



CITY OF DALLAS

CITY PLAN COMMISSION
Thursday, February 17, 2011
AGENDA

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

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

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

BRIEFINGS:

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Paul Nelson

Consent Items:

- (1) **S101-046**
(CC District 8) An application to create one 0.93 acre lot from a tract of land in City Block 8293 on 6667 Bonnie View Road northwest of Memory Lane Boulevard.
Applicant/Owner: Dr. Charles Matthews
Surveyor: Peiser Surveying Co.
Application Filed: January 20, 2011
Zoning: R-5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (2) **S101-048**
(CC District 8) An application to create one 1.031 acre lot in City Block 8820 on Belt Line Road between U.S. Highway 175 and Vida Lane.
Applicant/Owner: Russell Fox, Trustee & GBT Realty Corporation
Surveyor: John Cowan & Associates
Application Filed: January 25, 2011
Zoning: CS
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (3) **S101-049**
(CC District 4) An application to replat a 5.76 acre tract of land containing all of Lot 27 in City Block E/5914 into one 5.565 acre lot and one 0.201 acre lot on property located on Fran Way at Avenue C.
Applicant/Owner: SDC Fiji Senior, L.P.
Surveyor: Adams Surveying Co.
Application Filed: January 26, 2011
Zoning: PD 812, Tract 1
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S101-050**
(CC District 6) An application to replat a tract of land containing all of Lots 3A, 1, 2, 10, 11 and 13 in City Block 4/7252 and a portion of Akron Street into one 4.575 acre lot on property located on Vilbig Road between Singleton Blvd. and Duluth Street.
Applicant/Owner: Catholic Diocese of Dallas
Surveyor: Maddox Surveying
Application Filed: January 28, 2011
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S101-051**
(CC District 3) An application to replat a tract of land containing all of Lots 2, 3 and 4 in City Block C/8698 into one 0.908 acre lot on property located on 4109 S. Ledbetter Drive at Tyrone Drive, southwest corner
Applicant/Owner: Wat Lao SiriMoungkhoun of Dallas, Inc.
Surveyor: Keeton Surveying Co.
Application Filed: January 28, 2011
Zoning: CR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (6) **S101-052**
(CC District 7) An application to create a 0.60 acre lot from a tract of land on property located on 2513 and 2519 E. 11th Street between Avenue I and Avenue J.
Applicant/Owner: Daniel, Raul, Armando and Carlos Coria
Surveyor: Peiser Surveying
Application Filed: January 28, 2011
Zoning: CS
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Individual Items:

- (7) **S101-044**
(CC District 13) An application to replat a 0.862 acre tract of land containing all of Lots 6A and 6B in City Block 11/5492 into one 0.56 acre lot and one 0.29 acre lot located at 6319 Mimosa Lane between Tulane Street and Tibbs Street.
Owner: Aditya and Punita Srivastava
Surveyor: Global Land Surveying, Inc.
Application Filed: January 19, 2011
Zoning: R-10 (A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (8) **S101-045**
(CC District 12) An application to replat a tract of land containing all of Lot 10 in City Block 8A/8209 and a 229 square foot tract of land in City Block 8227 into one 6,083 square foot lot at 17332 Club Hill Drive.
Owner: William A. Anderson
Surveyor: Dowdey, Anderson & Associates
Application Filed: January 20, 2011
Zoning: TH-2(A), R-1ac(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (9) **S101-047**
(CC District 14) An application to replat a 0.39 acre tract of land containing all of Lots 9 and 10 in City Block 5/2023 into 2 lots to reduce the width of Lot 10 in order to eliminate the existing lot line from passing through the existing house at 4022 Stonebridge Drive.
Owner: Priscilla A. Walter/Priscilla A. Jackson
Surveyor: Peiser Surveying, Co.
Application Filed: January 20, 2011
Zoning: PD 193 (R-7.5)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Docket

- M101-010**
Richard Brown
(CC District 12) Minor Amendment to the development plan and landscape plan for Planned Development District No. 268 for shopping Center District Uses on the northeast corner of Preston Road and Frankford Road.
Staff Recommendation: **Approval**
Applicant: Fritz Duda Company
Representative: Gary Nelson

Zoning Cases – Consent

1. **Z101-135(MW)**
Megan Wimer
(CC District 3)
An application for a Specific Use Permit for an open-enrollment charter school on property zoned an LO-3 Limited Office-3 District with deed restrictions on the north side of West Illinois Avenue, between South Vernon Avenue and Wynnewood Drive.
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan, a traffic management plan and conditions.
Applicant: Ann Stevenson, Uplift Education
Representative: Brian Nelson, AIA

2. **Z101-141(MW)**
Megan Wimer
(CC District 6)
An application for a Specific Use Permit for a metal salvage facility on property zoned Planned Development District No. 406, the Ledbetter/Eagle Ford Special Purpose District on the southeast corner of Cartwright Street and Richey Street.
Staff Recommendation: **Approval** for a two-year period, subject to a site plan and conditions.
Applicant: Yefim Kuperberg
Representative: Karen Tellez

3. **Z101-142(JH)**
Jennifer Hiromoto
(CC District 8)
An application for a Specific Use Permit for a commercial amusement (inside) use for a dance hall on property zoned a CS-D-1 Commercial Service District with a D-1 Dry Liquor Control Overlay on the northeast side of C.F. Hawn Freeway, southeast of Edd Road.
Staff Recommendation: **Approval** for a three-year period with eligibility for additional five year periods, subject to a site plan and conditions.
Applicant: Arturo Quintanilla

Zoning Cases – Under Advisement

4. **Z089-185(OTH)**
Olga Torres Holyoak
(CC District 3)
An application to renew Specific Use Permit No. 1581 for a child-care facility on property zoned a TH-3(A) Townhouse District on the north side of Ryan Road, west of Garapan Drive.
Staff Recommendation: **Denial**
Applicant: Sharon Harris
U/A From: October 21, 2010 and November 18, 2010

5. **Z090-226(WE)**
Warren Ellis
(CC District 3)
- An application for a Specific Use Permit for gas drilling and production on property zoned an R-7.5(A) Single Family District and an A(A) Agricultural District on the north side of W. Camp Wisdom Road, approximately 700 feet west of FM 1382 Highway.
- Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewal of additional ten-year periods, subject to an existing site plan, operation plan for drilling, operation plan for production and conditions and **approval** of the deed restrictions volunteered by the applicant.
- Applicant: XTO Energy Inc.
Representative: Dallas Cothrum - MASTERPLAN
U/A From: November 18, 2010

Individual Cases

6. **Z090-255(WE)**
Warren Ellis
(CC District 14)
- A City Plan Commission authorized hearing to determine proper zoning within Planned Development District No. 145 (Historic Overlays Nos. 18 and 44 on a portion), with consideration being given to an amendment to the Planned Development District to allow the use of a conveyance as a building for food preparation from mobile food vehicles and related regulations in an area generally bounded by Routh Street, Ross Avenue, St. Paul Street, and Woodall Rodgers Frontage Road.
- Staff Recommendation: **Approval**, subject to conditions.
7. **Z090-256(WE)**
Warren Ellis
(CC District 14)
- A City Plan Commission authorized hearing to determine proper zoning within Planned Development District No. 708, with consideration being given to an amendment to the Planned Development District to allow the use of a conveyance as a building for food preparation from mobile food vehicles and related regulations in an area generally bounded by Ross Avenue, Routh Street, Central Expressway, and Woodall Rodgers Frontage Road.
- Staff Recommendation: **Approval**, subject to conditions
8. **Z090-234(RB)**
Richard Brown
(CC District 5)
- An application for an IM Industrial Manufacturing District and a Specific Use Permit for a Metal salvage facility on property zoned an IR Industrial Research District on the northeast line of South Central Expressway, north of Loop 12.
- Staff Recommendation: **Approval** of an IM Industrial Manufacturing District, and **approval** of a Specific Use Permit for a Metal salvage facility for a two-year period, with eligibility for automatic renewal for additional two year periods, subject to a site plan and conditions.
- Applicant: Falcon Transit, LLC
Representative: Santos Martinez

9. **Z101-137(JH)**
Jennifer Hiromoto
(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 use greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Dry Liquor Control Overlay on the east side of Beltline Road, south of Seagoville Road.
Staff Recommendation: **Approval** for a two-year period with eligibility for additional five year periods, subject to a site plan and conditions.
Applicant: Shellie Curtis, Inc.
Representative: Santos Martinez, Masterplan
10. **Z101-144(MW)**
Megan Wimer
(CC District 6)
- An application for a CR Community Retail District on property zoned an R-5(A) Single Family District on the southwest corner of Chalk Hill Road and Chippewa Drive with consideration of a NS(A) Neighborhood Service District.
Staff Recommendation: **Approval** of an NS(A) Neighborhood Service District in lieu of the requested CR Community Retail District.
Applicant: Sergio Coronado
Representative: Norberto Ornelas
11. **Z101-119(MG)**
Michael Grace
(CC District 2)
- An application for a Specific Use Permit for commercial amusement (inside) limited to a Class A dance hall on property zoned a CS Commercial Service District, on the east side of N. Stemmons Freeway, north of Regal Row.
Staff Recommendation: **Approval** for a three-year period with eligibility for automatic renewals for five year periods, subject to a site plan and conditions.
Applicant: Jorge Rostro
Representative: Vic Cunningham

UUOther Matters

Minutes: February 3, 2011

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Thursday, February 17, 2011

TRANSPORTATION COMMITTEE MEETING - Thursday, February 17, 2011, City Hall, 1500 Marilla Street, in 5ES, at 9:00 a.m., to consider **(1)** Telephone Road from City of Lancaster limits to Bonnie View Road, reduce the designation from a 6-lane divided roadway to a 4-lane divided roadway; and **(2)** Shorecrest Drive between Harry Hines Boulevard and Regal Row, to delete the un-built segment from the Thoroughfare Plan.

Thursday, February 17, 2011

ZONING ORDINANCE COMMITTEE (ZOC) MEETING - Thursday, February 17, 2011, City Hall, 1500 Marilla Street, in 5ES, at 9:30 a.m., to consider (1) **DCA 090-010** - Consideration of amending the Dallas Development Code to amend parking regulations.

EXECUTIVE SESSION NOTICE

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

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

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 17, 2011

FILE NUMBER: S101-046

Subdivision Administrator: Paul Nelson

LOCATION: 6667 Bonnie View Road northwest of Memory Lane Boulevard

DATE FILED: January 20, 2011

ZONING: R-5(A)

CITY COUNCIL DISTRICT: 8

SIZE OF REQUEST: 0.93 ac.

MAPSCO: 66U

APPLICANT/OWNER: Dr. Charles Matthews

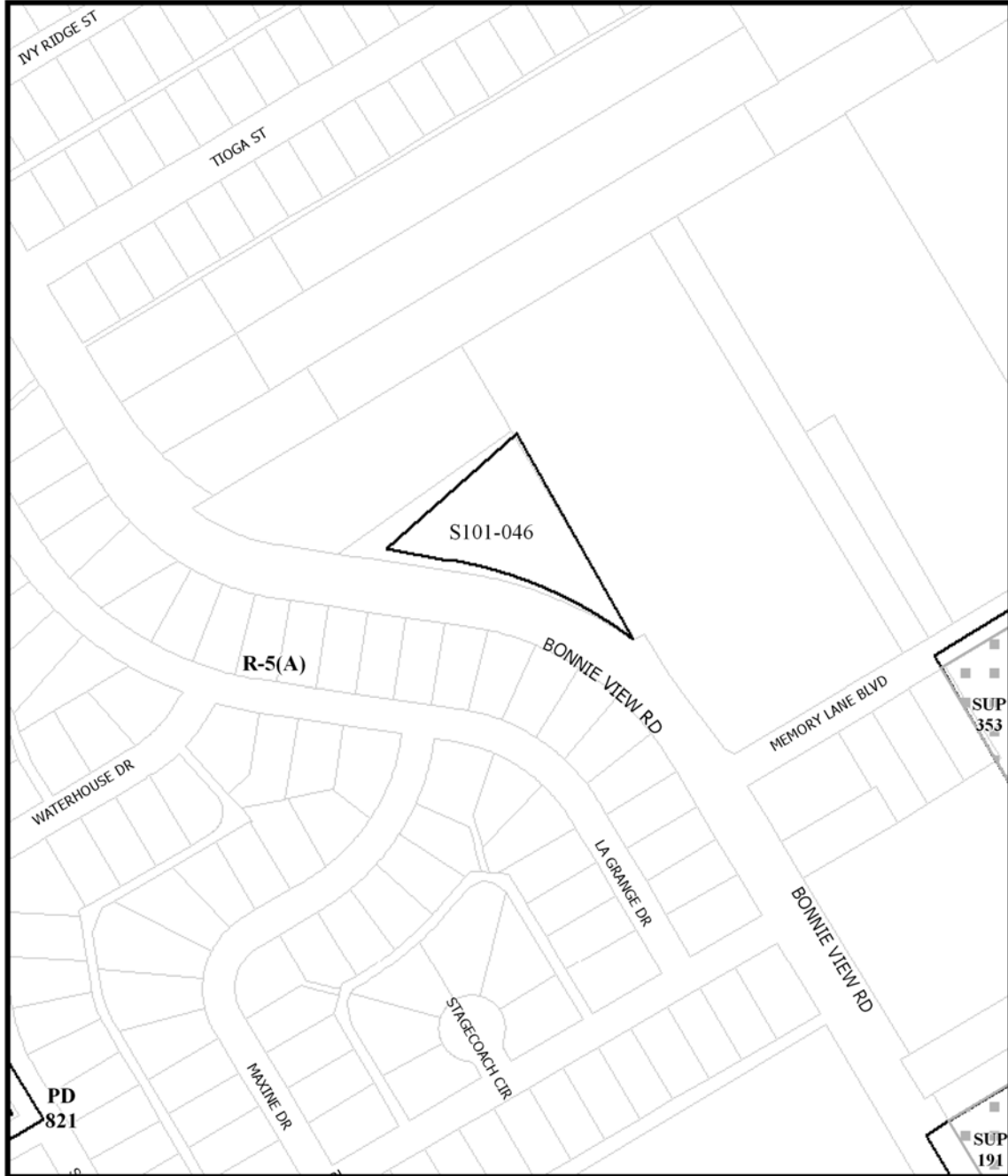
REQUEST: An application to create one 0.93 acre lot from a tract of land in City Block 8293 on 6667 Bonnie View Road northwest of Memory Lane Boulevard.

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

STAFF RECOMMENDATION: The request complies with the R-5(A) district requirements and the properties east of Bonnie View Road in this area have no established lot pattern; therefore, staff recommends approval subject to compliance with the following conditions:

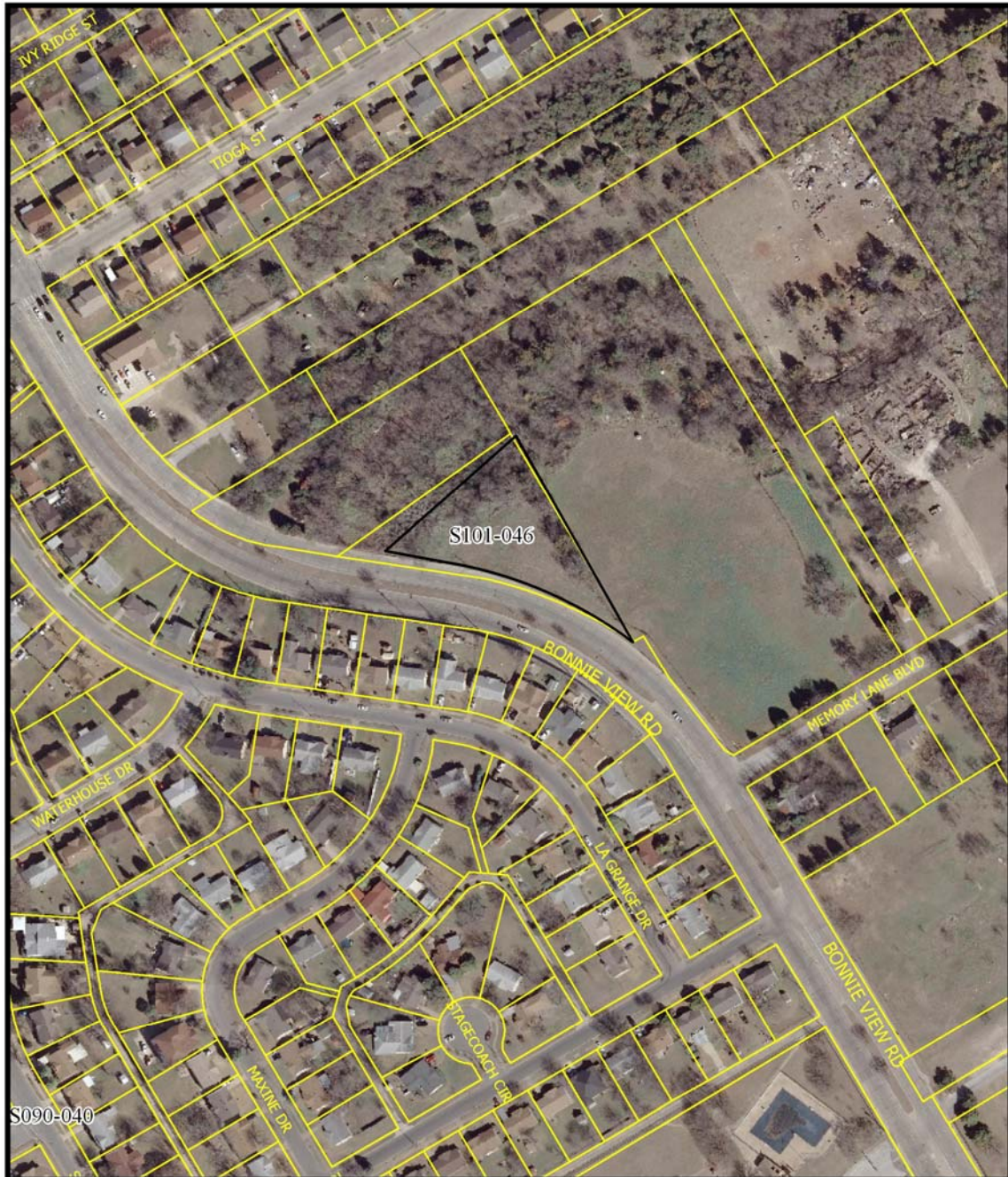
1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the city.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the City Plan Commission in a format that is compatible with the "Microstation" format.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. The final plat is limited to a maximum of 1 lot.
9. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.


10. Determine the 100 year water surface elevation across the plat.
11. Dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
12. Include additional paragraph in owner's certificate (pertaining to floodplain)
13. Specify minimum fill and minimum finished floor elevations.
14. Show natural channel setback from crest of the natural channel.
15. Set floodway monument markers and provide documentation that the monuments have been set prior to submittal of the final plat for recording.
16. Provide information regarding fill permit or floodplain alteration permit if such permit is applied for.
17. On the final plat create a floodway easement with bearings and distances.
18. On the final plat change "Memory Lane" to "Memory Lane Blvd."
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. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
21. A "Fire Protection Certificate" must be signed and approved by the Building Inspection Chief Plans Examiner (or assigned representative) in Room 105 of the Oak Cliff Municipal Center, 320 E. Jefferson Blvd. and must be submitted to the Manager of Water and Sewer Services, Engineering Division, in Room 200, 320 E. Jefferson Blvd. prior to submittal of the final plat for signature by the Chairperson of the City Plan Commission. A signed Fire Protection Certificate is also required prior to the approval of an "Early Release Building Permit" application.
22. Water/wastewater main extension is required by Private Development Contract.
23. On the final plat label the lot as Lot 1, City Block A/8293.



 1:2,400	<h2>ZONING MAP</h2>	Map no: <u> P-8 </u> Case no: <u> S101-046 </u>
--	---------------------	--

DATE: February 09, 2011



 1:2,400	<h2>AERIAL MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	Map no: <u> P-8 </u> Case no: <u> S101-046 </u>
--	---	--

DATE: February 09, 2011

CITY PLAN COMMISSION**THURSDAY, FEBRUARY 17, 2011****FILE NUMBER:** S101-048**Subdivision Administrator:** Paul Nelson**LOCATION:** 8820 S. Belt Line Road between U.S. Highway 175 and Vida Lane**DATE FILED:** January 25, 2011**ZONING:** CS**CITY COUNCIL DISTRICT:** 8 **SIZE OF REQUEST:** 1.031 ac. **MAPSCO:** 69A-R**APPLICANT/OWNER:** Russell Fox, Trustee & GBT Realty Corporation

REQUEST: An application to create one 1.031 acre lot from a tract of land in City Block 8820 on Belt Line Road between U.S. Highway 175 and Vida Lane.

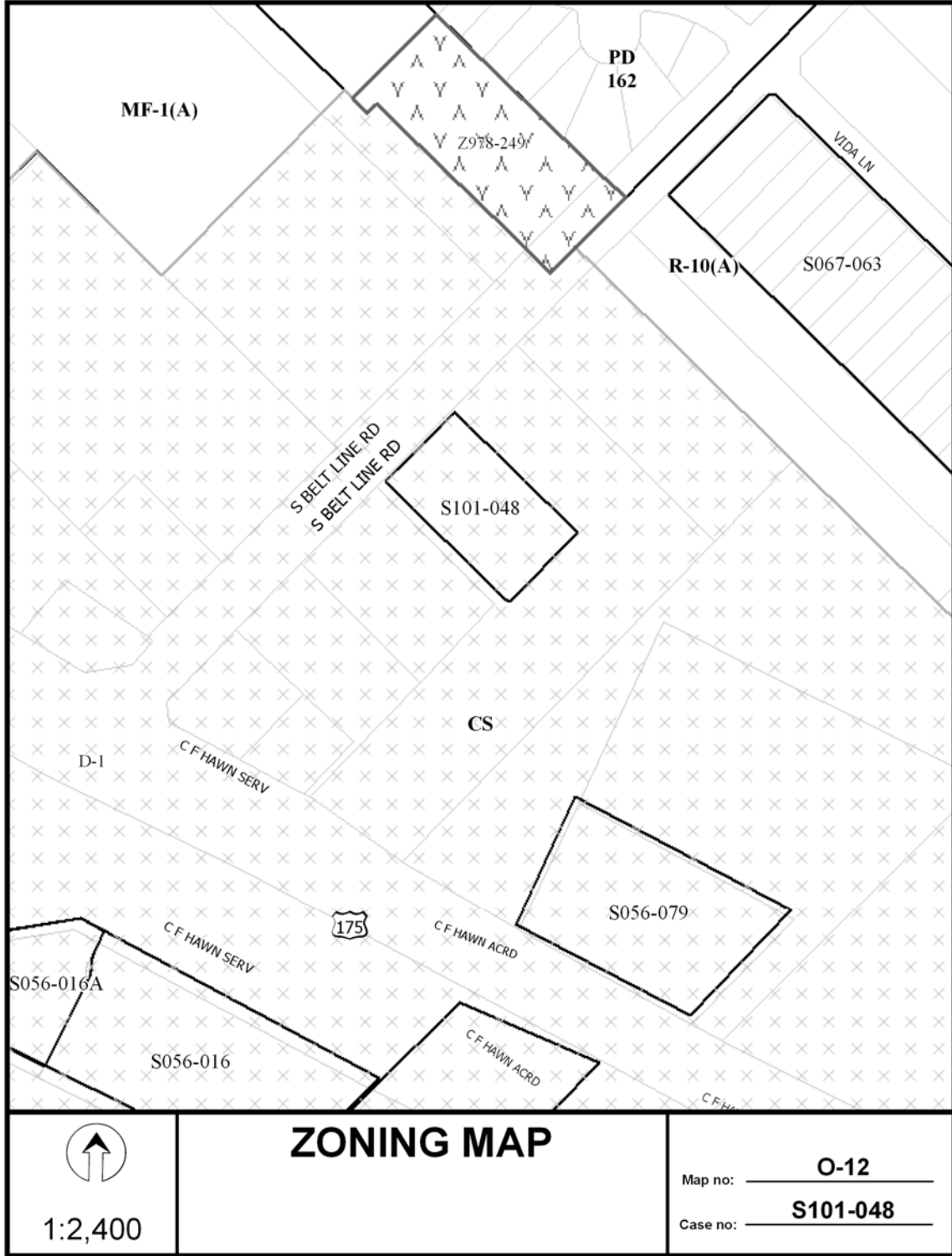
SUBDIVISION HISTORY:

1. S067-063 was an application to create an 18 lot single family subdivision with lots ranging in size from 10,000 to 15,505 square feet in area from a 4.2729 acre tract of land in City Block 8820 on 1710 Vida Lane at Belt Line Road, south corner, northeast of US Hwy 175. The request was approved on January 11, 2007 and was recorded on August 10, 2007.

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

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

9. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
11. On the final plat monument all set corners per the monumentation ordinance.
12. The mutual access easement must be recorded by separate instrument and the recording information placed on the face of the plat.
11. On the final plat chose a new addition name.
12. On the final plat use the fee simple language in the owners dedication paragraph.
13. On the final plat the property owner must sign the final plat, not the Lessee.
14. Verify that buildings, adjacent to the north property line do not overlie the proposed lot lines.
15. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
16. Water/wastewater main extension is required by Private Development Contract.
17. On the final plat label the lot as Lot 6, City Block H/8820.





CITY PLAN COMMISSION**THURSDAY, FEBRUARY 17, 2011****FILE NUMBER:** S101-049**Subdivision Administrator:** Paul Nelson**LOCATION:** Fran Way at Avenue C**DATE FILED:** January 26, 2011**ZONING:** PD 812, Tract 1**CITY COUNCIL DISTRICT:** 4**SIZE OF REQUEST:** 5.76 ac.**MAPSCO:** 55F**APPLICANT/OWNER:** SDC Fiji Senior, L.P.

REQUEST: An application to replat a 5.76 acre tract of land containing all of Lot 27 in City Block E/5914 into one 5.565 acre lot and one 0.201 acre lot on property located on Fran Way at Avenue C.

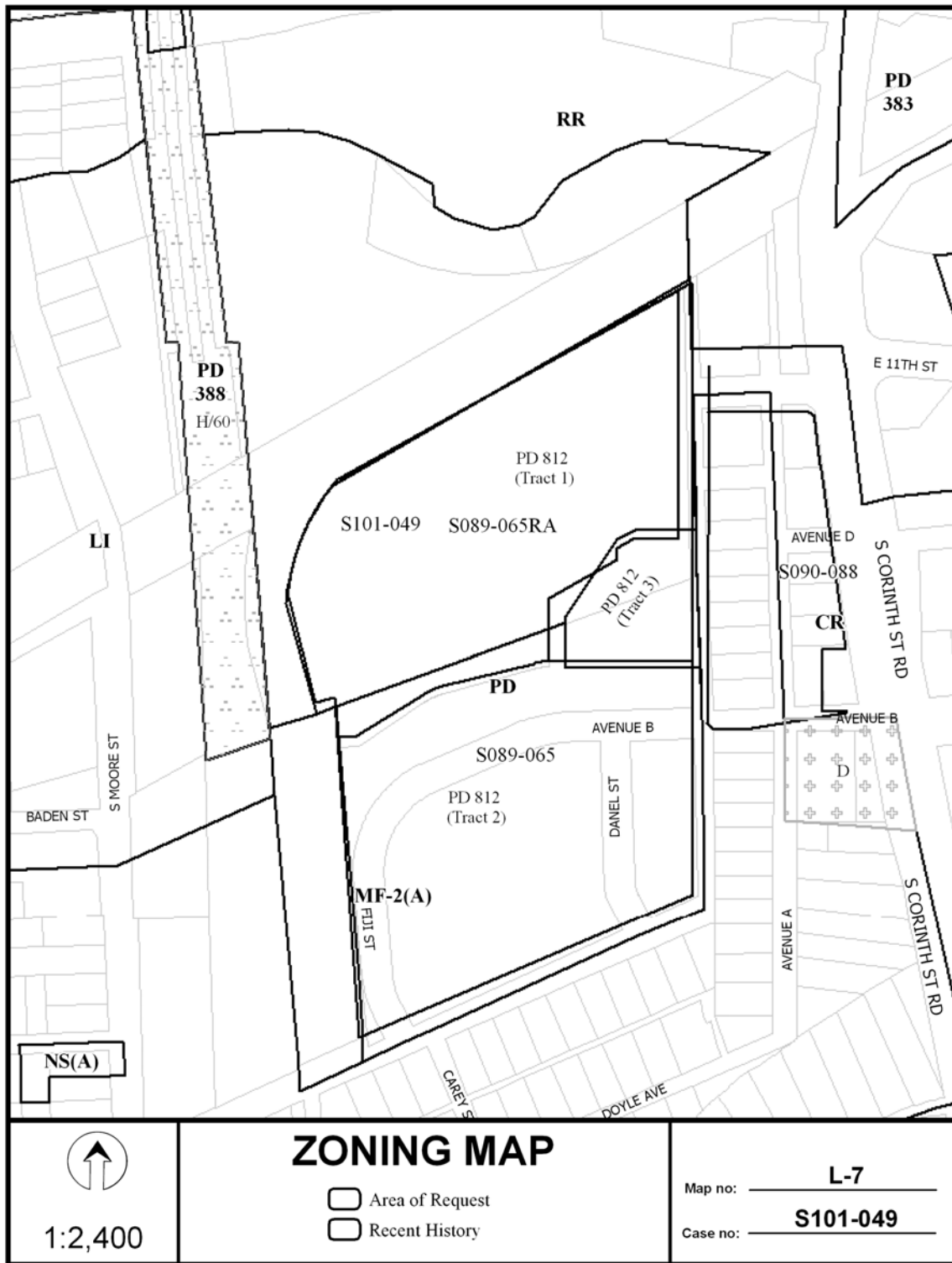
SUBDIVISION HISTORY:

1. S089-065 was an application to create lots from a portion of the Carver Heights Apartment Addition and a tract of land, located in City Blocks 4717, 4718, A/5914, B/5914 and C/5914, located at the northwest corner of Fran Way and Compton Street. The final plat for Phase A (the subject property) was recorded on May 20, 2010. Phase B has not been recorded as of this date.


STAFF RECOMMENDATION: The request complies with the PD 812, Tract 1 requirements; therefore, staff recommends approval subject to compliance with the following conditions:

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

9. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
11. On the final plat dedicate 28 feet of ROW from the established centerline, or dedicate a street easement, or Public Utility and Sidewalk Easement to equal 28 feet from the established centerline of Fran Way.
11. On the final plat show all recording information for all existing easements within 150 feet of the property boundary.
12. On the final plat show all additions or tracts of land within 150 feet the property.
13. On the final plat the property owner must sign the final plat, not the Lessee.
14. Verify that buildings, adjacent to the north property line do not overlie the proposed lot lines.
15. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
16. Water/wastewater main extension is required by Private Development Contract.
17. Wastewater facilities are not available to Lot 27B; the water main to Lot 27B is substandard in size.
18. On the final plat label the lot as Lots 27A, 27B, City Block E/5914.





 <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> L-7 </u></p> <p>Case no: <u> S101-049 </u></p>
---	--	---

DATE: February 09, 2011

CITY PLAN COMMISSION**THURSDAY, FEBRUARY 17, 2011****FILE NUMBER:** S101-050**Subdivision Administrator:** Paul Nelson**LOCATION:** Vilbig Road between Singleton Blvd. and Duluth Street**DATE FILED:** January 28, 2011**ZONING:** IR**CITY COUNCIL DISTRICT:** 6**SIZE OF REQUEST:** 4.575 ac.**MAPSCO:** 44N**APPLICANT/OWNER:** Catholic Diocese of Dallas

REQUEST: An application to replat a tract of land containing all of Lots 3A, 1, 2, 10, 11 and 13 in City Block 4/7252 and a portion of Akron Street into one 4.575 acre lot on property located on Vilbig Road between Singleton Blvd. and Duluth Street.

SUBDIVISION HISTORY:

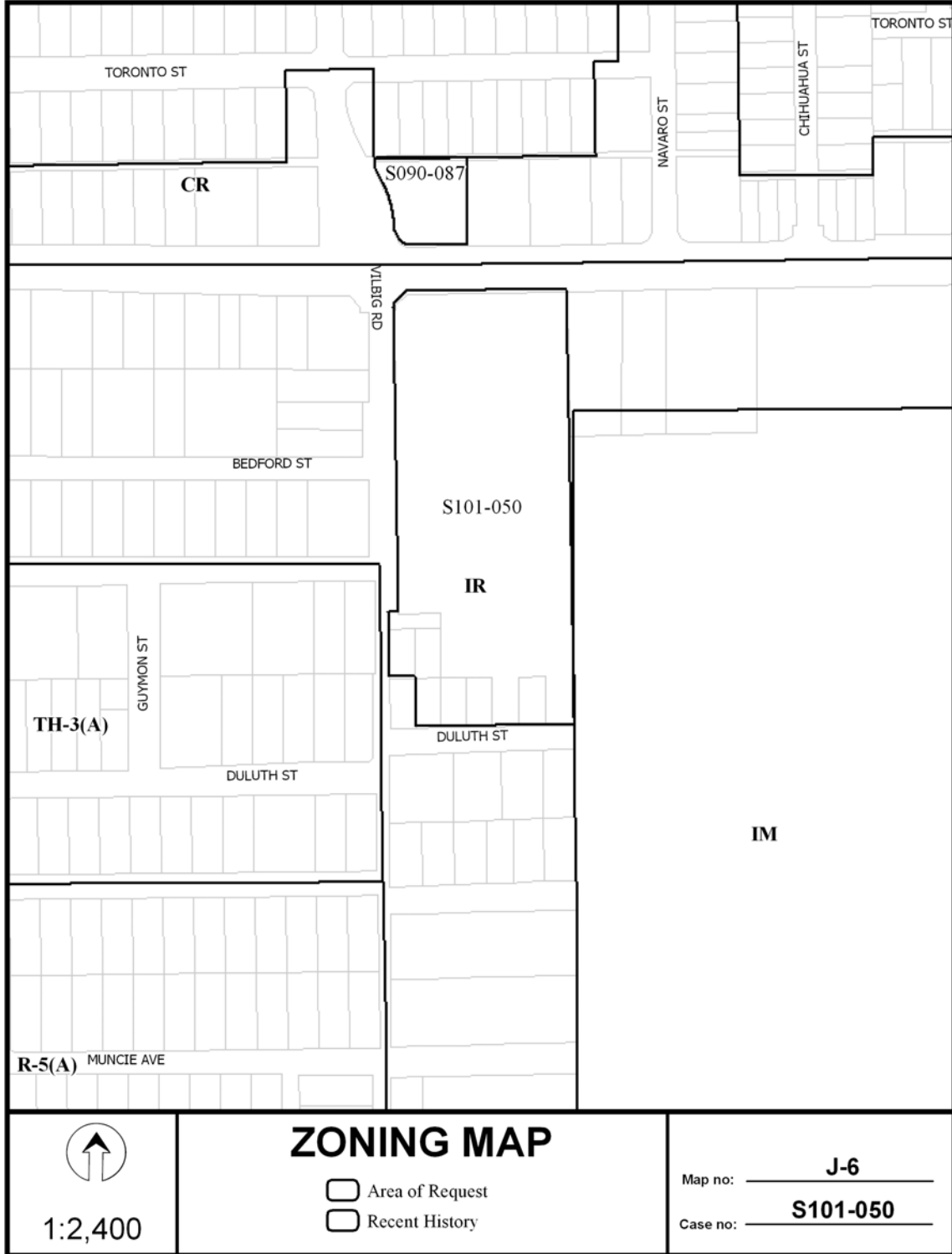
1. S034-020 was an application to replat all of Blocks 7252 and 3/7252 and lots 3-7, 9, 12 and 14, Block 4/7252 (part of the current request) into one, 4.21 acre lot and was approved on November 13, 2003 and recorded on August 3, 2005.

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

1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the city.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the City Plan Commission in a format that is compatible with the "Microstation" format.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. The final plat is limited to a maximum of 1 lot.
9. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200,

Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.

10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
11. On the final plat dedicate 28 feet of ROW from the established centerline of Duluth Street.
12. On the final plat dedicate 50 feet of ROW from the established centerline of Singleton Blvd.
13. On the final plat dedicate a 15 foot by 15 foot corner clip at Singleton Blvd. and Vilbig Road.
14. The subject site is located within the Pavaho Sump (WSE 408.0 ft.). All construction for any proposed development must be above 408.0 ft. elevation. For the areas where the existing elevation is below 408.0 ft, if any improvement is proposed, there must be a fill permit applied for and approved by Public Works and Transportation Department and Minimum Finish Floor elevation for those areas will have to be established thru the process
15. On the final plat show all utility easements as retained within street abandonments when stated in the abandonment ordinance.
16. On the final plat show distances/width of right of way across Singleton Blvd.
17. On the final plat label all streets within 150 feet of the plat boundary.
15. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
16. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
17. On the final plat label the lots as Lot 1A, City Block 4/7252.
18. Akron Street must be abandoned by separate instrument and the recording information be placed on the face of the plat.





 1:2,400	<h2 style="text-align: center;">AERIAL MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	Map no: <u> J-6 </u> Case no: <u> S101-050 </u>
--	---	--

DATE: February 09, 2011

CITY PLAN COMMISSION**THURSDAY, FEBRUARY 17, 2011****FILE NUMBER:** S101-051**Subdivision Administrator:** Paul Nelson**LOCATION:** 4109 S. Ledbetter Drive at Tyrone Drive, southwest corner**DATE FILED:** January 28, 2011**ZONING:** CR**CITY COUNCIL DISTRICT:** 3**SIZE OF REQUEST:** 0.908 ac.**MAPSCO:** 62E**APPLICANT/OWNER:** Wat Lao SiriMoungkhoun of Dallas, Inc.

REQUEST: An application to replat a tract of land containing all of Lots 2, 3 and 4 in City Block C/8698 into one 0.908 acre lot on property located on 4109 S. Ledbetter Drive at Tyrone Drive, southwest corner.

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

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

1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the city.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the City Plan Commission in a format that is compatible with the "Microstation" format.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. The final plat is limited to a maximum of 1 lot.
9. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.

10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
11. On the final plat dedicate 53.5 feet of ROW from the established centerline of S. Ledbetter Drive.
12. On the final plat dedicate a 15 foot by 15 foot corner clip at the intersection of S. Ledbetter Drive and Tyrone Drive.
13. On the final plat chose a different addition name.
14. On the final plat in the preamble of the owners certificate state that Ledbetter Hills Addition was dedicated to Dallas County and annexed into the City of Dallas by Ordinance number and the date of the ordinance
15. On the final plat show the recording information for the existing building lines.
16. On the final plat remove the "S." from Ledbetter Drive on the map and in the legal description.
17. Prior to submittal of the final plat the structure that encroaches into the existing 35 foot building line must be altered to eliminate the encroachment or an application to remove the existing building line be approved by the commission.
18. Fence, gate, and irrigation features shown on the map appear to be in the public right of way of Tyrone Drive and fence and gate appear to be in the right of way of Ledbetter Drive. If these items are in the right of way they will either need to be licensed, abandoned or removed.
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. New wastewater service into Ledbetter Drive will require a P-Contract and engineering.
21. On the final plat label the lot as Lot 2A, City Block C/8698.



1:2,400

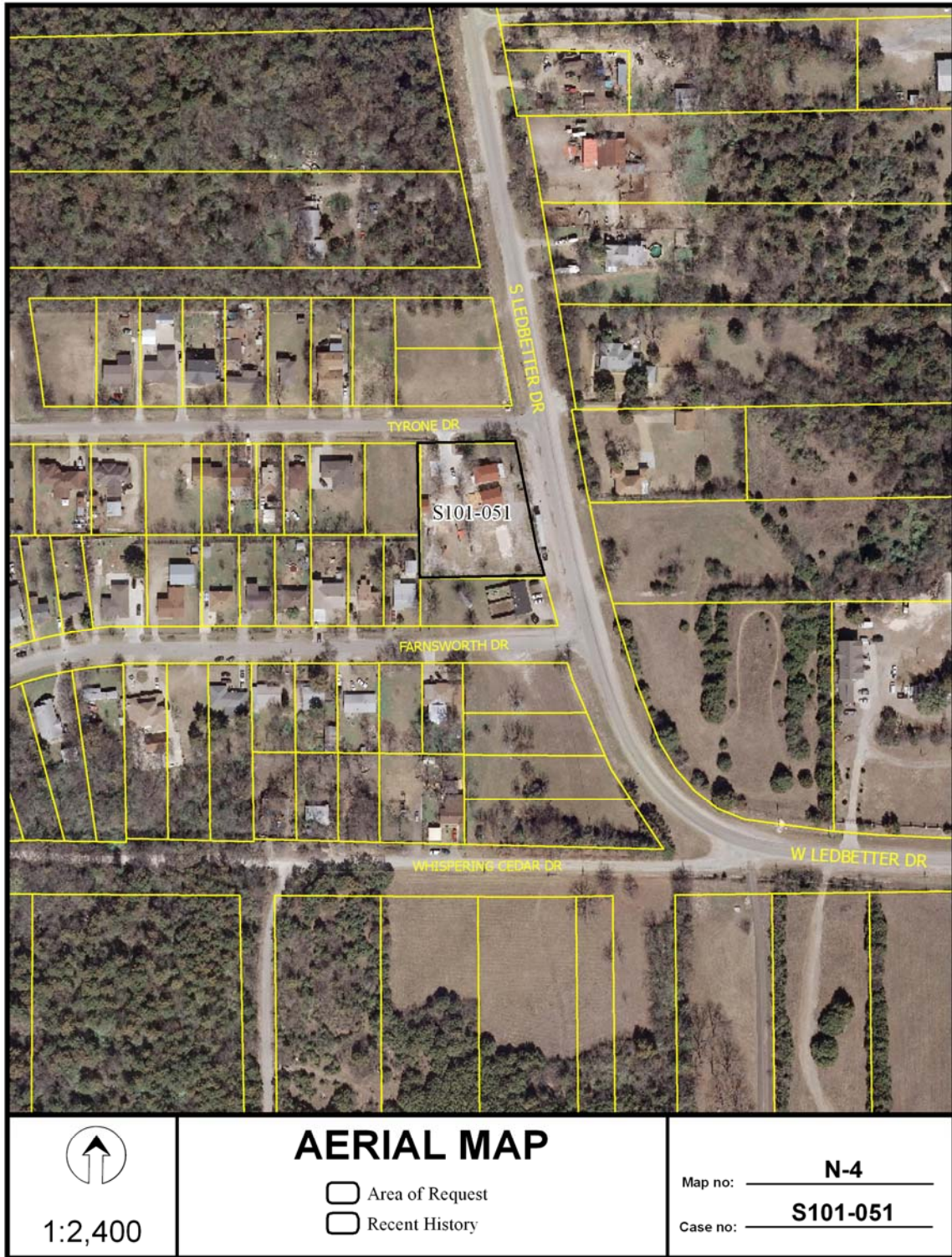
ZONING MAP

- Area of Request
- Recent History

Map no: N-4

Case no: S101-051

DATE: February 09, 2011



CITY PLAN COMMISSION**THURSDAY, FEBRUARY 17, 2011****FILE NUMBER:** S101-052**Subdivision Administrator:** Paul Nelson**LOCATION:** 2513 and 2519 E. 11th Street between Avenue I and Avenue J**DATE FILED:** January 28, 2011**ZONING:** CS**CITY COUNCIL DISTRICT:** 7**SIZE OF REQUEST:** 0.60 ac.**MAPSCO:** 55G**APPLICANT/OWNER:** Daniel, Raul, Armando and Carlos Coria

REQUEST: An application to create a 0.60 acre lot from a tract of land on property located on 2513 and 2519 E. 11th Street between Avenue I and Avenue J.

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

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

1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the city.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the City Plan Commission in a format that is compatible with the "Microstation" format.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. The final plat is limited to a maximum of 1 lot.
9. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
10. Provide a detailed lot grading plan prepared by a Professional Engineer for review and approval to the Paving and Drainage Section of the Engineering Division in Room 200, 320 E. Jefferson Blvd.

11. On the final plat dedicate 30 feet of ROW from the established center line of E. 11th Street.
12. On the final plat remove the "E." from 11th Street on the map and in the owners certificate.
13. Engineer shall furnish plans for water and sanitary sewer. Developer shall furnish a contract for water and sanitary sewer.
14. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
15. Water/wastewater main extension may be required by Private Development Contract.
16. On the final plat label the lots as Lot 1, City Block A/4652.



DATE: February 09, 2011



CITY PLAN COMMISSION

THURSDAY, FEBRUARY 17, 2011

FILE NUMBER: S101-044

Subdivision Administrator: Paul Nelson

LOCATION: 6319 Mimosa Lane between Tulane Street and Tibbs Street

DATE FILED: January 19, 2011

ZONING: R-10 (A)

CITY COUNCIL DISTRICT: 13 **SIZE OF REQUEST:** 0.862 sq. ft. **MAPSCO:** 25L

APPLICANT/OWNER: Aditya and Punita Srivastava

REQUEST: An application to replat a 0.862 acre tract of land containing all of Lots 6A and 6B in City Block 11/5492 into one 0.56 acre lot and one 0.29 acre lot located at 6319 Mimosa Lane between Tulane Street and Tibbs Street.

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

DATES NOTICES SENT: 22 notices were sent January 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 request complies with the R-10(A) district regulations. Within close proximity to the request there is a mixture of lot sizes, some larger and some smaller than the proposed sizes and the request is compatible with other lots in the area. Staff recommends approval of the request subject to compliance with the following conditions:

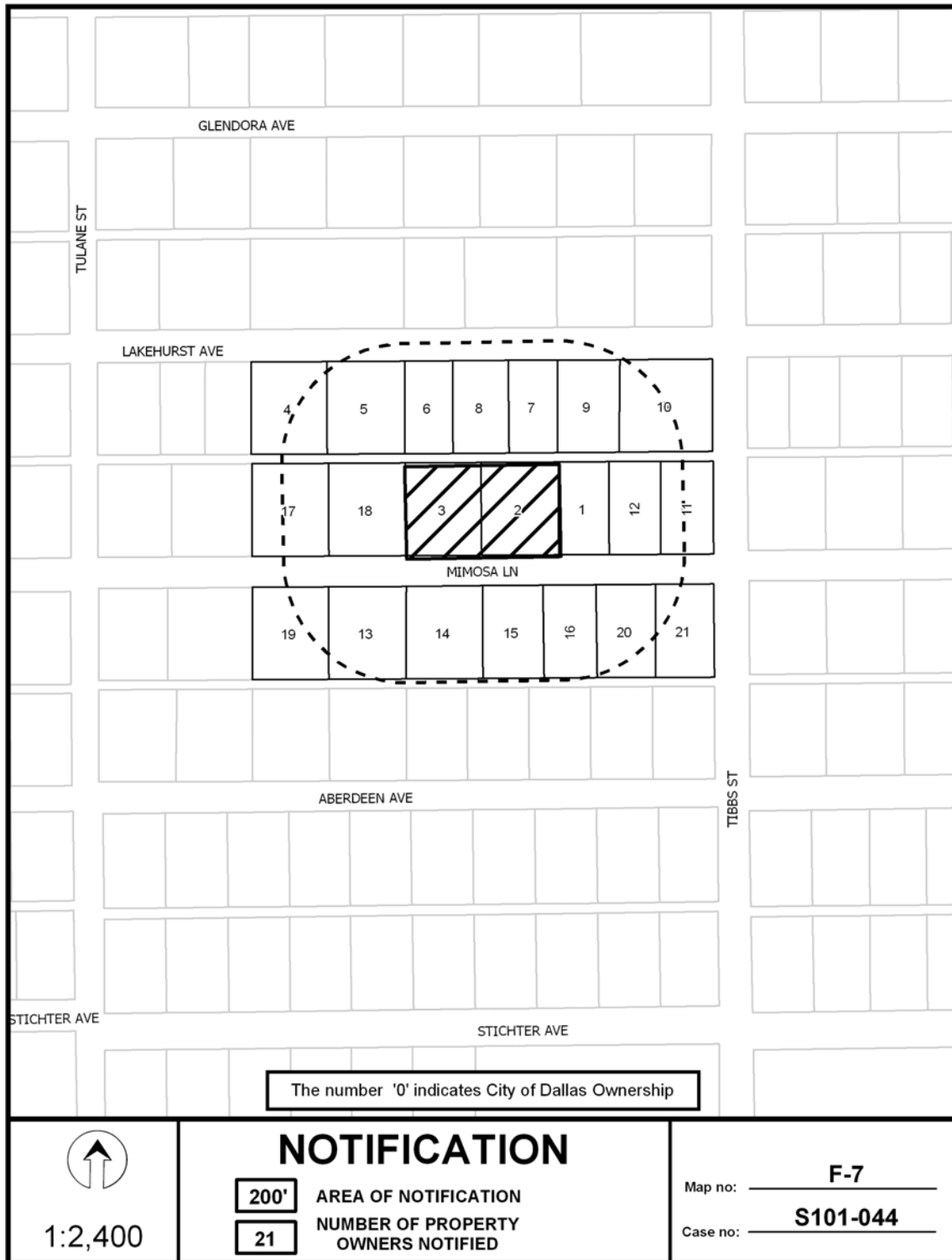
1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the City.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the City Plan Commission in a format that is compatible with the "Microstation" format.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the

plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

8. The final plat is limited to a maximum of 2 lots.
9. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
10. Provide a detailed lot grading plan prepared by a Professional Engineer for review and approval to the Paving and Drainage Section of the Engineering Division in Room 200, 320 E. Jefferson Blvd.
11. On the final plat change the addition name.
12. On the final plat label the property as Lots 6C & 6D, City Block 11/5492.







