



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, March 1, 2012
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) **S112-073**
(CC District 2)
- An application to replat 3.727 acre tract of land containing all of Lots 1 through 18 in City Block 1/2057 into one lot on property bounded by Knight Street, Brown Street, Throckmorton Street and Fairmount Street.
Applicant/Owner: Maple Multi-Family, LLC/Chevelle Apt. Group LLC
Surveyor: Brockette Davis Drake, Inc.
Application Filed: February 1, 2012
Zoning: PD 193, PDS 78
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (2) **S112-074**
(CC District 2)
- An application to replat all of Lot 5C and part of Lot 23 in City Block D/2370 into one 4.979 acre lot located at the north quadrant of Forest Park Road and Stutz Road.
Applicant/Owner: Stutz Road Limited Partnership
Surveyor: Brockette/Davis/Drake, Inc.
Application Filed: January 28, 2012
Zoning: PD 547, IM, MU-2
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (3) **S112-075**
(CC District 14) An application to replat a 1.363 acre tract of land containing all of Lots 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 and a portion of an abandoned 20 foot alley all located in City Block 326; and fronting on Texas Street between Swiss Avenue and Florence Street.
Applicant/Owner: Dallas Casa
Surveyor: Bury Partners – DFW, Inc.
Application Filed: February 7, 2012
Zoning: PD 298, Subarea 10
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S112-076**
(CC District 6) An application to replat all of Lot 4 in City Block 6464 and a 2.05 acre tract of land located at Lombardy Lane between Denton Drive and Harry Hines Boulevard into one 4.711 acre lot.
Applicant/Owner: Dallas County
Surveyor: Kimley-Horn & Associates, Inc.
Application Filed: February 8, 2012
Zoning: IM
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Docket

- M112-009**
Richard Brown
(CC District 13) An application for a minor amendment to the development plan and landscape plan for Planned Development District No. 308 for MU-1 Mixed Use District and CR Community Retail District Uses on the northeast corner of Forest Lane and Webb Chapel Road.
Staff Recommendation: **Approval**
Applicant: Global Webb, LP
Representative: Belinda Eller
- W112-007**
Neva Dean
(CC District 5) An application for a waiver of the two-year waiting period in order to submit an application for an amendment to Planned Development District No. 103 to allow an 89 foot cross tower and a terraced seating area and covered stage on the east line of Pastor Bailey Drive, north of Camp Wisdom Road.
Staff Recommendation: **Denial**

Miscellaneous Docket – Under Advisement

- D101-024**
Olga Torres Holyoak
(CC District 12) Development plan for Planned Development District No. 850 on the east side of Coit Road, between DART RR & Campbell Road.
Staff Recommendation: **Approval**
U/A From: February 2, 2012

Zoning Cases – Consent

1. **Z112-103(WE)**
Warren Ellis
(CC District 4)
An application for an amendment to Specific Use Permit No. 1411 for an Open enrollment charter school on property zoned an R-7.5(A) Single Family District on the south side of Bruton Road between Las Cruces Lane and Alhambra Street.
Staff Recommendation: **Approval** for a ten-year time period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan, traffic management plan and conditions.
Applicant: Bethany Baptist Church
Representative: Larry Davis

2. **Z112-147(WE)**
Warren Ellis
(CC District 7)
An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the southeast corner of East R.L. Thornton Freeway (I-30) and N. Jim Miller Road.
Staff Recommendation: **Approval** for a two-year time period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.
Applicant: BK USA, Inc.
Representative: Parvez Malik – Business Zoom

3. **Z112-167(WE)**
Warren Ellis
(CC District 3)
An application for a Specific Use Permit for an Open enrollment charter school on property zoned Planned Development District No. 612 on the east side of Spur 408, north of Grady Niblo Road.
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan a, revised traffic management plan and conditions.
Applicant: UME Preparatory Academy
Representative: DeWayne Barker

4. **Z112-124(JH)**
Jennifer Hiromoto
(CC District 14)
An application to amend and expand Specific Use Permit No. 1526 for a Private school on property zoned an R-7.5(A) Single Family District on the southwest corner of Abrams Road and Kenwood Avenue.
Staff Recommendation: **Approval**, subject to a site plan, landscape plan, traffic management plan and conditions.
Applicant: Roman Catholic Diocese of Dallas
Representative: Rob Baldwin

5. **Z112-154(JH)**
Jennifer Hiromoto
(CC District 8)
An application to amend deed restrictions on property zoned an IR Industrial Research District on the west side of Old Hickory Trail, north of W. Daniieldale Road.
Staff Recommendation: **Approval**
Applicant: Seefried Industrial Properties, Inc.
6. **Z112-146(MW)**
Megan Wimer
(CC District 12)
An application to amend Planned Development District No. 695 on the southeast corner of Coit Road and Frankford Road.
Staff Recommendation: **Approval**, subject to a development plan, landscape plan and conditions.
Applicant: Redwood-ERC Dallas, LLC
Representative: James R. Schnurr
7. **Z112-162(MW)**
Megan Wimer
(CC District 4)
An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the northeast corner of East Overton Road and Ramona Avenue.
Staff Recommendation: **Approval** of a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.
Applicant: Min Hyung Lee
Representative: Jae Yul Lee
8. **Z101-391(RB)**
Richard Brown
(CC District 6)
An application for an IM Industrial Manufacturing District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the north line of Crown Road, west of Newberry Street and on the west line of Newberry Street, north of Crown Road.
Staff Recommendation: **Approval**, subject to deed restrictions volunteered by the applicant.
Applicant: Bencor Corporation
Representative: Michael R. Coker
9. **Z101-392(RB)**
Richard Brown
(CC District 6)
An application for an IM Industrial Manufacturing District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the south line of Merrell Road, east of Goodnight Lane, and the north line of Southwell Road, east of Goodnight Lane.
Staff Recommendation: **Approval**, subject to deed restrictions volunteered by the applicant.
Applicant: Bencor Corporation
Representative: Michael R. Coker

10. **Z112-163(RB)**
Richard Brown
(CC District 14)
- An application for an amendment to the Phase I portion of Planned Development Subdistrict No. 20 for certain GR General Retail Subdistrict Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District at the east corner of Oak Lawn Avenue and Gillespie Street.
- Staff Recommendation: **Approval**, subject to a development/landscape plan and conditions.
- Applicant: Ahns Group, Inc.
- Representative: Richard Rooks

Zoning Cases – Under Advisement

11. **Z101-390(RB)**
Richard Brown
(CC District 6)
- An application for an IM Industrial Manufacturing District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the northwest corner of Goodnight Lane and Merrell Road.
- Staff Recommendation: **Approval**, subject to deed restrictions volunteered by the applicant.
- Applicant: Bencor Corporation
- Representative: Michael R. Coker
- U/A From: February 16, 2012
12. **Z101-233(MW)**
Megan Wimer
(CC District 1)
- An application for an MU-2 Mixed Use District and a Specific Use Permit for a convenience store with drive-through on property zoned an MU-1 Mixed Use District on the southwest corner of East 8th Street and South RL Thornton Freeway.
- Staff Recommendation: **Denial**
- Applicant: Carlos Rios, sole officer of Rios Properties, LLC.
- Representative: Ralph Martinez
- U/A From: February 16, 2012

Zoning Cases – Individual

13. **Z112-155(MW)**
Megan Wimer
(CC District 13)
- An application for an NS(A) Neighborhood Service District on property zoned an MF-1(A) Multifamily District on the northeast corner of Park Lane and Pineland Drive.
- Staff Recommendation: **Denial**
- Applicant: John Chong
- Representative: Tailim Song Law Firm
14. **Z112-165(MW)**
Megan Wimer
(CC District 1)
- An application to remove the D Liquor Control Overlay on property zoned an MU-1-D Mixed Use District with a D Liquor Control Overlay on the northwest corner of South Zang Boulevard and West Page Avenue.
- Staff Recommendation: **Denial**
- Applicant: Quik Trip Corporation
- Representative: James R. Schnurr

15. **Z112-166(MW)**
Megan Wimer
(CC District 1)
- An application for an MU-1 Mixed Use District on property zoned Subarea 2a within Planned Development District No. 316, the Jefferson Area Special Purpose District, on the southwest corner of South Zang Boulevard and West 12th Street.
Staff Recommendation: **Denial**
Applicant: Quik Trip Corporation
Representative: James R. Schnurr
16. **Z112-138(JH)**
Jennifer Hiromoto
(CC District 7)
- An application to amend Planned Development District No. 605 with a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on the southwest corner of Buckner Boulevard and Samuel Boulevard.
Staff Recommendation: **Approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions and **approval** of the amendment to Planned Development District No. 605, subject to a conceptual plan and staff conditions.
Applicant: Racetrac
Representative: Santos Martinez

Development Code Amendment – Under Advisement

- DCA112-004**
David Cossum
- Consideration of amendments to Chapter 51A, the Dallas Development Code, to amend Section 51A-8.500, Subdivision Layout and Design, providing that lots for certain governmental uses are excluded from the requirement that lots must conform in width, depth, and area to the pattern already established in adjacent areas.
Staff Recommendation: **Approval**
Subdivision Review Committee Recommendation: **Pending the March 1, 2012, Subdivision Review Committee Meeting.**
U/A From: February 16, 2012

Other Matters

Minutes: February 16, 2012

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Thursday, March 1, 2012

ZONING ORDINANCE COMMITTEE (ZOC) MEETING - Thursday, March 1, 2012, City Hall, 1500 Marilla Street, in 5ES, at 9:00 a.m. to consider (1) **DCA 112-001** - Consideration of amending the Dallas Development Code to develop appropriate standards for alternative fueling stations including electrical charging, compressed natural gas and liquefied natural gas.

SUBDIVISION REVIEW COMMITTEE Thursday, March 1, 2012, City Hall, 1500 Marilla Street, in Room 5DN, at 10:00 a.m. to consider amendments to Chapter 51A, the Dallas Development Code, to amend Section 51A-8.500, Subdivision Layout and Design, providing that lots for certain governmental uses are excluded from the requirement that lots must conform in width, depth, and area to the pattern already established in adjacent areas.

Tuesday, March 13, 2011

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC) MEETING – Tuesday, March 13, 2011, City Hall, 1500 Marilla Street, at 2:00 p.m.

Note: The official Special Sign District Advisory Committee Agenda will be posted in the City Secretary's Office and City Website at www.ci.dallas.tx.us/cso/boardcal.shtml. Please review the official agenda for location and time.

EXECUTIVE SESSION NOTICE

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

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

CITY PLAN COMMISSION**THURSDAY, MARCH 1, 2012****FILE NUMBER:** S112-073**Subdivision Administrator:** Paul Nelson**LOCATION:** Knight Street, Brown Street, Throckmorton Street, and Fairmount Street**DATE FILED:** February 1, 2012**ZONING:** PD 193, PDS 78**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 3.727 Acres **MAPSCO:** 35W**APPLICANT/OWNER:** Maple Multi-Family, LLC/Chevelle Apt. Group LLC

REQUEST: An application to replat a 3.727 acre tract of land containing all of Lots 1 through 18 in City Block 1/2057 into one lot on property bounded by Knight Street, Brown Street, Throckmorton Street, and Fairmount Street.

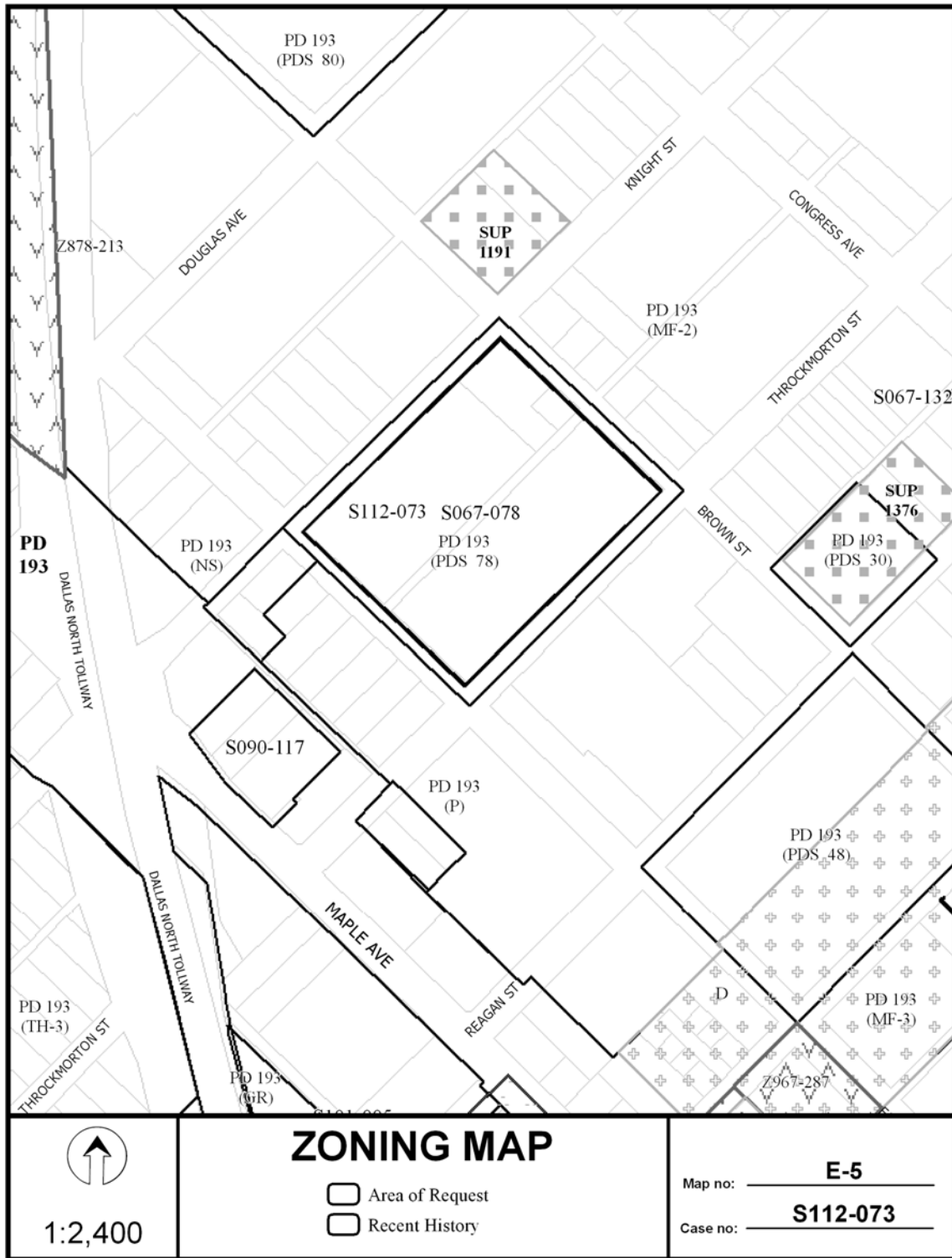
SUBDIVISION HISTORY:

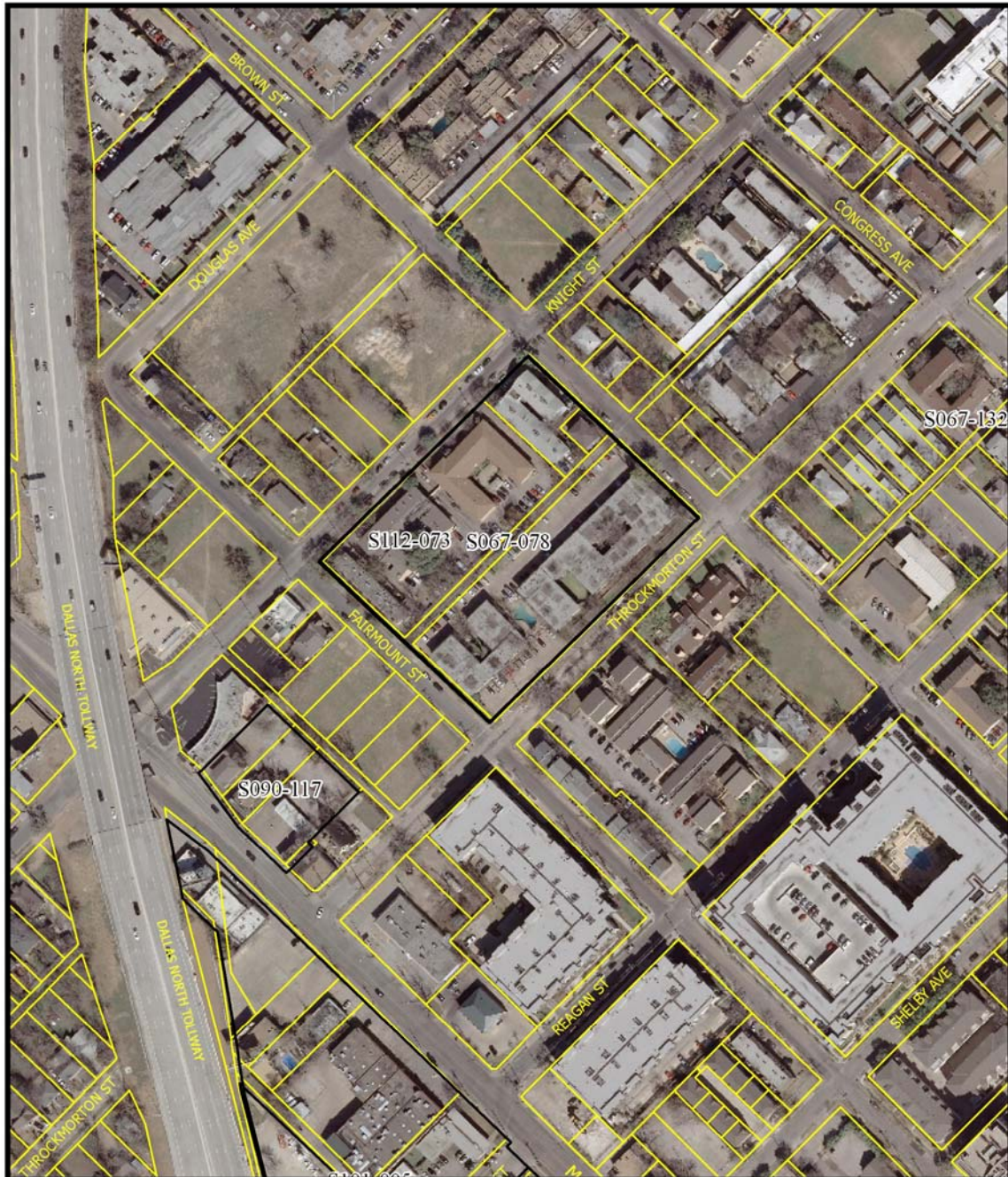
1. S067-078 was an application on this same property to replat 18 lots into 1 3.7 acre lot in City Block 1/2057 and was approved on February 1, 2007 but has not been recorded. The plat expired February 1, 2012.




STAFF RECOMMENDATION: The proposed subdivision complies with the requirements of the PD 193 and PDS 78 Districts; therefore, staff recommends approval subject to compliance with the following conditions:

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

9. A letter stating that the monumentation provisions of Section 51A-8.617 have been complied with and the monuments have been set must be received from the Chief City Surveyor prior to submittal of the final plat for the Chairman's signature.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
13. On the final plat determine the 100 year water surface elevation across the plat.
14. On the final plat dedicate a 15 foot by 15 foot corner clip at Fairmount Street and Knight Street, and at Brown Street and Throckmorton Street.
15. On the final plat show how all adjoining ROW was created.
16. On the final plat all utility easement abandonments must be shown with the recording information.
17. On the final plat show two controlling monuments.
18. On the final plat monument all set corners, and show a minimum of 2 control monuments, per the monumentation ordinance.
19. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
20. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
21. Water/wastewater main extension may be required by Private Development Contract.
22. On the final plat identify the property as City Block 1/2057, Lot 1A.
23. On the final plat show the existing alley as "Abandonment authorized by Ordinance No. _____ and recorded as Instrument No. _____. Real Estate Division release required prior to recordation of the final plat."





 1:2,400	<h2>AERIAL MAP</h2> <ul style="list-style-type: none">  Area of Request  Recent History 	Map no: <u> E-5 </u> Case no: <u> S112-073 </u>
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2/10/2012

CITY PLAN COMMISSION**THURSDAY, MARCH 1, 2012****FILE NUMBER:** S112-074**Subdivision Administrator:** Paul Nelson**LOCATION:** Stutz Avenue and Forest Park Road, north quadrant**DATE FILED:** January 28, 2012**ZONING:** PD 547, IM, MU-2**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 4.979 Acres **MAPSCO:** 34T**APPLICANT/OWNER:** Stutz Road Limited Partnership

REQUEST: An application to replat all of Lot 5C and part of Lot 23 in City Block D/2370 into one 4.979 acre lot located at the north quadrant of Forest Park Road and Stutz Road.

SUBDIVISION HISTORY:

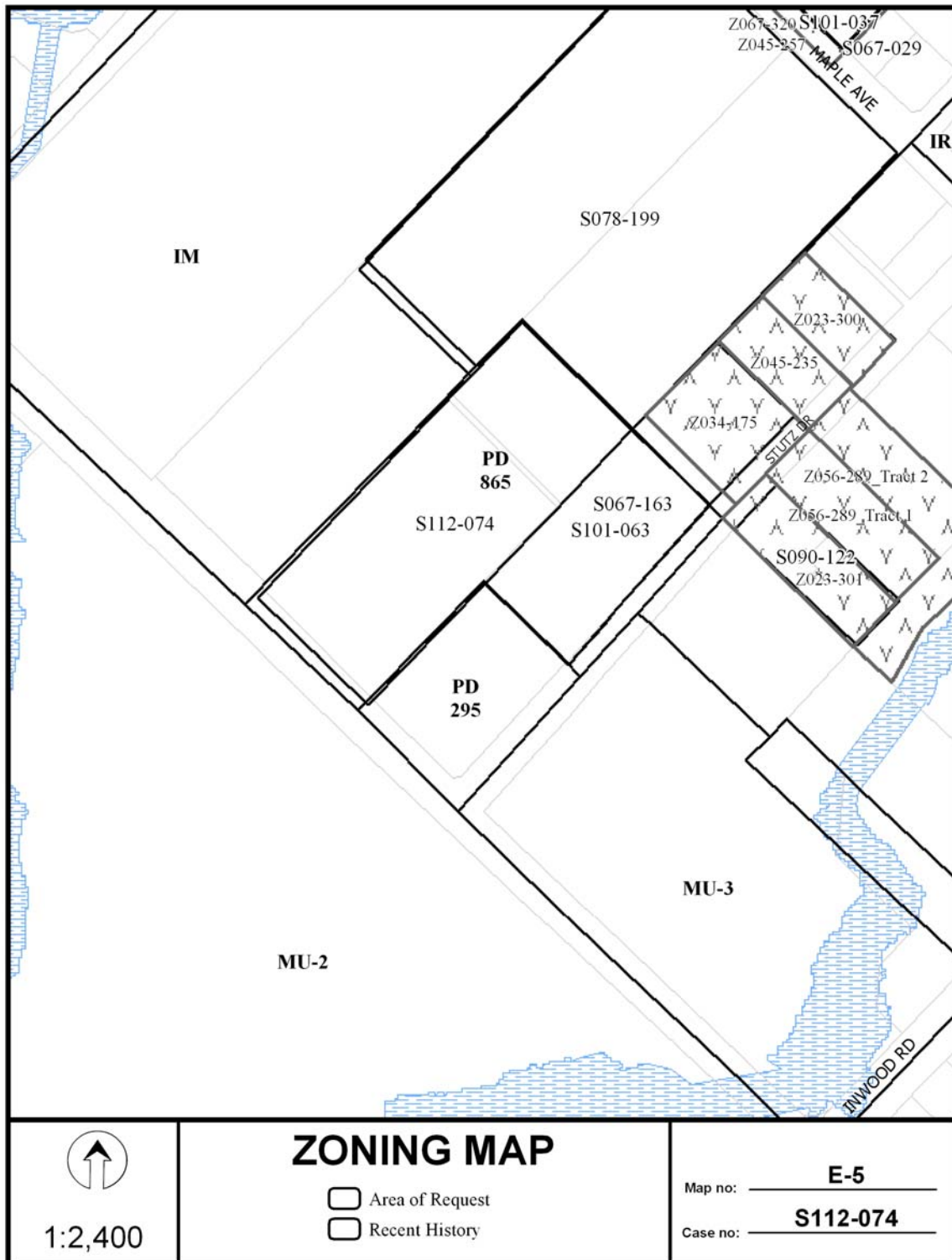
1. S101-063 was an application to the south of the present request to replat a 2.248 acre tract of land containing all of Lot 5A in City Block D/2370 into one 1.443 acre lot and one 0.805 acre lot on 2303 Stutz Avenue northeast of Forest Park Drive and was approved on March 24, 2011 and recorded on January 13, 2012.
2. S090-122 was an application southwest of the present request to replat a 0.631 acre tract of land being all of Lot 19 in City Block D/2371 into one 0.124 acre lot, one 0.150 acre lot, and one 0.357 acre lot on property located on 2316 Stutz Drive between Maple Avenue and Forest Park Road. The request was approved on August 5, 2010 but has not been recorded.
3. S078-199 was an application contiguous on the northeast of the present request to create one lot from a tract of land containing 7.795 acres in City Block D/2370, on 5919 and 5925 Maple Ave. The request was approved on June 12, 2008 but has not been recorded.
4. S067-163 was an application on the property adjacent on the south of the present request to replat a 2.248 acre tract of land containing all of Lots 5, 6, 7, 8, 9 and part of Lot 10 in City block D/2370 into one lot on Stutz Avenue between Forest Park and Maple Avenue. The plat was approved on May 10, 2007 and recorded on August 28, 2009.

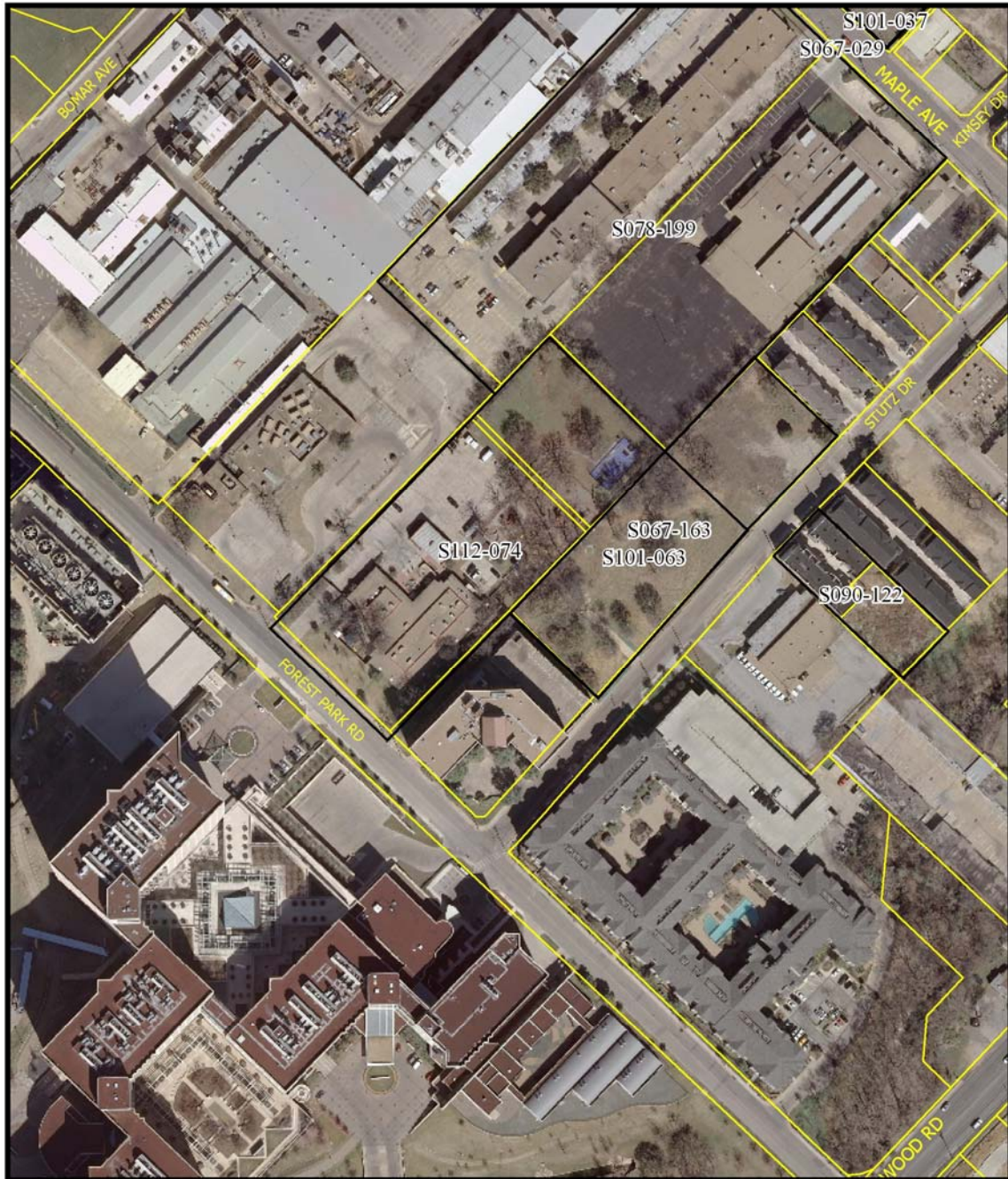
STAFF RECOMMENDATION: The proposed subdivision complies with the requirements of PD 547, IM, MU-2 Districts; therefore, staff recommends approval subject to compliance with the following conditions:


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

4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. A letter stating that the monumentation provisions of Section 51A-8.617 have been complied with and the monuments have been set must be received from the Chief City Surveyor prior to submittal of the final plat for the Chairman's signature.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat dedicate 28 feet of ROW, or a street easement, or Public Utility and Sidewalk Easement equal to 28 feet from the established centerline of Stutz Avenue and Forest Park Road.
14. On the final plat, include a note that the site is within the 65 Ldn contour of Dallas Love Field Airport and that this noise level may require special construction standards for certain uses per the building code.
15. On the final plat show how all adjoining ROW was created.
16. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information for each tract.
17. On the final plat show a minimum of 2 control monuments, per the monumentation ordinance.
18. On the final plat all utility easement abandonments must be shown with the correct recording information.

19. On the final plat show the distance/width of ROW across Forest Park Road at a minimum of 2 locations.
20. On the final plat tie the beginning point to a found block corner or a found lot corner of an existing platted addition.
21. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
22. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
23. Water/wastewater main extension may be required by Private Development Contract.
24. On the final plat identify the property as City Block D/2370, Lot 5D.
25. The 7 easements shown to be abandoned must be abandoned by separate instrument and must be shown on the final plat as "Abandonment authorized by Ordinance NO. _____ and recorded as Instrument No. _____." Real Estate release required prior to submittal of the final plat to the Chairman for Signature.
26. On the final plat change Stutz Road to "Stutz Avenue" on both the drawing and in the legal description.





 1:2,400	<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> E-5 </u></p> <p>Case no: <u> S112-074 </u></p>
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2/10/2012

CITY PLAN COMMISSION**THURSDAY, MARCH 1, 2012****FILE NUMBER:** S112-075**Subdivision Administrator:** Paul Nelson**LOCATION:** Texas Street between Swiss Avenue and Florence Street**DATE FILED:** February 7, 2012**ZONING:** PD 298, Subarea 10**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 1.363 Acres **MAPSCO:** 45M**APPLICANT/OWNER:** Dallas Casa

REQUEST: An application to replat a 1.363 acre tract of land containing all of Lots 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 and a portion of an abandoned 20 foot alley all located in City Block 326; and fronting on Texas Street between Swiss Avenue and Florence Street.

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

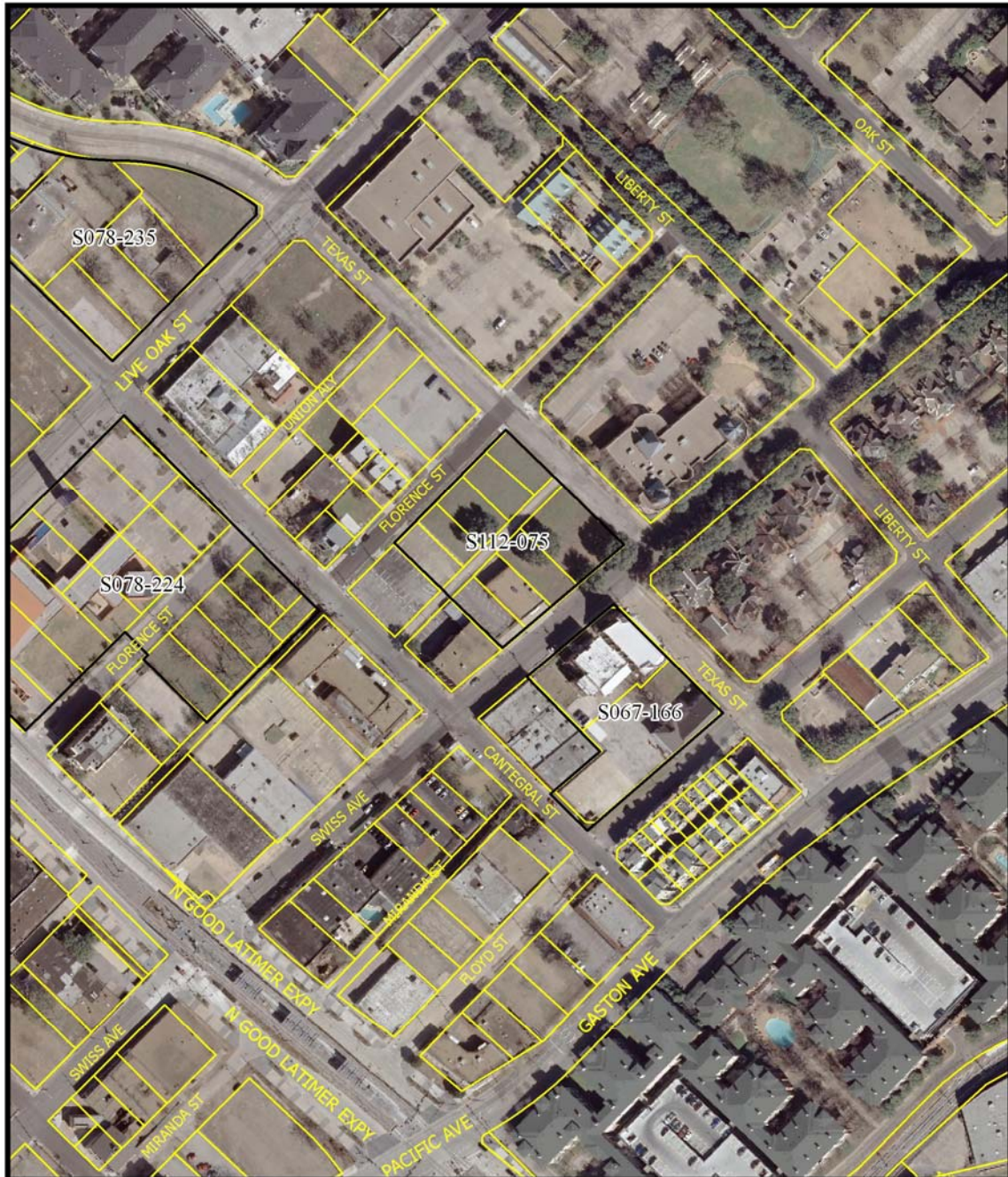
STAFF RECOMMENDATION: The proposed subdivision complies with the requirements of PD 298, Subarea 10; therefore, staff recommends approval subject to compliance with the following conditions:


1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. A letter stating that the monumentation provisions of Section 51A-8.617 have been complied with and the monuments have been set must be received from

the Chief City Surveyor prior to submittal of the final plat for the Chairman's signature.

10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
14. On the final plat dedicate 28 feet of ROW, or a street easement, or Public Utility and Sidewalk Easement equal to 28 feet from the established centerline of Florence Street and Texas Street.
15. On the final plat dedicate a 10 feet by 10 feet corner clip at Texas Street at Swiss Avenue and at Texas Street and Florence Street.
16. Comply with Mill Creek drainage requirement. Finish floor elevation must be 3 feet above nearest inlet, top of curb.
17. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
18. Water/wastewater main extension may be required by Private Development Contract.
19. On the final plat identify the property as City Block 326, Lot 3A.
20. On the final plat show the alley abandonment and recording information on the plat as follows: "Abandonment authorized by Ordinance No. 28137 and recorded as Inst. No. 201100068181, O.P.R.D.C.T. (Easements retained) Inst. No. 201100195629, O.P.R.D.C.T. Real Estate release required prior to obtaining the Chairman's signature on the final plat."





 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> E-5 </u> Case no: <u> S112-075 </u>
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2/10/2012

CITY PLAN COMMISSION**THURSDAY, MARCH 1, 2012****FILE NUMBER:** S112-076**Subdivision Administrator:** Paul Nelson**LOCATION:** Lombardy Lane between Denton Drive and Harry Hines Boulevard**DATE FILED:** February 8, 2012**ZONING:** IM**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 4.711 Acres **MAPSCO:** 23T**APPLICANT/OWNER:** Dallas County

REQUEST: An application to replat all of Lot 4 in City Block 6464 and a 2.05 acre tract of land located at Lombardy Lane between Denton Drive and Harry Hines Boulevard into one 4.711 acre lot.

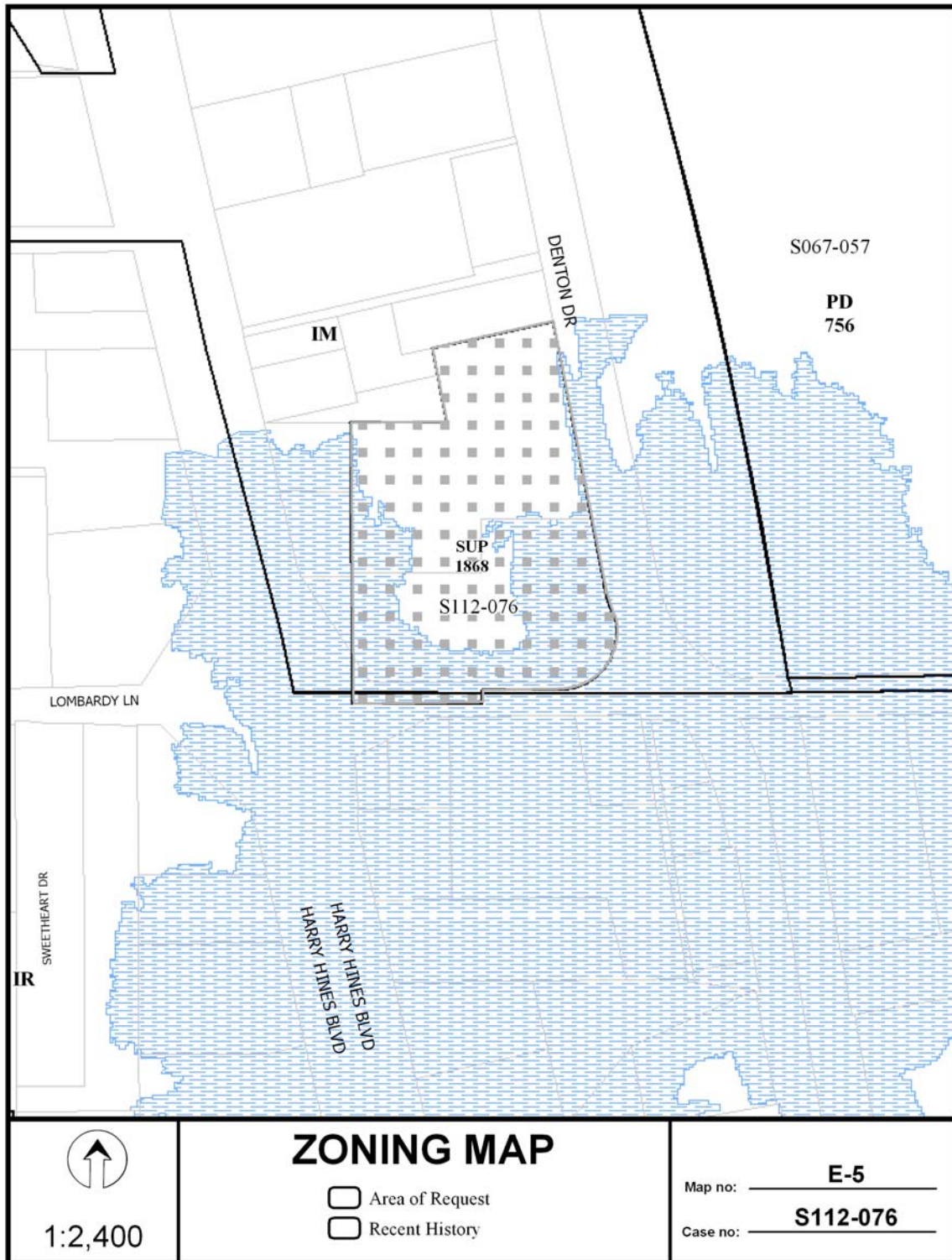
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

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


1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. A letter stating that the monumentation provisions of Section 51A-8.617 have been complied with and the monuments have been set must be received from

the Chief City Surveyor prior to submittal of the final plat for the Chairman's signature.

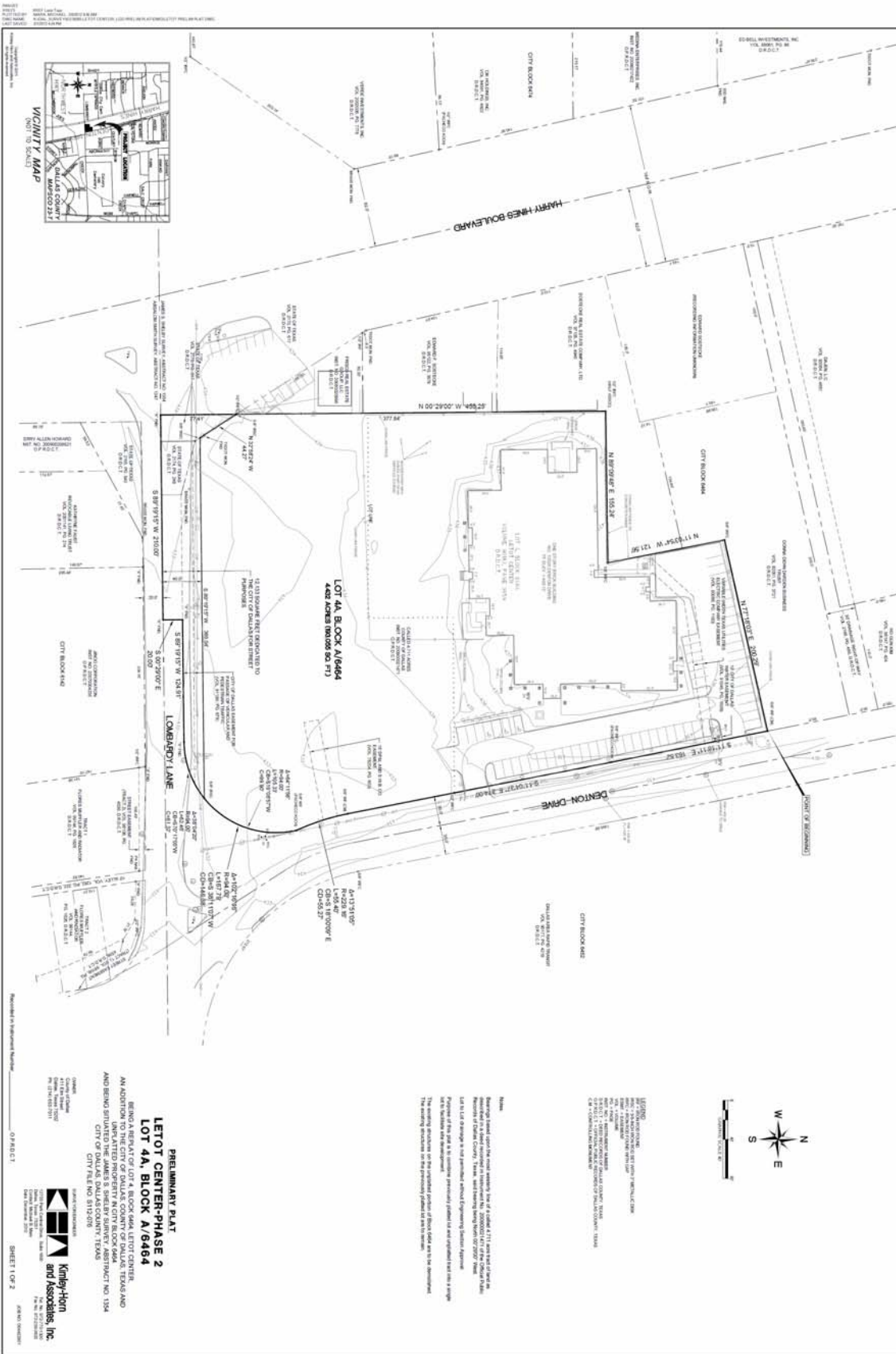
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat add the following note: "Any access or modification to Harry Hines Blvd. requires TXDOT approval.
14. On the final plat determine the 100 year water surface elevation across the plat.
15. On the final plat dedicate a floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
16. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
17. On the final plat specify minimum fill and minimum finished floor elevations if a fill permit exists.
18. On the final plat show the natural channel set back from the crest of the natural channel.
19. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
20. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
21. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information.
22. On the final plat show the distances/width of ROW across Lombardy Lane in 2 places.
23. On the final plat monument all set corners, and show a minimum of 2 control monuments, per the monumentation ordinance.
24. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
25. On the final plat identify the property as City Block A/6464, Lot 4A.
26. On the final plat change Harry Hines Boulevard to "Harry Hines Boulevard (State Highway Loop No. 354).





 1:2,400	<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> E-5 </u></p> <p>Case no: <u> S112-076 </u></p>
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2/10/2012



FILE NUMBER: M112-009

DATE FILED: December 8, 2011

LOCATION: Forest Lane and Webb Chapel Road, Northeast Corner

COUNCIL DISTRICT: 13

MAPSCO: 13 X, Y

SIZE OF REQUEST: Approx. 27.12 Acres

CENSUS TRACT: 96.05

APPLICANT/OWNER: Global Webb, LP

REPRESENTATIVE: Belinda Eller

MISCELLANEOUS DOCKET ITEM

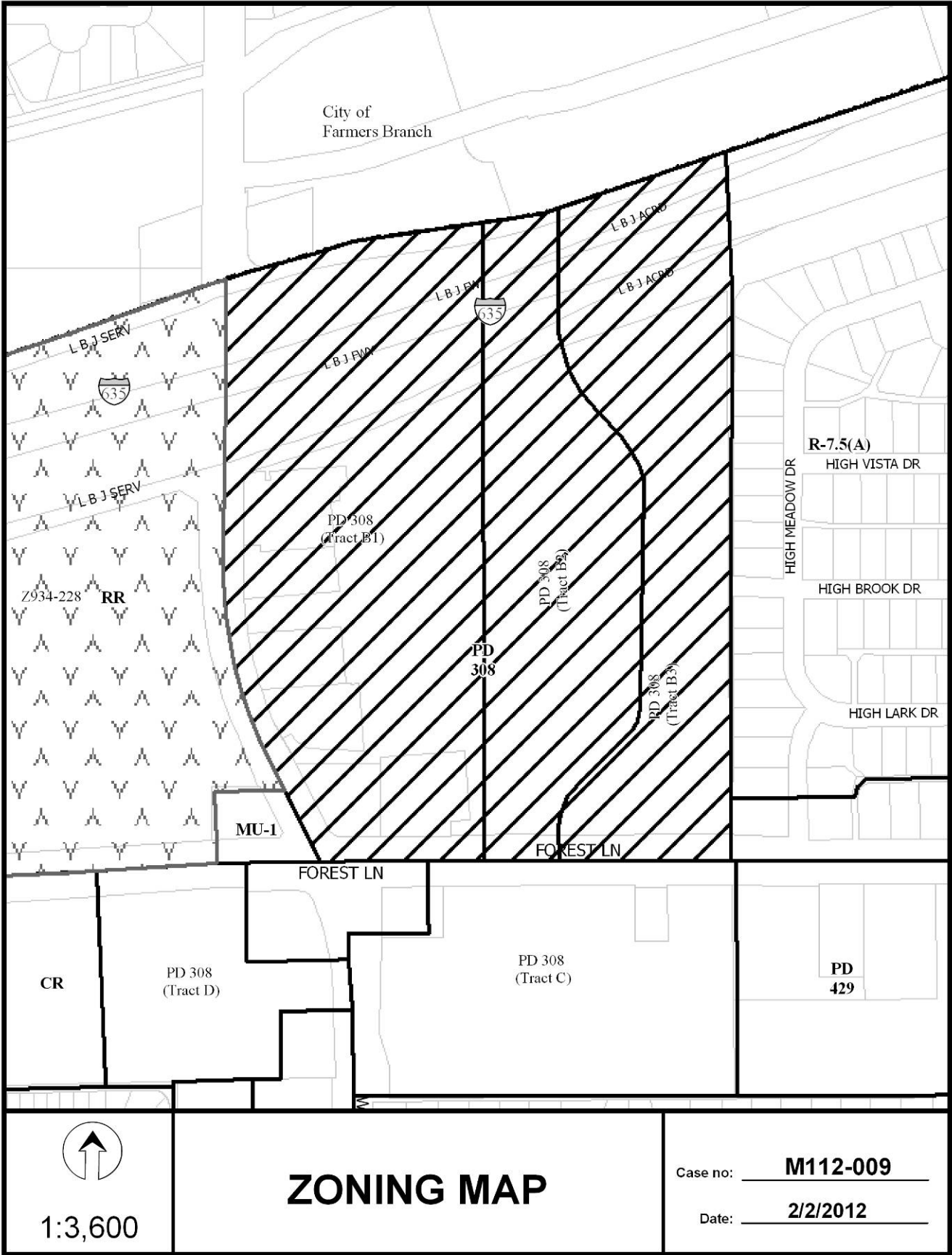
Minor Amendment for Development Plan and Landscape Plan

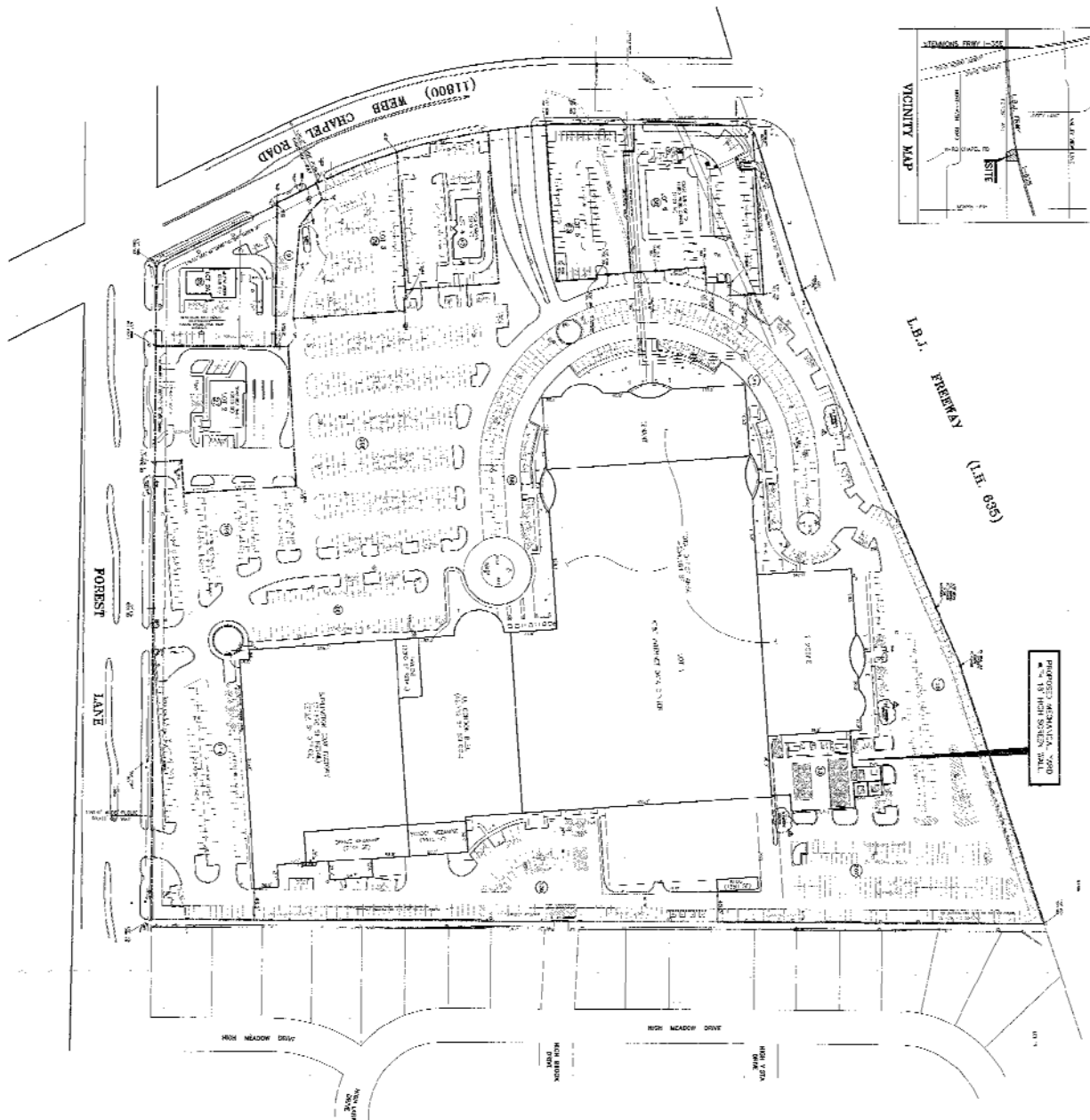
On April 26, 1989, the City Council passed Ordinance No. 20280 which established Planned Development District No. 308 for MU-1 Mixed Use District and CR Community Retail District Uses on property at the above location. The ordinance governing PDD No. 308 was granted with a conceptual plan, requiring City Plan Commission approval of a development plan for each phase of development. On September 20, 2001, the City Plan Commission approved a development plan for this portion of the property. While the approved development plan includes Tracts B1, B2, and B3, the requested improvements are located within the Tract B3 portion of the PDD.

At this time, the property owner has requested consideration of a minor amendment to the development plan to provide for an equipment building (1,350 square feet) and sixteen foot-tall solid screening wall around an equipment area within the extreme northeast corner of the site. The landscape plan is being revised to provide for these revisions.

The above referenced items do not impact the other provisions required by the ordinance regulating the PDD and complies with consideration of a minor amendment to both a development plan and landscape plan.

STAFF RECOMMENDATION: Approval





DEVELOPMENT PLAN
PD 308

ZONING NOTE

THE ZONING DISTRICT BOARD HAS REVIEWED THE PROPOSED DEVELOPMENT PLAN AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS CONSISTENT WITH THE ZONING DISTRICT BOARD'S POLICY AND THE CITY OF DALLAS ZONING ORDINANCE. THE ZONING DISTRICT BOARD HAS APPROVED THE PROPOSED DEVELOPMENT PLAN AND HAS RECOMMENDED THAT THE CITY OF DALLAS APPROVE THE PROPOSED DEVELOPMENT PLAN.

PARKING CALCULATIONS

LOT	AREA	TYPE	NO. OF SPACES	REMARKS
1	10,000	Office	100	100 spaces
2	5,000	Office	50	50 spaces
3	15,000	Office	150	150 spaces
4	8,000	Office	80	80 spaces
5	12,000	Office	120	120 spaces
6	6,000	Office	60	60 spaces
7	9,000	Office	90	90 spaces
8	11,000	Office	110	110 spaces
9	7,000	Office	70	70 spaces
10	13,000	Office	130	130 spaces
11	4,000	Office	40	40 spaces
12	14,000	Office	140	140 spaces
13	10,000	Office	100	100 spaces
14	16,000	Office	160	160 spaces
15	8,000	Office	80	80 spaces
16	17,000	Office	170	170 spaces
17	5,000	Office	50	50 spaces
18	18,000	Office	180	180 spaces
19	9,000	Office	90	90 spaces
20	19,000	Office	190	190 spaces
21	6,000	Office	60	60 spaces
22	20,000	Office	200	200 spaces
23	7,000	Office	70	70 spaces
24	21,000	Office	210	210 spaces
25	8,000	Office	80	80 spaces
26	22,000	Office	220	220 spaces
27	9,000	Office	90	90 spaces
28	23,000	Office	230	230 spaces
29	10,000	Office	100	100 spaces
30	24,000	Office	240	240 spaces
31	11,000	Office	110	110 spaces
32	25,000	Office	250	250 spaces
33	12,000	Office	120	120 spaces
34	26,000	Office	260	260 spaces
35	13,000	Office	130	130 spaces
36	27,000	Office	270	270 spaces
37	14,000	Office	140	140 spaces
38	28,000	Office	280	280 spaces
39	15,000	Office	150	150 spaces
40	29,000	Office	290	290 spaces
41	16,000	Office	160	160 spaces
42	30,000	Office	300	300 spaces
43	17,000	Office	170	170 spaces
44	31,000	Office	310	310 spaces
45	18,000	Office	180	180 spaces
46	32,000	Office	320	320 spaces
47	19,000	Office	190	190 spaces
48	33,000	Office	330	330 spaces
49	20,000	Office	200	200 spaces
50	34,000	Office	340	340 spaces
51	21,000	Office	210	210 spaces
52	35,000	Office	350	350 spaces
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54	36,000	Office	360	360 spaces
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60	39,000	Office	390	390 spaces
61	26,000	Office	260	260 spaces
62	40,000	Office	400	400 spaces
63	27,000	Office	270	270 spaces
64	41,000	Office	410	410 spaces
65	28,000	Office	280	280 spaces
66	42,000	Office	420	420 spaces
67	29,000	Office	290	290 spaces
68	43,000	Office	430	430 spaces
69	30,000	Office	300	300 spaces
70	44,000	Office	440	440 spaces
71	31,000	Office	310	310 spaces
72	45,000	Office	450	450 spaces
73	32,000	Office	320	320 spaces
74	46,000	Office	460	460 spaces
75	33,000	Office	330	330 spaces
76	47,000	Office	470	470 spaces
77	34,000	Office	340	340 spaces
78	48,000	Office	480	480 spaces
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80	49,000	Office	490	490 spaces
81	36,000	Office	360	360 spaces
82	50,000	Office	500	500 spaces
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BURR
COMPUTER ENVIRONMENTS, INC.
1830 WEBB CHAPEL ROAD SUITE 5000
DALLAS, TEXAS 75234
PH: 972-343-1111
FAX: 972-343-1112

Binkley & Barfield
1830 WEBB CHAPEL ROAD SUITE 5000
DALLAS, TEXAS 75234
PH: 972-343-1111
FAX: 972-343-1112

ENVIRONMENTAL ENGINEERING
1830 WEBB CHAPEL ROAD SUITE 5000
DALLAS, TEXAS 75234
PH: 972-343-1111
FAX: 972-343-1112

T-Mobile
SWITCH EXPANSION PROJECT
ADDRESS
1830 WEBB CHAPEL ROAD SUITE 5000
DALLAS, TEXAS 75234

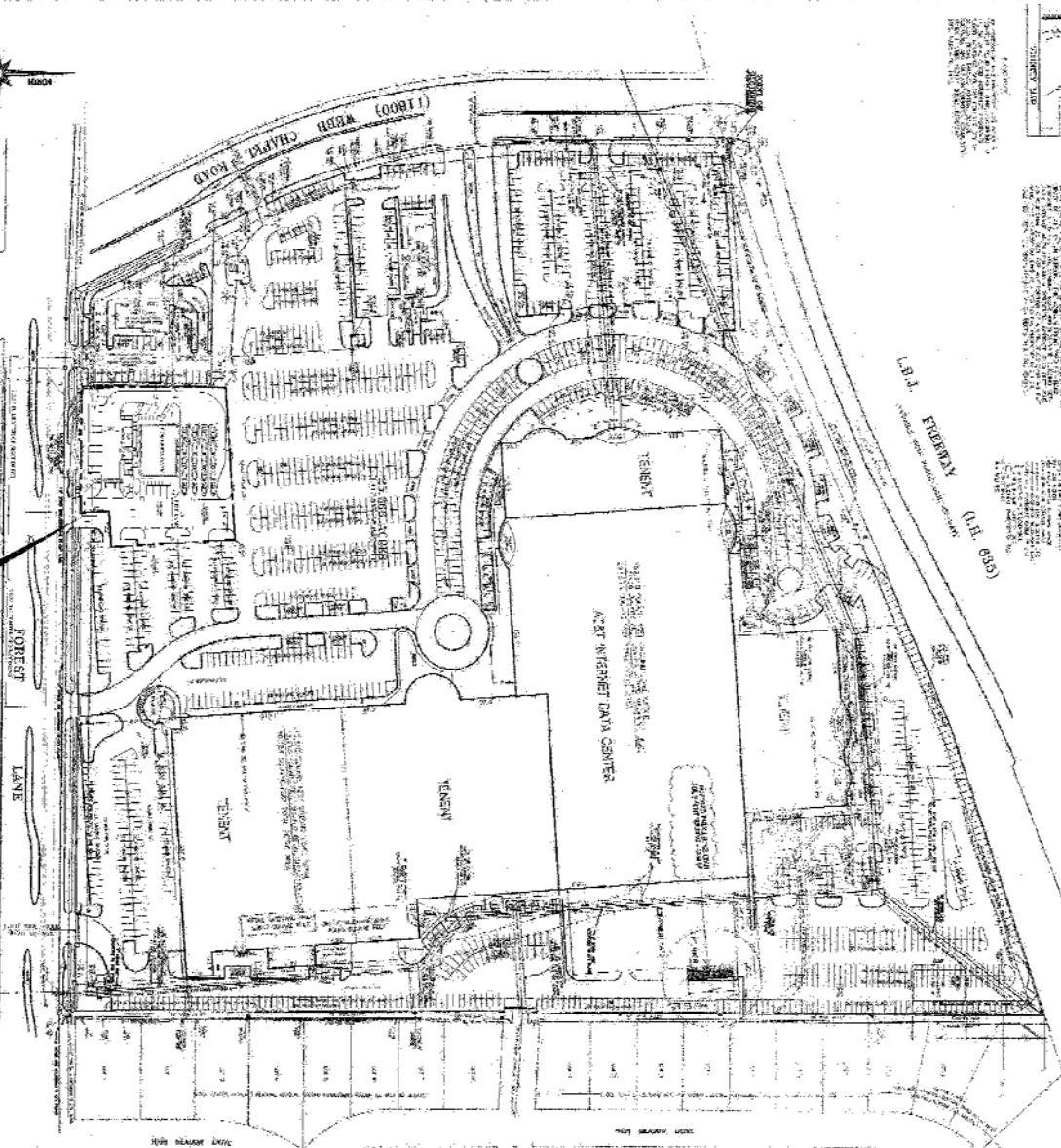
ISSUES & REVISIONS

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Proposed Development Plan



SUBJECT SITE - FINANCIAL INSTITUTION WITH DRIVE-IN WINDOW
 87TH ADDRESS: 14800 WEBB CHAPEL ROAD

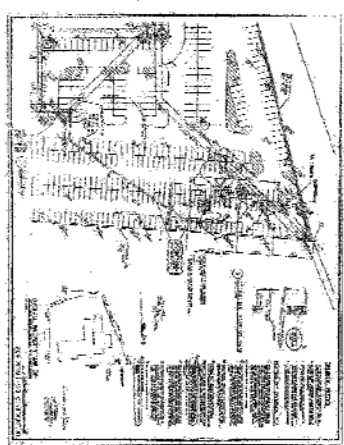


DESIGNER
CBRE
 ARCHITECT
LL
LE
ENGINEER
SM
 ENGINEERING

PD 308
 DEVELOPMENT PLAN
 PARCEL 011 & BLOCK 515
 THE WEBB @ 181
 W. SIMONS STREET, ABBOTT, TEXAS
 SUBMITTED JULY 11, 2009

Development Plan

PD 308 Development Plan



BRAND SAYERS
 25.0000 ACRES OF LAND
 W. SIMONS STREET
 ABBOTT, TX 76011
 H.C. & A.S.H. SIMONS
 ABBOTT, TX 76011
 181 W. SIMONS STREET
 ABBOTT, TX 76011
 14800 WEBB CHAPEL ROAD
 DALLAS, TEXAS 75244

REVISIONS / AUTHORIZATIONS

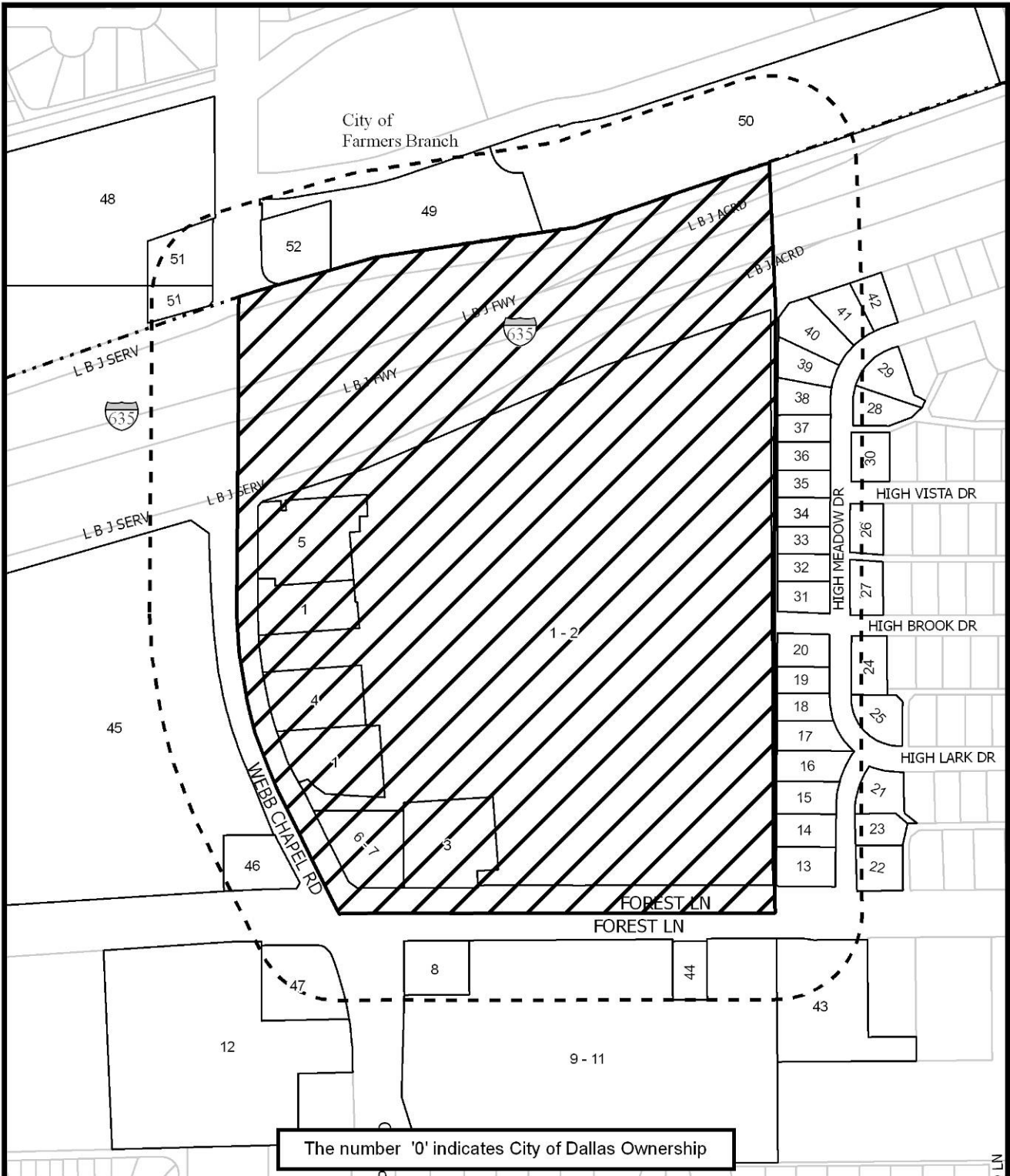
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BRAND SAYERS
 14800 WEBB CHAPEL ROAD
 DALLAS, TEXAS 75244
 972.343.8888
 www.brand-sayers.com

atd CORPORATE REAL ESTATE

INTERNET DATA CENTER PHASE 3 EXPANSION
 14800 WEBB CHAPEL ROAD
 DALLAS, TEXAS 75244

DEVELOPMENT PLAN
 A1.01



1:3,600

NOTIFICATION

200'

AREA OF NOTIFICATION

52

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **M112-009**

Date: **2/2/2012**

Notification List of Property Owners

M112-009

52 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	11830 WEBB CHAPEL RD	GLOBAL WEBB LP
2	11800 WEBB CHAPEL RD	TACO CABANA
3	3115 FOREST LN	KUO HSIN SHEN &
4	11800 WEBB CHAPEL RD	GLOBAL WEBB LP %MICHAEL SHEBAY
5	11950 WEBB CHAPEL RD	MILLENNIUM STATE BK OF TX
6	3105 FOREST LN	WBURGER WEBB FOREST LP
7	3105 FOREST LN	WHATABURGER INC
8	3100 FOREST LN	RED BIRD I-20 CORP
9	3106 FOREST LN	WEBB CHAPEL VILLAGE % DAVID E CLAASSEN I
10	3106 FOREST LN	LONG JOHN SILVERS INC #5101
11	3120 FOREST LN	PEARLE VISION CENTER
12	3068 FOREST LN	RONSTE LTD % WILLIAM ROTH CO
13	11807 HIGH MEADOW DR	SALMON MACK R
14	11815 HIGH MEADOW DR	SIFUENTES OSCAR & NANCY A
15	11821 HIGH MEADOW DR	GONZALEZ GUADALUPE R
16	11827 HIGH MEADOW DR	BLANCO JOSE L
17	11833 HIGH MEADOW DR	COOPER PATRICIA & CHARLES
18	11839 HIGH MEADOW DR	CHURCH BARBARA JOYCE
19	11845 HIGH MEADOW DR	CERVANTES ARMANDO
20	11851 HIGH MEADOW DR	ELIZONDO MANUEL R
21	3210 HIGH LARK DR	HE SWISS MANAGEMENT LLC
22	11808 HIGH MEADOW DR	WIENER RICHARD A & MAY F
23	11816 HIGH MEADOW DR	SIFUENTES OSCAR
24	3208 HIGH BROOK DR	CREW IRVING D
25	11832 HIGH MEADOW DR	TORRESS FERANDO & MARIA BASULTO
26	3206 HIGH VISTA DR	HOSKINS MARY RAE

2/2/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3209 HIGH BROOK DR	DELGADO FERNANDO
28	12020 HIGH MEADOW DR	MENDOZA JORGE
29	12030 HIGH MEADOW DR	TAYLOR MARY ELLEN & TAYLOR RODNALL LEE
30	3205 HIGH VISTA DR	SANCHEZ JOSE ALFREDO
31	11905 HIGH MEADOW DR	VILLARUEL ROLANDO C & EDARLINA A
32	11911 HIGH MEADOW DR	MARK CARLTON & JANET
33	11917 HIGH MEADOW DR	KILLOUGH CHARLES A
34	11923 HIGH MEADOW DR	DISHNER WILLIAM E TR
35	12003 HIGH MEADOW DR	WESTBROOK JAMES P
36	12009 HIGH MEADOW DR	SCHAFFER LARAINÉ
37	12015 HIGH MEADOW DR	MARTINEZ JOSE A & YESENIA C MARTINEZ
38	12019 HIGH MEADOW DR	FEDERAL HOME LOAN MTG CORP
39	12023 HIGH MEADOW DR	ANOOS ANGELES JRA J
40	12027 HIGH MEADOW DR	VENTURA MANUEL A & MARTHA PEREZ
41	12031 HIGH MEADOW DR	ANDERSON CLEO
42	12035 HIGH MEADOW DR	ALCAYAGA JAVIER A &
43	3312 FOREST LN	CORRAL GROUP LP STE 120-221
44	3234 FOREST LN	WEBB CHAPEL VILLAGE INC % DAVID E CLAASS
45	11819 WEBB CHAPEL RD	CNMK TEXAS PPTIES LTD
46	11801 WEBB CHAPEL RD	L2S CORNERS LP
47	3082 FOREST LN	SPECTRUM SERVICES INC
48	2995 LBJ FWY	LBJ BROOKHAVEN INVEST LP % 975 ONE LINCO
49	1 MEDICAL PKWY	METROCREST HOSPITAL AUTH
50	8 MEDICAL PKWY	METROCREST HOSPITAL AUTHORITY
51	12103 WEBB CHAPEL RD	QUICK WAY RETAIL ASSOCIATES II LTD
52	12004 WEBB CHAPEL RD	S&S GRAND INCORPORATED

FILE NUMBER: W112-007

DATE FILED: February 10, 2012

LOCATION: East Line of Pastor Bailey Drive, North of Camp Wisdom Road

COUNCIL DISTRICT: 5

MAPSCO: 63 T, U

SIZE OF REQUEST: Approx. 24.4725 sq ft

CENSUS TRACT: 109.04

MISCELLANEOUS DOCKET ITEM:

Owner: Concord Missionary Baptist Church

Waiver of Two-Year Waiting Period

On November 7, 2011, the City Council approved an amendment to the development plan for Planned Development District No. 103 for church uses at the above location. According to Section 51A-4.701(d) of the Dallas Development Code, a new application on this property cannot be filed prior to November 7, 2013, without a waiver of the two-year waiting period.

The applicant is requesting a waiver of the two-year waiting period in order to submit an application for an amendment to Planned Development District No. 103 to allow an 89 foot cross tower and a terraced seating area and covered stage. The allowed height in PDD No. 103 is 63 feet. The applicant indicates that the “cross tower was depicted on the approved site plan, however it was not called out specifically, nor was the height listed in the summary table.”

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

Staff Recommendation: Denial

W 112-007

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. Z101-266 (RB)

Location 6808 Pastor Bailey Drive, Dallas, Texas, 75237

Date of last CPC or CC Action November 18, 2011

Applicant's Name, Address & Phone Number Derwin Broughton; 214.227.8240

Concord Church, 6808 Pastor Bailey Drive, Dallas, Texas, 75237

Property Owner's Name, Address and Phone No., if different from above


^{address}
Same as above.; Kason Branch

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

The church had proposed the addition of a free standing cross tower, which will exceed the maximum structure height of 63' stated in the PD. The proposed cross tower height is approximately 89'. This cross tower was depicted on the approved site plan, however it was not called out specifically, nor was the height listed in the summary table. During permitting, the cross tower was removed from the permit to facilitate the release of a building permit. The church was asked to resubmit the development plan to show the cross tower call out and height. Please note, the height of an existing cross tower, currently a-top a building on site is 86' in height. The church would also like to add terraced seating and a covered stage area at the southeast corner of the property, immediately adjacent to the existing creek.

