



CITY OF DALLAS  
CITY PLAN COMMISSION  
Thursday, October 20, 2011  
AGENDA

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

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

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

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**BRIEFINGS:**

Landmark Appeal Process

Laura Foland, Assistant City Attorney

Dallas CityDesign Studio Updates

David Whitley, Dallas CityDesign Studio

Subdivision Docket

Zoning Docket

**ACTION ITEMS:**

Subdivision Docket

Planner: Paul Nelson

- (1) **S101-175**  
(CC District 7)

An application to create a 1.283 acre lot from an unrecorded subdivision in City Block 3/1811 containing all of Lots 1 through 4 and Lots 7 through 10 fronting on Lagow Street between Fitzhugh Avenue and Carl Street.

Applicant/Owner: City of Dallas

Surveyor: Jaster – Quintanilla Dallas, LLP

Application Filed: September 30, 2011

Zoning: PD 595 (R-5A)

Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (2) **S101-177**  
(CC District 14)
- An application to replat a 1.0173 acre tract of land containing part of Lots 4 and 18, all of Lots 5, 6, 7, 19, 20, and 21 in City Block 122/77; all of Lot 8A in City Block 77 and a 15 square foot tract of land located at 1600 Main Street.  
Applicant/Owner: 1600 Main Street Holdings, LP  
Surveyor: Raymond L. Goodson Jr, Inc.  
Application Filed: September 30, 2011  
Zoning: PD 619 Sub Area A and E  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replats

- (3) **S101-172**  
(CC District 13)
- An application to replat all of Lots 16 and 17 in City Block D/7463 into one 0.686 acre lot on property located at 7242 Lake Edge Drive.  
Applicant/Owner: Chris Merlo  
Surveyor: Maddox Surveying  
Application Filed: September 22, 2011  
Notices Sent: 26 notices sent September 29, 2011  
Zoning: PD 381, Subdistrict A  
Staff Recommendation: **Denial**
- (4) **S101-173**  
(CC District 7)
- An application to replat all of lots 1 thru 20 in City Block 23/1302 into one 1.565 acre lot on property bounded by Edgewood Street, Pennsylvania Avenue, Kimbell Street and Peabody Street.  
Applicant/Owner: City of Dallas  
Surveyor: Jaster - Quintanilla  
Application Filed: September 21, 2011  
Notices Sent: 32 notices sent September 28, 2011  
Zoning: PD 595, R-5(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S101-174**  
(CC District 8)
- An application to replat a 1.00 acre tract of land containing all of Lot 1 in City Block A/8824 into one 0.496 acre lot, two 0.252 acre lots and to remove the existing 30 foot platted front building line on proposed lots 1A and 1B and located at Ravenview Road and 12432 Fallen Leaf Drive.  
Applicant/Owner: William Killingsworth  
Surveyor: C.B.G. Surveying, Inc.  
Application Filed: September 27, 2011  
Notices Sent: 14 notices sent September 30, 2011  
Zoning: R-10(A)  
Staff Recommendation: **Denial** of removal of the building line; **denial** of the replat.

Street Name Change

- (6) **NC101-002**  
(CC District 7)
- The City of Dallas has submitted an application to change the name of Municipal Street between State Highway 310 & Bexar Street to "Carlton Garrett St."  
Applicant: City of Dallas  
Application Filed: August 28, 2011  
Notices Sent: 22 notices sent September 19, 2011  
Subdivision Review Committee Recommendation: **Approval**  
Staff Recommendation: **Approval**

Miscellaneous Docket

- D101-019**  
Olga Torres Holyoak  
(CC District 12)
- Development plan and landscape plan for Planned Development District No. 695 on the east side of Coit Road, east of Osage Plaza Parkway, south of George Bush Turnpike  
Staff Recommendation: **Approval**  
Applicant: Redwood-ERC Dallas, LLV  
Representative: James R. Schnurr

Zoning Cases – Consent

1. **Z101-344(RB)**  
Richard Brown  
(CC District 2)
- An application for a Specific Use Permit for a Bar, lounge, or tavern on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south line of Elm Street, west of Malcolm X Boulevard.  
Staff Recommendation: **Approval** for a two-year period, subject to a site plan and conditions.  
Applicant: Swallow Lounge-David Gustafson, President  
Representative: Audra Buckley
2. **Z101-386(OTH)**  
Olga Torres Holyoak  
(CC District 11)
- An application to amend Specific Use Permit No. 1731 for a hospital, on property zoned an MU-2 Mixed Use District with a D Liquor Control Overlay and deed restrictions volunteered by the applicant on the south line of Northaven Road, west of North Central Expressway.  
Staff Recommendation: **Approval**, subject to a revised site plan and conditions, with retention of the D Liquor Control Overlay.  
Applicant: North Dallas Hospital BBD Partners LP  
Representative: Karl Crawley

3. **Z101-258(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 less than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay on the south corner of Forney Road and Lawnview Avenue.  
Staff Recommendation: **Hold under advisement until November 17, 2011.**  
Applicant: BKPR Corporation  
Representative: Rebekah Kim, Logos & Co.
4. **Z101-308(MG)**  
Michael Grace  
(CC District 6)
- An application for a D-1 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 an MU-2-D Mixed Use District with a D Liquor Control Overlay on the northwest corner of Forest Lane and Josey Lane.  
Staff Recommendation: **Approval** of the D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.  
Applicant: CVS Corporation  
Representative: Masterplan
5. **Z101-346(MW)**  
Megan Wimer  
(CC District 11)
- 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 Hillcrest Road and LBJ Freeway.  
Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.  
Applicant: 12830 Hillcrest Road Investors, LP  
Representative: Elmo Shorter, Cushman & Wakefield of Texas, Inc.

Zoning Cases – Under Advisement

6. **Z101-294(MG)**  
Michael Grace  
(CC District 8)
- An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 District Overlay on the east line of Kleberg Road, north of Carleta Street.  
Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: Chup Corporation  
Representative: Pamela Craig  
U/A From: September 15, 2011

7. **Z101-339(MG)**  
Michael Grace  
(CC District 4)
- An application for a D-1 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 a CR-D Community Retail District with a D Liquor Control Overlay on the north line of Ann Arbor Avenue, between S. Marsalis Avenue and Maryland Avenue.
- Staff Recommendation: **Approval** of the D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.
- Applicant: Hoang Chau & Tu Huynh  
Representative: Hisham Awadelkariem  
U/A From: October 6, 2011
8. **Z101-329(CG)**  
Carrie Gordon  
(CC District 4)
- An application for a D-1 Liquor Control Overlay and 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 Community Retail District with a D Liquor Control Overlay on property generally at the northwest corner of S. Corinth Street and Morrell Avenue.
- Staff Recommendation: **Approval** of the D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.
- Applicant: Tarif Al-Rousan  
Representative: Hisham Awadelkariem  
U/A From: September 15, 2011
9. **Z101-283(RB)**  
Richard Brown  
(CC District 3, 6)
- An application for a Specific Use Permit for Placement of fill material on property zoned an IM Industrial Manufacturing District, an IR Industrial Research District, an R-7.5(A) Single Family District, and Planned Development District No. 631, the West Davis Special Purpose District, on property generally on both sides of Chalk Hill Road, between IH 30 and West Davis Street.
- Staff Recommendation: **Approval** for a six-year period, subject to a site plan and conditions.
- Applicant: TXI Operations, LP  
Representative: William S. Dahlstrom  
U/A From: September 15, 2011 and October 6, 2011

10. **Z101-249(MW)**  
Megan Wimer  
(CC District 11)

An application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern on property zoned an MU-1 Mixed Use District on the west side of Knoll Trail Drive, north of Arapaho Road.

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

Applicant: Adanac Hospitality, Inc.

Representative: Logos and Company, Rebekah Kim

U/A From: October 6, 2011
11. **Z101-289(MW)**  
Megan Wimer  
(CC District 3)

An application to terminate deed restrictions on property zoned an MCO Multiple Commercial/Office Subdistrict within Planned Development District No. 631, the West Davis Special Purpose District on the north side of West Davis Street, south side of Fort Worth Avenue.

Staff Recommendation: **Approval**

Applicant: Fernando Martinez and Jose Martinez

Representative: Tailim Song Law Firm

U/A From: October 6, 2011
12. **Z101-321(MW)**  
Megan Wimer  
(CC District 2)

An application for a Planned Development District for Multifamily District uses on property zoned an MF-2(A) Multifamily District on the south side of Capitol Avenue between Garrett Avenue and Bennett Avenue.

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

Applicant: ContraVest Management Company

Representative: Karl A. Crawley, MASTERPLAN

U/A From: October 6, 2011
13. **Z090-258(WE)**  
Warren Ellis  
(CC District 3)

An application for a Specific Use Permit for an open enrollment charter school on property zoned an R-10(A) Single Family District on the northwest corner of South Westmoreland Road and Blue Ridge Boulevard.

Staff Recommendation: **Approval** for a three-year time period with eligibility for automatic renewal for additional five-year periods, subject to a revised site plan, revised traffic management plan and conditions.

Applicant: Jesse Valero, III

Representative: Natash Piper

U/A From: April 21, 2011 and May 19, 2011

14. **Z101-341(WE)** Warren Ellis (CC District 5) An application for a Planned Development District for a public school other than an open-enrollment charter school and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District on the north side of Scottsboro Lane between South Marsalis Avenue and Grassy Ridge Trail. Staff Recommendation: **Approval**, subject to a development plan, landscape plan, traffic management plan and conditions. Applicant: Dallas Independent School District Representative: MASTERPLAN - Karl Crawley U/A From: October 6, 2011

#### Zoning Cases – Individual

15. **Z101-328(WE)** Warren Ellis (CC District 2) An application for a CS Commercial Service District on property zoned an MU-2 Mixed Use District on the southeast line of Owen Street, between Bomar Avenue and Kimsey Drive. Staff Recommendation: **Denial** Applicant: Texas Land Care Representative: Roger Albright
16. **Z101-281(MW)** Megan Wimer (CC District 8) An application for a CR Community Retail District on property zoned an R-7.5(A) Single Family District on the southwest corner of Lake June Road and Barredo Street. Staff Recommendation: **Denial** Applicant: Firebrand Properties Representative: Robert Baldwin

#### All-Way-Stop Signs Appeal – Under Advisement

##### **Westgrove Drive at Club Hill Drive**

- Kerry Elder (CC District 12) Consideration of an appeal for the installation of an All-Way-STOP control at the intersection of Westgrove Drive at Club Hill Drive. Staff Recommendation: **No objection** U/A From: October 6, 2011

##### **Westgrove Drive at Angle View Drive**

- Kerry Elder (CC District 12) Consideration of an appeal for the installation of an All-Way-STOP control at the intersection of Westgrove Drive at Angle View Drive. Staff Recommendation: **No objection** U/A From: October 6, 2011

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Other Matters

Minutes: October 6, 2011

Adjournment

**CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS**

**Thursday, October 20, 2011**

**ZONING ORDINANCE COMMITTEE (ZOC) MEETING** - Thursday, October 20, 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

**Thursday, October 20, 2011**

**TRANSPORTATION COMMITTEE MEETING** - Thursday, October 20, 2011, City Hall, 1500 Marilla Street, in the Council Chambers, at 8:30 a.m., to consider (1) Change dimensional classification of Beckley from I-30 to W. Main from a six lane divided roadway {M-6-D(A\*)} within 100 feet of right of way to a special four lane divided roadway (SPCL 4-D) with bicycle lanes within 100 feet of right of way; and (2) Change dimensional classification of Sylvan Avenue from Fort Worth Avenue to I-30 from a six lane divided roadway {M-6-D(A\*)} within 100 feet of right of way to a special four lane divided roadway (SPCL 4-D) with bicycle lanes within 90 feet of right of way and 80 feet of pavement.

### **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, OCTOBER 20, 2011****FILE NUMBER:** S101-175**Subdivision Administrator:** Paul Nelson**LOCATION:** Lagow Street between Fitzhugh Avenue and Carl Street**DATE FILED:** September 30, 2011**ZONING:** PD 595 (R-5(A))**CITY COUNCIL DISTRICT:** 7 **SIZE OF REQUEST:** 1.283 Acres **MAPSCO:** 46Q&R**APPLICANT:** City of Dallas

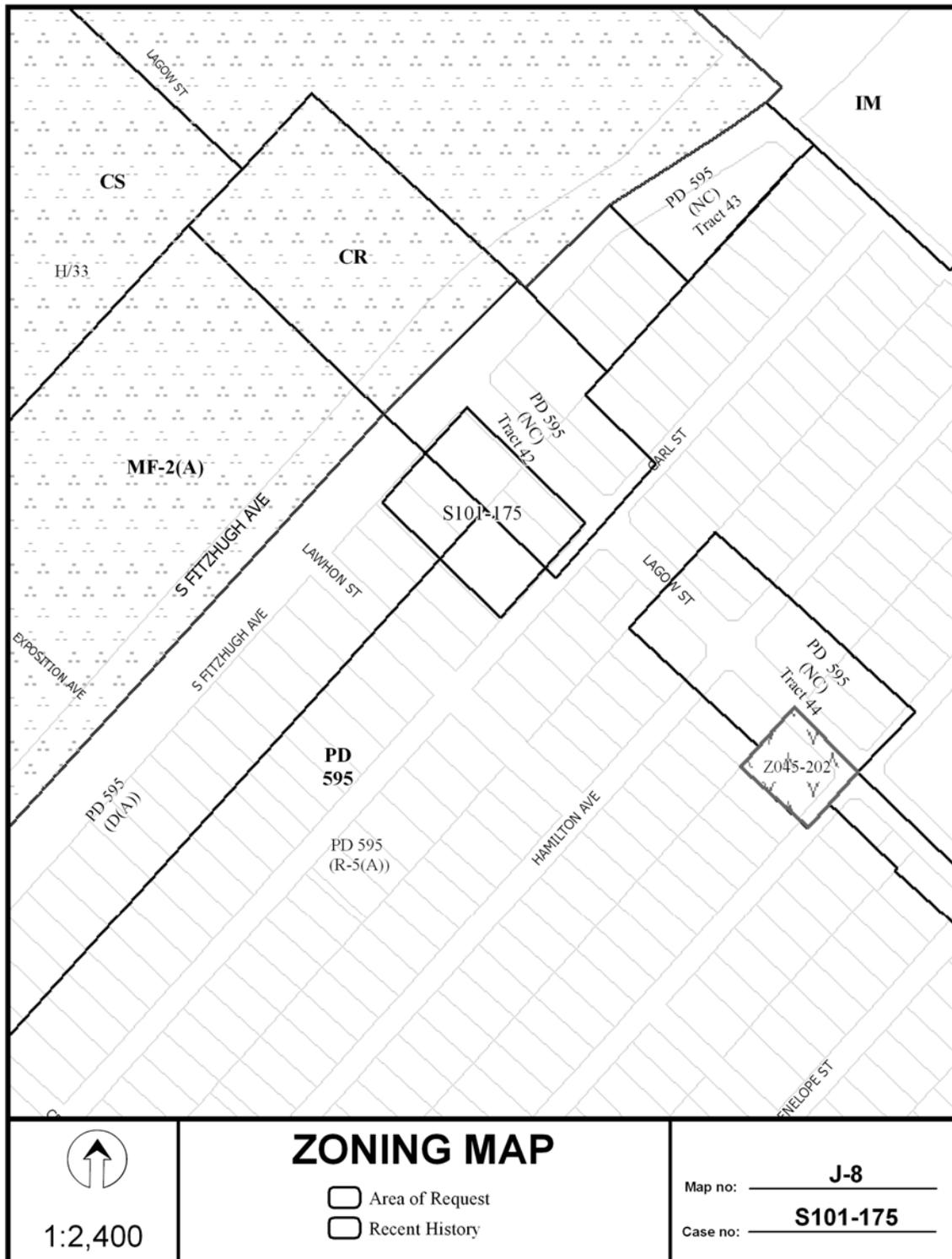
**REQUEST:** An application to create a 1.283 acre lot from an unrecorded subdivision in City Block 3/1811 containing all of Lots 1 through 4 and Lots 7 through 10 fronting on Lagow Street between Fitzhugh Avenue and Carl Street.

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

**STAFF RECOMMENDATION:** Staff has determined that the request does not technically comply with Section 51A-8.503(a) of the Development Code; however, the plat is for Fire Station No. 44 which is to enhance and serve the adjacent neighborhoods and is included in the 2006 city bond program. Therefore, staff recommends approval subject to compliance with the following conditions:

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

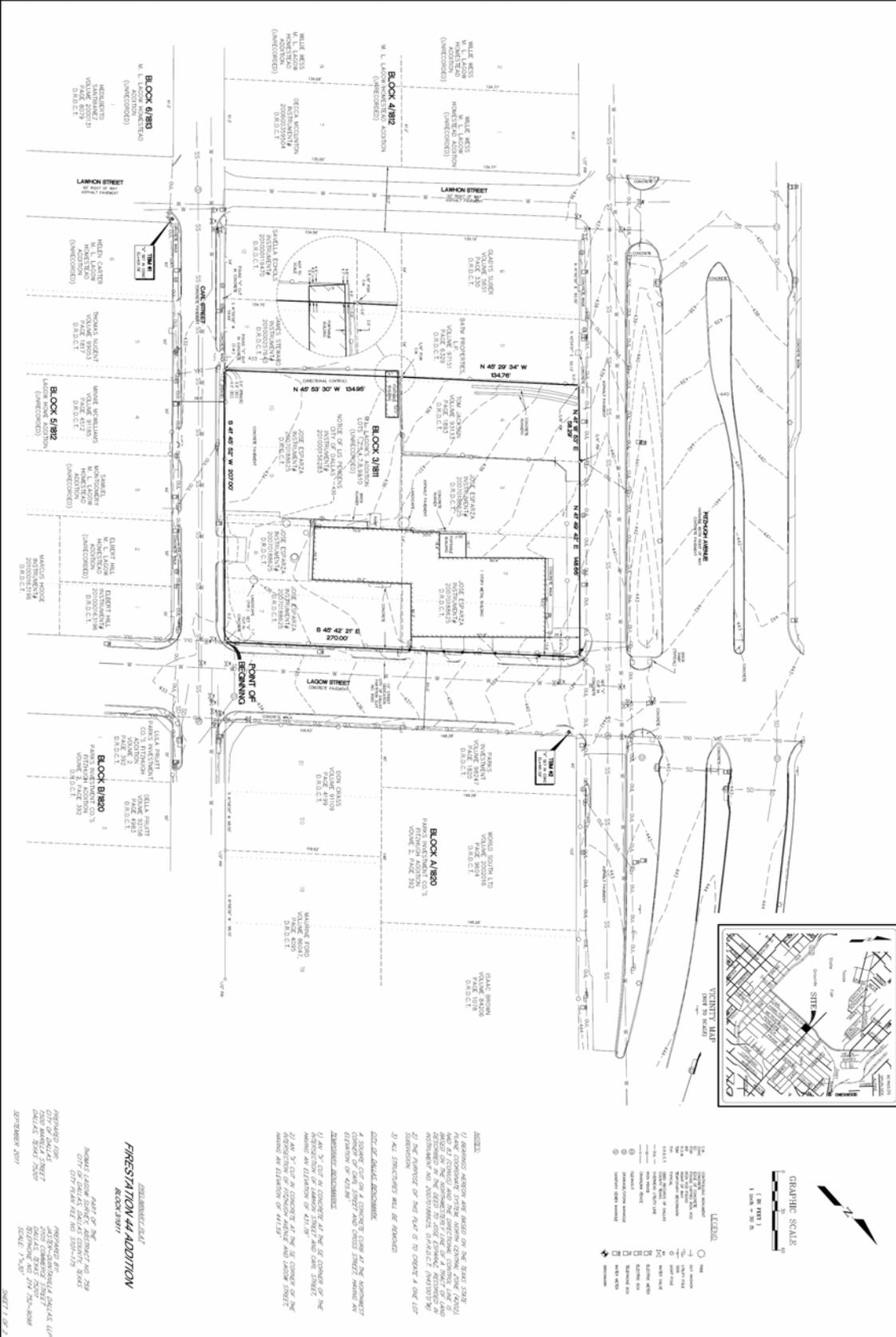
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. The maximum number of lots permitted by this plat is 1.
10. Submit drainage 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.
11. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. On the final plat dedicate 28 feet of ROW, or a street easement, or Public Utility and Sidewalk Easement equal to 28 feet from the established centerline of Carl Street.
13. On the final plat dedicate 50 feet of ROW from the established centerline of Fitzhugh Avenue.
14. On the final plat dedicate a 15 foot by 15 foot corner clip at Fitzhugh Avenue and Lagow Street.
15. On the final plat dedicated a 10 foot by 10 foot corner clip at Lagow Street and Carl Street.
16. On the final plat show how all right of way was created.
17. On the final plat show 2 control monuments.
18. On the final plat show the distances/width of ROW across Fitzhugh Avenue.
19. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.





 1:2,400	<h3>AERIAL MAP</h3> <p><input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History</p>	Map no: <u>      J-8      </u> Case no: <u>      S101-175      </u>
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DATE: October 12, 2011





**CITY PLAN COMMISSION****THURSDAY, OCTOBER 20, 2011****FILE NUMBER: S101-177****Subdivision Administrator: Paul Nelson****LOCATION: 1600 Main Street****DATE FILED: September 30, 2011****ZONING: PD 619 Sub Area A and E****CITY COUNCIL DISTRICT: 14 SIZE OF REQUEST: 1.0173 Acres MAPSCO: 45Q****APPLICANT: 1600 Main Street Holdings, L**

**REQUEST:** An application to replat a 1.0173 acre tract of land containing part of Lots 4, 18, all of Lots 5, 6, 7, 19, 20, and 21 in City Block 122/77; all of Lot 8A in City Block 77 and a 15 foot square foot tract of land and located at 1600 Main Street.

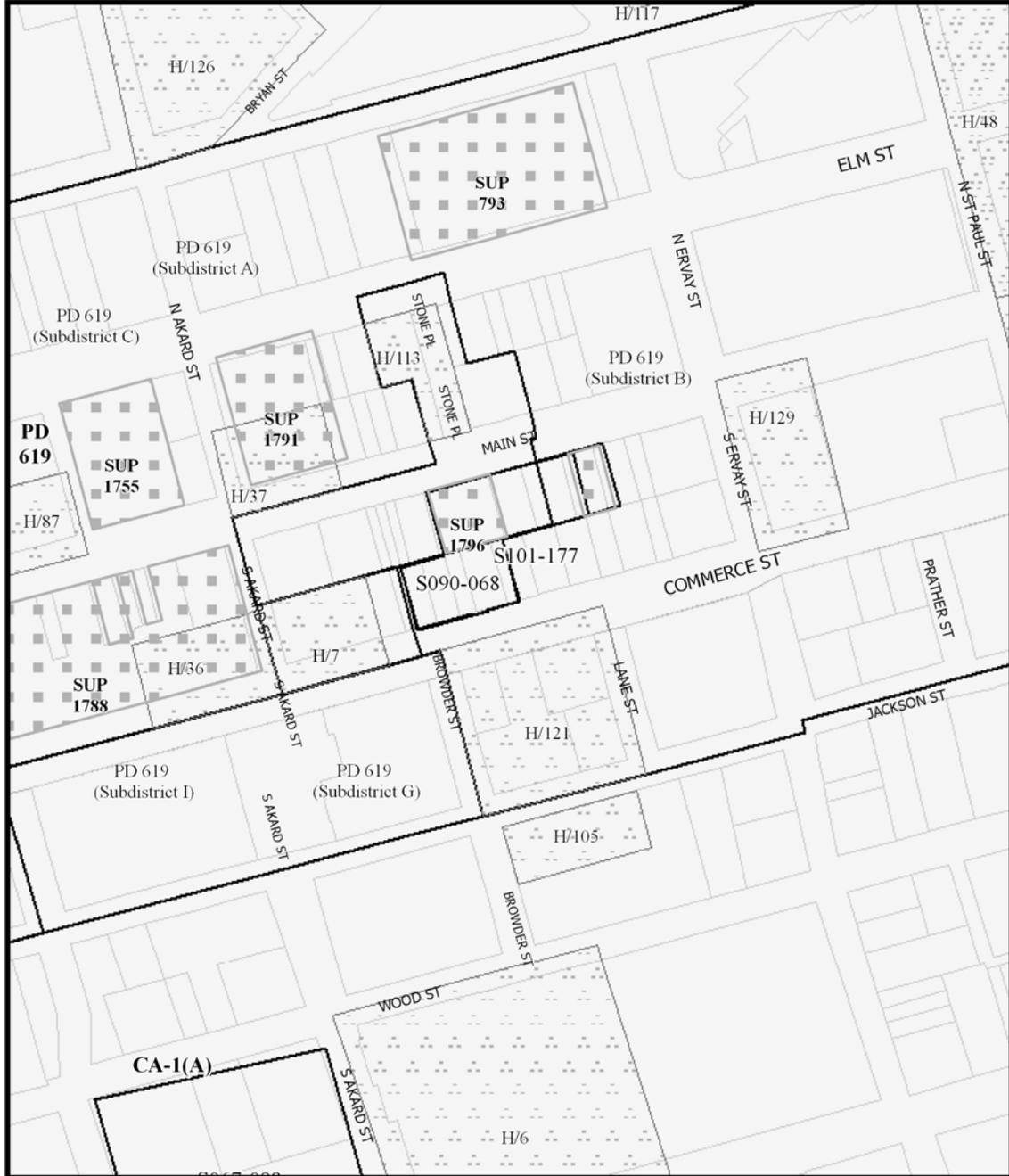
**SUBDIVISION HISTORY:**

1. S090-068 was an application to replat a 0.9025 acre tract of land containing all of Lots 6, 7, 19, 20, and 21 and part of Lots 5 and 18 in City Block 122/77 into one lot. This property is part of the current request. The request was approved as an Administrative Plat on March 24, 2010 but has not been recorded.

**STAFF RECOMMENDATION:** The proposed subdivision complies with the requirements of PD 619; therefore, staff recommends approval subject to compliance with the following conditions:

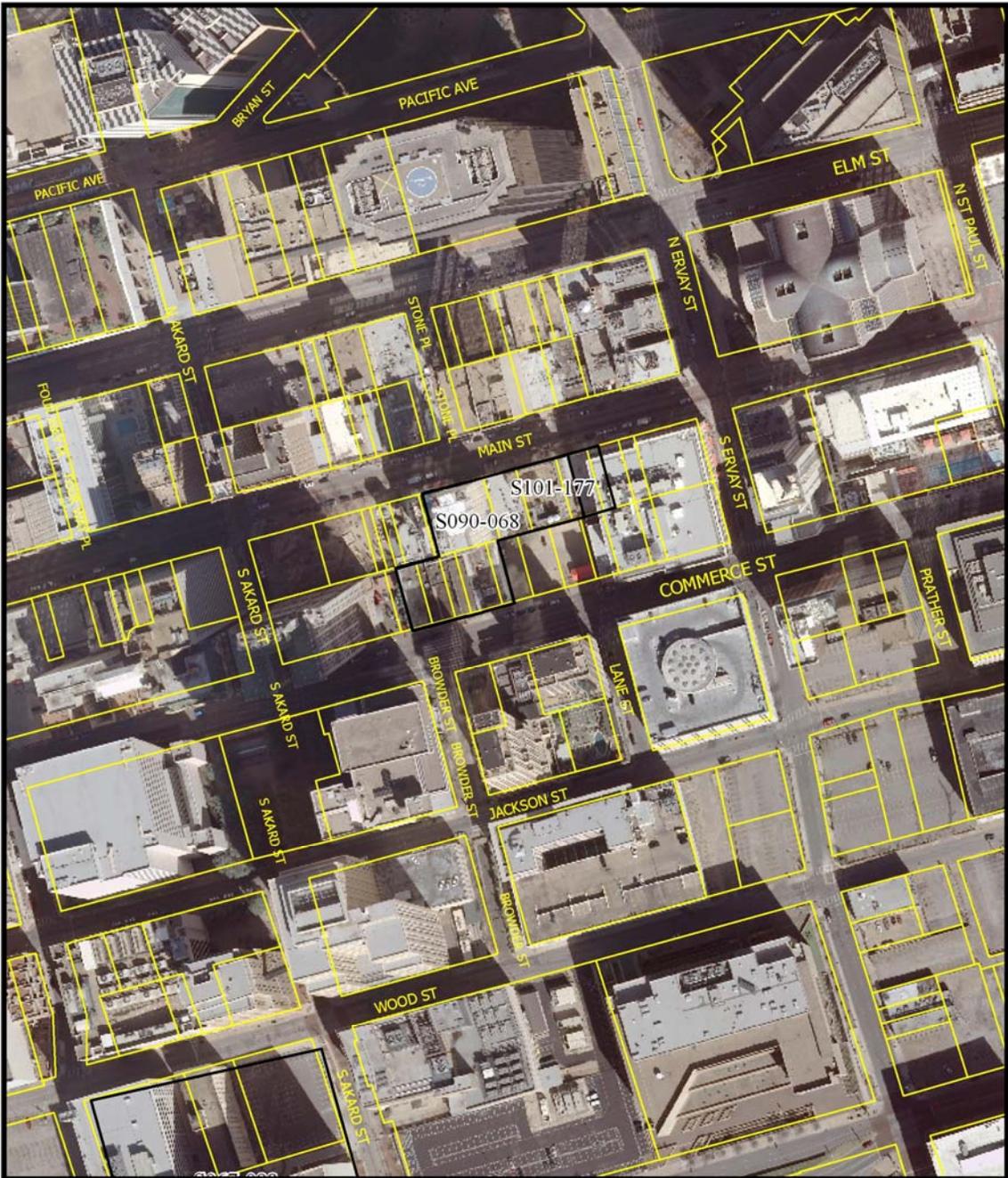
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with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

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. The maximum number of lots permitted by this plat is 1.
10. 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.
11. On the final plat show all easements to be abandoned or abandoned and place the abandonment Ordinance information on the face of the plat and show all license agreements on the final plat.
12. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
13. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.



 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>      J-7      </u> Case no: <u>      S101-177      </u>
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DATE: October 12, 2011



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DATE: October 12, 2011



**CITY PLAN COMMISSION**

**THURSDAY, OCTOBER 20, 2011**

**FILE NUMBER:** S101-172

**Subdivision Administrator:** Paul Nelson

**LOCATION:** 7242 Lake Edge Drive

**DATE FILED:** September 22, 2011

**ZONING:** PD 381, Subdistrict A

**CITY COUNCIL DISTRICT:** 13      **SIZE OF REQUEST:** 0.686 Acre      **MAPSCO:** 16W

**APPLICANT/OWNER:** Chris Merlo

**REQUEST:** An application to replat all of Lots 16 and 17 in City Block D/7463 into one 0.686 acre lot on property located at 7242 Lake Edge Drive.

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

**DATE NOTICES SENT:** 32 notices were sent September 28, 2011.

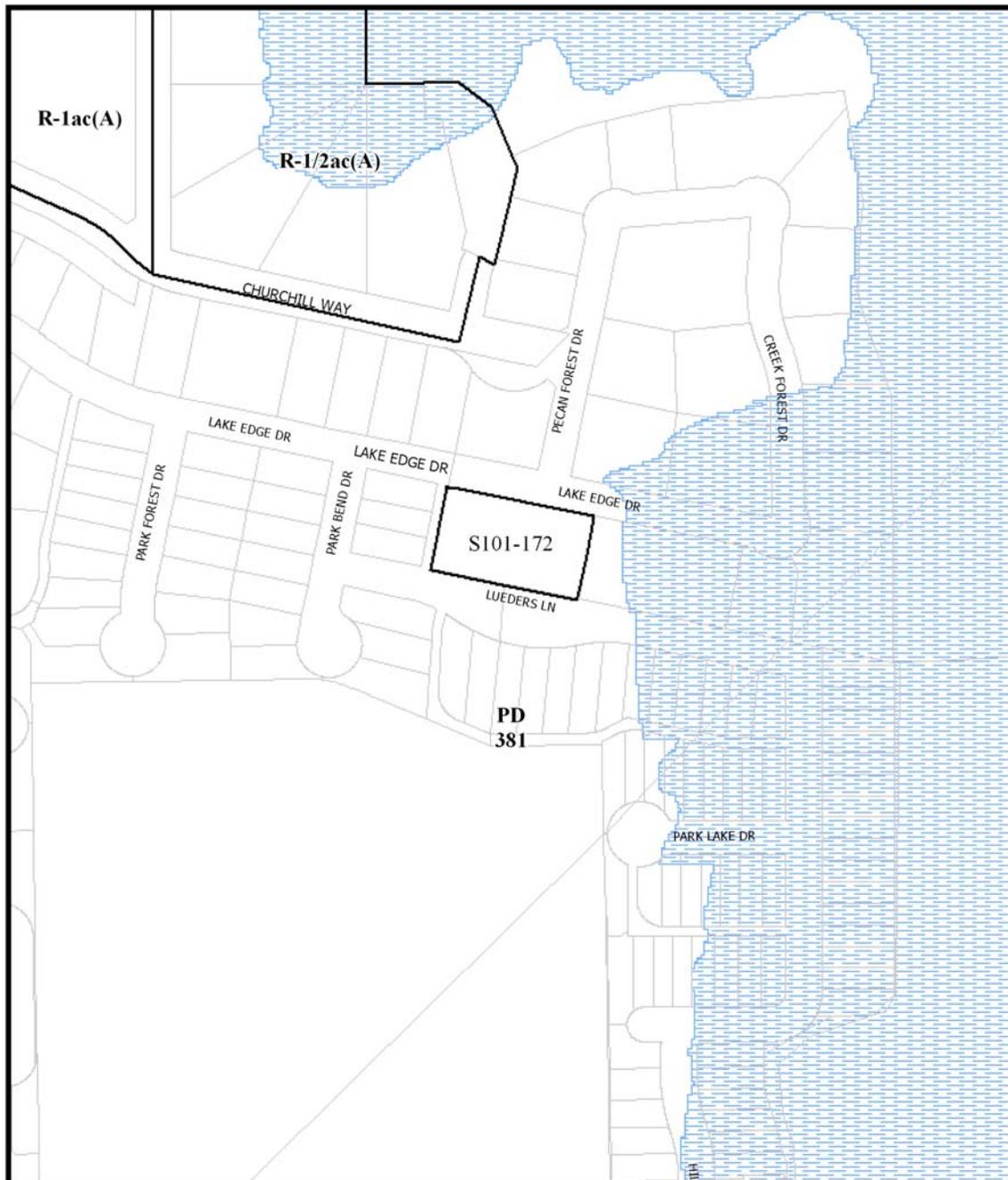
**STAFF RECOMMENDATION:** Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural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

The properties are governed by Planned Development District 381 which was approved by the City Council on February 24, 1993. This property is part of Lake Forest Phase B (17 lots) which was recorded on December 8, 1997 and the proposed plat does not comply with the lot pattern established by the recorded plat.

Staff has determined that the request does not comply with Section 51A-8.503(a) of the Development Code and staff recommends denial of the request. However should the request be approved staff recommends that the approval be 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 include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. The maximum number of lots permitted by this plat is 1.
10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
11. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
12. On the final plat dedicate a 15 foot by 15 foot alley sight easement at Lueders Lane and the alley and at Lake Edge Drive and the alley.
13. On the final plat show how all adjoining ROW was created.
14. On the final plat add the metes and bounds description.
15. On the final plat determine if easements shown as encroached have been released.
16. On the final plat verify the storm water location in Lake Edge Drive.
17. On the final plat identify the property as Lot 16A, City Block D/7463.



1:2,400

### ZONING MAP

- Area of Request
- Recent History

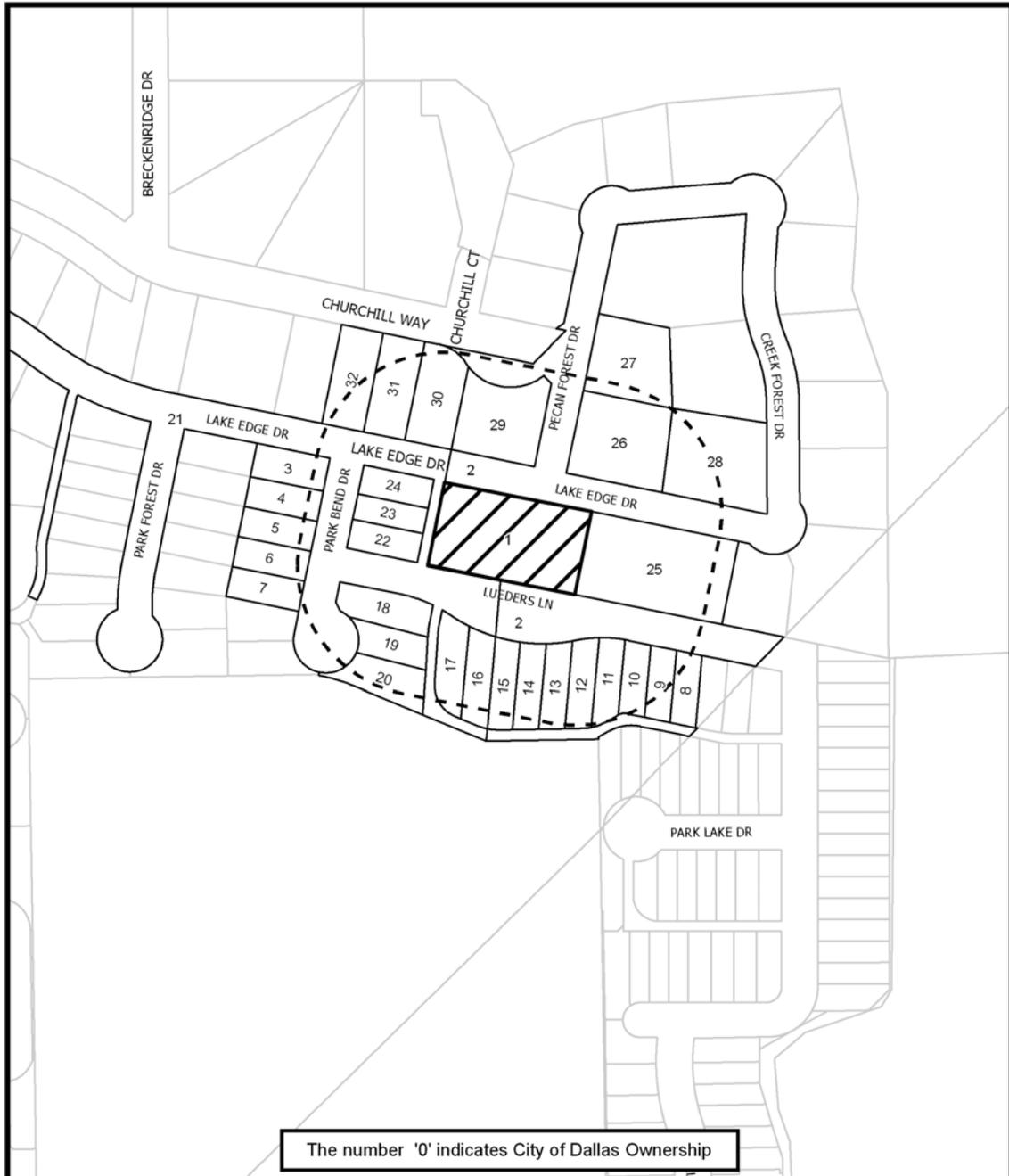
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DATE: October 12, 2011



 1:2,400	<b>NOTIFICATION</b>	Map no: <u>        D-8        </u>			
	<table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">32</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	32	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
32	NUMBER OF PROPERTY OWNERS NOTIFIED				

DATE: October 12, 2011

## Notification List of Property Owners

### S101-172

#### 32 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7242 LAKE EDGE	MERLO CHRISTOPHER J
2	12200 PECAN FOREST	LAKE FOREST COMMUNITY ASSN INC
3	12229 PARK BEND	VARDAMAN CELESTE
4	12225 PARK BEND	CUNNINGHAM SANDRA D
5	12221 PARK BEND	MCNUTT MELANIE J
6	12217 PARK BEND	KORNGUT IRWIN S & DEBRA A
7	12213 PARK BEND	ROSENFELD LEONARD H & KRISTINE L ROSENFELD
8	12115 LUEDERS	WOMBLE BILL & BARBARA
9	12119 LUEDERS	WINDHAM R M & WAUNICE
10	12123 LUEDERS	WITTEMEN ALFRED O & ROSE C
11	12127 LUEDERS	MOROZZO MARC M & DEBORAH J REV LIV TR
12	12131 LUEDERS	ELIASON EARL H & EILEEN E
13	12135 LUEDERS	SIMS LARRY N
14	12139 LUEDERS	MILLER C TODD & SUZANNE D
15	12143 LUEDERS	NEARY MICHAEL
16	12147 LUEDERS	ROSELLINI MICHAEL & NANCY
17	12151 LUEDERS	LEE YONGHUI
18	12214 PARK BEND	CRACKEN JOHN STE 100
19	12210 PARK BEND	LANGE BETH A
20	12206 PARK BEND	CLOUD ROBERT ROYCE & CONNIE JO
21	7100 LAKE EDGE	LAKE FOREST COMM ASSO INC STE 300
22	12218 PARK BEND	MCCABE KATHRYN B
23	12222 PARK BEND	MURRAY ELIZABETH G
24	12226 PARK BEND	SEREBOFF NORMAN F & SUSAN P
25	7252 LAKE EDGE	KUNDYSEK DAVID L & DEE ANN KUNDYSEK
26	12210 PECAN FOREST	COYLE FRANCIS P & JUDITH DEDMON

Tuesday, September 27, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	12220 PECAN FOREST	FLEISCHMANN RONALD S & ELLEN M
28	12211 CREEK FOREST	NYE ERLE A & ALICE A
29	12209 PECAN FOREST	BARKER JERRY LEE & JUDY KAY BARKER
30	7125 LAKE EDGE	KEMPLE GLENDA
31	7121 LAKE EDGE	HAI SLIP MICHAEL R
32	7117 LAKE EDGE	AUSTIN MICHAEL A & CARLA

---

*Tuesday, September 27, 2011*



**CITY PLAN COMMISSION****THURSDAY, OCTOBER 20, 2011****FILE NUMBER:** S101-173**Subdivision Administrator:** Paul Nelson**LOCATION:** Edgewood St., Pennsylvania Ave., Kimbell St. and Peabody St.**DATE FILED:** September 21, 2011**ZONING:** PD 595, R-5(A)**CITY COUNCIL DISTRICT:** 7      **SIZE OF REQUEST:** 1.565 Ac. **MAPSCO:** 46S&W**APPLICANT/OWNER:** City of Dallas

**REQUEST:** An application to replat all of lots 1 through 20 in City Block 23/1302 into one 1.565 acre lot on property bounded by Edgewood Street, Pennsylvania Avenue, Kimbell Street and Peabody Street.

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

**DATE NOTICES SENT:** 26 notices were sent September 29, 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..."

Staff has determined that the request does not technically comply with Section 51A-8.503(a) of the Development Code; however, the plat is for Fire Station No. 6 to enhance and serve the adjacent neighborhoods and is included in the 2006 city bond program. 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. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. The maximum number of lots permitted by this plat is 1.
10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. On the final plat dedicate 28 feet of ROW, or a street easement, or Public Utility and Sidewalk Easement equal to 28 feet from the established centerline of Kimble Street.
13. On the final plat dedicate 30 feet of ROW from the established center line of Pennsylvania Avenue.
14. On the final plat dedicate 15 foot by 15 foot corner clip at Pennsylvania Avenue and Kimble Street and at Pennsylvania Avenue and Edgewood Street.
15. On the final plat dedicate 10 foot by 10 foot corner clips at Peabody Avenue and Kimble Street, and at Peabody Avenue and Edgewood Street.
16. On the final plat show the correct recording information for the subject property.
17. On the final plat chose a different addition name.
18. On the final plat dedicate the existing street easements as fee simple ROW along Pennsylvania Avenue.
19. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
20. Water/wastewater main extension is required by Private Development Contract.
21. On the final plat identify the property as Lot 1A, City Block 23/1302.







## Notification List of Property Owners

### S101-173

#### 26 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2300 PEABODY	BLAIR ARNOLD WILLIAM % WM WHITE REALTORS
2	2306 PEABODY	CAMPBELL VALRIE ESTATE OF
3	2308 PEABODY	PATTINSON RUSSELL
4	2312 PEABODY	ZUNIGA CATALINA
5	2316 PEABODY	COX JESSE JR & WINIFRET
6	2301 PENNSYLVANIA	TOPLETZ INVESTMENTS SUITE 301
7	2313 PENNSYLVANIA	ALPHA KEY ALLIANCE
8	3117 EDGEWOOD	PARKER MARY A
9	2401 PEABODY	DJA PROPERTIES INC
10	2405 PEABODY	MASON STEVE ESTATE OF % LENA MAE MASON
11	2411 PEABODY	COLE STEPHANIE G
12	3014 PEABODY	VILLA GABRIEL & REBECCA
13	2305 PEABODY	MARSH JOHNNY
14	2311 PEABODY	AVENUE LIVING BY CARLAS & STE 203
15	2313 PEABODY	SOUTH DALLAS FAIR PARK INNERCITY COMMUNITY DEV
16	3015 EDGEWOOD	PHILLIPS SEABORN
17	2317 PEABODY	BUGGS ESTER L
18	2204 PEABODY	CLAYTON LUCINDA VENTURE
19	2209 PENNSYLVANIA	DESOTO IAM COMPANIES INC
20	3333 EDGEWOOD	DALLAS HOUSING AUTHORITY
21	2402 PEABODY	BEASLEY ROSE L
22	2406 PEABODY	LINCOLN SHEVA
23	2408 PEABODY	DAVIS BILLY ET AL AOT 104
24	2408 PENNSYLVANIA	EDNEY LODIE
25	2401 BIRMINGHAM	DARBY PATRICIA ANN
26	2409 PENNSYLVANIA	PRAISE TEMPLE % MILTON TRAYLOR

Tuesday, September 27, 2011



**CITY PLAN COMMISSION**

**THURSDAY, OCTOBER 20, 2011**

**FILE NUMBER:** S101-174

**Subdivision Administrator:** Paul Nelson

**LOCATION:** Ravenview Road and 12432 Fallen Leaf Drive

**DATE FILED:** September 27, 2011

**ZONING:** R-10(A)

**CITY COUNCIL DISTRICT:** 8

**SIZE OF REQUEST:** 1.00 Ac.

**MAPSCO:** 70A

**APPLICANT/OWNER:** William Killingsworth

**REQUEST:** An application to replat a 1.00 acre tract of land containing all of Lot 1 in City Block A/8824 into one 0.496 acre lot, two 0.252 acre lots, and to remove the existing 30 foot platted front building line on proposed lots 1A and 1B at Ravenview Road and 12432 Fallen Leaf Drive

**SUBDIVISION HISTORY:** The existing subdivision was filed for record in the Dallas County Courthouse on October 8, 1954 prior to annexation into the City of Dallas.

**DATE NOTICES SENT:** 14 notices were sent September 30, 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-10(A) District requires a minimum 30 foot front yard setback. This request will provide a minimum 16.8 foot setback for the structure on proposed Lot 1B, and 28.5 foot setback for the existing structure on proposed Lot 1A.

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

- 14 notices were sent on September 30, 2011 with no replies in favor or against as of 10/9/2011.

“(iii) adversely affect neighboring properties; and”

- The properties contiguous on the east and north have a 30 foot platted building line; properties west of the request ,along Ravenview Road, north of this property also have a 30 foot platted building line. Properties south of the request on Ravenview Road do not have a platted building line. Removal of the building line would allow the applicant to file for a variance request for the Board of Adjustment to reduce the zoning setback.

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

- The adverse impacts on the adjoining properties from the buildings encroaching into the platted building line occurred when the structure was built in 1940. Approval or denial of the building line removal request will not create any new adverse impacts on the neighborhood.

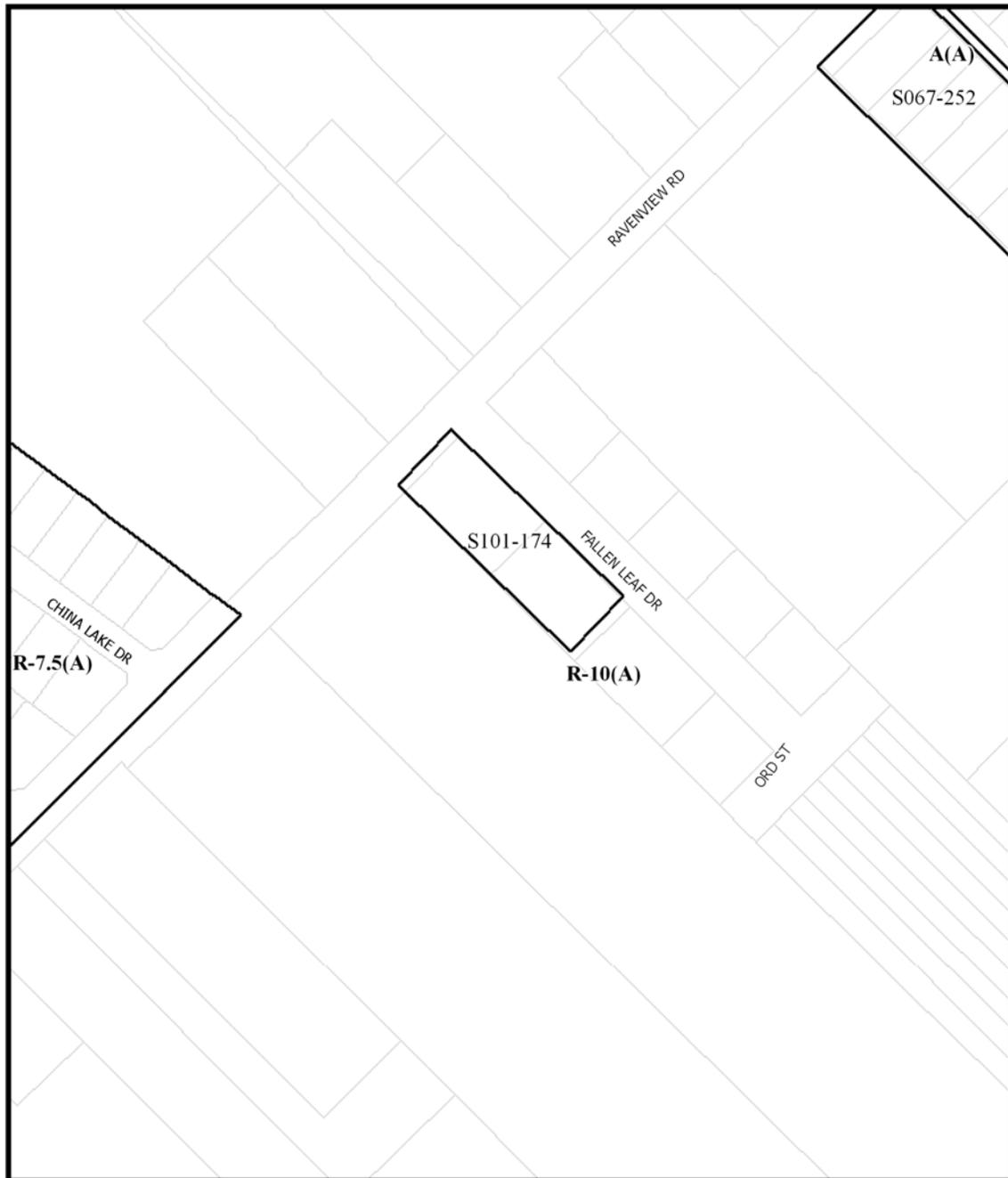
**STAFF RECOMMENDATION OF BUILDING LINE REMOVAL:** The request does not comply with the requirements of Section 51A-8.505(c) for reduction or removal of building lines because the removal will allow structures to encroach into the 30 foot front yard setback created by the R-10(A) zoning district; therefore, staff recommends denial 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..."

Staff has determined that the request does not comply with Section 51A-8.503(e)(1)(2) of the Development Code as 2 existing structures on the property were built in the 1940's prior to the plat being recorded in 1954 and are encroaching into the required 30 foot front yard setback of the R-10(A) District .Therefore the lots are not "in strict compliance with the Dallas Development Code" and staff recommends denial of the replat. However should the application be approved the staff suggests the motion be 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. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. The maximum number of lots permitted by this plat is 3.
10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
11. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
12. On the final plat dedicate 53.5 feet of ROW from the established center line of Ravenview Road.
13. On the final plat dedicate 15 foot by 15 foot corner clip at Fallen Leaf Drive and Ravenview Road.



1:2,400

# ZONING MAP

Map no:           N-12          

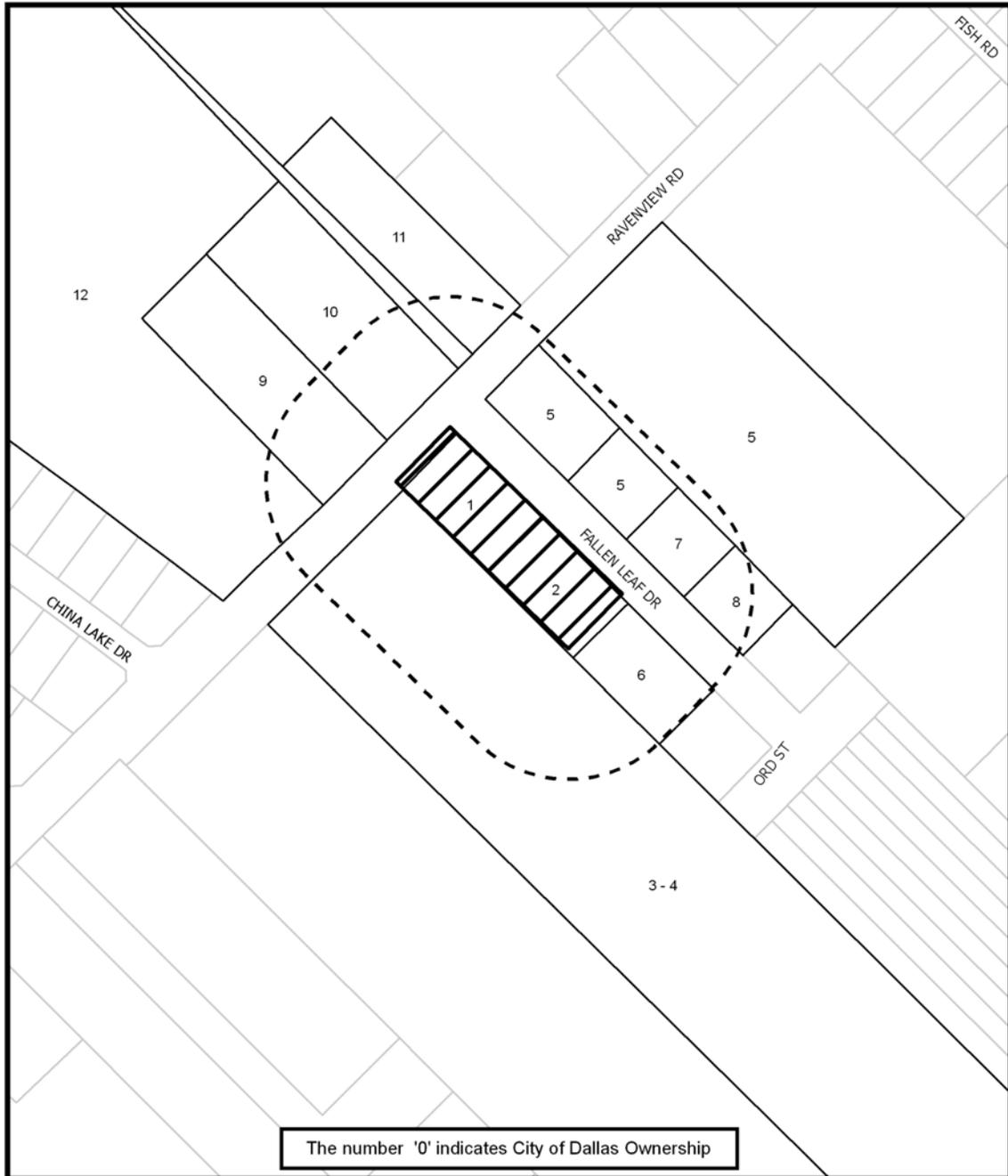
Case no:           S101-174          

DATE: October 12, 2011



 <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>          N-12          </u></p> <p>Case no: <u>          S101-174          </u></p>
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DATE: October 12, 2011



 1:2,400	<b>NOTIFICATION</b>	Map no: <u>      N-12      </u>			
	<table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">13</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	13	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
13	NUMBER OF PROPERTY OWNERS NOTIFIED				

DATE: October 12, 2011

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

***S101-174***

***13 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	13118 RAVENVIEW	KILLINGSWORTH WILLIAM T
2	12432 FALLEN LEAF	KILLINGSWORTH WILLIAM & SANDRA
3	13114 RAVENVIEW	LOPEZ RUFINA C
4	13114 RAVENVIEW	LOPEZ RUFINA C & HERNANDEZ JOSE L
5	13134 RAVENVIEW	WEISSE TERRY W
6	12440 FALLEN LEAF	KILLINGSWORTH BILLY SHANE
7	12443 FALLEN LEAF	WEISSE HARLON
8	12449 FALLEN LEAF	GUZMAN DIANA E
9	13117 RAVENVIEW	PASCHALL PATSY
10	13123 RAVENVIEW	BYRD DAN M
11	13129 RAVENVIEW	PASCHALL CLYDE WESLEY JR & LANETA ANN PATSY
12	13111 RAVENVIEW	PASCHALL CLYDE W JR ETAL
13	13125 RAVENVIEW	PASCHALL CLYDE W JR & LANETA ANN PATSY

Wednesday, October 12, 2011



**PLANNER: Paul Nelson**

**FILE NUMBER:** NC101-002

**DATE FILED:** August 29, 2011

**LOCATION:** The City of Dallas has submitted an application to change the name of Municipal Street between the east right of way limit of State Highway 310 & Bexar Street to "Carlton Garrett St."

**COUNCIL DISTRICT:** 7

**MAPSCO:** 26Z

**APPLICANT:** City of Dallas

**REQUEST:** Change the name of Municipal Street between State Highway 310 & Bexar Street to "Carlton Garrett Street."

**SUBDIVISION REVIEW COMMITTEE RECOMMENDATION:** The Subdivision Review Committee unanimously recommended approval of renaming Municipal Street between State Highway 310 & Bexar Street to "Carlton Garrett Street". on September 16, 2011.

**STAFF RECOMMENDATION:** Staff recommends **approval** of renaming Municipal Street between State Highway 310 & Bexar Street to "Carlton Garrett Street".

**SUMMARY:**

- Notices were sent on August 29, 2011 to 22 property owners notifying them of the proposed street name change. Notification signs were put up on August 31, 2011.
- Notices were sent on September 19, 2011 to 22 property owners notifying them of the proposed street name change hearing on October 20, 2011.
- A waiver of Section 9.304(b) is needed to approve the name change as this section states that "a street name may not contain more than 14 characters providing, however, that the street type designation may be abbreviated to comply with this requirement."
- The proposed name contains 19 characters of which two are spaces between words.
- A waiver of Section 51A-9.304(c)(2) is needed to approve renaming of Municipal Street to "Carlton Garrett Street" as that section states that: "A street name commemorating a person or a historic site or area is prohibited until at least two years after the death of the person to be honored or the occurrence of the event to be commemorated."
- Carlton Garrett is not deceased.
- Municipal Street presently exists in two locations. One location is presently under consideration for the name change; the second location is a City Council approved alignment on the east side of the City Service Center on Bexar Street and proceeds north to Highway 175.

**BACKGROUND INFORMATION:**

**Thoroughfare/Street**

Municipal Street

**Roadway Status**

Minor Street

**STAFF ANALYSIS:**

**Street Name Change:** In terms of compliance of this request with Division 51A-9.300 of the Dallas Development Code, staff observes the following:

- A waiver of Section 9.304(b) is needed to approve the name change as this section states that “a street name may not contain more than 14 characters providing, however, that the street type designation may be abbreviated to comply with this requirement.” The proposed name contains 19 characters of which two are spaces between words.
- A waiver of Section 51A-9.304(c)(2) is needed to approve renaming of Municipal Street to “Carlton Garrett Street” as that section states that: “A street name commemorating a person or a historic site or area is prohibited until at least two years after the death of the person to be honored or the occurrence of the event to be commemorated.”
- Carlton Garrett is not deceased.
- **51A-9.305(c)** Hearing before the Subdivision Review Committee. The notices were sent on August 29, 2011 to 5 property owners.
- **51A-9.304(g)** Waiver. The city council, by a three-fourths vote of its members may waive any of the standards contained in this section when waiver would be in the public interest and would not impair the public health, safety, or welfare.

**Departmental Response:**

<b>Department/Entity</b>	<b>Date of response</b>	<b>Department/Entity</b>	<b>Date of response</b>
AT&T	N/R	Property Management	NR
Atmos Energy	N/R	Police	NR
Building Inspection	N/R	PWT (GIS)	9/2/11
City Archivist	9/06/11	SDC (Transportation)	NR
City Attorney	N/R	Sanitation Services	N/R
Comprehensive Planning	N/R	School District	N/R
Dallas County Historical Commission	N/R	Texas DOT	N/R
DART	N/R	Time Warner Cable	N/R
Fire Department	9/8/11	TXU Electric	N/R
Long Range Planning	NR	US Post Office	9/2/11
Park and Recreation	N/R	Water Utilities	N/R

N/R= No written Response

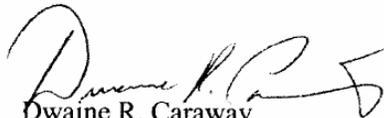
# Memorandum



DATE: August 19, 2011  
TO: Mary Suhm, City Manager  
SUBJECT: **Street Name Change Request**

In accordance with the provisions of Section 51A-9.302 of the City of Dallas Development Code, please proceed with the process for consideration of a street name change. I would like to have the 5800-6400 block of Municipal Street, between Hwy 310 and Bexar, renamed to Carlton Garrett Street. We would like this change completed as soon as possible.

Thank you,

  
Dwaine R. Caraway  
Council Member – District 4

  
Tennell Atkins  
Deputy Mayor Pro Tem  
District 8

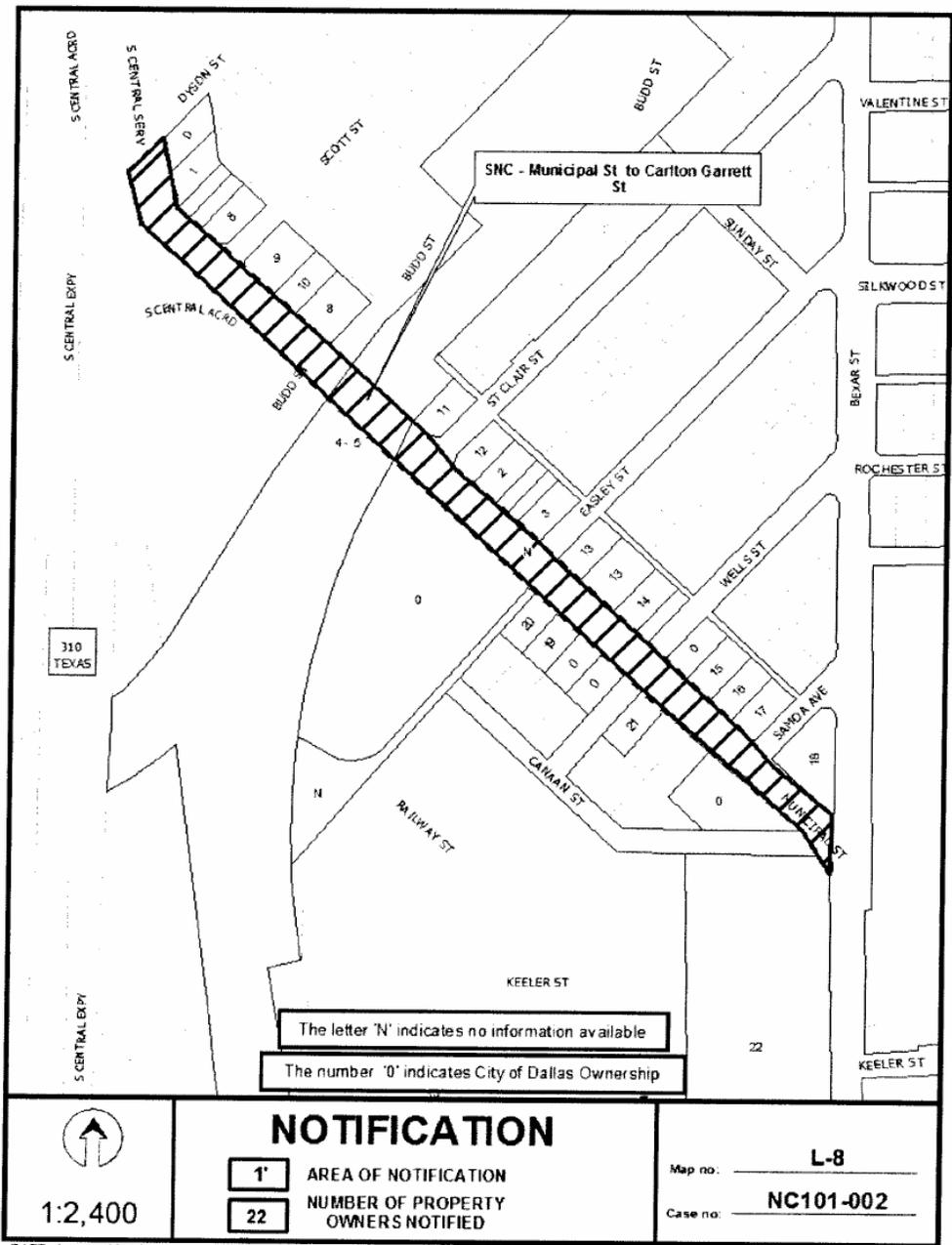
  
Carolyn R. Davis  
Council Member – District 7

Cc: A.C. Gonzalez- First Assistant City Manager  
Jill A. Joradan, P.E., Assistant City Manager  
Forest Turner, Assistant City Manager  
Joey Zapata, (I) Assistant City Manager  
Ryan Evans, Assistant City Manager  
Theresa O'Donnell, Director of Sustainable Dev. & Construction

"Dallas, The City That Works: Diverse, Vibrant and Progressive."

## ***Carlton Garrett Street***

Rev. Carlton Garrett is 82 years of age and has lived in the Bonton/Bexar Street Community for 82 years. He raised all eight (8) of his children on Parsons Street, and 37 years ago he organized *The Lord's Missionary Baptist Church* of which he is still the pastor. Pastor Garrett has also helped many in this community for years: Feed the Homeless Program; Katrina Victim –Relocation/Furnishing Program; Utility Relief Program; Funeral Relief—monetary and location assistance; Supporting Partner with DISD's H. S. Thompson, Charles Rice Learning Center, Pearl C. Anderson and Lincoln High School; Pastor Carlton Garrett—TLMBC Next Generation Scholarship Fund. Pastor Garrett also provides outlets for the community to voice their concerns through political candidates and others in elected public/governmental offices. Pastor Carlton Garrett was also named Minister of the Year by the Interdenominational Ministerial Alliance of Greater Dallas. This honor was bestowed upon him due to his many works in the Dallas/Metroplex and beyond the city of Dallas. **However, Pastor Carlton Garrett's philanthropic work has often been worked from behind the scenes.** His vision etymologically means "the love of God through humanity", in the sense of "what it is to be Christ like", the essence of our humanity. In modern practical terms, it is "private initiatives for public good, focusing on quality of life"—balancing the social-scientific aspect emphasized in the twentieth century, not the get rich off of others, but with the long-traditional and original humanistic core of the word's ancient coinage—I am my brothers' keeper.



NC 101-002  
SRC 09/15/2011

8/29/2011

11:05:37 AM

## Notification List of Property Owners

NC101-002

22 Property Owners Notified

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	5806 MUNICIPAL	DOTSON MAURICE SR
2	6106 MUNICIPAL	BRANCH KENNY & SUSIE
3	6114 MUNICIPAL	CUINGTON CHARLES
4	9999 NO NAME	UNION PACIFIC RR CO % TAX DEPT
5	4401 LINFIELD	ST LOUIS S W RAILWAY CO % UNION PACIFIC PPTY TAX
6	5808 MUNICIPAL	PRICE PEARL
7	5810 MUNICIPAL	LOPEZ ABRAHAM
8	5914 MUNICIPAL	DALLAS HOUSING ACQUISITION & DEV CORP CITY HALL 6D
9	5902 MUNICIPAL	GRANT IRENE % DOROTHY PIERCE
10	5908 MUNICIPAL	SEWALL WILLIAM B
11	6014 MUNICIPAL	CARTER CHARLIE
12	6100 MUNICIPAL	WRIGHT JAMES E
13	6204 MUNICIPAL	WHITE HAROLD L
14	6212 MUNICIPAL	JONES CHARLES E
15	6306 MUNICIPAL	WARREN IRENE
16	6310 MUNICIPAL	MOORE RUBIN % IRENE WARREN
17	6314 MUNICIPAL	CITYBUILD COMMUNITY DEVELOPMENT CORP
18	6411 BEXAR	SWKL INC
19	6207 MUNICIPAL	PRESTWOOD ARTHUR JR
20	6205 MUNICIPAL	FLYNARD CHARLIE ETAL
21	6301 MUNICIPAL	JONES MILLER L % E J LIGON
22	6601 BEXAR	DALLAS HOUSING AUTHORITY

Monday, August 29, 2011

---

**Planner: Olga Torres-Holyoak**

**FILE NUMBER:** D101-019

**DATE FILED:** August 8, 2011

**LOCATION:** On the east side of Coit Road, east of Osage Plaza Parkway, south of George Bush Turnpike.

**COUNCIL DISTRICT:** 12

**MAPSCO:** 6 F-G

**SIZE OF REQUEST:** Approximately 22.78 acres

**CENSUS TRACT:** 318.04

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**MISCELLANEOUS DOCKET ITEM**

Owner/Applicant: Redwood-ERC Dallas, LLV

Representative: James R Schnurr

**Development Plan & Landscape Plan:**

On August 25, 2004, the City Council passed Ordinance No. 25729 which established Planned Development District No. 695 on property generally located at the southeast corner of Coit Road and Frankford Road. The size of the PD is approximately 88.918 acres.

The zoning was granted as a conceptual planned development district. A development plan and a landscape plan for each phase of development must be approved by the City Plan Commission prior to the issuance of a building permit for each phase.

In conjunction with the above requirement, the attached development plan and landscape plan is submitted for the Commission's consideration. The plan provides for the development of Phase 2 of a senior living community. The applicant is proposing to build a 45,098 square feet skilled nursing, assisted living facility with 96 units.