DATE: February 09, 2011

Notification List of Property Owners

S101-044

21 Property Owners Notified

Label #	Address	Owner
1	6327 MIMOSA	VANWEY KAY L
2	6319 MIMOSA	EARLY JEANETTE B
3	6307 MIMOSA	SRIVASTAVA ADITY & PUNITA
4	6226 LAKEHURST	LOW WILLIAM MARK & DEBORAH R
5	6238 LAKEHURST	PARK JAMES B & HOLLI M
6	6304 LAKEHURST	ETHRIDGE JOAN
7	6318 LAKEHURST	PARMAR RAMESH & MINAXI
8	6310 LAKEHURST	YATES PAUL CLAY & CHRISTINE K
9	6326 LAKEHURST	DEZHAM MAHDI & NEWSHA JAHANSOUZI
10	6338 LAKEHURST	FUENTES JOSE
11	6339 MIMOSA	PRINZ STEPHEN P & DEBORAH B
12	6333 MIMOSA	WARNER JOHN J & SARA E
13	6234 MIMOSA	ASHTON JAMES E & STEPHENS ASHTON GLENDA J
14	6306 MIMOSA	FITZ LINDA GUY
15	6314 MIMOSA	OSLER GREGORY F & AMY L
16	6322 MIMOSA	HOLMAN JOHN W & HEIDI
17	6227 MIMOSA	MAGUIRE CHRISTOPHER C & KELLI K MAGUIRE
18	6233 MIMOSA	GORDON MURRAY J & STORROW
19	6226 MIMOSA	ROBERTS LAURENCE CLAYTON & CRISTIE
20	6330 MIMOSA	DONOHUE THOMAS G & COLLEEN M
21	6338 MIMOSA	PERRY RADIE F & NANCY R

Wednesday, February 09, 2011

CITY PLAN COMMISSION**THURSDAY, FEBRUARY 17, 2011****FILE NUMBER:** S101-045**Subdivision Administrator:** Paul Nelson**LOCATION:** 17332 Club Hill Drive**DATE FILED:** January 20, 2011**ZONING:** TH-2(A), R-1ac(A)**CITY COUNCIL DISTRICT:** 12 **SIZE OF REQUEST:** 6.083 sq. ft. **MAPSCO:** 5J**APPLICANT/OWNER:** William A. Anderson

REQUEST: An application to replat a tract of land containing all of Lot 10 in City Block 8A/8209 and a 229 square foot tract of land in City Block 8227 into one 6,083 square foot lot at 17332 Club Hill Drive.

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

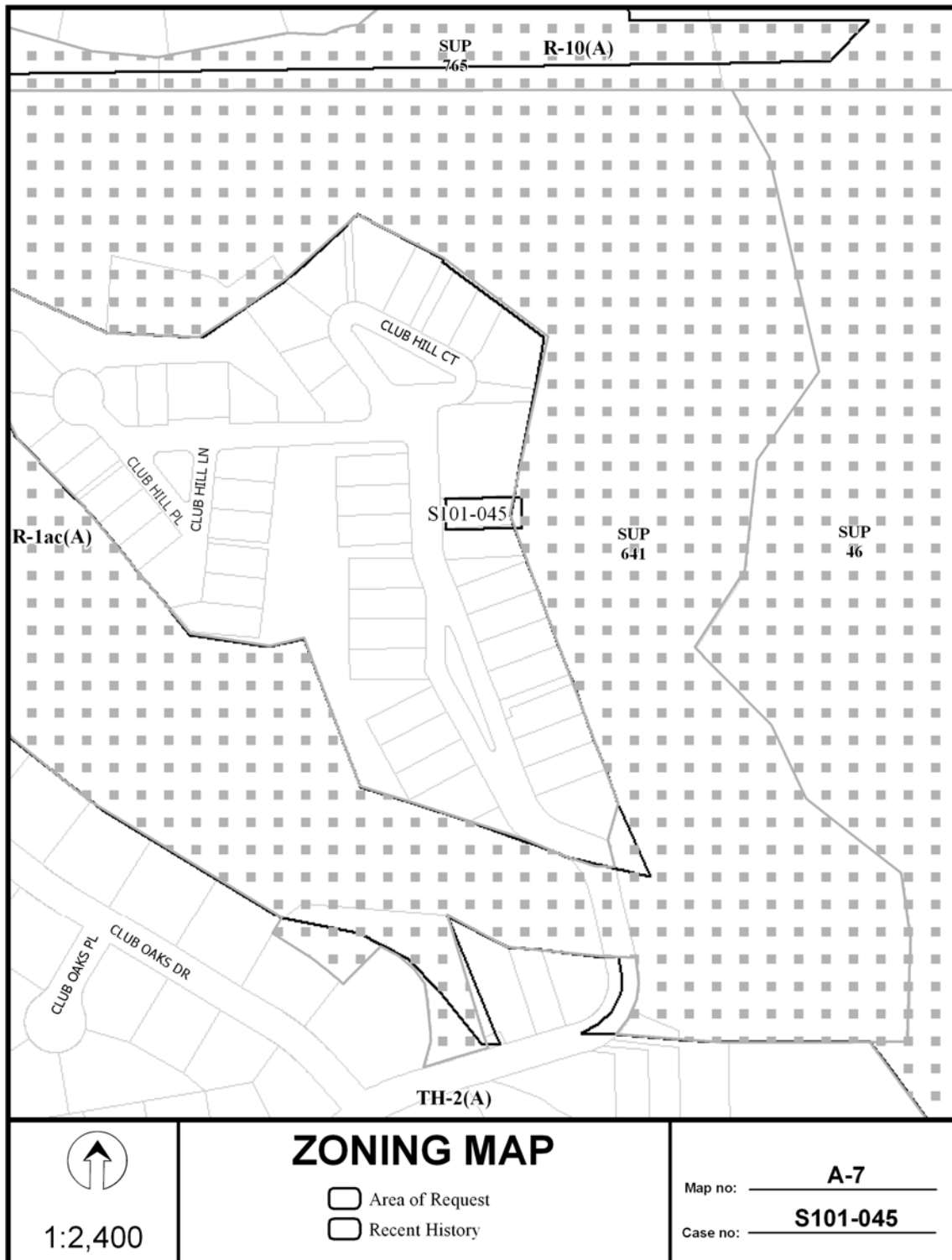
DATES NOTICES SENT: 21 notices were sent January 31, 2011.

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

The request complies with the TH-2(A) district regulations. The portion of the property containing the R-1ac.(A) designation will have to be changed to the TH-2(A) designation prior to submittal of the final plat for recording. The request does not increase the number of lots in the area but only allows the owner to combine his ownership of Lot 10 and a tract of land into one lot. Staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the City.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the City Plan Commission in a format that is compatible with the "Microstation" format.

7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. The final plat is limited to a maximum of 1 lot.
9. Prior to submittal of the final plat for the Chairman's signature the zoning of the 0.14 acre tract of land must be changed to a district that has a similar lot area requirement as the TH-2(A) District.
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 for review and approval to the Paving and Drainage Section of the Engineering Division in Room 200, 320 E. Jefferson Blvd.
12. Determine the 100 year water surface elevation across the plat.
13. Dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
14. Set floodway monument markers and provide documentation that the monuments have been set prior to submittal of the final plat for recording.
15. Provide documentation that the existing building is not over the south property line.
16. On the final plat show the existing sanitary sewer easement along the east property line.
17. On the final plat identify the owner of the tract of land being added to Lot 10.
18. On the final plat use fee simple language in the owner's dedication paragraph.
19. A site plan must to be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
20. Existing water and wastewater mains must be shown on the plat per Section 51A-8.403(a)(1)(A)(xii).
21. On the final plat label the property as Lot 10A, City Block 8A/8209.




 1:2,400


ZONING MAP

- Area of Request
- Recent History

Map no: A-7
 Case no: S101-045

DATE: February 09, 2011



 1:2,400	<h3>AERIAL MAP</h3> <p><input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History</p>	Map no: <u> A-7 </u> Case no: <u> S101-045 </u>
--	---	--

DATE: February 09, 2011




 1:2,400

NOTIFICATION

200'	AREA OF NOTIFICATION
21	NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: **A-7**
 Case no: **S101-045**

DATE: February 09, 2011

Notification List of Property Owners

S101-045

21 Property Owners Notified

Label #	Address	Owner
1	17328 CLUB HILL	CHU WILLIAM
2	17332 CLUB HILL	ANDERSON WILLIAM A
3	5201 WESTGROVE	BENT TREE COUNTRY CLUB
4	17400 CLUB HILL	BENT TREE ROYAL HOA C/O PRINCIPAL MGMT GROUP
5	17300 CLUB HILL	BENT TREE ROYAL HOA C/O PRINCIPAL MGMT GROUP
6	17339 CLUB HILL	ROGERS J BEN & OCIE JEAN ROGERS
7	17335 CLUB HILL	SHADDOCK HULDA G
8	17331 CLUB HILL	MURCOTT MARY & BRIAN
9	17327 CLUB HILL	GROUP BLAKSLEY PPIES LLC
10	17323 CLUB HILL	FREED JOE % HOWARD FREED PRES
11	17319 CLUB HILL	HARDING EDWARD G & BONNIE M
12	17315 CLUB HILL	BEACH JAMES C & LINDA E BEACH
13	17410 CLUB HILL	BENT TREE ROYAL HOA C/O PRINCIPAL MGMT GROUP
14	17310 CLUB HILL	JARVIS FAMILY TRUST
15	17314 CLUB HILL	ENGLISH J ROBERT
16	17318 CLUB HILL	WILLIAMS KIRK R & KATHLEEN S
17	17405 CLUB HILL	FOLSOM ROBERT
18	17441 CLUB HILL	PETERS THOMAS JR & LOUISE
19	17322 CLUB HILL	BENT TREE ROYAL HOA C/O PRINCIPAL MGMT GROUP
20	17401 CLUB HILL	BENT TREE ROYAL HOA C/O PRINCIPAL MGMT GROUP
21	17340 CLUB HILL	BALLAS VICTOR

Monday, January 31, 2011

CITY PLAN COMMISSION**THURSDAY, FEBRUARY 17, 2011****FILE NUMBER:** S101-047**Subdivision Administrator:** Paul Nelson**LOCATION:** 4022 Stonebridge Drive**DATE FILED:** January 20, 2011**ZONING:** PD193 (R-7.5)**CITY COUNCIL DISTRICT:** 14**SIZE OF REQUEST:** 0.39 ac.**MAPSCO:** 35U**APPLICANT/OWNER:** Priscilla A. Walter/Priscilla A. Jackson

REQUEST: An application to replat a 0.39 acre tract of land containing all of Lots 9 and 10 in City Block 5/2023 into 2 lots to reduce the width of Lot 10 in order to eliminate the existing lot line from passing through the existing house at 4022 Stonebridge Drive.

SUBDIVISION HISTORY:

1. S067-009 was an application to replat all of Lots 42 and 43 and part of Lot 44 in City Block 4/2023 into one, 0.6716 acre lot on 3925 Stonebridge Drive at Arrowhead Drive, north corner west of the present request.


DATES NOTICES SENT: 42 notices were sent January 31, 2011.

STAFF RECOMMENDATION: The request complies with the PD 193 (R7.5) district regulations. The request does not increase the number of lots in the area but only relocates the lot line that goes through the house and will remove the nonconforming status of the structure. Staff recommends approval of the request subject to compliance with the following conditions:

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


8. The final plat is limited to a maximum of 2 lots.
9. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
10. Provide a detailed lot grading plan prepared by a Professional Engineer for review and approval to the Paving and Drainage Section of the Engineering Division in Room 200, 320 E. Jefferson Blvd.
11. On the final plat create a new addition name.
12. On the final plat show the existing 5 foot easement across the rear of the property as shown on the current plat.
13. On the final plat label the property as Lots 9A and 10A, City Block 5/2023.



 1:2,400	<h2>ZONING MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	<p>Map no: <u> I-7 </u></p> <p>Case no: <u> S101-047 </u></p>
---	---	---

DATE: February 09, 2011



 1:2,400	<h2 style="text-align: center;">AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	Map no: <u> I-7 </u> Case no: <u> S101-047 </u>
--	--	--

DATE: February 09, 2011



 1:2,400	<h2>NOTIFICATION</h2> <table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">42</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	42	NUMBER OF PROPERTY OWNERS NOTIFIED	Map no: <u> I-7 </u> Case no: <u> S101-047 </u>
200'	AREA OF NOTIFICATION					
42	NUMBER OF PROPERTY OWNERS NOTIFIED					

DATE: February 09, 2011

2/9/2011

Notification List of Property Owners

S101-047

42 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4022 STONEBRIDGE	WALKER PRISCILLA ALDEN
2	4108 STONEBRIDGE	SHARMA AMIT
3	4119 BUENA VISTA	MARTIN JACK A
4	4121 BUENA VISTA	BRAY SHELDON
5	4123 BUENA VISTA	TRAISTER EJON
6	4125 BUENA VISTA	ALLUMS JAMES L & CLAUDIA
7	4127 BUENA VISTA	SWIGGART JEFFERY M STE 100-537
8	4129 BUENA VISTA	ESTERLINE BRUCE & DIANA
9	4131 BUENA VISTA	WARREN RANDY
10	4133 BUENA VISTA	BROWN RON L & BROWN SHARON H
11	4135 BUENA VISTA	MCCALL SHANNON
12	4137 BUENA VISTA	PRICE IRAN
13	4139 BUENA VISTA	JETER WAYLON RYAN
14	4141 BUENA VISTA	JONES ROBERT M
15	4141 BUENA VISTA	HAYES PATRICK J APT 102
16	4141 BUENA VISTA	WALTERS CHAD C # 103
17	4141 BUENA VISTA	AUSTRY MICHAEL
18	4155 BUENA VISTA	WOLTER DALE & CAROLYN WOLTER
19	3403 FITZHUGH	SCHWARZBEIN LLC
20	4111 STONEBRIDGE	COLLINS JOHN E
21	3515 ROCK CREEK	BROWN GALE
22	4118 ROCK CREEK	HASIOTIS ATHANASIOS G
23	3525 ROCK CREEK	RIPLEY CHARLES P
24	3500 ROCK CREEK	PAGE JON P & BARBARA B
25	3520 ARROWHEAD	RYBURN FRANK S & MARY J
26	4007 STONEBRIDGE	CRICHTON THOMAS IV & HELEN A

Wednesday, February 09, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3514 ROCK CREEK	WALKER CHARLES DAVID & KAY
28	3514 ROCK CREEK	ARROW CREEK LLC
29	4000 STONEBRIDGE	MABRY EVELYN JAYNNE
30	4014 STONEBRIDGE	PETERSON GORDON L
31	4018 STONEBRIDGE	DOUBLEDAY JOHN E
32	4116 STONEBRIDGE	CARTER FRANK P & ROBIN R
33	4120 STONEBRIDGE	BATEN SUSAN F & GREGORY B
34	4117 BUENA VISTA	JOHNSTON JAMES & BARBARA STAMAN
35	3526 ARROWHEAD	CROW TRAMMELL S
36	4015 STONEBRIDGE	CROW TRAMMELL S
37	3925 STONEBRIDGE	BOATWRIGHT C R JR ETAL
38	4143 BUENA VISTA	GIAMBRONE MARK UNIT A
39	4143 BUENA VISTA	FRANCO MARIA A
40	4143 BUENA VISTA	UPTOWN MG INVESTMENTS LTD %MARK GIAMBRONE
41	4143 BUENA VISTA	SHADLE JEFFREY M
42	4143 BUENA VISTA	UPTOWN MG INVESTMENTS LTD %MARK GIAMBRONE

Wednesday, February 09, 2011

FILE NUMBER: M101-010

DATE FILED: December 17, 2010

LOCATION: Preston Road and Frankford Road, Northeast Corner

COUNCIL DISTRICT: 12

MAPSCO: 5G

SIZE OF REQUEST: 29.6 Acres

CENSUS TRACT: 317.09

APPLICANT: Fritz Duda Company

REPRESENTATIVE: Gary Nelson

OWNER: Preston Road Associates, LTD

MISCELLANEOUS DOCKET ITEM

Minor Amendment for Development Plan and Landscape Plan

On July 15, 1987, the City Council passed Ordinance No. 19593 which established Planned Development District No. 268 for Shopping Center District Uses on property at the above location.

At this time, the property owner has submitted an application to amend the development plan to provide for revisions to a building footprint and surface parking area within the extreme southwest corner of the property. The landscape plan has been revised to provide consistency with this internal revision.

The request complies with the provisions for consideration of a minor amendment to a development plan and landscape plan and does not impact any other ordinance regulations.

STAFF RECOMMENDATION: Approval



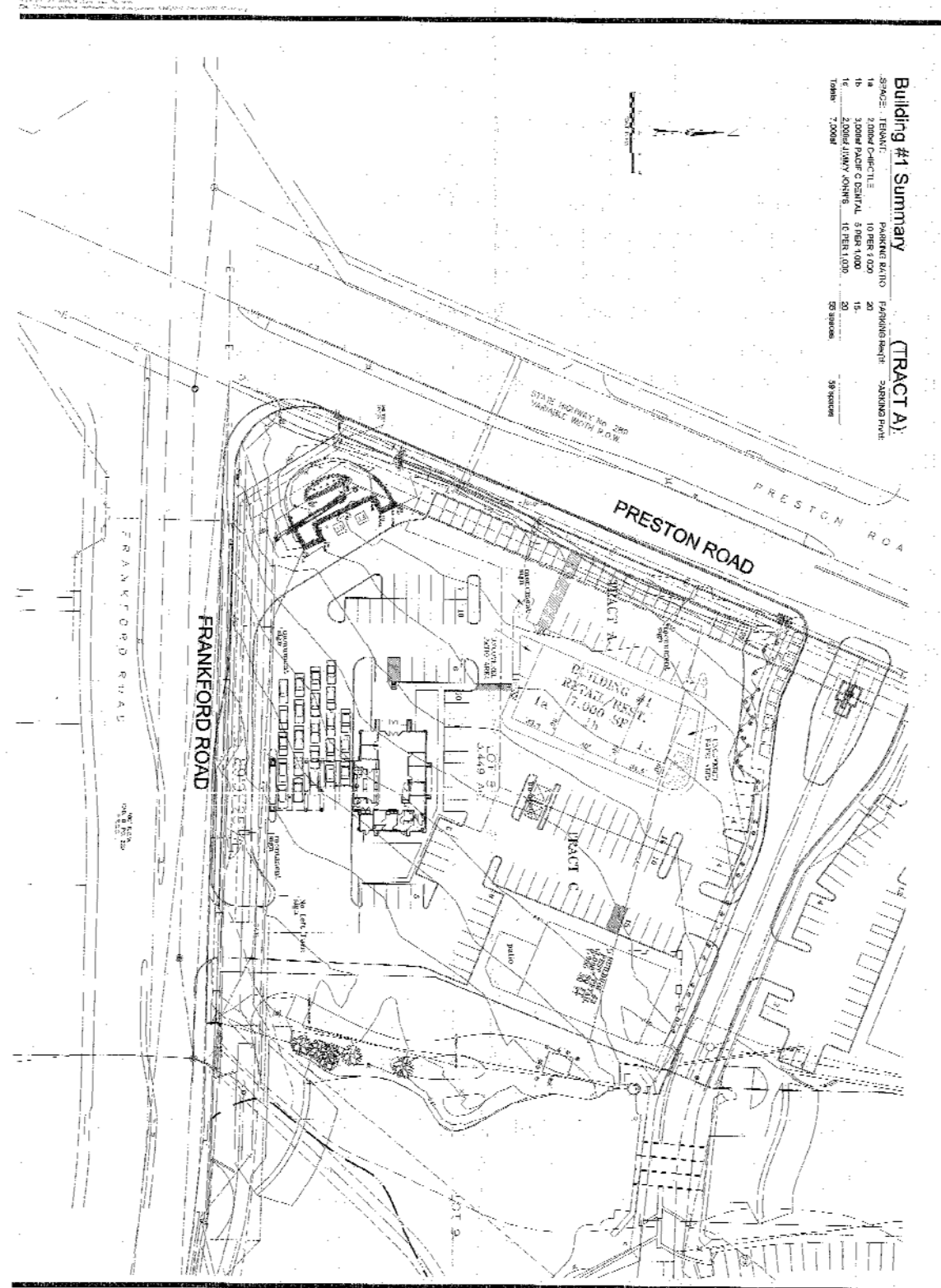
1:3,600

ZONING MAP

Map no: AA-7

Case no: M101-010

DATE: February 02, 2011



Building #1 Summary (TRACT A)

SPACE	TRAVEL	PARKING RATIO	Parking Req'd	ASPHALT FOOT
1A	2,000	10 PER 1,000	20	
1B	3,000	5 PER 1,000	15	
1C	2,000	10 PER 1,000	20	
Total	7,000		55 spaces	39 spaces

JOHNSON ARCHITECTURAL
 11150 W. GARDEN DRIVE, SUITE 100
 FORT WORTH, TEXAS 76132
 TEL: 817.339.1234 FAX: 817.339.1235
 WWW.JOHNSONARCHITECTURAL.COM

Lot 8 - Arbors on Preston
 Preston & Frankford
 Dallas, Texas

JOHNSON ARCHITECTURAL
 11150 W. GARDEN DRIVE, SUITE 100
 FORT WORTH, TEXAS 76132
 TEL: 817.339.1234 FAX: 817.339.1235
 WWW.JOHNSONARCHITECTURAL.COM

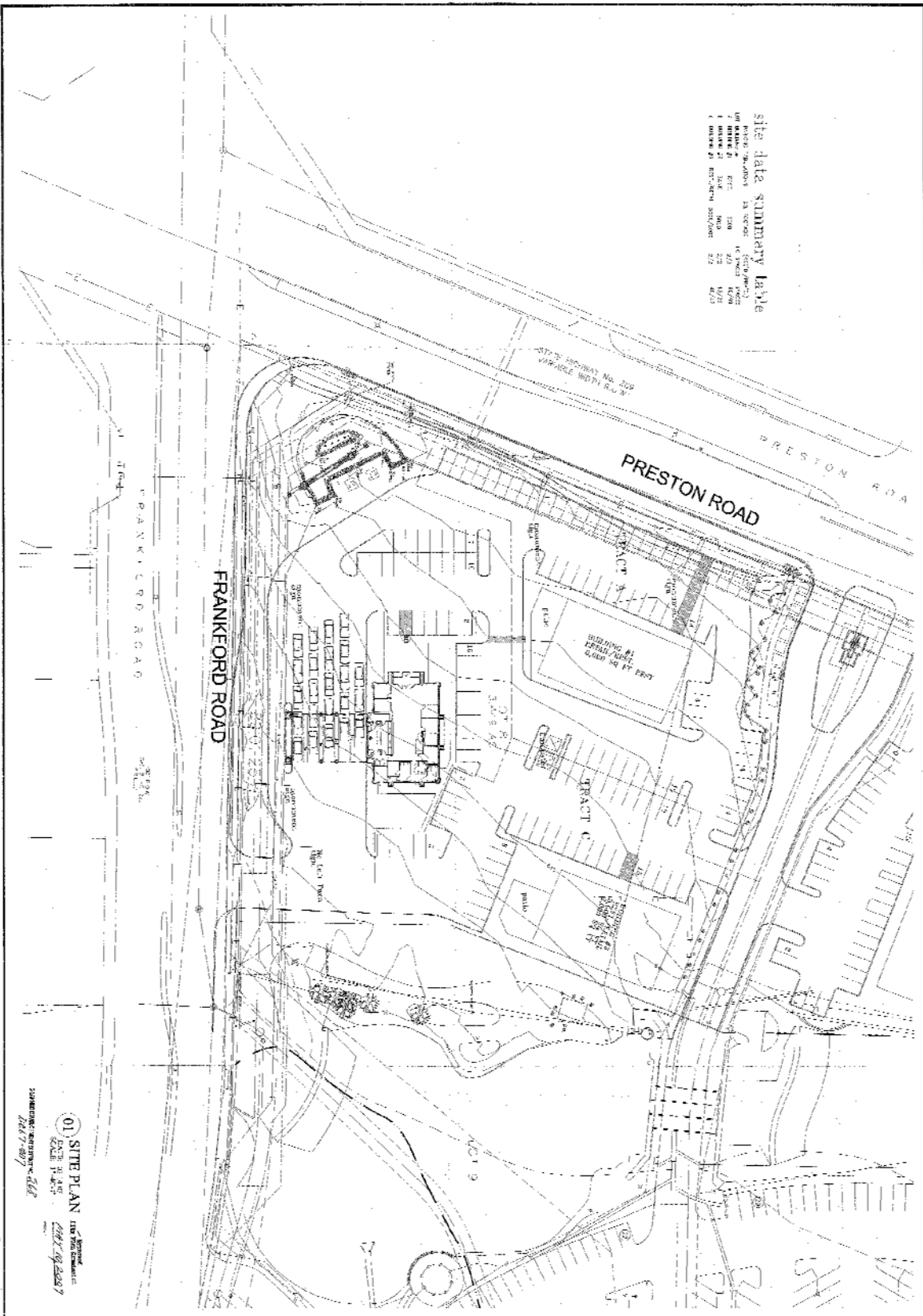
PROJECT # 02
 SP-1
 REVISED

DATE: 01/15/10
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT: [Name]

**Proposed
Development Plan**

site data summary table

PROJECT NO.	13-000000	DATE	02/20/07
DATE	02/20/07	BY	MM
PROJECT	ARBORS SHOPPING CENTER	SCALE	AS SHOWN
CLIENT	ARBORS DEVELOPMENT	DATE	02/20/07
PROJECT	ARBORS SHOPPING CENTER	DATE	02/20/07
PROJECT	ARBORS SHOPPING CENTER	DATE	02/20/07



01 SITE PLAN
 SCALE: AS SHOWN
 DATE: 02/20/07

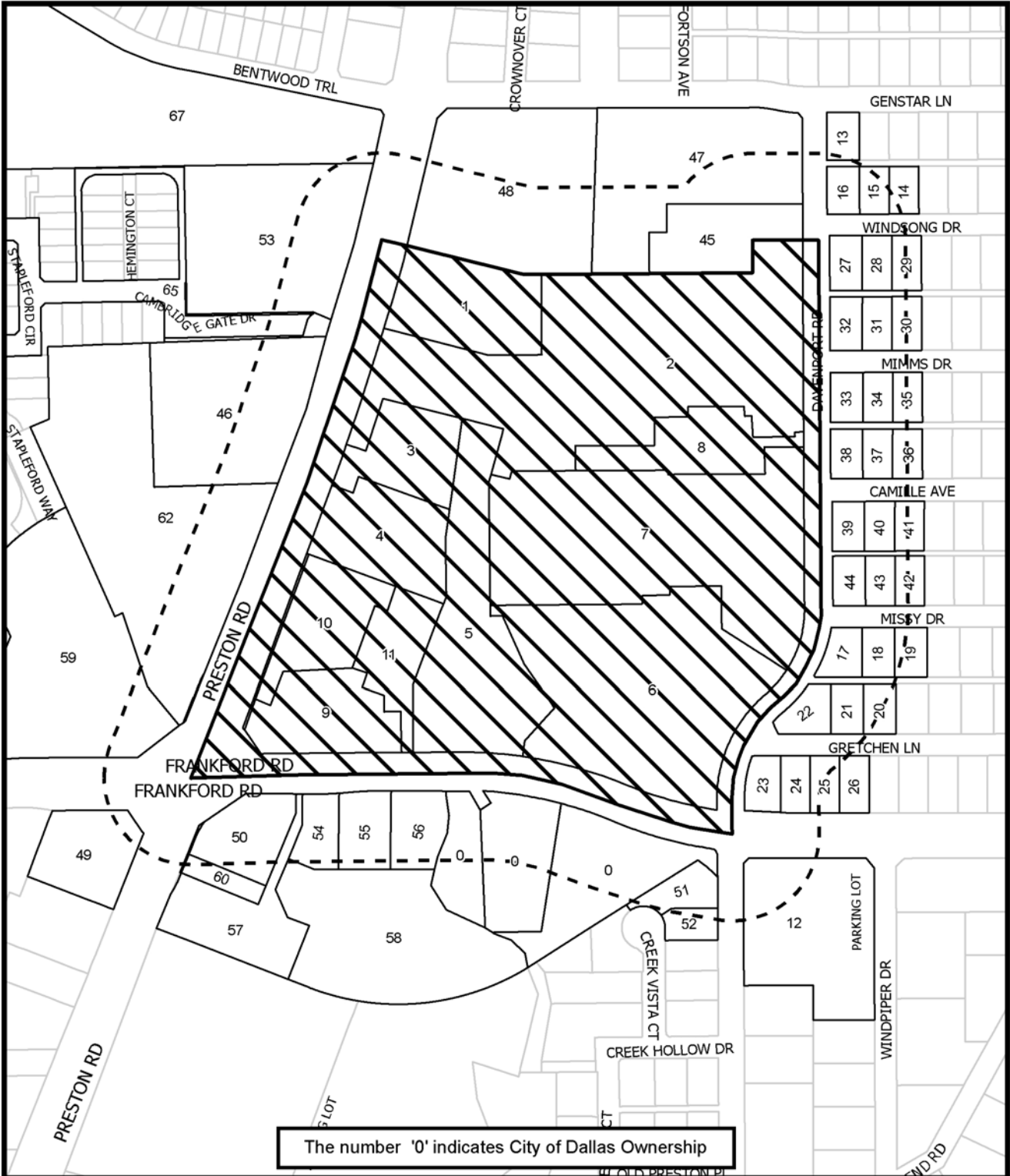
2007.02.20

NO.	DATE	DESCRIPTION
1	02/20/07	ISSUED FOR PERMITTING
2	02/20/07	ISSUED FOR PERMITTING
3	02/20/07	ISSUED FOR PERMITTING
4	02/20/07	ISSUED FOR PERMITTING
5	02/20/07	ISSUED FOR PERMITTING
6	02/20/07	ISSUED FOR PERMITTING
7	02/20/07	ISSUED FOR PERMITTING
8	02/20/07	ISSUED FOR PERMITTING
9	02/20/07	ISSUED FOR PERMITTING
10	02/20/07	ISSUED FOR PERMITTING
11	02/20/07	ISSUED FOR PERMITTING
12	02/20/07	ISSUED FOR PERMITTING
13	02/20/07	ISSUED FOR PERMITTING
14	02/20/07	ISSUED FOR PERMITTING
15	02/20/07	ISSUED FOR PERMITTING
16	02/20/07	ISSUED FOR PERMITTING
17	02/20/07	ISSUED FOR PERMITTING
18	02/20/07	ISSUED FOR PERMITTING
19	02/20/07	ISSUED FOR PERMITTING
20	02/20/07	ISSUED FOR PERMITTING
21	02/20/07	ISSUED FOR PERMITTING
22	02/20/07	ISSUED FOR PERMITTING
23	02/20/07	ISSUED FOR PERMITTING
24	02/20/07	ISSUED FOR PERMITTING
25	02/20/07	ISSUED FOR PERMITTING
26	02/20/07	ISSUED FOR PERMITTING
27	02/20/07	ISSUED FOR PERMITTING
28	02/20/07	ISSUED FOR PERMITTING
29	02/20/07	ISSUED FOR PERMITTING
30	02/20/07	ISSUED FOR PERMITTING
31	02/20/07	ISSUED FOR PERMITTING
32	02/20/07	ISSUED FOR PERMITTING
33	02/20/07	ISSUED FOR PERMITTING
34	02/20/07	ISSUED FOR PERMITTING
35	02/20/07	ISSUED FOR PERMITTING
36	02/20/07	ISSUED FOR PERMITTING
37	02/20/07	ISSUED FOR PERMITTING
38	02/20/07	ISSUED FOR PERMITTING
39	02/20/07	ISSUED FOR PERMITTING
40	02/20/07	ISSUED FOR PERMITTING
41	02/20/07	ISSUED FOR PERMITTING
42	02/20/07	ISSUED FOR PERMITTING
43	02/20/07	ISSUED FOR PERMITTING
44	02/20/07	ISSUED FOR PERMITTING
45	02/20/07	ISSUED FOR PERMITTING
46	02/20/07	ISSUED FOR PERMITTING
47	02/20/07	ISSUED FOR PERMITTING
48	02/20/07	ISSUED FOR PERMITTING
49	02/20/07	ISSUED FOR PERMITTING
50	02/20/07	ISSUED FOR PERMITTING
51	02/20/07	ISSUED FOR PERMITTING
52	02/20/07	ISSUED FOR PERMITTING
53	02/20/07	ISSUED FOR PERMITTING
54	02/20/07	ISSUED FOR PERMITTING
55	02/20/07	ISSUED FOR PERMITTING
56	02/20/07	ISSUED FOR PERMITTING
57	02/20/07	ISSUED FOR PERMITTING
58	02/20/07	ISSUED FOR PERMITTING
59	02/20/07	ISSUED FOR PERMITTING
60	02/20/07	ISSUED FOR PERMITTING
61	02/20/07	ISSUED FOR PERMITTING
62	02/20/07	ISSUED FOR PERMITTING
63	02/20/07	ISSUED FOR PERMITTING
64	02/20/07	ISSUED FOR PERMITTING
65	02/20/07	ISSUED FOR PERMITTING
66	02/20/07	ISSUED FOR PERMITTING
67	02/20/07	ISSUED FOR PERMITTING
68	02/20/07	ISSUED FOR PERMITTING
69	02/20/07	ISSUED FOR PERMITTING
70	02/20/07	ISSUED FOR PERMITTING
71	02/20/07	ISSUED FOR PERMITTING
72	02/20/07	ISSUED FOR PERMITTING
73	02/20/07	ISSUED FOR PERMITTING
74	02/20/07	ISSUED FOR PERMITTING
75	02/20/07	ISSUED FOR PERMITTING
76	02/20/07	ISSUED FOR PERMITTING
77	02/20/07	ISSUED FOR PERMITTING
78	02/20/07	ISSUED FOR PERMITTING
79	02/20/07	ISSUED FOR PERMITTING
80	02/20/07	ISSUED FOR PERMITTING
81	02/20/07	ISSUED FOR PERMITTING
82	02/20/07	ISSUED FOR PERMITTING
83	02/20/07	ISSUED FOR PERMITTING
84	02/20/07	ISSUED FOR PERMITTING
85	02/20/07	ISSUED FOR PERMITTING
86	02/20/07	ISSUED FOR PERMITTING
87	02/20/07	ISSUED FOR PERMITTING
88	02/20/07	ISSUED FOR PERMITTING
89	02/20/07	ISSUED FOR PERMITTING
90	02/20/07	ISSUED FOR PERMITTING
91	02/20/07	ISSUED FOR PERMITTING
92	02/20/07	ISSUED FOR PERMITTING
93	02/20/07	ISSUED FOR PERMITTING
94	02/20/07	ISSUED FOR PERMITTING
95	02/20/07	ISSUED FOR PERMITTING
96	02/20/07	ISSUED FOR PERMITTING
97	02/20/07	ISSUED FOR PERMITTING
98	02/20/07	ISSUED FOR PERMITTING
99	02/20/07	ISSUED FOR PERMITTING
100	02/20/07	ISSUED FOR PERMITTING


LOT 8 - ARBORS SHOPPING CENTER
 NE CORNER PRESTON & FRANKFORD RD.
 DALLAS, TEXAS

moran & murphy
mm
 CONSULTING ENGINEERS
 ARCHITECTS
 INTERIORS
 PLANNING
 4800 Spring Valley
 Dallas, TX 75244
 P: (214) 941-8800
 F: (214) 941-8802
 www.moranmurphy.com

**Existing
 Development Plan**



The number '0' indicates City of Dallas Ownership


 1:3,600

NOTIFICATION

200' AREA OF NOTIFICATION
67 NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: AA-7
 Case no: M101-010

DATE: February 02, 2011

2/2/2011

Notification List of Property Owners

M101-010

67 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	18410 PRESTON	PRESTON ROAD ASSOC LTD WALGREEN CO
2	18224 PRESTON ONE GALLERIA TOWER	PRESTON ROAD ASSOC LTD %FRITZ DUDA CO
3	18320 PRESTON ONE GALLERIA TOWER	PRESTON ROAD ASSOC LTD %FRITZ DUDA CO
4	PRESTON ONE GALLERIA TOWER	PRESTON ROAD ASSOC LTD %FRITZ DUDA CO
5	FRANKFORD ONE GALLERIA TOWER	PRESTON ROAD ASSOC LTD %FRITZ DUDA CO
6	18208 PRESTON ONE GALLERIA TOWER	PRESTON ROAD ASSOC LTD %FRITZ DUDA CO
7	18212 PRESTON ONE GALLERIA TOWER	PRESTON ROAD ASSOC LTD %FRITZ DUDA CO
8	18216 PRESTON ONE GALLERIA TOWER	PRESTON ROAD ASSOC LTD %FRITZ DUDA CO
9	18126 PRESTON ONE GALLERIA TOWER	PRESTON ROAD ASSOC LTD %FRITZ DUDA CO
10	PRESTON ONE GALLERIA TOWER	PRESTON ROAD ASSOC LTD %FRITZ DUDA CO
11	ONE GALLERIA TOWER	PRESTON ROAD ASSOC LTD %FRITZ DUDA CO
12	6506 FRANKFORD	CHOU TOM & MEN GLORIA
13	6420 GENSTAR	KHAN SHAMIM ETUX
14	6411 WINDSONG	HATHAWAY RYAN N
15	6407 WINDSONG TRUST THE ARTHUR	HASTINGS ARTHUR W - LE HASTIINGS LIVING
16	6403 WINDSONG	AVILA DAPHNE C & GERALD
17	6404 MISSY	TESTA KATHLEEN S
18	6408 MISSY	HAN JEN L
19	6412 MISSY	SMITH MARGARET E
20	6411 GRETCHEN	HARGRAVE CHARLES O & BETTY L
21	6407 GRETCHEN	THOMPSON LESLIE A IV
22	6403 GRETCHEN	SHAW RICHARD P
23	6400 GRETCHEN	CHOATE NATALIE & KEVIN

24	6404	GRETCHEN	DE LA CUEVA LUPITA M
25	6408	GRETCHEN	DUNCAN ROBERT C & JENNIFER J
26	6412	GRETCHEN	WEI TZU C ETUX

Wednesday, February 02, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6404 WINDSONG	ABBOTT TERESA C & DOMINIC WHITE
28	6408 WINDSONG	DORTCH TOM C & ELLEN D
29	6412 WINDSONG	ISOM RODNEY N & MARGARET T
30	6411 MIMMS	HADERA GEBRE T NEGASH AMELWORK
31	6407 MIMMS	RUFF CONSTANCE G
32	6403 MIMMS	AMINI MOHSEN INSOOK KIM
33	6404 MIMMS	BRAUNSTEIN MATTHEW & QUYNH
34	6408 MIMMS	STEPHENS JAMES B ETUX SUSAN
35	6412 MIMMS	MCCOMAS G EDWIN ETUX
36	6411 CAMILLE	MELYON JEFFREY
37	6407 CAMILLE	ADAMS ANGELA M
38	6403 CAMILLE	RENSHAW JUDITH A & JOHNSTON BARBARA
ANN		
39	6404 CAMILLE	LEE GINGER WHITE
40	6408 CAMILLE	OXMAN SHIRLEY
41	6412 CAMILLE	MUNSON DEBBIE KAY
42	6411 MISSY	TONEY DANA B
43	6407 MISSY	WOOLF KEVIN R
44	6403 MISSY	CALDWELL JOSEPH M & SHANNON R
45	18303 DAVENPORT	WEST PLANO MONTESSORI SCHOOL
46	18333 PRESTON	ACRON PRESTON NORTH LP
47	GENSTAR	WEST PLANO MONTESSORI INC
48	18484 PRESTON	INTONE LTD
49	18081 PRESTON	EXXON CORPORATION TAX DEPT
50	18008 PRESTON	OOZI INVESTMENTS INC % 7-ELEVEN INC
51	18020 CREEK VISTA	DAFTARY GAUTAM & SHWETA
52	18016 CREEK VISTA	WOLF GADI & JULIE
53	18383 PRESTON	MIHP LTD
54	6330 FRANKFORD	HUFF-WRIGHT ENTERPRISES LP
55	6340 FRANKFORD	SUDS OF TEXAS LP
56	6350 FRANKFORD	SUNG JUNE C INC
57	18000 PRESTON	BEHNAM ORIENTAL RUG CORP

Wednesday, February 02, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	18004 PRESTON	SHURGARD TEXAS LP3 DEPT-PT-TX-08412
59	18101 PRESTON	PRESTON FRANKFORD SHOPPING CENTER LP
60	18004 PRESTON	SHURGARD TEXAS LP3 DEPT-PT-TX-08412
61	STATE HWY 289	STATE OF TEXAS
62	18111 PRESTON	AGF PRESTON II LTD
63	PRESTON	STATE OF TEXAS TEXAS DEPT OF
	TRANSPORTATION	
64		CAMBRIDGE GATE HOMEOWNERS ASSOCIATION
	C/O ARCADIA LAND	
65		CAMBRIDGE GATE HOMEOWNERS ASSOCIATION
	C/O ARCADIA LAND	
66	FRANKFORD	STATE OF TEXAS
67	6220 BENTWOOD	BELT LLOYD K

Wednesday, February 02, 2011

FILE NUMBER: Z101-135 (MAW)

DATE FILED: November 28, 2010

LOCATION: North of West Illinois Avenue, between South Vernon Avenue and Wynnewood Drive

COUNCIL DISTRICT: 3

MAPSCO: 54 P, T

SIZE OF REQUEST: ±2.90 acres

CENSUS TRACT: 62.00

REPRESENTATIVE: Brian Nelson, AIA

APPLICANT: Ann Stevenson, Uplift Education

OWNER: Comerica Bank

REQUEST: An application for a Specific Use Permit for an open-enrollment charter school on property zoned an LO-3 Limited Office -3 District with deed restrictions.

SUMMARY: The purpose of this request is to allow the operation of a new open-enrollment charter school within an existing bank building.

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

BACKGROUND INFORMATION:

- The ±2.9-acre request site is currently developed with a ±31,800-square foot bank building (financial institution without drive-in window). The existing building has two stories and is approximately 36 feet in height.
- The SUP, as proposed, will accommodate the school’s anticipated growth in two phases. A ±30,000-square foot addition to the existing building, which will also have two stories and a maximum height of 36 feet, is proposed in phase two.
- Upon completion, the proposed charter school will have 24 elementary classrooms and will serve a maximum of 550 students.
- The proposed hours of operation for the charter school are Monday through Friday from 7:00 am to 5:00 pm with occasional after hours activities that could run until 10:00 pm.
- Deed restrictions volunteered in conjunction with the Office-2 zoning approved on April 21, 1982 restrict the height to seventy-two (72) feet and prohibit ingress and egress to/from the property onto Illinois Avenue.
- The request site is surrounded by a church/school to the north; a shopping center to the east; a drive-in bank and fire station to the south; and single family residential to the west.

Zoning History:

1.	Z090-202:	At its hearing on September 22, 2010, the City Council approved Specific Use Permit No. 1588 for a child-care facility on property zoned an R-7.5(A) Single Family District.
	Z045-128:	On June 22, 2005, the City Council approved a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District.
2.	Z067-153:	On May 23, 2007, the City Council approved an amendment to and expansion of Planned Development District No. 293 for a fire station, public park, and single family uses inclusive of the expansion area zoned an R-7.5(A) Single Family District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Illinois Avenue	Principal Arterial	80 feet
Vernon Avenue	Principal Arterial	90 feet

Land Use:

	Zoning	Land Use
Site	LO-3	Bank
North	R-7.5(A)	Church/school
East	RR	Shopping center
South	LO-3; PDD 293	Bank with drive-in; fire station
West	MF-2(A)	Single family residential

STAFF ANALYSIS:

Area Plans:

The request site is within the Cliff Hill/Kessler-Jefferson Subarea of the *Southwest Dallas Land Use Study Phase Two* (July 27, 1988). One of the community objectives identified by the study was the maintenance of neighborhood stability. The study identified the key ingredients to neighborhood stability as 1) the improvement of public schools and 2) the mix of housing options (a component of this was the desire for less multifamily).

Comprehensive Plan:

The comprehensive plan does not make a specific land use recommendation related to the request, however the *forwardDallas! Vision Illustration*, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The Vision Illustration depicts the request site as within a *Residential Neighborhood*. While single family dwellings are the dominate land use in such areas, shops,

restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections.

In general, the applicant's proposal to provide an open-enrollment charter school at this location is consistent with the following goal and policy of the Comprehensive Plan.

LAND USE ELEMENT

Goal 1.1: Promote desired development.

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

URBAN DESIGN ELEMENT

GOAL 5.1 Promote a sense of place, safety and walkability

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

Land Use Compatibility:

The ±2.9-acre request site is zoned an LO-3 Limited Office-3 District and is currently developed with a ±31,800-square foot (walk-in) bank office building. The applicant proposes to operate a new open-enrollment charter school within the existing two-story bank building; a future addition to the building is proposed to accommodate anticipated growth.

The SUP, as proposed, will accommodate the school's growth in two-phases. Phase one will utilize only the first floor of the building; bank functions will remain in ±7,000 square feet, while the remainder will be converted to four elementary classrooms. The bank is anticipated to remain for one year after which time bank functions will terminate and the school will occupy the entire building. A ±30,000 square-foot addition to the existing building to allow a total of 24 elementary classrooms is proposed in phase two.

The request site is surrounded by a church/school to the north; a shopping center to the east; a drive-in bank and fire station to the south; and single family residential to the west.

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

Z101-135 (MAW)

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 a site plan and conditions, complies with the general provisions for consideration of an SUP.

Development Standards:

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
LO-3 Limited office – 3	15'	20' adjacent to residential Other: No Min.	1.75 FAR	115' 9 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, lodging – limited retail & personal service uses

Traffic:

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

Parking:

Pursuant to §51A-4.210 of the Dallas Development Code, the off-street parking requirement for a school is 1.5 spaces per elementary classroom. Therefore, the proposed 24-classroom open-enrollment charter school will require a total of 36 parking spaces. The applicant will provide 52 parking spaces, as depicted on the site plan.

Landscaping:

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

List of Partners/Principals/Officers



uplifteducation

November 22, 2010

Re: SUP Application – Uplift Education

To Whom It May Concern:

The following are the current members of the Uplift Education Board of Directors:

Kevin W. Carey Richard R. Philip Kirk Brice Marnie Todd A. Melissa Tony	Bryant Carter Frapart Montgomery Rimer Tarzwell Wildenthal Williams McNeil Dona	Vice- Chair Chairman
--	--	-----------------------------

Sincerely,

Ann Stevenson
Director of Operations

Z101-135

Comerica Incorporated Board of Directors

Ralph W. Babb, Jr.
Chairman and Chief Executive Officer
Comerica Incorporated and Comerica Bank

James F. Cordes
Retired Executive Vice President
The Coastal Corporation

Roger A. Cregg
Executive Vice President and Chief Financial Officer
PulteGroup, Inc.

T. Kevin DeNicola
Chief Financial Officer
Kior, Inc.

Jacqueline P. Kane
Senior Vice President of
Human Resources and Corporate Affairs
The Clorox Company

Richard G. Lindner
Senior Executive Vice President and Chief Financial Officer
AT&T

Alfred A. Piergallini
Chairman
Wisconsin Cheese Group, Inc.;
Consultant, Desert Trail Consulting

Robert S. Taubman
Chairman, President and Chief Executive Officer
Taubman Centers, Inc. and The Taubman Company

Reginald M. Turner, Jr.
Member
Clark Hill PLC

Nina G. Vaca
Chief Executive Officer
Pinnacle Technical Resources, Inc.

Z101-135

**Z101-135
Proposed 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 _____(five 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 application for automatic renewal is strictly enforced.)
4. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code. Plant materials must be maintained in a healthy, growing condition.
5. CLASSROOMS: The maximum number of classrooms is 24.
6. HOURS OF OPERATION: The open-enrollment charter school may only operate between 7:00 a.m. and 5:00 p.m., Monday through Friday. Occasional after hours school activities may run until 10:00 p.m.
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. Operation of the open-enrollment charter school must comply with the attached traffic management plan.
 - B. Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.
 - C. Traffic study.

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, 2011. After the initial traffic study, the Property owner or operator shall submit annual updates of the traffic study to the director by November 1st every two years.

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.

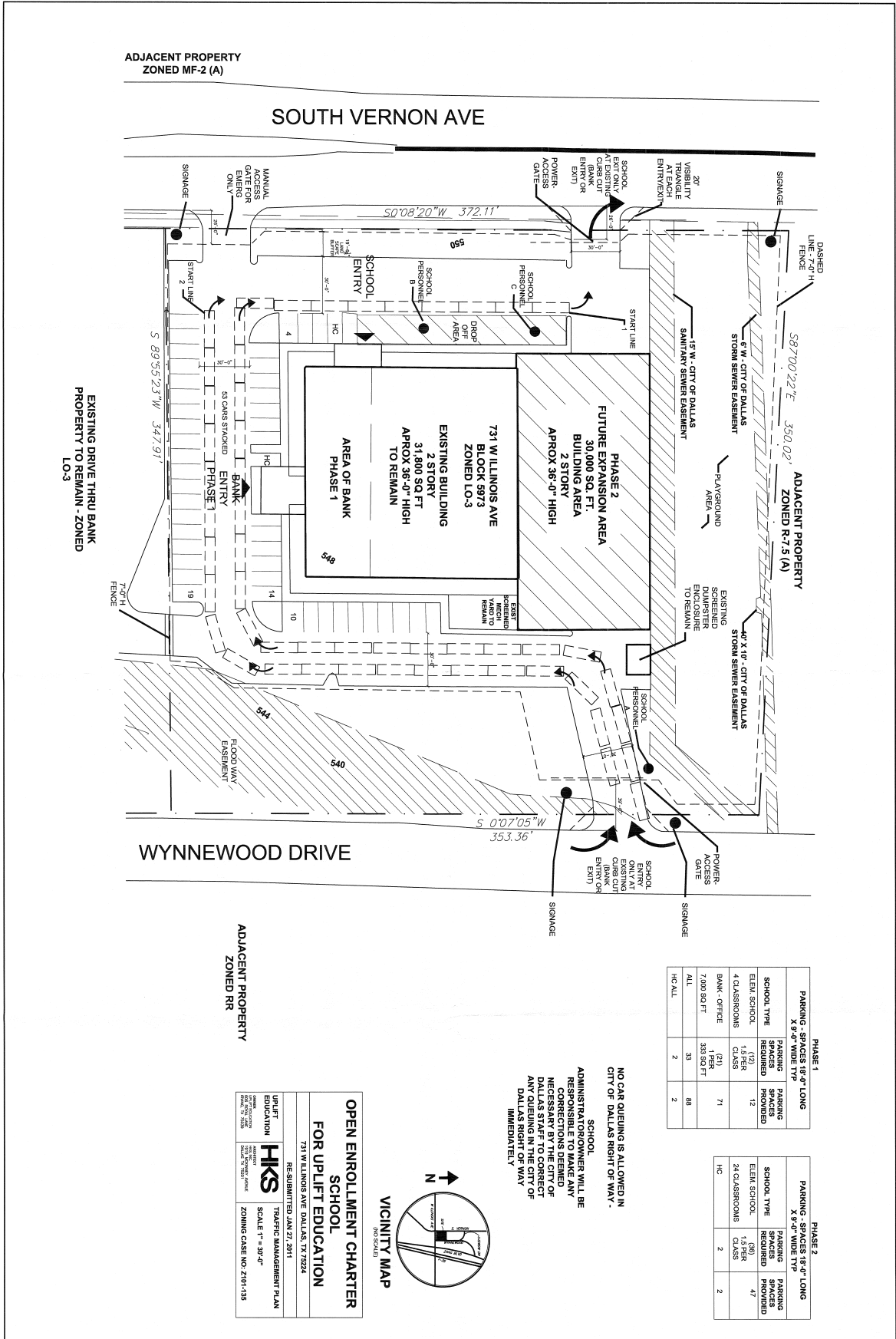
ii. The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

Z101-135 (MAW)

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.

