



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, April 7, 2011
AGENDA

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

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

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

BRIEFINGS:

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Paul Nelson

Consent Items:

(1) **S101-071**
(CC District 6)

An application to replat a 0.982 acre tract of land containing all of Lots 8, 9 and 10, an abandoned portion of Folsom Street in City Block 3/4009, and a tract of land in City Block 4010 into one 0.494 acre lot and one 0.488 acre lot on Fort Worth Avenue at Malone Drive, northwest corner.

Applicant/Owner: Options Holding, Ltd/J&K Investments, Inc.

Surveyor: Piburn & Carson, LLC

Application Filed: March 10, 2011

Zoning: PD 714, Subdistricts 2A and 2C

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

- (2) **S101-073**
(CC District 10)
- An application to replat a 6.136 acre tract of land containing all of Lot 4 in City Block A/8125 to create one 2.815 acre lot and one 3.320 acre lot on property bounded by Skillman Street, Sedgwick Drive and Watercrest Parkway.
Applicant/Owner: PC LH Land Partners, LP
Surveyor: Pacheco Koch Consulting Engineers
Application Filed: March 11, 2011
Zoning: PD 758
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S101-075**
(CC District 3)
- An application to replat a 17.599 acre tract of land containing all of Lot 2B in City Block B/8023 to create new easements on property located at 3333 Dan Morton Drive.
Applicant/Owner: Whitewave Foods Company
Surveyor: Pacheco Koch Consulting Engineers
Application Filed: March 17, 2011
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Individual Items:

- (4) **S101-074**
(CC District 13)
- An application to replat all of Lot 12 and part of the "Wilson Subdivision Number 1 Addition" in City Block 3/5522 to create one 4.368 acre lot on 10711 and 10647 Strait Lane located between Harry's Lane and Royal Lane.
Applicant/Owner: Richard and Stephanie Malouf
Surveyor: CBG Surveying, Inc.
Application Filed: March 15, 2011
Zoning: R-1ac(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Docket

- W101-002**
Neva Dean
(CC District 5)
- A waiver of the two-year waiting period in order to submit an application to change the D Liquor Control Overlay to a D-1 Liquor Control Overlay as well as a Specific Use Permit to allow the sale of alcohol in conjunction with a general merchandise or food store greater than 3,500 square feet on the northeast corner of Lake June Road and Masters Drive.
Staff Recommendation: **Denial**

W101-003
Neva Dean
(CC District 14)

A waiver of the two-year waiting period in order to submit an application for a Specific Use Permit to allow a late-hours establishment on property zoned Planned Development District No. 842 on the northeast corner of Greenville Avenue and Lewis Street.
Staff Recommendation: **Denial**

Certificates of Appropriateness for Signs

Downtown Sign District:

1102245003
Carolyn Horner
(CC District 14)

An application for a Certificate of Appropriateness for the installation of a 56 square foot flat attached upper level sign on the south elevation of the YMCA building, containing the text "Y" at 601 N. Akard Street.
Applicant: Brad Pilkington of Reynolds Indoor, Inc.
Staff Recommendation: **Approval**
SSDAC Recommendation: **Approval**

1102245005
Carolyn Horner
(CC District 14)

An application for a Certificate of Appropriateness for the installation of a 124 square foot flat attached upper level sign on the north elevation of the YMCA building, containing the text "Y" at 601 N. Akard Street.
Applicant: Brad Pilkington of Reynolds Indoor, Inc.
Staff Recommendation: **Approval**
SSDAC Recommendation: **Approval**

Zoning Cases – Consent

1. **Z101-172(MW)**
Megan Wimer
(CC District 7)

An application to renew Specific Use Permit No. 1691 for a bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the south side of Exposition Avenue, east of Ash Lane.
Staff Recommendation: **Approval** for a three-year period, subject to a site plan and conditions.
Applicant/Representative: Timothy L. Austin

2. **Z101-168(JH)**
Jennifer Hiromoto
(CC District 5)

An application for a D-1 Dry Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less on property zoned RR Regional Retail District with a D Dry Liquor Control Overlay at the northeast corner of S. Hampton Road and U.S. 67/Marvin D. Love Freeway.

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

Applicant: Z Petroleum

Representative: Santos Martinez, MASTERPLAN

3. **Z101-171(WE)**
Warren Ellis
(CC District 8)

An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store or food store less than 3,500 square feet on property zoned a CS-D-1 Commercial Service District with a D-1 Dry Liquor Control Overlay on the south line of C. F. Hawn Freeway, west of Silverado Drive.

Staff Recommendation: **Approval** for a two-year time period with eligibility for automatic renewals for additional five year periods, subject to a site plan and conditions.

Applicant: Carl Thomas Marlow

Representative: Michael Coker - Michael R. Coker Company

4. **Z101-113(RB)**
Richard Brown
(CC District 13)

An application for an amendment to and expansion of the Planned Development District No. 553 for a Church and Private school on property zoned for R-16(A) Single Family District Uses in the southeast quadrant of Preston Road and Orchid Lane.

Staff Recommendation: **Hold under advisement** until April 21, 2011.

Applicant: St. Mark's School of Texas, Owner

Representative: Santos Martinez

Zoning Cases – Under Advisement

5. **Z090-234(RB)**
Richard Brown
(CC District 5)
- An application for an IM Industrial Manufacturing District and a Specific Use Permit for a Metal salvage facility on property zoned an IR Industrial Research District on the northeast line of South Central Expressway, north of Loop 12.
Staff Recommendation: **Approval** of an IM Industrial Manufacturing District, and **approval** of a Specific Use Permit for a Metal salvage facility for a two-year period, with eligibility for automatic renewal for additional two year periods, subject to a site plan and conditions.
Applicant: Falcon Transit, LLC
Representative: Santos Martinez
U/A From: February 17, 2011
6. **Z101-131(WE)**
Warren Ellis
(CC District 8)
- An application for a renewal of Specific Use Permit No. 1395 for an Outside Salvage and Reclamation use on property zoned an IM Industrial Manufacturing District on the northeast corner of South Central Expressway (U.S. 75) and Youngblood Road.
Staff Recommendation: **Approval** for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to a site plan and conditions.
Applicant: Jay Eisenberg
Representative: MASTERPLAN - Santos Martinez
U/A From: March 24, 2011
7. **Z101-166(MG)**
Michael Grace
(CC District 7)
- An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use less than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Dry Liquor Control Overlay on the northeast corner of Lawnview Avenue and Military Parkway.
Staff Recommendation: **Approval** for a two-year period with eligibility for additional five year periods, subject to a site plan and conditions.
Applicant: Mohammad Rahman
Representative: Santos Martinez - Masterplan
U/A From: March 24, 2011

Zoning Cases – Individual

8. **Z101-120(RB)**
Richard Brown
(CC District 14)
- An application for a Planned Development District for NS(A) Neighborhood Service District within the Tract F portion of Historic District Overlay No. H/128 with a D Liquor Control Overlay and zoned an NS(A) Neighborhood Service District; an application for the removal of the D Liquor Control Overlay and the granting of a D-1 Liquor Control Overlay; and, an application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service on the east corner of Junius Street and Henderson Avenue.
Staff Recommendation: **Approval** of a Planned Development District, subject to a development plan and staff's recommended conditions; **retention** of the D Liquor Control Overlay; and **denial** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service.
Applicant: Dale Wooton
Representative: Roger Albright
9. **Z101-145(MG)**
Michael Grace
(CC District 12)
- An application for a Planned Development District for mixed uses on property zoned an R-7.5(A) Single Family District on the east line of Coit Road, south of Frankford Road.
Staff Recommendation: **Approval**, subject to a conceptual plan and conditions.
Applicant: Reality Appreciation, Ltd.
Representative: Jackson Walker, L.L.P., William S. Dahlstrom
10. **Z101-128(MG)**
Michael Grace
(CC District 9)
- An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned a D(A) Duplex District on the southeast line of Garland Road, between Lunar Lane and Old Gate Lane.
Staff Recommendation: **Denial**
Applicant: Lakeside Baptist Church
Representative: Ed Davidson

11. **Z101-175(OTH)**
Olga Torres Holyoak
(CC District 7)
- An application to renew and amend Specific Use Permit No. 1741 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and the commercial amusement (inside) limited to a Class A dance hall on property zoned an RS-MU Regional Service Mixed Use Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the east side of South Lamar Street, between Starks Avenue and Haven Street, west of Central Expressway.
Staff Recommendation: **Approval** for a five year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.
Applicant/Representative: Augustine Ekukpe
12. **Z101-154(MW)**
Megan Wimer
(CC District 5)
- An application for a CS Commercial Service District on property zoned an R-7.5(A) Single Family District on the east side of Southeast Drive, north of C.F. Hawn Freeway.
Staff Recommendation: **Denial**
Applicant: Blake Ingram
Representative: Jonathan Vinson, Jackson Walker L.L.P.

Other Matters

Minutes: March 24, 2011

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Thursday, April 7, 2011

ZONING ORDINANCE COMMITTEE (ZOC) MEETING - Thursday, April 7, 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.

Tuesday, April 12, 2011

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC) is scheduled to meet on Tuesday, April 12, 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.

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, APRIL 7, 2011****FILE NUMBER:** S101-071**Subdivision Administrator:** Paul Nelson**LOCATION:** Fort Worth Avenue at Malone Drive, northwest corner**DATE FILED:** March 10, 2011**ZONING:** PD 714, Subdistricts 2A and 2C**CITY COUNCIL DISTRICT:** 6**SIZE OF REQUEST:** 0.982 ac.**MAPSCO:** 44T**APPLICANT/OWNER:** Options Holding, Ltd/J&K Investments, Inc.

REQUEST: An application to replat a 0.982 acre tract of land containing all of Lots 8, 9 and 10, an abandoned portion of Folsom Street in City Block 3/4009, and a tract of land in City Block 4010 into one 0.494 acre lot and one 0.488 acre lot on Fort Worth Avenue at Malone Drive, northwest corner.

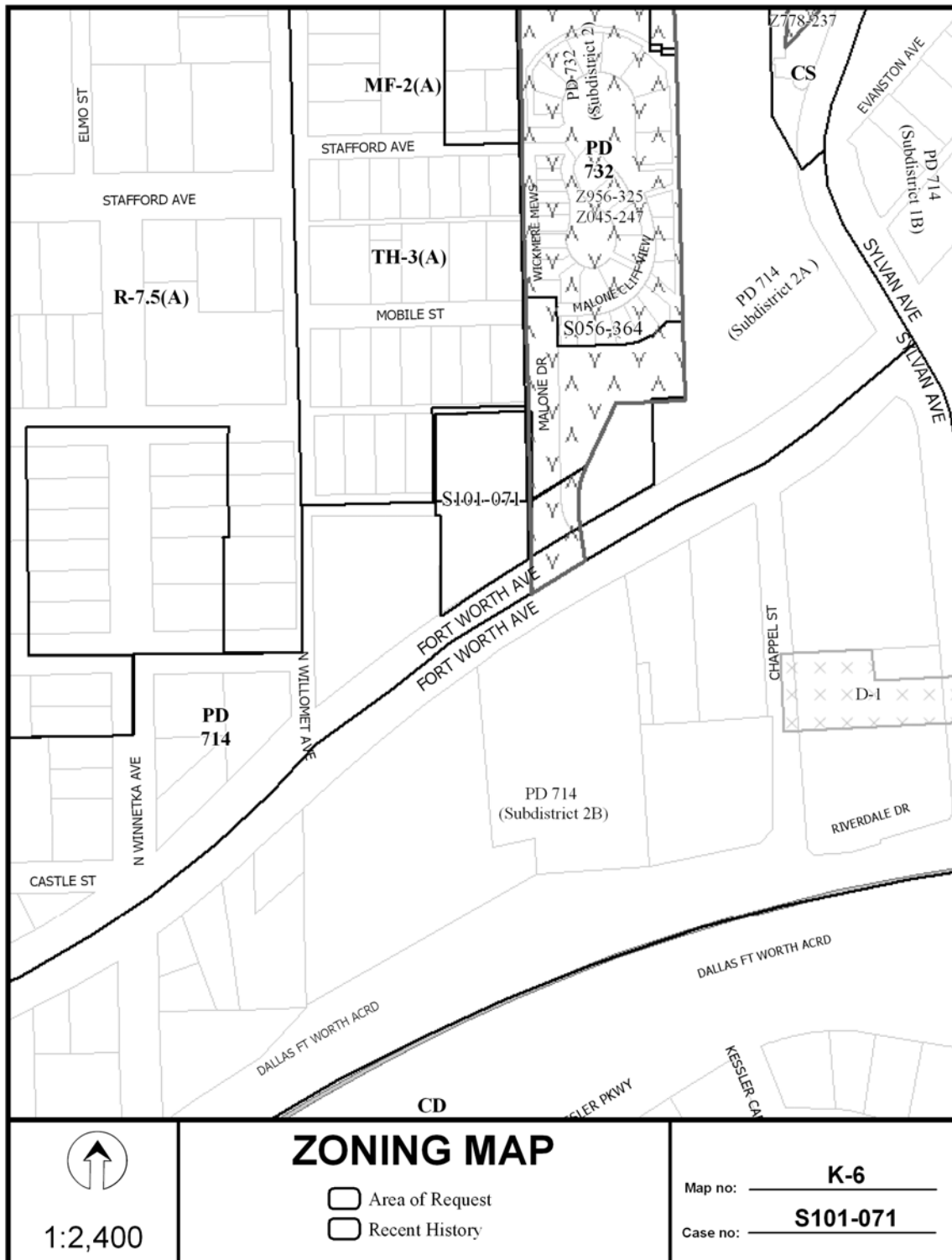
SUBDIVISION HISTORY:

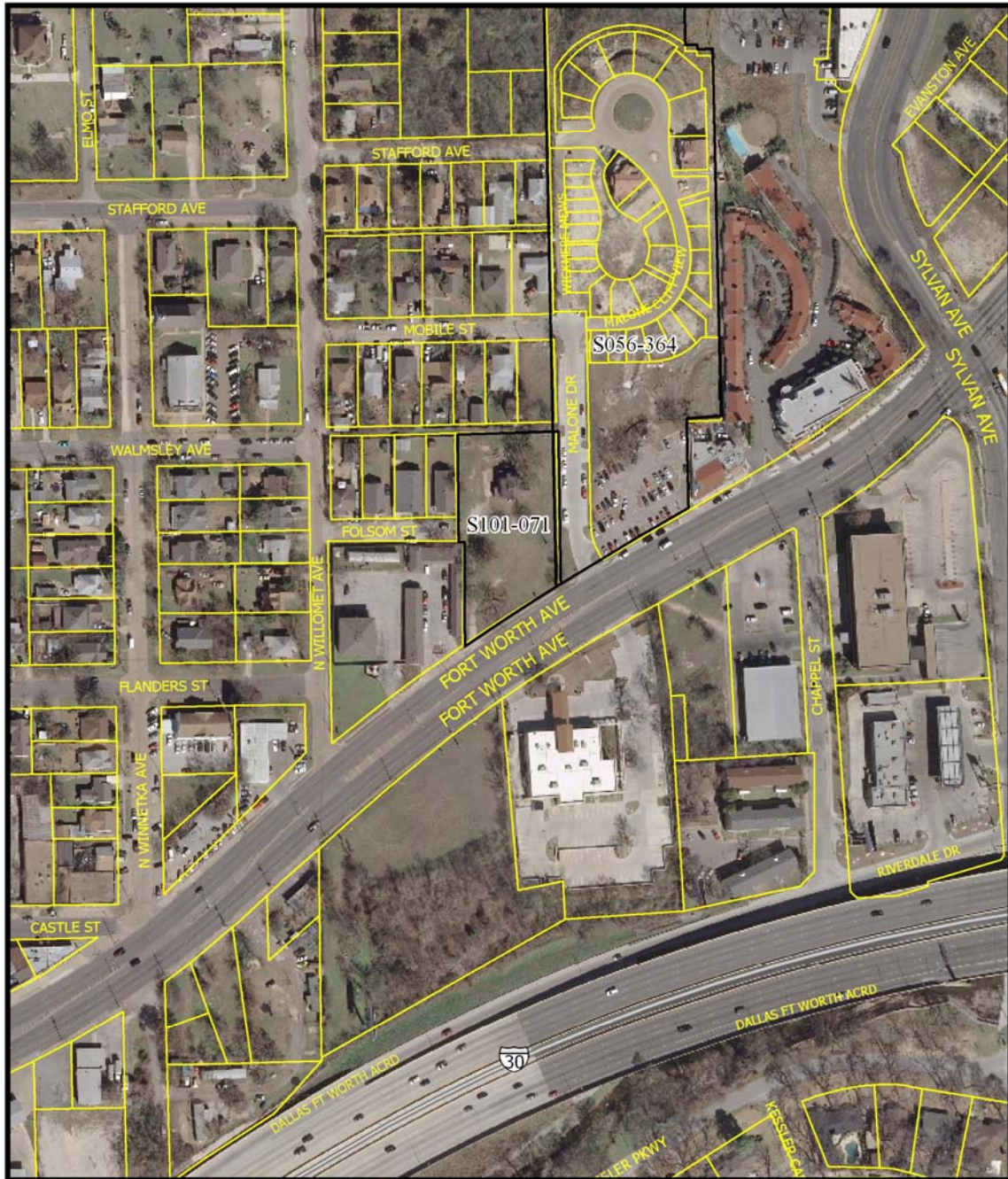
1. S056-364 was an application for a minor amending plat to define Common Areas 35A, 35B and 35C of a 3.587 acre tract of land containing all of Lots 1 thru 35C in City Block A/4015 on Stafford Avenue at Malone Drive, north of Ft. Worth Avenue. The request was approved on October 5, 2006 and recorded on October 20, 2006.
2. S045-045R was an application contiguous on the east of the present request to replat Phase 2 of a two phase plat previously approved as a 35 lot single family addition with a shared access easement connecting to a public street to serve all of the lots in a 4.674 acre development on Fort Worth Avenue, west of Sylvan Avenue. The plat created Malone Drive and was approved on September 8, 2005, and recorded on January 13, 2006.
3. S201-316 was an application adjacent on the south of the request on the south line of Fort Worth Avenue to plat a 2.33 acre tract of land in City Block 4011 into one lot on Ft. Worth Avenue, west of Chappel Street. The plat was approved on September 13, 2001 and recorded on August 13, 2003.


STAFF RECOMMENDATION: The request complies with the PD 714, Subdistricts 2A and 2C requirements; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the city.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.

5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the City Plan Commission in a format that is compatible with the "Microstation" format.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. The final plat is limited to a maximum of 2 lots.
9. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds
10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval.
11. On the final plat dedicate 28 feet of ROW from the established centerline, or dedicate a street easement, or Public Utility and Sidewalk Easement to equal 28 feet from the established centerline of Malone Drive.
12. On the final plat dedicate a 15 foot by 15 foot alley sight easement at Malone Drive and the alley.
13. On the final plat provide a mutual access and public utility easement by separate instrument across Lot 8B to Lot 8A and place the recording information on the face of the final plat.
14. Engineer shall furnish plans for water and sanitary sewer. Developer shall furnish a contract for water and sanitary sewer.
15. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
16. On the final plat show all new water and/or wastewater easements.
17. Water/wastewater main extension is required by Private Development Contract.
18. On the final plat label the lots as Lot 8A and Lot 8B, City Block 3/4009.





 1:2,400	<h2>AERIAL MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	<p>Map no: <u> K-6 </u></p> <p>Case no: <u> S101-071 </u></p>
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DATE: March 30, 2011

CITY PLAN COMMISSION**THURSDAY, APRIL 7, 2011****FILE NUMBER:** S101-073**Subdivision Administrator:** Paul Nelson**LOCATION:** Skillman Street, Sedgwick Drive and Watercrest Parkway**DATE FILED:** March 11, 2011**ZONING:** PD 758**CITY COUNCIL DISTRICT:** 10**SIZE OF REQUEST:** 6.135 ac.**MAPSCO:** 27P**APPLICANT/OWNER:** PC LH Land Partners, LP

REQUEST: An application to replat a 6.135 acre tract of land containing all of Lot 4 in City Block A/8125 into one 3.320 acre lot and one 2.815 acre lot at Skillman Street and Sedgwick Drive, southeast corner.

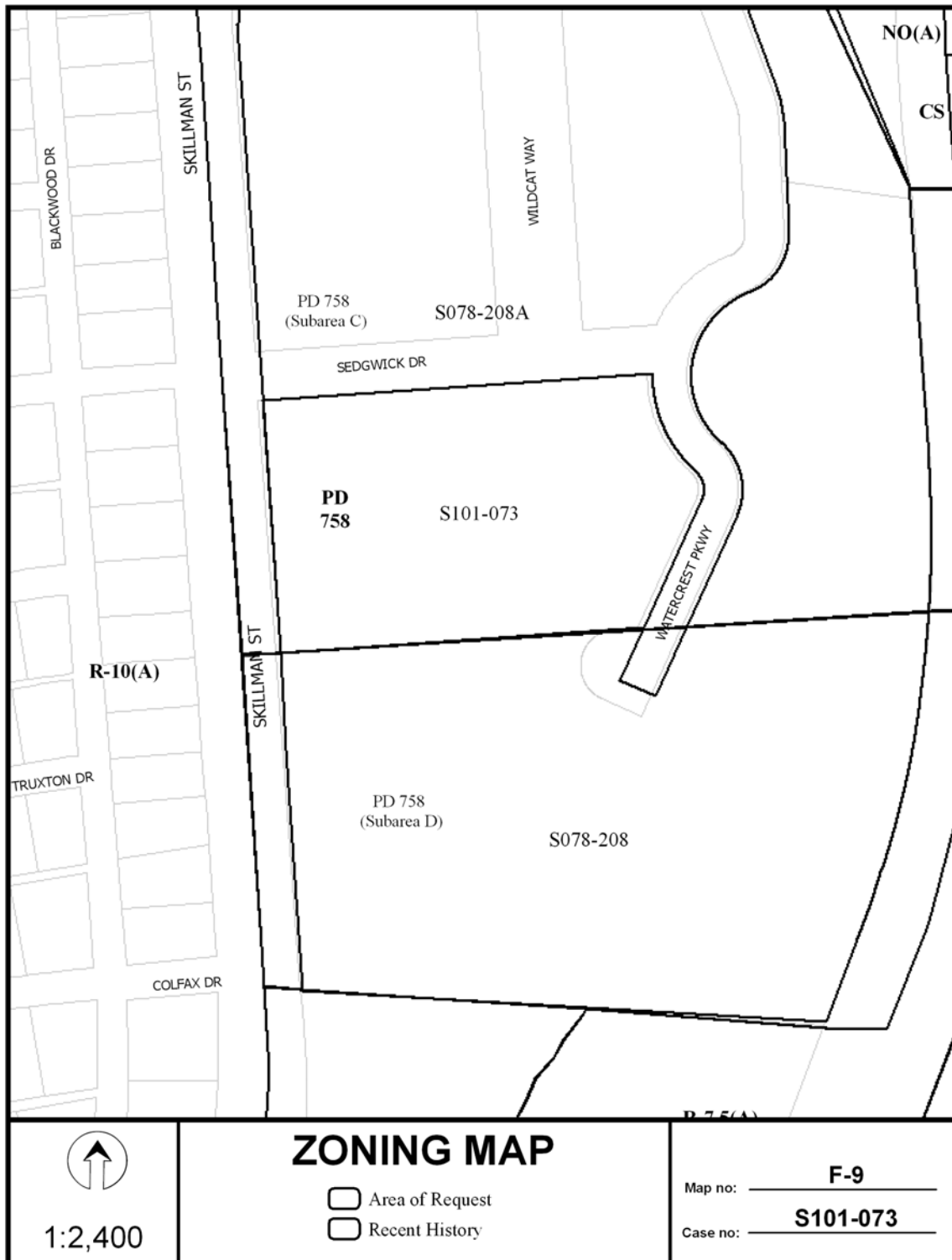
SUBDIVISION HISTORY:

1. S078-208 was an application, that included the present request, remove platted building lines and to replat Lot 1 and 2 in City Block 2/8125 and Lot 1-A and 1-C in City Block 1/8125 into 14 lots ranging in size from 0.501 acre to 15.271 acres in size and generally located at the intersection of Skillman Street on the north and south sides of Walnut Hill Lane. The request was approved on June 19, 2008 and recorded on May 5, 2009.


STAFF RECOMMENDATION: The request complies with the PD 758 requirements; therefore, staff recommends approval subject to compliance with the following conditions:

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

9. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval.
11. On the final plat dedicate a 15 foot by 15 foot corner clip at Skillman Street and Sedgwick Drive and at Sedgwick Drive and Watercrest Parkway.
12. Determine the 100 year water surface elevation across the plat.
13. Dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
14. Include additional paragraph in owner's certificate (pertaining to floodplain)
15. Specify minimum fill and minimum finished floor elevations.
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 choose a different addition name.
19. On the final plat all utility easement abandonments must be shown with the recording information.
20. On the final plat list the utility easements as retained within street abandonments when stated in the ordinance.
21. On the final plat show existing street easement and existing water and wastewater easement(s) at the southeast corner of the property.
22. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
23. On the final plat label the lot as Lot 4A and 4B, City Block A/8125.





 <p>1:2,400</p>	<h2 style="text-align: center;">AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	<p>Map no: <u> F-9 </u></p> <p>Case no: <u> S101-073 </u></p>
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DATE: March 30, 2011

CITY PLAN COMMISSION**THURSDAY, APRIL 7, 2011****FILE NUMBER:** S101-075**Subdivision Administrator:** Paul Nelson**LOCATION:** 3333 Dan Morton Drive**DATE FILED:** March 17, 2011**ZONING:** IR**CITY COUNCIL DISTRICT:** 3 **SIZE OF REQUEST:** 17.599 ac. **MAPSCO:** 52W**APPLICANT/OWNER:** Whitewave Foods Company

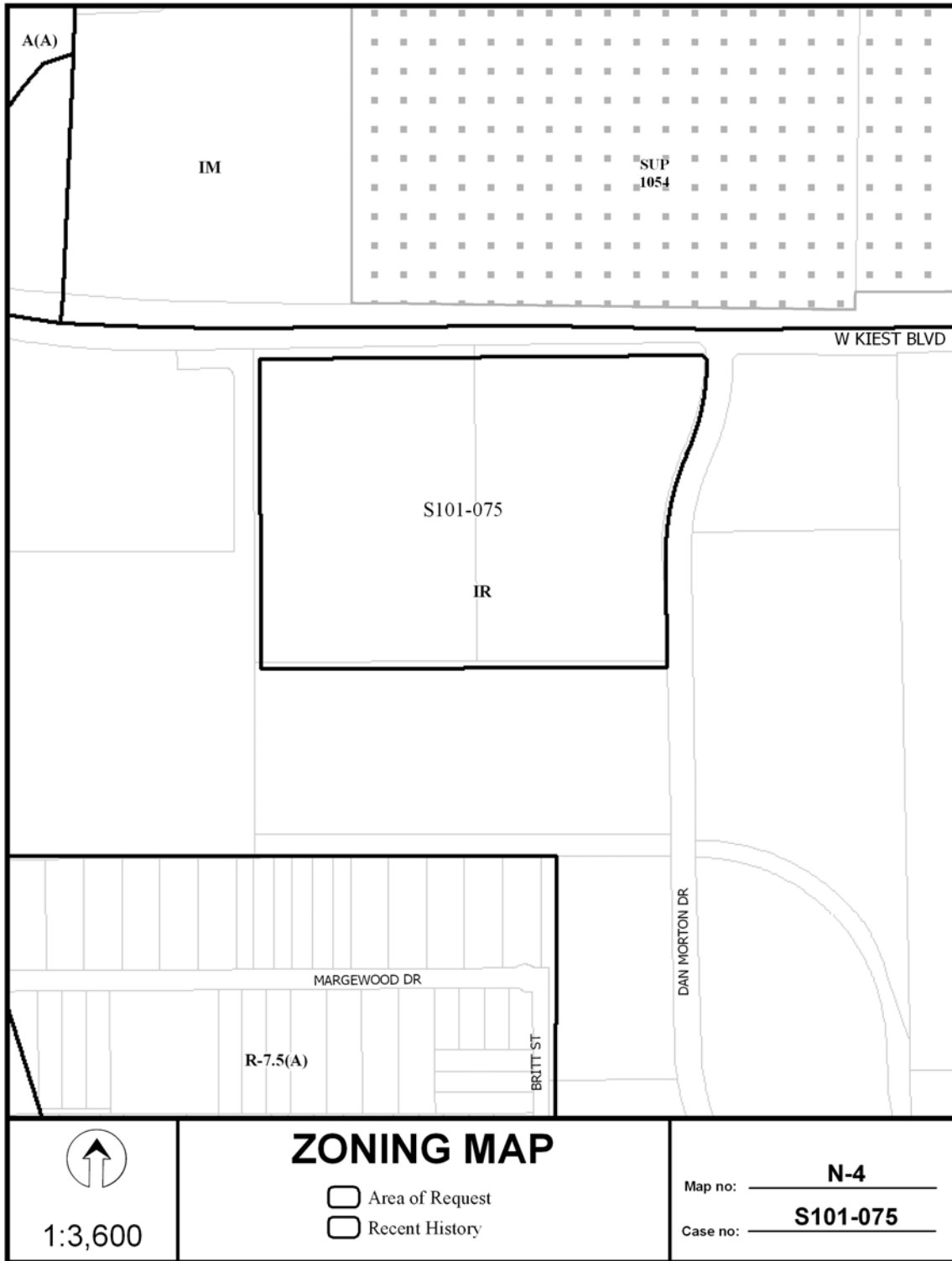
REQUEST: An application to replat a 17.599 acre tract of land containing all of Lot 2B in City Block B/8023 to create new easements on property located at 3333 Dan Morton Drive.

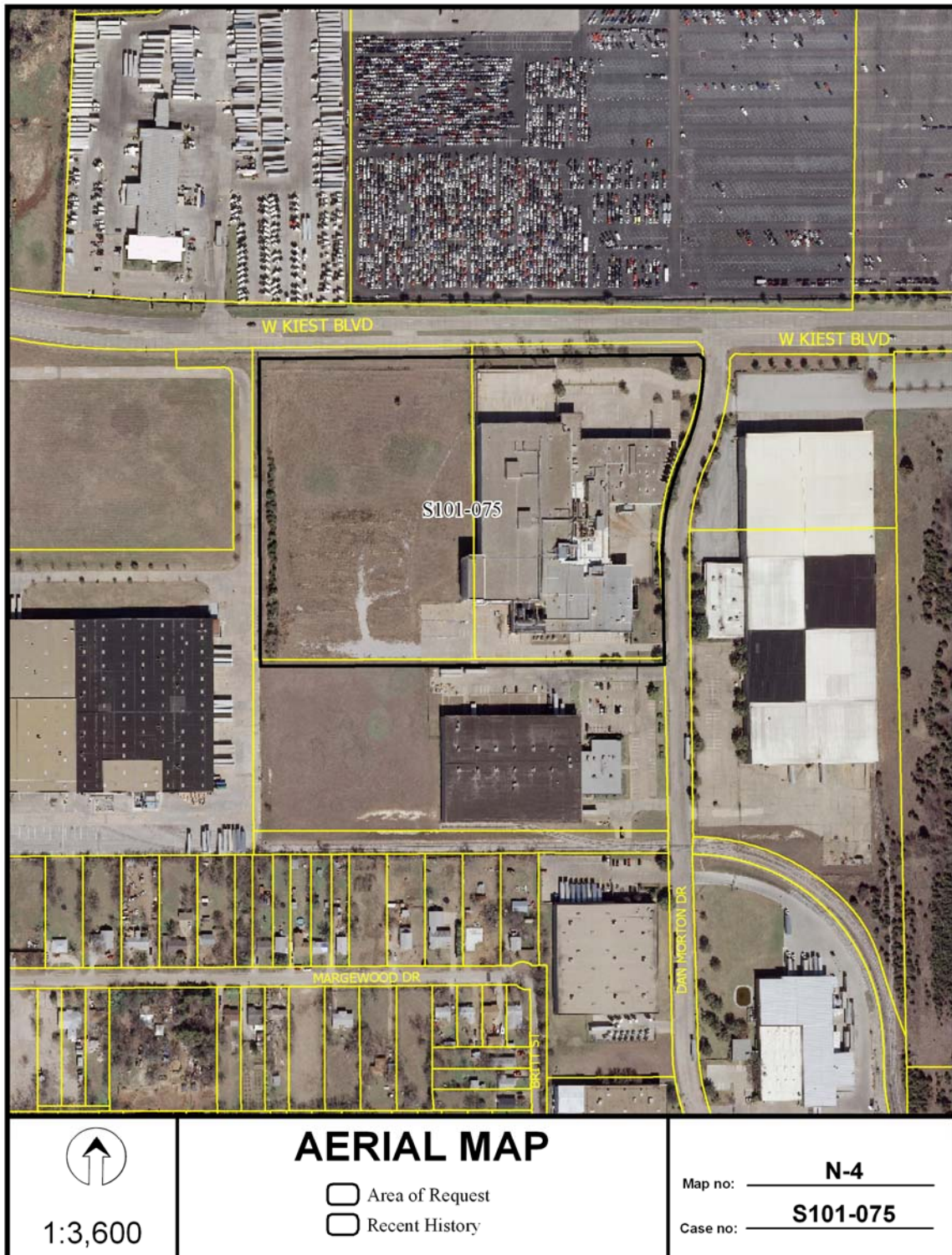
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

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

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

10. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
11. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. On the final plat dedicate a 15 foot by 15 foot corner clip at Kiest Boulevard and Dan Morton Drive.
13. On the final plat add a note that "Access or modification to Kiest Boulevard requires TXDOT approval."
14. Engineer shall furnish plans for water and sanitary sewer. Developer shall furnish a contract for water and sanitary sewer.
15. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
16. Water/wastewater main extension is required by Private Development Contract.
17. On the final plat label the lot as Lot 2B, City Block B/8023.





DATE: March 30, 2011

CITY PLAN COMMISSION**THURSDAY, APRIL 7, 2011****FILE NUMBER:** S101-074**Subdivision Administrator:** Paul Nelson**LOCATION:** 10711 and 10647 Strait Lane**DATE FILED:** March 15, 2011**ZONING:** R-1ac.(A)**CITY COUNCIL DISTRICT:** 13 **SIZE OF REQUEST:** 4.368 ac. **MAPSCO:** 24H**APPLICANT/OWNER:** Richard and Stephanie Malouf

REQUEST: An application to replat all of Lot 12 and part of the "Wilson Subdivision Number 1 Addition" in City Block 3/5522 to create one 4.368 acre lot on 10711 and 10647 Strait Lane located between Harry's Lane and Royal Lane.

SUBDIVISION HISTORY:

1. S078-103 was an application on the northern ½ of the present request to replat part of City Block 3/5523 into one 2.3819 acre lot on 10711 Strait Lane north of Harry's Lane. The request was approved on February 28, 2008 and recorded on March 7, 2008.
2. S067-065 was an application south of the present request to replat part of City Block 2/5521, all of a 10 foot alley to be abandoned, and all of Lot 1 in City Block 2/5521 to create one 4.6607 acre lot on Harry's Lane and Strait Lane southwest corner and was approved on January 11, 2007 but has not been recorded as of this date.
3. S056-172 was an application adjacent on the east of the request on Strait Lane
3. S045-337 was an application partly on the south ½ of the present request to replat Lot 4A in City Block 3/5522 into one, 1.33 acre lot and one, 1.0 acre lot on Strait Lane and Harry's Lane and was approved on September 15, 2005 and recorded on October 17, 2005.
4. S201-133 was an application south of the present request to replat lots 4 and 5 in City Block 3/5522 into one, 2.33 acre lot on Harry's Lane, east of Lennox Lane, and was approved on March 15, 2001 and recorded on June 3, 2001.
5. S012-142 was an application contiguous on the north of the present request to replat part of Block 3 in City Block 3/5522 into one, 1.99 acre lot on Strait Lane south of Royal Lane and was approved on April 4, 2002 and recorded on June 7, 2002.

DATES NOTICES SENT: 17 notices were sent March 18, 2011.

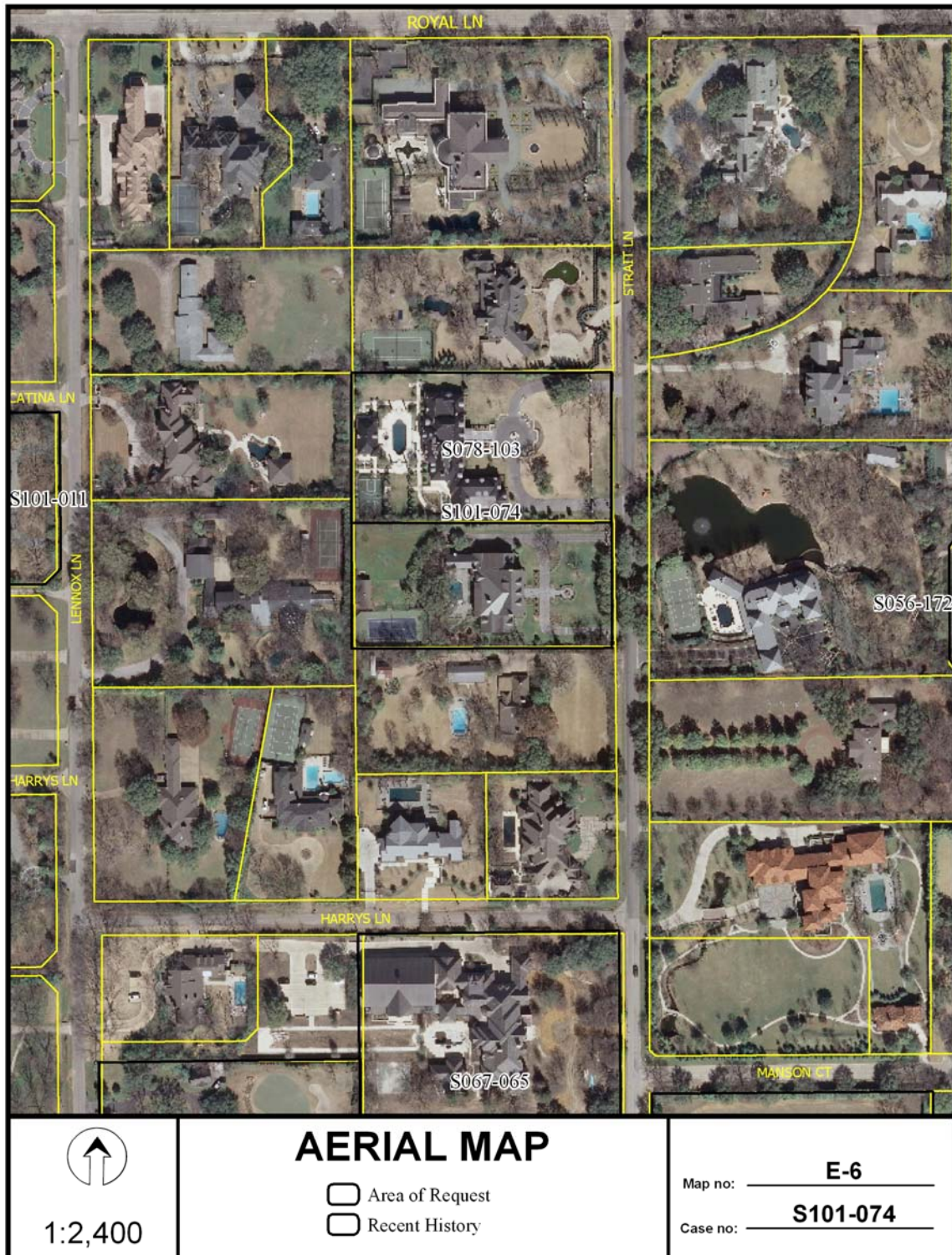
STAFF RECOMMENDATION: Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography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

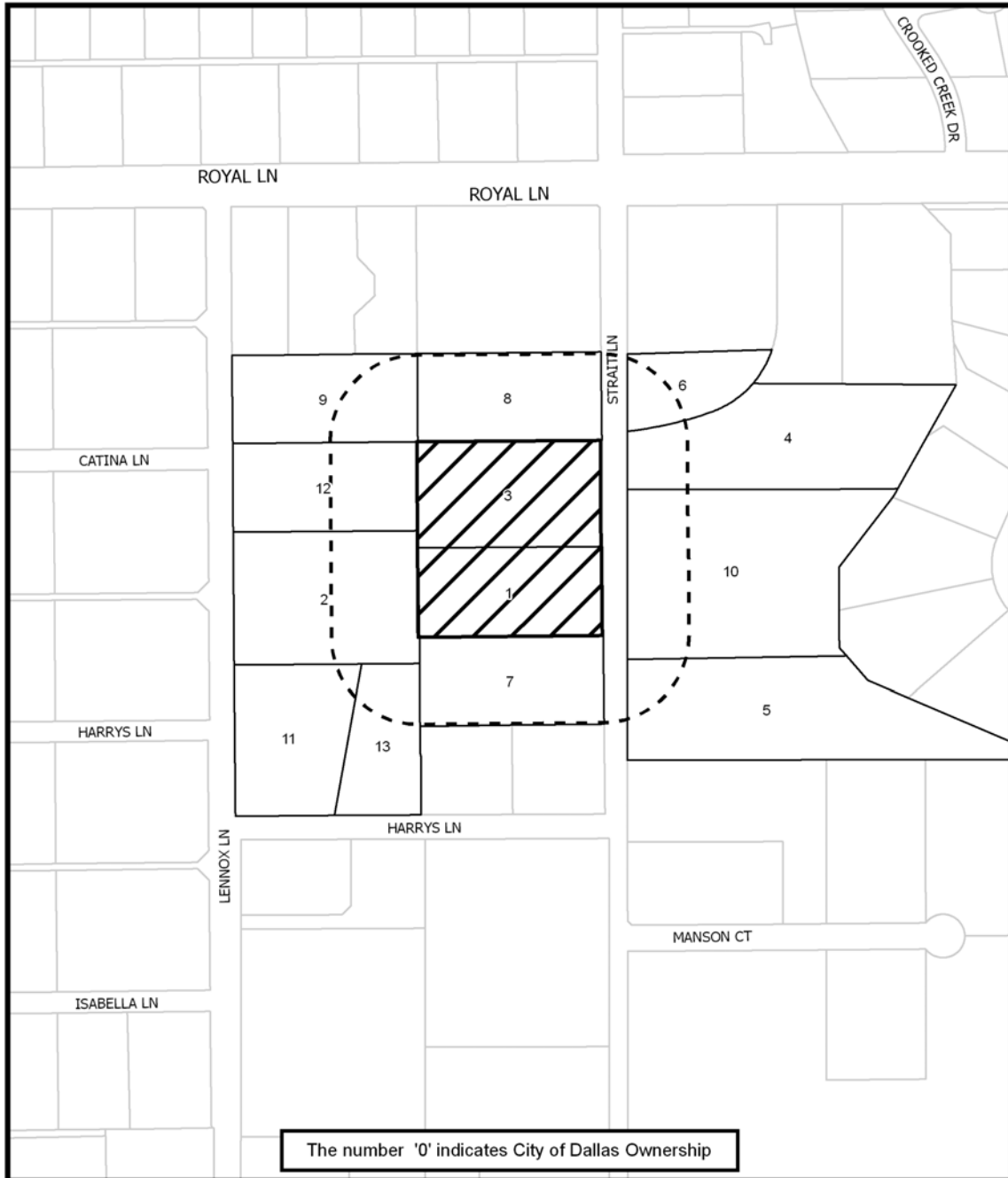
The request complies with the R-1ac(A) district regulations. The properties in the surrounding area have a mixture of various lot sizes; some are larger and some are smaller than the lot being requested. The request is similar in size with some of the parcels adjacent on the east, west and north of the request. therefore, staff has determined that the request is in compliance with Section 51A-8.503(a) of the Development Code and recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the City.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the City Plan Commission in a format that is compatible with the "Microstation" format.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. The final plat is limited to a maximum of 1 lot.
9. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
11. On the final plat dedicate 26.5 feet of ROW from the established centerline, or dedicate a street easement, or Public Utility and Sidewalk Easement to equal 26.5 feet from the established centerline of Strait Lane.
12. On the final plat label the property as Lot 12A, City Block 3/5522.



DATE: March 30, 2011





 1:3,600	NOTIFICATION	Map no: <u> E-6 </u>			
	<table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">13</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	13	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
13	NUMBER OF PROPERTY OWNERS NOTIFIED				

DATE: March 30, 2011

Notification List of Property Owners

S101-074

13 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10647 STRAIT	TUCKER JAMES R & KATHY H
2	10640 LENNOX	SILVERTHORNE MARY ROSE ESTATE OF
3	10711 STRAIT	MALOUF RICHARD J & MALOUF STEPHANIE L
4	10710 STRAIT	LITMAN DAVID & MALIA
5	10650 STRAIT	GREEN GREGORY TRUSTEE
6	10730 STRAIT	DYKEMA RAMSEY SCOTT & LAWREN M
7	10621 STRAIT	WILSON ROBERT A & LAURA C
8	10735 STRAIT	NOWITZKI DIRK
9	10742 LENNOX	HERSH KENNETH A SUITE 600
10	10660 STRAIT	ROMANO PHILIP J
11	10626 LENNOX	JUTRAS ROBERT N & DORIS L
12	10714 LENNOX	HERSH KENNETH A
13	4777 HARRYS	MARTIN PAUL A ROBIN S MARTIN

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. Z 089-235

Location LAKE JUNE ROAD AND MASTERS DRNE, NEC


Date of last CPC or CC Action SEPT. 23, 2009

Applicant's Name, Address & Phone Number KARL A. CRAWLEY
900 JACKSON ST.; STE 640 DALLAS TX 75202

Property Owner's Name, Address and Phone No., if different from above
NEC LAKE JUNE & MASTERS, L.P.
8750 N. CENTRAL, STE 625, DALLAS TX 75231

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

THE RECENTLY APPROVED 'WET-DRY' ELECTION HAS CHANGED THE
POTENTIAL USES ALLOWED ON THE SITE TO INCLUDE ALCOHOL USES
WHICH WERE NOT ALLOWED BY STATE LAW/DRY AREA. IF APPROVED
THE OWNER WOULD APPLY TO CHANGE THE D DRY OVERLAY
TO A D-1 OVERLAY AND AN SUP TO ALLOW THE EXISTING
GROCERY STORE TO SALE BEER AND WINE.


Applicant's Signature

RECEIVED BY
MAR 03 2011
Current Planning

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

Date Received
Fee: \$300.00

W101-002
Receipt # 1748

February 28, 2011


Mr. David Cossum, Assistant Director
Department of Development Services
Dallas City Hall
Dallas, Texas 75201

RE: Zoning Change at the Northeast Corner of Lake June and Masters

Dear Mr. Cossum:

The undersigned owner hereby authorizes MASTERPLAN to represent the undersigned in all matters regarding a zoning change, SUP and two year waiver for the property described above.


Owner: NEC Lake June & Masters, L.P.