**STAFF RECOMMENDATION:** Approval

## List of Owners/Partnerships

-----  
**Redwood-ERC Dallas, LLC**  
**List of Members**

### Owner/Applicant

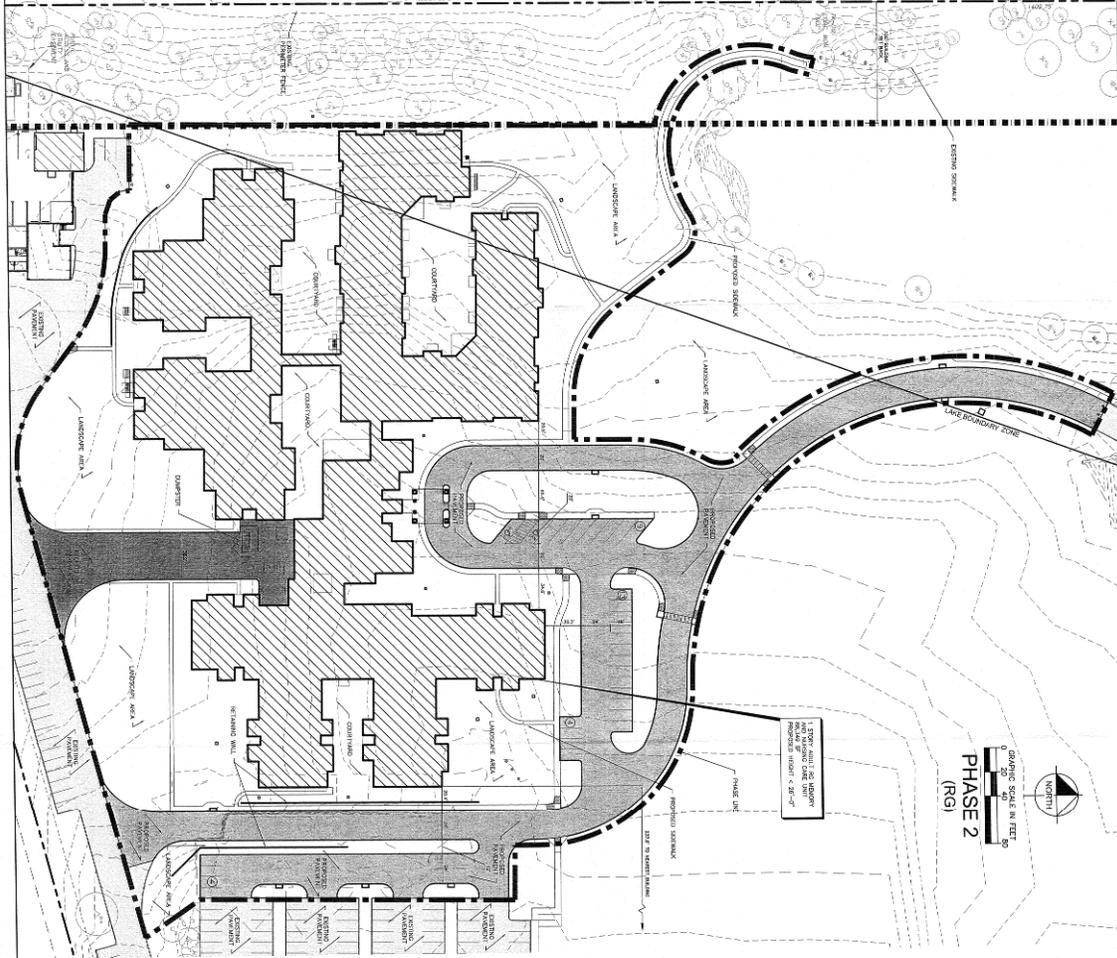
#### **Redwood-ERC Dallas, LLC**

Member: Erickson Living Properties, LLC, managing member

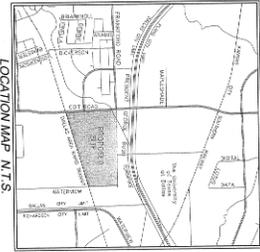
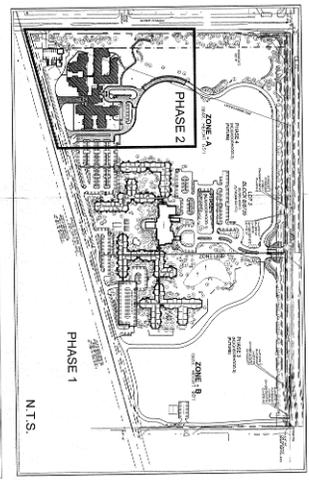
#### Officers:

James C. Davis:	Chairman
R. Alan Butler:	Chief Executive Officer
William J. Butz:	President
Todd Matthiesen:	Chief Financial Officer, Senior Vice President
John Triscoli:	Chief Information Officer, Senior Vice President
Matthew J. Narrett, M.D.:	Chief Medical Officer, Senior Vice President
Gerald F. Doherty:	General Counsel and Secretary, Senior Vice President
Debra B. Doyle:	Executive Vice President, Health and Operations
Thomas Neubauer:	Executive Vice President, Sales
Adam Kane:	Senior Vice President, Corporate Affairs
Julie Judge:	Senior Vice President, Human Resources
Rick Slosson:	Senior Vice President, Development

# PROPOSED DEVELOPMENT PLAN



1. ALL BUILDING AND DRIVE FOOTPRINTS SHALL BE CONCRETE ON 4" 30'-0" REINFORCED SLAB.



DEVELOPMENT PLAN  
 PLANNED DEVELOPMENT DISTRICT NO. 695  
 ZONE A  
 D101-019

PARKING DATA			
TYPE	PHASE 1	PHASE 2	TOTAL
RESIDENTIAL	100	200	300
COMMERCIAL	50	100	150
PROPOSED (NON-RESIDENTIAL)	700	30	730
TOTAL	850	330	1180

BUILDING DATA			
TYPE	PHASE 1	PHASE 2	TOTAL
RESIDENTIAL UNITS	100	200	300
COMMERCIAL SQUARE FOOTAGE (SF)	10,000	10,000	20,000
FLOOR AREA RATIO	0.25	0.25	0.25

HIGHLAND SPRINGS RG  
 PREPARED FOR

DALLAS TEXAS

DEVELOPMENT PLAN

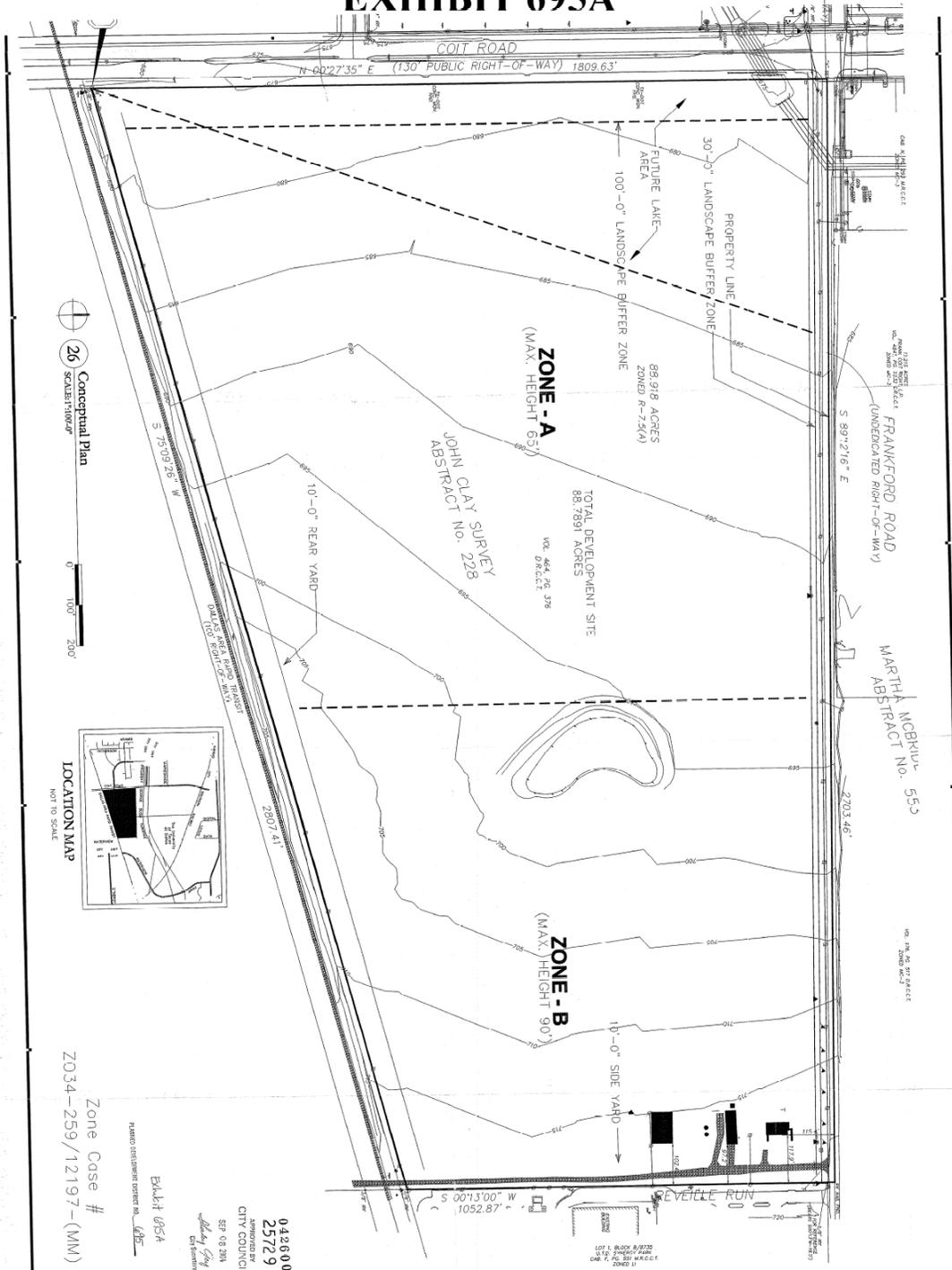
PROJECT NO.	639590003
DATE	AUGUST 2011
SCALE	AS SHOWN
DRAWN BY	JDA
CHECKED BY	CVT

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 12720 PARK CENTRAL DRIVE, SUITE 800, DALLAS, TX 75254  
 PHONE: 972-770-1500 FAX: 972-259-3820  
 WWW.KIMLEY-HORN.COM  
 TEXAS REGISTERED ENGINEERING FIRM # 4228



# EXISTING CONCEPTUAL PLAN

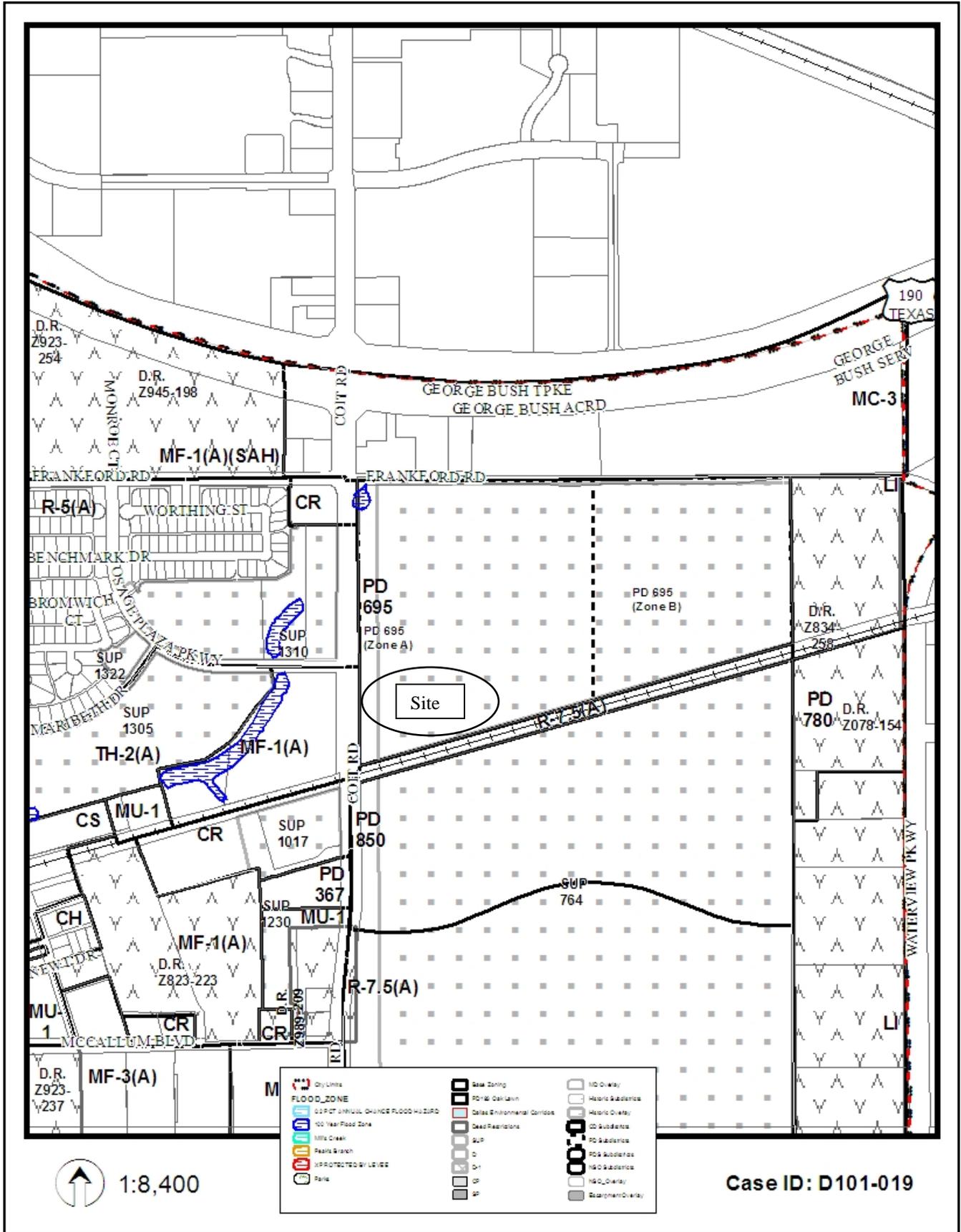
## EXHIBIT 695A



Project Number:	25729
Submitted Date:	SEP 08 2011
City Council:	APPROVED
City Secretary:	ARLENE GRAY
City Engineer:	APPROVED
City Planner:	APPROVED
City Administrator:	APPROVED
City Manager:	APPROVED

**Erickson Retirement Community**  
17900 Coit Road  
Dallas, TX

**JEP Architects**  
17900 Coit Road, Suite 200  
Dallas, TX 75241  
Phone: 214-593-9999  
Fax: 214-593-9997  
www.jeparchitects.com



1:8,400

	City Limits		Base Easement		100 Overlay
	FLOOD_ZONE		PD 100 Overlay		Historic Overlay
	500 Year Flood Hazard		Dates Environmental Corridor		CR Sublot
	100 Year Flood Zone		Dead Reclamation		PD Sublot
	Mile Creek		SUP		PD Sublot
	Peaks Branch		D		PD Sublot
	X Protected by USACE		D-1		100 Overlay
	Park		OP		100 Overlay
			SP		100 Overlay
					Easement Overlay

Case ID: D101-019

**FILE NUMBER:** Z101-344(RB)

**DATE FILED:** July 29, 2011

**LOCATION:** South Line of Elm Street, West of Malcolm X Boulevard

**COUNCIL DISTRICT:** 2

**MAPSCO:** 45 M

**SIZE OF REQUEST:** Approx. 2,313 Sq. Ft.

**CENSUS TRACT:** 33

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**APPLICANT:** Swallow Lounge-David Gustafson, President

**REPRESENTATIVE:** Audra Buckley

**OWNER:** Donnie Blanton

**REQUEST:** An application for a Specific Use Permit for a Bar, lounge, or tavern on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

**SUMMARY:** The applicant is requesting an SUP to permit operation of a bar within the existing improvements.

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

**BACKGROUND:**

- The request site consists of a one-story structure.
- The applicant proposes to utilize the existing floor area (1,512 sf), along with a covered patio area (108 sf) for a total of 1,620 square feet of floor area.
- On June 14, 2006, the City Council approved an amendment to PDD No. 269 which requires an SUP for both the existing use.
- On June 24, 2009, the City Council approved SUP No. 1762 for a bar, lounge, or tavern for a two-year period on the property. The SUP was not renewed. This SUP was managed by a different applicant than that associated with this request.

**Zoning History:**

<b><u>File No.</u></b>	<b><u>Request, Disposition, and Date</u></b>
1. Z056-271	On January 10, 2007, the City Council approved a Specific Use Permit for a Tattoo studio or Body piercing studio for a five-year period with eligibility for automatic renewal for additional five-year periods.
2. SUP No. 1685	On October 24, 2007, the City Council approved a Specific Use Permit for a Bar, lounge, or tavern for a two-year period. On October 23, 2009, the City Council renewed the SUP for a three-year period.
3. SUP No. 1694	On December 12, 2007, the City Council approved a Specific Use Permit for a Bar, lounge, or tavern and Live music venue for a five-year period.
4. SUP No. 1700	On February 3, 2008, the City Council approved a Specific Use Permit for a Bar, lounge, or tavern and Dance hall for a two-year period. On June 23, 2010, the City Council approved an amendment to the SUP to remove the Bar, lounge, or tavern use and approve for a two-year period.
5. SUP No. 1707	On March 26, 2008, the City Council approved a Specific Use Permit for a Tattoo Studio and Body piercing studio for a five-year period with eligibility for automatic renewal for additional five-year periods.

**Street**

**Designation; Existing & Proposed ROW**

Elm Street

Local; 70' ROW

**STAFF ANALYSIS:**

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

**LAND USE ELEMENT**

**GOAL 1.2** Promote desired development.

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

**Land Use Compatibility:** The request site consists of a one-story structure. The applicant proposes to utilize the existing floor area (1,512 sf), along with a covered patio (108 sf) for a total of 1,620 square feet of floor area. It should be noted SUP No. 1762 for a bar, lounge, or tavern was operational on the site, however, the SUP was not renewed.

The site is surrounded by a mix of retail/restaurant uses that are served by various surface parking lots and metered spaces along Commerce Street.

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

established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The proposed use is consistent with not only the most recent use on the property, but is similar in operational characteristics of other entertainment venue uses in the immediate area. It should be noted that the general land use in the immediate area provides for various retail and entertainment venue uses (i.e., bars, live music, restaurants) that serve the new housing stock in Deep Ellum as well as serving as a destination for patrons outside of the area.

As a result of this analysis, the request complies with the general provisions for consideration of an SUP.

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

**Off-Street Parking:** PDD No. 269 does not require off-street parking for the first 2,500 square feet of floor area for this use located in an original building on the first floor. Additionally, a ten percent reduction is permitted for any property within one-quarter mile of mass transit. The existing use is located within an original building and its floor area (1,620 square feet) does not trigger off-street parking requirements.

It should be noted that a significant number of metered on-street parking spaces exist as well as surface parking lots throughout the immediate area.

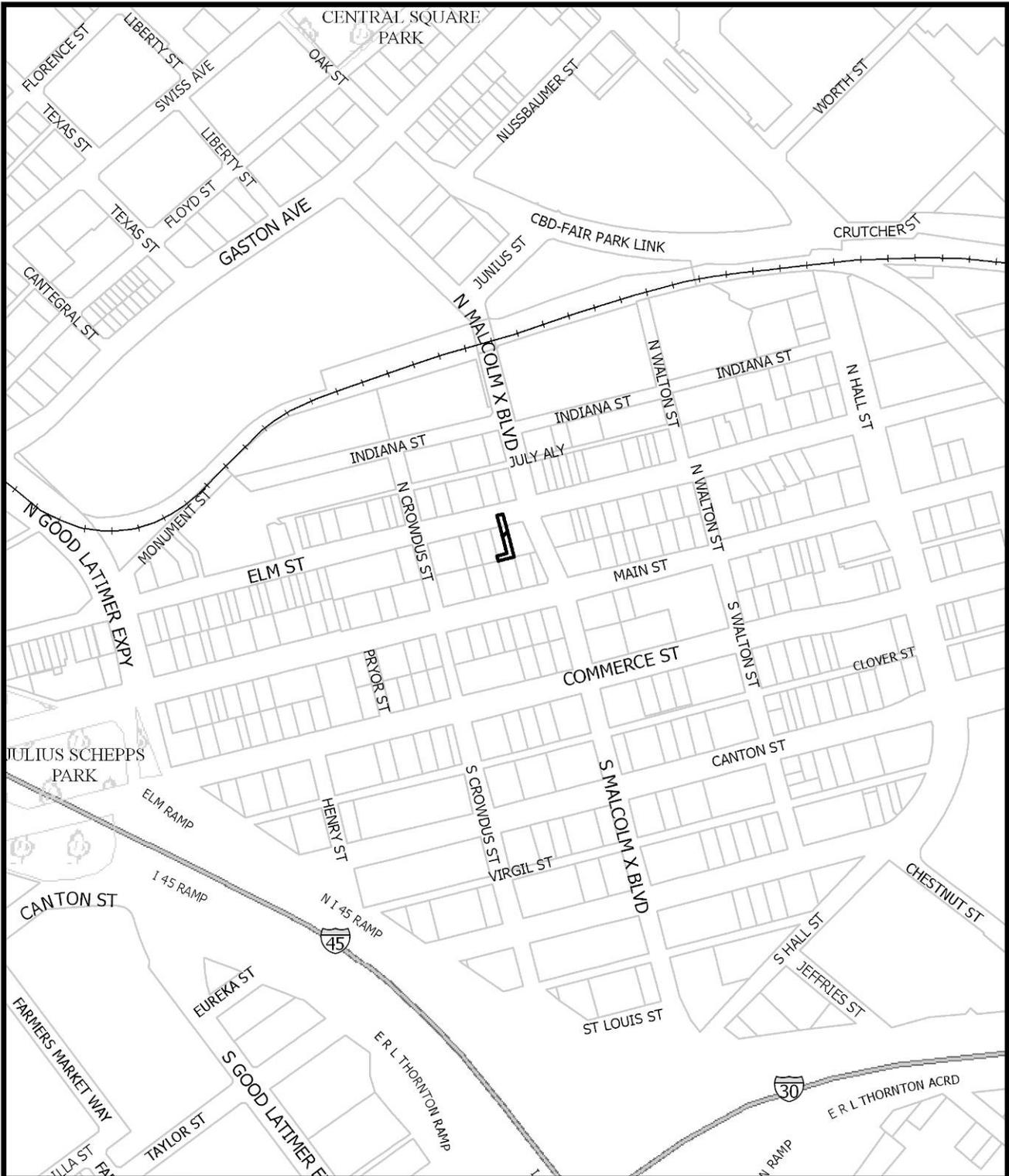
**Police Activity:** It should be noted this applicant has operated at a previous location for the period of 1999-2001; 2816 Elm-Club Rapture. At this time, no records for this time period are available.

Additionally, no reported activity for the two-year period associated with SUP No. 1762 was reported for this location.

**STAFF RECOMMENDED CONDITIONS FOR A SPECIFIC USE PERMIT FOR A BAR, LOUNGE, OR TAVERN**

1. USE: The only use authorized by this specific use permit is a bar, lounge, or tavern.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on (two years).
4. FLOOR AREA:
  - A. Maximum indoor floor area for a bar, lounge, or tavern use is 1,512 square feet.
  - B. Maximum area for the covered patio area is 108 square feet in the location shown the attached site plan.
5. HOURS OF OPERATION: The bar, lounge or tavern may only operate between 4:00 p.m. and 2:00 a.m. (the next day), Monday through Friday, and between 11:00 a.m. and 2:00 a.m. (the next day), Saturday and Sunday.
6. OFF-STREET PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269. Delta credits, as defined in Section 51 A-4.704(b)(4), may not be used to meet the off-street parking requirements.
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.





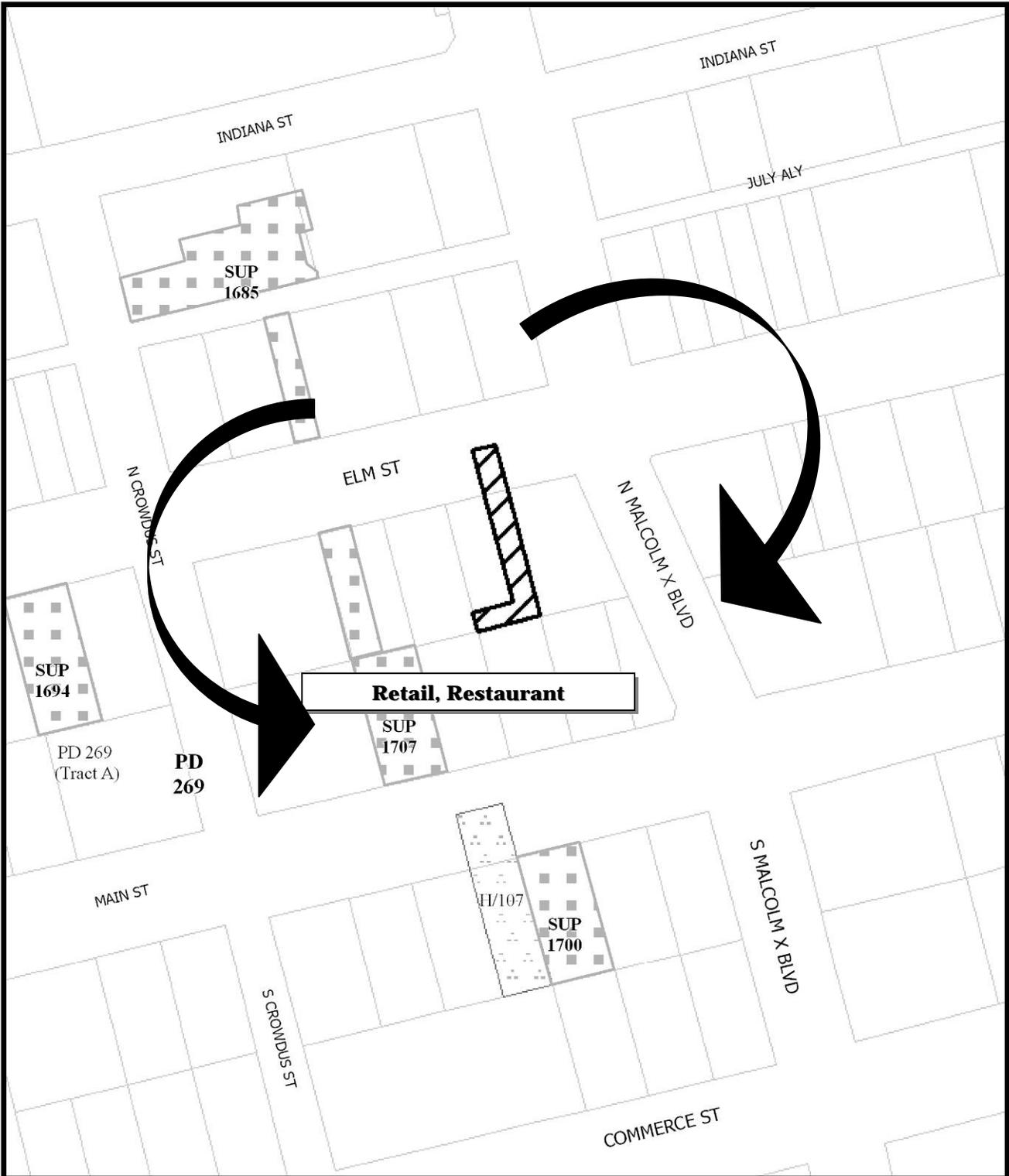
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# VICINITY MAP

Map no:           J-8          

Case no:           Z101-344          

DATE: October 06, 2011



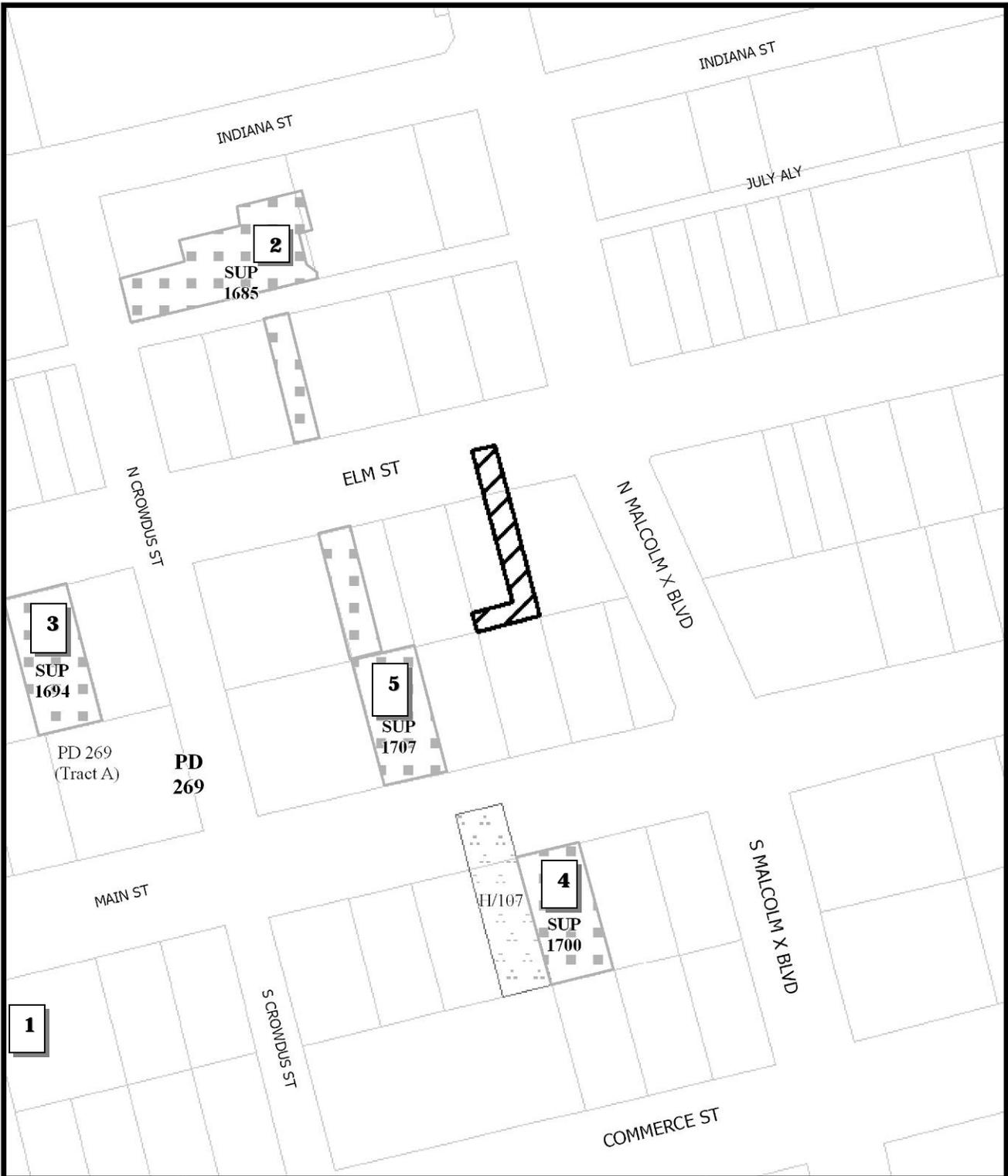
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# ZONING AND LAND USE

Map no:           J-8          

Case no:           Z101-344          

DATE: October 06, 2011



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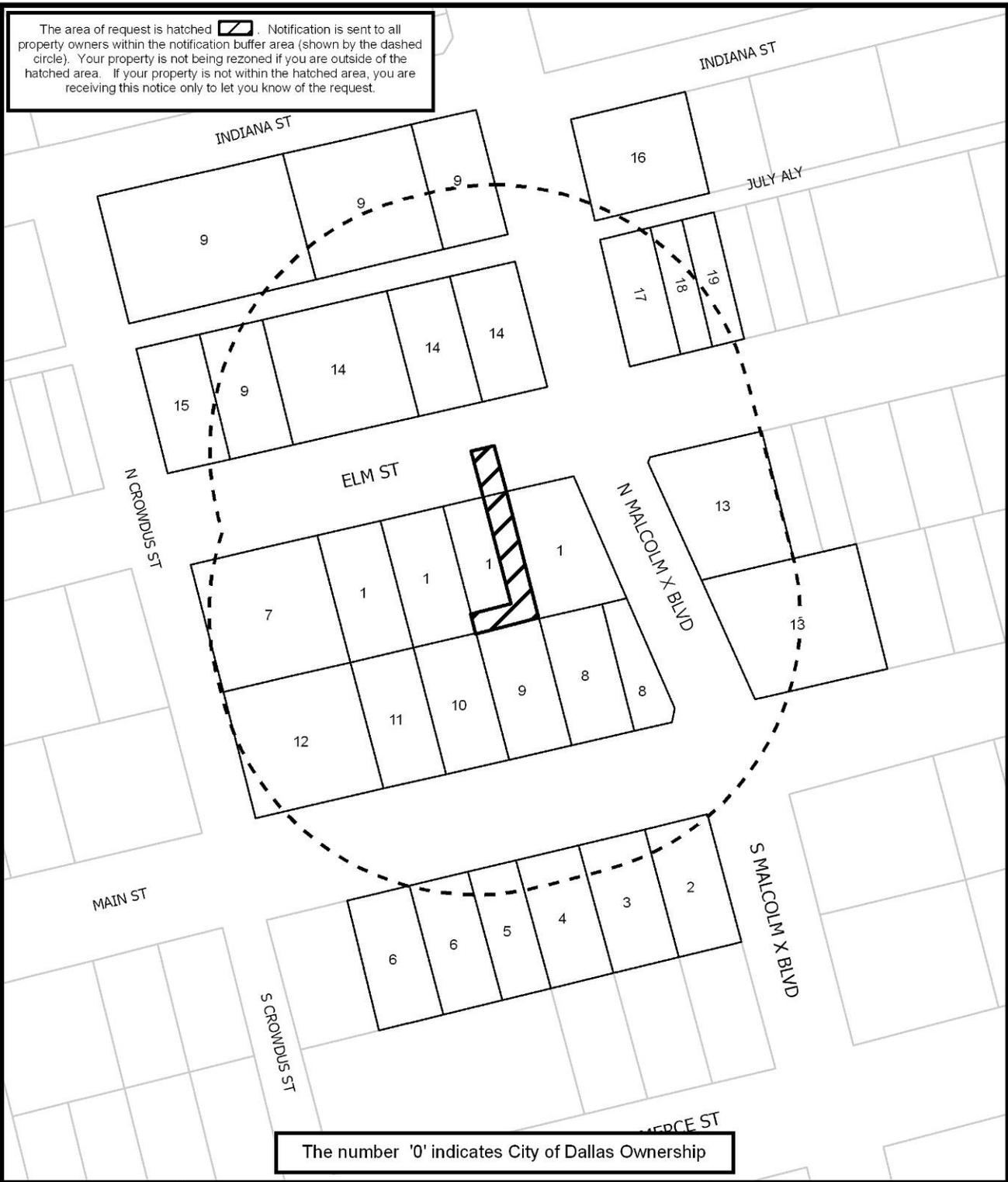
# ZONING HISTORY

Map no: J-8

Case no: Z101-344

DATE: October 06, 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

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

Map no:           J-8            
Case no:           Z101-344          

DATE: October 06, 2011

10/6/2011

***Notification List of Property Owners******Z101-344******19 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2816 ELM ST	BLANTON DONNY G
2	2824 MAIN ST	BLADE PROPERTIES LLC
3	2820 MAIN ST	SMITH PACIFIC PPTIES LTD
4	2816 MAIN ST	JERNIGAN REALTY PTNR LP
5	2814 MAIN ST	SOUND WAREHOUSE OF DALLAS
6	2810 MAIN ST	GORDON NORMAN & ANDREA
7	2806 ELM ST	DEEP ELM I LTD % DON E CASS
8	2825 MAIN ST	SMITH PACIFIC INC
9	2816 INDIANA BLVD	BLANTON DON
10	2815 MAIN ST	CASS DON E TR STE B
11	2809 MAIN ST	BLANTON DON G
12	2803 MAIN ST	DEEP ELM JV 1 % DON E CASS
13	2906 ELM ST	SDL PARTNERS LTD
14	2817 ELM ST	MCCORMICK ARTHUR SR LFEST REM: A
MCCORMI		
15	2801 ELM ST	MAGERS SCOTT E & DOUGLAS E ALDRIDGE
16	300 MALCOLM X BLVD	BCS DALLAS LLC SUITE 101
17	2901 ELM ST	R & F INVESTMENTS LTD
18	2905 ELM ST	2905 ELM STREET PTNR LTD
19	2907 ELM ST	2905 ELM STREET PTNRS LTD

**FILE NUMBER:** Z101-386(OTH)

**DATE FILED:** September 14, 2011

**LOCATION:** South Line of Northaven Road, West of North Central Expressway

**COUNCIL DISTRICT:** 11

**MAPSCO:** 26 A, B

**SIZE OF REQUEST:** Approx. 2.367 Acres

**CENSUS TRACT:** 131.01

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**APPLICANT/ OWNER:** North Dallas Hospital BBD Partners LP

**REPRESENTATIVE:** Karl Crawley

**REQUEST:** An application to amend Specific Use Permit No. 1731 for a hospital on property zoned an MU-2 Mixed Use District with deed restrictions and a D Liquor Control Overlay.

**SUMMARY:** The applicant proposes to amend the off-street parking and loading condition that requires that a minimum of 122 parking spaces be provided. The applicant complies with the parking requirements as stated in Division 51A-4.200 of the Dallas City Code.

**STAFF RECOMMENDATION:** Approval subject to a revised site plan and conditions, with retention of the D Liquor Control Overlay.

**BACKGROUND INFORMATION:**

- The request site is currently developed with a hospital.
- The applicant proposes to amend the off-street parking and loading condition that requires a minimum of 122 parking spaces. The applicant complies with the parking requirements as stated in Division 51A-4.200 of the Dallas City Code.
- The requested use is in compliance with the existing deed restrictions.

**Zoning History:** There has been one recent zoning activity in the immediate area that is relevant to the request.

**1. Z078-259:** On November 10, 2008, the City Council approved Specific Use Permit No. 1731 for a Hospital, limited to a special hospital as licensed by the State of Texas for a thirty-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions, on property located on the south Line of Northaven Road, West of North Central Expressway.

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW
Northhaven Road	Local	60 ft.

**Comprehensive Plan:**

The applicant developed the site with a 60-bed hospital with surface parking areas that wrap the structure. The four story structure is centrally located on the site. Staff has ensured significant planting areas and adequate buffering is provided so as to ensure compatibility with the residential adjacency.

As a result, the applicant’s request is in compliance with the Urban Design Elements, as outlined in forwardDallas!

**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.

**STAFF ANALYSIS:**

**Land Use Compatibility:**

The request site is developed with a 60-bed hospital with surface parking areas that wrap the structure. The site is currently zoned an MU-2 Mixed Use District, with deed restrictions and a D Liquor Control Overlay. Specific Use Permit No. 1731 was originally approved on November 10, 2008. The Specific Use Permit will expire on November 10, 2038 and it is eligible for automatic renewal for additional ten-year periods.

The applicant is requesting to remove the portion of the off-street parking that specifically requires 122 parking spaces. The applicant complies with the Code required parking for the hospital use which is one parking space for each patient bed. The hospital has 60 beds. The applicant is providing 121 parking spaces, of which 6 are reserved for the deli in the adjacent property; leaving the applicant with a total of 115 spaces for the hospital use.

The property is surrounded by a vacant structure to the east, retail and multifamily to the south, a health center to the west, single family to the northwest and duplex, auto service center, and multifamily to the north and office to the northeast.

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 no objections to the applicant's request.

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

**Landscaping:**

Landscaping of the site must comply with Article X.

**LIST OF PARTNERS & PRINCIPLES**

NORTH DALLAS HOSPITAL BBD PARTNERS, L.P., owner  
North Dallas Hospital BBD Manager, LLC; general partner

NORTH DALLAS HOSPITAL BBD MANAGER LLC, a Texas limited liability  
corporation; general partner

Donald C. Wilson, Manager  
W.L. Hutchison, Jr., Manager  
Jason K. Dodd, Manager

**PROPOSED CONDITIONS**

8. OFF-STREET PARKING AND LOADING: ~~A minimum of 122~~ Off-street parking spaces must be provided in the locations shown on the attached site plan. Except for valet parking, required off-street parking must be available as free parking. A fee may be charged for valet parking

**EXISTING CONDITIONS**

27396

083100

SECTION 1. That the zoning ordinances of the City of Dallas are amended to allow the property described in Exhibit A, which is attached to and made a part of this ordinance (“the Property”), which is presently zoned as an MU-2 Mixed Use District, to be used under Specific Use Permit No. 1731 for a a hospital.

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 hospital, limited to a special hospital as licensed by the State of Texas pursuant to Chapter 241 of the *Texas Health and Safety Code*. The hospital may not offer acute care, but may offer long term skilled care, long term non-acute care, or rehabilitation. Rehabilitation may not include substance abuse treatment and recovery.
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 November 10, 2038, but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. AMBULANCES: Patients may not be delivered to the hospital by an ambulance using a siren.
5. BEDS: The maximum number of beds is 60.
6. HOURS OF DELIVERY: Hours of delivery for equipment and supplies are between 7:00 a. m. and 5:00 p. m., Monday through Sunday. Deliveries must be made to the service entrance shown on the site plan.
7. INGRESS-EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.

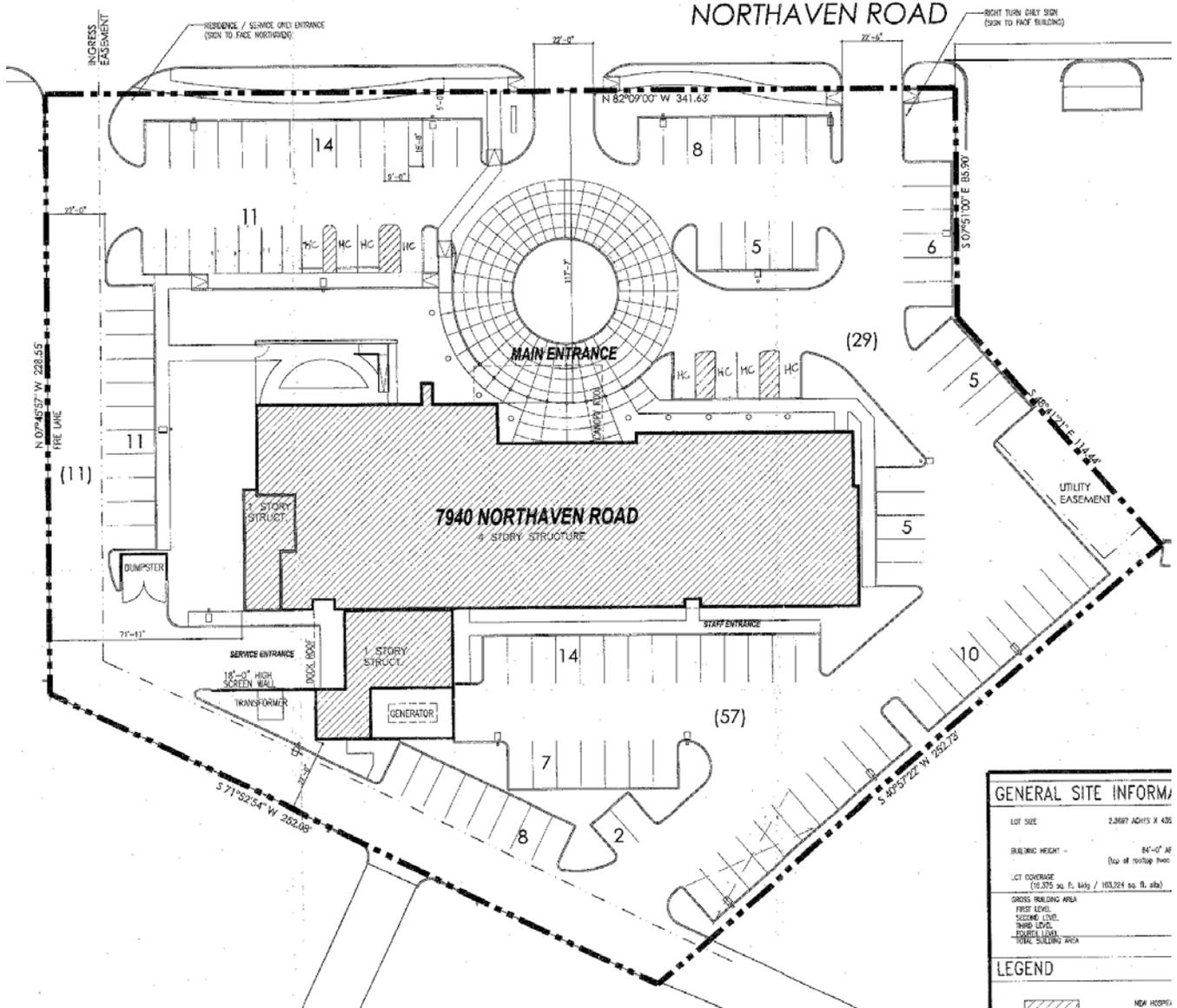
27396

083100

8. OFF-STREET PARKING AND LOADING: A minimum of 122 off-street parking spaces must be provided in the locations shown on the attached site plan. Except for valet parking, required off-street parking must be available as free parking. A fee may be charged for valet parking.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENT: 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.

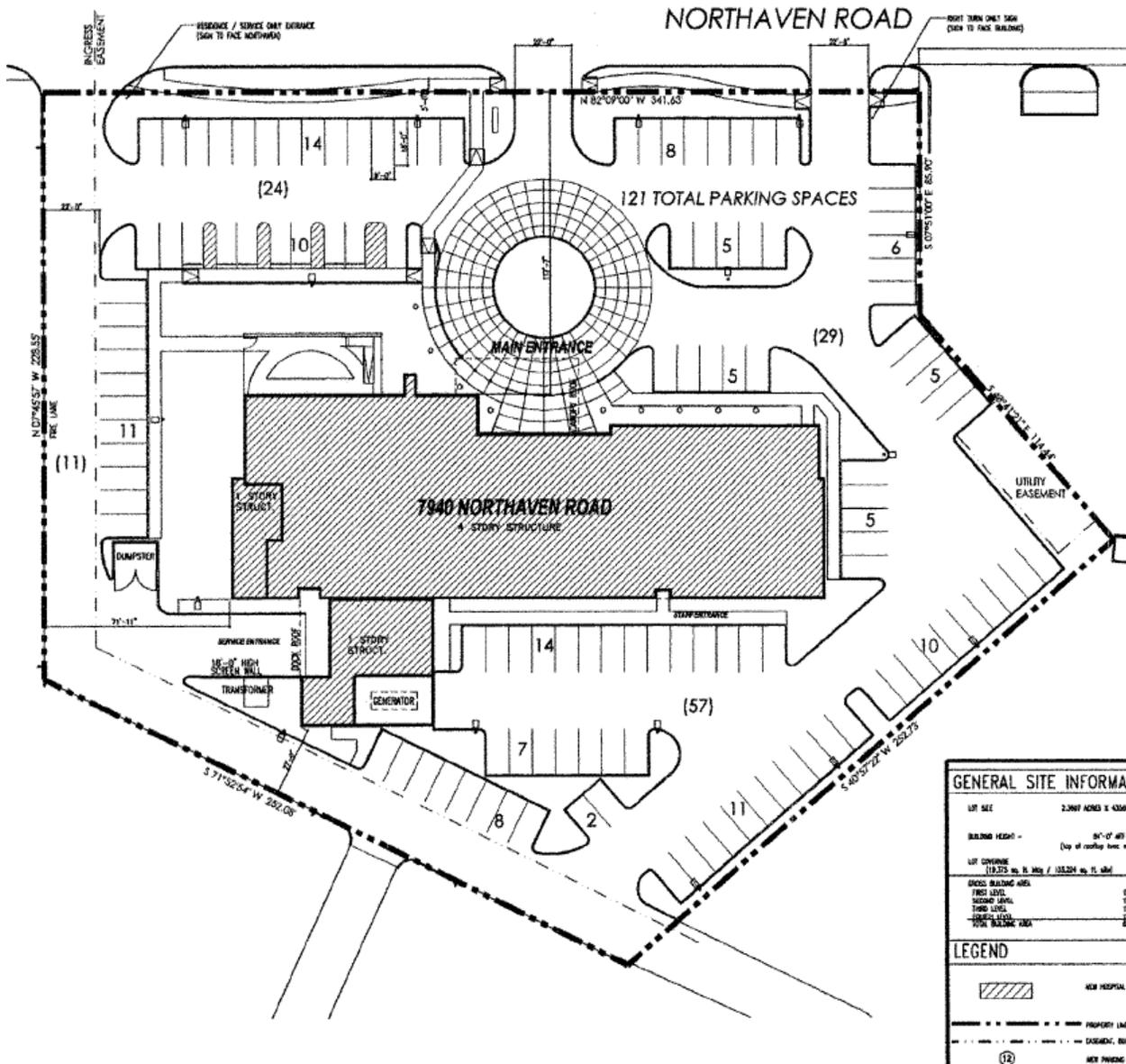
SECTION 3. That all paved areas, permanent drives, streets, and drainage structures, if any, on the Property must be constructed in accordance with standard City of Dallas specifications, and completed to the satisfaction of the director of public works and transportation.

PROPOSED SITE PLAN



GENERAL SITE INFORMATION	
LOT SIZE	2,367 AGHS X 435
BUILDING HEIGHT	84'-0" AF (top of rooftop mech)
LOT COVERAGE	(10,275 sq. ft. Max / 103,264 sq. ft. site)
GROSS BUILDING AREA	
FIRST LEVEL	
SECOND LEVEL	
THIRD LEVEL	
DOUBLE LEVEL	
TOTAL BUILDING AREA	
LEGEND	
	NEW HOSPITAL

EXISTING SITE PLAN



**Existing**

061233

DEED RESTRICTIONS

THE STATE OF TEXAS     )  
  )  
COUNTY OF DALLAS     )

KNOW ALL PERSONS BY THESE PRESENTS:

I.

The undersigned, Local Union No. 20, Electrical Workers Building Corporation, Inc and Brantlo, Inc. ("the Owners"), are the owners of the following described property ("the Property"), BEING a tract of land situated in the D. Barrow Survey, Abstract No. 177 and the M.J. Sanchez Survey, Abstract No. 1272, being part of City Block 7282, in the City of Dallas, Dallas County, Texas, being all of the tracts of land conveyed to Local Union 59 Electrical Workers Building Corporation, Inc. by deed recorded in Volume 2000100, Page 1186 and Brantlo, Inc. by deed recorded in Volume 2001173, Page 3037 of the Deed Records of Dallas County, Texas , and being more particularly described as follows:

Being more particularly described in Exhibit A attached here.

II.

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

The only main uses permitted on the Property are:

- (A) Agricultural uses.
  - Crop production.
- (B) Commercial and business service uses.
  - Catering service.
  - Custom business services.
  - Electronics service center.
  - Labor hall. [SUP]
  - Medical or scientific laboratory [SUP],
- (C) 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]
  - College, university, or seminary.
  - Hospital. [SUP]
  - Library, art gallery, or museum.
  - Public school other than an open-enrollment charter school. [RAR].
  - Open-enrollment charter school or private school. [SUP]
- (D) Lodging uses.
  - Extended stay hotel or motel. [SUP]

- Hotel or motel. [RAR] or [SUP] {See Section 51A-4.205(1)}.
- (E) Miscellaneous uses.
- Attached non-premise sign. [SUP]
  - Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (F) Office uses.
- Financial institution without drive-in window.
  - Financial institution with drive-in window. [DIR]
  - Medical clinic or ambulatory surgical center.
  - Office.
- (G) Recreation uses.
- Country club with private membership.
  - Private recreation center, club, or area.
  - Public park, playground, or golf course.
- (H) Residential uses.
- Retirement housing
- (I) Retail and personal service uses.
- Alcoholic beverage establishments. [SUP] [See Section 51A-4.210 (b)(4).]
  - Animal shelter or clinic without outside run [RAR]
  - Auto service center. [RAR]
  - Business school.
  - Car wash. [RAR]
  - Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]
  - 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.
  - Motor vehicle fueling station.
  - Nursery, garden shop, or plant sales.
  - Personal service uses.
  - Restaurant without drive-in or drive-through service [RAR]
  - Temporary retail use.
  - Theater.
- (J) Transportation uses.
- Transit passenger shelter.
  - Transit passenger station or transfer center. [By SUP or city council resolution. See Section 51A-4.211.]

061233

(K) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- 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]

(M) Wholesale, distribution, and storage uses.

- Mini-warehouse [SUP]
- Recycling buy-back center [See Section 51A-4.213(11).]
- Recycling collection center. For the purpose of limitations on this use, the Property is considered to be in an MU-1 Mixed Use District. [See Section 51A-4.213(11.1).]
- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213(11.3).]

The yard lot and space regulations for the MU-1 Mixed Use District (currently set forth in Section 51A-4.125(d)) apply to the Property, except that for a retirement housing use on the Property, the density and floor area regulations for the MU-2 Mixed Use District (currently set forth in Section 51A-4.125(e)(4)(C) and (D)) apply to the Property.

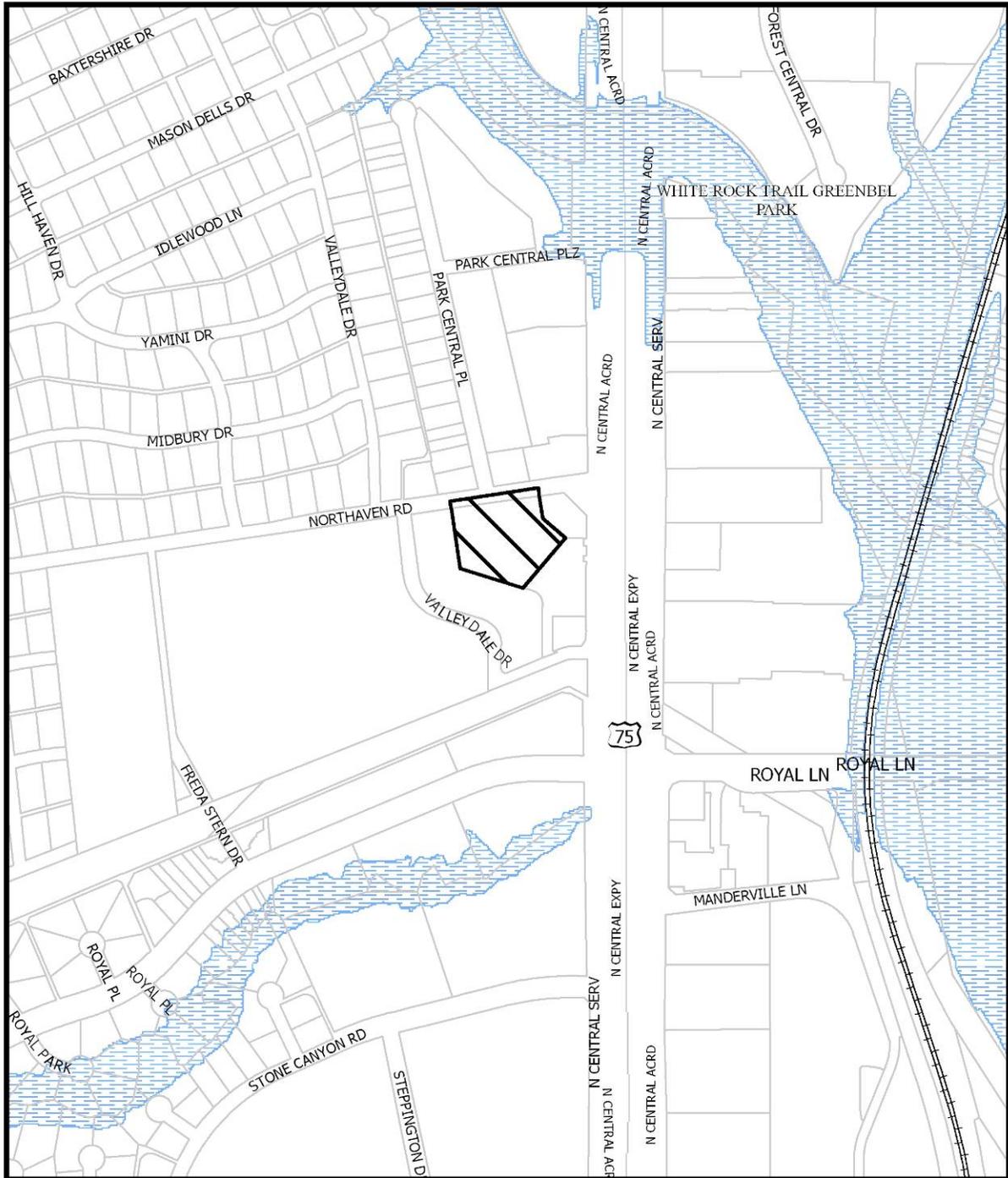
Any above ground parking structure must be concealed in a building with a façade that is similar in appearance to the façade of the main non-parking building for which the parking is accessory. At least 12 percent of the parking structure façade (with the façade area being measured to include openings, if any) must be covered with the same material used predominantly on the first 24 feet of height of the main non-parking building. Openings in a parking structure may not exceed 40 percent of the total façade area, and those openings used for ventilation must have decorative screening. Parking structures must be designed so that headlights from vehicles within the structure are screened from view outside the structure.

## 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.

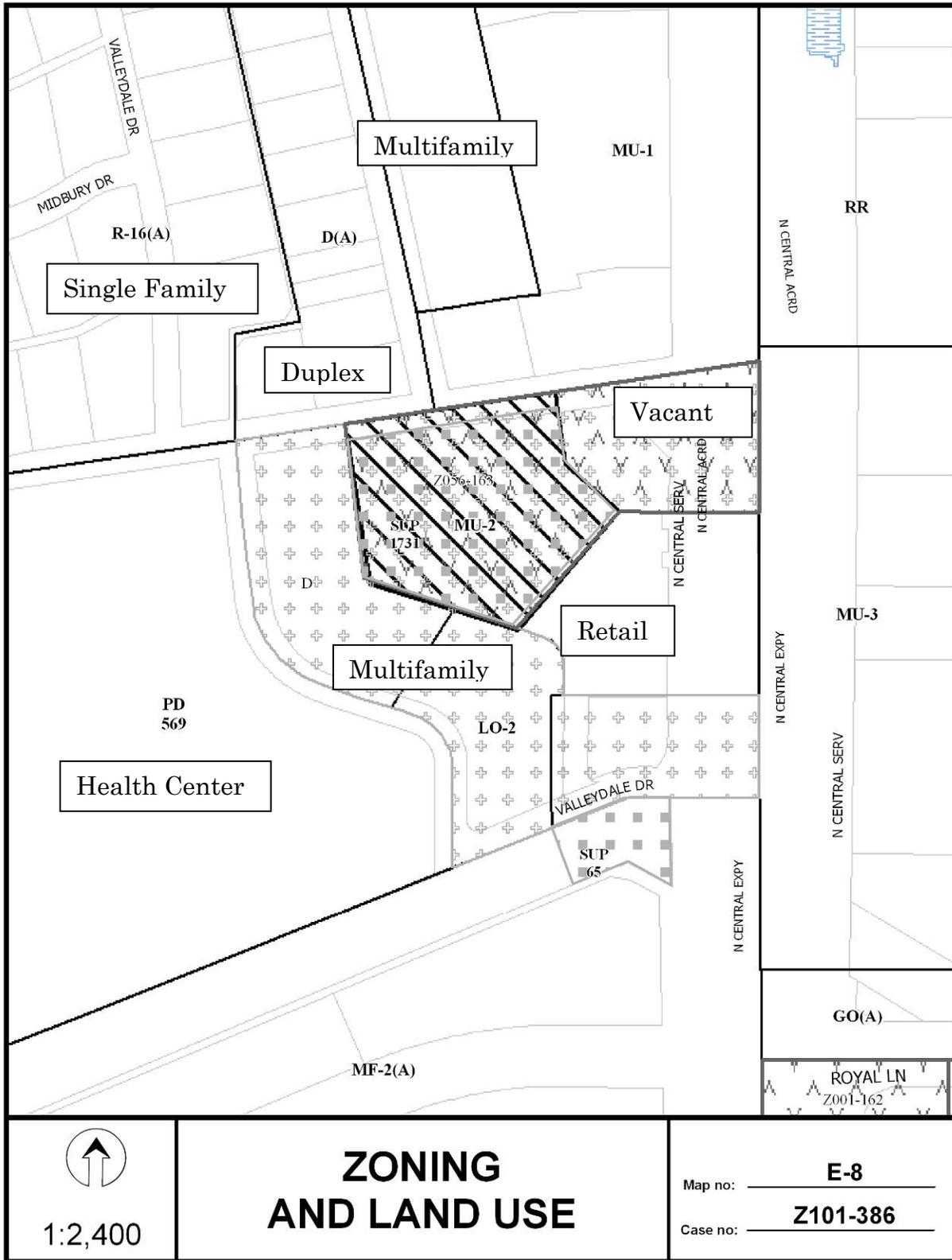
## IV.

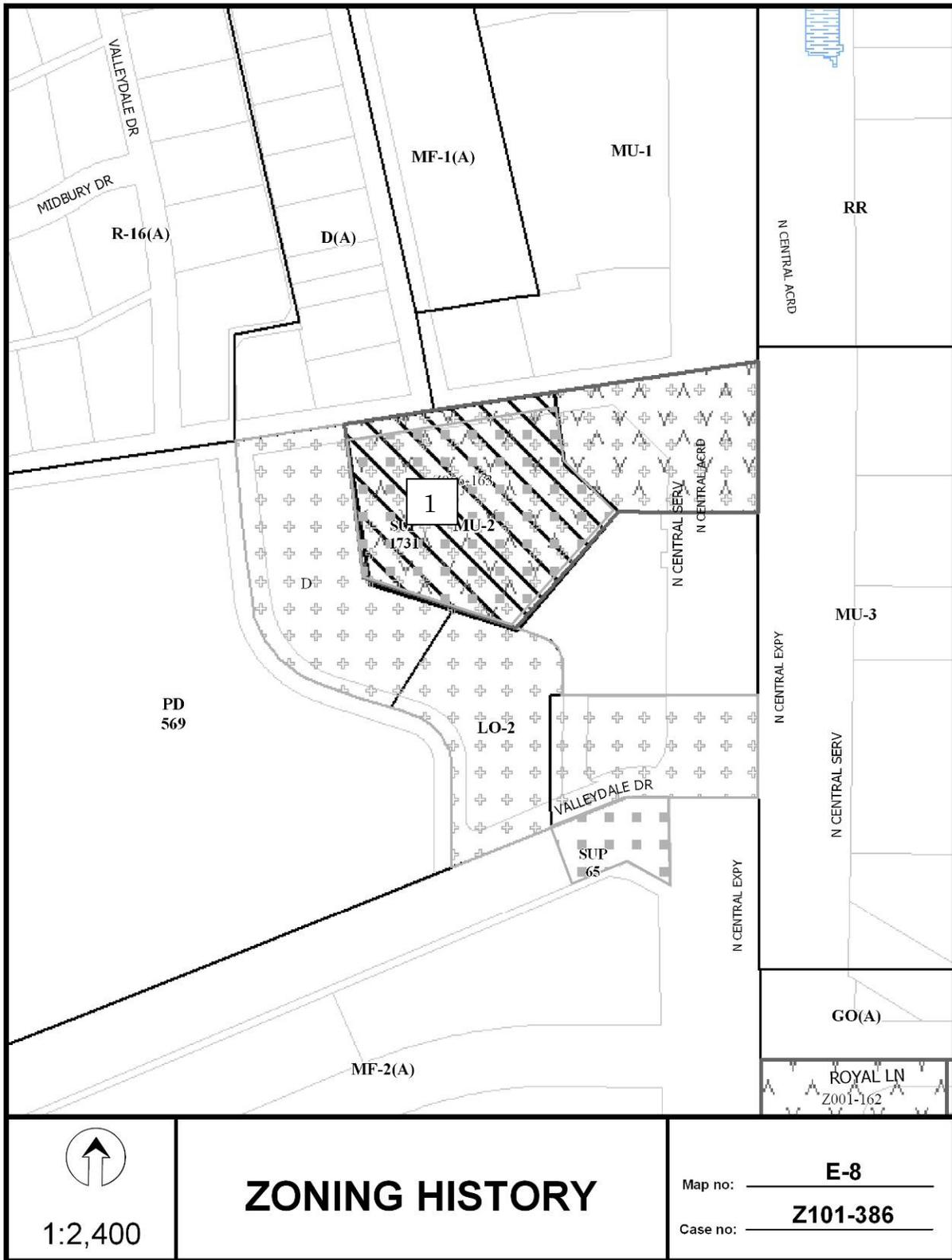
These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending 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.