Proposed Traffic Management Plan



PHASE 1

PARKING - SPACES 18'-0" LONG X 9'-0" WIDE TYP	PARKING SPACES PROVIDED	SPACES REQUIRED
SCHOOL TYPE	1,120	12
ELEM. SCHOOL CLASS	1,120	12
BANK - OFFICE	71	71
ALL	333 SQ. FT.	33
HC ALL	2	88

PHASE 2

PARKING - SPACES 18'-0" LONG X 9'-0" WIDE TYP	PARKING SPACES PROVIDED	SPACES REQUIRED
SCHOOL TYPE	47	47
ELEM. SCHOOL CLASS	47	47
HC	2	2

NO CAR QUEUING IS ALLOWED IN CITY OF DALLAS RIGHT OF WAY - SCHOOL ADMINISTRATOR/OWNER WILL BE RESPONSIBLE TO MAKE ANY NECESSARY BY THE CITY OF DALLAS STAFF TO CORRECT ANY QUEUING IN THE CITY OF DALLAS RIGHT OF WAY IMMEDIATELY



OPEN ENROLLMENT CHARTER SCHOOL FOR UPLIFT EDUCATION

731 W ILLINOIS AVE DALLAS, TX 75226

RESUBMITTED JAN 27, 2011

HKS TRAFFIC MANAGEMENT PLAN

SCALE 1" = 30'-0"

ZONING CASE NO. 210-135

ADJACENT PROPERTY ZONED MF-2 (A)

ADJACENT PROPERTY ZONED R-7.5 (A)

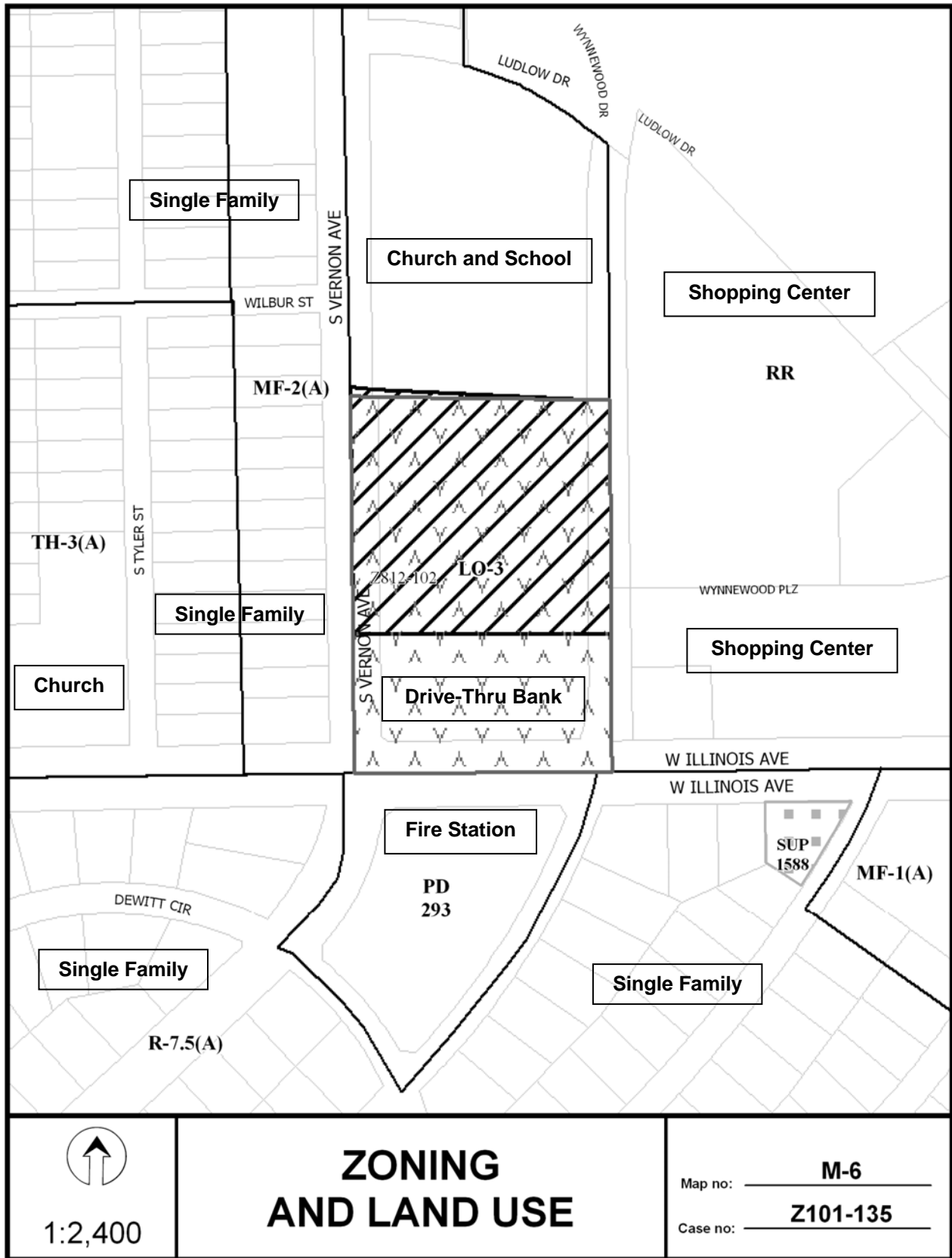
ADJACENT PROPERTY ZONED RR

EXISTING DRIVE THRU BANK PROPERTY TO REMAIN - ZONED LO-3

Z101-135 (MAW)



DATE: January 28, 2011



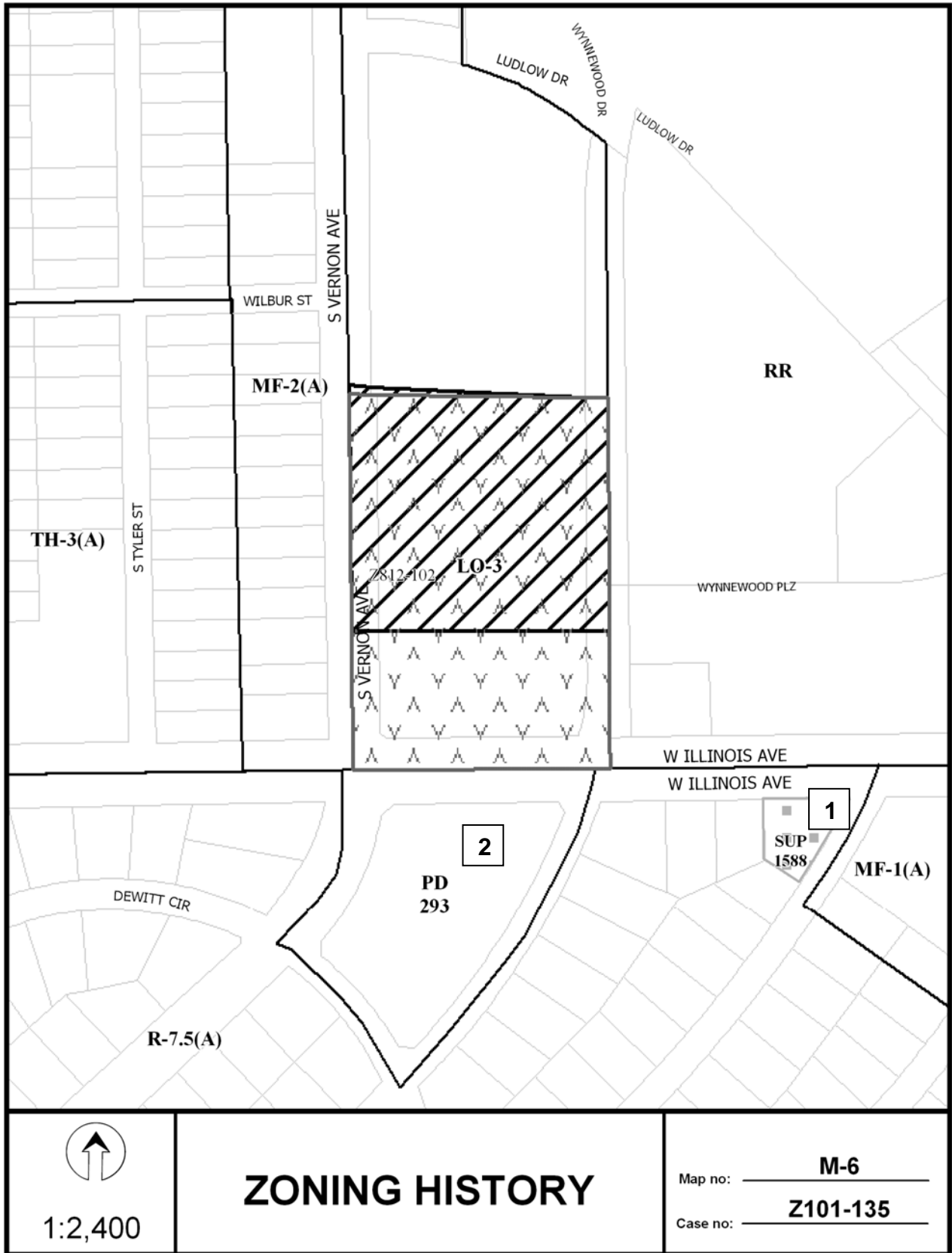
1:2,400

ZONING AND LAND USE

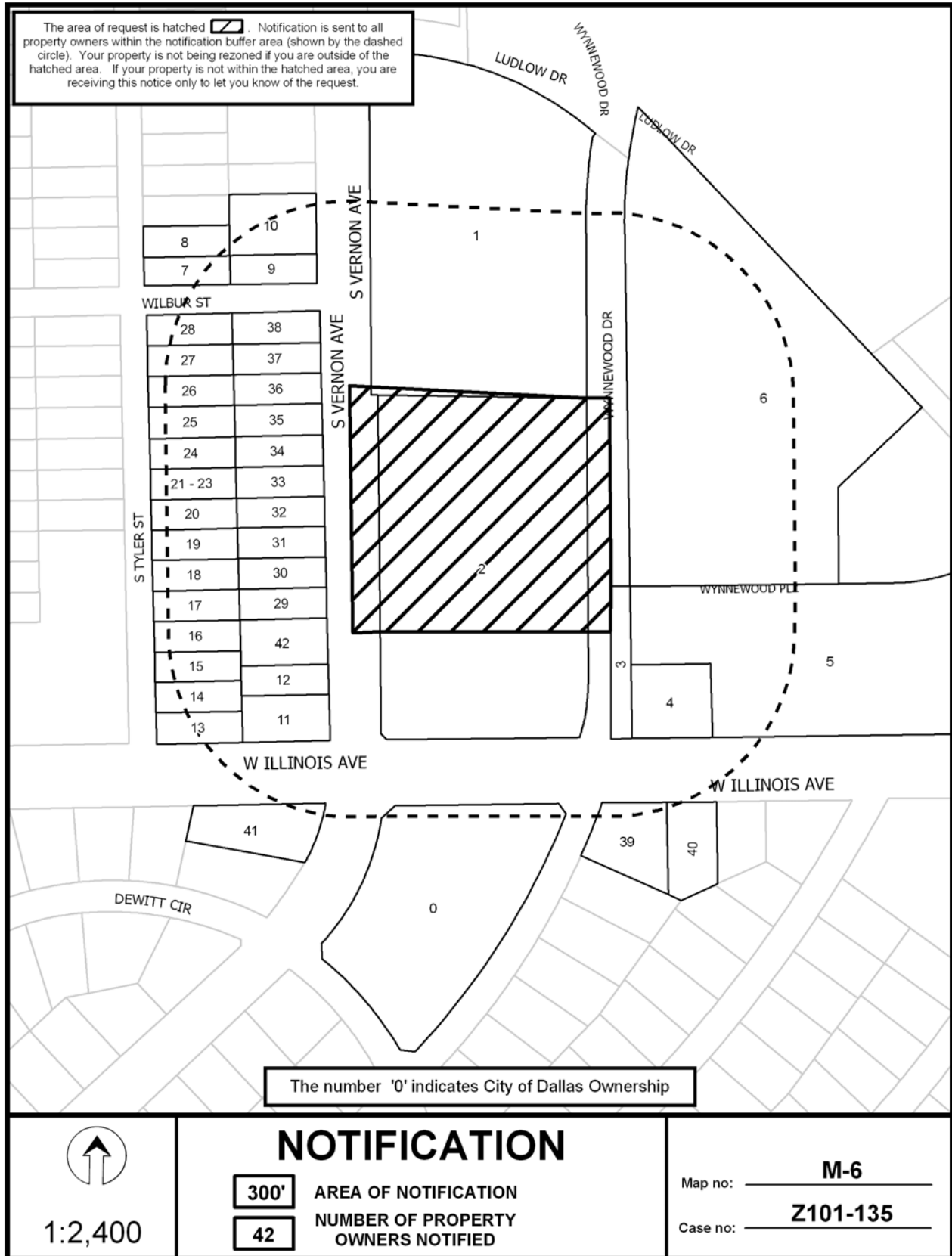
Map no: M-6

Case no: Z101-135

DATE: January 28, 2011



DATE: January 28, 2011



DATE: January 28, 2011

Notification List of Property Owners

Z101-135

42 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2324 VERNON	ACADEMY OF DALLAS
2	731 ILLINOIS	COMERICA BANK TEXAS C/O COLLIERS INT L
3	729 ILLINOIS	BELLAIRE CAPITAL PS LP
4	725 ILLINOIS	BELLAIRE CAPITAL PS LP
5	655 ILLINOIS	BELLAIRE CAPITAL PS LP
6	701 ILLINOIS	BELLAIRE CAPITAL PS LP
7	2326 TYLER	GONZALEZ FRANCISCO & FRANCISCA S
8	2322 TYLER	ORTEGA SANTIAGO JR & DELORES ARELLANO
9	2327 VERNON	WALKER CHARLES FRANKLIN
10	2319 VERNON	WALKER CHARLES FRANKLIN
11	811 ILLINOIS	COUCH KEDRIC
12	2523 VERNON	GARCIA CONSUELO
13	2526 TYLER	JONES RAYMOND OTIS LIVING TRUST
14	2522 TYLER	GALLEGOS MIGUEL C ETUX
15	2518 TYLER	VAZQUEZ ADRIAN GUADALUPE MARIA G
16	2514 TYLER	HERNANDEZ MICHAEL E & PRISCILLA
17	2510 TYLER	CORONA GUADALUPE & BLANCA
18	2506 TYLER	LUGO CARMEN
19	2502 TYLER	AVILES JOSE & NICOLASA AVILES
20	2426 TYLER	MUNOZ MARIA D & MIGUEL A
21	2424 TYLER	CATES ANITA JO
22	2424 TYLER	CATES ANITA JO
23	2422 TYLER	CATES ANITA JO
24	2418 TYLER	ALANIS LUIS M
25	2414 TYLER	WALKER CHARLES FRANKLIN
26	2410 TYLER	AGUILAR YOLANDA

Thursday, January 27, 2011

Z101-135 (MAW)

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2406 TYLER	WALKER CHARLES FRANKLIN & JEANNETTECURRY
28	2402 TYLER	WALKER CHARLES FRANKLIN
29	2509 VERNON	RODRIGUS ROSARIS VASQUEZ ANGEL
30	2507 VERNON	SANCHEZ IRENE FLORES
31	2503 VERNON	WYRICK BILLIE JO TR BILLIE J WYRICK LIV TRUST
32	2427 VERNON	WALKER CHARLES FRANKLIN
33	2423 VERNON	WALKER CHARLES FRANKLIN
34	2417 VERNON	WALKER CHARLES F & MARY JEANNETTE
35	2413 VERNON	WALKER CHARLES FRANKLIN
36	2411 VERNON	WALKER CHARLES FRANKLIN
37	2405 VERNON	WALKER CHARLES FRANKLIN & MARY JEANNETTE
38	2403 VERNON	WALKER CHARLES FRANKLIN
39	2306 WYNNEWOOD	ANDRADE LUIS E
40	722 ILLINOIS	AGUILAR FRANCISCO
41	2535 VERNON	RATLIFF KENNETH
42	2511 VERNON	VASQUEZ ANGEL

FILE NUMBER: Z101-141 (MAW)

DATE FILED: December 3, 2010

LOCATION: Southeast corner of Cartwright Street and Richey Street

COUNCIL DISTRICT: 6

MAPSCO: 42 N, P

SIZE OF REQUEST: ±34,000 square feet

CENSUS TRACT: 106.02

REPRESENTATIVE: Karen Tellez

APPLICANT/OWNER: Yefim Kuperberg

REQUEST: An application for a Specific Use Permit for a metal salvage facility on property zoned Planned Development District No. 406, the Ledbetter/Eagle Ford Special Purpose District.

SUMMARY: The applicant proposes to utilize the property for a metal salvage facility.

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

BACKGROUND INFORMATION:

- Pursuant to Section 51A-4.203 of the Dallas City Code, a metal salvage facility is used to collect, separate and process scrap metal in bulk for reuse and manufacturing.
- The ±34,000-square foot request site is currently used for machinery, heavy equipment or truck sales and service and is developed with a ±1,750-square foot covered storage area, a ±400-square foot covered storage area and a ±264-square foot office. These structures will remain on the site.
- The request site is surrounded by industrial uses and undeveloped land to the south and west.

Zoning History:

1.	BDA 067-119	On August 15, 2007, the Board of Adjustment approved a special exception to the landscaping regulations.
-----------	--------------------	--

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Cartwright Street	Local	50 feet
Richey Street	Local	50 feet

Land Use:

	Zoning	Land Use
Site	PDD 406	Machinery, heavy equipment or truck sales and
North	PDD 406	Industrial
East	PDD 406	Industrial
South	PDD 406	Undeveloped
West	PDD 406	Auto service; undeveloped

STAFF ANALYSIS:

Area Plans:

The request site is within the boundaries of the following land use study areas.

Trinity River Corridor Comprehensive Land Use Plan (March 9, 2005): The plan recommends light industrial uses in the area. This category represents non-residential uses such as warehousing, distribution, assembly, fabrication, and light manufacturing. Light industrial uses typically have fewer impacts on their surroundings (in terms of noise, traffic, pollution, etc.) than do heavy industrial uses. Generally buildings have fewer than three (3) floors and can have large footprints. Good railroad and highway access is important to this land use type. Other recommended uses include: industrial-flex office, office-regional, retail-neighborhood, and civic. Optional uses are park and open space, and lodging.

There are no Trinity Project related construction plans for this area in the near future.

West Dallas Comprehensive Land Use Study (Revised, May 1999): The plan recommends that the Code Compliance Department make an assessment of the uses in the area for compliance with Planned Development District No. 406 zoning regulations. The poor conditions of streets and the inadequate screening of industrial uses adversely impact nonconforming single family uses that exist within the PDD. The future land use and zoning recommendation is to leave the zoning as is, to ensure quality of life, including screening and drainage requirements of the PDD.

West Dallas Economic Development and Neighborhood Preservation Study. Development Area 2 (March, 1983): The Economic Development and Neighborhood Preservation strategy for West Dallas was developed with the intent to assure that the funds generated by the Federal Urban Development Action Grant (UDAG) would have a meaningful impact on West Dallas. The plan makes recommendation and provides general guidelines to direct policy and future investment decisions concerning West Dallas.

The plan recognizes the fact that the infrastructure is poor and that there are some environmental and topographic concerns. However, it strongly recommends that the area be targeted for more intense industrial uses. The plan recommends industrial manufacturing, assembly, processing, warehousing, wholesaling, storage, distribution, extraction, utilities, etc in this area.

Comprehensive Plan:

The comprehensive plan does not make a specific land use recommendation related to the request, however the *forwardDallas! Vision Illustration*, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

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

In general, the applicant's proposal to provide an industrial use at this location is consistent with the following goal and policy of the Comprehensive Plan.

LAND USE ELEMENT

Goal 1.1: Promote desired development

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

ENVIRONMENT ELEMENT

GOAL 6.6 Increase recycling and conservation of renewable resources

Policy 6.6.1 Increase recycling and composting

Land Use Compatibility:

The ±34,000-square foot request site is currently used for machinery, heavy equipment or truck sales and service and is developed with a ±1,750-square foot covered storage area, a ±400-square foot covered storage area and a ±264-square foot office. These structures will remain on the site.

The request site is surrounded by industrial uses with undeveloped land to the south and west. It is noted by Trinity Watershed Management Staff that this area may potentially be affected by FEMA efforts to remap properties behind the levees as floodplain.

In December 1993, the City Plan Commission approved an authorized hearing to determine proper zoning for area west of Walton Walker Boulevard, North of I -30. A zoning change request triggered the City Plan Commission to authorize a hearing to determine the proper zoning for the area. An Industrial Manufacturing District Planned Development District was considered the most appropriate zoning for the entire area.

In September 28, 1994, the City Council approved Planned Development District No. 406, the Ledbetter/Eagle Ford Special Purpose District, for IM Industrial Manufacturing Uses on property zoned an IR Industrial Research District. The area is generally bounded by State Highway Loop 12 (Walton Walker Boulevard), the Trinity River, and the West Levee right-of-way. The area contains approximately 230 acres. The PDD allows for some single family residential uses to remain as conforming use.

Staff considers the requested specific use permit for a metal salvage facility to be an appropriate use for the site. Therefore, staff recommends approval for a two-year period; this time period will allow staff to determine if there is a noticeable trend to change the development pattern in the area by the property owners or City officials. There are no residential uses near the request site or 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 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 a site plan and conditions, complies with the general provisions for consideration of an SUP.

Development Standards:

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
PDD 406	15' adjacent to expressway Other: No Min.	No Min.	No Max.	110' 8 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Traffic:

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

Parking:

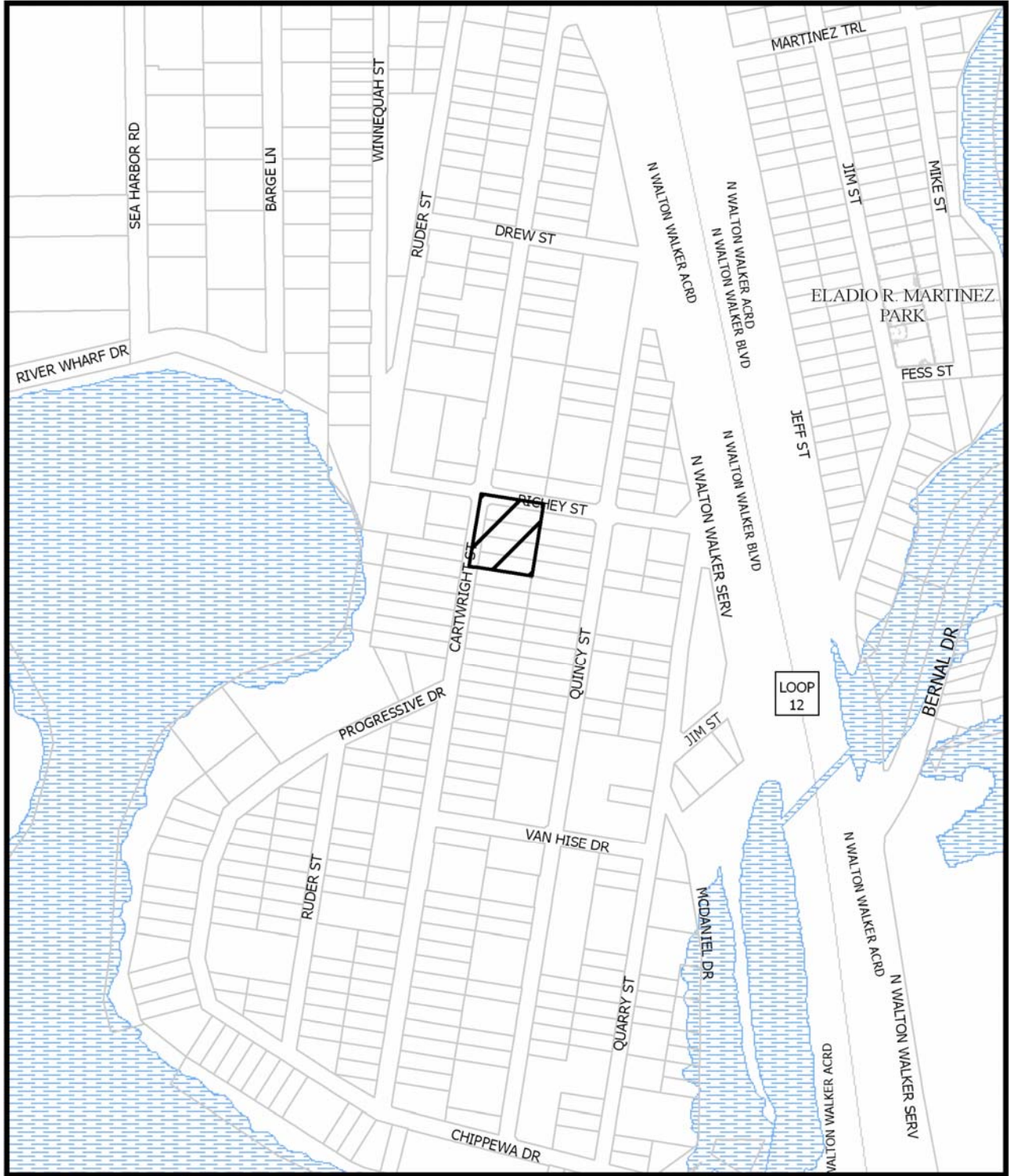
Pursuant to §51A-4.210 of the Dallas Development Code, the off-street parking requirement for a metal salvage facility is one (1) space for each 500 square feet of floor area; a minimum of five (5) spaces is required. Therefore, the proposed 2,414 square feet of floor area will require a total of five (5) parking spaces. The applicant will provide five (5) parking spaces, as depicted on the site plan.

Landscaping:

Landscaping will be required per Planned Development District No. 406 (Article X of the Dallas Development Code).

**Z101-141
Proposed Conditions**

1. USE: The only use authorized by this specific use permit is a metal salvage facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on (two years from the passage of the ordinance)
4. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended. Plant materials must be maintained in a healthy, growing condition.
5. HOURS OF OPERATION: The metal salvage facility may only operate between 7:00 a.m. and 6:00 p.m. Monday through Sunday
6. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
7. PARKING: Parking must be located as shown on the attached site plan.
8. SCREENING: A nine-foot-high solid screening fence must be provided along the property line to screen storage areas in the locations shown on the attached site plan.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.



1:4,800


VICINITY MAP

Map no: K-4

Case no: Z101-141

DATE: January 31, 2011



 1:1,200	ZONING AND LAND USE	Map no: <u> K-4 </u> Case no: <u> Z101-141 </u>
--	--------------------------------	--

DATE: January 31, 2011



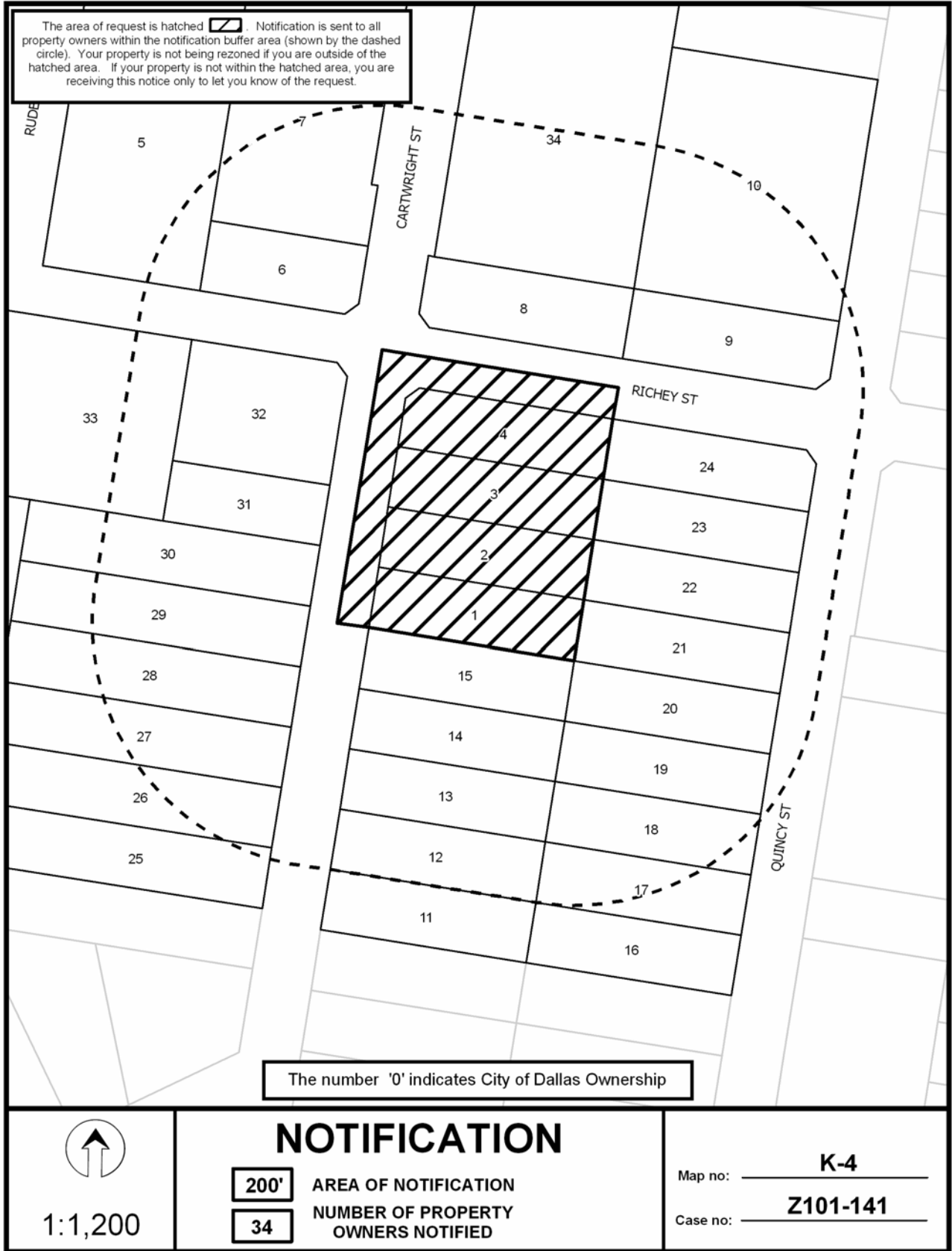
1:1,200

ZONING HISTORY

Map no: K-4

Case no: Z101-141

DATE: January 31, 2011



Notification List of Property Owners

Z101-141

34 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2330 CARTWRIGHT	KUPERBERG YEFIM & SVETLANA
2	2334 CARTWRIGHT	KUPERBERG YEFIM & SVETLANA
3	2338 CARTWRIGHT	KUPERBERG YEFIM & SVETLANA
4	2342 CARTWRIGHT	KUPERBERG YEFIM & SVETLANA
5	2402 RUDER	HORN WILLIAM W
6	2403 CARTWRIGHT	BURROSS LARRY & JANE
7	2407 CARTWRIGHT	HORN WILLIAM W
8	2402 CARTWRIGHT	KUPERBERG YEFIM & SVETLANA
9	2403 QUINCY	MOREIRA JOSE
10	2411 QUINCY	TRANSCON DEV CORP
11	2310 CARTWRIGHT	KARAPETIAN VAHE TR
12	2314 CARTWRIGHT	KARAPETIAN VAHE TR
13	2318 CARTWRIGHT	KARAPETIAN VAHE TR
14	2322 CARTWRIGHT	TEXAS UTILITIES ELEC CO % STATE & LOCAL TAX DEPT
15	2326 CARTWRIGHT	TEXAS UTILITIES ELEC CO % STATE & LOCAL TAX DEPT
16	2303 QUINCY	ACCURATE WASTE CONTROL INC
17	2307 QUINCY	ACCURATE WASTE CONTROL INC
18	2311 QUINCY	CARRANZA JOSE PEDRO DBA CARRANZA WELDING
19	2315 QUINCY	CARRANZA JOSE PEDRO DBA CARRANZA WELDING
20	2319 QUINCY	CARRANZA JOSE PEDRO DBA CARRANZA WELDING
21	2323 QUINCY	SILLER LUIS
22	2327 QUINCY	SILLER LUIS
23	2331 QUINCY	FOREMAN TED A
24	2335 QUINCY	ORR CONTRACTORS INC
25	2311 CARTWRIGHT	KARAPETIAN VAHE TR
26	2315 CARTWRIGHT	KARAPETIAN VAHE TR

Z101-141(MAW)

Label # Address

Owner

27	2319	CARTWRIGHT	KARAPETIAN VAHE TR
28	2323	CARTWRIGHT	TEXAS UTILITIES ELEC CO % STATE & LOCAL TAX DEPT
29	2327	CARTWRIGHT	TEXAS UTILITIES ELEC CO % STATE & LOCAL TAX DEPT
30	2331	CARTWRIGHT	HUX MILDRED AGNES
31	2335	CARTWRIGHT	HUX MILDRED AGNES
32	2343	CARTWRIGHT	CRUZ GUILLERMO
33	6112	RICHEY	CRUZ GUILLERMO
34	2418	CARTWRIGHT	BURROSS LARRY G & JANE B BURROSS

FILE NUMBER: Z101-142 (JH)

DATE FILED: December 9, 2010

LOCATION: Northeast side of C.F. Hawn Freeway, southeast of Edd Road

COUNCIL DISTRICT: 8

MAPSCO: 69A-Q, R

SIZE OF REQUEST: Approx. 1.48 acres

CENSUS TRACT: 171.01

APPLICANT/OWNER: Arturo Quintanilla

REQUEST: An application for a Specific Use Permit for a commercial amusement (inside) use for a dance hall on property zoned a CS-D-1 Commercial Service District with a D-1 Dry Liquor Control Overlay

SUMMARY: The purpose of this request is to permit the use of a dance floor in an existing structure that will operate as a ballroom.

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

BACKGROUND INFORMATION:

- The request site is currently developed with a commercial building that was last used as a restaurant with a drive-through window.
- The purpose of this request is to permit the use of a dance floor in an existing structure that will operate as a ballroom/banquet hall that is rented for special events.

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

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 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. 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. 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 1.48-acre request site is zoned a CS-D-1 Commercial Service District with a D-1 Dry Liquor Control Overlay and is currently developed with a commercial building. The applicant is proposing to use the structure as a commercial amusement (inside) use with a dance hall on the property, which the dance hall requires a Specific Use Permit by the existing zoning. The applicant proposes to use the building as a ballroom/banquet hall to be rented out for special events.

The request site is adjacent to heavy truck sales and service to the southeast; a nursery to the north; and an auto service center to the northwest. Directly across C.F. Hawm Freeway is a manufactured home park to the southwest. No incompatible uses were identified in the immediate 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 regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
CS-D-1 Commercial Service	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail combined	45' 3 stories	80%	Proximity Slope Visual Intrusion	Commercial & business service, supporting retail & personal service & office

Parking/Traffic:

The Dallas Development Code requires off-street parking to be provided for a commercial amusement (inside) use at one space for each 100 square feet of floor area and a dance hall requires one space for each 25 square feet of dance floor. The request requires 92 spaces with 98 being provided per the attached site plan.

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

Landscaping:

Landscaping required per Article X of the Dallas Development Code.

SUP CONDITIONS

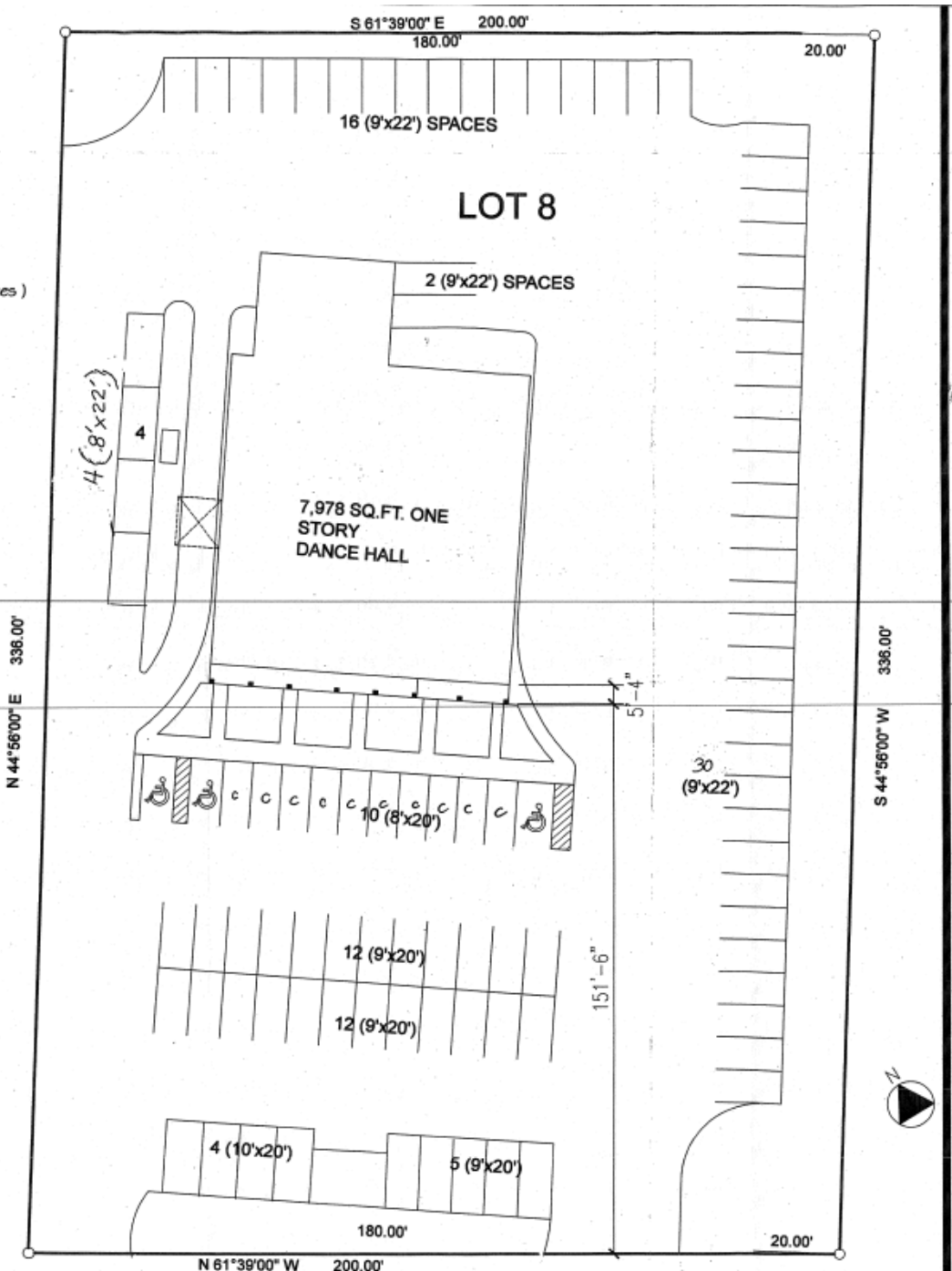
1. USE: The only use authorized by this specific use permit is for a commercial amusement (inside) for a dance hall.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (three years), but is eligible for automatic 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. MAXIMUM FLOOR AREA: The dance floor may not exceed 400 square feet in area.
5. PARKING: Parking must be located as shown on the attached site plan. Delta credits may not be used to meet the off-street parking requirement
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

SITE PLAN

CODE ANALYSIS:

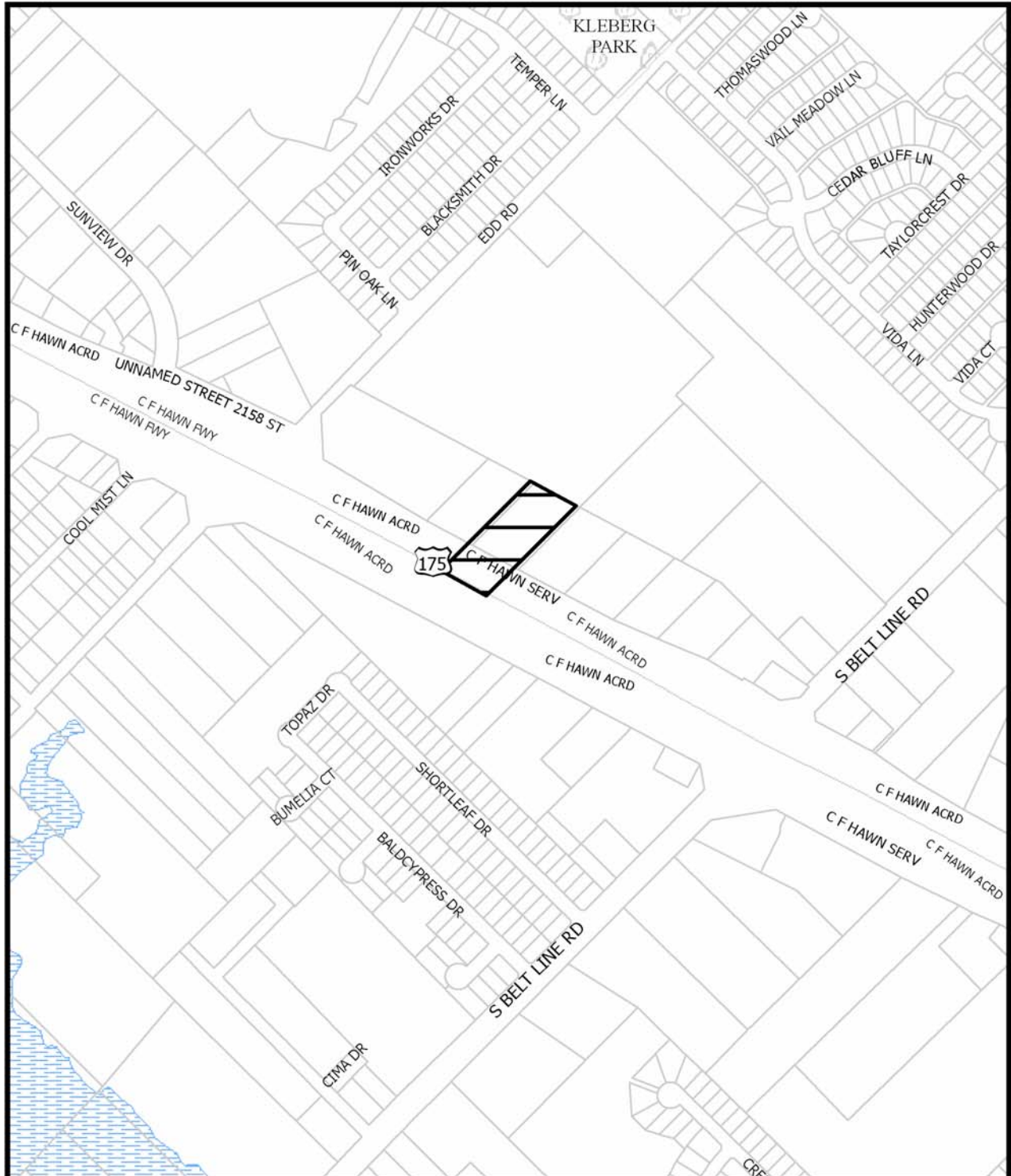
- 4. Parking content,
 - Dance Floor: (400 Sq.ft. = 16 Spaces)
 - General Use: (7,570 Sq.ft. = 73 Spaces)
 - Handicap Spaces: (3)
 - TOTAL: 92 required
98 provided

2. No. 13201 OF HAWN FWY., city of Dallas Texas.
 Tract No. 8, Block No. City Block No. 8821, of WILDWOOD ACRES, an addition to the City of DALLAS, DALLAS COUNTY Texas.



1 SITE PLAN
 1/16" = 1'-0"

C.F. HAWN FREEWAY (U.S. HIGHWAY 175)



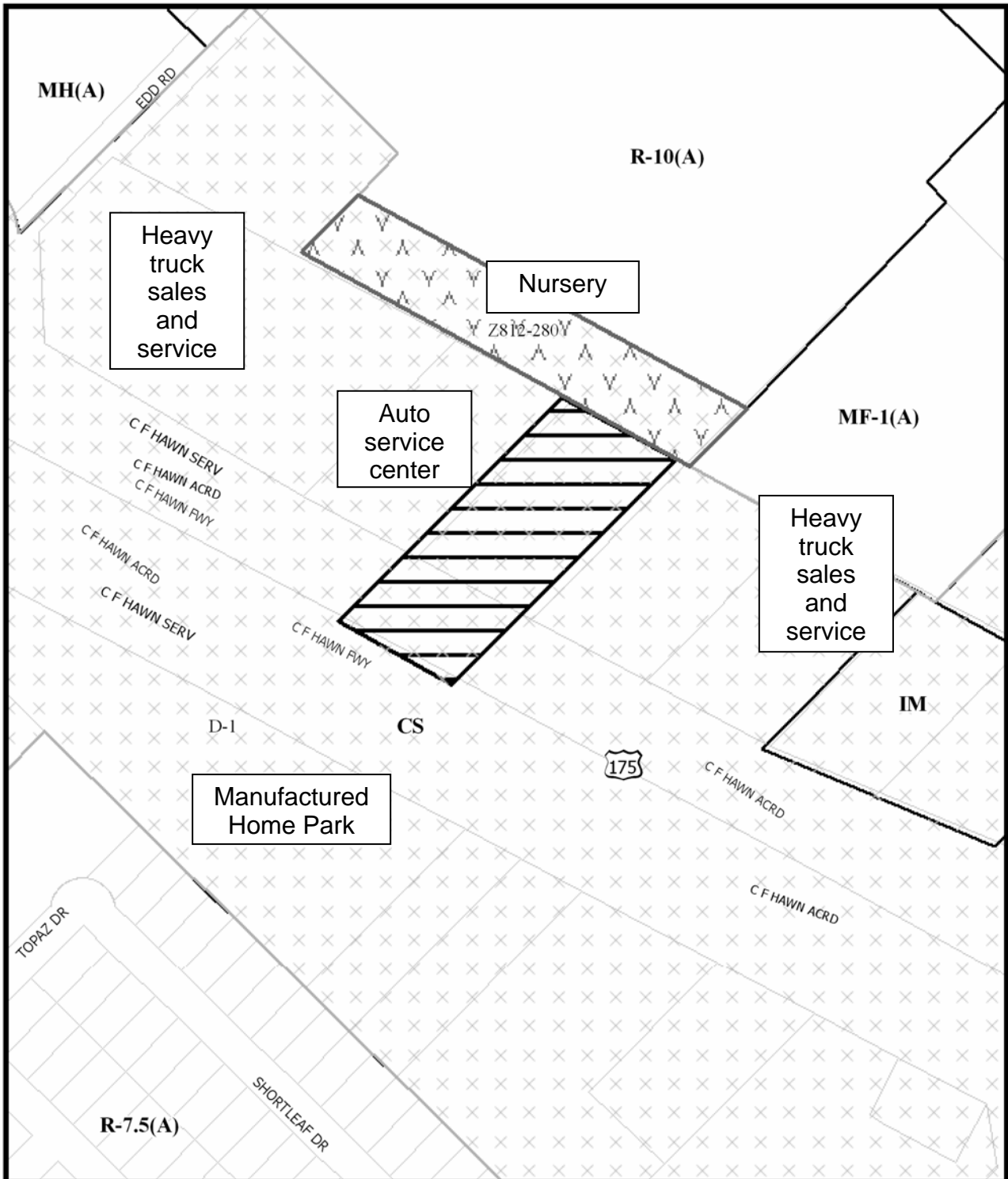
1:6,000

VICINITY MAP

Map no: 0-12

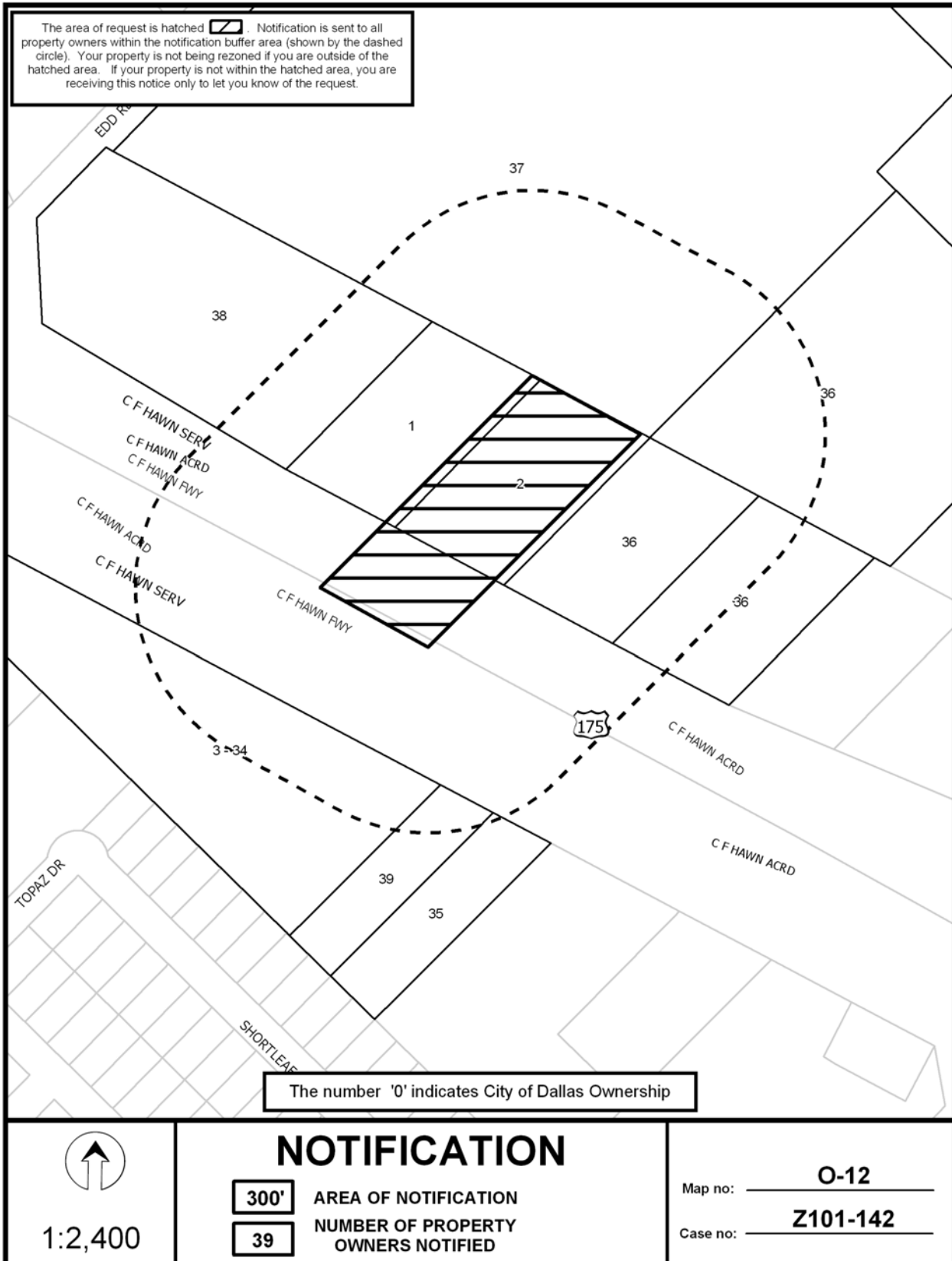
Case no: Z101-142

DATE: January 21, 2011



 1:2,400	ZONING AND LAND USE	Map no: <u> O-12 </u> Case no: <u> Z101-142 </u>
--	--------------------------------	---

DATE: January 21, 2011



Notification List of Property Owners

Z101-142

39 Property Owners Notified

Label #	Address	Owner
1	13201 C F HAWN	J & R TRUCK & EQUIPMENT SALES INC
2	13201 C F HAWN	J & R TRUCK & EQUIPMENT SALES
3	13122 C F HAWN	ZULEJKIC DAVID A
4	13122 C F HAWN	ZULEJKIC DAVID A
5	13122 C F HAWN	HERNANDEZ ADAM SPACE 1
6	13122 C F HAWN	LOUISE SCOTT SPACE 2
7	13122 C F HAWN	CRAVENS RON SPACE 6
8	13122 C F HAWN	SCOTT JAMES & ANITA SPACE 20
9	13122 C F HAWN	HERNANDEZ GERALDO SPACE 30
10	13122 C F HAWN	FULLER THOMAS SPACE 32
11	13122 C F HAWN	SCOTT MAXINE SPACE 33
12	13122 C F HAWN	MONTE DEAL SPACE 41
13	13122 C F HAWN	ZULEJKIC DAVID
14	13122 C F HAWN	BARDU VICTOR SPACE 50
15	13122 C F HAWN	CRESTOBAL ABREGO SPACE 45
16	13122 C F HAWN	MARINO GILBERT SPACE 7
17	13122 C F HAWN	YOUNGBLOOD NICKY SPACE 42
18	13122 C F HAWN	CALRDAZ ABAYSE SPACE 4
19	13122 C F HAWN	CALRDAZ ABAYSE SPACE 12
20	13122 C F HAWN	JD CROOK SPACE 8A
21	13122 C F HAWN	NOE JOHN SPACE 21
22	13122 C F HAWN	YOUNGBLOOD NIKI SPACE 17
23	13122 C F HAWN	KIRK J D SPACE 19
24	13122 C F HAWN	DAVIS SHIRLEY J
25	13122 C F HAWN	CARTER SUSAN & JAMES JR SPACE 25
26	13122 C F HAWN	DISHEROON MARIE SPACE 29

Friday, January 21, 2011

Z101-142 (JH)

Label #	Address	Owner
27	13122 C F HAWN	SHELTON TAMMY SPACE 47
28	13122 C F HAWN	ANGUEANO MARTIN SPACE 48
29	13122 C F HAWN	DAVIS RED SPACE 52
30	13122 C F HAWN	ZOUZALIK BERNICE SPACE 9
31	13122 C F HAWN	KNOLL MOBILE HOME PARK
32	13122 C F HAWN	KNOLL MH PARK
33	13122 C F HAWN	TONIEAE ROBERTO SPACE 5
34	13122 C F HAWN	GAINDO HECTOR SPACE 46
35	13320 C F HAWN	BANDA MIGUEL BELTRAN
36	13331 C F HAWN	ARMSTRONG JERRY DALE SR
37	1830 EDD	EDD ROAD PROPERTIES LLC
38	13011 C F HAWN	THOMPSON VAUGHN LEE
39	13310 C F HAWN	PATEL KALIDAS NARANJI & VANITABEN K PATEL

Friday, January 21, 2011

FILE NUMBER: Z089-185 (OTH)

DATE FILED: March 20, 2009

LOCATION: On the north side of Ryan Road, west of Garapan Drive

COUNCIL DISTRICT: 3

MAPSCO: 54-X

SIZE OF REQUEST: 15,559 square feet

CENSUS TRACT: 60.01

APPLICANT/OWNER: Sharon Harris

REQUEST: An application to renew Specific Use Permit No. 1581 for a child-care facility on property zoned a TH-3(A) Townhouse District.