By: 
Derek Ferem, Vice President

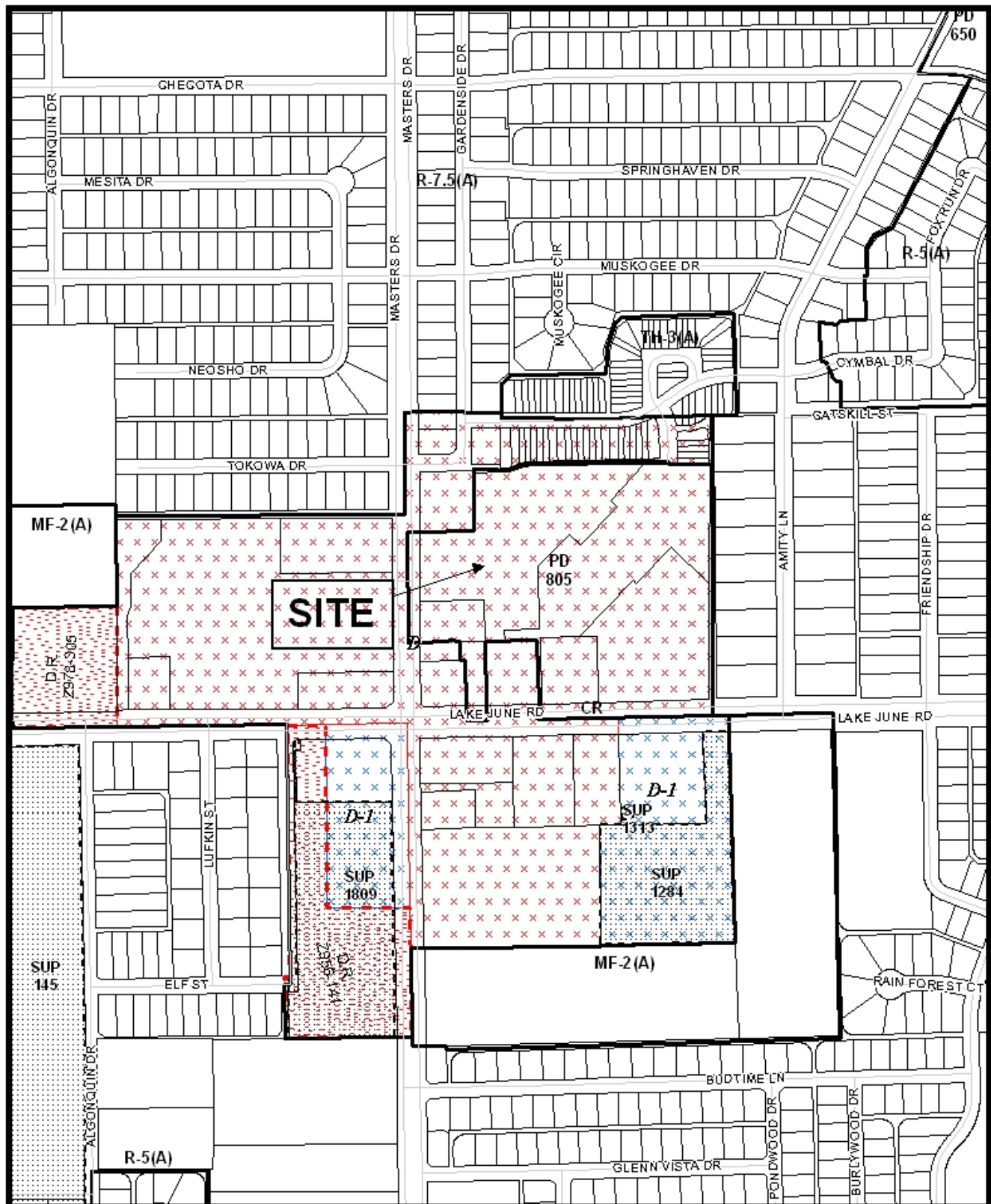
Before me, the undersigned authority, on this day personally

Appeared Derek Ferem, Vice President of NEC Lake June & Masters, L.P., known to me to be the person whose name is subscribed to this letter, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated as the act and deed of said partnership.

Given under my hand and seal of office on this 28th day of Feb.,
2011.


Karen C. Pierson
Notary Public, State of Texas

My commission expires 



1:4,800

W101-002
April 7, 2011

W101-003

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. ~~Z101-241~~ 2089-192

Location 1802 Greenville Avenue, N.E. corner of Greenville and Lewis

Date of last CPC or CC Action June 25, 2009

Applicant's Name, Address & Phone Number Lower Greenville Avenue Trust & Susan Reese, 1201 Elm Street, Suite 1700, Dallas, TX 75270 and 2622 Commerce Street, Dallas, TX 75226 by Roger Albright, 3301 Elm St., Dallas, TX 75226, 214.939.9224

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

SAME

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

~~Passage of Ordinance No. 28109 on January 26, 2011 now requires SUP for late night establishment. Change of use/tenant in furtherance of neighborhood.~~

2089-192 ON JUNE 25, 2009 WAS FOR BAR/DANCE HALL USE. PURSUANT TO PLANNED REVITALIZATION OF STREET SEEK COMMERCIAL AMUSEMENT (INSIDE) USE WHICH IS ALLOWED BY RIGHT BUT ORD # 28109 PASSED 1/26/11. REQUIRES SUP FOR LATE NIGHT ESTABLISHMENT. NEW USE HAS FOOD + BOWLING, NO DANCING. (RA)

[Signature]
Applicant's Signature

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

RECEIVED BY

MAR 15 2011

Current Planning

Date Received
Fee: \$600.00
\$ 300.00

2089-192

_____, 2011

City of Dallas
Planning Department
City Hall
1500 Marilla Street
Dallas, Texas 75201

RE: 0.62 acre tract of land located at Lewis/Greenville
a/k/a 1806 Greenville
in Dallas County, Texas

To Whom It May Concern:

This letter is to confirm the following:

- (1) The above referenced property is owned by Lower Greenville Avenue Trust and Susan Reese (the "Owners"). The office address for Lower Greenville Avenue Trust is c/o James G. Vetter, Jr., 1201 Elm Street, Suite 1700, Dallas, TX 75270 and Susan Reese is 2622 Commerce Street, Dallas, TX 75226.
- (2) Lower Greenville Avenue Trust is controlled by James G. Vetter, Jr., its Trustee.
- (3) Lower Greenville Avenue Trust and Susan Reese is authorized to file an application for s Specific Use Permit for a late night operation, bar, lounge, tavern use and a bowling alley use on the above referenced tract.
- (4) The legal description is Lot 4 and parts of Lots 1, 2, and 3, Block A/1473.
- (5) Roger Albright has been retained by the Applicant to represent them for purposes of this rezoning and Roger Albright is authorized to file an application for a SUP on behalf of the Lower Greenville Avenue Trust and Susan Reese with regard to the City of Dallas rezoning process.
- (6) All necessary actions or resolutions authorizing the actions set forth hereinabove have been duly approved by the partners.

LOWER GREENVILLE AVENUE TRUST,

By: James G. Vetter, Jr. Trustee
James G. Vetter, Jr., Trustee

Susan B. Reese
Susan Reese

ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO before me, the undersigned notary public, by James G. Vetter, Jr., on the 1st day of March, 2011, as the authorized act of Lower Greenville Avenue Trust.

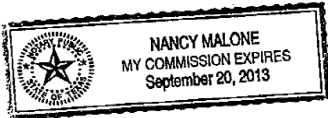


Stefani Simpson
NOTARY PUBLIC, in and for
the State of Texas

My Commission Expires:
9-19-2014

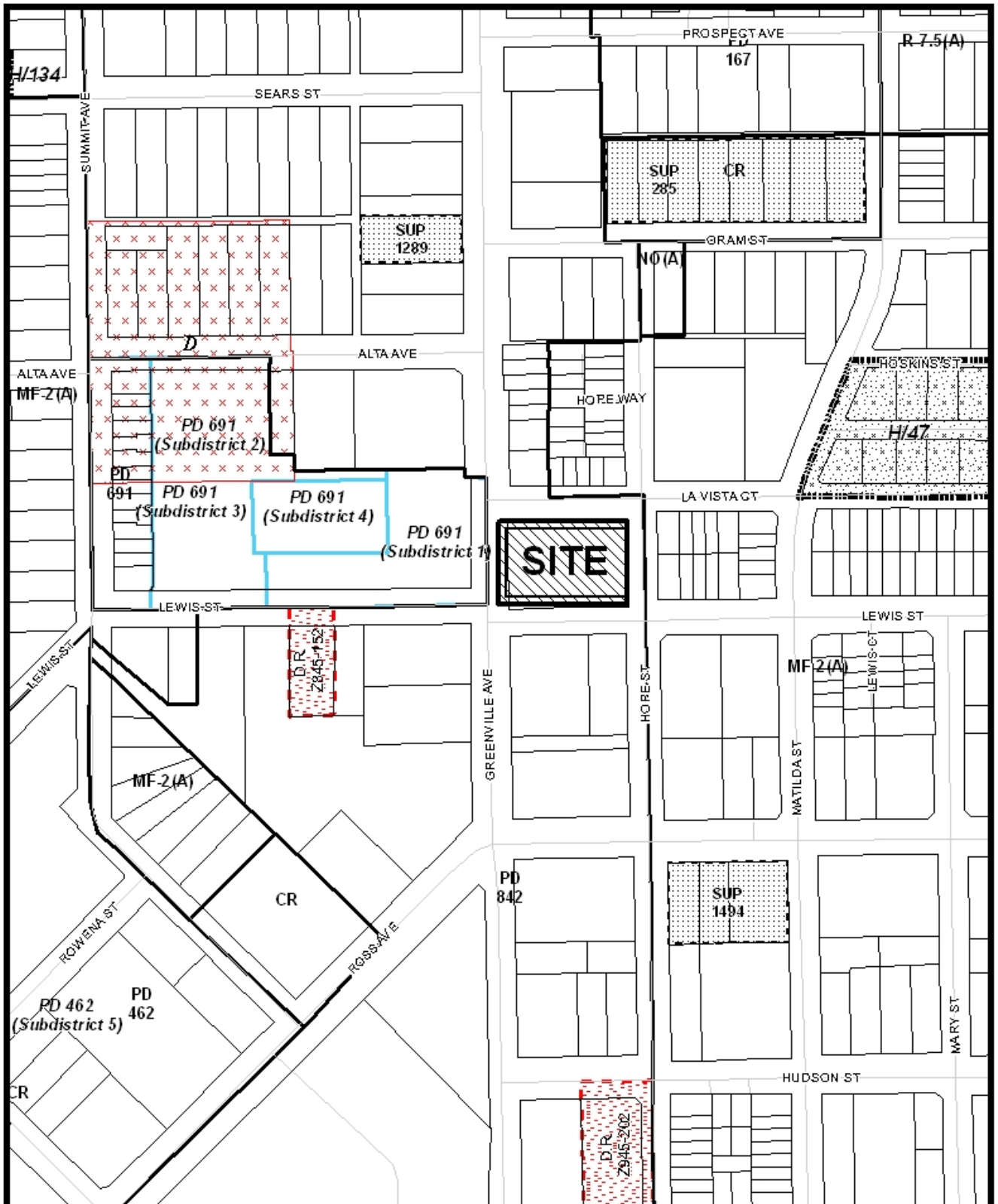
ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO before me, the undersigned notary public, by Susan Reese, on the 1st day of March, 2011.



Nancy Malone
NOTARY PUBLIC, in and for
the State of Texas

My Commission Expires:
9-20-13



1:2,400

W101-003
April 7, 2011

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

FILE NUMBER: 1102245003

DATE FILED: February 24, 2011

LOCATION: 601 N. Akard St.

SIZE OF REQUEST: 56 sq. ft.

COUNCIL DISTRICT: 14

ZONING: CA-1(A)

MAPSCO: 46K

APPLICANT: Brad Pilkington

CONTRACTOR: Reynolds Indoor, Inc.

OWNER/TENANT: YMCA

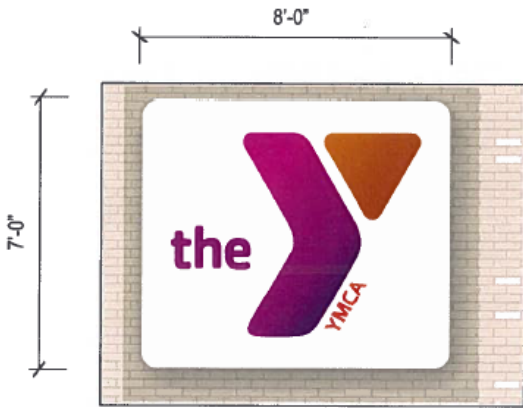
REQUEST: Install a 56 square foot flat attached upper level sign on the south elevation of the YMCA building, containing the text "the Y". The colors are white, tangerine, and light tomato red.

SUMMARY: This proposed sign would replace the existing flat attached upper level sign on the south elevation of the YMCA building.

- A flat attached sign is an attached sign projecting 12 inches or less from a building, and the face of which is parallel to the building façade. Sec. 51A-7.903(14)
- An upper level sign is an attached sign wholly or partially situated 36 feet above grade. Sec. 51A-7.903(33)
- The proposed sign meets the requirements of the Dallas City Code.

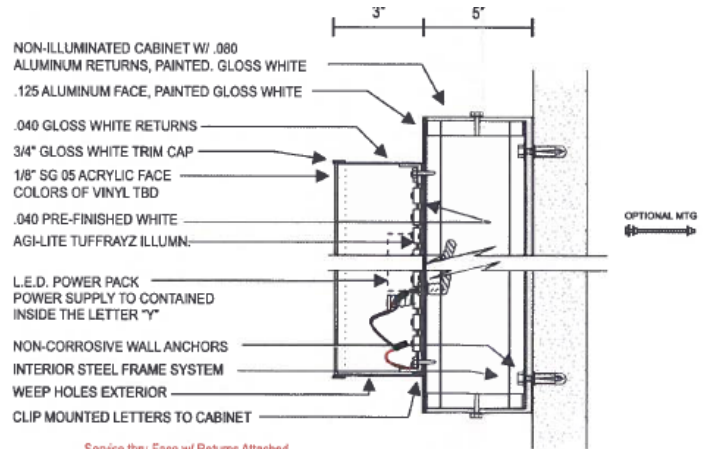
SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval



PROPOSED ELEVATION

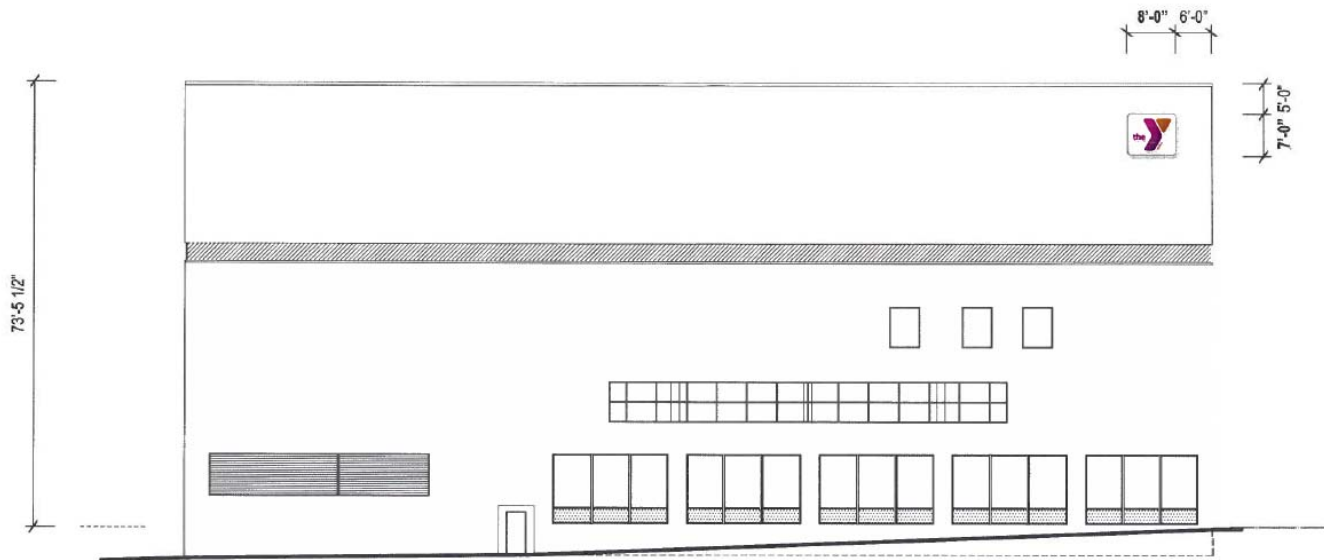
SAN JACINTO SIGN SCALE: 1/4" = 1'-0"



NON-ILLUMINATED CABINET W/ .080 ALUMINUM RETURNS, PAINTED, GLOSS WHITE
 .125 ALUMINUM FACE, PAINTED GLOSS WHITE
 .040 GLOSS WHITE RETURNS
 3/4" GLOSS WHITE TRIM CAP
 1/8" SG 05 ACRYLIC FACE
 COLORS OF VINYL TBD
 .040 PRE-FINISHED WHITE
 AGI-LITE TUFFRAYZ ILLUMN.
 L.E.D. POWER PACK
 POWER SUPPLY TO CONTAINED INSIDE THE LETTER "Y"
 NON-CORROSIVE WALL ANCHORS
 INTERIOR STEEL FRAME SYSTEM
 WEEP HOLES EXTERIOR
 CLIP MOUNTED LETTERS TO CABINET

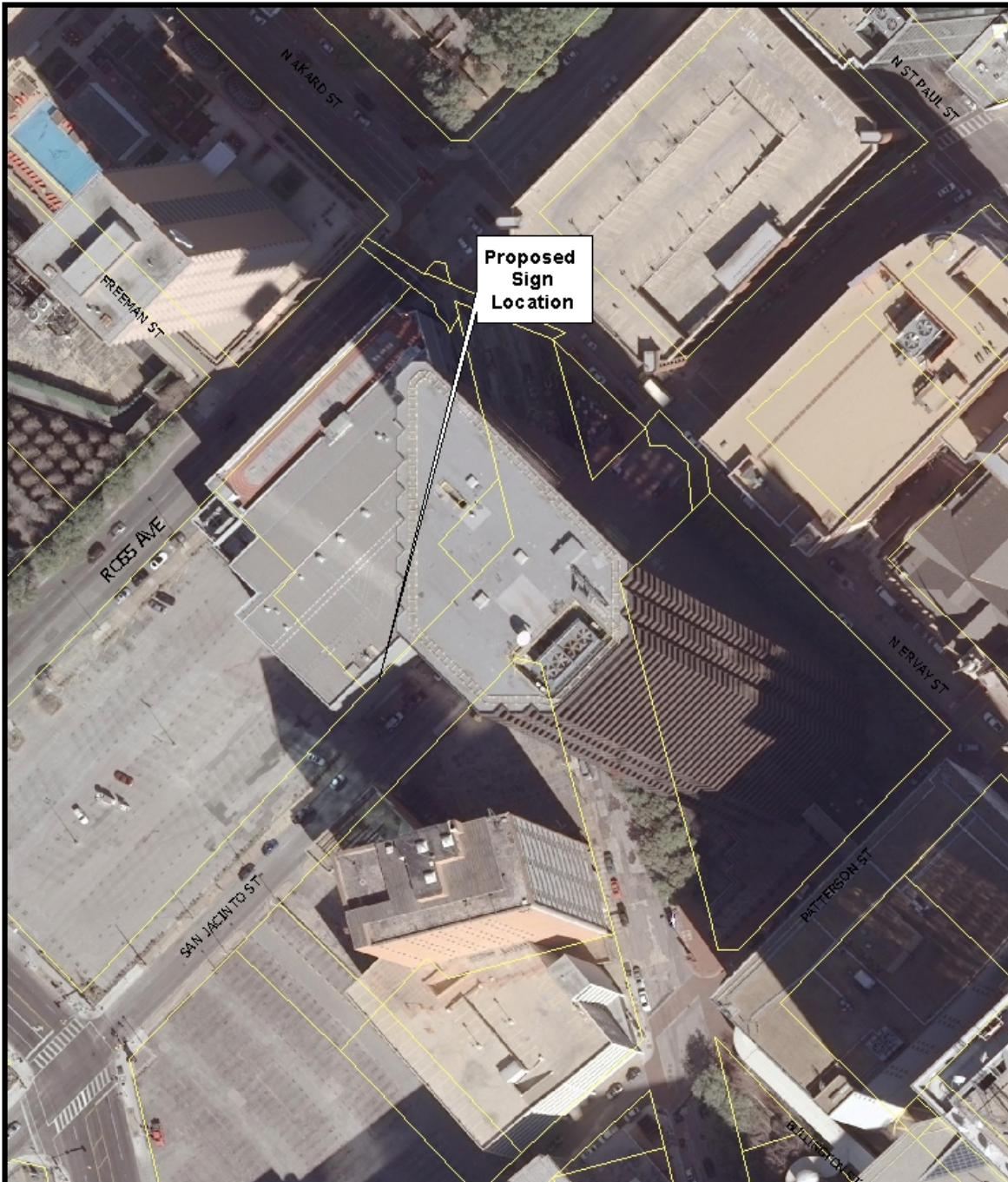
Service thru Face w/ Returns Attached.
 Disconnect From Jumps Inside (Assembled inside Channel Letter)

FACE-LIT CHANNEL LETTERS ON NON-ILLUMINATED CABINET



SAN JACINTO ELEVATION

SCALE: 1" = 20'-0"



1:1,250

AERIAL MAP

Sign District: **E-8**
Case no: **1102245003**

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: 1102245005

DATE FILED: February 24, 2011

LOCATION: 601 N. Akard St.

SIZE OF REQUEST: 124 sq. ft.

COUNCIL DISTRICT: 14

ZONING: CA-1(A)

MAPSCO: 46K

APPLICANT: Brad Pilkington

CONTRACTOR: Reynolds Indoor, Inc.

OWNER/TENANT: YMCA

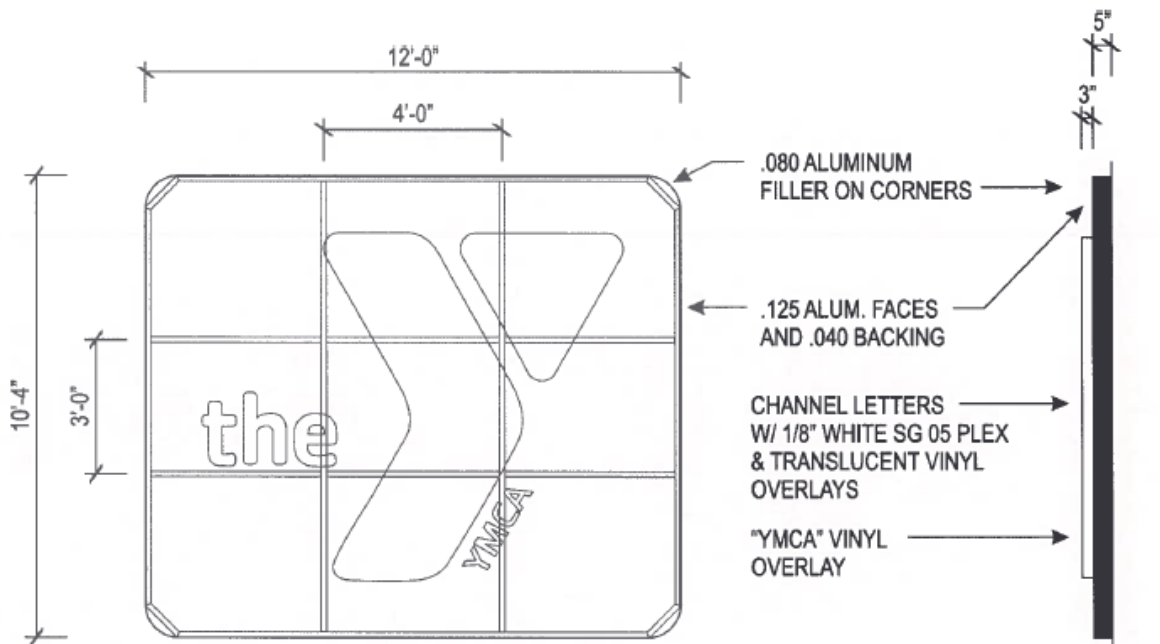
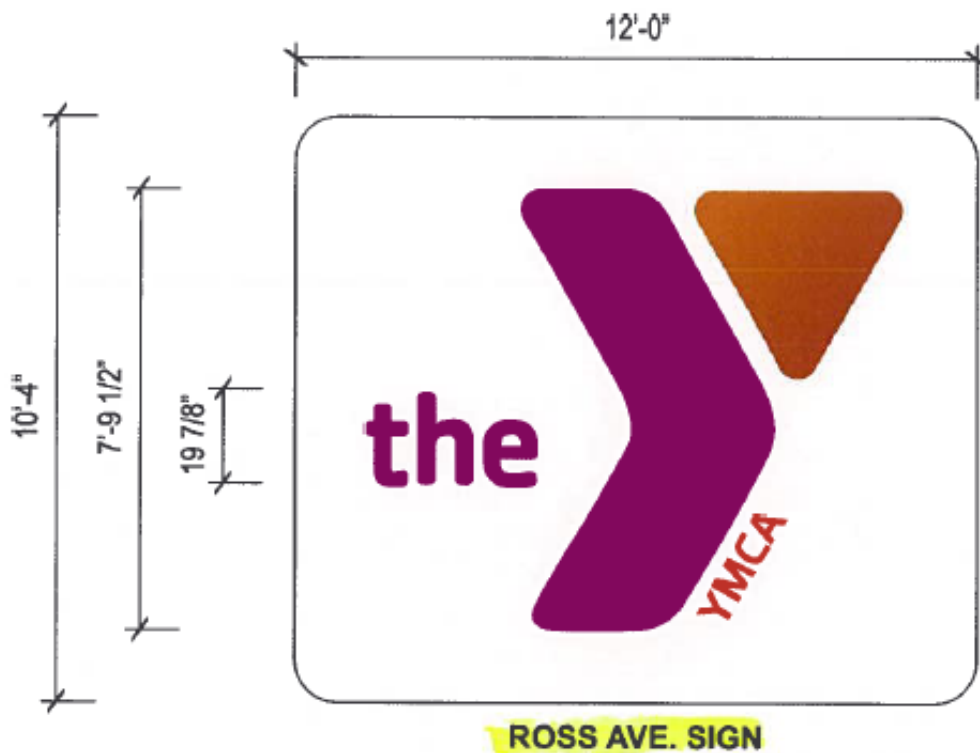
REQUEST: Install a 124 square foot flat attached upper level sign on the north elevation of the YMCA building, containing the text "the Y". The colors are white, tangerine, and light tomato red.

SUMMARY: This proposed sign would replace the existing flat attached upper level sign on the north elevation of the YMCA building.

- A flat attached sign is an attached sign projecting 12 inches or less from a building, and the face of which is parallel to the building façade. Sec. 51A-7.903(14)
- An upper level sign is an attached sign wholly or partially situated 36 feet above grade. Sec. 51A-7.903(33)
- The proposed sign meets the requirements of the Dallas City Code.

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval



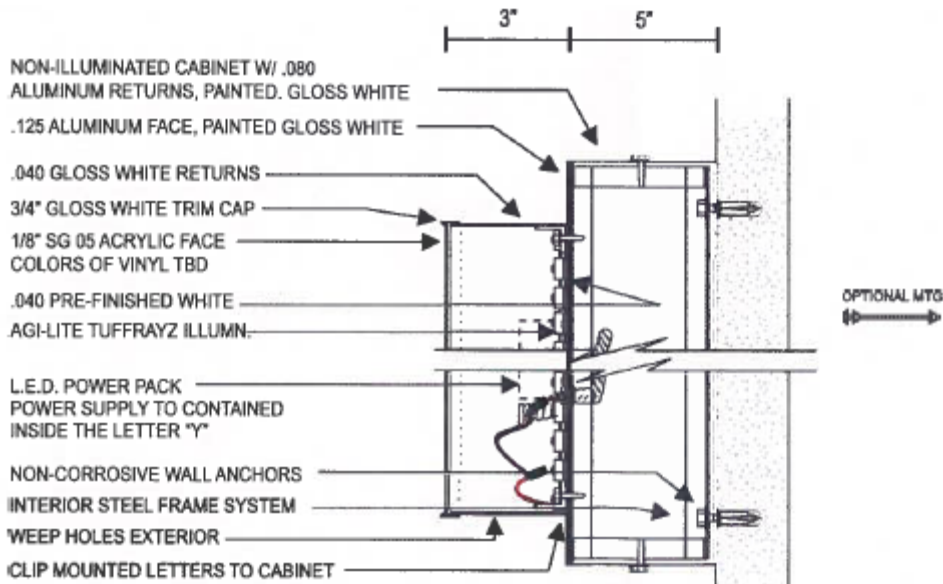
10'-4" x 12'-0" CABINET FRAMING

END VIEW

(1) REQ'D.

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

CABINET FRAME CONSTRUCTED OF 1 1/2 x 1 1/2 x 3/16" & 2" x 2" x 3/16" STEEL ANGLE. EACH CORNER HAS A 1 1/2" x 1 1/2" x 1/8" STEEL 'KICKER' SUPPORT. FACE IS .125 ALUMINUM WITH .040 ALUMINUM BACKING. CABINET TO BE PAINTED GLOSS WHITE.

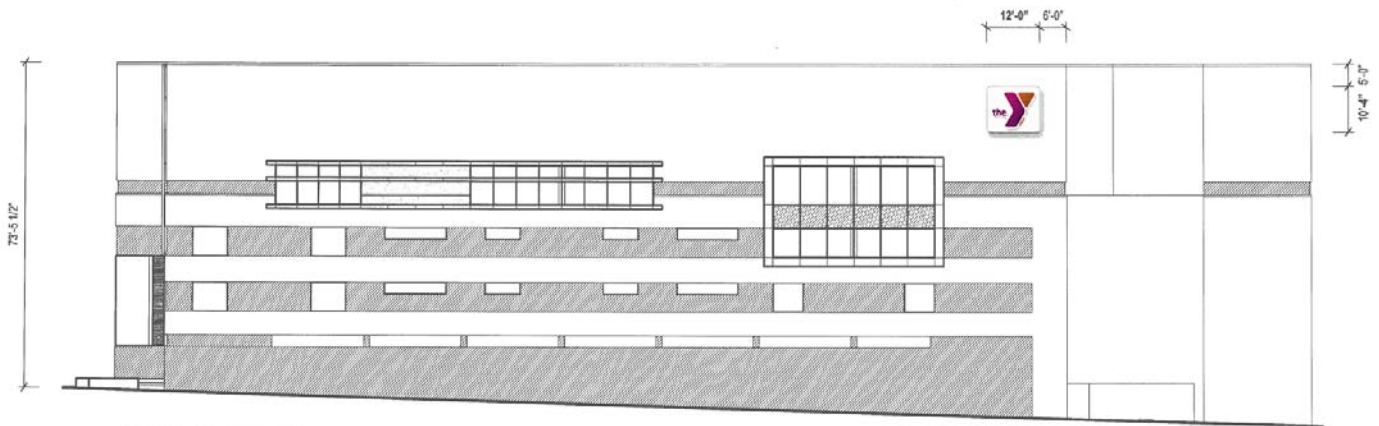


Service thru Face w/ Returns Attached.
 Disconnect From Jumps Inside (Assembled inside Channel Letter)

FACE-LIT CHANNEL LETTERS ON NON-ILLUMINATED CABINET

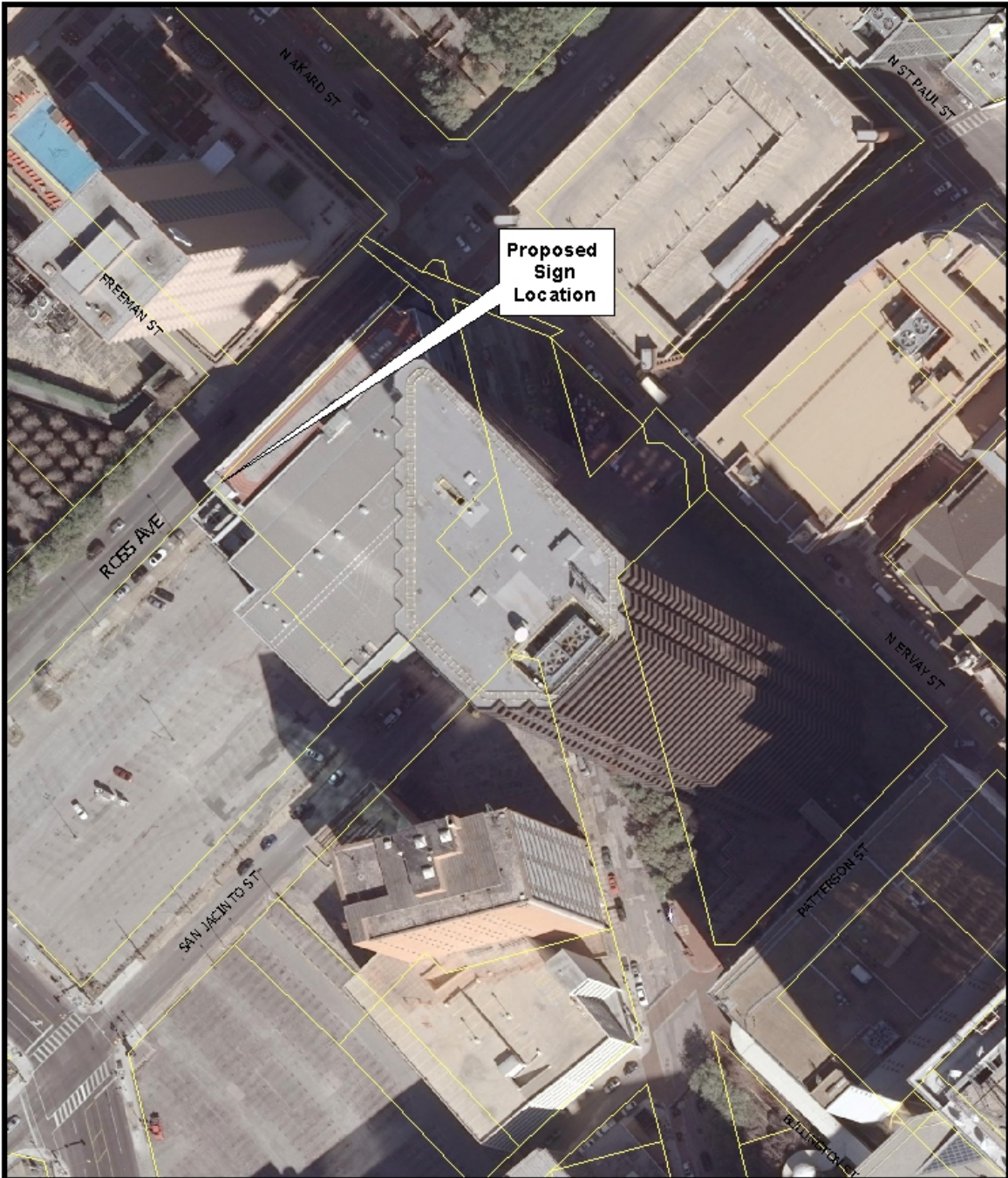
MOUNTING HEIGHT & LOCATION ON WALL TBD.

NTS



ROSS AVENUE ELEVATION

SCALE: 1" = 20'-0"



1:1,250

AERIAL MAP

Sign District: **E-8**
Case no: **1102245005**

DATE: May 18, 2010

FILE NUMBER: Z101-172(MW)

DATE FILED: January 18, 2011

LOCATION: South side of Exposition Avenue, east of Ash Lane

COUNCIL DISTRICT: 7

MAPSCO: 46 K

SIZE OF REQUEST: ±6,500 square feet

CENSUS TRACT: 29

APPLICANT/REPRESENTATIVE: Timothy L. Austin

OWNER: John O. Roberts, Jr.

REQUEST: An application to renew Specific Use Permit No. 1691 for a bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

SUMMARY: The applicant is requesting the renewal of SUP No. 1691 in order to continue operation of an existing bar, lounge, or tavern use.

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

BACKGROUND INFORMATION:

- The ±6,500-square foot request site is improved with a one-story structure and uncovered patio area. The existing bar encompasses ±3,550 square feet of floor area; the patio encompasses ±2,950 square feet of land area.
- The request site is surrounded by office uses to the north, retail and personal service uses to the east, and surface parking to the south and west.
- On December 12, 2007, the City Council approved SUP No. 1691 for a one-year period. On January 14, 2009, the City Council approved renewal of the SUP for a one-year period. On January 27, 2010, the City Council approved renewal of the SUP for a period ending April 1, 2011.

Zoning History:

1.	Z078-137:	On March 28, 2008, the City Council approved a Specific Use Permit for a bar, lounge or tavern for a three-year period, subject to a site plan and conditions.
2.	Z067-340:	On December 12, 2007, the City Council approved a Specific Use Permit for a bar, lounge or tavern for a three-year period, subject to a site plan and conditions.
3.	Z067-334:	On December 12, 2007, the City Council approved a Specific Use Permit for a bar, lounge or tavern for a three-year period, subject to a site plan and conditions.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Exposition Avenue*	Collector	80 feet

*This roadway possesses 59 feet of pavement and will be configured as a five-lane undivided thoroughfare from the CBD/Fair Park Link to Parry Avenue.

Land Use:

	Zoning	Land Use
Site	PDD 269	Bar, lounge or tavern
North	PDD 269	Office
East	PDD 269	Retail and personal service
South	PDD 269	Surface parking
West	PDD 269	Surface parking

STAFF ANALYSIS:

Comprehensive Plan:

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

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

Land Use Compatibility:

The ±6,500-square foot request site is improved with a one-story structure and uncovered patio area. The existing bar encompasses ±3,550 square feet of floor area; the patio encompasses ±2,950 square feet of land area. The applicant is requesting renewal of SUP No. 1691 in order to continue operation of the existing bar. Consistent with the conditions set forth in Ordinance No. 27798, a new certificate of occupancy for this bar was issued on February 25, 2010.

The request site is surrounded by office uses to the north, retail and personal service uses to the east, and surface parking to the south and west.

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

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

The applicant's request, subject to staff's recommended conditions, complies with the general provisions for consideration of an SUP.

Traffic:

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

Parking:

PDD No. 269 does not require off-street parking for the first 2,500 square feet of floor area for a bar, lounge or tavern located within an original building. Otherwise, one space for each 100 square feet of floor area is required. Since the 3,550-square foot bar is located in an original building, the applicant is only required to provide parking for 1,050 square feet of floor area, which equates to 11 spaces.

It is noted that a significant number of metered on-street parking spaces and surface parking lots exist throughout the immediate area.

The applicant has indicated that a parking agreement is in place to provide the 11 required spaces at 712 2nd Avenue.

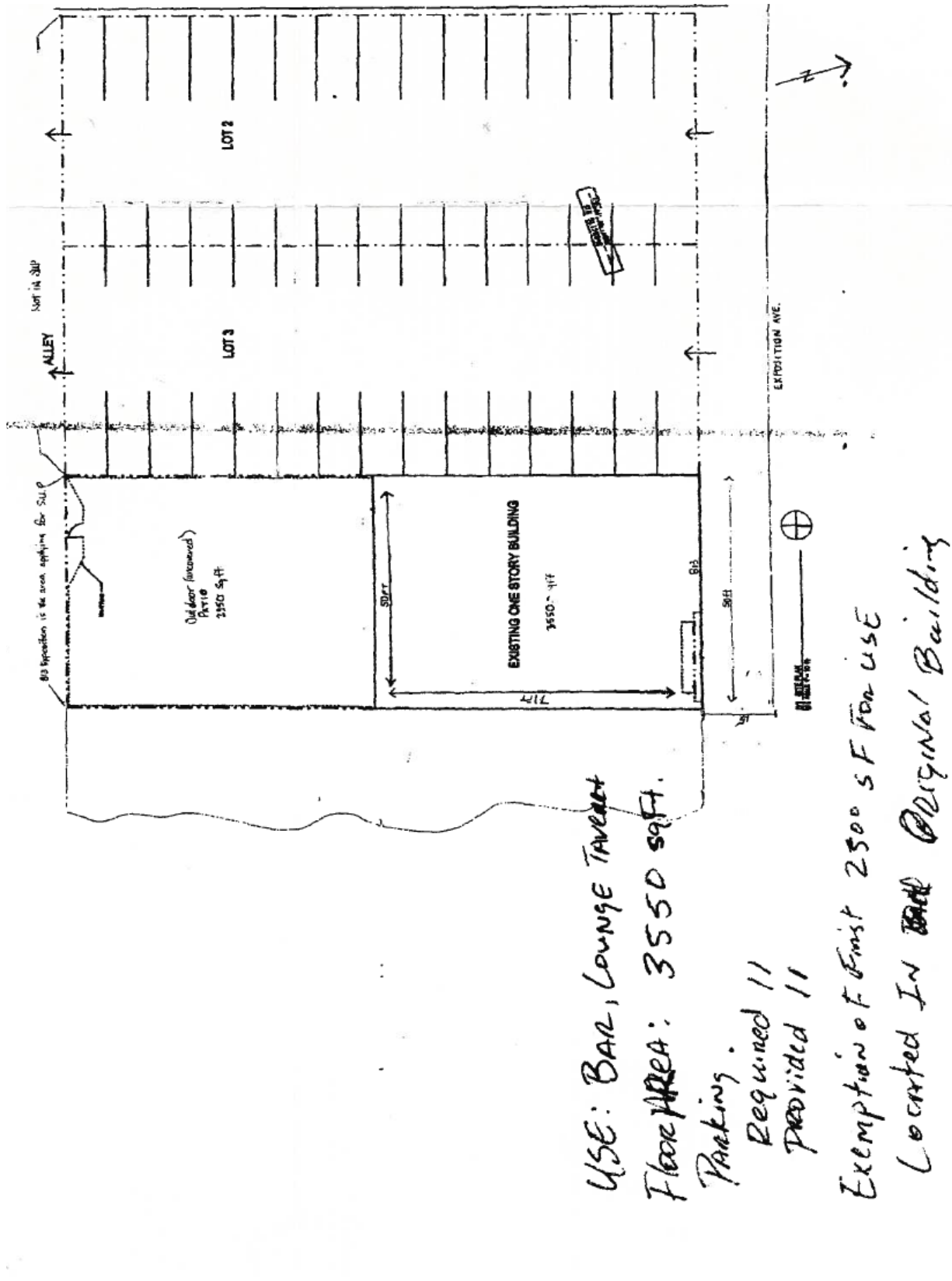
Z101-172(MW)

Police Report:

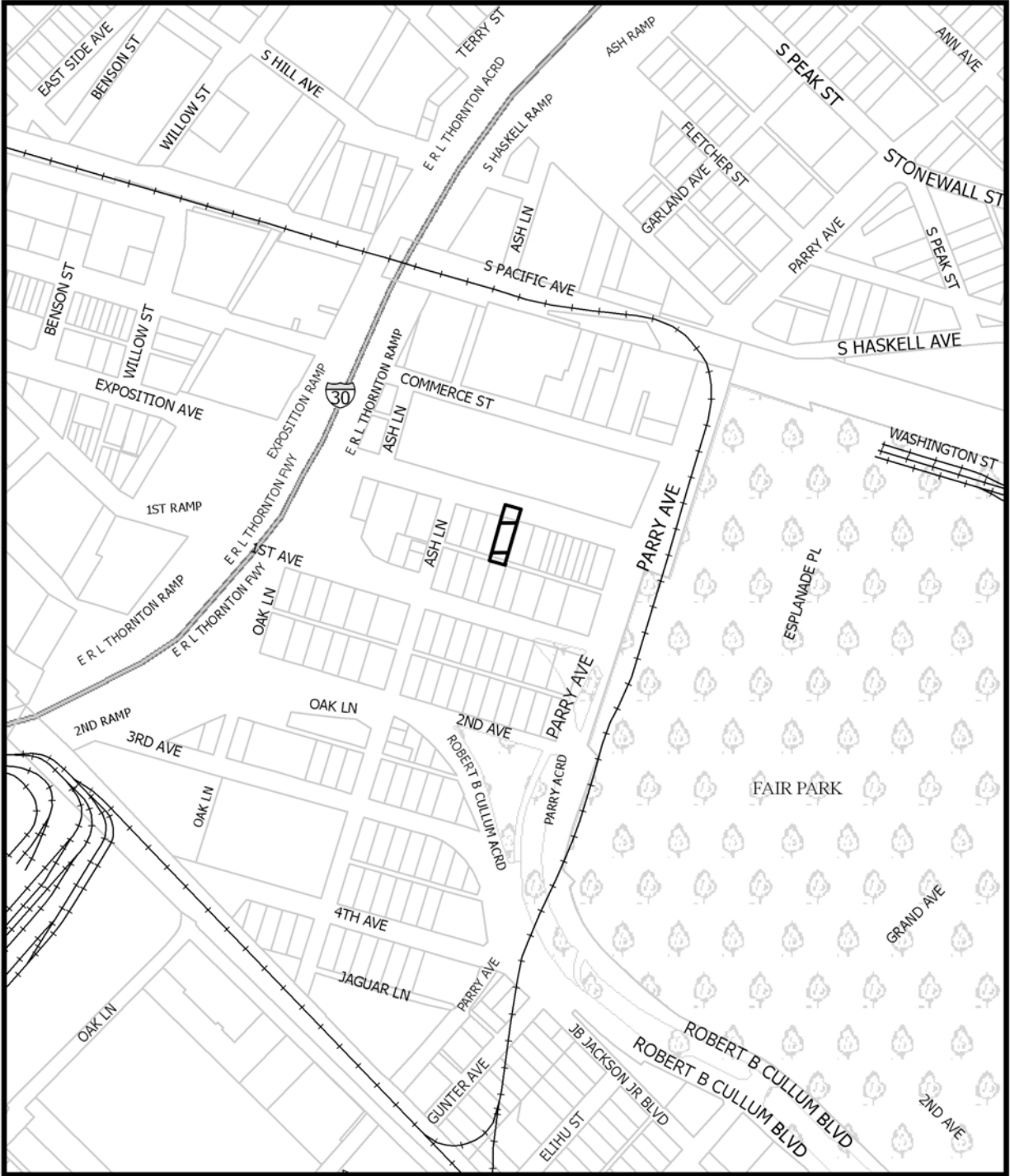
An online search of the Dallas Police Department's offense incident reports for the period from January 1, 2010 to March 15, 2011 revealed no records.

