



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, June 21, 2012
AGENDA

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

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

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

BRIEFINGS:

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Paul Nelson

Consent Items:

- (1) **S112-130**
(CC District 14)
- An application to replat a 1.571 acre tract of land to create one lot in City Block E/1622 on property located at 4703 N. Central Expressway.
Applicant/Owner: MCRT Investments LLC/Courtyards at Knox Park, Ltd.
Surveyor: Compass Points Professional Services
Application Filed: May 23, 2012
Zoning: PD 193 (O-2)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (2) **S112-133**
(CC District 12)
- An application to replat a 2.893 acre tract of land containing all of Lot 1B into one 1.8379 acre lot and one 1.0551 acre lot in City Block A/8747 between President George Bush Tollway and Marsh Lane north of Frankford Road.
Applicant/Owner: Alan M. Roodhouse/Marsh Rd LLC
Surveyor: Nathan D. Maier Consulting Engineers, Inc.
Application Filed: May 23, 2012
Zoning: CR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (3) **S112-135**
(CC District 3) An application to create a 20.000 acre lot from a tract of land in City Block 211/6113 on property located on Mountain Creek Parkway at Merrifield Road.
Applicant/Owner: David Gillikin/Cummins Southern Plains, LLC
Surveyor: Pacheco Koch Consulting Engineers
Application Filed: May 25, 2012
Zoning: PD 521 Subarea B-1
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S112-136**
(CC District 8) An application to replat a 2.2964 acre lot from a tract of land containing all of Lots 33 and 34 in City Block B/5374 on property located at 2828 Centerville Road at Shiloh Road, south corner.
Applicant/Owner: Masterplan/Hampton Fort Worth Avenue, Ltd.
Surveyor: JPH Land Surveying, Inc.
Application Filed: May 29, 2012
Zoning: CR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S112-137**
(CC District 4) An application to replat a 2.4835 acre tract containing all of Lot 1 in City Block B/5991 land into one 1.4777 acre lot and one 1.0058 acre lot on property located at 4949 Village Fair Drive at Ann Arbor Drive, northeast corner.
Applicant/Owner: Ken Baca/Maroc Petroleum, Inc.
Surveyor: Davis & McGill, Inc.
Application Filed: May 29, 2012
Zoning: RR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (6) **S112-138**
(CC District 1) An application to replat a 1.734 acre tract of land containing all of Lots 6 through 12, a portion of Lots 12 and 14, and a portion of a 20 foot alley to be abandoned, all in City Block 61/3181 into 1 lot on property located on Zang Boulevard between Page Avenue and Twelfth Street.
Applicant/Owner: Quik Trip Corporation / Promise House, Oak Cliff Tower II, Ltd., Oak Cliff Tower Limited, Robert L. Carver, and Hardy Realty, Inc.
Surveyor: Bury & Partners
Application Filed: May 29, 2012
Zoning: PD 316, Subarea 2a
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (7) **S112-140**
(CC District 7)
- An application to create one 1.020 acre lot and one 1.888 acre lot from a 2.907 acre tract of land located in City Block 8345 on property located on Merrifield Road between Davis Street and Jefferson Boulevard.
- Applicant/Owner: CRE Davis Boulevard, LLC
Surveyor: Prism Surveys, Inc.
Application Filed: May 31, 2012
Zoning: CS
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (8) **S112-142**
(CC District 14)
- An application to replat a 0.893 acre tract of land containing all of Lot 17A and part of Lot 18 in City Block 11/5688 to create one lot at 7001 Hyer Lane and located on Lomo Alto Drive between Hyer Lane and Lovers Lane.
- Applicant/Owner: R&P Equities, Ltd.
Surveyor: Pacheco Koch Engineers
Application Filed: May 31, 2012
Zoning: CR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replats:

- (9) **S112-129**
(CC District 14)
- An application to replat a 0.195 acre tract of land containing part of Lots 18 and 19 in City Block 18/2095 into one lot at 6106 Llano Avenue at Skillman Street, southeast corner.
- Applicant/Owner: Dagoberto & Blanca Ponce
Surveyor: Roome Land Surveying, Inc.
Application Filed: May 23, 2012
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (10) **S112-134**
(CC District 3)
- An application to replat a 0.7343 acre tract of land containing all of Lots 11 and 12 in City Block 4/8711 to create one lot on Pleasant Ridge Drive, north of Nupine Lane.
- Applicant/Owner: Kenneth and Shellie Van Druten
Surveyor: Davis & McDill
Application Filed: May 25, 2012
Zoning: PD No. 226
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (11) **S112-139**
(CC District 3) An application to replat a 2.4839 acre tract of land containing part of Tract 4 in City Block 4408 to create one 1.3837 acre lot and one 1.1002 acre on West Lawther Drive, northeast of Fisher Road.
Applicant/Owner: Kenneth and Shellie Van Druten
Surveyor: David Petree
Application Filed: May 30, 2012
Zoning: R-1(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (12) **S112-141**
(CC District 13) An application to replat a 6.09 acre tract of land containing all of Lot 1 in City Block 1/5601 and all of Lot 1A in City Block 1/5589 to create one lot at 9707 Meadowbrook Drive and 5050 Ravine.
Applicant/Owner: Steven & Carol Aaron
Surveyor: Texas Heritage Surveying, LLC
Application Filed: May 30, 2012
Zoning: R-1ac.(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Docket

- W112-015**
Neva Dean
(CC District 8) An application for a waiver of the two-year waiting period in order to submit an application to amend Specific Use Permit No. 1884 on the southeast corner of South Lancaster Road and East Ledbetter Drive.
Staff Recommendation: **Denial**

Zoning Cases – Consent

1. **Z112-201(RB)**
Richard Brown
(CC District 14) An application for an amendment to the development plan and conditions for Planned Development District No. 493 for certain Nonresidential Uses and a Specific Use Permit for a Child-care facility on the west line of Skillman Street, north of Woodcrest Lane.
Staff Recommendation: **Approval** of an amendment to Planned Development District No. 493, subject to a development plan and conditions, and **approval** of a Specific Use Permit for a Child-care facility for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.
Applicant: Spanish House - Catherine Wallace
Representative: Rob Baldwin

2. **Z112-194(MW)**
Megan Wimer
(CC District 4)

An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned Subarea 6 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D Liquor Control Overlay on the northeast corner of South Buckner Boulevard and Norvell Drive.

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

Applicant: Autry's, Inc.
Representative: Pamela Craig

3. **Z112-230(MW)**
Megan Wimer
(CC District 5)

An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay on the southeast corner of South Buckner Boulevard and Bruton Road.

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

Applicant: Walgreen Company
Representative: Gardere Wynne Sewell LLP

4. **Z112-231(MW)**
Megan Wimer
(CC District 14)

An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay on the southwest side of Lemmon Avenue, southeast of McKinney Avenue.

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

Applicant: Walgreen Company
Representative: Gardere Wynne Sewell LLP

5. **Z112-115(JH)**
Jennifer Hiromoto
(CC District 2)

An application for a Specific Use Permit for a late-hours establishment limited to general merchandise or food store and motor vehicle fueling station uses on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the southwest corner of Greenville Avenue and Belmont Avenue.

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

Applicant: Quickway Retail Associates II, Ltd.
6. **Z112-202(JH)**
Jennifer Hiromoto
(CC District 8)

An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay on the east side of Longbranch Lane, south of South Loop 12/Great Trinity Forest Way.

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

Applicant: Kam O. Ogunleye
7. **Z112-232(JH)**
Jennifer Hiromoto
(CC District 2)

An application to amend Planned Development District No. 865 on the northeast line of Forest Park Road, northwest of Stutz Drive.

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

Applicant: AMD Apartments, LP

Representative: Rob Baldwin, Baldwin Associates
8. **Z112-110(WE)**
Warren Ellis
(CC District 7)

An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the northwest corner of Samuell Boulevard and South Buckner Boulevard.

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

Applicant: 7-Eleven Inc.

Representative: Ashley Anderson - Gardere Wynne Sewell LLP

Zoning Cases – Under Advisement

9. **Z112-147(WE)**
Warren Ellis
(CC District 7)
- An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the southeast corner of East R.L. Thornton Freeway and North Jim Miller Road.
- Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.
- Applicant: BK USA, Inc.
- Representative: Parvez Malik – Business Zoom
- U/A From: March 1, 2012.
10. **Z101-371(WE)**
Warren Ellis
(CC District 2)
- An application for a Specific Use Permit for a bar, lounge, or tavern on property zoned Planned Development District No. 296, the Deep Ellum/Near East Side Special Purpose District on the north side of Elm Street, between Malcolm X Boulevard and Crowds Street.
- Staff Recommendation: **Approval** for a three-year period, subject to a site plan and conditions.
- Applicant: Frank Edwards
- Representative: John Hamilton
- U/A From: June 7, 2012.
11. **Z112-217(MW)**
Megan Wimer
(CC District 14)
- An application for a Specific Use Permit for a restaurant with drive-in or drive-through service on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast side of Lemmon Avenue, southeast of Throckmorton Street.
- Staff Recommendation: **Denial**
- Applicant: Taco Bell of America c/o Icon Engineering
- Representative: Robert Baldwin
- U/A From: June 7, 2012.

Zoning Cases – Individual

12. **Z112-209(MW)**
Megan Wimer
(CC District 1)
- An application **1)** to create a new subdistrict within Planned Development District No. 830, the Davis Street Special Purpose District; **2)** to remove the D Liquor Control Overlay and **3)** for a Specific Use Permit for a motor vehicle fueling station on property zoned Subdistrict 6, the Davis Street Corridor, within Planned Development District No. 830 with a D Liquor Control Overlay on the northeast corner of North Hampton Road and West Jefferson Boulevard.
Staff Recommendation: **Denial**
Applicant: 7-11
Representative: Santos Martinez, Masterplan
13. **Z112-193(WE)**
Warren Ellis
(CC District 1)
- An application for a D(A) Duplex District and a Specific Use Permit for an Adult day care facility on property within Subdistrict 3 of Planned Development District No. 830, the Davis Street Special Purpose District on the southeast corner of West 10th Street and North Vernon Avenue.
Staff Recommendation: **Hold** under advisement until July 12, 2012.
Applicant: Agape Place Home Care Homes, Inc.
Representative: Robert Baldwin - Baldwin Associates
14. **Z112-216(JH)**
Jennifer Hiromoto
(CC District 14)
- An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an NS(A) Neighborhood Service District on the northeast corner of Oram Street and Skillman Street.
Staff Recommendation: **Approval**, subject to deed restrictions volunteered by the applicant.
Applicant: SL Lakewood, LP
Representative: Rob Baldwin

Landmark Appeal

- Carolyn Horner
(CC District 14)
- An appeal of the Landmark Commission decision to deny Certificate of Appropriateness CA112-154(CH) for the landscape plan for front yard at 707 Huntley Street.
Staff Recommendation: **Denial without prejudice**
Landmark Commission Recommendation: **Denial without prejudice**

Other Matters

Minutes: June 7, 2012

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Thursday, June 21, 2012

ZONING ORDINANCE COMMITTEE (ZOC) MEETING - Thursday, June 21, 2012, City Hall, 1500 Marilla Street, in 5ES, at 9:00 a.m. to consider **(1) DCA 112-002(b)** Consideration of amending the Dallas Development Code to amend parking requirements for ground level retail and personal service uses in the CA-1(A) Central Area District, and **(2) DCA 112-002(c)** Consideration of amending the Dallas Development Code to amend parking requirements to permit the use of automated/mechanized parking systems for required parking.

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC) MEETING – Tuesday, July 10, 2012, City Hall, 1500 Marilla Street, in 5BN. 2:00 p.m., to consider **(1) SPSD 112-001** - An application to amend the Downtown Special Provision Sign District to allow placement of videoboards on buildings with lodging uses and parking structures within the Retail Core bounded by Jackson Street, Lamar Street, Pacific Street, and Cesar Chavez Boulevard.

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.

EXECUTIVE SESSION NOTICE

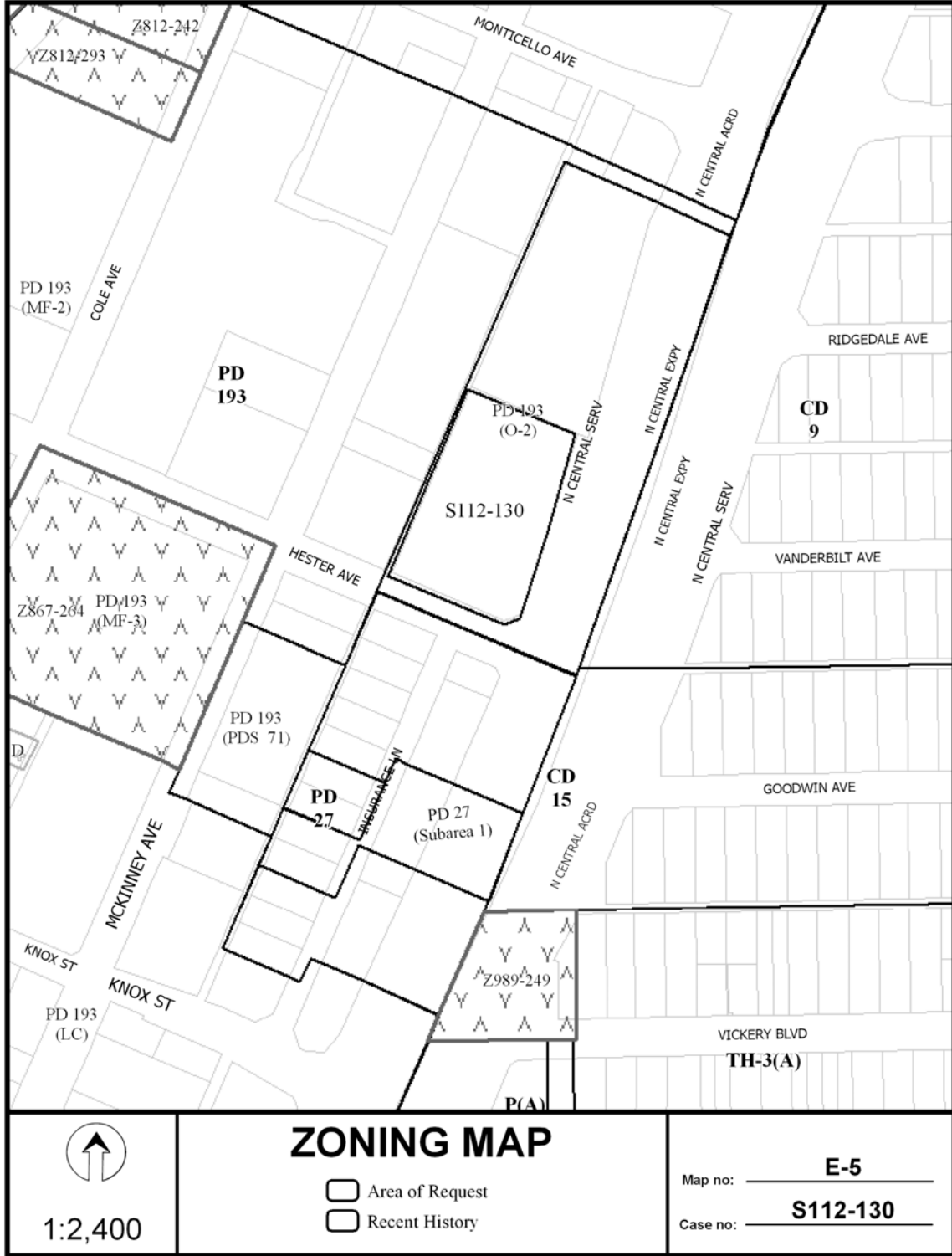
The Commission may hold a closed executive session regarding any item on this agenda when:

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, JUNE 21, 2012****FILE NUMBER:** S112-130**Subdivision Administrator:** Paul Nelson**LOCATION:** 4703 N. Central Expressway**DATE FILED:** May 23, 2012**ZONING:** PD 193 (O-2)**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 1.571 Acres **MAPSCO:** 35R**APPLICANT/OWNER:** MCRT Investments LLC / Courtyards at Knox Park, Ltd.**REQUEST:** An application to replat a 1.571 acre tract of land to create one lot in City Block E/1622 on property located at 4703 N. Central Expressway.**SUBDIVISION HISTORY:** There has been no recent subdivision activity within close proximity to this request.**STAFF RECOMMENDATION:** The proposed subdivision complies with the requirements of PD 193 Subdistrict (O-2); therefore, staff recommends approval subject to compliance with the following conditions:

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

10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat dedicate 7.5 feet of ROW from the established centerline of the alley.
14. On the final plat dedicate a 15 foot by 15 foot alley sight easement at Hester Avenue and the Alley.
15. Any access or modification to North Central Expressway requires TXDOT approval.
16. On the final plat show two control monuments.
17. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
18. On the final plat identify the property as Lot 1, City Block A/1622.
19. On the final plat change "Central Expressway" to North Central Expressway (U.S. HIGHWAY NO. 75)"





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|  1:2,400 | <h3 style="text-align: center;">AERIAL MAP</h3> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p> | <p>Map no: <u> E-5 </u></p> <p>Case no: <u> S112-130 </u></p> |
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6/4/2012

CITY PLAN COMMISSION**THURSDAY, JUNE 21, 2012****FILE NUMBER:** S112-133**Subdivision Administrator:** Paul Nelson**LOCATION:** between President George Bush Turnpike, Marsh Ln. and Frankford Rd.**DATE FILED:** May 23, 2012**ZONING:** CR**CITY COUNCIL DISTRICT:** 12 **SIZE OF REQUEST:** 2.8930Ac.**MAPSCO:** 3H**APPLICANT/OWNER:** Alan M. Roodhouse / Marsh Rd LLC

REQUEST: An application to replat a 2.8930 acre tract of land containing all of Lot 1B into one 1.8379 acre lot and one 1.0551 acre lot in City Block A/8747 between President George Bush Turnpike, Marsh Lane and Frankford Road.

SUBDIVISION HISTORY:

1. S089-111 was an application to replat Lot 1 into one 2.8930 acre lot (area of present request) and one 0.9485 acre lot and was approved on June 19, 2009 and recorded September 24, 2009.


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

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

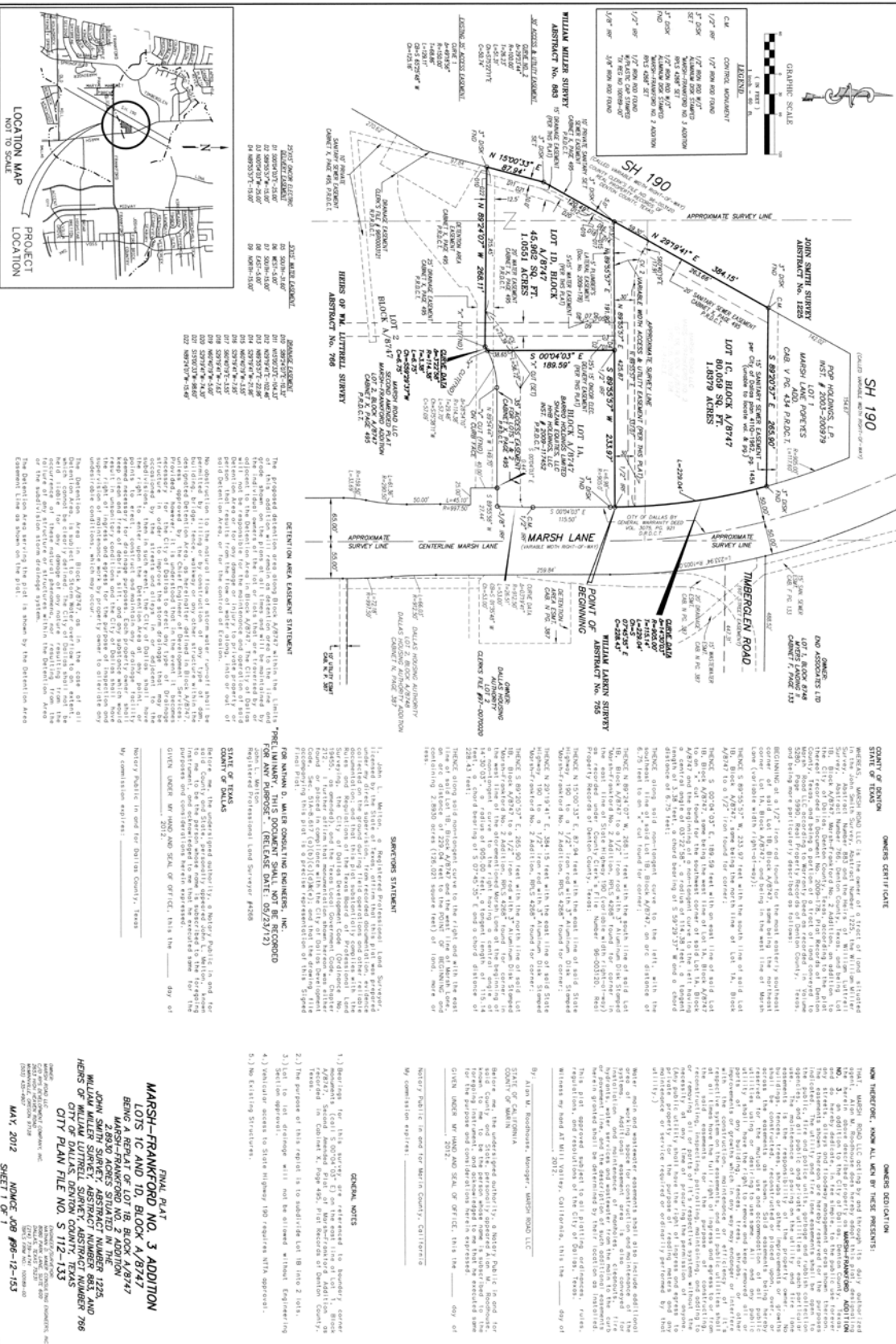
9. A letter stating that the monumentation provisions of Section 51A-8.617 have been complied with and the monuments have been set must be received from the Chief City Surveyor prior to submittal of the final plat for the Chairman's signature.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. Any access or modification to President George Bush Turnpike requires TXDOT approval.
14. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
15. On the final plat the access easement must be recorded by separate instrument and recording information listed.
16. On the final plat list the 15' Sanitary Sewer Easement recording information.
17. On the final plat change "SH 190" to "President George Bush Turnpike."





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|  1:2,400 | <h2 style="text-align: center;">AERIAL MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History | <p style="text-align: right;">Map no: <u> E-5 </u></p> <p style="text-align: right;">Case no: <u> S112-133 </u></p> |
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6/3/2012

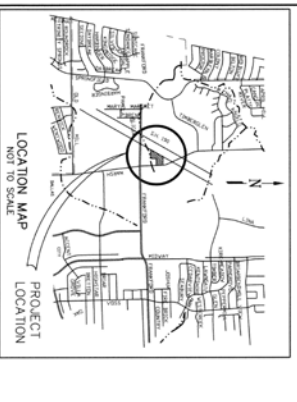


COUNTY OF DALLAS
COMMISSION CERTIFICATE
 I, **W. M. BECKWITH**, a Registered Professional Land Surveyor, do hereby certify that the above plat is a true and correct copy of the original as shown on file in my office, and that the same has been filed for record in the office of the County Clerk of Dallas County, Texas, on this 21st day of May, 2012, at 11:00 A.M.

DETERMINATION AREA EXHIBIT STATEMENT
 The proposed determination area along Block A/8747 within the Limits of Detention Area No. 2000-20079, as shown on the plat, is shown by the Determination Area Exhibit Statement. The determination area is shown by the Determination Area Exhibit Statement. The determination area is shown by the Determination Area Exhibit Statement. The determination area is shown by the Determination Area Exhibit Statement.

GENERAL NOTES
 1.) Bearings for this survey are referenced to boundary corner A/8747. Second rounded Plat of Marsh-Frankford Addition as recorded in Exhibit X, Page 495, First Record of Dallas County, Texas.
 2.) The purpose of this report is to subdivide Lot 1B into 2 lots.
 3.) Lot 1 to lot developer will not be shown without Engineering Survey approval.
 4.) Vehicle access to State Highway 190 requires utility approval.
 5.) No Existing Structures.

CONTRACT INFORMATION
 PROJECT: MARSH-FRANKFORD BLOCK, 3 ADDITION
 LOTS 1C AND 1D, BLOCK A/8747
 BENEFACTOR: JOHN SMITH SURVEY, ABSTRACT NUMBER 88 AND HEIRS OF WILLIAM LUTTRELL SURVEY, ABSTRACT NUMBER 766
 CITY PLAN FILE NO. S 112-133
 DATE: MAY, 2012
 SHEET 1 OF 1

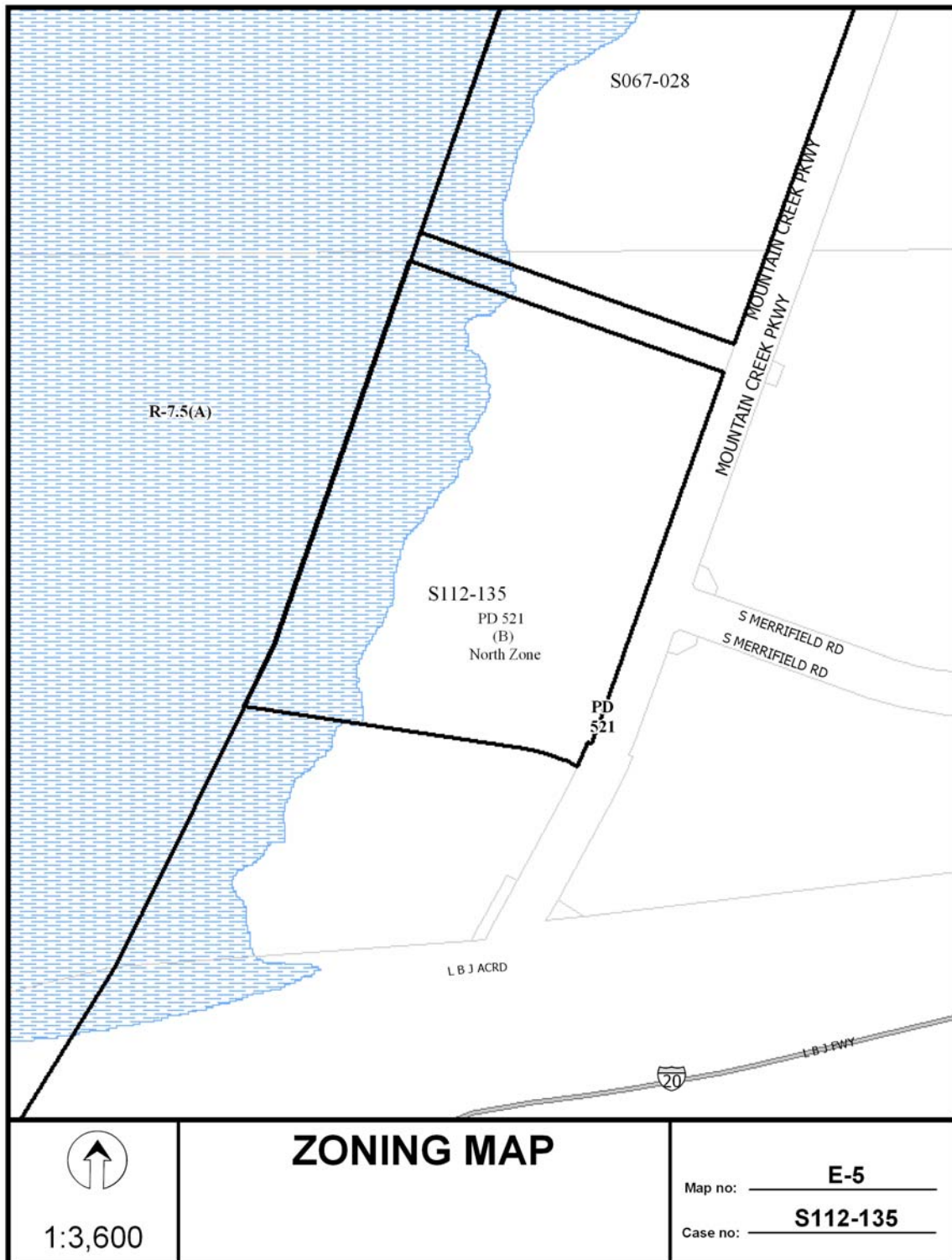


City Plan Commission Date: 6/21/2012
 6/15/2012 1:11:07 PM

CITY PLAN COMMISSION**THURSDAY, JUNE 21, 2012****FILE NUMBER:** S112-135**Subdivision Administrator:** Paul Nelson**LOCATION:** Mountain Creek Parkway at Merrifield Road**DATE FILED:** May 25, 2012**ZONING:** PD 521 Subarea B1**CITY COUNCIL DISTRICT:** 3 **SIZE OF REQUEST:** 20.000 Ac. **MAPSCO:** 61B,J**APPLICANT/OWNER:** David Gillikin / Cummins Southern Plains, LL**REQUEST:** An application to create a 20.000 acre lot from a tract of land in City Block 211/6113 on property located on Mountain Creek Parkway at Merrifield Road.**SUBDIVISION HISTORY:** There has been no recent subdivision activity within close proximity to this request.**STAFF RECOMMENDATION:** The proposed subdivision complies with the requirements of the PD 521, Subarea B-1; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
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6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. A letter stating that the monumentation provisions of Section 51A-8.617 have been complied with and the monuments have been set must be received from the Chief City Surveyor prior to submittal of the final plat for the Chairman's signature.

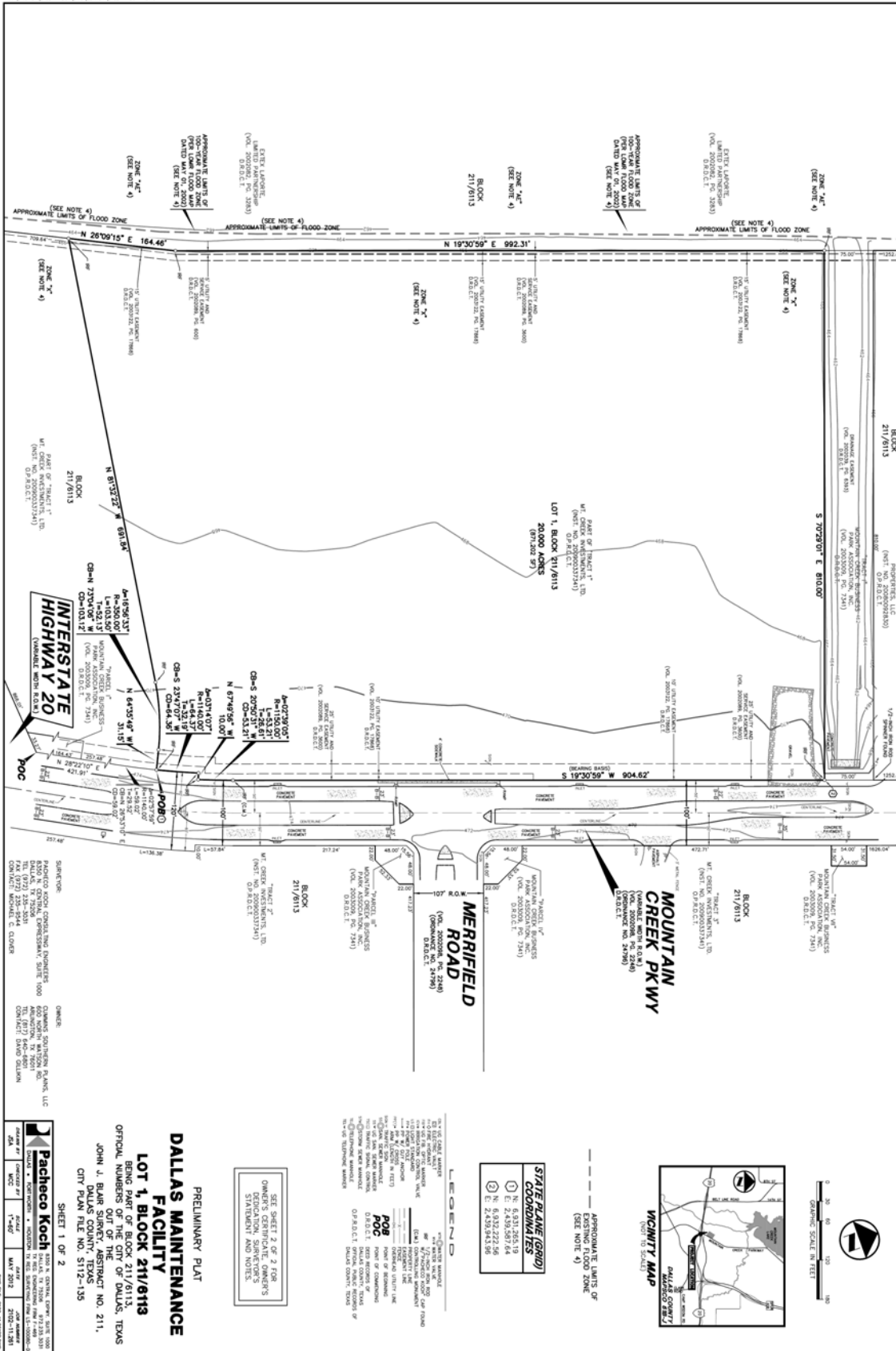
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval.
13. On the final plat dedicate 53.5 feet of ROW from the established centerline of Mountain Creek Pkwy.
14. On the final plat, include a note that the site is within the 65 Ldn contour of Navel Air Station (Hensley Field) and that this noise level may require special construction standards for certain uses per the building code.
15. On the final plat determine the 100 year water surface elevation across the plat.
16. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
17. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
18. On the final plat specify minimum fill and minimum finished floor elevations.
19. On the final plat show the natural channel set back from the crest of the natural channel.
20. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
21. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
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.
18. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
19. On the final plat change "Interstate Highway 20 to "Lyndon B Johnson Freeway (Interstate No. 20)".



6/3/2012



6/3/2012



Pacheco Koch
 ENGINEERS
 600 SOUTH RIVER STREET, SUITE 1000
 DALLAS, TEXAS 75201
 TEL: (214) 231-5001
 FAX: (214) 231-5001
 WWW.PACHECO-KOCH.COM

OWNER:
 DALLAS SOUTHERN PLANTS, LLC
 600 SOUTH RIVER STREET, SUITE 1000
 DALLAS, TEXAS 75201
 TEL: (214) 864-8001
 FAX: (214) 864-8001
 WWW.DALLAS-SP.COM

PROJECT:
 DALLAS MAINTENANCE
 LOT 1, BLOCK 211/6113
 OFFICIAL NUMBER: 017 OF THE CITY OF DALLAS, TEXAS
 JOHN J. BLAIR SURVEY, ABSTRACT NO. 211,
 DALLAS COUNTY, TEXAS
 CITY PLAN FILE NO. 5112-135

SHEET 1 OF 2

DALLAS MAINTENANCE
LOT 1, BLOCK 211/6113
 PRELIMINARY PLAT
 BEING PART OF BLOCK 211/6113,
 OFFICIAL NUMBER 017 OF THE
 CITY OF DALLAS, TEXAS
 JOHN J. BLAIR SURVEY, ABSTRACT NO. 211,
 DALLAS COUNTY, TEXAS
 CITY PLAN FILE NO. 5112-135

SEE SHEET 2 OF 2 FOR
 OWNER'S CERTIFICATE, OWNER'S
 DECLARATION, SURVEYOR'S
 STATEMENT AND NOTES.

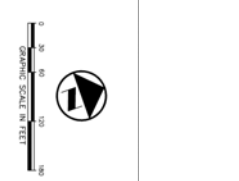
LEGEND

--- EXISTING FLOOD ZONE
 (SEE NOTE 4)

STATE PLANE COORDINATE SYSTEM
 NAD 83
 STATE PLANE COORDINATE SYSTEM
 NAD 83
 STATE PLANE COORDINATE SYSTEM
 NAD 83
 STATE PLANE COORDINATE SYSTEM
 NAD 83

POB
 POINT OF BEGINNING
 O.D.B.C.T. GENERAL PLAT RECORDS OF
 DALLAS COUNTY, TEXAS

STATE PLANE COORDINATE SYSTEM
 NAD 83
 STATE PLANE COORDINATE SYSTEM
 NAD 83
 STATE PLANE COORDINATE SYSTEM
 NAD 83
 STATE PLANE COORDINATE SYSTEM
 NAD 83



CITY PLAN COMMISSION**THURSDAY, JUNE 21, 2012****FILE NUMBER:** S112-136**Subdivision Administrator:** Paul Nelson**LOCATION:** 2828 Centerville Road at Shiloh Road, south corner**DATE FILED:** May 29, 2012**ZONING:** CR**CITY COUNCIL DISTRICT:** 8 **SIZE OF REQUEST:** 2.2964 Acres. **MAPSCO:** 39E**APPLICANT/OWNER:** Masterplan/ Hampton Fort Worth Avenue, Ltd.

REQUEST: An application to replat a 2.2964 acre lot from a tract of land containing all of Lots 33 and 34 in City Block B/5374 on property located at 2828 Centerville Road at Shiloh Road, south corner.

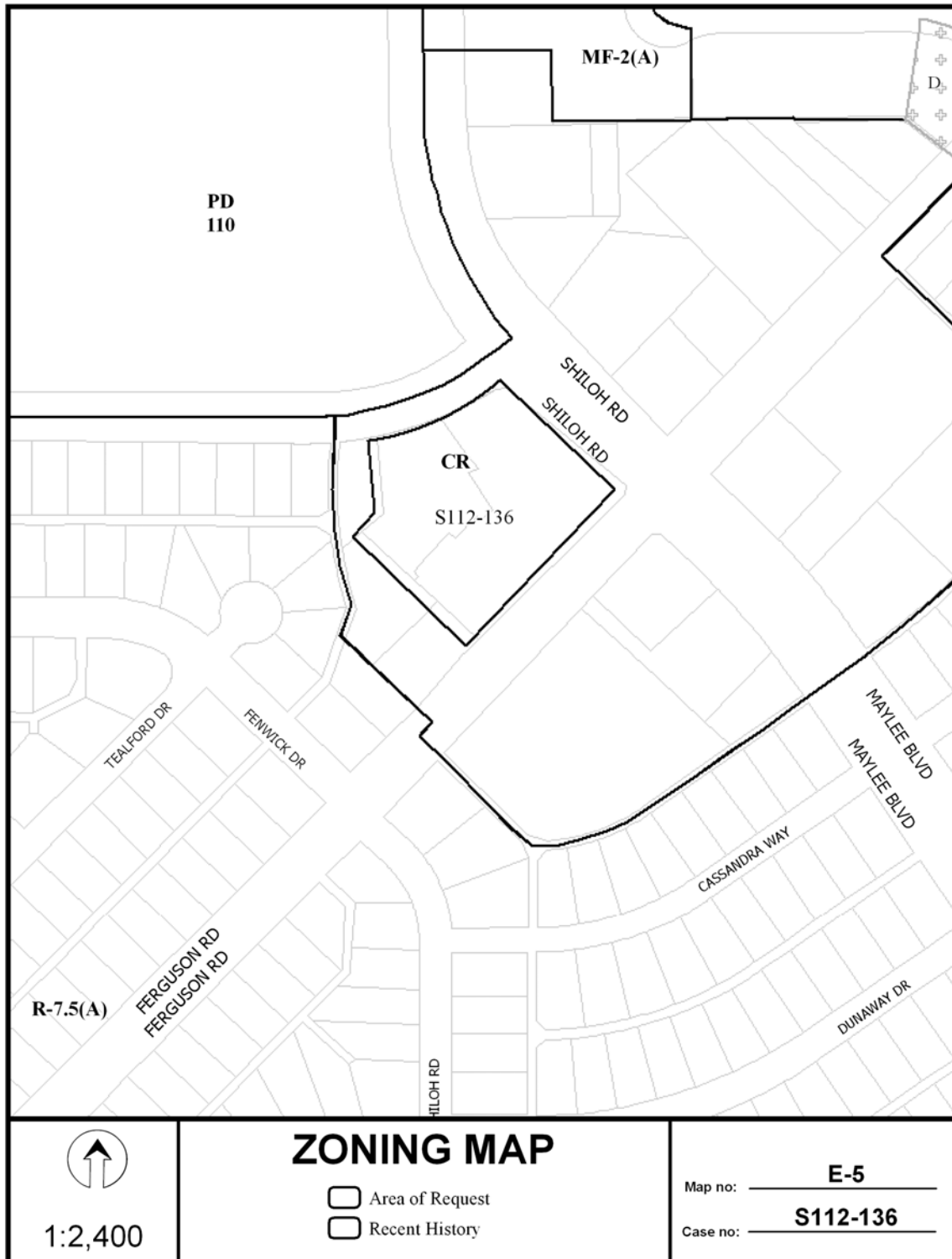
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

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

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

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

10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat dedicate a 20' x 20' corner clip at Centerville Road and Shiloh Road.
14. On the final plat dedicate a 20' x 20' corner clip at Shiloh Road and Ferguson Road.
15. Any median modification must be approved by City of Dallas Traffic Engineer and driveway openings must be at least 30' from the intersection corner.
16. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development
17. Water/Wastewater main Abandonment is required by Private Development Contract.
18. On the final plat show how all adjoining ROW was created.
19. On the final plat show two control monuments.
20. On the final plat all utility easement abandonment's must be shown with the correct recording information.
21. On the final plat chose a different addition name.
22. On the final plat show ordinance number and recordation of Centerville Road and Shiloh Road.





1:2,400

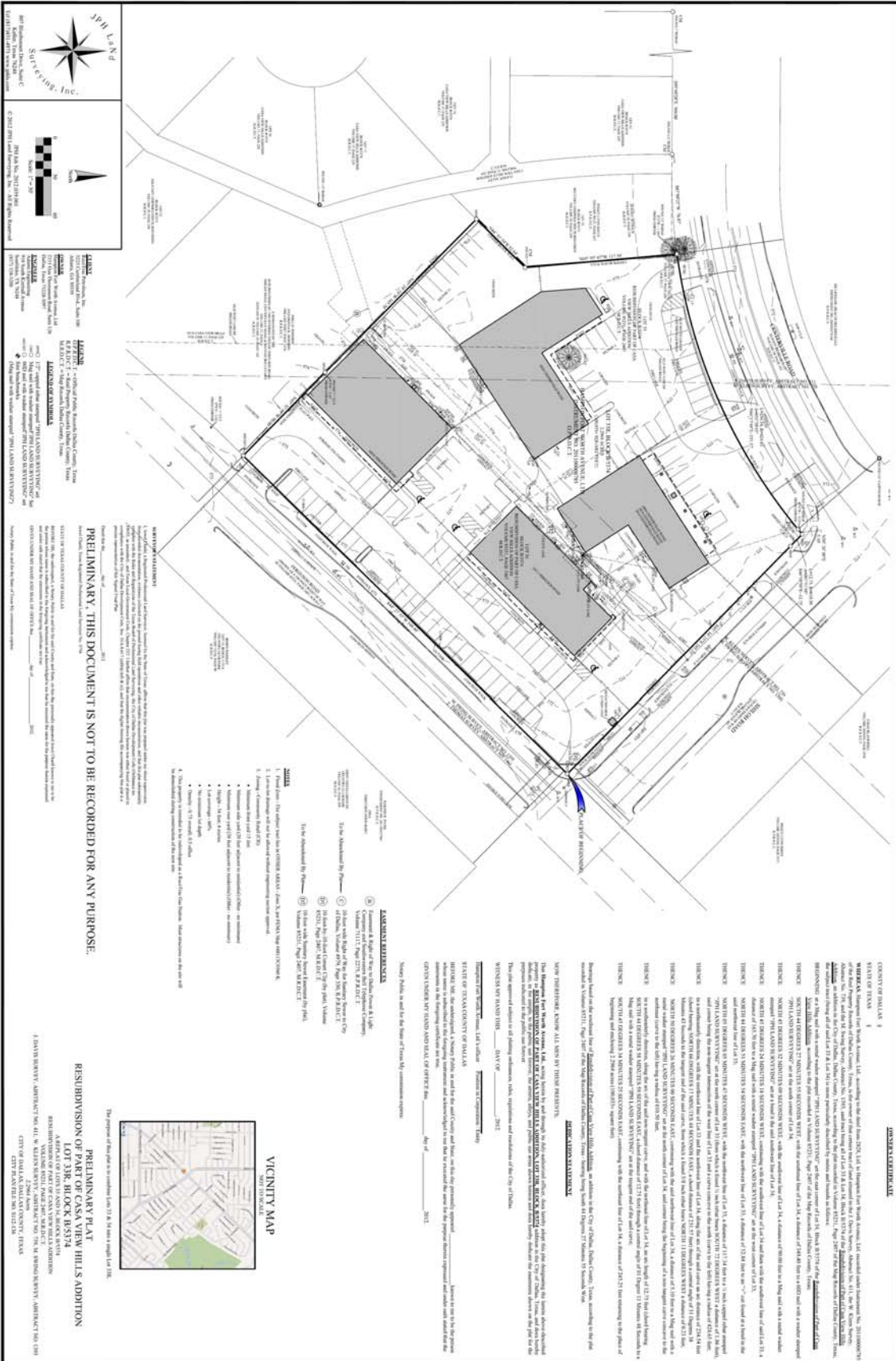
AERIAL MAP

- Area of Request
- Recent History

Map no: E-5

Case no: S112-136

6/3/2012



SPU PLAN

Surveyor, Inc.

1211 West Loop West, Suite 1000
Dallas, Texas 75243
Tel: 214.760.1111 Fax: 214.760.1112

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PLAT NO. 10-2012-001

Scale: 1" = 100'

North Arrow

LEGAL
 The Surveyor has been duly licensed by the State of Texas and is duly qualified to perform the duties of a Surveyor under the laws of the State of Texas.

NOTICE
 This plat is subject to the provisions of the Texas Subdivision Map Act, Chapter 208, Texas Government Code, and the rules and regulations of the Texas State Board of Survey.

ADDITIONAL INFORMATION
 The Surveyor has been duly licensed by the State of Texas and is duly qualified to perform the duties of a Surveyor under the laws of the State of Texas.

PRELIMINARY. THIS DOCUMENT IS NOT TO BE RECORDED FOR ANY PURPOSE.

ADDITIONAL INFORMATION
 The Surveyor has been duly licensed by the State of Texas and is duly qualified to perform the duties of a Surveyor under the laws of the State of Texas.

NOTICE
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ADDITIONAL INFORMATION
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NOTICE
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PRELIMINARY PLAT
 RESUBDIVISION OF PART OF CASA VIEVA ADDITION
 LOT 33R, BLOCK B-574

WARRANTY
 THE SURVEYOR WARRANTS THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE TEXAS STATE BOARD OF SURVEY.

RECORDING INFORMATION
 THIS PLAT IS SUBJECT TO THE PROVISIONS OF THE TEXAS SUBDIVISION MAP ACT, CHAPTER 208, TEXAS GOVERNMENT CODE, AND THE RULES AND REGULATIONS OF THE TEXAS STATE BOARD OF SURVEY.

ADDITIONAL INFORMATION
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NOTICE
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CITY PLAN COMMISSION**THURSDAY, JUNE 21, 2012****FILE NUMBER:** S112-137**Subdivision Administrator:** Paul Nelson**LOCATION:** 4949 Village Fair Drive at Ann Arbor Drive, northeast corner**DATE FILED:** May 29, 2012**ZONING:** RR**CITY COUNCIL DISTRICT:** 4 **SIZE OF REQUEST:** 2.4835 Acres. **MAPSCO:** 64H**APPLICANT/OWNER:** Ken Baca / Maroc Petroleum, Inc.

REQUEST: An application to replat a 2.4835 acre tract containing all of Lot 1 in City Block B/5991 land into one 1.4777 acre lot and one 1.0058 acre lot on property located at 4949 Village Fair Drive at Ann Arbor Drive, northeast corner.

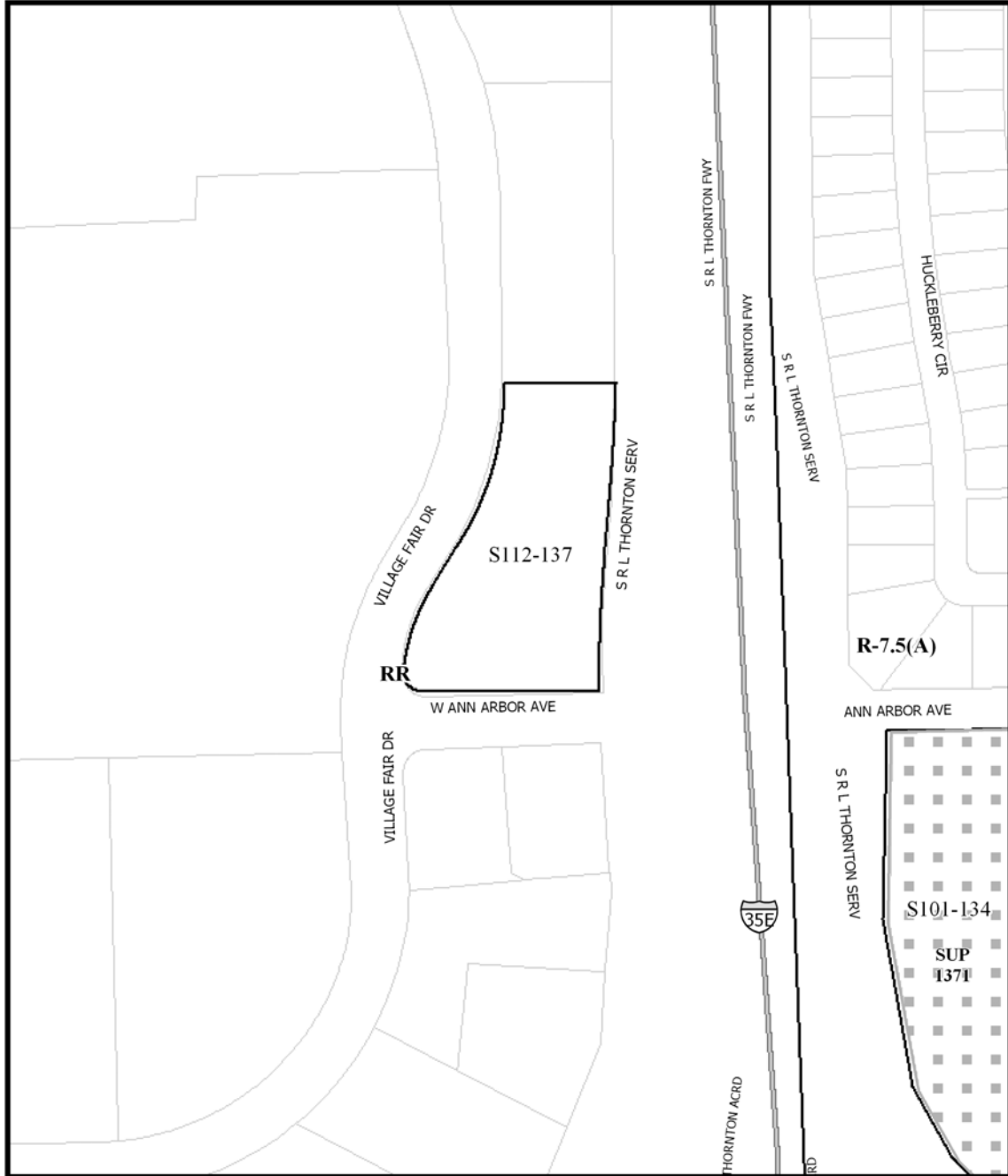
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

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

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

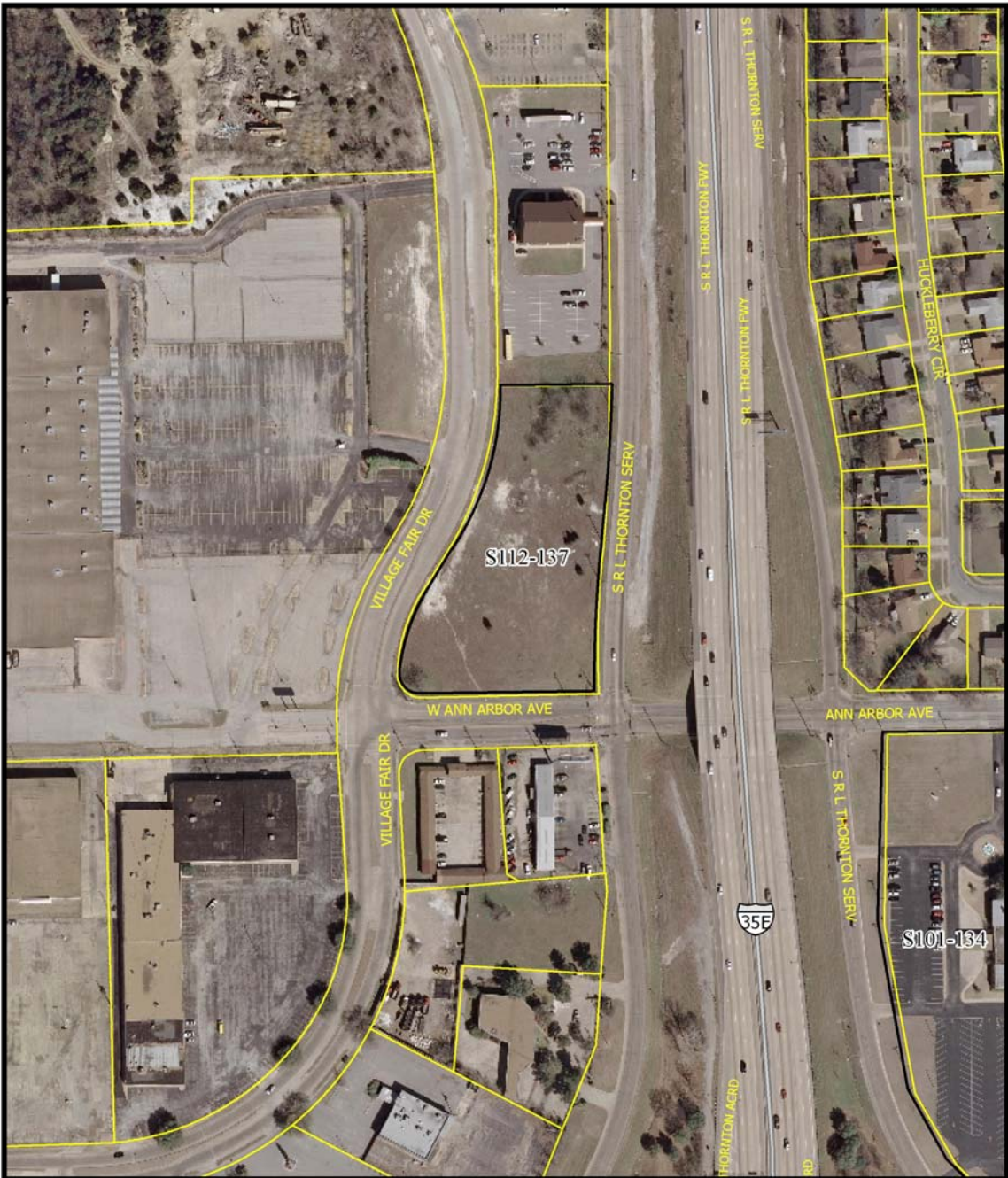
the Chief City Surveyor prior to submittal of the final plat for the Chairman's signature.


10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat show how all adjoining ROW was created.
14. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
15. On the final plat dedicate a 15' x 15' corner clip at Ann Arbor Avenue and R.L. Thornton Freeway (Interstate Highway No. 35E).
16. Any Access or Modification to R.L. Thornton Freeway (Interstate Highway No. 35E) requires TXDOT approval
17. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
18. On the final plat show the recording information on all existing easements within 150 feet of the property.
19. On the final plat show how all adjoining ROW was created.
20. On the final plat show two control monuments.
21. On the final plat chose a different addition name.
22. On the final plat Access Easement must be recorded by separate instrument.
23. On the final plat change "R.L. Thornton Freeway (I 35) to R.L. Thornton Freeway (Interstate Highway No. 35E).



| | | |
|--|---|--|
|  1:2,400 | <h2>ZONING MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History | Map no: <u> E-5 </u> Case no: <u> S112-137 </u> |
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6/3/2012



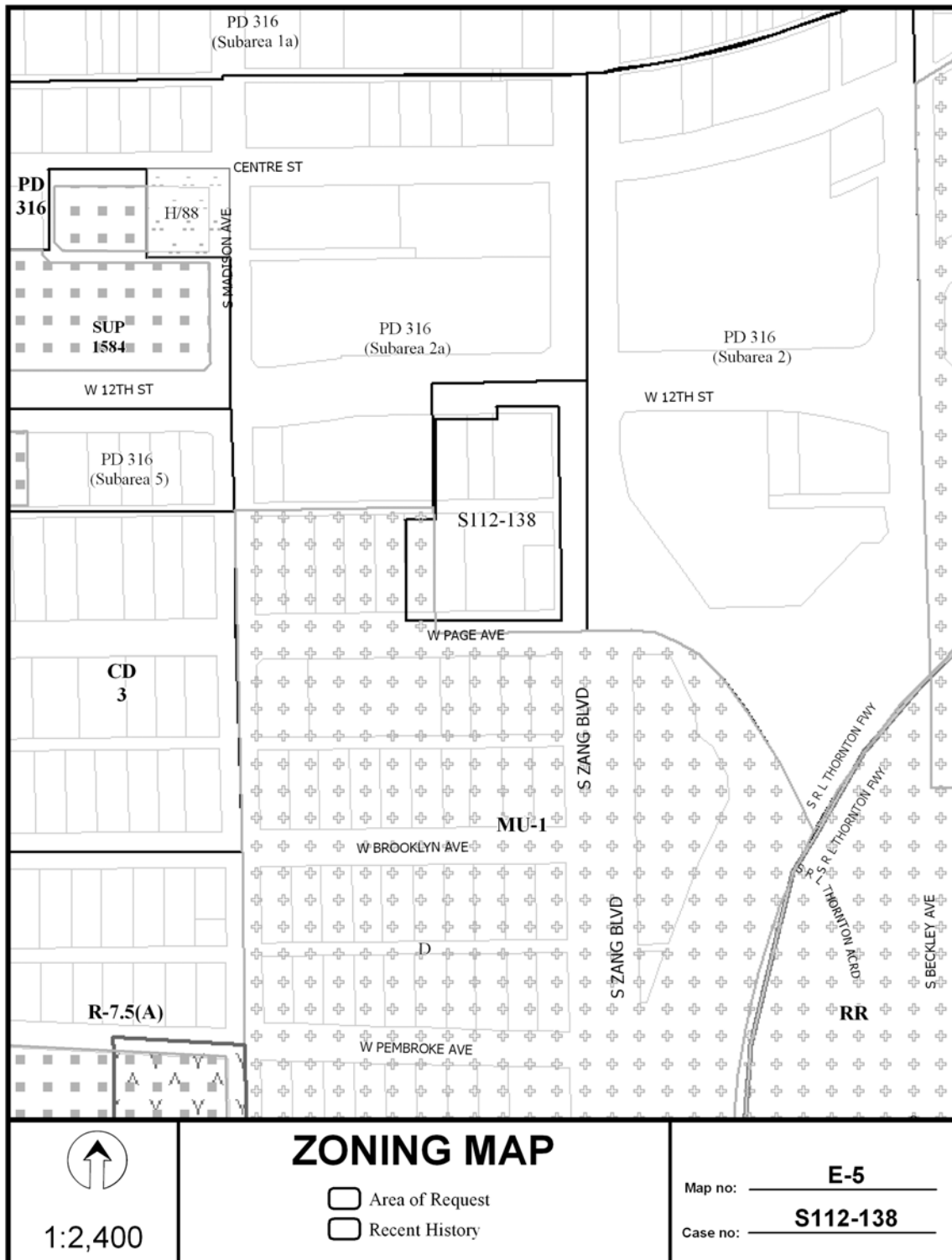
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|  1:2,400 | <h2 style="text-align: center;">AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p> | <p>Map no: <u> E-5 </u></p> <p>Case no: <u> S112-137 </u></p> |
|--|--|---|

6/3/2012

CITY PLAN COMMISSION**THURSDAY, JUNE 21, 2012****FILE NUMBER:** S112-138**Subdivision Administrator:** Paul Nelson**LOCATION:** 4949 Village Fair Drive at Ann Arbor Drive, northeast corner**DATE FILED:** May 29, 2012**ZONING:** PD 316, Subarea 2a**CITY COUNCIL DISTRICT:** 1 **SIZE OF REQUEST:** 1.734 Acres. **MAPSCO:** 54H**APPLICANT/OWNER:** Quik Trip Corporation / Promise House, Oak Cliff Tower II, Ltd., Oak Cliff Tower Limited, Robert L. Carver, and Hardy Realty, Inc.**REQUEST:** An application to replat a 1.734 acre tract of land containing all of Lots 6 through 12, a portion of Lots 12 and 14, and a portion of a 20 foot alley to be abandoned, all in City Block 61/3181 into one lot on property located on Zang Boulevard between Page Avenue and Twelfth Street.**SUBDIVISION HISTORY:** There has been no recent subdivision activity within close proximity to this request.**STAFF RECOMMENDATION:** The proposed subdivision complies with the requirements of the RR District; therefore, staff recommends approval subject to compliance with the following conditions:

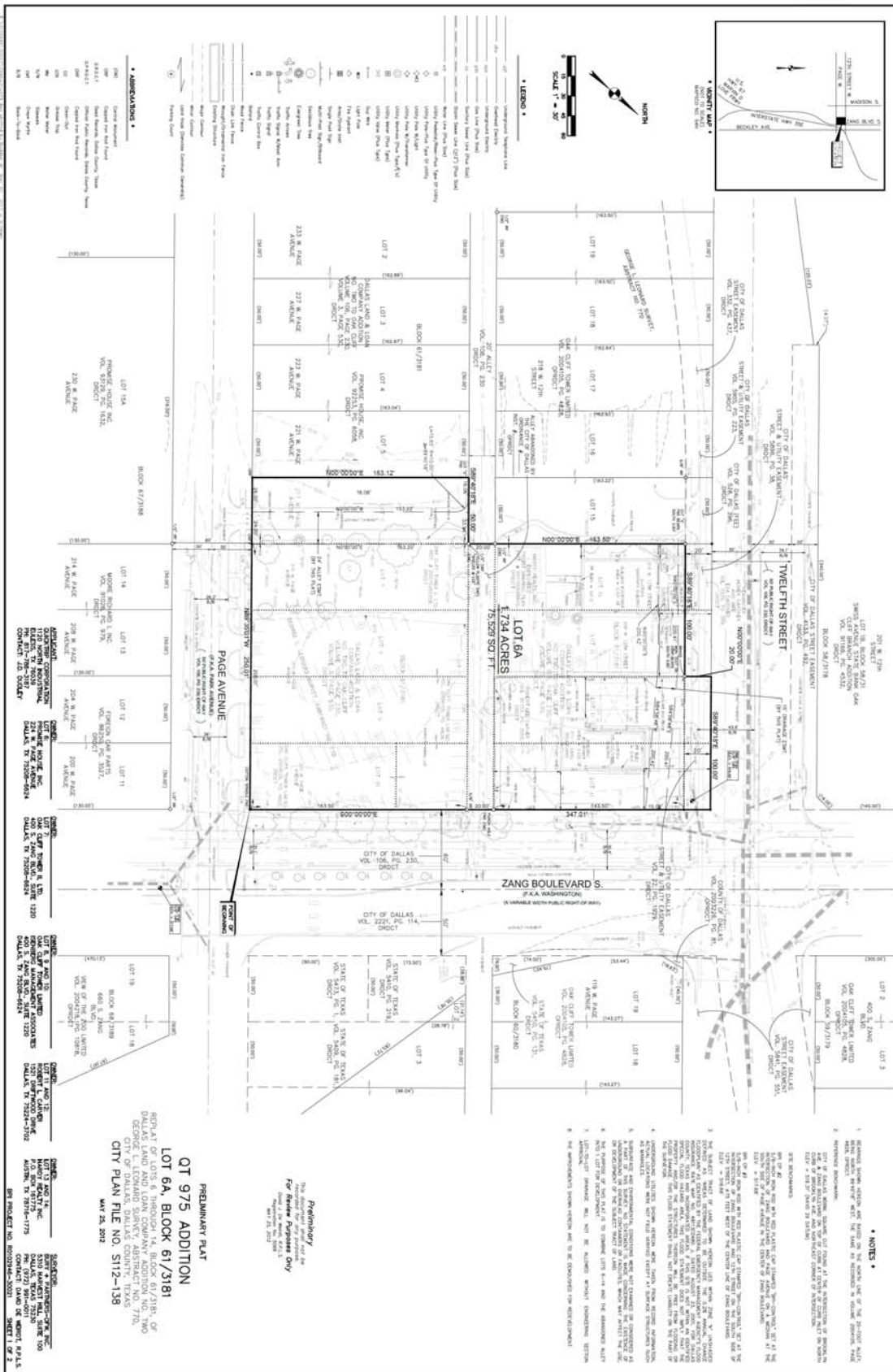
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with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

9. A letter stating that the monumentation provisions of Section 51A-8.617 have been complied with and the monuments have been set must be received from the Chief City Surveyor prior to submittal of the final plat for the Chairman's signature.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat dedicate 50 feet of ROW from the established centerline of Twelfth Street.
14. On the final plat dedicate a 20' x 20' corner clip at Twelfth Street and Zang Boulevard.
15. On the final plat dedicate a 15' x 15' alley sight easement at the alley-and Page Street., both sides.
16. On the final plat dedicate a 15' x 15' corner clip at Zang Boulevard and Page Street.
17. On the final plat the alley ROW must not exceed 20' in width and have a 40' radius.
18. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
19. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
20. Water/wastewater main extension is required by Private Development Contract.
21. On the final plat list utility easements at retained within the street abandonment's when stated in ordinance.
22. On the final plat change "Page Avenue (F.K.A Park Avenue)" to "Page Avenue (formally Park Street)"
23. On the final plat change "Zang Boulevard S. (F.K.A Washington) to Zang Boulevard (formally Washington Avenue)".
24. On the final plat label any TXDOT ROW as R.L> Thornton Freeway (Interstate Highway No. 35E)".