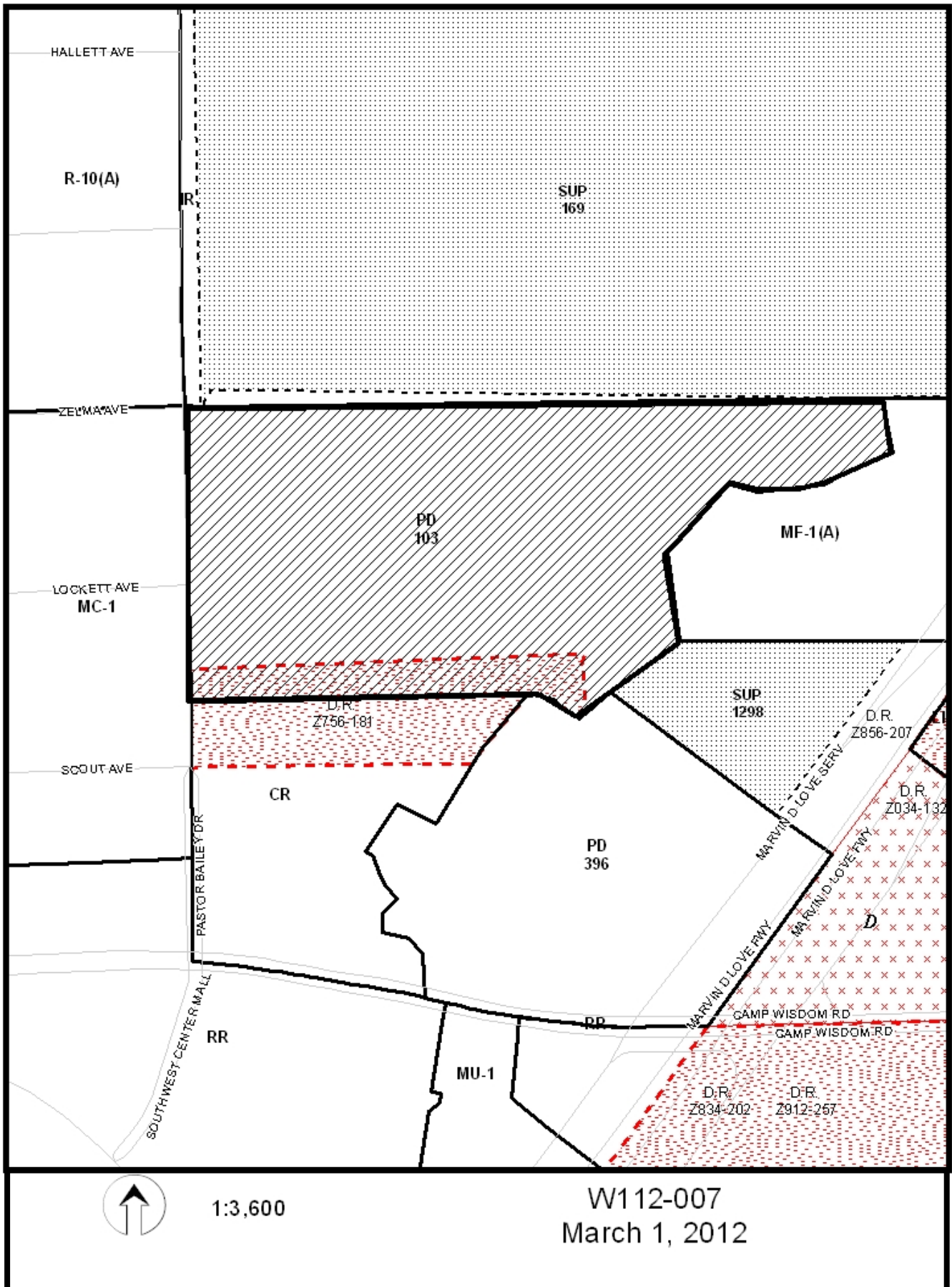

Applicant's Signature

RECEIVED BY
FEB 10 2012
Current Planning


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

Date Received
Fee: \$300.00

Receipt # 3834-



FILE NUMBER: D101-024

DATE FILED: September 16, 2011

LOCATION: On the east side of Coit Road, between DART RR & Campbell Road.

COUNCIL DISTRICT: 12

MAPSCO: 6-F, G, K, L

SIZE OF REQUEST: 73 acres

CENSUS TRACT: 318.04

MISCELLANEOUS DOCKET ITEM

Owner: Texas A&M University System

Applicant: Realty Appreciation, LTD

Representative: Merriam Associates Architects

Development Plan

On June 22, 2011, the City Council passed Ordinance No. 28246 which established Planned Development District No. 850 on property located along the east line of Coit Road, along the south line of the Cotton Belt Rail Line; and containing approximately 73 acres of land.

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

In conjunction with the above requirement, the attached development plan is submitted for Commission's consideration. The plan provides for the development of phase I of the Urban Living Laboratory - an urban mixed-use research and urban lifestyle community that will be built with green and sustainable technologies. This phase of the project allows for the construction of multifamily apartments.

STAFF RECOMMENDATION: Approval

CPC PREVIOUS ACTION: On February 2, 2012, the City Plan Commission held this request under advisement until March 1, 2012.

List of Owners/Partnerships

Realty Appreciation, LTD.

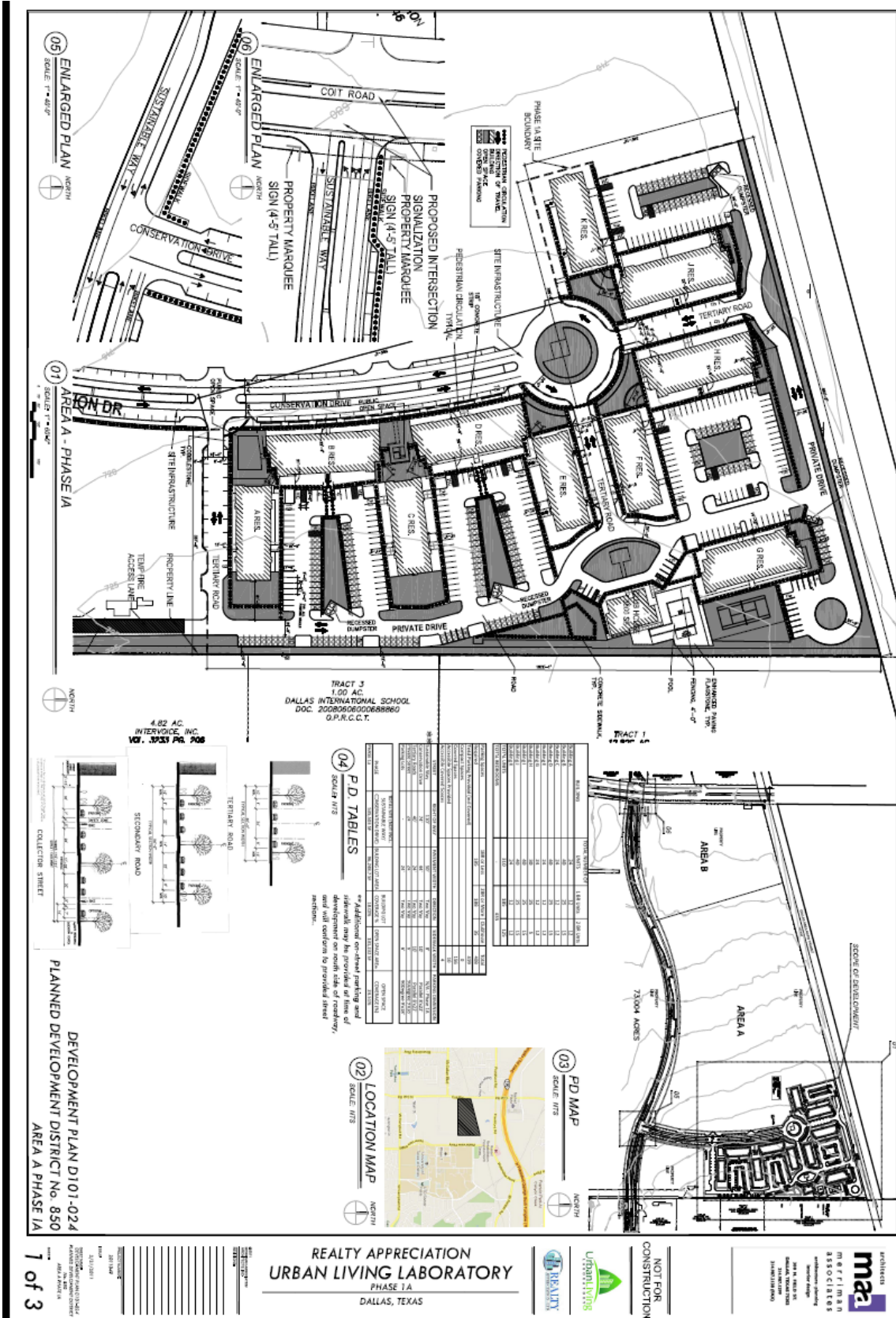
Stewart L. Hoffman of Arlington, Texas – 100% Owner

Texas A&M University System – Board of Regents:

Richard A. Box, Austin, TX
Phil Adams, College Station, TX
Morris E. Foster, Houston, TX
Elaine Mendoza, San Antonio, TX
Judy Morgan, Texarkana, TX

Jim Schwertner, Austin, TX
Cliff Thomas, Victoria, TX
John D. White, Houston, TX
James P. Wilson, Sugar Land, TX
Fernando Treviño, Jr., Del Rio, TX
(Student Regent)

PROPOSED DEVELOPMENT PLAN



05 ENLARGED PLAN
SCALE: 1" = 40'-0"

01 AREA A - PHASE 1A
SCALE: 1" = 40'-0"

04 P.D. TABLES
SCALE: 1/8" = 1'-0"

02 LOCATION MAP
SCALE: 1/8" = 1'-0"

03 PD MAP
SCALE: 1/8" = 1'-0"

TRACT 3
1.00 AC
DALLAS INTERNATIONAL SCHOOL
DOC. 20080606000688860
O.P.R.C.C.T.

4.82 AC
INTERVOICE, INC.
LOT 3531 P.O. 208

NO.	DESCRIPTION	AMOUNT	UNIT PRICE	TOTAL
1	CONCRETE DRIVEWAY	1,100	1.00	1,100.00
2	CONCRETE DRIVEWAY	1,100	1.00	1,100.00
3	CONCRETE DRIVEWAY	1,100	1.00	1,100.00
4	CONCRETE DRIVEWAY	1,100	1.00	1,100.00
5	CONCRETE DRIVEWAY	1,100	1.00	1,100.00
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99	CONCRETE DRIVEWAY	1,100	1.00	1,100.00
100	CONCRETE DRIVEWAY	1,100	1.00	1,100.00

DEVELOPMENT PLAN D101-024
PLANNED DEVELOPMENT DISTRICT NO. 850
AREA A PHASE 1A
1 of 3

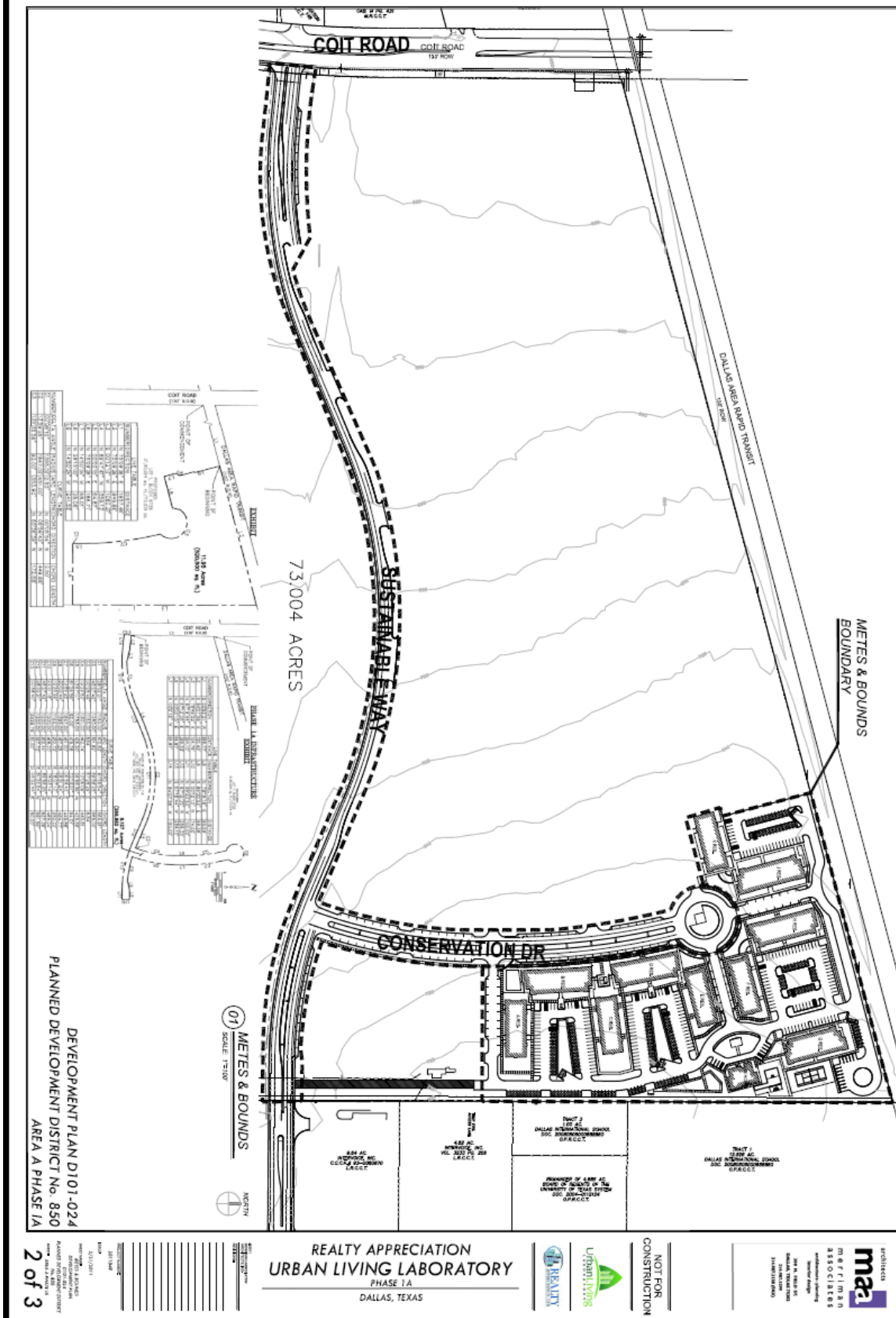
REALTY APPRECIATION
URBAN LIVING LABORATORY
PHASE 1A
DALLAS, TEXAS



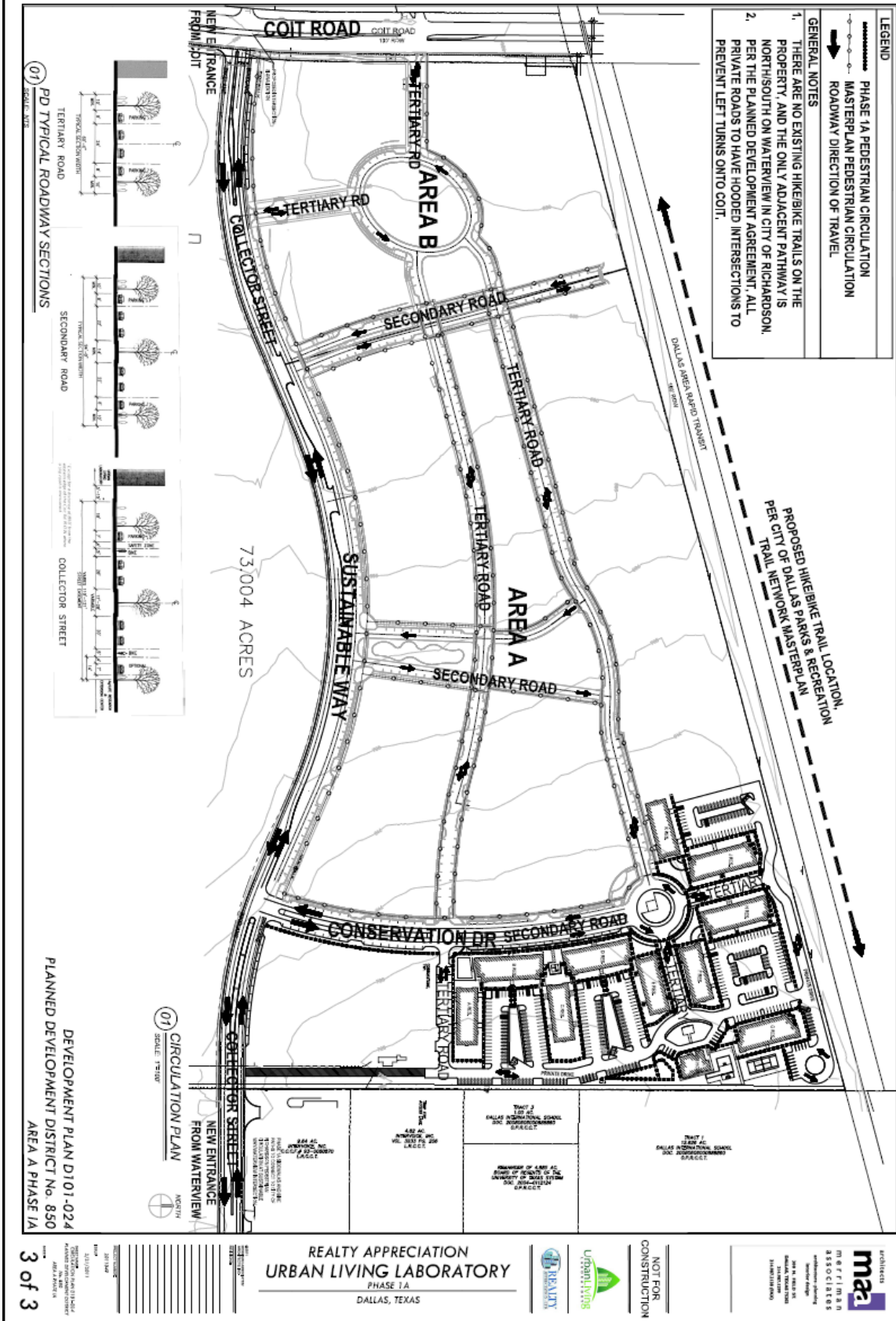
NOT FOR CONSTRUCTION



PROPOSED DEVELOPMENT PLAN



PROPOSED DEVELOPMENT PLAN

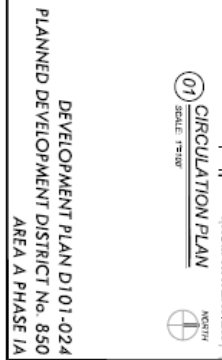
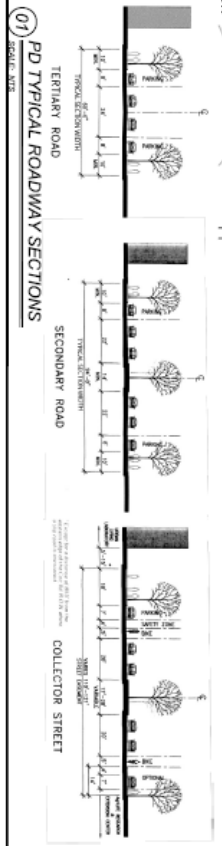


LEGEND

- PHASE 1A PEDESTRIAN CIRCULATION
- MASTERPLAN PEDESTRIAN CIRCULATION
- ROADWAY DIRECTION OF TRAVEL

GENERAL NOTES

1. THERE ARE NO EXISTING HIKE/BIKE TRAILS ON THE PROPERTY, AND THE ONLY ADJACENT PATHWAY IS NORTHSOUTH ON WATERVIEW IN CITY OF RICHARDSON. PER THE PLANNED DEVELOPMENT AGREEMENT, ALL PRIVATE ROADS TO HAVE HOODED INTERSECTIONS TO PREVENT LEFT TURNS ONTO COIT.



DEVELOPMENT PLAN D1/01-024
 PLANNED DEVELOPMENT DISTRICT No. 850
 AREA A PHASE 1A

REALTY APPRECIATION
URBAN LIVING LABORATORY
 PHASE 1A
 DALLAS, TEXAS



NOT FOR CONSTRUCTION

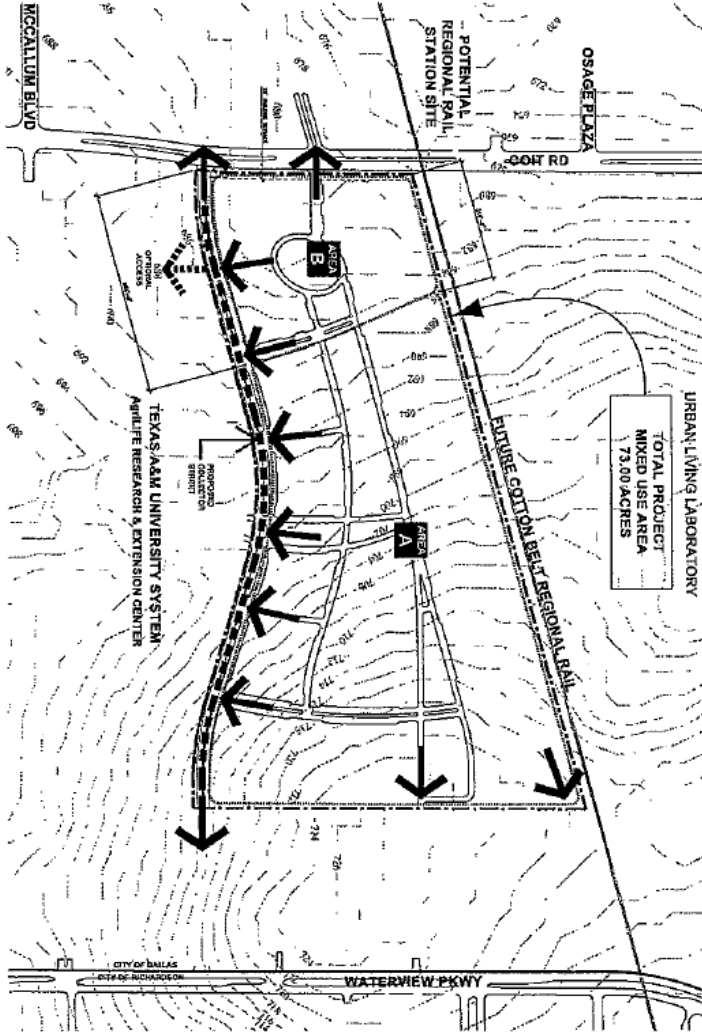


EXISTING CONCEPTUAL PLAN

Exhibit 850A

111742

28246



Planned Development
District No. 850

Approved
City Plan Commission
April 21, 2011



UTD

PROPERTY INFORMATION		PROPOSER INFORMATION	
APPLICANT:	URBAN LIVING LABORATORY	PROJECT NAME:	MIXED USE DEVELOPMENT
OWNER:	URBAN LIVING LABORATORY	PROPOSER ADDRESS:	17300 ACRES
DEVELOPER:	URBAN LIVING LABORATORY	PROPOSER CONTACT:	[Redacted]
DESIGNER:	URBAN LIVING LABORATORY	PROPOSER PHONE:	[Redacted]
DATE:	APRIL 21, 2011	PROPOSER FAX:	[Redacted]
TIME:	10:00 AM	PROPOSER EMAIL:	[Redacted]
LOCATION:	17300 ACRES	PROPOSER WEBSITE:	[Redacted]
STATUS:	APPROVED	PROPOSER ADDRESS:	[Redacted]
REMARKS:		PROPOSER PHONE:	[Redacted]
		PROPOSER FAX:	[Redacted]
		PROPOSER EMAIL:	[Redacted]
		PROPOSER WEBSITE:	[Redacted]

LEGEND

→ PROPOSER ACCESS LOCATIONS

Note: The arrows point from the original location to the new location. The arrows indicate the direction of travel. The arrows indicate the direction of travel. The arrows indicate the direction of travel.

ZONING CASE 2101-145

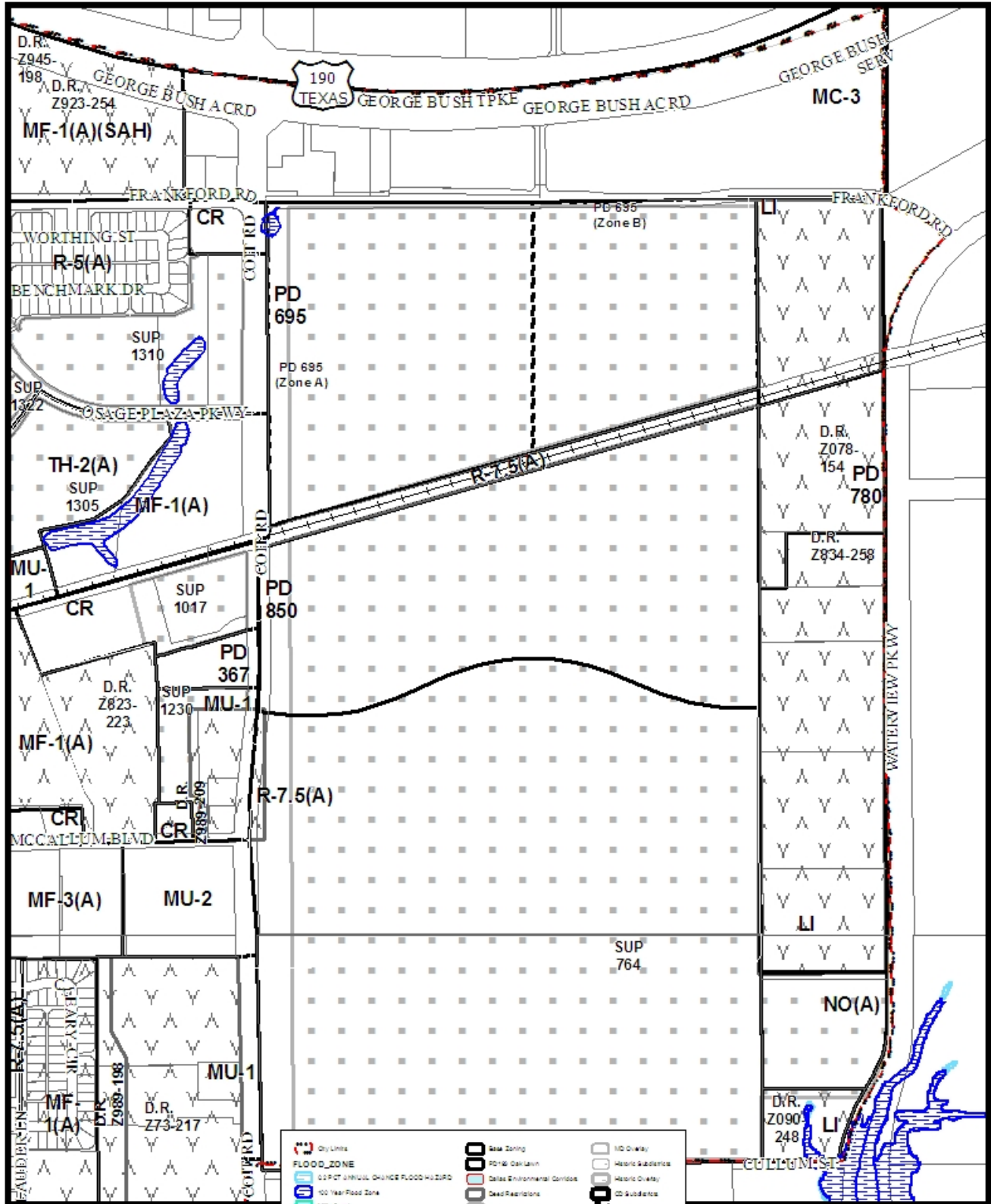
URBAN LIVING LABORATORY
MIXED USE DEVELOPMENT
REALTY APPRECIATION, LTD.
DALLAS, TEXAS



DATE: 11 MAY 2011

SCALE: AS SHOWN

PD CONCEPT PLAN



1:8,000

Case ID: D112-024
Printed: 11-23-11

Planner: Warren F. Ellis

FILE NUMBER: Z112-103(WE) **DATE FILED:** October 10, 2011

LOCATION: South side of Bruton Road between Las Cruces Lane and Alhambra Street

COUNCIL DISTRICT: 4 **MAPSCO:** 58-B, F

SIZE OF REQUEST: Approx. 6.873 acres **CENSUS TRACT:** 91.04

APPLICANT / OWNER: Bethany Baptist Church

REPRESENTATIVE: Larry Davis

REQUEST: An application for an amendment to Specific Use Permit No. 1411 for an open enrollment charter school on property zoned an R-7.5(A) Single Family District.

SUMMARY: The purpose of this request is to allow for a 4,500 square foot gymnasium and an educational building to be developed on site.

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

BACKGROUND INFORMATION:

- The applicant’s request for an amendment to Specific Use Permit No. 1411 for an open-enrollment charter school will allow for a 4,500 square foot gymnasium and a 1,260 square foot educational building to be constructed on site.
- The land uses surrounding the request site are single family. The land uses north of the site consist, across Bruton Road is undeveloped. The Dallas Independent School (DISD) is in the process of rezoning a property north of the request site for an elementary school.

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

1. Z101-367 On Thursday, January 19, 2011, the City Plan Commission approved a Planned Development District for an open-enrollment charter school on property zoned an R7.5(A) Single Family District on the north side of Bruton Road, between Mack lane and Hillburn Road. (City Council will consider the case on March 28, 2012.)

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Bruton Road	Principal Arterial	80 ft.	80 ft.

Land Use:

	Zoning	Land Use
Site	R-7.5(A), SUP No. 1411	Church, Charter School
North	R-7.5(A), SUP No. 142	Undeveloped, Radio Towers
South	R-7.5(A)	Single Family
East	R-7.5(A)	Single Family
West	R-7.5(A)	Single Family

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility: The 6.873 acre site is developed as a church and has multiple buildings on site that serves both the church and the charter school. The applicant's request for an amendment to Specific Use Permit No. 1411 for the open-enrollment charter school will allow for the development of two facilities; 1) a 4,500 square foot gymnasium and 2) a 1,260 square foot educational building. There are no additional changes that are being made to the approved Specific Use Permit conditions. However, the proposed SUP conditions will contain language that pertains to the traffic management plan.

The proposed gymnasium is designed to use the entire building's foot print for exercise and will not have any restrooms in the building. The 1,260 square foot educational building will provide 2 additional elementary classrooms. Both facilities will be constructed on the west side of the campus. The traffic pattern has been reconfigured to allow for the drop-off and pick-up area to be close to the main educational building because of the placement of the gymnasium.

In August 2000, the City Council approved the Specific Use Permit for an open-enrollment charter school for a five-year period with eligibility for automatic renewals for additional ten-year periods. In August 2005, the Specific Use Permit was issued an automatic renewal for additional ten year periods. The school currently provides services to approximately 217 students from grades kindergarten to sixth. The school's administration will continue to use the two designated driveway approaches on Bruton Road for ingress/egress onto the site.

Staff has reviewed and recommends approval of the applicant's request for an amendment to Specific Use Permit No. 1411 for an open enrollment charter school for a ten year period with eligibility for automatic renewals for additional ten year periods, subject to a site plan and conditions. The proposed request should not adversely impact the surrounding area.

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

Development Standards:

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

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

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

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

LIST OF OFFICERS

- Marvin Reynolds Board President
- Charles Cook Chief Executive Officer
- Robert Davison Chief Operating Officer

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit is approved for a ten [~~five~~]-year period, and is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended. In order for automatic renewal to occur, the property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. LANDSCAPING: Landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.
5. INGRESS AND EGRESS: Ingress and egress are allowed only from Bruton Road.
6. PARKING: Parking must be located as shown on the attached site plan.
7. SCREENING: In the event school enrollment exceeds 150 students and extends beyond the sixth grade level, a minimum six-foot-high solid screening fence must be provided on the south, west, and east property lines.
8. TRAFFIC MANAGEMENT PLAN:
 - A. In general. The operation of an open enrollment charter school must comply with the attached site plan/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, 2014**. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1st of each even-numbered year.

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

a. ingress and egress points;

b. queue lengths;

c. number and location of personnel assisting with loading and unloading of students;

d. drop-off and pick-up locations;

e. drop-off and pick-up hours for each grade level;

f. hours for each grade level; and

g. circulation.

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

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

b. If the director determines that the current site plan/traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended site plan/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.

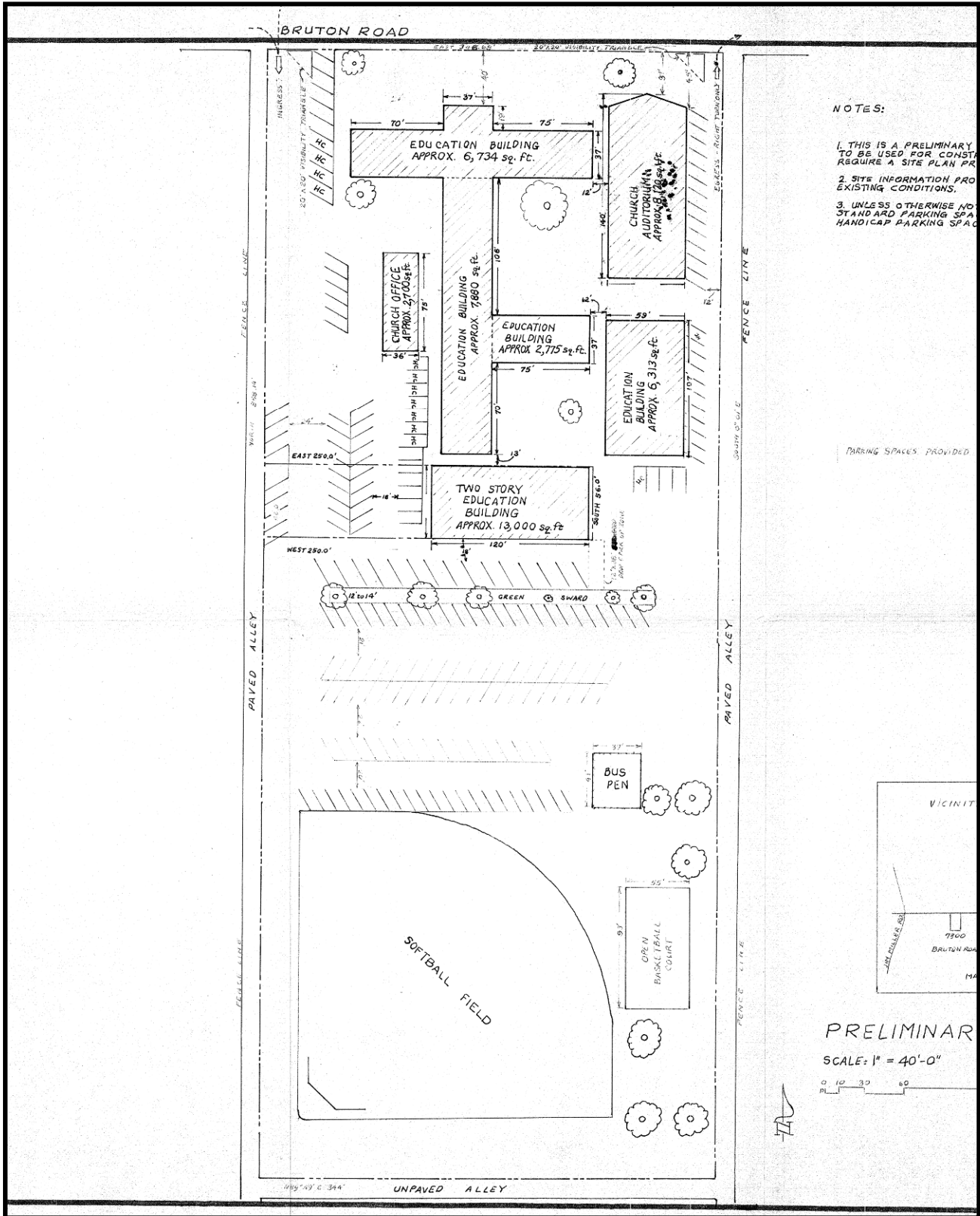
i. A site plan/traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

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

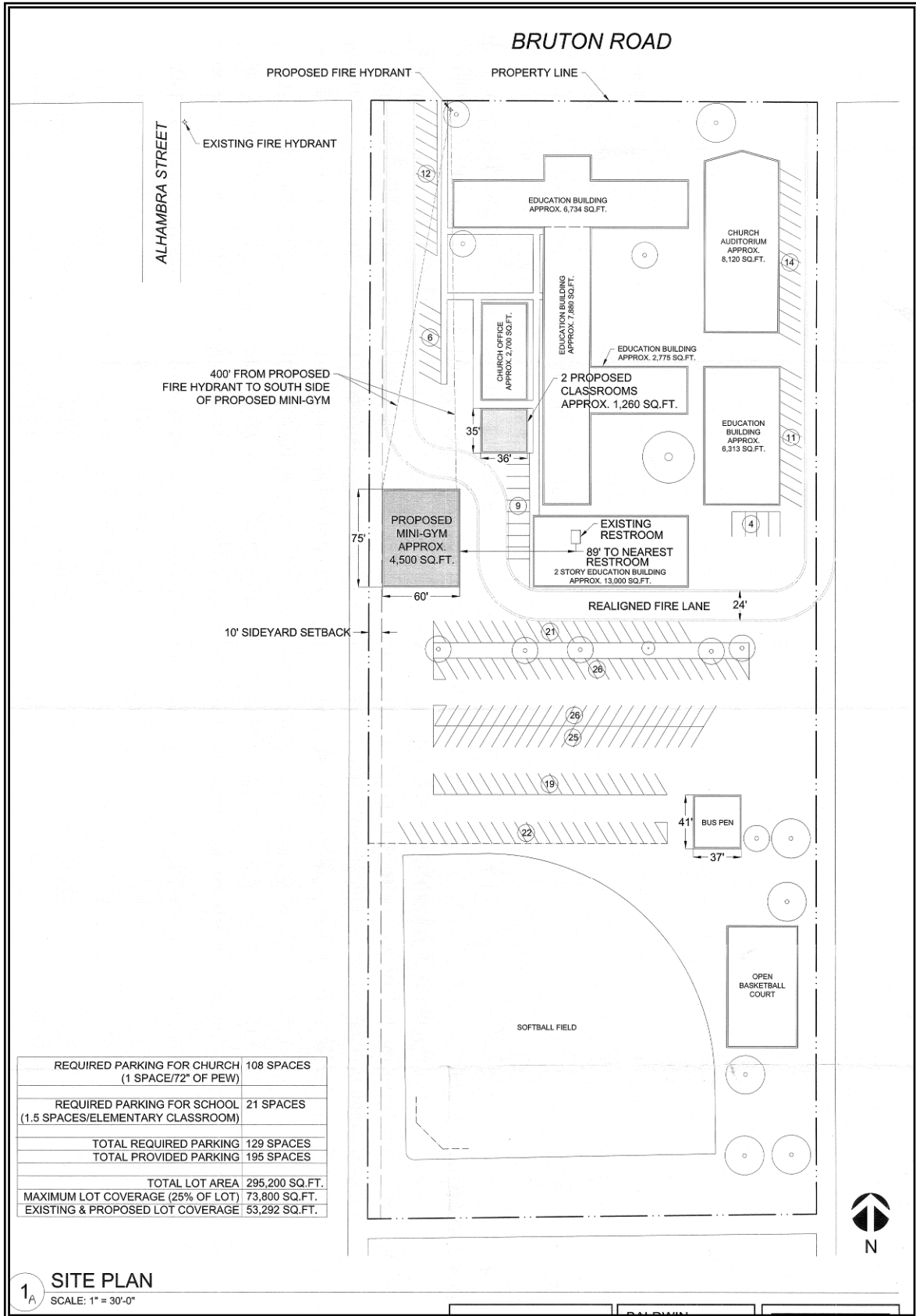
[8]9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

[9]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.

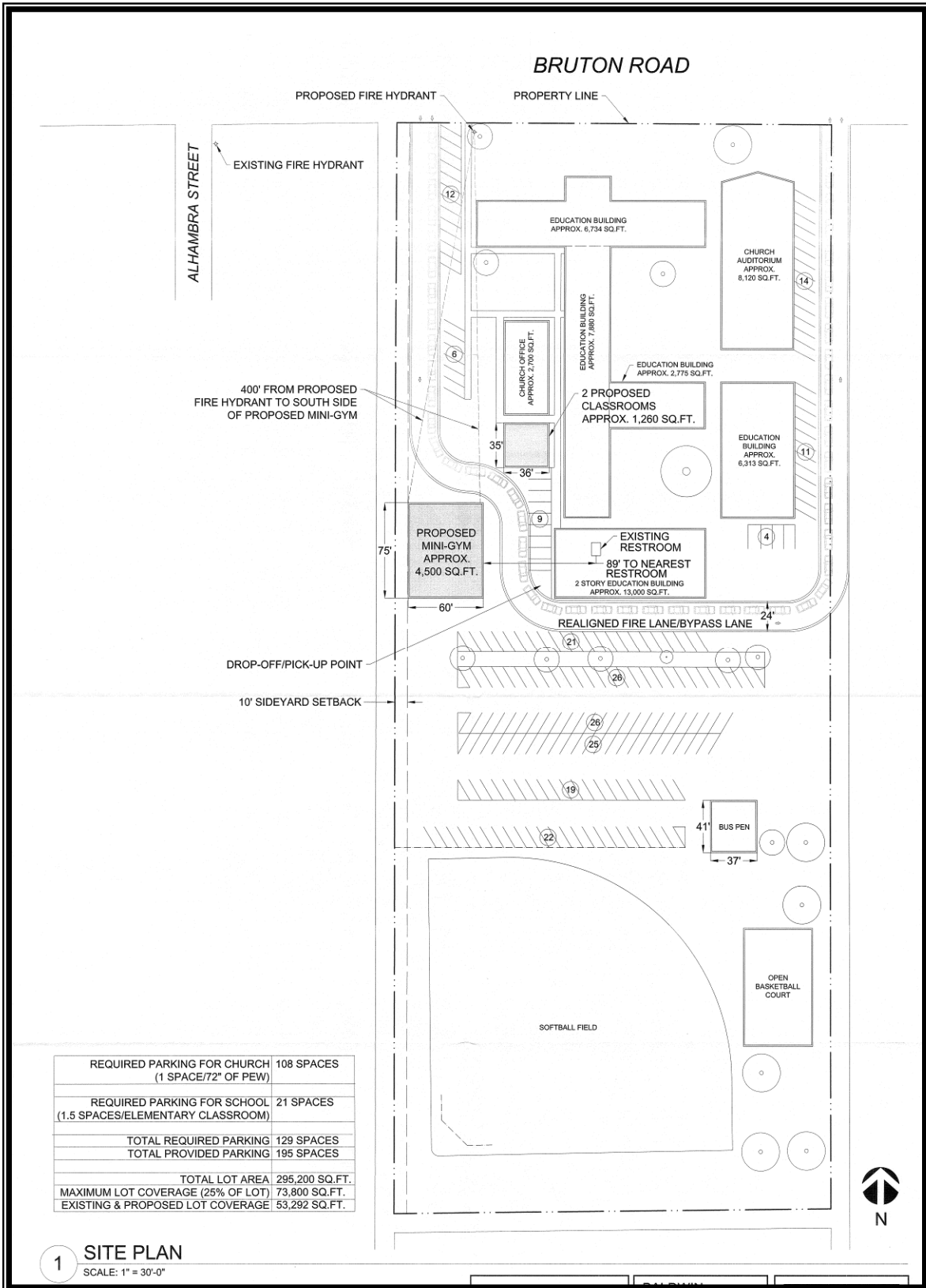
EXISTING SITE PLAN



PROPOSED SITE PLAN



PROPOSED TRAFFIC MANAGEMENT PLAN



Traffic Management Plan

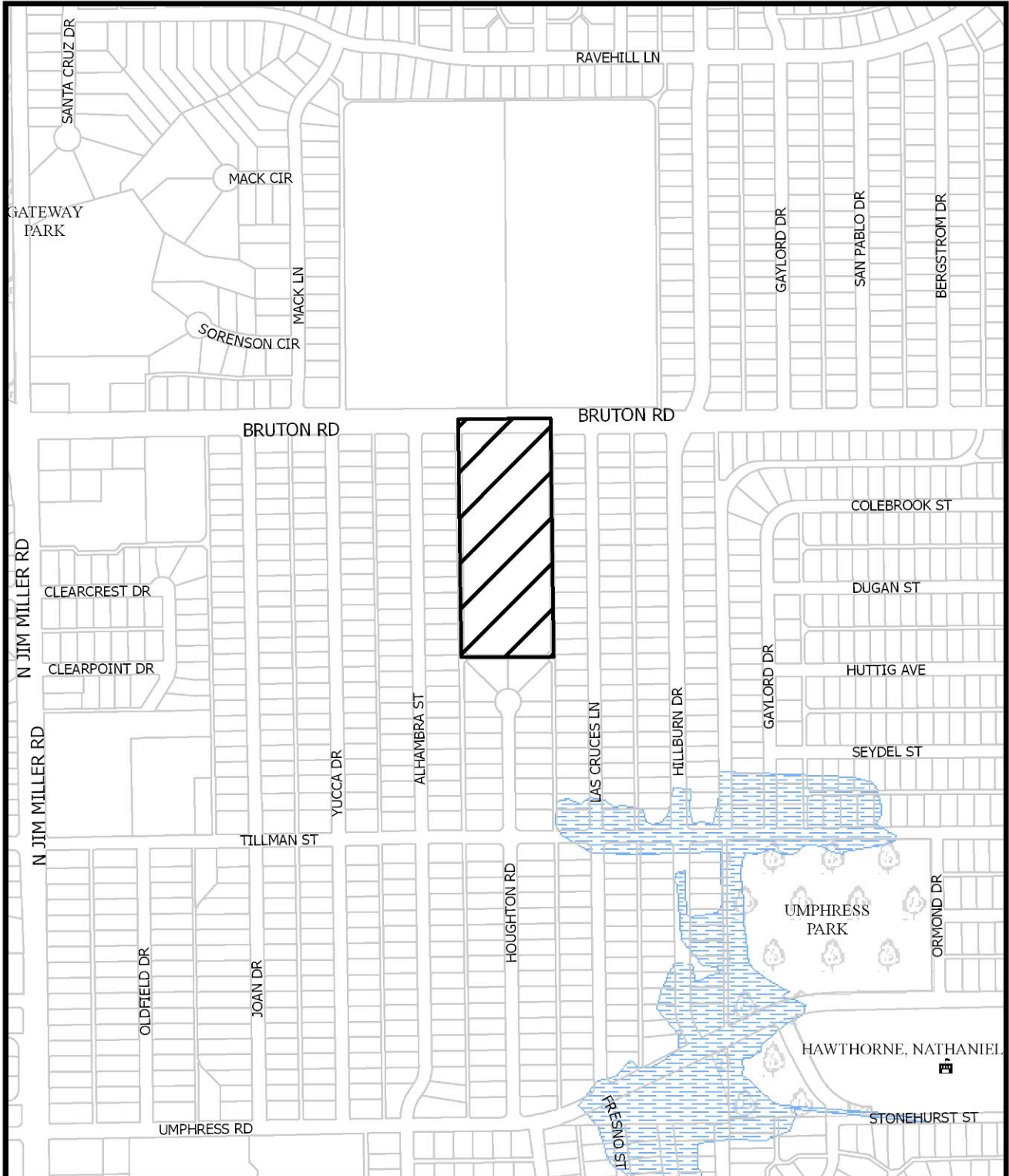
Bethany Baptist Church
Vista Academy Charter School

Classes	Present number of students	
		<i>CLASSROOMS</i>
Kinder	32	<i>2</i>
1 st	38	<i>2</i>
2 nd	39	<i>2</i>
3 rd	30	<i>2</i>
4 th	38	<i>2</i>
5 th	21	<i>1</i>
6 th	19	<i>1</i>
Total	217	

The school currently provides one central drop off location (see attached site plan). There is one lane for loading and unloading in the drop-off / pick up zone. There is adequate parking for parents that wish to walk their child to class. The purpose of this request is to provide additional facilities for the current school enrollment and not to substantially increase the number of students.

Cars enter the campus by turning right from Bruton Rd. Cars are directed by cones to the drop / off zone and exit back to Bruton by turning right. Bruton Rd is a secondary divided thoroughfare.

All families are educated on the traffic flow plan. The Church has provided a campus for a Charter School for over 10 years. A school administrator is present at morning and afternoon periods to ensure procedures are followed.

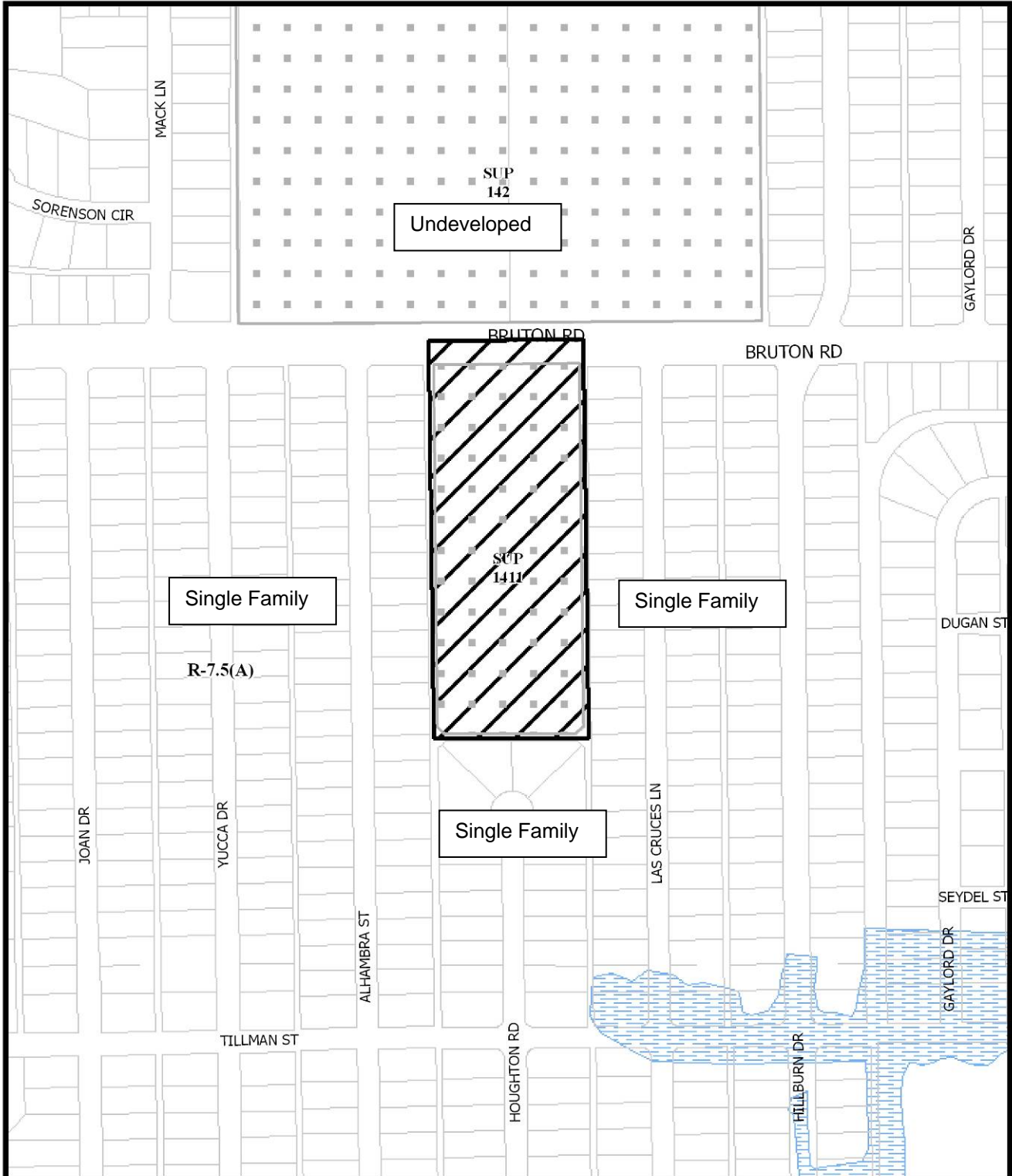


1:6,000

VICINITY MAP

Case no: Z112-103

Date: 2/2/2012

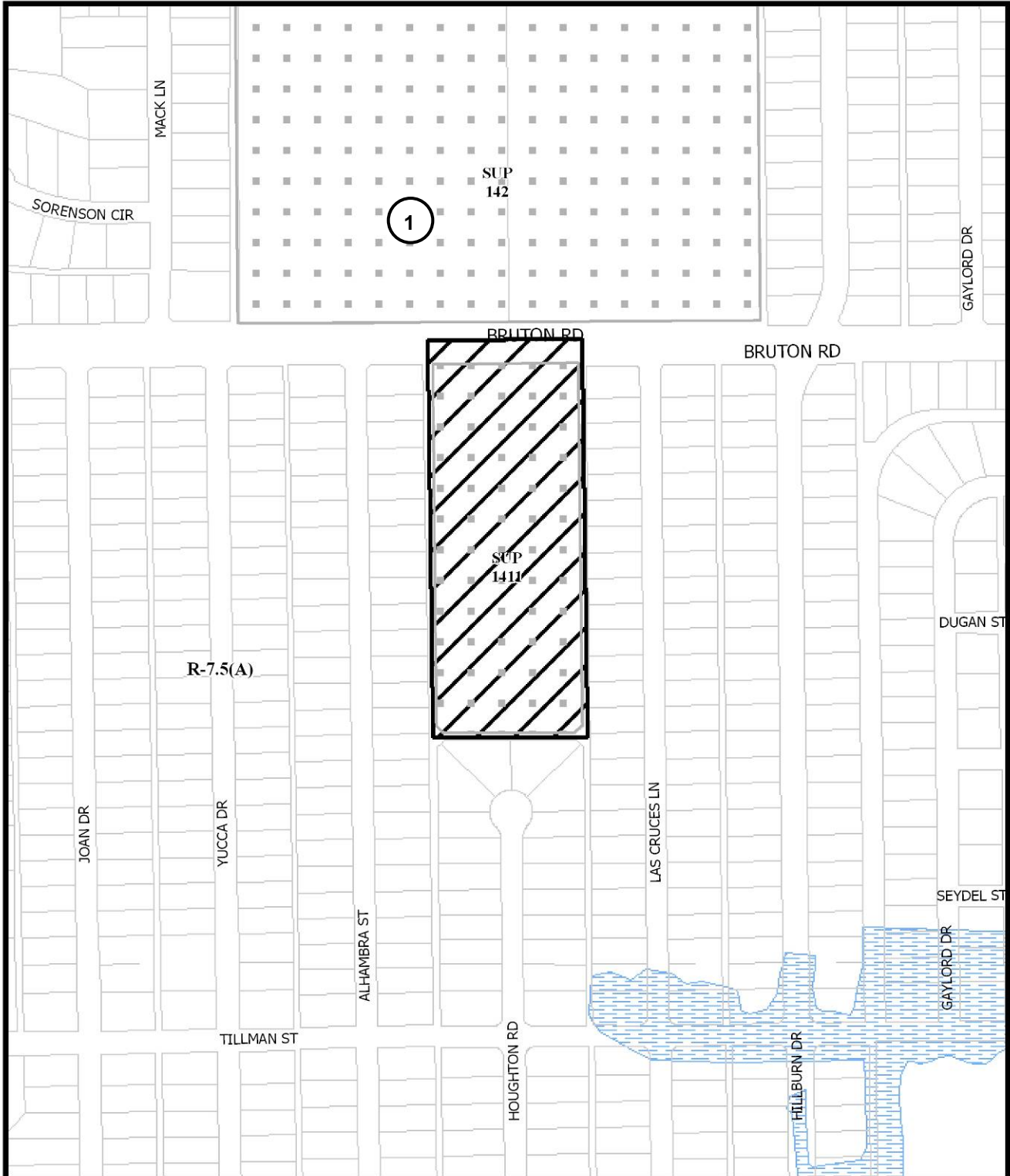


1:3,600

ZONING AND LAND USE

Case no: Z112-103

Date: 2/2/2012




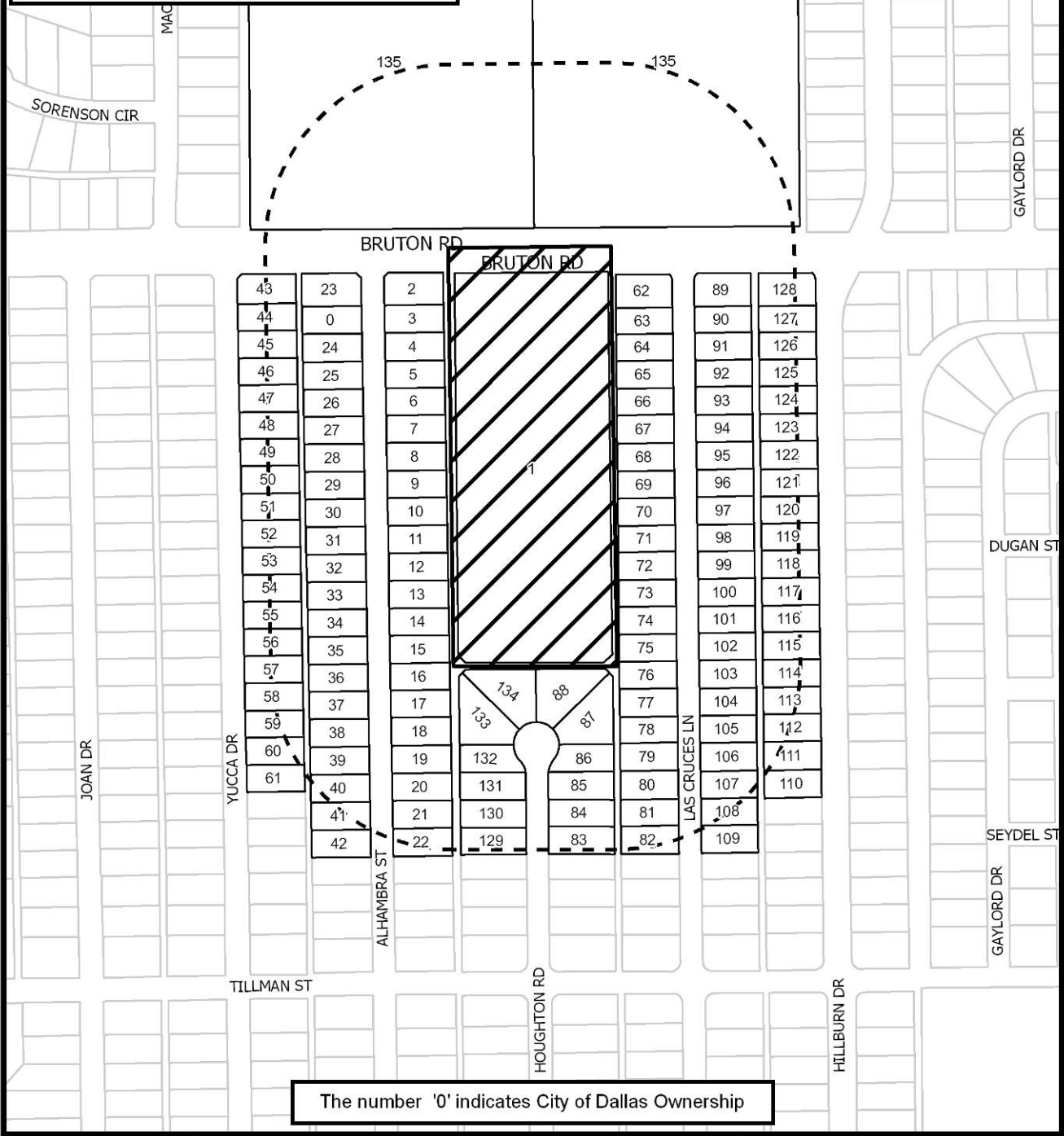
1:3,600

ZONING HISTORY


Case no: Z112-103

Date: 2/2/2012

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



The number '0' indicates City of Dallas Ownership


1:3,600

NOTIFICATION

400' AREA OF NOTIFICATION
135 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: Z112-103
 Date: 2/2/2012

Notification List of Property Owners

Z112-103

135 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7300 BRUTON RD	BETHANY BAPTIST CHURCH
2	2060 ALHAMBRA ST	EVANS RAYFIELD
3	2054 ALHAMBRA ST	SEAMSTER CRISS & ALLESHA
4	2050 ALHAMBRA ST	J FELIX & JUANA SANTAMARI
5	2044 ALHAMBRA ST	DELGADO ANTONIO
6	2040 ALHAMBRA ST	ESPINOZA MARIA REMEDIOS
7	2034 ALHAMBRA ST	JIMENEZ BLANCA
8	2030 ALHAMBRA ST	MENDEZ RAMIRO
9	2024 ALHAMBRA ST	SANCHEZ ARTURO GARDUNO &
10	2020 ALHAMBRA ST	BRUNO MELBA
11	2016 ALHAMBRA ST	SMITH JAMES E
12	2010 ALHAMBRA ST	RIVERA DELORES & SAN JUAN
13	2006 ALHAMBRA ST	GONZALEZ CRICELDA
14	2002 ALHAMBRA ST	MORENO ISMAEL M
15	1956 ALHAMBRA ST	MACARENO ELEUTERIO & MARTHA
16	1954 ALHAMBRA ST	PATE GERALD
17	1948 ALHAMBRA ST	RIVERA ROSA & SANDRA SOTO
18	1944 ALHAMBRA ST	VELEZ MIGUEL M
19	1938 ALHAMBRA ST	RODRIGUEZ JUAN M & MARIA L
20	1934 ALHAMBRA ST	ZAMORA JESUS O
21	1928 ALHAMBRA ST	MARQUEZ ROSALBA
22	1924 ALHAMBRA ST	OVALLE JOSE A ETAL
23	2061 ALHAMBRA ST	ALVARADO ARTURO
24	2051 ALHAMBRA ST	ANTONIO VARGAS
25	2045 ALHAMBRA ST	GONZALEZ REYDEZEL R
26	2041 ALHAMBRA ST	CHUMBLEY DOROTHY LOUISE

2/2/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2035 ALHAMBRA ST	STINSON WYNNALINE
28	2031 ALHAMBRA ST	NASH RITA LAVELLE
29	2025 ALHAMBRA ST	MORALES HORTENCIA
30	2021 ALHAMBRA ST	RICKS SHIRLEY PUGH
31	2017 ALHAMBRA ST	LEOS AMANDO JR
32	2011 ALHAMBRA ST	SANCHEZ FRANCISCO
33	2007 ALHAMBRA ST	HAYES CHARLES D & SUE C
34	2003 ALHAMBRA ST	SANCHEZ ANACLETO
35	1959 ALHAMBRA ST	WOOD BETTY JO GREEN
36	1955 ALHAMBRA ST	JIMENEZ AUGSTINE
37	1949 ALHAMBRA ST	CASTANEDA JUAN JR
38	1945 ALHAMBRA ST	MADRIGAL RAMON JR
39	1939 ALHAMBRA ST	LOZANO LINDA
40	1935 ALHAMBRA ST	RODRIGUEZ JAIME G
41	1929 ALHAMBRA ST	MORALES VICTOR
42	1925 ALHAMBRA ST	ANGELES FELIX J & ROSA
43	2060 YUCCA DR	INGRAM WILLIAM E
44	2054 YUCCA DR	MANZANO RENE & MAYTE RODRIGUEZ
45	2050 YUCCA DR	CASTILLO DONATO & MARIA D SOCORRO CASTIL
46	2046 YUCCA DR	WILLIAMS WAYNE
47	2042 YUCCA DR	TREVINO JOSE H & IDALIA G
48	2036 YUCCA DR	PEREZ PROVIDENCIO
49	2030 YUCCA DR	YATES WILLIAM S
50	2026 YUCCA DR	LANKFORD MERRILL H
51	2022 YUCCA DR	LANKFORD MERRILL H & JANNA C
52	2018 YUCCA DR	MARTINEZ CANUTO JR
53	2012 YUCCA DR	MAYHALL JEFFREY D & CAMILLE
54	2008 YUCCA DR	GONZALEZ AURELIO
55	2002 YUCCA DR	JOHNSON MYRTLE E
56	1958 YUCCA DR	LEAKS JAMES L
57	1952 YUCCA DR	HUERTA JOSE JUAN

2/2/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	1948 YUCCA DR	HUDSON OLIVER H EST OF % MARY ANN HUDSON
59	1942 YUCCA DR	RAMIREZ JOSUE & ARACELI MILAN
60	1938 YUCCA DR	SANTANA OSCAR O &
61	1932 YUCCA DR	QUINTERO LORENZO
62	2061 LAS CRUCES LN	HANG VEY
63	2055 LAS CRUCES LN	RESENDIZ ALVARO Z
64	2051 LAS CRUCES LN	FLANAGAN COLLEEN
65	2047 LAS CRUCES LN	MERINO MARIO J & MARIA R DELAGARZA
66	2043 LAS CRUCES LN	GARCIA CRUZ & YOLANDO GARCIA
67	2037 LAS CRUCES LN	GARCIA ESTHER
68	2031 LAS CRUCES LN	MATA ALFREDO G & LEYBI PINTO
69	2027 LAS CRUCES LN	CARDOSO ADELA DIAZ
70	2023 LAS CRUCES LN	SANCHEZ FRANCISCO ROMERO
71	2019 LAS CRUCES LN	PEREZ SYLVIA R
72	2013 LAS CRUCES LN	SALCEDO JAVIER & ANTONIA
73	2009 LAS CRUCES LN	PHILLIPS JEWELL
74	2003 LAS CRUCES LN	MENDOZA ADALBERTO
75	1959 LAS CRUCES LN	MENDOZA SALOMON
76	1953 LAS CRUCES LN	GARIBAY CRYSTAL
77	1949 LAS CRUCES LN	BAKER SHIRLEY A
78	1943 LAS CRUCES LN	PALACIOS BENITO S & VERONICA R
79	1937 LAS CRUCES LN	BAILEY MARION T
80	1933 LAS CRUCES LN	MARLOW FARRIE
81	1929 LAS CRUCES LN	JONES THEODORE ESTATE % SINNIE JONES
82	1923 LAS CRUCES LN	BROADNAX ERIC
83	1922 HOUGHTON RD	URIAS CARINA & JUANA SIGUENZA
84	1926 HOUGHTON RD	JOHNSON NOAH J & OLLIE H
85	1930 HOUGHTON RD	JORDAN KERRY JOE
86	1934 HOUGHTON RD	WOODS CYNTHIA I
87	1938 HOUGHTON RD	WILLIAMS WAYNE P ESTATE OF % JIRAN WILLI
88	1942 HOUGHTON RD	LUSTER ROBERT E

2/2/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	2060 LAS CRUCES LN	RAMIREZ ABEL
90	2054 LAS CRUCES LN	ROMERO JOSEPH &
91	2050 LAS CRUCES LN	BROWN HENRIETTA
92	2046 LAS CRUCES LN	CARRASCO GERARDO & MICAELA CARRASCO
93	2042 LAS CRUCES LN	SELL HIGH INVESTMENTS
94	2036 LAS CRUCES LN	CELESTINO NOFALY
95	2030 LAS CRUCES LN	SASSER FLOYD
96	2026 LAS CRUCES LN	BANDA RAMIRO
97	2022 LAS CRUCES LN	DIAZ NEMORIO
98	2018 LAS CRUCES LN	CORTINAS GENARO & VIRGINIA
99	2012 LAS CRUCES LN	CARMONA HILARIO & ANA M VILLEGAS
100	2008 LAS CRUCES LN	BARRIOS SALVADOR &
101	2002 LAS CRUCES LN	GONZALEZ MARTIN C MARIA D
102	1958 LAS CRUCES LN	NEWMAN VINCENT DBA NEWMAN PROFFSSIONAL S
103	1952 LAS CRUCES LN	GONZALEZ IRENE ET AL
104	1948 LAS CRUCES LN	ONORATO JUANITA VERGARA
105	1942 LAS CRUCES LN	ALTAMIRANO PAFNUCIO & NATALIA DIAZ ALTAM
106	1938 LAS CRUCES LN	GARCIA JOE L & ELLEN KATHERINE GARCIA
107	1932 LAS CRUCES LN	TORRES VICENTE R & GABRIELA
108	1928 LAS CRUCES LN	ALLINDER JOSEPH C & SHERRI L
109	1924 LAS CRUCES LN	STEPHENSON MILDRED P
110	1933 HILLBURN DR	MERCADO ELVIS
111	1939 HILLBURN DR	VASQUEZ EVERARDO Q & MARIA BERTA VASQUEZ
112	1943 HILLBURN DR	HOPKINS HAROLD
113	1949 HILLBURN DR	NEGRETE OLEGARIO
114	1953 HILLBURN DR	JASSO ZOILA S
115	1959 HILLBURN DR	DASH PARTNERS LP
116	2003 HILLBURN DR	CASTILLO MARCO ANTONIO & CAYETANA
117	2009 HILLBURN DR	CASTILLO MARCO A
118	2013 HILLBURN DR	DIAZ MARIA F
119	2019 HILLBURN DR	RODRIGUEZ CONCEPCION

2/2/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	2023 HILLBURN DR	RIOS HECTOR G & OLGA
121	2027 HILLBURN DR	CANTRELL ANNIE R
122	2031 HILLBURN DR	SEGEDY DEBRA PECK & WAYNE R
123	2037 HILLBURN DR	SALAZAR CRISPIN FIDEL
124	2043 HILLBURN DR	WHITE CHARLES M
125	2047 HILLBURN DR	VALLES GUADALUPE
126	2051 HILLBURN DR	RAMIREZ PEDRO & PATRICIA
127	2055 HILLBURN DR	LONG JOHN H & MOZELLE
128	2061 HILLBURN DR	JOHNSON CARL
129	1921 HOUGHTON RD	BRADLEY EDD RICHARD
130	1925 HOUGHTON RD	JONES JAMES D
131	1929 HOUGHTON RD	WADE BETTY J
132	1933 HOUGHTON RD	DIAZ ALFREDO M & ROSA
133	1937 HOUGHTON RD	BLANTON CARLTON & MARSHA
134	1941 HOUGHTON RD	GARCIA EDELMIRA & DIONICIO
135	7203 BRUTON RD	DALLAS ISD

Planner: Warren F. Ellis

FILE NUMBER: Z112-147(WE) **DATE FILED:** December 20, 2011

LOCATION: East R.L. Thornton Freeway and North Jim Miller Road,
southeast corner

COUNCIL DISTRICT: 7 **MAPSCO:** 48-E

SIZE OF REQUEST: Approx. 22,500 sq. ft. **CENSUS TRACT:** 122.07

APPLICANT: BK USA, Inc.

OWNER: Quickway Retail Assoc. 11 LTD.

REPRESENTATIVE: Parvez Malik
Business Zoom

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

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

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

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store less than 3,500 square feet use, and a motor vehicle fueling station.
- The SUP request will permit the sale of alcohol for off-premise consumption in conjunction with the general merchandise use on the property.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on property requires a specific use permit in the D-1 Liquor Control Overlay.
- The surrounding land uses consist of several restaurant uses and an auto retail use.. Properties west of N. Jim Miller Road are developed with a general merchandise store with a fueling station and several restaurant uses.

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

1. Z101-310 On Monday, October 10, 2011, the City Council approved a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a RR-D Regional Retail District with a D Liquor Control Overlay on the southeast corner of Samuel Boulevard and N. Jim Miller Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
R.L. Thornton Freeway		Variable lane widths	Variable lane widths
N. Jim Miller Road	Principal Arterial	100 ft.	100 ft.

Land Use:

	Zoning	Land Use
Site	RR-D-1	Service Station & general Merchandise store
North	RR-D-1	R.L. Thornton Freeway
South	RR-D-1	Restaurant
East	RR-D-1	Restaurant
West	RR-D-1	Service Station & general Merchandise store

COMPREHENSIVE PLAN: The forwardDallas! Comprehensive Plan was adopted by the City Council in June 2006. The forwardDallas! Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request. The Plan identifies the request site is within a Business Center or Corridor.

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

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility: The approximately 22,500 square foot site is zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay and is currently developed with a general merchandise or food store less than 3,500 square feet use and a motor vehicle fueling station. The applicant is proposing to sell alcohol for off-

premise consumption in conjunction with the general merchandise use on the property, which is not allowed by the D Liquor Control Overlay but requires a Specific Use Permit in the D-1 Liquor Control Overlay.

The surrounding land uses consist of several restaurant uses and an auto retail use. Properties west of N. Jim Miller Road are developed with a general merchandise store with a fueling station and several restaurant uses.

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

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

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

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

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

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

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

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
RR-D-1 Regional retail	15'	20' adjacent to residential OTHER: No Min.	1.5 FAR overall 0.5 office	70' 5 stories	80%	Proximity Slope U-form setback Visual Intrusion	Retail & personal service, office

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

Parking: The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area and 2 spaces for a motor vehicle fueling station. The development requires 7 spaces with 7 being provided per the attached site plan.