**Z101-172
Proposed Conditions**

1. USE: The only use authorized by this specific use permit is [~~an alcoholic beverage establishment limited to~~] a bar, lounge, or tavern.
2. SITE PLAN: Use and development of the property must comply with the attached site plan.
3. TIME PERIOD: This specific use permit automatically terminates on (three years from passage of the ordinance) [~~April 1, 2011~~].
5. FLOOR AREA:
 - A. The maximum floor area is 3,550 square feet in the location shown on the attached site plan.
 - B. The maximum area for the uncovered patio is 2,950 square feet in the location shown on the attached site plan.
6. HOURS OF OPERATION: The [~~alcoholic beverage establishment limited to a~~] bar, lounge or tavern may only operate between 12:00 p.m. (noon) and 1:00 a.m. (the next day), Monday through Wednesday and between 8:00 p.m. and 2:00 a.m. (the next day), Thursday through Sunday.
7. OFF-STREET PARKING: Parking must be provided in accordance with the remote and special parking requirements of Planned Development District No. 269 (the Deep Ellum/Near East Side District). Delta credits, as defined in Section 51A-4.704(b)(4), may not be used to meet the off-street parking requirement.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

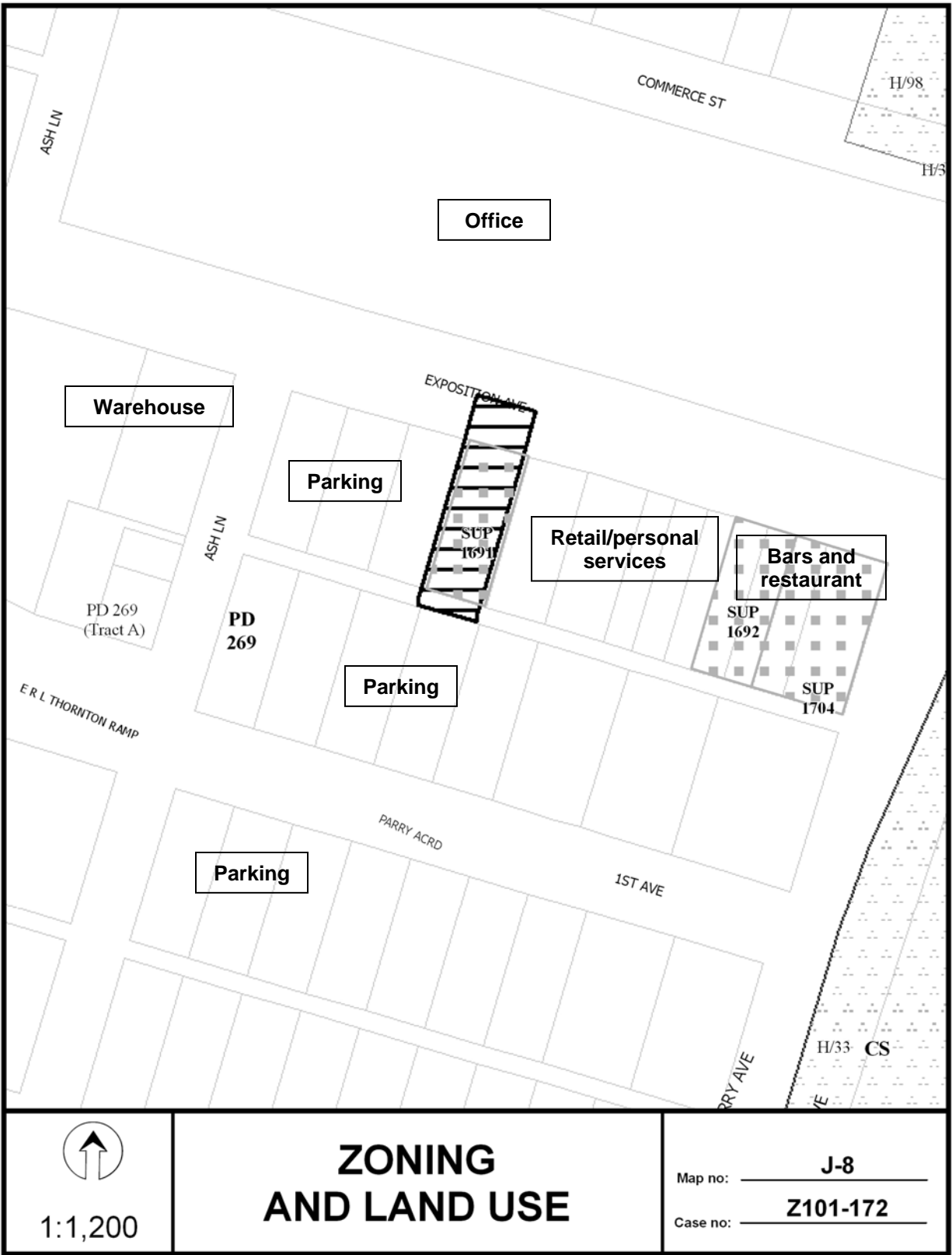


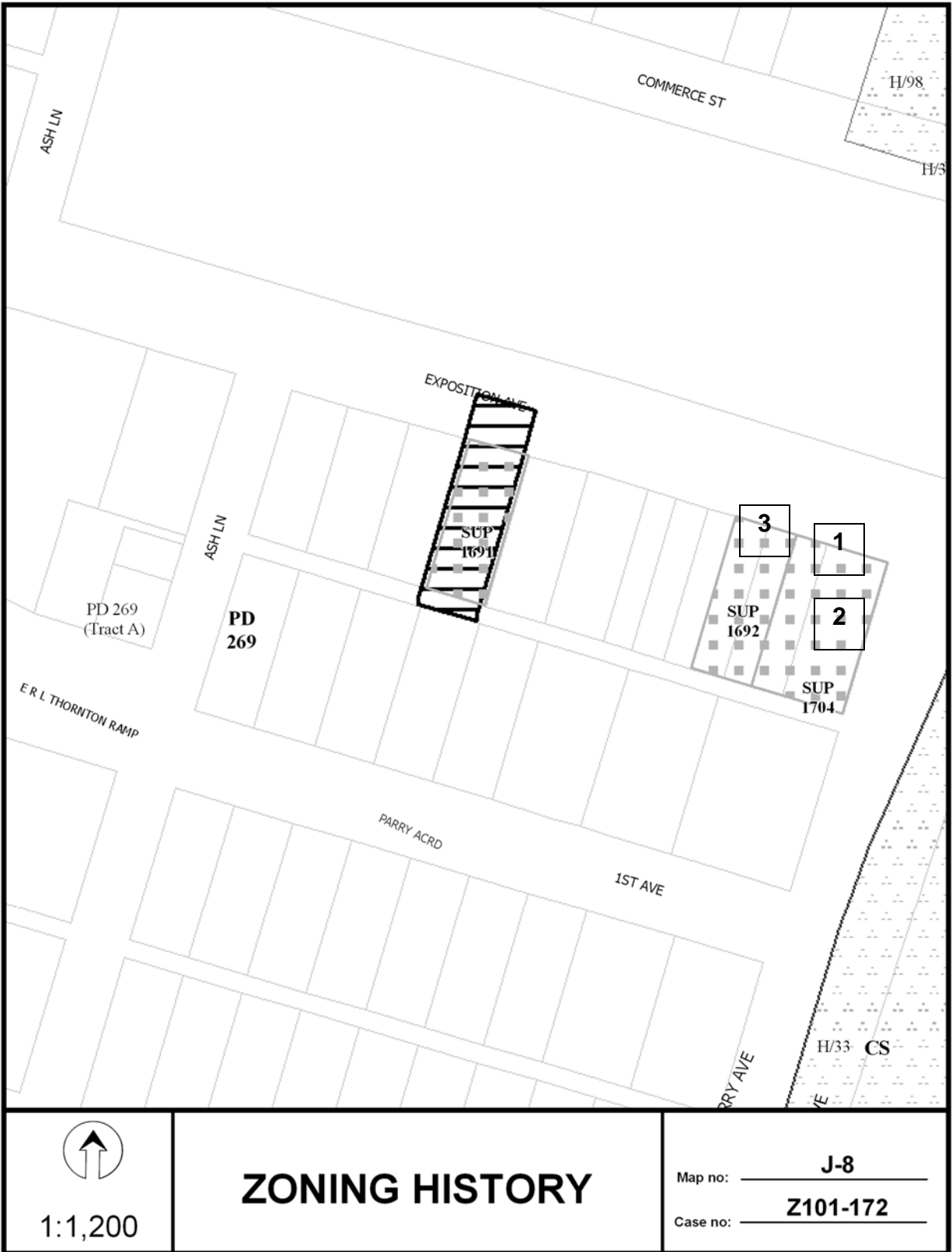
USE: BAR, LOUNGE TAVERN
 Floor AREA: 3550 sqft.
 Parking .
 Required 11
 Provided 11
 Exemption of First 2500 SF For use
 Located In ~~the~~ Original Building



 1:4,800	<h1>VICINITY MAP</h1>	Map no: <u> J-8 </u> Case no: <u> Z101-172 </u>
--	-----------------------	--

DATE: March 09, 2011





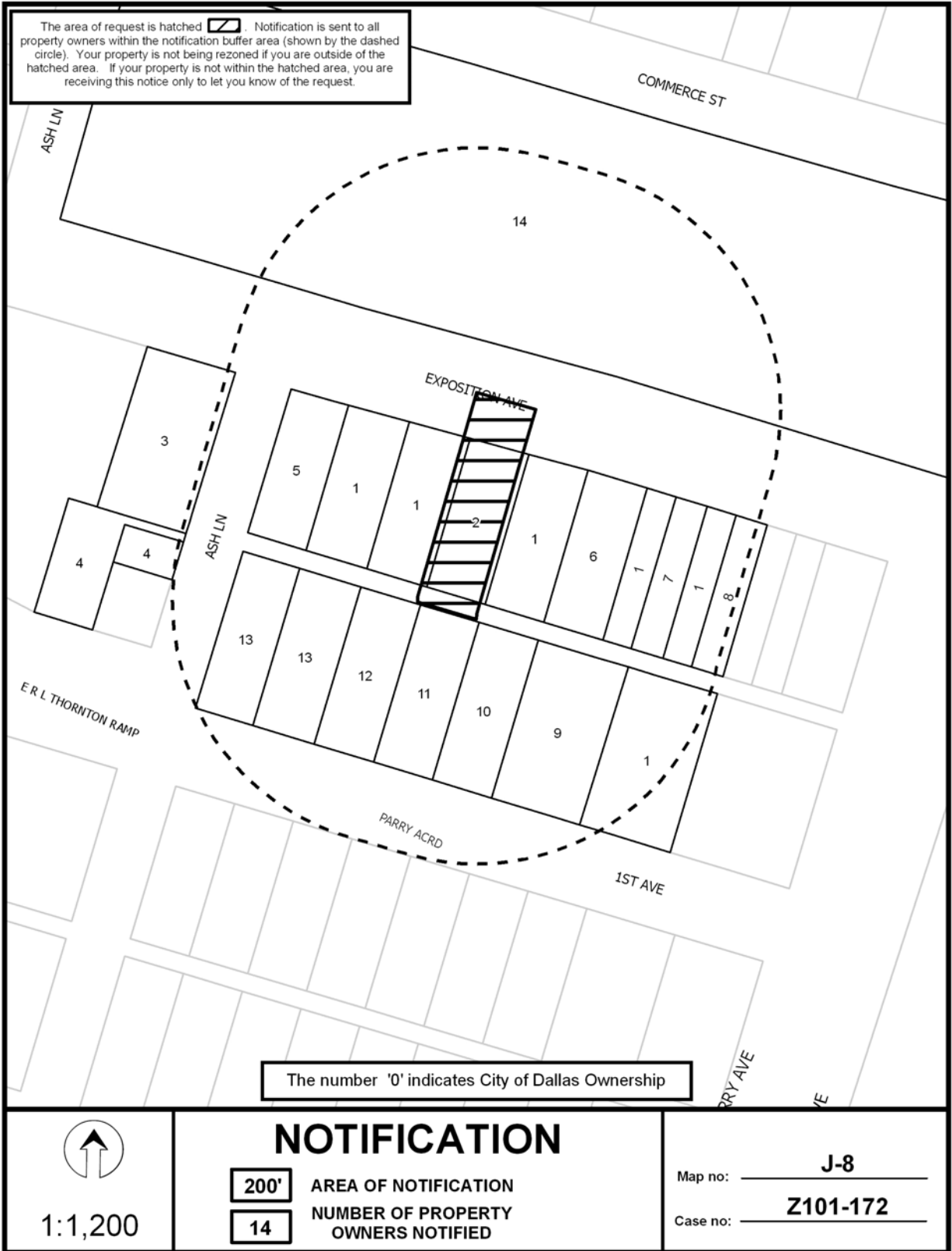
1:1,200

ZONING HISTORY

Map no: J-8

Case no: Z101-172

DATE: March 09, 2011



Notification List of Property Owners

Z101-172

14 Property Owners Notified

Label #	Address	Owner
1 MUELLER II	831 EXPOSITION	EXPO PARK PARTNERS LTD & HARVEY H
2	813 EXPOSITION	ROBERTS JOHN STEVEN
3	729 EXPOSITION	BERT CONCESSIONS INC
4	726 ASH	JEFFEXPO LTD STE A
5	801 EXPOSITION	GIBSON DAVID H
6	821 EXPOSITION	MCNEILL ROBERT K
7	827 EXPOSITION	GREENE PATRICK % LIZ GREENE
8	829 EXPOSITION	HAYS BURL A
9 TRUST	820 1ST	JAMES WILLIAM PRITCHETT REVOCABLE LIVING
10	816 1ST	JAMES W PRICHETT REVOCABLE LIVING TRUST
11	812 1ST	BELCLAIRE REALTY LTD
12	808 1ST	MOXIE INVESTMENTS LTD
13	804 1ST	PARK LINK LTD FRED BAKER
14	4115 COMMERCE	BLOCK 811 LTD

FILE NUMBER: Z101-168 (JH)

DATE FILED: January 18, 2011

LOCATION: Northeast corner of S. Hampton Road and Marvin D. Love Freeway

COUNCIL DISTRICT: 5

MAPSCO: 63-R

SIZE OF REQUEST: Approx. 0.49 acres

CENSUS TRACT: 110.01

REPRESENTATIVE: Santos Martinez, MASTERPLAN

APPLICANT/OWNER: Z Petroleum

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 RR 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 3,500 square feet or less for a two-year period with eligibility for automatic renewal of additional five year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

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

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

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Hampton Road	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 Multi-modal Corridor Block.

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

Land Use Compatibility:

The approximately 0.27-acre request site is zoned an RR Regional Retail District with a D Dry Liquor Control Overlay and is currently developed with an approximately 700 square foot general merchandise 3,500 square feet or less 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 retail and personal service to the north; office uses to the west; a post office use to the northwest; and single family uses on the east side of Marvin D. Love Freeway / US 67. The Dallas Executive Airport is also nearby to the west and northwest.

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:

Z101-168(JH)

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

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

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

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
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/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 eight off-street parking spaces are required and 11 off-street spaces are provided.

Landscaping:

Landscaping required per Article X of the Dallas Development Code.

Z101-168(JH)

List of Partners/Principals/Officers

Z Petroleum

Karim Somani, President

DPD Report

 **DALLAS POLICE DEPARTMENT** [UCR Codes](#) [Year Codes](#) [Property Class Codes](#)
Virtual Viewer - Public Access **Welcome**



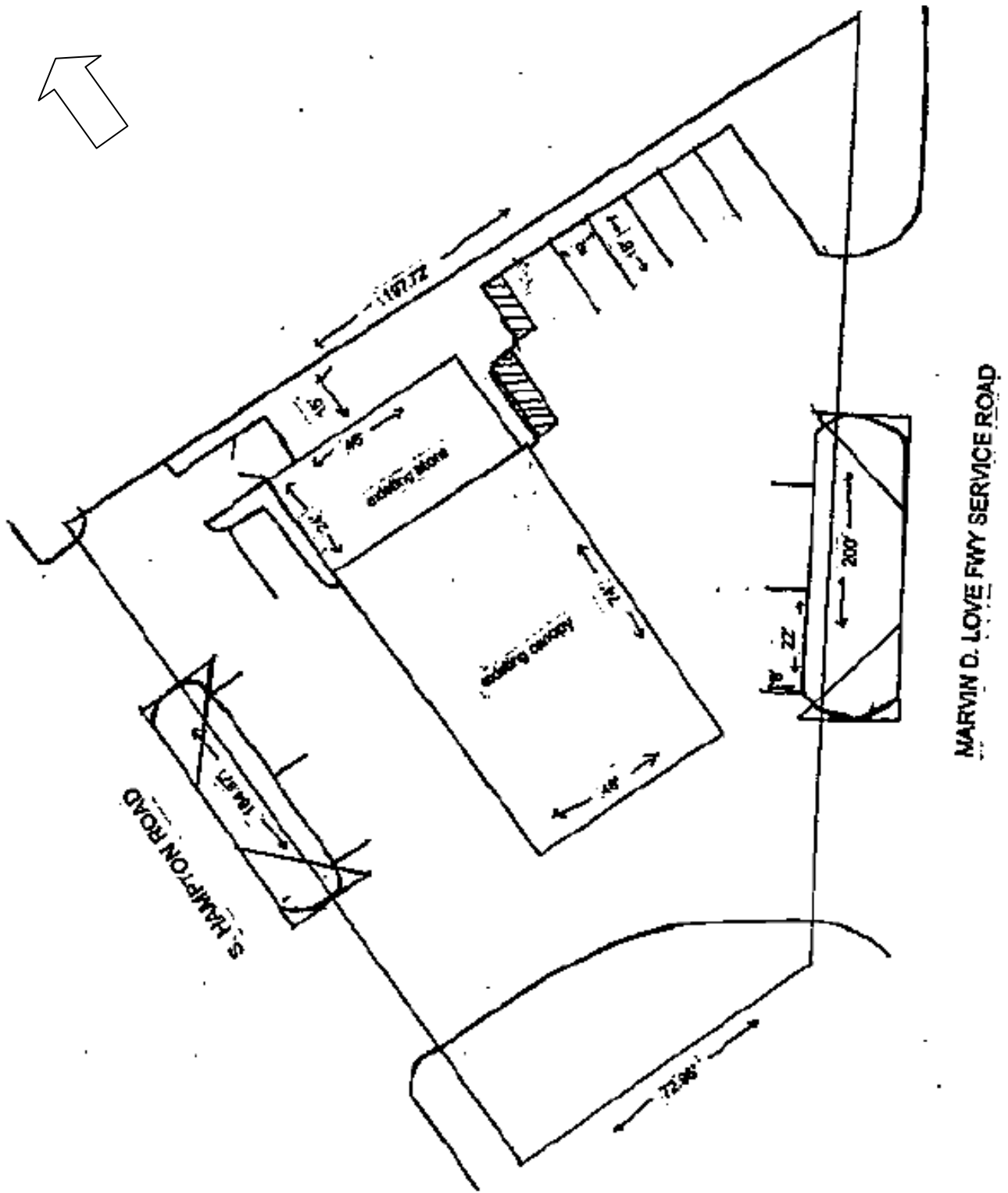
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Service #	Offense Date	Complainant	Offense	Block ▲	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0223135-W	07/30/2009	*VALERO GAS STATION	ROBBERY	05707	S	HAMPTON...	456	4315	03311		
0617229-T	08/16/2007	WASHINGTON,DENNIS	TRAFFIC MOTOR VEHICLE	05707	S	HAMPTON...	432	4315	32090		
0673637-T	09/30/2007	CHARNIA,SAM,	ASSAULT	05707	S	HAMPTON...	432	4315	08192		

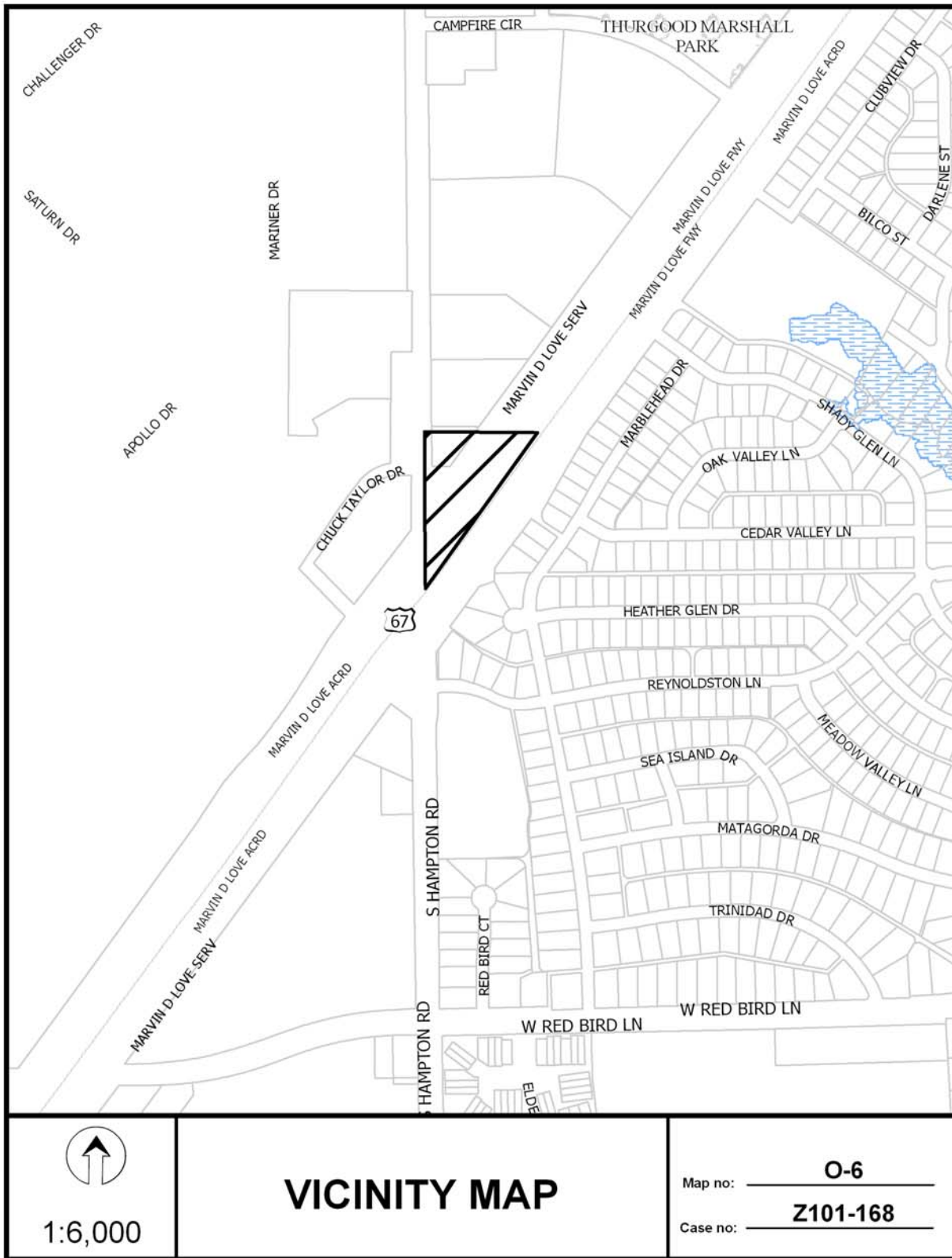


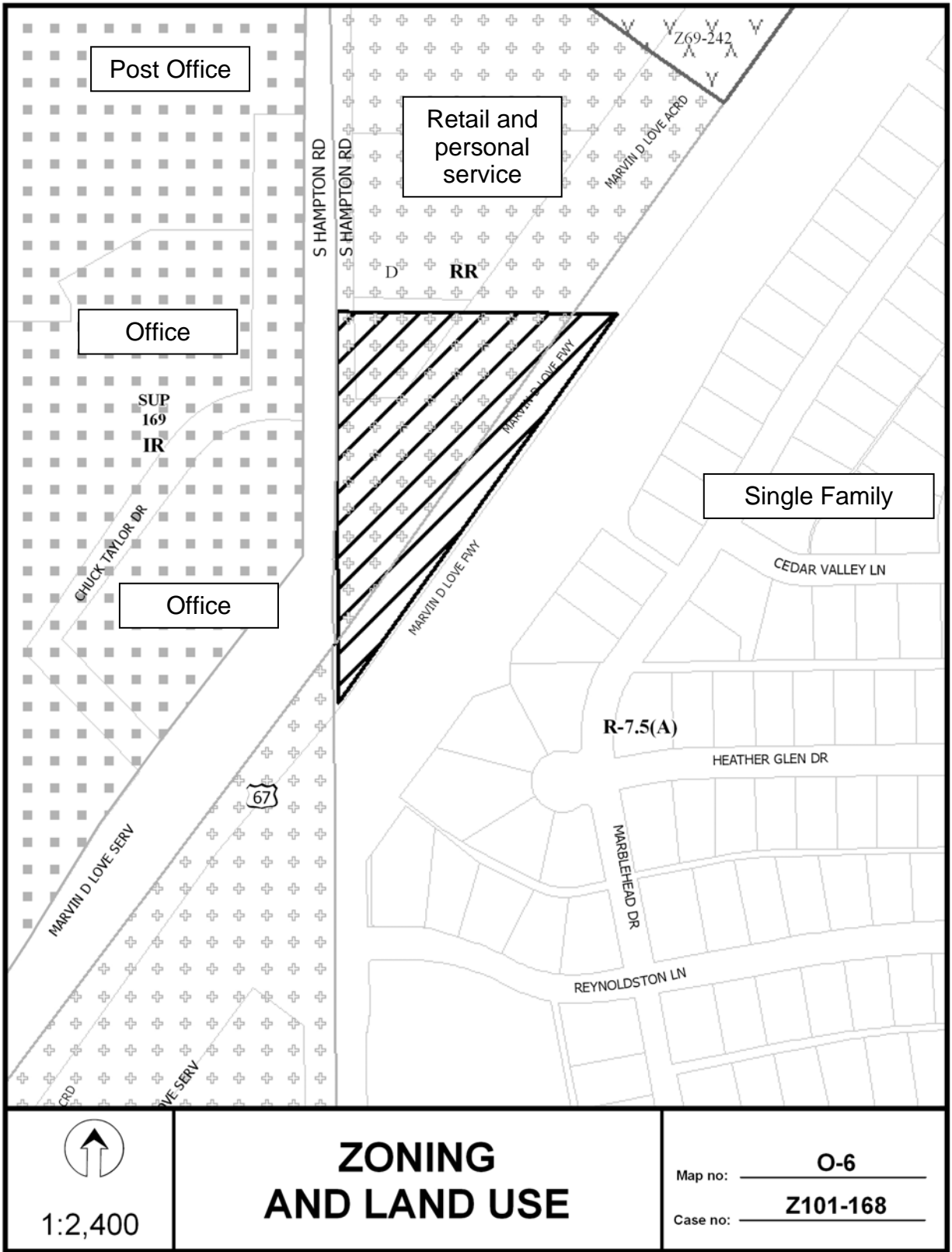
SUP Conditions

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. 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





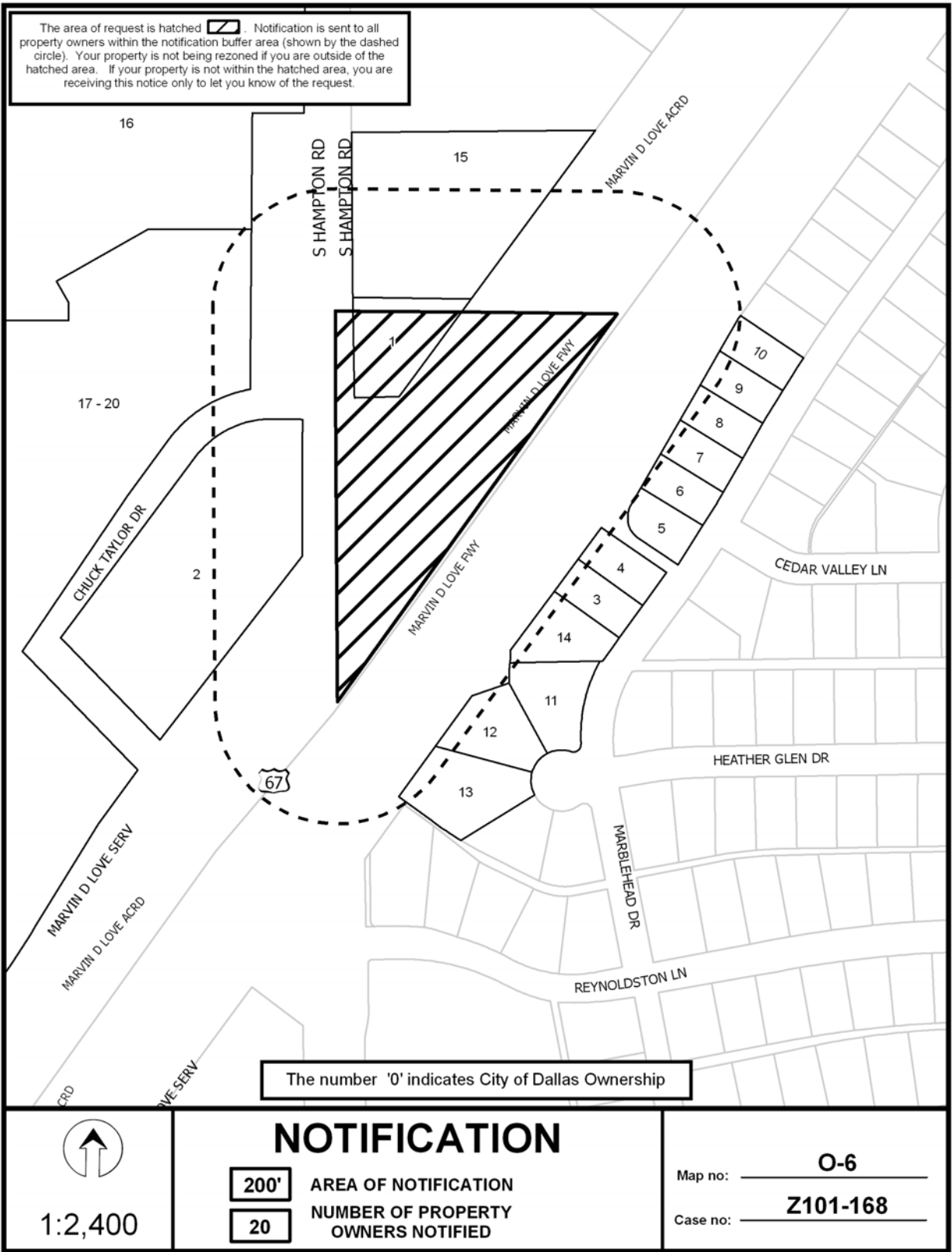


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ZONING AND LAND USE

Map no: O-6
Case no: Z101-168

DATE: March 16, 2011



Notification List of Property Owners

Z101-168

20 Property Owners Notified

Label #	Address	Owner
1	5707 HAMPTON	Z PETROLEUM INC
2	5801 MARVIN D LOVE	IVY TWO WEST HILLS LP STE 850
3	5723 MARBLEHEAD	JONES BOBBY G & MARY R
4	5717 MARBLEHEAD	COLLIER LOURICE
5	5707 MARBLEHEAD	HENDERSON VERDIE M
6	5659 MARBLEHEAD	CASTLE SHIRLEANNE B
7	5653 MARBLEHEAD	BRITO JOSE ISABEL & ERASMA BRITO
8	5649 MARBLEHEAD	MITCHELL MARGIE ANN
9	5643 MARBLEHEAD	BROWN GLOVER
10	5639 MARBLEHEAD	CARMOUCHE MERLE L
11	5737 MARBLEHEAD	TAYLOR WILLIE & KEONDRA
12	5747 MARBLEHEAD	KING ELLIS & YVONNE
13	5757 MARBLEHEAD	MITCHELL HELEN G
14	5727 MARBLEHEAD	BARBER REGIS C
15	5602 HAMPTON	HAMPTON 67 ASSOCIATES % MCNEFF PROPERTIES
16	5701 HAMPTON	U S POSTAL SERVICE
17	5787 HAMPTON	IVY REALTY TRUST % MERTON B GOLDMAN
18	4831 HAMPTON	SERVION LOVE FIELD TERMINAL BLDG
19	4831 HAMPTON	MODERN AERO OF TEXAS R/B AIRPORT LB37
20	4831 HAMPTON	J C AVIATION INV DALLAS EXECUTIVE AIRPORT

Wednesday, March 16, 2011

FILE NUMBER: Z101-171(WE) **DATE FILED:** January 18, 2011

LOCATION: South line of C. F. Hawn Freeway, west of Silverado Drive

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

SIZE OF REQUEST: Approx. 11,325.6 sq. ft. **CENSUS TRACT:** 171.02

APPLICANT / OWNER: Carl Thomas Marlow

REPRESENTATIVE: Michael R. Coker Company
Michael Coker

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

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

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

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store 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.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on property requires a specific use permit in the D-1 Dry Liquor Control Overlay.
- The request site is adjacent to an office, a truck repair and parts store and a car dealership.

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

1. Z089-196 On January 27, 2010, the City Council approved a CS Commercial Service District on property zoned an R-7.5(A) Single Family District and a Specific Use Permit for commercial motor vehicle parking on property zoned a CS-D-1 Commercial Service District with a D-1 Dry Liquor Control Overlay and an R-7.5(A) Single Family District and deed restrictions volunteered by the applicant. (outside of map area)
2. Z090-238 On Wednesday, February 9, 2011, the City Council approved an amendment to Specific Use Permit No. 1766 for commercial motor vehicle parking on property zoned a CS-D-1 Commercial Service District with a D-1 Dry Liquor Control Overlay. (outside of map area)

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
C.F. Hawn Freeway		Variable lane widths	Variable lane widths

Land Use:

	Zoning	Land Use
Site	CS-D-1	Service Station & general Merchandise store
North	CS-D-1	C.F. Hawn Freeway
South	CS-D-1	
East	CS-D-1	Office, Vehicle display sales and services
West	CS-D-1	Auto Related uses

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

These areas primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. These corridors, commonly at the intersection of major streets, are easily accessed via automobiles. Buckner Boulevard is an example of a Commercial Corridor. Buildings in these areas tend to be on separate parcels and stand one to five stories with offices, restaurants and a range of retail and commercial uses. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums. Landscaping and urban design will enhance the visitor’s experience and is used to separate sidewalks from major roads and define pedestrian routes in large parking lots. For large shopping centers, this may involve adding public plazas or other “town center” features. Public transit enhancements as well as quality access and visibility are important components of successful auto-oriented development

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility: The approximately 11,325.6 square foot site is zoned a CS-D-1 Commercial Service District with a D-1 Dry Liquor Control Overlay and is currently developed with a general merchandise or food store 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 request site is adjacent to an office, a truck repair and parts store and a car dealership.

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

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

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

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

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

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

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

Development Standards:

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

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

Parking: The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area and 2 spaces for a motor vehicle fueling station. The development requires 11 spaces with 9 being provided per the attached site plan. The applicant will be required file a remote parking agreement with the adjacent property owner for the 2 additional off-street parking spaces. When the remote parking agreement has been executed, the applicant will meet the parking requirements.

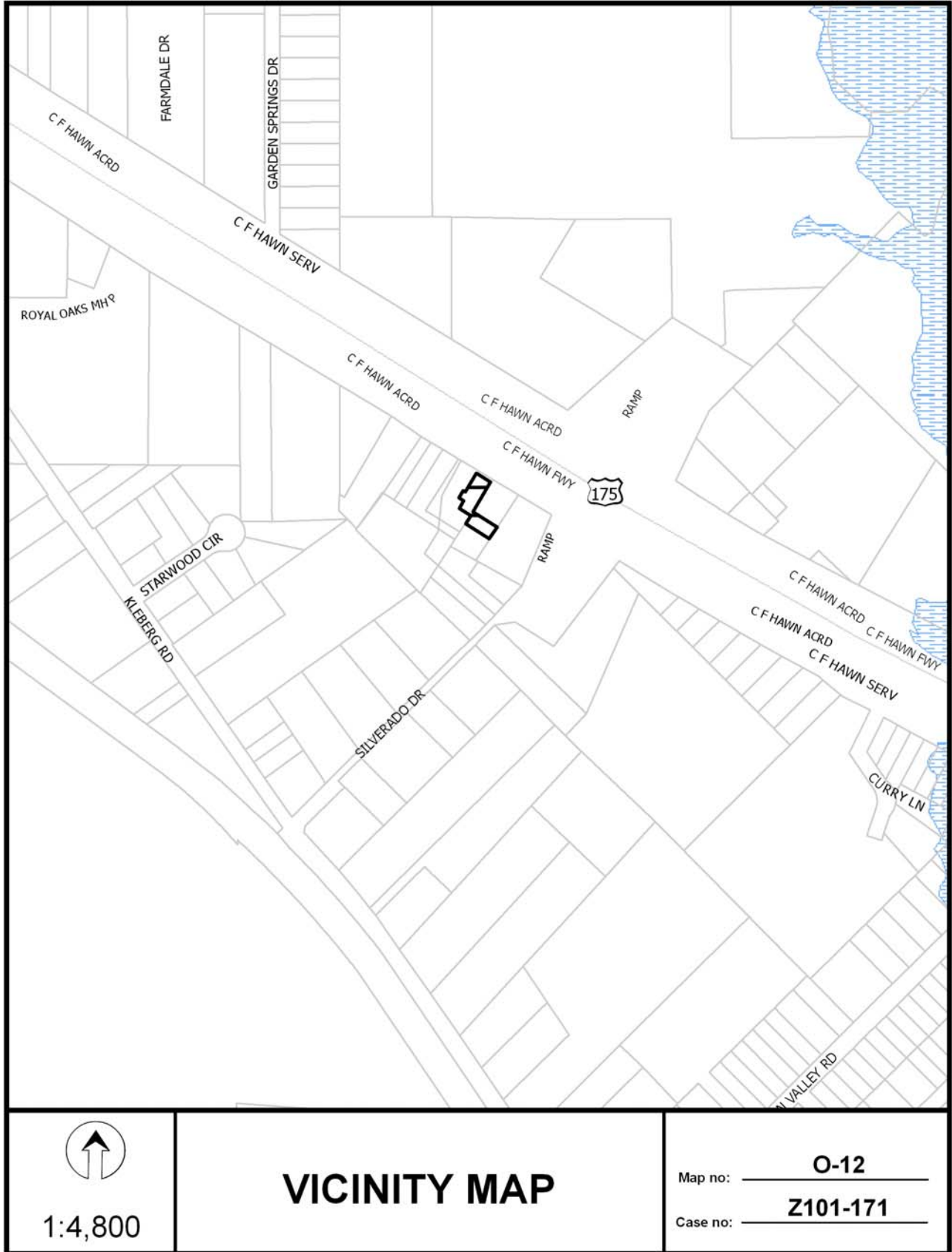
Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Dallas Police Department: No offenses were found at this location.

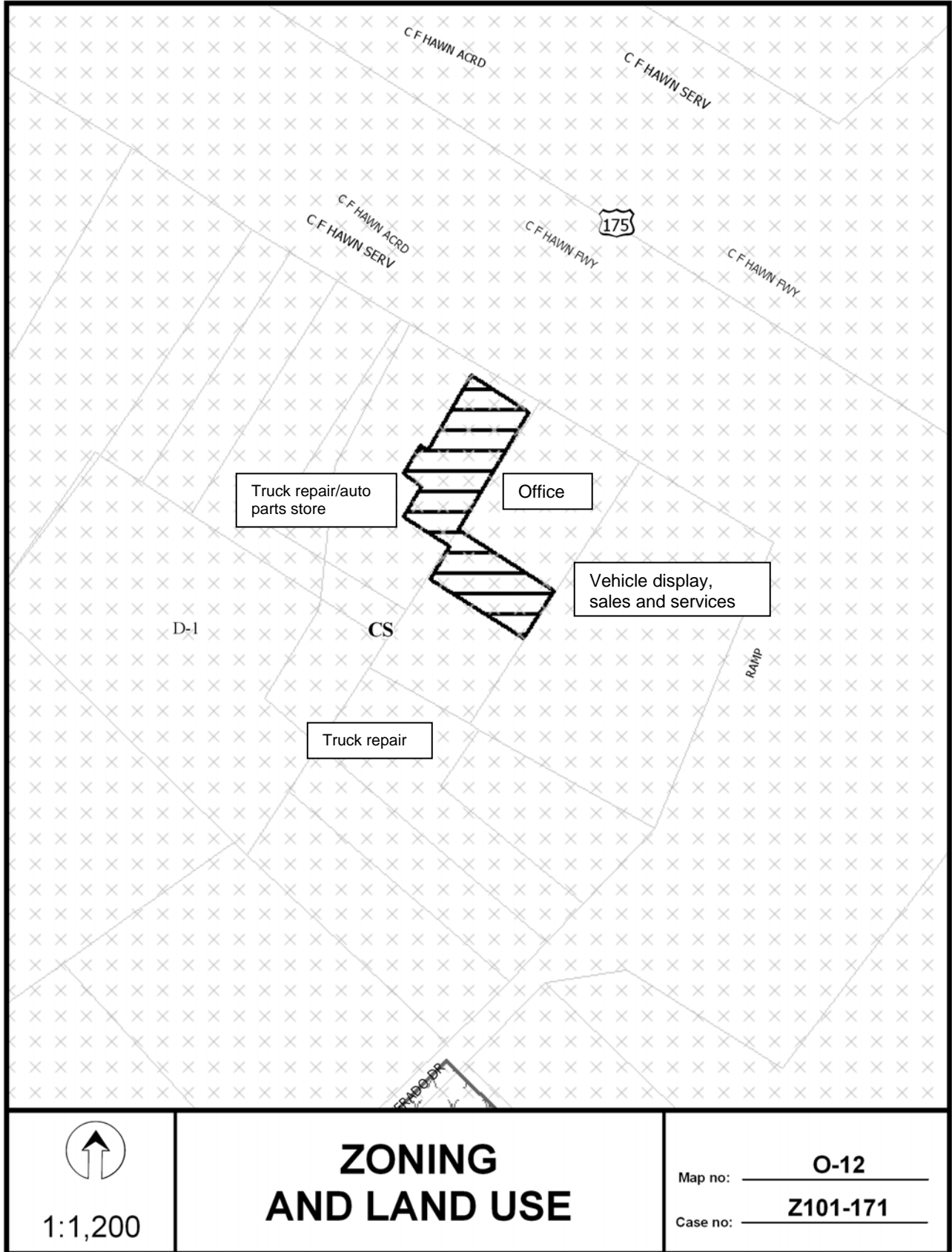
PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages for off-premise consumption as part of the operation of a general merchandise or food store less than 3,500 square foot.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on_____, (two-year period from the passage of this ordinance), and is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for application for automatic renewal is strictly enforced).
4. INGRESS/ EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
5. PARKING: A minimum of 11 parking spaces must be provided before issuance of a building permit, alcohol measurement certification, or certificate of occupancy.
6. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.
7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas

Z101-171WE)



DATE: March 09, 2011



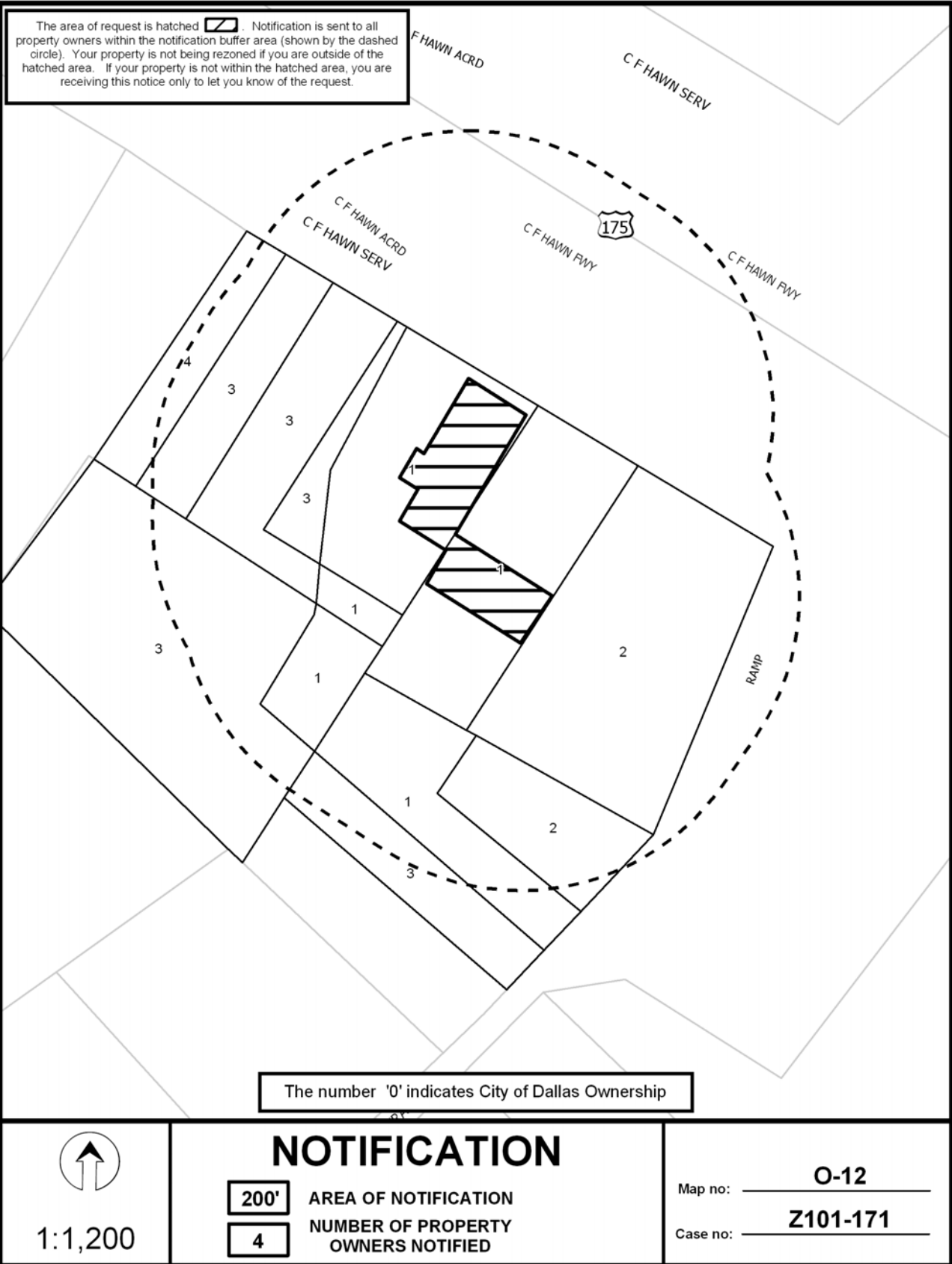
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ZONING AND LAND USE

Map no: O-12

Case no: Z101-171

DATE: March 09, 2011



Notification List of Property Owners

Z101-171

4 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2105 SILVERADO	MARLOW CARL THOMAS
2	2105 SILVERADO	MCDANIEL JOE DOYLE
3	2105 SILVERADO	TAYLOR LAWRENCE C & DEBRA
4	11750 C F HAWN	TAYLOR LAWRENCE C & DEBRA

Wednesday, March 09, 2011

FILE NUMBER: Z101-113(RB)

DATE FILED: November 20, 2010

LOCATION: Preston Road and Orchid Lane, Southeast Quadrant

COUNCIL DISTRICT: 13

MAPSCO: 25 F, K

SIZE OF REQUEST: Approx. 40.39 Acres

CENSUS TRACT: 76.04

APPLICANT: St. Mark's School of Texas, Owner

REPRESENTATIVE: Santos Martinez

REQUEST: An application for an amendment to and expansion of Planned Development District No. 553 for a Church and Private school. The expansion area is zoned an R-16(A) Single Family District.

SUMMARY: The applicant is proposing to incorporate the expansion area within the PDD boundary as well as provide for the existing screening along Preston Road.

STAFF RECOMMENDATION: Hold under advisement until April 21, 2011.

BACKGROUND INFORMATION:

- PDD No. 553 is developed with a private school and support facilities and activity areas. The expansion area is undeveloped.
- PDD No. 553 was approved by the City Council on June 23, 1999.
- The applicant proposes to expand the existing PDD boundary by incorporating the two undeveloped parcels along Orchid Lane while considering the following: 1) provide for the existing screening net along the Preston Road frontage; 2) remove ordinance language regarding access from adjacent street/alley intersections; 3) remove minimum caliper inch requirements for new plantings; and, 4) 'cleaning up' of ordinance language of provisions already provided for at time of this application.
- A preliminary plat incorporating the expansion area as well as the internal alley was approved on February 11, 2010.
- No other revisions are being requested at this time.

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

Thoroughfare/Street

Existing & Proposed ROW

Preston Road

Principal Arterial; 100' & 100' ROW

Orchid Lane

Local; 50' ROW

STAFF ANALYSIS:

Comprehensive Plan:

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

LAND USE ELEMENT

GOAL 1.2 Promote desired development.

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

Land Use Compatibility:

The existing PDD No. 553 boundary is developed with a private school with typical support facilities and athletic areas normally found on a school campus. The expansion area consists of undeveloped property zoned for single family uses. The applicant proposes to expand the existing PDD boundary by incorporating the two undeveloped parcels while permitting an existing screening net along Preston Road

The predominate land use in the area surrounding the existing PDD boundary is largely low density single family uses. Further north of the site along Preston Road at its intersection with Royal Lane are office and retail uses.

The applicant replatted the Orchid Lane residential lots (expansion area of request) along with the internal alley alignment into one building site. While no additional development rights are being requested, the applicant does request consideration of the following: 1) provide for the existing screening net along the Preston Road frontage; 2) remove ordinance language regarding access from adjacent street/alley intersections; 3) remove minimum caliper inch requirements for new plantings; and, 4) 'cleaning up' of ordinance language of provisions already provided for at time of this application.

Staff has determined that the vision of the requested amendments will not impact the continued relationship of this institutional use being compatible with its residential adjacency. To ensure this, staff has recommended additional ordinance language that addresses certain concerns. One area of concern is to ensure the expansion area does not provide for access to Orchid Lane nor be a future site for any improvements. Furthermore, any parking in this area would require berming/screening on its northern perimeter; this maintains the existing buffer for the balance of the PDD's northern boundary along Orchid Lane eastward from Preston Road. Additionally, 'overflow parking' will be defined so as to minimize intrusion on adjacent residential uses. It should be noted that the approved development/landscape plan identified the northern strip of the property fronting on the south line of Orchid Lane as overflow parking, however it is staff's opinion that the recommended definition (see attached conditions) will better define its utilization of the land area.

Based on this analysis, staff supports the request subject to the attached

Z101-113(RB)

development/landscape plan and recommended conditions.

Traffic: The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the requested amendment/expansion and determined that they will not significantly impact the surrounding street system. With no increase in classrooms or student enrollments, staff is satisfied previous traffic management review remains valid.

Landscaping: PDD No. 553 requires landscaping per the attached development/landscape plan. No revisions are being requested, however, staff has not agreed to support the provision to remove the required minimum three caliper inch per tree at time of planting.

Z101-113(RB)

St. Mark's School of Texas
Directors

HEADMASTER
Arnold Holtberg

ASSISTANT HEADMASTER
David Dini

DIRECTOR OF FINANCE & ADMINISTRATION
Suzanne Townsend

Z101-113

ST. MARK'S SCHOOL OF TEXAS
BOARD OF TRUSTEES
2010-2011
David B. Ackerman '89
Trevor Ahlberg '86
Michael S. Anderson
James E. Bass '77
George S. Bayoud, Jr. '73
Yolanda Brooks
Gil Cassagne
Pallavi Chavda
Andrew O. Clancy '84
Katherine R. Crow
Leanna Cruz
Kurt A. Eichenwald '79
Hill Feinberg
Randall Fojtasek '81
Bill Graue '84
G. Houston Hall '78
Wallace L. Hall, Jr. '80
Ken Hersh '81
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Kathryne Hillier
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Larry Lacerte
Chris E. J. Lee '96
Ann Mahowald
Mary Beth Marshall
Robert A. McClain

Z101-113

Patrick McGee
Wm. Casey McManemin '79
Harold H. Montgomery '78
Jack L. Morris '77
Jon Mosle III '79
Charles E. Nearburg '68
Pamela J. Okada
Mr. Michael D. Pegues
H. Ross Perot, Jr. '77
B. G. Porter '83
Richard Ramirez
Helene C. Rudberg
Andrew Shore '77
Robert E.W. Sinclair '74
Cindy F. Smith
Richard D. Squires
Rt. Rev. James Stanton
John Stull '67
Amy Ware
Mike Warnecke '87
Kevin B. Wiggins
Taylor Wilson '81

Arnold E. Holtberg, Headmaster

Z101-113

SEC. 51P-553.101. LEGISLATIVE HISTORY.