6/3/2012





CITY PLAN COMMISSION**THURSDAY, JUNE 21, 2012****FILE NUMBER:** S112-140**Subdivision Administrator:** Paul Nelson**LOCATION:** 4949 Village Fair Drive at Ann Arbor Drive, northeast corner**DATE FILED:** May 31, 2012**ZONING:** CS**CITY COUNCIL DISTRICT:** 6**SIZE OF REQUEST:** 2.907 Ac.**MAPSCO:** 52A**APPLICANT/OWNER:** CRE Davis Boulevard, LLC

REQUEST: An application to create one 1.020 acre lot and one 1.888 acre lot from a 2.907 acre tract of land located in City Block 8345 on property located on Merrifield Road between Davis Street and Jefferson Boulevard.

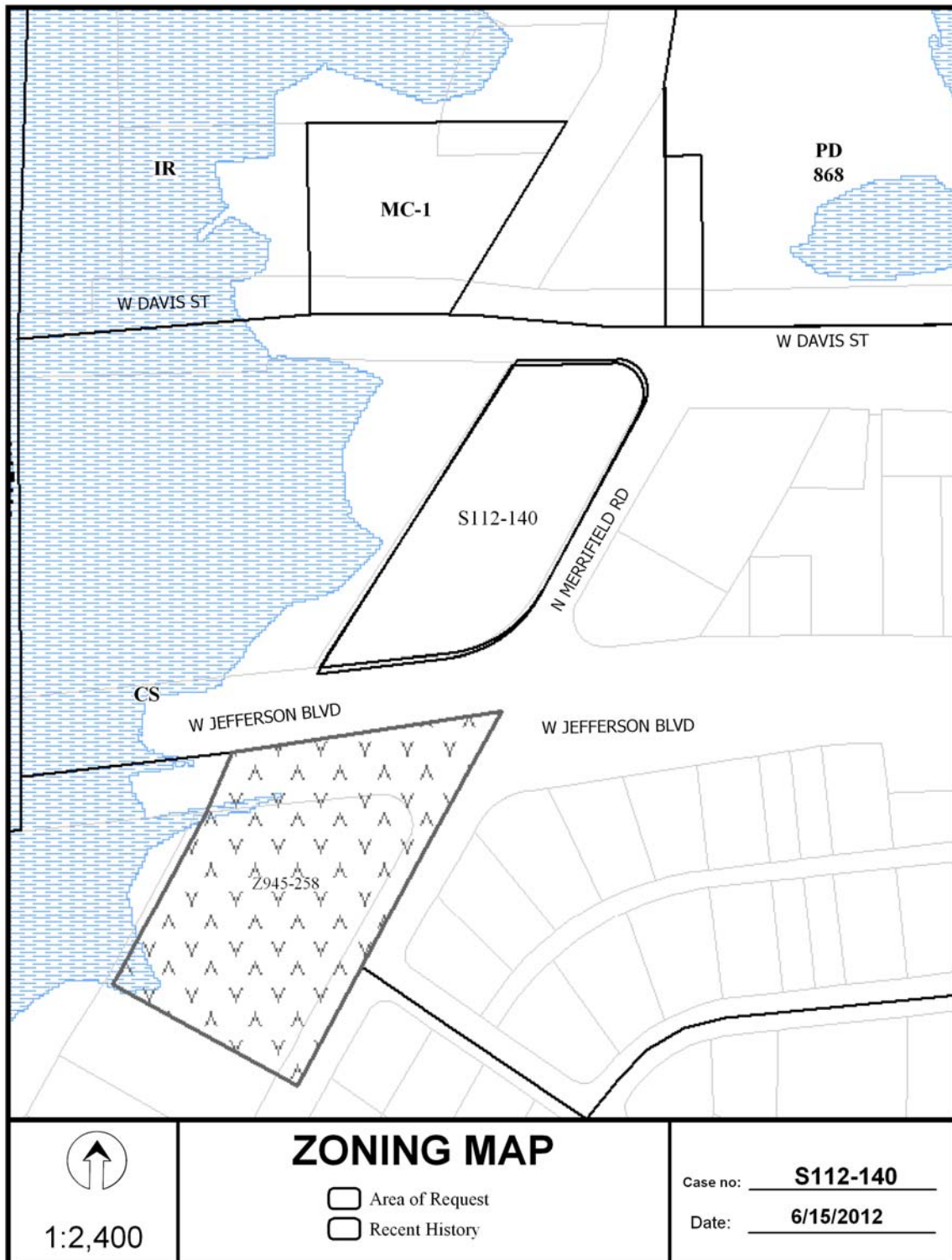
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

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

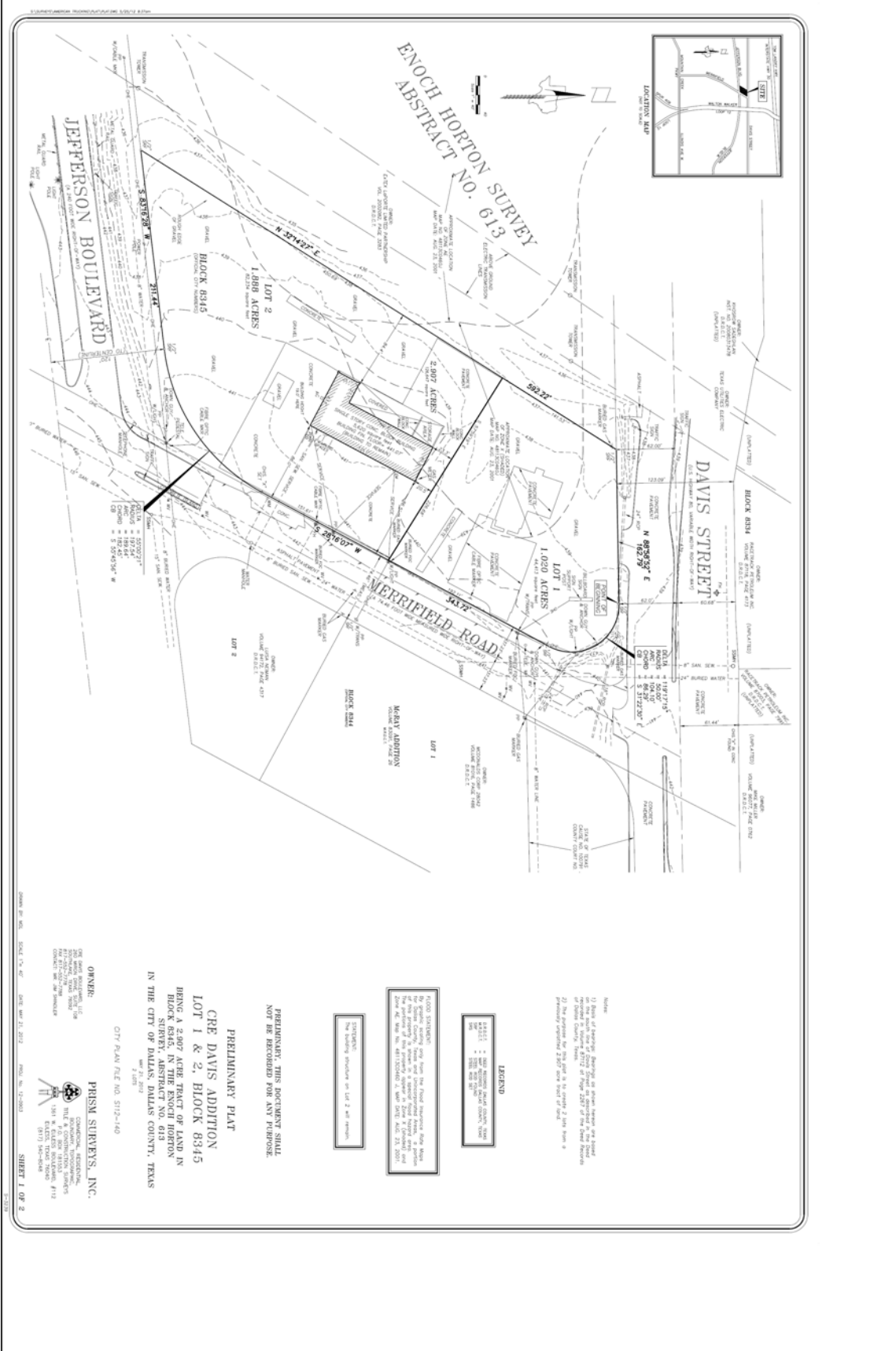
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with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

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

10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat show how all adjoining ROW was created.
14. On the final plat dedicate 40' ROW from the established center line of North Merrifield Road.
15. Any access or modification to West Davis Street requires TXDOT approval.
16. On the final plat determine the 100 year water surface elevation across the plat.
17. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
18. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
19. On the final plat specify minimum fill and minimum finished floor elevations.
20. On the final plat show the natural channel set back from the crest of the natural channel.
21. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
22. Provide information regarding Fill Permit or Floodplain Alteration Permit if such
23. A Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
24. Water/wastewater main extension may be required by Private Development Contract.
25. On the final plat show the recording information on all existing easements within 150 feet of the property.
26. On the final plat show two control monuments must be shown.
27. On the final plat change Davis Street (U.S. Highway 80, variable width right of way)" to "Davis Street (State Highway No.180 variable width right of way)".







CITY PLAN COMMISSION**THURSDAY, JUNE 21, 2012****FILE NUMBER:** S112-142**Subdivision Administrator:** Paul Nelson**LOCATION:** 7001 Hyer Ln., located on Lomo Alto Dr. between Hyer Ln. and Lovers Ln.**DATE FILED:** May 31, 2012**ZONING:** CR**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 0.893 Acres. **MAPSCO:** 35A**APPLICANT/OWNER:** R&P Equities, Ltd.

REQUEST: An application to replat a 0.893 acre tract of land containing all of Lot 17A and part of Lot 18 in City Block 11/5688 to create one lot at 7001 Hyer Lane and located on Lomo Alto Drive between Hyer Lane and Lovers Lane.

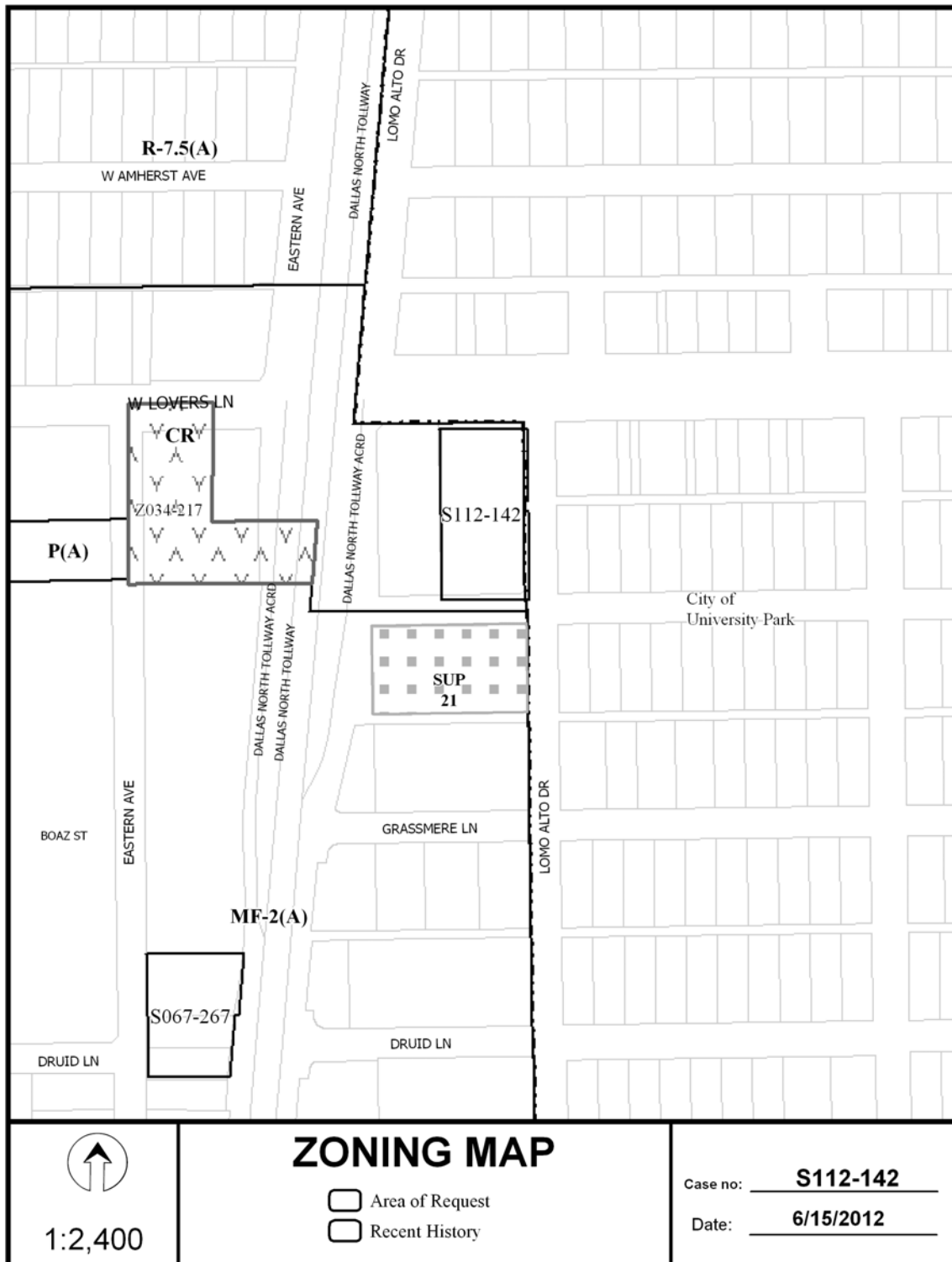
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

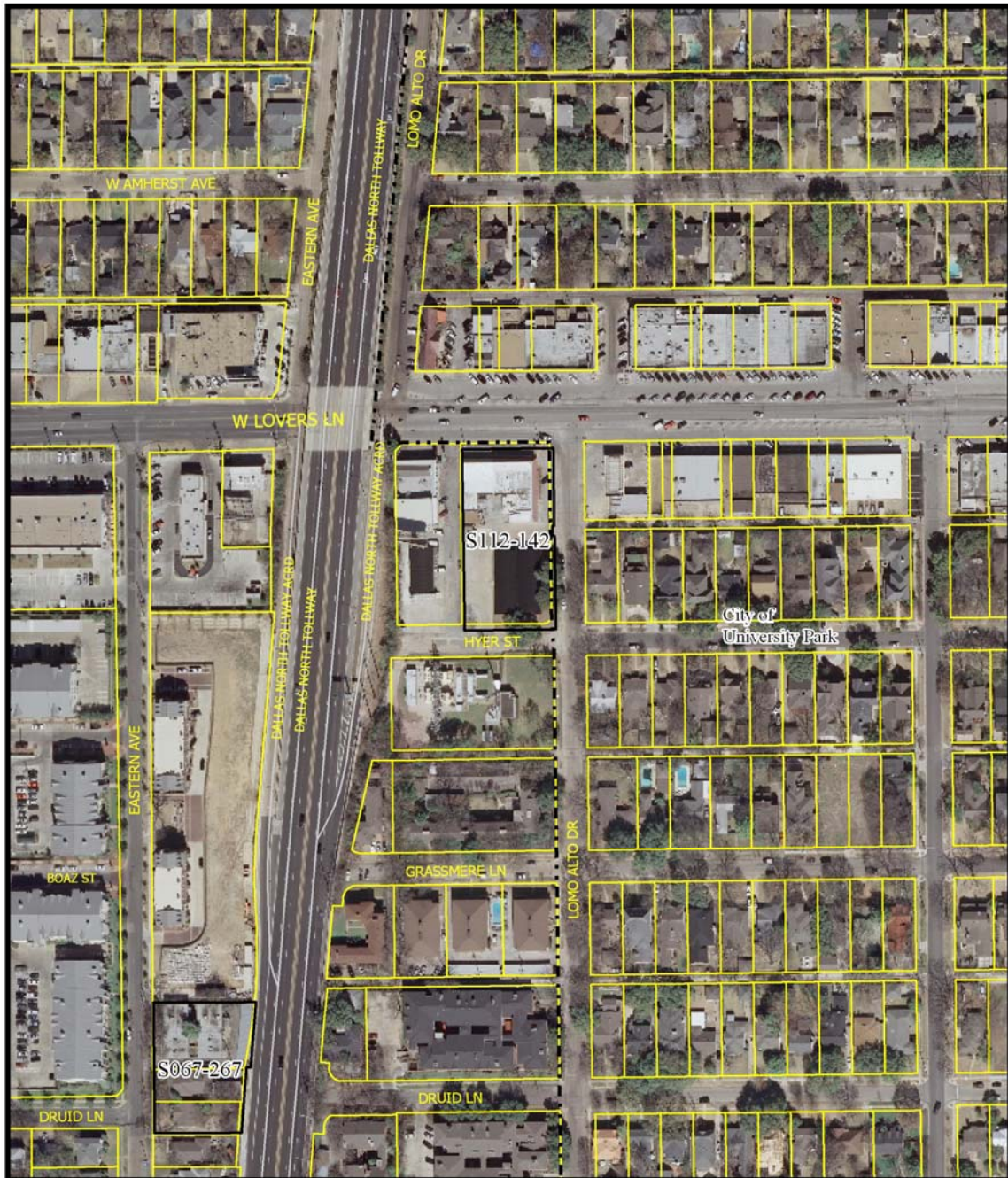
STAFF RECOMMENDATION: The proposed subdivision complies with the requirements of the CR District; therefore, staff recommends approval subject to compliance with the following conditions:


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

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

10. The maximum number of lots permitted by this plat is 1.
11. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat show how all adjoining ROW was created.
14. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
15. On the final plat dedicate 28 feet of ROW, or a street easement, or Public Utility and Sidewalk Easement equal to 28 feet from the established centerline of Hyer Street.
16. On the final plat dedicate 28 feet of ROW, or a street easement, or Public Utility and Sidewalk Easement equal to 28 feet from the established centerline of Lomo Alto Drive.
17. On the final plat dedicate a 10 foot by 10 foot corner clip at Hyer Street and Lomo Alto Drive.
18. On the final plat dedicate a 10 foot by 10 foot corner clip Lovers Lane and Lomo Alto.
19. New water and/or wastewater easements need to be shown.
20. On the final plat show how all adjoining ROW was created.
21. On the final plat change Hyer Lane to Hyer Street.





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|  1:2,400 | <h2 style="text-align: center;">AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p> | Case no: <u> S112-142 </u> Date: <u> 6/15/2012 </u> |
|--|--|--|

CITY PLAN COMMISSION**THURSDAY, JUNE 21, 2012****FILE NUMBER:** S112-129**Subdivision Administrator:** Paul Nelson**LOCATION:** 6106 Llano Avenue at Skillman Street, southeast corner**DATE FILED:** May 23, 2012**ZONING:** R-7.5(A)**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 0.195 Acre **MAPSCO:** 36U**APPLICANT:** Dagoberto & Blanca Ponce

REQUEST: An application to replat a 0.195 acre tract of land containing part of Lots 18 and 19 in City Block 18/2095 into one lot at 6106 Llano Avenue at Skillman Street, southeast corner.

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

DATES NOTICES SENT: 21 notices were mailed June 4, 2012.

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..."

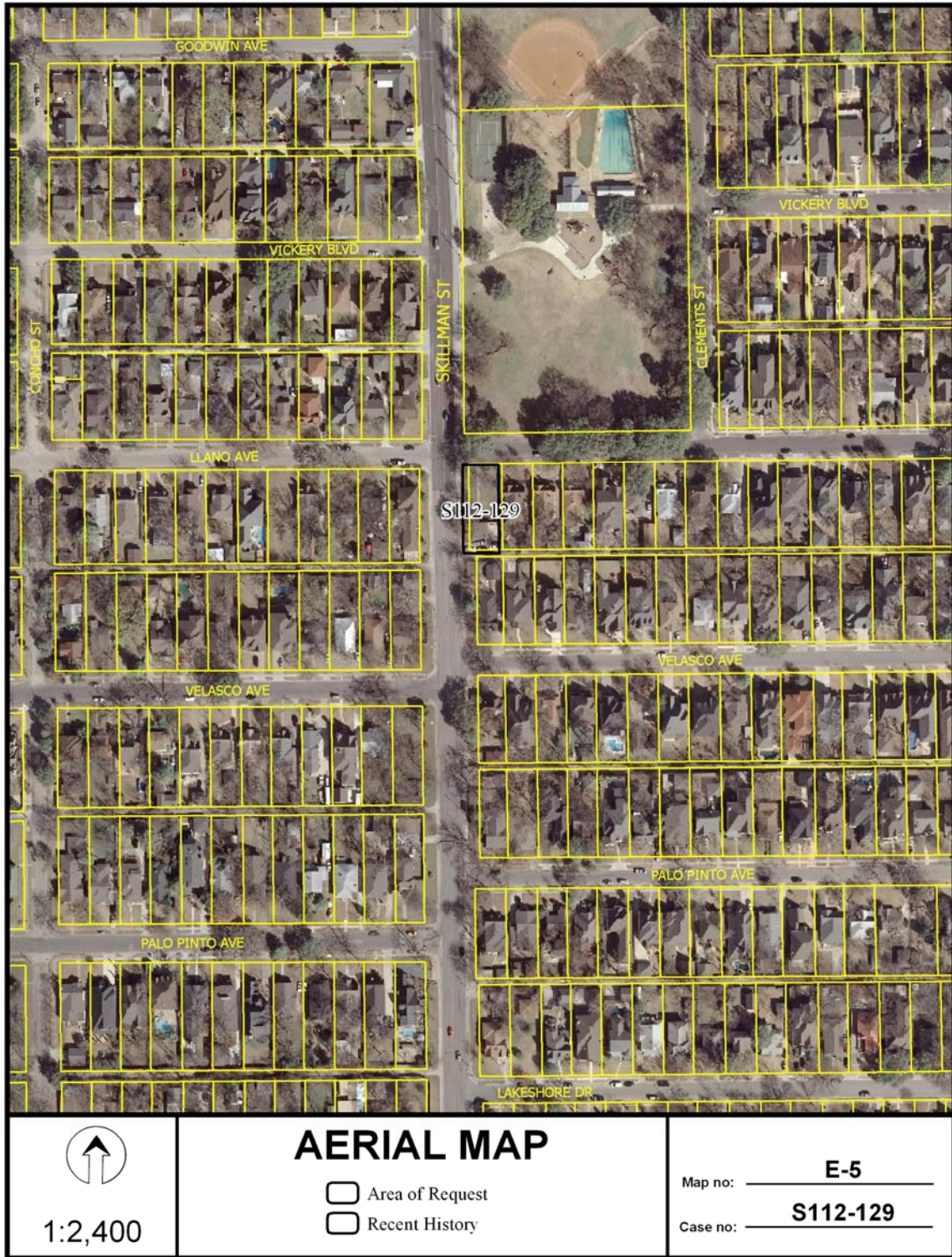
The request complies with the requirements of the R-7.5(A) district. The staff has determined that the proposed subdivision is compatible with the established lot pattern in the vicinity of this request. The remainder of Lot 18 was created by the acquisition of the other part of Lot 18 for ROW at some point in the distant past; therefore staff recommends approval subject to compliance with the conditions in the docket.

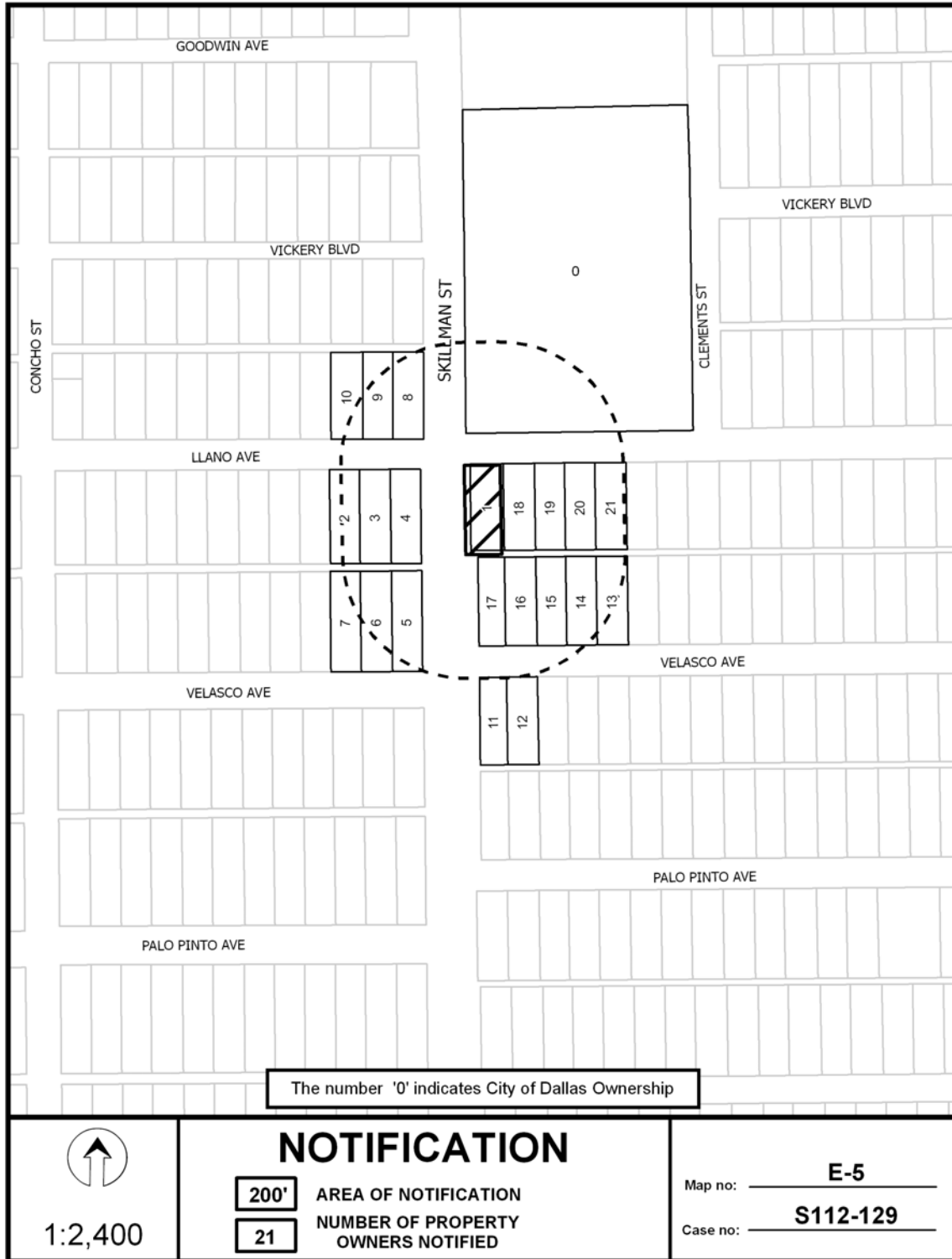
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.

6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
13. On the final plat dedicate 7.5' of ROW from the established centerline of the alley.
14. On the final plat dedicate a 15' x 15' corner clip at Skillman Street and Llano Avenue.
15. On the final plat dedicate a 15' x 15' corner clip at Skillman Street and the alley.
16. On the final plat show how all adjoining ROW was created.
17. On the final plat show two control monuments must be shown.
18. On the final plat show distance/width of ROW across Skillman Street.
19. Provide a copy of the Vesting Deed to Sustainable Development and Construction, Survey Section, Room 200, Oak Cliff Municipal Center.
20. On the final plat revise the purpose of the plat as this is not an Amending plat.



6/3/2012





Notification List of Property Owners

S112-129

21 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|------------------|---|
| 1 | 6106 LLANO AVE | PONCE DAGOBERTO & BLANCA F |
| 2 | 6038 LLANO AVE | GRAMM WILLIAM J |
| 3 | 6042 LLANO AVE | GRAMM WILLIAM J |
| 4 | 6046 LLANO AVE | HARLAN RESIDENTIAL REALTY LLC |
| 5 | 6045 VELASCO AVE | DUARTE TOMAS A |
| 6 | 6043 VELASCO AVE | GRANADO GIL & ENEDINA |
| 7 | 6039 VELASCO AVE | GRUBB PATRICK |
| 8 | 6047 LLANO AVE | GOETZELMAN SARA J |
| 9 | 6043 LLANO AVE | KUTZ RONALD J II |
| 10 | 6037 LLANO AVE | GIESECKE NOEL MARTIN & SUSAN ELIZABETH |
| 11 | 6106 VELASCO AVE | NOCKELS JONATHAN A & DEBRA |
| 12 | 6108 VELASCO AVE | IVIE JOHN H III & SYLVIA H |
| 13 | 6123 VELASCO AVE | FAGAN HUGH L & AIMEE P |
| 14 | 6119 VELASCO AVE | FORD FRANK & LAURA |
| 15 | 6115 VELASCO AVE | KHOURI GEORGES I & GRACE V |
| 16 | 6111 VELASCO AVE | CZAPOR BETH ANN |
| 17 | 6107 VELASCO AVE | VEGOVISCH RONALD F |
| 18 | 6110 LLANO AVE | RUSH DARRYL |
| 19 | 6112 LLANO AVE | LOZANO CONCEPCION LOPEZ |
| 20 | 6118 LLANO AVE | GREENBROOK HOMES LLC |
| 21 | 6120 LLANO AVE | LIBERTY FEDERAL SAVINGS BANK ATTN DOUG PARKER |

Friday, June 01, 2012

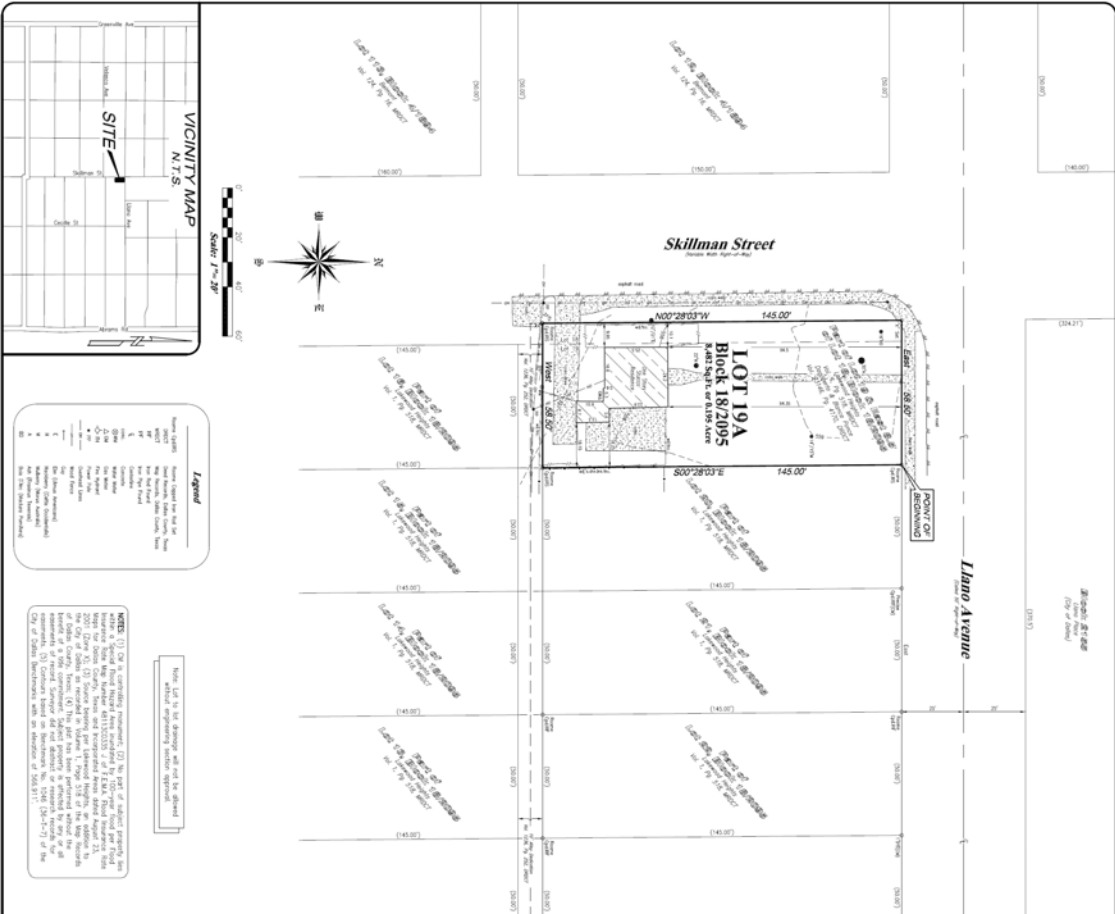
Notification List of Property Owners

S112-139

5 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|------------------|-----------------------------------|
| 1 | 4101 LAWOTHER DR | AMEND JOHN T & TERESA A |
| 2 | 4111 LAWOTHER DR | RAYMOND ROBERT W & ANNE L RAYMOND |
| 3 | 4109 LAWOTHER DR | ARCHER JAMES W & CAROL S |
| 4 | 4033 LAWOTHER DR | TODD VIRGINIA M |
| 5 | 4211 LAWOTHER DR | SAUNDERS KENNETH E & KYLE M |

Sunday, June 03, 2012



VICINITY MAP
N.T.S.

Legend

Scale: 1" = 20'

North Arrow

Site location on vicinity map

PRELIMINARY PLAT OF
THIRTE MANOR
being Part of Lot 19 & the East 8.5' of Lot 18,
Block 18/2095 of Lakewood Heights
Allen Beard Survey, Abstract No. 66
City of Dallas, Dallas County, Texas
May 3, 2012
City File No. S112-129

PLAT OF
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared **Alison Paves**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

WITNESSE MY HAND AND SEAL OF OFFICE, this 3rd day of May, 2012.

NOTARY PUBLIC in and for
The State of Texas

COMMISSION EXPIRES _____ 2012

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared **Alison Paves**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

WITNESSE MY HAND AND SEAL OF OFFICE, this 3rd day of May, 2012.

NOTARY PUBLIC in and for
The State of Texas

COMMISSION EXPIRES _____ 2012

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared **J.P. Remondino, Jr.**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

WITNESSE MY HAND AND SEAL OF OFFICE, this 3rd day of May, 2012.

NOTARY PUBLIC in and for
The State of Texas

COMMISSION EXPIRES _____ 2012

CHIEF OF TITLE
CONVEYANCE

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared **Alison Paves**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

WITNESSE MY HAND AND SEAL OF OFFICE, this 3rd day of May, 2012.

NOTARY PUBLIC in and for
The State of Texas

COMMISSION EXPIRES _____ 2012

CHIEF OF TITLE
CONVEYANCE

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared **J.P. Remondino, Jr.**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

WITNESSE MY HAND AND SEAL OF OFFICE, this 3rd day of May, 2012.

NOTARY PUBLIC in and for
The State of Texas

COMMISSION EXPIRES _____ 2012

CITY PLAN COMMISSION**THURSDAY, JUNE 21, 2012****FILE NUMBER:** S112-134**Subdivision Administrator:** Paul Nelson**LOCATION:** Pleasant Ridge Dr. north of Nupine Lane.**DATE FILED:** May 25, 2012**ZONING:** PD 226**CITY COUNCIL DISTRICT:** 3 **SIZE OF REQUEST:** 0.7343 Acre **MAPSCO:** 61B, R**APPLICANT:** Kenneth and Shellie Van Druten

REQUEST: An application to replat a 0.7343 acre tract of land containing all of Lots 11 and 12 in City Block 4/8711 to create one lot on Pleasant Ridge Dr. north of Nupine Lane.

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

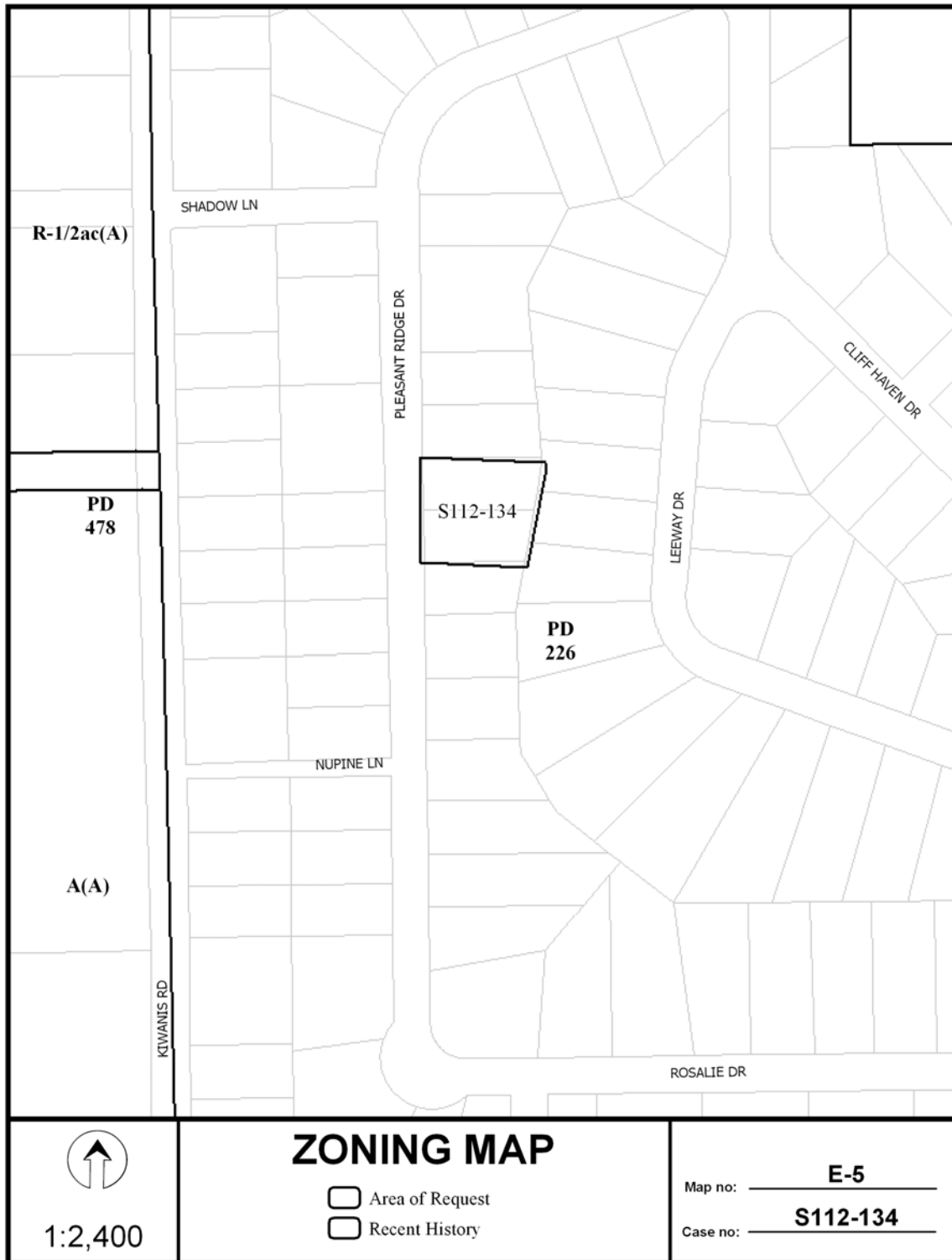
DATES NOTICES SENT: 16 notices were mailed June 4, 2012.

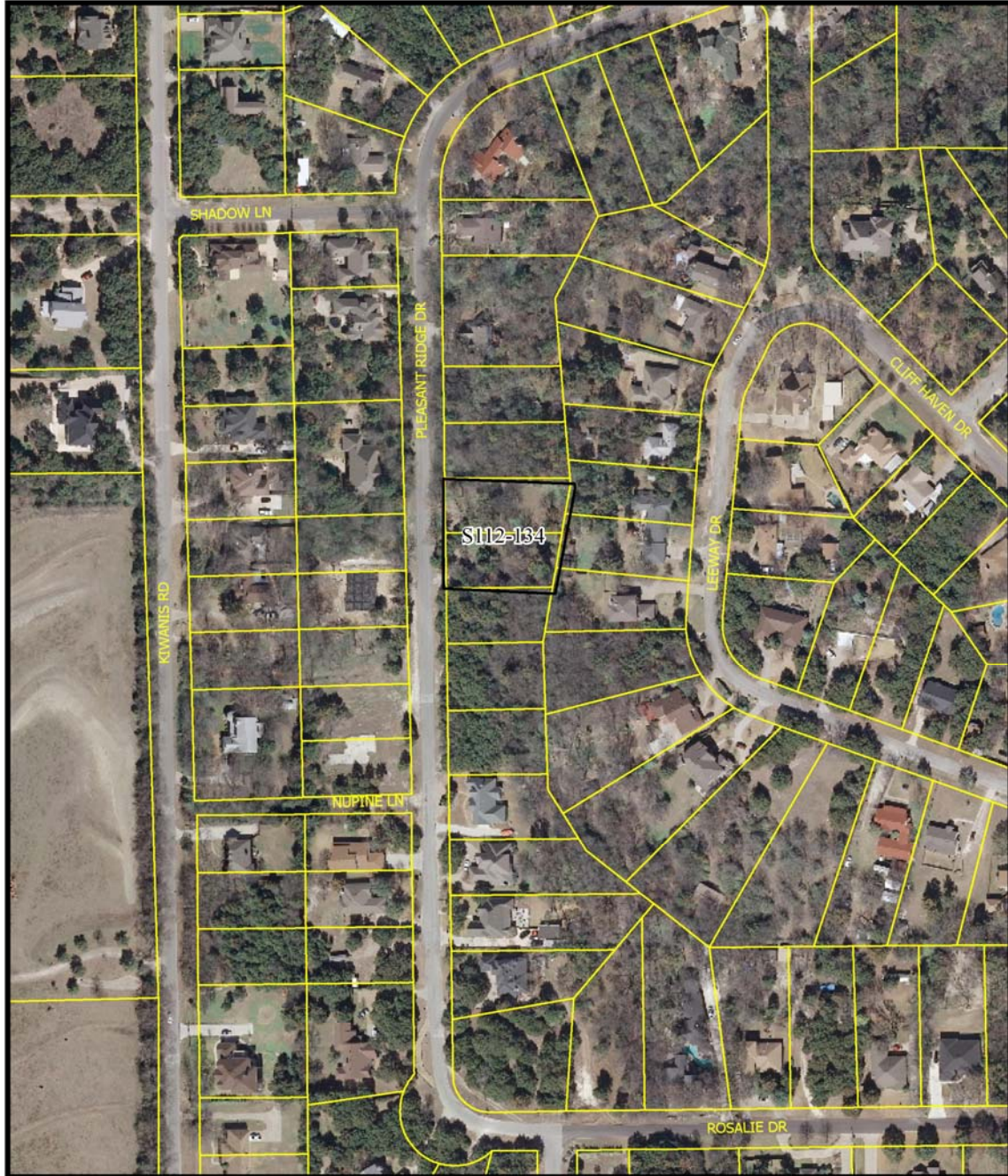
STAFF RECOMMENDATION: Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography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

The request complies with the requirements of PDD 226. The PD contains a provision that requires the replatting of lots only when the lot size is increased. The staff has determined that the proposed subdivision complies with the provisions of PD 226; therefore, staff recommends approval subject to compliance with the conditions in the docket.

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.

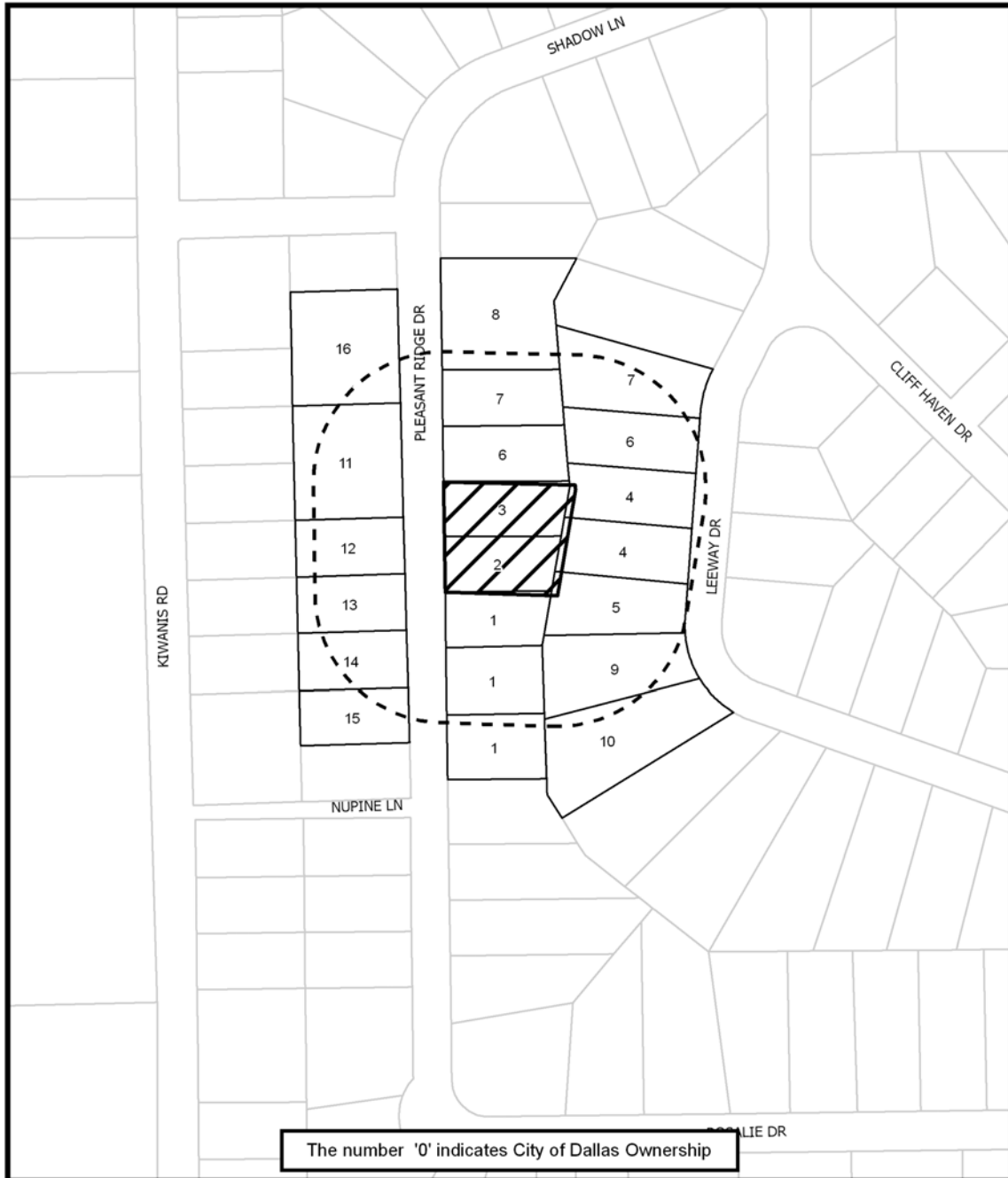
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. 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.
13. On the final plat determine the 100 year water surface elevation across the plat.
14. On the final plat show how all adjoining ROW was created.
15. On the final plat two control monuments must be shown.
16. On the final plat chose a different addition name.
17. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
18. Wastewater main extension is required by Private Development Contract
19. Covenant may be needed for as no Wastewater is available.





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|  1:2,400 | <h2 style="text-align: center;">AERIAL MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History | <p style="text-align: right;">Map no: <u> E-5 </u></p> <p style="text-align: right;">Case no: <u> S112-134 </u></p> |
|--|---|---|

6/3/2012



| | | | |
|--|--|--|--------------------------------------|
|  1:2,400 | NOTIFICATION | | Map no: <u> E-5 </u> |
| | <div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">16</div> NUMBER OF PROPERTY OWNERS NOTIFIED | | Case no: <u> S112-134 </u> |

6/3/2012

Notification List of Property Owners

S112-134

16 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|------------------------|--|
| 1 | 9 PLEASANT RIDGE DR | ACOSTA RAUL |
| 2 | 11 PLEASANT RIDGE DR | DRUTEN KENNETH VAN & SHELLIE |
| 3 | 12 PLEASANT RIDGE DR | VAN DRUTEN KENNETH & SHELLIE |
| 4 | 5435 LEEWAY DR | TSING STEPHEN |
| 5 | 5439 LEEWAY DR | CORNELL WILLIAM B |
| 6 | 5423 PLEASANT RIDGE DR | SCHMASSMANN MATHIAS K |
| 7 | 5417 PLEASANT RIDGE DR | ZIMMER KATHRINE M |
| 8 | 5514 PLEASANT RIDGE DR | RAMSEY PAMELA S |
| 9 | 5501 LEEWAY DR | ACOSTA RAUL A |
| 10 | 5505 LEEWAY DR | BOURDEAU MICHAEL |
| 11 | 5523 PLEASANT RIDGE DR | CARTER ELTON G & CAROL S |
| 12 | 5527 PLEASANT RIDGE DR | YANEZ FRANCISCO R |
| 13 | 5539 PLEASANT RIDGE DR | HUERTA WALTER |
| 14 | 5543 PLEASANT RIDGE DR | LEMUS MARVIN |
| 15 | 5549 PLEASANT RIDGE DR | LEMUS ORLANDO |
| 16 | 5511 PLEASANT RIDGE DR | BOMGARDNER TIMOTHY A & CATHI LOEL BOMGARNDER |

CITY PLAN COMMISSION**THURSDAY, JUNE 21, 2012****FILE NUMBER:** S112-139**Subdivision Administrator:** Paul Nelson**LOCATION:** West Lawther Drive, northeast of Fisher Road.**DATE FILED:** May 30, 2012**ZONING:** R-1ac (A)**CITY COUNCIL DISTRICT:** 9 **SIZE OF REQUEST:** 2.4839 Acre **MAPSCO:** 37K,L**APPLICANT:** Lynne McGreal Tonti, c/o Ray Kane

REQUEST: An application to replat a 2.4839 acre tract of land containing part of Tract 4 in City Block 4408 to create one 1.3837 acre lot and one 1.1002 acre on West Lawther Drive, northeast of Fisher Road.

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

DATES NOTICES SENT: 5 notices were mailed June 4, 2012.

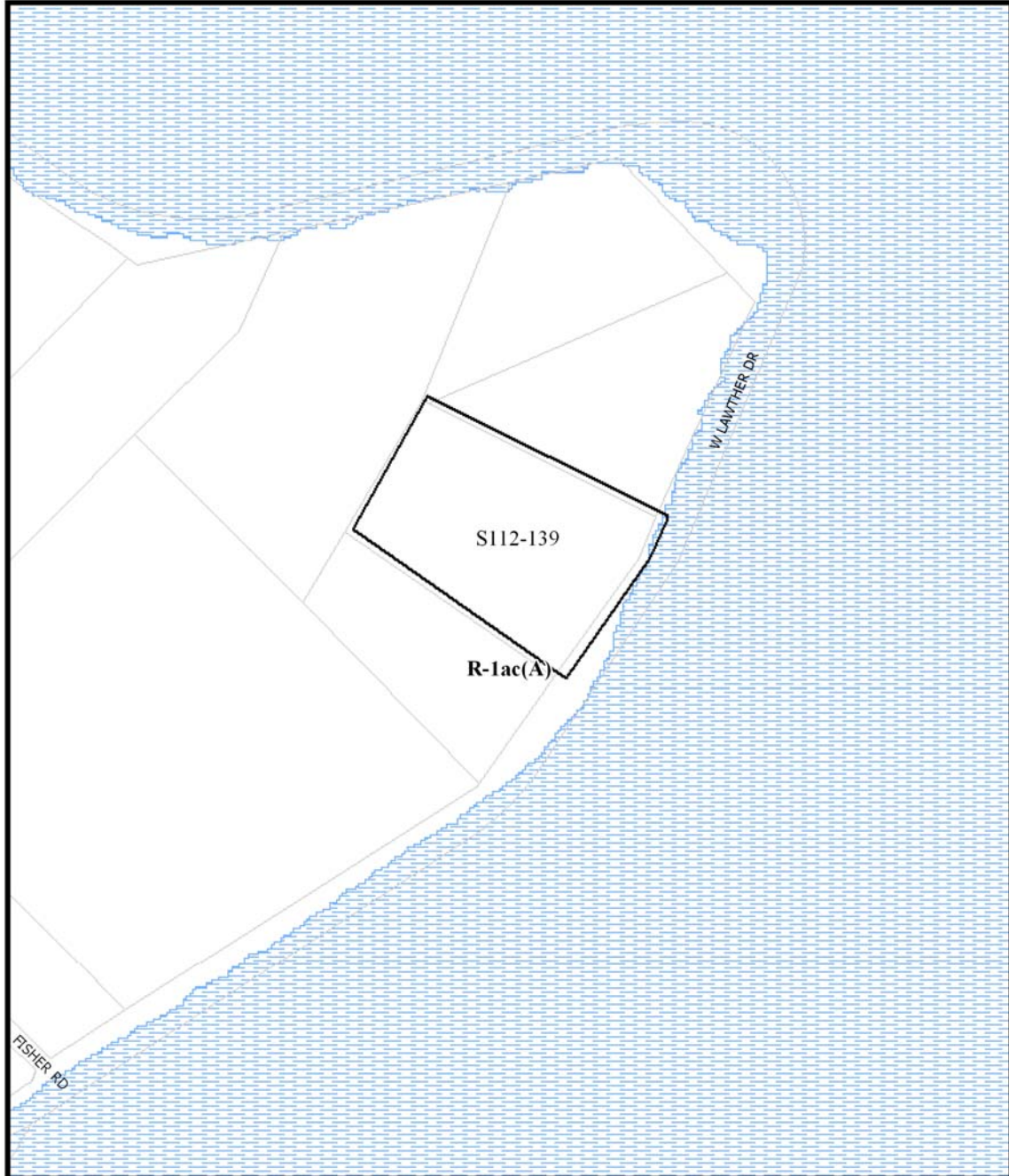
STAFF RECOMMENDATION: Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography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


The request complies with the requirements of the R-1ac(A) district. The lot area in this vicinity is a mixture of lot sizes, most are larger than what is being requested, based on the mixture of lot sizes staff has determined that the proposed subdivision is compatible with the lot sizes in the area; therefore staff recommends approval subject to the conditions in the docket.

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.

6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. 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.
13. On the final plat dedicate 28 feet of ROW, or a street easement, or Public Utility and Sidewalk Easement equal to 28 feet from the established centerline of Lawther Drive
14. On the final plat determine the 100 year water surface elevation across the plat.
15. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
16. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
17. On the final plat specify minimum fill and minimum finished floor elevations.
18. On the final plat show the natural channel set back from the crest of the natural channel.
19. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
20. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
21. On the final plat show how all adjoining ROW was created.
22. On the final plat remove "West" from Lawther Drive unless dedicated as such.

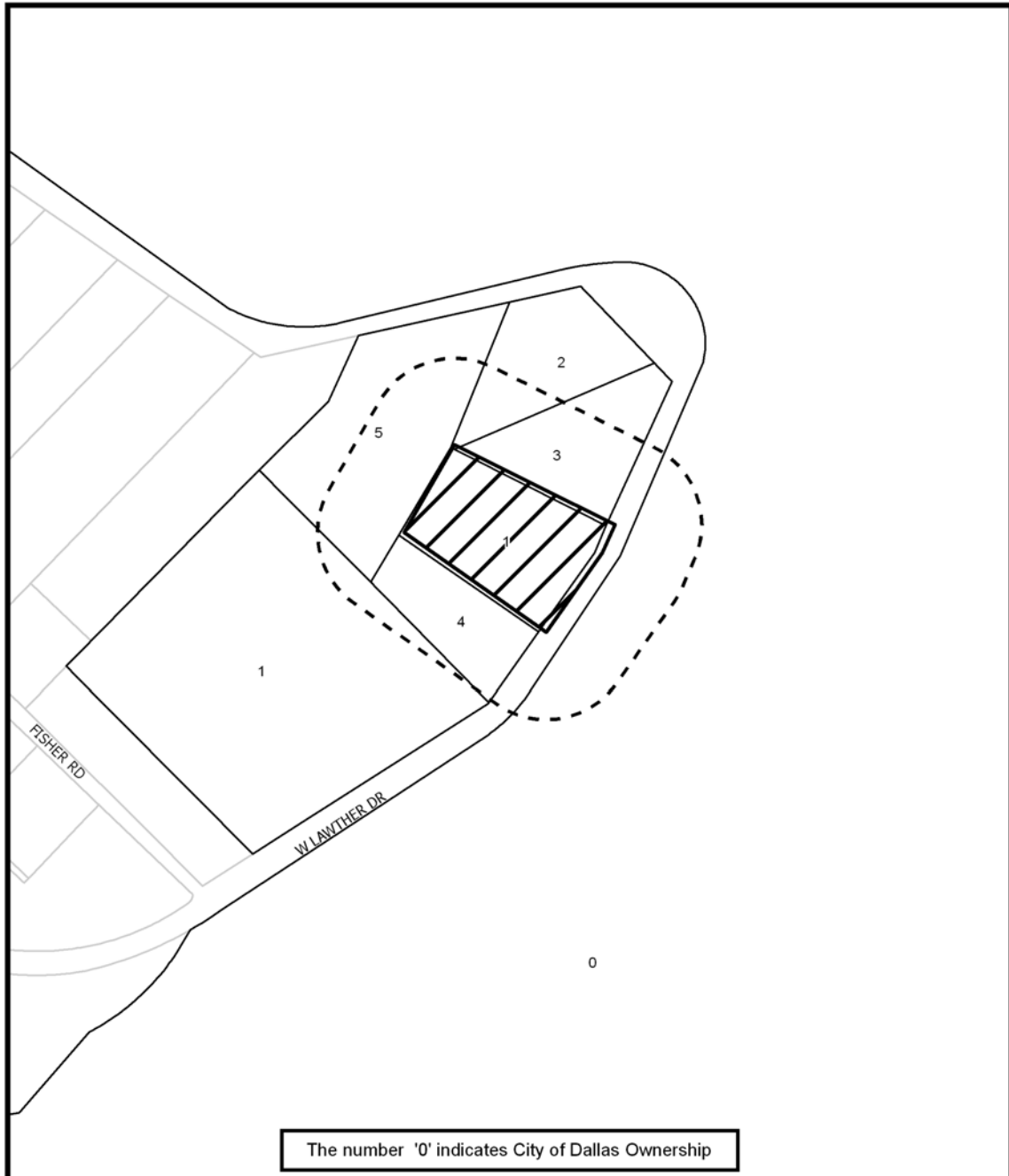
23. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
24. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.



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|  1:2,400 | <h3>ZONING MAP</h3> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History | Map no: <u> E-5 </u> Case no: <u> S112-139 </u> |
|--|---|--|

6/3/2012





| | | | | | | |
|--|--|------|----------------------|---|------------------------------------|--|
|  1:3,600 | <h2>NOTIFICATION</h2> <table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">5</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table> | 200' | AREA OF NOTIFICATION | 5 | NUMBER OF PROPERTY OWNERS NOTIFIED | Map no: <u> E-5 </u> Case no: <u> S112-139 </u> |
| 200' | AREA OF NOTIFICATION | | | | | |
| 5 | NUMBER OF PROPERTY OWNERS NOTIFIED | | | | | |

6/3/2012

Notification List of Property Owners

S112-139

5 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|------------------|-----------------------------------|
| 1 | 4101 LAWOTHER DR | AMEND JOHN T & TERESA A |
| 2 | 4111 LAWOTHER DR | RAYMOND ROBERT W & ANNE L RAYMOND |
| 3 | 4109 LAWOTHER DR | ARCHER JAMES W & CAROL S |
| 4 | 4033 LAWOTHER DR | TODD VIRGINIA M |
| 5 | 4211 LAWOTHER DR | SAUNDERS KENNETH E & KYLE M |

Sunday, June 03, 2012

CITY PLAN COMMISSION**THURSDAY, JUNE 21, 2012****FILE NUMBER:** S112-141**Subdivision Administrator:** Paul Nelson**LOCATION:** Elm Hollow Drive between Bridge Hollow Court & Inwood Road**DATE FILED:** May 30, 2012**ZONING:** R-1ac(A)**CITY COUNCIL DISTRICT:** 13 **SIZE OF REQUEST:** 6.09 Acre **MAPSCO:** 24R**APPLICANT:** Steven & Carol Aaron

REQUEST: An application to replat a 6.09 acre tract of land containing all of Lot 1 in City Block 1/5601 and all of Lot 1A in City Block 1/5589 to create one lot at 9707 Meadowbrook Drive and 5050 Ravine Drive.

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

DATES NOTICES SENT: 14 notices were mailed June 1, 2012.

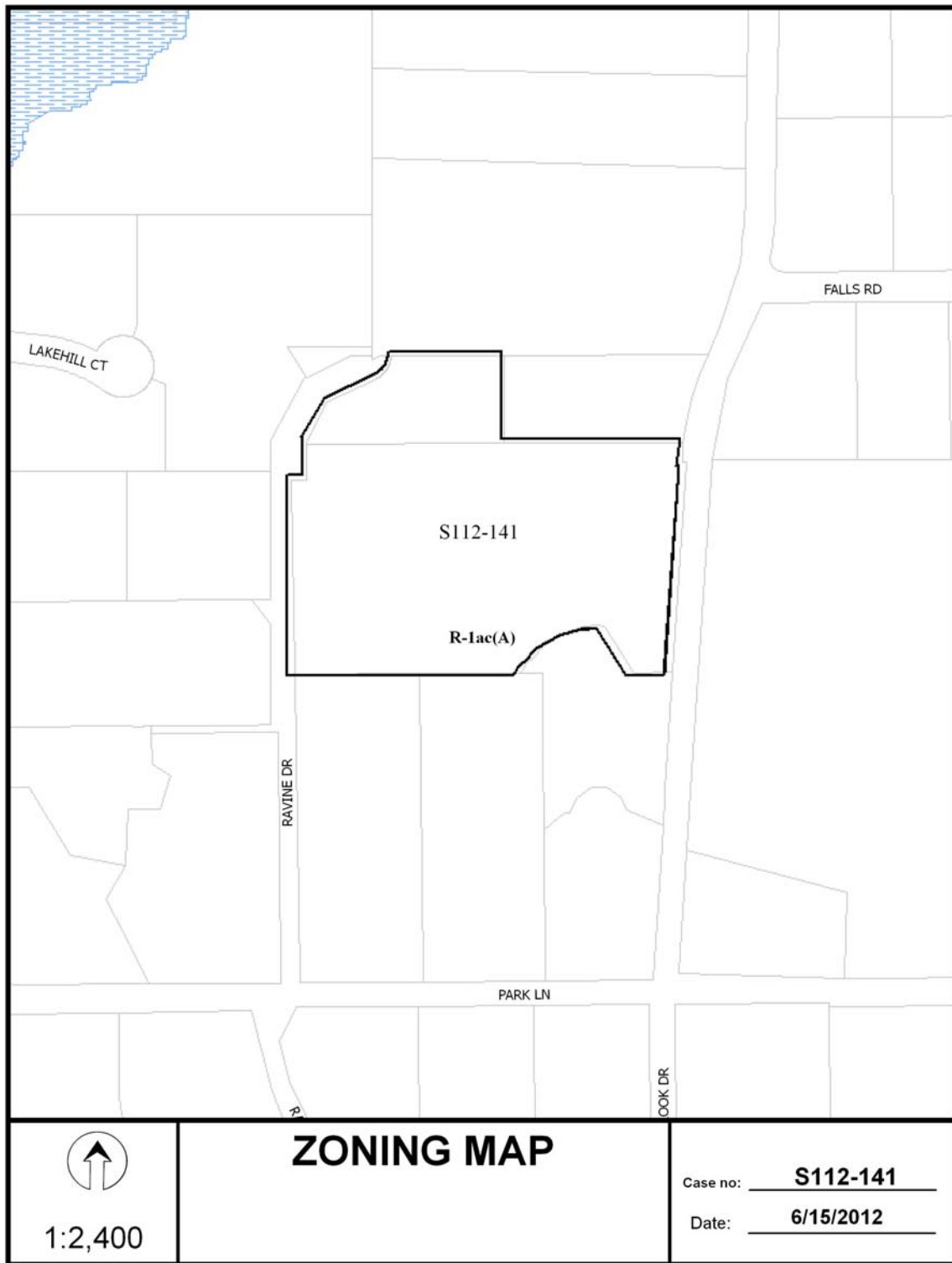
STAFF RECOMMENDATION: Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography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

The request complies with the requirements of the R-1ac(A) district. The lot area in this vicinity is a mixture of lots, some are larger than what is being requested and some are smaller, based on the mixture of lot sizes staff has determined that the proposed subdivision is consistent with the lot areas in the area; therefore staff recommends approval subject to the conditions in the docket.