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

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

 DALLAS POLICE DEPARTMENT UCR Codes Year Codes Property Class 										
Virtual Viewer - Public Access We										
Search Records - Offense Filter <input type="text"/>										
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Are	UCR1	UCR2
00029...	01/04/2012	SMITH,ALICE	TRAFFIC MOT...	08200	E	RLTHORN...	318	1217	32090	
00084...	01/05/2009	LEE,JAROD	AUTO THEFT-...	08200	E	RLTHORN...	318	1217	07171	
00107...	01/13/2011	BRANCH, TERRY	TRAFFIC MOT...	08200	E	RLTHORN...	318	1217	32090	
00141...	01/17/2012	MCHONE, DONNA ...	TRAFFIC MOT...	08200	E	RLTHORN...	318	1217	32090	
00250...	01/29/2011	GALVAN, AUDREY	TRAFFIC MOT...	08200	E	RLTHORN...	318	1217	32090	
00261...	01/27/2010	MCCURDY,LAWRE...	TRAFFIC MOT...	08200	E	RLTHORN...	318	1217	32090	
00271...	01/31/2011	@CITY OF DALLAS	FOUND PROPE...	08200	E	RLTHORN...	318	1217	43020	
00301...	01/31/2010	*SHELL CONV STO...	THEFT	08200	E	RLTHORN...	318	1217	06902	
00454...	02/16/2009	*SHELL	OTHER OFFEN...	08200	E	RLTHORN...	318	1217	26530	
00493...	02/27/2011	ELZA,GOMEZ	ROBBERY	08200	E	RLTHORN...	318	1217	03911	
00495...	02/20/2010	*SHELL	THEFT	08200	E	RLTHORN...	318	1217	06901	
00649...	03/15/2011	HERNANDEZ,ANTO...	AUTO THEFT-...	08200	E	RLTHORN...	318	1217	07122	
00783...	03/16/2008	@TX DOT	TRAFFIC MOT...	08200	E	RLTHORN...	323	1217	32090	
00870...	03/30/2010	PARKER,MALECIA	ASSAULT	08200	E	RLTHORN...	318	1217	08421	
00978...	04/04/2008	BELLINGER,KELDRIC	AGGRAVATED ...	08200	E	RLTHORN...	323	1217	04211	
02074...	07/16/2009	*SHELL STATION	FORGERY & C...	08200	E	RLTHORN...	318	1217	10021	
02143...	07/10/2008	JOHNSON, CINDY	AGGRAVATED ...	08200	E	RLTHORN...	323	1217	04311	
02166...	07/11/2008	*SHELL	THEFT	08200	E	RLTHORN...	323	1217	06901	
02175...	08/03/2010	PLEDGER, KENNET...	ASSAULT	08200	E	RLTHORN...	318	1217	08121	
02411...	08/27/2010	WINN,SAMSON	ASSAULT	08200	E	RLTHORN...	318	1217	08221	
02603...	08/22/2008	HOFFMASTER, JOS...	AUTO THEFT-...	08200	E	RLTHORN...	323	1217	07173	
02620...	09/19/2010	TURNER,KEONIA	THEFT	08200	E	RLTHORN...	318	1217	06941	
02713...	09/11/2009	WOJAN, DONALD	CRIMINAL MIS...	08200	E	RLTHORN...	318	1217	14081	
03116...	11/27/2011	*SHELL STORE #7...	THEFT	08200	E	RLTHORN...	318	1217	06934	
03171...	10/12/2008	*SHELL STATION	OTHER OFFEN...	08200	E	RLTHORN...	323	1217	26530	
03221...	12/06/2011	WYNN,MARY,	OTHER OFFEN...	08200	E	RLTHORN...	318	1217	26000	
03316...	12/20/2011	@CITY OF DALLAS	FOUND PROPE...	08200	E	RLTHORN...	318	1217	43020	
03574...	12/02/2009	HAMPTON, CLINTON	OTHER OFFEN...	08200	E	RLTHORN...	318	1217	26000	
03666...	11/28/2008	CECIL,DONNA,JEW...	DISORDERLY ...	08200	E	RLTHORN...	323	1217	24230	
03781...	12/13/2008	*SHELL	BURGLARY	08200	E	RLTHORN...	323	1217	05121	
01028...	04/08/2008	*SHELL	ROBBERY	08200	E	RLTHORN...	323	1217	03341	06933
01072...	04/12/2010	JOHNSON,EBONI	ASSAULT	08200	E	RLTHORN...	318	1217	08421	
01269...	05/05/2009	TRISTON,RUIS	ROBBERY	08200	E	RLTHORN...	318	1217	03911	
01315...	05/12/2010	REEVES,MICHAEL	ASSAULT	08200	E	RLTHORN...	318	1217	08122	
01336...	05/14/2010	MARSH,HOLLY,MI...	ASSAULT	08200	E	RLTHORN...	318	1217	08422	
01336...	05/14/2010	*RESOURCE ONE ...	FRAUD	08200	E	RLTHORN...	318	1217	11110	
01432...	05/20/2009	DESHOUTEL, JOSH...	ACCIDENTAL I...	08200	E	RLTHORN...	318	1217	33070	
01481...	05/24/2009	SCOTT,KEVIN,RAY,	TRAFFIC MOT...	08200	E	RLTHORN...	318	1217	32090	
01575...	05/27/2008	ELMASRY, MOHAMED	ASSAULT	08200	E	RLTHORN...	323	1217	08121	
01664...	06/09/2009	*SHELL #7548	OTHER OFFEN...	08200	E	RLTHORN...	318	1217	26530	
01806...	06/21/2009	BEDRE,MOHAMEND...	ASSAULT	08200	E	RLTHORN...	318	1217	08221	
01905...	06/30/2009	BATY,JESSE	AUTO THEFT-...	08200	E	RLTHORN...	318	1217	07191	
01959...	07/05/2009	@CITY OF DALLAS	FOUND PROPE...	08200	E	RLTHORN...	318	1217	43020	
01970...	07/04/2009	HAMPTON,CLINTO...	AUTO THEFT-...	08200	E	RLTHORN...	318	1217	07171	
02036...	05/01/2008	SHEFFIELD,MICHAEL	AUTO THEFT-...	08200	E	RLTHORN...	323	1217	07173	

LIST OF OFFICERS
Quickway Retail Assoc. 11 LTD.

Managers:

- Alan Golman
- Richard Golman
- Kenneth Bruder
- Howard Beckerman

LIST OF OFFICERS
BK USA, Inc.

- Zawad Chowdhury President / Secretary
- Fahad Chowdhury Vice President / Treasurer

PROPOSED SUP CONDITIONS

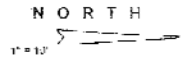
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages for off-premise consumption as part of the operation of a general merchandise or food store less than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on_____, (two-year period from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).
4. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
5. PARKING: Off-street parking must be located as shown on the attached site plan.
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN

PARKING REQUIREMENTS	
REQUIRED	PROVIDED
200 J. AN. PARKING SPACES	3
2000 ADAPTED SPACES	1
TOTAL	7

ZONING: RR D-1
 SCHOOL DISTRICT: 7
 HOA: NONE
 MAPSCO: 48 E
 CENSUS TRACT: 122.07
 ZONING MAP NO.

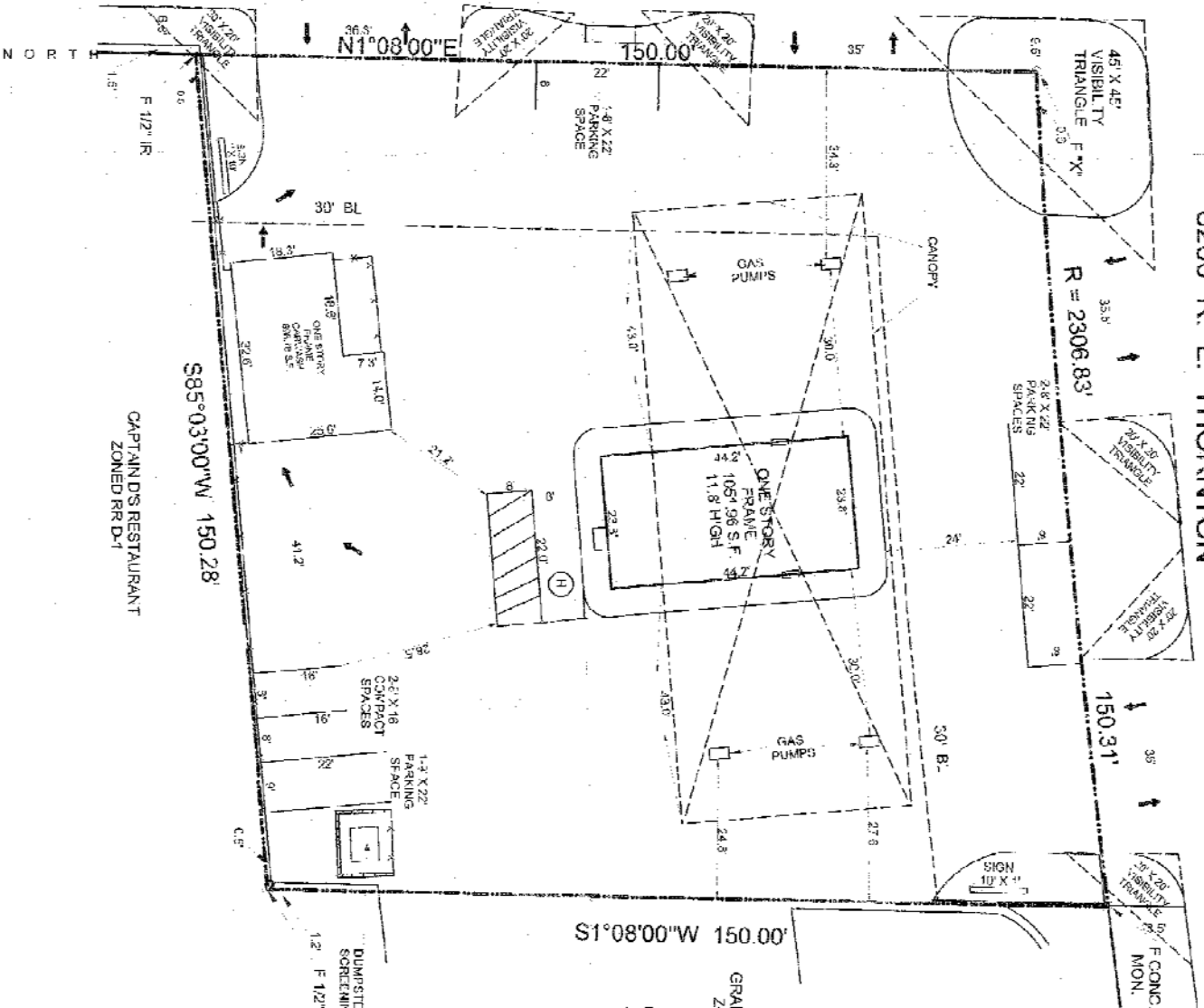
RACETRAC STATION
 ZONED RR D-1



PARKING SPACES WILL BE RESTRICTED PER SET PLAN AFTER SURVEY APPROVAL.

JIM MILLER ROAD
 (100' ROW)

8200 R. L. THORNTON



CAPTAIN D'S RESTAURANT
 ZONED RR D-1

GRANDY'S RESTAURANT
 ZONED RR D-1

S1°08'00"W 150.00'

S85°03'00"W 150.28'

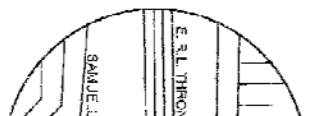
NORTH

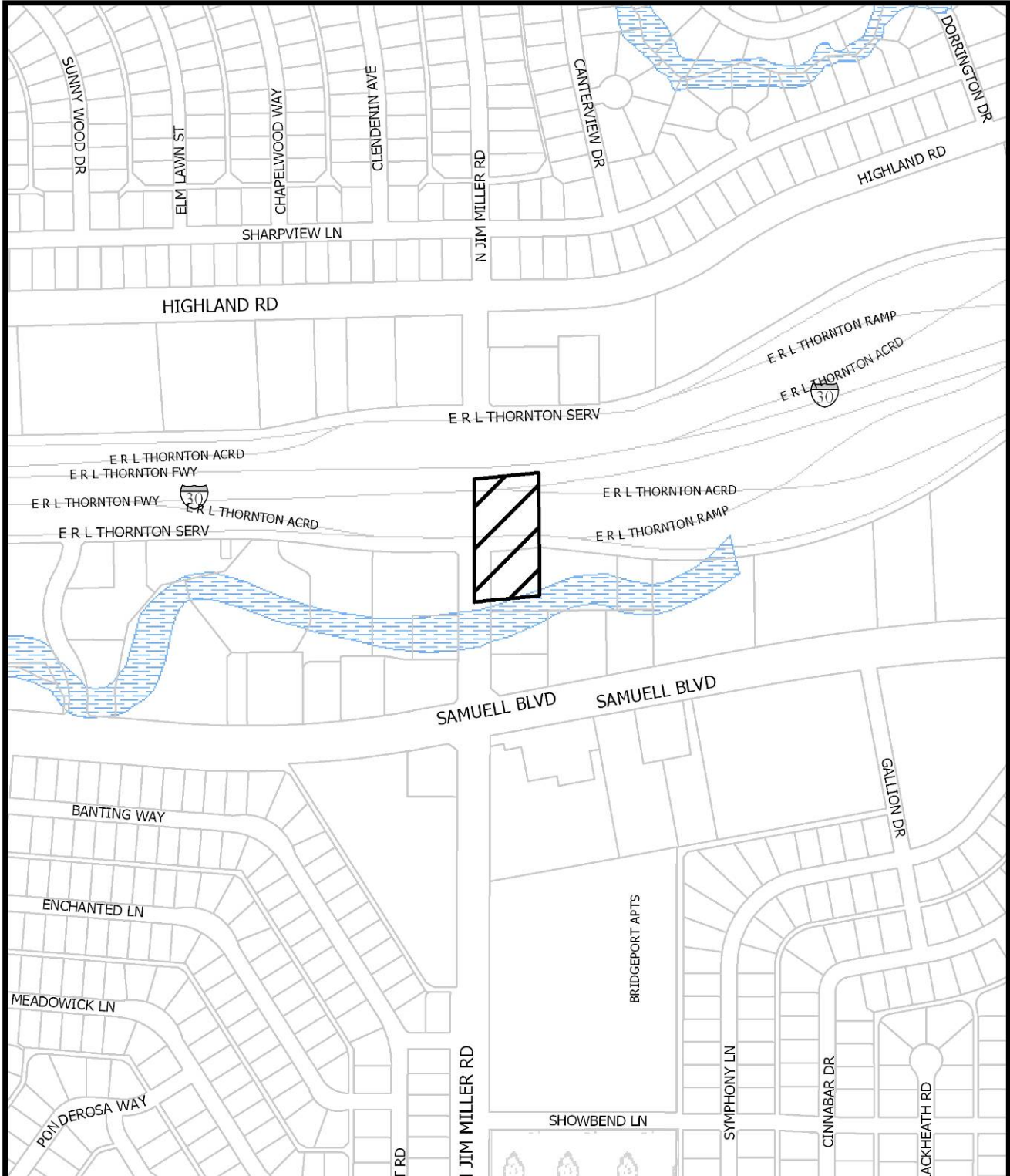
ZONING CHANGE REQUEST FROM CUR DISTRICT TO REZONE AND A S.U.P. (SP) FOR SALE OF ALCOHOL IN CONDUCTION MERCHANDISE OR FOOD STORE.

SITE PLAN
 SHELL 8200 E. R.L. THORNTON
 OWNER: QUIK WAY
 4131 CENTURION WAY

MOBLY LAND SURVEYING, INC.
 5377 MAIN STREET S. #200
 GRAND PRAIRIE, TEXAS 75150 972.262.1300

LEGEND
 1. ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.
 2. DIMENSIONS OF BUILDINGS ARE TO EXTERIOR WALLS UNLESS OTHERWISE NOTED.
 3. DIMENSIONS OF DRIVEWAYS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 4. DIMENSIONS OF PARKING SPACES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 5. DIMENSIONS OF VISIBILITY TRIANGLES ARE TO VERTEX UNLESS OTHERWISE NOTED.
 6. DIMENSIONS OF SETBACKS ARE TO PROPERTY LINE UNLESS OTHERWISE NOTED.
 7. DIMENSIONS OF CORNERS ARE TO CORNER UNLESS OTHERWISE NOTED.
 8. DIMENSIONS OF CURVES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 9. DIMENSIONS OF STRAIGHT LINES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 10. DIMENSIONS OF CIRCLES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
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 15. DIMENSIONS OF CIRCULAR ARCS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
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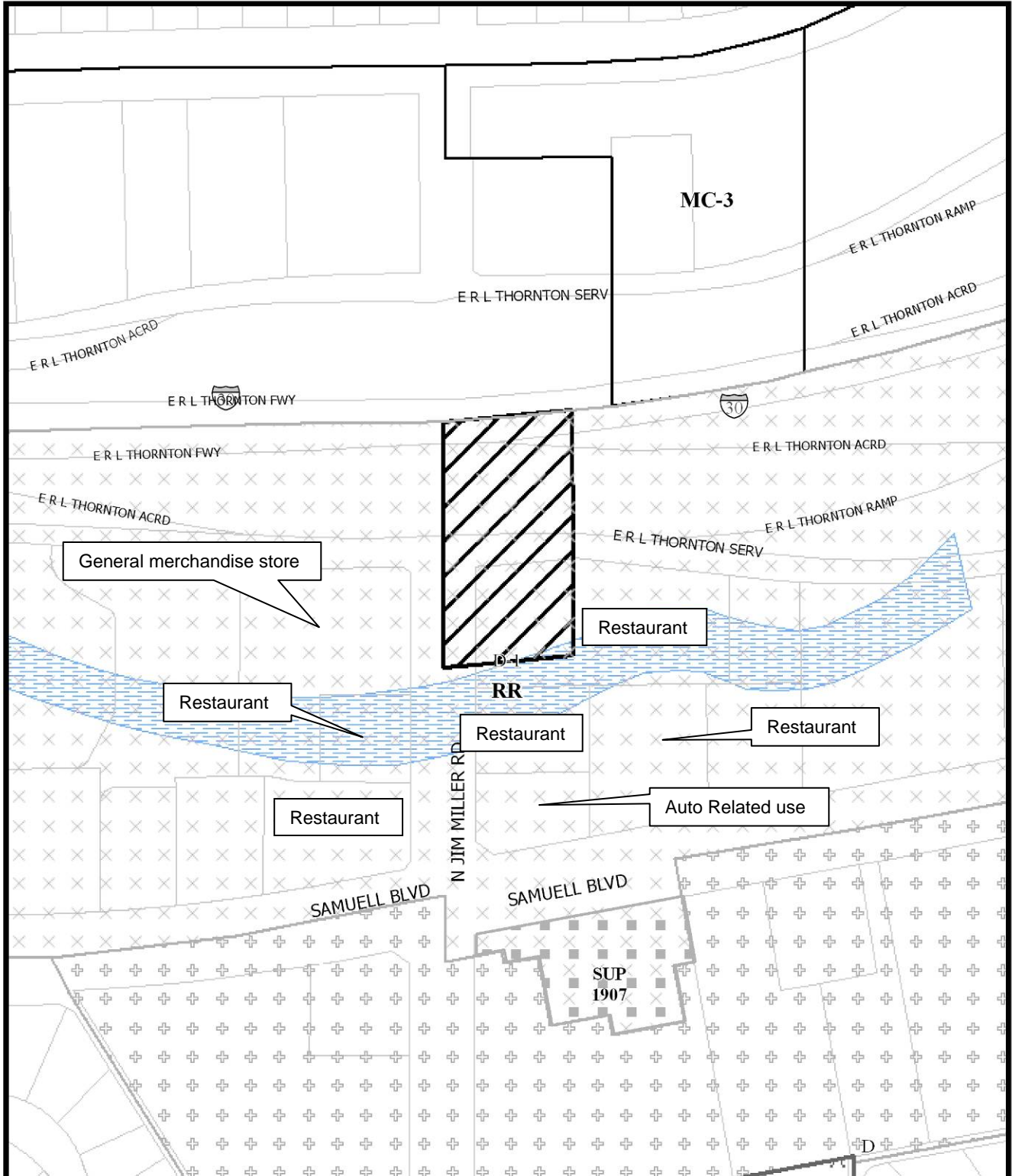


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VICINITY MAP

Case no: Z112-147

Date: 2/2/2012

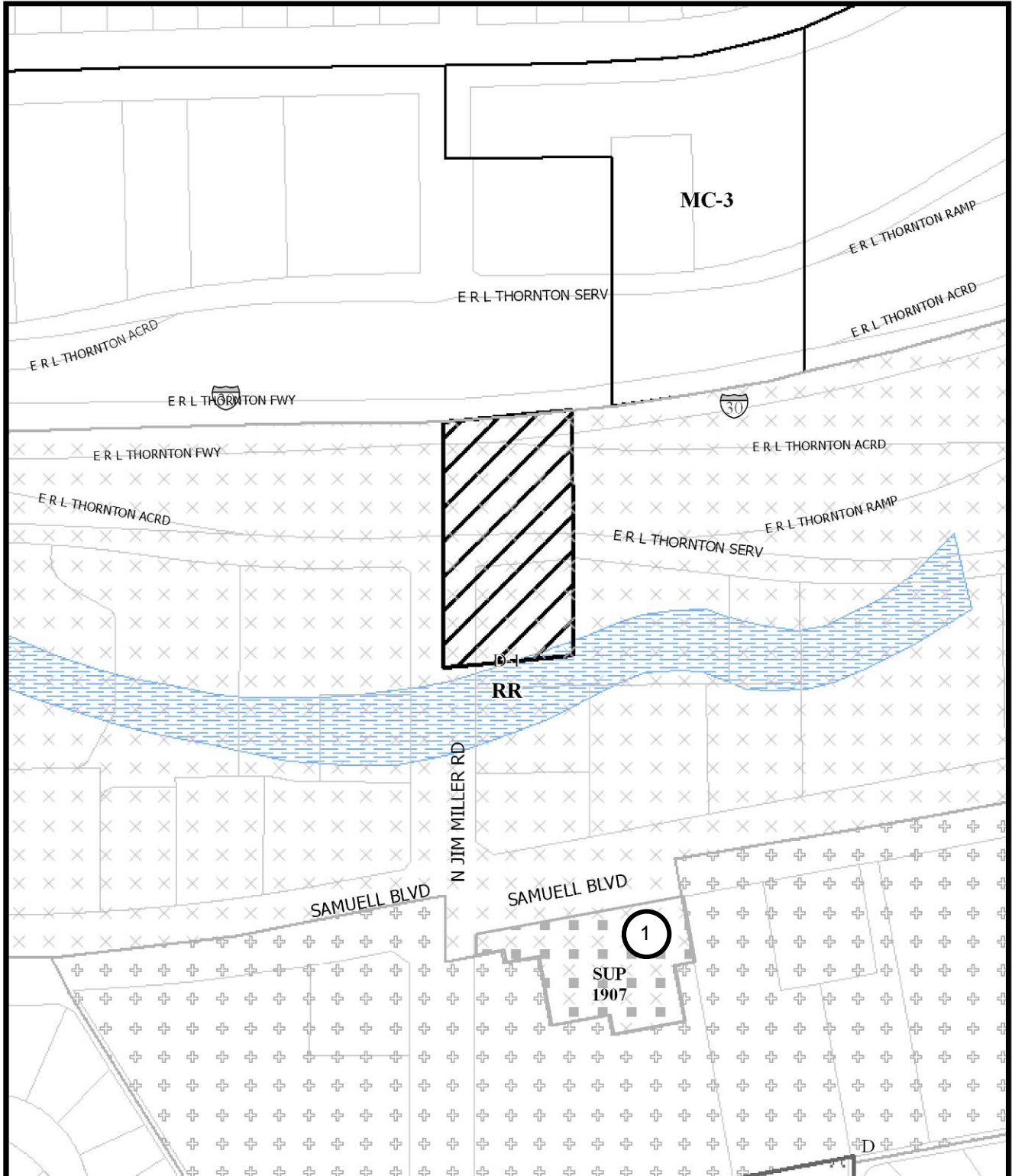


1:2,400

ZONING AND LAND USE

Case no: Z112-147

Date: 2/2/2012




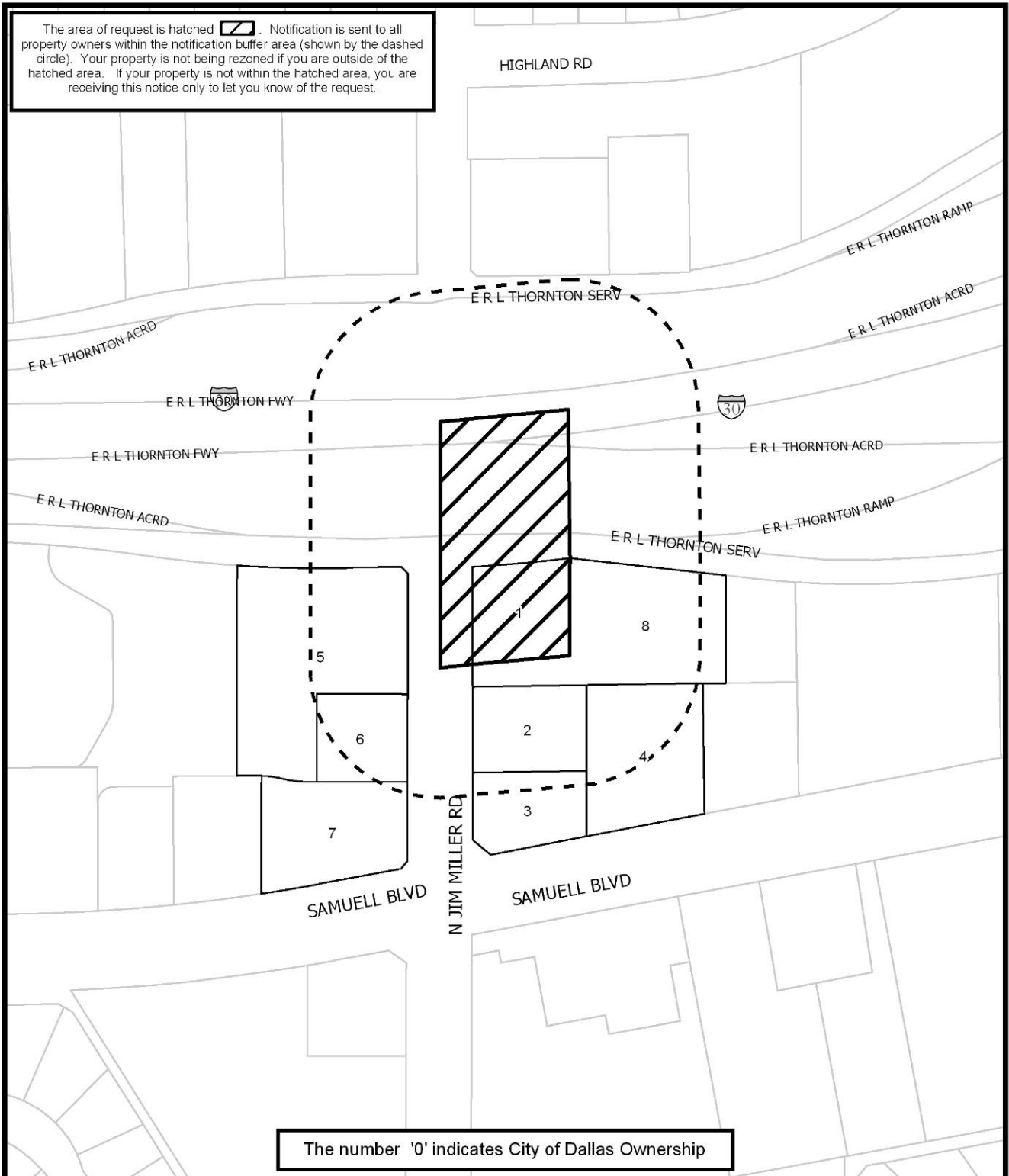
1:2,400

ZONING HISTORY

Case no: Z112-147

Date: 2/2/2012

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

	<h2>NOTIFICATION</h2>	Case no: <u> Z112-147 </u>				
1:2,400	<table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">8</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	8	NUMBER OF PROPERTY OWNERS NOTIFIED	Date: <u> 2/2/2012 </u>
200'	AREA OF NOTIFICATION					
8	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

Z112-147

8 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8200 R L THORNTON FWY	QUIK WAY RETAIL AS II LTD
2	5514 JIM MILLER RD	USRP FUNDING 2001 A LP
3	5510 JIM MILLER RD	DAY MARIE L
4	6885 SAMUELL BLVD	BURGER KING CORP 3997 % PPTY TAX ACCOUN
5	8130 R L THORNTON FWY	RACETRAC PETROLEUM INC
6	5575 JIM MILLER RD	SIDERIS BASIL K ET AL % R W BALL INC
7	5555 JIM MILLER RD	SIDERIS BASIL K ET AL TAX DEPARTMENT 4
8	8228 R L THORNTON FWY	NELSON WILLIAM C JR % ALLISON AVE CORP

Planner: Warren F. Ellis

FILE NUMBER: Z112-167(WE) **DATE FILED:** January 17, 2012
LOCATION: East side of Spur 408, north of Grady Niblo Road
COUNCIL DISTRICT: 3 **MAPSCO:** 61B-D, G, H
SIZE OF REQUEST: Approx. 29.761 acres **CENSUS TRACT:** 165.20, 165.21

APPLICANT: UME Preparatory Academy

OWNER: The Verge Church

REPRESENTATIVE: Dewain Barker

REQUEST: An application for a Specific Use Permit for an open-enrollment charter school on property zoned Planned Development District No. 612.

SUMMARY: The purpose of this request is to allow for the operation of a charter school within an existing church facility. The students attending the school will range from kindergarten through twelfth grade. The total student enrollment is anticipated to reach approximately 540 students in the fifth year of the school's operation.

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

BACKGROUND INFORMATION:

- The applicant’s request for a Specific Use Permit for an open enrollment charter school will allow for the school to operate within an existing church. The student enrollment is anticipated to reach 540 students in year 5 of the school’s operation and will range from kindergarten through twelfth grade. The applicant is proposing to have 19 classrooms.
- The land uses surrounding the request site is undeveloped.

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

1. Z001-222 On Wednesday, September 12, 2001, the City Plan Commission approved a Planned Development District for an attached premise sign on property zoned an A(A) Agricultural District on the east side of Spur 408, north of Grady Niblo Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Spur 408	Principal Arterial	Variable lane widths	Variable lane widths

Land Use:

	Zoning	Land Use
Site	PDD No. 612	Church
North	A(A)	Undeveloped
South	A(A)	Undeveloped
East	A(A), TH-2(A) w/deed restrictions	Undeveloped
West	A(A)	Spur 408 Freeway

COMPREHENSIVE PLAN: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request. The Plan identifies the request site as being in the Residential Neighborhood Building Block and along a Transit Center or Multi Modal Corridor.

Residential Neighborhood Building Block - This Building Block represents the lifeblood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights,

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility: The 29.761 acre site is developed with a church use and is adjacent to a major roadway; Spur 408 Frontage Road, which will be the used as the primary access to the school.

The applicant’s request for the Specific Use Permit will allow for an open enrollment charter school to operate within an existing church. The applicant is proposing 19 classrooms and will have a maximum enrollment of approximately 540 students, which will range from kindergarten through twelfth grade. The hours of operation are between 7:00 a.m. and 5:00 p.m., Monday through Friday.

The school will utilize a compressed class schedule which is based on a university method of class scheduling where students will arrive and depart at different times (an early and late session). The early session of classes will be from 8:30 a.m. to 1:30 p.m. and the late session of classes will begin a 10:30 a.m. and end at 3:30 p.m. The compressed scheduling of classes will allow less vehicular traffic on the access road, thus, reducing the length of queuing. There is only one point of ingress and egress onto the Property which is located on the Frontage Road of Spur 408, north of Grady Niblo Road. The length of the driveway on the Property, in addition to, the queuing length in the parking area will provide a significant amount of queuing space for student drop-off and pick-up.

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

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

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		<u>Density</u>	<u>Height</u>	<u>Lot Coverage</u>	<u>Special Standards</u>	<u>PRIMARY Uses</u>
	<u>Front</u>	<u>Side/Rear</u>					
PDD No. 612	50'	20'/50'	1 Dwelling Unit/3 Acres	24'	10%		Agricultural, single family, church

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

- one and one-half space for each kindergarten/elementary school classroom;
- three and one-half space for each junior high/middle school classroom; and
- nine and one-half space for each senior high school classroom.

The number of required off-street parking spaces for the proposed school is 103 spaces and the applicant is proposing to provide 141 off-street parking spaces. The total number of proposed classrooms determines the number of required parking spaces. The school is proposing approximately 19 classrooms.

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

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

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

LIST OF BOARD MEMBERS
Verge Church

- G. Laine Robinson, Senior Pastor
- David Michael Massa
- Grady Jones
- Donna Newman
- Gregory Moore
- Yolanda Garcia

LIST OF BOARD MEMBERS
UME Preparatory Academy

- Walter V. Howery, Chairman
- Regina Pingel, Treasurer
- Jill Jones, Secretary
- Dr. Nolan Estes
- Dr. Charlene Conner
- Dr. Frank Meador

PROPOSED SUP CONDITIONS

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

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on _____(five years from the passage of this ordinance), but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. CLASSROOMS: The maximum number of classrooms is 19.

5. HOURS OF OPERATION: The open-enrollment charter school may only operate between 7:00 a.m. and 5:00 p.m., Monday through Friday.

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. TRAFFIC MANAGEMENT PLAN:

(a) In general. Operation of an open-enrollment charter school must comply with the traffic management plan (Exhibit ____B).

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

(c) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by **March 1, 2014**. After the initial traffic study, the Property owner or operator shall submit biennial updates of the traffic study to the director by March 1 of each even-numbered year.

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

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

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

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

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

(d) Amendment process.

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

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

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

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.

TRAFFIC MANAGEMENT PLAN and QUEUING ANALYSIS

**UME Preparatory Academy
January 17, 2012**

UME Preparatory Academy will be located at 3838 Patriot Parkway (Spur 408), Dallas, Texas 75236. UME Prep is a charter school with an enrollment limit of 540 students. Our 5-year expansion plan is as follows:

Enrollment maximum 1st Year (2012-13 SY): **352** students
 Enrollment maximum 5th Year (2016-17 SY): **540** students

	K	1	2	3	4	5	6	7	8	9	10	11	12	Total
Year 1	32	36	36	40	40	40	40	44	44					352
Year 2	32	36	36	40	40	40	40	44	44	44				396
Year 3	32	36	36	40	40	40	40	44	44	44	48			444
Year 4	32	36	36	40	40	40	40	44	44	44	48	48		492
Year 5	32	36	36	40	40	40	40	44	44	44	48	48	48	540

Since the class scheduling structure of UME Prep, as approved by the Texas Education Agency, is a compressed schedule involving both an early and a late session, the student numbers indicated above will arrive and depart school at two different times:

Early Session: 8:30 a.m. to 1:30 p.m. (Arrive 8:00-8:30 and Depart 1:30-2:00)
Late Session: 10:30 a.m. to 3:30 p.m. (Arrive 10:00-10:30 and Depart 3:30-4:00)

As a result, the following student maximum numbers will be involved during each arrival and departure time.

	K	1	2	3	4	5	6	7	8	9	10	11	12	Total
Year 1	16	18	18	20	20	20	20	22	22					176
Year 2	16	18	18	20	20	20	20	22	22	22				198
Year 3	16	18	18	20	20	20	20	22	22	22	24			222
Year 4	16	18	18	20	20	20	20	22	22	22	24	24		246
Year 5	16	18	18	20	20	20	20	22	22	22	24	24	24	270

UME Prep will provide one central drop off/pickup location (reference attached Traffic Management Plan Exhibit). The traffic management plan provides for on-site queuing of over 70 vehicles in a single row.

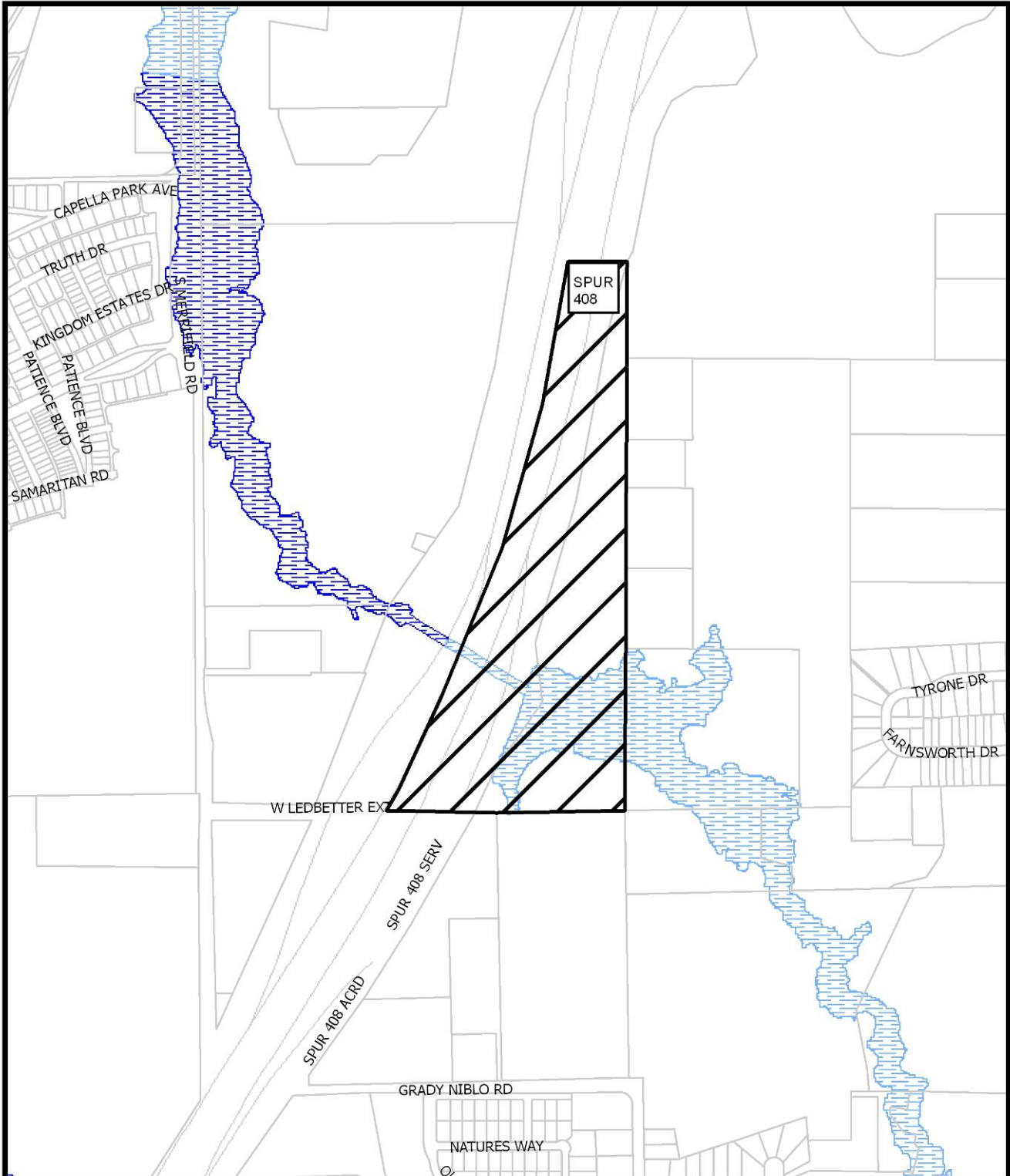
During drop-off/pick-up, UME Prep will have a maximum of 18 vehicles (2012-13 SY) to 27 vehicles (2016-2017 SY) in the queuing spaces provided at any given time.

The traffic flow for arrival and departure periods (times noted above for each session) will be as follows:

- Cars will enter the campus gate from the north bound service road of Spur 408 (which merges with Grady Niblo Road) or by crossing under Spur 408 from the south bound service road of Spur 408.
- A minimum of two (2) attendants will assist with the safe loading and unloading of students (year-to-year increase in enrollment is due to high school thus impacting loading and unloading numbers very little).
- An administrator will be present during arrival and departure times to provide supervision and to ensure that safety procedures are followed.
- During traffic periods, UME Prep will provide traffic cones to ensure appropriate traffic flow.
- During arrival and departure times, eight (8) vehicles are anticipated to be loaded or unloaded in the drop-off/pick-up zone. This will be conducted single file with no students crossing a drive lane to load or unload a vehicle.
- Exiting from the campus is provided in a circular pattern around the outside of the parking lot and back to the school's long driveway.
- Cars will exit the campus back onto the north bound service road of Spur 408, or will cross under Spur 408 and then travel south on Spur 408, or will exit the campus and travel south on Grady Niblo Road (initially parallels Spur 408).

Park and Escort parking (parents park their car and walk their children to and from class) is provided in the area designated on the attached Traffic Management Plan Exhibit and is available from 7:00 a.m. to 5:00 p.m.

All families will be educated on the traffic flow plan for UME Prep through the school's website, and reinforced throughout the year by means of student orientation, parent/teacher meetings, and messages directly to parents.

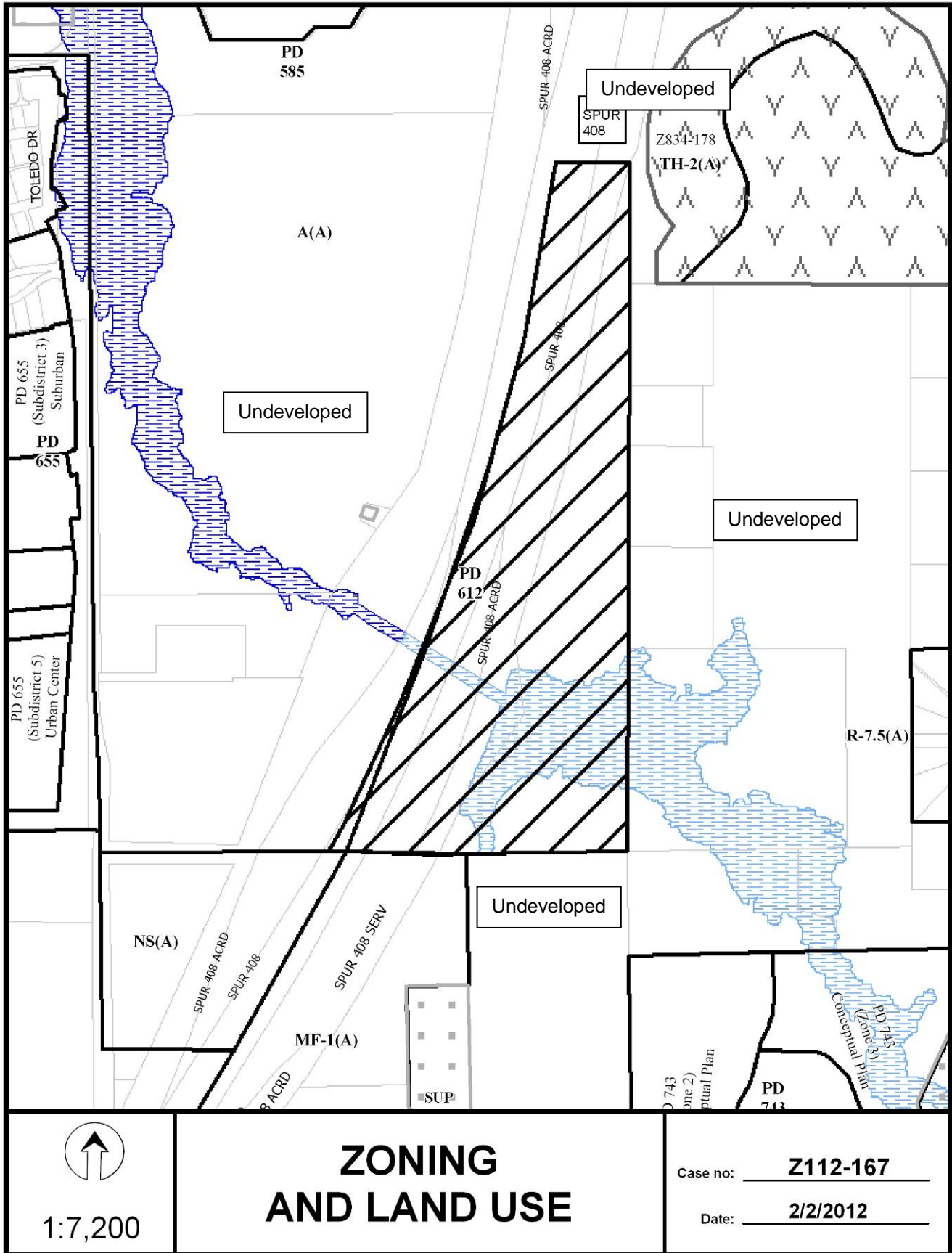


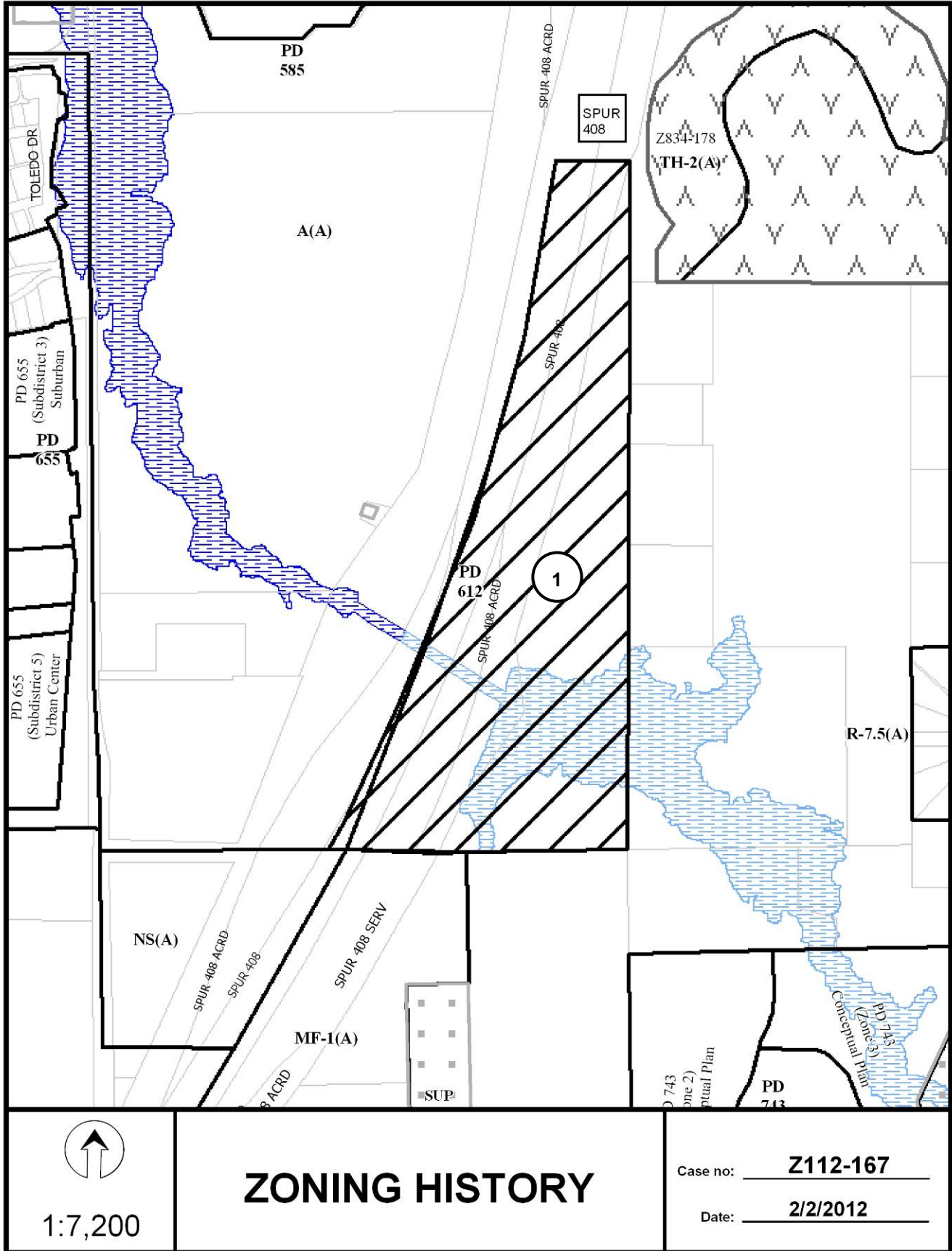
1:9,600


VICINITY MAP

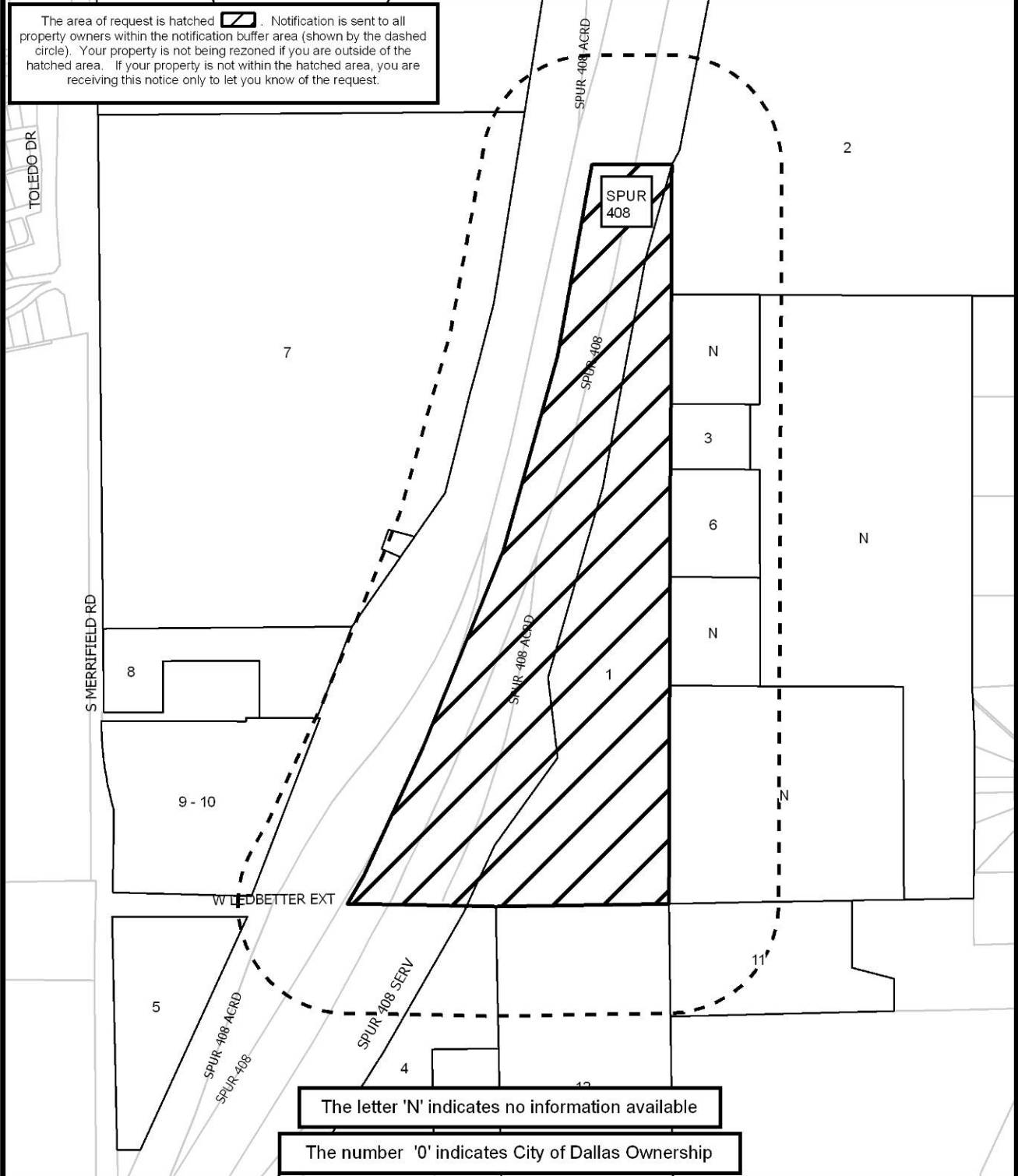
Case no: Z112-167

Date: 2/2/2012





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 letter 'N' indicates no information available

The number '0' indicates City of Dallas Ownership

 1:7,200	<h2>NOTIFICATION</h2> <p>500' AREA OF NOTIFICATION</p> <p>12 NUMBER OF PROPERTY OWNERS NOTIFIED</p>	Case no: <u> Z112-167 </u> Date: <u> 2/2/2012 </u>
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Notification List of Property Owners

Z112-167

12 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3838 SPUR 408	VERGE INC THE ATTN G LAINE ROBINSON
2	7500 KIEST BLVD	SOUTHWEST REG CONF ASSN ATTN TREASURER
3	4200 SPUR 408	HIGHT JEAN EST OF ET AL % THOMAS H HIGHT
4	4500 SPUR 408	SHONUGA GABRIEL T & OLABINJO SOLANO
5	4201 SPUR 408	FIVE TEN DEVELOPMENT IN SUITE 150
6	3500 SPUR 408	BROWN BOBBY JO JOHNSTON
7	3701 SPUR 408	MERRIFIELD FAMILY INVESTMENTS LTD
8	3901 SPUR 408	LANKFORD SHARRA LYNN TRUST
9	4201 SPUR 408	MERRIFIELD FAMILY INVESTMENTS LTD
10	3900 MERRIFIELD RD	MERRIFIELD FAMILY INVESTMENTS LTD
11	4500 SPUR 408	PORTERFIELD D L & BETSYE ROSS LHUILLIER
12	6711 GRADY NIBLO RD	JOHNSON ZELDA FAY ET AL

FILE NUMBER: Z112-124 (JH)

DATE FILED: October 31, 2011

LOCATION: Southwest corner of Abrams Road and Kenwood Avenue

COUNCIL DISTRICT: 14

MAPSCO: 36-Q, 36-L

SIZE OF REQUEST: Approx. 10.6 acres

CENSUS TRACT: 2.01

REPRESENTATIVE: Rob Baldwin

APPLICANT: Roman Catholic Diocese of Dallas

OWNER: Diocese of Dallas

REQUEST: An application to amend and expand Specific Use Permit No. 1526 for a private school on property zoned an R-7.5(A) Single Family District.

SUMMARY: The purpose of the request is to expand the private school by an additional 2.7 acres for the construction of athletic fields for the private school use.

STAFF RECOMMENDATION: Approval, subject to site plans, landscape plan, traffic management plan, and conditions

BACKGROUND INFORMATION:

- The existing SUP request site is currently developed with a church and private school. The expansion site is currently undeveloped; the site had a church and single family dwelling which have been demolished.
- The applicant is proposing to construct athletic fields for exclusive use by the private school. Proposed structures are limited to a batting cage, concession stand, fencing for security and baseball field, portable bleachers, and a scoreboard. Overlapping baseball field and football field are shown on the site plan.
- SUP No. 1526 currently has an area for expansion that would allow for up to 24 elementary level classrooms, 12 middle level classrooms, and 910 students. The applicant is proposing to eliminate plans for expansion and reduce maximum enrollment to 600 students in order to construct the athletic fields.
- The new land area in the request has SUP No. 279 for a convent use for a permanent time. SUP No. 279 had covered the entire request site until it was terminated on the portion with SUP No. 1526. There is no other ordinance or conditions for SUP No. 279. The applicant is not requesting to terminate SUP No. 279.

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

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Abrams Road	Principle Arterial	100 ft.

STAFF ANALYSIS:

Comprehensive Plan:

The request site is located within a single family residential neighborhood and the Vision Illustration shows this area as a residential neighborhood, just outside of a commercial center or corridor. Institutional uses are expected within residential neighborhoods, usually at key intersections or developed in a way that blends into the fabric of the neighborhood with open space or community amenities (benches, playgrounds) for example. The proposed expansion is on property that was developed with another institutional use. The proposed use of the expansion area as athletic fields has a greater impact than the previous use, but the site plan and conditions show landscaping, fencing, lighting, and operational conditions that help to minimize the athletic fields’s use on the surrounding single family uses. The request is in compliance with ForwardDallas! and the following goals and policies.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

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

NEIGHBORHOOD ELEMENT

GOAL 7.1 PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS

Policy 7.1.2 Promote neighborhood-development compatibility.

Land Use Compatibility:

The surrounding land uses are single family residential.

The purpose of the request is to add approximately 2.67 acres to SUP No. 1526, allow for an athletic field, allow for additional parking, and provide for a new landscaping plan. The applicant is proposing the athletic fields in lieu of the expansion the current SUP allows. The athletic field would be used as a baseball field and football field with areas overlapping and a volleyball court in the southwest corner. Bleachers would be moved across the field depending on the sport played at that time. Structures proposed in association with the athletic field include a batting cage, approximately 1,500 square foot concession stand, scoreboard, retaining walls, and fencing necessary for safety and security.

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

Staff has worked with the applicant to minimize the impact of the athletic field as reasonably possible. The athletic fields will not be lighted except for security lighting or used after dusk. Security lighting must be shielded. The scoreboard must be oriented to minimize visibility from adjacent single family uses and is limited in height to a maximum of 20 feet. The applicant is providing appropriate landscaping and screening. Staff supports the applicant's request.

Development Standards:

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

Parking/Traffic:

The applicant has provided an updated Traffic Management Plan and Analysis to reflect the change in the driveways and parking lot configuration. The new parking lot configuration between the school and athletic field will allow for more on-site queuing. The Engineering Section supports the TMP as attached.

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code and the attached SUP conditions. The landscaping plan has been drafted to keep the intent of enhanced landscaping requirements that the SUP currently imposes. Instead of landscaping for a building expansion, the attached landscape plan addresses the proposed athletic field and new parking area.

Trees were removed without permit shortly after this zoning application was made. The applicant will provide tree mitigation in accordance with Article X and the SUP conditions.

List of Partners/Principals/Officers

Officers for Roman Catholic Diocese of Dallas

Joe Brogdon, Chief Financial Officer
 Donna Small, Chief Technical Officer
 Mario Gonzalez, Vice President Sales

Director(s)

Annette Taylor
 Maria Carrillo
 Paul Vitanza
 Karen Roach
 Phil Paschke
 Ed Cantrell
 Mary Owens

**TEXAS SECRETARY of STATE
 HOPE ANDRADE**

[UCC](#) | [Business Organizations](#) | [Trademarks](#) | [Notary](#) | [Account](#) | [Help/Fees](#) | [Briefcase](#) | [Logout](#)

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 68540501 **Entity Type:** Domestic Nonprofit Corporation
Original Date of Filing: December 30, 1983 **Entity Status:** In existence
Formation Date: N/A **Non-Profit Type:** N/A
Tax ID: 17520103254 **FEIN:**
Duration: Perpetual
Name: CORPORATION OF THE EPISCOPAL DIOCESE OF DALLAS
Address: 1630 GARRETT ST RIGHT REV J M STANTON
 DALLAS, TX 752060000 USA

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>
Last Update	Name	Title	Address		
June 5, 2008	James M. Stanton	Director	1630 N Garrett Ave Dallas, TX 75206 USA		
June 5, 2008	Timothy A Mack	Director	1445 Ross Ave Ste 3700 Dallas, TX 75202 USA		
June 5, 2008	G Thomas Graves	Director	4809 Cole Ave Ste 108 Dallas, TX 75205 USA		
June 5, 2008	P Stuart Bush	Director	5420 LBJ Frwy Ste 700 Dallas, TX 75240 USA		
June 5, 2008	Robert Hulsey	Director	102 West Moore Ave Terrell, TX 75160 USA		
June 5, 2008	William Beecherl	Director	5950 Cedar Springs Road Ste 200 Dallas, TX 75235 USA		
June 5, 2008	John D. Nicholson	Director	14221 Dallas Pkwy Ste 1000 Dallas, TX 75246 USA		
June 5, 2008	Tommy Valenta	Director	4809 Cole Ave Ste 108 Dallas, TX 75205 USA		
June 5, 2008	James M. Stanton	Chairman of the Board	1630 N Garrett Ave Dallas, TX 75206 USA		
June 5, 2008	Timothy A Mack	President	1445 Ross Ave Ste 3700 Dallas, TX 75202 USA		
June 5, 2008	John D. Nicholson	Vice-President	14221 Dallas Pkwy Ste 1000 Dallas, TX 75246 USA		
June 5, 2008	Robert Hulsey	Treasurer	102 West Moore Ave Terrell, TX 75160 USA		
June 5, 2008	G Thomas Graves	Secretary	4809 Cole Ave Ste 108 Dallas, TX 75205 USA		
June 5, 2008	David E Gibbs	Assistant Secretary	1620 North Garrett Ave Dallas, TX 75206 USA		

SUP Conditions

1. USE: The only use authorized by this specific use permit is a private school.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit [~~is approved for a time period that~~ expires on (ten years) [~~October 7, 2013~~], but [and] is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. In order 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 AND TREE PRESERVATION: Landscaping for the expansion area shown on the site plan must be provided in accordance with the attached landscape plan. In addition to any landscaping and tree preservation required by Article X, the following must be provided within six months after issuance of a building permit to create the athletic fields shown on the site plan or certificate of occupancy for any new structure on the Property:

(a) Within the Alderson Street Planting Area shown on the attached site landscape plan, a minimum of 20 15-gallon large shrubs must be planted within six months after issuance of a building permit to create the athletic fields shown on the site plan or certificate of occupancy for any new structure on the Property.

(b) ~~Within the area between the northern and southern ingress/egress points in the~~ Abrams Road Planting Area shown on the attached site topographic survey plan, a minimum of 48 15-gallon Nellie R. Stevens Hollies, planted four feet on-center and spaced so as to have a varied setback, and a minimum of six trees, limited to either Bald Cypress or Live Oak trees each with a minimum of three caliper inches and spaced so as to have a varied setback, ~~must be provided within six months after issuance of a certificate of occupancy for any new structure on the Property~~. A minimum of 12 large Bald Cypress or Live Oak trees each with a minimum of three caliper inches and spaced so as to have a varied setback must be maintained in this area at all times. Ground cover must be provided to fill in the area between the trees and the Nellie R. Stevens Hollies.

(c) Within the ~~area south of the southern ingress/egress point in the~~ Abrams Road Planting Area shown on the attached site landscape plan, a minimum of 20 15-gallon Nellie R. Stevens Hollies, planted four feet on-center and spaced so as to have a varied setback, must be provided. ~~All landscape materials must be planted within six months after issuance of a certificate of occupancy for any new structure on~~

~~the Property.~~ A minimum of eight Bald Cypress or Live Oak trees, each with a minimum of three caliper inches and spaced so as to have a varied setback, must be maintained in this area at all times. Ground cover must be provided to fill in the area between the trees and the Nellie R. Stevens Hollies.

(d) The landscaping described in Paragraphs (a), (b), or (c) may be located in the parkway if a private license is obtained from the city; however, if the city does not grant, or revokes, the private license, the required landscaping must be provided on the Property.

(e) Existing trees identified on the attached topographic survey must be maintained in a healthy growing condition. Removal of any trees identified on the survey must be mitigated in accordance with the tree preservation provisions of Article X, except as provided in the following paragraph.

(f) The following trees within the Alderson Street Planting Area shown on the attached topographic survey must be maintained in a healthy, growing condition: 24 caliper-inch Pecan; 24 caliper-inch Oak; 30 caliper-inch Oak; 10 caliper-inch Sweetgum; and 18 caliper-inch Oak. Should mitigation be required for any of these trees, one of the replacement trees must be a minimum of five caliper-inches and planted within the Alderson Street Planting Area, with the balance of mitigation being provided by minimum three caliper-inch trees planted anywhere on the Property.

5. CLASSROOMS: The private school may operate a maximum of 24 kindergarten and elementary school classrooms combined, and a maximum of 12 middle school classrooms.

6. HOURS OF OPERATION: The private school may only operate between 8:00 a.m. and 3:30 p.m., Monday through Friday. Athletic fields may only operate between 8:00 a.m. and sunset, Monday through Friday and 9:00 a.m. and sunset, Saturday and Sunday.

7. INGRESS-EGRESS: Ingress and egress for the private school must be provided as shown on the attached site plan. No other ingress or egress is permitted. ~~and is further restricted as follows:~~

~~_____ (a) The northernmost drive approach on Abrams Road is limited to ingress only between the hours of 7:15 a.m. and 8:30 a.m. and between 2:30 p.m. and 4:15 p.m., Monday through Friday. The Property owner must provide on-site directional control devices to ensure ingress only.~~

~~_____ (b) The southernmost drive approach on Abrams Road is limited to egress only and right-turn out only between the hours of 7:15 a.m. and 8:30 a.m. and between 2:30 p.m. and 4:15 p.m., Monday through Friday. The Property owner must provide on-site directional control devices to ensure egress only and right-turn out only.~~

8. ENROLLMENT: Enrollment for the private school may not exceed 940 ~~600~~.

9. TRAFFIC CIRCULATION MANAGEMENT PLAN: ~~On-site traffic circulation must be provided as shown on the attached site plan. Additionally, "School Personnel A," "School Personnel B," and "School Personnel C" must be provided in the locations as shown on the attached site plan between 7:30 a.m. and 8:00 a.m. and between 2:45 p.m. and 4:00 p.m., Monday through Friday, to facilitate traffic circulation and passenger loading/unloading. Additionally, pavement markings delineating the directional flow of traffic must be provided as shown on the attached site plan.~~

A. In general. Operation of the private 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 (ONE YEAR). 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 odd-numbered year.

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

a. ingress and egress points;

b. queue lengths;

c. number and location of personnel assisting with loading and unloading of students;

d. drop-off and pick-up locations;

e. drop-off and pick-up hours for each grade level;

f. hours for each grade level; and

g. circulation.

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

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

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

D. Amendment process.

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

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

10. TRAFFIC SIGNALIZATION: One year from the date of issuance of a certificate of occupancy, and annually thereafter for five years, the Property owner shall submit a letter to the director of Public Works and Transportation requesting an analysis of the timing of the traffic signal located at the intersection of Abrams Road and Kenwood Street. The Property owner shall pay for any necessary costs associated with these analyses and for any new traffic control improvements that the analyses show are necessitated by and wholly attributable to the operation of the private school. The Property owner shall share the results of the annual analyses with the Wilshire Heights and Lakewood Neighborhood Associations.

~~11. UNLOADING/LOADING:~~ ~~The designated area for passenger loading/unloading must be identified with pavement markings and signage in the area labeled "School Personnel A" on the attached site plan.~~

~~12.11. PARKING:~~ Off-street parking must be provided in the locations shown on the attached site plan.

~~13.12. FENCES:~~

(a) Fences around the perimeter of the Property are permitted at a maximum height of six feet in locations shown on the attached site plan.

(b) A temporary solid fence at least six feet in height must be provided along the area identified as the Alderson Street Planting Area in the location shown on the attached site plan prior to commencement of construction on the Property. After issuance of a certificate of occupancy, this temporary fence may be replaced with a permanent fence not to exceed six feet in height.

(c) Fencing for athletic fields must comply with the heights and location shown on the site plan.

13. LIGHTING: Lighting in the expansion area shown on the plan is limited to security lighting no more than 12 feet in height. Lighting must be shielded.

14. ATHLETIC FIELD STRUCTURES:

(a) Structures for the athletic field are limited to those shown on the attached site plan.

(b) Bleachers must not exceed 4 rows of seating or 8 feet in height.

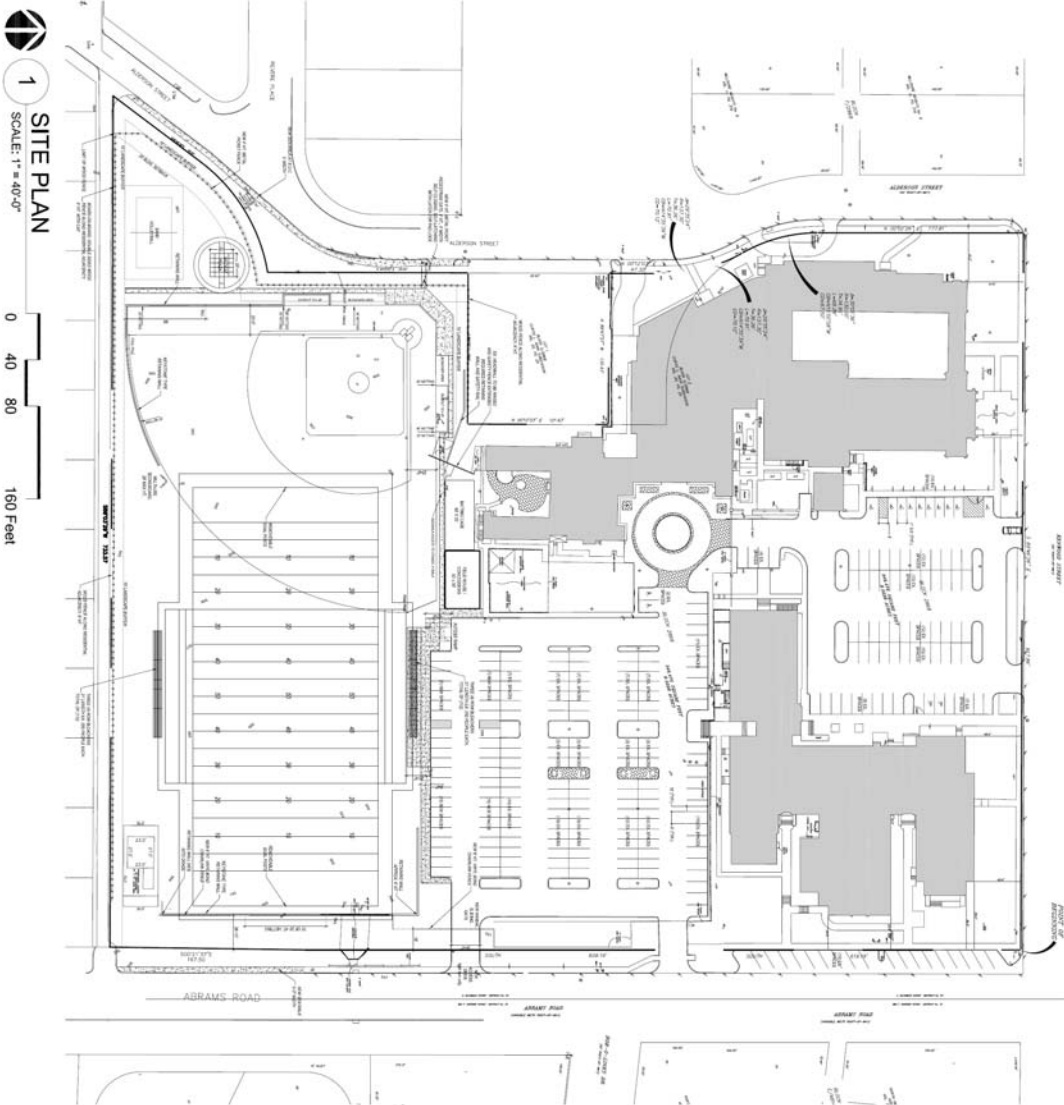
(c) The scoreboard is limited to a maximum of 20 feet in height and must be oriented as shown on the site plan

15. OUTDOOR SPEAKERS: No outdoor speakers are permitted.

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

17. 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

CASE NUMBER:		NTS	
TOTAL AREA	481,784 SQ FT (11.0589 AC)		
TOTAL BLDG. AREA	134,927 SF		
CHURCH	42,038 SF		
1ST FLOOR	8,078 SF		
2ND FLOOR	8,078 SF		
PRESCHOOL	7,238 SF		
1ST FLOOR	5,304 SF		
2ND FLOOR	5,304 SF		
SCHOOL	6,934 SF		
BASEMENT	30,172 SF		
1ST FLOOR	18,280 SF		
2ND FLOOR	18,280 SF		
GYM	7,778 SF		
PROPOSED CONCRESSION STAND	1,500 SF		
FLOOR AREA (X10)	1,027		
NON-PROGRAM. COVERAGE	48%		
TOTAL REQUIRED PARKING	265 SPACES		
CHURCH	182 SPACES		
PRESCHOOL	95 SPACES		
SCHOOL	58 SPACES		
PROPOSED PARKING	271 SPACES		

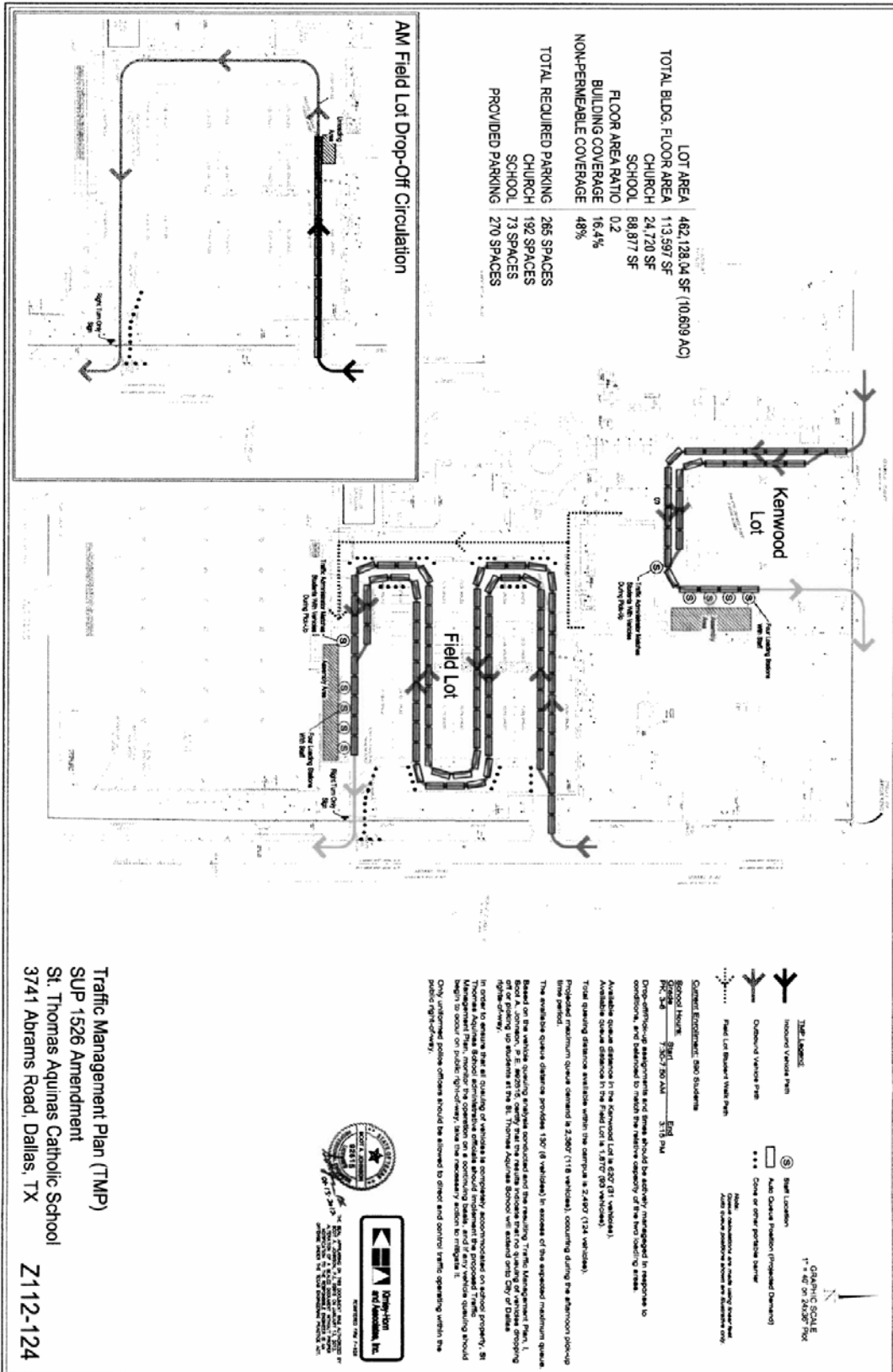
NOTE: ALL CURBS CURVS NOT USED WILL BE RESTORED TO CURBS

NO.	DATE	REVISION
2	01/09/12	1. calls out 20' x required
1	01/02/12	1. calls out 20' x required
		NO. DATE REVISION

Baldwin
 Associates
 3904 Elm Street, Suite B
 Dallas, Texas 75226
 OFFICE: 214.524.7348
 info@baldwinassociates.com

SUP 1526 AMENDMENT
 ST. THOMAS AQUINA CHURCH & SCHOOL
 CITY OF DALLAS, TEXAS
 PREPARED BY: A.S.
 DATE: 12/06/11
 SCALE: 1"=40'

TRAFFIC MANAGEMENT PLAN



TRAFFIC MANAGEMENT PLAN

Z112-12

**Traffic Management Plan and Queuing Analysis
St. Thomas Aquinas Catholic School Z112-124
3741 Abrams Road, Dallas, TX
January 13, 2011**

Introduction:

The St. Thomas Aquinas Catholic School is located on the southwest corner of Abrams Road and Kenwood Street. The school has been in operation on the site since 1947. The school has approximately 590 students in grades Pre-K and 3-8, with 50 staff and teachers.

The Saint Thomas Aquinas Catholic Church & School is proposing to reconstruct the southern portion of the Abrams Road campus to provide a baseball diamond and a football field, along with a small field house/concessions area and an additional 40 paved parking spaces. The parking lot addition would include an additional driveway to Abrams Road at the southwest corner, replacing the existing driveway at the Episcopal Church building. As a part of the SUP amendment, the allowable number of students at the campus will be reduced from the current 910 to a new limit of 600, essentially capping enrollment at the current level.