PD 553 was established by Ordinance No. 23929, passed by the Dallas City Council on June 23, 1999. Ordinance No. 23929 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 23929; 25163)

SEC. 51P-553.102. PROPERTY LOCATION AND SIZE.

PD 553 is established on property generally located on the east line of Preston Road, at its intersection with the south line of Orchid Lane. The size of PD 553 is approximately ~~39.6762~~ 40.381 acres. (Ord. Nos. 23929; 25163)

SEC. 51P-553.103. DEFINITIONS AND INTERPRETATIONS.

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

(b) In this article,

(1) OVERFLOW PARKING means off-street parking for any event which occurs on the Property after 4:00 p.m., Monday through Friday, or on weekends, during any academic school year. Parking in this area during school hours is prohibited.

(2) SPECIAL EVENT [~~special event~~] means an activity that is not a part of the routine school day and that involves an increase in traffic to the Property which cannot be reasonably accommodated by the Preston Road entrances. Special events may include certain sports events and weekend activities.

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

(~~d~~e) This district is considered to be a residential zoning district. (Ord. Nos. 23929; 25163)

SEC. 51P-553.104. DEVELOPMENT/LANDSCAPE PLAN.

Applicant requested:

Development and use of the Property must comply with the development/landscape plan (Exhibit 553A). In the event of a conflict between the provisions of this article and the development/landscape plan, the provisions of this article control. (Ord. Nos. 23929; 25163)

Staff recommended:

(a) Except as provided in this section, ~~D~~ development and use of the Property must comply with the development/landscape plan (Exhibit 553A). In the event of a conflict between the provisions of this article and the development/landscape plan, the provisions of this article control. (Ord. Nos. 23929; 25163)

(b) In the area identified as Area 1 on the development/landscape plan, no structures or surface parking are permitted.

SEC. 51P-553.105. MAIN USES PERMITTED.

(a) Church.

Z101-113(RB)

(b) Private school for grades K through 12. (Ord. Nos. 23929; 25163)

SEC. 51P-553.106. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. Nos. 23929; 25163)

SEC. 51P-553.107. 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, side, and rear yard. Minimum front, side, and rear yards are as shown on the development/landscape plan.

(b) Density. No maximum dwelling unit density.

(c) Floor area. Maximum floor area ratio is as shown on the development/landscape plan.

(d) Height.

(1) In general. Except as provided in Paragraphs (2), (3), and (4) below, maximum structure heights are as follows:

(A) ~~Administration and industrial arts building~~ Building B- 38 feet.

(B) ~~Athletic center~~ Building I- 43 feet.

(C) Bell tower - 65 feet.

(D) Chapel - 45 feet.

(E) ~~Classroom building (proposed)~~—42 feet.

(F) ~~Commons~~—45 feet.

(G) ~~Davis hall (including expansion)~~—42 feet.

(H) ~~Davis hall lantern~~—60 feet.

(~~I-E~~) ~~Decherd center~~ Building C- 38 feet.

(~~J F~~) East stadium - 26 feet.

(~~K~~) ~~Fine arts/music building (including proposed expansion)~~—38 feet.

(~~L G~~) ~~Fitness center~~ Building I- 38 feet.

(~~M H~~) Flag poles - 50 feet.

(~~N I~~) Gate building (~~proposed~~) - 17 feet.

(~~O J~~) ~~Gymnasium and physical plant~~ Building A- 38 feet.

(~~P~~) ~~Headmaster's residence~~—17 feet.

(~~Q K~~) ~~Library/study center~~ Building E- 41 feet.

(~~R L~~) ~~Lower school~~ Building D - 24 feet.

~~(S M)~~ ~~Math science building A, B, C~~ Building G - 17 feet.

~~(T N)~~ Observatory - 37 feet.

~~(U O)~~ ~~Physical science center~~ Building F- 38 feet.

~~(V)~~ ~~Tennis court pavilion (existing)~~ —15 feet.

~~(W P)~~ Tennis court pavilion (~~proposed~~) - 17 feet.

Applicant requested:

(Q) Athletic Field Netting – 40 feet.

Staff recommended:

(Q) Preston Road Athletic Field Netting – 40 feet and limited in location as shown on the development/landscape plan.

(2) Roof-top structures. The following structures located on top of a building are allowed to project 12 feet above the maximum structure height:

(A) Mechanical equipment rooms.

(B) Elevator penthouses or bulkheads.

(C) Visual screens surrounding roof mounted mechanical equipment.

(3) Parapet walls. Parapet walls may project four feet above the maximum structure height.

(4) Outdoor lighting heights. Maximum heights for exterior lighting are as follows:

(A) Bollards - 42 inches.

(B) Poles - 38 feet.

(C) Walkway lighting - 15 feet.

(D) Wall mounted lighting - 30 feet.

(E) Stadium lighting - 80 feet.

(e) Lot coverage. Maximum lot coverage is as shown on the development/landscape plan.

(f) Lot size. No minimum lot size.

(g) Stories. No maximum number of stories. (Ord. Nos. 23929; 25163)

SEC. 51P-553.108. OFF-STREET PARKING AND LOADING.

Z101-113(RB)

(a) Off-street parking and loading must be located as shown on the development/landscape plan.

(b) Except as provided in this subsection, a minimum of 428 off-street parking spaces must be provided on the Property at all times. During construction, a minimum of 341 off-street parking spaces must be provided on the Property.

(c) Overflow parking for special events must be provided on the Property.

~~(d) Head in parking adjacent to a public alley where the maneuvering of the vehicle in parking or leaving the parking space is done on the public alley is permitted in this district.~~

~~(e-d)~~ For purposes of this section, the Property is considered one lot. (Ord. Nos. 23929; 25163)

SEC. 51P-553.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 23929; 25163)

SEC. 51P-553.110. LANDSCAPING.

(a) Landscaping and tree mitigation must be provided as specified in this section and as shown on the development/landscape plan.

Applicant requested:

~~(b) Landscaping within 60 feet of Orchid Lane must be completed within 15 months of the date of issuance of a building permit for new construction on the Property. All other landscaping must be completed within 36 months of the date of issuance of a building permit for new construction on the Property.~~

Staff recommends retaining existing language:

(b) Landscaping within 60 feet of Orchid Lane must be completed within 15 months of the date of issuance of a building permit for new construction on the Property. All other landscaping must be completed within 36 months of the date of issuance of a building permit for new construction on the Property.

Applicant requested:

~~(e) The minimum caliper inches per tree shown on the development/landscape plan must be three inches at the time of planting.~~

Staff recommends retaining existing language:

(c) The minimum caliper inches per tree shown on the development/landscape plan must be three inches at the time of planting.

~~(d b)~~ Except as noted on the development/landscape plan, the species of all proposed canopy trees must comply with the list of approved replacement trees contained in Section 51A-10.134.

~~(e c)~~ For purposes of this section, screening, which consists of landscape materials, fences, and berms as shown on the development/landscape plan, is not considered landscaping.

~~(f d)~~ Plant material must be maintained in a healthy, growing condition. (Ord. Nos. 23929; 25163)

SEC. 51P-553.111. SCREENING AND FENCES.

Z101-113(RB)

- (a) Screening on the Property must be provided in accordance with the development/landscape plan.
- (b) Screening on the eastern and southwestern boundary of the Property, as shown on the development/landscape plan, must consist of evergreen plant materials recommended for local area use by the director of park and recreation, and must be capable of obtaining a minimum height of four feet in three growing seasons.
- (c) The screening hedge along Orchid Lane must be planted at a minimum height of five feet at three feet on center and must obtain a minimum height of six feet within three years of planting.
- (d) All screening must be completed within 15 months of the date of issuance of a building permit for new construction on the Property.
- (e) The fence along Orchid Lane must be located as shown on the development/landscape plan and completed within 15 months of the date of issuance of a building permit for new construction on the Property.

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(f) An earthen berm must be constructed between the fence and screening hedge along Orchid Lane within 15 months of the date of issuance of a building permit for new construction on the Property. The earthen berm must be planted with turf grass recommended for local area use by the director of park and recreation and must achieve a minimum of two feet in height at the peak. Except as provided in this subsection, the berm may consist of separate sections as long as the appearance of continuous screening between Orchid Lane and the parking lot is achieved. Elimination of small portions of the berm is permitted if necessary in order to protect existing trees. (Ord. Nos. 23929; 25163)

SEC. 51P-553.112. SIGNS.

Except as further restricted in this section, signs must comply with the provisions for non-business zoning districts contained in Article VII. Detached signs are only permitted along the Preston Road frontage. Flags displayed on the flag poles shown on the development/landscape plan are not included in the calculation of the maximum number of signs allowed under the provisions for non-business zoning districts. (Ord. Nos. 23929; 25163)

SEC. 51P-553.113. PRIVATE DRIVE.

~~The drive from Orchid Lane to the Property, identified as "private drive" on the development/landscape plan, must be located and constructed as shown on the development/landscape plan. (Ord. Nos. 23929; 25163)~~

SEC. 51P-553.114-113. TRAFFIC REDUCTION.

(a) Generally. Traffic reduction management must be vigorously pursued.

~~(b) Northport/Brookshire access. A gate must be provided at the Northport/Brookshire entry which is equipped with a moveable arm that allows access to the Property only in a controlled manner. This gate must remain closed and accessible exclusively to card or code holders at all times other than the 7:00–9:30 a.m. and 2:00–5:00 p.m. peak hours and during special events. The gate must remain open continuously for unrestricted access to the Property during the 7:00–9:30 a.m. and 2:00–5:00 p.m. peak hours and for special events.~~

(e b) Orchid Lane access. A gate must be provided at the Orchid Lane entry which is equipped with a moveable arm that allows access to the Property only in a controlled manner. This gate must remain closed at all times other than the 7:00 - 9:30 a.m. and 2:00 - 7:00 p.m. peak hours and during special events. The gate must remain open continuously for unrestricted access to the Property during the 7:00 - 9:30 a.m. and 2:00 - 7:00 p.m. peak hours and for special events. (Ord. Nos. 23929; 25163)

SEC. 51P-553.115 114. PRESTON ROAD.

(a) Preston Road Entrance No. 1. ~~Preston Road Entrance No. 1 must be located and constructed as shown on the development/landscape plan. The entrance must contain the following: (1) two lanes inbound to the Property from Preston Road; and (2) two lanes outbound from the Property onto Preston Road. Any gate located at this entrance must automatically open and allow the free-flow of vehicles into the Property during the hours of 6:00 a.m. and 6:00 p.m. In the event of power failure, the gate must remain open. The gate at this entrance must be located at least 100 feet from the Property line to provide adequate stacking and turn around space.~~

~~(b) Preston Road Entrance No. 2. Preston Road Entrance No. 2 must be located and constructed as shown on the development/landscape plan and must be no less than 24 feet wide at its intersection with Preston Road. The curb radius must be no less than 20 feet. The gate at this entrance must remain continuously open between the hours of 6:00 a. m. and 6:00 p.m., Monday through Friday. (Ord. Nos. 23929; 25163)~~

SEC. 51P-553.116. ALLEYS.

~~Alleys must be provided as shown on the development/landscape plan. Abandonment of any existing alley or portion thereof must comply with city regulations. Alley access to Pemberton Circle is prohibited. Any change to the location or configuration of an alley shown on the development/landscape plan is not considered a minor amendment to the plan. An application to amend the development/landscape plan due to a change in the location or configuration of an alley is exempt from the two year limitation period contained in Section 51A 4.701. (Ord. Nos. 23929; 25163)~~

SEC. 51P-553.117 115. INGRESS/EGRESS.

(a) All points of ingress and egress from the Property must be approved by the director of public works and transportation as to location, design, and construction.

~~(b) Gates or similar barriers must be installed to prohibit access to the Property from Northport/Brookshire Drive during all hours except school operating hours and for special events. (Ord. Nos. 23929; 25163)~~

SEC. 51P-553.118 116. CONSTRUCTION, DELIVERY, AND SERVICE VEHICLES.

(a) Except as otherwise provided in this section, construction vehicles must use the Preston Road entrances for access to the Property. Construction vehicles may use entrances other than the Preston Road entrances only when access to the construction site is significantly restricted from Preston Road or in order to allow the construction or installation of landscaping, screening, tennis courts, and parking lots around the perimeter of the Property.

(b) Upon completion of Preston Road Entrance No. 1, the owner shall require delivery vehicles, service vehicles, and busses to use Preston Road exclusively for ingress to and egress from the Property. ~~This does not prohibit authorized emergency vehicles from using the private drive or the Northport/Brookshire Drive for ingress and egress. (Ord. Nos. 23929; 25163)~~

SEC. 51P-553.119 117. REIMBURSEMENT.

The applicant shall reimburse the department of public works and transportation for the installation of traffic control signs and markings on streets contiguous to the Property necessitated by development of the Property. (Ord. Nos. 23929; 25163)

SEC. 51P-553.120 118. PAVING.

Except as provided in this section, all parking spaces, aisles, maneuvering areas, and driveway connections to streets or alleys, whether enclosed or unenclosed, must be surfaced to comply with the

requirements of Chapter 51A. The paving of areas designated as “overflow parking” on the development/landscape plan is not required. (Ord. Nos. 23929; 25163)

SEC. 51P-553.~~121~~ 119. OUTDOOR LIGHTING.

Outdoor lighting of all tennis courts and the playing fields near the intersection of Orchid Lane and Preston Road is prohibited. All outdoor lighting, where permitted, must be directed downward and away from adjacent properties. (Ord. Nos. 23929; 25163)

SEC. 51P-553.~~122~~ 120. TEMPORARY BUILDINGS.

Buildings to be used as temporary administrative offices, temporary contractor’s offices, and temporary bathroom facilities may be located outside the designated buildable areas, as those areas are shown on the development/landscape plan, for a period not to exceed one year from the issuance of a building permit for new construction on the Property. Nonconforming structures located within this district may be used as temporary administrative offices and temporary contractor’s offices, as long as these structures are only used in this capacity for a period not to exceed one year from the issuance of a building permit for new construction on the Property. (Ord. Nos. 23929; 25163)

SEC. 51P-553.~~123~~ 121. PLAYING FIELDS.

The playing fields located nearest the intersection of Preston Road and Orchid Lane must remain open and unobstructed, except for the perimeter fence and landscaping shown on the development/landscape plan. (Ord. Nos. 23929; 25163)

SEC. 51P-553. ~~124~~ 122. PRIVATE LICENSE AND RIGHT-OF-WAY LANDSCAPE PERMIT.

(a) The city council hereby grants a private license to the owners of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a landscape permit in accordance with the Dallas Building Code. This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance.

(b) It is the responsibility of the property owner to apply for and obtain the required right-of-way landscape permit before locating plant materials in the right-of-way. An application for a right-of-way landscape permit must be made to the director of public works and transportation before any plant materials are located in the right-of-way. The application must be in writing on a form approved by the director and accompanied by plans or drawings showing the area of the right-of-way affected and the construction and planting proposed.

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

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

(e) The issuance of a landscape permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees, landscaping, or pavement in the public right-of-way. (Ord. Nos. 23929; 25163)

SEC. 51P-553.125 123. 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. 23929; 25163; 26102)

SEC. 51P-553.126 124. COMPLIANCE WITH CONDITIONS.

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

(b) The building official shall not issue a building permit or certificate of occupancy for a use in this planned development district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 23929; 25163; 26102)

SEC. 51P-553.127 125. ZONING MAP.

PD 553 is located on Zoning Map No. E-7. (Ord. Nos. 23929; 25163)

Existing Conditions

ARTICLE 553.

PD 553.

SEC. 51P-553.101. LEGISLATIVE HISTORY.

PD 553 was established by Ordinance No. 23929, passed by the Dallas City Council on June 23, 1999. Ordinance No. 23929 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 23929; 25163)

SEC. 51P-553.102. PROPERTY LOCATION AND SIZE.

PD 553 is established on property generally located on the east line of Preston Road, at its intersection with the south line of Orchid Lane. The size of PD 553 is approximately 39.6762 acres. (Ord. Nos. 23929; 25163)

SEC. 51P-553.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article, special event means an activity that is not a part of the routine school day and that involves an increase in traffic to the Property which cannot be reasonably accommodated by the Preston Road entrances. Special events may include certain sports events and weekend activities.

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

(c) This district is considered to be a residential zoning district. (Ord. Nos. 23929; 25163)

SEC. 51P-553.104. DEVELOPMENT/LANDSCAPE PLAN.

Development and use of the Property must comply with the development/landscape plan (Exhibit 553A). In the event of a conflict between the provisions of this article and the development/landscape plan, the provisions of this article control. (Ord. Nos. 23929; 25163)

SEC. 51P-553.105. MAIN USES PERMITTED.

(a) Church.

(b) Private school for grades K through 12. (Ord. Nos. 23929; 25163)

SEC. 51P-553.106. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. Nos. 23929; 25163)

SEC. 51P-553.107. 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, side, and rear yard. Minimum front, side, and rear yards are as shown on the development/landscape plan.

(b) Density. No maximum dwelling unit density.

(c) Floor area. Maximum floor area ratio is as shown on the development/landscape plan.

(d) Height.

(1) In general. Except as provided in Paragraphs (2), (3), and (4) below, maximum structure heights are as follows:

- (A) Administration and industrial arts building - 38 feet.
- (B) Athletic center - 43 feet.
- (C) Bell tower - 65 feet.
- (D) Chapel - 45 feet.
- (E) Classroom building (proposed) - 42 feet.
- (F) Commons - 45 feet.
- (G) Davis hall (including expansion) - 42 feet.
- (H) Davis hall lantern - 60 feet.
- (I) Decherd center - 38 feet.
- (J) East stadium - 26 feet.
- (K) Fine arts/music building (including proposed expansion) - 38 feet.
- (L) Fitness center - 38 feet.
- (M) Flag poles - 50 feet.
- (N) Gate building (proposed) - 17 feet.
- (O) Gymnasium and physical plant - 38 feet.
- (P) Headmaster's residence - 17 feet.
- (Q) Library/study center - 41 feet.
- (R) Lower school - 24 feet.

- (S) Math-science building A, B, C - 17 feet.
- (T) Observatory - 37 feet.
- (U) Physical science center - 38 feet.
- (V) Tennis court pavilion (existing) - 15 feet.
- (W) Tennis court pavilion (proposed) - 17 feet.

(2) Roof-top structures. The following structures located on top of a building are allowed to project 12 feet above the maximum structure height:

- (A) Mechanical equipment rooms.
- (B) Elevator penthouses or bulkheads.
- (C) Visual screens surrounding roof mounted mechanical equipment.

(3) Parapet walls. Parapet walls may project four feet above the maximum structure height.

(4) Outdoor lighting heights. Maximum heights for exterior lighting are as follows:

- (A) Bollards - 42 inches.
- (B) Poles - 38 feet.
- (C) Walkway lighting - 15 feet.
- (D) Wall mounted lighting - 30 feet.
- (E) Stadium lighting - 80 feet.

(e) Lot coverage. Maximum lot coverage is as shown on the development/landscape plan.

(f) Lot size. No minimum lot size.

(g) Stories. No maximum number of stories. (Ord. Nos. 23929; 25163)

SEC. 51P-553.108.

OFF-STREET PARKING AND LOADING.

(a) Off-street parking and loading must be located as shown on the development/landscape plan.

(b) Except as provided in this subsection, a minimum of 428 off-street parking spaces must be provided on the Property at all times. During construction, a minimum of 341 off-street parking spaces must be provided on the Property.

(c) Overflow parking for special events must be provided on the Property.

(d) Head-in parking adjacent to a public alley where the maneuvering of the vehicle in parking or leaving the parking space is done on the public alley is permitted in this district.

(e) For purposes of this section, the Property is considered one lot. (Ord. Nos. 23929; 25163)

SEC. 51P-553.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 23929; 25163)

SEC. 51P-553.110. LANDSCAPING.

(a) Landscaping and tree mitigation must be provided as specified in this section and as shown on the development/landscape plan.

(b) Landscaping within 60 feet of Orchid Lane must be completed within 15 months of the date of issuance of a building permit for new construction on the Property. All other landscaping must be completed within 36 months of the date of issuance of a building permit for new construction on the Property.

(c) The minimum caliper inches per tree shown on the development/landscape plan must be three inches at the time of planting.

(d) Except as noted on the development/landscape plan, the species of all proposed canopy trees must comply with the list of approved replacement trees contained in Section 51A-10.134.

(e) For purposes of this section, screening, which consists of landscape materials, fences, and berms as shown on the development/landscape plan, is not considered landscaping.

(f) Plant material must be maintained in a healthy, growing condition. (Ord. Nos. 23929; 25163)

SEC. 51P-553.111. SCREENING AND FENCES.

(a) Screening on the Property must be provided in accordance with the development/landscape plan.

(b) Screening on the eastern and southwestern boundary of the Property, as shown on the development/landscape plan, must consist of evergreen plant materials recommended for local area use by the director of park and recreation, and must be capable of obtaining a minimum height of four feet in three growing seasons.

(c) The screening hedge along Orchid Lane must be planted at a minimum height of five feet at three feet on center and must obtain a minimum height of six feet within three years of planting.

(d) All screening must be completed within 15 months of the date of issuance of a building permit for new construction on the Property.

(e) The fence along Orchid Lane must be located as shown on the development/landscape plan and completed within 15 months of the date of issuance of a building permit for new construction on the Property.

(f) An earthen berm must be constructed between the fence and screening hedge along Orchid Lane within 15 months of the date of issuance of a building permit for new construction on the Property. The earthen berm must be planted with turf grass recommended for local area use by the director of park and recreation and must achieve a minimum of two feet in height at the peak. Except as provided in this subsection, the berm may consist of separate sections as long as the appearance of continuous screening between Orchid Lane and the parking lot is achieved. Elimination of small portions of the berm is permitted if necessary in order to protect existing trees. (Ord. Nos. 23929; 25163)

SEC. 51P-553.112. SIGNS.

Except as further restricted in this section, signs must comply with the provisions for non-business zoning districts contained in Article VII. Detached signs are only permitted along the Preston Road frontage. Flags displayed on the flag poles shown on the development/landscape plan are not included in the calculation of the maximum number of signs allowed under the provisions for non-business zoning districts. (Ord. Nos. 23929; 25163)

SEC. 51P-553.113. PRIVATE DRIVE.

The drive from Orchid Lane to the Property, identified as "private drive" on the development/landscape plan, must be located and constructed as shown on the development/landscape plan. (Ord. Nos. 23929; 25163)

SEC. 51P-553.114. TRAFFIC REDUCTION.

(a) Generally. Traffic reduction management must be vigorously pursued.

(b) Northport/Brookshire access. A gate must be provided at the Northport/Brookshire entry which is equipped with a moveable arm that allows access to the Property only in a controlled manner. This gate must remain closed and accessible exclusively to card or code holders at all times other than the 7:00 - 9:30 a.m. and 2:00 - 5:00 p.m. peak hours and during special events. The gate must remain open continuously for unrestricted access to the Property during the 7:00 - 9:30 a.m. and 2:00 - 5:00 p.m. peak hours and for special events.

(c) Orchid Lane access. A gate must be provided at the Orchid Lane entry which is equipped with a moveable arm that allows access to the Property only in a controlled manner. This gate must remain closed at all times other than the 7:00 - 9:30 a.m. and 2:00 - 7:00 p.m. peak hours and during special events. The gate must remain open continuously for unrestricted access to the Property during the 7:00 - 9:30 a.m. and 2:00 - 7:00 p.m. peak hours and for special events. (Ord. Nos. 23929; 25163)

SEC. 51P-553.115. PRESTON ROAD.

(a) Preston Road Entrance No. 1. Preston Road Entrance No. 1 must be located and constructed as shown on the development/landscape plan. The entrance must contain the following: (1) two lanes inbound to the Property from Preston Road; and (2) two lanes outbound from the Property onto Preston Road. Any gate located at this entrance must automatically open and allow the free-flow of vehicles into the Property during the hours of 6:00 a.m. and 6:00 p.m. In the event of power failure, the gate must remain open. The gate at this entrance must be located at least 100 feet from the Property line to provide adequate stacking and turn around space.

(b) Preston Road Entrance No. 2. Preston Road Entrance No. 2 must be located and constructed as shown on the development/landscape plan and must be no less than 24 feet wide at its intersection with Preston Road. The curb radius must be no less than 20 feet. The gate at this entrance must remain continuously open between the hours of 6:00 a. m. and 6:00 p.m., Monday through Friday. (Ord. Nos. 23929; 25163)

SEC. 51P-553.116. ALLEYS.

Alleys must be provided as shown on the development/landscape plan. Abandonment of any existing alley or portion thereof must comply with city regulations. Alley access to Pemberton Circle is prohibited. Any change to the location or configuration of an alley shown on the development/landscape plan is not considered a minor amendment to the plan. An application to amend the development/landscape plan due to a change in the location or configuration of an alley is exempt from the two-year limitation period contained in Section 51A-4.701. (Ord. Nos. 23929; 25163)

SEC. 51P-553.117. INGRESS/EGRESS.

(a) All points of ingress and egress from the Property must be approved by the director of public works and transportation as to location, design, and construction.

(b) Gates or similar barriers must be installed to prohibit access to the Property from Northport/Brookshire Drive during all hours except school operating hours and for special events. (Ord. Nos. 23929; 25163)

SEC. 51P-553.118. CONSTRUCTION, DELIVERY, AND SERVICE VEHICLES.

(a) Except as otherwise provided in this section, construction vehicles must use the Preston Road entrances for access to the Property. Construction vehicles may use entrances other than the Preston Road entrances only when access to the construction site is significantly restricted from Preston Road or in order to allow the construction or installation of landscaping, screening, tennis courts, and parking lots around the perimeter of the Property.

(b) Upon completion of Preston Road Entrance No. 1, the owner shall require delivery vehicles, service vehicles, and busses to use Preston Road exclusively for ingress to and egress from the Property. This does not prohibit authorized emergency vehicles from using the private drive or the Northport/Brookshire Drive for ingress and egress. (Ord. Nos. 23929; 25163)

SEC. 51P-553.119. REIMBURSEMENT.

The applicant shall reimburse the department of public works and transportation for the installation of traffic control signs and markings on streets contiguous to the Property necessitated by development of the Property. (Ord. Nos. 23929; 25163)

SEC. 51P-553.120. PAVING.

Except as provided in this section, all parking spaces, aisles, maneuvering areas, and driveway connections to streets or alleys, whether enclosed or unenclosed, must be surfaced to comply with the

requirements of Chapter 51A. The paving of areas designated as “overflow parking” on the development/landscape plan is not required. (Ord. Nos. 23929; 25163)

SEC. 51P-553.121. OUTDOOR LIGHTING.

Outdoor lighting of all tennis courts and the playing fields near the intersection of Orchid Lane and Preston Road is prohibited. All outdoor lighting, where permitted, must be directed downward and away from adjacent properties. (Ord. Nos. 23929; 25163)

SEC. 51P-553.122. TEMPORARY BUILDINGS.

Buildings to be used as temporary administrative offices, temporary contractor’s offices, and temporary bathroom facilities may be located outside the designated buildable areas, as those areas are shown on the development/landscape plan, for a period not to exceed one year from the issuance of a building permit for new construction on the Property. Nonconforming structures located within this district may be used as temporary administrative offices and temporary contractor’s offices, as long as these structures are only used in this capacity for a period not to exceed one year from the issuance of a building permit for new construction on the Property. (Ord. Nos. 23929; 25163)

SEC. 51P-553.123. PLAYING FIELDS.

The playing fields located nearest the intersection of Preston Road and Orchid Lane must remain open and unobstructed, except for the perimeter fence and landscaping shown on the development/landscape plan. (Ord. Nos. 23929; 25163)

SEC. 51P-553.124. PRIVATE LICENSE AND RIGHT-OF-WAY LANDSCAPE PERMIT.

(a) The city council hereby grants a private license to the owners of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a landscape permit in accordance with the Dallas Building Code. This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance.

(b) It is the responsibility of the property owner to apply for and obtain the required right-of-way landscape permit before locating plant materials in the right-of-way. An application for a right-of-way landscape permit must be made to the director of public works and transportation before any plant materials are located in the right-of-way. The application must be in writing on a form approved by the director and accompanied by plans or drawings showing the area of the right-of-way affected and the construction and planting proposed.

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

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

(e) The issuance of a landscape permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees, landscaping, or pavement in the public right-of-way. (Ord. Nos. 23929; 25163)

SEC. 51P-553.125. 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. 23929; 25163; 26102)

SEC. 51P-553.126. COMPLIANCE WITH CONDITIONS.

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

(b) The building official shall not issue a building permit or certificate of occupancy for a use in this planned development district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 23929; 25163; 26102)

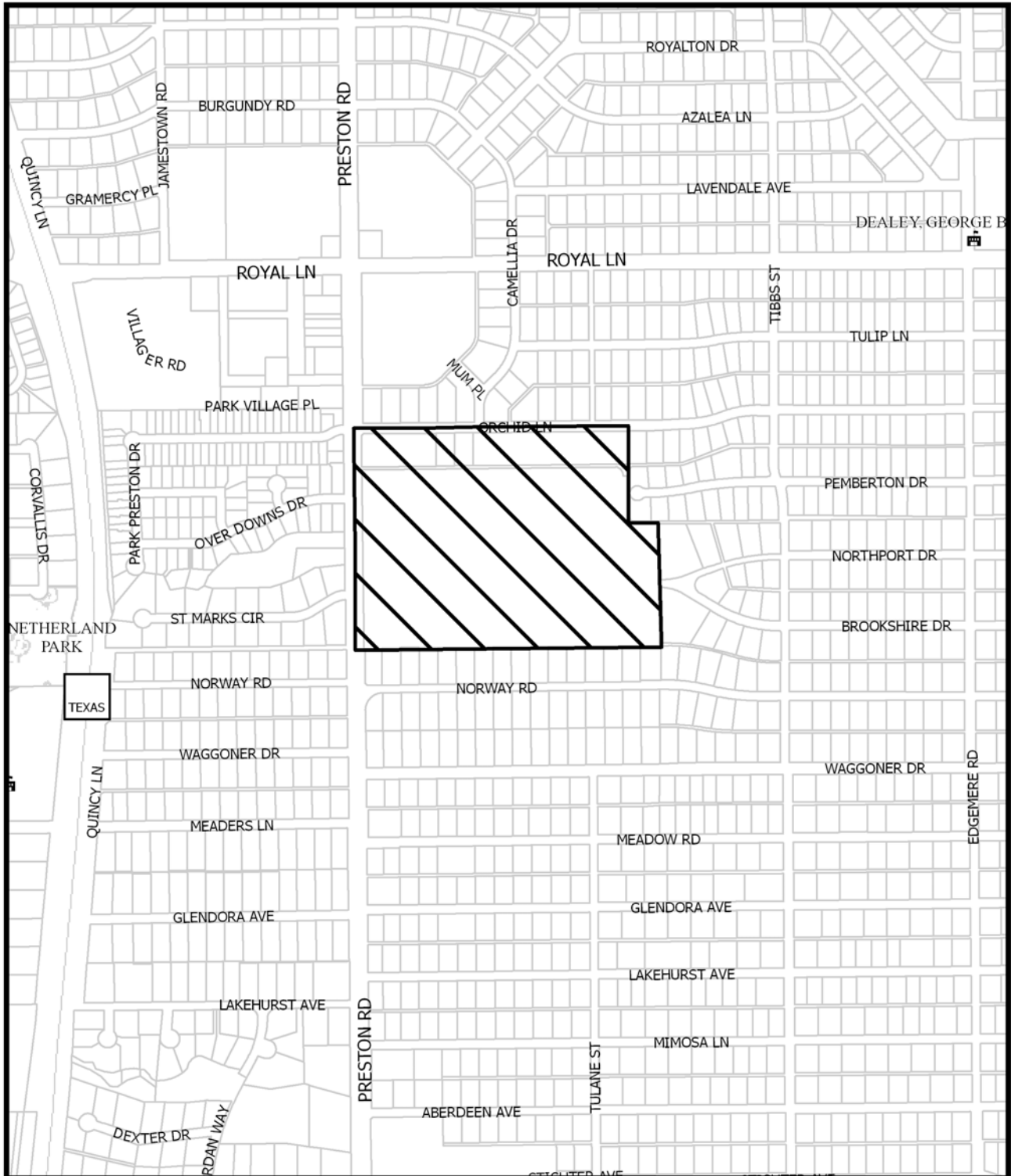
SEC. 51P-553.127. ZONING MAP.

PD 553 is located on Zoning Map No. E-7. (Ord. Nos. 23929; 25163)

At this time, the applicant's representative has not provided staff a revised development/plan.



Existing Development/Landscape Plan



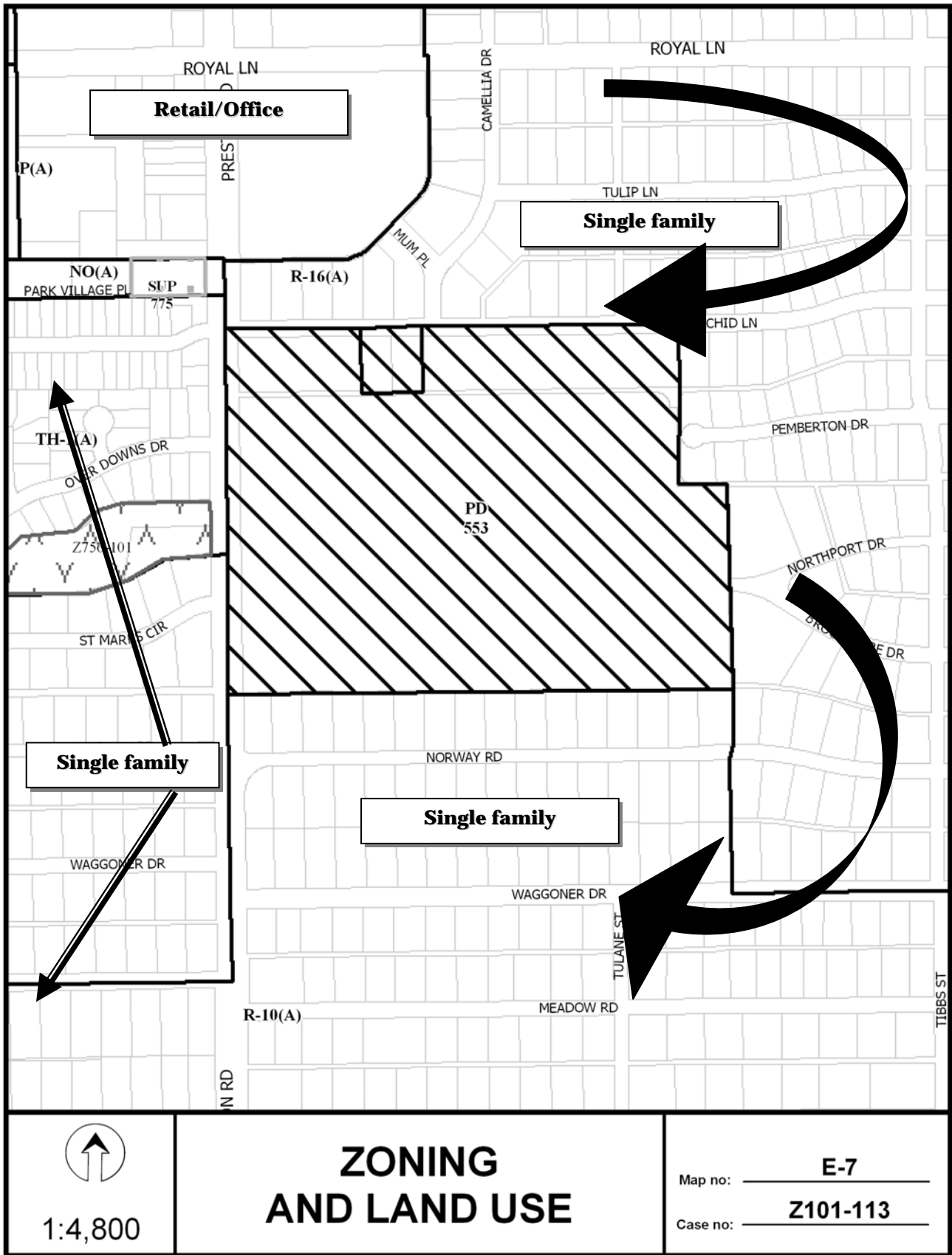
1:8,400


VICINITY MAP

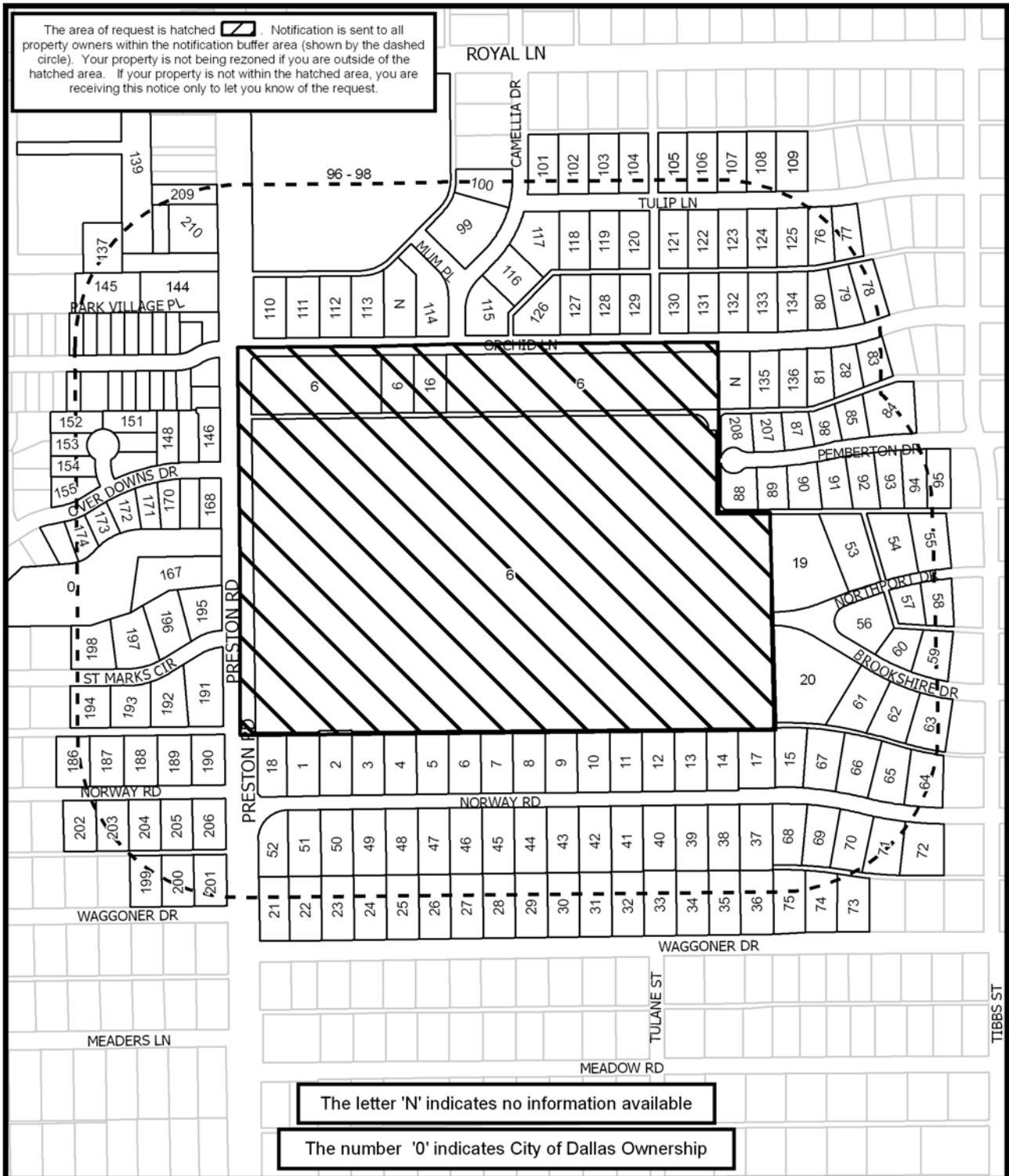
Map no: E-7

Case no: Z101-113

DATE: November 10, 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 letter 'N' indicates no information available

The number '0' indicates City of Dallas Ownership



1:4,800

NOTIFICATION

500'	AREA OF NOTIFICATION
210	NUMBER OF PROPERTY OWNERS NOTIFIED

E-7

Map no: _____

Z101-113

Case no: _____

DATE: November 10, 2010

Notification List of Property Owners

Z101-113

210 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6015 NORWAY	NORVELL KENNETH A
2	6023 NORWAY	WEDELL MAX C
3	6031 NORWAY	MILLER ANTHONY D
4	6039 NORWAY	VENTI DEVELOPMENT LTD % SCOT SKINNER
5	6047 NORWAY	MARTIN ROBERT E & FRANCES
6	7 PRESTON	ST MARKS SCHOOL OF TEXAS
7	6107 NORWAY	PLAYER RICHARD STEVEN & LYDIA PLAYER
8	6115 NORWAY	PHILLIPS WADE & LAURIE TR
9	6123 NORWAY	WEISBERG SHERYL L
10	6131 NORWAY	NORTON KEVIN M & BRIANNA
11	6139 NORWAY	FORBES WILLIAM R JR & KERRIE VAUGHAN
12	6207 NORWAY	CUMMISKEY MARIA QUINTANA
13	6215 NORWAY	HACKNEY GAIL O & FRED L
14	6223 NORWAY	ALTSCHULER STEVEN J & WU LANI
15	6307 NORWAY	BRUCE DANNY L
16	6046 ORCHID	ST MARKS SCHOOL OF TEXAS % JIM
KIRKPATRICK		
17	6231 NORWAY	NEIL F JAMES & JEAN T
18	6007 NORWAY	SAWLA MEETA A & AMAR R
19	6311 NORTHPORT	MONTGOMERY THOMAS A & BET
20	6300 BROOKSHIRE	MCNAMARA DONALD J ET AL
21	6007 WAGGONER	ESTRADA EDUARDO
22	6015 WAGGONER	CASSIDY CLIFTON W III & MITZI M
23	6023 WAGGONER	SHAHKARAMI ZOYA & MASSOUD SHAHKARAMI
24	6029 WAGGONER	CRAIG WILLIAM MARK & SANDRA B
25	6039 WAGGONER	OLSCHWANGER LARRY & DONNA
26	6047 WAGGONER	WOOD CARTER & RACHEL

Wednesday, November 10, 2010

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6055 WAGGONER	YOUNG PARKER D & JANICE C
28	6107 WAGGONER	DUFFY MICHAEL & ELLEN
29	6115 WAGGONER	SORGEN RODNEY & WENDY
30	6123 WAGGONER LEYENDECKER	LEYENDECKER MARK D & PATRICIA R
31	6131 WAGGONER	VANBUSKIRK & THOMPSON
32	6139 WAGGONER	READER DOUGLAS A & MARSHA E GORDON
33	6203 WAGGONER	LOWERY DAVID J & SUSAN E
34	6207 WAGGONER	CONY DONALD J & CHERYL S CONY
35	6215 WAGGONER	NADEAU MICHAEL & NADEAU ASHLEY
36	6231 WAGGONER	CALLAHAN MICHAEL & JILL
37	6230 NORWAY	GROSS MICHAEL B & CARMEN
38	6222 NORWAY	CHARHON EMANUEL E & SARAH
39	6214 NORWAY	STACK DEBORAH S
40	6206 NORWAY	WILBURN BRYAN
41	6138 NORWAY	WILBURN BRYAN & SHANIN
42	6130 NORWAY	WINGATE ROBERT M & PATRICIA C MANN
43	6122 NORWAY	GLICK CRAIG S & CATHY S
44	6114 NORWAY	CONNOP THOMAS A & LISA A
45	6106 NORWAY	GEHAN MIRIAM C TR
46	6054 NORWAY	BEIERSDORF RUSSELL W & JULIE BRICE
47	6046 NORWAY	MANDRODT JOHN C & MARY ANN
48	6038 NORWAY	JONES THEODORE M & SUSAN C
49	6030 NORWAY	SIMONS JAMES P & SAMANTHA A
50	6022 NORWAY	KURZ RICHARD A
51	6014 NORWAY	HARRIS ROBERT A ETUX
52	6006 NORWAY	MORGAN RACHEL & ROSS
53	6327 NORTHPORT	HARVEY VICKI S C
54	6337 NORTHPORT	HARKEY JACK W & DANA H
55	6345 NORTHPORT	CURRERI JOHN J & KRISTIN E
56	6309 BROOKSHIRE	PAWELKO ROBERT & SANDRA
57	6316 NORTHPORT	STANTON CHRISTOPHER P &

Wednesday, November 10, 2010

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	6322 NORTHPORT	KITNER DAVID N
59	6323 BROOKSHIRE	ZAHLER WARREN & KATHERINE
60	6317 BROOKSHIRE	MILNE DENNIS L
61	6316 BROOKSHIRE	MASSEY JUANITA
62	6324 BROOKSHIRE	LEON KATIE W
63	6332 BROOKSHIRE	DCRUZ ALEC J & LYNLEY A
64	6339 NORWAY	KILLINGSTAD ROSSON
65	6331 NORWAY	LUMRY WILLIAM RAYMOND & ROZALIA N
66	6321 NORWAY	SCOTT KIRK E
67	6315 NORWAY	HARRINGTON WILLIAM F JR & LOUISA L
68	6306 NORWAY	THE JOHN DONOVAN REV TRUST
69	6314 NORWAY	WALLACE JOHN & FRANCES N
70	6324 NORWAY	SUN LULU F
71	6330 NORWAY	SANDLIN ROBERT LEE & KAREN B SANDLIN
72	6338 NORWAY	EPSTEIN JAMES C
73	6323 WAGGONER	SAYKLAY RICHARD A & CARLA W
74	6315 WAGGONER	SIMS JOHN E & LOLITA C
75	6307 WAGGONER	ROCHON W JOHN P & REBECCA ROCHON
76	6304 TULIP	HALL SHARON GILLEY & KEVIN RUSSELL
77	6308 TULIP	NEWMAN MICHAEL & JOLIE L
78	6317 ORCHID	ROGERS JAMES B & ANNE E
79	6311 ORCHID	ESTRADA RACHEL K & STEVE
80	6305 ORCHID	RHOADES JAMES C & MARY B RHOADES
81	6304 ORCHID	SULLIVAN MARK J
82	6310 ORCHID	VUITCH MILAN FRANKLIN & ANGELA T
83	6316 ORCHID	ROBINSON RYAN & CARRIE
84	6317 PEMBERTON	CALLIS BILL J & HOLLY H
85	6311 PEMBERTON	MCCULLAH CLINT B & M JANE
86	6305 PEMBERTON	ZHU WEIZHONG & CHENGNING LIU
87	6237 PEMBERTON	CWIKLA MARK J
88	6226 PEMBERTON	BRIGHAM JAY & KIMBERLY

Wednesday, November 10, 2010

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	6232 PEMBERTON	WHITLOCK CHRISTINE P
90	6238 PEMBERTON	GENTILELLO LARRY M & OLIVIA R
91	6304 PEMBERTON	WELLS WARD A
92	6310 PEMBERTON	THOMPSON THOMAS P III & SUSAN HEGMANN
93	6318 PEMBERTON	THORN MICHAEL JOHN
94	6324 PEMBERTON	SEEDS DEIRDRE E
95	6330 PEMBERTON	CAMP DAVID P & MEREDITH
96	10720 PRESTON	SOUTHEAST PRESTON ROYAL
97	10720 PRESTON	SOUTHEAST PRESTON ROYAL
98	10720 PRESTON	BAI MAC INC ONE GALLERIA TOWER #1820
99	10727 CAMELLIA	MAGNET LLC
100	10743 CAMELLIA	PINKERTON JOHN C & ANNETTE GIBSON
PINKERTON		
101	6107 TULIP	MCGINN ROSEMARY T & JOHN G STACK
102	6115 TULIP	THOMPSON WILLIAM M & CHARLOTTE E
103	6123 TULIP	DAVIS SCOTT & LINDA
104	6131 TULIP	GENENDER PAUL
105	6207 TULIP	NUCCIO CARMEN M
106	6215 TULIP	DUFFY FREDERICK J JR & RENEE M ROSSI
107	6223 TULIP	APPLEBAUM JAY I
108	6229 TULIP	CAREY ERNEST J & MARYLIN S
109	6237 TULIP	MYHRE JON & ANNEMARIE
110	6007 ORCHID	REYNA FELIPE O
111	6015 ORCHID	LABARBA LUCIAN M & LESLIE
112	6023 ORCHID	DUFFEE MARY J TRUSTEE
113	6031 ORCHID	SARDAS JACQUES R
114	6047 ORCHID	REISENBICHLER THOMAS H & LORI J
REISENBICHLER		
115	6109 ORCHID	FERNANDES VALENTINO FJ & IONA M
116	10722 CAMELLIA	TAYLOR BETTY J
117	6106 TULIP	SCOTT JOYCE
118	6114 TULIP	JENNINGS JAMIE ELIZABETH
119	6122 TULIP	RAMIREZ RICHARD & CARMEN M