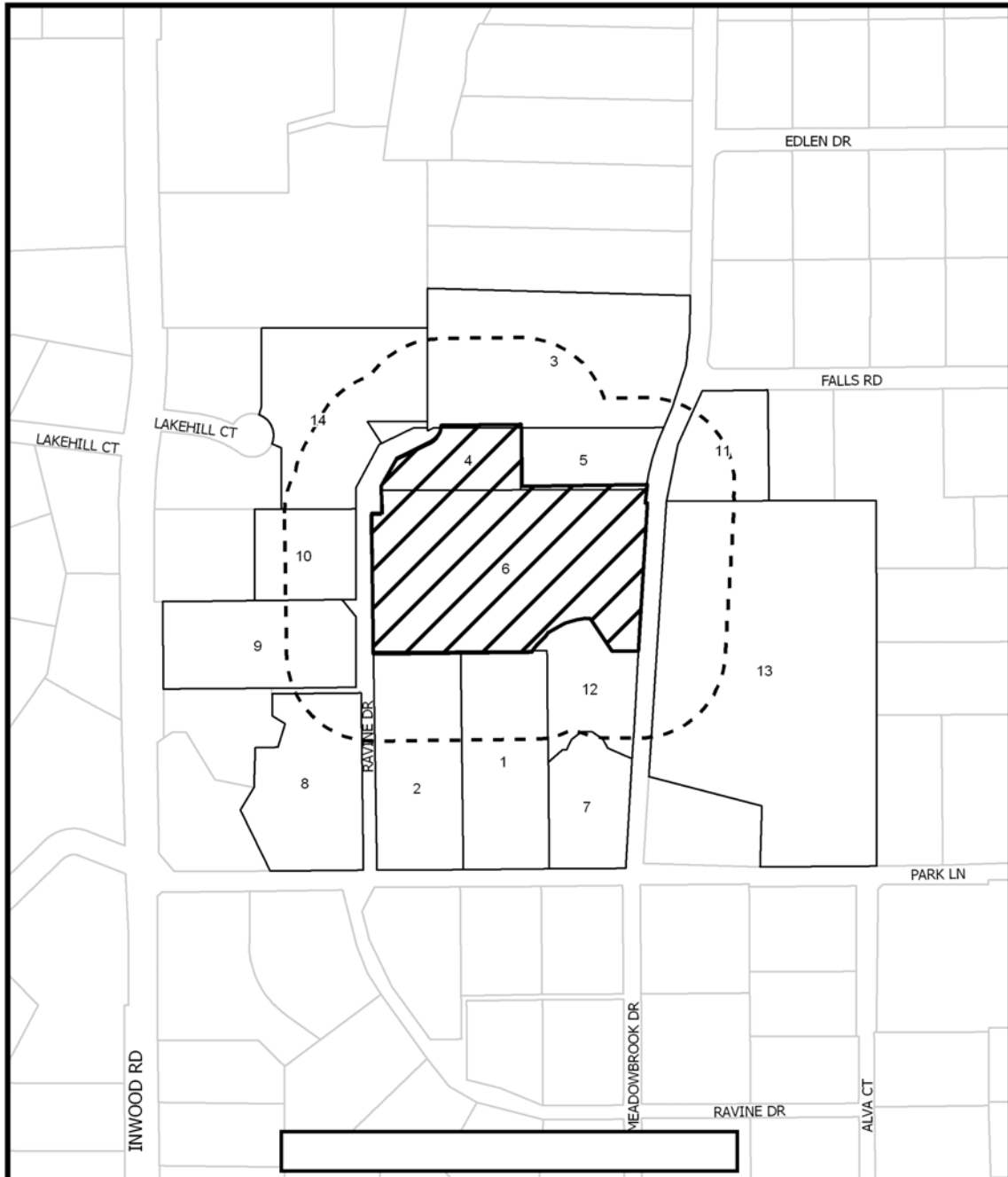
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.

6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. 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.
13. Dedicate 5' or ROW on Meadowbrook Drive.
14. Dedicate 10' of ROW on Ravine Drive.
15. On the final plat determine the 100 year water surface elevation across the plat.
16. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
17. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
18. On the final plat specify minimum fill and minimum finished floor elevations.
19. On the final plat show the natural channel set back from the crest of the natural channel.
20. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
21. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
22. On the final plat show how all adjoining ROW was created.
23. On the final plat show distance/width of ROW across Meadowbrook Drive.
24. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.

25. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
26. Water/wastewater main extension is required by Private Development Contract.
27. On the final plat add labels for the following streets in appropriate right of ways: "Ravine Drive", "Meadowbrook Drive, "Falls Road".







| | | | | | | |
|--|--|-------------|----------------------|-----------|------------------------------------|--|
|  1:3,600 | <h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">14</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table> | 200' | AREA OF NOTIFICATION | 14 | NUMBER OF PROPERTY OWNERS NOTIFIED | Case no: <u> S112-141 </u> Date: <u> 6/15/2012 </u> |
| 200' | AREA OF NOTIFICATION | | | | | |
| 14 | NUMBER OF PROPERTY OWNERS NOTIFIED | | | | | |

Notification List of Property Owners

S112-141

14 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|---------------------|--|
| 1 | 5223 PARK LN | LONGWELL HARRY J & NORMA L |
| 2 | 5205 PARK LN | STRAUSS RICHARD C & DIANA |
| 3 | 9807 MEADOWBROOK DR | BARRETT NONA N & |
| 4 | 5051 RAVINE DR | AARON STEVEN L & CAROL R |
| 5 | 9741 MEADOWBROOK DR | GREENBERG GREG JR & LAURI |
| 6 | 9707 MEADOWBROOK DR | AARON STEVEN L & CAROL R |
| 7 | 5243 PARK LN | EAGLE JOHN & JENNIFER J |
| 8 | 5121 PARK LN | SKOKOS THEODORE C & SHANNON B |
| 9 | 5124 RAVINE DR | POTTER EVA JANE TRUSTEE THE EVA POTTER MORGAN LV |
| 10 | 5030 RAVINE DR | Taxpayer at |
| 11 | 5306 FALLS RD | WARREN KELCY |
| 12 | 9635 MEADOWBROOK DR | CALLOWAY JANICE W |
| 13 | 5323 PARK LN | WARREN KELCY |
| 14 | 5105 LAKEHILL CT | TURLEY R WINDLE & SHIRLEY A |

Sunday, June 03, 2012

FILE NUMBER: W112-015

DATE FILED: May 23, 2012

LOCATION: Southeast corner of S. Lancaster Road and E. Ledbetter Drive

COUNCIL DISTRICT: 8

MAPSCO: 65L, M

SIZE OF REQUEST: Approx 0.572 acres

CENSUS TRACT: 87.05

MISCELLANEOUS DOCKET ITEM:

Owner: NR Station Inc (dba NR Texaco)

Waiver of Two-Year Waiting Period

On September 14, 2011, the City Council approved a change from a D Liquor Control Overlay to a D-1 Liquor Control Overlay and Specific Use Permit No. 1884 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use less than 3,500 square feet located at the above location. According to Section 51A-4.701(d) of the Dallas Development Code, a new application on this property cannot be filed prior to September 14, 2013, without a waiver of the two-year waiting period.

The applicant is requesting a waiver of the two-year waiting period in order to submit an application to amend Specific Use Permit No. 1884. The applicant indicates the change of circumstance is that the contractor built the building larger than shown on the SUP site plan.

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

Staff Recommendation: Denial

W112-015

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. # Z 101-262 / SUP 1884

Location 2104-E-LEDBETTER DR. DALLAS TX 75216

Date of last CPC or CC Action 9-14-11

Applicant's Name, Address & Phone Number RAFIA HOODA 214-929-3171
2104-E-LEDBETTER DR. DALLAS. TX 75216.

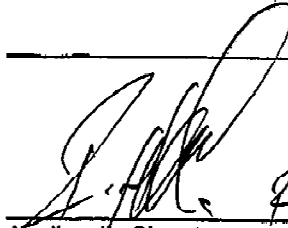
Property Owner's Name, Address and Phone No., if different from above
NR STATION'S INC / DBA NR TEXACO
2104-E. LEDBETTER DR. DALLAS. TX 75216.

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

CONTRACTOR BUILT THE BUILDING BIGER THAN
WE SUBMITTED & SHOWS TO BUILD AND HE
RUN AWAY WITHOUT FINISHED THE BUILDING
(MSG GROUP / MR RASHID) CHITILA 972 804-0444

GOD BLESS YOU & THANK YOU

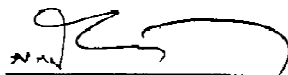
NR STATION'S INC.


RAFIA HOODA
Applicant's Signature

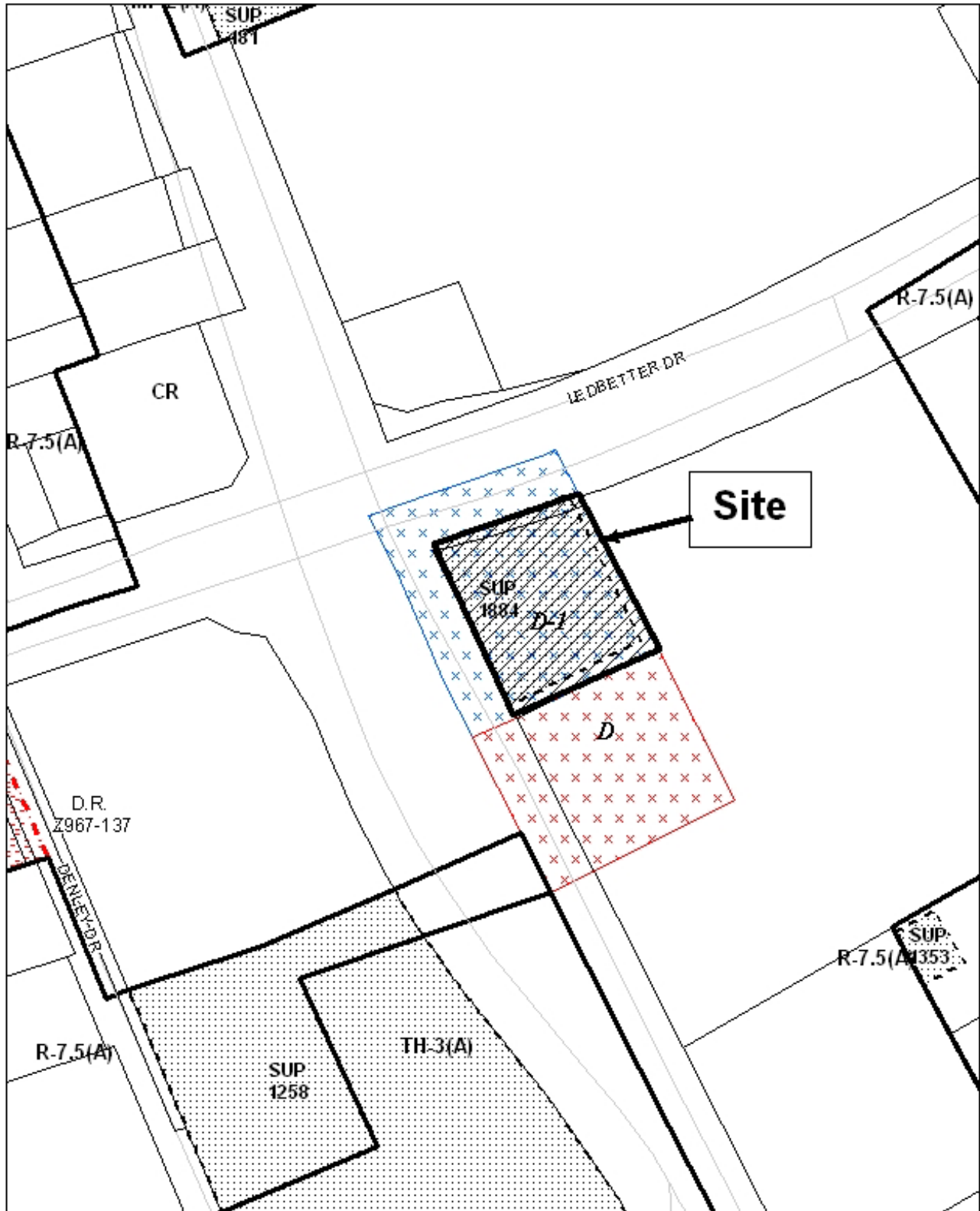
RECEIVED BY

MAY 23 2012

Current Planning


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

Date Received
Fee: \$300.00 receipt # 4104



W112-015
June 21, 2012

FILE NUMBER: Z112-201(RB) **DATE FILED:** March 6, 2012

LOCATION: West Line of Skillman Street, North of Woodcrest Lane

COUNCIL DISTRICT: 14 **MAPSCO:** 36 F, G

SIZE OF REQUEST: Approx. 1.043 Acres **CENSUS TRACT:** 2.02

APPLICANT: Spanish House-Catherine Wallace, Manager and Owner

REPRESENTATIVE: Rob Baldwin

OWNER: LEETEX Construction, LLC-Rick Karlos-President, Alan Grimes-Vice President, and Bob Kriz-Vice President

REQUEST: An application for an amendment to the development plan and conditions for Planned Development District No. 493 for certain Nonresidential Uses and a Specific Use Permit for a Child-care facility.

SUMMARY: The applicant is requesting an amendment to the development plan and conditions to provide for an approximate 3,600 square foot expansion and requesting a specific use permit to utilize the existing improvements for a child-care facility (requires a specific use permit within PDD No. 493) with a projected maximum enrollment of 120 attendees.

STAFF RECOMMENDATION: Approval of an amendment to Planned Development District No. 493, subject to a development plan and conditions, and approval of a Specific Use Permit for a Child-care facility for a three-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The property is developed with an office structure and surface parking area.
- The requested amendment to PDD No. 493 will provide for an approximate 3,600 square foot expansion along the southern façade.
- The applicant proposes to operate a child-care facility, utilizing the entire structure.
- PDD No. 493, adopted by City Council on December 10, 1997, requires an SUP for this use.

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

Thoroughfare

Designation; Existing & Proposed ROW

Skillman Street

Collector; 70' & 70' 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.

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The request site is developed with an office structure and surface parking area. The applicant proposes to utilize the entire structure to operate a child-care facility. PDD No. 493 requires an SUP for the use. The requested amendment to the PDD will provide for an approximate 3,600 square foot expansion along the southern façade.

The site is surrounded by low-density residential uses and abuts the elevated portion of the DART right-of-way (Blue Line) to the north.

It should be noted that all improvements existed at the time PDD No. 493 was created. Even though the requested use is permitted by SUP, staff has concerns related to the impact of outdoor activities normally associated with this use. Specifically, the property currently has an open yard with no physical separation (i.e., solid fencing or landscape materials) and minimal separation (30 feet) from the rear yard of the single family use to the south. Similar to the request site, this residential dwelling does not possess any fencing or landscaping along its rear yard. The site's rear yard is not deep enough for an outdoor play area, and its adjacency issue provides minimal separation (15 foot unimproved public alley right-of-way) from the residential uses to the west.

As a result, the issue of the placement of an outdoor play area is a concern. Staff has made two suggestions as to placement: 1) reconfigure the surface parking area to create a play area within the northern/northeastern portion of the site, furthest from residential, or 2) along the structure's eastern façade and pushed as far north of its southern property line. The applicant has chosen No. 2, and furthermore has committed to fencing of enhanced structural integrity (see detail on attached site plan). It should be noted this portion of the site has a subtle rise in elevation from the southbound travel lanes of Skillman Street, so this in combination of the construction and location from back-of-curb (18'-23') will provide for a relatively safe area for this improvement.

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.

With respect to the portion of the request to amend PDD No. 493 for an increase in floor area, it is anticipated an approximate 3,600 square foot expansion along the southern building façade will be provided. This will necessitate a reduction in the existing side yard setback (from 30 feet to 10 feet). The applicant has agreed to wrap this expansion with landscape materials that will tie into the southeast corner of the above referenced outdoor play area. This combined with a section of solid fence material that runs from the southwest corner of the site eastward across the property line will ensure a measure of screening/buffering not existing at this time.

As a result of this analysis, staff supports the approval of an SUP for a child-care facility, subject to a site plan and conditions, and furthermore supports the requested amendment to the PDD, subject to a development plan and conditions.

Z112-201(RB)

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

Landscaping: The site possesses significant landscaped areas. As noted above, the applicant has agreed to provide landscape materials within the southeast corner of the property as noted on the attached plans (site plan and development plan).

STAFF'S RECOMMENDED AMENDING CONDITIONS
ARTICLE 493.
PD 493.

SEC. 51P-493.101. LEGISLATIVE HISTORY.

PD 493 was established by Ordinance No. 23374, passed by the Dallas City Council on December 10, 1997. Ordinance No. 23374 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 23374; 26042)

SEC. 51P-493.102. PROPERTY LOCATION AND SIZE.

PD 493 is established on property generally located along the west line of Skillman Street, north of the north line of Woodcrest lane. The size of PD 493 is approximately 1.04 acres. (Ord. Nos. 23374; 26042)

SEC. 51P-493.103. DEFINITIONS AND INTERPRETATIONS.

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

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

(c) This district is considered to be a nonresidential zoning district. (Ord. Nos. 23374; 26042)

SEC. 5Pp-493.103.1. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit 493A: development plan.

SEC. 51P-493.104. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit 493A). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control. ~~*[Note: The development plan is incorrectly stamped with Ordinance No. 23375, rather than Ordinance No. 23374.]*~~ (Ord. Nos. ~~23374; 26042~~)

SEC. 51P-493.105. MAIN USES PERMITTED.

(a) Agricultural uses.
-- Crop production.

(b) Commercial and business service uses.
-- None permitted.

(c) Industrial uses.

-- None permitted.

(d) Institutional and community service uses.

- Child-care facility. [SUP]
- Church.
- Community service center. [SUP]
- Library, art gallery, or museum. [SUP]
- Public or private school. [SUP]

(e) Lodging uses.

-- None permitted.

(f) Miscellaneous uses.

-- Temporary construction or sales office.

(g) Office uses.

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

(h) Recreation uses.

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

(i) Residential uses.

-- None permitted.

(j) Retail and personal service uses.

-- None permitted.

(k) Transportation uses.

-- Transit passenger shelter.

(l) Utility and public service uses.

- Electrical substation. [SUP]
- Local utilities.
- Police or fire station. [SUP]
- Utility or government installation other than listed. [SUP]

(m) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]
(Ord. Nos. 23374; 26042)

SEC. 51P-493.106. ACCESSORY USES.

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

(b) The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.
- Amateur communication tower.
- Home occupation.
- Private stable.

(Ord. Nos. 23374; 26042)

SEC. 51P-493.107. 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 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 [~~below~~], the yard, lot, and space regulations for the NO(A) Neighborhood Office District [~~contained in Section 51A-4.121(a)(4)~~] apply [~~to this PD~~].

(b) Front, side, and rear yard. ~~Minimum front, side, and rear yards are as shown on the development plan.~~

(1) Minimum front yard is 22 feet.

(2) Minimum side yard along the southern Property line is ten feet.

(3) Minimum rear yard is 11 feet.

(c) Floor area. Maximum floor area is 15,000 square feet. ~~as shown on the development plan.~~

(d) Height. Except as provided in Section 51A-4.408(a)(2), maximum structure height is 30 feet.

(e) Lot coverage. Maximum lot coverage is 35 percent. ~~as shown on the development plan.~~

(f) Stories. Maximum number of stories above grade is two. (Ord. Nos. 23374; 26042)

SEC. 51P-493.108. OFF-STREET PARKING AND LOADING.

Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300) for information regarding

SEC. 51P-493.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 23374; 26042)

SEC. 51P-493.110. LANDSCAPING.

Landscaping must be provided as shown on the development plan ~~in accordance with Article X.~~ All plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 23374; 26042)

SEC. 51P-493.111. SCREENING.

A minimum six-foot-tall solid screening fence must be maintained along the western property line as shown on the development plan. (Ord. Nos. 23374; 26042)

SEC. 51P-493.112. SIGNS.

Signs must comply with the provisions for non-business zoning districts contained in Article VII. (Ord. Nos. 23374; 26042)

SEC. 51P-493.113. LIGHTING.

All outdoor lighting must be operational and maintained in accordance with the Dallas Development Code and must be directed away from adjoining properties. (Ord. Nos. 23374; 26042)

SEC. 51P-493.114. ADDITIONAL PROVISIONS.

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

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. Nos. 23374; 26042)

SEC. 51P-493.115. PAVING.

Z112-201(RB)

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. (Ord. Nos. 23374; 26042)

SEC. 51P-493.116. COMPLIANCE WITH CONDITIONS.

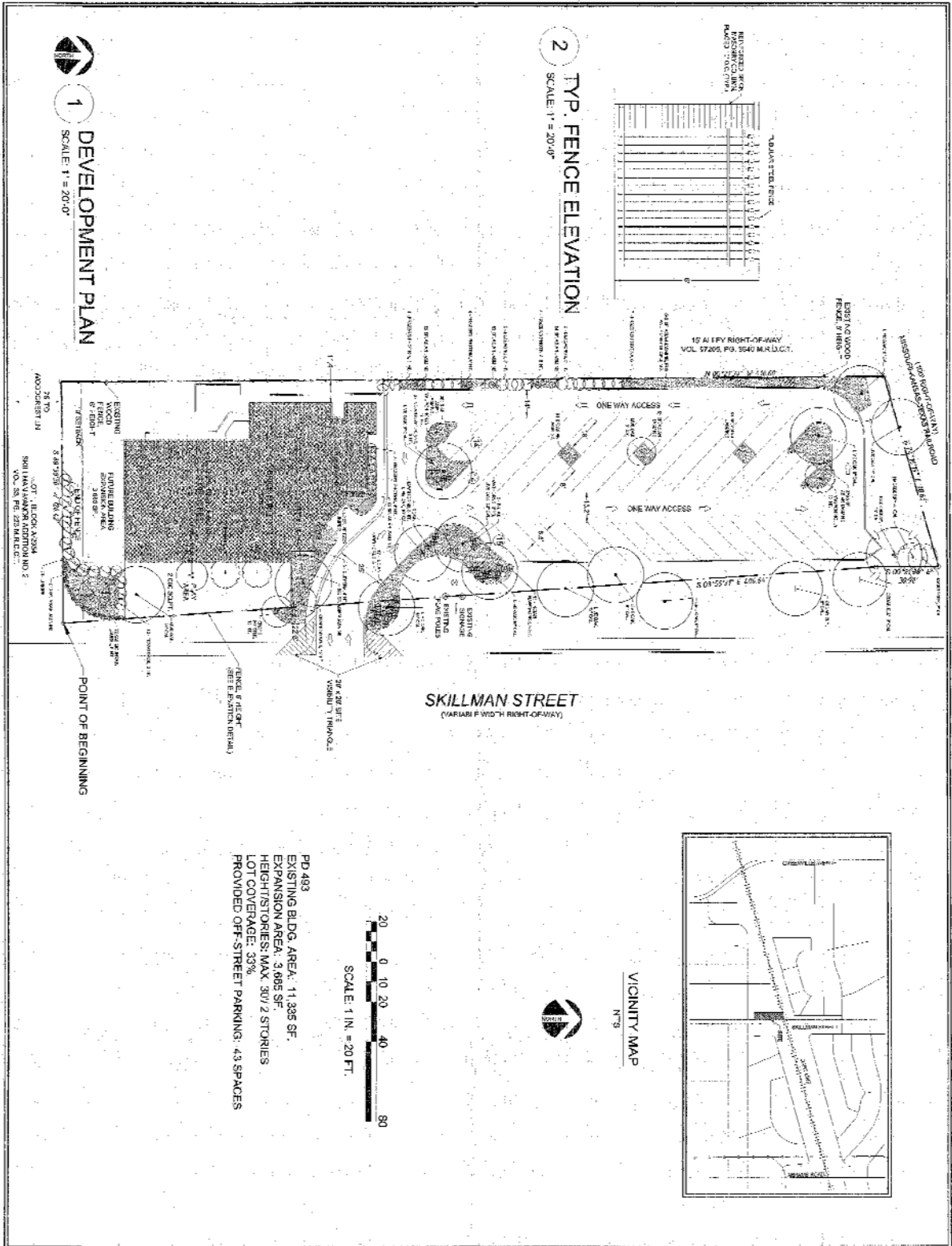
The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 23374; 26042)

~~SEC. 51P-493.117. ZONING MAP.~~

~~PD 493 is located on Zoning Map Nos. H-8 and G-8. (Ord. Nos. 23374; 26042)~~

**CPC RECOMMENDED CONDITIONS FOR A
SPECIFIC USE PERMIT FOR A CHILD-CARE FACILITY**

1. USE: The only use authorized by this specific use permit is a child-care facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (three years from the passage of the ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. FLOOR AREA: The maximum floor area for the child-care facility is 15,000 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION:
 - a. The child-care facility may only operate between 7:30 a.m. and 6:00 p.m., Monday through Friday.
 - b. Use of the outdoor play area is prohibited before 9:00 a.m., Monday through Friday.
6. ENROLLMENT: Enrollment for the child-care facility may not exceed 120 children.
7. QUEUING: Queuing in the public right-of-way is prohibited.
8. LANDSCAPING: Prior to the issuance of a certificate of occupancy for a child-care facility, landscaping must be provided as shown on the attached site plan.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance at all times.
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.



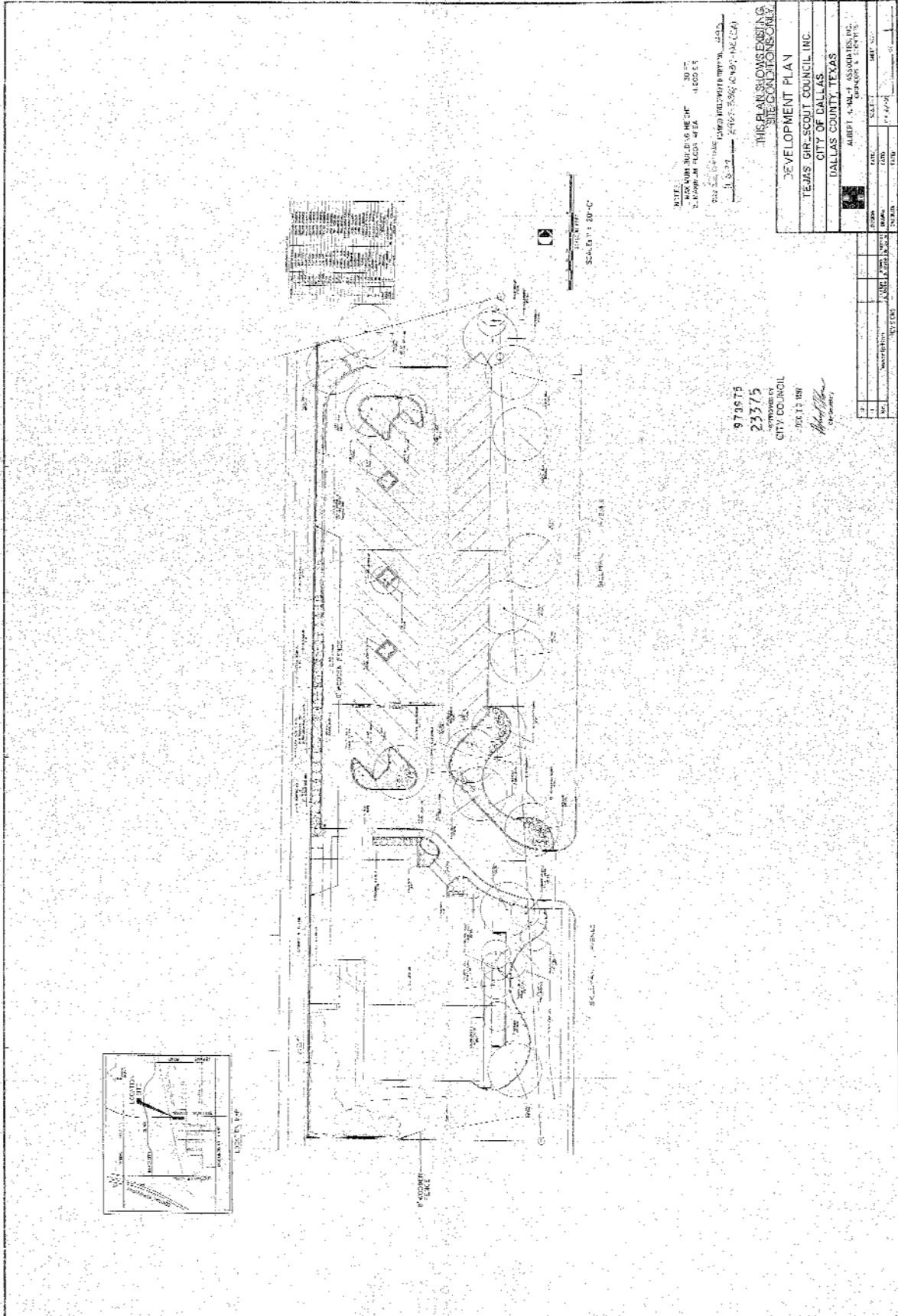
Z112 - 201

4411 SKILLMAN STREET
CITY OF DALLAS, TEXAS

Baldwin
Associates

BALDWIN ASSOCIATES
3904 Elm Street, Suite B
Dallas, Texas 75226
MOBILE: 214.729.7949
OFFICE: 214.824.7849
rol@baldwinassociates.com

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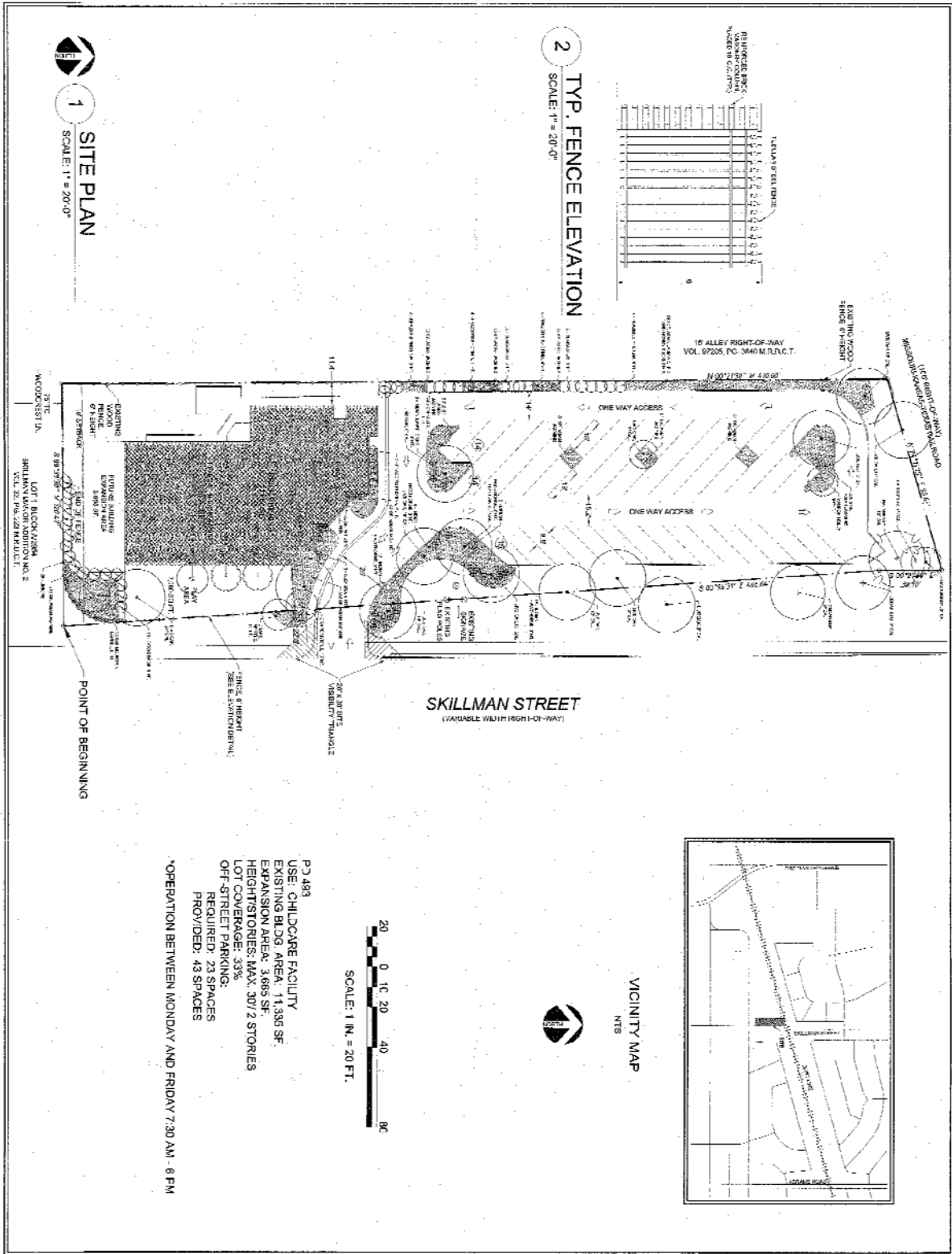


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 100. SEE PLAN SHEET Z112-201 (RB) FOR

THIS PLAN SHOWS EXISTING
 DEVELOPMENT PLAN
 TEXAS GIRL SCOUT COUNCIL, INC.
 CITY OF DALLAS
 DALLAS COUNTY, TEXAS
 ALBERT A. HUNT ASSOCIATES, INC.
 ENGINEERS & ARCHITECTS

970875
 23375
 APPROVED BY
 CITY COUNCIL
 DEC 13 1987
 [Signature]
 (City Engineer)

| NO. | REVISION | DATE | BY | CHKD. |
|-----|---------------------------|----------|----------------|----------------|
| 1 | ISSUED FOR PERMITS | 11/13/87 | ALBERT A. HUNT | ALBERT A. HUNT |
| 2 | REVISED PER CITY ENGINEER | 12/13/87 | ALBERT A. HUNT | ALBERT A. HUNT |



Z112 - 201

4411 SKILLMAN STREET
CITY OF DALLAS, TEXAS

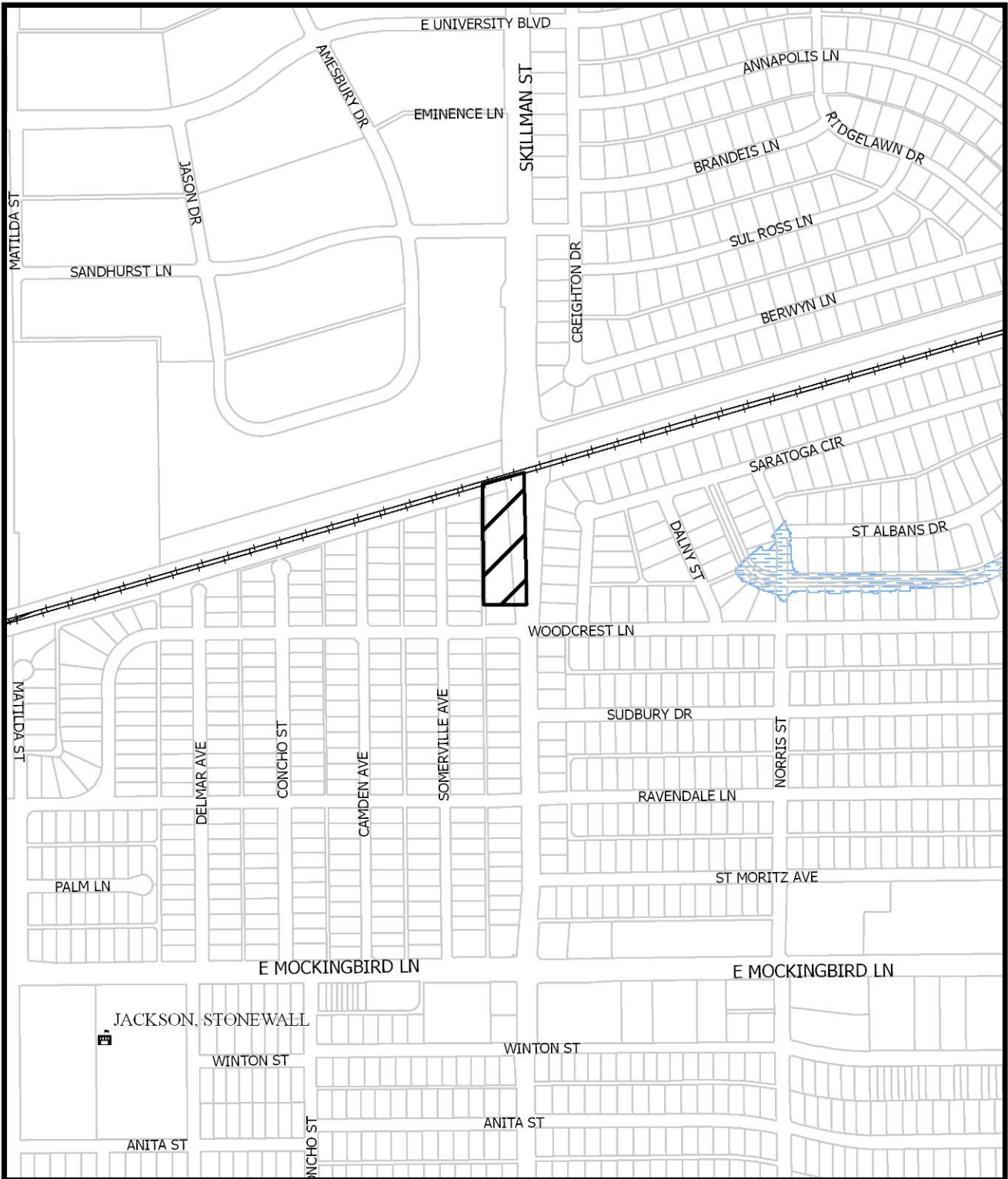
Baldwin
Associates

BALDWIN ASSOCIATES
 3904 Elan Street, Suite B
 Dallas, Texas 75225
 MOBILE: 214.729.7949
 OFFICE: 214.824.7840
 rb@baldwinplanning.com

05/10/12

DATE NUMBER

DATE NUMBER

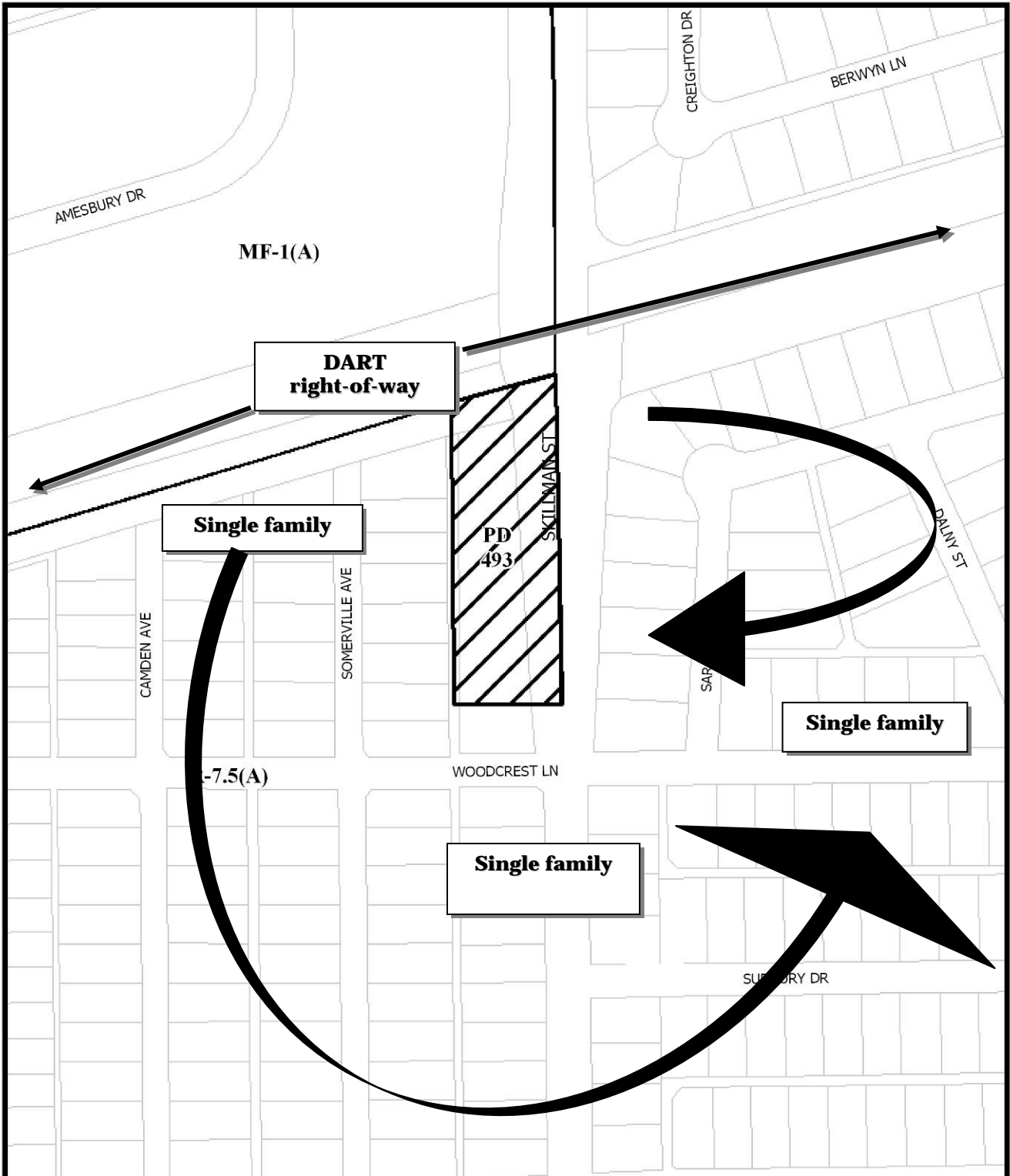


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VICINITY MAP

Case no: Z112-201

Date: 3/22/2012




1:2,400

ZONING AND LAND USE


Case no: Z112-201

Date: 3/22/2012

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



The number '0' indicates City of Dallas Ownership


1:3,600

NOTIFICATION

500' AREA OF NOTIFICATION
103 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-201**
 Date: **5/31/2012**

5/31/2012

Notification List of Property Owners***Z112-201******103 Property Owners Notified***

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|--|
| 1 | 4411 SKILLMAN ST | LEETEX CONSTRUCTION LLC |
| 2 | 401 BUCKNER BLVD | DART |
| 3 | 4346 SOMERVILLE AVE | PRENTICE BRIAN & NAGY JENNIFER |
| 4 | 4338 SOMERVILLE AVE | CHAPMAN KATHLEEN A |
| 5 | 4336 SOMERVILLE AVE | PRENTICE BRIAN |
| 6 | 4332 SOMERVILLE AVE | STURDIVANT RAY GLEN |
| 7 | 4326 SOMERVILLE AVE | SMITH KAREN R & DWAYNE H WATKINS |
| 8 | 4322 SOMERVILLE AVE | HOOKEER LUCY ANN |
| 9 | 4316 SOMERVILLE AVE | JOHNSON VICKI LYNN |
| 10 | 4347 SOMERVILLE AVE | SMITH KRISTYN E |
| 11 | 4343 SOMERVILLE AVE | JC LEASING LLP |
| 12 | 4335 SOMERVILLE AVE | STEELY ROBERT W & ALEXA ROWDEN |
| 13 | 4331 SOMERVILLE AVE | MORGAN LEE L & JEANINE D |
| 14 | 4327 SOMERVILLE AVE | PETRAITIS PROPERTIES INC |
| 15 | 4323 SOMERVILLE AVE | SRUNGARAM PRAVEEN RANGA & HETAL JAGDISH |
| 16 | 4346 CAMDEN AVE | ARTERBURN WILLIAM T |
| 17 | 4340 CAMDEN AVE | ZEPLIN ERICA L |
| 18 | 4334 CAMDEN AVE | BAKER KARLA & STEVEN W |
| 19 | 4330 CAMDEN AVE | J GREGORY HOMES INC |
| 20 | 4326 CAMDEN AVE | DOMBROSKI MICHAEL J |
| 21 | 4434 SOMERVILLE AVE | JOHNSON ERIC W |
| 22 | 4430 SOMERVILLE AVE | JORDAN JAMES MICHAEL |
| 23 | 4426 SOMERVILLE AVE | COOK SCOTT C |
| 24 | 4422 SOMERVILLE AVE | JOHNSON MATTHEW S & JENNIFER L |
| 25 | 4418 SOMERVILLE AVE | ZIELKE DARYL & MARZELLA |
| 26 | 4412 SOMERVILLE AVE | TAYLOR SHARON R |

5/31/2012

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|---------------------|--|
| 27 | 4406 SOMERVILLE AVE | MCDANIEL STEPHEN T & RHONDA M |
| 28 | 4402 SOMERVILLE AVE | BUTLER ROBERT K |
| 29 | 4431 SOMERVILLE AVE | HERRICK JACK L TRUSTEE JACK L HERRICK LI |
| 30 | 4427 SOMERVILLE AVE | JAVADI EMILY & |
| 31 | 4421 SOMERVILLE AVE | KARY NORMAN E |
| 32 | 4417 SOMERVILLE AVE | BROWN SHAWN MICHAEL |
| 33 | 4413 SOMERVILLE AVE | DANIELSON STEVEN JON |
| 34 | 4407 SOMERVILLE AVE | HARRIS DEBORAH KAY |
| 35 | 4403 SOMERVILLE AVE | LEE HUNTER P |
| 36 | 4420 CAMDEN AVE | HARDISON TANYA |
| 37 | 4416 CAMDEN AVE | MAKAR ROGER J |
| 38 | 4410 CAMDEN AVE | GLEISER KATHERINE L |
| 39 | 4406 CAMDEN AVE | FILES JAMES B |
| 40 | 4402 CAMDEN AVE | TOMPKINS JAMES B ETAL |
| 41 | 4419 CAMDEN AVE | SANDRES HERSCHEL R |
| 42 | 4417 CAMDEN AVE | BARCENAS DIANA |
| 43 | 4411 CAMDEN AVE | MCCOMBIE JAMES JR |
| 44 | 4407 CAMDEN AVE | SCHMELTZ ANDREW & BETANCOURT KATHRYN |
| 45 | 4315 SKILLMAN ST | ACKERMAN CHARLES F |
| 46 | 4321 SKILLMAN ST | RODRIGUEZ CONSTANCE |
| 47 | 4325 SKILLMAN ST | STARNS PAUL |
| 48 | 4331 SKILLMAN ST | CISNEROS ROGELIO & FLOR |
| 49 | 4335 SKILLMAN ST | MCKENZIE ALINE |
| 50 | 4341 SKILLMAN ST | WELLS LYLE P |
| 51 | 4345 SKILLMAN ST | BUSTAMANTE VICENTE & ANGELES |
| 52 | 6131 SUDBURY DR | PARTIN JANICE E |
| 53 | 6127 SUDBURY DR | LATOUR KENDRA |
| 54 | 6123 SUDBURY DR | STEINBRUECK BRIAN & KATHERINE |
| 55 | 6117 SUDBURY DR | KING JAMES LEE |
| 56 | 6111 SUDBURY DR | MARION JOSH & TARA |
| 57 | 4330 SKILLMAN ST | BANDA CARLOS V |

5/31/2012

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-------------------|---|
| 58 | 4334 SKILLMAN ST | MCVEAN KAREN D |
| 59 | 4340 SKILLMAN ST | MCVEAN KAREN D ETAL |
| 60 | 4344 SKILLMAN ST | ANDERSON ALEXANDER B & |
| 61 | 6114 WOODCREST LN | REA PAULINE F |
| 62 | 6118 WOODCREST LN | LINCOLN ANNE E & |
| 63 | 6122 WOODCREST LN | PARKER CLAUDIA LOUISE |
| 64 | 6128 WOODCREST LN | MCDONALD CHARLTON T II |
| 65 | 6132 WOODCREST LN | PIERCE KATHERINE |
| 66 | 6138 WOODCREST LN | KALENDER NIMET |
| 67 | 6100 SUDBURY DR | COXE CHARLES |
| 68 | 6112 SUDBURY DR | STEPHENS NORRID MARISA & MARVIN STEPHENS |
| 69 | 4405 SKILLMAN ST | MURPHY ANTHONY |
| 70 | 6161 SARATOGA CIR | HEBERT LAURA E |
| 71 | 6155 SARATOGA CIR | LIPSEY SCOTT F |
| 72 | 6151 SARATOGA CIR | CHERRY SUSIE MELISSA |
| 73 | 6145 SARATOGA CIR | NELSON ROBERT L & BONNIE E |
| 74 | 6141 SARATOGA CIR | THOMAS DIANNE C |
| 75 | 6137 SARATOGA CIR | PATE CHARLES ANDREW & LAURA ELIZABETH |
| 76 | 6133 SARATOGA CIR | GEORGE KENN S |
| 77 | 6129 SARATOGA CIR | MCCLURE RONALD C & BARI LEE MCCLURE |
| 78 | 6123 SARATOGA CIR | MEMZDORF SCOTT & JENNIFER |
| 79 | 6117 SARATOGA CIR | MILLS JAN E |
| 80 | 6111 SARATOGA CIR | FRAZER JORDAN & JOANNA |
| 81 | 6105 SARATOGA CIR | RICHARDSON LAURA L |
| 82 | 6133 WOODCREST LN | SNEED ROBERT L & FRANCES ANN SUNKEL SNEE |
| 83 | 6129 WOODCREST LN | RORKE JAMES D & RACHEL M |
| 84 | 6123 WOODCREST LN | PHINYAWATANA JULIA |
| 85 | 6119 WOODCREST LN | LAWHORN L E |
| 86 | 6118 SARATOGA CIR | REICHARDT WILLIAM D |
| 87 | 6124 SARATOGA CIR | ARNONE LAURA F |
| 88 | 6128 SARATOGA CIR | HECHT EDWARD H |

Z112-201(RB)

5/31/2012

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|---------------------|---|
| 89 | 4437 DALNY ST | HARRISON PATRICIA LYNN |
| 90 | 4433 DALNY ST | LARROCA EDWARD A & JANET |
| 91 | 4427 DALNY ST | DOCKERY DANIEL GRAHAM |
| 92 | 4417 DALNY ST | LOWRY ROY CRAIG |
| 93 | 4662 AMESBURY DR | AMESBURY SKILLMAN LP |
| 94 | 4500 GREENVILLE AVE | TEXAS UTILITIES ELEC CO % STATE & LOCAL |
| 95 | 4615 CREIGHTON DR | SABA JOHN D & EDWINA SABA |
| 96 | 4609 CREIGHTON DR | WEBER ANN M |
| 97 | 4603 CREIGHTON DR | CHARLES BRONSON |
| 98 | 6104 BERWYN LN | FOSTER FRED M & MARSHA KAY TRUSTEES |
| 99 | 6108 BERWYN LN | DEFAZIO JOHN B |
| 100 | 6114 BERWYN LN | FORD FAMILY REVOCABLE LIVING TURST |
| 101 | 6120 BERWYN LN | HERNDON CHRIS |
| 102 | 6115 BERWYN LN | FJORDBAK ANNETTE |
| 103 | 6132 SARATOGA CIR | KELEMEN RUSSELL M & CARI P |

FILE NUMBER: Z112-194(MW)

DATE FILED: February 2, 2012

LOCATION: Northeast corner of South Buckner Boulevard and Norvell Drive

COUNCIL DISTRICT: 4

MAPSCO: 48-U

SIZE OF REQUEST: ±1.009 acre

CENSUS TRACT: 90.00

REPRESENTATIVE: Pamela Craig

APPLICANT: Autry's, Inc.

OWNER: Duke & Sons, Inc.

REQUEST: An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned Subarea 6 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D Liquor Control Overlay

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

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

BACKGROUND INFORMATION:

- The ±1.009-acre request site is developed with a ±3,600-square foot building comprised of two suites. One suite is occupied with a ±2,557-square foot general merchandise or food store (convenience store); the other with a ±1,131-square foot hair salon.
- The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the convenience store.
- Due to the existing D Liquor Control Overlay, the sale of alcoholic beverages on the property requires a D-1 Liquor Control Overlay and a specific use permit
- The request site is surrounded by undeveloped land to the north; single family residential to the east; undeveloped land to the south and a convalescent hospital/nursing home and undeveloped land to the west.

Zoning History:

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

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW |
|---------------------|--------------------|--------------|
| Buckner Boulevard | Principal Arterial | 100 |
| Norvell Drive | Local | 50 |

Land Use:

| | Zoning | Land Use |
|--------------|-------------------------|---|
| Site | PDD No. 366 | Convenience store; hair salon |
| North | PDD No. 366 | Undeveloped |
| East | R-7.5(A) | Single family |
| South | PDD No. 366 | Undeveloped |
| West | PDD No. 366; PDD No. 75 | Undeveloped; convalescent hospital/nursing home |

STAFF ANALYSIS:

Comprehensive Plan:

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

The Vision Illustration depicts the request site as within a *Residential Neighborhood*. While single family dwellings are the dominant land use in such areas, shops, restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections.

In general, the applicant's proposal is consistent with the following goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

Goal 1.1: Promote desired development

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

URBAN DESIGN ELEMENT

GOAL 5.1 Promote a sense of place, safety and walkability

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

Land Use Compatibility:

The ±1.009-acre request site is developed with a ±3,600-square foot building comprised of two suites. One suite is occupied with a ±2,557-square foot general merchandise or food store (convenience store); the other with a ±1,131-square foot hair salon.

The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the convenience store. Due to the existing D Liquor Control Overlay, the sale of alcoholic beverages on the property requires a D-1 Liquor Control Overlay and a specific use permit

The request site is surrounded by undeveloped land to the north; single family residential to the east; undeveloped land to the south and a convalescent hospital/nursing home and undeveloped land to the west.

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

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

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

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

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

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

Development Standards:

| District | Setbacks | | Density | Height | Lot Coverage | Special Standards | Primary Uses |
|----------------------|-----------------------|---|--|------------------|--------------|-------------------------------------|--|
| | Front | Side/Rear | | | | | |
| PDD 366 Subarea 6 | 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 the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area, the requirement for personal services use is also one (1) space per 200 square feet of floor area.

Therefore, the proposed ±2,557-square foot general merchandise or food store (convenience store) and ±1,131-square foot hair salon will require 18 spaces. As depicted on the site plan, 18 spaces will be provided.

Landscaping:

Landscaping must be provided in accordance with Planned Development District No. 366 regulations (§51P-366.110).

Z112-194(MW)

Partners/Principals/Officers:

Owner: Duke & Sons, Inc.

Imad Daouk, Sole Officer and Director

Applicant: Autry's, Inc.

Tigest Atnafe, President/Vice President and Director

Ahmed Omar, Director




Z112-194(MW)

Police Report:

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


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

Virtual Viewer - Public Access Welcome

Search Records - Offense Filter

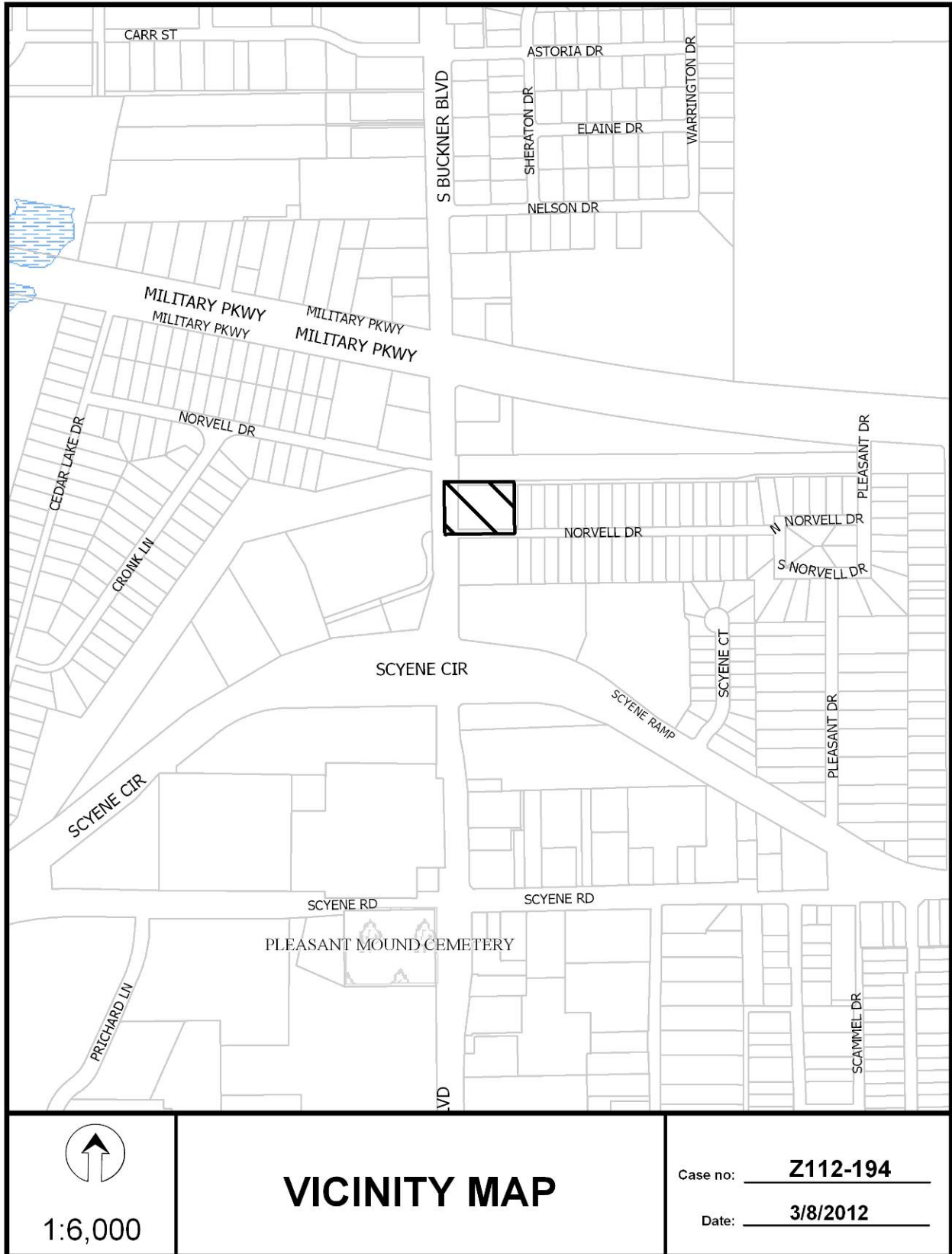
| Service # | Offense Date | Complainant | Offense | Block | Dir | Street | Beat | Reporting Area | UCR1 | UCR2 |
|---------------------------|--------------|----------------------|--------------------------|-------|-----|------------|------|----------------|-------|------|
| 0003441-Y | 01/04/2011 | *E CLASS BARBER SHOP | THEFT | 03510 | S | BUCKNER... | 322 | 1237 | 06903 | |
| 0019876-X | 01/20/2010 | *SAV-MOR FOOD MART | CRIMINAL MISCHIEF/VAN... | 03510 | S | BUCKNER... | 322 | 1237 | 14082 | |
| 0028805-X | 01/30/2010 | *SAVE MORE | CRIMINAL MISCHIEF/VAN... | 03510 | S | BUCKNER... | 322 | 1237 | 14082 | |
| 0157096-X | 06/05/2010 | *SAV MOR | ROBBERY | 03510 | S | BUCKNER... | 322 | 1237 | 03741 | |
| 0270872-X | 09/28/2010 | MONCIVAIS, LORENZA | ASSAULT | 03510 | S | BUCKNER... | 322 | 1237 | 08312 | |
| 0302158-Y | 11/16/2011 | DAOUK, IMAO | ASSAULT | 03510 | S | BUCKNER... | 322 | 1237 | 08112 | |
| 0337241-X | 12/09/2010 | *SAV-MOR FOOD MART | ROBBERY | 03510 | S | BUCKNER... | 322 | 1237 | 03411 | |

 Page 1 of 1 (7 items)

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**Z112-194
Proposed SUP Conditions**

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. FLOOR AREA: Maximum floor area is 2,557square feet.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

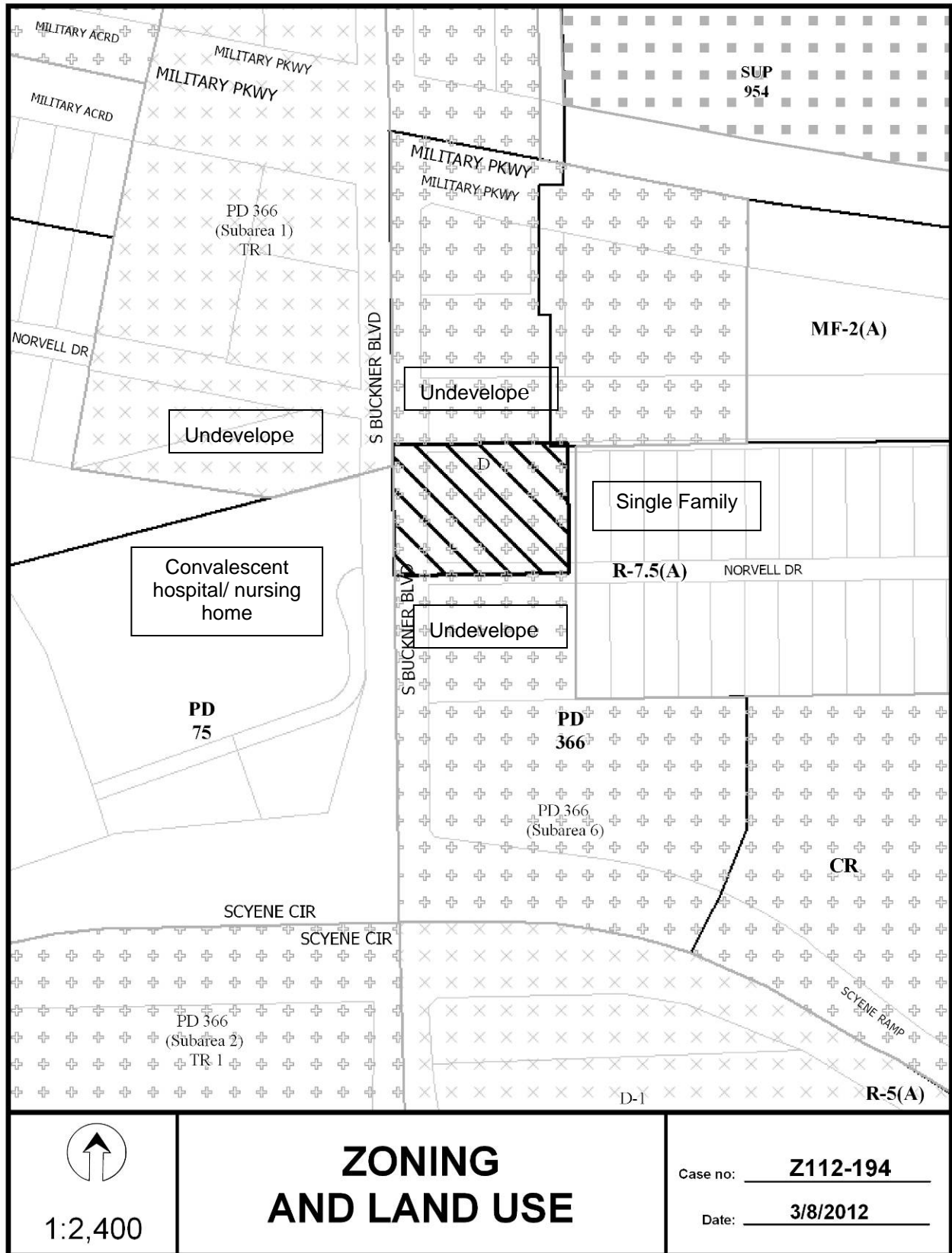



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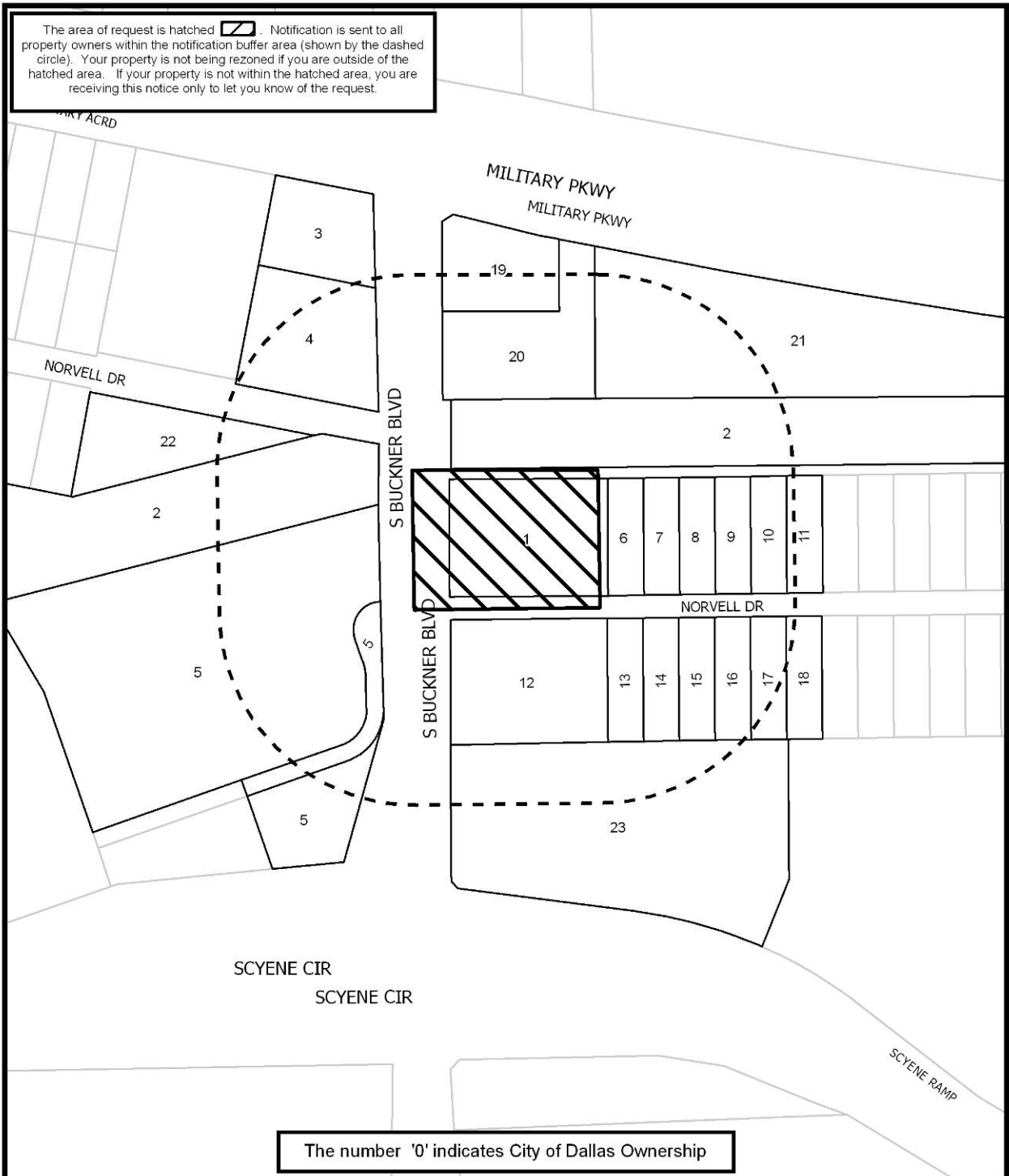
VICINITY MAP


Case no: Z112-194

Date: 3/8/2012



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




1:2,400

NOTIFICATION

300' AREA OF NOTIFICATION
23 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-194**
Date: **3/8/2012**

3/8/2012

Notification List of Property Owners***Z112-194******23 Property Owners Notified***

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---|
| 1 | 3510 BUCKNER BLVD | DUKE & SONS INC |
| 2 | 3701 BUCKNER BLVD | TEXAS UTILITIES ELEC CO % STATE & LOCAL |
| 3 | 3717 BUCKNER BLVD | ALWAN CORP |
| 4 | 3625 BUCKNER BLVD | MEZA JESUS |
| 5 | 7000 SCYENE CIR | BUCKNER SCYENE SNF LTD |
| 6 | 8123 NORVELL DR | OROZCO JOSE LUIS |
| 7 | 8127 NORVELL DR | HURTADO DOMINGO |
| 8 | 8131 NORVELL DR | BARRAZA ELIAS |
| 9 | 8137 NORVELL DR | HERNANDEZ AGUSTIN |
| 10 | 8141 NORVELL DR | SMITHART BERTHA R LFE EST L D SMITHART |
| 11 | 8145 NORVELL DR | KARTSONIS KELLY |
| 12 | 3424 BUCKNER BLVD | ALZOUBI ABUDUL |
| 13 | 8122 NORVELL DR | SANCHEZ REBECA & SALGADO PRIMITIVO M |
| 14 | 8126 NORVELL DR | BANDA ANTONIO & ANDREA BRIONES |
| 15 | 8130 NORVELL DR | RODRIGUEZ GUILLERMO SOTO |
| 16 | 8136 NORVELL DR | OROZCO JOSE LUIS |
| 17 | 8140 NORVELL DR | ARAGON MARIA L |
| 18 | 8144 NORVELL DR | REA TOMAS & PATRICIA B |
| 19 | 3760 BUCKNER BLVD | KHALIL NAGY N |
| 20 | 3608 BUCKNER BLVD | OSTORGA PEDRO & OLGA |
| 21 | 3608 BUCKNER BLVD | MARES NOEL |
| 22 | 8008 NORVELL DR | PARKWAY GARDEN APTS INC %WELLS ASSET MGM |
| 23 | 3402 BUCKNER BLVD | SOUTH BUCKNER LIMITED PS SUITE 108 |

FILE NUMBER: Z112-230(MW)

DATE FILED: May 2, 2012

LOCATION: Southeast corner of South Buckner Boulevard and Bruton Road

COUNCIL DISTRICT: 5

MAPSCO: 58-C

SIZE OF REQUEST: ±2.1193 acre

CENSUS TRACT: 92.01

REPRESENTATIVE: Gardere Wynne Sewell LLP

APPLICANT: Walgreen Company

OWNER: NUISIUS LLC

REQUEST: An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay

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

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

BACKGROUND INFORMATION:

- The ±2.12-acre request site is developed with a ±15,120-square foot general merchandise or food store (drugstore).
- The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the drugstore.
- The request site is surrounded by auto-related and retail uses to the north; a carwash to the east; auto-related uses to the south and retail to the west.

