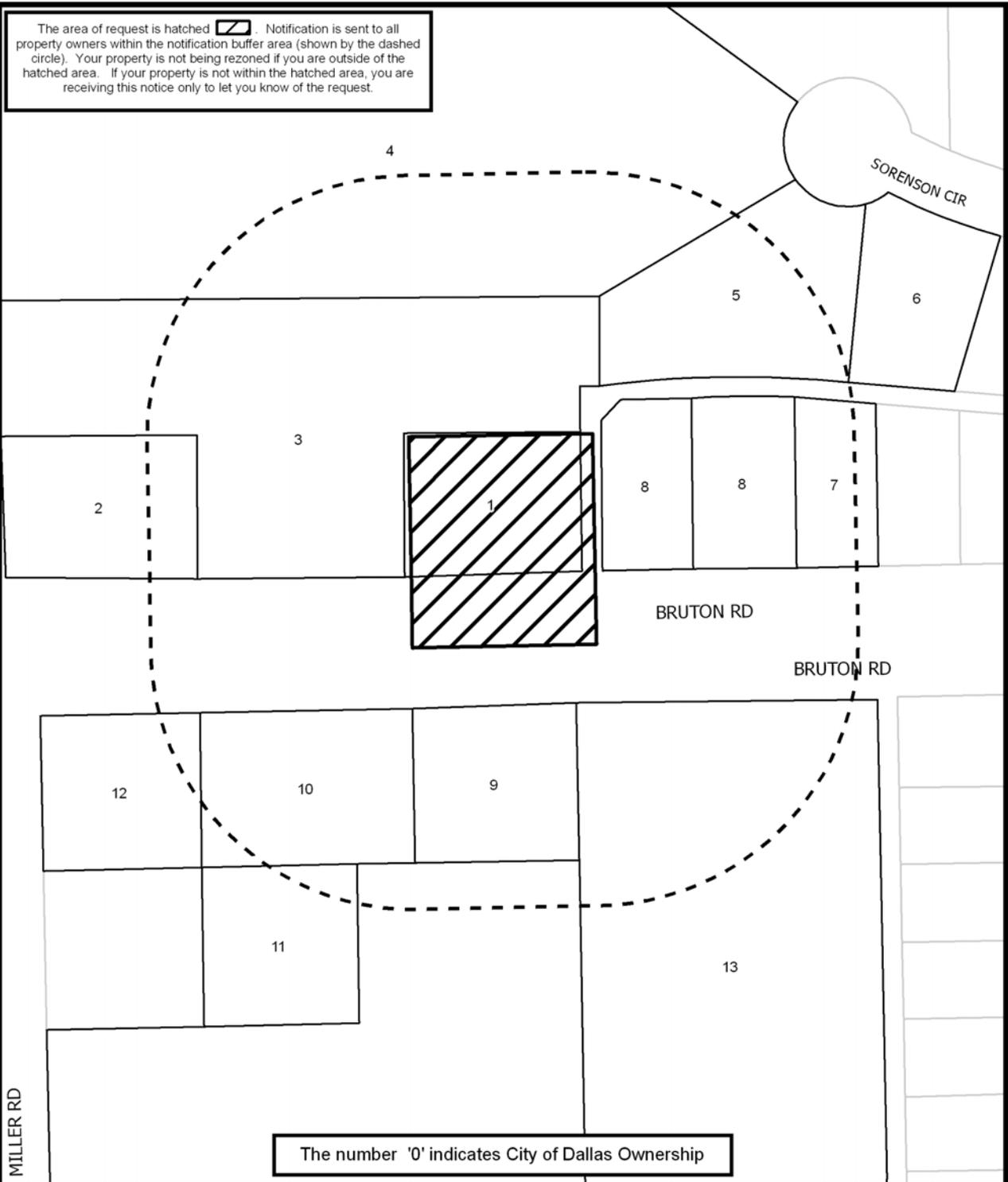
**PROPOSED SUP CONDITIONS**

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 less 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: Off-street 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.





DATE: February 23, 2011



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**

 AREA OF NOTIFICATION  
 NUMBER OF PROPERTY OWNERS NOTIFIED

Map no:           L-10            
 Case no:           Z101-162

## ***Notification List of Property Owners***

### **Z101-162**

#### **13    *Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	7047 BRUTON	ZADEH MASOUD REZAEI
2	7007 BRUTON	POLLMAN HAROLD A
3	7023 BRUTON	ANDREWS HERSHEL V
4	7102 SORENSON	PEET MARK CHARLES
5	7106 SORENSON	JENKINS LEE ROY
6	7114 SORENSON	SANCHES ANTONIO S
7	7115 BRUTON	CHRISTIAN LIZZIE FAYE
8	7109 BRUTON	HERNANDEZ RICARDO & EVA
9	7022 BRUTON	BLAKE CHARLES & JANET L
10	7010 JIM MILLER	MOSER PROPERTIES INC
11	2090 JIM MILLER	MOSER PROPERTIES INC
12	7000 BRUTON	SANTOS JUAN J
13	7110 BRUTON	CENTRO EVANGELISTICO JERUSALEN INC

***Wednesday, February 23, 2011***

**FILE NUMBER:** Z101-166 (MG)

**DATE FILED:** January 18, 2011

**LOCATION:** Northeast corner of Lawnview Avenue and Military Parkway

**COUNCIL DISTRICT:** 7

**MAPSCO:** 47 Q

**SIZE OF REQUEST:** Approx. 0.239 acres

**CENSUS TRACT:** 84.00

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**REPRESENTATIVE:** Santos Martinez - Masterplan

**APPLICANT/OWNER:** Mohammad Rahman

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

**SUMMARY:** The applicant proposes to sell alcohol for off-premise consumption in conjunction with the existing grocery store.

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

**BACKGROUND INFORMATION:**

- The request site is currently developed with an approximately 1,781 square foot general merchandise use (convenience store) and vehicle fueling station (gas station).
- The applicant proposes to sell alcohol for off-premise consumption in conjunction with the existing convenience store.
- The general merchandise use is permitted by right in the CR Community Retail District. The sale of alcoholic beverages on property regulated by the D-1 Liquor Control Overlay requires a specific use permit.

**Zoning History:**

There have been no recent zoning requests within the immediate vicinity.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Military Pkwy.	Principle	100 ft.	100 ft.
Lawnview Ave.	Major	60 ft.	60 ft.

**Land Use:**

	Zoning	Land Use
Site	CR-D-1	Commercial
North	CR-D-1	Commercial
South	LI/R-7.5(A)	Park
East	TH-3(A)	Single family
West	CR-D-1	Vacant

**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 Residential Neighborhood 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.

**Land Use Compatibility:**

The approximately 0.239 acre request site is zoned an CR Community Retail District with a D-1 Dry Liquor Control Overlay and is currently developed with an approximately 1,781 square foot convenience store and gas station. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which requires a Specific Use Permit in the D-1 Dry Liquor Control Overlay.

The "D" Dry 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" Dry 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 adjacent commercial uses are compatible with the existing and proposed use on the subject property. The applicant is proposing to maintain the convenience store and gas station. 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							
CR- existing Community Retail	15'	20' adjacent to residential OTHER: No Min.	NA	54'	60%	Proximity Slope Visual Intrusion	Business, community

**Parking/Traffic:**

The Dallas Development Code requires off-street parking to be provided for a general merchandise use at one space for each 200 square feet of floor. The request requires 9 spaces with 14 being provided per the attached site plan.

**Landscaping:**

Landscaping required per Article X of the Dallas Development Code.

# DPD Report

**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
<a href="#">0105677-X</a>	04/17/2010	GALLARDO,JOSE	FOUND PROPERTY	05936		MILITARYPKWY	315	1233	43020	
<a href="#">0200911-X</a>	07/17/2010	ORTEGA,FRANCISCO	ACCIDENTAL INJURY - PUBLIC PROPERTY	05936		MILITARYPKWY	315	1233	33070	
<a href="#">0328275-X</a>	11/29/2010	@CITY OF DALLAS	FOUND PROPERTY	05936		MILITARYPKWY	315	1233	43020	

Page 1 of 1 (3 items)

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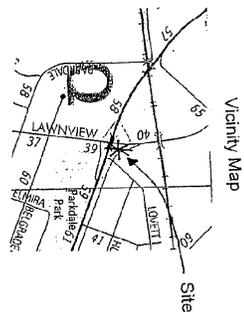
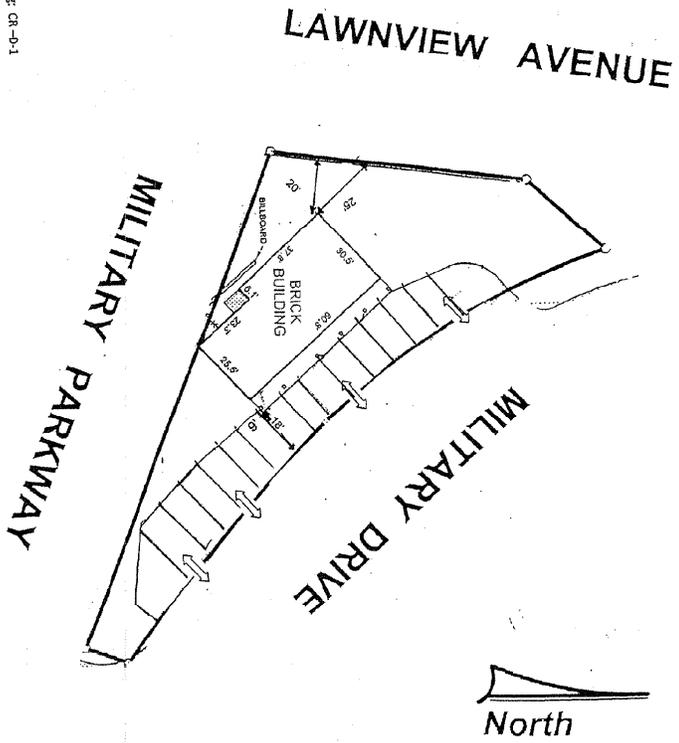
SUP Conditions

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 less 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 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.)
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.

# SITE PLAN

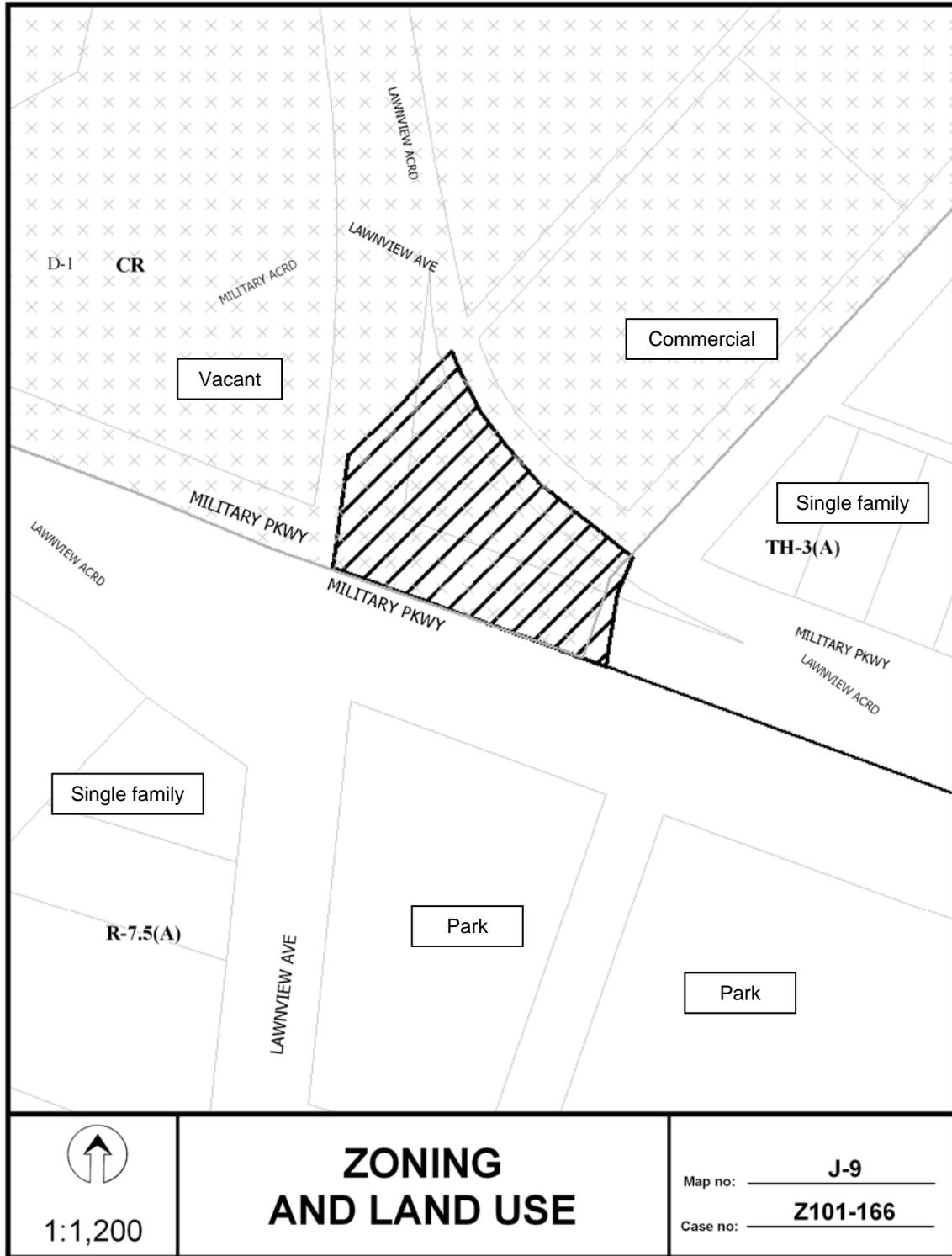
Site Summary  
 Existing Zoning: CR-D-1  
 Request: SUP for off premise alcohol sales  
 Lot size: 10410.84 square feet  
 Existing Building: 1780.98 square feet  
 Lot Coverage: 17 percent  
 Required Parking: 9  
 Provided Parking: 9 (delta credits)

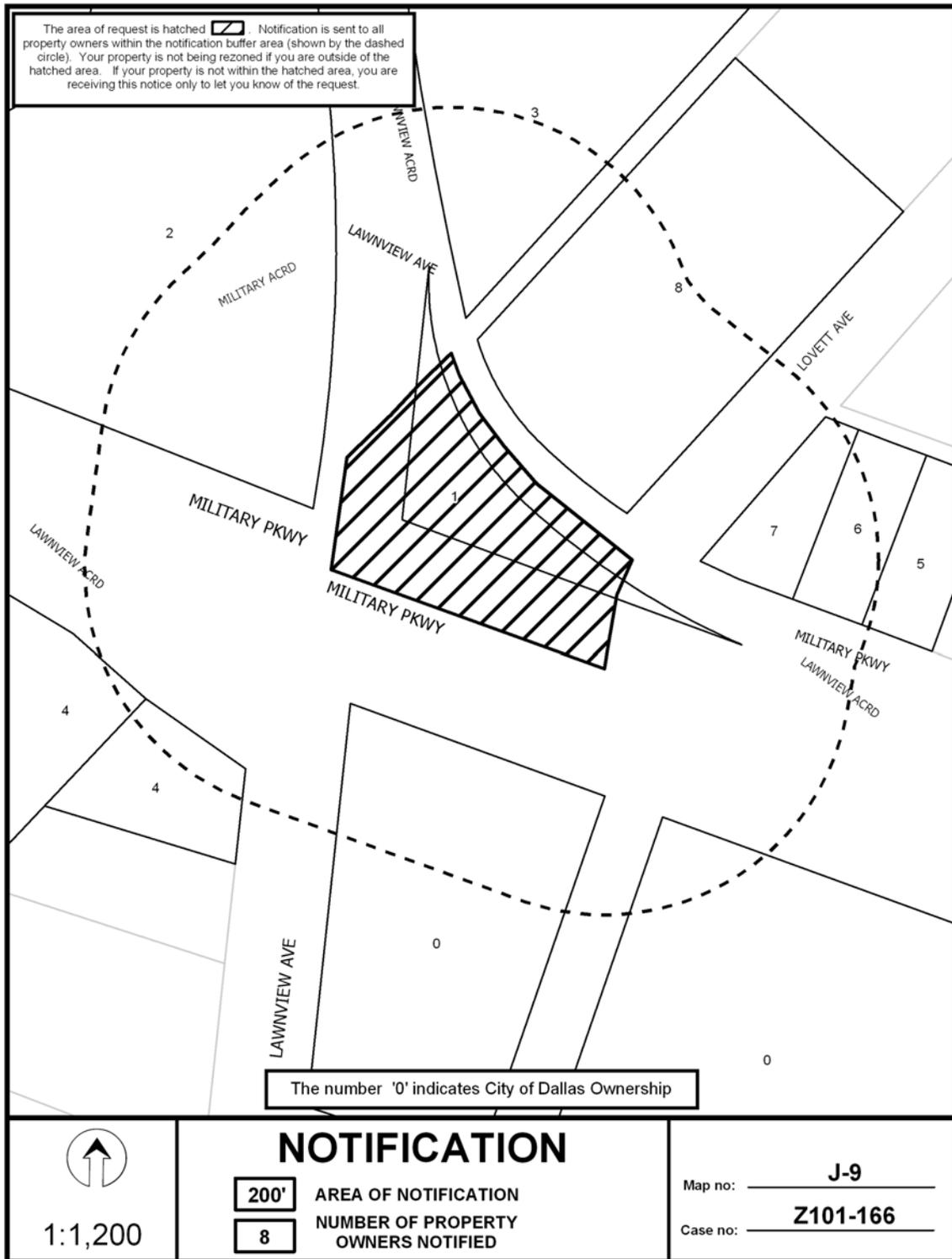
Scale: 1"=30'



Site Plan  
 Z101-166







Z101-166

Page 1 of 1  
3/10/2011

## ***Notification List of Property Owners***

***Z101-166***

### ***8 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5936 MILITARY	HOSSAIN KHANDAKER A & MILITARY QUICK STOP
2	5800 MILITARY	County of Dallas ATTN COUNTY CLERK
3	5800 MILITARY	MCELROY JOSEPH III
4	3933 LAWNVIEW	HICKS ATHENS
5	6013 MILITARY	WALKER MICKIE DUAN % JACKIE WALKER
6	6009 MILITARY	CHAVEZ JUANA
7	6003 MILITARY	IBARRA JOSE
8	5901 LOVETT	MILITARY LOVETT LP

***Thursday, March 10, 2011***

**FILE NUMBER:** Z101-151 (JH)

**DATE FILED:** January 7, 2011

**LOCATION:** Southeast corner of S. Buckner Boulevard and Alto Garden Drive

**COUNCIL DISTRICT:** 5

**MAPSCO:** 58-L

**SIZE OF REQUEST:** Approx. 0.45 acres

**CENSUS TRACT:** 92.02

---

**REPRESENTATIVE:** Parvez Malik, Business Zoom

**APPLICANT:** Nimesh Gajera

**OWNER:** Suhani Corp. Inc

**REQUEST:** An application for a D-1 Dry Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less on property zoned Subdistrict 2 within Planned Development District No. 366 with a D Dry Liquor Control Overlay.

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

**STAFF RECOMMENDATION:** Approval of the D-1 Dry Liquor Control Overlay and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise use 3,500 square feet or less 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 3,500 square feet or less use and a motor vehicle fueling station.
- The proposed use is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.

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

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW
Buckner Boulevard	Principal 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 0.45-acre request site is zoned Planned Development District No. 366 Subarea 2 with a D Dry Liquor Control Overlay and is currently developed with a general merchandise or food store 3,500 square feet or less 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 Dry Liquor Control Overlay but requires a specific use permit in the D-1 Dry Liquor Control Overlay.

The adjacent land uses are single family residential to the north, northeast and northwest; retail uses to the north; vehicle display, sales, or service uses to the north and southeast; undeveloped to the south; and vehicle or engine repair or maintenance to the west. Two school athletic facilities are located to the east of the request site. While a public or private school is a protected use in Chapter 6 of the Dallas Code, properties containing facilities such as stadiums, stand-alone parking lots, or bus maintenance facilities are not considered a school property for the purposes of Chapter 6.

The "D" Dry 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" Dry 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 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					
<b>Existing</b>							
PDD 366 Sub 2-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 15 spaces with 12 being provided per the attached site plan. The applicant will be required to satisfy the parking deficiency per Code before issuance of a building permit, alcohol measurement certification, or certificate of occupancy.

**Landscaping:**

Landscaping required per PDD No. 366.

Z101-151(JH)

**List of Partners/Principals/Officers**

Suhani Corportation, Inc.

Doing Business As: Kwik Mart Valero

Nimesh Gajera, President / Secretary

Hetal Gajera, Vice President / Treasurer

DPD Report

**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
<a href="#">0004975-X</a>	01/05/2010	*QUANTA UTILITY SERVIC...	THEFT	01044	S	BUCKNERB...	336	2202	069E1	
<a href="#">0015285-R</a>	01/06/2006	JEFFERSON, OPAL	ROBBERY	01044	S	BUCKNERB...	353	2202	03A11	
<a href="#">0019483-Y</a>	01/23/2011	*VALERO GAS STATION	THEFT	01044	S	BUCKNERB...	336	2202	06933	
<a href="#">0019915-W</a>	12/03/2008	SMITH, CHARLOTTE	LOST PROPERTY	01044	S	BUCKNERB...	336	2202	42020	
<a href="#">0073383-X</a>	03/12/2010	JOHNSON, DIANE	OTHER OFFENSES	01044	S	BUCKNERB...	336	2202	26000	
<a href="#">0096690-X</a>	04/09/2010	*KWIK MART	CRIMINAL MISCHIEF/VAND...	01044	S	BUCKNERB...	336	2202	14081	
<a href="#">0107101-X</a>	04/18/2010	*KWIK MART	CRIMINAL MISCHIEF/VAND...	01044	S	BUCKNERB...	336	2202	14081	
<a href="#">0110373-X</a>	04/22/2010	*KWIK MART STORE	BURGLARY	01044	S	BUCKNERB...	336	2202	05191	
<a href="#">0198313-T</a>	03/22/2007	@CITY OF DALLAS	FOUND PROPERTY	01044	S	BUCKNERB...	353	2202	43020	
<a href="#">0215200-X</a>	08/01/2010	*KWIK MART VALERO	ROBBERY	01044	S	BUCKNERB...	336	2202	03342	06945
<a href="#">0247100-X</a>	09/03/2010	*KWIK MART	CRIMINAL MISCHIEF/VAND...	01044	S	BUCKNERB...	336	2202	14081	
<a href="#">0260823-X</a>	09/16/2010	*KWIK MART	THEFT	01044	S	BUCKNERB...	336	2202	06902	
<a href="#">0260926-P</a>	04/06/2005	*KWIK MART	CRIMINAL MISCHIEF/VAND...	01044	S	BUCKNERB...	353	2202	14082	
<a href="#">0260980-P</a>	04/06/2005	*KWIK MART	CRIMINAL MISCHIEF/VAND...	01044	S	BUCKNERB...	353	2202	14092	
<a href="#">0390955-T</a>	05/28/2007	*KWIK MART	BURGLARY	01044	S	BUCKNERB...	353	2202	05132	

Page 1 of 2 (20 items)

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Search Records - Offense Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
<a href="#">0437299-T</a>	06/12/2007	*KWIK MART	BURGLARY	01044	S	BUCKNERB...	353	2202	05133	
<a href="#">0566472-R</a>	07/26/2006	*KWIK MART	ROBBERY	01044	S	BUCKNERB...	353	2202	03411	
<a href="#">0568794-T</a>	07/29/2007	*KWIK MART	CRIMINAL MISCHIEF/VAND...	01044	S	BUCKNERB...	353	2202	14081	
<a href="#">0700891-T</a>	10/26/2007	*KWIK MART VALERO	CRIMINAL MISCHIEF/VAND...	01044	S	BUCKNERB...	334	2202	14092	
<a href="#">0856873-P</a>	10/24/2005	MARTIN, FRANCIS	LOST PROPERTY	01044	S	BUCKNERB...	353	2202	42020	

Page 2 of 2 (20 items)

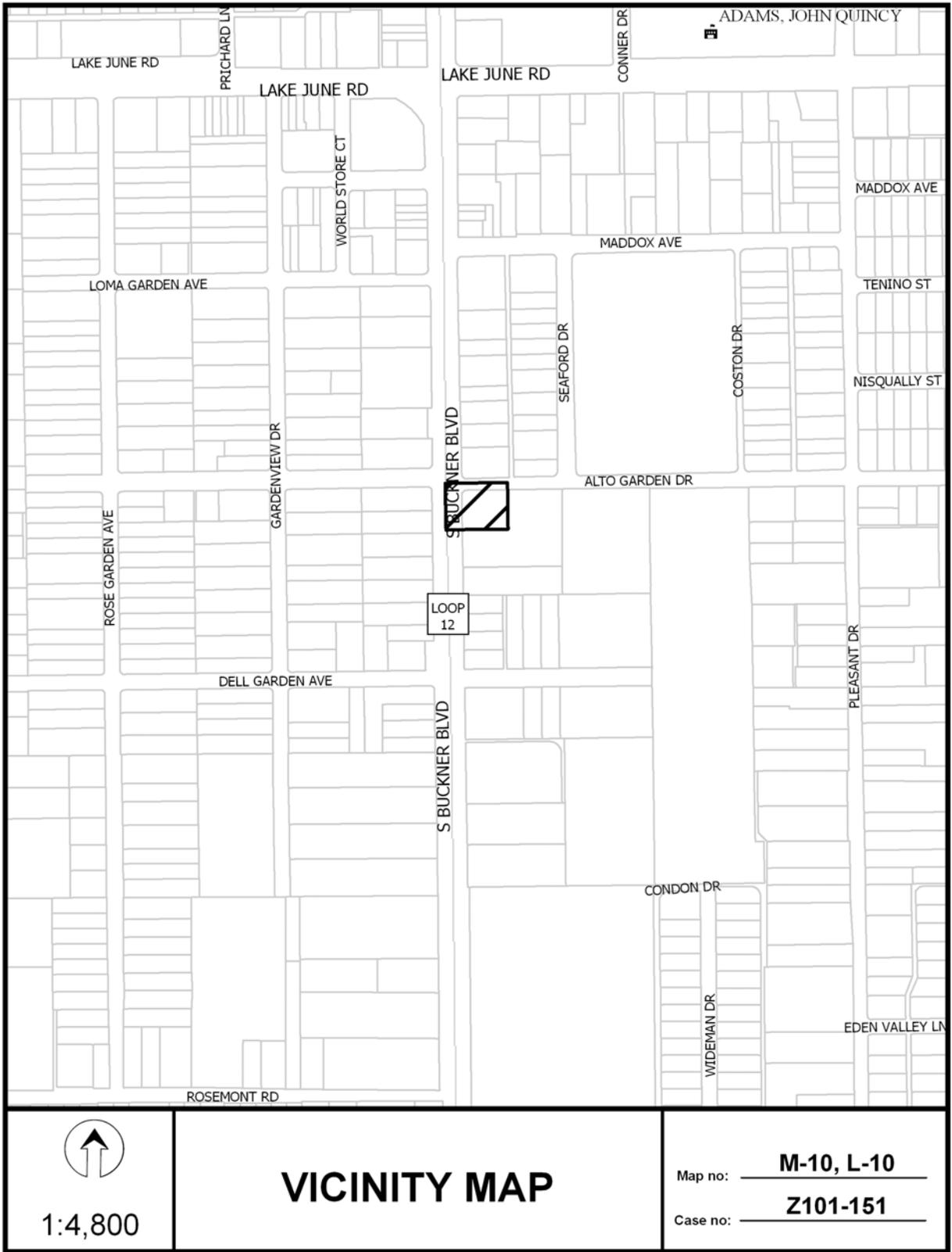
AgencyWeb® All rights reserved. ©2009 Orion Communications, Inc.

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 3,500 square feet or less.
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 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. PARKING: A minimum of 15 off-street parking spaces must be provided before issuance of a building permit, alcohol measurement certification, or certificate of occupancy.
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.