SUMMARY: The applicant is proposing to restart the use of the property as a child-care facility.

CPC ACTION: On November 18, 2010, the City Plan Commission held the case under advisement until February 17, 2011.

On October 21, 2010, the City Plan Commission held the case under advisement until November 18, 2010.

STAFF RECOMMENDATION: Denial

BACKGROUND INFORMATION:

- The property is currently developed with a 3,423 square feet building. The applicant proposes to relocate her existing child-care facility on the site. Originally, the property had two buildings, A and B. Building A is a two story building. The original buildings had a total of 2,004 square feet. The two buildings are connected by the new addition. The new construction has not been completed.
- The facility had been operating on and off a child-care facility since 1984.
- Specific Use Permit No. 904 was approved on August 29, 1984, for a child-care facility on a portion of the request site for a two-year period, and a certificate of occupancy was issued for a daycare center for SUP No. 904 on 813 Ryan Road for the current owner. SUP No. 904 was not renewed, and expired on August 29, 1986.
- On September 30, 1999, the applicant was awarded a combined total of \$150,000 for the expansion of the facility on the request site. The proposed expansion connected the two buildings on the site. The expanded structure has a total of 3,423 square feet. The property has been under construction since.
- Specific Use Permit No. 1453 was approved September 12, 2001, for a child-care facility on the request site for a two-year period with eligibility for automatic renewals for additional two-year periods. SUP No. 1453 was not renewed, and expired on September 12, 2003.
- Specific Use Permit No. 1581 was approved on May 11, 2005 for two years with eligibility for automatic renewals of additional two-year periods. The applicant missed the deadline to submit the automatic renewal application. However, she submitted the application to renew the SUP. The SUP was renewed on August 22, 2007 for a period of two years with eligibility for automatic renewals of additional five-year periods.
- On March 20, 2009, the applicant submitted the application to renew SUP No. 1581, well within the required time to submit the application for automatic renewal. At the time of the application, the applicant submitted the site plan approved by City Council on August 22, 2005. Automatic renewal is approved only on the basis that conditions have been complied with, and that no changes to the conditions or other SUP ordinance provisions are being requested. Therefore, the site must comply with the existing approved site plan. The existing site plan was approved on August 22, 2007. The existing conditions on the site do not comply with either one of the approved plans.
- Staff made several visits to the site to inspect for compliance with the site plan. Staff last visited the site on September 30, 2010. The site did not comply with the approved site and landscape plan. There were deficiencies in the landscape

plan and the required parking. The applicant indicated and she was unable to change the site to comply with the requirements. Therefore, the request must be brought before City Plan Commission and City Council.

- Sec. 51A-4.219(c) (3) of the Dallas Development Code states that as part of the application, the property owner or his representative shall state that all existing SUP conditions have been complied with, and that no changes to the conditions or other SUP ordinance provision are being requested.

Zoning History:

There have been two zoning change requests in the area. Both requests are on the subject site:

1. Z045-186 On May 11, 2005, the City Council approved Specific use Permit No. 1581 for a child-care facility for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to a site plan and conditions, on property zoned a TH-3(A) Townhouse District located on the northwest side of Ryan Road, southwest of Garapan Drive.
2. Z067-184 On Wednesday, August 22, 2007, the City Council approved the renewal and amendment of Specific Use Permit No. 1581, for a child-care facility for a two-year period with eligibility for automatic renewals for additional five-year periods, on property zoned a TH-3(A) Townhouse District located on the northwest side of Ryan Road, southwest of Garapan Drive.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW	Proposed ROW
Ryan Road	Local	50 feet	50 feet
Garapan Drive	Local	50 feet	50 feet

Land Use:

	Zoning	Land Use
Site	TH-3(A)	Child-care facility
North	TH-3(A)	Single Family Residential
East	TH-3(A)	Single Family Residential
West	TH-3(A)	Single Family Residential
South	TH-3(A)	Single Family and Multifamily Residential

STAFF ANALYSIS:

Comprehensive Plan:

The requested use is compatible with the residential character of the neighborhood because it has been part of the community since 1984 and is providing a small-scale neighborhood service. However, it is noted that typically the locations of these uses should be near the perimeter of a neighborhood.

NEIGHBORHOOD ELEMENT

GOAL 7.1 Promote vibrant and viable neighborhoods.

Policy 7.1.2 Promote neighborhood-development compatibility.

Land Use Compatibility:

The 15,559 square foot request site is located on the northwest side of Ryan Road, southwest Garapan Drive. The site is developed with a 3,423 square feet building. The new construction added approximately 1,419 square feet of floor area. The property is surrounded by a TH-3(A) Townhouse District which is developed with single family uses and some multifamily uses.

Specific Use Permit No. 1581 was amended and renewed on August 22, 2007 and was approved for automatic renewal for additional five-year periods.

The applicant submitted the automatic renewal application within the legally required period of time. However, due to noncompliance with the conditions and site plan, staff could not grant the automatic renewal of the SUP. Automatic renewals are granted based on compliance with the SUP conditions and the site and landscape plans.

Staff compared the existing conditions of the site and the approved conditions and site/landscape plan. Deficiencies to the approved site plan include parking layout and landscaping.

The parking, as is on the site today, does not comply with the approved site plan. The driveways are shifted, thus impeding the safe maneuvering and ingress/egress of traffic. The existing layout of the parking cannot be approved due to the lack of compliance with Code. Staff discussed the existing conditions and determined that given the limitations of the site, there is no other feasible way to provide parking and comply with Code than the approved site plan.

The City Arborist visited the site and determined that the existing landscaping does not comply with the approved site plan. All of the required landscaping is along the south side of the property. None of the required landscaping is in place, with the exception of the foundation planting. No required trees are provided, and the trees that are on the site are dead. The required shrubs along the building are to be 3' in height. They are scattered and do not reach the required height. The trees planted on the front of the property are not the required trees and are not in healthy condition.

If the CPC wishes to approve this request, staff recommends that the conditions and site and landscape plan reflect those of the previously approved ordinance and site plan. That is, the site plan and conditions approved on August 22, 2007. Any other configuration of the parking and other landscape conditions will not meet code or meet the intent of Article X which is what the existing approved site plan reflects.

Staff also requests that the existing conditions of the SUP as approved on August 22, 2007 be maintained, as they attempt to tie the development of the property to the site plan and provide additional protection to the surrounding neighborhood, as well as limiting the maximum square footage of the facility.

Typically, if a child-care facility is located within a residential neighborhood, they are generally not encouraged to locate in the interior of the neighborhood. However given the tenure that the facility has coexisted in the neighborhood, with appropriate conditions the facility could be beneficial to the neighborhood.

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

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
TH-3(A) Townhouse	0'	0'	12 Dwelling Units/ Acre	36'	60%	Min. Lot: 2,000 sq. ft	Single family

Parking:

The Dallas Development Code requires one parking space for every 500 square feet of floor area. The required parking for the facility is seven parking spaces for the proposed 3,423 square foot facility. The applicant has not provided the required seven parking spaces as shown in the site/landscape plan approved by City Council on August 22, 2007. Therefore, the site does not comply with the parking requirements. The site shows more striped parking than the required. The layout of the parking spaces does not allow for room for maneuvering or ingress/egress to the site. Six parking spaces are stacked, which do not have a way out of the property. Three parking spaces are aligned with the driveway, which do not allow for safe ingress/egress to the site. Driveways have been shifted, therefore altering the layout of the parking and ingress/egress points to the property. The driveways will have to be realigned to allow for the parking to be located correctly as shown in the approved site plan.

Landscaping:

The City Council approved a landscape plan on August 22, 2007. Staff visited the site and determined that the site does not comply with the approved site/landscape plan. The arborist visited the site and determined that there are too many items to be listed that are wrong with the site plan. Some of the items are as follows:

All of the required landscaping is along the south side of the property. None of the required landscaping is in place, with the exception of the foundation planting.

The required shrubs along the building are to be 3' in height. The planted shrubs are scattered and do not reach the required height.

None of the required trees are provided, and the trees that are on the site are not in healthy condition.

SUP EXISTING CONDITIONS

072411

8-16-07

ORDINANCE NO. 26898

An ordinance amending Ordinance No. 25973, passed by the Dallas City Council on May 11, 2005, which amended the zoning ordinances of the City of Dallas, and granted Specific Use Permit No.1581 for a child-care facility; amending the conditions in Section 2 of that ordinance; providing a revised site plan; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to Specific Use Permit No. 1581; and

WHEREAS, the city council finds that it is in the public interest to amend Specific Use Permit No. 1581; Now, Therefore,

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

SECTION 1. That the conditions in Section 2 of Ordinance No. 25973 are amended to read as follows:

- “1. USE: The only use authorized by this specific use permit is a child-care facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit [~~is approved for a period that~~] expires on August 22, 2009 [~~May 11, 2007~~], but [~~and~~] is eligible for automatic renewal for additional five [~~two~~]-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. [~~In order~~] F[~~f~~]or 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

26898

expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).

4. LANDSCAPING: Before the final inspection of a building permit for new improvements, l[L]andscaping must be provided as shown on the attached site plan. Plant materials must be maintained in a healthy, growing condition.
5. ENROLLMENT: Enrollment in the child-care facility may not exceed 53 children.
6. FENCING: The outdoor play area must be enclosed by a minimum four-foot-high fence, as shown on the attached site plan.
7. HOURS OF OPERATION: The child-care facility may only operate between 6:00 a.m. and 6:00 p.m., Monday through Friday.
8. INDOOR FLOOR AREA: A minimum of 50 square feet of indoor floor area must be provided for each child in attendance. The maximum floor area authorized by this specific use permit is 3,423 square feet. This use must be located as shown on the attached site plan.
9. INGRESS AND EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
10. OUTDOOR PLAY AREA: A minimum of 100 square feet of outdoor play area must be provided for each child in the outdoor play area at one time. The outdoor play area must be located as shown on the attached site plan.
11. PARKING: Before the final inspection of a building permit for new improvements, p[P]arking must be located as shown on the attached site plan and screened from adjacent residential uses.
12. SCREENING: Before the final inspection of a building permit for new improvements, a[A] six-foot-high solid screening fence must be provided as shown on the attached site plan.
13. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.
14. 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."

26898

072418

SECTION 2. That the site plan attached to Ordinance No. 25973 is replaced by the site plan attached to this ordinance.

SECTION 3. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.


SECTION 4. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By 
Assistant City Attorney

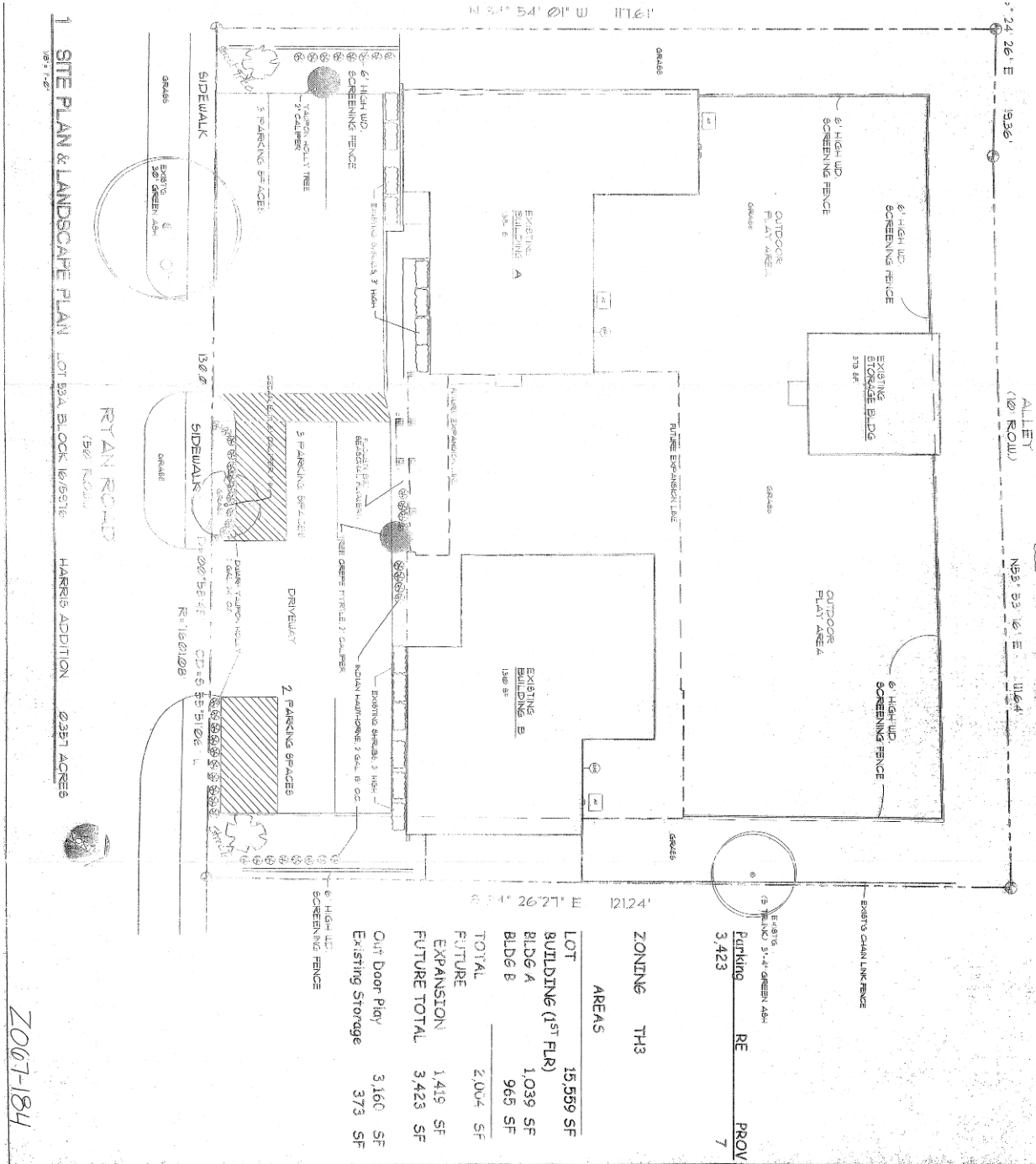
Passed AUG 22 2007

EXISTING SITE PLAN
APPROVED 2007

North

- PLANT LIST**
- BRUSHES
 - DRIVE YALON HOLLY, LEAFY VIBURNUM, SPANISH BROOM, JACK IN THE BOX, 1' DIA.
 - DRIVE YALON HOLLY, LEAFY VIBURNUM, SPANISH BROOM, 1' DIA.
 - DRIVE YALON HOLLY, LEAFY VIBURNUM, SPANISH BROOM, 1' DIA.
 - 6" TALL TREES
 - YALON HOLLY TREE, 2' CALIPER
 - YALON HOLLY TREE, 2' CALIPER
 - DECIDUOUS YALON HOLLY, LEAFY VIBURNUM, 2' CALIPER
 - STREET TREES
 - DRIVE YALON HOLLY, LEAFY VIBURNUM, 2' CALIPER

- PLANT LEGEND**
- Large Evergreen Shrubs - 3' High
 - 6" Tall Trees - 6" x 6" High Trunk
 - Existing Trees to Remain
 - Existing Shrubs to Remain
 - 6" Tree
 - Non-Canopy or Canopy Tree - 2' Cal. Min. Tr.
 - Street Tree - 2' Cal. Min. Tr.



ZONING TH3

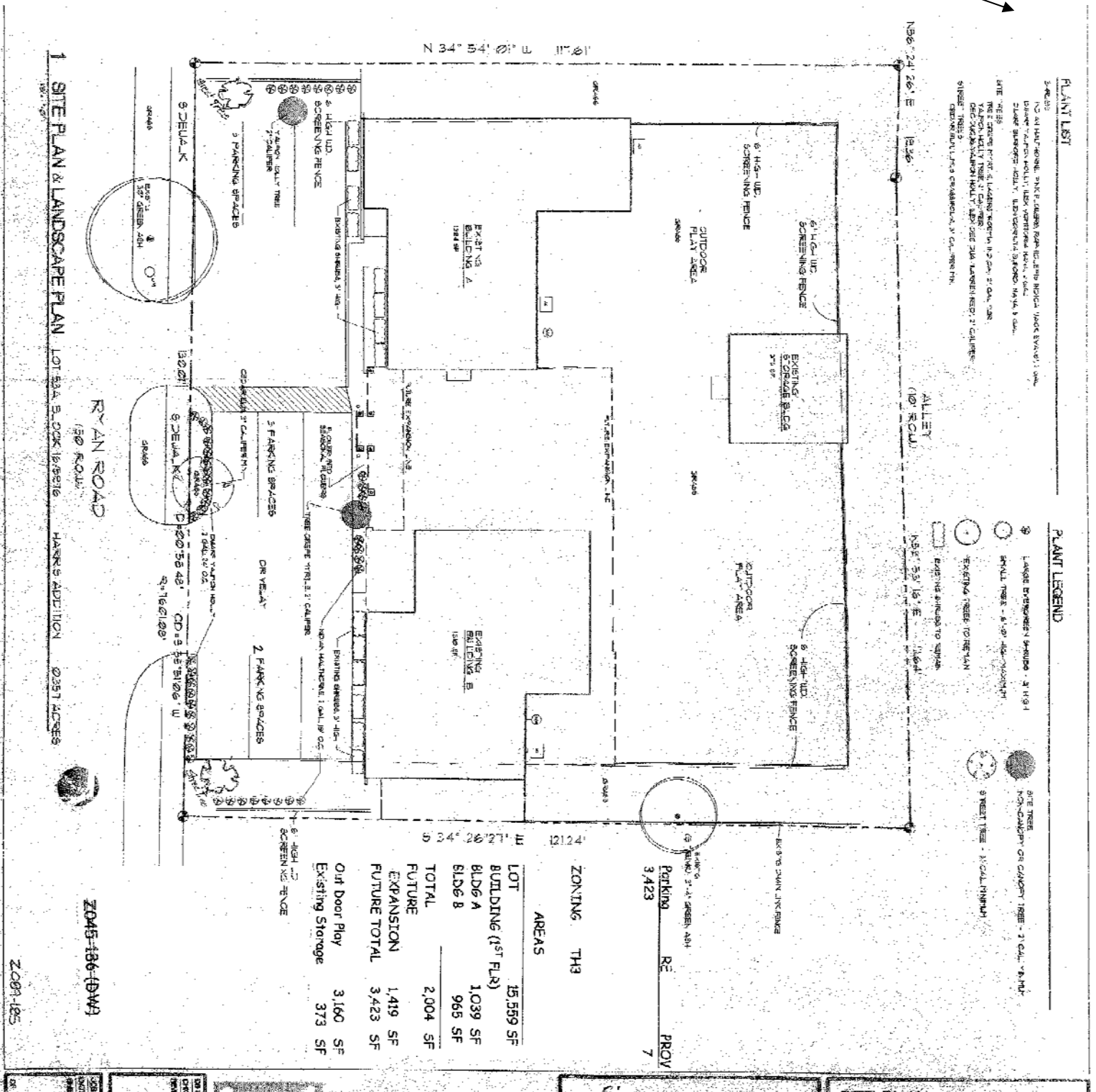
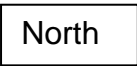
AREAS	SF
LOT BUILDING (1ST FLR)	15,559 SF
BLDG A	1,039 SF
BLDG B	965 SF
TOTAL	2,004 SF
FUTURE EXPANSION	1,419 SF
FUTURE TOTAL	3,423 SF
Out Door Play	3,160 SF
Existing Storage	373 SF

Parking RE 3,423 PROV 7

1 SITE PLAN & LANDSCAPE PLAN LOT 53A BLOCK 16/5716 HARRIS ADDITION 0.351 ACRES

Z067-184

SITE PLAN SUBMITTED WITH APPLICATION
APPROVED 2005



- PLANT LIST**
- 3-RED-20: NO. 44 HAWTHORN, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-21: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-22: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-23: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-24: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-25: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-26: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-27: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-28: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-29: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-30: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-31: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-32: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-33: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-34: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-35: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-36: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-37: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-38: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-39: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-40: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-41: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-42: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-43: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-44: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-45: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-46: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-47: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-48: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-49: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL
 - 3-RED-50: BURNING BUSH, 5" x 6" LEAVES, 50% TO 70% BLOOM, BLACK BARK, 10' TALL

- PLANT LEGEND**
- ① LARGE TREES - 4" DB - 10' - 12' TALL
 - ② SMALL TREES - 4" DB - 10' - 12' TALL
 - ③ TREES TO BE MAINTAINED
 - ④ TREES TO BE REMOVED
 - ⑤ TREES TO BE MAINTAINED
 - ⑥ TREES TO BE MAINTAINED
 - ⑦ TREES TO BE MAINTAINED
 - ⑧ TREES TO BE MAINTAINED
 - ⑨ TREES TO BE MAINTAINED
 - ⑩ TREES TO BE MAINTAINED
 - ⑪ TREES TO BE MAINTAINED
 - ⑫ TREES TO BE MAINTAINED
 - ⑬ TREES TO BE MAINTAINED
 - ⑭ TREES TO BE MAINTAINED
 - ⑮ TREES TO BE MAINTAINED
 - ⑯ TREES TO BE MAINTAINED
 - ⑰ TREES TO BE MAINTAINED
 - ⑱ TREES TO BE MAINTAINED
 - ⑲ TREES TO BE MAINTAINED
 - ⑳ TREES TO BE MAINTAINED
 - ㉑ TREES TO BE MAINTAINED
 - ㉒ TREES TO BE MAINTAINED
 - ㉓ TREES TO BE MAINTAINED
 - ㉔ TREES TO BE MAINTAINED
 - ㉕ TREES TO BE MAINTAINED
 - ㉖ TREES TO BE MAINTAINED
 - ㉗ TREES TO BE MAINTAINED
 - ㉘ TREES TO BE MAINTAINED
 - ㉙ TREES TO BE MAINTAINED
 - ㉚ TREES TO BE MAINTAINED
 - ㉛ TREES TO BE MAINTAINED
 - ㉜ TREES TO BE MAINTAINED
 - ㉝ TREES TO BE MAINTAINED
 - ㉞ TREES TO BE MAINTAINED
 - ㉟ TREES TO BE MAINTAINED
 - ㊱ TREES TO BE MAINTAINED
 - ㊲ TREES TO BE MAINTAINED
 - ㊳ TREES TO BE MAINTAINED
 - ㊴ TREES TO BE MAINTAINED
 - ㊵ TREES TO BE MAINTAINED
 - ㊶ TREES TO BE MAINTAINED
 - ㊷ TREES TO BE MAINTAINED
 - ㊸ TREES TO BE MAINTAINED
 - ㊹ TREES TO BE MAINTAINED
 - ㊺ TREES TO BE MAINTAINED
 - ㊻ TREES TO BE MAINTAINED
 - ㊼ TREES TO BE MAINTAINED
 - ㊽ TREES TO BE MAINTAINED
 - ㊾ TREES TO BE MAINTAINED
 - ㊿ TREES TO BE MAINTAINED

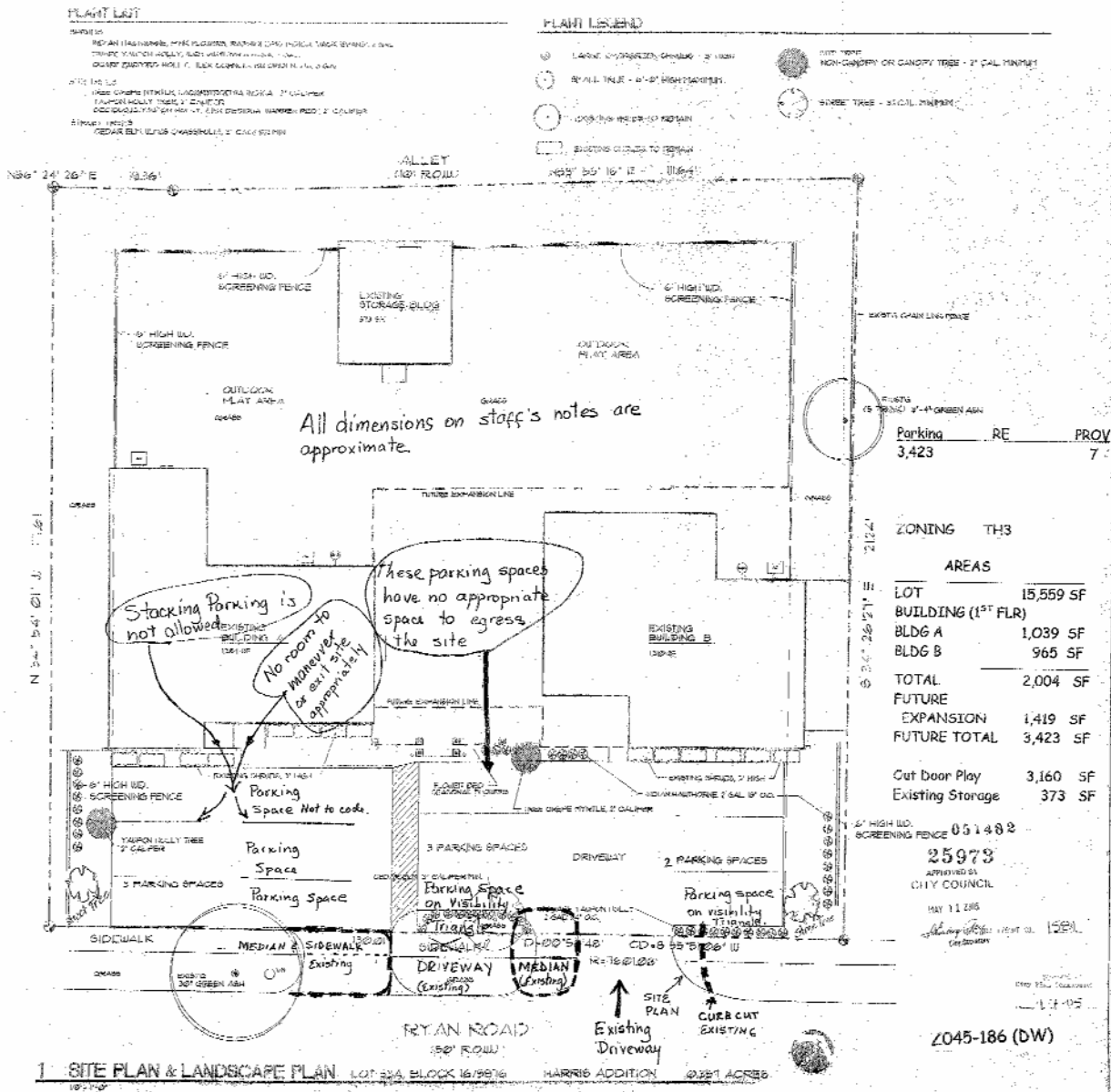
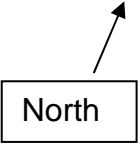
AREAS	ZONING	TH3
LOT	15,559 SF	
BUILDING (1ST FLR)		
BLDG A	1,039 SF	
BLDG B	965 SF	
TOTAL	2,004 SF	
FUTURE EXPANSION	1,419 SF	
FUTURE TOTAL	3,423 SF	
Out Door Play	3,160 SF	
Existing Storage	373 SF	

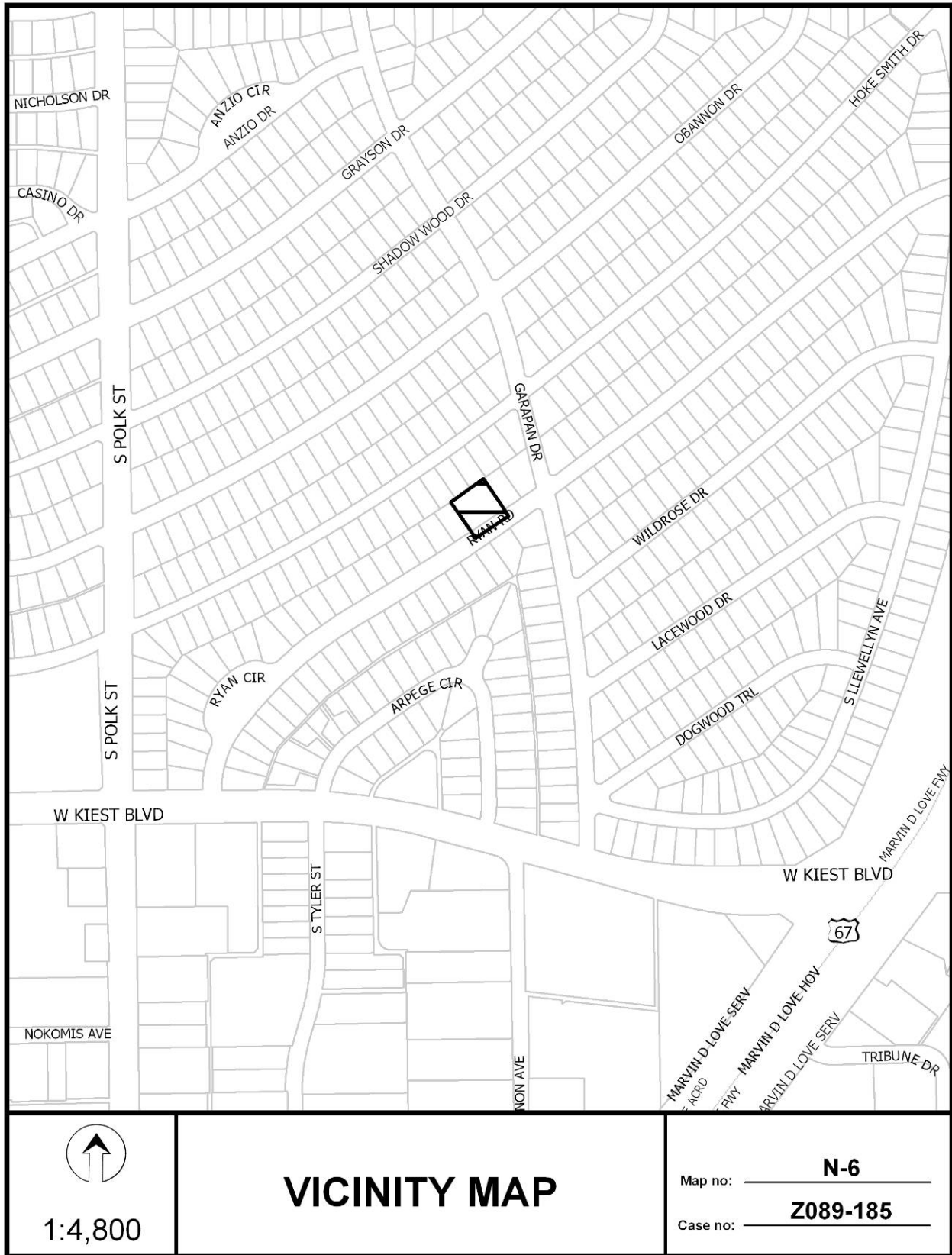
Parking	RE	PROV
3,423		7

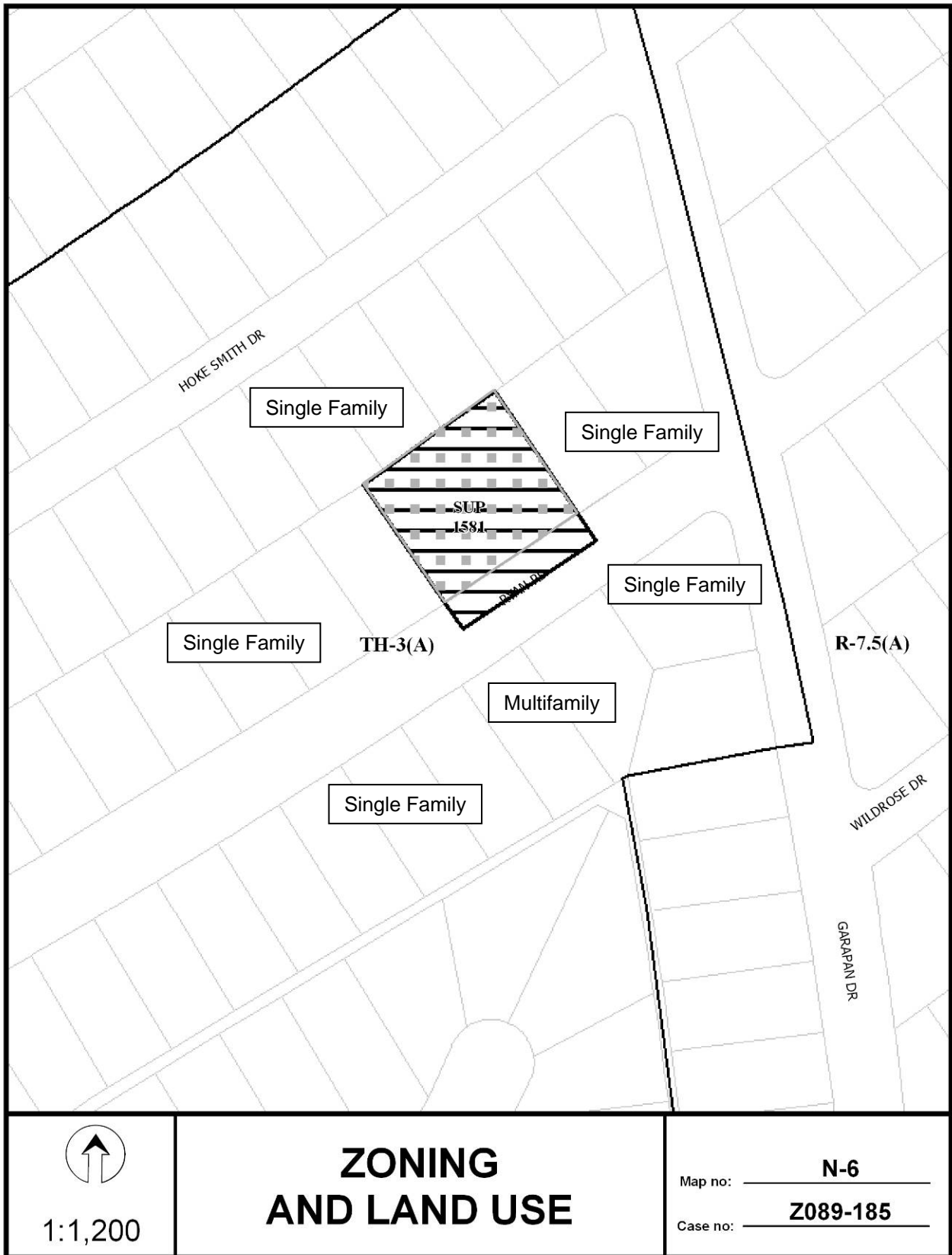
Z045-186 (DWJ)
Z089-185

EXISTING SITE CONDITIONS

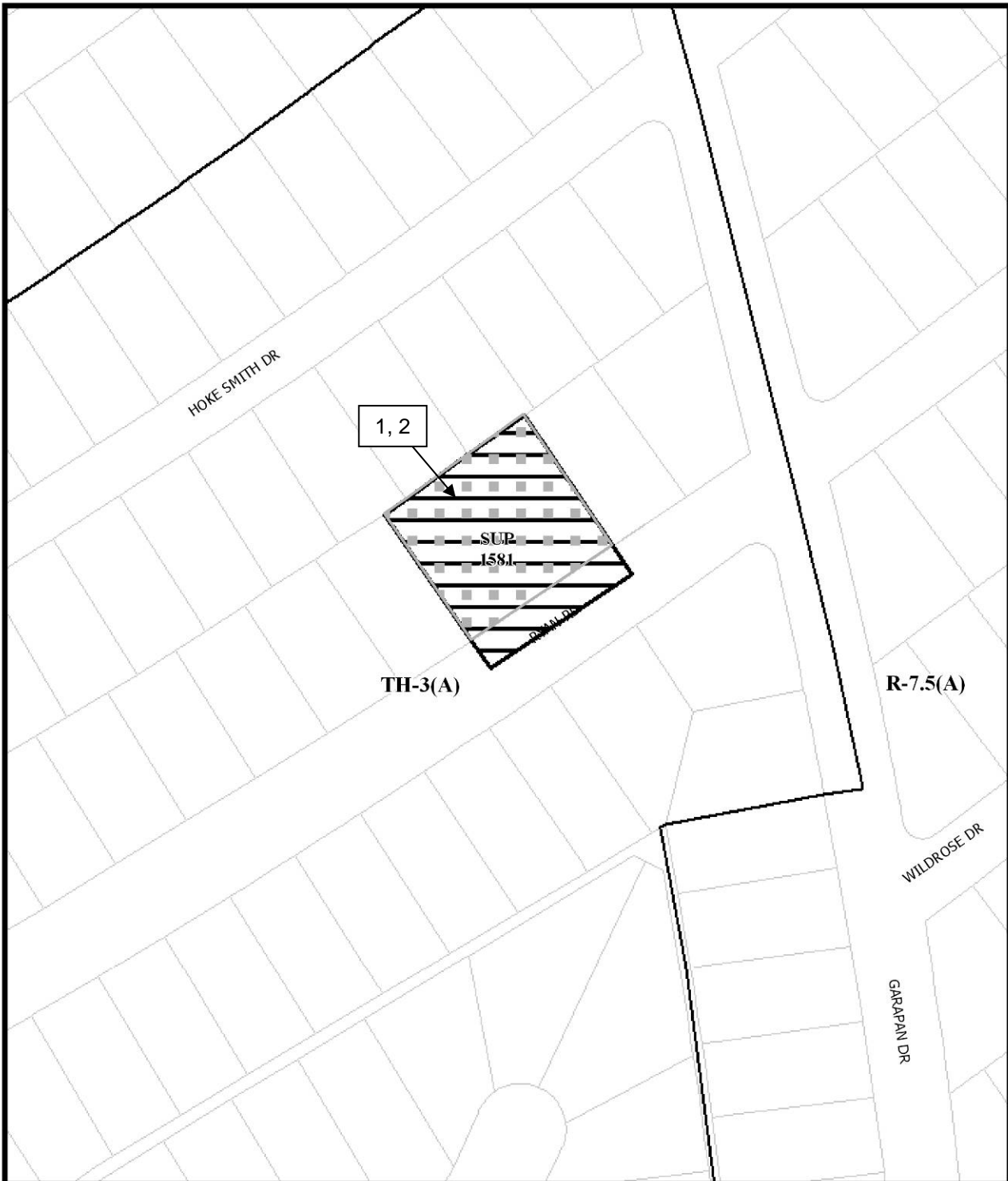
Revisions made on the Site plan approved on August 22, 2005
(as submitted by the applicant)








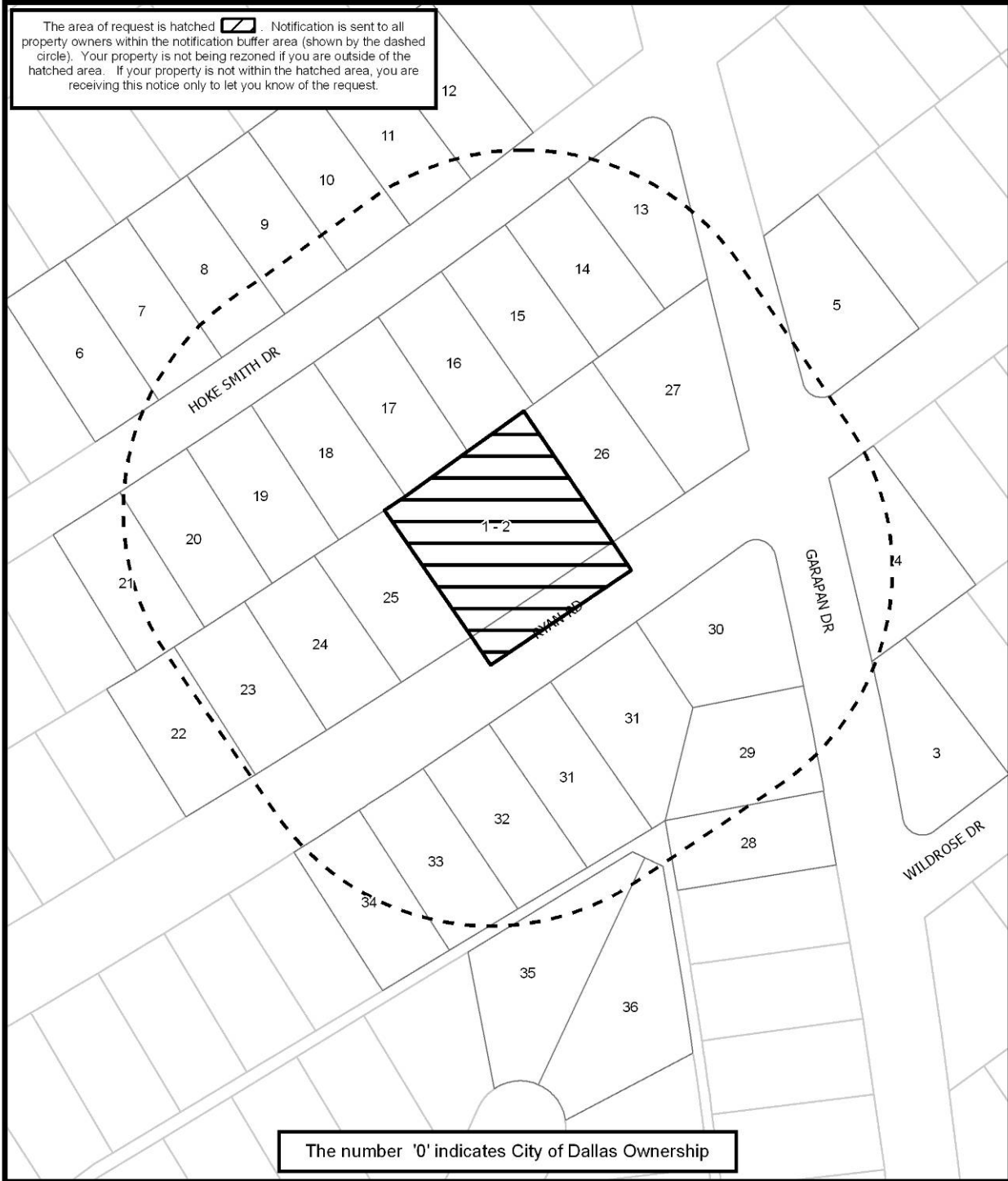
DATE: August 09, 2010



 1:1,200	<h1>ZONING HISTORY</h1>	Map no: <u> N-6 </u> Case no: <u> Z089-185 </u>
--	-------------------------	--

DATE: August 09, 2010

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



 1:1,200	<h2>NOTIFICATION</h2> <table border="1"> <tr> <td>200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td>36</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	36	NUMBER OF PROPERTY OWNERS NOTIFIED	Map no: <u> N-6 </u> Case no: <u> Z089-185 </u>
200'	AREA OF NOTIFICATION					
36	NUMBER OF PROPERTY OWNERS NOTIFIED					

DATE: August 09, 2010

8/9/2010

Notification List of Property Owners**Z089-185****36 Property Owners Notified**

Label #	Address	Owner
1	813 RYAN	HARRIS SHARON E
2	817 RYAN RD	HARRIS SHARON E
3	655 WILDROSE	HALL MYRA MANETTE
4	738 RYAN	HARRIS SHARON
5	735 RYAN	SOLORZANO VICENTE SALVADOR SOLORZANO
6	905 HOKE SMITH	MEZA SILVERIO C
7	901 HOKE SMITH	SOTO ERNESTO & MARTINA
8	829 HOKE SMITH	WASHINGTON BETTYE L
9	825 HOKE SMITH	CONTRERAS MARTINA
10	821 HOKE SMITH	CAGLE JAMES D
11	815 HOKE SMITH	TRIPLE TRUST ROBERTSON JAMES A TRUSTEE
12	811 HOKE SMITH	YANCY ROOSEVELT
13	804 HOKE SMITH	DEESE RAYMOND
14	808 HOKE SMITH	BANDY LEROY JR & MONICA M
15	812 HOKE SMITH	SALAZAR MARIA
16	818 HOKE SMITH	DAVILLE CLARICE
17	822 HOKE SMITH	JONES SAMUEL E & EARNIE M
18	826 HOKE SMITH	PEREZ JOSE E &
19	900 HOKE SMITH	PUENTE JORGE & REBECCA
20	904 HOKE SMITH	FINANCE PLUS INC
21	910 HOKE SMITH	EDMONDS JONATHON
22	837 RYAN	JACKSON ALICE RUTH
23	833 RYAN	DIAZ JESUS & RAFAELA
24	827 RYAN	CHARLES ENRIQUE JR & EDUVIGES
25	823 RYAN	SERRANO HUMBERTO & GRACIELA
26	807 RYAN	LOOMIS JAMES C TRUSTEE LOOMIS SEP PROP

REVOC TR

Monday, August 09, 2010

Z089-185(OTH)

<i>Label # Address</i>			<i>Owner</i>
27	801	RYAN	SMITH RUTH C S
28	3175	GARAPAN	AREVALO ANA
29	3169	GARAPAN	ISSAC THURMAN
30	808	RYAN	WALESCO INC % MORRISON MGMT CO
31	816	RYAN	WALESCO INC % MORRISON MGMT INC
32	822	RYAN	BROWN ESTER M
33	826	RYAN	RIVERA JOSE & EDULINA ENRIQUEZ
34	832	RYAN	HANSEN JOE S
35	803	ARPEGE	DUARTE JESUS &
36	745	ARPEGE	DUARTE MARIA DELALUZ &

Monday, August 09, 2010

FILE NUMBER: Z090-226 (WE) **DATE FILED:** July 1, 2010
LOCATION: North side of W. Camp Wisdom Road, approximately 700 feet west of FM 1382 Highway
COUNCIL DISTRICT: 3 **MAPSCO:** 61A-X
SIZE OF REQUEST: Approx. 3.71 acres **CENSUS TRACT:** 165.01

APPLICANT: XTO Energy Inc

OWNER: Luminant Generation Company, LLC

REPRESENTATIVE: Dallas Cothrum
MASTERPLAN

REQUEST: An application for a Specific Use Permit for gas drilling and production on property zoned an R-7.5(A) Single Family District and an A(A) Agricultural District.

