



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, March 3, 2011
AGENDA

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

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

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

BRIEFINGS:

Subdivision Review Process

David Cossum, Assistant Director, Sustainable Development and Construction

Subdivision Docket

Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Paul Nelson

Consent Items:

(1) **S101-053**
(CC District 4)

An application to create one 2.711 acre lot from a tract of land in City Block 3395 on Ewing Avenue between Clarendon Drive and 15th Street

Applicant/Owner: Dallas Zoological Society

Surveyor: Adams Surveying Co.

Application Filed: February 8, 2011

Zoning: LI

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

- (2) **S101-055**
(CC District 2) An application to replat a tract of land containing all of Lot 5A and Lot 7 of City Block A/2698 into one 13.3692 acre lot at the terminus of Coronado Avenue southeast of East Grand Avenue
Applicant/Owner: WGS Lakewood MF VI, L.P.
Surveyor: Kimley-Horn & Associates
Application Filed: February 11, 2011
Zoning: PD 770
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket
- (3) **S101-056**
(CC District 3) An application to create one 4.867 acre lot in City Block 7212 on Pinnacle Park Drive, west of Westmoreland Road
Applicant/Owner: SLF III – The Canyon in Oak Cliff, L.P.
Surveyor: Kimley-Horn & Associates
Application Filed: February 11, 2011
Zoning: PD 811
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket

Individual Items:

- (4) **S101-054**
(CC District 3) An application to replat all of Lots 4A and 5A in City Block F/4792 to increase the lot size of Lot 5A to 1.0389 acres and to reduce the size of Lot 4A to 0.5832 acre, and to relocate sanitation truck turn-around easement on property located at 1402 Yakimo Dr. and 600 Rainbow Drive
Applicant/Owner: Julia Dodd & David & Jaime Hale
Surveyor: David Petree
Application Filed: February 8, 2011
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket

Miscellaneous Docket

- D101-009**
Olga Torres Holyoak
(CC District 11) Development/Landscape plan for Planned Development District No. 614 on the northwest corner of Montfort Drive and Towncenter Boulevard
Staff Recommendation: **Approval**
Applicant: CP Montfort Partners, LLLP
Representative: Bryan M. Burger, P.E.
- D101-010**
Olga Torres Holyoak
(CC District 14) Development plan for Planned Development District No. 619 an area generally bounded by Main street to the north, North Griffin Street to the west, and Commerce Street to the south
Staff Recommendation: **Approval**
Representative: City of Dallas, Park Department

Certificates of Appropriateness for Signs

Downtown Sign District:

1101181065
Carolyn Horner
(CC District 14)

An application for a Certificate of Appropriateness for the installation of a 180 square foot projecting attached containing the text "Public Park" at 717 Leonard Street.

Applicant: Bobby Nichols of Chandler Signs

Staff Recommendation: **Approval**

SSDAC Recommendation: **Approval**

1101241029
Carolyn Horner
(CC District 14)

An application for a Certificate of Appropriateness for the installation of an 88 square foot attached sign containing the text "Oncor" at 1616 Woodall Rogers.

Applicant: Melanie Hancock of Hancock Sign Company.

Staff Recommendation: **Approval**

SSDAC Recommendation: **Approval**

1101241030
Carolyn Horner
(CC District 14)

An application for a Certificate of Appropriateness for the installation of a 228 square foot attached sign containing the text "Oncor" at 1616 Woodall Rogers.

Applicant: Melanie Hancock of Hancock Sign Company.

Staff Recommendation: **Approval**

SSDAC Recommendation: **Approval**

Thoroughfare Plan Amendments

Shorecrest Drive between Harry Hines Boulevard and Regal Row

Tanya Brooks
(CC District 6)

An amendment to the City of Dallas Thoroughfare Plan to delete Shorecrest Drive between Harry Hines Boulevard and Regal Row, a four lane undivided roadway (M-4-U) within 60 feet of right of way.

Staff Recommendation: **Approval**

CPC Transportation Committee Recommendation: **Approval**

Telephone Road from Unnamed SE4 to Bonnie View Road

Tanya Brooks
(CC District 8)

An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Telephone Road from Unnamed SE4 to Bonnie View Road from a six lane divided roadway (S-6-D) within 107 feet of right of way to a four lane divided roadway (S-4D) within 80 feet of right of way.

Staff Recommendation: **Approval**

CPC Transportation Committee Recommendation: **Approval**

Zoning Cases – Consent

1. **Z090-257(WE)**
Warren Ellis
(CC District 14)
An application for a Specific Use Permit for a cemetery or mausoleum on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District and termination of a portion of Special Use Permit No. 113 on the south corner of Howell Street and Lemmon Avenue.
Staff Recommendation: **Approval** for a permanent time period, subject to a site plan and conditions and **approval** of the termination of a portion of Specific Use Permit No. 113.
Applicant: Temple Emanu-El
Representative: Peter Kanvanagh - Zone Systems, Inc.

2. **Z101-102(WE)**
Warren Ellis
(CC District 2)
An application for an amendment to the development plan of Planned Development District No. 518, on the south corner of Oak Lawn Avenue and Maple Avenue.
Staff Recommendation: **Approval**, subject to a development plan.
Applicant: Texas Scottish Rite Hospital for Children
Representative: Peter Kavanagh - Zone Systems, Inc.

3. **Z101-138(MW)**
Megan Wimer
(CC District 5)
An application for an NS(A) Neighborhood Service District on property zoned an R-5(A) Single Family District on the southwest corner of East Illinois Avenue and Julius Schepps Freeway.
Staff Recommendation: **Approval**
Applicant: Claudia V. Oliva, ADI Engineering, Inc.
Representative: Don Anyanwu, ADI Engineering, Inc.

4. **Z101-122(MG)**
Michael Grace
(CC District 11)
An application for a RR Regional Retail District with deed restrictions volunteered by the applicant on property zoned Planned Development District No. 22 on the west line of Preston Road, south of Alpha Road.
Staff Recommendation: **Approval**, subject to deed restrictions volunteered by the applicant.
Applicant: LRS Real Estate
Representative: MASTERPLAN

5. **Z101-140(MG)**
Michael Grace
(CC District 11)
An application to terminate deed restrictions limiting motor vehicle and related uses on property zoned MU-3 Mixed use District on the south line of Forest Lane, at the intersection of Forest Lane and Interstate 635 (LBJ).
Staff Recommendation: **Approval**
Applicant: Quik Tripp CO/Jake Petras
Representative: Robert Baldwin

6. **Z101-146(JH)**
Jennifer Hiromoto
(CC District 4)
- An application for a D-1 Dry Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned Subdistrict 1 within Planned Development District No. 366 with a D Dry Liquor Control Overlay at the northwest corner of S. Buckner Boulevard and Cordell Drive.
- Staff Recommendation: **Approval** of a D-1 Dry Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period with eligibility for additional five year periods, subject to a site plan and conditions.
- Applicant: Vilas Kumar
Representative: Santos Martinez, MASTERPLAN
7. **Z101-149(JH)**
Jennifer Hiromoto
(CC District 3)
- An application for a D-1 Dry Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less on property zoned an RR-D Regional Retail District with a D Dry Liquor Control Overlay at the southwest corner of W. Kiest Boulevard and US 67/Marvin D. Love Freeway.
- Staff Recommendation: **Approval** of a D-1 Dry Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period with eligibility for additional five year periods, subject to a site plan and conditions.
- Applicant: JDE Laughter, LLC
Representative: Parvez Malik, Business Zoom
8. **Z101-150(JH)**
Jennifer Hiromoto
(CC District 1)
- An application for a D-1 Dry Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less on property zoned CR Community Retail District with a D Dry Liquor Control Overlay at the northwest corner of W. Jefferson Boulevard and N. Brighton Avenue.
- Staff Recommendation: **Approval** of a D-1 Dry Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period with eligibility for additional five year periods, subject to a site plan and conditions.
- Applicant: U Stop Fina, Inc.
Representative: Parvez Malik

9. **Z101-152(JH)**
Jennifer Hiromoto
(CC District 5)
- An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Dry Liquor Control Overlay on the south side of Scyene Road, west of Sam Houston Road.
- Staff Recommendation: **Approval** for a two-year period with eligibility for additional five year periods, subject to a site plan and conditions.
- Applicant: Vina Patel
Representative: Parvez Malik, Business Zoom

Zoning Cases – Under Advisement

10. **Z090-220(RB)**
Richard Brown
(CC District 8)
- An application for a Specific Use Permit for an Open-enrollment Charter School on property zoned an RR Regional Retail District, on the northwest line of Marvin D. Love Freeway, southwest of Camp Wisdom Road.
- Staff Recommendation: **Approval** for a five-year period, with eligibility for automatic renewal of additional five-year periods, subject to a site plan, traffic management plan, and conditions.
- Applicant: TreCo, Ltd.; Owner
Representative: Tre Black
U/A From: November 18, 2010 January 20, 2011

Zoning Cases – Individual

11. **Z101-104(RB)**
Richard Brown
(CC District 14)
- An application for a Specific Use Permit for a Private recreation center, club, or area on property zoned as Planned Development Subdistrict No. 59 for TH-4 Townhouse Subdistrict Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District at the southeast corner of Throckmorton Street and Herschel Avenue.
- Staff Recommendation: **Denial**
- Applicant: Throckmorton L. P.; Owner-David Castilla, President and Marijke van der Linden, Vice President
Representative: Roger Albright

Other Matters

Minutes: February 17, 2011

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Thursday, March 3, 2011

ZONING ORDINANCE COMMITTEE (ZOC) MEETING - Thursday, March 3, 2011, City Hall, 1500 Marilla Street, in 5ES, at 9:00 a.m., to consider (1) **DCA090-010** - Consideration of amending the Dallas Development Code to amend parking regulations (2) **DCA101-104** - Consideration of amending 51-4.201 and 51A-4.209 of the Dallas Development Code to require registration of handicapped group dwelling units.

Thursday, March 3, 2011

RULES COMMITTEE ZOC) MEETING - Thursday, March 3, 2011, City Hall, 1500 Marilla Street, in 5BN at 10:30 a.m., to consider amendments to the City Plan Commission Rules of Procedures.

Tuesday, March 8, 2011

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC) MEETING – Tuesday, March 8, 2011, City Hall, 1500 Marilla Street.

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.

Tuesday, March 8, 2010

ARTS DISTRICT SIGN ADVISORY COMMITTEE (ADSAC) MEETING – Tuesday, March 8, 2011, City Hall, 1500 Marilla Street.

Note: The official Arts District Sign 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 3, 2011****FILE NUMBER:** S101-053**Subdivision Administrator:** Paul Nelson**LOCATION:** Ewing Avenue between Clarendon Drive and 15th Street**DATE FILED:** February 8, 2011**ZONING:** LI**CITY COUNCIL DISTRICT:** 4**SIZE OF REQUEST:** 2.711 ac.**MAPSCO:** 55E**APPLICANT/OWNER:** Dallas Zoological Society

REQUEST: An application to create one 2.711 acre lot from a tract of land in City Block 3395 on Ewing Avenue between Clarendon Drive and 15th Street.

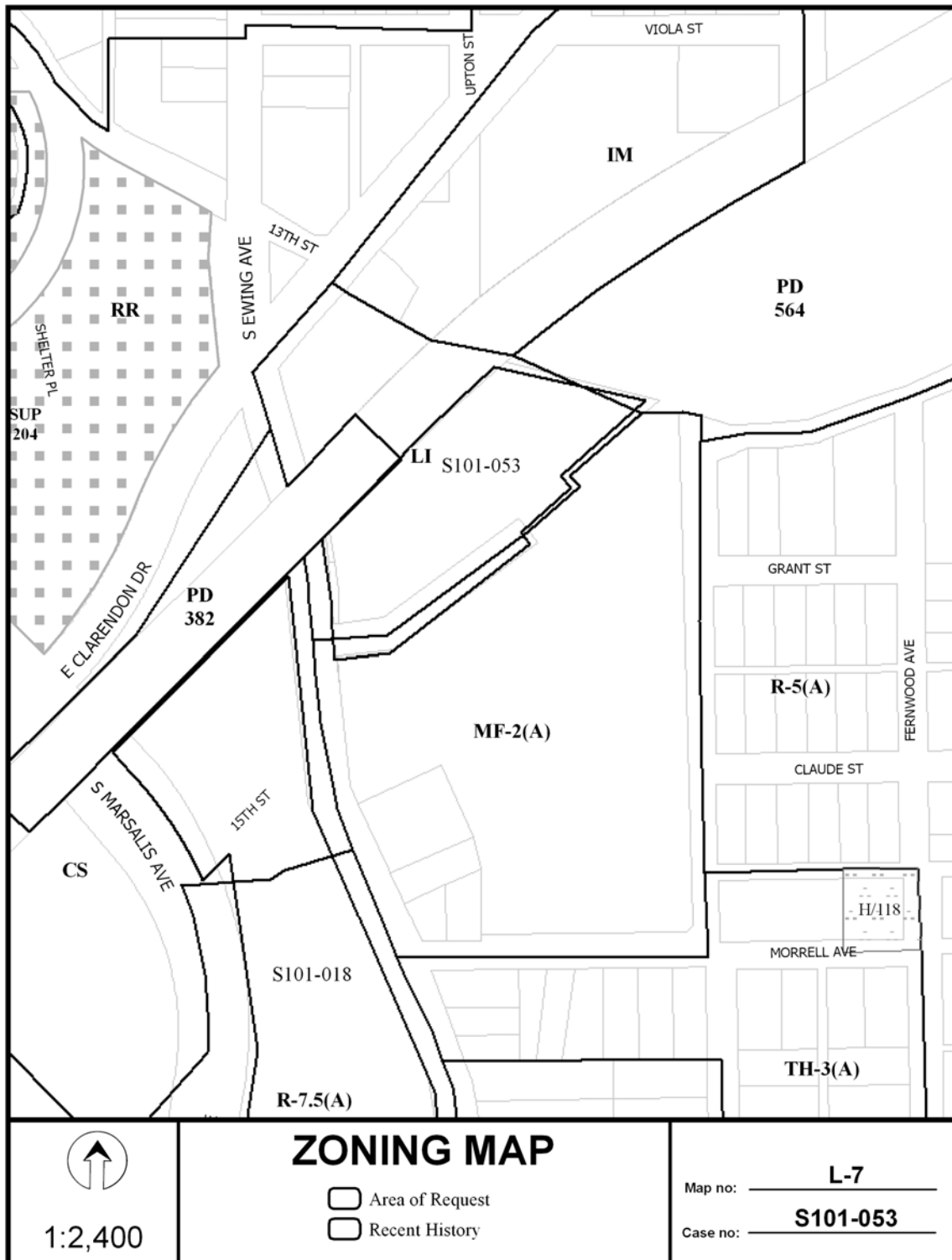
SUBDIVISION HISTORY:

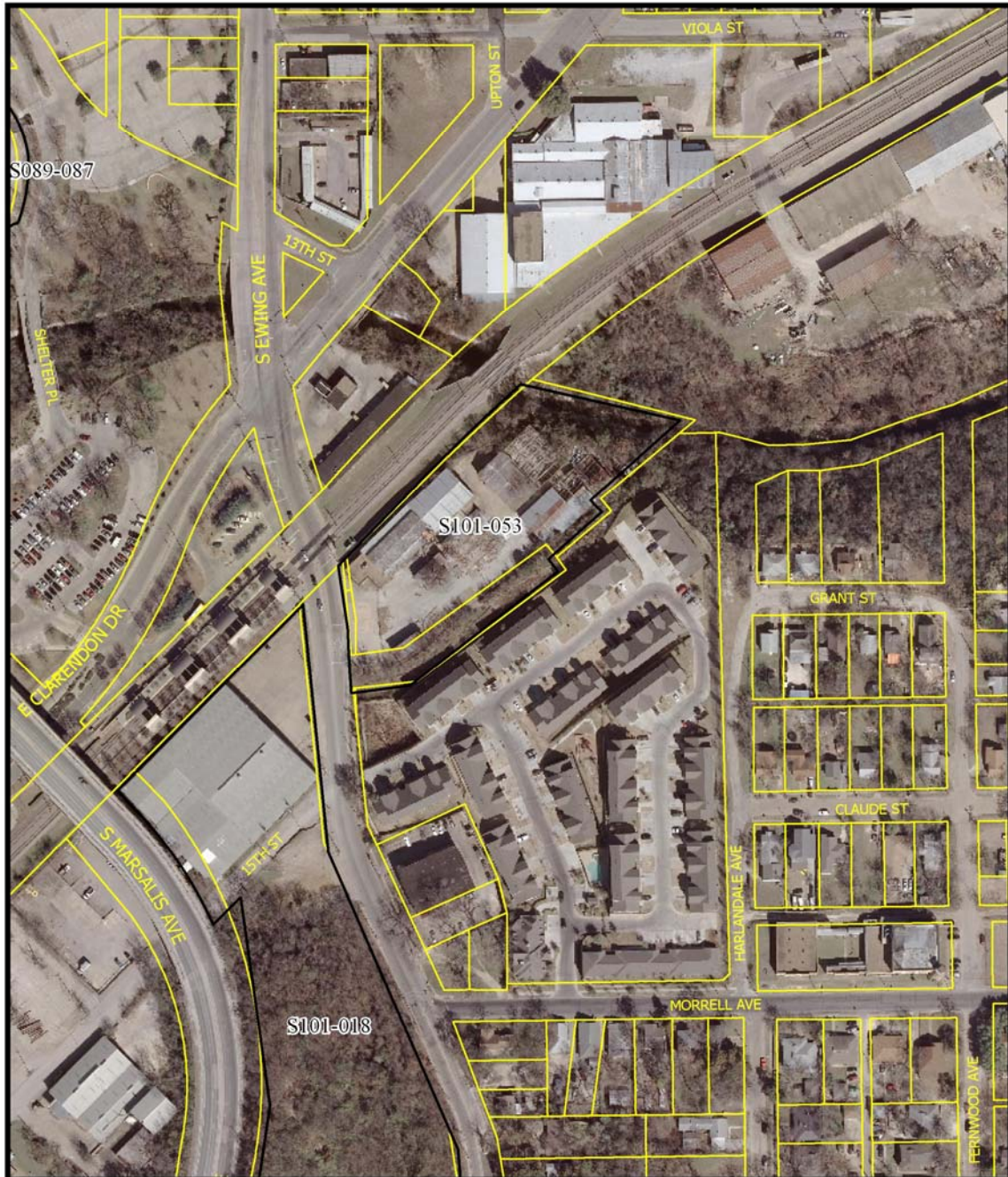
1. S101-018 was an application to replat a 17.474 acre tract of land adjacent on the southwest of this request and containing all of Lot 1 and part of Lot 2 in City Block 3440; all of Lots 1, 2, 3, and 4, in City Block 10/3442; and part of City Block 3442 into 2 lots on property between Ewing Ave. and Marsalis Ave. south of Clarendon Dr. The request was approved on December 16, 2010 but has not been recorded.


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

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

9. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds
10. On the final plat dedicate 28 feet of ROW from the established center line of Ewing Avenue.
11. Determine the 100 year water surface elevation across the plat.
12. Dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
13. Include additional paragraph in owner's certificate (pertaining to floodplain)
14. Specify minimum fill and minimum finished floor elevations.
15. Show natural channel setback from crest of the natural channel.
16. Set floodway monument markers and provide documentation that the monuments have been set prior to submittal of the final plat for recording.
17. Provide information regarding fill permit or floodplain alteration permit if such permit is applied for.
18. On the final plat show all recording information for all existing easements within 150 feet of the property boundary.
19. On the final plat provide a different addition name.
20. On the final plat list utility easements as retained within street abandonments when stated in the abandonment ordinance.
21. On the final plat provide distances/width of Ewing Avenue at a minimum of 2 locations, also show Ewing Avenue as variable width.
22. On the final plat show the DART ROW takes in Volume 92233, page 4459 and Volume 92137, page 496.
23. On the final plat correct the recording information for Ewing Villas.
24. Engineer shall furnish plans for water and sanitary sewer. Developer shall furnish a contract for water and sanitary sewer.
25. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
26. On the final plat label the lot as Lot 1, City Block A/3395.





 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> L-7 </u> Case no: <u> S101-053 </u>
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DATE: February 23, 2011

CITY PLAN COMMISSION**THURSDAY, MARCH 3, 2011****FILE NUMBER:** S101-055**Subdivision Administrator:** Paul Nelson**LOCATION:** Coronado Avenue southeast of East Grand Avenue**DATE FILED:** February 11, 2011**ZONING:** PD 770**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 13.3692 ac. **MAPSCO:** 37X**APPLICANT/OWNER:** WGS Lakewood MF VI, L.P.

REQUEST: An application to replat a tract of land containing all of Lot 5A and Lot 7 of City Block A/2698 into one 13.3692 acre lot at the terminus of Coronado Avenue southeast of East Grand Avenue.

SUBDIVISION HISTORY:

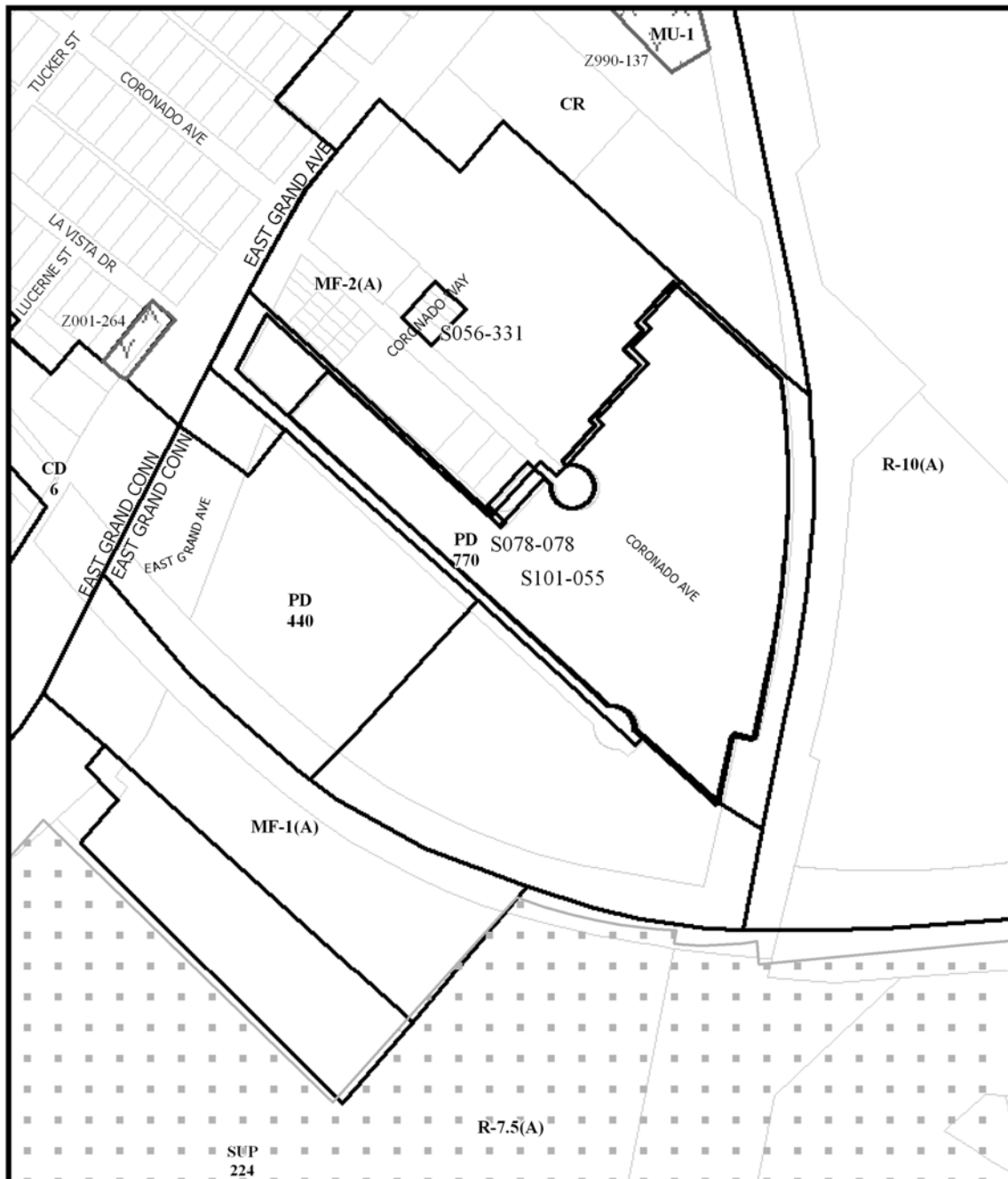
1. S078-078 was an application to create one 0.1173 acres lot and one 12.9144 acre lot (the subject request) from Lots 3, 5 and 6A of City Blocks A/2698, A/2699, and 2701; La Vista Drive and Coronado Ave. Approved on January 17, 2008 and recorded on January 12, 2009.
2. S056-195 was an application to plat a 2.215 acre tract of land in Blocks 2698 & 2699 located on Coronado Avenue southeast of E. Grand Avenue into 21 townhouse lots. Approved April 6, 2006, but not yet recorded.
3. S056-196 was an application to plat a 2.056 acre tract of land in Blocks 2698 & 2699 located on Coronado Avenue southeast of E. Grand Avenue into a 33 lot Shared Access Area Development. Approved April 6, 2006, but not yet recorded.
4. S056-197 was an application to plat a 1.391 acre tract of land in Blocks 2698 & 2699 located on Coronado Avenue southeast of E. Grand Avenue into a 26 lot Shared Access Area Development. Approved April 6, 2006, but not yet recorded.
5. S056-331 was an application to replat Lots 2 & 3 in Block B/2698, comprising 0.2488 acres (10,841.41 sq. ft.), into an 8 lot Shared Access Area Development on the northeast side of Coronado Avenue east of E. Grand Avenue. The request was approved on August 31, 2006 and filed for record March 30, 2007.
6. S034-327 was an application to create a 15 lot Shared Access Development on a 0.713 acre tract of land in City Block 2698 on E. Grand Avenue and Coronado Avenue. The request was approved on September 9, 2004 and filed for record in January, 2005.

STAFF RECOMMENDATION: The request complies with the PD 770 district requirements; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.

2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the city.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the City Plan Commission in a format that is compatible with the "Microstation" format.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. The final plat is limited to a maximum of 1 lot.
9. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
11. On the final plat dedicate 28 feet of ROW from the established centerline, or dedicate a street easement, or Public Utility and Sidewalk Easement to equal 28 feet from the established centerline of La Vista Drive.
12. On the final plat dedicate 50 feet of ROW from the established centerline of E. Grand Avenue.
13. On the final plat dedicate a 15 foot by 15 foot corner clip at La Vista Dr. and Grand Avenue.
14. On the final plat dedicate a 15 foot by 15 foot alley sight easement at Grand Avenue at the alley and at Coronado and the alley.
15. Determine the 100 year water surface elevation across the plat.
16. On the final plat list utility easements as retained within street abandonments when stated in the ordinance.
17. On the final plat show distances/width of ROW across Grand Avenue, La Vista Drive, and Coronado Avenue.
18. On the final plat call out adjoining property owners in legal description.




19. On the final plat show the recording information for the alley adjacent to Lot 3A, Block 2/2698 and Coronado Avenue cul-de-sac.
20. Engineer shall furnish plans for water and sanitary sewer. Developer shall furnish a contract for water and sanitary sewer.
21. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
22. Existing water and wastewater mains must be shown on the plat per Section 51A-8.403(a)(1)(A)(xii).
23. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
24. New water and/or wastewater easements need to be shown.
25. Water/wastewater main extension is required by Private Development Contract.
26. On the final plat label the lot as Lot 1, City Block A/3395.



 1:3,600	<h2>ZONING MAP</h2>	Map no: <u> I-9 </u> Case no: <u> S101-055 </u>
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DATE: February 23, 2011



 1:3,600	<h2>AERIAL MAP</h2> <ul style="list-style-type: none">  Area of Request  Recent History 	Map no: <u> I-9 </u> Case no: <u> S101-055 </u>
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DATE: February 23, 2011

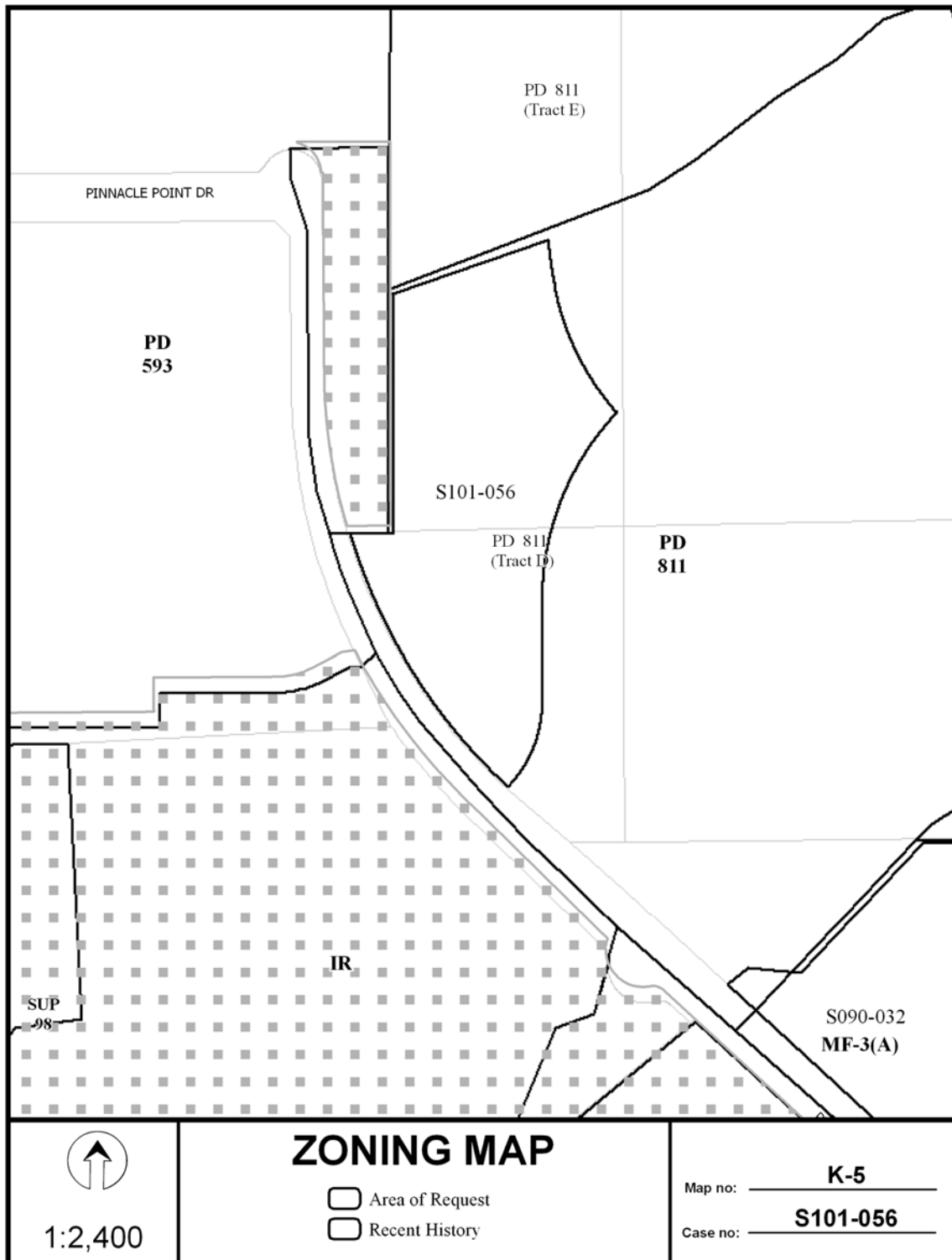
CITY PLAN COMMISSION**THURSDAY, MARCH 3, 2011****FILE NUMBER:** S101-056**Subdivision Administrator:** Paul Nelson**LOCATION:** An application to create one 4.867 acre lot in City Block 7212 on Pinnacle Park Drive, west of Westmoreland Road**DATE FILED:** February 11, 2011**ZONING:** PD 811**CITY COUNCIL DISTRICT:** 3**SIZE OF REQUEST:** 4.867 ac.**MAPSCO:** 43X**APPLICANT/OWNER:** SLF III – The Canyon in Oak Cliff, L.P.**REQUEST:** An application to create one 4.867 acre lot in City Block 7212 on Pinnacle Park Drive, west of Westmoreland Road.**SUBDIVISION HISTORY:**

1. S056-279 is an application contiguous on the west to create one 14.356 acre lot in City Block 7212 on Pinnacle Park Blvd. at Rock Quarry Road, west corner and was approved June 22, 2006 and recorded on February 15, 2007.
2. S056-278 is an application contiguous on the east to create one 21.754 acre tract of land in City Block 7212 on Rock Quarry Road at Stone Mesa Drive, southeast corner (southwest of the current request) was approved on June 22, 2006 and recorded on February 15, 2007.
3. S056-206 was an application southeast of the present request to create one, 15.304 acre lot in City Block 7212 on Stone Mesa Drive north of Rock Quarry Road and was approved on April 20, 2006 but has not been recorded.

STAFF RECOMMENDATION: The request complies with the PD 811 district requirements; therefore, staff recommends approval subject to compliance with the following conditions:

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

7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. The final plat is limited to a maximum of 1 lot.
9. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds
10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
11. On the final plat dedicate a 10 foot by 10 foot corner clip at Copper Canyon Drive and Falls Bluff Drive, and at Falls Bluff Drive and pinnacle Park Boulevard.
12. Provide ROW, design and construction for a turnaround at the terminus of Copper Canyon Drive.
13. Oncor delivery easement must be by separate easement and the recording information placed on the face of the plat or a public utility easement can be created by this plat.
14. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
15. Water/wastewater main extension is required by Private Development Contract; new water and wastewater mains must be constructed in proposed Falls Bluff Drive and Copper Canyon Drive.
16. On the final plat label the lot as Lot 1, City Block M/7212.





CITY PLAN COMMISSION**THURSDAY, MARCH 3, 2011****FILE NUMBER:** S101-054**Subdivision Administrator:** Paul Nelson**LOCATION:** 1402 Yakimo Dr.; 600 Rainbow Drive**DATE FILED:** February 8, 2011**ZONING:** R-7.5 (A)**CITY COUNCIL DISTRICT:** 3**SIZE OF REQUEST:** 1.6621 ac.**MAPSCO:** 44Y**APPLICANT/OWNER:** Julia Dodd & David & Jaime Hale

REQUEST: An application to replat all of Lots 4A and 5A in City Block F/4792 to increase the lot size of Lot 5A to 1.0389 acres and to reduce the size of Lot 4A to 0.5832 acre, and to relocate sanitation truck turn-around easement on property located at 1402 Yakimo Dr. and 600 Rainbow Drive.

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

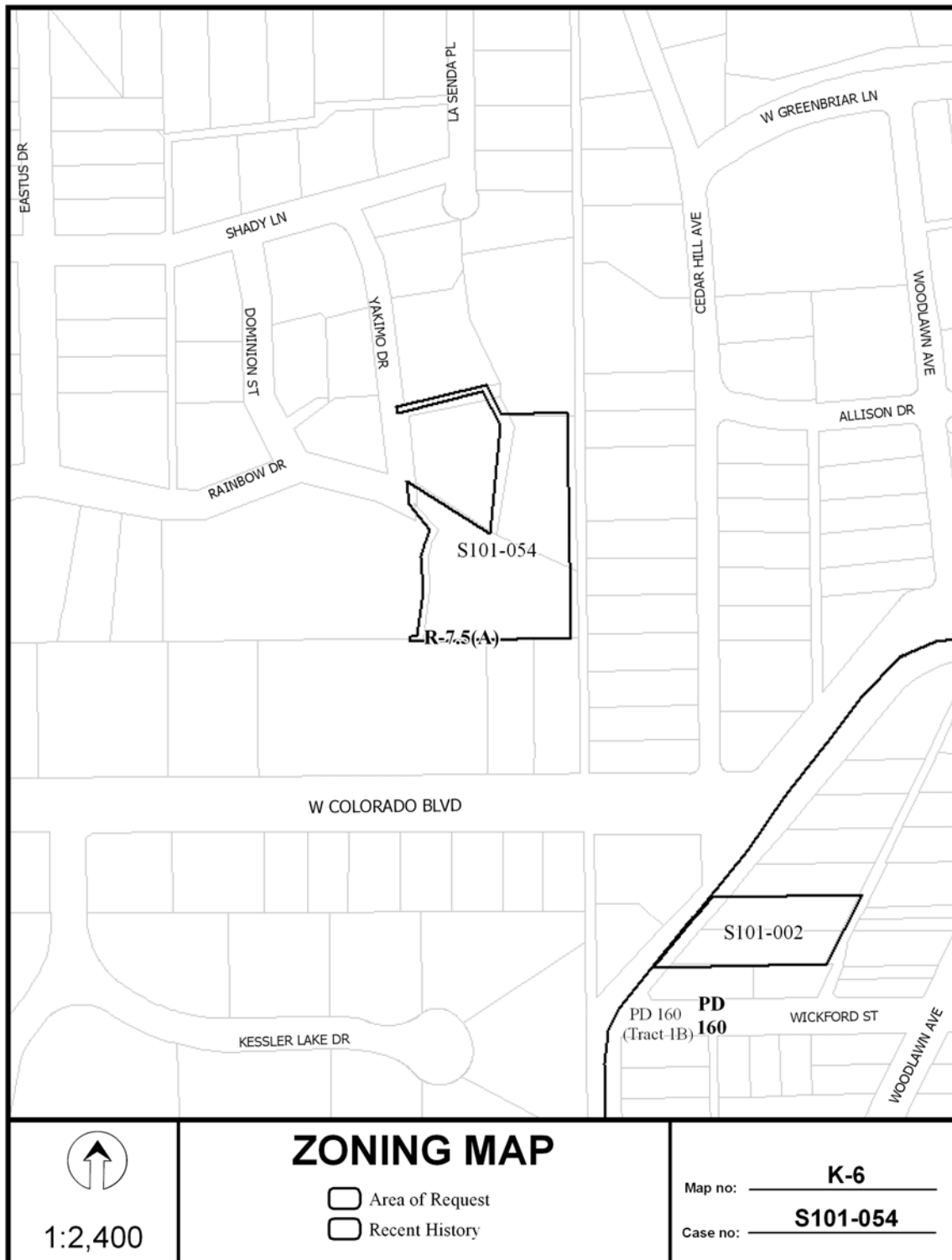
DATES NOTICES SENT: 25 notices were sent February 14, 2011.

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

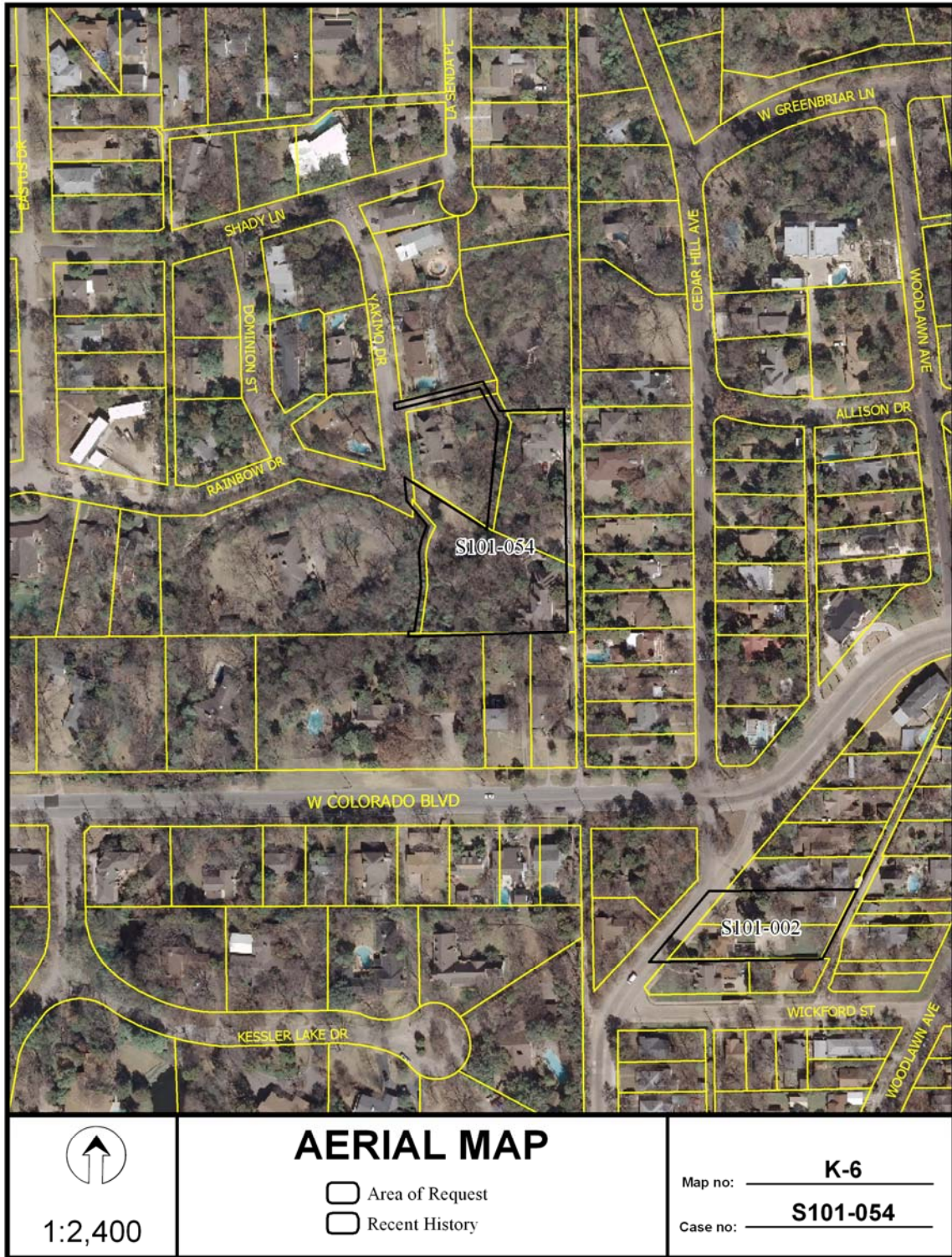
The request complies with the R-7.5(A) district regulations. The request is compatible with the lots in close proximity to the property being replatted and doesn't increase the number of lots but only changes the lot line between the 2 properties. Staff recommends approval of the request subject to compliance with the following conditions:

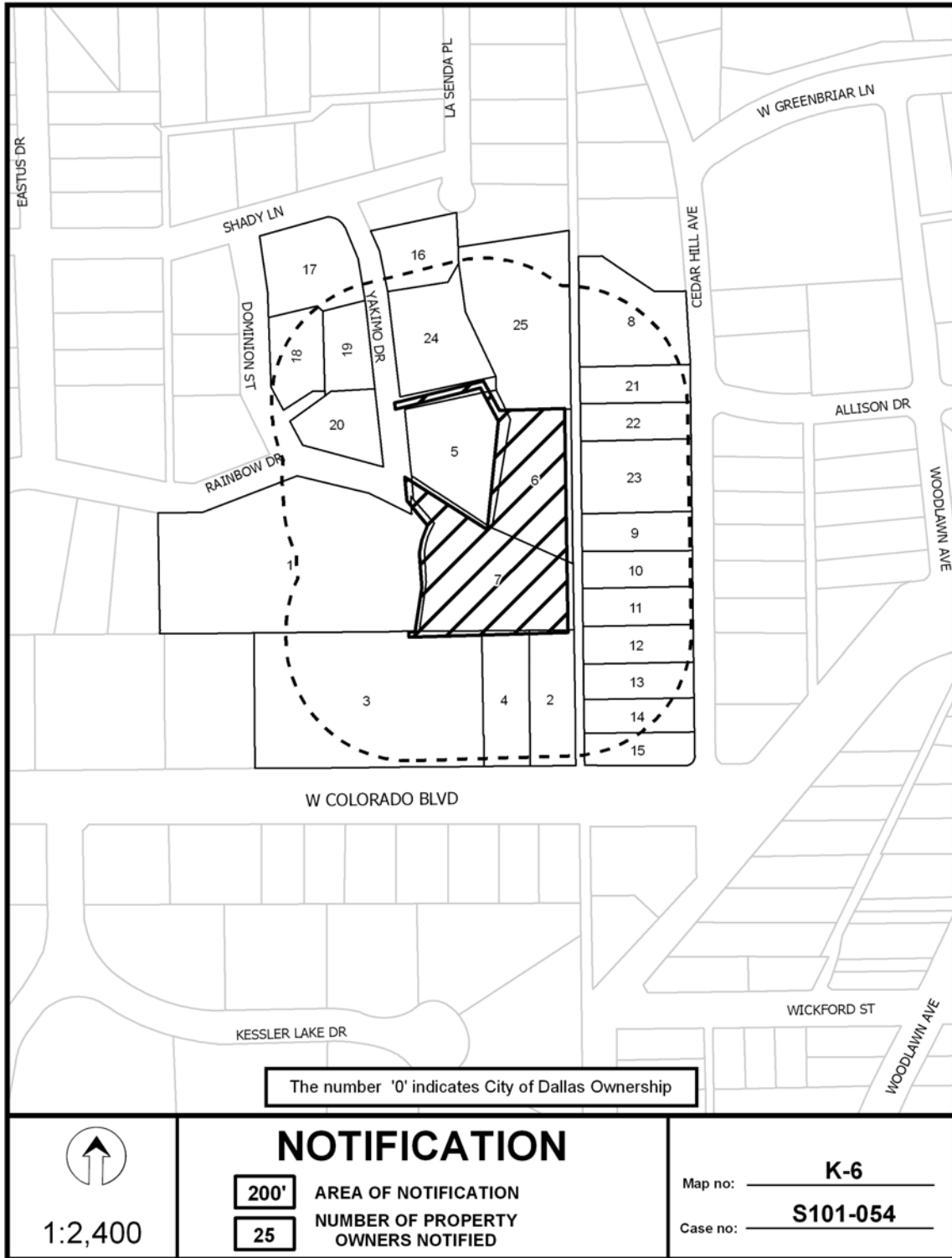
1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the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

7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. The final plat is limited to a maximum of 2 lots.
9. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
10. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
11. On the final plat dedicate 28 feet of ROW from the established centerline, or dedicate a street easement, or Public Utility and Sidewalk Easement to equal 28 feet from the established centerline of Yakimo Drive.
12. Monument all set corners per monumentation ordinance.
13. On the final plat change the addition name.
14. On the final plat the existing 20 foot common access easement must be shown with the existing recording information.
15. On the final plat show abstract lines within 150 feet of the plat boundary perimeter.
16. On the final plat verify that the existing sanitary sewer main shown on the original plat has been abandoned. Show the recording information on the face of the plat.
17. A site plan must to be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
18. Private water/wastewater mains cannot cross existing or new lot lines.
19. Sanitation Truck Turn-around Easement dedicated by Volume 87055, Page 2658 needs to be abandoned by separate instrument. The abandonment must be processed thru the Real Estate Division.
20. On the final plat show that the abandonment is authorized by Ordinance number _____ and the recording information is also shown on the final plat.
21. On the final plat label the property as Lots 4B & 5B, City Block F/4792.



DATE: February 23, 2011





DATE: February 23, 2011

Notification List of Property Owners

S101-054

25 Property Owners Notified

Label #	Address	Owner
1	626 RAINBOW	NIVEN NORRY & MELISSA NIVEN
2	615 COLORADO	FINCH JENNIFER BRAKEY & RONALD K
3	635 COLORADO	SEIB RICHARD
4	625 COLORADO	BENSON KEITH A
5	1410 YAKIMO	HEWITT KATHLEEN A
6	600 RAINBOW	DODD JULIA
7	1400 YAKIMO	HALE DAVID & JAMIE
8	1411 CEDAR HILL	HALEY CHARLES E & MARCIA L
9	1329 CEDAR HILL	IRWIN WILLIAM P III
10	1325 CEDAR HILL	GRIFFIN RANDALL C & CAROL B
11	1319 CEDAR HILL	SPILLERS MATTHEW &
12	1317 CEDAR HILL	WILDER BRYAN W & ELIZABETH M
13	1311 CEDAR HILL	ESTEP TRECIA A
14	1307 CEDAR HILL	BULL MATTHEW R & ASHLEY C
15	1303 CEDAR HILL	FARRIS B DON & DICKEL PAUL TAVI
16	1426 YAKIMO	OWENS HAYWOOD C
17	1426 DOMINION	ROBBINS BEVERLY MCLEMORE
18	1414 DOMINION	THOMPSON RUSSELL W TR& TISH L THOMPSON TR
19	1419 YAKIMO	SHAIKH ADNAN
20	1402 DOMINION	RATLIFF STEVE & NANCY
21	1347 CEDAR HILL	HURD DONNA C
22	1343 CEDAR HILL	SHAW WILLIAM B & PHYLLIS
23	1339 CEDAR HILL	HERMANN PAUL F & LAURA V ESTRADA
24	1418 YAKIMO	ANCHIA RAFAEL M
25	1412 YAKIMO	BEECHER DIANE I

Thursday, February 24, 2011

Planner: Olga Torres-Holyoak

FILE NUMBER: D101-009

DATE FILED: January 21, 2011

LOCATION: On the northwest corner of Montfort Drive & Towncenter Boulevard.

COUNCIL DISTRICT: 11

MAPSCO: 14-D

SIZE OF REQUEST: Approx. 4.81 acres

CENSUS TRACT: 136.12

MISCELLANEOUS DOCKET ITEM

Owner/ Applicant: CP Montfort Partners, LLLP

Representative: Bryan M. Burger, P.E.

Development/Landscape Plan:

On September 12, 2001, the City Council passed Ordinance No. 24708 which established Planned Development District No. 614 on property bounded by Belt Line Road, Dallas North Tollway, Arapaho Road and Prestonwood Boulevard. The size of PD 614 is approximately 88.295 acres.

The property is located in Tract VI within Planned Development District No. 614.

The zoning was granted as a conceptual planned development district and requires City Plan Commission approval of a development/landscape plan for each phase of development prior to the issuance of a building permit.

In conjunction with the above requirement, the attached development/landscape plan has been submitted for Commission's consideration. The plan provides for the development of a car wash, a child care facility and two restaurants with drive-in or drive-through service.