 1:6,000	<h2>VICINITY MAP</h2>	Map no: <u>          E-8          </u> Case no: <u>          Z101-386          </u>
--	-----------------------	--

DATE: October 04, 2011



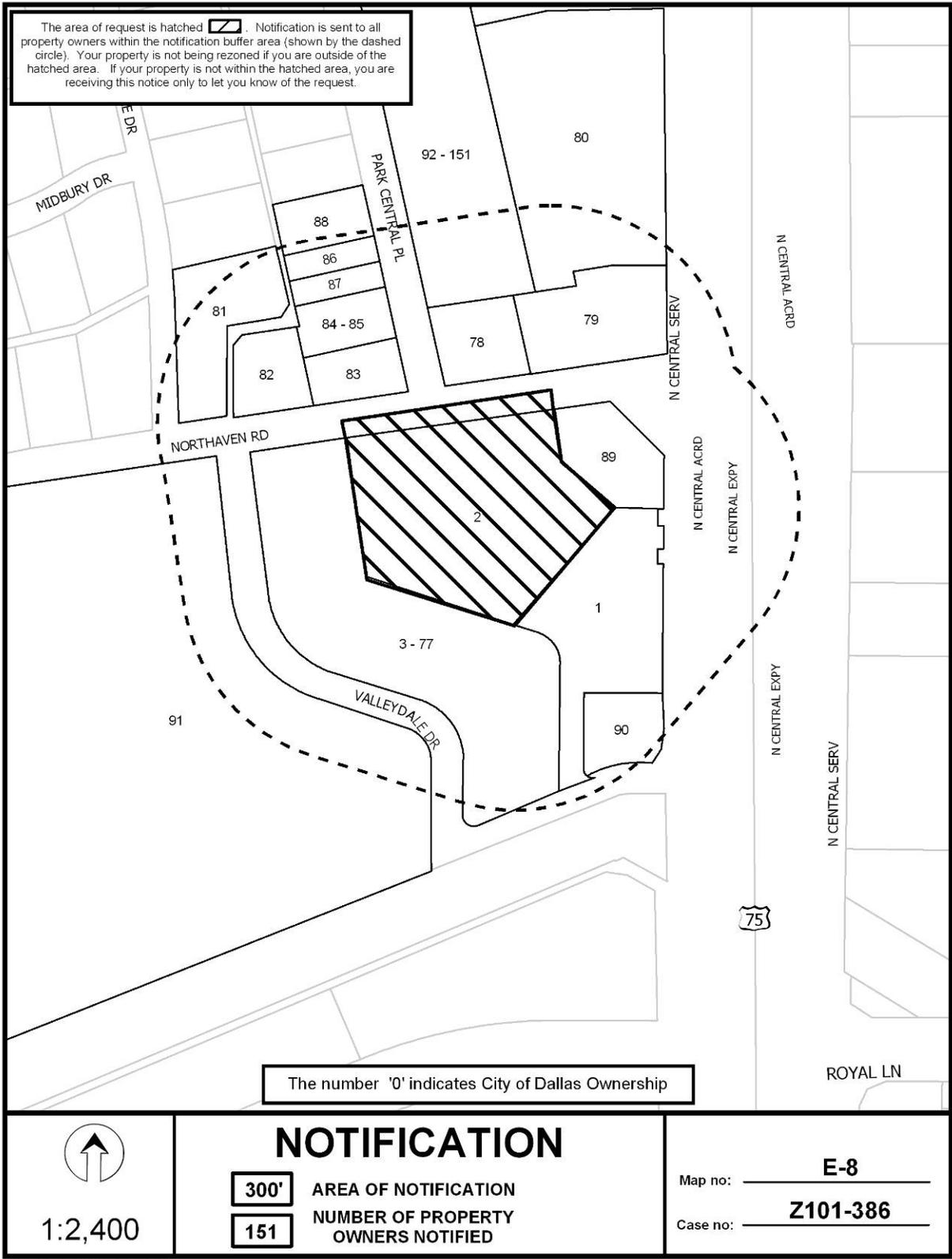


1:2,400

# ZONING HISTORY

Map no:       E-8        
Case no:       Z101-386      

DATE: October 04, 2011



10/4/2011

***Notification List of Property Owners******Z101-386******151 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	11111 CENTRAL EXPY	11111 NCX CENTER LP %PAMELA A SPADARO
2	7930 NORTHAVEN RD	NORTH DALLAS HOSPITAL BBD PS LP SUITE 30
3	11100 VALLEY DALE DR	MANDELBAUM GILIT ILONI
4	11100 VALLEY DALE DR	MURDOCH BARBA R TR
5	11100 VALLEY DALE DR	ILONI EDITH
6	11100 VALLEY DALE DR	SMOLINSKY RUBY TRUSTEE UNIT 213
7	11102 VALLEY DALE DR	LUNSFORD TAMMILY D
8	11102 VALLEY DALE DR	MANTANI MANOUCHEHR
9	11104 VALLEY DALE DR	JONES ROY LYNN BLDG A UNIT A
10	11104 VALLEY DALE DR	KAY DANA L UNIT 105
11	11104 VALLEY DALE DR	EDWARDS GRADY JR & UNIT C
12	11104 VALLEY DALE DR	ROWE AVA VOROSMARTY TR
13	11106 VALLEY DALE DR	ORTIZMONASTERIO ABEL BLDG A UNIT 11106 A
14	11106 VALLEY DALE DR	BILLINGS LYNDA
15	11106 VALLEY DALE DR	DINNERVILLE DONALD E
16	11106 VALLEY DALE DR	CALDERON MARIA BLDG A UNIT D
17	11108 VALLEY DALE DR	DEFINA GLORIA A
18	11108 VALLEY DALE DR	ERICKSEN ROBERT
19	11108 VALLEY DALE DR	POST JENNIFER B UNIT C
20	11108 VALLEY DALE DR	EPSHTEYN ROLAND & INNA EPSHTEYN
21	11110 VALLEY DALE DR	H WINER LTD
22	11110 VALLEY DALE DR	COHEN NAT
23	11110 VALLEY DALE DR	OWENS TED D & CHRISTINE H NO 11110-C
24	11110 VALLEY DALE DR	THOMPSON CHRISTOPHER JR
25	11114 VALLEY DALE DR	NEWELL WHITNEY SUSANNE UNIT A
26	11114 VALLEY DALE DR	SADEGHIAN KHOSROW
27	11114 VALLEY DALE DR	BURNHAM SHERRY S
28	11114 VALLEY DALE DR	HOLLEY KEITH BLDG B UNIT D

10/4/2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
29	11116 VALLEY DALE DR	SILVERBERG MORRIS & SELMA
30	11116 VALLEY DALE DR	EUBANKS JANIE GAINES
31	11116 VALLEY DALE DR	ERICKSEN ROBERT & JILL
32	11116 VALLEY DALE DR	KORT ROGER
33	11118 VALLEY DALE DR	COHEN ENID H
34	11118 VALLEY DALE DR	BRUCE NANCY L UNIT C
35	11120 VALLEY DALE DR	MITCHELL ELAINE T BLDG B
36	11120 VALLEY DALE DR	WILSON NORA L
37	11120 VALLEY DALE DR	ALLEN TIMOTHY MERLE BLDG B UNIT C
38	11120 VALLEY DALE DR	FISK HARRY J & UNIT D
39	11122 VALLEY DALE DR	KIKIC ALMIRA BLDG C UNIT 11122A
40	11122 VALLEY DALE DR	LEVINE NATHAN O
41	11122 VALLEY DALE DR	SHRIWISE JOHN
42	11122 VALLEY DALE DR	LEVINE NATHAN UNIT D
43	11124 VALLEY DALE DR	SCRUGGS CHRISTOPHER & KIKI WATSON-
SCRUGG		
44	11124 VALLEY DALE DR	STANLEY MARC R & WENDY H
45	11124 VALLEY DALE DR	KILPATRICK JACK F UNIT C
46	11124 VALLEY DALE DR	BONE ELLIOTT INVESTMENTS FAMILY LTD PART
47	11126 VALLEY DALE DR	WOOD MARY
48	11126 VALLEY DALE DR	H WINER LTD
49	11150 VALLEY DALE DR	WINER H LTD PS
50	11128 VALLEY DALE DR	PUGH JENNIE L & KENNETH E
51	11128 VALLEY DALE DR	SALE JILL
52	11128 VALLEY DALE DR	S T B D NUMBER ONE
53	11128 VALLEY DALE DR	SHINE MATTHEW BLDG C UNIT 11128D
54	11130 VALLEY DALE DR	KLINE CHAD
55	11130 VALLEY DALE DR	FISK HARRY J
56	11130 VALLEY DALE DR	GREENBERG JOYCE & MINDY CHARITABLE
REMAI		
57	11130 VALLEY DALE DR	GREENBERG MINDY BLDG C UNIT 5
58	11144 VALLEY DALE DR	GILLIAM ROY L
59	11144 VALLEY DALE DR	TURNER FLORENCE C APT B

Z101-386(OTH)

60 11144 VALLEY DALE DR LEVINE RUTH B UNIT C

## Z101-386(OTH)

10/4/2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
61	11144 VALLEY DALE DR	DEBENPORT STEPHEN F & GLENDA M
62	11146 VALLEY DALE DR	KOLNI ROSE R TESTAMENTARY TRUST %
HAROLD		
63	11146 VALLEY DALE DR	WINER H LTD
64	11146 VALLEY DALE DR	MORGAN MORRIS P & GLENNA STONE MORGAN
65	11146 VALLEY DALE DR	COPE LISA
66	11148 VALLEY DALE DR	LUNDE MARILYN H
67	11148 VALLEY DALE DR	MORO FABIAN E BLDG D UNIT C
68	11148 VALLEY DALE DR	OCONNOR TIMOTHY J
69	11150 VALLEY DALE DR	KENNEMER SHIRLEY
70	11150 VALLEY DALE DR	VICE TARRAN
71	11150 VALLEY DALE DR	OCONNOR TIMOTHY J & DAVID M OCONNOR
72	11152 VALLEY DALE DR	PADGETT PAGE
73	11152 VALLEY DALE DR	HUFF EDWARD C UNIT C
74	7910 NORTHAVEN RD	STANTON MAXINE BLDG E UNIT 7910 A
75	7910 NORTHAVEN RD	SMITH HELEN KITTI
76	7910 NORTHAVEN RD	CATTELLE ANNE
77	7910 NORTHAVEN RD	MORENO BARBARA BLDG E UNIT D
78	7931 NORTHAVEN RD	BRANTLO INC
79	11311 CENTRAL EXPY	AYMWELL LTD STE 100
80	11343 CENTRAL EXPY	BESTATE INC ATTN WENN LIN
81	11220 VALLEY DALE DR	CANTILEVER CONSTRUCTION CORP
82	7911 NORTHAVEN RD	DANIELSON GARY & LINDA
83	11207 PARK CENTRAL PL	FINCH GORDON I
84	11215 PARK CENTRAL PL	SHIELDS WALTINA
85	11217 PARK CENTRAL PL	SHIELDS WALTINA EST OF
86	11225 PARK CENTRAL PL	FELLMAN W LAWRENCE UNIT 1606
87	11223 PARK CENTRAL PL	CAMPBELL GLEN H
88	11231 PARK CENTRAL PL	YOUNG CHIALING JOLLY
89	11231 CENTRAL EXPY	BEPJ NORTHAVEN LP STE 410
90	11107 CENTRAL EXPY	SHELET VENTURE LTD SUITE 120
91	7900 NORTHAVEN RD	NORTHAVEN CAMPUS FACILITIES CORP

10/4/2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
92	11218 PARK CENTRAL PL	BAKER SUE ELLEN # A BLDG F
93	11218 PARK CENTRAL PL	COHEN MINDY D
94	11218 PARK CENTRAL PL	WINER H LTD PS
95	11218 PARK CENTRAL PL	ZUNIGA JOSE G # 11218 D
96	11222 PARK CENTRAL PL	GOGGIN KAY UNIT A
97	11222 PARK CENTRAL PL	WHITTLE MARY GNUSE UNIT 11222B
98	11222 PARK CENTRAL PL	LACY JOHN S BLDG F UNIT 11222C
99	11222 PARK CENTRAL PL	MENZIES JOHN ASHLEY
100	11224 PARK CENTRAL PL	MORRISON DORIS YOUNG UNIT 11224A BLDG G
101	11224 PARK CENTRAL PL	SCHWEERS MATTHEW J & JAMI
102	11224 PARK CENTRAL PL	HUANG BERYL K & CHARLES M GERARRD
103	11224 PARK CENTRAL PL	MARKMAN BETTY L APT D
104	11226 PARK CENTRAL PL	HAZOURI LINDA BLDG G UNIT A
105	11226 PARK CENTRAL PL	KUNTZ SONDR APT B
106	11226 PARK CENTRAL PL	WALLACH HEINZ & DEWARA APT C
107	11226 PARK CENTRAL PL	MANASTER GUY & JANE UNIT D
108	11232 PARK CENTRAL PL	AKERMAN JOEL D & ROSA B UNIT 11232A
109	11232 PARK CENTRAL PL	CASE MARY KATE
110	11232 PARK CENTRAL PL	WHEELER JUDY A
111	11232 PARK CENTRAL PL	ZACHARIAS MAUDE APT D
112	11234 PARK CENTRAL PL	WEISFELD RONALD A
113	11234 PARK CENTRAL PL	ALHADEF GARY E & LEESA ALHADEF
114	11234 PARK CENTRAL PL	DURBIN KENNETH
115	11234 PARK CENTRAL PL	KING ZOLA & DOUGLAS BLDG G UNIT 11234-D
116	11238 PARK CENTRAL PL	DYSON VIRGINIA J APT A
117	11238 PARK CENTRAL PL	RUBIN LINDA G APT B
118	11238 PARK CENTRAL PL	BADGLEY WENDI B
119	11238 PARK CENTRAL PL	VIAL ROBERT C & ELIZABETH B
120	11244 PARK CENTRAL PL	PRESSER BARBARA F &
121	11244 PARK CENTRAL PL	SPRAY JUDY BLDG H UNIT D
122	11244 PARK CENTRAL PL	MARK LOIS BLDG I UNIT A
123	11244 PARK CENTRAL PL	OTUBU PETER S & KRYOLVA ELENA S

## Z101-386(OTH)

10/4/2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
124	11304 PARK CENTRAL PL	HURST HELEN ANN # A
125	11304 PARK CENTRAL PL	POTTER WALLACE & JOYCE LIVING TRUST
126	11304 PARK CENTRAL PL	SANCHEZ HECTOR R & ET AL BLDG I UNIT 110
127	11304 PARK CENTRAL PL	WAYNE STEWART
128	11306 PARK CENTRAL PL	LOOMIS ERIS ESTELLE
129	11306 PARK CENTRAL PL	SILBERBERG SUSAN #B
130	11306 PARK CENTRAL PL	BYERS MARC F APT C
131	11306 PARK CENTRAL PL	MASON CHRISTOPHER
132	11308 PARK CENTRAL PL	RIVERA ROSALIND
133	11308 PARK CENTRAL PL	JOHNSON RAYMOND E
134	11308 PARK CENTRAL PL	DODT EDWIN H & ESTELA DODT
135	11308 PARK CENTRAL PL	GOREN JOHN A
136	11310 PARK CENTRAL PL	PRICE ROBIN A
137	11310 PARK CENTRAL PL	ROSEN DONALD Y ET AL
138	11310 PARK CENTRAL PL	GLEGHORN LINDA A &
139	11310 PARK CENTRAL PL	LEONARD JAN S BLDG J UNIT D
140	11312 PARK CENTRAL PL	ZEMAN RALPH UNIT A
141	11312 PARK CENTRAL PL	TEXAS BRAND BANK
142	11312 PARK CENTRAL PL	GINTER JUDITH A UNIT C
143	11312 PARK CENTRAL PL	KEMP NANCY J
144	11316 PARK CENTRAL PL	STOLLON RITA UNIT A BLDG K
145	11316 PARK CENTRAL PL	HUDSON JEANNINE D BLDG K UNIT 11316-B
146	11316 PARK CENTRAL PL	TURENTINE CAROL A BLDG K UNIT C
147	11316 PARK CENTRAL PL	GURNEY IVIGINA F
148	11320 PARK CENTRAL PL	HARPER MEREDITH L APT A
149	11320 PARK CENTRAL PL	BERGER MURRAY J
150	11320 PARK CENTRAL PL	SCOTT MAVIS SARAH BLDG K UNIT C
151	11320 PARK CENTRAL PL	HUTCHISON CECILY BRUCE

**FILE NUMBER:** Z101-258 (MG)

**DATE FILED:** April 22, 2011

**LOCATION:** South corner of Forney Road and Lawnview Avenue

**COUNCIL DISTRICT:** 7

**MAPSCO:** 47 L

**SIZE OF REQUEST:** Approx. 0.41 acres

**CENSUS TRACT:** 84

---

**REPRESENTATIVE:** Rebekah Kim, Logos & Co.

**APPLICANT:** BKPR Corporation

**OWNER:** Grace KK Investment, LLC

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

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

**STAFF RECOMMENDATION:** Hold under advisement until November 17, 2011.

**BACKGROUND INFORMATION:**

- The subject site is currently developed with retail strip center containing personal service, restaurant and the approximately 1,800 square foot general merchandise/food store use and motor vehicle fueling station.
- The applicant proposes to sell alcohol for off-premise consumption in conjunction with the existing general merchandise/food store and motor vehicle fueling station.
- 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:**

1. Z101-196 An application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District with the D-1 Liquor Control Overlay. (On the October 20, 2011 CPC agenda)
2. Z078-113 On February 28, 2008 the City Planning Commission denied an application for an IM Industrial Manufacturing District on property zoned an LI-D-1 Light Industrial District with a Dry Liquor Control Overlay.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Lawnview Avenue	Thoroughfare	60 ft.	60 ft.
Forney Road	Collector	60 ft.	60 ft.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
Site	CR-D-1	General Merchandise/Food Store/Motor Vehicle Fueling
Northwest	CR-D-1	Auto service
Northeast	CR-D-1	Retail
Southeast	CR-D-1	Retail
Southwest	PDD No. 323 w/deed restrictions	Warehouse

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in the Residential Neighborhoods 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 0.41acre request site is zoned a CR Community Retail District with a D-1 Liquor Control Overlay and is currently developed with a retail strip center containing personal service, restaurant and an approximately 1,800 square foot general merchandise/food store and 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 Liquor Control Overlay.

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

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

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

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

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

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

The applicant’s request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The adjacent 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					
<b>Existing</b>							
CR- D-1 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 area and 2 spaces for a motor vehicle fueling station. The overall existing retail strip center development requires 16 spaces. The attached site plan depicts 21 spaces.

**Landscaping:**

Landscaping required per Article X of the Dallas Development Code.

Z101-258 (MG)

**Officers**

Grace KK Inv LLC

Oh Seon Kwon, Member/Manager

BKPR Corporation

Bharat Rana, President

## DPD Report

**DALLAS POLICE  
DEPARTMENT**

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

Virtual Viewer - Public Access Welcome

Search Records - Offense
Filter

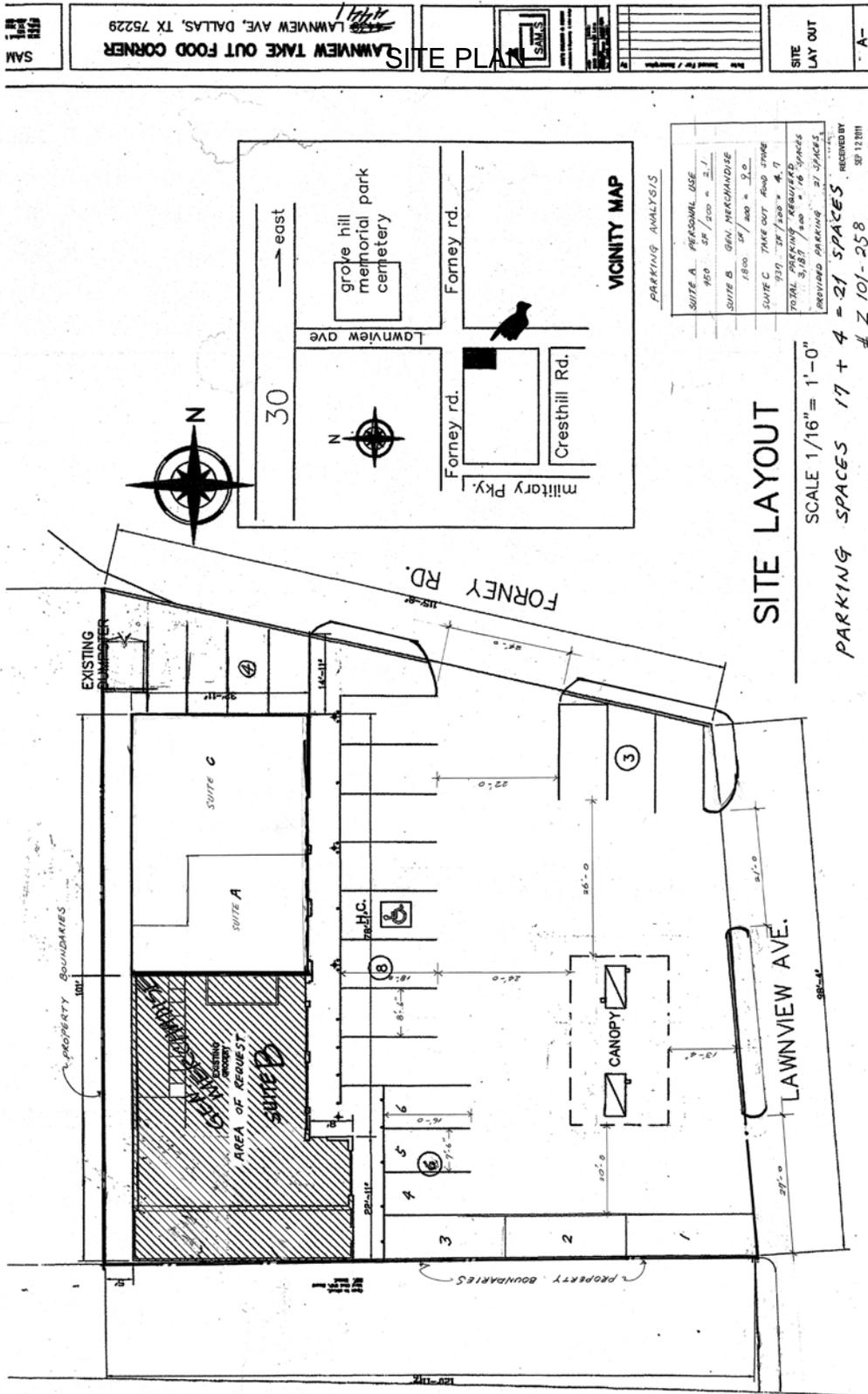
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
<a href="#">0004304-R</a>	01/02/2006	GARCIA, CARLOS ALBERTO	TRAFFIC MOTOR VEHICLE	04441		LAWNVIEWAVE	321	1215	32090	
<a href="#">0014028-Y</a>	01/17/2011	**TIZON TAKOS ARANDA	CRIMINAL MISCHIEF/VANDALISM	04441		LAWNVIEWAVE	316	1215	14081	
<a href="#">0070848-W</a>	03/14/2009	**M & J FOOD STORE	ROBBERY	04441		LAWNVIEWAVE	316	1215	03212	
<a href="#">0158103-R</a>	03/03/2006	CASTILLO,MARCELIWO	TRAFFIC MOTOR VEHICLE	04441		LAWNVIEWAVE	321	1215	32090	
<a href="#">0166977-W</a>	06/09/2009	*M & J FOOD STORE	CRIMINAL MISCHIEF/VANDALISM	04441		LAWNVIEWAVE	316	1215	14082	
<a href="#">0217121-X</a>	08/02/2010	*M&J FOOD STORE	CRIMINAL MISCHIEF/VANDALISM	04441		LAWNVIEWAVE	316	1215	14092	
<a href="#">0253999-V</a>	08/16/2008	RANA,BHARATKUMAR	CRIMINAL MISCHIEF/VANDALISM	04441		LAWNVIEWAVE	321	1215	14092	
<a href="#">0255310-T</a>	04/11/2007	RANA, BHARAT	THEFT	04441		LAWNVIEWAVE	321	1215	06945	
<a href="#">0329047-W</a>	11/05/2009	*M&J FOOD MART	FORGERY & COUNTERFEITING	04441		LAWNVIEWAVE	316	1215	10021	
<a href="#">0333266-V</a>	10/28/2008	*M J FOOD STORE	BURGLARY	04441		LAWNVIEWAVE	321	1215	05A38	
<a href="#">0399564-T</a>	05/30/2007	*M & J FOOD STORE	CRIMINAL MISCHIEF/VANDALISM	04441		LAWNVIEWAVE	321	1215	14030	
<a href="#">0426802-T</a>	06/09/2007	*DR PEPPER	THEFT	04441		LAWNVIEWAVE	321	1215	06943	
<a href="#">0432334-R</a>	06/08/2006	*M&J FOOD STORE	CRIMINAL MISCHIEF/VANDALISM	04441		LAWNVIEWAVE	321	1215	14082	
<a href="#">0435270-R</a>	06/08/2006	*M&J FOOD STORE	BURGLARY	04441		LAWNVIEWAVE	321	1215	05331	
<a href="#">0687179-T</a>	10/13/2007	*M&J FOODSTORE	TRAFFIC MOTOR VEHICLE	04441		LAWNVIEWAVE	321	1215	32090	
<a href="#">0687724-T</a>	10/13/2007	*M&J FOOD STORE	TRAFFIC MOTOR VEHICLE	04441		LAWNVIEWAVE	321	1215	32090	
<a href="#">0738642-R</a>	08/28/2006	GAMEZ, JOE	AUTO THEFT-UJMV	04441		LAWNVIEWAVE	321	1215	07692	
<a href="#">0772322-R</a>	10/11/2006	*M & J FOOD STORE	BURGLARY	04441		LAWNVIEWAVE	321	1215	05138	

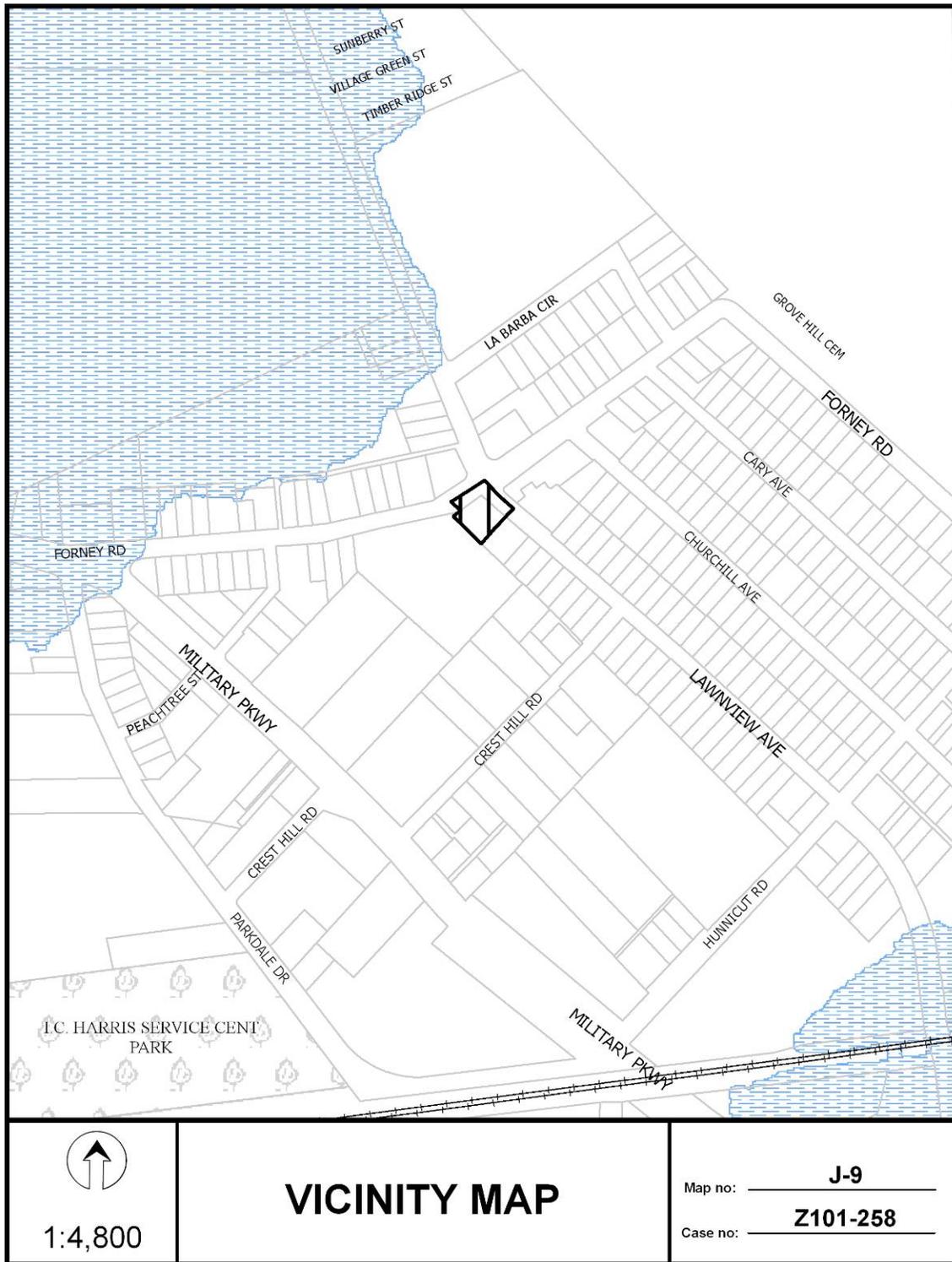
Page 2 of 2 (18 items)

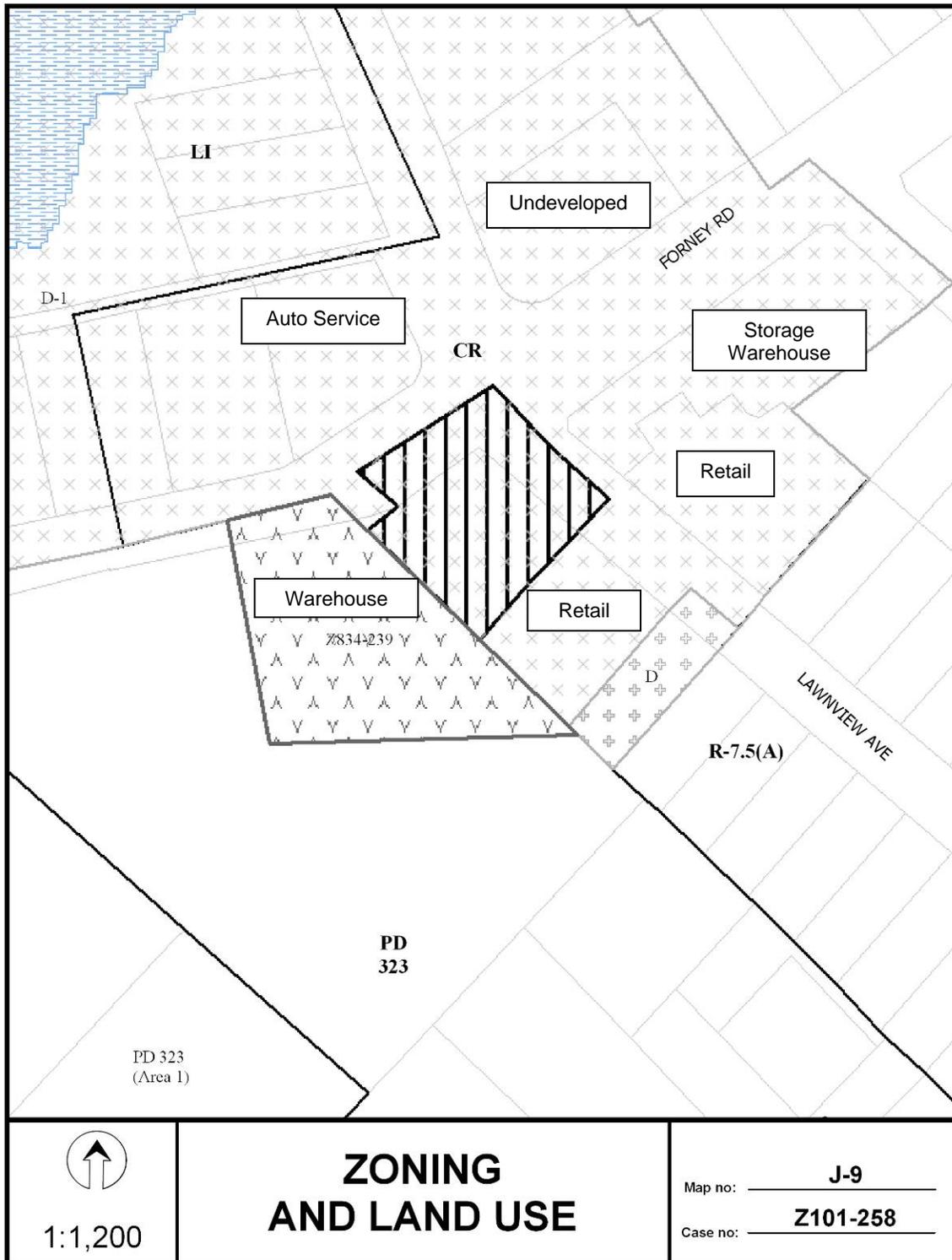
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Proposed SUP Conditions

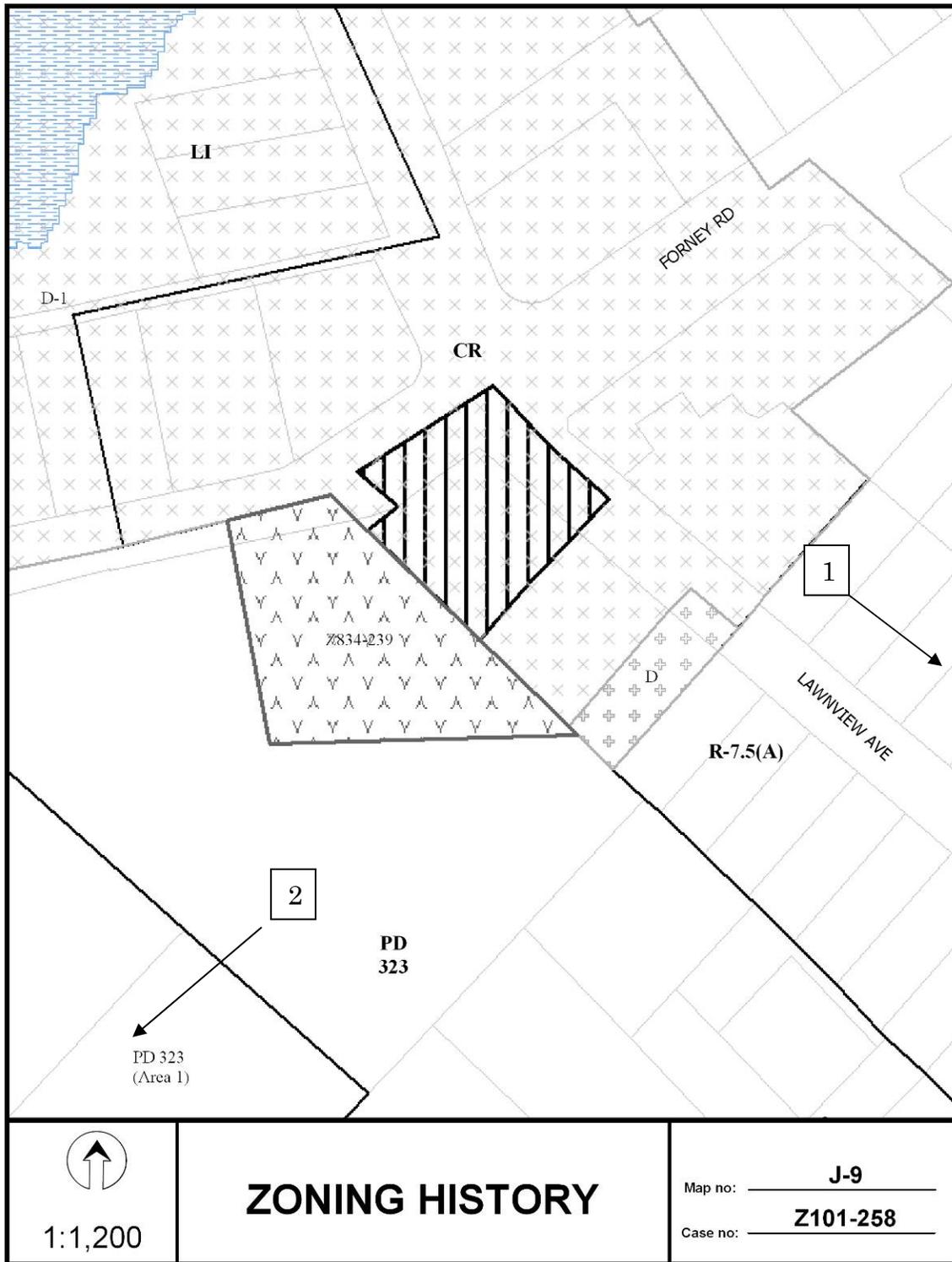
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use 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. 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.



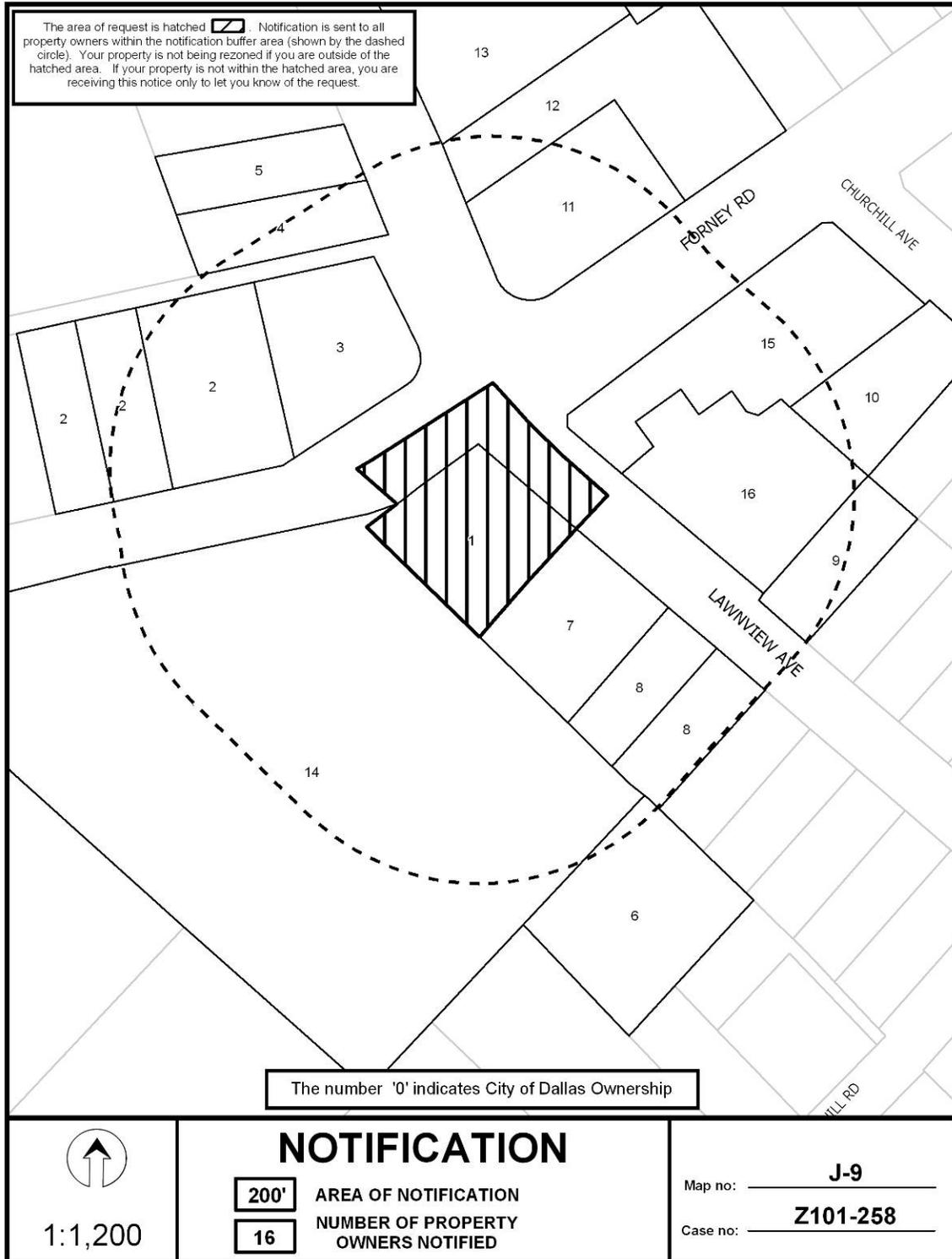




DATE: October 04, 2011



DATE: October 04, 2011



10/4/2011

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

### ***Z101-258***

#### ***16 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4439 LAWNVIEW AVE	GRACE KK INV LLC
2	5435 FORNEY RD	ESCOBAR J ALEJANDRO & GLORIA MILILA ESCO
3	4503 LAWNVIEW AVE	RAUDRY FIDEL
4	4515 LAWNVIEW AVE	BLACK RICHARD & BLACK STEPHANIE
5	4525 LAWNVIEW AVE	BURRESCIA MINTA
6	4045 CREST HILL RD	ORR TOM & FRANCES BAGLEY
7	4431 LAWNVIEW AVE	OTTO IRIS
8	4423 LAWNVIEW AVE	MCLEOD BILLY JOE
9	4424 LAWNVIEW AVE	PEREZ-GUARDADO OLGA L
10	5610 CHURCHILL AVE	FAZ HECTOR & RODRIGUEZ MARTHA
11	5511 FORNEY RD	MANTZURANIS TONY
12	4510 LAWNVIEW AVE	MANTZURANIS TONY
13	4540 LAWNVIEW AVE	LAWNVIEW PPTIES JV % JOE H HILL
14	5420 FORNEY RD	PARKER LAURENCE E
15	4442 LAWNVIEW AVE	MESSINA ROBERT L & DARLENE
16	4440 LAWNVIEW AVE	MYERS JOHN &

**FILE NUMBER:** Z101-308 (MG)

**DATE FILED:** June 24, 2011

**LOCATION:** Northwest corner of Forest Lane and Josey Lane

**COUNCIL DISTRICT:** 6

**MAPSCO:** 13 W

**SIZE OF REQUEST:** Approx. 2.61 acres

**CENSUS TRACT:** 96.05

---

**REPRESENTATIVE:** Masterplan

**APPLICANT:** CVS Corporation

**OWNER:** SLP LBJ

**REQUEST:** An application for a D-1 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 an MU-2 Mixed Use District with a D Liquor Control Overlay.

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

**STAFF RECOMMENDATION:** Approval of the D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

**BACKGROUND INFORMATION:**

- The request site is currently developed with an approximately 13,000 square foot general merchandise use.
- The applicant proposes to sell alcohol for off-premise consumption in conjunction with the existing general merchandise use.
- The general merchandise use is permitted by right in the MU-2 Mixed Use District. The sale of alcoholic beverages on property regulated by the D Liquor Control Overlay is prohibited. The sale of alcoholic beverages on property regulated by the D-1 Liquor Control Overlay requires a specific use permit.

**Zoning History:**

1. Z078-150

On April 23, 2008, the City Council denied an application for an MU-3 Mixed Use District with deed restrictions volunteered by the applicant on property zoned an MU-2-D Mixed Use District with a Dry Liquor Control Overlay.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Forest Lane	Principle	60 ft.	67 ft.
Josey Lane	Principle	90 ft.	90 ft.

**Land Use:**

	Zoning	Land Use
Site	MU-2	General Merchandise/Food Store
North	MU-2	Freeway
South	LO-1/IR	General merchandise/Office
East	MU-2	General Merchandise/Food Store/Personal Service
West	MU-2	Undeveloped

**STAFF ANALYSIS:**

**Comprehensive Plan:**

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

**Land Use Compatibility:**

The approximately 2.61 acre request site is zoned an MU-2 Mixed Use District with a D Liquor Control Overlay and is currently developed with an approximately 13,000 square foot general merchandise/food store. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which requires changing the overlay district from D to D-1 and a Specific Use Permit.

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

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

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing

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

The applicant’s request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The surrounding commercial uses are compatible with the existing and proposed use on the subject property. The applicant is proposing to maintain the general merchandise/food store. 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>							
MU-2- existing General merchandise/food	15'	20' adjacent to residential OTHER: No Min.	Varies	135'/180'	80%	Proximity Slope Visual Intrusion	General merchandise, retail, office

**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 existing development requires 65 spaces, and 66 spaces are provided as shown on 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="#">0024128-X</a>	01/21/2010	*HAWKINS CONSTRUCTION	BURGLARY	02899		FORESTLN	552	3005	05331	
<a href="#">0027490-Y</a>	02/01/2011	*CVS PHARMACY	THEFT	02899		FORESTLN	552	3005	06933	
<a href="#">0053284-Y</a>	03/03/2011	HONEYCUTT, LANDRY	THEFT	02899		FORESTLN	552	3005	06941	
<a href="#">0061104-Y</a>	03/11/2011	*CVS STORE # 7149	THEFT	02899		FORESTLN	552	3005	06935	
<a href="#">0102288-Y</a>	04/22/2011	*AMBASSADOR CAB COMPANY	FRAUD	02899		FORESTLN	552	3005	11020	
<a href="#">0114792-Y</a>	05/01/2011	*COASTAL COMPOSITES	OTHER OFFENSES	02899		FORESTLN	552	3005	26000	
<a href="#">0161123-Y</a>	06/19/2011	*CVS PHARMACY	THEFT	02899		FORESTLN	552	3005	06934	
<a href="#">0164678-Y</a>	06/23/2011	YOUNG,HEEJANG	THEFT	02899		FORESTLN	552	3005	06901	
<a href="#">0173479-Y</a>	07/02/2011	*CVS	THEFT	02899		FORESTLN	552	3005	06935	
<a href="#">0175755-X</a>	06/23/2010	@GRAND PRAIRIE PD	FOUND PROPERTY	02899		FORESTLN	552	3005	43030	
<a href="#">0199892-X</a>	07/16/2010	*CVS	THEFT	02899		FORESTLN	552	3005	06932	
<a href="#">0209826-Y</a>	08/08/2011	*CVS #7149	THEFT	02899		FORESTLN	552	3005	06933	
<a href="#">0213963-Y</a>	08/12/2011	BELAY,BEHALIU	TRAFFIC MOTOR VEHICLE	02899		FORESTLN	552	3005	32090	
<a href="#">0218435-Y</a>	08/17/2011	*CVS PHARMACY #7149	THEFT	02899		FORESTLN	552	3005	06931	
<a href="#">0230112-X</a>	08/16/2010	*CVS #7149	ROBBERY	02899		FORESTLN	552	3005	03462	
<a href="#">0236218-Y</a>	09/05/2011	*CVS STORE #7149	THEFT	02899		FORESTLN	552	3005	06931	
<a href="#">0236483-X</a>	08/22/2010	*CVS; PHARMACY STORE #714	FORGERY & COUNTERFEITI...	02899		FORESTLN	552	3005	10022	
<a href="#">0236832-Y</a>	09/06/2011	*CVS; PHARMACY #7149	THEFT	02899		FORESTLN	552	3005	06931	
<a href="#">0241129-Y</a>	09/10/2011	*CVS #7149	THEFT	02899		FORESTLN	552	3005	06932	
<a href="#">0262645-X</a>	09/19/2010	*CVS PHARMACY	THEFT	02899		FORESTLN	552	3005	06935	
<a href="#">0289948-X</a>	10/18/2010	*CVS PHARMACY	THEFT	02899		FORESTLN	552	3005	06932	
<a href="#">0295656-X</a>	10/24/2010	*CVS	THEFT	02899		FORESTLN	552	3005	06931	
<a href="#">0309228-X</a>	11/07/2010	@CITY OF DALLAS	FOUND PROPERTY	02899		FORESTLN	552	3005	43020	
<a href="#">0337279-X</a>	12/09/2010	*CVS DRUG STORE	THEFT	02899		FORESTLN	552	3005	06935	
<a href="#">0350787-X</a>	12/24/2010	@IRVING PD	FOUND PROPERTY	02899		FORESTLN	552	3005	43030	



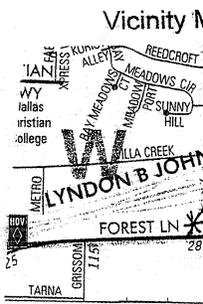
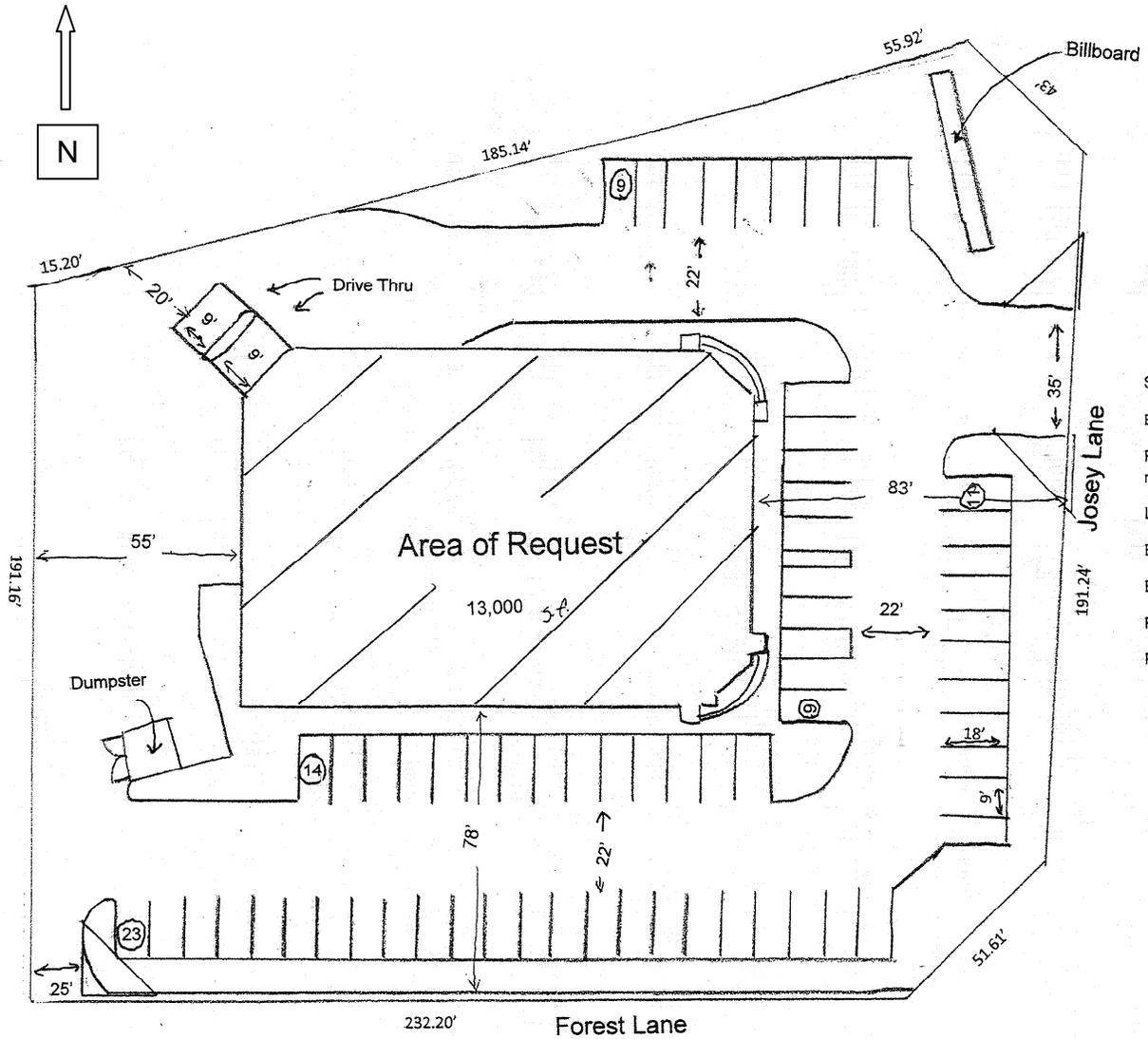
Page 2 of 2 (25 items)

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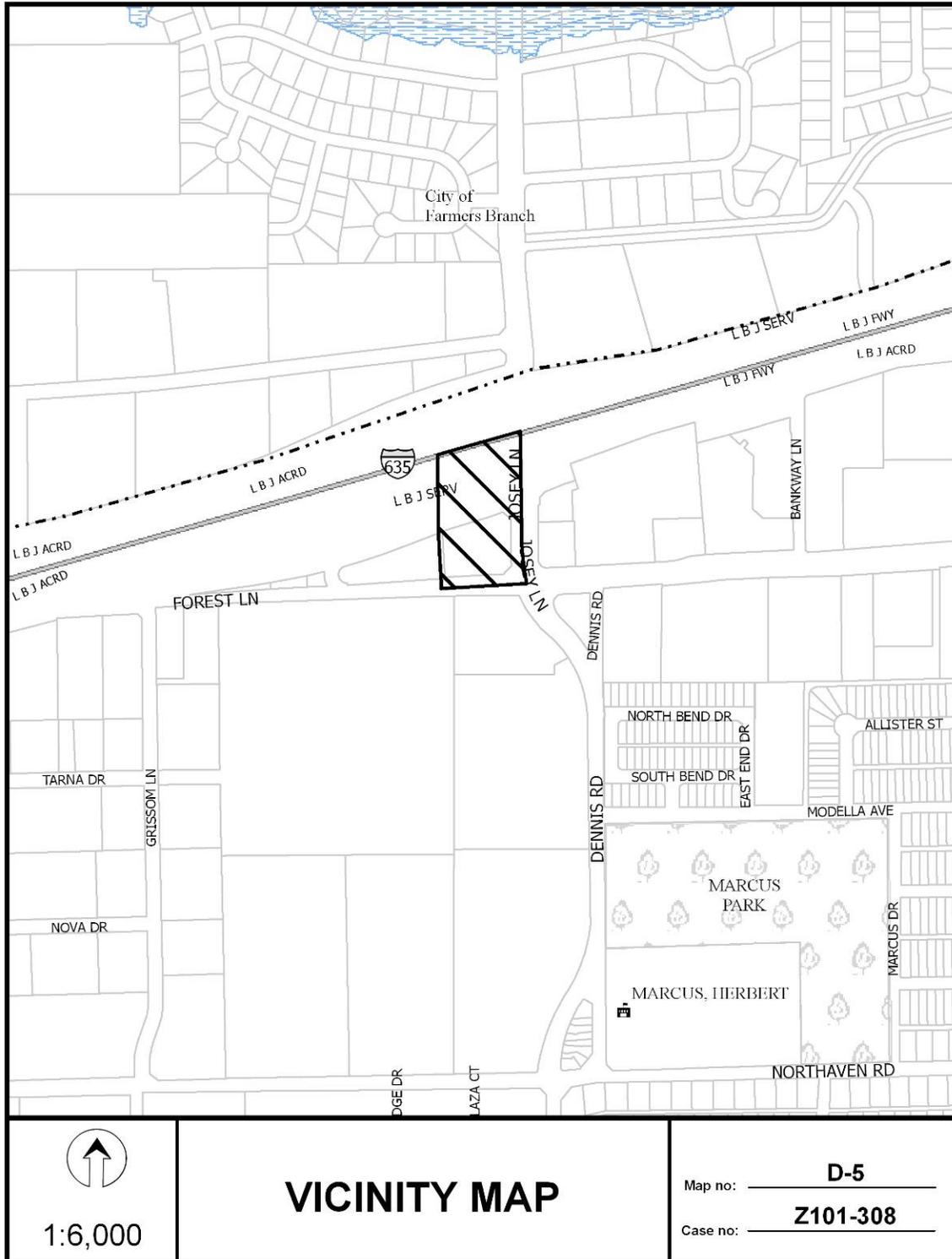
Proposed SUP Conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or greater.
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.

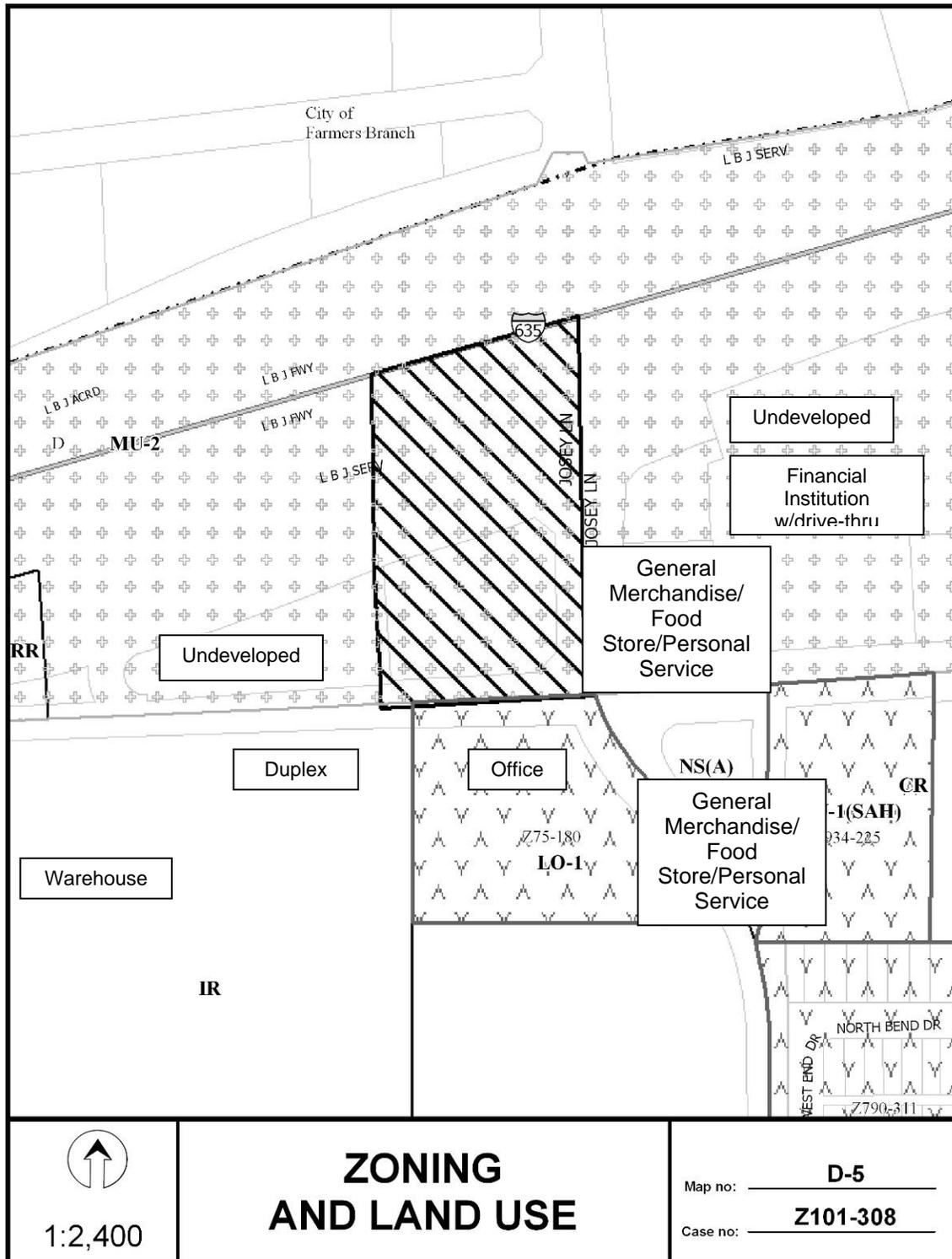
SITE PLAN



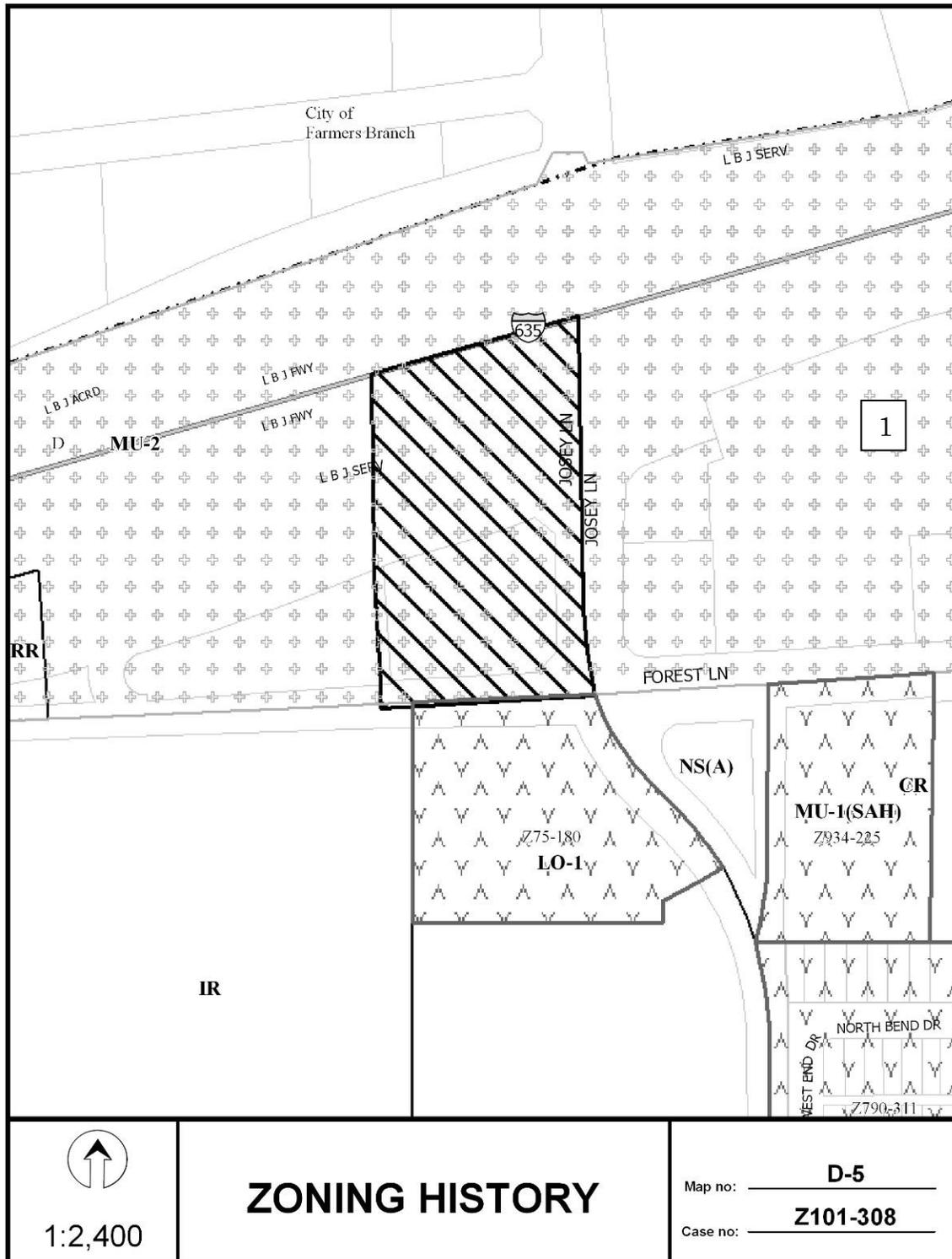
- Site Summary
- Existing Zoning: MU-2 with
  - Request: MU-2 with D-1 over merchandise store greater th
  - Lot Area: 1.39 acres
  - Existing Use: general merch
  - Existing Building Area: 13,0
  - Required Parking: 65
  - Provided Parking: 66

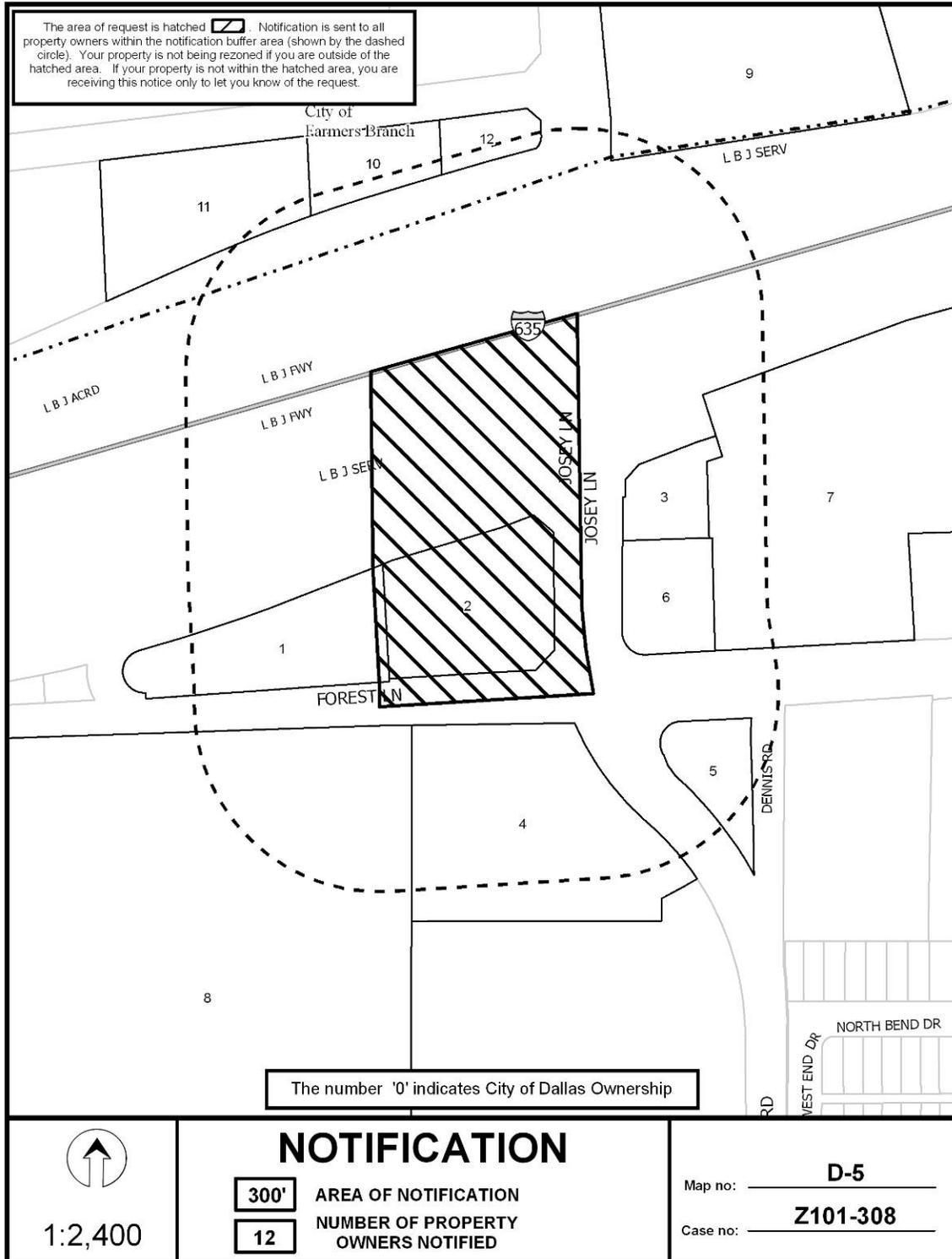


DATE: October 04, 2011



DATE: October 04, 2011





10/4/2011

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

### ***Z101-308***

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

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2880 LBJ FWY	SLP LBJ STE 100
2	2880 LBJ FWY	SCP 2010 C35 CATX GL LP
3	11838 JOSEY LN	MBC PARTNERSHIP
4	2828 FOREST LN	JOREST PPTY LLC
5	2880 FOREST LN	KNB ENTERPRISES INC
6	2901 FOREST LN	JOSEY VILLAGE PAD A LTD CENCOR REALTY SE
7	2909 FOREST LN	JOSEY VILLAGE LTD CENCOR REALTY
8	2800 FOREST LN	KILKEE TRUST PROP TAX DEPT #0564
9	2915 LBJ FWY	LBJ BROOKHAVEN INVEST LP % 975 ONE LINCO
10	2877 LBJ FWY	ML & NB RAY PARTNERS LTD % M L RAY PRESI
11	2833 LBJ FWY	BALDWIN PETER INC & PWB INTERESTS LTD
12	11925 JOSEY LN	KHAIRKHAH ZAHRA

**FILE NUMBER:** Z101-346(MW)

**DATE FILED:** August 3, 2011

**LOCATION:** Southeast corner of Hillcrest Road and LBJ Freeway

**COUNCIL DISTRICT:** 11

**MAPSCO:** 15-V

**SIZE OF REQUEST:** ±9.99 acres

**CENSUS TRACT:** 132.00

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**REPRESENTATIVE:** Elmo Shorter, Cushman & Wakefield of Texas, Inc.

**APPLICANT/OWNER:** 12830 Hillcrest Road Investors, LP

**REQUEST:** An application for a Specific Permit for a restaurant without drive-in or drive-through service on property zoned an NO(A) Neighborhood Office District.

**SUMMARY:** The applicant proposes a ± 1,163-square foot café within an existing office complex.

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

**BACKGROUND INFORMATION:**

- The ±9.99-acre request site is developed as an office complex comprised of three (3) two-story office buildings.
- The applicant proposes a ±1,163-square foot café to serve the office complex.
- The request site is surrounded by LBJ right-of-way and undeveloped land to the north; undeveloped land and park to the east and office uses to the south and west.

**Zoning History:**

1. **Z101-291:** On September 14, 2011, the City Council approved a Specific Use Permit for a restaurant without drive-in or drive through service on property zoned an NO(A) Neighborhood Office District.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Hillcrest Road	Principal Arterial	80 feet

**Land Use:**

	Zoning	Land Use
Site	NO(A)	Office Complex
North	R-1/2 ac(A)	LBJ right-of-way; undeveloped land
East	R-10(A)	Undeveloped; park
South	GO(A); NO(A)	Office
West	PDD No. 137	Office

**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 *Business Center or Corridor Building Block*. This Building Block represents major employment or shopping destinations outside of Downtown. Examples include the Galleria area, the NorthPark Center area, Southwest Center Mall area at I-20 and US Hwy 67 and the Stemmons Corridor. Business Centers are usually at major intersections or along highways or major arterials and rely heavily on car access. These areas typically include high-rise office towers and low- to mid-rise residential buildings for condos or apartments and may include multifamily housing. Land uses are typically separated from one another by parking lots, freeways or arterial roads. Streets in these areas emphasize efficient movement of vehicles. Bold lighting and linear landscaping features such as esplanades and tree-lined boulevards can all work to distinguish and identify these areas. Public spaces may be at key entry points and central locations. Gateway landscaping, monuments and other devices will provide visibility from the freeway and guide visitors to destinations. Public transit may play a role in these areas and help create some pockets of transit oriented development. Business Centers and Corridors provide important concentrations of employment within Dallas that compete with suburban areas.

In general, the applicant's request for a Specific Use Permit for a restaurant without drive-in or drive through service within the existing office complex 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

#### **Land Use Compatibility:**

The ±9.99-acre request site is developed as an office complex comprised of three (3) two-story office buildings. The applicant proposes a ±1,163-square foot café to serve the office complex. Exterior signage will be prohibited in advertising the restaurant use.

The request site is surrounded by LBJ right-of-way and undeveloped land to the north; undeveloped land and park to the east and office uses to the south and 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 is consistent with the intent of the Dallas Development Code. Therefore, staff recommends approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions.

**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	Primary Uses
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 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 the Dallas Development Code, the off-street parking requirement for a restaurant with drive-in or drive-through service is one (1) space per 100 square feet of floor area. Therefore, the ±1,163-square foot restaurant will require 12 parking spaces.

**Landscaping:**

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

Z101-346(MW)

**Partners/Principals/Officers:**

12830 Hillcrest road Investors, LP, A Delaware limited partnership

By: Trumbull One Investors LLC, its general partner

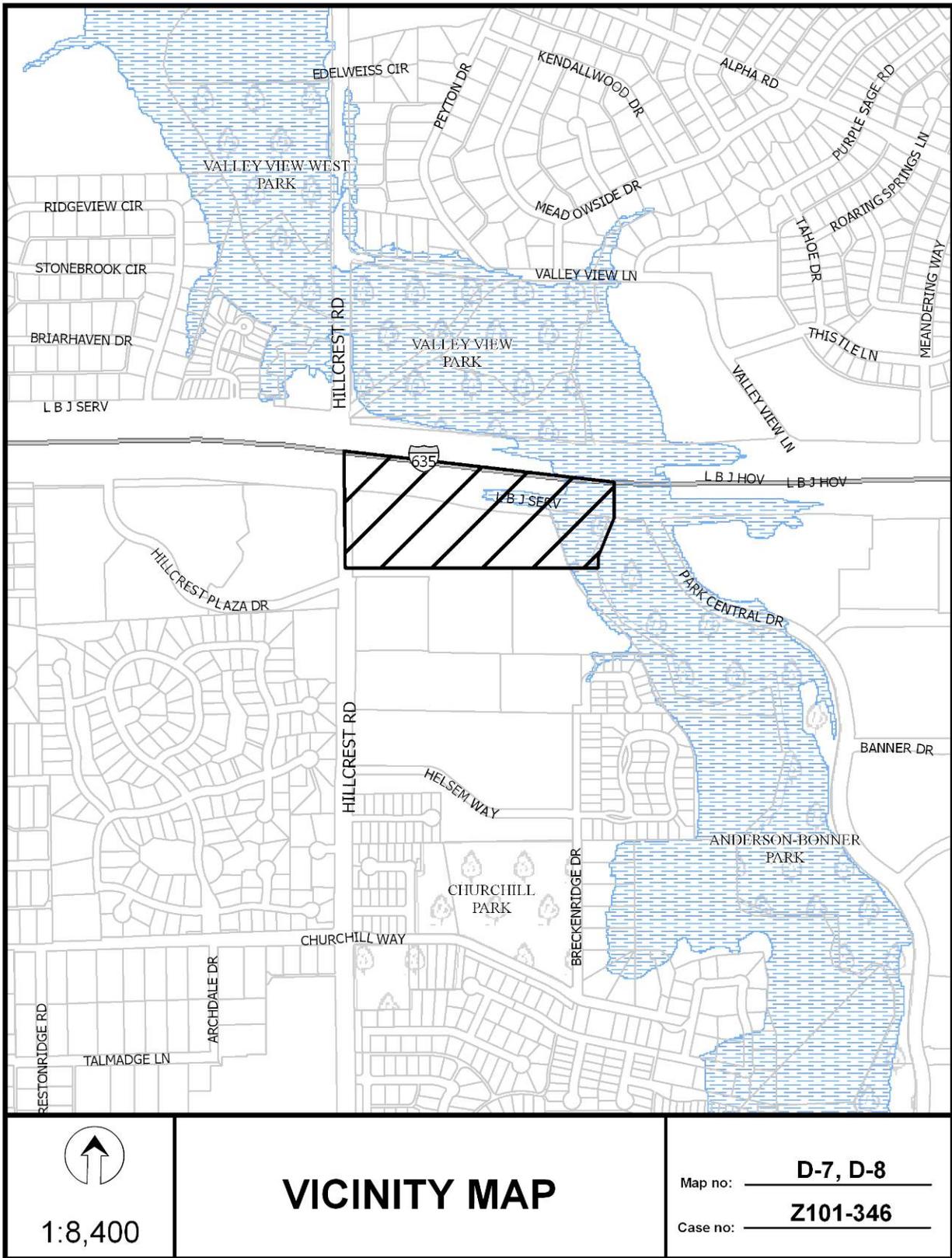
By: TRF REIT Operating Partnership GP, LLC, its general partner

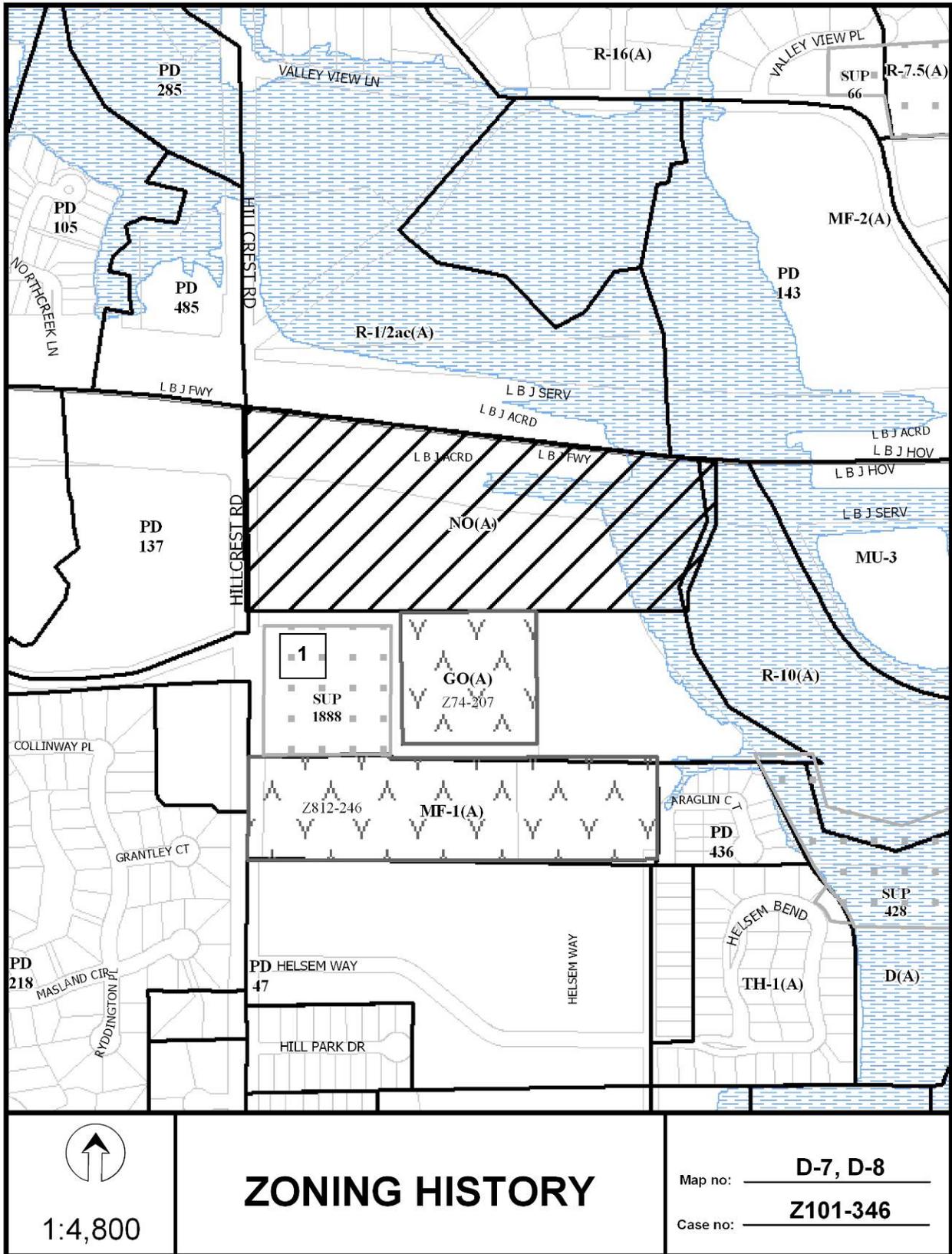
By: J. Raymond Frazier, Director

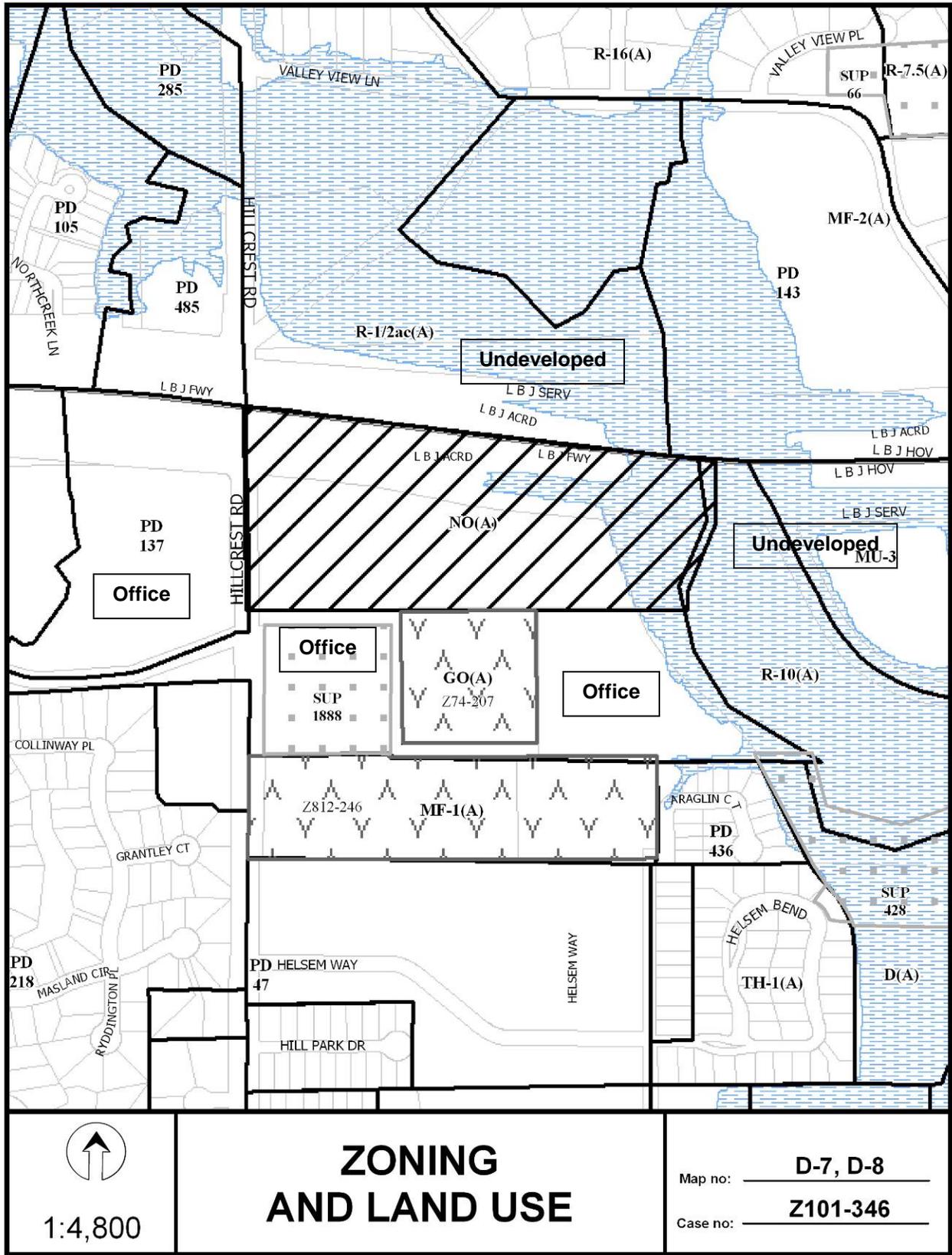
### Proposed Conditions

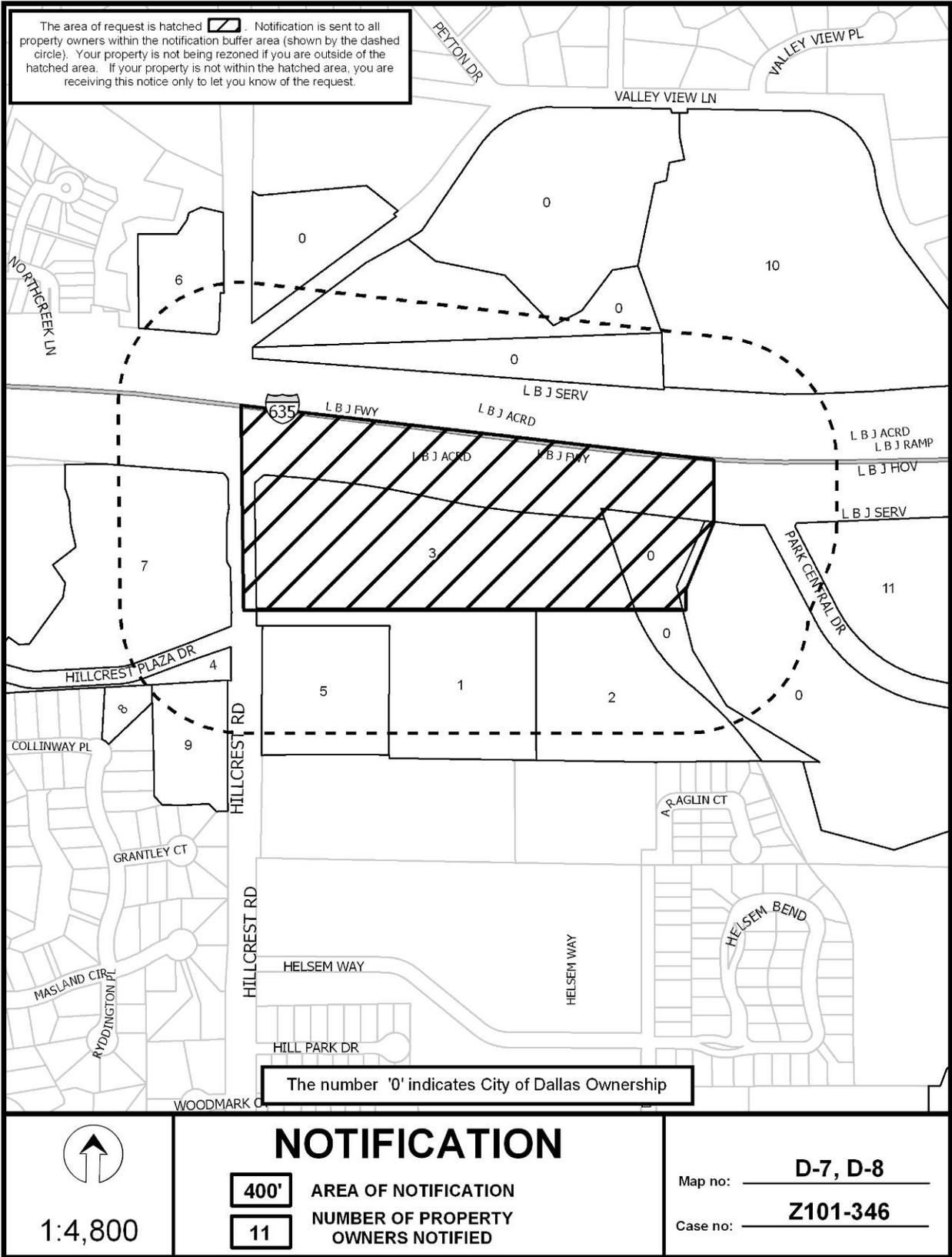
1. USE: The only use authorized by this specific use permit is a restaurant without drive-in or drive-through service.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on\_\_\_\_\_, (ten-year period from the passage of this ordinance) but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).
3. FLOOR AREA: Maximum floor area is 1,163 square feet.
4. HOUR OF OPERATION: The restaurant without drive-in or drive-through service may only operate between 7:00 am and 5:00 pm, Monday through Friday.
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: Exterior signage is prohibited.
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.