SUMMARY: The purpose of this request is to allow for the drilling, production of natural gas. The Specific Use Permit will allow for the operation of the production of the natural gas. Four wells are being proposed for the site.

STAFF RECOMMENDATION: Approval for a ten-year period with eligibility for automatic renewal of additional ten-year periods, subject to an existing site plan, operation plan for drilling, operation plan for production and conditions and approval of the deed restrictions volunteered by the applicant.

PREVIOUS ACTION: On November 18, 2011, the City Plan Commission held this case under advisement at the request of the applicant's representative.

BACKGROUND INFORMATION:

- The applicant’s request for a Specific Use Permit is on property zoned R-7.5 Single Family and A(A) Agricultural districts. The surrounding property is undeveloped and is owned by Luminent Energy and the Corp of Engineers.
- The nearest residential lot is approximately 1,200 ft to the east from the pad site. The nearest residential to the east and north is approximately 3,400 ft away in the City of Grand Prairie.
- The request site is outside of, but adjacent to, the Mountain Creek floodplain.
- Luminent Energy has volunteered deed restrictions on their adjacent property prohibiting development of residential uses and institutional uses within 600 ft of the site. The majority of that property is in the floodplain. The Corp of Engineers has indicated that they cannot encumber federal property with deed restrictions but development on its property is prohibited since it is in the flowage easement for Joe Pool Lake.

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
W. Camp Wisdom Road	Principal Arterial	100 ft.	100 ft.

Land Use:

	Zoning	Land Use
Site	R-7.5(A), A(A)	Undeveloped
North	R-7.5(A), FP	Undeveloped
South	A(A)	Undeveloped
East	A(A)	Undeveloped
West	R-7.5(A), FP	Undeveloped

Comprehensive Plan: The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The request site is undeveloped and is located adjacent to the Federal Government’s Property (managed by the Corp. of engineers). The applicant proposes to drill approximately 14 wells to extract natural gas from the site. There are several measures that are in place pursuant to the Dallas Development Code that requires the applicant to restore the site back to it natural state after the wells have been capped. In addition, there are additional provisions in the Code that require the right-of-ways (infrastructure) to be restored.

LAND USE

GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCTURE AND TRANSPORTATION

Policy 1.4.3 Embrace environmental sustainability

STAFF ANALYSIS:

Land Use Compatibility: The 3.71 acre site is undeveloped and is located on the north side of Camp Wisdom Road, approximately 700 feet west of Belt Line Road. The applicant's request for a Specific Use Permit is to permit gas drilling and production on the site.

The primary land uses surrounding the request site are undeveloped tracts of land to the north, south, east and west. The nearest residential use is approximately 1,200 feet to the east of the request site.

In the Development Code, gas drilling and production means the activities related to the "the extraction of any fluid, either combustible or noncombustible, that is produced in a natural state from the earth and that maintains a gaseous or rarefied state at standard temperature and pressure conditions, or the extraction of any gaseous vapors derived from petroleum or natural gas."

The Development Code requires the applicant to provide the following site plans for a gas drilling and production use:

- Site plan showing existing/original conditions;
- Site/operation plan for the drilling phase; and
- Site/operation plan for the production phase.

The applicant has submitted the following plans for the Specific Use Permit application: an existing conditions plan, an operations plan for the drilling phase, and an operations plan for the production phase. The operation plan for the drilling phase addresses the natural-gas drilling. The plan shows the location of several temporary construction trailers, water tanks, mud tanks, and drilling equipment. A drilling rig with an approximate height of 160 feet will be on site during this phase. The building official will consider this as a temporary structure, similar to a crane used in constructing a building. The SUP conditions will limit the drilling phase for 90 days per calendar year, because drilling (with lighting) will be done 24 hours a day, and because the noise will impact surrounding uses.

There are two methods for drilling: an open-loop system and a closed-loop system. An open-loop system uses a lined mud-pit to hold mud. The mud-pit may be a safety hazard and may have a negative impact on adjacent property. In contrast, a closed-loop system uses tanks to hold the mud. There are fewer environmental concerns with a closed-loop system and the applicant is providing a drilling phase plans that will

include a closed-loop system. The applicant is proposing to drill approximately 4 wells on the site.

The production plan shows an area in the southwest quadrant of the pad site that will store the equipment (e.g., horizontal separators, water tanks and gas lift compressors). The SUP area will be enclosed by an eight foot wood fence along Camp Wisdom Road and an eight-foot-high chain link fence with a vinyl coating around the remaining perimeter. The drilling phase, on the other hand, provides the mechanism for the equipment to place on site to begin drilling. The plan shows the locations of the various equipment such as, water pumps, rigs floor, pumps, tanks generators and centrifuge.

The adjacent property owner has volunteered deed restrictions that will limit development of certain institutional uses, recreation uses and residential uses within 600 feet of the gas wells. These restrictions will protect potential residential and institutional development that is adjacent to the gas wells. It should be noted that this property is very likely un-developable as it is either in the floodplain for Mountain Creek or under the control of the Army Corp of Engineers.

Staff has reviewed the applicant’s request for a SUP for gas drilling and production and is recommending approval for a time period of 10 years with eligibility for automatic renewal of additional 10 year periods, subject to the attached plans and conditions.

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

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-7.5(A) Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family
A(A) Agricultural	50'	20'/50'	1 Dwelling Unit/3 Acres	24'	10%		Agricultural & single family

Landscaping: Landscaping will be provided in accordance with the landscape plan. A screening hedge and street trees will be provided along the southern property line adjacent to Camp Wisdom Road. The surrounding property is treed and undeveloped and under control of either Luminant Energy or the Army Corp of Engineers.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not negatively impact the surrounding street system by the proposed development. All truck traffic to and from the site will be from Interstate-20, to Belt Line Road, to Camp Wisdom.

Miscellaneous – conditions: The attached conditions, while conceptually accurate, have been finalized with regard to potential residential adjacency. The Development Code requires that gas well be located a minimum of 300 feet from certain institutional uses, recreation uses and residential uses. The applicant has volunteered deed restrictions that will limit development of certain institutional uses, recreation uses and residential uses within 600 feet of the gas wells.

**XTO ENERGY INC
OFFICERS**

- Bob R. Simpson Chairman of the Board
- Keith A. Hutton Chief Executive Officer
- Vaughn O. Vennerberg II President
- Louis G. Baldwin Executive Vice President and CFO
- Timothy L. Petrus Executive Vice President – Acquisitions
- James L. Death Senior Vice President – Land
- Edwin S. Ryan, Jr. Senior Vice President – Land Administration
- Mark J. Pospisil Senior Vice President of Geology
- Timothy McIlwain Vice President of Operations – FW Division
- Lindsey Dingmore Vice President of Government and Regulatory Affairs

**LUMINANT GENERATION COMPANY, LLC
OFFICERS**

- Robert C. Frenzel, Senior Vice President
- Donald Evans, Non-Executive Chairman
- James A. Baker III Advisory Chairman
- Arcilia Acosta
- David Bonderman
- Federick Goltz
- James R. Huffines
- Scott Lebovitz
- Jeffrey Liaw
- Marc S. Lipschultz
- Michael MacDougall
- Kenneth Pontarelli
- William Reilly
- Jonathan Smidt
- Kneedland Youngblood
- William Young
- Lyndon Olson

SPECIFIC USE PERMIT CONDITIONS

1. USE: The only use authorized by this specific use permit is gas drilling and production.
2. SITE/OPERATION PLANS: Use and develop the Property must compliance with the following attached site and operation plans:
 - (a) Site plan showing existing/original conditions;
 - (b) Site/operation plan for the drilling phase; and
 - (c) Site/operation plan for the production phase.
3. TIME LIMIT: Except as provided in Paragraph (4)(b), this specific use permit expires on (ten year from passage of ordinance), but is eligible for automatic renewal for additional 10-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
 - (b) The Operator shall notify the building official in writing at least 10 days before permanently stopping gas production (abandoning the well). Once the Operator permanently stops production, this specific use permit expires after the Operator restores the Property in accordance with Article XII. After the Operator restores the Property, a new specific use permit is required for any other gas drilling and production operation.
4. HEIGHT: Except temporary structures authorized by the building official, no structure may exceed 24 feet in height.
5. TIME LIMITS ON OPERATIONS: The following limits on operations apply to the gas drilling and production use:
 - (a) DRILLING PHASE: Gas drilling activities may occur 24 hours a day, seven days a week. If a residential use is located within 600 feet of the operation site, the Operator shall begin drilling all of the wells approved by the SUP within one year after receiving a gas well permit for the first well. See Section 51A-12.105(d)(6).

(b) FRACTURING and REWORKING PHASE:

- (1) Except as provided in this subsection, fracturing may occur during daylight hours, seven days a week, except that flowback operations may occur 24 hours a day, seven days a week. See Section 51A-12.105(m)(1).
- (2) Except as provided in this subsection, reworking may occur 24 hours a day, seven days a week.
- (3) If a residential use is located within 600 feet of the operation site, fracturing and reworking may occur no more than 90 days in any 365 day period.

(c) PRODUCTION PHASE: Gas production may occur at any time of day, but the Operator must make any repairs or improvements, other than fracturing or reworking, between 6:00 am to 9:00 pm, Monday through Saturday, except that emergency repairs may be made at any time.

6. MANEUVERING SURFACE: Vehicle maneuvering surfaces must be gravel or a similar material in the locations shown on the site/operation plans.
7. PERMITS: The building official may not issue a certificate of occupancy for a gas drilling and production use until the Operator obtains all required permits from the Railroad Commission of Texas, Texas Commission on Environmental Quality, and all other state, federal, or city agencies.
8. SIGNS: Signs must comply with the provisions for non-business zoning districts in Article VII and gas drilling and production in Article XII.
9. MAXIMUM NUMBER OF WELLS: No more than 4 wells may be on this site.
10. CHEMICAL ADDITIVE REPORTS: At least 10 days prior to commencement of drilling or hydraulic fracturing operations, the Operator will deliver to the Gas Inspector (both as defined in Sec. 51A-12.102.b) a completed Material Safety Data Sheet ("MSDS") containing an accurate inventory of chemicals to be injected into the well bore for the purpose of drilling or hydraulic fracturing, or related well bore activities. Such MSDS reports shall disclose every chemical to be used, including quantity, concentrations, combinations, and formulations, sufficient to satisfy the Gas Inspector that full disclosure has been made. All such reports shall be reasonably available to the public upon request. Any failure or refusal to provide such MSDS reports to the Gas Inspector as provided herein shall be a violation as defined in Sec. 51A-12.105(h) and Sec. 51A-12.109.
11. EVAPORATION AND LAND FARMING: No open holding or evaporation pits or "land farming" processes (as that term is commonly understood in the industry)

shall be allowed on the site, and all operations shall be conducted on a "closed loop system" basis, as that term is defined in Sec. 51A-12.102(5).

12. DEHYDRATION OPERATIONS: Unless other equivalent means are proposed by Operator and approved by the Gas Inspector, all gas dehydration operations shall be handled by zero-emission separators to minimize fugitive emissions.
13. WATER HANDLING: Within a reasonable time (to be determined by the Director) the Operator shall transmit a certified disclosure to the Gas Inspector stating the amounts and sources of all water actually used in any hydraulic fracturing operation. Within a reasonable time (to be determined by the Director) the Operator shall transmit a certified disclosure to the Gas Inspector stating the quantity of all flow-back or produced fluids recovered from each well. Within a reasonable time (to be determined by the Director) the Operator shall transmit a certified disclosure to the Gas Inspector stating the final destination of all fluids, slurries and muds removed from the site for disposal or reprocessing.
14. NOISE MANAGEMENT PLAN: Prior to the issuance of a gas well permit and the commencement of operations, the Operator shall submit a Noise Management Plan detailing how the equipment used in the drilling, completion, transportation, or production of the well(s) complies with the maximum permissible noise levels set forth in the applicable city ordinance. The noise management plan must:
 - (a) identify operation noise impacts;
 - (b) provide documentation of a professional 72-hour study establishing the Ambient Noise Level prior to construction at the site; and
 - (c) detail how noise impacts will be mitigated (e.g., the providing of acoustical absorption walls around the site to shield neighboring uses), considering specific site characteristics, including, but not limited to, the nature and location, proximity and type of adjacent development, seasonal prevailing weather patterns, including wind directions, vegetative cover on or adjacent to the site, and topography of the site.

The Operator shall be responsible for verifying to the Gas Inspector compliance with this condition and with the noise management plan after the installation of noise generating equipment. Approval of such Noise Management Plan by the Gas Inspector shall be a prerequisite to issuance of a gas well permit for the site.

15. LEAKS: All flow lines, compression equipment and shut-off valves shall be inspected for leak detection at least annually, using infrared cameras, filtered and tuned for the wavelengths of sunlight absorbed and re-emitted by natural gas hydrocarbons, or other equally effective detection devices. Reports of such inspections shall be delivered to the Gas Inspector within 15 days of inspection, and no later than one year following the date of the preceding annual report.

16. AIR SAMPLING: Ambient air sampling, prior to a drilling permit being issued and drilling activity commencing, must be performed to establish a baseline sample for air quality. A second sampling must be taken within 60 days of the first well entering a production phase and annually thereafter. Air samples must be taken by a qualified firm approved by the director of the office of environmental quality. Samples will be analyzed by a qualified 3rd party laboratory, certified by industry standards, and all results will be provided to the city.
17. PRODUCTION SAMPLING: Within 60 days of the first well entering production, gas samples must be taken and analyzed by a qualified 3rd party laboratory, certified by industry standards, and all results provided to the city. Results must provide a thorough breakdown of the gas and record any presence of benzene, hydrocarbons or other constituents.
18. LANDSCAPING: Landscaping must be provided as indicated on the Landscape Plan. Landscaping must be installed within 6 months of the first well being completed.
19. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
20. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and City of Dallas ordinances, rules, and regulations, including the gas drilling regulations.

PROPOSED DEED RESTRICTIONS

DEED RESTRICTIONS

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

I.

The undersigned, Luminant Generation Company LLC , a Texas limited liability company ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the John Dodd Survey, Abstract No. 383, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by B.F. Tisinger, Jr., et ux, by deed dated January 8, 1937, and recorded in Volume 1992, Page 1, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

See Attached Exhibit "A"

II.

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

Buildings containing dwelling units (except trailers or mobile homes placed on the gas drilling and production use site as temporary residence for workers) and buildings for institutional and community service uses are not permitted within 600 feet of the gas wells shown on the site plan attached to the SUP, a copy of which is attached hereto as Exhibit B, for so long as a gas well is in the drilling, fracturing, production, or reworking phase.

III.

These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

IV.

These restrictions may be amended or terminated as to any portion of the Property, upon application to the City of Dallas by the current owner of that portion of the Property, without the concurrence of the owners of the remaining portion of the

Property. These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment or termination becomes effective.

V.

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

VI.

The Owner agrees that these restrictions inure to the benefit of the City. The Owner hereby grants the City the right to enforce these restrictions by any lawful means, including filing an action in a court of competent jurisdiction, at law or in equity, against the person violating or attempting to violate these restrictions, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce these restrictions, the Owner agrees that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs. For further remedy, the Owner agrees that the City may withhold any certificate of occupancy or final inspection necessary for the lawful use of the Property until these restrictions are complied with. The right of the City to enforce these restrictions shall not be waived, expressly or otherwise.

VII.

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

PROPOSED DEED RESTRICTIONS

The United States Corp. of Engineer's owns the property east of the request site. The Corp. has provided the following response to the applicant regarding submitting deed restrictions on their property.

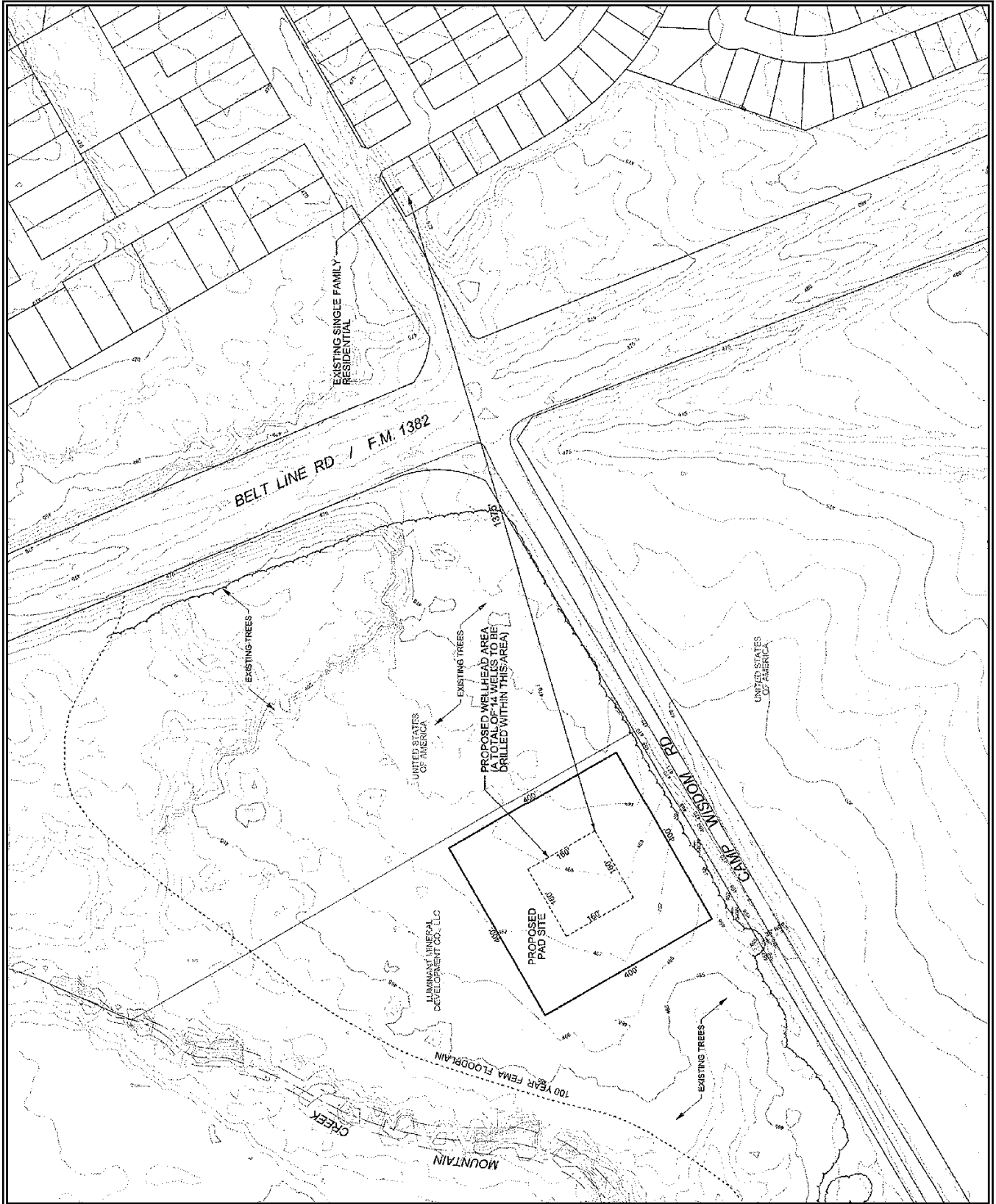
Friday, September 03, 2010 8:56 AM

Mr. Alexander,

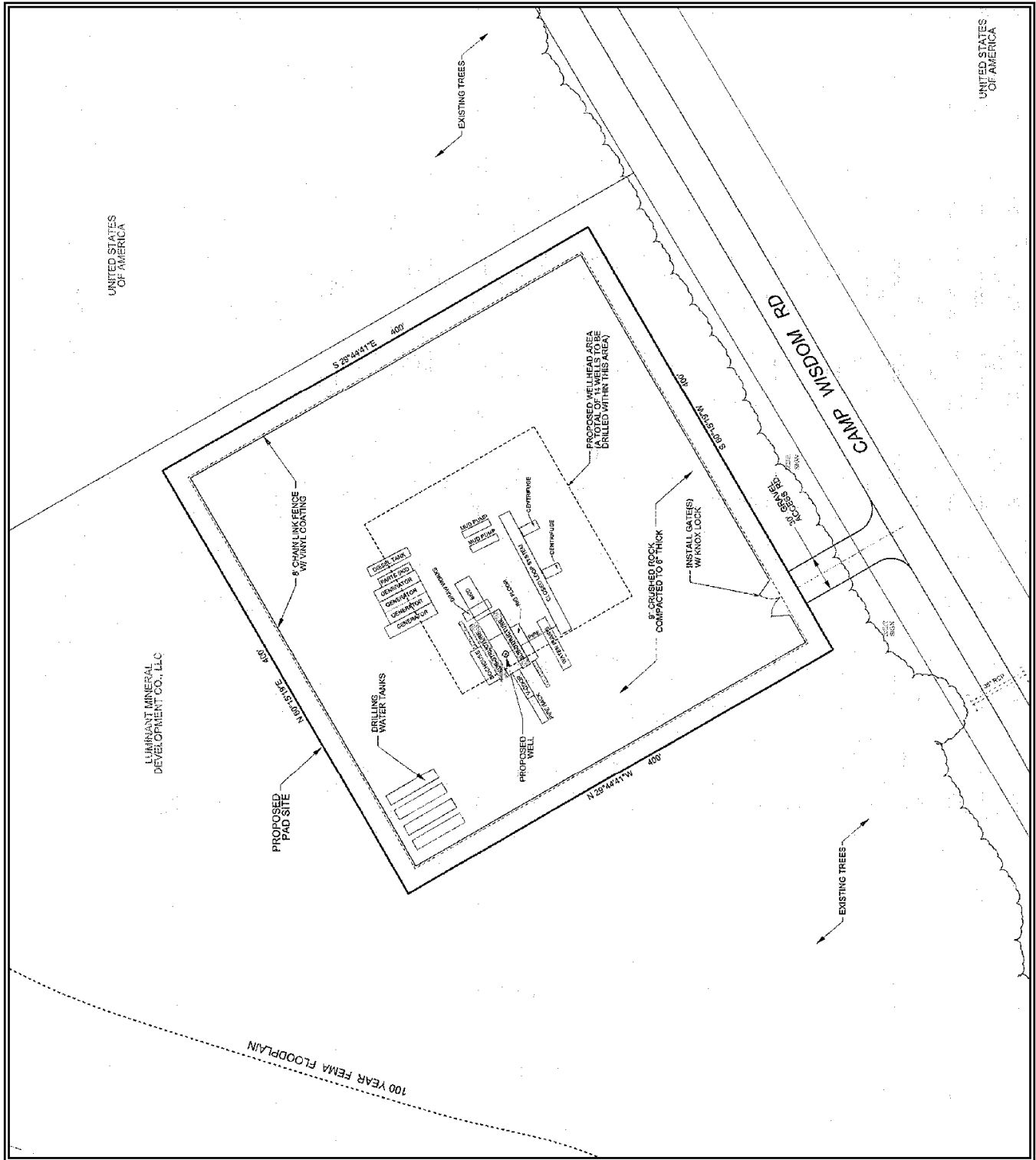
The Corps of Engineers will not authorize the placement of any restrictive covenants on federal land. Lands encumbered with the Government's flowage easement are already restricted from certain types of development in accordance with the deed restrictions.

Craig Kislingbury
Realty Specialist
Trinity Regional Project
1801 N. Mill Street
Lewisville, Texas 75057
469-645-9100
Fax 469-645-9101

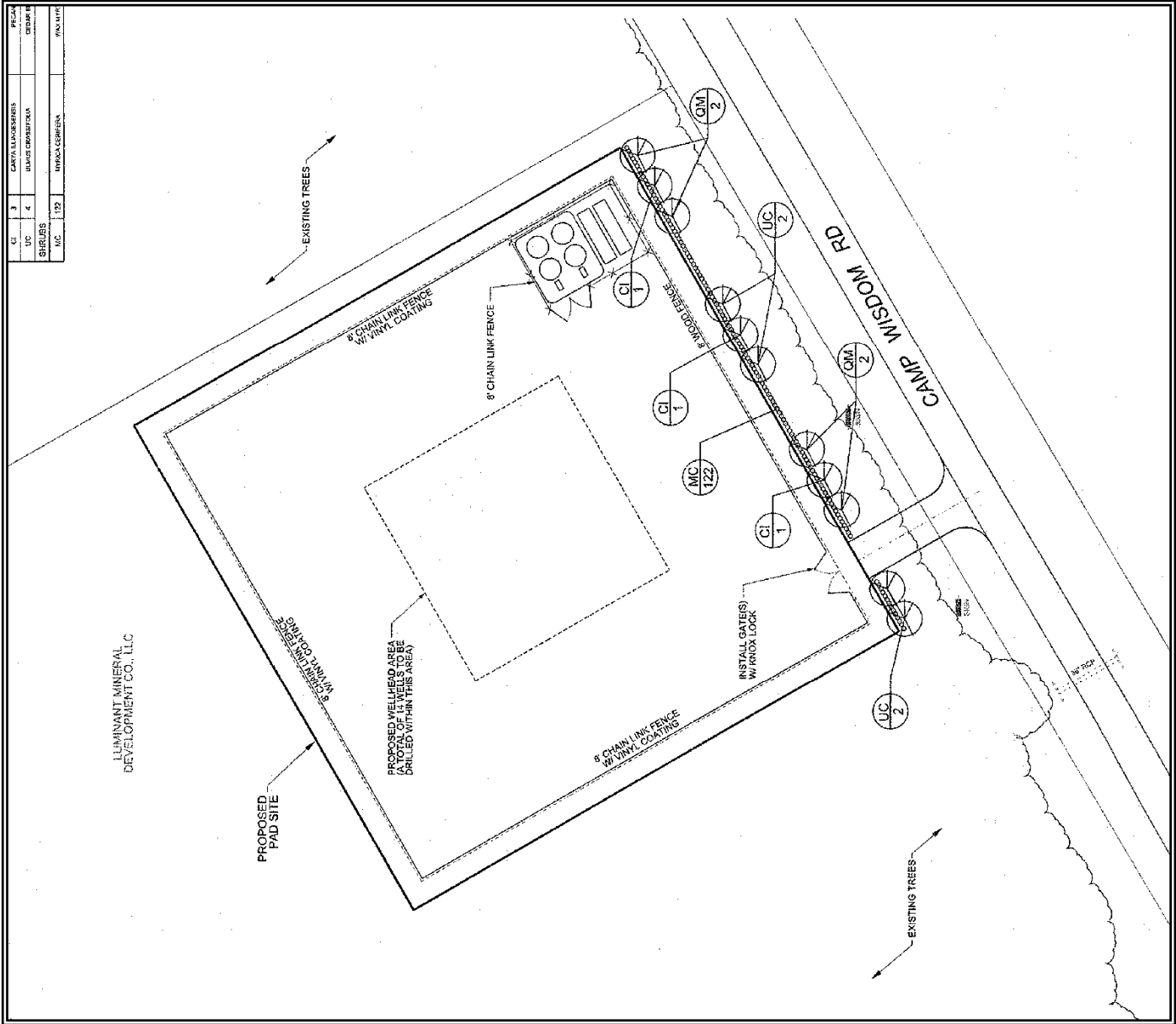
EXISTING CONDITIONS



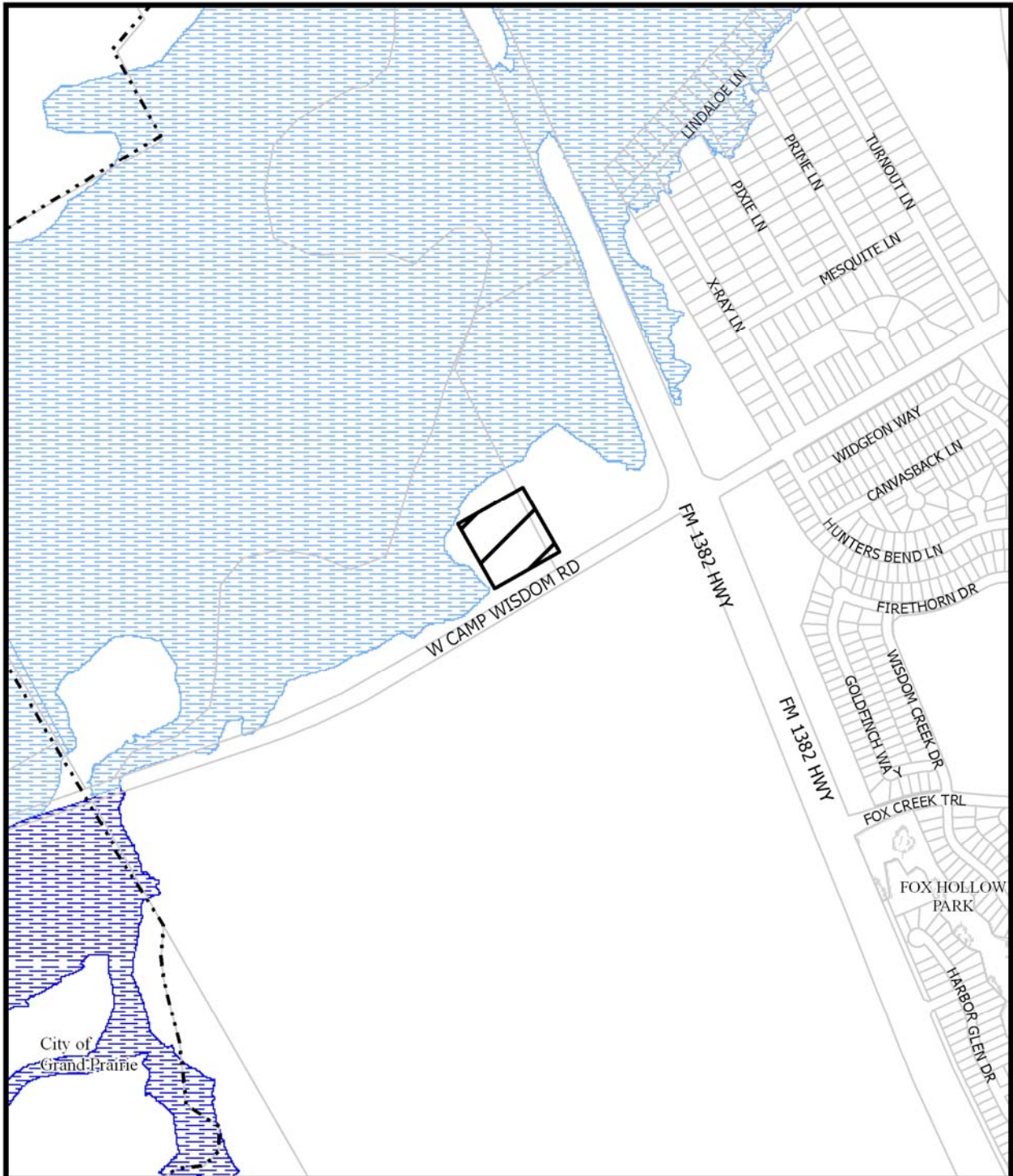
DRILLING PLAN Closed loop mud system



LANDSCAPE PLAN



CI	3	CANYA ALLIGATORIS	PLANT
UC	4	ULMUS CRONQUIANUS	ORNAMENTAL
MC	122	MYRTICA CESPITOSA	PAVING MAT



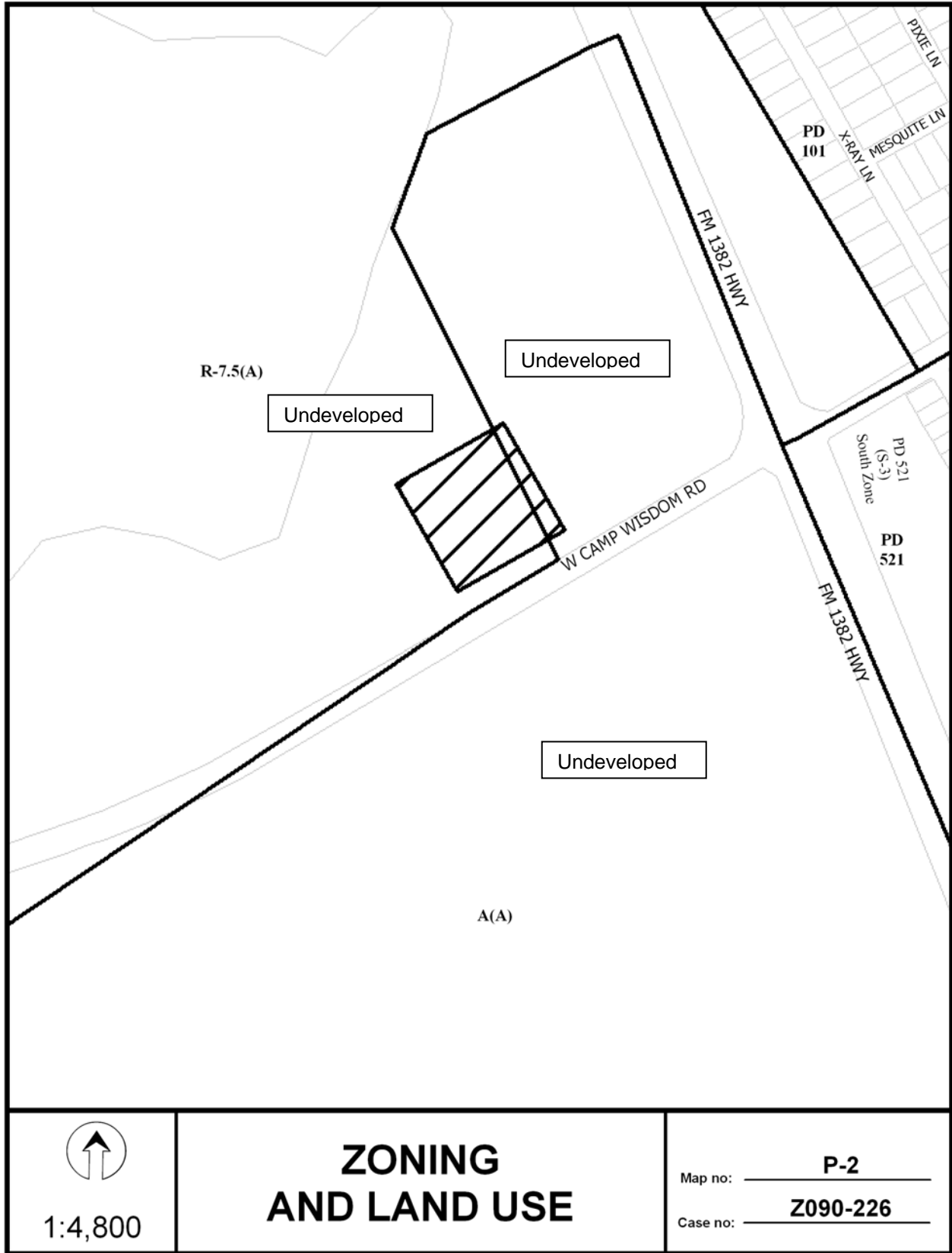
1:8,400

VICINITY MAP

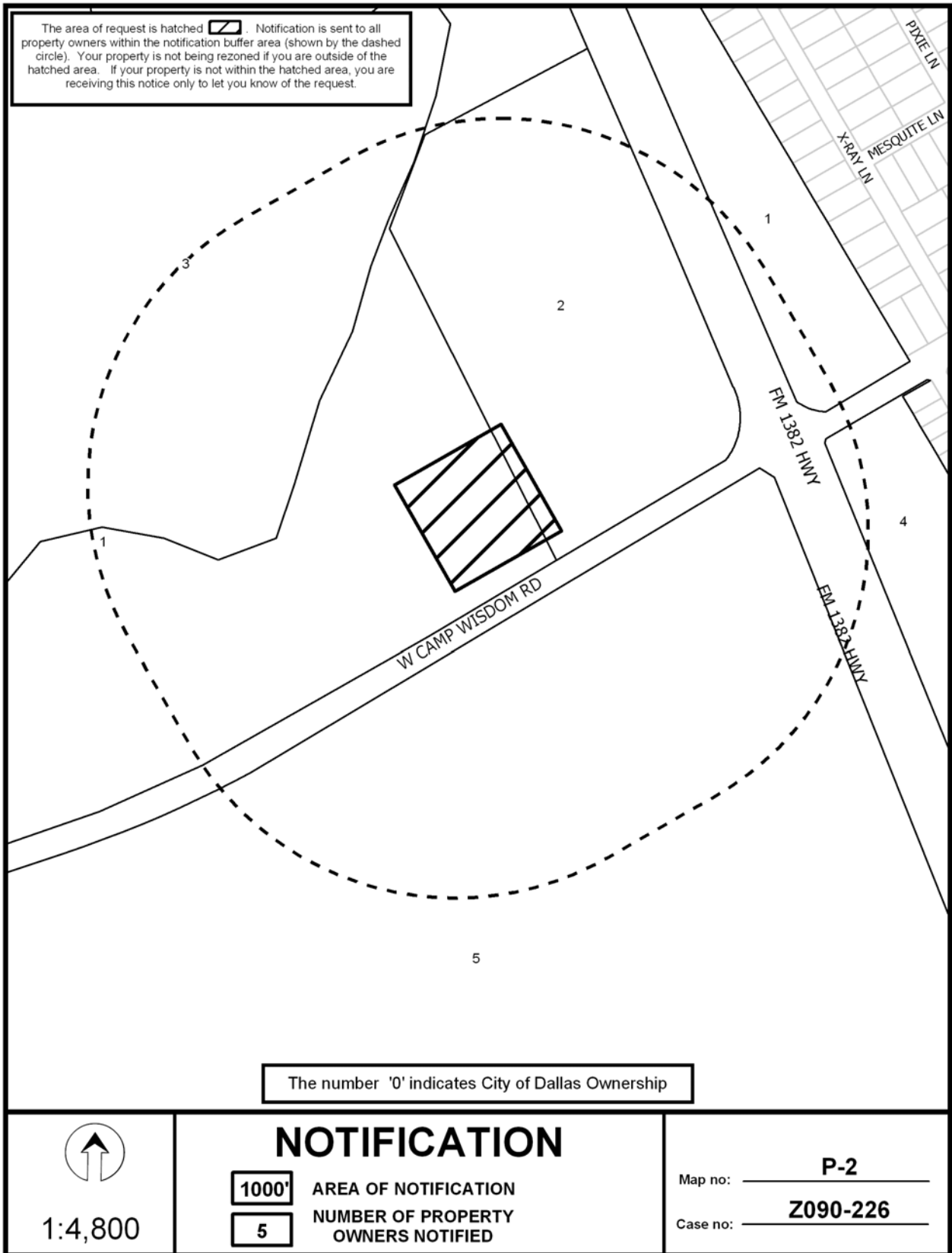
Map no: P-2

Case no: Z090-226

DATE: November 04, 2010



DATE: November 04, 2010



DATE: November 04, 2010

Notification List of Property

Z090-226

5 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8701 CAMP WISDOM	TEXAS UTILITIES ELEC CO % STATE & LOCAL TAX DEPT
2	8401 CAMP WISDOM	U S CORPS ENGINEERS SANTA FE BLDG
3	3400 MOUNTAIN CREEK	TEXAS UTILITIES ELEC CO %STATE & LOCAL TAX DEPT
4	1 CAMP WISDOM	TRACT S 3A HOMEOWNERS ASN DBA HUNTERS BEND
5	2014 MAIN	U S ARMY CORP OF ENGINEERS

Thursday, November 04, 2010

Planner: Warren F. Ellis

FILE NUMBER: Z090-255(WE) **DATE FILED:** September 16, 2010
LOCATION: Bounded by Routh Street, Ross Avenue, St. Paul Street, and Woodall Rodgers Frontage Road
COUNCIL DISTRICT: 14 **MAPSCO:** 45-F, G, K, L
SIZE OF REQUEST: Approx. 60.1279 acres **CENSUS TRACT:** 17.01, 21.00

REQUEST: A City Plan Commission authorized hearing to determine proper zoning within Planned Development District No. 145 (Historic Overlays Nos. 18 and 44 on a portion), with consideration being given to an amendment to the Planned Development District to allow the use of a conveyance as a building for food preparation from mobile food vehicles and related regulations.

SUMMARY: The purpose of this request is to permit food preparation and sales from mobile vehicles within the Arts District.

STAFF RECOMMENDATION: Approval, subject to the conditions

BACKGROUND INFORMATION:

- On September 16, 2010, the City Plan Commission authorized staff to determine proper zoning on property zoned Planned Development District No. 145 with consideration being given to an amendment to the Planned Development District to allow the use of a conveyance as a building for food preparation from mobile food vehicles and related regulations.
- Section 51A.4.603(j) (1) of the Dallas Development Code states that “a person may use a conveyance as a building for food preparation from mobile vans and trucks provided that the conveyance is only allowed in the CS Commercial Service District, LI light Industrial District and IM Industrial Manufacturing District”.
- The request site is zoned Planned Development District No. 145 which allows certain uses within the Arts District and is governed by the CA-1(A) Central Business District standards and regulations. Planned Development District No. 145 does not allow for a conveyance as a building in the Arts District.
- The Sasaki Plan is incorporated as part of Planned Development District No. 145 and provides design standards and guidelines for any development proposed within PDD No. 145.
- The proposed conveyance for a mobile food preparation vehicle will comply with all health and safety regulations and any Dallas Development Code regulations. Certain provisions within the Dallas Development Code, Chapter 17, “Food Establishment”, will have to be amended to allow for food vehicles to operate within the PDD.

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

1. Z090-256 On January 20, 2010, the City Plan Commission will consider a City Plan Commission authorized hearing to determine proper zoning within Planned Development District No. 708, with consideration given to an amendment to the conditions to Planned Development District No. 708 The site is bounded by St. Paul, Ross Avenue, Routh Street, and Woodall Rodgers Frontage Road. (Companion case Z090-255)

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
St. Paul	Collector	60 ft.	60 ft.
Woodall Rodgers Frontage Road		Variable lane widths	Variable lane widths
Routh Street	Collector	50 ft.	50 ft.
Ross Avenue	Collector	90 ft.	90 ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 145 H18 and H44 on a portion	Office, Churches, Historic School, Museum of Arts, Meyerson Symphony
North	PDD No. 330, HC w/in PDD No. 193, PDS No. 66	Offices,
South	CA-1(A)	Parking lots, Offices, Church, Bank
East	PDD No. 708, PDD No. 708 H/18	Office, Bank, Church
West	CA-1(A)	Hotel, Office

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 Downtown Building Block.

The Downtown is a centrally located hub that provides high intensity, concentrated regional job and commercial activity supported by high-density housing. A Downtown includes pedestrian-oriented and mixed-use development and offers multiple transportation options. Ground floors of tall buildings feature shops with many windows for visual interest and safety while the streetscape incorporates trees for shade, wide sidewalks and easy-to-use signs for finding points of interest. Civic and open spaces provide an inviting atmosphere for pedestrians as well as a diversity of uses, generating activity throughout the day and evening.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

AREA PLAN: The Sasaki Plan is incorporated as part of Planned Development District No. 145 by the City Council in February 1983. The Plan provides design standards and guidelines for all developments proposed within PDD No. 145.

STAFF ANALYSIS:

Land Use Compatibility: The 60.1279 acre site is developed with various uses such as offices, multifamily and institutional (church), the Museum of Arts, and Meyerson Symphony. In September 2010, the City Plan Commission authorized staff to determine proper zoning on property zoned Planned Development District No. 145 with consideration being given to an amendment to the Planned Development District to allow the use of a conveyance as a building for food preparation from mobile food vehicles and related regulations.

PDD No. 145 does not currently permit the food preparation and sales from mobile vehicles within the Arts District. Staff has been asked to determine the possibilities (positive or negative effects) of permitting preparation and sales from mobile vehicles within the District. The representatives of the Arts District have requested that the food trucks operate on private property or in legal public parking along Flora Street only. In February 1983, the City Council approved Planned Development District No. 145, which incorporated the Sasaki Plan as part of the ordinance. The Sasaki Plan provides design standards and guidelines for all developments proposed within the PDD. In addition, the Plan identifies Flora Street as the pedestrian corridor for the District.

The City Design Studio staff has conducted research on several cities that permit mobile food preparation vehicles as well as identified the agency responsible for regulating the permit process. Several other areas of Dallas have expressed an interest in allowing this type of use. Typical requirements in other cities include a restroom agreement and health inspection requirements.

Staff has reviewed the proposal to allow mobile food preparation vehicles along Flora Street as well as on private properties. Staff cannot support permitting the vehicles on the public right-of-way. Staff is concerned with the lack of control of the type or number of vendors if mobile food preparation vehicles are allowed in the public right-of-way. Staff is also concerned with the negative impact the vehicles may have with the flow of vehicular traffic and pedestrian traffic along a corridor that is designated as a pedestrian corridor. Staff can support allowing mobile food preparation trucks on private property or, as currently allowed, as part of a Special Event Permit. By having the trucks on

private property, traffic and pedestrian safety concerns diminish and owners retain control of who can locate on their property.

The proposed mobile food preparation vehicle use will have to comply with all health and safety regulations and any Dallas Development Code regulations. Certain provisions within the Dallas Development Code, Chapter 17, "Food Establishment", may have to be amended to allow for food vehicles to operate as proposed. Chapter 17 prohibits the mobile food preparation vehicles from:

- selling or serving food on any public street, sidewalk or other public right-of-way, and
- stop for more than 60 consecutive minutes at any one location to sell or serve food and not sell or serve food from any one location for more than a total of three hours within a 24 hour period.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 145 - Existing	0'	0'	20.0 FAR	Any legal height	100%		All but the heaviest industrial uses

Parking: Parking must comply with the parking regulations in Section 145.104(f)(1) & (2).

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.

PROPOSED PDD CONDITIONS

PD 145.

SEC. 51P-145.101. LEGISLATIVE HISTORY.

PD 145 was established by Ordinance No. 17710, passed by the Dallas City Council on February 16, 1983. Ordinance No. 17710 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Subsequently, Ordinance No. 17710 was amended by Ordinance No. 20862, passed by the Dallas City Council on January 23, 1991. (Ord. Nos. 10962; 17710; 20862; 25508; 26267)

SEC. 51P-145.102. PROPERTY LOCATION AND SIZE.

PD 145 is established on property generally located north of Flora Street, south of the Woodall Rodgers Freeway, east of St. Paul Street, and west of North Central Expressway. The size of PD 145 is approximately 60.1279 acres.

SEC. 51P-145.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 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 51.

(c) In Subarea 1:

(1) PARKWAY means the portion of a street right-of-way between the projected street curb and the lot line.

(d) Subarea 1 is considered to be a business zoning district. Subarea 1 is that area shown on Exhibit 145C.

(e) MOBILE FOOD ESTABLISHMENT means a vehicle-mounted food establishment that is designed to be readily moveable and from which food is distributed, sold, or served to an ultimate consumer. The term includes, but is not limited to, mobile food preparation vehicles and pushcharts.

SEC. 51P-145.104. DEVELOPMENT STANDARDS.

(a) Sasaki Plan. The Dallas Arts District Design Plan prepared by Sasaki Associates, Inc. in August, 1982 ("Sasaki Plan") shall serve as a guideline for development in the Dallas Arts District. The Sasaki Plan (Exhibit 145A) has been approved by the property owners and the city plan commission and is attached to and made a part of Ordinance No. 17710 as Exhibit B.

(b) Subarea 1. Development and use of the Property in Subarea 1 must comply with the development plan (Exhibit 145C). In the event of a conflict between the text of this article and the development plan, the text of this article controls.

(c) Uses permitted. The following uses are the only uses permitted in the Dallas Arts District:

(1) Residential uses.

- Multiple-family.
- Hotel and motel.

(2) Transportation uses.

- Passenger bus station and terminal.
- Bus passenger shelter.
- Heliport.
- Helistop.
- Railroad passenger station.

(3) Community service uses.

- Post office.
- Community, welfare, or health center.
- Day care center.

(4) Medical uses.

- Medical clinic.
- Optical shop.

(5) Religious uses.

- Church.
- Rectory.
- Convent or monastery.
- Establishment of a religious, charitable, or philanthropic nature. *[By SUP*

only.]

(6) Educational uses.

- Public or private school.
- Business school.
- Technical school.
- College, university, or seminary.
- Library, art gallery, or museum.

(7) Recreation and entertainment uses.

- Public park or playground.
- Private recreation club or area.
- Inside commercial amusement.
- Theater.
- Carnival or circus (temporary).
- Wax museum.

(8) Bar and restaurant uses.

- Bar, lounge, or tavern.
- Mobile food establishment
- Restaurant without drive-in service.
- Restaurant with alcoholic beverages and/or entertainment.
- Private club.
- Catering service.

(9) Professional, personal service, and custom crafts uses.

- Office.
- Temporary construction or sales office.
- Bank or savings and loan office (without drive-in).
- Trade center.
- Barber and beauty shop.
- Health studio.
- Custom cleaning shop.
- Self service laundry or dry cleaning.
- Laundry or cleaning pickup and receiving station.
- Key shop.
- Shoe repair.
- Tailor, custom sewing, and millinery.
- Travel bureau.
- Broadcasting or recording studio.
- Instructional arts studio.
- Handcrafted art work studio.
- Handcraft bookbinding.
- Photography studio.
- Safe deposit boxes.
- Commercial wedding chapel.

(10) Retail uses.

- Antique shop.
- Retail food store.
- Bakery or confectionery shop.

- Book and stationary store.
- Camera shop.
- Cigar, tobacco, and candy store.
- Clothing store.
- Drug store.
- Beverage store.
- Florist store.
- Pet shop.
- Furniture store.
- Second hand store.
- Hardware or sporting goods store.
- Hobby and art supplies store.
- Paint and wallpaper store.
- Retail stores other than listed, except that the following retail uses are

not permitted: feed store; pawn shop; home improvement center; and swimming pool sales and supply.

(11) Motor vehicle related uses.

- Commercial parking garage.

(12) Commercial uses.

- Job printing, lithographer, printing, or blueprinting plant.
- Duplication shop.
- Custom print shop.
- Gummed label printing.
- Computer service center.
- Custom commercial engraving.
- Diamond and precious stone sales (wholesale only).
- Design or decorative center.

(13) Accessory uses.

- Game court (private).
- Swimming pool (private).
- Home occupation.
- Community center (private).

(d) Flora Street frontage area.

(1) Definitions. In this article:

(A) FLORA STREET CENTERLINE means the centerline of the projected 100-foot-wide Flora Street right-of-way shown on the map (Exhibit 145B) attached to and made a part of Ordinance No. 17710 as Exhibit C.