STAFF RECOMMENDATION: Approval

List of Applicant, Owner and Representative

CP Montfort Partners, LLLP

Piedmont Partners, LP

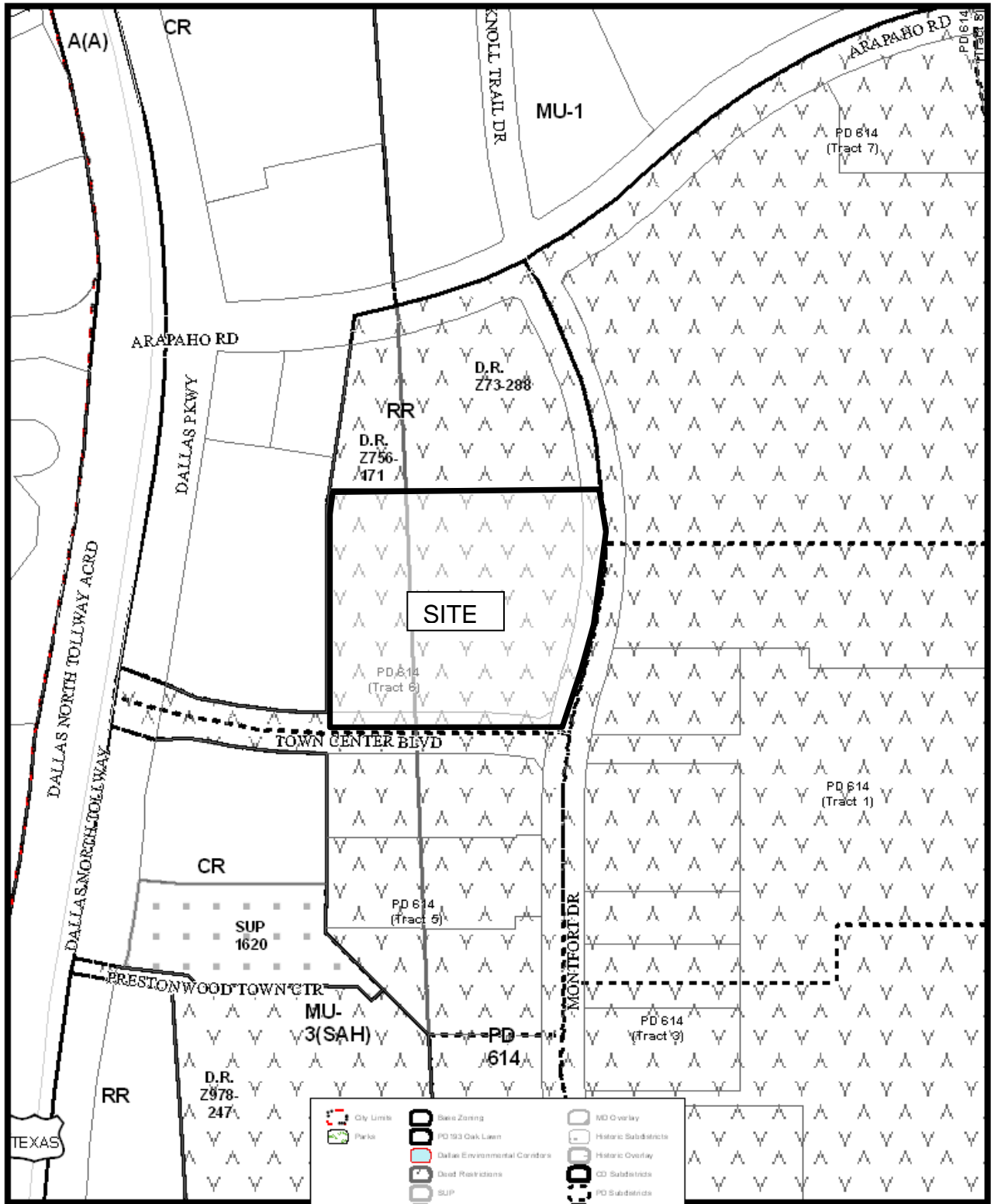
General Partner:

Piedmont Capital Corporation

Allen S. Hardin President

Rober L. Mencke Vice President

ZONING MAP

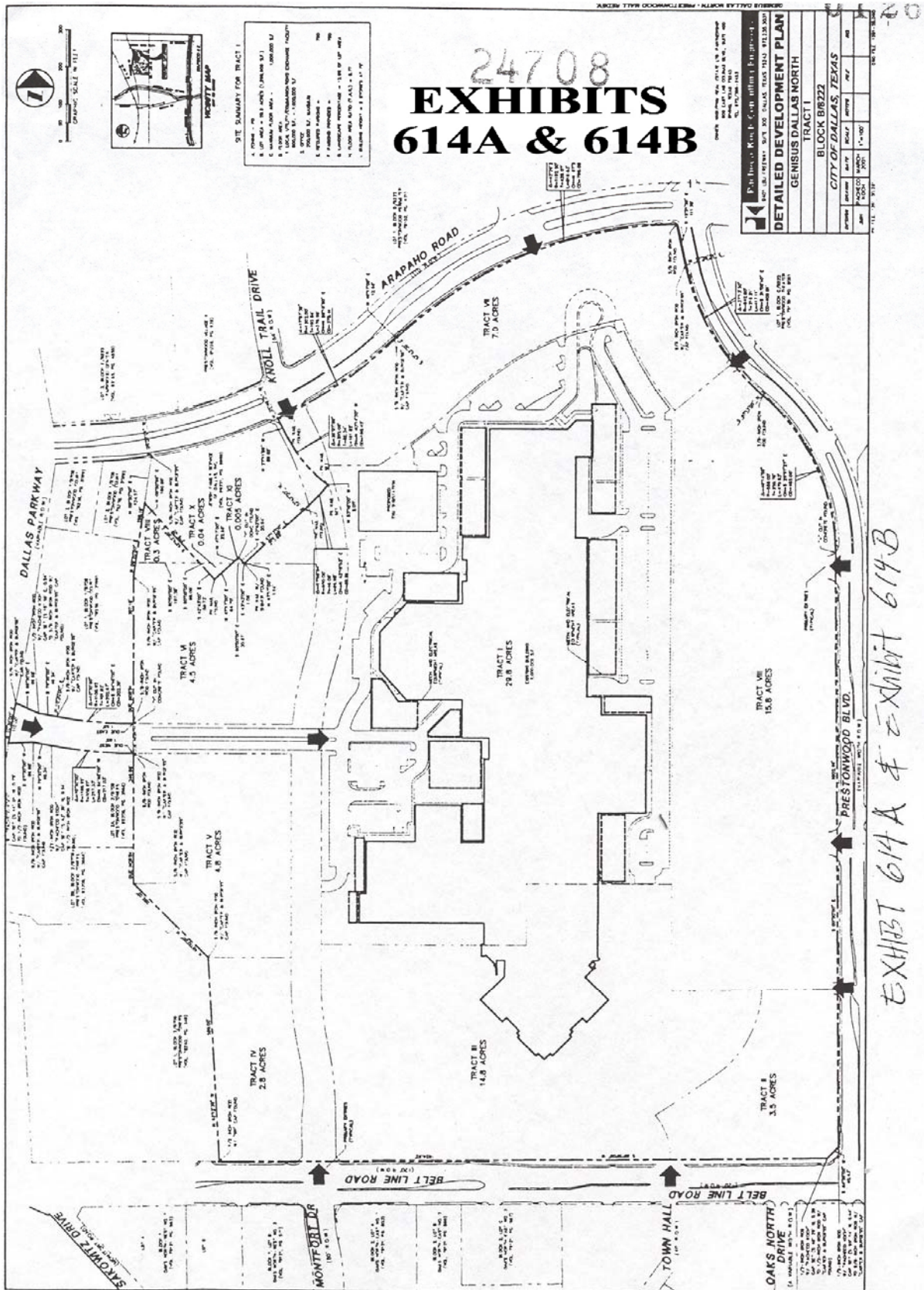


1:2,817

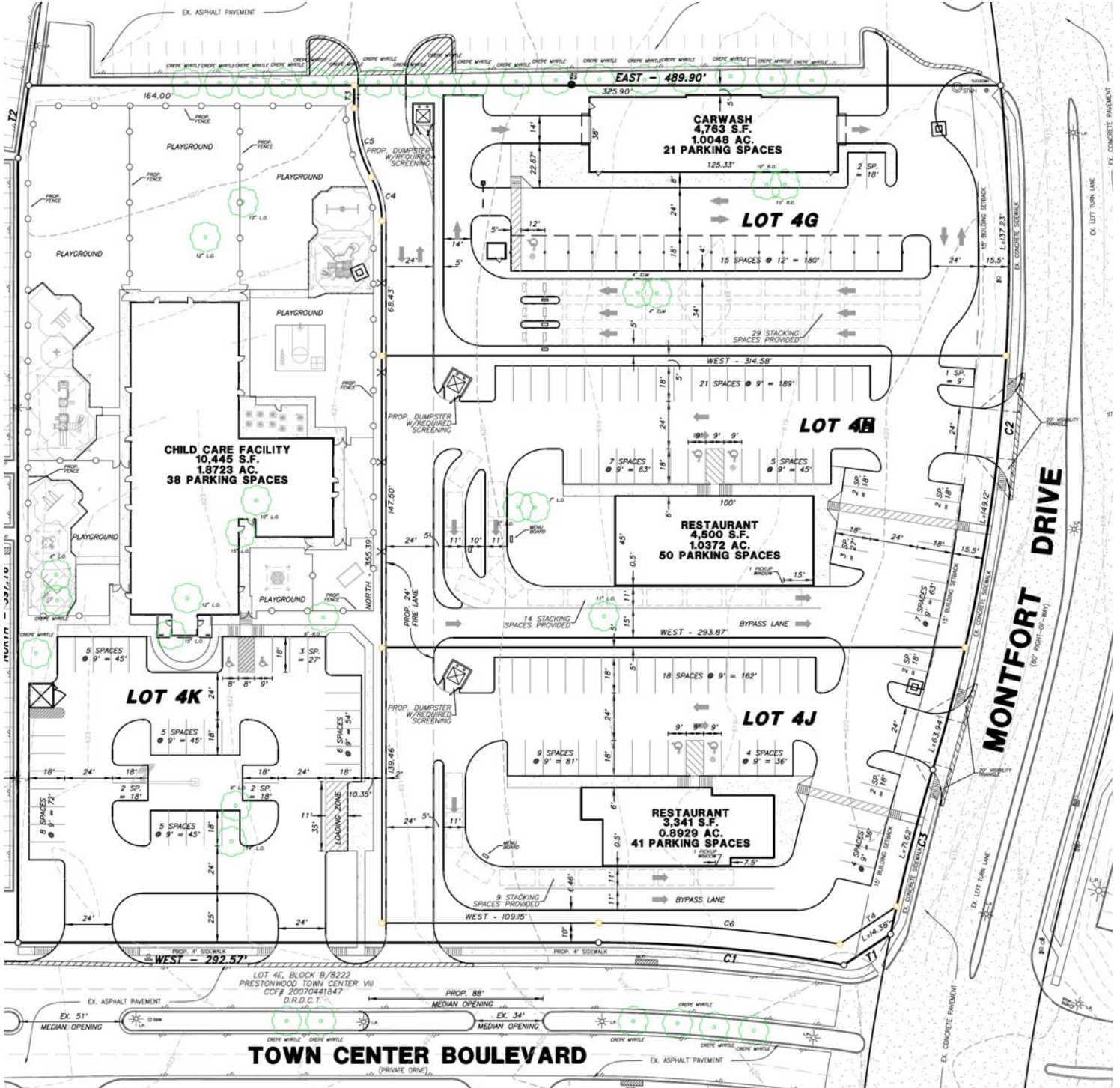
	City Limits		Base Zoning		MO Overlay
	Parks		PD 193 Oak Lawn		Historic Subdistrict
			Dallas Environmental Corridor		Historic Overlay
			Deed Restrictions		CO Subdistrict
			SUP		PO Subdistrict
			D		POS Subdistrict
			D-1		NSO Subdistrict
			OP		NSO Overlay
			SP		Encampment Overlay

Part of Map(s): I-9, I-10
Printed: 10/1/2010

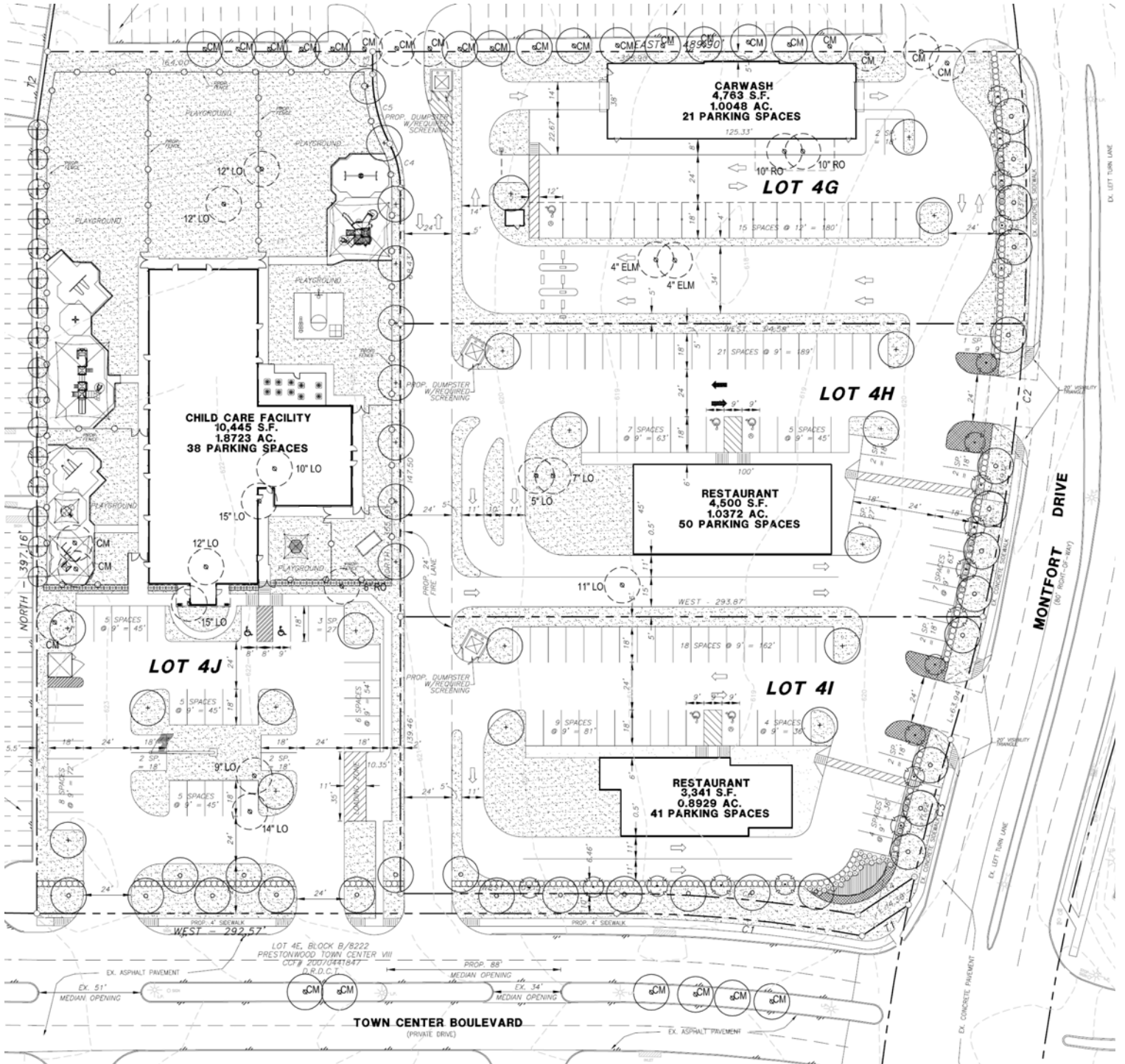
EXISTING CONCEPTUAL PLAN



PROPOSED DEVELOPMENT PLAN



PROPOSED LANDSCAPE PLAN



Planner: Olga Torres-Holyoak

FILE NUMBER: D101-010

DATE FILED: February 14, 2011

LOCATION: Area generally bounded by Main Street to the north, north Griffin Street to the west, and Commerce Street to the South.

COUNCIL DISTRICT: 14

MAPSCO: 45 P

SIZE OF REQUEST: Approx. 1.52 acres

CENSUS TRACT: 31.01

MISCELLANEOUS DOCKET ITEM

Owner/Owner/Representative: City of Dallas, Park Department

Development Plan:

On June 12, 2002, the City Council passed Ordinance No. 24960 which established Planned Development District No. 619 on property bounded by the centerlines of Pacific Avenue, Harwood Street, Jackson Street, and Griffin Street, in the City of Dallas. The size of PD No. 619 is approximately 34 acres of land.

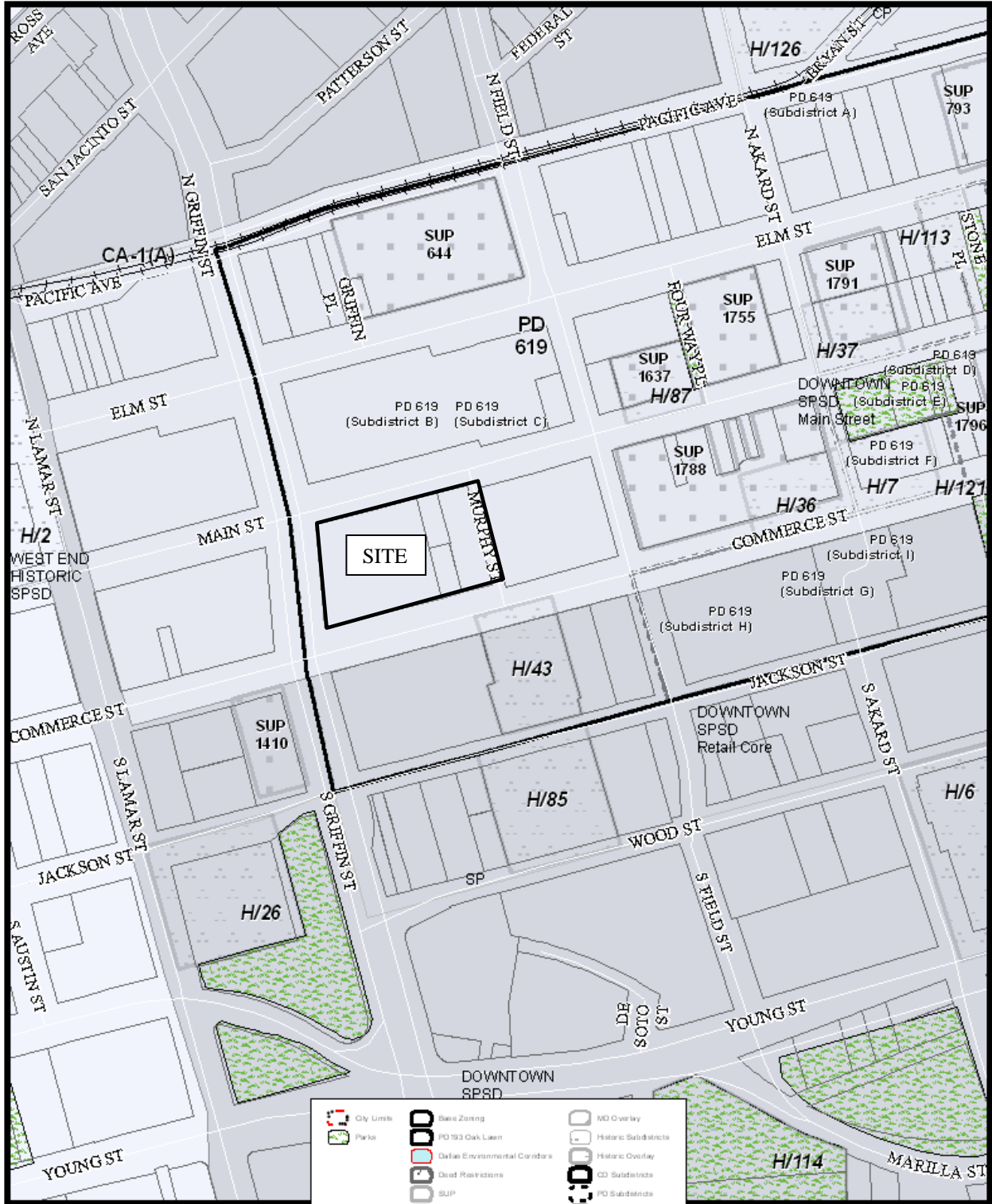
The property is located in an area generally bounded by Main Street to the north, north Griffin Street to the west, and Commerce Street to the South.

The Planned Development District requires that the City Plan Commission approves a development plan for each phase of development prior to the issuance of a building permit.

In conjunction with the above requirement, the attached development plan has been submitted for Commission's consideration. The plan provides for the development of the Belo Garden, which is a 'garden park' containing extensive landscaped garden area, a fountain plaza, and a garden plaza with tables and chairs. The park will be approximately 1.52 acres.

STAFF RECOMMENDATION: Approval

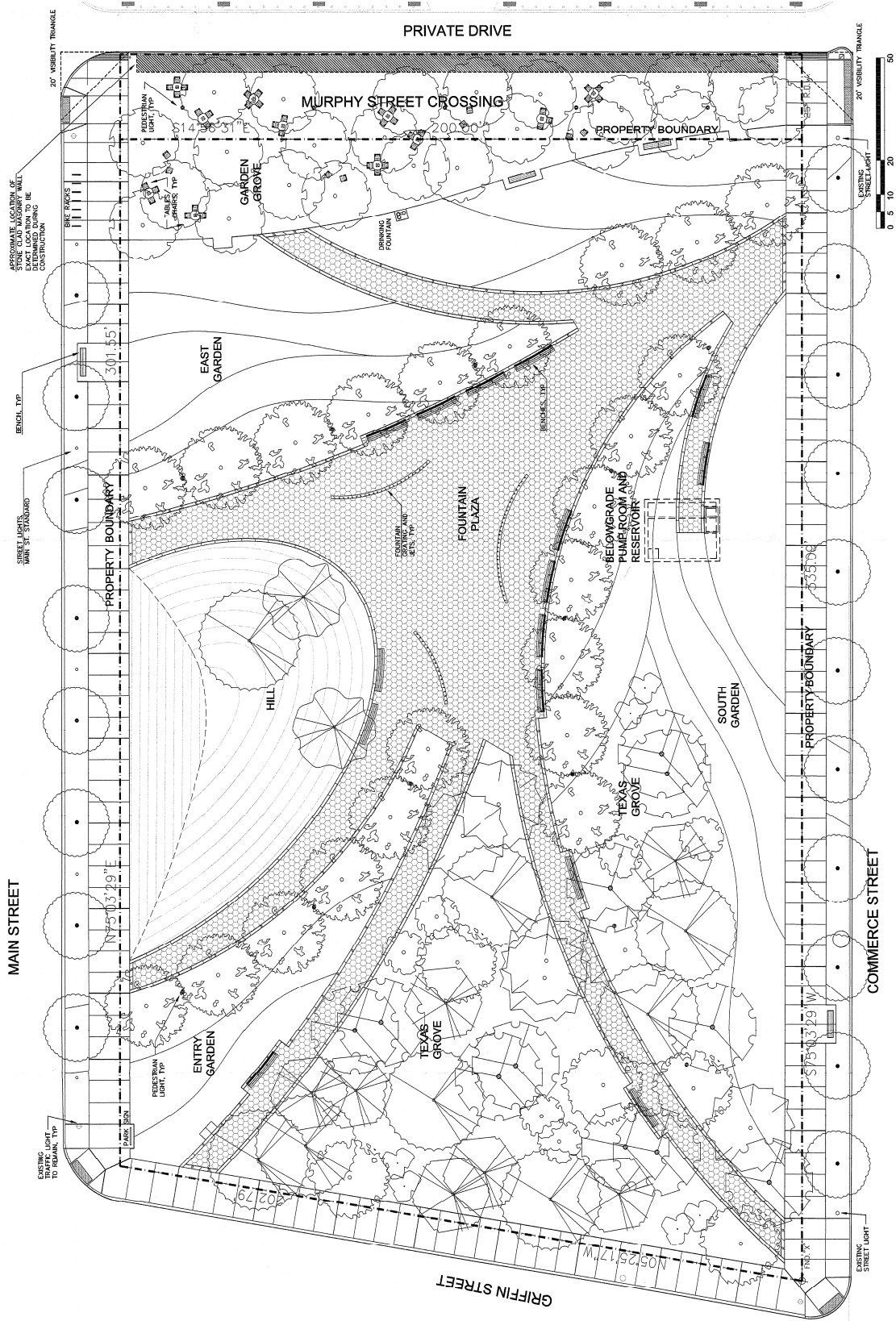
ZONING MAP



1:2,817

Part of Map(s): I-9, I-10
Printed: 10/1/2010

PROPOSED DEVELOPMENT PLAN



**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR
A SIGN IN A SPECIAL PROVISION SIGN DISTRICT**

DOWNTOWN DISTRICT SIGN DISTRICT

FILE NUMBER: 1101181065

DATE FILED: January 28, 2011

LOCATION: 717 Leonard St.

SIZE OF REQUEST: 180 sq. ft.

COUNCIL DISTRICT: 14

ZONING: CA-1(A)

MAPSCO: 45L

APPLICANT: Bobby Nichols

CONTRACTOR: Chandler Signs

OWNER/TENANT: Digital

REQUEST: Install a 180 square foot projecting attached sign on the east elevation, in the Downtown Sign District.

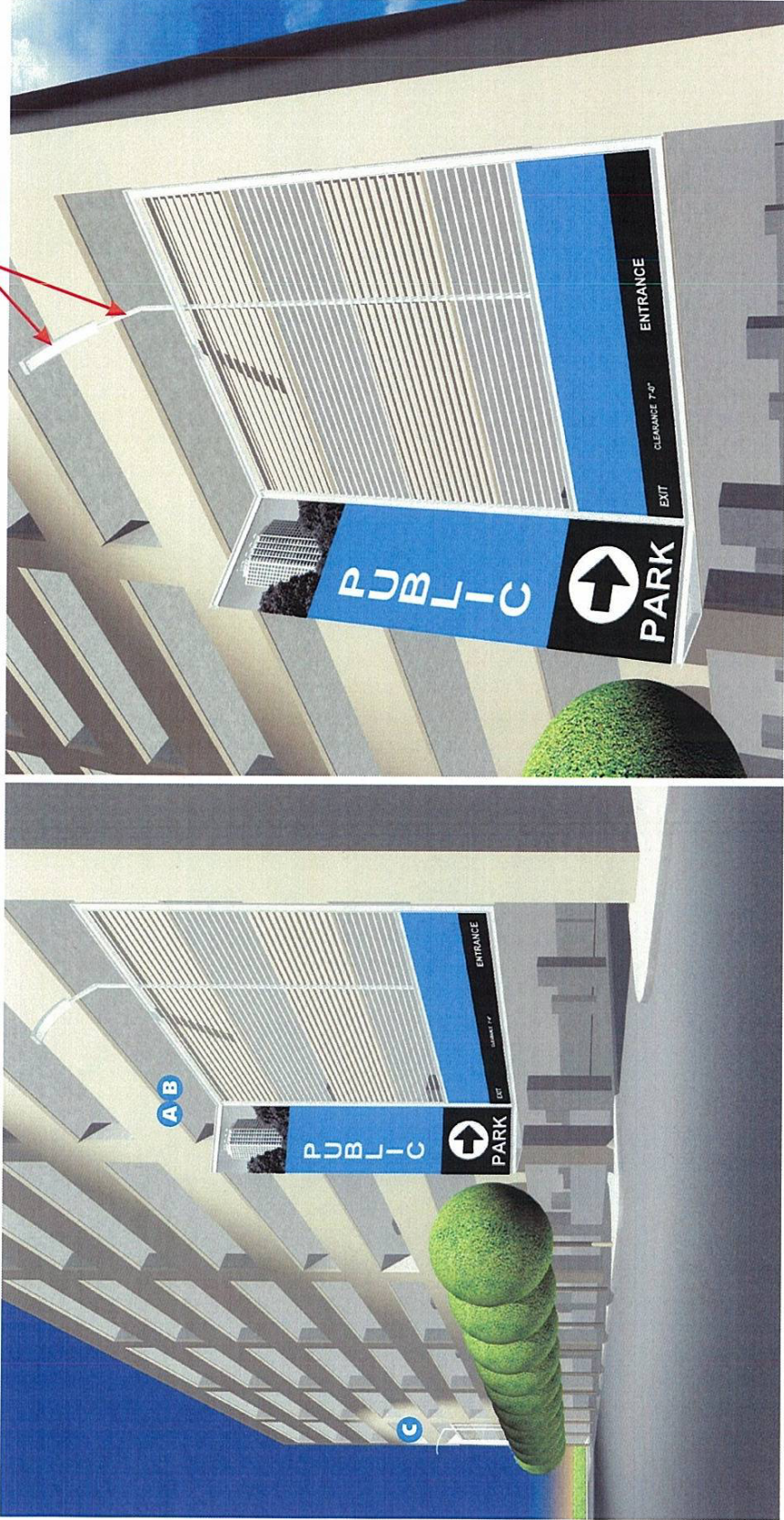
SUMMARY: The projecting attached sign is a 180 square foot angular sign that is approximately 25.9 feet high and 7 feet wide, containing the text "Public Park". The background is blue and black, with additional graphics.

- Projecting attached sign means an attached sign projecting more than 12 inches from a building at an angle other than parallel to the facade. Sec. 51A-7.903(25)
- Signs may be located within the public right-of-way subject to the franchise requirements of Chapter XIV of the City Charter, Article VI of Chapter 43 of the Dallas City Code, as amended, Chapter 45 of the Dallas Building Code, and the requirements of all other applicable laws, codes, ordinances, rules and regulations. Sec. 51A-7.907(a)(1)
- No lower projecting attached sign may be lower than 10 feet above grade, or project vertically above the roof of the building, or 25 feet above grade, whichever is lower. Sec. 51A-7.911(g)(1)(B)
- The proposed sign meets the requirements of the Dallas City Code.

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

LIGHT FIXTURE AND SUPPORT
BY OTHERS



PROPOSED ARCHITECTURAL PERSPECTIVES

NOTE: LOUVERS & DOWN-LIGHTING BY OTHERS - COORDINATE W/ SUBCONTRACTOR

NOT TO SCALE



35'-3"±

25'-9"±

PROPOSED REPLACEMENT SIGNAGE
 MANUFACTURE & INSTALL (1) V-SHAPED SIGN, (1) PAN PANEL SIGN & C-CHANNEL SYSTEM

NOT TO SCALE



39'-3"±

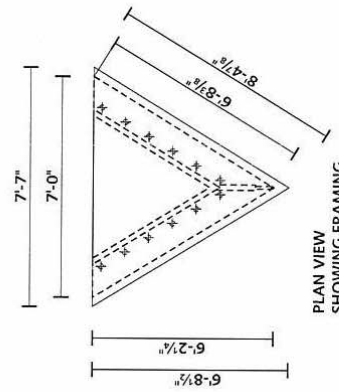
1'-10"±

1'-10"±

8'-0"±

EXISTING SIGNAGE
 REMOVE EXISTING SIGNS & DISCARD AS REQ'D - VERIFY CONSTRUCTION

NOT TO SCALE



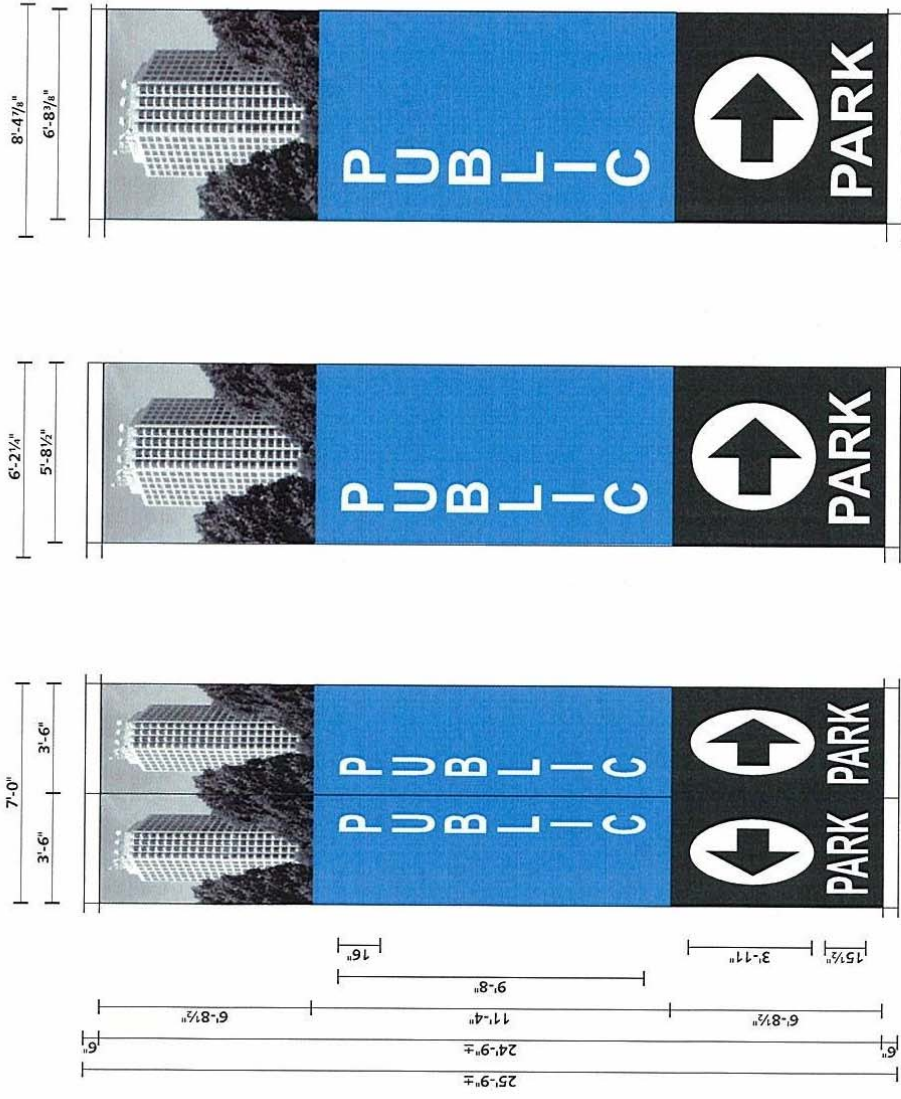
PLAN VIEW
SHOWING FRAMING
& LAMPING INTENT

FABRICATED ALUMINUM V-SHAPED SIGN CABINET w/
FLEXIBLE FACE & SIGNCOMP BLEED RETAINERS -
ALUMINUM FILLER @ TOP & BOTTOM - PAINT WHITE
SEMIGLOSS - FRONT CORNER FLEX FACE WRAPS
AROUND VERTICAL DOWEL SUPPORTED BY WELDED
INTERNAL TRUSS SYSTEM -
FACE TO HAVE 1st SURFACE 3M VINYL GRAPHICS
APPLIED:
TOP BUILDING PHOTO TO BE DIGITALLY PRINTED ON
A CLEAR CARRIER -
MIDDLE SECTION TO BE 3630-147 LIGHT EUROPEAN
BLUE w/ WHITE SHOW-THRU COPY -
BOTTOM SECTION TO BE 3630-22 BLACK w/ WHITE
SHOW-THRU COPY & ARROW BACKGROUND
INTERNALLY ILLUMINATED w/ 800mA H.O.
FLUORESCENT LAMPS

PAN BREAK ALUMINUM C-CHANNEL @ TOP & BOTTOM -
TO INTEGRATE w/ C-CHANNEL w/ SIGN "B" - PAINT
WHITE SEMIGLOSS

MOUNT TO EXTERIOR WALL w/ NON-CORROSIVE
FASTENERS AS REQ'D PER SITE CONDITIONS

NOTE: EXACT SITE SURVEY REQ'D PRIOR TO MFR.



STRAIGHT-ON FACE VIEW

END VIEW - ANGLED

FRONT VIEW - ANGLED

V-SHAPED WALL SIGN DETAILS
(1) REQUIRED - MANUFACTURE & INSTALL

SCALE: 1/4" = 1'-0"



Proposed Sign



1:1,500

AERIAL MAP

Sign District: **E-8**
Case no: **1101181065**

DATE: May 18, 2010

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR
A SIGN IN A SPECIAL PROVISION SIGN DISTRICT
DOWNTOWN DISTRICT SIGN DISTRICT

FILE NUMBER: 1101241029

DATE FILED: January 28, 2011

LOCATION: 1616 Woodall Rogers

SIZE OF REQUEST: 88 sq. ft.

COUNCIL DISTRICT: 14

ZONING: CA-1(A)

MAPSCO: 45K

APPLICANT: Melanie Hancock

CONTRACTOR: Hancock Sign Company

OWNER/TENANT: Oncor

REQUEST: Install an 88 square foot attached sign on the north elevation, containing the tenant identification display, in the Downtown Sign District.

SUMMARY: The attached sign is an 88 square foot illuminated sign that is approximately 7.4 feet high and 11.7 feet wide, containing the text "Oncor". The colors are red and burgundy.

- Upper Level Sign means an attached sign wholly or partially situated 36 feet above grade. Sec. 51A-7.903(33)
- Attached signs may not project more than four feet above the roof line. Sec. 51A-7.911(a)(5)
- Each upper level flat attached sign may have a maximum of eight words that contain any character of a height equal to or exceeding four inches. Sec. 51A-7.911(e)(2)(A)
- Upper level flat attached signs must be wholly located within the upper level sign area. Sec. 51A-7.911(e)(2)(B)
- The proposed sign meets the requirements of the Dallas City Code.

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

OPTION
A



PROPOSED NEW LOOK

North Education

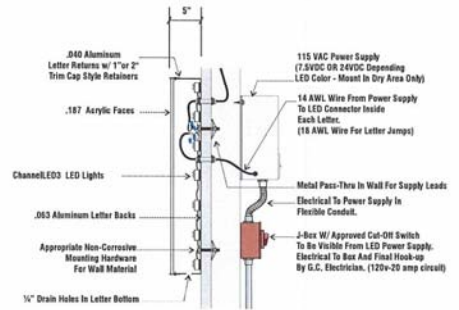


A B INTERNALLY ILLUMINATED LETTER AND LOGO SET.

INSTALLATION DETAILS AS SHOWN DO NOT REPRESENT ACTUAL WALL CONDITIONS. THE PROPER ATTACHMENT METHOD FOR SPECIFIC WALL MATERIALS SHALL BE VERIFIED IN THE FIELD TO PROVIDE FOR A SAFE AND SECURE INSTALLATION AND MUST MEET ALL LOCAL AND STATE CODE REQUIREMENTS.

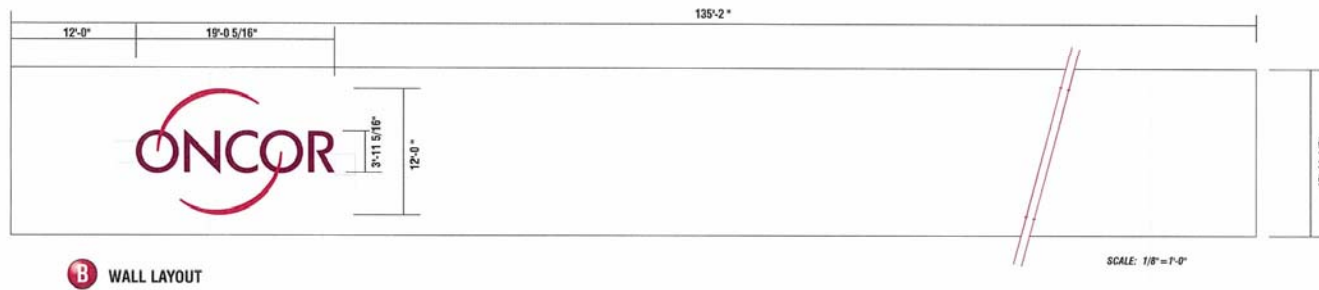
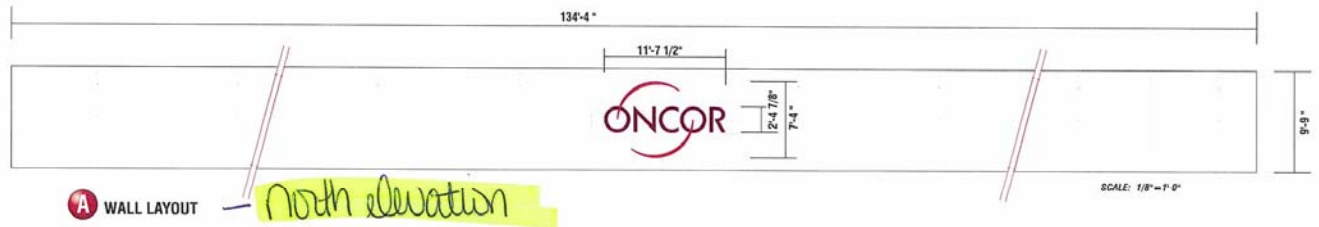
120V-20 AMP CIRCUIT ELECTRICAL PRIMARY TO SIGN LOCATION AND THE FINAL HOOK-UP TO BE BY CUSTOMER'S G.C. ELECTRICIAN NUMBER OF CIRCUITS PER SIGN TO BE PER FH REQUIREMENTS ALL BRANCH CIRCUITS, INCLUDING GROUND AND NEUTRAL, TO BE DEDICATED TO SIGNS ONLY AND NOT SHARED WITH OTHER LOADS.

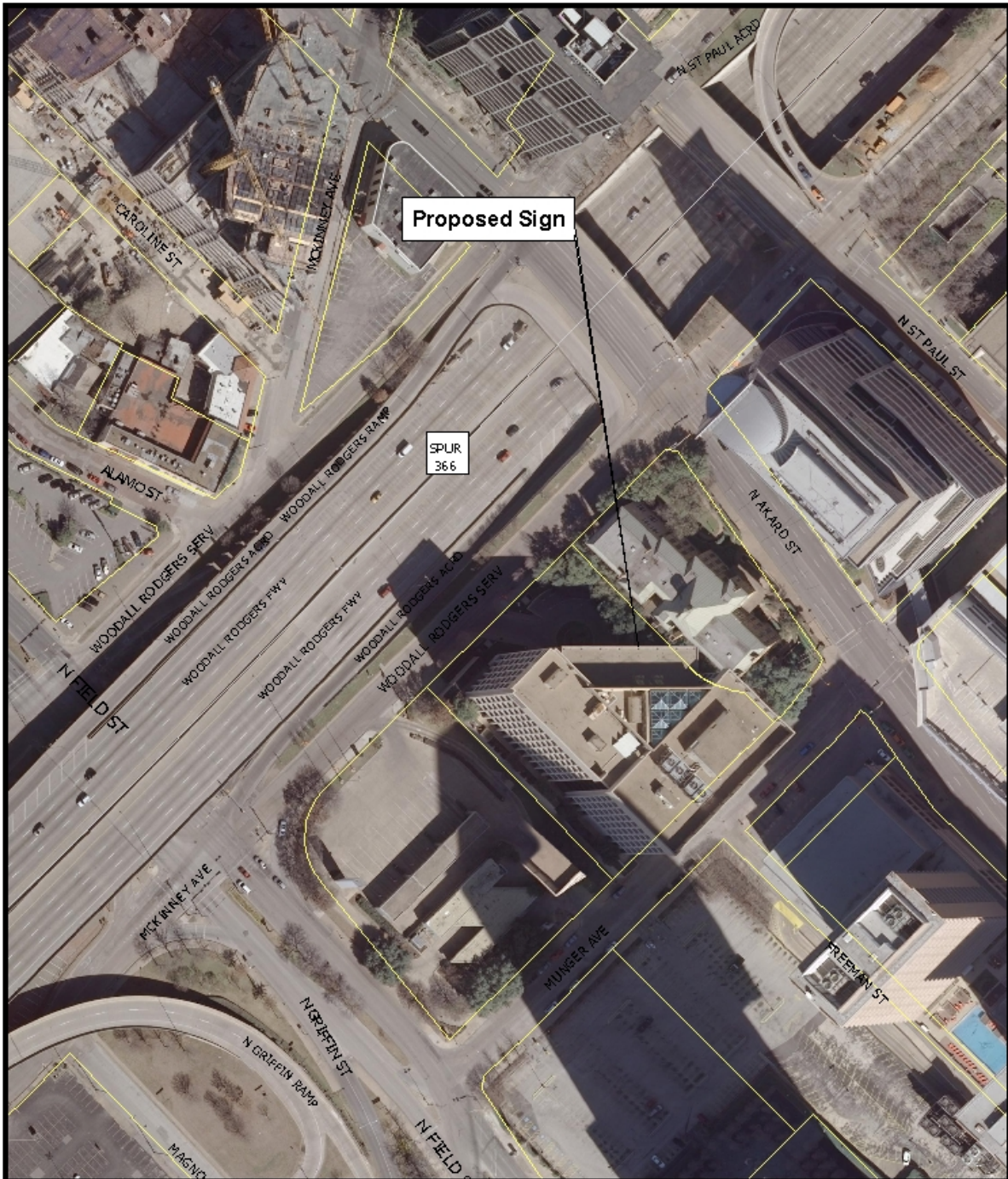
SLOAN LED LOW VOLTAGE LIGHTING SYSTEM
U.L. RECOGNIZED - CLASS 2 - CONFORMS TO U.L. 48



TYPICAL SECTION DETAIL - PRIMARY WALL LETTERS

ONCOR BURGUNDY PMS #209, Arlon 2500-49 Burgundy	
ONCOR RED PMS #185, Arlon 2500-415 Fire Red	
RETURNS Paint-Satin Black Polyurethane Finish	





Proposed Sign

SPUR
366



1:1,750

AERIAL MAP

Sign District: **E-8**
 Case no: **1101241029**

DATE: May 18, 2010

**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR
A SIGN IN A SPECIAL PROVISION SIGN DISTRICT
DOWNTOWN DISTRICT SIGN DISTRICT**

FILE NUMBER: 1101241030

DATE FILED: January 28, 2011

LOCATION: 1616 Woodall Rogers

SIZE OF REQUEST: 228 sq. ft.

COUNCIL DISTRICT: 14

ZONING: CA-1(A)

MAPSCO: 45K

APPLICANT: Melanie Hancock

CONTRACTOR: Hancock Sign Company

OWNER/TENANT: Oncor

REQUEST: Install a 228 square foot attached sign on the west elevation, containing the tenant identification display, in the Downtown Sign District.

SUMMARY: The attached sign is a 228 square foot illuminated sign that is approximately 12 feet high and 19 feet wide, containing the text "Oncor". The colors are red and burgundy.

- Upper Level Sign means an attached sign wholly or partially situated 36 feet above grade. Sec. 51A-7.903(33)
- Attached signs may not project more than four feet above the roof line. Sec. 51A-7.911(a)(5)
- Each upper level flat attached sign may have a maximum of eight words that contain any character of a height equal to or exceeding four inches. Sec. 51A-7.911(e)(2)(A)
- Upper level flat attached signs must be wholly located within the upper level sign area. Sec. 51A-7.911(e)(2)(B)
- The proposed sign meets the requirements of the Dallas City Code.

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

OPTION **B**



PROPOSED NEW LOOK

West Swanton



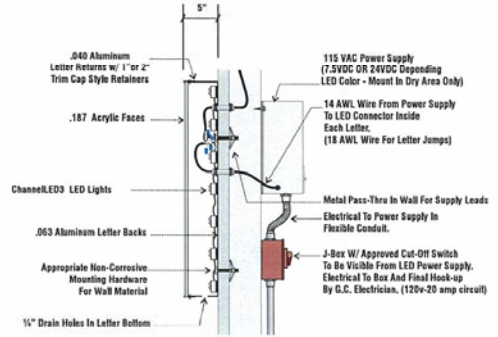
A B INTERNALLY ILLUMINATED LETTER AND LOGO SET.

TYPICAL END VIEW

INSTALLATION DETAILS AS SHOWN DO NOT REPRESENT ACTUAL WALL CONDITIONS. THE PROPER ATTACHMENT METHOD FOR SPECIFIC WALL MATERIALS SHALL BE VERIFIED IN THE FIELD TO PROVIDE FOR A SAFE AND SECURE INSTALLATION AND MUST MEET ALL LOCAL AND STATE CODE REQUIREMENTS.

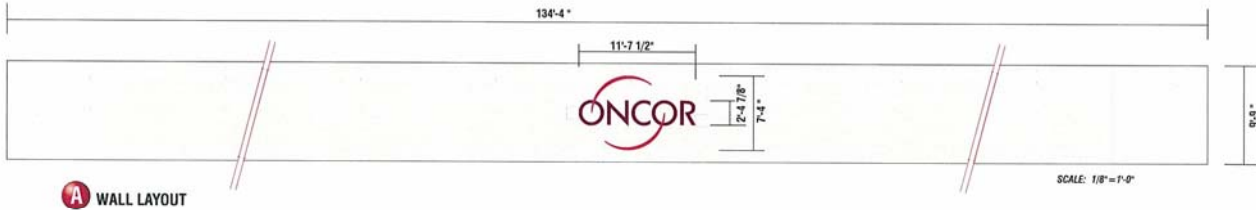
120V - 20 AMP CIRCUIT ELECTRICAL PRIMARY TO SIGN LOCATION AND THE FINAL HOOK-UP TO BE BY CUSTOMERS G.C. ELECTRICIAN. NUMBER OF CIRCUITS PER SIGN TO BE PER FH REQUIREMENTS. ALL BRANCH CIRCUITS, INCLUDING GROUND AND NEUTRAL, TO BE DEDICATED TO SIGNS ONLY AND NOT SHARED WITH OTHER LOADS.

SLOAN LED LOW VOLTAGE LIGHTING SYSTEM
U.L. RECOGNIZED - CLASS 2 - CONFORMS TO U.L. 48



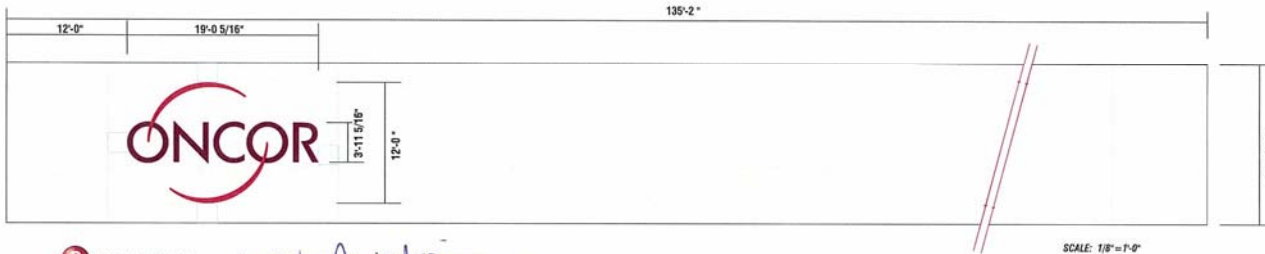
TYPICAL SECTION DETAIL - PRIMARY WALL LETTERS

ONCOR BURGUNDY	
PMS #209, Arlon 2500-49 Burgundy	
ONCOR RED	
PMS #185, Arlon 2500-415 Fire Red	
RETURNS	
Paint-Satin Black Polyurethane Finish	



A WALL LAYOUT

SCALE: 1/8" = 1'-0"



B WALL LAYOUT

West elevation

SCALE: 1/8" = 1'-0"



1:1,750

AERIAL MAP

Sign District: **E-8**
 Case no: **1101241030**

DATE: May 18, 2010

LOCATION: Shorecrest Drive between Harry Hines Boulevard and Regal Row

COUNCIL DISTRICT: 6

MAPSCO: 33L

PLANNER Tanya Brooks

REQUEST

An amendment to the City of Dallas Thoroughfare Plan to delete Shorecrest Drive between Harry Hines Boulevard and Regal Row, a four lane undivided roadway (M-4-U) within 60 feet of right of way.

SUMMARY

The Dallas County Park Cities Municipal Utility District (DCPCMUD) is requesting the removal of Shorecrest Drive from Harry Hines Boulevard to Regal Row from the City of Dallas' Thoroughfare Plan. The roadway segment is designated as a four lane undivided roadway (M-4-U) however it does not currently exist.

This portion of roadway was originally designated to serve the land currently operated by the DCPCMUD. The use of this property as a water treatment facility will not generate significant traffic volumes and does not warrant a roadway connector for access. The DCPCMUD and the surrounding developments can continue to take access from Harry Hines Boulevard and Regal Row. The applicant contends that building this road will significantly interfere with the current operation of the water treatment facilities. Removal of the roadway from the Thoroughfare Plan will facilitate the applicant's planned expansion of their facility.