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	<h2>NOTIFICATION</h2>	Map no: <u>          D-7, D-8          </u>
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">400'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">11</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>          Z101-346          </u>

DATE: October 04, 2011

Z101-346(MW)

10/4/2011

**Notification List of Property Owners**

**Z101-346**

**11 Property Owners Notified**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	12720 HILLCREST RD	TWO HILLCREST GREEN LTD SUITE 750
2	12740 HILLCREST RD	LAB HOLDINGS INC C/O CASTLEBROOK
MGMT. I		
3	12800 HILLCREST RD	12830 HILLCREST RD INV LP % UBS RLTY
INV		
4	6700 LBJ FWY	CORPORATION OF EPISCOPAL DIOCESE
OF DALL		
5	12700 HILLCREST RD	12700 HILLCREST PS LTD
6	13001 HILLCREST RD	SUNRISE HILLCREST SR LIV % RC 63107
SUNR		
7	6820 LBJ FWY	BRINKER INTERNATIONAL
8	17 COLLINWAY PL	EHLERS MELVILLE V & EHLERS GANO S
9	12727 HILLCREST RD	CORPORATION OF EPISCOPAL DIOCESE
OF DALL		
10	7300 VALLEY VIEW LN	COVENANT KNIGHTS SCHOOL THE
11	7540 LBJ FWY	WATERMARK COMMUNITY CHURCH %
FRANK SCHUB		

**FILE NUMBER:** Z101-294 (MG)

**DATE FILED:** June 10, 2011

**LOCATION:** East line of Kleberg Road, north of Carleta Street

**COUNCIL DISTRICT:** 8

**MAPSCO:** 69A U

**SIZE OF REQUEST:** Approx. 0.459 acres

**CENSUS TRACT:** 171.02

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**REPRESENTATIVE:** Pamela Craig

**APPLICANT/OWNER:** Chup Corporation

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

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

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

**PREVIOUS CPC ACTION:** On September 15, 2011, the City Plan Commission held this case under advisement until October 20, 2011, to allow time to address neighborhood concerns.

**BACKGROUND INFORMATION:**

- The request site is currently developed with a 4,040 sq. ft. building containing general merchandise or food store use with associated motor vehicle fueling station.
- No additional improvements are planned for the property.
- The applicant proposes to continue the general merchandise uses and motor vehicle fueling station and begin the sale of alcohol for off-premise consumption.
- 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:**

1. Z101-320                      On September 1, 2011, the City Planning Commission recommended approval of an application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive through service on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay.
2. Z101-156                      On Wednesday, April 27, 2011, the City Council approved a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>	<b>Proposed ROW</b>
Kleberg Road	Arterial	60 ft.	60 ft.
Carleta Street	Local	50 ft.	50 ft.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
Site	CR-D-1	General merchandise/food store/motor vehicle fueling station
North	CR-D-1	Personal Service
South	CR-D-1	Retail
East	R-7.5(A)	Undeveloped
West	CR-D-1	Undeveloped/auto

**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 0.459 acre request site is zoned a CR Community Retail District with a D-1 Liquor Control Overlay and is currently developed with a 4,060 sq. ft. general merchandise or food store and motor vehicle fueling station. The applicant proposes to continue these uses and sell alcohol for off-premise consumption. A Specific Use Permit for the sale of alcoholic beverages is required in the D-1 Liquor Control Overlay.

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

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

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

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

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

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

The applicant’s request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. Nearby commercial and single family uses are compatible with the existing uses on the subject property. The applicant is proposing to continue the general merchandise or food store and motor vehicle fueling station uses with the sale of alcoholic beverages for off premise consumption. 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>							
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 plus two additional spaces for the motor vehicle fueling station use. The existing uses are to remain and require 22 parking spaces. The attached site plan illustrates 22 spaces.

**Landscaping:**

Landscaping required per Article X of the Dallas Development Code.

## DPD Report

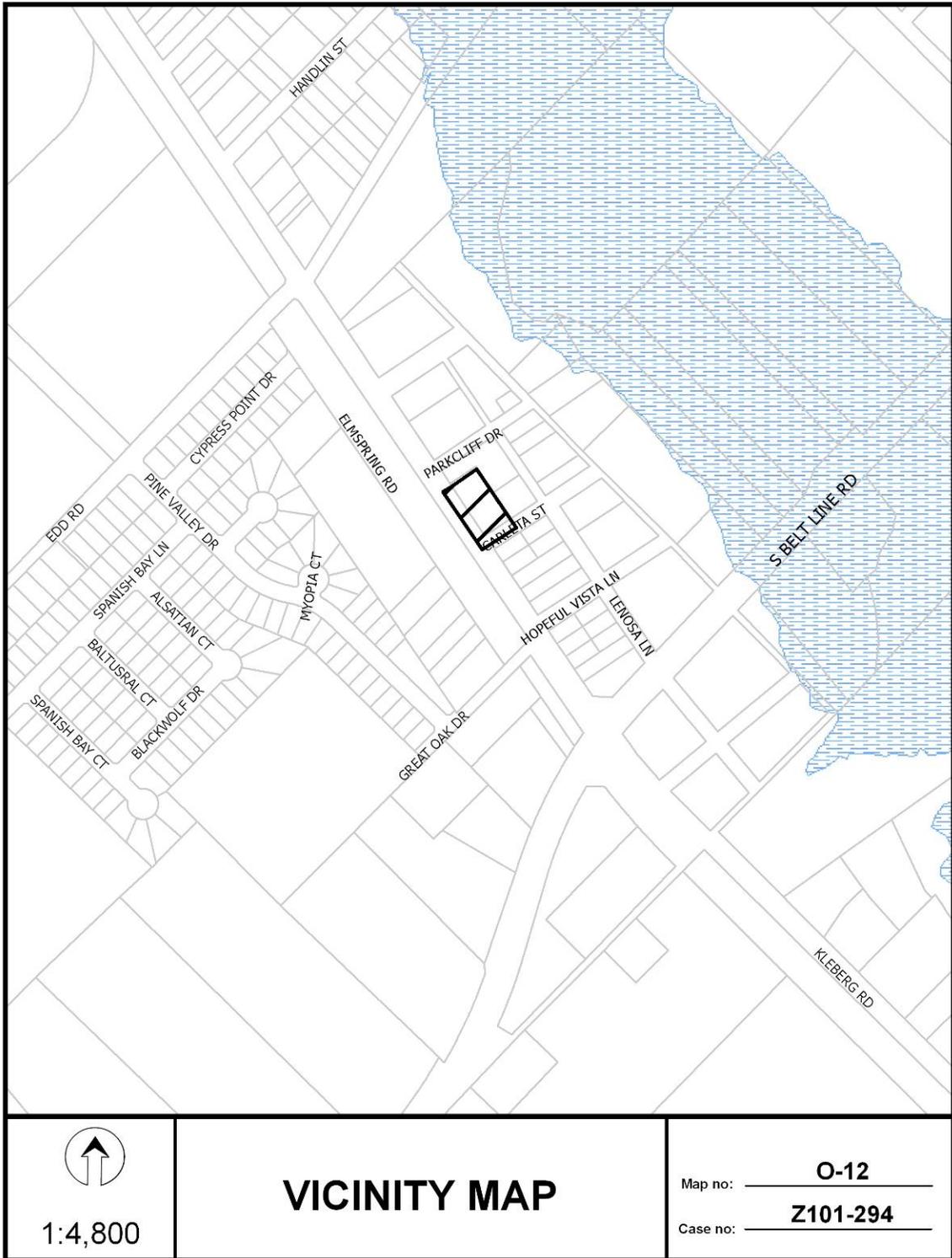
<b>DALLAS POLICE DEPARTMENT</b> <span style="float: right;"> <a href="#">UCR Codes</a> <a href="#">Year Codes</a> <a href="#">Property Class Codes</a> </span>										
Virtual Viewer - Public Access										Welcome
Search Records - Offense <span style="float: right;">Filter <input type="text"/></span>										
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
<a href="#">0033563-T</a>	01/14/2007	*SID'S FOOD STORE	THEFT	13317		KLEBERGRD	359	4435	06975	
<a href="#">0056273-Y</a>	03/06/2011	SALAZAR, LOLITA	TRAFFIC MOTOR VEHICLE	13317		KLEBERGRD	356	4435	32090	
<a href="#">0123876-W</a>	05/01/2009	*SID'S FOOD MART	THEFT	13317		KLEBERGRD	356	2230	06901	
<a href="#">0130609-Y</a>	05/21/2011	DAVIS, TERESA	ASSAULT	13317		KLEBERGRD	356	4435	08422	
<a href="#">0131718-R</a>	02/21/2006	CHANDLER, JEFFREY	AUTO THEFT-UUMV	13317		KLEBERGRD	359	4435	07871	
<a href="#">0169699-Y</a>	06/29/2011	*SID'S FOOD MART	BURGLARY	13317		KLEBERGRD	356	4435	05128	
<a href="#">0195126-X</a>	07/12/2010	*SIDS FOOD MART	CRIMINAL MISCHIEF/VANDALISM	13317		KLEBERGRD	356	4435	14082	
<a href="#">0197058-X</a>	07/13/2010	*SID FOOD MART	BURGLARY	13317		KLEBERGRD	356	4435	05132	
<a href="#">0219661-V</a>	07/15/2008	*SIDS FOOD STORE	BURGLARY	13317		KLEBERGRD	357	4435	05132	
<a href="#">0269678-X</a>	09/27/2010	*FIDS FOOD MART	BURGLARY	13317		KLEBERGRD	356	2230	05138	
<a href="#">0347174-V</a>	11/11/2008	CARREON, SUSANNA	CRIMINAL MISCHIEF/VANDALISM	13317		KLEBERGRD	357	4435	14081	
<a href="#">0359902-W</a>	12/06/2009	*SID'S FOOD MART	CRIMINAL MISCHIEF/VANDALISM	13317		KLEBERGRD	356	4435	14082	
<a href="#">0363184-V</a>	11/28/2008	*SID'S FOOD MART	ROBBERY	13317		KLEBERGRD	357	4435	03312	
<a href="#">0367240-W</a>	12/13/2009	@WAXAHACHIE POLICE	FOUND PROPERTY	13317		KLEBERGRD	356	4435	43030	
<a href="#">0442231-R</a>	06/11/2006	SAINCHEZ, MOISES	THEFT	13317		KLEBERGRD	359	4435	06951	
<a href="#">0516845-R</a>	07/07/2006	@CITY OF DALLAS	FOUND PROPERTY	13317		KLEBERGRD	359	4435	43020	
<a href="#">0586992-R</a>	08/02/2006	@CITY OF DALLAS	FOUND PROPERTY	13317		KLEBERGRD	359	4435	43020	
<a href="#">0587490-R</a>	08/02/2006	ASHER, LYNN	TRAFFIC MOTOR VEHICLE	13317		KLEBERGRD	359	4435	32090	
<a href="#">0597615-R</a>	08/06/2006	VALDEZ, GERALDO	THEFT	13317		KLEBERGRD	359	4435	06942	
<a href="#">0619186-R</a>	08/13/2006	*SIDS	THEFT	13317		KLEBERGRD	359	4435	06901	
<a href="#">0623671-T</a>	08/19/2007	BLEVINS, MICHAEL	AGGRAVATED ASSAULT	13317		KLEBERGRD	359	4435	04161	14081
<a href="#">0696428-T</a>	10/21/2007	*SID'S FOOD STORE	ROBBERY	13317		KLEBERGRD	359	4435	03771	
<a href="#">0901948-R</a>	11/30/2006	*PACO'S FOOD STORE	BURGLARY	13317		KLEBERGRD	359	4435	05331	06901
<a href="#">0911146-R</a>	12/04/2006	*SIDS FOOD STORE	THEFT	13317		KLEBERGRD	359	4435	06901	

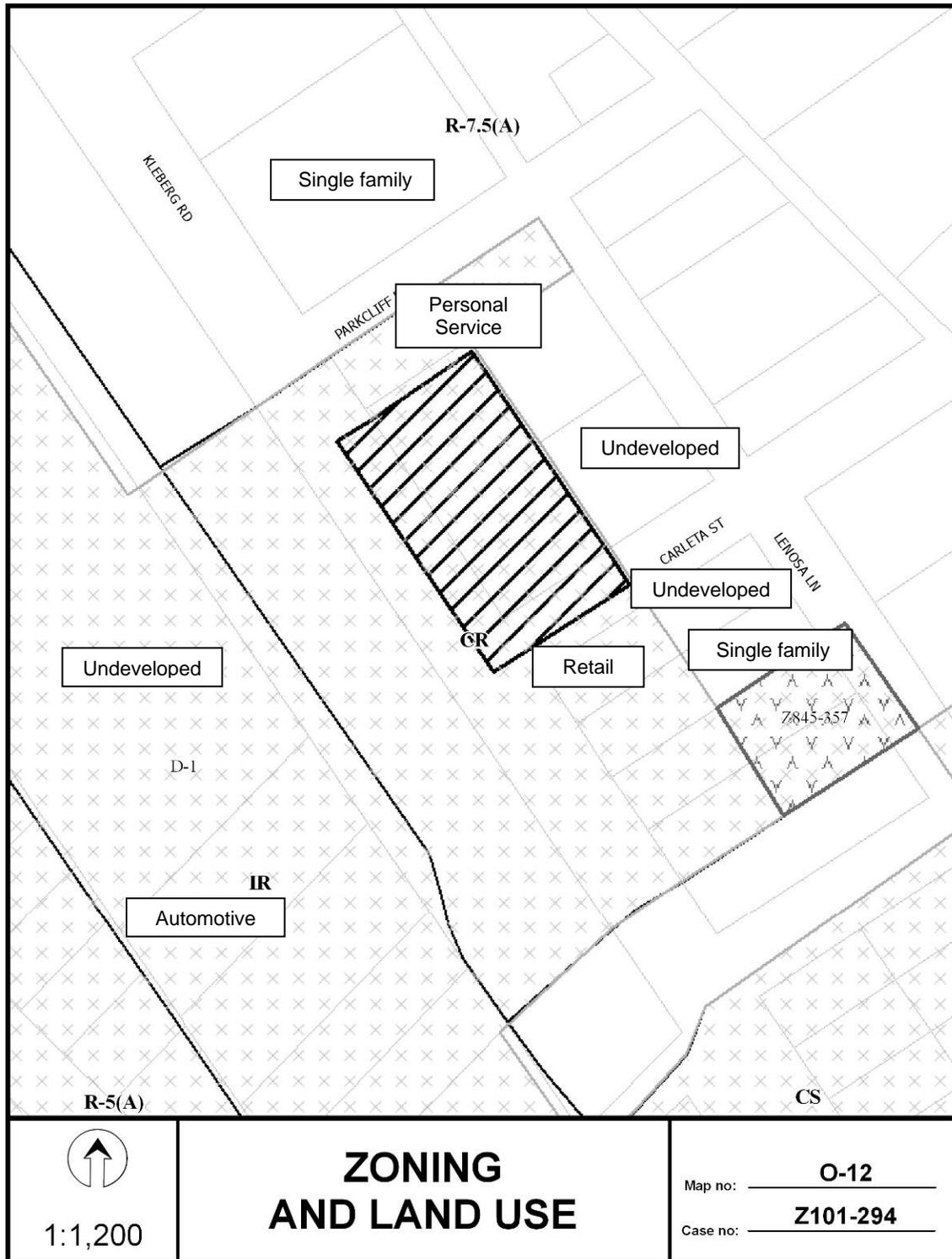
Page 2 of 2 (24 items)

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 greater than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two 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.

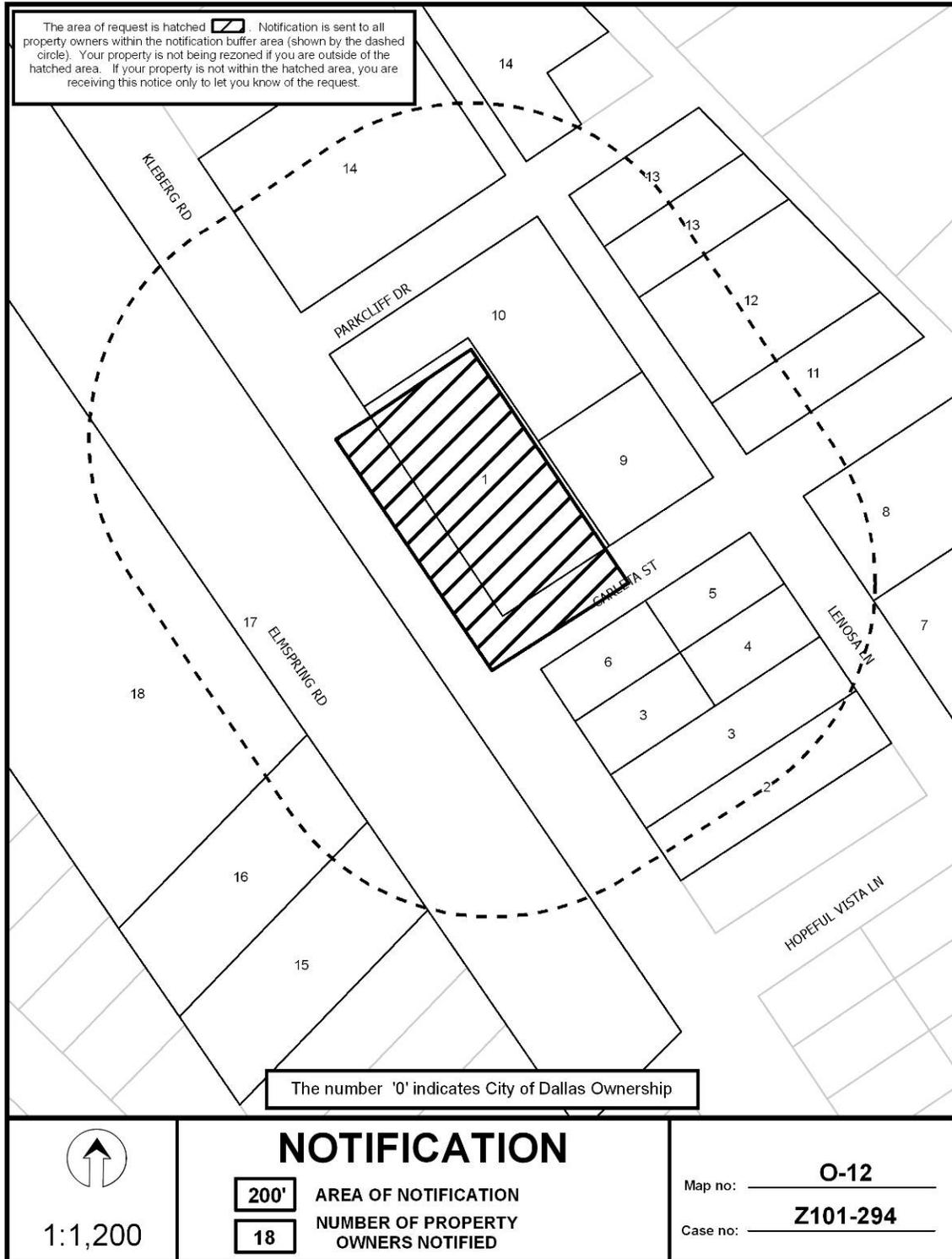








DATE: July 07, 2011



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

### ***Z101-294***

#### ***18 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	13317 KLEBERG	CHUP CORPORATION INC
2	13423 KLEBERG	RAMSEY ELIZABETH
3	13417 KLEBERG	RAMSEY TIMOTHY L & ELIZABETH
4	13422 LENOSA	BLANCO ROSA D
5	2300 CARLETA	MARSHALL EOLA
6	13405 KLEBERG	MARLOW CARL THOMAS
7	13500 LENOSA	SEAGOVILLE SCHOOL % DALLAS I S D
8	13429 LENOSA	IGLESIA DE CRISTO ON KLEBERG RD
9	13328 LENOSA	FREEMAN C B
10	13305 KLEBERG	DALLAS PETROLEUM LLC
11	13329 LENOSA	FRITTS DAVID E & TERI C
12	13323 LENOSA	PICKRELL VERNA EST OF
13	5 LENOSA	ARMENDARIZ ROBERTO & GRACIELA QUINTERO
14	2445 PARKCLIFF	RIDGELL WILLIAM CECIL & BARBARA R
15	13418 ELMSPRING	SALAZAR ROGELIO & JUANITA M SALAZAR
16	13412 ELMSPRING	FITZGERALD L G & MYRTIS
17	13000 KLEBERG	UNION PACIFIC RR CO % TAX DEPT
18	13248 ELMSPRING	FIRST BAPTIST CHURCH OF KLEBERG

***Thursday, July 07, 2011***

**FILE NUMBER:** Z101-339 (MG)

**DATE FILED:** July 27, 2011

**LOCATION:** North side of Ann Arbor Avenue, between S. Marsalis Avenue and Maryland Avenue

**COUNCIL DISTRICT:** 4

**MAPSCO:** 65 E

**SIZE OF REQUEST:** Approx. 0.2619 acres

**CENSUS TRACT:** 59.01

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**REPRESENTATIVE:** Hisham Awadelkariem

**APPLICANT/OWNER:** Hoang Chau & Tu Huynh

**REQUEST:** An application for a D-1 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 a CR-D Community Retail District with a D Liquor Control Overlay.

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

**STAFF RECOMMENDATION:** Approval of the D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

**PREVIOUS CPC ACTION:** On October 6, 2011, the City Plan Commission held this case under advisement until October 20, 2011.

**BACKGROUND INFORMATION:**

- The request site is currently developed with an approximately 3,506 square foot general merchandise and food store use.
- 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 Liquor Control Overlay is prohibited.
- The sale of alcoholic beverages on property regulated by the D-1 Liquor Control Overlay is allowed with a Specific Use Permit only.

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

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>	<b>Proposed ROW</b>
Ann Arbor Avenue	Collector	60 ft.	60 ft.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
Site	CR-D	General Merchandise/Food Store
North	R-7.5(A)	Single family
South	CR	General merchandise/Personal service/Auto
East	CR-D	General Merchandise/Food Store/Motor vehicle fueling
West	CR	General Merchandise/Food Store/undeveloped

**STAFF ANALYSIS:**

**Comprehensive Plan:**

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

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. 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 0.2619 acre request site is zoned a CR Community Retail District with a D Liquor Control Overlay and is currently developed with an approximately 3,506 square foot general merchandise/food store. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which requires changing the overlay district from D to D-1 and a Specific Use Permit.

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

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

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

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

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,

Z101-339 (MG)

- 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 commercial and residential uses are compatible with the existing and proposed use on the subject property. The applicant is proposing to maintain the general merchandise and food store use. 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 existing development requires 18 spaces, and 19 spaces are provided as shown on the attached site plan.

A parking lot on the subject site abuts a single family residential property to the north. As a result, screening is required per Sec. 4.602(b). This requirement may be met by a six-foot tall wooden fence.

**Landscaping:**

Landscaping required per Article X of the Dallas Development Code.

## DPD Report

 <b>DALLAS POLICE DEPARTMENT</b> <span style="float: right;"> <a href="#">UCR Codes</a> <a href="#">Year Codes</a> <a href="#">Property Class Codes</a> </span>										
Virtual Viewer - Public Access <span style="float: right;">Welcome</span>										
  										
Search Records - Offense <span style="float: right;">Filter <input type="text"/></span>										
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
<a href="#">0027366-X</a>	01/28/2010	MATTHEWS, BRIAN, K.	TRAFFIC MOTOR VEHICLE	00717		ANNARBORAVE	751	4302	32090	
<a href="#">0033531-Y</a>	03/03/2011	MASTERS, CHARLES	TRAFFIC MOTOR VEHICLE	00717		ANNARBORAVE	751	4302	32090	
<a href="#">0093204-Y</a>	04/13/2011	NEAL, LAVORIS	FOUND PROPERTY	00717		ANNARBORAVE	751	4302	43020	
<a href="#">0139150-W</a>	05/14/2009	THOMAS, FATRA	THEFT	00717		ANNARBORAVE	751	4302	26000	06901
<a href="#">0143473-X</a>	05/24/2010	*SAM'S FOOD MARKET	BURGLARY	00717		ANNARBORAVE	751	4302	05122	
<a href="#">0165033-W</a>	06/05/2009	*GODS GOSPEL TEMPLE CHURC	THEFT	00717		ANNARBORAVE	751	4302	06901	
<a href="#">0182178-Y</a>	07/08/2011	@CITY OF DALLAS (VICE)	FOUND PROPERTY	00717		ANNARBORAVE	751	4302	43020	
<a href="#">0183040-Y</a>	07/12/2011	@CITY OF DALLAS (VICE)	FOUND PROPERTY	00717		ANNARBORAVE	751	4302	43020	
<a href="#">0184896-W</a>	06/25/2009	*SAMS FOOD MART	THEFT	00717		ANNARBORAVE	751	4302	06904	
<a href="#">0191041-T</a>	03/19/2007	*STOP AND SAVE # 3	BURGLARY	00717		ANNARBORAVE	448	4302	05137	
<a href="#">0202620-V</a>	06/29/2008	GREEN, LARRY	ROBBERY	00717		ANNARBORAVE	723	4302	04212	03412
<a href="#">0562696-T</a>	07/27/2007	BROWN, BILLY	ASSAULT	00717		ANNARBORAVE	448	4302	08221	
<a href="#">0566831-R</a>	07/26/2006	*OAKCLIFF FOOD MART	BURGLARY	00717		ANNARBORAVE	448	4302	05131	
<a href="#">0639724-T</a>	08/29/2007	*DR. PEPPER BOTTLING CO	THEFT	00717		ANNARBORAVE	448	4302	06902	
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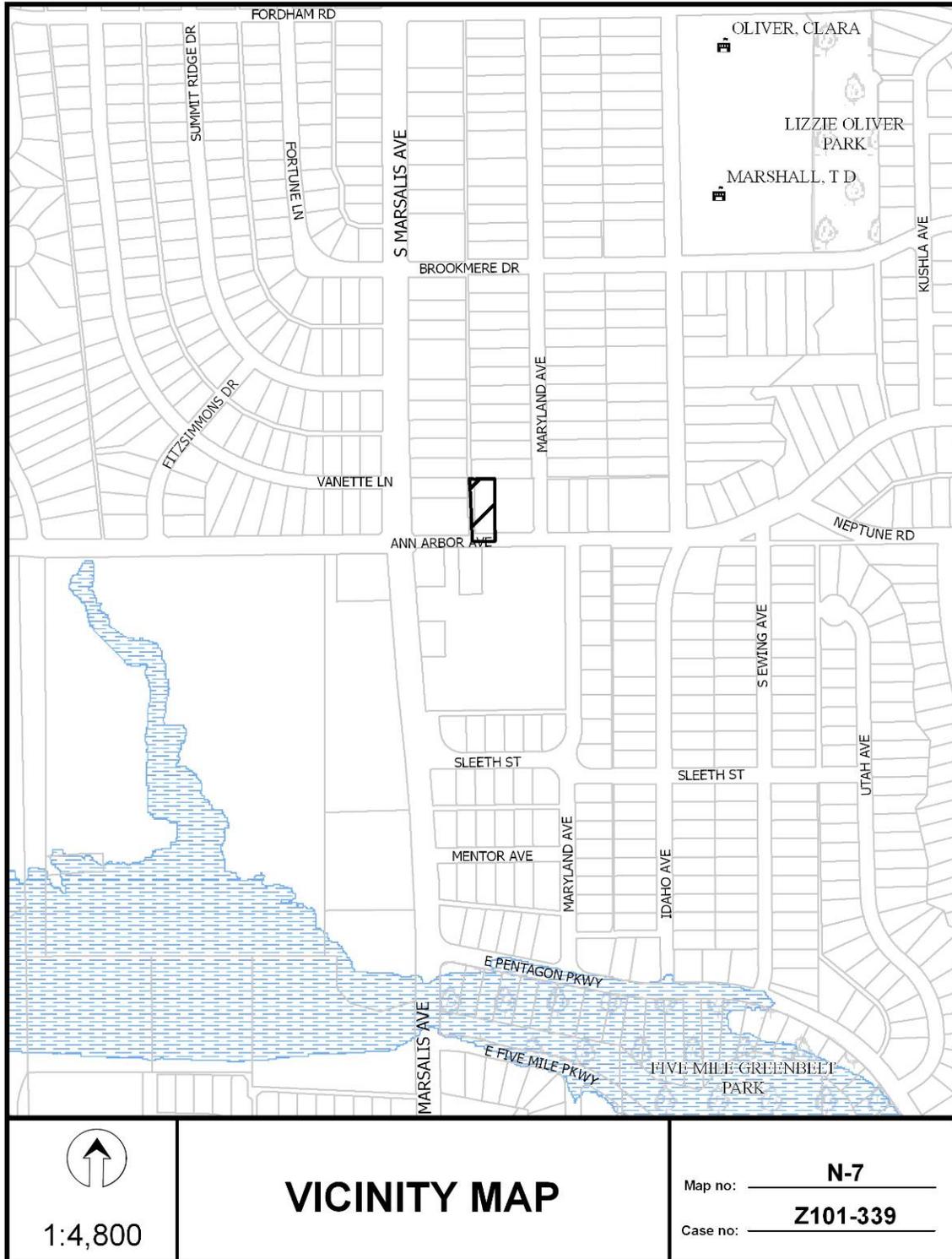
  

Search Records - Offense <span style="float: right;">Filter <input type="text"/></span>										
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
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<a href="#">0691164-T</a>	10/16/2007	JONES, ELI	OTHER OFFENSES	00717		ANNARBORAVE	448	4302	26140	
<a href="#">0715191-R</a>	09/20/2006	*OAK CLIFF FOOD MARKET	BURGLARY	00717		ANNARBORAVE	448	4302	05132	
<a href="#">0792183-R</a>	10/18/2006	@CEDAR HILL PD	FOUND PROPERTY	00717		ANNARBORAVE	448	4302	43030	
<a href="#">0836653-R</a>	11/04/2006	DEWBERRY, WALTER	TRAFFIC MOTOR VEHICLE	00717		ANNARBORAVE	448	4302	32090	

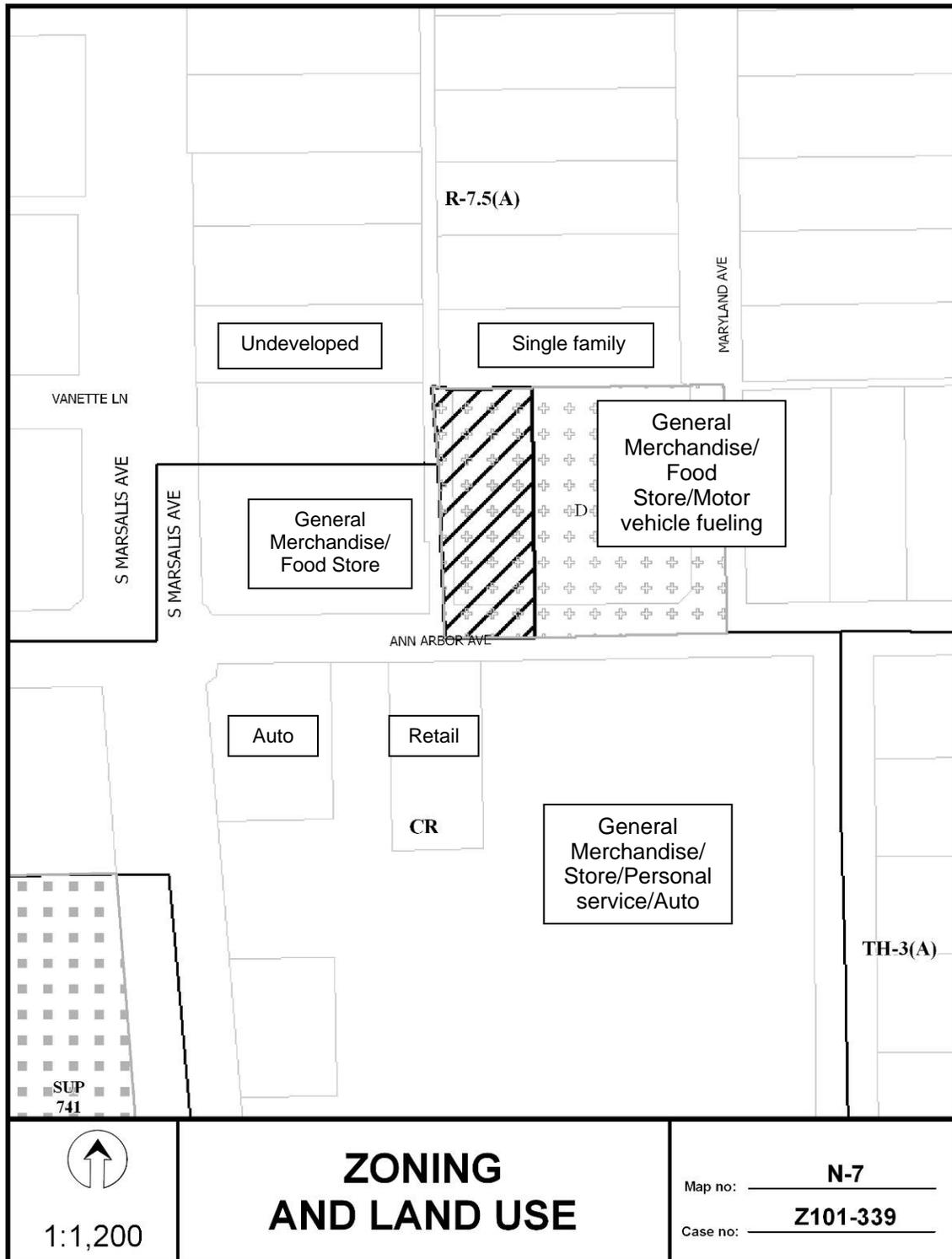
Proposed SUP Conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two 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.

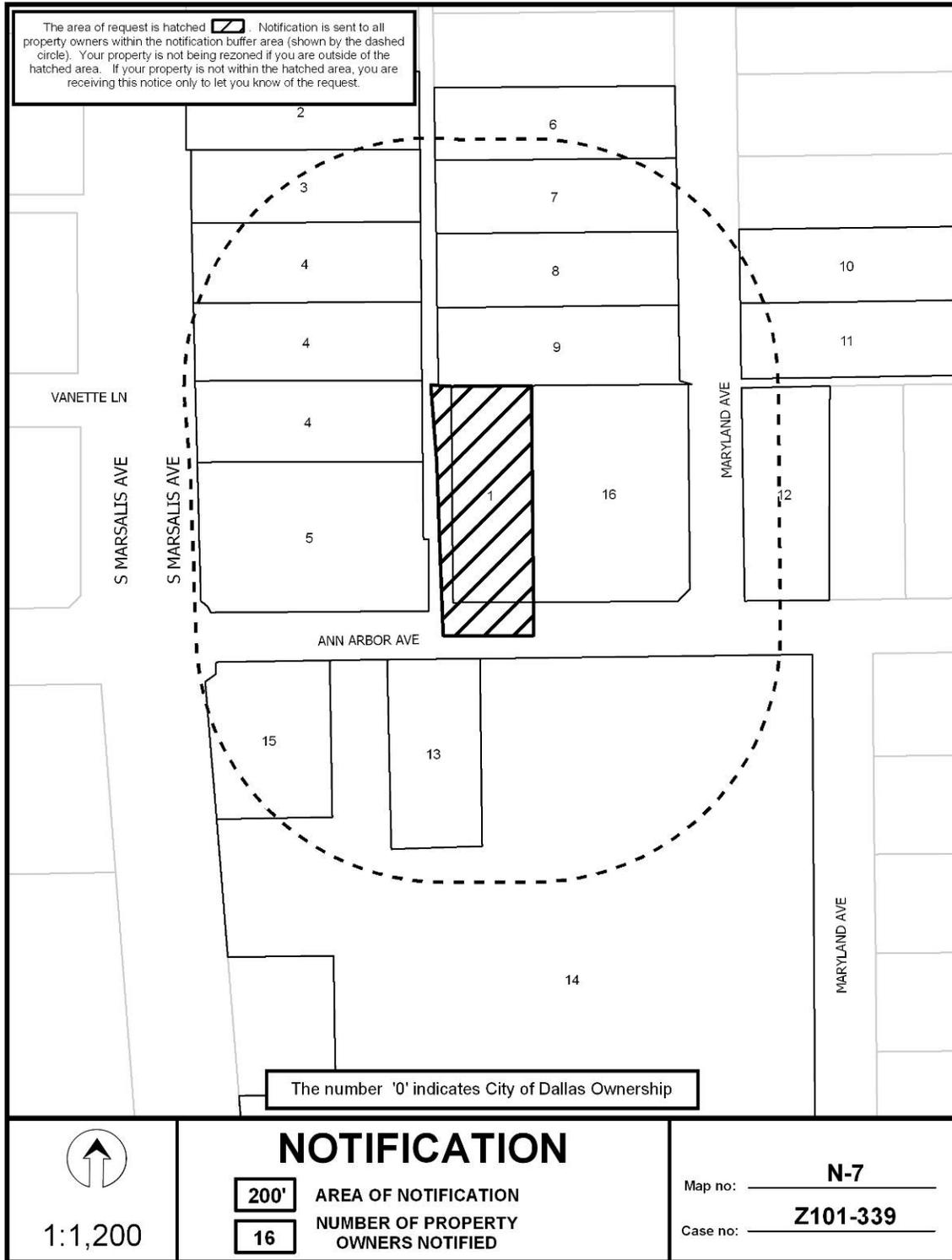




DATE: August 18, 2011



DATE: August 18, 2011



8/18/2011

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

### ***Z101-339***

#### ***16 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	717 ANN ARBOR	HOANG CHAU & TU HUYNH
2	4304 MARSALIS	HAWKINS PATRICIA JO ANN
3	4310 MARSALIS	HAWKINS PATRICIA DEAL
4	4314 MARSALIS	HAWKINS PATRICIA
5	4328 MARSALIS	FISHER DENNIS
6	4237 MARYLAND	HOLCOMB IRMA GONZALEZ
7	4241 MARYLAND	PALACIOS HERMAN
8	4247 MARYLAND	DICKSON ANGIE L
9	4251 MARYLAND	ESTRELLA JUAN MANUEL
10	4246 MARYLAND	MAYAGALLEGOS ANGEL & OFELIA VILLA DEMAYA
11	4250 MARYLAND	GREATER ANN ARBOR BAPTIST CHURCH
12	803 ANN ARBOR	RAMIREZ ALFONSO
13	710 ANN ARBOR	HERRON ALFRED STE 103
14	4404 MARSALIS	GALLOWAY HERRON REALTORS INC
15	4404 MARSALIS	JEFFERS J C
16	727 ANN ARBOR	AGESHEN MALCOLM A

**FILE NUMBER:** Z101-329 (CG)

**DATE FILED:** July 18, 2011

**LOCATION:** Northwest corner of S. Corinth Street and Morrell Avenue

**COUNCIL DISTRICT:** 4

**MAPSCO:** 55-F

**SIZE OF REQUEST:** .334 acres

**CENSUS TRACT:** 49

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**REPRESENTATIVE:** Hisham Awadelkariem

**APPLICANT:** Tarif Al-Rousan

**OWNER:** Rousan and Wared, Corp.

**REQUEST:** An application for a D-1 Liquor Control Overlay and 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 Community Retail District with a D Liquor Control Overlay.

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

**STAFF RECOMMENDATION:** Approval of the D-1 Liquor Control Overlay and approval, of a Specific Use Permit for a two-year period with eligibility for additional five year periods, subject to a site plan and conditions.

**PREVIOUS ACTION:** On September 15, 2011, the City Plan Commission moved to hold this case under advisement until October 20, 2011.

**BACKGROUND INFORMATION:**

- The request site is currently developed with a 2,600 square foot convenience store (general merchandise use) with a gas pump island.
- 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 is prohibited in a D Liquor Control Overlay and requires a specific use permit in the D-1 Liquor Control Overlay.
- The surrounding land uses consist of single family uses and community retail services as well as several parcels of undeveloped land.

**Zoning History:**

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

**Thoroughfares/Streets:**

Thoroughfare/ Street	Type	Existing ROW	Proposed ROW
S. Corinth St.	Principal Arterial	80 ft.	80 ft.
Morrell Ave.	Community Collector	60 ft.	60 ft.

**Land Use:**

	Zoning	Land Use
Site	CR-D	Retail
North	R-5(A)	Single Family
South	CR-D	Office
East	CR-D	Vacant
West	CR-D	Single Family

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. 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. 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 0.334 acre request site is zoned a CR Community Retail District with a D Liquor Control Overlay and is occupied by a general merchandise/food store and motor vehicle fueling station. The existing structure is approximately 2,600 square feet with two (2) gas pump islands. 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 Liquor Control Overlay.

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

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

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

applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

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

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

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

The applicant's request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The adjacent commercial uses are compatible with the existing and proposed use on the subject property. Land uses that are immediately adjacent to the site are slightly elevated and screened with a solid fence (west) and heavy vegetation (north). The applicant is proposing to maintain the convenience store and gas station.

**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 and two spaces for a motor vehicle fueling station. The subject site requires a total of 15 spaces with one being handicapped. The attached site plan provides a total of 15 parking spaces.

**Landscaping:**

Landscaping required per Article X of the Dallas Development Code.

**Police Report:**

Offense Records - Windows Internet Explorer provided by Yahoo!

http://policeports.dallaspolice.net/publicresults/resultsoffensepublic.aspx

Waters Consulting Group, Inc.

DALLAS POLICE DEPARTMENT

Virtual Viewer - Public Access

Search Records - Offense

Offense Date	Service #	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
11/30/2008	0364846-V	*MOTION CORNER STORE	OTHER OFFENSES	00829	S	CORINTHS...	712	4147	26530	
11/26/2008	0362167-V	MASON, ANNAMARIE	ROBBERY	00829	S	CORINTHS...	712	4147	03A11	
11/25/2009	0349304-W	@CITY OF DALLAS	FOUND PROPERTY	00829	S	CORINTHS...	712	4147	43020	
11/20/2010	0319979-X	JOHNSON, JORDANE	AUTO THEFT-UUMV	00829	S	CORINTHS...	712	4147	07671	
10/30/2008	0334232-V	*MOTIONS	OTHER OFFENSES	00829	S	CORINTHS...	712	4147	26530	
10/22/2009	0314054-W	BOOKER, CASSIUS	ACCIDENTAL INJURY...	00829	S	CORINTHS...	712	4147	33070	
10/10/2008	0314711-V	HERRERA, BEATRIZ	AUTO THEFT-UUMV	00829	S	CORINTHS...	712	4147	07172	
10/09/2008	0314108-V	*MOTION CHICKEN	THEFT	00829	S	CORINTHS...	712	4147	06934	
10/04/2009	0295232-W	DABBS, DONALD	ROBBERY	00829	S	CORINTHS...	712	4147	26000	03811
10/04/2008	0308105-V	*MOTIONS	OTHER OFFENSES	00829	S	CORINTHS...	712	4147	26530	
10/01/2008	0136312-W	*A MOTION CONVENIENCE	EMBEZZLEMENT	00829	S	CORINTHS...	712	4147	12022	
09/12/2010	0256184-X	LUCKEY, DWAYNE	ROBBERY	00829	S	CORINTHS...	712	4147	03A12	
09/04/2008	0274288-V	MORRIS, ALICIA	ROBBERY	00829	S	CORINTHS...	712	4147	03941	08411
07/21/2010	0204580-X	LONG, KIMBERLY	AGGRAVATED ASSAU...	00829	S	CORINTHS...	712	4147	04462	14092
07/19/2009	0211398-W	KITKOSKI, RAYMOND	ROBBERY	00829	S	CORINTHS...	712	4147	26000	03842

Page 1 of 3 (44 items)

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Waters Consulting Group, Inc.

DALLAS POLICE DEPARTMENT

Virtual Viewer - Public Access

Search Records - Offense

Offense Date	Service #	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
07/16/2008	0221516-V	LEWIS, JESSICA	ASSAULT	00829	S	CORINTHS...	712	4147	08421	
07/16/2008	0221517-V	LEWIS, DAMIEN	ASSAULT	00829	S	CORINTHS...	712	4147	08211	
07/09/2008	0214146-V	*MOTIONS STORE	OTHER OFFENSES	00829	S	CORINTHS...	712	4147	26530	
07/04/2008	0207705-V	BROWN, BENY, RAY,	OTHER OFFENSES	00829	S	CORINTHS...	712	4147	26760	
06/18/2009	0177116-W	*MOTIONS	OTHER OFFENSES	00829	S	CORINTHS...	712	4147	26530	
06/12/2008	0175140-V	*MOTIONS CONVENIENCE ...	OTHER OFFENSES	00829	S	CORINTHS...	712	4147	26530	
06/09/2008	0170898-V	*A MOTION	OTHER OFFENSES	00829	S	CORINTHS...	712	4147	26530	
05/25/2008	0154362-V	BROWN, BENNIE	CRIMINAL MISCHIEF...	00829	S	CORINTHS...	712	4147	14082	
05/24/2008	0153184-V	@DAINGERFIELD POLICE ...	FOUND PROPERTY	00829	S	CORINTHS...	712	4147	43030	
05/22/2008	0150682-V	*MOTIONS GAS STATION	OTHER OFFENSES	00829	S	CORINTHS...	712	4147	26530	
05/21/2008	0149590-V	*MOTIONS CONVINCE S...	OTHER OFFENSES	00829	S	CORINTHS...	712	4147	26530	
05/18/2010	0138224-X	FIELDS, BRIDGET	THEFT	00829	S	CORINTHS...	712	4147	06941	
04/13/2009	0102286-W	*MOTIONS CONVINCE S...	OTHER OFFENSES	00829	S	CORINTHS...	712	4147	26530	
04/13/2008	0108511-V	BROWN, NATASHA, N	ASSAULT	00829	S	CORINTHS...	712	4147	08491	
04/05/2008	0099838-V	SMITH, JASMIN	AUTO THEFT-UUMV	00829	S	CORINTHS...	712	4147	07171	

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**Police Report:**

Offense Records - Windows Internet Explorer provided by Yahoo!

http://policereports.dallaspolice.net/publicresults/resultsoffensepublic.aspx

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DALLAS POLICE DEPARTMENT

Virtual Viewer - Public Access

Search Records - Offense

Offense Date	Service #	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
03/25/2010	0080864-X	RUSSELL, LEONARD	ROBBERY	00829	S	CORINTHS...	712	4147	03911	
03/18/2009	0075431-W	JONES, DORA	ASSAULT	00829	S	CORINTHS...	712	4147	08411	
03/16/2008	0077587-V	HIGGINS, SHONTYATA	ROBBERY	00829	S	CORINTHS...	712	4147	03912	
03/14/2009	0071345-W	*MOTIONS	OTHER OFFENSES	00829	S	CORINTHS...	712	4147	26530	
03/13/2008	0074930-V	*MOTIONS STORE	OTHER OFFENSES	00829	S	CORINTHS...	712	4147	26530	
03/11/2008	0072425-V	BENNETT, SHIRLEY, A	AUTO THEFT-UUMV	00829	S	CORINTHS...	712	4147	07292	
02/29/2008	0060508-V	*MOTIONS	OTHER OFFENSES	00829	S	CORINTHS...	712	4147	26530	
02/20/2008	0052163-V	ROUSAN, NASSAR	TRAFFIC MOTOR VE...	00829	S	CORINTHS...	712	4147	32090	
02/03/2009	0032440-W	WHITSON, RONALD, EARL	AUTO THEFT-UUMV	00829	S	CORINTHS...	712	4147	07A62	
01/30/2008	0030129-V	*MOTIONS GAS STATION	ROBBERY	00829	S	CORINTHS...	712	4147	03311	
01/16/2008	0015988-V	*MOTIONS STORE	OTHER OFFENSES	00829	S	CORINTHS...	712	4147	26530	
01/12/2010	0010830-X	COUTS, DANNY	ROBBERY	00829	S	CORINTHS...	712	4147	03972	
01/06/2009	0005058-W	@CITY OF DALLAS	FOUND PROPERTY	00829	S	CORINTHS...	712	4147	43020	
01/01/2008	0000728-V	*A MOTIONS	OTHER OFFENSES	00829	S	CORINTHS...	712	4147	26530	

Page 3 of 3 (44 items)

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Z101-329(CG)

**List of Partners/Principals/Officers**

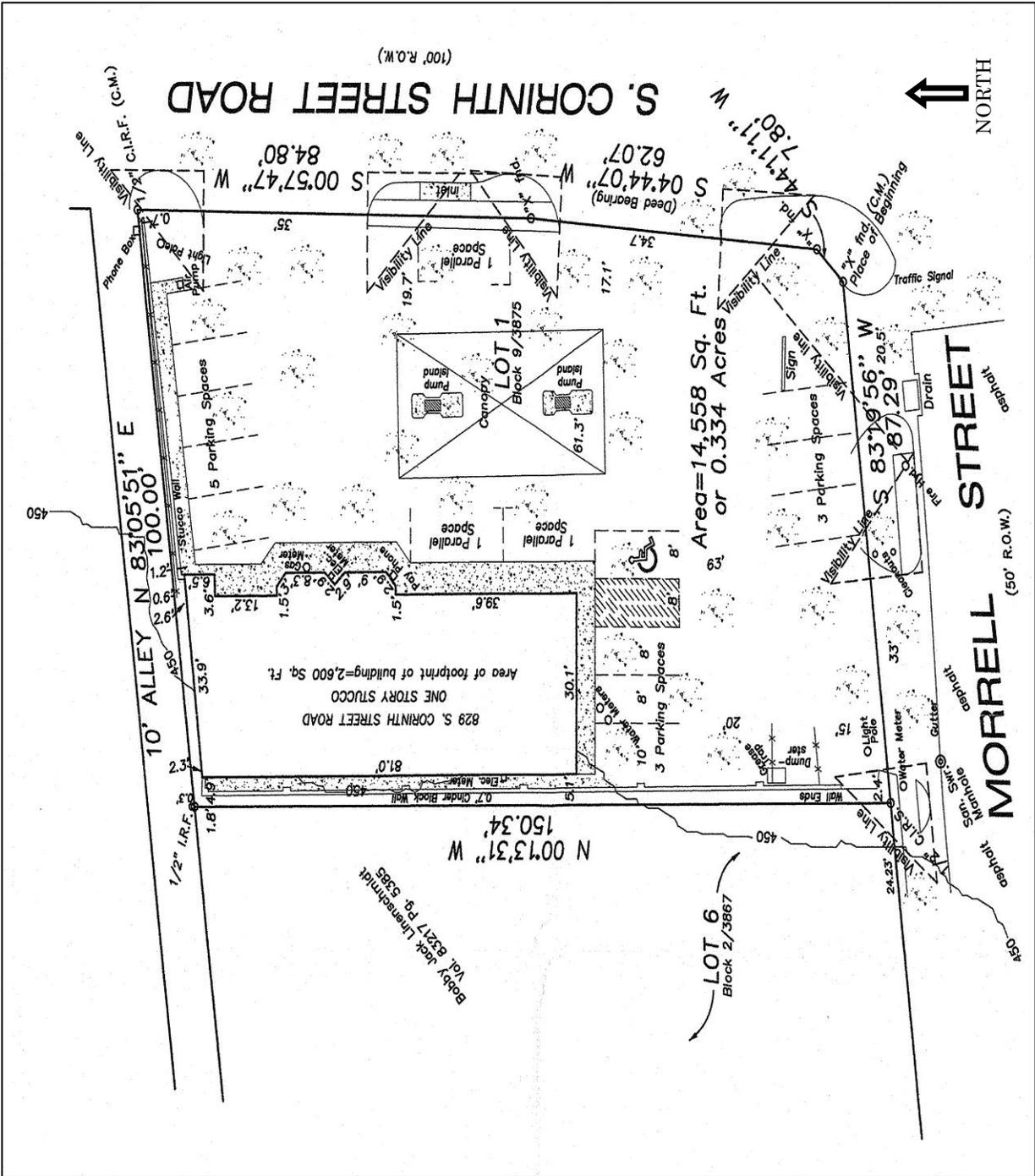
**OWNER**

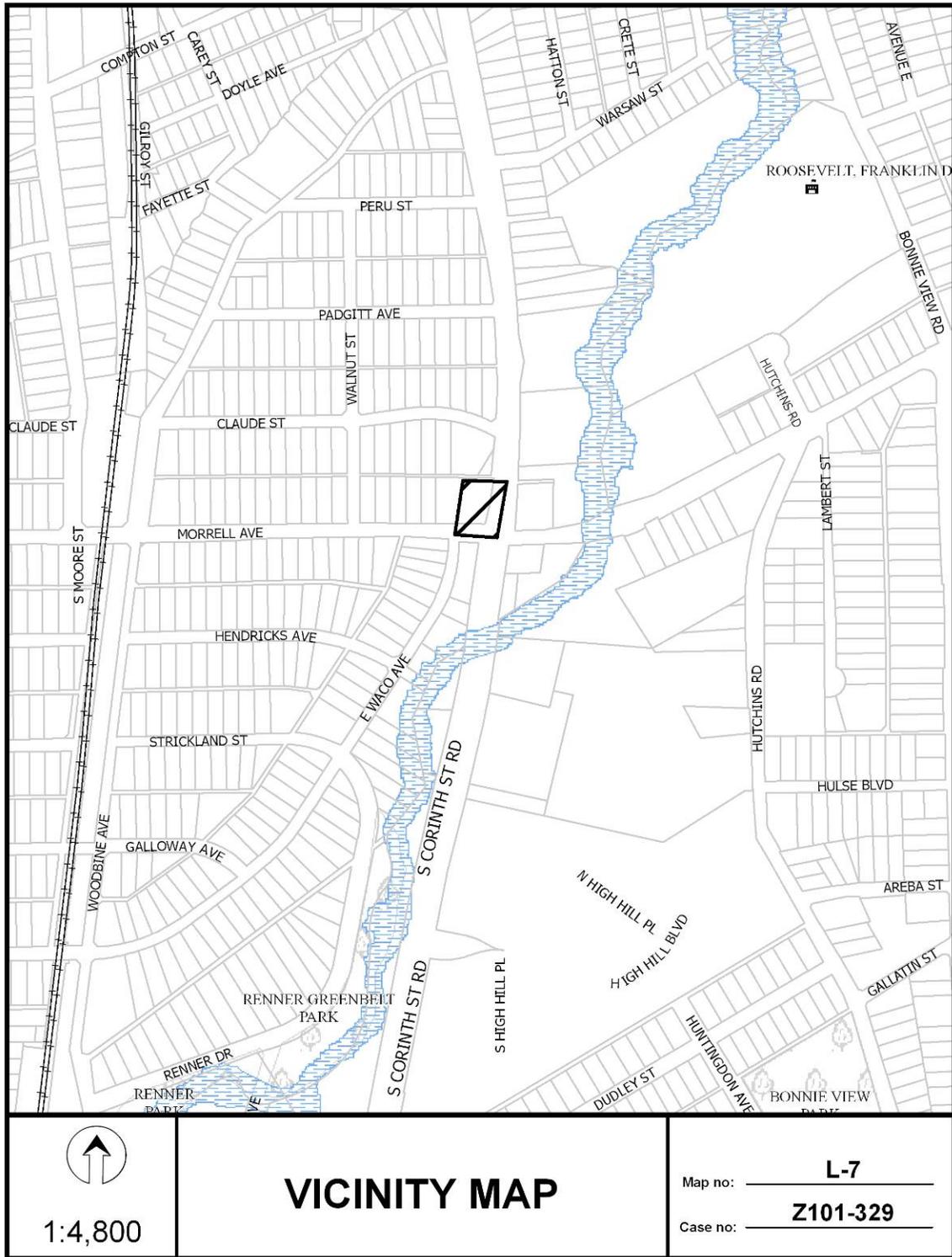
Rousan and Wared, Corp  
Tarif Z. Al-Rousan – President, Secretary, Treasurer

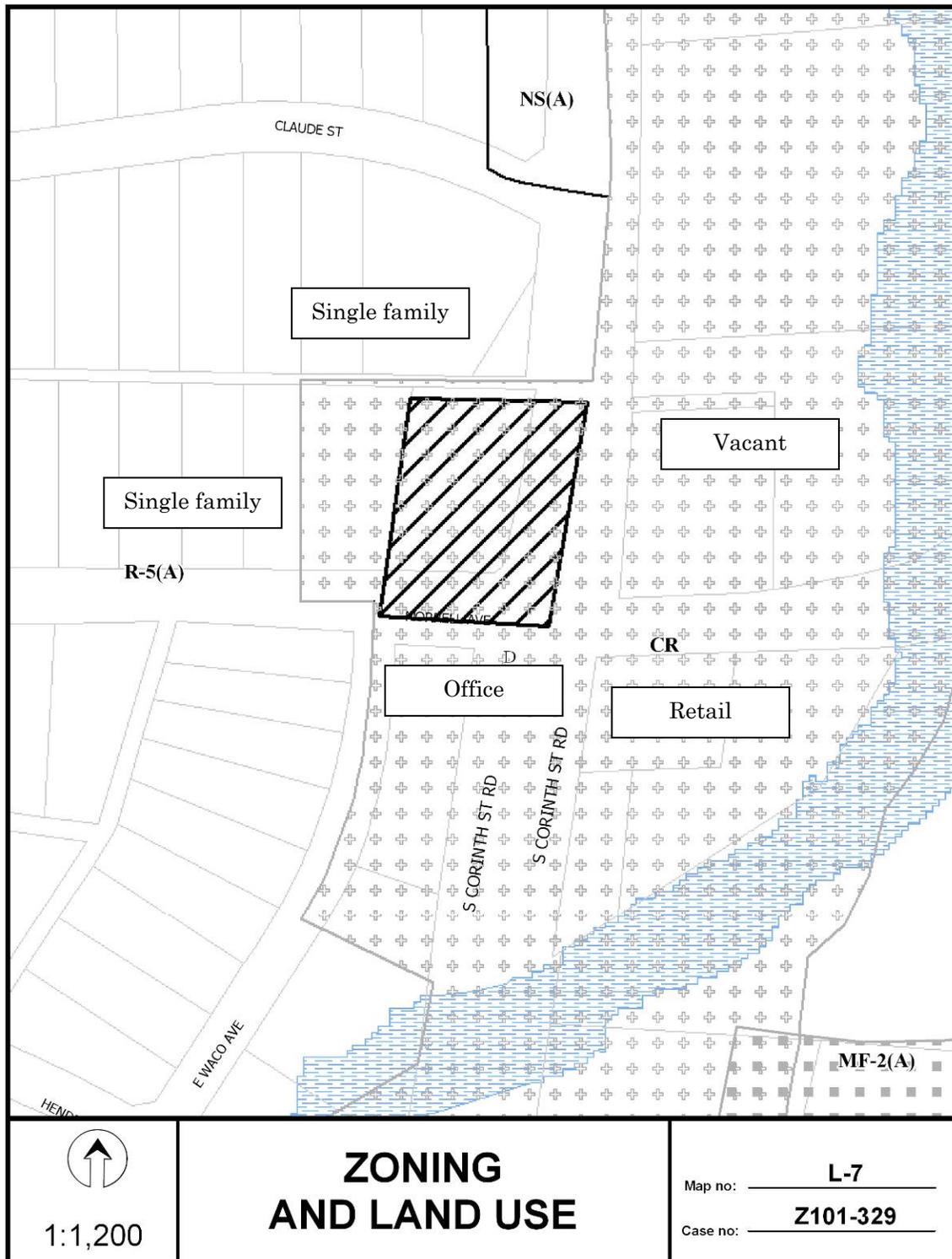
### **Proposed SUP Conditions**

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with general merchandise or food store use 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. 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.

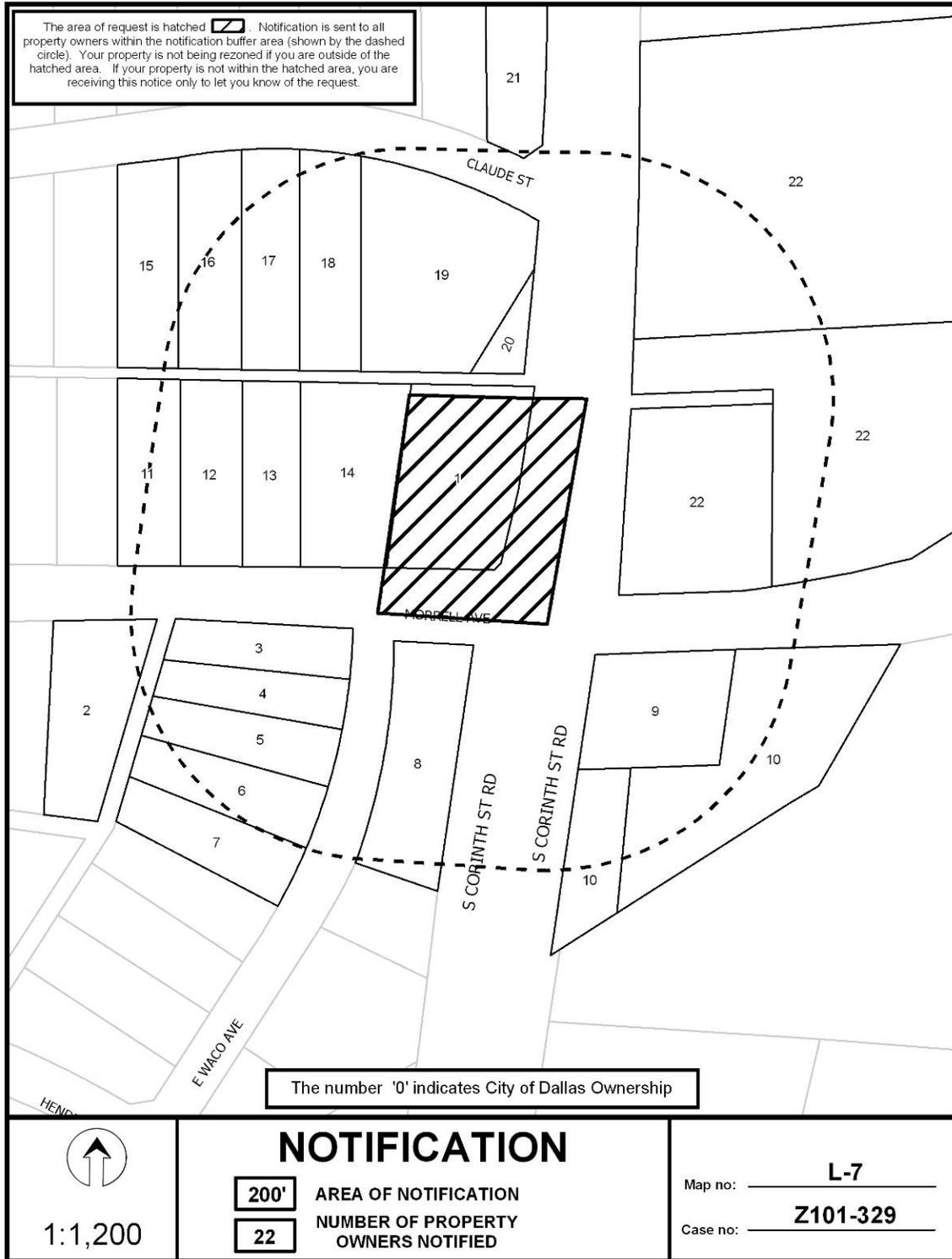
**SITE PLAN**







DATE: August 18, 2011



DATE: August 18, 2011

8/18/2011

***Notification List of Property Owners******Z101-329******22 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	829 CORINTH	AL ROUSAN & WARED CORP
2	1514 MORRELL	SHARPE WILLIAM L
3	1735 WACO	SAMUELS FRANKLIN D ETUX
4	1731 WACO	PEREZ FRANCISCO H & NICOLASA
5	1727 WACO	BIRDA ANTHONY & MARK A DIXON JR
6	1723 WACO	SHOFNER JACQUELYN M
7	1719 WACO	BROWN TOMMY M JR
8	909 CORINTH	ESTABLISHED INVESTORS INC
9	900 CORINTH	LOPEZ ANDRES & ANNA GERRERO
10	1622 MORRELL	ODEH AMIN M
11	1511 MORRELL	LEFFALL HALL ESTRELLITA
12	1515 MORRELL	SMITH JOHN A
13	1519 MORRELL	RIOS JEREMIAS &
14	1523 MORRELL	LINENSCHMIDT BOBBY JACK
15	1510 CLAUDE	CRUZ SILVANO &
16	1514 CLAUDE	TURNER LEWIS
17	1518 CLAUDE	WATSON IMA J
18	1522 CLAUDE	SNEED SIDNY LADAWN N
19	1530 CLAUDE	JONES MARY LOIS
20	800 CORINTH	NICHOLS C O ETAL SUITE 302
21	1535 CLAUDE	CRUZ SILVANO
22	818 CORINTH	GREATER NEW VISION CHRISTIAN CENTER

**FILE NUMBER:** Z101-283(RB)

**DATE FILED:** May 26, 2011

**LOCATION:** Property generally located on both sides of Chalk Hill Road, between IH 30 and West Davis Street

**COUNCIL DISTRICTS:** 3, 6

**MAPSCO:** 42 T, U, X, Y and 52 C

**SIZE OF REQUEST:** Approx. 247.296 Acres

**CENSUS TRACT:** 107.01

**APPLICANT/OWNER:** TXI Operations, LP

**REPRESENTATIVE:** William S. Dahlstrom

**REQUEST:** An application for a Specific Use Permit for the Placement of fill material on property zoned an IM Industrial Manufacturing District, an IR Industrial Research District, an R-7.5(A) Single Family District, and Planned Development District No. 631, the West Davis Special Purpose District.

**SUMMARY:** The applicant proposes to provide for the placement of fill on the property from an area reconstruction project.

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

**PRIOR CPC ACTION:** On September 15, 2011, the City Plan Commission held this request under advisement until October 6, 2011. On October 6, 2011, the City Plan Commission held this request under advisement until October 20, 2011.

**BACKGROUND:**

- The request site is largely undeveloped with the exception of two industrial uses.
- The site plan submitted by the applicant provides for access to the property from the both sides of Chalk Hill Road, although the site has additional frontage on IH 30, West Davis Street, and the access road for Loop 12.
- There are three specific areas of fill as identified on the site plan providing for approximately seven million cubic yards of fill.
- Staff's recommended conditions provide for environmental testing measures to ensure the integrity of the long-term effects of the fill on the land mass.
- In addition to the underlying zoning districts, SUP Nos. 98 and 209, both for mining, traverse across the northeastern portion of the site along the west line of Chalk Hill Road and that portion fronting on the east line of Chalk Hill Road.