Z101-151(JH)

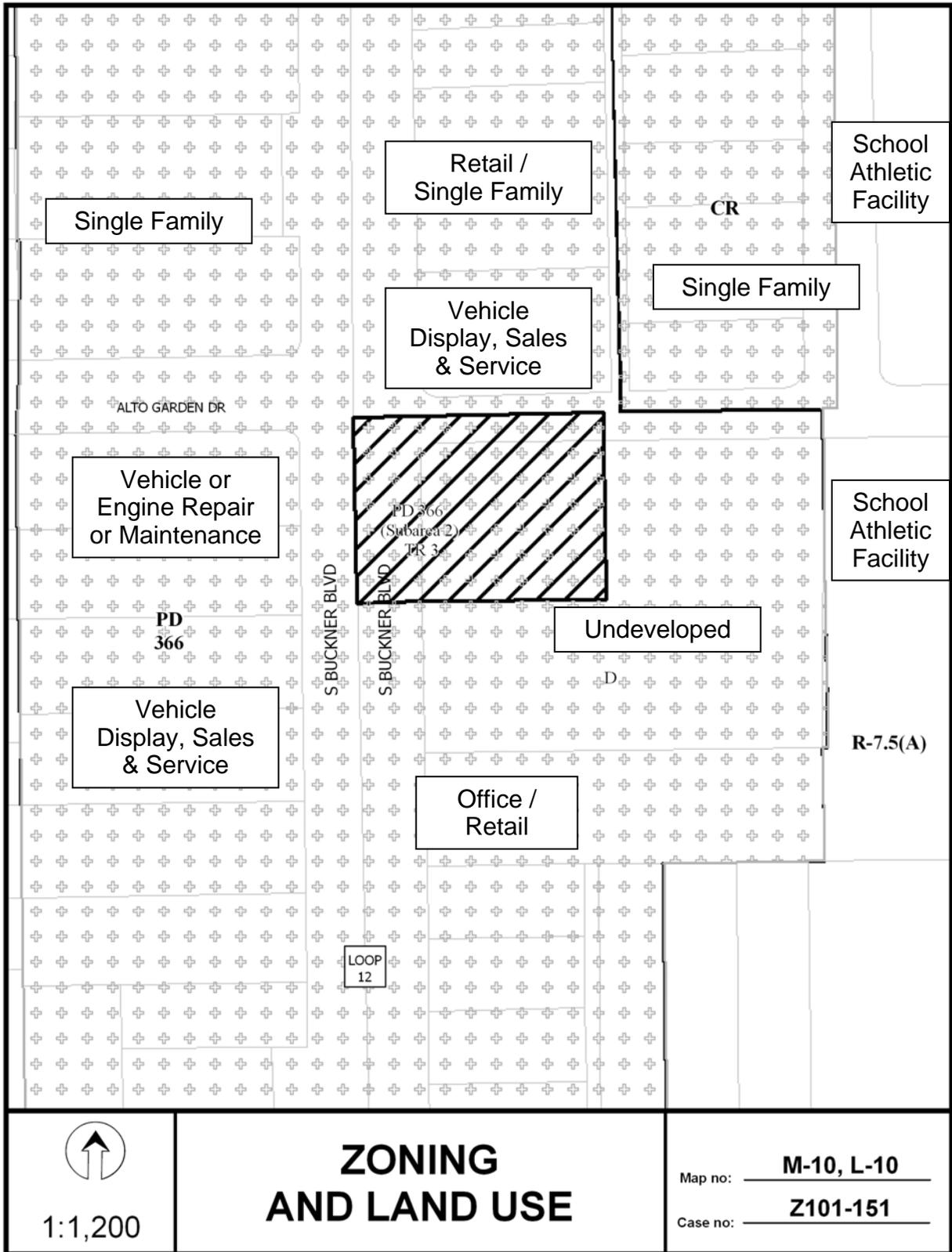


1:4,800

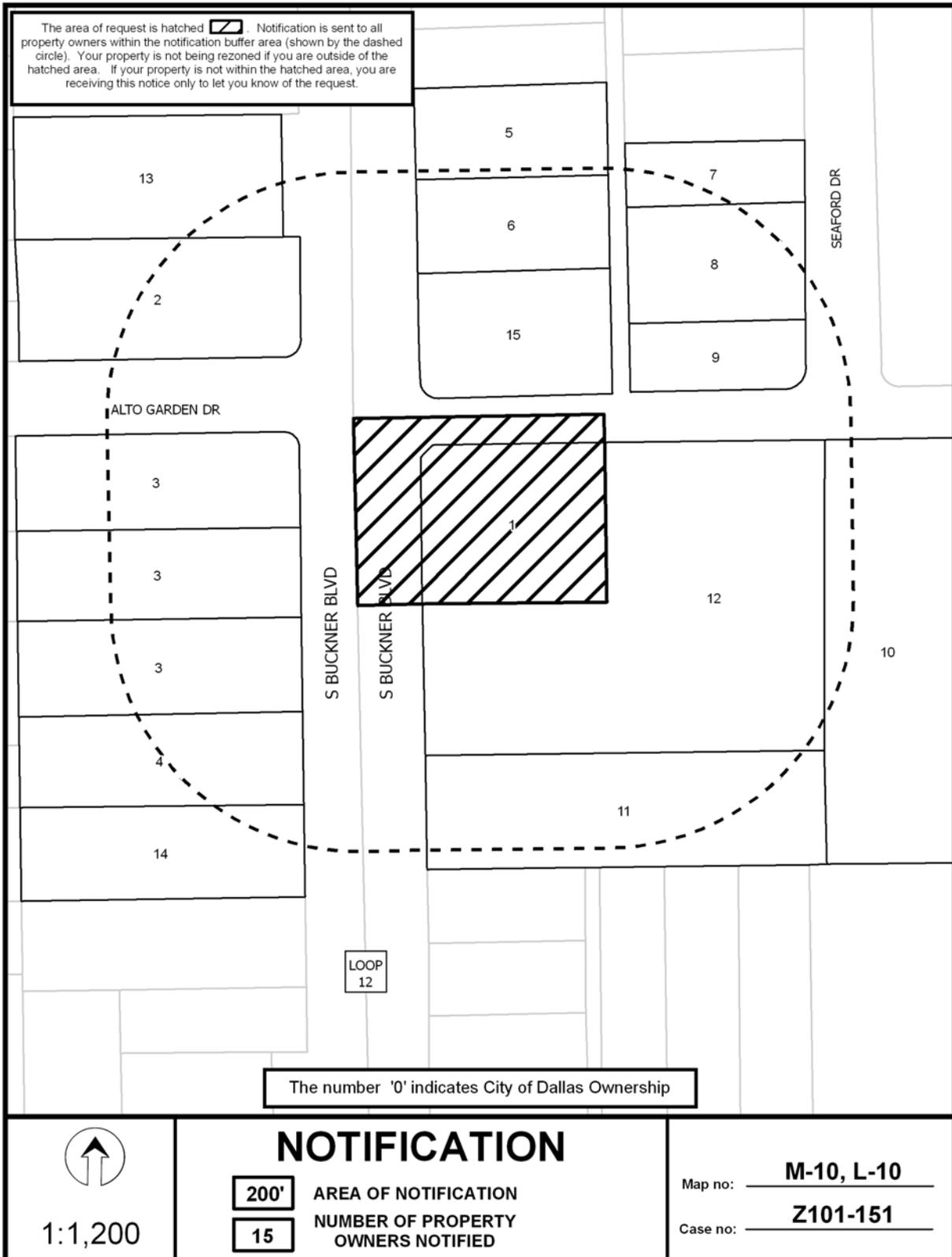
### VICINITY MAP

Map no: M-10, L-10  
Case no: Z101-151

DATE: February 07, 2011



DATE: February 07, 2011



DATE: February 07, 2011

## Notification List of Property Owners

### Z101-151

#### 15 Property Owners Notified

Label #	Address	Owner
1	1044 BUCKNER	SUHANI CORP INC
2	1105 BUCKNER	OCAMPO MARIA M
3	1045 BUCKNER	JELAINE INC
4	1025 BUCKNER	MARTINEZ ROGELIO E
5	1114 BUCKNER	DELEON RAQUEL G
6	1110 BUCKNER	DE LEON RAQUEL G
7	1113 SEAFORD DR	MARTINEZ IGNACIO
8	1105 SEAFORD DR	SANCHEZ VICTORIA
9	1101 SEAFORD DR	HURTADO GUADALUP & MARTHA
10	8204 ALTO GARDEN	Dallas ISD
11	1024 BUCKNER	MARTINEZ FERNANDO
12	1034 BUCKNER	AMADOR VASQUEZ REAL ESTATE, LLC
13	1115 BUCKNER	MARSAW CARLA D
14	1021 BUCKNER	SALAZAR MARCIAL
15	1102 BUCKNER	M J AUTO SALES INC

**FILE NUMBER:** Z101-147(MAW)

**DATE FILED:** December 21, 2010

**LOCATION:** Northeast corner of Joseph Hardin Drive and Mint Way

**COUNCIL DISTRICT:** 3

**MAPSCO:** 62-M

**SIZE OF REQUEST:** ±6.85 ac

**CENSUS TRACT:** 165.01

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**APPLICANT/REPRESENTATIVE:** American Cat Con, Inc.

**OWNER:** RCI Redbird LLC

**REQUEST:** An application for a Specific Use Permit for a recycling buy-back center on property zoned an IR Industrial Research District.

**SUMMARY:** The applicant proposes to utilize a ±6,626-square foot suite within an existing building to operate a recycling buy-back center.

**STAFF RECOMMENDATION:** Approval for a two-year time period, subject to a site plan and conditions.

**BACKGROUND INFORMATION:**

- Pursuant to Section 51A-4.213 of the Dallas City Code, a recycling buy-back center is a facility wholly enclosed within a building, or an automatic collection machine, used for the collection and temporary storage of recyclable materials.
- The ±6.85-acre site is developed with two one-story, ±73,968-square foot masonry buildings, ±6,626-square feet of which is proposed for use as a recycling buy-back center.
- In 2004, a Certificate of Occupancy (CO) for an office showroom/warehouse use was issued for the request site. Since that time, the applicant has utilized the referenced ±6,626-square foot portion of the site for the purchase and storage of spent catalytic converters with no additional processing performed on the site.
- Pursuant to Chapter 40B of the Dallas City Code, the applicant has, in the past, held a Secondary Metal Recyclers License (SMRL) issued by the Dallas Police Department (DPD). As the applicant prepared for renewal of the SMRL in May/June 2010, they were informed by Code Compliance that the certificate of occupancy issued for an office showroom/warehouse was incorrect for the use and needed to be amended to recycling buy-back center. To obtain an amended certificate of occupancy, the applicant will need a specific use permit.
- The request site is located within an existing industrial park and is surrounded by industrial uses.

**Zoning History:**

<b>1.</b>	<b>Z090-246:</b>	On January 4, 2011, Specific Use Permit No. 1610 for a commercial motor vehicle parking use on property zoned an IR Industrial Research District was automatically renewed for an additional five-year time period.
	<b>Z056-133:</b>	On February 22, 2006, the City Council approved a specific use permit for a commercial motor vehicle parking use on property zoned an IR Industrial Research District.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Mint Way	Local Street	60 feet
Joseph Hardin Drive	Community Collector	60 feet

**Land Use:**

	Zoning	Land Use
<b>Site</b>	IR	Industrial (inside)
<b>North</b>	IR	Industrial (inside)
<b>East</b>	IR	Industrial (inside)
<b>South</b>	IR; IM	Industrial (inside)
<b>West</b>	IR	Industrial (inside)

**Area Plans:**

The request site is within the Redbird Subarea of the *Southwest Dallas Land Use Study Phase Two (June 1988)*. Furthermore, the request site is within an established industrial area as depicted on the study's *Map 4: Industrial Areas*. The study recommends that existing industrial developments in this area be encouraged to be maintained, updated and to expand where possible.

**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 Vision Illustration depicts the request site as within an *industrial area*. Typically, industrial 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.

The applicant's proposal to provide an industrial use at this location is consistent with the following goals and policies of the 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.

## **ENVIRONMENT ELEMENT**

GOAL 6.6 Increase recycling and conservation of renewable resources

Policy 6.6.1 Increase recycling and composting

## **STAFF ANALYSIS:**

### **Land Use Compatibility:**

The ±6.85-acre site is zoned IR Industrial Research District and is developed with two one-story, ±73,968-square foot masonry buildings. The request site is located within an existing industrial park and is surrounded by industrial uses.

If approved, the primary business conducted at the recycling buy-back center will continue to be the purchase and temporary storage of catalytic converters. The material will be stored in Gaylord boxes (triple wall cardboard boxes approximately 3.5'x3.5'x3.5' in size) until enough material has accumulated to fill a tractor trailer unit. At that time the material will be transported to the company's primary processing facility in Buda, Texas. In addition, the applicant intends to expand their business model to include the purchase and temporary storage of automotive starters, alternators and aluminum wheel rims at this location. This material will also be shipped to the Buda location for processing or sale. Other than some minor trimming to fit the material into Gaylord boxes, no processing will occur on the site.

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.

The applicant’s request complies with the general provisions for consideration of an SUP. Therefore, staff recommends approval for a two-year period, subject to a site plan and conditions. It is noted that, pursuant to Section 51A-4.213 of the Dallas City Code, no SUP for a recycling buy-back center may be granted for more than an two-year time period.

**Development Standards:**

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/retail 0.5 retail	110' 8 stories	80%	Residential Proximity Slope	Industrial, wholesale distribution & storage, supporting office & retail

**Traffic:**

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

**Parking:**

Pursuant to §51A-4.213 of the Dallas Development Code, the off-street parking requirement for a recycling buy-back center is one (1) space for each 500 square feet of floor area. Therefore, the proposed 6,626 square feet of floor area will require a total of 13 parking spaces.

**Landscaping:**

Any new development on the property will require landscaping per Article X of the Dallas Development Code.

**Dallas Police Department:**

The Dallas Police Department requires a Secondary Metal Recyclers License (SMRL) for a recycling buy-back center. The SMRL must be renewed annually. Per the Dallas police Department (DPD), the applicant’s SMRL expired on June 19, 2010; they chose not to renew it since they must first obtain a specific use permit. However, in the past, the applicant has renewed their SMRL in a timely manner. The DPD has indicated that there have not been concerns regarding the applicant in the past.

**List of Partners/Principals/Officers**

**American Cat Con, Inc.**

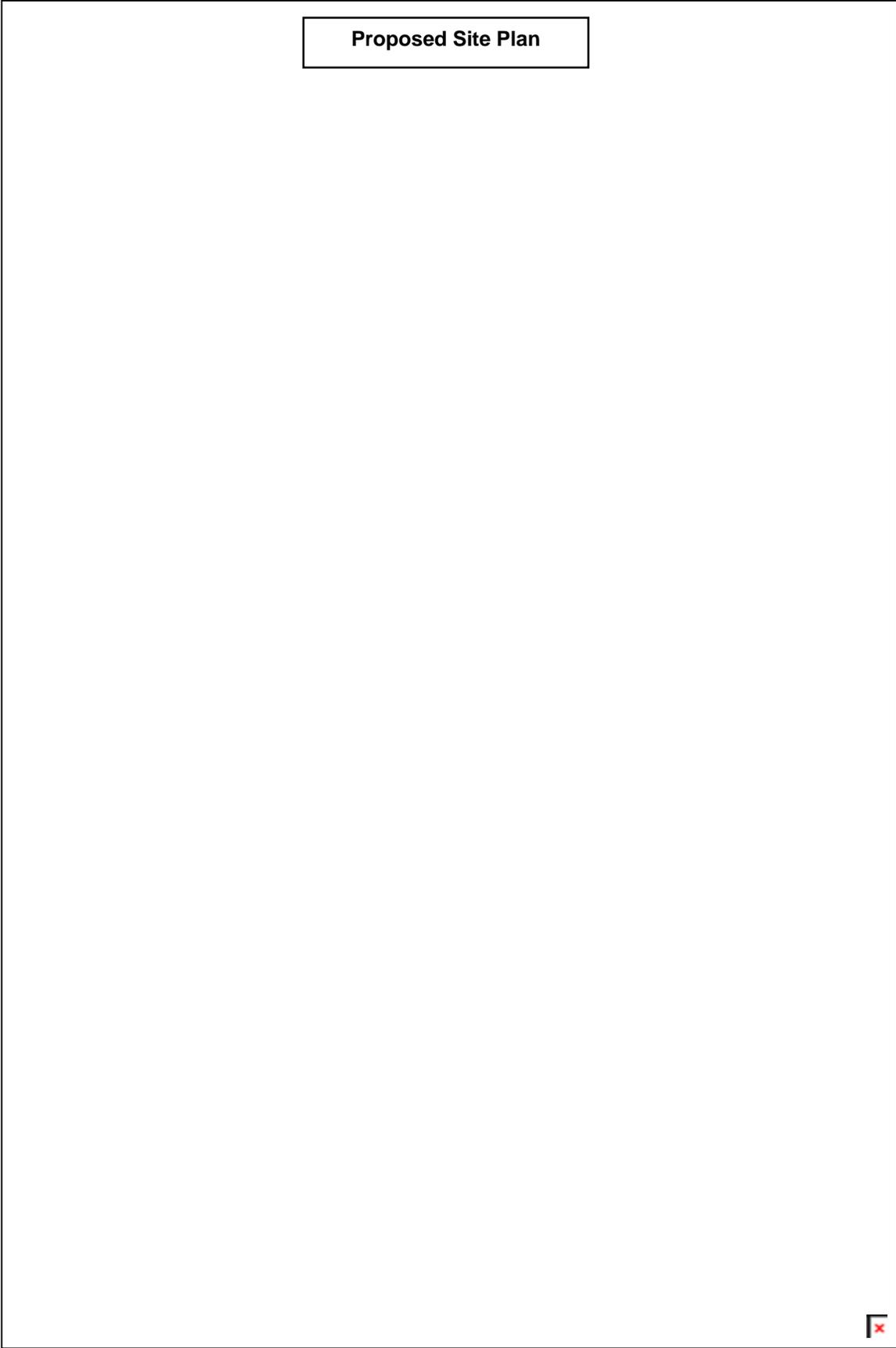
- Carlos E. Agüero: Founder
- Michael J. Drury: Executive Vice President and Director
- Arnold S. Graber: Executive Vice President, General Counsel and Secretary
- Eric W. Finlayson: Senior vice President and Chief Executive Officer
- David DelBianco: Vice President of Business Development
- Kevin Whalen Vice President and Corporate Controller

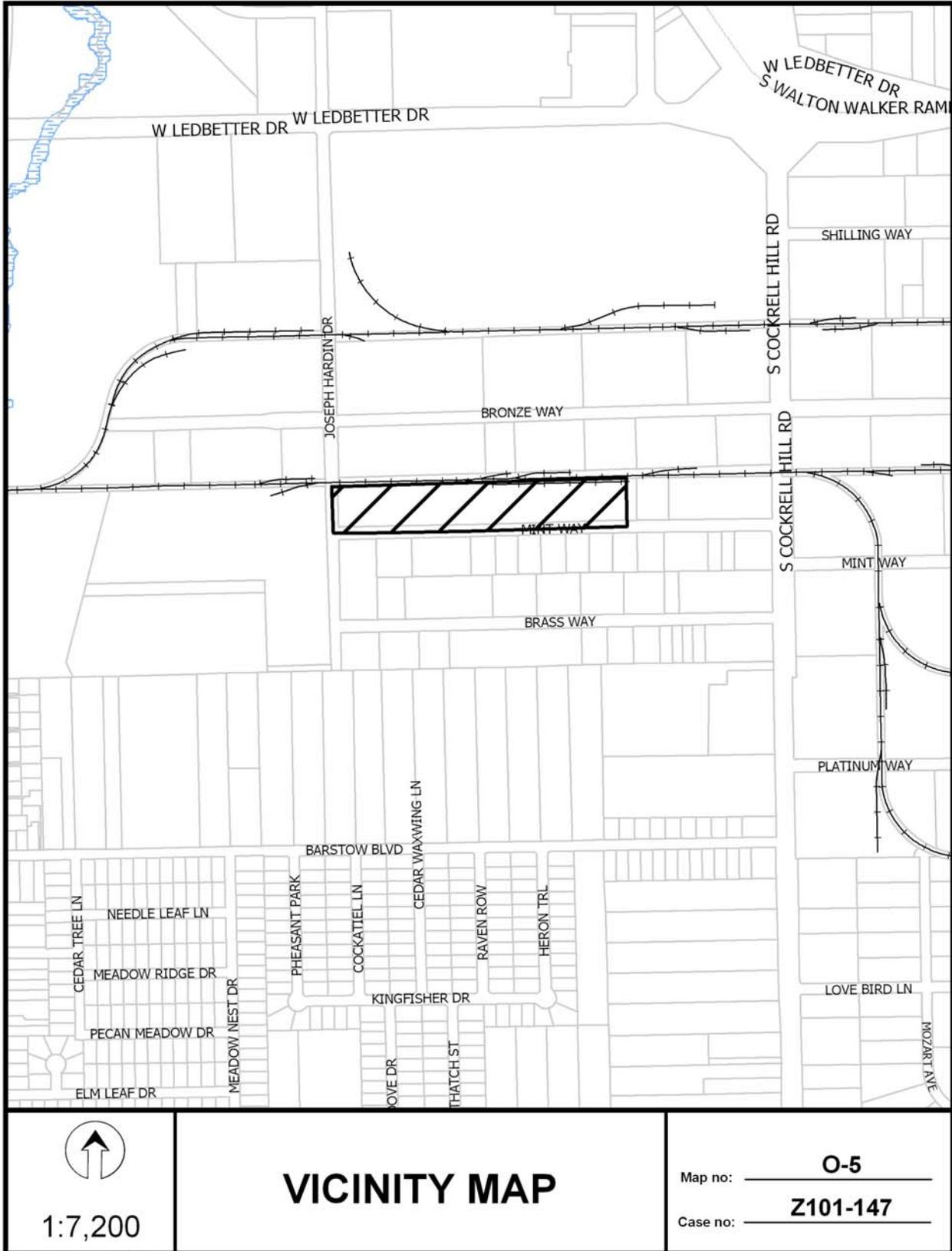
**The Garrett Group (owner and property manager of RCI Redbird LLC)**

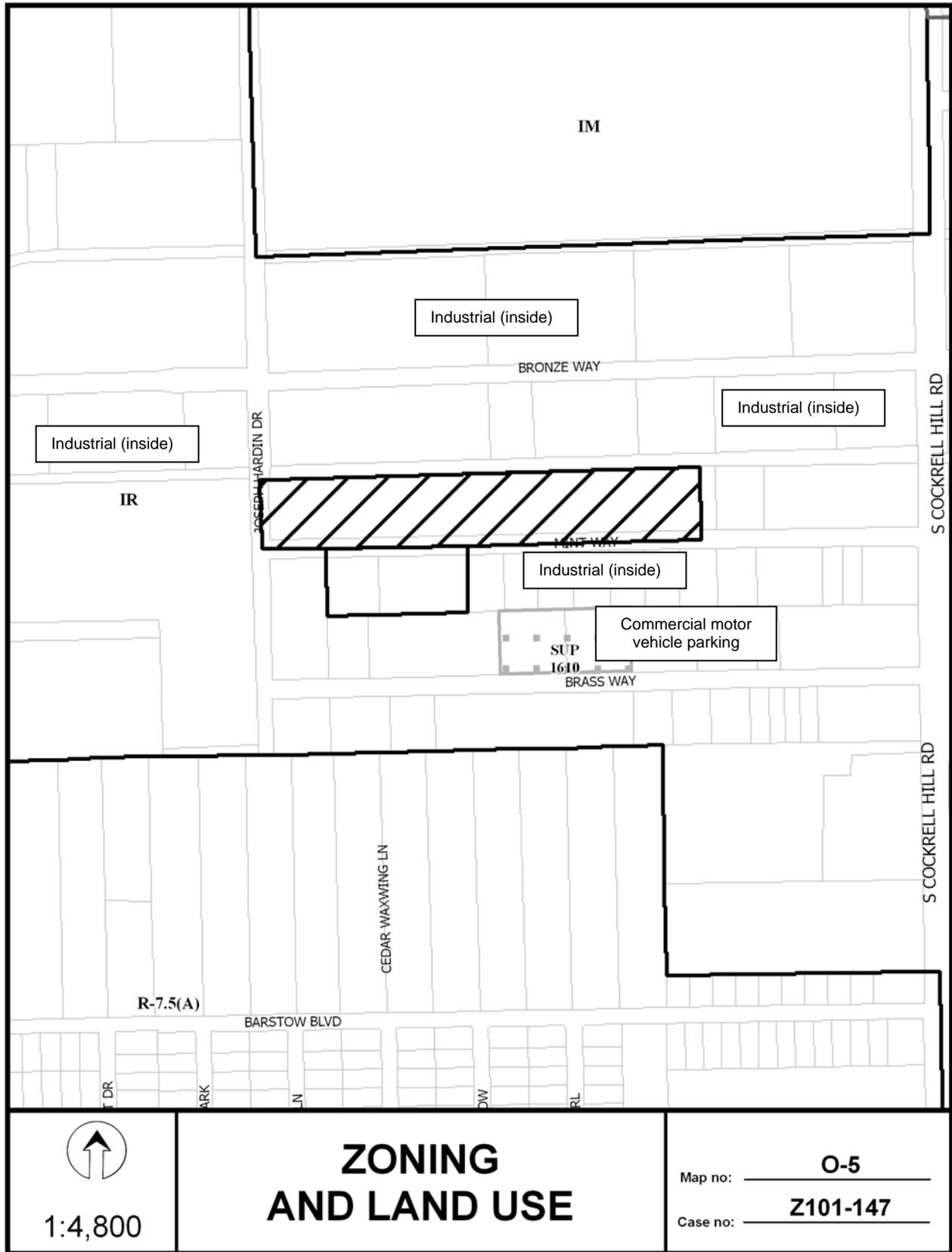
- Paul Goldring Garrett, Chairman
- Kirk Wright, Chief Executive Officer
- William Whinna, Chief Financial Officer
- Martin A. Weiss, J.D., LLM, General Counsel
- Stephen Kink, Chief Operating Officer

**Z101-147**  
**Proposed SUP Conditions**

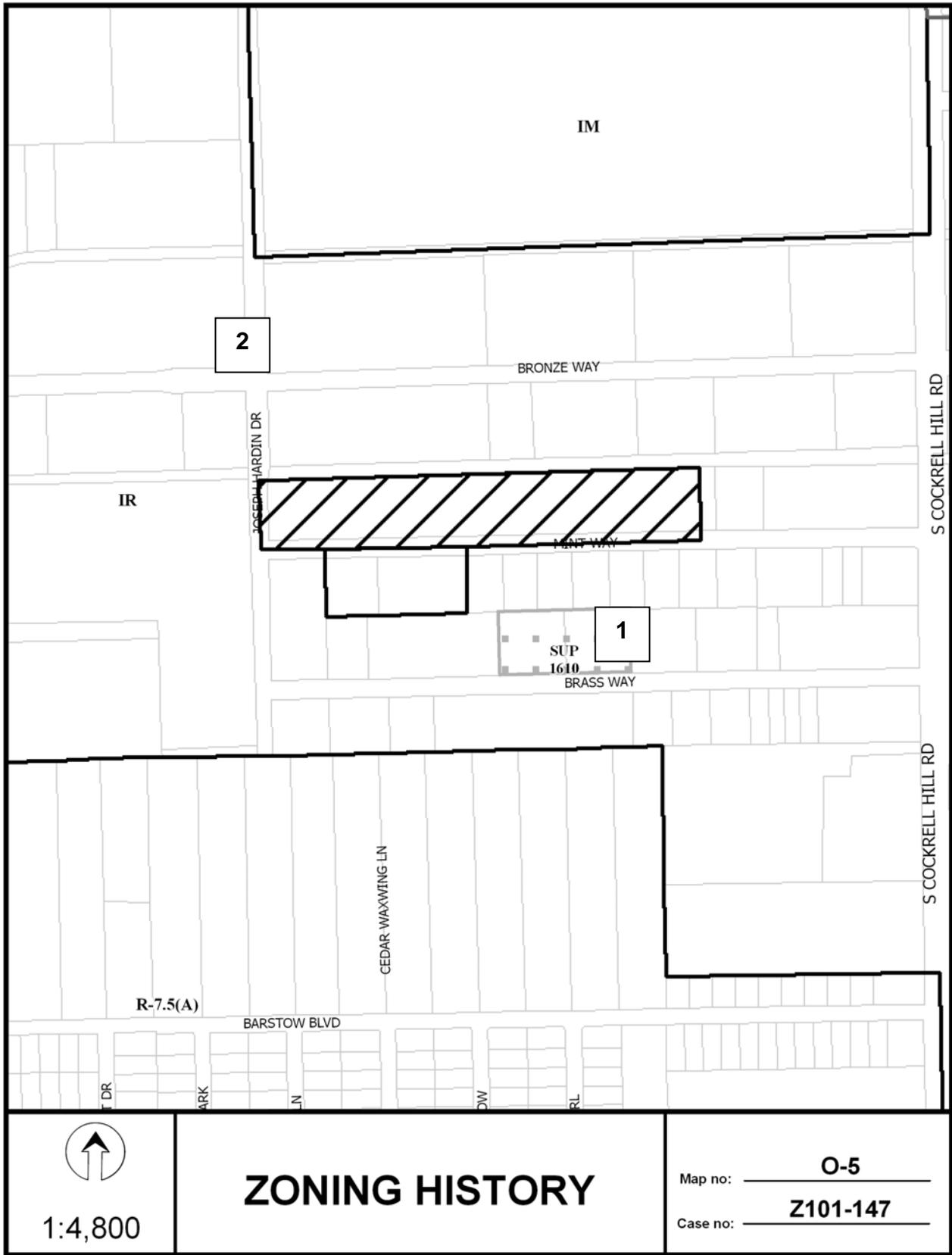
1. **USE:** The only use authorized by this specific use permit is a recycling buy-back center for the collection of household and industrial metals. No other materials may be collected or recycled.
2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan.
3. **TIME LIMIT:** This specific use automatically terminates on \_\_\_\_\_ (two years from the passage of this ordinance).
4. **HOURS OF OPERATION:** The recycling buy-back center for the collection of household and industrial metals may only operate between 7:00 a.m. and 7:00 p.m., Monday through Sunday.
5. **INGRESS/ EGRESS:** Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
6. **LICENSE:** The Operator must obtain a regulated property license in accordance with Chapter 40B of the Dallas City Code within 45 days from the passage of this ordinance.
7. **PARKING:** Off-street parking must be provided Pursuant to §51A-4.213 of the Dallas Development Code.
8. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.
9. **GENERAL REQUIREMENTS:** Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.