STAFF RECOMMENDATION

Staff recommends approval of the amendment to the Thoroughfare Plan to delete Shorecrest Drive between Harry Hines Boulevard and Regal Row, a four lane undivided roadway (M-4-U) within 60 feet of right of way.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Plan Commission
Transportation Committee

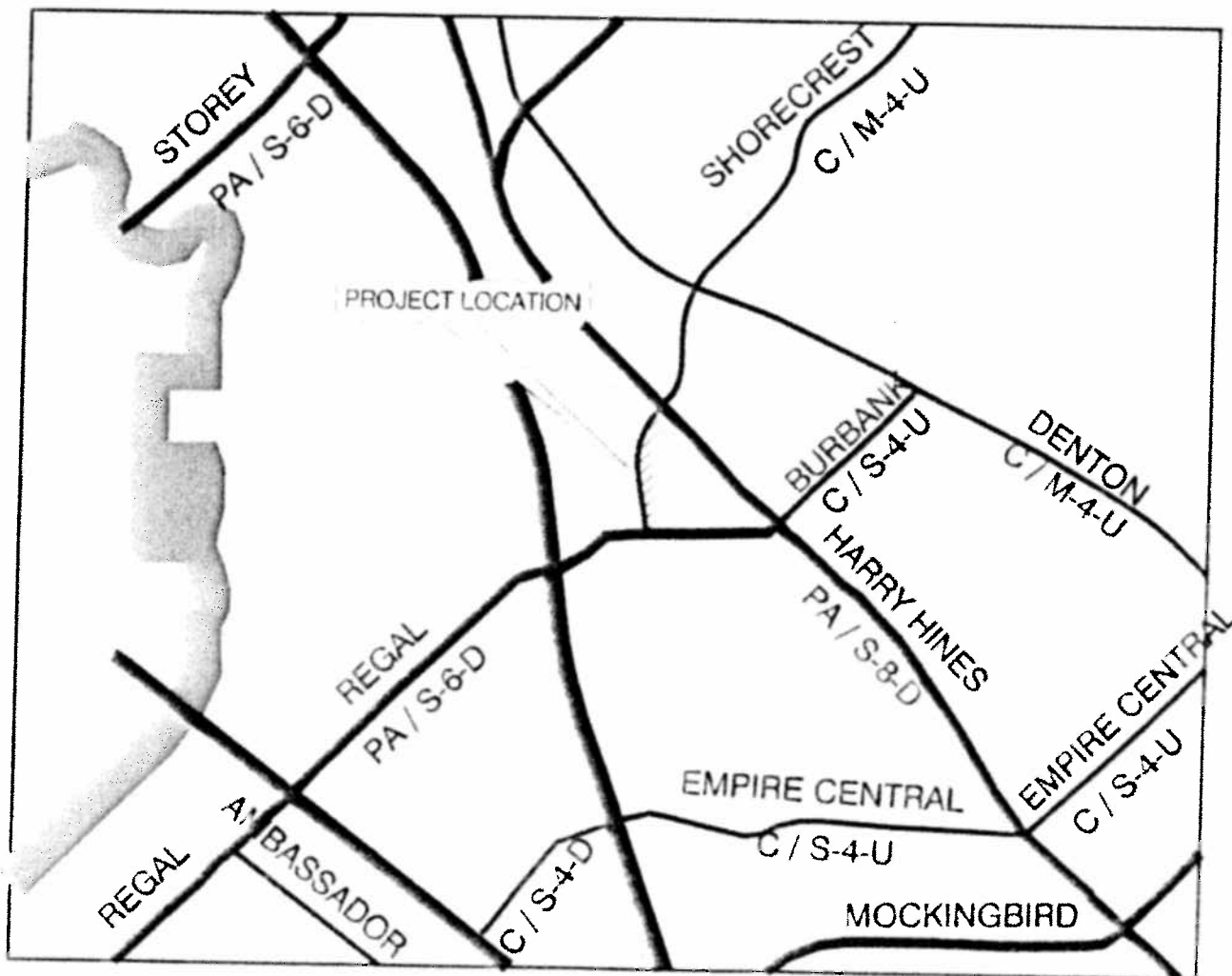
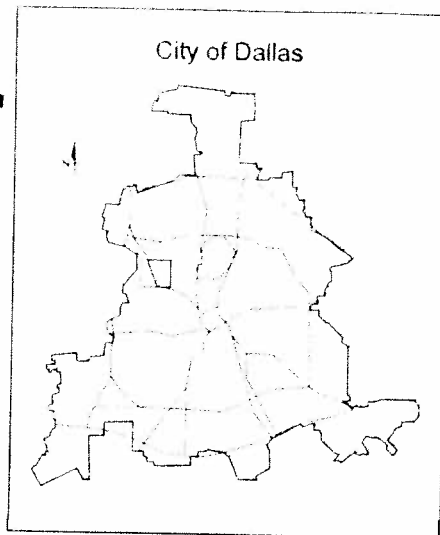
February 17, 2011
Recommendation Approval

MAP

Attached

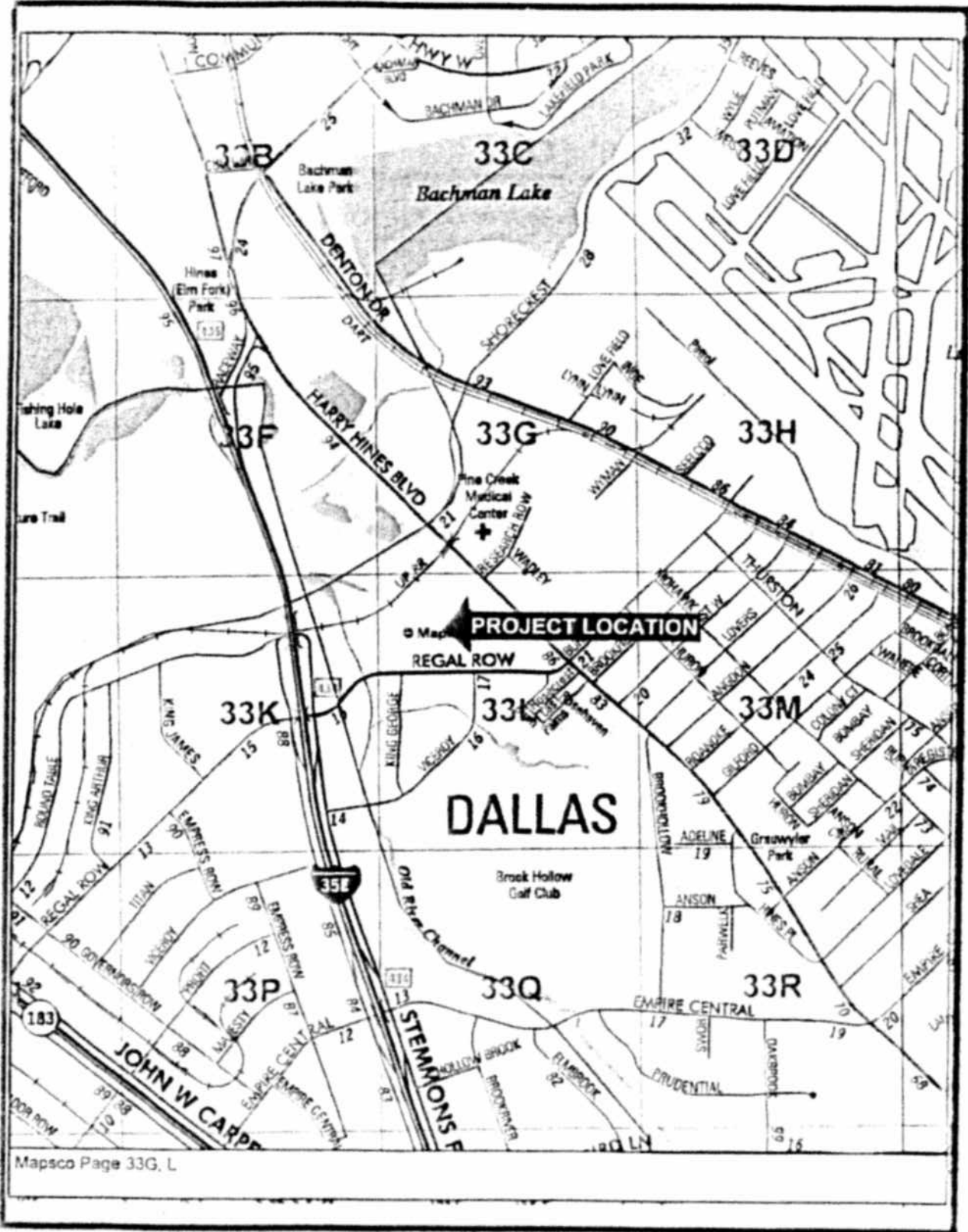
SHORECREST DRIVE FROM HARRY HINES BLVD. TO REGAL ROW

Thoroughfare Plan Amendment
Thoroughfare Map



LOCATOR MAP
NOT TO SCALE

Shorecrest Drive



Mapsco Page 33G, L

Mapsco Page 33G, L

LOCATION: Telephone Road from Unnamed SE4 to Bonnie View Road

COUNCIL DISTRICT: 8

MAPSCO: 76K

PLANNER Tanya Brooks

REQUEST

An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Telephone Road from Unnamed SE4 to Bonnie View Road from a six lane divided roadway (S-6-D) within 107 feet of right of way to a four lane divided roadway (S-4-D) within 80 feet of right of way.

SUMMARY

The Public Works and Transportation Department has requested an amendment to change the designation on this un-built segment of Telephone Road from a six lane divided Principal Arterial roadway (S-6-D) within 107 feet of right-of-way to a four lane divided Principal Arterial roadway (S-4-D) within 80 feet of right of way. A four lane divided cross section is consistent with the planned roadway section connecting with the City of Lancaster.

This area of Dallas is zoned Industrial, is sparsely populated and has very low daily traffic volumes. At complete build-out, the traffic demand will not exceed the 24 hour capacity of a four lane divided roadway. The reduced cross section would allow the Public Works and Transportation Department to proceed with design and construction of the thoroughfare within the existing right of way thereby minimizing cost of the project.

STAFF RECOMMENDATION

Staff recommends approval of the amendment to the Thoroughfare Plan to change the dimensional classification of Telephone Road from Unnamed SE4 to Bonnie View Road from a six lane divided roadway (S-6-D) within 107 feet of right of way to a four lane divided roadway (S-4-D) within 80 feet of right of way.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Plan Commission
Transportation Committee

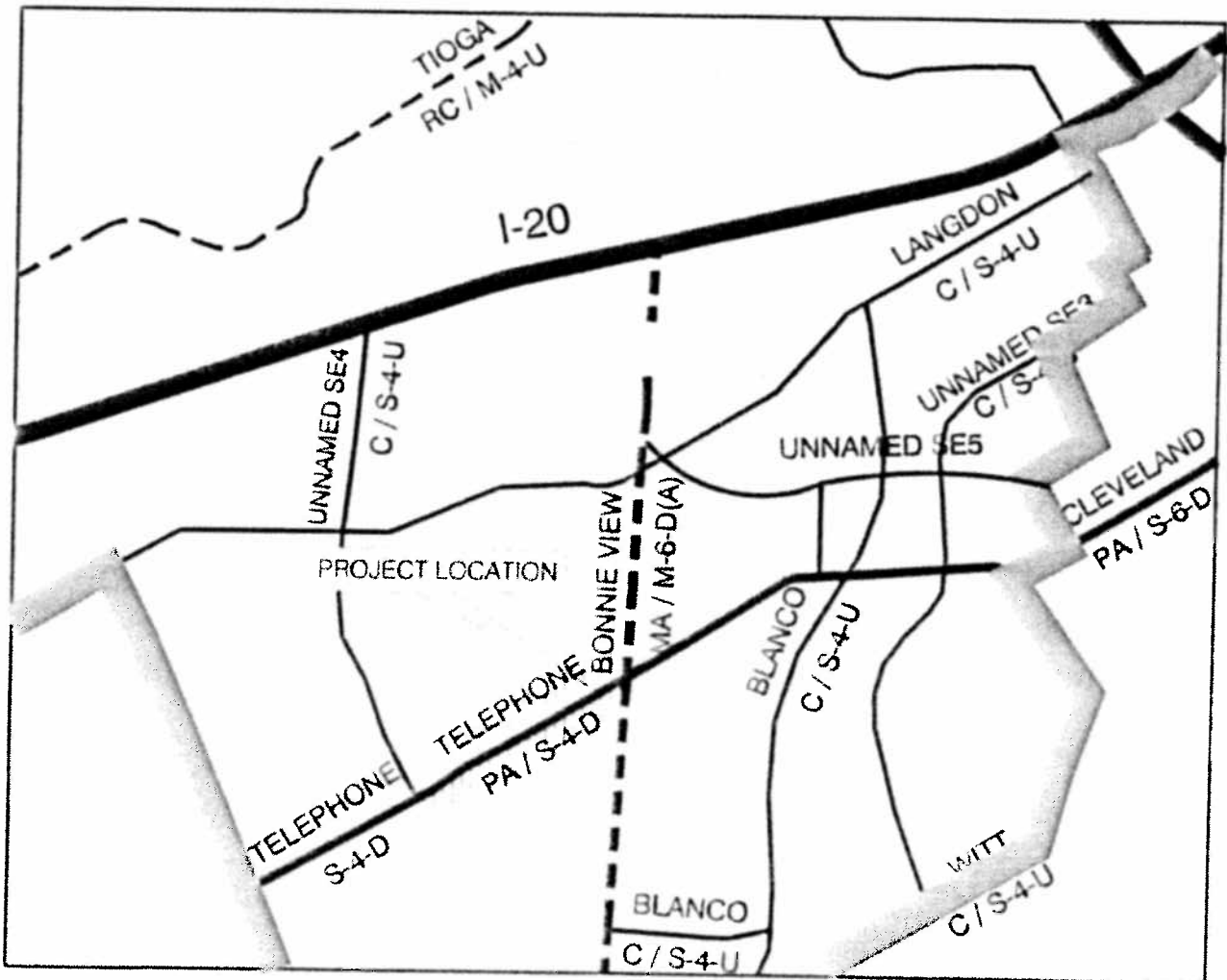
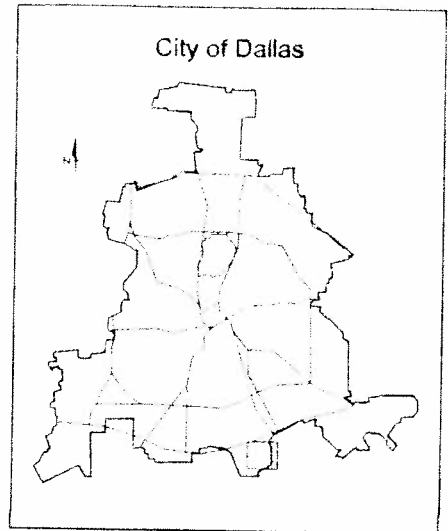
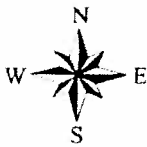
February 17, 2011
Recommendation Approval

MAP

Attached

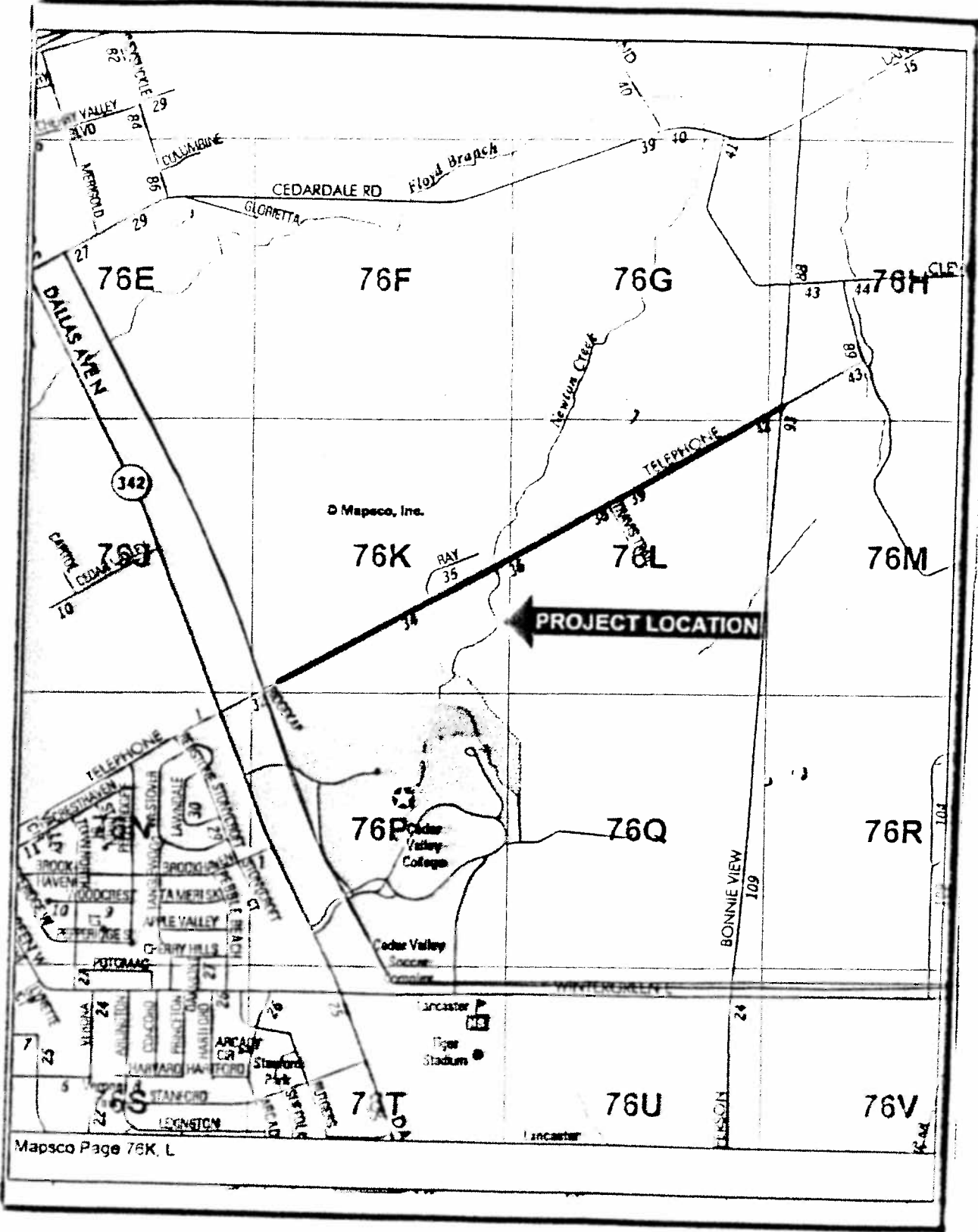
TELEPHONE ROAD FROM UNNAMED SE4 TO BONNIE VIEW RD.

Thoroughfare Plan Amendment
Thoroughfare Map



LOCATOR MAP
NOT TO SCALE

Telephone Road



Mapco Page 76K, L

Planner: Warren F. Ellis

FILE NUMBER: Z090-257(WE) **DATE FILED:** September 16, 2010

LOCATION: Howell Street and Lemmon Avenue, South corner

COUNCIL DISTRICT: 14 **MAPSCO:** 45-C

SIZE OF REQUEST: Approx. 10.993 acres **CENSUS TRACT:** 17.02

APPLICANT / OWNER: Temple Emanu-El

REPRESENTATIVE: Peter Kanvanagh
Zone Systems, Inc.

REQUEST: A an application for a Specific Use Permit for a cemetery or mausoleum on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District and termination of a portion of Special Use Permit No. 113.

SUMMARY: The purpose of this request is to create a new Specific Use Permit for an existing cemetery. The applicant is proposing to construct a service building that is approximately 2,000 square feet on the eastern property line as well as provide additional surface parking.

STAFF RECOMMENDATION: Approval, for a permanent time period, subject to a site plan and conditions and approval of the termination of a portion of Specific Use Permit No. 113.

BACKGROUND INFORMATION:

- The applicant’s request for a Specific Use Permit will allow for a portion of SUP No. 113 to be terminated and create a new Specific Use Permit for the existing cemetery or mausoleum. In addition, the applicant will construct a 2,000 square foot service building and provide additional off-street parking spaces on site.
- Specific Use Permit No. 113 for a cemetery was adopted by the City Council in 1965 as part of the 1965 Comprehensive Zoning Ordinance. SUP No. 113 incorporated more than one cemetery or mausoleum at the time of the Plan’s adoption. The Specific Use Permit for the existing cemetery (SUP No. 113) does not have an ordinance that regulates the use.
- There are approximately three cemeteries, including the request site, in the immediate vicinity; the request site, the remainder of SUP No. 113 and SUP No. 1088, H/54 (Freedman’s Cemetery).
- A portion of the request on Howell Street has deed restrictions on the Property that limits the structure height to a maximum of 36 feet. No changes will be made to the existing deed restrictions. In addition, Specific Use Permit No. 113 does not include the properties along Howell Street. The proposed request will incorporate the properties along Howell Street and a portion of SUP No. 113 under a new Specific Use Permit for a cemetery or mausoleum.
- A portion of Campbell Street was abandoned to accommodate the proposed service building and the additional off-street parking. The proposed service building will be constructed on the east side of the existing mausoleum.
- The surrounding land uses consist of residential, retail and office uses.

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

1. Z089-150 On August 10, 2009, the City Council approved an amendment to the conceptual plan and conditions for the Tract II portion of Planned Development District No. 375 for Office, Retail, and Residential Uses on property generally bounded by Lemmon Avenue East, the eastern half of the abandoned portion of Howell Street, and Lemmon Avenue West.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Howell Street	Local	50 ft.	50 ft.
Lemmon Avenue West	Existing Couplet	100 ft.	10 ft.
Campbell Street	Local	Variable lane widths	Variable lane widths

Land Use:

	Zoning	Land Use
Site	MF-2	Cemetery
North	PDS No. 375, SUP No. 113, SUP No. 840, SUP No. 1088, O-2	Hospitals, Cemetery, Office, Undeveloped
South	MF-2, PDS No. 225	Cemetery, Retail
East	SUP No. 1088, H/54, PDS No. 225	Freedman's Cemetery
West	MF-2, PDS No. 34	Cemetery, Single Family, Townhouses

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility: The 10.993 acre site is developed with an existing cemetery and is a part of a larger Specific Use permit for a cemetery (Specific Use Permit No. 113). The applicant's request will create a new Specific Use Permit that will have conditions and a site plan that will regulate the use. In addition, the applicant has abandoned a portion of Campbell Street. The additional land will allow for the construction of the 2,000 square foot service building and addition off-street parking spaces.

In 1965, the City Council adopted the Comprehensive Zoning Ordinance and map which established Specific Use Permit No. 113 for a cemetery. SUP No. 113 incorporated more than one cemetery or mausoleum, at the time of the Plan's adoption. The adoption of the Ordinance and map resulted in certain sites through out the City of Dallas not receiving an ordinance and/or site plan that regulates those uses.

There are approximately three cemeteries, including the request site, in the immediate vicinity; the request site, the remainder of SUP No. 113 and SUP No. 1088, H/54 (Freedman's Cemetery).

A portion of the request on Howell Street has deed restrictions on the Property that limits the structure height to a maximum of 36 feet. No changes will be made to the existing deed restrictions. In addition, Specific Use Permit No. 113 does not include the properties along Howell Street. The proposed request will incorporate the properties along Howell Street and a portion of SUP No. 113 under a new Specific Use Permit for a cemetery or mausoleum.

Staff has reviewed the applicant's request and recommends approval of a Specific Use Permit for a cemetery for a permanent time period. The proposed addition to the existing cemetery should not adversely impact the surrounding area.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
MF-2(A) - Multifamily	15'	15'	Min lot 1,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family

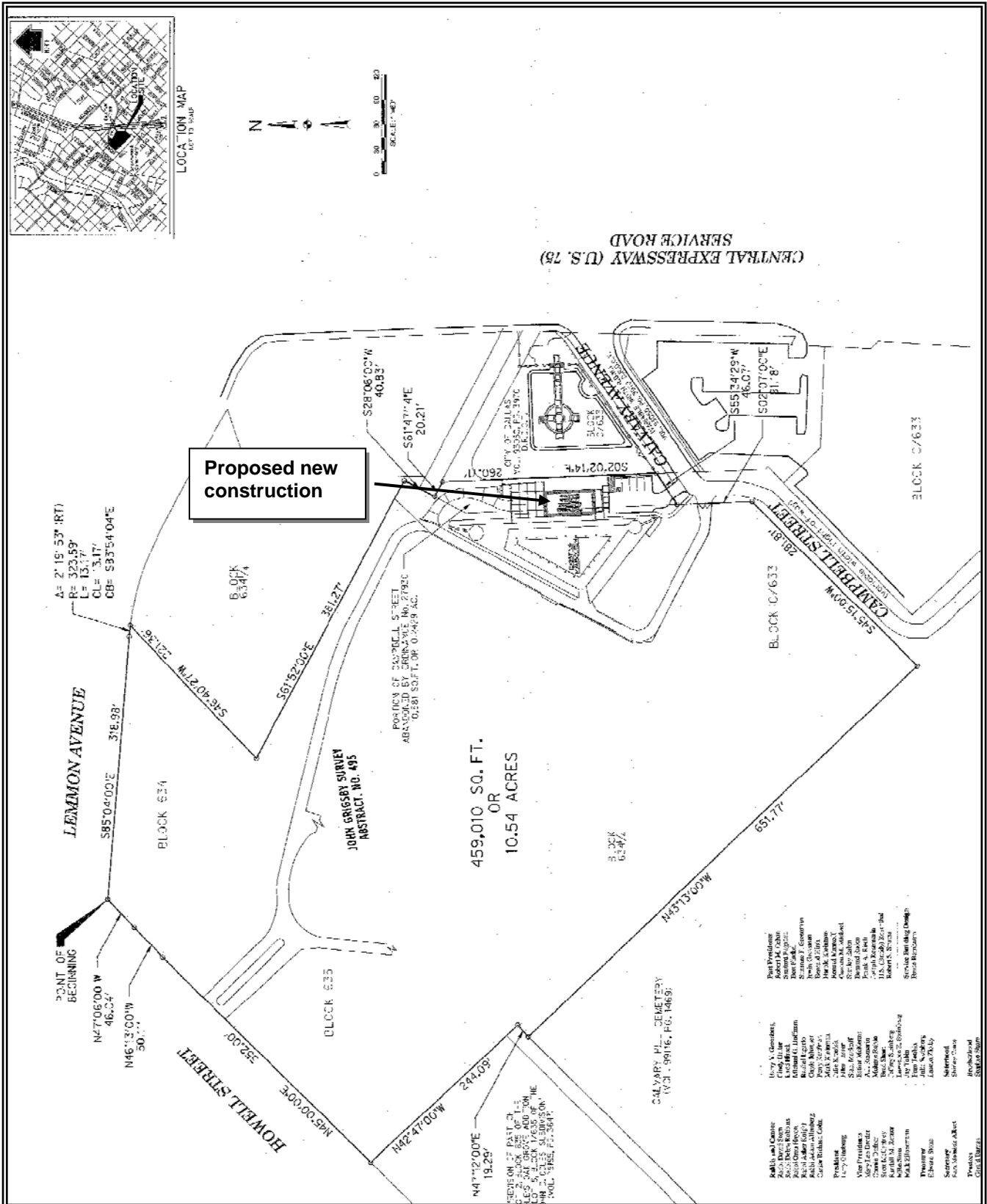
Landscaping: Landscaping of any development will be in accordance with Article X, as amended.

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

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a cemetery or mausoleum.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit has no expiration date.
4. MAINTENANCE: The entire 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



EXISTING DEED RESTRICTIONS

17318

820928

DEED RESTRICTIONS

2132

6

1 02/15/77

STATE OF TEXAS X
COUNTY OF DALLAS X

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, FRANCES PICCOLA BURT, JOSEPH PICCOLA, TONY PICCOLA, and MARY PICCOLA WILDER, are the owners of the following described property situated in Dallas County, Texas, being a tract of land in City Block 636, City of Dallas, Dallas County, Texas, and being more particularly described as follows:

BEING a part of Lot 8 in Block 636, fronting 146 feet on the Northside of Howell Street, in the City of Dallas, Texas, and being a tract of land 146 feet by 50 feet at the corner of Lemmon Avenue, a part of Lot 8 in Block 636, of Cole's Oak Grove Addition to the City of Dallas, same as deeded to Charles Kladiva of record in Vol. 1169, on Page 621, Deed Records of Dallas County, Texas, described by metes and bounds as follows:

BEGINNING at a stake at the corner of Lemmon Avenue and Gridley Avenue (Howell Street); thence with the north line of Gridley Avenue 146 feet to an alley; thence northwesterly with said alley 50 feet to a stake; thence northeasterly parallel with Gridley Avenue 146 feet to the southwest line of Lemmon Avenue; thence with the southwest line of Lemmon Avenue to the place of beginning.

That the undersigned do hereby impress all of the above described property with the following deed restrictions, to-wit:

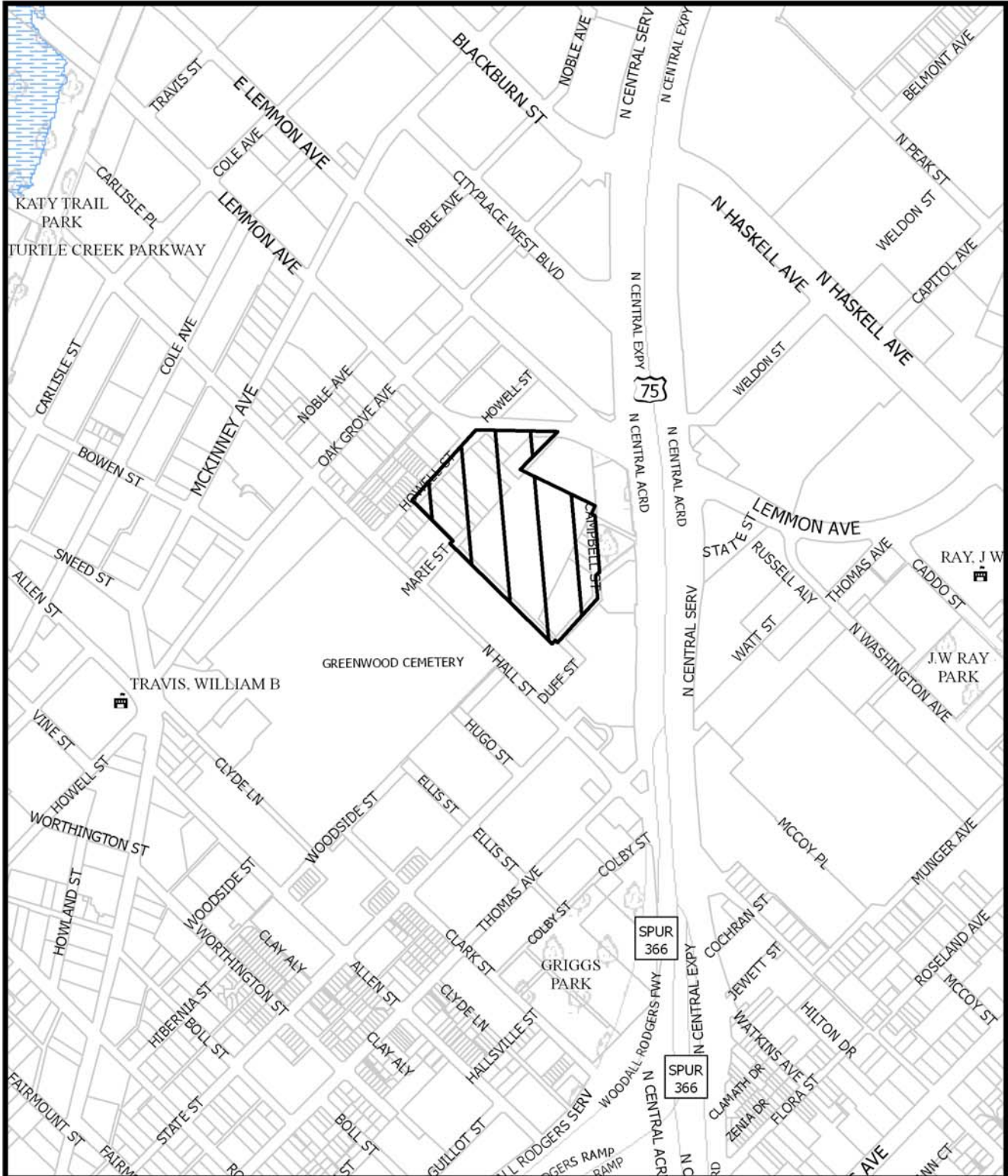
- (1) That no building to be erected on the above described property shall exceed 36 feet in height. Additional structure as authorized in Section 51-4.408 (a) (2) (A) of the Dallas Development Code may be permitted on top of a building.

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

VOL PAGE

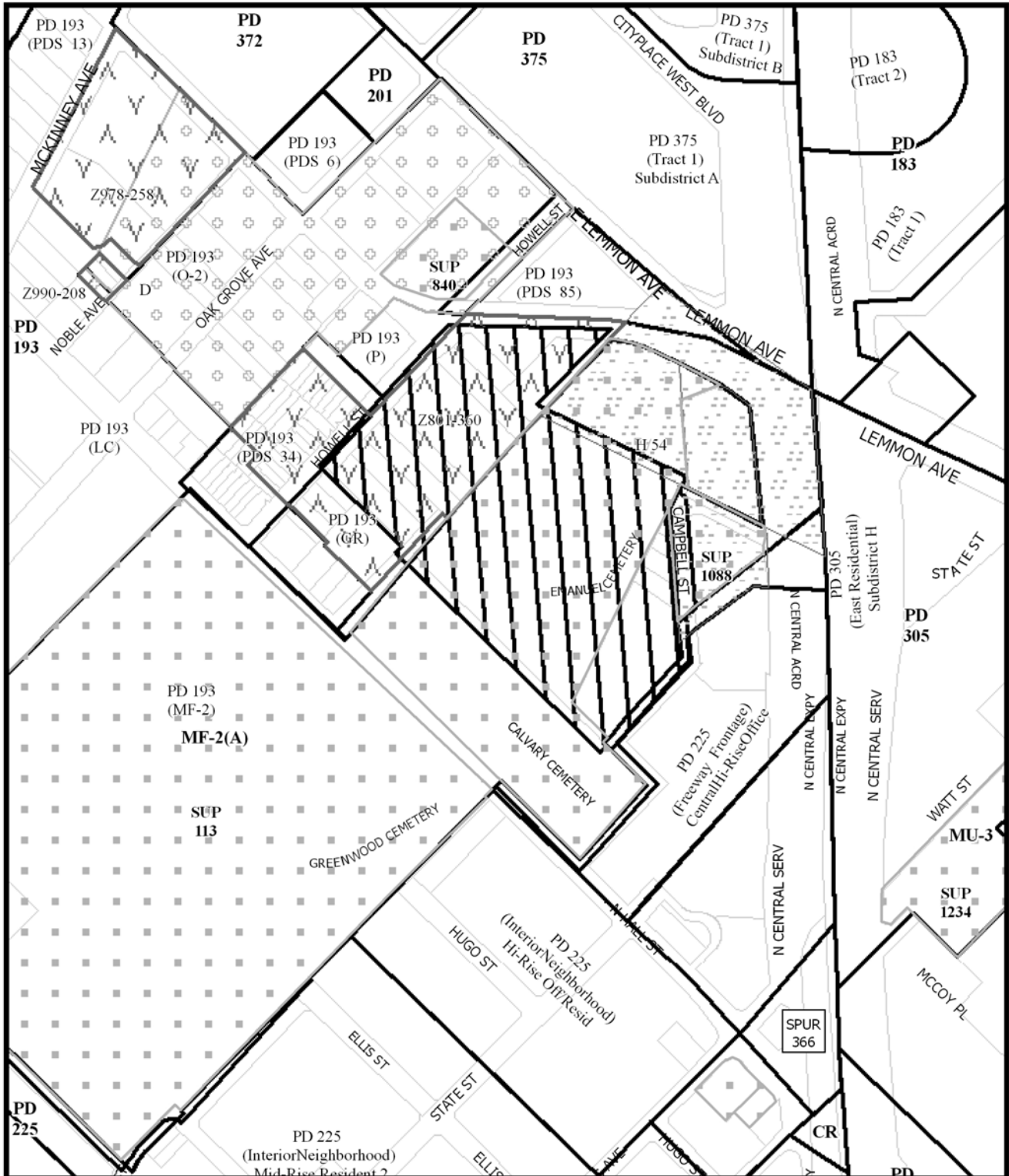
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1:7,200

VICINITY MAP

Map no: 1-7
Case no: Z090-257

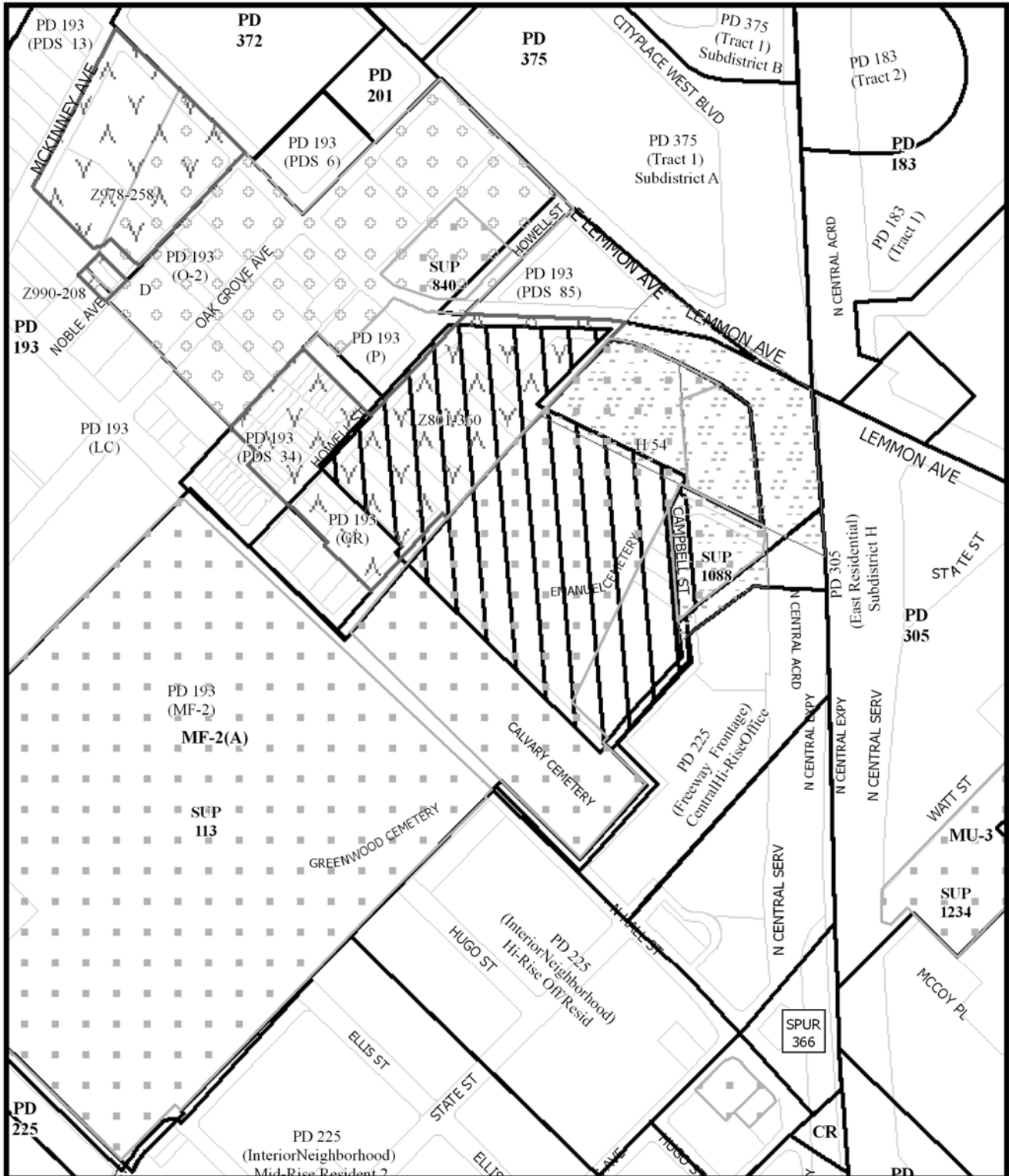




 1:3,600

ZONING AND LAND USE

Map no: I-7
 Case no: Z090-257

DATE: February 14, 2011

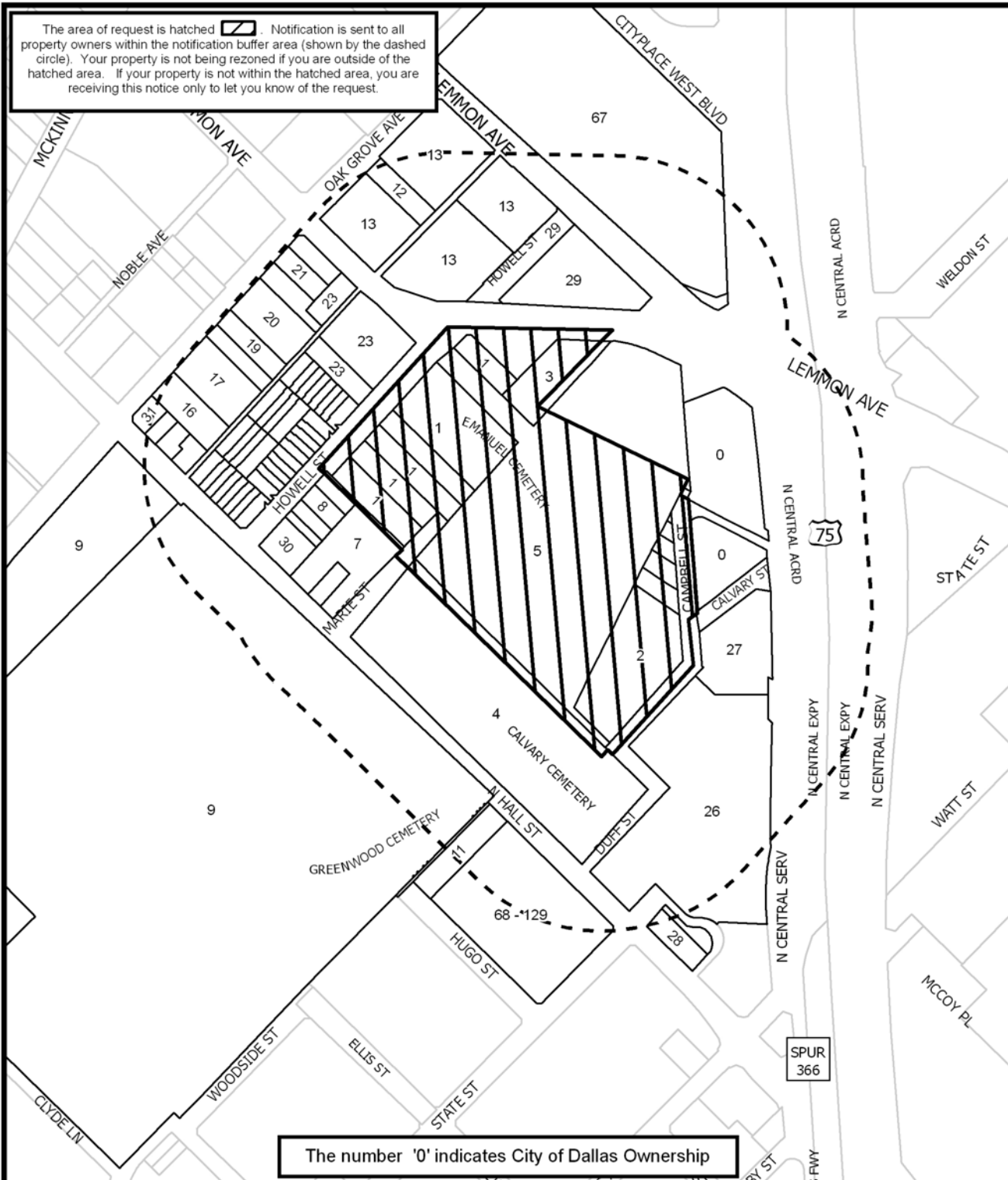



 1:3,600


ZONING HISTORY

Map no: I-7
 Case no: Z090-257

DATE: February 14, 2011



The number '0' indicates City of Dallas Ownership


 1:3,600

NOTIFICATION

400'	AREA OF NOTIFICATION
129	NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: I-7
 Case no: Z090-257

DATE: February 14, 2011

Notification List of Property Owners

Z090-257

129 Property Owners Notified

Label #	Address	Owner
1	3527 HOWELL	CONGREGATION EMANU EL
2	3400 CAMPBELL	CONGREGATION EMANUEL
3	2700 LEMMON	TEMPLE EMANU EL
4	2400 HALL	CALVARY HILL CEMETERY
5	2700 LEMMON	HEBREW CEMETARY ASSN
6	3430 HOWELL	CONGREGATION EMANUEL
7	2704 HALL	LAMBERT JAMES E & PAULA S
8	3416 HOWELL	LAMBERT PAULA S
9	3100 OAK GROVE	GREENWOOD CEMETERY ASSN
10	2429 HALL	PBH INVESTMENTS LLC
11	2429 HALL	PBH INV LLC
12	3514 OAK GROVE	CWS LEMMON LP SUITE 400
13	3515 LEMMON EAST	CWS LEMMON LP
14	3406 HOWELL	TKNPA PPTIES LP
15	2816 HALL	MCKINNEY AVENUE CONTEMPORARY L C
16	3308 OAK GROVE	PRIDE & JOY CAPITAL LP
17	3316 OAK GROVE	OAK GROVE PARTNERS LTD STE 100
18	3316 OAK GROVE	GTK PARTNERS LTD STE 100
19	3320 OAK GROVE	TEXAS ENGERY HOLDINGS INC
20	3402 OAK GROVE	GRW BUILDING CORP LLC
21	3416 OAK GROVE	TWS & K REALTY LLP
22	3414 OAK GROVE	TWS&K REALTY LLP
23	3433 LEMMON	2801 INVESTMENTS LTD STE A306
24	3420 OAK GROVE	ANTONETTI & VEGA LTD LP
25	2700 LEMMON EAST	BLACKBURN CENTRAL HOLDINGS LP # 890
26	2305 CENTRAL	WALMART REAL ESTATE % WAL-MART PPTY TAX DEPT

Monday, February 14, 2011

Label #	Address	Owner
27	3304 STATE	WAL MART STORES TEXAS LP % WAL-MART PPTY TAX DEPT
28	2500 HALL	SWAN JACK R JR
29	2731 LEMMON	BREMNERDUKE MARY SHIELDS DEVELOPMENT LP
30	3404 HOWELL	CAREY RICHARD & FRED CAREY
31	2828 HALL	DENNING JEREMY & DEANNA
32	2824 HALL	HENDERSON ROBERT J & MARILYN D
33	2820 HALL	CHIARELLO ANATHONY J
34	2800 HALL	FINCH DAVID M
35	2800 HALL	MCNEW KIRK E & LISA A MCNEW
36	2800 HALL	WRENN PATRICK J
37	2800 HALL	GOETZ GEOFFREY & MARILYN
38	2800 HALL	EVANS BLANCHE NEWBURY
39	2800 HALL	LAGERSTEDT STIG R & DENISE C
40	2800 HALL	MONIGOLD KENNETH D & MONIGOLD MEDORA P
41	2800 HALL	ANTIL JERRY
42	3405 HOWELL	DAVIS GREGORY W & CANDACVE L DAVIS
43	3405 HOWELL	SWITZER ANSON
44	3405 HOWELL	STOCKING LYNN& THOMAS
45	3405 HOWELL	MCLIN EDWARD D SUITE 4
46	3405 HOWELL	SELBY JOHN KENNETH TR
47	3405 HOWELL	LEE DOUGLAS W
48	3405 HOWELL	REAM ROBERT J TR
49	3405 HOWELL	ROLAND SHANNON K
50	3405 HOWELL	HARDIN MAXIE DURAN SUITE 9
51	3405 HOWELL	KINGHAM RICHARD G UNIT 10
52	3405 HOWELL	TIMBOL THOMAS G # 11
53	3405 HOWELL	MARTIN PIA & CHARLES E
54	3405 HOWELL	LENZ ANDREW R & JILL M
55	3405 HOWELL	BURNS JAMES R TR & BURNS KATHY K TR
56	3405 HOWELL	REMICK KARL V
57	3405 HOWELL	GARCIA RENE R JR & ANNABELLE L UNIT 16

Monday, February 14, 2011

Label #	Address	Owner
58	3405 HOWELL	PAYTON T FRANK & PAYTON SWEENEY PATRICIA
59	3405 HOWELL	SULLIVAN BRIAN J
60	3405 HOWELL	WEEKS JAMES JUSTIN
61	3405 HOWELL	MCALISTER JAMES B & BARBARA R
62	3405 HOWELL	BARBER RICHARD WRIGHT & QIU FANG SHEN
63	3405 HOWELL	HORNE EDWARD A
64	3405 HOWELL	ARBAUGH NATALIE L
65	3405 HOWELL	EGGERICHS JAMES G
66	3405 HOWELL	MCALISTER JAMES B & BARBARA R
67	3500 CENTRAL	BLACKBURN CENTRAL HOLDINGS LP LB 12
68	3205 STATE	ABISLEIMAN RABIH N
69	3205 STATE	CUADROS ALEJANDRO
70	3205 STATE	KARNS STEPHEN
71	3205 STATE	WALDER BENJAMIN R
72	3205 STATE	LEVINE BRIAN P
73	3205 STATE	LEGORE HOLLY M UNIT 6
74	3205 STATE	DESAI ANIL #7
75	3205 STATE	YOON SUKOON
76	3205 STATE	EATON SAMUEL D
77	3205 STATE	HULSEY BRIAN & KERI
78	3205 STATE	MITCHELI JOHN ANTHONY
79	2411 HALL	FORE KATHERINE ANNE APT 14E
80	2411 HALL	PATERSON RICHARD M
81	2411 HALL	MORIGI MICHAEL D
82	2411 HALL	LEUNG DAN & OLGA
83	2411 HALL	MACKENZIE KEVIN
84	2411 HALL	HARDESTY BRADLEY & STUTEE AMIN
85	2411 HALL	PHILLIPS CHAD D
86	2411 HALL	DUNKLIN WILLIAM H UNIT 8
87	2411 HALL	JEPSEN KYLE D UNIT 9
88	2411 HALL	BRAMHALL DYLAN

Monday, February 14, 2011

Label #	Address	Owner
89	2411 HALL	HENDERSON ROBERT T & POWERS LORI
90	2411 HALL	SATHIANATHAN BAVAN
91	2411 HALL	CARRILLO MIGUEL APT 13
92	2411 HALL	CHANG JEREMY BLDG 3 UNIT 14
93	2411 HALL	HYLTON WILLIAM
94	2411 HALL	COHEN GARY R
95	2411 HALL	BURDUROGLU ISMAIL
96	2411 HALL	CONRAD DEVON & DAVID B BLDG 4 UNIT 18
97	2411 HALL	CLARK JEREMY
98	2411 HALL	IP AARON UNIT 20
99	2411 HALL	TAUSSIG ANDREW S & ANNEMARIE REVOCABLE TRU
100	2411 HALL	MCVEY JOHN
101	2411 HALL	BARTLEY WILLIAM G JR &
102	2411 HALL	MCNEIL CRAIG UNIT 24
103	2411 HALL	SWAYDEN CHRISTOPHER G
104	2411 HALL	COTTRELL JARID T & CHRISTY L
105	2411 HALL	BAZAN MONICA E
106	2411 HALL	REBHOLZ ANDREW B
107	2411 HALL	LOWE MATTHEW
108	2411 HALL	GILMORE TIMOTHY M
109	2411 HALL	BLACK REGINALD S
110	2411 HALL	GEISSLER JACOB UNIT 32
111	2411 HALL	MORRIS THOMAS J
112	2411 HALL	FUSSMAN CHRISTOPHER
113	2411 HALL	BARSOITI MARGARET I
114	2411 HALL	HOLT D ERIC & LAURA E UNIT 36
115	2411 HALL	CARTER JOHN A JR BLDG 6 UNIT 37
116	2411 HALL	CALDWELL COLIN
117	2411 HALL	GREEN JAMES A BLDG 6 UNIT 39
118	2411 HALL	LOUVIERE JARED M
119	2420 HUGO	CAMILLO CHRISTOPHER & AMY S

Monday, February 14, 2011

Z090-257 (WE)

Label #	Address	Owner
120	2420 HUGO	ASCENZO DANIEL R BLDG 7 UNIT 2
121	2420 HUGO	TANAKA JASON TRUSTEE JASON TANAKA TRUST
122	2420 HUGO	CORBETT KEVIN W
123	2420 HUGO	RIVERA ANTONIO R
124	2420 HUGO	BURKE KEVIN T UNIT 6
125	2420 HUGO	REDMAN GARY LON II UNIT 7
126	2420 HUGO	MCCRADY RICK
127	2420 HUGO	CAPARAS MICHAEL S & STEPHANIE L
128	2420 HUGO	ROWATT GAVIN C UNIT 10
129	2420 HUGO	MANDERS TRACY M

Monday, February 14, 2011

Planner: Warren F. Ellis

FILE NUMBER: Z101-102(WE) **DATE FILED:** October 4, 2010

LOCATION: Oak Lawn Avenue and Maple Avenue, south corner

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

SIZE OF REQUEST: Approx. 14.58 acres **CENSUS TRACT:** 5.00

APPLICANT / OWNER: Texas Scottish Rite Hospital for Children

REPRESENTATIVE: Peter Kavanagh
Zone Systems, Inc.