Wednesday, November 10, 2010

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	6130 TULIP	RAO UMA
121	6206 TULIP	DICKSON DAVE
122	6214 TULIP	BOCK STEVE & VICTORIA
123	6222 TULIP	ACKER CHARLES R & JUDY B
124	6228 TULIP	KIMICHIX DAVID J & BRIGITTE G
125	6236 TULIP	LOEHR MICHAEL D & TINA ROSSI
126	6123 ORCHID	GUNN G DOUGLAS & REGINA R
127	6131 ORCHID	RAMACIOTTI CLAUDIO & ANA
128	6141 ORCHID	AMALRAJ LOLA GRACE FAMILY TRUST
129	6147 ORCHID	MANNING CHRISTOPER P & JILL S
130	6207 ORCHID	MEEK GARY A
131	6215 ORCHID	WIGGANS DAVID F
132	6223 ORCHID	JOHNSON JAMES A & MELINDA D
133	6229 ORCHID	FAIL BLAKE N & MICHELLE
134	6237 ORCHID	ARANGO LUIS M & SANDRA M PETROCCHI
135	6226 ORCHID	JOHNSON JULIE E
136	6234 ORCHID	DOUGHTY JAMES D & MARGARET A
137	10715 PRESTON	TRANSLAND MGNT CORP TR % TEXAS
COMMERCE BANK		
138	5930 ROYAL	MITCHELL ROBERT N
139	5950 ROYAL	MITCHELL ROBERT H SUITE 222
140	5800 ROYAL	5952 ROYAL LMTD PTNSHIP PARTNERSHIP
141	5900 ROYAL	FIRST BAPTIST CHURCH OF DALLAS
142	5900 ROYAL	COCHRAN CHAPEL UNITED METHODIST
CHURCH		
143	5800 ROYAL	MITCHELL ROBERT H TR ATTN JANIS DEMBACH
144	10703 PRESTON	THORNTON HOWARD % GUARANTY FEDERAL
BANK		
145	10707 PRESTON	NORTH DALLAS CHAMBER OF COMMERCE
146	5919 OVERDOWNS	HOSFORD IRENE L
147	5915 OVERDOWNS	DAVIS FRANCES VERDELL & WILLIAM I KRISHER
148	5911 OVERDOWNS	PRYOR SAMUEL THOMAS & PATRICIA LING
149	5927 OVERDOWNS	SHANNON MAXINE REVOCABLE TRUST
150	5923 OVERDOWNS	BROWNING THOMAS C & GLORIA L

Wednesday, November 10, 2010

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	5919 OVERDOWNS	MCWHORTER DAVID A
152	5915 OVERDOWNS	MCCALL LAVERNE FAMILY TRUST
153	5909 OVERDOWNS	HARDIN GAYLE G
154	5905 OVERDOWNS	PIAN RUTH
155	5825 OVERDOWNS	CATTARULLA ELLIOT R & KARIN N
156	5812 ORCHID	CARDINAL FRANCOIS M & LAURA A
157	5816 ORCHID	LACEY NEAL
158	5816 ORCHID	LACEY NEAL
159	5818 ORCHID	DIXIT JAY R &
160	5820 ORCHID	WALKER VINITA B
161	5904 ORCHID	RIES MYRNA H
162	5906 ORCHID	JOHNSTON JOANN JODY
163	5910 ORCHID	BAILEY MICHAEL & CYNTHIA
164	5908 ORCHID	BAILEY MICHAEL & CYNTHIA
165	5912 ORCHID	CONDOS GENEVIEVE
166	5914 ORCHID	COST NICHOLAS G & CARRYE A RUDOLPH
167	10605 PRESTON	WRIGHT FRANCES J
168	5918 OVERDOWNS	BYWATERS ELLEN E
169	5914 OVERDOWNS	CAIN WALTER JR & MARY A
170	5910 OVERDOWNS	ROCKEY ROBERT F & SARA
171	5906 OVERDOWNS	OLIVER DONNA
172	5902 OVERDOWNS	SEXTON NANCY L
173	5814 OVERDOWNS	BROWN MARKEETA MCNATT TRUSTEE OF THE
MARY R		
174	5810 OVERDOWNS	LENTZ ELOISE H
175	5806 OVERDOWNS	MCCALL LAVERNE TRUSTEE LAVERNE MCCALL
FAMILY		
176	5813 ORCHID	BIDERMAN ROSE G
177	5815 ORCHID	STEPHENS EMMA JEAN
178	5819 ORCHID	BROADFOOT RAY W & REBECCA BROADFOOT
179	5821 ORCHID	MAREK EUGENE & BETTY JEAN
180	5903 ORCHID	FREEDMAN COREY E &
181	5901 ORCHID	DUDLEY MAXINE

Wednesday, November 10, 2010

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	5907 ORCHID	MCMANEMIN MARY F
183	5905 ORCHID	HURSIN DANNY L & MARY M
184	5911 ORCHID	WASOFF AMELIA PAULA
185	5915 ORCHID	BROWN MARY F
186	5911 NORWAY	HANSEN JERRY & JERRY SHELBY
187	5921 NORWAY	FISHER JUDD M & DAWN C
188	5929 NORWAY	SCHERRER JEFF & MARIANNA
189	5937 NORWAY	ROWLEY STEVEN R & DEBRA K ROWLEY
190	5945 NORWAY	HODGES CHARLES
191	5946 ST MARKS	HELWIG JAMES
192	5936 ST MARKS	KU MARY REN
193	5926 ST MARKS	SUTER ROBERT E
194	5916 ST MARKS	KIRVEN JOE W
195	5947 ST MARKS	LING CHARLES A & HELMA M
196	5937 ST MARKS	WRIGHT LEILA FRANCES
197	5927 ST MARKS	COLLIER OSCAR E JR & EVELYN J
198	5917 ST MARKS	TERMONT CHRISTIAN & MARIA
199	5933 WAGGONER	BENTLEY WILLIAM
200	5941 WAGGONER	PITANZA ALFONSO
201	5949 WAGGONER	JAYROE RODGER A & MARILYN M JAYROE
202	5914 NORWAY	ERNST MICHAEL A & ERNST JOYCE J
203	5924 NORWAY	CLARK SAM W IV & DONNA M CLARK
204	5930 NORWAY	ADDINGTON ROBERT L & REBECCA D
ADDINGTON		
205	5938 NORWAY	BROWN JON S
206	5946 NORWAY	TAYLOR ROBERT & LISA
207	6231 PEMBERTON	SINGHANIA JAI
208	6225 PEMBERTON	SINGHANIA JAI K
209	10729 PRESTON	RASANSKY MITCHELL & FONBERG REAL ESTATE
INV L		
210	10721 PRESTON	HOME SVGS OF AMERICA FA

Wednesday, November 10, 2010

FILE NUMBER: Z090-234(RB)

DATE FILED: July 16, 2010

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

COUNCIL DISTRICT: 5

MAPSCO: 56 Z

SIZE OF REQUEST: Approx. 3.89 Acres

CENSUS TRACT: 86.03

APPLICANT: Falcon Transit, LLC

REPRESENTATIVE: Santos Martinez

OWNER: Crane Plumbing

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

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

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

PRIOR CPC ACTION: On February 17, 2011, the City Plan Commission held this request under advisement until April 7, 2011.

BACKGROUND INFORMATION:

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

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

Thoroughfare

Designation; Existing & Proposed ROW

South Central Expressway

Freeway; Variable ROW

STAFF ANALYSIS:

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

LAND USE ELEMENT

GOAL 1.2 Promote desired development.

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

Land Use Compatibility:

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

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

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

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

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

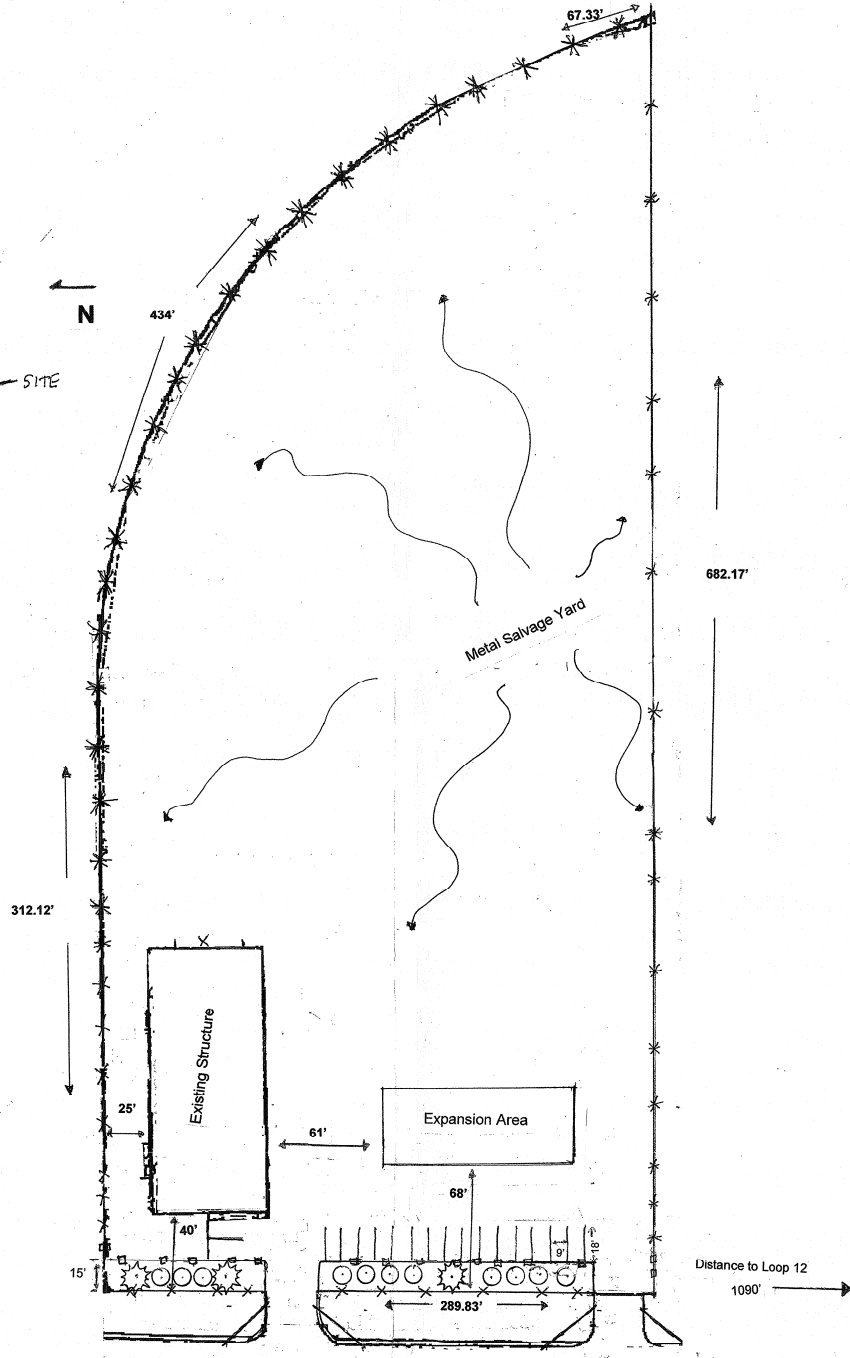
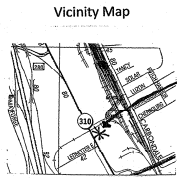
Traffic: The Engineering Section of the Department Sustainable Development and Construction has reviewed the request and determined that it will not negatively impact the surrounding street system.






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

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

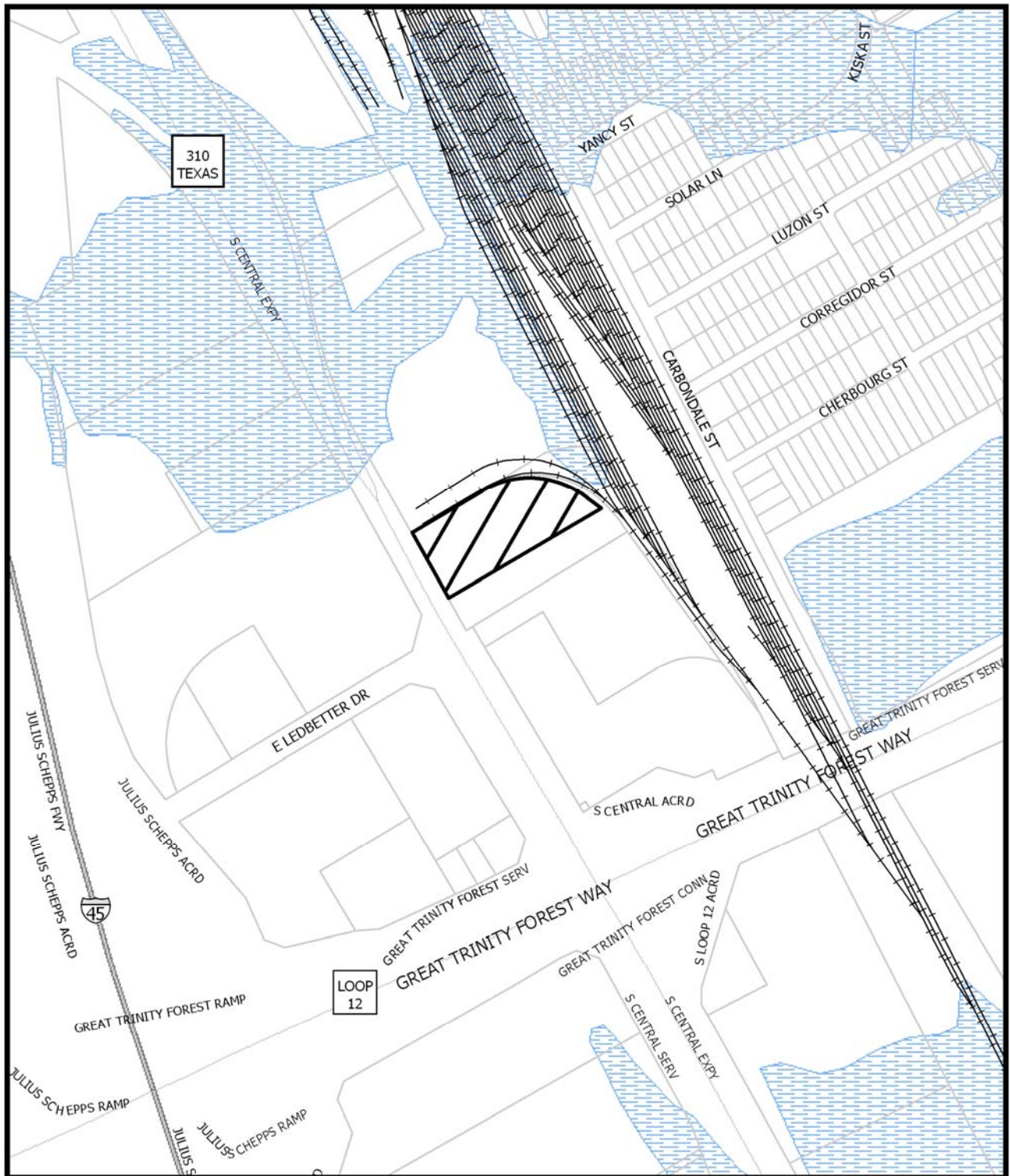
**STAFF'S RECOMMENDED CONDITIONS FOR A
SPECIFIC USE PERMIT FOR A METAL SALVAGE FACILITY**


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



- Site Data
- Land Area: 3.9 acres
 - Use: Metal Salvage Facility
 - Existing Structure: 8400 s.f.
 - Expansion Area: 4000 s.f.
 - Existing Building Height: 20 feet
 - Proposed Building Height: 20 feet
 - Lot Coverage 8%
 - Parking for Existing Structure: 17
 - Proposed 15' Solid Screening 
 - Existing 7' Chain Link Fence 
 - Proposed 9' Solid Screening 
 - 2" Crepe Myrtle 
 - 1 gallon Nellie R. Stevens Holly 
 - X Loading Space (11'x35' minimum)

Proposed Site Plan

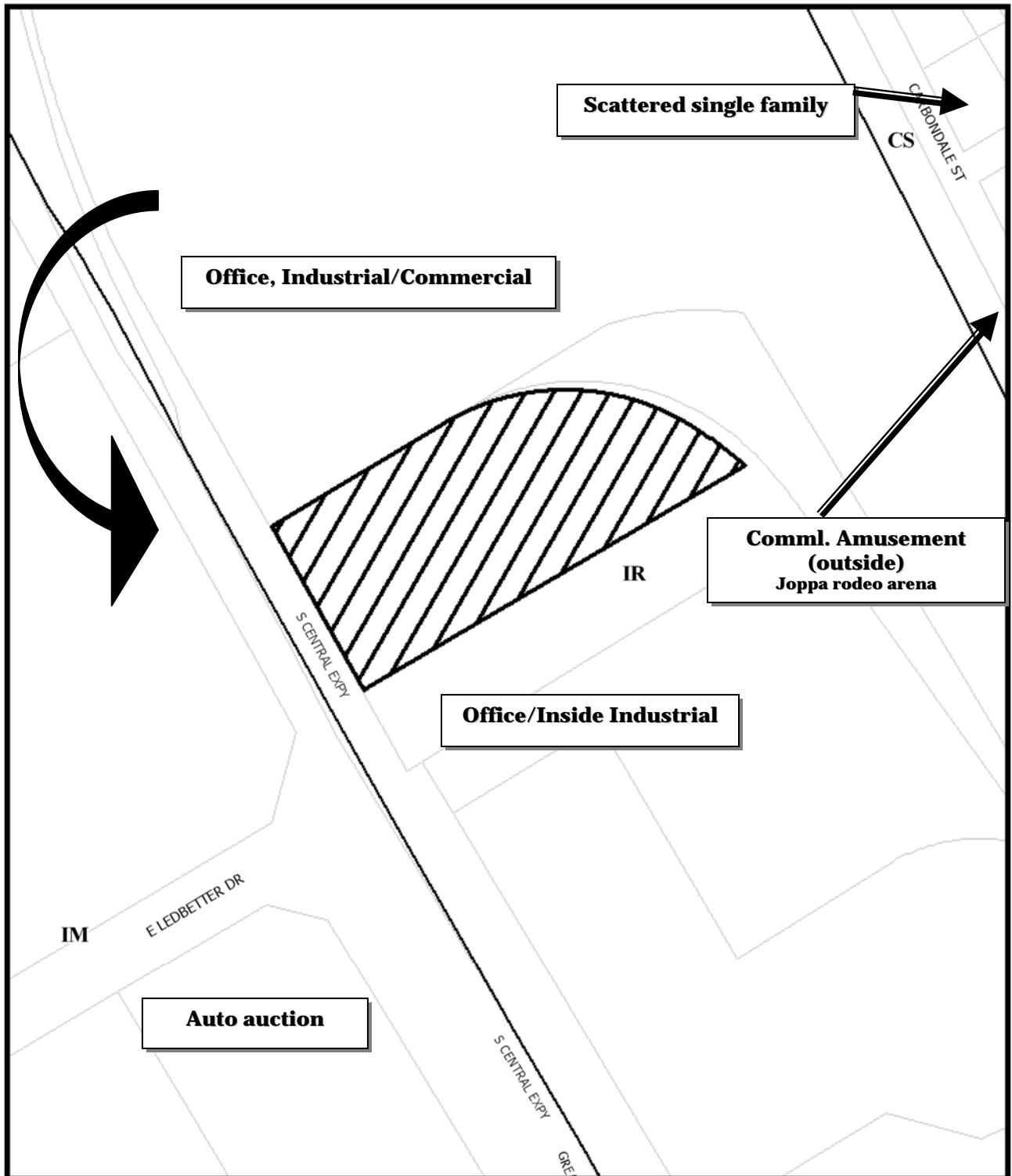



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VICINITY MAP


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

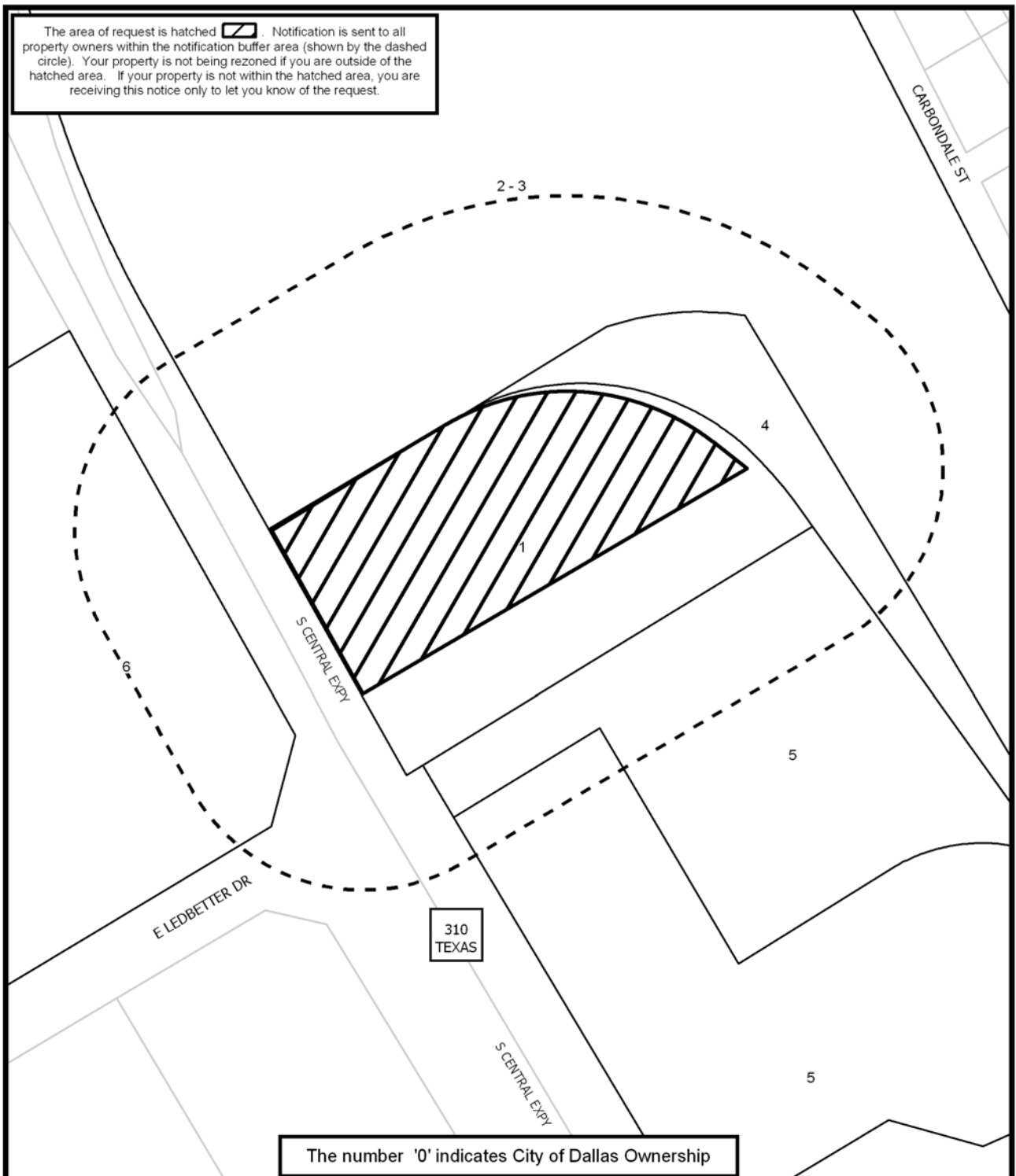
DATE: January 21, 2011




 1:2,400	<h1>ZONING AND LAND USE</h1>	Map no: <u> N-8 </u> Case no: <u> Z090-234 </u>
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DATE: January 21, 2011

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



The number '0' indicates City of Dallas Ownership


1:2,400

NOTIFICATION

300' AREA OF NOTIFICATION
6 NUMBER OF PROPERTY OWNERS NOTIFIED

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

DATE: January 21, 2011

Z090-234(RB)

Page 1 of 1

1/21/2011

Notification List of Property Owners

Z090-234

6 Property Owners Notified

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

Friday, January 21, 2011

Planner: Warren F. Ellis

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

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

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

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

APPLICANT / OWNER: Jay Eisenberg

REPRESENTATIVE: MASTERPLAN
Santos Martinez

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

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

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

PREVIOUS ACTION: On March 24, 2011, the City Plan Commission held this case under advisement until April 7, 2011, to allow for applicant's representative to meet with an adjacent property owner to discuss the proposed zoning case.

BACKGROUND INFORMATION:

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

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

Thoroughfares/Streets:

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

Land Use:

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

COMPREHENSIVE PLAN:

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

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

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

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

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

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

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

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

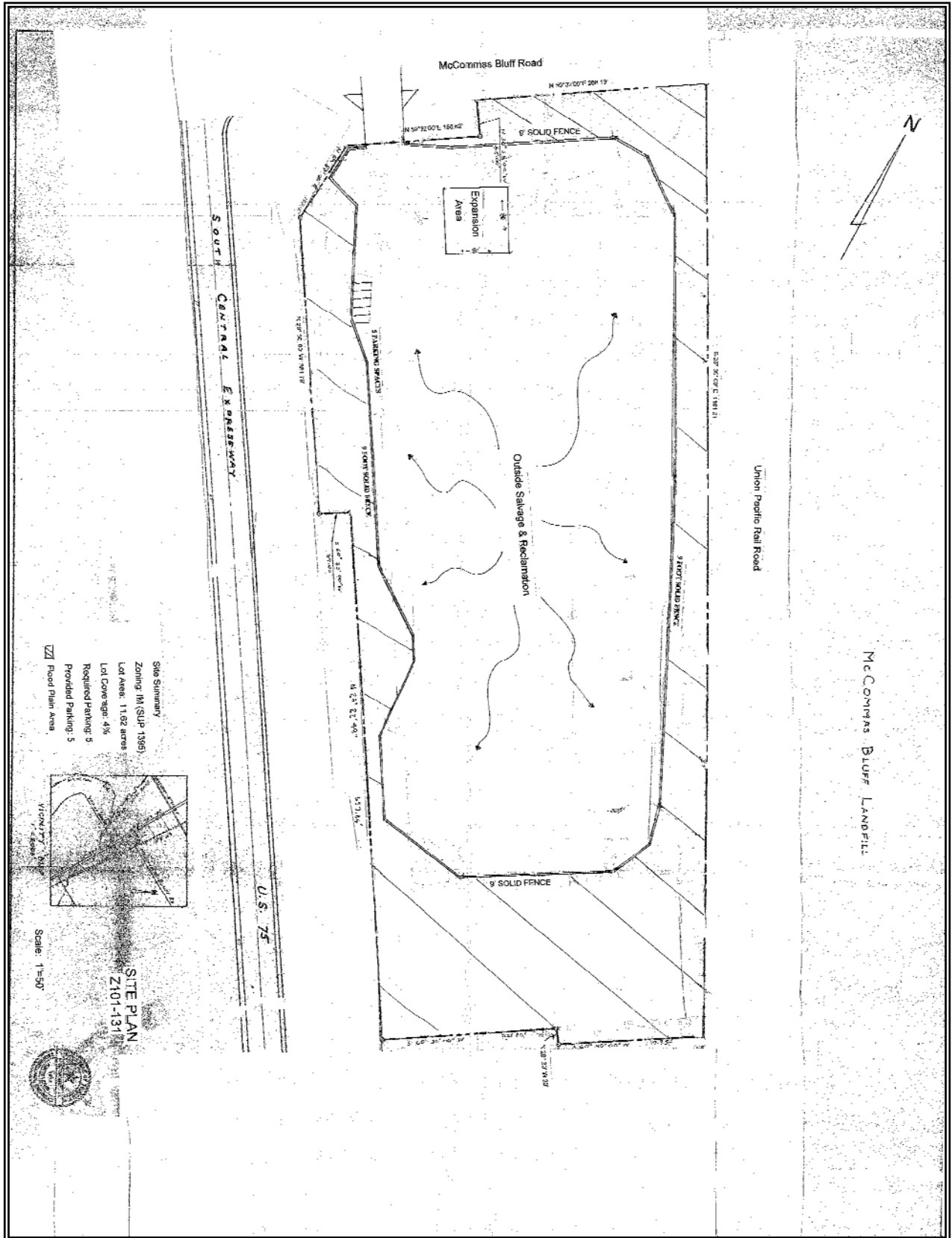
Landscaping: Landscaping must be provided in accordance with Article X, as amended. In addition to any landscaping required by Article X, a row of three inch minimum caliper evergreen trees, 30 feet on center, must be planted along the southwest property line as shown on the attached site plan, prior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

**PROPOSED SUP
CONDITIONS**

1. USE: The only use authorized by this specific use permit is an outside salvage or reclamation use limited to salvage or reclamation of wood and composition roofing shingles.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on _____(three years from the passage of this ordinance), but is eligible for automatic renewal for additional three-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. LANDSCAPING:
 - a. Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.
 - b. In addition to any landscaping required by Article X, a row of three caliper inch evergreen trees, 30 feet on center, must be planted along the southwest property line as shown on the attached site plan, prior to the issuance of a certificate of occupancy on the site.
 - c. Plant materials must be maintained in a healthy, growing condition.
5. DUST CONTROL Prior to the issuance of a certificate of occupancy, a water system consisting of sprinklers controlled by timers must be installed to control dust.
6. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
7. PARKING: A minimum of five off-street parking spaces must be provided in the location shown on the attached site plan.

8. STACKING: Materials may not be stacked higher than nine feet, except that materials within 40 feet of the visual screen may not be stacked higher than eight feet.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN



**FEMA DETERMINATION
LETTER**

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



Federal Emergency Management Agency
Washington, D.C. 20472

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

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

DETERMINATION

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

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

ADDITIONAL CONSIDERATIONS (If the appropriate box is checked, please refer to the appropriate section on Attachment 1)

- | | |
|---|--|
| <input checked="" type="checkbox"/> 1. PROPERTY DESCRIPTION (CONTINUED) | <input checked="" type="checkbox"/> 6. STUDY UNDERWAY |
| <input type="checkbox"/> 2. DETERMINATION TABLE (CONTINUED) | <input type="checkbox"/> 7. FILL RECOMMENDATION |
| <input type="checkbox"/> 3. PORTIONS REMAIN IN THE FLOODWAY | <input checked="" type="checkbox"/> 8. PORTIONS REMAIN IN THE SFHA |
| <input type="checkbox"/> 4. INADVERTENT INCLUSION IN THE FLOODWAY | |
| <input type="checkbox"/> 5. ZONE V OR ZONE A | |

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

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

Matthew B. Miller

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

JUL 01 1999

Case No.: 99-06-1421A

LOMR-F



Federal Emergency Management Agency
Washington, D.C. 20472

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

1. PROPERTY DESCRIPTION (CONTINUED)

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

6. STUDY UNDERWAY

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

8. PORTIONS OF THE PROPERTY REMAIN IN THE SFHA

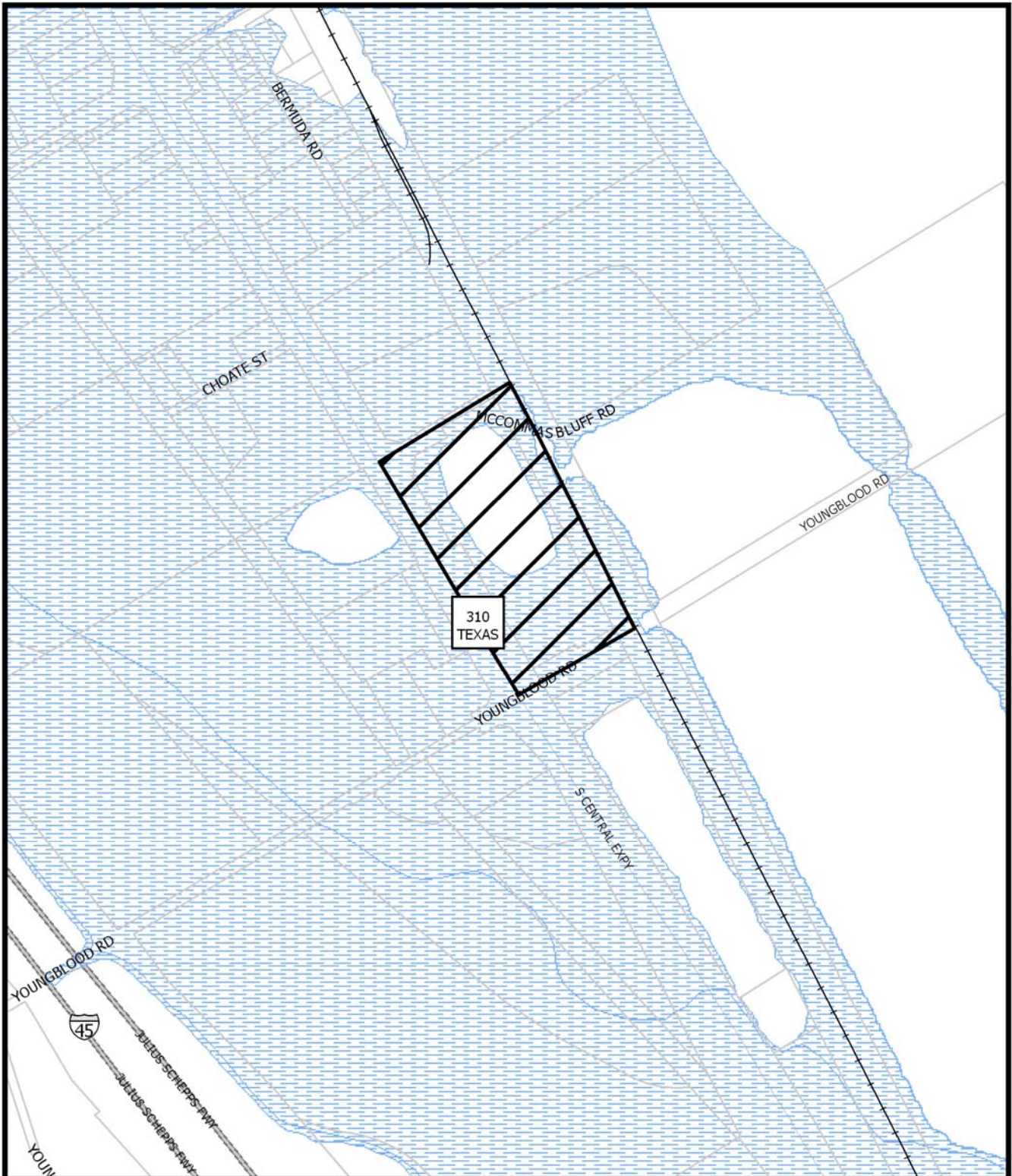
The Determination Document has removed the subject of the determination from the Special Flood Hazard Area (SFHA). However, portions of the property may remain in the SFHA. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State, and local regulations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

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

Matthew B. Miller

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

Version 1.0 217952205202064381421



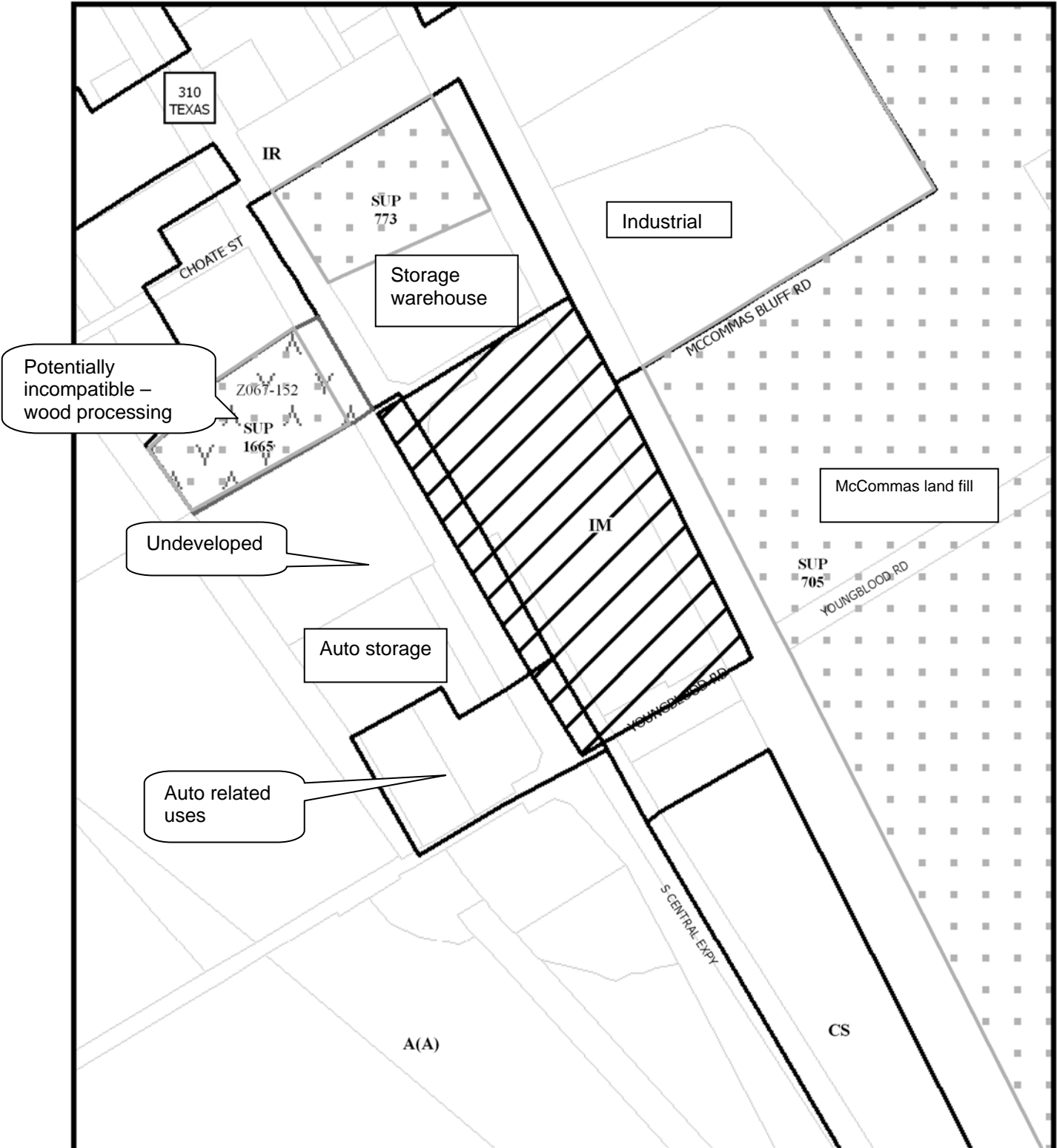
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VICINITY MAP

Map no: O-9

Case no: Z101-131

DATE: December 27, 2010




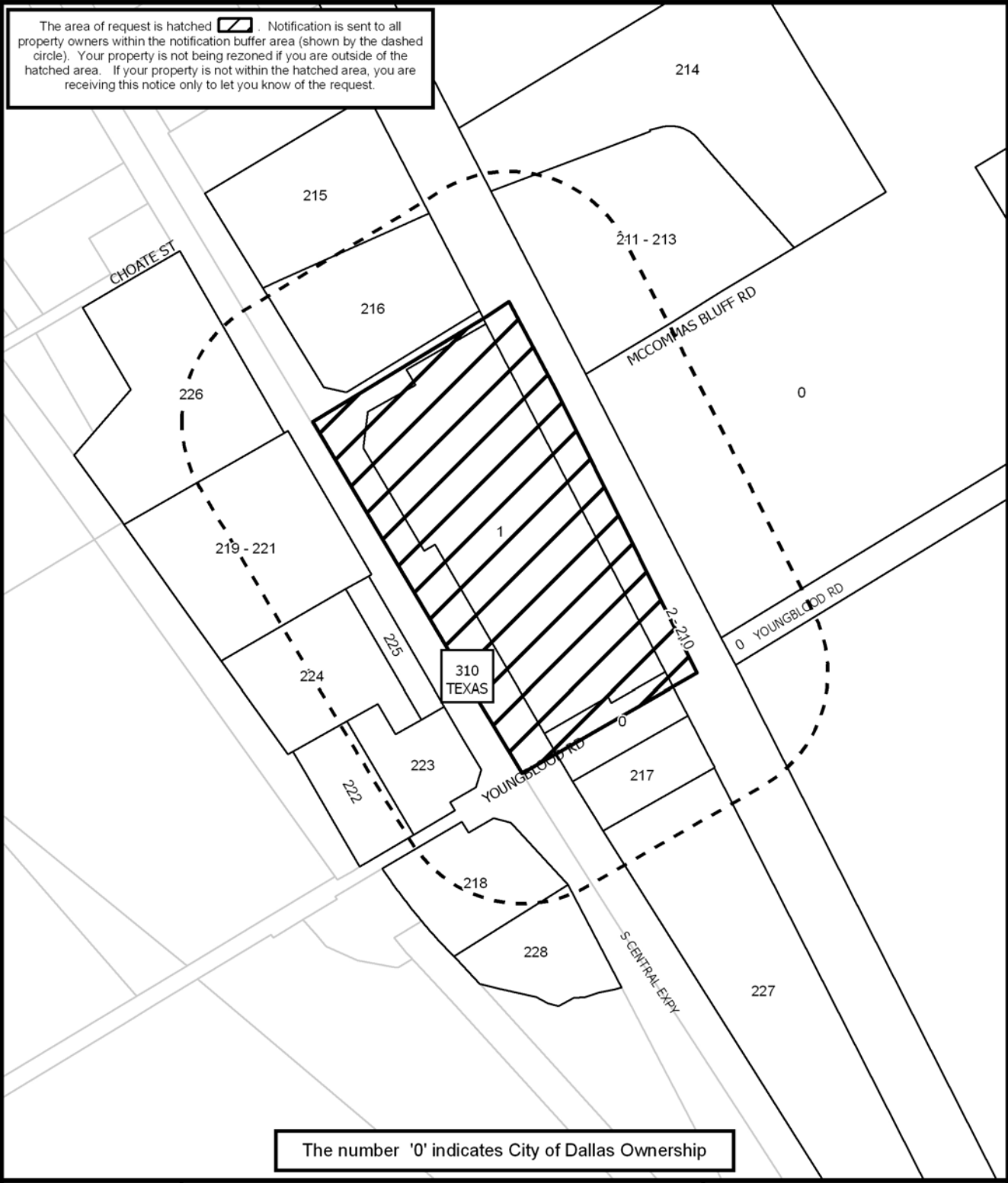
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ZONING AND LAND USE

Map no: O-9

Case no: Z101-131

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



The number '0' indicates City of Dallas Ownership



1:4,800

NOTIFICATION

400' AREA OF NOTIFICATION
228 NUMBER OF PROPERTY OWNERS NOTIFIED

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

Notification List of Property Owners

Z101-131

14 Property Owners Notified

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

Tuesday, March 01, 2011

FILE NUMBER: Z101-166 (MG)

DATE FILED: January 18, 2011

LOCATION: Northeast corner of Lawnview Avenue and Military Parkway

COUNCIL DISTRICT: 7

MAPSCO: 47 Q

SIZE OF REQUEST: Approx. 0.239 acres

CENSUS TRACT: 84.00

REPRESENTATIVE: Santos Martinez - Masterplan

APPLICANT/OWNER: Mohammad Rahman

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

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

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

PREVIOUS ACTION: On March 24, 2011, the City Plan Commission held this case under advisement until April 7, 2011, to allow the applicant's representative to meet with the surrounding neighborhood.

BACKGROUND INFORMATION:

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

Zoning History:

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

Thoroughfares/Streets:

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

Land Use:

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

STAFF ANALYSIS:

Comprehensive Plan:

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

Land Use Compatibility:

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

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

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

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

welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant's request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The adjacent commercial uses are compatible with the existing and proposed use on the subject property. The applicant is proposing to maintain the convenience store and gas station. The initial short time period will also require that the request be reevaluated to ensure the use is compatible in this location.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
CR- existing Community Retail	15'	20' adjacent to residential OTHER: No Min.	NA	54'	60%	Proximity Slope Visual Intrusion	Business, community

Parking/Traffic:

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

Landscaping:

Landscaping required per Article X of the Dallas Development Code.