Zoning History:

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

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW |
|---------------------|--------------------|--------------|
| Buckner Boulevard | Principal Arterial | 130 |
| Bruton Road | Principal Arterial | 100 |

Land Use:

| | Zoning | Land Use |
|--------------|-------------|----------------------|
| Site | PDD 366 | Retail |
| North | PDD 366; CR | Auto-related; retail |
| East | PDD 366 | Carwash |
| South | PDD 366 | Auto-related |
| West | PDD 366 | Retail |

STAFF ANALYSIS:

Comprehensive Plan:

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

The Vision Illustration depicts the request site as within a Multi-Modal Corridor. Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods.

In general, the applicant's proposal is consistent with the following goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

Goal 1.1: Promote desired development

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

Land Use Compatibility:

The ±2.12-acre request site is developed with a ±15,120-square foot general merchandise or food store (drug store). The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the drug store.

The request site is surrounded by auto-related and retail uses to the north; a carwash to the east; auto-related uses to the south and retail to the west.

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

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

In general, the applicant's request is consistent with the intent of the Dallas Development Code. Therefore, staff recommends approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

Development Standards:

| District | Setbacks | | Density | Height | Lot Coverage | Special Standards | Primary Uses |
|----------------------|-----------------------|---|--|------------------|--------------|-------------------------------------|--|
| | Front | Side/Rear | | | | | |
| PDD 366 Subarea 2 | 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 the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area. Therefore, the existing 15,120-square foot drug store requires 76 spaces. As depicted on the site plan, 98 spaces are provided.

Landscaping:

Any new development on the site will require landscaping in accordance with Planned Development District No. 366 regulations (§51P-366.110).

Partners/Principals/Officers:**WALGREEN CO.
OFFICERS AND DIRECTORS**

Corporate Address:

200 Wilmot Rd.
Deerfield, IL 60015

Board of Directors

| NAME | TITLE |
|----------------------|--------------|
| Alan G. McNally | Director |
| Dr. David J. Brailer | Director |
| Steven A. Davis | Director |
| William C. Foote | Director |
| Mark P. Frissora | Director |
| Ginger L. Graham | Director |
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Corporate Officers

| NAME | TITLE |
|--------------------|---|
| Alan G. McNally | Chairman |
| Gregory D. Wasson | President, CEO |
| Mark A. Wagner | President of Community Management |
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| Sona Chawla | President of E-Commerce |

Other Officers

| NAME | TITLE |
|--------------------------|--|
| Wade D. Miquelon | Executive Vice President, Chief Financial Officer |
| Dana I. Green | Executive Vice President, General Counsel, Corporate Secretary |
| Graham Atkinson | Senior Vice President |
| Jeffrey Berkowitz | Senior Vice President |
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| Bruce R. Bryant | Vice President |
| Thomas J. Connolly | Vice President |
| Kimberly L. Feil | Vice President |
| Chuck Greener | Vice President |
| W. Bryan Pugh | Vice President |
| John W. Spina | Vice President |
| Colin Watts | Vice President |
| Denise K. Wong | Vice President |
| Christopher Domzalski | Vice President |
| Jason M. Dubinsky | Vice President, Treasurer |

Police Report:

An online search of the Dallas Police Department's offense incident reports for the period from January 1, 2011 to May 24, 2012 revealed the following results:

| DALLAS POLICE DEPARTMENT | | | | | | | | | | |
|--------------------------------|--------------|----------------------|--------------------|-------|-----|-------------|------|----------------|-------|------|
| Virtual Viewer - Public Access | | | | | | | | | | |
| Search Records - Offense | | | | | | | | | | |
| Service # | Offense Date | Complainant | Offense | Block | Dir | Street | Beat | Reporting Area | UCR1 | UCR2 |
| 0020028-Z | 01/24/2012 | *WALGREENS | THEFT | 02060 | S | BUCKNERB... | 333 | 1253 | 06933 | |
| 0027867-Z | 02/03/2012 | GARCIA,EMILIE | ROBBERY | 02060 | S | BUCKNERB... | 333 | 1253 | 03911 | |
| 0031879-Z | 02/08/2012 | GALVAN,FELICIANO | AGGRAVATED ASSA... | 02060 | S | BUCKNERB... | 333 | 1253 | 04111 | |
| 0031881-Z | 02/08/2011 | EQUIA,LUIS | AGGRAVATED ASSA... | 02060 | S | BUCKNERB... | 333 | 1253 | 04111 | |
| 0031964-Z | 02/08/2012 | ARRELOA,ROGELIO | AGGRAVATED ASSA... | 02060 | S | BUCKNERB... | 333 | 1253 | 04111 | |
| 0031965-Z | 02/08/2012 | GARZA,EDWARD | AGGRAVATED ASSA... | 02060 | S | BUCKNERB... | 333 | 1253 | 04111 | |
| 0032193-Y | 02/07/2011 | *WALGREENS | THEFT | 02060 | S | BUCKNERB... | 333 | 1253 | 06932 | |
| 0036435-Z | 01/25/2012 | *WALGREENS PHARMACY | EMBEZZLEMENT | 02060 | S | BUCKNERB... | 333 | 1253 | 12021 | |
| 0043242-Y | 02/20/2011 | *WALGREENS - 04705-S | THEFT | 02060 | S | BUCKNERB... | 333 | 1253 | 06931 | |
| 0061260-Z | 03/13/2012 | *WALGREENS | NARCOTICS DRUG ... | 02060 | S | BUCKNERB... | 333 | 1253 | 18721 | |
| 0061830-Z | 03/14/2012 | GIDDENS, KEMALA | THEFT | 02060 | S | BUCKNERB... | 333 | 1253 | 06951 | |
| 0063912-Y | 03/14/2011 | *WALGREENS | THEFT | 02060 | S | BUCKNERB... | 333 | 1253 | 06932 | |
| 0066769-Z | 03/19/2012 | *WALGREENS | THEFT | 02060 | S | BUCKNERB... | 333 | 1253 | 06904 | |
| 0073552-Z | 03/27/2012 | BARJAS, JUVENTINO | OTHER OFFENSES | 02060 | S | BUCKNERB... | 333 | 1253 | 26760 | |
| 0107212-Z | 05/03/2012 | BEATY,LOKETCE | ROBBERY | 02060 | S | BUCKNERB... | 333 | 1253 | 03912 | |

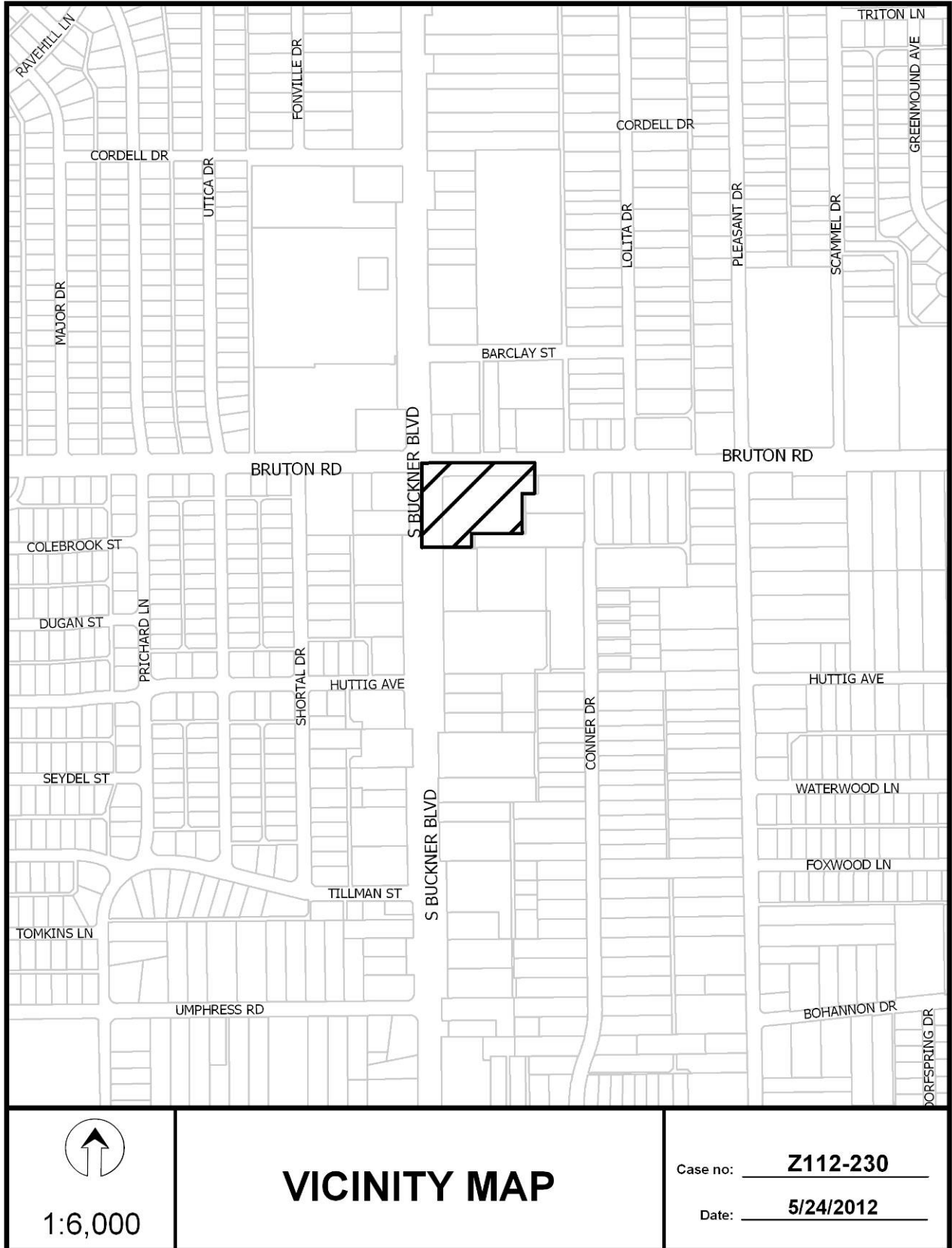
Page 1 of 2 (29 items)

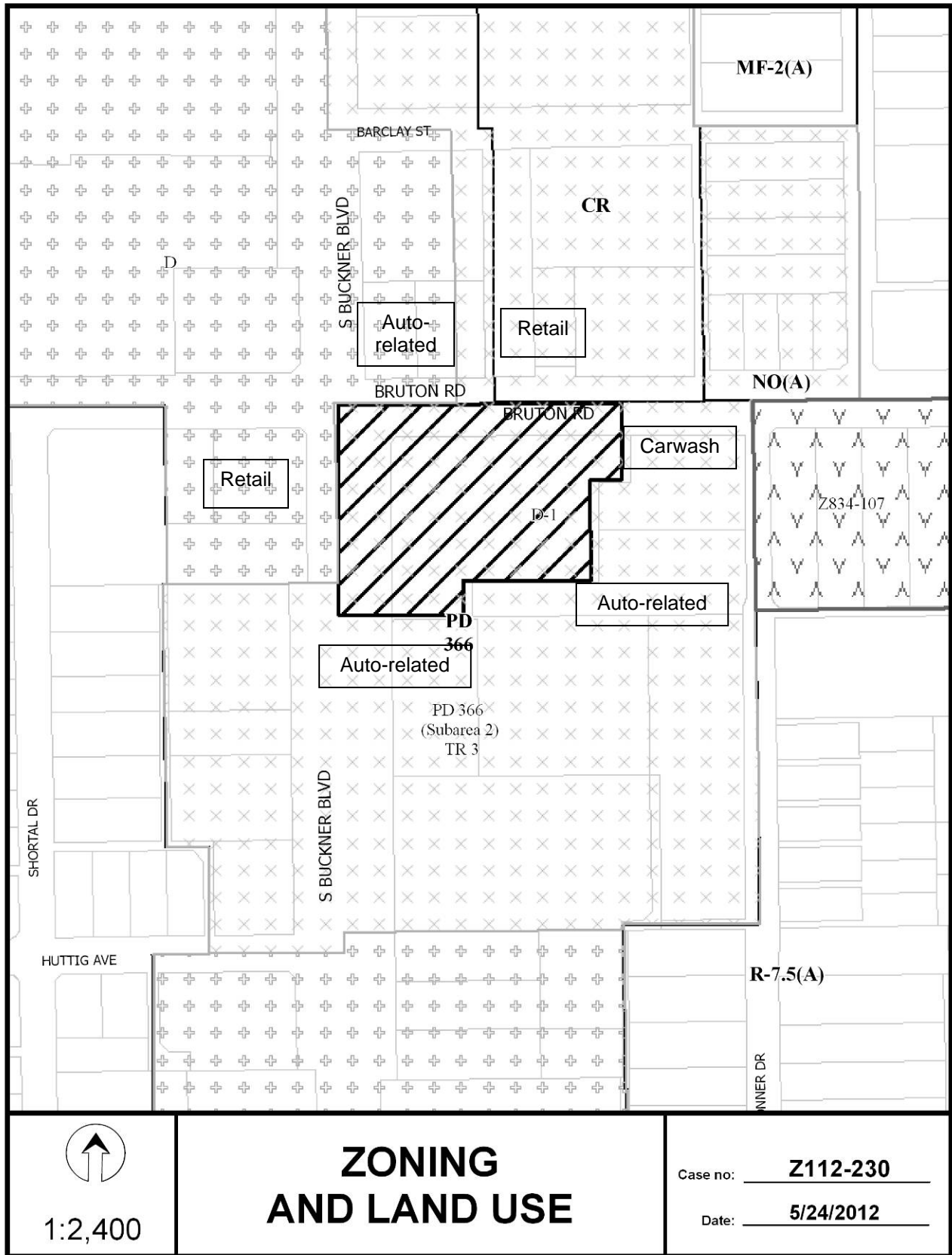
| DALLAS POLICE DEPARTMENT | | | | | | | | | | |
|--------------------------------|--------------|--------------------|---------------------|-------|-----|-------------|------|----------------|-------|------|
| Virtual Viewer - Public Access | | | | | | | | | | |
| Search Records - Offense | | | | | | | | | | |
| Service # | Offense Date | Complainant | Offense | Block | Dir | Street | Beat | Reporting Area | UCR1 | UCR2 |
| 0110338-Z | 05/05/2012 | SANCHEZ, JOSE | AUTO THEFT-UUMV | 02060 | S | BUCKNERB... | 333 | 1253 | 07A12 | |
| 0119545-Z | 05/16/2012 | GUTIERREZ,HERMINIA | THEFT | 02060 | S | BUCKNERB... | 333 | 1253 | 06951 | |
| 0123511-Z | 05/20/2012 | PINA,ANGELICA | TRAFFIC MOTOR V... | 02060 | S | BUCKNERB... | 333 | 1253 | 32090 | |
| 0140267-Y | 05/30/2011 | *WAL-GREENS #4705 | THEFT | 02060 | S | BUCKNERB... | 333 | 1253 | 06932 | |
| 0148973-Y | 06/08/2011 | RODRIGUEZ, ARMANDO | THEFT | 02060 | S | BUCKNERB... | 333 | 1253 | 06941 | |
| 0169723-Y | 06/29/2011 | *WALGREENS #4705 | THEFT | 02060 | S | BUCKNERB... | 333 | 1253 | 06933 | |
| 0171487-Y | 06/30/2011 | HERNANDEZ,SAMUEL | AUTO THEFT-UUMV | 02060 | S | BUCKNERB... | 333 | 1253 | 07A13 | |
| 0177276-Y | 07/06/2011 | *BLUE RHINO | CRIMINAL MISCHIE... | 02060 | S | BUCKNERB... | 333 | 1253 | 14081 | |
| 0181836-Y | 07/10/2011 | TRAN,HAO | AUTO THEFT-UUMV | 02060 | S | BUCKNERB... | 333 | 1253 | 07221 | |
| 0245998-Y | 09/16/2011 | *WALGREENS | THEFT | 02060 | S | BUCKNERB... | 333 | 1253 | 06932 | |
| 0249131-Y | 09/19/2011 | *WALGREENS - 04705 | OTHER OFFENSES | 02060 | S | BUCKNERB... | 333 | 1253 | 26530 | |
| 0267457-Y | 10/09/2011 | *WALGREENS | THEFT | 02060 | S | BUCKNERB... | 333 | 1253 | 06933 | |
| 0288583-Y | 11/01/2011 | SIXTOS, ROCIO | AUTO THEFT-UUMV | 02060 | S | BUCKNERB... | 333 | 1253 | 07221 | |
| 0319474-Y | 12/07/2011 | *WALGREENS | THEFT | 02060 | S | BUCKNERB... | 333 | 1253 | 06934 | |

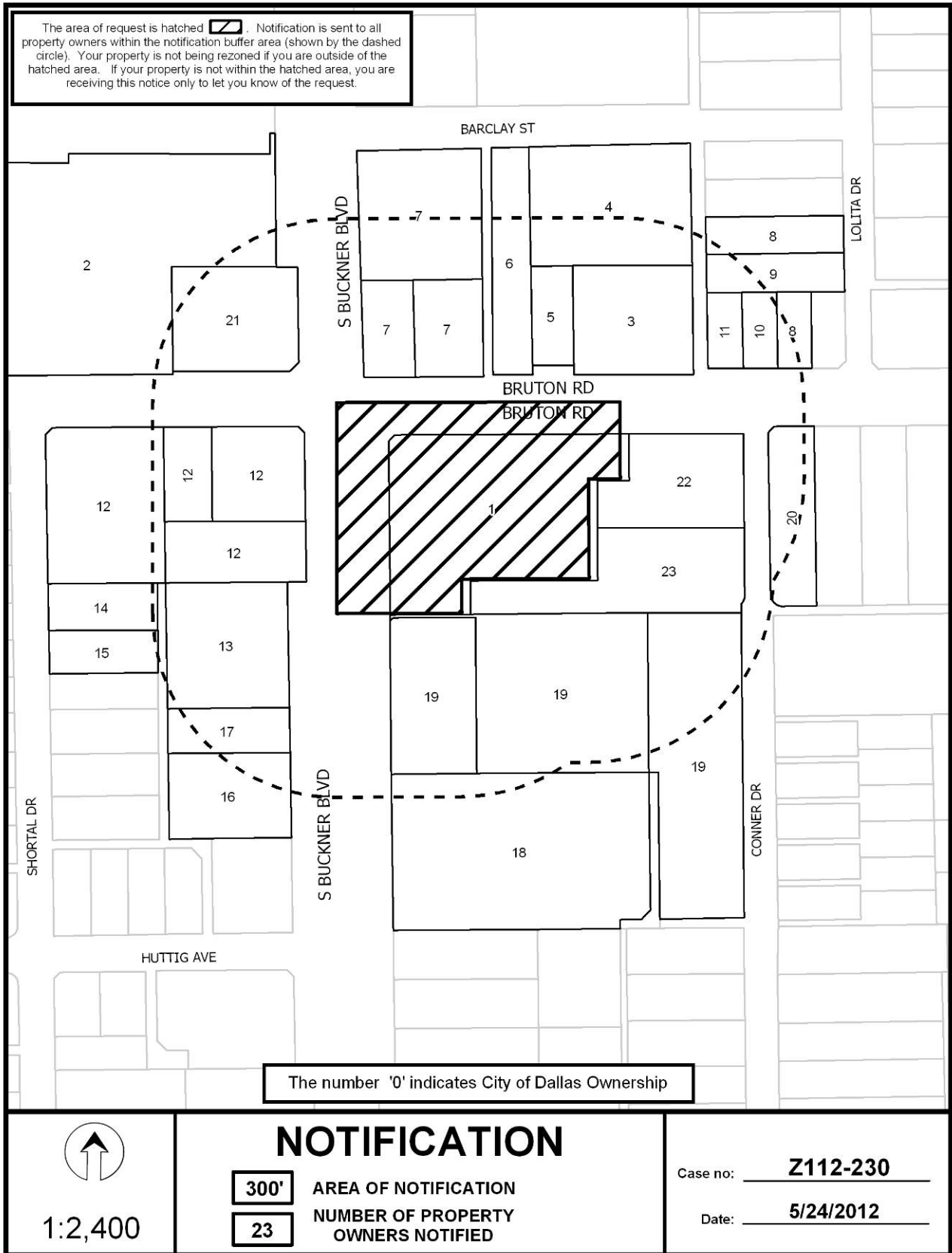
Page 2 of 2 (29 items)

**Z112-230
Proposed SUP Conditions**

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. DRIVE-THROUGH WINDOW: A drive-through window may not be used for retail sales of alcoholic beverages.
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.







5/24/2012

Notification List of Property Owners***Z112-230******23 Property Owners Notified***

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---|
| 1 | 2050 BUCKNER BLVD | NUSIUS LLC |
| 2 | 2109 BUCKNER BLVD | EASTERN COLUMBIA ASSO LLC |
| 3 | 8129 BRUTON RD | LEAL RUBEN R |
| 4 | 8128 BARCLAY ST | ELDEN GORDON W |
| 5 | 8127 BRUTON RD | DIAZ JESUS JR |
| 6 | 8121 BRUTON RD | HANDMADE FOODS INC M |
| 7 | 2112 BUCKNER BLVD | MARIAM BRUTON TOWN VILLAGE NORTH |
| 8 | 2121 LOLITA DR | MECCA APRIL INC |
| 9 | 2115 LOLITA DR | CRUZ CARLOS & |
| 10 | 8153 BRUTON RD | ALTAMIRANO MANUEL ALBERTO |
| 11 | 8149 BRUTON RD | AVILA AGUSTIN |
| 12 | 8040 BRUTON RD | BRUTON JEFF B TESTAMENTARY TRUST |
| 13 | 2029 BUCKNER BLVD | K & O INVESTMENTS INC |
| 14 | 2042 SHORTAL DR | HARPER KENNETH L & CARNICE R |
| 15 | 2036 SHORTAL DR | GONZALEZ OSCAR & DEIBI |
| 16 | 2017 BUCKNER BLVD | ISACKSON WILLIAM CO APT E |
| 17 | 2025 BUCKNER BLVD | RASANSKY ELI M |
| 18 | 2010 BUCKNER BLVD | ROBERTSON HENRY E |
| 19 | 2011 CONNER DR | MUELLER PROPERTIES LTD |
| 20 | 8200 BRUTON RD | TEXAS UTILITIES ELEC CO % STATE & LOCAL |
| 21 | 2101 BUCKNER BLVD | BOB DAN OF TEXAS INC |
| 22 | 8140 BRUTON RD | M & D CALVARY INV LP |
| 23 | 2007 CONNER DR | MARQUEZ DANIEL & LAURA |

FILE NUMBER: Z112-231(MW)

DATE FILED: May 2, 2012

LOCATION: Southwest side of Lemmon Avenue, southeast of McKinney Avenue

COUNCIL DISTRICT: 14

MAPSCO: 45-C

SIZE OF REQUEST: ±0.8089 acre

CENSUS TRACT: 17.03

REPRESENTATIVE: Gardere Wynne Sewell LLP

APPLICANT: Walgreen Company

OWNER: Waltrust Properties, Inc.

REQUEST: An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay

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

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

BACKGROUND INFORMATION:

- The ±0.8089 acre request site, which is encompassed by a D Liquor Control Overlay, comprises a portion of a ±1.73-acre property on which a ±15,082-square foot building is constructed. Therefore, only a portion of the building is impacted by the D Liquor Control Overlay.
- The ±15,082-square building is utilized as a general merchandise or food store (drugstore). The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the drugstore.
- The request site is surrounded by a grocery store to the northeast; medical office to the southeast; multifamily to the southwest and restaurants to the northwest.
- Deed restrictions volunteered on the property on September 9, 1998 prohibit certain uses and address the screening of off-street parking.

Zoning History:

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

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW |
|---------------------|--------------------|--------------|
| Lemmon Avenue | Principal Arterial | 62 feet |
| McKinney Avenue | Minor Arterial | 58 feet |

Land Use:

| | Zoning | Land Use |
|------------------|--|----------------|
| Site | LC in PDD No. 193 | Retail |
| Northeast | PDD No. 372 | Retail |
| Southeast | O-2 in PDD No. 193; PDD No. 193 (PDS 6) | Medical office |
| Southwest | LC in PDD No. 193 | Multifamily |
| Northwest | LC in PDD No. 193 | Restaurant |

STAFF ANALYSIS:

Comprehensive Plan:

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

The request site is identified as being within an *Urban Mixed Use* Building Block on the ***forwardDallas! Vision Illustration***, adopted June 2006. The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or midrise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

In general, the applicant's proposal is consistent with the following goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

Goal 1.1: Promote desired development

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

Land Use Compatibility:

The ±0.8089 acre request site, which is encompassed by a D Liquor Control Overlay, comprises a portion of a ±1.73-acre property on which a ±15,082-square foot building is constructed. Therefore, only a portion of the building is impacted by the D Liquor Control Overlay.

The ±15,082-square building is utilized as a general merchandise or food store (drug store). The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the drug store.

The request site is surrounded by a grocery store to the northeast; medical office to the southeast; multifamily to the southwest and restaurants to the northwest.

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

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

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

In general, the applicant's request is consistent with the intent of the Dallas Development Code. Therefore, staff recommends approval of the D-1 Liquor Control Overa Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

Development Standards:

| District | Setbacks | | Density | Height | Lot Coverage | Special Standards | Primary Uses |
|----------------|----------|--------------------|---------|---------|--------------|-------------------|---------------------------|
| | Front | Side/Rear | | | | | |
| LC Subdistrict | 10 | 0 to 10 0 to 25 | 4:1 | 36 feet | 80% | N/A | Commercial Residential |

Traffic:

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

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area. Therefore, the existing 15,120-square foot drug store requires 75 spaces. As depicted on the site plan, 75 spaces are provided.

Landscaping:

Any new development on the site will require landscaping in accordance with Planned Development District No. 193 regulations.

Deed Restrictions:

982642

II.

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

- (1) As to that part of the Property described in Exhibit B, attached hereto and incorporated herein, the following uses, as defined in City of Dallas Ordinance No. 21859, amending and re-establishing Planned Development District (P.D.D.) 193 the Oak Lawn Special Purpose District, shall be prohibited:

Utility or Government Installation other than listed

Water Treatment Plant

STOL Port

Passenger Bus Station and Terminal

Railroad Passenger Station

Pawn Shop

Automobile or Motorcycle Display, Sales, and Service (Inside)

Automobile or Motorcycle Display, Sales, and Service (Outside)

Car Wash

Warehouse

Accessory Open Storage

- 2) If any part of that portion of the Property described in Exhibit B shall become part of a platted lot having frontage on both McKinney Avenue and Lemmon Avenue within the property, the following additional restriction shall apply to such platted lot:

no certificate of occupancy for a structure containing a retail use or a use not permitted in an O-2 subdistrict of P.D.D. 193 shall be issued unless off street parking located between such structure and McKinney Avenue is screened (except for areas of sidewalks or vehicular or pedestrian ingress/egress, areas subject to a required visibility triangle, or the area necessary to support a protected tree to be retained pursuant to §51A-10.135 of the Dallas Development Code,) along the McKinney Avenue frontage for a distance of up to 200 feet south of the Lemmon Avenue right of way, with a landscaped earthen berm

982642

measuring a minimum of three feet in height. The earthen berm shall be planted with evergreen shrubs to achieve a minimum combined height of 6 feet.

III.

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

IV.

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

V.

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

VI.

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

VII.

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

Partners/Principals/Officers:**WALGREEN CO.
OFFICERS AND DIRECTORS**

Corporate Address:

200 Wilmot Rd.
Deerfield, IL 60015

Board of Directors

| NAME | TITLE |
|----------------------|----------|
| Alan G. McNally | Director |
| Dr. David J. Brailer | Director |
| Steven A. Davis | Director |
| William C. Foote | Director |
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| Mark A. Wagner | President of Community Management |
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| Sona Chawla | President of E-Commerce |

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| NAME | TITLE |
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| Jeffrey Berkowitz | Senior Vice President |
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| Bruce R. Bryant | Vice President |
| Thomas J. Connolly | Vice President |
| Kimberly L. Feil | Vice President |
| Chuck Greener | Vice President |
| W. Bryan Pugh | Vice President |
| John W. Spina | Vice President |
| Colin Watts | Vice President |
| Denise K. Wong | Vice President |
| Christopher Domzalski | Vice President |
| Jason M. Dubinsky | Vice President, Treasurer |

Police Report:

An online search of the Dallas Police Department's offense incident reports for the period from January 1, 2011 to May 24, 2012 revealed the following results:

| Service # | Offense Date | Complainant | Offense | Block | Dir | Street | Beat | Reporting Area | UCR1 | UCR2 |
|-----------|--------------|----------------------|--------------------------|-------|-----|------------|------|----------------|-------|------|
| 0011113-Y | 01/14/2011 | PONCE, RAMON | ASSAULT | 03418 | | MCKINNE... | 124 | 2006 | 08111 | |
| 0012988-Z | 01/16/2012 | MILLER, ANTHONY | ASSAULT | 03418 | | MCKINNE... | 124 | 2006 | 08212 | |
| 0022397-Y | 01/27/2011 | *WALGREENS # 5092 | THEFT | 03418 | | MCKINNE... | 124 | 2006 | 06931 | |
| 0037609-Y | 02/14/2011 | ROGERS, PETE | OTHER OFFENSES | 03418 | | MCKINNE... | 124 | 2006 | 26000 | |
| 0040217-Y | 02/07/2011 | CROWLEY, DANIEL J. | OTHER OFFENSES | 03418 | | MCKINNE... | 124 | 2006 | 26000 | |
| 0042387-Y | 02/19/2011 | *WALGREENS - 05092-S | THEFT | 03418 | | MCKINNE... | 124 | 2006 | 06932 | |
| 0056782-Y | 02/02/2011 | HERD, MARAYA LYNN | OTHER OFFENSES | 03418 | | MCKINNE... | 124 | 2006 | 26000 | |
| 0058834-Y | 02/02/2011 | KEITH, APRIL | OTHER OFFENSES | 03418 | | MCKINNE... | 124 | 2006 | 26000 | |
| 0067313-Z | 03/20/2012 | WOFFORD, ELIZABETH | THEFT | 03418 | | MCKINNE... | 124 | 2006 | 06942 | |
| 0073400-Z | 03/27/2012 | THAI, KENNETH | CRIMINAL MISCHIEF/VAN... | 03418 | | MCKINNE... | 124 | 2006 | 14082 | |
| 0086340-Y | 04/06/2011 | *WALGREEN PHARMACY | THEFT | 03418 | | MCKINNE... | 124 | 2006 | 06934 | |
| 0086421-Y | 04/07/2011 | *WALGREENS | CRIMINAL MISCHIEF/VAN... | 03418 | | MCKINNE... | 124 | 2006 | 14082 | |
| 0093041-Z | 04/18/2012 | MCDOWELL, MELISSA | THEFT | 03418 | | MCKINNE... | 124 | 2006 | 06941 | |
| 0118708-Y | 05/15/2011 | *WALGREENS | NARCOTICS DRUG LAWS | 03418 | | MCKINNE... | 124 | 2006 | 18711 | |
| 0143724-Y | 06/03/2011 | *WALGREENS | THEFT | 03418 | | MCKINNE... | 124 | 2006 | 06934 | |

Page 1 of 2 (29 items)

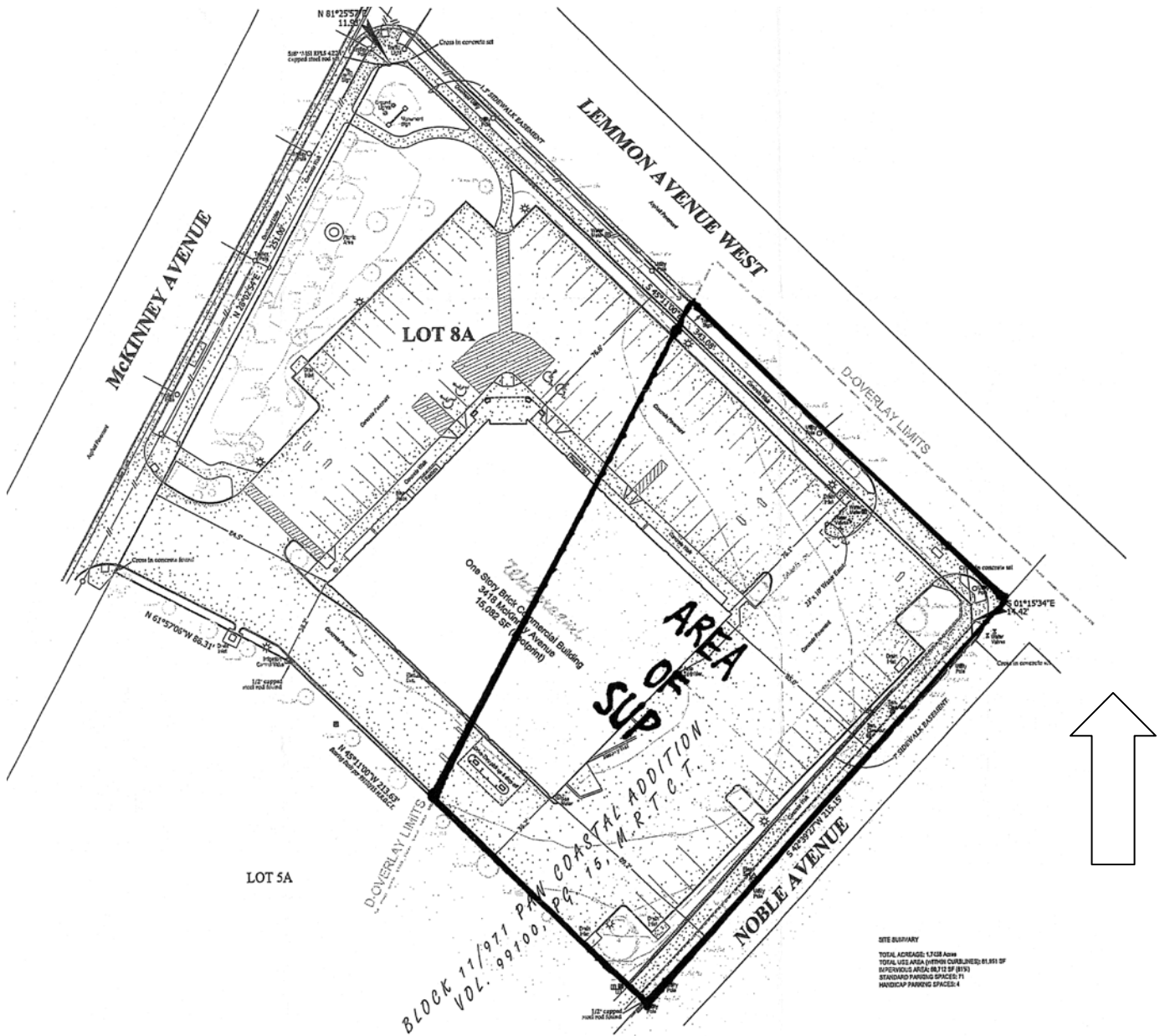
| Service # | Offense Date | Complainant | Offense | Block | Dir | Street | Beat | Reporting Area | UCR1 | UCR2 |
|-----------|--------------|---------------------|--------------------------|-------|-----|------------|------|----------------|-------|-------|
| 0155146-Y | 06/14/2011 | *WALGREENS PHARMACY | NARCOTICS DRUG LAWS | 03418 | | MCKINNE... | 124 | 2006 | 18111 | |
| 0167689-Y | 06/27/2011 | *WALGREEN | NARCOTICS DRUG LAWS | 03418 | | MCKINNE... | 124 | 2006 | 18711 | |
| 0169243-Y | 06/28/2011 | SMITH, DON | THEFT | 03418 | | MCKINNE... | 124 | 2006 | 06951 | |
| 0181521-Y | 07/11/2011 | @CITY OF DALLAS | OTHER OFFENSES | 03418 | | MCKINNE... | 124 | 2006 | 26420 | |
| 0181565-Y | 07/11/2011 | *WALGREENS | NARCOTICS DRUG LAWS | 03418 | | MCKINNE... | 124 | 2006 | 32090 | 18711 |
| 0203533-Y | 08/01/2011 | *WALGREENS #5092 | CRIMINAL MISCHIEF/VAN... | 03418 | | MCKINNE... | 124 | 2006 | 14082 | |
| 0214750-Y | 08/13/2011 | @CITY OF DALLAS | FOUND PROPERTY | 03418 | | MCKINNE... | 124 | 2006 | 43020 | |
| 0216703-Y | 08/15/2011 | GOMEZ, RUBEN | FOUND PROPERTY | 03418 | | MCKINNE... | 124 | 2006 | 43020 | |
| 0244015-Y | 09/14/2011 | *WALGREENS #5092 | NARCOTICS DRUG LAWS | 03418 | | MCKINNE... | 124 | 2006 | 18711 | |
| 0275530-Y | 10/17/2011 | RAYO, DAVID | THEFT | 03418 | | MCKINNE... | 124 | 2006 | 06941 | |
| 0282062-Y | 10/25/2011 | BODIN, DARRIN | FOUND PROPERTY | 03418 | | MCKINNE... | 124 | 2006 | 43020 | |
| 0312983-Y | 12/29/2011 | *WALGREENS PHARMACY | NARCOTICS DRUG LAWS | 03418 | | MCKINNE... | 124 | 2006 | 18711 | |
| 0321406-Y | 12/08/2011 | *WALGREENS PHARMACY | NARCOTICS DRUG LAWS | 03418 | | MCKINNE... | 124 | 2006 | 18721 | |
| 0338711-Y | 12/30/2011 | MONTE, NORA, | ASSAULT | 03418 | | MCKINNE... | 124 | 2006 | 08311 | |

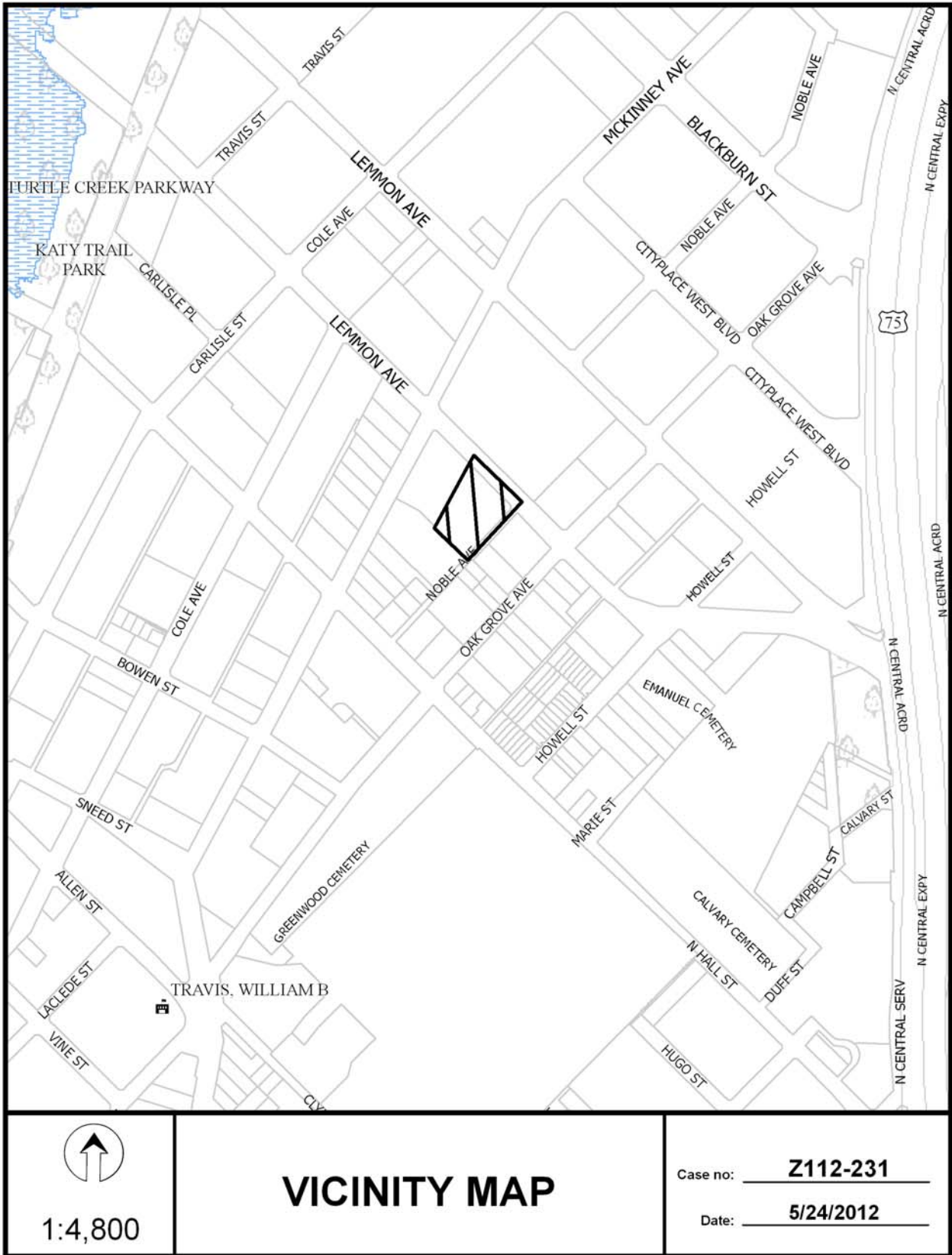
Page 2 of 2 (29 items)

**Z112-231
Proposed SUP Conditions**

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. DRIVE-THROUGH WINDOW: A drive-through window may not be used for retail sales of alcoholic beverages.
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.

Proposed Site Plan



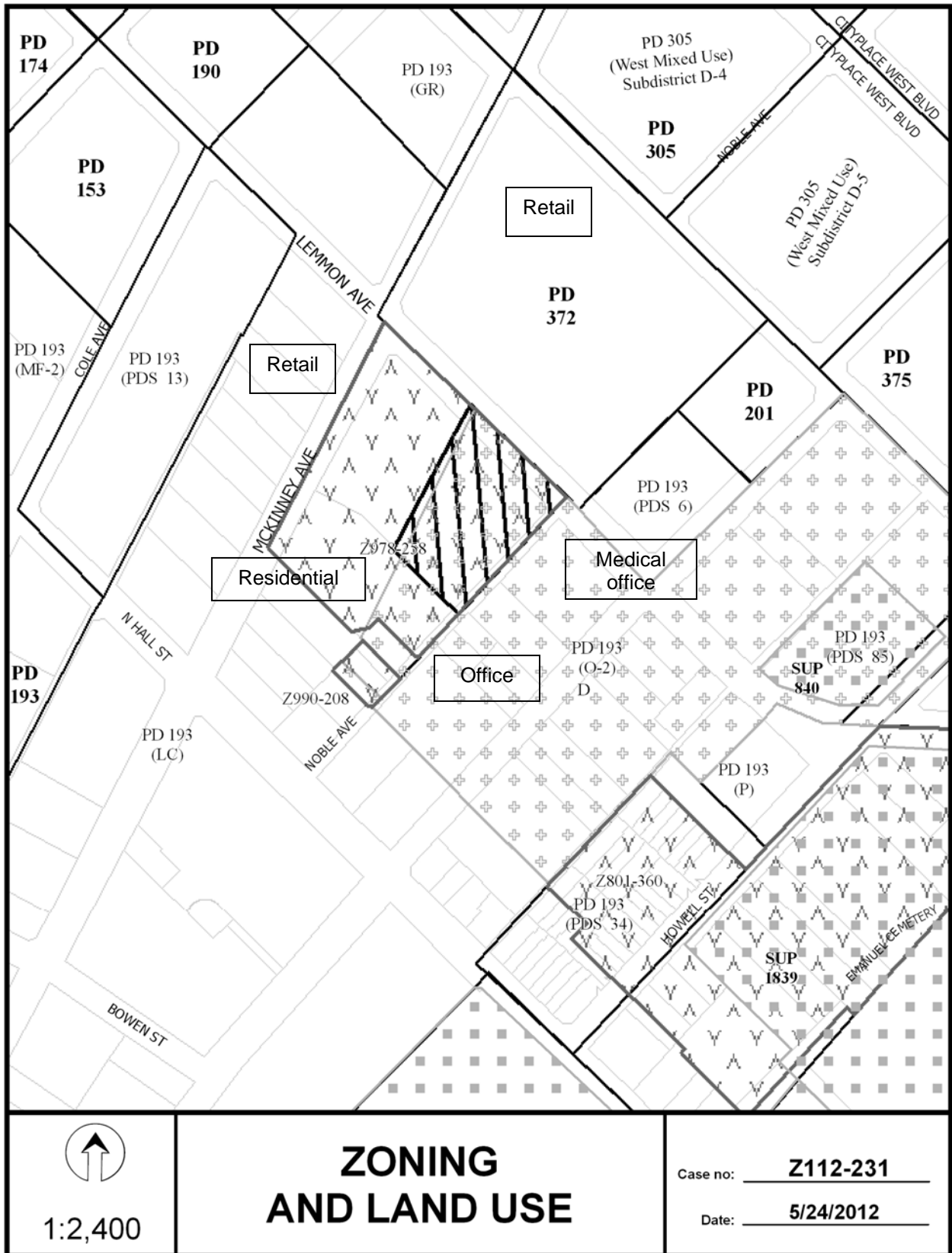


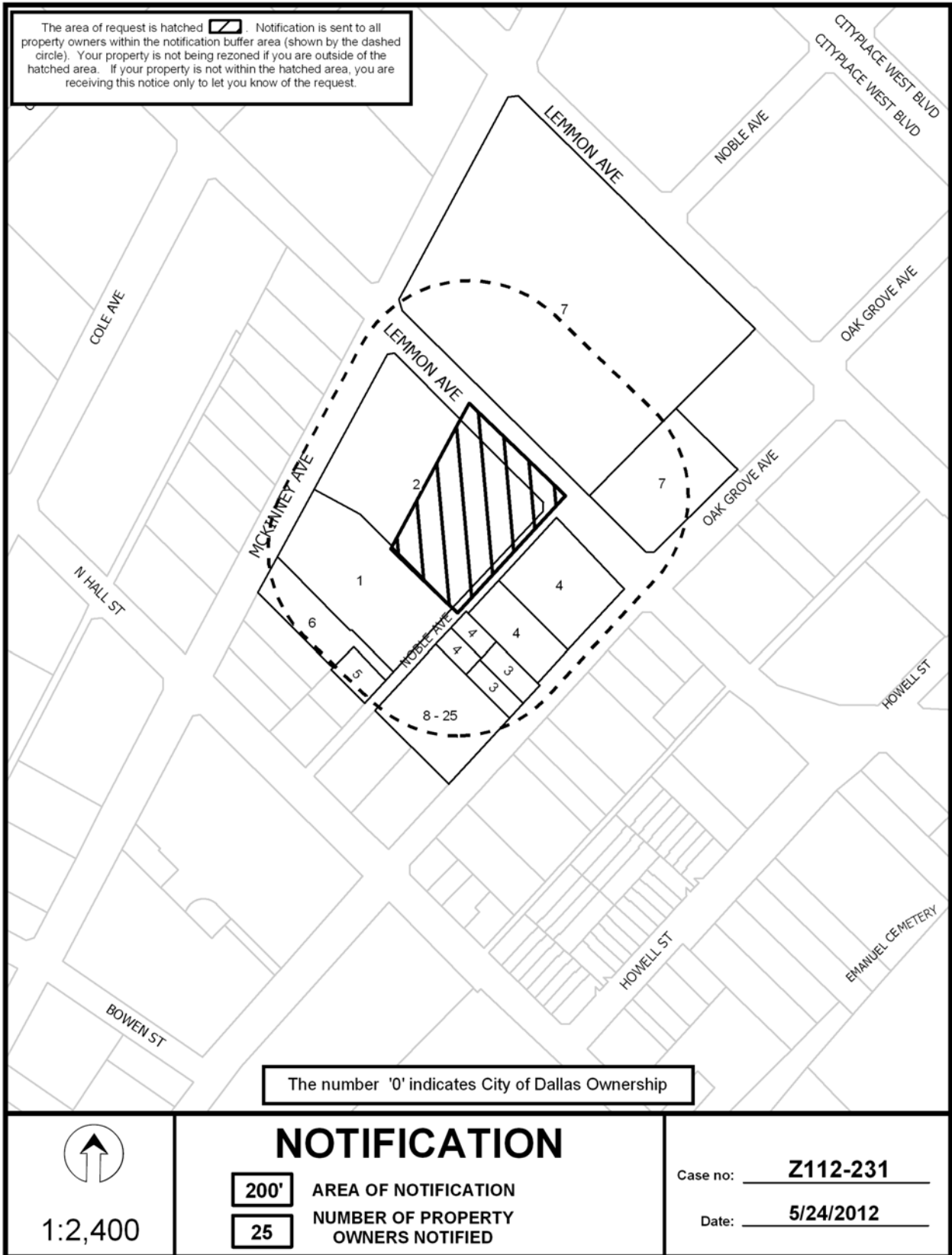
1:4,800

VICINITY MAP

Case no: Z112-231

Date: 5/24/2012





5/24/2012

Notification List of Property Owners***Z112-231******25 Property Owners Notified***

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---|
| 1 | 3324 MCKINNEY AVE | CWS MCKINNEY INVESTORS LP |
| 2 | 3418 MCKINNEY AVE | WALGREEN CO |
| 3 | 3401 OAK GROVE AVE | SPAETH MERRIE |
| 4 | 3400 NOBLE AVE | UPTOWN OFFICE BUILDING LLC |
| 5 | 3315 NOBLE AVE | PORTOLANI FAMILY LP #325 |
| 6 | 3312 MCKINNEY AVE | MCHALL PROPERTIES LLC SUITE 1500 |
| 7 | 3524 MCKINNEY AVE | PAN COASTAL LIMITED PS % SOUTHSTATE MGMT |
| 8 | 3321 OAK GROVE AVE | DEARING GEORGE C # 101-A |
| 9 | 3321 OAK GROVE AVE | GAY DONNA BERNARD #102 |
| 10 | 3321 OAK GROVE AVE | LAMB MICHAEL D |
| 11 | 3321 OAK GROVE AVE | MANRIQUE RAUL E CUBILLAS |
| 12 | 3321 OAK GROVE AVE | GODFREY DANIEL E |
| 13 | 3321 OAK GROVE AVE | HUTCHINSON JEFFREY KEITH |
| 14 | 3321 OAK GROVE AVE | MAHMALJI DAVID |
| 15 | 3321 OAK GROVE AVE | CASSEL WILLIAM SCOTT JR & PATRICIA R |
| 16 | 3321 OAK GROVE AVE | SHACKLETT SUZY BLDG B UNIT 109 |
| 17 | 3321 OAK GROVE AVE | PERRY BRIAN BLDG C UNIT 110 |
| 18 | 3321 OAK GROVE AVE | NOBLE JEFFREY S STE 202 |
| 19 | 3321 OAK GROVE AVE | REDINGER SARA J |
| 20 | 3321 OAK GROVE AVE | GRANDJEAN NICOLE RAE |
| 21 | 3321 OAK GROVE AVE | JERNIGAN BRUCE ALLEN |
| 22 | 3321 OAK GROVE AVE | MCMAHON NENA L BLDG D UNIT 115 |
| 23 | 3321 OAK GROVE AVE | BORG STEPHEN W |
| 24 | 3321 OAK GROVE AVE | MINTER STEVEN S UNIT 117 |
| 25 | 3321 OAK GROVE AVE | GOODING BRAD E UNIT 118 BLD D |

FILE NUMBER: Z112-115 (JH)

DATE FILED: October 21, 2011

LOCATION: Southwest corner of Greenville Avenue and Belmont Avenue

COUNCIL DISTRICT: 2

MAPSCO: 36-T

SIZE OF REQUEST: Approx. 0.50 acres

CENSUS TRACT: 10.02

APPLICANT/OWNER: Quikway Retail Associates II, Ltd

REQUEST: An application for a Specific Use Permit for a late-hours establishment limited to general merchandise or food store and motor vehicle fueling station uses on property zoned Planned Development District No. 842 for CR Community Retail District Uses.

SUMMARY: The applicant proposes to resume operation of an existing general merchandise or food store and motor vehicle fueling station past midnight.

STAFF RECOMMENDATION: Approval for a five-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 or food store and a motor vehicle fueling station. The building has an accessory car wash, but it is closed and out of operation.
- On January 26, 2011, the City Council approved Planned Development District No. 842 for CR District Uses, and furthermore requires a SUP for any retail and personal service uses operating after 12:00 a. m.
- The applicant is requesting an SUP for late hours to provide for daily operation between the hours of 12:00 a.m. (midnight) and 6:00 a.m., Monday through Sunday.

Zoning History:

1. Z101-261 On August 10, 2011, the City Council approved a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a four-year period, subject to a site plan and conditions.
2. Z112-107 On December 14, 2011, the City Council approved a Specific Use Permit for a late-hours establishment limited to a general merchandise or food store less than 3,500 square feet and a motor vehicle fueling station for a five-year period with eligibility for automatic renewal for additional five-year periods subject to a site plan and conditions.
3. Z090-243 A pending City Plan Commission authorized hearing to determine proper zoning on a property zoned a PDD No. 842. (Belmont Post Office)

Thoroughfares/Streets:

| Thoroughfares/Street | Type | Existing ROW |
|----------------------|-------|--------------|
| Greenville Avenue | Local | 50 ft. |

STAFF ANALYSIS:

Comprehensive Plan:

The request site lies within a Main Street Building Block. Main streets are modeled after the American tradition of “main street” as a place for living, working and shopping. Examples of these streets with concentrations of pedestrian activity include Jefferson Boulevard, Knox-Henderson and Lovers Lane. Main streets, typically no more than a

mile long, are active areas with buildings one to four stories in height and usually placed right up to the sidewalk with parking available on street. Away from the “main street,” density quickly diminishes, thus minimizing impacts on nearby neighborhoods. This Building Block will likely be served by bus or rail and contain safe and pleasant walking environments. Streets have trees and wide sidewalks. There may even be landscaped paths from the “main street” to rear parking areas, sidewalk cafes, outdoor dining areas or courtyards. The primary public investment in these areas will be upgrading streets and walkways to create safe high-quality pedestrian environments.

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

Area Plans:

Studies conducted in the area include the Lower Greenville Avenue Parking Study (1986) that recommended that “the City enforce premise code violations as it does in other parts of the City of Dallas”. Code Enforcement was also an issue highlighted in the Greenville Avenue Urban Design Study (1996-1997). It was recommended that “initiatives be taken to conduct a comprehensive sweep to clean-up the Greenville Avenue corridor and there after enforce codes with the assistance of property owners, residents, businesses and operations to maintain the property and report violations to the City for follow-up action.” Recommendations from both studies are still applicable today and consistent with authorized hearing SUP recommendations to address quality of life for adjacent residential neighborhoods and the Lowest Greenville Avenue corridor, respectively.

Land Use Compatibility:

The surrounding land uses are dry cleaners, general retail, post office, restaurant, single family residential and retirement housing. Several businesses to the south have an SUP for late-hours establishment.

The main uses permitted in PDD No. 842 are those main uses permitted in the CR Community Retail District, subject to the same conditions applicable in the CR Community Retail District, as set out in Chapter 51A. PDD No. 842 is intended to help mitigate the possible negative impacts of late hour uses on adjacent residential neighborhoods. No establishments will be required to cease operation per PDD No. 842; all businesses may continue to operate between the hours of 6:00 a.m. and 12:00 a.m. without having to obtain a Specific Use Permit. In order to operate between midnight and 6:00 a.m., the land use becomes a late-hours establishment and a Specific Use Permit is required. A late-hours establishment must receive a Specific Use Permit no later than September 23, 2011 or cease operation during the hours of midnight and 6:00 a.m. The tenant has indicated that the business has not operated as a late-hours establishment since PDD No. 842 was approved.

The purpose of PDD No. 842 is to 'ensure the compatibility of uses with adjacent residential neighborhoods and to reduce the incidence of crime by discouraging an over-proliferation of regional-serving, late-night venues.' As defined in the PDD, a late-hours establishment is any retail or personal service use that operates between 12:00 a.m. and 6:00 a.m., and furthermore requires an SUP for this defined use. Additionally, the City Council adopted a compliance date of September 23, 2011 for any retail and personal service use operating beyond 12:00 a.m. to obtain the required SUP.

PDD No. 842 establishes the following criteria for consideration of an SUP for a late-hours establishment:

(e) Factors to be considered for a specific use permit for a late-hours establishment. The city plan commission and city council shall consider the following factors when making the findings required by Section 51A-4.219(a)(3):

(1) the number of citations issued by police to patrons of the establishment;

(2) the number of citations issued by police for noise ordinance violations by the establishment;

(3) the number of arrests for public intoxication or disorderly conduct associated with the establishment;

(4) the number of Texas Alcoholic Beverage Code violations of the establishment; and

(5) the number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment.

The Dallas Police Department has indicated that there are no issues with the five criteria for this business.

In addition to the regulations of PDD No. 842, the Dallas Development Code establishes general criteria for any use requiring an SUP:

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 supports the request subject to the attached site plan and conditions. Staff is recommending eligibility for automatic renewals for this request based on the retail nature of the business (no regional draw for late-night activities) and lack of police activity.

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

Parking: The number of off-street parking spaces for a general merchandise store of this size and a motor vehicle fueling station requires a minimum of 12 spaces. The site plan shows 12 spaces exist on the property.

The site lies within Modified Delta Overlay No. 1 (MD-1). MD-1 was adopted by the City Council on October 1, 1987 to address non-conforming parking issues (delta credits) for the Greenville Avenue commercial nodes between Mockingbird Lane and Gaston Avenue. Since the request site is fully complying with the minimum off-street parking requirements, the MD-1 Overlay has no affect on the property.

Landscaping: The existing development is void of landscape materials. The request will not trigger compliance with Article X.

Police Report: Pursuant to feedback received from the Dallas Police Department on November 21, 2011, there has been no police activity at this location.