REQUEST: An application for an amendment to the development plan of Planned Development District No. 518.

SUMMARY: The purpose of this request is to amend the development plan to show an increase in the building's footprint and height of an existing structure. The structure is located on the northwest quadrant of the hospital's campus. There are no additional changes being made to the existing PDD conditions.

STAFF RECOMMENDATION: Approval, subject to the development plan

BACKGROUND INFORMATION:

- The request for an amendment to the development plan of Planned Development District No. 518 will permit the applicant to expand an existing structure known as the “Central Energy Plant” from approximately 16,000 square feet of floor area to approximately 40,000 square feet of floor area. The maximum height proposed is 40 feet.
- The proposed structure is where the hospital will store their back-up generators, chillers, and oxygen tanks. There are no changes being made to the existing Planned Development District conditions.
- The land uses surrounding the request site are retail, office and a City of Dallas Park and Recreation Center.

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Maple Avenue	Local	70 ft.	70 ft.
Oak Lawn Avenue	Principal Arterial	100 ft.	100 ft.
Dallas North Tollway		Variable width lanes	Variable width lanes

Land Use:

	Zoning	Land Use
Site	PDD No. 518	Hospital
North	PDD No. 262 Tr 1 & 2	Office
South	MF-3 w/in PDD No. 193	City of Dallas Park & recreation ctr.
East	GR, SUP No. 1184 w/in PDD No. 193	Retail w/drive through restaurant, offices
West	I-2 w/in PDD No. 193	Dallas North Tollway

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility: The 14.58 acre campus is developed as a hospital. The applicant’s request for an amendment to the development plan will allow for the expansion of an existing building. The proposed expansion will be constructed on the northwest quadrant of the hospital’s campus. In addition, the applicant is proposing to limit the floor area to approximately 40,000 square feet and the structure height to 40 feet.

The proposed structure is where the hospital will store their back-up generators, chillers, and oxygen tanks. There are no changes being made to the existing Planned Development District conditions. The maximum allowable square feet of floor area that is permitted on campus will not change as a result of the increased square footage of the new building.

Staff has reviewed the applicant’s request and recommends approval of the amendment to the development plan of Planned Development District No. 518. The proposed request should not adversely impact the surrounding area.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 518	Per plan'	Per plan	856,920 sq. ft. or 1.29:1 FAR	124' or 5 stories'	31%		Medical clinic, hospital, office,

Parking: Consult the use regulations (Divisions 51A-4.300 et seq.) for the specific off-street loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street loading generally. The Off-street parking must be provided as shown on the development plan.

Landscaping: Prior to the issuance of a certificate of occupancy for new construction on the Property, landscaping must be provided as shown on the development plan. Plant material must be maintained in a healthy, growing condition

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.

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Joe H. Tydlaska

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John C. Nobles

Fort Worth

Robert J. Glasgow

Tom Guest

H. F. "Sonny" Tull

James D. Ward

Jerry D. Webber

C. Clifton Robinson

Murray Watson, Jr.

**EXISTING PDD NO. 518
CONDITIONS**

ARTICLE 518.

PD 518.

SEC. 51P-518.101. LEGISLATIVE HISTORY.

PD 518 was established by Ordinance No. 23642, passed by the Dallas City Council on September 9, 1998. Ordinance No. 23642 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended. (Ord. Nos. 10962; 19455; 23642; 25423)

SEC. 51P-518.102. PROPERTY LOCATION AND SIZE.

PD 518 is established on property generally located at the southwest corner of Oak Lawn Avenue and Maple Avenue. The size of PD 518 is approximately 14.089 acres. (Ord. Nos. 23642; 25423)

SEC. 51P-518.103. DEFINITIONS AND INTERPRETATIONS.

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

(b) Unless otherwise stated, all code references are to Chapter 51A.

(c) This district is considered to be a nonresidential zoning district. (Ord. Nos. 23642; 25423)

SEC. 51P-518.104. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit 518A). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control. (Ord. Nos. 23642; 25423)

SEC. 51P-518.105. MAIN USES PERMITTED.

(a) Hospital.

(b) Office.

(c) Medical clinic or ambulatory surgical center.

(d) Motor vehicle fueling station.

(e) Helistop.

(f) Commercial parking lot or garage. *[This use is to be operated in conjunction with and incidental to the hospital use.]*

(g) Auditorium. *[This use must be operated in conjunction with and incidental to the hospital use.]* (Ord. Nos. 23642; 25423)

SEC. 51P-518.106. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific 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 51A-4.217.

(b) In this planned development district, a pedestrian skybridge is permitted by specific use permit (SUP) only. (Ord. Nos. 23642; 25423)

SEC. 51P-518.107. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations 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 as shown on the development plan.

(b) Side and rear yard. Minimum side or rear yard is as shown on the development plan.

(c) Floor area. Maximum floor area is 856,920 square feet.

(d) Height. Maximum structure height is 124 feet, with no structure exceeding the maximum height indicated for that structure on the development plan.

(e) Lot coverage.

(1) Maximum lot coverage is 31 percent.

(2) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size. No minimum lot size.

(h) Stories. Maximum number of stories is five, with no structure exceeding the maximum number stories indicated for that structure on the development plan. (Ord. Nos. 23642; 25423)

SEC. 51P-518.108. OFF-STREET PARKING AND LOADING.

(a) Off-street parking must be provided as shown on the development plan.

(b) Consult the use regulations (Divisions 51A-4.300 et seq.) for the specific off-street loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street loading generally. (Ord. Nos. 23642; 25423)

SEC. 51P-518.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 23642; 25423)

SEC. 51P-518.110. LANDSCAPING.

(a) Prior to the issuance of a certificate of occupancy for new construction on the Property, landscaping must be provided as shown on the development plan. Plant material must be maintained in a healthy, growing condition.

(b) Tree preservation as outlined in Article X applies to this PD. (Ord. Nos. 23642; 25423)

SEC. 51P-518.111. SIGNS.

Signs must comply with the provisions for business zoning districts contained in Article VII. (Ord. Nos. 23642; 25423)

SEC. 51P-518.112. 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. Nos. 23642; 25423; 26102)

SEC. 51P-518.113. 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.

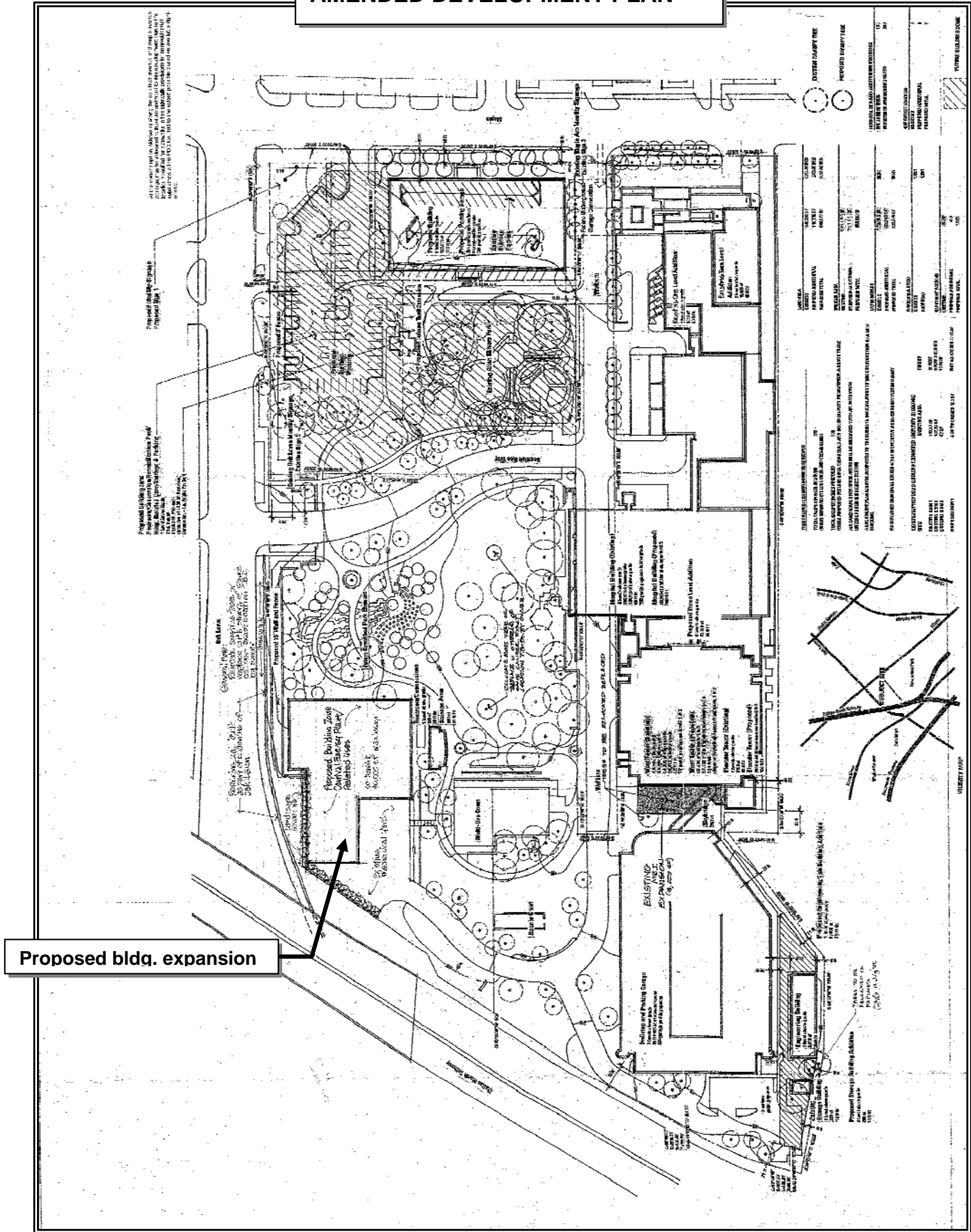
Z101-102(WE)

(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. (Ord. Nos. 23642; 25423; 26102)

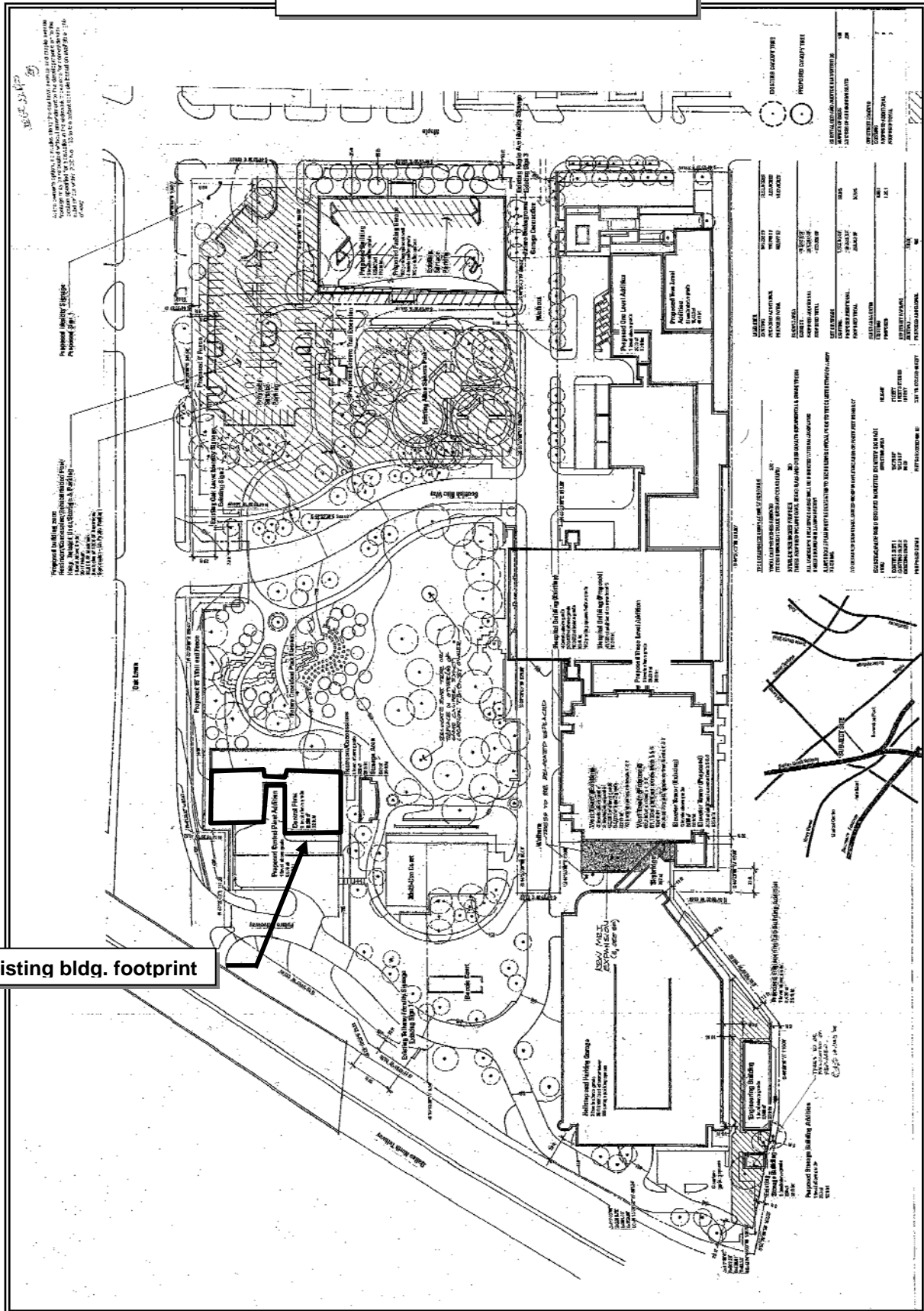
SEC. 51P-518.114. ZONING MAP.

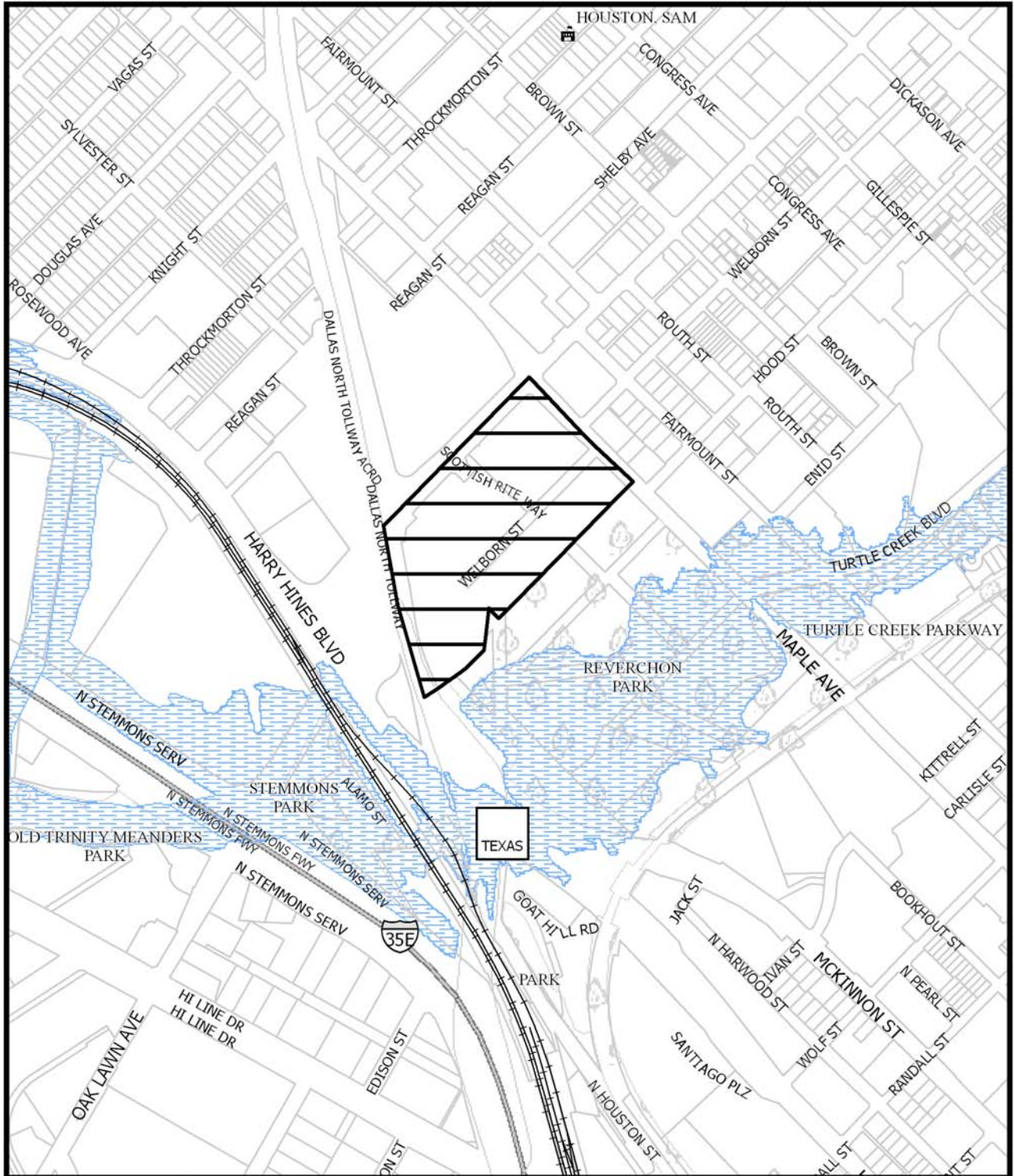
PD 518 is located on Zoning Map No. I-7. (Ord. Nos. 23642; 25423)

AMENDED DEVELOPMENT PLAN



EXISTING DEVELOPMENT PLAN





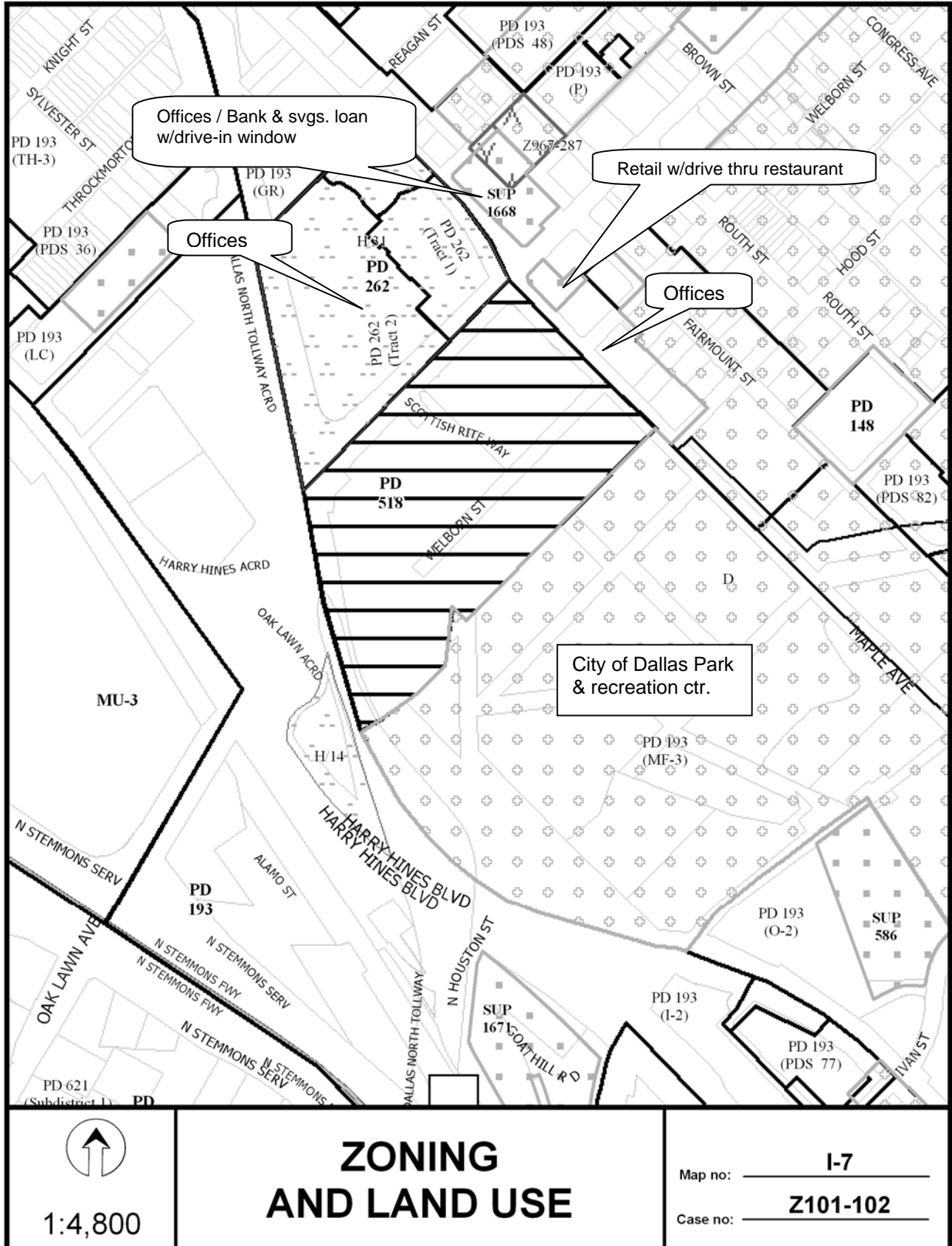
1:7,200


VICINITY MAP

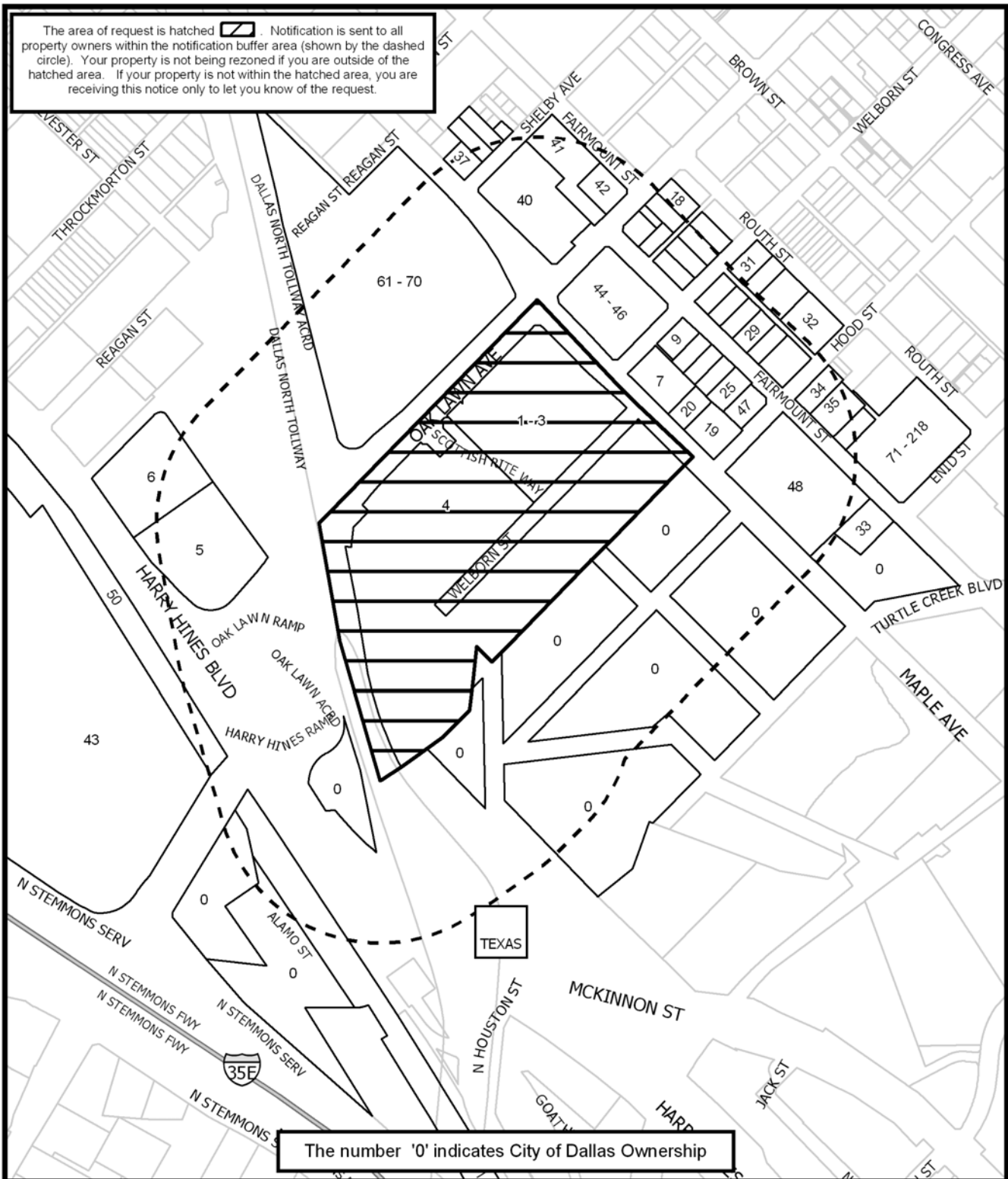
Map no: I-7

Case no: Z101-102

DATE: November 19, 2010



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



The number '0' indicates City of Dallas Ownership



1:4,800

NOTIFICATION

500'

AREA OF NOTIFICATION

239

NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: I-7

Case no: Z101-102

Notification List of Property Owners

Z101-102

239 Property Owners Notified

Label #	Address	Owner
1	3721 MAPLE	TEXAS SCOTTISH RITE HOSP
2	3721 MAPLE	TEXAS SCOTTISH RITE HOSP
3	2312 OAK LAWN	TEXAS SCOTTISH RITE HOSPITAL FOR CHILDREN
4	2222 WELBORN	TEXAS SCOTTISH RITE HOSPITAL FOR CHILDREN
5	3900 HARRY HINES	HJR INVESTMENTS LLC
6	3910 HARRY HINES	SENIOR CITIZENS OF GREATER DALLAS INC
7	3636 MAPLE	3636 MAPLE LTD
8	3629 FAIRMOUNT	DALY PATRICK W
9	3631 FAIRMOUNT	REDFEARN BEVERELY
10	3702 FAIRMOUNT	3702 FAIRMOUNT LLP
11	2505 WELBORN	ROUGHTON BRIAN & KAYLA
12	2500 OAK LAWN	MCGONAGLE MARTIN E
13	2500 OAK LAWN	MCGONAGLE MARTIN E
14	2500 OAK LAWN	MCGONAGLE MARTIN E
15	3714 FAIRMOUNT	MCGONAGLE MARTIN E
16	2506 OAK LAWN	MCGONAGLE MARTIN E
17	2508 OAK LAWN	MCGONAGLE MARTIN E
18	2512 OAK LAWN	BARCELONETA LLC
19	3606 MAPLE	TEXAS SCOTTISH RITE HOSP FOR CRIPPLED CHILDREN
20	3616 MAPLE	3616 MAPLE LLC
21	3617 FAIRMOUNT	RP FAIRMONT LTD PS % RICHARD TRIMBLE
22	3613 FAIRMOUNT	STEPHENS KAREN L
23	3613 FAIRMOUNT	STEPHENS KAREN L
24	3615 FAIRMOUNT	STEPHENS KAREN L
25	3611 FAIRMOUNT	RUBIN MARTIN J
26	3622 FAIRMOUNT	WEISFELD HERSCHEL A

Friday, November 19, 2010

Label #	Address	Owner
27	3620 FAIRMOUNT	VELASCO ROCHA MANAGEMENT LLC % NELLIE ROCHA
28	3618 FAIRMOUNT	WATSON TERRY R
29	3614 FAIRMOUNT	BURGESS WESLEY W
30	3610 FAIRMOUNT	TEXAS SOC PRVNTN BLID DAL EXEMPT 1979
31	2512 WELBORN	BURDIN KEN
32	3601 ROUTH	WEISFELD HERSCHEL A
33	3503 FAIRMOUNT	TC HOLDINGS LP
34	3534 FAIRMOUNT	TEXAS LAND & REALTY LLC
35	3524 FAIRMOUNT	G L F PARTNERS LLP
36	3520 FAIRMOUNT	ROYAL NONESUCH LP
37	3902 MAPLE	HICKMAN MAVIS & C PAPPAS
38	2507 SHELBY	HICKMAN MAVIS ROSE & CHRIS N PAPPAS
39	2511 SHELBY	SOUTH TOLLWAY 3920 LP % CROW HOLDINGS
40	2501 OAK LAWN	GAEDEKE HOLDINGS II LTD STE 500
41	2519 OAK LAWN	WEISFELD HERSCHEL A
42	2529 OAK LAWN	SOUTHLAND CORP (NO 12200)
43	1950 STEMMONS	DCI TECH INFOMART LP STE 2012
44	3720 OAK LAWN	TEXAS SCOTTISH RITE HOSP % EXXON MOBIL CORP
45	3716 MAPLE	EXXON CORPORATION
46	3720 OAK LAWN	TEXAS SCOTTISH RITE HOSP % EXXON MOBIL CORP
47	3607 FAIRMOUNT	SIEGEL MARK J
48	3500 MAPLE	NNN 3500 MAPLE VF 2003 & LLC
49	2517 SHELBY	FEDERAL NATIONAL MORTGAGE ASSOC
50	1900 OAK LAWN	DART & FT WORTH TRANSP AUTH
51	1900 OAK LAWN	DART & FT WORTH TRANSP AUTH
52	2509 WELBORN	HELMS JOHN B APT 309
53	2509 WELBORN	GILL GURDEV S & SAVITA GILL
54	2509 WELBORN	THOMPSON BRUCE EDWARD UNIT C
55	2509 WELBORN	CLOSE JAMES I
56	3606 FAIRMOUNT	GOLDMAN WENDY
57	2507 HOOD	ANDERSON CALVERT T & STACY JAMESON

Label #	Address	Owner
58	2503 HOOD	ENGLISH RICK L & SUSAN P
59	2505 HOOD	LIU JEAN
60	2711 HOOD	CORNWELL GREGORY CLARK
61	3819 MAPLE	OLD PARKLAND UNIT A LLC CH WOODLAWN OFFICE LLC
62	3949 OAK LAWN	OLD PARKLAND UNIT B LLC CH WOODLAWN OFFICE LLC
63	3953 OAK LAWN	OLD PARKLAND UNIT C LLC CH WOODLAWN OFFICE LLC
64	3965 OAK LAWN	OLD PARKLAND UNIT D LLC CH WOODLAWN OFFICE LLC
65	3963 OAK LAWN	OLD PARKLAND UNIT E LLC CH WOODLAWN OFFICE LLC
66	2215 OAK LAWN	OLD PARKLAND UNIT F LLC CH WOODLAWN OFFICE LLC
67	2215 OAK LAWN	OLD PARKLAND UNIT G LLC CH WOODLAWN OFFICE LLC
68	2215 OAK LAWN	OLD PARKLAND UNIT H LLC CH WOODLAWN OFFICE LLC
69	2215 OAK LAWN	OLD PARKLAND UNIT A LLC CH WOODLAWN OFFICE LLC
70	2215 OAK LAWN	OLD PARKLAND UNIT A LLC CH WOODLAWN OFFICE LLC
71	3500 FAIRMOUNT	LANG ROLAND E FAMILY TR SUTIE 118
72	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
73	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
74	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
75	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
76	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
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81	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
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85	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
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Label #	Address	Owner
87	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
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119	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10

Label #	Address	Owner	
120	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP	
121	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP	FLOOR 10
122	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP	FLOOR 10
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149	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP	FLOOR 10
150	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP	FLOOR 10

Friday, November 19, 2010

Label #	Address	Owner	
151	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP	FLOOR 10
152	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP	FLOOR 10
153	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP	FLOOR 10
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181	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP	FLOOR 10

Friday, November 19, 2010

Label #	Address	Owner
182	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
183	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
184	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
185	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
186	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
187	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
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210	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
211	3500 FAIRMOUNT	REALTY ASSO RIENZI LP
212	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZEL LP

Friday, November 19, 2010

Label #	Address	Owner
213	3500 FAIRMOUNT	CROWE ANGELA
214	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
215	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
216	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
217	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
218	3500 FAIRMOUNT	REALTY ASSOCIATES RIENZI LP FLOOR 10
219	3623 ROUTH UNIT A	WEST MARK V SUITE 400
220	3623 ROUTH UNIT B	EAKIN BRADLEY TROY
221	3623 ROUTH UNIT C	GOELZER GREGORY P
222	3623 ROUTH UNIT D	ZAMBRANO GERARDO
223	3623 ROUTH	THIRTY SIX TWENTY THREE ROUTH HMOWNRS ASSOC INC
224	3617 ROUTH	ELFENBEIN JESSICA BLDG 1 UNIT A
225	3617 ROUTH	TAMBEAU MARK
226	3617 ROUTH	BRANUM KATHERINE DREW
227	3617 ROUTH	OLSEN GARY D
228	3617 ROUTH	RAY ANDREW A & ELIZABETH
229	3617 ROUTH	QUICKSALL BETTY A # F
230	3617 ROUTH	HOLDEN STEPHEN BLDG 2 UNIT G
231	3617 ROUTH	PRATHER HEIDI BELLE
232	3617 ROUTH	ELFENBEIN JESSICA & ETAL BLDG 2 UNIT I
233	3617 ROUTH	OCONNOR MONICA L UNIT J
234	3617 ROUTH	KELLY LOUIS BLDG 2 UNIT K
235	3617 ROUTH	CAMPISI AMBER
236	2515 WELBORN	NABAVIAN SALAR UNIT H
237	2515 WELBORN	NEWELL BEN APT G
238	2515 WELBORN	FOX PETER M
239	2515 WELBORN	JAGGER DAVID UNIT E

Friday, November 19, 2010

FILE NUMBER: Z101-138 (MAW)

DATE FILED: December 1, 2010

LOCATION: Southwest corner of East Illinois Avenue and Julius Schepps Freeway.

COUNCIL DISTRICT: 5

MAPSCO: 56-Y, U

SIZE OF REQUEST: ±9.61 acres

CENSUS TRACT: 86.03

APPLICANT: Claudia V. Oliva, ADI Engineering, Inc.

REPRESENTATIVE: Don Anyanwu, ADI Engineering, Inc.

OWNER: ADI Engineering, Inc.

REQUEST: An application for an NS(A) Neighborhood Service District on property zoned an R-5(A) Single Family District.

SUMMARY: The applicant intends to develop the request site with retail and personal service and office uses.

STAFF RECOMMENDATION: Approval

BACKGROUND INFORMATION:

- The ±9.61-acre request site is developed with a vacant ±10,800-square foot building which served as the Wilmer-Hutchins Independent School District (WHISD) administrative offices until 2006.
- The request site is surrounded by right-of-way (Illinois Avenue and Julius Schepps Freeway) and a gas station to the northeast; right-of-way and single family residential to the southeast; railroad corridor and single family residential to the southwest; and railroad corridor, right-of-way, multifamily residential and undeveloped land to the northwest.
- The applicant intends to develop the request site with retail and personal service and office uses.

Zoning History:

There have been no recent zoning requests in the vicinity of the request site.

Thoroughfares/Streets:

Thoroughfares/Streets	Type	Existing ROW
Illinois Avenue	Principal Arterial	100 feet
Julius Schepps Freeway	Interstate Highway	Variable
Linfield Avenue	Local Street	50 feet
Mayforge Drive	Local Street	50 feet

Land Use:

	Zoning	Land Use
Site	R-5(A)	Vacant school building
Northeast	R-5(A); IR	Right-of-way; gas station
Southeast	R-5(A); CS	Single family; right-of-way
Southwest	R-7.5(A)	Railroad corridor; single family
Northwest	IR; R-7.5(A); MF-2	Multifamily; undeveloped; right-of-way

STAFF ANALYSIS:

Comprehensive Plan:

According to the *forwardDallas! Vision Illustration*, adopted June 2006, the subject site is within an urban neighborhood building block. Urban neighborhoods are predominantly residential, but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residents.

The applicant's proposal to provide retail and personal service and office uses 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.

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

Land Use Compatibility:

The ±9.61-acre request site is developed with a vacant ±10,800-square foot building which served as the Wilmer-Hutchins Independent School District (WHISD) administrative offices until 2006. The WHISD was dissolved prior to the 2005-2006 school year and ownership of its facilities was transferred to the Dallas Independent School District (DISD). The DISD elected to close all of the Wilmer-Hutchins schools and sent students to existing DISD schools. Therefore, the building located on the request site has been vacant for a number of years; the property was sold to the current owner in July 2010.

The request site is surrounded by right-of-way (Illinois Avenue and Julius Schepps Freeway) and a gas station to the northeast; right-of-way and single family residential to the southeast; railroad corridor and single family residential to the southwest; and railroad corridor, right-of-way, multifamily residential and undeveloped land to the northwest.

Given the request site's frontage on a principal arterial, staff recognizes that residential development is unlikely. However, any non-residential development of the site should be sensitive to the adjacent single family residential neighborhood. Therefore, staff believes that an NS(A) Neighborhood Service District is appropriate for the site, as this district is intended to accommodate convenience retail shopping, services and professional offices principally servicing, and compatible in scale and intensity of use, with adjacent residential uses. For example, the NS(A) Neighborhood Service District allows, by right, the following non-residential uses:

- Child-care facility
- Dry cleaning or laundry store (3,500 square feet or less)
- Financial Institution without drive-in window
- General merchandise or food store (3,500 square feet or less)
- Library, museum or art gallery
- Medical clinic
- Office
- Personal service uses
- Restaurant without drive-in or drive-through service (subject to residential adjacency review)

Development Standards:

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

Traffic:

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

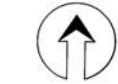
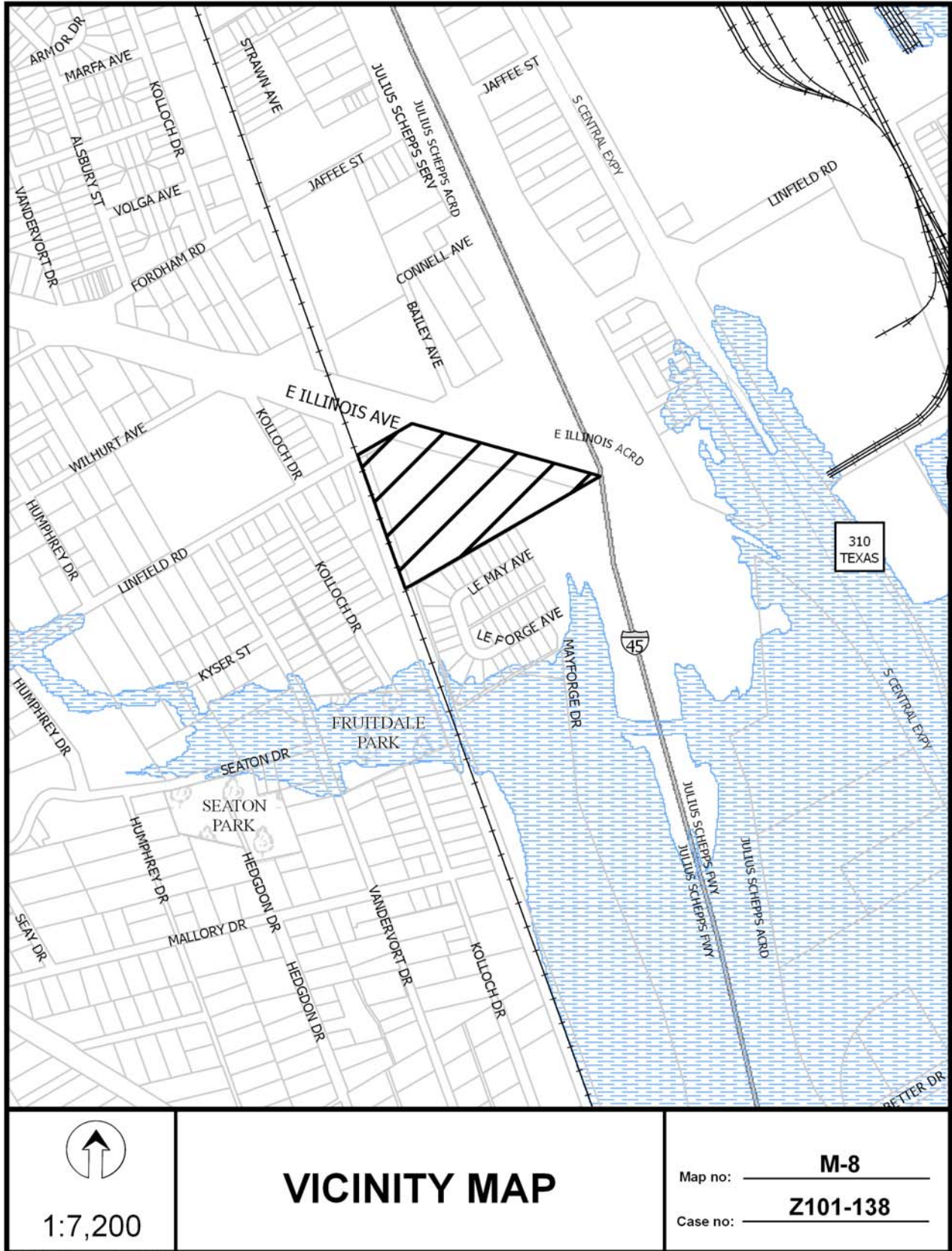
Parking:

While the applicant intends to develop the request site with retail and personal service and office uses, specific information has not been provided. However, pursuant to §51A-4.210 of the Dallas Development Code, the required off-street parking for a general merchandise or food store, for example, is one (1) space per 200 square feet of floor area. The required off-street parking for a personal service use is also one (1) space per 200 square feet of floor area. The required off-street parking for an office use is one (1) space per 333 square feet of floor area.

Z101-138 (MAW)

Landscaping:

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



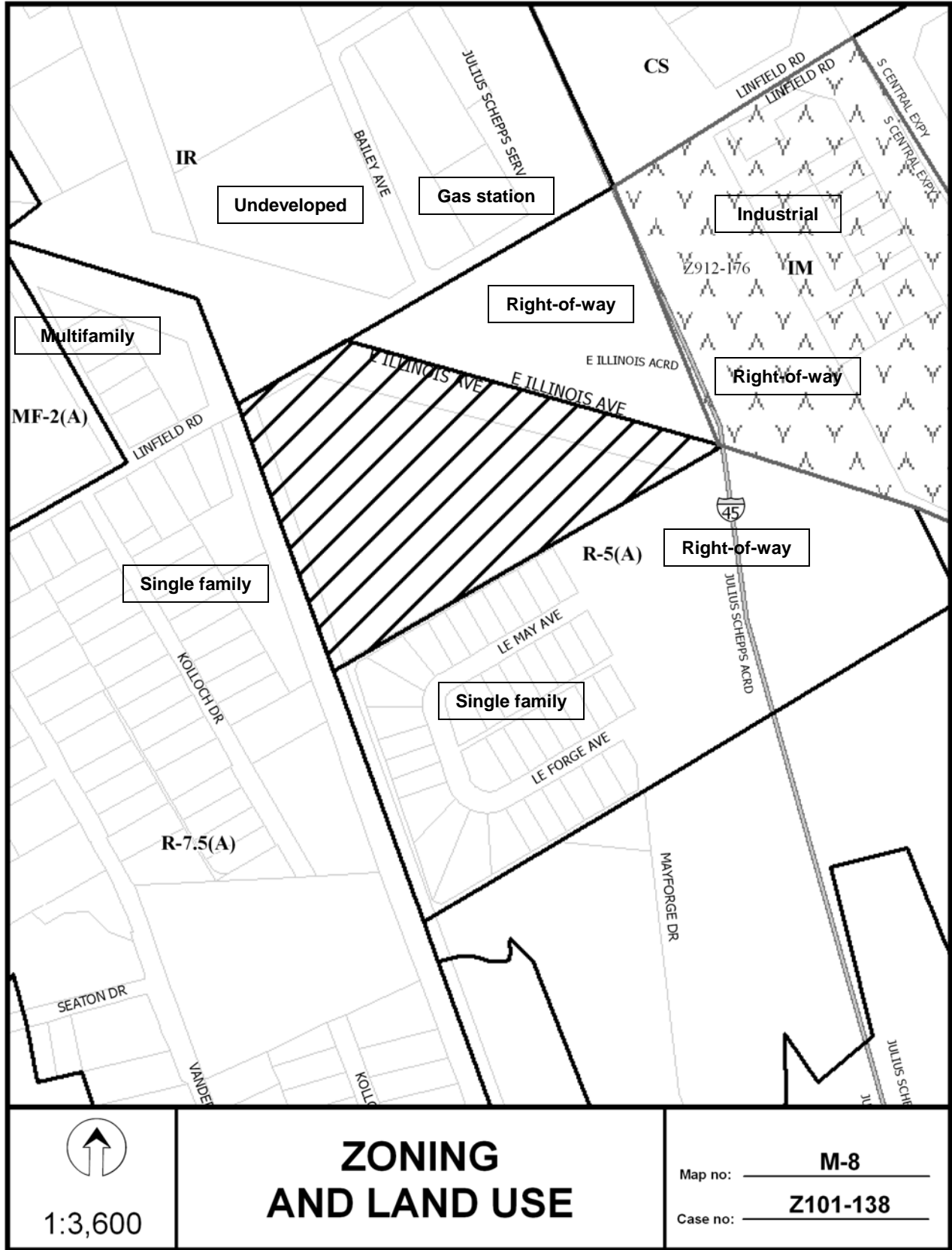
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VICINITY MAP

Map no: **M-8**

Case no: **Z101-138**

DATE: January 28, 2011

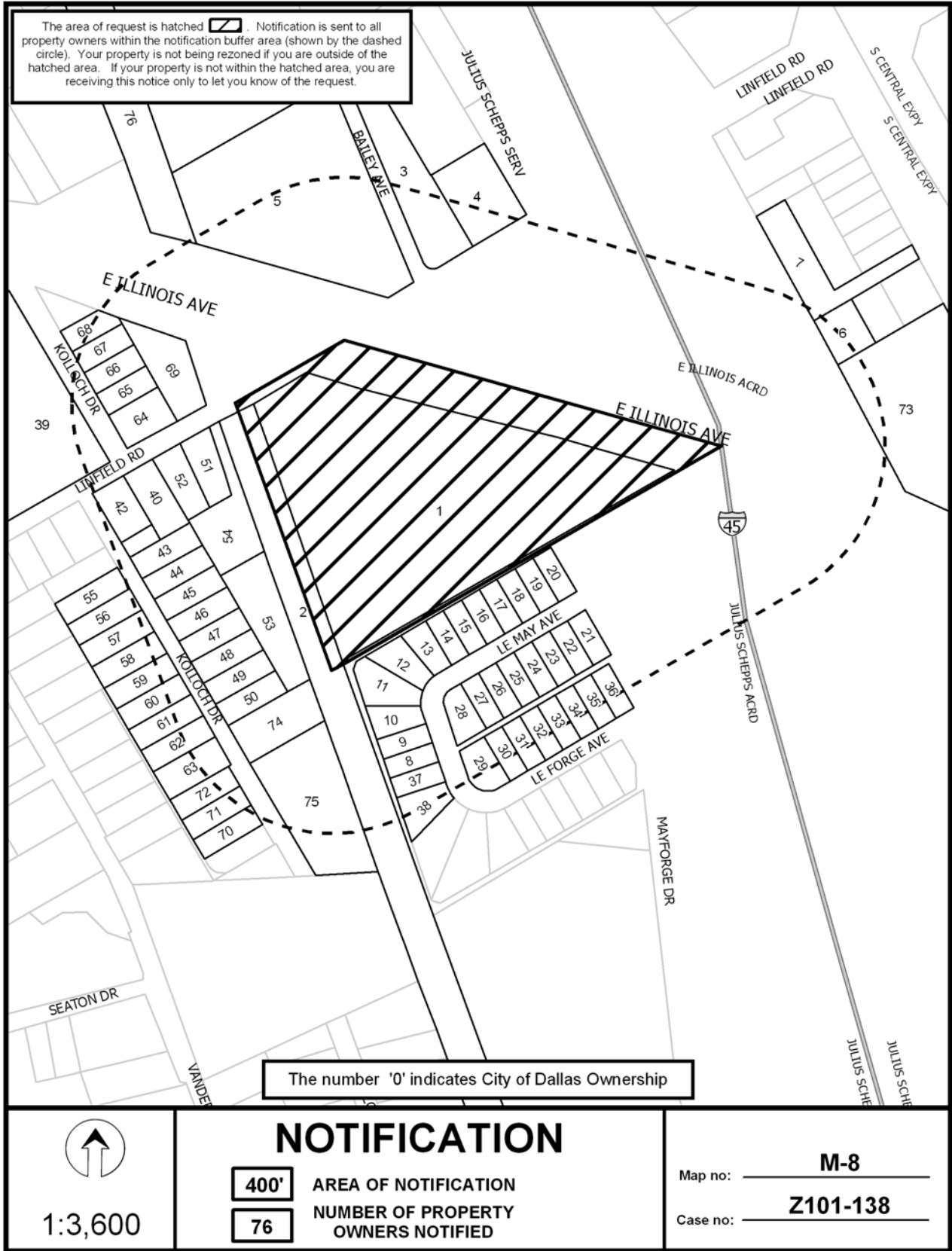


1:3,600

ZONING AND LAND USE

Map no: M-8
Case no: Z101-138

DATE: January 28, 2011



1/28/2011

Notification List of Property Owners

Z101-138

76 Property Owners Notified

Label #	Address	Owner
1	3820 ILLINOIS	Dallas ISD (sold to ADI Engineering, Inc. in July 2010)
2	2300 GRAND	BNSF RAILWAY % PROPERTY TAX DEPT
3	3907 LINFIELD	FREELING JEAN R
4	3915 LINFIELD	VICTRON STORES LP
5	3801 ILLINOIS	MISSOURI PACIFIC RR CO % UNION PACIFIC PPTY
TAX		
6	4100 BASCOM	PATEL MAHESH K & JASU M
7	4100 BASCOM	SHREE JALARAM REV TR THE
8	3803 LEMAY	ARROYOS FRANK M
9	3807 LEMAY	CLAYBORNE OTIS B
10	3811 LEMAY	ARROYOS FRANK M
11	3815 LEMAY	HENSON E L ESTATE
12	3819 LEMAY	MCGEE JEAN ANN
13	3823 LEMAY	RASCH ROBERT W
14	3827 LEMAY	SAMBINA HOMES LTD
15	3903 LEMAY	OVERALL LEONARD R
16	3907 LEMAY	WILSON OLLIE MAE JOHNSON
17	3911 LEMAY	CLAYBORNE OTIS B
18	3915 LEMAY	EUBANKS CHARLENE
19	3919 LEMAY	TUCKER AURA LEE & SYLVESTER THOMPSON
ETAL		
20	3923 LEMAY	TUCKER CLYDE & AURA LEE TUCKER
21	3922 LEMAY	CLAYBORNE OTIS B
22	3918 LEMAY	CLAYBORNE OTIS B
23	3914 LEMAY	THOMAS HENRY J
24	3910 LEMAY	LUSTER L J & LUSTER DOROTHY
25	3906 LEMAY	THOMAS HENRY J
26	3902 LEMAY	BENJAMIN THOMAS W JR

Friday, January 28, 2011

	Label #	Address	Owner
	27	3824 LEMAY	MCGEE JEANNETTA
	28	3818 LEMAY	CLAASSEN TANZEEN M & CHRISTOPHER
	29	3817 LE FORGE	CHANCE GARY & FELICIA
	30	3823 LE FORGE	CHANCE GARY & FELICIA
	31	3903 LE FORGE	BOYKIN CYNTHIA
	32	3907 LE FORGE	BETTCHER PATRICIA ANN
	33	3911 LE FORGE	TOPLETZ INVESTMENTS SUITE 301
	34	3915 LE FORGE	SANDERS LEE ELLEN
	35	3919 LE FORGE	CHAN TYSON
	36	3923 LE FORGE	FALCON APOLINAR
	37	3802 LE FORGE	BENJAMIN THOMAS W JR
	38	3806 LE FORGE	SALGADO IGNACIO G &
	39	3540 WILHURT	AMERISOUTH XXXVII LTD
	40	3506 LINFIELD	ENGLBRETSON SIDNEY ESTATE OF
039	41	4308 KOLLOCH	MCKINNEY DAVID W III TR FED PRISON NO 07452-
	42	3500 LINFIELD	JONES ROBERT L ESTATE OF
039	43	4310 KOLLOCH	MCKINNEY DAVID W III TR FED PRISON NO 07452-
	44	4314 KOLLOCH	BARNEY EDNA MAE SARDEN
	45	4318 KOLLOCH	JB III INVESTMENTS INC
	46	4322 KOLLOCH	BAKER NEBERNISE
	47	4326 KOLLOCH	WEBB T C SR
	48	4330 KOLLOCH	WARREN THEODIS JR
	49	4336 KOLLOCH	GIVENS PEGGIE J
	50	4346 KOLLOCH	GIVENS PEGGIE
	51	3516 LINFIELD	HEGGINS OLLIE M
	52	3514 LINFIELD	MCCULLAR EUGENE & ANNIE B
	53	3518 LINFIELD	STANSBURY L R
	54	3518 LINFIELD	CARSON CHARLES
	55	4311 KOLLOCH	PRICE VIDALIA B
FRANKLIN	56	4317 KOLLOCH	FRANKLIN AGNES M LF EST REM: THEODORA
	57	4321 KOLLOCH	GRIFFIN JOSEPH L
	58	4325 KOLLOCH	DUNN JESSE & GLENNIE W
	59	4329 KOLLOCH	WILSON BEATRICE L

Z101-138 (MAW)

Friday, January 28, 2011

60	4331	KOLLOCH	KNIGHTEN MANDELL T
61	4337	KOLLOCH	FOGGLE WILLIAM SR EST OF
62	4341	KOLLOCH	CAMPBELL MATTHEW P
63	4345	KOLLOCH	HAYES SHAWN & IRMA
64	3503	LINFIELD	GENTRY MELVIN & JEARLINE
65	4222	KOLLOCH	STOKES PAULA K
66	4212	KOLLOCH	MAYS CEYLON R
67	4208	KOLLOCH	DAVENPORT JOHN L SR
68	4204	KOLLOCH	FEDERAL NATIONAL MORTGAGE ASSOCIATION
69	3515	LINFIELD	EVANGELIST HOUSE PRAYER FOR ALL PEOPLE
70	4363	KOLLOCH	REE-MAT PPTIES LP
71	4359	KOLLOCH	SCOTT BERNICE
72	4355	KOLLOCH	CHAIRES MARIA &
73	7825	CENTRAL	TEXAS STATE OF
74	4350	KOLLOCH	CHURCH OF REVELATION
75	4360	KOLLOCH	FRIENDSHIP MISSIONARY BAPTIST CHURCH
76	2300	GRAND	BNSF RAILWAY % PROPERTY TAX DEPT

FILE NUMBER: Z0101-122(MG) **DATE FILED:** November 9, 2010

LOCATION: West line of Preston Road, south of Alpha Road

COUNCIL DISTRICT: 11 **MAPSCO:** 15 P

SIZE OF REQUEST: 4.72 acres **CENSUS TRACT:** 136.15

APPLICANT: LRS Real Estate

REPRESENTATIVE: Masterplan

OWNER: Helen Buchanan Davis & Hannah Davis

REQUEST: An application for a RR Regional Retail District with deed restrictions volunteered by the applicant on property zoned Planned Development District No. 22

SUMMARY: The purpose of the proposed request is to allow the development of retail uses.