The proposed construction of a football field and a baseball diamond on the campus will have no significant impact on the surrounding roadways or neighborhoods for either typical weekdays or during games. Effectively no additional vehicle trips will be generated on non-game weekdays because of the athletic fields. Nearly everyone who uses the fields on a daily basis for recreation or practice is already on the campus for other reasons. The ITE *Trip Generation* manual does not include the presence of athletic fields as a factor which contributes to trip generation for schools. In fact, with athletes potentially arriving earlier or leaving later than the general student population, the athletic facilities may actually reduce the number of vehicle trips in the school's peak hours, by spreading the traffic over a greater time period. The modest number of new trips that do occur during games take place when there is limited activity at the existing church and school (i.e., evenings and Sunday afternoons).

Previous TMP Operation:

On weekdays, the 590-student school operates from 7:50 AM until 3:15 PM. Parent automobile drop-off and pick-up is organized with one loading area in the northern parking lot (Kenwood Lot) and one loading area in the southern parking lot (Field Lot). Presently, traffic for the Kenwood Lot loading area enters at the west driveway from Kenwood Drive, and exits at the east driveway. Traffic for the Field Lot enters and exits through the single driveway to Abrams Road. In both areas, entries and exits are limited to right turns in order to simplify operations, with generally good compliance by drivers. Student pick-up procedure is in the modern style with multiple pick-up points, vehicles displaying student names, and names being called ahead to match students with vehicles as they arrive. Queuing prior to the pick-up time dissipates quickly once the loading operation commences.

Proposed TMP Operation:

The proposed TMP uses the same 7:50AM start and 3:15 PM dismissal and the same matching of students with multiple loading stations, with similar automobile paths to what has been used for many years. However, the additional row of parking in the Field Lot which will be added as a part of the athletic fields project will allow significantly larger queues to be stored within the campus. With four rows of parking, a serpentine path is possible with an entry at the existing driveway on the northeast corner of the lot, and a straightforward exit using the proposed driveway at the southeast corner of the lot. Exits would be restricted to right turns only. The

vehicle queue is separated from the pedestrian pathway that the students use to get to the assembly area near the loading stations. A simplified vehicle path is used in the AM drop-off period since the queuing distance is not as vital. The AM path uses the same entry and exit points, but removes the serpentine turns and drops off at the south door of the school.

The TMP shown for the PM pick-up will provide 1,870' of queuing distance in the Field Lot when it is double-stacked. This is approximately three times as long as the existing 640' of single-stacked queue which was used before the parking lot expansion. The 1,870' of queuing distance will accommodate around 93 vehicles within the Field Lot.

Double-stacking the Kenwood Lot path as shown will increase the available queuing distance there to 620', which would accommodate around 31 vehicles. The path follows the established route of right turns from Kenwood Street at the northwest corner, travelling through the lot and loading/unloading near the school doors, and then exiting with a right turn to Kenwood Street.

Combining the two loading areas, the available queuing within the school site would be 2,490', or about 124 vehicles. With a greater portion of the queue storage distance being available on the Field Lot after the expansion, additional grades should be shifted to use that loading area in order to balance the number of queued vehicles on each lot. The goal should be to avoid significant interference to public street traffic. In any case, the additional queuing distance within the site will improve local operations compared to the existing conditions.

Queuing Analysis:

Based on observations of queuing at St. Thomas Aquinas and other public and private schools in the DFW area, KHA uses a design standard for projecting queue demands at schools. The expected maximum queue in vehicles is equal to 20% of the largest number of students dismissed at one time. Students using buses or walking/biking are deducted from the student number since they do not attract personal vehicles to the campus. This method accounts for the differences in how schools divide up the pick-up time period, as some dismiss all students in one group and therefore have higher vehicle demands in a short time period, while some spread out the dismissals over two or more groups. The projected queue formula can be stated as:

$$(\text{Students dismissed in time period} - \text{Students using other modes}) * 0.20 = \text{Number of vehicle in queue}$$

The school has a single dismissal time. There is no busing planned for the campus, and for a conservative analysis no students are expected to be pedestrians or bicyclists, so all 590 students are assumed to be picked up by personal automobile. Therefore, the projected queue length is:

$$(590 \text{ students dismissed} - 0 \text{ Students using buses/walk/bike}) * 0.20 = 118 \text{ vehicles in queue}$$

The projected queue of 118 vehicles translates to 2,360' of queuing distance. This distance is well in excess of the recommended values for equivalent Texas schools found in the Texas Transportation Institute (TTI) research report 0-4286 *Operations and Safety Around Schools* published in January 2004. The more conservative (longer queues) KHA method reflects the nature of private schools which draw from a large area and tend to have fewer students arriving by bus, pedestrian, or bicycle than traditional public schools.

The projected maximum queue demand of 2,360' can be accommodated within the 2,540' of distance available in the TMP, with approximately 180' of queuing distance available in excess of the demand.

Projected Queue Demand:	2,360'	118 Vehicles
Available Queuing Distance:	2,490'	124 Vehicles
Surplus (Deficiency):	130'	6 Vehicles

Summary:

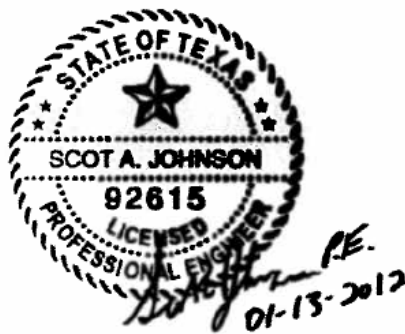
This TMP defines the drop-off and pick-up procedures for the St. Thomas Aquinas Catholic School once the Field Lot is expanded as proposed. The proposed TMP provides a significant improvement in on-site queue storage over the existing operations, which will translate to a reduction in the number of vehicles stopping temporarily on the adjacent roadways. The TMP vehicle routes provide an available queue distance within the site that is greater than the projected maximum expected queue for the school's operations. With the TMP operating as shown and the dismissed students balanced between the two loading areas, the school traffic should not need to queue vehicles in the ROW of any City street. Any queuing that does occur should be minimal and of very limited duration. The property owner/school administrator is responsible for the administration of the TMP and minimizing the impact of the vehicle queue on the City streets. The TMP should be reevaluated at intervals as directed by the City in the SUP language.

Based on the vehicle queuing analysis conducted and the resulting Traffic Management Plan, I, Scot A. Johnson, P.E. #92615, certify that the results indicate that no queuing of vehicles dropping off or picking up students at the St. Thomas Aquinas School will extend onto City of Dallas rights-of-way.

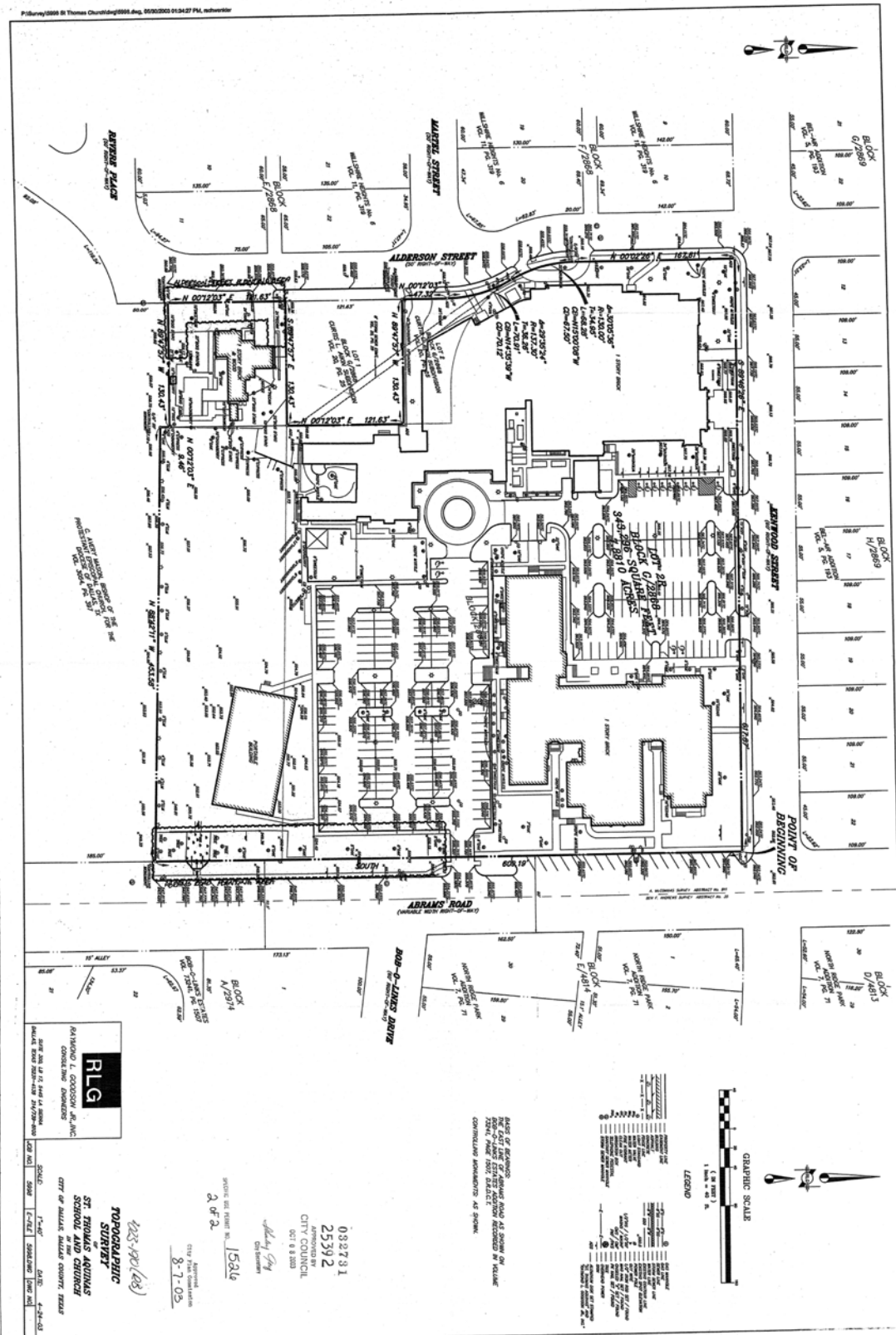
In order to ensure that all queuing of vehicles is completely accommodated on school property, St Thomas Aquinas School administrative officials should implement the proposed Traffic Management Plan, monitor the operation on a continuing basis, and if any vehicle queuing should begin to occur on public right-of-way, take the necessary action to mitigate it.

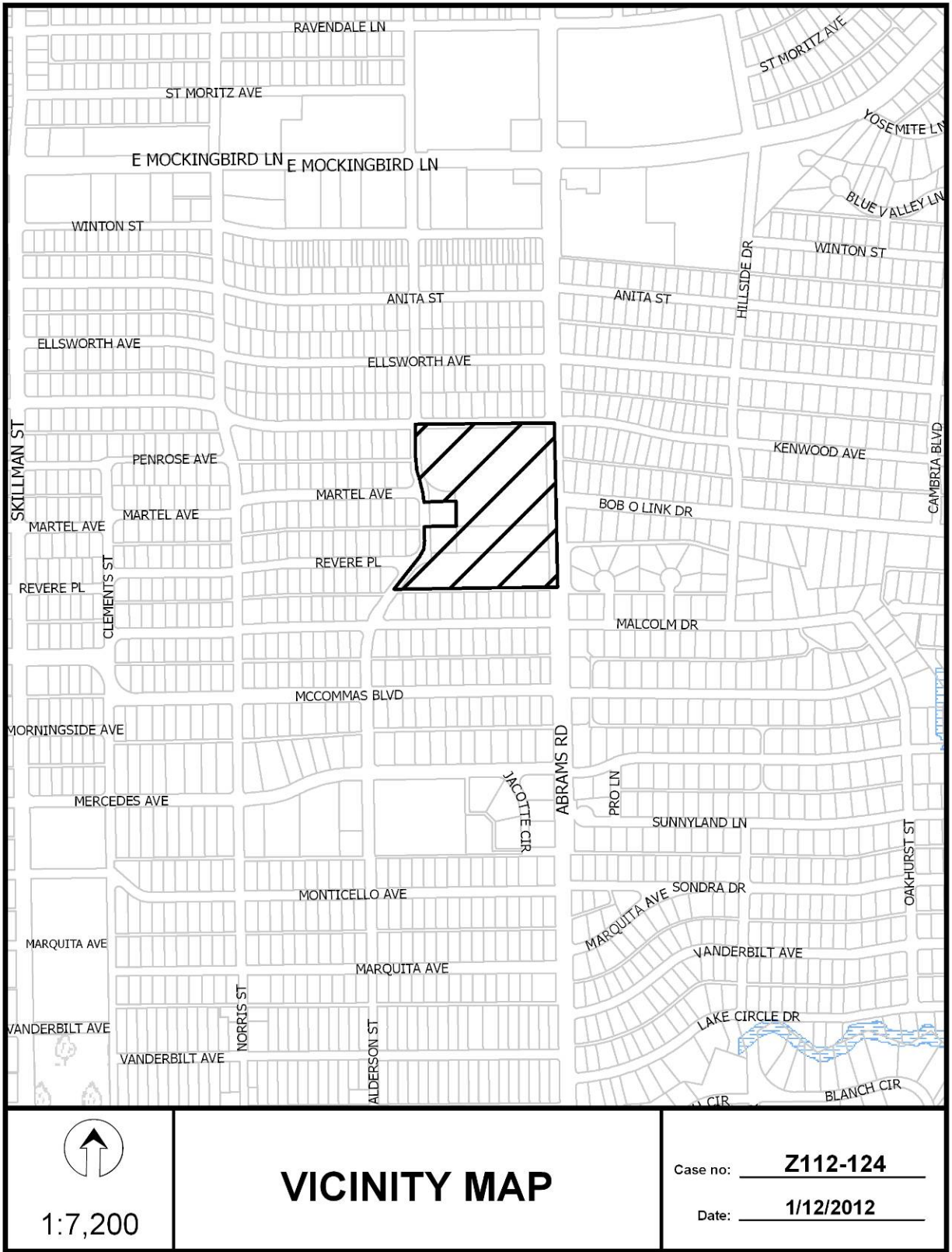
Only uniformed police officers should be allowed to direct and control traffic operating within the public right-of-way.

Prepared by:
Kimley-Horn and Associates, Inc.
 Scot A. Johnson, P.E., PTOE
 12700 Park Central Drive, Suite 1800
 Dallas, TX 75251
 (972) 770-1300



Topographical Plan (Existing and to remain in SUP)

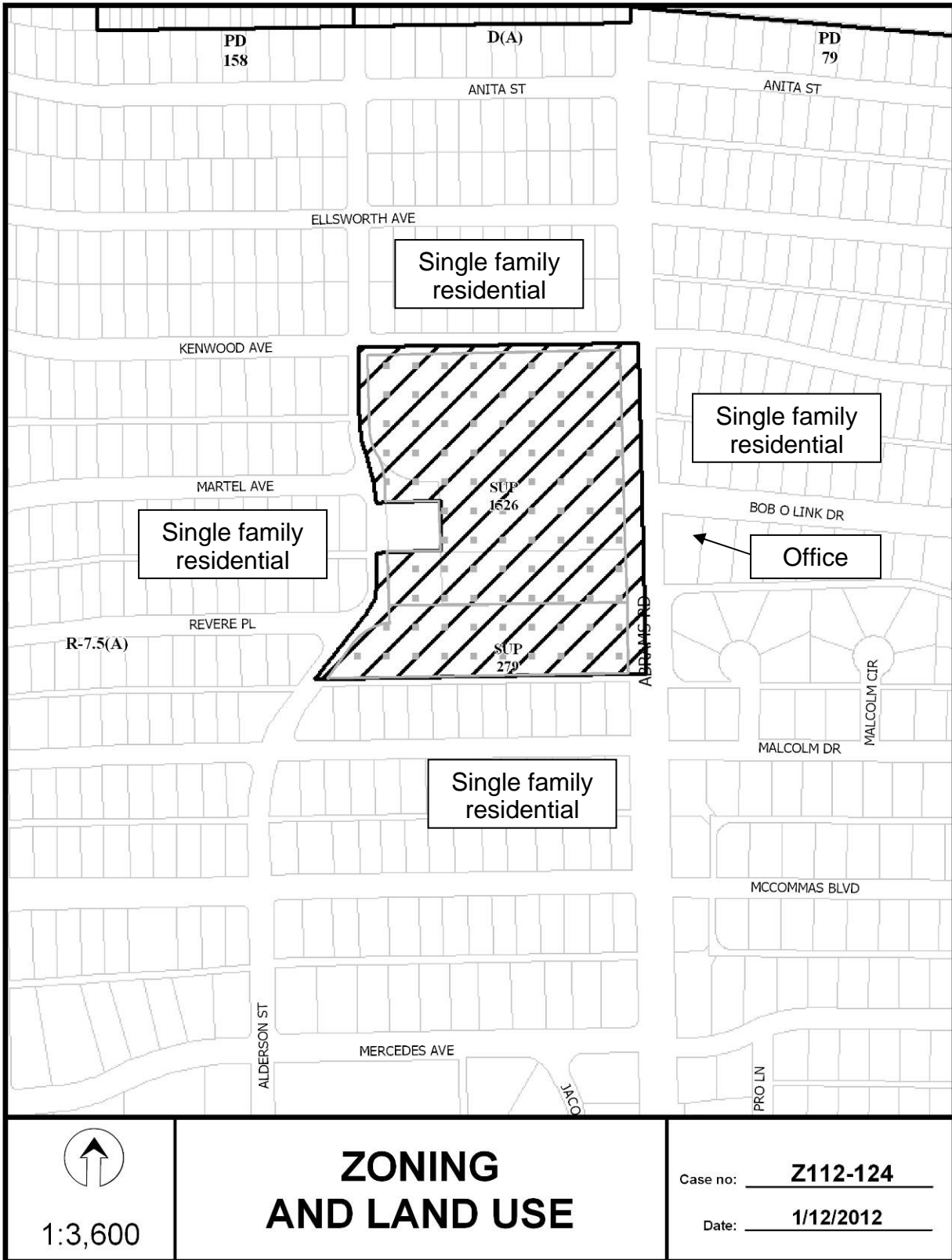




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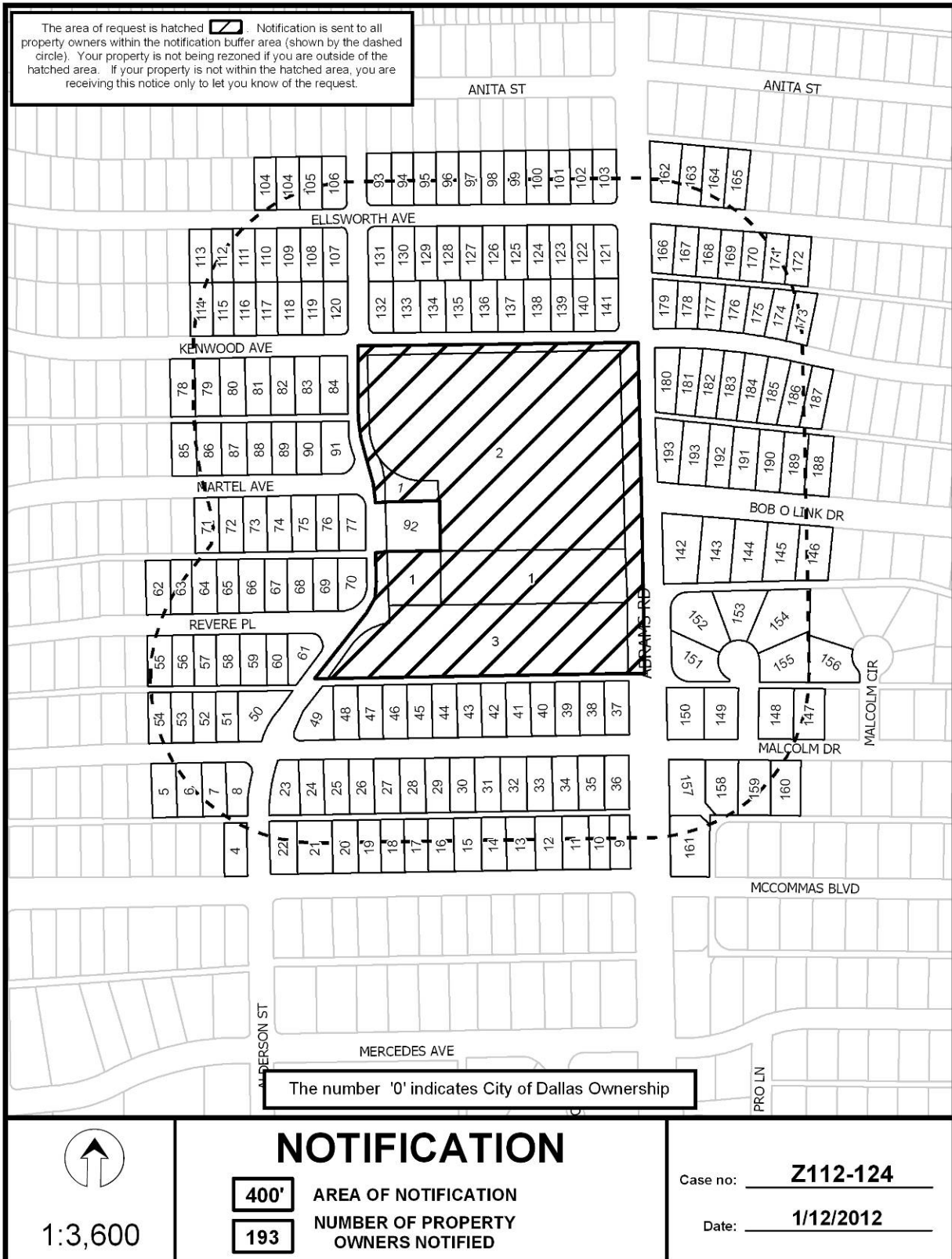
VICINITY MAP

Case no: Z112-124
Date: 1/12/2012



ZONING AND LAND USE

Case no: Z112-124
Date: 1/12/2012



1/12/2012

Notification List of Property Owners

Z112-124

193 Property Owners Notified

Label #	Address	Owner
1	3708 ALDERSON ST	ROMAN CATH DIOCESE DALLAS % BISHOP KEVIN
2	3741 ABRAMS RD	ST THOMAS AQUINAS SCHOOL
3	3617 ABRAMS RD	CORPORATION OF EPISCOPAL DIOCESE OF DALL
4	6293 MCCOMMAS BLVD	RUZZA RICARDO J TRUSTEE RICARDO J RUZZA
5	6280 MALCOLM DR	VETTERICK STUART P UNIT 217
6	6286 MALCOLM DR	PANTFOEDER FRITZ W
7	6290 MALCOLM DR	FOSTER KRISTEN M & BRAD M FOSTER
8	6296 MALCOLM DR	SALVO JAMES J
9	6367 MCCOMMAS BLVD	MAST JASON
10	6365 MCCOMMAS BLVD	RHODES CAROLE PRIM
11	6359 MCCOMMAS BLVD	LENTZ PAUL J & LINDSAY A
12	6355 MCCOMMAS BLVD	XUEREB MICHAEL J
13	6351 MCCOMMAS BLVD	XUEREB MARY TR
14	6345 MCCOMMAS BLVD	STEINDORF MICHAEL C IV & AUDRA R
15	6339 MCCOMMAS BLVD	SOMMERFELDT CRAIG L & SHARON
16	6335 MCCOMMAS BLVD	BERAN DAVID R & LINDSEY E
17	6331 MCCOMMAS BLVD	MALLON JANETTE M
18	6323 MCCOMMAS BLVD	SANFORD LAURA P
19	6319 MCCOMMAS BLVD	HANSON LAWRENCE L & DEBORAH L
20	6315 MCCOMMAS BLVD	DAVIS WANDA MARIE
21	6309 MCCOMMAS BLVD	BANKS RONALD J & VIRGINIA ANN BEAR
22	6301 MCCOMMAS BLVD	VASSALLO ALINE
23	6302 MALCOLM DR	REY JESUS
24	6306 MALCOLM DR	LUSIGNAN MICHELLE M
25	6312 MALCOLM DR	PHANEUF DONALD A
26	6318 MALCOLM DR	WATSON BRITAIN K
27	6322 MALCOLM DR	JEFFRYES MISTI M
28	6326 MALCOLM DR	PHILLIPS LAUREN T &
29	6330 MALCOLM DR	WINTON ERIC L
30	6336 MALCOLM DR	BURNS WARREN T

1/12/2012

Label #	Address	Owner
31	6342 MALCOLM DR	SIMON JAY A
32	6346 MALCOLM DR	DEAN SONDRAL
33	6350 MALCOLM DR	MENENDEZ CHRISTINA
34	6356 MALCOLM DR	TIMBERLAND REALTY INC SUITE P109
35	6362 MALCOLM DR	CAMPAGNA ANTHONY J
36	6366 MALCOLM DR	CUDE JENNIFER E
37	6365 MALCOLM DR	DUONG TUNG THANH & VALENTIA TRAN
38	6359 MALCOLM DR	COOKE RICHARD JOHN & BARBARA AIMEE
39	6355 MALCOLM DR	BARNARD CHAS G
40	6351 MALCOLM DR	KARLISCH STEPHEN P
41	6347 MALCOLM DR	RODRIGUEZ M JOSHUA &
42	6341 MALCOLM DR	HAYDEN ROBERT H & PAULINE L
43	6335 MALCOLM DR	GEORGE ERIC C & LAUREN E
44	6331 MALCOLM DR	COUCH TIMOTHY BURKE
45	6327 MALCOLM DR	BOETTCHER KARL F SR
46	6323 MALCOLM DR	KEE KATHERINE D
47	6317 MALCOLM DR	ETIENNE PELLETIER & LEIGH A
48	6311 MALCOLM DR	SHAW MONICA HARTMANN & ANTHONY WAYNE
SHA		
49	6305 MALCOLM DR	GRUBBS RONALD L ETAL
50	6299 MALCOLM DR	DUNCAN KELLY L
51	6293 MALCOLM DR	MEYER MARK & DOSHIER JILL
52	6289 MALCOLM DR	ROBERTS REX RANDOLPH
53	6283 MALCOLM DR	WILLIAMS LEILA E
54	6279 MALCOLM DR	SULLIVAN KENNETH F & AMY F SULLIVAN
55	6278 REVERE PL	DODSON BRADLEY T
56	6284 REVERE PL	SHULTZ RYAN TAFT
57	6288 REVERE PL	ROOKSTOOL BARBARA
58	6292 REVERE PL	MICHEL DONNIE L & JULIE C
59	6296 REVERE PL	WOODS DAVID & ERIN
60	6302 REVERE PL	PATEL ASHISH S
61	6306 REVERE PL	MCCLESKEY HELEN M
62	6281 REVERE PL	BLOCKER GAIL H & BLOCKER JOHN M
63	6285 REVERE PL	WHITE LORI S
64	6289 REVERE PL	ZIOLKOWSKI RACHEL D
65	6293 REVERE PL	KICKIRILLO VINCENT M

1/12/2012

Label #	Address	Owner
66	6299 REVERE PL	CROLEY JAMES A
67	6303 REVERE PL	WILLEFORD SARA CHANSLOR
68	6307 REVERE PL	KAMEL JOAN
69	6311 REVERE PL	SCHAR JEFFREY A & JENNIFER
70	6315 REVERE PL	MCCORMICK BYRON SCOTT
71	6290 MARTEL AVE	MARTINEZ JOSEPH H & YDALIA V
72	6294 MARTEL AVE	PAYNE ZACHARY L &
73	6298 MARTEL AVE	HUDSON MICHELLE L
74	6302 MARTEL AVE	DUCAYET EDWIN JOSEPH III
75	6306 MARTEL AVE	LANIGAN VASSER J
76	6310 MARTEL AVE	VINCENT RYAN C & PAIGE M
77	6314 MARTEL AVE	HENRY JENNIFER & KYLE
78	6240 KENWOOD AVE	MARTIN DAPHRENE K G &
79	6246 KENWOOD AVE	BRASSEUX WILSON P
80	6250 KENWOOD AVE	LAWLER AMY &
81	6256 KENWOOD AVE	NORRIS JAMES & SHANNON
82	6260 KENWOOD AVE	SAMPLE ERICKA & STEVEN T
83	6264 KENWOOD AVE	MCCARTHY RANDY J & MONET M
84	6270 KENWOOD AVE	NICOLETTI KENNETH J & MELISSA C MCCLURE
85	6285 MARTEL AVE	HOLDER EVE & DAVID
86	6289 MARTEL AVE	BRANNAN PETER & CAROLE
87	6295 MARTEL AVE	ZIEMINSKI CRAIG & KASI R
88	6299 MARTEL AVE	BERBARY LAURA M
89	6303 MARTEL AVE	BROWN BRIAN K & ASHLEY T
90	6307 MARTEL AVE	OBRIEN DOROTHY M
91	6311 MARTEL AVE	DOLAN ROSEMARY
92	3714 ALDERSON ST	AIKIN WILLIAM M
93	6303 ELLSWORTH AVE	MILLER MATTHEW R
94	6307 ELLSWORTH AVE	CAMERON MELISSA
95	6311 ELLSWORTH AVE	SCHAEFER SUZANNE
96	6315 ELLSWORTH AVE	SOCH ELIZABETH A
97	6319 ELLSWORTH AVE	MCCOY ELIZABETH ASHLEY
98	6325 ELLSWORTH AVE	KRUTSINGER WES & JULA
99	6331 ELLSWORTH AVE	STEGE SUSAN E
100	6335 ELLSWORTH AVE	ROSE THOMAS H & KATIE

1/12/2012

Label #	Address	Owner
101	6337 ELLSWORTH AVE	ORTH LAWRENCE H JR & DENISE M
102	6343 ELLSWORTH AVE	CATES ELIZABETH LANE
103	6347 ELLSWORTH AVE	EVANS NICKEY EST OF
104	6259 ELLSWORTH AVE	THRASHER CLIFFORD E TR & ODESSA D THRASH
105	6267 ELLSWORTH AVE	NORRIS SCOTT ANDREW & AMY
106	6273 ELLSWORTH AVE	WHEELER DENNIS A &
107	6270 ELLSWORTH AVE	DEKKER FLYNN K
108	6268 ELLSWORTH AVE	THRASHER CLIFFORD E TR & ODESSA D THRASH
109	6262 ELLSWORTH AVE	KINDLEY SUSAN E
110	6256 ELLSWORTH AVE	ESPINOSA AMBER I
111	6252 ELLSWORTH AVE	SHOWALTER LESLIE
112	6246 ELLSWORTH AVE	BALDWIN DENNIS & JAMIE E
113	6244 ELLSWORTH AVE	KALOGEROPOULOS NICOLE T & STUDER ERIC P
114	6247 KENWOOD AVE	HOWARD CAREY S
115	6251 KENWOOD AVE	BOYNTON DANIEL & SHANNEN CLARK
116	6255 KENWOOD AVE	BALLARD RONALD KYLE
117	6259 KENWOOD AVE	SHANKS JASON SCOTT & JESSICA TAYLOR
118	6263 KENWOOD AVE	KETTERER WILLIAM C & CECILY W
119	6267 KENWOOD AVE	KETTERER WILLIAM C & CECILY W
120	6271 KENWOOD AVE	LAWS KATHERINE LEE
121	6346 ELLSWORTH AVE	RITTER DOROTY L
122	6342 ELLSWORTH AVE	HEWISON MATTHEW & ANDREA
123	6338 ELLSWORTH AVE	SWINFORD BRIAN R
124	6334 ELLSWORTH AVE	MEAD JEFFREY B
125	6330 ELLSWORTH AVE	RODGERS JULIE
126	6322 ELLSWORTH AVE	DOHERTY ASHLEY R & COLUNGA JORDAN
127	6318 ELLSWORTH AVE	FRIES CASEY & MALONE JENNIFER E
128	6314 ELLSWORTH AVE	BUCHANAN GEORGE J
129	6310 ELLSWORTH AVE	ST JOHN PAMELA J
130	6306 ELLSWORTH AVE	MESSERSMITH MICHAEL F & QUINLAN LAURA J
131	6302 ELLSWORTH AVE	ALLEGRA FRANCESCA P&
132	6303 KENWOOD AVE	EATON HELEN M % C BARRY EATON
133	6307 KENWOOD AVE	WHITAKER JANE
134	6311 KENWOOD AVE	HORSTMAN ERIC V & SHERRIE
135	6319 KENWOOD AVE	GRAY JEREMY A & ASHLEY C

1/12/2012

Label #	Address	Owner
136	6323 KENWOOD AVE	SYKORA ROBERT
137	6327 KENWOOD AVE	DAVIS COLIN R & REBECCA A
138	6335 KENWOOD AVE	BOGHETICH TRAVIS L & BLAIR E BRAZELTON
139	6339 KENWOOD AVE	JACOB ROY THOMAS JR & LAURA L LEFAVE
140	6343 KENWOOD AVE	MCCOY RICHARD A & JERRY B
141	6347 KENWOOD AVE	STANLEY BENJAMIN F & MEGAN C
142	6404 BOB O LINK DR	MACKAY ROBERT M & DEBRA E
143	6410 BOB O LINK DR	TURNER ROSE MARIE BOSCO EST OF
144	6416 BOB O LINK DR	LABUTE PAUL R & BARBARA J
145	6422 BOB O LINK DR	CASENAVEKRISTEN LYNN
146	6428 BOB O LINK DR	HAYDEN MICHAEL D & VELMA J
147	6419 MALCOLM DR	GEIST FREDERICK S
148	6417 MALCOLM DR	LABARBA FRANK JR & JOSEPHINE E
149	6403 MALCOLM DR	WIEGAND ROBERT C & LYNN J GOLDEN
150	6401 MALCOLM DR	LAFFERE BRENT K & CHRISTINE L
151	6405 MALCOLM CT	DUKE MARY L TR & PATRICIA A FORD TR
152	6407 MALCOLM CT	AVILA LUIS M
153	6409 MALCOLM CT	CRIST JO ANNE LEVIN
154	6411 MALCOLM CT	WILLIAMS CHARLES C & JENNIFER N
155	6415 MALCOLM CT	CAMPISE FRANK A & LUCY R
156	6425 MALCOLM CIR	YEE LINDA PUISHAN & VILLA JOSE IGNACIO
157	6402 MALCOLM DR	BOYD ANGELA DIANE & CHIP GARRETT
158	6406 MALCOLM DR	GRIFFIN PENNY R
159	6410 MALCOLM DR	GLOVER GIL R & LYNNE M
160	6414 MALCOLM DR	KUBIN DIANE J
161	6401 MCCOMMAS BLVD	SWITZER LIVING TRUST &
162	6403 ELLSWORTH AVE	MORRIS AARON C & KARA W
163	6409 ELLSWORTH AVE	SHEERIN JULIA HELM
164	6411 ELLSWORTH AVE	PEDEN SALLY
165	6419 ELLSWORTH AVE	HARDY ALEXANDRA M
166	6402 ELLSWORTH AVE	CLARK JOSHUA & ANGELA PADILLA CLARK
167	6408 ELLSWORTH AVE	MORRIS MARY LYNETTE
168	6412 ELLSWORTH AVE	SMITHSON DONNA CAROL

1/12/2012

Label #	Address	Owner
169	6416 ELLSWORTH AVE	CONLY COLIN E
170	6422 ELLSWORTH AVE	BREWER PATTY L
171	6426 ELLSWORTH AVE	CLAYTON SANDRA S
172	6430 ELLSWORTH AVE	JACKSON JOSEPH LAMAR
173	6429 KENWOOD AVE	Taxpayer at
174	6425 KENWOOD AVE	POPPOFF NADIA F
175	6421 KENWOOD AVE	BANKEN JENNIFER
176	6415 KENWOOD AVE	MARSH COLIN R
177	6411 KENWOOD AVE	GRANTHAM MICHELLE K
178	6407 KENWOOD AVE	MARTINDALE GEOFFREY
179	6403 KENWOOD AVE	CANELLOS CHRISTOPHER S
180	6402 KENWOOD AVE	PHILLIPS ANDRA
181	6406 KENWOOD AVE	STEWART ROBERT DEAN & AMY E
182	6412 KENWOOD AVE	SLABODA KIMBERLY A &
183	6416 KENWOOD AVE	LAMBERT RICHARD C & JENNIFER S
184	6420 KENWOOD AVE	THOMPSON KATHLEEN M
185	6424 KENWOOD AVE	SEYMOUR JENNIFER A & MICHAEL EDWARD
186	6430 KENWOOD AVE	KAHN KARL H
187	6434 KENWOOD AVE	DEITZ ROBERT A & GINA VILLARREAL
188	6433 BOB O LINK DR	MUSTILL PAUL
189	6427 BOB O LINK DR	ABRAMS JOHN & CYNTHIA EMILY FORD
190	6421 BOB O LINK DR	GORMLEY PEGGY S
191	6417 BOB O LINK DR	TROEGEL RENEE A & TREY E TROEGEL
192	6411 BOB O LINK DR	BIRD JOHN A
193	6407 BOB O LINK DR	PRIOLO LEO & FRANK LABARBA JR

FILE NUMBER: Z112-154 (JH) **DATE FILED:** January 6, 2012

LOCATION: West side of Old Hickory Trail, north of W. Danieldale Road

COUNCIL DISTRICT: 8 **MAPSCO:** 73-G, F, K, L

SIZE OF REQUEST: Approx. 79.059 acres **CENSUS TRACT:** 166.05

APPLICANT: Seefried Industrial Properties, Inc.

OWNER: Frost National Bank

REQUEST: An application to amend deed restrictions on property zoned an IR Industrial Research District.

SUMMARY: The deed restrictions limit development on the property to a maximum of 36 feet in height, 0.6:1 floor area ratio, and retail uses to limited uses. The applicant proposes a maximum height of 55 feet and 0.5:1 floor area ratio.

STAFF RECOMMENDATION: Approval

BACKGROUND INFORMATION:

- The request site is currently undeveloped.
- The request site changed zoning from A Agricultural and MF-2 Multifamily Districts to an I-1 Industrial District and volunteered deed restrictions on August 8, 1984. The volunteered deed restrictions mirrored the restrictions on the property to the east which were accepted the previous year. The I-1 Industrial District transitioned to a IR Industrial Research on this property.
- The applicant does not have a specific development currently planned, but proposes to amend the deed restrictions in order to prepare the property for a distribution warehouse or industrial use.

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

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW/ Proposed ROW
Old Hickory Trail	Community collector	50 ft. / 80 ft.

STAFF ANALYSIS:

Comprehensive Plan:

The request complies with the following land use goals and policies of the Comprehensive Plan because the proposed industrial or warehouse use will provide additional economic opportunities in an area that is partially developed with warehouse uses. The proposed changes to the deed restrictions give the property more flexibility in the type of business that can develop.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.2 Focus on Southern Sector development opportunities.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

Policy 2.1.4 Support efforts to expand targeted business and industry development within the Southern Sector.

Land Use Compatibility:

The surrounding land uses are multifamily and undeveloped to the north, undeveloped to the west and south, utility and distribution warehouse to the east. The property’s southern boundary is the city limit line with City of Desoto. The surrounding area to the north along Wheatland Road is developed with retail and medical related uses that serve the hospital. Properties further south are very low density residential and undeveloped. Additional warehouse uses are developed to the east.

The request site is located in an area that was rezoned with deed restrictions in the early to mid 1980s. The deed restrictions appear to intend for the area to develop with lower intensity industrial or warehouse uses and multifamily. Heights, floor area, and retail uses are common in the deed restrictions in this area. The deed restrictions on the request site are:

- Maximum height of 36 feet
- Maximum 0.6 FAR
- Retail uses are limited to “limited uses”

The applicant is requesting additional height of 55 feet but restricting the floor area ratio to 0.5. The portion of the property to the north zoned RR Regional Retail is deed restricted to a maximum of 40 feet in height; the property to the northeast is deed restricted to a maximum of 60 feet; the property to the east is deed restricted to a maximum of 36 feet. The property to the north zoned MF-2(A) has no deed restriction related to height and that zoning district allows a maximum of 36 feet in height. Development on the request site will be subject to RPS (Residential Proximity Slope) for the portion of a structure above 26 feet in height at a 1:1 slope for a distance of 50 feet.

Staff does not believe that the additional height will significantly impact the multifamily use to the north due to the protection of RPS. The applicant’s requested height is not out of character with mix of restricted heights surrounding the request site. Therefore, staff supports the applicant’s request.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
IR Industrial research *deed restrictions further restrict height, FAR, and retail uses	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail*	200* 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail*

Z112-154(JH)

Parking/Traffic:

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

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code.

List of Partners/Principals/Officers

Seefried Industrial Properties, Inc.

Robert Rakusin, President
Jonathan Stites, Vice President

Frost National Bank

Board of Directors

Dick Evans
Phillip D. Green
Richard M. Kleburg, III
Royce S. Caldwell
Ruben M. Escobedo
Ida Clement Steen
Pat B. Frost
Horace Wilkins, Jr.
R. Denny Alexander
Carlos Alvarez
Karen Jennings
Crawford H. Edwards
David J. Haemisegger
Charles W. Matthews

Z112-154(JH)

Proposed Amendment to Volunteered Deed Restrictions

That the Owner does hereby amend restriction numbers 1 and 2 of the Original Restrictions to read as follows:

1. Maximum height is 36 feet.
2. Maximum floor area ratio is 0.6.

EXISTING DEED RESTRICTIONS

DEED RESTRICTIONS

4 8309 0 1⁷

THE STATE OF TEXAS
COUNTY OF DALLAS

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, DANIELDALE INVESTMENTS, a Texas joint venture, Trustee, is the owner of the following described property situated in Dallas County, Texas, being in particular a 79.059 acre tract of land out of the Isaac Wiley Survey, Abstract No. 1545, being that same tract of land conveyed to DANIELDALE INVESTMENTS, a Texas joint venture, Trustee, by BOOTH CREEK EMPLOYEE PROFIT SHARING PLAN AND TRUST, Trustee, by Warranty Deed dated December 29, 1983, being recorded in Vol. 84001, Page 515, in the Deed Records of Dallas County, Texas, and being more particularly described in Exhibit "A" (attached hereto and incorporated herein for all purposes) and hereinafter referred to as the "Subject Tract."

That the undersigned does hereby impress the Subject Tract with the following deed restrictions, to-wit:

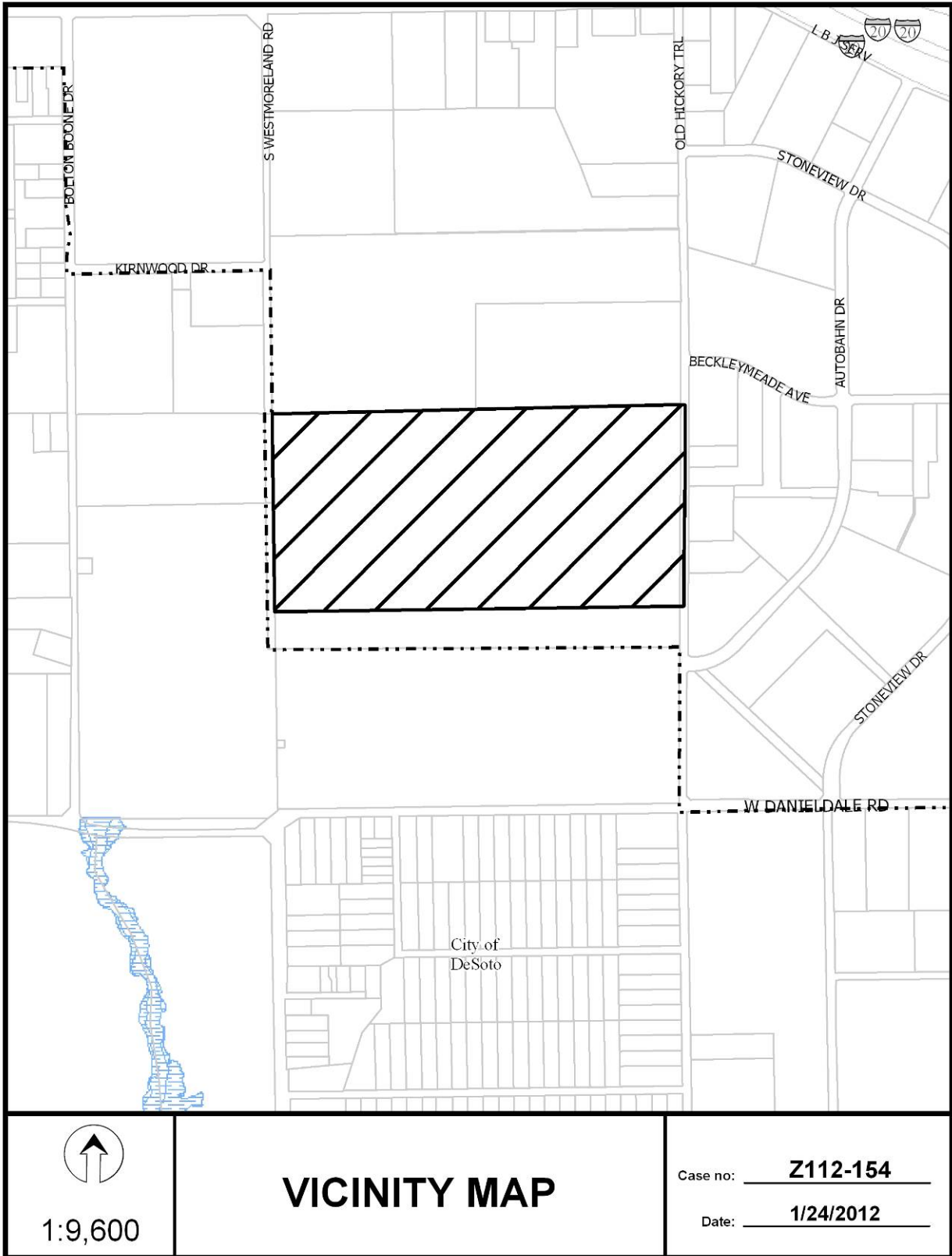
1. The undersigned, their successors and/or assigns, do hereby agree to limit development on the property to a maximum height of thirty-six (36) feet;
2. The undersigned, their successors and/or assigns, do hereby agree to limit development on the property to a 0.6:1 Floor Area Ratio (FAR), as defined by the Dallas Development Code, as amended; and
3. Retail uses shall be restricted to "limited uses" as defined in Sec. 51-4.218 of the Dallas Development Code, as amended.

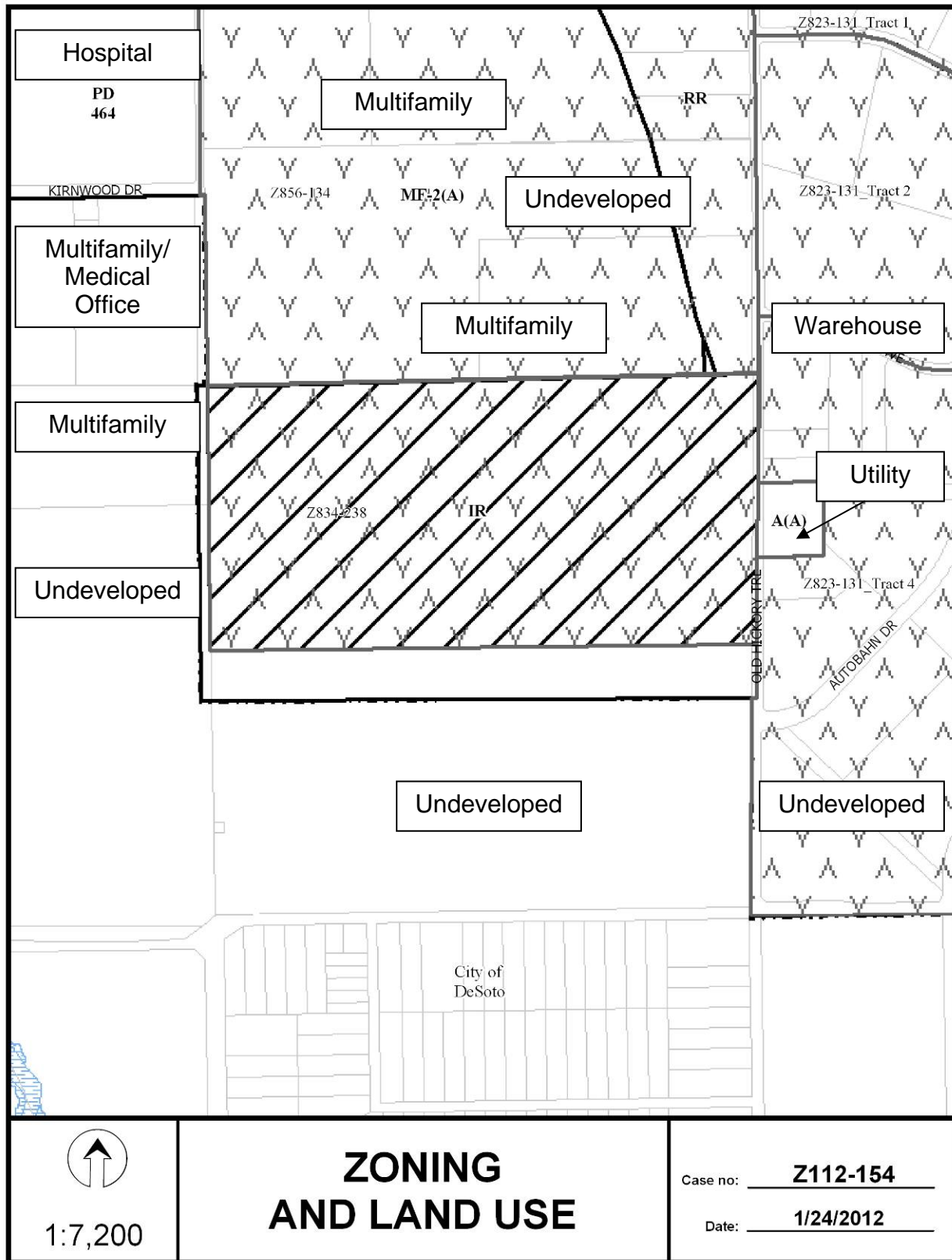
These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless terminated in the manner specified herein.

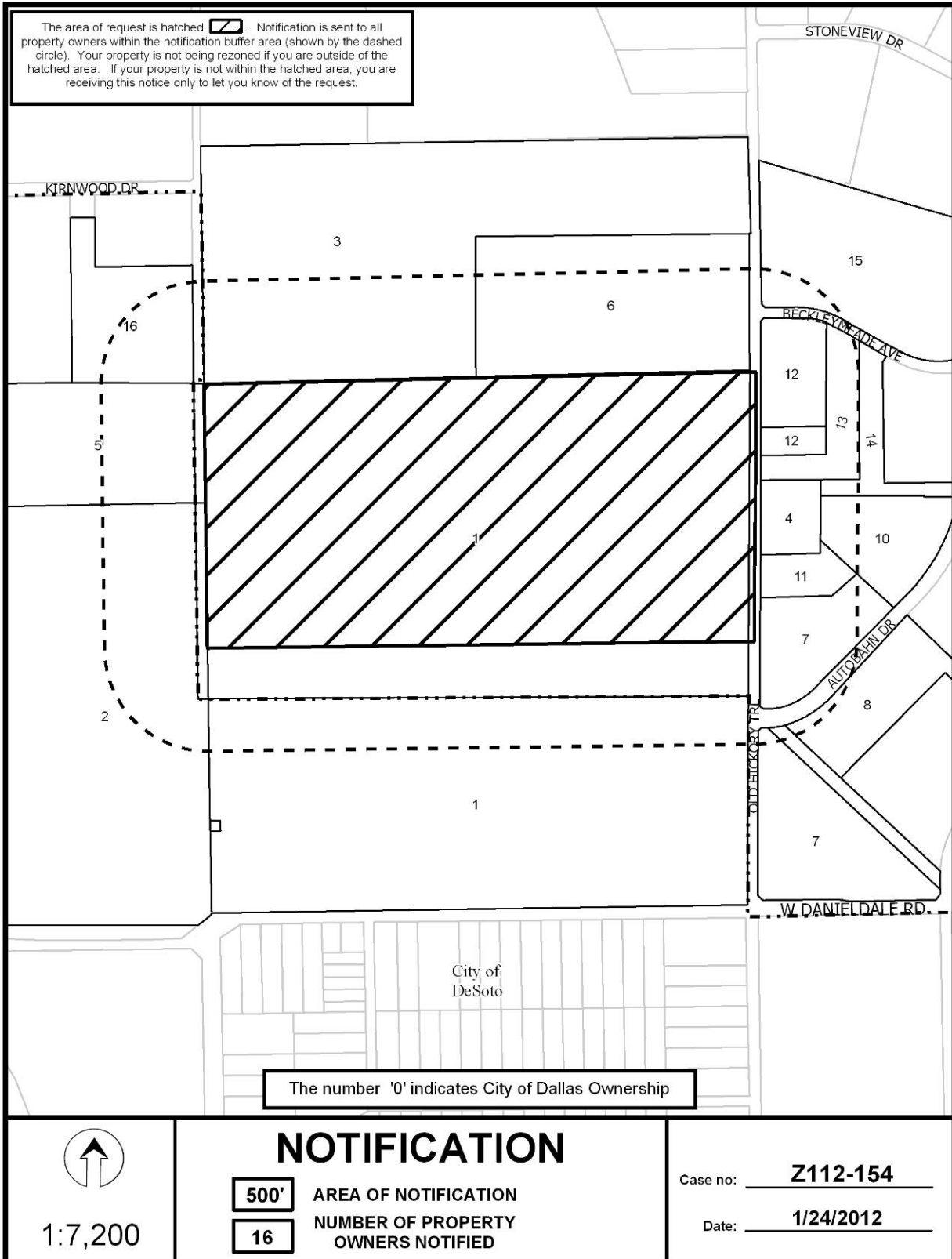
These restrictions shall not be altered, amended or terminated without a public hearing before the City Plan Commission and the City Council of the City of Dallas. Notice of such public hearings shall be given as would be required by law for a zoning change on the property described herein.

The restrictions contained herein are not in any manner intended to restrict the right of the City Council of the City of Dallas to exercise its legislative duties and powers insofar as zoning of the property is concerned.

2834-238/6439-5







1/24/2012

Notification List of Property Owners

Z112-154

16 Property Owners Notified

Label #	Address	Owner
1	9201 OLD HICKORY TRL	FROST NATIONAL BANK THE ATTN: PROPERTIES
2	1400 BOLTON BOONE DR	GARFIELD RAYMOND JR TWO GALLERIA TOWER
3	9101 OLD HICKORY TRL	PRA PRESTON LP 975 ONE LINCOLN CENTRE
4	9000 OLD HICKORY TRL	ENSERCH CORP % ATMOS ENERGY / PPTY TAX
5	1400 BOLTON BOONE DR	PARKS AT WESTMORELAND SENIOR HOUSING LP
6	8501 OLD HICKORY TRL	OLD HICKORY TRACT D LTD SUITE 230
7	9211 STONEVIEW DR	STONERIDGE I20 AT S HAMPTON LP
8	9303 STONEVIEW DR	MEDLINE INDUSTRIES INC @ ALEX LIBERMAN
9	120 STONERIDGE DR	1200 TOWN LINE ROAD ASSOCIATES LP
10	9001 AUTOBAHN DR	HONDO VALLEY PS LP S HAMPTON LP
11	9100 OLD HICKORY TRL	TEXAS UTILITIES ELEC CO % STATE & LOCAL
12	8900 OLD HICKORY TRL	MM IND STONERIDGE I LP PO BOX 9075
13	9005 AUTOBAHN DR	MM IND STONERIDGE I LP PO BOX 9075
14	9003 AUTOBAHN DR	LIT INDUSTRIAL TEXAS LP
15	8801 AUTOBAHN DR	MM IND STONERIDGE I LP PO BOX 9075
16	804 KIRNWOOD DR	BARON FUNDING LLC

FILE NUMBER: Z112-146(MW)

DATE FILED: December 20, 2011

LOCATION: East side of Coit Road, South of Frankford Road

COUNCIL DISTRICT: 12

MAPSCO: 6-F, G-6

SIZE OF REQUEST: ±88.918 acres

CENSUS TRACT: 318.04

REPRESENTATIVE: James R. Schnurr

APPLICANT/OWNER: Redwood-ERC Dallas, LLC

REQUEST: An application to amend Planned Development District No. 695

SUMMARY: The applicant proposes to amend the approved Phase 2 Development Plan and Phase 2 Landscape Plan to reflect a proposed ingress/egress driveway on Coit Road at its intersection with Osage Plaza Parkway with deceleration lanes on both northbound and southbound Coit Road. The applicant also proposes to amend the PDD Conditions to 1) ensure that the proposed ingress/egress driveway is not accessible to the general public and 2) allow for temporary marketing signage for each new phase of development.

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

BACKGROUND INFORMATION:

- On September 8, 2004, the City Council passed Ordinance Number 25729 which established Planned Development District No. 695 for retirement housing and associated uses (Note: per Article 695, the ordinance was passed by Council on August 25, 2004).
- PDD No. 695 was approved with a conceptual plan. A development plan and landscape plan for each phase of development must be approved by the City Plan Commission prior to the issuance of a building permit for each phase.
- On October 19, 2011, a minor amendment to the development plan and landscape plan for Phase 1 of PDD No. 695 was approved administratively in accordance with the provisions of Section 51A-4.702 of the Dallas Development Code.
- On October 20, 2011, the City Plan Commission recommended approval of a development plan and landscape plan for Phase 2 of PDD No. 695.
- Phase 2 of the project is comprised of a ±45,098 square foot skilled nursing, assisted living and memory care facility consisting of 96 units.
- The request site is surrounded by a gas station, funeral home, auto service center and undeveloped property to the north; office uses to the east; undeveloped property (proposed for mixed use) to the south and a gas station, single family and multifamily residential and a school to the west.

Zoning History:

- 1: Z101-145:** On June 22, 2011, the City Plan Commission recommended approval of a Planned Development District for mixed uses.
- 2: Z101-208:** On June 22, 2011, the City Council approved an amendment to and expansion of Planned Development District No. 780 and an amendment to deed restrictions on the expansion area.
- 3. Z078-154:** On May 28, 2008, the City Council approved a Planned Development District for private school uses and an amendment to the public deed restrictions.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Coit Road	Principal Arterial	100 feet
Frankford Road	Principal Arterial	Variable

Land Use:

	Zoning	Land Use
Site	PDD No. 695	Retirement housing
North	MC-3	Gas station; funeral home; auto service center; undeveloped
East	LI	Office
South	PDD No 850	Undeveloped (proposed mixed use)
West	CR; R-5(A) with SUP 1310; MF-1(A)	Gas station; single family and school; multifamily

STAFF ANALYSIS:

Comprehensive Plan:

The request site is identified as being within a *Commercial Center or Corridor* on the **forwardDallas! Vision Illustration**, adopted June 2006. Commercial Centers and Corridors primarily function as service and job destinations and tend to include offices, restaurants and a range of retail and commercial uses. In addition to jobs and services, Commercial Centers or Corridors may also include multifamily housing in low to mid-rise apartment buildings or condominiums. The applicant's proposal to provide a private school in this area of the City is consistent with the *forwardDallas! Vision* and further complies with the following goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

Land Use Compatibility:

On October 20, 2012, the City Plan Commission recommended approval of a development plan and landscape plan for Phase 2 of PDD No. 695. Phase 2 of the

project is comprised of a ±45,098 square foot skilled nursing, assisted living and memory care facility consisting of 96 units.

The applicant now proposes to amend the approved Phase 2 Development Plan and Phase 2 Landscape Plan to reflect a proposed ingress/egress driveway on Coit Road at its intersection with Osage Plaza Parkway with deceleration lanes on both northbound and southbound Coit Road. The developer will be responsible for the funding, design and construction of the turn lanes. The applicant proposes to amend the PDD Conditions to ensure that the proposed ingress/egress driveway is not accessible to the general public.

The applicant also proposes to amend the PDD conditions to allow for temporary marketing signage for each new phase of development. The existing PDD conditions allowed detached temporary marketing signs for Phase 1 in conjunction with the temporary construction or sales office. The signs were limited to 15 feet in height and the conditions required removal of the signs upon issuance of the first certificate of occupancy for Phase 1. It is noted that that similar signs, known as site management signs, are allowed under the existing sign regulations. Such signs could remain until the issuance of a certificate of occupancy (up to two years).

This amendment would allow one two-faced detached temporary marketing sign with a maximum height of eight feet and a maximum effective area of 48 square feet for each of the two sign faces. The temporary sign could be erected three months prior to the issuance of the first certificate of occupancy for Phase 2; once the first certificate of occupancy for Phase 2 is issued, the detached temporary marketing sign may be converted to advertise that the services for Phase 2 are open and operating.

At this time of this report, staff is still working with the applicant on conditions to address temporary marketing signage for each new phase of development beyond Phase 2. Conditions will be finalized prior to March 1, 2012 and the Commission will be briefed on the outcome. A proposed sign elevation for Phase 2, to be included as a PDD exhibit, will also be provided for the Commission's consideration.

The request site is surrounded by a gas station, funeral home, auto service center and undeveloped property to the north; office uses to the east; undeveloped property (proposed for mixed use) to the south and a gas station, single family and multifamily residential and a school to the west.

Traffic:

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

Z112-146 (MW)

Parking:

Parking must be provided in accordance with the provisions of PDD No. 695. The requested amendment will not impact the parking requirements.

Landscaping:

Landscaping must be provided in accordance with the provisions of PDD No. 695. An amended landscape plan has been provided for consideration as part of would allow for an ingress/egress driveway on Coit Road at its intersection with Osage Plaza Parkway within the required 100-foot landscape buffer.

List of Partners/Principals/Officers:

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

Owner/Applicant

Redwood-ERC Dallas, LLC

Member: Redwood-ERC Properties, LLC, managing member

Officers:

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

Z112-146

Proposed Conditions

ARTICLE 695.

PD 695.

SEC. 51P-695.101. LEGISLATIVE HISTORY.

PD 695 was established by Ordinance No. 25729, passed by the Dallas City Council on August 25, 2004. (Ord. 25729)

SEC. 51P-695.102. PROPERTY LOCATION AND SIZE.

PD 695 is established on property generally located at the southeast corner of Coit Road and Frankford Road. The size of PD 695 is approximately 88.918 acres. (Ord. 25729)

SEC. 51P-695.103. DEFINITIONS AND INTERPRETATIONS.

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

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

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

(d) 62+ RETIREMENT HOUSING means retirement housing in which elderly resident means a resident that is 62 years of age or older.

(e) 62+ CONVALESCENT AND NURSING HOMES, HOSPICE CARE, AND RELATED INSTITUTIONS means suites in convalescent and nursing homes, hospice care, and related institutions whose use is limited to individuals 62 years of age or older and residents of 62+ retirement housing on the same lot.

(f) RETIREMENT HOUSING COMMUNITY means one lot with any combination of 62+ retirement housing and/or 62+ convalescent and nursing homes, hospice care, and related institutions along with any limited and accessory uses.

(g) [L] means a limited use as modified by Section 51P-695.106(b).

(h) COMMUNITY MEETING HALL means a multi-functional facility limited to meetings, exhibitions, theatre productions, lectures, and social gatherings. (Ord. 25729)

SEC. 51P-695.104.1. EXHIBITS

The following exhibits are incorporated into this article:

Exhibit 695A: Conceptual Plan.

Exhibit 695B: Phase 2 Development Plan.

Exhibit 695C: Phase 2 Landscape Plan

Exhibit 695D: Monument Sign Elevation

Exhibit 695E: Temporary Marketing Sign Elevation

SEC. 51P-695.104. CONCEPTUAL PLAN.

For a retirement housing community, development and use of the Property must comply with the conceptual plan (Exhibit 695A). In the event of a conflict between the text of this article and the conceptual plan, the text of this article controls. Also, in the event that any part of the Property is not developed as a retirement housing community, that part of the Property must be developed in accordance with the R-7.5(A) Single Family District regulations. (Ord. 25729)

SEC. 51P-695.105. DEVELOPMENT PLAN.

For a retirement housing community, a development plan approved by the city plan commission for each phase of new construction must be provided prior to the issuance of any building permit for that phase. Development and use of the Property for a retirement housing community must comply with the approved development plan for each phase. In the event of a conflict between the text of this article and the development plan, the text of this article controls. All development plans and any amendments must comply with the conceptual plan and this article. No development plans are required for all other development of the Property in accordance with the R-7.5(A) Single Family District regulations. (Ord. 25729)

SEC. 51P-695.106. MAIN USES PERMITTED.

(a) Multifamily uses are prohibited in this district. The only main uses permitted in this district are:

- (1) 62+ retirement housing;
- (2) 62+ convalescent and nursing homes, hospice care, and related institutions;
- (3) those limited uses set forth in Subsection (b); and

(4) except as modified in this section and in Section 51P-695.111(c)(2), those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in the Dallas Development Code, except that multifamily uses are always prohibited in this district. For example, a use permitted in the R-7.5 Single Family District only by specific use permit (SUP) is permitted in this district only by SUP, and a use subject to development impact review (DIR) in the R-7.5 Single Family District is subject to DIR in this district.

(b) The following listed limited main uses are permitted in this district only as additional amenities on the same lot as 62+ retirement housing and/or 62+ convalescent and nursing homes, hospice care, and related institutions. Except as provided in this section for a community meeting hall, these limited uses are permitted only for the service and use of the

residents, guests, and employees of the 62+ retirement housing and/or 62+ convalescent and nursing homes, hospice care, and related institutions. These limited uses may have exterior public entrances and are not required to be contained in a building that also contains occupants of 62+ retirement housing and/or 62+ convalescent and nursing homes, hospice care, and related institutions. The combined floor area of all limited uses in each phase (excluding corridors) may not exceed 13.6 percent of the total combined floor area for each corresponding phase shown on the development plan for 62+ retirement housing and/or 62+ convalescent and nursing homes, hospice care, and related institutions.

(1) Agricultural uses.

Greenhouse.*[Not to exceed 100 feet x 100 feet. Permitted only for the service and use of the residents, guests, and employees of the retirement housing community.] [L]*

(2) Commercial and business service uses.

Machine or welding shop.*[Permitted only for the service and use of the residents, guests, and employees of the retirement housing community.] [L]*

Medical or scientific laboratory.*[Permitted only for the service and use of the residents, guests, and employees of the retirement housing community.] [L]*

Vehicle or engine repair or maintenance.*[Limited to the repair and washing of retirement housing community vehicles and equipment only. Permitted only for the service and use of the residents, guests, and employees of the retirement housing community.] [L]*

(3) Institutional and community service uses.

Community meeting hall.*[This limited use is subject to the following restrictions: (i) this limited use is restricted to the primary use of the residents, guests, and employees of the retirement housing community; and (ii) the community meeting hall may be made available to the public for a nominal fee, not to exceed 50 meetings or events per year.] [L]*

(4) Lodging uses.

Hotel or motel.*[Permitted only for the service and use of the residents, guests, and employees of the retirement housing community.] [L]*

(5) Miscellaneous uses.

Guardhouse or gatehouse.*[Permitted only for the service and use of the residents, guests, and employees of the retirement housing community.]*[L]

(6) Office uses.

Financial institution without drive-in window.*[Permitted only for the service and use of the residents, guests, and employees of the retirement housing community.]* [L]

Medical clinic or ambulatory surgical center.*[Permitted only for the service and use of the residents, guests, and employees of the retirement housing community.]* [L]

Office.*[Permitted only for the service and use of the residents, guests, and employees of the retirement housing community. Sales and marketing for the retirement housing community is specifically permitted as an office use]* [L]

(7) Recreation uses.

Private recreation center, club, or area.*[Permitted only for the service and use of the residents, guests, and employees of the retirement housing community.]* [L]

(8) Retail and personal service uses.

Alcoholic beverage establishments.*[Permitted only for the service and use of the residents, guests, and employees of the retirement housing community.]* [L]

Dry cleaning or laundry store.*[Permitted only for the service and use of the residents, guests, and employees of the retirement housing community.]* [L]

General merchandise or food store 3,500 square feet or less.*[Permitted only for the service and use of the residents, guests, and employees of the retirement housing community.]* [L]

Personal service uses. *[Permitted only for the service and use of the residents, guests, and employees of the retirement housing community.]*[L]

Restaurant without drive-in or drive-through service.*[Permitted only for the service and use of the residents, guests, and employees of the retirement housing community.]* [L]

(Ord. 25729)

SEC. 51P-695.107.

ACCESSORY USES.

Z112-146 (MW)

(a) For a retirement housing community use, accessory outside storage is permitted, but it must be screened from view on all sides.

(b) Except as provided in this section, 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. (Ord. 25729)

SEC. 51P-695.108. YARD, LOT, AND SPACE REGULATIONS.

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

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-7.5(A) Single Family District apply in this district.

(b) Front yard. For a retirement housing community, minimum front yard is 30 feet.

(c) Side and rear yards. For a retirement housing community, minimum side and rear yard is 10 feet.

(d) Western and northern boundary setback. Notwithstanding Subsections (b) and (c), for a retirement housing community use, minimum setback from the western boundary line of the Property along Coit Road is 100 feet, and minimum setback from the northern boundary line of the Property along Frankford Road is 30 feet, except as modified in Sections 51P-695.111(c) and 51P-695.112(b).

(e) Density. For a retirement housing community, maximum combined number of dwelling units and suites is 2,400.

(f) Floor area ratio. For a retirement housing community, maximum floor area ratio is 2.0.

(g) Height.

(1) For a retirement housing community, maximum height is:

Zone A; and
(A)65 feet in the area of the Property identified on the conceptual plan as

Zone B.
(B)90 feet in the area of the Property identified on the conceptual plan as

(2) For a retirement housing community, grade (for purposes of this article) is defined as the average of the finished ground surface elevations measured at the highest and lowest exterior corners (excluding corners created by pedestrian skybridge connection points) of a structure. Therefore, the height of buildings that are connected by pedestrian skybridges shall be measured separately as individual buildings rather than one single, connected structure.

(h) Lot coverage. For a retirement housing community, maximum lot coverage is 80 percent. Parking structures and surface parking are not included in lot coverage calculation.

(i) Lighting standards. For a retirement housing community, parking lot lights must be fitted with a shield type directional fixture to direct light onto the Property and away from adjacent properties. (Ord. 25729)

SEC. 51P-695.109. OFF STREET PARKING AND LOADING.

(a) For a retirement housing community, the minimum required parking is 1.1 spaces per dwelling unit in 62+ retirement housing. This requirement includes all accessory and related uses to the operation of a retirement housing community. No parking is required for suites (accommodation for one family without a stove) in the 62+ retirement housing or in the 62+ convalescent and nursing homes, hospice care, and related institutions ("Suites"), except that, in the event that Suites are located on the Property prior to any 62+ retirement housing dwelling units, the required parking for the Suites is 1.1 spaces per Suite until such time that the number of occupied 62+ retirement housing dwelling units exceeds the number of Suites, at which point, no parking is required for any of the Suites, and any existing excess parking may be applied toward future 62+ retirement housing dwelling units.

(b) For a retirement housing community, following the completion of the first phase of development, if the director, upon good cause, determines that the number of parking spaces provided in accordance with this article for a particular developed phase is insufficient, the director may request in writing to the owner of the retirement housing community that the owner or its representative submit a parking analysis to the city for that phase either within 60 days of receipt of said request or prior to the submittal of any development plan for the next subsequent phase to be developed. For purposes of this subsection, "insufficient" means that: (1) a safety hazard exists due to either the amount of or the configuration of the required parking spaces; or (2) additional parking spaces are necessary to reasonably accommodate the actual day-to-day parking utilized on the Property. In the event a parking analysis is required, the recommendations of the parking analysis shall be implemented into the development plan for the next subsequent phase of development.

(c) For all other uses, consult the use regulations in Division 51A-4.200 for the specific off- street parking and loading requirements for each use.

(d) For all uses, consult the off-street loading regulations in Division 51A-4.300 for information regarding off-street loading generally. (Ord. 25729)

SEC. 51P-695.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 25729)

SEC. 51P-695.111. LANDSCAPING.

(a) In general. For all uses other than a retirement housing community, landscaping must be provided in accordance with Article X. For a retirement housing community, landscaping must be provided in accordance with Article X, except as provided in this section.

(b) Landscape plans and artificial lots for a retirement housing community. For a retirement housing community, landscape plans are required to be submitted with each required development plan for each phase of new construction. For each landscape plan, an artificial lot may be created to satisfy the requirements of Article X and this article. The artificial lot is not required to be extended to front on Coit Road if no part of the closest building on the

artificial lot is within 200 feet of Coit Road, and the artificial lot is not required to be extended to front on Frankford Road if no part of the closest building on the artificial lot is within 200 feet of Frankford Road.

(c) Landscape buffer zones for a retirement housing community. For a retirement housing community, a minimum 100-foot-wide landscape buffer zone is required along Coit Road, and a minimum 30-foot-wide landscape buffer zone is required along Frankford Road. A minimum 80 percent-open iron fence with masonry columns, up to a maximum height of six feet, is permitted in the landscape buffer zones. In addition to meeting the requirements of Section 51A-10.125(b)(7), these buffer zones must comply with the buffer zone requirements in this subsection. The required trees and landscaping must be installed along Coit Road and Frankford Road prior to the issuance of any certificate of occupancy for new construction on the Property (excluding a certificate of occupancy for a temporary construction or sales office).

(1) The 100-foot-wide buffer zone along Coit Road shall consist of a combination of landscaping and berms (4:1 slope), located intermittently along Coit Road. Large trees, a minimum of six-caliber-inches each, must be provided for every 50 feet of frontage on Coit Road. Landscape features, lakes, architectural elements, and works of art that display no words or symbols may be located within the 100-foot-wide buffer zone.

~~(2) A temporary construction or sales office, temporary marketing signage (in conjunction with the temporary construction or sales office), parking for the temporary construction or sales office, and a temporary driveway with access to and from Coit Road to provide access to the temporary construction or sales office may be located within the 100-foot-wide buffer zone along Coit Road, but only until the issuance of the first certificate of occupancy in the first phase of development of a retirement housing community on the Property, at which time the temporary construction or sales office shall be removed, and the temporary driveway located within the 100-foot-wide buffer zone along Coit Road shall be removed and replaced with landscaping and berms (4:1 slope).~~

~~(3) Other than a temporary driveway for a temporary construction or sales office, no driveways are permitted within the required 100-foot-wide buffer zone along Coit Road. In addition, other than parking related to a temporary construction or sales office, no parking is allowed in the 100-footwide buffer zone along Coit Road.~~

(4) The 30-foot-wide buffer zone along Frankford Road may contain driveways perpendicular to Frankford Road that provide ingress and egress to and from Frankford Road.

(5) The 100-foot wide buffer zone along Coit Road may contain one split driveway perpendicular to Coit Road at its intersection with Osage Plaza Parkway, as shown on the Phase 2 Development Plan (Exhibit 695B). The driveway may not be accessible to the general public and must be controlled by an electronic entry/exit gate and subject to 24-hour video and audio monitoring by an on-the-property guard.

(d) A minimum three-acre lake (with a conservation pool of three surface acres of open water) must be located within the area identified on the conceptual plan as "Future Lake Area." The configuration of the lake must be identified and submitted with the first required development plan for new construction.

(e) ~~[All p]~~ Plant materials must be maintained in a healthy, growing condition. (Ord. 25729)

SEC. 51P-695.112. SIGNS.

(a) For a retirement housing community, plans for detached premise signs on the Property must be submitted with the first required development plan for new construction.

(b) For a retirement housing community, except as provided in this section, signs must comply with the provisions for non-business zoning districts in Article VII.