Z112-115(JH)

List of Partners/Principals/Officers

Quikway Retail Associates II, Ltd

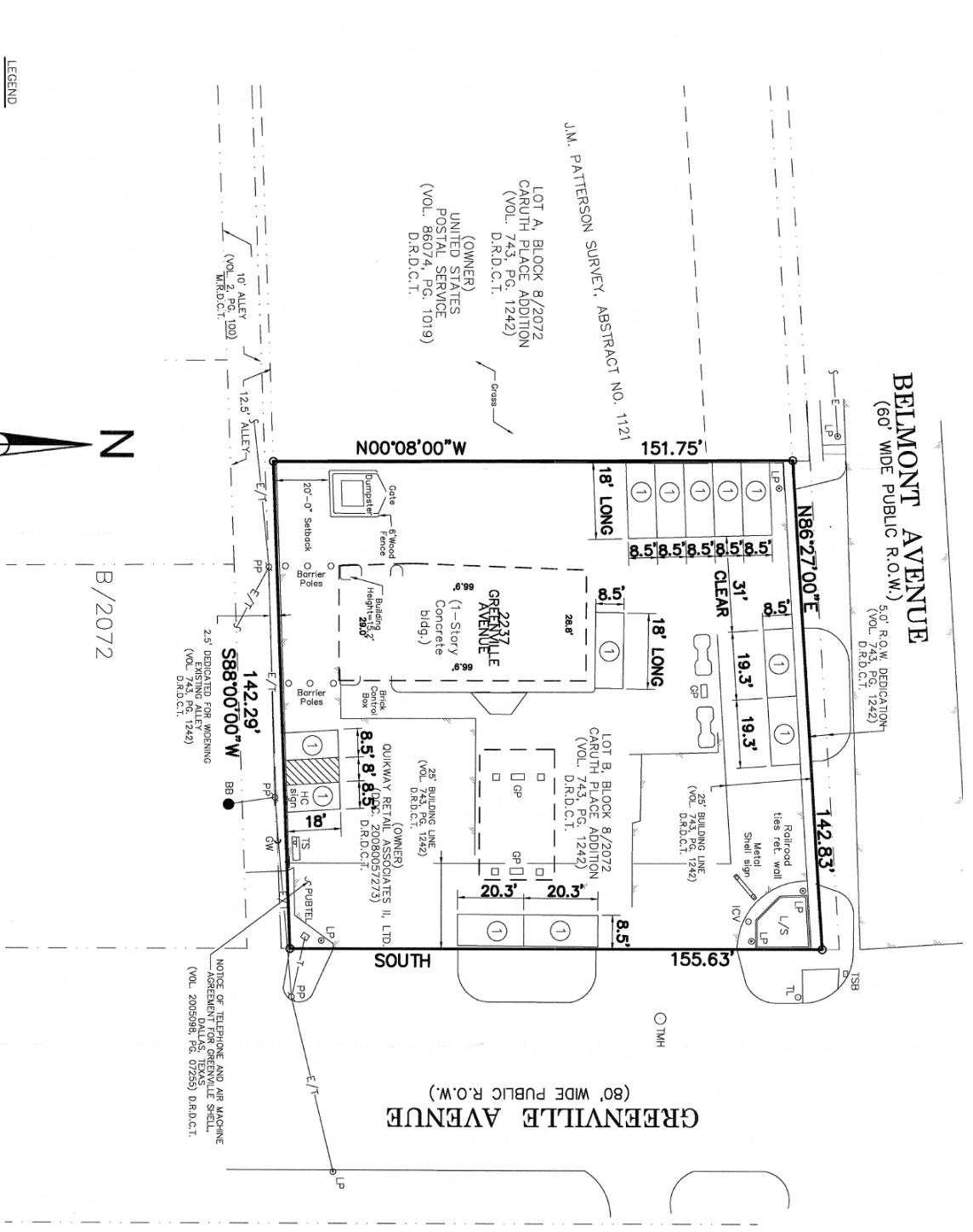
Alan Golman
Richard Golman
Kenneth Bruder
Howard Beckerman

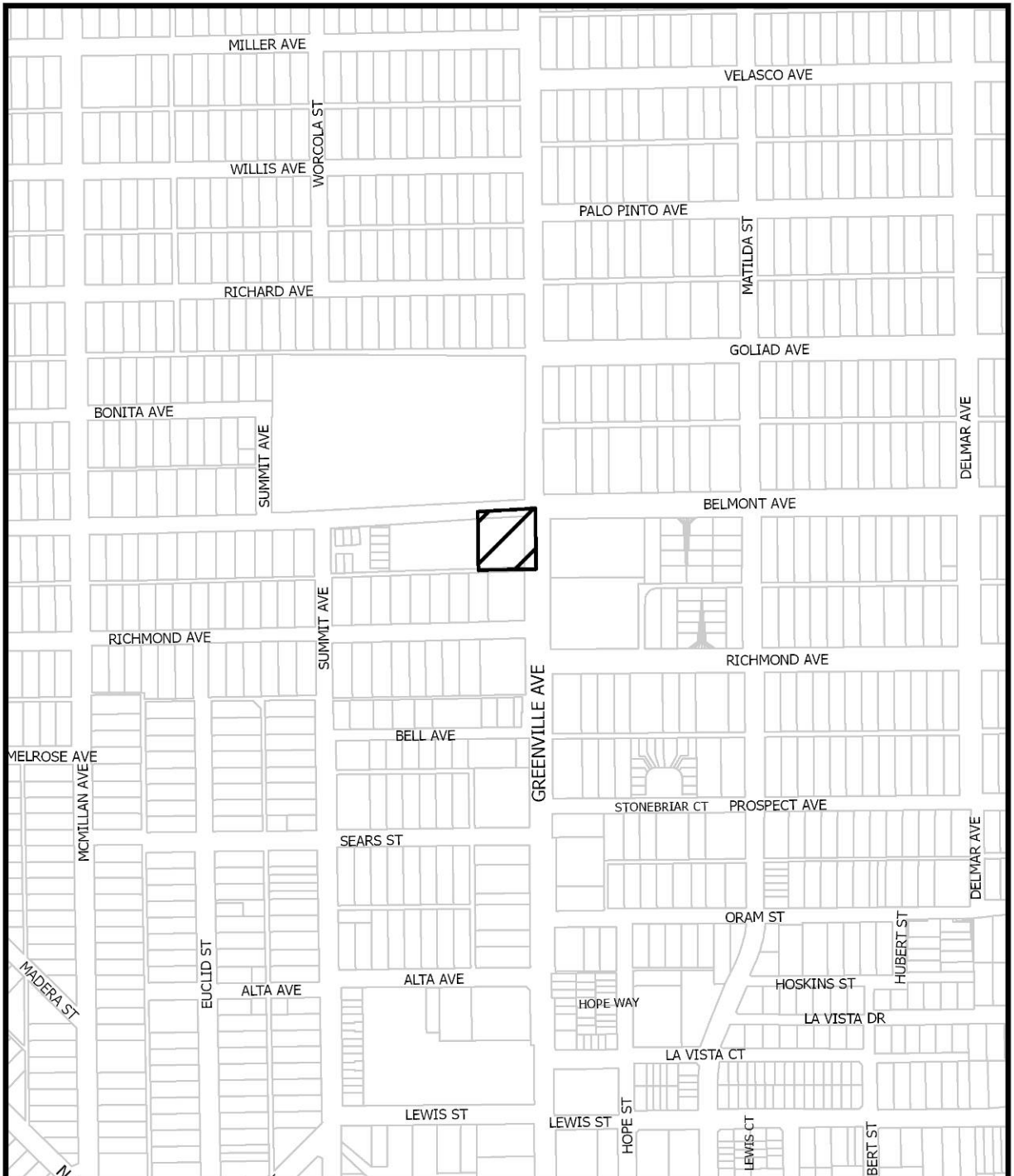
Z112-115 SUP Conditions


1. USE: The only use authorized by this specific use permit is a late-hours establishment limited to a general merchandise or food store less than 3,500 square feet and a motor vehicle fueling station.
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. FLOOR AREA: Maximum floor area is 1,933 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The late-hours establishment may only operate between 12:00 a.m. (midnight) and 6:00 a.m. (the next day), Monday through Sunday.
6. CERTIFICATE OF OCCUPANCY: The owner or operator must obtain a certificate of occupancy for a late-hours establishment before operating after 12:00 a.m. (midnight).
7. PARKING: Parking must be provided in accordance with Planned Development District No. 842 and MD-1 Modified Delta Overlay No. 1.
8. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENT: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

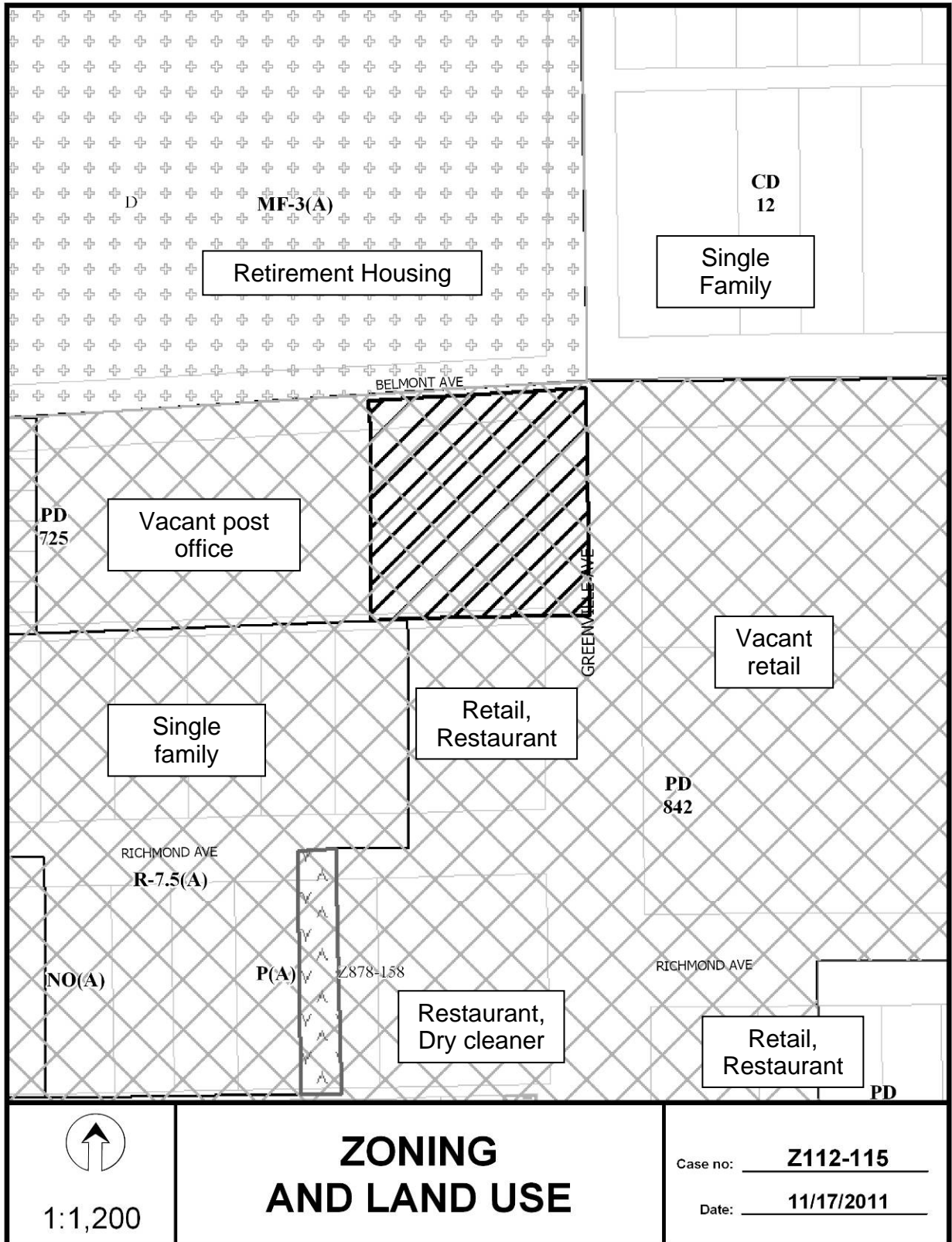
SITE PLAN

Z112-115(JH)





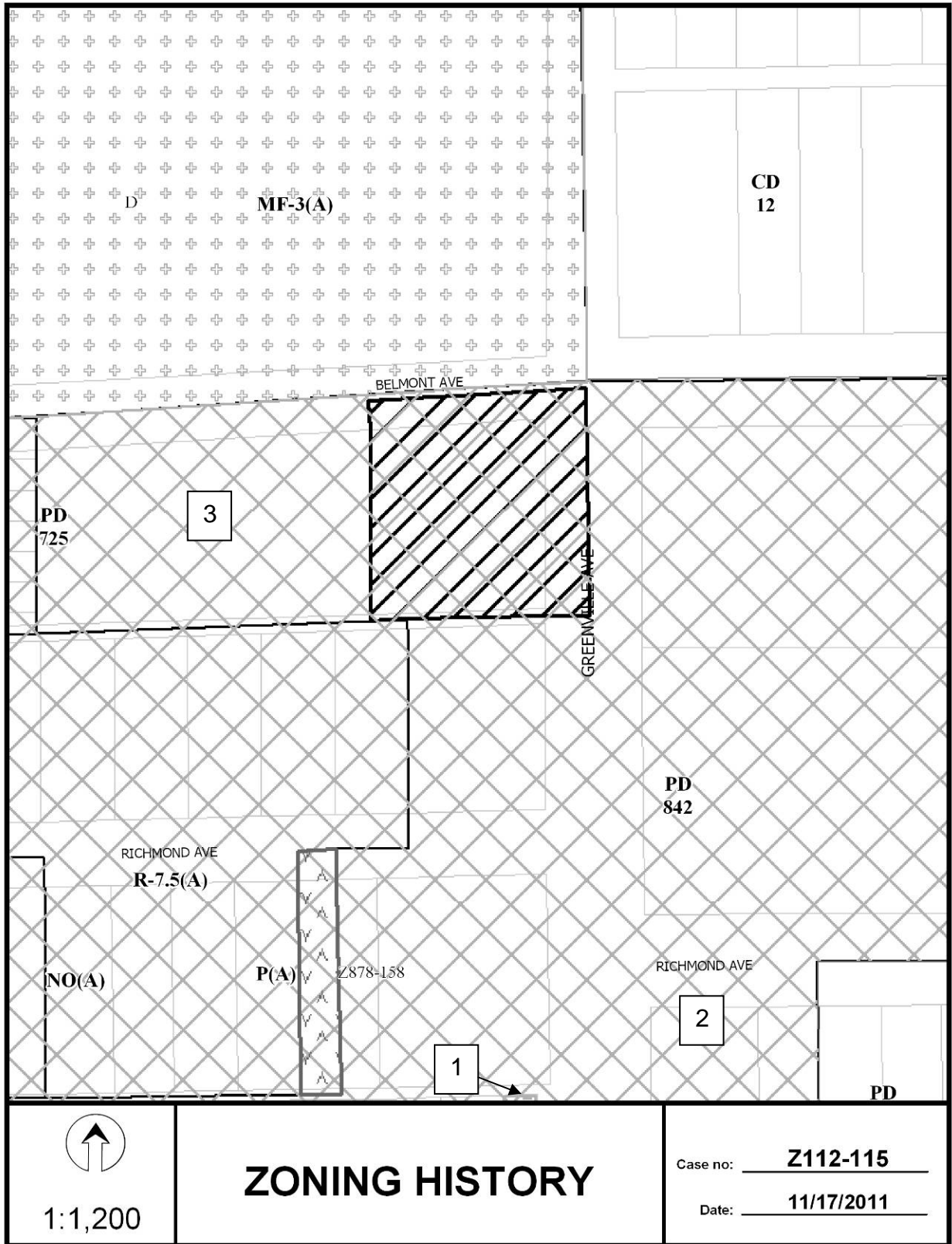
| | | |
|--|-----------------------|---|
|  1:4,800 | <h2>VICINITY MAP</h2> | Case no: <u> Z112-115 </u> Date: <u> 11/17/2011 </u> |
|--|-----------------------|---|

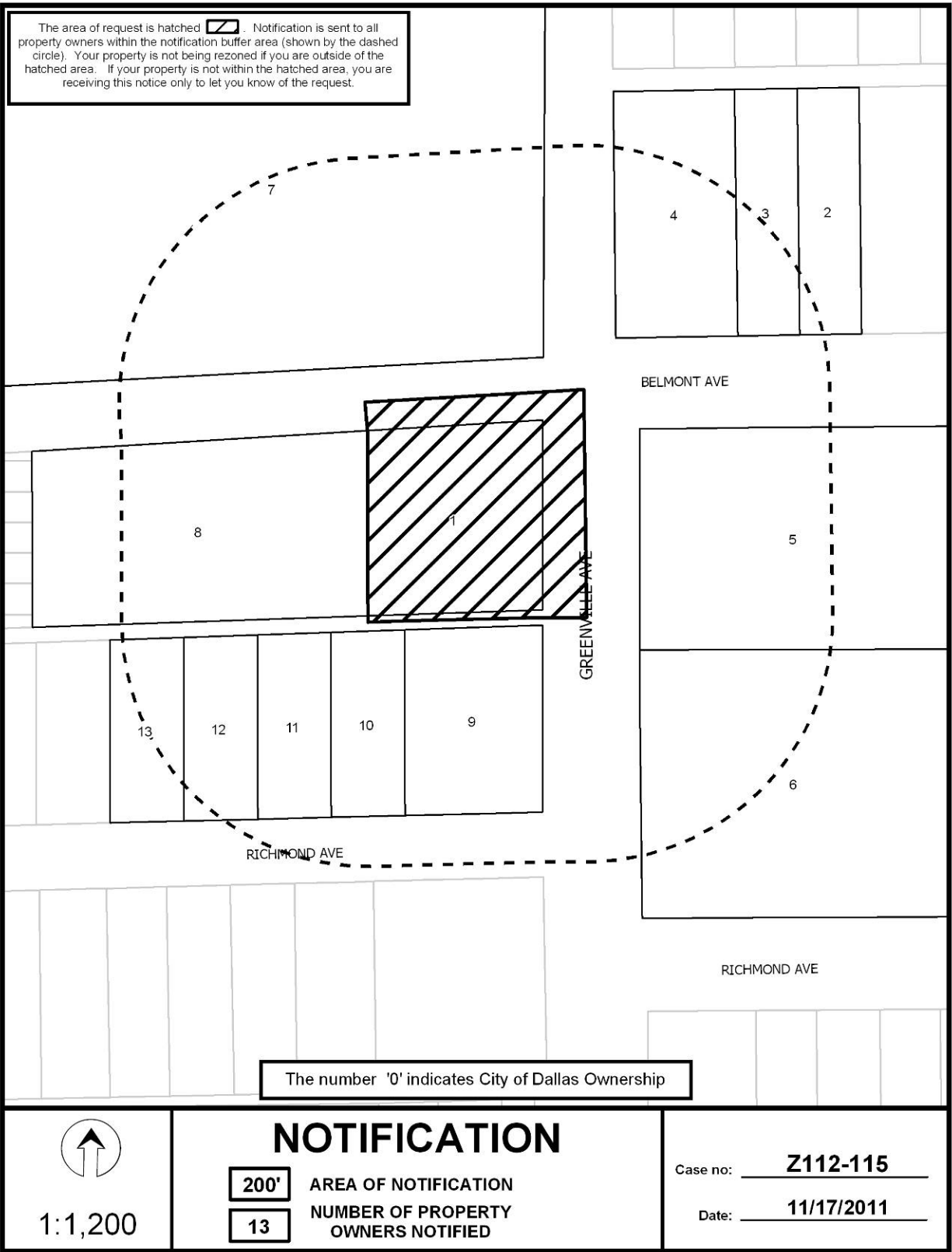


1:1,200

ZONING AND LAND USE

Case no: Z112-115
Date: 11/17/2011





11/17/2011

Notification List of Property Owners

Z112-115

13 Property Owners Notified

| Label # | Address | Owner |
|---------|---------------------|--|
| 1 | 2237 GREENVILLE AVE | QUIK WAY RETAIL AS II LTD |
| 2 | 5715 BELMONT AVE | ADELMAN AVI S & DEBRA E |
| 3 | 5711 BELMONT AVE | SALVAGGIO CHARLES F & PATRICIA D |
| 4 | 5701 BELMONT AVE | HILL PATRICIA D |
| 5 | 2222 GREENVILLE AVE | RASANSKY MITCHELL & HYMIT SCHWARTZ TRUST |
| 6 | 2218 GREENVILLE AVE | R&F INVESTMENTS II LTD STE 203 |
| 7 | 5619 BELMONT AVE | ESC II LP ATTN JEAN FUKUDA |
| 8 | 5606 BELMONT AVE | U S POSTAL SERVICE |
| 9 | 2203 GREENVILLE AVE | JOE LING FOO |
| 10 | 5637 RICHMOND AVE | GRADY KRISTEN ANNE |
| 11 | 5631 RICHMOND AVE | KOHLER KEVIN C & SUZANNE R KOHLER |
| 12 | 5627 RICHMOND AVE | REDDING TRACI LYN |
| 13 | 5623 RICHMOND AVE | COMERFORD PAUL MICHAEL & KIMBERLY ANN |

FILE NUMBER: Z112-202 (JH)

DATE FILED: March 7, 2012

LOCATION: East side of Longbranch Lane, south of South Loop 12 / Great Trinity Forest Way

COUNCIL DISTRICT: 8

MAPSCO: 58-X

SIZE OF REQUEST: Approx. 0.23 acres

CENSUS TRACT: 116.01

APPLICANT: Kam O. Ogunleye

OWNER: Fred Reisberg Investments Limited

REQUEST: An application for 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-1 Liquor Control Overlay.

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

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

BACKGROUND INFORMATION:

- The request site is currently developed with an approximately 2,500 square foot multitenant commercial building. The applicant is requesting to sell alcohol for one 625 square foot general merchandise or food store.

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

Thoroughfares/Streets:

| Thoroughfares/Street | Type | Existing ROW |
|------------------------------------|-------|--------------|
| Great Trinity Forest Way (Loop 12) | Local | Variable |

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request. The Plan identifies the request site as being in the 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 0.23-acre request site is zoned an RR Regional Retail District with a D-1 Liquor Control Overlay and is currently developed with an approximately 2,500 square foot building containing a general merchandise 3,500 square feet or less. The building also contains a restaurant, barber shop, and a vacant suite. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, but the D-1 Liquor Control Overlay requires a Specific Use Permit.

The adjacent uses consist of retail and general merchandise store, including an auto service center and restaurant uses, along Great Trinity Forest Way to the north, east, and west, and single family uses to the south.

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

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

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

Z112-202(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-1 Regional retail | 15' | 20' adjacent to residential OTHER: No Min. | 1.5 FAR overall 0.5 office | 70' 5 stories | 80% | Proximity Slope U-form setback Visual Intrusion | Retail & personal service, office |

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 16 off-street parking spaces are required for the current land uses within the building site and 14 off-street spaces are provided. The applicant intends to provide the two outstanding parking spaces by remote parking agreement.

Landscaping:

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

DPD Report:**Dallas Police Department Reports****Public Offense Search Results**

| | SERVICE # | OFFENSE DATE | TYPE | COMPLAINANT | ADDRESS | BEAT | REPORTING AREA |
|----|-----------|--------------|-----------------------------|---------------------------|--------------------|------|----------------|
| 1 | 0443050-T | 06/14/2007 | THEFT | PENNINGTON,DONALD | 00110 LONGBRANCHLN | 351 | 4530 |
| 2 | 0221888-V | 07/16/2008 | BURGLARY | *STUDIO 110 BARBER SHOP | 00110 LONGBRANCHLN | 355 | 4530 |
| 3 | 0189363-X | 07/04/2010 | CRIMINAL MISCHIEF/VANDALISM | *RICEBERG REAL ESTATE | 00110 LONGBRANCHLN | 354 | 4530 |
| 4 | 0189371-X | 06/18/2010 | THEFT | *RICEBERG REAL ESTATE | 00110 LONGBRANCHLN | 354 | 4530 |
| 5 | 0386578-V | 12/21/2008 | FRAUD | *RECORDING INDUSTRY ASSOC | 00110 LONGBRANCHLN | 355 | 4530 |
| 6 | 0386579-V | 12/21/2008 | FRAUD | *RECORDING INDUSTRY ASSOC | 00110 LONGBRANCHLN | 355 | 4530 |
| 7 | 0054988-Z | 03/06/2012 | TRAFFIC MOTOR VEHICLE | BUTLER,IVORY | 00110 LONGBRANCHLN | 354 | 4530 |
| 8 | 0087501-Z | 04/12/2012 | BURGLARY | *KSO CONVENIENCE STORE #2 | 00110 LONGBRANCHLN | 354 | 4530 |
| 9 | 0087519-Z | 04/12/2012 | CRIMINAL MISCHIEF/VANDALISM | *HICKS RESIDENCE COOKING | 00110 LONGBRANCHLN | 354 | 4530 |
| 10 | 0094250-Z | 04/18/2012 | CRIMINAL MISCHIEF/VANDALISM | CORTEZ, L.C. | 00110 LONGBRANCHLN | 354 | 4530 |
| 11 | 0178464-Y | 07/07/2011 | THEFT | HAGGERTY, TERRIS | 00110 LONGBRANCHLN | 354 | 4530 |

List of Partners/Principals/Officers

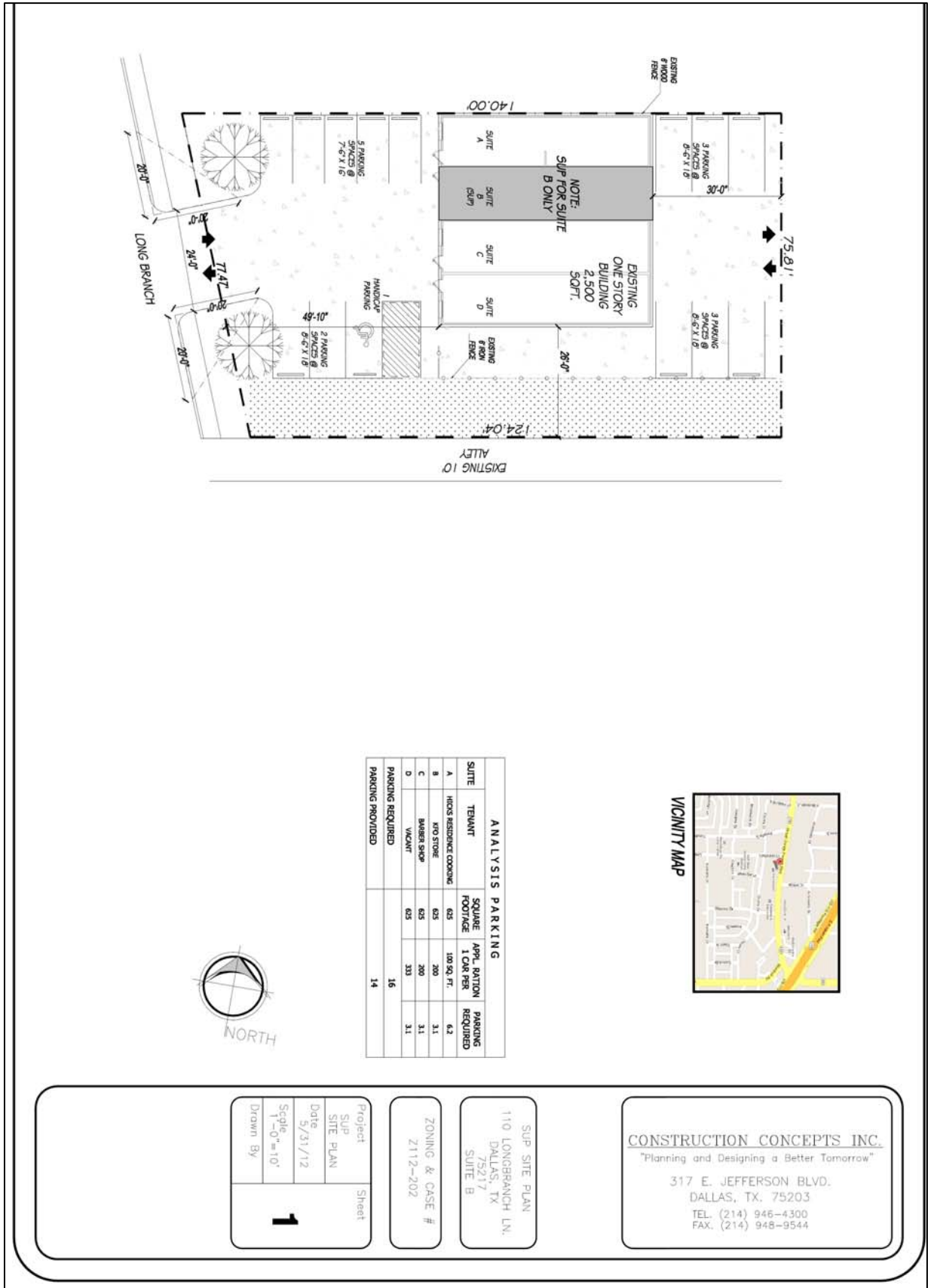
Fred Reisberg Investments Limited

Linda Riesberg
Judy Riesberg
Marshal Riesberg
Dr. Albert Hirsch

SUP Conditions

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



ANALYSIS PARKING

| SUITE | TENANT | SQUARE FOOTAGE | APPL. RATION 1 CAR PER 100 SQ. FT. | PARKING REQUIRED |
|------------------|------------------------|----------------|------------------------------------|------------------|
| A | HICS RESIDENCE COOKING | 625 | 100 SQ. FT. | 6.2 |
| B | KFO STORE | 625 | 200 | 3.1 |
| C | BARBER SHOP | 625 | 200 | 3.1 |
| D | VACANT | 625 | 333 | 3.1 |
| PARKING REQUIRED | | | | 16 |
| PARKING PROVIDED | | | | 14 |

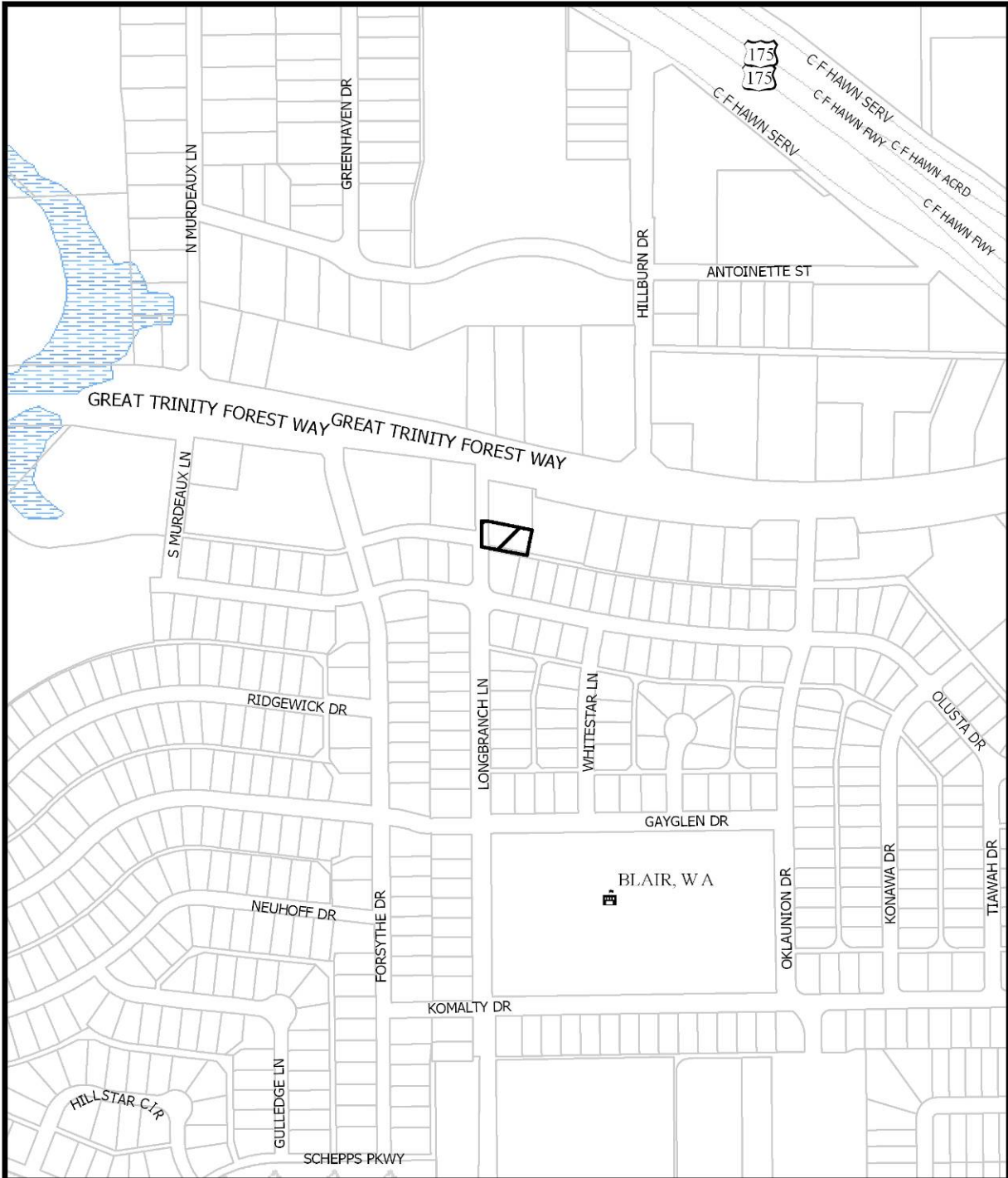


CONSTRUCTION CONCEPTS INC.
 "Planning and Designing a Better Tomorrow"
 317 E. JEFFERSON BLVD.
 DALLAS, TX. 75203
 TEL. (214) 946-4300
 FAX. (214) 948-9544

SUP SITE PLAN
 110 LONGBRANCH LN.
 DALLAS, TX
 75217
 SUITE B

ZONING & CASE #
 Z112-202

| | |
|-----------------------------|-------------------|
| Project SUP SITE PLAN | Sheet 1 |
| Date 5/31/12 | |
| Scale 1"=0'=10' | |
| Drawn By | |

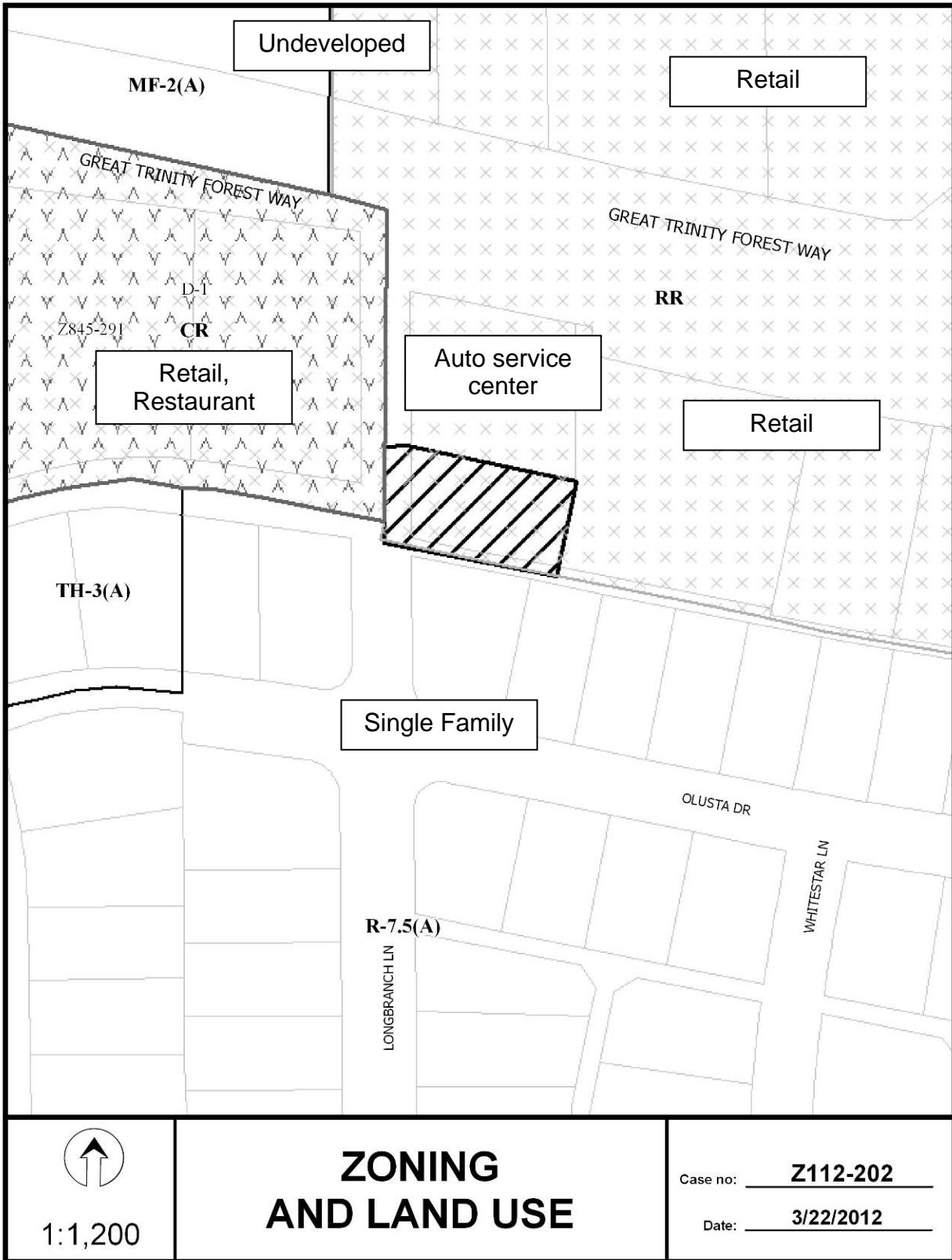


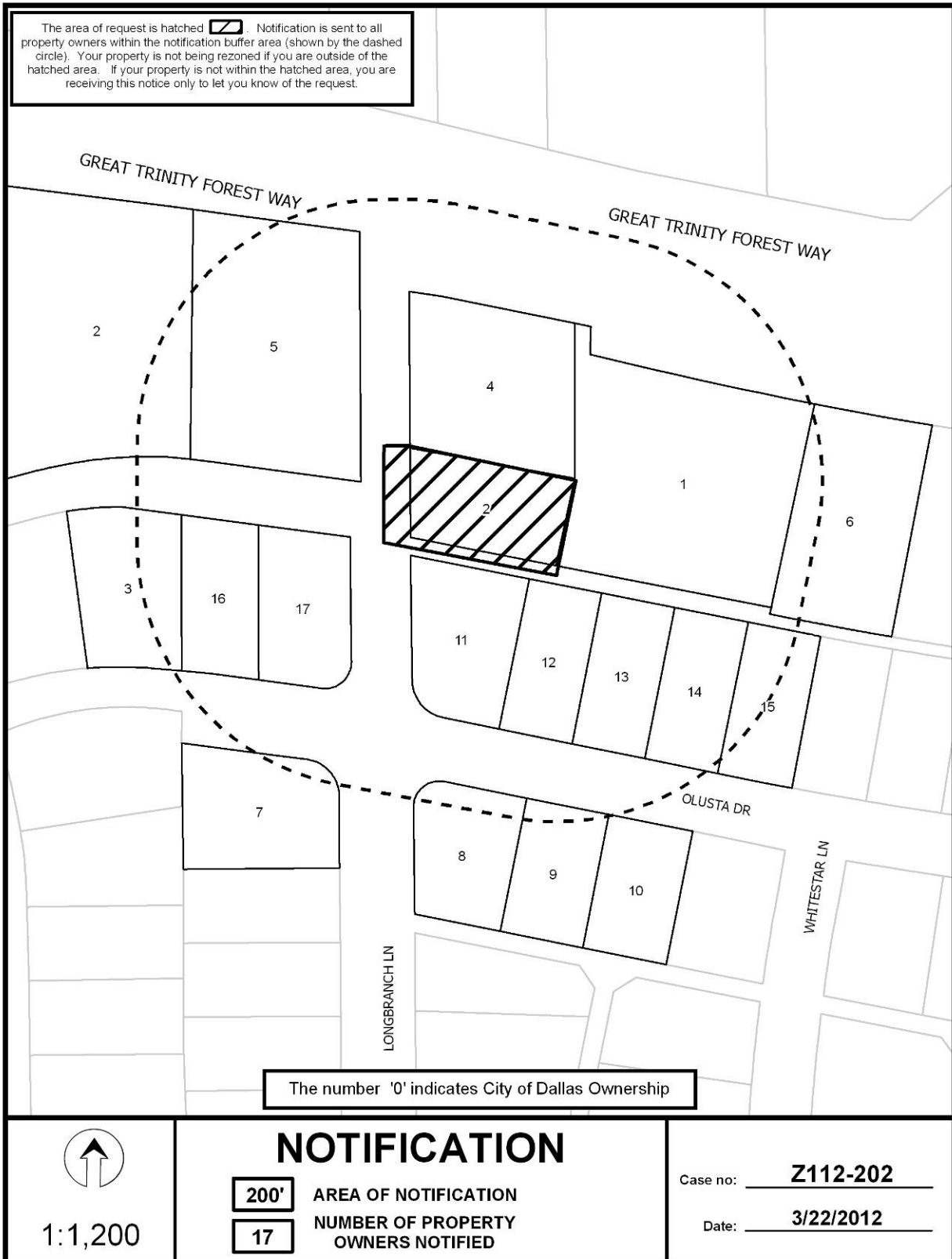
1:4,800

VICINITY MAP

Case no: Z112-202

Date: 3/22/2012





3/22/2012

Notification List of Property Owners**Z112-202****17 Property Owners Notified**

| Label # | Address | Owner |
|----------------|-------------------------------|-------------------------------------|
| 1 | 7728 GREAT TRINITY FOREST WAY | REISBERG FRED |
| 2 | 7602 GREAT TRINITY FOREST WAY | REISBERG FRED INV LTD |
| 3 | 7611 OLUSTA DR | WAITES A V |
| 4 | 7710 GREAT TRINITY FOREST WAY | ABU AZAB AZAIZAH |
| 5 | 7636 GREAT TRINITY FOREST WAY | RESIBERG FRED INV LTD |
| 6 | 7740 GREAT TRINITY FOREST WAY | PHILLIPS LEO & BEATRICE PHILLIPS |
| 7 | 205 LONGBRANCH LN | NORTH BUCKNER PLAZA INC |
| 8 | 7706 OLUSTA DR | SHIELDS O B & BRENDA |
| 9 | 7710 OLUSTA DR | THOMPSON DENNIE |
| 10 | 7718 OLUSTA DR | SIERRA ROBERT F |
| 11 | 7705 OLUSTA DR | CORTEZ ALEJANDRO & |
| 12 | 7709 OLUSTA DR | GARCIA MARCELINO |
| 13 | 7715 OLUSTA DR | SANCHEZ LUIS MIGUEL & MARICRLA M |
| 14 | 7719 OLUSTA DR | SIERRA CARMEN |
| 15 | 7725 OLUSTA DR | FAGAN LEONARD SR |
| 16 | 7627 OLUSTA DR | ROJAS EVELIA |
| 17 | 7631 OLUSTA DR | DAVILA MARY ANN |

FILE NUMBER: Z112-232 (JH)

DATE FILED: May 4, 2012

LOCATION: Northeast line of Forest Park Road, northwest of Stutz Drive

COUNCIL DISTRICT: 2

MAPSCO: 34-T

SIZE OF REQUEST: Approx. 4.989 acres

CENSUS TRACT: 4.06

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

APPLICANT/OWNER: AMD Apartments, LP

REQUEST: An application to amend Planned Development District No. 865.

SUMMARY: The purpose of the request is to correct the conceptual plan and consider a development plan for multifamily uses.

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

BACKGROUND INFORMATION:

- The request site is currently undeveloped.
- Planned Development District No. 865 was established on January 25, 2012 with a conceptual plan (Z101-354). The applicant submitted a development plan and it was determined that the proposed building footprint would encroach past the building footprint shown on the approved conceptual plan. The applicant is proposing with this application to amend the conceptual plan and submit a development plan for developing the property with multifamily uses.
- A two-year waiver was approved on May 3, 2012.
- The applicant intends to develop the request site with a 343 unit multifamily development resulting in a dwelling unit density of 69 units per acre. The PD conditions limit building height to 80 feet, while increasing the Urban Form Setback trigger height to 65 feet.

Zoning History:

1. Z101-384 On December 14, 2011, the City Council approved a Planned Development District for IR Industrial Research District uses.
2. Z101-328 On October 20, 2011, the City Council approved a CS Commercial Service District on property zoned MU-2 Mixed Use District.
3. Z101-199 On August 24, 2011, the City Council approved an MU-3 Mixed Use District with deed restrictions volunteered by the applicant.
4. Z101-189 On August 10, 2011, the City Council approved the renewal of Specific Use Permit No. 1717 for a Vehicle display, sales, and service use
5. Z090-169 On August 24, 2011, the City Council approved an MU-3 Mixed Use District with deed restrictions volunteered by the applicant.
6. Z078-288 On November 10, 2008, the City Council approved an MU-2 Mixed Use District.
7. Z078-242 On September 24, 2008, the City Council approved a Planned Development District for mixed-use development.

Thoroughfares/Streets:

| Thoroughfares/Streets | Type | Existing ROW |
|-----------------------|-------|--------------|
| Forest Park Road | Local | 70 feet |
| Stutz Drive | Local | 60 feet |

Land Use:

| | Zoning | Land Use |
|--------------|------------------|-----------------------|
| Site | PDD No. 865 | Undeveloped |
| North | IM/MU-2 | Medical office/Office |
| South | MU-3/PDD No. 295 | Office/Multifamily |
| East | MU-2 | Multifamily |
| West | MU-2 | Medical Office |

STAFF ANALYSIS:

Comprehensive Plan:

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

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

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.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

Policy 2.2.2 Maximize development opportunities around DART stations

HOUSING ELEMENT

GOAL 3.2 ANSWER THE NEED FOR HOUSING OPTIONS

Policy 3.2.2 Encourage higher density housing within a quarter-mile of DART stations

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

Stemmons Corridor - Southwestern Medical District Area Plan

The request site is within the Stemmons Corridor - Southwestern Medical District Area Plan and primarily complies with the intent of this plan. In June 2010, the City Council adopted the Stemmons Corridor - Southwestern Medical District Area Plan which identifies the request site as being in the Medical Campus Development Block. The Plan recommends this development block be as predominately medical related offices and facilities, however, it is also envisioned to be home to a highly walkable mix of residential and mixed-use developments accommodating medical district employees. Guidance from the plan for the Medical Campus Development Block on residential developments include they "...should enable residents to easily access work, shopping, and leisure activities by transit and pedestrian-oriented streets as well as by driving." (pg 38) The plan envisions structures in this area to range from 2 to 7 stories, although some medical facilities may include downtown-scale towers.

Land Use Compatibility:

The ±4.989-acre request site is undeveloped and is slightly more than a quarter mile from the Inwood/Love Field DART rail station. The subject site is surrounded by medical office uses to the north and west; multifamily to the east; and medical office, and multifamily uses to the south and southeast.

The applicant intends to develop the request site with a four-story multifamily development containing 343 units and accompanied by a five and one-half level parking garage. This will result in a dwelling density of 69 units per acre. The PD conditions allow a maximum building height of 80 feet and the Urban Form Setback trigger height is 65 feet.

Staff supported the creation of Planned Development District. The correction to the conceptual plan is consistent with the text of PD 865. Staff does not object to the amendment to the conceptual plan to allow the building footprint proposed.

Development Standards:

| DISTRICT | SETBACKS | | Density FAR | Height | Lot Coverage | Special Standards | Primary Uses |
|-----------------------------|----------|-------------|-------------|--------|--------------|--|---|
| | Front | Side/Rear | | | | | |
| Existing | | | | | | | |
| PDD for MU-3 Mixed use-3 | 20' | No min./20' | NA | 80' | 80% | Proximity Slope U-form setback Tower spacing Visual Intrusion | Office, retail & personal service, lodging, residential, trade center |

Traffic:

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

Landscaping:

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

List of Partners/Principals/Officers

AMD Apartments Limited Partnership

General Partner is:

DCH 102 Medical District, L.P.

Officers

Anne L. Raymond, Manager
Kenneth J. Valach, Vice President
Mathew D. Schildt, Vice President
Scott D. David, Vice President
Stephen Bancroft, Vice President
Timothy Hogan, Vice President

General Partner is:

Maple Multi-Family Development, LLC

Officers

Anne L. Raymond, Manager
Kenneth J. Valach, Vice President
Mathew D. Schildt, Vice President
Scott D. David, Vice President
Stephen Bancroft, Vice President
Timothy Hogan, Vice President

PD CONDITIONS

ARTICLE 865.

PD 865.

SEC. 51P-865.101. LEGISLATIVE HISTORY.

PD 865 was established by Ordinance No. _____, passed by the Dallas City Council on January 25, 2012.

SEC. 51P-865.102. PROPERTY LOCATION AND SIZE.

PD 865 is established on property located along Forest Park Road and Stutz Drive. The size of PD 865 is approximately 4.989 acres.

SEC. 51P-865.103. DEFINITIONS AND INTERPRETATIONS.

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

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

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

SEC. 51P-865.104. EXHIBITS.

The following exhibits ~~is~~ are incorporated into this article:

(a) Exhibit 865A: conceptual plan.

(b) Exhibit 865B: development plan.

SEC. 51P-865.105. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit 865A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.

SEC. 51P-865.106. DEVELOPMENT PLAN.

Development and use of the Property must comply with the attached development plan. ~~[A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district.]~~ If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-865.107. MAIN USES PERMITTED.

The following uses are the only main uses permitted:

- (1) Agricultural uses.
None permitted.
- (2) Commercial and business service uses.
None permitted.
- (3) Industrial uses.
None permitted.
- (4) Institutional and community service uses.
 - Church.
- (5) Lodging uses.
 - Hotel or motel. *[SUP for a hotel or motel that has 60 or fewer guest rooms.]*
- (6) Miscellaneous uses.
 - Temporary construction or sales office.
- (7) Office uses.
 - Financial institution without drive-in window.
 - Medical clinic or ambulatory surgical center.
 - Office.
- (8) Recreation uses.
 - Private recreation center, club, or area.
- (9) Residential uses.

- College dormitory, fraternity, or sorority house.
- Group residential facility. *[SUP required if spacing component of Section 51A-4.209(b)(3) is not met.]*
- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
- Multifamily.
- Retirement housing.
- Single family.

(10) Retail and personal service uses.

- Dry cleaning or laundry store.
- General merchandise or food store 3,500 square feet or less.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Temporary retail use.

(11) Transportation uses.

None permitted.

(12) Utility and public service uses.

- Local utilities.

(13) Wholesale, distribution, and storage uses.

None permitted.

SEC. 51P-865.108. ACCESSORY USES.

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

SEC. 51P-865.109. 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) Setbacks.

(1) Front yard. Except as provided in this section, minimum front yard is 15 feet.

(2) Side and rear yard. Except as provided in this section, no minimum side or rear yard is required.

(3) Urban form setback. An additional front, side, and rear yard setback of one foot for each two feet of height above 65 feet is required, up to a maximum total setback of 30 feet.

(4) Projections.

(A) Ordinary projections of canopies, balconies, stoops, bay windows, awnings, and other architectural features may project up to 10 feet into the required setbacks ~~if a minimum sidewalk clearance from the projection of five feet is provided.~~

(B) A turret, spire, or tower that does not exceed 10 percent of the street level floor area may encroach into an urban form setback.

(b) Density. Maximum dwelling unit density is 69 units per acre. Maximum number of dwelling units is 344.

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

(d) Height.

(1) Except as provided in this subsection, maximum structure height is 80 feet, excluding rooftop mechanicals, parapet walls, and elevator penthouses.

(2) Rooftop mechanicals, parapet walls, and elevator penthouses may project a maximum of 12 feet above the maximum structure height.

(e) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(f) Lot size. Minimum lot size is 1,000 square feet.

(g) Stories. No maximum number of stories.

SEC. 51P-865.110. 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 uses.

(1) For each dwelling unit with a floor area of 900 square feet or less and fewer than two bedrooms, one off-street parking space is required.

(2) For each dwelling unit with a floor area of more than 900 square feet and fewer than two bedrooms, one and one-half off-street parking space are required.

(3) For each dwelling unit with two or more bedrooms, one off-street parking space is required for each bedroom.

(c) Fitness center. For a fitness center use accessory to a multifamily use, no off-street parking is required.

SEC. 51P-865.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-865.112. LANDSCAPING.

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

(b) One street tree for every 35 feet of street frontage must be provided.

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

SEC. 51P-865.113. SIGNS.

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

SEC. 51P-865.114. ADDITIONAL PROVISIONS.

(a) A minimum six-foot-wide sidewalk with a minimum unobstructed four-foot-wide sidewalk must be provided along street frontages.

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

(c) 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-865.115. COMPLIANCE WITH CONDITIONS.

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

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

Proposed Conceptual Plan



1 CONCEPTUAL PLAN
SCALE: 1" = 30'-0"

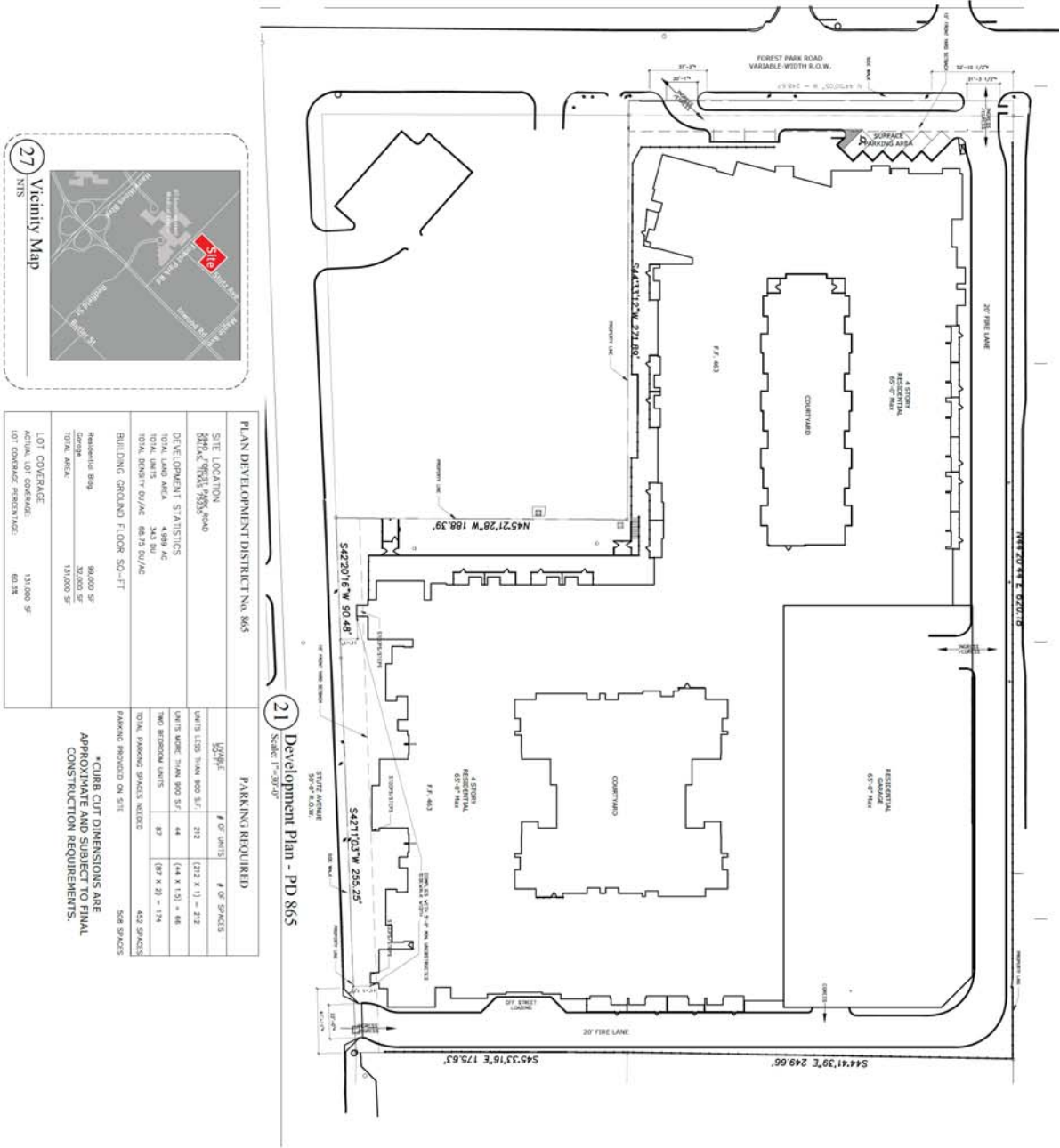


VICINITY MAP
NTS



CONCEPTUAL PLAN
 Z112-232
 USE: MULTI-FAMILY
 GROSS AREA: 4,989 ACRES
 MAX. LOT COVERAGE: 80%
 NET RESIDENTIAL DENSITY: 69 UNITS/AM
 MAX. HEIGHT: 80 FT./4 STORIES
 ENCROACHMENTS ARE PERMITTED WITHIN
 REQUIRED FRONT YARD IN ACCORDANCE
 WITH PD 865

Proposed Development Plan



PLAN DEVELOPMENT DISTRICT No. 865

| | | | |
|-------------------------------|------------|----------------------------|---------------------|
| SITE LOCATION | | PARKING REQUIRED | |
| 82124, 7004, 7833, 8040 | | UNITS | # OF SPACES |
| DEVELOPMENT STATISTICS | | UNITS LESS THAN 800 S.F. | 212 (212 X 1) = 212 |
| TOTAL LAND AREA | | UNITS MORE THAN 800 S.F. | 44 (44 X 1.3) = 66 |
| TOTAL UNITS | | TWO BEDROOM UNITS | 87 (87 X 2) = 174 |
| TOTAL DENSITY DU/AC | | TOTAL PARKING SPACES NOTED | 452 SPACES |
| BUILDING GROUND FLOOR SQ.-FT. | | PARKING PROVIDED ON SITE | |
| Residential Bldg | 98,000 SF | 508 SPACES | |
| Garage | 32,000 SF | | |
| TOTAL AREA | 130,000 SF | | |
| LOT COVERAGE | 130,000 SF | | |
| ACTUAL LOT COVERAGE | 60.3% | | |
| LOT COVERAGE PERCENTAGE | 60.3% | | |

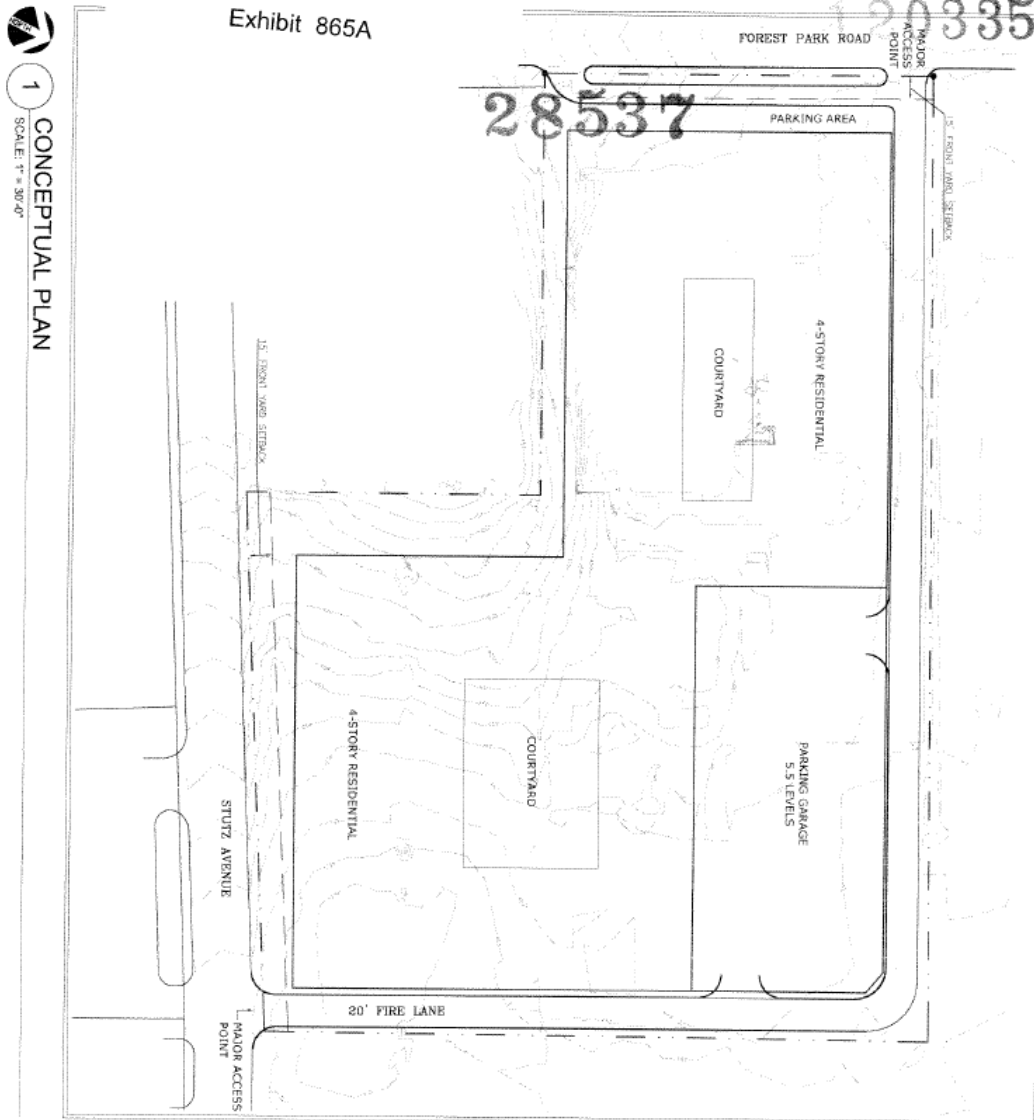
*CURB CUT DIMENSIONS ARE APPROXIMATE AND SUBJECT TO FINAL CONSTRUCTION REQUIREMENTS.