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

BACKGROUND INFORMATION:

- The request site is zoned PDD 22 and is developed with a vacant auto dealership and parking garage. It has approximately 520 feet of frontage along the west line of Preston Road.
- The current PDD No. 22 was established on February 12, 1962. Portions of the PDD have previously been amended and/or changed to RR Regional Retail District.

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

1. Z067-154 On May 23, 2007 the City Council approved an application for an RR Regional Retail District on property zoned a GR General Retail District within Planned Development District No. 22.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Preston Road	Major Thoroughfare	100ft.	100 ft.

Land Use:

	Zoning	Land Use
Site	PD-22	Commercial
West	RR	Commercial
North	PD-22/RR	Commercial
East	PD-17	Commercial
South	RR	Parking lot

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

GOAL 2.2 Engage in strategic economic development.

Policy 2.2.6 Restore Dallas as the foremost retail location in the region.

STAFF ANALYSIS:

Land Use Compatibility: The 4.72 acres sq. ft. site is developed with an auto dealership and associated parking garage. Properties to the north, south and west are zoned RR Regional Retail District. The applicant's request for RR Regional Retail District is to allow for the re-development of the subject property with uses and development standards consistent with adjacent.

Portions of PDD No. 22 have been re-zoned to the RR zoning district as the surrounding area has developed with uses typically found in a RR Regional Retail District.

The immediate area is developed with various retail and office uses. Valley View Mall is situated on property to the west and is generally bounded by Preston Road, the north line of LBJ Freeway, and Montfort Drive.

The uses and development standards allowed by the requested RR District are consistent with those permitted on adjacent properties. The intersection of Alpha Road and Preston Road, located just north of the subject site, is an area generally developed with a mix of retail and office uses. Vehicular access to the subject property does not require traffic flow through any residential area and no residential adjacency issues exist.

Staff has reviewed and is in support of the applicant's request. Staff believes that the proposed development is in keeping with existing development in the surrounding area.

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
RR Commercial	15'/20' for structures over 20' in height	20'/0"	NA	70**	80%	NA	Commercial

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

Traffic: A site plan will be required for any proposed development. The Engineering Section of the Department of Sustainable Development and Construction will review site plans at that time.

DEED RESTRICTIONS

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

I.

The undersigned, Algodon Properties, LLC, a Texas Limited Liability Company ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the H. Wilburn Survey, Abstract No. 1567, City Block 7014, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Helen Buchanan Davis and Hannah Davis Cutshall by deed dated December 22, 2010, and recorded in Instrument No. 201000329601, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

SEE EXHIBIT A

II.

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

1. The following main uses are prohibited on the Property:

Commercial and business service uses.

- Labor hall.

Industrial uses.

- Gas drilling and production.
- Temporary concrete or asphalt batching plant.

Institutional and community services uses.

- Halfway house.

Lodging uses.

- Extended stay hotel or motel.
- Lodging or boarding house.
- Overnight general purpose shelter.

Retail and personal service uses.

- Pawn shop
- Swap or buy shop

Transportation uses.

- Railroad passenger station.

Wholesale, distribution, and storage uses.

- Mini-warehouse.
- Recycling buy-back center.
- Recycling collection center.
- Recycle drop-off container.
- Recycling drop-off for special occasion collection.

III.

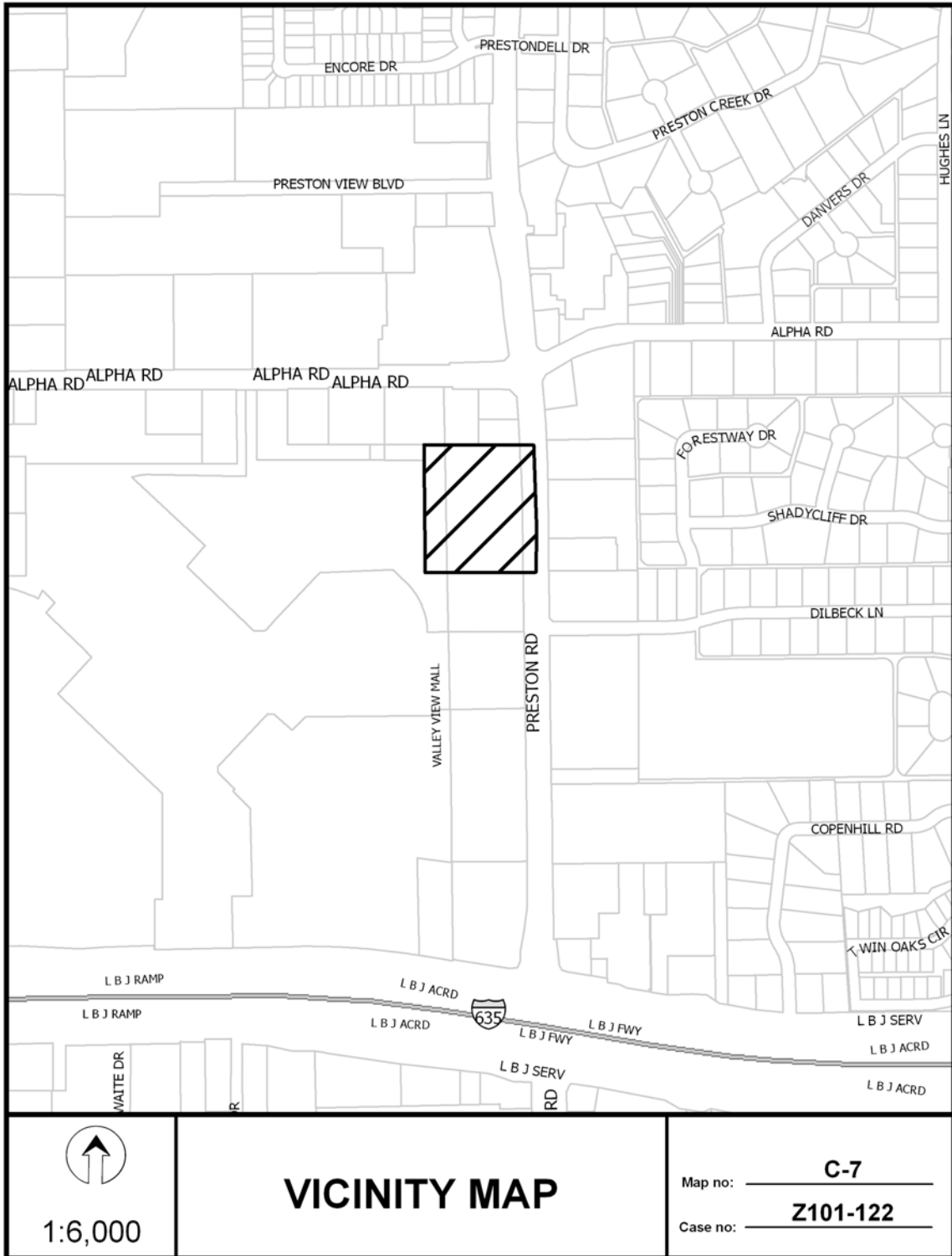
These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

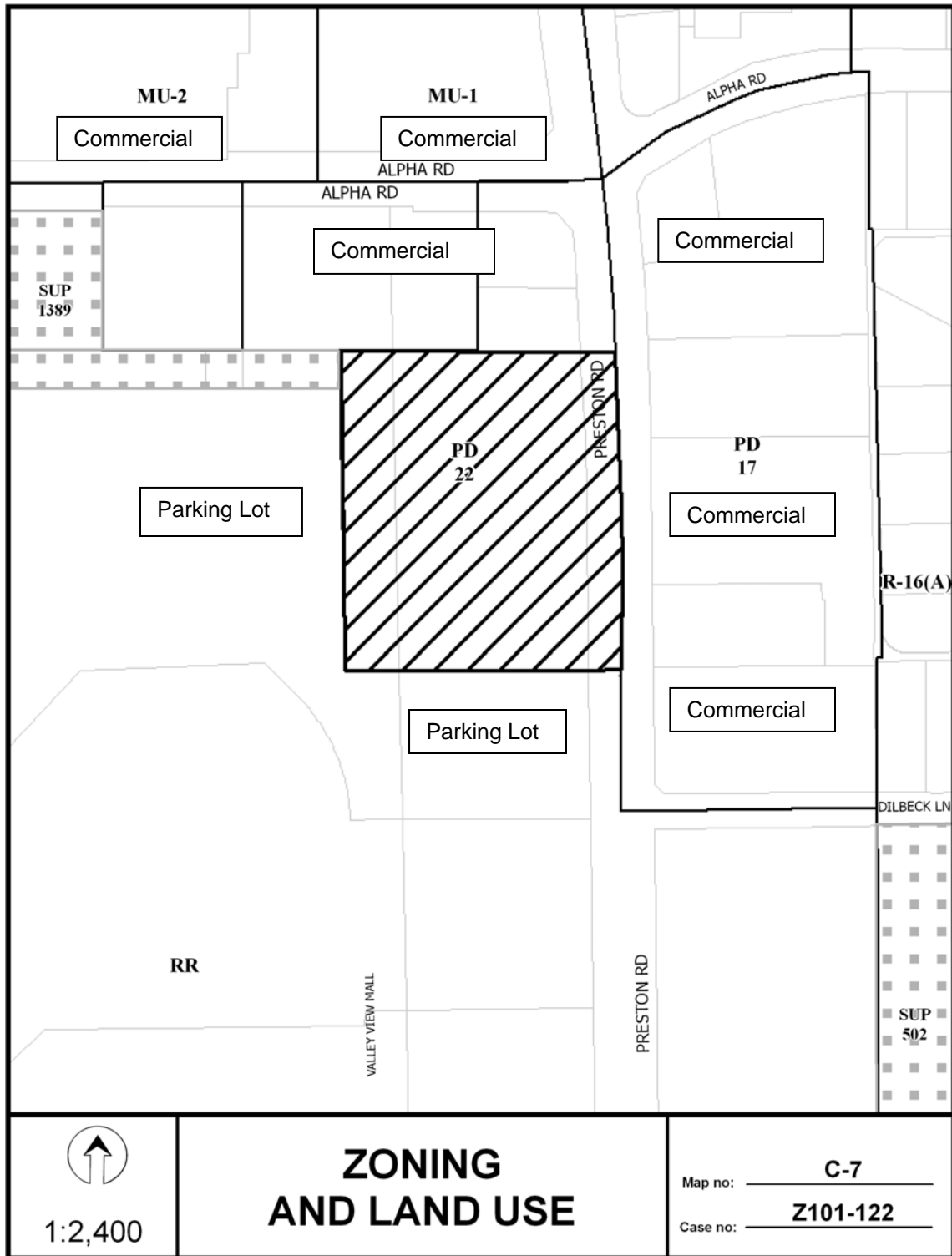
IV.

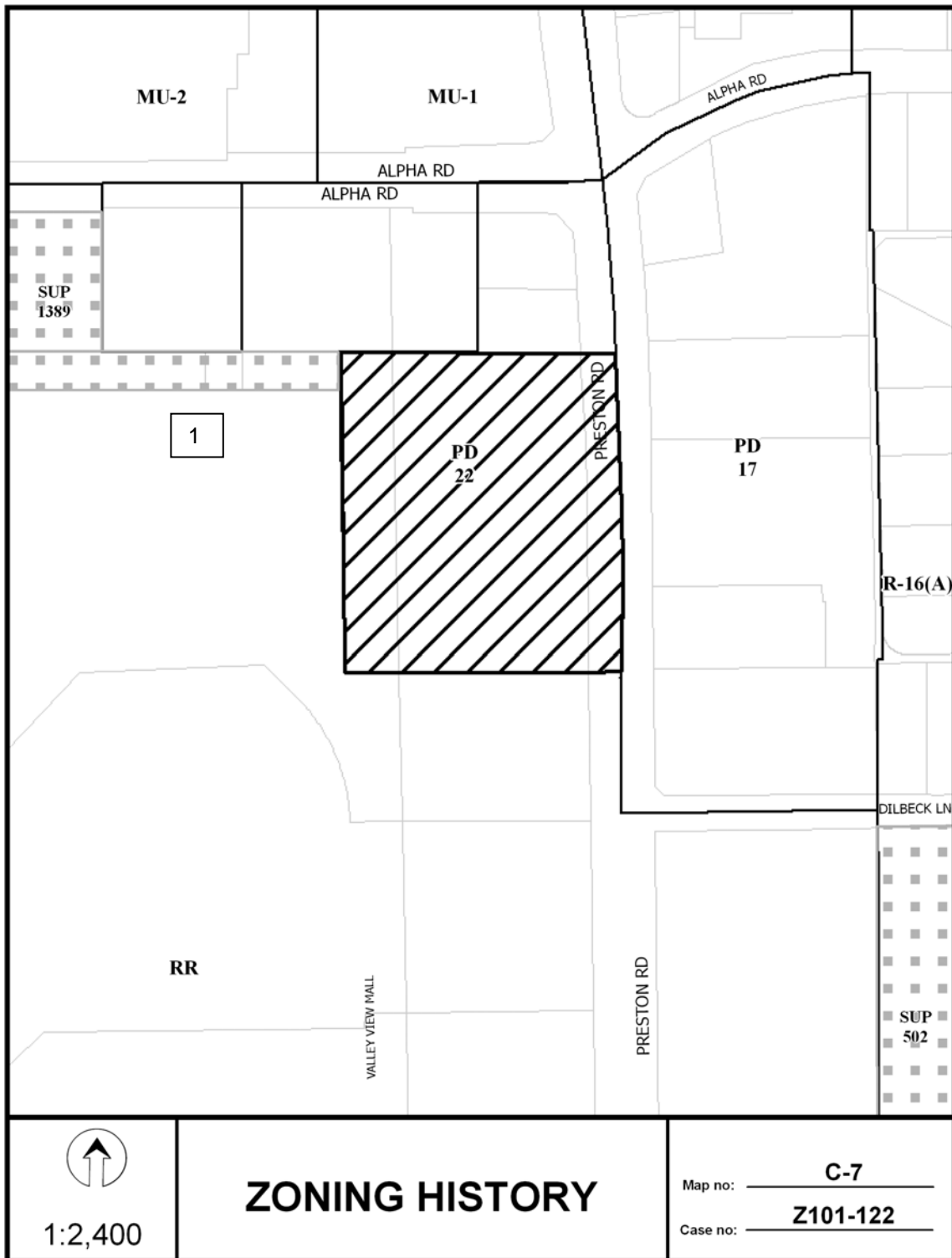
These restrictions may be amended or terminated as to any portion of the Property, upon application to the City of Dallas by the current owner of that portion of the Property, without the concurrence of the owners of the remaining portion of the Property. These restrictions may be amended or terminated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

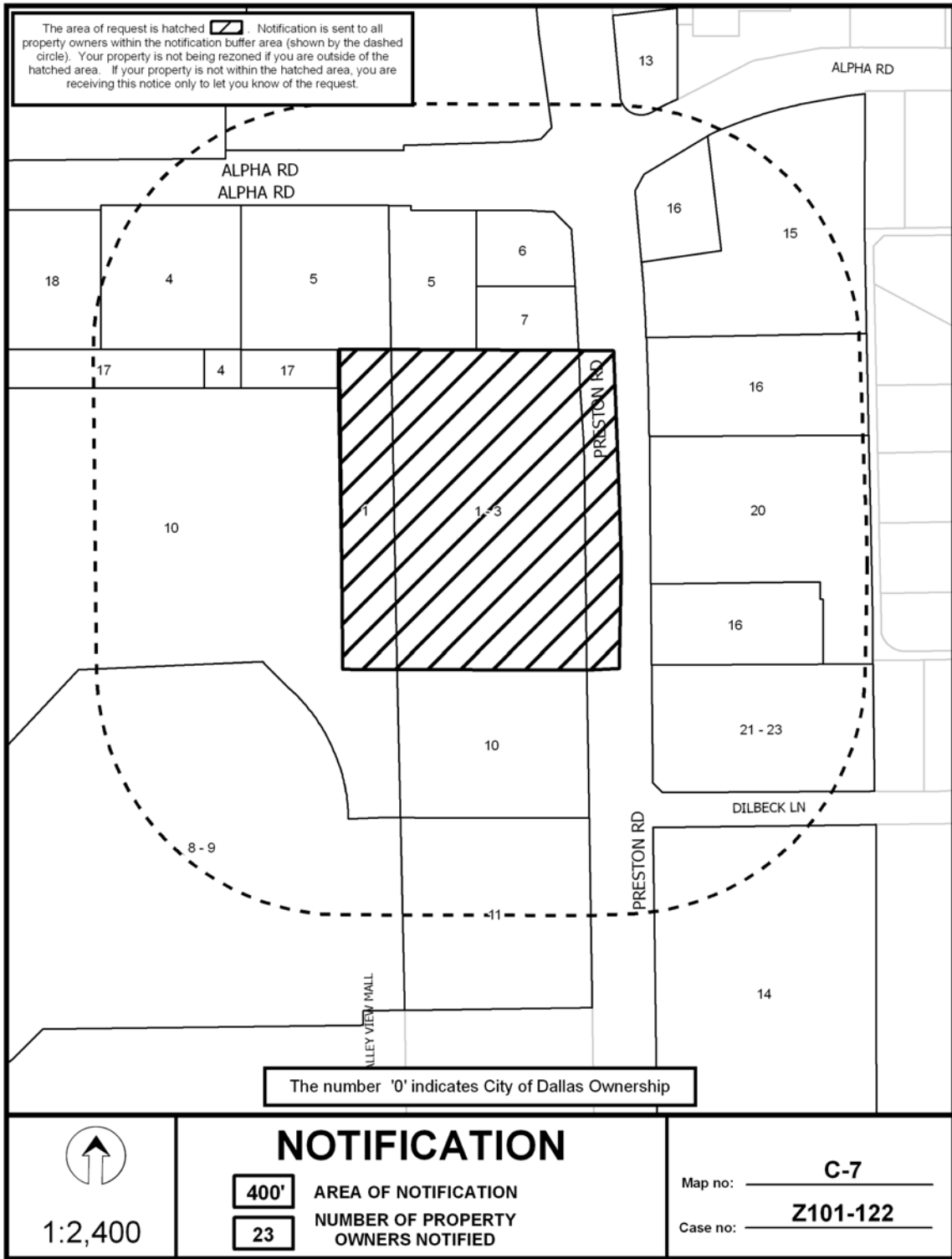
V.

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.









Notification List of Property Owners

Z101-122

23 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	13439 PRESTON	DAVIS HELEN BUCHANAN &
2	13439 PRESTON	DAVIS HELEN BUCHANAN &
3	13439 PRESTON	LAW GARY R & GLORIA J
4	5840 ALPHA	BENRO INVESTMENTS LP C/O MR. BRUCE MALMED
5	5960 ALPHA	LAU FAMILY PS LTD % GARY R LAU
6	13555 PRESTON	FOODMAKER INC % JACK IN THE BOX INC
7	13535 PRESTON	PRESTON ALPHA INVESTMENTS SUITE 745
8	13131 PRESTON	MACERICH VALLEY VIEW LTD C/O EPROPERTY TAX-
9	13131 PRESTON	MACERICH VALLEY VIEW LTD CO E PROPERTY TAX-DEPT108
10	13343 PRESTON	DILLARD DEPT STORES INC % PPTY TAX DEPT
11	13131 PRESTON	MACERICH VALLEY VIEW LTD C/O E PROPERTY TX DEPT108
12	13601 PRESTON	BOXER F2 LP ATTN: JOHN RENTZ
13	13608 PRESTON	SCHWARTZ HYMIE TRUST ETAL % TAX DPT # 12214
14	13330 PRESTON	CIN PRESTON VALLEY VIEW
15	13548 PRESTON	GILLILAND PPTIES II LTD % LYNN GILLILAND O NEAL
16	13556 PRESTON	GILLILAND PPTIES II LTD % LYNN GILLILAND O NEAL
17	5820 ALPHA	SOUTHWESTERN BELL SBC COMM INC PPTY TAX DEP
18	5820 ALPHA	CROW COKER PPTY CO % SBC TAX DEPT
19	13601 PRESTON	AR INV LP STE 510
20	13444 PRESTON	FONBERG HOLDINGS LTD ET AL STE 203
21	13410 PRESTON	ARNOLD SQUARE INVESTMENTS LLC

Z101-122 (MG)

22	13410	PRESTON	ARNOLD SQUARE INVESTMENTS LLC
23	13410	PRESTON	CAPITAL ONE N A

Friday, January 21, 2011

FILE NUMBER: Z101-140(MG) **DATE FILED:** December 2, 2010

LOCATION: South line of Forest Lane, at the intersection of Forest Lane and interstate 635 (LBJ)

COUNCIL DISTRICT: 11 **MAPSCO:** 17 X

SIZE OF REQUEST: 3.7186 acres **CENSUS TRACT:** 185.03

APPLICANT: Quik Trip CO/Jake Petras

OWNER: Calc Partners LP

REPRESENTATIVE: Robert Baldwin

REQUEST: An application to terminate deed restrictions limiting motor vehicle and related uses on property zoned MU-3 Mixed Use District.

SUMMARY: The purpose of this request is to develop a motor vehicle fueling station and convenience store.

STAFF RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The subject site is encumbered by two sets of deed restrictions.
- DR # Z787-181 prohibits motor vehicles and related uses while DR # Z067-262 restricts a variety of uses including accessory outside storage, commercial amusement, commercial parking, various recycling uses, etc.
- The applicant’s request to terminate D.R. # (Z767-181) will allow for the development of a motor vehicle fueling station and associated convenience store on an existing 3.7186 acre property.
- The subject site is currently developed with a vacant office building.
- A previous zoning case (Z067-262) established the MU-3 Mixed Use District for a proposed development to containing residential, retail and personal service uses.

Zoning History:

1. Z023-123 On February 26, 2003 the City Council approved a CR Community Retail District and a Specific Use Permit for a Mini-Warehouse use on property zoned a GO(A) General Office District north of LBJ Freeway, between Forest Lane and Abrams Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
L B J Freeway	Limited Access Freeway	Variable width	Variable width
Forest Lane	Principle Arterial	Variable width	Variable width

Land Use:

	Zoning	Land Use
Site	MU-3	Commercial
North	CR, GO (A), PD No. 452	Retail, Hotel, Mini-warehouse
South	R-7.5(A), PD702	Single Family, Multi-family
East	NO(A), MF-2(A)	Commercial, Multi-family
West	PD 702, MU-3	Multi-family, Commercial

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility: The 3.7186 acre site is located on the north side of LBJ Freeway at the intersection with Forest Lane. The property is surrounded by office uses to the east; multifamily, mini-warehouse, hotel and retail to the north. The southern boundary of the property is adjacent to LBJ Freeway with multifamily and single family development south of the freeway.

The site is currently developed with a vacant five story office building. The building has been vacant for several years with the most recent certificate of occupancy for office use dated November 27, 2002.

The subject site is covered by two sets of deed restrictions. DR # Z787-181 prohibits motor vehicles and related uses and was impressed upon the property on December 1, 1977. DR # Z067-262 restricts a variety of uses including accessory outside storage, commercial amusement, commercial parking, various recycling uses, etc. and became effective November 12, 2007. The applicant's request is to terminate the older deed restrictions limiting Motor Vehicle and Related Uses. This will allow for the development of a motor vehicle fueling station and associated convenience store. The applicant

proposes to demolish the existing building to make way for the proposed development. Vehicular access is proposed to be taken from Forest Lane.

While the proposed use may not be the highest and best use for the subject property, it will contribute to the tax base by replacing an under-utilized and vacant structure. In addition, the underlying zoning category for the site limits other vehicular related uses that may be inappropriate for such a location. Lastly, the physical constraints of the property somewhat limit development possibilities as it has an irregular shape.

Staff has reviewed and recommends approval of the applicant’s request to terminate deed restrictions limiting Motor Vehicle and Related Uses. The request should not have an adverse impact on the surrounding residential and commercial uses in the area.

Development Standards:

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

Landscaping: Landscaping of any development will be in accordance with Article X, as amended. Protected trees exist on this property and if removed, must be replaced per Article X requirements.

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 Texas Department of Transportation will need to approve any driveway approaches to the request site from the L B J Freeway access road.

North 87 degrees 34 minutes 58 seconds East, a distance of 529.88 feet to a 5/8" iron rod set with plastic cap stamped "R.P.L.S. 5199";

North 89 degrees 34 minutes 59 seconds East, a distance of 87.41 feet to an "X" in concrete set, being in the east line of said Addition, being in the west line of Block W/8151, Forest Lane Garden Office Complex Addition, an addition to the City of Dallas as recorded in Volume 79065, Page 865, Deed Records, Dallas County, Texas, said point being in the approximate centerline of a creek;

THENCE, along the east line of said Addition, the west line of said Block W/8151 and the centerline of said creek as follows:

South 30 degrees 26 minutes 00 seconds West, a distance of 276.30 feet to an "X" set for corner in a concrete manhole encasement;

South 45 degrees 06 minutes 00 seconds East, a distance of 97.41 feet to a point for corner, the beginning of a curve to the right;

Along said curve to the right through a central angle of 52 degrees 42 minutes 20 seconds, a radius of 100.00 feet, an arc length of 91.99 feet, a chord bearing of South 18 degrees 44 minutes 50 seconds East, and a chord distance of 88.78 feet to a point for corner;

South 07 degrees 36 minutes 20 seconds West, a distance of 120.59 feet to 5/8" iron rod set with plastic cap stamped "R.P.L.S. 5199", being in the northeast line of a 19,057 square foot tract of land described in Deed to the State of Texas as recorded in County Clerk's File No. 20070038571, Deed Records, Dallas County, Texas, being the northeast right-of-way line of Interstate Highway 635;

THENCE, along the northeast line of said 19,057 square foot tract and the northeast right-of-way line of Interstate Highway 635 right-of-way as follows:

North 53 degrees 11 minutes 07 seconds West, a distance of 153.71 feet to an "X" in concrete found, the beginning of a curve to the left;

Along said curve to the left through a central angle of 04 degrees 41 minutes 16 seconds a radius of 1327.10 feet an arc length of 108.58 feet a chord bearing of North 53 degrees 39 minutes 52 seconds West, a chord distance of 108.55 feet;

North 56 degrees 00 minutes 30 seconds West, a distance of 147.02 feet to an "X" in concrete found, the beginning of a curve to the right;

Along said curve to the right through a central angle of 09 degrees 57 minutes 32 seconds, a radius of 378.94 feet, an arc length of 65.87 feet, a chord bearing of North 51 degrees 03 minutes 45 seconds West, and a chord distance of 65.78 feet to an "X" in concrete found, the beginning of a curve to the left;

Along said curve to the left through a central angle of 09 degrees 56 minutes 12 seconds, a radius of 408.47 feet, an arc length of 70.84 feet, a chord bearing of North 51 degrees 04 minutes 17 seconds West, and a chord distance of 70.75 feet to an "X" in concrete found, the beginning of a curve to the right;

Along said curve to the right through a central angle of 01 degrees 49 minutes 11 seconds, a radius of 2,722.77 feet, an arc length of 86.47 feet, a chord bearing of North 55 degrees 07 minutes 48 seconds West, and a chord distance of 86.47 feet to an "X" in concrete found for corner;

North 54 degrees 21 minutes 50 seconds West, a distance of 52.61 feet to a 1/2" iron rod found, being the northwest corner of said 19,057 square foot tract of land and being the southwest line of said Addition;

THENCE, continuing along the northeast right-of-way line of Interstate Highway 635 and with the southwest line of said Addition, North 48 degrees 20 minutes 00 seconds West, a distance of 58.12 feet to the POINT OF BEGINNING and containing 161,981 square feet or 3.7186 acres of land more or less.

II.

The Property was impressed with certain deed restrictions ("restrictions") as shown in an instrument dated December 1, 1977, signed by Roger McFarland Dixon and Hazel Ligon Baskin and recorded in Volume 78065, Page 3450, of the Deed Records of Dallas County, Texas, a true and correct copy of which is attached to this instrument as Exhibit "A" and made a part of this instrument.

III.

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

No part of the property may be used for any of the purposes listed in Section 10-213, "Motor Vehicles and Related Uses", in the Comprehensive Zoning Ordinance of the City of Dallas.

IV.

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

V.

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

VI.

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

VII.

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

VIII.

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

IX.

The invalidation of any provision in this instrument by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable. DR # Z067-262 is not included as a part of this instrument and will remain in effect.

Deed Restriction Z067-262 (to remain in place)

DEED RESTRICTIONS

073339

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

The undersigned, CALC Partners, L.P., a Texas limited partnership ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the James M. Houx Survey, Abstract No. 579, City Block V/8151, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Dallas Forestpark L.P., by deed dated March 14, 2001, and recorded in Volume 2001051, Page 7124, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

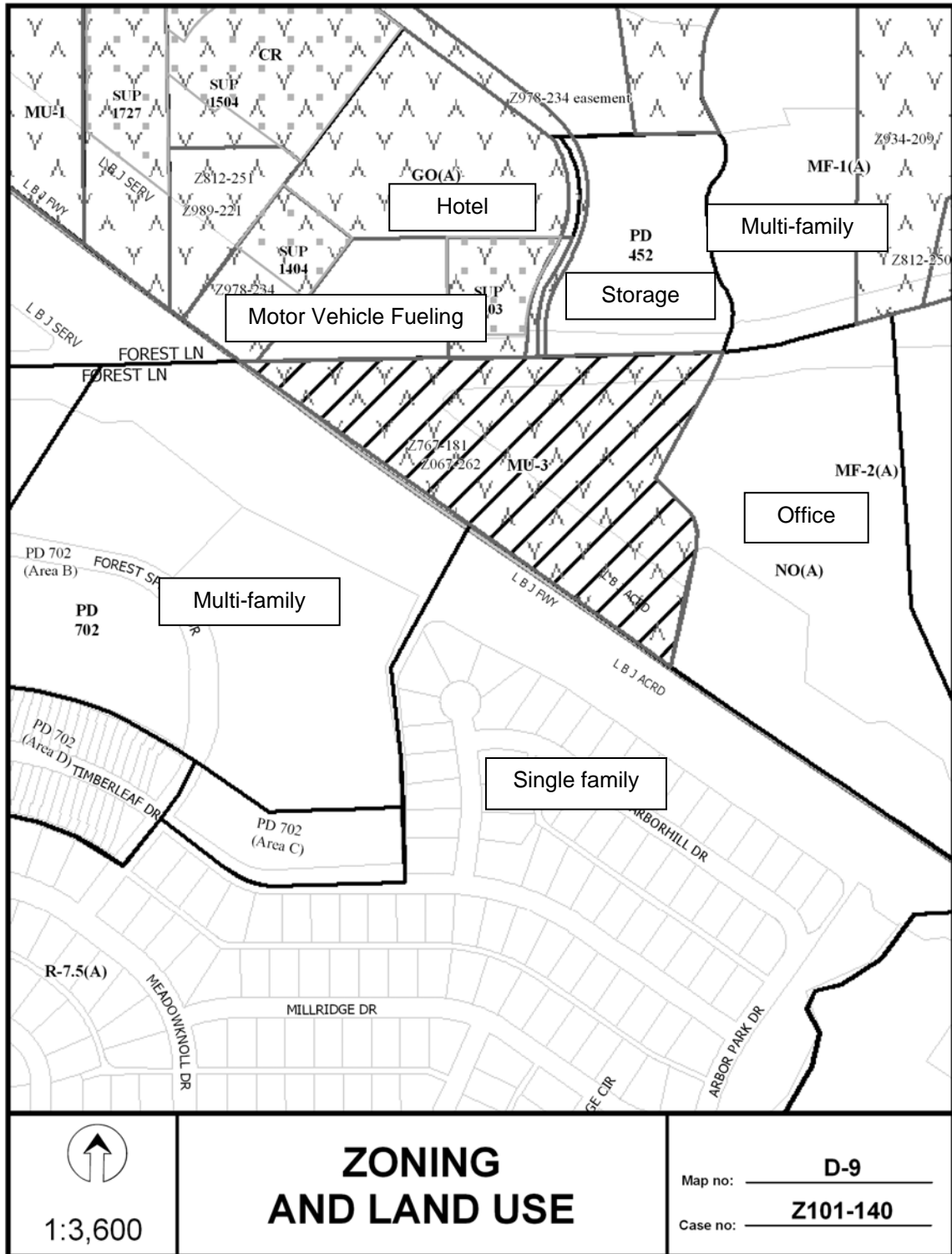
See Exhibit A

II.

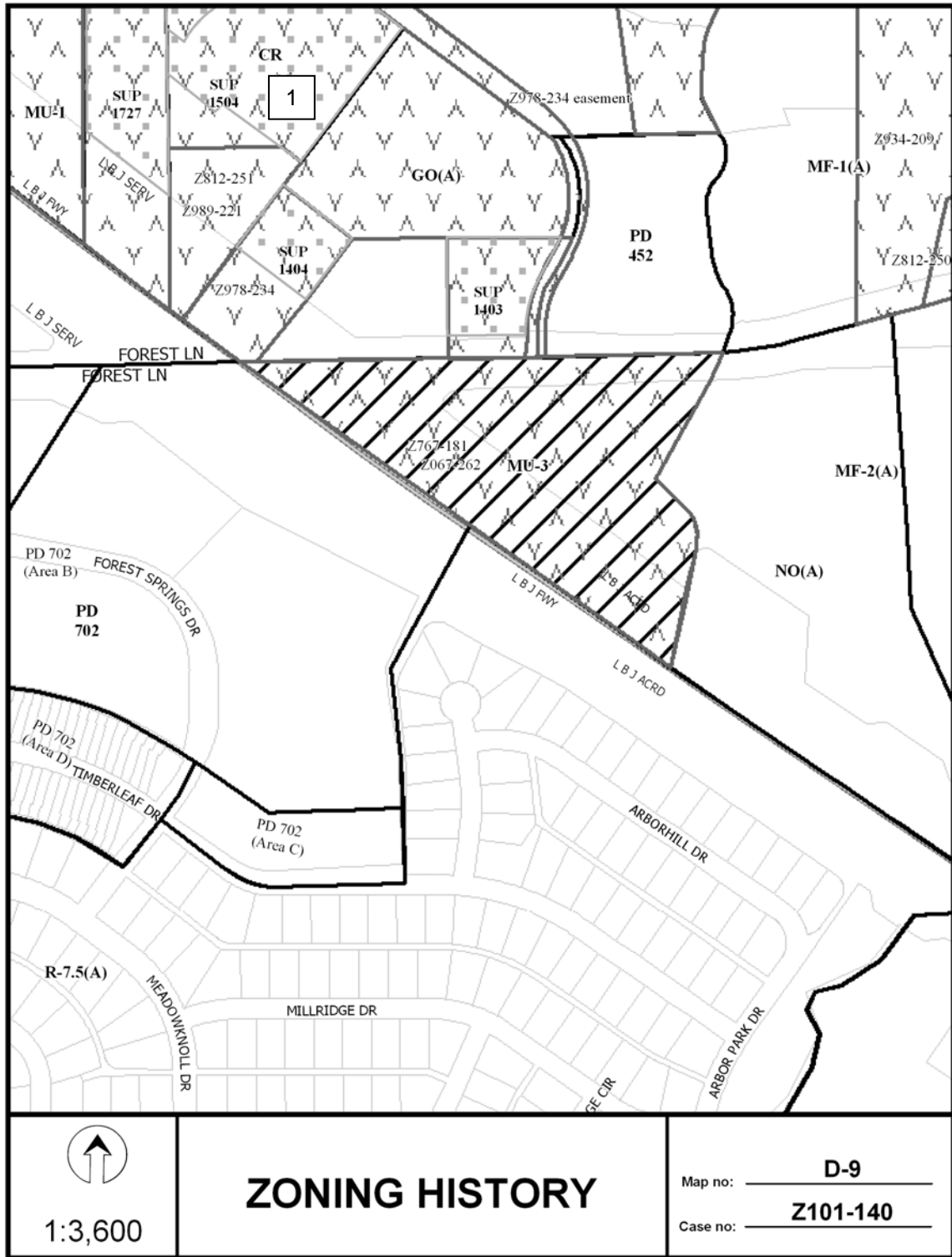
The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

The following uses are prohibited:

1. Accessory outside storage.
2. Body piercing studio [BODY PIERCING STUDIO means a facility in which body piercing is performed. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.]
3. Cemetery or mausoleum.
4. College dormitory, fraternity, or sorority house.
5. Commercial amusement (inside)
6. Commercial amusement (outside).
7. Commercial Parking Lot or garage.
8. Duplex.
9. Foster home.
10. Group residential facility.
11. General merchandise or food store 100,000 square feet or more.
12. Halfway house.
13. Liquor store.
14. Multifamily.
15. Overnight general purpose shelter.
16. Recycling buy-back center.
17. Recycling collection center.
18. Recycling drop-off container.
19. Recycling drop-off for special occasion collection.
20. Residential hotel.
21. Tattoo Studio. [TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.]
22. Theater.



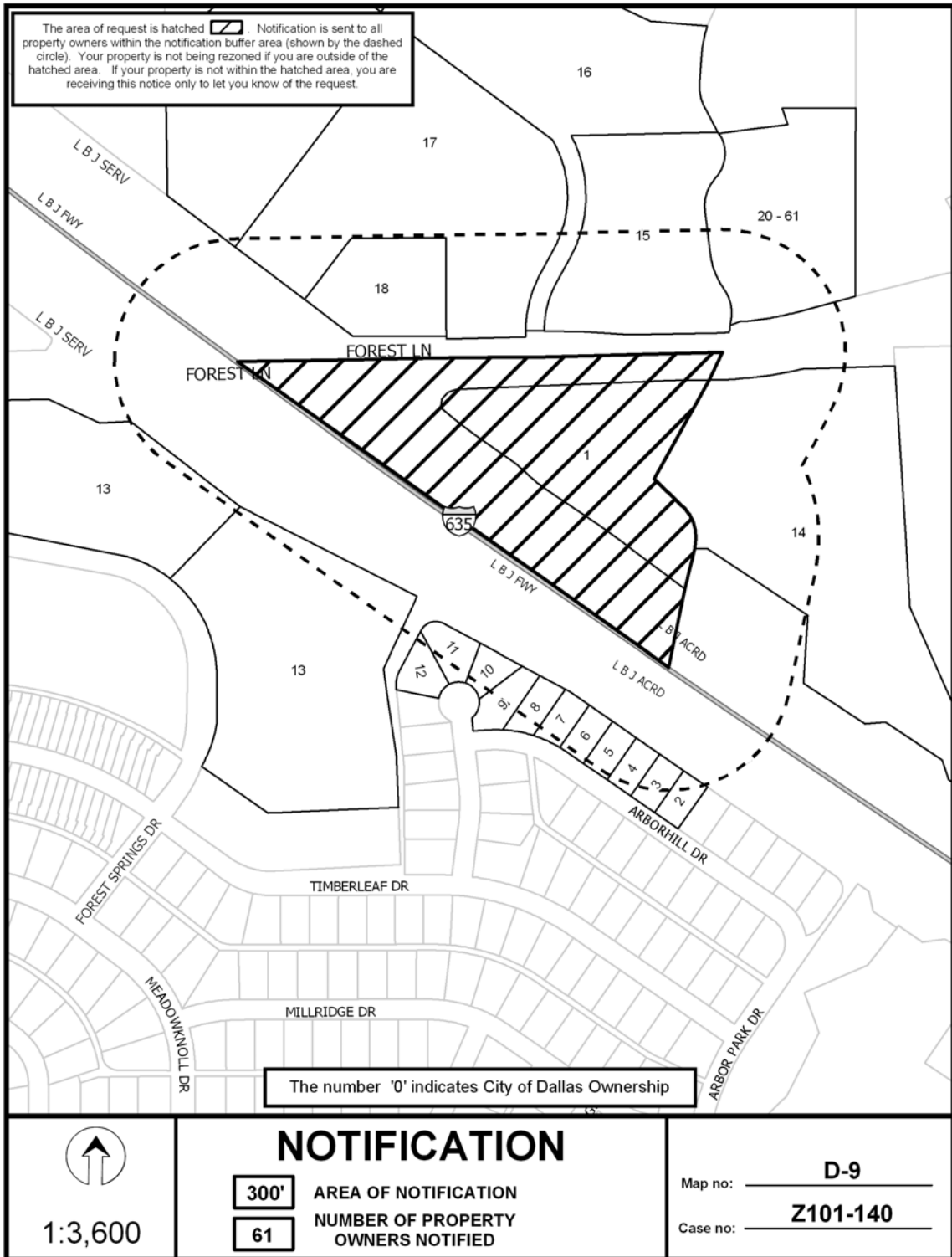
DATE: February 14, 2011




1:3,600
DATE: February 14, 2011

ZONING HISTORY

Map no: D-9
Case no: Z101-140



Notification List of Property Owners

Z101-140

61 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9500 FOREST	CALC PARTNERS LP %CALC MANAGEMENT LLC
2	9627 ARBORHILL	DAY REX L
3	9621 ARBORHILL	OWENS MARGARET KUEHN
4	9615 ARBORHILL	BLAKE DONALD R
5	9607 ARBORHILL	OMOBOGIE HENRY
6	9535 ARBORHILL	FITZHUGH JULIA BLAIR
7	9527 ARBORHILL	HUNT JEFFREY ALAN & PAMELA ANNAH PEPPER
8	9521 ARBORHILL	GOMEZ LORENA R
9	9515 ARBORHILL	CERRATO CARLOS D & CLAUDIA D
10	9507 ARBORHILL	ROBINSON RUTH E
11	9459 ARBORHILL	MOLECHAT BUDSABONG
12	9451 ARBORHILL	SIMMONS ERICA C & PETER L
13	9475 FOREST SPRINGS	DFS VILLAS AT CASTLE HILL
14	9550 FOREST	7100 REGENCY SQUARE LP
15	9555 FOREST	SECURITY PORTFOLIO V LP BLDG E
16	9535 FOREST	9535 FOREST LANE LP STE 500
17	9519 FOREST	BIGELOW ARIZONA TX 348 LP % BIGELOW CO
18	9501 LBJ	EXXONMOBIL OIL CORP
19	9400 LBJ	GATWICK VENTURES LLC % DILIP PRANAR
20	9601 FOREST	WYATT JOHN & SHEILA WYATT
21	9601 FOREST	ANGELL CAPITAL I LLC SUITE 501
22	9601 FOREST	BRAGG MARQUIS
23	9601 FOREST	BECK JUNITA
24	9601 FOREST	HUBBARD DAMIONE JR
25	9601 FOREST	TAYLOR KENDRICK
26	9601 FOREST	CONLEY GREGORY UNIT 123

Monday, February 14, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	9601 FOREST	FRYE TERRY LEE
28	9601 FOREST	GOLDSTEIN AARON H & PAULA KAYE
29	9601 FOREST	WARREN CHRISTINA
30	9601 FOREST	ANDERSON VYBRONE & EVELYN
31	9601 FOREST	BKKR REALTY LLC
32	9601 FOREST	PETTIGREW GAYLE D
33	9601 FOREST	BAYVIEW LOAN SERVICING LLC 5TH FLOOR
34	9601 FOREST	SCHERER T O
35	9601 FOREST	CHANG DONG PING
36	9601 FOREST	LEANDER WILLIAM JR
37	9601 FOREST	DYKES APRIL
38	9601 FOREST	CHASTAIN CODY
39	9601 FOREST	MONTGOMERY JALHA
40	9601 FOREST	DONNELL CEDRIC
41	9601 FOREST	ALLEN CASSANDRA UNIT 1313
42	9601 FOREST	GUAN ZHIJUN BLDG M UNIT 1321
43	9601 FOREST	MEDLOCK CHETERIA
44	9601 FOREST	FARUQ AUSAF & AYESHA
45	9601 FOREST	SCHERER T O III APT 1
46	9601 FOREST	TANG SILIVIA H
47	9601 FOREST	OU CUILAN
48	9601 FOREST	SWOYER RANDALL LEE
49	9601 FOREST	HYE ANNE
50	9601 FOREST	YODER JUSTIN
51	9601 FOREST	DOSSEY GARRY D ETAL N1423
52	9601 FOREST	MTA PARTNERS LLC
53	9601 FOREST	HUFFMAN LAURA
54	9601 FOREST	NYAKIA PAMELA
55	9601 FOREST	MTA PARTNERS LLC
56	9601 FOREST	OU CUI LAN UNIT 1512 BLDG O
57	9601 FOREST	SMITH MARY

Monday, February 14, 2011

Z101-140(MG)

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	9601 FOREST	MTA PARTNERS LLC
59	9601 FOREST	OLABIYI OLAYEMI BLDG O UNIT 1522
60	9601 FOREST	PATTERSON TRACY
61	9601 FOREST	STRAUTHER ELOISE

Monday, February 14, 2011

FILE NUMBER: Z101-146 (JH)

DATE FILED: December 20, 2010

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

COUNCIL DISTRICT: 4

MAPSCO: 58-C

SIZE OF REQUEST: Approx. 1.07 acres

CENSUS TRACT: 91.01

REPRESENTATIVE: Santos Martinez, MASTERPLAN

APPLICANT/OWNER: Vilas Kumar

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

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

STAFF RECOMMENDATION: Approval of the D-1 Dry Liquor Control Overlay and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise use greater than 3,500 square feet for a two-year period with eligibility for additional five year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store greater than 3,500 square feet use, a motor vehicle fueling station, and an accessory drive-through automatic carwash.
- The proposed use is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on property is prohibited in a D Dry Liquor Control Overlay and requires a specific use permit in the D-1 Dry Liquor Control Overlay.