(1) A maximum of three two-faced, detached premise signs, consistent with the applicable sign elevation shown on Exhibit 695D, are permitted within the landscape buffer zones along both Coit Road and Frankford Road, as follow:

(a) one monument sign along Coit Road at the Osage Plaza Parkway entry/exit driveway.

(b) one monument sign along Frankford Road at the main entrance, and

(c) one monument sign near the intersection of Frankford Road and Coit Road.

~~(2) Detached temporary marketing signs (in conjunction with the temporary construction or sales office) located along Coit Road may not exceed 15 feet in height, and these signs must be removed when the first certificate of occupancy is issued for the first phase of development of a retirement housing community on the Property.~~

(3) For Phase 2, one two-faced detached temporary marketing sign may be located along Coit Road for a period of time not to exceed 18 months.

(a) The detached temporary marketing sign must comply with the sign elevation shown on Exhibit 695E.

(b) The maximum height for the detached temporary marketing sign is eight feet, with a maximum effective area of 48 square feet for each of the two sign faces.

(c) For no longer than three months prior to the issuance of the first certificate of occupancy for Phase 2, the detached temporary marketing sign may announce the future opening of the services for Phase 2.

(d) Once the first certificate of occupancy for Phase 2 is issued, the detached temporary marketing sign may be converted to advertise that the services for Phase 2 are open and operating.

(e) The detached temporary marketing sign must be removed in its entirety no later than the earlier to occur of (1) 15 months following the issuance of the first certificate of occupancy for Phase 2; or (2) 18 months after the erection of the sign.

(5) The limited uses listed in Section 51P-695.106(b) that are permitted in conjunction with a retirement housing community use may not have exterior advertising signage within this district.

(6) For all other uses, signs must comply with the provisions for non-business zoning districts in Article VII. (Ord. 25729)

SEC. 51P-695.113. DRIVEWAY ACCESS AND TRAFFIC SIGNAL.

(a) ~~For a retirement housing community, except for the temporary driveway access to and from Coit Road provided for in Section 51P-695.111, the~~ The only permitted ingress and egress by the general public to and from the Property is from Frankford Road, unless otherwise required or approved by the city. The locations of the permanent entry and exit driveways, and the location of any gatehouse or guardhouse on the Property must be identified at the time of the submittal of the first required development plan. In addition, the geometric configuration of the main entrance as well as the location of any gatehouse or guardhouse on the Property must be submitted to and approved by the director in conjunction with the approval of the first required development plan.

(b) For a retirement housing community, if the city determines that a traffic signal is warranted at the main entrance along Frankford Road, and the city approves the location of the traffic signal, the owner of the Property shall be responsible for all costs associated with the design and construction of the traffic signal to the extent that those costs are roughly proportional to the need for the traffic signal created by the retirement housing community. (Ord.25729)

(c) If the split driveway shown on the Phase 2 Development Plan (Exhibit 695B) is constructed, the developer will be responsible for the funding, design, and construction of an exclusive right turn lane on Coit Road northbound into the development and an exclusive left turn lane on Coit Road southbound into the development, as shown on the development plan.

SEC. 51P-695.114. 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. (Ord. 25729)

SEC. 51P-695.115. COMPLIANCE WITH CONDITIONS.

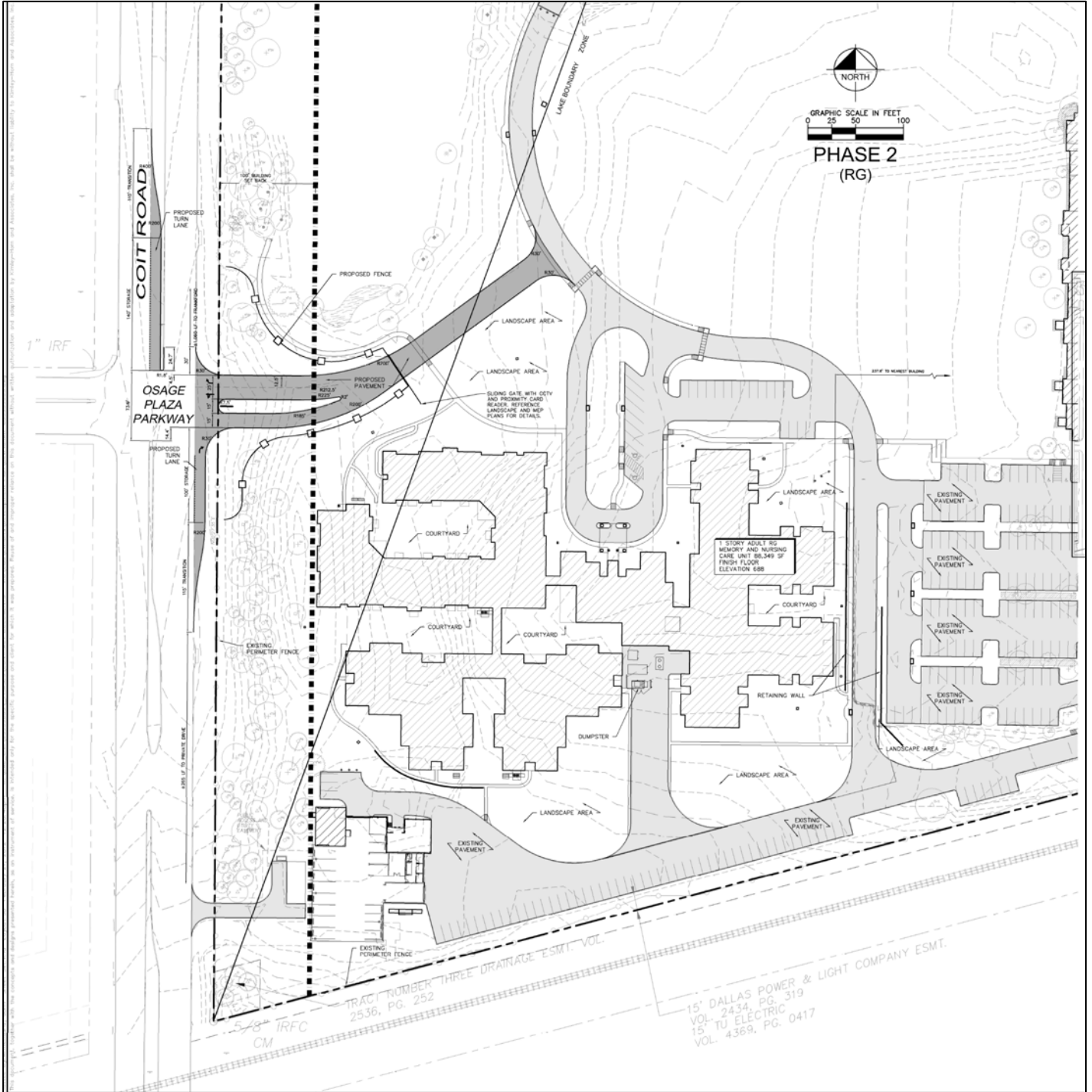
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(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 for that use with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 25729)

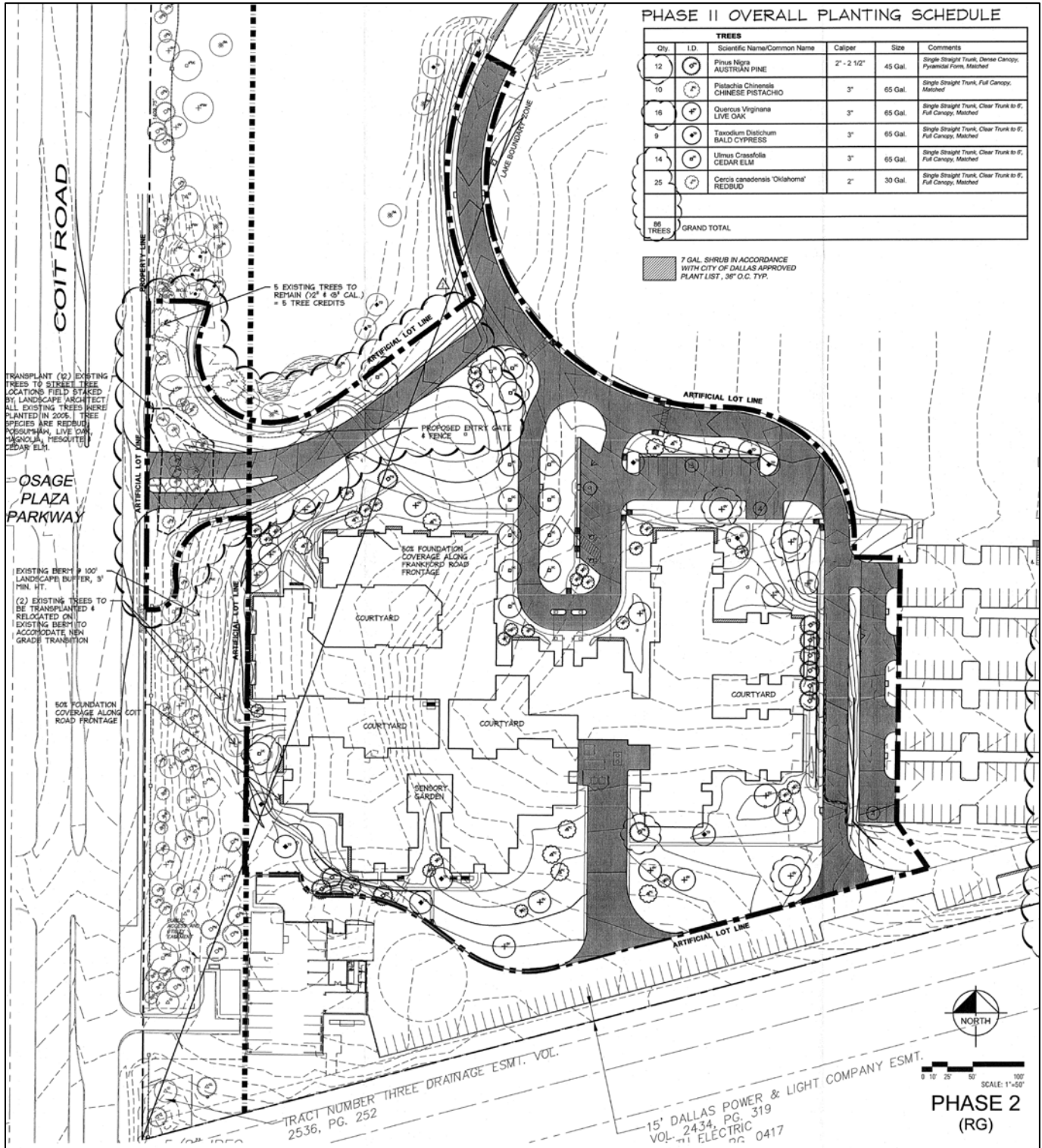
~~**SEC. 51P-695.116. ZONING MAP.**~~

~~PD 695 is located on Zoning Map Nos. A-8 and AA-8. (Ord. 25729)~~

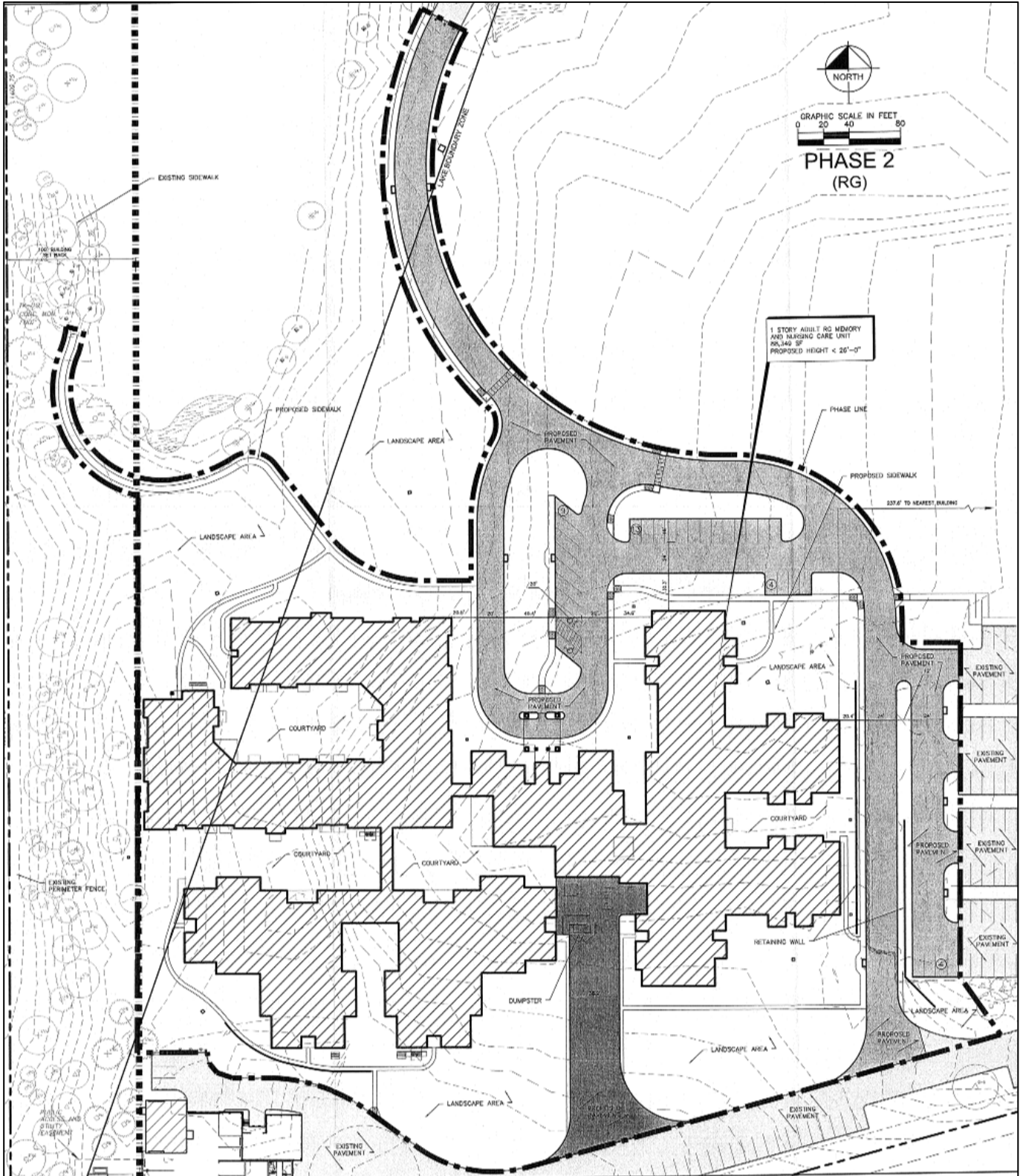
Proposed Phase 2 Development Plan



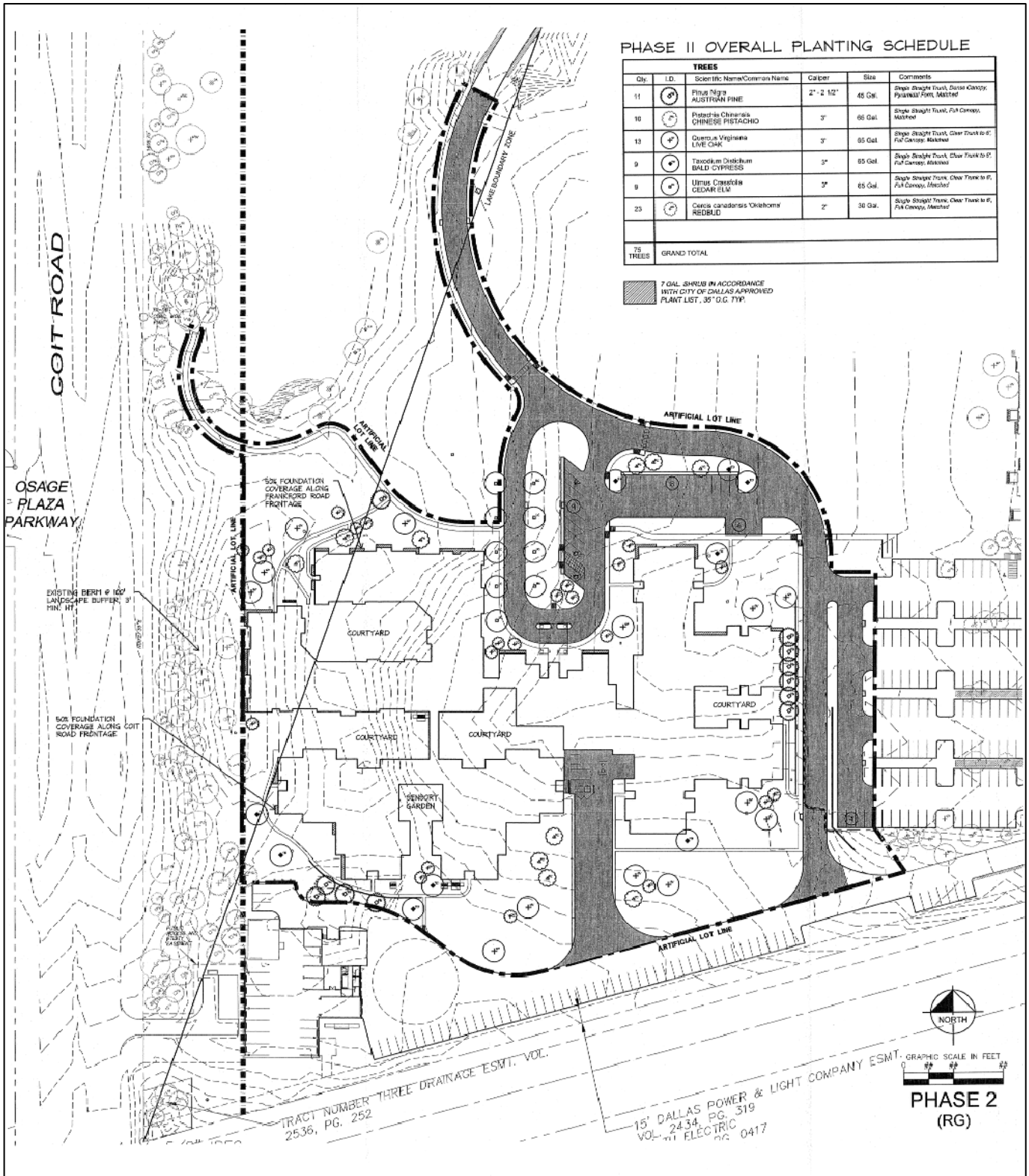
Proposed Phase 2 Landscape Plan



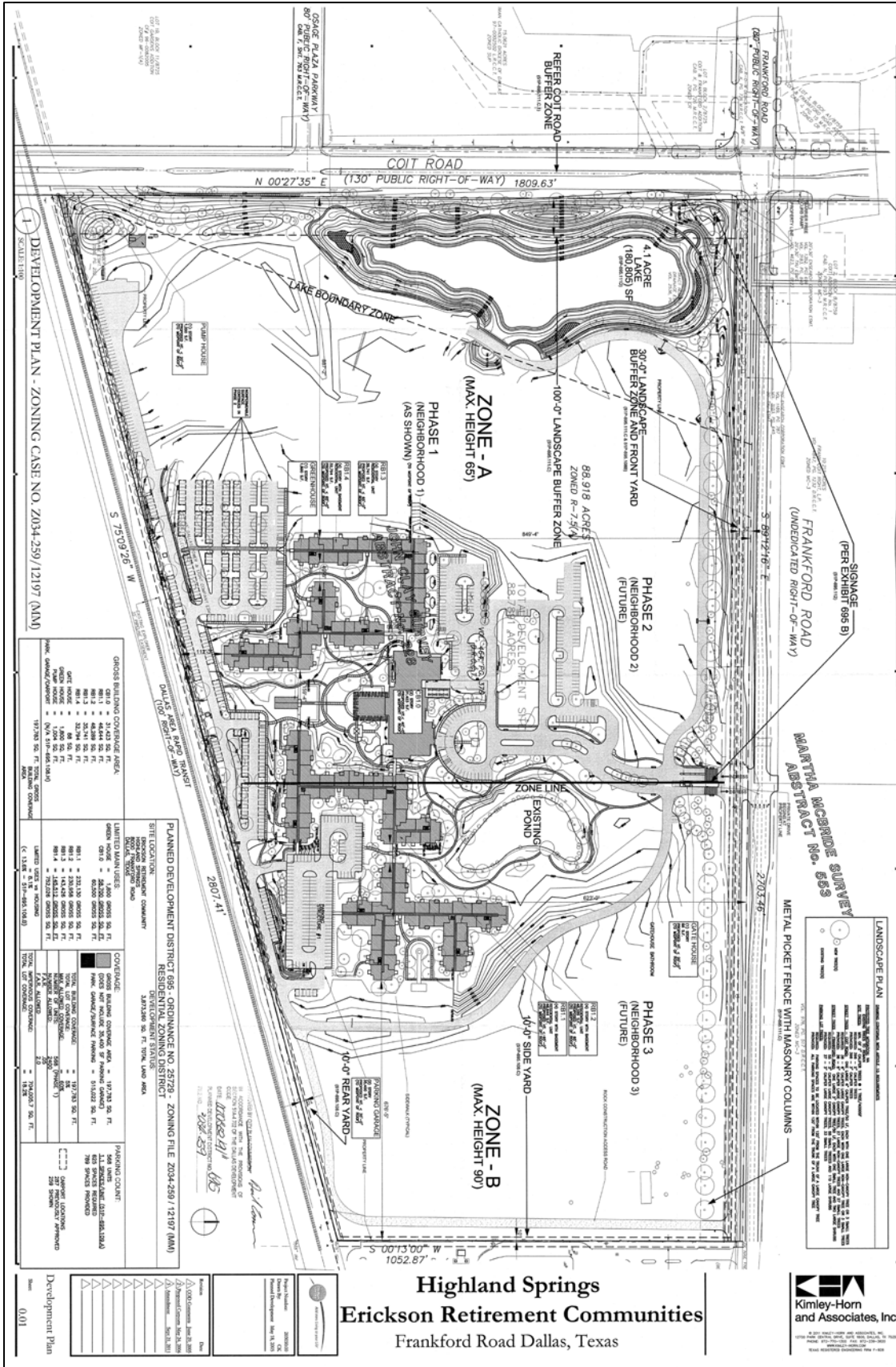
Existing Phase 2 Development Plan



Existing Phase 2 Landscape Plan

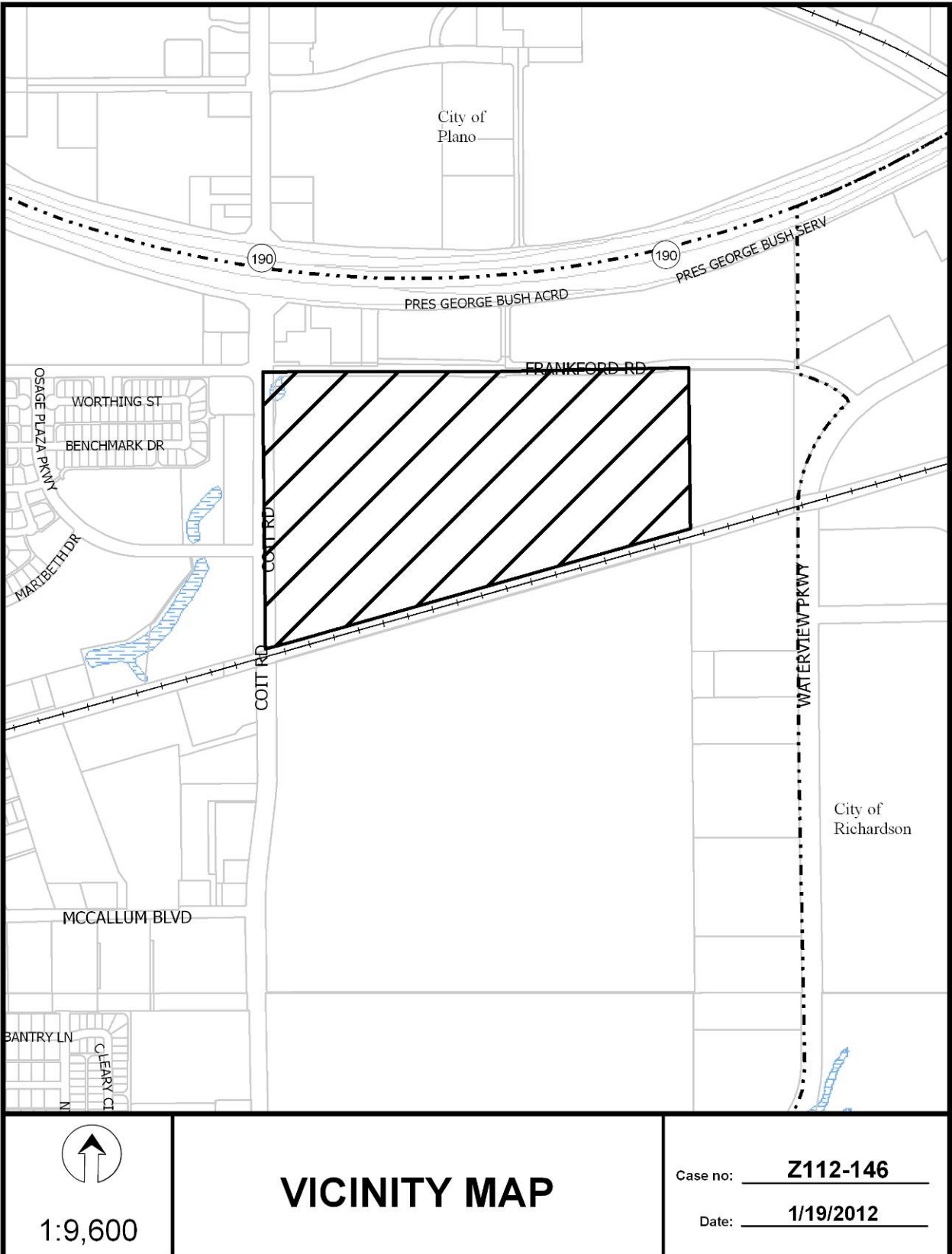


Existing Phase 1 Development Plan



Highland Springs
 Erickson Retirement Communities
 Frankford Road Dallas, Texas

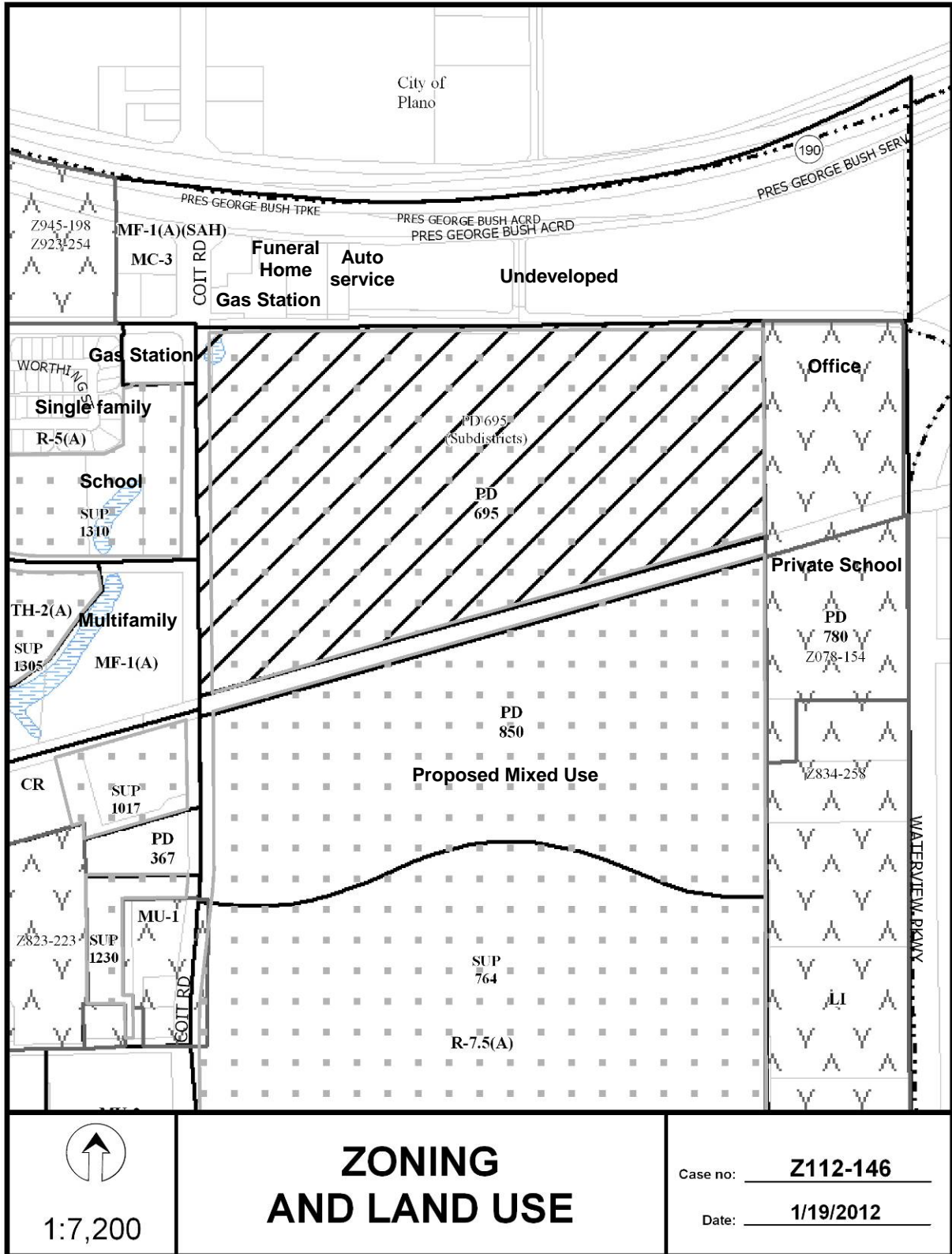


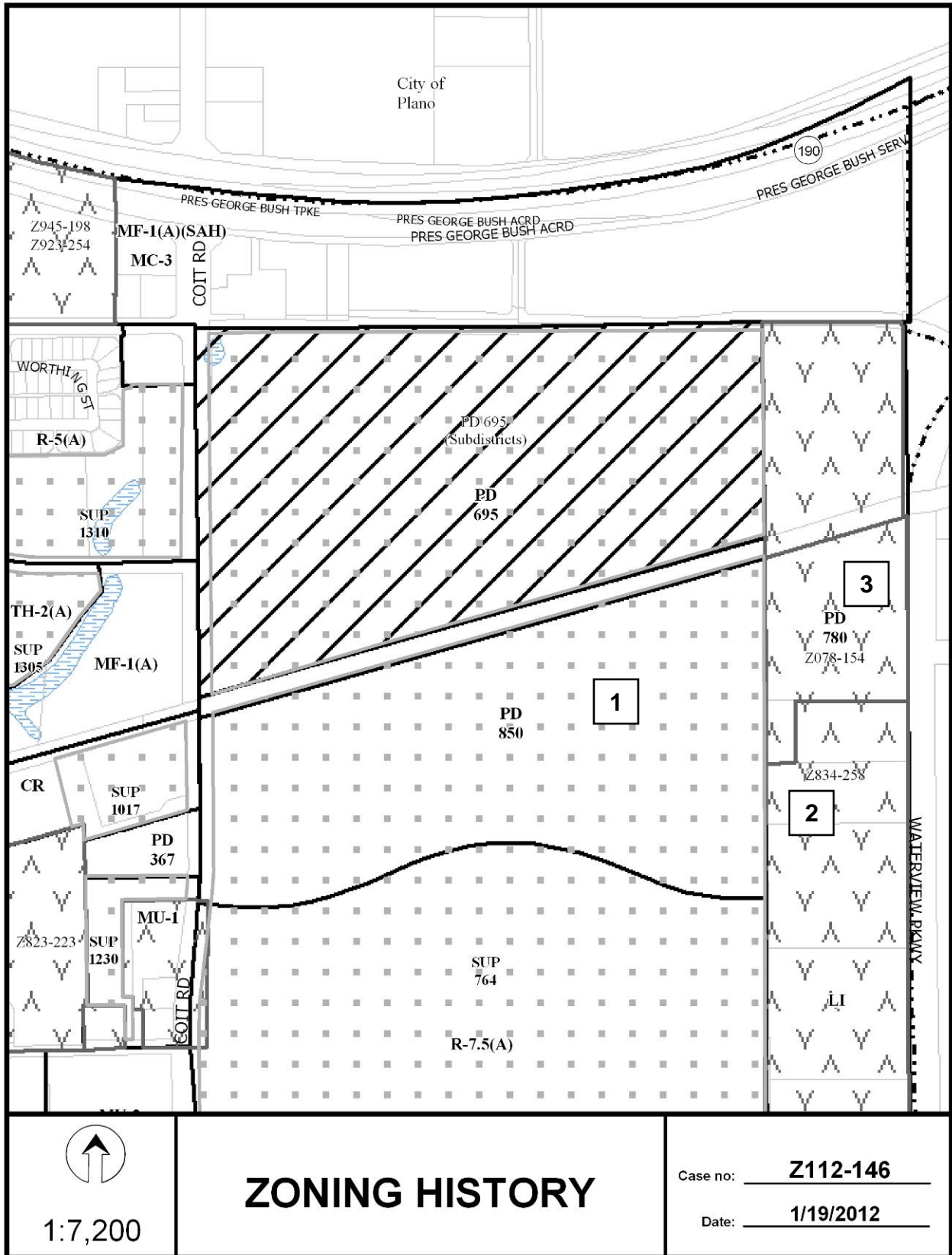


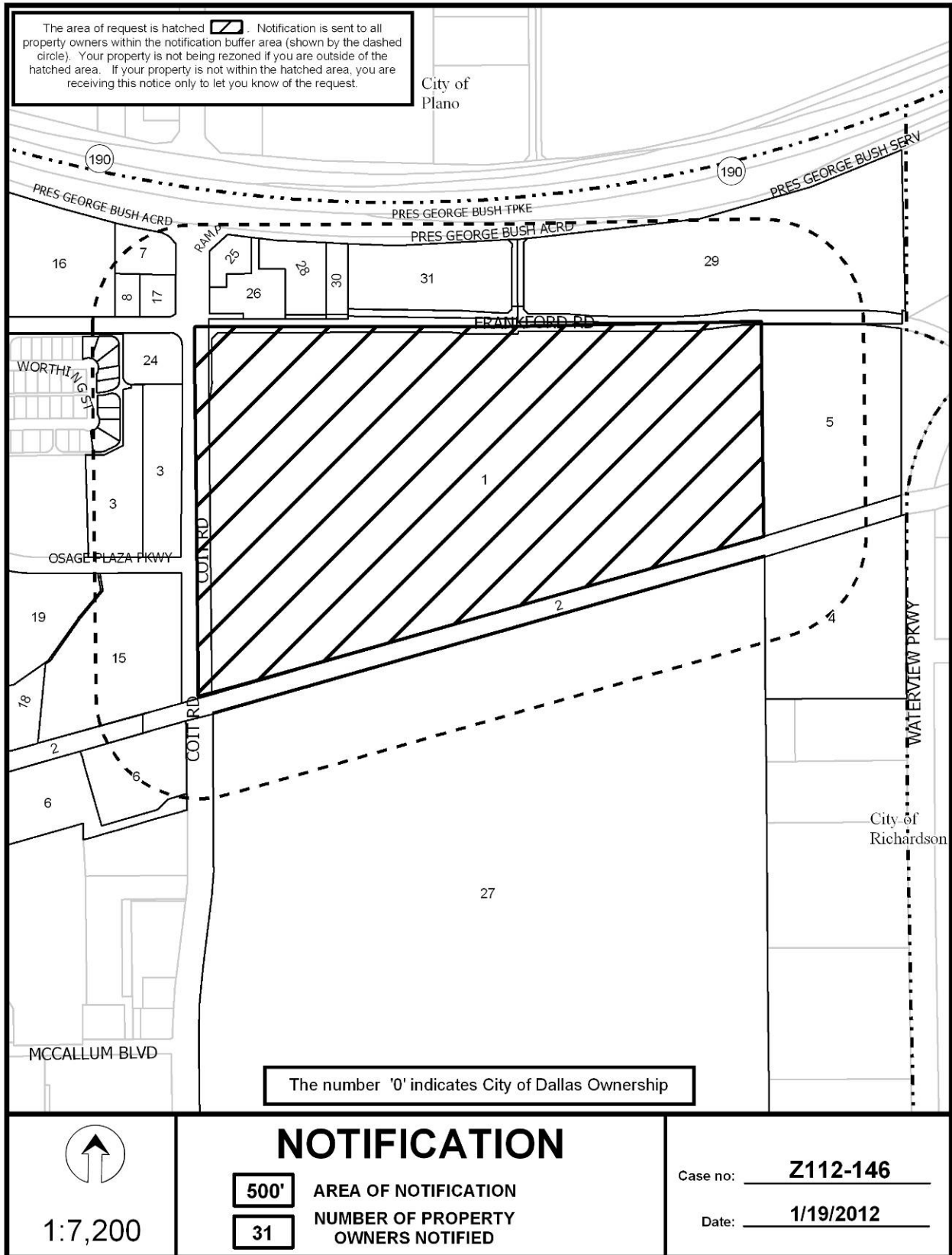
1:9,600

VICINITY MAP

Case no: Z112-146
Date: 1/19/2012







1/19/2012

Notification List of Property Owners***Z112-146******31 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8000 FRANKFORD	REDWOOD-ERC DALLAS LLC C/O THE ALLEGIS G
2		DALLAS AREA RAPID TRANSIT
3	COIT	ALL SAINTS PARISH C/O ROMAN CATHOLIC DIO
4	WATERVIEW	DALLAS INTERNATIONAL SCHOOL
5	18325 WATERVIEW	PRIME DIAMOND INVESTMENT LTD C/O PAJ
6	17713 COIT	HILDERBRAND PARTNERSHIP THE
7	18131 COIT	DESSOUKY BUSINESS ENTERPRISE CORP
8	7877 FRANKFORD	MANIES LUTHER H & MARY E C/O JOHN ADAMI
9		SOMERSET RESIDENTIAL ASSN C/O CINDY HUEY
10	7735 WORTHING	KUMAR BALA A & GOWRI
11	7739 WORTHING	PEEVY LARRY D & MELODY S
12	7743 WORTHING	VILLASENOR ALBERT J JR & RENEE
13	7747 WORTHING	KUSHNER VLADIMIR & LUDMILA
14	7751 WORTHING	KHAZAN BORIS L & RUSLANA A
15	17817 COIT	HUNTER S RUN APARTMENTS LP C/O WESTWOOD
16	7575 FRANKFORD	FRANKEL FAMILY TRUST
17	18101 COIT	SOUTHLAND CORP-27529 AD VALOREM TAX
18	17817 COIT	HUNTER RUN APARTMENTS LP C/O WESTWOOD RE
19	MARIBETH	PLANO ISD
20	7755 WORTHING	KSENDZOV VLADIMIR & NATALIYA
21	7759 WORTHING	PUGACH BORIS & SOFYA
22	7763 WORTHING ST	WISE ELIZABETH A
23	17800 BENCHMARK	KIM RUNGJU & YONG H ETAL
24	18093 COIT	CAR SPA COIT ROAD LP
25	18120 COIT	WSCCM INVESTMENTS LTD
26	18120 COIT	IMLIC HOLDINGS LP C/O ILLINOIS MUTUAL LI

Z112-146 (MW)

1/19/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	17300 COIT	TEXAS A&M UNIVERSITY
28	8011 FRANKFORD	SCI TEXAS FUNERAL SERVICES INC
29	FRANKFORD	I-190/FRANKFORD PARTNERS LTD
30	8030 PRESIDENT GEORGE BUSH	CHARTER HOUSE LTD ATTN: REAL ESTATE TAX
31		COSMOS FOUNDATION INC

FILE NUMBER: Z112-162(MW)

DATE FILED: January 13, 2012

LOCATION: Northeast corner of East Overton Road and Ramona Avenue

COUNCIL DISTRICT: 4

MAPSCO: 65-B

SIZE OF REQUEST: ±5,016.83 square feet

CENSUS TRACT: 57.00

REPRESENTATIVE: Jae Yul Lee

APPLICANT: Min Hyung Lee, President/Director of WAWA Market, Inc.

OWNER: WAWA Market, Inc.

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

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

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

BACKGROUND INFORMATION:

- The applicant’s property, on which a ±4,032-square foot building is constructed, is ±24,682 square feet in size. A D Liquor Control Overlay covers ±5,016.83 square feet of the property and a portion of the existing building.
- The ±5,016.83 square-foot portion of the property with the D Liquor Control Overlay is considered the request site.
- The general merchandise or food store use is permitted by right on the entire property; the sale of alcoholic beverages is allowed by right on the portion of the property not covered by the D Liquor Control Overlay.
- The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the existing convenience store and, therefore, requests a D-1 Liquor Control Overlay and an SUP for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on the request site.
- The request site is generally surrounded by single family residential to the north and east; retail (a general merchandise or food store) and a carwash to the south and an auto-related use the west.
- On December 15, 2011, the City Plan Commission recommended denial without prejudice of Z101-393 (the same request as this application). At that time, the applicant chose to withdraw the application rather to appeal to City Council.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Ramona Avenue	Local	50 feet
Overton Road	Collector	50 feet

Land Use:

	Zoning	Land Use
Site	CR-D	Grocery store
North	R-7.5(A)	Single family
East	R-7.5(A)	Single family
South	CR	Retail; carwash
West	CR	Auto-related

STAFF ANALYSIS:

Comprehensive Plan:

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

The Vision Illustration depicts the request site as within a *Residential Neighborhood*. While single family dwellings are the dominant 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 is consistent with the following goals and policies 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.

GOAL 5.3 Establishing walk-to convenience

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

Land Use Compatibility:

The applicant's property, on which a ±4,032-square foot building is constructed, is ±24,682 square feet in size. A D Liquor Control Overlay covers ±5,016.83 square feet of the property and a portion of the existing building. The ±5,016.83 square-foot portion of the property with the D Liquor Control Overlay is considered the request site.

The general merchandise or food store use is permitted by right on the entire property; the sale of alcoholic beverages is allowed by right on the portion of the property not covered by the D Liquor Control Overlay. The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the existing convenience store and, therefore, requests a D-1 Liquor Control Overlay and an SUP for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on the request site.

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

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

The request site is generally surrounded by single family residential to the north and east; retail (a general merchandise or food store which can sell alcoholic beverages by right) and a carwash to the south and an auto-related use the west.

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

The applicant holds a valid convenience store license.

The applicant’s request is consistent with the intent of the Dallas Development Code. Therefore, staff recommends approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions. However, the City Plan Commission has the option of recommending removal of the D Liquor Control Overlay in lieu or the proposed request.

Development Standards:

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CR 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

Traffic:

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

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area. Therefore, the ±4,032-square foot convenience store requires 20 parking spaces.

Landscaping:

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

Police Report:

An online search of the Dallas Police Department's offense incident reports for the period from January 1, 2010 to February 15, 2012 revealed the following results:

DALLAS POLICE DEPARTMENT										
										UCR Codes Year Codes Property Class Codes
Virtual Viewer - Public Access										Welcome
Search Records - Offense										Filter
Offense Date	Service #	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
02/06/2012	0030971-Z	JONES,BETTY	ASSAULT	03522		RAMONA...	724	4281	08422	
03/16/2010	0072924-X	*RED ARROW GROCERY	FORGERY & COUNTERF...	03522		RAMONA...	724	4281	10021	
04/28/2010	0117206-X	STVENSON, JASIMINE	ASSAULT	03522		RAMONA...	724	4281	08422	
04/28/2010	0117212-X	COY,CARRIE	ASSAULT	03522		RAMONA...	724	4281	08422	
07/18/2010	0202242-X	*RED ARROW GROCERY	BURGLARY	03522		RAMONA...	724	4281	05337	
09/30/2011	0259717-Y	*RED ARROW MARKET	BURGLARY	03522		RAMONA...	724	4281	05132	
10/18/2010	0290084-X	*RED ARROW GROCERY	THEFT	03522		RAMONA...	724	4281	06932	
12/27/2010	0352850-X	VELASQUEZ, MARIA	AUTO THEFT-UUMV	03522		RAMONA...	724	4281	07612	

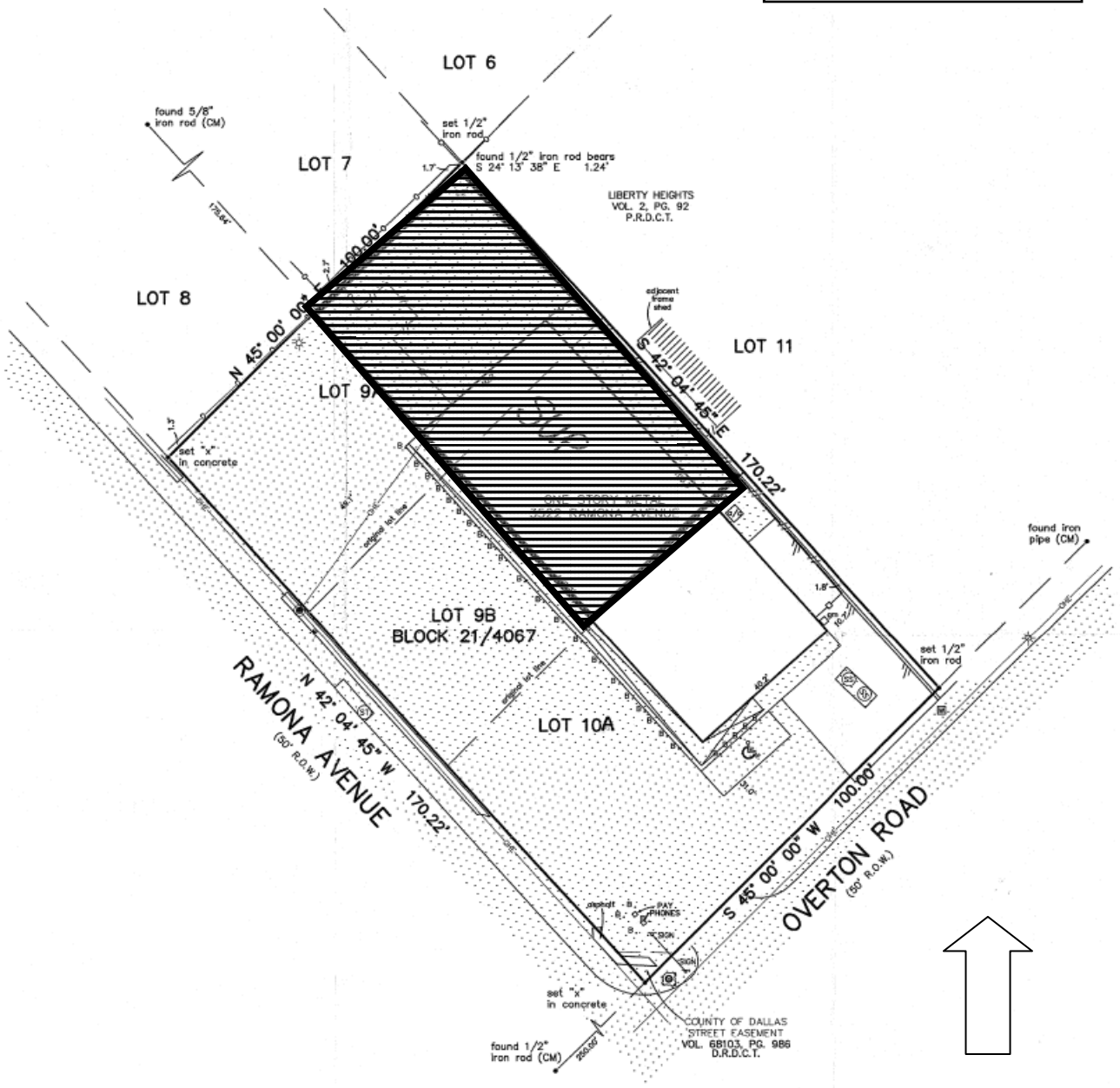
Page 1 of 1 (8 items)

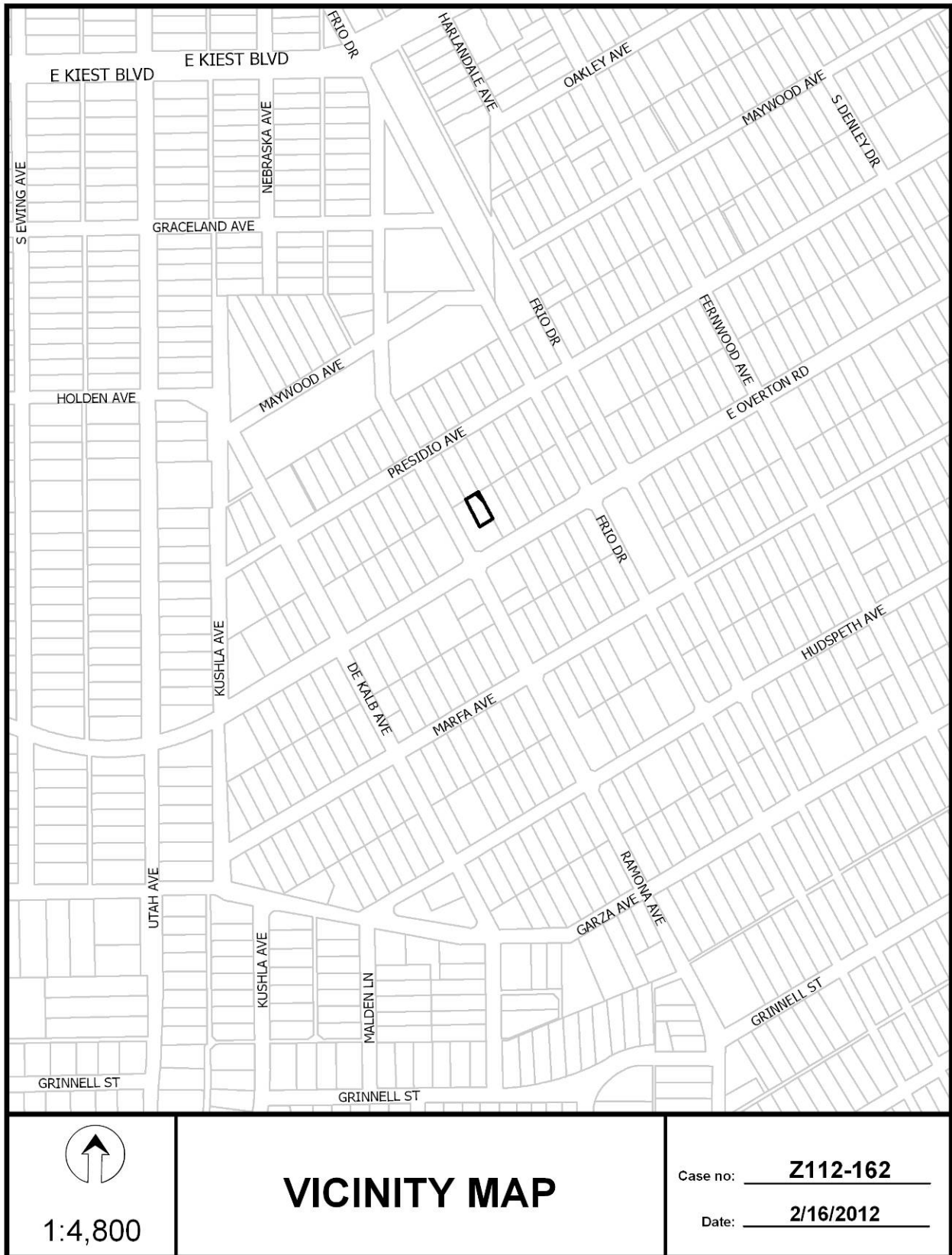
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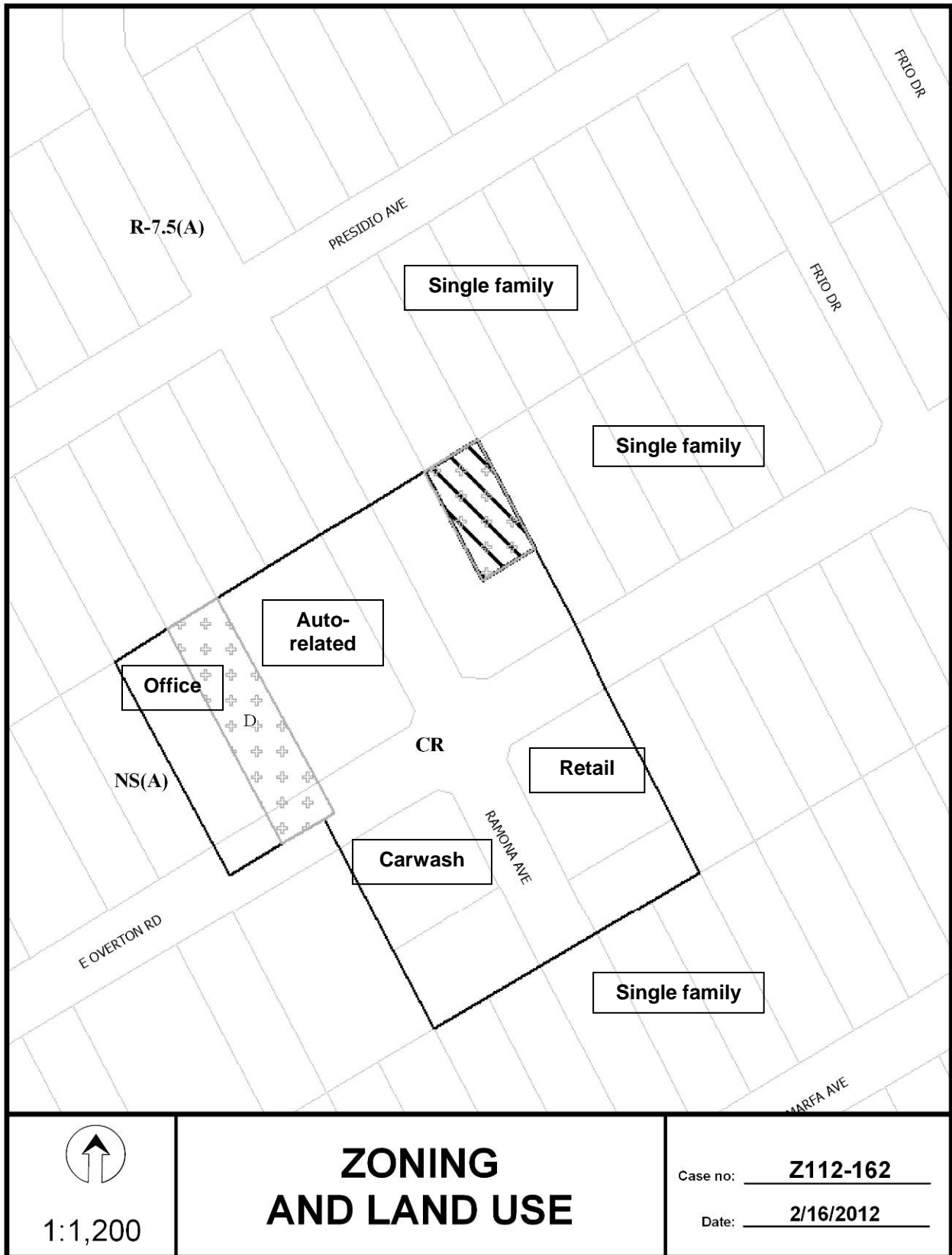
**Z112-162
Proposed SUP Conditions**


1. **USE:** The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.
2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan.
3. **TIME LIMIT:** This specific use permit expires on (two years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.
5. **GENERAL REQUIREMENTS:** Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Proposed Site Plan







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



The number '0' indicates City of Dallas Ownership


1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
24 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-162**
 Date: **2/16/2012**

2/16/2012

Notification List of Property Owners

Z112-162

24 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3522 RAMONA AVE	KIM JAEJUNG
2	1422 PRESIDIO AVE	CUELLAR ISAREL
3	1418 PRESIDIO AVE	PINSON WILLIAM H
4	1414 PRESIDIO AVE	ERSKINE RUBY A
5	1410 PRESIDIO AVE	GARCIA DORA A
6	1406 PRESIDIO AVE	TISA INC
7	1402 PRESIDIO AVE	POUNDERS YVONNE
8	1411 OVERTON RD	JB III INVESTMENTS %JOSEPH L BEVERS III
9	1415 OVERTON RD	MARKS ENNIS ESTATE OF
10	1419 OVERTON RD	SCOTT ERIC D
11	1423 OVERTON RD	NEWMAN BETTY J
12	1427 OVERTON RD	WRIGHT WILLIAM M JR
13	1334 PRESIDIO AVE	CROOK DONALD W
14	1330 PRESIDIO AVE	DELEAON RAQUEL DIAZ
15	1326 PRESIDIO AVE	RODRIGUEZ JUAN
16	1327 OVERTON RD	RIDLEY VELMA R & JOHN R
17	1331 OVERTON RD	KENNEDY JIMMY A
18	1330 OVERTON RD	ORUPABO EMMANUEL O
19	1422 OVERTON RD	BUSH LARRY
20	1418 OVERTON RD	PIPKINS RANDOLPH
21	1414 OVERTON RD	HANKS WILLIE
22	1410 OVERTON RD	DOTSON DOROTHY JEAN
23	1406 OVERTON RD	ELHAMAD SALEH
24	1428 PRESIDIO AVE	STANDMIRE WILLIE

Planner: Richard E. Brown

FILE NUMBER: Z101-391(RB) **DATE FILED:** September 16, 2011

LOCATION: North Line of Crown Road, West of Newberry Street and on the West Line of Newberry Street, North of Crown Road

COUNCIL DISTRICT: 6 **MAPSCO:** 22 C

SIZE OF REQUEST: Approx. 3.24 Acres **CENSUS TRACT:** 99

APPLICANT: Bencor Corporation

OWNER: 11507 Newberry, LLC

REPRESENTATIVE: Michael R. Coker

REQUEST: An application for an IM Industrial Manufacturing District with volunteered deed restrictions on property zoned an IR Industrial Research District.

SUMMARY: The applicant proposes to locate a contractor's maintenance yard on the property and has volunteered deed restrictions prohibiting certain uses and providing for specific operational regulations.

STAFF RECOMMENDATION: Approval, subject to deed restrictions volunteered by the applicant.

BACKGROUND INFORMATION:

- The site consists of multiple parcels and is partially developed with vacant industrial buildings with what appears as an outside storage area utilized by the previous tenant.
- The site is requesting zoning that permits a contractor's maintenance yard.
- The current zoning does not permit this use, thus the request for an IM District.
- The applicant has volunteered deed restrictions that prohibit certain uses as well as provide for certain operational regulations.

Zoning History:

<u>File No.</u>	<u>Request, Disposition, and Date</u>
1. Z045-241	An IM District on property zoned an IR District. On August 24, 2005, the City Council approved the request, subject to deed restrictions that provide for screening and setback regulations as well as prohibiting certain uses on a portion of the property.
2. Z101-390	An IM District on property zoned an IR District. Pending the March 1, 2012 CPC public hearing.
3. Z101-392	An IM District on property zoned an IR District. Pending the March 1, 2012 CPC public hearing.

<u>Street</u>	<u>Designation; Existing & Proposed ROW</u>
Crown Road	Local; 60' ROW
Newberry Street	Local; 40'-50' ROW

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered an Industrial Area. These areas, which offer important employment opportunities, occupy large areas of land and usually are near major roads and heavy rail lines. Evolving technology and the need for freight movement through Dallas to the rest of the country and internationally means this sector can offer good opportunities for jobs. Logistics and

warehousing, a growing industry with strong potential for upward mobility of skilled workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial Areas rely on quality road access and may be linked to rail for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The request site consists of multiple parcels and is partially developed with vacant industrial buildings with what appears as an outside storage area utilized by the previous tenant. The applicant proposes to utilize the parcels for a contractor's maintenance yard. On a related matter, the applicant has submitted two additional applications to provide for zoning that permits this same use (see Zoning History, above).

The site is generally surrounded by commercial/industrial uses (both inside and outside use classifications) and supporting administrative/office components in all directions. It should be noted that residential adjacency does exist south of the site, southward from the intersection of Crown Road and Newkirk Street.

This area of the city possesses a large percentage of industrial users that rely on convenient freeway accessibility (IH 35/IH 635/Loop 12) thus a significant amount of truck traffic is present in the area. The general area has somewhat smaller parcels, many of which utilize multi-tenant commercial buildings as well as smaller platted lots with single users. Additionally, some sensitivity should be considered for any zoning change in close proximity to the remaining single family uses located on properties south of the site's southwest corner. With regard to these issues, the applicant has worked with staff to address many of these concerns, thus the attached deed restrictions have been volunteered to mitigate for much of this.

As a result of this analysis, staff supports the request, subject to the attached volunteered deed restrictions.

Z101-391(RB)

Landscaping: The site possesses small stands of trees predominately located along portions of the site's perimeter. It is anticipated that new construction on the site will trigger compliance with Article X.

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 significant impact on the surrounding street system.

Partners, Principals, Officers

Bencor Corporation

Ugo Piccagli
GianCarlo Santarelli
Lawrence Piccagli
Max Piccagli

11507 Newberry LLC - Partners

Ugo Piccagli
Caterina Piccagli
Lawrence Piccagli
Max Piccagli

2333 Southwell LLC - Partners

Ugo Piccagli
Caterina Piccagli
Lawrence Piccagli
Max Piccagli

Piccagli Associates LTD - Partners

Piccagli Management, LLC, General Partner
Ugo Piccagli, Manager
Caterina Piccagli
Lawrence Piccagli
Max Piccagli

2315 Southwell LLC - Partners

GianCarlo Santarelli
Piccagli Associates LTD:
Ugo Piccagli
Caterina Piccagli
Lawrence Piccagli
Max Piccagli

Z101-391(RB)

THENCE, South 04 degree, 38 minutes, 41 seconds West a distance of 84 feet to a 5/8 inch iron rod set for corner

THENCE, North 89 degrees, 33 minutes, 25 seconds East a distance of 412.86 feet to the POINT OF BEGINNING, containing 3.24 acres more or less.

II.

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

- (1) The following uses are prohibited:
 - (A) Industrial uses.
 - Industrial (outside) potentially incompatible.
 - Metal salvage facility.
 - Mining.
 - Outside salvage or reclamation.
 - (B) Miscellaneous uses.
 - Hazardous waste management facility.
 - (C) Retail and personal service uses.
 - Drive-in theater.
 - (D) Transportation uses.
 - Railroad yard, roundhouse, or shops.
 - (E) Utility and public service uses.
 - Electrical generating plant.
 - Refuse transfer station.
 - Sanitary landfill.
 - Sewage treatment plant.
 - (F) Wholesale, distribution, and storage uses.
 - Auto auction.
 - Livestock auction pens or sheds.
 - Outside storage (without visual screening).
 - Petroleum product storage and wholesale.
 - Sand, gravel, or earth sales and storage.
 - Vehicle storage lot.

(2) Screening of any outside storage uses and contractor's maintenance yards, as defined by the City of Dallas Development Code, must be provided as follows:

- (A) Where the property abuts Newberry Street or Crown Road solid screening is required between the outside storage and the street-rights-of-way.
- (B) Solid screening is required between the outside storage and the north line of the property.
- (C) Solid screening may be either a solid fence or a building.
- (D) Screening provided by a fence must be a minimum of six feet in height and is prohibited in a visibility triangle area.
- (E) Access to any portion of the property is permitted through the screening fence.
- (F) Outside storage higher than six feet is prohibited within 15 feet of the required screening.

III.

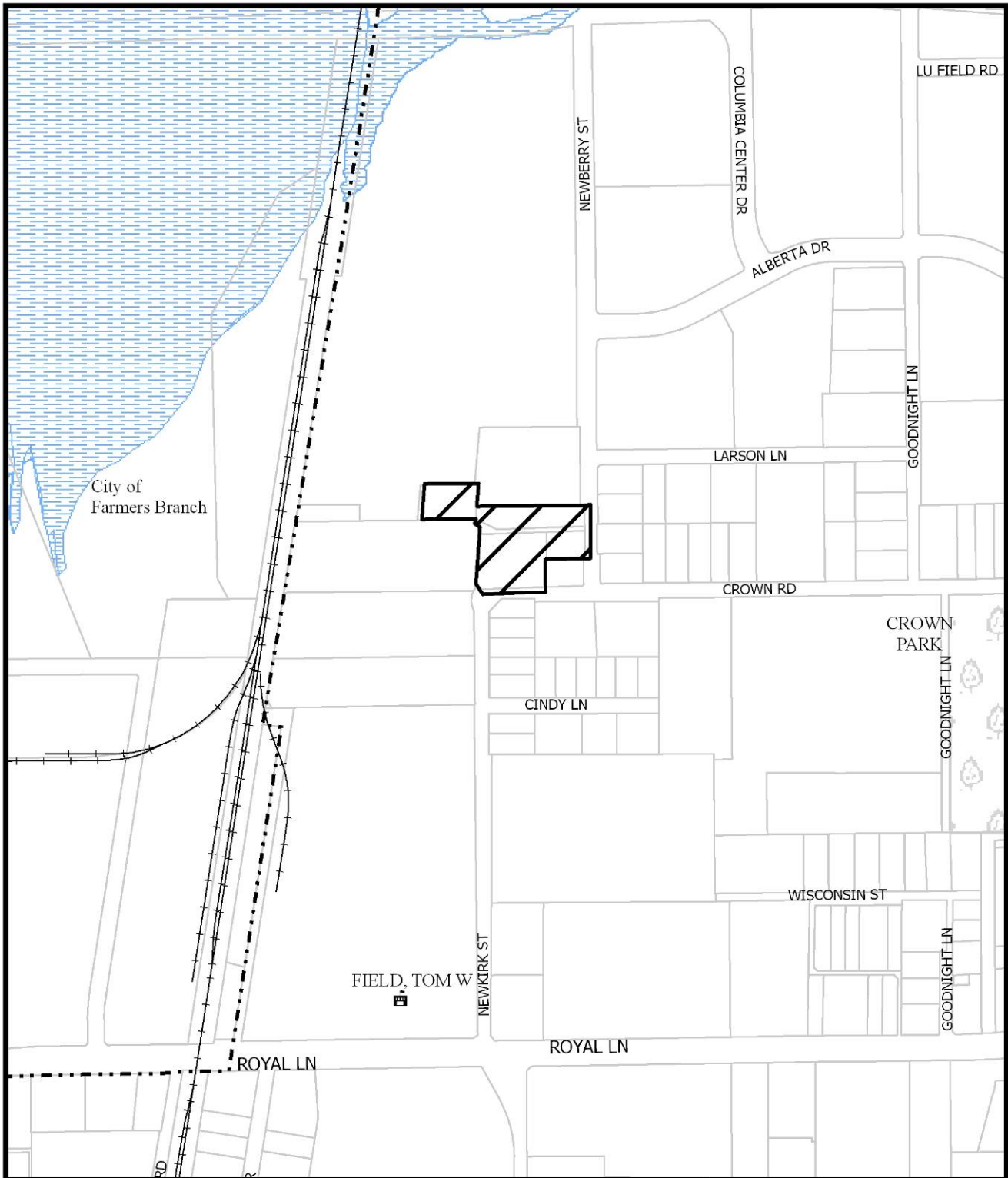
These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

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.



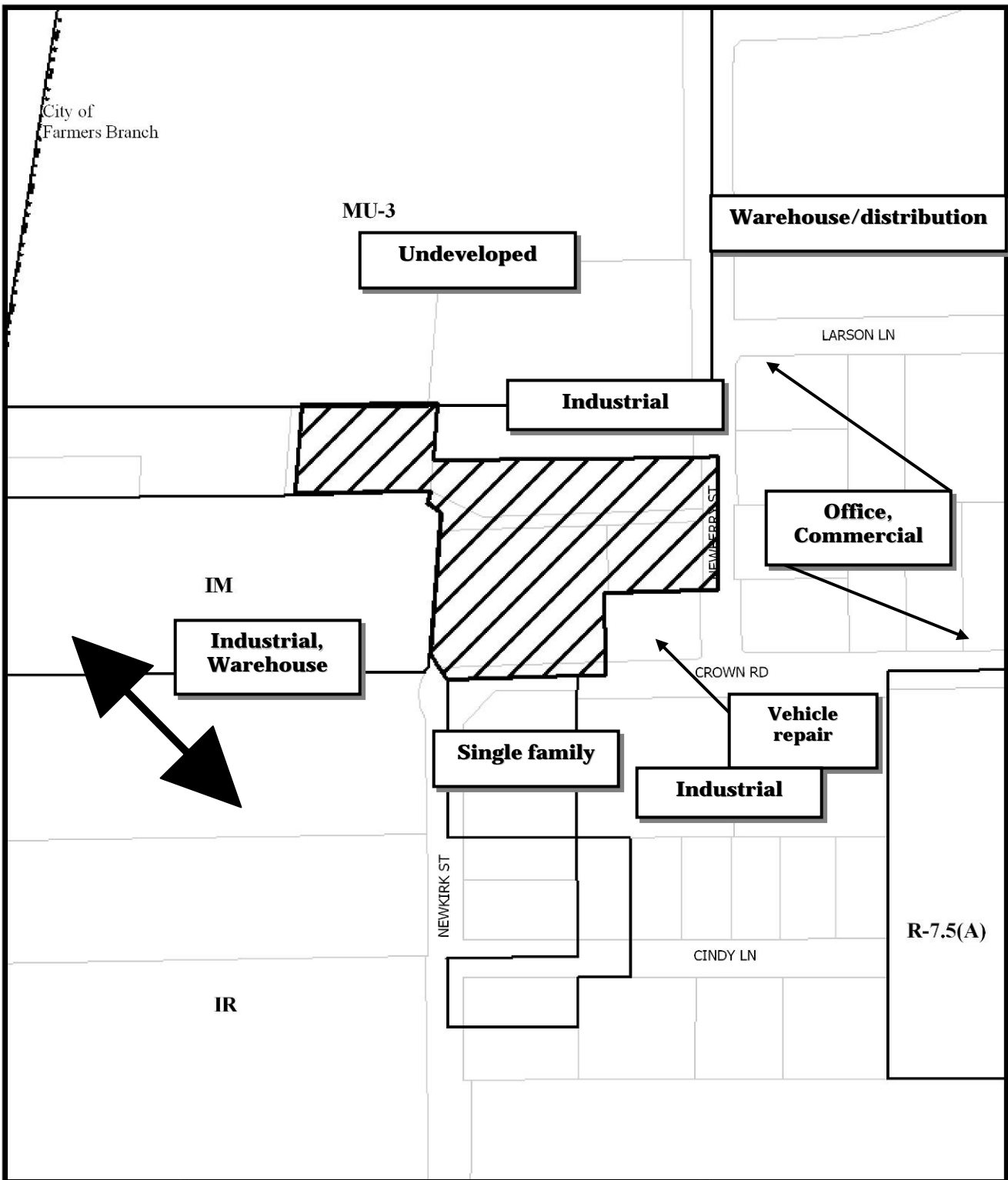
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VICINITY MAP

Case no: Z101-391

Date: 2/2/2012

City of
Farmers Branch

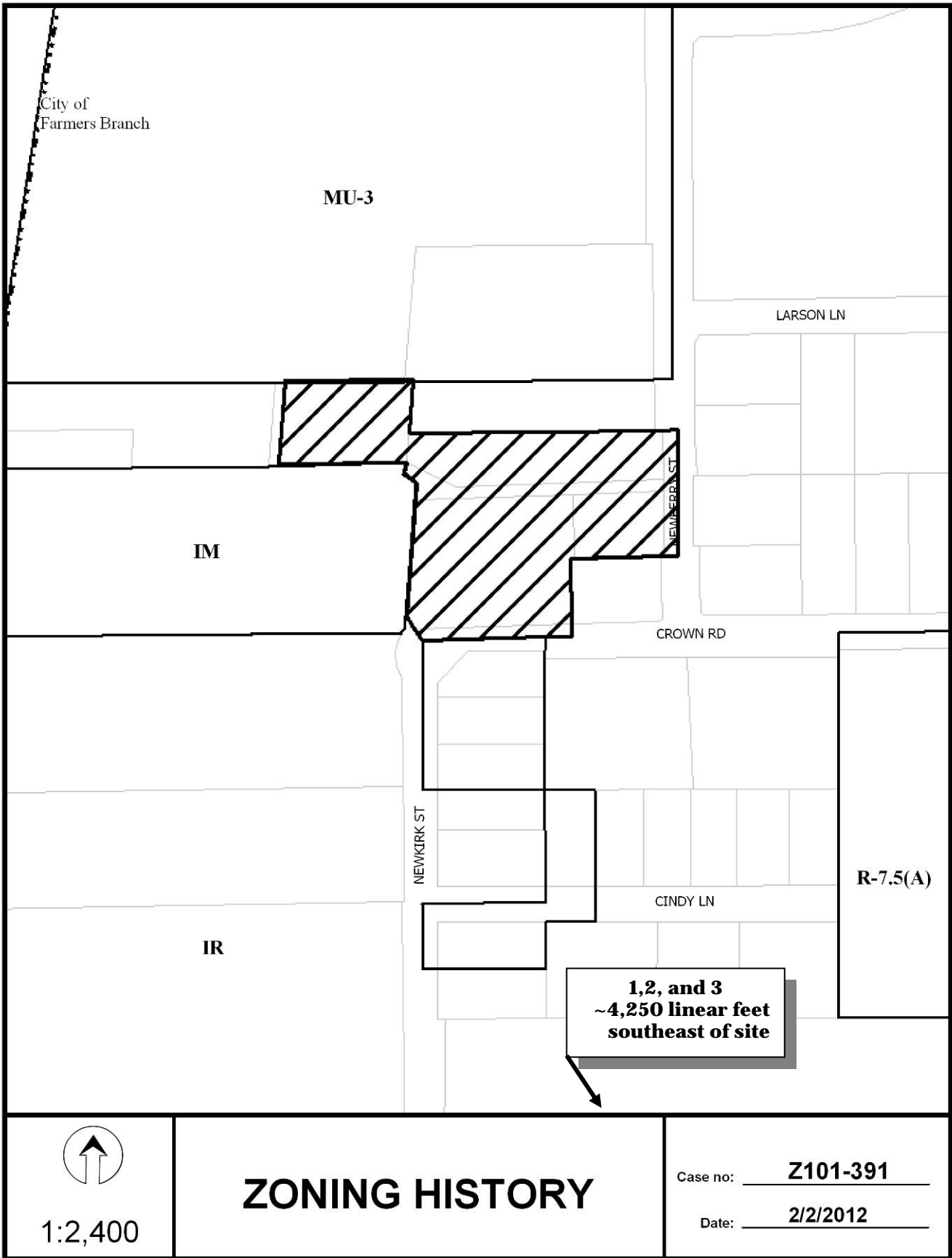


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ZONING AND LAND USE

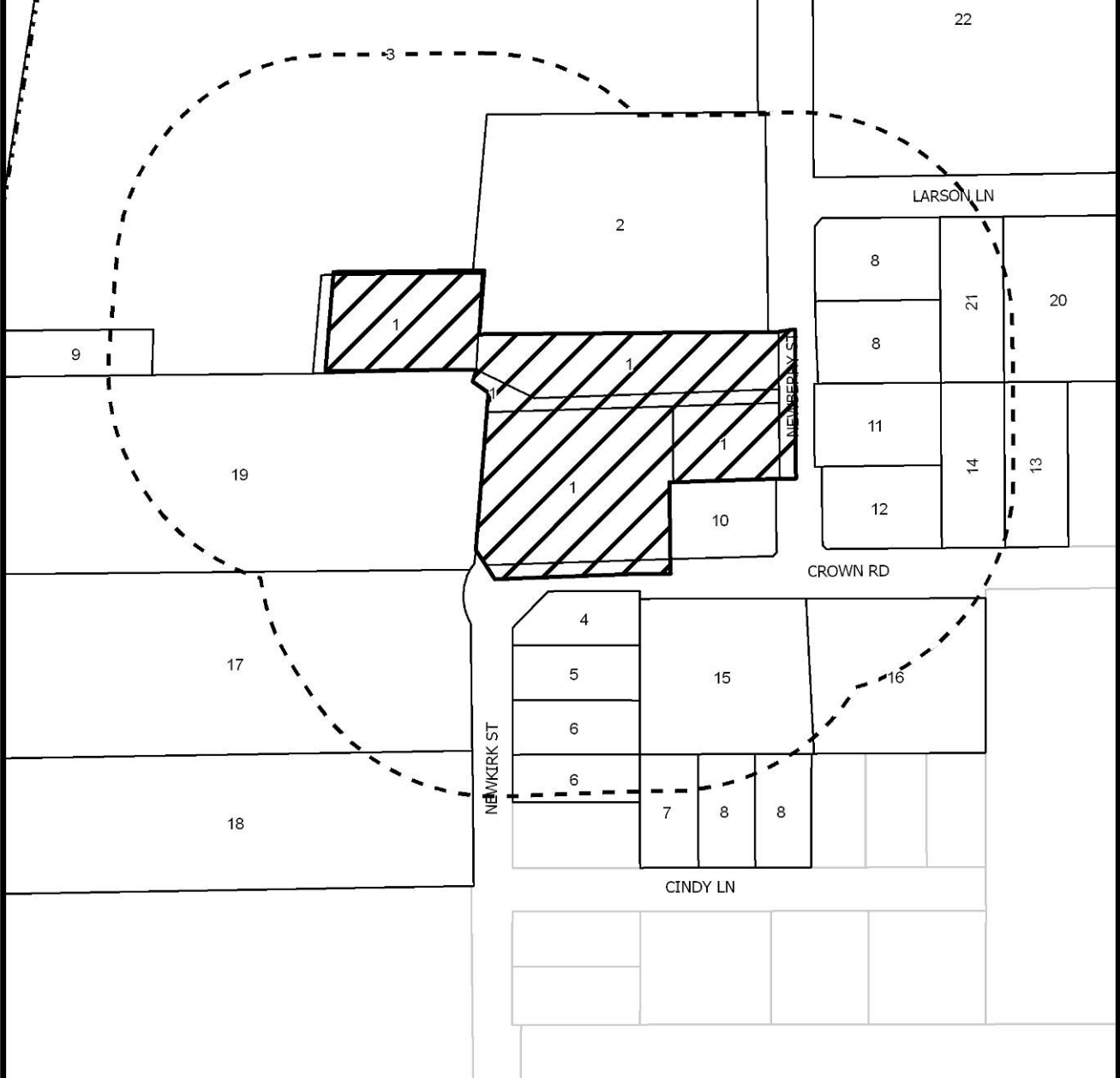
Case no: Z101-391

Date: 2/2/2012



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.