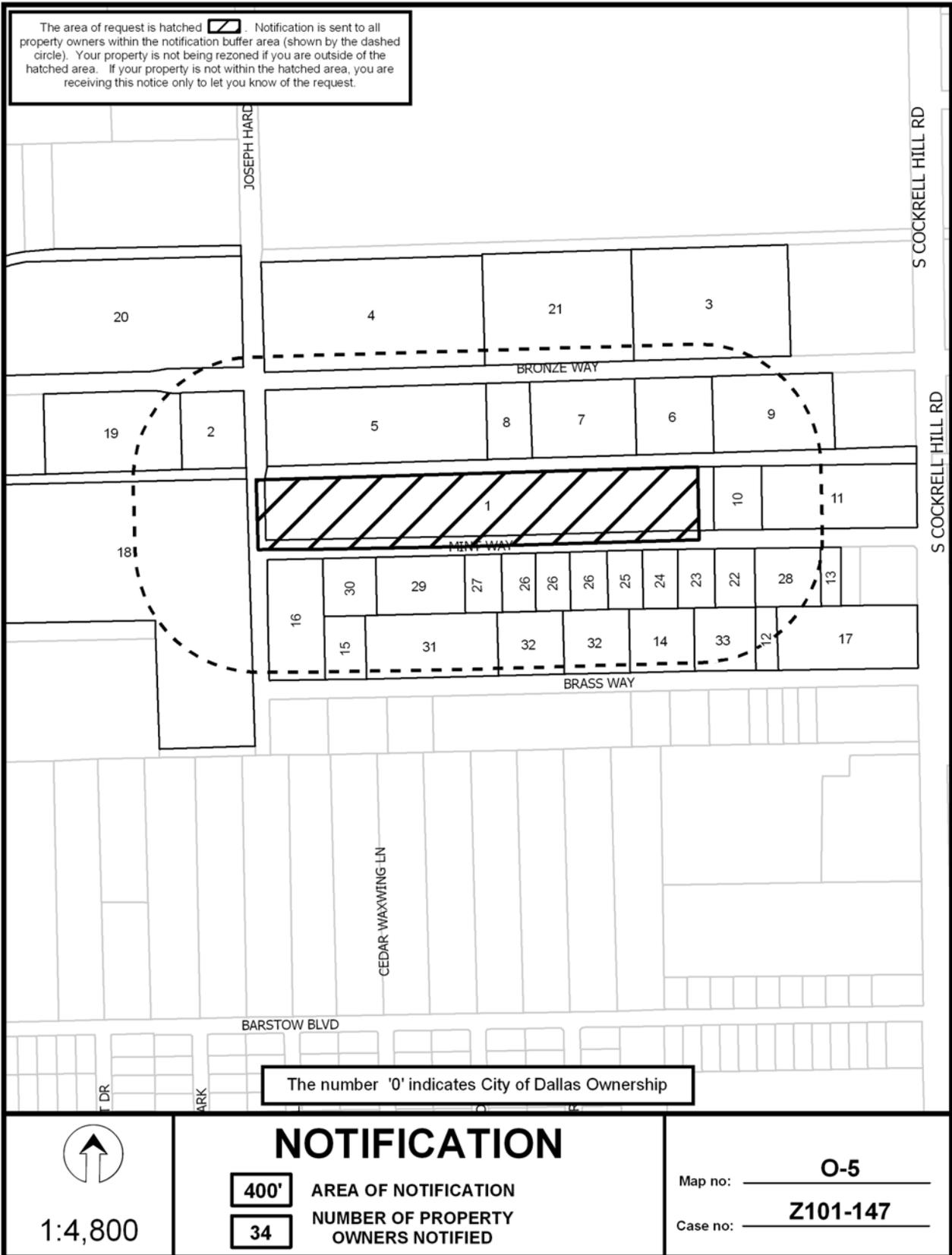
DATE: March 09, 2011



# ZONING HISTORY

Map no:           O-5            
Case no:           Z101-147          

DATE: March 09, 2011



3/9/2011

**Notification List of Property Owners****Z101-147****34 Property Owners Notified**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	4545 MINT WAY	RCI REDBIRD LLC STE 300
2	4716 BRONZE WAY	MCFADDEN FAMILY LP I % MAVERICK
COMMERCIAL MGT		
3	4443 BRONZE WAY	E R CARPENTER CO ATTN TAX DEPARTMENT
4	4647 BRONZE WAY	MIZKAN AMERICAS INC SUITE 300
5	4646 BRONZE WAY	TEXAS BRONZE WAY LP STE 6
6	4504 BRONZE WAY	RCC DEVELOPMENT
7	4526 BRONZE WAY	MICHAEL LUDWIG A & CARMEN M MICHAEL
TRUSTEES		
8	4542 BRONZE WAY	KRUEGER LOUISE H CURRY
9	4430 BRONZE WAY	J D INTL LIGHTING INC
10	4455 MINT WAY	DRAPER JAMES & VICKIE
11	4415 MINT WAY	COCKRELL MINT LP
12	4925 COCKRELL HILL	STORAGE EQUITIES DEPT PT-TX 24312
13	4424 MINT WAY	BELLOMY LINDA R ET AL
14	4521 BRASS WAY	MESECK LAUREL GAIL
15	4647 BRASS WAY	BRENNA MATT
16	4910 JOSEPH HARDIN	HYATT JAMES
17	4925 COCKRELL HILL	STORAGE EQUITIES DEPT PT TX 24312
18	4949 JOSEPH HARDIN	LINRON PROPERTIES LTD
19	4722 BRONZE WAY	PIERCE CHEMICALS MORTICIANS SUPPLY
COMPANY		
20	4707 BRONZE WAY	BRONZEWAY WAREHOUSE LTD ISENBERG
MANAGEMENT		
21	4515 BRONZE WAY	REALTY ASSOC FUND VII LP %TA ASSOC REALTY
22	4480 MINT WAY	WA P-5
23	4510 MINT WAY	SALA GARRY W
24	4520 MINT WAY	G W & B LP
25	4530 MINT WAY	SALA RONALD G
<b>Label #</b>	<b>Address</b>	<b>Owner</b>

Z101-147 (MAW)

26	4560	MINT WAY	WATSON WILLIAM R & PAMELA D
27	4610	MINT WAY	WATSON JAMES BENTLEY & COURTNEY RENEE
WATSON			
28	4426	MINT WAY	MINT WAY LTD
29	4630	MINT WAY	WILEY PROPERTY LTD
30	4660	MINT WAY	WTHW LTD
31	4560	BRASS WAY	DIAZ PEDRO
32	4601	BRASS WAY	RUIZ JESUS
33	4447	BRASS WAY	EASTERN ISOTOPES INC
34	2300	GRAND	BNSF RAILWAY % PROPERTY TAX DEPT

**FILE NUMBER:** Z101-180(MAW)

**DATE FILED:** January 26, 2011

**LOCATION:** North side of Churchill Way, east of Preston Road

**COUNCIL DISTRICT:** 11

**MAPSCO:** 15-T

**SIZE OF REQUEST:** ±0.436 acres

**CENSUS TRACT:** 132

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**REPRESENTATIVE:** Robert Baldwin

**APPLICANT:** Mission Laïque Française

**OWNER:** Congregation Shaare Tefilla

**REQUEST:** An application to renew Specific Use Permit No. 1634 for a Private School on property zoned R-16(A) Single Family District.

**SUMMARY:** The applicant proposes to continue to utilize the two temporary buildings on the site as classrooms for the adjacent Dallas International School.

**STAFF RECOMMENDATION:** Approval for a five-year period subject to a site plan and conditions.

**BACKGROUND INFORMATION:**

- Specific Use Permit No. 1634 for a Private School, approved by the City Council on June 28, 2006 for a five-year period, will expire on June 28, 2011.
- The request site is developed with two temporary buildings and a playground structure. No new construction is proposed by this application.
- The request site is surrounded by a private school (Dallas International School) and single family residential to the north; a synagogue and single family residential to the east; a private school (St. Alcuin Montessori) to the south; the Copper Aerobic Center to the southwest; and a private school (Dallas International School) and an assisted living facility to the west.

**Zoning History:**

1. **Z067-116:** On Wednesday, April 11, 2007, the City Council approved an amendment to, and an expansion of, Planned Development District No. 368 for a private school and childcare facility on property zoned Planned Development District No. 368 and an R-16(A) Single Family District.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Churchill Way	Local	55 ft.
Preston Road	Principal Arterial	100 ft.

**Land Use:**

	Zoning	Land Use
<b>Site</b>	R-16(A)	Private School
<b>North</b>	PDD No. 123	Private School; Single Family Residential
<b>East</b>	R-16(A)	Synagogue; Single Family Residential
<b>South</b>	PDD No. 368	Private School
<b>West</b>	PDD No. 123	Private School

**STAFF ANALYSIS:**

**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 Vision Illustration depicts the request site as within a *Residential Neighborhood*. While single family dwellings are the dominate land use in such areas, shops, restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections.

In general, the applicant's proposal to continue to provide a private school at this location is consistent with the following goal and policy of the Comprehensive Plan.

**LAND USE ELEMENT**

Goal 1.1: Promote desired development.

Policy 1.1.5: Use Vision Building Blocks as a general guide for desired development patterns

**URBAN DESIGN ELEMENT**

**GOAL 5.1** Promote a sense of place, safety and walkability

Policy 5.1.3: Encourage complementary building height, scale, design and character.

**Land Use Compatibility:**

The ±0.436-acre request site is zoned an R-16(A) Single Family District with a Specific Use Permit for a Private School (SUP No. 1634). The request site is developed with two temporary buildings and a playground structure; no new construction is proposed by this application. The applicant will continue to utilize the site for classrooms in conjunction with the adjacent Dallas International School.

The request site is surrounded by a private school (Dallas International School) and single family residential to the north; a synagogue and single family residential to the east; a private school (Montessori) to the south; the Copper Aerobic Center to the southwest; and a private school (Dallas International School) and an assisted living facility to the west.

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 a site plan and conditions, complies with the general provisions for consideration of an SUP. Therefore, staff recommends a five-year time period. The applicant did not request eligibility for automatic renewal, as the Dallas International School anticipates relocation of the Churchill Way campus prior to expiration of the Specific Use Permit.

**Development Standards:**

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
R-16(A) Single Family	35'	10'	1 Dwelling Unit/ 16,000 sq. ft.	30'	40%		Single family

**Landscaping:**

Landscaping is required per Article X of the Dallas Development Code.

**Traffic/Parking:**

The private school use generates approximately 83 trips per day according to the Traffic Impact Worksheet provided with the application. Onsite traffic circulation is depicted on the site plan. Signage indicates that student drop-offs are not allowed on the request site; student drop-offs will only occur on the main site for the Dallas International School.

Pursuant to §51A-4.210 of the Dallas Development Code, the off-street parking requirement for a school is 1.5 spaces per elementary classroom. Therefore, the existing four (4) classrooms require a total of six (6) parking spaces, as depicted on the site plan. Signage on the site indicates that these parking spaces are for teachers only.

**List of Partners/Principals/Officers**

Owner: Congregation Shaare Tefilla

Executive Board Members:

Danielle T. Mann, Administrative Director  
Robert Liener, President  
Aaron Handler, Vice President Finance and Treasurer  
Josh Bernstein, Vice President Membership  
Cyril Sulski, Vice President Building and Grounds  
Morti Tenenhaus, Vice President Ritual  
Grace Denmark, Secretary  
Jeff Fine, Counsel  
David Radunsky, Immediate Past President

General Board Members:

Dahlia Abramov	Larry Fagen
Doris Klein	Jay Prengler
Tali Rosenberg	Lisa Strobel
David Tobin	Stuart Wernick
Miranda Walker	

Applicant: Mission Laïque Française

Board of Directors:

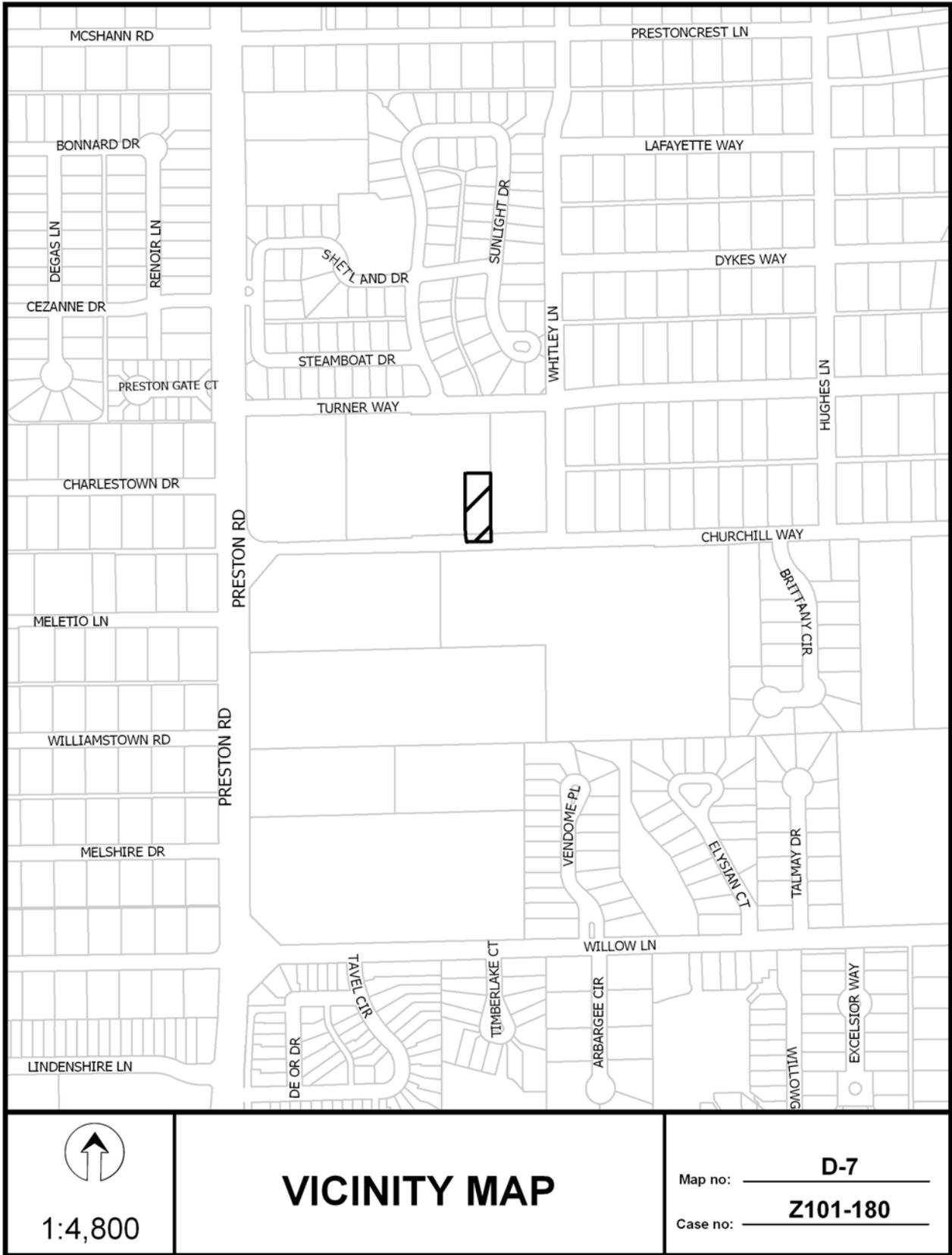
Jean Pierre Villain, Chairman  
Sylvie Esparre, Treasurer  
Pierre Vittoz, Headmaster  
Pierre Grandjouan, Consulat  
Scott Brown, Secretary  
Bruno Pasquinelli, Member  
John Depapp, PTO President  
Alain Bellet, Chairman

**Z101-180  
Existing/Proposed Conditions**

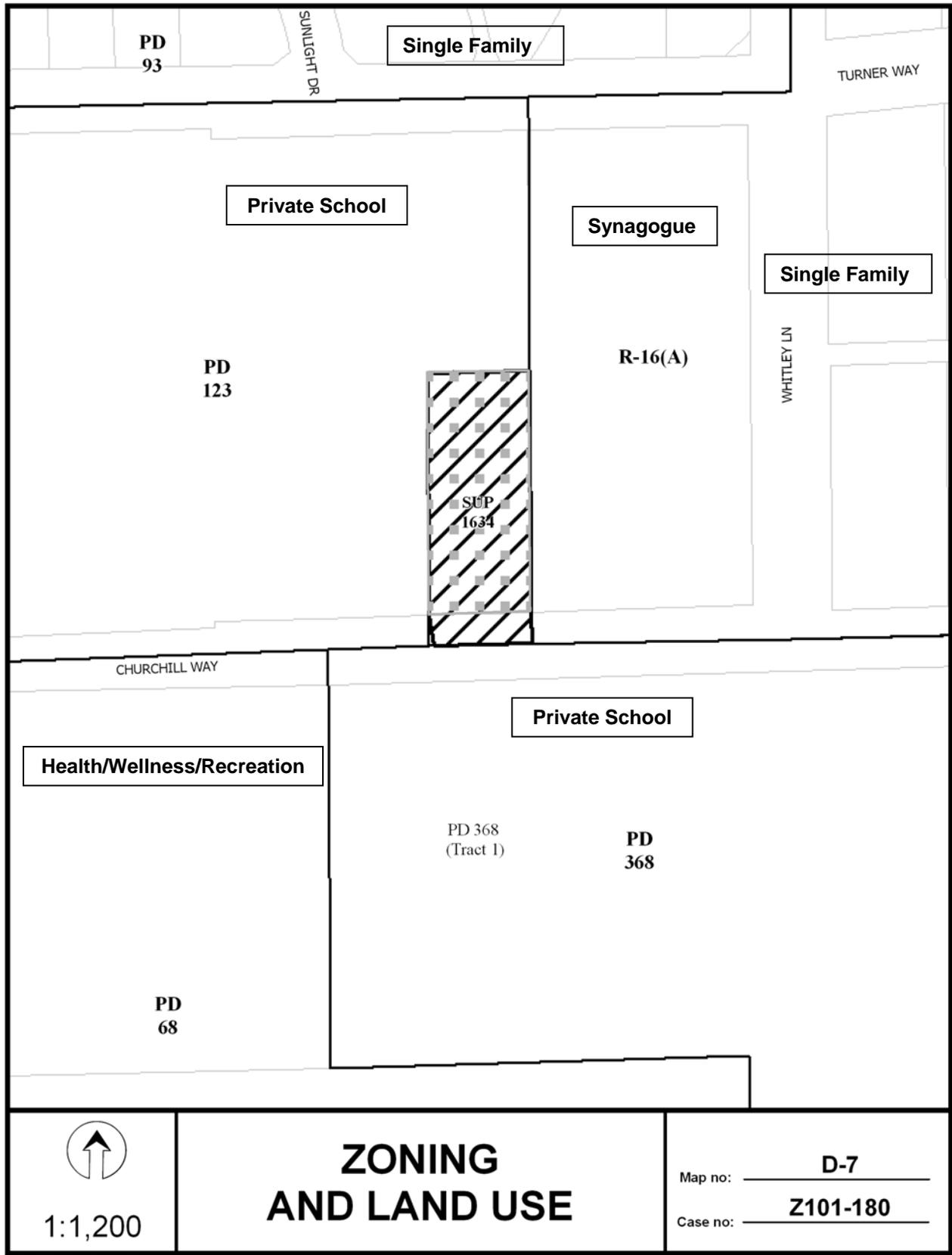
1. USE: The only use authorized by this specific use permit is a private school.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on. \_\_\_\_\_(five years from the passage of this ordinance).
4. LANDSCAPING: Landscaping must be provided as shown on the attached landscape plan.
5. CLASSROOMS: The maximum number of classrooms is four. Only elementary school grades are permitted.
6. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
7. OUTDOOR PLAY AREA: The outdoor play area must be provided in the location shown on the attached site plan.
8. PARKING: A minimum of six off-street parking spaces must be provided in the location shown on the attached site plan.
9. SIGNS: A “parking for teachers only-no student drop off” sign must be installed on the Property in the location shown on the attached site plan. a
10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
11. 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.



Z101-180(MAW)



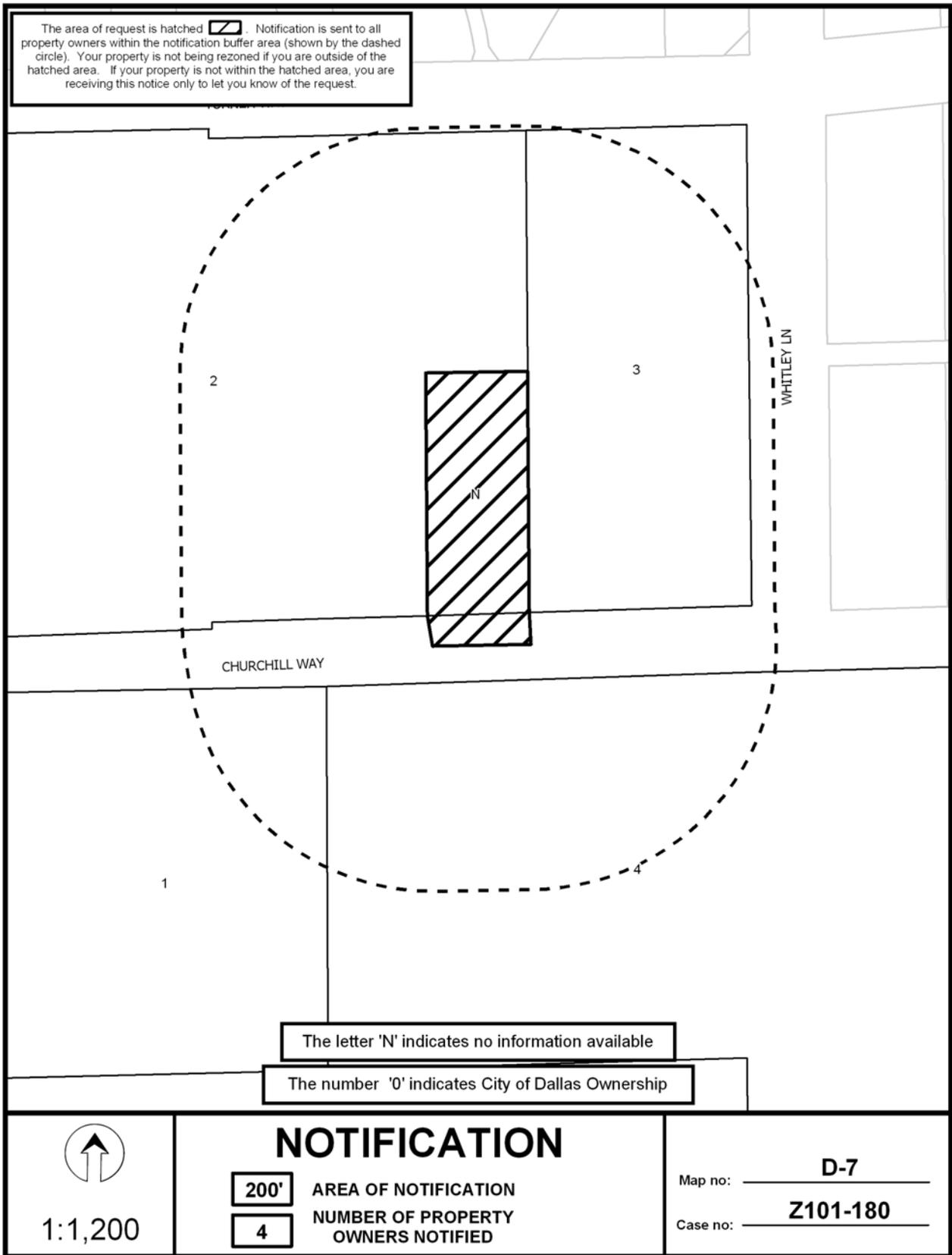
DATE: March 09, 2011



DATE: March 09, 2011



DATE: March 09, 2011



DATE: March 09, 2011

Z101-180(MAW)

Page 1 of 1

3/9/2011

## ***Notification List of Property Owners***

***Z101-180***

***4 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	12330 PRESTON	INSTITUTE FOR AEROBICS RESEARCH
2	6039 CHURCHILL WAY	MISSION LAIQUE FRANCAISE
3	6131 CHURCHILL WAY	CONGREGATION SHAARE TEFILLA
4	6144 CHURCHILL WAY	ST ALCUIN MONTESSORI SCHOOL

**FILE NUMBER:** Z101-144 (MAW)

**DATE FILED:** December 13, 2010

**LOCATION:** Southwest corner of Chalk Hill Road and Chippewa Drive

**COUNCIL DISTRICT:** 6

**MAPSCO:** 42-U

**SIZE OF REQUEST:** ±11,760 square feet

**CENSUS TRACT:** 106.02

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**REPRESENTATIVE:** Norberto Ornelas

**APPLICANT/OWNER:** Sergio Coronado

**REQUEST:** An application for a CR Community Retail District on property zoned an R-5(A) Single Family District with consideration given to an NS(A) Neighborhood Service District.

**SUMMARY:** The applicant proposes to construct a ±1,750-square foot building for retail and personal service uses on the request site.

**CPC ACTION:** On February 17, 2011, the City Plan Commission held the case under advisement until March 24, 2011.

**STAFF RECOMMENDATION:** Approval of an NS(A) Neighborhood Service District in lieu of the requested CR Community Retail District.

**BACKGROUND INFORMATION:**

- The ±11,760-sqaure foot request site is currently undeveloped.
- The request site is surrounded by an undeveloped lot and single family residential to the north, undeveloped land to the east and south and single family residential to the west.
- The applicant proposes to construct a single story, ±1,750-square foot building for retail and personal service uses on the request site.

**Zoning History:**

<b>1.</b>	<b>Z034-306:</b>	On August 10, 2005, the City Council approved a CS Commercial Manufacturing District on property zoned an IM Industrial Manufacturing District.
<b>2.</b>	<b>Z023-155:</b>	On April 9, 2003, the City Council approved a specific use permit for fill on property zoned an IM Industrial Manufacturing District.

**Thoroughfares/Streets:**

Thoroughfares/Streets	Type	Existing ROW
Chalk Hill Road	Principal Arterial	100 feet
Chippewa Drive	Local Street	80 feet

It should be noted that the widening of Chalk Hill Road was funded by the 2006 Capital Improvement Program. On January 23, 2008, the city awarded a design contract for survey and engineering design for paving, storm drainage, water and wastewater improvements for Chalk Hill Road from Davis Street to 800 feet south of I-30 eastbound frontage and Chalk Hill Road from I-30 west bound frontage road to Singleton Boulevard.

The scope of services for this project includes complete paving and drainage design of approximately 11,000 linear feet of a standard four-lane divided thoroughfare as well as the following:

- replacing the existing two-lane asphalt street with a new four-lane divided concrete roadway with curbs and auxiliary turn lanes
- providing sidewalks on both sides of the roadway along with ADA accessible ramps
- designing a closed storm drain system
- designing/modifying traffic signals
- replacing existing water and wastewater mains

- coordinating relocations of railroad warning signals and gates
- extending the paving and drainage plans to Bernal

The project design is currently about 65% complete and scheduled to be 100% complete by March/April 2011. The bidding is anticipated to begin in May 2011 with construction to begin in August 2011, subjected to ROW approval.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	R-5(A)	Undeveloped
<b>North</b>	R-5(A)	Undeveloped; single family
<b>East</b>	CS	Undeveloped
<b>South</b>	R-5(A); CR	Storage warehouse; undeveloped
<b>West</b>	R-5(A)	Single family

**STAFF ANALYSIS:**

**Comprehensive Plan:**

According to the *forwardDallas! Vision Illustration*, adopted June 2006, the subject site is within a residential neighborhood building block. While single family dwelling units are the dominate land use in residential neighborhoods, shops, restaurants and institutional land uses that serve neighborhood residents may be located at the edges or at key intersections.

The applicant’s proposal to provide retail and personal service uses in this area of the City is not necessarily inconsistent with the *forwardDallas! Vision* as the request site is at the edge of a neighborhood. The request complies with the following land use goal and policy of the Comprehensive Plan.

**URBAN DESIGN ELEMENT**

**GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

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

Staff believes that an NS(A) Neighborhood Service District in lieu of the requested CR Community Retail District would promote consistency with the following land use goals and policies.

## **URBAN DESIGN**

### **GOAL 5.2** Strengthen community and neighborhood identity

Policy 5.2.1 Maintain neighborhood scale and character.

## **NEIGHBORHOOD ELEMENT**

**Goal 7.1** Promote vibrant and viable neighborhoods.

Policy 7.1.2 Promote neighborhood development compatibility.

### **Area Plan:**

The request site is within the boundaries of the following land use study areas.

#### Ledbetter Singleton North Industrial Special Study (November 1988)

In January 1988, the City of Dallas Department of Planning and Development began this special study for zoning transition in the Ledbetter area. The study recommends appropriate zoning classifications based on existing land use and future land use recommendations outlined in the 1983 West Dallas Economic and Neighborhood Plan. Specifically, the study recommends an R-5(A) Single Family District for the area in which the request site is located.

#### West Dallas Comprehensive Land Use Study (May 1999)

The plan recognizes that R-5(A) Single Family is the predominant zoning district and single family residential is the predominant land use of the area in which the request site is located (Ledbetter/Chalk Hill). Pockets of CR Community Retail, CS Commercial Service, NS(A) Neighborhood Service, MF-1(A) Multi-Family, MH Manufactured Homes and A Agricultural also exist. The analysis indicates that the land uses in the Ledbetter/Chalk Hill area are in conformance with the zoning district regulations; hence no change in zoning is recommended.

**Land Use Compatibility:**

The ±11,760-square foot request site is zoned an R-5(A) Single Family District and is currently undeveloped. The subject property is surrounded by an undeveloped lot and single family residential to the north, undeveloped land to the east and south and single family residential to the west.

The applicant requests a CR Community Retail District to allow the construction of a single story, ±1,750-square foot building for retail and personal service uses. Per the information provided in the land use statement, the applicant intends to operate a beauty salon and a boutique in the proposed building. The applicant's representative indicated that the applicant would like the option of locating an auto service center in a portion of the proposed building, as well.

Given the request site's frontage on a principal arterial, staff recognizes that development with a single-family residential use is unlikely. However, any non-residential development of the site should be sensitive to the adjacent single family home and surrounding residential neighborhood. Therefore, staff believes that an NS(A) Neighborhood Service District would be more appropriate for the site than the requested CR Community Retail District. The NS(A) Neighborhood Service District would provide a gradual transition from the CS Commercial Services District to the east across Chalk Hill Road to the R-5(A) Single-Family District in which the request site is located.

The NS(A) Neighborhood Service District is intended to accommodate convenience retail shopping, services and professional offices principally servicing, and compatible in scale and intensity of use, with adjacent residential uses. For example, the NS(A) Neighborhood Service District allows the following retail and personal service uses:

- Dry cleaning or laundry store (3,500 square feet or less)
- General merchandise or food store (3,500 square feet or less)
- Motor vehicle fueling station (by SUP)
- Personal service uses
- Restaurant without drive-in or drive-through service (subject to residential adjacency review)

The NS(A) Neighborhood Service District would allow the proposed beauty salon and boutique, but not an auto service center. It is noted that, while an auto service center is allowed in the CR Community Retail District, the use is subject to residential adjacency review.