DPD Report

DALLAS POLICE DEPARTMENT [UCR Codes](#) [Year Codes](#) [Property Class Codes](#)

Virtual Viewer - Public Access Welcome

Search Records - Offense Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0105677-X	04/17/2010	GALLARDO,JOSE	FOUND PROPERTY	05936		MILITARYPKWY	315	1233	43020	
0200911-X	07/17/2010	ORTEGA,FRANCISCO	ACCIDENTAL INJURY - PUBLIC PROPERTY	05936		MILITARYPKWY	315	1233	33070	
0328275-X	11/29/2010	@CITY OF DALLAS	FOUND PROPERTY	05936		MILITARYPKWY	315	1233	43020	

Page 1 of 1 (3 items)

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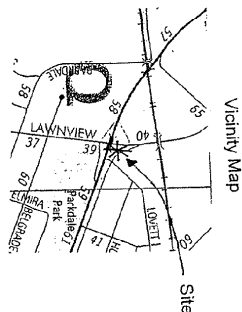
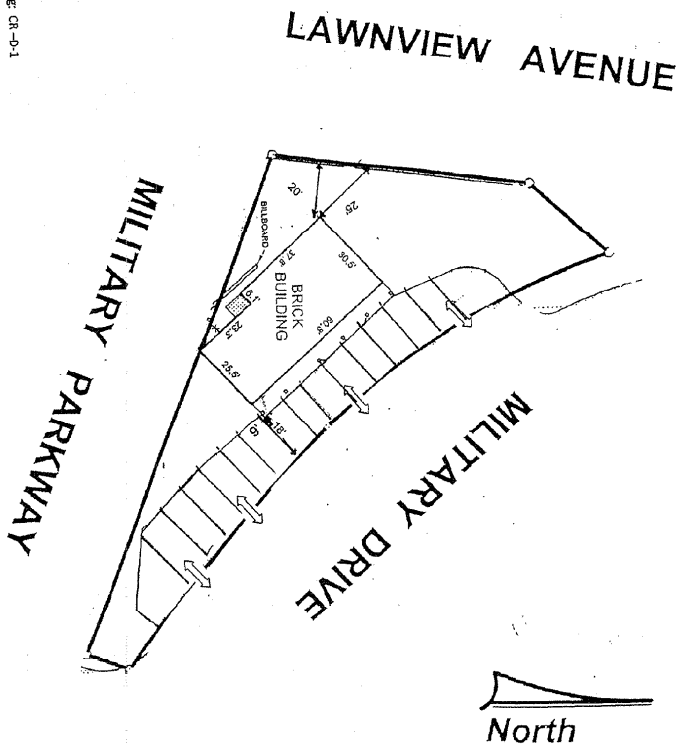
SUP Conditions

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

SITE PLAN

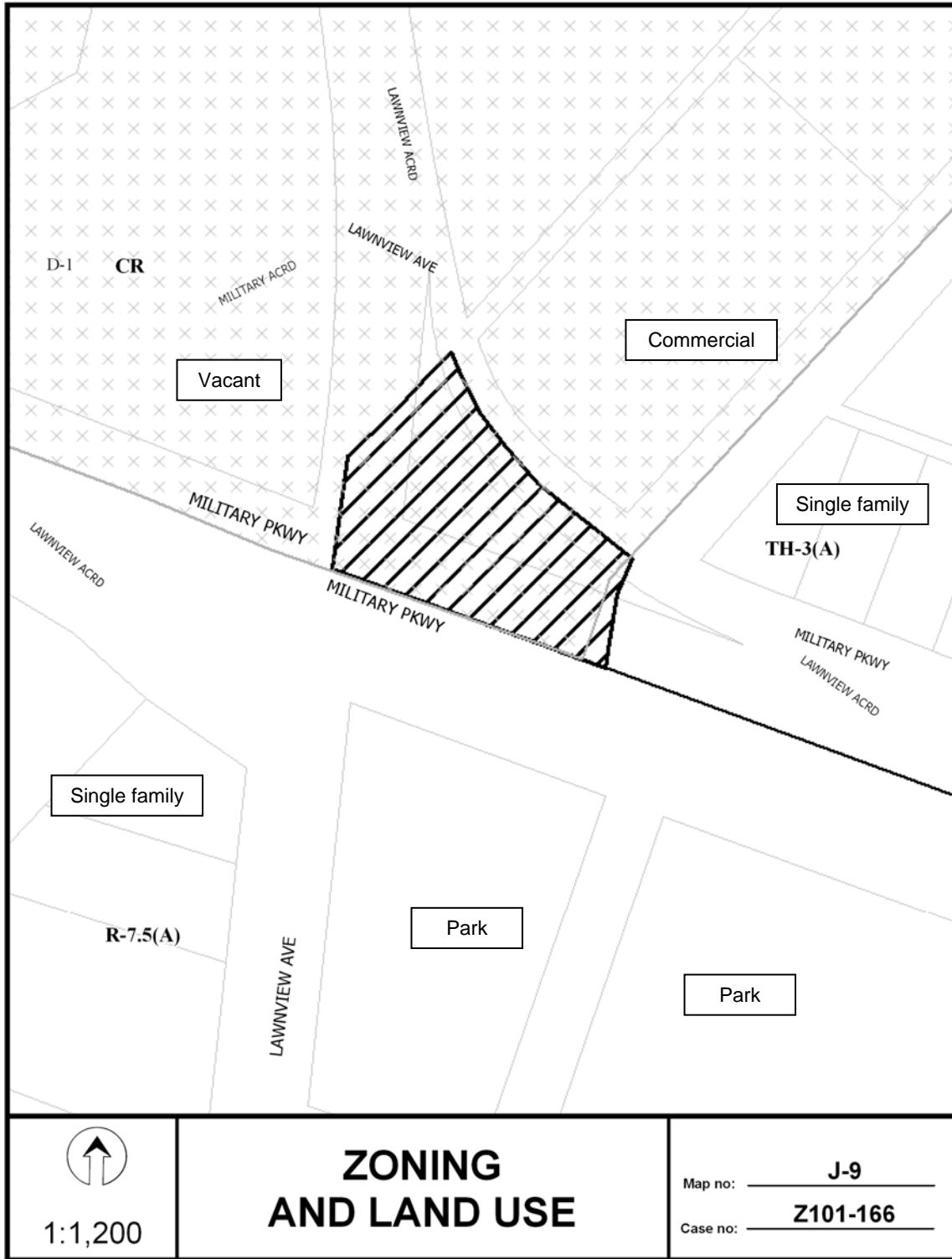
Site Summary
 Existing Zoning: CR-D-1
 Request: SUP for off premise alcohol sales
 Lot size: 10410.84 square feet
 Existing Building: 1780.98 square feet
 Lot Coverage: 17 percent
 Required Parking: 9
 Provided Parking: 9 (delta credits)

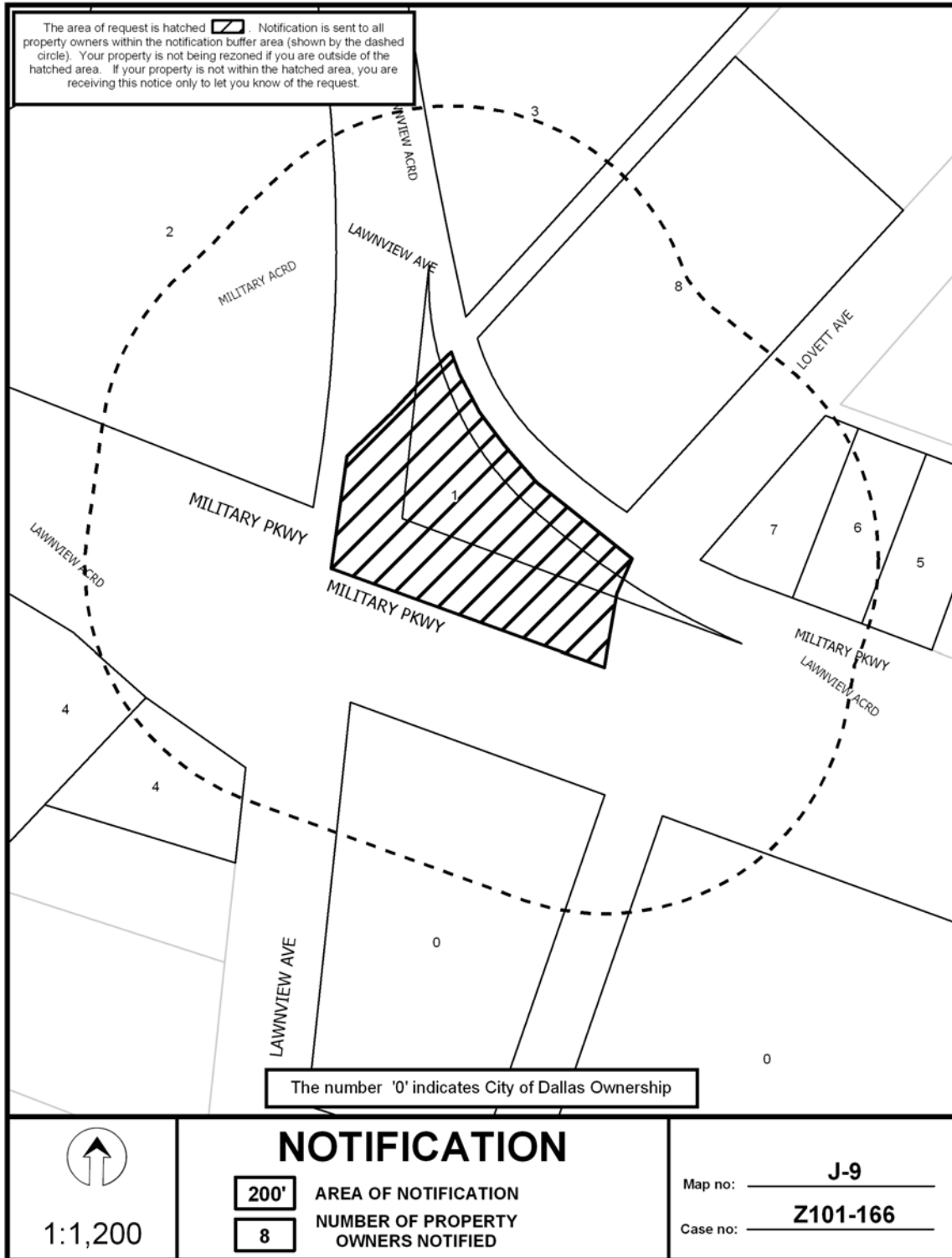
Scale: 1"=30'



Site Plan
 Z101-166







Z101-166

Page 1 of 1
3/10/2011

Notification List of Property Owners

Z101-166

8 Property Owners Notified

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

Thursday, March 10, 2011

FILE NUMBER: Z101-120(RB)

DATE FILED: November 9, 2010

LOCATION: Junius Street and Henderson Avenue, East Corner

COUNCIL DISTRICT: 14

MAPSCO: 46 B

SIZE OF REQUEST: Approx. 35,035 Sq. Ft.

CENSUS TRACT: 13.02

APPLICANT/OWNER: Dale Wooton

REPRESENTATIVE: Roger Albright

REQUEST: An application for a Planned Development District for NS(A) Neighborhood Service District within the Tract F portion of Historic District Overlay No. H/128 with a D Liquor Control Overlay; an application for the removal of the D Liquor Control Overlay and the granting of a D-1 Liquor Control Overlay; and, an application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service.

SUMMARY: The applicant is proposing to utilize the existing improvements for NS(A) District Uses with consideration of alternative off-street parking and landscaping regulations. Additionally, the applicant is requesting to terminate the D Dry Liquor Control Overlay and replace with the D-1 Liquor Control Overlay, thus providing for the requested SUP for the sale of alcoholic beverages.

STAFF RECOMMENDATION: Approval of a Planned Development District, subject to a development plan and staff's recommended conditions; retention of the D Liquor Control Overlay; and denial of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service.

BACKGROUND INFORMATION:

- The request site consists of a multi-tenant structure with a surface parking area on the eastern third of the property. Additionally, there is a heavily landscaped outdoor seating area that is utilized by tenants and patrons.
- The application’s main focus is to permit alcohol sales for an existing restaurant.
- A PDD is being requested for consideration of the following: 1) alternative off-street parking requirements; 2) alternative landscape provisions; and, 3) relief from the minor amendment process.
- The existing NS(A) District uses will be retained.

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>
Junius Street	Local; 40’ ROW
Henderson Avenue	Local; 40’ ROW

STAFF ANALYSIS

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

LAND USE ELEMENT

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The request site consists of a multi-tenant development with a surface parking area within the eastern third of the property. Additionally, there is a heavily landscaped outdoor seating area that is utilized by tenants and patrons. A PDD is being requested for consideration of the following: 1) alternative off-street parking requirements; 2) alternative landscape provisions; and, 3) relief from the minor amendment process.

Surrounding land use consists of low density residential uses, many of which are protected by various historic overlays and planned development districts that could be considered 'neighborhood friendly'. Munger Park, acquired in 1914 and encompassing approximately one-half acre, is situated on property across Junius Street. It should be noted the applicant has been proactive in reaching out to the community to discuss the request and gather support.

The applicant's main focus for the submission is to permit an existing restaurant the ability to serve alcoholic beverages. Current restrictions prevent this. As a means of options, the following best addresses the restrictions of each liquor control overlay:

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

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

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

Staff has worked with the applicant to address many issues, however, there remain some differences as noted on the attached conditions. It should be noted that staff does not support the removal of the current D Dry Liquor Control Overlay, due to the proliferation of established low density residential uses along with a small city park across the street, all of which surround the site. Should CPC consider recommending approval of the request, staff has prepared SUP conditions that incorporate the applicant's requested regulations for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service. Due to residential adjacency, staff would recommend certain conditions that minimize impact on adjacent residential uses (i.e., restricted hours for outside seating area, lighting provisions) as well as a more restrictive time period than that requested. The attached requested SUP conditions have been reviewed by the city attorney for legal interpretation and format for CPC's consideration.

Lastly, it is staff's recommendation that the required site plan for the SUP be consistent with the development plan's format, but revised to highlight the floor area, outdoor seating area, and a revised development table specific to the use (alcohol sales in conjunction with a restaurant without drive-in or drive-through service).

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 provided staff a parking analysis to address reductions in off-street parking requirements. It should be noted part of the request involves inclusion of existing on-street parallel spaces being considered to satisfy parking requirements. Due to the small scale of development of this neighborhood serving area, its location on local streets, and it's long history as a community destination, staff supports the various revisions related to parking as noted in the attached conditions. As part of this support, it should be noted that maximum floor area for permitted uses will ensure the demands on parking are minimized. With respect to on-street parking, staff has been consistent with not supporting such an option for nonresidential developments throughout the city. However, in this situation, the 'history' of the presence of this development within the community along with the fact this development fronts on local streets (i.e., reduced speed limits and traffic patterns normally associated with developments fronting on thoroughfares) has allowed engineering to support this portion of the request.

Landscaping: The development possess street trees and a heavily landscaped outdoor seating area and rear area behind the improvements. In conjunction with the

Z101-120(RB)

scale of improvements, staff has determined existing landscaping as noted on the development plan is acceptable.

**APPLICANT REQUESTED/STAFF RECOMMENDED CONDITIONS FOR A PDD FOR
NS(A) DISTRICT USES**

ARTICLE ____.

PD ____.

SEC. 51P-____.101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No. _____, passed by the Dallas City Council on _____.

SEC. 51P-____.102. PROPERTY LOCATION AND SIZE.

PD ____ is established on property located on _ The size of PD ____ is approximately _.

SEC. 51P-____.103. DEFINITIONS AND INTERPRETATIONS.

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

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

This district is considered to be a nonresidential zoning district.

SEC. 51P-____.104. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit ____A: development plan.

SEC. 51P-____.105. DEVELOPMENT PLAN.

(a) Development and use of the Property must comply with the development plan (Exhibit ____A). If there is of a conflict between the development plan and elevations and Section 51A-4.605, the development plan controls. If there is of a conflict between the text of this article and the development plan, the text of this article controls.

Applicant requested:

(b) Minor changes to the development plan which otherwise comply with this article and Section 51A-4.702(h)(1)(A) through (D) are allowed as a matter of right.

Staff recommendation: Due to residential adjacency, staff does not support any revisions to the existing minor amendment regulations.

SEC. 51P-____.106. MAIN USES PERMITTED.

The only main uses permitted are those main uses permitted in the NS(A) Neighborhood Service District, subject to the same conditions applicable in the NS(A) Neighborhood Service District, as set out in Chapter 51A. For example, a use permitted in the NS(A) Neighborhood Service District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the NS(A) Neighborhood Service District is subject to DIR in this district; etc.

SEC. 51P-____.107. ACCESSORY USES.

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

The following accessory uses are not permitted:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Amateur communication tower.
- Home occupation.
- Private stable.

SEC. 51P-____.108. YARD, LOT, AND SPACE REGULATIONS.

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

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the NS(A) Neighborhood Service District apply.

(b) Floor area.

Z101-120(RB)

- (1) Maximum floor area for all permitted uses is 10,475 square feet.
- (2) Maximum floor area for a restaurant without drive-in or drive-through service is 1,776 square feet.

SEC. 51P-____.109. OFF-STREET PARKING AND LOADING.

- (a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.
- (b) For office uses, one space per 602 square feet of floor area is required.
- (c) Except as provided in this section, for retail and personal service uses, one space per 360 square feet of floor area is required.
- (d) For a restaurant without drive-in or drive-through service, one space per 185 square feet of floor area is required.
- (e) Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement.

SEC. 51P-____.110. ON-STREET PARKING REDUCTION.

- (a) Except as provided in this section, the 10 on-street parking spaces shown on the development plan may be counted as a reduction of the parking requirements of the use adjacent to the on-street parking space.
- (b) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-use project.
- (c) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space ($8 \div 24 = \text{one-third}$). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.
- (d) The on-street parking shown on the development plan must be striped as required by the director of public works and transportation.

SEC. 51P-____.111. INGRESS AND EGRESS.

Ingress and egress must be provided as shown on the development plan. No other ingress and egress is permitted.

SEC. 51P-____.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.113. LANDSCAPING.

(a) Landscaping must be provided as shown on the development plan.

Applicant requested:

(b) Minor changes to the landscaping shown on the development plan which otherwise comply with this article and Section 51A-4.702(i)(1)(A) through (C) are allowed as a matter of right.

Staff recommendation: Due to residential adjacency, staff does not support any revisions to the existing minor amendment regulations.

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

SEC. 51P-____.114. SIGNS.

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

SEC. 51P-____.115. ADDITIONAL PROVISIONS.

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

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-____.116. COMPLIANCE WITH CONDITIONS.

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.

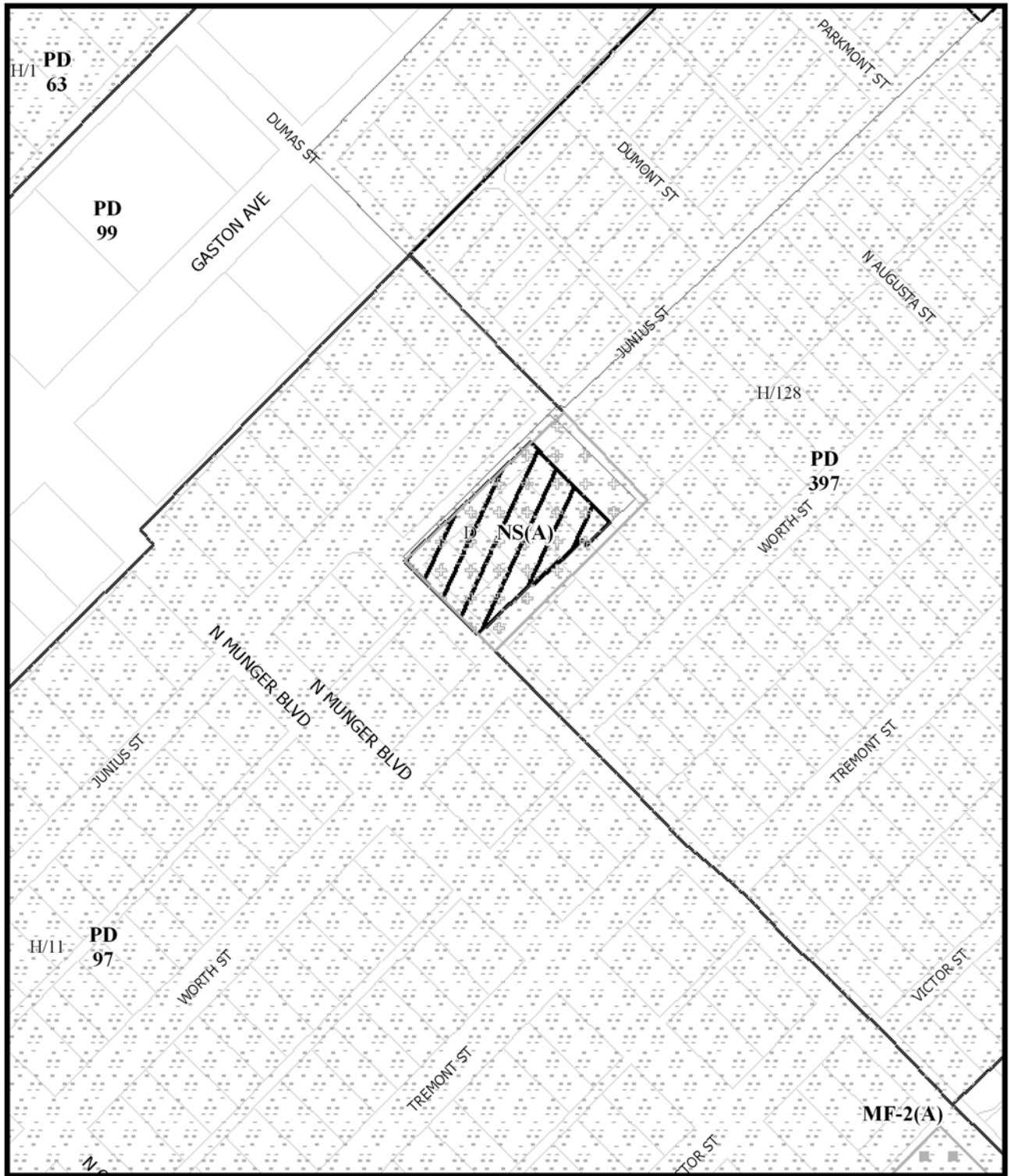
The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of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

APPLICANT PROPOSED SUP CONDITIONS

5300 Junius

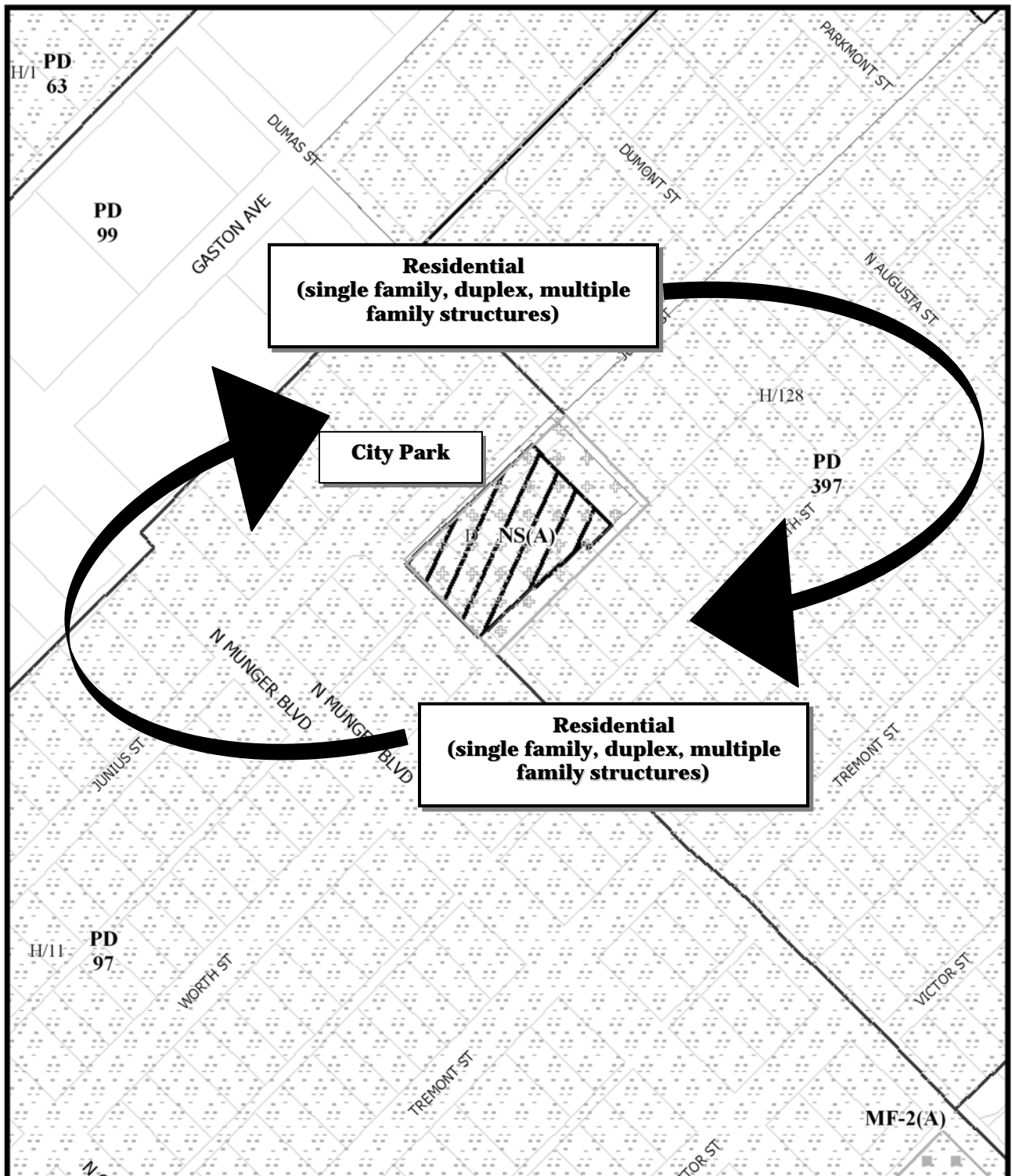
(Reviewed by the city attorney for legal interpretation and format)

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages for on-premise consumption as part of the operation of a restaurant without drive-in or drive-through service.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. MAINTENANCE: The Property must be properly maintained and in a good state of 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.




 1:2,400	<h1>ZONING MAP</h1>	Map no: <u> I-8 </u> Case no: <u> Z101-120 </u>
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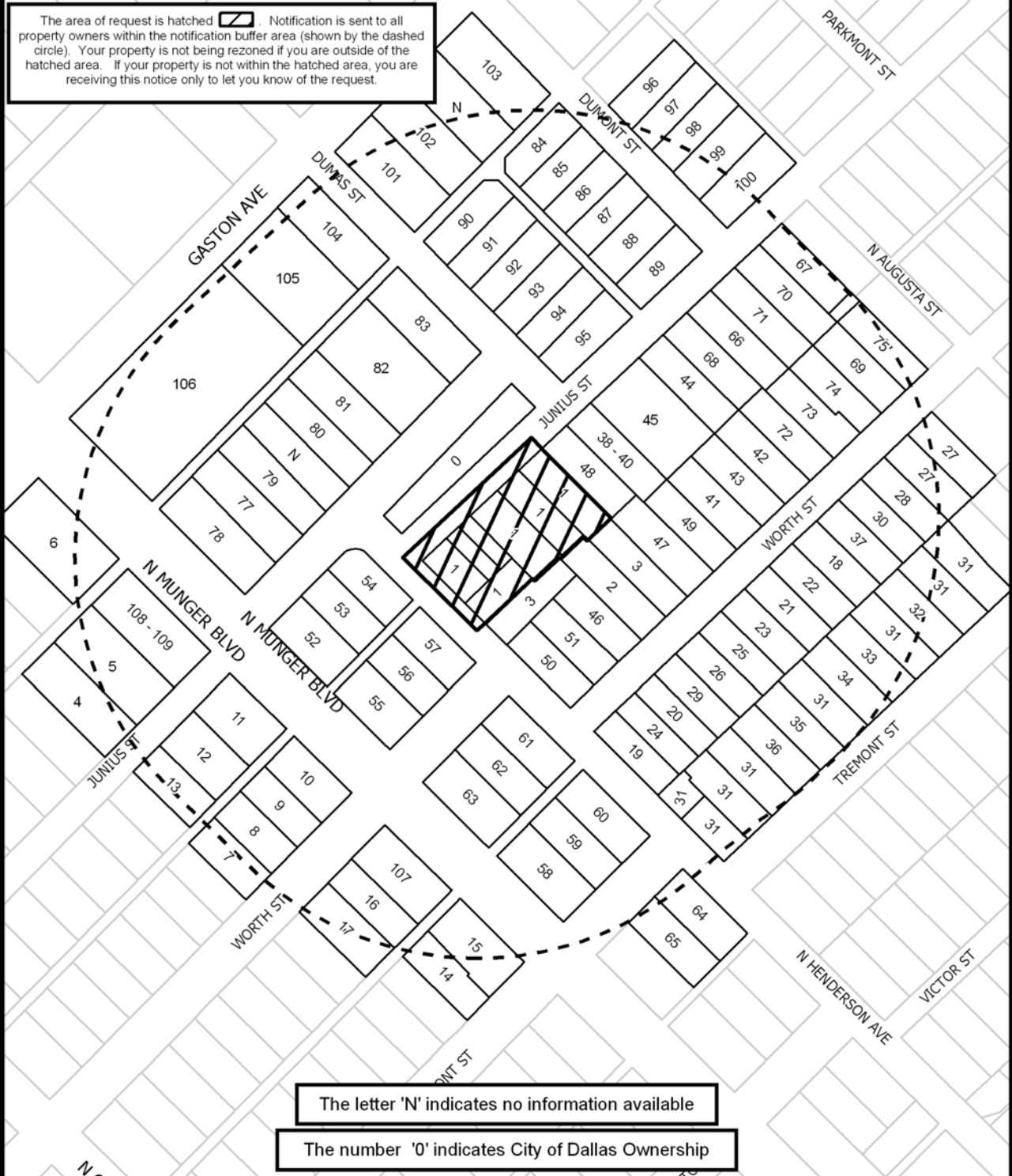
DATE: January 21, 2011



 1:2,400	<h1>ZONING AND LAND USE</h1>	Map no: <u> I-8 </u> Case no: <u> Z101-120 </u>
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DATE: January 21, 2011

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



The letter 'N' indicates no information available

The number '0' indicates City of Dallas Ownership


1:2,400

NOTIFICATION

500' AREA OF NOTIFICATION
109 NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: I-8
Case no: Z101-120

DATE: January 21, 2011

Notification List of Property Owners

Z101-120

109 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	614 JUNIUS	WOOTTON ROBERT DALE
2	5315 WORTH	OBRIEN DEBORAH & JERRY OBRIEN
3	612 WORTH	WOOTTON DALE MUNGER SQUARE CENTER
4	5107 JUNIUS	WALKER JAMES & PEGGY
5	5115 JUNIUS	WEIR BRAD & ANGELA
6	5122 GASTON	ASHCROFT FRITH INC & SCHOELKOPF ULRICH INC
7	5115 WORTH	GIBSON JOANNE L & ROBERT E OWEN
8	5119 WORTH	BOERNER JOHN R & TALYA L
9	5123 WORTH	JONES DOUGLAS M
10	5127 WORTH	CAMP JOSEPH D
11	5114 JUNIUS	ABSHIRE KEVIN G
12	5110 JUNIUS	FULLER JEFFREY A & ANITA K
13	5106 JUNIUS	STASZAK THOMAS P
14	5119 TREMONT	MILLS WILLIAM O III ET AL
15	5123 TREMONT	CASSIDY DAVID C
16	5120 WORTH	LOWERY THOMAS M & NATASHA R
17	5118 WORTH	GOBUSH MATTHEW N & PENELOPE
18	5410 WORTH	LOCKRIDGE SUZANNE
19	5300 WORTH	KENYON JOHN R
20	5306 WORTH	ESCOBAR FELIPE P
21	5400 WORTH	LOUSTALOT PATRICIA J
22	5406 WORTH	WHITNEY KERRY P
23	5326 WORTH	BROWN CHELSEA D
24	5304 WORTH	ESCOBAR MARY S
25	5320 WORTH	NELSON ERIK L
26	5316 WORTH	CANTU JESUS H & PETRA S

Friday, January 21, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5426 WORTH	KENYON JOHN
28	5420 WORTH	KOPPANG LAURA KAY
29	5310 WORTH	SOTO RUTHIE A
30	5416 WORTH	BOUGHTON BETH E
31	5417 TREMONT	CARROLL ROBERT W
32	5403 TREMONT	CABALLERO FAY ROBBINS
33	5331 TREMONT	BRANDT MARLA
34	5327 TREMONT	CARROLL SHAWN W & MARY A
35	5319 TREMONT	CARROLL MARY J & ROBERT W CARROLL
36	5315 TREMONT	KING WELDON CRAIG & STEFANIE LEE
37	5414 WORTH	LAWRENCE THOMAS W JR
38	5326 JUNIUS	GRAHAM LINDSAY ETAL
39	5326 JUNIUS	GRAHAM LINDSAY ETAL
40	5328 JUNIUS	GRAHAM VICTORIA ETAL &
41	5403 WORTH	PRINCE CHARLES
42	5411 WORTH	KEESEE LEONARD RAY & BARBARA DIANE KEESEE
43	5405 WORTH	ALLEN DAVID MORTON JR
44	5336 JUNIUS	COX MARGARET
45	5330 JUNIUS	SORRELLS MANAGEMENT LLC
46	5311 WORTH	JIMENEZ RAYMOND
47	5323 WORTH	BROWN JASON & TRACI
48	5322 JUNIUS	SHAW JOHN STEPHENS
49	5327 WORTH	TABOR LUPE ESCOBAR
50	5301 WORTH	CARROLL ROBERT W & MARY J
51	5307 WORTH	HARRELL JANICE E
52	5204 JUNIUS	HENDERSON MARY W
53	5208 JUNIUS	HANAGAN BRIAN
54	5212 JUNIUS	NEWMAN RICHARD J
55	5203 WORTH	J HUNTER & ASSOC III LP
56	5209 WORTH	ROBSON CHARLES T & LANE WEST ROBSON
57	5211 WORTH	STAYER MARIANNE

Friday, January 21, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	5201 TREMONT	LONG CHRISTOPHER R
59	5207 TREMONT	MALONE J C
60	5213 TREMONT	HARDMAN JOHN & PATRICIA H
61	5212 WORTH	SMITH HEATHER M & SMITH CLAUDE
62	5208 WORTH	RODEN ROBERT D & MICHELLE
63	5204 WORTH	MACIAS RICHARD
64	5212 TREMONT	CAPERTON RICHARD J & JUDY G
65	5208 TREMONT	MARSAW CORA A
66	5406 JUNIUS	BLACKBURN HELEN R & DREW P LANG
67	5418 JUNIUS	CLOY GEORGE P
68	5402 JUNIUS	FERNANDEZ ROCIO
69	5425 WORTH	PATTON JEREMY
70	5414 JUNIUS	CASS KENNETH MICHAEL
71	5410 JUNIUS	TATGE DAVID
72	5415 WORTH	QUIGLEY CARLA M & JAMES L QUIGLEY
73	5419 WORTH	MEDINA ERNEST
74	5421 WORTH	ORONA GABRIEL S &
75	5429 WORTH	OVERBY CINDY
76	5418 JUNIUS	CLOY GEORGE
77	5211 JUNIUS	FRAZIER MARK & KRISTIE FRAZIER
78	5203 JUNIUS	SOLARES BEATRICE
79	5215 JUNIUS	WHITEHEAD MICHAEL
80	5305 JUNIUS	MILLER DONNA C
81	5309 JUNIUS	HARRELL R KING JR HARRELL MICHELLE W
82	5317 JUNIUS	HENLEY HUDSON
83	5327 JUNIUS	USREY TOM & CINDY E ROOM G
84	723 DUMONT	KALABUS EDWARD A JR
85	719 DUMONT	TURKYILMAZ JENNIFER D
86	715 DUMONT	NAVARETTE DARLENE R
87	711 DUMONT	JANSEN JILL CHRISTINE
88	707 DUMONT	NICHOLS EMILY PAUL

Friday, January 21, 2011

Z101-120(RB)

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	701 DUMONT	CIELO UNLIMITED INC
90	722 DUMAS	PATEL RAKHEE
91	718 DUMAS	BELMORE ERNEST R JR
92	714 DUMAS	GONZALEZ RUDOLPH & JEAN ANN
93	710 DUMAS	HESTER VIRGINIA FAY
94	706 DUMAS	BARRETT SANDRA K
95	700 DUMAS	CARBAJAL ADAN ARROYO & PILAR PONCE G
96	718 DUMONT	JACKSON DEBORAH GAIL
97	714 DUMONT	LUTHY CONNIE L
98	710 DUMONT	GLOVER EUGENE D & LINDA B
99	706 DUMONT	COGILL GARY
100	700 DUMONT	MACABARE SEBASTIAN B JR
101	5402 GASTON	BEAUMONDE TRUST
102	5406 GASTON	ENDICOTT GEORGE R EST OF
103	5422 GASTON	HANLEY PETER M JR &
104	5324 GASTON	M2001 MHL REALTY LLC SUITE 400
105	5310 GASTON	POWER G A PARTNERS LP
106	5300 GASTON	EDAL LTD STE 305
107	5124 WORTH	CRONIN ALEXANDER & LORILET CRONIN
108	5119 JUNIUS	C & B POWER INC
109	5119 JUNIUS	COOPER GARY

Friday, January 21, 2011

CITY PLAN COMMISSION

THURSDAY, APRIL 7, 2011

Planner: Mike Grace, AICP

FILE NUMBER: Z101-145(MG) **DATE FILED:** December 17, 2010

LOCATION: East line of Coit Road, south of Frankford Road

COUNCIL DISTRICT: 12 **MAPSCO:** 6 F, G K, L

SIZE OF REQUEST: Approx. 73.0 acres **CENSUS TRACT:** 318.04

APPLICANT: Realty Appreciation, Ltd.

OWNER: Texas A&M University

REPRESENTATIVE: Jackson Walker, L.L.P.,
William S. Dahlstrom

REQUEST: An application for a Planned Development District for mixed uses on property zoned an R-7.5(A) Single Family District.

SUMMARY: The purpose of this request is to allow for the construction of a mixed use development that consists of hotel, office, research, residential and retail uses.

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

BACKGROUND INFORMATION:

- The applicant’s request for a Planned Development District will allow for the construction of a mixed use development. The proposed development will consist of a mix of uses including residential, non-residential, and open spaces enhanced by bike and walk routes.
- The request site is undeveloped and is a part of the Texas AgriLife Research and Extension Center at Dallas which is an extension of Texas A&M University.
- The applicant proposes to construct a mixed use development that allows multifamily uses when the residential component is part of the overall mixed use development. The proposed mixed use development could develop up to 880,000 sq. ft. of commercial space, 2,000 residential units and up to 250 hotel rooms on site.
- The request site is along the east line of Coit Road, south of Frankford Road and is adjacent to the south line of DART’s proposed Cotton Belt line. The site is also near the President George Bush Turnpike (Hwy. 190) which is located to the north. One of the sites being considered as a future rail transit station would be near the intersection of Coit Rd and the Cotton Belt line

Zoning History: There have been two recent zoning change requests in the area.

1. Z078-154 On April 9, 2008, the City Council approved a Planned Development District for LI Light Industrial District uses and an amendment to the public deed restrictions on property zoned an LI Light Industrial District with consideration given to termination of the deed restrictions.
2. Z034-259 On September 9, 2004, the City Council approved a Planned Development District for retirement housing and associated uses on property zoned an R-7.5(A) Single Family District.

Thoroughfares/Streets:

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

Land Use:

	Zoning	Land Use
Site	R-7.5(A)	Vacant
North	PD-695	Multi-family (retirement)
South	R-7.5(A)	Vacant/Agriculture
East	PD-780/LI	Vacant/Commercial
West	CR/PD-367/MU-1	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 being adjacent to a Transit Centers or Multi-Modal Corridors Building Block and within a Transit Center Building Block.

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

The mixed use development proposed for the site is compatible with the existing development in the area. The proposed planned development designation will allow the flexibility required to facilitate the mix of land uses outlined by the accompanying concept plan.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

ECONOMIC:

GOAL 2.1 PROMOTE BALANCED GROWTH

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

STAFF ANALYSIS:

Land Use Compatibility: The 73.0 acre tract of land is undeveloped and is adjacent to Coit Road on the west and DART's Cotton Belt line along the property's northern boundary. The subject site is surrounded by a variety of land uses. A retirement community exists to the north, while property to the east is mostly owned by the University of Texas at Dallas and contains vacant land, office and light industrial uses. Property to the south is owned by The Texas A&M University System and while it is partially vacant, it also contains some agricultural uses related to an agricultural experiment station. Property to the west is developed with a variety of small commercial uses.

The applicant's request for a Planned Development for mixed uses will allow for the construction of higher density mixed use development. The applicant's intent is to redevelop the site with a variety of uses including hotel, office, research, residential and retail. As this development is billed as the Urban Living Laboratory, much of the development will include experimental construction and development and will be a center for sustainable technology research and implementation. This will involve sustainable approaches such as green building methods and transit-oriented development. The proposed mixed use development will be developed using the MU-3 Mixed Use District development regulations and standards and will consist of retail, commercial and multifamily uses. The amount of buildable floor area being considered on the proposed site includes 880,000 sq. ft. of commercial space, 2,000 residential units and up to 250 hotel rooms.

The subject site is near a potential DART rail station that may be located along the Cotton Belt line just to the west of Coit Road. Subsequently, the proposed development is located in a Transit Center Building Block as indicated above. Close proximity to the potential DART station encourages higher density mixed use development. Higher

density development is planned in the western portion of the request area as it is closer to the proposed rail station (see attached Design Guidelines).

Additional proposed development standards include limiting townhome and urban residential building heights to a maximum of 3 and 8 stories respectively. Mixed-use-live-work and commercial will range from 8 to 20 stories. Setbacks will allow for the inclusion of awnings, landscaping, patios, porches and stoops.

Parking standards include but are not limited to multifamily development requirements including 1 space for units with one or fewer bedrooms unit and 1.5 spaces for units with two or more bedrooms. Additionally, on-street parking adjacent to buildings may be credited towards off-street parking requirements on the subject building site. Lastly, parking reductions are available for sites located within 1,300 feet of a DART light rail station. Such sites may reduce required parking by 20 percent.

While internal vehicular circulation will be accommodated via private streets, a new roadway running east to west and connecting Coit Road to Waterview Parkway is proposed along the site’s southern boundary. Six access points are proposed to provide connections to the internal private street system. A circulation plan, which must be approved by the city planning commission, is required to be submitted with the first development plan and prior to building permit. In addition, the circulation plan will delineate proposed on-site trails and connections to the proposed Veloweb (off-street trail network that provides bicycle and pedestrian connections) along DART’s Cotton Belt light rail line.

Staff is in support of the design standards and mix of uses associated with this proposed planned development district.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-7.5(A) - Existing Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family
PDD for mixed uses	Per plan	Per plan	3.2 FAR base 4.0 FAR maximum + bonus for residential	Up to 270' 20 stories	Up to 36%	Rail station adjacency premiums	Hotel, office, retail, residential, research, retail

Landscaping: Except as indicated in the attached conditions, landscaping of any development will be in accordance with Article X, as amended.

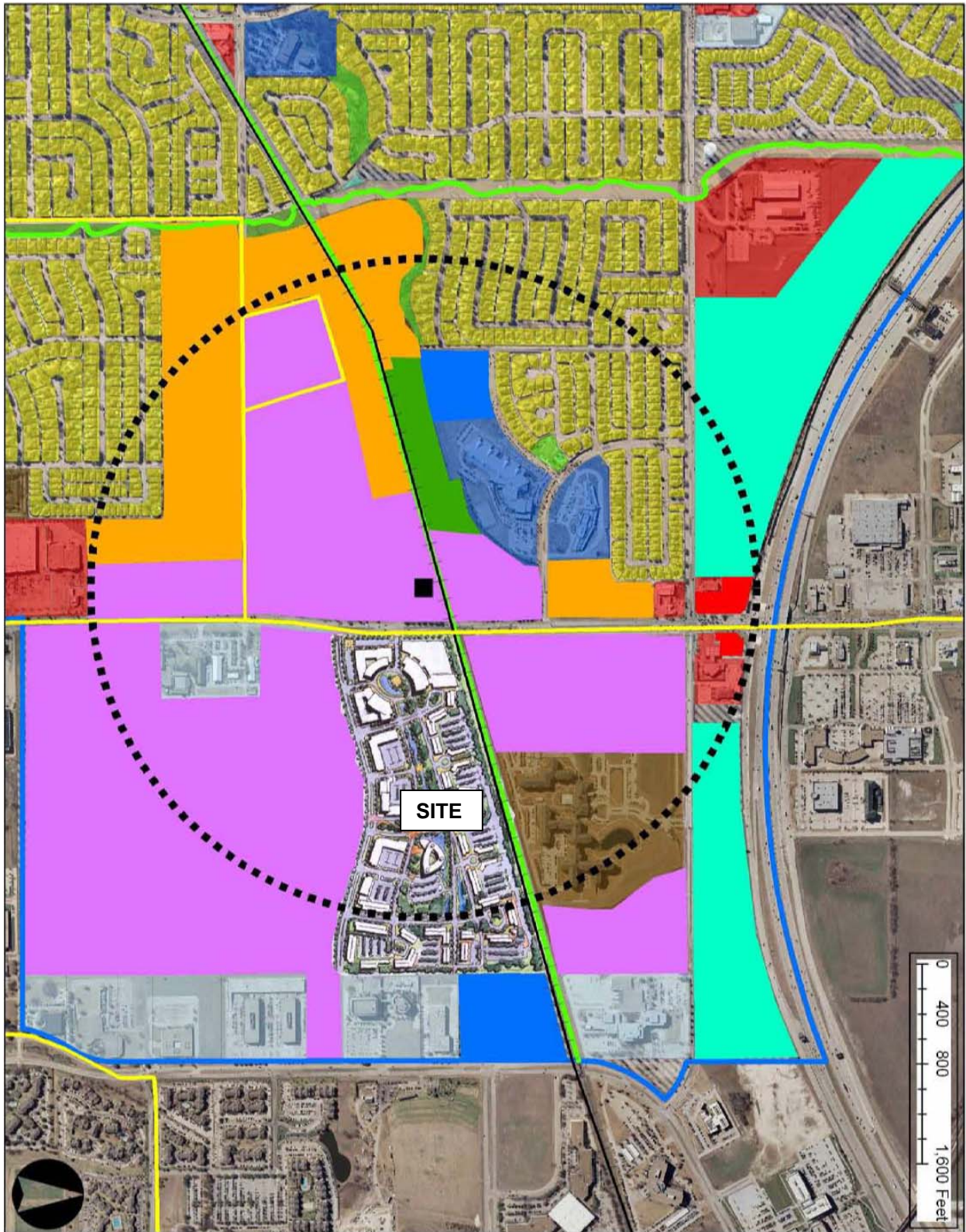
Traffic: The Engineering Section of the Department of Sustainable Development and Construction will review the circulation plan at the time of submittal.

Miscellaneous: As mentioned above, the subject site is located along DART's Cotton Belt light rail line and near the proposed Renner Village Transit Station. A map noting the proposed station location and existing surrounding uses is attached.

**REALTY
APPRECIATION, LTD.**

- Stewart L. Hoffman, President – registered agent

**DART COTTON BELT
LIGHT RAIL LINE**



**PROPOSED PDD
CONDITIONS**

ARTICLE ____.
PD ____.

SEC. 51P-____.101. LEGISLATIVE HISTORY AND NAME.

PD ____ was established by Ordinance No. _____, passed by the Dallas City Council on _____, 2011. This planned development district shall be named the "Urban Living Laboratory Planned Development District" (Ord. _____).

SEC. 51P-____.102. PROPERTY LOCATION AND SIZE.

PD ____ is established on property located on the east side of Coit Road approximately 1,800 feet south of Frankford Road. The size of PD ____ is approximately 73.0 acres. (Ord. _____).

SEC. 51P-____.103. PURPOSE.

This planned development district is intended to provide for the development of a research facility for sustainable development which accommodates the testing and experimentation of new technologies in minimizing the impact of current development on the needs of future generations. It is acknowledged in this planned development district that new technology will precipitate modifications to the standards herein that may be implemented as part of the research and experimentation for sustainability.

SEC. 51P-____.104. DEFINITIONS AND INTERPRETATIONS.

- (a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.
- (b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.
- (c) This district is considered to be a nonresidential zoning district. Any regulations triggered by residential adjacency do not apply to this district.
- (d) ALTERNATIVE ENERGY PRODUCTION means a facility or equipment the primary function of which is to utilize any one or more of a variety of means, including, but not limited to, micro turbine electrical generation, biomass, fuel cell technologies, and other renewable energy sources, to produce energy. This use

may be a separate main use, or may be accessory to a main use, or may simply form part of the mechanical equipment or infrastructure for any use permitted in this district.

(e) RAIL ADJACENCY means any portion of the Property within 1,300 linear feet of a transit station.

SEC. 51P-____.105. CONCEPTUAL PLAN.

(a) Except as otherwise provided in this Article, development of the Property must comply with the conceptual plan (Exhibit ____A). (Ord. _____)

(b) In the event of a conflict between the text of this article and the conceptual plan, the text of this article controls.

(c) It is not necessary to indicate each phase of development if separate phases are proposed.

(d) The access points from the east-west collector road shown on the southern boundary of the site are limited to six (6) entry points. Those shown on the conceptual plan are for illustrative purposes only.

SEC. 51P-____.106. DEVELOPMENT PLAN.

(a) Prior to the issuance of a building permit for any structure on the Property, a development plan must be approved by the city plan commission in accordance with Section 51A-4.702.

(b) It is not necessary to indicate each phase of development if separate phases are proposed.

SEC. 51P-____.107. CIRCULATION PLAN.

(a) Prior to the issuance of a building permit for any structure on the Property, a circulation plan must be approved by the city plan commission in accordance with Section 51A-4.702.

(b) The circulation plan must:

(i) show the approximate alignment of public and private streets;

(ii) identify the street types according to the Street Typologies set forth in Section 51P-____.____; and

(iii) show the approximate alignment of hike and bike trails within and adjacent to the Property.

(c) The circulation plan shall be submitted with the first development plan submitted for development within the Property.

(d) Development plans submitted for phases after the submittal of the first development plan may provide for modifications to the circulation plan without the need to comply with the procedures in Section 51A-4.701, et seq. provided the modified routes align with previously completed phases. In the event a modification is requested, a revised circulation plan shall be submitted with the respective development plan.

SEC. 51P-____.108. MAIN USES PERMITTED.

(a) The only main uses permitted on that lot are the following:

Agricultural uses.

- (1) Crop production.

Commercial and business service uses.

- (1) Building repair and maintenance shop.
- (2) Catering service.
- (3) Commercial cleaning or laundry plant.
- (4) Custom business services.
- (5) Custom woodworking, furniture construction, or repair.
- (6) Electronics service center.
- (7) Job or lithographic printing.
- (8) Medical or scientific laboratory.
- (9) Technical school.
- (10) Tool or equipment rental.

Industrial Uses.

- (1) Industrial (inside).
- (2) Industrial (inside) for light manufacturing.
- (3) Organic compost recycling facility.
- (4) Temporary concrete or asphalt batching plant.

Institutional and community service uses.

- (1) Adult day care facility.
- (2) Child-care facility.
- (3) Church.
- (4) College, university, or seminary.
- (5) Community service center.
- (6) Hospital.
- (7) Library, art gallery, or museum.
- (8) Public or private school.

Lodging uses.

- (1) Hotel or motel.

- (2) Extended stay hotel or motel.

Miscellaneous uses.

- (1) Placement of fill material.
- (2) Temporary construction or sales office.

Office uses.

- (1) Financial institution without drive-in window.
- (2) Financial institution with drive-in window.
- (3) Medical clinic or ambulatory surgical center.
- (4) Office.

Recreation uses.

- (1) Private recreation center, club or area.

Residential uses.

- (1) College dormitory, fraternity or sorority house.
- (2) Handicapped group dwelling unit.
- (3) Manufactured home park, manufactured home subdivision, or campground.
- (4) Multifamily.
- (5) Retirement housing.
- (6) Single family.

Retail and personal service uses.

- (1) Ambulance service.
- (2) Animal shelter or clinic.
- (3) Auto service center.
- (4) Alcoholic beverage establishments.
- (5) Business school.
- (6) Car wash.
- (7) Commercial amusement (inside).
- (8) Commercial parking lot or garage.
- (9) Dry cleaning or laundry store.
- (10) Furniture store.
- (11) General merchandise or food store 3,500 square feet or less.
- (12) General merchandise or food store greater than 3,500 square feet.
- (13) Home improvement center, lumber, brick or building materials sales yard.
- (14) Household equipment and appliance repair.
- (15) Motor vehicle fueling station *[includes electric vehicle recharging stations and compressed natural gas charging stations]*.
- (16) Nursery, garden shop, or plant sales.
- (17) Personal service use.
- (18) Restaurant without drive-in or drive-through service.
- (19) Restaurant with drive-in or drive-through service.