(B) FLORA STREET FRONTAGE AREA means the area of each building site within 50 feet of the projected 100-foot-wide Flora Street right-of-way shown on Exhibit 145B.

(2) Flora Street frontage area uses. On each building site, the following uses are the only uses permitted in the Flora Street frontage area:

(A) Residential uses.

- Multiple-family.
- Hotel and motel.

(B) Transportation uses.

- Bus passenger shelter.
- Railroad passenger station.

(C) Community service uses.

- Post office.
- Community, welfare, or health center.
- Day care center.

(D) Medical uses.

- Optical shop.

(E) Religious uses.

- Church.
- Rectory.
- Convent or monastery.
- Establishment of a religious, charitable, or philanthropic nature.

(F) Educational uses.

- Public, denominational, or private school.
- Institution for special education.
- Business school.
- Technical school.
- College, university, or seminary.
- Library, art gallery, or museum.

(G) Recreation and entertainment uses.

- Public park or playground.
- Private recreation club or area.
- Inside commercial amusement.
- Theater.
- Carnival or circus (temporary).

(H) Bar and restaurant uses.

- Bar, lounge, or tavern.
- Mobile food establishment
- Restaurant without drive-in service.
- Restaurant with alcoholic beverages and/or entertainment.
- Private club.
- Catering service.

(I) Professional, personal service, and custom crafts uses.

-- Office uses, subject to the following restriction: On the ground floor of each building site, no more than 25 percent of the linear frontage along Flora Street, nor more than 25 percent of the ground floor area within the Flora Street frontage area may be occupied by office uses.

- Temporary construction or sales office.
- Trade center.
- Barber and beauty shop.
- Health studio.
- Custom cleaning shop.
- Laundry or cleaning pickup and receiving station.
- Key shop.
- Shoe repair.
- Tailor, custom sewing, and millinery.
- Travel bureau.
- Broadcasting or recording studio.
- Instructional arts studio.
- Handcrafted art work studio.
- Handcraft bookbinding.
- Photography studio.
- Safe deposit boxes.
- Wedding chapel.

(J) Retail uses.

- Antique shop.
- Retail food store.

- Bakery or confectionery shop.
- Book and stationary store.
- Camera shop.
- Cigar, tobacco, and candy store.
- Clothing store.
- Drug store.
- Beverage store.
- Florist store.
- Pet shop.
- Furniture store.
- Second hand store.
- Hardware or sporting goods store.
- Hobby and art supplies store.
- Paint and wallpaper store.
- Retail stores other than listed, except that the following retail uses are not permitted: feed store; pawn shop; home improvement center; and swimming pool sales and supply.

(K) Commercial uses.

- Lithographer or printing shop.
- Duplication shop.
- Custom print shop.
- Gummed label printing.
- Computer service center.
- Custom commercial engraving.
- Diamond and precious stone sales (wholesale only).
- Design or decorative center.

(3) Height restrictions on Flora Street. Within the Flora Street frontage area, the height of any portion of a structure must be equal to or less than the shortest distance of that portion of the structure from the vertical plane extending through the Flora Street centerline.

(4) Construction in Flora Street frontage area. On each building site:

(A) at least 50 percent of the linear frontage along Flora Street and at least 50 percent of the Flora Street frontage area must be covered by a structure of at least two stories; and

(B) an average of at least 50 percent of the area of the street wall along Flora Street for the first two stories must be of transparent material and used for display or merchandising. At least 50 percent of the area of the street wall on the ground floor along Flora Street must be of transparent material and used for display or merchandising. This condition does not apply to a public school located in Subarea 1.

(e) Woodall Rodgers Freeway Service Road sidewalk requirements. All sidewalks fronting the Woodall Rodgers Freeway Service Road must have a minimum width of 10 feet.

(f) Parking.

(1) In general. All permanent parking must be either underground or concealed within a building with a facade that is similar in appearance to the facades of non-parking buildings.

(2) Parking in Subarea 1.

(A) For a public school, off-street parking is not required to be underground or concealed.

(B) For a public school, a minimum of 98 parking spaces must be provided. Additional parking in the amount required by Section 51A-4.124 must be provided for a building constructed after February 22, 2006, or an addition to an existing building where the floor area exceeds 202,500 square feet.

(g) Loading. Off-street loading and maneuvering areas must be screened in accordance with Section 51-4.602(b). Vehicular ingress or egress to a loading facility is not permitted from Flora Street. Off-street loading is not permitted on Flora Street except that in Subarea 1 loading and unloading of school buses is permitted in a public right-of-way for a public school.

(h) Landscaping in Subarea 1.

(1) For a public school, a landscape plan must be approved by the city plan commission within 36 months after issuance of a certificate of occupancy. The landscape plan must comply with the spirit and intent of the landscape requirements of this article. Landscaping must be installed within six months of approval of a landscape plan.

(2) For all other permitted uses, landscaping must be provided as required by this article.

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

(i) Signs. In Subarea 1, the existing monument sign as shown on Exhibit 145C is allowed by right for a public school.

(j) Residential use requirements. The yard, lot, and space regulations for residential uses in the Dallas Arts District are the same as for other permitted nonresidential uses in the district.

(k) Central Area-1 District standards. Unless otherwise expressly provided in this article, all regulations in the Dallas Development Code applicable to the Central Area-1 District apply to all property within the Dallas Arts District.

(l) Mobile food preparation vehicles.

Staff's recommendation

(1) Mobile food preparation vehicles are permitted only on private property or as part of a special event permit.

Applicant's Proposal

(1) Mobile food preparation vehicles are permitted only on private property and on Flora Street, between N. Central Expressway and Routh Street.

Staff's Recommendation

(2) Except as provided in this district, a mobile food preparation vehicle as defined in Section 17-8.2(b)(3) of the Dallas City Code is allowed as long as all other requirements of Chapter 17 of the Dallas City Code are met, except that mobile food preparation vehicles that remain at one location for more than 60 consecutive minutes at any one time to sell or serve food must have a restroom agreement and may not be at a location for a period greater than 18 hours except as part of a special event permit.

Applicant's proposal

(2) A mobile food preparation vehicle as defined in Section 17-8.2(b)(3) of the Dallas City Code is allowed as long as all other requirements of Chapter 17 of the Dallas City Code are met, except that the restrictions on the hours of food service restrictions required by Section 17-8.2(h)(2)(F)(iv) do not apply.

SEC. 51P-145.105. DEVELOPMENT PLAN REVIEW FOR ALL DEVELOPMENT WITHIN THE DALLAS ARTS DISTRICT, EXCEPT SUBAREA 1.

(a) A person desiring to develop property in the Dallas Arts District shall consult with the director of development services to discuss whether the project is consistent with the Sasaki Plan and the requirements of this article. The consultation shall occur at the schematic plan stage.

(b) Upon receipt of an application for a building permit for the construction of, or modification to, any building or structure in the Dallas Arts District, the building official shall refer the permit application and plans to the director of development services for review to determine whether the project complies with the requirements of Section 51P-145.104(b) through (k) of this article. The director shall conduct his review so that his decision on issuance of the permit can be made within 30 days from the date the completed application is submitted to the building official.

(c) If the director determines that the project complies with the requirements of Section 51P-145.104(b) through (k) of this article, he shall refer the permit application and plans

back to the building official, who shall issue the permit if all requirements of the construction codes and all other applicable ordinances have been met.

(d) If the director determines that the project does not comply with the requirements of Section 51P-145.104(b) through (k) of this article, he shall direct the building official to deny the permit.

SEC. 51P-145.106. BOARD OF ADJUSTMENT.

(a) The board of adjustment may grant a special exception to the following requirements of this article if the special exception will not adversely affect appropriate development of the Dallas Arts District:

(1) The Flora Street frontage area use requirements contained in Section 51P-145.104(d)(2), except that the board may not allow a use not permitted in Section 51P-145.104(c).

(2) The Flora Street height restrictions contained in Section 51P-145.104(d)(3), but only if the portion of the building exceeding the maximum height permitted in that section is occupied exclusively by multiple-family uses.

(b) The board of adjustment may not provide a compliance date for a nonconforming use in the Dallas Arts District under Section 51-4.704(a)(1) unless there has been a change in ownership of the property since the effective date of Ordinance No. 17710.

SEC. 51P-145.107. APPLICABILITY OF SECTION 51-4.702.

The provisions of Section 51-4.702 do not apply to the Dallas Arts District, except that the city plan commission may approve minor amendments to the development plan and landscape plan that comply with Section 51A-4.702.

SEC. 51P-145.108. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a building permit or certificate of occupancy for a building in the Dallas Arts District until there has been full compliance with the requirements of Section 51P-145.104(b) through (k) of this article and with the construction codes and all other applicable ordinances of the city.

SEC. 51P-145.109. PRIVATE LICENSE GRANTED IN SUBAREA 1.

(a) The city council grants a revocable, non-exclusive license to the owners, or with the written consent of the owners, to the tenants (“property owner”), of all property in Subarea 1 for the exclusive purpose of authorizing the parkway landscaping and parkway sign permitted by this article. The property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for the issuance of a parkway landscape or parkway sign permit in accordance with the Dallas City Code. This private license has no termination date, however, the city council reserves and has the absolute right to terminate this license at will by resolution passed by the city council any time such termination becomes necessary. The determination of the city of the necessity for such termination is final and the city will become entitled to possession of the premises without giving any notice and without the necessity of legal proceedings to obtain possession whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or when the purpose or use of this license is likely to become a nuisance or a public safety issue. Upon termination of the license by the director, each property owner shall remove all improvements and installations in the public right-of-way in a manner satisfactory to the director of public works and transportation.

(b) A property owner is not required to comply with any landscaping and sign requirement if compliance is made impossible due to the director’s revocation of a landscape or sign permit or the revocation of this license.

(c) Upon installation of landscaping, sign, and related amenities, such as irrigation systems, in the public right-of-way, the property owner 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 license granted herein, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, \$2,000,000 annual aggregate. Coverage under this insurance policy shall be on an occurrence basis, and the city must be named as an additional insured. Proof of such insurance shall be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, 1/C/North, Dallas, Texas 75201 and the policy shall 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 it is covered by this liability insurance policy.

(d) Each property owner shall be responsible for maintaining the landscaping, sign, and related amenities in good repair and condition and to keep the premises safe and from deteriorating in value or condition, at no expense to the city, and the city shall be absolutely exempt from any requirements to make repairs or to maintain the landscaping, sign, or related amenities. The granting of a license for landscaping, sign, and related amenities under this section does not release the property owner from

liability in the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

SEC. 51P-145.110. PARKWAY LANDSCAPE AND SIGN PERMIT IN SUBAREA 1.

(a) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit and parkway sign permit before locating trees, landscaping, signs, or related amenities in the parkway. An application for a parkway landscape permit and parkway sign permit must be made to the director before an application for a building permit is made for work on the lot. 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 landscaping, sign, or other amenities proposed.

(b) 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 landscaping, sign, or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, he shall issue a parkway landscape permit to the property owner; otherwise he shall deny the permit.

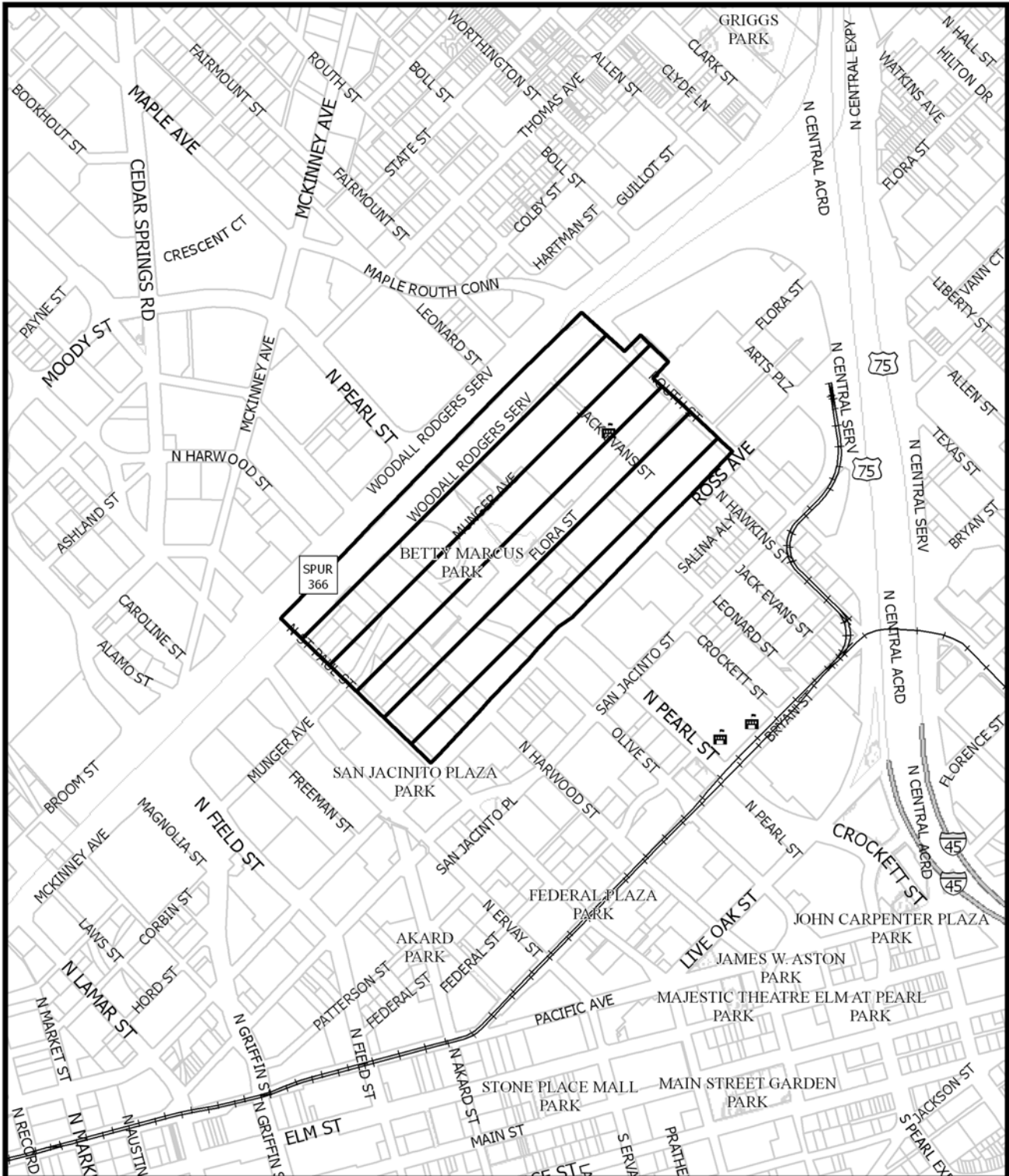
(c) A property owner is not required to comply with any parkway landscaping or parkway sign requirement of this article if compliance is made impossible due to the director's denial of a parkway landscape permit or parkway sign permit.


(d) A parkway landscape permit and parkway sign 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 will unreasonably impair the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping or parkway sign requirement of this section if compliance is made impossible due to the director's revocation of a parkway landscape permit or parkway sign permit.

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

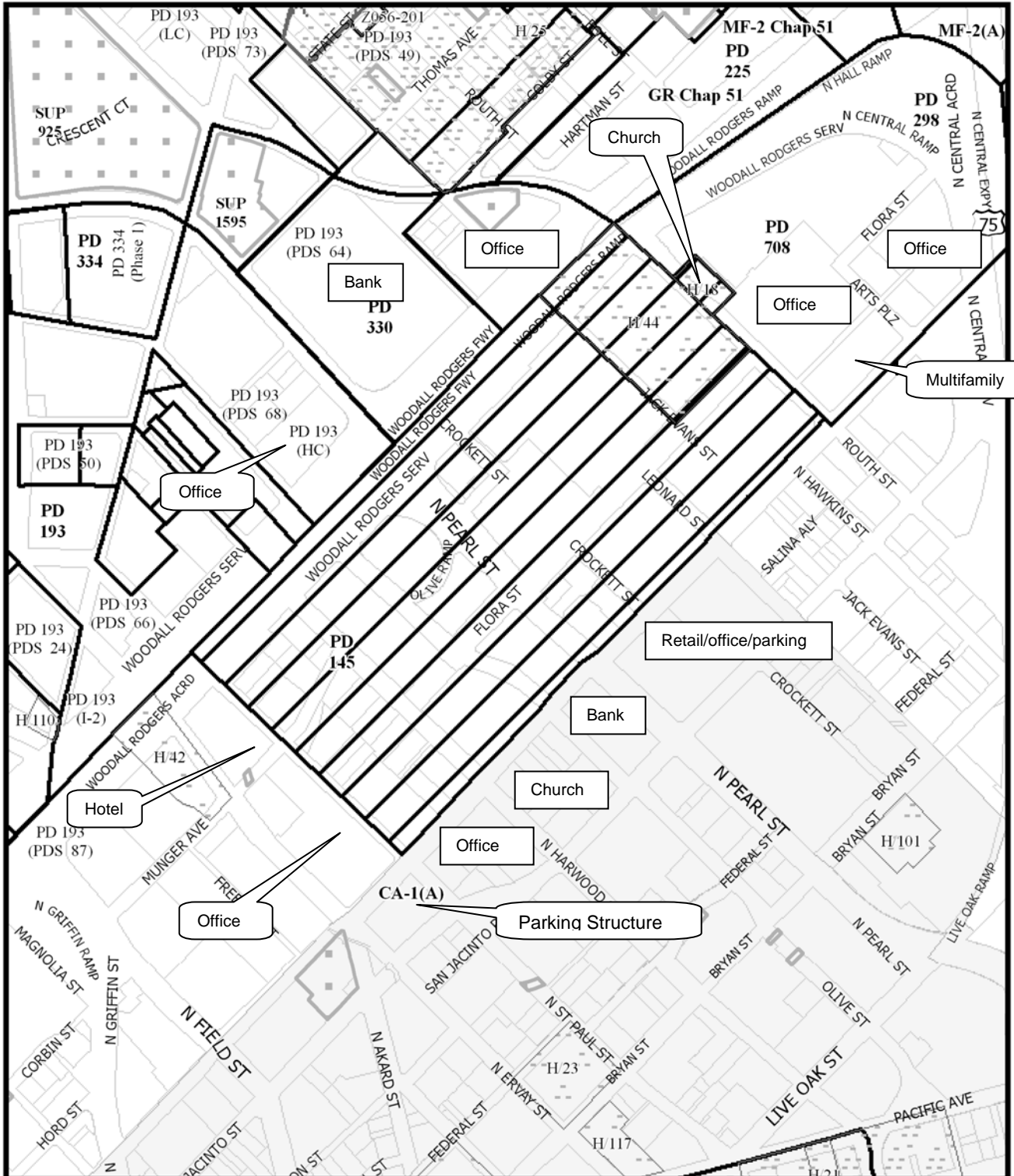
SEC. 51P-145.111. ZONING MAP.

PD 145 is located on Zoning Map No. J-7.



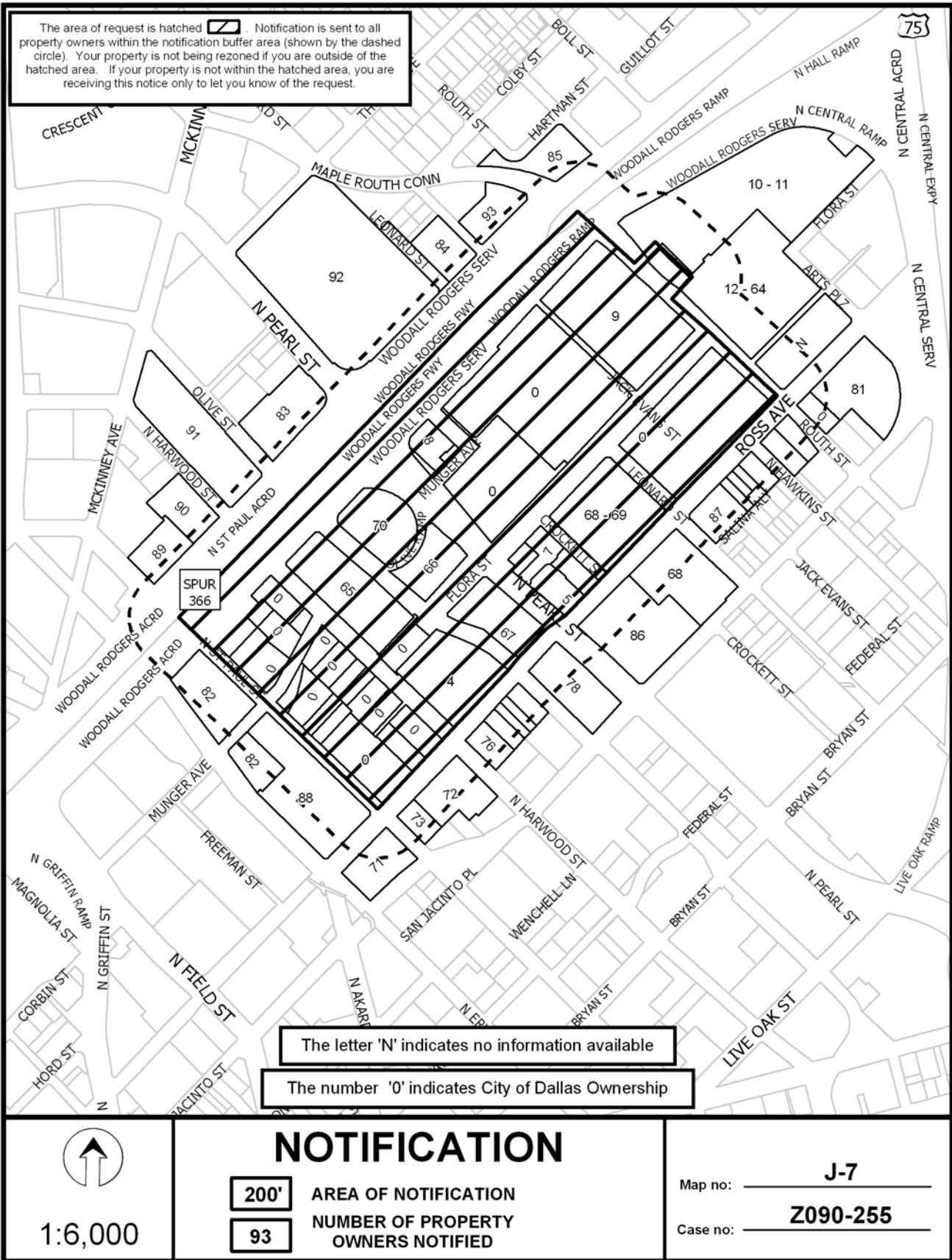
 1:8,400	<h1>VICINITY MAP</h1>	Map no: <u> J-7 </u> Case no: <u> Z090-255 </u>
--	-----------------------	--

DATE: October 29, 2010



 1:6,000	<h1>ZONING AND LAND USE</h1>	Map no: <u> J-7 </u> Case no: <u> Z090-255 </u>
--	------------------------------	--

DATE: October 29, 2010



DATE: October 29, 2010

Notification List of Property Owners

Z090-255

93 Property Owners Notified

Label #	Address	Owner
1	2600 MUNGER	ST PAULS M E CHURCH
2	2606 MUNGER	ST PAUL METHODIST CHURCH EXEMPT 1964
3	2605 WADE	ST PAUL METHODIST CHURCH EXEMPT 1972
4	2001 ROSS	CRESCENT ROSS AVE REALTY ATTN: PROPERTY TAX DEPT
5	1722 PEARL	SACRED HEART CATHEDRAL
6	2200 ROSS	ROMAN CATH DIOCESE DALLAS % BISHOP KEVIN FARRELL
7	2251 PEARL	ROMAN CATH DIOCESE DALLAS % BISHOP KEVIN FARRELL
8	2212 WOODALL RODGERS	DALLAS SYMPHONY FOUNDATION
9	2501 FLORA	Dallas ISD
10	2702 WOODALL ROGERS	CROW BILLINGSLEY 17 SUITE 1100
11	1035 YOUNG	DALLAS TERM RY & UN DEPOT % UNION PACIFIC PPTY TAX
12	1722 ROUTH	BILLINGSLEY ARTS PARTNERS LTD STE 1100
13	1717 ARTS PLAZA	HENRY BARRY & LENORE M SULLIVAN
14	1717 ARTS PLAZA	BAIO JAMES R & PATRICIA E
15	1717 ARTS PLAZA	RAILSBACK PAUL W
16	1717 ARTS PLAZA	BUCK STEPHEN
17	1717 ARTS PLAZA	BOWLES JOHN R & PATRICIA C
18	1717 ARTS PLAZA	DANGEL RICHARD
19	1717 ARTS PLAZA	SHINN GRESHAM J UNIT 1807
20	1717 ARTS PLAZA	BILLINGSLEY ARTS STE 1100
21	1717 ARTS PLAZA	MULFORD ROSS CLAYTON
22	1717 ARTS PLAZA	JEFFERS HARRIET H
23	1717 ARTS PLAZA	ABEL RIC E & KIM V
24	1717 ARTS PLAZA	FASULLO GREG & ASHLEY BERGER SUITE 1903
25	1717 ARTS PLAZA	HOFFMAN BARBARA UNIT 1904

Wednesday, October 27, 2010

Label #	Address	Owner
26	1717 ARTS PLAZA	HEU OLIVIER NORBERT
27	1717 ARTS PLAZA	WAYNE BRAD & ERNIE FAM TR APT 5E
28	1717 ARTS PLAZA	FITE JAMES R & PATRICIA J PARKER
29	1717 ARTS PLAZA	NEWELL SUSAN CAROL
30	1717 ARTS PLAZA	BUTTIGIEG JOSEPH J & MARY K
31	1717 ARTS PLAZA	GHB 2008 INVESTMENT INC SUITE 1100
32	1717 ARTS PLAZA	ARTS RES PARTNERS INC #1100
33	1717 ARTS PLAZA	TCB 2008 INVESTMENT INC STE 1100
34	1717 ARTS PLAZA	LPB 2008 INVESTMENT INC STE 1100
35	1717 ARTS PLAZA	TRIEB MARK A & SHAUNA J
36	1717 ARTS PLAZA	CAYTON EVANGELINE T MD
37	1717 ARTS PLAZA	TEAGUE THOMAS RICHARD SUITE 11076
38	1717 ARTS PLAZA	MASCARENHAS WINSTON L
39	1717 ARTS PLAZA	WOODARD EUGENE & JANICE S
40	1717 ARTS PLAZA	CABRERA MARCO
41	1717 ARTS PLAZA	BERGREN SCOTT ETAL % PIZZA HUT
42	1717 ARTS PLAZA	HIRSCHMAN KAREN L
43	1717 ARTS PLAZA	SANKARAPANDIAN BALAMURUGA
44	1717 ARTS PLAZA	LAFREDO STEVE &
45	1717 ARTS PLAZA	FORMAN JAMES & ADELE
46	1717 ARTS PLAZA	ASB 2008 INVESTMENT INC STE 1100
47	1717 ARTS PLAZA	WILK DAVID I
48	1717 ARTS PLAZA	WAYNE JONATHAN M & DEVON
49	1717 ARTS PLAZA	CHAMBERS JAMES H & CHAMBERS JOLEEN P
50	1717 ARTS PLAZA	WOLFE DAVID STE 2112
51	1717 ARTS PLAZA	GRANT CATHAL
52	1717 ARTS PLAZA	ALAVI REZA & MONA
53	1717 ARTS PLAZA	KALETA HOLDINGS LLC
54	1717 ARTS PLAZA	WILLIAMS MELISSA & RYAN
55	1717 ARTS PLAZA	VEALE MICHAEL R FAMILY TR
56	1717 ARTS PLAZA	PAPALIA ROCCO
57	1717 ARTS PLAZA	SIMMONS ELIZABETH A

Wednesday, October 27, 2010

Label #	Address	Owner
58	1717 ARTS PLAZA	BRAME RONALD M
59	1717 ARTS PLAZA	BARRETT ANGELA C UNIT 2303
60	1717 ARTS PLAZA	LASKO MATTHEW E & EMILY O
61	1717 ARTS PLAZA	BYRNE MOLLY L
62	1717 ARTS PLAZA	DERMAN ANDREW B & LYNN E
63	1717 ARTS PLAZA	COBB BONNIE STE 2309
64	1717 ARTS PLAZA	PENA LUCILO &
65	2021 FLORA	NASHER FOUNDATION THE SUITE 830
66	901 PEARL	ARTS DISTRICT PPTIES LTD
67	2101 ROSS	DALLAS BAR FOUNDATION
68	2318 ROSS	HALL LONE STAR ASSOC LP ATTN KEITH TAYLOR
69	2301 ROSS	HALL LONE STAR ASSOCS LP ATTN KEITH TAYLOR
70	800 OLIVE	MUSEUM TOWER LP %BROOK PARTNERS,INC
71	1806 ROSS	CALIFORNIA STATE TEACHERS RETIREMENT SYSTEM
72	1928 ROSS	FIRST UNITED METHODIST CHURCH
73	750 ST PAUL	ST PAUL PL ACQUISITION % DMT LLC
74	2020 ROSS	CROW WILLIAMS 9 % K BOVY 20
75	2016 ROSS	CROW WILLIAMS 9 % K BOVY M20
76	2010 ROSS	TRINITY UNIVERSAL % CONTROLLER
77	2014 ROSS	TRINITY UNIVERSAL INC CO % CONTROLLER
78	801 ROSS	2100 ROSS REALTY LP %THE MOINIAN GROUP
79	2520 SALINA ALLEY	SPIRE DEVELOPMENT HOLDINGS LLC
80	2526 ROSS	SPIRE DEVELOPMENT HOLDINGS LLC STE 1550
81	2632 ROSS	2632 ROSS LLC % SPIRE REALTY , JON RUFF
82	1900 AKARD	HUNT DALLAS OFFICE LP STE 1400
83	2101 PEARL	CHASE BANK OF TX NA
84	2113 FAIRMOUNT	FEDERAL RESERVE BANK OF DALLAS
85	2121 ROUTH	POST APARTMENT HOMES LP POST PPTYS INC
86	2200 ROSS	HINES REIT 2200 ROSS AVE LP %HINES INTEREST LTD PS
87	2400 ROSS	SOUTHWESTERN BELL SBC COMM INC PPTY TAX DEP

Wednesday, October 27, 2010

Z090-255 (WE)

Label #	Address	Owner
88	1705 ROSS	HUNT ROSS AKARD LLC
89	1909 WOODALL RODGERS	WOOLF ORIEN ATTN: SAWAKA MIYAMA
90	2121 HARWOOD	WOOLF ORIEN
91	2000 MCKINNEY	2000 MCKINNEY INVESTMENT 3300 LINCOLN PLZ
92	2403 PEARL	FED RESERVE BK OF DALLAS % FACILITY MGMT & PLNG
93	7 FAIRMOUNT	TFO REALTY LLC SUITE 800

Wednesday, October 27, 2010

Planner: Warren F. Ellis

FILE NUMBER: Z090-256(WE) **DATE FILED:** September 16, 2010
LOCATION: Bounded by Ross Avenue, Routh Street, Central Expressway,
and Woodall Rodgers Frontage Road
COUNCIL DISTRICT: 14 **MAPSCO:** 45- G
SIZE OF REQUEST: Approx. 17.4 acres **CENSUS TRACT:** 17.01,

REQUEST: A City Plan Commission authorized hearing to determine proper zoning within Planned Development District No. 708, with consideration being given to an amendment to the Planned Development District to allow the use of a conveyance as a building for food preparation from mobile food vehicles and related regulations.

SUMMARY: The purpose of this request is to permit food preparation and sales from mobile vehicles within the Arts District.

STAFF RECOMMENDATION: Approval, subject to the conditions

BACKGROUND INFORMATION:

- On September 16, 2010, the City Plan Commission authorized staff to determine proper zoning on property zoned Planned development District No. 145 with consideration being given to an amendment to the Planned development District to allow the use of a conveyance as a building for food preparation from mobile food vehicles and related regulations.
- Section 51A.4.603(j) (1) of the Dallas Development Code states that a person may use a conveyance as a building for food preparation from mobile vans and trucks provided that the conveyance is only allowed in the CS Commercial Service District, LI light Industrial District and IM Industrial manufacturing District.
- The request site is zoned Planned Development District No. 708 which allows certain uses within the Arts District and is governed by the CA-1 Central Business District standards and regulations. Planned Development District No. 708 does not allow for a conveyance as a building in the Arts District and CBD Central Business District.
- The Sasaki Plan is incorporated as part of Planned Development District No. 708 and provides design standards and guidelines for all developments proposed within the PDD.
- The proposed conveyance for a mobile food preparation vehicle will comply with all Health and Safety regulations and any Dallas Development Code regulations. Certain provisions within the Dallas Development Code, Chapter 17, "Food Establishment", will have to be amended to allow for food vehicles to operate within the PDD.

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

1. Z090-256 On January 20, 2010, the City Plan Commission will consider a City Plan Commission authorized hearing to determine proper zoning within Planned Development District No. 145, with consideration given to an amendment to the conditions to Planned Development District No. 145. The site is bounded by Central Expressway, Ross Avenue, Routh Street, and Woodall Rodgers Frontage Road. (Companion case Z090-255)

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Central Expressway		Variable lane widths	Variable lane widths
Woodall Rodgers Frontage Road		Variable lane widths	Variable lane widths
Routh Street	Collector	50 ft.	50 ft.
Ross Avenue	Collector	90 ft.	90 ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 708	Office, Historic church, Multifamily
North	PDD No. 225 (State Thomas)	Single family, Multifamily, Office
South	CA-1(A)	Parking lot
East	PDD No. 298 (Bryan Place)	Multifamily, Residential, commercial, Latino Cultural Center
West	PDD No. 145, PDD no. H/44, H/18	Magnet School, Office under construction

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 Downtown Building Block.

The Downtown is a centrally located hub that provides high intensity, concentrated regional job and commercial activity supported by high-density housing. A Downtown includes pedestrian-oriented and mixed-use development and offers multiple transportation options. Ground floors of tall buildings feature shops with many windows for visual interest and safety while the streetscape incorporates trees for shade, wide sidewalks and easy-to-use signs for finding points of interest. Civic and open spaces provide an inviting atmosphere for pedestrians as well as a diversity of uses, generating activity throughout the day and evening.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

AREA PLAN: The Sasaki Plan was incorporated as part of Planned Development District No. 708 by the City Council in March 2005. The Plan provides design standards and guidelines for all developments proposed within PDD No. 708.

STAFF ANALYSIS:

Land Use Compatibility: The 17.4 acre site is developed with various uses such as offices, institutional (church), and multifamily. A portion of the site's outer perimeter is undeveloped that fronts along the Woodall Rodgers frontage road.. In September 2010, the City Plan Commission authorized staff to determine proper zoning on property zoned Planned Development District No. 708 with consideration being given to an amendment to the Planned Development District to allow the use of a conveyance as a building for food preparation from mobile food vehicles and related regulations.

PDD No. 708 does not currently permit the food preparation and sales from mobile vehicles within the Arts District. Staff has been asked to determine the possibilities (positive or negative effects) of permitting preparation and sales from mobile vehicles within the District. The representatives of the Arts District have requested that the food trucks operate on private property or in legal public parking along Flora Street only. In March 2005, the City Council approved Planned Development District No. 708, which is an extension of PDD No. 145, incorporated the Sasaki Plan as part of the ordinance. The Sasaki Plan provides design standards and guidelines for all developments proposed within the PDD. In addition, the Plan identifies Flora Street as the pedestrian corridor for the District.

The City Design Studio staff has conducted research on several cities that permit mobile food preparation vehicles as well as identified the agency responsible for regulating the permit process. Several other areas of Dallas have expressed an interest in allowing this type of use. Typical requirements in other cities include a restroom agreement and health inspection requirements.

Staff has reviewed the proposal to allow mobile food preparation vehicles along Flora Street as well as on private properties. Staff cannot support permitting the vehicles on the public right-of-way. Staff is concerned with the lack of control of the type or number of vendors if mobile food preparation vehicles are allowed in the public right-of-way. Staff is also concerned with the negative impact the vehicles may have with the flow of vehicular traffic and pedestrian traffic along a corridor that is designated as a pedestrian corridor. Staff can support allowing mobile food preparation trucks on private property or, as currently allowed, as part of a Special Event Permit. By having the trucks on

private property, traffic and pedestrian safety concerns diminish and owners retain control of who can locate on their property.

The proposed mobile food preparation vehicle use will have to comply with all health and safety regulations and any Dallas Development Code regulations. Certain provisions within the Dallas Development Code, Chapter 17, "Food Establishment", may have to be amended to allow for food vehicles to operate as proposed. Chapter 17 prohibits the mobile food preparation vehicles from:

- selling or serving food on any public street, sidewalk or other public right-of-way, and
- stop for more than 60 consecutive minutes at any one location to sell or serve food and not sell or serve food from any one location for more than a total of three hours within a 24 hour period.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 708 - Existing	0'	0'	20.0 FAR	Any legal height	100%		All but the heaviest industrial uses

Parking: Parking must comply with the parking regulations in Section 708.104(k) & (l).

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.

PROPOSED PDD CONDITIONS

PD 708.

SEC. 51P-708.101. LEGISLATIVE HISTORY.

PD 708, the Dallas Arts District Extension Area, was established by Ordinance No. 25916, passed by the Dallas City Council on March 9, 2005. (Ord. 25916)

SEC. 51P-708.102. PROPERTY LOCATION AND SIZE.

PD 708 is established on property generally bounded by Routh Street, Central Expressway, Ross Avenue, and Woodall Rodgers Freeway. The size of PD 708 is approximately 17.4 acres.

SEC. 51P-708.103. DEFINITIONS AND INTERPRETATIONS.

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

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

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

(d) FLORA STREET CENTERLINE means the centerline of the projected 50-foot-wide Flora Street right-of-way shown on the map (Exhibit 708A).

(e) FLORA STREET FRONTAGE AREA means the area of each building site within 25 feet of the projected 50-foot-wide Flora Street right-of-way shown on Exhibit 708A. The projected 50-foot wide Flora Street right-of-way does not include the conditionally abandoned portion of Flora Street described in Exhibit 708B.

(f) MOBILE FOOD ESTABLISHMENT means a vehicle-mounted food establishment that is designed to be readily moveable and from which food is distributed, sold, or served to an ultimate consumer. The term includes, but is not limited to, mobile food preparation vehicles and pushcharts.

SEC. 51P-708.104. DEVELOPMENT STANDARDS.

(a) Sasaki plan. The Dallas Arts District Design Plan prepared by Sasaki Associates, Inc. in August, 1982 ("Sasaki Plan") (Exhibit 145A to Article 145 of Chapter 51P) shall serve as a guideline for development in this district.

(b) Uses permitted in all parts of this district other than the Flora Street frontage area. The following uses are the only main uses permitted in all parts of this district other than in the Flora Street frontage area:

(1) Agricultural uses.

- None permitted.

(2) Commercial and business services uses.

- Catering service.
- Custom business services.
- Custom woodworking, furniture construction, or repair.
- Job or lithographic printing.

(3) Industrial uses.

- None permitted.

(4) Institutional and community service uses.

- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center. *[SUP]*
- Convent or monastery.
- Library, art gallery, or museum.
- Open-enrollment charter school. *[SUP]*
- Private school. *[SUP]*
- Public school other than an open-enrollment charter school.

(5) Lodging uses.

- Hotel or motel.

(6) Miscellaneous uses.

- Carnival or circus (temporary). *[By special authorization of the building official.]*
- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- Multifamily.
- Retirement housing.

(10) Retail and personal service uses.

- Alcoholic beverage establishments. *[See Section 51A-4.210(b)(4).]*
- Business school.
- Commercial amusement (inside). *[SUP may be required. See Section 51A-4.210(b)(7)(B).]*
- Commercial parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Liquor store.
- Mobile Food Establishment
- Mortuary, funeral home, or commercial wedding chapel.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Temporary retail use.
- Theater.

(11) Transportation uses.

- Commercial bus station and terminal. *[DIR]*
- Heliport. *[SUP]*
- Helistop. *[SUP]*
- Railroad passenger station.
- Transit passenger shelter.

(12) Utility and public service uses.

- Commercial radio or television transmitting station.
- Local utilities.
- Post office.

(13) Wholesale, distribution, and storage uses.

- Office showroom/warehouse.

(c) Accessory uses permitted in all parts of this district other than the Flora Street frontage area. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(1) In this part of the district, an accessory helistop is permitted by SUP only.

(2) In this part of the district, an SUP may be required for an accessory medical/infectious waste incinerator. See Section 51A-4.217(b)(3.1).

(3) In this part of the district, a parking garage is considered to be accessory to a main use on the same lot if it is used primarily by owners and occupants and their invitees of the main use during business hours, even if it is used by patrons of other businesses that are not part of the main use on that lot after business hours for a fee.

(d) Uses prohibited in all parts of this district other than the Flora Street frontage area. In this part of the district, the following uses are prohibited, even as accessory uses:

- Feed store, as defined in Chapter 51.
- Pawn shop.
- Home improvement center, lumber, brick or building materials sales center.
- Swimming pool sales and supply, as defined in Chapter 51.

(e) Uses permitted in the Flora Street frontage area. The following uses are the only main uses permitted in the Flora Street frontage area:

(1) Agricultural uses.

- None permitted.

(2) Commercial and business services uses.

- Catering service.
- Custom business services.
- Custom woodworking, furniture construction, or repair.
- Job or lithographic printing.

(3) Industrial uses.

- None permitted.

(4) Institutional and community service uses.

- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center. *[SUP]*
- Convent or monastery.
- Library, art gallery, or museum.
- Open-enrollment charter school. *[SUP]*
- Private school. *[SUP]*
- Public school other than an open-enrollment charter school.

(5) Lodging uses.

- Hotel or motel.

(6) Miscellaneous uses.

- Carnival or circus (temporary). *[By special authorization of the building official.]*
- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Medical clinic or ambulatory surgical center.
- Office *[Subject to the following restrictions: on the ground floor of each building site, no more than 25 percent of the linear frontage along Flora Street, and no more than 25 percent of the ground floor area within the Flora Street frontage area may be occupied by office uses.]*

(8) Recreation uses.

- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- Multifamily.
- Retirement housing.

(10) Retail and personal service uses.

- Alcoholic beverage establishments. *[See Section 51A-4.210(b)(4).]*
- Business school.

-- Commercial amusement (inside). *[SUP may be required. See Section 51A-4.210(b)(7)(B).]*

- Commercial parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Liquor store.
- Mobile food establishment
- Mortuary, funeral home, or commercial wedding chapel.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Temporary retail use.
- Theater.

(11) Transportation uses.

- Railroad passenger station.
- Transit passenger shelter.

(12) Utility and public service uses.

- Commercial radio or television transmitting station.
- Local utilities.
- Post office.

(13) Wholesale, distribution, and storage uses.

- Office showroom/warehouse.
- Trade center.

(f) Accessory uses permitted in the Flora Street frontage area. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(1) In this part of the district, an accessory helistop is permitted by SUP only.

(2) In this part of the district, an SUP may be required for an accessory medical/infectious waste incinerator. See Section 51A-4.217(b)(3.1).

(3) In this part of the district, a parking garage is considered to be accessory to a main use on the same lot if it is used primarily by owners and occupants and their invitees of the main use during business hours, even if it is used by patrons of other businesses that are not part of the main use on that lot after business hours for a fee.

(g) Uses prohibited in the Flora Street frontage area. In this part of the district, the following uses are prohibited, even as accessory uses:

- Feed store, as defined in Chapter 51.
- Pawn shop.
- Home improvement center, lumber, brick or building materials sales center.
- Swimming pool sales and supply, as defined in Chapter 51.

(h) Height restrictions in the Flora Street frontage area. Within the Flora Street frontage area, maximum structure height is 50 feet.

(i) Construction design in the Flora Street frontage area. On each building site in the Flora Street frontage area:

(1) at least 50 percent of the linear frontage along Flora Street and at least 50 percent of the Flora Street frontage area must be covered by a structure of at least two stories; and

(2) at least 50 percent of the area of the first two stories the street wall along Flora Street and at least 50 percent of the area of the ground floor of the street wall along Flora Street must be of transparent material and used for display or merchandising. For the first two stories of the street wall along the portion of Flora Street that is farther than 660 feet from a regulated highway, and therefore not subject to the Highway Beautification Act, the display may consist of artwork or district activity signs in addition to any other permitted display or merchandising.

(j) Woodall Rodgers Freeway service road sidewalk requirements. All sidewalks fronting the Woodall Rodgers Freeway service road must have a minimum width of 10 feet.

(k) Parking. All permanent parking within the Flora Street frontage area must be either underground or concealed within a building with a facade that is similar in appearance to the facades of non-parking buildings, except that at-grade (not underground or within a building) parking is permitted for up to a maximum of 10 percent of the total parking provided on a building site if allocated by lease or specific signage for retail and personal service uses, handicapped parking, or visitor parking. Surface parking in other locations must be located to the rear of the main structure and screened in accordance with Section 51A-4.602, except that up to a maximum of 10 percent of the total parking provided on a building site may be located in front of the main structure and unscreened if allocated by lease or specific signage for retail and personal service uses, handicapped parking, or visitor parking.

(l) Loading. Off-street loading and maneuvering areas must be screened in accordance with Section 51A-4.602(b). Vehicular ingress or egress to a loading facility is not permitted from Flora Street. Off-street loading is not permitted at ground level in any location that is adjacent to and visible from Flora Street.

(m) Residential use requirements. The yard, lot, and space regulations for residential uses in this district are the same as for other permitted nonresidential uses in this district.

(n) Central Area-1 District standards. Unless otherwise provided in this article, all regulations applicable to the CA-1(A) Central Area District apply within this district.

(o) Mobile food preparation vehicles.

Staff's recommendation

(1) Mobile food preparation vehicles are permitted only on private property or as part of a special event permit.

Applicant's Proposal

(1) Mobile food preparation vehicles are permitted only on private property and on Flora Street, between N. Central Expressway and Routh Street.

Staff's Recommendation

(2) Except as provided in this district, a mobile food preparation vehicle as defined in Section 17-8.2(b)(3) of the Dallas City Code is allowed as long as all other requirements of Chapter 17 of the Dallas City Code are met, except that mobile food preparation vehicles that remain at one location for more than 60 consecutive minutes at any one time to sell or serve food must have a restroom agreement and may not be at a location for a period greater than 18 hours except as part of a special event permit.

Applicant's proposal

(2) A mobile food preparation vehicle as defined in Section 17-8.2(b)(3) of the Dallas City Code is allowed as long as all other requirements of Chapter 17 of the Dallas City Code are met, except that the restrictions on the hours of food service restrictions required by Section 17-8.2(h)(2)(F)(iv) do not apply.

(p)[(o)] Flora Street sidewalk requirements. All sidewalks fronting on Flora Street must have a minimum width of seven feet extending from the property line into the right-of-way, with a single row of street trees between the sidewalk and the back of the street curb in minimum 16 square foot planting areas with tree grates, in any configuration ranging from two feet by eight feet to four feet by four feet.

SEC. 51P-708.105. BUILDING PERMIT REVIEW.

(a) A person desiring to develop property in this district shall consult with the director of development services to discuss whether the project is consistent with the Sasaki plan and the requirements of this article. The consultation shall occur at the schematic plan stage.

(b) Upon receipt of an application for a building permit for the construction of, or modification to, any building or structure in this district, the building official shall refer the permit application and plans to the director for review to determine whether the project complies with the requirements of Section 51P-708.104(b) through (o) of this article. The director shall conduct this review so that the director's decision on issuance of the permit can be made within 30 days from the date the completed application is submitted to the building official.

(c) If the director determines that the project complies with the requirements of Section 51P-708.104(b) through (o) of this article, the director shall refer the permit application and plans back to the building official, who shall issue the permit if all requirements of the construction codes and all other applicable ordinances have been met.

(d) If the director determines that the project does not comply with the requirements of Section 51P-708.104(b) through (o) of this article, the director shall direct the building official to deny the permit.

SEC. 51P-708.106. BOARD OF ADJUSTMENT.

(a) The board of adjustment may grant a special exception to the following requirement of this article if the special exception will not adversely affect appropriate development of this district: the Flora Street frontage area height restrictions in Section 51P-708.104(h), but only if the portion of the building exceeding the maximum height permitted in that section is occupied exclusively by multifamily uses.

(b) The board of adjustment may not provide a termination date for a nonconforming use in the Dallas Arts District Extension Area under Section 51A-4.704(a)(1) unless there has been a change in ownership of the property since March 9, 2005.

SEC. 51P-708.107. APPLICABILITY OF SECTION 51A-4.702.

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-708.108. ADDITIONAL PROVISIONS.

(a) The entire 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.