**Zoning History:** There has been no relevant zoning activity within the immediate area relevant to this request.

**Thoroughfare**

Chalk Hill Road

**Designation; Existing & Proposed ROW**

Principal Arterial; 100' & 100' ROW

**STAFF ANALYSIS:**

**Land Use Compatibility:** The site is generally undeveloped with the exception of two industrial uses located along the west line of Chalk Hill Road. The applicant is proposing to utilize the property for the placement of fill material in conjunction with the reconstruction of a portion of IH 635.

The site consists of two tracts; a small tract (approx. 25 acres) along the east line of Chalk Hill Road, with the major land mass located along the west line of Chalk Hill Road. Three designated stacking areas are proposed, with specific locations, stacking height, and points of ingress/egress as delineated on the attached site plan. Additionally, the required operations plan is attached to this material, which provides a narrative relating to how the fill material will arrive, and ultimately depart, from 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 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.

From an operational standpoint, staff has worked with Public Works/Transportation and the Office of Environmental Quality to develop extensive soil testing requirements so as to ensure the fill associated with the project is placed so as to ensure the area remains in a healthy state for future utilization of the property. As such, the applicant's request meets the intent of this section of the Dallas Development Code.

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

**Landscaping:** The site possesses significant of natural vegetation. The applicant will be required to submit tree survey and a tree removal permit to the building official prior to any activity on the site. The request does not trigger the requirements for landscaping.

TXI OPERATIONS, LP

Page: 2

No. of Directors Authorized:

Directors: *See* managing trustees of TXI Operating Trust

Officers: *See* officers of TXI Operating Trust

Partners:	<u>General Partner</u>	<u>Limited Partner</u>
	TXI Operating Trust – 1%	Texas Industries Trust – 99%

Employees: Yes

Z101-283

TEXAS INDUSTRIES, INC.

Page: 2

No. of Directors Authorized: 3-21 (Bylaw: Section 10)

Directors:	<u>Name</u>	<u>Date Elected</u>
	John D. Baker	10/13/10 (through '12)
	Mel G. Brekhus	10/13/10 (through '11)
	Eugenio Clariond	10/13/10 (through '11)
	Sam Coats	10/13/10 (through '11)
	Gary L. Pechota	10/13/10 (through '12)
	Thomas R. Ransdell	10/13/10 (through '11)
	Robert D. Rogers	10/13/10 (through '11)
	Ronald G. Steinhart	10/13/10 (through '11)
	Dorothy C. Weaver	10/13/10 (through '12)

Officers:	<u>Office</u>	<u>Name</u>	<u>Date Elected</u>
	President and Chief Executive Officer	Mel G. Brekhus	October 13, 2010
	Vice President-Finance, Chief Financial Officer and Treasurer	Kenneth R. Allen	October 13, 2010
	Vice President-General Counsel and Secretary	Frederick G. Anderson	October 13, 2010
	Vice President-Real Estate	Barry M. Bone	October 13, 2010
	Vice President-Human Resources	Michael P. Collar	October 13, 2010
	Vice President-Cement	J. Lynn Davis	October 13, 2010
	Vice President-Aggregates	Stephen D. Mayfield	October 13, 2010
	Vice President-Cement and Aggregate Marketing and Sales	Ronnie A. Pruitt	October 13, 2010
	Vice President-Consumer Products	James B. Rogers	October 13, 2010
	Vice President-Corporate Controller and Treasurer	T. Lesley Vines	April 13, 2011
	Assistant Secretary	Wesley E. Schlenker	October 13, 2010

Employees: No

Z101-283

**TXI OPERATING TRUST**

**Page: 2**

**No. of Trustees Authorized:** 3-6 (Bylaw: Article II, Section 2)  
 3-9 (Trust Agreement: Article III, Section 3.1)

**Trustees:**

<u>Managing Trustees</u>	<u>Date Elected</u>
Kenneth R. Allen	October 25, 2010
Mel G. Brekhus	October 25, 2010
T. Lesley Vines	October 25, 2010
<u>Statutory Trustee</u>	<u>Date Appointed</u>
U.S. Bank Corporate Trust Services EP-MN-WN3L 60 Livingston Avenue St. Paul, Minnesota 55107	May 29, 1996

<u>Officers:</u>	<u>Office</u>	<u>Name</u>	<u>Date Elected</u>
	Chairman and President	Mel G. Brekhus	October 25, 2010
	Vice President-Chief Financial Officer and Treasurer	Kenneth R. Allen	October 25, 2010
	Vice President and Secretary	Frederick G. Anderson	October 25, 2010
	Vice President-Real Estate	Barry M. Bone	October 25, 2010
	Vice President-Human Resources	Michael P. Collar	October 25, 2010
	Vice President-Cement	J. Lynn Davis	October 25, 2010
	Vice President-Engineering	George E. Eure	October 25, 2010
	Vice President-Environmental Services	Emile L. Faciane	October 25, 2010
	Vice President-Cement Manufacturing	Philip L. Gaynor	October 25, 2010
	Vice President-Information Services	Carl Gentile	October 25, 2010
	Vice President-Controller-Cement, Aggregate and Concrete	J. Michael Link	October 25, 2010
	Vice President-Aggregates	Stephen D. Mayfield	October 25, 2010
	Vice President-Packaged Products	Michael E. Perkins	October 25, 2010
	Vice President-Cement and Aggregate Marketing and Sales	Ronnie A. Pruitt	October 25, 2010
	Vice President-Consumer Products	James B. Rogers	October 25, 2010
	Vice President-Corporate Controller and Treasurer	T. Lesley Vines	April 13, 2011
	Assistant Secretary	Wesley E. Schlenker	October 25, 2010

**Employees:** No

**Z101-283**

**APPLICANT SUBMITTED  
TXI CHALK HILL SITE**

**Operations Plan**

1. Hours of Operation:

*Twenty-four hours per day.*

2. Location and Depth of Fill:

*Location and depth of fill are to be determined.*

3. Fences or any Other Barriers Necessary for Safety and Screening:

*The owner/operator has fences and tree screening in place on the site to stop the general public from entering and will otherwise comply with applicable regulations.*

4. Drainage and Erosion Control Measures, if Required:

*Drainage and erosion control will be conducted in compliance with applicable regulations.*

5. Means for Protection of Trees:

*Certain trees will be removed from the site to enable the placement of the fill material, but the intent of the owner/operator is to comply with the mitigation regulations of Article X.*

6. Truck Routes to be Used (usage of truck routes must be in compliance with Article X of Chapter 28 of the Dallas City Code):

*The specific truck route to be used is IH 635 West to IH 35 south to Loop 12 south to IH30 east onto Chalk Hill south.*

7. The length of time necessary to complete the filling:

*Approximately 18 months*

8. Sufficient ingress and egress to and from the site:

*Adequate access will be provided, and additional access will be constructed as may become necessary.*

**STAFF RECOMMENDED CONDITIONS FOR A SPECIFIC USE PERMIT FOR THE  
PLACEMENT OF FILL MATERIAL**

1. USE: The only use authorized by this specific use permit is the placement of fill material.
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 \_ (six years after City Council approval date).
4. INGRESS-EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
5. STACKING HEIGHT: Maximum stacking height and minimum slope of stockpile areas is as shown on the attached site plan.
6. ENVIRONMENTAL TESTING:
  - a. For purposes of this specific use permit , qualified fill material is limited to such excess soils excavated from the Interstate 635 roadway improvements which
    - (i) contain only clean, uncontaminated soil, dirt, or clay inert natural materials; and
    - (ii) are non-hazardous and non-regulated as determined by the Texas Commission on Environmental Quality.
  - b. Excess soils containing any amount of man-made materials (such as concrete, asphalt, or used timber) or regulated or hazardous materials are prohibited qualified fill material.
  - c. All appropriate environmental testing and studies regarding the condition of the excess soils must be performed for every 500 cubic yards of qualified fill and all sampling plans and results must comply with the Standard Contractor Soil Acceptance Policy-McCommas Bluff Landfill for Inert Soil with results to

be provided to the director of public works and transportation to insure such excess soils are qualified fill material.

7. TRUCK ROUTE: The specific truck route to be used from the excavation site to the Property is Interstate 635 west to Interstate 35 south to Loop 12 south to Interstate 30 east to the Cockrell Hill exit, then west on Interstate 30 frontage road to Chalk Hill, then south to the Property.
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.

# **Standard Contractor Soil Acceptance Policy McCommas Bluff Landfill**

Excess material from construction, demolition, or excavation, is considered waste. This includes soil, rock, and any other materials not used on-site during the project. Depending on its characteristics, some soil may be accepted at McCommas Bluff Landfill. This document provides guidance for generators to determine what options exist, if any, for disposal of their waste soils at the landfill. It also includes application instructions for generators who wish to bring soil to the landfill.

Before waste soil can be accepted at the landfill, the generator must provide information sufficient to classify it according to the laws in the State of Texas. Depending on its classification, it may be accepted for disposal (waste soil), used as daily cover (inert soil), or not accepted at all for any reason (prohibited soil). Classifying waste soil is a multi-step process, beginning with a determination of the nature of its source.

## **Industrial or Non-Industrial**

In Texas, waste from industrial sources must be handled differently than waste from non-industrial sources, even if its characteristics are the same. In fact, the landfill may, in some cases, be able to accept a waste from a non-industrial source, while being forced to reject the exact same waste from an industrial source. Generators of waste from industrial must often subject the waste to additional testing to determine its classification.

Waste soil from a construction, demolition, or excavation, project is assumed to be from an industrial source, unless documentation proves otherwise. It is the responsibility of the waste soil generator, to provide evidence that the source location did not have any history of industrial activity or was an accessory thereof. Typically, an environmental site assessment, like those provided by engineering consultants, will include a determination of the industrial history of a project site.

## **Prohibited Soil**

Prohibited Soil demonstrates characteristics that force McCommas Bluff Landfill to reject it. In short, contamination by certain chemicals or constituents of concern can cause soil to be classified as Prohibited Soil. The landfill may not accept prohibited soil for any reason.

Regardless of its source, waste soil should be tested to determine the presence of certain chemicals and/or constituents of concern. Thus, all soils should be subjected to laboratory testing sufficient to prove that it does not demonstrate any of the following characteristics commonly encountered in waste soil, any of which would prevent acceptance at the landfill.

1. Contamination by petroleum products, crude oils, or chemicals in concentrations greater than 1,500 milligrams per kilogram total petroleum hydrocarbons (TPH)

2. Contamination by constituents of concern exceeding concentrations listed in Section 335.521(a)(1) of Title 30 of the Texas Administrative Code [30 TAC 335.521(a)(1)]. Attachment 1 to this document includes a copy of the table in that section of the TAC.

Non-industrial waste soil that demonstrates any of the unacceptable characteristics above is considered special waste and may not be accepted at the landfill for any reason. Furthermore, generators of waste soil from industrial sources must prove that the material is acceptable at the landfill by ruling out all of the following additional conditions.

3. Contamination by total recoverable cyanides greater than or equal to 20 part per million
4. Contamination by polychlorinated biphenyls (PCBs) in concentrations greater than or equal to 50 parts per million
5. An absence of analytical data and/or process knowledge to prove a waste soil does not demonstrate any of the listed characteristics.
6. Contamination by any industrial waste if waste soil originates outside the state of Texas
7. Previously hazardous waste soil that has been subsequently stabilized to the point that it now demonstrates Class 1 characteristics

Industrial waste soils that demonstrate any of the conditions above are at least Class 1, Non-hazardous (and possibly Hazardous), and also must be rejected by the landfill. Only specially equipped landfills may accept these soils.

## **Inert Soil**

Inert Soil is material which is inert, essentially insoluble, and poses no threat to human health and/or the environment. Soil that is not Prohibited Soil should be further tested to determine if it can qualify as Inert Soil. Texas law stipulates the following criteria to establish insolubility:

1. Results of application of the Seven-Day Distilled Water Leachate Test [see Attachment 2 or 30 TAC 335.521(d)] show leachable concentrations less than or equal to the levels in Section 335.521(a)(3) of Title 30 of the Texas Administrative Code [30 TAC 335.521(a)(3)]. Attachment 2 to this document includes a copy of the table in that section of the TAC.
2. Application of the Toxicity Characteristic Leaching Procedure (TCLP—U. S. EPA Method 1311 from EPA Publication Number SW-846) results in non-detectable concentrations of constituents listed in Attachment 1 [30 TAC 335.521(a)(1)], excluding those constituents addressed by the Seven-Day Distilled Leachate Test that are NOT marked with an asterisk [see Attachment 2 or 30 TAC 335.521(d)].
3. Non-detectable levels of total petroleum hydrocarbons (TPH).
4. Non-detectable levels of polychlorinated biphenyls (PCBs)

Texas Law also states that Inert Soils are exempt from the definition of solid waste. Thus, Inert Soils are technically not waste. As such, inert soil is synonymous with clean soil. Thus, McCommas Bluff Landfill may accept soil of this category and use it as if it were virgin soil, e. g. it is acceptable as daily cover. However, a generator who wishes to pursue this option must ensure that the soil is free of any the following:

- Waste of any kind, including construction and/or demolition waste
- Cumbersome materials, such as stones, roots, large clods, etc.

Ultimately, it is left to the discretion of the landfill management to determine whether or not to accept soil of any kind, and to determine the tipping fee for the material.

## **Waste Soil**

Material that is not Prohibited Soil, but also cannot qualify as Inert Soil, is Waste Soil. McCommas Bluff Landfill may accept it for disposal only<sup>1</sup>, and must charge the standard gate rate for regular MSW for any waste soil disposed in this manner. Ultimately, it is left to the discretion of the landfill management to determine whether or not to accept waste soil of any kind.

## **Liquid Wastes**

Soils typically contain some percentage of moisture. Generally, this is not a problem. However, in some cases, waste soil can be wet enough to qualify as liquid waste.

### **Definition [30 TAC 335.3 (81)]**

In Texas, waste is considered liquid if it contains “free liquids.” To certify that material does not contain free liquids, the generator must subject it to the Paint Filter Test (U. S. EPA Method 9095 from EPA Publication Number SW-846). Attachment 4 contains a description of the Paint Filter Test procedure.

### **Disposal Options**

Under Texas law, McCommas Bluff Landfill may not accept liquid waste for any reason. Only specially equipped disposal facilities may accept liquid wastes.

## **Application to Bring Waste Soil to McCommas Bluff**

Before bringing waste soil to McCommas Bluff Landfill, the generator must submit an application to the landfill management. The management will evaluate the application to determine the disposal options, if any, at the landfill and inform the applicant of their determination. Only upon approval from the landfill management should an applicant expect to be able to bring soil to the landfill.

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<sup>1</sup> Texas law includes a provision [30 TAC 330.165(d)] making it possible to seek a temporary authorization to use Class 2, non-hazardous waste (Waste Soil at McCommas Bluff) as an alternative daily cover. To allow acceptance of these materials at the landfill, the generator must satisfy the requirements outlined in 30 TAC 335.165(d). Generators who wish to pursue this option should note that it is dependent upon approval of the temporary authorization by the Texas Commission on Environmental Quality (TCEQ). The application process can be time-consuming, and the generator must consider a significant risk that the TCEQ might not approve the application.

## **Application**

Any customer who wishes to bring soil to the landfill must submit an application in which the generator provides information about the soil including source, amounts, and characteristics. The applicant must include laboratory data sufficient to determine the classification of the soil—a minimum of 5 representative samples plus 1 per 10,000 cubic yards of soil. Attachment 5 contains an application form.

## **Delivery of Waste Soil to the Landfill**

Upon approval for acceptance at the landfill, the applicant can then deliver the soil. The applicant must adhere to the landfill's delivery management system to track the amount of soil delivered and ensure that only authorized soil is delivered to the landfill. The applicant must provide an estimate of the number of truck loads of soil expected from the project. Landfill staff will produce individually-numbered delivery tickets to the applicant, which must be presented by the driver of each truck upon arrival at the landfill. These tickets are project-specific and may not be used for any other project. Applicants may propose an alternate delivery management system such as the one described in Attachment 6. However, it must earn approval from landfill management before commencement of delivery of the waste soil.

## **Applicant Responsibilities**

Applicants to bring soil to the landfill must accept the responsibility to do the following:

1. Provide sufficient information to determine the classification of the waste soil. The applicant must sign an affidavit asserting that validity of the information provided.
2. Wait for approval from landfill management before delivering any soil to the landfill.
3. Inform landfill management of any changes to the quality or quantity of soil at the project site.
4. Allow landfill staff access to the site, at their discretion, to inspect loading operations.
5. Allow landfill staff to inspect loads as they are dumped at the landfill.

## **Landfill Management & Staff Rights**

Landfill staff reserves the right to inspect loads as they are dumped at the facility and/or as they are loaded at the project site to ensure applicant compliance with the terms of the agreement to accept the waste soil. Landfill management also reminds customers that they must reject material that does not meet the acceptance limitations of the facility permit. Furthermore, landfill management reserves the right to refuse acceptance of any material at the landfill, for any reason, at their discretion.

## Attachment 1: Prohibited Soil Determination Limits for Constituents of Concern

If any constituent concentrations resulting from a Toxicity Characteristic Leaching Procedure (TCLP—U. S. EPA Method 1311 from EPA Publication Number SW-846) appear above the listed limits, the soil is Prohibited Soil—the landfill may not accept it for any reason. This list is also available at 30 TAC 335.521(a)(1). See note below table for a less-expensive alternative to TCLP testing.

Compound	CAS No.	Concentration (mg/l)
Acenaphthene	83-32-9	210
Acetone	67-64-1	400
Acetonitrile	75-05-8	20
Acetophenone	98-86-2	400
Acrylamide	79-06-1	0.08
Acrylonitrile	107-13-1	0.6
Aniline	62-53-3	60
#Anthracene	120-12-7	1050
Antimony	7440-36-0	1
Arsenic	7440-38-2	1.8
Barium	7440-39-3	100
Benzene	71-43-2	0.5
Benzidine	92-87-5	0.002
Beryllium	7440-41-7	0.08
Bis(2-chloroethyl)ether	111-44-4	0.3
Bis(2-ethylhexyl) phthalate	117-81-7	30
Bromodichloromethane	75-27-4	0.3
Bromomethane	74-83-9	5
Butylbenzyl phthalate	85-68-7	700
Cadmium	7440-43-9	0.5
Carbon disulfide	75-15-0	400
Carbon tetrachloride	56-23-5	0.5
Chlordane	57-74-9	0.03
Chlorobenzene	08-90-7	70
Chloroform	67-66-3	6
#Chloro-m-cresol, p	59-50-7	7000
2-Chlorophenol	95-57-8	20
Chromium	7440-47-3	5
m-Cresol	108-39-4	200.0*

## Z101-283(RB)

o-Cresol	95-48-7	200.0*
p-Cresol	106-44-5	200.0*
DDD	72-54-8	1
DDE	72-55-9	1
DDT	50-29-3	1
Dibutyl phthalate	84-74-2	400
1,4-Dichlorobenzene	106-46-7	7.5
3,3-Dichlorobenzidine	91-94-1	0.8
1,2-Dichloroethane	107-06-2	0.5
Dichlorodifluoromethane	75-71-8	700
1,1-Dichloroethylene	75-35-4	0.6
1,3-Dichloropropene	542-75-6	1
2,4-Dichlorophenol	120-83-2	10
2,4-Dichlorophenoxy-acetic acid (2,4-D)	94-75-7	10
Dieldrin	60-57-1	0.02
Diethyl phthalate	84-66-2	3000
Dimethoate	60-51-5	70
#2,4-Dimethylphenol	105-67-9	70
#2,6-Dimethylphenol	576-26-1	21
m-Dinitrobenzene	99-65-0	0.4
2,4-Dinitrophenol	51-28-5	7
2,4 -Dinitrotoluene (and 2,6-, mixture)	602-01-7	0.13
#Dinoseb	88-85-7	3.5
1,4-Dioxane	123-91-1	30
Dioxins (Poly chlorinated dibenzo-p-dioxins)		
2,3,7,8-TCDD	1746-01-6	0.005
1,2,3,7,8-PeCDD	0321-76-4	0.01
1,2,3,4,7,8-HxCDD	57653-85-7	0.05
1,2,3,6,7,8-HxCDD	34465-46-8	0.05
1,2,3,7,8,9-HxCDD		0.05
Diphenylamine	122-39-4	90
1,2-Diphenylhydrazine	122-66-7	0.4
Disulfoton	298-04-4	0.1
Endosulfan	959-98-8	0.2
Endrin	72-20-8	0.02
#2-Ethoxyethanol	110-80-5	1400
Ethylbenzene	100-41-4	400
Ethylene dibromide	106-93-4	0.004

## Z101-283(RB)

#Ethylene Glycol	107-21-1	7000
#Fluoranthene	206-44-0	140
#Fluorene	86-73-7	140
Furans (Polychlorinated dibenzo furans)		
2,3,7,8-TCDF	51207-31-9	0.05
1,2,3,7,8-PeCDF		0.1
2,3,4,7,8-PeCDF		0.01
1,2,3,4,7,8-HxCDF		0.05
1,2,3,6,7,8-HxCDF		0.05
1,2,3,7,8,9-HxCDF		0.05
Heptachlor (and its hydroxide)	76-44-8	0.008
Heptachlor epoxide	1024-57-3	0.04
Hexachlorobenzene	118-74-1	0.13
Hexachloro-1,3-butadiene	87-68-3	0.4
Hexachlorocyclopentadiene	77-47-4	20
Hexachloroethane	67-72-1	3
Hexachlorophene	70-30-4	1
Isobutyl alcohol	78-83-1	1000
Isophorone	78-59-1	90
Lead	7439-92-1	1.5
Lindane	58-89-9	0.3
Mercury	7439-97-6	0.2
Methacrylonitrile	126-98-7	0.4
Methomyl	16752-77-5	90
Methoxychlor	72-43-5	10
#2-Methoxyethanol	109-86-4	14
Methyl ethyl ketone	78-93-3	200
Methyl isobutyl ketone	108-10-1	200
Methylene chloride	75-09-2	50
Methyl parathion	298-00-0	0.9
#Mirex	2385-85-5	0.7
Nickel	7440-02-0	70
Nitrobenzene	98-95-3	2
N-Nitroso-di-n-butylamine	924-16-3	0.06
N-Nitrosodiphenylamine	86-30-6	70
N-Nitrosomethylethylamine	10595-95-6	0.02
N-Nitroso-n-propylamine	621-64-7	0.05
N-Nitrosopyrrolidine	930-55-2	0.2

p-Phenylene diamine	106-50-3	20
Parathion	56-38-2	20
Pentachlorobenzene	608-93-5	3
Pentachloronitrobenzene	82-68-8	10
Pentachlorophenol	87-86-5	100
Phenol	108-95-2	2000
Pronamide	23950-58-5	300
#Pyrene	129-00-0	5.9
Pyridine	110-86-1	4
Selenium	7782-49-2	1
Silver	7440-22-4	5
Styrene	100-42-5	700
1,1,1,2-Tetrachloroethane	630-20-6	10
1,1,2,2-Tetrachloroethane	79-34-5	2
Tetrachloroethylene	127-18-4	0.7
2,3,4,6-Tetrachlorophenol	58-90-2	100
Toluene	108-88-3	1000
Toxaphene	8001-35-2	0.3
trans-1,3-Dichloro-propene	542-75-6	1
Tribromomethane (Bromoform)	75-25-2	70
1,2,4-Trichlorobenzene	120-82-1	70
1,1,1-Trichloroethane	71-55-6	300
Trichloroethylene	79-01-6	0.5
1,1,2-Trichloroethane	79-00-5	6
Trichlorofluoromethane	75-69-4	1000
2,4,5-Trichlorophenoxy-propionic acid (2,4,5 TP or Silvex)	93-72-1	1
1,2,3-Trichloropropane	96-18-4	20
2,4,5-Trichlorophenol	95-95-4	400
2,4,6-Trichlorophenol	88-06-2	2
Vanadium Pentoxide	1314-62-1	30
Vinyl chloride	75-01-4	0.2
Xylenes (all isomers)	1330-82-1	7000

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### Alternative to TCLP

A less expensive alternative to the toxicity characteristic leaching procedure (TCLP) analysis is a total constituent analysis. If a total (i.e., total lead, total benzene, etc.) exceeds the example limits listed below or exceeds 20 times the TCLP limit for a Class 2-like waste, then the TCLP must be performed and the TCLP results must not exceed the stated limits for disposal in a standard MSW Type I landfill unit. For TCLP results that exceed the example limits listed below but do not exceed a

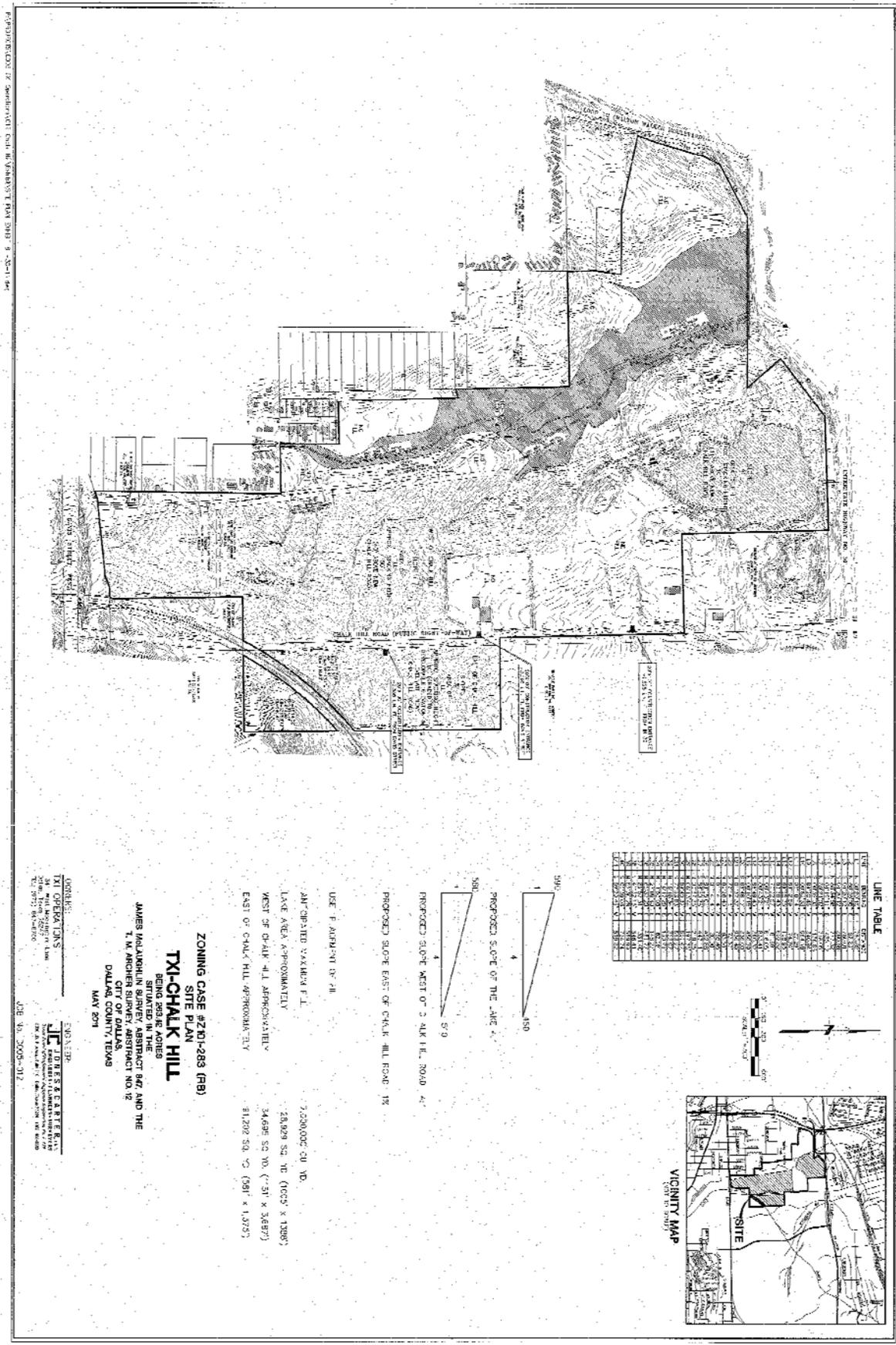
Z101-283(RB)

hazardous limit, the waste may be authorized for disposal into an MSW Type I landfill with a Class 1 industrial waste unit. More TCLP limits can be found on Table 1, Appendix 1 of 30 TAC 335 Subchapter R:

Constituent	Total Limit (mg/kg)	MSW Type I TCLP Limit (mg/L)	Hazardous Waste TCLP Limit (mg/L)
Benzene	10	0.5	0.5
Arsenic	36	1.8	5.0
Barium	2,000	100	100
Cadmium	10	0.5	1.0
Chromium	100	5.0	5.0
Lead	30	1.5	5.0
Mercury	4	0.2	0.2
Selenium	20	1.0	1.0
Silver	100	5.0	5.0

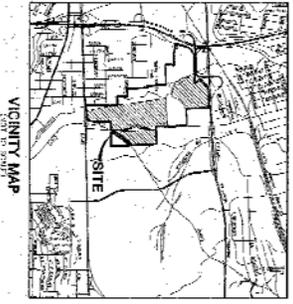
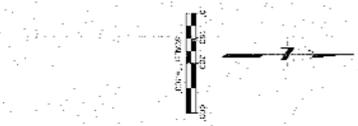
There are additional constituent analyses that can limit the options for disposal into an MSW Type I landfill unit:

- a. TPH < 1,500 mg/kg may be disposed of in a standard MSW Type I landfill unit.
- b. TPH ≥ 1,500 mg/kg may be disposed of in an MSW Type I landfill with a Class 1 industrial unit as specified in 30 TAC 330.171(b)(4).
- c. PCBs ≥ 50 mg/kg may not be disposed of in an MSW Type I landfill unit, unless authorized by the USEPA as specified in 40 Code of Federal Regulations Part 761.
- d. NORM concentrations must be below 30 picocuries per gram for disposal in an MSW Type I landfill unit as specified in 25 TAC 289.259(d)(1)(A).



**LINE TABLE**

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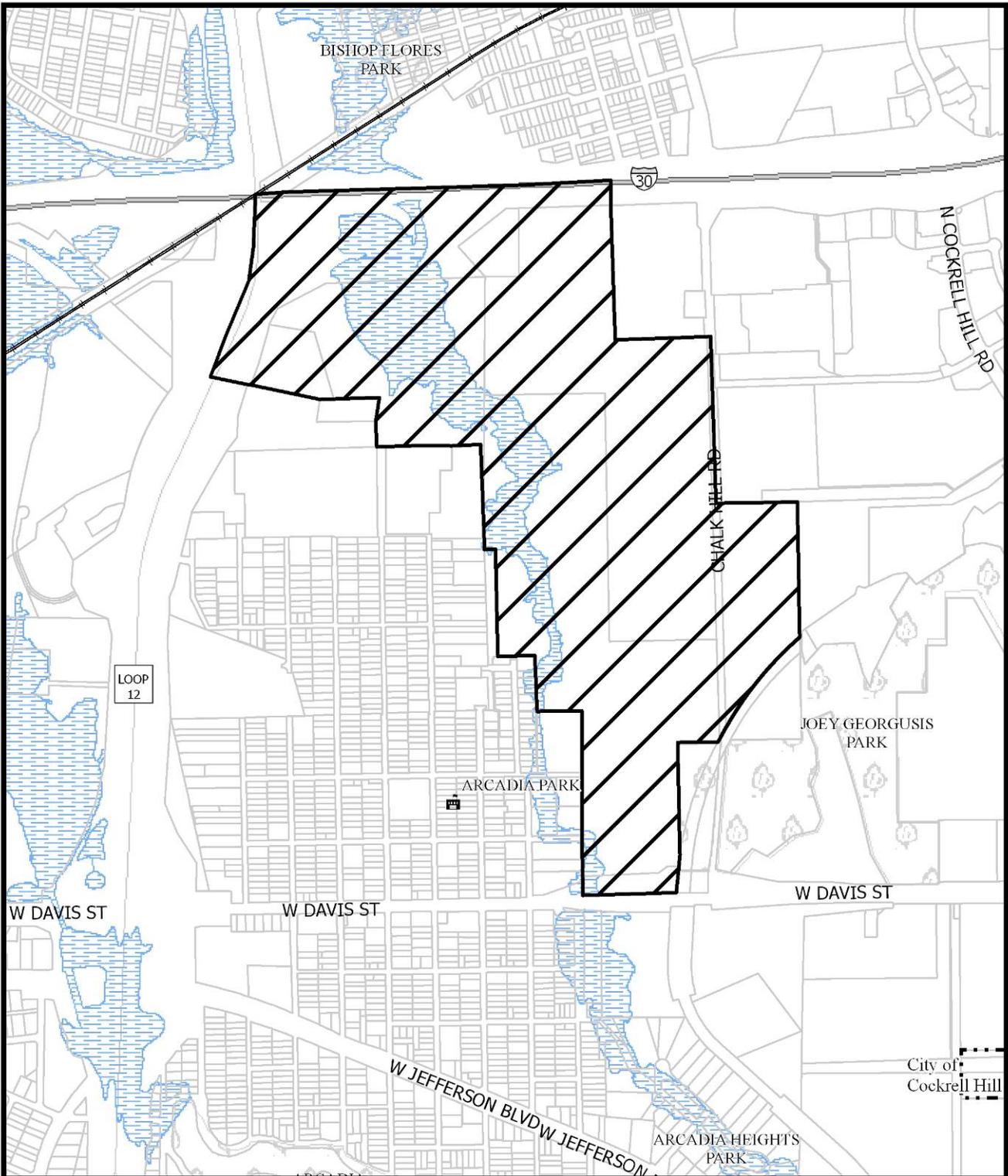
PROPOSED SLOPE OF THE LAKE 4:  
 PROPOSED SLOPE WEST OF 3 ALK HILL ROAD 4:  
 PROPOSED SLOPE EAST OF CHALK HILL ROAD 18:  
 USE F. APPROX. 10' PER  
 APPROXIMATELY 3,200,000 SQ. YD.  
 LAKE AREA APPROXIMATELY 28,000 SQ. YD. (1000' x 1200')  
 WEST OF CHALK HILL APPROXIMATELY 34,000 SQ. YD. (700' x 3000')  
 EAST OF CHALK HILL APPROXIMATELY 81,200 SQ. YD. (900' x 1,300')

**ZONING CASE #Z101-283 (RB)**  
**SITE PLAN**  
**TXI-CHALK HILL**  
 BEING 99.9% ACRES  
 SITUATED IN THE  
 JAMES McLANGLIN SURVEY, ABSTRACT 847, AND THE  
 T. M. ARCHER SURVEY, ABSTRACT NO. 12  
 CITY OF DALLAS,  
 DALLAS COUNTY, TEXAS  
 MAY 2014

ENGINEER:  
**J. F. FORTNEY & ASSOCIATES, P.C.**  
 2001 W. FAULKNER BLVD., SUITE 100  
 DALLAS, TEXAS 75201-1100  
 TEL: 214-343-0000

ARCHITECT:  
**TXI GROUP, L.L.C.**  
 2001 W. FAULKNER BLVD., SUITE 100  
 DALLAS, TEXAS 75201-1100  
 TEL: 214-343-0000

JOB NO. 2009-012



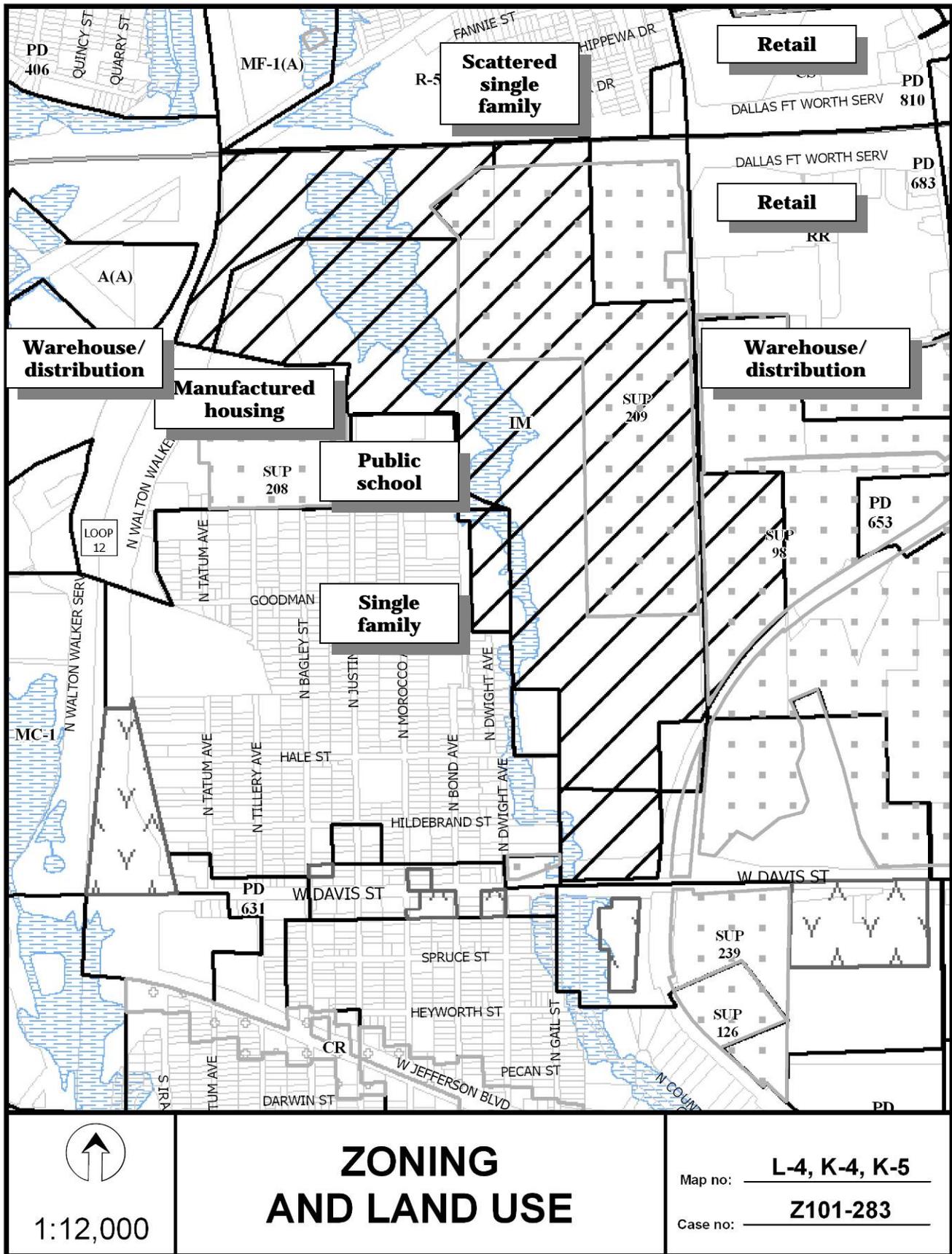
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# VICINITY MAP

Map no: L-4, K-4, K-5

Case no: Z101-283

DATE: July 19, 2011





***Notification List of Property Owners******Z101-283******310 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	900 WALTON WALKER	TXI OPERATIONS LP
2	1631 CHALK HILL	STEWART & STEVENSON POWER PRODUCTS LLC
3	800 CHALK HILL	MORNING PARK INC SUITE 700
4	9999 NO NAME	UNION PACIFIC RR CO % TAX DEPT
5	4401 LINFIELD	ST LOUIS S W RAILWAY CO % UNION PACIFIC
PPTY TAX		
6	4610 DAVIS	DISCALCED CARMELITE FATHERS OF DALLAS
7	1901 WALMSLEY	TEXAS STATE OF
8	500 DWIGHT	TEXAS STATE OF EXEMPT 1975
9	5880 BERNAL	COLONIA TEPEYAC LTD
10	2015 IROQUOIS	SOLIS ARMANDO
11	2003 IROQUOIS	CALDWELL CAROLINE D &
12	2007 IROQUOIS	HIGHT ERNESTINE
13	5311 BLACKHAWK	MALDONALDO JOSE
14	5427 BLACKHAWK	LESTER NOVELLA
15	5410 CHIPPEWA	PEREZ ALVARO M
16	5426 CHIPPEWA	CALDWELL ALZIE % A J ARNOLD
17	5512 CHIPPEWA	OLIVERA VIRGINIA
18	5425 BLACKHAWK	LOPEZ JUAN & MANUELA
19	5414 CHIPPEWA	SIMPSON CAROLYN V
20	5421 BLACKHAWK	HIGHT CLAUDIE ESTATE
21	5423 BLACKHAWK	CHAVARRIA ROBERTO ET UX
22	5420 CHIPPEWA	ORTIZ MAURO
23	5419 BLACKHAWK	JUAREZ LORENZO P & APOLONIA B
24	5417 BLACKHAWK	JEMMERSON CASSANDMA M &
25	5415 BLACKHAWK	ALVAREZ HUGO E
26	5411 BLACKHAWK	ANGUIANO SANTIAGO & ESTEFANA M

Tuesday, July 19, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5403 BLACKHAWK	SANTIGO ANGUIANO & ESTEFANA M
28	5404 KENESAW	LARA PEDRO
29	1927 KENESAW	LARA PEDRO
30	5312 BLACKHAWK	APEX FINANCIAL CORP
31	5320 BLACKHAWK	JOHNSON RAYMOND L
32	1922 KENESAW	BENNETT OPHIE L
33	1921 IROQUOIS	HILL WILBERT A
34	1933 IROQUOIS	WOOTEN RUTH
35	1929 IROQUOIS	WATSON PAMELA & JONNA DECUIRE
36	1923 IROQUOIS	RUBIO HILDA & MARIA RUBIO
37	5220 IROQUOIS	JOHNSON RODGER B
38	1922 IROQUOIS	LARKINS LILLIAN EST OF % NORMAN L
JEMMERSON		
39	1939 INGERSOLL	TAYLOR GEORGE
40	1935 INGERSOLL	TAYLOR GEORGE A
41	1927 INGERSOLL	WHEATON CARLA ET AL
42	1923 INGERSOLL	MAZZMANIA LP
43	1601 CHALK HILL	NEW MICROS INC ATTN: RANDY M DUMSE PRES
44	1200 DWIGHT	GARCIA JOSE JR & FELICITA FELICITAS
45	4400 IH 30	MORNING PARK INC
46	4700 DAVIS	MORNING PARK INC STE 700
47	4250 IH 30	PINNACLE PARK MSTR OWNER C/O CHRISTON
PPTY MGT		
48	4254 IH 30	PINNACLE PARK MASTER OWNE ASSOC INC
49	1107 DWIGHT	OWENS LELA M EST OF
50	1111 DWIGHT	VASQUEZ BENITO
51	1115 DWIGHT	ROBLES RAMIRO
52	1119 DWIGHT	TIDWELL DAVID W
53	1123 DWIGHT	ARMIJO RUBEN & MARY E
54	1127 DWIGHT	MILES HENRY L
55	1201 DWIGHT	RAYMUNDO HUMBERTO &
56	4930 SUSAN	SANCHEZ CARLOS & OFELIA
57	1106 DWIGHT	HASSMANN GUILLERMINA

Z101-283(RB)

*Tuesday, July 19, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	1110 DWIGHT	ROBLES SIMON & EUTIQUIA
59	1114 DWIGHT	J C LEASING LLP
60	1120 DWIGHT	GRIFFIN FRED W
61	1126 DWIGHT	MENDOZA AIDA
62	1130 DWIGHT	RAYMUNDO HUMBERTO
63	1500 WALTON WALKER	TOWN VIEW CORP
64	1288 BAGLEY	TOWN VIEW CORP
65	1288 BAGLEY	TRINIDAD JUANA SPACE 49
66	1288 BAGLEY	MODESTA GOMEZ SPACE #28
67	1288 BAGLEY	ABRO JESSICA SPACE 048
68	1288 BAGLEY	HERNANDEZ JOSE SPACE 116
69	1288 BAGLEY	HERNANDEZ ALFONSO SPACE 3
70	1288 BAGLEY	JOE GREENWALT SPACE 5
71	1288 BAGLEY	SALAZAR JULIO EDUARDO SPACE 6
72	1288 BAGLEY	VASQUEZ J AMADOR SPACE 7
73	1288 BAGLEY	RIOJAS HERIBERTO SPACE 12
74	1288 BAGLEY	RAMIREZ MARTIN SPACE 13
75	1288 BAGLEY	HERNANDEZ MAGDELENA SPACE 15
76	1288 BAGLEY	GARDUNO GEGURERCINDO SPACE 16
77	1288 BAGLEY	SALDANO REYMUNDO SPACE 20
78	1288 BAGLEY	GABRIEL MANZANO SPACE 21
79	1288 BAGLEY	GAONA MARIA & JULIO SPACE 25
80	1288 BAGLEY	ROMERO GABRIEL & DEBBIE SPACE 29
81	1288 BAGLEY	VASQUEZ EDGAR SPACE 33
82	1288 BAGLEY	LEONIDES EDGARDO RAMOS SPACE 38
83	1288 BAGLEY	CONTRERAS MANUEL SPACE 39
84	1288 BAGLEY	ROBERTO TAMAR SPACE 46
85	1288 BAGLEY	SALAZAR CARLOS SPACE 54
86	1288 BAGLEY	LEYVA LUIS SPACE 56
87	1288 BAGLEY	FLENNIKEN BOBBIE C SPACE 62
88	1288 BAGLEY	BELADOR MERCAD & ARACELI SPACE 67

*Tuesday, July 19, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	1288 BAGLEY	MARTINEZ ALMA D SPACE 69
90	1288 BAGLEY	GOMEZ HECTOR O SPACE 70
91	1288 BAGLEY	GARZA HENRY & TAMMY SPACE 72
92	1288 BAGLEY	CHARLOTTIE SPHALER SPACE 77
93	1288 BAGLEY	OROPEZA ARACEL SPACE 78
94	1288 BAGLEY	SIGALA PEDRO SPACE 80
95	1288 BAGLEY	ISABEL CONTREREAS SPACE 83
96	1288 BAGLEY	ARO ALFONSO SPACE 84
97	1288 BAGLEY	RODRIGUEZ ANNA R SPACE 86
98	1288 BAGLEY	VILLARREAL MARTIN SPACE 87
99	1288 BAGLEY	FERNANDEZ SANTOS SPACE 91
100	1288 BAGLEY	BAUTISTA MARTHA SPACE 92
101	1288 BAGLEY	CONTRERAS DANIEL SPACE 93
102	1288 BAGLEY	DURAN MARTIN SPACE 96
103	1288 BAGLEY	AREVALO ANNA SPACE 103
104	1288 BAGLEY	VASQUEZ ELIZABETH SPACE 106
105	1288 BAGLEY	PACHECO ALFONSO & ROSA SPACE 107
106	1288 BAGLEY	MORENO JULLIO SPACE 108
107	1288 BAGLEY	HERNANDEZ RAFAEL
108	1288 BAGLEY	TELLO BLAS SPACE 111
109	1288 BAGLEY	CASTILLO ELIZA SPACE 114
110	1288 BAGLEY	MARTINEZ OZIEL SPACE 119
111	1288 BAGLEY	FELIPI GONZALEZ SPACE 121
112	1288 BAGLEY	VASQUEZ HERLINDA SPACE 123
113	1288 BAGLEY	HERNANDEZ LUCIA SPACE 124
114	1288 BAGLEY	ROSALES JOSE E SPACE 128
115	1288 BAGLEY	CONONADO FELIPI SPACE 130
116	1288 BAGLEY	ROMERO GABRIEL SPACE 136
117	1288 BAGLEY	VILLARREAL AUDELIA SPACE 138
118	1288 BAGLEY	CARAPIA MARIA SPACE 139
119	1288 BAGLEY	GONZALES REYES SPACE 140

*Tuesday, July 19, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	1288 BAGLEY	REYES ANTONIO ORTIZ SPACE 142
121	1288 BAGLEY	LEYVA BERNDAL SPACE 144
122	1288 BAGLEY	CONTRERAS AVELIA M SPACE 149
123	1288 BAGLEY	CASTANEDA ISMAEL SPACE 150
124	1288 BAGLEY	MARTINEZ PAULA SPACE 151
125	1288 BAGLEY	AGUINAGA JORGE SPACE 152
126	1288 BAGLEY	ELIAS MANUEL AGULIRRE MANUEL SPACE 157
127	1288 BAGLEY	RAMIREZ ALMA SPACE 160
128	1288 BAGLEY	GARCIA VICTOR SPACE 1
129	1288 BAGLEY	GUTIERREZ CATALINA SPACE 2
130	1288 BAGLEY	JOSE LOUIS HERREREA SPACE 4
131	1288 BAGLEY	RADORTE ASael SPACE 8
132	1288 BAGLEY	HERRERA DANIEL SPACE 9
133	1288 BAGLEY	LORENA GOMEZ SPACE 10
134	1288 BAGLEY	PINA ANTONIO SPACE 11
135	1288 BAGLEY	RODRIGUEZ VERONICA SPACE 14
136	1288 BAGLEY	LYONS LESLIE SPACE 17
137	1288 BAGLEY	RODRIGUEZ EFRAIN SPACE 18
138	1288 BAGLEY	RANGEL CECILIA SPACE 19
139	1288 BAGLEY	ARANAS JOSE SPACE 22
140	1288 BAGLEY	ROCHA MARIA SPACE 23
141	1288 BAGLEY	MERLAN DAVID SPACE 24
142	1288 BAGLEY	BARRAGUE NORMAN SPACE 30
143	1288 BAGLEY	ALBA BELAN SPACE 31
144	1288 BAGLEY	DELEON JOSE VICTOR SPACE 32
145	1288 BAGLEY	BENJAMIN DEYANVIRO FLORES SPACE 34
146	1288 BAGLEY	FLATT NOLA SPACE 42
147	1288 BAGLEY	MEJIA JOSE SPACE 44
148	1288 BAGLEY	DIAZ ALVARO SPACE 45
149	1288 BAGLEY	TAPIA JUAN SPACE 47
150	1288 BAGLEY	HERNANDEZ HUMBERTO SPACE 50

*Tuesday, July 19, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	1288 BAGLEY	AGUIRRE JUAN SPACE 51
152	1288 BAGLEY	ALBA BELEN SPACE 53
153	1288 BAGLEY	BRAMLETT ASCENCION SPACE 55
154	1288 BAGLEY	SHAWN PATTERSON SPACE 57
155	1288 BAGLEY	MORALES JOSE & MAYRA SPACE 58
156	1288 BAGLEY	HATFIELD VIRGIE SPACE 63
157	1288 BAGLEY	RODRIQUEZ JUAN SPACE 64
158	1288 BAGLEY	NORMA JACOBS SPACE 66
159	1288 BAGLEY	CONTRERAS PEDRO & LEONILA SPACE 68
160	1288 BAGLEY	CUEVAS LAURA SPACE 71
161	1288 BAGLEY	BALDERAS JOSE A SPACE 73
162	1288 BAGLEY	OMAR INPINA SPACE 75
163	1288 BAGLEY	ROJAS NICHOLAS & CLAUDIA SPACE 76
164	1288 BAGLEY	MARTINEZ ALFRED SPACE 82
165	1288 BAGLEY	ORTIZ SANDRA SPACE 85
166	1288 BAGLEY	TORRES MIGUEL & PASTOR SPACE 88
167	1288 BAGLEY	BRUNETTE MARJORIE SPACE 89
168	1288 BAGLEY	HERNANDEZ MANUEL D SPACE 94
169	1288 BAGLEY	CASTENSADA FELICIANO SPACE 95
170	1288 BAGLEY	VASQUEZ HERLINDA SPACE 98
171	1288 BAGLEY	PIERCE DEBRA ANN SPACE 99
172	1288 BAGLEY	MCCULLOCH BILLIE EST OF
173	1288 BAGLEY	POMPELLO MARTINEZ SPACE 27
174	1288 BAGLEY	TURNBULL CATHY SPACE 65
175	1288 BAGLEY	BADEN ELSIE SPACE 60
176	1288 BAGLEY	SAICH ELAINE SPACE 26
177	1288 BAGLEY	BROCK JEFFERSON D & JUNE SPACE 134
178	1288 BAGLEY	SANDOVAL JESUS SPACE 079
179	1288 BAGLEY	WRIGHT JOAN SPACE 59
180	1288 BAGLEY	OCONNOR PATRICIA SPACE 52
181	1288 BAGLEY	CASTILLO JORGE SPACE 61

*Tuesday, July 19, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	1288 BAGLEY	ADAM CERVANTES SPACE 100
183	1288 BAGLEY	BRIONES GILBERT SPACE 102
184	1288 BAGLEY	RODRIGUEZ OLVERIO SPACE 105
185	1288 BAGLEY	WILKS JIMMY LOT 110
186	1288 BAGLEY	HANEY MARCUS SPACE 112
187	1288 BAGLEY	GOINS ROBERT SPACE 115
188	1288 BAGLEY	KHAMVONGSA THONGSAVANA SPACE 117
189	1288 BAGLEY	GARCIA YESENIA SPACE 118
190	1288 BAGLEY	CEPEDA JOSE SPACE 120
191	1288 BAGLEY	CASTILLO JOSE ALFREDO SPACE 122
192	1288 BAGLEY	GARCIA MARIA A SPACE 125
193	1288 BAGLEY	TORRES ISMAEL SPACE 126
194	1288 BAGLEY	JACINTO ISMAEL SPACE 129
195	1288 BAGLEY	GARY DAISY L SPACE 131
196	1288 BAGLEY	TURNER JOHN A SPACE 132
197	1288 BAGLEY	SOLIZ RAYMUNDO JR & JODY SPACE 133
198	1288 BAGLEY	ROMERO DEBBIE SPACE 135
199	1288 BAGLEY	GRAY SARAH SPACE 137
200	1288 BAGLEY	BLANCESI MARGARITA SPACE 141
201	1288 BAGLEY	ROSA LOER SPACE 143
202	1288 BAGLEY	MORALES ELIZABETH SPACE 145
203	1288 BAGLEY	MARTINEZ LUCY & ISRAEL SPACE 147
204	1288 BAGLEY	CASTANEDA PEDRO SPACE 148
205	1288 BAGLEY	LARA MARY A SPACE 154
206	1288 BAGLEY	BANKS DONALD SPACE 155
207	1288 BAGLEY	KAMTRO KEN SPACE 161
208	1288 BAGLEY	REYES JOSE SPACE 162
209	1288 BAGLEY	HANEY REBECCA SPACE 164
210	1288 BAGLEY	MONTOYA ARNULFO SPACE 165
211	1288 BAGLEY	CESAR GARZA SPACE 166
212	1288 BAGLEY	CHADARES BETTY JO SPACE 163

*Tuesday, July 19, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	1288 BAGLEY	BARNETT VIRGINIA SPACE 101
214	1288 BAGLEY	VASQUEZ HERLINDA SPACE 104
215	1288 BAGLEY	MARTIN ANGEL SPACE 36
216	1288 BAGLEY	ESPARZA RAUL SPACE 146
217	1288 BAGLEY	VALDERA YULIANA SPACE 74
218	1288 BAGLEY	MORRISON HUNTER MACK SPACE 90
219	1288 BAGLEY	HARTMAN JIM SPACE 127
220	1288 BAGLEY	CORTES PATRICIA & CESAR SPACE 37
221	1100 BOND	BERNAL ENRIQUE
222	1114 MOROCCO	VALDERAS ELENA C
223	1118 MOROCCO	NOGUEZ JAVIER C & DENISE M
224	1120 MOROCCO	MARTINEZ APOLONIO
225	1122 MOROCCO	ORTIZ EUGENIA
226	1131 BOND	CASTANEDA GUSTAVO & ROSA MARIA
227	1130 MOROCCO	CRUZ QUEZADA
228	1142 MOROCCO	ESPARZA JESUS
229	1146 MOROCCO	HEGBOUM MARGARET A
230	1154 MOROCCO	HEGBOUM MARGARET A
231	1162 MOROCCO	CASTILLO FLORENTINA
232	1166 MOROCCO	EBERT ROBERT R
233	1206 MOROCCO	PEREZ DORA
234	1214 MOROCCO	GARCIA JOSE JR & FELICITAS
235	1218 MOROCCO	KATTNER SHIRLEY
236	1232 MOROCCO	KATTNER SHIRLEY A
237	1230 MOROCCO	SARAVIA ALFREDO ORLANDO &
238	1234 MOROCCO	SARAVIA ALFREDO ORLANDO & NOEMI
BRIZUELA		
239	1238 MOROCCO	HERNANDEZ NELSON A & MARIA TERESA
SANTOS		
240	1252 MOROCCO	WILSON MAURICE
241	1250 MOROCCO	WHITE L C
242	1253 MOROCCO	DE LEON MARY BEATRICE G
243	1247 MOROCCO	MARTINEZ FRANCISCO & BLANCA

Z101-283(RB)

*Tuesday, July 19, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
244	1241 MOROCCO	FLORES LUCIO & ACASIO
245	1249 MOROCCO	PRUETT DONALD R
246	1039 BOND	WALKER JIMMY L & HELEN P
247	719 DWIGHT	SAVAGE TERRY DEE
248	707 DWIGHT	LOPEZ MARCELINO % MARGARITA LOPEZ
249	703 DWIGHT	ROMO LUZ ELENA
250	613 DWIGHT	BEAR ARMANDO
251	613 DWIGHT	BEAR JUAN
252	919 DWIGHT	LUNA JOHN JR
253	915 DWIGHT	CASANOVA JANE KALLAS
254	907 DWIGHT	CASANOVA JOSE H
255	815 DWIGHT	OWENS PAUL ALLEN
256	811 DWIGHT	ESQUIVEL JENNIFER D
257	803 DWIGHT	RANGEL MARIA FELIX
258	1037 DWIGHT	TIDWELL JAMES MICHAEL & VIRGINIA LEE
259	1032 BOND	CABRALES LEOPOLDO
260	1033 DWIGHT	SUTTON MICHAEL D & SHARON A
261	1038 BOND	VALDOVINO RICARDO
262	1023 DWIGHT	COUCH JUANITA
263	1030 BOND	CABRALESLOPEZ LEOPOLDO & SANTIAGA M DE
CABRALES		
264	1014 BOND	VALDEZ GUILLERMO M & ERNESTINE
265	1010 BOND	FUENTES LUIS GERARDO & MARIA E
266	1009 DWIGHT	RODRIGUEZ JOSE & PRISCILLA RODRIGUEZ
267	1013 DWIGHT	BRIONES RAMON A & CAROLINA A BRIONES
268	1006 BOND	MARTINEZ BERNARDINO & JESSICA
269	1038 DWIGHT	IRBY AMY KATHERINE
270	1014 DWIGHT	POLK BARBARA & DARRELL POLK
271	1016 DWIGHT	POLK BARBARA & DARRELL
272	1022 DWIGHT	HERNANDEZ STEPHANIE N
273	1024 DWIGHT	HERNANDEZ STEPHANIE N RAYMOND
HERNANDEZ		
274	1030 DWIGHT	GALEANA EULALIA

Z101-283(RB)

*Tuesday, July 19, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
275	1006 DWIGHT	MENDOZA JULIO & RAFALEA S DE MENDOZA
276	1010 DWIGHT	VALDEZ JUAN F
277	1002 DWIGHT	VASQUEZ NARCISO & MARY ANN
278	4811 HALE	HILLTOP TRAILER RANCH L C
279	930 HALE	BARNES VIRGIL J & BARBARA
280	806 HILDEBRAND	BARNES VIRGIL J & BARBARA M
281	706 DWIGHT	BARNES VIRGIL J & BARBARA M
282	1507 HONEY TRAIL	GONZALES JOSE
283	1315 ORCHARD	ARC HOUSING STE 200
284	14647 LASATER	TOBIAS JESUS SPACE 088
285	706 DWIGHT	BARNES VIRGIL J
286	14647 LASATER	ARC DEALERSHIP SUITE 400
287	4700 DAVIS	ESKANDARLOU GHOLAMERZA R
288	4700 DAVIS	ESKANDARLOU GHOLAMREZA
289	4912 DAVIS	EVANGELICAL CHURCH OF GOD
290	518 GAIL	TERRY MARY VAUGHAN
291	418 DWIGHT	BARCENAS RAIMUNDO & MARIA A ZAVALA
292	414 DWIGHT	STRIPLING HILLERY
293	419 GAIL	TERRY MARY C VAUGHAN
294	2002 IROQUOIS	LEBLANC ANGELA
295	2006 IROQUOIS	BAHENA FAUSTO R & MARIA
296	800 DAVIS	PINNACLE PARK MASTER OWNE C/O CHRISTON
PPTY		
297	1421 COCKRELL HILL	PROLOGIS TRUST ATTN: SCOTT ALEXANDER
298	1710 CHALK HILL	LOWES HOMES CENTERS INC
299	4410 IH 30	SHOPS AT PINNACLE PARK LLC % BIJAN NAHAI
300	4599 DAVIS	VISTAS OF PINNACLE PARK LTD
301	1300 JUSTIN	Dallas ISD
302	1601 WALTON WALKER	HAGAN VINCENT DEPAUL TR VINCE HAGAN CO
LIV TRUST		
303	1601 WALTON WALKER	DALLAS CITY & COUNTY LEVEE DISTRICT
304	1501 WALTON WALKER	FEDEX NATIONAL LTL INC
305	1034 BOND	CABRALES JUAN M

Z101-283(RB)

*Tuesday, July 19, 2011*

Z101-283(RB)

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
306	1018 BOND	CASTILLO PABLA
307	1017 DWIGHT	MORALES HECTOR V & RACHEL V
308	9999 NO NAME	UNION PACIFIC RR CO % TAX DEPT
309	1415 COCKRELL HILL	PROLOGIS TRUST ATTN: SCOTT ALEXANDER
310	1415 COCKRELL HILL	PROLOGIS NA2 TEXAS LLC

*Tuesday, July 19, 2011*

**FILE NUMBER:** Z101-249 (MW)

**DATE FILED:** April 12, 2011

**LOCATION:** West side of Knoll Trail Drive, north of Arapaho Road

**COUNCIL DISTRICT:** 11

**MAPSCO:** B-7

**SIZE OF REQUEST:** ±9,912 square feet

**CENSUS TRACT:** 136.12

---

**OWNER:** Prestonwood Partners, LTD

**APPLICANT:** Adanac Hospitality, Inc.

**REPRESENTATIVE:** Logos and Company, Rebekah Kim

**REQUEST:** An application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern on property zoned an MU-1 Mixed Use District.

**SUMMARY:** The applicant proposes to operate a ±9,912-square foot alcoholic beverage establishment within an existing shopping center.

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

**PREVIOUS ACTION:** Under advisement from October 6, 2011.

**BACKGROUND INFORMATION:**

- The request site comprises ±9,912 square feet of floor area within an existing shopping center. The shopping center includes a variety of retail and personal service uses.
- The establishment operating on the request site was issued a certificate of occupancy for a restaurant without drive-in service on August 18, 2010.
- The establishment includes a 25-square foot dance floor which is allowed by right in the MU-1 Mixed Use District.
- The establishment previously held a dance hall license which expired on August 10, 2011. The Dallas Police Department's Vice Unit confirmed that, as of September 26, 2011, the applicant had not applied for renewal of the dance hall license.
- The request site is surrounded by a railroad corridor and electrical substation to the north; retail and personal service uses to the east; office uses to the south and vacant retail space and office uses to the west.

**Zoning History:**

1. **Z090-110:** On Thursday, April 1, 2010, the City Plan Commission recommended denial without prejudice of a Planned Development District for mixed uses.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Arapaho Road	Principal Arterial	110 feet
Knoll Trail	Minor Arterial	64 feet

**Land Use:**

	Zoning	Land Use
Site	MU-1	Restaurant; retail and personal services
North	R-16(A); RR ; MU-1	Railroad corridor; electrical substation; office
East	MU-1	Retail and personal services
South	MU-1	Retail and personal services
West	CR	Vacant retail

**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 subject site is identified as being within an *Urban Neighborhood* on the *forwardDallas! Vision Illustration*, adopted June 2006. Urban neighborhoods are predominantly 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 mid-rise 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 residents.

The applicant's proposal to operate an alcoholic beverage establishment in this area of the City is consistent with the *forwardDallas! Vision* and further complies with the following goals and policies of the Comprehensive Plan.

**LAND USE ELEMENT**

**GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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

**STAFF ANALYSIS:**

**Land Use Compatibility:**

The request site comprises ±9,912 square feet of floor area within an existing shopping center. The shopping center includes a variety of retail and personal service uses. The establishment operating on the request site was issued a certificate of occupancy for a restaurant without drive-in service on August 18, 2010.

The request site is surrounded by a railroad corridor and electrical substation to the north; retail and personal service uses to the east; office uses to the south and vacant retail space and office uses 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 a Specific Use Permit. However, It is noted that the Dallas Police Department's offense incident reports available online indicate a significant amount of police activity for the shopping center within which the request site is located. While it is not clear if the reported incidents originated from the request site, staff recommends an initial two-period of two years. This will allow the use's impacts to surrounding properties to be reevaluated within a fairly short time period.

**Traffic:**

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

**Parking:**

Parking must be provided pursuant to §51A-4.200 of the Dallas Development Code. The alcoholic beverage establishment requires one (1) space per 100 square feet of floor area; the dance hall portion, which is allowed by right, requires one (1) space per 25 square feet of dance floor. Therefore, 111 spaces are required.

**Landscaping:**

Landscaping of any new development will be required in accordance with Article X of the Dallas Development Code.

**Police Report:**

An online search of the Dallas Police Department's offense incident reports for the shopping center within which the request site is located revealed the following records for the period from January 1, 2005 to September 20, 2011. It is noted that the establishment operating on the request site was issued a certificate of occupancy for a restaurant without drive-in service on August 18, 2010.