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

Thoroughfares/Streets:

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

STAFF ANALYSIS:

Comprehensive Plan:

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

Land Use Compatibility:

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

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

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

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

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

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

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

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

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

Development Standards:

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

Parking:

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

Landscaping:

Landscaping required per PDD No. 366.

DPD Report

DALLAS POLICE DEPARTMENT UCR Codes Year Codes Property Class Codes
 Virtual Viewer - Public Access Welcome



Search Records - Offense											Filter
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0004351-Y	01/05/2011	*SHELL GAS STATION	OTHER OFFENSES	02313	S	BUCKNERB...	324	1242	26000		
0008865-T	12/31/2006	PEREZ,DORA	LOST PROPERTY	02313	S	BUCKNERB...	324	1242	42020		
0019273-V	01/19/2008	FEW,SYLVESTER	THEFT	02313	S	BUCKNERB...	328	1242	06901		
0064936-X	03/09/2010	MARTINEZ,ANGEL	AGGRAVATED ASSAULT	02313	S	BUCKNERB...	324	1242	04111		
0103311-X	04/15/2010	GERARDO,OLGA	OTHER OFFENSES	02313	S	BUCKNERB...	324	1242	26000		
0116875-T	02/19/2007	EDWARDS,JERMIKA	ASSAULT	02313	S	BUCKNERB...	324	1242	08421		
0120012-V	04/24/2008	WILLIAMS,TYRONE	AUTO THEFT-UUMV	02313	S	BUCKNERB...	328	1242	07191		
0201737-W	07/10/2009	MONTELONGO, ROBERT	ROBBERY	02313	S	BUCKNERB...	324	1242	03911		
0211325-W	07/19/2009	VASQUEZ,NARCIZO	ROBBERY	02313	S	BUCKNERB...	324	1242	03A41		
0224051-X	07/29/2010	MCCLINTON,AMBER	OTHER OFFENSES	02313	S	BUCKNERB...	324	1242	26000		
0231337-V	07/26/2008	FINLEY,KARIN	TRAFFIC MOTOR VEH...	02313	S	BUCKNERB...	328	1242	32090		
0276986-W	09/16/2009	ALEXANDER,KESHA	ASSAULT	02313	S	BUCKNERB...	324	1242	08421		
0288695-W	09/27/2009	ARREOLA,RUBEN,GILBERTO	ROBBERY	02313	S	BUCKNERB...	324	1242	03911		
0324335-P	04/27/2005	URBINA,ELVIRA	ASSAULT	02313	S	BUCKNERB...	324	1242	08321		
0334722-T	05/09/2007	WILSON,KEITH	THEFT	02313	S	BUCKNERB...	324	1242	06993		



Search Records - Offense											Filter
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0349784-T	05/14/2007	@CITY OF DALLAS	FOUND PROPERTY	02313	S	BUCKNERB...	324	1242	43020		
0350870-W	11/26/2009	*SHELL SERVICE STATION	FORGERY & COUNT...	02313	S	BUCKNERB...	324	1242	10022		
0412430-P	05/26/2005	LINDSAY,KEVIN	THEFT	02313	S	BUCKNERB...	324	1242	06952		
0424295-P	05/29/2005	WILLIAMS,RUBY	ROBBERY	02313	S	BUCKNERB...	324	1242	03941		
0473572-P	06/15/2005	JOHNSON,SHAWANNA	ROBBERY	02313	S	BUCKNERB...	324	1242	03A41		
0533267-T	07/16/2007	GONZALEZ,JUAN	ROBBERY	02313	S	BUCKNERB...	324	1242	03A11		
0638374-R	08/22/2006	MORGAN,KEVIN	ROBBERY	02313	S	BUCKNERB...	324	1242	03A41		
0643012-T	09/02/2007	MCKINNEY,BRIAN	ACCIDENTAL INJURY ...	02313	S	BUCKNERB...	324	1242	33070		
0647315-P	08/12/2005	MUNGUIA,ALEJANDRO	ROBBERY	02313	S	BUCKNERB...	324	1242	03941	06104	
0649496-T	09/07/2007	BESHERSE,NICHOLAS	CRIMINAL MISCHIEF/...	02313	S	BUCKNERB...	324	1242	14081		
0652087-R	08/27/2006	WALLACE,ROBERT,LAMONT	MURDER	02313	S	BUCKNERB...	324	1242	01211		
0663541-T	09/21/2007	WALTERS,FABIAN	TRAFFIC MOTOR VEH...	02313	S	BUCKNERB...	324	1242	32090		
0668290-T	09/25/2007	RICHARDSON,BRIAN	AUTO THEFT-UUMV	02313	S	BUCKNERB...	324	1242	07611		
0693792-R	09/12/2006	WADE,JAMES	ROBBERY	02313	S	BUCKNERB...	324	1242	03A21		
0731585-R	09/26/2006	*FINA	THEFT	02313	S	BUCKNERB...	324	1242	06933		



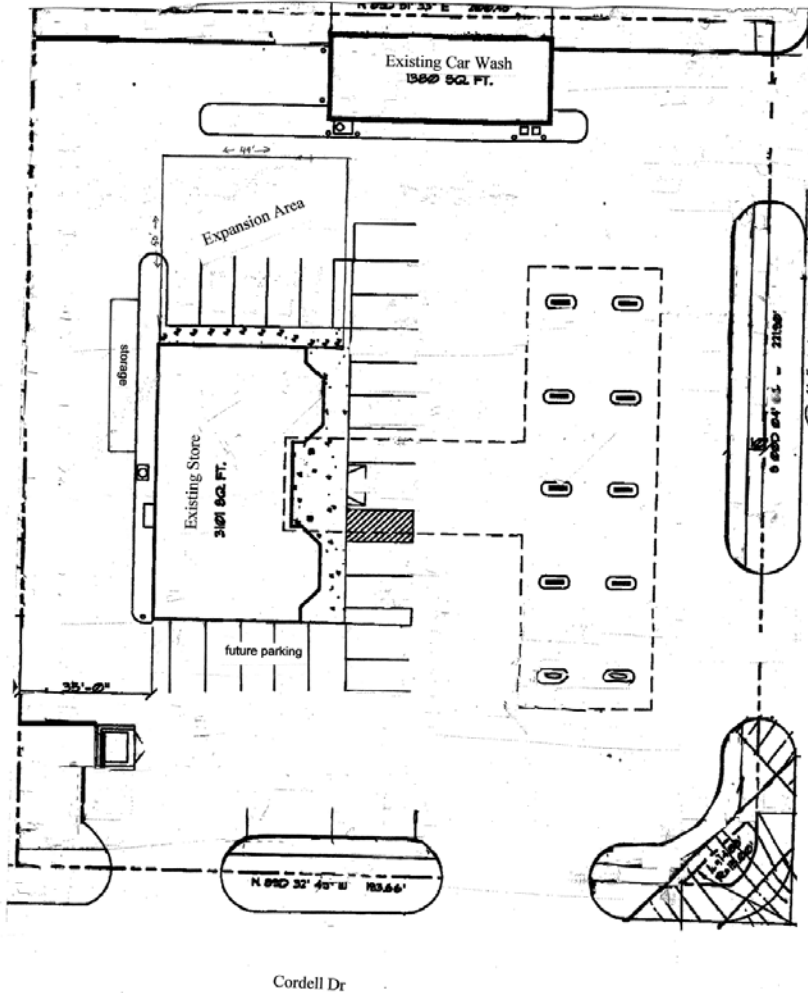
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Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0739371-R	09/29/2006	*FINA GAS STATION	THEFT	02313	S	BUCKNERB...	324	1242	06931		
0750231-R	10/02/2006	*FINA GAS STATION	ROBBERY	02313	S	BUCKNERB...	324	1242	03371		
0757328-P	09/20/2005	HARDAGE,GLENDA	ASSAULT	02313	S	BUCKNERB...	324	1242	08391		
0768224-R	10/09/2006	SERNA, MARIO	THEFT	02313	S	BUCKNERB...	324	1242	06103		
0779348-T	12/23/2007	@LEWISVILLE PD	FOUND PROPERTY	02313	S	BUCKNERB...	328	1242	43030		
0897338-P	11/08/2005	@CITY OF DALLAS	FOUND PROPERTY	02313	S	BUCKNERB...	324	1242	43020		
0920421-P	11/17/2005	*FINA	FORGERY & COUNT...	02313	S	BUCKNERB...	324	1242	10022		
0926428-P	11/19/2005	*BUCKNER'S FINA	CRIMINAL MISCHIEF/...	02313	S	BUCKNERB...	324	1242	14092		
0979956-P	12/11/2005	PAYES, RICHARD	CRIMINAL MISCHIEF/...	02313	S	BUCKNERB...	324	1242	14082		
1026280-P	12/29/2005	*FINA GAS STATION	FRAUD	02313	S	BUCKNERB...	324	1242	11051	11052	



SUP Conditions

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

SITE PLAN



Vicinity Map



N

Buckner Blvd

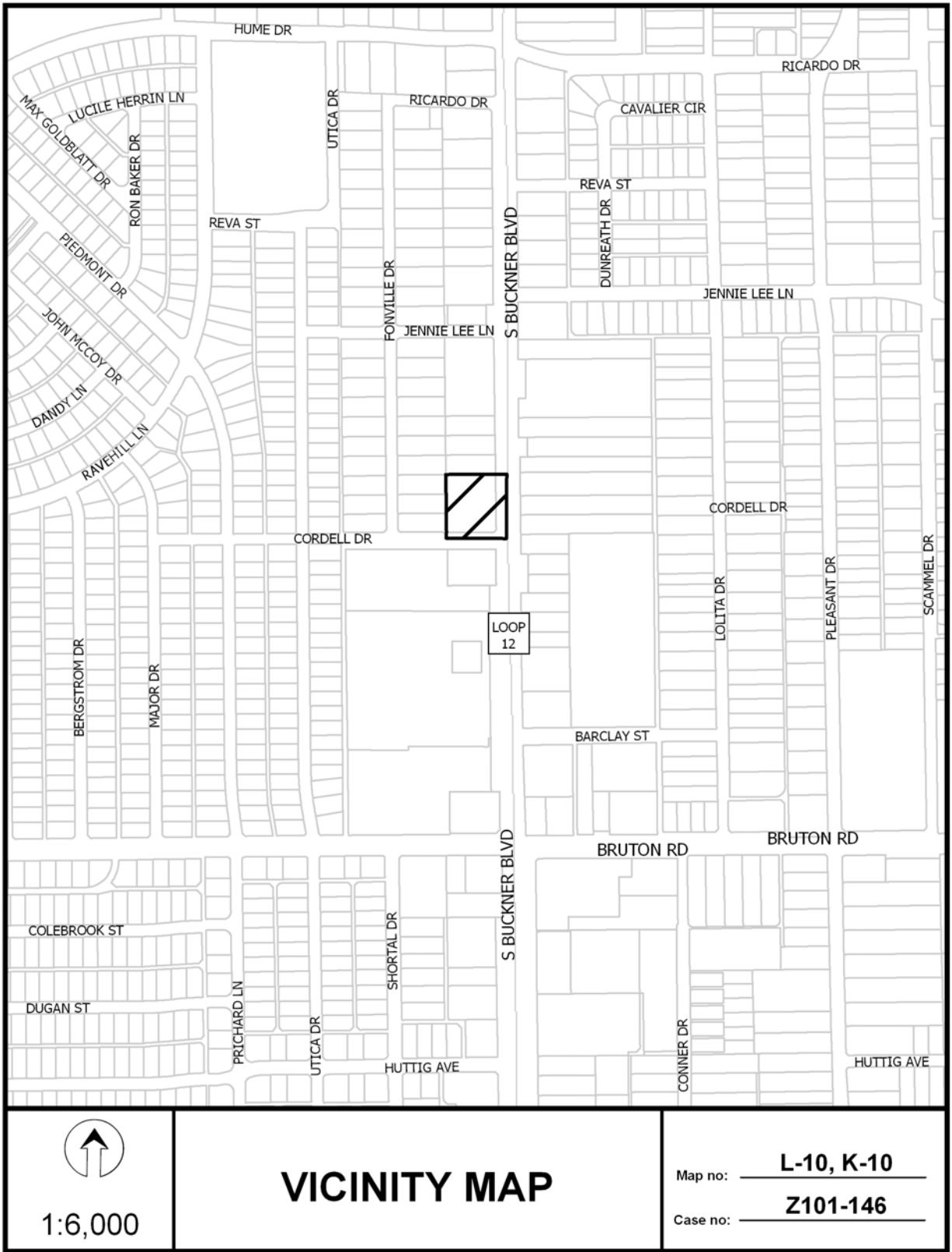
Site Summary

Zoning: PDD 366- SD-1- D
 Zoning Request: PDD 366-SD-1 D-1 with SUP for off premise alcohol sales
 Existing Use: General Merchandise > 3500 square feet
 Lot Area: 46783 square feet
 Lot Coverage: 15 percent
 Building Area: 4481 square feet
 Expansion Area: 2450 square feet
 Total Building Area: 6930 square feet
 Required Parking: 17
 Provided Parking: 10

Scale: 1" = 20'

Site Plan

Z101-146(JH)



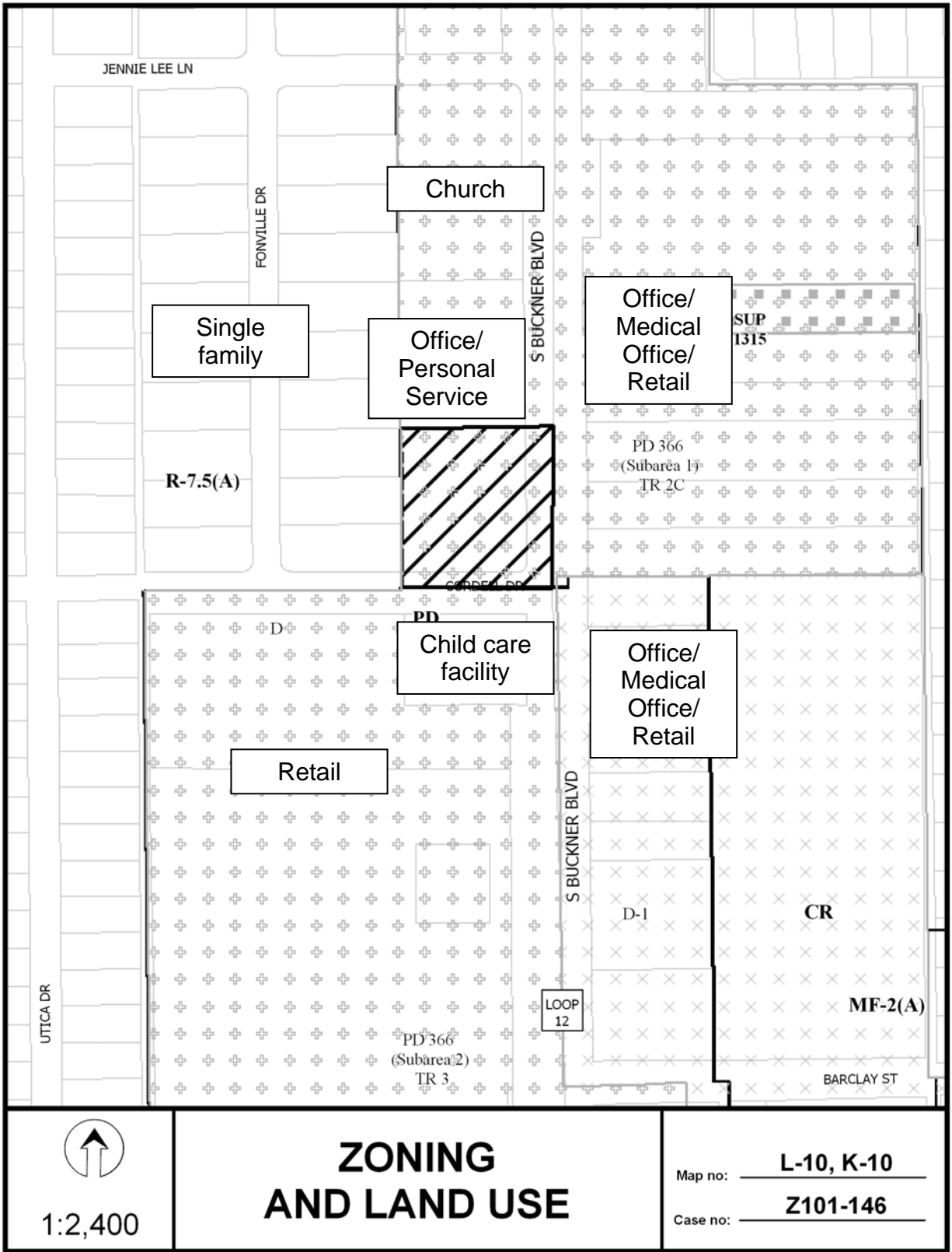
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VICINITY MAP

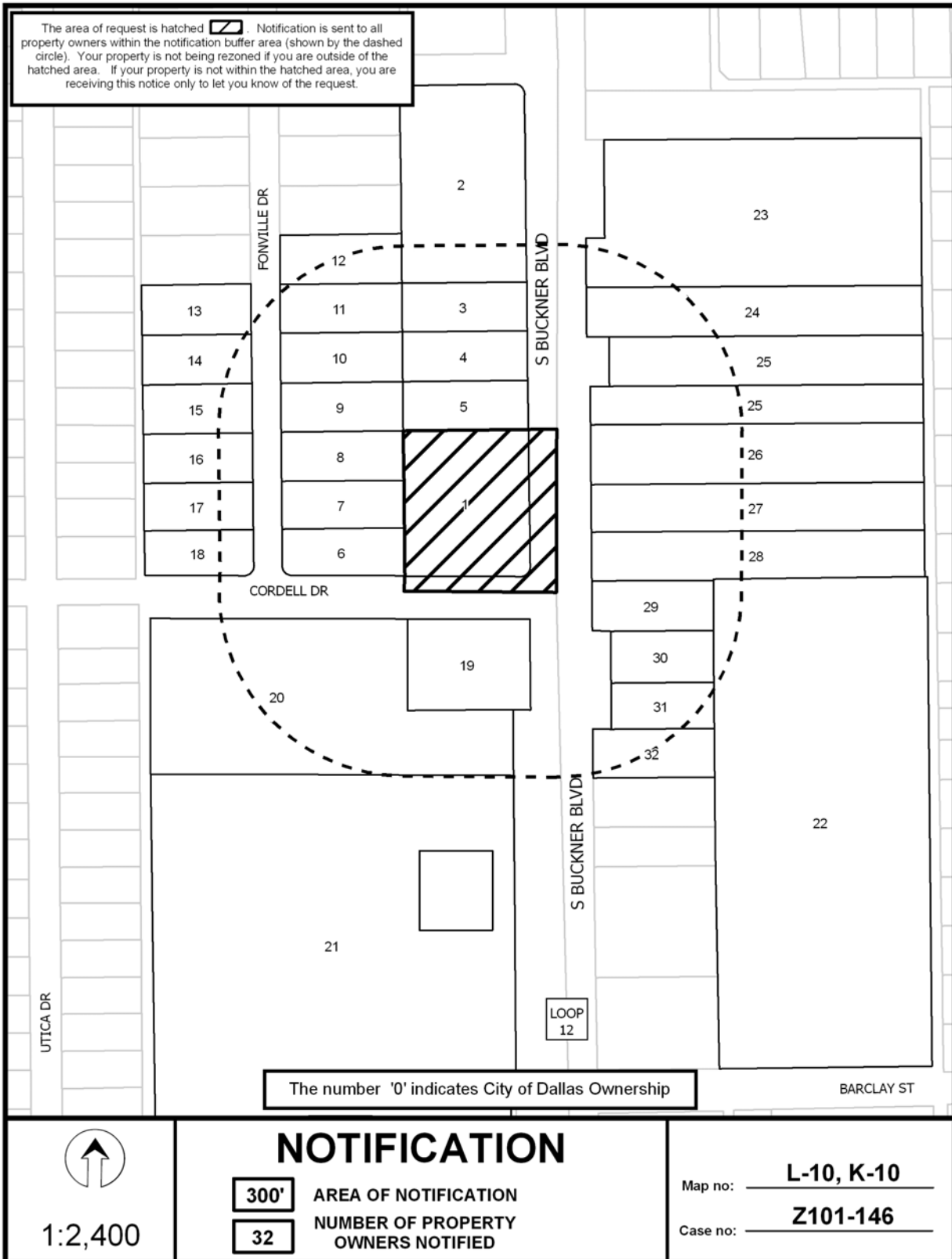
Map no: L-10, K-10

Case no: Z101-146

DATE: February 14, 2011



DATE: February 14, 2011



DATE: February 14, 2011

Notification List of Property Owners

Z101-146

32 Property Owners Notified

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

Monday, February 14, 2011

Z101-146(JH)

Label #	Address	Owner
27	2306 BUCKNER	MILLER & MARTIN CHILDRENS TRUST
28	2300 BUCKNER	DEL REY PARTNERS LLC
29	2264 BUCKNER	NGHIEM MEI WANG
30	2248 BUCKNER	PNYX LIMITED PARTNERSHIP
31	2244 BUCKNER	REYNOLDS JAMES E
32	2240 BUCKNER	OH JEESUNG & SEYOUNG

Monday, February 14, 2011

FILE NUMBER: Z101-149 (JH)

DATE FILED: December 28, 2010

LOCATION: Southwest corner of W. Kiest Boulevard and US 67/Marvin D. Love Freeway

COUNCIL DISTRICT: 3

MAPSCO: 54-Y

SIZE OF REQUEST: Approx. 0.49 acres

CENSUS TRACT: 60.01

REPRESENTATIVE: Parvez Malik, Business Zoom

APPLICANT: JDE Laughter, LLC

OWNER: Quickway Retail AS II, Ltd

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

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

STAFF RECOMMENDATION: Approval of the D-1 Dry Liquor Control Overlay and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise use greater than 3,500 square feet for a two-year period with eligibility for additional five year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store greater than 3,500 square feet use, an auto service center use, and a motor vehicle fueling station.
- The proposed use is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.

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

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
W. Kiest Boulevard	Principle Arterial	100 feet

STAFF ANALYSIS:

Comprehensive Plan:

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

Land Use Compatibility:

The approximately 0.49-acre request site is zoned an RR-D Regional Retail District with a D Dry Liquor Control Overlay and is currently developed with a general merchandise greater than 3,500 square feet use and a motor vehicle fueling station. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which is not allowed by the D Dry Liquor Control Overlay.

The adjacent land uses are single family residential to the north and a hotel or motel to the west and south. A church and child care facility use is located greater than 300 feet to the west of the request site. Marvin D. Love Freeway / Highway 67 is to the east of the request site and the uses on the east side of this highway include vehicle display, sales, and service, office, general merchandise, and motor vehicle fueling station.

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

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

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

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

that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

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

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

The applicant’s request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The adjacent residential uses could be considered incompatible, but the residential uses are separated from the request site by the 100 foot right of way of a principal arterial and adjacent to a freeway. The initial short time period will also require that the request be reevaluated to ensure the use is compatible in this location.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
RR-D 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

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise use at one space for each 200 square feet of floor area, one space per 500 for an auto service center, and 2 spaces for a motor vehicle fueling station. The request requires 11 spaces with 13 being provided per the attached site plan.

Landscaping:

Landscaping required per Article X of the Dallas Development Code.

Z101-149(JH)

List of Partners/Principals/Officers

JDE Laughter, LLC

Gopal Pai, Manager

Quik-way Retail Associates II, Ltd.

QWRA II GP, LLC, Sole General Partner

Managers:

Alan Golman

Richard Golman

Kenneth H. Bruder

Howard Beckerman

DPD Report

DALLAS POLICE DEPARTMENT UCR Codes Year Codes Property Class Codes
 Virtual Viewer - Public Access Welcome

Search Records - Offense Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0001246-R	01/01/2006	FIELDS,TIMOTHY	ROBBERY	00500	W	KIESTBL...	455	4263	03912	
0009764-T	01/04/2007	ALONZO,SILVIA	ROBBERY	00500	W	KIESTBL...	455	4263	03941	
0011469-Y	01/14/2011	SIMMONS,RICKY	OTHER OFFENSES	00500	W	KIESTBL...	453	4263	26000	
0054149-W	02/25/2009	@FORT WORTH POLICE D...	FOUND PROPERTY	00500	W	KIESTBL...	453	4263	43040	
0057151-R	01/22/2006	@CITY OF DALLAS	FOUND PROPERTY	00500	W	KIESTBL...	455	4263	43020	
0069296-W	03/12/2009	RAI, GOPAL	ASSAULT	00500	W	KIESTBL...	453	4263	08111	
0080082-W	03/23/2009	BAGGETT, BELINDA	THEFT	00500	W	KIESTBL...	453	4263	06941	
0080894-V	03/19/2008	@CITY OF DALLAS	FOUND PROPERTY	00500	W	KIESTBL...	453	4263	43020	
0094050-W	04/05/2009	COLEMAN,TASHAANETTE	TRAFFIC MOTOR VEHICLE	00500	W	KIESTBL...	453	4263	32090	
0094734-T	02/09/2007	FLORES, ISIDRO	THEFT	00500	W	KIESTBL...	455	4263	06901	
0095235-R	02/06/2006	HOGAN, MILLER	ASSAULT	00500	W	KIESTBL...	455	4263	08221	
0100756-X	04/13/2010	GAMEZ,ROSALIO	ROBBERY	00500	W	KIESTBL...	453	4263	03A41	
0106221-X	04/17/2010	*SHELL GAS STATION #75...	CRIMINAL MISCHIEF/VAND...	00500	W	KIESTBL...	453	4263	14031	
0110452-P	02/12/2005	SCOTT,JOHN	ROBBERY	00500	W	KIESTBL...	455	4263	03942	
0110712-V	04/15/2008	JENNINGS,DARIUS	ROBBERY	00500	W	KIESTBL...	453	4263	03A11	

Page 1 of 6 (84 items)

Search Records - Offense Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0122161-W	04/30/2009	*SHELL GAS STATION	CRIMINAL MISCHIEF/VAND...	00500	W	KIESTBL...	453	4263	14031	
0136055-R	02/23/2006	*SHELL GAS STATION	OTHER OFFENSES	00500	W	KIESTBL...	455	4263	26530	
0140787-W	05/17/2009	*SHELL GAS STATION	CRIMINAL MISCHIEF/VAND...	00500	W	KIESTBL...	453	4263	14030	
0156259-P	03/01/2005	@CITY OF DALLAS	FOUND PROPERTY	00500	W	KIESTBL...	455	4263	43020	
0160456-V	05/30/2008	*SHELL GAS STATION	CRIMINAL MISCHIEF/VAND...	00500	W	KIESTBL...	453	4263	14082	
0173395-T	03/12/2007	@HENDERSON COUNTY S.O.	FOUND PROPERTY	00500	W	KIESTBL...	455	4263	43030	
0181519-R	03/12/2006	WILLIAMS,KENDRICK	TRAFFIC MOTOR VEHICLE	00500	W	KIESTBL...	455	4263	32090	
0182090-R	03/12/2006	DRISDLES,TONEY	AGGRAVATED ASSAULT	00500	W	KIESTBL...	455	4263	04211	
0182488-R	06/23/2009	RAGSDALE, YOLANDA, LAS...	TRAFFIC MOTOR VEHICLE	00500	W	KIESTBL...	453	4263	32090	
0187851-V	06/24/2008	JEFFERSON, KIMBERLY	ACCIDENTAL INJURY - PUB...	00500	W	KIESTBL...	453	4263	33020	
0201344-V	06/28/2008	EATON,VAN,WARRICK	TRAFFIC MOTOR VEHICLE	00500	W	KIESTBL...	453	4263	32090	
0210494-V	07/06/2008	*KIEST BOULEVARD SHELL	ROBBERY	00500	W	KIESTBL...	453	4263	03312	
0215404-T	03/27/2007	CANTU,KARINA	THEFT	00500	W	KIESTBL...	455	4263	06903	
0219242-X	08/05/2010	CAMPBELL, DANNY	TRAFFIC MOTOR VEHICLE	00500	W	KIESTBL...	453	4263	32090	
0221435-V	07/16/2008	@CITY OF DALLAS	FOUND PROPERTY	00500	W	KIESTBL...	453	4263	43020	

Page 2 of 6 (84 items)

Search Records - Offense Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0228368-V	07/23/2008	*SHELL GAS STATION	ROBBERY	00500	W	KIESTBL...	453	4263	03312	
0229593-W	08/04/2009	*SHELL GAS STATION	FORGERY & COUNTERFEITI...	00500	W	KIESTBL...	453	4263	10021	
0235875-V	07/30/2008	@CITY OF DALLAS	FOUND PROPERTY	00500	W	KIESTBL...	453	4263	43020	
0253742-X	09/09/2010	WHITE,BONNIE	ASSAULT	00500	W	KIESTBL...	453	4263	08421	
0268127-W	09/08/2009	ALBA-GONZALEZ,JUAN	AUTO THEFT-UUMV	00500	W	KIESTBL...	453	4263	07172	
0275261-V	09/05/2008	*WEST KIEST BLVD SHELL	ROBBERY	00500	W	KIESTBL...	453	4263	03341	
0280068-X	10/08/2010	JENKINS, TASHONDA	THEFT	00500	W	KIESTBL...	453	4263	06941	
0289669-W	09/27/2009	BOONE,RACHEL	AUTO THEFT-UUMV	00500	W	KIESTBL...	453	4263	07161	
0291783-P	04/16/2005	RAMIREZ,JOSE	ASSAULT	00500	W	KIESTBL...	455	4263	08122	
0298041-W	10/06/2009	*SHELL #7575	THEFT	00500	W	KIESTBL...	453	4263	06933	
0301475-X	10/30/2010	*SHELL	CRIMINAL MISCHIEF/VAND...	00500	W	KIESTBL...	453	4263	14082	
0331499-P	04/29/2005	RMAIREZ,ELVA	TRAFFIC MOTOR VEHICLE	00500	W	KIESTBL...	455	4263	32090	
0337797-R	05/06/2006	YOUNG,CLAUDELL JR	ROBBERY	00500	W	KIESTBL...	455	4263	03A12	
0339135-W	11/14/2009	RAI,GOPAL	CRIMINAL MISCHIEF/VAND...	00500	W	KIESTBL...	453	4263	14082	
0345776-X	12/18/2010	*SHELL	OTHER OFFENSES	00500	W	KIESTBL...	453	4263	26530	

Page 3 of 6 (84 items)

Search Records - Offense										Filter	
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0353126-W	11/29/2009	RAMIREZ,ANGELICA,	ASSAULT	00500	W	KIESTBL...	453	4263	08311		
0362530-W	12/08/2009	ACEVEDO, MARIA	AUTO THEFT-UUMV	00500	W	KIESTBL...	453	4263	07131		
0365001-R	05/15/2006	*SHELL GAS STATION	THEFT	00500	W	KIESTBL...	455	4263	06901		
0374445-T	05/22/2007	**SHELL GAS STATION	ROBBERY	00500	W	KIESTBL...	455	4263	03412		
0379304-V	12/14/2008	REECE, PAUL	AGGRAVATED ASSAULT	00500	W	KIESTBL...	453	4263	04211		
0390878-V	12/26/2008	WARD,TRACI	LOST PROPERTY	00500	W	KIESTBL...	453	4263	42020		
0393549-V	12/29/2008	*SHELL GAS STATION	FORGERY & COUNTERFEIT...	00500	W	KIESTBL...	453	4263	10022		
0402678-R	05/28/2006	*SHELL GAS STATION	ROBBERY	00500	W	KIESTBL...	455	4263	03312		
0406407-T	06/02/2007	CHISM, SHANNEA	TRAFFIC MOTOR VEHICLE	00500	W	KIESTBL...	455	4263	32090		
0415560-T	06/05/2007	WILSON,LORENZO	THEFT	00500	W	KIESTBL...	455	4263	06953		
0419509-P	05/28/2005	BROWN, DENISE	ASSAULT	00500	W	KIESTBL...	455	4263	08411		
0423229-P	05/29/2005	MATTHEWS,SONJI,	THEFT	00500	W	KIESTBL...	455	4263	06941		
0427830-P	05/31/2005	@CITY OF DALLAS	OTHER OFFENSES	00500	W	KIESTBL...	455	4263	26420		
0436062-R	06/09/2006	*COMCAST	THEFT	00500	W	KIESTBL...	455	4263	06901		
0457998-P	06/09/2005	*SHELL	ROBBERY	00500	W	KIESTBL...	455	4263	03311		

Page 4 of 6 (84 items)

Search Records - Offense										Filter	
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0463287-R	06/18/2006	JONES,JOHN	ROBBERY	00500	W	KIESTBL...	455	4263	03871		
0463404-P	06/11/2005	WOODS,TEJNESHA	ASSAULT	00500	W	KIESTBL...	455	4263	08421		
0537428-T	07/18/2007	WRIGHT,EUGENE	ROBBERY	00500	W	KIESTBL...	455	4263	03A42		
0538074-T	07/18/2007	RAMIREZ,HUBER	ROBBERY	00500	W	KIESTBL...	455	4263	03A71		
0589662-P	07/23/2005	MILTON,TERRIE	TRAFFIC MOTOR VEHICLE	00500	W	KIESTBL...	455	4263	32090		
0596637-T	08/09/2007	CROSBY,BILLY	ROBBERY	00500	W	KIESTBL...	455	4263	03A32		
0600318-R	08/05/2006	*KIEST BLVD SHELL	EMBEZZLEMENT	00500	W	KIESTBL...	455	4263	12021		
0607279-R	08/10/2006	@CITY OF DALLAS	FOUND PROPERTY	00500	W	KIESTBL...	455	4263	43020		
0613931-R	08/12/2006	*SHELL GAS STATION	THEFT	00500	W	KIESTBL...	455	4263	06935		
0684082-R	09/08/2006	*SHELL GAS STATION	OTHER OFFENSES	00500	W	KIESTBL...	455	4263	26530		
0692970-P	08/27/2005	*KIEST SHELL	BURGLARY	00500	W	KIESTBL...	455	4263	05364		
0697510-T	10/22/2007	LOPEZ,BEATRICE	TRAFFIC MOTOR VEHICLE	00500	W	KIESTBL...	455	4263	32090		
0720221-P	09/06/2005	GRUBB, ALAN BRYAN	CRIMINAL MISCHIEF/VAND...	00500	W	KIESTBL...	455	4263	14081		
0745350-T	11/21/2007	FORD,KENDRA,	FOUND PROPERTY	00500	W	KIESTBL...	453	4263	43020		
0751138-T	11/27/2007	FIELDS,TROY	THEFT	00500	W	KIESTBL...	453	4263	06941		

Page 5 of 6 (84 items)

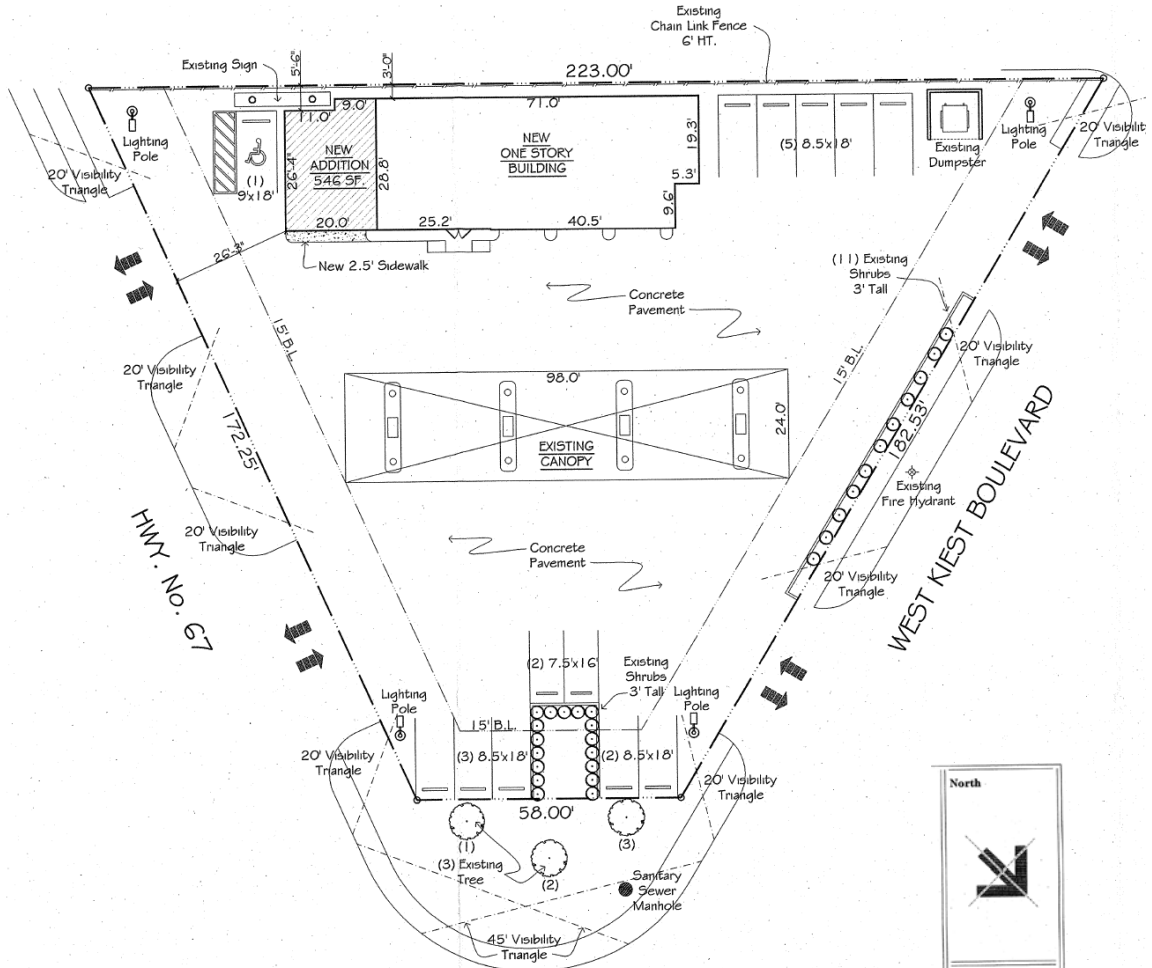
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Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0752336-T	11/28/2007	KNIGHT, CHRISTOPHER	ASSAULT	00500	W	KIESTBL...	453	4263	08221		
0757786-P	09/18/2005	SHAMLIN,JOHNNY	LOST PROPERTY	00500	W	KIESTBL...	455	4263	42020		
0762439-P	09/21/2005	AREVALO,SAUL	THEFT	00500	W	KIESTBL...	455	4263	06112		
0779375-P	09/27/2005	*SHELL #52374	ROBBERY	00500	W	KIESTBL...	455	4263	03312		
0782141-T	12/25/2007	KENNEY,DANIEL ROBERT	ROBBERY	00500	W	KIESTBL...	453	4263	03A31	03A31	
0823241-P	10/12/2005	@CITY OF DALLAS	OTHER OFFENSES	00500	W	KIESTBL...	455	4263	26420		
0854980-P	10/24/2005	DELAHOSSAYE,JANISE	ASSAULT	00500	W	KIESTBL...	455	4263	08411		
0898817-P	11/09/2005	SMITH,LEEANTHONY,TURD...	MURDER	00500	W	KIESTBL...	455	4263	01221		
0924305-R	12/10/2006	ORTILLO,NATALIA	TRAFFIC MOTOR VEHICLE	00500	W	KIESTBL...	455	4263	32090		

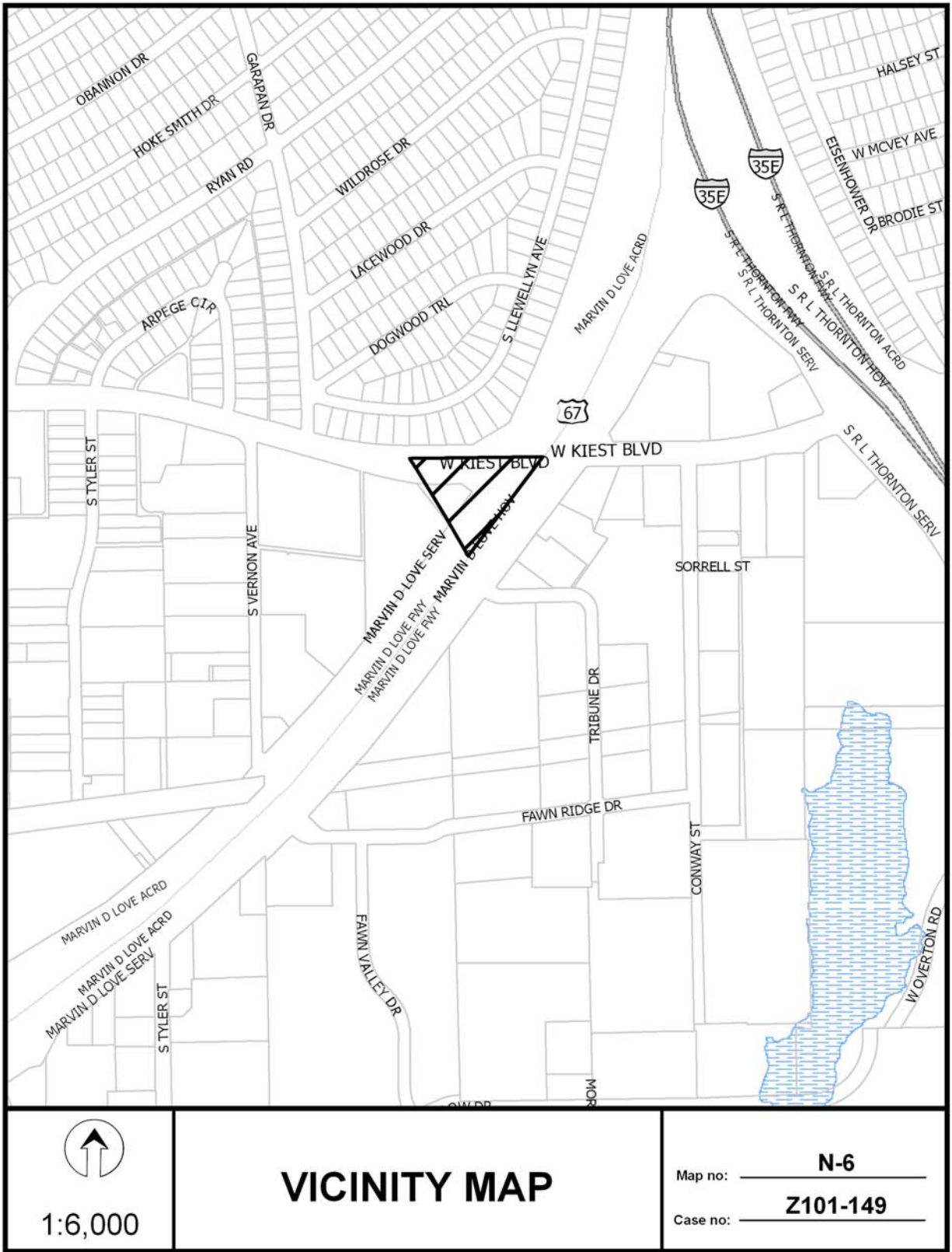
Page 6 of 6 (84 items)

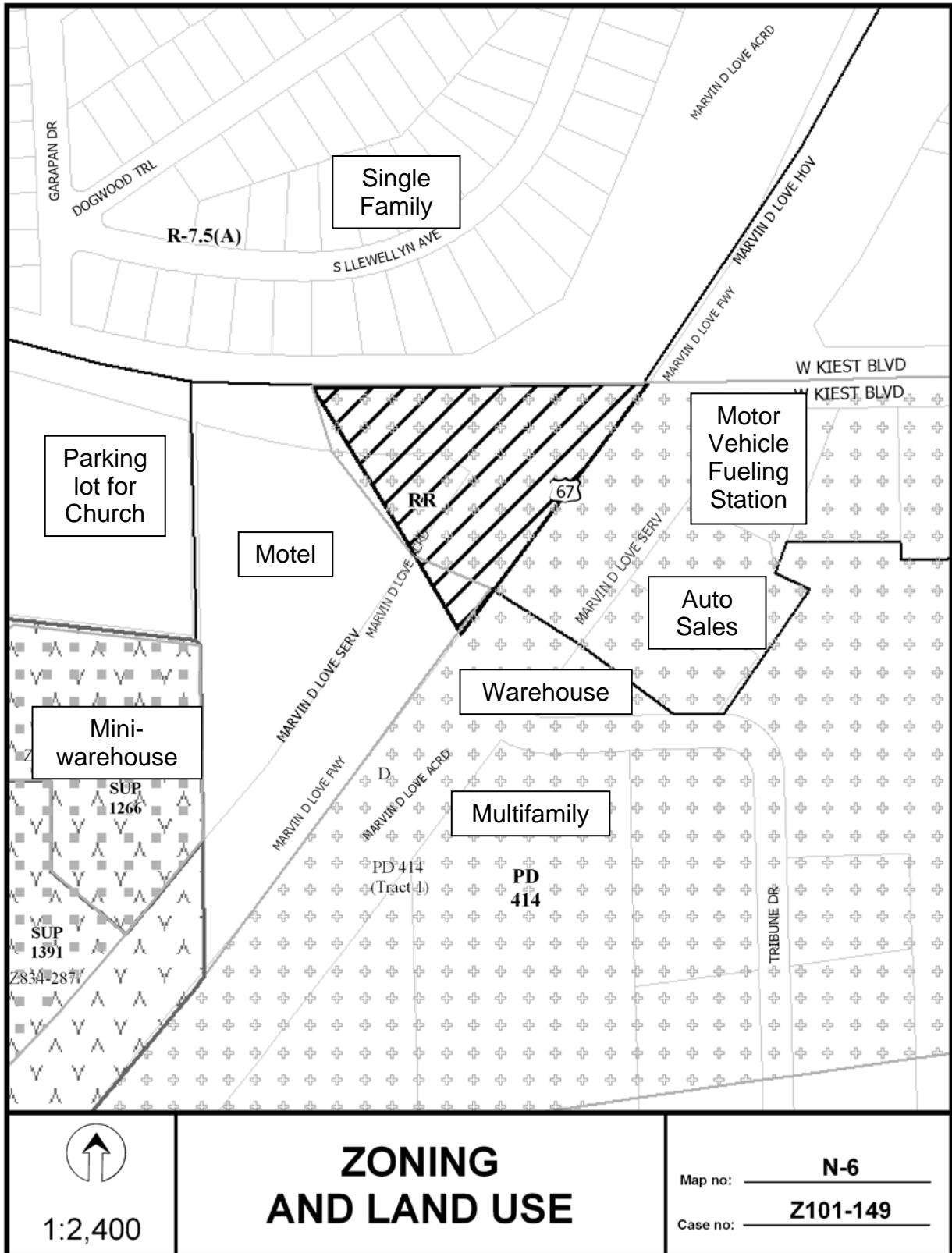
SUP Conditions

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

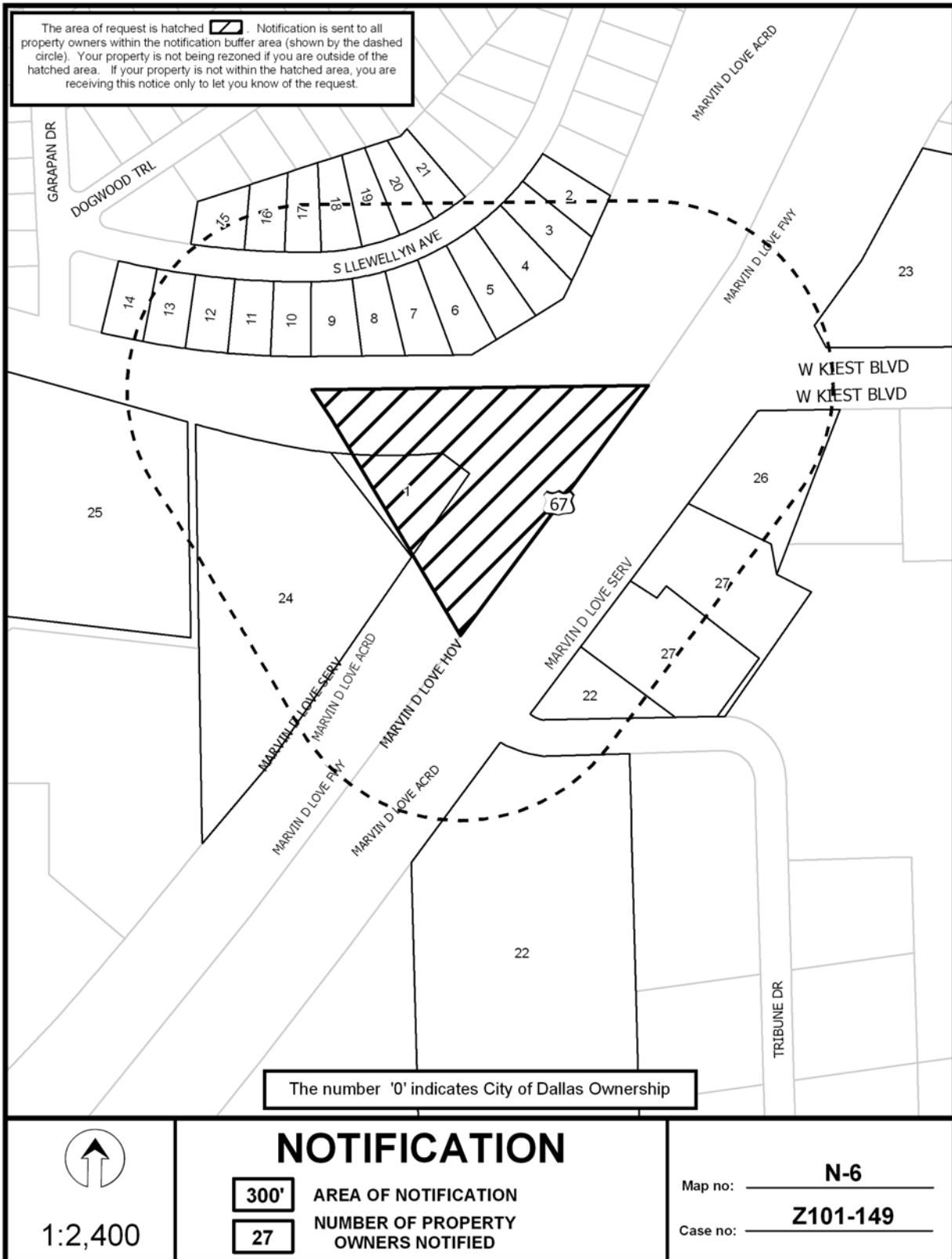
SITE PLAN







DATE: February 07, 2011



2/7/2011

Notification List of Property Owners**Z101-149****27 Property Owners Notified**

Label #	Address	Owner
1	500 Kiest	QUIK WAY RETAIL AS II LTD
2	3224 LLEWELLYN	HOLLAND JEAN &
3	3230 LLEWELLYN	HOLLAND NORMA JEAN
4	3234 LLEWELLYN	THOMAS TROY C & DOROTY J
5	3238 LLEWELLYN	HAWTHORNE MILTON R & SHIRLEY D RIVERA
6	3242 LLEWELLYN	WILLIAMS JERRY LEN SR
7	3248 LLEWELLYN	MAYPO REALTY 1 LP
8	3252 LLEWELLYN	RODRIGUEZ GUILLERMO
9	3256 LLEWELLYN	SALAZAR LUISA
10	3262 LLEWELLYN	PINON ARTURO &
11	3266 LLEWELLYN	VARGAS MANUEL & GREGORIA
12	3272 LLEWELLYN	VARGAS NICHOLAS
13	3276 LLEWELLYN	SANTIBANEZ JESUS
14	3282 LLEWELLYN	SANTIBANEZ RENE &
15	3271 LLEWELLYN	HERNANDEZ GERARDO
16	3265 LLEWELLYN	BILLS GARY L
17	3261 LLEWELLYN	GONZALEZ HELEODORO III & SUSANNE
18	3255 LLEWELLYN	CRUZ IRMA
19	3247 LLEWELLYN	GUERRA JESUS R
20	3241 LLEWELLYN	LARA FRANCISCO & GUILLERMINA
21	3237 LLEWELLYN	RIOS JUAN
22	3320 MARVIN D LOVE	CHRIST FOR THE NATIONS
23	333 Kiest	PROSPERITY BANK % SHELLY SCRUBAR
24	3333 MARVIN D LOVE	A I PARIS INC
25	616 Kiest	FRIENDSHIP WEST BAPTIST CHURCH
26	440 Kiest	VICTRON STORES LP
27	3312 MARVIN D LOVE	TRICOLOR HWY 67 LLC

Monday, February 07, 2011

FILE NUMBER: Z101-150 (JH)

DATE FILED: December 29, 2010

LOCATION: Northwest corner of W. Jefferson Boulevard and N. Brighton Avenue

COUNCIL DISTRICT: 1

MAPSCO: 54-E

SIZE OF REQUEST: Approx. 0.27 acres

CENSUS TRACT: 646

REPRESENTATIVE: Parvez Malik

APPLICANT: U Stop Fina, Inc.