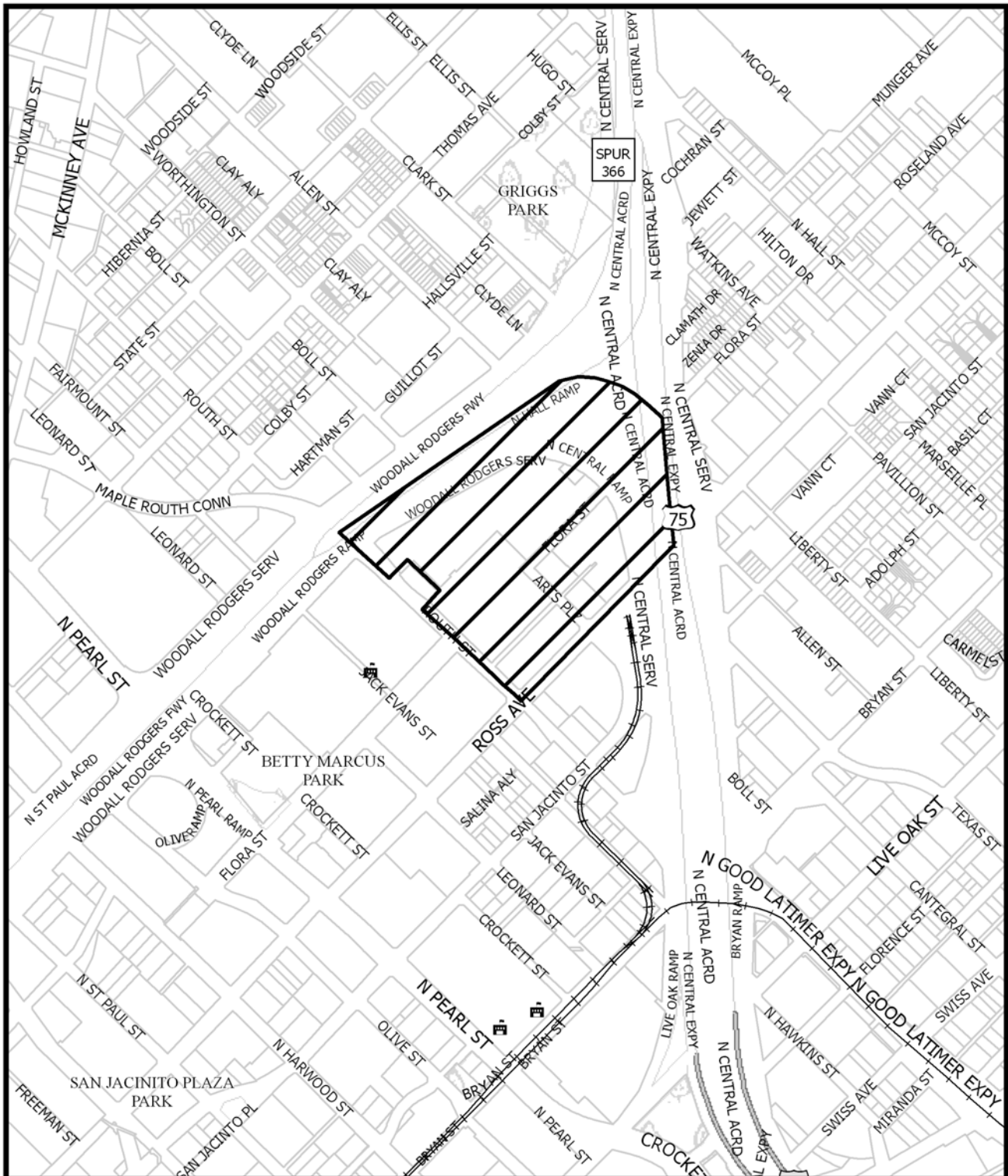
SEC. 51P-708.109. COMPLIANCE WITH CONDITIONS.

(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 the requirements of this article, and with the construction codes and all other ordinances, rules, and regulations of the city.

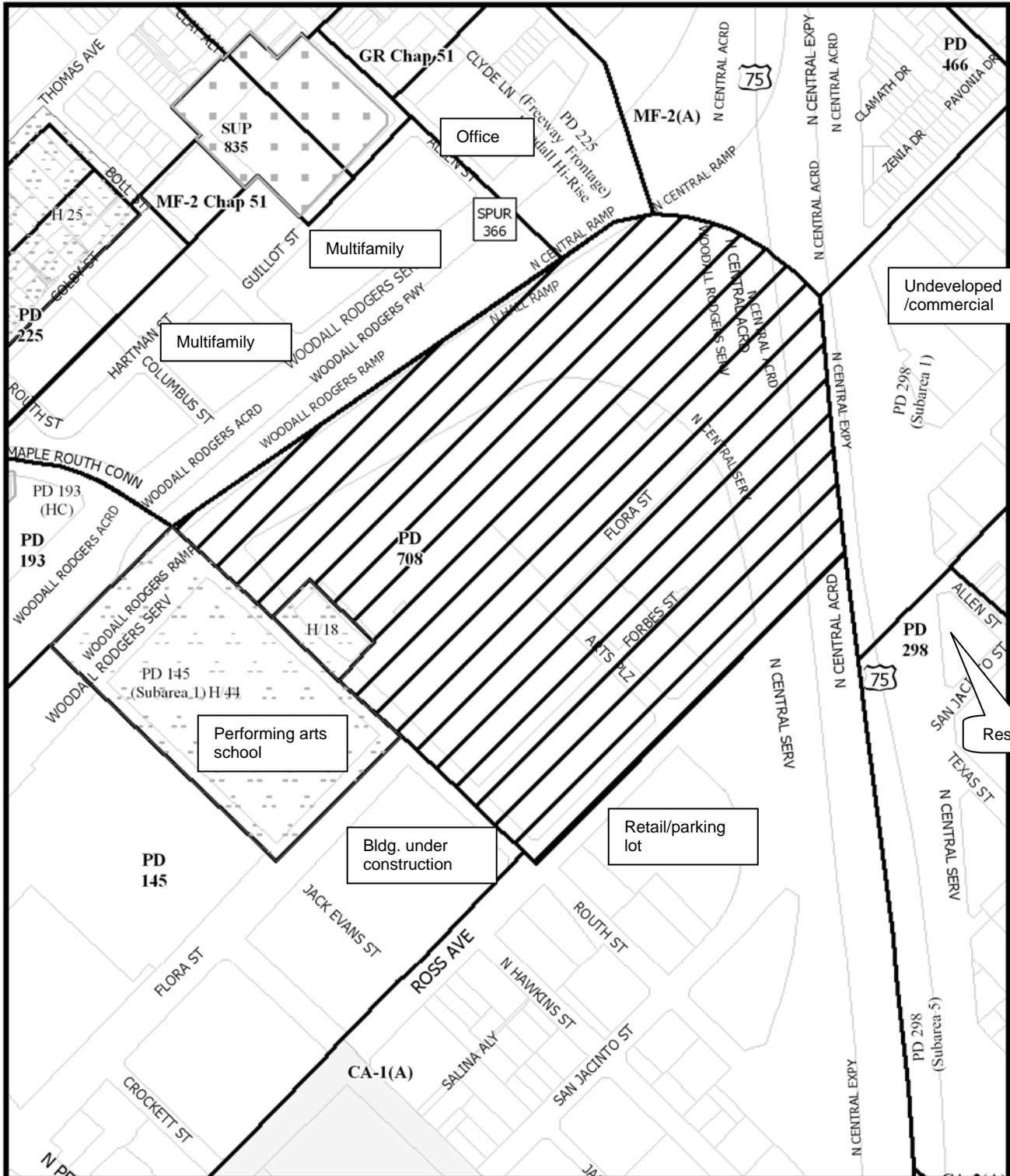
SEC. 51P-708.110. ZONING MAP.

PD 708 is located on Zoning Map No. J-7.



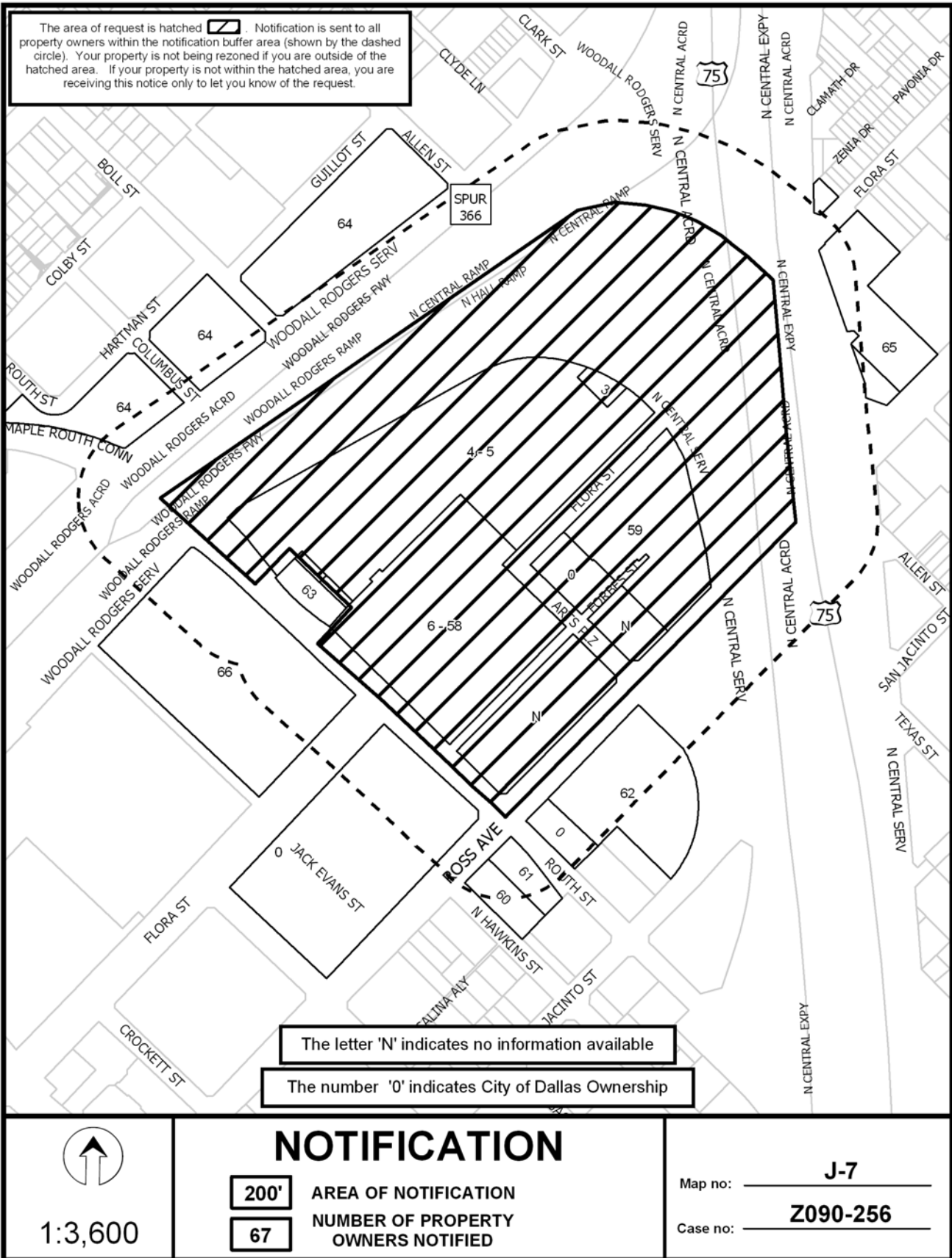
 1:7,200	<h1>VICINITY MAP</h1>	Map no: <u> J-7 </u> Case no: <u> Z090-256 </u>
--	-----------------------	--

DATE: October 29, 2010



 1:3,600	<h1>ZONING AND LAND USE</h1>	Map no: <u> J-7 </u> Case no: <u> Z090-256 </u>
--	------------------------------	--

DATE: October 29, 2010



DATE: October 29, 2010

Notification List of Property Owners

Z090-256

67 Property Owners Notified

Label #	Address	Owner
1	2606 MUNGER	ST PAUL METHODIST CHURCH EXEMPT 1964
2	2605 WADE	ST PAUL METHODIST CHURCH EXEMPT 1972
3	2880 WOODALL RODGERS	CROW BILLINGSLEY #17 LTD
4	2702 WOODALL ROGERS	CROW BILLINGSLEY 17 SUITE 1100
5	1035 YOUNG	DALLAS TERM RY & UN DEPOT % UNION PACIFIC PTY TAX
6	1722 ROUTH	BILLINGSLEY ARTS PARTNERS LTD STE 1100
7	1717 ARTS PLAZA	HENRY BARRY & LENORE M SULLIVAN
8	1717 ARTS PLAZA	BAIO JAMES R & PATRICIA E
9	1717 ARTS PLAZA	RAILSBACK PAUL W
10	1717 ARTS PLAZA	BUCK STEPHEN
11	1717 ARTS PLAZA	BOWLES JOHN R & PATRICIA C
12	1717 ARTS PLAZA	DANGEL RICHARD
13	1717 ARTS PLAZA	SHINN GRESHAM J UNIT 1807
14	1717 ARTS PLAZA	BILLINGSLEY ARTS STE 1100
15	1717 ARTS PLAZA	MULFORD ROSS CLAYTON
16	1717 ARTS PLAZA	JEFFERS HARRIET H
17	1717 ARTS PLAZA	ABEL RIC E & KIM V
18	1717 ARTS PLAZA	FASULLO GREG & ASHLEY BERGER SUITE 1903
19	1717 ARTS PLAZA	HOFFMAN BARBARA UNIT 1904
20	1717 ARTS PLAZA	HEU OLIVIER NORBERT
21	1717 ARTS PLAZA	WAYNE BRAD & ERNIE FAM TR APT 5E
22	1717 ARTS PLAZA	FITE JAMES R & PATRICIA J PARKER
23	1717 ARTS PLAZA	NEWELL SUSAN CAROL
24	1717 ARTS PLAZA	BUTTIGIEG JOSEPH J & MARY K
25	1717 ARTS PLAZA	GHB 2008 INVESTMENT INC SUITE 1100
26	1717 ARTS PLAZA	ARTS RES PARTNERS INC #1100

Wednesday, October 27, 2010

Label #	Address	Owner
27	1717 ARTS PLAZA	TCB 2008 INVESTMENT INC STE 1100
28	1717 ARTS PLAZA	LPB 2008 INVESTMENT INC STE 1100
29	1717 ARTS PLAZA	TRIEB MARK A & SHAUNA J
30	1717 ARTS PLAZA	CAYTON EVANGELINE T MD
31	1717 ARTS PLAZA	TEAGUE THOMAS RICHARD SUITE 11076
32	1717 ARTS PLAZA	MASCARENHAS WINSTON L
33	1717 ARTS PLAZA	WOODARD EUGENE & JANICE S
34	1717 ARTS PLAZA	CABRERA MARCO
35	1717 ARTS PLAZA	BERGREN SCOTT ETAL % PIZZA HUT
36	1717 ARTS PLAZA	HIRSCHMAN KAREN L
37	1717 ARTS PLAZA	SANKARAPANDIAN BALAMURUGA
38	1717 ARTS PLAZA	LAFREDO STEVE &
39	1717 ARTS PLAZA	FORMAN JAMES & ADELE
40	1717 ARTS PLAZA	ASB 2008 INVESTMENT INC STE 1100
41	1717 ARTS PLAZA	WILK DAVID I
42	1717 ARTS PLAZA	WAYNE JONATHAN M & DEVON
43	1717 ARTS PLAZA	CHAMBERS JAMES H & CHAMBERS JOLEEN P
44	1717 ARTS PLAZA	WOLFE DAVID STE 2112
45	1717 ARTS PLAZA	GRANT CATHAL
46	1717 ARTS PLAZA	ALAVI REZA & MONA
47	1717 ARTS PLAZA	KALETA HOLDINGS LLC
48	1717 ARTS PLAZA	WILLIAMS MELISSA & RYAN
49	1717 ARTS PLAZA	VEALE MICHAEL R FAMILY TR
50	1717 ARTS PLAZA	PAPALIA ROCCO
51	1717 ARTS PLAZA	SIMMONS ELIZABETH A
52	1717 ARTS PLAZA	BROME RONALD M
53	1717 ARTS PLAZA	BARRETT ANGELA C UNIT 2303
54	1717 ARTS PLAZA	LASKO MATTHEW E & EMILY O
55	1717 ARTS PLAZA	BYRNE MOLLY L
56	1717 ARTS PLAZA	DERMAN ANDREW B & LYNN E
57	1717 ARTS PLAZA	COBB BONNIE STE 2309

Wednesday, October 27, 2010

Z090-256 (WE)

Label #	Address	Owner
58	1717 ARTS PLAZA	PENA LUCILO &
59	2809 ROSS	FELLOWSHIP CHURCH
60	2520 ROSS	SPIRE DEVELOPMENT HOLDINGS LLC
61	2526 ROSS	SPIRE DEVELOPMENT HOLDINGS LLC STE 1550
62	2632 ROSS	2632 ROSS LLC % SPIRE REALTY , JON RUFF
63	2600 MUNGER	ST PAULS M E CHURCH
64	2816 ROUTH	POST APARTMENT HOMES LP POST PPTYS INC
65	3101 ROSS	DUCKINS PARTNERS LTD A TX LIMITED PARTNERSHIP
66	2501 FLORA	Dallas ISD
67	3002 ZENIA	TWIN LAKES PLAZA LP

Wednesday, October 27, 2010

FILE NUMBER: Z090-234(RB)

DATE FILED: July 16, 2010

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

COUNCIL DISTRICT: 5

MAPSCO: 56 Z

SIZE OF REQUEST: Approx. 3.89 Acres

CENSUS TRACT: 86.03

APPLICANT: Falcon Transit, LLC

REPRESENTATIVE: Santos Martinez

OWNER: Crane Plumbing

REQUEST: An application for an IM Industrial Manufacturing District and a Specific Use Permit for a Metal salvage facility on property zoned an IR Industrial Research District

SUMMARY: The applicant proposes to utilize the existing improvements for metal salvage.

STAFF RECOMMENDATION: Approval of an IM Industrial Manufacturing District, and approval of a Specific Use Permit for a Metal salvage facility for a two-year period, with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request site consists of a vacant commercial structure with the balance of the property being improved with a nonpermeable surface.
- The applicant proposes to utilize the property for metal salvage operations.
- The existing IR District does not permit the use, thus the portion of the request for an IM District which permits metal salvage by SUP.

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

Thoroughfare

Designation; Existing & Proposed ROW

South Central Expressway

Freeway; Variable ROW

STAFF ANALYSIS:

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

LAND USE ELEMENT

GOAL 1.2 Promote desired development.

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

Land Use Compatibility:

The request site consists of vacant commercial structure with the balance of the property being improved with a nonpermeable surface. The applicant proposes to utilize the existing improvements for metal salvage, which requires an SUP in an IM District. Part of the request involves rezoning from the current IR District zoning to an IM District.

The predominate land use in the immediate area consists of industrial/commercial uses in all directions.

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

The applicant has worked with staff to ensure the site provides for required perimeter screening as well as compliance with the city's landscape code, however one issue remains unresolved. The proposed metal salvage facility is only permitted in an IM District. This zoning district permits outside operations which could impact adjacent uses (i.e., noise and hours of operation). With respect to residential uses located approximately 480 feet east of the site (buffered by rail right-of-way), staff is recommending an internal setback that would prohibit any outside operations, exclusive of parking, for the proposed use. It should be noted that an IR District generally prohibits uses that are dependent on outside operations and limits most industrial uses internal to a structure.

As a result of this analysis, staff supports the rezoning to an IM District, and approval of the requested SUP, subject to a revised site plan that provides a 50 foot setback along the site's eastern property line that prohibits outside operations for the use, exclusive of surface parking, and the attached conditions.

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

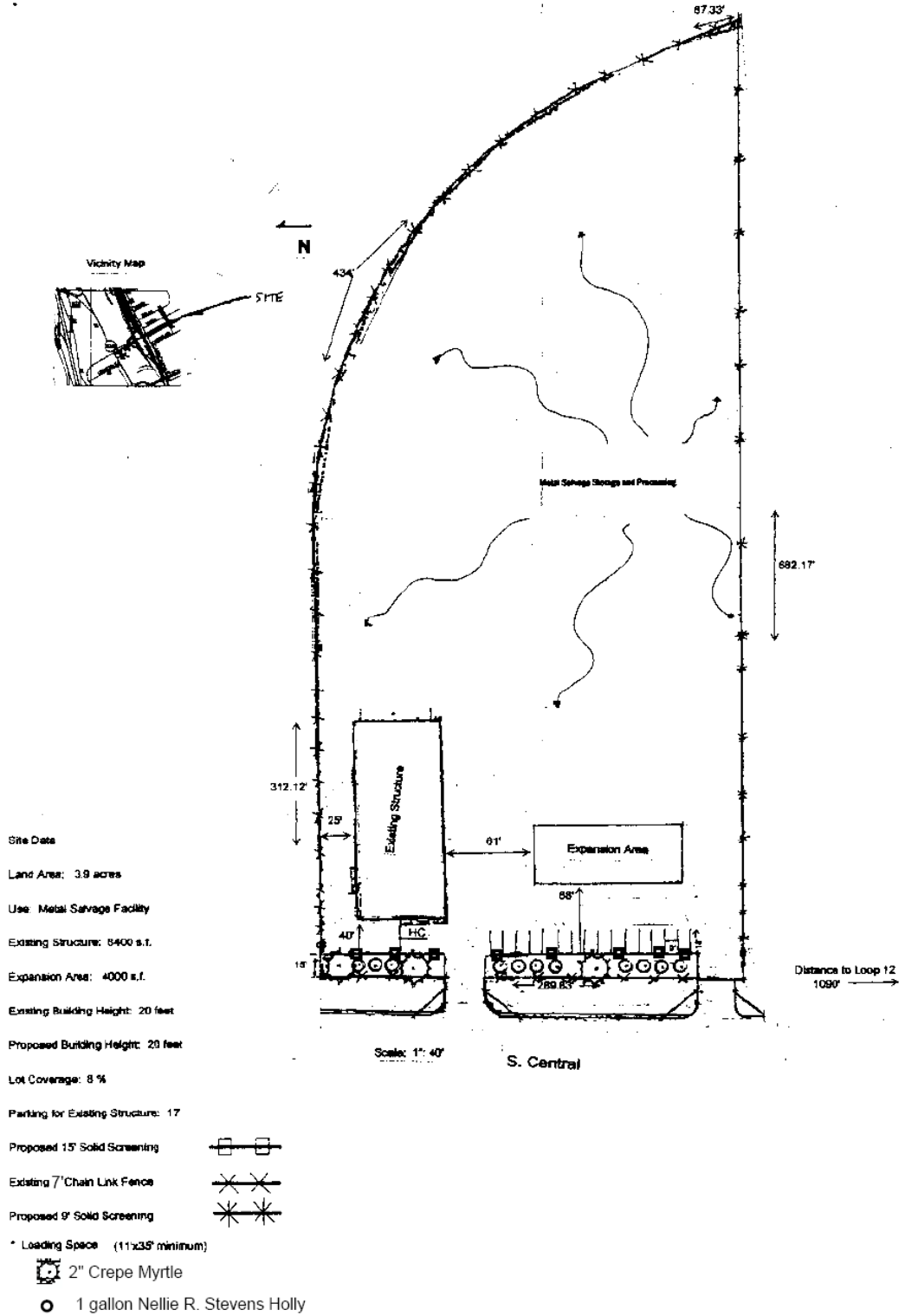
Landscaping: The site possesses minimal landscaping with trees located along its perimeter and adjacent to the three facades of the existing structure. The attached site plan provides for new planting areas along the site's frontage on South Central Expressway.

It should be noted that future improvements within the expansion area will require landscaping per Article X. It is anticipated the property owner will establish an artificial lot (part of the building permit process) in which to address required landscaping.

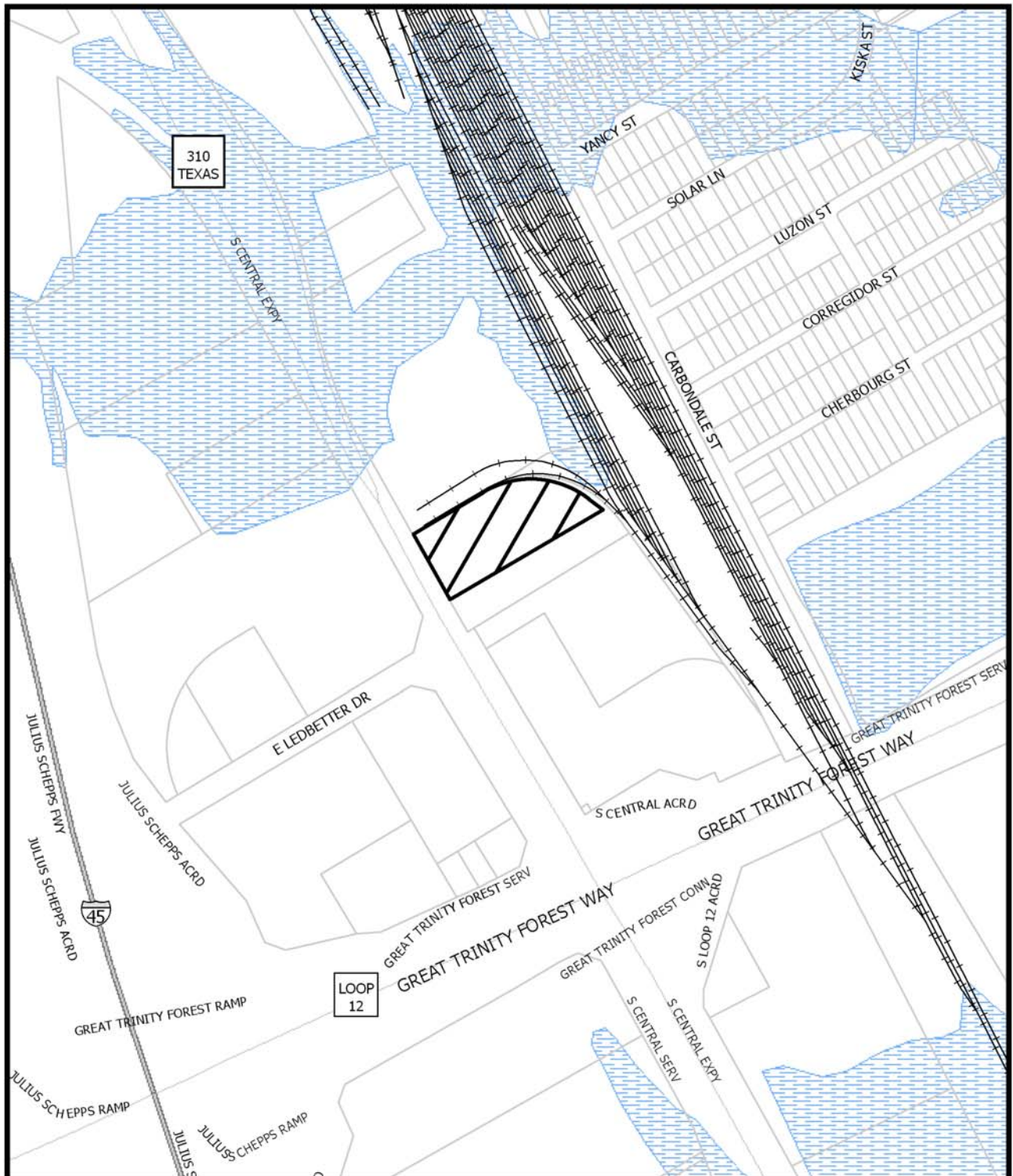
Miscellaneous-Site Plan: At this time, the site plan submitted by the applicant's representative is being revised for better clarity. A copy will be provided at the February 17, 2011 staff briefing.


**STAFF'S RECOMMENDED CONDITIONS FOR A
SPECIFIC USE PERMIT FOR A METAL SALVAGE FACILITY**

1. USE: The only use authorized by this specific use permit is a metal salvage facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years from the passage of the ordinance), but is eligible for automatic renewal for additional two-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. LANDSCAPING:
 - A. Except as provided below, landscaping must be provided as shown on the attached site plan within three months after passage of this ordinance.
 - B. Prior to the issuance of a certificate of occupancy for the area on the site plan identified as Expansion Area, landscaping for this area must comply with Article X.
5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown in the attached site plan. No other ingress or egress is permitted.
6. PARKING: Parking must be located as shown on the attached site plan.
7. REGULATED PROPERTY LICENSE: The operator of this use must have a secondary metals recyclers license under Dallas City Code Chapter 40B.
8. OUTSIDE OPERATIONS: Outside operations for a metal salvage facility, exclusive of surface parking, are prohibited in the area shown on the attached site plan.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

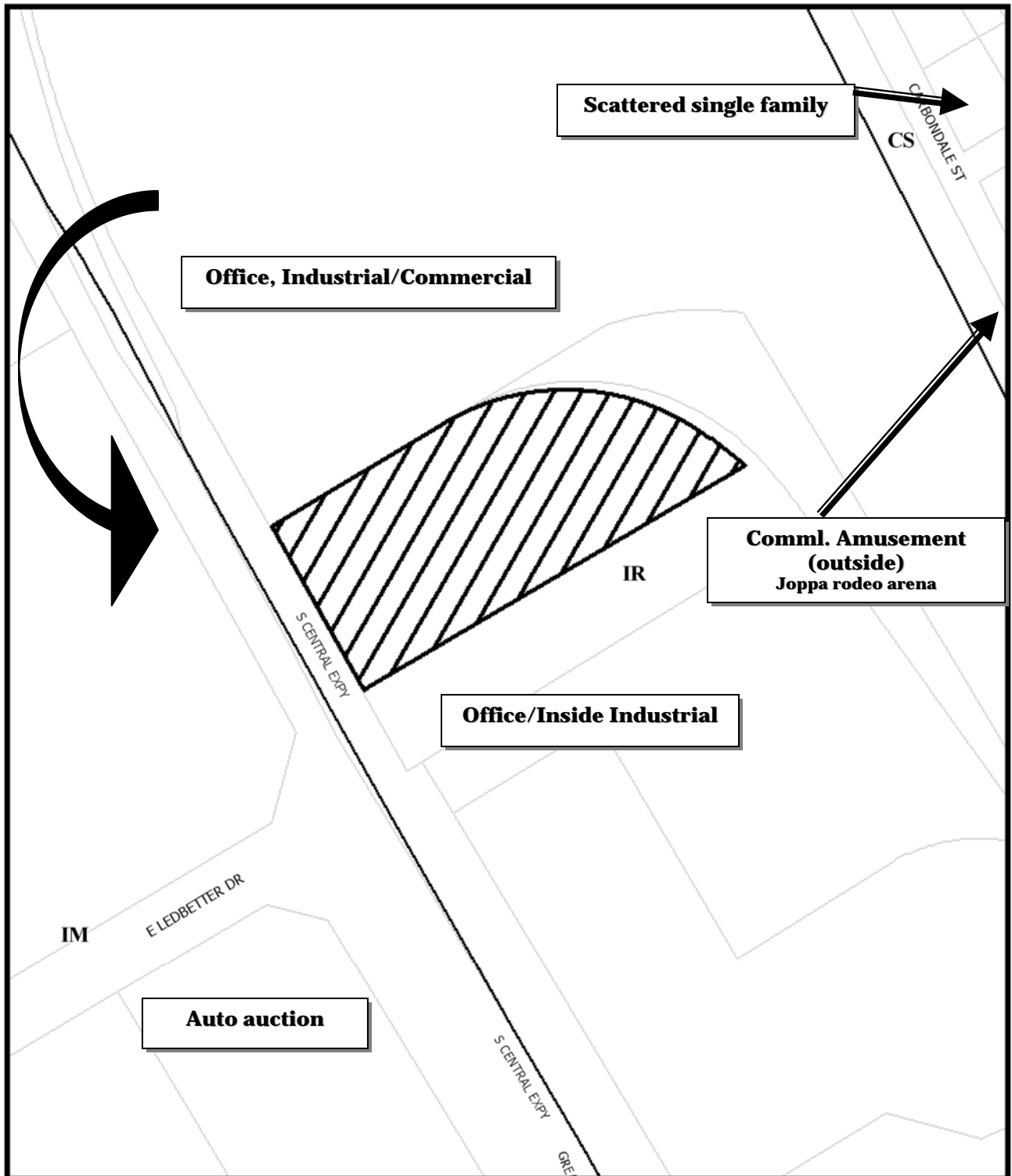


Proposed Site Plan




 1:6,000	<h1>VICINITY MAP</h1>	Map no: <u> N-8 </u> Case no: <u> Z090-234 </u>
--	-----------------------	--

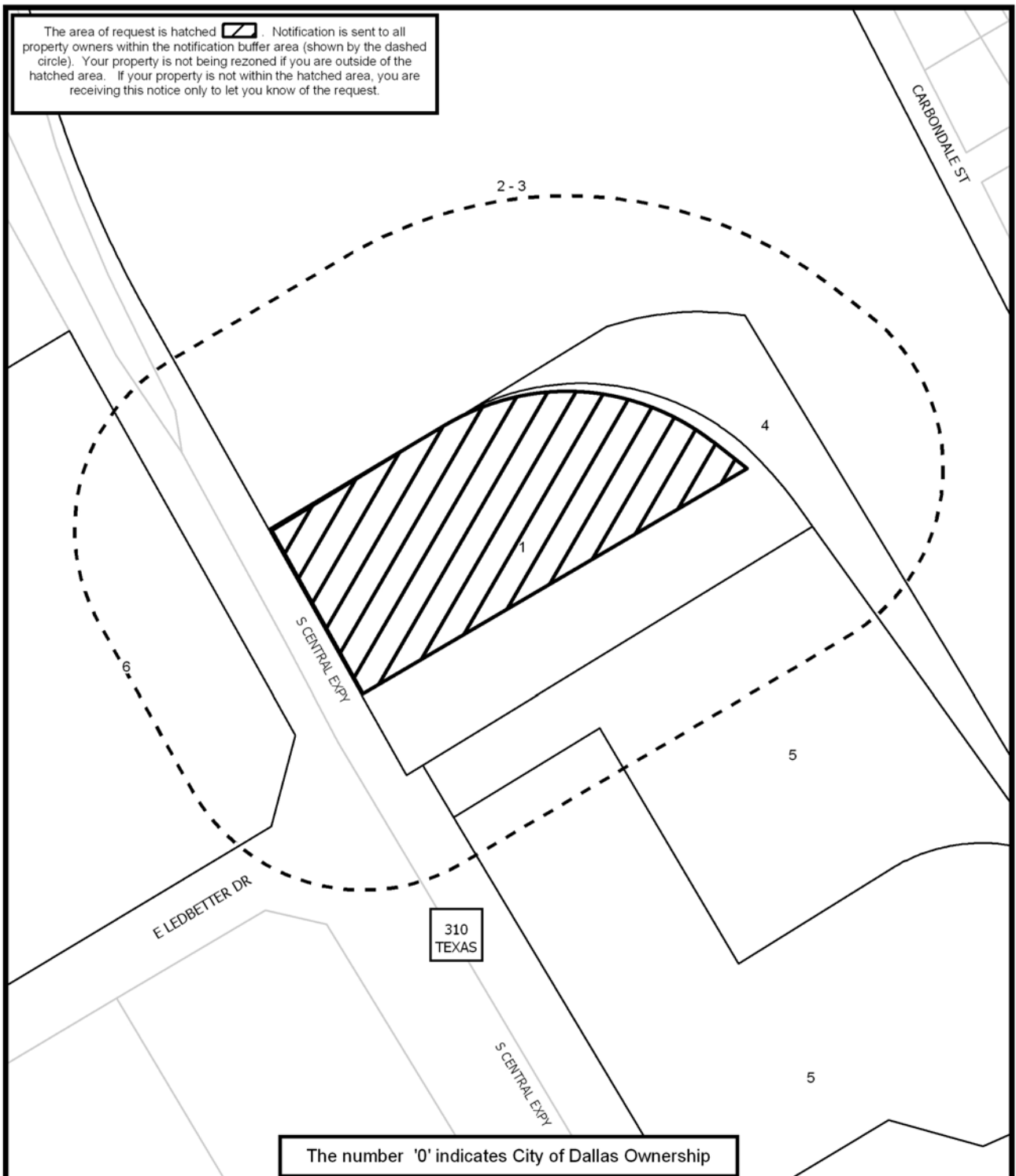
DATE: January 21, 2011




 1:2,400	<h1>ZONING AND LAND USE</h1>	Map no: <u> N-8 </u> Case no: <u> Z090-234 </u>
--	----------------------------------	--

DATE: January 21, 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

 AREA OF NOTIFICATION
 NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: N-8
 Case no: Z090-234

DATE: January 21, 2011

Z090-234(RB)

Page 1 of 1

1/21/2011

Notification List of Property Owners

Z090-234

6 Property Owners Notified

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

Friday, January 21, 2011

FILE NUMBER: Z101-137 (JH)

DATE FILED: November 30, 2010

LOCATION: East side of Beltline Road, south of Seagoville Road

COUNCIL DISTRICT: 8

MAPSCO: J-70

SIZE OF REQUEST: Approx. 2.397 acres

CENSUS TRACT: 170.04

REPRESENTATIVE: Santos Martinez, Masterplan

APPLICANT: Shellie Curtis, Inc.

OWNER: Bowmaw, Inc.

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

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

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

BACKGROUND INFORMATION:

- The request site is currently developed with an approximately 14,000 square foot general merchandise use, specifically a grocery store.
- The applicant proposes to sell alcohol for off-premise consumption in conjunction with the existing grocery store.
- The general merchandise use is permitted by right in the CR Community Retail District. The sale of alcoholic beverages on property regulated by the D-1 Liquor Control Overlay requires a specific use permit.

Zoning History:

1. Z045-121 On January 26, 2005, the City Council approved a CS Commercial Service District with public deed restrictions on property zoned an R-10(A) Single Family District. The deed restrictions address hours of operation; a screening fence; lighting; exterior loud speakers; and operation of loud equipment within 100 feet of a residential district or land use.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Beltline Road	Major Arterial	80 feet
Seagoville Road	Major Arterial	80 feet

Land Use:

	Zoning	Land Use
Site	CR-D-1	General merchandise
North	CR-D-1	General merchandise/motor vehicle fueling station
East	CR-D-1	Auto service, undeveloped, post office
South	R-7.5(A)	Single family residential
West	CR-D-1, R-10(A)	General merchandise/personal service, single family

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 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 2.397-acre request site is zoned a CR-D-1 Community Retail District with a D-1 Dry Liquor Control Overlay and is currently developed with an approximately 14,000 square foot grocery store. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which requires a Specific Use Permit in the D-1 Dry Liquor Control Overlay.

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

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

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

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

The applicant’s request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The adjacent residential uses could be considered incompatible, but the residential uses are separated from the request site by a creek or the 80 foot right of way of a major arterial. The applicant is proposing to maintain the grocery 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					
Existing							
CR-D-1 Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

Parking/Traffic:

The 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. The request requires 71 spaces with 73 being provided per the attached site plan.

Landscaping:

Landscaping required per Article X of the Dallas Development Code.

Z101-137

List of Partners/Principals/Officers

Bowmaw, Inc.

Bobby Wright, President
Mary Wright, Secretary

Shellie Curtis, Inc.

Michael W. McDaniel, 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
0002136-T	01/01/2007	*WRIGHT FOOD STORE	THEFT	01050	S	BELTLINE...	358	4436	06933	
0006916-V	01/07/2008	*WRIGHT'S FOOD STORE	THEFT	01050	S	BELTLINE...	358	4436	06934	
0017179-X	01/18/2010	*WRIGHT'S; FAMILY FOO...	THEFT	01050	S	BELTLINE...	357	4436	06933	
0040662-V	02/09/2008	*WRIGHT'S FAMILY FOOD	THEFT	01050	S	BELTLINE...	358	4436	06933	
0053677-W	02/25/2009	CUTZ, MANUEL	AUTO THEFT-UUMV	01050	S	BELTLINE...	357	4436	07212	
0056524-W	02/28/2009	LIND, FERNANDO	AUTO THEFT-UUMV	01050	S	BELTLINE...	357	4436	07672	
0064851-X	03/08/2010	RUIREZ,MARIA	TRAFFIC MOTOR VEHIC...	01050	S	BELTLINE...	357	4436	32090	
0113511-T	02/18/2007	*WRIGHTS FAMILY FOOD	ROBBERY	01050	S	BELTLINE...	358	4436	03412	
0113750-V	04/18/2008	*WRIGHTS FAMILY FOOD	THEFT	01050	S	BELTLINE...	358	4436	06934	
0115640-P	02/14/2005	*WRIGHT'S IGA	THEFT	01050	S	BELTLINE...	358	4436	06901	
0120728-X	05/01/2010	WILLAMS,R.D.	THEFT	01050	S	BELTLINE...	357	4436	06903	
0127395-X	05/08/2010	*WRIGHT'S GROCERY	FORGERY & COUNTERFE...	01050	S	BELTLINE...	357	4436	10021	
0135487-T	02/26/2007	*JM WIRELESS	THEFT	01050	S	BELTLINE	358	4436	06932	
0137455-T	02/27/2007	GONZALEZWISHON, LUPE	THEFT	01050	S	BELTLINE	358	4436	06941	
0142987-X	05/23/2010	SANCHEZ,MARIANO	ASSAULT	01050	S	BELTLINE...	357	4436	08112	

Page 1 of 5 (62 items)

Search Records - Offense										Filter
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0151419-V	05/22/2008	*WRIGHT'S FAMILY FOOD	THEFT	01050	S	BELTLINE...	358	4436	06933	
0162993-T	03/09/2007	*WRIGHT'S FAMILY FOOD...	THEFT	01050	S	BELTLINE...	358	4436	06934	
0166715-V	06/03/2008	LEWIS,DONNIE	THEFT	01050	S	BELTLINE	358	4436	06941	
0181284-W	06/21/2009	*WRIGHT FOOD STORE	THEFT	01050	S	BELTLINE	357	4436	06901	
0184017-T	03/16/2007	*WRIGHT'S FAMILY FOOD	THEFT	01050	S	BELTLINE...	358	4436	06934	
0200640-X	07/17/2010	@CITY OF DALLAS	FOUND PROPERTY	01050	S	BELTLINE...	357	4436	43020	
0206196-T	03/24/2007	*WRIGHT'S	THEFT	01050	S	BELTLINE...	358	4436	06934	
0217860-T	03/28/2007	*WRIGHTS GROCERY	THEFT	01050	S	BELTLINE...	358	4436	06935	
0219377-X	07/30/2010	*WRIGHTS FAMILY FOOD...	FORGERY & COUNTERFE...	01050	S	BELTLINE...	357	4436	10021	
0221959-V	07/17/2008	WARREN,JUDITH	THEFT	01050	S	BELTLINE...	358	4436	06992	
0227569-X	08/13/2010	*WRIGHT SUPERMERCADO	THEFT	01050	S	BELTLINE...	357	4436	06934	
0228379-V	07/23/2008	CLEM, CHRISTINA	THEFT	01050	S	BELTLINE...	358	4436	06901	
0252871-V	08/15/2008	DODSON,JOHN	ROBBERY	01050	S	BELTLINE...	358	4436	03942	
0275622-X	10/02/2010	*WRIGHT'S FAMILY FOOD...	CRIMINAL MISCHIEF/VA...	01050	S	BELTLINE...	357	4436	14082	
0279075-T	04/20/2007	*WRIGHT'S GROCERY	THEFT	01050	S	BELTLINE...	358	4436	06935	

Page 2 of 5 (62 items)

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

Search Records - Offense										Filter
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0287481-W	09/26/2009	*WRIGHTS FAMILY FOOD	ROBBERY	01050	S	BELTLINE...	357	4436	06934	03442
0321062-W	10/28/2009	*WRIGHTS FAMILY FOOD ...	THEFT	01050	S	BELTLINE...	357	4436	06933	
0330172-W	11/06/2009	*WRIGHT'S FAMILY FOOD...	THEFT	01050	S	BELTLINE...	357	4436	06935	
0330960-V	10/26/2008	LORENTI,CINDY	ASSAULT	01050	S	BELTLINE...	358	4436	08312	
0331509-V	10/27/2008	*WRIGHT'S FAMILY FOOD...	THEFT	01050	S	BELTLINE...	358	4436	06934	
0339719-W	11/15/2009	*WRIGHTS	THEFT	01050	S	BELTLINE...	357	4436	06934	
0371298-T	05/21/2007	**WRIGHT'S FAMILY FOO...	THEFT	01050	S	BELTLINE...	358	4436	06934	
0377196-V	12/12/2008	*MALONE GROCERY	THEFT	01050	S	BELTLINE...	358	4436	06934	
0395388-V	12/31/2008	MADDOX,RAYMOND,	OTHER OFFENSES	01050	S	BELTLINE...	358	4436	26140	
0470702-P	06/14/2005	*WRIGHTS FAMILY FOOD	BURGLARY	01050	S	BELTLINE	358	4436	05138	14092
0515489-R	07/07/2006	*WRIGHT'S FAMILY FOOD...	FORGERY & COUNTERFE...	01050	S	BELTLINE...	358	4436	10021	
0525229-P	07/01/2005	SIRKEL,CHASSITY	THEFT	01050	S	BELTLINE	358	4436	06942	
0534559-T	07/17/2007	*WRIGHT GROCERY STORE	THEFT	01050	S	BELTLINE...	358	4436	06932	
0594448-P	07/25/2005	*WRIGHT'S FOOD STORE	BURGLARY	01050	S	BELTLINE	358	4436	05138	
0603147-T	08/11/2007	*WRIGHTS FOOD STORE	THEFT	01050	S	BELTLINE...	358	4436	06934	

Page 3 of 5 (62 items)



Search Records - Offense										Filter	
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0612612-R	08/11/2006	LAWSON,ALLAN	CRIMINAL MISCHIEF/VA...	01050	S	BELTLINE	358	4436	14082		
0636547-T	08/26/2007	*WRIGHT'S FAMILY FOOD	THEFT	01050	S	BELTLINE...	358	4436	06933		
0637203-T	08/27/2007	*WRIGHT FOOD STORE	THEFT	01050	S	BELTLINE...	358	4436	06935		
0640871-R	08/22/2006	BURKETT,MINDY	THEFT	01050	S	BELTLINE	358	4436	06905		
0670700-T	09/27/2007	*WRIGHTS GROCERY STO...	ROBBERY	01050	S	BELTLINE...	358	4436	03241	06934	
0695097-T	10/20/2007	MARTINEZ,MARIA,ELBA	TRAFFIC MOTOR VEHIC...	01050	S	BELTLINE...	358	4436	32090		
0707232-P	09/02/2005	*WRIGHTS FOOD STORE	FORGERY & COUNTERFE...	01050	S	BELTLINE	358	4436	10021		
0736354-T	11/12/2007	*WRIGHT'S GROCERY	BURGLARY	01050	S	BELTLINE...	358	4436	05131		
0738511-T	11/15/2007	*WRIGHTS GROCERY STO...	BURGLARY	01050	S	BELTLINE...	358	4436	05131		
0748368-T	11/24/2007	*WRIGHT'S; FAMILY FOO...	THEFT	01050	S	BELTLINE...	358	4436	06933		
0769858-T	12/14/2007	BERLIN, KENNETH	THEFT	01050	S	BELTLINE...	358	4436	06942		
0813818-R	10/26/2006	*WRIGHT'S FAMILY FOOD...	BURGLARY	01050	S	BELTLINE...	358	4436	05389	14092	
0865958-P	10/28/2005	*WRIGHT IGA FOOD STORE	FORGERY & COUNTERFE...	01050	S	BELTLINE	358	4436	10021		
0877877-P	10/30/2005	*WRIGHTS	CRIMINAL MISCHIEF/VA...	01050	S	BELTLINE	358	4436	14081		
0889250-R	11/25/2006	ELLIS, CHRIS	AUTO THEFT-UUMV	01050	S	BELTLINE	358	4436	07962		



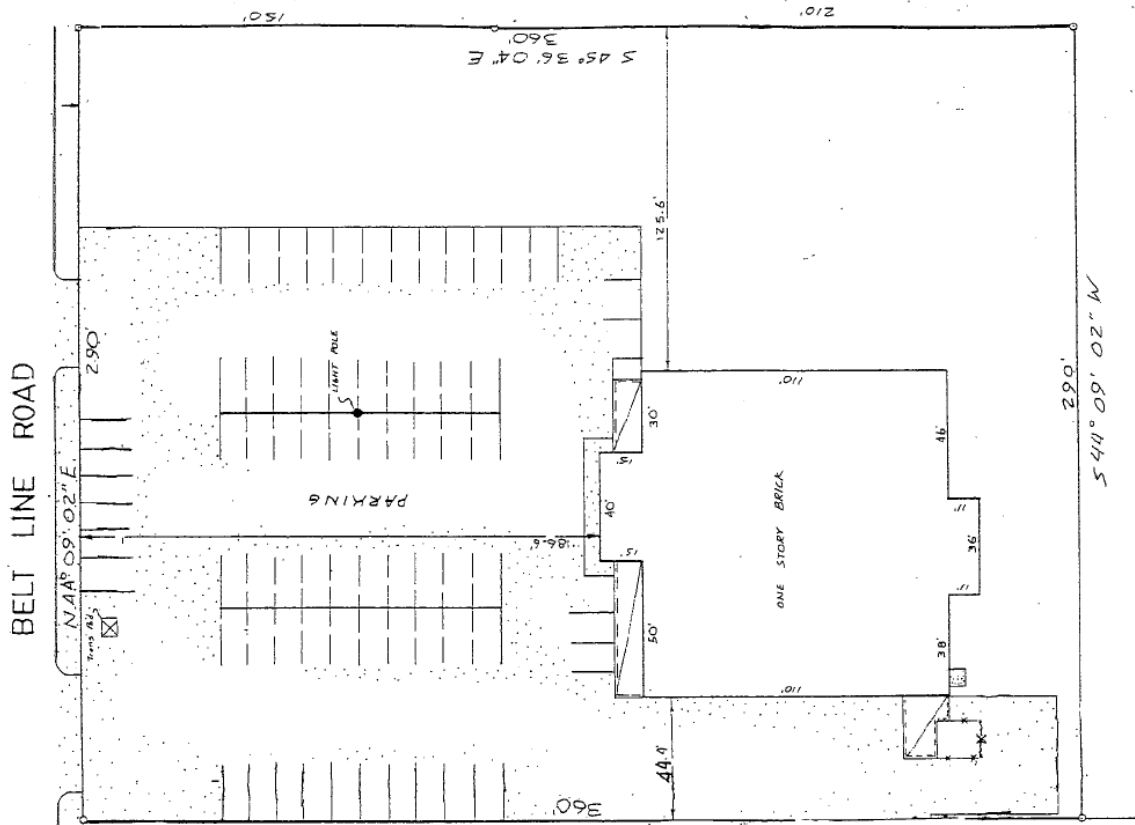
Search Records - Offense										Filter	
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0889916-R	11/25/2006	*WRIGHT'S FAMILY FOODS	BURGLARY	01050	S	BELTLINE	358	4436	05131		
0969849-R	12/28/2006	*WRIGHTS FAMILY FOOD	THEFT	01050	S	BELTLINE	358	4436	06933		



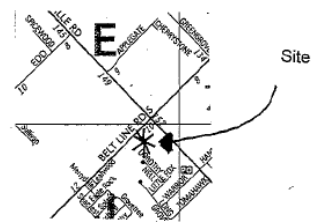
SUP Conditions

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.)
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