Virtual Viewer - Public Access

Welcome

Search Records - Offense										Filter	
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0002159-V	01/02/2008	*MANOLO SALONS	BURGLARY	15203		KNOLLTRAI...	625	1004	05131		
0011279-W	01/10/2009	FIGUEROA, MARIA	OTHER OFFENSES	15203		KNOLLTRAI...	622	1004	26000		
0012331-V	01/14/2011	HUTSON, KHADJAH	THEFT	15203		KNOLLTRAI...	622	1004	06904	42020	
0017066-V	01/19/2008	HALES, BENJAMIN	ACCIDENTAL INJURY - PUBLIC PR...	15203		KNOLLTRAI...	625	1004	33070		
0025334-V	01/25/2008	LIGHTFOOT, JORONE	ASSAULT	15203		KNOLLTRAI...	625	1004	08221		
0030280-W	01/29/2009	WASHINGTON, LOUISE	THEFT	15203		KNOLLTRAI...	622	1004	06902		
0032103-V	02/01/2008	FENNELL, KENNETH	ACCIDENTAL INJURY - PUBLIC PR...	15203		KNOLLTRAI...	625	1004	33070		
0033148-V	02/01/2008	WILLIAMS, CAROLYN	ASSAULT	15203		KNOLLTRAI...	625	1004	08421		
0035653-V	02/03/2008	JOHNSON, REJKE	THEFT	15203		KNOLLTRAI...	625	1004	06901		
0037209-W	02/08/2009	WILLIAMS, NATISHA	THEFT	15203		KNOLLTRAI...	622	1004	06901		
0042494-V	02/11/2008	ONTIVEROS, SUSAN	ASSAULT	15203		KNOLLTRAI...	625	1004	08321		
0046201-V	02/15/2008	FERRELL, ANGELA	LOST PROPERTY	15203		KNOLLTRAI...	625	1004	42020		
0047454-V	01/21/2007	*KARMA	CRIMINAL MISCHIEF/VANDALISM	15203		KNOLLTRAI...	616	1004	14082		
0048364-V	02/26/2011	PIERRELOUIS, BREANA	ASSAULT	15203		KNOLLTRAI...	622	1004	08411		
0048753-V	02/26/2011	MCQUEEN, CASCANCIA	OTHER OFFENSES	15203		KNOLLTRAI...	622	1004	26000		

Page 1 of 8 (108 items)

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Welcome

Search Records - Offense										Filter	
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0049221-V	02/27/2011	WELCH, LATESHA	ASSAULT	15203		KNOLLTRAI...	622	1004	08421		
0050450-T	01/21/2007	*KARMA DISCOTEQUE	BURGLARY	15203		KNOLLTRAI...	616	1004	05337		
0053338-T	01/21/2007	COLLINS, CANDACE	THEFT	15203		KNOLLTRAI...	616	1004	06901		
0055363-V	02/24/2008	MIKED, RONNY	AGGRAVATED ASSAULT	15203		KNOLLTRAI...	625	1004	04121		
0058630-P	01/22/2005	MARIVATH, MONICA	ASSAULT	15203		KNOLLTRAI...	616	1004	08321		
0071333-W	03/13/2009	*CHINA TOWN BUFFET	OTHER OFFENSES	15203		KNOLLTRAI...	622	1004	26000		
0076266-V	03/27/2011	SANCHEZ, CYNTHIA	AUTO THEFT-UUMV	15203		KNOLLTRAI...	622	1004	07172		
0081426-V	04/02/2011	WALKER, RODERICK	ASSAULT	15203		KNOLLTRAI...	622	1004	08211		
0083297-W	02/27/2009	WATSON, KIMBERLY	CRIMINAL MISCHIEF/VANDALISM	15203		KNOLLTRAI...	622	1004	14081		
0088921-V	03/31/2009	SALMON, STEVEN	AUTO THEFT-UUMV	15203		KNOLLTRAI...	622	1004	07223		
0091073-V	04/09/2011	MEDINA, BRANDON RENE	OTHER OFFENSES	15203		KNOLLTRAI...	622	1004	26000		
0092391-V	03/23/2008	*KARMA	EMBEZZLEMENT	15203		KNOLLTRAI...	625	1004	12021		
0107829-T	02/16/2007	OSAGIE, EFOSA	THEFT	15203		KNOLLTRAI...	616	1004	06941		
0116005-W	04/25/2009	*RESULTS NUTRITION	CRIMINAL MISCHIEF/VANDALISM	15203		KNOLLTRAI...	622	1004	14081		
0116826-V	05/07/2011	SMITH, CRYSTAL	ASSAULT	15203		KNOLLTRAI...	622	1004	08411		

Page 2 of 8 (108 items)

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Welcome

Search Records - Offense										Filter	
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0118429-W	04/24/2009	*PRESTIGE COMMUNITY C...	CRIMINAL MISCHIEF/VANDALISM	15203		KNOLLTRAI...	622	1004	14092		
0142662-R	02/26/2006	ARNOLD, NATALIE	THEFT	15203		KNOLLTRAI...	616	1004	06942		
0142684-R	02/26/2006	GOMEZ, PRISCILLA	THEFT	15203		KNOLLTRAI...	616	1004	06941		
0144905-X	05/25/2010	SANCHEZ, CANDIDO	AUTO THEFT-UUMV	15203		KNOLLTRAI...	622	1004	07A92		
0147025-W	05/23/2009	*CHINA TOWN BUFFET	THEFT	15203		KNOLLTRAI...	622	1004	06902		
0149822-V	06/09/2011	@CITY OF DALLAS	FOUND PROPERTY	15203		KNOLLTRAI...	622	1004	43020		
0151298-V	05/21/2008	@CITY OF DALLAS	FOUND PROPERTY	15203		KNOLLTRAI...	625	1004	43020		
0152176-V	05/23/2008	WARD, DAKETHA	ASSAULT	15203		KNOLLTRAI...	625	1004	08421		
0153111-V	03/23/2008	WARD, TRIMEKA	ASSAULT	15203		KNOLLTRAI...	625	1004	09411		
0160813-V	06/19/2011	CRUZ, MICHAEL	THEFT	15203		KNOLLTRAI...	622	1004	06102		
0161852-V	06/01/2008	MA, MICHAEL	CRIMINAL MISCHIEF/VANDALISM	15203		KNOLLTRAI...	625	1004	14081		
0163635-W	06/07/2009	REYES, RUBEN	AUTO THEFT-UUMV	15203		KNOLLTRAI...	622	1004	07171		
0168900-P	03/05/2005	GARCIA, MIGUEL	AGGRAVATED ASSAULT	15203		KNOLLTRAI...	616	1004	04121		
0170729-W	07/08/2011	FARRAR, BRODRICK, DON...	TRAFFIC MOTOR VEHICLE	15203		KNOLLTRAI...	622	1004	32090		
0180339-X	07/17/2011	*PRO-TAN RESULTS	CRIMINAL MISCHIEF/VANDALISM	15203		KNOLLTRAI...	622	1004	14082		

Page 3 of 8 (108 items)

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Welcome

Search Records - Offense										Filter	
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0189293-V	06/29/2009	CASTON, DAVID	AUTO THEFT-UUMV	15203		KNOLLTRAI...	622	1004	07613		
0190193-T	03/17/2007	WEST, AMBER	ASSAULT	15203		KNOLLTRAI...	616	1004	08321		
0190293-T	03/17/2007	NAVA-LOPEZ, NATASHA	ASSAULT	15203		KNOLLTRAI...	616	1004	08321		
0191262-V	07/18/2011	PEREZ, JOSE, R	FRAUD	15203		KNOLLTRAI...	622	1004	11011		
0201932-V	07/29/2011	GASTON, LATASHA	THEFT	15203		KNOLLTRAI...	622	1004	06901		
0207512-V	08/08/2011	*SMITH, SHANNON #7086	AGGRAVATED ASSAULT	15203		KNOLLTRAI...	622	1004	04961	08951	
0215202-V	08/13/2011	WEISS, JUSTIN	AUTO THEFT-UUMV	15203		KNOLLTRAI...	622	1004	07171		
0218984-V	07/04/2008	SHRIVER, MARK	LOST PROPERTY	15203		KNOLLTRAI...	625	1004	42020		
0227384-V	08/27/2011	BECKMAN, DANIEL	ASSAULT	15203		KNOLLTRAI...	622	1004	08111		
0228218-V	08/28/2011	MOLINA, GUSTAVO	ASSAULT	15203		KNOLLTRAI...	622	1004	08121		
0228528-V	08/27/2011	JOHNSON, KIMBERLY	THEFT	15203		KNOLLTRAI...	622	1004	06901		
0228544-V	08/27/2011	WARD-BEAMON, TIA	ASSAULT	15203		KNOLLTRAI...	622	1004	08411		
0228546-V	08/27/2011	ADAMS, KAMILA	ASSAULT	15203		KNOLLTRAI...	622	1004	08411		
0232535-V	08/27/2011	REED, JESSICA	THEFT	15203		KNOLLTRAI...	622	1004	06902		
0234022-W	08/09/2009	COLAROSI, RYAN	THEFT	15203		KNOLLTRAI...	622	1004	05941		

Page 4 of 8 (108 items)

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UCR Codes Year Codes Property Class Codes

Welcome

Search Records - Offense		Filter									
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0241721-X	08/28/2010	@CITY OF DALLAS	FOUND PROPERTY	15203		KNOLLTRAI...	622	1004	43020		
0246722-Y	09/17/2011	PARKER, DARTAUVIS	ACCIDENTAL INJURY - PUBLIC PR...	15203		KNOLLTRAI...	622	1004	33020		
0278352-T	04/20/2007	VELA, VALORIE	ASSAULT	15203		KNOLLTRAI...	616	1004	08311		
0288715-X	10/16/2010	SALGADO, JAIME	OTHER OFFENSES	15203		KNOLLTRAI...	622	1004	26000		
0294294-X	10/23/2010	NGOC-THAO, VY	ASSAULT	15203		KNOLLTRAI...	622	1004	08322		
0294340-X	10/23/2010	NAM, DAVID	CRIMINAL MISCHIEF/VANDALISM	15203		KNOLLTRAI...	622	1004	14081		
0294432-V	09/21/2008	STRICKLAND, ANGELA	THEFT	15203		KNOLLTRAI...	625	1004	05901		
0298552-T	04/27/2007	BRUMFIELD, SHANTELE	ACCIDENTAL INJURY - PUBLIC PR...	15203		KNOLLTRAI...	616	1004	33030		
0307315-P	04/21/2005	*OCEAN CLUB	BURGLARY	15203		KNOLLTRAI...	616	1004	05336		
0313467-W	08/13/2009	*PRESTONWOOD PARTNE...	THEFT	15203		KNOLLTRAI...	622	1004	06901	11020	
0320623-X	11/20/2010	GASSNER, STEPHANIE	OTHER OFFENSES	15203		KNOLLTRAI...	622	1004	26000		
0323245-X	11/20/2010	GARCIA, GISELA	THEFT	15203		KNOLLTRAI...	622	1004	26000	05905	
0326763-X	11/21/2010	GONZALES, ALEXIA	FRAUD	15203		KNOLLTRAI...	621	1004	11110		
0328282-V	10/23/2008	PRESA, CARLOS	TRAFFIC MOTOR VEHICLE	15203		KNOLLTRAI...	625	1004	32090		
0339514-X	12/12/2010	GEARHART, JASON, A	OTHER OFFENSES	15203		KNOLLTRAI...	622	1004	26000		

Page 5 of 8 (108 Items)

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UCR Codes Year Codes Property Class Codes

Welcome

Search Records - Offense		Filter									
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0358724-T	05/14/2007	TUBBS, JANELLE	THEFT	15203		KNOLLTRAI...	616	1004	05111		
0360317-W	12/06/2009	*RESULTS, NUTRITION	THEFT	15203		KNOLLTRAI...	622	1004	06932		
0360823-Y	05/19/2007	HANCE, APRIL	ASSAULT	15203		KNOLLTRAI...	616	1004	08311		
0402725-T	05/31/2007	MCCUTCHEEN, KIANA	THEFT	15203		KNOLLTRAI...	616	1004	06941		
0403946-T	06/01/2007	CANNON, JANIA ALINA	AGGRAVATED ASSAULT	15203		KNOLLTRAI...	616	1004	04471		
0411853-P	05/25/2005	*OCEANS CLUB	BURGLARY	15203		KNOLLTRAI...	616	1004	05332		
0419757-P	05/28/2005	*DONUT TOWN	THEFT	15203		KNOLLTRAI...	616	1004	06902		
0432387-T	06/10/2007	LEE, JESSICA	THEFT	15203		KNOLLTRAI...	616	1004	06901		
0452561-P	06/08/2005	*DONUT TOWN	THEFT	15203		KNOLLTRAI...	616	1004	06904		
0488534-P	06/20/2005	*CHINA HALL BUFFET	BURGLARY	15203		KNOLLTRAI...	616	1004	03191		
0565242-T	07/26/2007	*CITY OF DALLAS	LOST PROPERTY	15203		KNOLLTRAI...	616	1004	42020		
0566817-T	07/29/2007	NAM, HOANH, TRINH	AGGRAVATED ASSAULT	15203		KNOLLTRAI...	616	1004	04171		
0566818-T	07/29/2007	TUAN, THAI, TRIEU	AGGRAVATED ASSAULT	15203		KNOLLTRAI...	616	1004	04171		
0568130-Y	07/29/2007	VU, QUAN, HOANG	AGGRAVATED ASSAULT	15203		KNOLLTRAI...	616	1004	04171		
0609989-T	08/12/2007	VU, SACH	ASSAULT	15203		KNOLLTRAI...	616	1004	08121		

Page 6 of 8 (108 Items)

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UCR Codes Year Codes Property Class Codes

Welcome

Search Records - Offense		Filter									
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0612279-P	07/31/2005	*UNIVISION RADIO	CRIMINAL MISCHIEF/VANDALISM	15203		KNOLLTRAI...	616	1004	14082		
0612273-T	08/17/2007	HARRINGTON, BRANDON	ROBBERY	15203		KNOLLTRAI...	616	1004	03931		
0616166-T	08/26/2007	DAM, CHARLES	ASSAULT	15203		KNOLLTRAI...	616	1004	08121		
0637248-T	08/24/2007	EDWARDS, ZVICHANZIYI	THEFT	15203		KNOLLTRAI...	616	1004	06901		
0663610-Y	09/21/2007	HERNANDEZ, DEANNA	ASSAULT	15203		KNOLLTRAI...	616	1004	08321		
0687854-T	10/12/2007	YTUARTE, ANGELINA	THEFT	15203		KNOLLTRAI...	616	1004	05941		
0689089-T	10/13/2007	EDINBORO, ROSS	CRIMINAL MISCHIEF/VANDALISM	15203		KNOLLTRAI...	616	1004	14082		
0699471-T	10/13/2007	GRACIA, PABLO	ROBBERY	15203		KNOLLTRAI...	625	1004	03941		
0722276-T	11/10/2007	HOLY, CHRISTINA	THEFT	15203		KNOLLTRAI...	625	1004	06901		
0726119-K	09/27/2006	GARCIA, RIGO	THEFT	15203		KNOLLTRAI...	616	1004	06951		
0749207-T	11/21/2007	DURHAM, DARREN	LOST PROPERTY	15203		KNOLLTRAI...	625	1004	42020		
0764135-T	12/09/2007	BUI, LUCY UYEN	CRIMINAL MISCHIEF/VANDALISM	15203		KNOLLTRAI...	625	1004	14081		
0772812-T	12/15/2007	NGUYEN, TINA	THEFT	15203		KNOLLTRAI...	625	1004	06902		
0870809-R	11/19/2006	*KARMA	BURGLARY	15203		KNOLLTRAI...	616	1004	05331		
0922216-P	11/18/2005	BOYD, MARIE	ASSAULT	15203		KNOLLTRAI...	616	1004	08311		

Page 7 of 8 (108 Items)

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UCR Codes Year Codes Property Class Codes

Welcome

Search Records - Offense		Filter									
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0228321-R	12/12/2006	*DOMINOS PIZZA	BURGLARY	15203		KNOLLTRAI...	616	1004	05331		
1021269-P	12/25/2005	PHOMMAVONG, THIAMCH...	LOST PROPERTY	15203		KNOLLTRAI...	616	1004	42020		
1021932-P	12/27/2005	*DONUT SHOP	BURGLARY	15203		KNOLLTRAI...	616	1004	05334		

Z101-249 (MW)

**Partners/Principals/Officers:**

**Adanac Hospitality, Inc**  
15203 Knoll Trail Drive, Suite 125  
Dallas, TX 75248  
Ph) 214-298-2852

March 28, 2011

**Re) List of Officers**

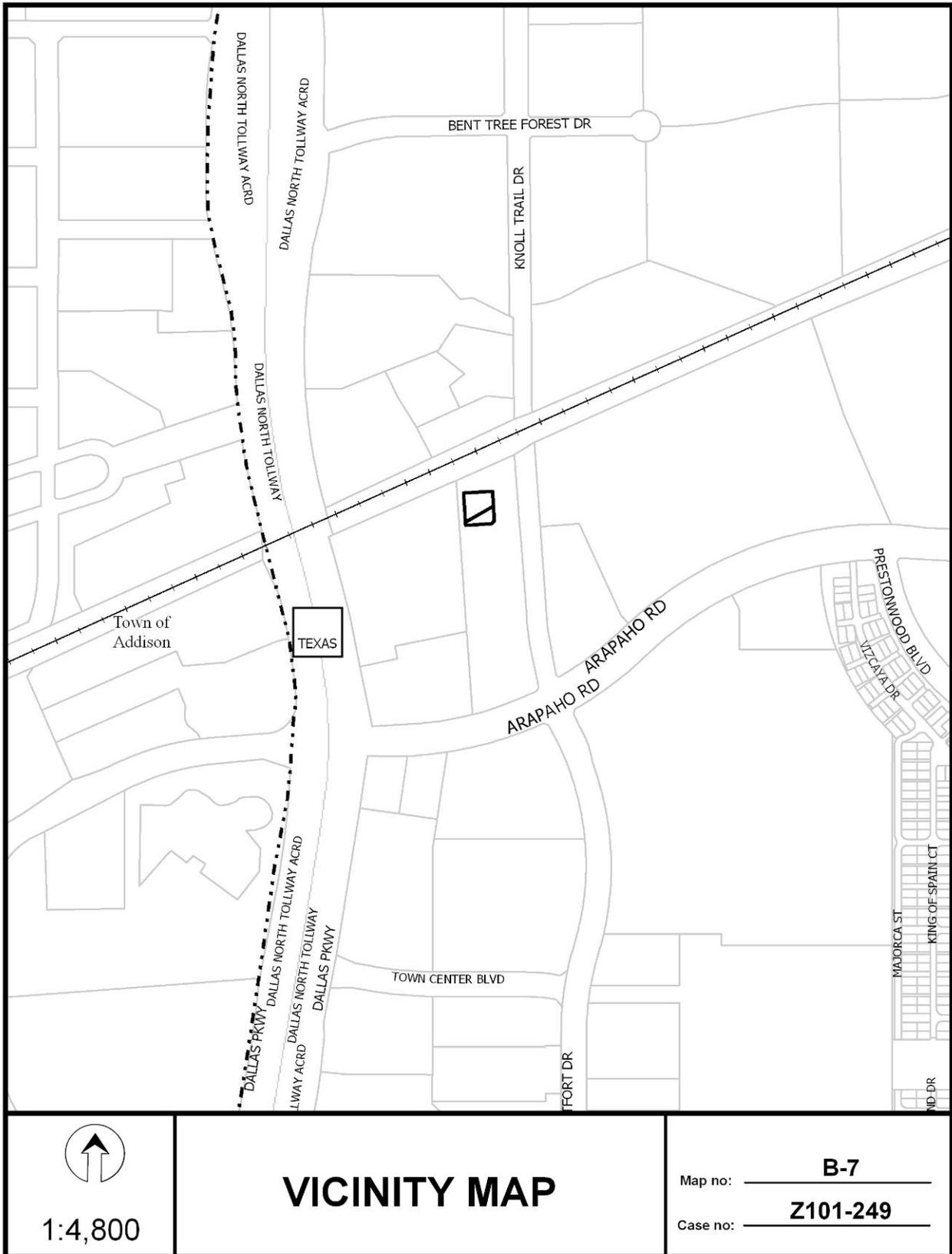
**Charles Williams: President/Treasurer/Director**  
**Broderick Donnell Farrar: Vice President/Director**  
**Marshall James Armstrong, Jr.: Secretary/Director**

Z101-249

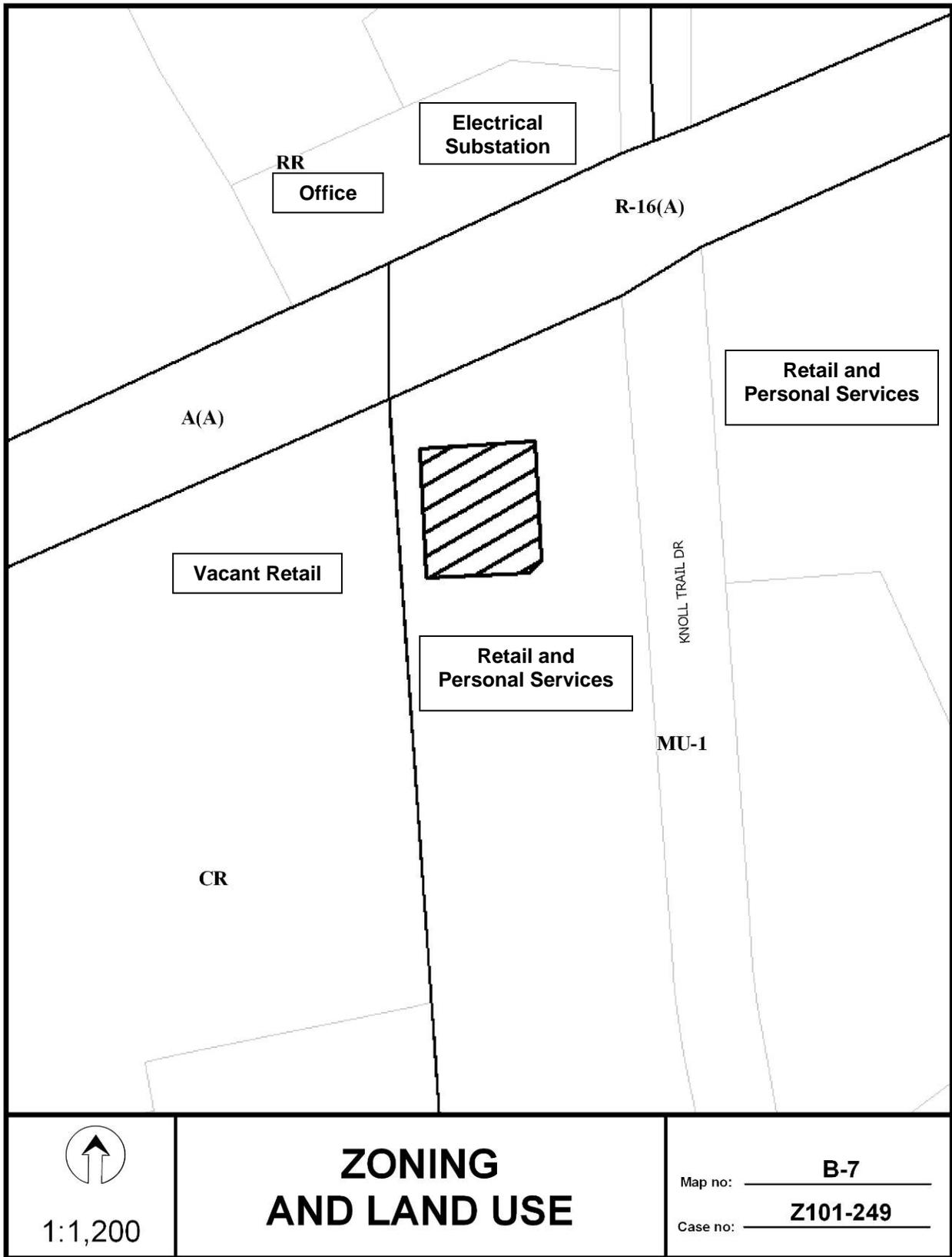
**Z101-249  
Proposed SUP Conditions**

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a bar, lounge or tavern.
2. SITE PLAN: Use and development of the property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on \_\_\_\_\_(two years from passage of the ordinance).
4. CERTIFICATE OF OCCUPANCY: The owner or operator must obtain a new certificate of occupancy within six months of the passage of this ordinance.
5. FLOOR AREA: The maximum floor is 9,912 square feet in the location shown on the attached site plan.
6. HOURS OF OPERATION: The alcoholic beverage establishment limited to a bar, lounge or tavern may only operate between 5:00 p.m. and 2:00 a.m. (the next day), Monday through Sunday.
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.

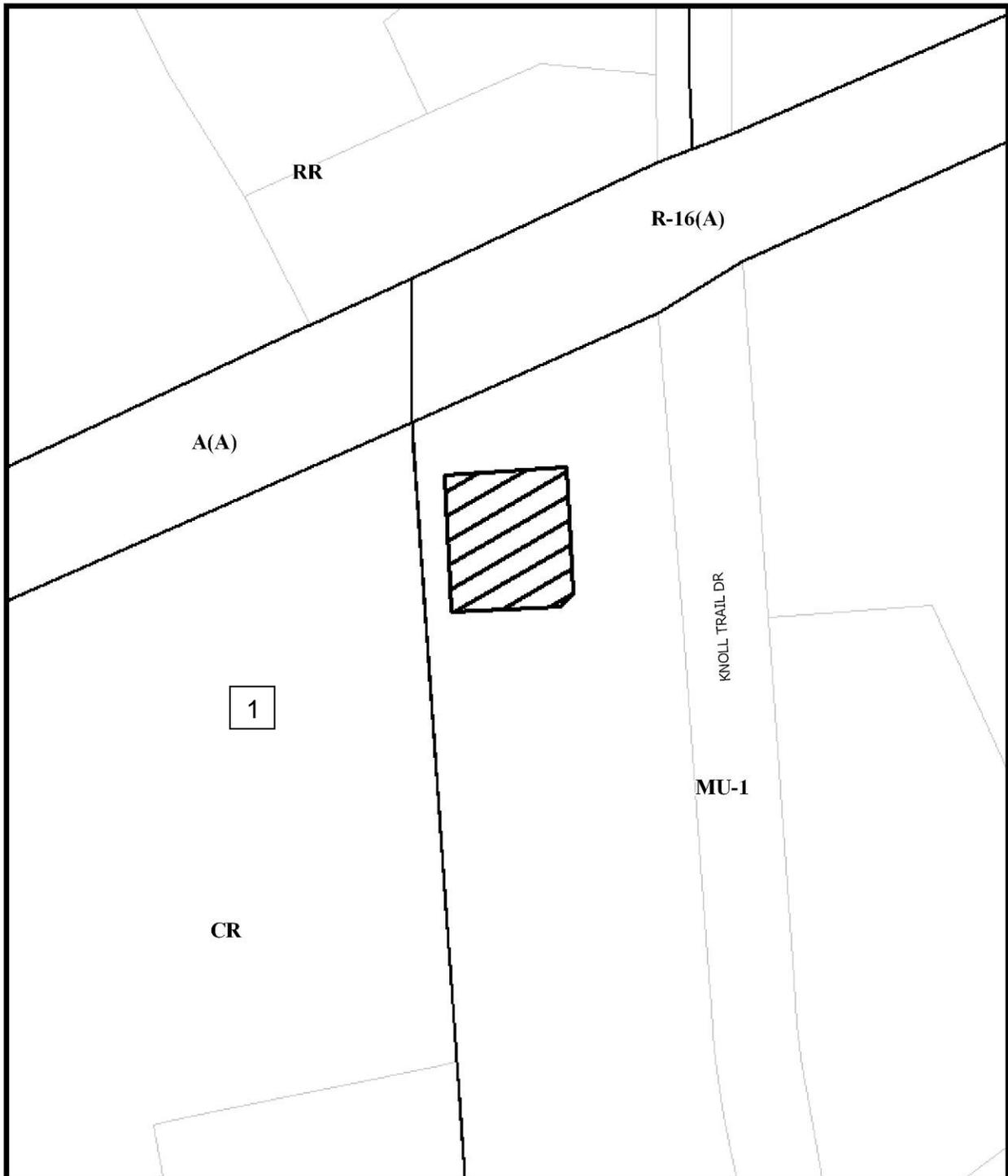




DATE: August 04, 2011



DATE: August 04, 2011



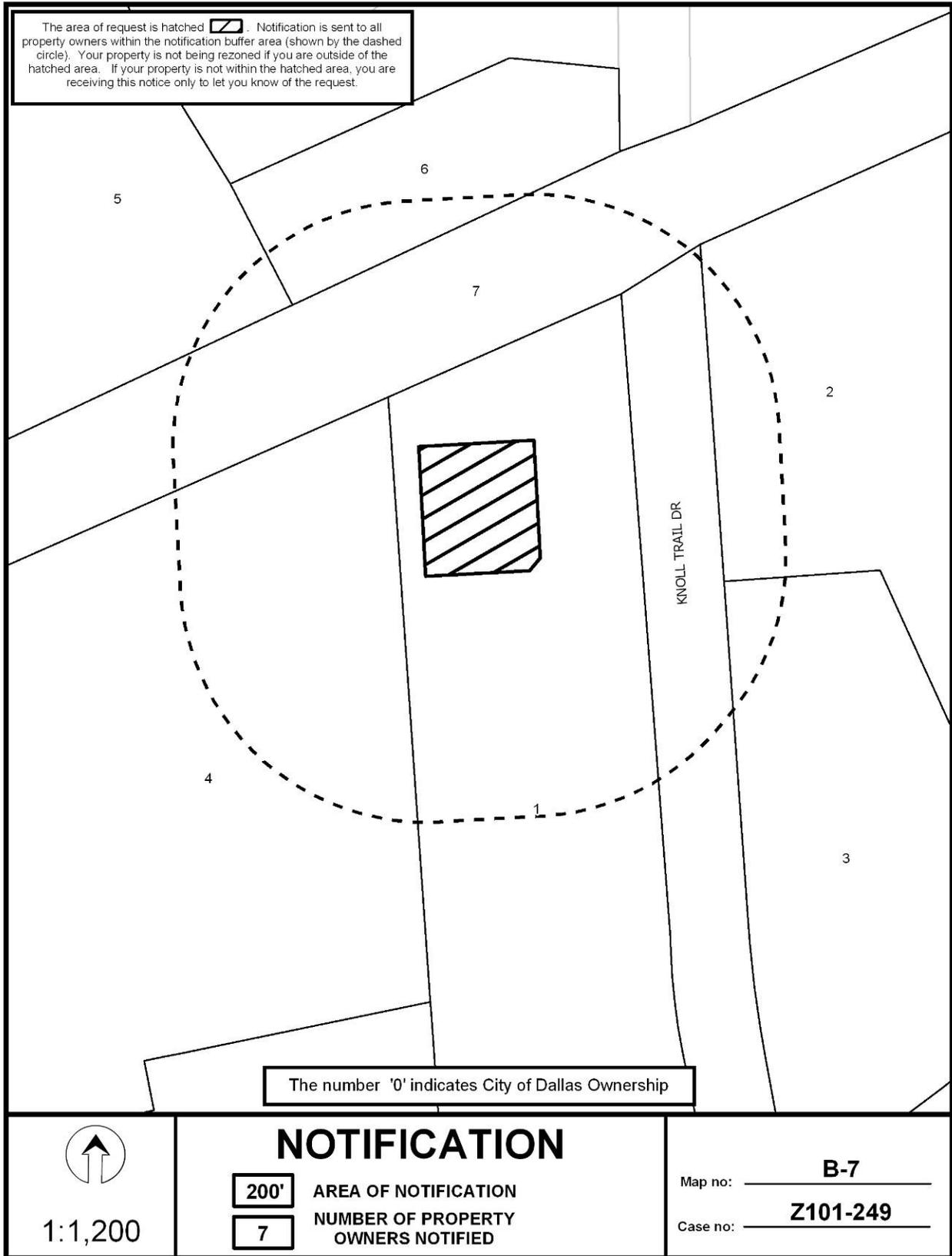
1:1,200

# ZONING HISTORY

Map no:       B-7      

Case no:       Z101-249      

DATE: August 04, 2011



DATE: August 04, 2011

## **Notification List of Property Owners**

### **Z101-249**

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

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	15203 KNOLL TRAIL	PRESTONWOOD PARTNERS LTD
2	5519 ARAPAHO	PV PRESTONWOOD I LTD
3	5519 ARAPAHO	PV PRESTONWOOD II LTD
4	15490 DALLAS	SA OMAX 2007 LP
5	15660 DALLAS	GRANITE ONE WEST LTD
6	15401 KNOLL TRAIL	TEXAS UTILITIES ELEC CO % STATE & LOCAL TAX DEPT
7	8008 ELAM	DART

**FILE NUMBER:** Z101-289(MW)

**DATE FILED:** June 6, 2011

**LOCATION:** North side of West Davis Street, south side of Fort Worth Avenue

**COUNCIL DISTRICT:** 3

**MAPSCO:** 53-B

**SIZE OF REQUEST:** ±1.01 acre

**CENSUS TRACT:** 68

---

**APPLICANT/OWNER:** Fernando Martinez and Jose Martinez

**REPRESENTATIVE:** Tailim Song Law Firm

**REQUEST:** An application to terminate deed restrictions on property zoned an MCO Multiple Commercial/Office Subdistrict within Planned Development District No. 631, the West Davis Special Purpose District

**SUMMARY:** The applicant proposes to terminate deed restrictions which prohibit certain land uses on the request site.

**STAFF RECOMMENDATION:** Approval

**BACKGROUND INFORMATION:**

- The ±1.01-acre request site is developed with a ±13,350-square foot, two-story structure which is currently vacant.
- On December 13, 2000, the City Council approved a CS Commercial Service District subject to deed restrictions volunteered by the applicant and a Specific Use Permit for a commercial bus station and terminal for a three-year period subject to a site plan and conditions.
- The request site is now within PDD No. 631, the West Davis Special Purpose District, approved by City Council on March 26, 2003.
- Most uses prohibited by the deed restrictions are not allowed in PDD No. 631. However, if the deed restrictions are terminated, the following uses will be allowed: *Private recreation center, club or area; Job or lithographic printing; Dance hall (SUP); Lodging or boarding house (SUP); Radio, television or microwave tower (SUP); Overnight general purpose shelter (SUP); Hotel or Motel (SUP); Commercial Amusement Outside (SUP); Medical or Scientific Laboratory (SUP).*
- The request site is surrounded by parking to the north; retail and personal service uses to the east and south and undeveloped land to the west.

**Zoning History:**

1. **Z067-140:** On April 12, 2007, the City Plan Commission recommended denial without prejudice of an application for a Specific Use Permit for an open-enrollment charter school.
2. **Z067-159:** On March 26, 2008, the City Council approved of an NS(A) Neighborhood Service District subject to deed restrictions volunteered by the applicant.

**Thoroughfares/Streets:**

<b>Thoroughfares/Streets</b>	<b>Type</b>	<b>Existing ROW</b>
West Davis Street	Minor Arterial	100 feet
Forth Worth Avenue	Principal Arterial	130 feet

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PDD No. 631, MCO Subdistrict with deed restrictions	Vacant building
<b>North</b>	PDD No. 631, MCO Subdistrict	Parking
<b>East</b>	PDD No. 631, MCO Subdistrict with deed restrictions	Retail and personal services
<b>South</b>	PDD No. 631, LCO Subdistrict	Retail and personal services
<b>West</b>	PDD No. 631, MCO Subdistrict with deed restrictions	Undeveloped

**STAFF ANALYSIS:**

**Area Plan:**

The request is within the West Davis Land Use Study, adopted March 27, 2002. The Study identifies West David Street as a gateway to the City of Dallas and recommends office and retail uses along this corridor.

**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.

**Land Use Compatibility:**

The ±1.01-acre request site is developed with a ±13,350-square foot, two-story structure which is currently vacant. On December 13, 2000, the City Council approved a CS Commercial Service District subject to deed restrictions volunteered by the applicant and a Specific Use Permit for a commercial bus station and terminal for a three-year period subject to a site plan and conditions. The SUP terminated on December 13, 2000.

The request site is now within PDD No. 631, the West Davis Special Purpose District, approved by City Council on March 26, 2003. Most uses prohibited by the deed restrictions are not allowed in PDD No. 631. However, if the deed restrictions are terminated, the following uses will then be allowed:

- Private recreation center, club or area
- Job or lithographic printing
- Dance hall (SUP)
- Lodging or boarding house (SUP)
- Radio, television or microwave tower (SUP)
- Overnight general purpose shelter (SUP)
- Hotel or Motel (SUP)
- Commercial Amusement Outside (SUP)
- Medical or Scientific Laboratory (SUP)

While two (2) of the above uses are permitted by right; the majority of the uses require a Specific Use Permit. If proposed, those uses would be evaluated for compatibility with adjacent land uses through the SUP process. Therefore, staff supports the termination of the deed restrictions.

The request site is surrounded by parking to the north; retail and personal service uses to the east and south and undeveloped land to the west.

**Development Standards:**

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
PDD No. 631 MCO Subdistrict	15'	20' adjacent to residential Other No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	54'4 stories	60%	RPS	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:**

Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use.

**Landscaping:**

Landscaping must be provided in accordance to Article X of the Dallas Development Code.

### Deed Restrictions to be Terminated

003807

DEED RESTRICTIONS

1235753

12/22/00 2444909 \$15.00  
Deed

THE STATE OF TEXAS )

) KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF DALLAS )

I.

The undersigned, Fernando Martinez and Jose Martinez Jr., ("the Owners"), natural persons, are the owners of the following described property ("the Property"), being in particular a tract of land out of the J. E. Helms Survey, Abstract 605, City Blocks 4140 and 4152, City of Dallas ("City"), Dallas County, Texas, and being the same tract of land conveyed to Fernando Martinez and Jose Martinez Jr. by Tortilleria La Favorita, Inc., a Texas corporation, and La Ideal Food Products, Inc. a Texas corporation by deed dated 10/18/99, and recorded in Volume 99203, page 0307, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod set for corner in the north line of West Davis Street (100 feet right-of-way) that is South 89 degrees 47 minutes East a distance of 467.00 feet from the Southerly corner of the east visibility corner of the Intersection of West Davis Street and Fort Worth Avenue;

THENCE continuing South 89 degrees 47 minutes East along the north line of West Davis a distance of 145.00 feet to a 5/8 inch iron rod set for corner;

THENCE North 00 degrees 24 minutes east a distance of 300.00 feet to a 1/2 iron pipe set for corner;

THENCE North 89 degrees 47 minutes West parallel to West Davis Street a distance of 145.0 feet to a 5/8 inch iron rod set for corner;

THENCE South 00 degrees 24 minutes West a distance of 300.00 feet to the place of beginning and containing 43.999 square feet or 0.998 acres of land.

Now known as Lot 1A, Block D/4140 of La Favorita Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 87097, Page 1686, Map Records, Dallas County, Texas.

200248 02722

Z101-289

003807

II.

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

1. THE FOLLOWING LAND USES ARE PROHIBITED:

- \* Dance halls as defined in Chapter 14 of the Dallas City Code
- \* Private recreation center, club or area
- \* Commercial cleaning or laundry plant
- \* Pawn shop
- \* Labor hall
- \* Machinery, heavy equipment, or truck sales and services
- \* Bus or rail transit vehicle maintenance & storage facility
- \* Vehicle or engine repair or maintenance
- \* Halfway house
- \* Lodging or boarding house
- \* Accessory outside sales
- \* Vehicle display, sales and service
- \* Radio television or microwave tower
- \* Building mover's temporary storage yard
- \* Contractor's maintenance yard
- \* Freight terminal
- \* Mini-warehouse
- \* Petroleum product storage and wholesale
- \* Building repair and maintenance shop
- \* Overnight general purpose shelter
- \* Job or lithographic printing
- \* Machine or welding shop
- \* Hotel or Motel
- \* Commercial amusement (outside)
- \* Taxidermist
- \* Heliport
- \* Auto auction
- \* Manufactured building sales lot
- \* Accessory outside storage
- \* Medical or scientific laboratory

III.

The restrictions shall continue in full force and effort 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.

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V.

The 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 Owners agree that these restrictions inure to the benefit of the City. The Owners hereby grant 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 Owners agree 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.

VII.

The Owners agree to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with the provisions of this document.

VIII.

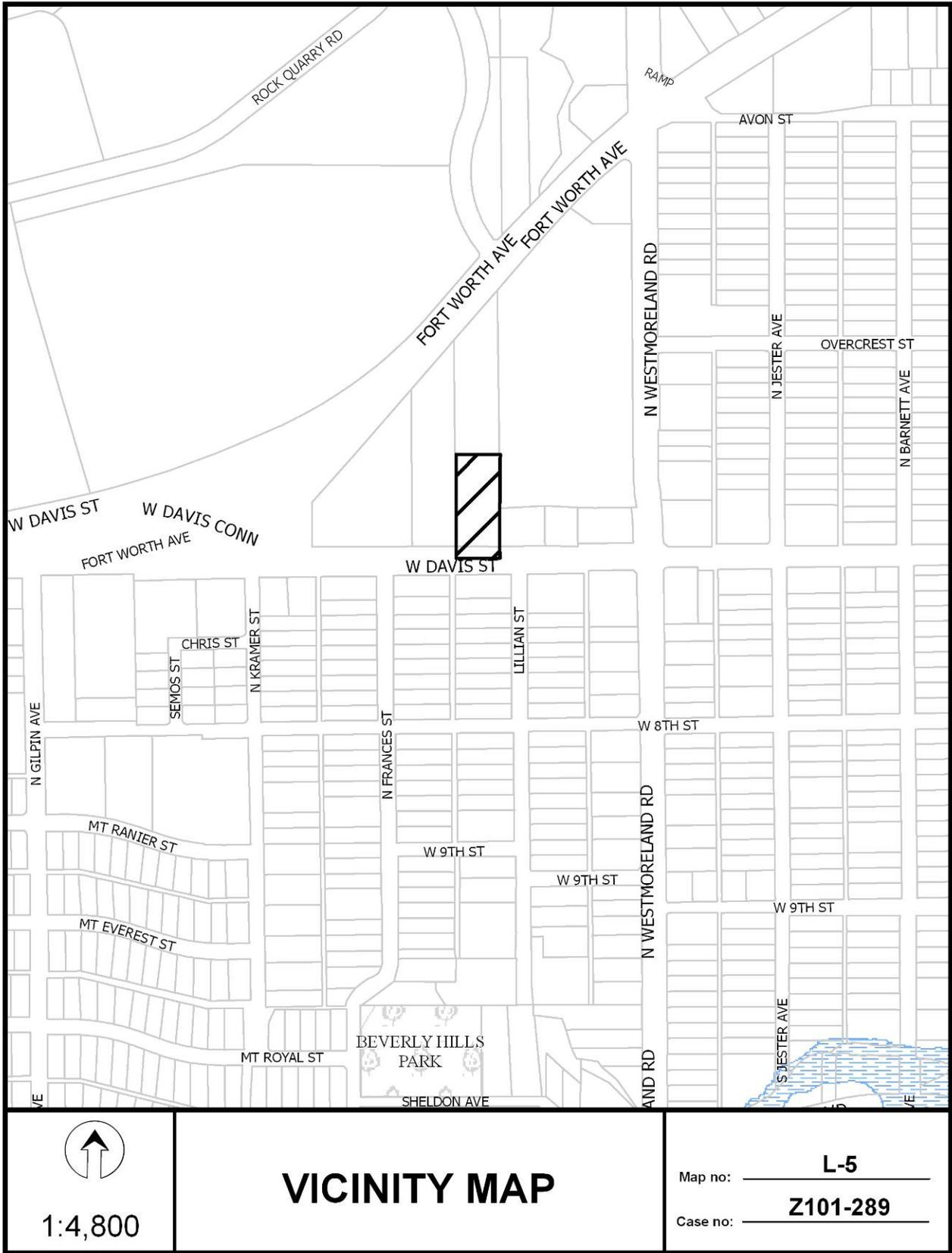
The provisions of this document are hereby declared covenants running with the land and are fully binding on all successors, heirs, and assigns of the Owner who acquire any right, title, or interest in or to the Property, or any part thereof. Any person who acquires any right, title, or interest in or to the Property, or any part thereof, thereby agrees and covenants to abide by and fully perform the provisions of this document.

IX.

Unless stated otherwise in this document, the definitions and provisions of CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, apply and are incorporated into this document as if recited in this document.

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Z101-289(MW)

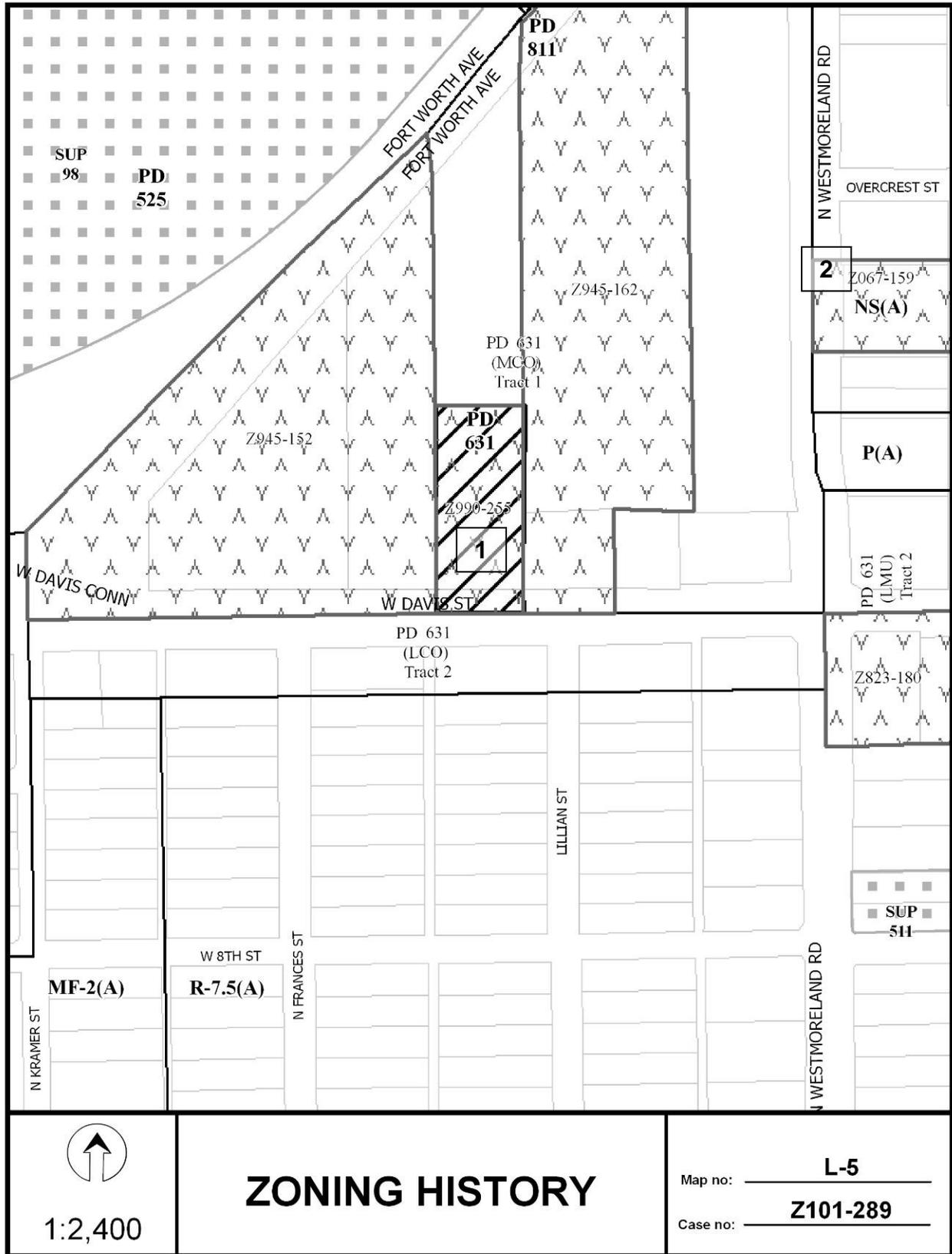


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1:4,800

# VICINITY MAP

Map no:           L-5            
Case no:           Z101-289          

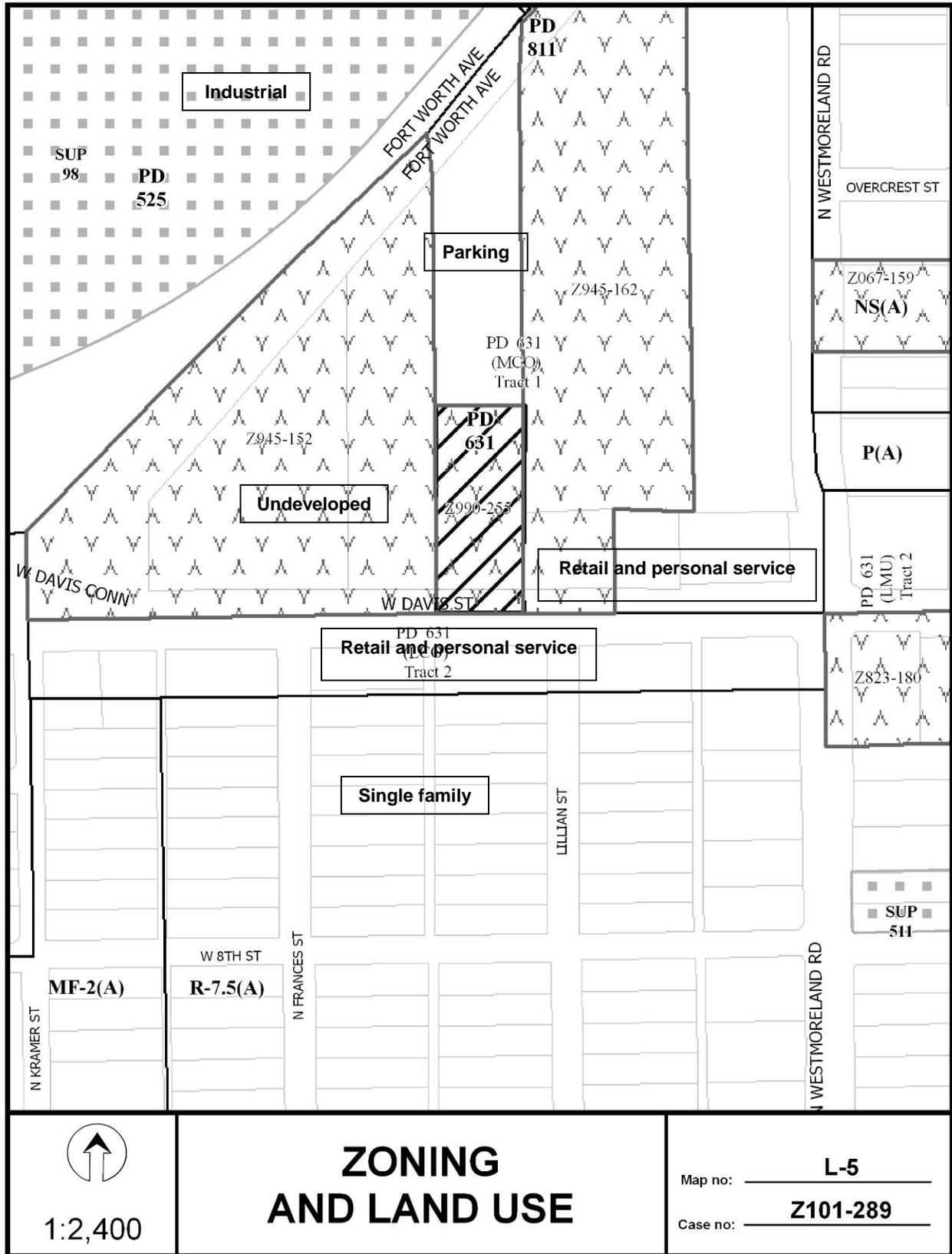
DATE: July 07, 2011



# ZONING HISTORY

Map no:           L-5            
Case no:           Z101-289          

DATE: July 07, 2011

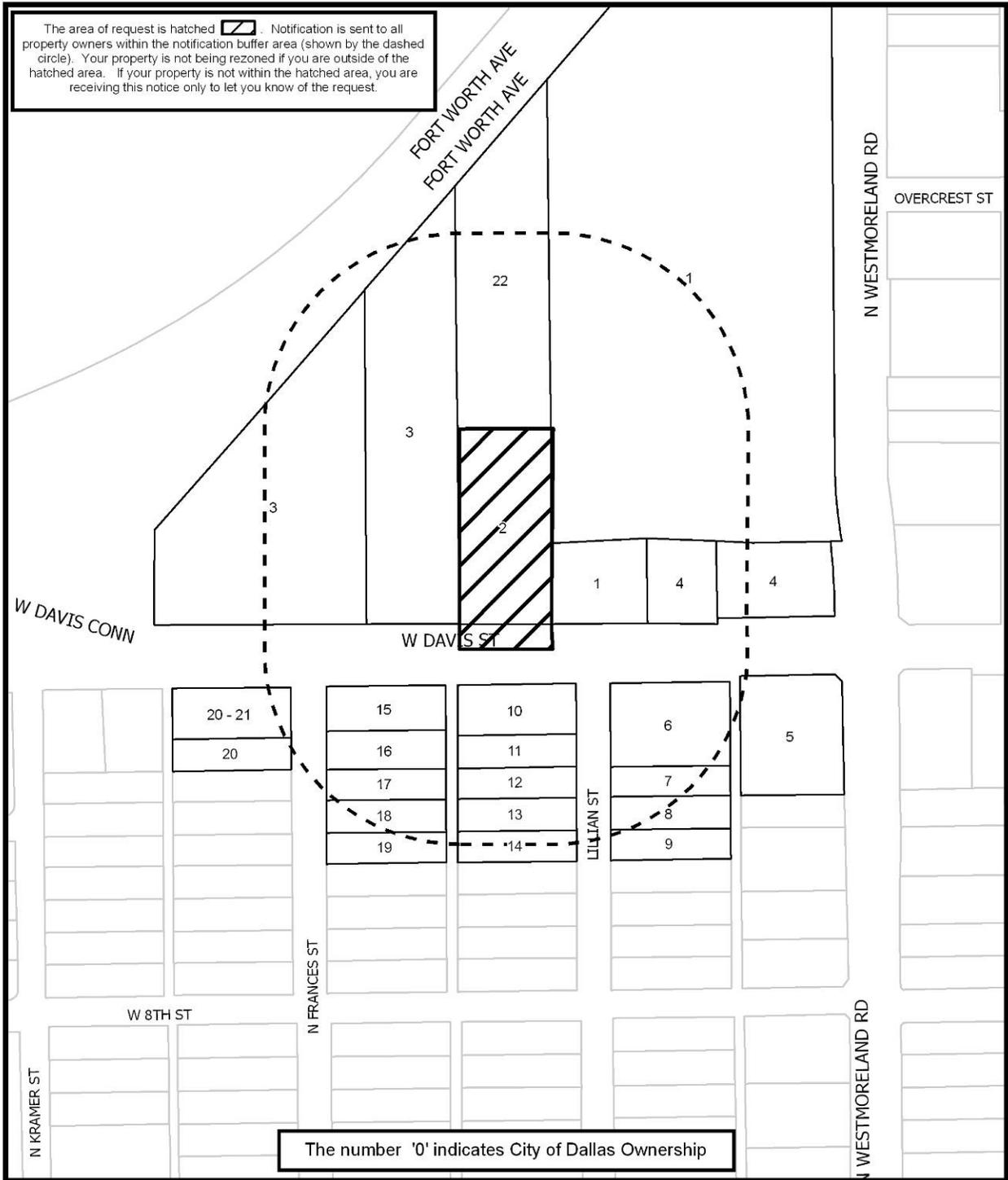


# ZONING AND LAND USE

Map no:           L-5            
Case no:           Z101-289          

DATE: July 07, 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

 1:2,400	<h1>NOTIFICATION</h1>	Map no: <u>          L-5          </u>			
	<table border="1"> <tr> <td style="padding: 2px;"><b>300'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="padding: 2px;"><b>22</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>300'</b>	AREA OF NOTIFICATION	<b>22</b>	NUMBER OF PROPERTY OWNERS NOTIFIED
<b>300'</b>	AREA OF NOTIFICATION				
<b>22</b>	NUMBER OF PROPERTY OWNERS NOTIFIED				

DATE: July 07, 2011

## **Notification List of Property Owners**

### **Z101-289**

#### **22 Property Owners Notified**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	627 WESTMORELAND	WESTMORELAND PLAZA JV
2	3407 DAVIS	MARTINEZ FERNANDO & JOSE J MARTINEZ JR
3	3511 FORT WORTH	FORT DAVIS CAVAZOS I LLC
4	3317 DAVIS	KANAN NADER
5	3308 DAVIS	CHURCHS FRIED CHICKEN POPEYE S #1409 STE 300
6	3320 DAVIS	CARRIZALES JESSE
7	506 LILLIAN	HUERTA MARTA & ANTONIOI APOLINAR
8	504 LILLIAN	ESPINOSA VERONICA
9	418 LILLIAN	VILLAGOMEZ R M
10	519 LILLIAN	AKPUNKU EMEKA ET AL
11	517 LILLIAN	ROBLES RAMIRO JR
12	507 LILLIAN	ARGUMEDO OSCAR & MANUELA
13	503 LILLIAN	CRAIG VERA LOPEZ
14	419 LILLIAN	VERACRUZ SIMONE
15	3434 DAVIS	MILLER NORMAN A II &
16	510 FRANCES	RESENDIZ HILARIO O & GUADALUPE
17	506 FRANCES	MARTINEZ DANIEL & GUADALUPE
18	502 FRANCES	COUCH TAWANA YVONNE
19	418 FRANCES	ARELLANO FIDELMAR
20	511 FRANCES	MARTINEZ DAN
21	3504 DAVIS	MARTINEZ DAN
22	3400 FORT WORTH	BRYANT BRADY W

Thursday, July 07, 2011

**FILE NUMBER:** Z101-321(MW)

**DATE FILED:** July 1, 2011

**LOCATION:** South side of Capitol Avenue between Garrett Avenue and Bennett Avenue

**COUNCIL DISTRICT:** 2      **MAPSCO:** 35-Z, 36-W

**SIZE OF REQUEST:** ±4.23 acres

**CENSUS TRACT:** 9.00

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**REPRESENTATIVE:** Karl A. Crawley, MASTERPLAN

**APPLICANT:** ContraVest Management Company

**OWNERS:** Alan C. Spaeth  
David B. McQuaid, Belmont Association Ltd.  
Maria Santos Vergara  
Lavelle Lee W. Gillespie  
Armando Rojas  
Rosa Ana Barron  
Tommy Murphy  
Salud Valencia  
Jose Gutierrez

**REQUEST:** An application for a Planned Development District for Multifamily District Uses on property zoned an MF-2(A) Multifamily District.

**SUMMARY:** The applicant proposes to redevelop the site with approximately 316 multifamily dwelling units. The Planned Development District would allow a maximum structure height of 54 feet and would require design standards for street frontages to encourage pedestrian activity.

**STAFF RECOMMENDATION:** Approval; subject to a development plan and conditions.

**BACKGROUND INFORMATION:**

- The ±4.23 acre request site is currently developed with approximately fifty (50) multifamily units and eight (8) single family units.
- The request site is surrounded by single family and multifamily development.
- The applicant proposes to maintain the fifteen (15)-foot setback and to develop the property with approximately 316 multifamily dwelling units
- The proposed PD conditions require urban design standards which will promote a pedestrian-friendly environment and will encourage walking to nearby shopping and services.
- On September 25, 2008, the City Plan Commission recommended approval of a Planned Development District for Multifamily District uses on the request site. However, the application was withdrawn prior to final action by City Council. The PDD proposed by this application mirrors that of the previously considered request.

**Zoning History:**

<b>1.</b>	<b>Z078-191:</b>	On, 2008, the City Plan Commission recommended denial of a Planned Development District for MF-2(A) Multifamily District uses on property zoned an MF-2(A) Multifamily District. The applicant did not appeal to the City Council.
	<b>B078-097:</b>	On August 12, 2008, the Board of Adjustment approved a special exception to the tree preservation requirements.
	<b>B067-077:</b>	On May 15, 2007, the Board of Adjustment approved a variance to the front yard setback regulations.
	<b>B056-115:</b>	On April 18, 2006, the Board of Adjustment approved an alternate landscape plan as a special exception to the landscape requirements, subject to conditions.
<b>2.</b>	<b>Z067-185</b>	On August 8, 2007, the City Council approved a Planned Development District for MF-2(A) Multifamily District uses on property zoned an MF-2(A) Multifamily District and a CR Community Retail District.
<b>3.</b>	<b>B023-006:</b>	On November 18, 2002, the Board of Adjustment approved a special exception to the parking requirements.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Capitol Avenue	Minor Arterial	50 feet
Garrett Avenue	Minor Arterial	60 feet
Bennett Avenue	Major Arterial	80 feet

**Land Use:**

	Zoning	Land Use
Site	MF-2(A)	Multifamily; single family
Northeast	MF-2(A)	Multifamily; single family
Southeast	MF-2(A)	Multifamily; single family
Southwest	MF-2(A); CR	Multifamily; single family; retail and restaurants
Northwest	PDD 763; MF-2(A)	Multifamily

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The subject site is identified as being within an *Urban Neighborhood* on the **forwardDallas! Vision Illustration**, adopted June 2006. Urban neighborhoods are predominantly 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 mid-rise 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 residents.

The applicant's proposal to provide multifamily development in this area of the City is consistent with the *forwardDallas! Vision* and further complies with the following goals and policies of the Comprehensive Plan.

## **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.

The proposed multifamily project is consistent with the desired urban neighborhood development pattern identified on the **forwardDallas! Vision Illustration**, as it promotes diversity in housing choices within walking distance of community retail uses.

## **URBAN DESIGN ELEMENT**

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

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

The request site is located near Fitzhugh Avenue, which is an established commercial corridor. The proposed PD conditions require wider sidewalks and urban design standards, such as enhanced pedestrian entrances and façade wall changes, which will promote a pedestrian-friendly environment and will encourage walking to nearby shopping and services.

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

The proposed project is consistent in height, scale and character with Planned Development District 763, adjacent to the northeast of the request site. To promote compatibility with the existing mix of single and multifamily development, a fifteen-foot front setback is proposed, consistent with that of the MF-2(A) District. This will maintain continuity of the established setback along all street frontages and will help preserve the existing character of the neighborhood.

### **GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

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

The request site is located within walking distance of an established commercial corridor; proposed design standards promote a pedestrian-friendly environment.

#### **Land Use Compatibility:**

The ±4.23 acre request site is currently developed with approximately fifty (50) multifamily units and eight (8) single family units. The request site is surrounded by a mix of single family and multifamily development and is within close proximity to the Fitzhugh Avenue commercial corridor.

The MF-2(A) Multifamily District, which is prevalent in this area, allows a maximum height of 36 feet, a density range of approximately 36 to 54 dwelling units per acre and maximum lot coverage of 60 percent. The requested Planned Development District proposes a maximum height of 54 (as depicted on the development plan, the height of the corner structures will be 54 feet but the main structure will be 48 feet ) with a maximum density of approximately 75 units per acre and 75 percent maximum lot coverage. It should be noted that the adjacent PD No. 763 allows a maximum height of 48 feet, maximum lot coverage of 80 percent and an average density of 57 units to the acre.

The applicant intends to maintain a fifteen (15)-foot front yard setback, consistent with that of the MF-2(A) District. This will maintain continuity of the established setback along all street frontages and will help preserve the existing character of the neighborhood.

As depicted on the development plan, the applicant proposes two courtyard areas on the southeast portion of the request site, which will provide the adjacent single family homes a buffer from the proposed multifamily project.

While many properties in the area have redeveloped under the existing MF-2(A) Multifamily District standards, staff recognizes the transitional state of the neighborhood. Therefore, staff supports the increase in density at this location subject to the proposed PDD conditions which would require urban design standards to promote a pedestrian-friendly environment.

**Development Standards:**

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
<b>Existing</b>							
MF-2(A) Multifamily	15'	15'	Min lot 1,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family
<b>Proposed</b>							
PDD Multifamily	15'	10'	316 units	54"	75%	Proximity Slope	Multifamily

**Traffic:**

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

**Parking:**

As proposed by the PD Conditions, the parking requirements for a multifamily use are as follows:

- a) Required off-street parking is to be provided at a ratio of one space for each bedroom of a dwelling unit, with a minimum of one space per dwelling unit and a maximum of 1.5 spaces per dwelling unit.
  
- b) Parking for an accessory community center (private) use is one space per 750 square feet of floor area.

The applicant anticipates that of the 316 units, approximately 75% will be one bedroom and 25% will be two bedrooms. All required parking will be provided on site.

Typically, the required parking for a multifamily structure over 36 feet in height is not less than one space nor more than two spaces per dwelling unit. An accessory community center (private) requires one space for each 100 square feet of floor area. Although a reduction in required parking is requested by this application, design standards have been proposed to and promote walkability; therefore decreasing auto dependency.

**Landscaping and sidewalks:**

Except as provided, landscaping must be provided in accordance with Article X of the Dallas Development Code. The applicant proposes enhanced streetscape provisions which require parkway trees at one (1) tree per each thirty-five (35) feet of street frontage. Parkway trees must be located within a tree planting zone, which is that area parallel to and between two-and-one-half and ten feet from the back of the projected street curb. In addition, the applicant proposes six-foot sidewalks, with at least four feet of unobstructed width, along all street frontages.

Z101-321(MW)

**List of Partners/Principals/Officers:**

ContraVest Management Company, a Florida corporation

Gerry Ogier, President

John Schaffer, Vice President

**“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 southwest corner of Capitol Avenue and Bennett Avenue. The size of PD \_\_\_\_\_ is approximately 4.5 acres.

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

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

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

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

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

The following exhibit is incorporated into this article: Exhibit \_\_\_\_A: development plan.

**SEC. 51P-\_\_\_\_.105. DEVELOPMENT PLAN.**

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

**SEC. 51P- \_\_\_\_\_.106. MAIN USES PERMITTED.**

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

**SEC. 51P-\_\_\_\_.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 accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) The following accessory uses are not permitted:

- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(c) The following accessory use is permitted by SUP only:

- Accessory helistop.

**SEC. 51P-\_\_\_\_.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 in Division 51A-4.400. If there is a conflict, between this section and Division 51A-4.400, this section controls.)

(a) Front yard.

(1) Minimum front yard is 15 feet. The urban form setback as defined in Section 51A-4.116(b)(4)(A)(ii) does not apply in the district.

(2) The following may project up to five feet into the required front yard:

- (A) cantilevered roof eaves and balconies; and
- (B) stoops and stairs that do not exceed eight feet in width and four feet in height.

(3) The following are allowed to be located in the required front yard:

- (A) retaining walls with a maximum height of four feet;
- (B) fences with a maximum height of four feet; and
- (C) railings for stairs, stoops, porches, and patios with a maximum height of 42 inches;

(4) Any fence located in the required front yard must have at least 50 percent open surface.

(b) Side and rear yard.

(1) Minimum side yard is 10 feet.

(2) Minimum rear yard is 10 feet. The tower spacing regulations contained in Section 51A-4.116(4)(B)(ii) does not apply in this district.

(3) The following may project up to five feet into the required side and yard:

- (A) cantilevered roof eaves and balconies; and
- (B) stoops and stairs that do not exceed eight feet in width and four feet in height.

(4) The following are allowed to be located in the required side and rear yard:

- (A) fences with a maximum height of six feet; and
- (B) railings for stairs, stoops, porches, and patios with a maximum height of 42 inches.

(c) Density. Maximum number of dwelling units is 316.

(d) Floor area ratio. No maximum floor area ratio.

(e) Height.

(1) Maximum structure height is 48 feet as measured to the mid-point of the roof, except in those areas shown on the attached development plan where the maximum height is 54 feet as measured to the mid-point of the roof. Height is determined by measuring grade from the highest corner of the exterior corners of the building as measured after construction.

(2) The following structures may project a maximum of 12 feet above the maximum structure height:

- (A) Elevator penthouse or bulkhead.
- (B) Mechanical equipment room.
- (C) Cooling tower.
- (D) Tank designed to hold liquids.
- (E) Ornamental cupola or dome.
- (F) Skylights.
- (G) Clerestory.

(H) Visual screens that surround roof mounted mechanical equipment.

(I) Chimney and vent stacks.

(J) Amateur communications tower.

(K) Parapet wall limited to four feet in height.

(L) Accessory wind turbine.

(f) Lot coverage. Maximum lot coverage is 75 percent. Above-ground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size. No minimum lot size .

(h) Stories. Maximum number of stories is four. No maximum number of stories for parking structures.

**SEC. 51P- \_\_\_\_\_.109. DESIGN STANDARDS FOR STREET FRONTAGES.**

(a) Purpose. Continuous facades along pedestrian-oriented streets often have negative impacts on community aesthetics, pedestrian circulation, and the scale and rhythm of streetscapes. These design standards are intended to ensure that continuous facades that are located along well-traveled pedestrian ways are compatible with the surrounding area and mitigate the negative impact of continuous facades, while allowing creativity, flexibility, and variety in design.

(b) Facade wall changes. Facade walls must have one or more of the following changes:

(1) Changes of color, texture, or material, either diagonally, horizontally, or vertically, aesthetically proportional to the facade.

(2) Changes in plane with a depth of at least 24 inches, either diagonally, horizontally, or vertically, aesthetically proportional to the facade.

(c) Materials and colors. No more than 80 percent of the area of a street facade wall, exclusive of fenestration, may consist of a single color.

(d) Enhanced pedestrian building entrances. A minimum of one visible and usable building entrance is required per street frontage. The entrance must be clearly identified using an awning, paving treatments, a change in roofline, porticos, arcades, arches, integral planters, a stoop, or front porch, unique color treatments or similar means may be approved provided the same effect is achieved. Enhanced pedestrian

building entrances must face the street and be recessed a minimum of four feet from the facade or provide covering extending a minimum of four feet from the facade.

**SEC. 51P- \_\_\_\_\_.110. OFF-STREET PARKING AND LOADING.**

(a) Except as provide in this section, consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) For multifamily uses one space per bedroom is required, with a minimum of one space per dwelling unit and a maximum of 1.5 spaces per dwelling unit.

(c) For an accessory community center (private), one space per 750 square feet of floor area is required.

**SEC. 51P- \_\_\_\_\_.111. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

(a) Prohibited Light Sources. The following light fixtures and sources may not be used if the direct light emitted is visible from adjacent properties:

(1) Low pressure sodium and mercury vapor light sources;

(2) Cobra-head type fixtures having dished or drop lenses or refractors which house other than incandescent sources; and

(3) Searchlights and other high intensity narrow-beam fixtures.

(b) Lighting Design Requirements. Outdoor lighting must primarily be used to provide safety, accent key architectural elements, or emphasize public art or landscape features. All lighting fixtures must meet the following requirements:

(1) Fixture (luminaire).

(A) The light source must be concealed.

(B) In order to direct light downward and minimize the amount of light spillage into the night sky and onto adjacent properties, all lighting fixtures must be full cutoff fixtures.

(C) Fixtures must be mounted in such a manner that the cone of light is contained on-site and does not cross any property line on the perimeter of the Property.

(D) Lighting fixtures may not exceed 10 feet in height above the parking.

(E) Lighting fixtures may not be less than nine feet or more than 15 feet in height above the sidewalk in pedestrian areas.

(2) Light source (lamp).

(A) Only incandescent, fluorescent, metal halide, or color corrected high-pressure sodium may be uses.

(B) The same light source type must be used for the same or similar types of lighting throughout the development.

(c) Specific lighting standards.

(1) Security lighting.

(A) Building mounted security light fixtures such as wall packs may not project above the roof line of the building and must be shielded.

(B) Security lighting fixtures may not face residential uses adjacent to the Property.

(C) Security lighting fixtures may not be substituted for parking area or walkway lighting and are restricted to loading, storage, and service and similar locations.

(2) Accent lighting. Only lighting used to accent architectural elements, landscaping, or art may be directed upward, provided that the fixture is located, aimed, or shielded to minimize light spill into the night sky.

(3) Entrances and exits. All entrances to and exits from buildings must be lighted to ensure the safety of persons and the security of the building.

(4) Parking area lighting. The provisions of Sec. 51A-4.301(e) apply to all off-street parking area except as expressly modified in this section.

(5) Excessive illumination.

(A) Lighting that substantially interferes with the use or enjoyment of any other property is prohibited.

(B) Lighting must not be oriented so as to direct glare or excessive illumination onto streets in a manner that may distract or interfere with the vision of drivers.

(a) In general. Landscaping must be provided in accordance with Article X and the additional provisions in this section. If there is a conflict between the text of this section and Article X, the text of this section controls.

(b) Site trees. Site trees must have a minimum height of eight feet and a minimum caliper of two inches measured at a point 12 inches above the root ball at the time of installation.

(c) Parkway trees.

(1) Tree planting zone. Parkway trees must be located within the tree planting zone, which is that area parallel to and between two-and-one-half and ten feet from the back of the projected street curb. Trees planted within the tree planting zone may count toward site tree and street tree requirements.

(2) Number. The minimum number of required parkway trees is determined by dividing the number of feet of street frontage, exclusive of visibility triangles, by 35. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number.

(3) Type. Parkway trees must be recommended for local area use by the building official.

(4) Height and caliper. Parkway trees must have a minimum height of 14 feet and a minimum caliper of three-and-one-half inches measured at a point 12 inches above the root ball at the time of installation.

(5) Spacing. Parkway trees must be spaced as uniformly as practicable, but must be within 50 feet of the trunk of another required tree.

(d) Landscaping features. Decorative landscaping features, including fountains, are permitted in parking lots.

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

(f) 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 parkway landscaping requirements of this article. 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 requirement 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.

(g) 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 director. The application must be in writing on a form approved by the director 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 director 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 director 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 director shall issue a parkway landscape permit to the property owner; otherwise, the director 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 director's denial of a parkway landscape permit.

(4) A parkway landscape permit issued by the director is subject to immediate revocation upon written notice if at any time the director 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 requirement of this section if compliance is made impossible due to the director'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.

**SEC. 51P-\_\_\_\_.113.                      SIDEWALKS.**

(a) A minimum six-foot-wide sidewalk with at least four feet of unobstructed width must be provided along all street frontages. Tree grates do not count toward the minimum unobstructed sidewalk width.

(b) Sidewalks must be located in an area parallel to and within two-and-one-half feet to fifteen feet of the back of the projected street curb.

(c) If a sidewalk is located in the front yard, the property owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrian way.

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

Signs must comply with the provisions for non-business zoning districts in Article VII.

**SEC. 51P- \_\_\_\_ .113.                      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 of Dallas.

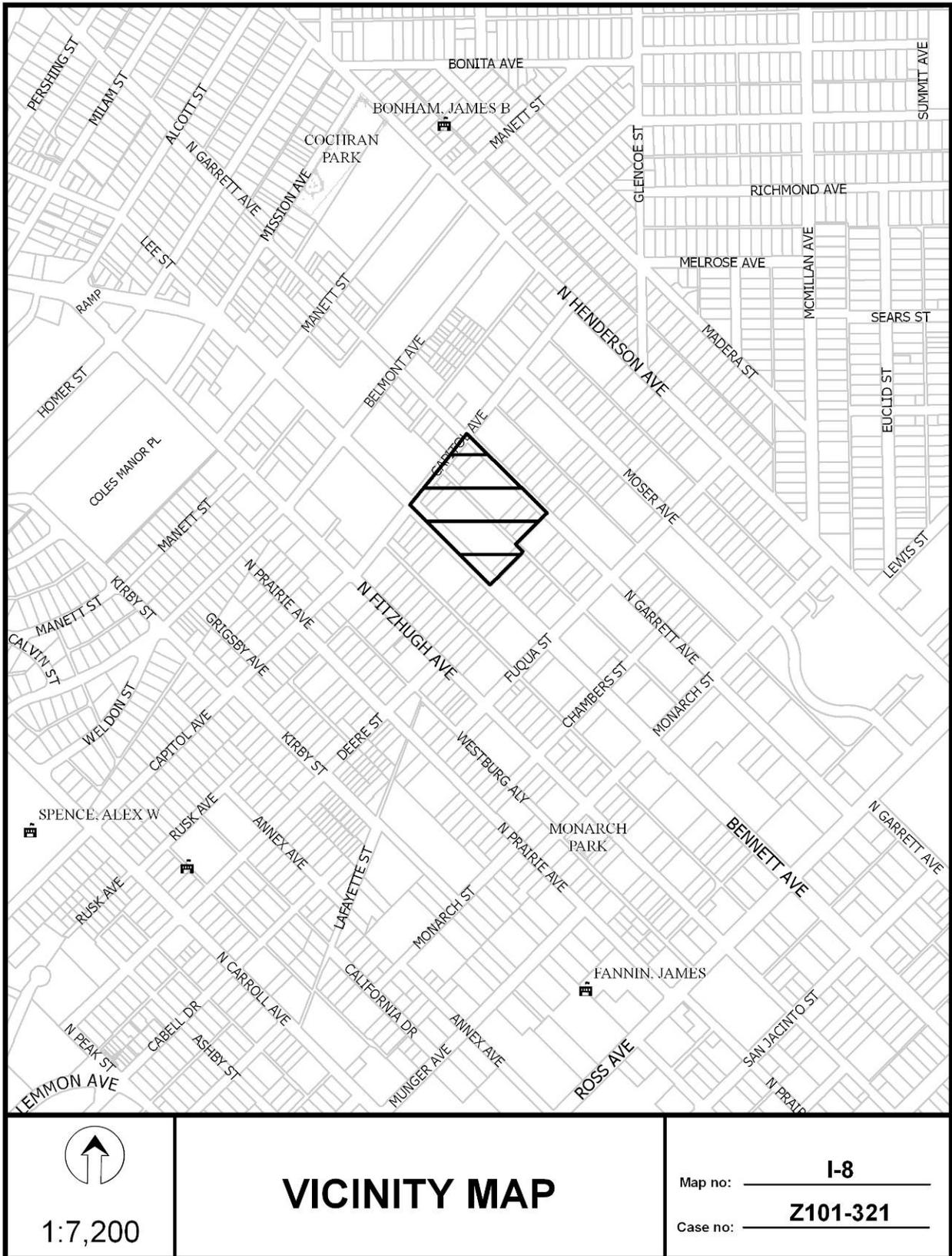
**SEC. 51P- \_\_\_\_ .114.                      COMPLIANCE WITH CONDITIONS.**

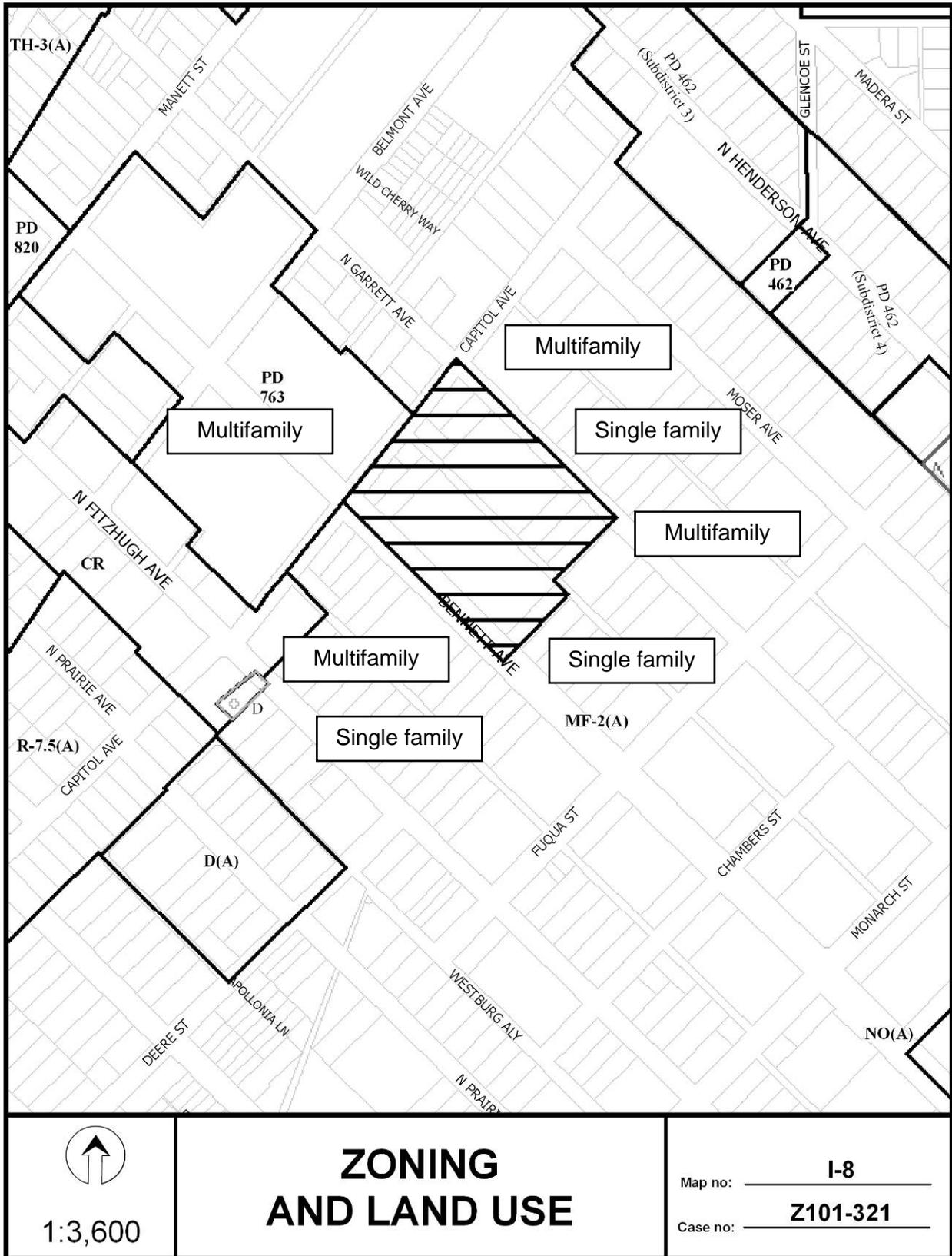
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(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 in this district 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 of Dallas.