**Development Standards:**

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: R-5(A)	20'	5'	1 du/5,000 sf	30'	45%	N/A	Single family
Proposed: CR	15'	20' adjacent to residential Other: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	RPS Visual Intrusion	Retail personal service office
Recommended: NS(A)	15'	20' adjacent to residential Other: No Min.	0.5 FAR	30' 2 stories	40%	N/A	Retail personal service office

**Traffic:**

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

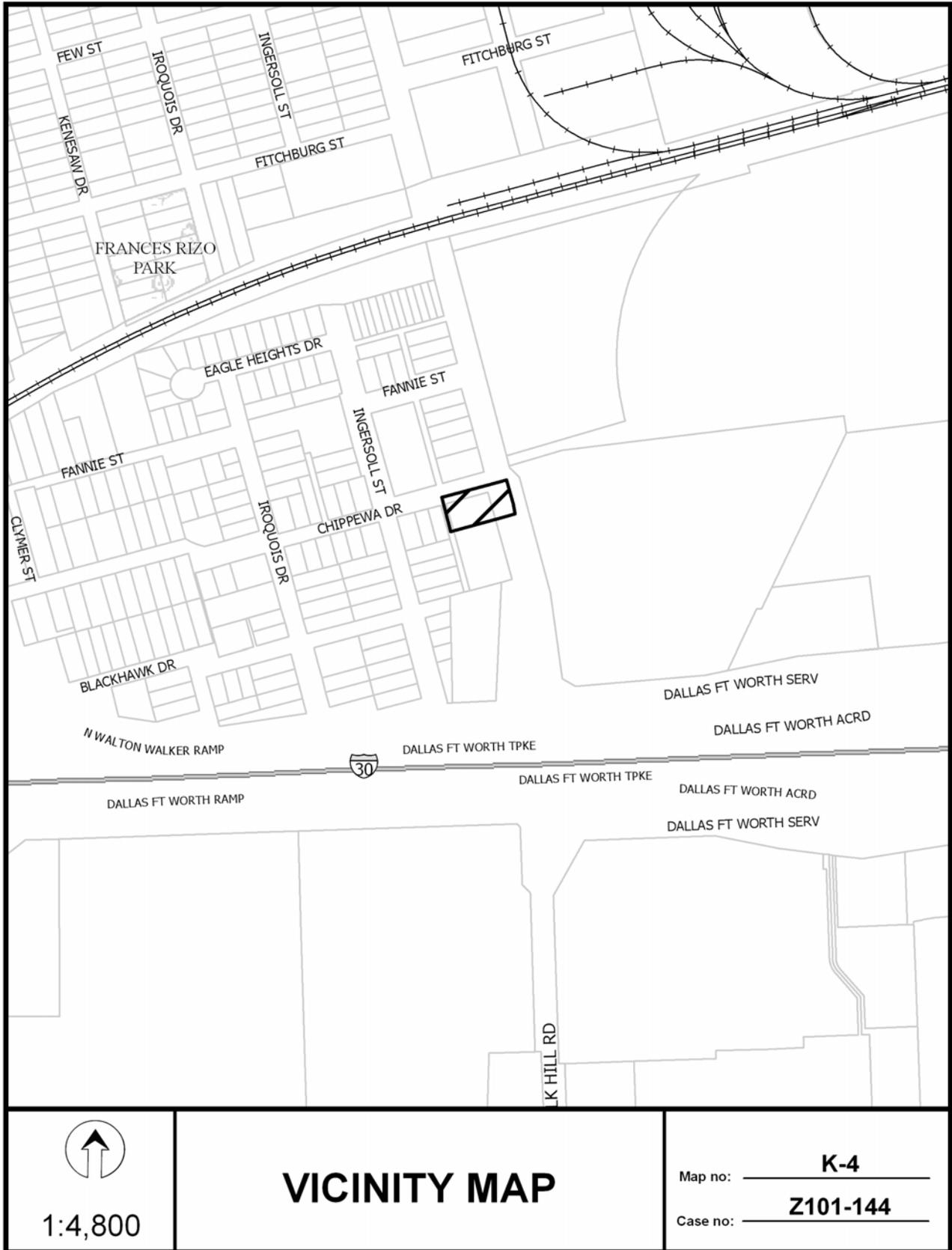
**Parking:**

Pursuant to §51A-4.210 of the Dallas Development Code, the required off-street parking for a general merchandise or food store 3,500 square feet or less is one (1) space per 200 square feet of floor area. The required off-street parking for a personal service use is also one (1) space per 200 square feet of floor area. Therefore, ±1,750-square feet of retail and personal service uses would require nine (9) parking spaces. While the applicant did not provide details pertaining to the auto service center option, the use requires one space per 500 square feet of floor area with a minimum of four spaces required.

**Landscaping:**

Landscaping must be provided in accordance to Article X of the Dallas Development Code.

Z101-144(MAW)



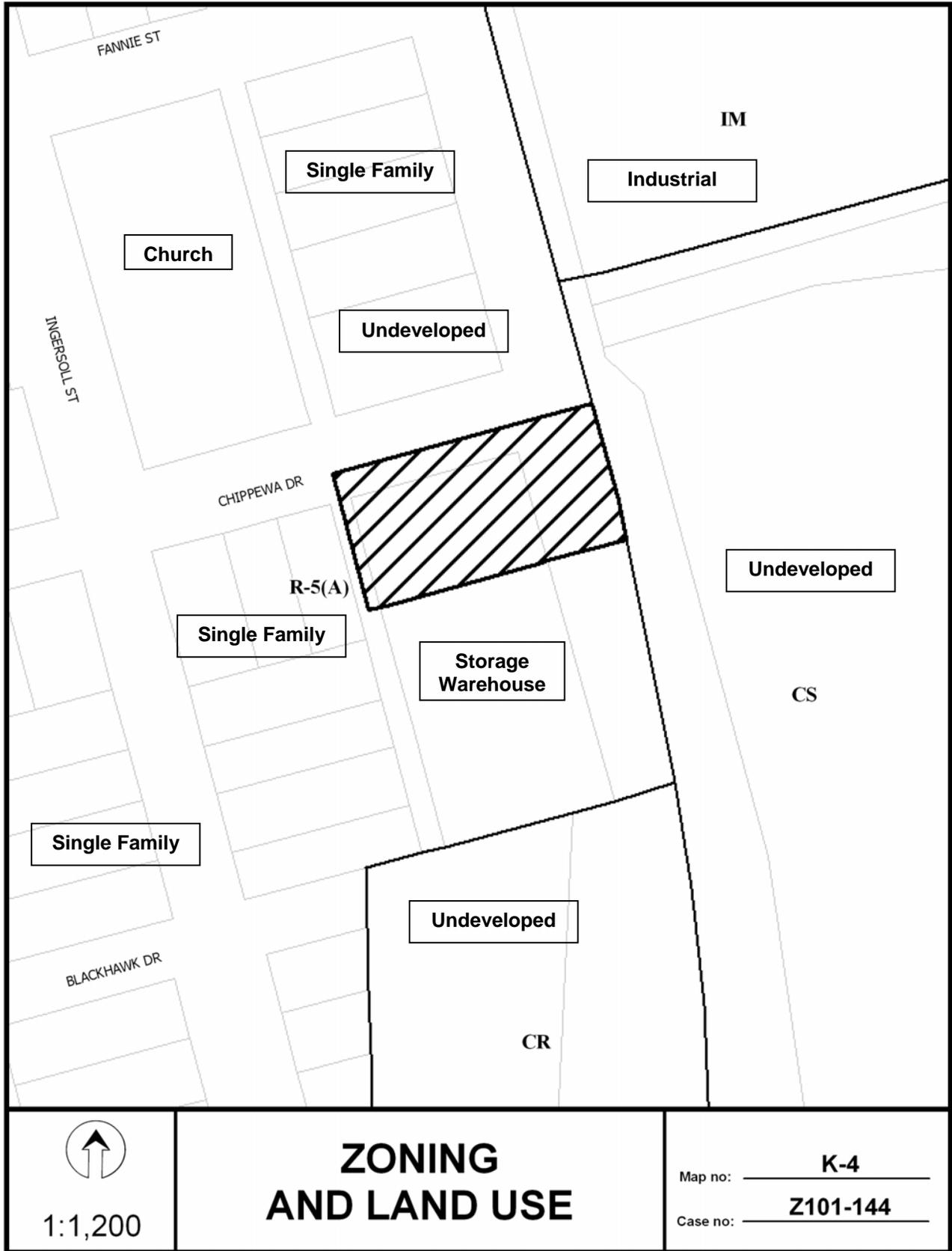
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### VICINITY MAP

Map no:           K-4          

Case no:           Z101-144          

DATE: January 27, 2011



DATE: January 27, 2011



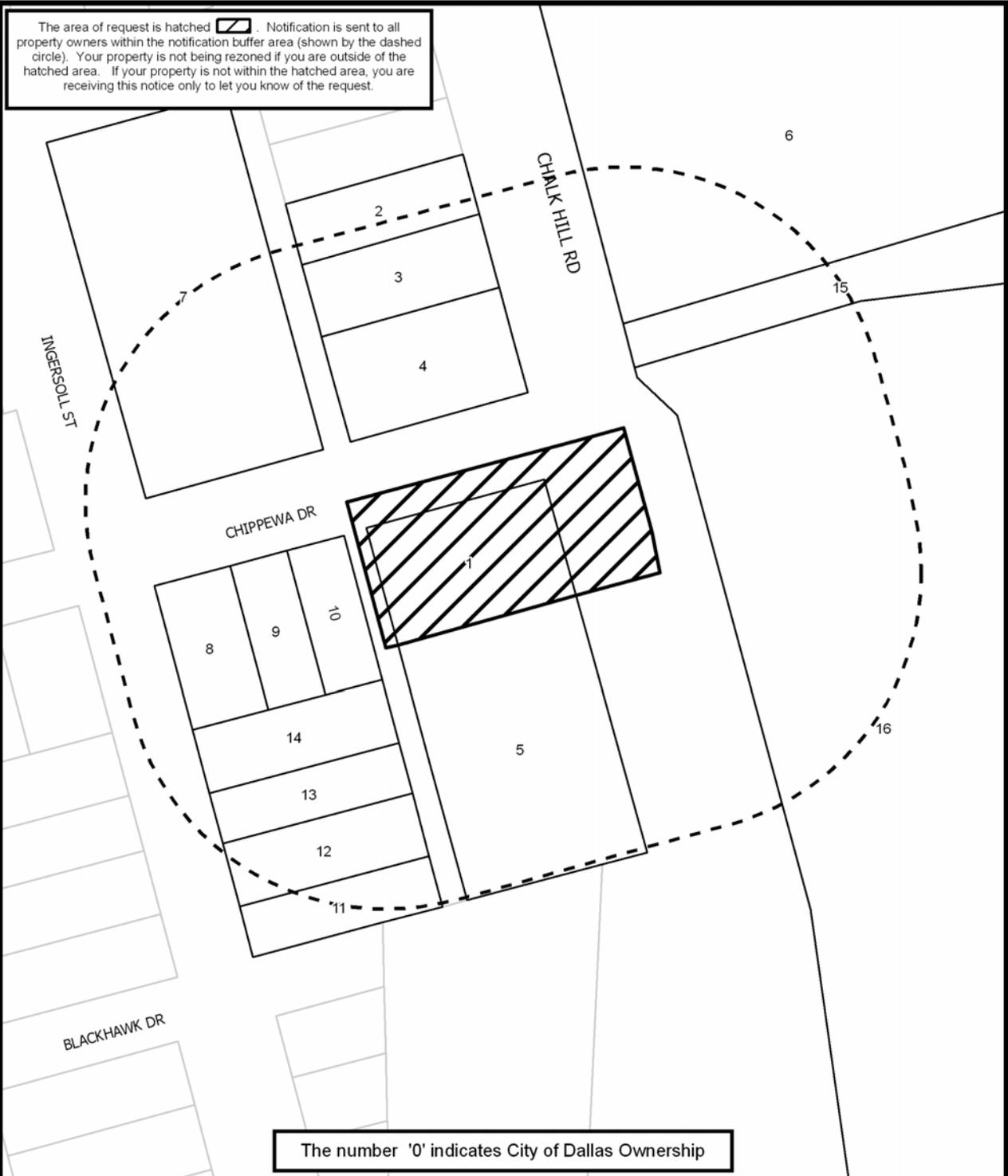
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# ZONING HISTORY

Map no:           K-4          

Case no:           Z101-144          

DATE: January 27, 2011



 1:1,200	<b>NOTIFICATION</b>	Map no: <u>          K-4          </u>
	[200'] AREA OF NOTIFICATION [16] NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>          Z101-144          </u>

DATE: January 27, 2011

## ***Notification List of Property Owners***

### ***Z101-144***

#### ***16 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2023 CHALK HILL	CORONADO SERGIO & ALICIA
2	2115 CHALK HILL	MARTINEZ MARCOS
3	2111 CHALK HILL	ESTRADA JESUS J
4	2103 CHALK HILL	BYNUM MARC A ONE MARLLYN
5	2007 CHALK HILL	WALTON JAMES R
6	2230 CHALK HILL	PALESTINE CONC TILE CO LP %HEADWATERS
INC		
7	5121 CHIPPEWA	TEXAS CONFERENCE OF S D A
8	5122 CHIPPEWA	NUNEZ NOE & IMELDA ZAVALA
9	5118 CHIPPEWA	HARE LILI
10	5114 CHIPPEWA	QUINTANILLA ABUNDIO
11	2002 INGERSOLL	CARRIZALES CORONADO SARAH ANNE
12	2006 INGERSOLL	ARIAS MARIA I & JOSE A
13	2010 INGERSOLL	MARIN FLAVIO
14	2014 INGERSOLL	FULLER ARTHUR M & MICHAEL HILSON
15	4351 IH 30	UNITED STATES COLD STORAGE LP
16	1910 CHALK HILL	TURNPIKE WEST LLC

**FILE NUMBER:** Z101-146 (JH)

**DATE FILED:** December 20, 2010

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

**COUNCIL DISTRICT:** 4

**MAPSCO:** 58-C

**SIZE OF REQUEST:** Approx. 1.07 acres

**CENSUS TRACT:** 91.01

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**REPRESENTATIVE:** Santos Martinez, MASTERPLAN

**APPLICANT/OWNER:** Vilas Kumar

**REQUEST:** An application for a D-1 Dry Liquor Control Overlay and a Specific Use Permit 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 Dry Liquor Control Overlay.

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

**STAFF RECOMMENDATION:** Approval of the D-1 Dry Liquor Control Overlay and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise use greater than 3,500 square feet 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 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 prohibited in a D Dry Liquor Control Overlay and requires a specific use permit in the D-1 Dry Liquor Control Overlay.

**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 Dry 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 Dry Liquor Control Overlay but requires a specific use permit in the D-1 Dry 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" Dry 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" Dry 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					
<b>Existing</b>							
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.

**Landscaping:**

Landscaping required per PDD No. 366.

DPD Report

**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
<a href="#">0004351-Y</a>	01/05/2011	*SHELL GAS STATION	OTHER OFFENSES	02313	S	BUCKNERB...	324	1242	26000	
<a href="#">0008865-T</a>	12/31/2006	PEREZ,DORA	LOST PROPERTY	02313	S	BUCKNERB...	324	1242	42020	
<a href="#">0019273-V</a>	01/19/2008	FEW,SYLVESTER	THEFT	02313	S	BUCKNERB...	328	1242	06901	
<a href="#">0064936-X</a>	03/09/2010	MARTINEZ,ANGEL	AGGRAVATED ASSAULT	02313	S	BUCKNERB...	324	1242	04111	
<a href="#">0103311-X</a>	04/15/2010	GERARDO,OLGA	OTHER OFFENSES	02313	S	BUCKNERB...	324	1242	26000	
<a href="#">0116875-T</a>	02/19/2007	EDWARDS,JERMIKA	ASSAULT	02313	S	BUCKNERB...	324	1242	08421	
<a href="#">0120012-V</a>	04/24/2008	WILLIAMS,TYRONE	AUTO THEFT-UUMV	02313	S	BUCKNERB...	328	1242	07191	
<a href="#">0201737-W</a>	07/10/2009	MONTELONGO, ROBERT	ROBBERY	02313	S	BUCKNERB...	324	1242	03911	
<a href="#">0211325-W</a>	07/19/2009	VASQUEZ,NARCIZO	ROBBERY	02313	S	BUCKNERB...	324	1242	03A41	
<a href="#">0224051-X</a>	07/29/2010	MCCLINTON,AMBER	OTHER OFFENSES	02313	S	BUCKNERB...	324	1242	26000	
<a href="#">0231337-V</a>	07/26/2008	FINLEY,KARIN	TRAFFIC MOTOR VEH...	02313	S	BUCKNERB...	328	1242	32090	
<a href="#">0276986-W</a>	09/16/2009	ALEXANDER,KESHA	ASSAULT	02313	S	BUCKNERB...	324	1242	08421	
<a href="#">0288695-W</a>	09/27/2009	ARREOLA,RUBEN,GILBERTO	ROBBERY	02313	S	BUCKNERB...	324	1242	03911	
<a href="#">0324335-P</a>	04/27/2005	URBINA,ELVIRA	ASSAULT	02313	S	BUCKNERB...	324	1242	08321	
<a href="#">0334722-T</a>	05/09/2007	WILSON,KEITH	THEFT	02313	S	BUCKNERB...	324	1242	06993	

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Search Records - Offense Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
<a href="#">0349784-T</a>	05/14/2007	@CITY OF DALLAS	FOUND PROPERTY	02313	S	BUCKNERB...	324	1242	43020	
<a href="#">0350870-W</a>	11/26/2009	*SHELL SERVICE STATION	FORGERY & COUNT...	02313	S	BUCKNERB...	324	1242	10022	
<a href="#">0412430-P</a>	05/26/2005	LINDSAY,KEVIN	THEFT	02313	S	BUCKNERB...	324	1242	06952	
<a href="#">0424295-P</a>	05/29/2005	WILLIAMS,RUBY	ROBBERY	02313	S	BUCKNERB...	324	1242	03941	
<a href="#">0473572-P</a>	06/15/2005	JOHNSON,SHAWANNA	ROBBERY	02313	S	BUCKNERB...	324	1242	03A41	
<a href="#">0533267-T</a>	07/16/2007	GONZALEZ,JUAN	ROBBERY	02313	S	BUCKNERB...	324	1242	03A11	
<a href="#">0638374-R</a>	08/22/2006	MORGAN,KEVIN	ROBBERY	02313	S	BUCKNERB...	324	1242	03A41	
<a href="#">0643012-T</a>	09/02/2007	MCKINNEY,BRIAN	ACCIDENTAL INJURY ...	02313	S	BUCKNERB...	324	1242	33070	
<a href="#">0647315-P</a>	08/12/2005	MUNGUIA,ALEJANDRO	ROBBERY	02313	S	BUCKNERB...	324	1242	03941	06104
<a href="#">0649496-T</a>	09/07/2007	BESHERSE,NICHOLAS	CRIMINAL MISCHIEF/...	02313	S	BUCKNERB...	324	1242	14081	
<a href="#">0652087-R</a>	08/27/2006	WALLACE,ROBERT,LAMONT	MURDER	02313	S	BUCKNERB...	324	1242	01211	
<a href="#">0663541-T</a>	09/21/2007	WALTERS,FABIAN	TRAFFIC MOTOR VEH...	02313	S	BUCKNERB...	324	1242	32090	
<a href="#">0668290-T</a>	09/25/2007	RICHARDSON,BRIAN	AUTO THEFT-UUMV	02313	S	BUCKNERB...	324	1242	07611	
<a href="#">0693792-R</a>	09/12/2006	WADE,JAMES	ROBBERY	02313	S	BUCKNERB...	324	1242	03A21	
<a href="#">0731585-R</a>	09/26/2006	*FINA	THEFT	02313	S	BUCKNERB...	324	1242	06933	

Page 2 of 3 (40 items)

Search Records - Offense Filter

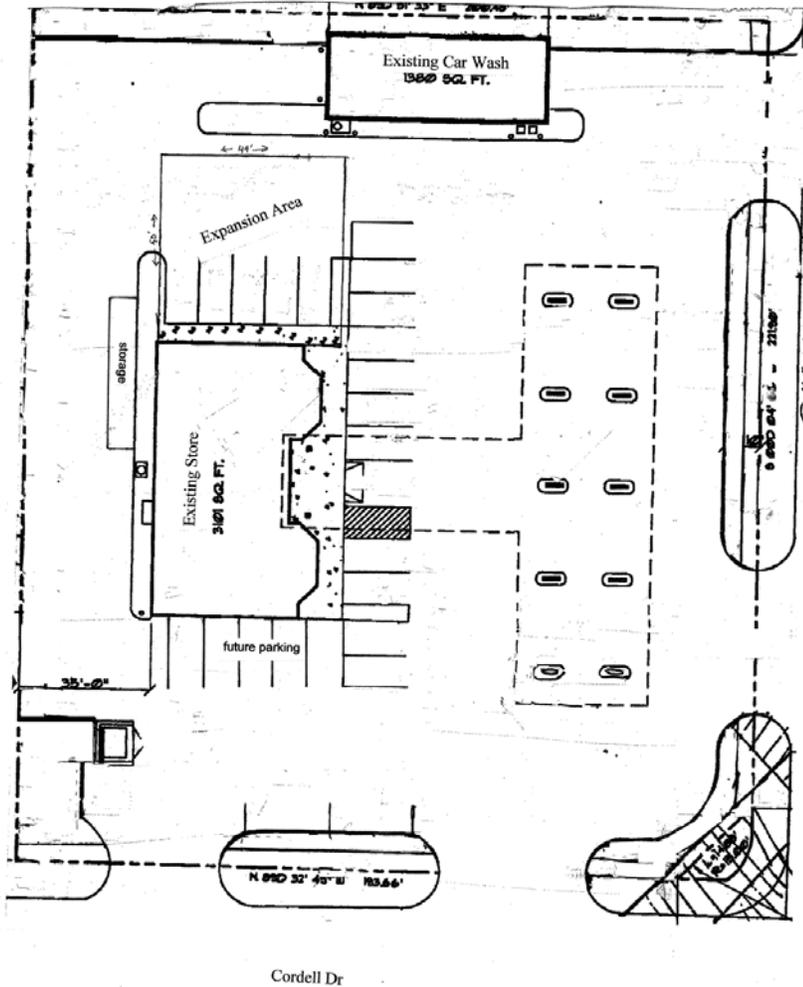
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<a href="#">0750231-R</a>	10/02/2006	*FINA GAS STATION	ROBBERY	02313	S	BUCKNERB...	324	1242	03371	
<a href="#">0757328-P</a>	09/20/2005	HARDAGE,GLENDA	ASSAULT	02313	S	BUCKNERB...	324	1242	08391	
<a href="#">0768224-R</a>	10/09/2006	SERNA, MARIO	THEFT	02313	S	BUCKNERB...	324	1242	06103	
<a href="#">0779348-T</a>	12/23/2007	@LEWISVILLE PD	FOUND PROPERTY	02313	S	BUCKNERB...	328	1242	43030	
<a href="#">0897338-P</a>	11/08/2005	@CITY OF DALLAS	FOUND PROPERTY	02313	S	BUCKNERB...	324	1242	43020	
<a href="#">0920421-P</a>	11/17/2005	*FINA	FORGERY & COUNT...	02313	S	BUCKNERB...	324	1242	10022	
<a href="#">0926428-P</a>	11/19/2005	*BUCKNER'S FINA	CRIMINAL MISCHIEF/...	02313	S	BUCKNERB...	324	1242	14092	
<a href="#">0979956-P</a>	12/11/2005	PAYES, RICHARD	CRIMINAL MISCHIEF/...	02313	S	BUCKNERB...	324	1242	14082	
<a href="#">1026280-P</a>	12/29/2005	*FINA GAS STATION	FRAUD	02313	S	BUCKNERB...	324	1242	11051	11052

Page 3 of 3 (40 items)

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 (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.

SITE PLAN



Vicinity Map



N

Buckner Blvd

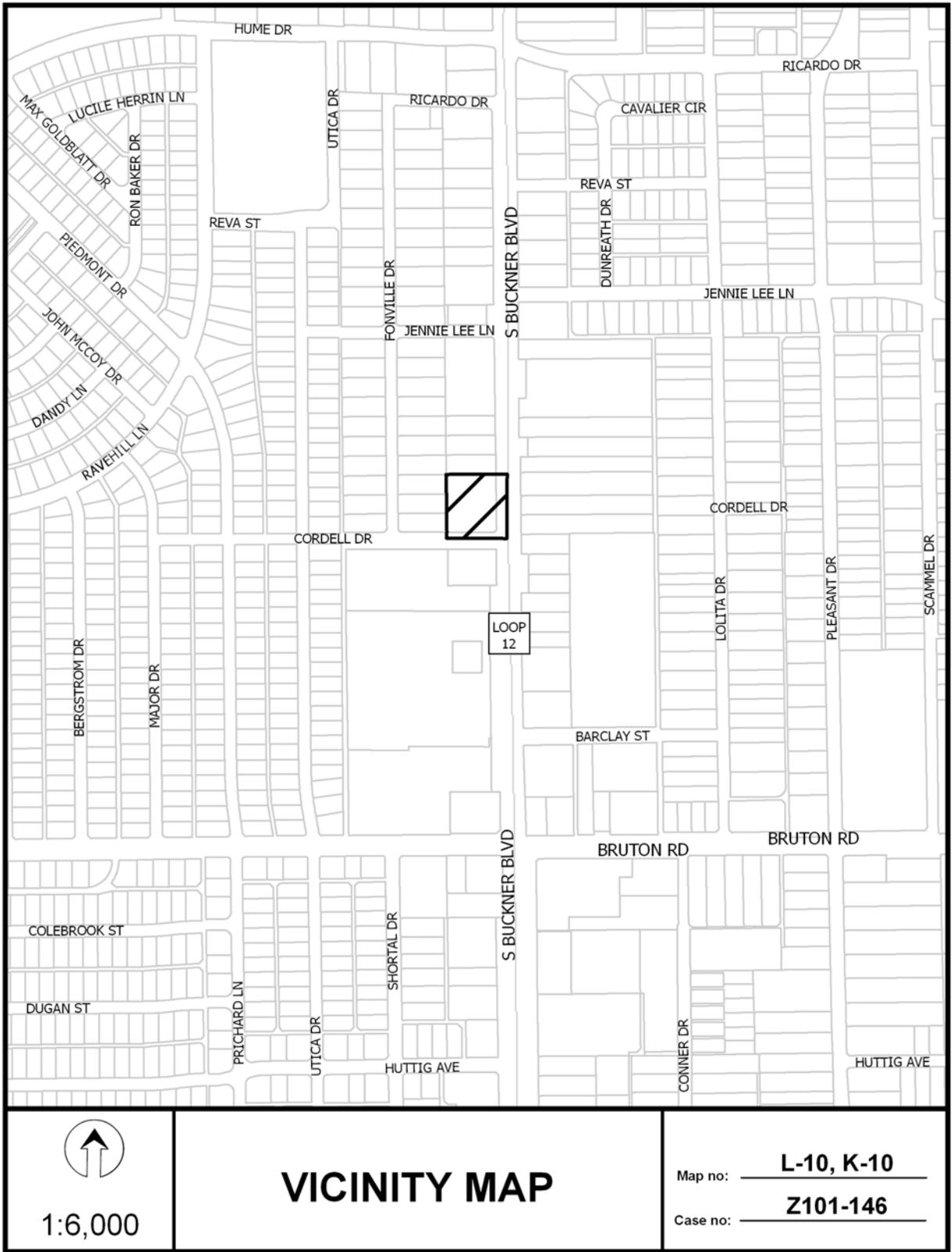
**Site Summary**

- 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

Z101-146(JH)



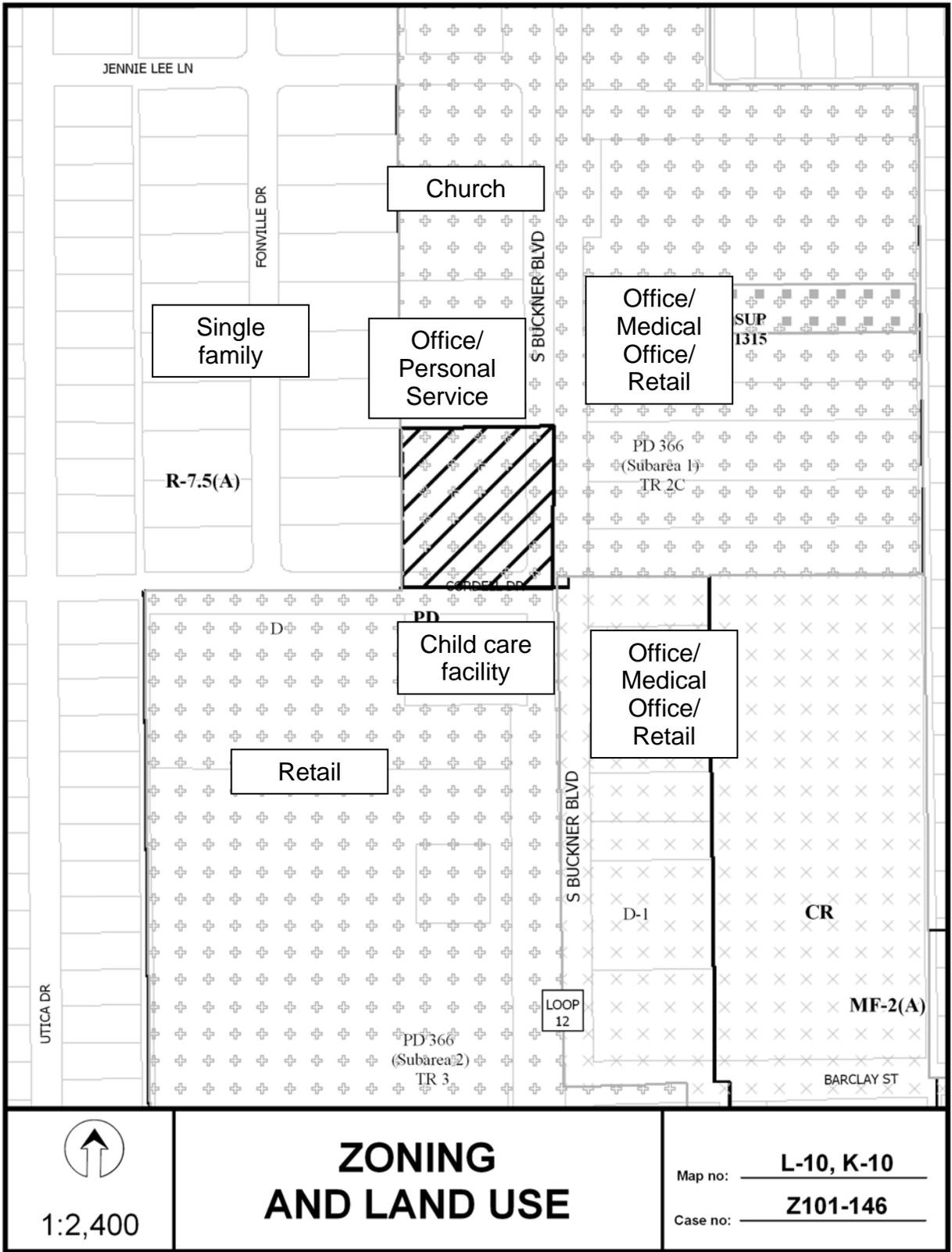
1:6,000

### VICINITY MAP

Map no:           L-10, K-10          

Case no:           Z101-146          

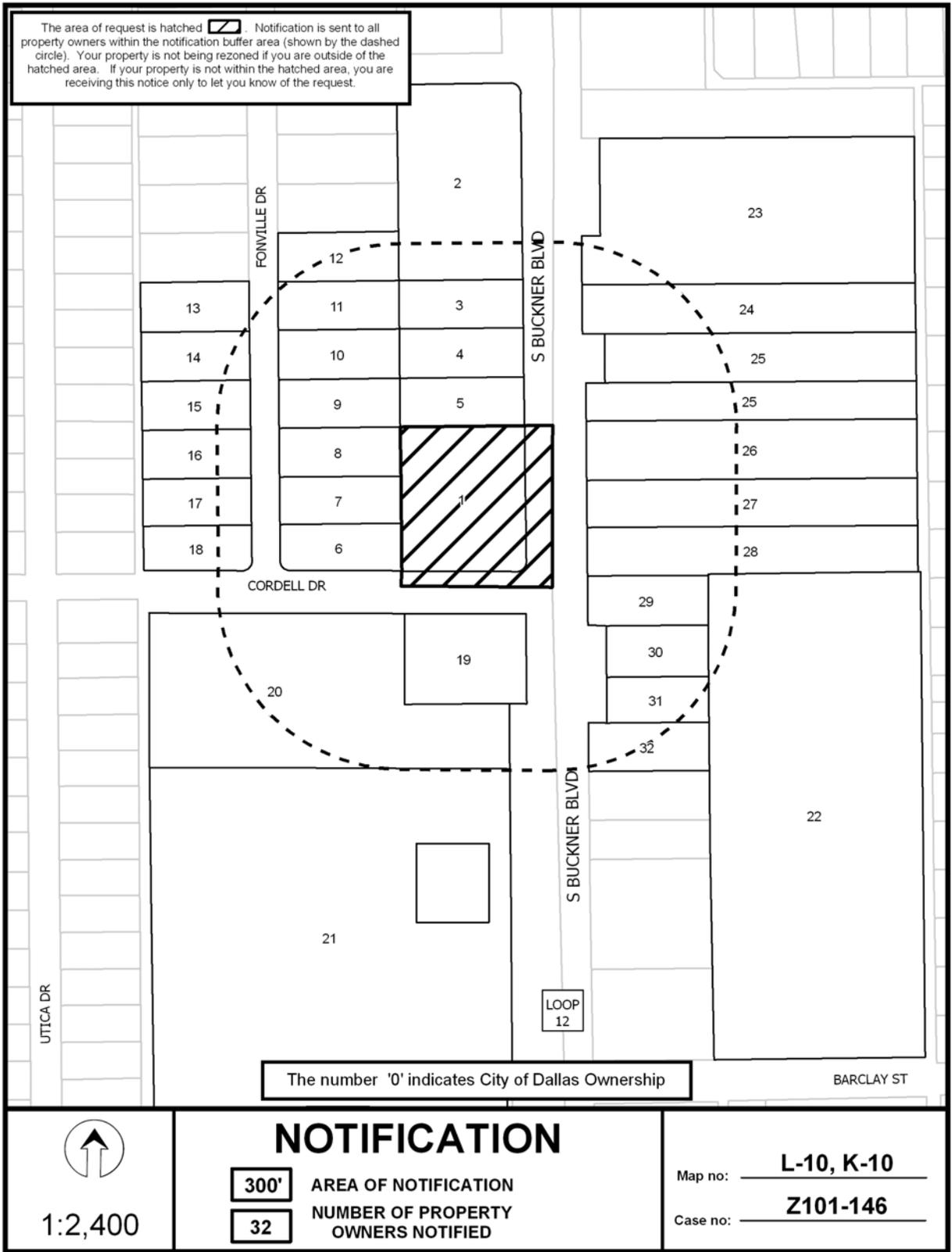
DATE: February 14, 2011



# ZONING AND LAND USE

Map no:           L-10, K-10            
Case no:           Z101-146          

DATE: February 14, 2011



## Notification List of Property Owners

### Z101-146

#### 32 Property Owners Notified

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

Monday, February 14, 2011

Z101-146(JH)