SITE PLAN



Vicinity Map

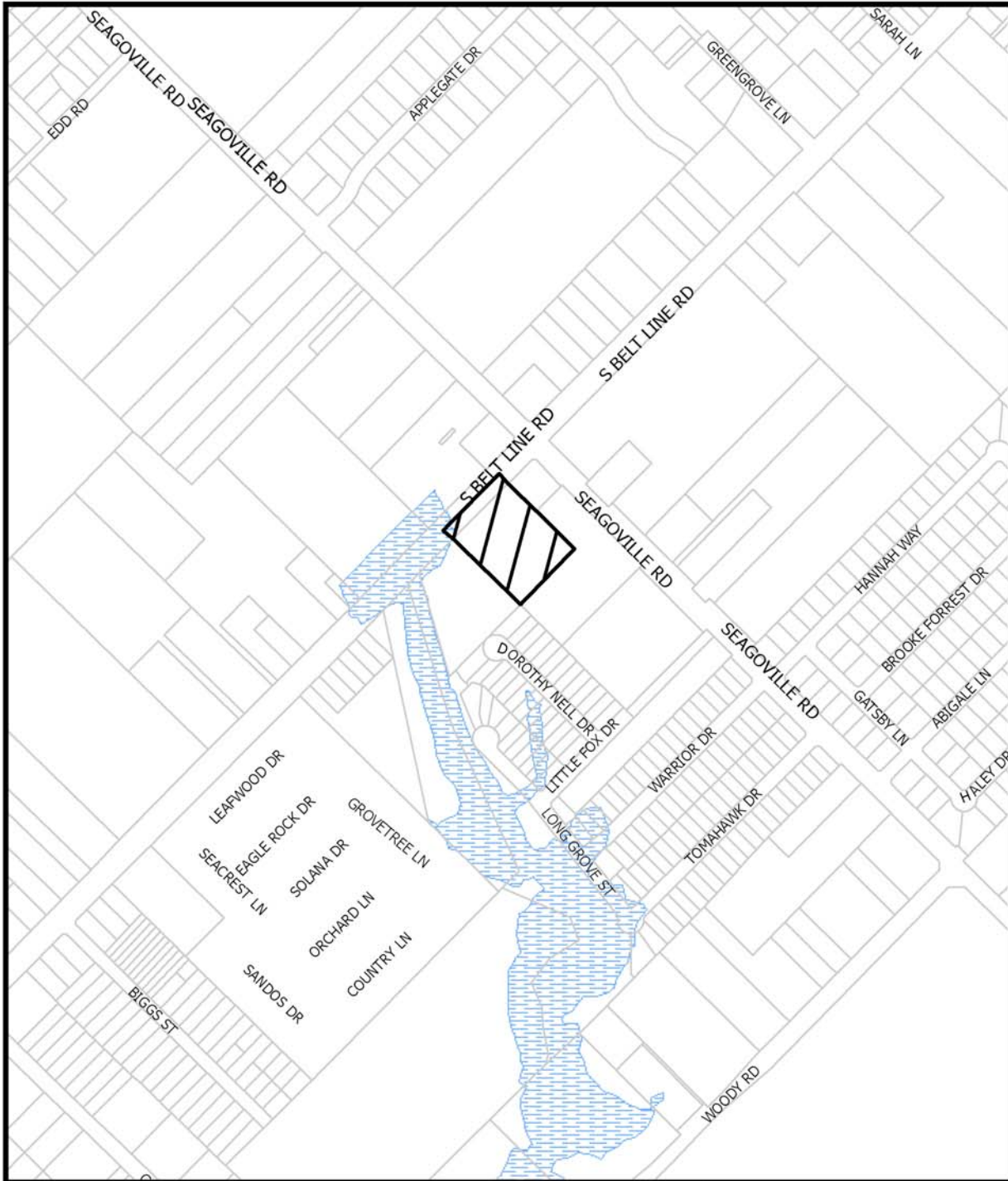


Site

Scale: 1" = 40'

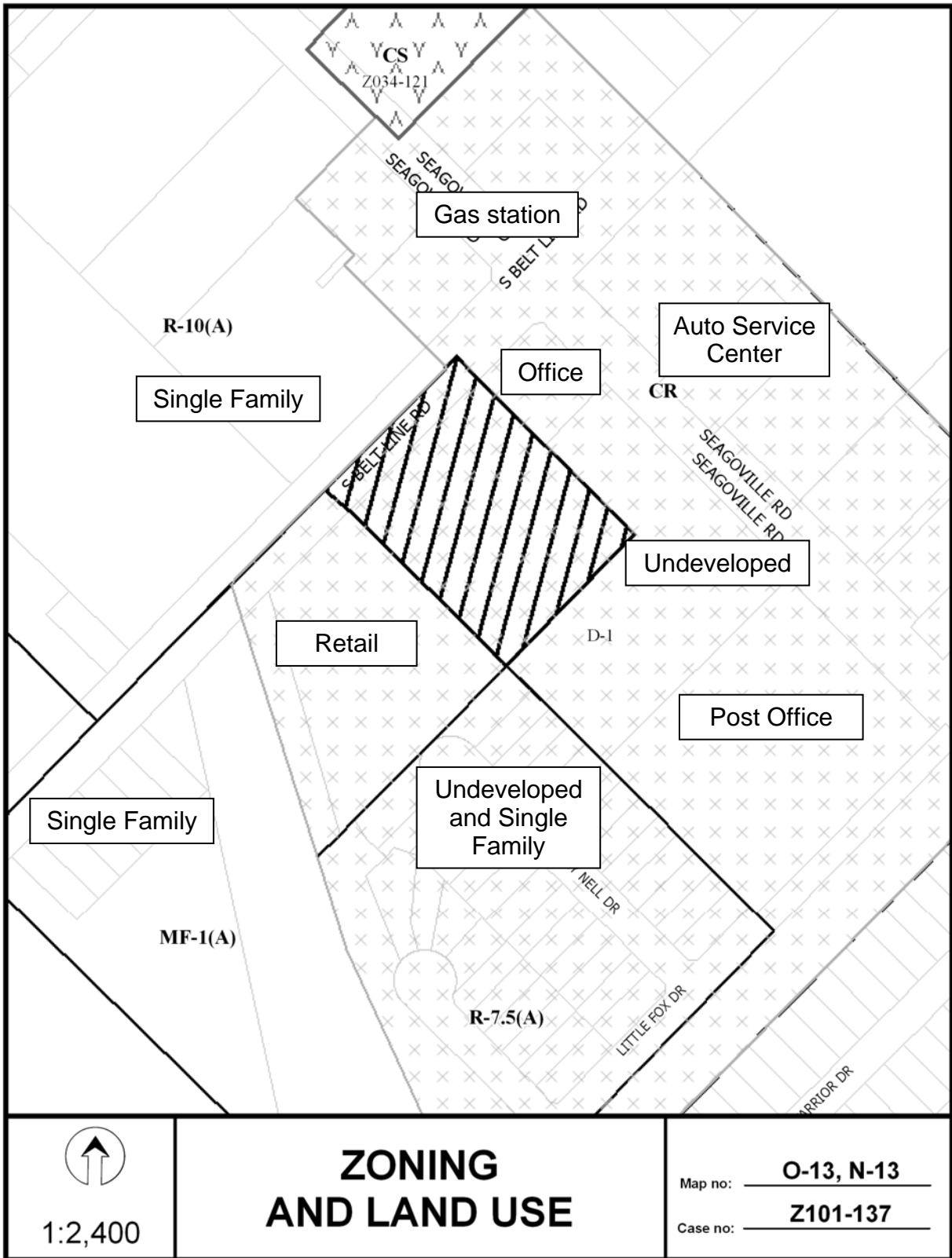
Site Summary

- Zoning: CR-D-1
- Request: SUP for general merchandise store > 3500 s.f. selling alcoholic beverages for off-premise consumption
- Existing Use: general merchandise store > 3500 s.f.
- Existing Building Area: 14,196 s.f.
- Lot Coverage: 13.5%
- Required Parking: 71
- Provided Parking: 73

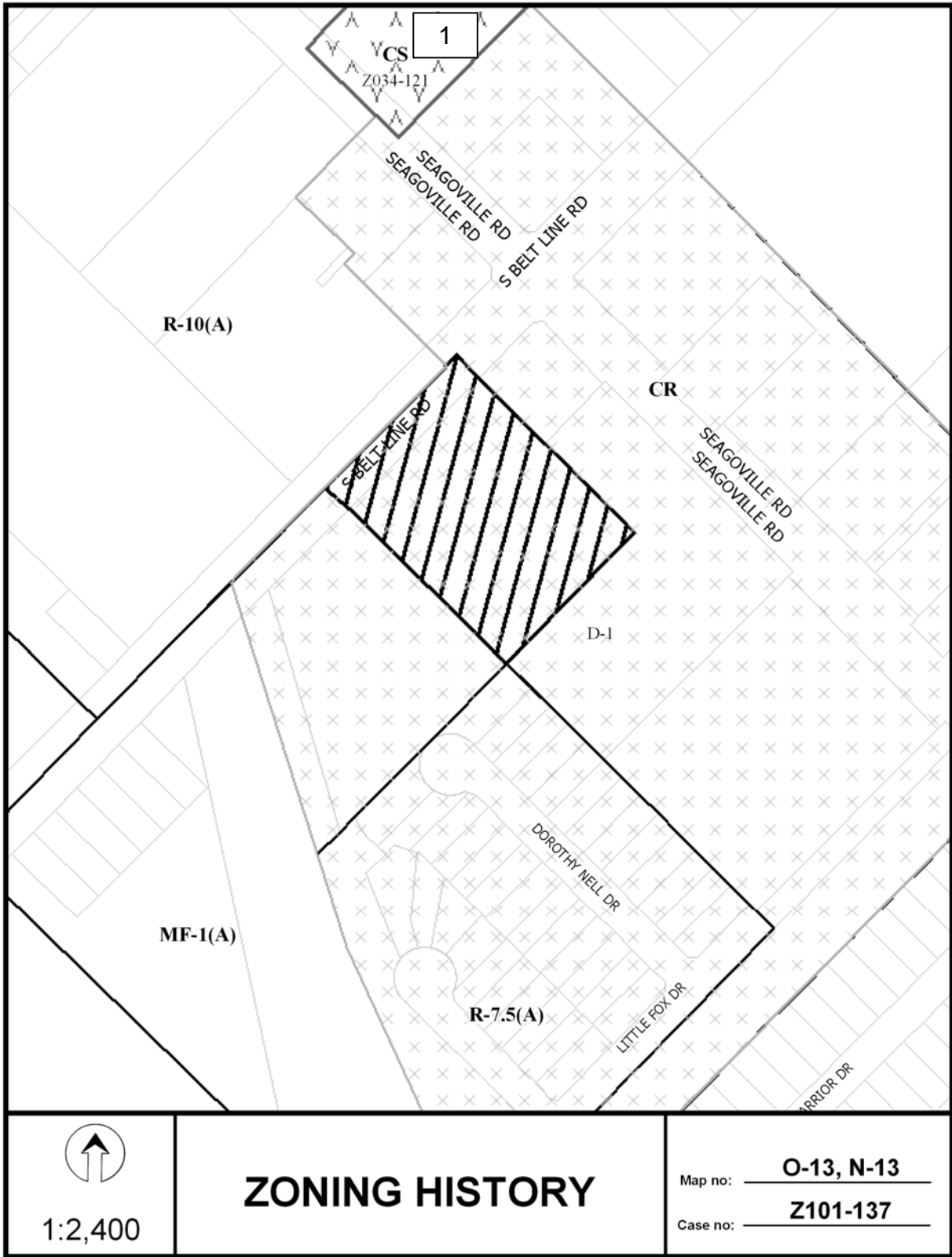


 1:6,000	<h2>VICINITY MAP</h2>	Map no: <u> O-13, N-13 </u> Case no: <u> Z101-137 </u>
--	-----------------------	---

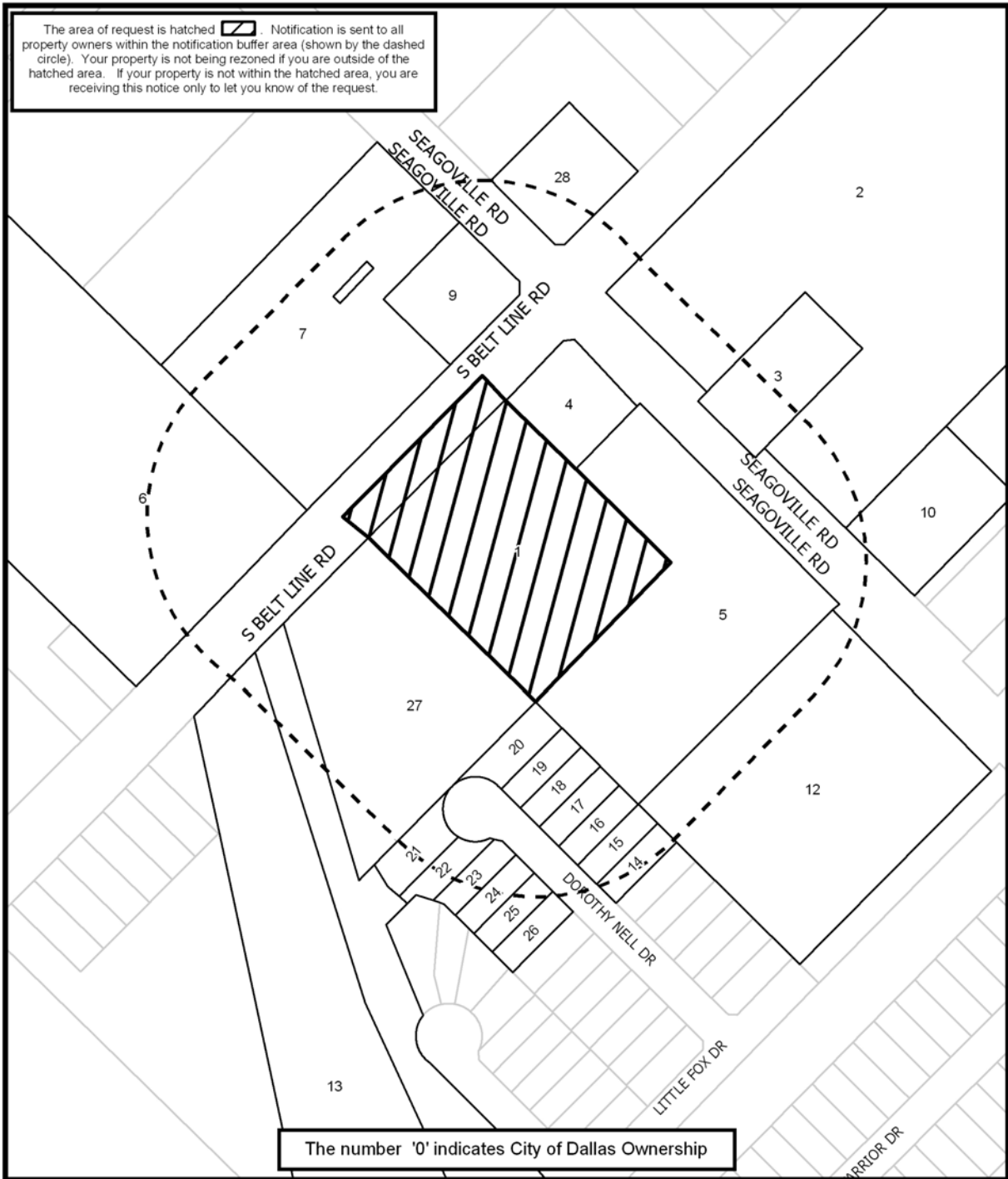
DATE: January 31, 2011



DATE: January 31, 2011



DATE: January 31, 2011



 1:2,400	<h2>NOTIFICATION</h2>	Map no: O-13, N-13
	[300'] AREA OF NOTIFICATION [28] NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: Z101-137

DATE: January 31, 2011

Notification List of Property Owners

Z101-137

28 Property Owners Notified

Label #	Address	Owner
1	1050 BELTLINE	BOWMAW INC % BOBBY WRIGHT
2	15251 SEAGOVILLE RD	BIG SCORE INVESTORS LLC
3	15239 SEAGOVILLE RD	QUIROZ LUCINO & SERGIO
4	1000 BELTLINE	AMMOURI ABED & HAMZA ALKAM
5	15100 SEAGOVILLE RD	BOWMAW INC
6	1131 BELTLINE	BAKER HARRIETT L
7	1025 BELTLINE	FLOYD CHARLES M
8	1001 BELTLINE	FLOYD CHARLES M & BARBARA
9	15130 SEAGOVILLE RD	MEMON SHAHZAD
10	15362 SEAGOVILLE RD	GAITHER REV TRUST
11	1100 BELTLINE	SOUTHEAST DALLAS DEV GROUP LLC
12	15300 SEAGOVILLE RD	US POSTAL SERVICE OFFICE OF FIELD LEGAL SER
13	1100 BELTLINE	FOUR EEEE LLC
14	15426 DOROTHY NELL	CORONADO ASSETS LP
15	15422 DOROTHY NELL	CORONADO ASSETS LP
16	15418 DOROTHY NELL	CORONADO ASSETS LP
17	15414 DOROTHY NELL	CORONADO ASSETS LP
18	15410 DOROTHY NELL	CORONADO ASSETS LP
19	15406 DOROTHY NELL	CORONADO ASSETS LP
20	15402 DOROTHY NELL	CORONADO ASSETS LP
21	15403 DOROTHY NELL	CORONADO ASSETS LP
22	15407 DOROTHY NELL	CORONADO ASSETS LP
23	15411 DOROTHY NELL	CORONADO ASSETS LP
24	15415 DOROTHY NELL	CORONADO ASSETS LP
25	15419 DOROTHY NELL	CORONADO ASSETS LP
26	15423 DOROTHY NELL	CORONADO ASSETS LP
27	1130 BELTLINE	LAM HIU M &
28	943 BELTLINE	ALKAM HAMZA & ABED AMMOURI

Friday, January 28, 2011

FILE NUMBER: Z101-144 (MAW)

DATE FILED: December 13, 2010

LOCATION: Southwest corner of Chalk Hill Road and Chippewa Drive

COUNCIL DISTRICT: 6

MAPSCO: 42-U

SIZE OF REQUEST: ±11,760 square feet

CENSUS TRACT: 106.02

REPRESENTATIVE: Norberto Ornelas

APPLICANT/OWNER: Sergio Coronado

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

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

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

BACKGROUND INFORMATION:

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

Zoning History:

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

Thoroughfares/Streets:

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

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

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

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

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

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

Land Use:

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

STAFF ANALYSIS:

Comprehensive Plan:

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

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

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

Staff believes that an NS(A) Neighborhood Service District in lieu of the requested CR Community Retail District would promote consistency with the following land use goals and policies.

URBAN DESIGN

GOAL 5.2 Strengthen community and neighborhood identity

Policy 5.2.1 Maintain neighborhood scale and character.

NEIGHBORHOOD ELEMENT

Goal 7.1 Promote vibrant and viable neighborhoods.

Policy 7.1.2 Promote neighborhood development compatibility.

Area Plan:

The request site is within the boundaries of the following land use study areas.

Ledbetter Singleton North Industrial Special Study (November 1988)

In January 1988, the City of Dallas Department of Planning and Development began this special study for zoning transition in the Ledbetter area. The study recommends appropriate zoning classifications based on existing land use and future land use recommendations outlined in the 1983 West Dallas Economic and Neighborhood Plan. Specifically, the study recommends an R-5(A) Single Family District for the area in which the request site is located.

West Dallas Comprehensive Land Use Study (May 1999)

The plan recognizes that R-5(A) Single Family is the predominant zoning district and single family residential is the predominant land use of the area in which the request site is located (Ledbetter/Chalk Hill). Pockets of CR Community Retail, CS Commercial Service, NS(A) Neighborhood Service, MF-1(A) Multi-Family, MH Manufactured Homes and A Agricultural also exist. The analysis indicates that the land uses in the Ledbetter/Chalk Hill area are in conformance with the zoning district regulations; hence no change in zoning is recommended.

Land Use Compatibility:

The ±11,760-square foot request site is zoned an R-5(A) Single Family District and is currently undeveloped. The subject property is surrounded by an undeveloped lot and single family residential to the north, undeveloped land to the east and south and single family residential to the west.

The applicant requests a CR Community Retail District to allow the construction of a single story, ±1,750-square foot building for retail and personal service uses. Per the information provided in the land use statement, the applicant intends to operate a beauty salon and a boutique in the proposed building. The applicant's representative indicated that the applicant would like the option of locating an auto service center in a portion of the proposed building, as well.

Given the request site's frontage on a principal arterial, staff recognizes that development with a single-family residential use is unlikely. However, any non-residential development of the site should be sensitive to the adjacent single family home and surrounding residential neighborhood. Therefore, staff believes that an NS(A) Neighborhood Service District would be more appropriate for the site than the requested CR Community Retail District. The NS(A) Neighborhood Service District would provide a gradual transition from the CS Commercial Services District to the east across Chalk Hill Road to the R-5(A) Single-Family District in which the request site is located.

The NS(A) Neighborhood Service District is intended to accommodate convenience retail shopping, services and professional offices principally servicing, and compatible in scale and intensity of use, with adjacent residential uses. For example, the NS(A) Neighborhood Service District allows the following retail and personal service uses:

- Dry cleaning or laundry store (3,500 square feet or less)
- General merchandise or food store (3,500 square feet or less)
- Motor vehicle fueling station (by SUP)
- Personal service uses
- Restaurant without drive-in or drive-through service (subject to residential adjacency review)

The NS(A) Neighborhood Service District would allow the proposed beauty salon and boutique, but not an auto service center. It is noted that, while an auto service center is allowed in the CR Community Retail District, the use is subject to residential adjacency review.

Development Standards:

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: R-5(A)	20'	5'	1 du/5,000 sf	30'	45%	N/A	Single family
Proposed: CR	15'	20' adjacent to residential Other: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	RPS Visual Intrusion	Retail personal service office
Recommended: NS(A)	15'	20' adjacent to residential Other: No Min.	0.5 FAR	30' 2 stories	40%	N/A	Retail personal service office

Traffic:

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

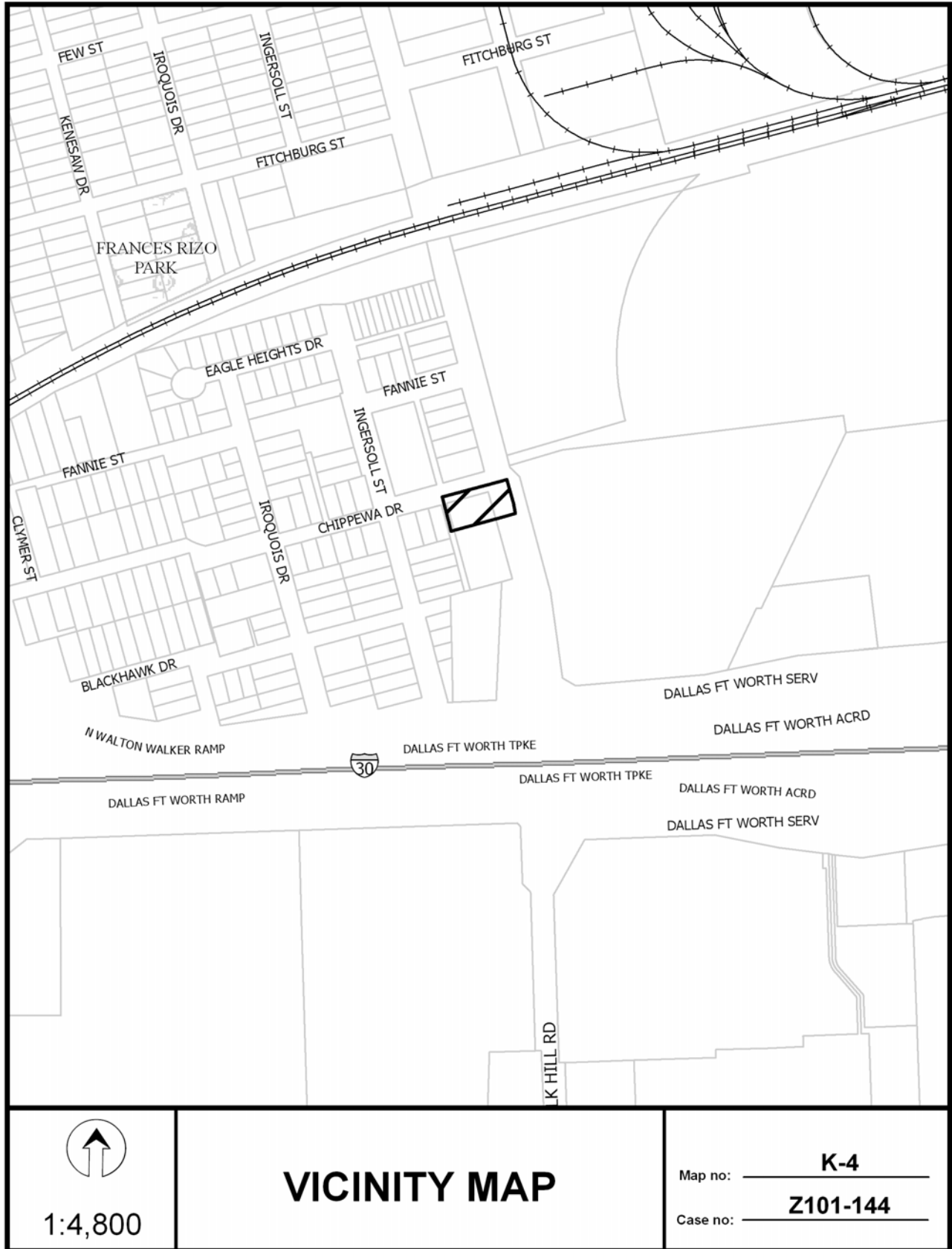
Parking:

Pursuant to §51A-4.210 of the Dallas Development Code, the required off-street parking for a general merchandise or food store 3,500 square feet or less is one (1) space per 200 square feet of floor area. The required off-street parking for a personal service use is also one (1) space per 200 square feet of floor area. Therefore, ±1,750-square feet of retail and personal service uses would require nine (9) parking spaces. While the applicant did not provide details pertaining to the auto service center option, the use requires one space per 500 square feet of floor area with a minimum of four spaces required.

Landscaping:

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

Z101-144(MAW)



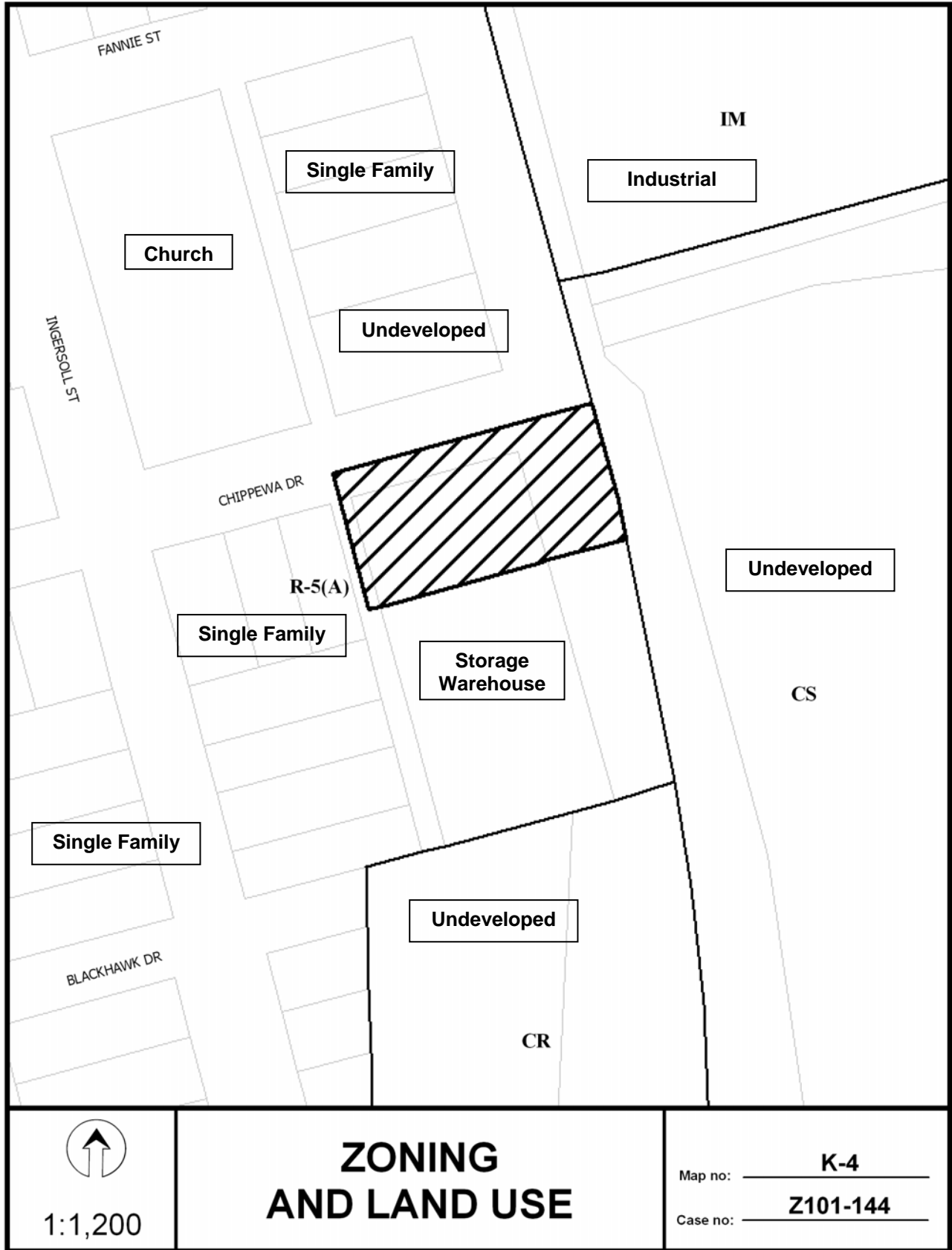
1:4,800

VICINITY MAP

Map no: K-4

Case no: Z101-144

DATE: January 27, 2011



1:1,200

ZONING AND LAND USE

Map no: K-4

Case no: Z101-144

DATE: January 27, 2011



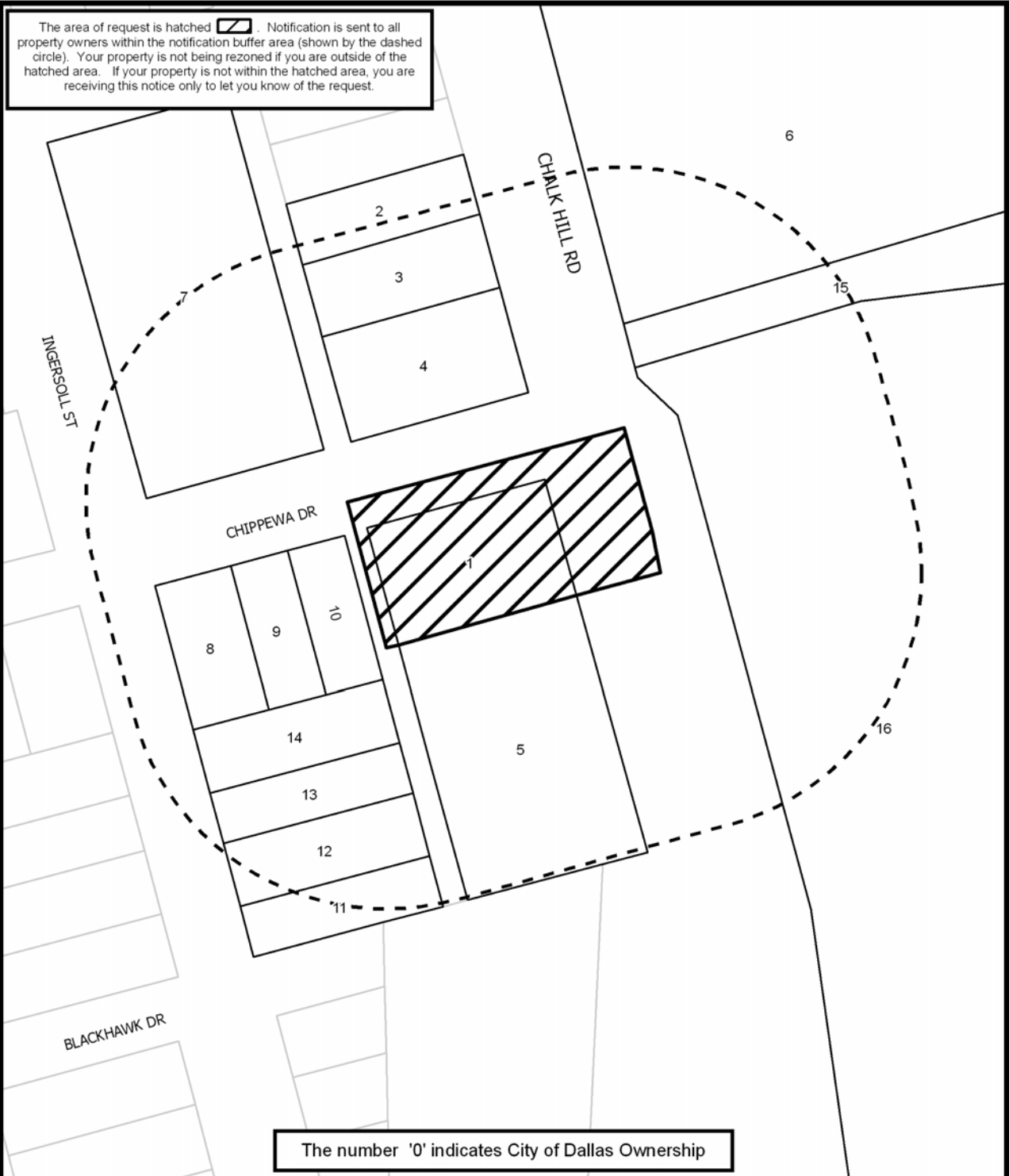
1:1,200

ZONING HISTORY

Map no: K-4

Case no: Z101-144

DATE: January 27, 2011



 1:1,200	NOTIFICATION	Map no: <u> K-4 </u>
	[200'] AREA OF NOTIFICATION [16] NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u> Z101-144 </u>

DATE: January 27, 2011

Notification List of Property Owners

Z101-144

16 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2023 CHALK HILL	CORONADO SERGIO & ALICIA
2	2115 CHALK HILL	MARTINEZ MARCOS
3	2111 CHALK HILL	ESTRADA JESUS J
4	2103 CHALK HILL	BYNUM MARC A ONE MARLLYN
5	2007 CHALK HILL	WALTON JAMES R
6	2230 CHALK HILL	PALESTINE CONC TILE CO LP %HEADWATERS
INC		
7	5121 CHIPPEWA	TEXAS CONFERENCE OF S D A
8	5122 CHIPPEWA	NUNEZ NOE & IMELDA ZAVALA
9	5118 CHIPPEWA	HARE LILI
10	5114 CHIPPEWA	QUINTANILLA ABUNDIO
11	2002 INGERSOLL	CARRIZALES CORONADO SARAH ANNE
12	2006 INGERSOLL	ARIAS MARIA I & JOSE A
13	2010 INGERSOLL	MARIN FLAVIO
14	2014 INGERSOLL	FULLER ARTHUR M & MICHAEL HILSON
15	4351 IH 30	UNITED STATES COLD STORAGE LP
16	1910 CHALK HILL	TURNPIKE WEST LLC

Planner: Mike Grace, AICP

FILE NUMBER: Z101-119(MG) **DATE FILED:** November 8, 2010

LOCATION: East side of N. Stemmons Freeway, north of Regal Row

COUNCIL DISTRICT: 2 **MAPSCO:** 33 K

SIZE OF REQUEST: Approx. 1.96 acres **CENSUS TRACT:** 100.00

APPLICANT: Jorge Rostro

OWNER: 9090 Joint Venture, LLC

REPRESENTATIVE: Vic Cunningham

REQUEST: An application for a Specific Use Permit for commercial amusement (inside) limited to a Class A dance hall on property zoned a CS Commercial Service District.

SUMMARY: The applicant is proposing to operate a banquet hall and special event space.

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

BACKGROUND INFORMATION:

- The applicant's request is for a Specific Use Permit to allow a commercial amusement (inside) limited to a Class A dance hall in addition to the existing banquet hall. Commercial amusement (inside) use is allowed by right in the CS Commercial Service District; dance hall use is only allowed with an approved SUP.
- Approximately 5,835.72 square feet of the existing structure is being used for a ballroom/banquet facility. The applicant is proposing to use a 520 sq. ft. section of this space as a dance area.
- Hours of operation are: Friday 6:00 p.m. until 1:45 a.m., Saturday and Sunday 6:00 p.m. until 2:00 p.m.
- The subject property contains an existing building that is divided into four suites with 74 parking spaces.

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

1. Z067-124 On February 28, 2007, City Council approved a Specific Use Permit for an open-enrollment charter school on property zoned an MU-3 Mixed Use and an IR Industrial Research District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Regal Row	Community Collector	107 ft.	170 ft.

Land Use:

	Zoning	Land Use
Site	CS	Commercial
North	IR	Vacant
South	MU-3	Commercial
East	IR/IM	Vacant/Commercial
West	IR	Commercial

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 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 North Park 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.

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 1.95 acre site is currently developed with an existing 25,600 square foot building. The applicant’s proposal is to provide a 520 square foot dance space within the existing banquet hall.

Approximately 5,836 square feet of the existing structure is being used for a ballroom/banquet facility. The existing building is divided into four suites with one being vacant.

The subject site is zoned CS Commercial Service while immediately adjacent to the south is MU-3 Mixed Use zoning with associated commercial development. To the north is vacant land zoned IR Industrial Research. East of the subject site is IR Industrial Research and IM Industrial Manufacturing encompassing vacant land and commercial development respectively.

Due to the existing commercial zoning and land uses within the surrounding area, staff finds that the proposed commercial amusement (inside) limited to a Class A dance hall use will not negatively impact the subject site or neighboring properties.

Staff is recommending approval for a three year period with eligibility for automatic renewals for periods of 5 years.

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

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
CS - Existing 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

Parking: The requirement for off-street parking for a dance floor pursuant to the Dallas Development Code is one space per 25 square feet of floor area and for a commercial amusement inside is one space per 100 square feet of floor area. The maximum floor area of the dance floor is 520 square feet.

The applicant is required to provide a minimum of 74 off-street parking spaces for the proposed use. The applicant has provided a site plan which indicates a total of 74 parking spaces for the existing banquet hall and proposed dance hall use.

Landscaping: Landscaping of any development will be in accordance with Article X requirements, as amended. However, the landscaping requirements will not be triggered as a result of the applicant not proposing to increase the square footage of the existing structure.

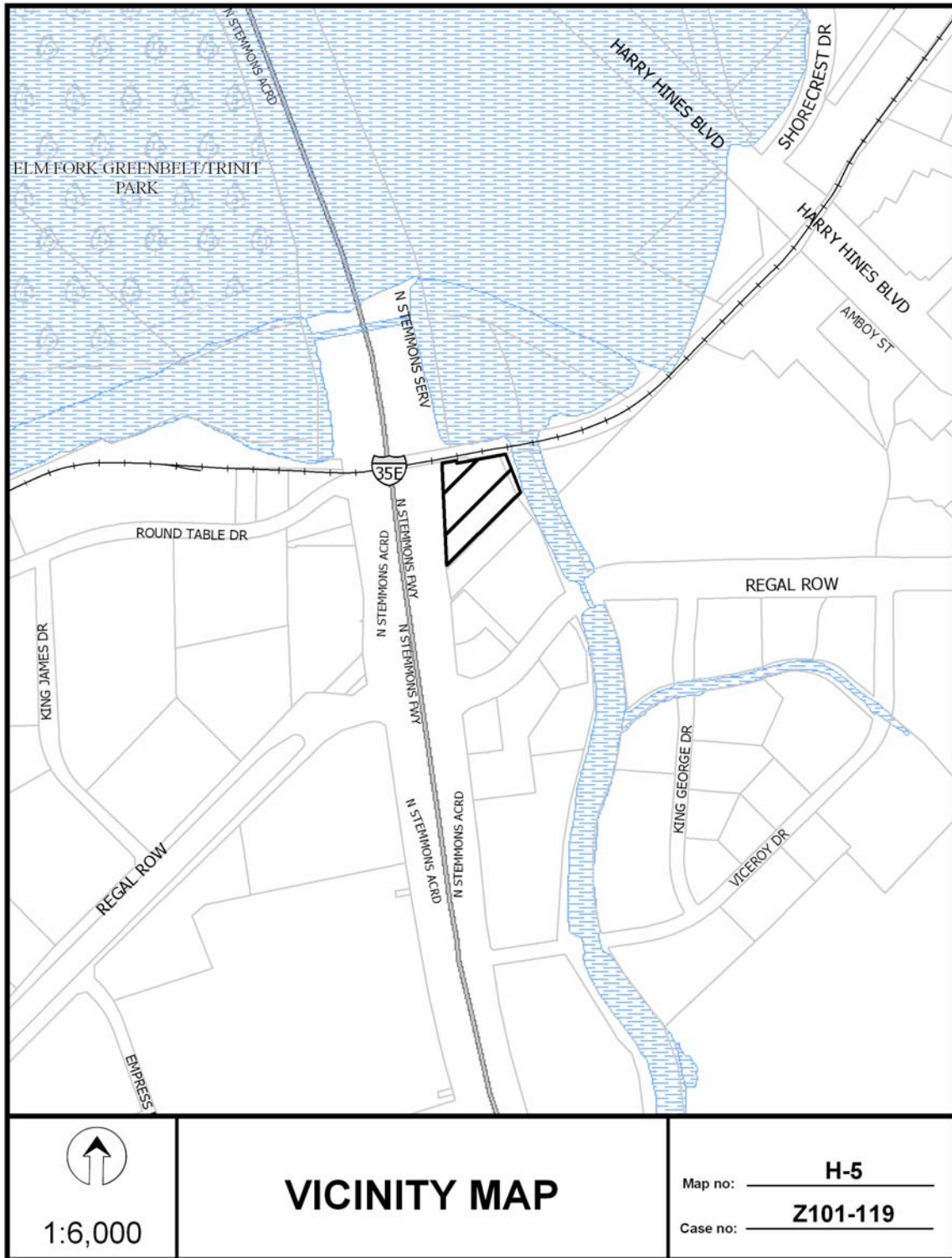
Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

**LIST OF OFFICERS
9090 Joint Venture, LLC**

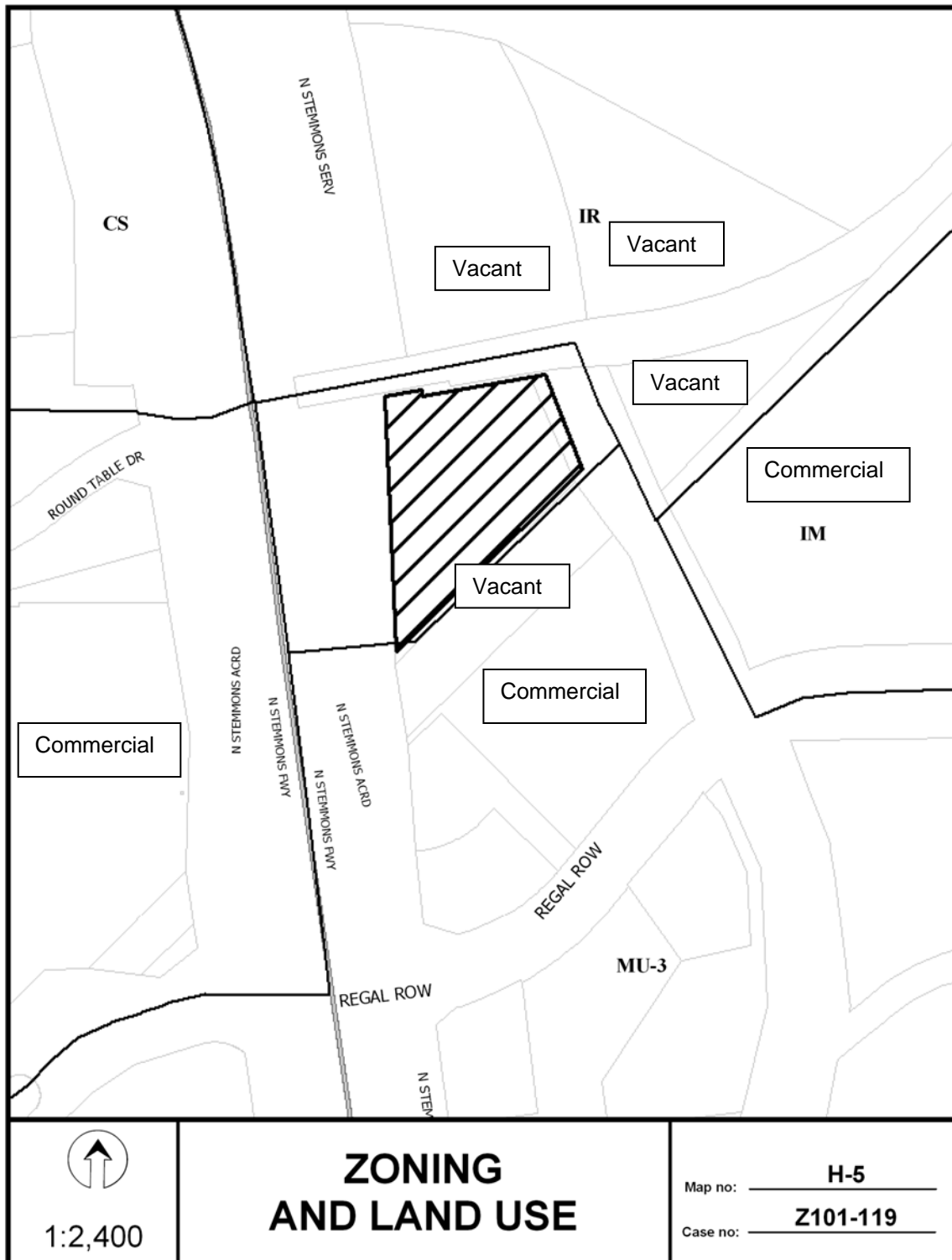
- **Myself. Vickers L Cunningham, Sr., Co-Partner**
- **Larry A Vanderwoude, Co-Partner**

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a commercial amusement (inside) use limited to a Class A dance hall.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit is approved for a period that expires three years from the passage of the ordinance and 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. FLOOR AREA: The maximum floor area for the commercial amusement (inside) use, limited to a Class A dance hall is 520 square feet.
5. HOURS OF OPERATION: The commercial amusement (inside) use may only operate between 6:00 p.m. and 1:45 a.m. on Friday; between 6:00 p.m. and 2:00 a.m. (the next morning) on Saturday and Sunday.
6. PARKING: A minimum of 74 off-street parking spaces must be provided.
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.

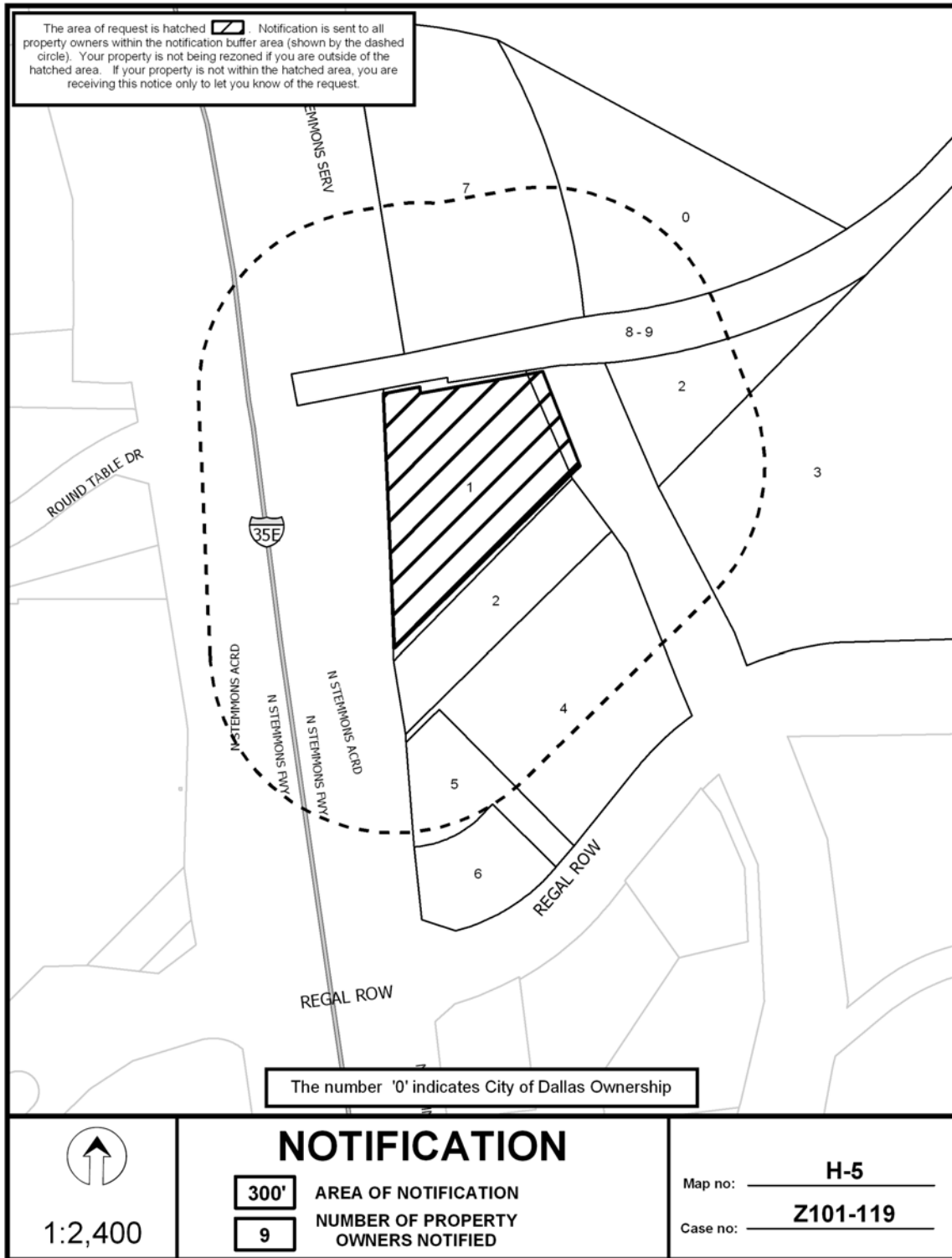


DATE: January 28, 2011



DATE: January 28, 2011





Notification List of Property Owners

Z101-119

9 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9090 STEMMONS	9090 JOINT VENTURE LLC STE A
2	9100 STEMMONS	TEXAS UTILITIES ELEC CO % STATE & LOCAL TAX DEPT
3	1811 REGAL	DALLAS CO PARK CITIES WATER CONTROL & IMPT #2
4	1625 REGAL	BHIKHUBHAI VANDANA &
5	8904 STEMMONS	HIRA CHETNA
6	1607 REGAL	REGAL ROW FINA INC
7	9110 STEMMONS	DALLAS COUNTY FLOOD CONTROL DISTRICT
8	9999 NO NAME	UNION PACIFIC RR CO % TAX DEPT
9	4401 LINFIELD	ST LOUIS S W RAILWAY CO % UNION PACIFIC PPTY TAX

Thursday, January 27, 2011