Z101-321(MW)

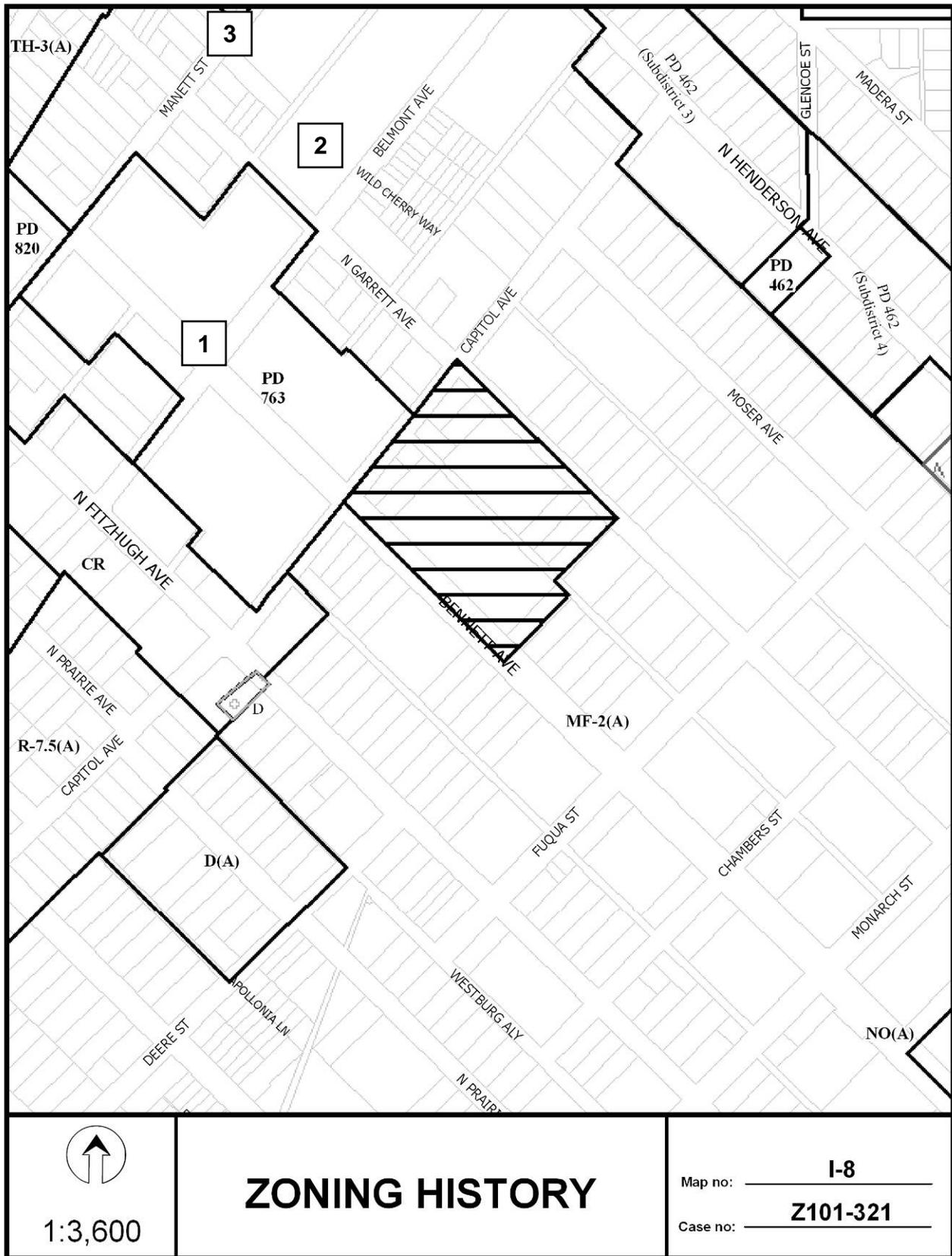




# ZONING AND LAND USE

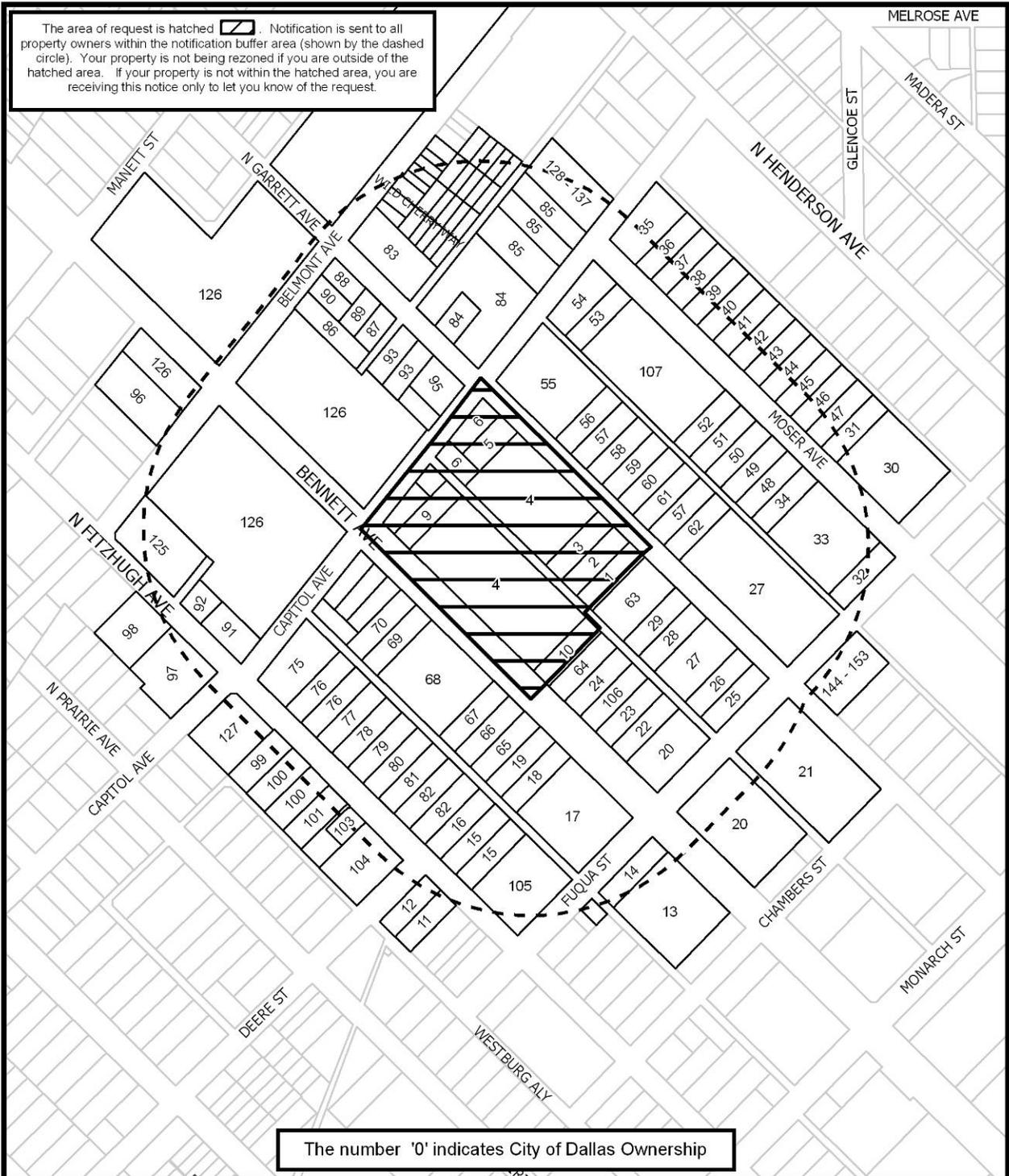
Map no: I-8  
Case no: Z101-321

DATE: July 28, 2011



DATE: July 28, 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

 1:3,600	<h2>NOTIFICATION</h2>	Map no: <u>          I-8          </u>
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">500'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">153</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>          Z101-321          </u>

DATE: July 28, 2011

***Notification List of Property Owners******Z101-321******153 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2211 GARRETT	GILLESPIE LAVELLE LEE W
2	2215 GARRETT	GILLESPIE LAVELLE WATTS
3	2219 GARRETT	VERGARA MARIA SANTOS & GUILLERMO CRECENCIO
4	2309 GARRETT	BELMONT ASSOCIATES LTD
5	2317 GARRETT	SPAETH ALAN
6	5020 GARRETT	SPAETH ALAN C
7	2320 BENNETT	MURPHY TOMMY
8	5016 CAPITOL	ROJAS ARMANDO &
9	2318 BENNETT	VALENCIA SALUD
10	2206 BENNETT	GUTIERREZ JOSE
11	2115 FITZHUGH	MEZA KARLA
12	2117 FITZHUGH	TUCKER ROY
13	2015 BENNETT	BENNETT PROP ASSOC LTD
14	2021 BENNETT	LIBERTY FEDERAL SAVINGS BANK
15	2118 FITZHUGH	AAV HOLDING CO
16	2122 FITZHUGH	WELLS FARGO BANK
17	2109 BENNETT	HAMILTON VIRGINIA C TRUSTEE
18	2119 BENNETT	RODRIGUEZ ROSALYN
19	2123 BENNETT	DEATON JAMES M & CHARLOTTE A
20	2106 BENNETT	EDAL LTD STE 305
21	2015 GARRETT	MADDOX RONALD C & BARRY H JOSSELSO
22	2110 BENNETT	ANDRADE MIGUEL LIRA
23	2112 BENNETT	DOMINGUEZ MARIANO & ETELVINA ANGELICA
24	2122 BENNETT	TORREZ JUAN & MARIA
25	5023 FUQUA	CARDOSO JOSE L & MARIA E
26	2107 GARRETT	PINA MARTHA PARRA

Z101-321(MW)

*Thursday, July 28, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2116 GARRETT	ANGKOR PROPERTIES LTD
28	2117 GARRETT	HERNANDEZ SALVADOR & MARIA
29	2121 GARRETT	VILLAREAL AMPARO
30	2110 MOSER	FIG TREE ASSOCIATES INC
31	2122 MOSER	GARCIA JOSE
32	2103 MOSER	HOLZWARTH DENNIS
33	2107 MOSER	YDB PROPERTIES LLC
34	2123 MOSER	HSIANG YUEH YUE &
35	2322 MOSER	CAPITOL VERDE DEVELOPMENT
36	2318 MOSER	MOSER AVE J V % JOANNE CANELLOS
37	2314 MOSER	MOSER AVENUE J V 1
38	2310 MOSER	PEACOCK STEVEN S & JANICE E
39	2306 MOSER	CARVER CHARLES R
40	2302 MOSER	CRAVER SADIE B
41	2226 MOSER	MONETA DAREN
42	2222 MOSER	PEREZ SALVADOR &
43	2218 MOSER	SALAZAR MARGARITA IRENE
44	2214 MOSER	GARCIA ROGELIO S
45	2208 MOSER	RIVERA ARACELY
46	2206 MOSER	CHEFCHIS AMELIA
47	2202 MOSER	NEGRETE BLANCA G
48	2203 MOSER	ALVAREZ RODRIGO & MARIA
49	2207 MOSER	NILASENA NANCY
50	2211 MOSER	SEGOVIA ESPERANZA ABEL SEGOVIA
51	2215 MOSER	KHAN IRFAN A & SABOOHI I KHAN
52	2217 MOSER	KHAN IRFAN A & SABOOHI I
53	2317 MOSER	BAILEY DAVID D & IDA J
54	2321 MOSER	NGUYEN NHON VAN
55	2316 GARRETT	TOLUCA SQUARE LTD
56	2308 GARRETT	MORALES JULIA R
57	2304 GARRETT	KEMP JACK R

*Thursday, July 28, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2226 GARRETT	MARTINEZ JOSEPHINE
59	2220 GARRETT	PAUKEN THOMAS N
60	2216 GARRETT	CHAVEZ JAVIER
61	2214 GARRETT	PAUKEN MARY ANN
62	2206 GARRETT	SITTERLE KAREN
63	2201 GARRETT	OHIRHIAN SAMUEL O
64	2202 BENNETT	DIAZ MARICELA
65	2201 BENNETT	CANDLER RUSSELL E
66	2207 BENNETT	BINGHAM HELEN B
67	2211 BENNETT	MURILLO JOB ESTATE OF %JOEL MURILLO
68	2223 BENNETT	RIGGIO DAVID A
69	2307 BENNETT	GONZALES JACK
70	2311 BENNETT	GONZALES EMILY A
71	2315 BENNETT	ARROYO ESTELA
72	4918 CAPITOL	MONTOYA PEDRO
73	2317 BENNETT	WYNNE MARIA
74	2321 BENNETT	RAMIREZ RUBEN F & RAUL F RAMIREZ
75	4910 CAPITOL	MONTOYA PEDRO
76	2310 FITZHUGH	TAQUERIA PEDRITOS INC
77	2302 FITZHUGH	STUBING RICHARD S
78	2222 FITZHUGH	ZAMBRANO REYES S JR
79	2216 FITZHUGH	HOLMES JOHN B % JOHN HOLMES & CO
80	2212 FITZHUGH	FRYE CHRISTOPHER A
81	2208 FITZHUGH	NWACHUKWU A A
82	2206 FITZHUGH	PATTINA LA VILLITA LLC
83	5100 BELMONT	TREMONT BAPTIST CHURCH
84	5111 GARRETT	AGAPE UNITED METHODIST CHURCH
85	5125 CAPITOL	CAPITOL VERDE DEVELOPMENT LP
86	5022 BELMONT	SUMMERS MARSHALL
87	2421 GARRETT	TREVINO MARIA ANA
88	5030 BELMONT	GANDARA ARNULFO & ALMA ROSA

*Thursday, July 28, 2011*

Z101-321(MW)

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	2425 GARRETT	ROWLAND MARKA L
90	5026 BELMONT	TOLOCKO MARK
91	2408 FITZHUGH	Y & H INV INC
92	2414 FITZHUGH	METROPLEX RESTAURANTS INC
93	2415 GARRETT	DCO REALTY INC SUITE 1250
94	5025 CAPITOL	HOLLAND GARY
95	2407 GARRETT	GOMEZ JOE H SR EST OF
96	4919 BELMONT	HIBBERT MICHEL D TR SUITE 400
97	2403 FITZHUGH	D N D CORP
98	2415 FITZHUGH	J I M INC SUITE 2017
99	2313 FITZHUGH	ALCALA WILLIE
100	2309 FITZHUGH	PACIFICA PPTIES LLC
101	2217 FITZHUGH	TREJO ROBERTO R
102	2215 FITZHUGH	COHEN GREGORY
103	2211 FITZHUGH	PHAM DUNG T
104	2203 FITZHUGH	SOLARES BEATRICE
105	2104 FITZHUGH	GRAHAM MORTGAGE CORP SUITE 1500
106	2120 BENNETT	RUIZ JAIMIE APT B
107	2315 MOSER	JOSELSON BARRY H & RONALD C MADDOX
108	5215 BELMONT	HENDERSON BELMONT APTS PO LTD PARTNERSHIP
109	5110 BELMONT	CONSIDINE JASON
110	5114 BELMONT	BROWN CARRINGTON D & LINDSAY
111	2409 WILD CHERRY WAY	ADEDIRAN LATEEFAT OLAITAN
112	2407 WILD CHERRY WAY	DUNN JOHN ROSS III
113	2405 WILD CHERRY WAY	MAIN MEREDITH A
114	2403 WILD CHERRY WAY	BIEBER KAREN C
115	2401 WILD CHERRY WAY	BORREGO MARIA A & SLOVES LANCE
116	2402 WILD CHERRY WAY	OTTE CHARLIE &
117	2404 WILD CHERRY WAY	MILLER JENNIFER K &
118	2406 WILD CHERRY WAY	ZOKAI MATTHEW L &
119	2408 WILD CHERRY WAY	MANN STEPHEN C

Thursday, July 28, 2011

Z101-321(MW)

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	2410 WILD CHERRY WAY	PORTER JESS
121	5118 BELMONT	LAHOUD MICHAEL FARES &
122	5122 BELMONT	LUDWIG ERICH S & CYNTHIA L
123	5124 BELMONT	SPIRITO CHASE B & KACI B JAGUTIS SPIRITO
124	5136 BELMONT	ZCG HENDERSON LLC SUITE 1500
125	2432 FITZHUGH	ROADE PROPERTIES LTD
126	2501 BENNETT	DCO BENNETT DEV LP
127	2325 FITZHUGH	FITZHUGH PPTIES LLC
128	5205 CAPITOL	EVANS CHRISTOPHER L & CATRON BETHANY
129	5205 CAPITOL	TOLEDO AARON
130	5205 CAPITOL	SHANADI ARVIND
131	5205 CAPITOL	MARCUCCI JOHN F
132	5205 CAPITOL	COLLIER DIANE H
133	5205 CAPITOL	LAWRENCE SQUIRE J UNIT 6
134	5205 CAPITOL	NIAMATALI OMAR
135	5205 CAPITOL	LASICH JOEL T & RACHEL S
136	5205 CAPITOL	SMITH JESSE TYLER
137	5205 CAPITOL	REINSCHMIEDT SHARON
138	2022 FITZHUGH	CALDWELL DAVID UNIT A
139	2022 FITZHUGH	FAIRCHILD MAX M UNIT B
140	2022 FITZHUGH	LONDONO VERONICA
141	2022 FITZHUGH	BODILY BRADLEY K
142	2022 FITZHUGH	KELLER STEVE UNIT E
143	2022 FITZHUGH	SHIN HAE WON SULTEMEIER PERRY BRENT
144	2020 GARRETT	MOHLE TIMOTHY UNIT 100
145	2020 GARRETT	BEATTIE EVAN L UNIT 101
146	2020 GARRETT	GARCIA JESUS UNIT 102
147	2020 GARRETT	JACKSON LISA UNIT 103
148	2020 GARRETT	RIVERA ARMANDO UNIT 104
149	2020 GARRETT	NELSON DAVID S UNIT 105
150	2020 GARRETT	MCCAFFREY MARLA UNIT 106
151	2020 GARRETT	DOTSON DANIEL ALLEN
152	2020 GARRETT	SILVA MARIA G RAMIREZ UNIT 108
153	2020 GARRETT	MEZA ALEJANDRO

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z090-258(WE)                      **DATE FILED:** September 28, 2010

**LOCATION:** South Westmoreland Road and Blue Ridge Boulevard,  
northwest corner

**COUNCIL DISTRICT:** 3                                      **MAPSCO:** 63-B

**SIZE OF REQUEST:** Approx. 4.927 acres              **CENSUS TRACT:** 108.03

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**APPLICANT**                                      Jesse Valero, III

**OWNER:**    Centro de Adoracion

**REPRESENTATIVE:**                              Natash Piper

**REQUEST:**                                      An application for a Specific Use Permit for an open enrollment charter school on property zoned an R-10(A) Single Family District.

**SUMMARY:**                                      The purpose of this request is to allow for the operation of a charter school within an existing church facility. The students attending the school will range from pre-kindergarten through fifth grade.

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

**PREVIOUS ACTION:**    On April 21, 2011 and March 19, 2011, the City Plan Commission held this case under advisement until October 20, 2011, to allow for the applicant to conduct neighborhood meetings regarding the proposed charter school.

**BACKGROUND INFORMATION:**

- The applicant’s request for a Specific Use Permit for an open enrollment charter school will allow for the school to operate within an existing church. The maximum school’s enrollment is approximately 240 students and will range from pre-kindergarten through fifth grade.
- The school’s administration has designated two existing driveway approaches for ingress/egress onto the site. The applicant is proposing 12 classrooms.
- The land uses surrounding the request site consist of single family, several churches, and two public school uses. The land uses north of the site consist of a utility easement and single family uses.

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
S. Westmoreland	Principal Arterial	100 ft.	100 ft.
Blue Ridge Blvd.	Local	40 ft.	40 ft.

**Land Use:**

	Zoning	Land Use
<b>Site</b>	R-10(A)	Church
<b>North</b>	R-10(A)	Utility Easement, Single Family
<b>South</b>	R-10(A)	Church
<b>East</b>	R-10(A)	DISD school
<b>West</b>	R-10(A)	Church

**COMPREHENSIVE PLAN:** The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request. The Plan identifies the request site as being in a Residential 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 4.927 acre site is developed as a church use. The applicant's request for the Specific Use Permit will allow for an open enrollment charter school to operate within a portion of an existing church. The applicant is proposing to have a maximum enrollment of approximately 240 students, which will range from pre-kindergarten through fifth grade. The applicant is proposing 12 classrooms and will operate the open enrollment charter school between the hours of 6:30 a.m. and 6:00 p.m., Monday through Friday.

The school's administration has designated two existing driveway approaches for ingress/egress onto the site; one on South Westmoreland and one on Road Blue Ridge Boulevard.

There are two additional churches that are adjacent to the request site and two DISD schools that are east of the proposed use, across S. Westmorland. Properties to the north consist of a utility easement and single family uses.

Staff has reviewed and recommends approval of the applicant's request for a Specific Use Permit for an open enrollment charter school for a three year period with eligibility for automatic renewals for additional five year periods, subject to a site plan, traffic management plan and conditions. The proposed request 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:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-10(A) Single Family	30'	6'	1 Dwelling Unit/ 10,000 sq. ft.	30'	45%		Single family

**Parking:** The requirement for off-street parking for the school is derived by two criterions: 1) the number of classrooms and 2) the type of institution that serves the students (e.g., elementary, middle or high school). The requirements for off-street parking are as follows:

- one and one-half spaces for each elementary school classroom,

The number of required off-street parking spaces for the campus is 18 spaces and the applicant is proposing to provide 134 off-street parking spaces. The total number of proposed classrooms will determine the number of required parking spaces. The total number of classrooms is 12.

The church will share the parking lot during Sunday services. The Development Code permits sharing of parking spaces when a charter school is operating within a church facility.

**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.

The Engineering Section of the Department of Sustainable Development and Construction has reviewed and supports the Traffic Management Plan. The applicant is required, as with all Traffic Management Plans, to submit a traffic study to the director each even-numbered year, to determine if the TMP is being implemented effectively.

**DEACON BOARD**  
**Centro De Adoracion**

- Emilio Hernandez
- Jose Blas
- Ramon Muniz
- Fidencio Gandara
- Tony Zavala

**PROPOSED SUP CONDITIONS**

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school.

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 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. CLASSROOMS: The maximum number of classrooms is 12.

5. DROP-OFF/PICK-UP: A pick-up and drop-off area for students must be provided in the location shown on the attached site plan.

6. HOURS OF OPERATION: The open-enrollment charter school may only operate between 6:30 a.m. and 6:00 p.m., Monday through Friday.

7. INGRESS/ EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.

8. PARKING: Parking must be located as shown on the attached site plan.

9. TRAFFIC MANAGEMENT PLAN:

A. In general. The operation of an open enrollment charter school must comply with the attached traffic management plan.

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

C. Traffic study.

i. The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by **November 1, 2012**. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1st of each even-numbered year.

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

- a. ingress and egress points;
- b. queue lengths;
- c. number and location of personnel assisting with loading and unloading of students;
- d. drop-off and pick-up locations;
- e. drop-off and pick-up hours for each grade level;
- f. hours for each grade level; and
- g. circulation.

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

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

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

D. Amendment process.

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

ii. The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

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.

<p><b>School Traffic Management Plan</b></p>
--

Day Star Academy located at 3535 S. Westmoreland Blvd. provides educational services for 240 students in early childhood through fifth grade as follows:

	<b>Classes</b>			<b>Number of Students</b>		
	<b>Present</b>	<b>Proposed</b>	<b>Total</b>	<b>Present</b>	<b>Proposed</b>	<b>Total</b>
Kinder	0	2	2	0	40	40
1 <sup>st</sup> Grade	0	2	2	0	40	40
2nd Grade	0	2	2	0	40	40
3rd Grade	0	2	2	0	40	40
4th Grade	0	2	2	0	40	40
5th Grade	0	2	2	0	40	40
<b>Total</b>	<b>0</b>	<b>12</b>	<b>12</b>	<b>0</b>	<b>240</b>	<b>240</b>

The school provides one central drop off/pickup location (reference site plan). The traffic management plan provides 542 feet for on-site queuing of 44 vehicles in a double row with one single lane loading and unloading in the drop-off/pick-up zone. During drop-off/pick-up the school expects to have a maximum of 5 to 10 vehicles in the queuing spaces provided at any given time.

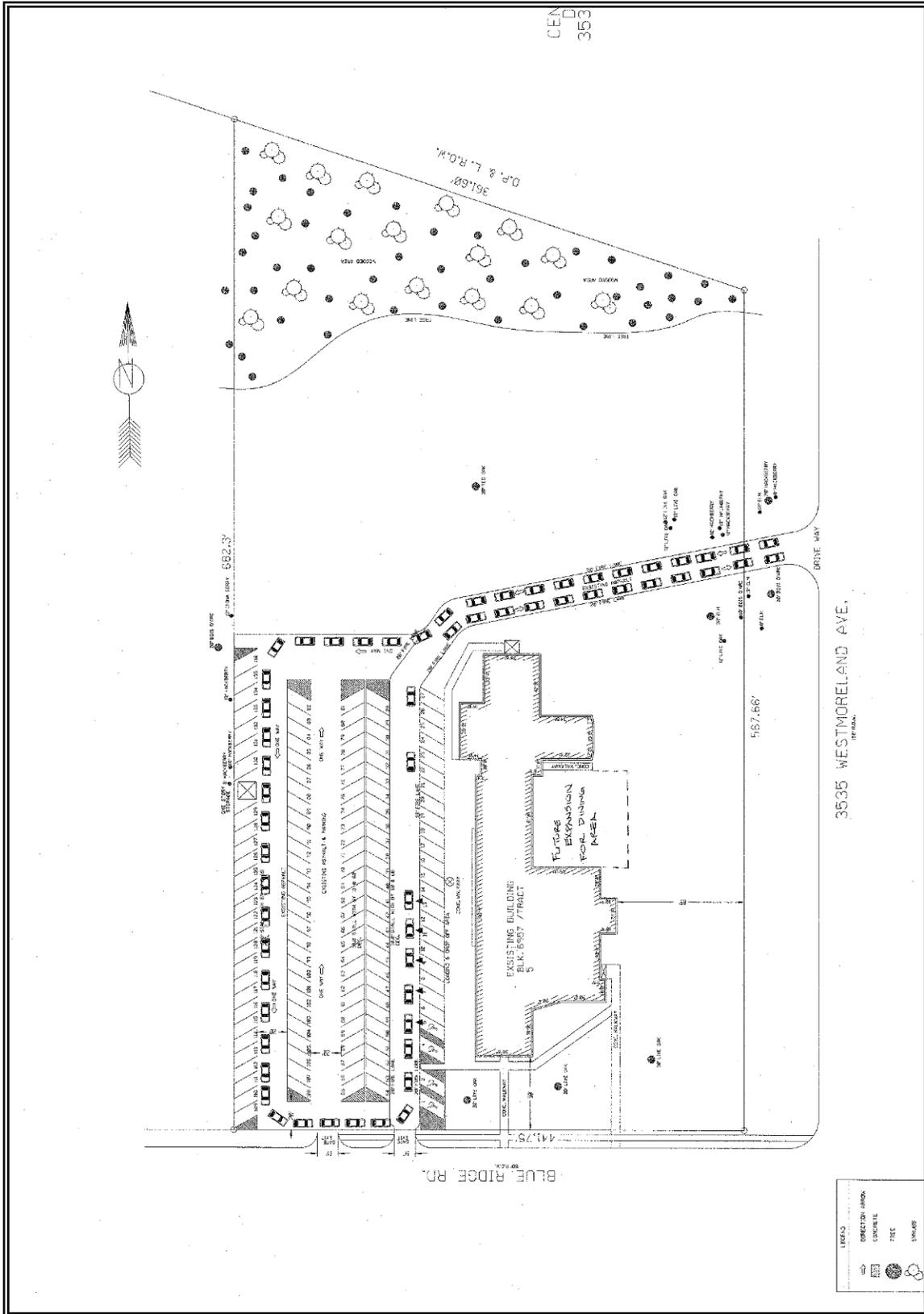
Morning and afternoon carpool is from 7:15 to 8:00 am and from 3:00 to 3:30 pm, Monday through Friday, traffic flow is as follows:

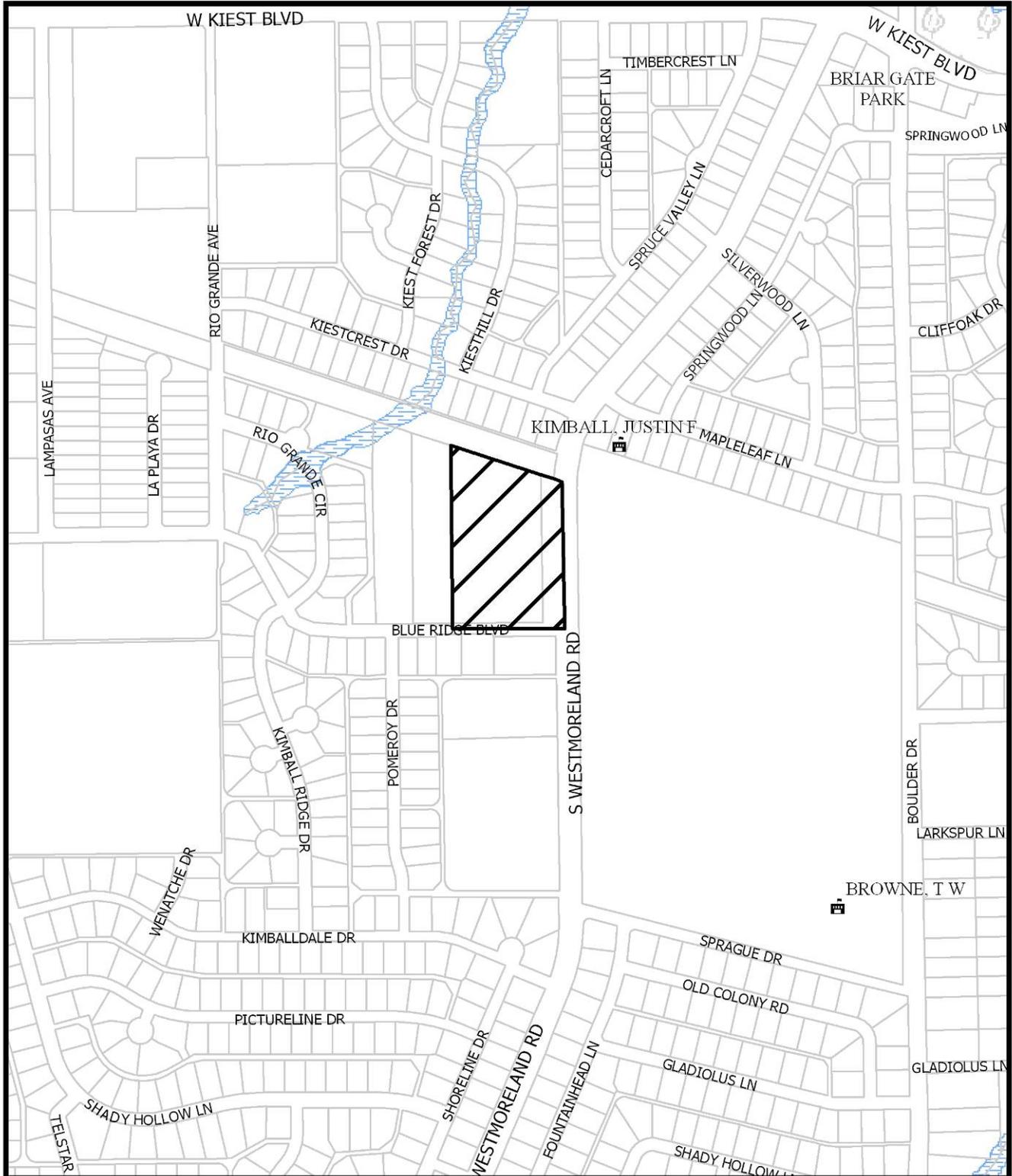
- Cars enter the campus driveway by turning right from Westmoreland Blvd.
- At a minimum four (4) carpool attendants will assist with morning drop-off thereby decreasing the time a vehicle remains in the drop-off zone.
- At a minimum four (4) carpool attendants will assist afternoon pick up to safely expedite the loading of students in the pick-up zone.
- A school Administrator will be present at morning drop-off and afternoon pick-up to provide supervision and to ensure safety procedures are followed.
- During traffic periods the school will provide traffic cones to direct one way traffic flow.
- The school will provide security personnel to assist with traffic management as needed.
- During drop-off/pick-up, four (4) vehicles are anticipated to be loaded or unloaded in the drop-off /pick-up zone (this will be conducted single file with no students crossing a drive lane to load or unload a vehicle).
- Exiting from the campus is provided along the west side of the campus onto Blue Ridge Blvd.

Park and Escort (parents park their car and walk their children to and from class) parking is provided in the area designated on the site plan and is available from 6:30 am to 6:00 pm. All families will be educated on the traffic flow plan of the school through the annually published Parent Handbook, and reinforced throughout the year by means of student's orientation, parent/teacher meetings and notes sent home to parents from school.



# PROPOSED TRAFFIC MANAGEMENT PLAN



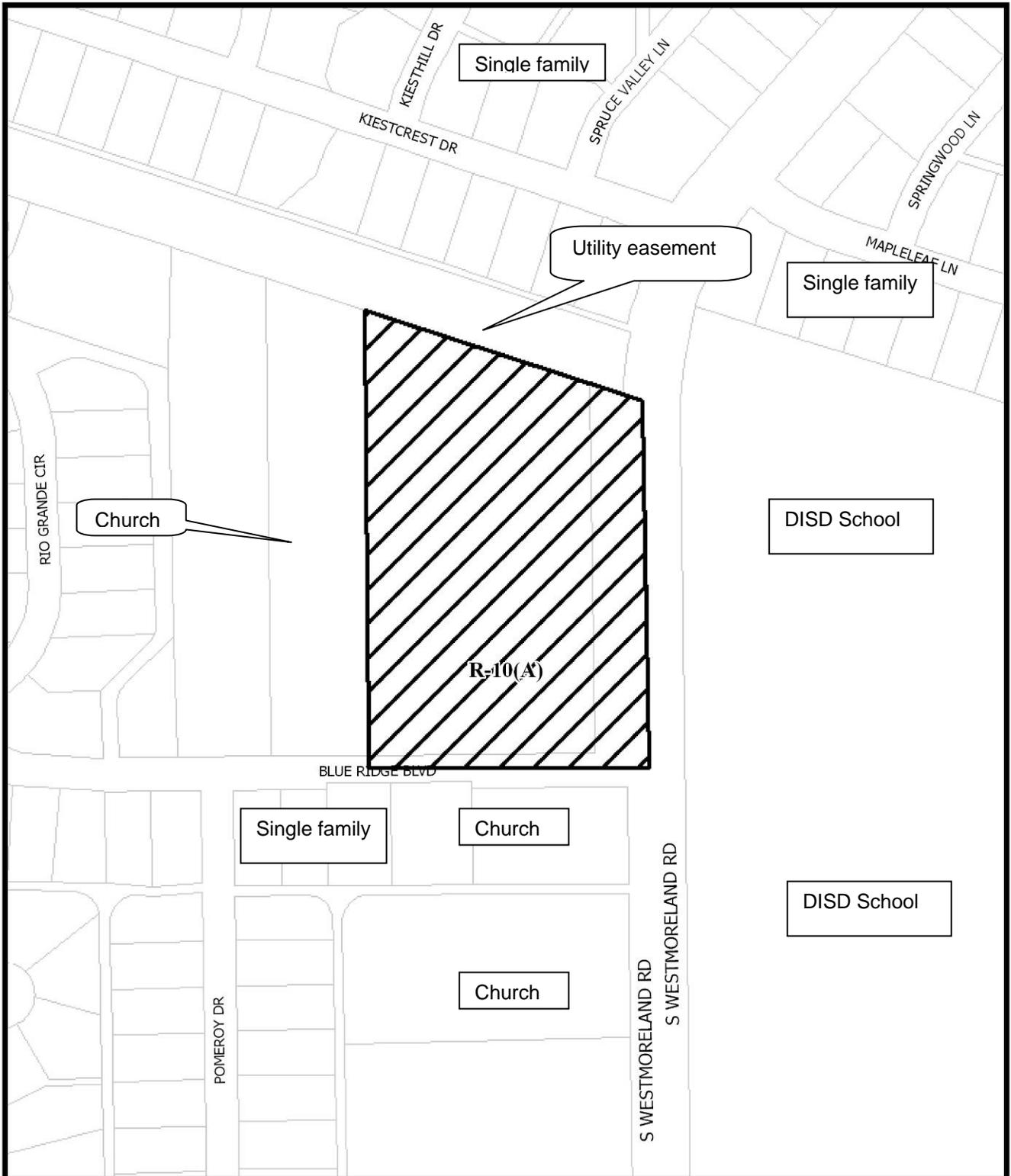


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# VICINITY MAP

Map no: **N-5**

Case no: **Z090-258**

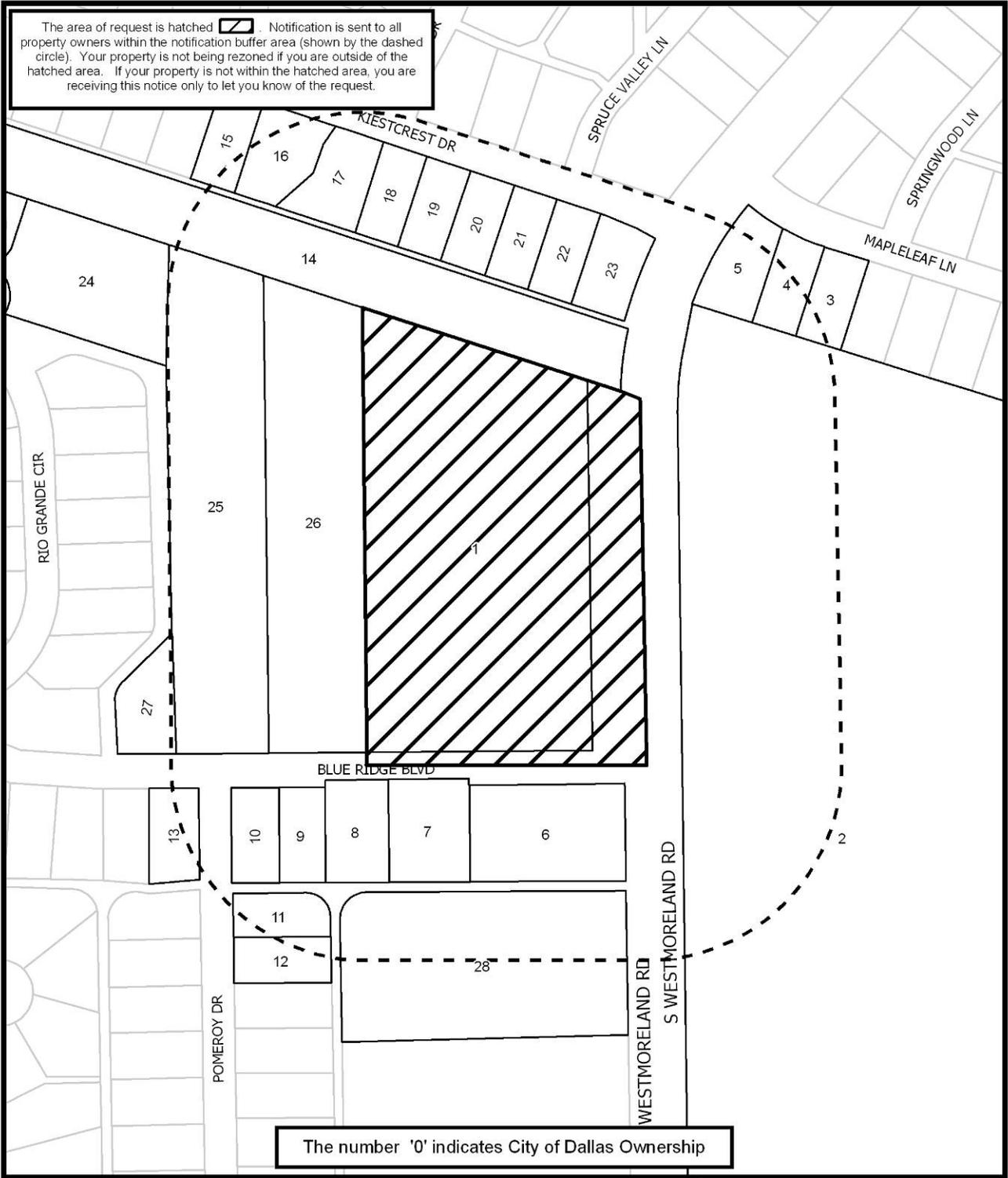


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# ZONING AND LAND USE

Map no:           **N-5**          

Case no:           **Z090-258**



  
1:2,400

# NOTIFICATION

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

Map no: **N-5**  
Case no: **Z090-258**

DATE: October 29, 2010

## **Notification List of Property Owners**

### **Z090-258**

#### **28 Property Owners Notified**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	3535 WESTMORELAND	CENTRO DE ADORACION
2	3606 WESTMORELAND	Dallas ISD
3	3438 MAPLELEAF	MCMILLAN DONYA M
4	3444 MAPLELEAF	BALDERAS HONORIO
5	3450 MAPLELEAF	HALL TOMMY L
6	3607 WESTMORELAND	FELLOWSHIP BAPTIST CHURCH OF OAK CLIFF
7	3504 BLUE RIDGE	BOLDEN ADLINE
8	3614 BLUE RIDGE	RODRIQUEZ NASARIO
9	3618 BLUE RIDGE	RODRIGUEZ VIRGINIA R & MISHELLE L RODRIGUEZ
10	3622 BLUE RIDGE	WILLIAMS BILLY RAY AND JANICE E
11	3612 POMEROY	HUGHES HENRY LANE
12	3618 POMEROY	NORMAN BENJAMIN T
13	3628 BLUE RIDGE	RICE SHIRLEY
14	3400 WESTMORELAND	TEXAS UTILITIES ELEC CO % STATE & LOCAL TAX DEPT
15	3616 KIESTCREST	PENDLEY BRENDA GARNER
16	3610 KIESTCREST	JACKSON JOSEPH ALBERT & JOYCE LYNN
17	3604 KIESTCREST	VILLARREAL ANTONIO R
18	3530 KIESTCREST	LARNEY BRIAN D
19	3526 KIESTCREST	DELANEY STEVIE GEORGE
20	3520 KIESTCREST	ABRONE CARLTON & ABRONE SHELISHIA L
21	3516 KIESTCREST	MIDDLETON VIVIAN
22	3510 KIESTCREST	WHITE KIMBERLY L
23	3506 KIESTCREST	AMMONS LELAND I
24	3520 RIO GRANDE	WESLEY JOHN A & PAT A
25	3619 BLUE RIDGE	GONZALES JESSICA I & IVAN
26	3615 BLUE RIDGE	MIRACLE CENTER CHURCH OF DALLAS

**Wednesday, October 27, 2010**

Z090-258(WE)

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
27	3635 BLUE RIDGE	DUNN PAULINE EST OF
28	3701 WESTMORELAND	FREEDOM MISSIONARY BAPTIST CHURCH

**Wednesday, October 27, 2010**

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z101-341(WE)                      **DATE FILED:** October 5, 2009

**LOCATION:** North side of Scottsboro Lane between South Marsalis Avenue and Grassy Ridge Trail

**COUNCIL DISTRICT:** 5                                      **MAPSCO:** 65N & J

**SIZE OF REQUEST:** Approx. 10.10 acres              **CENSUS TRACT:** 112.00

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**APPLICANT / OWNER:** Dallas Independent School District (see attached list of Board Members)

**REPRESENTATIVE:** MASTERPLAN  
Karl Crawley

**REQUEST:** An application for a Planned Development District for a public school other than an open-enrollment charter school and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District.

**SUMMARY:** The purpose of this request is to expand the existing elementary school. DISD is proposing to expand the building by an additional 28,000 square feet of floor area, which will include 18 new classrooms.

**STAFF RECOMMENDATION:** Approval, subject to a development plan, landscape plan, traffic management plan and conditions.

**PREVIOUS ACTION:** On October 6, 2011, the City Plan Commission held this case under advisement to allow staff to review a revised landscape plan.

**BACKGROUND INFORMATION:**

- The Dallas Independent School District is proposing to expand the existing 46,000 square foot elementary school by an additional 28,000 square feet. The new addition will be constructed on the western portion of the campus, in the front of school’s main entrance, which faces Marsalis Avenue.
- The applicant’s request for a Planned Development District is fourfold: 1) modify the screening requirements for the off-street parking and loading areas, 2) modify the signage requirements in a non-business district, 3) exempt the residential proximity slope on the western portion of the campus, and 4) modify the lot, space and yard requirements.
- DISD has designated an expansion area on the development plan for the elementary school that will allow for an additional 17,600 square feet of floor area on campus. The maximum floor area, including the expansion area for the elementary school is approximately 91,600 square feet. The maximum student enrollment is anticipated to reach 600 students.
- The surrounding land uses are primarily single family uses. However, there is a church located on the southwest corner of Scottsboro Lane and S. Marsalis Avenue.

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
S. Marsalis Avenue	Principal Arterial	80 ft.	80 ft.
Scottsboro Lane	Local	60 ft.	60 ft.
Grassy Ridge Trail	Local	50 ft.	50 ft.

**Land Use:**

	Zoning	Land Use
<b>Site</b>	R-7.5(A)	Single Family
<b>North</b>	R-7.5(A)	Single Family
<b>South</b>	R-7.5(A)	Single Family
<b>East</b>	R-7.5(A)	Single Family
<b>West</b>	R-7.5(A)	Single Family, Church

**COMPREHENSIVE PLAN:** The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating

the applicant's request. The Plan identifies the request site as being in the Residential Neighborhood 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 10.10 acre campus is developed with a 46,000 square foot elementary school. The applicant's request for a Planned Development District is fourfold: 1) modify the screening requirements for the off-street parking and loading areas, 2) modify the signage requirements in a non-business district, 3) exempt the residential proximity slope on the western portion of the campus, and 4) modify the lot, space and yard requirements.

The Dallas Independent School District (DISD) is proposing to construct a two-story, 28,000 square foot addition to the campus to accommodate 18 additional classrooms. The new facility will be constructed on the western portion of the campus, which faces S. Marsalis Avenue. The structure height of the proposed addition may extend into the residential proximity slope and therefore, the applicant is requesting an exemption of the RPS on the western portion of the campus. The proposed structure height is 40 feet. In order for the applicant to comply with the residential proximately slope along S. Marsalis Avenue; the proposed school addition will have to have a 40-foot setback, instead of the proposed 20-foot setback.

The DISD has also requested modifications to the yard, lot and spaces regulations. These modifications include a reduction in the front, side and rear yard setbacks. The applicant is proposing a 20 foot setback around the campus property. The proposed Planned Development District will permit the parking area within the required side yards. In addition, the applicant is proposing to construct a bus queuing lane on Scottsboro Lane. The new queuing lane will remove the buses from queuing on the City's right-of-way.

DISD has also designated an area for future modulars of approximately 17,600 square feet on the development plan. This expansion area will permit DISD to construct and/or place additional modular buildings within the designated area.

Staff has reviewed and recommends approval of the applicant’s request for a Planned Development District for a public school other than an open enrollment charter school. The proposed building addition and modifications to the planned development conditions will not adversely impact the surrounding area.

**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-7.5(A) - Existing Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family
Proposed PD Single Family & Public School	20'	5'	1 Dwelling Unit/ 5,000 sq. ft.	30'	45%		Single family, elementary school

**Parking:** The requirement for off-street parking for an elementary school, pursuant to the Dallas Development Code is one and one-half space for each elementary school classroom.

The number of required off-street parking spaces for the proposed elementary school is 62 spaces and the applicant is proposing to provide 62 off-street parking spaces. The total number of proposed classrooms determines the number of required parking spaces. DISD is proposing approximately 41 classrooms for the elementary school.

DISD will have to meet the parking requirements in accordance to Section 51A-4.200 of the Dallas Development Code for any future expansion.

**Landscaping:** Landscaping of any development will be in accordance with the landscape 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.

**Miscellaneous- conditions:** Staff has reviewed and supports the proposed conditions. Staff is permitting queuing on the City’s right-of way because the school, Thomas L Marsalis Elementary, has been in operation since 1956. The applicant has submitted a traffic management plan that depicts the actions that are administered currently by the administration as it relates to the student’s drop-off and pick-up and queuing within the City’s right-of-way.

<b>BOARD OF TRUSTEES DISD</b>
-----------------------------------

- District 1** Edwin Flores, Ph. D., J.D, Second Vice President
- District 2** Mike Morath
- District 3** Bruce Parrott, Board Secretary
- District 4** Nancy Bingham
- District 5** Lew Blackburn, Ph. D., President
- District 6** Carla Ranger
- District 7** Eric Cowan
- District 8** Adam Medrano, First Vice President
- District 9** Bernadette Nutall

**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 North side of Scottsboro Lane between South Marsalis Avenue and Grassy Ridge Trail. The size of PD \_\_ is approximately 10.10 acres.

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

- (a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.
- (b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions or sections in Chapter 51A.
- (c) This district is considered to be a residential zoning district.

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

The following exhibits are incorporated into this article:

- (1) Exhibit \_\_\_A: development plan.
- (2) Exhibit \_\_\_B: landscape plan
- (3) Exhibit \_\_\_C: traffic management plan.

**SEC. 51P- \_\_\_\_ .105. DEVELOPMENT PLAN.**

- (a) For a public school other than an open-enrollment charter school, development and use of the Property must comply with the development

plan (Exhibit \_\_\_A). 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- \_\_\_\_\_.106. MAIN USES PERMITTED.**

- (a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-7.5(A) Single Family District is subject to DIR in this district; etc.
- (b) A public school other than an open-enrollment charter school is permitted by right.

**SEC. 51P- \_\_\_\_\_.107. ACCESSORY USES.**

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.

**SEC. 51P- \_\_\_\_\_.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 in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

- (a) In general. Except as provided in his section, the yard, lot and space regulations for the R-7.5(A) Single Family District apply.
- (b) Front yard.
  - (1) Except as provided in this subsection, minimum front yard is 25 feet.
  - (2) For a public school other than an open-enrollment charter school, minimum front yard is 20 feet and as shown on the development plan.

(c) Side and rear yard.

- (1) Except as provided in this subsection, minimum side yard is 10 feet and rear yard is 15 feet.
- (2) For a public school other than an open-enrollment charter school, minimum side and rear yard is 20 feet and as shown on the development plan.

(d) Floor area.

- (1) Except as provided in this subsection, no maximum floor area ratio.
- (2) For a public school other than an open-enrollment charter school, maximum floor area is 91,600 square feet.

(e) Height.

- (1) Except as provided in this subsection, maximum structure height is 30 feet.
- (2) For a public school other than an open-enrollment charter school, the maximum height is 40 feet.
- (3) If any portion of a structure used as an institutional use or a utility and public service use is over 26 feet in height, that portion may be located above a residential proximity slope.

(f) Lot coverage. Maximum lot coverage is 45 percent for residential structures and 30 percent for nonresidential structures. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size.

- (1) Except as provided in this subsection, minimum lot size is 7,500 square feet.
- (2) For a public school other than an open-enrollment charter school, no minimum lot size.

(h) Stories. No maximum number of stories.

**SEC. 51P- \_\_\_\_\_.109. OFF-STREET PARKING AND LOADING.**

- (a) Except as provided in this section, consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.
- (b) For a public school other than an open enrollment charter school, a minimum of 62 off-street parking and loading spaces must be provided as shown on the development plan. Future expansion of the public school other than an open-enrollment charter school must adhere to the off-street parking requirements in Division 51A-4.200.

**SEC. 51P- \_\_\_\_\_.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P- \_\_\_\_\_.111. FENCING.**

A minimum of a 4-foot fence must be provided in the location as shown on the development plan.

**SEC. 51P- \_\_\_\_\_.112. LANDSCAPING.**

- (a) Except as provided in this section, of any development must be provided in accordance with Article X requirements, as amended.
- (b) For a public school other than an open-enrollment charter school, landscaping must be provided as shown on the landscape plan.
- (c) Plant materials must be maintained in a healthy, growing condition.

**SEC. 51P- \_\_\_\_\_.113. SIGNS.**

- (a) Except as provided in this section, signs must comply with the provisions for non-business zoning districts in Article VII.
- (b) For a public school other than an open-enrollment charter school, signs are permitted at the sizes and in the locations shown on the development plan. A public school other than an open-enrollment charter school is allowed one detached sign with a maximum height of 25 feet and an effective area of 150 square feet.

**SEC. 51P- \_\_\_\_\_.114. TRAFFIC MANAGEMENT PLAN.**

(a) In general. Operation of a public school other than an open-enrollment charter school must comply with the traffic management plan (Exhibit \_\_\_\_B).

(b) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by **November 1, 2012**. After the initial traffic study, the Property owner or operator shall submit biennial updates of the traffic study to the director by March 1 of each even-numbered year.

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

- (A) ingress and egress points;
- (B) queue lengths;
- (C) number and location of personnel assisting with loading and unloading of students;
- (D) drop-off and pick-up locations;
- (E) drop-off and pick-up hours for each grade level;
- (F) hours for each grade level;
- (G) circulation;

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

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

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

(c) Phase II. Before issuance of a building permit for Phase II, the Property owner or operator shall:

(A) submit additional data to the director showing the number of students who live within walking distance of the school, how many students actually walk to school, and how many students use public transportation; and

(B) submit an amended traffic management plan.

(d) Amendment process.

(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) In order to amend a traffic management plan, the Property owner or operator must provide data showing the number of students who live within walking distance of the school, how many students actually walk to school, and how many students use public transportation.

(3) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

**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.

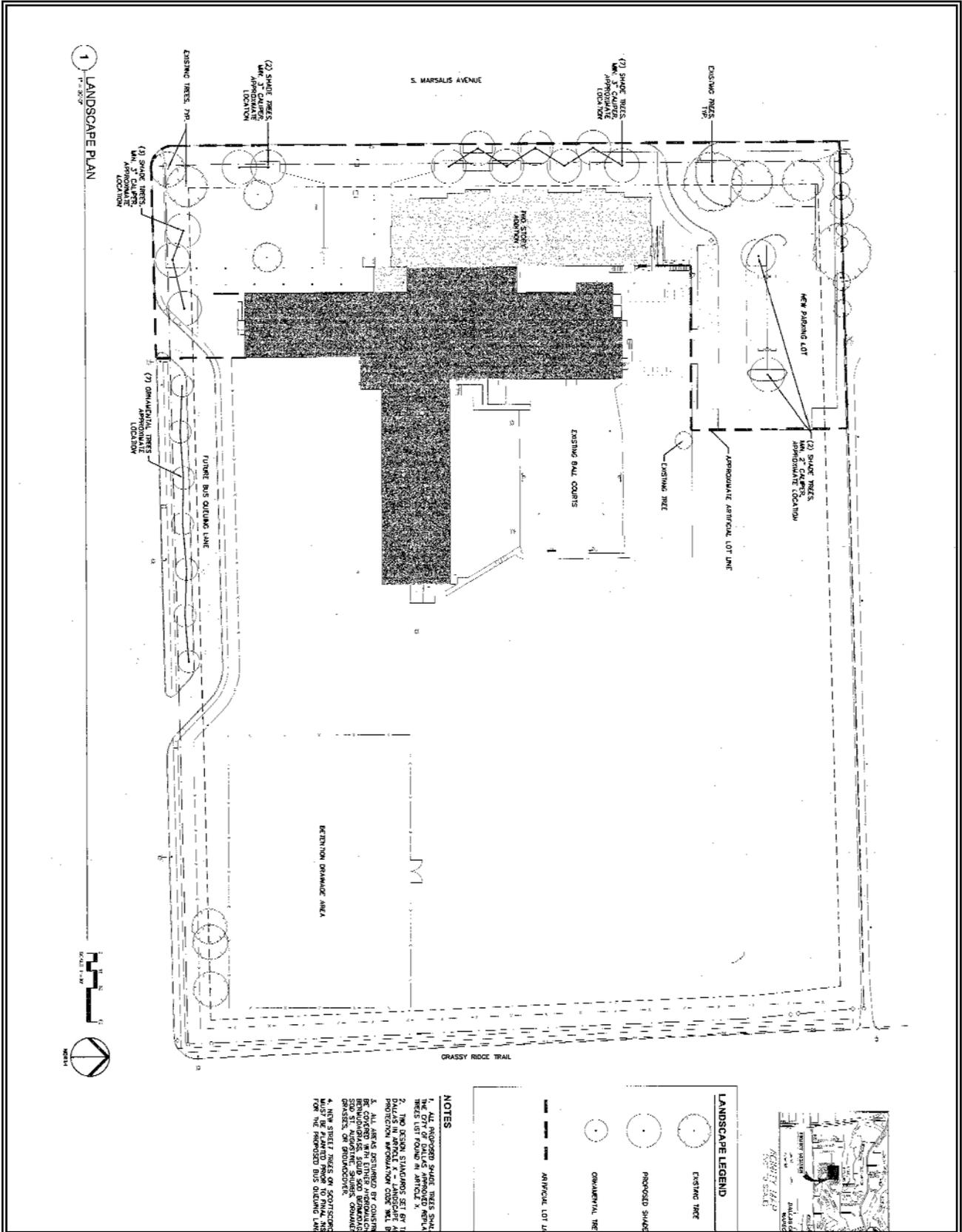
**SEC. 51P- \_\_\_\_\_.116. COMPLIANCE WITH CONDITIONS.**

(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 LANDSCAPE PLAN



1 LANDSCAPE PLAN  
1" = 30'

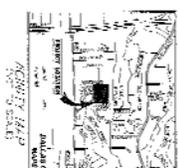


**NOTES**

1. ALL PROPOSED SHADE TREES SHALL BE 10' TALL AND 4" DBH. APPROXIMATE REPLACEMENT LOCATIONS ARE SHOWN IN ARTICLE X.
2. THE DESIGN STANDARDS SET BY THE CITY OF CALICO SHALL APPLY TO ALL PROPOSED PLANTING.
3. ALL AREAS DISTURBED BY CONSTRUCTION SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION WITH GRASS, GRASS SEED, MULCH, AND SOIL. ALL AREAS SHALL BE COVERED WITH GRASS OR GRASS SEED IMMEDIATELY UPON COMPLETION OF CONSTRUCTION.
4. NEW SHADE TREES OR SCOTCH PINE SHALL BE PLANTED IN THE PROPOSED BUS OUTLINE LANE.

**LANDSCAPE LEGEND**

	EXISTING TREE
	PROPOSED SHADE TREE
	ORNAMENTAL TREE
	APPROXIMATE LOCATION



**Thomas L. Marsalis Elementary School  
Traffic Management Plan**

**Introduction:**

Thomas L. Marsalis Elementary School was constructed at its present location in the early 1960's. The facilities have been expanded throughout the years. The school has approximately 600 students in 41 homeroom classrooms. At this time the District is proposing to construct a new two-story classroom addition in order to eliminate the need for modular classrooms. **The number of students will remain the same.**

**Overview:**

Marsalis is presently served by four buses. The school day is from 8:15 a.m. to 3:15 p.m. Classes begin at 8:15 a.m. Buses arrive between 7:45 and 8:00 a.m.

**The Site:**

The school is surrounded on all three sides by streets, including Scottsboro Lane, Grassy Ridge Trail and Marsalis Ave.; a further description of the surrounding streets follows. The site is not platted. Each of the adjacent streets has a minimum of 60 feet of right of way and at least 36 feet of pavement. The pavement width allows either queuing or parking in the outside lanes and a free travel lane. Scottsboro and Marsalis both have School Zones. Scottsboro is currently marked as One-Way in the morning and afternoon drop-off and pick-up time periods. It is One-Way from Grassy Ridge towards Marsalis. There is also a manned Crosswalk in front of the school on Marsalis.

**Queuing Analysis:**

**Queuing Analysis:**

Grade	Nos. of Classrooms	Students/ Class	Nos. of Students	Time Start	Time Dismissal
Pre-K	5	20	100	8:15 a.m.	3:15 p.m.
K	6	20	120	8:15 a.m.	3:15 p.m.
1	6	20	120	8:15 a.m.	3:15 p.m.
2	6	20	120	8:15 a.m.	3:15 p.m.
3	6	20	120	8:15 a.m.	3:15 p.m.
4	6	20	120	8:15 a.m.	3:15 p.m.
5	6	20	120	8:15 a.m.	3:15 p.m.
			820		

Subtotal Grades  
PreK-5

**Total**    41                      820    8:15 a.m.    3:15 p.m.

The five buses that serve the school carry approximately 200 students. Observation and information provided by the school principal shows approximately 10% of the students are dropped off and picked up by area child care facilities in vans.

Approximately 50% of the remaining students walk to school with the remaining arriving by vehicles. Taking into account the number of students arriving by bus, vans, walking leaves approximately 270 children arriving by personal vehicle.

**REFERENCE TTI REPORT: “OPERATIONS AND SAFETY AROUND SCHOOL: OVERVIEW OF PROJECT ACTIVITIES AND FINDINGS”**  
 BY TEXAS DEPARTMENT OF TRANSPORTATION & US DEPARTMENT OF HIGHWAYS

**Table 43. South Carolina DOT Recommendations for On-site Stacking Length**

School Type	Student Population	Loop Drive Stacking Length (Linear Feet)
Elementary	200 - 600	900 – 1,200
	600 – 1400	1,200 – 1,500
Middle	200 - 600	900 – 1,200
	600 – 1200	1,200 – 1,500
High	400 - 800	800 – 1,200
	800 – 2,500	1,200 – 1,500

Note: For high school populations greater than 2,500 students, consider two separate student pick up/drop-off loops

According to the above chart the remaining student population would require a stacking length of a maximum of 1,200 feet.

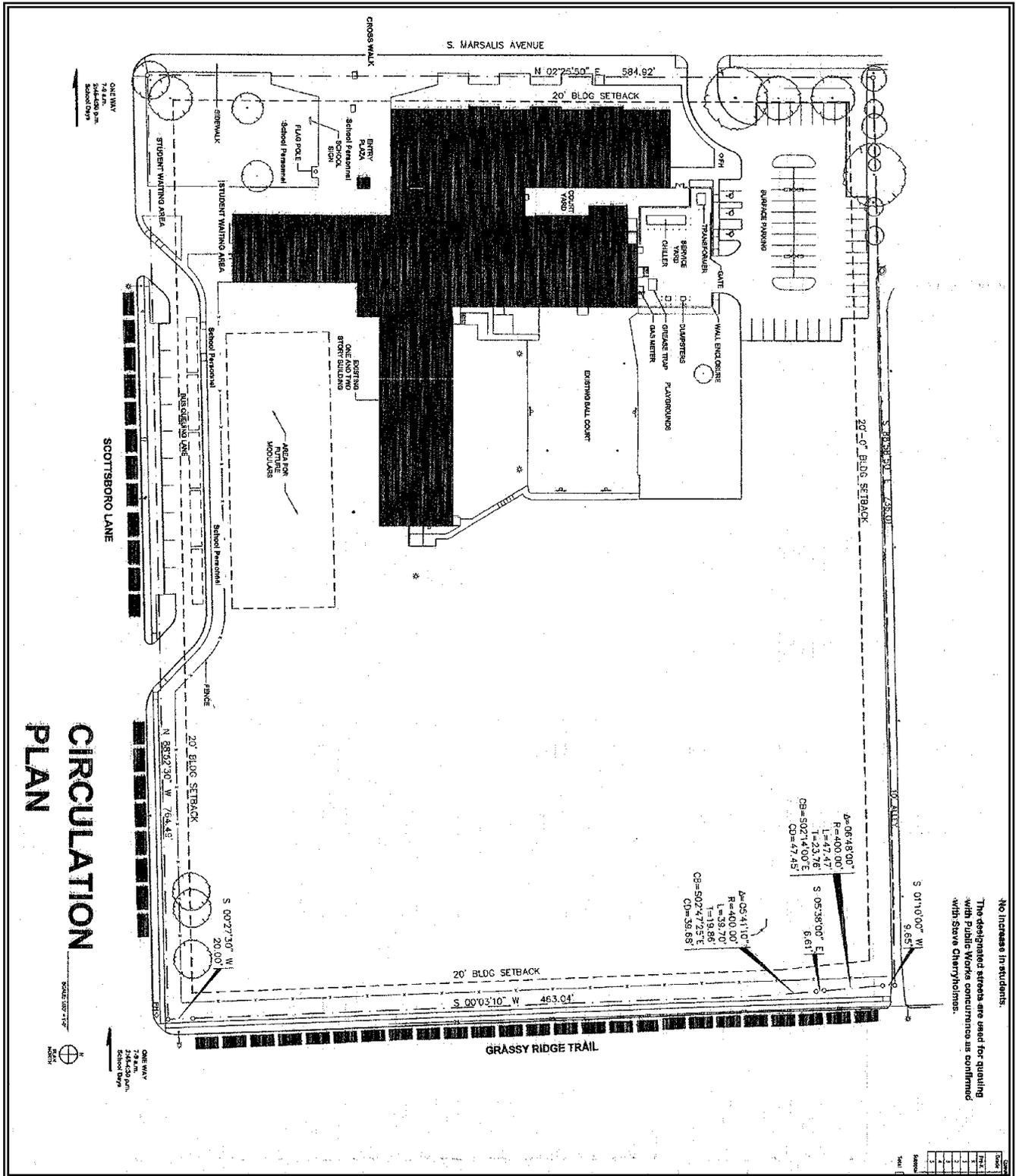
The school district in conjunction with the Department of Public Works/Transportation has developed a system of No Parking and Bus Zones on the streets in order to accommodate the pick-up and drop-off of students.

The school is surrounded on three sides by existing streets. The five buses that serve the school currently queue on Scottsboro Lane. The proposed additions to the school include a dedicated bus and van lane which will get these vehicles off the street and free up more room for queuing. Currently some cars queue on Marsalis which can be dangerous. Scottsboro is also designated as One Way, westbound from the intersection with Grassy Ridge. Vehicles traveling south on Grassy Ridge can turn either right or left but eastbound traffic is not allowed on Scottsboro turning the morning drop-off and afternoon pick-up times. The use of the One-Way street facilitates queuing on both sides of Scottsboro from Grassy Ridge to Marsalis. This allows more than the specified length of queuing during the afternoon peak. In order to provide safe pedestrian access to the west side of Marsalis from the school, crossing guards and crosswalks are located at the intersection of Marsalis and the extension of Scottsboro across Marsalis.

## **RECOMMENDATION**

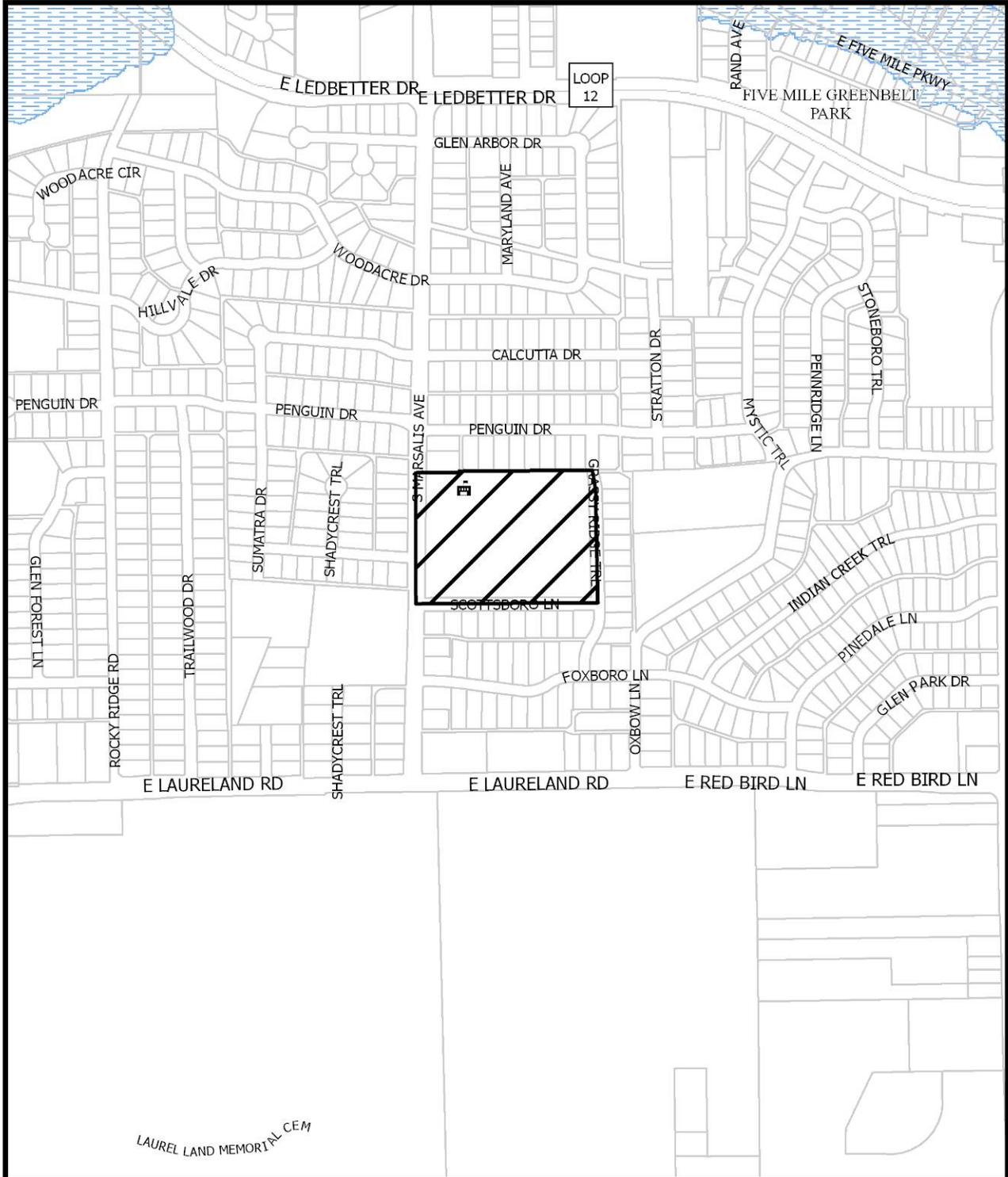
As there is no change in student population, DISD to continue using the system of pick-up and drop-off which has been used for a number of years on the neighboring streets with the addition of a designated bus loading area which will allow queuing to be removed from Marsalis.