Farmers Branch



The number '0' indicates City of Dallas Ownership



1:2,400

NOTIFICATION

300' AREA OF NOTIFICATION
22 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: Z101-391
 Date: 2/2/2012

2/2/2012

Notification List of Property Owners***Z101-391******22 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	11509 NEWBERRY ST	11507 NEWBERRY LLC
2	11517 NEWBERRY ST	11517 NEWBERRY LP %KEN GREEN & CO., CPA
3	11645 NEWBERRY ST	OCEAN BEACH PARTNERS LP
4	2104 CROWN RD	EVANS EVELYN
5	11462 NEWKIRK ST	MARTIN DORSEY W
6	11460 NEWKIRK ST	ARBOR ASSOCIATES INC
7	2117 CINDY LN	KELLEY JOHN
8	2133 CINDY LN	CAVER FAMILY TRUST
9	11513 NEWBERRY ST	ADRMICH LTD
10	2127 CROWN RD	LANKKENAU KIP & DEBRA
11	11506 NEWBERRY ST	BIGVAND MASTANEH
12	2211 CROWN RD	MARTINEZ ROLAND
13	2223 CROWN RD	STEVENS JACK FAMILY LIMITED PARTNERSHIP
14	2217 CROWN RD	STEVENS JACK G FAMILY LMT PARTNERSHIP
15	2128 CROWN RD	SPADARO HOLDINGS LLC BLVD
16	2218 CROWN RD	CROWN ROYAL REAL EST HOLDINGS INC
17	11455 NEWKIRK ST	ML CAPITAL LTD
18	11453 NEWKIRK ST	BCK PROPERTIES JOINT VENTURE
19	2101 CROWN RD	GATLIN DENTON PARTNERSHIP LP
20	2232 LARSON LN	LARSON INVESTMENTS INC SUITE 104
21	2224 LARSON LN	STEVENS JACK G FAMILY LIMITED PARTNERSHI
22	11550 NEWBERRY ST	PROLOGIS MACQUARIE TEXAS C/O PROLOGIS

Planner: Richard E. Brown

FILE NUMBER: Z101-392(RB) **DATE FILED:** September 16, 2011

LOCATION: South Line of Merrell Road, East of Goodnight Lane, and the North Line of Southwell Road, East of Goodnight Lane

COUNCIL DISTRICT: 6 **MAPSCO:** 22 L, M

SIZE OF REQUEST: Approx. 3.96 Acres **CENSUS TRACT:** 99

APPLICANT: Bencor Corporation

OWNERS: See attached

REPRESENTATIVE: Michael R. Coker

REQUEST: An application for an IM Industrial Manufacturing District with volunteered deed restrictions on property zoned an IR Industrial Research District.

SUMMARY: The applicant proposes to continue operating a contractor's maintenance yard on the property while permitting an expansion of the use to the Merrell Road-fronting parcel and has volunteered deed restrictions prohibiting certain uses and providing for specific operational regulations.

STAFF RECOMMENDATION: Approval, subject to deed restrictions volunteered by the applicant.

BACKGROUND INFORMATION:

- The site consists of multiple parcels and is utilized for a contractor's maintenance yard (Southwell Road frontage) with a proposed expansion of the use on property fronting on the Merrell Road frontage.
- The current zoning does not permit this use, thus the request for an IM District.
- The applicant has volunteered deed restrictions that prohibit certain uses as well as provide for certain operational regulations.

Zoning History:

<u>File No.</u>	<u>Request, Disposition, and Date</u>
1. Z045-241	An IM District on property zoned an IR District. On August 24, 2005, the City Council approved the request, subject to deed restrictions that provide for screening and setback regulations as well as prohibiting certain uses on a portion of the property.
2. Z101-390	An IM District on property zoned an IR District. Pending the March 1, 2012 CPC public hearing.
3. Z101-391	An IM District on property zoned an IR District. Pending the March 1, 2012 CPC public hearing.

<u>Thoroughfare/Street</u>	<u>Designation; Existing & Proposed ROW</u>
Southwell Road	Local; 60'ROW
Merrell Road	Collector; 60' & 60' ROW

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered an Industrial Area. These areas, which offer important employment opportunities, occupy large areas of land and usually are near major roads and heavy rail lines. Evolving technology and the need for freight movement through Dallas to the rest of the country and internationally means this sector can offer good opportunities for jobs. Logistics and warehousing, a growing industry with strong potential for upward mobility of skilled

workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial Areas rely on quality road access and may be linked to rail for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: A portion of the request site (Southwell Road frontage) is utilized by the applicant for a contractor's maintenance yard, a use not permitted by the existing IR District. The northern portion of the request site (Merrell Road frontage) is improved with a vacant commercial building and represents the expansion area for this use. As part of the request, the applicant has volunteered deed restrictions that prohibit certain uses as well as provide for certain operational regulations. On a related matter, the applicant has submitted two additional applications to provide for zoning that permits this same use (see Zoning History, above).

A site visit by the Fire Marshall (requesting a valid certificate of occupancy for the existing use) along with the proposed expansion to the property fronting along Merrell Road has prompted this request.

The site is surrounded by industrial uses (both inside and outside use classifications) and supporting administrative/office components. Scattered auto service center uses are found interspersed among these uses along the Merrell Road frontage. An office use is developed to the east, and a commercial amusement (outside) use, Malibu Grand Prix (PDD No. 394), is situated south of the office use.

This area of the city possesses a large percentage of industrial users that rely on convenient freeway accessibility (IH 35/IH 635/Loop 12) thus a significant amount of truck traffic is present in the area. The general area east of Goodnight Lane has somewhat smaller parcels, many of which utilize multi-tenant commercial buildings as well as smaller platted lots with single users. With regard to this issue, the applicant has worked with staff to address many of these concerns, thus the attached deed restrictions have been volunteered to mitigate for much of this.

As a result of this analysis, staff supports the request, subject to the attached volunteered deed restrictions.

Landscaping: The site possesses many mature trees predominately located along the perimeter of the site's southern and eastern boundary with no internal planting areas noted on staff's site visit. The portion of the site located along the Merrell Road frontage possesses various planting areas and site trees located around existing improvements. At this point, no additional landscaping is proposed nor required. It should be noted that any future improvements could trigger Article X requirements, with plans for compliance submitted in conjunction with any building permits.

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 significant impact on the surrounding street system.

Partners, Principals, Officers

Bencor Corporation

Ugo Piccagli
GianCarlo Santarelli
Lawrence Piccagli
Max Piccagli

11507 Newberry LLC - Partners

Ugo Piccagli
Caterina Piccagli
Lawrence Piccagli
Max Piccagli

2333 Southwell LLC - Partners

Ugo Piccagli
Caterina Piccagli
Lawrence Piccagli
Max Piccagli

Piccagli Associates LTD - Partners

Piccagli Management, LLC, General Partner
Ugo Piccagli, Manager
Caterina Piccagli
Lawrence Piccagli
Max Piccagli

2315 Southwell LLC - Partners

GianCarlo Santarelli
Piccagli Associates LTD:
Ugo Piccagli
Caterina Piccagli
Lawrence Piccagli
Max Piccagli

THENCE, South 89 degrees, 21 seconds, west, a distance of 452.5 feet to the PLACE OF BEGINNING; containing 3.9646 acres, more or less.

II.

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

(1) The following uses are prohibited:

(A) Industrial uses.

- Industrial (outside) potentially incompatible.
- Metal salvage facility.
- Mining.
- Outside salvage or reclamation.

(B) Miscellaneous uses.

- Hazardous waste management facility.

(C) Retail and personal service uses.

- Drive-in theater.

(D) Transportation uses.

- Railroad yard, roundhouse, or shops.

(E) Utility and public service uses.

- Electrical generating plant.
- Refuse transfer station.
- Sanitary landfill.
- Sewage treatment plant.

(F) Wholesale, distribution, and storage uses.

- Auto auction.
- Livestock auction pens or sheds.
- Outside storage (without visual screening).
- Petroleum product storage and wholesale.
- Sand, gravel, or earth sales and storage.
- Vehicle storage lot.

(2) Screening of any outside storage uses and contractor's maintenance yards, as defined by the City of Dallas Development Code, must be provided as set forth below:

(A) Where the property abuts Southwell Road or Merrell Road solid screening is required between the outside storage and the street right-of-way.

(B) Solid screening is required between the outside storage and the north line of the property.

(C) Solid screening may be either a solid fence or a building.

(D) Screening provided by a fence must be a minimum of six feet in height and is prohibited in a visibility triangle area.

(E) Access to any portion of the property is permitted through the screening fence.

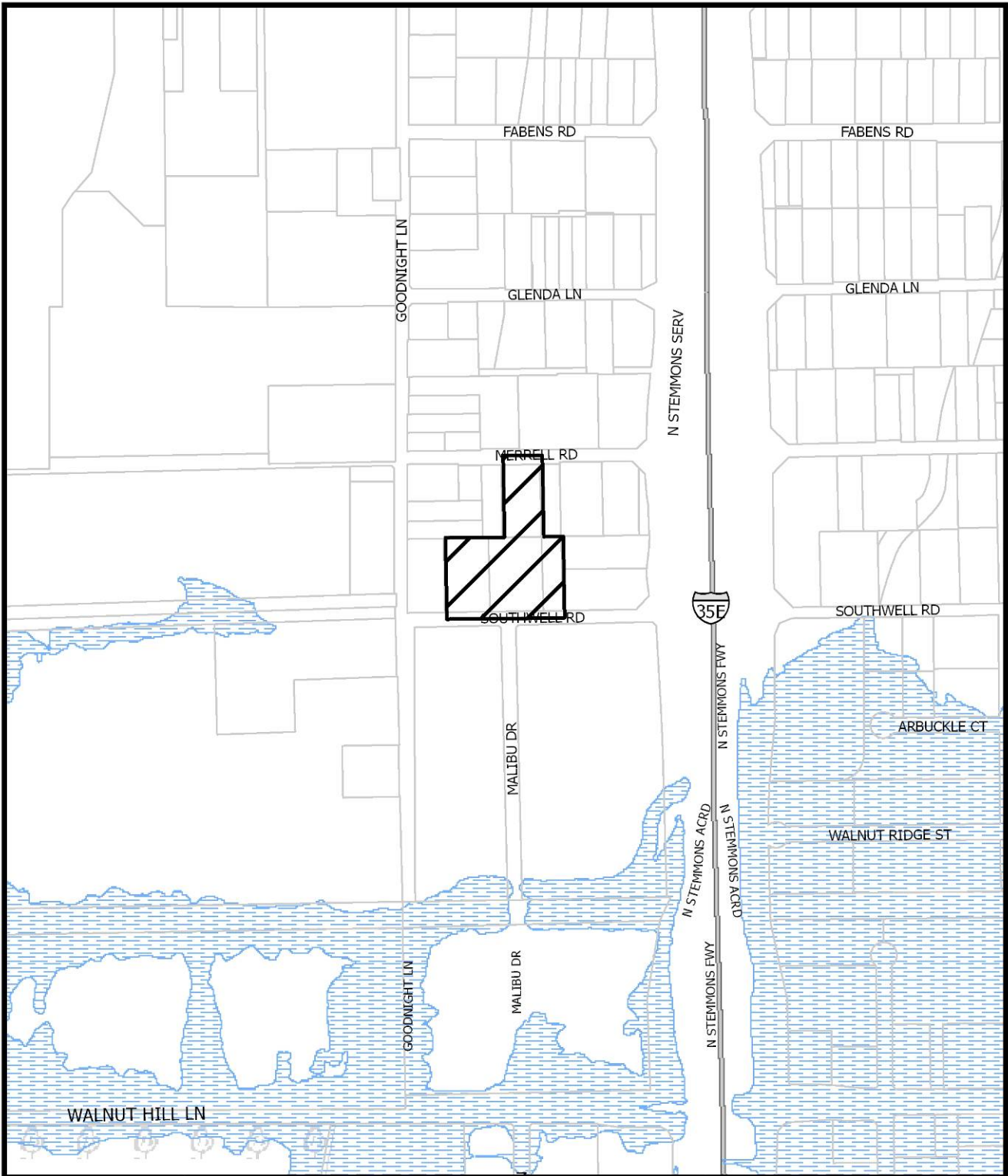
(F) Outside storage higher than six feet is prohibited within 15 feet of the required screening.

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.



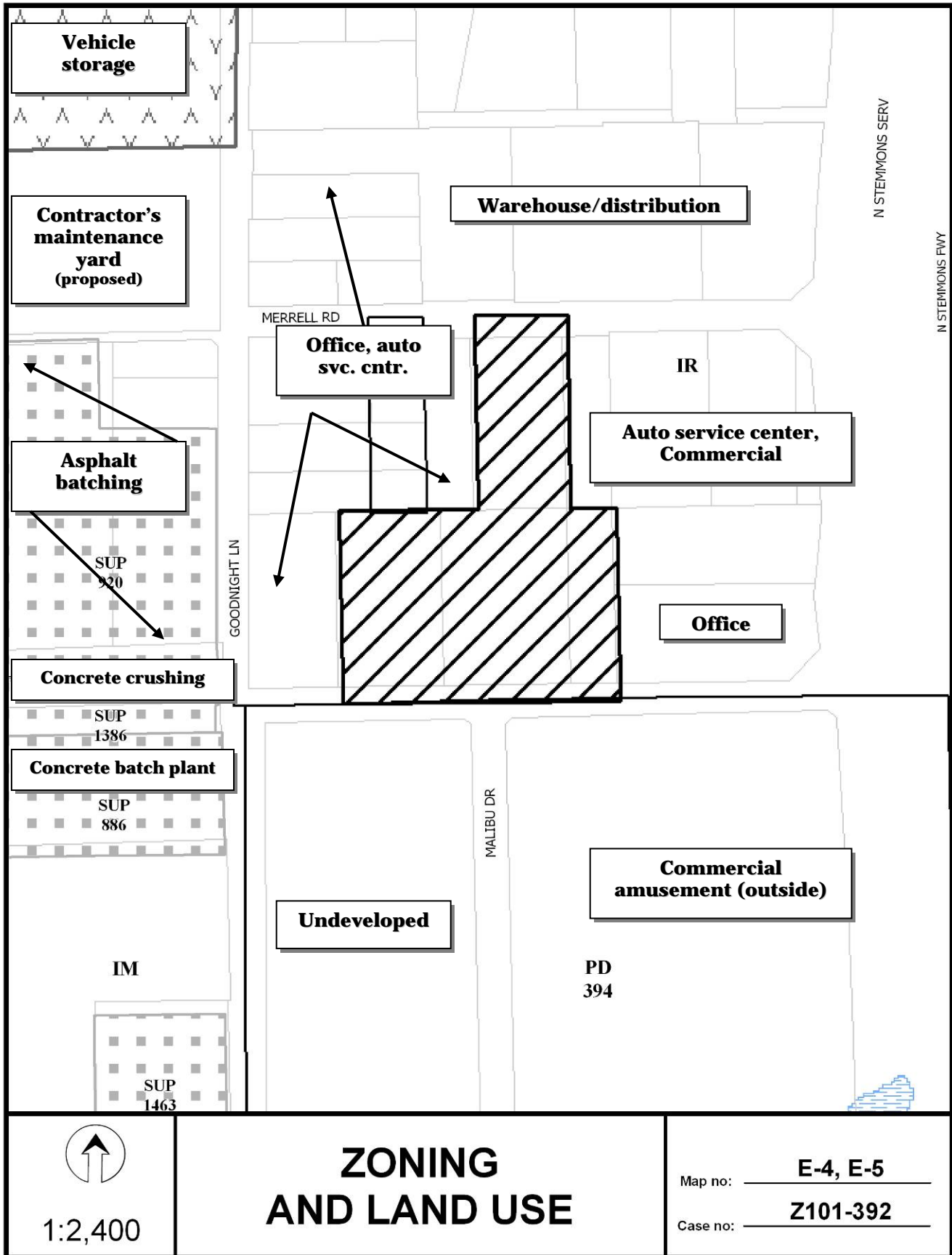
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VICINITY MAP

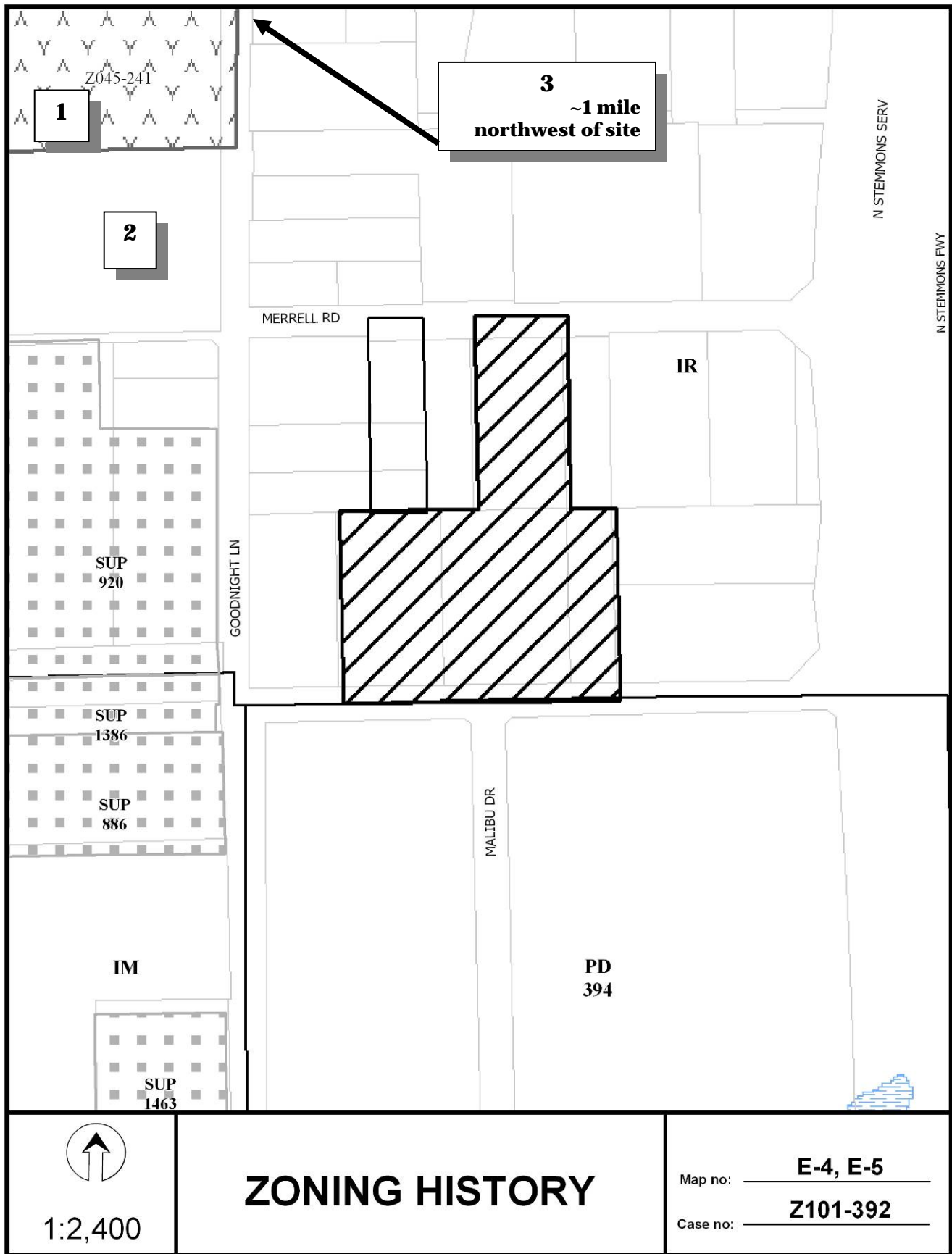
Map no: E-4, E-5

Case no: Z101-392


DATE: October 20, 2011

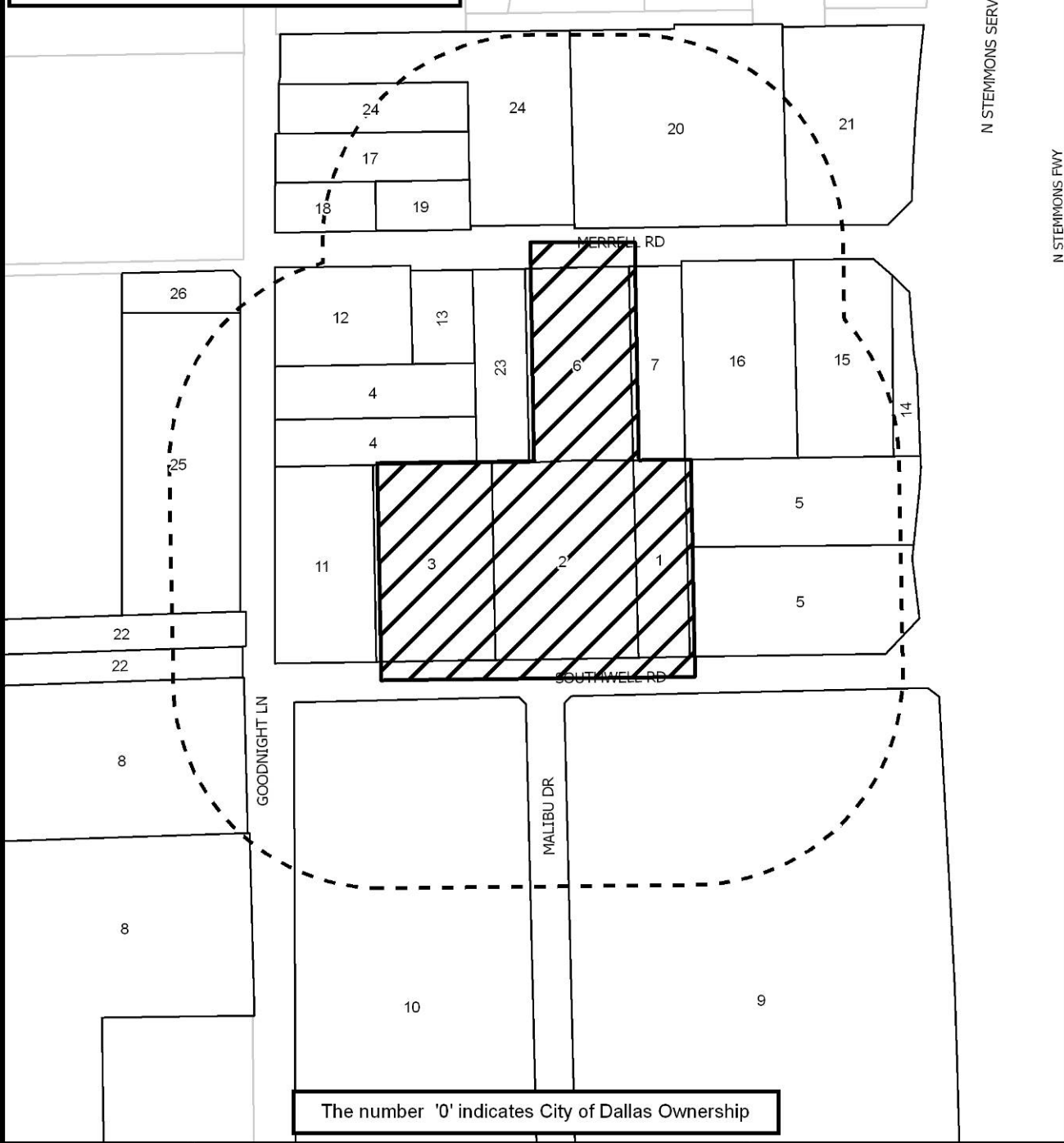


DATE: October 20, 2011




DATE: October 20, 2011

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



The number '0' indicates City of Dallas Ownership


1:2,400

NOTIFICATION

300' AREA OF NOTIFICATION
26 NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: E-4, E-5
 Case no: Z101-392

DATE: October 20, 2011

10/19/2011

Notification List of Property Owners***Z101-392******26 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2345 SOUTHWELL RD	11507 NEWBERRY LLC
2	2333 SOUTHWELL RD	2333 SOUTHWELL LLC
3	2315 SOUTHWELL RD	2315 SOUTHWELL LLC
4	11146 GOODNIGHT LN	VASQUEZ MANUEL DANIEL TRUSTEE MANUEL DAN
5	11111 STEMMONS FWY	TEXO ABC AGC INC
6	2330 MERRELL RD	PICCAGLI ASSOCIATES LTD
7	2340 MERRELL RD	WILLIAMS ALBERT E
8	11131 GOODNIGHT LN	JACKSON ALMA S ET AL % NATIONSBANK OF TE
9	11130 MALIBU DR	STEMMONS PARK LTD % FESTIVAL FUN PARKS
10	11131 MALIBU DR	STEMMONS PARK LTD SUITE 300
11	2305 SOUTHWELL RD	ALLIANCE SERVICES INC A TEXAS CORP
12	11160 GOODNIGHT LN	RHOADS CHARLES ANDREW
13	2320 MERRELL RD	JAG MAC JAGUAR INC
14	2368 MERRELL RD	JAMES DORIS S
15	2356 MERRELL RD	REGAL PLASTICS SUPPLY CO
16	2350 MERRELL RD	CAIN RONALD AUGUST
17	11206 GOODNIGHT LN	HOBRECHT RICHARD BARRY
18	2317 MERRELL RD	AKINS JAMES ESTATE OF % BETTY AKINS
19	11202 GOODNIGHT LN	HOBRECHT RICHARD B
20	2347 MERRELL RD	BCK PROPERTIES JOINT VENTURE
21	11201 STEMMONS FWY	HESTE TRUST HERSHAL G GROUND TRUSTEE
22	11101 NEWKIRK ST	BROWN SOUTHWELL PPTIES INC
23	2324 MERRELL RD	GAMBLE PHILLIP
24	2333 MERRELL RD	FARRAR JAMES MICHAEL
25	11143 GOODNIGHT LN	BROWN LEWISVILLE RR FAM FIRST LP
26	11163 GOODNIGHT LN	AUSTIN INTERNATIONAL VENTURES INC

FILE NUMBER: Z112-163(RB)

DATE FILED: January 13, 2012

LOCATION: Oak Lawn Avenue and Gillespie Street, East Corner

COUNCIL DISTRICT: 14

MAPSCO: 35 W

SIZE OF REQUEST: Approx. 17,076 Sq. Ft.

CENSUS TRACT: 5

APPLICANT/OWNER: Ahns Group, Inc.; Ji Seon Ahn-Sole Officer

REPRESENTATIVE: Richard Rooks

REQUEST: An application for an amendment to the Phase I portion of Planned Development Subdistrict No. 20 for certain GR General Retail Subdistrict Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The applicant is proposing to permit the addition of two additional uses: 1) custom cleaning shop, and 2) tailor, custom sewing, and millinery.

STAFF RECOMMENDATION: Approval, subject to a development/landscape plan and conditions.

BACKGROUND INFORMATION:

- The Phase I portion of PDS No. 20 is developed with a vacant retail structure and surface parking area on both sides of the building.
- On April 9, 1997, the City Council approved PDS No. 20 for certain mixed uses. The PDS was subsequently amended on May 27, 1998 to permit revisions to the residential phase (Phase II) of the PDS and February 9, 2011, to permit revisions to the nonresidential phase (Phase I-the land area associated with this request).
- The applicant is requesting an amendment to the conditions to permit the addition of two additional uses: 1) custom cleaning shop, and 2) tailor, custom sewing, and millinery.
- On January 11, 2012, the City Council approved an appeal by the applicant to grant a waiver of the two-year waiting period between zoning applications on the same property.

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

<u>Thoroughfare/Street</u>	<u>Existing & Proposed ROW</u>
Oak Lawn Avenue	Principal Arterial; 100' & 100' ROW
Gillespie Street	Local; 50' ROW

STAFF ANALYSIS

Area Plans:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.
- (3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

- (4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.
- (5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.
- (6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.
- (7) To promote landscape/streetscape quality and appearance.

The site is developed with a vacant retail structure. No additional floor area is requested, nor revisions to either of the surface parking areas on both sides of the building. It is staff's opinion that the existing improvements are consistent with the objectives as stated in this section.

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

LAND USE 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 Phase I portion of PDS No. 20 is developed with a vacant retail structure and surface parking area on both sides of the building. The applicant is requesting an amendment to the conditions to permit the addition of two additional uses: 1) custom cleaning shop, and 2) tailor, custom sewing, and millinery.

Surrounding land use consists of a mix of nonresidential (office and retail) uses along

Oak Lawn Avenue with the inclusion of a post office west of the site. The balance of this area east of those nonresidential uses fronting the east line of Oak Lawn Avenue consist of low-to-medium density residential uses. It should be noted the Phase II portion of PDS No. 20 abuts Phase I and completes the blockface along Gillespie Street between Oak Lawn Avenue and Welborn Street.

The applicant's requested additional two uses are consistent with those permitted on adjacent properties established along Oak Lawn Avenue. The applicant has agreed to prohibit any future addition of a drop-off/pick-up window. This will maintain the integrity of preventing nonresidential encroachment eastward towards existing residential uses.

As a result of this analysis, staff supports the applicant's request, subject to the attached amending conditions and development/landscape plan.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the requested amendments and determined they will not impact the surrounding street system.

Off-Street Parking: The Phase I portion of PDS No. 20 provides for 35 off-street parking spaces that serve the building. Required parking for this request remains on-site.

Landscaping: The Phase I portion of PDS No. 20 requires compliance with the approved development/landscape plan. Existing landscaping does not mirror that approved with the creation of the PDS.

It should be noted that existing improvements on this corner lot are served by three drive approaches. Combined with virtually 100 percent of the Phase I area possessing nonpermeable surface area, various streetscape improvements would be difficult to implement. As a result, the chief arborist has worked with the applicant to provide for alternative planting areas/materials that ensure adequate visibility for motorists to see pedestrian and vehicular movements around the site, while providing for areas of landscaping.

**STAFF'S RECOMMENDED AMENDING CONDITIONS FOR PLANNED
DEVELOPMENT SUBDISTRICT NO. 20**

SEC. S-20.106. MAIN USES PERMITTED.

(a) Uses permitted in Phase I are as follows:

- Antique store.
- Bakery or confectionary shop.
- Bar, lounge, or tavern.
- Book and stationary store.
- Camera shop.
- Cigar, tobacco, and candy store.
- Clothing store.
- Custom cleaning shop. (pickup and drop-off window is prohibited)
- Drug store.
- Florist store.
- Feed store.
- Pet shop.
- Furniture store.
- Second hand store.
- Hardware or sporting goods store.
- Home improvement center.
- Hobby and art supplies store.
- Liquor store.
- Office.
- Paint and wallpaper store.
- Restaurant without drive-in or drive-through service.
- Retail food store.
- Retail store other than listed.
- Swimming pool sales and supply.
- Tailor, custom sewing, and millinery.(pickup and drop-off window is prohibited)

Existing Conditions

11 0429

2-9-11

ORDINANCE NO. 28121

An ordinance amending Division S-20, "PD Subdistrict 20," of Part II, "PD Subdistrict Regulations," of Article 193, "PD 193," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code, as amended; amending Section S-20 of that division; providing a new development/landscape 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 the Dallas City Code; and

WHEREAS, the city council finds that it is in the public interest to amend Article 193 as specified herein; Now, Therefore,

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

SECTION 1. That Subsection (a) of Section S-20.106, "Main Uses Permitted," of Division S-20, "PD Subdistrict 20," of Part II, "PD Subdistrict Regulations," of Article 193, "PD 193," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"(a) Uses permitted in Phase I are as follows:

- Antique shop.
- Bakery or confectionary shop.
- Bar, lounge, or tavern. [SUP]
- Book and stationary store.
- Camera shop.

28121

11 0429

- Cigar, tobacco, and candy store.
- Clothing store.
- Drug store.
- Feed store.
- Florist store.
- Furniture store.
- Hardware or sporting goods store.
- Home improvement center.
- Hobby and art supplies store.
- Office.
- Paint and wallpaper store.
- Pet shop.
- Restaurant without drive-in or drive-through service.
- Retail food store. [Convenience store as defined in Dallas City Code Chapter 12B is not permitted.]
- Retail store other than listed.
- Second hand store.
- Swimming pool sales and supply.
- [- ~~Bar, lounge, or tavern.~~
- ~~Restaurant without drive-in or drive-through service.~~
- ~~Office.~~
- ~~Liquor store.]”~~

SECTION 2. That Subsection (c), “Floor Area,” of Section S-20.108, “Yard, Lot, and Space Regulations,” of Division S-20, “PD Subdistrict 20,” of Part II, “PD Subdistrict Regulations,” of Article 193, “PD 193,” of Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended to read as follows:

“(c) Floor area.

(1) Except as provided in this subsection, [Maximum floor area for a restaurant without drive-in or drive-through service or a bar, lounge, or tavern is 1,500 square feet. For all other uses,] no maximum floor area.

(2) For Phase I, the footprint of the existing building shown on the development/landscape plan approved on February 9, 2011 may not be expanded eastward.”

28121

11 0429

SECTION 3. That Subsection (a) of Section 20.109, "Off-Street Parking and Loading," of Division S-20, "PD Subdistrict 20," of Part II, "PD Subdistrict Regulations," of Article 193, "PD 193," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"(a) Off-street parking and loading for Phase I must comply with the following regulations ~~[be provided as shown on the development/landscape plan]~~.

(1) Except as provided in this paragraph, Consult Part I of this article for the specific off-street parking and loading requirements for each use. Existing off-street parking shown on the development/landscape plan approved on February 9, 2011 may be located within the visibility triangle.

(2) All required off-street parking must be provided on the Property."

SECTION 4. That Subsection (b), "Phase I," of Section S-20.112, "Landscaping," of Division S-20, "PD Subdistrict 20," of Part II, "PD Subdistrict Regulations," of Article 193, "PD 193," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended to read as follows:

"(b) Phase I.

(1) Except as provided in this subsection ~~[(b)(2) or (b)(3) below]~~, landscaping must be provided as shown on the development/landscape plan.

(2) ~~[If the building official determines that the proposed trees located in the visibility triangles are unsafe or unreasonably impair the public use of the right of way, the affected trees must be planted within the parkway but outside the visibility triangles.~~

~~(3)~~ Within 12 months of the construction of the parking lot located in Part B as shown on the development/landscape plan, screening must be provided adjacent to the southeast line of the parking lot in accordance with Section 51P-193.126(b)(3)(A). For purposes of this condition, construction of the building located on Part C, as shown on the development/landscape plan, constitutes screening for that portion of the parking lot adjacent to the building."

28121

11 0429

SECTION 5. That Section S-20.118, "Zoning Map," of Division S-20, "PD Subdistrict 20," of Part II, "PD Subdistrict Regulations," of Article 193, "PD 193," of Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is deleted as follows:

~~"[SEC. S-20.118. ZONING MAP.~~

~~PD Subdistrict 20 is located on Zoning Map No. I-7.]"~~

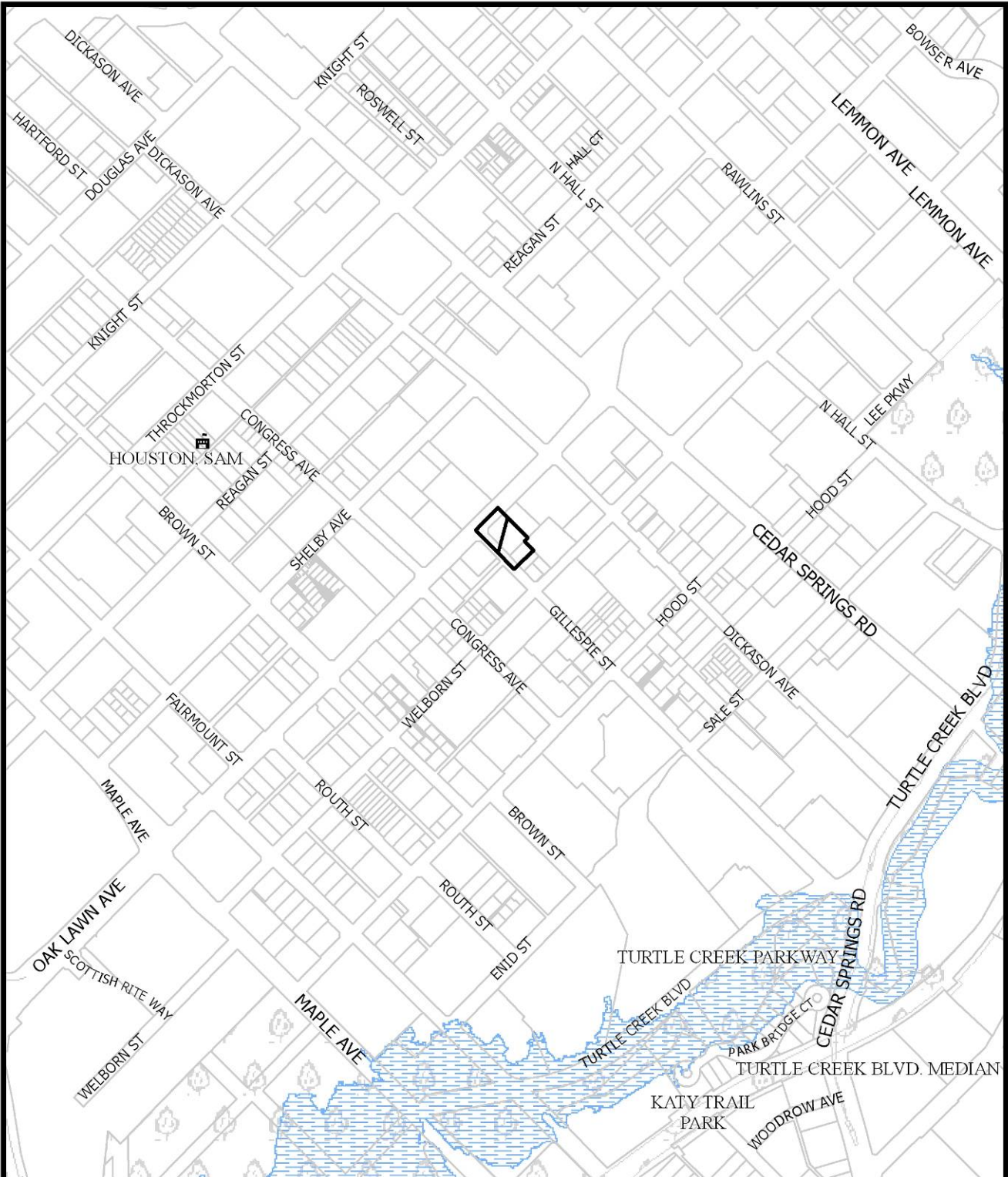
SECTION 6. That the development/landscape plan, Exhibit S-20B of Division S-20 of Article 193 of Chapter 51P of the Dallas City Code, is replaced by the Exhibit S-20B attached to this ordinance.

SECTION 7. That development of this district must comply with the full-scale version of Exhibit S-20B (development/landscape plan) attached to this ordinance. A reduced-sized version of this plan shall be provided in Chapter 51P. Permits shall be issued based on information provided on the full-scale version of the plan.

SECTION 8. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 9. That the zoning ordinances of the City of Dallas and Chapter 51P of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 10. 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.




1:6,000

VICINITY MAP

Case no: **Z112-163**

Date: **2/2/2012**

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

500'

AREA OF NOTIFICATION

172

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-163**

Date: **2/2/2012**

2/2/2012

Notification List of Property Owners***Z112-163******172 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2904 OAK LAWN AVE	DALLAS HEARTLAND PARTNERS
2	3610 CONGRESS AVE	RAWLINS H EARLE JR EST OF % MARY KATHERI
3	2820 OAK LAWN AVE	RANJBARAN JAMSHID & MARZJEH RANJBARAN
4	2814 OAK LAWN AVE	TEXAS LAND & CAPITAL LTD
5	2808 OAK LAWN AVE	5612 YALE HOLDINGS LP
6	2800 OAK LAWN AVE	JANO AT OAK LAWN LP % THE MEDVE GROUP IN
7	2722 OAK LAWN AVE	CANNON YOUNG PPTIES LP
8	2732 OAK LAWN AVE	CANNON PROPERTIES LP
9	2919 WELBORN ST	JST REAL ESTATE LLC STE 101
10	2929 WELBORN ST	CONRADO INC
11	2920 OAK LAWN AVE	INTERPROPERTIES GROUP INC
12	2912 OAK LAWN AVE	SACHDEV PRAVEEN
13	2913 HOOD ST	TABATABAIE HOSSEIN G
14	3600 GILLESPIE ST	BAKER DALE & KAY BAKER
15	3014 OAK LAWN AVE	OAK LAWN M E CHURCH
16	3706 DICKASON AVE	OAK LAWN METH CHURCH EXEMPT 1967
17	3703 CEDAR SPRINGS RD	OAK LAWN METH CH
18	3704 DICKASON AVE	OAK LAWN METH CHURCH
19	3707 CEDAR SPRINGS RD	BD OF TRUSTEES OAK LAWN UNITED METHODIST
20	3631 CEDAR SPRINGS RD	OAK LAWN UNITED METHODIST CHURCH
21	3636 DICKASON AVE	3636 DICKASON LLC
22	3015 OAK LAWN AVE	WARWICK MELROSE DALLAS %WARWICK AMUSEMEN
23	2803 SHELBY AVE	TEXAS INTOWNHOMES LLC
24	2817 SHELBY AVE	SIARAM PROPERTIES LP STE 525
25	2727 OAK LAWN AVE	CANNON YOUNG PPTIES LP STE 200
26	2825 OAK LAWN AVE	U S POSTAL SERVICE

2/2/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3810 CONGRESS AVE	OAK LAWN PLAZA LP
28	2845 HOOD ST	SMITH ALEXANDER W & ANNE
29	2841 HOOD ST	NORRELL STEVE & SHURAH
30	2837 HOOD ST	LOKEY PAUL E LIZ
31	2833 HOOD ST	DOROTHY L MANAGEMENT TR I
32	2825 HOOD ST	COOKE HOWARD F TR
33	2821 HOOD ST	GANARAJ POSAVANIKE S & RATNA CO TRUSTEES
34	2801 HOOD ST	HOOD AND CONGRESS LLC
35	3780 CONGRESS AVE	GANDOLFO ANA MARIA M & CRISTIAN T
36	2801 WELBORN ST	BROOKSHIER ANDREW S
37	2811 WELBORN ST	OTHMAN ANAS R &
38	2813 WELBORN ST	BIGHAM BRYAN LEE & DEBORAH MASSA
39	2803 WELBORN ST	PUTMAN ELEANOR POWELL
40	2805 WELBORN ST	PESTL MARCUS G
41	2807 WELBORN ST	NEWMAN JULIE
42	2809 WELBORN ST	MARTIN ROB
43	2729 WELBORN ST	BOUSTRIDGE MICHAEL
44	3707 CONGRESS AVE	YOUNG CHRISTOPHER R & ELIZABETH P
45	3711 CONGRESS AVE	GREEN DAVID A
46	3715 CONGRESS AVE	MORELAND NANCY
47	3703 CONGRESS AVE	HECKEL PETER A & SHARON L
48	3716 GILLESPIE ST	GINSBERG LAURIE BECKER & MAJOR
49	3722 GILLESPIE ST	MEYRAT RICHARD
50	2905 WELBORN ST	HOFFPAUIR DEBORAH
51	3611 DICKASON AVE	SSL LANDLORD LLC
52	3610 GILLESPIE ST	MINNA JOHN D & LYNN
53	3610 GILLESPIE ST	REMICK KARL V
54	3610 GILLESPIE ST	ROSE BRYAN F &
55	3610 GILLESPIE ST	HEILMAN RONALD H & KAREN L HEILMAN
56	3610 GILLESPIE ST	REMICK KARL V & SVETLANA N
57	3610 GILLESPIE ST	MARTIN CHRISTINA B & LUTHER WILLIAM JR

2/2/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	3610 GILLESPIE ST	BURD KENNETH V & TRUST STEPHANIE
59	3610 GILLESPIE ST	EBERT SEAN A
60	3610 GILLESPIE ST	KIM BRYANT Y
61	3610 GILLESPIE ST	DUNN NANCY H
62	3610 GILLESPIE ST	STEWART JOHN R & INESSA B
63	3610 GILLESPIE ST	HAN EUGENE
64	2909 OAK LAWN AVE	CH REALTY IV 2929 OAKLAWN LP % CROW HOLD
65	2733 OAK LAWN AVE	OAK LAWN OUTDOOR LLC
66	3627 DICKASON AVE	SMITH TREY
67	3627 DICKASON AVE	ADAMS DAVID G
68	3627 DICKASON AVE	HUGHES STEVEN L
69	3727 DICKASON AVE	SNAPP CHARLES W
70	3627 DICKASON AVE	RICE JAMES L & VONDA L RICE
71	3727 DICKASON AVE	HESTON MATTHEW R
72	3727 DICKASON AVE	BOECKLE SCOTT
73	3627 DICKASON AVE	MACIAS TRIMBLE & MACIAS LLC
74	3627 DICKASON AVE	HARTLEY NICHOLE L UNIT 10 BLDG C
75	3627 DICKASON AVE	GALLI JEFFREY
76	3615 GILLESPIE ST	WOOD WILLIAM
77	3615 GILLESPIE ST	MM MUTLIPHE HOLDINGS LLC
78	3615 GILLESPIE ST	DAVIS GREGORY T
79	3615 GILLESPIE ST	BOSSLER STANLEY C BLDG I UNIT H
80	3615 GILLESPIE ST	MARGO WILLIAM W
81	3615 GILLESPIE ST	BOHDAN ERIK
82	3615 GILLESPIE ST	MITCHELL KELLY D
83	3615 GILLESPIE ST	KOELSCH CHRISTOPHER S BLDG II UNIT D
84	2727 HOOD ST	JOHNSON ELIZABETH G
85	2727 HOOD ST	HOWE MARTHA
86	2727 HOOD ST	ABRAMS KERRI ANN
87	2727 HOOD ST	SACHDEV FRAVEEN
88	2727 HOOD ST	KIEDAISCH SCOTT D UNIT 105

2/2/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	2727 HOOD ST	BURNETT KIRBY
90	2727 HOOD ST	WRIGHT LAURIE C
91	2727 HOOD ST	WELLS CORY
92	2727 HOOD ST	EPPERSON ADAM CHRISTOPHER
93	2727 HOOD ST	BENNETT MARK L
94	2727 HOOD ST	NEWELL TIFFANY ANNE UNIT 111
95	2727 HOOD ST	EVANGELISTA MARJORIE S
96	3618 GILLESPIE ST	MCRAE WILLIAM H
97	3618 GILLESPIE ST	LANDRUM MARY E
98	3618 GILLESPIE ST	MILLER ELAINE K & RICHARD B UNIT A103
99	3618 GILLESPIE ST	LYNN JAMES B & KATIE A
100	3618 GILLESPIE ST	BARBER SCOTT C # A-105
101	3618 GILLESPIE ST	SIEGAL MICHAEL UNIT 106
102	3618 GILLESPIE ST	FARRIS EFISIO & LORI
103	3618 GILLESPIE ST	BEGOR BRUCE & ARTURO FIERRO
104	3618 GILLESPIE ST	PACE PATRICIA O UNIT 109B
105	3618 GILLESPIE ST	KOPEC FRANK J & DEBORAH A
106	3618 GILLESPIE ST	SBEITY ALI UNIT 111
107	3618 GILLESPIE ST	WHITTIER ANTONIE BLDG B APT 112
108	2728 WELBORN ST	LINN DIANE E
109	2700 WELBORN ST	SATYU PPTIES LLC
110	2728 WELBORN ST	LINN DIANE E UNIT 127
111	2700 WELBORN ST	ORMSBY BRETT
112	2700 WELBORN ST	BUTLER GERALD W
113	2700 WELBORN ST	DUBBELDE TODD UNIT 228
114	2700 WELBORN ST	WEISFELD RONALD A
115	2700 WELBORN ST	DEAN ASAD & SHAMA DEAN
116	2700 WELBORN ST	SOMES FAMILY TRUST UNIT 235
117	2700 WELBORN ST	MCFARLAIN RANDALL R
118	2700 WELBORN ST	RYAN SCOTT
119	2700 WELBORN ST	DULOCK ALBERT V JR

2/2/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	2700 WELBORN ST	SADEQ ABU & TANIA HAQUE
121	2700 WELBORN ST	HAVELKA JUDY
122	2700 WELBORN ST	ANDERSON DENISE
123	2700 WELBORN ST	VENEGAS ARTURO
124	2700 WELBORN ST	LESZINSKI SLAWOMIR
125	2700 WELBORN ST	MERTENS KATHLEEN
126	2700 WELBORN ST	CARPENTER BLAIR &
127	2700 WELBORN ST	FEDERAL NATIONAL MORTGAGE ASSN
128	2700 WELBORN ST	WALKER JOHN POWELL
129	2700 WELBORN ST	HANLON BRION 316
130	2727 WELBORN ST	HUMPHRIES JOHN F JR
131	2727 WELBORN ST	LEE MINDY MAO
132	2727 WELBORN ST	CARIERE JOHN
133	2727 WELBORN ST	CARIERE JOHN PAUL
134	2727 WELBORN ST	TRUONG DUY D
135	2727 WELBORN ST	WALGAMA RUWANI M UNIT 106
136	2727 WELBORN ST	MEQUET DAVID &
137	2727 WELBORN ST	GILBERT JR RICHARD A
138	2727 WELBORN ST	DEPPERSCHMIDT MARK
139	2727 WELBORN ST	THE SHREVEPORT GROUP LLC
140	2727 WELBORN ST	TRUONG DUY D & WEIWEI JUAN
141	2907 SHELBY AVE	KELSCH DAVID R
142	2909 SHELBY AVE	BUSHE PRISCILLA W BLDG A UNIT 2909
143	2929 SHELBY AVE	MAH YEE CHING BLDG A UNIT 2929
144	2931 SHELBY AVE	DEUTSCHE BANK NATIONAL % OCWEN LOAN SERV
145	2925 SHELBY AVE	ALOISIO GINA M
146	2927 SHELBY AVE	BOLDEN LARRY BLDG B UNIT 2927
147	2947 SHELBY AVE	LEWIS RICHARD S BLDG B UNIT 2947
148	2949 SHELBY AVE	THRESHER STUART D UNIT 2949
149	2911 SHELBY AVE	MENDOLIA PAUL JR BLDG C UNIT 2911
150	2913 SHELBY AVE	RAMIREZ VIRGINIA NOEMI SANZ

2/2/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	2915 SHELBY AVE	JJEMMA LLC
152	2919 SHELBY AVE	MCLARRY ELIZABETH
153	2921 SHELBY AVE	ARNETT MARGARET L
154	2923 SHELBY AVE	HEADINGS THEODORE H
155	2933 SHELBY AVE	RIVIELLO CHRISTINE UNIT 2933
156	2935 SHELBY AVE	BRAY WADE
157	2937 SHELBY AVE	RODRIGUEZ ROSA M
158	2939 SHELBY AVE	COLE CRAIG
159	2941 SHELBY AVE	DICKERSON JEFFREY H UNIT 2941 BLDG C
160	2943 SHELBY AVE	YOUNG KAREN E
161	2945 SHELBY AVE	OBRIEN ANN LOUISE
162	2802 WELBORN ST	SHUGHRUE CYNTHIA L & CARLOS L BARRAGUE
163	2804 WELBORN ST	BOUNDS JAMES T III UNIT 2
164	2806 WELBORN ST	FUNK JUDITH EHMAN
165	2808 WELBORN ST	BORLENGHI ELLEN S
166	2810 WELBORN ST	SCOTT LLOYD & ALVIN C TISDALE
167	2812 WELBORN ST	JANSING WILLIAM S
168	2814 WELBORN ST	BOLIN DENNIS L UNIT 7
169	2816 WELBORN ST	ENGLISH RICK L & SUSAN P
170	2818 WELBORN ST	GUZZETTI WILLIAM L
171	2815 WELBORN ST	WAIATARUA INC %STEVE STRANGE
172	2815 WELBORN ST	WAIATARUA INC % STEVE STRANGE

Planner: Richard E. Brown

FILE NUMBER: Z101-390(RB) **DATE FILED:** September 16, 2011

LOCATION: Goodnight Lane and Merrell Road, Northwest Corner

COUNCIL DISTRICT: 6 **MAPSCO:** 22 L

SIZE OF REQUEST: Approx. 3.36 Acres **CENSUS TRACT:** 99

APPLICANT: Bencor Corporation

OWNER: 2333 Southwell, LLC

REPRESENTATIVE: Michael R. Coker

REQUEST: An application for an IM Industrial Manufacturing District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.

SUMMARY: The applicant proposes to continue operating a contractor's maintenance yard on the property and has volunteered deed restrictions prohibiting certain uses and providing for specific operational regulations.

STAFF RECOMMENDATION: Approval, subject to deed restrictions volunteered by the applicant.

PRIOR CPC ACTION: On February 16, 2012, the City Plan Commission held this request under advisement until March 1, 2012.

BACKGROUND INFORMATION:

- The site is utilized for a contactor's maintenance yard.
- The current zoning does not permit this use, thus the request for an IM District.
- The applicant has volunteered deed restrictions that prohibit certain uses as well as provide for certain operational regulations.

Zoning History:

<u>File No.</u>	<u>Request, Disposition, and Date</u>
1. Z045-241	An IM District on property zoned an IR District. On August 24, 2005, the City Council approved the request, subject to deed restrictions that provide for screening and setback regulations as well as prohibiting certain uses on a portion of the property.
2. Z101-391	An IM District on property zoned an IR District. Pending the March 1, 2012 CPC public hearing.
3. Z101-392	An IM District on property zoned an IR District. Pending the March 1, 2012 CPC public hearing.

<u>Thoroughfare</u>	<u>Designation; Existing & Proposed ROW</u>
Goodnight Lane	Collector; 60' & 60' ROW
Merrell Road	Collector; 60' & 60' ROW

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered an Industrial Area. These areas, which offer important employment opportunities, occupy large areas of land and usually are near major roads and heavy rail lines. Evolving technology and the need for freight movement through Dallas to the rest of the country and internationally means this sector can offer good opportunities for jobs. Logistics and warehousing, a growing industry with strong potential for upward mobility of skilled workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include

a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial Areas rely on quality road access and may be linked to rail for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The request site is utilized by the applicant as a contractor's maintenance yard, a use not permitted by the existing IR District. The applicant proposes to continue this operation, and as part of the request, volunteered deed restrictions that prohibit certain uses as well as provide for certain operational regulations. On a related matter, the applicant has submitted two additional applications to provide for zoning that permits this same use (see Zoning History, above).

It should be noted the applicant purchased this property and began operations as a contractor's maintenance yard without a certificate of occupancy. Prior to the city's zoning transition in 1989, the property was zoned an I-2 District, which permitted this use.

The site is surrounded by industrial uses (both inside and outside use classifications) and supporting administrative/office components. Scattered auto service center uses are found interspersed among these uses east of the site.

This area of the city possesses a large percentage of industrial users that rely on convenient freeway accessibility (IH 35/IH 635/Loop 12) thus a significant amount of truck traffic is present in the area. While many of these uses are situated on large parcels and are relatively 'open', it is staff's opinion that certain regulations that maintain a compatible business environment required by the existing IR District zoning should be considered during a zoning change that provides for a canvas for a more intense level of industrial uses (both use-wise and operationally). With regard to this issue, the applicant has worked with staff to address many of these concerns, thus the attached deed restrictions have been volunteered to mitigate for much of this.

As a result of this analysis, staff supports the request, subject to the attached volunteered deed restrictions.

Landscaping: The site is void of landscape materials. No landscaping is being proposed, however Article X requirements will be enforced should future improvements trigger such.

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 significant impact on the surrounding street system.

Partners, Principals, Officers

Bencor Corporation

Ugo Piccagli
GianCarlo Santarelli
Lawrence Piccagli
Max Piccagli

11507 Newberry LLC - Partners

Ugo Piccagli
Caterina Piccagli
Lawrence Piccagli
Max Piccagli

2333 Southwell LLC - Partners

Ugo Piccagli
Caterina Piccagli
Lawrence Piccagli
Max Piccagli

Piccagli Associates LTD - Partners

Piccagli Management, LLC, General Partner
Ugo Piccagli, Manager
Caterina Piccagli
Lawrence Piccagli
Max Piccagli

2315 Southwell LLC - Partners

GianCarlo Santarelli
Piccagli Associates LTD:
Ugo Piccagli
Caterina Piccagli
Lawrence Piccagli
Max Piccagli

Z101-390(RB)

THENCE North 89 degrees 55 minutes 11 seconds East a distance of 492.16 feet to a set 5/8 inch iron rod in the West line of Goodnight Lane for corner;

THENCE South 00 degrees 43 minutes 26 seconds West along said West line of Goodnight Lane a distance of 299.44 feet to the POINT OF BEGINNING and containing 3.3917 acres of land, more or less.

II.

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

- (1) The following uses are prohibited:
 - (A) Industrial uses.
 - Industrial (outside) potentially incompatible.
 - Metal salvage facility.
 - Mining.
 - Outside salvage or reclamation.
 - (B) Miscellaneous uses.
 - Hazardous waste management facility.
 - (C) Retail and personal service uses.
 - Drive-in theater.
 - (D) Transportation uses.
 - Railroad yard, roundhouse, or shops.
 - (E) Utility and public service uses.
 - Electrical generating plant.
 - Refuse transfer station.
 - Sanitary landfill.
 - Sewage treatment plant.
 - (F) Wholesale, distribution, and storage uses.
 - Auto auction.
 - Livestock auction pens or sheds.

- Outside storage (without visual screening).
- Petroleum product storage and wholesale.
- Sand, gravel, or earth sales and storage.
- Vehicle storage lot.

(2) Outside storage that exceeds six feet in height is prohibited within 15 feet of the west right-of-lane line of Goodnight Lane.

(3) Screening of any outside storage uses and contractor's maintenance yards, as defined in the Dallas Development Code, must be provided as follows:

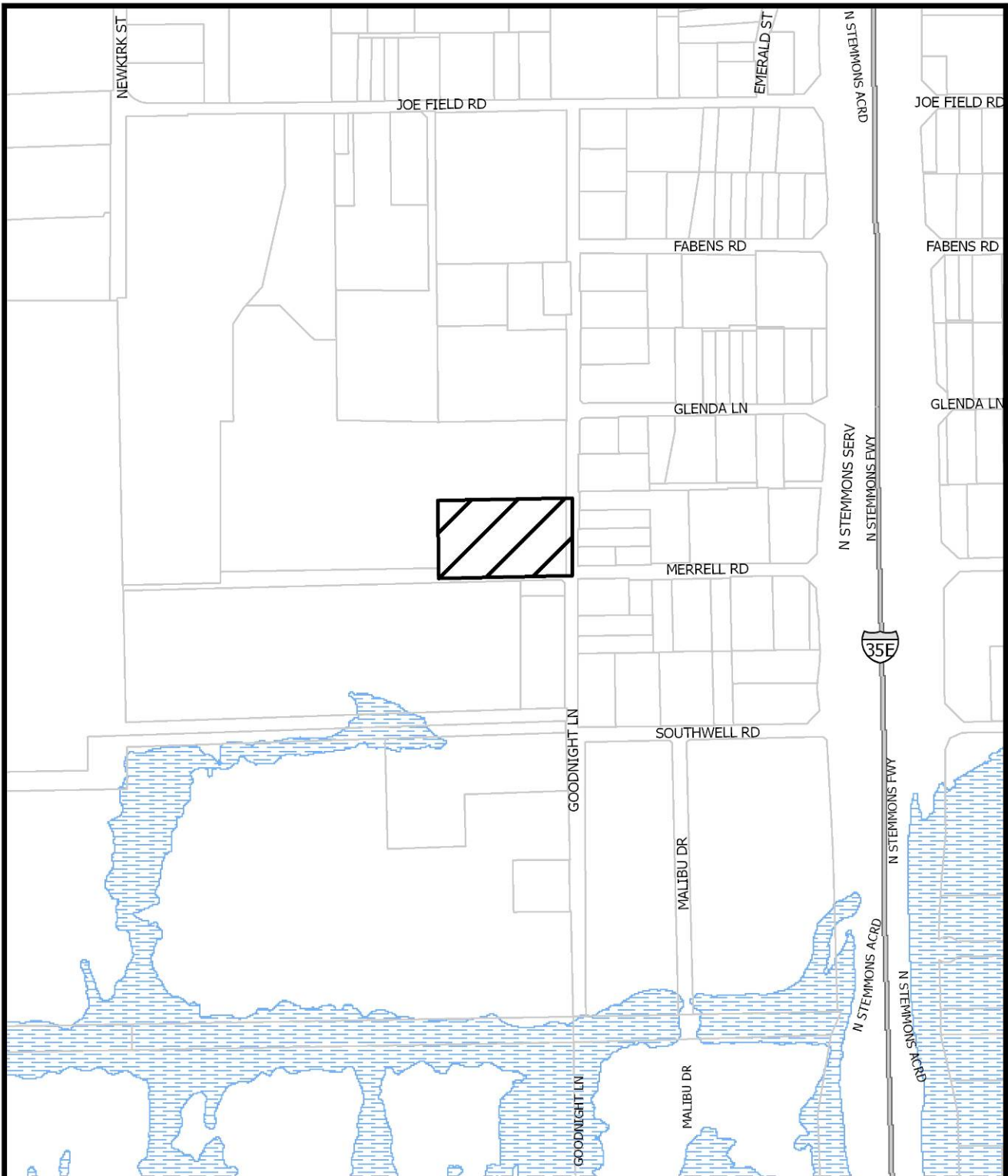
- A. Where the property abuts Goodnight Lane solid screening is required between the outside storage and the west right-of-way line of Goodnight Lane.
- B. Solid screening is required between the outside storage and the south property line.
- C. Solid screening may be either a solid fence or a building.
- D. Screening provided by a fence shall be a minimum of six feet in height and is prohibited in any visibility triangle area.
- E. Access to any portion of the property is permitted through the screening fence.

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.



1:6,000

VICINITY MAP

Case no: Z101-390

Date: 11/17/2011

PD
554

GLEENDA LN

Vehicle storage

Z045-241

Office/Commercial

MERRELL RD

Commercial/Industrial

Asphalt
batching plant

SUP
920

GOODNIGHT LN

SUP
1386

IM

SUP

PD

SU DR

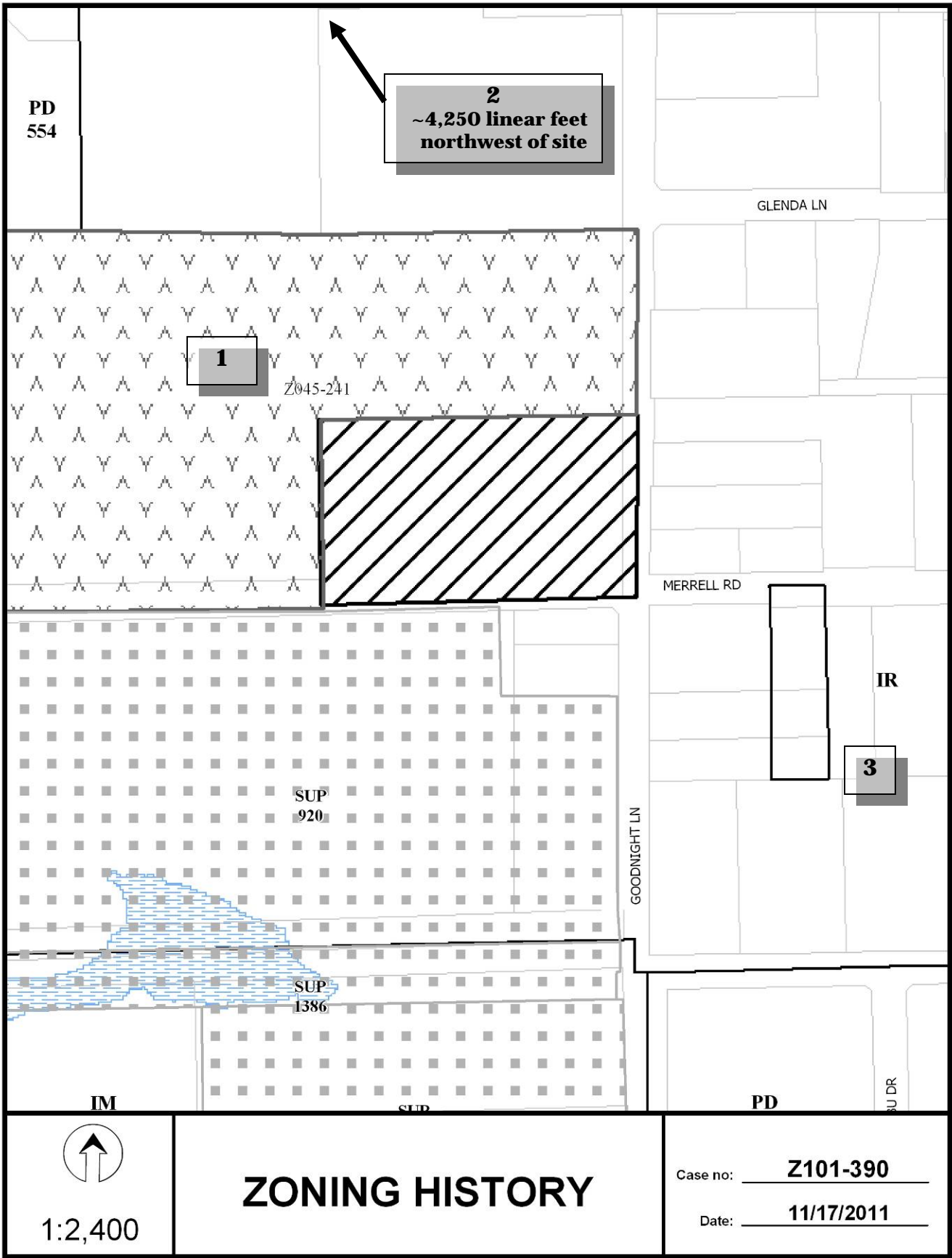


1:2,400

ZONING AND LAND USE


Case no: Z101-390

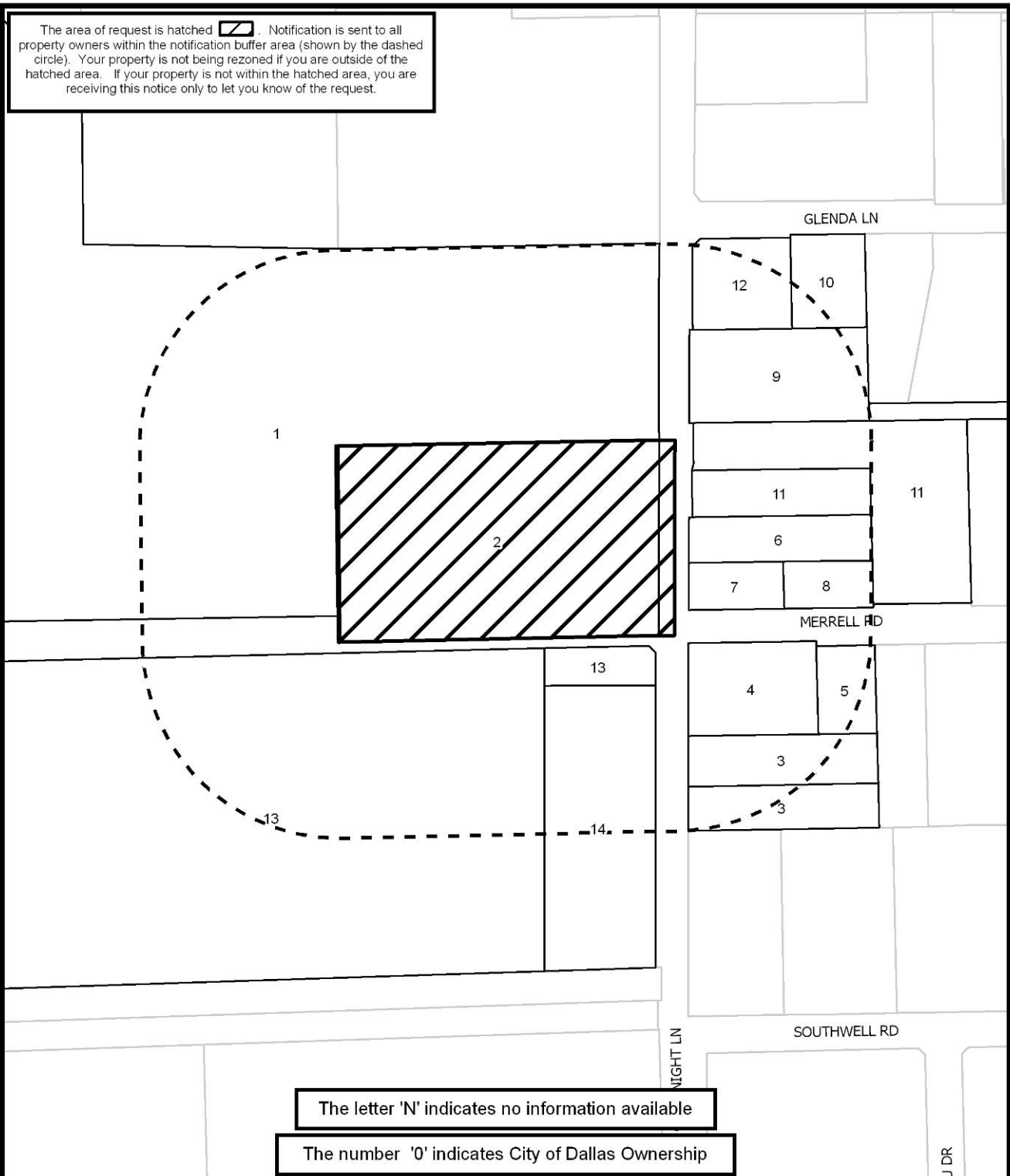
Date: 11/17/2011



ZONING HISTORY


Case no: Z101-390
 Date: 11/17/2011

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 letter 'N' indicates no information available

The number '0' indicates City of Dallas Ownership


1:2,400

NOTIFICATION

300' AREA OF NOTIFICATION
14 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: Z101-390
 Date: 11/17/2011

11/17/2011

Notification List of Property Owners

Z101-390

14 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	11200 GOODNIGHT LN	BROWN LEWISVILLE RAILROAD FAMILY FIRST L
2	11201 GOODNIGHT LN	2333 SOUTHWELL LLC
3	11154 GOODNIGHT LN	VASQUEZ MANUEL DANIEL TRUSTEE MANUEL DAN
4	11160 GOODNIGHT LN	RHOADS CHARLES ANDREW
5	2320 MERRELL RD	JAG MAC JAGUAR INC
6	11206 GOODNIGHT LN	HOBRECHT RICHARD BARRY
7	2317 MERRELL RD	AKINS JAMES ESTATE OF % BETTY AKINS
8	11202 GOODNIGHT LN	HOBRECHT RICHARD B
9	11212 GOODNIGHT LN	BIGGS BROTHERS LLC
10	2314 GLENDA LN	ADVANCED CONSTRUCTION SERV INC
11	11208 GOODNIGHT LN	FARRAR JAMES MICHAEL
12	11220 GOODNIGHT LN	BCK PROPERTIES JOINT VENTURE
13	11143 GOODNIGHT LN	AUSTIN INTERNATIONAL VENTURES INC
14	11143 GOODNIGHT LN	BROWN LEWISVILLE RR FAM FIRST LP

FILE NUMBER: Z101-233(MW)

DATE FILED: March 28, 2011

LOCATION: Southwest corner of East 8th Street and South RL Thornton Freeway.

COUNCIL DISTRICT: 1

MAPSCO: 55-A

SIZE OF REQUEST: ±0.54 acre

CENSUS TRACT: 48

REPRESENTATIVE: Ralph Martinez

APPLICANT: Carlos Rios, sole officer of Rios Properties, LLC.

OWNER: Rios Properties, LLC

REQUEST: An application for an MU-2 Mixed Use District and a Specific Use Permit for a convenience store with drive-through on property zoned an MU-1 Mixed Use-1 District on the southwest corner of East 8th Street and South RL Thornton Freeway.

SUMMARY: The applicant intends to convert an existing carwash into a drive-through convenience store. An existing drive-through restaurant and restroom/storage building will remain on the site.