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
27	2306 BUCKNER	MILLER & MARTIN CHILDRENS TRUST
28	2300 BUCKNER	DEL REY PARTNERS LLC
29	2264 BUCKNER	NGHIEM MEI WANG
30	2248 BUCKNER	PNYX LIMITED PARTNERSHIP
31	2244 BUCKNER	REYNOLDS JAMES E
32	2240 BUCKNER	OH JEESUNG & SEYOUNG

**Monday, February 14, 2011**

**FILE NUMBER:** Z101-143 (JH)

**DATE FILED:** December 13, 2010

**LOCATION:** Southeast corner of Harvest Hill Road and Dallas North Tollway

**COUNCIL DISTRICT:** 13

**MAPSCO:** 14-V & 15-S

**SIZE OF REQUEST:** Approx. 4.88 acres

**CENSUS TRACT:** 96.04

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**REPRESENTATIVE:** Dallas Cothrum, Masterplan

**APPLICANT/OWNER:** Toll Hill Properties, Ltd.

**REQUEST:** An application for a Specific Use Permit for a restaurant without drive in or drive through service on property zoned an NO(A) Neighborhood Office District.

**SUMMARY:** The purpose of the request is to allow an existing restaurant to continue operation.

**STAFF RECOMMENDATION:** Approval for a 10-year period with eligibility for automatic renewal of additional 10-year periods, subject to a site plan and conditions

**BACKGROUND INFORMATION:**

- The request site is currently developed with an office building: approximately 169,270 square feet of floor area and approximately 97,000 square feet of parking garage according to DCAD.
- The purpose of the request is to allow an existing approximately 1,100 square foot restaurant to continue operation.
- On April 13, 2005, the City Council denied without prejudice a request for a Specific Use Permit for a College or University use.

**Zoning History:** There have been no recent zoning requests in the area other than the request site’s history.

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	ROW
Harvest Hill	Community Collector	60 feet

**Land Use:**

	Zoning	Land Use
Site	NO(A)	Office
North	MU-3	Office
East	PD 411, NO(A)	Retirement housing, Office
South	PD 50	Townhouse
West	R-10(A)	Single Family Residential, Institutional

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The request complies with the following land use goals and policies of the Comprehensive Plan because the Vision Illustration identifies the area as a Business Center.

**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 approximately 4.88-acre request site is zoned an NO(A) Neighborhood Office District and is currently developed with office uses. The development was constructed approximately 1979, which was zoned O-1 at that time. The restaurant has existed at the request site since approximately the mid-1980s.

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 has determined that the request meets the intent of the Dallas Development Code, and recommends approval of the request subject to a site plan and staff’s recommended conditions. Since the restaurant is internal to the office building and the applicant agrees to the conditions regarding signage, staff supports a longer time period for the Specific Use Permit.

**Development Standards:**

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
NO(A) Neighborhood Office	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	50%	Proximity Slope Visual Intrusion	Office

**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.

**Landscaping:**

Landscaping required per Article X of the Dallas Development Code.

Z101-143

**List of Partners/Principals/Officers**

Toll Hill Properties, Ltd.

Shervin Mateen, General Partner

Kamyar Mateen, General Partner

SUP Conditions

1. USE: The only use authorized by this specific use permit is a restaurant without drive-in or drive-through service.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

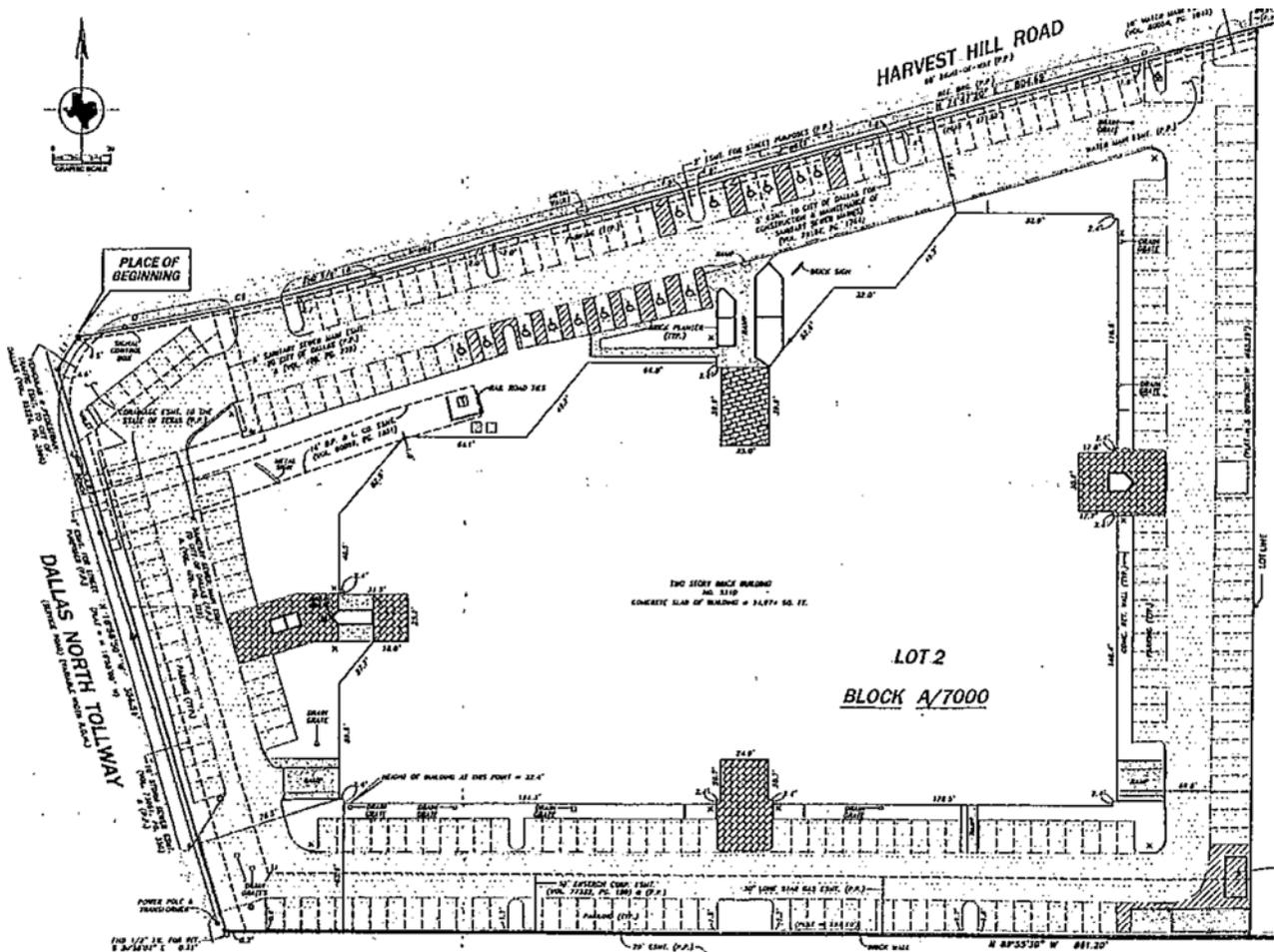
Staff Recommended:

- |   |
|---|
| <ol style="list-style-type: none"><li>3. <u>TIME LIMIT</u>: This specific use expires on (<u>10-years</u>), but is eligible for automatic renewal for additional <u>10-year</u> 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 application for automatic renewal is strictly enforced).</li></ol> |
|---|

Applicant Proposed:

- |  |
|--|
| <ol style="list-style-type: none"><li>3. <u>TIME LIMIT</u>: This specific use permit automatically terminates on (20 years).</li></ol> |
|--|
4. FLOOR AREA: The maximum floor area is 1,100 square feet.
  5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
  6. SIGNAGE: Exposed neon signs are prohibited on the Property for a restaurant use. No signs for the restaurant use may be illuminated between midnight and 8:00 a.m.
  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.

Site Plan



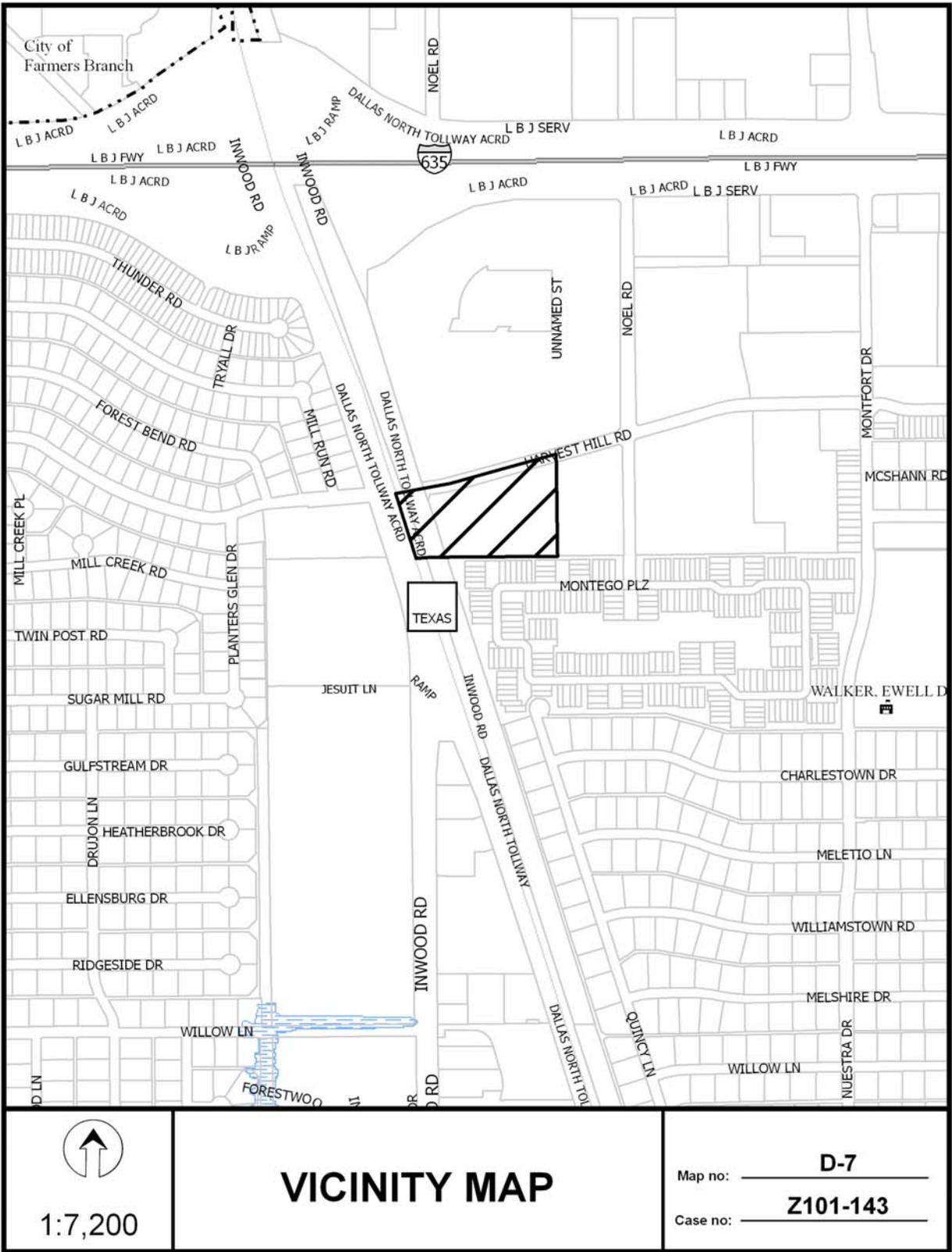
**BUILDING AREA**  
 161,170 SQ. FT. OFFICE SPACE  
 5,000 SQ. FT. MEDICAL OFFICE SPACE  
 1,100 SQ. FT. RESTAURANT SPACE  
 160,270 SQ. FT. TOTAL BUILDING AREA

**PARKING REQUIRED**  
 1/333 FOR OFFICE USES = 490 SPACES  
 1/700 FOR MEDICAL OFFICE USES = 25 SPACES  
 1/100 FOR RESTAURANT USE = 11 SPACES  
 526 SPACES

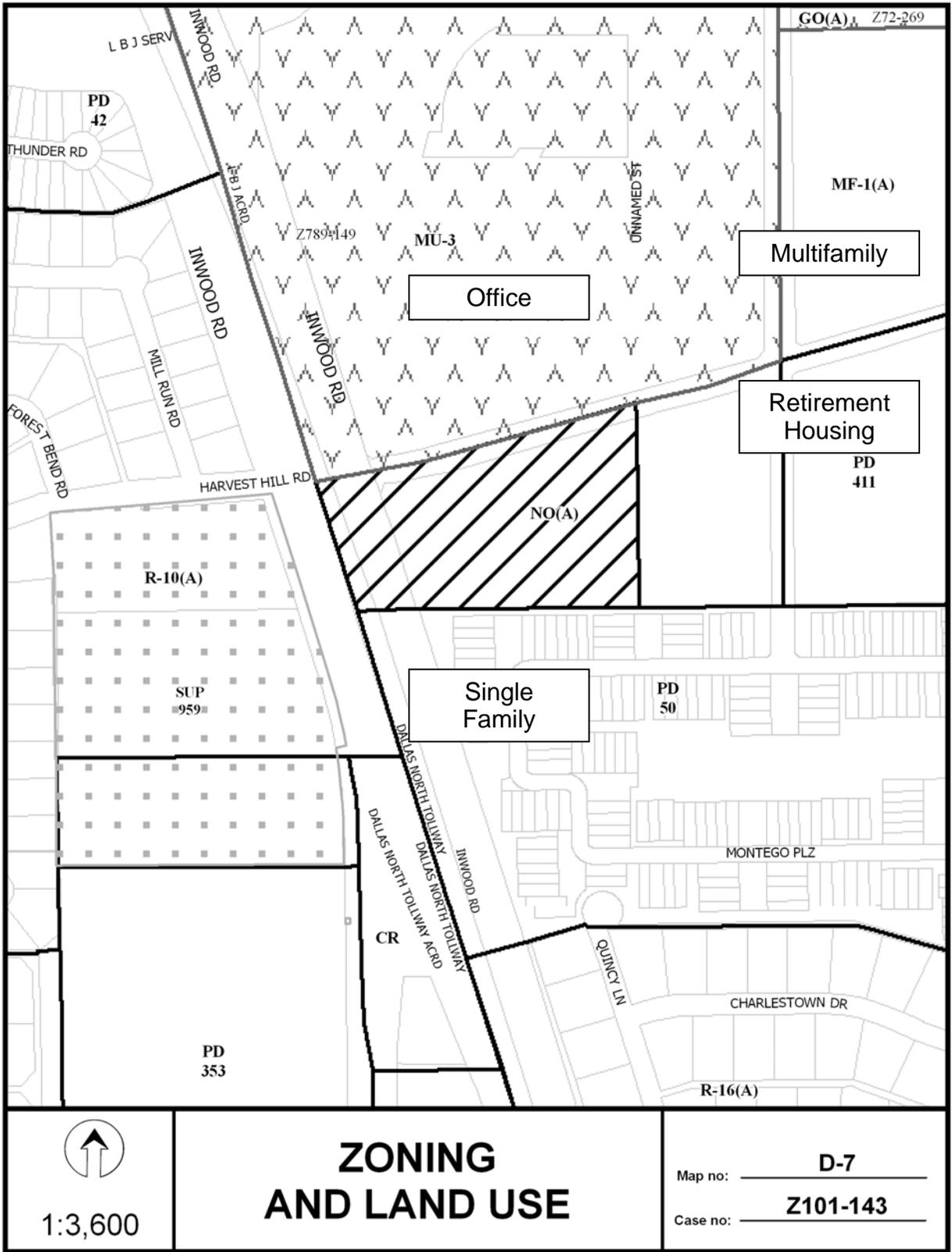
**PARKING PROVIDED**  
 GARAGE PARKING 268 SPACES  
 SURFACE PARKING 262 SPACES  
 TOTAL SPACES 530 SPACES

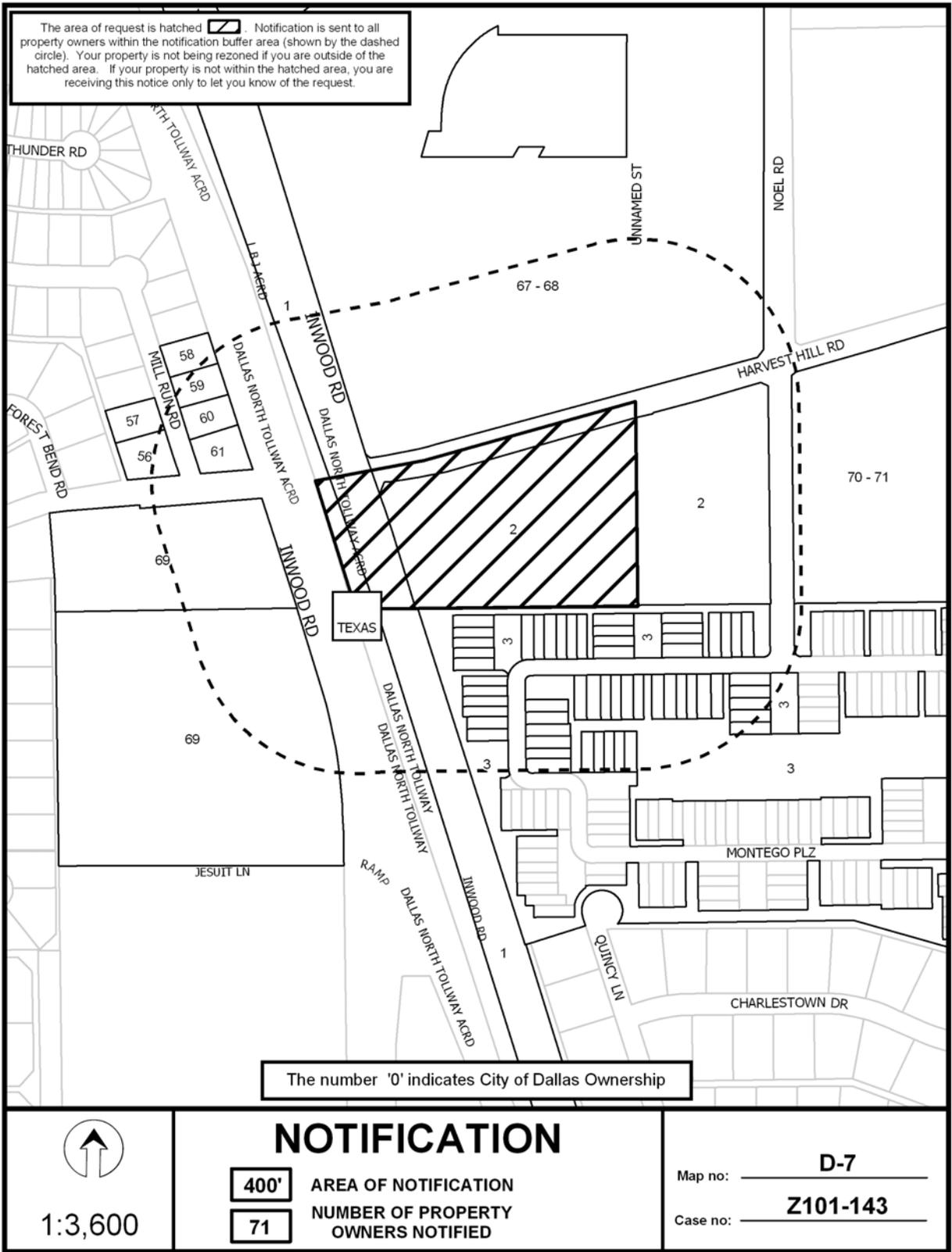
NO.	DESCRIPTION	REQUIREMENT	PROVIDED
1	Office Space	1/333	490
2	Medical Office Space	1/700	25
3	Restaurant Space	1/100	11
4	Total		526
5	Garage Parking		268
6	Surface Parking		262
7	Total		530

COMP.	DATE
C1	1/23/22



DATE: March 08, 2011





## Notification List of Property Owners

### Z101-143

#### 71 Property Owners Notified

Label #	Address	Owner
1	12600 INWOOD	TEXAS UTILITIES ELEC CO % STATE & LOCAL TAX DEPT
2	5440 HARVEST HILL	TOLL HILL PPTIES LTD STE 1050
3	900001 NO NAME	PRESTON SQUARE INC
4	12521 MONTEGO PLAZA	BARTLETT SHIRLEY A
5	12523 MONTEGO PLAZA	WHEELOCK BRENDA K
6	12525 MONTEGO PLAZA	HIRSCH LOUISE R
7	12527 MONTEGO PLAZA	ROTHENBERG JACK MARTIN
8	12529 MONTEGO PLAZA	PETERSON SUSAN E
9	12531 MONTEGO PLAZA	JOHNSON BEVERLY J K
10	12533 MONTEGO PLAZA	RUPLEY GAIL SPEED
11	12535 MONTEGO PLAZA	LORENTE MARIA E
12	12537 MONTEGO PLAZA	BOSSHART PATRICK W
13	12539 MONTEGO PLAZA	JACKSON BETTY JANE
14	12541 MONTEGO PLAZA	KERR JAMES W JR
15	12551 MONTEGO PLAZA	KENNER M I
16	12553 MONTEGO PLAZA	BAKER WILMA
17	12555 MONTEGO PLAZA	AUERBACH DON & LINDA
18	12557 MONTEGO PLAZA	PIERCE RUBY JEAN
19	12559 MONTEGO PLAZA	WHEELOCK SHIRLEY C
20	12561 MONTEGO PLAZA	FOSTER PAULA A & LINWOOD O SR
21	12571 MONTEGO PLAZA	BLACKER MICHAEL
22	12573 MONTEGO PLAZA	SOWA MARK P & PATRICIA D
23	12575 MONTEGO PLAZA	WEBBER CAROLYN S
24	12587 MONTEGO PLAZA	TAYLOR KENNETH D
25	12589 MONTEGO PLAZA	ALEXANDER DIANNE FRANKLIN
26	12591 MONTEGO PLAZA	POWDRILL FRANCES E

Tuesday, March 08, 2011

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
27	12593 MONTEGO PLAZA	JACKS DAN M & JUDY H
28	12595 MONTEGO PLAZA	SHREVE DEWITT C & SHIRLEY J
29	12597 MONTEGO PLAZA	BEENE ALLEN
30	12482 MONTEGO PLAZA	MAYRATH MARTIN N
31	12484 MONTEGO PLAZA	TIETJEN NEIL HENRY
32	12486 MONTEGO PLAZA	KENT JOANNE M
33	12488 MONTEGO PLAZA	GOWAN DONNA B
34	12490 MONTEGO PLAZA	ROBERTS KATHERINE E
35	12512 MONTEGO PLAZA	POWERS JOAN T
36	12514 MONTEGO PLAZA	MUHLEISEN DOROTHY K
37	12516 MONTEGO PLAZA	EBEST CATHERINE
38	12518 MONTEGO PLAZA	RUFFING JAMES R LF EST & AGNES ANNE LF EST
39	12520 MONTEGO PLAZA	DRIVER MARY A
40	12522 MONTEGO PLAZA	PAUL CHRISTINE J
41	12560 MONTEGO PLAZA	PARDUE RAYMOND J & SISSY G
42	12562 MONTEGO PLAZA	JANSSON MARY DALE
43	12564 MONTEGO PLAZA	BLAND LOUISE O
44	12566 MONTEGO PLAZA	REULER SHARON
45	12568 MONTEGO PLAZA	BYERS BARBARA M TR
46	12570 MONTEGO PLAZA	BLEND ANNA & MARK
47	12572 MONTEGO PLAZA	BUCHANAN MARGARET
48	12574 MONTEGO PLAZA	SCHULTZ KENNETH P & NELDA C
49	12576 MONTEGO PLAZA	MORRIS JOSEPH B & CLARE S
50	12578 MONTEGO PLAZA	BETCHER ELAINE E
51	12580 MONTEGO PLAZA	OCONNOR RICHARD D & MARY JO
52	12582 MONTEGO PLAZA	MANION CAMILLE
53	12590 MONTEGO PLAZA	WESNER JOSEPH J & PEGGY H
54	12592 MONTEGO PLAZA	COLLINS JAMES G
55	12598 MONTEGO PLAZA	KOSTAS GEORGIA G
56	5130 MILL RUN	BANK ROGER D & LINDA M
57	5124 MILL RUN	JONES BARRY P

Tuesday, March 08, 2011

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
58	5117 MILL RUN	WOMACK LOU ANN
59	5123 MILL RUN	CAMP CAREY D & VIRGINIA A
60	5129 MILL RUN	ALLEE TONY MOHAMMAD KABIR
61	5135 MILL RUN	JIMENEZ ANTONIO S & CRISANTA R
62	12577 MONTEGO PLAZA	CAUGHRON FRANK & NANCY
63	12583 MONTEGO PLAZA	SUMMERS ELIZABETH R TR
64	12585 MONTEGO PLAZA	MEYERS ELIA
65	12594 MONTEGO PLAZA	INGELS RICHARD A & SHERRY H
66	12596 MONTEGO PLAZA	MYERS MILDRED STANLEY
67	5400 LBJ	TEACHERS INSURANCE AND ANNUITY ASSOC OF
68	5442 HARVEST HILL	MERCANTILE BANK
69	12617 INWOOD	ROMAN CATH DIOCESE DALLAS % BISHOP KEVIN FARRELL
70	5550 HARVEST HILL	STERLING ACQUISITION CORP %OMEGA HEALTHCARE INV
71	5550 HARVEST HILL	TREEMONT RETIREMENT LP

Tuesday, March 08, 2011

**Planner: Mike Grace, AICP**

**FILE NUMBER:** Z101-148(MG)                      **DATE FILED:** December 21, 2011

**LOCATION:** Northwest side East 9<sup>th</sup> Street between Beckley Avenue and S. Patton Avenue and the southeast side of East 9<sup>th</sup> Street between Storey Street and S. Patton Avenue

**COUNCIL DISTRICT:** 1                                      **MAPSCO:** 54 H & D

**SIZE OF REQUEST:** Approx. 20.6 acres                      **CENSUS TRACT:** 48

---

**APPLICANT / OWNER:** Dallas Independent School District (see attached list of Board Members)

**REPRESENTATIVE:** MASTERPLAN  
Karl Crawley

**REQUEST:** An application for an amendment to and expansion of Planned Development District No. 682 for a public school other than an open enrollment charter school and MF-2(A) Multifamily District uses on property zoned a PDD No. 682 and an MF-2(A) Multifamily District with a Dry Liquor Control Overlay on a portion.

**SUMMARY:** The purpose of expanding Planned Development District No. 682 is to allow the expansion of the school campus, development of a new high school, auto tech building; baseball, football, soccer and softball fields and tennis courts and additional parking.