### Traffic Management Plan Circulation Map



No increase in students.  
 The designated streets are used for queuing with Public Works concurrence as confirmed with Steve Chermak.

# CIRCULATION PLAN



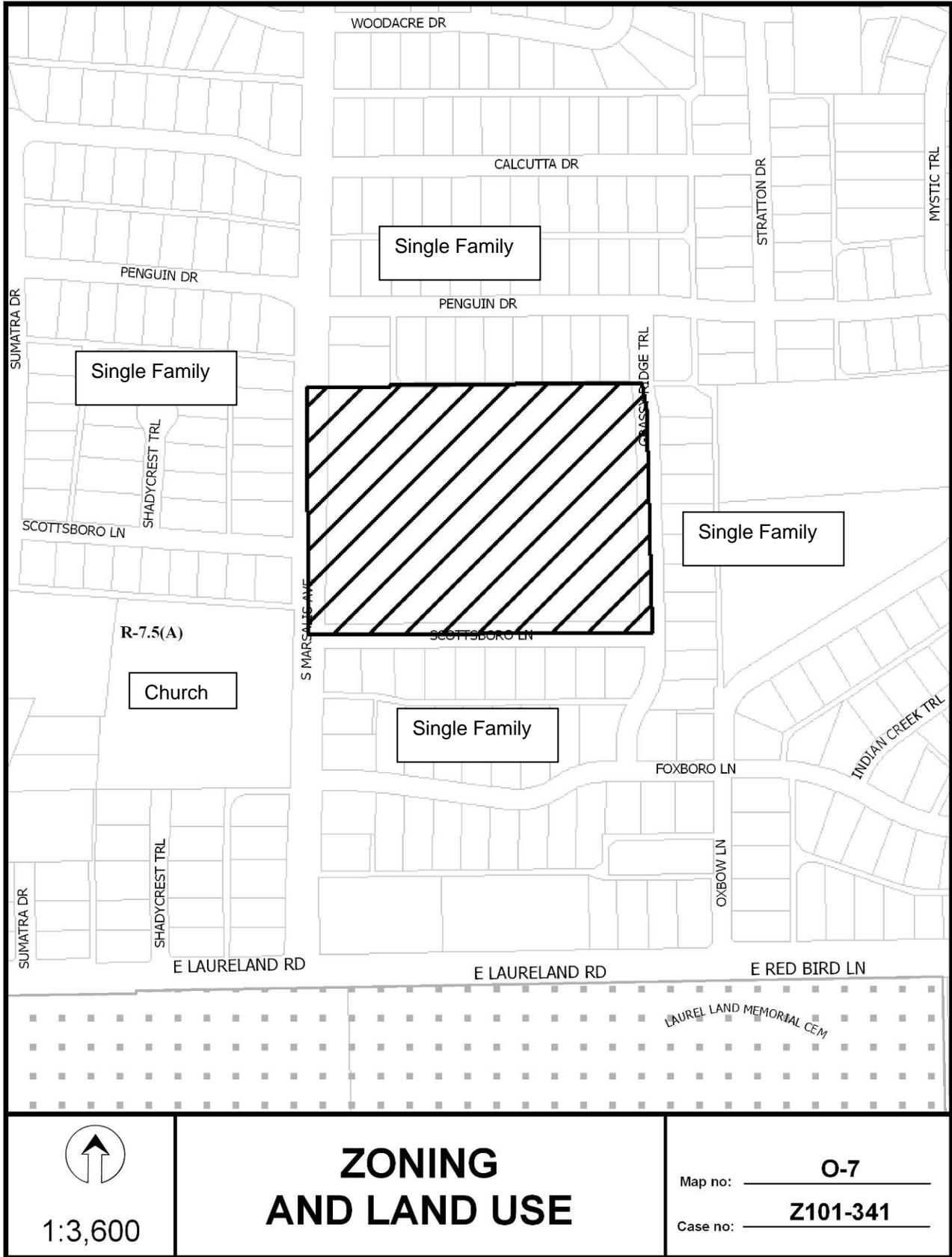
1:7,200

# VICINITY MAP

Map no:           0-7          

Case no:           Z101-341          

DATE: August 23, 2011



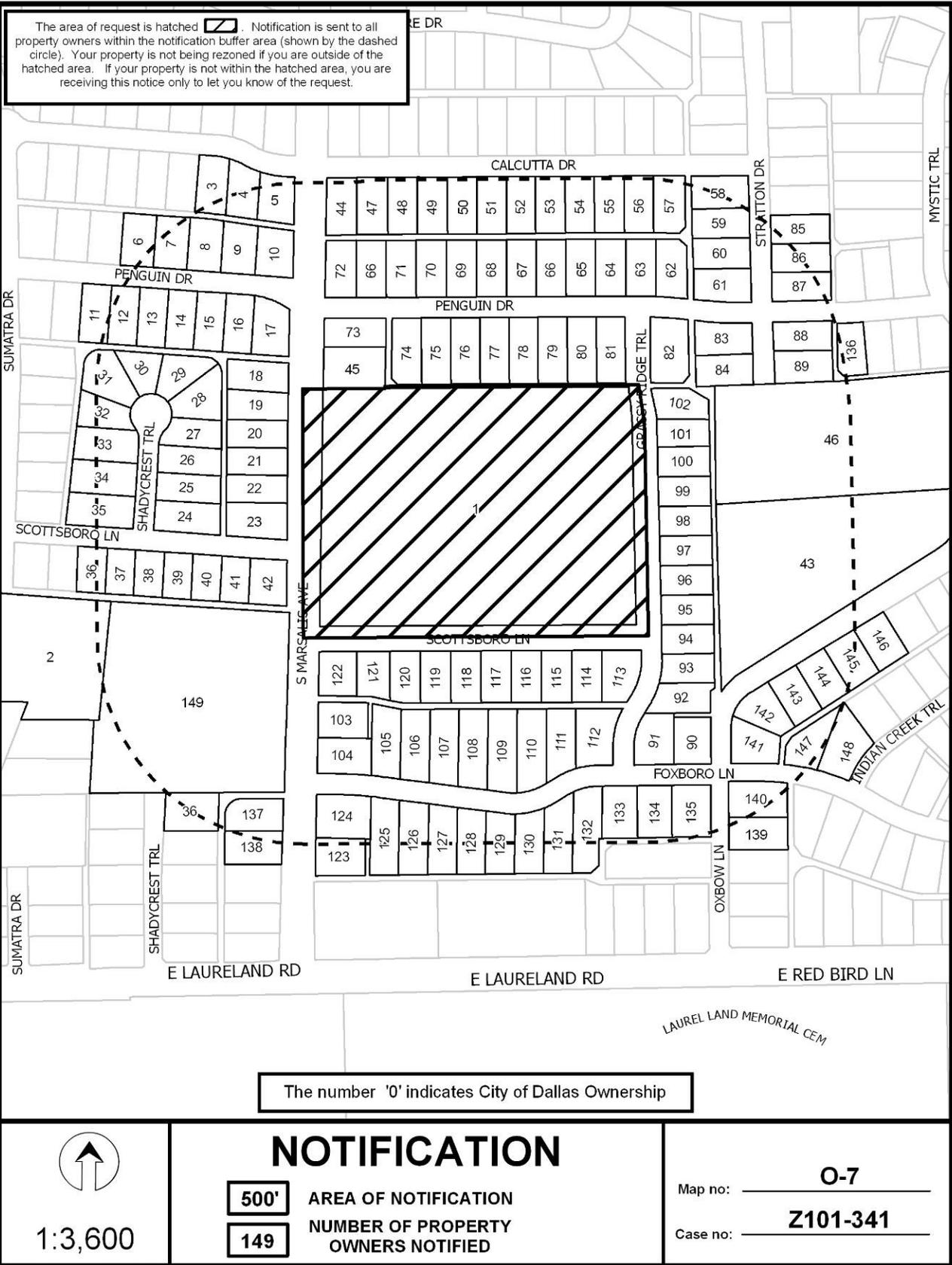
1:3,600

# ZONING AND LAND USE

Map no: 0-7

Case no: Z101-341

DATE: August 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

  
 1:3,600

**NOTIFICATION**

 AREA OF NOTIFICATION  
 NUMBER OF PROPERTY OWNERS NOTIFIED

Map no:           O-7            
 Case no:           Z101-341          

DATE: August 23, 2011

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

### ***Z101-341***

#### ***149 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5640 MARSALIS	Dallas ISD
2	5707 MARSALIS	SMITH JOSEPH JR ET AL
3	648 CALCUTTA	ROBERTS GARY D
4	654 CALCUTTA	BOYKIN MARY M
5	660 CALCUTTA	DONALSON KAY R
6	623 PENGUIN	EVANS EDWIN BISHOP & EVANS NELVIN DELAIN
7	629 PENGUIN	PRESTON VERNON L
8	635 PENGUIN	KING LEON A
9	641 PENGUIN	OBADIAH INC
10	647 PENGUIN	BROWN JAMES D JR
11	618 PENGUIN	FRANCIS AUDREY O R
12	622 PENGUIN	LEWIS KATHY L
13	628 PENGUIN	BROWN WILLIE MAE
14	634 PENGUIN	PETERSON PHILMORE & RUBY
15	640 PENGUIN	RICHARD DERONE
16	644 PENGUIN	ANDERSON BETTY JO
17	648 PENGUIN	HAM ETHERLYNE
18	5611 MARSALIS	HENIGAN CURTIS E
19	5617 MARSALIS	THOMPSON ALINE F
20	5621 MARSALIS	MCCOY BERTHA
21	5625 MARSALIS	MCGEE CLIFTON G
22	5631 MARSALIS	BRADFORD WILLIAM E
23	5633 MARSALIS	JONES EMANUEL JR
24	5640 SHADY CREST	MCGEE INA
25	5636 SHADY CREST	WOODSON DORA LEE
26	5626 SHADY CREST	LYLES BENNY JR

***Tuesday, August 23, 2011***

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
27	5616 SHADY CREST	WATSON CHARLES RAY
28	5610 SHADY CREST	BANKS PATRICIA A ATKINSON
29	5606 SHADY CREST	CLARK HAZEL LYNN
30	5605 SHADY CREST	TERRY MATILDA A
31	5611 SHADY CREST	CAMPBELL THOMAS E & JOHNSON DEMETRUS
32	5617 SHADY CREST	HORNAGE JAMESETTA & RODNEY HORNAGE
33	5625 SHADY CREST	WILLIAMS OBBIE & JOHNNIE WILLIAMS
34	5635 SHADY CREST	MITCHELL DALE & REGINA
35	5645 SHADY CREST	LISTER MILDRED D
36	616 SHADY CREST	WALTON MARY E
37	620 SCOTTSBORO	MCFALL MARY S
38	626 SCOTTSBORO	ROY FRANK O & ALNETTA
39	630 SCOTTSBORO	KWESI ASHRA & CHARMAINE
40	636 SCOTTSBORO	WILKINS ADRIAN &
41	640 SCOTTSBORO	THOMPSON VINCENT K
42	646 SCOTTSBORO	JACKSON HELEN R
43	909 OXBOW	KING GOSBY JR
44	706 CALCUTTA	AVERY KENNETH R
45	5612 MARSALIS	NEW BEGINNING APOSTOLIC FAITH %JOANN WILLIAMS
46	1 LAURELAND	GREEN ARTHURINE SIMS ETAL
47	712 CALCUTTA	STARLIN CURTIS L
48	718 CALCUTTA	MITCHELL WILLIE D
49	724 CALCUTTA	HENRY MILEY ESTATE OF % PATSY WILLIAMS
50	730 CALCUTTA	LEWIS MARVIN
51	736 CALCUTTA	JONES PAUL E & SANDRA
52	742 CALCUTTA	RODDY GEORGE E JR
53	804 CALCUTTA	JACKSON VERSIA LEE
54	810 CALCUTTA	WISE MAXIE BARR CLARA
55	816 CALCUTTA	HUTCHINS PHIEBIE
56	822 CALCUTTA	LEE CHARLES E
57	828 CALCUTTA	GREENE SHIRLEY D

**Tuesday, August 23, 2011**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
58	5511 STRATTON	FREEMAN MARILYN FISHER
59	5517 STRATTON	ELLIOTT MARY A
60	5523 STRATTON	CHAPPELL DELORES
61	5529 STRATTON	PEA EARNEST L & PATSY R
62	823 PENGUIN	FAGAN SILAS W JR
63	817 PENGUIN	CHESTER LAURA N
64	811 PENGUIN	RICHARD MACK Z
65	805 PENGUIN	HICKS LOIS Y
66	747 PENGUIN	OWENS SIDNEY R
67	741 PENGUIN	OWENS SIDNEY R
68	735 PENGUIN	STUART IOLA
69	729 PENGUIN	HOLT HENRY & PAQUELA
70	723 PENGUIN	MORTON BETTY JANE
71	717 PENGUIN	THOMAS JOE R
72	705 PENGUIN	BARNES MICHAEL K
73	5606 MARSALIS	CHOICE GLADYS
74	718 PENGUIN	VENTERS LAVERNE
75	724 PENGUIN	MCGILBRA JOHNSON T
76	730 PENGUIN	BROWN RONNIE JR
77	736 PENGUIN	GOODMAN RAMONA
78	742 PENGUIN	BLAIR PAULA RENAY
79	748 PENGUIN	HARRIS BILLIE
80	806 PENGUIN	GREEN EMERSON J & WARNIE S
81	812 PENGUIN	CITY JEANNIE M
82	824 PENGUIN	WALKER RUTH E
83	5605 STRATTON	IGLEHART MARY
84	5611 STRATTON	WILLIAMS BILLY GENE & WANDA R
85	5518 STRATTON	PARKS HAROLD W & LELA M
86	5524 STRATTON	WILLIAMS CURTIS
87	5530 STRATTON	SHAW BILLY GENE & EVELYN J
88	5606 STRATTON	BRACKINS EDWARD E

**Tuesday, August 23, 2011**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
89	5612 STRATTON	MURPHY LAURESE
90	837 FOXBORO	WALKER L C
91	831 FOXBORO	WALLACE DAVID R
92	5710 GRASSY RIDGE	MCMULLEN DANIEL
93	5704 GRASSY RIDGE	NASH GLORIA & HUEY P
94	5656 GRASSY RIDGE	DIXON BRIAN
95	5652 GRASSY RIDGE	LEE DOROTHY L
96	5646 GRASSY RIDGE	WILKES ROSEMARIE
97	5642 GRASSY RIDGE	LACY OLGA A M
98	5636 GRASSY RIDGE	SWANSON JOHN L
99	5632 GRASSY RIDGE	IYODO HAUWA
100	5626 GRASSY RIDGE	WILLIAMS ALOISE EST OF
101	5622 GRASSY RIDGE	CAKLEY CAROLYN TR
102	5616 GRASSY RIDGE	FUCUALS BABE LESTER
103	5712 MARSALIS	HENRY RICHARD G
104	705 FOXBORO	POLK DEBRA M & POLK GREGORY D
105	715 FOXBORO	BETTS W C
106	721 FOXBORO	HAWKINS SAMUEL
107	725 FOXBORO	AVERY HAROLD R & MARION ZADEK
108	731 FOXBORO	LEE WANDA L
109	805 FOXBORO	LEE KIMBERLY
110	809 FOXBORO	MAPPS OWEADA P
111	815 FOXBORO	MOSS EARL
112	821 FOXBORO	PARRISH MARK
113	826 SCOTTSBORO	NASH HUEY P
114	818 SCOTTSBORO	TAYLOR ARTHUR L
115	814 SCOTTSBORO	WHEARLEY SAMMIE
116	808 SCOTTSBORO	ANDERSON CHARLES E
117	804 SCOTTSBORO	MITCHELL REGINA R & DALE
118	726 SCOTTSBORO	MCNEIL JESSE J JR
119	722 SCOTTSBORO	MEANS WALTER F JR

**Tuesday, August 23, 2011**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
120	716 SCOTTSBORO	LITTLEJOHN ROBERT LOUIS
121	712 SCOTTSBORO	KING ADA MARIE
122	706 SCOTTSBORO	FOSTER APRIL C
123	5812 MARSALIS	GOODSON HOWARD O
124	702 FOXBORO	CHASE GWENDOLYN L R
125	714 FOXBORO	CRISS JOHN A SR
126	720 FOXBORO	CLEAVER DOROTHY JUANITA TR
127	724 FOXBORO	JONES RUTHIE LOUISE
128	730 FOXBORO	WHEELER JOE L ESTATE OF % THERESA WHEELER
129	804 FOXBORO	TRAYLOR LEWIS T SR & ESPANIOLA J
130	808 FOXBORO	EVANS ALLISON
131	814 FOXBORO	ANDREWS CHERYL
132	820 FOXBORO	LEWIS JONATHAN
133	826 FOXBORO	ALAMAN PATRICIA LOUISE
134	832 FOXBORO	FINLEY ISAAC W
135	838 FOXBORO	MEZA SILVIO A
136	910 PENGUIN	WYATT JO ANN
137	5807 MARSALIS	BREWER GEORGE
138	5815 MARSALIS	VILLA ROBERTO
139	824 OXBOW	JONES JANICE MARIE & DONALD WAYNE JONES
140	830 OXBOW	DAVIS EUNICE C
141	907 FOXBORO	CHOICE D D
142	916 OXBOW	FINNELL SHIRLEY CONYERS
143	922 OXBOW	JONES SHIRELY
144	928 OXBOW	HUNT PATRICIA BELL & JAMES HUNT
145	934 OXBOW	COHEN MARION L
146	940 OXBOW	BOSH ELMARIE
147	917 FOXBORO	HENDERSON BILLY RAY & BESSIE FAYE
148	923 FOXBORO	BROWN GEORGE W
149	5707 MARSALIS	ST PAUL LUTHERAN CHURCH EXEMPT 1967

**Tuesday, August 23, 2011**

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z101-328(WE)                      **DATE FILED:** JULY 18, 2011  
**LOCATION:** Southeast line of Owens Street, between Bomar Avenue and  
Kimsey Drive  
**COUNCIL DISTRICT:** 2                                      **MAPSCO:** 34-P  
**SIZE OF REQUEST:** Approx. 2.674 acres              **CENSUS TRACT:** 4.03

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**APPLICANT:** Texas Land Care  
**OWNER:** Rod Mar Corp, Inc  
**REPRESENTATIVE:** Roger Albright  
**REQUEST:** An application for a CS Commercial Service District on  
property zoned an MU-2 Mixed Use District.  
**SUMMARY:** The purpose of this request is to allow for a landscaping  
company to operate on site.

**STAFF RECOMMENDATION:** Denial

**BACKGROUND INFORMATION:**

- The request for a CS Commercial Service District will allow the applicant to use an existing commercial building through adaptive re-use for a landscaping company. The CS Commercial Service District will also permit outside storage where the applicant will have several landscaping materials stored outside.
- In August 2007, the request site was rezoned from an IR Industrial Research District to an MU-2 Mixed Use District.

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

1. Z067-320 On January 9, 2008, City Council approved an MU-2 Mixed Use District on property zoned an MF-2(A) Multifamily District and approved the termination of existing deed restrictions.
2. Z067-241 On August 22, 2007, the City Council approved an MU-2 Mixed Use District on property zoned an IR Industrial Research District.
3. Z045-257 On August 9, 2005, the City Council approved an MF-2(A) Multifamily District, subject to deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.
4. Z023-300 On December 8, 2003, the City Council approved an MU-2 Mixed Use District, subject to deed restrictions and an avigation easement volunteered by the applicant on property zoned an IM Industrial Manufacturing District. (not shown on map)
5. Z023-301 On December 8, 2003, the City Council approved an MU-2 Mixed Use District, subject to deed restrictions and an avigation easement volunteered by the applicant on property zoned an IM Industrial Manufacturing District. (not shown on map)
6. Z045-235 On July 14, 2001, the City Council approved an MU-2 Mixed Use District, subject to deed restrictions and an avigation easement volunteered by the applicant on property zoned an IM Industrial Manufacturing District. (not shown on map)

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Owens Street	Principal Arterial	60 ft.	60 ft.

**Land Use:**

	Zoning	Land Use
<b>Site</b>	MU-2	Industrial and Commercial
<b>Northeast</b>	IR	Industrial and Commercial
<b>Southeast</b>	IR, MU-2 w/DR	Industrial, Residential under construction
<b>Northwest</b>	IR	Office, Single Family
<b>Southwest</b>	MU-2	Bar, lounge, surface parking

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

The Campus Building Block focuses on areas around large master-planned educational, institutional or business facilities outside the Downtown. The University of North Texas campus was the motivating factor for creating this Building Block, although other examples exist, such as the areas around the Southwestern Medical District, the Baylor University Medical Center, the Veterans Administration Hospital and Pinnacle Park. Campus Building Blocks often act as smaller versions of a complete community and include a range of single-family and multifamily housing for students, employees and visitors. A variety of offices, shops, services and open space should exist to support the major campus employer and area residents. Over time, areas such as UNT can take on a “university town” feel as they mature. All Campus Building Block areas should have convenient transit options as an integral component. Economic development efforts should capitalize on the spin-off employment opportunities generated by the primary employers.

The applicant’s request for a CS Commercial Service District will allow for a landscaping company to operate in an area that is transitioning from industrial uses to a mixed use development. The proposed CS District allows for outside storage of various types of materials and therefore, is not compatible use for an area that is in transition towards mixed uses (e.g., residential and retail uses).

## LAND USE

### GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.4 Capitalize on transit oriented development

### GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

## ECONOMIC DEVELOPMENT

### 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

**Area Plans:** The request site lies within the boundaries of the Love Field Land Use Study, adopted by the City Council in January, 1987. The Study recommends the compatibility with adjacent land uses, protect the stability and integrity of the existing residential neighborhoods, and strive to avoid residential population increases when making zoning and development-related decisions for land within the 65 DNL and above noise contours.

The site also lies within the Stemmon Corridor – Southwestern Medical District Area Plan. In June 2010, the City Council adopted the Stemmon Corridor – Southwestern Medical District Area Plan which identifies the request site as being in an Urban Residential Medium area as well as within a strategic opportunity area - the DART Inwood Station Area. The Plan recommends a diversity of housing options ranging from townhomes to three to five story condominiums to limited commercial uses. In addition, the Plan encourages mixed use development with ground floor retail and street amenities that will promote pedestrian activities.

## STAFF ANALYSIS:

**Land Use Compatibility:** The request site is currently developed as a 2-story, 50,760 square foot commercial building with several warehouse doors on the western portion of the site. The applicant's request for a CS Commercial Service District will permit an

existing commercial building, through adaptive re-use, to operate as a landscaping company. The CS Commercial Service District will also permit outside storage where the applicant will have several landscaping materials stored outside.

In August 2007, the property was rezoned from an IR Industrial Research District to an MU-2 Mixed Use District to allow for the construction of a mixed use development. The area is in the redevelopment phase, where several properties have been rezoned to an MF-2(A) Multifamily District or an MU-2 Mixed Use District for mixed uses. In addition, the request site is located within the Stemmon Corridor – Southwestern Medical District Area Plan, where the plan has recommended a diversity of housing options ranging from townhomes to three to five story condominiums to limited commercial uses. In addition, the Plan encourages mixed use development with ground floor retail and street amenities that will promote pedestrian activities.

Staff cannot support the applicant’s request for a CS Commercial Service District because it is not consistent with the goal and policies in the forwardDallas! Plan and the Stemmon Corridor – Southwestern Medical District Area Plan.

**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
CS - Proposed 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
MU-2 - Existing Mixed use-2	15'	20' adjacent to residential OTHER: No Min.	1.6 FAR base 2.0 FAR maximum + bonus for residential	135' 10 stories 180' 14 stories with retail	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential

**Landscaping:** Landscaping must be provided and maintained in accordance with Article X, as amended.

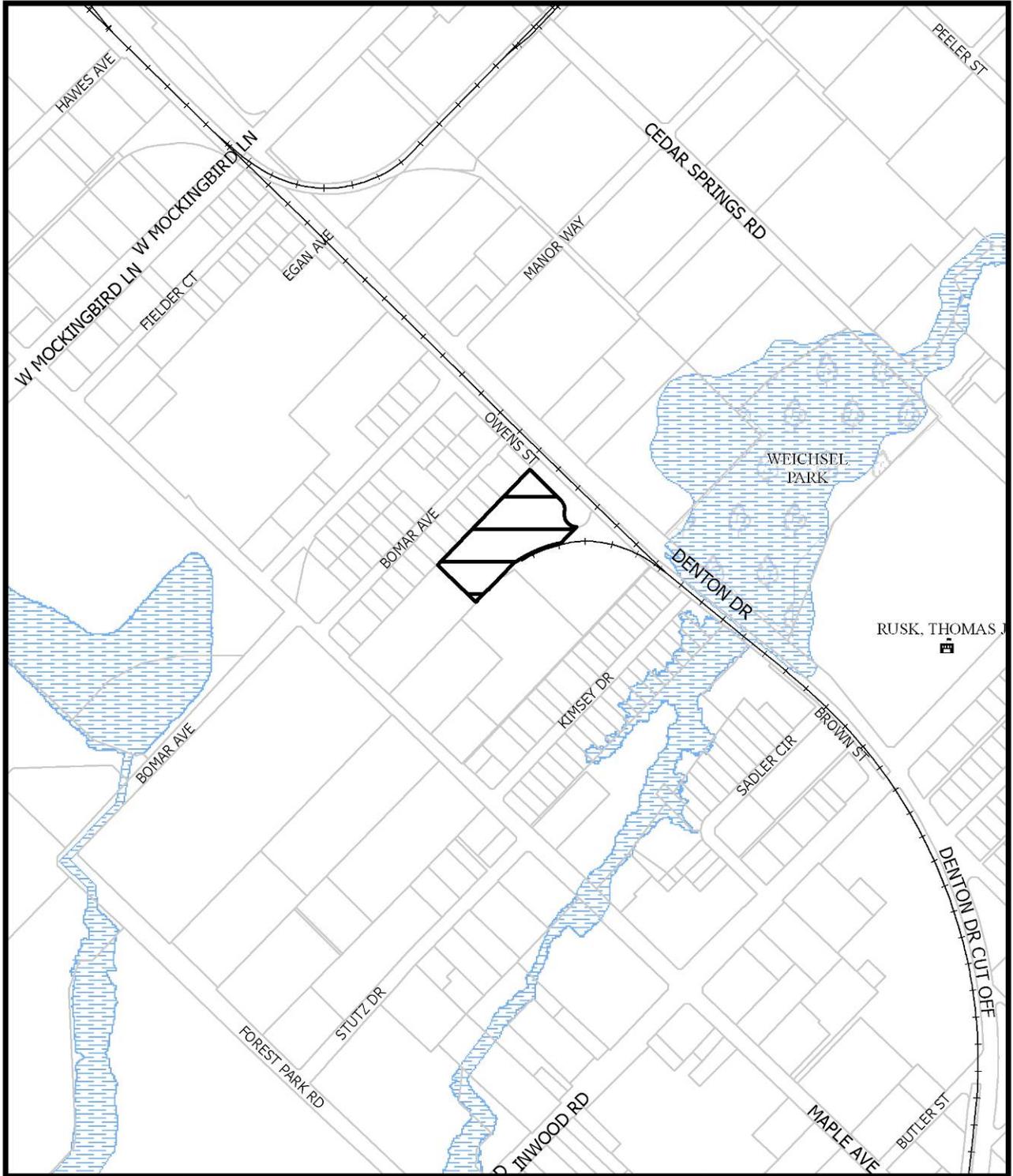
**Traffic:** The Engineering Section of the Department Development Services has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

**LIST OF OFFICERS  
ROD-MAR CORP, INC**

- Maria Rodriguez President

**LIST OF OFFICERS  
TEXAS LAND CARE**

- Philip Lang President

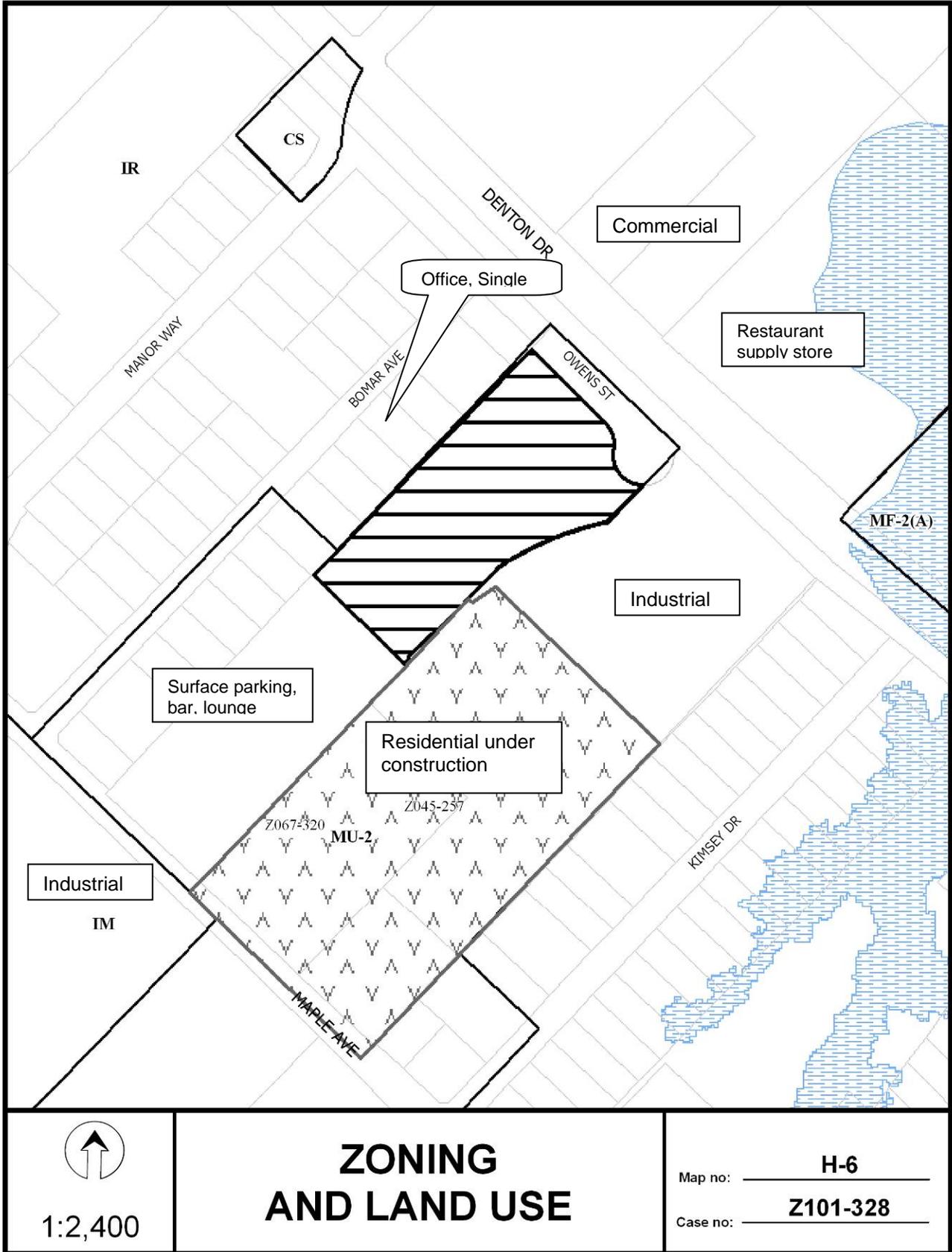


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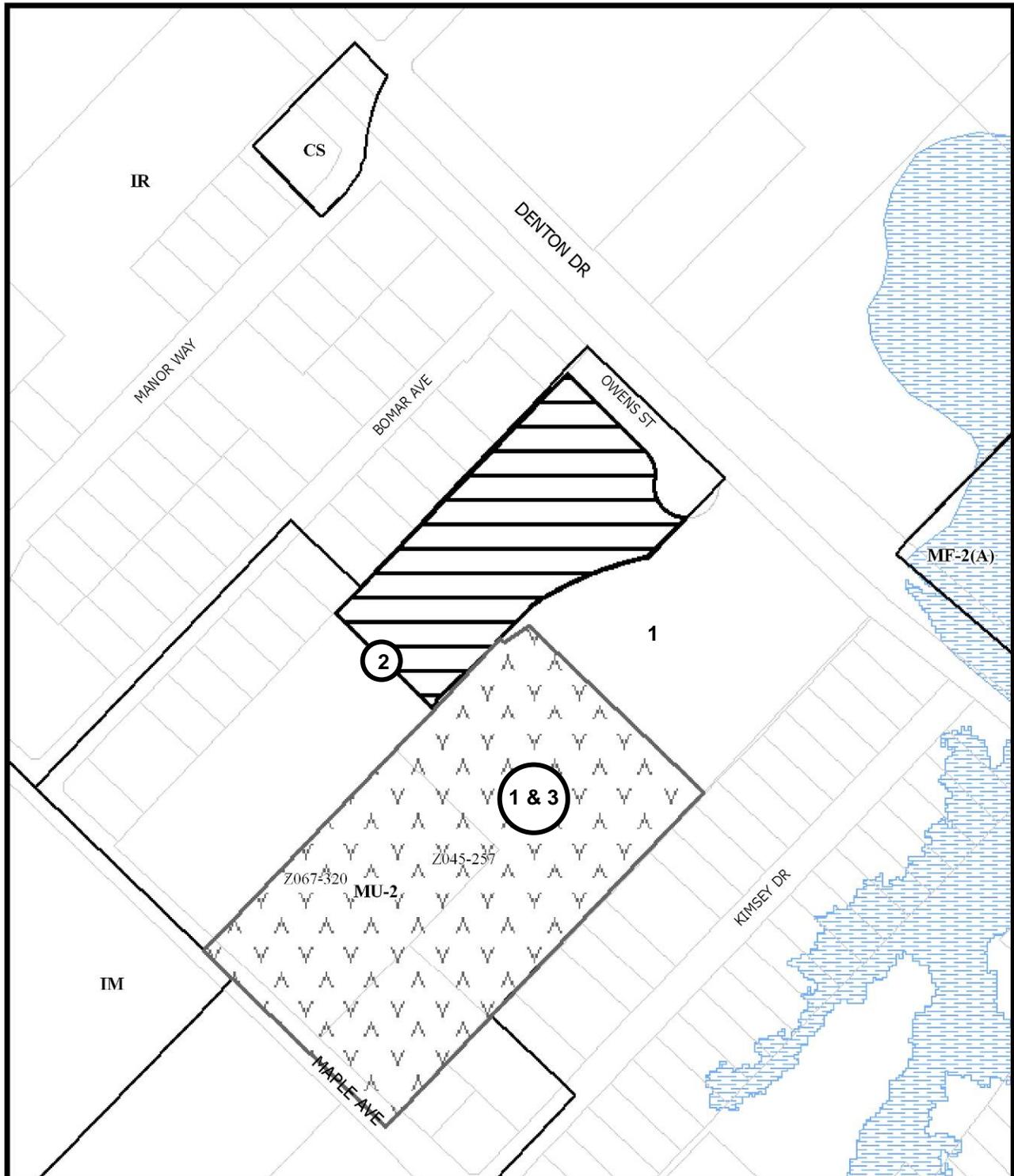
# VICINITY MAP

Map no:           H-6            
Case no:           Z101-328          

DATE: October 04, 2011



DATE: October 04, 2011



1:2,400

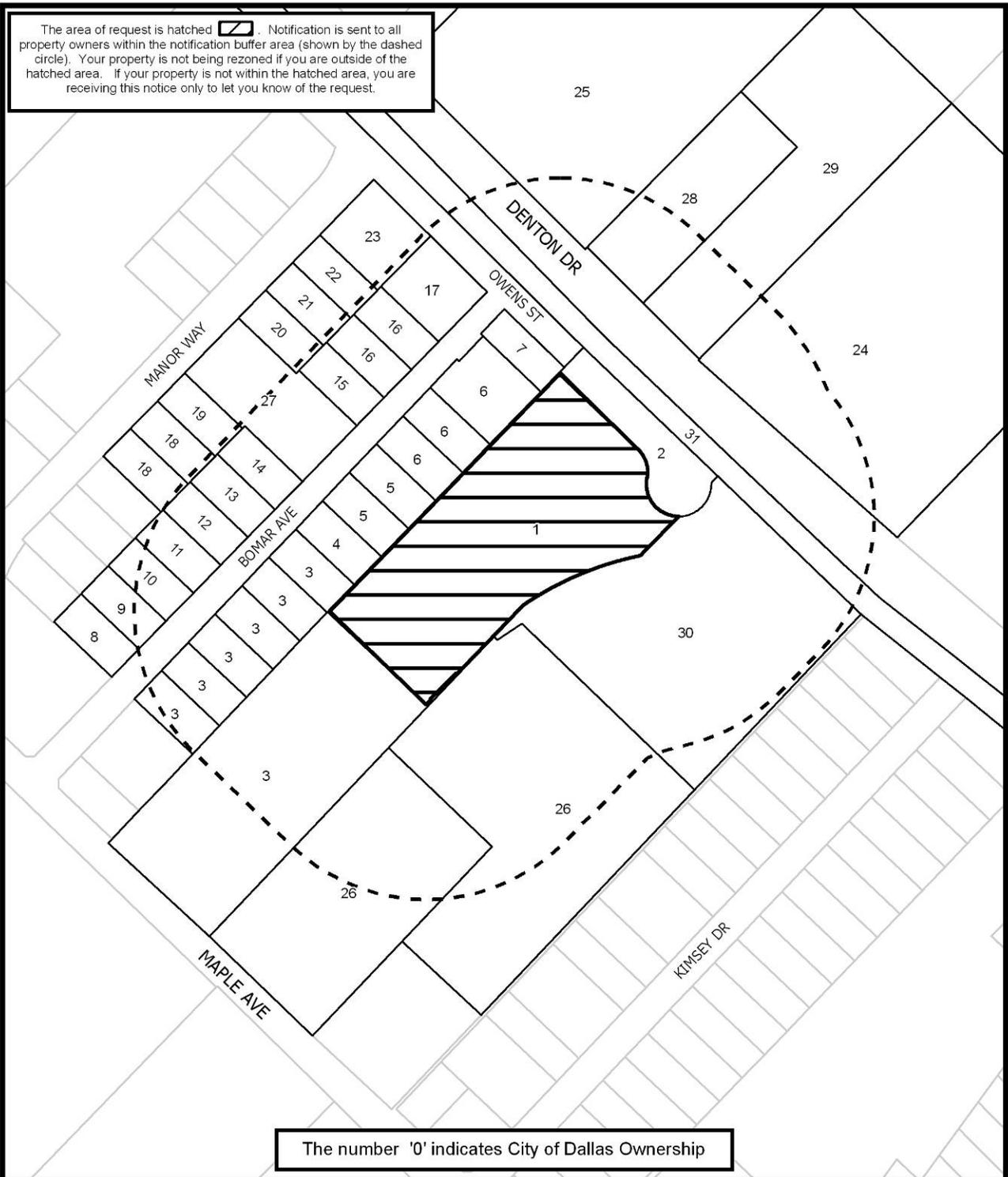
# ZONING HISTORY

Map no:           H-6          

Case no:           Z101-328          

DATE: October 04, 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

  
1:2,400

## NOTIFICATION

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

Map no:           H-6            
 Case no:           Z101-328

# Notification List of Property

## *Z101-328*

### *31 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6115 DENTON DR	ROD MAR CORP INC
2	6115 DENTON DR	DALLAS AREA RAPID TRANSIT
3	2606 BOMAR AVE	TOMAINO PPTIES LP
4	2614 BOMAR AVE	MONTEZ ELIAS
5	2618 BOMAR AVE	BOMAR GROUP LP THE
6	2626 BOMAR AVE	KAIM RONALD M
7	2718 BOMAR AVE	MCCLAIN CAROLYN
8	2515 BOMAR AVE	3605 INWOOD ROAD LP
9	2519 BOMAR AVE	3600 INWOOD ROAD LP
10	2523 BOMAR AVE	TRIGLETH GEARY
11	2603 BOMAR AVE	SMART MORRIS E
12	2607 BOMAR AVE	MARTIN J C
13	2611 BOMAR AVE	MARTIN BARRY A & TERRI J
14	2615 BOMAR AVE	KILPATRICK EQUIPMENT CO
15	2703 BOMAR AVE	HABITATS BY B & D
16	2711 BOMAR AVE	WAY BACK HOUSE INC
17	6211 DENTON DR	WAY BACK HOUSE INC
18	2610 MANOR WAY	TRAVIS DOUG
19	2612 MANOR WAY	KILPATRICK GEORGE H
20	2702 MANOR WAY	MATTINGLY MARLEY ET AL %JOHN RUDOLPH MAT
21	2706 MANOR WAY	AFGHANIPOUR SAMAD
22	2710 MANOR WAY	BREWER DAVID G II
23	2720 MANOR WAY	SLOAN LEONARD & ASSOC INC
24	6000 DENTON DR	JB WILLIAMS INVESTMENTS LLC
25	6200 DENTON DR	SEWELL CORPORATION SUITE 102
26	6008 MAPLE AVE	JLB MAPLE PARTNERS LP STE 960

Z101-328(WE)

10/4/2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2616 MANOR WAY	TRBA INC
28	6134 DENTON DR	AUTOSCOPE MOTORSPORTS LTD
29	6124 DENTON DR	DREAM GARAGE USA LLC % JERRY MOOTY
30	6025 DENTON DR	CALVARY BEN
31	555 2ND AVE	DART

**FILE NUMBER:** Z101-281(MW)

**DATE FILED:** May 24, 2011

**LOCATION:** Southwest corner of Lake June Road and Barredo Street

**COUNCIL DISTRICT:** 8

**MAPSCO:** 59-L

**SIZE OF REQUEST:** ±0.9068 acre

**CENSUS TRACT:** 118

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**APPLICANT:** Firebrand Properties

**REPRESENTATIVE:** Robert Baldwin

**OWNERS:** Gerardo Alba; Jose Cornejo

**REQUEST:** An application for a CR Community Retail District on property zoned an R-7.5(A) Single Family District.

**SUMMARY:** The applicant intends to develop the request site with retail or personal service use.

**STAFF RECOMMENDATION:** Denial

**BACKGROUND INFORMATION:**

- The ±0.9068 acre request site is developed with a single family home and detached garage.
- The applicant intends to develop the request site with a retail or personal service use.
- The request site is surrounded by retail and personal service uses to the north; general merchandise or food store and a charter school to the east; single family residential to the south and single family residential and a personal service use (converted residence) to the west.

**Zoning History:**

1. **Z090-205:** On August 25, 2010, the City Council approved a Specific Use Permit for an open enrollment charter school on property zoned a CR Community Retail District and a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

**Thoroughfares/Streets:**

Thoroughfares/Streets	Type	Existing ROW
Lake June Road	Principal arterial	100 feet
Barredo Drive	Local	50 feet
Lufkin Street	Local	50 feet

**Land Use:**

	Zoning	Land Use
<b>Site</b>	R-7.5(A)	Single family
<b>North</b>	CR-D	Retail and personal service uses
<b>East</b>	CR-D-1 with deed restrictions	General merchandise or food store; charter school
<b>South</b>	R-7.5(A)	Single family
<b>West</b>	R-7.5(A)	Single family; personal service use (converted residence)

**STAFF ANALYSIS:**

**Comprehensive Plan:**

According to the *forwardDallas! Vision Illustration*, adopted June 2006, the subject site is identified as being within a Residential Neighborhood Building Block on the *forwardDallas! Vision Illustration*, adopted June 2006. While single-family dwellings are the dominate land use in this building block, some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

The applicant's proposal to provide a retail or personal service use in this area of the City is not necessarily inconsistent with the *forwardDallas! Vision*; however the proposed encroachment of nonresidential zoning into a residential district does not comply with the following goals and policies:

**HOUSING**

**GOAL 3.1** Ensure a sustainable and efficient long-range housing supply

Policy 3.1.3—Encourage stabilization of existing neighborhoods.

**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.

**Land Use Compatibility:**

The ±0.9068 acre request site is developed with a single family home and detached garage. The applicant intends to develop the request site with a retail or personal service use. However, specifics of the proposed development have not been provided.

The request site is surrounded by retail and personal service uses to the north; general merchandise or food store and a charter school to the east; single family residential to the south and single family residential and personal service use (converted residence) to the west.

Several undeveloped parcels zoned CR Community Retail exist in the vicinity of the request site. Therefore, staff does not believe further encroachment into the residential district is necessary and does not support this request.

**Development Standards:**

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: R-7.5(A)	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	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%	Proximity Slope Visual Intrusion	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:**

While the applicant intends to develop the request site with retail and personal service and office uses, specific information has not been provided. However, pursuant to §51A-4.210 of the Dallas Development Code, the required off-street parking for a general merchandise or food store, for example, 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. The required off-street parking for a restaurant is one (1) space per 100 square feet of floor area.

**Landscaping:**

Landscaping must be provided in accordance to Article X of the Dallas Development Code.

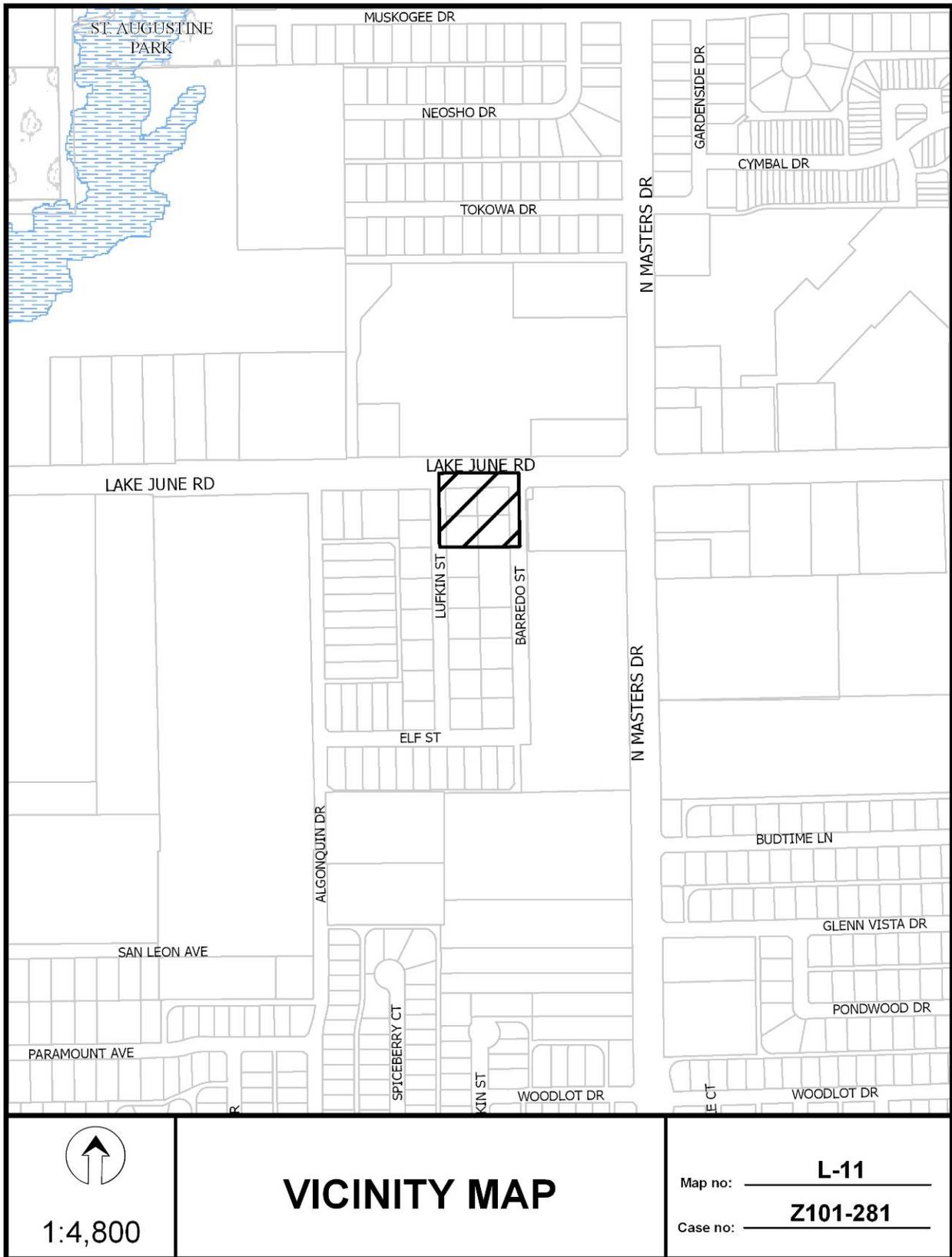
Z101-281(MW)

**Partners/Principals/Officers:**

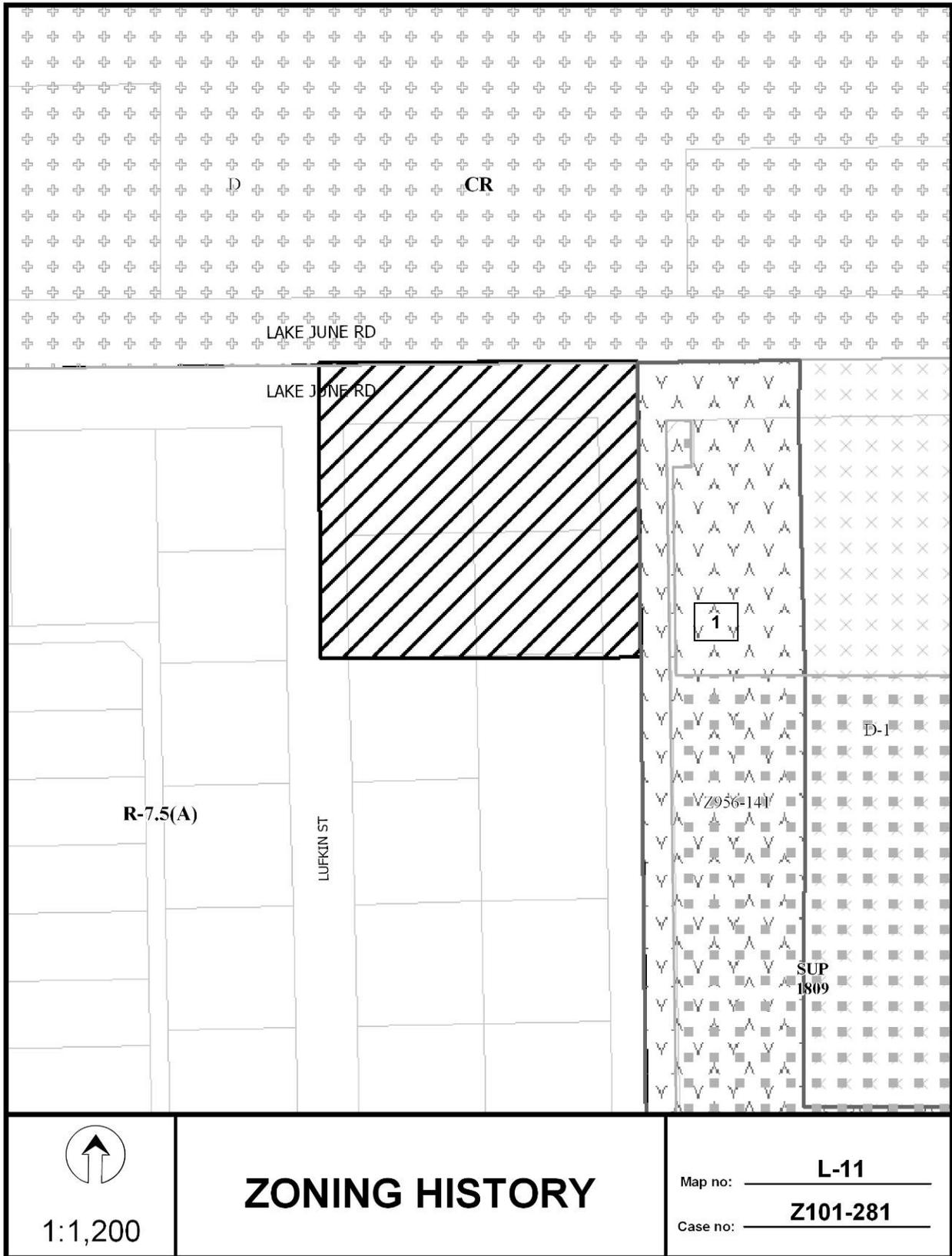
Firebrand Properties

Guillermo Perales, President

Nathan Pavlica, Vice President for Development



DATE: October 04, 2011

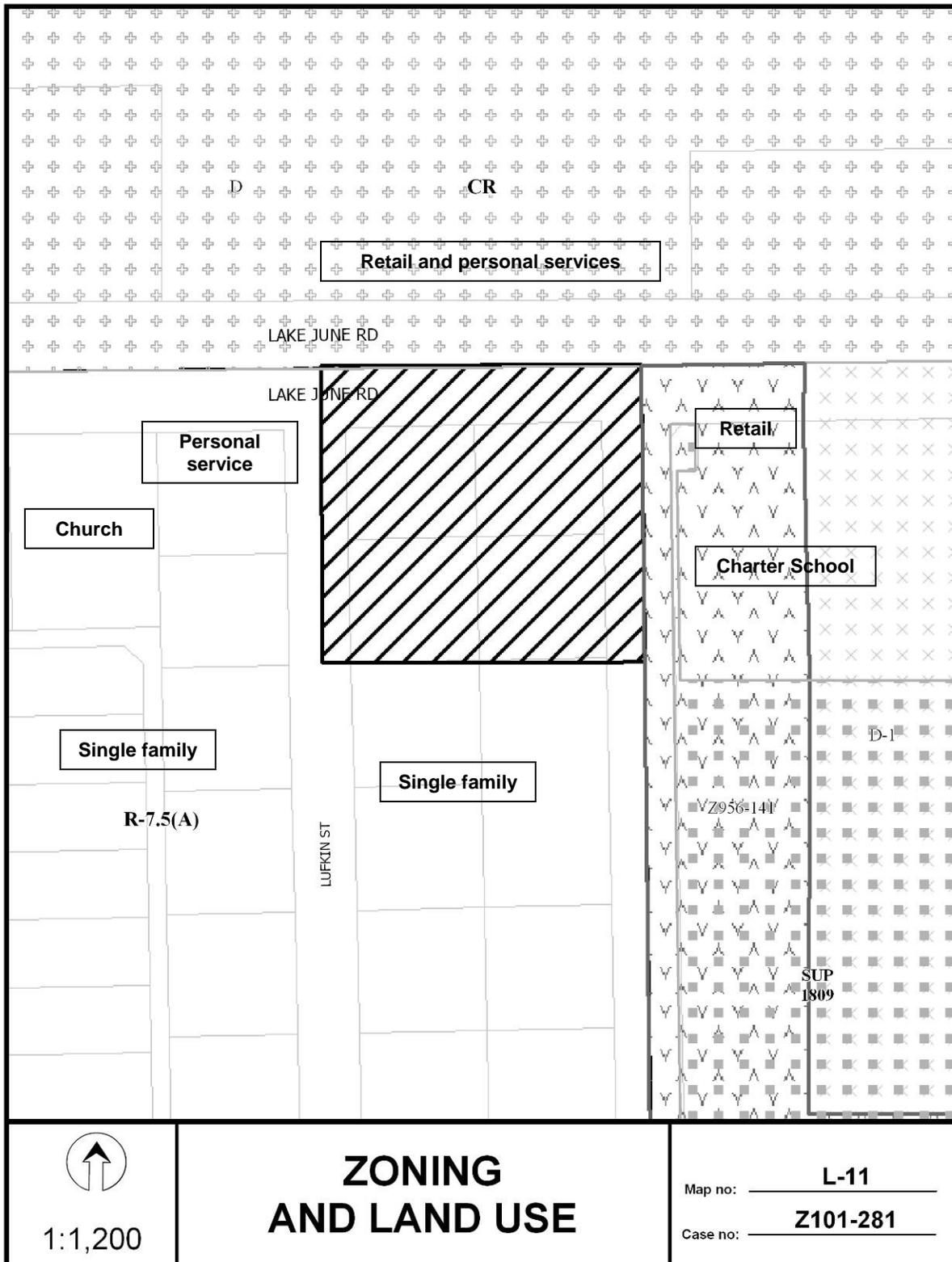


DATE: October 04, 2011

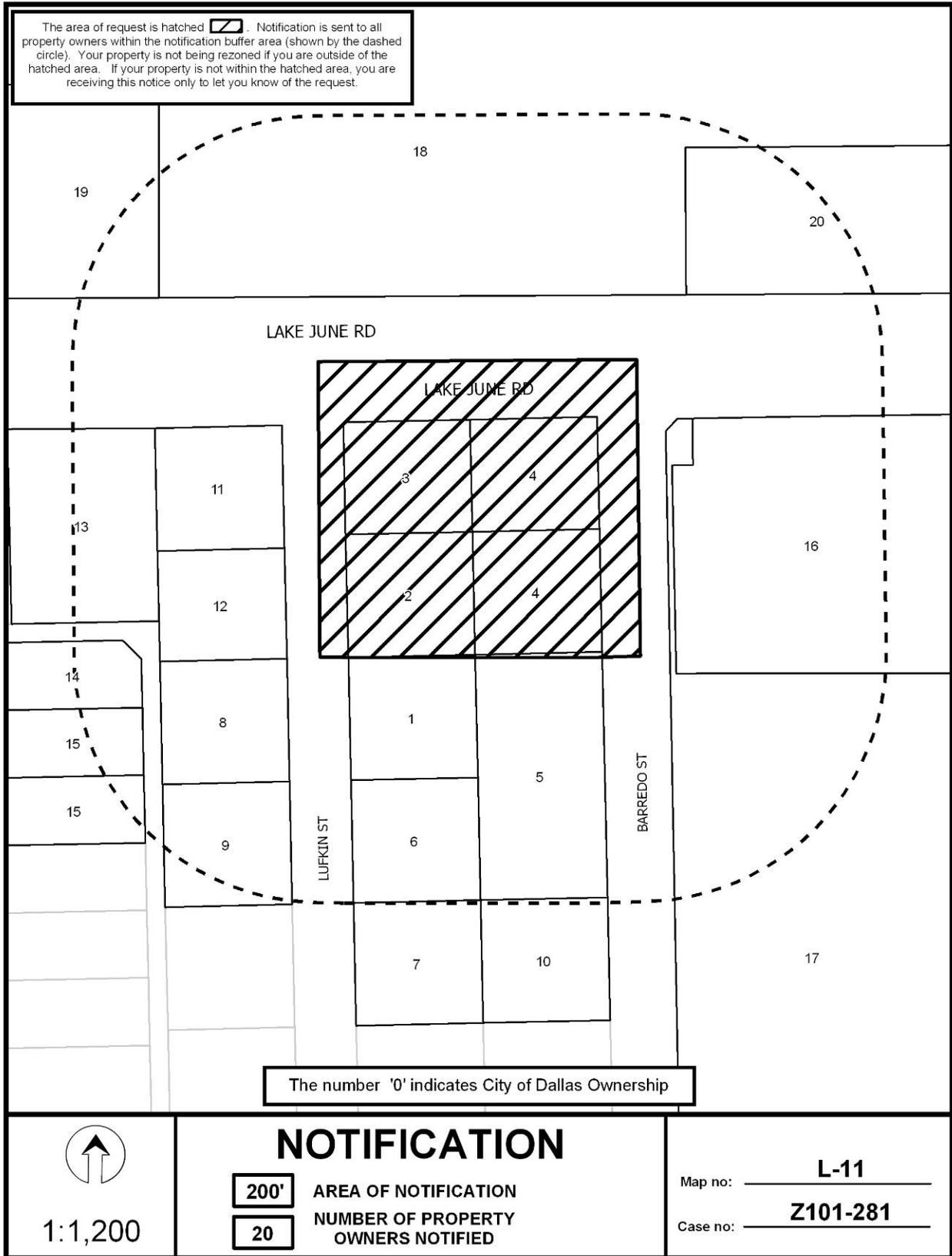
# ZONING HISTORY

Map no:           L-11          

Case no:           Z101-281



DATE: October 04, 2011



DATE: October 04, 2011

10/4/2011

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

### ***Z101-281***

#### ***20 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1232 LUFKIN ST	CARRUTH BILLY J
2	1240 LUFKIN ST	ALBA GERARDO
3	10106 LAKE JUNE RD	CORNEJO JOSE C
4	1249 BARREDO ST	FROSSARD T E JR TRUSTEE
5	1233 BARREDO ST	HARDIN GENEVIEVE P
6	1222 LUFKIN ST	SANCHEZ CARLOS H & JOSEPHINE M
7	1214 LUFKIN ST	SANCHEZ CARLOS & JOSEPHINE
8	1229 LUFKIN ST	LEAL RAMIRO C
9	1223 LUFKIN ST	JUAREZ MARCIAL & MARIA AMELIA
10	1215 BARREDO ST	SANCHEZ CARLOS
11	10022 LAKE JUNE RD	EVANS BING CROSBY & NANCY
12	1239 LUFKIN ST	HERNANDEZ ARMANDO
13	10020 LAKE JUNE RD	LITTLE BETHEL ASSEMBLY OF GOD
14	1232 ALGONQUIN DR	SANCHEZ GUADALUPE
15	1224 ALGONQUIN DR	HERNANDEZ RODOLFO & SOCCARO
16	10152 LAKE JUNE RD	WALGREEN CO SUITE 1420
17	1227 MASTERS DR	AMERICA CAN!
18	10121 LAKE JUNE RD	PINFIN PROPERTIES LP % THE PINNACLE PROP
19	10025 LAKE JUNE RD	STONE PETER & DONNA L STONE
20	10155 LAKE JUNE RD	KING KASH INVESTORS 1991 LIMITED

**LOCATION:** Westgrove Drive at Club Hill Drive**PLANNER:** Kerry Elder**COUNCIL DISTRICT:** 12**MAPSCO:** 4R**REQUEST:**

Consideration of an appeal for the installation of an All-Way STOP control at the intersection of Westgrove Drive at Club Hill Drive.

**SUMMARY:**

The City has made available a program that enables residents to obtain ALL-WAY STOP SIGN control for intersections in residential areas when the intersection does not meet warrants using standard transportation engineering criteria. The following are the criteria for inclusion in the program.

- Petition from at least 2/3rds of residents within 900 feet of the intersection;
- The intersection streets are residential;
- The street is not on the City's Thoroughfare Plan;
- The street has less than 6000 vehicles per day;
- The street is not a Dallas Fire-Rescue emergency response route.

If all five conditions are present, the City will install the STOP sign control. If not, the application will be denied but can be appealed to the City Plan Commission, who may subsequently approve or deny the request based on community input and technical data. If the request is approved by the Commission, the City will install Stop sign control. If the Commission denies the request, the applicant may subsequently appeal the decision to the City Council.

In this particular application, the street is a Dallas Fire-Rescue Response Route and, for that reason, staff initially denied the application. The applicant has requested an appeal to the action and that is the subject of this public hearing. All of the other criteria of the Policy have been met.

The intersection of Westgrove Drive and Club Hill Drive is presently controlled by a Stop sign, stopping Club Hill Drive. The area consists of single family homes and a golf club. If a STOP sign is approved, the City will also need to prohibit parking along the curb at both approaches on Westgrove Drive to insure adequate visibility of the STOP signs to motorists.

**CPC ACTION:**

On October 6, 2011, the City Plan Commission held the case under advisement until October 20, 2011.

**STAFF RECOMMENDATION:** Westgrove Drive is a Dallas Fire-Rescue emergency response route. The Department of Street Services has no objection to this request.

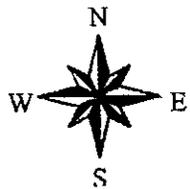
# CITY OF DALLAS PETITION MAP

CASE #: SR #11-00094105

CASE LOCATION: Westgrove Dr @ Club Hill Dr



City of Dallas  
Public Works and Transportation  
Transportation Engineering  
1500 Marilla Street, L1-BN  
Dallas, Texas  
Phone: (214) - 670-3260  
Fax: (214) - 670-3292  
02/25/2011



The Red circle indicates a 900' radius from the center point of the following location: Westgrove Dr @ Club Hill Dr  
The yellow shaded area indicates the properties within the 900' circle that are eligible to sign the attached petition .  
**NOTE:** Signatures outside the yellow shaded area will not be counted



**LOCATION:** Westgrove Drive at Angle View Drive**PLANNER:** Kerry Elder**COUNCIL DISTRICT:** 12**MAPSCO:** 5N**REQUEST:**

Consideration of an appeal for the installation of an All-Way STOP control at the intersection of Westgrove Drive at Angle View Drive.

**SUMMARY:**

The City has made available a program that enables residents to obtain ALL-WAY STOP SIGN control for intersections in residential areas when the intersection does not meet warrants using standard transportation engineering criteria. The following are the criteria for inclusion in the program.

- Petition from at least 2/3rds of residents within 900 feet of the intersection;
- The intersection streets are residential;
- The street is not on the City's Thoroughfare Plan;
- The street has less than 6000 vehicles per day;
- The street is not a Dallas Fire-Rescue emergency response route.

If all five conditions are present, the City will install the STOP sign control. If not, the application will be denied but can be appealed to the City Plan Commission, who may subsequently approve or deny the request based on community input and technical data. If the request is approved by the Commission, the City will install Stop sign control. If the Commission denies the request, the applicant may subsequently appeal the decision to the City Council.

In this particular application, the street is a Dallas Fire-Rescue Response Route and, for that reason, staff initially denied the application. The applicant has requested an appeal to the action and that is the subject of this public hearing. All of the other criteria of the Policy have been met.

The intersection of Westgrove Drive and Angle View Drive is presently controlled by a Stop sign, stopping Angle View Drive. The area consists of single family homes and a golf club. If a STOP sign is approved, the City will also need to prohibit parking along the curb at both approaches on Westgrove Drive to insure adequate visibility of the STOP signs to motorists.

**CPC ACTION:**

On October 6, 2011, the City Plan Commission held the case under advisement until October 20, 2011.

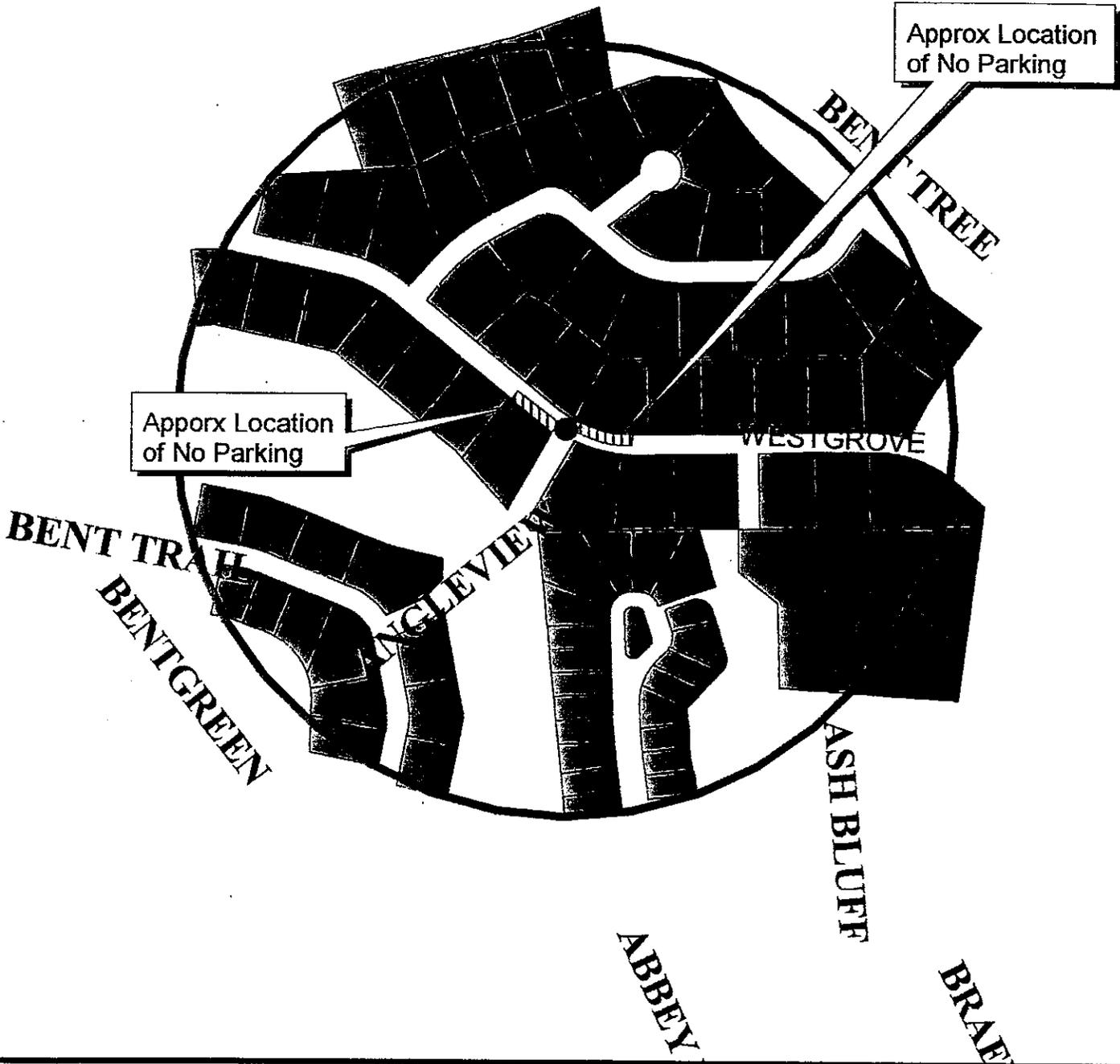
**STAFF RECOMMENDATION:**

Westgrove Drive is a Dallas Fire-Rescue emergency response route. The Department of Street Services has no objection to this request.

# CITY OF DALLAS PETITION MAP

CASE #: SR #07-00274284

CASE LOCATION: Westgrove Dr Angleview Dr



Apporx Location of No Parking

Approx Location of No Parking

0 200 400 600 Feet

City of Dallas  
Public Works and Transportation  
Transportation Engineering  
1500 Marilla Street, L1-BN Dallas, Texas  
Phone: (214) - 670-3260 Fax: (214) - 670-3292  
07/19/2007



The circle indicates a 900' radius from the center point of the following location: Westgrove Dr Angleview Dr  
The shaded area indacates the properties within the 900' circle that are eligible to sign the attached petition.  
**NOTE: Signatures outside the shaded area will not be counted**

**Westgrove Drive**