PREVIOUS ACTION: On February 2, 2012, the City Plan Commission recommended **approval** of this zoning request. On February 16, 2012, the City Plan Commission voted to **reconsider** the zoning request; the case was held under advisement with the public hearing left open until March 1, 2012.

STAFF RECOMMENDATION: **Denial**

BACKGROUND INFORMATION:

- The ±0.54-acre request site is developed with two main uses: 1) a drive-through restaurant which includes a covered outdoor seating area and 2) a drive-through carwash and associated restroom/storage building.
- The applicant intends to convert the carwash into a drive-through convenience store from which convenience goods, beer and wine will be sold. The proposed improvements will consist of beverage coolers, merchandise displays and drive-through window; no expansion of the existing floor area is proposed.
- The MU-1 Mixed Use Zoning District does not allow for a convenience store with drive-through; this use is permitted by SUP only in the CR Community Retail, RR Regional Retail, CS Commercial Service IR Industrial Research, IM Industrial Manufacturing, MU-2 Mixed Use, MU-3 Mixed Use and Multiple Commercial Districts.
- The request site is surrounded by a motel and auto-related uses to the north; RL Thornton Freeway to the east; single family and office to the south; and single family to the east.

Zoning History:

There have been recent zoning requests in the immediate vicinity of the request site.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
RL Thornton Freeway	Interstate Highway	Variable
8th Street	Principal arterial	60 feet

Land Use:

	Zoning	Land Use
Site	MU-1	Drive-through restaurant, restroom/storage building; carwash
North	MU-1; RR	Motel; auto-related use
East	MU-1	Right-of-way
South	MU-1	Single family; office
West	MU-1	Single family

STAFF ANALYSIS:

Area Plans:

The request site is within the North Oak Cliff Land Use and Development Plan, dated April 1986. The plan recommends rehab/redevelopment with low-rise office and commercial uses for the area in which the request site is located. The study recognizes that, while north Oak Cliff is a generally a community of neighborhoods, the area may be bounded by a neighborhood or community retail area, or “mom-and-pop” retail uses within neighborhoods at a pedestrian scale and within walking distance from the residences.

Comprehensive Plan:

The subject site is identified as being within an Urban Neighborhood Building Block on the *forwardDallas!* Vision Illustration, adopted June 2006.

Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

The applicant’s request is not consistent with the following goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

The applicant’s proposal to develop the site with an auto-oriented use is not consistent with the Urban Neighborhood Building Block which is intended to accommodate a pedestrian-oriented, but predominately residential, mix of uses.

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.

The applicant’s proposal for an MU-2 Mixed Use District is not consistent with the MU-1 Mixed Use District prevalent in this area. The proposed MU-2 Mixed Use District would allow for twice the height and intensity as currently allowed. Specifically, the maximum height allowed for buildings in the MU-2 Mixed Use District is 180 feet; the maximum permitted floor area ratio is 2.25 square feet of building area to 1 square foot of land. The maximum height allowed for buildings in the MU-1 Mixed Use is 90 feet; the maximum permitted floor area ratio is 1.1 square feet of building area to 1 square foot of land.

NEIGHBORHOOD ELEMENT

7.1: PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS

7.1.2: Promote neighborhood-development compatibility.

The proposed auto-oriented use is not considered compatible with the adjacent residential development. However, it is noted that the applicant revised the initial site plan to reflect a drive-through window that is oriented away from the single family homes adjacent to the south of the request site.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
MU-1 Mixed use-1	15'	20' adjacent to residential OTHER: No Min.	0.8 FAR base 1.0 FAR maximum + bonus for residential	90' 7 stories 120' 9 stories with retail	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential
MU-2 Mixed use-2	15'	20' adjacent to residential OTHER: No Min.	1.6 FAR base 2.0 FAR maximum + bonus for residential	135' 10 stories 180' 14 stories with retail	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential

Land Use Compatibility:

The ±0.54-acre request site is developed with two main uses: 1) a drive-through restaurant which includes a covered outdoor seating area and 2) a drive-through carwash and associated restroom/storage building. The applicant intends to convert the carwash into a drive-through convenience store from which convenience goods, beer and wine will be sold. The proposed improvements will consist of beverage coolers, merchandise displays and drive-through window; no expansion of the existing floor area is proposed.

The request site is surrounded by a motel and auto-related uses to the north; RL Thornton Freeway to the east; single family and office to the south; and single family to the east.

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

A convenience store with drive-through service requires a minimum of two (2) off-street stacking spaces. As depicted on the proposed site plan, six (6) off-street stacking spaces will be provided, consistent with the requirements for a restaurant with drive-through service. The site plan complies with the development code requirement for stacking, but given the site's frontage on an interstate highway and a principal arterial and short distance between driveway approaches, planning staff does not believe the site is configured to safely or efficiently accommodate two drive-through uses.

While staff encourages the adaptive reuse of existing buildings, both the proposed MU-2 Mixed Use District and the auto-oriented use are considered incompatible with the existing development pattern, as well as with the potential for redevelopment in this area. Therefore, staff does not support this request.

Traffic:

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

Parking:

Parking must be provided pursuant to §51A-4.200 of the Dallas Development Code. The restaurant with drive-in or drive-through service requires one (1) space per 100 square feet of floor area; the drive-through convenience store requires one (1) space per 200 square feet of floor area. Therefore, the ±1,016-square foot restaurant (which includes the covered outdoor seating area) and the ±696-square-foot drive-through convenience store (which includes the restroom/storage area) will require 14 spaces. Parking will be proved as shown on the site plan.

Z101-233(MW)

Landscaping:

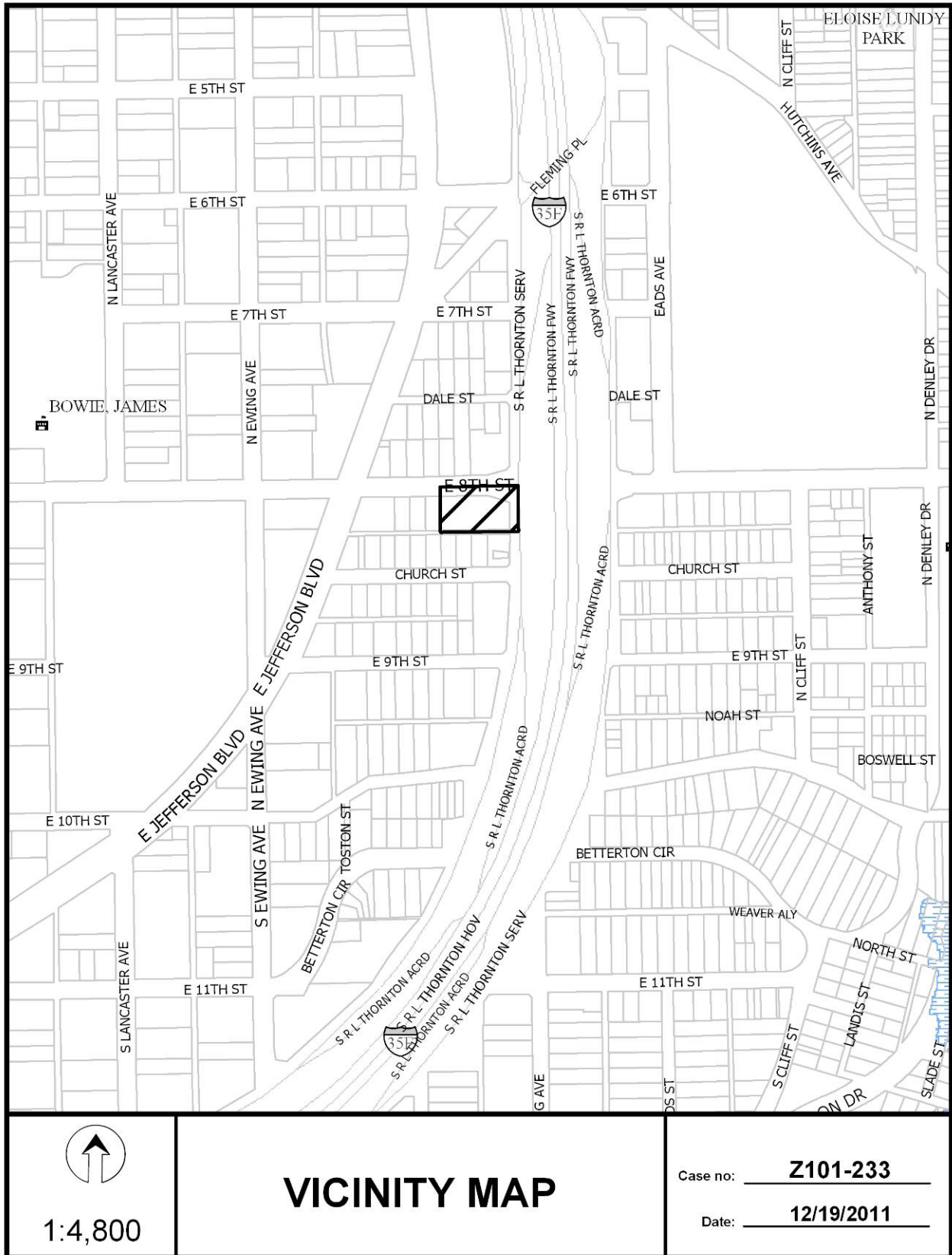
Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant's request will not trigger any Article X requirements, as no new construction is proposed on the site.

Proposed Conditions:

Staff does not support the request; however, we have worked with the applicant to provide conditions for the City Plan Commission's consideration in the event that the Commission opts not to follow staff's recommendation but to recommend approval of the SUP for a convenience store with drive-through.

Z101-233
Applicant Proposed SUP Conditions

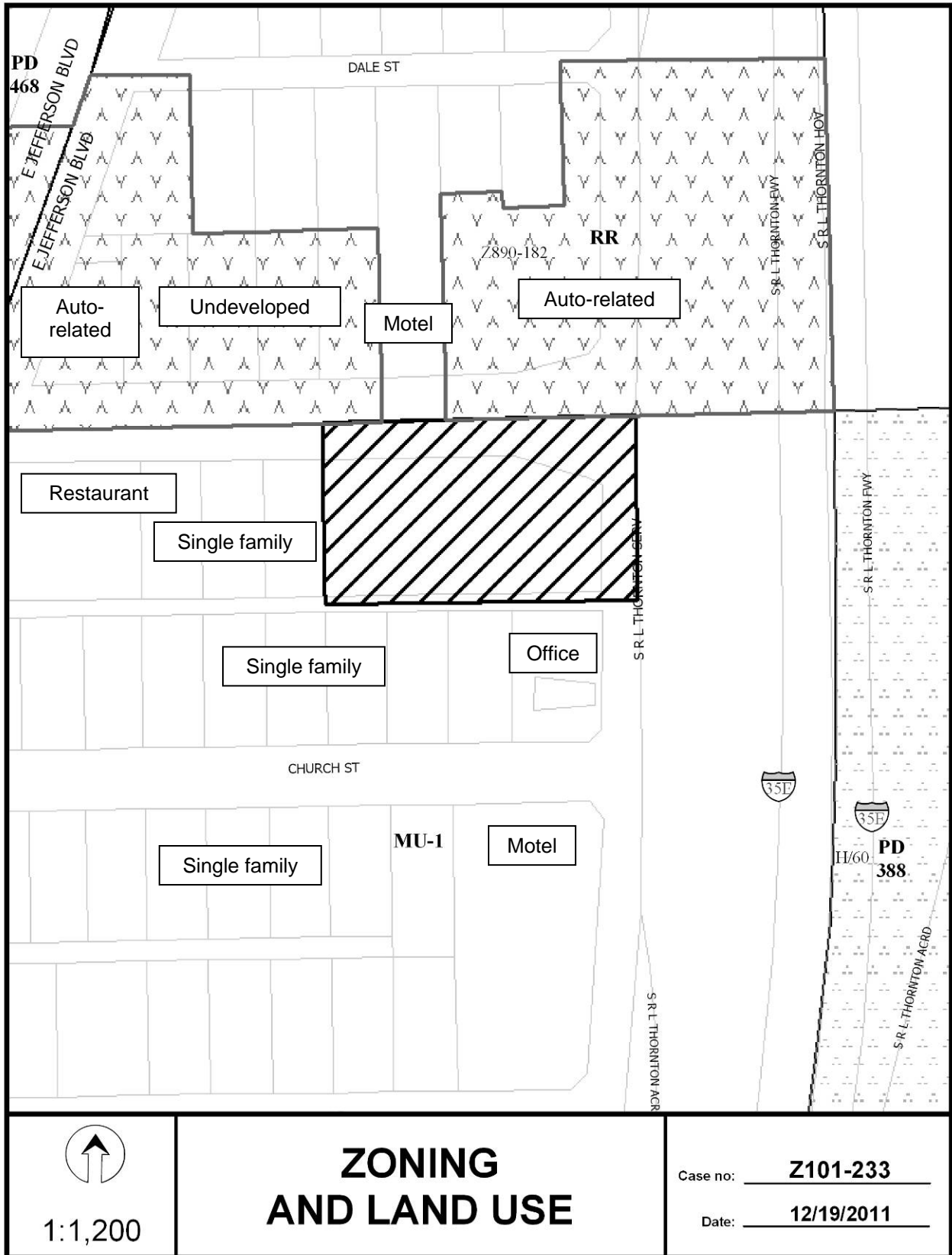
1. USE: The only use authorized by this specific use permit is a convenience store with drive-through.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on_____.
4. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
5. HOURS OF OPERATION: The convenience store with drive-through service may only operate between 7:00 a.m. and 12:00 a.m. (the next day), Monday through Friday, between 7:00 a.m. and 1:00 a.m. (the next day) on Saturday and between 12:00 pm and 12:00 am (the next day) on Sunday.
7. PARKING: Parking must be located as shown on the attached site plan.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

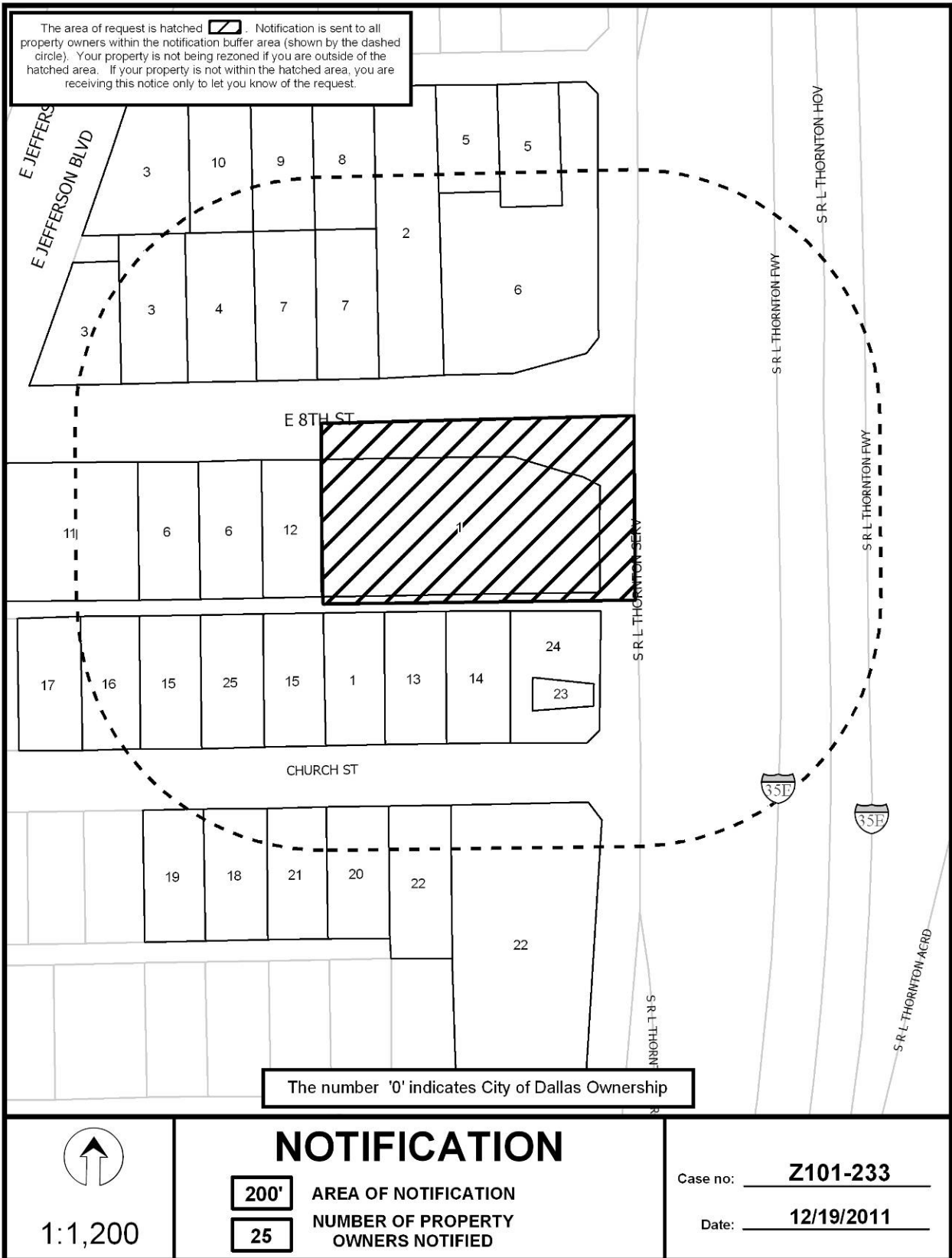


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VICINITY MAP

Case no: **Z101-233**
Date: **12/19/2011**





12/19/2011

Notification List of Property Owners***Z101-233******25 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	930 8TH ST	RIOS PROPERTIES LLC
2	921 8TH ST	PATEL RAJNIKANT L
3	910 JEFFERSON BLVD	MORRISON JAY II
4	909 8TH ST	MARTINEZ FERNANDO
5	924 DALE ST	LACKEY HARRY T JR & DONNA J
6	929 8TH ST	MARTINEZ RAUL & LETICIA
7	911 8TH ST	ABDOLLAHIDEMENEH MORTAZA & PARI VAKILBAH
8	912 DALE ST	ABDOLLANIDEMENEH MORTAZA
9	908 DALE ST	QUEME EASTER MARISELVA
10	904 DALE ST	MORRISON JAY R
11	842 JEFFERSON BLVD	LACKEY JOHN
12	920 8TH ST	RATH MARY L % ANTONIA LOZANO
13	935 CHURCH ST	RIOS PPTIES LLC
14	939 CHURCH ST	MORA & ASSOCIATES
15	927 CHURCH ST	RIOS CARLOS & EFIGENIA
16	915 CHURCH ST	BRAVO ALFREDO & BERTHA
17	911 CHURCH ST	CEDILLO MARIA
18	916 CHURCH ST	CHAVARRIA CRUZ T &
19	912 CHURCH ST	GRIMES DAVID & RHONDA
20	926 CHURCH ST	CALIXTO ARACELY
21	920 CHURCH ST	MACIAS JUAN I & PATRICIA
22	930 CHURCH ST	MASTERS KETAN & KUSUM
23	457 R L THORNTON FWY	PRESCOTT INTEREST LTD
24	457 R L THORNTON FWY	MORA GUADALUPE
25	923 CHURCH ST	YANGTZE RIVER REALTY LLC

FILE NUMBER: Z112-155(MW)

DATE FILED: January 6, 2012

LOCATION: Northeast corner of Park Lane and Pineland Drive

COUNCIL DISTRICT: 13

MAPSCO: 26-V

SIZE OF REQUEST: ±0.778 acre

CENSUS TRACT: 78.21

REPRESENTATIVE: Tailim Song Law Firm

APPLICANT: John Chong

OWNER: Lewis E. Becker and Bettie L. Becker

REQUEST: An application for an NS(A) District on property zoned an MF-1(A) Multifamily District

SUMMARY: The applicant intends to develop the site with a ±5,600-square foot commercial strip center comprised of two uses: a general merchandise or food store 3,500 square feet or less (a convenience store) and a dry cleaning or laundry store (coin-operated self-serve laundry).

STAFF RECOMMENDATION: Denial

BACKGROUND INFORMATION:

- The ±0.778-acre request site is undeveloped. It is noted; however, that there is a significant number of trees on the site.
- The applicant intends to develop the site with a ±5,600-square foot commercial strip center comprised of two uses: a general merchandise or food store 3,500 square feet or less (a convenience store) and a dry cleaning or laundry store (coin-operated self-serve laundry).
- The request site is surrounded by undeveloped, densely treed land (railway corridor) to the north and east; an equestrian center also to the east; and condominiums to the south and west.
- The request site is located adjacent to the planned East Dallas Veloway Trail which is currently under design in partnership with Dallas County.

Zoning History:

1. **Z078-108:** On February 23, 2008, the City Council approved an amendment to PDD No. 344.

Thoroughfares/Streets:

Thoroughfares/Streets	Type	Existing ROW
Park Lane	Collector	Variable
Pineland Drive	Collector	64 feet

Land Use:

	Zoning	Land Use
Site	MF-1(A)	Undeveloped
North	MF-1(A); R-7.5(A)	Undeveloped
East	MF-1(A); PDD No. 344	Undeveloped; equestrian center
South	MF-2(A)	Condominiums
West	MF-1(A)	Condominiums

STAFF ANALYSIS:

Comprehensive Plan:

The Vision Illustration depicts the request site as *Open Space* on the edge of a *Residential Neighborhood* Building Block. Therefore, the applicant's request for an NS(A) Neighborhood Service District and intent to develop the site with two non-residential uses is not consistent with the following goals and policies of the Comprehensive Plan.

LAND USE

GOAL 1.2 Promote desired development

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

HOUSING ELEMENT

GOAL 3.1 Ensure a sustainable and efficient long-range housing supply

Policy 3.1.3 Encourage stabilization of existing neighborhoods

URBAN DESIGN

GOAL 5.2 Strengthen community and neighborhood identity

Policy 5.2.1 Maintain neighborhood scale and character

ENVIRONMENT ELEMENT

GOAL 6.4 Identify, protect and restore open space

Policy 6.4.2 Protect open space

Policy 6.4.3 Acquire natural areas

NEIGHBORHOOD ELEMENT

GOAL 7.1 Promote vibrant and viable neighborhoods

Policy 7.1.2 Promote neighborhood-development compatibility

Land Use Compatibility:

The ±0.778-acre request site is undeveloped. It is noted; however, that there is a significant number of trees on the site.

The applicant intends to develop the site with a ±5,600-square foot commercial strip center comprised of two uses: a general merchandise or food store 3,500 square feet or less (a convenience store) and a dry cleaning or laundry store (coin-operated self-serve laundry).

The request site is surrounded by undeveloped, densely treed land (railway corridor) to the north and east; an equestrian center also to the east; and condominiums to the south and west.

It is noted that the request site is located adjacent to the planned East Dallas Veloway Trail which is currently under design in partnership with Dallas County. The City of Dallas Park and Recreation Department suggests that the property owner consider this and design the site to promote and accommodate a possible trail connection.

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. However, given the residential and environmentally sensitive character of this area, Planning Staff does not believe a retail district, even an NS(A) District, is appropriate at this location.

Staff does not support this request and recommends denial of an NS(A) Neighborhood Service District.

Development Standards:

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
MF-1(A) Multifamily	15'	15'	Min lot 3,000 sf. 1,000 sf- E 1,400 sf – 1 BR 1,800 sf – 2 BR +200 sq ft each	36'	60%	Proximity Slope	Multifamily, duplex, single family
NS(A) Neighborhood service	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	40%		Retail & personal service, office

Traffic:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system. Based on the traffic impact worksheet completed by the applicant, the proposed development is anticipated to generate ±995 trips per day.

Parking:

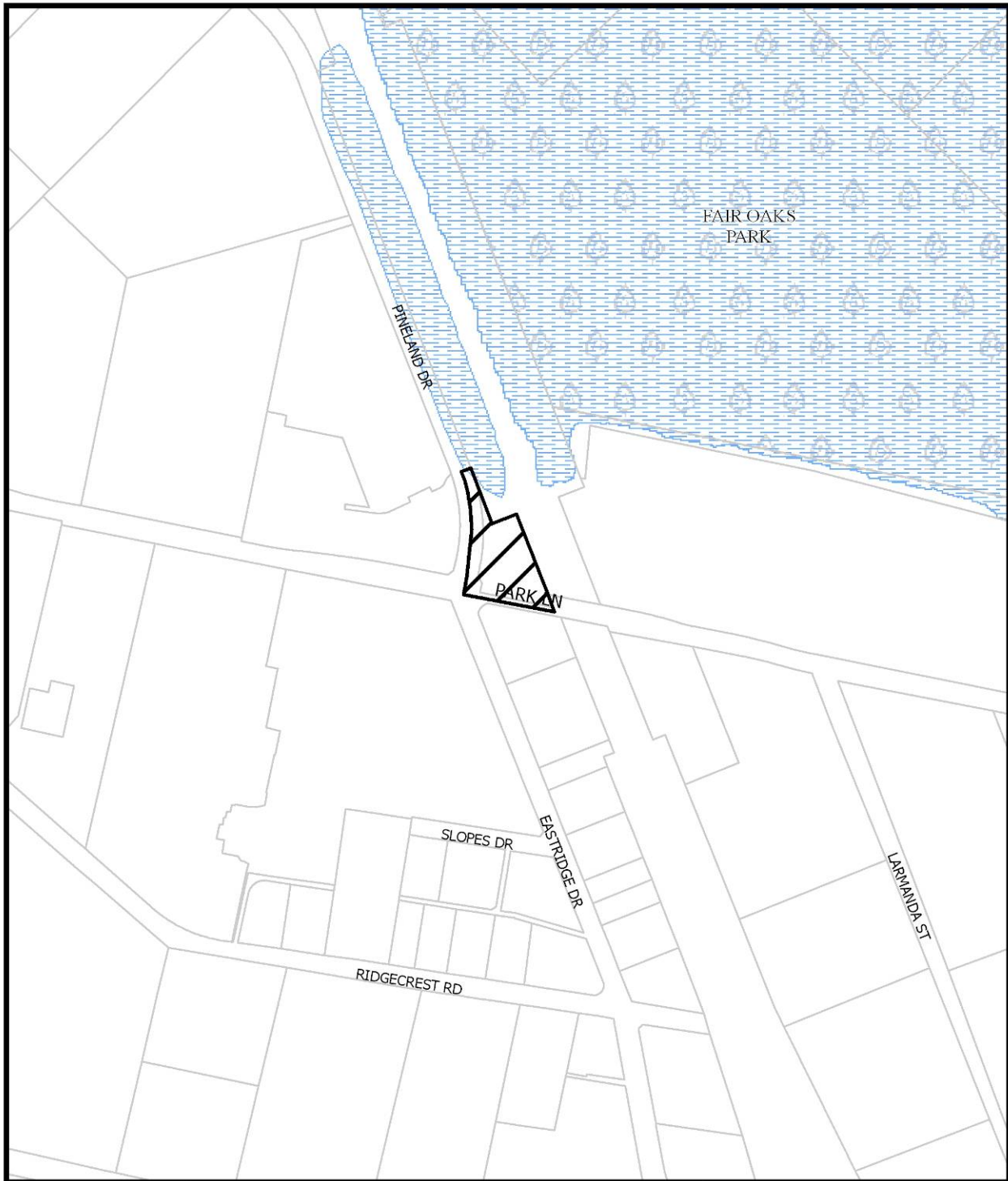
Pursuant to §51A-4.210 of the Dallas Development Code, the required off-street parking for both a general merchandise or food store 3,500 square feet or less and a dry

Z112-155(MW)

cleaning or laundry store is one (1) space per 200 square feet of floor area. Therefore, the proposed 5,600-square foot project requires 28 parking spaces.

Landscaping:

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

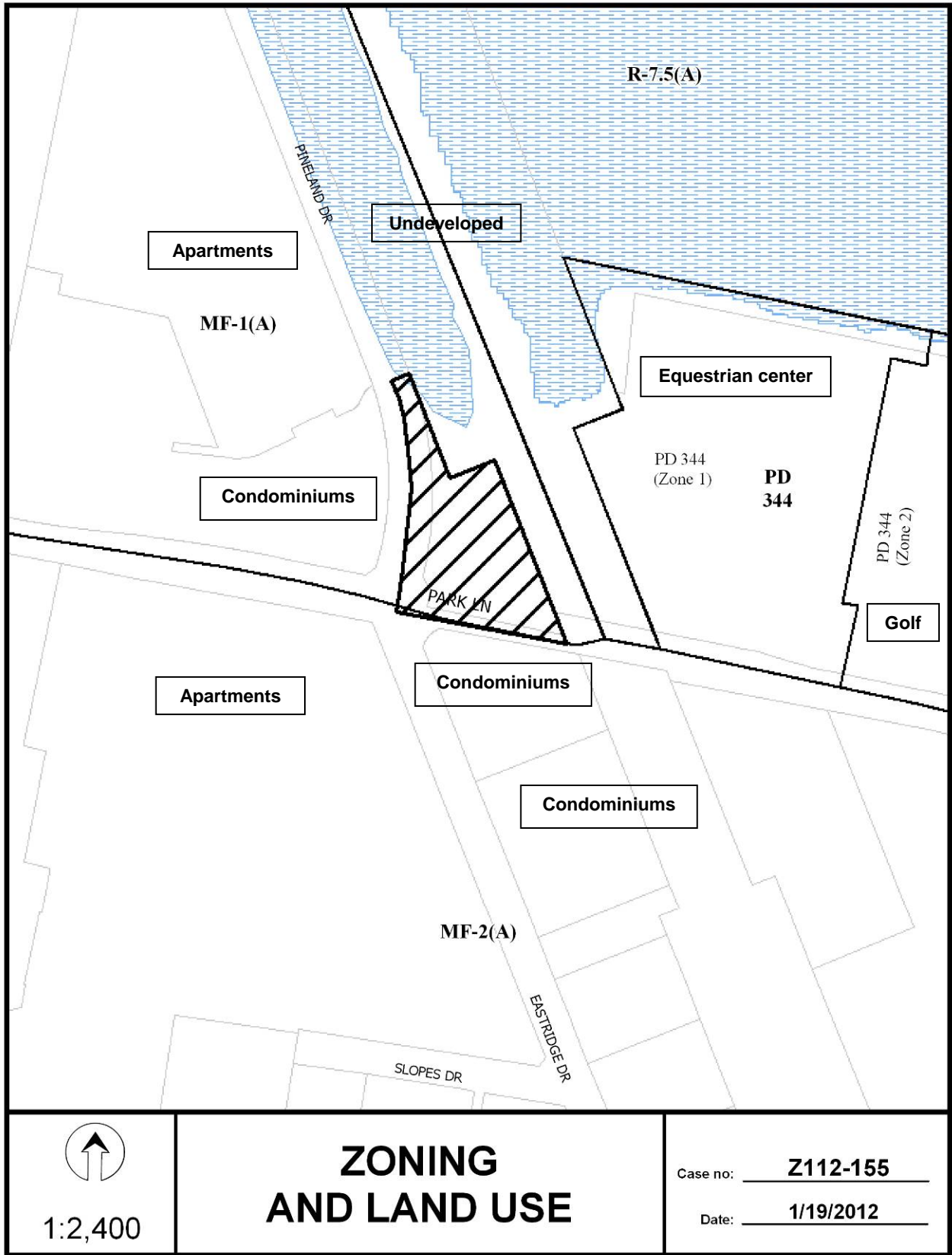


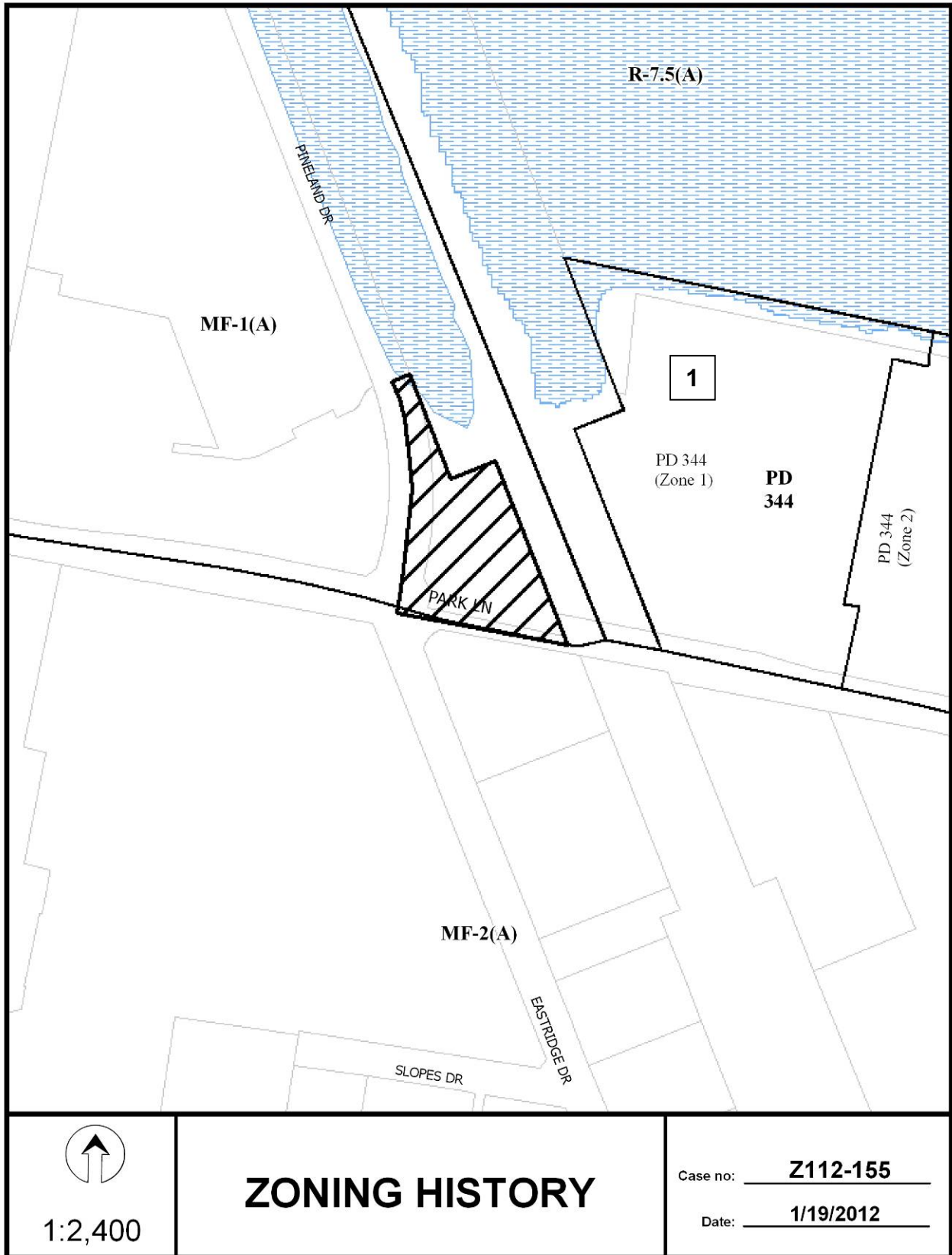
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VICINITY MAP

Case no: Z112-155

Date: 1/19/2012



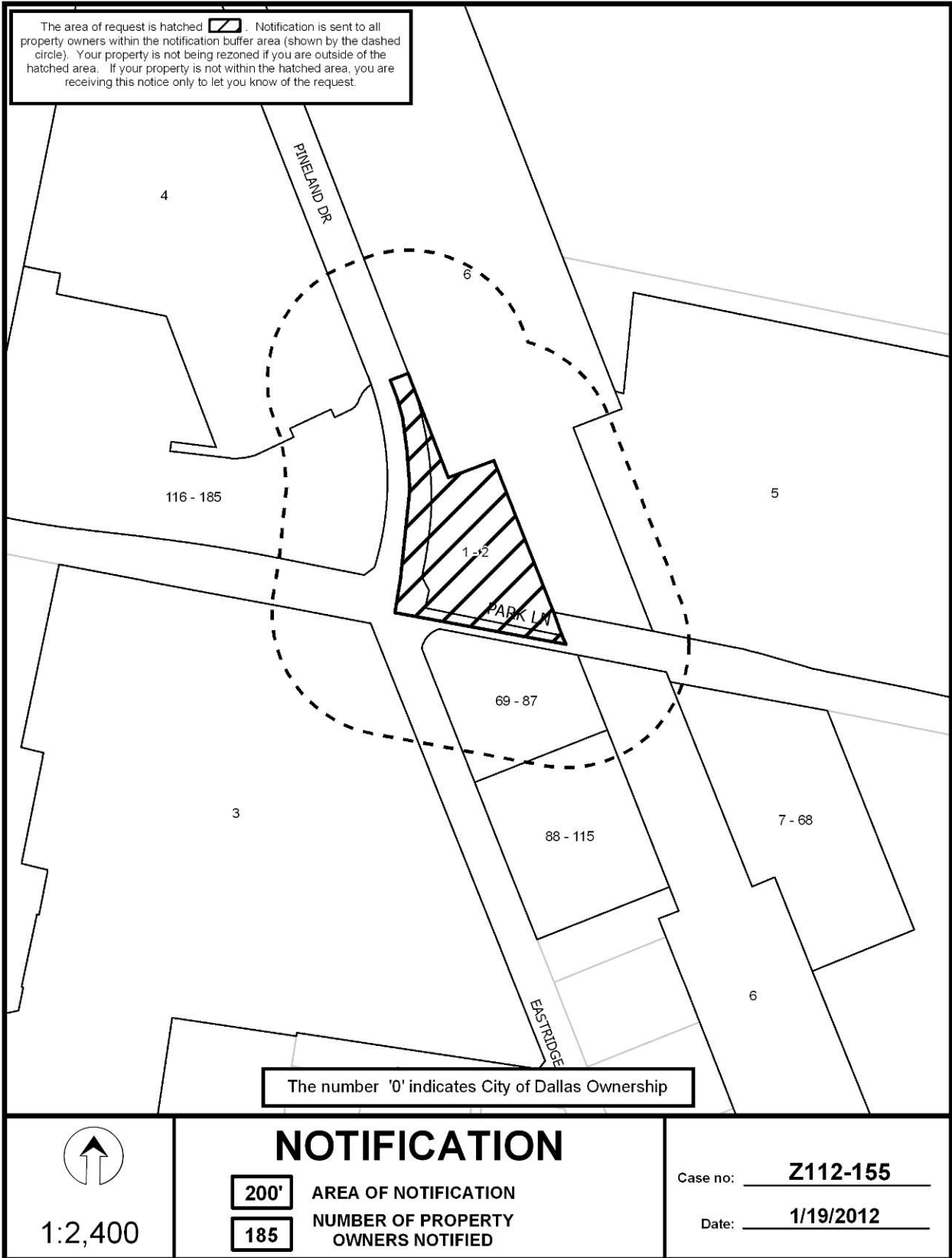


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ZONING HISTORY

Case no: Z112-155

Date: 1/19/2012



1/19/2012

Notification List of Property Owners***Z112-155******185 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6000 PINELAND DR	BECKER LEWIS E & BETTIE L
2	6640 EASTRIDGE DR	SANCHEZ PEDRO & HENELY TAVAREZ
3	8650 PARK LN	CCC&R PARK LANE LLC
4	6161 PINELAND DR	GLORIOUS SUNSHINE INC
5	8787 PARK LN	CARUTH EARLE CLARK TRUST % SCOTT ERWIN
6	401 BUCKNER BLVD	DART
7	8750 PARK LN	SLEEPER EARL BLDG A UNIT 1
8	8750 PARK LN	KEDZIERSKI ARTHUR A
9	8750 PARK LN	BRYAN MARK
10	8750 PARK LN	DEUTSCHE BANK NATIONAL TRUST CO
11	8750 PARK LN	LAMPKIN MARK E
12	8750 PARK LN	MARTINEZ ERIC J BLDG A UNIT 106
13	8750 PARK LN	THAI CHRISTIAN
14	8750 PARK LN	STELLAR DEVELOPMENT CORP
15	8750 PARK LN	BOJILOVA ELENA & NIKOLAI KARENEV
16	8750 PARK LN	SLOPPY TROY
17	8750 PARK LN	CALDERON LUIS H
18	8750 PARK LN	PAJO CATALIINO
19	8750 PARK LN	WILLIAMS LAWRENCE
20	8750 PARK LN	WILLIAMS KAREN
21	8750 PARK LN	ALBERTSON JEFF & SHERRI STE 811-101
22	8750 PARK LN	HILL ON PARK LANE OWNERS ASSN INC % ROSS
23	8750 PARK LN	MORENO JOSEPH &
24	8750 PARK LN	HARRIS W DAVID
25	8750 PARK LN	MENDOZA NORMA I
26	8750 PARK LN	CHAU WOEI & CHAU JING

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	8750 PARK LN	RODRIGUEZ JUAN & LUZ E
28	8750 PARK LN	THE HILL ON PARK LANE OWNERS ASSOCIATION
29	8750 PARK LN	KCB EQUITIES INC
30	8750 PARK LN	LEACH WILLIAM A & CAROL
31	8750 PARK LN	BROOM JONATHAN
32	8750 PARK LN	BURDETTE DAVID BAILEY
33	8750 PARK LN	MORENO JOSEPH A
34	8750 PARK LN	GARCIA DAVID & GABRIEL
35	8750 PARK LN	ROSENTHAL BETH ELLYN TRUSTEE
36	8750 PARK LN	GANTES GEORGE BLDG C UNIT 30
37	8750 PARK LN	ADESANWO ANTHONY & SHARON NJOROGE
38	8750 PARK LN	LONAC SNJEZANA
39	8750 PARK LN	MUNOZ JOSE L APT 209
40	8750 PARK LN	MEKURIA ESKINDER E BLDG C UNIT 134
41	8750 PARK LN	LEE LI K
42	8750 PARK LN	FANNIE MAE
43	8750 PARK LN	ARAI ERI
44	8750 PARK LN	SUMMERS CHONG CHA & CRAIG RICHARD
45	8750 PARK LN	FREENY JERRY
46	8750 PARK LN	UNDERWOOD EDWARD W
47	8750 PARK LN	KELLY JERRICKA UNIT 41 BLDG D
48	8750 PARK LN	LAFVING DIANE
49	8750 PARK LN	JOHN JASMINE
50	8750 PARK LN	ARNOLD CHANDA
51	8750 PARK LN	DIAL LYSANDRA
52	8750 PARK LN	GAUTHIER FELECIA A
53	8750 PARK LN	GANIBI HELEN C
54	8750 PARK LN	GARCIA AGAPITA B & PETER DANIEL MORENO
55	8750 PARK LN	DICKINSON DUDLEY
56	8750 PARK LN	SCAIFE ANTHONY & LINDA L
57	8750 PARK LN	CHARLTON ANGELA W

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	8750 PARK LN	DANIEL JOHNNIE MAE LF EST UNIT 152 BLDG
59	8750 PARK LN	MORENO JOSEPH A UNIT 153
60	8750 PARK LN	B REAL PROPERTIES LLC %RICO & CARMEN BRO
61	8750 PARK LN	MCNEELY WADE P BLDG E UNIT #55
62	8750 PARK LN	BENITEZ CARMEN
63	8750 PARK LN	JOHNSON MACKIE L
64	8750 PARK LN	ROBERTS TIFFANY
65	8750 PARK LN	FITZGERALD BRIAN
66	8750 PARK LN	POOLE ALYSON L UNIT 160
67	8750 PARK LN	GAMEZ ROLAND
68	8750 PARK LN	MORENO JOSEPH
69	8710 PARK LN	SNA ASSOCIATES LP
70	8710 PARK LN	LYONS DARRIN S
71	8710 PARK LN	LYONS DARRIN
72	8710 PARK LN	INVESTORS FINANCIAL LIMITED PARTNERSHIP
73	8710 PARK LN	DOGLIO ROBIN ANN
74	8710 PARK LN	TRADEMARK PARTNERS LP STE 6
75	8710 PARK LN	GADLIN FOREST EDWARD III BLDG B UNIT B2
76	8710 PARK LN	DUNN JOSEPH G BLDG G APT B3
77	8710 PARK LN	NAVALTA DOMINADOR GABRIEL II
78	8710 PARK LN	HUGHES ALVIN D
79	8710 PARK LN	PARR JOSHUA C
80	8710 PARK LN	JONES STACY
81	8710 PARK LN	SOLEMENE WILLIAM A
82	8710 PARK LN	NARK SHANNON M
83	8710 PARK LN	FISERV ISS & CO TRUSTEE
84	8710 PARK LN	HAYWARD THOMAS T & DEBORAH L
85	8710 PARK LN	TAYLOR AL &
86	8710 PARK LN	KEATING KRISTIN
87	8710 PARK LN	MARU YOSEF H BLDG C SUITE C-7
88	6808 EASTRIDGE DR	DUNN JOSEPH G

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	6808 EASTRIDGE DR	MEDINA ERICK A BLDG 102 UNIT A2
90	6808 EASTRIDGE DR	MOSSIM-HUTCHENS SANDRA
91	6808 EASTRIDGE DR	TAYLOR AL
92	6808 EASTRIDGE DR	RIOS RUBY
93	6808 EASTRIDGE DR	HUNT MARY B APT #6
94	6808 EASTRIDGE DR	VAUGHAN JOHN H
95	6808 EASTRIDGE DR	BARRY SCOT D
96	6808 EASTRIDGE DR	KAUFMANN JENNIFER BLDG A UNIT A9
97	6808 EASTRIDGE DR	GARVIS SALLY JO BLDG B UNIT B1
98	6808 EASTRIDGE DR	LUCHT RANDALL J UNIT 11
99	6808 EASTRIDGE DR	RHODES ROY
100	6808 EASTRIDGE DR	QUENTIN STEVEN M APT 13
101	6808 EASTRIDGE DR	HUGHES DANIEL J UNIT # 14
102	6808 EASTRIDGE DR	WORM METRICK J
103	6808 EASTRIDGE DR	WELLS JOHN BLAIR
104	6808 EASTRIDGE DR	ABURAS JILL M
105	6808 EASTRIDGE DR	HUGHES TREVOR W
106	6808 EASTRIDGE DR	MCCAIN KATHY RENEE APT 19
107	6808 EASTRIDGE DR	VEGA CYNTHIA
108	6808 EASTRIDGE DR	LAHRMAN KAREN
109	6808 EASTRIDGE DR	HOUSTON BYRON A & ANGELA E WOODS
110	6808 EASTRIDGE DR	YUKHIN RICHARD BLDG D UNIT D4
111	6808 EASTRIDGE DR	WILLIAMS PHYLLIS A
112	6808 EASTRIDGE DR	BROWN ROBERT J TRLR 3
113	6808 EASTRIDGE DR	HARVEY JOSHUA &
114	6808 EASTRIDGE DR	ALDER JAC
115	6808 EASTRIDGE DR	ABRAMS DENNIS I APT #28
116	8601 PARK LN	JOHN PHILIP JORDAN
117	8601 PARK LN	KUNKEL SHERILYN
118	8601 PARK LN	SNA ASSOCIATES LP
119	8601 PARK LN	FERNANDEZ SENORINA & MIGUEL BLDG A 114

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	8601 PARK LN	BAJRAMOVIC ZLATA BLDG A UNIT 121
121	8601 PARK LN	FOX JAY W UNIT 122
122	8601 PARK LN	TRADEMARK PARTNERS LP STE 6
123	8601 PARK LN	GUIDRY TOD BONNER
124	8601 PARK LN	LAMAS MARIA TERESA BLDG B UNIT 211
125	8601 PARK LN	GREENFIELD BETTY UNIT 212
126	8601 PARK LN	HARRIS STEVEN
127	8601 PARK LN	DUNN JOSEPH G
128	8601 PARK LN	HOLL DAVID COVELL
129	8601 PARK LN	BRAMMER ELIZABETH M BLDG B UNIT 223
130	8601 PARK LN	SNA ASSOCIATES L P
131	8601 PARK LN	ALLEY DONNA JEAN TR BLDG C UNIT 311
132	8601 PARK LN	LOCKHART ALLAN MICHAEL E
133	8601 PARK LN	COOK ROY UNIT 313
134	8601 PARK LN	NTC AND CO LLP FBO AL TAYLOR IRA
135	8601 PARK LN	GLASGOW WAYMOND I
136	8601 PARK LN	SENGER RICHARD ET AL %SIGNATURE LEASING
137	8601 PARK LN	VELAZQUEZ MARTHA E
138	8601 PARK LN	SMALL LEE REVOCABLE TRUST
139	8601 PARK LN	ARREBONDA DAVID
140	8601 PARK LN	RUEDEMANN NANCY SUE
141	8601 PARK LN	RIDGELL ROBERT TRUST BLDG D UNIT 414
142	8601 PARK LN	PAPP JON WILLIAM
143	8601 PARK LN	AMANT ENTERPRISES
144	8601 PARK LN	WALKER JAMES S
145	8601 PARK LN	CERDA JOE JR
146	8601 PARK LN	CHAN ALFRED T
147	8601 PARK LN	ROTRUCK CYNTHIA D
148	8601 PARK LN	BIRNBAUM MARC A INC PENSION & PRFIT SHAR
149	8601 PARK LN	HERRERA WLADIMIR
150	8601 PARK LN	WILLIAMS EDWARD L

1/19/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	8601 PARK LN	TAYLOR JOSEPH GRANT
152	8601 PARK LN	HOSSAIN MOSHARRAF & RHONDA
153	8601 PARK LN	SENGER RICHARD
154	8601 PARK LN	KULPON MARY
155	8601 PARK LN	LYLE DESIREE L BLDG E UNIT 514
156	8601 PARK LN	MAI NHAN V & VAN T TRAN
157	8601 PARK LN	MORNINGSTAR JASON R
158	8601 PARK LN	HALLIBURTON JOHN R & JULIA E
159	8601 PARK LN	JANOSEK MICHAEL A %SIGNATURE LEASING & M
160	8601 PARK LN	GOODRICH KENNETH L BLDG F UNIT 612
161	8601 PARK LN	HALL GARRY D
162	8601 PARK LN	VEGA DENNIS R & LILIAN C BLDG F UNIT 614
163	8601 PARK LN	RODRIGUEZ JULIO
164	8601 PARK LN	SPIKES DAN E UNIT 622
165	8601 PARK LN	VEGA LILIAN C &
166	8601 PARK LN	TRIPRO INVESTMENTS INC ATTN: ERIC CONNER
167	8601 PARK LN	DAVILA HELEN MARY
168	8601 PARK LN	PALMER PATRICIA
169	8601 PARK LN	8601 PARK LANE 713 728 LLC
170	8601 PARK LN	HAYS KATHRYN A
171	8601 PARK LN	GROMKO MARY S
172	8601 PARK LN	WALKER LYLE B
173	8601 PARK LN	TRADEMARK PARTNERS LP
174	8601 PARK LN	LEE NIEN JEN
175	8601 PARK LN	GIBSON LARRY
176	8601 PARK LN	SNA ASSO
177	8601 PARK LN	BARNETT DON & MARY ALICE BARNETT
178	8601 PARK LN	C & K RESIDENTIAL PROPERTIES
179	8601 PARK LN	ARCADY MGMT LLC
180	8601 PARK LN	SENGER RICHARD & ET AL % SIGNATURE LEASI
181	8601 PARK LN	MONARCH EQUITY INC

Z112-155(MW)

1/19/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	8601 PARK LN	DENTON PATE & RICHARD ALLEN SENGER
183	8601 PARK LN	DENTON PATE & ET AL %SIGNATURE LEASING
184	8601 PARK LN	SENGER RICHARD A % SIGNATURE LEASING & M
185	8601 PARK LN	TOLEDO TEX LLC STEWART TITLE N TX ATTN:

FILE NUMBER: Z112-165(MW)

DATE FILED: January 13, 2012

LOCATION: Northwest corner of South Zang Boulevard and West Page Avenue

COUNCIL DISTRICT: 1

MAPSCO: 54-H

SIZE OF REQUEST: ±0.74 acre

CENSUS TRACT: 50

REPRESENTATIVE: James R. Schnurr

APPLICANT: QuikTrip Corporation

OWNER: Oak Cliff Tower II, Ltd.
Oak Cliff Tower, Ltd.

REQUEST: An application to remove the D Liquor Control Overlay on property zoned an MU-1-D Mixed Use District with a D Liquor Control Overlay.

SUMMARY: The applicant intends to develop the request site, in conjunction with an adjacent property, with a general merchandise or food store greater than 3,500 square feet and a motor vehicle fueling station. Removal of the D Liquor Control Overlay would allow the sale of alcohol by right.

STAFF RECOMMENDATION: Denial

BACKGROUND INFORMATION:

- The ±0.74-acre request site is undeveloped but is paved and striped for surface parking.
- The applicant intends to develop the request site, in conjunction with an adjacent property, with a ±5,720-square foot general merchandise or food store (convenience store) with gas pumps.
- Both a general merchandise or food store greater than 3,500 square feet and a motor vehicle fueling station are allowed by right in an MU-1 Mixed Use District; however, the D Liquor Control Overlay prevents the sale of alcohol.
- The applicant has opted to request removal of the D Liquor Control Overlay rather than to request a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcohol beverage in conjunction with the a general merchandise or food store.
- To date, the Department of Sustainable Development and Constructionas received 83 applications for Specific Use Permits for the sale of alcohol beverages.
- To accommodate this request, the applicant has filed a companion case, Z112-165, for an MU-1 Mixed Use District on the property to the north.
- The request site is surrounded by a carwash and office to the north; surface and underground parking to the east; retail to the south and undeveloped property to the west.

Zoning History:

1. **Z112-166:** An application for an MU-1 Mixed Use District on property zoned Subarea 2a within Planned Development District No. 316, the Jefferson Area Special Purpose District is scheduled for a CPC Hearing on March 1, 2012.

Thoroughfares/Streets:

Thoroughfares/Streets	Type	Existing ROW
Page Avenue	Local	60 feet
Zang Boulevard	Minor Arterial	110 feet

Land Use:

	Zoning	Land Use
Site	MU-1-D	Surface parking
North	PDD No. 316, Subarea 2a	Carwash; office
East	PDD No. 316; Subarea 2	Surface and underground parking
South	MU-1-D	Retail
West	MU-1-D	Undeveloped

STAFF ANALYSIS:

Area Plans:

The request site is within the North Oak Cliff Land Use and Development Plan, dated April 1986, which provides a comprehensive program for the revitalization and stabilization of north Oak Cliff. The plan identifies the site as within the Jefferson Boulevard Commercial Corridor. The plan recommends low-rise office along 12th Street and states that adaptive reuse of structures is not inappropriate.

Comprehensive Plan:

The subject site is identified as being within an Urban Neighborhood Building Block on the *forwardDallas!* Vision Illustration, adopted June 2006.

Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

The applicant’s request is not consistent with the following goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

The applicant's proposal to develop the site with an auto-oriented use is not consistent with the Urban Neighborhood Building Block which is intended to accommodate a pedestrian-oriented mix of uses.

URBAN DESIGN ELEMENT

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

Policy 5.1.1: Promote pedestrian-friendly streetscapes.

ENVIRONMENT ELEMENT

GOAL 6.3: IMPROVE ENERGY EFFICIENCY AND AIR QUALITY

6.3.3: Limit vehicle miles traveled.

Land Use Compatibility:

The ±0.74-acre request site is undeveloped but is paved and striped for surface parking. The applicant intends to develop the request site, in conjunction with an adjacent property, with a ±5,720-square foot general merchandise or food store (convenience store) with gas pumps. To accommodate this request, the applicant has filed a companion case, Z112-165, for an MU-1 Mixed Use District on the property to the north.

Both a general merchandise or food store greater than 3,500 square feet and a motor vehicle fueling station are allowed by right in an MU-1 Mixed Use District; however, the D Liquor Control Overlay prevents the sale of alcohol. The applicant has opted to request removal of the D Liquor Control Overlay rather than to request a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with the a general merchandise or food store.

If removal of the D Overlay is approved, the sale of alcoholic beverages will be allowed by right and a site plan will not be required as part of the zoning request. Without a site plan, planning staff will have no input on building orientation or any other factors that could affect the pedestrian environment the City is trying to foster in this area.

The request site is surrounded by a carwash and office to the north; surface and underground parking to the east; retail to the south and undeveloped property to the west. While the area is predominantly developed with auto-oriented uses; staff does not support the perpetuation of this development pattern.

Historically, staff has not supported removal of the D Liquor Control overlay. Furthermore, staff does not support the companion zoning case, Z112-166, for a MU-1 Mixed Use District on property zoned Subarea 2a within Planned Development District No. 316, the Jefferson Area Special Purpose District. Therefore, staff recommends denial of this zoning request.

Development Standards:

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Proposed: MU-1 Mixed use-1	15'	20' adjacent to residential OTHER: No Min.	0.8 FAR base 1.0 FAR maximum + bonus for residential	90' 7 stories 120' 9 stories with retail	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential

Traffic:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system. Based on the traffic impact worksheet completed by the applicant, the proposed development is anticipated to generate ±1,016 trips per day. However, the applicant was granted a waiver of traffic impact analysis.

Parking:

Pursuant to §51A-4.210 of the Dallas Development Code, the required off-street parking for a general merchandise or food store greater than 3,500 square feet is one (1) space per 200 square feet of floor area; a motor vehicle or fueling station requires two spaces. Therefore, the proposed ±5,720-square foot project requires 31 parking spaces.

Landscaping:

Landscaping will be required per Article X of the Dallas Development Code.

Z112-165(MW)

Partners/Principals/Officers:

Oak Cliff Tower II, Ltd.

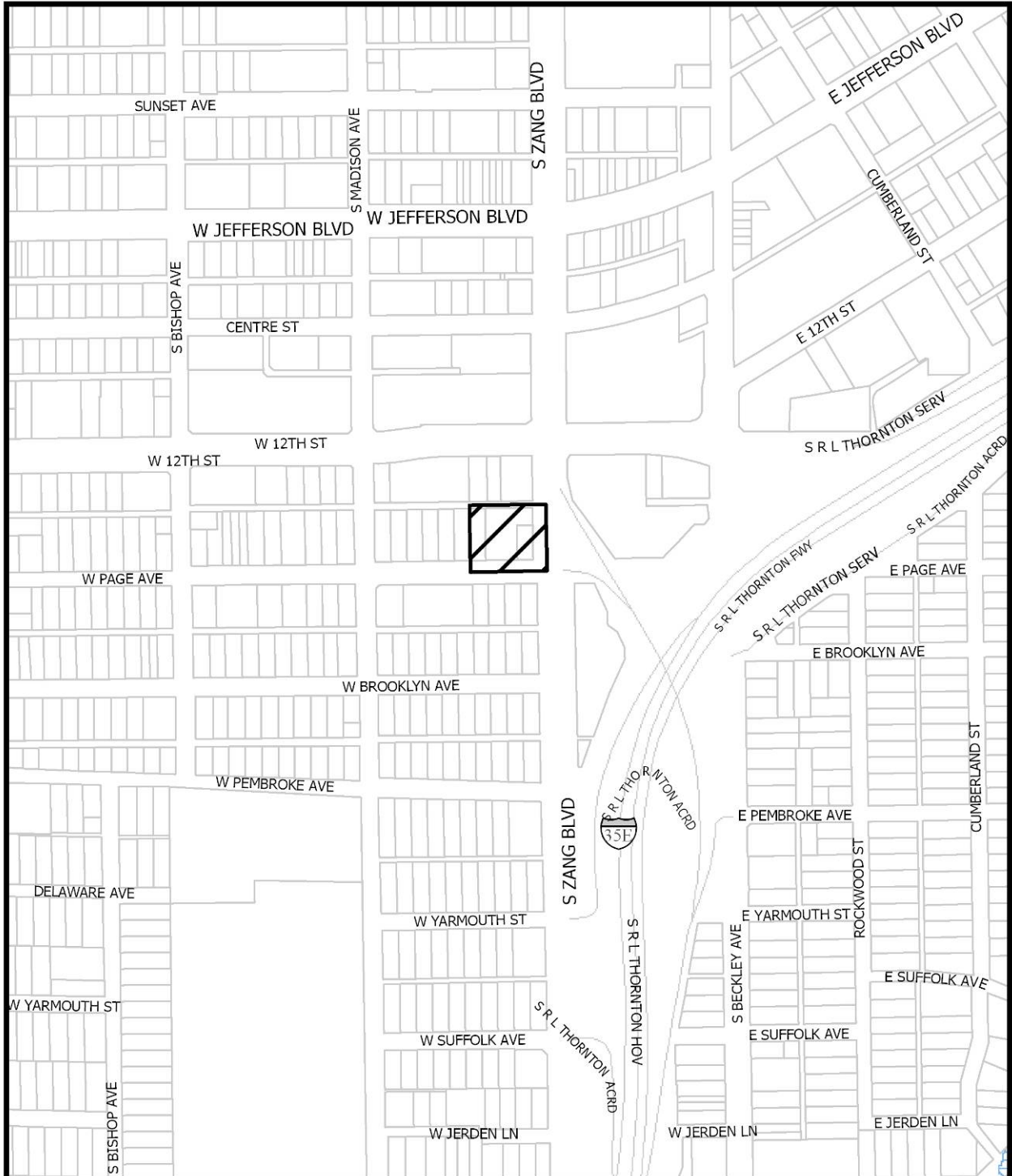
General Partner: Isenberg Management Associates, Inc.


Officers: Ralph Isenberg, President and Director

Oak Cliff Tower, Ltd.

General Partner: Oak Cliff tower GP, Inc.

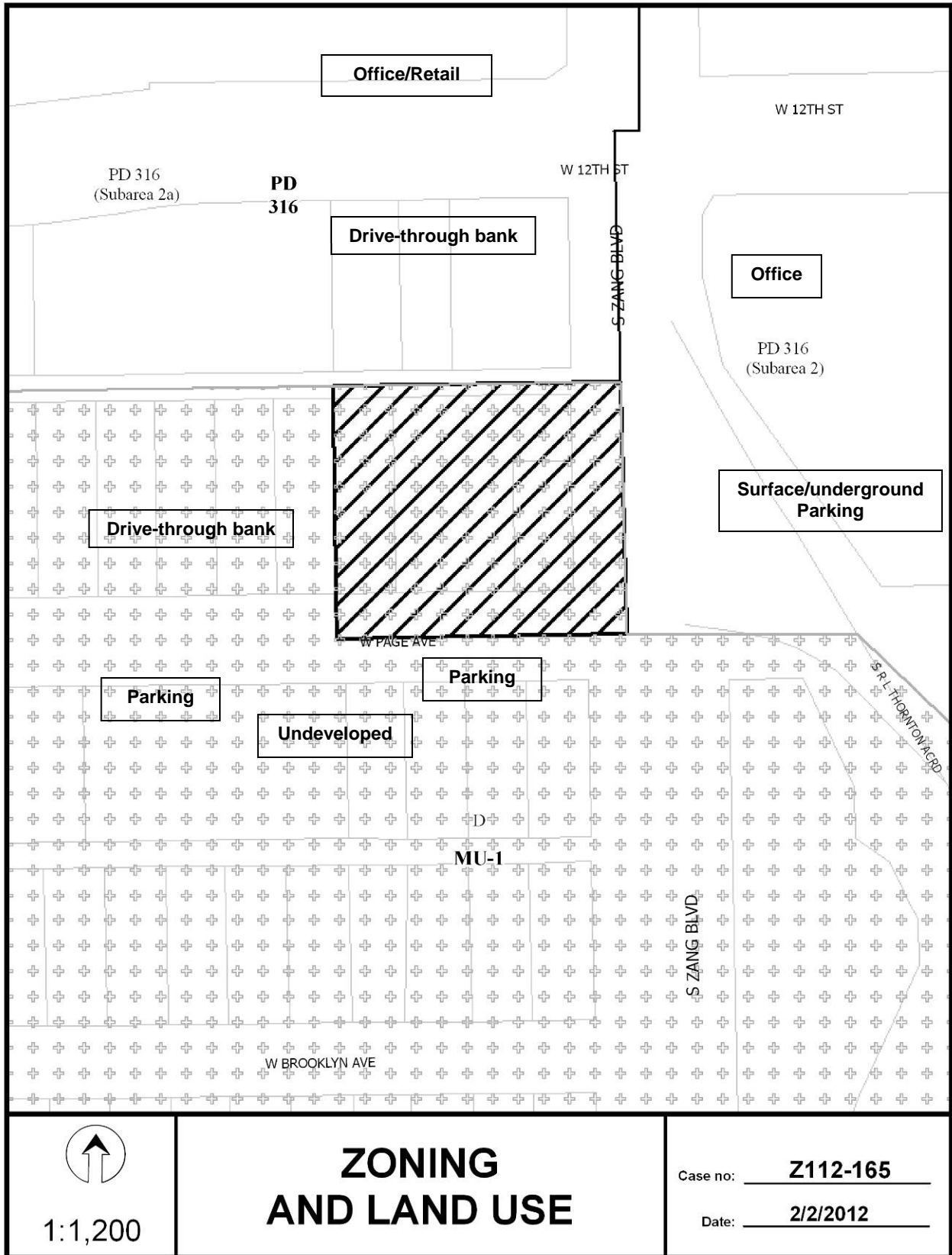
Officers: Ralph Isenberg, President and Director

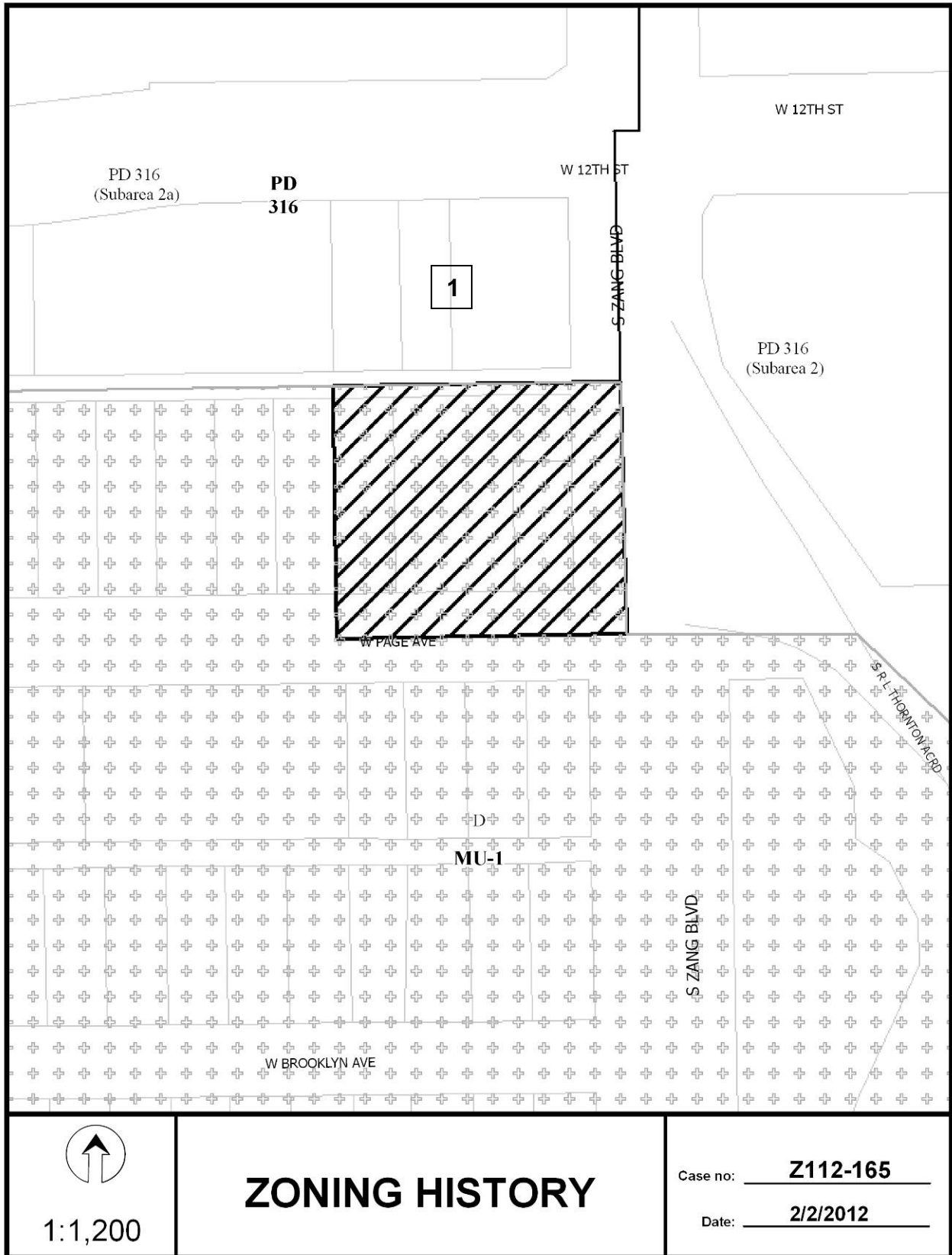




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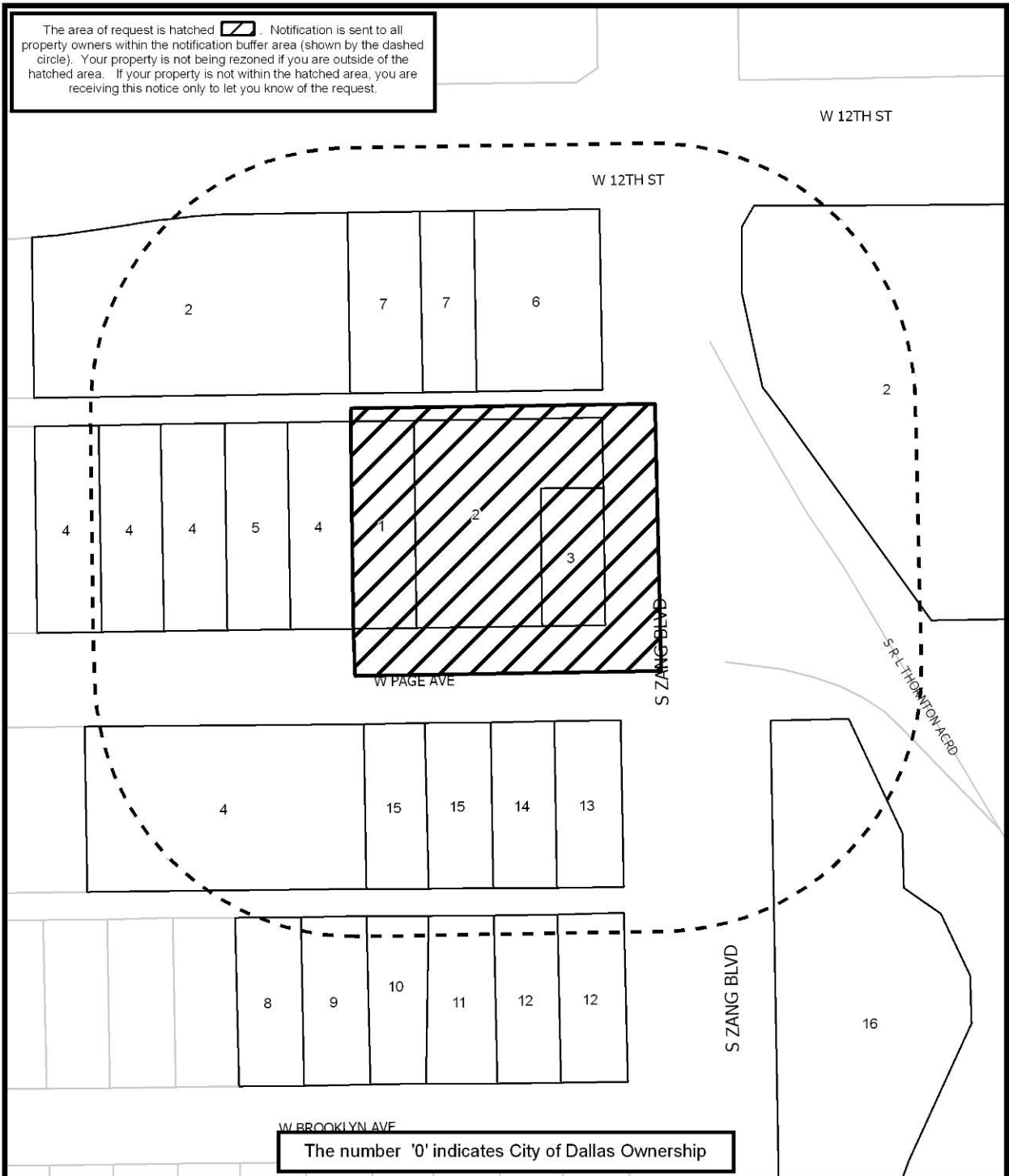
VICINITY MAP

Case no: Z112-165
Date: 2/2/2012





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 style="padding: 2px;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="padding: 2px;">16</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	16	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u> Z112-165 </u> Date: <u> 2/2/2012 </u>
200'	AREA OF NOTIFICATION					
16	NUMBER OF PROPERTY OWNERS NOTIFIED					

2/2/2012

Notification List of Property Owners

Z112-165

16 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	215 PAGE AVE	OAK CLIFF TOWER II LTD SUITE 1020
2	119 PAGE AVE	OAK CLIFF TOWER LIMITED ISENBERG MANAGEM
3	201 PAGE AVE	OAK CLIFF TOWER LTD ISENBERG MANAGEMENT
4	233 PAGE AVE	PROMISE HOUSE INC
5	221 PAGE AVE	PROMISE HOUSE INC ATTN CARL SCHIEFFER
6	511 ZANG BLVD	CARVER ROBERT L
7	208 12TH ST	HARDY REALTY INC
8	221 BROOKLYN AVE	PLACENCIA JANIE
9	217 BROOKLYN AVE	GAYTAN JOSE E
10	213 BROOKLYN AVE	IBARRA BERTHA A & NATALIA R MOTA
11	209 BROOKLYN AVE	ALVAREZ JUAN
12	205 BROOKLYN AVE	NAVARRO NANCY A
13	200 PAGE AVE	FOREIGN CAR PARTS
14	204 PAGE AVE	FOREIGN CAR PARTS
15	208 PAGE AVE	MOORE RICHARD L INC
16	660 ZANG BLVD	VIEW OF THE ZOO LTD ISENBERG MANAGEMENT

FILE NUMBER: Z112-166(MW)

DATE FILED: January 13, 2012

LOCATION: Southwest corner of South Zang Boulevard and West 12th Street

COUNCIL DISTRICT: 1

MAPSCO: 54-H

SIZE OF REQUEST: ±0.66 acre

CENSUS TRACT: 50

REPRESENTATIVE: James R. Schnurr

APPLICANT: QuikTrip Corporation

OWNER: Robert Carver, Individual

Hardy Realty, Inc., EPSP

REQUEST: An application for an MU-1 Mixed Use District on property zoned Subarea 2a within Planned Development District No. 316, the Jefferson Area Special Purpose District

SUMMARY: The applicant intends to redevelop the request site, in conjunction with an adjacent property, with a general merchandise or food store greater than 3,500 square feet and a motor vehicle fueling station

STAFF RECOMMENDATION: Denial

BACKGROUND INFORMATION:

- The ±0.66-acre request site is developed with a carwash and office building.
- The applicant intends to redevelop the request site, in conjunction with an adjacent property, with a ±5,720-square foot general merchandise or food store (convenience store) with gas pumps.
- To accommodate this request, the applicant has filed a companion case, Z112-165, on the property to the south, to request removal of the D Overlay.
- The request site is surrounded by a drive-through bank to the north; surface and underground parking to the east; surface parking to the south and a drive-through bank to the west.