**STAFF RECOMMENDATION:** Approval, subject to a development/landscape plan, circulation plan and conditions.

**BACKGROUND INFORMATION:**

- The Dallas Independent School District is proposing to expand an existing high school campus. A pre-school and auto tech building east of the existing high school will be demolished to allow for construction of the new 300,000 square foot high school containing 50 classrooms, accessory structures and athletic fields. A portion of the existing high school will be converted into a youth and family center. New construction will also include parking areas south of East 9<sup>th</sup> Street.
- The surrounding land uses are varied and include commercial, multifamily and single-family uses, and a fire station.
- Occupancy of the new high school is scheduled for August 2012.
- On Tuesday, July 6, 2010 the Landmark Commission voted to extend the initiation of the historic designation process for Adamson High School. Initiation began July 7, 2008.
- On Monday, March 7, 2011 the Landmark Commission approved an historic district overlay for Adamson High School. A City Planning Commission date has not been set.
- Adamson High School is listed on the National Register of Historic Places.

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

1. Z034-139            On June 14, 2006, the City Council approved a Specific Use Permit for an open-enrollment charter school on property zoned LO-1 Light Office and PD-316.
2. Z090-197            On August 25, 2010, the City Council approved an amendment and expansion of Planned Development District No. 682 for a public school other than an open enrollment charter school and MF-2(A) Multi-family District Uses on property zoned PDD No. 682 and an MF-2(A) Multifamily District.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Beckley Avenue	Secondary	60 ft.	60 ft.
N. Crawford Street	Local	60 ft.	60 ft.
East 8 <sup>th</sup> Street	Local	60 ft.	60 ft.
East 9 <sup>th</sup> Street	Local	60 ft.	60 ft.
N. Patton Ave.	Local	60 ft.	60 ft.
N. Storey Street	Local	60 ft.	60 ft.
East 10 <sup>th</sup> Street	Local	60 ft.	60 ft.

**Land Use:**

	Zoning	Land Use
<b>Site</b>	PD-682 & MF-2(A)	High School/parking
<b>Northwest</b>	CR & MF-2(A)	Fire station/apartments/single-family
<b>Southeast</b>	MF-2(A)	undeveloped property/adult day care/single-family/church
<b>East</b>	MF-2(A)	Multifamily/single-family/apartments
<b>West</b>	PD-567, MF-2(A), MU-1	Youth and family center/auto shops/laundry store

**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 Urban Neighborhood Residential Block.

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. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. 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.

**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 20.6 acre site is developed with an existing high school that has approximately 1,300 students on campus. The applicant’s request for an amendment to and expansion of the Planned Development District is to allow for the expansion of the school campus. School enrollment and grades will not change.

The Dallas Independent School District is proposing to expand the Adamson High School campus by constructing a new high school, auto-tech center, additional parking, multiple storage buildings and renovation of the existing high school into administrative offices, a youth and family center and a ninth grade center. In addition to tennis courts, baseball, football, soccer, and softball fields are proposed. The parking area south of East 9<sup>th</sup> Street will be gated with entry provided via sliding gates.

The off-street parking lots that are adjacent to the street right-of-way are currently located within the 25’ required front yard setbacks. The Planned Development District allows parking areas within the front yards.

Staff has reviewed and supports the applicant’s request regarding the current proposal. Staff believes that these modifications will not adversely affect the safety of the surrounding area.

**Development Standards:**

<b>DISTRICT</b>	<b>SETBACKS</b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
PDD-682 – Proposed Public School	10’ *except as shown on site plan	10’ *except as shown on site plan	NA	85	20, 60, 80%	NA	Public school
PDD-682 – Proposed Public School	5’ *except as shown on site plan	10’ *except as shown on site plan	NA	85	20, 60, 80%	NA	Public school

**Parking:** The requirement for off-street parking for a high school, pursuant to the Dallas Development Code is nine and one-half space for each high school classroom.

The number of required off-street parking spaces for the proposed high school is 475 spaces. The applicant is proposing to provide 506 off-street parking spaces for the new combined school and office use. The total number of proposed classrooms determines the number of required parking spaces. The high school will have 50 classrooms and a youth and family center.

The applicant has submitted a circulation plan that depicts proposed traffic movement patterns associated with student's drop-off and pick-up and queuing on the city's right-of-way.

DISD must meet the parking requirements in accordance to Section 51A-4.200 of the Dallas Development Code for any future expansion.

**Landscaping:** The applicant has submitted landscaping plans that show a combination of design elements and trees surrounding the proposed development. The city arborist is in support of the proposed landscaping.

Proposed landscaping improvements are illustrated in the attached Development Plan/Landscape Plan.

**Traffic:** The Engineering Section of the Department of Sustainable Development and Construction has reviewed and supports the proposed circulation plans.

<b>BOARD OF TRUSTEES DISD</b>
-----------------------------------

- **District 1 Edwin Flores, Ph.D., J.D.**
- **District 2 Jack Lowe**
- **District 3 Bruce Parrott, Secretary**
- **District 4 Nancy Bingham**
- **District 5 Lew Blackburn, Ph.D., First Vice President**
- **District 6 Carla Ranger, Second Vice President**
- **District 7 Eric Cowan**
- **District 8 Adam Medrano, President**
- **District 9 Bernadette Nutall**

**PROPOSED PDD CONDITIONS**

ARTICLE 682

PD 682

Sec. 51P-682.101. LEGISLATIVE HISTORY.

PD 682 was established by Ordinance No. 25574, passed by the Dallas City Council on April 28, 2004.

SEC. 51P-682.102. PROPERTY LOCATION AND SIZE.

PD 682 is established on property generally bounded by Eighth Street, Patton Avenue, Ninth Street, Crawford Street, the alley between Tenth Street and Jefferson Boulevard, Storey Street, and Beckley Avenue. The size of PD 682 is approximately 20.60 acres.

SEC. 51P-682.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article, ACCESSORY YOUTH AND FAMILY CENTER means a multifunctional facility sponsored or operated by a public school district as an accessory use to a school where a combination of social, recreational, welfare, health, rehabilitation, counseling, educational, referral, or out-patient medical, dental, or optical treatment services are provided to students and their family members.

(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 residential zoning district.

SEC. 51P-682.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 682A: development plan/landscape plan.
- (2) Exhibit 682B: traffic management pan.

SEC. 51P-682.104. DEVELOPMENT PLAN.

(a) For public school and office uses, development and use of the Property must comply with the development plan (Exhibit 682A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For all other uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

SEC. 51P-682.105. MAIN USES PERMITTED.

(a) Except as provided in this section, 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 review (DIR) in the MF-2(A) Multifamily District is subject to DIR in this district, etc.

- (b) The following additional main uses are permitted by right:
- Office. *[In Tract 1 and only and limited to offices for public school administration.]*
  - Public school other than an open enrollment charter school.

SEC. 51P-682.106. 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) The following accessory use is permitted by right:
- Accessory youth and family center.

SEC. 51P-682.107. 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) In general. Except as otherwise provided in this section, the yard, lot, and space regulations for MF-2(A) Multifamily District apply.

(b) Front yard.

(1) Tracts 1, 2, 4 and 5. For public school and office uses, minimum front yard is 10 feet except no minimum setback is required along Beckley Avenue in the area identified on the development plan.

(2) Tract 3. For a public school use, minimum front yard is five feet.

(3) Fences.

(A) Except as provided in this paragraph, for a public school use, a maximum six-foot-high fence is allowed in the front yard.

(B) For a public school use, a 20-foot-high chain link fence is allowed in the front yard for batting cages in the areas designated on the development plan.

(c) Side and rear yard. For public school and office uses, minimum side and rear yard is 10 feet.

(d) Height. For public school and offices uses, maximum height is 85 feet.

(e) Lot coverage. For public school and office uses, maximum lot coverage is 60 percent for Tract 1, 80 percent for Tract 2, and 20 percent for Tracts 3, 4, and 5. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

SEC. 51P-682.108. 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.

(b) For public school and office uses, a combined minimum of 475 off-street parking spaces are required.

(c) For public school and office uses, off-street parking is allowed in the required yards.

(d) For a public school use, all parking lots providing off-street parking spaces for teachers, staff, or students, must be accessible at all times when school is in session.

(e) For public school and office uses, all lots in this district are considered to be one lot for purposes of off-street parking.

SEC. 51P-682.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI

SEC. 51P-682.100. LANDSCAPING

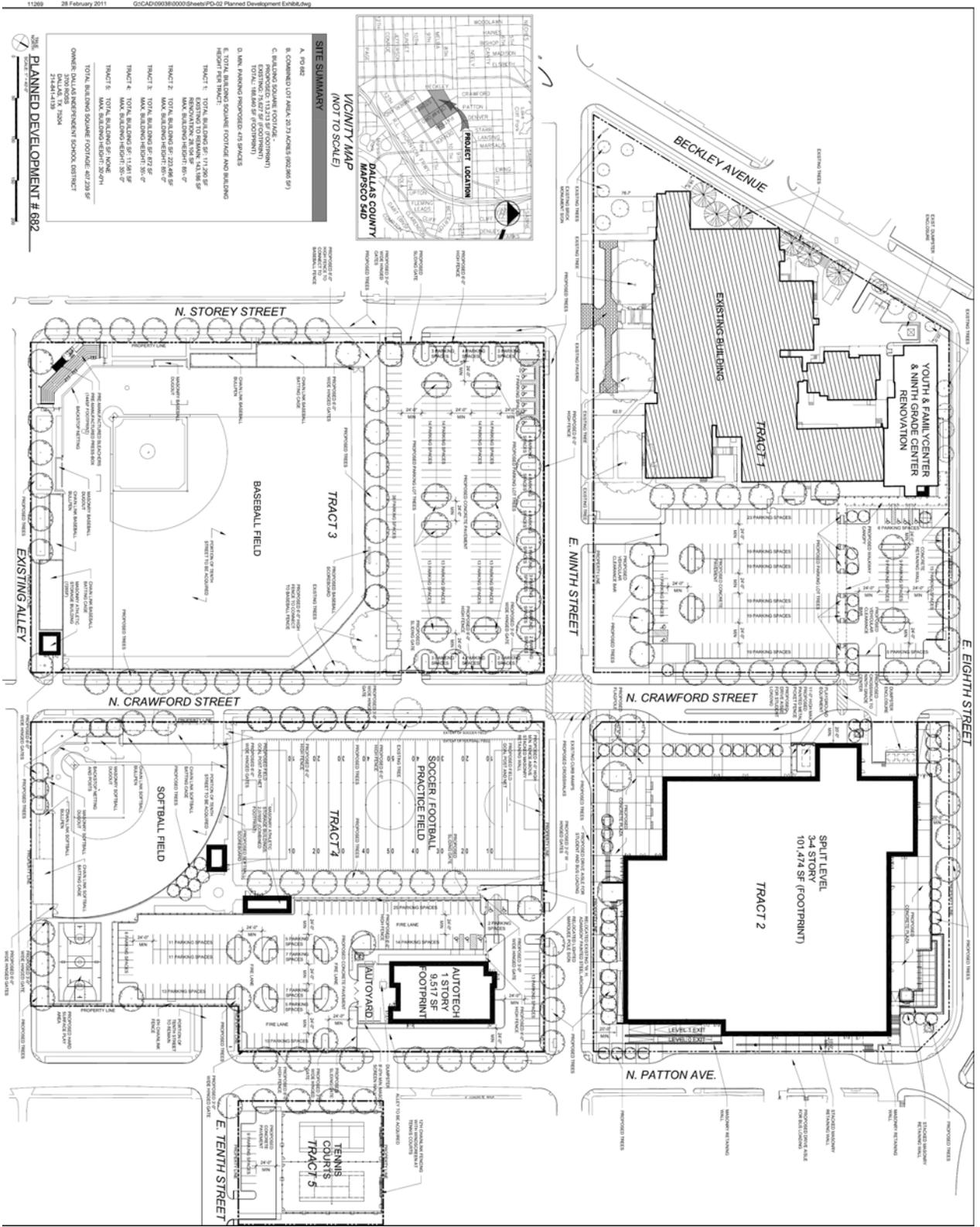
(a) Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) Plant materials must be maintained in a healthy, growing condition.

(c) For public school and office uses, landscaping must be provided as shown on the Development Plan/Landscape Plan (Exhibit 682B). If there is a conflict between the text of this article and the Development Plan/Landscape Plan, the text of this article controls.



# PROPOSED DEVELOPMENT PLAN/LANDSCAPE



**Adamson High School  
Traffic Management Plan**

## **TRAFFIC MANAGEMENT PLAN**

A Traffic Management Plan (TMP) is important to maintain an optimum level of traffic flow, circulation, and safety during peak traffic periods associated with student drop-off and pick-up. The City of Dallas strives for all circulation, vehicular queuing, and drop-off/pick-up procedures to take place off public right-of-way, and DeShazo recognizes this as the preferred condition. However, due to the physical environment and site characteristics of the new Adamson High School, circumstances will challenge the ability to enforce a traffic management plan that limits vehicle queuing and student loading to locations off public right-of-way. But, acknowledging this, DeShazo has developed a traffic circulation plan that utilizes off-street facilities. A concerted effort by the school administration and the parents is needed to encourage and to assist in implementing these plans.

The school is located in an urban setting with a traditional street grid network. Due to the small block size, it was not possible to locate parking facilities on the same block with the school building. Three pull-out, loading areas have been created on the block immediately adjacent to the new school building to provide a limited amount of loading area outside the travel lanes and to avoid pedestrian street crossing. On Crawford Street, an off-street pullout (separated by a raised curb) has been provided that can accommodate approximately eight passenger vehicles. On 9<sup>th</sup> Street, a recessed curb loading area has been provided that can accommodate approximately eleven passenger vehicles. The recessed curb loading area on Patton Street is intended to serve school buses only and can accommodate the four buses that are expected to serve the site.

### ***School Hours***

The school is expected to operate on a uniform daily schedule. Classes on typical school days for all grades will begin at 8:30 AM and conclude at 3:30 PM. While these are the scheduled class times, it can be assumed that not all students will be picked-up and dropped-off at these exact times based upon normal distribution patterns. Occasional special events at the school that generate traffic outside the traditional peak drop-off and pick-up periods may also occur; while some of the measures presented in this report may be applicable in those instances, special event traffic characteristics are not covered in this analysis.

### ***Bus Loading/Unloading***

The existing Adamson High School is served by four school buses. This service is expected to be unchanged for the new school. The pullout located on Patton Street shall be dedicated to all bus

loading and unloading. It will be necessary for buses to approach the loading area from the north and depart toward the south to facilitate proper maneuvering.

### ***Morning Drop-Off Period***

Because the morning drop-off is typically a quick operation and is more temporally distributed, vehicle queuing typically does not a significant amount of space. Drop-off procedures are expected to occur and be adequately accommodated within the recessed, pullout areas along 9<sup>th</sup> Street and Crawford Street and remain sufficiently out of the travel lanes. Off-street loading/unloading of passenger vehicles is expected to only be necessary during the afternoon pick-up period, however in overflow or heavier than expected morning drop-off conditions, the protocol for pick-up as described below may also be utilized.

### ***Afternoon Pick-Up Period***

Afternoon pick-up is typically the condition that requires traffic management due to the magnitude of traffic converging at the site concurrently. The following sections describe DeShazo's recommended protocol.

While it may be acceptable to utilize the 9<sup>th</sup> Street and Crawford Street pullouts for passenger loading of private automobiles during afternoon pick-up periods, DeShazo's TMP demonstrates the ability to accommodate all loading and queuing on private property within the school's parking lots located across 9<sup>th</sup> Street.

### **Queue Lengths**

DeShazo observed queuing behavior at the existing school during the afternoon pick-up period to estimate the future queuing demand. Vehicular queuing is not expected to change appreciably as enrollment is expected to remain consistent. DeShazo observed a maximum of 56 vehicles queued around Adamson High School along 9<sup>th</sup> and Storey Streets at the time of student release on different days of observations.

The observed vehicles did not form a true queue line and load sequentially. Rather, parents parked along the curbsides of the streets adjacent to the building and passenger loading occurred in a very impromptu manner. Parked vehicles maintained sufficient space on the street to allow one through lanes open to traffic (NOTE: currently, the street operates as one-way, to two travel lanes exist in each direction). Motorists did not advance as closer vehicles loaded and departed curb space ahead of them.

The expected maximum queue of 56 vehicles can be accommodated in the two parking lots as seen in **Exhibit 3**. The path may be altered while remaining entirely within the parking lots to provide additional queue length or to simplify if given length is excessive.

### **Pick-up Locations**

For afternoon pick-up operations, passenger loading should take place along the northeast corner of the southwest parking lot (near the corner of Crawford and 9<sup>th</sup> Streets) to result in the

shortest walking distance. A secondary loading area is available in the southeast lot – either in the vicinity of the remote educational building, or in the northern portion of the lot near 9<sup>th</sup> Street; however, passenger loading should not be allowed upon immediate entry to the lot as this will not allow much queuing space to avoid back-up onto 9<sup>th</sup> Street. These locations allow students, as needed, to cross at crosswalks around 9<sup>th</sup> and Crawford, and would provide ample vehicle queuing length on site assuming vehicles proceed to the south and loop around the parking area before picking-up passengers.

### **Circulation**

For the southwest parking lot, vehicles should enter from the Crawford Street driveway. Traffic cones or similar devices should be placed within the lot to facilitate the one-way circulation pattern depicted in **Exhibit 3** to provide necessary queue length. After passenger pick-up, vehicles may proceed to the exit at the Storey Street driveway.

For the southeast parking lot, traffic should enter from the driveway on 9<sup>th</sup> Street, proceed south to central parking bays, and circulate within this lot to orient with the passenger side near the designated pick-up point. Traffic cones or similar devices may be used to reinforce the proper circulation pattern. Vehicles would then continue north and exit via the same driveway on 9<sup>th</sup> Street.

All internal circulation within this lot during peak hours is depicted in **Exhibit 3** to provide the safe and efficient transportation for the students.

### **Personnel Assistance**

It is important to have staff presence wherever students are dropped-off or picked-up, including the bus area. Because of the urban nature of the school and the proximity of public streets, staff is especially needed to maintain order and safety among pedestrians and motorists. In the morning, there should be at least two staff members at the bus drop-off and each of the recessed parent drop-off locations to guide vehicles to designated locations and direct students into the school building.

Because it is a high school, students do not need as much assistance finding and loading into their vehicle in the afternoon as compared to students in earlier grades. At this time, assistance of school personnel is more needed to oversee operations and ensure students and parents are following TMP guidelines. A greater presence is needed in the afternoon due to the increased traffic and pedestrian activity.

The school staff will need to be more involved in supervising students crossing the public streets to the loading locations in the parking lot. Staff will also need to provide enforcement to ensure that parents are utilizing the designated queue and not loading students along the school's perimeter curb. *[NOTE: Non-deputized individuals may not direct vehicular or pedestrian traffic within public right-of-way -- Only deputized officers of the law may do so.]*

### **Pedestrian Crossings**

Passenger loading/unloading in the parking lots requires students to cross 9<sup>th</sup> Street and/or Crawford Street in order to reach the designated off-street loading areas of the parking lots. Even though pedestrian crossings may occur at an intersection with or without marked crosswalks, DeShazo does recommend that marked crosswalks along all four legs of the 9<sup>th</sup> Street-Crawford Street intersection to increase awareness of motorists and pedestrians. Additional safety measures may also improve the pedestrian environment, such as a school zone speed reduction (this implementation will be subject to the review by the City of Dallas Public Works and Transportation Department).

NOTE: A mid-block crosswalk on Crawford Street is also proposed to align with the secured walkway between the new and existing high school buildings. This will accommodate student traffic during class changes during the school day. It is not an integral part of the TMP.

### **SUMMARY/CONCLUSIONS**

The following roadway modifications were recommended by DeShazo in the Traffic Impact Analysis report for the Adamson High School and were assumed to occur, *where applicable* in this TMP.

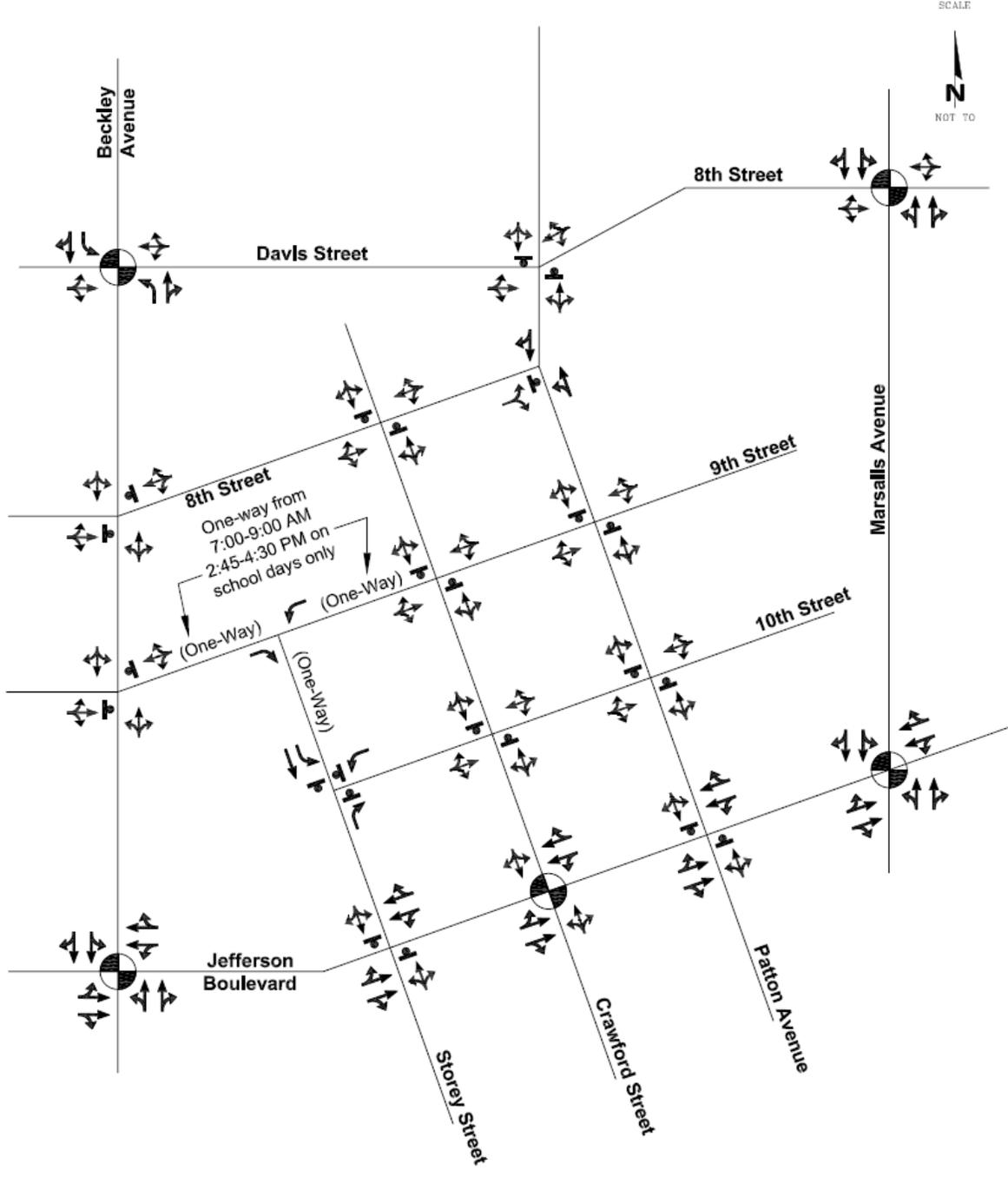
1. Convert Crawford Street (from 9<sup>th</sup> to 8<sup>th</sup>) as well as 9<sup>th</sup> Street (from Crawford to Patton) into permanent one-way streets operating northbound and westbound, respectively.
2. Convert Storey Street and 9<sup>th</sup> Street (from Beckley to Crawford) into permanent two-way streets.
3. Install All-Way STOP Control at the intersection of 8<sup>th</sup> Street and Crawford Street. [NOTE: this is the recommendation of the Public Works and Transportation Department staff.]
4. Install All-Way STOP Control at the intersection of 9<sup>th</sup> Street and Crawford Street.
5. Install crosswalks around the intersection of 9<sup>th</sup> Street and Crawford Street.
6. Based upon the pending abandonment of 10<sup>th</sup> Street right-of-way through the subject site, remove existing STOP signs at 10<sup>th</sup> Street at Storey Street (3 signs), 10<sup>th</sup> Street at Crawford Street (2 signs), and 10<sup>th</sup> Street and Patton Avenue (2 signs).
7. In deference to the pending abandonment of 10<sup>th</sup> Street right-of-way west of Patton Street, change the direction of the existing two-way STOP control from a north-south stop to an east-west stop at the intersection of 10<sup>th</sup> Street and Patton Street.

This TMP is to be used by Adamson High School beginning in 2012 to provide safe and efficient transportation of students, staff, and faculty to and from the site. It shall be reviewed on a regular basis to confirm its effectiveness and compliance, and to investigate opportunities to improve traffic management.

**PROPOSED CIRCULATION PLAN**  
Page 1



DeShazo Group, Inc. Job No. 10004 Exhibit Created on 09-21-2010



**EXISTING TRAFFIC CONTROL**

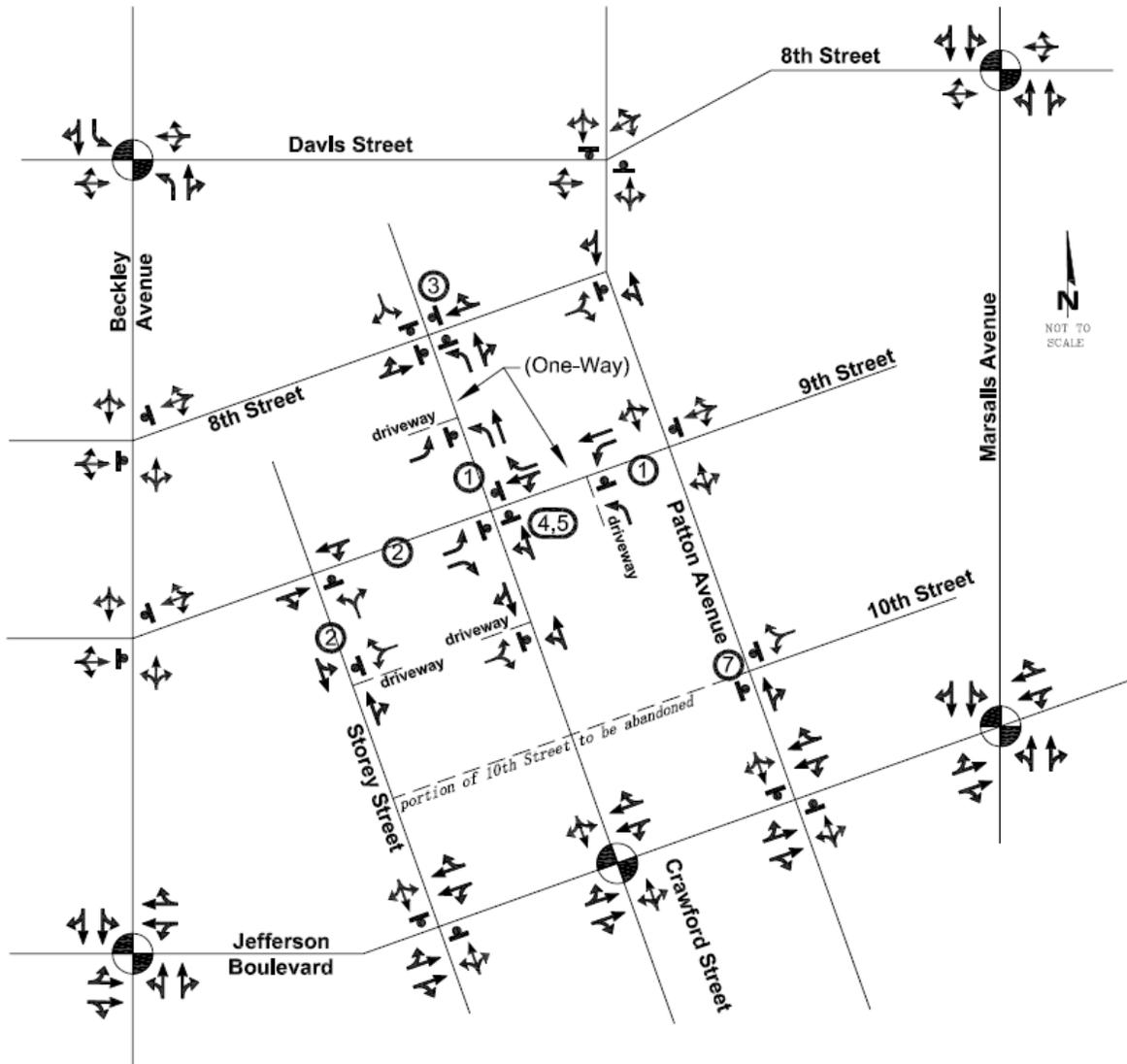
DISD Adamson High School Traffic Management Plan

EXHIBIT **2a**

**PROPOSED CIRCULATION PLAN**  
Page 2



DeShazo Group Inc. Job No. 10004 Exhibit Created on 08-21-2010 Revised on 10-07-2010



This TMP includes the following roadway recommended modifications for Adamson High School:

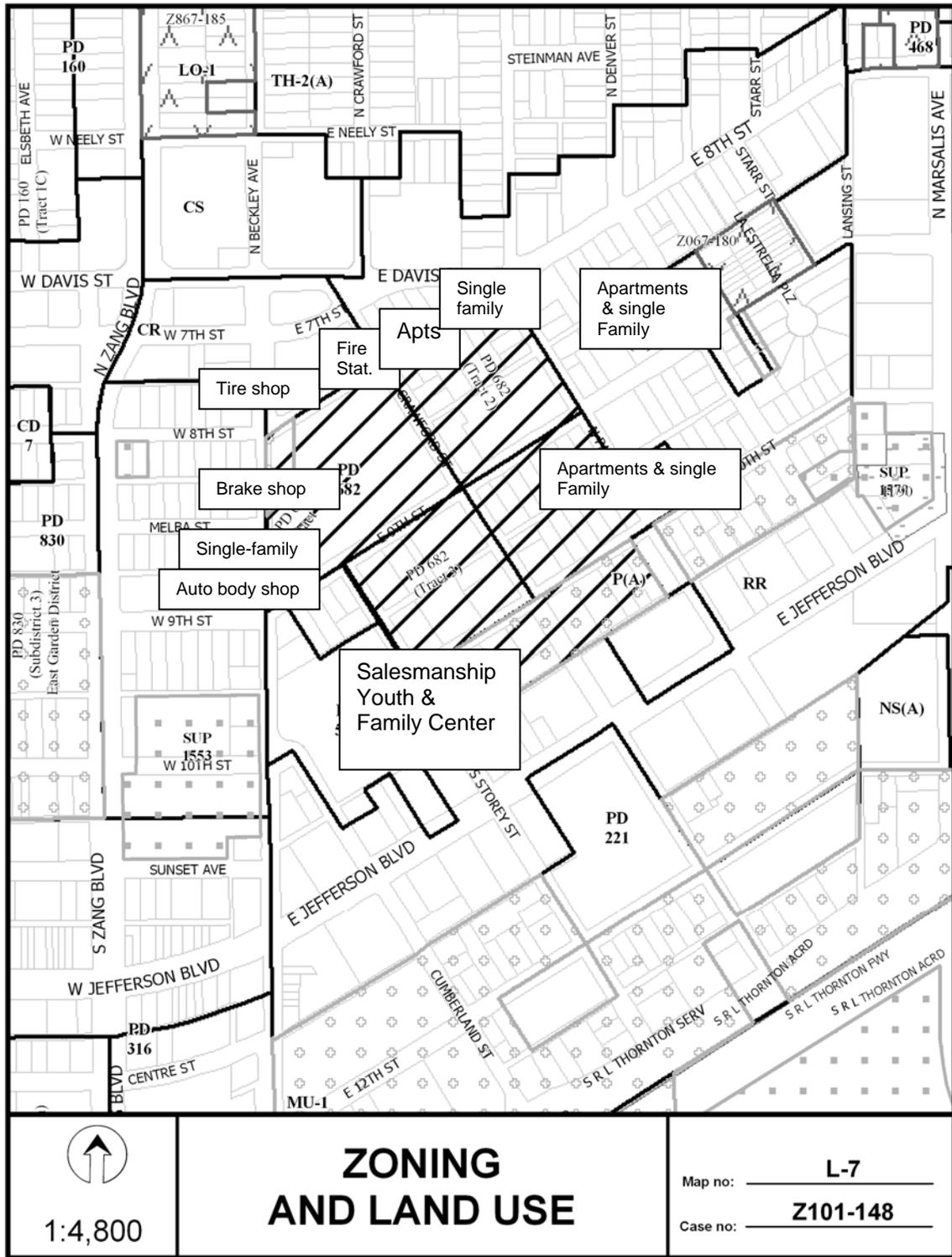
1. Convert Crawford Street (from 9th to 8th Street) as well as 9th Street (from Patton to Crawford) into permanent one-way streets operating northbound and westbound, respectively.
2. Convert Storey Street (from 9th to 10th Street) and 9th Street (from Beckley to Crawford) into permanent two-way streets.
3. Install All-Way STOP Control at the intersection of 8th Street and Crawford Street. [This is the recommendation of the Public Works & Transportation Department staff.]
4. Install All-Way STOP Control at the intersection of 9th Street and Crawford Street.
5. Install crosswalks around the intersection of 9th Street and Crawford Street.
6. Based upon the pending abandonment of 10th Street right-of-way through the subject site, remove existing STOP signs at 10th Street at Storey Street (3 signs), 10th Street at Crawford Street (2 signs), and 10th Street and Patton Avenue (2 signs).
7. In deference to the pending abandonment of 10th Street right-of-way west of Patton Street, change the direction of the existing two-way STOP control from a north-south stop to an east-west stop at the intersection of 10th Street and Patton Street.