Project Number: 2011024-00
 Date: 02/10/2012
 Development Plan: 02/10/2012
 TCR
 THE CITY OF DALLAS
 DEPARTMENT OF CITY PLANNING AND DEVELOPMENT
 2011024-00
 02/10/2012
 CASE NUMBER 2112-232

Alexan Medical District
 Dallas, Texas

JHP Architects / Urban Design
 8146 Meadow Road, Suite 500
 Dallas, Texas 75248
 Phone: 214-343-2931
 Fax: 214-343-2953

Existing Conceptual Plan



1 CONCEPTUAL PLAN
SCALE: 1" = 30'-0"

Planned Development
District No. 865

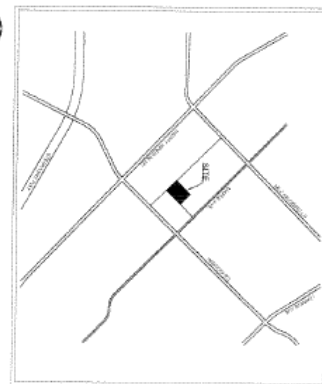
Approved
City Plan Commission
December 1, 2011

Z-101-354

USE: MULTI-FAMILY
GROSS AREA: 4,989 ACRES
MAX. LOT COVERAGE: 80%
NET RESIDENTIAL DENSITY: 69 UNITS PER ACRE
MAX. HEIGHT: 80 FT. / 4 STORIES



VICINITY MAP
NTS



RESIDENCES AT FOREST PARK
CITY OF DALLAS, TEXAS

Baldwin
Associates

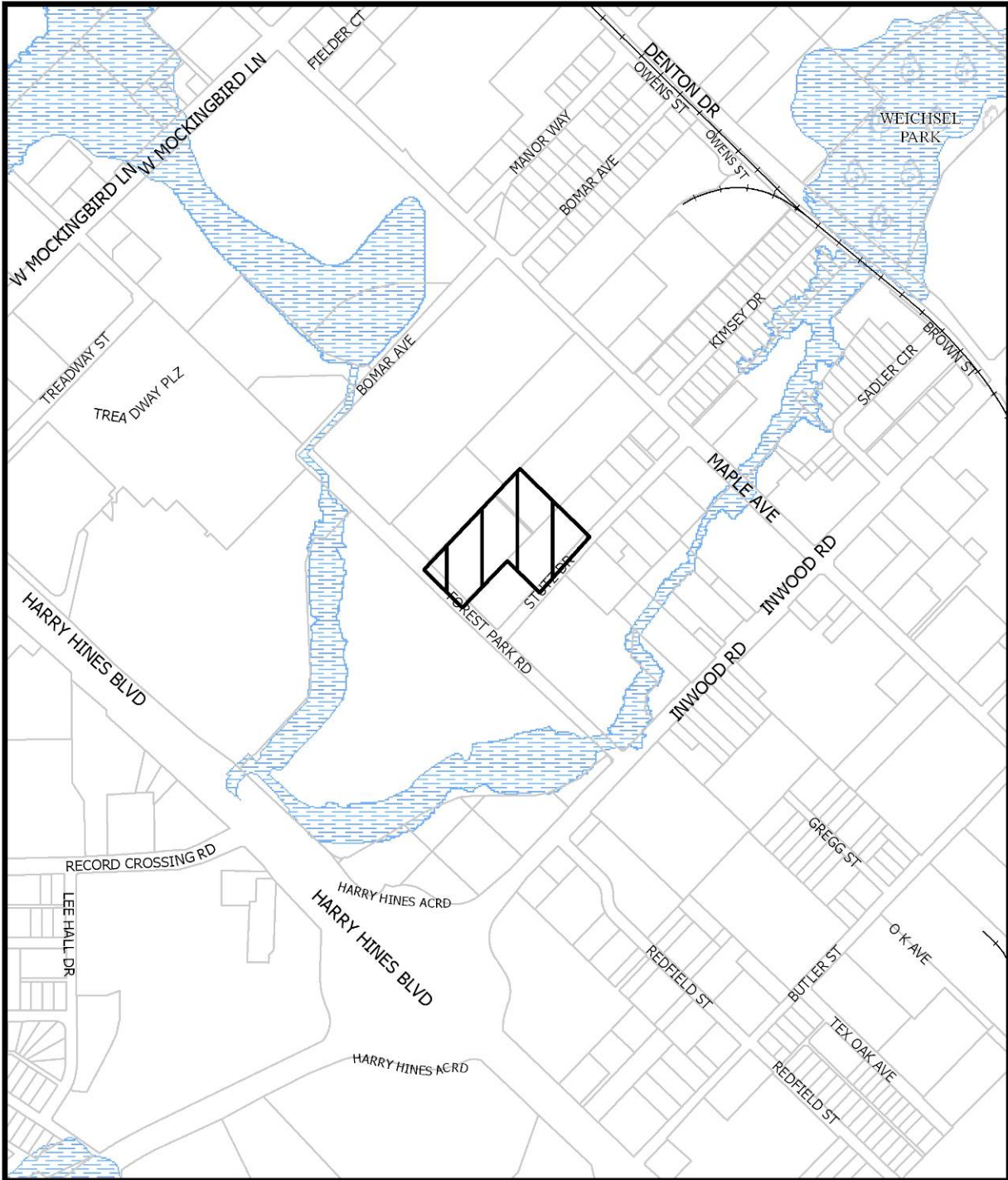
BALDWIN
ASSOCIATES

3904 Elm Street, Suite B
Dallas, Texas 75226
PHONE: 214.726.7949
OFFICE: 214.824.7949
rob@baldwinplanning.com

12/07/11

PROJECT NUMBER

DATE SUBMITTED

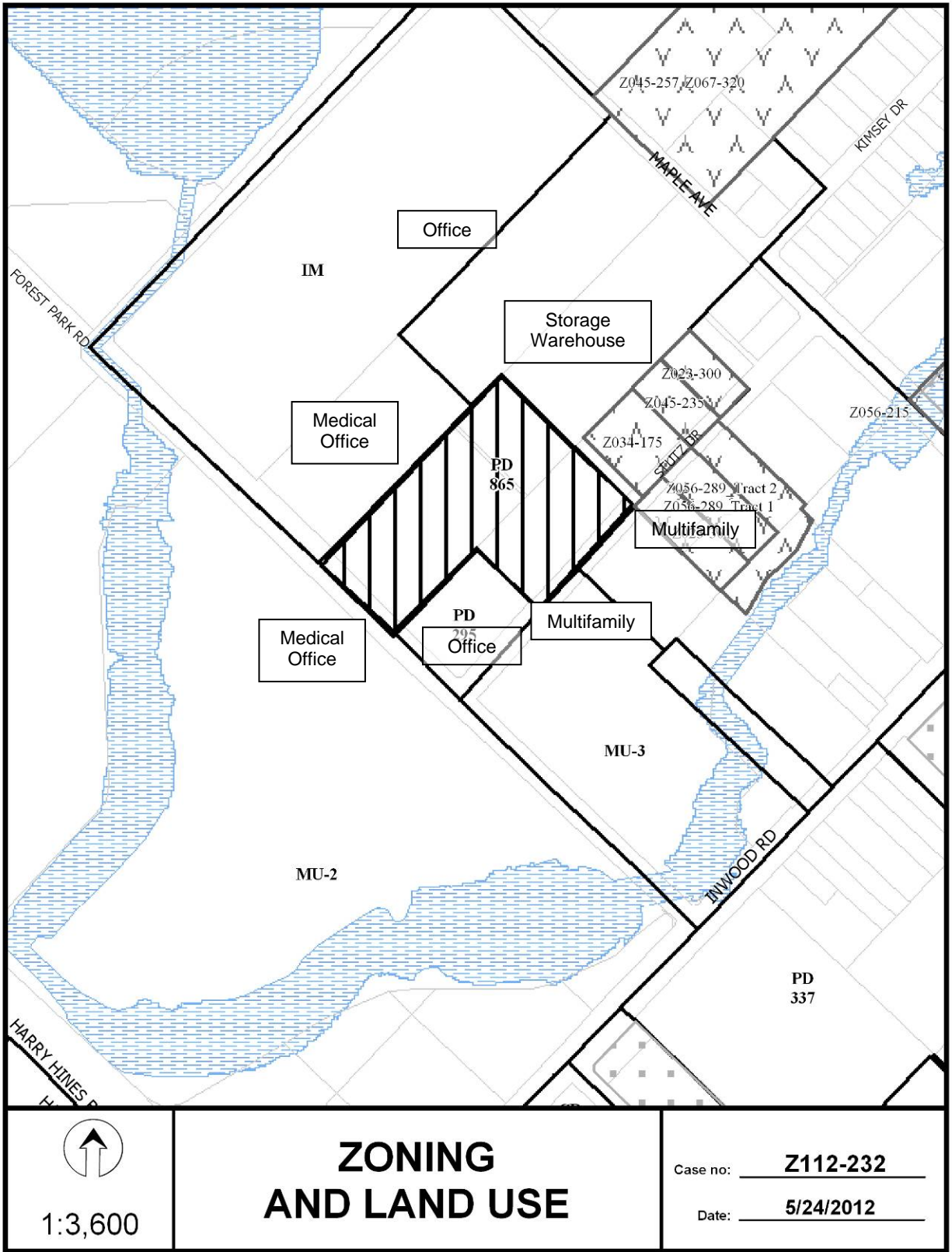


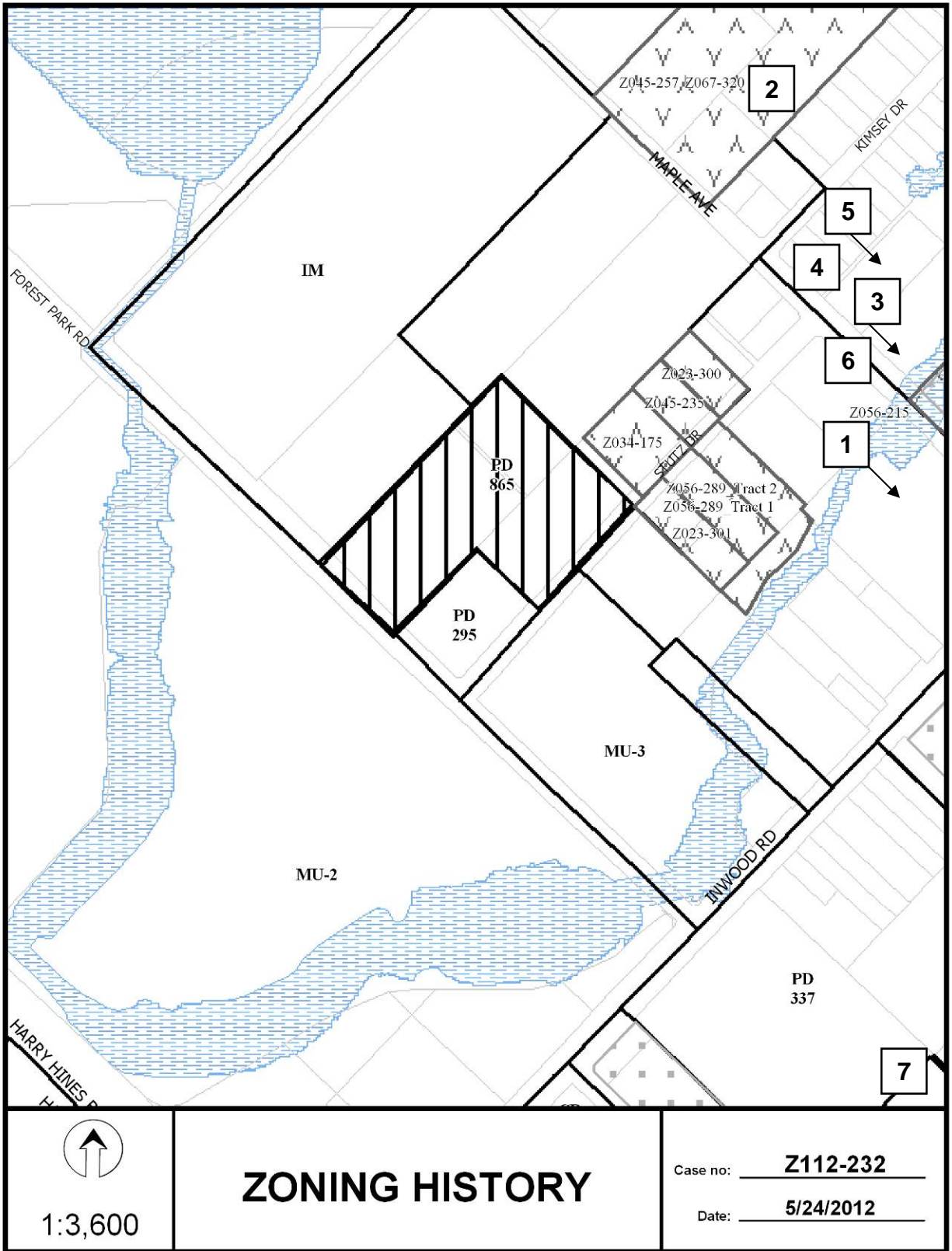
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VICINITY MAP

Case no: Z112-232

Date: 5/24/2012

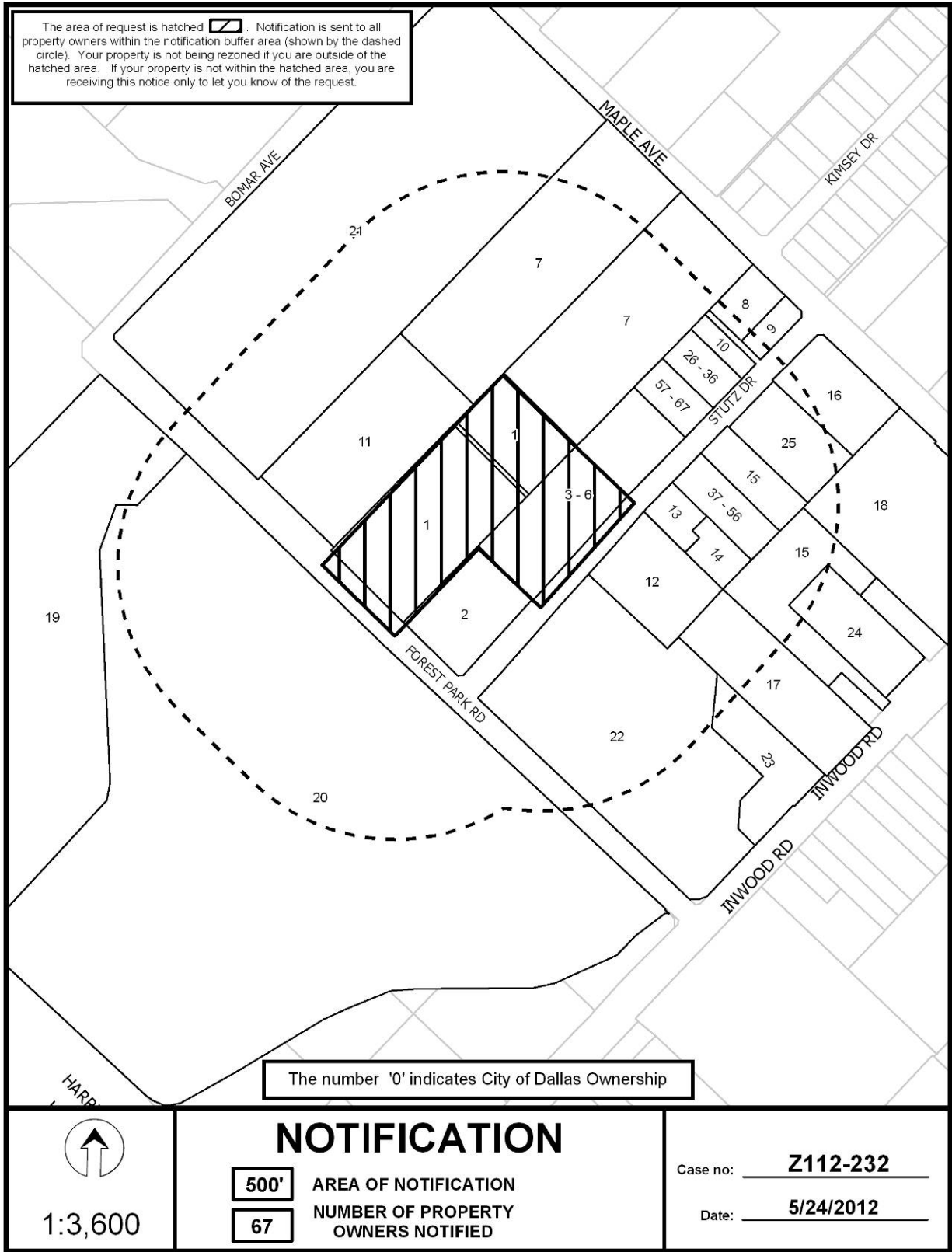




1:3,600

ZONING HISTORY

Case no: Z112-232
Date: 5/24/2012



5/24/2012

Notification List of Property Owners

Z112-232

67 Property Owners Notified

| Label # | Address | Owner |
|---------|-----------------------|--|
| 1 | 5940 FOREST PARK RD | OPEN ARMS INC |
| 2 | 5920 FOREST PARK RD | S W PROFESSIONAL BLDG LTD SUITE 525 |
| 3 | 2295 STUTZ RD | STUTZ ROAD LTD PS |
| 4 | 2325 STUTZ RD | VU DAVID D & VU TUNG V & TUYETYEN |
| 5 | 2325 STUTZ RD | SHAY JERRY L & |
| 6 | 2325 STUTZ RD | JEFFRIES CHRISTOPHER |
| 7 | 5919 MAPLE AVE | CRP-GREP MAPLE OWNER LLC STE 2100 |
| 8 | 5907 MAPLE AVE | RUBY SLIPPER PROPERTIES LLC |
| 9 | 5901 MAPLE AVE | RUBY SLIPPER PPTIES LLC |
| 10 | 2419 STUTZ RD | SCHIEFFER PAUL W |
| 11 | 6010 FOREST PARK RD | DALLAS NEPHROS LAND COMPANY LP |
| 12 | 2310 STUTZ RD | FIRST NATIONWIDE POSTAL HOLDINGS |
| 13 | 2316 STUTZ RD | SEALEX INV LTD |
| 14 | 2316 STUTZ RD | SEALEX INVESTMENTS LTD |
| 15 | 2402 STUTZ RD | VICEROY INWOOD LP |
| 16 | 5855 MAPLE AVE | STARK O V SOUTHLAND FARM STORE |
| 17 | 2339 INWOOD RD | INWOOD SELF STOR FAM LP |
| 18 | 5701 MAPLE AVE | KANO MAILE LTD SUITE 100 |
| 19 | 6400 HARRY HINES BLVD | BOARD OF REGENTS OF THE % REAL ESTATE OF |
| 20 | 6000 HARRY HINES BLVD | BOARD OF REGENTS UNIV TX % REAL ESTATE O |
| 21 | 6114 FOREST PARK RD | DALLAS AIRMOTIVE INC |
| 22 | 5720 FOREST PARK RD | UNIFIED HOUSING OF INWOOD LLC |
| 23 | 2333 INWOOD RD | LY & LY INVESTMENTS LP |
| 24 | 2419 INWOOD RD | VICEROY DAVENPORT LP |
| 25 | 2424 STUTZ RD | HAYNES INVESTMENTS |
| 26 | 2415 STUTZ RD | HUNT SELWYN E |
| 27 | 2415 STUTZ RD | YUAN ROBERT L & RUBY |
| 28 | 2415 STUTZ RD | DUGAS JUSTIN M |
| 29 | 2415 STUTZ RD | SHAH TEJAS K UNIT D |
| 30 | 2415 STUTZ RD | UNZEITIG ANDREW W |
| 31 | 2415 STUTZ RD | CHOE JOEL |

| Label # | Address | Owner |
|----------------|----------------|--|
| 32 | 2415 STUTZ RD | MCPHAIL ERICA |
| 33 | 2415 STUTZ RD | AMIN A HAFIZ & HALIMA |
| 34 | 2415 STUTZ RD | GILES JASON M |
| 35 | 2415 STUTZ RD | STAMM MARY C & |
| 36 | 2415 STUTZ RD | DELACRUZ AUDREY L |
| 37 | 2326 STUTZ RD | HALL JUDY H UNIT 101 |
| 38 | 2326 STUTZ RD | NGUYEN LINH & |
| 39 | 2326 STUTZ RD | RUSSELL JACY NICOLE |
| 40 | 2326 STUTZ RD | GENTHON STEPHEN P & MARTA T |
| 41 | 2326 STUTZ RD | MUTH CHARLES & MUTH PAULA |
| 42 | 2326 STUTZ RD | PLATA ERNEST J & CECILIA R |
| 43 | 2326 STUTZ RD | PERLMAN SUREKHA & JEFFREY H |
| 44 | 2326 STUTZ RD | RICHARDSON JARED B |
| 45 | 2326 STUTZ RD | YUAN ROBERT & RUBY |
| 46 | 2326 STUTZ RD | BACHIR NATALIE M & |
| 47 | 2326 STUTZ RD | GOBLE GARY L |
| 48 | 2326 STUTZ RD | CHRISTIANSON BRANDON & RACHEL UNIT 112 |
| 49 | 2326 STUTZ RD | CARRINGTON TOMMY F |
| 50 | 2326 STUTZ RD | PERLMAN SUKEKHA |
| 51 | 2326 STUTZ RD | DEMARCO BRENDAN M |
| 52 | 2326 STUTZ RD | LIU YU YAN & BENNET T BLDG 4 UNIT 116 |
| 53 | 2326 STUTZ RD | CANO CHRISTOPHER A & |
| 54 | 2326 STUTZ RD | LOHR CLAUDETTE O |
| 55 | 2326 STUTZ RD | CAI XIN |
| 56 | 2326 STUTZ RD | BAUM ERIC |
| 57 | 2403 STUTZ RD | WILLIAMS CARMEN M |
| 58 | 2403 STUTZ RD | NGUYEN DON H |
| 59 | 2403 STUTZ RD | STUTZ ROAD PARTNERS II |
| 60 | 2403 STUTZ RD | MALDONADO GERARDO & BOBBIE J & |
| 61 | 2403 STUTZ RD | EGBUNIWE CHIKE N |
| 62 | 2407 STUTZ RD | GOMEZ JOSE V |
| 63 | 2407 STUTZ RD | HARDEMAN PAULA A |
| 64 | 2407 STUTZ RD | YALCIN ASLIGUL & PAUL C CHIN |
| 65 | 2407 STUTZ RD | HEAD MATTHEW J |
| 66 | 2407 STUTZ RD | PENA LLOPIS SAMUEL |
| 67 | 2407 STUTZ RD | OKORAFOR ORIEJI L |

Planner: Warren F. Ellis

FILE NUMBER: Z112-110(WE) **DATE FILED:** October 17, 2011

LOCATION: Samuell Boulevard and South Buckner Boulevard, northwest corner

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

SIZE OF REQUEST: Approx. 1.046 acres **CENSUS TRACT:** 122.07

APPLICANT/ OWNER: 7-Eleven Inc.

REPRESENTATIVE: Ashley Anderson
 Gardere Wynne Sewell LLP

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

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

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

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store less than 3,500 square feet use, and a motor vehicle fueling station.
- The proposed SUP would allow the sale of alcohol for off-premise consumption in conjunction with the general merchandise use on the property.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on property requires a specific use permit in the D-1 Liquor Control Overlay.
- The request site is adjacent to a restaurant use and a general merchandise store greater than 100,000 square feet. South of the request site, across Samuell Boulevard, is PDD No. 605, which is undeveloped. Properties to the east, across S. Buckner Boulevard, are also undeveloped.

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

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW | Proposed ROW |
|----------------------|------|--------------|--------------|
| S. Buckner Boulevard | | 120 ft. | 120 ft. |
| Samuell Boulevard | | 120 ft. | 120 ft. |

Land Use:

| | Zoning | Land Use |
|--------------|-----------------|--------------------------------------|
| Site | RR-D-1 | Convenience store w/fueling stations |
| North | RR-D-1 | Restaurant |
| South | PDD No. 605-D-1 | Undeveloped |
| East | RR-D-1 | Undeveloped |
| West | RR-D-1 | General merchandise or food store |

COMPREHENSIVE PLAN: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being located along a Commercial Center or 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 1.046 acre site is located within an existing retail strip development and is currently developed with a general merchandise or food store less than 3,500 square feet and a motor vehicle fueling. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which is not allowed by the D Liquor Control Overlay but requires a Specific Use Permit in the D-1 Liquor Control Overlay.

The property south of the request site, across Samuell Boulevard, is PDD No. 605 and is undeveloped. Properties to the east, across S. Buckner Boulevard, are also undeveloped. The request site is also adjacent to PDD No. 549, which is developed as a special institutional use.

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

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

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as

the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

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

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

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

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

Development Standards:

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





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

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

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

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

| DALLAS POLICE DEPARTMENT | | | | | | | | | | |
|--------------------------------|--------------|--------------------------|-------------------------|-------|-----|------------|------|----------------|-------|---|
| | | | | | | | | | | UCR Codes Year Codes Property Class Codes |
| Virtual Viewer - Public Access | | | | | | | | | | Welcome |
| Search Records - Offense | | | | | | | | | | Filter |
| Service # | Offense Date | Complainant | Offense | Block | Dir | Street | Beat | Reporting Area | UCR1 | UCR2 |
| 0008477-V | 01/09/2008 | *SEVEN ELEVEN | THEFT | 05501 | S | BUCKNER... | 323 | 1217 | 06932 | |
| 0013233-V | 01/13/2008 | *SEVEN ELEVEN | THEFT | 05501 | S | BUCKNER... | 323 | 1217 | 06901 | 14031 |
| 0016909-V | 01/16/2008 | DARNELL,SONJA | ROBBERY | 05501 | S | BUCKNER... | 323 | 1217 | 03811 | |
| 0030861-W | 01/31/2009 | *HEARTLAND PRIVATE S... | LOST PROPERTY | 05501 | S | BUCKNER... | 318 | 1217 | 42020 | |
| 0058094-V | 02/26/2008 | *7-11 CORP / STORE#3... | OTHER OFFENSES | 05501 | S | BUCKNER... | 323 | 1217 | 26530 | |
| 0059693-T | 01/26/2007 | *7-11 #33275 | OTHER OFFENSES | 05501 | S | BUCKNER... | 322 | 1217 | 26530 | |
| 0062640-Y | 03/13/2011 | *NCR CORPORATION | THEFT | 05501 | S | BUCKNER... | 318 | 1217 | 26000 | 06901 |
| 0067103-X | 03/11/2010 | @CITY OF DALLAS | FOUND PROPERTY | 05501 | S | BUCKNER... | 318 | 1217 | 43020 | |
| 0067625-W | 03/11/2009 | @CITY OF DALLAS | FOUND PROPERTY | 05501 | S | BUCKNER... | 318 | 1217 | 43020 | |
| 0077288-X | 03/21/2010 | *7-11 CONVENIENCE ST... | THEFT | 05501 | S | BUCKNER... | 318 | 1217 | 06931 | |
| 0077486-X | 03/21/2010 | CHAPPEL,NOTORIA | ASSAULT | 05501 | S | BUCKNER... | 318 | 1217 | 08412 | |
| 0087158-X | 03/31/2010 | *SEVEN ELEVEN | THEFT | 05501 | S | BUCKNER... | 318 | 1217 | 06933 | |
| 0092390-T | 02/09/2007 | *7-11 STORE #33275 | OTHER OFFENSES | 05501 | S | BUCKNER... | 322 | 1217 | 26530 | |
| 0092620-Y | 04/13/2011 | *7; ELEVEN STORE NO 3... | CRIMINAL MISCHIEF/VA... | 05501 | S | BUCKNER... | 318 | 1217 | 14083 | |
| 0094472-T | 02/10/2007 | @CITY OF DALLAS | FOUND PROPERTY | 05501 | S | BUCKNER... | 322 | 1217 | 43020 | |
| 0095546-X | 04/08/2010 | SMITH, AARON | ROBBERY | 05501 | S | BUCKNER... | 318 | 1217 | 03A11 | |
| 0105787-V | 04/11/2008 | @CITY OF DALLAS | FOUND PROPERTY | 05501 | S | BUCKNER... | 323 | 1217 | 43020 | |
| 0111433-T | 02/17/2007 | TRUJILLO, ALVARO | AGGRAVATED ASSAULT | 05501 | S | BUCKNER... | 322 | 1217 | 04162 | |
| 0111739-T | 02/17/2007 | TRUJILLO, ALVARO | CRIMINAL MISCHIEF/VA... | 05501 | S | BUCKNER... | 322 | 1217 | 14082 | |
| 0113523-V | 03/31/2008 | *TRI COLOR AUTO SALES | FRAUD | 05501 | S | BUCKNER... | 323 | 1217 | 11030 | 11040 |
| 0113524-V | 03/31/2008 | *TRI COLOR AUTO SALES | FRAUD | 05501 | S | BUCKNER... | 323 | 1217 | 11030 | |
| 0114090-V | 04/18/2008 | PASILLAS, OMAR | ASSAULT | 05501 | S | BUCKNER... | 323 | 1217 | 08191 | |
| 0120968-T | 02/21/2007 | *7-ELEVEN | OTHER OFFENSES | 05501 | S | BUCKNER... | 322 | 1217 | 26530 | |
| 0121649-T | 02/21/2007 | *7-11 | THEFT | 05501 | S | BUCKNER... | 322 | 1217 | 06935 | |
| 0122015-Y | 05/12/2011 | GIZEW,MESFIN | ASSAULT | 05501 | S | BUCKNER... | 318 | 1217 | 08211 | |
| 0123842-V | 04/27/2008 | *7-11 | ROBBERY | 05501 | S | BUCKNER... | 323 | 1217 | 03442 | |
| 0128324-X | 05/09/2010 | *7-11 #33275 | THEFT | 05501 | S | BUCKNER... | 318 | 1217 | 06932 | |
| 0129152-Y | 05/20/2011 | JACOBS, BRANDON | OTHER OFFENSES | 05501 | S | BUCKNER... | 318 | 1217 | 26000 | |
| 0132765-W | 05/10/2009 | JOHNSON,JESSICA | THEFT | 05501 | S | BUCKNER... | 318 | 1217 | 06101 | |
| 0139254-T | 02/28/2007 | %FREEMAN,SHAWN E.#... | ASSAULT | 05501 | S | BUCKNER... | 322 | 1217 | 08911 | |

|  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 |
| 0144858-Y | 06/04/2011 | DEBOARD, JESSE | ACCIDENTAL INJURY - P... | 05501 | S | BUCKNER... | 318 | 1217 | 33030 | |
| 0145844-Y | 06/05/2011 | SMITH, JERMICHAEL | AGGRAVATED ASSAULT | 05501 | S | BUCKNER... | 318 | 1217 | 04421 | |
| 0151304-Y | 05/22/2008 | LARK,SHERUNDA | ASSAULT | 05501 | S | BUCKNER... | 323 | 1217 | 08422 | |
| 0153159-W | 05/29/2009 | *7 ELEVEN | ROBBERY | 05501 | S | BUCKNER... | 318 | 1217 | 03411 | |
| 0159740-X | 06/04/2010 | SALYARDS,HOLLY | OTHER OFFENSES | 05501 | S | BUCKNER... | 318 | 1217 | 26000 | |
| 0164612-W | 06/08/2009 | *SEVEN ELEVEN | THEFT | 05501 | S | BUCKNER... | 318 | 1217 | 06935 | |
| 0179691-W | 06/21/2009 | @CITY OF DALLAS | FOUND PROPERTY | 05501 | S | BUCKNER... | 318 | 1217 | 43020 | |
| 0190391-X | 07/07/2010 | JOHNSON,DREW | OTHER OFFENSES | 05501 | S | BUCKNER... | 318 | 1217 | 26000 | |
| 0192328-W | 07/02/2009 | *7) ELEVEN STORE NO 3... | OTHER OFFENSES | 05501 | S | BUCKNER... | 318 | 1217 | 26000 | |
| 0209941-Y | 08/08/2011 | DEJENE,MULLU | ASSAULT | 05501 | S | BUCKNER... | 318 | 1217 | 08312 | |
| 0211042-Y | 08/09/2011 | @7 ELEVEN | THEFT | 05501 | S | BUCKNER... | 318 | 1217 | 06935 | |
| 0222122-W | 07/29/2009 | BUSBY,DONALD | OTHER OFFENSES | 05501 | S | BUCKNER... | 318 | 1217 | 26000 | |
| 0222628-Y | 08/22/2011 | *SEVEN ELEVEN | THEFT | 05501 | S | BUCKNER... | 318 | 1217 | 06931 | |
| 0227331-W | 08/02/2009 | MALDONADO, ALEJANDRO | TRAFFIC MOTOR VEHICLE | 05501 | S | BUCKNER... | 318 | 1217 | 32090 | |
| 0230737-W | 08/05/2009 | MCCORMICK,MEGHAN | LOST PROPERTY | 05501 | S | BUCKNER... | 318 | 1217 | 42020 | |
| 0235717-Y | 09/05/2011 | JOHNSON,SHEILA | OTHER OFFENSES | 05501 | S | BUCKNER... | 318 | 1217 | 26000 | |
| 0267644-W | 09/08/2009 | *SEVEN ELEVEN | THEFT | 05501 | S | BUCKNER... | 318 | 1217 | 06935 | |
| 0277865-Y | 10/20/2011 | BERGEN,JOHN | AUTO THEFT-UUMV | 05501 | S | BUCKNER... | 318 | 1217 | 07622 | |
| 0285952-Y | 09/12/2008 | MABRY, DANNY | AGGRAVATED ASSAULT | 05501 | S | BUCKNER... | 323 | 1217 | 04121 | |
| 0287788-Y | 10/31/2011 | *7-11 | OTHER OFFENSES | 05501 | S | BUCKNER... | 318 | 1217 | 26530 | |
| 0292186-W | 10/01/2009 | *7 ELEVEN STORE NO 3... | FOUND PROPERTY | 05501 | S | BUCKNER... | 318 | 1217 | 43020 | |
| 0303438-Y | 11/17/2011 | CASTILLO,JESUS | FRAUD | 05501 | S | BUCKNER... | 318 | 1217 | 11040 | |
| 0304004-X | 11/02/2010 | *711 STORE NO 33275 | TRAFFIC MOTOR VEHICLE | 05501 | S | BUCKNER... | 318 | 1217 | 32090 | |
| 0305425-W | 10/14/2009 | *7) ELEVEN STORE NO 3... | THEFT | 05501 | S | BUCKNER... | 318 | 1217 | 06932 | |
| 0320340-X | 11/20/2010 | *SEVEN ELEVEN | THEFT | 05501 | S | BUCKNER... | 318 | 1217 | 06935 | |
| 0355847-T | 05/16/2007 | *7 ELEVEN STORE NO 3... | OTHER OFFENSES | 05501 | S | BUCKNER... | 322 | 1217 | 26530 | |
| 0361821-T | 05/18/2007 | *7-11 #33275-A | BURGLARY | 05501 | S | BUCKNER... | 322 | 1217 | 05233 | |
| 0375979-Y | 12/11/2008 | DORSEY,KENNETH,RAY | AUTO THEFT-UUMV | 05501 | S | BUCKNER... | 323 | 1217 | 07621 | |
| 0391931-Y | 12/17/2008 | *SEVEN-ELEVEN | THEFT | 05501 | S | BUCKNER... | 323 | 1217 | 06931 | |
| 0456991-T | 06/20/2007 | *SEVEN-ELEVEN #33275 | ROBBERY | 05501 | S | BUCKNER... | 322 | 1217 | 03441 | |
| 0474104-T | 06/26/2007 | *7-11 33275 | THEFT | 05501 | S | BUCKNER... | 322 | 1217 | 06931 | |
| 0544654-T | 07/21/2007 | GELAN, ALEX ROBELE | ASSAULT | 05501 | S | BUCKNER... | 322 | 1217 | 08112 | |
| 0549348-T | 07/22/2007 | *SEVEN-ELEVEN | ROBBERY | 05501 | S | BUCKNER... | 322 | 1217 | 03441 | |
| 0621244-T | 08/18/2007 | LANE, ERA | ASSAULT | 05501 | S | BUCKNER... | 322 | 1217 | 08322 | |
| 0643042-T | 09/01/2007 | KHULLAR,RAJESH | ASSAULT | 05501 | S | BUCKNER... | 322 | 1217 | 08111 | |
| 0660002-T | 08/21/2007 | SALAZAR,ISRAEL | LOST PROPERTY | 05501 | S | BUCKNER... | 322 | 1217 | 42020 | |
| 0772950-T | 12/17/2007 | DUBOIS,MARTHA | THEFT | 05501 | S | BUCKNER... | 323 | 1217 | 06902 | |
| 0913263-R | 12/06/2006 | *SEVEN ELEVEN #33275 | THEFT | 05501 | S | BUCKNER... | 322 | 1217 | 06932 | |
| 0961783-R | 12/24/2006 | *SEVEN-ELEVEN #33275 | ROBBERY | 05501 | S | BUCKNER... | 322 | 1217 | 03441 | 06932 |

LIST OF OFFICERS/DIRECTORS
7-Eleven Inc.

Officers of the Board

Toshifumi Suzuki – Chairman of the Board

Senior Officers

Joseph M. DePinto – President and Chief Executive Officer; Director
Darren M. Rebelez – Executive Vice President and Chief Operating Officer
Stanley W. Reynolds – Executive Vice President and Chief Financial Officer
Carole L. Davidson – Senior Vice President, Strategic Planning
Jesus H. Delgado-Jenkins – Senior Vice President, Merchandise & Logistics
David T. Fenton – Senior Vice President, General Counsel and Secretary
Wesley M. Hargrove – Senior Vice President and Chief Information Officer
C. Bradley Jenkins – Senior Vice President, Store Operations
Krystin E. Mitchell – Senior Vice President, Human Resources
Jeffrey A. Schenck – Senior Vice President, Franchising
Christopher P. Tanco – Senior Vice President, International

Other Officers

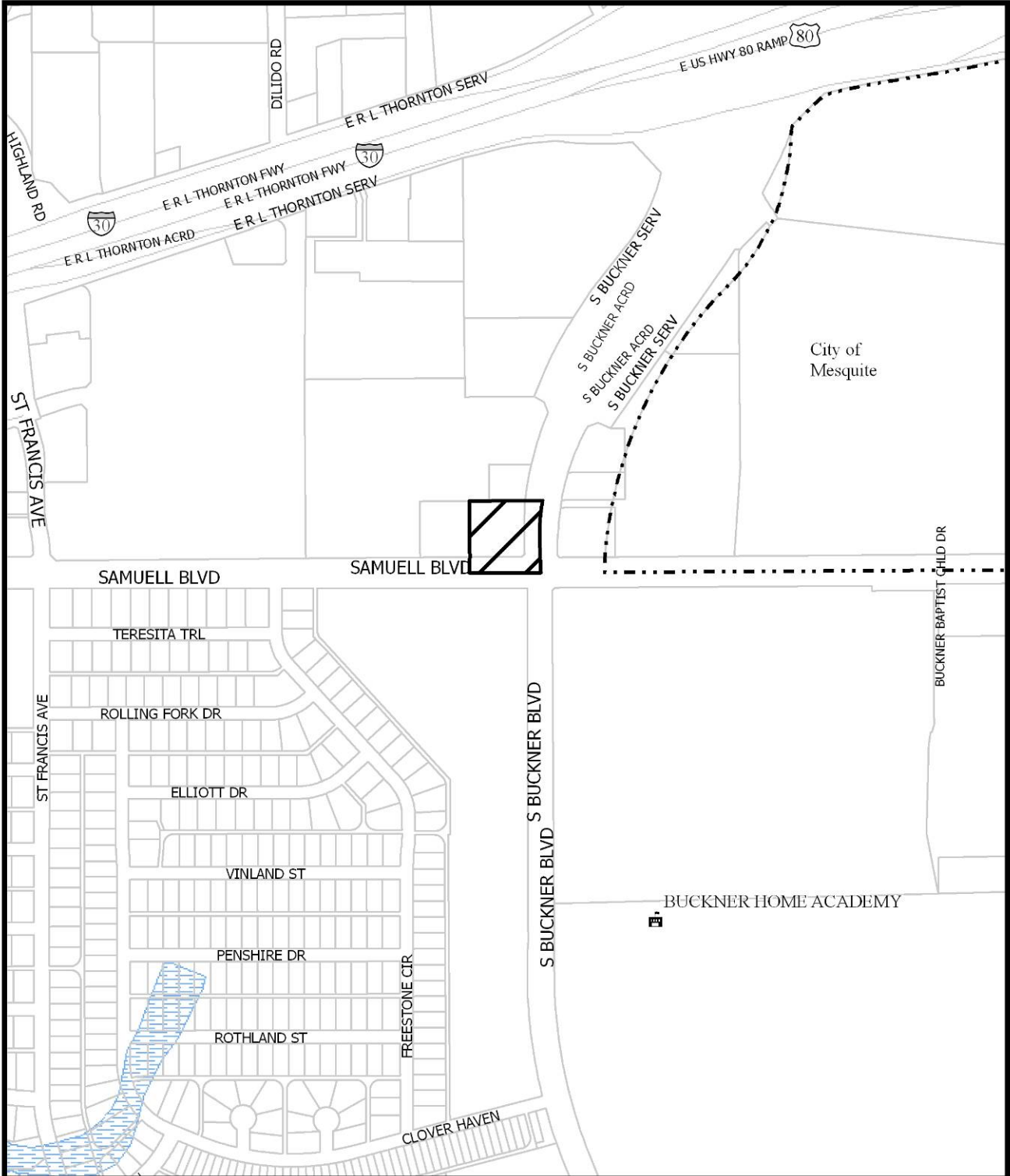
Shinji Abe – Vice President, Strategic Planning
Masaaki Asakura – Vice President, International
Rita E. Bargerhuff – Vice President and Chief Marketing Officer
Robert Cozens – Vice President, Northeast Division
W. Timothy Donegan – Vice President, Canada Division
William M. Engen – Vice President, Chesapeake Division
Frank S. Gambina – Vice President, National Franchise
John “J” Hedrick – Vice President, Florida Division
Lawrence G. Hughes – Vice President, North Pacific Division
Rajneesh Kapoor – Vice President, Great Lake Division
Allen P. Pack – Vice President, Central Division
Ryoji Sakai – Vice President, Strategic Planning
David L. Seltzer – Vice President and Treasurer
Nancy Smith – Vice President, Operations Support
Ena Williams – Vice President, Southwest Division

Directors

Toshifumi Suzuki – Chairman of the Board
Jay W. Chai – Director
Joseph M. DePinto – Director, President and Chief Executive Officer
Masaaki Kamata – Director
Nobutake Sato - Director

PROPOSED SUP CONDITIONS

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

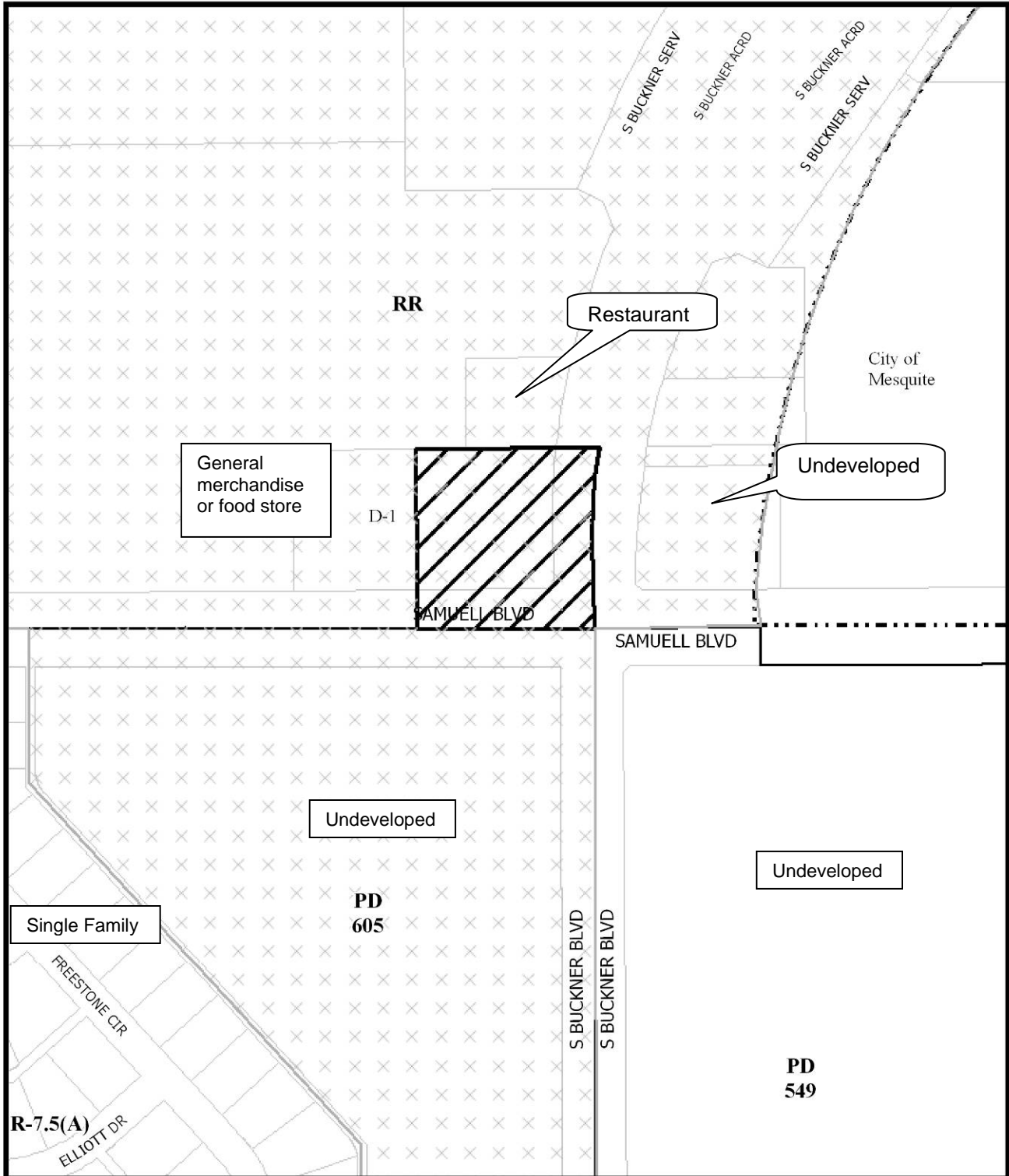


1:6,000

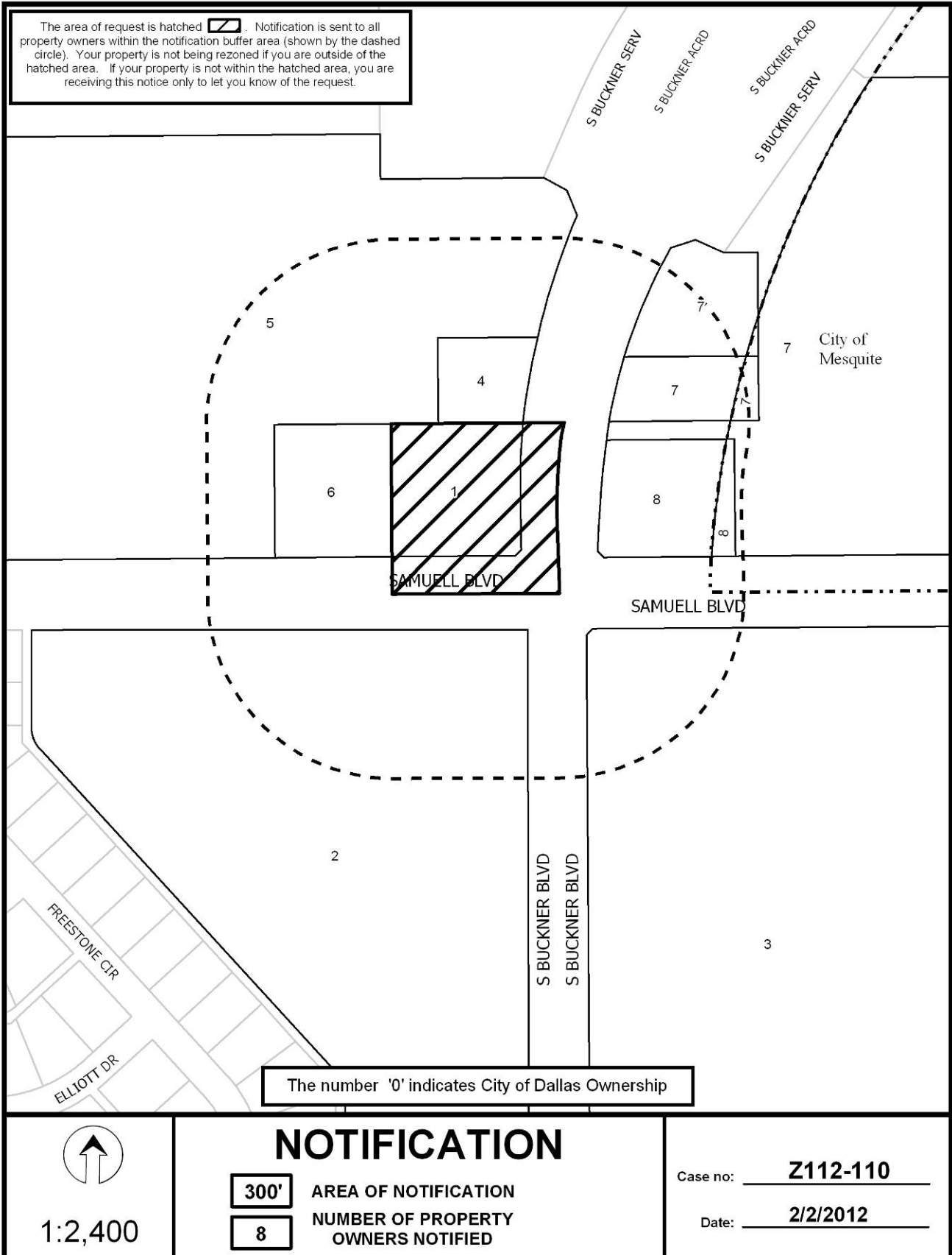
VICINITY MAP

Case no: Z112-110

Date: 2/2/2012



| | | |
|--|--|---|
|  1:2,400 | <h1 style="text-align: center;">ZONING AND LAND USE</h1> | Case no: <u> Z112-110 </u> Date: <u> 2/2/2012 </u> |
|--|--|---|



Notification List of Property Owners

Z112-110

8 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---|
| 1 | 5501 BUCKNER BLVD | 7-ELEVEN INC TAX DEPARTMENT #33275 |
| 2 | 5204 BUCKNER BLVD | BUCKNER BAPT BENEVOLENCE |
| 3 | 5202 BUCKNER BLVD | BUCKNER BAPTIST BENEVOLENCES |
| 4 | 5525 BUCKNER BLVD | WHATABURGER OF MESQUITE % BOB POTTER |
| 5 | 5555 BUCKNER BLVD | WM DALLAS PORTFOLIO LP |
| 6 | 5655 BUCKNER BLVD | SAMS REAL EST BUSINESSSTR % WAL-MART PPTY |
| 7 | 5361 SAMUELL BLVD | BC RETAIL INVESTMENT LP |
| 8 | 5500 BUCKNER BLVD | RESOURCE ONE CREDIT UNION |

Planner: Warren F. Ellis

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

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

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

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

APPLICANT: BK USA, Inc.

OWNER: Quickway Retail Assoc. 11 LTD.

REPRESENTATIVE: Parvez Malik
Business Zoom

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

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

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

PREVIOUS ACTION: On March 1, 2012, the City Plan Commission held this item under advisement to allow the representative to meet with the neighborhood group to discuss the proposed zoning request.

BACKGROUND INFORMATION:

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

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

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

Thoroughfares/Streets:

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

Land Use:

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

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

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

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

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

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

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

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

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

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

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

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

Development Standards:

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

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

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

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

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

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

LIST OF OFFICERS
Quickway Retail Assoc. 11 LTD.

Managers:

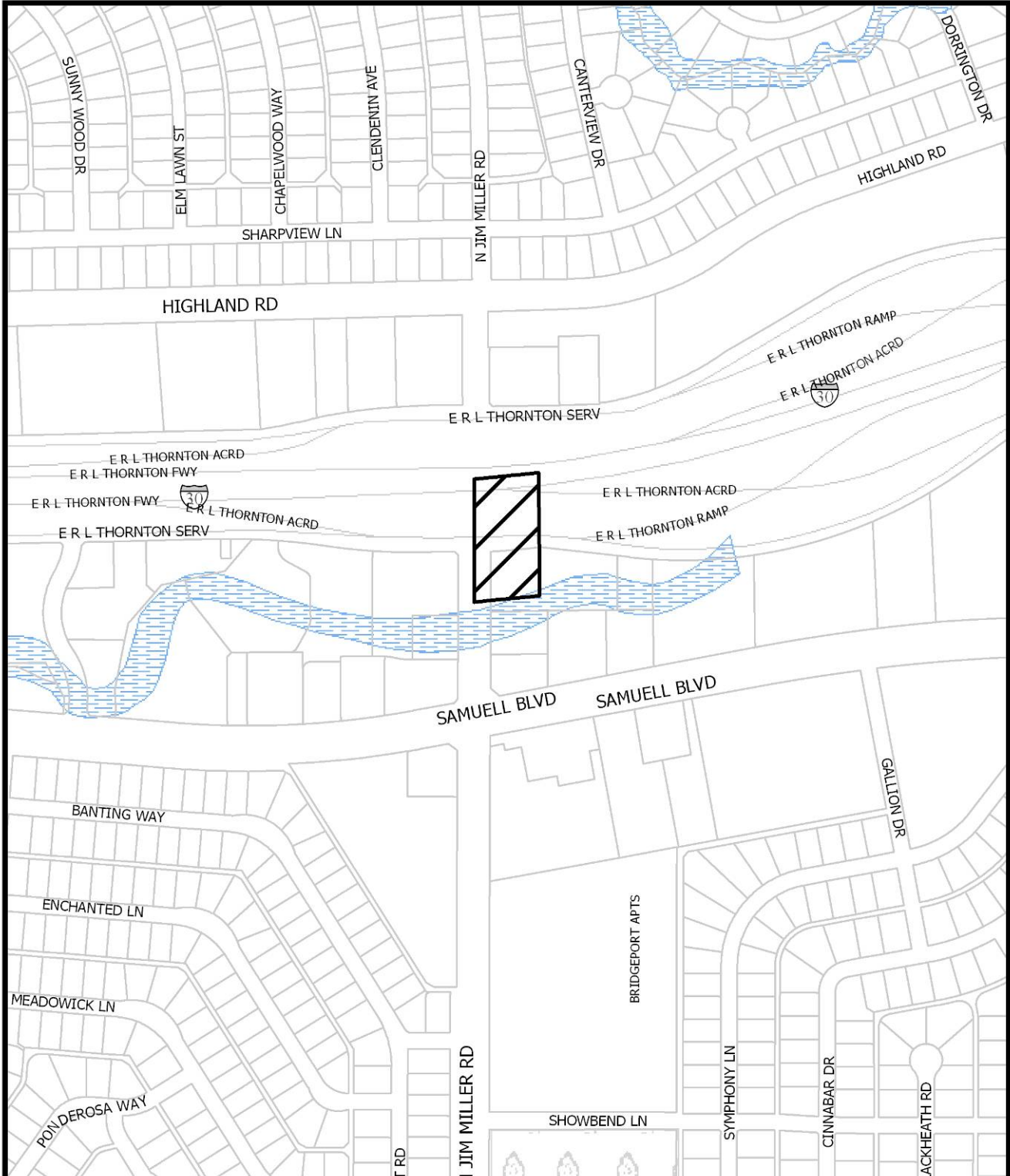
- Alan Golman
- Richard Golman
- Kenneth Bruder
- Howard Beckerman

LIST OF OFFICERS
BK USA, Inc.

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

PROPOSED SUP CONDITIONS

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

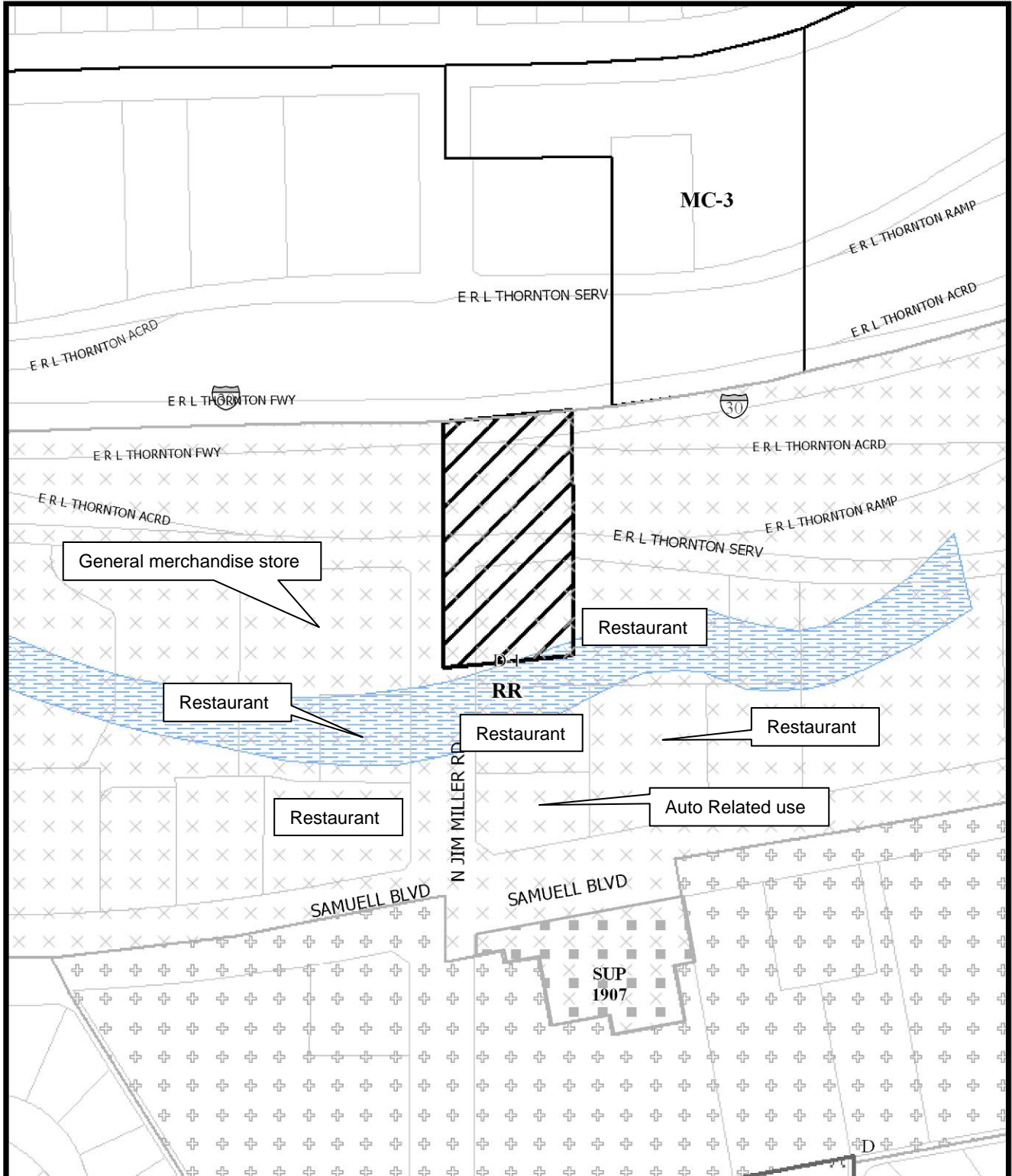


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VICINITY MAP

Case no: Z112-147

Date: 2/2/2012

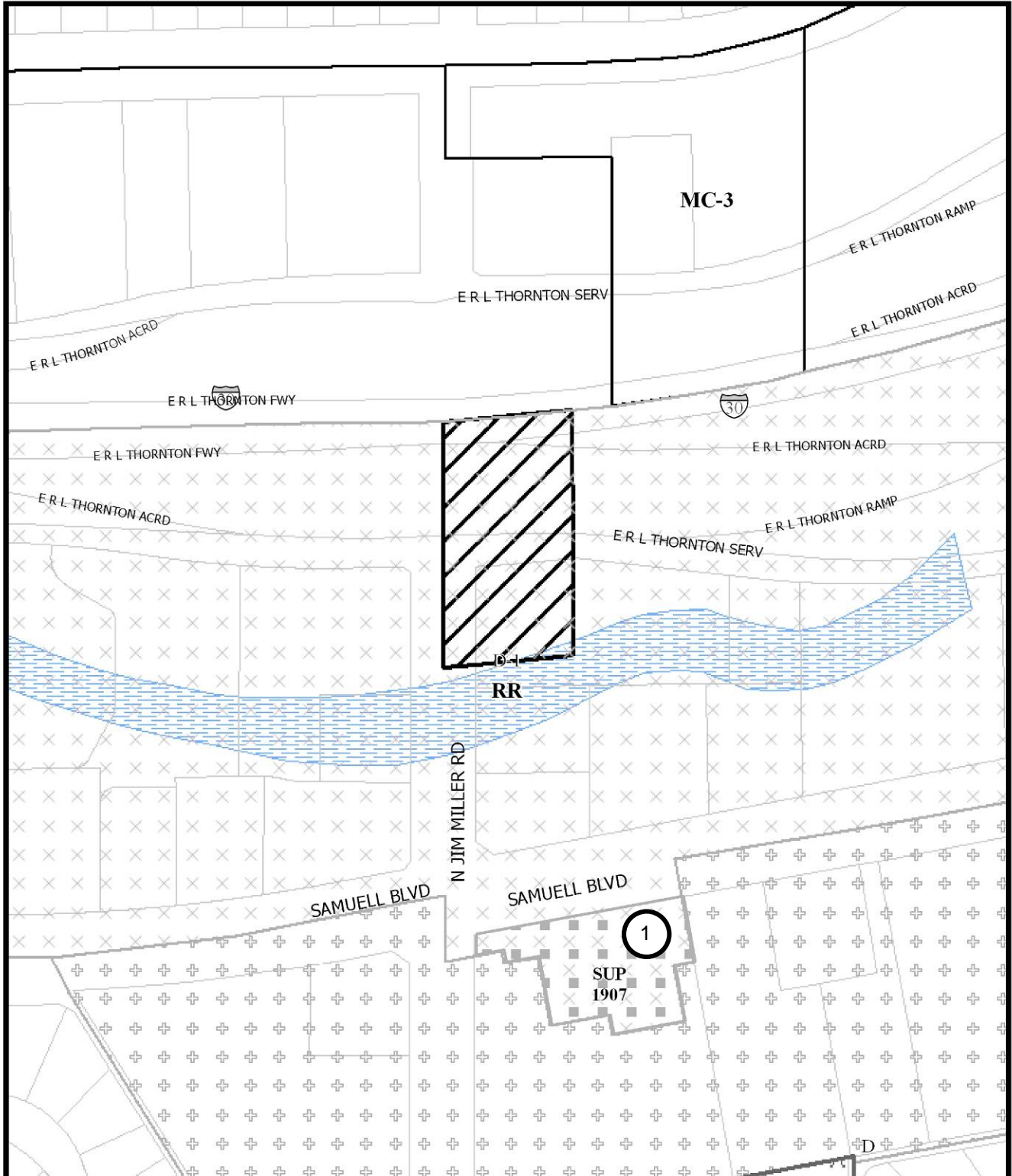


1:2,400

ZONING AND LAND USE

Case no: Z112-147

Date: 2/2/2012




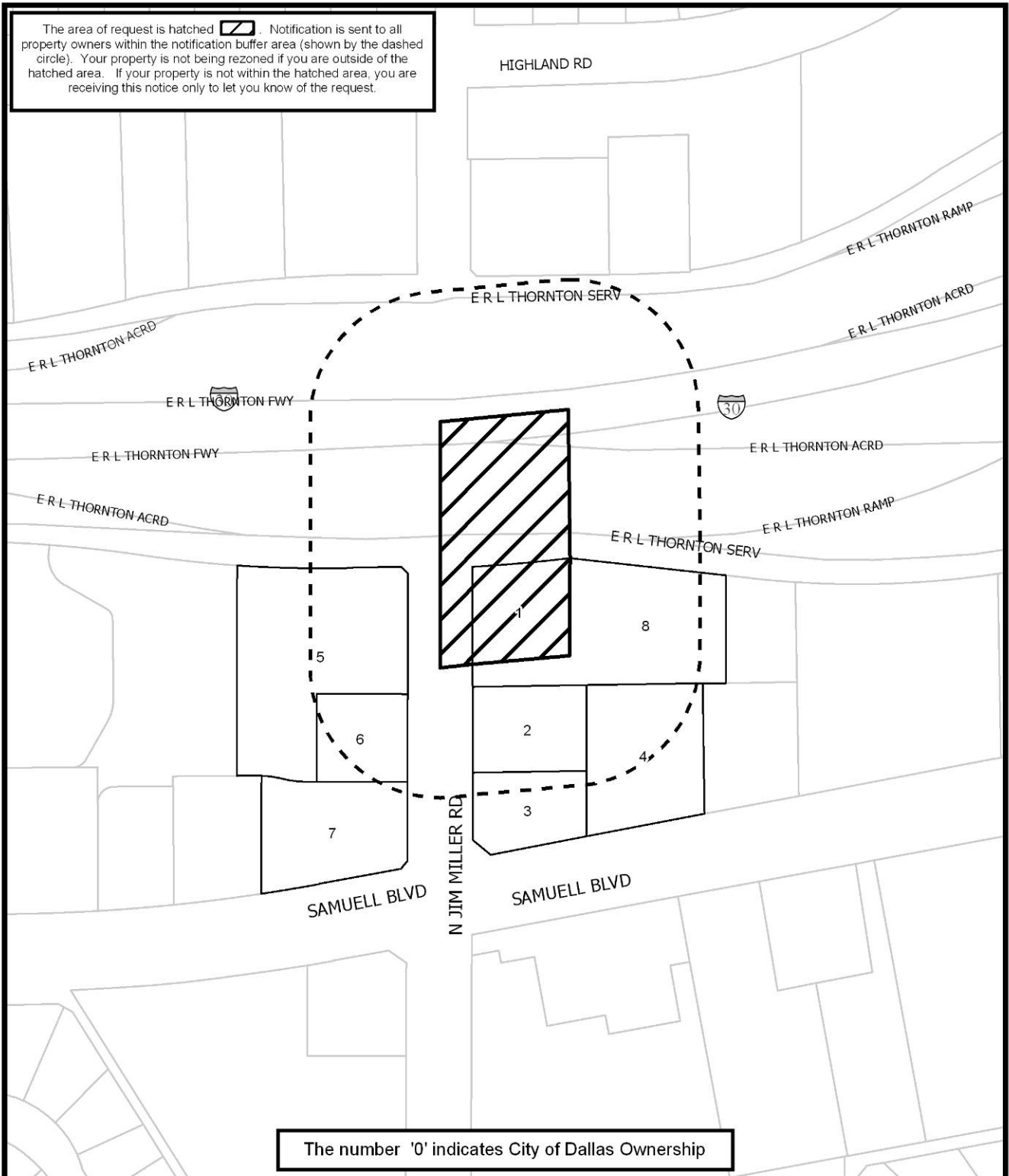
1:2,400

ZONING HISTORY

Case no: Z112-147

Date: 2/2/2012

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



The number '0' indicates City of Dallas Ownership

| | | | | | | |
|--|---|-------------|----------------------|----------|------------------------------------|---|
|  1:2,400 | <h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">8</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table> | 200' | AREA OF NOTIFICATION | 8 | NUMBER OF PROPERTY OWNERS NOTIFIED | Case no: <u> Z112-147 </u> Date: <u> 2/2/2012 </u> |
| 200' | AREA OF NOTIFICATION | | | | | |
| 8 | NUMBER OF PROPERTY OWNERS NOTIFIED | | | | | |

Notification List of Property Owners

Z112-147

8 Property Owners Notified

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

Planner: Warren F. Ellis

FILE NUMBER: Z101-371 (WE) **DATE FILED:** August 31, 2011

LOCATION: North side of Elm Street between Malcolm X Boulevard and
Crowdus Street

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

SIZE OF REQUEST: Approx. 2,500 sq. ft. **CENSUS TRACT:** 204

APPLICANT: Frank Edwards

OWNER: Don Blanton (Sole Owner)

REPRESENTATIVE: John Hamilton

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

SUMMARY: The purpose of this request is to permit the use of a bar,
tavern or lounge to continue to operate within the Deep
Ellum District.

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

PREVIOUS ACTION: On June 7, 2012, the City Plan Commission held this case under
advisement to allow for the applicant's representative to contact the Commissioner of
the District to discuss the proposed case.

BACKGROUND INFORMATION:

- The applicant's request for a Specific Use Permit is to allow for a bar, lounge or tavern to operate within the Deep Ellum District.
- In June 2006, the City Council amended the Deep Ellum Planned Development District to require certain businesses to have Specific Use Permits to operate and to sunset the non-conforming rights for those establishments.
- In March 2008, the City Council approved Specific Use Permit No. 1705 for a three year period on the request site. In March 2011, SUP No. 1705 expired. The applicant has filed a new SUP application to allow for the bar, lounge or tavern to continue operating.
- The request site is located within a one-story multi-tenant mixed use development. The development consists of a variety of retail and commercial uses that shares surface parking spaces on Elm Street and a small off-street parking lot on the north side of request site.

Zoning History: There have been 13 zoning changes requested within Planned Development District No. 296, the Deep Ellum/Near East Side Special Purpose District.

1. Z067-289 On October 24, 2007, the City Council approved a Specific Use Permit for an alcoholic beverage establishment for a bar, lounge or tavern for an 18-month time period, subject to a site plan and conditions on the north corner of Crowdus Street and July Alley.
2. Z067-290 On October 24, 2007, the City Council approved a Specific Use Permit for a Tattoo Studio and Body Piercing Studio for a three year period with eligibility for automatic renewals for three year periods, subject to a site plan and conditions on the north side of Elm Street, west of Malcolm X Boulevard.
3. Z067-343 On December 12, 2007, the City Council approved a Specific Use Permit for a bar, lounge or tavern for a three-year time period, subject to a site plan and conditions on the south side of Elm Street, east of Crowdus Street.
4. Z067-347 On December 12, 2007, the City Council approved a Specific Use Permit for a bar, lounge or tavern and an Inside commercial amusement limited to a live music venue for a five-year time period, subject to a site plan and conditions on the southwest line of Elm Street, west of Crowdus Street.

5. Z078-122 On Wednesday, March 26, 2008 approved a Specific Use Permit for a Tattoo Studio and Body Piercing Studio on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the north side of Main Street, east of Crowdus Street.
6. Z078-136 On Wednesday, March 26, 2008, the City Council approved a Specific Use Permit for a bar, lounge or tavern within Planned Development District No. 269, on the north side of Elm Street between Malcolm X Boulevard and Crowdus Street (request site)
7. Z089-181 On Wednesday, June 10, 2009, the City Council approved a Specific Use Permit for a bar, lounge, or tavern and an Inside commercial amusement for a live music venue on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
8. Z089-212 On Wednesday, June 10, 2009, the City Council approved a Specific Use Permit for a bar, lounge, or tavern and an Inside commercial amusement for a live music venue on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
9. Z089-271 On Wednesday, December 9, 2009, the City Council approved a Specific Use Permit for a bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District. (not shown on map)
- 10.Z089-273 On Wednesday, December 9, 2009, the City Council approved a Specific Use Permit for a bar, lounge, or tavern and an inside commercial amusement limited to a Class A dance hall on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
- 11.Z089-181 On Wednesday, May 25, 2011, the City Council approved a renewal of Specific Use Permit No. 1757 for a Bar, lounge, or tavern and Inside commercial amusement use for a Live music venue on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

12.Z101-123 On Wednesday, August 10, 2011, the City Council approved a renewal of Specific Use Permit No. 1696 for a bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

13.Z112-184 On Wednesday, May 9, 2012, the City Council approved a renewal of Specific Use Permit No. 1696 for a bar, lounge, or tavern on property zoned Planned Development District No. 269, on the South side of Elm Street, east of Crowds Street

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW | Proposed ROW |
|---------------------|--------------|--------------|--------------|
| Elm Street | Local Street | 70 ft. | 70 ft. |
| Crowds Street | Local Street | 35 ft. | 35 ft. |
| Malcolm X | Local Street | 50 ft. | 50 ft. |

Land Use:

| | Zoning | Land Use |
|--------------|----------------------|-------------------------------------|
| Site | PDD No. 269, Tract A | Bar, lounge or Tavern |
| North | PDD No. 269 Tract A | Restaurant |
| South | PDD No. 269 Tract A | Bar, Restaurant, off-street parking |
| East | PDD No. 269 Tract A | Bakery, Restaurant |
| West | PDD No. 269 Tract A | Restaurant, Machinery shop |

COMPREHENSIVE PLAN:

The comprehensive plan does not make a specific land use recommendation related to the request, however the forwardDallas! 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.