- (20) Surface parking.
- (21) Taxidermist.
- (22) Temporary retail use.
- (23) Theater.

Transportation uses.

- (1) Heliport.
- (2) Helistop.
- (3) Private street or alley.
- (4) Railroad passenger station.
- (5) Transit passenger shelter.
- (6) Transit passenger station or transfer center.

Utility and public service uses.

- (1) Commercial radio or television transmitting station.
- (2) Alternative energy production.
- (3) Electrical substation.
- (4) Local utilities.
- (5) Police or fire station.
- (6) Post office.
- (7) Radio, television, or microwave tower.
- (8) Sewage treatment plant.
- (9) Tower/antenna for cellular communication.
- (10) Utility or government installation other than listed.
- (11) Water treatment plant.

Wholesale, distribution, and storage uses.

- (1) Office showroom/warehouse.
- (2) Recycling drop-off container.
- (3) Recycling drop-off for special occasion collection.

(b) No development impact review (DIR) is required for any use within this planned development district.

SEC. 51P-____.109. ACCESSORY USES.

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

SEC. 51P-____.110. YARD, LOT, AND SPACE REGULATIONS.

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

(a) Front yard. Minimum front yard is 15 feet from Coit Road and from the east-west collector street; otherwise no minimum front yard.

(b) Side and rear yard. No minimum side and rear yard.

(c) Density. Maximum density is:

(1) Without regional rail station adjacency:

<u>Use</u>	<u>Building square feet/units</u>
Office	545,000 square feet
Retail	135,000 square feet
Hotel	250 rooms
Residential	1,500 dwelling units

(2) With regional rail station adjacency:

<u>Use</u>	<u>Building square feet/units</u>
Office	745,000 square feet
Retail	135,000 square feet
Hotel	250 rooms
Residential	2,000 dwelling units

(d) Floor area ratio. Maximum floor area ratio (FAR) is:

(1) 0.69:1 without regional rail station adjacency; and

(2) 0.89:1 with regional rail station adjacency.

(e) Height. Maximum structure height is:

(1) Without regional rail station adjacency:

<u>Use</u>	<u>Maximum building height</u>
Office	160 feet (12 stories)
Retail	30 feet (2 stories)
Hotel	115 feet (9 stories)
Residential	55 feet (3 stories)

(2) With regional rail station adjacency:

<u>Use</u>	<u>Maximum building height</u>
Office	270 feet (20 stories)
Retail	54 feet (4 stories)
Hotel	115 feet (9 stories)
Residential	55 feet (3 stories)

(f) Lot coverage. Maximum lot coverage is:

(1) 29 percent without regional rail station adjacency; and

(2) 36 percent with regional rail station adjacency.

(3) 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.

SEC. 51P-____.111. OFF STREET PARKING AND LOADING.

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

(b) Multifamily. A minimum of one space per unit is required for units with one bedroom or fewer, and a minimum of 1.5 spaces per unit is required for units with two bedrooms or more.

(c) On-street parking. On-street parking spaces adjacent to a building site may be credited toward the off-street parking requirement of uses on the building site, even if the parking, backing, or maneuvering must be performed in the public right-of-way. On-street parking must be striped in accordance with standard city specifications.

(i) Head-in parking. One head-in parking space may be credited for each nine feet of frontage of the building site. Angled head-in parking must be angled more than 60 degrees but less than 90 degrees to the curb. The closest point of any angled head-in parking space may not be located closer than 10 feet to any perpendicular (90 degree) head-in parking space.

(ii) Parallel parking. One parallel parking space may be credited for each 22 feet of frontage of the building site.

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

(1) Parking for all uses, except residential uses, which are located within 1/4 mile of a Dallas Area Rapid Transit (DART) light rail station may be reduced by 20 percent.

(2) Parking for all uses, except residential uses, which are located more than 1/4 mile but 1/2 mile or less from the light rail station may be reduced by 15 percent. Pedestrian connections must be illuminated such that a minimum maintained average illumination level of 1.5 footcandles is provided.

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

(Ord. _____)

SEC. 51P-____.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. _____)

SEC. 51P-____.113. LANDSCAPING, OPEN SPACE AND TREE PRESERVATION.

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

(b) Landscaping, open space and tree preservation standards may be modified to accommodate research and testing of alternative sustainable technologies and landscape materials.

(c) Plants not listed on the approved plant list in Article X may be used if such plants are being evaluated for suitability in urban settings, included, but not limited to, bio-engineered turf grasses as developed and promoted by Texas A&M AgriLIFE Research Extension for research and evaluation purposes.

SEC. 51P-____.114. SIGNS.

(a) In general. Except as provided in this article, signs must comply with the provisions for business zoning districts in Article VII.

(b) For purposes of determining signage on the Property, the entire Property shall be considered one lot.

SEC. 51P-____.115. ADDITIONAL PROVISIONS.

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

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. _____)

(c) Streets in this district shall be constructed in accordance with the Street Cross Sections attached hereto as Exhibit ____B.

(d) Minor plats of one or more portions of this district may be approved by the Director of Sustainable Development and Construction pursuant to Sec. 212.0065 of the Texas Local Government Code.

SEC. 51P-____.116. COMPLIANCE WITH CONDITIONS.

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

SEC. 51P-____.117. FLEXIBLE STANDARDS.

(a) *General Intent.* It is generally intended that the development standards set forth in planned development district shall be flexible in order to accommodate research and experimentation in sustainable technology intended as part of the living laboratory

(b) *Modified Standards.* Any standard set forth in this planned development district may be modified in order to accommodate research and experimentation of sustainable technology provided such modification does not:

- (1) result in the approval of a land use not otherwise authorized in this planned development district; or
- (2) increase the allowable intensity or density of any land use under this planned development district.

(c) *Construction Standards.* Development standards set forth in this planned development district may be modified as part of the approval of the final civil plans provided such modifications are considered appropriate to provide for sustainable construction methods for development of the Property.

SEC. 51P-____.118. ZONING MAP.

PD ____ is located on Zoning Map No. A-8. (Ord. _____)

**URBAN DESIGN GUIDELINES
PAGE 1**

GUIDELINE INTENT

The intent of this guideline is to provide additional direction related to the overall character and environment that is envisioned on the Urban Living Laboratory site, while maintaining flexibility related to building type, architectural character, and locations of specific buildings. The guideline provides information related to the types of buildings that may be constructed, general areas where they could occur, their relationships to streets, uses (both ground floor and upper floors), and building projections. This guideline supports the overall development vision of a sustainable, diverse, urban development, which attracts people to live, work, and recreate as parties to the overall laboratory thus allowing for observation, measurement, and testing of materials and systematic solutions.

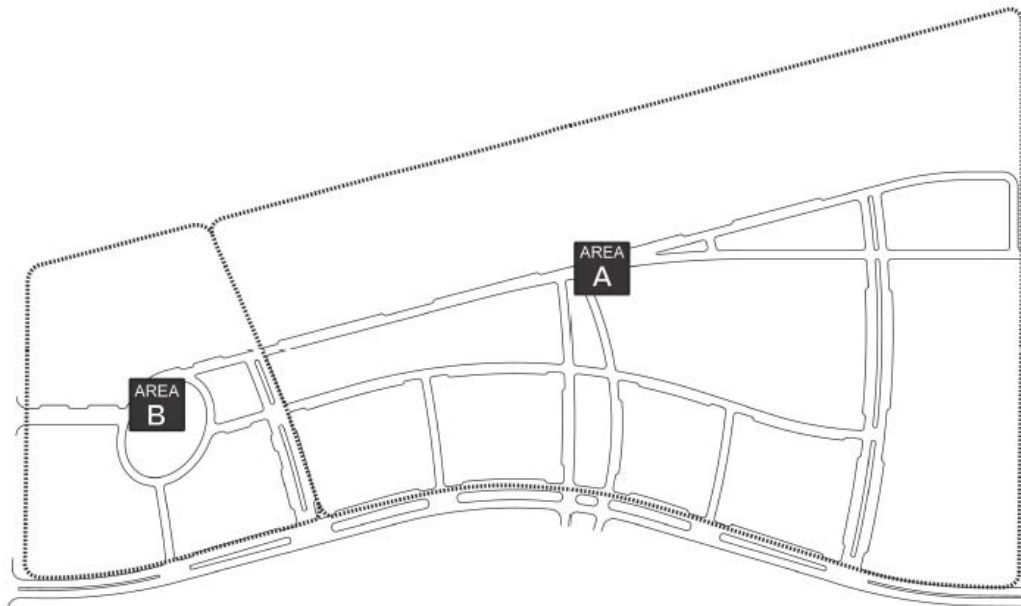
**URBAN DESIGN GUIDELINES
PAGE 2**

CONCEPT PLAN
Permitted Buildings by Area

BUILDING TYPES

BUILDING TYPES BY AREA*	
A	B
TOWNHOME	
URBAN RESIDENTIAL	
LIVE/WORK	LIVE/WORK
MIXED USE	MIXED USE
COMMERCIAL	COMMERCIAL

* As defined on pages 4 and 5 of this guideline





Note: The internal street network shown is conceptual in nature and for illustrative purposes only.

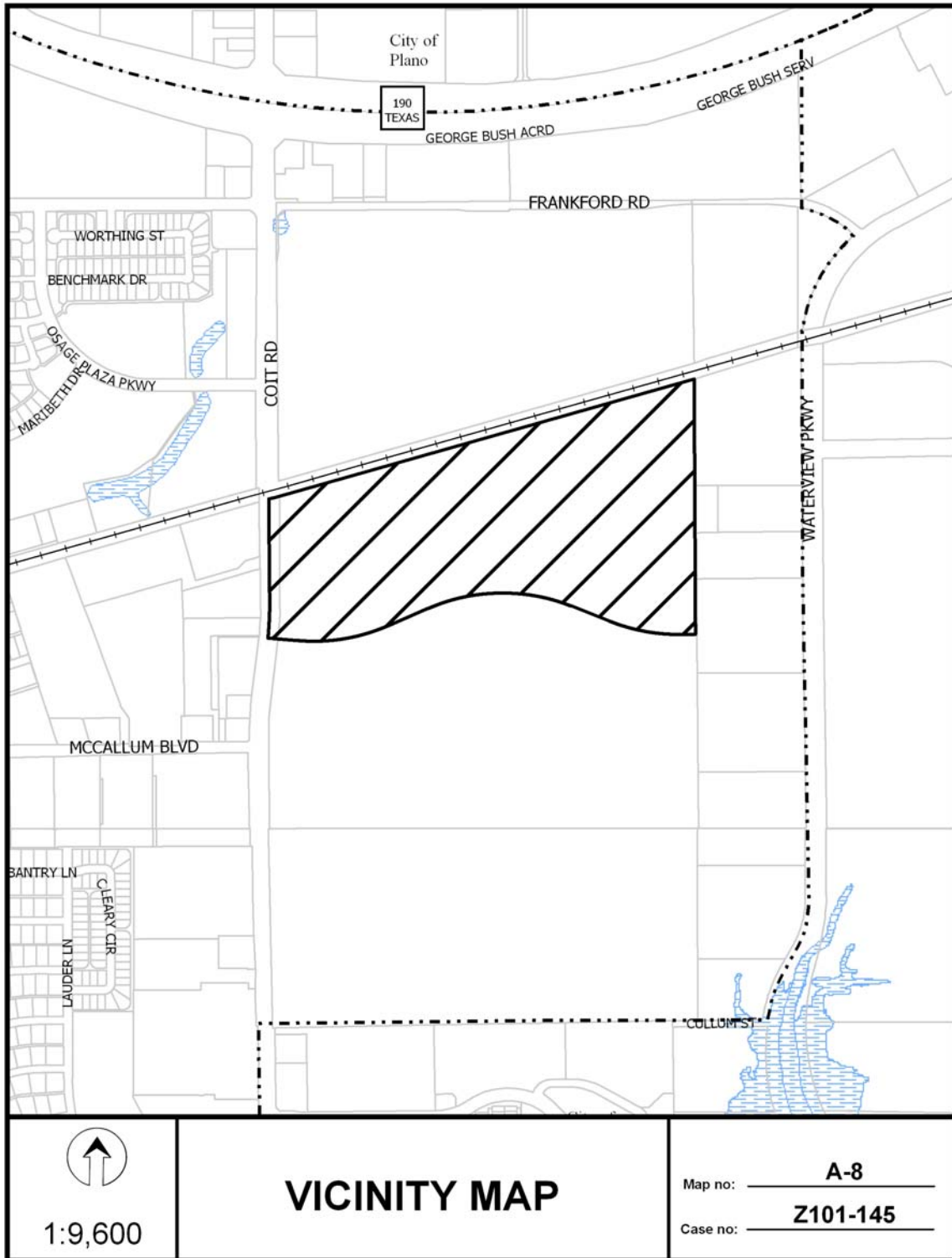
**URBAN DESIGN GUIDELINES
PAGE 3**

BUILDING TYPE	FRONTAGE	HEIGHT	USE: GROUND FLOOR	USE: UPPER FLOORS	MINIMUM FIRST FLOOR TRANSPARENCY	MIN DIST BETWEEN ENTRIES
COMMERCIAL	Setback to be primarily hardscape - intended to engage sidewalk and provide opportunities for outdoor dining	Min 1 story Max 20 stories	Retail, office, commercial & business services or lodging	Office, commercial & business services or lodging	50% Retail Use 30% All Other Uses	30 l.f.
MIXED-USE LIVE-WORK*	Setback to be primarily hardscape - intended to engage sidewalk and provide opportunities for outdoor dining	Min 2 stories Max 8 stories	Retail, office, commercial & business services or lodging	Residential	50%	30 l.f.
URBAN RESIDENTIAL	Setback sufficient to support stoops, patios, porches, awnings and landscaping	Min 2 stories Max 8 stories	Residential or resident amenity	Residential	30%	None
TOWNHOME	Setback sufficient to support stoops, patios, porches, awnings and landscaping - Vehicular access from rear	Min 2 stories Max 3 stories	Residential	Residential	30%	None

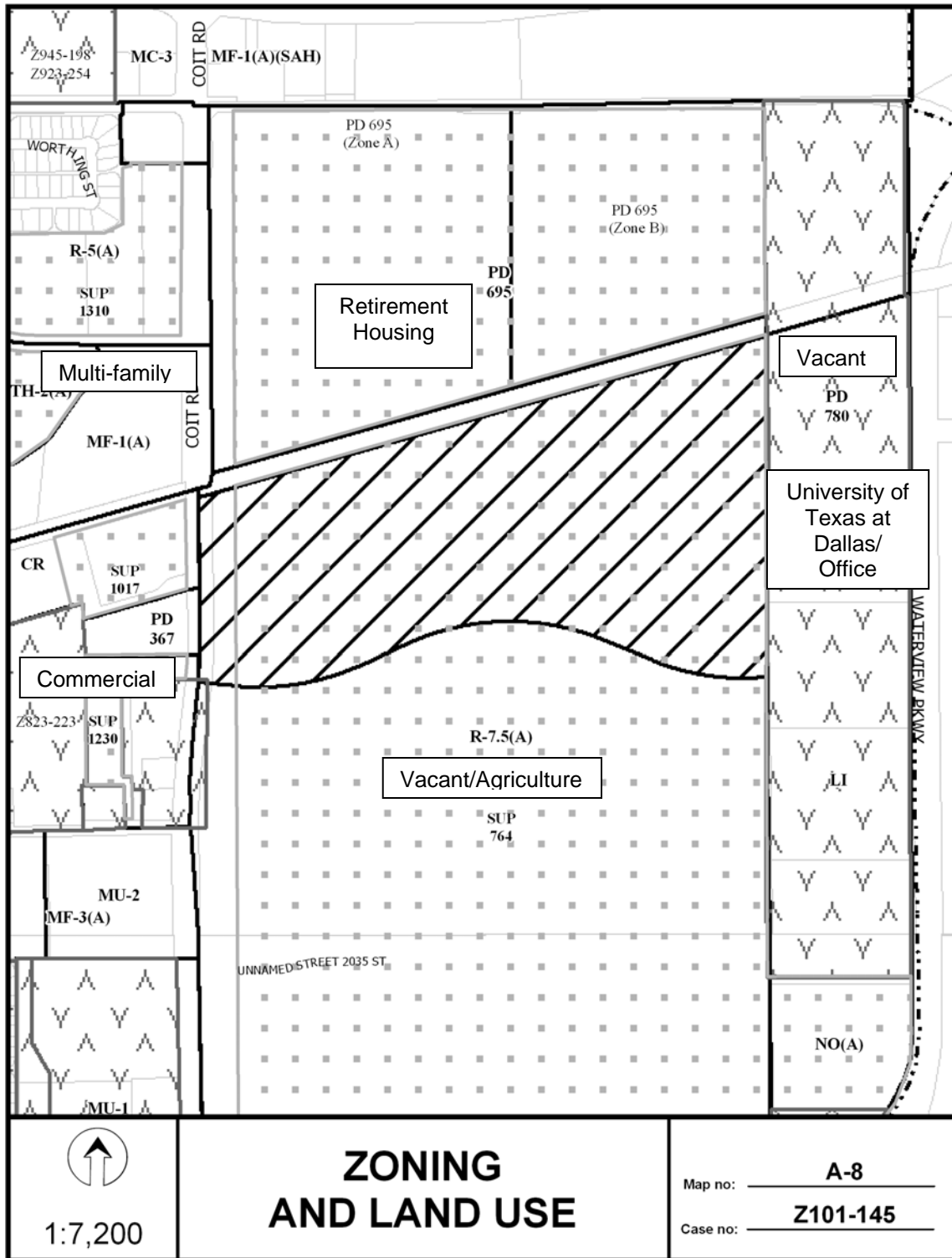
* A mixed-use building is defined as having separation of ground floor uses from the upper floor residential units, and a Live-Work Building is defined as having physical connectivity between the ground floor uses and the residential unit immediately above.

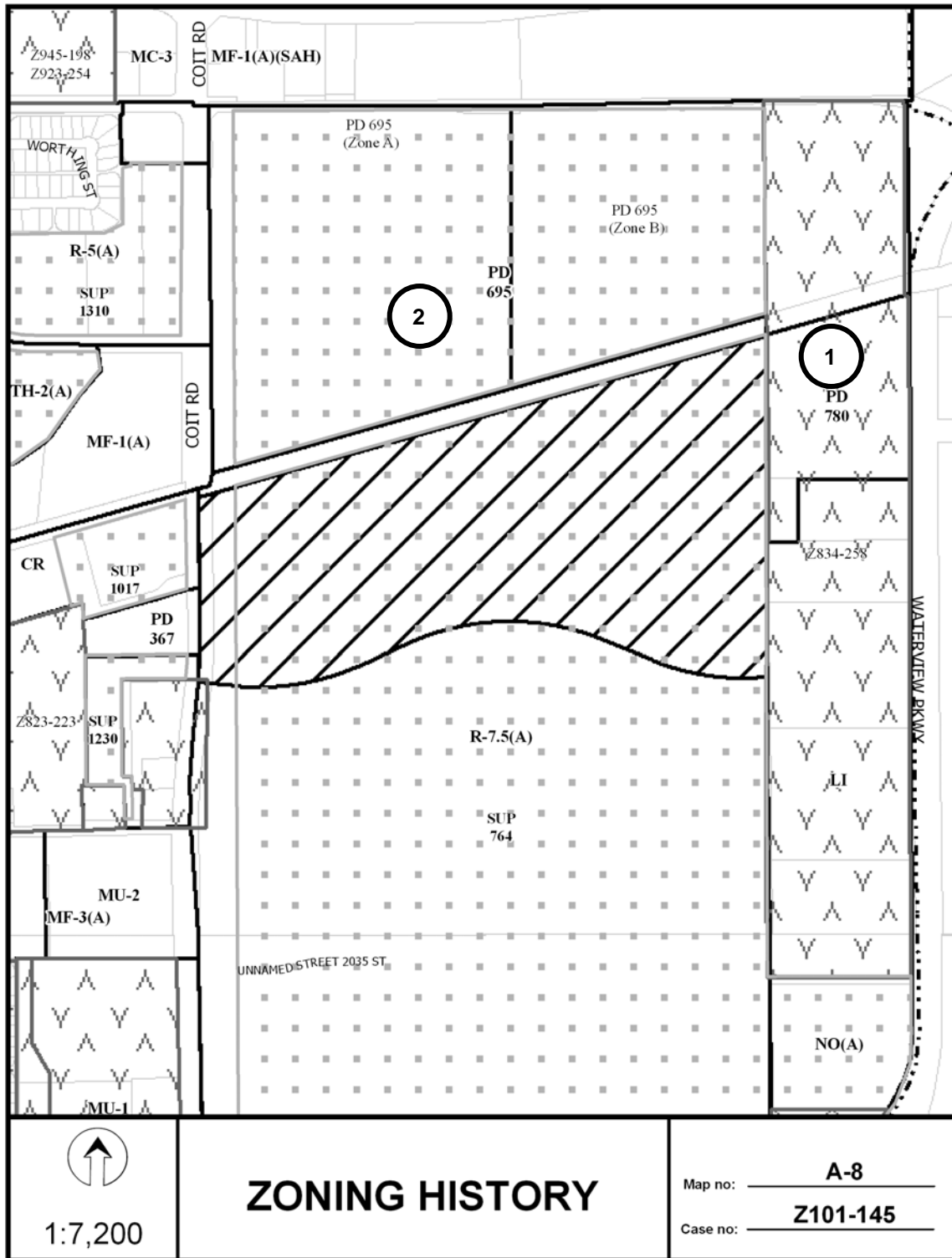
URBAN DESIGN GUIDELINES
PAGE 4

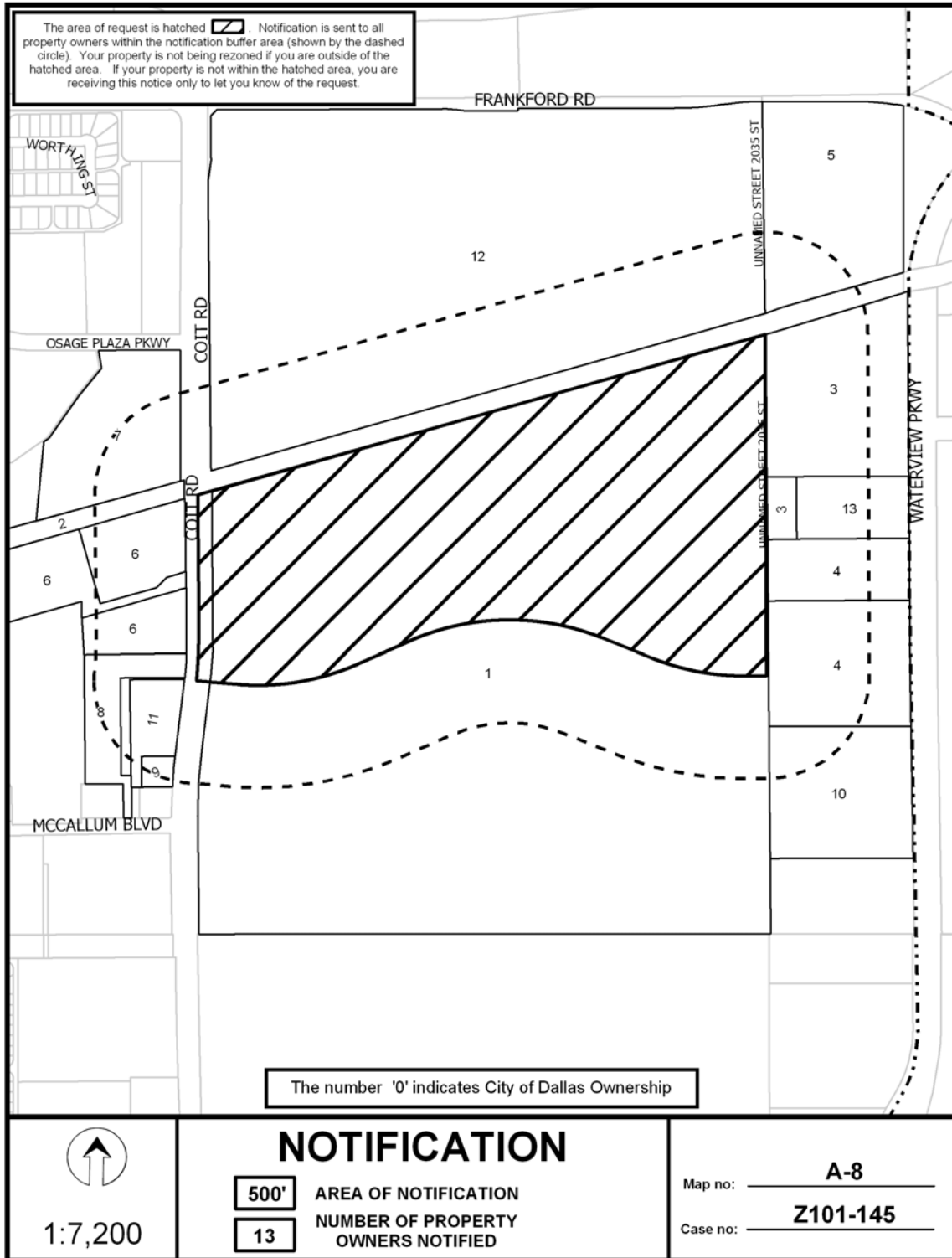
FINISH FLOOR ELEVATION	PERMITTED PROJECTIONS	MIN FLOOR TO FLOOR HEIGHT	REFERENCE IMAGES	
Match sidewalk grade	Shopfront Blade signs Awning/canopy Outdoor Dining	10'		
Match sidewalk grade	Shopfront Blade signs Awning/canopy Outdoor Dining	10'		
Minimum 18" above sidewalk grade - except for accessible units	Balconies Stoops	10'		
Minimum 18" above sidewalk grade - except for accessible units	Bay Windows Balconies Stoops	10'		



DATE: February 07, 2011







2/7/2011

Notification List of Property Owners

Z101-145

13 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	17300 COIT	TEXAS A&M UNIVERSITY
2		DALLAS AREA RAPID TRANSIT
3	WATERVIEW	DALLAS INTERNATIONAL SCHOOL
4	17811 WATERVIEW	INTERVOICE INC
5	18325 WATERVIEW	PRIME DIAMOND INVESTMENT LTD C/O PAJ
6	17717 COIT	HILDERBRAND PARTNERSHIP THE
7	17817	COIT HUNTER S RUN APARTMENTS LP C/O WESTWOOD
8	17613 COIT	FRIENDLY ACCESS SELF STORAGE LTD
9	17501 COIT	ROSSMORE ENTERPRISES
10	17655 WATERVIEW	BEHRINGER HARVARD WESTERN PORTFOLIO LP C/O TOM
11	17509 COIT	HH SUNSHINE INVESTMENT TX LP
12	8000 FRANKFORD	REDWOOD-ERC DALLAS LLC C/O THE ALLEGIS GROUP INC
13	17919 WATERVIEW	BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

Monday, February 07, 2011

CITY PLAN COMMISSION

THURSDAY, APRIL 7, 2011

Planner: Mike Grace, AICP

FILE NUMBER: Z101-128(MG) **DATE FILED:** November 19, 2010

LOCATION: Southeast line of Garland Road, between Old Gate Lane and Lunar Lane

COUNCIL DISTRICT: 9 **MAPSCO:** 37 R & 38 N

SIZE OF REQUEST: Approx. 2.7056 acres **CENSUS TRACT:** 81

APPLICANT / OWNER: Lakeside Baptist Church

REPRESENTATIVE: Ed Davidson,
Lakeside Baptist Church

REQUEST: An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned a D(A) Duplex District.

SUMMARY: The purpose of the CR District is to allow a 15' by 10' illuminated electronic monument sign for a church.

STAFF RECOMMENDATION: Denial.

BACKGROUND INFORMATION:

- CR Community Retail District is requested on a 2.7056 acre portion of the church site to allow the installation of an illuminated electronic monument 208 square feet in size to replace existing sign.
- Existing church use to remain on the property.
- Existing D(A) Duplex zoning does not allow proposed sign.

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

1. Z078-161 On April 9, 2008, the City Council approved a Planned Development District for MF-2(A) Multifamily District Uses on property zoned a CR Community Retail District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Angora Street	Local	50 ft.	50 ft.
Garland Road	Collector	100 ft.	100 ft.
Lunar Lane	Local	50 ft.	50 ft.
Old Gate Lane	Local	50 ft.	50 ft.

Land Use:

	Zoning	Land Use
Site	D(A)	Church
North	CR/LO-1	Commercial
South	D(A)/R-7.5(A)	Church/Single family
East	D(A)	Single Family
West	CR/R-7.5(A)	Single Family

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

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

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.

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 2.7056 acre site is zoned a D(A) Duplex District and is developed with an existing church, accessory structures and parking lots.

Properties to the east and south are zoned D(A) Duplex and contain the existing church and single family development. To the west is single family development adjacent to commercial development along Garland Road. Commercial development exists to the north across and up and down Garland Road.

As stated above, the subject site is located in a Residential Neighborhood Building block along a Multi Modal Corridor. Although Multi Modal Corridors include a mix of uses, CR Community Retail zoning allows uses that would not be compatible with the adjacent single family neighborhood. The forward Dallas! Comprehensive Plan aims to protect single family neighborhoods from the encroachment of commercial development. The Garland Road Vision plan, approved by City Council on February 9, 2011, also discourages the expansion of commercial uses into established neighborhoods.

Initially, the applicant was proposing to rezone the entire 6.423 acre site and construct a 16' x 13' sign.

In an effort to limit potentially incompatible uses, the applicant has volunteered deed restrictions that restrict some of the uses allowed in a Community Retail District. Additionally, the area of request was reduced from 6.423 acres to 2.7056 acres and the size of the proposed sign has been reduced to 15 x 10.

Notwithstanding the proposed deed restrictions, a change in zoning allows commercial uses and associated parking requirements to encroach further into the existing neighborhood.

Staff has reviewed and does not support the applicant's request regarding the above mentioned zoning request. Staff believes that the requested zoning change could result in adverse impacts on the surrounding area.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
D(A) - Existing Duplex/Single family	25'	5'/10'	NA	36'	25%/60%		Single family
CR - Proposed Commercial	15'	20' When adjacent to residential districts	NA	54'/Subject to proximity slope	60%		Community retail

Parking: The proposed sign creates no additional parking requirements. The requested zoning change is to accommodate a sign. Parking requirements would only be enforced at such time a certificate of occupancy is requested.

Landscaping: No additional landscaping is required per this request.

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.

**LAKESIDE BAPTIST
CHURCH
TRUSTEES**

Phil Allen

Charles Baker

Perry Dunlap

Jim Henry

Dorothy Wilson

**PROPOSED DEED
RESTRICTIONS**

DEED RESTRICTIONS

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

I.

The undersigned, Lakeside Baptist Church, a Texas non-profit corporation (the "Owner"), is the owner of the following described property (the "Property"), being in particular a tract of land out of the R. Scurry Survey, Abstract No. 1382, City Block 5302, City of Dallas ("City"), Dallas County, Texas, being more particularly described in Exhibit A, attached thereto and made a part hereof for all purposes.

II.

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

1. In this document:
 - A. **MASSAGE ESTABLISHMENT** means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed beauty parlors or barber shops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. **MASSAGE** means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

B. 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.

2. The following main uses are *prohibited* on the Property:

Commercial and business service uses

--Building repair and maintenance shop

Industrial uses

--Temporary concrete or asphalt batching plant

Miscellaneous uses

--Carnival or circus (temporary)

Retail and personal service uses

--Alcoholic beverage establishment

--Auto service center

--Car wash

--Commercial amusement (inside)

--Commercial amusement (outside)

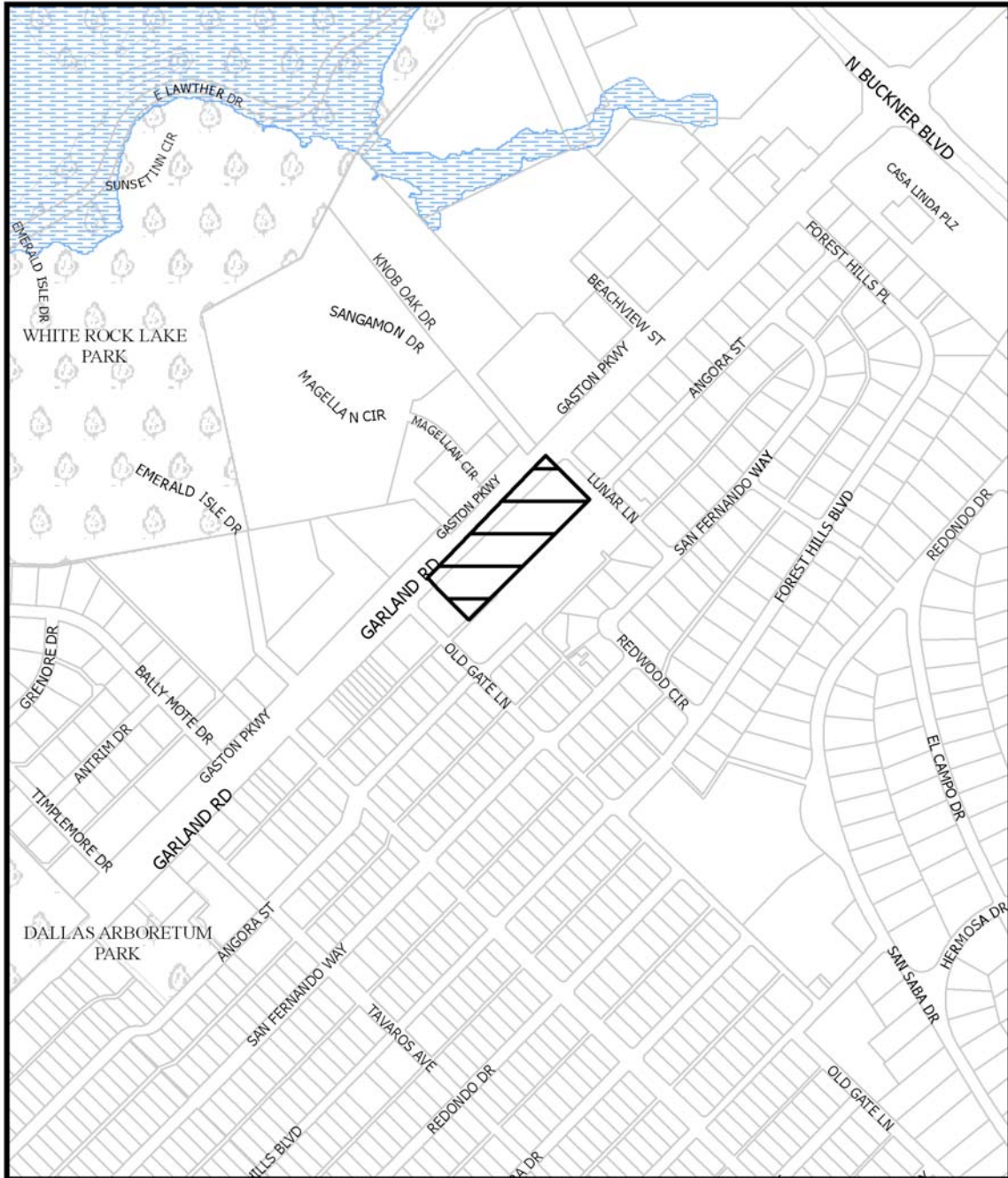
--Commercial parking lot or garage

--Liquor store

--Massage establishment

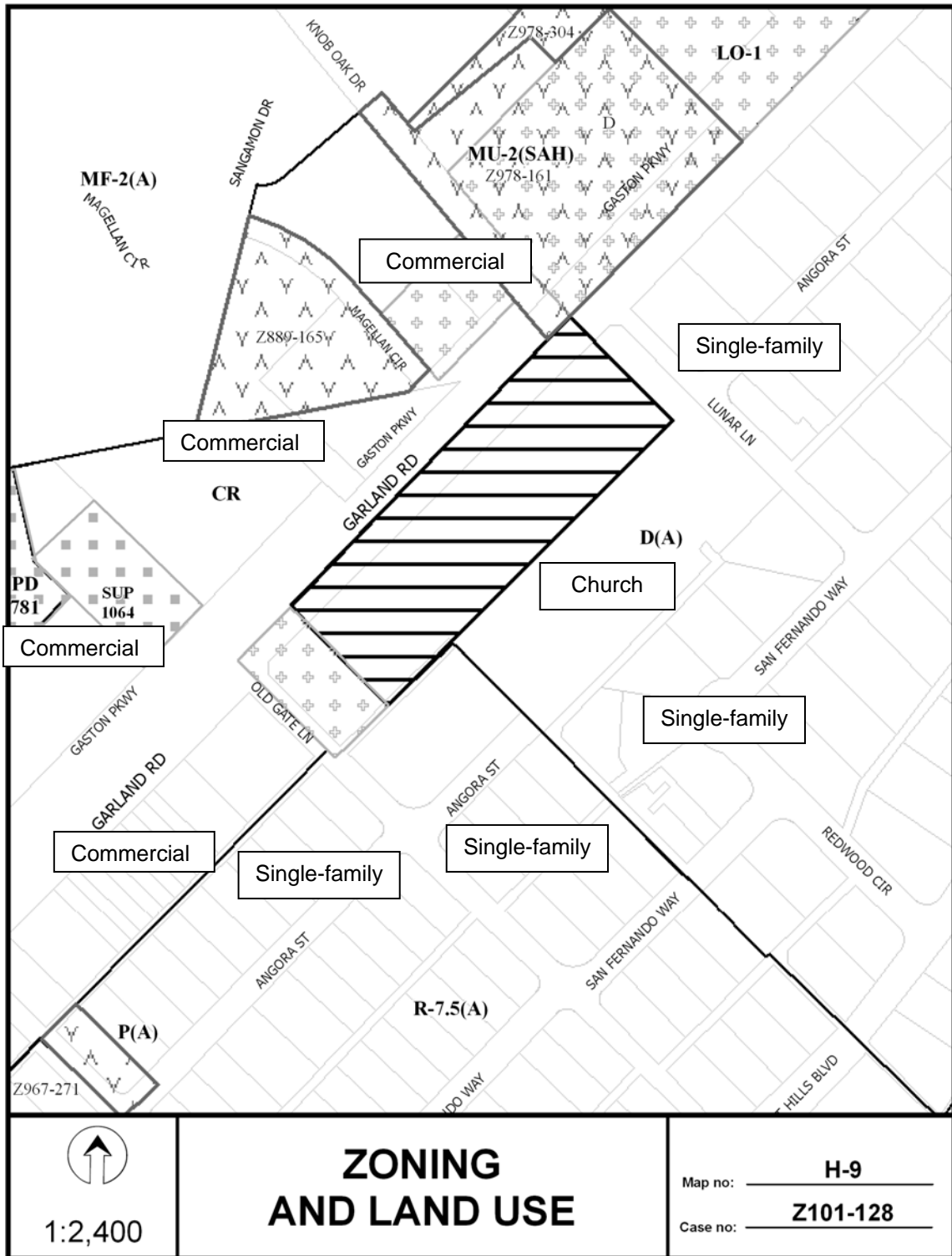
--Pawn shop

--Tattoo studio



 1:6,000	<h2>VICINITY MAP</h2>	Map no: <u> H-9 </u> Case no: <u> Z101-128 </u>
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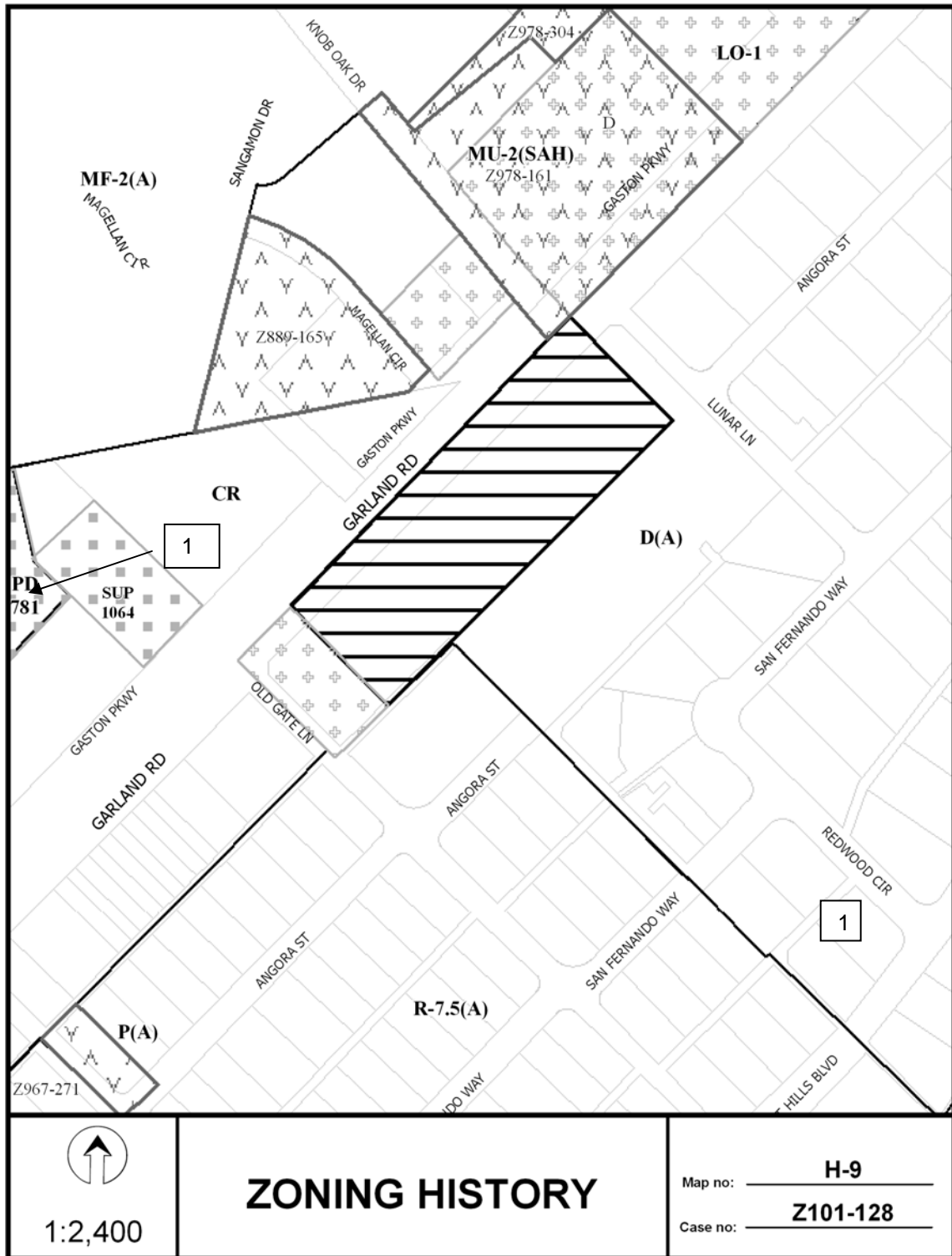
DATE: March 25, 2011

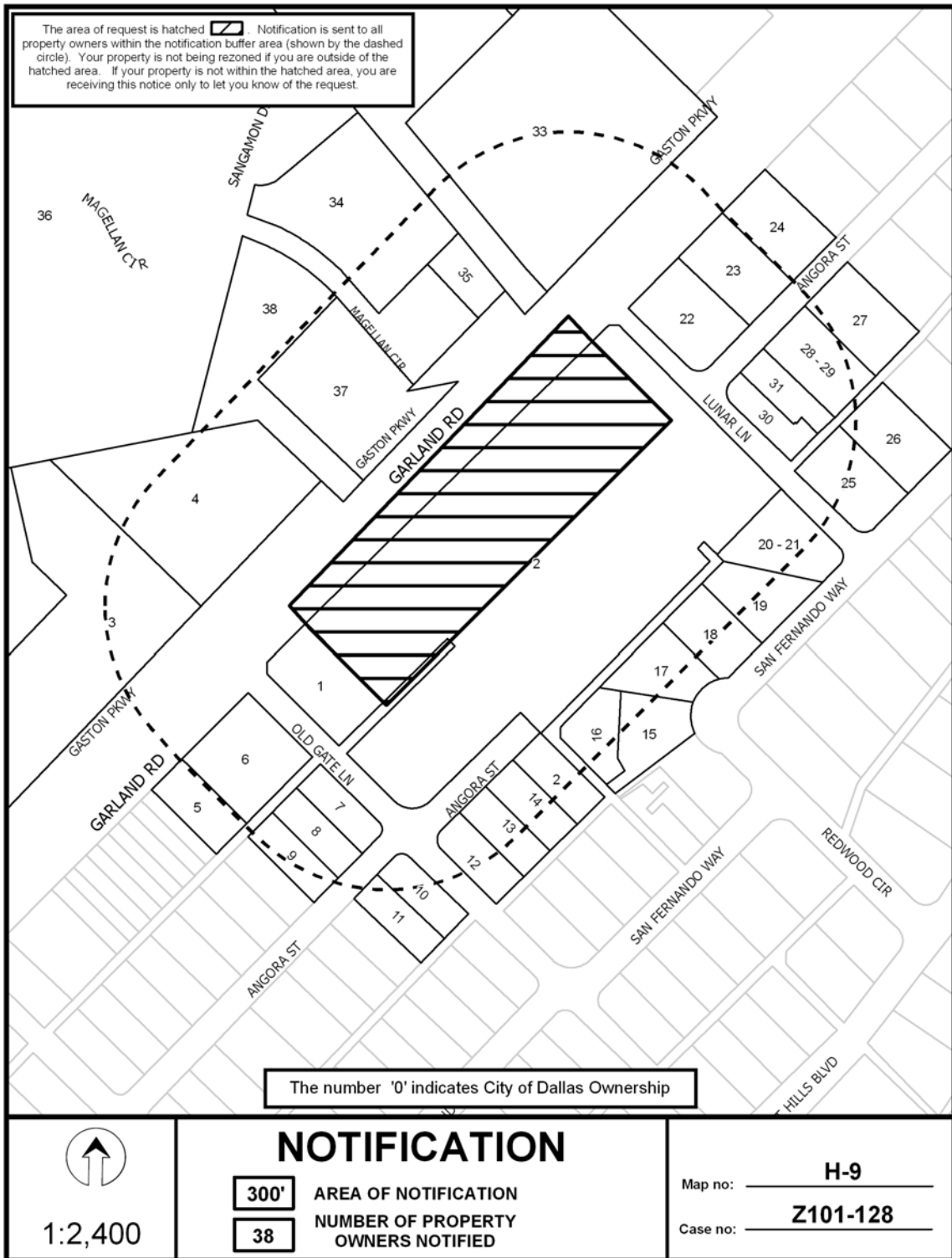


DATE: March 25, 2011

ZONING AND LAND USE

Map no: H-9
Case no: Z101-128





DATE: March 25, 2011

Notification List of Property Owners***Z101-128******38 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9102 GARLAND	LOZANO CONCEPCION L
2	9150 GARLAND	LAKESIDE BAPTIST CHURCH
3	9005 GARLAND	WHITE ROCK SC LP
4	9111 GARLAND	LEGAL DIRECTORIES PUBLISHING CO INC
5	9032 GARLAND	MOTT W E JR SPOUSAL TRUST %RICHARD MITCHELL
6	9040 GARLAND	HOWELL GERALD M
7	9047 ANGORA	MAYNARD PAUL E
8	9043 ANGORA	DIETZ MARY J
9	9039 ANGORA	FREEMAN KAREN M
10	9046 ANGORA	MATTHIJETZ BILLY
11	9042 ANGORA	PIAZZA ANTHONY P
12	9100 ANGORA	RAMSEY ANNA R
13	9106 ANGORA	MANNEN ALICIA
14	9112 ANGORA	CASTLEBERRY READ JOSEPH
15	9203 SAN FERNANDO WAY	TURMAN CHRISTOPHER W
16	9148 SAN FERNANDO WAY	LAKESIDE BAPT CHURCH
17	9207 SAN FERNANDO WAY	BARGE SHAWN ONEIL
18	9215 SAN FERNANDO WAY	JACKSON PAULINE H
19	9223 SAN FERNANDO WAY	MUNOZ RAFAEL Z & MELINDA M
20	1235 LUNAR	WORTH THOMAS A
21	1235 LUNAR	WORTH THOMAS A
22	9207 ANGORA	NESTER J CLAYTON & ROSE M
23	9215 ANGORA	GATLIN ROSS
24	9223 ANGORA	MONTOYA JESSE ANTHONY SR
25	1228 LUNAR	PILKINTON CHAD W
26	9251 SAN FERNANDO WAY	SHERMAN ROBERT M

Friday, March 25, 2011

FILE NUMBER: Z101-175 (OTH)

DATE FILED: January 19, 2011

LOCATION: On the east side of South Lamar Street, between Starks Avenue and Haven Street, west of Central Expressway.