**RECOMMENDED TRAFFIC CONTROL**

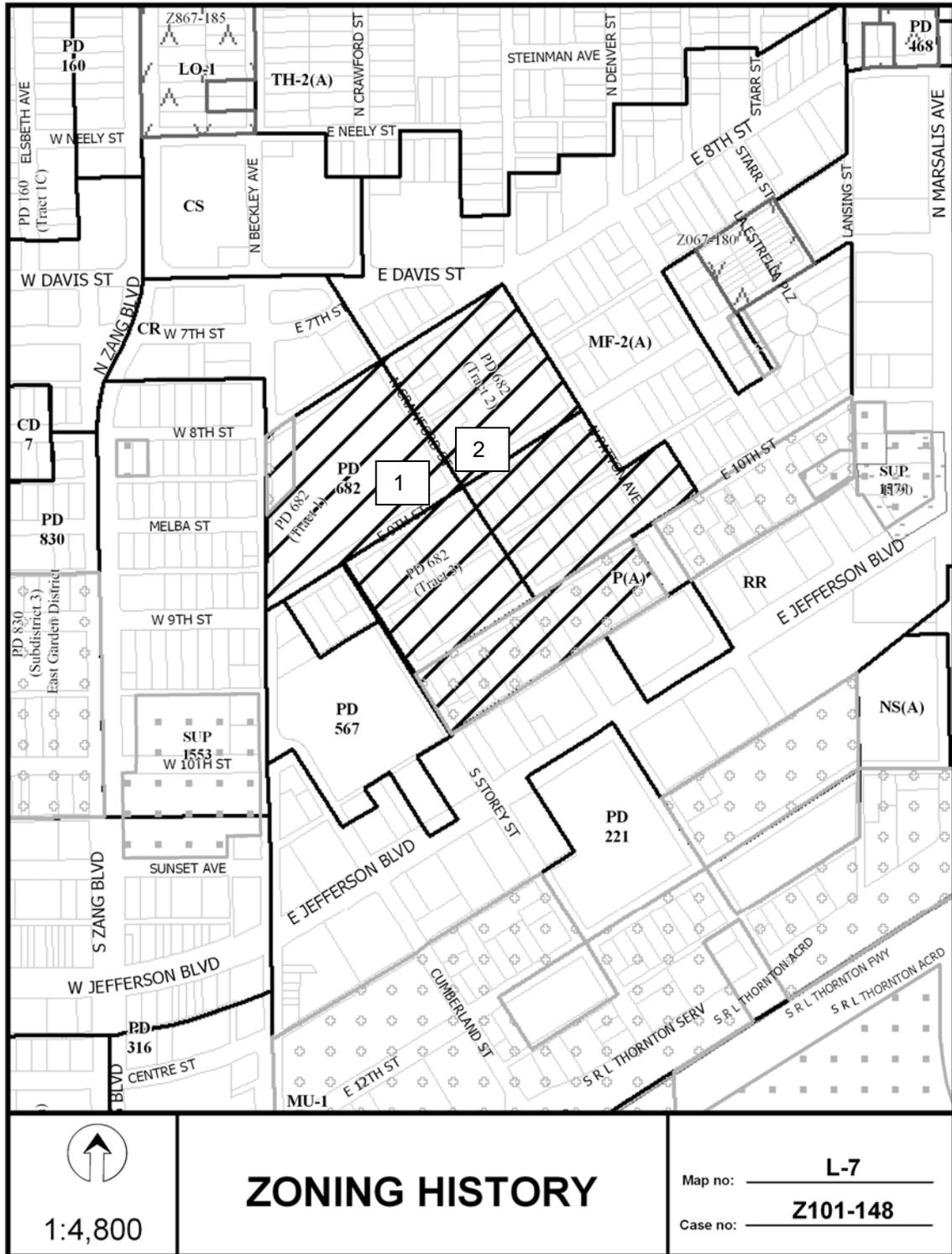
DISD Adamson High School Traffic Management Plan

EXHIBIT  
**2b**





DATE: February 23, 2011



1:4,800

# ZONING HISTORY

Map no:           L-7            
 Case no:           Z101-148          

DATE: February 23, 2011



## *Notification List of Property Owners*

### *Z101-148*

#### *197 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	229 PATTON	Dallas ISD ROOM 2 B
2	219 PATTON	Dallas ISD EXEMPT 1971
3	316 9TH	Dallas ISD OFFICE OF LEGAL SERVICES
4	312 PATTON	Dallas ISD
5	304 9TH	GONZALEZ XIOMARA & SANTOS CLAROS
6	300 9TH	300 E NINTH STREET LLC
7	114 CRAWFORD	VASQUEZ SILVESTRE & ESPERANZA
8	313 PATTON	Dallas ISD ATTN OFFICE OF LEGAL SERVICES
9	320 9TH	GONZALES ROSAMELIA N
10	330 9TH	FENDER H R % THOMAS SHARP
11	324 9TH	FENDER H R
12	329 10TH	PENA JOE L STE 400D
13	325 10TH	ESTES FAMILY TRUST
14	321 10TH	SEJ PROPERTIES LP
15	309 10TH	JONES RAYMOND OTIS TR
16	112 CRAWFORD	Dallas ISD ATTN: OFFICE OF LEGAL SERVICES
17	409 10TH	SELA CAPITAL LLC
18	405 10TH	TONGRA LP SUITE 110
19	300 CRAWFORD	Dallas ISD ATTN: LEE SIMPSON
20	222 STOREY	Dallas ISD ATTN LEE SIMPSON
21	224 10TH	AMERICAN RELIGIOUS TOWN HALL MEETING INC
22	110 STOREY	COX AVA MARIE
23	103 CRAWFORD	Dallas ISD LEE SIMPSON
24	308 10TH	CAMARGO LEONIDES
25	324 10TH	SOLACHE ERASTO
26	322 10TH	ARMENDARIZ ARTEMIO & MARIA R

*Wednesday, February 23, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	401 8TH	MACIAS EDGAR ALEXANDER
28	220 DENVER	MONROY MARINA FLORES & JOSE
29	400 8TH	MENDEZ JOSE & LETICIA
30	216 DENVER	FLORES DAMIANA J & LUIS FLORES
31	212 DENVER	RANGEL MANUEL
32	505 9TH	AGUILAR DIANA E P
33	210 DENVER	HERNANDEZ JESSE
34	501 9TH	MONTEMAYOR JUAN M
35	407 9TH	MORENO FELIPE & AGRICOLA
36	220 PATTON	ROSALES MARGARITA & ARACELY ORTEGA
37	409 PATTON	J&M 401K LLC
38	312 8TH	MARTINEZ GABRIEL V
39	320 8TH	320 E 8TH ST LAND TRUST
40	316 8TH	GOMEZ MARIA
41	217 DENVER	CISNEROS SOCORRO LOPEZ
42	429 DENVER	HERNANDEZ JESSE R
43	328 8TH	GARCIA CLYDE D & MARIE
44	324 8TH	GARCIA MARIA
45	209 DENVER	VENEGAS ENRIQUETA V
46	427 9TH	HERNANDEZ MARIA C
47	425 9TH	TANGAMANGA PROPERTIES INC
48	213 DENVER	PATINO ANTONIO & ROSALBA PATINO
49	417 9TH	HERNANDEZ DAVID
50	403 9TH	GONZALEZ PEDRO T & DELFINA T GONZALEZ
51	206 PATTON	OCON MARIA DELOURDES
52	212 PATTON	SEVILLA ENRIQUE
53	404 9TH	WOOD FRANK
54	412 9TH	HERNANDEZ JESSIE & MARIA
55	420 9TH	HERNANDEZ JESSIE R
56	119 DENVER	CAPITAL PLUS I LTD
57	111 DENVER	HERNANDEZ JESSE P & MARIA

*Wednesday, February 23, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	417 10TH	MONDRAGON JOSE J
59	421 10TH	VASQUEZ JOSE CELSO &
60	413 10TH	HINOJOSA HILARIO
61	535 JEFFERSON	VAZQUEZ JUAN
62	535 JEFFERSON	GIROS RAPIMEX LLC
63	404 10TH	RODRIGUEZ SANTIAGO
64	501 PATTON	TRANSPORTIES J L RANGEL INC
65	400 10TH	HERNANDEZ SAUL & ELIA
66	109 DENVER	SANCHEZ LUIS & ROSA
67	525 JEFFERSON	VAZQUEZ JUAN
68	509 JEFFERSON	FIGUEROA FRANCISCO
69	423 PATTON	MARR JAMES A
70	401 JEFFERSON	SANTOS JUAN J
71	325 JEFFERSON	ESTRADA RAUL
72	317 JEFFERSON	MONTOYA PEDRO
73	313 JEFFERSON	MEYER ABE PARTNERSHIP
74	301 JEFFERSON	BALLAS VICTOR
75	214 JEFFERSON	TEMPLE BETANIA DE LAS ASSAMBLEAS DE DIOS
76	210 JEFFERSON	TEMPLE BETANIA DE LAS ASAMBLEAS DE DIOS
77	400 JEFFERSON	HUGHES MARY FRANCES
78	311 8TH	GONZALEZ JOSE E & EMMA
79	321 PATTON	JMTT&Z LLC
80	330 PATTON	TORRES EFRAIN & EMETERIA LUNA
81	334 PATTON	VALDEZ ELEAZAR MENDOZA
82	311 DENVER	ZAMORA JONNY
83	217 STOREY	SALESMANSHIP CLUB YOUTH & FAMILY CENTERS INC
84	102 10TH	GHAFFAR F ABDAL & WILLIE H COLEMAN
85	113 JEFFERSON	COURTNEY E A EXTRX WILL R ALLEN EST
86	225 JEFFERSON	CAMPBELL HORACE
87	215 JEFFERSON	DALLAS AMERICAN INDIAN COUNCIL
88	128 BECKLEY	SALESMANSHIP CLUB YOUTH & FAMILY CENTERS INC

*Wednesday, February 23, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	108 9TH	SALESMANSHIP CLUB YTH & FAMILY CENTERS INC
90	112 9TH	SALEMANSHP CLUB YOUTH & FAMILY CNTRS INC
91	116 9TH	SALESMANSHIP CLUB YOUTH & FAMILY CENTERS INC
92	125 8TH	SALA GARRY W
93	201 8TH	GOMEZ JOHN M & VIRGINIA GARZA-GOMEZ
94	207 8TH	GOMEZ JOHN MARTIN
95	215 8TH	RUIZ RAMON & BERTHA A
96	211 8TH	TORRES RICARDO & MARIA
97	217 8TH	GOMEZ MICHAEL J
98	510 ZANG	BANJO VENTURES LTD
99	108 DAVIS	CUELLAR BROTHERS LTD
100	400 ZANG	TEXAS WAGGONER CORPORATION % MARK MIRANDA
101	125 8TH	MORIEL BENITO
102	119 8TH	SERRANO JESUS R & LUCIA
103	117 8TH	FUENTES VICENTE M
104	115 8TH	BOYD PRULA Z EST
105	111 8TH	LAMAS PRIMITIVO
106	105 8TH	WILSON ED
107	423 BECKLEY	MGC CONSULTING INC
108	423 BECKLEY	MGC CONSULTING INC
109	114 7TH	RUIZ MANUEL SNS
110	135 MELBA	BEISER NED E
111	127 MELBA	ORTIZ MANUEL & ALEJANDRA CALDERON ORTIZ
112	123 MELBA	ACEVEDO FELIPE & ESMERALDA
113	117 MELBA	SOTO JOSE REYES & CARMEN
114	115 MELBA	BARELAS BERTHA
115	111 MELBA	HESTER ANNETTE SANCHEZ
116	313 BECKLEY	BASS EE JR
117	110 8TH	IGBOKWE OBI E
118	112 8TH	MONTOYA JOSE & MARTHA
119	118 8TH	LANDEROS JAVIER R

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	122 8TH	TREVINO ROBERTO RINCON & FRANCISCA TREVINO
121	126 8TH	GIRLS INCORPORATED OF METROPOLITAN DALLAS
122	350 ZANG	GIRLS INC OF METROPOLITAN DALLAS
123	129 9TH	NINTH STREET LTD % D NERENBERG
124	119 9TH	DELIRA JOSE R
125	115 9TH	WATSON IMA J
126	105 9TH	ADAME MIGUEL & FELIPE & ROBERTO
127	103 9TH	ADAME FELIPE ET AL
128	101 9TH	DOMINQUEZ JOSE F & PETRA MENDEZ
129	102 MELBA	HURTADO WILLIAM N ETAL
130	215 BECKLEY	RIOS JOSE ETAL
131	106 MELBA	BURCIAGA LORENZO
132	110 MELBA	LONGORIA AIDA C
133	114 MELBA	QUINONEZ MORENA C
134	118 MELBA	VILLARREAL MARIA
135	122 MELBA	GARCIA RAFAEL M & JUANA
136	126 MELBA	SULLIVAN AUDREY
137	130 MELBA	SALINAS VICENTE & MARIA DE JESUS
138	134 MELBA	SILVER GLEN A & ANA C COBIAN-SILVER
139	132 ZANG	CLIFF TEMPLE BAPTIST CHURCH
140	100 9TH	FORD COIN REALTY LP #1025
141	601 BECKLEY	DALLAS COUNTY SCHOOL TRUS
142	204 NEELY ST	GUERRERO TERESA
143	303 PATTON	CUADROS APOLONIO & ROSA
144	309 PATTON	SALAS JUAN RUEDA EST OF
145	311 PATTON	NARRO LORENZO A & ROSA M
146	317 PATTON	MONDRAGON ROGELIO
147	321 PATTON	NARRO CAMERINA V
148	325 PATTON	ALONSO RUBEN & MARIA DEL
149	329 PATTON	ZUNIGA JUAN
150	205 DAVIS	CFS 1 LTD

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	333 PATTON	MATA FRAYNOE
152	335 PATTON	TAMAYO MARIA REYNA
153	620 CRAWFORD	DOMINGUEZ MARIA G &
154	127 DENVER	MONTANO JESUS
155	123 DENVER	RAMIREZ IGNACIO
156	425 10TH	VASQUEZ ELSY
157	503 10TH	HUERTA LORENA SALAS & ISRAEL
158	507 10TH	RODRIGUEZ MARIA SALAS & ALBERTO TAMAYO
159	511 10TH	MEDINA JOSE & ELVIA
160	515 10TH	ZAMBRANO MANUEL
161	114 DENVER	ONATE FRANCISCO J
162	120 DENVER	RAGSDALE QUINEKA
163	124 DENVER	GONZALEZ GUADALUPE J
164	113 LA ESTRELLA	DE LEON MARIA TORRES & FIDENCOI DE LEON
165	109 LA ESTRELLA	QUINTANILLA JAVIER
166	107 LA ESTRELLA	HERNANDEZ ROMAN
167	105 LA ESTRELLA	LEON CARLOS OVIDIO
168	103 LA ESTRELLA	MARTINEZ MARIA E & SOCORRO G
169	108 DENVER	MENDEZ AMADOR
170	504 10TH	DIAZ JUAN & ANITA
171	508 10TH	GOCHEZ CRUZ & ROSA ORELLANA
172	512 10TH	ALVARADO ARTURO
173	516 10TH	GALINDO JESUS & LUCIA
174	112 DENVER	OAK CLIFF UNITED METHODIST CHURCH
175	408 10TH	GUTIERREZ EDUARDO P & DOLORES
176	410 10TH	LUNA FRANCISCA SUAREZ
177	414 10TH	LUNA ABELARDO & FRANCISCA ETAL
178	422 10TH	EPPS MARGARET
179	418 10TH	VALDEZ MARTIN & MARIA ELENA
180	416 10TH	RODRIGUEZ JUAN JOSE & ANITA
181	517 JEFFERSON	SIZE 8 POPCICLES INC

*Wednesday, February 23, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	428 JEFFERSON	PATTON PLAZA LTD
183	225 MARSALIS	Dallas ISD % DR LARRY GROPPPEL
184	324 PATTON	GUTIERREZ VICTOR
185	150 DAVIS	GARNER BRIAN S
186	122 7TH	Z WASH LTD
187	208 NEELEY ST	BAUTISTA MANUEL
188	212 NEELEY ST	RUIZ VERONICA Y
189	216 NEELEY ST	RUIZ VERONICA YOUNG
190	220 NEELY ST	MENDOZA MARIA ROSA
191	111 DAVIS	DALLAS COUNTY SCHOOL
192	101 DENVER	DAVILA EDUVIDIGES
193	103 DENVER	WHITMAN MARIA L & CHARLIE
194	105 DENVER	SAVEDRA ABDIAS B
195	107 DENVER	VAZQUEZ JUAN
196	312 PATTON	SARAGOSA CONDO LLC THE
197	312 PATTON	AVILA JENNY CARRILLO

*Wednesday, February 23, 2011*

**FILE NUMBER:** Z090-233(RB)

**DATE FILED:** July 16, 2010

**LOCATION:** East Line of Inwood Road, North of Forest Lane

**COUNCIL DISTRICT:** 13

**MAPSCO:** 14 Z, 15 W

**SIZE OF REQUEST:** Approx. 14.88 Acres

**CENSUS TRACT:** 96.03

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**APPLICANT:** John Witherspoon

**REPRESENTATIVE:** Michael R. Coker

**OWNER:** Lowe's Home Centers, Inc.

**REQUEST:** An application for an amendment to Planned Development District No. 457 for a Home improvement center, lumber, brick, or building material sales yard and certain Mixed Uses.

**SUMMARY:** The applicant is proposing to provide for a motor vehicle fueling station within the northwest quadrant of the site.

**STAFF RECOMMENDATION:** Approval, subject to a development plan and conditions.

**BACKGROUND INFORMATION:**

- PDD No. 457 is developed with a home improvement center and surface parking areas between the eastern façade and the Inwood Road frontage.
- PDD No. 457 was approved by the City Council on October 23, 1996.
- The applicant proposes to provide for a motor vehicle fueling station within the northwest quadrant.
- The property is encumbered with deed restrictions that provide for certain prohibited uses as well as specific operational regulations for various uses.
- No other revisions are being requested at this time.

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

**Thoroughfare**

Inwood Road

**Existing & Proposed ROW**

Principal Arterial; 100' & 100' ROW

**STAFF ANALYSIS:**

**Comprehensive Plan:** The site is located in a Commercial Center or 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.

**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 existing PDD No. 457 is developed with a home improvement center and surface parking areas between the eastern façade and the Inwood Road frontage. The applicant is proposing to develop the extreme northwest corner of the site with a motor vehicle fueling station and attendant/convenience store area. The request will entail the removal of 107 off-street parking spaces (see Traffic, below) to provide for the five-lane covered fueling lane, 3,905 square foot attendant area. The PDD permits certain mixed uses normally found in the established Mixed Use Districts per the Dallas Development Code.

Existing development in the immediate area is somewhat predicated on its orientation to Inwood Lane. Development west of Inwood Road is predominately low density residential as well as institutional uses northwest and southwest (across Forest Lane) of the site. Development east of Inwood Road tends to be nonresidential (retail, office, mini-warehouse) of moderate intensity.

PDD is somewhat unique in that it permits a mix of uses, yet is very tightly written in that any reduction in parking on the approved development plan would entail a zoning change to consider an 'amendment' to the development plan. From a historical perspective, this was driven by the community's concern as an ability to monitor development other than the existing home improvement center. Lastly, deed restrictions exist that mirror much of the PDD language as well as to provide for additional regulations (see attached).

As noted above, the site is located within a commercial area whose nonresidential uses are buffered from the established residential area west of the site by a six-lane divided thoroughfare. Staff has had numerous conversations with adjacent homeowners who have a concern related to the impact of this type of use in close proximity to their homes as well as the private school across Inwood Road. Lastly, concerns over cut-through traffic and potential crime issues weigh on their minds. While not determining it as a set of conditions for the use, staff has made numerous suggestions to the applicant's representative to work with the community in addressing the following; 1) days/hours of operation of the use; 2) sale of beer/wine (must be addressed through private agreement); 3) on-site security during certain hours of operation; and 4) relocation of the dumpster enclosure noted on the development plan. At the time of completion of this material, staff has not received any closure on any of these items.

In summary, staff is supporting approval of the request, subject to the attached development plan. It should be noted that no amendment to the conditions is required to consider this request, and furthermore, any plans for additional new development on the property would require an application similar to this one (due to the craftsmanship of the ordinance as noted above).

**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 they will not significantly impact the surrounding street system. Additionally, staff requested a parking analysis to address the reduction in existing parking counts and has determined it, too, will not impact on-site parking demands for the existing home improvement center.

**Landscaping:** PDD No. 457 requires landscaping per Article X as well as provisions for required Inwood Road plantings and screening materials. At this time, staff has determined the landscaping shown on the development plan approved by City Council in 1996 should have been identified as 'for illustrative purposes only'; the Article X ordinance language would be enforced. So as to maintain the historical significance of the intent, staff recommended the disclaimer language be added to the amending plan, which the applicant has provided per the attachment to this material.

**EXHIBIT A  
TO  
LOWE'S HOME CENTERS, INC.  
UNANIMOUS WRITTEN CONSENT  
OF THE BOARD OF DIRECTORS  
IN LIEU OF ANNUAL MEETING**

**Corporate Officers**

Robert A. Niblock	Chief Executive Officer
Benjamin S. Adams, Jr.	Vice President and Treasurer
Theresa A. Anderson	Senior Vice President, Store Operations
Maureen K. Ausura	Senior Vice President, Human Resources
Kevin D. Bennett	Vice President, Real Estate Acquisitions
Gregory M. Bridgeford	Executive Vice President, Business Development
Michael K. Brown	Executive Vice President, Store Operations
Charles W. Canter, Jr.	Executive Vice President, Merchandising
Marshall A. Croom	Senior Vice President and Chief Risk Officer
Ricky D. Damron	Senior Vice President, Logistics
Ronnie E. Damron	Senior Vice President, Store Planning and Environment
Clinton T. Davis	Senior Vice President and General Merchandising Manager
Staci N. Dennis	Vice President and Corporate Controller
William W. Edwards	Senior Vice President, Store Operations
James M. Frasso	Senior Vice President, Store Operations
Robert J. Gfeller, Jr.	Senior Vice President and General Merchandising Manager

Z090-233

Jeffrey E. Gray	Vice President, Assistant General Counsel and Assistant Secretary
David R. Green	Vice President, Tax
Gary E. Gross	Vice President, Installed and Special Order Sales
Matthew J. Holden	Vice President, Assistant General Counsel and Assistant Secretary
Matthew V. Hollifield	Senior Vice President and Chief Accounting Officer
Robert F. Hull, Jr.	Executive Vice President and Chief Financial Officer
Robert Ihrle, Jr.	Senior Vice President, Employee Rewards/Services
William R. Johnson	Vice President, Human Resources - Stores
Gaither M. Keener, Jr.	Senior Vice President, General Counsel, Secretary and Chief Compliance Officer
Brent G. Kirby	Senior Vice President, Store Operations
Thomas J. Lamb	Senior Vice President, Marketing and Advertising
J. Michael Mabry, Jr.	Executive Vice President, Logistics and Distribution
John R. Manna, Jr.	Vice President and Operational Controller
Michael K. Menser	Senior Vice President, Product Development & Global Sourcing
Michael T. Miller	Vice President, Real Estate Acquisitions
N. Brian Peace	Senior Vice President, Corporate Affairs
James W. Potter	Vice President, Associate General Counsel and Assistant Secretary
Patricia M. Price	Senior Vice President and General Merchandising Manager
Cynthia M. Reins	Assistant Treasurer
Janet M. Saura	Vice President, Associate General Counsel & Assistant Secretary
Charles H. Smithey	Vice President, Real Estate Acquisitions

Eric D. Sowder	Senior Vice President and General Merchandising Manager
John D. Steed	Senior Vice President and General Merchandising Manager
Larry D. Stone	President and Chief Operating Officer
Stephen J. Szilagyi	Senior Vice President, Distribution
Michael A. Tummillo	Vice President, Credit, Project and Event Sales
Joyce L. Vonada	Senior Vice President, IT Business Solutions
Robert F. Wagner	Senior Vice President, Specialty Sales and Store Operations Support
Gary E. Whitman	Vice President, Human Resources - RDC
Todd I. Woods	Senior Vice President, Deputy General Counsel and Assistant Secretary
Gary E. Wyatt	Senior Vice President, Real Estate/Engineering and Construction

**Existing Conditions**

**ARTICLE 457.**

**PD 457.**

**SEC. 51P-457.101. LEGISLATIVE HISTORY.**

PD 457 was established by Ordinance No. 22932, passed by the Dallas City Council on October 23, 1996. Ordinance No. 22932 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 22932; 26042)

**SEC. 51P-457.102. PROPERTY LOCATION AND SIZE.**

PD 457 is established on property generally located on the east line of Inwood Road, north of Forest Lane. The size of PD 457 is approximately 15.026 acres. (Ord. Nos. 22932; 26042)

**SEC. 51P-457.103. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions and interpretations contained in Chapter 51A apply.

(b) In this article:

(1) DANCE HALL means a dance hall as defined in Chapter 14 of the Dallas City Code, as amended.

(2) SEXUALLY ORIENTED BUSINESS means a sexually oriented business as defined in CHAPTER 41A of the Dallas City Code, as amended.

(3) VIDEO ARCADE means a facility housing "coin operated amusement devices." For a definition of "coin operated amusement device," see Chapter 6A of the Dallas City Code, as amended.

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

(d) For purposes of determining the applicability of regulations in this article and in Chapter 51A triggered by adjacency or proximity to another zoning district, and for purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, this district is considered to be a nonresidential zoning district. (Ord. Nos. 22932; 26042)

**SEC. 51P-457.104. DEVELOPMENT PLAN.**

(a) For a home improvement center, lumber, brick, or building material sales yard, development and use of the Property must comply with the development plan (Exhibit 457A). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

(b) For other permitted uses, the provisions of Section 51A-4.702 regarding submission of or amendments to a conceptual plan, development plan, site analysis plan, or landscape plan do not apply. (Ord. Nos. 22932; 26042)

**SEC. 51P-457.105. MAIN USES PERMITTED.**

(a) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Medical or scientific laboratory. [SUP]

(b) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. [SUP]
- Child-care facility.
- Church.
- Community service center. [SUP]
- Convalescent and nursing homes, hospice care, and related institutions. [RAR]
- Convent or monastery.
- Foster home.
- Hospital. [SUP]
- Library, art gallery, or museum.
- Public or private school. [RAR]

(c) Miscellaneous uses.

- Temporary construction or sales office.

(d) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. [DIR]
- Medical clinic or ambulatory surgical center.
- Office.

(e) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(f) Residential uses.

- Duplex.
- Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(3.1) is not met.]
- Multifamily.
- Retirement housing.
- Single family.

(g) Retail and personal service uses.