OWNER: Moe Barakat

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

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

STAFF RECOMMENDATION: Approval of the D-1 Dry Liquor Control Overlay and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise use greater than 3,500 square feet for a two-year period with eligibility for additional five year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise greater than 3,500 square feet use and a motor vehicle fueling station.
- The proposed use is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.

Zoning History:

1. Z101-117 On February 9, 2011, the City Council approved a Specific Use Permit for a private recreation center, club or area on property zoned an MF-1(A) Multifamily District on the east side of North Marlborough Avenue, north of W Jefferson Boulevard.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
W. Jefferson Boulevard	Principle Arterial	100 feet

STAFF ANALYSIS:

Comprehensive Plan:

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

Land Use Compatibility:

The approximately 0.27-acre request site is zoned a CR Community Retail District with a D Dry Liquor Control Overlay and is currently developed with an approximately 700 square foot general merchandise greater than 3,500 square feet use and a motor vehicle fueling station. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which is not allowed by the D Dry Liquor Control Overlay.

The surrounding land uses are single family to the north and east, auto service center to the west and south, and a mix of general merchandise, personal service, and office uses on the south side of Jefferson and at its intersection with N. Marlborough Avenue.

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

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

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

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

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

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

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

The applicant’s request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The adjacent residential uses could be considered incompatible, but the intersection of W. Jefferson Boulevard and N. Marlborough Avenue is a node of neighborhood serving commercial. The initial short time period will also require that the request be reevaluated to ensure the use is compatible in this location.

Development Standards:

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

Parking/Traffic:

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

The general merchandise or food store use requires one space for every 200 square feet of floor area and a motor vehicle fueling station requires two spaces. The site plan shows that six off-street parking spaces are required and provided.

Landscaping:

Landscaping required per Article X of the Dallas Development Code.

Z101-150

List of Partners/Principals/Officers

U Stop Fina, Inc.

Patrick Henson, President / Secretary

Vanna Tang, Vice President / Treasurer

DPD Report

DALLAS POLICE DEPARTMENT

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

Virtual Viewer - Public Access Welcome

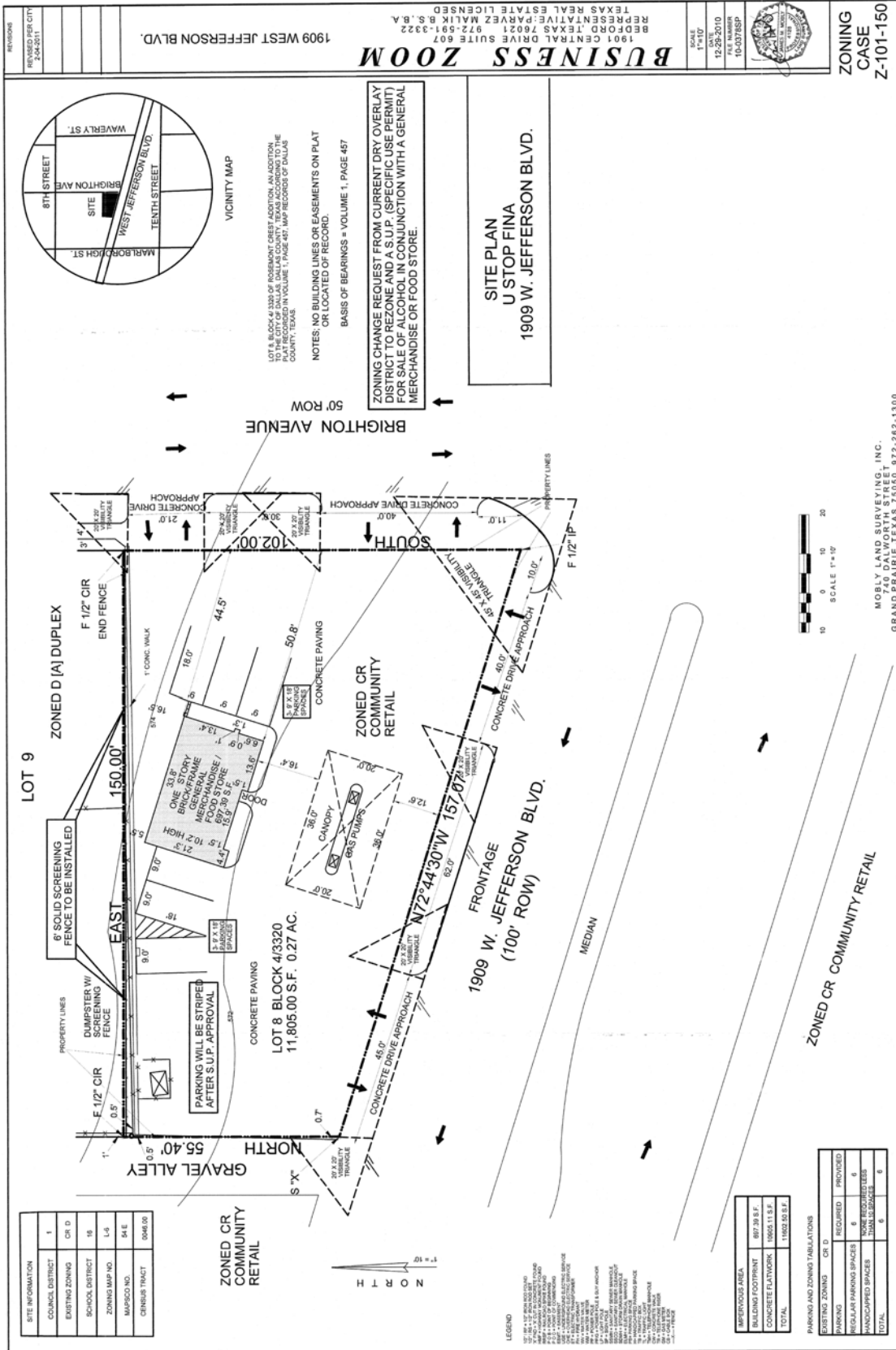
Search Records - Offense Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
<u>0049427-W</u>	02/21/2009	*U STOP FINA	BURGLARY	01909	W	JEFFERSON...	444	4116	05131	
<u>0085785-P</u>	02/02/2005	*NICESTOPFINA#577	ROBBERY	01909	W	JEFFERSON...	417	4116	03711	
<u>0134875-W</u>	05/12/2009	*U STOP FINA	BURGLARY	01909	W	JEFFERSON...	444	4116	05131	
<u>0199209-W</u>	07/08/2009	ALEXANDER, BRUCE	ASSAULT	01909	W	JEFFERSON...	444	4116	08122	
<u>0205120-T</u>	03/24/2007	*U STOP FINA	BURGLARY	01909	W	JEFFERSON...	417	4116	05231	
<u>0205152-T</u>	03/24/2007	@CITY OF DALLAS	FOUND PROPERTY	01909	W	JEFFERSON...	417	4116	43020	
<u>0288511-W</u>	09/27/2009	*U STOP FINA	THEFT	01909	W	JEFFERSON...	444	4116	06933	
<u>0569505-T</u>	07/30/2007	*U-STOP FINA	BURGLARY	01909	W	JEFFERSON...	417	4116	05128	
<u>0587328-P</u>	07/22/2005	*FINA	ROBBERY	01909	W	JEFFERSON...	417	4116	03311	
<u>0727383-T</u>	11/05/2007	SMITH, CRYSTAL	ACCIDENTAL INJURY - PUBLIC P...	01909	W	JEFFERSON...	443	4116	33070	
<u>0915966-R</u>	12/06/2006	*FINA GAS STATION	BURGLARY	01909	W	JEFFERSON...	417	4116	05338	

SUP Conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages for off-premise consumption as part of the operation of a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. SCREENING: A minimum six-foot-high solid screening fence must be maintained along the northern boundary of the Property, as shown on the attached site plan. The screening fence must be located outside of the visibility obstruction triangle. Screening must be constructed before issuance of a building permit, alcohol measurement certification, or certificate of occupancy.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

SITE PLAN



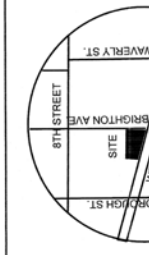
REVISIONS

REVISED PER CITY	2-24-2011
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BUSINESS ZOOM
 1901 CENTRAL DRIVE SUITE 607
 BEDFORD, TEXAS 76021 972-591-3322
 REPRESENTATIVE: PAREZ MALIK B.S., B.A.
 TEXAS REAL ESTATE LICENSED

SCALE
 1" = 10'
 12-29-2010
 FILE NUMBER
 10-03785P

ZONING
 CASE
 Z-101-150



NOTES: NO BUILDING LINES OR EASEMENTS ON PLAT OR LOCATED OF RECORD.
 BASIS OF BEARINGS = VOLUME 1, PAGE 457

ZONING CHANGE REQUEST FROM CURRENT DRY OVERLAY DISTRICT TO REZONE AND A.S.U.P. (SPECIFIC USE PERMIT) FOR SALE OF ALCOHOL IN CONJUNCTION WITH A GENERAL MERCHANDISE OR FOOD STORE.

SITE PLAN
 U STOP FINA
 1909 W. JEFFERSON BLVD.

SITE INFORMATION

COUNCIL DISTRICT	1
EXISTING ZONING	CR D
SCHOOL DISTRICT	18
ZONING MAP NO.	L-6
MAPSHEET NO.	54E
CENSUS TRACT	046190

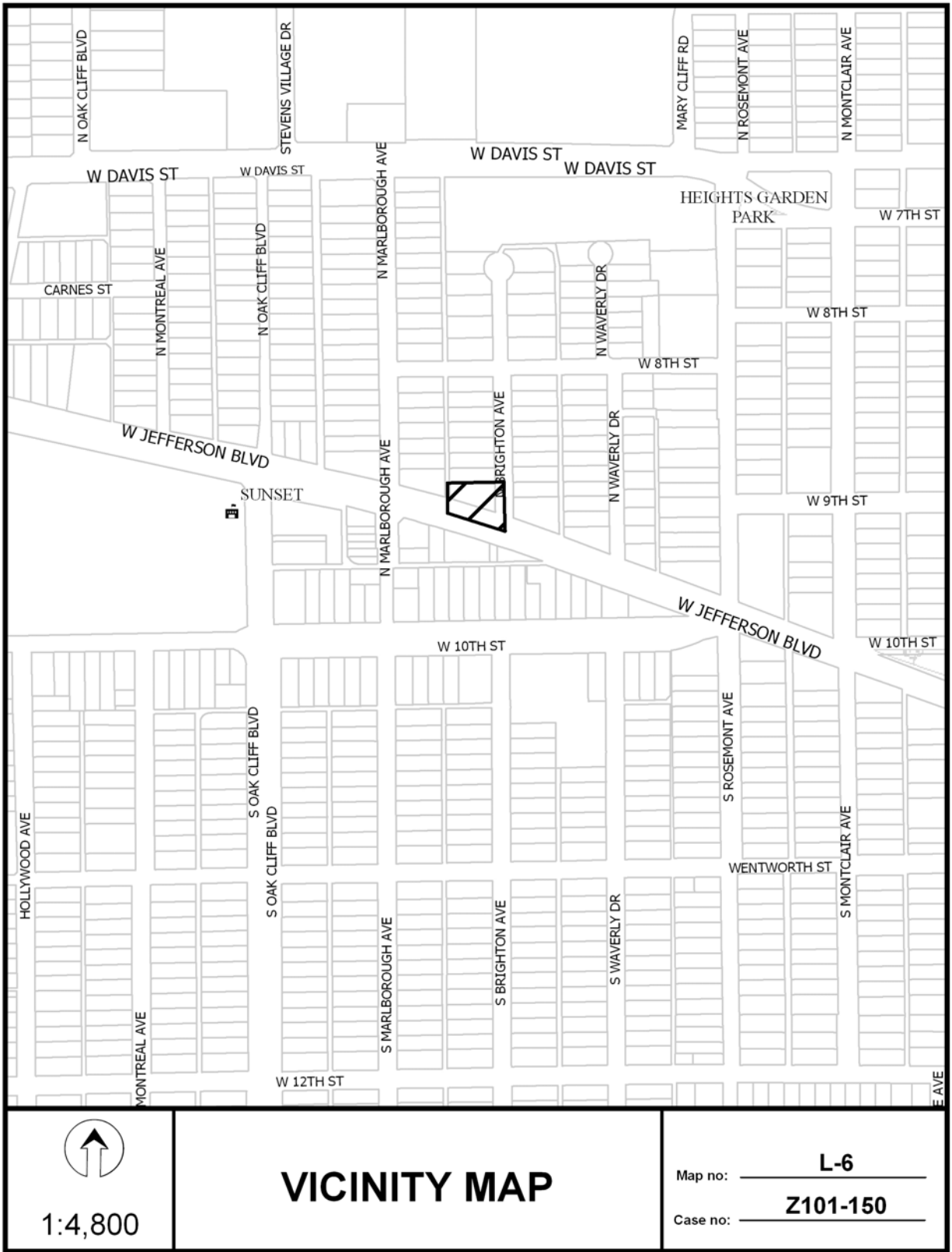
LEGEND

IMPERVIOUS AREA		REQUIRED	PROVIDED
BUILDING FOOTPRINT	897.39 S.F.		
CONCRETE PATIOWALK	1965.11 S.F.		
TOTAL	11602.50 S.F.		

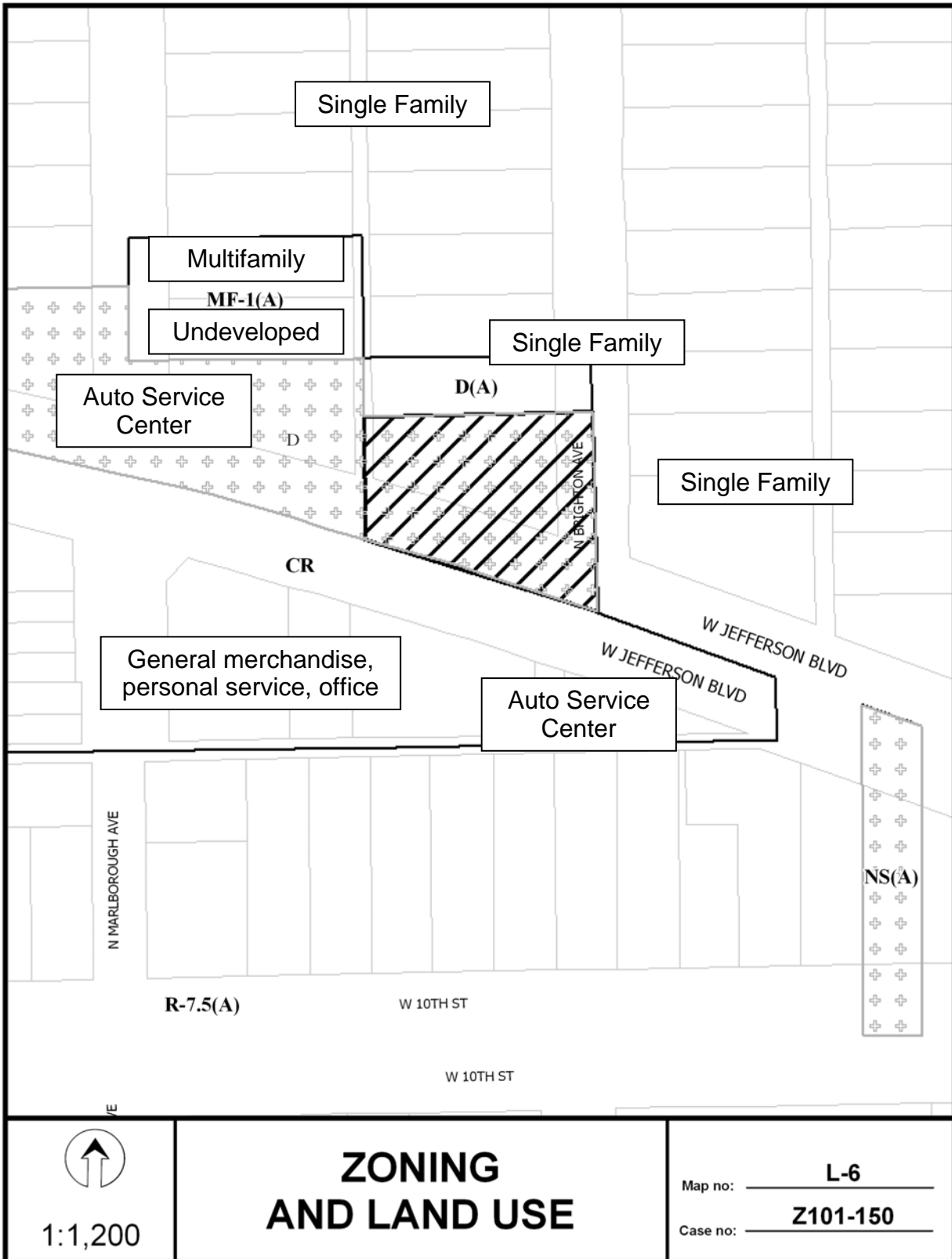
PARKING AND ZONING TABULATIONS

EXISTING ZONING	CR D	REQUIRED	PROVIDED
PARKING			
REGULAR PARKING SPACES	6	6	6
HANDICAPPED SPACES	THREE (3) SPACES		
TOTAL	6	6	6

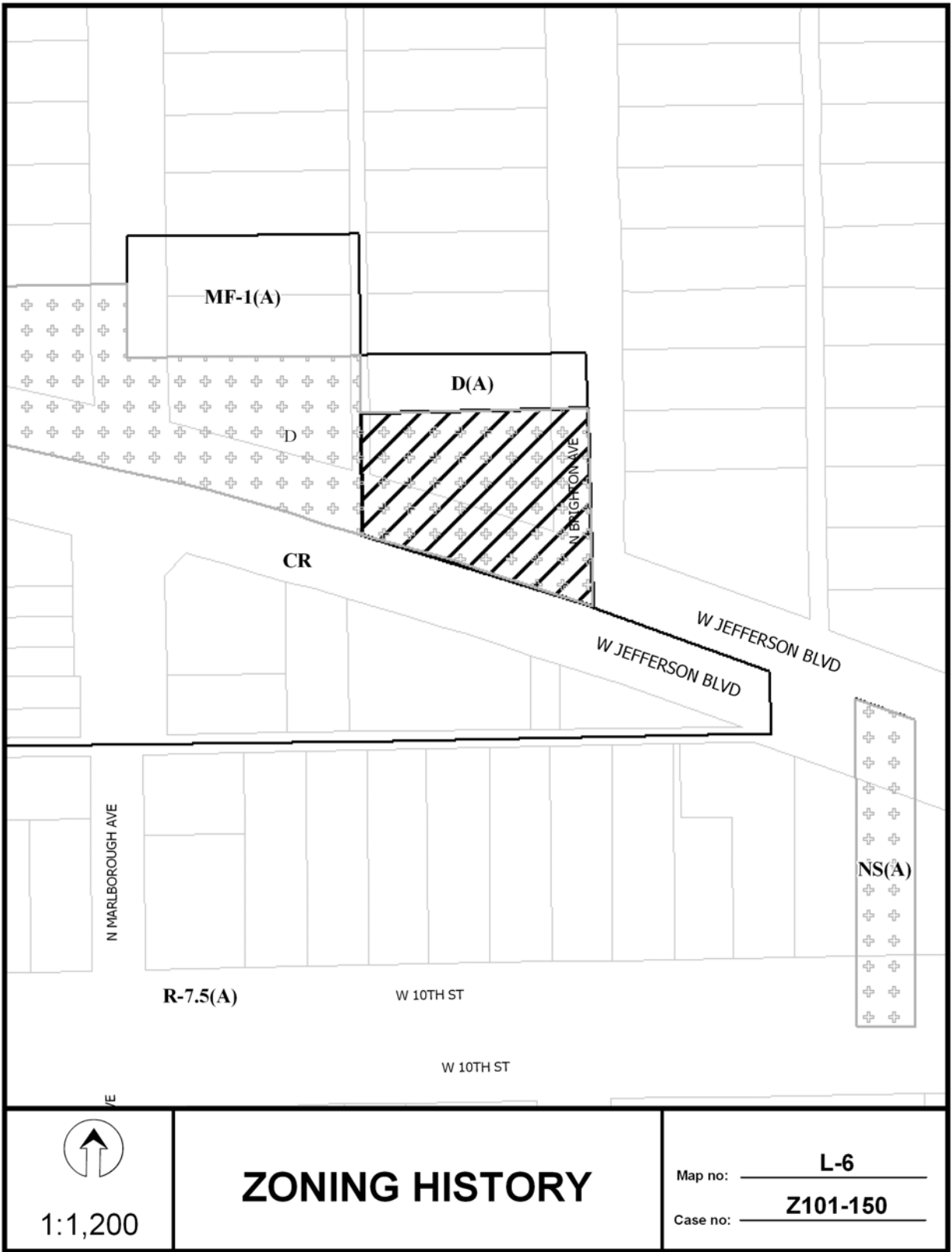
MOBLY LAND SURVEYING, INC.
 740 DALWORTH STREET
 GRAND PRAIRIE, TEXAS 75050 972-262-1300



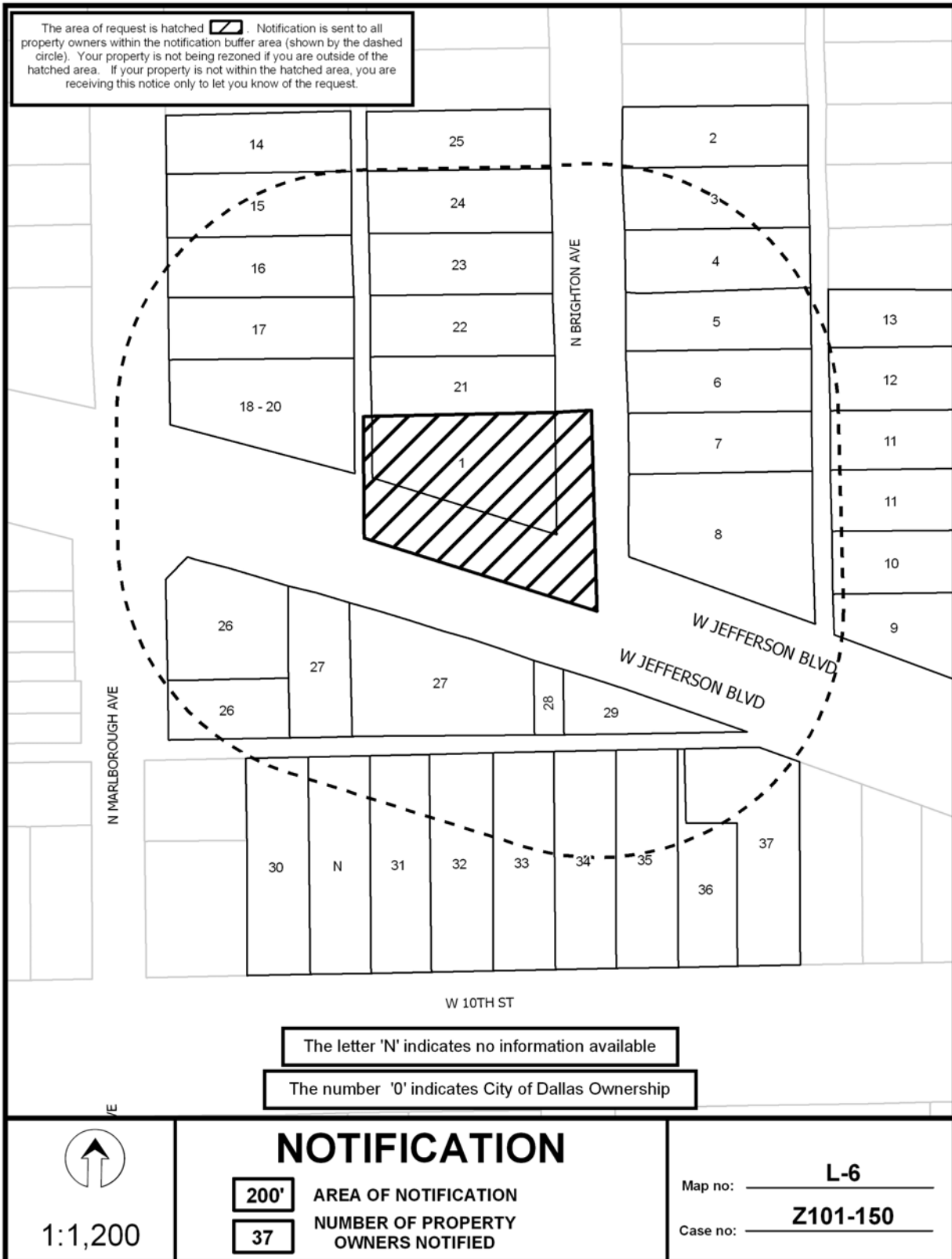
DATE: February 07, 2011



DATE: February 07, 2011



DATE: February 07, 2011



DATE: February 07, 2011

Notification List of Property Owners

Z101-150

37 Property Owners Notified

Label #	Address	Owner
1	1909 JEFFERSON	BARAKAT MOE
2	228 BRIGHTON	MCCOY SARA & KALLEN
3	224 BRIGHTON	GAMEZ FRANK R
4	220 BRIGHTON	ANGEL ANGELA J
5	216 BRIGHTON	BRADY ROSEANN
6	212 BRIGHTON	DOWPROCACCINI ANNA M & CHESTER WARREN
7	208 BRIGHTON	TAYLOR STEPHANIE S
8	204 BRIGHTON	ALLEN DONALD LEE
9	207 WAVERLY	WALLACE LUCY B
10	211 WAVERLY	FARRAR JOHN D & JERRY D SULLIVAN
11	217 WAVERLY	EWERS LIMITED PARTNERSHIP ANGELINE EWERS GEN PTNR
12	221 WAVERLY	PRIBYL THOMAS & RAJANI SUDAN
13	227 WAVERLY	PARAMO RUDOLPH
14	218 MARLBOROUGH	OLGUIN JULIAN
15	216 MARLBOROUGH	MORTGAGE ELEC REG SYS %CARRINGTON PROPERTY SVCS
16	210 MARLBOROUGH	PITZER ENTERPRISES LP
17	206 MARLBOROUGH	NEFFENDORF SHANNON & NEFFENDORF JENNIFER
18	1919 JEFFERSON	POPHAM BILLIRUTH
19	1919 JEFFERSON	SAMUEL PETER
20	1919 JEFFERSON	POPHAM BILLIRUTH
21	211 BRIGHTON	AVILA JAIME &
22	217 BRIGHTON	EQUABLE INV CORP
23	221 BRIGHTON	EDWARDS J B & MARSHA H
24	225 BRIGHTON	LAFFERTY PATRICK R & CHRISTINE H
25	229 BRIGHTON	SMITH BRANDON & AMANDA
26	1924 MARLBOROUGH	BALLAS VICTOR

Monday, February 07, 2011

Z101-150

Label #	Address	Owner
27	1916 JEFFERSON	DIAZ OCTAVIO
28	1900 JEFFERSON	NOLAN PATRICK & ROSE ANNA
29	1836 JEFFERSON	ALLEN DONALD L
30	1917 10TH	GALLEGOS JESUS C ET AL
31	1913 10TH	MACIAS JOSE A JR & ESPERANZA
32	1909 10TH	HISLAND CORP
33	1903 10TH	NILES KERRY W
34	1827 10TH	BETANCOURT SERGIO & EVA
35	1825 10TH	PALOMO MANUEL LIFE ESTATE
36	1821 10TH	SOTO REFUGIA
37	1817 10TH	MELGOZA JOSE JJ & VIRGINIA T DE JIMENEZ

Monday, February 07, 2011

FILE NUMBER: Z101-152 (JH)

DATE FILED: January 7, 2011

LOCATION: South side of Scyene Road, west of Sam Houston Road

COUNCIL DISTRICT: 5

MAPSCO: 49-Y

SIZE OF REQUEST: Approx. 0.61 acres

CENSUS TRACT: 176.03

REPRESENTATIVE: Parvez Malik, Business Zoom

APPLICANT/OWNER: Vina Patel

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

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

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

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store greater than 3,500 square feet use and a motor vehicle fueling station.
- The proposed use is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.

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

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Scyene Road	Principle Arterial	100 feet
Sam Houston	Minor Arterial	80 feet

STAFF ANALYSIS:

Comprehensive Plan:

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

Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of 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. 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.

Land Use Compatibility:

The approximately 0.61-acre request site is zoned a CR-D-1 Community Retail District and is currently developed with a general merchandise greater than 3,500 square feet use and a motor vehicle fueling station. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which requires a Specific Use Permit in the D-1 Dry Liquor Control Overlay.

The surrounding land uses are single family/agricultural to the south, undeveloped land immediately to the east and west, mini-warehouse and car wash to the north. Retail appliance and carport stores are located at each end of this block of Scyene Road.

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

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

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

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

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

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

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

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

Development Standards:

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

Parking/Traffic:

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

The general merchandise or food store use requires one space for every 200 square feet of floor area and a motor vehicle fueling station requires two spaces. The site plan shows that 23 off-street parking spaces are required and provided.

Landscaping:

Landscaping required per Article X of the Dallas Development Code.

DPD Report

DALLAS POLICE DEPARTMENT UCR Codes Year Codes Property Class Codes
 Virtual Viewer - Public Access Welcome

Search Records - Offense Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0011067-V	01/11/2008	*GOOD AND FRESH	BURGLARY	10334		SCYENE...	338	1247	05131	
0036772-T	01/15/2007	*GOOD N FRESH	BURGLARY	10334		SCYENE...	327	1247	05131	
0094757-V	03/31/2008	*GOOD AND FRESH	BURGLARY	10334		SCYENE...	338	1247	05134	
0097789-V	04/04/2008	*GOOD & FRESH STORE	BURGLARY	10334		SCYENE...	338	1247	05138	
0103234-V	04/08/2008	*SHAMROCK	CRIMINAL MISCHIEF/VAND...	10334		SCYENE...	338	1247	14081	
0108185-X	04/19/2010	*GOOD N' FRESH	ROBBERY	10334		SCYENE...	327	1247	03711	
0113275-W	04/22/2009	HERBERT, JASMINE	THEFT	10334		SCYENE...	327	1247	06941	
0117121-X	04/28/2010	SMITH, CARLA	THEFT	10334		SCYENE...	327	1247	06941	
0159762-V	05/29/2008	*GOOD-N-FRESH	BURGLARY	10334		SCYENE...	338	1247	05331	
0191395-X	07/08/2010	LIRA, RICO	AUTO THEFT-UUMV	10334		SCYENE...	327	1247	07622	
0197813-W	07/07/2009	*GOOD N FRESH	THEFT	10334		SCYENE...	327	1247	06901	
0209643-X	07/26/2010	*GOOD N FRESH	THEFT	10334		SCYENE...	327	1247	06901	
0211010-X	07/28/2010	*GOOD N FRESH	ROBBERY	10334		SCYENE...	327	1247	03712	
0212930-W	07/20/2009	ROBINSON, TASCHA	AUTO THEFT-UUMV	10334		SCYENE...	327	1247	07172	
0215691-V	07/11/2008	YOUNG,GERALD	AGGRAVATED ASSAULT	10334		SCYENE...	338	1247	04212	

Page 1 of 3 (41 items)

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Search Records - Offense Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0222975-X	08/08/2010	*GOOD N' FRESH	THEFT	10334		SCYENE...	327	1247	06931	
0234220-W	07/30/2009	*GOOD N FRESH	THEFT	10334		SCYENE...	327	1247	06902	
0240073-R	04/02/2006	*GOOD N FRESH	CRIMINAL MISCHIEF/VAND...	10334		SCYENE...	327	1247	14081	
0240153-R	04/02/2006	MCDONALD, TERRY	ASSAULT	10334		SCYENE...	327	1247	08212	
0245919-X	09/15/2010	@CITY OF DALLAS (VICE)	FOUND PROPERTY	10334		SCYENE...	327	1247	43020	
0248166-R	04/05/2006	*GOOD N FRESH	ROBBERY	10334		SCYENE...	327	1247	03212	
0252083-V	08/14/2008	GARCIA,YADIRA	THEFT	10334		SCYENE...	338	1247	06951	
0259379-W	08/31/2009	*GOOD N FRESH	BURGLARY	10334		SCYENE...	327	1247	05137	
0261391-W	09/02/2009	*GOOD AND FRESH GROCE...	BURGLARY	10334		SCYENE...	327	1247	05131	05131
0284862-X	10/13/2010	*GOOD N FRESH	BURGLARY	10334		SCYENE...	327	1247	05A31	
0321585-W	10/28/2009	*GOOD N' FRESH	THEFT	10334		SCYENE...	327	1247	06901	
0339416-R	05/06/2006	*GOOD N FRESH	THEFT	10334		SCYENE...	327	1247	06901	
0351468-X	12/25/2010	*GOOD N FRESH STORE	BURGLARY	10334		SCYENE...	327	1247	05232	
0474142-T	06/26/2007	*GOOD N FRESH	BURGLARY	10334		SCYENE...	327	1247	05133	
0558253-T	07/25/2007	*GOOD N FRESH	CRIMINAL MISCHIEF/VAND...	10334		SCYENE...	327	1247	14092	

Page 2 of 3 (41 items)

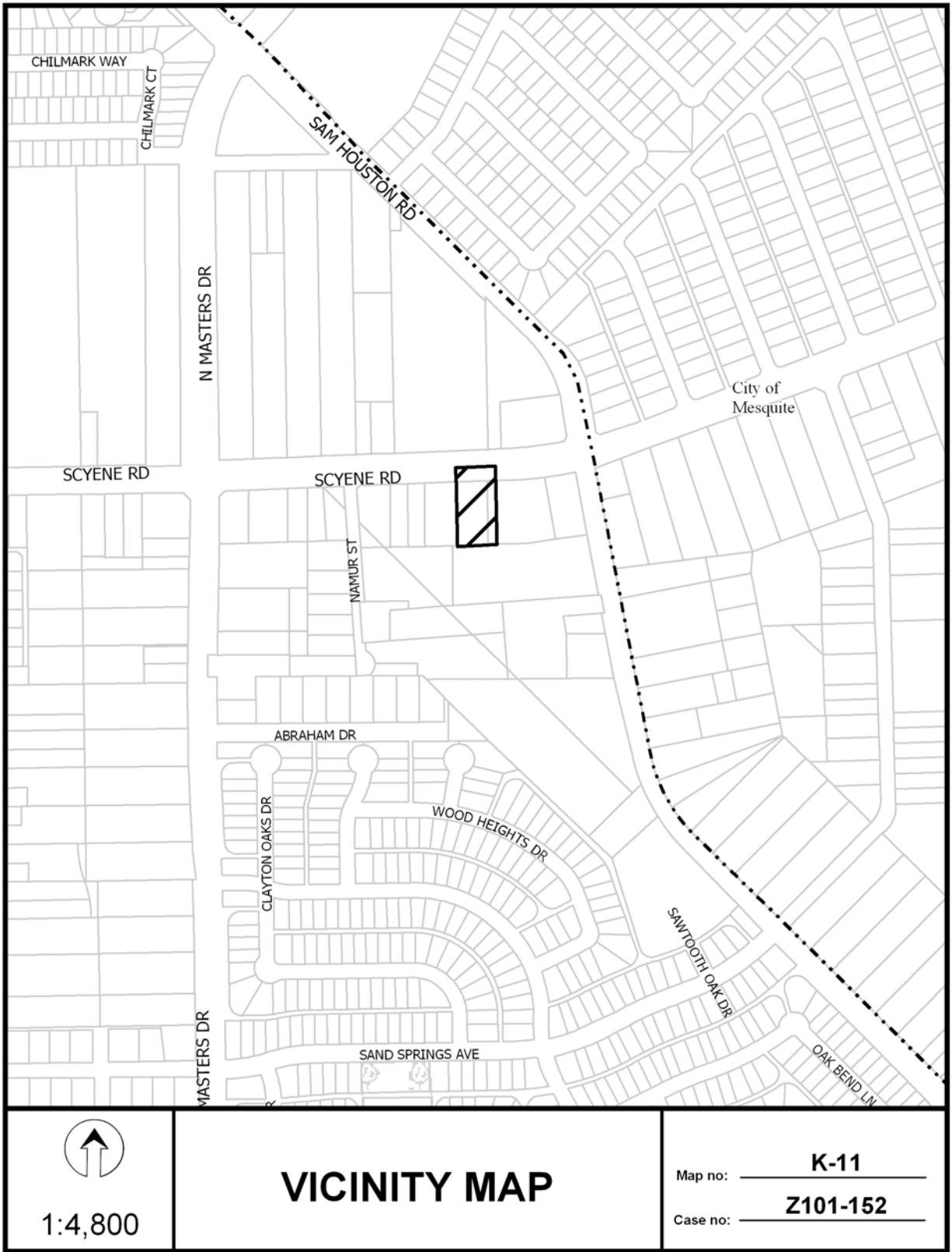
Search Records - Offense Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0572501-R	07/28/2006	*GOOD N FRESH	THEFT	10334		SCYENE...	327	1247	06935	
0642028-R	08/22/2006	*GOOD & FRESH	THEFT	10334		SCYENE...	327	1247	06901	
0704853-R	09/15/2006	SMITH, WILLIAM	THEFT	10334		SCYENE...	327	1247	06901	
0730736-T	11/08/2007	*SHAMROCK	BURGLARY	10334		SCYENE...	338	1247	05131	
0734997-R	09/27/2006	*GOOD N FRESH	ROBBERY	10334		SCYENE...	327	1247	03412	
0744744-T	11/20/2007	*GOOD AND FRESH	THEFT	10334		SCYENE...	338	1247	06901	
0750558-R	10/02/2006	*GOOD & FRESH	CRIMINAL MISCHIEF/VAND...	10334		SCYENE...	327	1247	14092	
0780504-T	12/24/2007	*GOOD N FRESH STORE	BURGLARY	10334		SCYENE...	338	1247	05123	
0921974-R	12/09/2006	RUEDA,KIMBERLY	ROBBERY	10334		SCYENE...	327	1247	03911	
0994530-P	12/17/2005	*GOOD N FRESH	BURGLARY	10334		SCYENE...	327	1247	05137	
1024609-P	12/28/2005	*GOOD AND FRESH	BURGLARY	10334		SCYENE...	327	1247	05131	

Page 3 of 3 (41 items)

SUP Conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages for off-premise consumption as part of the operation of a general merchandise or food store greater than 3,500 square 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. SCREENING: A minimum six-foot-high solid screening fence must be maintained along the southern boundary of the Property, as shown on the attached site plan. Screening must be constructed before issuance of a building permit, alcohol measurement certification, or certificate of occupancy.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

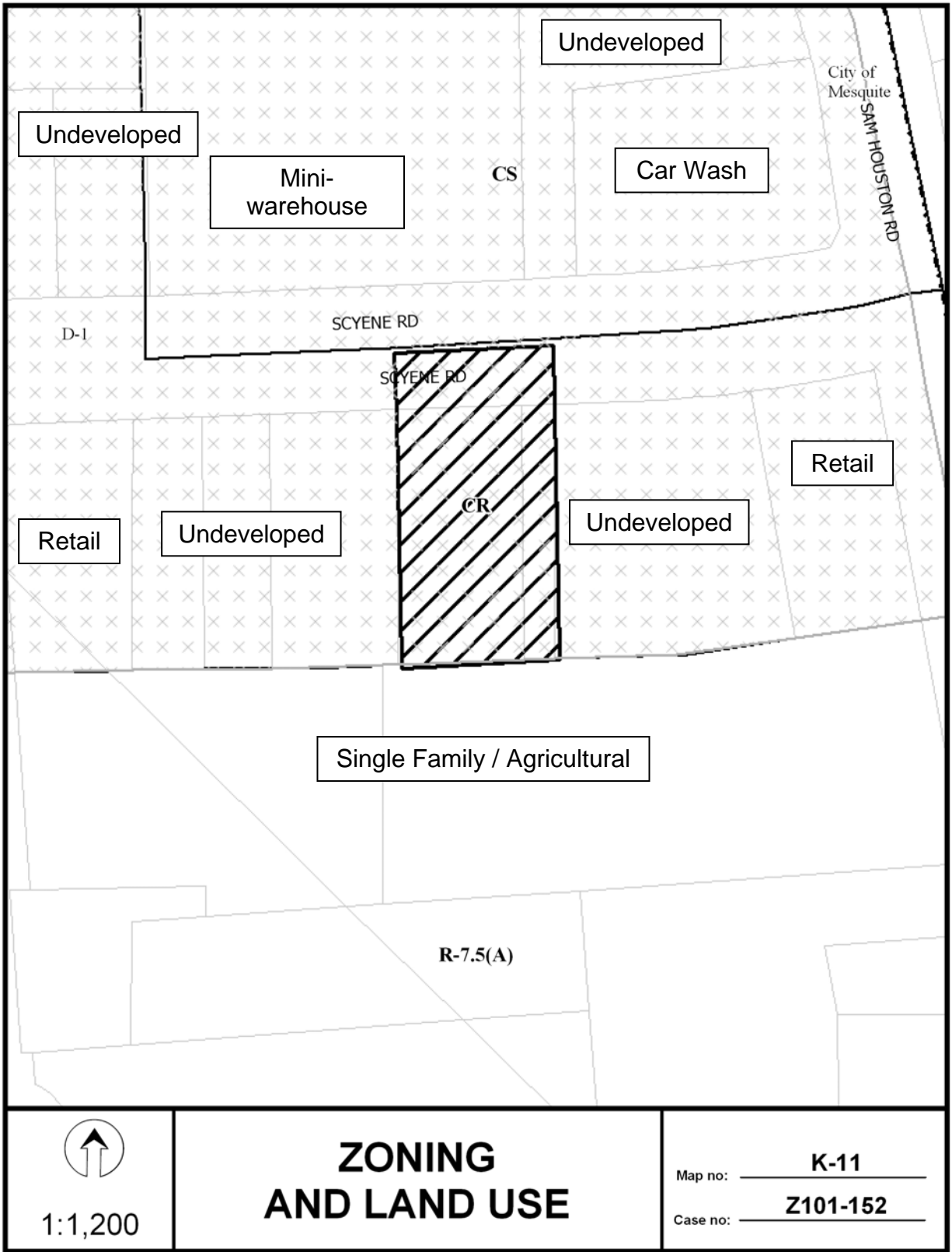


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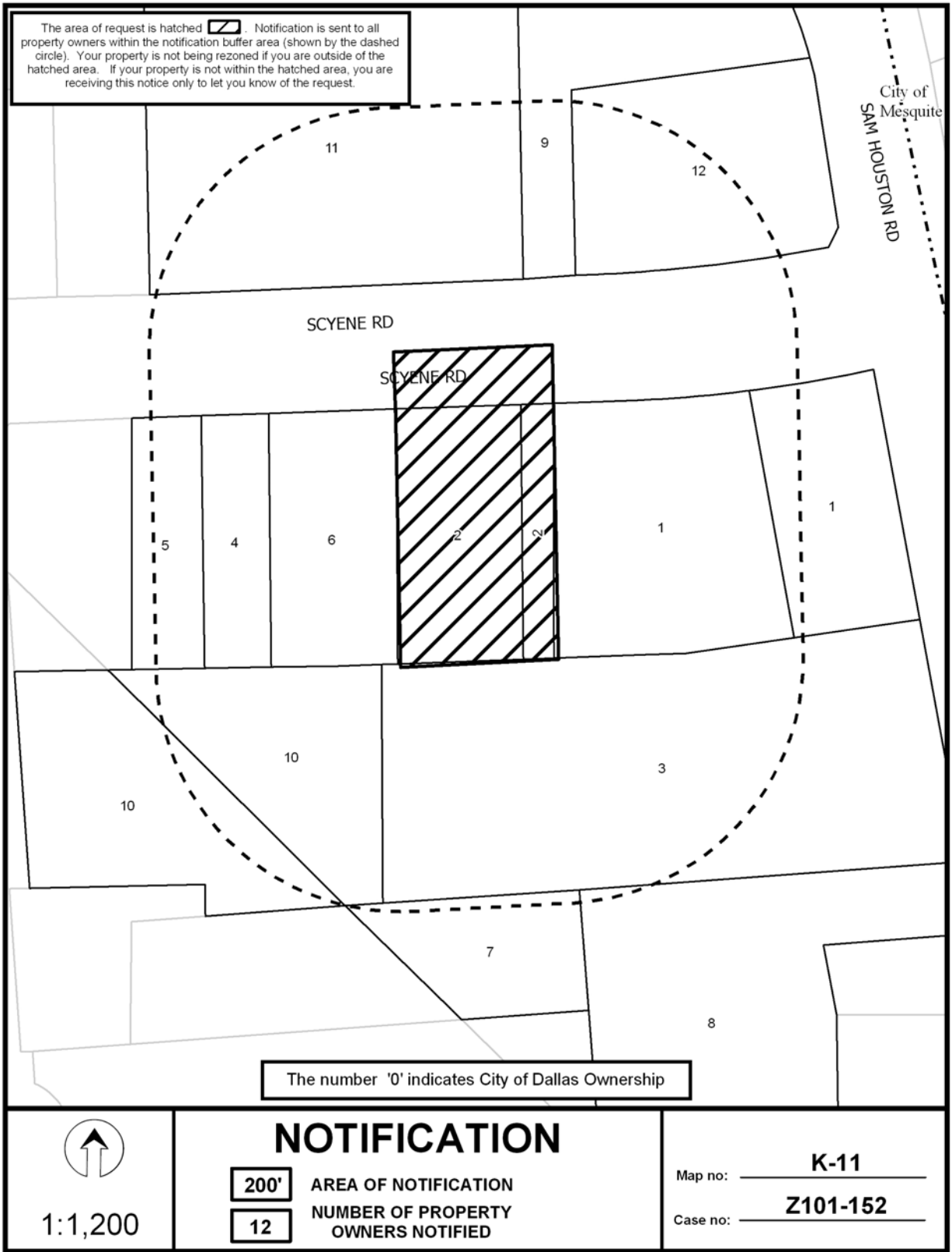
VICINITY MAP

Map no: K-11
Case no: Z101-152

DATE: February 07, 2011



DATE: February 07, 2011



DATE: February 07, 2011

2/7/2011

Notification List of Property Owners

Z101-152

12 Property Owners Notified

Label #	Address	Owner
1	10350 SCYENE	DALLAS CARPET DESIGN INC
2	10336 SCYENE	PATEL VINA DBA GOOD N FRESH
3	2911 SAM HOUSTON	MARTINEZ MARTHA J
4	10310 SCYENE	SPAKES ROGER DALE & MARTY CALVIN SPAKES
5	10314 SCYENE	SPAKES MARTY CALVIN
6	10320 SCYENE	GOMEZ JAMIE
7	2903 SAM HOUSTON	BRITT HARRIS TRUSTEE BRITT FAMILY TRUST
8	2907 SAM HOUSTON	DELONG CHARLES F ESTATE % MARTH
MARTINEZ		
9	10351 SCYENE	MILLWEE STEPHEN M
10	2834 NAMUR	SPAKES MARTY CALVIN
11	10331 SCYENE	SCYENE STORAGE LP #230
12	10349 SCYENE	QUARTERHORSE CO LTD

Monday, February 07, 2011

FILE NUMBER: Z090-220(RB)

DATE FILED: June 25, 2010

LOCATION: Northwest Line of Marvin D. Love Freeway, Southwest of Camp
Wisdom Road

COUNCIL DISTRICT: 8

MAPSCO: 63 X

SIZE OF REQUEST: Approx. 35,950 Sq. Ft. **CENSUS TRACT:** 109.01

APPLICANT: TreCo, Ltd.;Owner

REPRESENTATIVE: Tre Black

REQUEST: An application for a Specific Use Permit for an Open-enrollment Charter School on property zoned an RR Regional Retail District.

SUMMARY: The applicant proposes to utilize the existing improvements to support an open-enrollment charter school for high school students with a maximum enrollment of 100 students.

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

PRIOR CPC ACTION: On November 18, 2010, the City Plan Commission held this request under advisement until January 20, 2011. On January 20, 2011, the City Plan Commission held this request under advisement until March 3, 2011.

BACKGROUND INFORMATION:

- The request site is developed with a multi-story office structure, inclusive of a partially covered (grade level) off-street parking area.
- The applicant proposes to utilize a portion of the structure to accommodate an open-enrollment charter school for high school students with a maximum enrollment of 100.

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

Thoroughfare

Designation; Existing & Proposed ROW

US Highway 67

Freeway; Variable ROW

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered 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 ELEMENT

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The request site is developed with a multi-story office structure, inclusive of a partially covered (grade level) off-street parking area. The applicant is proposing to utilize a portion of the structure to accommodate an open-enrollment charter school for high school students with a maximum enrollment of 100.

The site has access from the westbound service road of US Highway 67 and is located on the perimeter of Southwest Mall. The site is surrounded by the existing regional retail mall, with multifamily uses across US Highway 67.

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

Staff has determined that the site can accommodate the use without creating any negative impact on surrounding uses. As a result of this analysis, staff supports the request, subject to a site plan and staff's recommended conditions, inclusive of implementation of the requirements of the required traffic management plan.

Traffic: The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the applicant's request and submitted Traffic Management Plan and determined that it will not significantly impact the surrounding street system. Furthermore, periodic reviews are being recommended to the plan initially submitted with this application.

Landscaping: The site possesses minimal landscape areas, most notably a few perimeter trees. The applicant proposes to utilize the existing improvements, thus no additional landscape materials are required nor recommended.

**PARTNER
NAME & ADDRESS**

1. Albert C. Black, Jr.
2525 Logan Street
Dallas, Texas 75215

2. Gwyneith Black
2525 Logan Street
Dallas, Texas 75215

3. On-Target Supplies and Logistical
Services, Inc.
2525 Logan Street
Dallas, Texas 75215

**STAFF RECOMMENDED CONDITIONS FOR A SPECIFIC USE PERMIT
FOR AN OPEN ENROLLMENT CHARTER SCHOOL**

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 the 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. **LANDSCAPING:** Landscaping must be provided as shown on the attached landscape plan. Plant materials must be maintained in a healthy, growing condition.
5. **CLASSROOMS:** The maximum number of classrooms is seven.
6. **HOURS OF OPERATION:** The open-enrollment charter school may only operate between 7:30 a.m. and 5:00 p.m., Monday through Friday.
7. **INGRESS/ EGRESS:** Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
8. **OFF-STREET PARKING:** A minimum of 67 off-street parking spaces must be provided in the location shown on the attached site plan.
9. **TRAFFIC MANAGEMENT PLAN:**
 - A. **In general.** Operation of the open-enrollment charter school must comply with the attached traffic management plan.
 - B. **Queuing.** Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.
 - C. **Traffic management plan.**
 - 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 August 1, 2013. After the initial traffic study, the

Property owner or operator shall submit updates of the traffic study to the director by August 1 of each 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.