COUNCIL DISTRICT: 7

MAPSCO: 56-G

SIZE OF REQUEST: Approx. 13,713 sq. ft.

CENSUS TRACT: 40.00

OWNER: Augustine Ekukpe

APPLICANT/REPRESENTATIVE: Augustine Ekukpe

REQUEST: An application to renew and amend Specific Use Permit No. 1741 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a Class A dance hall on property zoned an RS-MU Regional Service Mixed Use Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

SUMMARY: The purpose of this request is to allow the operation of a bar, and a dance floor on the site.

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

BACKGROUND INFORMATION:

- The request site is presently zoned an RS-MU Regional Service Mixed Use Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.
- Specific Use Permit No. 1741 was originally approved on January 28, 2009 for a period of two years. The SUP was scheduled to terminate on January 28, 2011, however, the applicant submitted the application to renew and amend the SUP on January 19, 2011.
- The request is to renew Specific Use Permit No. 1741 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a Class A dance hall. The applicant proposes to continue the use of the property for a bar, lounge, or tavern and a commercial amusement (inside) limited to a Class A dance hall.
- The property is currently developed with a two-story 5,000 square foot building. The applicant proposes to continue to utilize 4,900 square feet for the bar, lounge or tavern, and 100 square feet for the Class A Dance Hall.

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

1. **Z089-114(OTH)** The City Council at its hearing on Wednesday, January 28 2009, approved Specific Use Permit No. 1741 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and the commercial amusement (inside) limited to a Class A dance hall for a period of two years and subject to a site plan and conditions, on property zoned Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
S. Lamar Street	Collector	Variable Width ROW

Land Use:

	Zoning	Land Use
Site	PD 595 (RS-MU)	Bar
East	PD 595 D(A)	Single Family, undeveloped
South	PD 595 (RS-MU)	Retail, undeveloped and bar
Southeast	PD 595 (RS-I)	Industrial
Southwest	PD 552	Auto salvage center, recycling center
North	PD 595 (RD-MU)	Vacant Church Building, undeveloped, auto service center and office/warehouse

South Dallas/Fair Park Economic Development Corridor Plan:

The plan provides a short description of the critical features of the project opportunity areas identified as economic development opportunity areas. Below is a brief list of the conditions, local revitalization efforts, and physical and location qualities of redevelopment sites:

- Mixed-use/retail, commercial and residential opportunities;
- Major redevelopment area with potential linkage to Trinity River, Trinity River Parkway, or possible Interstate Highway 45 connection to C.F. Hawn Freeway;
- Gateway visibility as an entrance into the community, major freeway access;
- Vacant land and marginal land uses in need of redevelopment

The plan also identifies Lamar Street as one of the regional services corridor. The strategic location of the street and the strong link to other city and regional projects make the site an attractive site to develop the area with more compatible development. The plan defines more compatible development in the above mentioned list.

Trinity River Corridor Comprehensive Land Use Plan

The Urban Design Framework Plan for South Lamar provides new roadways and streetscape improvements in the Lamar Center. In addition, a major gateway is planned at the interchange of IH-45 and South Lamar Street which includes a trail connection along Hatcher Street connecting the neighborhoods to the east to a Trinity portal on the western edge of the study area. The requested use does not comply with the intent of the Trinity River Corridor Comprehensive Land Use Plan.

Comprehensive Plan:

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

The request site lies within a Residential Neighborhood Building Block. Residential Neighborhoods are dominated by single-family dwellings. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

Land Use Compatibility:

The request is for a for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a Class A dance hall.

The site is adjacent to the east to single family and undeveloped land, to the north to a vacant church building, to the south to a retail/gas stations. The property is surrounded by undeveloped, auto service center, and office/warehouse to the north; residential to the east; retail, undeveloped and a bar to the southeast; industrial, auto salvage center and a recycling center to the south and southwest; and a restaurant and undeveloped to the west.

The area to the north of the request site has several restaurants and bars on the east side of South Lamar. These uses are also adjacent to residential districts.

The site provides an 8 foot buffer from the residential district to the east of the property. The site meets the mandatory perimeter buffer requirements.

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

The applicant is requesting the SUP to be renewed and amended for a period of ten years with eligibility for automatic renewals for additional ten year periods. Staff is more

comfortable with a shorter time frame due to the residential adjacency to the site. The SUP conditions provide ways to mitigate the impacts of the parking area.

Traffic:

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

Off-Street Parking:

Parking requirements are one space per 100 square feet for the alcoholic beverage establishment. The site will have 4,900 square feet for the alcoholic beverage establishment, requiring 49 parking spaces. The site will have 100 square feet for the dance hall. One parking space per 25 square feet for the dance hall will require 4 parking spaces. The applicant provided a parking agreement for 15 parking spaces at the time he obtained the Certificate of Occupancy for the business.

Site Plan:

The site plan is being amended to reflect the location of the gate and the size of the outdoor patio. The plan complies with Code requirements.

Landscaping:

Landscaping of any new development will be in accordance with the attached landscape plan.

POLICE REPORT**Dallas Police Department Reports
Public Offense Search Results**

	SERVICE #	OFFENSE		COMPLAINANT	ADDRESS	REPORTING	
		DATE	TYPE			BEAT	AREA
1	0247282-W	08/19/2009	THEFT	*TRINITY RIVER SPORTS CAF	05214 S LAMARST	344	2187
2	0056203-X	02/28/2010	THEFT	MACK,ERNICE	05214 S LAMARST	344	2187
3	0240834-X	08/26/2010	BURGLARY	*TRINITY RIVER SPORTS CAF	05214 S LAMARST	344	2187
4	0281862-X	09/18/2010	ASSAULT	CALDWELL, ETHALA	05214 S LAMARST	344	2187
5	0289431-X	09/25/2010	ASSAULT	DUNCAN,JOE	05214 S LAMARST	344	2187
6	0007761-Y	01/09/2011	THEFT	EAKUPKE, AUGUSTINE	05214 S LAMARST	344	2187

SPECIFIC USE PERMIT

CONDITIONS FOR A BAR, LOUNGE, OR TAVERN WITH A DANCE FLOOR

Z101-175(OTH)

1. USE: The only uses authorized by this specific use permit are an alcoholic beverage establishment use limited to a bar, lounge, or tavern and a commercial amusement (inside) use limited to a Class A dance hall.
2. SITE PLAN: Use and development of the Property must comply with the attached site/landscape plan.

Staff's Recommendation:

- | |
|---|
| <ol style="list-style-type: none">3. <u>TIME PERIOD</u>: <u>This specific use permit expires on (five years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.) [This specific use permit automatically terminates on January 28, 2011.]</u> |
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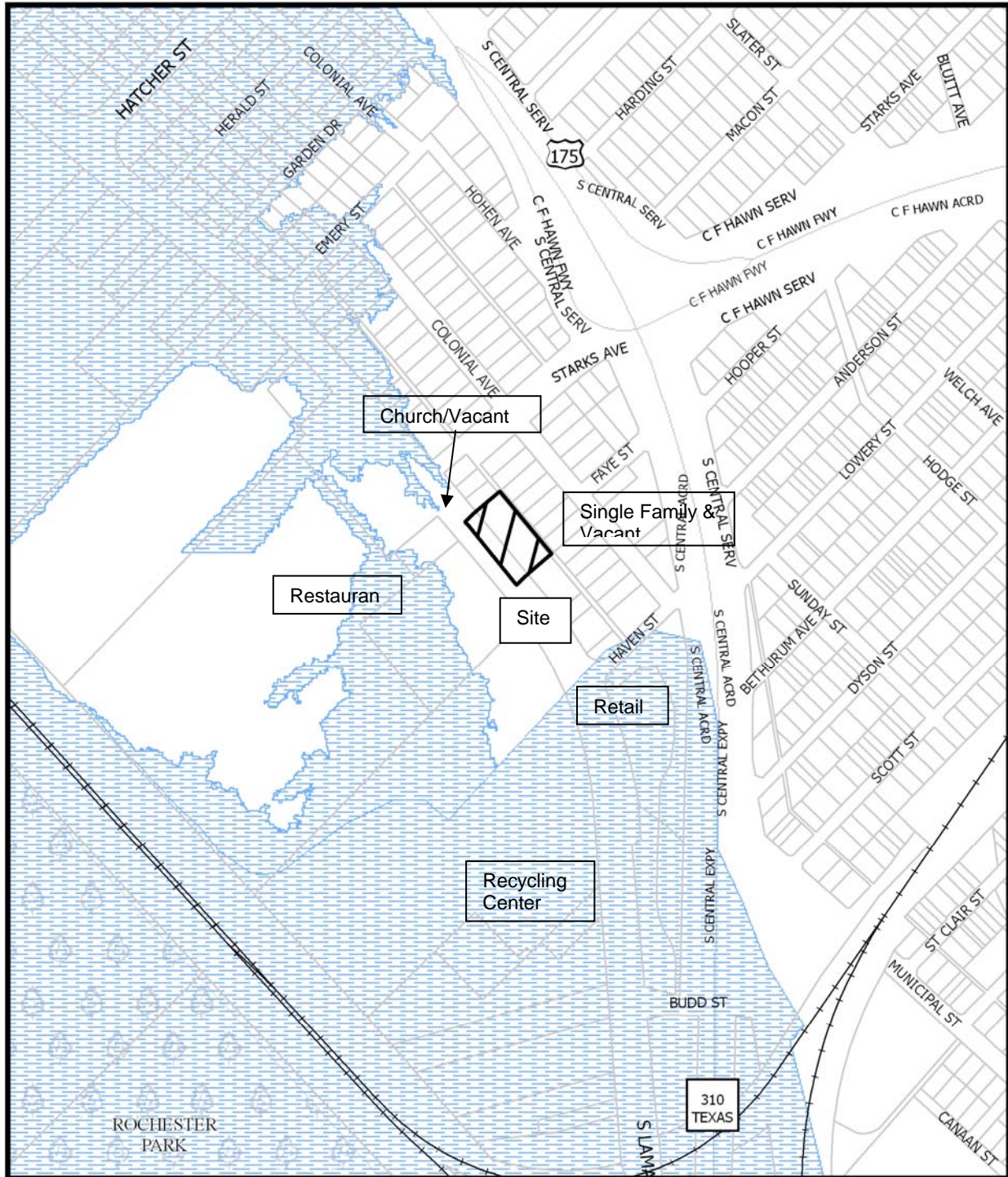
Applicant's Request:

- | |
|---|
| <ol style="list-style-type: none">3. <u>TIME PERIOD</u>: <u>This specific use permit expires on (10 years), but is eligible for automatic renewal for additional 10-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.) [This specific use permit automatically terminates on January 28, 2011.]</u> |
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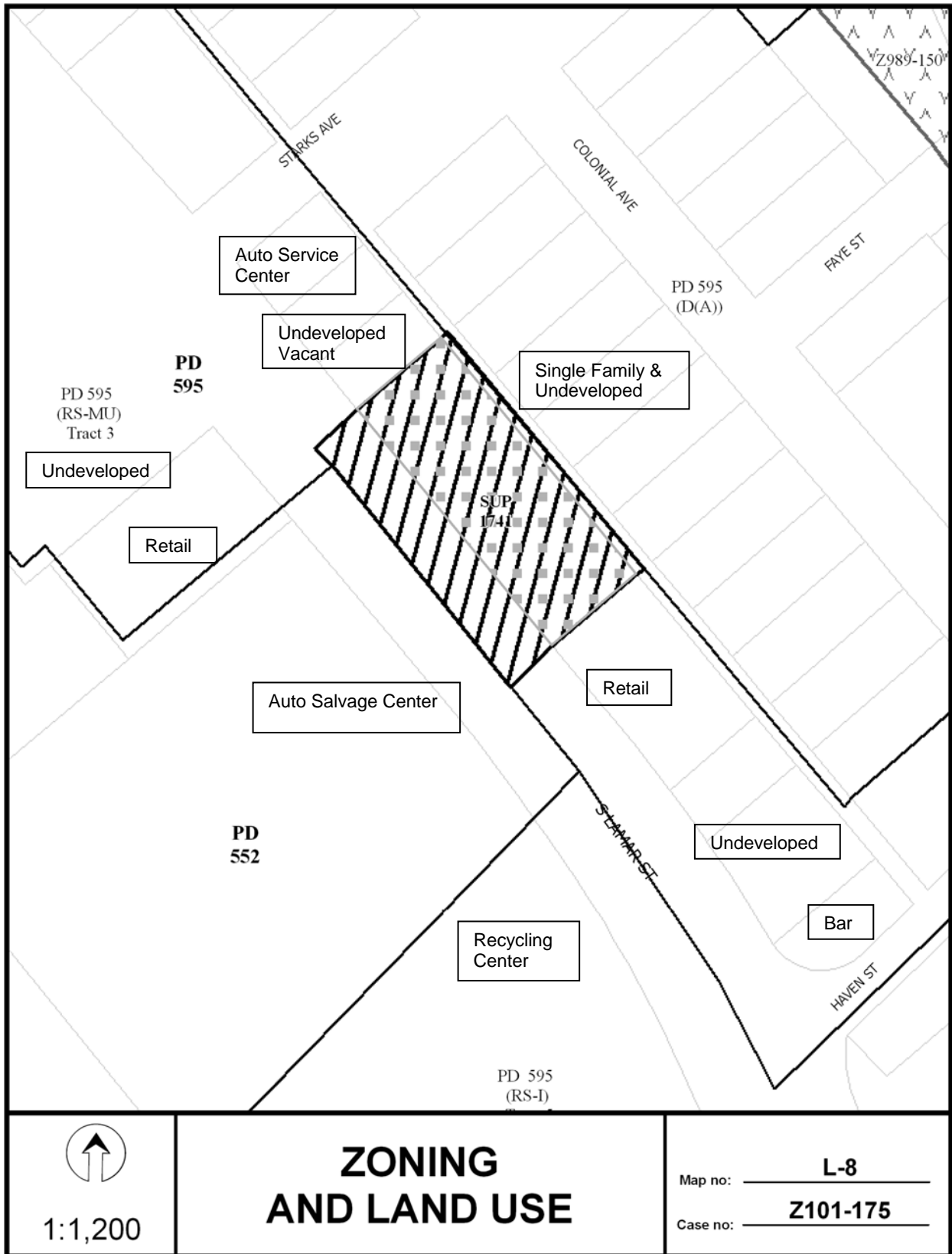
4. LANDSCAPING: Landscaping must be provided as shown on the attached site/landscape plan. Plant materials must be maintained in a healthy, growing condition.
5. FLOOR AREA:
 - A. The maximum floor area of the alcoholic beverage establishment use limited to a bar, lounge, or tavern is 4,900 square feet in the location shown on the attached site/landscape plan.
 - B. The maximum floor area for the dance floor is 100 square feet in the location shown on the attached site/landscape plan.
6. HOURS OF OPERATION: The alcoholic beverage establishment use limited to a bar, lounge, or tavern and the commercial amusement (inside) use limited to a Class A dance hall may only operate between 12:00 p.m. (noon) and 12:00 a.m. (midnight), Monday through Thursday, and between 12:00 p.m. (noon) and 2:00 a.m. (the next day), Friday through Sunday.
7. LIGHTING:
 - A. All light poles must be full cut-off fixtures mounted so that lighting is full contained on the Property. The term "full cut-off fixture" means a light fixture that does not emit light above the fixture's horizontal angle. Full cut-off fixtures direct light down to the ground.
 - B. Light poles may not exceed 30 feet in height.
 - C. No light fixture may be located within 40 feet of the east Property line.
8. PARKING: A minimum of 38 off-street parking spaces must be provided in the location shown on the attached site/landscape plan. An additional 15 off-street parking spaces must be provided by means of a remote parking agreement that complies with Section 51A-4.328 of the Dallas Development Code, as amended,
9. PATIO:
 - A. The maximum area for the uncovered patio is 705 [~~660~~] square feet in the location shown on the attached site/landscape plan.
 - B. The operation of loudspeakers on the patio is prohibited.
10. SCREENING:
 - A. A minimum six-foot-high solid screening fence must be provided in the location shown on the attached site/landscape plan.

- B. Fencing along the southwest Property line must be 70 percent open to allow for visibility and must comply with the visual obstruction regulations in Section 51A-4.602 of the Dallas Development Code.
- 11. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
- 12. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

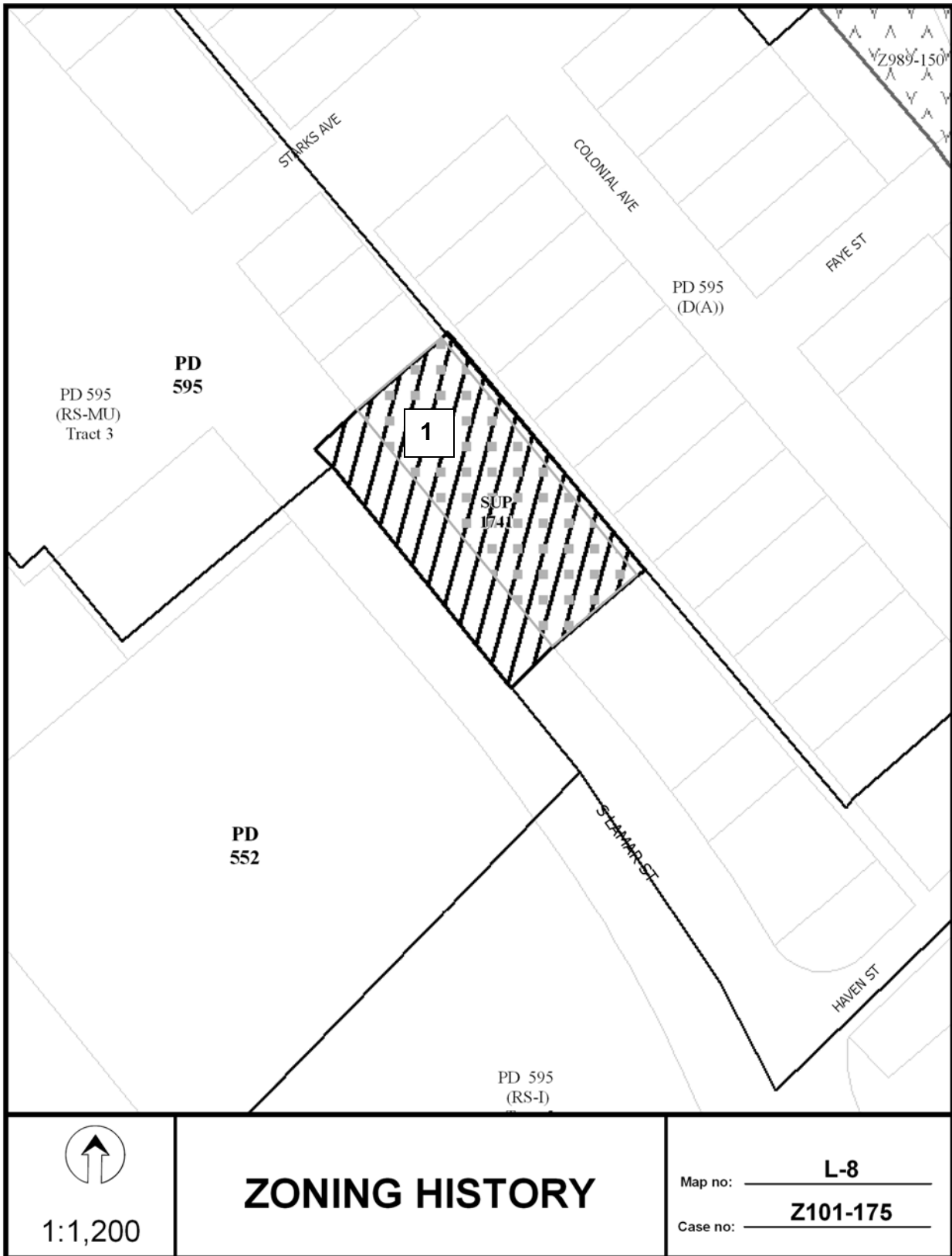
PROPOSED SITE PLAN



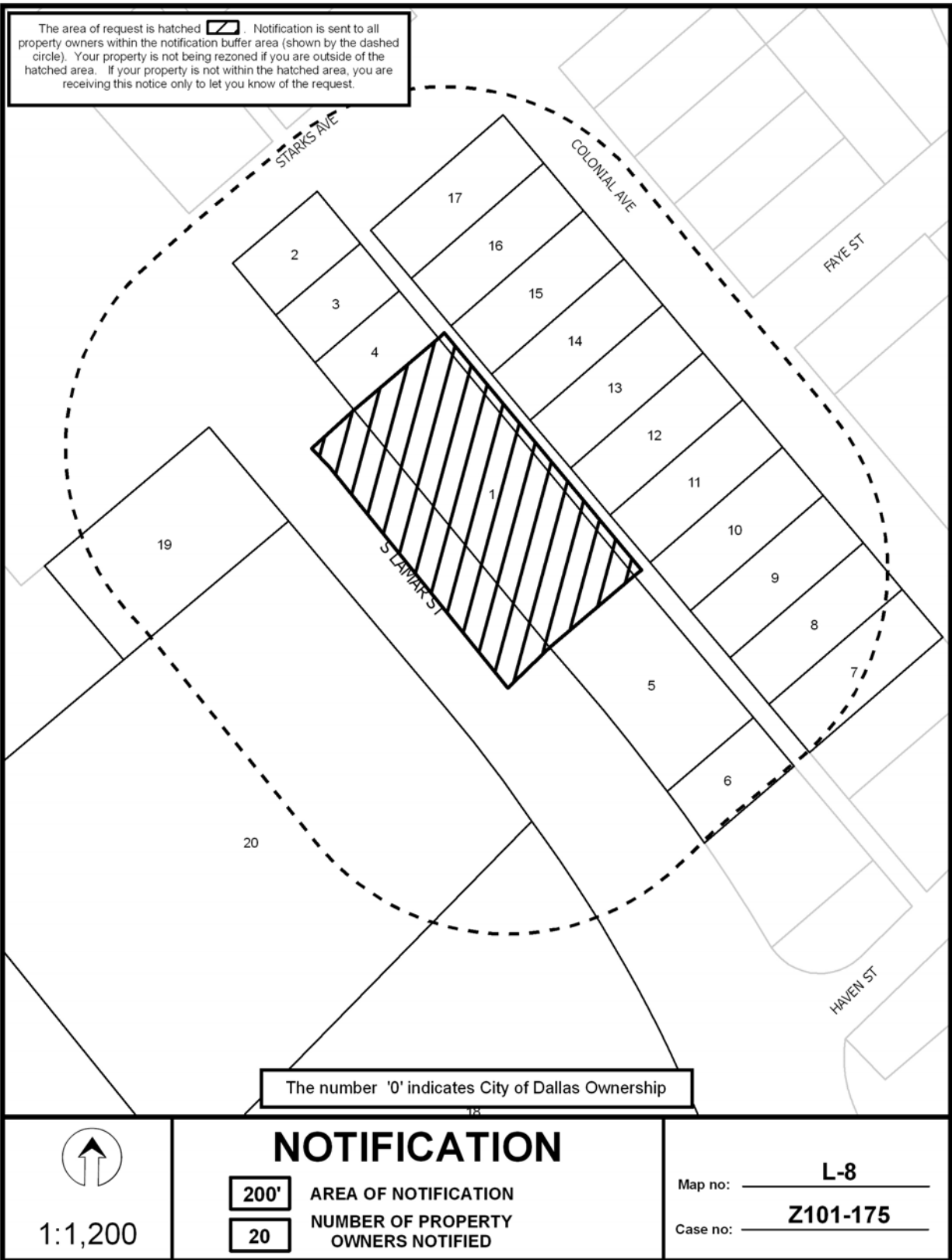
 1:4,800	<h2>VICINITY MAP</h2>	Map no: <u> L-8 </u> Case no: <u> Z101-175 </u>
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DATE: March 09, 2011



DATE: March 09, 2011



Notification List of Property Owners**Z101-175****20 Property Owners Notified**

Label #	Address	Owner
1	5214 LAMAR	EKUKPE AUGUSTINE
2	5202 LAMAR	SHAFFER BAILEY
3	5206 LAMAR	SHAFFER BAILEY W
4	5210 LAMAR	FIRST THOMPSON MISSIONARY BAPTIST CH
5	5310 LAMAR	DENON INVESTMENT INC
6	5318 LAMAR	EKUKPE AUGUSTINE STE 5186
7	5319 COLONIAL	FIGURES ORA L & RICHARD FIELDS
8	5315 COLONIAL	HUNTER KEVIN
9	5311 COLONIAL	JOHNSON JESSIE B
10	5307 COLONIAL	WILLIS D C
11	5303 COLONIAL	PINE WOOD DEVELOPMENT COR
12	5227 COLONIAL	WILLIAMS EDDIE
13	5223 COLONIAL	HARRIS PATRICIA RAYE
14	5219 COLONIAL	MAGANA JOSE TINOCO
15	5215 COLONIAL	JOHNSON VERA
16	5211 COLONIAL	STANFIELD LONNIE & SHARON SHARON D
17	5207 COLONIAL	JOHNSON VERMA JEAN
18	5327 LAMAR	MILK PRODUCTS LLC % DAVID KELLAM
19	5209 LAMAR	MABERY JACK D
20	5211 LAMAR	PARKER PAUL W & SANDRA E

Z089-114

Wednesday, March 09, 2011

FILE NUMBER: Z101-154(MAW)

DATE FILED: January 7, 2011

LOCATION: East side of Southeast Drive, north of C.F. Hawn Freeway

COUNCIL DISTRICT: 5

MAPSCO: 58-P

SIZE OF REQUEST: ±0.819 acre

CENSUS TRACT: 93.04

APPLICANT/OWNER: Blake Ingram

REPRESENTATIVE: Jonathan Vinson, Jackson Walker L.L.P.

REQUEST: An application for a CS Commercial Service District on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant requests a CS Commercial Service District to make the existing vehicle or engine repair or maintenance use of the property legal.

STAFF RECOMMENDATION: Denial

BACKGROUND INFORMATION:

- The ±0.819-acre request site is undeveloped and is currently used in conjunction with the vehicle or engine repair or maintenance use operating on the adjacent property (7454 C.F. Hawn Freeway), which is zoned Subdistrict 5 within Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1.
- The request site has been used by the referenced vehicle or engine repair or maintenance operation since 1994; however, the use is not allowable in the R-7.5(A) Single Family District. The applicant wishes to make the use legal.
- The request site is surrounded by undeveloped property and single family residential to the north; single family residential to the east; auto-related uses to the south and single family residential to the west.
- The request site does not have access to C.F. Hawn Freeway.

Zoning History:

1.	Z090-142:	On November 10, 2010, the City Council approved a new Subdistrict (Subdistrict 5A) on property within the Subdistrict 5 portion of Planned Development District No. 533, the C. F. Hawn Special Purpose District No. 1, and a Specific Use Permit for commercial motor vehicle parking and a Vehicle display, sales, and service use.
2.	Z089-131:	On May 13, 2009, the City Council approved a Specific Use Permit for an office showroom/warehouse on property within the Subdistrict 6 portion of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1.

Thoroughfares/Streets:

Thoroughfares/Streets	Type	Existing ROW
C.F. Hawn Freeway	Primary Highway	Variable (172 feet)
Southeast Drive	Local Street	50 feet

Land Use:

	Zoning	Land Use
Site	R-7.5(A)	Temporary parking for vehicle or engine repair or maintenance
North	R-7.5(A)	Undeveloped; single family
East	R-7.5(A)	Single family
South	PDD 533; PDD 533 with deed restrictions	Auto-related uses
West	R-7.5(A)	Single family

STAFF ANALYSIS:

Area Plans:

The request site is within the boundary of the Southeast Dallas Comprehensive Land Use Study (December 1996). The study recognizes the existence of nonconforming uses in the study area as an opportunity, through zoning and stringent code enforcement, to nurture the growth and development of the area. The study recommends policies to facilitate such efforts, the following with which the proposed request is not consistent.

- Land Use Policy 1: Encourage infill development consistent with the existing residential character of neighborhoods.
- Land Use Policy 2: Discourage the encroachment of commercial uses in residential areas.
- Land Use Policy 8: Discourage vehicle display, sales and service uses for RR Regional Retail, CS Commercial Service, LI Light Industrial, IR Industrial Research and IM Industrial Manufacturing zoning requests.

Comprehensive Plan:

The subject site is identified as being within a Commercial Center or Corridor on the forwardDallas! Vision Illustration, adopted June 2006. These areas primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. These corridors, commonly at the intersection of major streets, are easily accessed via automobiles. Buckner Boulevard is an example of a Commercial Corridor. Buildings in these areas tend to be on separate parcels and stand one to five stories with offices, restaurants and a range of retail and commercial uses. In addition to jobs and services, Commercial Centers or Corridors also may

include multifamily housing in low- to mid-rise apartment buildings or condominiums. Landscaping and urban design will enhance the visitor's experience and is used to separate sidewalks from major roads and define pedestrian routes in large parking lots. For large shopping centers, this may involve adding public plazas or other "town center" features. Public transit enhancements as well as quality access and visibility are important components of successful auto-oriented development.

The applicant's proposal to provide vehicle or engine repair or maintenance in this area of the City is not necessarily inconsistent with the *forwardDallas!* Vision; however the proposed encroachment of nonresidential zoning into a residential district does not comply with the following goals and policies:

HOUSING

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

Policy 3.1.3—Encourage stabilization of existing neighborhoods.

URBAN DESIGN

GOAL 5.2 Strengthen community and neighborhood identity

Policy 5.2.1 Maintain neighborhood scale and character.

NEIGHBORHOOD ELEMENT

Goal 7.1 Promote vibrant and viable neighborhoods.

Policy 7.1.2 Promote neighborhood development compatibility.

Land Use Compatibility:

The ±0.819-acre request site is undeveloped and is currently used in conjunction with the vehicle or engine repair or maintenance use operating on the adjacent property (7454 C.F. Hawn Freeway), which is zoned Subdistrict 5 within Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1. The request site has been used by the referenced vehicle or engine repair or maintenance operation since 1994; however, the use is not allowable in the R-7.5(A) Single Family District. The applicant wishes to make the use legal.

The request site is surrounded by undeveloped property and single family residential to the north; single family residential to the east; auto-related uses to the south and single family residential to the west.

Staff does not support the proposed encroachment of a CS Commercial Service into the existing R-7.5(A) Single Family District. Furthermore, the proposed vehicle or engine repair or maintenance use is not considered compatible with the adjacent single family residential homes.

Development Standards:

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: R-7.5(A) Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%	N/A	Single family
Proposed: CS Commercial Service	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail combined	45' 3 stories	80%	Proximity Slope Visual Intrusion	Commercial & business service, supporting retail & personal service & office

Traffic:

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

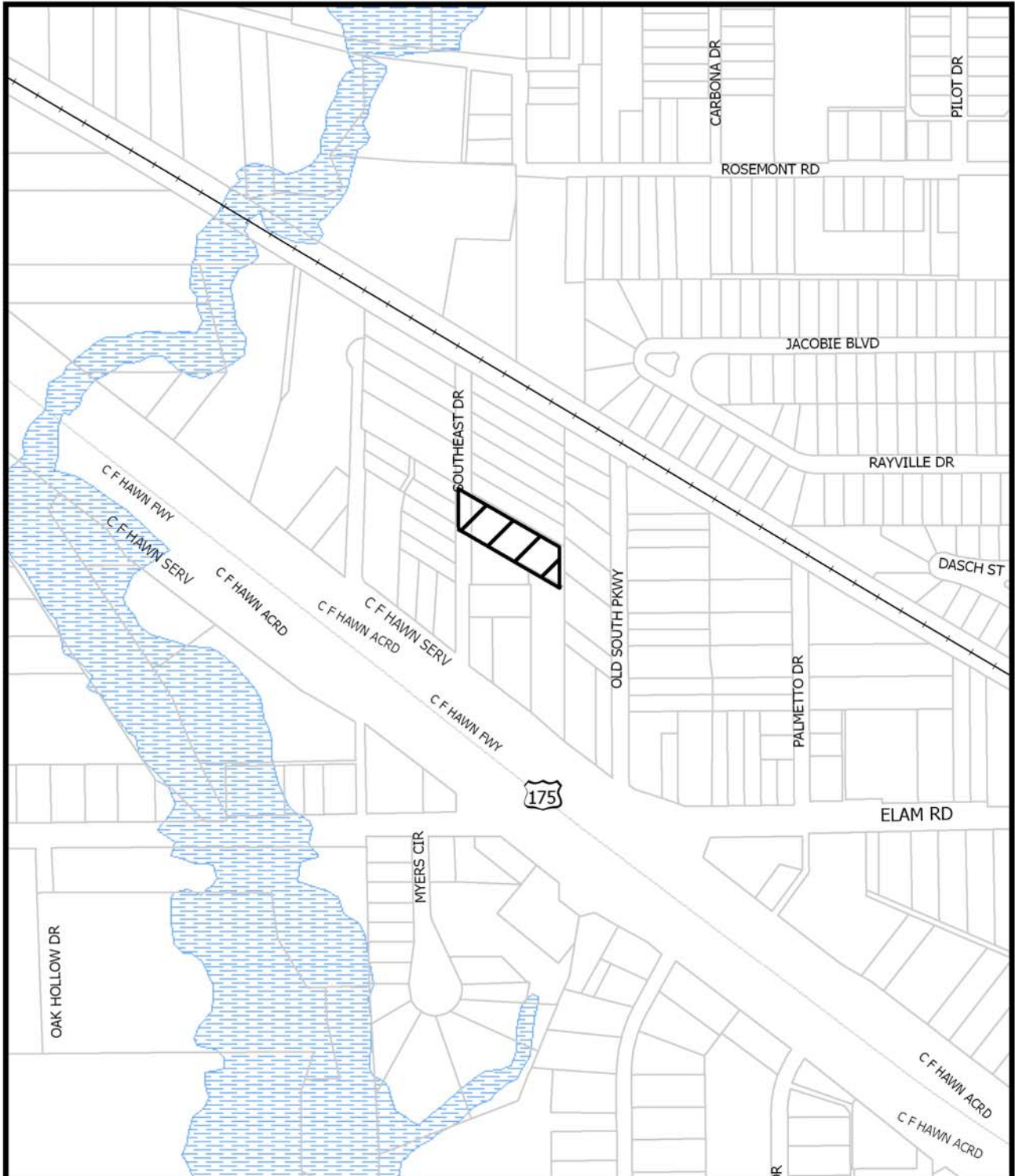
Parking:

Pursuant to §51A-4.210 of the Dallas Development Code, the off-street parking requirement for a vehicle or engine repair or maintenance use is one (1) space for each 500 square feet of floor area; a minimum of five (5) spaces is required.

Landscaping:

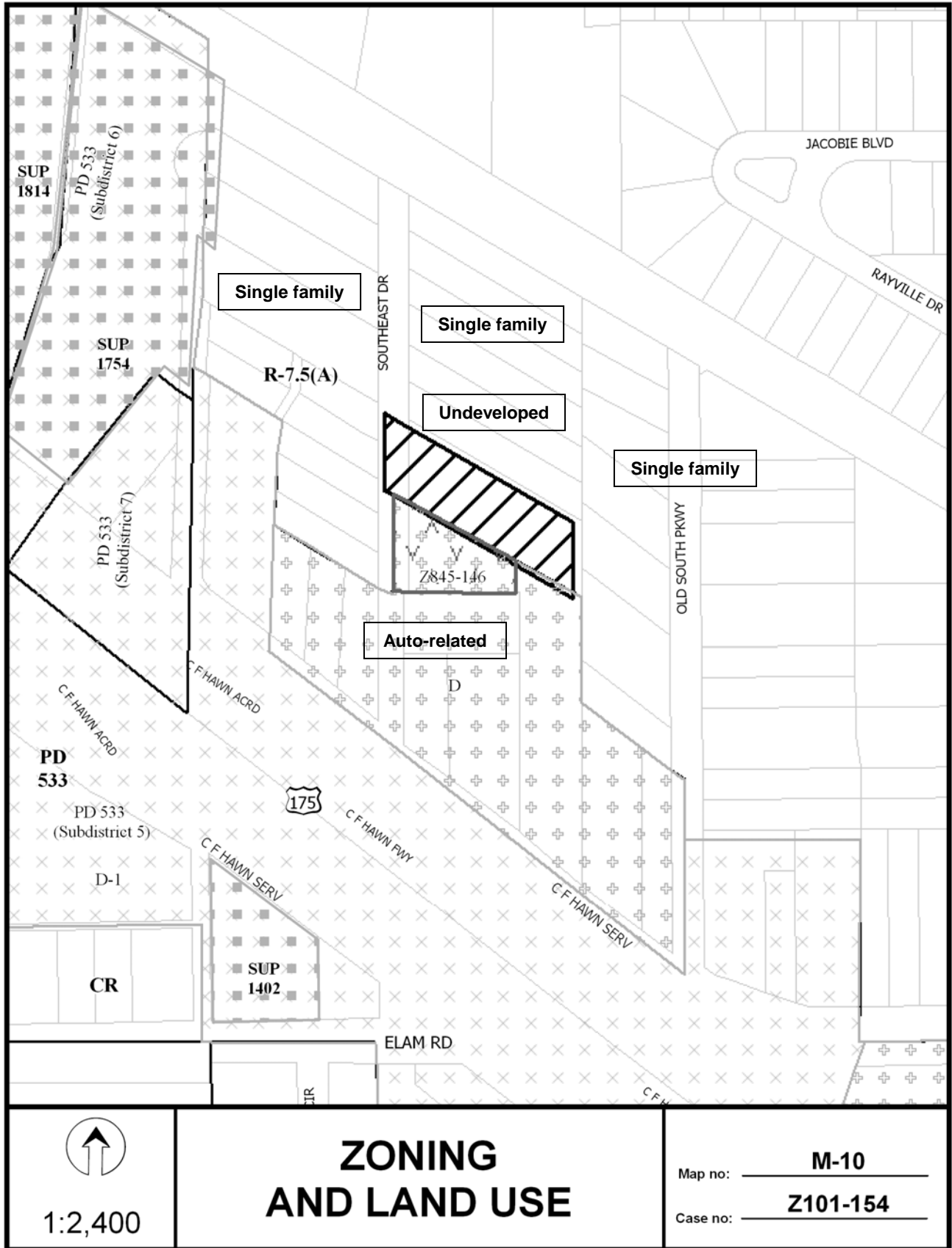
Landscaping must be provided in accordance with Article X of the Dallas Development Code.

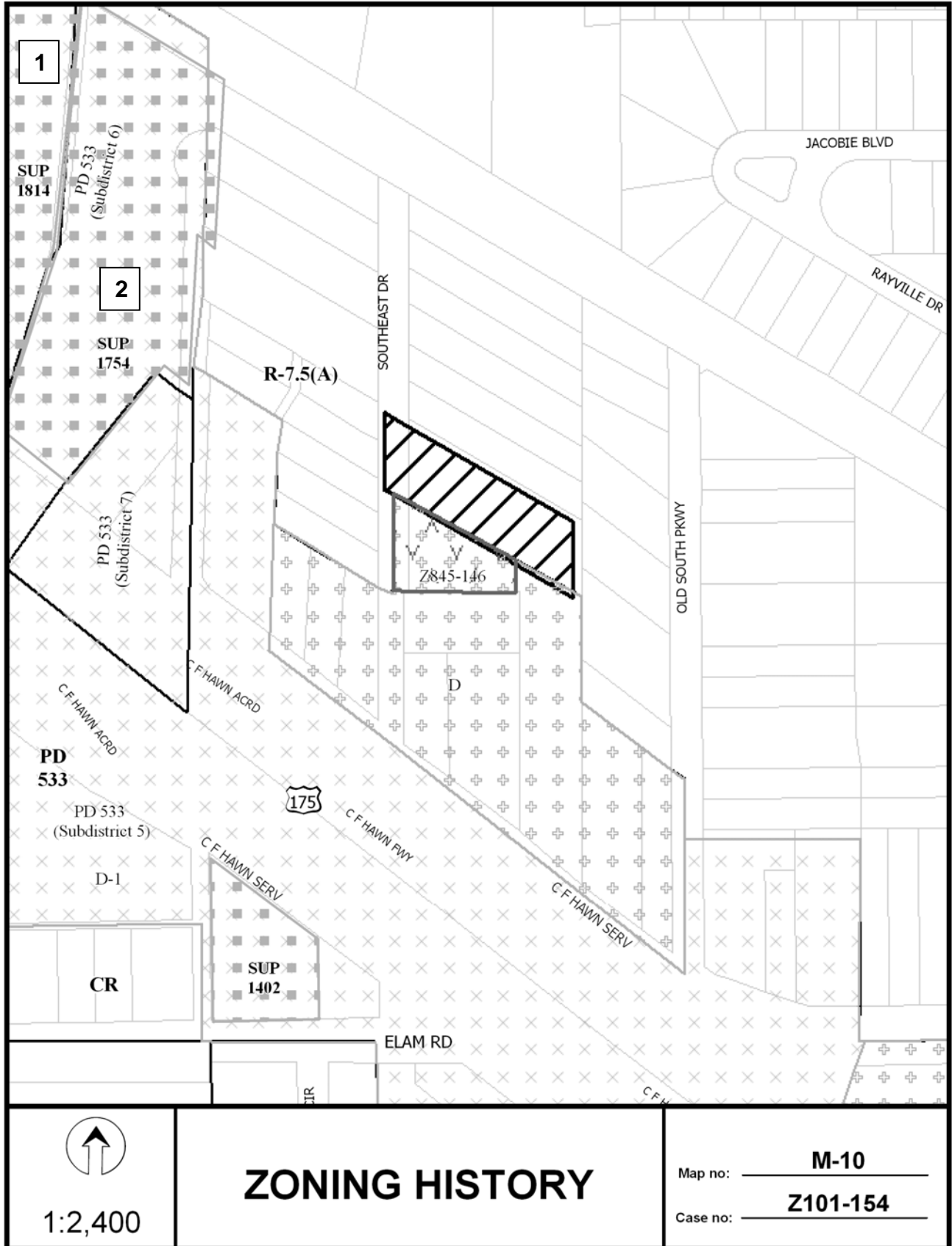
Z101-154 (MAW)




 1:4,800	<h1>VICINITY MAP</h1>	Map no: <u> M-10 </u> Case no: <u> Z101-154 </u>
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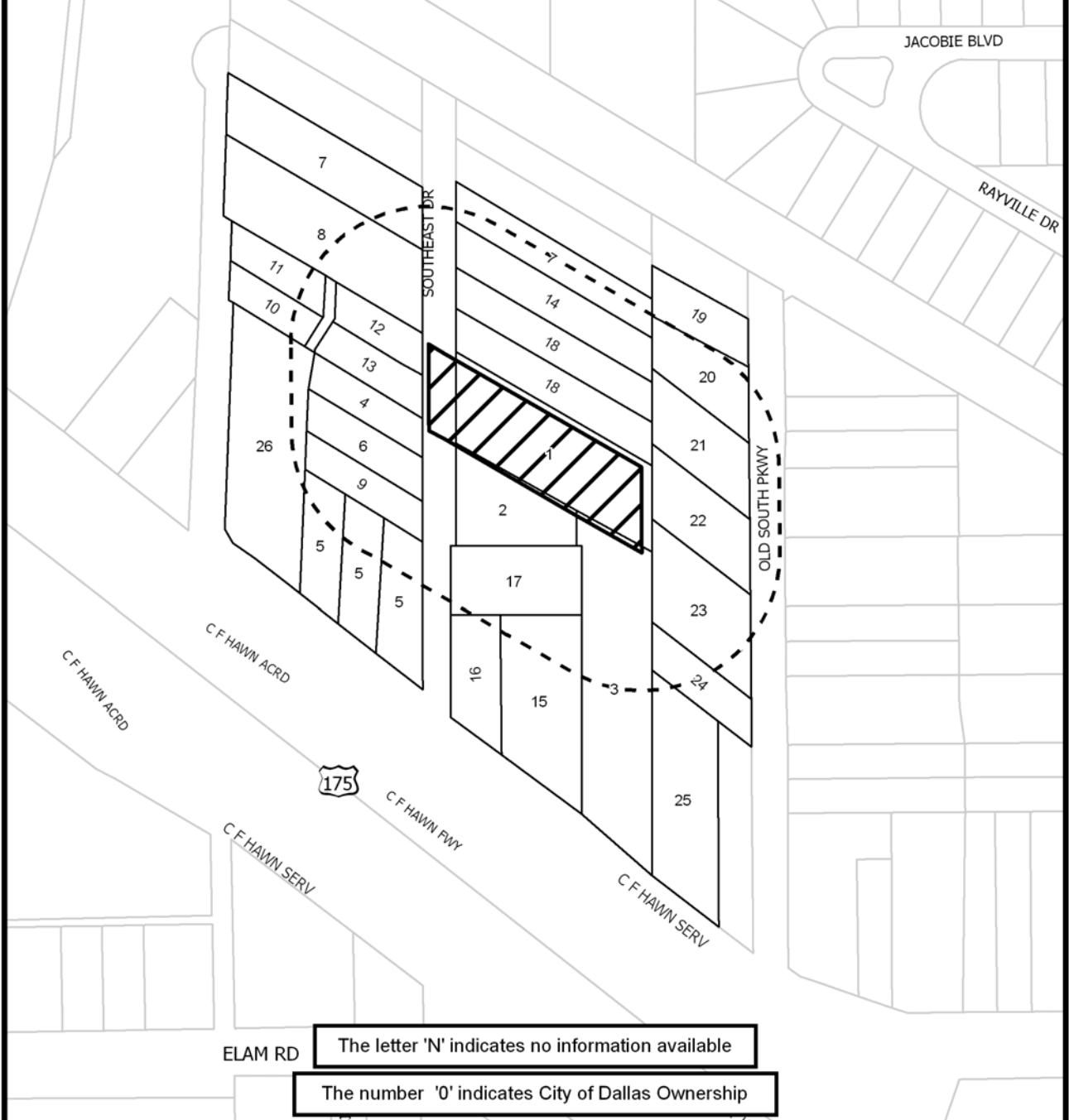
DATE: February 07, 2011





DATE: February 07, 2011

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



ELAM RD The letter 'N' indicates no information available

The number '0' indicates City of Dallas Ownership

 1:2,400	<h2>NOTIFICATION</h2>	Map no: <u> M-10 </u>			
	<table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">26</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	26	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
26	NUMBER OF PROPERTY OWNERS NOTIFIED				

DATE: February 07, 2011

Z101-154 (MAW)

2/7/2011

Notification List of Property Owners

Z101-154

26 Property Owners Notified

Label #	Address	Owner
1	638 SOUTHEAST	INGRAM BLAKE
2	626 SOUTHEAST	ALLEN GUY E & LOMA J
3	7454 C F HAWN	INGRAM BLAKE
4	631 SOUTHEAST	GALVAN FLAVIO
5	7312 C F HAWN	WACKEROW TOM H ESTATE % MARY H
WACKEROW		
6	625 SOUTHEAST	FISCHER VIOLET
7	662 SOUTHEAST	LENINGTON FLOY A
8	651 SOUTHEAST	FELTMAN SCOTT & SHERRY
9	621 SOUTHEAST	MEDINA JUAN GARCIA & MARIA F
10	632 LOVEJOY	FELTMAN SCOTT & SHERRY FELTMEN
11	636 LOVEJOY	FELTMAN SCOTT & SHERRY FELTMAN
12	643 SOUTHEAST	FELTMAN SCOTT & SHERRY FELTMAN
13	639 SOUTHEAST	FELTMAN SCOTT & SHERRY FELTMAN
14	658 SOUTHEAST	LENINGTON FLOY
15	7440 C F HAWN	BROWN RICHARD SR
16	7434 C F HAWN	BAYLOR COVY R
17	612 SOUTHEAST	FELTMAN SCOTT
18	654 SOUTHEAST	BARKER MARIA S
19	621 OLD SOUTH	PASILLAS CONSUELO
20	615 OLD SOUTH	HERNANDEZ SANTOS & LIONARDA
21	607 OLD SOUTH	AYCOCK PATRICK J SR & SHARON
22	541 OLD SOUTH	AYCOCK PATRICK J SR & SHARON W
23	529 OLD SOUTH	AYALA GERALDO
24	525 OLD SOUTH	CASTILLO MAXIMINO
25	7464 C F HAWN	THE ARTS OFTHE APOSTOLIC FAITH IN JESUS
CHRIST		
26	7302 C F HAWN	WATKINS AC & HEATING LLC

Monday, February 07, 2011