Zoning History:

1. **Z112-165:** An application to remove the D Liquor Control Overlay on property zoned an MU-1-D Mixed Use District with a D Liquor Control Overlay is scheduled for a CPC Hearing on March 1, 2012.

Thoroughfares/Streets:

Thoroughfares/Streets	Type	Existing ROW
12 th Street	Principal Arterial	110 feet
Zang Boulevard	Minor Arterial	110 feet

Land Use:

	Zoning	Land Use
Site	PDD No. 316, Subarea 2a	Carwash; office
North	PDD No. 316, Subarea 2a	Drive-through bank
East	PDD No. 316; Subarea 2	Surface and underground parking
South	MU-1-D	Drive-through bank
West	PDD No. 316; Subarea 2a	Drive-through bank

STAFF ANALYSIS:

Area Plans:

The request site is within the North Oak Cliff Land Use and Development Plan, dated April 1986, which provides a comprehensive program for the revitalization and stabilization of north Oak Cliff. The plan identifies the site as within the Jefferson Boulevard Commercial Corridor. The plan recommends low-rise office along 12th Street and states that adaptive reuse of structures is not inappropriate.

Comprehensive Plan:

The subject site is identified as being within an Urban Neighborhood Building Block on the *forwardDallas!* Vision Illustration, adopted June 2006.

Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

The applicant's request is not consistent with the following goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

The applicant's proposal to develop the site with an auto-oriented use is not consistent with the Urban Neighborhood Building Block which is intended to accommodate a pedestrian-oriented mix of uses.

URBAN DESIGN ELEMENT

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

Policy 5.1.1: Promote pedestrian-friendly streetscapes.

ENVIRONMENT ELEMENT

GOAL 6.3: IMPROVE ENERGY EFFICIENCY AND AIR QUALITY

6.3.3: Limit vehicle miles traveled.

Land Use Compatibility:

The ±0.66-acre request site is developed with a carwash and office building. The applicant intends to redevelop the request site, in conjunction with an adjacent property, with a ±5,720-square foot general merchandise or food store (convenience store) with gas pumps. To accommodate this request, the applicant has filed a companion case, Z112-165, on the property to the south, to request removal of the D Overlay. It is noted that, while not a protected structure, staff would prefer to see an adaptive reuse of the office building rather than demolition.

A general merchandise or food store greater than 3,500 square feet is not a permitted use in Subarea 2a of PDD No. 316; a motor vehicle fueling station is allowed as part of a mixed use project.

Pursuant to the provisions of PDD No. 316, the purpose of Area 2 (which includes Subarea 2a) is to provide for the development of high density office and multifamily residential or limited retail uses, in combination on single or contiguous building sites, to encourage innovative and energy conscious design; efficient circulation systems; the conservation of land and the minimization of vehicular travel.

The request site is surrounded by a drive-through bank to the north; surface and underground parking to the east; surface parking to the south and a drive-through bank to the west. While the area is predominantly developed with auto-oriented uses; staff does not support the perpetuation of this development pattern.

If approved, this zoning request would remove property from the ±176.03-acre Jefferson Area Special Purpose District, established in 1989 to promote mixed use development. While the applicant has requested an MU-1 Mixed Used District, it is not their intent to develop the site with a mixed use project nor with a pedestrian-oriented use. Furthermore, the applicant has filed a companion case, Z112-165, on the property to the south, to request removal of the D Overlay. If removal of the D Overlay is approved, not only will the sale of alcohol be allowed by right, but no site plan will be required as part of the zoning request. Without a site plan, planning staff will have no input on building orientation or any other factors that could affect the pedestrian environment the City is trying to foster in this area. Therefore, staff recommends denial of this zoning request.

Development Standards:

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: PDD 316, 2a	15'	20' adjacent to residential OTHER: No Min./10 feet	2 FAR base 4.5 FAR maximum	200 ft. 15 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential
Proposed: MU-1 Mixed use-1	15'	20' adjacent to residential OTHER: No Min.	0.8 FAR base 1.0 FAR maximum + bonus for residential	90' 7 stories 120' 9 stories with retail	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential

Traffic:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system. Based on the traffic impact worksheet completed by the applicant, the proposed development is anticipated to generate ±1,016 trips per day. However, the applicant was granted a waiver of traffic impact analysis.

Parking:

Pursuant to §51A-4.210 of the Dallas Development Code, the required off-street parking for a general merchandise or food store greater than 3,500 square feet is one (1) space per 200 square feet of floor area; a motor vehicle or fueling station requires two spaces. Therefore, the proposed ±5,720-square foot project requires 31 parking spaces.

Landscaping:

If an MU-1 Mixed Used District is approved, landscaping will be required per Article X of the Dallas Development Code. Article X requires street trees at one tree per to 50 feet of street frontage; PDD No. 316 requires twice that number: one per 25 feet of street frontage.

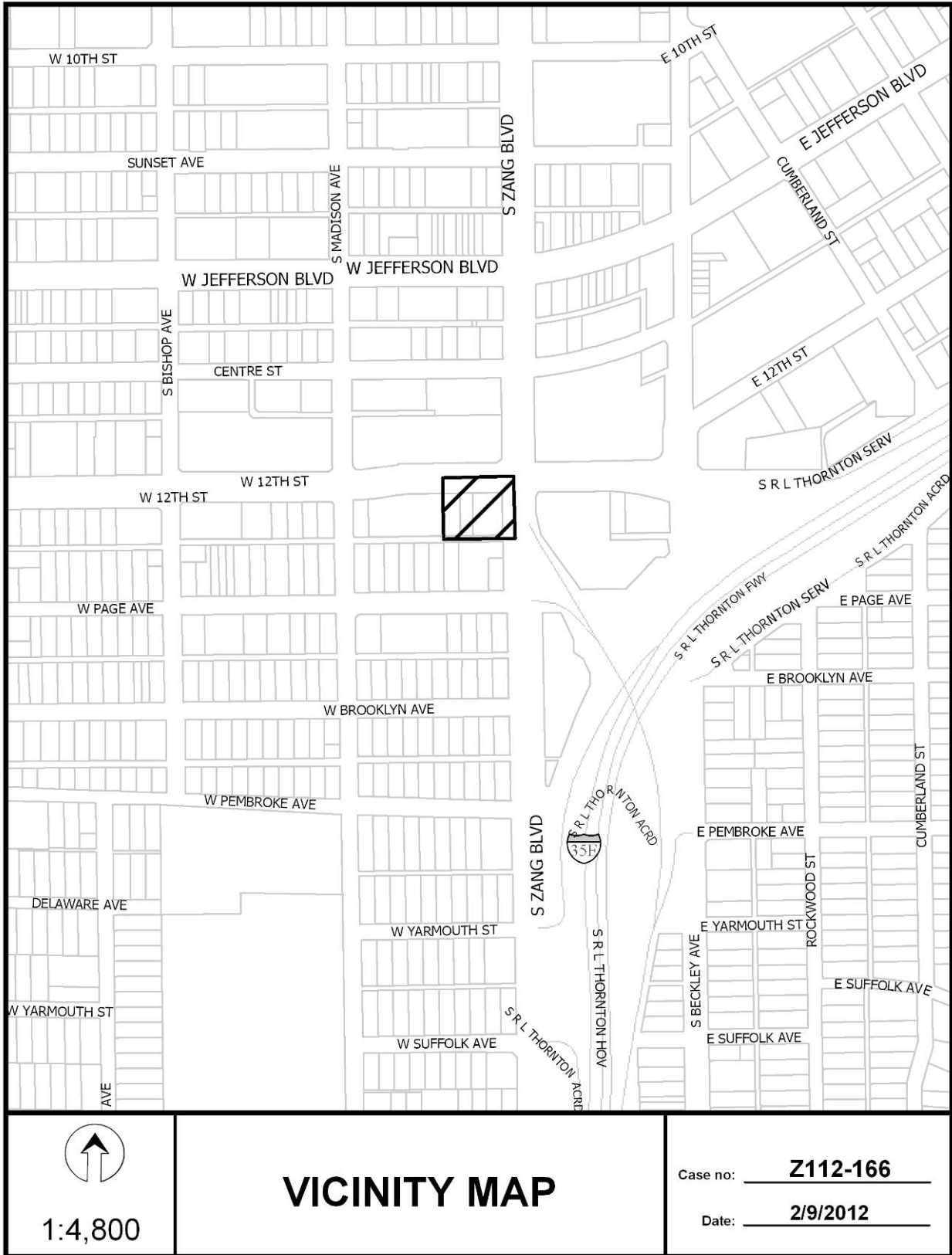
Z112-166(MW)

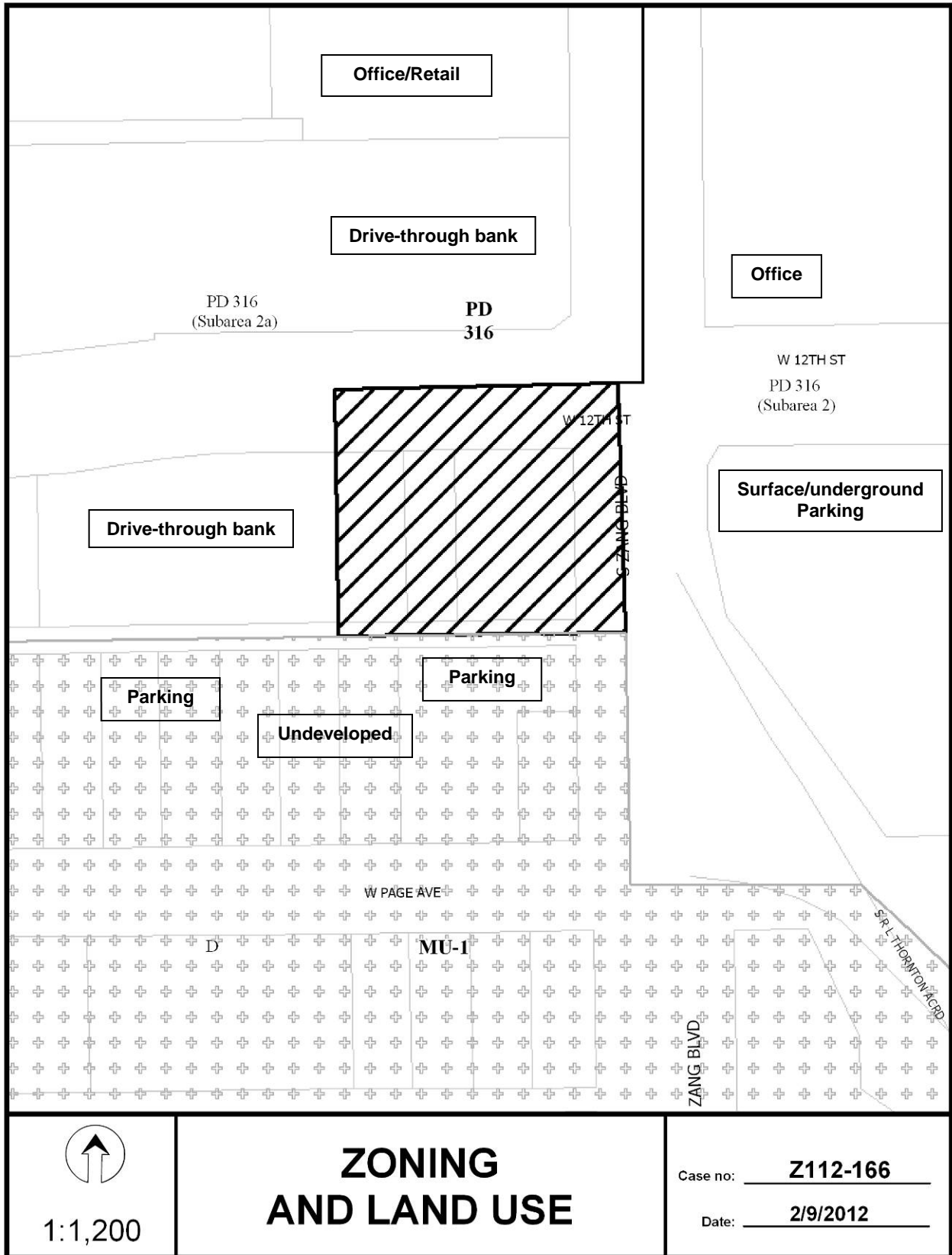
Partners/Principals/Officers:

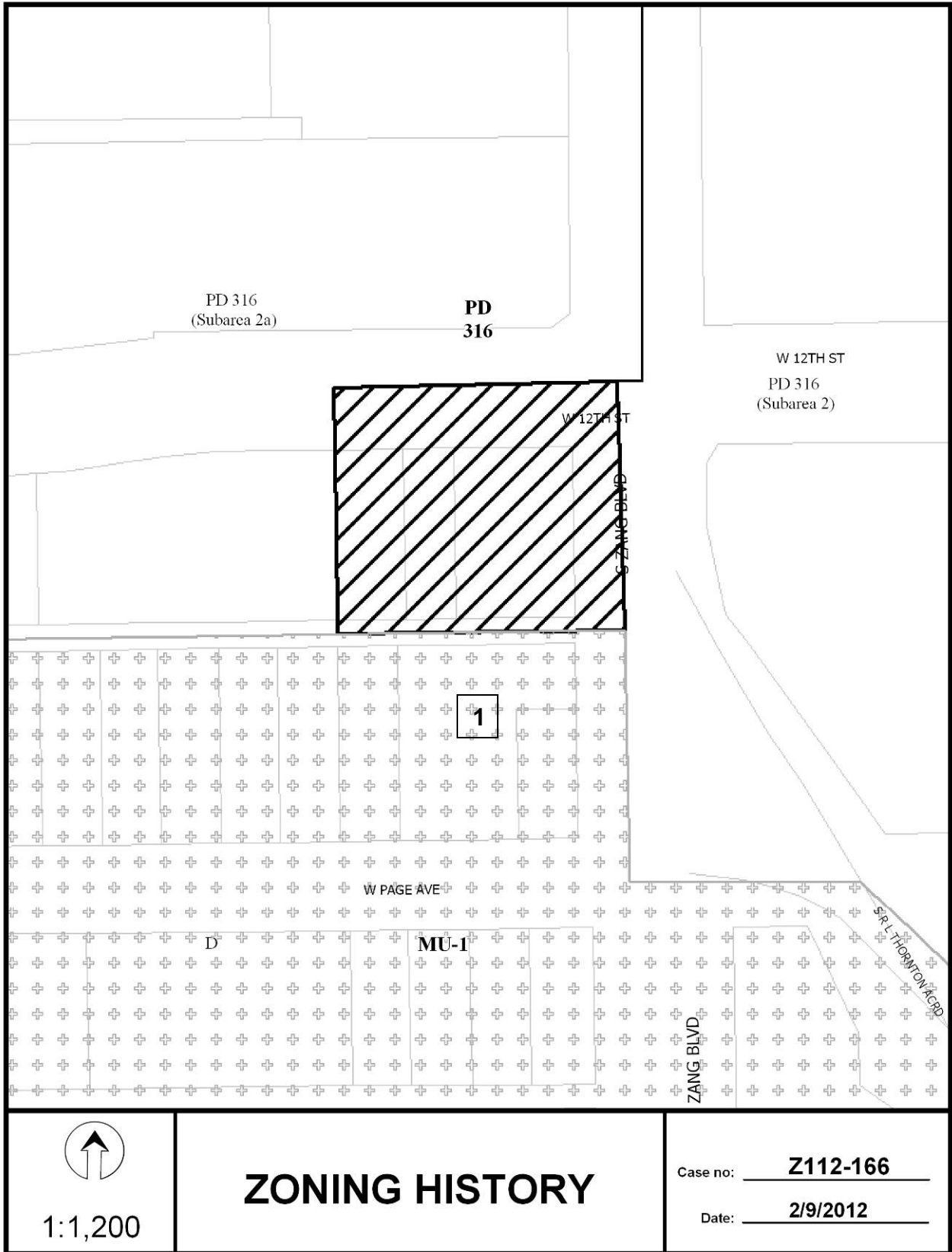
Robert Carver, Individual

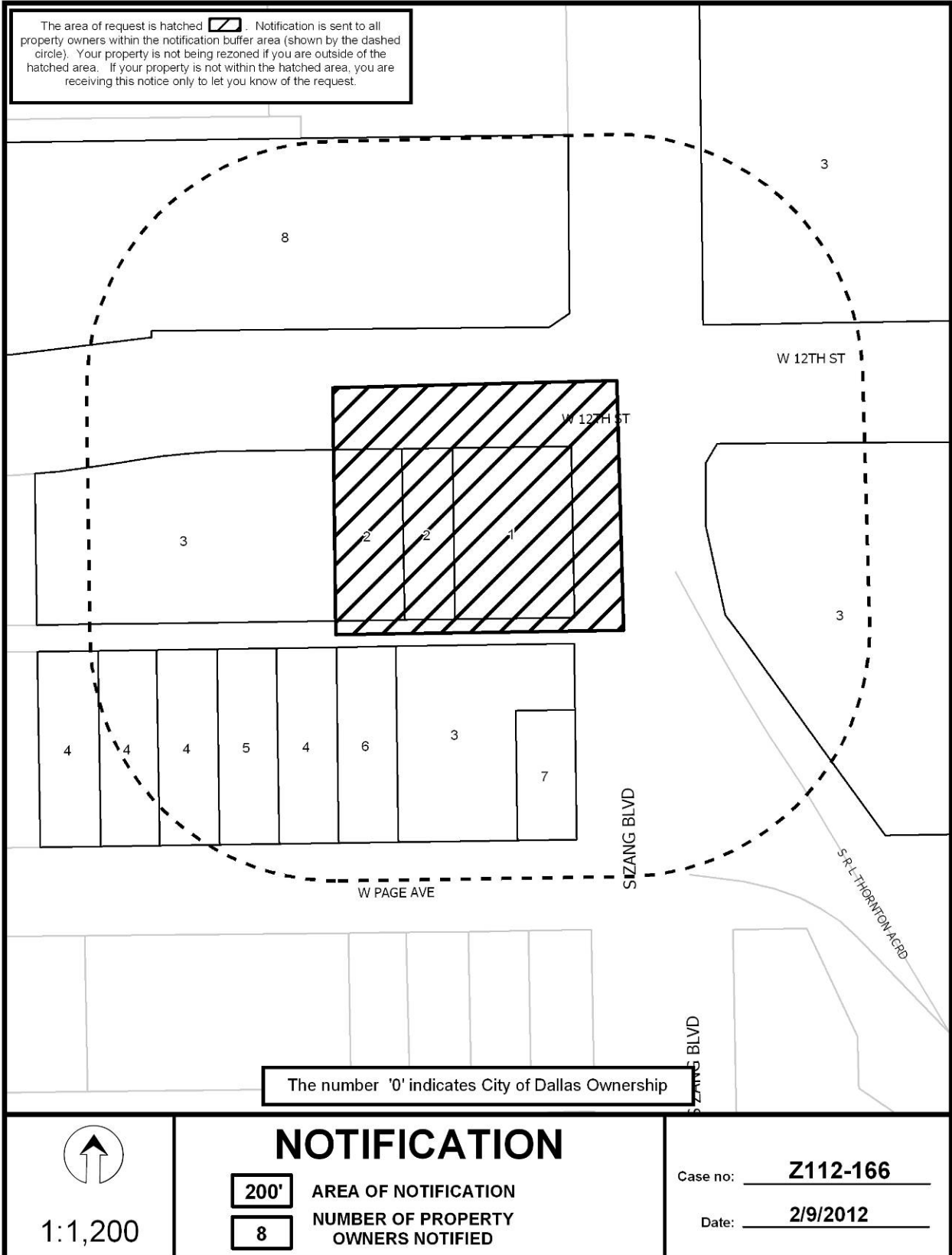
Hardy Realty, Inc., EPSP

L.H. Hardy, Jr., Director
Debra Sue Hardy, Director









Z112-166(MW)

2/9/2012

Notification List of Property Owners

Z112-166

8 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	511 ZANG BLVD	CARVER ROBERT L
2	208 12TH ST	HARDY REALTY INC
3	400 ZANG BLVD	OAK CLIFF TOWER LIMITED ISENBERG MANAGEM
4	233 PAGE AVE	PROMISE HOUSE INC
5	221 PAGE AVE	PROMISE HOUSE INC ATTN CARL SCHIEFFER
6	215 PAGE AVE	OAK CLIFF TOWER II LTD SUITE 1020
7	201 PAGE AVE	OAK CLIFF TOWER LTD ISENBERG MANAGEMENT
8	201 12TH ST	SWISS AVE STATE BANK

FILE NUMBER: Z112-138 (JH) **DATE FILED:** December 2, 2011
LOCATION: Southwest corner of Samuel Boulevard and Buckner Boulevard
COUNCIL DISTRICT: 7 **MAPSCO:** 48-G, 48-L
SIZE OF REQUEST: Approx. 19.7 acres **CENSUS TRACT:** 122.07

REPRESENTATIVE: Santos Martinez, MASTERPLAN

APPLICANT: Racetrac

OWNER: Buckner Baptist Benevolence

REQUEST: An application to amend Planned Development District No. 605 with a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet

SUMMARY: The applicant proposes to amend PDD No. 605 to allow a motor vehicle fueling station use and to sell alcohol for off-premise consumption in conjunction with a proposed convenience store and motor vehicle fueling station. The applicant also proposes an increase in floor area ratio and lot coverage; consider the property as one lot for parking and landscaping; and alter the sign regulations.

STAFF RECOMMENDATION: Approval of the Specific Use Permit for a two-year period with eligibility for automatic renewal of additional five year periods subject to a site plan and conditions and approval of the amendment to PDD No. 605 subject to a conceptual plan and staff conditions

BACKGROUND INFORMATION:

- The property is presently zoned Planned Development District No. 605 with a D-1 Liquor Control Overlay. The property is presently undeveloped.
- The applicant is requesting to allow one motor vehicle fueling station use, an increase in floor area ratio and lot coverage; consider the property as one lot for parking and landscaping; and alter the sign regulations.
- The applicant is also requesting to remove the underground retention/detention facilities requirements for permanent drainage control facilities.
- The proposed SUP would allow the sale of alcohol for off-premise consumption due to the D-1 Liquor Control Overlay in conjunction with a general merchandise and motor vehicle fueling station use proposed on only a portion of the request site at the northeast corner.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on property requires a specific use permit in the D-1 Liquor Control Overlay.
- On Thursday, February 12, 2009, the City Planning Commission denied without prejudice an application to amend Planned Development District No. 605 to allow for additional height on the structure fronting Buckner Boulevard and to allow for additional uses.

Zoning History:

1. Z112-110: A pending application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay.
2. Z112-179: A pending application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 100,000 square feet or greater on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay.
3. Z089-209 On July 16, 2009, the City Plan Commission denied a request for a CR Community Retail District and volunteered deed restrictions, with retention of the D-1 Liquor Control Overlay, on property zoned an NS(A) Neighborhood Service District with the D-1 Dry Liquor Control Overlay.
4. Z101-267 On October 26, 2011, the City Council approved a Specific Use Permit to allow the sale or service of alcoholic beverages in conjunction with a commercial amusement (inside) on property

zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Buckner Boulevard	Principal Arterial	107 ft ROW
Samuell Boulevard	Collector	120 ft ROW

STAFF ANALYSIS:

Comprehensive Plan:

The requested zoning change is compatible with the intent of the Comprehensive Plan. The existing Planned Development District allows for a range of uses that fall within the three zoning categories indicated in the forwardDallas! Vision Illustration. The property falls within the Residential Neighborhoods Building Block. Residential Neighborhoods are dominated by single-family dwellings. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

The surrounding uses are in the Business Center or Corridor and the Transit Center or Multi-Modal Corridor. The type of development promoted by these categories is worth consideration of the development of the area as a whole. 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. Business Centers and Corridors provide important concentrations of employment within Dallas that compete with suburban areas.

The requested amendment complies with the following forwardDallas! Goals and Policies for the Land Use and Economic Elements:

Economic Development:

Goal 2.1 Promote balanced growth

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

Land Use Compatibility:

The surrounding land uses are retail, retail under construction and warehouse to the north; institutional and undeveloped to the east; and single family adjacent to the south and west of the property.

PD amendment

The primary purposes for amending the PD are to address uses, floor area ratio, lot coverage, landscaping, and signage. The PD conditions limit the permitted uses for this district to a small list of uses. The applicant is requesting to add motor vehicle fueling station as a permitted use and limited to one in the district including accessory motor vehicle fueling stations. This has a direct effect on the SUP request since the alcohol sales are proposed at the motor vehicle fueling station and general merchandise development. Institutional uses are not anticipated and being stricken. The applicant is requesting additional floor area and lot coverage, but is providing for additional landscaping and building facade standards.

The PD was created with a section on drainage standards to address an issue between the subject property and the adjacent residential uses to the west. The applicant has requested to remove the drainage conditions from the PD. Staff supports this request because addressing drainage will be required in the platting and permitting stages.

Staff does not support the sign conditions proposed. While a portion of the property has utility easement that require signs to be either setback out of the easement or a license obtained, staff does not find that this property is unique enough to need signage rights above business rules. The Development Code allows for unity agreements to place signs on adjacent properties, which would allow for three multi-tenant signs. The applicant is requesting greater effective area for monument signs and multi-tenant signs at a specified setback, which is the approximate width of the utility easement. Only a portion of the property has the wider utility easement, but the sign regulations proposed by the applicant would apply to the entire PD district.

SUP for alcohol sales

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

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety,

and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

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

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

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

Traffic/Parking:

The Engineering Section has reviewed the requested zoning change and determined the proposal will not have a significant impact on the street system.

The applicant proposes to treat the district as one lot for parking purposes. This allows for uses to park across property lines within the district without using remote parking agreements. Staff does not object to this portion of the request.

Landscaping:

The applicant is proposing to consider the district as one lot for landscaping purposes. Staff has worked with the applicant on alternative planting criteria along Buckner Boulevard and to require a larger landscaping buffer of 15 feet along Buckner Boulevard and Samuell Boulevard. There is a 25' utility easement along Buckner Boulevard on the northern half of the property. The alternative planting would allow for a greater spacing between large trees from each other but require small trees in that gap. This would allow for greater visibility into the property and minimize the number of large trees which may eventually have a conflict with overhead utilities. Two additional design standards are provided to give the development more flexibility in landscaping design in ways that are better for the trees to be planted in (a larger planting area) or provide a larger perimeter landscaping buffer.

Z112-138(JH)

List of Partners/Principals/Officers

RaceTrac Petroleum
List of Officers

Carl Bolch Jr.	CEO
Susan Bass Bolch	Secretary
Robert J. Dumbacher	CFO

PD CONDITIONS

ARTICLE 605.

PD 605.

SEC. 51P-605.101. LEGISLATIVE HISTORY.

PD 605 was established by Ordinance No. 24639, passed by the Dallas City Council on June 13, 2001. Ordinance No. 24639 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended.

SEC. 51P-605.102. PROPERTY LOCATION AND SIZE.

PD 605 is established on property fronting on the south line of Samuel Boulevard and on the west line of Buckner Boulevard. The size of PD 605 is approximately 19.4248 acres.

SEC. 51P-605.103. DEFINITIONS AND INTERPRETATIONS.

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

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

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

SEC. 51P-605.104. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit 605A). In the event of a conflict between the provisions of this article and the conceptual plan, the provisions of this article control. ~~Minor development plan amendments as set forth in Section 51A-4.702(h) are not authorized in this district.~~

SEC. 51P-605.105. DEVELOPMENT PLAN.

(a) A development plan for each phase of development must be approved by ~~only the building inspection division~~ City Plan Commission before issuance of any building permit within that phase. ~~Minor development plan amendments as set forth in Section 51A-4.702(h) are not authorized in this district.~~

(b) There is no time requirement for the submittal of a development plan, and the portion of Paragraph (4) of Subsection (c), "Site Plan Procedure," of Section 51A-4.702, providing for submission of a development plan within six months of the city council approval of the planned development district ordinance, does not apply.

(c) If an applicant simultaneously submits a specific use permit request along with a request for development plan approval, the development plan may be used as the site plan for a specific use permit if the development plan meets the requirements of Section 51A-4.219(b)(2).

(d) The development plan may be divided into phases.

SEC. 51P-605.106. MAIN USES PERMITTED.

(a) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Job printing (without offset press or lithographic facilities).
- Technical school (classroom facility only).

~~(b) Institutional and community service uses.~~

- ~~-- Adult day care facility.~~
- ~~-- Child care facility.~~
- ~~-- Church.~~
- ~~-- Convalescent and nursing homes, hospice care, and related institutions.~~
- ~~-- Library, art gallery, or museum.~~
- ~~-- Public or private school. [RAR]~~

(c) Miscellaneous uses.

- Temporary construction or sales office.

(d) Office uses.

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

(e) Retail and personal service uses.

- Business school (classroom facility only).
- Dry cleaning or laundry store (pick-up and drop-off only, no chemical processes allowed).
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Household equipment and appliance repair.
- Nursery, garden shop, or plant sales.
- Personal service uses.
- Restaurant without drive-in or drive-through service.

--Restaurant with drive-in or drive-through service. (Maximum of two drive-in or drive-through facilities allowed. Drive-in or drive-through windows and ordering equipment must be at least 300 feet from the nearest single family residential lot. Each facility must be greater than 3,500 square feet in floor area. If two facilities are operated in this district, one facility must be greater than 5,000 square feet in floor area.)

-- Motor vehicle fueling station (Maximum of one allowed)

(f) Transportation uses.

-- Transit passenger shelter. [By SUP. See Section 51A-4.211(9).]

(g) Utility and public service uses.

-- Local utilities.

SEC. 51P-605.107. ACCESSORY USES.

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

(b) The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside storage.
- Accessory pathological waste incinerator.
- Amateur communication tower.
- Day home.
- General waste incinerator.
- Home occupation.
- Motor vehicle fueling station.
- Private stables.

SEC. 51P-605.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

(a) Front yard. ~~Minimum front yard is 20 feet, except as otherwise indicated below:~~

(1) Minimum front yard ~~from~~ along Samuell Boulevard is 20 feet.

(2) Minimum front yard ~~from~~ along Buckner Boulevard is 15 feet.

(3) Minimum front yard along Clover Haven Street is 50 feet.

(b) Side and rear yard.

(1) Except as provided, mMinimum side yard is 20 feet, ~~except as otherwise indicated below:~~

~~_____ (A) Minimum side yard is 50 feet for lots adjacent to Clover Haven Street, except for a screening wall parallel to Clover Haven Street and extending 50 feet from the alley, which screening wall must be set back a minimum of 25 feet from the Clover Haven Street right-of-way line.~~

~~_____ (B) Minimum side yard is 20 feet for lots adjacent to Samuell Boulevard.~~

(2) Except as provided, mMinimum rear yard is 25 feet, ~~except for masonry screening walls adjacent to the alley between Freestone Circle and Buckner Boulevard, which must be set back at least five feet from the alley right-of-way line.~~

(3) No setbacks required for interior lot lines.

(c) Floor area ratio. Maximum floor area ratio is ~~0.50~~ 0.75.

(d) Height.

(1) Maximum structure height is 35 feet, unless further restricted under Paragraph (2) below.

(2) If any portion of a structure is over 26 feet in height, that portion may not be located above the residential proximity slope. Exception: Chimneys and structures listed in Section 51A-4.408(a)(2) may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(e) Lot coverage. Maximum lot coverage is ~~50~~ 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(f) Lot size. No minimum lot size.

(g) Stories. Maximum number of stories above grade is two.

SEC. 51P-605.109. OFF-STREET PARKING AND LOADING.

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

_____ For purpose of this section, the entire property shall be considered one lot.

SEC. 51P-605.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-605.111. LANDSCAPING.

~~Landscaping must be provided in compliance with Article X, and the following requirements:~~

~~(1) A 10-foot-wide tree planting island must be located between any restaurant drive-through window and ordering equipment, and residential lots adjacent to the alley between Freestone Circle and Buckner Boulevard. The tree planting island must be continuous with the exception of cross driveways within the parking lot.~~

~~(2) The tree planting island must be planted with minimum three caliper-inch large canopy trees (as defined in Article X) and the trees must be spaced between 40 and 50 feet apart on center.~~

~~(3) There must be a permeable landscape buffer between any street right-of-way and any site paving. The landscape buffer along Clover Haven Street must be a minimum of 25 feet wide, and must extend the length of the district along Clover Haven Street. This landscape buffer may not be penetrated by curb cuts or driveways.~~

~~(4) A six-foot-high evergreen shrub buffer must border the opposite side of the drive-through lane of all restaurant drive-through windows and exterior ordering equipment.~~

~~(5) All landscape elements required by this section are subject to the landscape maintenance requirements of Article X.~~

(a) In general. Except as provided, landscaping must comply with Article X.

(b) Phasing.

(1) For the purposes of landscaping, the entire Property is considered one lot.

(2) Landscaping may be provided in phases and artificial lots have no minimum size. Artificial lots may be applied to each phase of development without regard to the overall lot.

(d) Tree spacing.

(1) Large trees must be setback a minimum of 20 feet from an aboveground utility power line, measured horizontally from the center of the tree to the nearest point of the power line.

(2) Large trees must be setback a minimum of 5 feet from an underground utility line, measured horizontally from the center of the tree to the nearest point of the utility line.

(3) Large street trees must be spaced a minimum of 40 feet from another large street tree.

(4) Trees should be uniformly spaced.

(e) Required perimeter landscaping buffers. The following perimeter landscaping buffers are additional requirements to Article X and except as provided in paragraph (g), Design standards, may not be used to meet design standard requirements.

(1) There must be a permeable landscape buffer between any street right-of-way and any site paving. The landscape buffer along Clover Haven Street must be a minimum of 25 feet wide, and must extend the length of the district along Clover Haven Street. This landscape buffer may not be penetrated by curb cuts or driveways.

(2) All street frontages other than Clover Haven Street must provide a minimum 15 foot wide landscaping buffer.

(3) If the director finds that a utility conflict prevents a buffer plant material group listed in Sec. 51A.10.102(f)(B), the following additional buffer plant material group may be used to meet the requirements of the perimeter landscaping buffer.

(A) One large tree must be provided for each 80 feet of street frontage located within 50 feet of the curb, with a minimum of two being provided, and two small trees must be provided for each 50 feet of street frontage located within 30 feet of the curb.

(4) Perimeter landscaping buffer adjacent to an alley must be a minimum of 50 percent on the west side of the required screening wall and must provide a minimum of 50 percent of the buffer plant materials on the west side of the required screening wall.

(f) Street trees. Street trees must be provided within 50 feet of the projected street curb. A large tree must be provided for each 80 feet of street frontage, with a minimum of two being provided. Street trees planted within parking lots must provide a minimum surface planting area of 160 square feet.

(g) Design standards. The following may be considered design standards options in addition to those listed in Article X.

(A) Increased surface planting areas for large trees on surface parking lots. An applicant may provide an increased surface planting area for large trees of a minimum of 180 square feet for each tree and where no required parking space may be

located more than 50 feet from the trunk of a large canopy tree. Each tree required by this subparagraph must have a caliper of at least three inches.

(B) An applicant may provide an enhanced street landscape buffer that is an additional five feet average wider than the minimum widths required by this article for perimeter landscape buffer.

(h) Board of Adjustment. The Board of Adjustment may grant a special exception to the landscaping requirements of this article in accordance with Article X.

SEC. 51P-605.112. SIGNS.

Staff recommended (no change from current PD):

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

Applicant proposed:

(a) Except as provided, Signs must comply with the provisions for business zoning districts contained in Article VII.

(b) Detached signs.

(1) Multi-tenant signs.

(A) For multi-tenant signs, the entire property shall be considered one lot.

(B) The maximum number of multi-tenant signs is three.

(C) The maximum height is 50 feet.

(D) The maximum effective area is 300 square feet.

(E) The minimum setback is 22.5 feet.

(2) Monument single-tenant signs.

(A) The minimum setback is 20 feet.

(B) The maximum effective area is 200 square feet.

SEC. 51P-605.113. FLOOD PLAIN AND ESCARPMENT ZONE REGULATIONS.

See Article V.

SEC. 51P-605.114. DRAINAGE.

~~_____ (a) Interim drainage control facilities. Within six months of city council approval of this district, and prior to any development in this district, interim drainage control in the form of earthen berms and/or earthen swales must be constructed to block storm run-off from entering the alley between Freestone Circle and Buckner Boulevard from this district and must be maintained until replaced by permanent drainage facilities as set forth in this section. Interim storm water flow must be directed into the existing storm sewer intake that has been previously provided for the developed 100-year run-off of the district and upstream areas, as designated by existing approved pre-development drainage plans and drainage area map for the area of the district and contributing upstream areas. (See City of Dallas Drainage Plan No. 421Q-4300, filed with the department of public works and transportation.)~~

~~_____ (b) Permanent drainage control facilities.~~

~~_____ (1) A permanent drainage plan must be submitted with each development plan application. The permanent drainage plan must replace the interim drainage control facilities with permanent drainage control facilities consisting of:~~

~~_____ (A) a screening wall [see Section 51P-605.115 below] that prevents drainage from this district into the alley between Freestone Circle and Buckner Boulevard; and~~

~~_____ (B) underground retention/detention facilities that prevent drainage from this district into the existing storm water intakes in excess of the capacity of those intakes.~~

~~_____ (2) Each permanent drainage plan must also adequately provide for control of storm water runoff during the construction phase between demolition of the interim drainage facilities and completion of permanent drainage facilities.~~

~~_____ (3) Each permanent drainage plan must also adequately provide for the integration of the drainage facilities described in the permanent drainage plan with all interim or permanent drainage facilities.~~

SEC. 51P-605.115. SCREENING WALLS.

(a) At the time of development of any lot, parcel, or tract in this district, a screening wall must be constructed from the mid-point of the alley (specifically, the alley dead-end at the alley between Freestone Circle and Buckner Boulevard, and indicated on the conceptual plan as that point separating the North Wall Phase and the South Wall Phase) along the length of the alley to Samuell Boulevard (the “North Wall Phase”), or from the mid-point of the alley along the length of the alley to Clover Haven Street and from that point parallel to Clover Haven Street for a distance of 50 feet from the corner (in order to screen rear service areas in the district)(the “South Wall Phase”). The screening wall may not obstruct a visibility triangle. The portion of the wall that must be built is determined by the building site. If the building site is entirely to the south of the midpoint of the alley, the South Wall Phase must be built. If the building site is entirely to the north of the mid-point of the alley, the North Wall Phase must be built. If

the building site straddles the mid-point of the alley, the North Wall Phase and the South Wall Phase must be built.

(b) The screening wall must be a minimum of six feet in height and constructed of brick, or architectural concrete block, or pre-fabricated concrete construction with the appearance of brick or architectural concrete block. The alley face of the wall must have an anti-graffiti surface treatment.

(c) Screening walls must have a five-foot setback from the alley right-of-way line.

SEC. 51P-605.116. SITE LIGHTING.

(a) Pole mounted lighting may not exceed 35 feet in height measured from grade level.

(b) Pole, wall, or building mounted lighting having residential adjacency must utilize a horizontal, full visual cut-off fixture to prevent light from intruding into residential lots facing Freestone Circle, except for lighting fixtures mounted on the screening wall as indicated in Subsection (c) below.

(c) As an exception to the requirements in Subsection (b), pole mounted lights built on the screening wall adjacent to the alley must be installed and maintained in a manner to deter shadows from being created along the alley face of the screening wall due to wall height, and to deter light from intruding into residential lots facing Freestone Circle.

~~———— (d) Pole mounted lights must be installed and maintained on the screening wall as a condition of development of lots or parcels along the eastern side of the screening wall.~~

SEC. 51P-605.117. INGRESS/EGRESS.

(a) Alley access. Lots in this district may not have access to the alley between Freestone Circle and Buckner Boulevard.

(b) Street access. Lots in this district may not have direct access to Clover Haven Street.

SEC. 51P-605.118. 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.

(c) To ensure compatibility with the surrounding land uses, all facades except for the rear/service side of a building must be constructed of one or more of the following materials for 70 percent of the facade area excluding windows, trim, and doors.

(1) Masonry consisting of stone, brick, or decorative concrete block,

(2) Hollow clay tile or decorative tile,

(3) Glass block, or

(4) Stucco. For purposes of this provision, Exterior Finish Insulations System (EFIS) materials are not considered stucco or an acceptable material.

SEC. 51P-605.119. 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 or certificate of occupancy for a use in this planned development district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

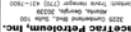


~~SEC. 51P-605.120. ZONING MAP.~~

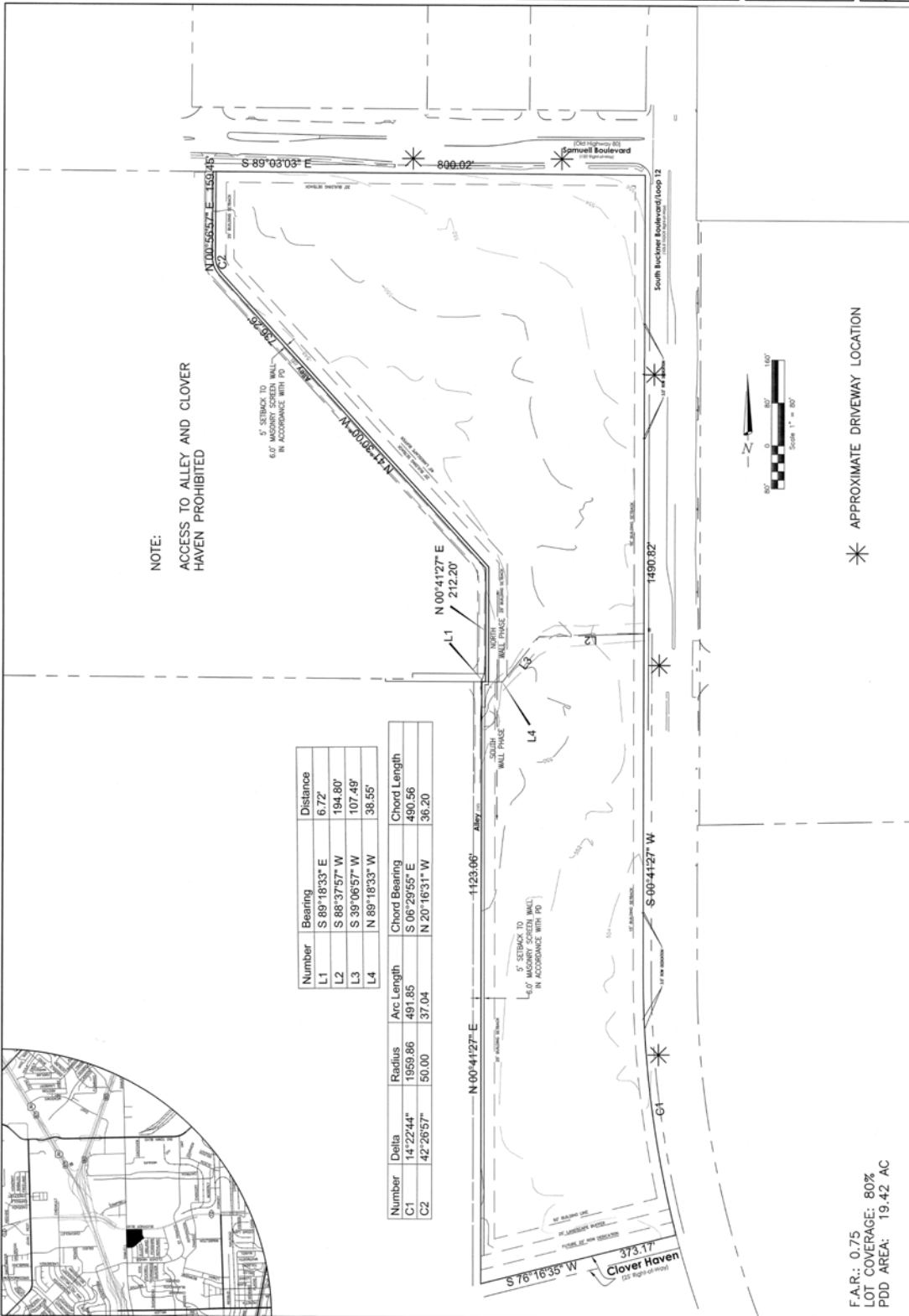
~~PD 605 is located on Zoning Map No. J-10.~~

SUP Conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages for off-premise consumption as part of the operation of a general merchandise or food store greater than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED CONCEPTUAL PLAN

	RaceTrac Petroleum, Inc. 2025 Commerce Blvd., Suite 500 Dallas, Texas 75241 Phone: (214) 431-7800 Fax: (214) 431-7801		Bold, Hampton & Brown, Inc. Engineering & Surveying 4050 W. 30th Street, Suite 100 Dallas, Texas 75247 Phone: (214) 343-1818 Fax: (214) 343-1819	DATE: Jan. 2012 CHECKED: DAH DESIGNED: DAH REVISIONS:	CONCEPT PLAN RaceTrac Service Station # 1035 SWC of Samuell & Buckner (Loop-12) Dallas, TX		Z112-138 SHEET PROJECT NO.: 2011.015.005 SHEET NO.: C1
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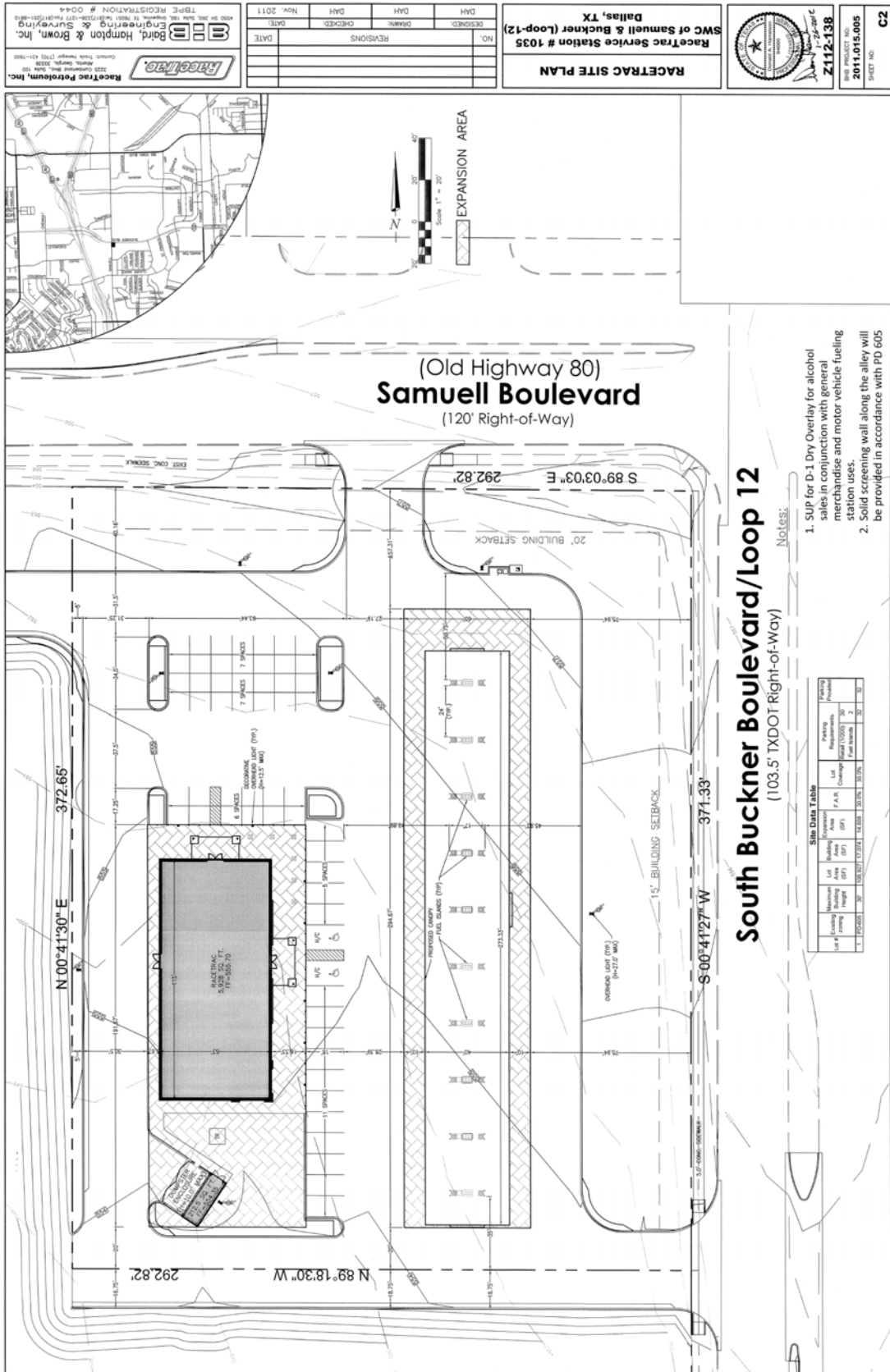
NOTE:
ACCESS TO ALLEY AND CLOVER
HAVEN PROHIBITED

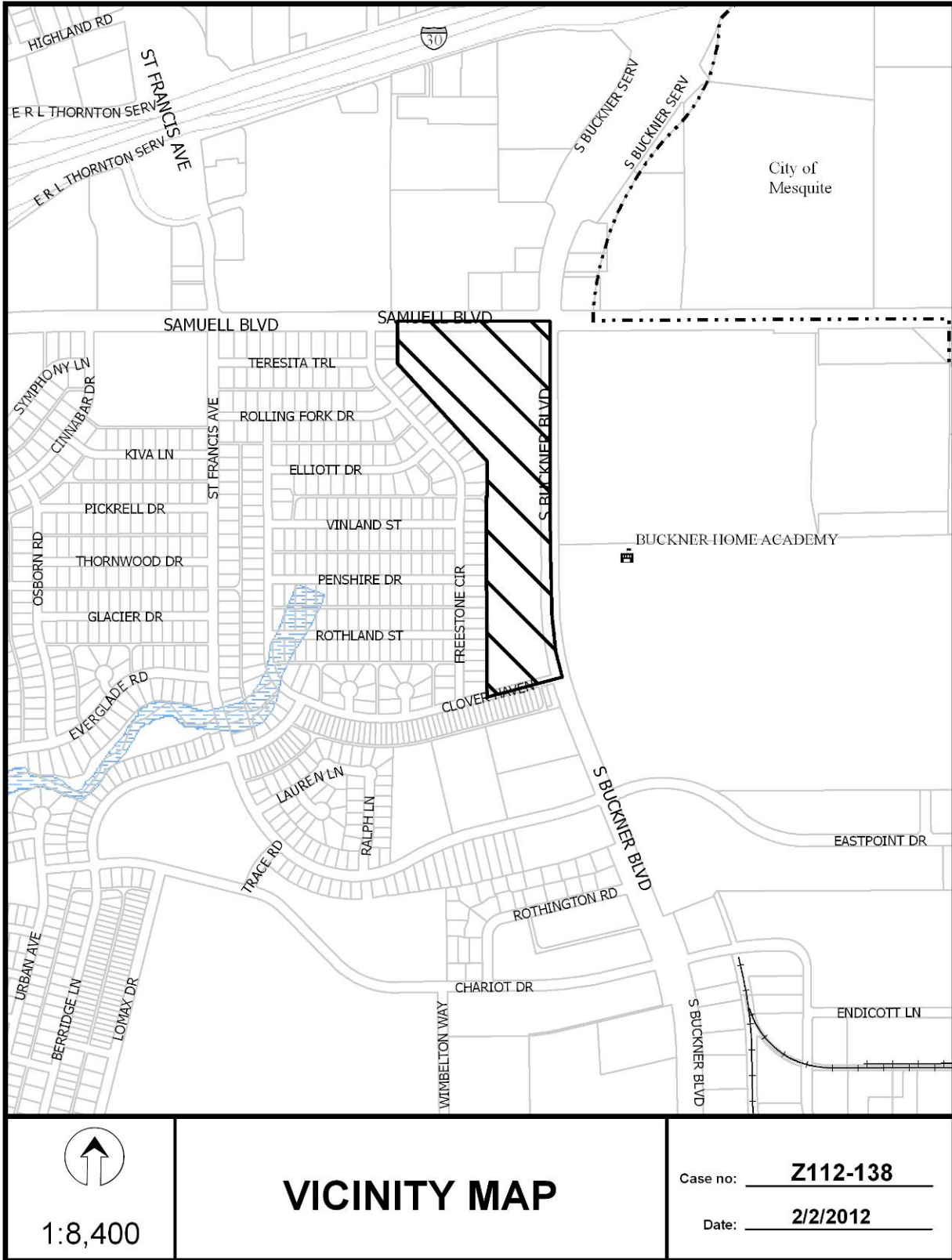
Number	Bearing	Distance
L1	S 89°18'33" E	6.72'
L2	S 88°37'57" W	194.80'
L3	S 39°06'57" W	107.49'
L4	N 89°18'33" W	38.55'

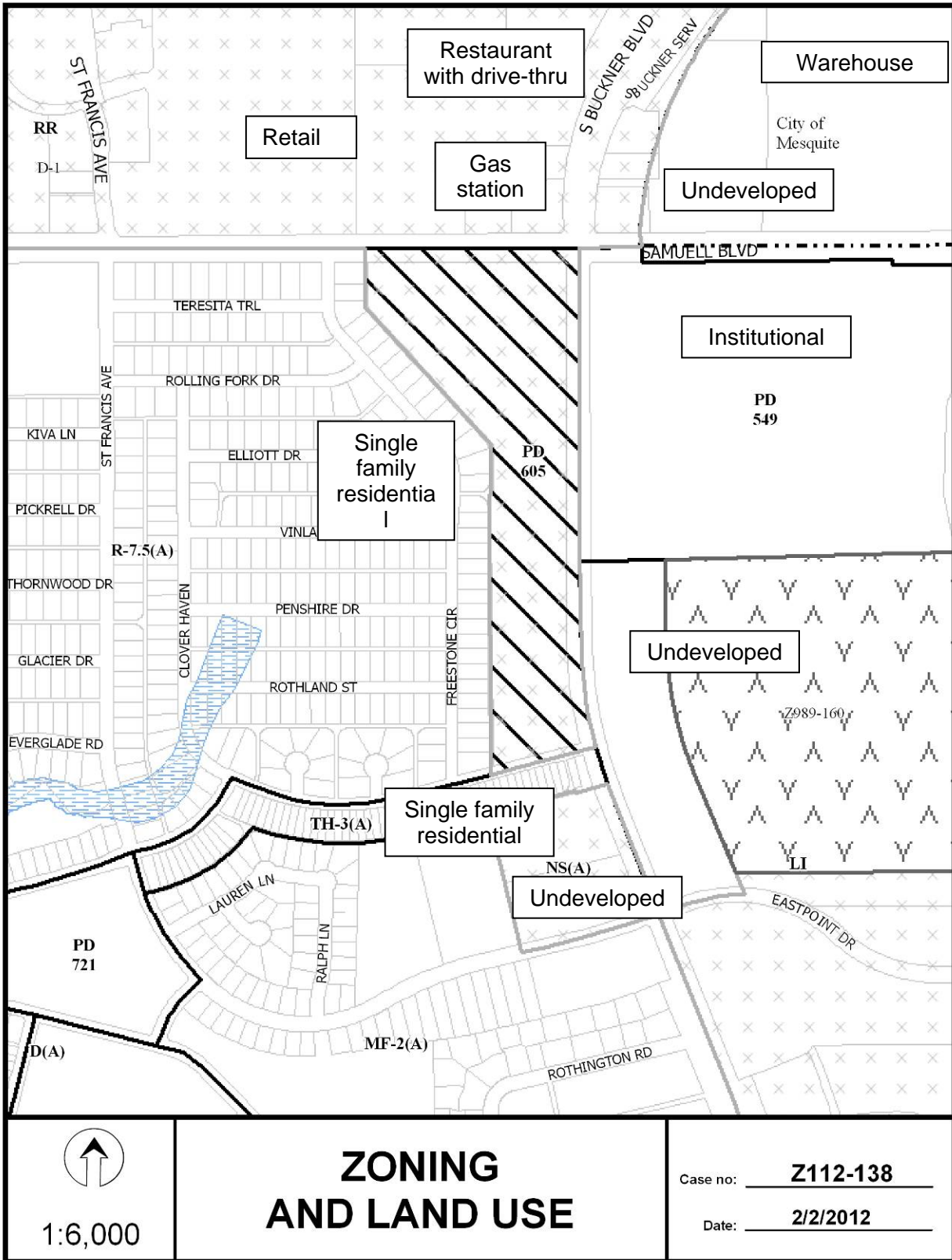
Number	Delta	Radius	Ac. Length	Chord Bearing	Chord Length
C1	14°22'44"	1959.86	491.85	S 06°29'55" E	490.56
C2	42°28'57"	50.00	37.04	N 20°16'31" W	36.20

F.A.R.: 0.75
 LOT COVERAGE: 80%
 PDD AREA: 19.42 AC

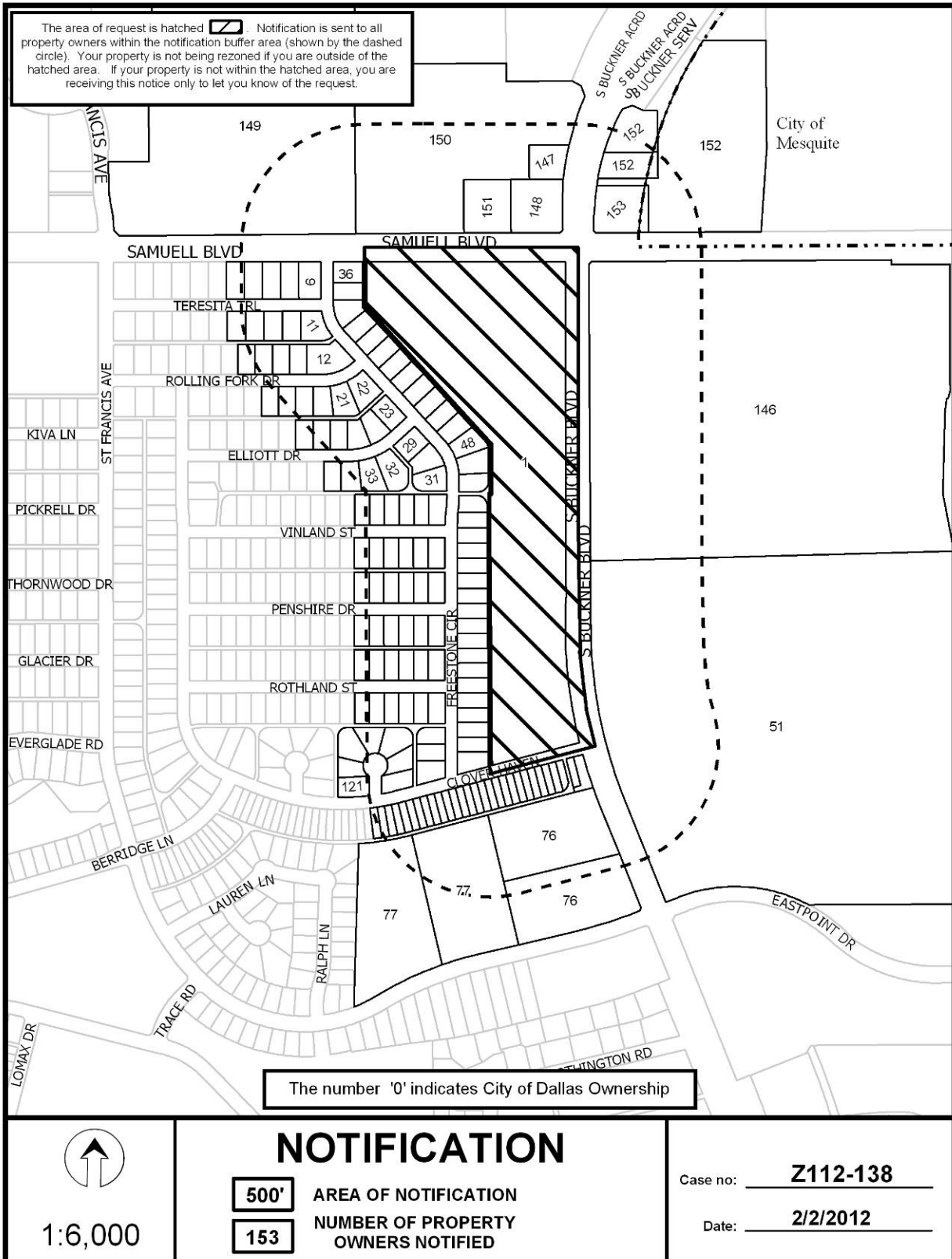
SUP Site Plan











Notification List of Property Owners

Z112-138

153 Property Owners Notified

Label #	Address	Owner
1	5204 BUCKNER BLVD	BUCKNER BAPT BENEVOLENCE
2	7141 TERESITA TRL	GARZA RUBY
3	7147 TERESITA TRL	WHITEHEAD KELLY JOE
4	7153 TERESITA TRL	ADEYOJU EMMANUEL ETUX
5	7159 TERESITA TRL	DONALDSON BOBBY A
6	7165 TERESITA TRL	MARSHALL LENWOOD & LINDA G SAVANNH
7	7142 TERESITA TRL	AKABUE ANTHONY
8	7148 TERESITA TRL	LEANOS JOSE JR
9	7154 TERESITA TRL	HILL CE ESTER & EUNICE
10	7160 TERESITA TRL	TAING AN & PHA
11	7166 TERESITA TRL	OSBORNE KENNETH L
12	7177 ROLLING FORK DR	NEWMAN TERENCE T
13	7165 ROLLING FORK DR	LANE LOIS H
14	7159 ROLLING FORK DR	FLORES ELVIRA
15	7153 ROLLING FORK DR	JOHNSON HOWARD E
16	7147 ROLLING FORK DR	RUIZ ROSIE OCHOA & FOSTER
17	7154 ROLLING FORK DR	DITTMAR LUCILLE
18	7160 ROLLING FORK DR	HOSKINS TOMMIE LEE
19	7166 ROLLING FORK DR	RECORD RONDA J
20	7172 ROLLING FORK DR	NELSON DIANNE
21	7178 ROLLING FORK DR	MATTHEWS MARY J
22	7184 ROLLING FORK DR	MCDUGAL DONALD
23	7195 ELLIOTT DR	WEST EUGENE & DORIS M
24	7189 ELLIOTT DR	LONDON JORDAN C
25	7183 ELLIOTT DR	CALLAHAN GERALDINE I LIFE EST REM: CALLA
26	7177 ELLIOTT DR	DYESS ROGER RHODES
27	7171 ELLIOTT DR	CARREON MARGARITO & TEOFILA
28	7165 ELLIOTT DR	BROWN MELVIN U & AVIS W
29	5275 FREESTONE CIR	JORDAN H L
30	5265 FREESTONE CIR	HAM DAVID C & NANCY LEWIS
31	5255 FREESTONE CIR	CARBAJAL CARLOS & MARIA LETICIA
32	7190 ELLIOTT DR	NAVARRETE ARMANDO

Label #	Address	Owner
33	7184 ELLIOTT DR	DOWNING DAVID LEE
34	7178 ELLIOTT DR	REES LEONARD W
35	7172 ELLIOTT DR	BRADLEY SAMUEL E & CAROL S
36	5430 FREESTONE CIR	MARQUEZ MARTINA
37	5424 FREESTONE CIR	PERRY ELLEN MARIE
38	5418 FREESTONE CIR	COMBEST MILTON D
39	5412 FREESTONE CIR	RAMOS CELSO M
40	5406 FREESTONE CIR	OLIVO LOUIS ETAL
41	5330 FREESTONE CIR	CARR MARGARET
42	5324 FREESTONE CIR	MURPHYDANIELS CAROLYN
43	5318 FREESTONE CIR	WHITE CLEOPHUS
44	5312 FREESTONE CIR	JIMENEZ JOSE B SR & ARACELI
45	5306 FREESTONE CIR	SOTO ELISEO & BERTHA
46	5274 FREESTONE CIR	JONES CARL
47	5268 FREESTONE CIR	CLAYBORN LEOLA C
48	5262 FREESTONE CIR	HILLARIO JOHN J & PILAR M
49	5256 FREESTONE CIR	PENA JUANA
50	5250 FREESTONE CIR	CINDO HECTOR & DORA
51	7890 SAMUELL BLVD	PROLOGIS
52	7143 VINLAND ST	NGUYEN MINH DUNG
53	7147 VINLAND ST	VARUGHESE ABRAHAM & RENNEY
54	7151 VINLAND ST	NDEGWA WILLIAM & DORCUS GAKUO
55	7155 VINLAND ST	VILLANUEVA MADELYN P & CELSO C
56	7159 VINLAND ST	PAGE CHARLES L JR & CAROLYN J
57	7163 VINLAND ST	NGUYEN THU NGOC
58	5244 FREESTONE CIR	ROBERTSON PHYLISS G
59	5238 FREESTONE CIR	BROWN ALFRED L & ANITA K
60	5232 FREESTONE CIR	JENKINS MARION CHARLES
61	5226 FREESTONE CIR	BOOKER HUREL & JULIET
62	5220 FREESTONE CIR	ANAYA LUIS & CECILIA
63	5214 FREESTONE CIR	JOHN CHIRAMEL ABRAHAM & ALEYAMMA P
64	5206 FREESTONE CIR	YOUUMAN SHAWN P
65	5168 FREESTONE CIR	DOLLINS JAMES G & CONSTANCE J
66	5162 FREESTONE CIR	WEBSTER DOLLIE M
67	5156 FREESTONE CIR	JOHNSON PATRICIA &PERCY
68	5150 FREESTONE CIR	GARCIA LORENZO
69	5144 FREESTONE CIR	HAWKINS SCHNITA

Label #	Address	Owner
70	5138 FREESTONE CIR	SOLORZANO FAUSTINO & MARIA D C SOLORZANO
71	5132 FREESTONE CIR	HILL FLORENCE R
72	5126 FREESTONE CIR	SALES JUAN M & RUTH O
73	5120 FREESTONE CIR	MURRAY DAVID S & ETHEL LOUISE
74	5114 FREESTONE CIR	PERNELL SYLVESTER & ALICE G
75	5100 FREESTONE CIR	CALDWELL CHRISTIAN N
76	5100 BUCKNER BLVD	A & A PARTNERS LLC
77	4748 ST FRANCIS AVE	RANCHO BUCKNER LTD
78	4907 CLOVER HAVEN	THOMAS ROSEMARY
79	4903 CLOVER HAVEN	PINA FELIPE
80	4843 CLOVER HAVEN	HUD %SOUTHWEST ALLIANCE OF
81	4839 CLOVER HAVEN	RICHARDS VIVIAN J
82	4835 CLOVER HAVEN	PODROUZEK BRENDA K
83	4831 CLOVER HAVEN	BALLARD REVA J
84	4827 CLOVER HAVEN	DEMETRO GROUP INC
85	4823 CLOVER HAVEN	GARRETT BRETT T
86	4819 CLOVER HAVEN	SPEARS GRENALDA
87	4815 CLOVER HAVEN	BURNS CAROLYN I
88	4811 CLOVER HAVEN	ARMSTEAD MABLE A
89	4807 CLOVER HAVEN	AMBROSIO CHRIS & ANGELA
90	4803 CLOVER HAVEN	AMBROSIO CHRISTOPHER & ANGELA
91	4763 CLOVER HAVEN	BROWN EDWARD
92	4759 CLOVER HAVEN	KINGBLACK SANDRA E
93	4755 CLOVER HAVEN	WILLIAMS ERMA JEAN
94	4751 CLOVER HAVEN	ANDERSON GARY D
95	4747 CLOVER HAVEN	CARRAWAY KAROLYN
96	4743 CLOVER HAVEN	PIERRO MAYOLA
97	4739 CLOVER HAVEN	THOMAS CAROLYN ANN
98	4735 CLOVER HAVEN	LAGUNA JOSE L
99	4731 CLOVER HAVEN	REDDIC GLORIA
100	4727 CLOVER HAVEN	SLOAN ROBIN M
101	4723 CLOVER HAVEN	HORN MARVA
102	4719 CLOVER HAVEN	CUNNINGHAM LOIS M
103	4715 CLOVER HAVEN	JAMISON MARIANNE &
104	4707 CLOVER HAVEN	BECKHAM ALBERTA ESTATE OF
105	4703 CLOVER HAVEN	MAYWEATHER LARETA
106	7148 ROTHLAND ST	SANCHEZ RAMIRO

Label #	Address	Owner
107	7152 ROTHLAND ST	GUSMAN JORGE A IBARRA
108	7156 ROTHLAND ST	BAZAN VINCENT & LUISA R
109	7160 ROTHLAND ST	FLORES GRISELDA & OFELIA
110	7164 ROTHLAND ST	HO THOMAS & HOA DUONG
111	7168 ROTHLAND ST	TRAN SON Q & NGO VAN T
112	5121 FREESTONE CIR	CASTILLO MARIA J
113	5115 FREESTONE CIR	NUNO ISMAEL & ERICKA
114	5107 FREESTONE CIR	REYES DORA & JULIA QUIROGA
115	4904 CLOVER HAVEN CIR	FIELDS IRA
116	4908 CLOVER HAVEN CIR	KELLY SHANNA DEANNE
117	4912 CLOVER HAVEN CIR	RHYNES ERNESTINE & WALTER
118	4916 CLOVER HAVEN CIR	GODINEZ OSCAR & SANDRA
119	4920 CLOVER HAVEN CIR	BOYD WANDA A
120	4924 CLOVER HAVEN CIR	WELLINGTON & FRANKLIN FINANCIAL LLC
121	4928 CLOVER HAVEN CIR	DELAPAZ ALFREDO
122	7148 PENSHERE DR	BERNAL ROBERT & TIRSA S
123	7152 PENSHERE DR	MCDONALD WILLIAM A I & CHERYL L
124	7156 PENSHERE DR	SANDERS ROUNETTE YVETTE &
125	7160 PENSHERE DR	PATRICK KATHY
126	7164 PENSHERE DR	WILLIAMS LESLIE ALPHONSO BETTY FAYE MARS
127	7168 PENSHERE DR	HUA MINH C & TAM T
128	7167 ROTHLAND ST	LEWIS DONALD E & SERETHA D
129	7163 ROTHLAND ST	DARITY DONNA S
130	7159 ROTHLAND ST	LAFSER PARRICIA LYNN
131	7155 ROTHLAND ST	GUERRERO MICAELA R
132	7151 ROTHLAND ST	RENAUD ROBERT M
133	7147 ROTHLAND ST	NGUYEN TRAC & TRI
134	7148 VINLAND ST	PATTERSON BESSIE M
135	7152 VINLAND ST	GUILLORY ALPHIE D
136	7156 VINLAND ST	RODRIGUEZ HIGINIO
137	7160 VINLAND ST	CRAYTON ADRIAN & CICELY
138	7164 VINLAND ST	IPINA J JESUS
139	7168 VINLAND ST	SPAULDING SUSAN M
140	7167 PENSHERE DR	VARGHESE GEORGE P
141	7163 PENSHERE DR	GOMEZ ROSALIO JR
142	7159 PENSHERE DR	LEFFALL TONYA W
143	7155 PENSHERE DR	VELAZQUEZ ANGEL & ELMA

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2/2/2012

Label #	Address	Owner
144	7151 PENSIRE DR	PERALTA ADAN
145	7147 PENSIRE DR	AGUILAR TRINIDAD
146	5202 BUCKNER BLVD	BUCKNER BAPTIST BENEVOLENCES
147	5525 BUCKNER BLVD	WHATABURGER OF MESQUITE % BOB POTTER
148	5501 BUCKNER BLVD	7-ELEVEN INC TAX DEPARTMENT #33275
149	9100 R L THORNTON FWY	WAL MART REAL EST BUS TR % WAL-MART PPTY
150	5555 BUCKNER BLVD	WM DALLAS PORTFOLIO LP
151	5655 BUCKNER BLVD	SAMS REAL EST BUSINESSSTR % WAL-MART PPTY
152	5361 SAMUELL BLVD	BC RETAIL INVESTMENT LP
153	5500 BUCKNER BLVD	RESOURCE ONE CREDIT UNION

FILE NUMBER: DCA 112-004 (DC)

DATE INITIATED: 1-5-12

TOPIC: Subdivision Requirements for Certain Governmental Uses

COUNCIL DISTRICT: All

CENSUS TRACT: All

PROPOSAL: Consideration of amendments to Chapter 51A, the Dallas Development Code, to amend Section 51A-8.500, Subdivision Layout and Design, providing that lots for certain governmental uses are excluded from the requirement that lots must conform in width, depth, and area to the pattern already established in adjacent areas

SUMMARY: The purpose of the amendment is to recognize that larger lots for certain governmental related uses such as parks, schools, libraries and fire stations are appropriate in areas that would typically have smaller lot sizes. One of the standards the City Plan Commission is to consider when approving a plat is if the proposed lot conforms in width, depth, and area to the pattern already established in adjacent areas.

STAFF RECOMMENDATION: Approval.

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: Pending

BACKGROUND INFORMATION:

- Currently the Development Code has the following standard for lots under the requirements for subdivision layout and design:

Lot size. The area of each platted lot must comply with the minimum regulations for the zoning district in which the lot is located. Lots must conform in width, depth and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of streets.

- There are certain governmental related uses that are appropriate to locate in most zoning district classifications. Frequently these uses require greater lot areas than surrounding lots, particularly when located in single family residential zoning districts. These uses include parks, recreation centers, libraries, public schools, fire stations, and utilities such as water storage facilities and pump stations.
- As a result of capital programs the city has platted several libraries, fire stations and recreation centers in the past several years that were in areas with smaller lots intended for residential uses.
- Similarly, area school districts have had to plat to accommodate both new schools and school expansions in areas with smaller lots intended for residential uses.
- Typically these plats have been approved but the current wording does not recognize the unique service these uses provide that are complimentary to and consistent with the lots in the surrounding area.
- This item has been scheduled for consideration by the Subdivision Review Committee on February 16, 2012.

Staff Analysis

The purpose of the amendment is to recognize that larger lots for certain governmental related uses such as parks, schools, libraries and fire stations are appropriate in areas that would typically have smaller lot sizes. One of the standards the City Plan Commission is to consider when approving a plat is if the proposed lot conforms in width, depth, and area to the pattern already established in 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. Lots for parks, schools, libraries, and fire stations do not always conform in width, depth, and area to the pattern of lots in many areas where these uses are desired and appropriately located.

Forward Dallas includes several references to the importance of amenities such as schools and parks to serve neighborhoods. Most of the purpose statements for single family zoning districts in the development code include similar language to the purpose statement for the R-7.5(A) district which includes the following sentence. "This district is intended to be composed of single family dwellings together with public and private schools, churches, and public parks essential to create basic neighborhood units."

Staff is recommending approval of the proposed code amendment to make the provisions of the code consistent with providing desired amenities in areas which may typically include smaller lot sizes. The original proposal staff presented to the SRC was to amend Section 8.503 to read:

"(a) Lot size. The area of each platted lot must comply with the minimum regulations for the zoning district in which the lot is located. Except for property owned by a governmental agency and intended to be used for a public purpose such as a fire station, library, park, school or utility use; [L]ots 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, its zoning and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of streets."

At the February 19, 2012 SRC meeting the Committee requested that staff develop some alternative language. Staff is still reviewing options for alternative language and will be distributing the alternative language prior to the March 1, 2012 meetings.

SRC Action (Pending March 1, 2012 action)

CPC Action – On February 19, 2012, The City Plan Commission held this request under advisement to the March 1, 2012 pending a recommendation from the Subdivision Review Committee.