STAFF ANALYSIS:

Land Use Compatibility: The 2,500 square foot site is located within a one-story multi-tenant mixed use development and is adjacent to a variety of retail and commercial uses. The request for Specific Use Permit for a bar, lounge or tavern will allow the applicant to continue to operate within the existing structure. The request site received a certificate of occupancy in 1996.

In March 2008, the City Council approved Specific Use Permit No. 1705 for a three year period on the request site. However, in March 2011, SUP No. 1705 expired. The applicant filed a new Specific Use Permit application to allow for the bar, lounge or tavern to continue operate within the Deep Ellum area. Staff is recommending approval of the applicant's request for a Specific Use Permit for a bar, lounge or tavern for a three year period. The March 2008 Council approved conditions will be used to establish the current Specific Use Permit conditions for the request site.

A bar, lounge, or tavern means an establishment principally for the sale and consumption of alcoholic beverages on the premises that derives 75 percent or more of its gross revenue from the service of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code, for on-premise consumption.

PDD No. 269 provided a compliance date of December 14, 2007 for bar, lounge or tavern and dance hall uses to receive a Specific Use Permit. In addition, PDD No. 269 specifies that no off-street parking spaces are required for the first 2,500 square feet of floor area in a ground level use that has a separate certificate of occupancy.

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: The request site is located within an existing structure and the landscaping requirements will not be triggered.

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

Parking: PDD No. 269 gives a credit for the first 2,500 square feet of bar, lounge, or tavern uses when located on the first floor in an original building. No parking is required or provided on-site for this use.

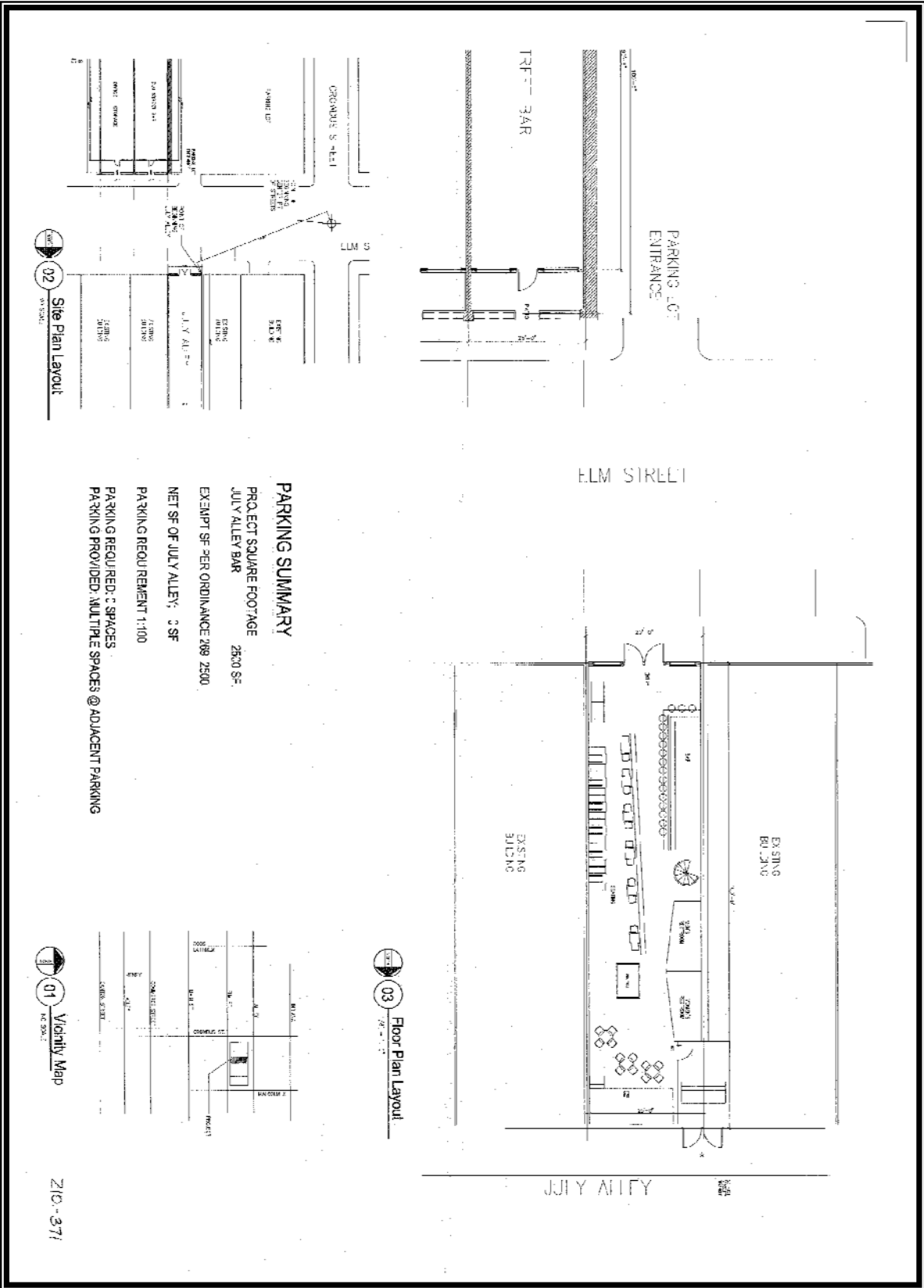
Dallas Police Department: A copy of a police report of the past 5 years of offenses is provided below.

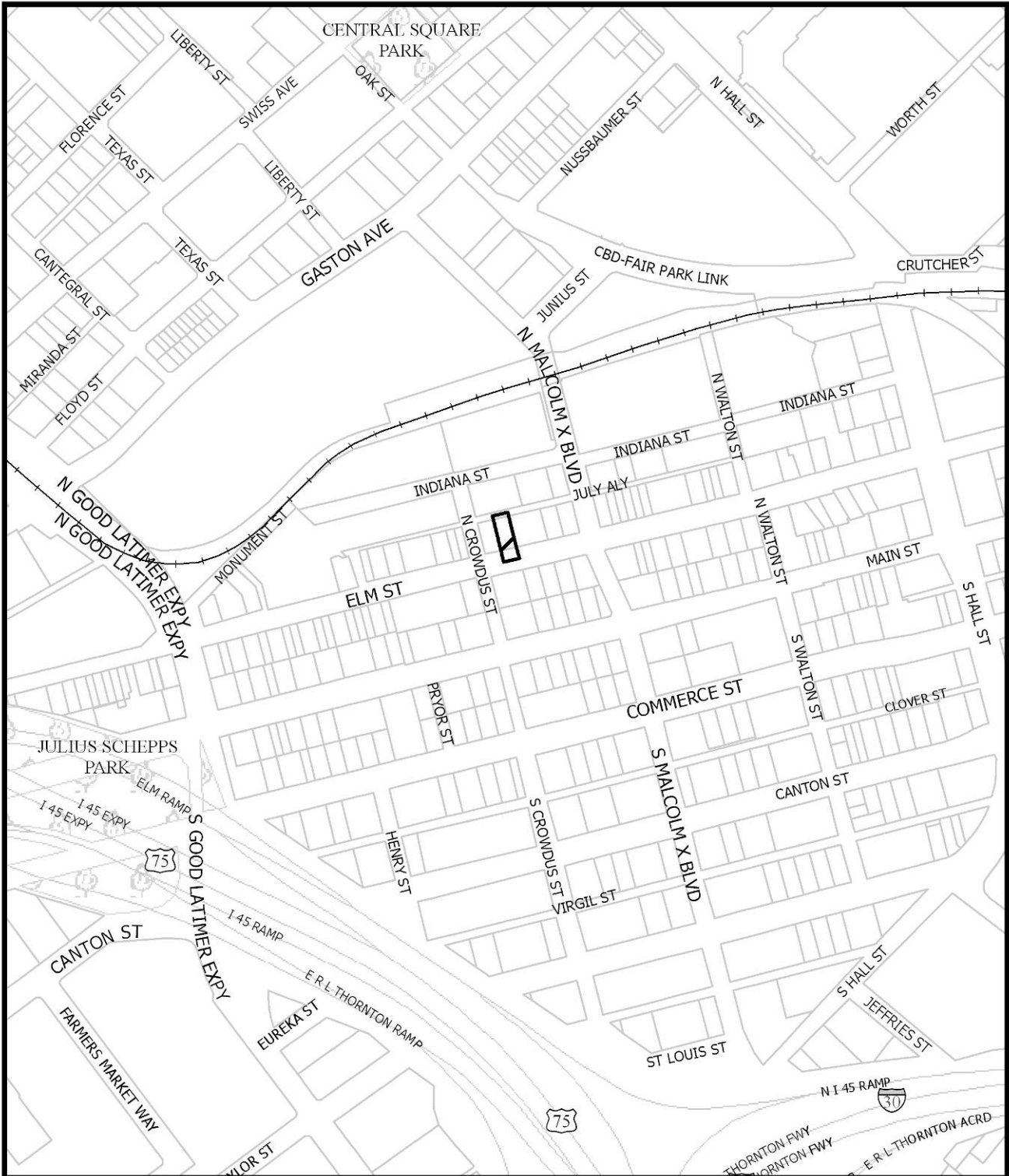
| DALLAS POLICE DEPARTMENT | | | | | | | | | | | | |
|---|--------------|--------------------|-------------|-------|-----|-------|------|----------------|-------|-----------|------------|------------------|
| | | | | | | | | | | UCR Codes | Year Codes | Property Class C |
| Virtual Viewer - Public Access | | | | | | | | | | | | |
|  | | | | | | | | | | | | |
| Search Records - Offense | | | | | | | | | | Filter | | |
| Service # | Offense Date | Complainant | Offense | Block | Dir | Stree | Beat | Reporting Area | UCR1 | UCR2 | | |
| 0022631-X | 01/22/2010 | *JULY ALLEY | FRAUD | 02809 | | EL... | 153 | 2066 | 11020 | | | |
| 0029273-Y | 02/04/2011 | KONOWALOW, DAVID, | ASSAULT | 02809 | | EL... | 153 | 2066 | 08111 | | | |
| 0029274-Y | 02/04/2011 | HARPER, BENJAMIN, | ASSAULT | 02809 | | EL... | 153 | 2066 | 08111 | | | |
| 0036312... | 02/06/2009 | ALFT, JENNIFER | THEFT | 02809 | | EL... | 153 | 2066 | 06902 | | | |
| 0045091... | 02/16/2009 | *JULY ALLEY | BURGLARY | 02809 | | EL... | 153 | 2066 | 05331 | | | |
| 0083341... | 03/24/2009 | ROSALES, ROBERT | ASSAULT | 02809 | | EL... | 153 | 2066 | 08121 | | | |
| 0085420-X | 03/10/2010 | VOLLMER, TIFFANY | THEFT | 02809 | | EL... | 153 | 2066 | 06902 | 42020 | | |
| 0098969... | 04/10/2009 | MACLEOD, WILLIAM | ASSAULT | 02809 | | EL... | 153 | 2066 | 08121 | | | |
| 0121804-V | 04/15/2008 | *JULY ALLEY | BURGLARY | 02809 | | EL... | 135 | 2066 | 05311 | 12011 | | |
| 0121882-V | 04/21/2008 | *JULY ALLEY | BURGLARY | 02809 | | EL... | 135 | 2066 | 05391 | 12011 | | |
| 0121883-V | 04/24/2008 | *JULY ALLEY | BURGLARY | 02809 | | EL... | 135 | 2066 | 05211 | 12015 | | |
| 0144456-Y | 06/03/2011 | *JULY ALLEY | FRAUD | 02809 | | EL... | 153 | 2066 | 11020 | | | |
| 0273658-X | 10/01/2010 | LOCKETT, MONICA | LOST PRO... | 02809 | | EL... | 153 | 2066 | 42020 | | | |
| 0280960-X | 10/09/2010 | SISCO, CHARLES, | ASSAULT | 02809 | | EL... | 153 | 2066 | 08121 | | | |
| 0311664-X | 11/10/2010 | OLIVER, ROBIN LYNN | THEFT | 02809 | | EL... | 153 | 2066 | 06901 | | | |
| 0333578-V | 10/29/2008 | **JULY ALLEY | BURGLARY | 02809 | | EL... | 135 | 2066 | 05362 | | | |

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a bar, lounge or tavern.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on (three years from passage of ordinance).
4. FLOOR AREA: The maximum floor area is 2,500 square feet.
5. HOURS OF OPERATION: The bar, lounge, or tavern may only operate between 2:00 p.m., and 2:00 a.m., (the following morning), Monday through Sunday.
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

PROPOSED SITE PLAN



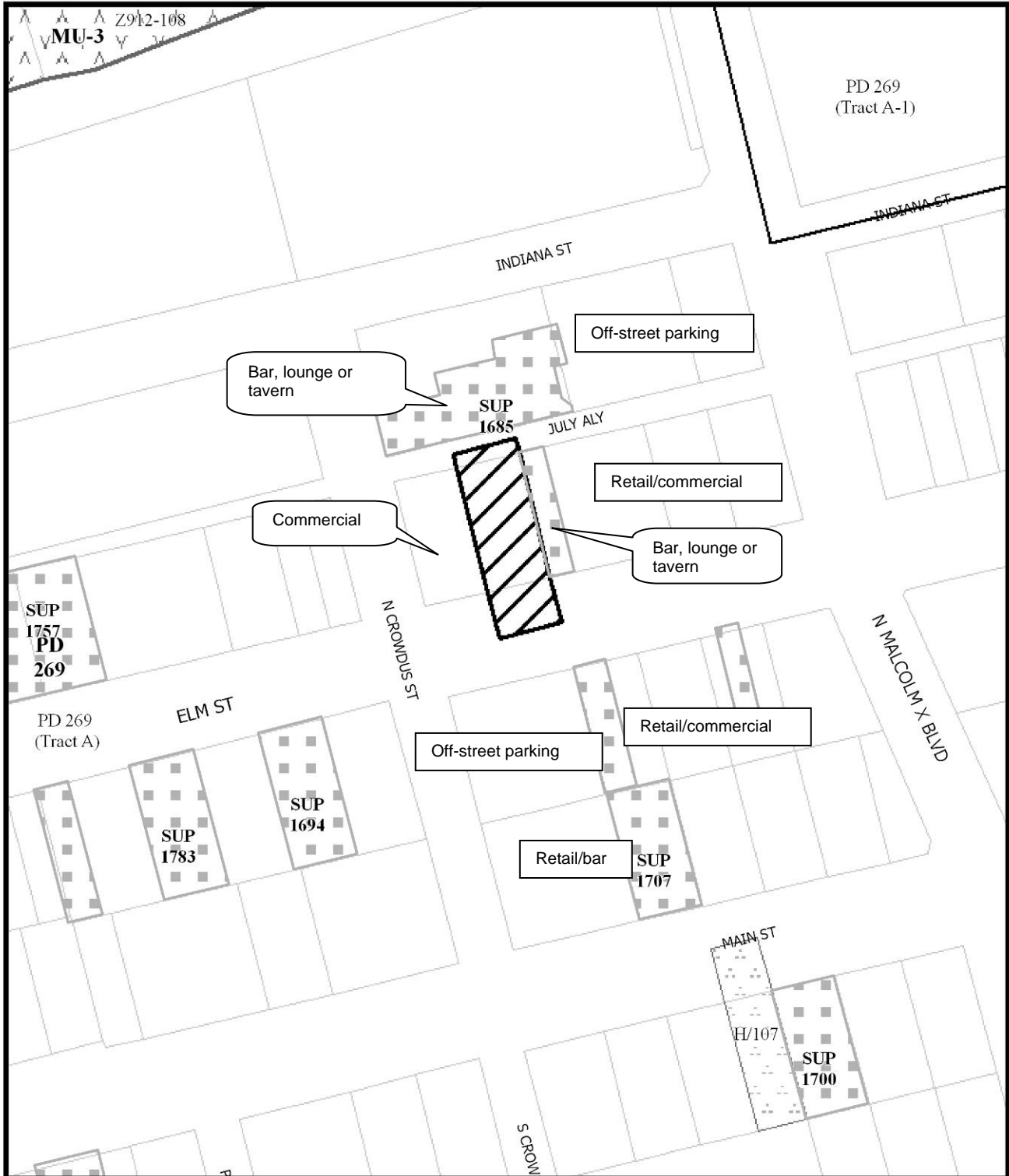



1:4,800

VICINITY MAP

Case no: Z101-371

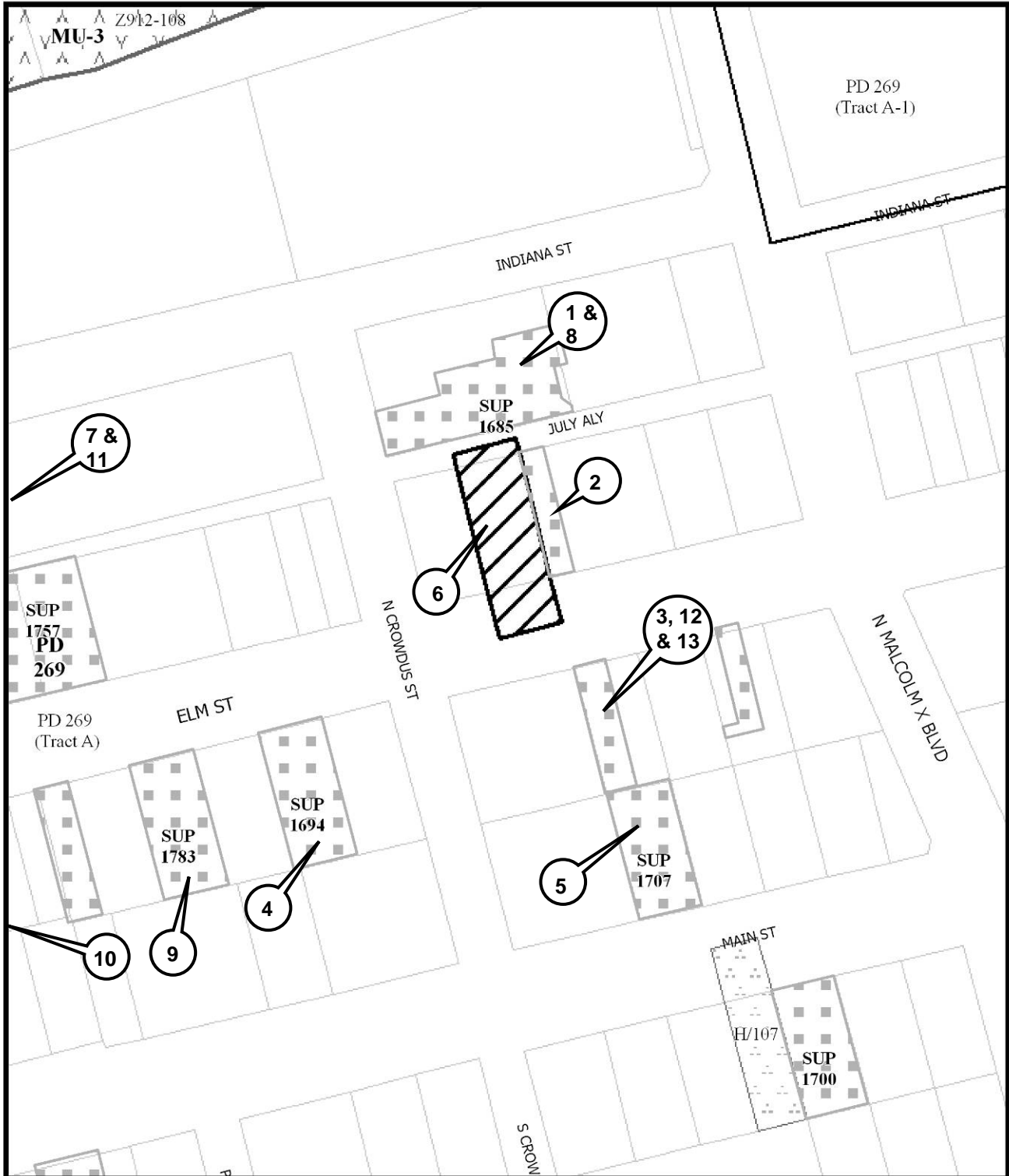
Date: 4/27/2012





1:1,200

ZONING AND LAND USE


Case no: Z101-371
Date: 4/27/2012




1:1,200

ZONING HISTORY

Case no: Z101-371
Date: 4/27/2012

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



The number '0' indicates City of Dallas Ownership


1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
16 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z101-371**
Date: **4/27/2012**

Notification List of Property Owners

Z101-371

16 *Property Owners Notified*

| Label # | Address | Owner |
|----------------|----------------|---|
| 1 | 2821 MAIN ST | BLANTON DON |
| 2 | 2625 ELM ST | HRT PROPERTIES OF TX LTD |
| 3 | 2724 ELM ST | WESTDALE PROPERTIES AMERICA I LTD |
| 4 | 2720 ELM ST | ELM STREET REALTY LTD |
| 5 | 2715 MAIN ST | MAIN PROPERTIES LLC |
| 6 | 2826 ELM ST | BLANTON DONNY G |
| 7 | 2806 ELM ST | DEEP ELM I LTD % DON E CASS |
| 8 | 2815 MAIN ST | CASS DON E TR STE B |
| 9 | 2809 MAIN ST | BLANTON DON G |
| 10 | 2803 MAIN ST | DEEP ELM JV 1 % DON E CASS |
| 11 | 2723 ELM ST | 2723 ELM STREET JV ATTN JOHN BROUDE |
| 12 | 2717 ELM ST | WESTDALE PPTIES AMERICA LTD |
| 13 | 2717 ELM ST | DANIELL JAMES PARKER |
| 14 | 2819 ELM ST | MCCORMICK ARTHUR SR LFEST REM: A MCCORMI |
| 15 | 2801 ELM ST | MAGERS SCOTT E & DOUGLAS E ALDRIDGE |
| 16 | 301 CROWDUS ST | BCS DALLAS LLC SUITE 101 |

FILE NUMBER: Z112-217(MW)

DATE FILED: April 2, 2012

LOCATION: Northeast side of Lemmon Avenue, southeast of Throckmorton Street

COUNCIL DISTRICT: 14

MAPSCO: 35-X

SIZE OF REQUEST: ±0.3452 acre

CENSUS TRACT: 6.06

REPRESENTATIVE: Robert Baldwin

APPLICANT: Taco Bell of America c/o Icon Engineering

OWNER: RP HH/Lemmon Properties, LP

REQUEST: An application for a Specific Use Permit for a restaurant with drive-in or drive-through service on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District

SUMMARY: The applicant intends to redevelop the site with a restaurant with drive-through service.

PREVIOUS ACTION: Under advisement from June 7, 2012

STAFF RECOMMENDATION: Denial

BACKGROUND INFORMATION:

- The ±0.3452-acre request site is developed with a vacant ±3,026-square foot converted residence, which was constructed in 1915. The structure was most recently utilized as a furniture and gift shop (office showroom/warehouse per the 2002 the certificate of occupancy).
- The request site is surrounded by single family and multifamily residential to the north and east; surface parking and restaurant to the south; office and restaurant to the west and restaurant to the north.

Zoning History:

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

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW |
|---------------------|--------------------|--------------|
| Lemmon Avenue | Principal Arterial | 80 feet |

Land Use:

| | Zoning | Land Use |
|-------|-----------------|------------------------------|
| Site | GR in PDD 193 | Converted residence (vacant) |
| North | MF-2 in PDD 193 | Single family; multifamily |
| East | MF-2 in PDD 193 | Single family; multifamily |
| South | GR in PDD 193 | Surface parking; restaurant |
| West | GR in PDD 193 | Office; restaurant |

STAFF ANALYSIS:

Area Plans:

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

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

(7) To promote landscape/streetscape quality and appearance.

The applicant's proposal to develop the site with an auto-oriented use is not consistent with these objectives.

Comprehensive Plan:

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

The request site is identified as being within an Urban Neighborhood Building Block on the *forwardDallas! Vision Illustration*, adopted June 2006. Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments.

These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

The proposed auto-oriented use in this area of the City does not comply with the following goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

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.

Policy 7.1.3 Encourage a sense of community and identity.

Development Standards:

| District | Setbacks | | Density | Height | Lot Coverage | Special Standards | Primary Uses |
|----------------------|----------|-----------|-----------------------------------|--------|--------------|-------------------|--------------------------------------|
| | Front | Side/Rear | | | | | |
| GR General Retail | 10' | No min. | 0.75 FAR overall 0.5 office | 80' | 80% | N/A | Retail & personal service, office |

Land Use Compatibility:

The ±0.3452-acre request site is developed with a vacant ±3,026-square foot converted residence, which was constructed in 1915. The structure was most recently utilized as a furniture and gift shop (office showroom/warehouse per the 2002 the certificate of occupancy). The request site is surrounded by single family and multifamily residential to the north and east; surface parking and restaurant to the south; office and restaurant to the west and restaurant to the north.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of

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

The proposed auto-oriented use is incompatible with the existing development pattern, as well as with the potential for redevelopment in this area. Therefore, staff does not support this request.

Traffic:

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

Parking:

Pursuant to the PDD No. 193, a restaurant with drive-in or drive-through service requires one (1) space per 100 square feet of floor area. Therefore, the proposed ±1,600-square foot restaurant requires 16 spaces, as depicted on the proposed site plan.

Landscaping:

Landscaping must be provided in accordance the GR general Retail landscaping requirements of PDD No. 193, the Oak Lawn Special Purpose District.

Proposed Conditions:

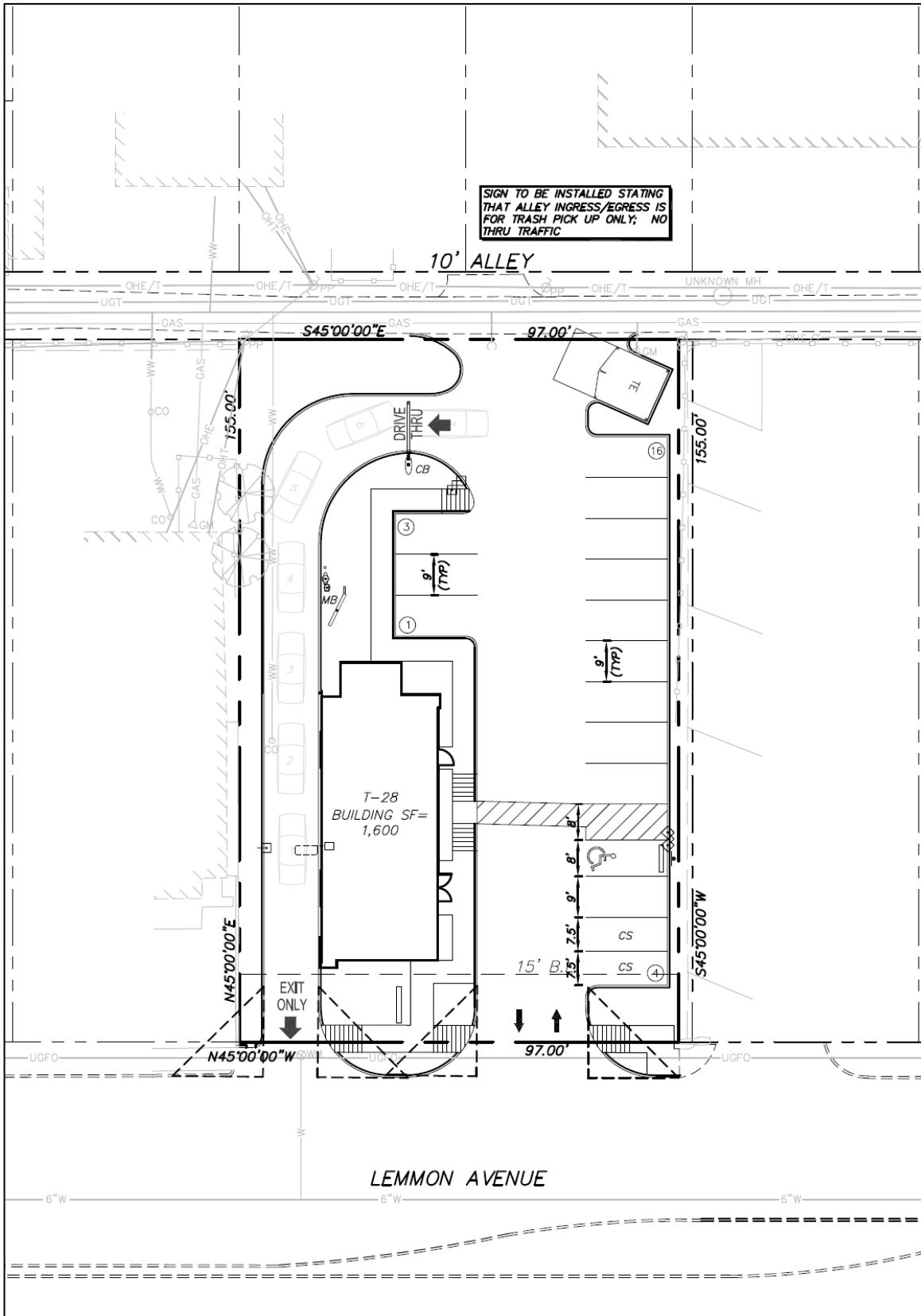
Staff does not support the request. However, staff has worked with the applicant to provide conditions for the City Plan Commission's consideration in the event that the Commission opts not to follow staff's recommendation.

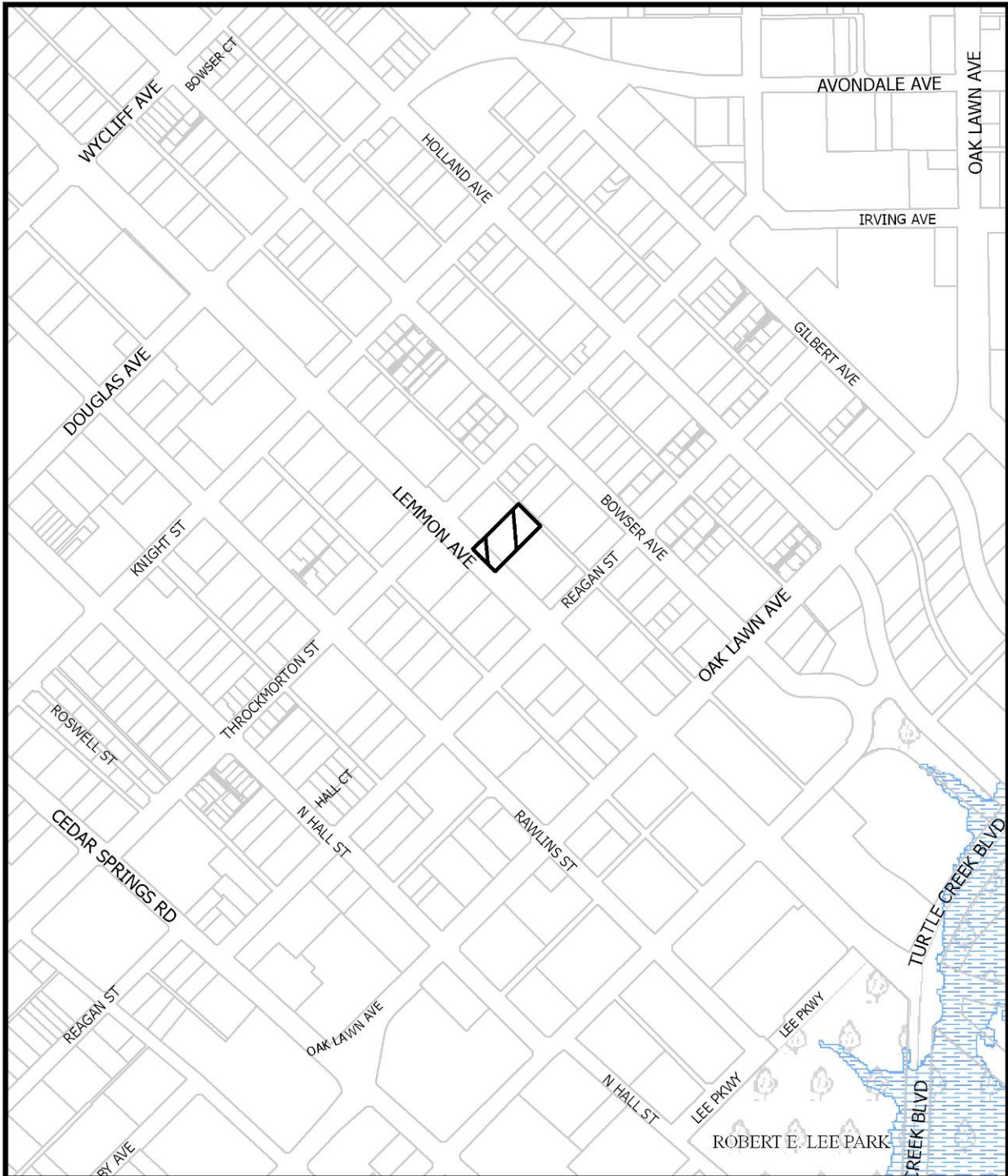
Z112-217
Applicant Proposed SUP Conditions

Note: While staff does not support the request, conditions have been provided for the Commission's consideration.

1. USE: The only use authorized by this specific use permit is a restaurant with 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 automatically terminates on_____.
4. ALLEY ACCESS: Signage must be installed at the alley ingress/egress to inform customers that this ingress/egress is for trash pick-up only and not intended for through-traffic.
5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
6. PARKING: Parking must be located as shown on the attached site plan.
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Proposed Site Plan



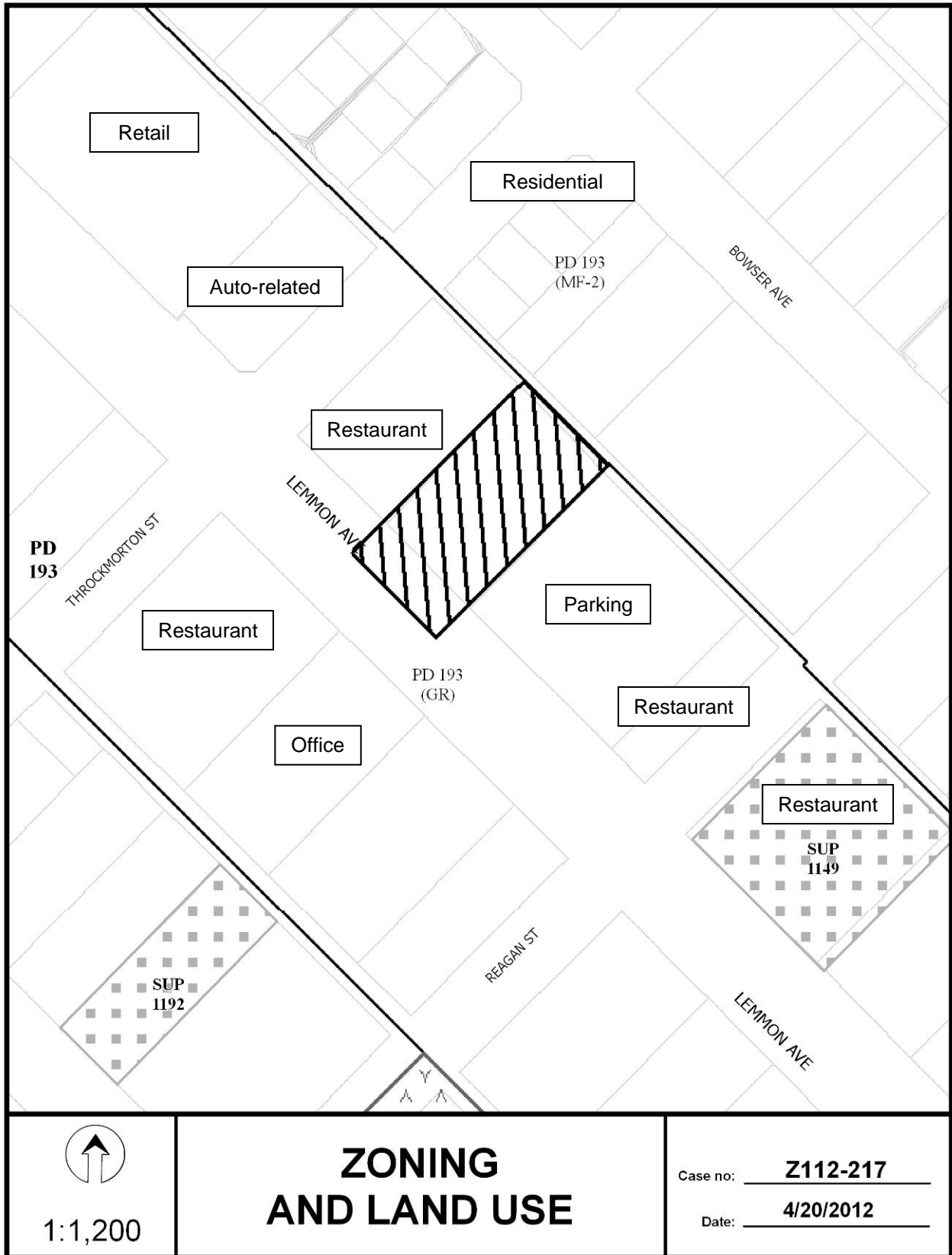


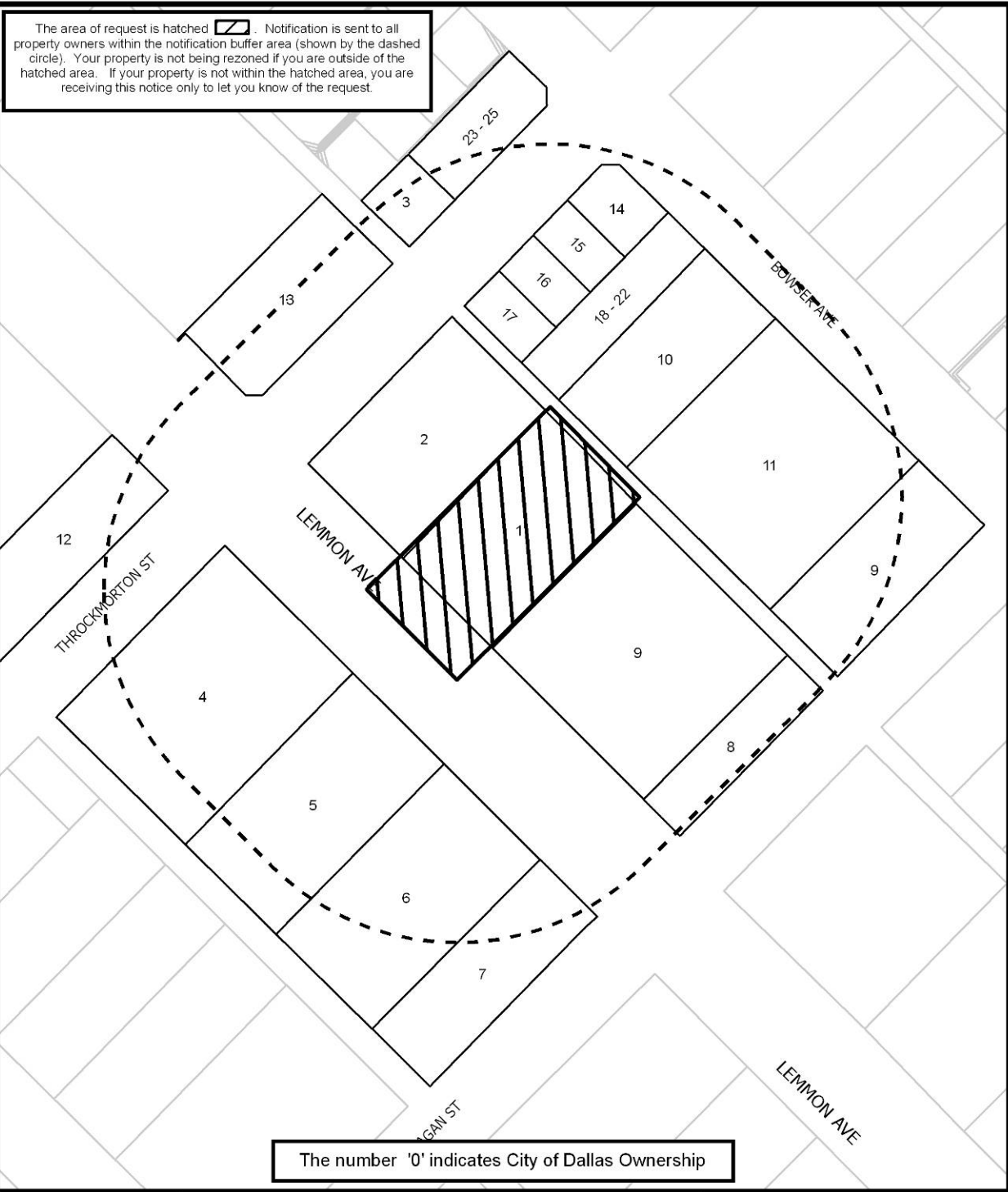
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VICINITY MAP

Case no: Z112-217

Date: 4/20/2012





The number '0' indicates City of Dallas Ownership

| | | |
|--|---|--|
|  1:1,200 | <h2 style="text-align: center;">NOTIFICATION</h2> <p> 200' AREA OF NOTIFICATION 25 NUMBER OF PROPERTY OWNERS NOTIFIED </p> | Case no: <u> Z112-217 </u> Date: <u> 4/20/2012 </u> |
|--|---|--|

Notification List of Property Owners

Z112-217

25 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|----------------------|---|
| 1 | 3922 LEMMON AVE | HJR INVESTMENTS LLC |
| 2 | 3950 LEMMON AVE | TABU PROPERTY III LLC % US REALTY ADVISO |
| 3 | 3515 THROCKMORTON ST | HERNANDEZ CARLOS |
| 4 | 3923 LEMMON AVE | BLUE PROPERTIES LLC %MICHAEL SHEBAY |
| 5 | 3915 LEMMON AVE | STANLEY GAINES & VICKIE |
| 6 | 3911 LEMMON AVE | 3911 LEMMON AVE ASSOCIATE % CONNIE COLEM |
| 7 | 3903 LEMMON AVE | 3903 LEMMON AVE LTD |
| 8 | 3900 LEMMON AVE | PANOUSOPOULUS NICKOS |
| 9 | 3906 LEMMON AVE | BERLIN RONALD P & GAIL M |
| 10 | 3925 BOWSER AVE | GENTILE CARL & GINA M |
| 11 | 3909 BOWSER AVE | DBS REAL ESTATE LP C/O S & S APARTMENTS |
| 12 | 4001 LEMMON AVE | OLIVERIE DOMINICK |
| 13 | 4004 LEMMON AVE | DALLAS LUBE VENTURE LLC |
| 14 | 3929 BOWSER AVE | MORRISON CAROL |
| 15 | 3520 THROCKMORTON ST | DITTO W PAUL JR & MARVELLE M |
| 16 | 3516 THROCKMORTON ST | LUBIN DAVID A & MARY C JANOWIAK |
| 17 | 3512 THROCKMORTON ST | VARGHESE SABU E & LEENA E |
| 18 | 3927 BOWSER AVE | WOOLDRIDGE ANN F |
| 19 | 3927 BOWSER AVE | CORBAN KENNETH EARL |
| 20 | 3927 BOWSER AVE | SWANSON CARRIER E UNIT C |
| 21 | 3927 BOWSER AVE | DORHERTY EDWARD D & ALISON F TRUSTEES UN |
| 22 | 3927 BOWSER AVE | ROGERS JOHN NATHAN UNIT 3927E |
| 23 | 4001 BOWSER AVE | DELACRUZ ROBERTO |
| 24 | 4001 BOWSER AVE | HINOJOSA ARNOLD UNIT B |
| 25 | 4001 BOWSER AVE | FRANZEN JASON A & LAURA M |

FILE NUMBER: Z112-209(MW)

DATE FILED: March 28, 2012

LOCATION: Northeast corner of North Hampton Road and West Jefferson Boulevard

COUNCIL DISTRICT: 1

MAPSCO: 53-D

SIZE OF REQUEST: ±0.474 acre

CENSUS TRACT: 45.00

REPRESENTATIVE: Santos Martinez, Masterplan

APPLICANT: 7-11

OWNER: LCG Hampton LLC

REQUEST: An application 1) to create a new subdistrict within Planned Development District No. 830, the Davis Street Special Purpose District; 2) to remove the D Liquor Control Overlay and 3) for a specific use permit for a motor vehicle fueling station on property zoned Subdistrict 6, the Davis Street Corridor, within Planned Development District No. 830 with a D Liquor Control Overlay

SUMMARY: The applicant proposes to redevelop the site with a ±2,400-square foot general merchandise or food store (convenience store) with fuel pumps. Removal of the D Liquor Control Overlay will allow the sale of alcohol by right.

STAFF RECOMMENDATION: Denial

BACKGROUND INFORMATION:

- The City Council approved PDD No. 830 on August 11, 2010. On May 3, 2012, the City Plan Commission approved a waiver of the two-year waiting period, which allowed the applicant to submit this zoning request.
- The ±0.474-acre request site is developed with a vacant convenience store with fuel pumps. It is noted that the existing use has lost its legal nonconformity since operation has been discontinued for longer than six (6) months.
- Subdistrict 6 of PDD No. 830 allows a general merchandise or food store by right if 50,000 square feet or less; otherwise by SUP. A motor vehicle fueling station is not a permitted use; however, the applicant proposes a new subdistrict in which a motor vehicle fueling station would be permitted by SUP.
- Removal of the D Liquor Control Overlay will allow the sale of alcohol by right. To date, the Department of Sustainable Development and Construction has received 91 applications for Specific Use Permits for the sale of alcohol beverages.
- On May 17, 2102, the City Plan Commission approved application S112-119 to replat a 0.47 acre tract of land containing part of Lots 9, 10 and 11 in City Block 4548 into one 0.24 acre lot and one 0.23 acre lot located on Jefferson Boulevard at Hampton Road, northeast corner, subject to compliance with the conditions listed in the docket. This replat allows the applicant to comply with the 300-foot distance requirement from the public school (Sunset High School), located to the southeast of the request site.
- The request site is surrounded by an auto service center to the north; single family residential to the east and south (across W. Jefferson Boulevard) and retail to the west (across N. Hampton Road).

Zoning History:

1. **Z101-309:** On October 26, 2011, the City Council approved a specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period with eligibility for automatic renewal for additional five-year periods.

Thoroughfares/Streets:

| Thoroughfares/Streets | Type | Existing ROW |
|-----------------------|--------------------|--------------|
| Hampton Road | Principal Arterial | Variable |
| Jefferson Boulevard | Principal Arterial | Variable |

Land Use:

| | Zoning | Land Use |
|--------------|--------------------------|--|
| Site | PDD No. 830 | Vacant convenience store with fuel pumps |
| North | PDD No. 830 | Auto service center |
| East | R-7.5(A) | Single family |
| South | R-7.5(A) | Single family |
| West | PDD No. 830; SUP No.1919 | Retail |

STAFF ANALYSIS:**Area Plans:**

The request site is within the North Oak Cliff Land Use and Development Plan, dated April 1986, which provides a comprehensive program for the revitalization and stabilization of north Oak Cliff. The plan recommends retail/commercial uses at this intersection.

Comprehensive Plan:

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

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

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

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

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

URBAN DESIGN ELEMENT

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

Policy 5.1.1: Promote pedestrian-friendly streetscapes.

ENVIRONMENT ELEMENT

GOAL 6.3: IMPROVE ENERGY EFFICIENCY AND AIR QUALITY

6.3.3: Limit vehicle miles traveled.

Land Use Compatibility:

The development standards included in Planned Development District No. 830, the Davis Street Special District were intended to promote an urban, pedestrian friendly environment while attempting to mitigate the potential impacts of new development and redevelopment on adjacent single family residential areas.

By placing buildings adjacent to the street, with wide sidewalks, an area takes on the characteristics of an urban village rather than a suburban-style place. Building entrances and windows offer "eyes on the street," improving security and pedestrian access. Parking lots, garage doors, loading zones, and mechanical equipment should be placed away from streets. Through the combination of street trees, wider sidewalks, and build to zones, a more defined sense of place is created, enhancing the pedestrian feel of the area.

The applicant's request is not consistent with the intent of PDD No. 830. Specifically, while Subdistrict 6 allows a general merchandise or food store by right (if 50,000 square feet or less; otherwise by SUP), a motor vehicle fueling station is not a permitted use. The applicant proposes a new subdistrict in which a motor vehicle fueling station will be permitted by SUP. The proposed SUP site plan depicts a suburban-style building orientation in which the building is pushed back away from the street.

Removal of the D Liquor Control Overlay will allow the sale of alcohol by right (with no SUP requirement). On May 17, 2102, the City Plan Commission approved a replat

which allows the applicant to comply with the 300-foot distance requirement from the public school (Sunset High School), located to the southeast of the request site.

The request site is surrounded by an auto service center to the north; single family residential to the east and south (across W. Jefferson Boulevard) and retail to the west (across N. Hampton Road).

Based on the aforementioned factors, staff does not support the request.

Development Standards:

| District | Setbacks | | Density/ FAR | Height | Lot Coverage | Special Standards | Primary Uses |
|---|----------|--|-----------------|------------------|-----------------|----------------------|--|
| | Front | Side/Rear | | | | | |
| Existing: PDD 830, Subdistrict 6 | 10' | Side: No min. Rear: 10 ft. if adjacent to residential; otherwise no min. | No. max | 50 ft. 75 ft. | 80% 100% | RPS | Office, retail & personal service, residential |
| Proposed: PDD 830, Subdistrict 6a | 10' | Side: 3 ft. Rear: No min. | No, max. | 75 ft. | 100% | RPS | Office, retail & personal service |

Traffic:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system. Based on the traffic impact worksheet completed by the applicant, the proposed development is anticipated to generate ±2,071.44 trips per day. However, the applicant was granted a waiver of traffic impact analysis.

Parking:

Pursuant to §51A-4.210 of the Dallas Development Code, the required off-street parking for a general merchandise or food store less than 3,500 square feet is one (1) space per 200 square feet of floor area; a motor vehicle or fueling station requires two spaces. Therefore, the proposed ±2,400-square foot convenience store with fuel pumps requires 14 parking spaces.

Landscaping:

Landscaping will be required per the regulations of PDD No. 830.

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Partners/Principals/Officers:

Owner: LCG Hampton LLC
William Tolliver, Director

Applicant: 7-11
Arthur Rubinett, President
David Fenton, Vice President
Sandra Cunningham, Secretary-Treasurer

Note: While staff does not support the request, conditions, which have been reviewed by the City Attorney's Office, are provided for the Commission's consideration.

ARTICLE 830.

PD 830.

SEC. 51P-830.101. LEGISLATIVE HISTORY.

PD 830 was established by Ordinance No. 27944, passed by the Dallas City Council on August 11, 2010. (Ord. 27944)

SEC. 51P-830.102. PROPERTY LOCATION AND SIZE.

PD 830 is established on property located along the Bishop Avenue Corridor between Colorado Boulevard and Davis Street; property located along the Davis Street Corridor, bounded by Plymouth Road on the west and Zang Boulevard on the east; and excluding property zoned Planned Development District No. 160, Planned Development No. 340, Planned Development No. 87/Historic District 15, Conservation District No. 1, and Conservation District 7. The size of PD 830 is approximately 290.5 acres.(Ord. 27944)

SEC. 51P-830.103. CREATION OF SUBDISTRICTS.

This district is divided into the following subdistricts:

- (1) Subdistrict 1: Bishop Avenue.
- (2) Subdistrict 2: **Subdistrict 2 is not created as part of this PD. See Conservation District No. 7 (Bishop/Eighth Street Conservation District) for the use regulations and development standards in that area.**
- (3) Subdistrict 3: East Garden District.
- (4) Subdistrict 4: Kidd Springs Park.
- (5) Subdistrict 5: Kings Highway Gateway.
- (6) Subdistrict 6 and 6A: Davis Corridor.
- (7) Subdistrict 7: Winnetka Heights Village.
- (8) Subdistricts 8 and 8A: West Garden District.(Ord. 27944)

SEC. 51P-830.104. DEFINITIONS.

Unless otherwise stated, the definitions in Chapter 51A apply to this article. In this district:

(1) A-FRAME SIGN means a portable detached premise sign that is hinged at the top and is made of durable, rigid materials such as wood, plastic, or metal.

(2) ANTIQUE SHOP means an establishment for the retail sale of articles such as glass, china, furniture, or similar furnishings and decorations that have value and significance as a result of age, design, or sentiment.

(3) ART GALLERY means an establishment where original works of art or limited editions of original works of art are bought, sold, loaned, appraised, or exhibited to the general public.

(4) ATTIC STORY means that portion of a building between the top floor and the ceiling above it that is located within a roof structure.

(5) BED AND BREAKFAST means a lodging use that has no more than five guest rooms; provides accommodations for periods not to exceed five nights; serves no meals other than breakfast; and is a member of, or certified by, a recognized bed and breakfast association such as the National Bed and Breakfast Association (NBBA) or Historic and Hospitality Accommodation of Texas.

(6) BLADE SIGN means a sign that projects perpendicularly from a main building facade and is visible from both sides.

(7) BODY PIERCING STUDIO means a facility in which body piercing is performed. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.

(8) BOUTIQUE HOTEL means a lodging facility with 30 or fewer guest rooms that are rented to occupants on a daily basis for not more than 14 consecutive days; provides food that is prepared on-site; and more than 50 percent of the guest rooms are internal-entry.

(9) DOOR YARD means the area between the edge of the sidewalk furthest from the street and the front building facade.

(10) LEGACY BUILDING means a building that fronts on Davis Street or Bishop Avenue and that is listed on Exhibit "830B" or determined to be a legacy building in accordance with Section 51P-830.118.

(11) MAJOR MODIFICATION means reconstruction, alteration, or renovation of an a single family or duplex structure that exceeds 50 percent of the structure assessed by the Dallas Central Appraisal District or any increase in the floor area of a structure if the expansion is over 50 percent of the floor area of the existing structure.

(12) MASSAGE ESTABLISHMENT and MASSAGE mean a massage establishment or massage as defined by Texas Occupation Code Chapter 455, as amended.

(13) MIXED USE DEVELOPMENT means a development that has both main residential and main nonresidential uses on the same building site.

(14) MIXED USE RESIDENTIAL PROJECT (MURP) means a development that has street-level nonresidential uses with hours of operation that are limited to 7:30 a.m.

through 6:30 p.m., Monday through Saturday, and that has residential uses only above street level.

(15) OPEN SPACE means an area that is open to the public for at least eight hours each day, limited to pedestrians, is at least 80 percent open to the sky, a contiguous area of not less than 15 feet in width and 25 feet in length, and where a minimum of 25 percent of the open space area is landscaped with turf, ground cover, shrubs, trees, seasonal plantings, or a combination of these plant materials.

(16) PROJECTING SIGN means an attached sign projecting more than 12 inches from a building at an angle other than parallel to the facade.

(17) REMOTE SURFACE PARKING LOT means a nonstructural passenger-vehicle parking facility where at least 30 percent of its parking spaces are subject to remote parking agreements and where the remaining parking spaces may serve as off-site parking for a valet service that may charge a fee.

(18) RETAIL-RELATED USES means any of the following uses:

- (A) Antique shop.
- (B) Art gallery.
- (C) Dry cleaning or laundry store.
- (D) General merchandise or food store.
- (E) Nursery, garden shop, or plant sales.
- (F) Personal service uses.

(19) 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.

(20) TRANSPARENCY means the total area of windows and door openings with glass that is a percentage of the total street-level facade. (Ord. 27944)

SEC. 51P-830.105. INTERPRETATIONS.

- (a) Unless otherwise stated, the 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.
- (b) Section 51A-2.101, "Interpretations," applies to this article.
- (c) The following rules apply in interpreting the use regulations in this article:
 - (1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol **[L]** appearing after a listed use means that the use is permitted by right as a limited use only. (For more information regarding limited uses, see Section 51A-4.218, "Limited Uses.")

(3) The symbol **[SUP]** appearing after a listed use means that the use is permitted by specific use permit only. ["SUP" means "specific use permit." For more information regarding specific use permits, see Section 51A-4.219, "Specific Use Permit (SUP)."]

(4) The symbol **[DIR]** appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803, "Site Plan Review." ("DIR" means "development impact review." For more information regarding development impact review, see Division 51A-4.800, "Development Impact Review.")

(5) The symbol **[RAR]** appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, "Site Plan Review," a site plan must be submitted and approved in accordance with the requirements of that section. ("RAR" means "residential adjacency review." For more information regarding residential adjacency review, see Division 51A-4.800, "Development Impact Review.")

(d) If there is a conflict, the text of this article controls over any charts, exhibits, graphic displays, or maps.

(c) Subdistricts 1, 3, 4, and 8 of this district are considered to be residential zoning districts. Subdistricts 5, 6, and 7 are considered to be nonresidential zoning districts. (Ord. 27944)

SEC. 51P-830.106. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 830A: Subdistrict maps.
- (2) Exhibit 830B: Legacy buildings list.
- (3) Exhibit 830C: Mixed use development parking chart.(Ord. 27944)

SEC. 51P-830.107. CONCEPTUAL PLAN.

(a) There is no conceptual plan for this district.

(b) The Bishop/Davis Land Use and Zoning Study should be consulted for goals, objectives, policy statements, and recommendations for development of this district.(Ord. 27944)

SEC. 51P-830.108. DEVELOPMENT PLAN.

No development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.(Ord. 27944)

**SEC. 51P-830.109. USE REGULATIONS AND DEVELOPMENT STANDARDS IN
SUBDISTRICT NO. 1: BISHOP AVENUE.**

- (a) Uses. The following uses are the only main uses permitted:
- (1) Agricultural uses.
 - Crop production.
 - (2) Commercial and business service uses.
 - None permitted.
 - (3) Industrial uses.
 - None permitted.
 - (4) Institutional and community service uses.
 - Church.
 - (5) Lodging uses.
 - None permitted.
 - (6) Miscellaneous uses.
 - Temporary construction or sales office.
 - (7) Office uses.
 - Office. *[Permitted only as part of a MURP.]*
 - (8) Recreation uses.
 - Private recreation center, club, or area. *[SUP]*
 - Public park, playground, or golf course.
 - (9) Residential uses.
 - Duplex.
 - Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
 - Multifamily.
 - Retirement housing.
 - Single family.
 - (10) Retail and personal service uses.
 - Antique shop. *[Permitted only as part of a MURP.]*
 - Art gallery. *[Permitted only as part of a MURP.]*

- Remote surface parking lot. *[Permitted only on a lot abutting the lot with the use being supplied with the parking under the remote parking agreement.]*

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are not permitted.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict 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, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

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

- Accessory community center (private).

(3) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

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

(1) Front yard. Except as provided in this paragraph, minimum front yard is 20 feet and maximum front yard is 25 feet. A minimum of 75 percent of the street-facing facade must be located within the area between the minimum and maximum front yard setback. The remaining street-facing facade (25 percent) is not required to comply with the maximum front yard setback.

(2) Side yard.

(A) Except as provided in this paragraph, minimum side yard is 10 feet or 10 percent of the lot width measured at the front yard street frontage, whichever is less.

(B) For lots 50 feet in width or less and adjacent to a detached single family use, minimum side yard is five feet.

(C) No side yard is required between attached single family uses.

(3) Rear yard. Minimum rear yard is 10 feet.

(4) Density. No maximum number of dwelling units.

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

(6) Height.

(A) Except as provided in this paragraph, maximum structure height is 38 feet. For a MURP, maximum structure height is 42 feet.

(B) Any portion of a structure over 30 feet in height may not be located above a residential proximity slope.

(i) The residential proximity slope is a plane projected upward and outward at a one-to-two rise over run from private property outside of the district that is zoned for residential uses with a density of less than 12 dwelling units per acre. An institutional use on a lot of two acres or more does not trigger the residential proximity slope.

(ii) Structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height, or 12 feet above the residential proximity slope, whichever is less, provided that the total projections on a building are no more than 20 percent of the building foot print.

(7) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. No minimum lot size.

(9) Lot width. Maximum lot width is 150 feet.

(10) Stories. Maximum number of stories above grade is three, plus one attic story.

(e) Architectural design standards.

(1) Except as provided in this subsection, see Section 51P-830.122, "Architectural Design Standards."

(2) Structures with street facing facades exceeding 50 feet in length must have changes in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches and depth of at least eight inches.(Ord. 27944)

SEC. 51P-830.110. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 2: THE BISHOP ARTS-EIGHTH STREET CONSERVATION DISTRICT.

Subdistrict No. 2 is not part of this PD. See Conservation District No. 7 (Bishop/Eighth Street Conservation District) for the use regulations and development standards in that area. (Ord. 27944)

SEC. 51P-830.111. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 3: EAST GARDEN DISTRICT.

(a) Uses. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses. *[Permitted only on lots fronting on Bishop Avenue or Zang Boulevard.]*

-- Catering service.
-- Custom business services.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

-- Child-care facility.
-- Church.

(5) Lodging uses. *[Permitted only on lots fronting on Bishop Avenue or Zang Boulevard.]*

-- Bed and breakfast.
-- Boutique hotel. *[SUP]*

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(7) Office uses. *[Permitted only on lots fronting on Bishop Avenue or Zang Boulevard.]*

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

(8) Recreation uses.

-- Private recreation center, club, or area. *[SUP]*

- Public park, playground, or golf course.

(9) Residential uses.

- Duplex.
- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
- Multifamily.
- Retirement housing.
- Single family.

(10) Retail and personal service uses.*[Permitted only on lots fronting on Bishop Avenue or Zang Boulevard.]*

- Alcoholic beverage establishments. *[SUP]*
- Antique shop.
- Art gallery.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store. *[By right if 5,000 square feet of floor area or less; otherwise by SUP.]*
- Nursery, garden shop, or plant sales.
- Personal service uses. *[Body piercing studios, massage establishments, and tattoo studios are prohibited.]*
- Restaurant without drive-in or drive-through service. *[RAR]*
- Remote surface parking lot.
- Theater. *[SUP]*

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are not permitted.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict 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, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

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

- Accessory community center (private).

(3) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

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

(1) Front yard. Except as provided in this paragraph, minimum front yard is 0 feet and maximum front yard is 10 feet. A minimum of 75 percent of the street-facing facade must be located within the area between the minimum and maximum front yard setback. The remaining street-facing facade (25 percent) is not required to comply with the maximum front yard setback.

(2) Side yard. No minimum side yard.

(3) Rear yard. Except as provided in this paragraph, no minimum rear yard. Minimum rear yard is 10 feet if the rear yard abuts or is across an alley from a rear yard in Subdistrict 8.

(4) Density. No maximum number of dwelling units.

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

(6) Height.

(A) Except as provided in this paragraph, maximum structure height is 50 feet.

(B) For lots fronting on Bishop Avenue or Zang Boulevard, maximum structure height is 75 feet, except as provided in Section 51P-830.122(g)(2).

(7) Lot coverage. Maximum lot coverage is 100 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. No minimum lot size.

(9) Lot width. No minimum or maximum lot width.

(10) Stories.

(A) Except as provided in this paragraph, maximum number of stories above grade is four.

(B) For lots fronting on Bishop Avenue or Zang Boulevard, maximum number of stories above grade is five.(Ord. 27944)

SEC. 51P-830.112. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 4: KIDD SPRINGS PARK.

(a) Uses. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

None permitted.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

-- Church.

(5) Lodging uses.

None permitted.

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(7) Office uses.

None permitted.

(8) Recreation uses.

-- Private recreation center, club, or area. *[SUP]*

-- Public park, playground, or golf course.

(9) Residential uses.

-- Duplex.

-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*

-- Multifamily.

-- Retirement housing.

-- Single family.

(10) Retail and personal service uses.

- Restaurant without drive-in or drive-through service. *[Permitted only on lots abutting Kidd Springs Park and by SUP only.]*

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are not permitted.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict 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, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

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

- Accessory community center (private).

(3) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

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

(1) Front yard.

(A) Except as provided in this paragraph, minimum front yard is 10 feet.

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(B) For lots fronting on Cedar Hill Avenue, minimum front yard is 15 feet.

(2) Side yard.

(A) Except as provided in this paragraph, no minimum side yard.

(B) For lots abutting Kidd Springs Park, minimum side yard is 15 feet.

(3) Rear yard.

(A) Except as provided in this subsection, no minimum rear yard.

(B) For lots abutting Kidd Springs Park, minimum rear yard is 15 feet.

(4) Density. No maximum number of dwelling units.

(5) Floor area ratio. Maximum floor area ratio is 2.0.

(6) Height.

(A) Except as provided in this paragraph, maximum structure height is 36 feet.

(B) If a minimum of 15 percent of a building site is provided as open space, maximum structure height may be increased to 50 feet.

(C) Any portion of a structure over 30 feet in height may not be located above a residential proximity slope.