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

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

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

11. GENERAL REQUIREMENTS: Use of the Property must comply with all federal

Z090-220(RB)

and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.



Technical Memorandum

To: Tre' Black — Treco Investments, Ltd.
From: DeShazo Group, Inc.
Date: October 22, 2010
Re: Traffic Management Plan for a proposed Charter School located at 7441 Martin D. Love Freeway, Dallas, Texas (DeShazo No. 10144)

INTRODUCTION

The services of **DeShazo Group, Inc. (DeShazo)** were retained by Treco Investments, Ltd. to conduct a traffic management plan (TMP) for a proposed charter school ("the school") in Dallas, Texas. DeShazo is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering.

The proposed charter school is a 100-student high school serving Grades 9-12. The school is proposed to be located on the top floor (4th) of an existing four-story office building with the first floor being parking located at 7441 Martin D. Love Freeway (US 67), Dallas, Texas 75237. The office building is bounded by southbound US 67 frontage road to the east, Southwest Center Mall ring road to the west, mall entrance to the north and Bally Total Fitness to the south. The remaining portion (2nd & 3rd floors) of the building is approximately 90% occupied currently with office use.

Purpose

The purpose of this report is to develop procedures to promote traffic safety and efficiency to be used by the school during the morning drop-off and afternoon pick-up hours. The report is developed for use by Treco Investments, Ltd. in a request for an Specific Use Permit (SUP - Case# z09-0220) for the Project. The study will be provided to the City of Dallas for review as to fulfill the associated requirements of the local approval process.

TRAFFIC MANAGEMENT PLAN

A Traffic Management Plan (TMP) is important to maintain an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up. The City of Dallas strives for all drop-off and pick-up carpool activity to occur on private property rather than in the public right-of-way. The analysis summarized below utilizes the proposed site plan to identify the projected queuing (i.e., vehicle stacking) space needed on site to accommodate the projected peak demands related to drop-off/pick-up for the School.

A concerted effort by the school administration and the parents is encouraged to provide and maintain safe and efficient traffic operations.

The school is expected to operate on a uniform daily schedule. Classes on typical school days for all grades will begin at 8:00 AM and conclude at 3:00 PM. While these are the scheduled class times, it can be assumed that not all students will enter /exit the site at these exact times based upon normal distribution patterns. Occasional special events at the school that generate traffic may also occur outside the traditional peak drop-off and pick-up periods; while some of the measures presented in this report may be applicable in conjunction with special events, these traffic characteristics are not covered in this analysis.

Queue Lengths

The City of Dallas strives for all vehicular queuing and drop-off/pick-up procedures to take place on private property (i.e., off public right-of-way). A standardized technique for determining queue length does not exist, however DeShazo has developed a proprietary methodology for estimating vehicular queue at schools based upon various, prior, school studies performed around the Dallas metropolitan area.

Maximum queuing at schools consistently occurs during the afternoon peak period when students are being picked-up by private automobile – the morning period is typically not a significant traffic issue since the drop-off activity is more temporally distributed and occurs much more quickly than student pick-up. The DeShazo model projects the peak queue conditions experienced during the afternoon peak hour.

Based upon the DeShazo model, the maximum number of vehicles in queue during the PM peak hour is equivalent to approximately 25% of the total inbound PM peak hour traffic volume. The PM peak hour inbound volume is calculated as follows:

1. Deduct the estimated mode split of students travelling by bus and/or other significant travel mode from the total number of students. [NOTE: No deductions were applicable in this case.]
2. Apply the ITE *Trip Generation-8th Edition* equations for “private schools” using the adjusted number of students [“private schools” trip equations typically contain no public bussing or alternative travel modes]. ITE *Trip Generation* is a compilation of actual traffic generation data by land use as collected over several decades by creditable sources across the country, and it is accepted as the standard methodology to determine trip generation volumes for various land uses where sufficient data exists.

Based on the information provided by Treco Investments, Ltd. for the proposed charter school, the following assumptions were employed in the DeShazo Model:

- 100 total students
- No students will be bused or walked
- No students will be driving themselves to school

The ITE *Trip Generation* does not provide trip information data for a charter or private high school. Since no students will be driving to school it was assumed that the trip generation characteristics for this school would be similar to that of an elementary school. Therefore, the DeShazo model was run for a private school (grades K-12) with 100 students. [NOTE: A small percentage may stay longer at the school for after-school activities. However, for the purpose of this study this percentage was assumed to be negligible.] Trip generation equations/rates for the ITE Land Use code 536 for Private Schools (K-12) were used in the DeShazo model. Excerpts from the ITE *Trip Generation* are provided in **Appendix A**. Based on DeShazo's methodology the maximum passenger vehicle queue for the school was estimated as **13 vehicles** (260 linear feet @ 20 feet/vehicle). More information and detailed queue calculations are also provided in **Appendix A**.

Circulation

The proposed school will use the existing two driveways to the office building. Both the driveways access the public right-of-way. One driveway is located on southbound US 67 frontage road and the other is located on the Southwest Center Mall ring road.

It is desired for all internal circulation to be one-way and provide passenger-side vehicle loading—in order to provide the safest, most efficient transportation for the students. Two passenger vehicle loading/unloading areas have been identified for this school site:

- 1) along the front side of the building near main entrance from southbound US 67 frontage road, and
- 2) along the rear side under the building near the entrance from mall ring road.

It is recommended that the front side of the building be used as the primary drop-off/pick-up location for this school. This location will provide the maximum queuing length for the drop-off/pick-up activity while avoiding the conflict with the patrons of the office building who primarily use rear side entrance to access the building.

Passenger vehicles dropping-off/picking-up students should enter the school from the entrance on the mall ring road, turn left and circulate under and around the building to reach the designated drop-off/pick-up location. Upon the completion of drop-off/pick-up activity, these vehicles could exit the school through either driveway.

Detailed illustrations are provided in **Exhibit 1**.

Staff Assistance

It is important to have a staff presence wherever students are dropped-off or picked-up. In the morning, there should be at least one staff member at the drop-off/pick-up area to guide vehicles to designated locations and direct students into the school building. Because this is a high school, students do not need as much assistance finding and loading into their vehicle in the afternoon as compared to younger grades, but staff should still be present at all times in sufficient numbers to monitor all loading operations. A greater presence is needed in the afternoon due to the increased traffic and pedestrian activity. It is

*DeShazo Group, Inc.
October 22, 2010*

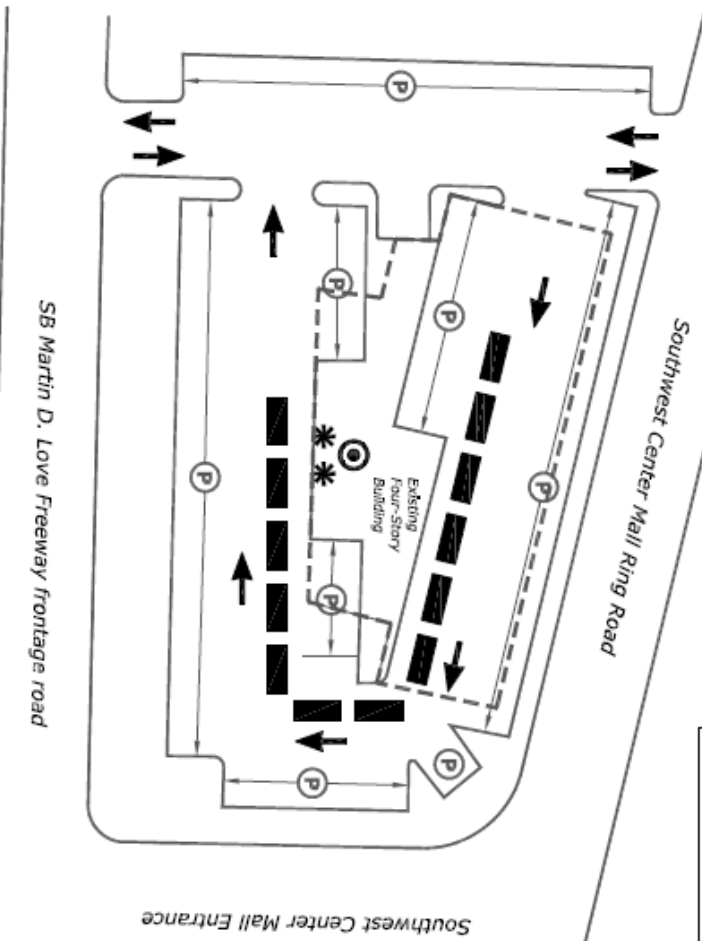
recommended that the staff should oversee operations and ensure traffic flows according to the TMP.

SUMMARY/CONCLUSIONS

This TMP is to be used by the proposed charter school beginning in 2011 to provide safe and efficient transportation of students, staff, and faculty to and from the site. It was developed to prevent the queuing of drop-off/pick-up related vehicles within the City right-of-way, and shall be reviewed by the school on a regular basis to confirm its effectiveness and compliance and to investigate potential improvements.

END OF MEMO

School Information
 Address: 7441 Martin D Love Freeway, Dallas, TX
 City of Dallas Case #: 209-0220



School Information
 Students: 100
 Grades: 9th - 12th
 Hours: 8:00 AM - 3:00 PM

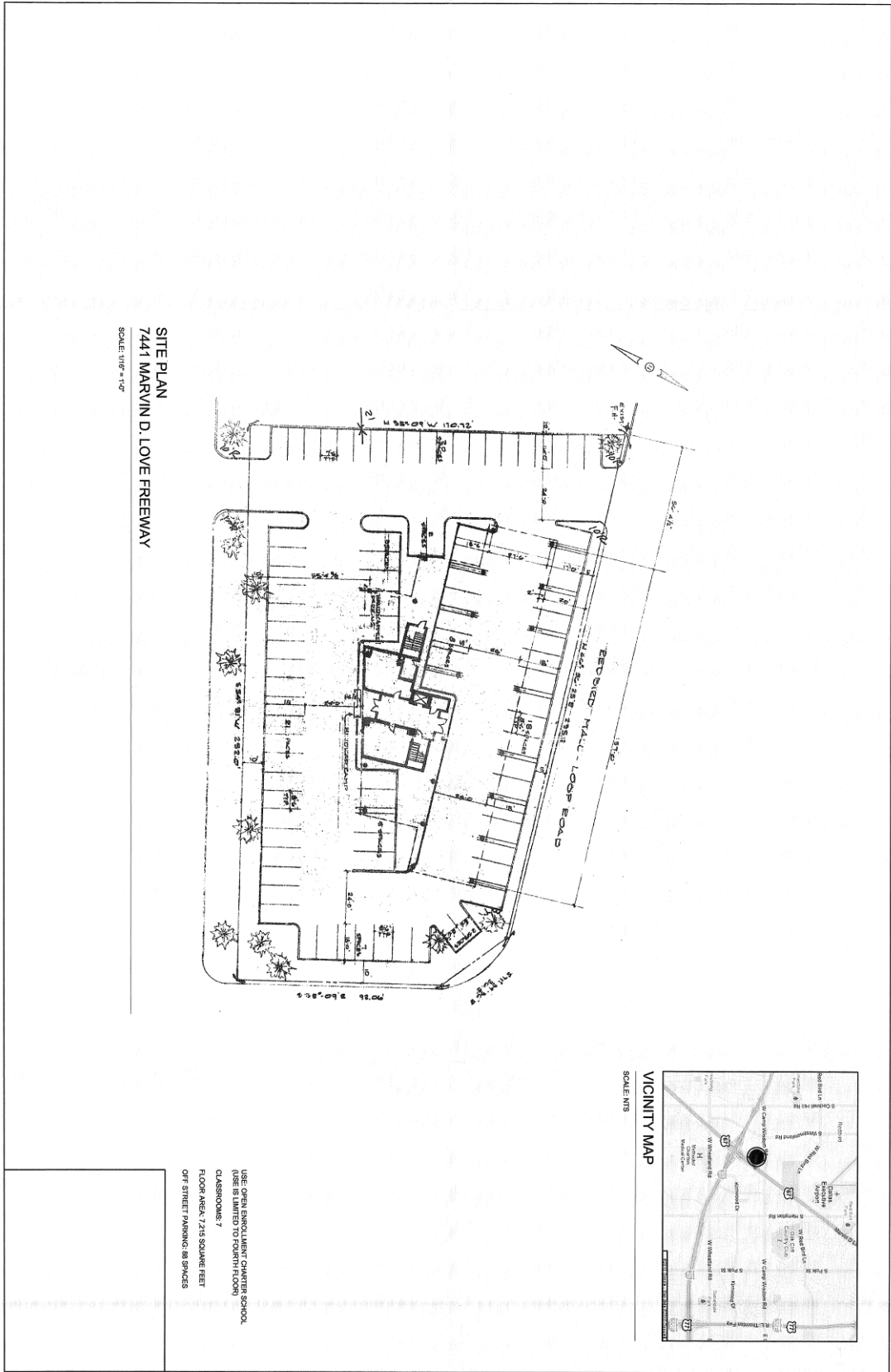
Passenger Vehicles (Total)
 Available queue - 370 ft. (18 veh.)
 Required queue - 260 ft. (13 veh.)
 Excess queue - 110 ft. (5 veh.)

- LEGEND**
- ⊙ - Staff Assistance
 - * = Drop-off/Pick-Up Location
 - ▬ = Queued Vehicle
 - = Circulation Path
 - - - = Existing Building (Approximate)
 - (P) = Existing Parking (Approximate)

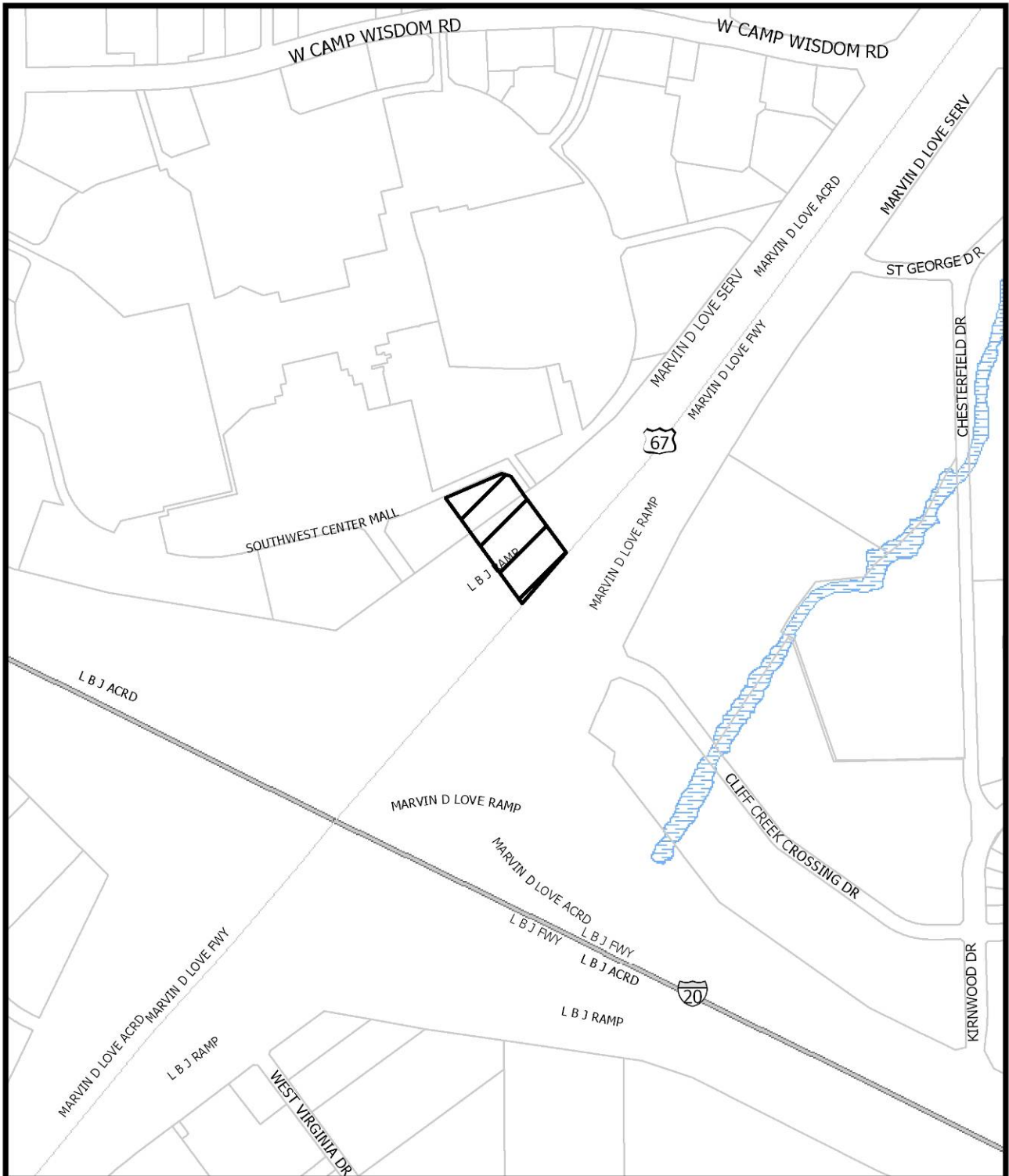
TRAFFIC MANAGEMENT PLAN (7441 Martin D. Love Freeway, Dallas, TX)

Traffic Management Plan for a Charter School

Note 1: The approximate building and site boundaries are intended solely for site plan provided by Trues Investments, LLC.
Note 2: This Traffic Management Plan was developed to present the quantity of drop-off/pick-up related vehicles within the City right-of-way. The school administrator should adhere to this TMP and any deflection due to spill over of queuing into undesignated areas of the City ROW including roadway travel lanes should be corrected by school immediately.



Proposed Site Plan



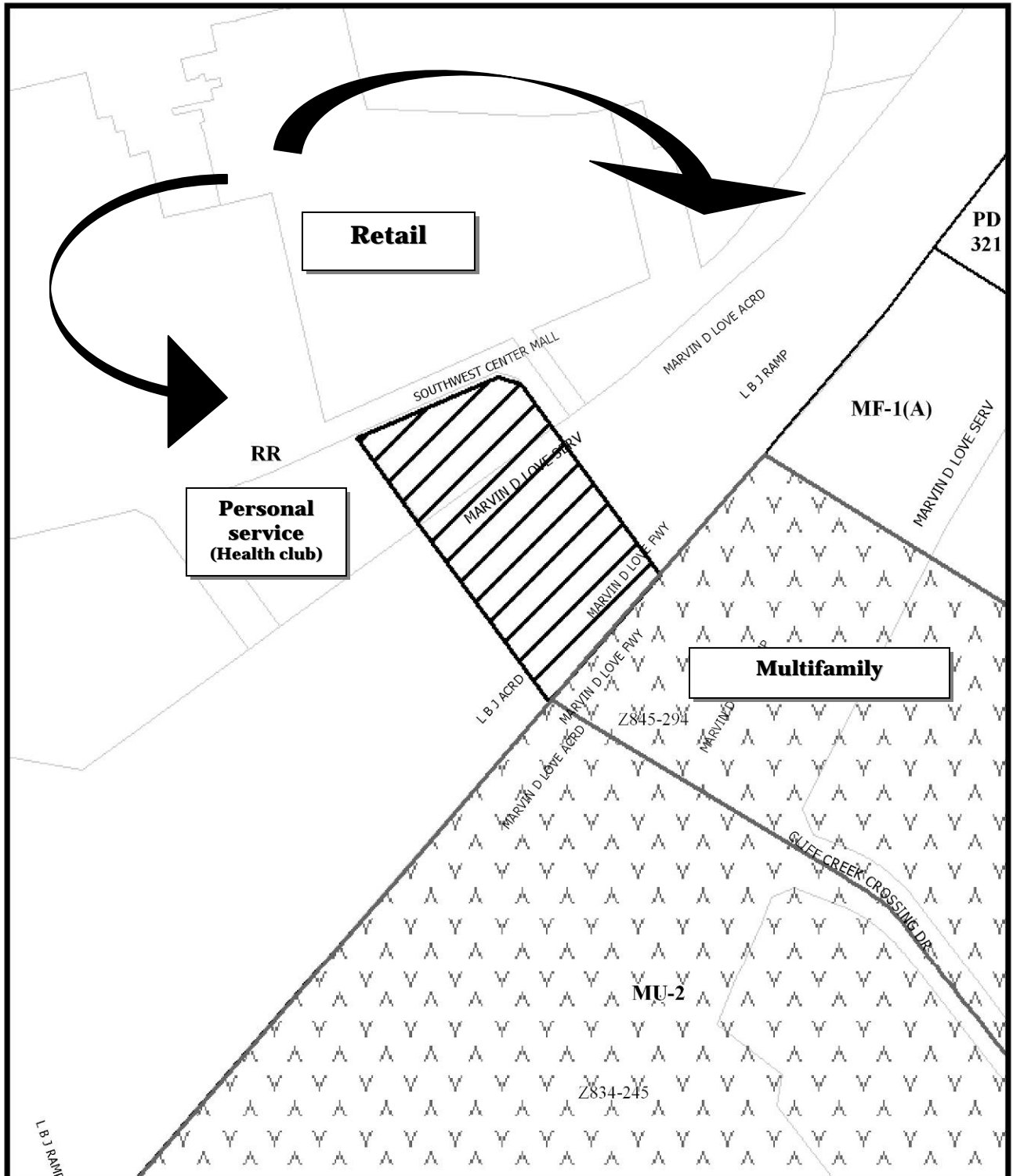
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VICINITY MAP

Map no: P-5

Case no: Z090-220

DATE: November 04, 2010




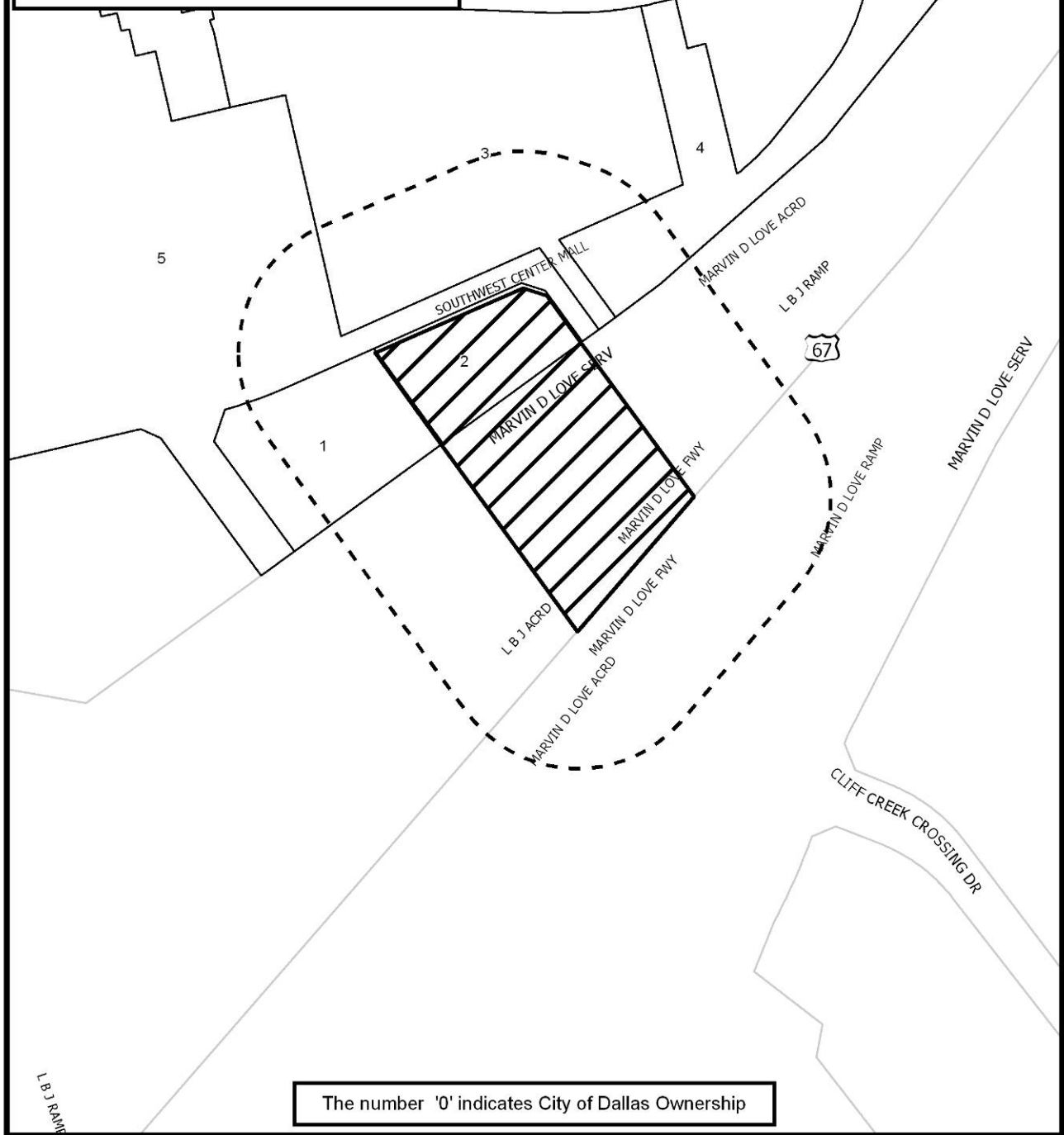

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**ZONING
AND LAND USE**

Map no: P-5
 Case no: Z090-220

DATE: November 04, 2010

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



The number '0' indicates City of Dallas Ownership

 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="0"> <tr> <td style="border: 1px solid black; padding: 2px; text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px; text-align: center;">5</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	5	NUMBER OF PROPERTY OWNERS NOTIFIED	<table border="0"> <tr> <td>Map no:</td> <td style="text-align: center;">P-5</td> </tr> <tr> <td>Case no:</td> <td style="text-align: center;">Z090-220</td> </tr> </table>	Map no:	P-5	Case no:	Z090-220
200'	AREA OF NOTIFICATION									
5	NUMBER OF PROPERTY OWNERS NOTIFIED									
Map no:	P-5									
Case no:	Z090-220									

DATE: November 04, 2010

Notification List of Property Owners

Z090-220

5 Property Owners Notified

Label # Address

Owner

1	7471	MARVIN D LOVE	BALLY TOTAL FITNESS CORP PPTY MGMT DEPT # 625-10
2	7441	MARVIN D LOVE	TRECO LTD
3	3700	CAMP WISDOM	BURLINGTON COAT FACTORY REALTY OF
4	3200	CAMP WISDOM	RETAIL SWC MALL LLC ATTN: JACK FRIEDLER
5	3560	CAMP WISDOM	EL REY PPTIES LP

Thursday, November 04, 2010

FILE NUMBER: Z101-104(RB)

DATE FILED: October 5, 2010

LOCATION: Throckmorton Street and Herschel Avenue, Southeast Corner

COUNCIL DISTRICT: 14

MAPSCO: 35 T

SIZE OF REQUEST: Approx. 7,175 Sq. Ft.

CENSUS TRACT: 6.03

APPLICANT: Throckmorton L. P.; Owner-David Castilla, President and Marijke van der Linden, Vice President

REPRESENTATIVE: Roger Albright

REQUEST: An application for a Specific Use Permit for a Private recreation center, club, or area on property zoned as Planned Development Subdistrict No. 59 for TH-4 Townhouse Subdistrict Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The applicant is proposing to utilize the amenities located within the outside area of the existing duplex structure for residents of an abutting multiple family use.

STAFF RECOMMENDATION: Denial.

BACKGROUND INFORMATION:

- The request site is developed with a vacant duplex structure and swimming pool, and is further improved with enhanced amenity areas and landscaping.
- On December 8, 2004, the City Council approved PDS No. 59 for TH-4 Townhouse Subdistrict Uses, which encompasses approximately 7.2 acres; the request site is somewhat centered within the corridor defining the PDS boundary.
- On May 7, 2009, the City Plan Commission recommended approval of a development plan for the site to provide for a duplex structure and swimming pool.
- On August 13, 2009, the City Plan Commission recommended denial of a minor amendment to the development plan. The applicant did not appeal the CPC decision to City Council.
- The applicant is requesting an SUP for a Private recreation center, club, or area in order to utilize the outside area for tenants of an abutting multiple family use. PDS No. 59 requires an SUP for the requested use.

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

<u>Street</u>	<u>Existing & Proposed ROW</u>
Throckmorton Street	Local; 60' ROW
Herschel Avenue	Local; 60' 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 duplex structure and improved with a swimming pool and enhanced outside amenity area, the latter of which is screened at the property line by a six foot solid masonry wall. The existing residential structure is in compliance with Nos. 1 and 3. With respect to the adjacent residential uses, the characteristics associated with the requested use are counter to No. 4. The remaining objectives are not applicable to the request.

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 request site is developed with a vacant duplex structure

and swimming pool, and is further improved with enhanced amenity areas and landscaping. The applicant is requesting an SUP for a Private recreation center, club, or area in order to utilize the outside area for tenants of an abutting multiple family use. PDS No. 59 requires an SUP for the requested use.

Surrounding land use consists of a mix of residential structures (single family, duplex, multiple family). Properties to the east along both sides of Herschel Avenue are developed with retail and office uses.

It should be noted that residential uses often are improved with similar outside amenities as is the case with the request site. Residential property owners are permitted to utilize these outside areas as a family unit or the option of inviting family and friends for personal enjoyment and special occasions (i.e., birthday parties, graduation events, etc.) A distinguishing difference is these occasions tend to be more infrequent and often involve smaller gatherings of people.

On the other hand, it is not uncommon to find higher density development incorporating similar outside amenity areas as part of their living community. Generally, these areas are internal to the site, on top of the main structure, and/or in the rear of the property. The degree of intensity (i.e., the aggregate surface area associated with these improvements) is not regulated by the city but more the decision of the developer of the residential community.

It should be noted that as one travels westward from Oak Lawn Avenue, the immediate area transitions from nonresidential development to low-to-medium density residential uses. The layout of the outside amenity area wraps the duplex structure and is somewhat 'open' to the area north and west of the site (beyond the existing screening wall). Due to the characteristics associated with utilization of this area by groups of individuals outside of the family/friend scenario that would normally be permitted by the owners/tenants of the duplex is a concern to staff. Specifically, the potential for a large number of individuals congregating in a somewhat confined area on a daily basis (see applicant's requested conditions, attached to this material) can be a disturbance to the environment surrounding an established residential area. With respect to enforcement of various provisions (building code and SUP ordinance/site plan) associated with development, some are fairly straightforward (i.e., required parking, permitted use) while other regulations (i.e., hours of operation and noise pollution) are more sensitive to monitor in that they must be confirmed by city staff during the time they are reportedly in violation of code.

Lastly, while not necessarily a determining factor in assessing the request, it should be noted that the duplex structure is currently being marketed as rental vs. ownership status and the above concerns of staff would negatively impact the enjoyment of future

tenants of the duplex. Granted, these individuals would be cognizant of utilization of this area immediately affecting their residential environment and thus would be understanding of its potential impact on their place of residence.

With respect to the above analysis, staff cannot support the applicant's request. Should the City Plan Commission consider recommending approval of the request, consideration should be given to such provisions as: 1) restricted days and hours of operation; 2) maximum number of attendees at any one time; 3) more restrictive dBA measurements; 4) a restricted time period with no provisions for automatic renewal; and, 5) limiting the 'private recreation center, club, or area' use to only that area associated with the outside amenity area (since the use category could include other uses that may or may not impact the surrounding residential area).

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

Off-Street Parking: The applicant's request does not include any floor area, therefore, no off-street parking requirements exist.

Landscaping: The site possesses significant landscaped areas (both along the site's street frontage as well as within the outdoor amenity area) that was provided during development of the property. The applicant's request does not trigger a requirement for additional landscaping, nor is staff recommending any.

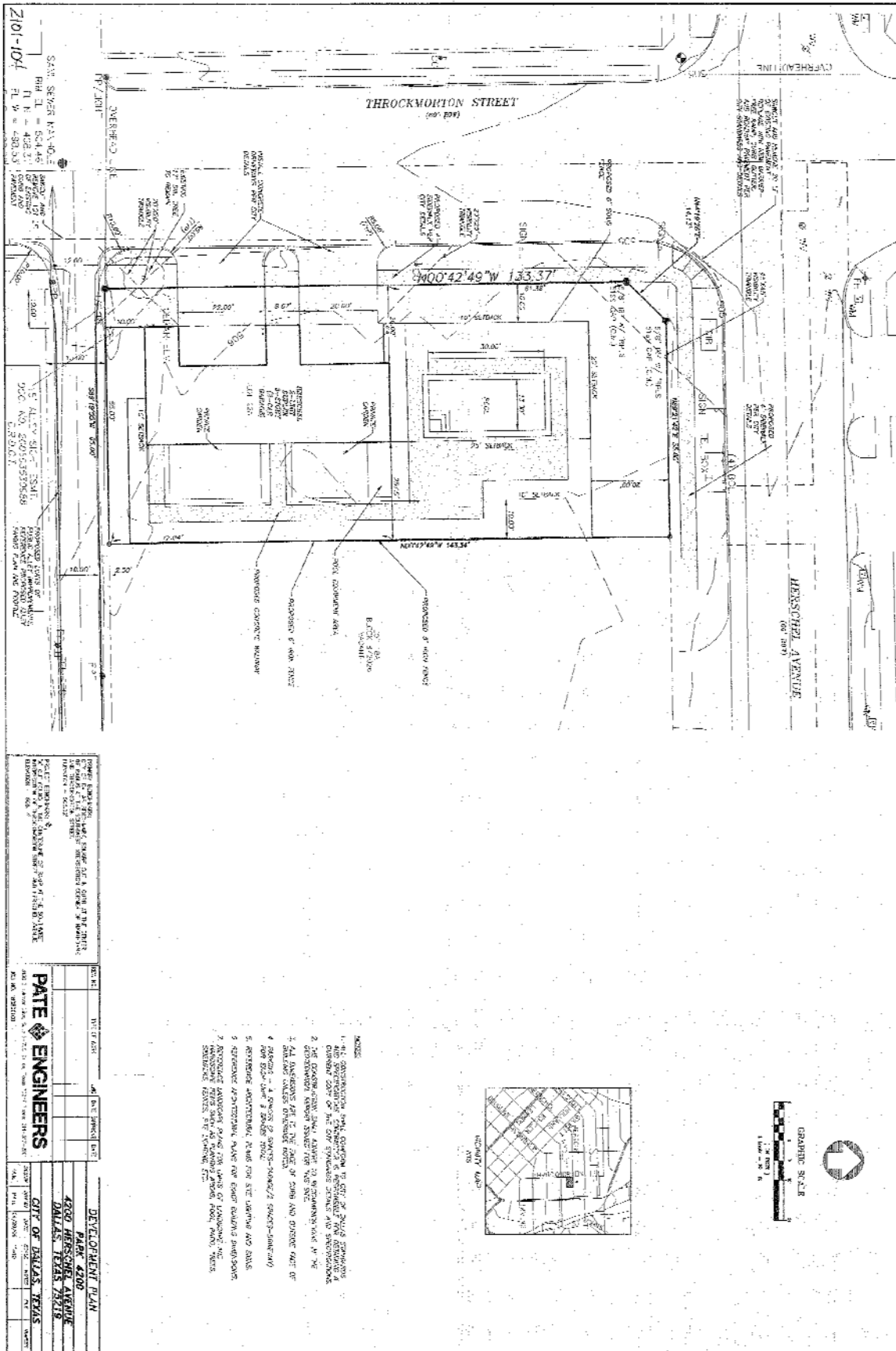
**Applicant's requested conditions
Provided for information purposes only; have not been
reviewed by the City Attorney**

PROPOSED CONDITIONS
ZONING CASE NO. _____, SUP NO. _____
4200 PARK

This Specific Use Permit is granted upon the following conditions:

1. Use – The only use authorized by this specific use permit is the existing private recreation area to be used solely by the residents of the townhouse and multi-family components of the Park 4200 development located on Lots 22A and 18A of Block 8/2026 in Throckmorton No. 1 Addition and their guests.
2. Site Plan – Use and development of the Property must comply with the detailed development plan previously approved by the City Plan Commission.
3. Time Limit – This specific use permit expires on _____, 2014.
4. Size/Area – The private recreation area is limited in location, square footage and area to the cross-hatched area shown on the attached site plan not to exceed 4,000 square feet.
5. Hours of Operation – Hours of use of the private recreation area shall be limited to use from 8:00 a.m. to 11:00 p.m. *7 DAYS A WEEK RA*
6. Maintenance – The entire Property must be 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 of all ordinances, rules and regulations of the City of Dallas.

Z101-104



Z101-104
 SA. SEVEN N.A. 40.2
 R.H. 1 - 50.4.45
 P.L. 1 - 428.31
 P.L. 2 - 430.33

PROPOSED LOT 1 OF 2
 4200 HERSCHEL AVENUE
 DALLAS, TEXAS 75218

PROPOSED LOT 2 OF 2
 4200 HERSCHEL AVENUE
 DALLAS, TEXAS 75218

PROPOSED LOT 3 OF 2
 4200 HERSCHEL AVENUE
 DALLAS, TEXAS 75218

PROPOSED LOT 4 OF 2
 4200 HERSCHEL AVENUE
 DALLAS, TEXAS 75218

PROJECT INFORMATION
 PROJECT NO. 201-104
 SHEET NO. 1 OF 1
 DATE: 08/15/2018

PATE ENGINEERS
 4200 HERSCHEL AVENUE
 DALLAS, TEXAS 75218
 TEL: 214-343-1111
 FAX: 214-343-1112

- NOTES:**
1. ALL CONSTRUCTION SHALL COMPLY WITH THE CITY OF DALLAS ZONING ORDINANCE AND THE CITY OF DALLAS SUBDIVISION ORDINANCE.
 2. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF DALLAS.
 3. ALL DIMENSIONS ARE TO THE CENTER OF CURB AND DRIVE UNLESS OTHERWISE NOTED.
 4. SEE CITY OF DALLAS ZONING ORDINANCE FOR ALL APPLICABLE REQUIREMENTS.
 5. REFER TO THE CITY OF DALLAS ZONING ORDINANCE FOR ALL APPLICABLE REQUIREMENTS.
 6. REFER TO THE CITY OF DALLAS ZONING ORDINANCE FOR ALL APPLICABLE REQUIREMENTS.
 7. REFER TO THE CITY OF DALLAS ZONING ORDINANCE FOR ALL APPLICABLE REQUIREMENTS.
 8. REFER TO THE CITY OF DALLAS ZONING ORDINANCE FOR ALL APPLICABLE REQUIREMENTS.
 9. REFER TO THE CITY OF DALLAS ZONING ORDINANCE FOR ALL APPLICABLE REQUIREMENTS.
 10. REFER TO THE CITY OF DALLAS ZONING ORDINANCE FOR ALL APPLICABLE REQUIREMENTS.





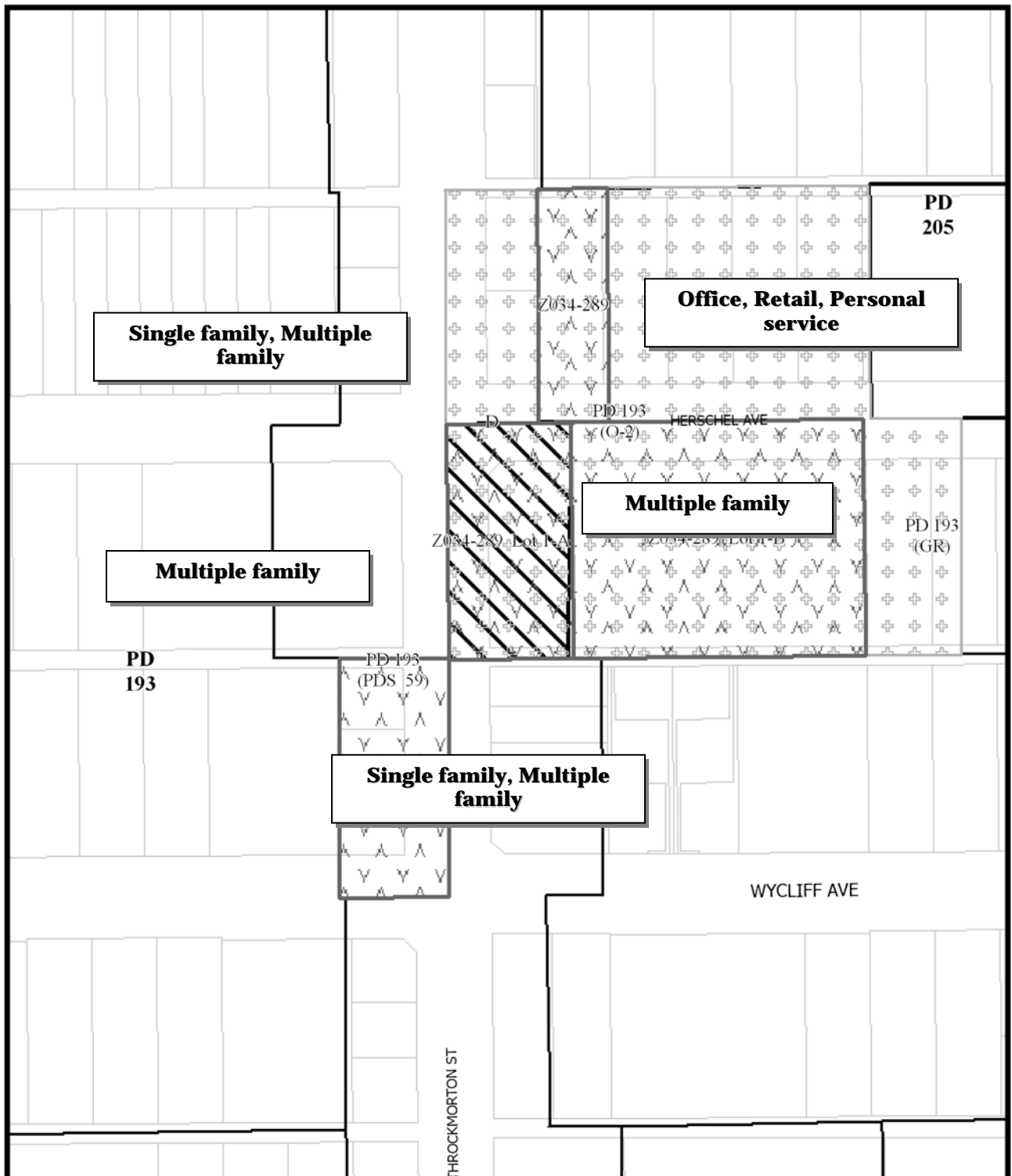
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VICINITY MAP

Map no: H-7


Case no: Z101-104

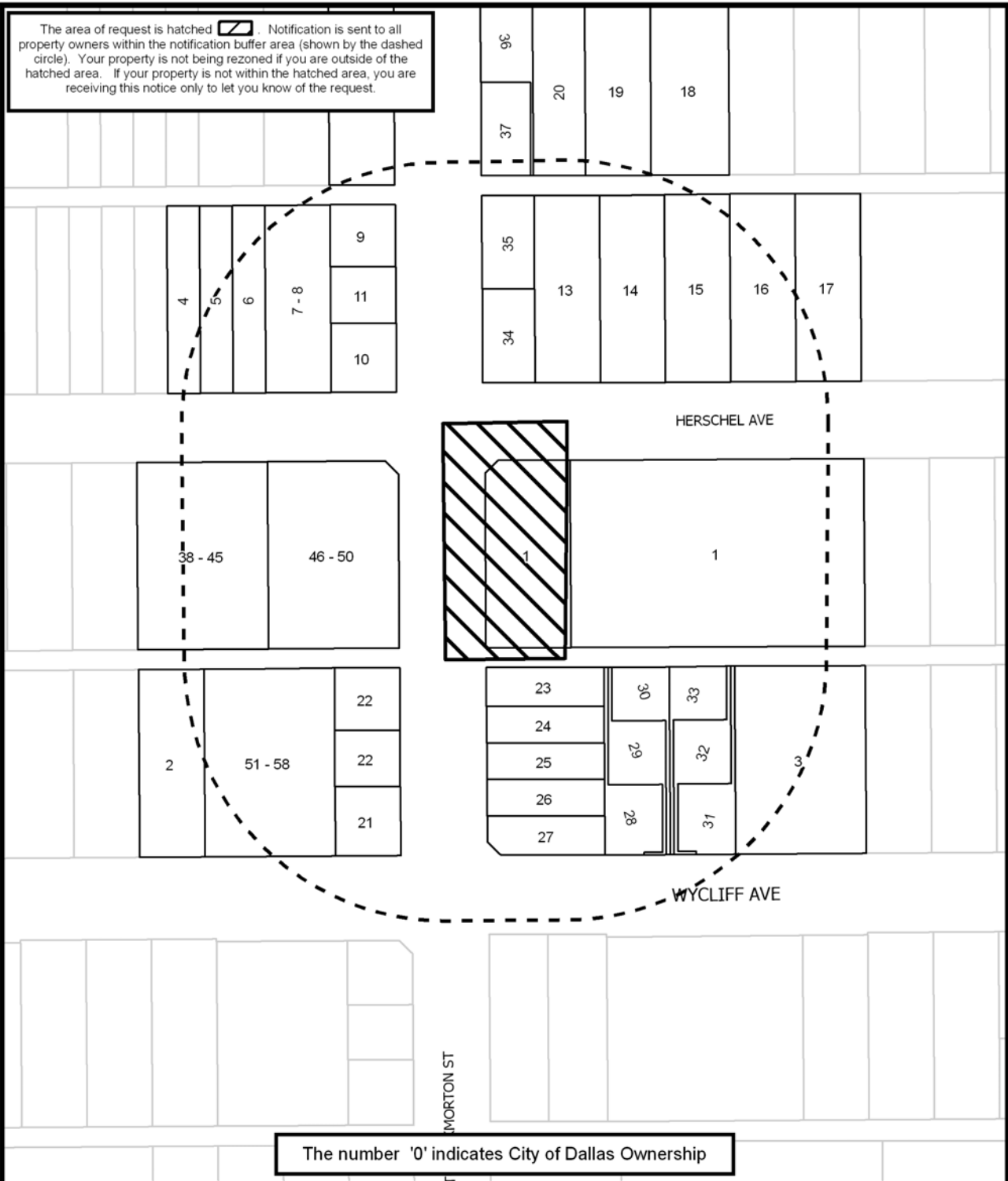
DATE: October 20, 2010



 1:1,200	<h1>ZONING AND LAND USE</h1>	Map no: <u> H-7 </u> Case no: <u> Z101-104 </u>
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DATE: October 20, 2010

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



The number '0' indicates City of Dallas Ownership


1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
58 NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: H-7
 Case no: Z101-104

DATE: October 20, 2010

Notification List of Property Owners**Z101-104****58 Property Owners Notified**

Label #	Address	Owner
1	4236 THROCKMORTON	INTERVEST THROCKMORTON
2	4143 WYCLIFF	GLENN ROBERT
3	4217 WYCLIFF	PHOL INVESTMENT INC
4	4145 HERSCHEL	WIGGAINS JEREMY
5	4147 HERSCHEL	DUNCAN GREGORY D
6	4149 HERSCHEL	KESSING KEVIN W
7	4151 HERSCHEL	JOHNSON SCHERRY F
8	4151 HERSCHEL	JOHNSON SCHERRY F
9	4155 HERSCHEL	CHANTILIS SAMUEL J
10	4159 THROCKMORTON	GOTT JEREMY M
11	4157 THROCKMORTON	NEEDHAM RONDA M
12	4152 PRESCOTT	PEARLE MARY JEAN
13	4205 HERSCHEL	RL INVESTMENTS LLP
14	4209 HERSCHEL	LEWIS DON V UNIT B
15	4215 HERSCHEL	HORN HERBERT J & M B FRANKLIN
16	4217 HERSCHEL	HORN J HERBERT & MICHAEL B FRANKLIN
17	4221 HERSCHEL	HEED MATTIE L TRUSTEE
18	4210 PRESCOTT	T&A NELSON RESOURCES LTD
19	4206 PRESCOTT	REILLY JOHN G
20	4204 PRESCOTT	BURDIN KEN
21	4211 THROCKMORTON	REINBOLD MICHAEL T TRUST % DAVID YEAGER
TRUSTEE		
22	4225 THROCKMORTON	HASHEM OMAR & MIASSAR HASHEM
23	4230 THROCKMORTON	GRIFFIN WILLIAM O & SUE LEE BUTTS GRIFFIN
24	4224 THROCKMORTON	STOLLEY SCOTT P
25	4218 THROCKMORTON	BACHMAN JEFFREY A
26	4212 THROCKMORTON	BATTS JANE A

Wednesday, October 20, 2010

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4206 THROCKMORTON	THIES FREDERICK T
28	4209 WYCLIFF	SAXENA SAILESH R & KIRTI
29	4209 WYCLIFF	CLARY JERRY A
30	4209 WYCLIFF	HAGMAN NIKLAS
31	4213 WYCLIFF	THOMAS JOHN F & BARBARA J
32	4213 WYCLIFF	PIERUC CETTI ANA T
33	4213 WYCLIFF	ELLMAN RICHARD M
34	4300 THROCKMORTON	TAUSCHER JOSEPH W
35	4310 THROCKMORTON	HICKS M LAWRENCE JR & BEVERLY B
36	4200 PRESCOTT	FONTENEAU JEAN & ESTELLE C
37	4322 THROCKMORTON	COLLIER ALISON & RICHARD
38	4142 HERSCHEL	WEYMAN CAROL ELIZABETH UNIT 101
39	4142 HERSCHEL	WRIGHT DAVID A
40	4142 HERSCHEL	ENGELHARD SEYCHELLE R &
41	4142 HERSCHEL	MCKEARNEY VINCENT
42	4142 HERSCHEL	KRIEG DANA
43	4142 HERSCHEL	SCHMIDTBORN MICHAEL
44	4142 HERSCHEL	HANNA BILLY M BLDG B UNIT 107
45	4142 HERSCHEL	RUSSELL ROBERT D
46	4241 THROCKMORTON	KAHLA JEFFERY D & JOAN E
47	4243 THROCKMORTON	WERLEY JULIE UNIT 2
48	4245 THROCKMORTON	HETTICH REBECCA P
49	4247 THROCKMORTON	SIBLEY DONALD R STE 4
50	4249 THROCKMORTON	SANDLIN PRISCILLA UNIT 5
51	4147 WYCLIFF	NELLER B
52	4147 WYCLIFF	HENKE ZACH
53	4147 WYCLIFF	SIMMONS LARRY C JR UNIT 103
54	4147 WYCLIFF	SMITH KIMBERLY LYNN
55	4151 WYCLIFF	ZIELKE PETER STE 101
56	4151 WYCLIFF	OSBORN DERRILL R
57	4151 WYCLIFF	GERMAN JENNI UNIT 103

Wednesday, October 20, 2010

Z101-104(RB)

Label # Address

58 4151 WYCLIFF

Owner

CLARK NICHOLAS L

Wednesday, October 20, 2010