- Animal shelter or clinic without outside run. [RAR]
- Auto service center. [RAR]
- Business school.
- Car wash. [RAR]
- Commercial amusement (inside). [SUP required in instances where an SUP would be required in the MU-1(SAH) Mixed Use (Standard Affordable Housing) District. See Section 51A-4.210(b)(7)(B). Also, see Subsections 51P-457.106, 51P-457.107, and 51P-457.115 of this article which further regulate this use.]
- Commercial parking lot or garage. [RAR]
- 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.
- Home improvement center, lumber, brick or building materials sales yard.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Personal service uses, except that tattooing or body piercing salons are prohibited.
- Restaurant without drive-in or drive-through service. [RAR]
- Swap or buy shop. [SUP]
- Temporary retail use.
- Theater, limited to the staging of theatrical performances to an audience inside an enclosed structure.

(h) Transportation uses.

- Transit passenger shelter.
- Transit passenger station or transfer center. [By SUP or city council resolution. Authorization by city council resolution must strictly comply with the procedures outlined in Section 51A-4.211(10)(E).]

(i) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [SUP required if an SUP would be required in the MU-1(SAH) Mixed Use (Standard Affordable Housing) District under Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(j) Wholesale, distribution, and storage uses.

- Mini-warehouse. [SUP]
- Recycling drop-off container. [SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]

(Ord. Nos. 22932; 26042)

**SEC. 51P-457.106. MAIN USES PROHIBITED.**

As in all zoning districts, those main uses not specifically listed as permitted main uses are prohibited. Prohibited main uses include, but are not limited to, the following:

- Bar, lounge, or tavern.
- Bingo parlor or other state permitted gambling establishment.
- Carnival or circus (temporary) or any special event regulated pursuant to a special event permit.
- College dormitory, fraternity, or sorority house.
- Dance hall, unless the dance hall occupies less than 10 percent of the floor area of a restaurant or is used solely for dance instruction.
- Group residential facility.
- Hotel or motel.
- Labor hall.
- Mortuary, funeral home, or commercial wedding chapel.
- Motion picture theater.
- Overnight general purpose shelter.
- Pawn shop.
- Personal service uses which provide tattooing or body piercing.
- Residential hotel.
- Sexually oriented business.
- Temporary concrete or asphalt batching plant.

(Ord. Nos. 22932; 26042)

**SEC. 51P-457.107. ACCESSORY USES.**

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

(b) The following accessory uses are not permitted in this PD:

- Accessory pathological waste incinerator.
- Accessory medical/infectious waste incinerator.
- Private stable.
- Bar, lounge, or tavern.
- Bingo parlor or other state permitted gambling establishment.
- Carnival or circus (temporary) or any special event regulated pursuant to a special event permit.
- College dormitory, fraternity, or sorority house.
- Dance hall, unless the dance hall occupies less than 10 percent of the floor area of a restaurant or is used solely for dance instruction.
- Group residential facility.
- Hotel or motel.
- Labor hall.
- Mortuary, funeral home, or commercial wedding chapel.
- Motion picture theater.
- Overnight general purpose shelter.
- Pawn shop.
- Personal service uses which provide tattooing or body piercing.

- Residential hotel.
- Sexually oriented business

(c) The following commercial amusement (inside) uses are only permitted as accessory uses:

- Billiard parlor.
- Video arcade.
- State sponsored gambling.

(d) The temporary concrete or asphalt batching plant use is permitted as an accessory use when operated in conjunction with on-site construction. (Ord. Nos. 22932; 26042)

**SEC. 51P-457.108. 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 contained in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

(a) Except as provided in Subsection (b) and (c) below, the yard, lot, and space regulations of the MU-1(SAH) Mixed Use (Standard Affordable Housing) District contained in Section 51A-4.125 apply to this PD.

(b) For a home improvement center, lumber, brick, or building materials sales yard, the front, side, and rear yards are as shown on the development plan.

(c) A maximum of three free-standing buildings which contain nonresidential uses are permitted within 100 feet of Inwood Road. For purposes of this provision, a building containing a nonresidential use is within the 100 foot area if any part or portion of the building is erected within the 100 foot area. (Ord. Nos. 22932; 26042)

**SEC. 51P-457.109. OFF-STREET PARKING AND LOADING.**

(a) Off-street parking for a home improvement center, lumber, brick, or building materials sales yard must be provided as shown on the development plan.

(b) For all other permitted uses, consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300 et seq) for information regarding off-street parking and loading generally. (Ord. Nos. 22932; 26042)

**SEC. 51P-457.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI. (Ord. Nos. 22932; 26042)

**SEC. 51P-457.111. ACCESS.**

Ingress and egress for a home improvement center, lumber, brick, or building materials sales yard must be provided as shown on the development plan. (Ord. Nos. 22932; 26042)

**SEC. 51P-457.112. LANDSCAPING.**

Landscaping must be provided in accordance with Article X. (Ord. Nos. 22932; 26042)

**SEC. 51P-457.113. SCREENING.**

All surface parking must be screened from Inwood Road by using one or more of the following three methods to separately or collectively attain a minimum height of three and one-half feet above the parking surface:

(1) Earthen berm planted with turf grass or ground cover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height for each two feet of width.

(2) Solid wood or masonry fence or wall.

(3) Hedge-like evergreen materials recommended for local area use by the director of parks and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed 24 inches on center over the entire length of the bed, unless the building official recommends an alternative planting density that is capable of providing a solid appearance within three years. (Ord. Nos. 22932; 26042)

**SEC. 51P-457.114. SIGNS.**

Signs must comply with the provisions for business zoning districts contained in Article VII, except that up to nine words with letters that exceed four inches in height are allowed for attached premise signs located on the building facade parallel to Inwood Road. (Ord. Nos. 22932; 26042)

**SEC. 51P-457.115. HOURS OF OPERATION.**

(a) The permitted hours of operation for a commercial amusement (inside) use are 5:00 a.m. to midnight.

(b) The permitted hours of operation for the dance floor portion of a restaurant with or without drive-in or drive-through service and a dance hall used solely for dance instruction are 8:00 a.m. to midnight. (Ord. Nos. 22932; 26042)

**SEC. 51P-457.116. ADDITIONAL PROVISIONS.**

(a) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(b) Visual intrusion. No portion of any balcony or opening that faces an R(A), D(A), TH(A), CH, MF-1(A), MF-1(SAH), MF-2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope which originates in that district. (See Section 51A-4.412.) For purposes of this

subsection, the term “opening” means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(c) Maintenance. The entire Property must be properly maintained in a state of good repair and neat appearance.

(d) Compliance with laws. 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. (Ord. Nos. 22932; 26042)

**SEC. 51P-457.117. GENERAL REQUIREMENTS.**

(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 or certificate of occupancy for a use in this PD 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. (Ord. Nos. 22932; 26042)

**SEC. 51P-457.118. ZONING MAP.**

PD 457 is located on Zoning Map No. D-7. (Ord. Nos. 22932; 26042)

<b>Existing deed restrictions- initial</b>
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942494

**THENCE** South 14°00'00" East, continuing along the said westerly right-of-way line of Dallas North Tollway, a distance of 313.98 feet to an iron rod for a corner in the said north right-of-way line of Forest Lane;

**THENCE** due West along the said north right-of-way line of Forest Lane, a distance of 30.92 feet to an iron rod for a corner;

**THENCE** North 14°00'00" West, a distance of 304.77 feet to a chisel mark and an angle point;

**THENCE** North 17°21'30" West, a distance of 51.66 feet to a nail for corner;

**THENCE** due West a distance of 150.47 feet to a chisel mark for corner;

**THENCE** due North a distance of 35.00 feet to an iron rod for corner;

**THENCE** due West a distance of 308.77 feet to a chisel mark for corner;

**THENCE** due North a distance of 21.50 feet to a nail for corner;

**THENCE** due West a distance of 35.00 feet to a chisel mark for corner;

**THENCE** due North a distance of 18.50 feet to a chisel mark for corner;

**THENCE** due West a distance of 408.94 feet to the **POINT OF BEGINNING** and containing 958,998 square feet or 22.0156 acres of land, more or less.

## II.

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

## A. The following uses on the Property are prohibited:

1. Temporary concrete or asphalt batching plant, except for on-site construction purposes;
2. Hotel or motel;
3. Carnival or circus (temporary), or any other special event regulated pursuant to a special event permit;
4. College dormitory, fraternity, or sorority house;
5. Group residential facility;
6. Bar, lounge or tavern;
7. Mortuary, funeral home, or commercial wedding chapel;
8. Motion picture theater;
9. Labor Hall;
10. Overnight general purpose shelter;
11. Personal service uses which provide tattooing or body piercing;
12. Any use which would require a dance hall license or which otherwise falls within the definition of a dance hall as now or hereafter defined by City Ordinance, except that an establishment for dance instruction or a restaurant

**DEED RESTRICTIONS**

0168719.06/936647

- with a dance floor occupying 10% or less of the floor area of the restaurant are permitted;
13. Any use which would require a sexually oriented business license or which otherwise falls within the definition of a sexually oriented business as now or hereafter defined by City Ordinance;
  14. Pawn shop;
  15. The following commercial amusement uses (inside): bingo parlor, or should the state permit such, any other gambling establishment; and
  16. Residential hotel.
- B. The following commercial amusement uses (inside) shall be limited to accessory uses only: billiard parlor, video arcade and State sponsored gambling. Video arcade means a use having coin-operated amusement devise(s) as defined in Section 6A-1 of the Dallas City Code.
- C. The following uses on the Property shall be limited as follows:
1. No more than three restaurants with drive-in or drive-through service are permitted on the Property (see Section D below for further limitations).
  2. The hours of operation for any establishment whose main use is commercial amusement (inside) shall be limited to 5:00 a.m. to 12:00 a.m. (midnight) A main use is any use that is not an accessory use.
  3. The hours of operation for the dance floor portion of the restaurant use described in Section (A)(12) above shall be limited to 8 a.m. to 12 a.m. (midnight).
- D. No more than six free standing buildings which house non-residential uses are permitted within one hundred feet (100') of Inwood Road. For purposes of this provision, a building housing a non-residential use is within the 100 foot area if any part or portion of the building is erected within the 100 foot area.
- E. Landscaping shall be provided pursuant to Article X of Chapter 51A with the following additional landscaping provisions being required along the Inwood Road frontage as off-street parking and screening requirements. All plant materials shall be irrigated as required by Article X. All surface parking must be screened from Inwood Road by using one or more of the following three methods to separately or collectively attain a minimum height of three and one-half feet above the parking surface:
- (i) Earthen berm planted with turf grass or ground cover recommended for local area use by the director of park and recreation. The berm may not have a slope that exceeds one foot of height for each two feet of width.
  - (ii) Solid wood or masonry fence or wall.
  - (iii) Hedge-like evergreen plant materials recommended for local area use by the director of park and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three

**DEED RESTRICTIONS**

0168719.06/936647

years. Plant materials must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years.

- F. Except as limited by Sections A, B, C, D and E of these restrictions, the uses permitted on the Property (and the only uses permitted on the Property) are those shown on the attached Exhibit A.

III.

These restrictions shall continue in full force and effect for a period of twenty (20) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless amended or terminated in the manner specified in this document.

IV.

These restrictions may be amended or terminated only after 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 must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the amending or terminating 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 amendment or termination becomes effective.

V.

These restrictions are 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 that these restrictions inure to the benefit of the City. The Owner hereby grants the City the right to enforce these restrictions by any lawful means, including filing an action in a court of competent jurisdiction, at law or in equity, against the person violating or attempting to violate these restrictions, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce these restrictions, the Owner agrees that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs. For further remedy, the Owner agrees that the City may withhold any certificate of occupancy or final inspection necessary for the lawful use of the Property until these restrictions are complied with. The right of the City to enforce these restrictions shall not be waived, expressly or otherwise.

**DEED RESTRICTIONS**

0108719.06/938847

**Amending DR's**

**963478**

THENCE South 14° 00'00" East, continuing along the said westerly right-of-way line of Dallas North Tollway, a distance of 313.98 feet to an iron rod for a corner in the said north right-of-way line of Forest Lane;

THENCE due West along the said north right-of-way line of Forest Lane, a distance of 30.92 feet to an iron rod for a corner;

THENCE North 14° 00'00" West, a distance of 304.77 feet to a chisel mark and an angle point;

THENCE North 17° 21' 30" West, a distance of 51.66 feet to a nail for corner;

THENCE due West a distance of 150.47 feet to a chisel mark for corner;

THENCE due North a distance of 35.00 feet to an iron rod for corner;

THENCE due West a distance of 308.77 feet to a chisel mark for corner;

THENCE due North a distance of 21.50 feet to a nail for corner;

THENCE due West a distance of 35.00 feet to a chisel mark for corner;

THENCE due North a distance of 18.50 feet to a chisel mark for corner;

THENCE due West a distance of 408.94 feet to the POINT OF BEGINNING and containing 958,998 square feet or 22.0156 acres of land, more or less.

II.

That the Property was impressed with certain deed restrictions ("Original Restrictions") as shown in an instrument dated June 16, 1994, signed by John A. Daniel and William Lingo on behalf DANIEL LINGO & ASSOCIATES, a Texas Partnership., and recorded in Volume 94128, Pages 03692-03702 of the Deed Records of Dallas County, Texas.

III.

That the Owner of the Property does hereby amend restriction number "F" of the Original Restrictions to read as follows:

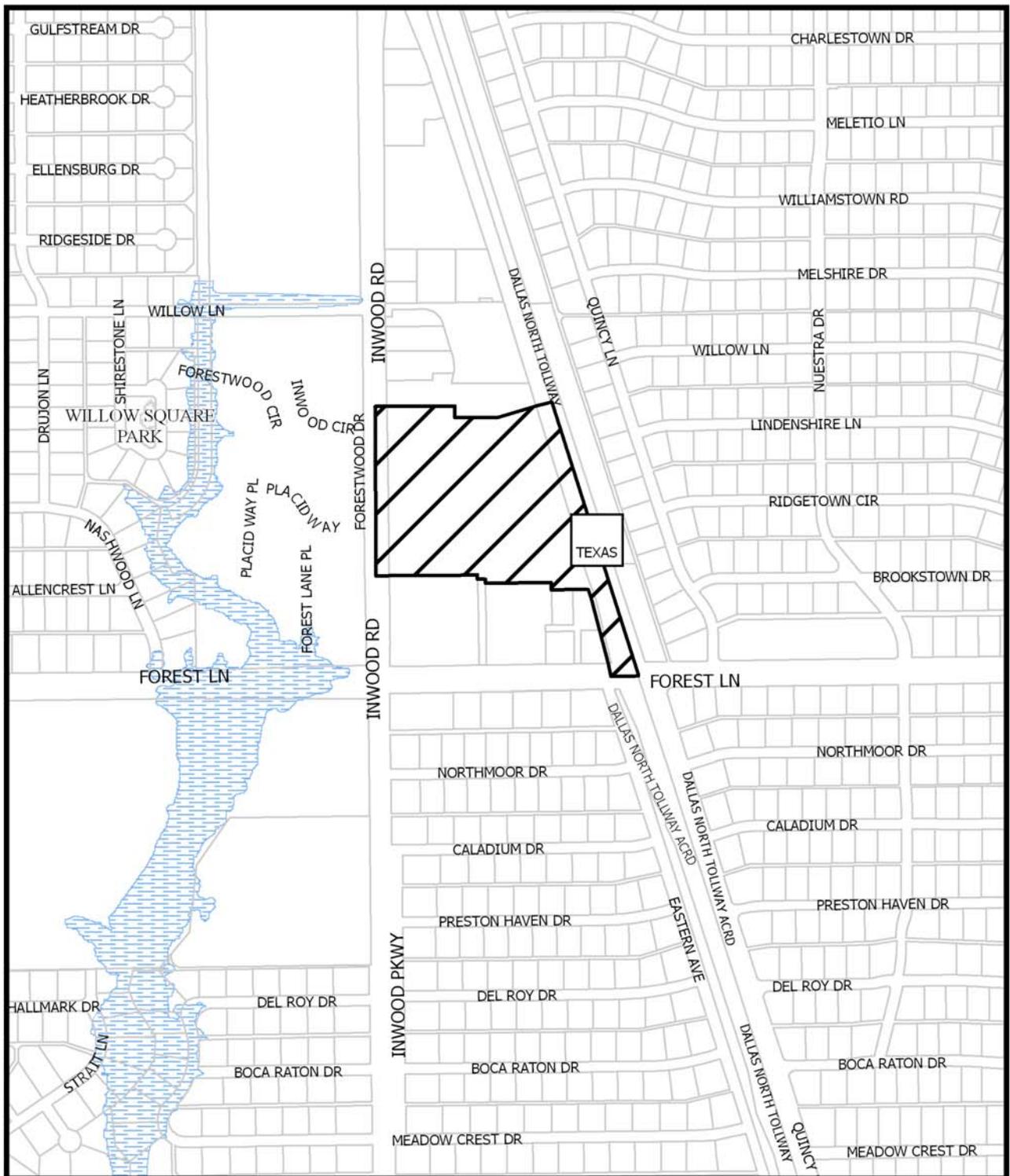
"F. Except as limited by Sections A,B,C,D, and E of these restrictions, the uses permitted on the Property (and the only uses permitted on the Property) are those shown on the attached Exhibit A, and a home improvement center, lumber, brick or building materials sales yard is allowed in a subdistrict of the Property, as described in Exhibit B."

IV.

That the preceding amendment was made following notice and public hearing before the City Plan Commission and City Council of the City of Dallas as required in the Original Restrictions, and notice of such public hearings was given as would have been required by law for a zoning change on the Property.





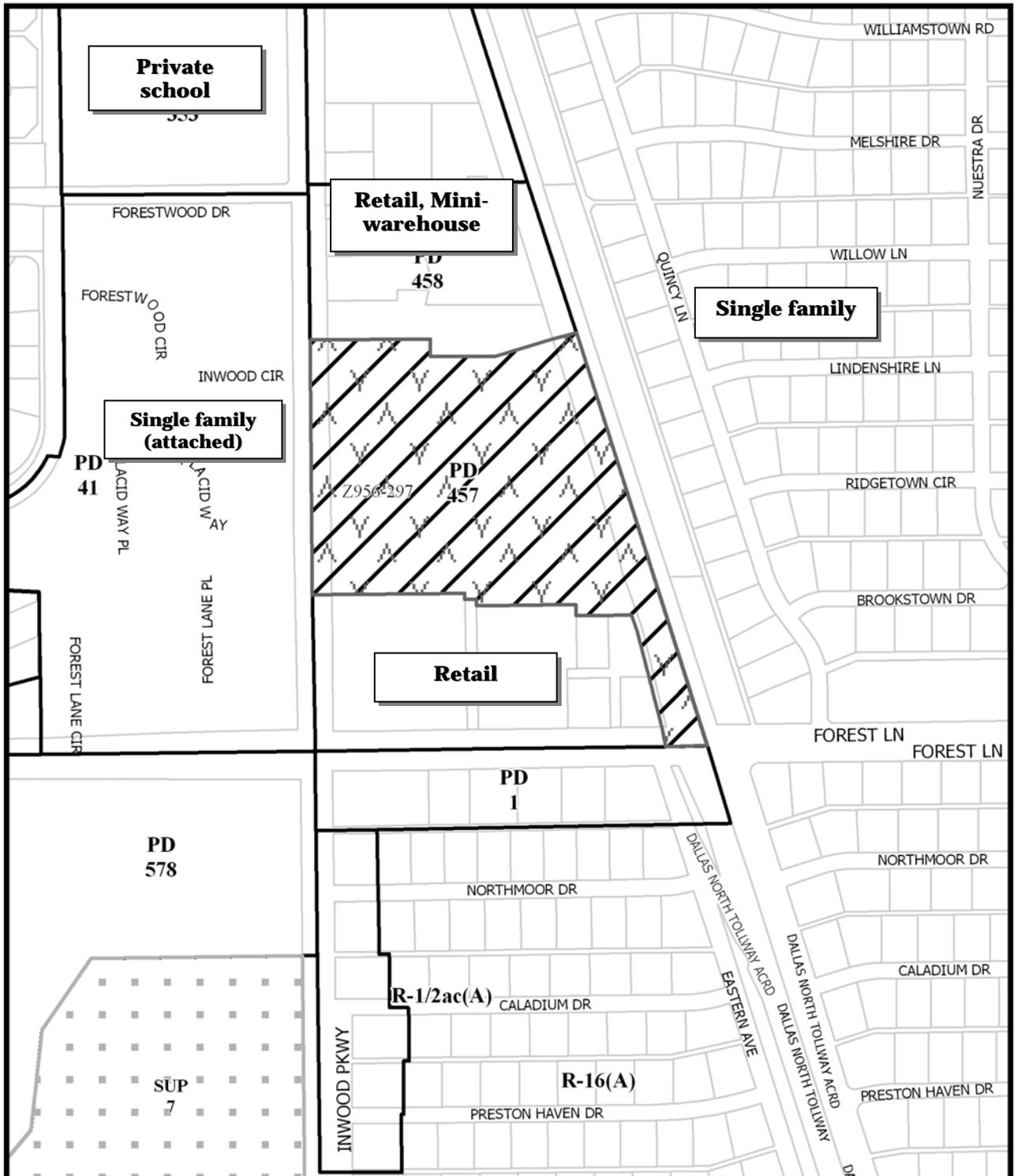


  
 1:7,200

# VICINITY MAP

Map no:           D-7            
 Case no:           Z090-233          

DATE: August 13, 2010



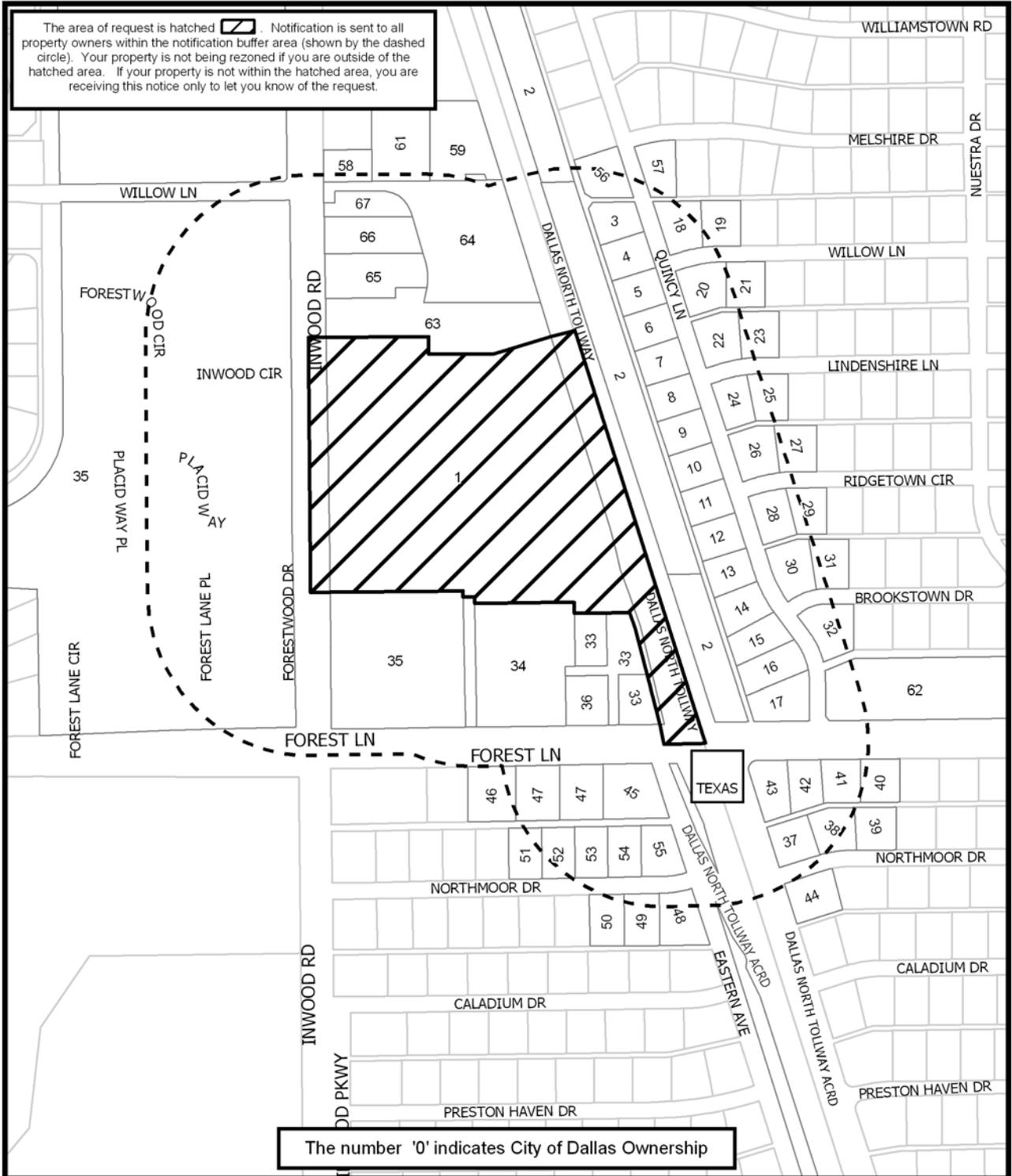
  
 1:4,800

# ZONING AND LAND USE

Map no:           D-7            
 Case no:           Z090-233          

DATE: August 13, 2010

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

  
 1:4,800

## NOTIFICATION

 AREA OF NOTIFICATION  
 NUMBER OF PROPERTY OWNERS NOTIFIED

Map no:           D-7            
 Case no:           Z090-233          

DATE: August 13, 2010

## ***Notification List of Property Owners***

### ***Z090-233***

#### ***68 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	11920 INWOOD	LOWES HOME CENTERS INC
2	5500 INWOOD	TEXAS UTILITIES ELEC CO % STATE & LOCAL TAX
DEPT		
3	12117 QUINCY	NASH JOSEPH F & HERDERCINE A
4	12109 QUINCY	KOGUTT JUDITH &
5	12023 QUINCY	KHASGIWALA VAIBHAV & MANUSHI
6	12015 QUINCY	CALDWELL RICHARD
7	12007 QUINCY	FAGAN RUSSELL
8	11955 QUINCY	BORINO SARAH
9	11947 QUINCY	GOLDSTEIN DONALD B & ARIELA G
10	11939 QUINCY	GOLDSTEIN DONALD B & ARIELA G
11	11931 QUINCY	BROWN RICHARD L & BONNIE J BROWN
12	11923 QUINCY	GUION LOUIS I III
13	11915 QUINCY	HERBERT DANIEL C & THYANN C JOHNSON
14	11907 QUINCY	HILL CYNTHIA A
15	11825 QUINCY	DUARTE JOSE A & LOURDES
16	11817 QUINCY	BRUDER MELVYN C
17	11809 QUINCY	CRANSHAW JOSEPH P III & ANA CRANSHAW
18	5509 WILLOW	ROHAN RICHARD A & TERRI L
19	5517 WILLOW	TRIZZINO DARREN S & JULIA
20	5510 WILLOW	BURFORD GARY W & SHELL W STEGALL
21	5520 WILLOW	SHERP MEYER
22	5509 LINDENSHIRE	GRAIVIER LEONARD TR & PAULINE P GRAIVIER TR
23	5519 LINDENSHIRE	INGRAHAM EDITH A
24	5510 LINDENSHIRE	MYER CHRISTOPHER
25	5520 LINDENSHIRE	BREIHAN VIRGINIA ALLEN
26	5507 RIDGETOWN	LEMONS THOMAS E & CAROLYN COX ZAMORANO

***Friday, August 13, 2010***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5515 RIDGETOWN	WIMBERLY CHRISTOPHER P & DIANA Y WIMBERLY
28	5508 RIDGETOWN	JAMES TASCAL ANN
29	5516 RIDGETOWN	BURKS MICHAEL B & JENNIFER B
30	5607 BROOKSTOWN	SNEED C W JR & MARY V SNEED TRUSTEES
31	5615 BROOKSTOWN	THOMPSON CHRISTIANE & W LAWRENCE LEHMAN III
32	5614 BROOKSTOWN	PLUMLEE BETTY ANN
33	5415 FOREST	FORESTWOOD CENTER JV
34	5333 FOREST	FOREST VILLAGE INC % PROP DEV ASSOC 91-5986
35	5133 INWOOD	DANIEL A H
36	5341 FOREST	FORESTWOOD CENTER
37	5509 NORTHMOOR	STRONG STEVEN M
38	5517 NORTHMOOR	HARMON LARRY P
39	5525 NORTHMOOR	CENTALA RICHARD A & LISA G
40	5536 FOREST	FEDERAL NATIONAL MORTGAGE ASSOCIATION
41	5526 FOREST	GAJDICA DAN
42	5516 FOREST	CATE GLENN M TRUSTEE CATE FMLY REV LVG TRUST
43	5508 FOREST	CANTU EDELMIRA
44	5510 NORTHMOOR	ALVARADO MANUEL D & JANE
45	5414 FOREST	KECHEJIAN TRUST SUITE 201
46	5300 FOREST	DEGRAZIER JOHN L LODGE
47	5312 FOREST	5310-5312 FOREST LN LTD STE 2100
48	5436 NORTHMOOR	WEBB ROBERT J
49	5426 NORTHMOOR	WINN BARRY N & STEPHANIE ROBINSON
50	5416 NORTHMOOR	BRANDT CARL P & NATALIE M
51	5329 NORTHMOOR	DANIEL FRANK ALAN
52	5405 NORTHMOOR	GUTTRIDGE OLIVER J & DOROTHY J
53	5415 NORTHMOOR	TREVINO ISAAC P & REBECCA
54	5425 NORTHMOOR	GOTHARD NICHOLAS TR & MIRJANA BEBA GOTHARD
TR		
55	5435 NORTHMOOR	OPPENHEIMER BARRIE R
56	12123 QUINCY	SMITH MARILYN JEAN
57	5506 MELSHIRE	MELETIO MARIE F TRUSTEE

*Friday, August 13, 2010*

Z090-233(RB)

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	12206 INWOOD	JESUIT COLLEGE PREPARATORY SCHOOL OF DALLAS
INC		
59	12250 INWOOD	SUMMER TREE JV PMB 275
60	12250 INWOOD	ALBERT SUMMERTREE JV PMB 275
61	12240 INWOOD	US RESTAURANT PROPERTIES
62	5639 FOREST	KOREAN YOUNG NAK PRESB CHURCH OF DALLAS INC
63	12100 INWOOD	GOLDFISH LP % W P CAREY & CO LLC
64	12200 INWOOD	EXTRA SPACE PPTIES 26 LLC PTA EX # 514
65	12120 INWOOD	CHICK FIL A INC
66	12130 INWOOD	SRI REAL ESTATE PROPERTIES
67	12170 INWOOD	K & M PRIVETT INC
68	12345 INWOOD	JESUIT HIGH SCHOOL

*Friday, August 13, 2010*