(i) The residential proximity slope is a plane projected upward and outward at a two-to-one rise over run from private property that is inside the subdistrict, south of West Canty Street, and zoned for residential uses with a density of less than 12 dwelling units per acre. An institutional use on a lot of two acres or more does not trigger the residential proximity slope.

(iii) The residential proximity slope is a plane projected upward and outward at a one-to-two rise over run from private property that is outside the district, east of Cedar Hill Avenue, abuts Subdistrict 4, and zoned for residential uses with a density of less than 12 dwelling units per acre. An institutional use on a lot of two acres or more does not trigger the residential proximity slope.

(iii) Structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height, or 12 feet above the residential proximity slope, whichever is less, provided that the total projections on a building are no more than 20 percent of the building foot print.

(7) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. No minimum lot size.

(9) Lot width. No minimum or maximum lot width is required.

(10) Stories. Except as provided in Paragraph (6)(B), maximum number of stories above grade is three.(Ord. 27944)

SEC. 51P-830.113. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 5: KINGS HIGHWAY GATEWAY.

(a) Uses. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.
-- Custom business services.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

-- Child-care facility.
-- Church.

(5) Lodging uses.

-- Bed and breakfast.

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(7) Office uses.

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

(8) Recreation uses.

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

(9) Residential uses.

-- Duplex.
-- Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]
-- Multifamily.

- Retirement housing.
- Single family.

(10) Retail and personal service uses.

- Alcoholic beverage establishments. [SUP]
- Antique shop.
- Art gallery.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store. [By right if 50,000 square feet of floor area or less; otherwise by SUP.]
- Nursery, garden shop, or plant sales.
- Personal service uses. [Body piercing studios, massage establishments, and tattoo studios are prohibited.]
- Restaurant without drive-in or drive-through service. [RAR]
- Remote surface parking lot.
- Theater. [SUP]

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]
- Recycling drop-off for special occasion collection. [SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are not permitted.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict 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, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

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

- Accessory community center (private).

(3) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

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

(1) Front yard.

(A) Except as provided in this paragraph, minimum front yard is 10 feet.

(B) For lots fronting on Davis Street, minimum front yard is 0 and maximum front yard is 10 feet. A minimum of 75 percent of the street-facing facade must be located within the area between the minimum and maximum front yard setback. The remaining street-facing facade (25 percent) is not required to comply with the maximum front yard setback.

(2) Side yard. No minimum side yard.

(3) Rear yard. No minimum rear yard.

(4) Density. No maximum number of dwelling units.

(5) Floor area ratio. Maximum floor area ratio is 2.0.

(6) Height. Maximum structure height is 50 feet.

(7) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. No minimum lot size.

(9) Lot width. No minimum or maximum lot width.

(10) Stories. Maximum number of stories above grade is four.(Ord. 27944)

SEC. 51P-830.114. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 6: DAVIS CORRIDOR.

(a) Uses. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.

-- Custom business services.

- (3) Industrial uses.
None permitted.
- (4) Institutional and community service uses.
 - Child-care facility.
 - Church.
 - Community service center. *[SUP]*
- (5) Lodging uses.
 - Bed and breakfast.
- (6) Miscellaneous uses.
 - Temporary construction or sales office.
- (7) Office uses.
 - Financial institution without drive-in window.
 - Medical clinic or ambulatory surgical center.
 - Office.
- (8) Recreation uses.
 - Private recreation center, club, or area. *[SUP]*
 - Public park, playground, or golf course.
- (9) Residential uses.
 - Duplex.
 - Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
 - Multifamily.
 - Retirement housing.
 - Single family.
- (10) Retail and personal service uses.
 - Alcoholic beverage establishments. *[SUP]*
 - Antique shop.
 - Art gallery.
 - Dry cleaning or laundry store.
 - Furniture store.
 - General merchandise or food store. *[By right if 50,000 square feet of floor area or less; otherwise by SUP.]*
 - Nursery, garden shop, or plant sales.
 - Personal service uses. *[Body piercing studios, massage establishments, and tattoo studios are prohibited.]*
 - Restaurant without drive-in or drive-through service. *[RAR]*
 - Remote surface parking lot.
 - Theater. *[SUP]*

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are not permitted.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict 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, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

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

- Accessory community center (private).

(3) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

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

(1) Front yard.

(A) Except as provided in this paragraph, minimum front yard is 10 feet.

(B) For lots fronting on Davis Street, minimum front yard is 0 feet and maximum front yard is 10 feet. A minimum of 75 percent of the street-facing facade must be located within the area between the minimum and maximum front yard setback. The remaining street-facing facade (25 percent) is not required to comply with the maximum front yard setback.

(2) Side yard. No minimum side yard.

(3) Rear yard.

(A) Except as provided in this paragraph, no minimum rear yard.

(B) If abutting or across the alley from a single family district, minimum rear yard is 10 feet.

(4) Density. No maximum number of dwelling units.

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

(6) Height.

(A) Except as provided in this paragraph and Section 51P-830.122(g)(2), maximum structure height is 75 feet.

(B) South of Davis Street between Hampton Road and the east side of Rosemont Avenue, maximum structure height is 50 feet.

(C) Any portion of a structure over 30 feet in height may not be located above a residential proximity slope.

(i) The residential proximity slope is a plane projected upward and outward at a one-to-one rise over run from private property that is outside the district, abutting Subdistrict 6 with no intervening street, and zoned for residential uses with a density of less than 12 dwelling units per acre. An institutional use on a lot of two acres or more does not trigger the residential proximity slope.

(ii) Structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height, or 12 feet above the residential proximity slope, whichever is less, provided that the total projections on a building are no more than 20 percent of the building foot print.

(7) Lot coverage. Except as provided in this paragraph, maximum lot coverage is 100 percent. South of Davis Street between Hampton Road and the east side of Rosemont Avenue, maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. No minimum lot size.

(9) Lot width. No minimum or maximum lot width.

(10) Stories.

(A) Except as provided in this paragraph, maximum number of stories above grade is five.

(B) South of Davis Street between Hampton Road and the east side of Rosemont Avenue, maximum number of stories above grade is four. (Ord. 27944)

**SEC. 51P-830.115. USE REGULATIONS AND DEVELOPMENT STANDARDS
IN SUBDISTRICT 6A: DAVIS CORRIDOR.**

(a) Uses. The following uses are the only main uses permitted:

(1) Agricultural uses.

--Crop production.

(2) Commercial and business service uses.

--Catering service.

--Custom business services.

(3) Industrial uses.

--None permitted.

(4) Institutional and community service uses.

--Child-care facility.

--Church.

--Community service center. [SUP]

(5) Lodging Uses

-- None permitted.

(6) Miscellaneous uses.-

--Temporary construction or sales office.

(7) Office uses.

--Financial institution without drive-in window.

--Medical clinic or ambulatory surgical center.

--Office.

(8) Recreation uses.

--Private recreation center, club, or area. [SUP]

--Public park, playground, or golf course.

(9) Residential Uses

-- None permitted

(10) Retail and personal service uses.

--Antique shop.

- Art gallery.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store. [By right if 50,000 square feet of floor area or less; otherwise by SUP.]
- Motor vehicle fueling station [SUP].
- Nursery, garden shop, or plant sales.
- Personal service uses. [Body piercing studios, massage establishments, and tattoo studios are prohibited.]
- Restaurant without drive-in or drive-through service. [RAR]
- Remote surface parking lot.
- Theater. [SUP]

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [SUP required if the requirements of Section 51A-4.213(1).2)(E) are not satisfied]
- Recycling drop-off for special occasion collection. [SUP required if the requirements of Section 51A-4.213(1).3)(E) are not satisfied.]

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are not permitted.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict 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, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

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

- Accessory community center (private).

(3) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

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

- (1) Front yard. Minimum front yard is 10 feet.
- (2) Side yard. Minimum side yard is 3 feet.
- (3) Rear yard. No minimum rear yard.
- (4) Density. No maximum number of dwelling units.
- (5) Floor area ratio. No maximum floor area ratio.
- (6) Height.

(A) Maximum structure height is 75 feet.

(B) Any portion of a structure over 30 feet in height may not be located above a residential proximity slope.

(i) The residential proximity slope is a plane projected upward and outward at a one-to-one rise over run from private property that is outside the district, abutting Subdistrict 6 with no intervening street, and zoned for residential uses with a density of less than 12 dwelling units per acre. An institutional use on a lot of two acres or more does not trigger the residential proximity slope.

(ii) Structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height, or 12 feet above the residential proximity slope, whichever is less, provided that the total projections on a building are no more than 20 percent of the building foot print.

(7) Lot coverage. Maximum lot coverage is 100 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

- (8) Lot size. No minimum lot size.
- (9) Lot width. No minimum or maximum lot width.
- (10) Stories. Maximum number of stories above grade is five.

SEC. 51P-830.115. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 7: WINNETKA HEIGHTS VILLAGE.

(a) Uses. The following uses are the only main uses permitted:

- (1) Agricultural uses.
 - Crop production.
- (2) Commercial and business service uses.

- Catering service.
- (3) Industrial uses.
 - None permitted.
- (4) Institutional and community service uses.
 - Child-care facility.
 - Church.
- (5) Lodging uses.
 - Bed and breakfast.
- (6) Miscellaneous uses.
 - Temporary construction or sales office.
- (7) Office uses.
 - Financial institution without drive-in window.
 - Medical clinic or ambulatory surgical center.
 - Office.
- (8) Recreation uses.
 - Private recreation center, club, or area. [SUP]
 - Public park, playground, or golf course.
- (9) Residential uses.
 - Duplex.
 - Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]
 - Multifamily.
 - Retirement housing.
 - Single family.
- (10) Retail and personal service uses.
 - Antique shop.
 - Art gallery.
 - Dry cleaning or laundry store.
 - Furniture store.
 - General merchandise or food store. [By right if 5,000 square feet of floor area or less; otherwise by SUP.]
 - Nursery, garden shop, or plant sales.
 - Personal service uses. [Body piercing studios, massage establishments, and tattoo studios are prohibited.]
 - Restaurant without drive-in or drive-through service. [RAR]
 - Remote surface parking lot.
 - Theater. [SUP]

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are prohibited.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict 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, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

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

- Accessory community center (private).

(3) In this subdistrict, the following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

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

(1) Front yard.

(A) Except as provided in this paragraph, minimum front yard is 10 feet.

(B) For lots fronting on Davis Street, minimum front yard is 0 feet and maximum front yard is 10 feet. A minimum of 75 percent of the street-facing facade must be located within the area between the minimum and maximum front yard setback. The remaining street-facing facade (25 percent) is not required to comply with the maximum front yard setback

(2) Side yard. No minimum side yard.

- (3) Rear yard. No minimum rear yard.
- (4) Density. No maximum number of dwelling units.
- (5) Floor area ratio. No maximum floor area ratio.
- (6) Height. Maximum structure height is 36 feet.
- (7) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.
- (8) Lot size. No minimum lot size.
- (9) Lot width. No minimum or maximum lot width.
- (10) Stories. Maximum number of stories above grade is three. (Ord. 27944)

SEC. 51P-830.116. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICTS 8 AND 8A: WEST GARDEN DISTRICT.

- (a) Uses. The following uses are the only main uses permitted:
 - (1) Agricultural uses.
 - Crop production.
 - (2) Commercial and business service uses.
 - None permitted.
 - (3) Industrial uses.
 - None permitted.
 - (4) Institutional and community service uses.
 - Child-care facility. *[Permitted in Subdistrict 8A only.]*
 - Church.
 - (5) Lodging uses.
 - None permitted.
 - (6) Miscellaneous uses.
 - Temporary construction or sales office.
 - (7) Office uses.

- Financial institution without drive-in window. *[Permitted in Subdistrict 8A only.]*
- Medical clinic or ambulatory surgical center. *[Permitted in Subdistrict 8A only.]*
- Office. *[Permitted in Subdistrict 8A only.]*

(8) Recreation uses.

- Private recreation center, club, or area. *[SUP]*
- Public park, playground, or golf course.

(9) Residential uses.

- Duplex.
- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
- Single family.

(10) Retail and personal service uses.

- Antique shop. *[Permitted in Subdistrict 8A only.]*
- Art gallery. *[Permitted in Subdistrict 8A only.]*
- Dry cleaning or laundry store. *[Permitted in Subdistrict 8A only.]*
- General merchandise or food store. *[Permitted in Subdistrict 8A only and only if 5,000 square feet of floor area or less.]*
- Personal service uses. *[Permitted in Subdistrict 8A only. Body piercing studios, massage establishments, and tattoo studios are prohibited.]*

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Local utilities.

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are prohibited.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict 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, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

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

- Accessory community center (private).

(3) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

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

(1) Front yard. Minimum front yard is 20 feet.

(2) Side yard. Minimum side yard is five feet.

(3) Rear yard. Minimum rear yard is five feet.

(4) Density. Maximum number of dwelling units per lot is two. A second dwelling unit may be an existing duplex unit. If a second dwelling unit is added to a lot with a single family detached dwelling unit, the second dwelling unit must be on the rear 30 percent of the lot. A second dwelling unit is not an accessory structure; it is a second main structure. A second dwelling unit must have exterior siding, roofing, roof pitch, foundation fascia, and fenestration compatible with the existing dwelling unit. "Compatible" as used in this provision means similar in application, color, materials, pattern, quality, shape, size, slope, and other characteristics; but does not necessarily mean identical. The burden is on the property owner or applicant to supply proof of compatibility.

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

(6) Height. Maximum structure height is 30 feet.

(7) Lot coverage. Maximum lot coverage is 45 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. Minimum lot size is 5,000 square feet.

(9) Lot width. No minimum or maximum lot width.

(10) Stories. Maximum number of stories above grade is two. (Ord. 27944)

SEC. 51P-830.117. 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. For the purpose of this section, Subdistrict 6A shall be considered one lot.

(1) Multifamily use. A minimum of one off-street parking space per bedroom is required with a maximum of two off-street parking spaces per dwelling unit.

(2) Restaurant use.

(A) A minimum of one off-street parking space per 125 square feet of floor area is required.

(B) If an outdoor dining area, whether covered or not, is within 20 feet of, and has direct access to, a street, sidewalk, or publically accessible open space, the outdoor dining area is not included in the parking requirement calculations for up to 25 percent of the size of the indoor floor area. Any portion of the outdoor dining area in excess of 25 percent of the size of the indoor floor area must be parked in accordance with Section 51P-830.117(a)(2)(A).

(b) Parking reductions.

(1) Bicycle parking. Off-street parking spaces required for a use may be reduced by one space for each three bicycle parking stations provided for that use, up to a maximum of three off-street parking spaces per lot.

(2) Legacy building.

(A) For residential uses within a legacy building, off-street parking requirements may be reduced an additional 25 percent.

(B) For retail-related uses and office uses within a legacy building, off-street parking is not required.

(3) Mixed use development parking.

(A) In general. The off-street parking requirement for a mixed use development may be reduced in accordance with the mixed use development parking chart (Exhibit 830C).

(B) Calculation of adjusted standard off-street parking requirement. The adjusted off-street parking requirement for a mixed use development is calculated as follows:

(i) The standard parking requirements for each of the uses in the mixed use development must be ascertained.

(ii) The parking demand for each use is determined for each of the five times of day shown in the mixed use development parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development does not fall

within one of the categories shown in the mixed use development parking chart, the percentage assigned to that use is 100 percent for all five times of day.

(iii) The "time of day" columns are totaled to produce sums that represent the aggregate parking demand for the development at each time of day. The largest of these five sums is the adjusted off-street parking requirement for the development.

(C) Minimum parking requirement. If one or more of the main uses in a mixed use development is a nonresidential use, the minimum parking requirement for the mixed use development cannot be reduced to a number of spaces that is less than the sum of the standard parking spaces required for each of the nonresidential uses in the mixed use development.

(4) On-street parking. Except as provided in this subparagraph, any on-street parking spaces that abut the building site may be counted as a reduction in the off-street parking requirement of the use adjacent to the on-street parking space. On-street parking must be striped in accordance with standard city specifications.

(A) 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 for a mixed use development.

(B) 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 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 the parking space ($8 / 24 = 1/3$). The total number of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(5) Tree preservation. Off-street parking spaces required for a use may be reduced by one space for each protected tree (as defined in Article X) retained on site that would otherwise have to be removed to provide the required off-street parking for that use.

(c) Remote parking.

(1) For nonresidential uses and mixed use developments, remote parking is permitted if the requirements of Division 51A-4.320, "Special Parking Regulations," are met, including the landscape requirements, except that the remote parking may be within a walking distance of 1,000 feet from the use served.

(2) An agreement authorizing a nonresidential use or a mixed use development to use remote parking for nonresidential uses may be based on a lease of the remote parking spaces only if the lease:

(A) is in writing;

(B) contains legal descriptions of the properties affected;

(C) specifies the special parking being provided and the hours of operation of any use involved;

- (D) is governed by the laws of the state of Texas;
- (E) is signed by all owners of the properties affected;
- (F) signed by all lienholders, other than taxing entities, that have an interest in or an improvement on the properties;
- (G) is for a minimum term of three years; and
- (H) provides both the owner of the lot occupied by the nonresidential use or mixed use development use and the owner of the remote parking lot shall notify the building official in writing if there is a breach of any provision of the lease, or if the lease is modified or terminated.

(3) The remote parking provisions of this subsection and Division 51A-4.320 shall not affect or cause the reduction of delta credits. (Ord. 27944)

SEC. 51P-830.118. LEGACY BUILDING AMENDMENTS.

If the director finds that all of the following standards apply to a building within this district, the director is authorized to add the building to the legacy building list (Exhibit 830B):

- (1) the building was constructed before 1957 if fronting on Davis Street, Tyler Street, Polk Street, or 7th Street east of Madison Avenue and before 1945 if fronting on Bishop Avenue;
- (2) the primary street-facing facade of the building is within 10 feet of the right-of-way line of Davis Street or within five feet of the 25-foot front yard setback line on Bishop Avenue;
- (3) the building's main entrance faces Davis Street or Bishop Avenue;
- (4) the building window and door openings total at least 20 percent of the facade area that faces Davis Street or Bishop Avenue; and
- (5) off-street parking is not located in the required front yard.(Ord. 27944)

SEC. 51P-830.119. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.(Ord. 27944)

SEC. 51P-830.120. LANDSCAPING.

- (a) In general.
 - (1) Except as provided in this section, landscaping must be provided in accordance with Article X.
 - (2) Required landscaping may be located in the public right-of-way.
 - (3) Required landscaping and design standards located in adjacent rights-of-way may count toward the site requirements.

(b) Subdistricts 3 and 6. The following additional landscaping provisions apply:

(1) Street trees.

(A) Except as provided in this paragraph, one large canopy tree having a caliper of at least three inches must be provided no closer than 25 feet on center for every 40 feet of street frontage and may be planted within 25 feet of back of curb.

(B) If the city arborist determines that the planting space for the required tree is inadequate or that utility lines prohibit the planting, two small trees may count toward the street tree requirements.

(2) Surface parking landscaping.

(A) Parking spaces in a surface parking lot may be located no more than 75 feet from the trunk of a large canopy tree in a median or island.

(B) Each large canopy tree must have a caliper of at least two inches, must be located in a median or island that is no closer than four feet to the paved portion of the parking lot.

(C) A median or island that is located in a surface parking lot must be a minimum of 125 square feet in area.

(c) Private license granted.

(1) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. "Parkway" means the portion of a street right-of-way between the street curb and the lot line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when

the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(2) An owner or tenant is not required to comply with any landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of the private license granted by this subsection.

(3) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city,

covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(4) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this subsection does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(d) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the building official. The application must be in writing on a form approved by the building official and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(2) Upon receipt of the application and any required fees, the building official 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 building official determines that the construction, planting, or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the building official shall issue a parkway landscape permit to the property owner; otherwise, the building official shall deny the permit.

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

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

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

(e) Maintenance. Plant materials must be maintained in a healthy, growing condition.(Ord. 27944)

SEC. 51P-830.121. SIGNS.

(a) In general.

(1) Except as provided in this subsection, for lots fronting on Bishop Avenue in Subdistrict 3, Davis Street, Zang Boulevard, Hampton Road, Jefferson Boulevard, or 7th Street east of Madison Avenue, signs must comply with the provisions for business zoning districts in Article VII.

(2) For all other lots, signs must comply with the provisions for the non-business zoning districts in Article VII.

(3) Except for A-frame signs, movement control signs used for parking, and monument signs in Subdistrict 1, detached signs are prohibited.

(b) Signs in the right-of-way. All signs located in or intruding into the public right-of-way must have approval by the director of public works and transportation to prevent conflict with government signs. If the director of public works and transportation determines that a previously-approved sign must be removed or relocated because of safety requirements or changing traffic conditions, the relocation or removal must be done at the owner's expense within 30 days.

(c) A-frame signs. The following regulations apply:

- (1) A-frame signs may identify a business use.
- (2) The maximum size of an A-frame sign is 32 inches wide and 36 inches tall.
- (3) An A-frame sign may only be displayed when the business it identifies is open.
- (4) A-frame signs may be located on the sidewalk if a minimum of four feet of unobstructed sidewalk area is provided, and all necessary licenses and permits have been obtained.
- (5) Only one A-frame sign is permitted for each business use.
- (6) A-frame signs must be separated by a minimum of 50 feet.
- (7) A-frame signs may not be located within 25 feet of an intersection or within a visibility triangle.

(d) Blade signs. The following regulations apply:

- (1) Blade signs must be attached premise signs.
- (2) Blade signs may not be internally illuminated.
- (3) There is no limit on the number of blade signs.

- (4) The maximum effective area for blade signs is 30 square feet.
 - (5) The lowest part of a blade sign may be located no lower than 12 feet and no higher than 25 feet above street level.
 - (6) A blade sign may not project more than three feet into the right-of-way.
 - (7) A blade sign may not be located closer than 15 feet to another projecting sign.
- (e) Monument signs. The following regulations apply:
- (1) Monument signs are only permitted in Subdistricts 1 and 6A. In Subdistrict 6A, the entire property shall be considered one lot.
 - (2) Monument signs must be premise signs.
 - (3) Monument signs may not be internally illuminated.
 - (4) One monument sign is permitted per premise; except in Subdistrict 6A, two monument signs are permitted per premise.
 - (5) Monument signs must be setback five feet from the right-of-way.
 - (6) The maximum height for a monument signs is four feet.
 - (7) The maximum effective area for a monument sign is 40 square feet.(Ord. 27944)

SEC. 51P-830.122. ARCHITECTURAL DESIGN STANDARDS.

(a) Applicability. Architectural design standards apply only to new construction on a vacant lot of buildings with multifamily, mixed-use, or nonresidential uses in all subdistricts and new construction on a vacant lot of single family and duplex uses in Subdistrict 8 (see Section 51P-830.122(l) for standards for Subdistrict 8). Architectural design standards are not required for a motor vehicle fueling station and convenience store less than 3,500 square feet located in Subdistrict 6A.

(b) Purpose.

(1) These architectural design standards are intended to preserve the historical, cultural, and architectural importance and significance of the Davis Street and Bishop Avenue corridors. This area has historic and cultural importance as an early major east-west thoroughfare in the Dallas metroplex and as the earliest neighborhoods developed in Oak Cliff. The corridor reflects turn of the 20th century development, urban expansion, mid-20th century Americana, and post-World War II automobile culture. These architectural design standards are intended to preserve the character of the corridor while allowing compatible new construction and modifications that respect the corridor's historical, cultural, and architectural significance.

(2) These architectural design standards are intended to:

(A) ensure that new development enhances the character of the corridor and complements adjacent neighborhoods;

(B) ensure that increased density in established neighborhoods makes a positive contribution to the area's character;

(C) ensure the integrity of historic buildings and the compatibility of new development; and

(D) enhance the character and environment for pedestrians.

(c) Plan review. The director shall review any plan submitted to determine whether it complies with the requirements of this section.

(d) Building orientation. The primary facade of new construction on a vacant lot must face the street.

(e) Entrances.

(1) All street-facing entrances must be architecturally prominent and clearly visible from the street.

(2) Primary customer entrances for office uses and retail and personal service uses must face the street or a courtyard, door yard, or plaza area with direct access to the street. Primary customer entrances for retail and personal service uses must be clearly visible through the use of two or more of the following architectural details:

(A) Arcade.

(B) Arch.

(C) Awning.

(D) Canopy.

(E) Decorative elements such as tile work, molding, raised banding or projected banding.

(F) Display windows.

(G) Projections.

(H) Enhanced cornice details.

(I) Raised parapet.

(J) Recess.

(f) Facades.

(1) Street-facing facades on a single building site must have similar architectural design.

(2) Street-facing facades exceeding 30 feet in length must have two of the following elements. Street facing facades exceeding 100 feet in length must have four of the following elements (see also Section 51P-830.109(e)):

(A) Change in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches and depth of at least eight inches and may include columns, planters, arches and niches.

(B) Architectural details such as raised bands and cornices.

(C) Architecturally prominent public entrance.

(D) Awnings.

(E) Change in color.

(F) Change in material.

(G) Change in texture.

(3) The street level of the primary facade for nonresidential uses or mixed use projects with retail uses on the street level must have at least two of the following elements for at least 60 percent of the width of the facade:

(A) Arcades, canopies, or secondary roofs to provide shade.

(B) Display windows.

(C) Awnings associated with windows or doors.

(4) Accessory structures must have similar architectural design elements, materials, and roof design as the primary structure.

(5) If a building is two stories or less, 30 percent of the street-facing facade, excluding fenestration, must be masonry. If the building is more than two stories, 100 percent of the first-story street-facing facade, excluding fenestration, must be masonry.

(6) The street level of the primary facade of nonresidential uses or mixed use projects with nonresidential uses on the street level must have a minimum transparency of 40 percent.

(7) Facades may not consist of more than 80 percent glass. For purposes of this provision, glass block is not considered as glass.

(g) Massing and form.

(1) If a building exceeds 150 feet of frontage along any street, and exceeds 36 feet in height, that building must have a minimum of 500 square feet of sloped-roof area. The sloped-roof area must be visible from the street, and the slope must exceed a pitch of two in 12.

(2) To create varied building massing for large scaled buildings, no more than 80 percent of any building footprint may exceed 60 feet in height.

(h) Fences and walls. To prevent visual monotony, at least 20 percent of the length of any fence or wall longer than 200 feet must be alternate materials, alternate textures, gates, offsets, or openings. The alternate materials, alternate textures, gates, offsets, or openings may be spread out over the length of the fence or wall.

(i) Materials.

(1) Glass. The reflectance of glass used on the first two stories may not exceed 15 percent. The reflectance of glass used on stories above the first two stories may not exceed 27 percent. As used in this provision, "reflectance" is the percentage of available light energy reflected away from the exterior surface of the glass. The higher the reflectance percentage, the more mirror-like the surface will appear.

(2) Masonry.

(A) Allowed.

- (i) Stone.
- (ii) Brick.
- (iii) Concrete masonry units that have architectural finish such as split-faced concrete masonry units.
- (iv) Job-site cast concrete with an architectural finish.
- (v) Cast stone.
- (vi) Cultured stone.

(B) Prohibited.

- (i) Unfinished concrete masonry units that do not have an architectural finish.
- (ii) Precast concrete that does not have an architectural finish.

(3) Metal.

(A) Allowed. No more than 20 percent of a street-facing facade may be flat or corrugated metal panels.

(B) Prohibited. Metal siding that imitates wood siding.

(4) Plastic.

(A) Allowed. Fiberglass panels and polycarbonate panels.

(B) Prohibited. Plastic siding and vinyl siding that imitate wood siding.

(5) Stucco.

(A) Allowed. Stucco.

(B) Prohibited. Simulated stucco (EIFS).

(6) Tile. Terra cotta and tile are allowed.

(7) Wood.

(A) Allowed.

(i) Natural wood.

(ii) Composite panels or planks no greater than eight inches in width.

(B) Prohibited. Flake board, particle board, or press board.

(j) Roofs. In addition to the requirements of Section 51P-830.122(g), mechanical equipment, skylights, and solar panels on roofs must be set back or screened so that they are not visible to a person standing at street level on the opposite side of any adjacent right-of-way.

(k) Windows. Retail and personal service uses must provide windows or display cases in street-level street facing windows along sidewalks.

(l) Architectural standards for residential structures in Subdistrict 8.

(1) Purpose. The purpose of these architectural design standards is to cause new construction and major modifications in the subdistrict to be compatible with the existing Victorian Transitional-style housing stock in the neighborhood.

(2) Applicability. These architectural design standards apply to new construction on a vacant lot and major modifications for single-family or duplex use only.

(3) Standards.

(A) Except as provided in this paragraph, structures in the front 50 percent of a lot may only have hipped-roofed or gable-roofed forms with a minimum roof slope of four (vertical) to 12 (horizontal) and a maximum roof slope of 12 (vertical) to 12 (horizontal). Elements such as porches or roof dormers may have a minimum roof slope of at least two (vertical) to 12 (horizontal).

(B) The primary facade material must be painted horizontal lap siding, composed of wood or cement-fiber board. No more than 15 percent of any facade may be clay-fired brick.

(C) Each residential structure must have a covered porch with a minimum of two open sides and a minimum floor area of 50 square feet; the porch must be visible from the street.

(D) Parking is not permitted in the front yard. This provision applies to required parking and non-required parking.

(E) Front-facing garage doors may not be located in the front 50 percent of any lot.(Ord. 27944)

SEC. 51P-830.123. STREET AND SIDEWALK STANDARDS.

(a) Davis Street and Bishop Avenue (South of Davis).

(1) A minimum 10-foot-wide sidewalk, with a minimum seven-foot-wide unobstructed sidewalk must be provided.

(2) Where the existing right-of-way width does not allow for the required sidewalk width, an additional sidewalk easement must be provided at the time of platting to achieve a 10-foot-wide sidewalk, unless a building exists as of August 11, 2010 does not allow for the required sidewalk width.

(3) On-street parallel parking with curbed neck-downs is required in accordance with Article XIII, "Form Districts."

(b)

(b) All other streets. A minimum six-foot-wide unobstructed sidewalk must be provided.

(c) Pedestrian amenities.

(1) In general.

(A) Pedestrian amenities must be accessible to the public.

(B) Pedestrian amenities must be located at least seven feet away from a transit stop.

(C) Canopies, awning, and street lamps must have a minimum clearance above a sidewalk of eight feet.

(D) Light fixtures may not exceed 14 feet in height. Light fixtures must be cut-off type luminaires that direct lighting downward.

(E) Except as provided in this subsection, pedestrian amenities must be provided on each building site with a minimum street frontage of 100 feet and must be located within the curb-to-building area, but may not be located within the unobstructed sidewalk width.

(2) Davis Street and Bishop Avenue.

(A) The following pedestrian amenities must be provided:

(i) At least one bench per 100 feet of street frontage;

(ii) At least one trash receptacle per 100 feet of street frontage;

(iii) Free-standing or wall-mounted street lamps as specified in Article XIII, "Form Districts."

(B) At least one of the following pedestrian amenities must be provided on each building site:

(i) Awnings or canopies with a minimum overhang of four feet and a minimum length of 25 feet per 100 feet of building facade along the street frontage.

(ii) At least one five-bicycle parking unit per 100 feet of street frontage.

(iii) Public art, approved in writing by the director of the office of cultural affairs or the cultural affairs commission.

(3) All other streets. The following pedestrian amenities must be provided:

(a) At least one free-standing street lamp, street light suspended between structures, or wall mounted street lamp per 60 feet of street frontage.

(b) At least one trash receptacle per 100 feet of street frontage.

(4) Maintenance. Pedestrian amenities must be maintained in a state of good repair and neat appearance.

(5) Driveway design.

(a) Pedestrian crosswalks across ingress and egress driveways must be clearly marked by colored concrete or patterned or stamped concrete and approved by the director of public works and transportation. Pedestrian crosswalk markings on the same block frontage must be consistent.

(b) Curb cuts for driveways must be at least 12 feet but not more than 24 feet in length measured parallel to the frontage.(Ord. 27944)

SEC. 51P-830.124. ADDITIONAL PROVISIONS.

(a) For purposes of platting, structures that exist as of August 11, 2010 that are nonconforming as to the zoning setback regulations or that encroach upon a setback line are not subject to the setback provisions in Sections 51A-8.501(a) or 51A-8.503(e)(1).

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

(c) 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. 27944)

SEC. 51P-830.125. 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.

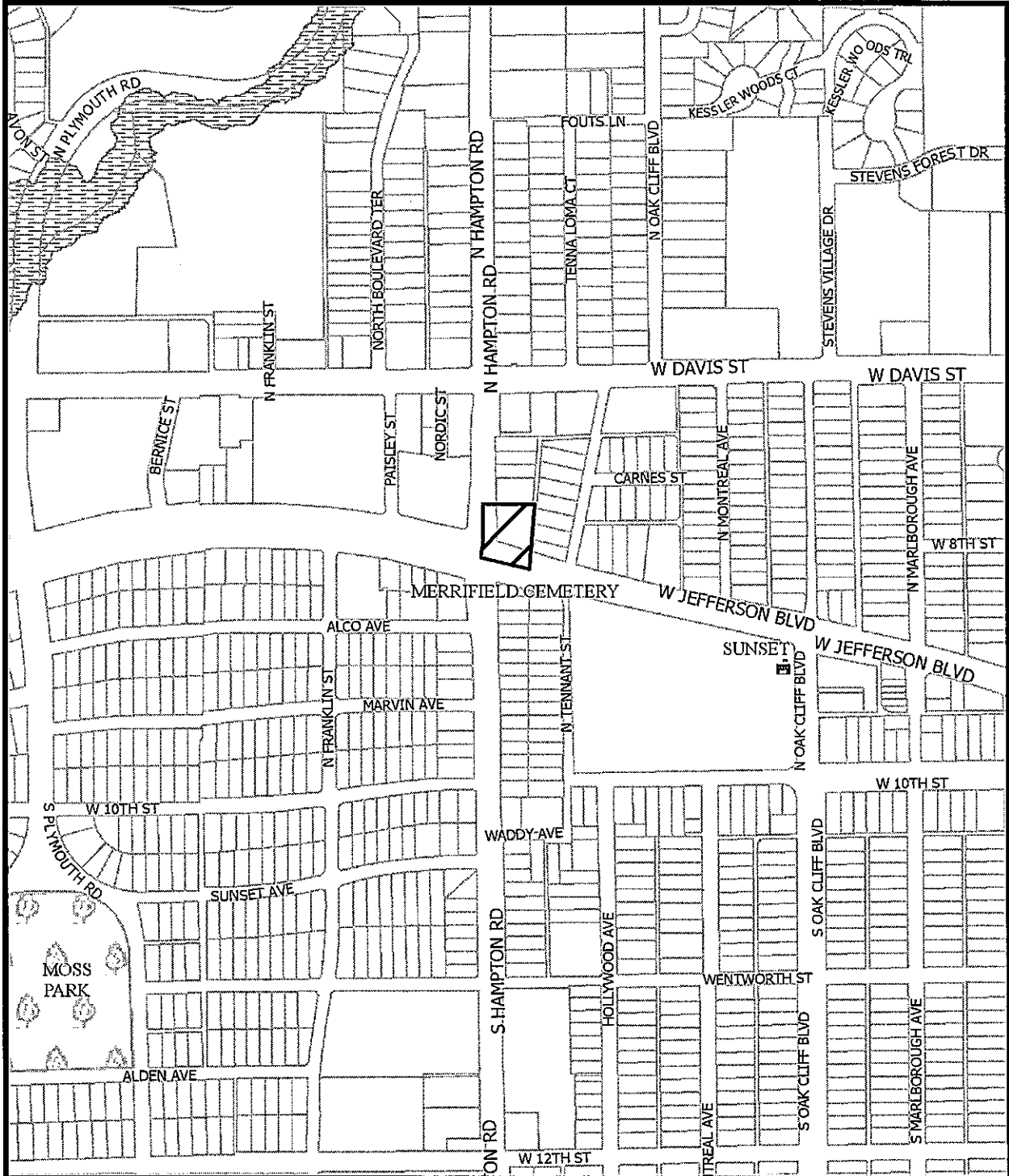
Z112-209(MW)

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.(Ord. 27944)

Note: While staff does not support the request, conditions, which have been reviewed by the City Attorney's Office, are provided for the Commission's consideration.

Z112-209
Applicant Proposed SUP Conditions

1. USE: The only use authorized by this specific use permit is a motor vehicle fueling station.
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 (fifteen years), but is eligible for automatic renewal for additional fifteen-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
5. LANDSCAPING: Landscaping of the property must comply with the attached landscape plan.
5. PARKING: Parking must be located as shown on the attached site plan.
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

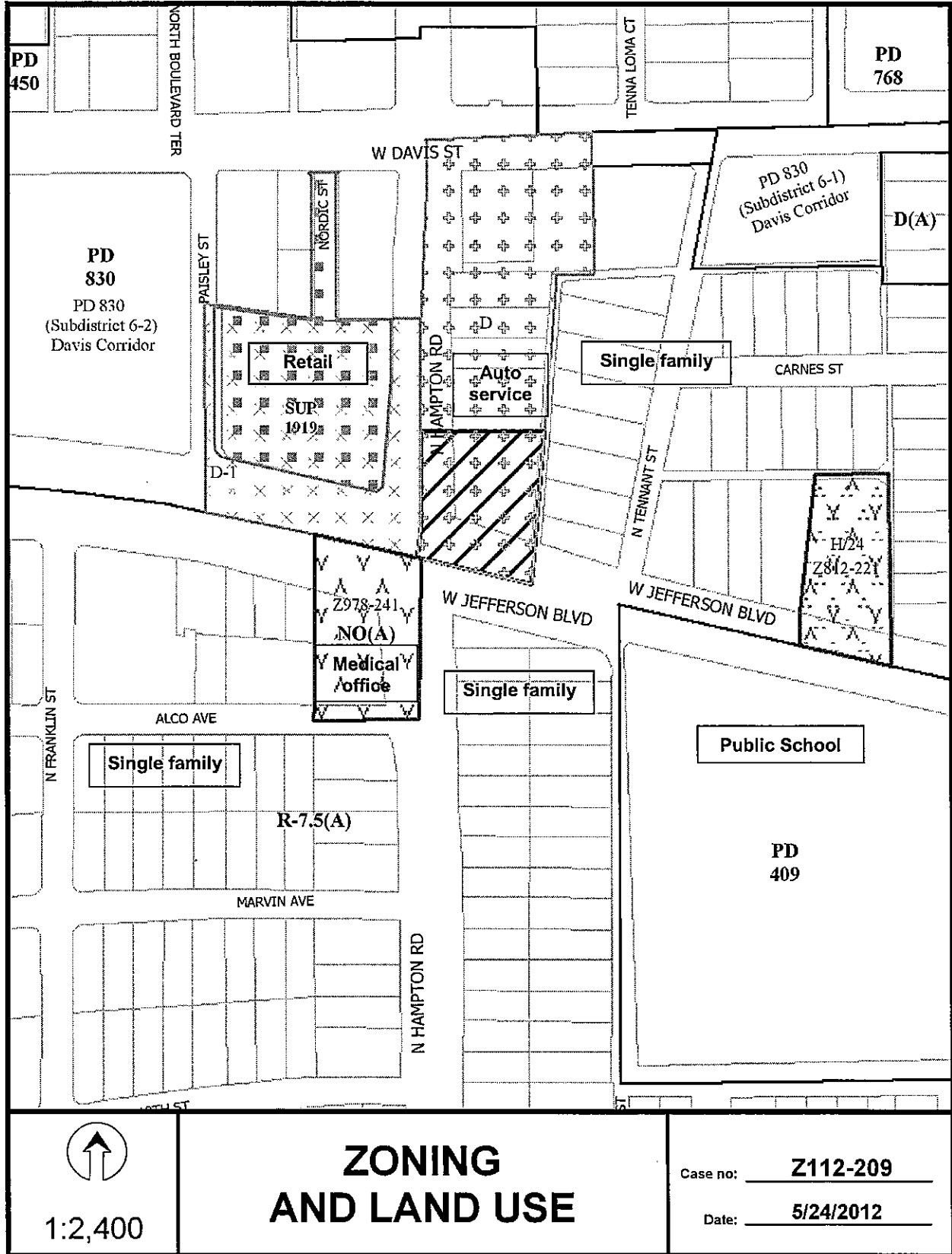


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VICINITY MAP

Case no: Z112-209

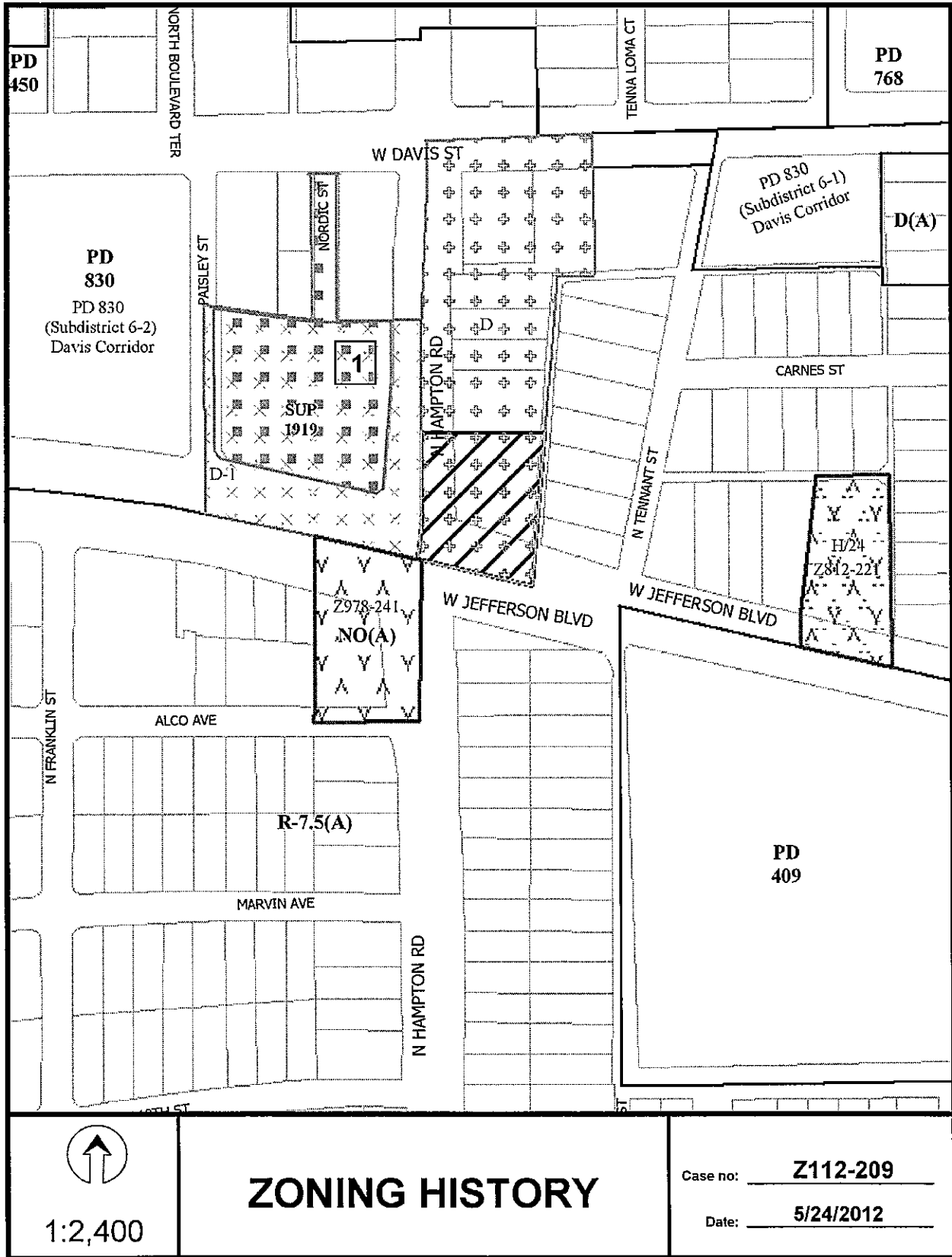
Date: 5/24/2012

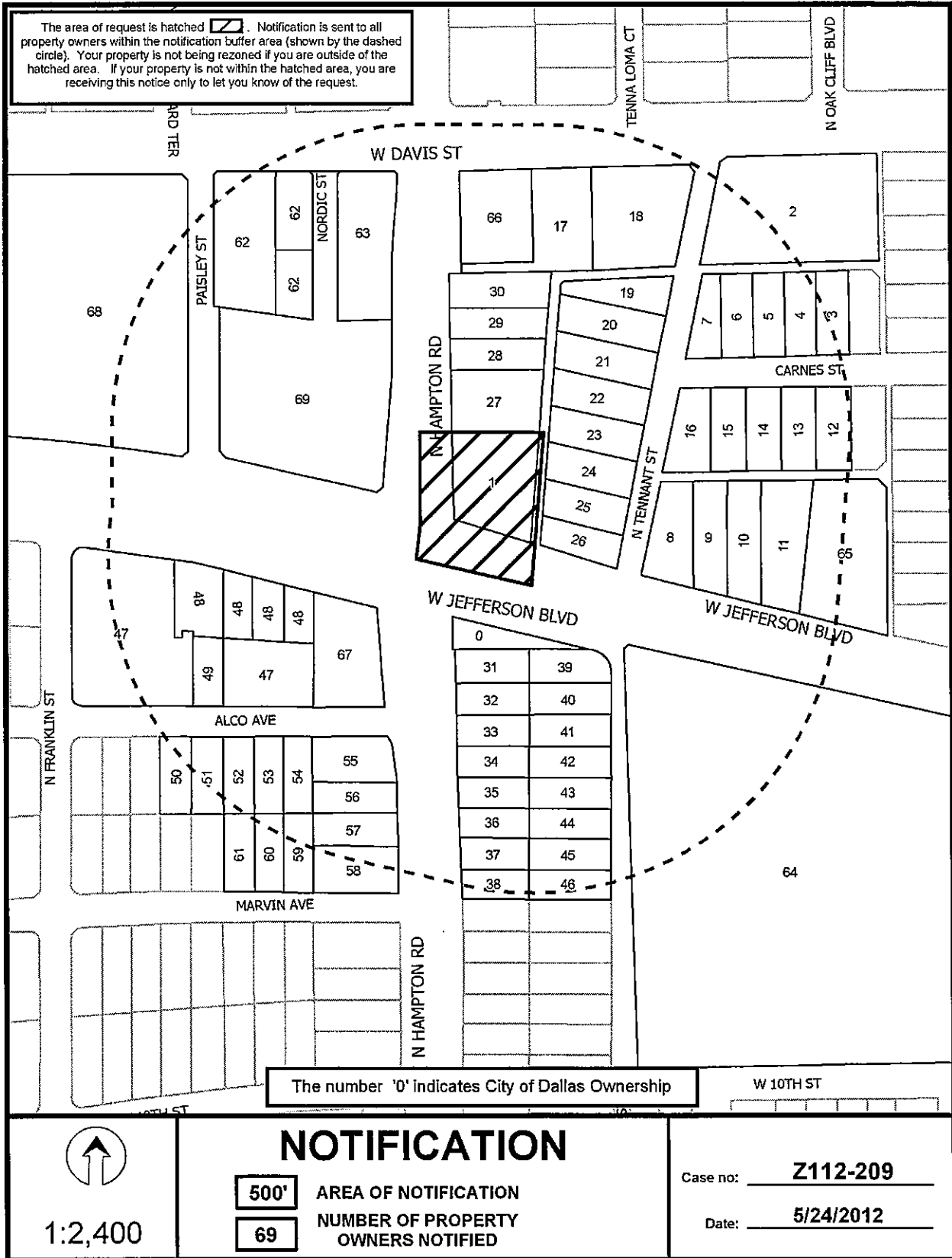


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ZONING AND LAND USE

Case no: Z112-209
Date: 5/24/2012





5/24/2012

Notification List of Property Owners***Z112-209******69 Property Owners Notified***

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---------------------------------------|
| 1 | 408 HAMPTON RD | LCG HAMPTON LLC SUITE 405 |
| 2 | 2212 DAVIS ST | 2212 WEST DAVIS LLC |
| 3 | 2219 CARNES ST | BARCLAY JOHN EMMETT |
| 4 | 2223 CARNES ST | PILAND RICHARD A |
| 5 | 2227 CARNES ST | JENKINS BARRY L |
| 6 | 2231 CARNES ST | ELAND VANESSA |
| 7 | 2235 CARNES ST | CAMACHO ANTONIO |
| 8 | 2241 JEFFERSON BLVD | LUGO DELIA M |
| 9 | 2237 JEFFERSON BLVD | COLIZ W J & MARTHA W |
| 10 | 2233 JEFFERSON BLVD | CARDENAS MARIA |
| 11 | 2227 JEFFERSON BLVD | BISHOP MARY RHEA |
| 12 | 2218 CARNES ST | LOCKMAN BRETT C |
| 13 | 2222 CARNES ST | ROMERO MIRYAM & ENRIQUE |
| 14 | 2226 CARNES ST | GUTIERREZ DORA |
| 15 | 2230 CARNES ST | RAMIREZ ARTHUR R & RUMALDA G |
| 16 | 2234 CARNES ST | EPKER JUSTIN C & ANGELA |
| 17 | 2316 DAVIS ST | ADAMS WAYNE E %METRO FOODS INC |
| 18 | 517 TENNANT ST | SANTERRE L D |
| 19 | 509 TENNANT ST | MACHADO PAULA J & RICHARD B CHAVEZ SR |
| 20 | 503 TENNANT ST | KILLIAN CHRISTI DENISE |
| 21 | 423 TENNANT ST | PUENTE GLORIA & ERNESTO |
| 22 | 419 TENNANT ST | VILLANUEVA MAGDALENA G |
| 23 | 415 TENNANT ST | ONTIVEROS MIGUEL G & RAMONA H |
| 24 | 411 TENNANT ST | CHANDLER CATHY |
| 25 | 407 TENNANT ST | RODRIGUEZ CLEMENTE & MARIA CASTILLO |
| 26 | 403 TENNANT ST | TIMMONS ERNEST LEE |

5/24/2012

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|---------------------|---|
| 27 | 414 HAMPTON RD | COMPASS PROPERTIES INC % KIN PROP INC B |
| 28 | 422 HAMPTON RD | SPANN LUCIAN L III |
| 29 | 426 HAMPTON RD | FERNANDEZ HOMERO |
| 30 | 502 HAMPTON RD | MITCHELL LEE L & YANKO L |
| 31 | 302 HAMPTON RD | CERVANTES RICHARD F |
| 32 | 222 HAMPTON RD | GREENFIELD VIRGINIA |
| 33 | 218 HAMPTON RD | WILKINSON DAVID W |
| 34 | 214 HAMPTON RD | LACKEY JASON P & LACKEY CARRIE E |
| 35 | 210 HAMPTON RD | HUTCHINSON GREG |
| 36 | 206 HAMPTON RD | RODRIQUEZ JOSE R |
| 37 | 202 HAMPTON RD | GONZALEZ JOSE M & PATRICIA ORTIZ |
| 38 | 126 HAMPTON RD | CARDENAS ABELARDO B |
| 39 | 331 TENNANT ST | CERVANTES MARY F |
| 40 | 327 TENNANT ST | APPLE DALE ALLEN |
| 41 | 323 TENNANT ST | HOLDER JESSE L |
| 42 | 319 TENNANT ST | CABAZOS AMELIA |
| 43 | 315 TENNANT ST | UGWU KENNETH |
| 44 | 311 TENNANT ST | HOLLENBECK BARBARA A |
| 45 | 305 TENNANT ST | PFEIL DICK |
| 46 | 303 TENNANT ST | HALLUM GEORGE & MARIA D |
| 47 | 2442 JEFFERSON BLVD | JEFFERSON BOULEVARD CHURCH OF CHRIST |
| 48 | 2424 JEFFERSON BLVD | DORWARD DONALD M |
| 49 | 2427 ALCO AVE | JOHNSON CHRISTIAN |
| 50 | 2430 ALCO AVE | SPIKER CHANCE W |
| 51 | 2426 ALCO AVE | MONTGOMERY VIRGINIA A |
| 52 | 2422 ALCO AVE | STEWART DAVE |
| 53 | 2418 ALCO AVE | STOKER RODERICK C |
| 54 | 2414 ALCO AVE | GONZALEZ RENE RUBIN & IRMA LETICIA |
| 55 | 217 HAMPTON RD | MILSAP DAN W & VALORIE |
| 56 | 211 HAMPTON RD | GARCIA FRANCISCO H |
| 57 | 207 HAMPTON RD | LOPEZ ROSALINDA G |

5/24/2012

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|---------------------|--|
| 58 | 203 HAMPTON RD | DODSON SHELLY D |
| 59 | 2415 MARVIN AVE | NANCE JOHN W |
| 60 | 2419 MARVIN AVE | PRIDGEON EVILU |
| 61 | 2423 MARVIN AVE | PAFFORD JAMES R & AMANDA K BETTGE |
| 62 | 2414 DAVIS ST | TEXAS UTILITIES ELEC CO % STATE & LOCAL |
| 63 | 509 HAMPTON RD | QUIK WAY RETAIL AS II LTD |
| 64 | 2120 JEFFERSON BLVD | Dallas ISD |
| 65 | 2223 JEFFERSON BLVD | NASMA LTD STE 206 |
| 66 | 2332 DAVIS ST | BOB DAN OF TEXAS INC |
| 67 | 2409 ALCO AVE | MANNAWOOD LTD |
| 68 | 2515 JEFFERSON BLVD | REALTY INCOME PPTIES 4 LLC %REALTY INCOM |
| 69 | 2427 JEFFERSON BLVD | DALLAS YANKEES LLC % MARTY WASSERSTEIN |

Planner: Warren F. Ellis

FILE NUMBER: Z112-193(WE) **DATE FILED:** February 21, 2012

LOCATION: W. 10th Street and N. Vernon Avenue, southeast corner

COUNCIL DISTRICT: 1 **MAPSCO:** 54-F

SIZE OF REQUEST: Approx. 9,936.036 sq. ft. **CENSUS TRACT:** 47.00

APPLICANT: Agape Place Home Care Homes, Inc.

OWNER: David Bryant

REPRESENTATIVE: Robert Baldwin
Baldwin Associates

REQUEST: An application for a D(A) Duplex District and a Specific Use Permit for an Adult day care facility on property within Subdistrict 3 of Planned Development District No. 830, the Davis Street Special Purpose District.

SUMMARY: The purpose of the request is to rezone the property to a Duplex District to allow for the operation of an adult day care facility. A Specific Use Permit is required to operate an adult day care facility in a Duplex District.

STAFF RECOMMENDATION: Hold under advisement to July 12, 2012.

BACKGROUND INFORMATION:

- The applicant’s request for a D(A) Duplex District and a Specific Use Permit is twofold: 1) the adult day care facility is a permit use within the D(A) District, and 2) a Specific Use Permit is required for that use in a D(A) District.
- In 2001, the applicant received a Certificate of Occupancy for an office use, but instead has been operating an adult day care facility.
- In August, 2010, the City Council approved Planned Development District No. 830 that included the appropriate zoning for the uses, development standards, parking, landscape, sign, and other appropriate regulations that protect and enhance existing neighborhoods.
- On February 2, 2012, the City Plan Commission approved a waiver of the two-year waiting period to allow the applicant to submit this request.
- The surrounding land uses consist of residential uses. There is an institutional use (church) and a private school that is located near the request site.

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

- Z089-219 1. On August 11, 2010, the City Plan Council approved Planned Development District No. 830.

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW | Proposed ROW |
|-------------------------|-------|--------------|--------------|
| 10 th Street | Local | 60 ft. | 60 ft. |
| N. Vernon Avenue | Local | 60 ft. | 60 ft. |

Land Use:

| | Zoning | Land Use |
|--------------|----------------------------|----------------|
| Site | PDD No. 830, Subdistrict 3 | Adult day care |
| North | PDD No. 830, Subdistrict 3 | Single Family |
| South | PDD No. 316 | Undeveloped |
| East | PDD No. 830, Subdistrict 3 | Single Family |
| West | D(A) | Duplex |

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

AREA PLANS:

North Oak Cliff Land Use and Development Plan, April 1986. The Plan identifies the request site as being in an area that is appropriate for redevelopment. The study identified the remainder of the area as needing a rehabilitation / conservation development pattern.

STAFF ANALYSIS:

Land Use Compatibility: The 9,936.036 sq. ft square foot site is within Planned Development District No. 830 and is currently developed with a 1,860 square foot single family structure. The applicant's request to remove the request site from Planned Development District No. 830 to a D(A) Duplex District will allow for consideration of an adult day care facility to operate within the proposed District. A Specific Use Permit is a requirement for an adult day care facility to operate in a D(A) Duplex District.

Presently, the applicant is operating an adult day care facility at this location. In August 2001, the applicant received a Certificate of Occupancy for an office use. However, the request site has been operating illegally for over 10 years as an adult day care facility. The applicant’s request to change the zoning to a D(A) Duplex District with an SUP component will bring the use into conformance.

The adjacent land uses consist primarily of residential uses. There is an institutional use and a private school that is located near the request site. Staff’s recommendation is for approval of a D(A) Duplex District and approval of a Specific Use permit for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

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

Development Standards:

| DISTRICT | SETBACKS | | Density | Height | Lot Coverage | Special Standards | PRIMARY Uses |
|--------------------------------------|----------------------|-----------|-----------------------------------|------------------|--------------|---------------------------|--|
| | Front | Side/Rear | | | | | |
| PDD No. 830 - existing Subdistrict 3 | 0' min. 10' - max | 0/10' | No max | 50' 4 stories | 100% | | Residential, office, retail & personal service |
| D(A) - proposed Duplex | 25' | 5' | 1 Dwelling Unit/ 3,000 sq. ft. | 36' | 60% | Min. Lot: 6,000 sq. ft | Duplex & single family |
| | | | | | | | |

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

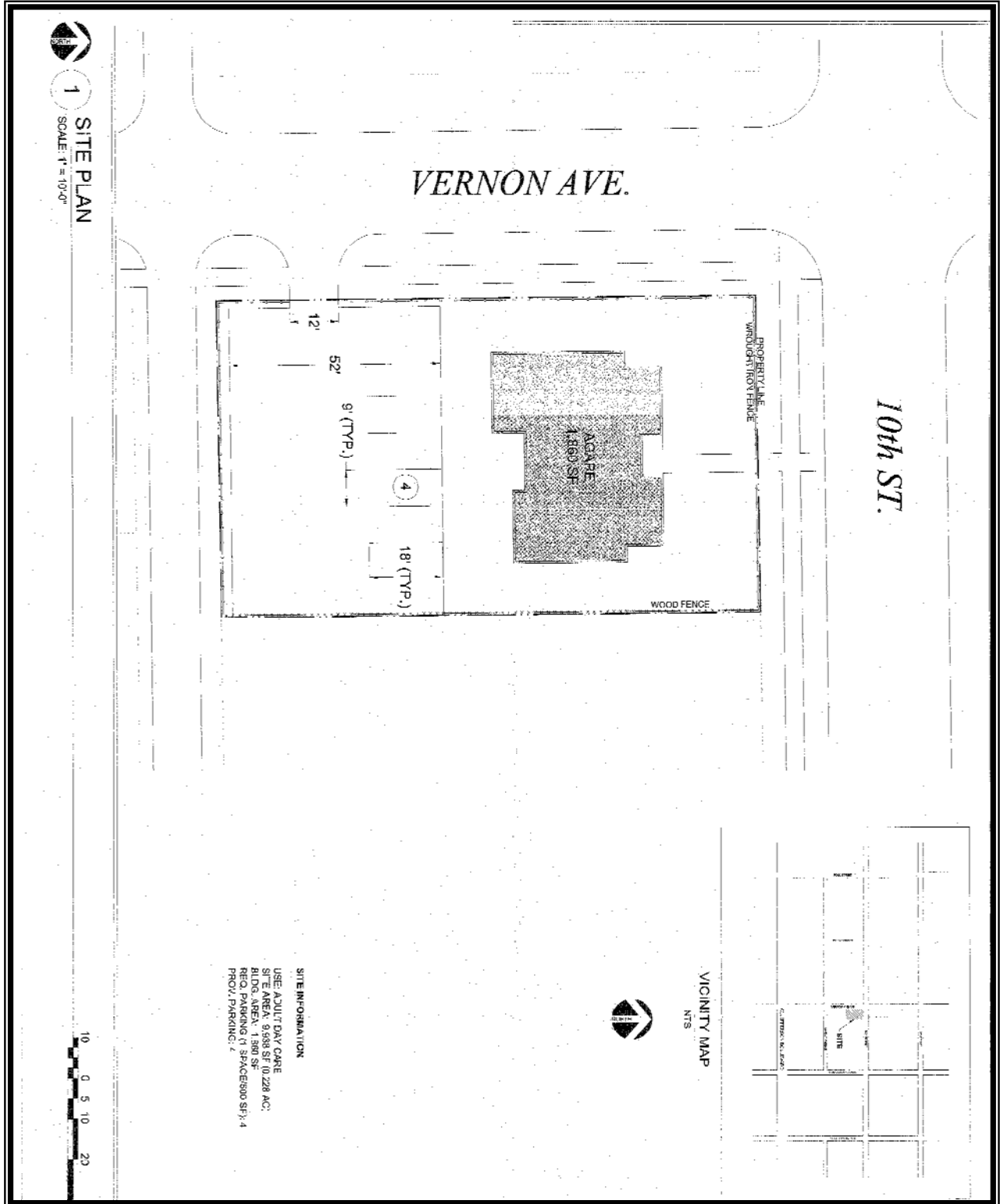
Parking: The Dallas Development Code requires off-street parking to be provided for an adult day care facility use at one space for each 500 square feet of floor area. Based on the structure’s footprint of 1,860 square feet of floor area, the applicant will provide the required 4 spaces on site.

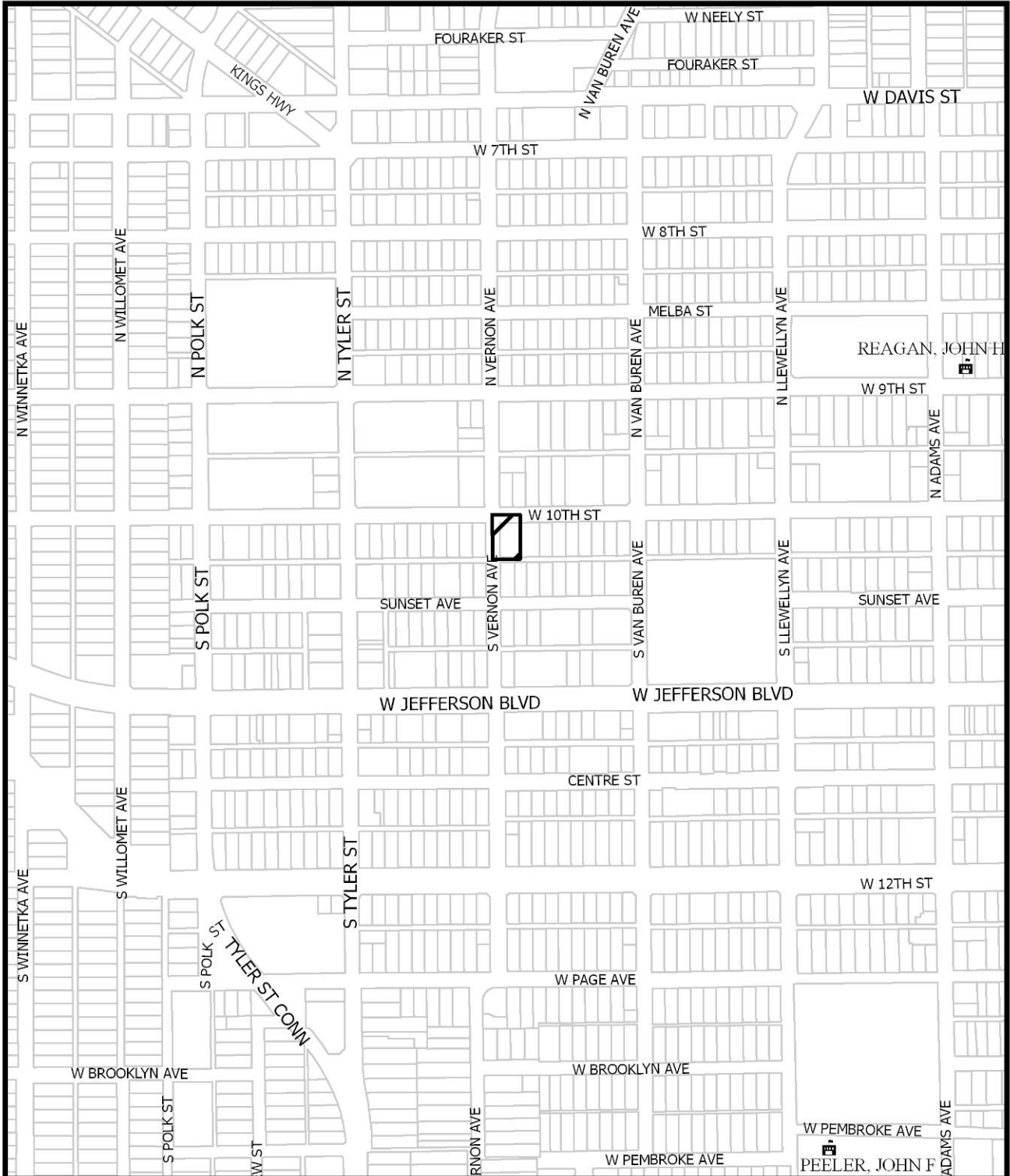
Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is an adult day care facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on_____, (five-year period from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).
4. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
5. FENCE: A minimum 4-foot wrought iron fence is required around the site's perimeter, as shown on the site plan.
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.

PROPOSED SITE PLAN



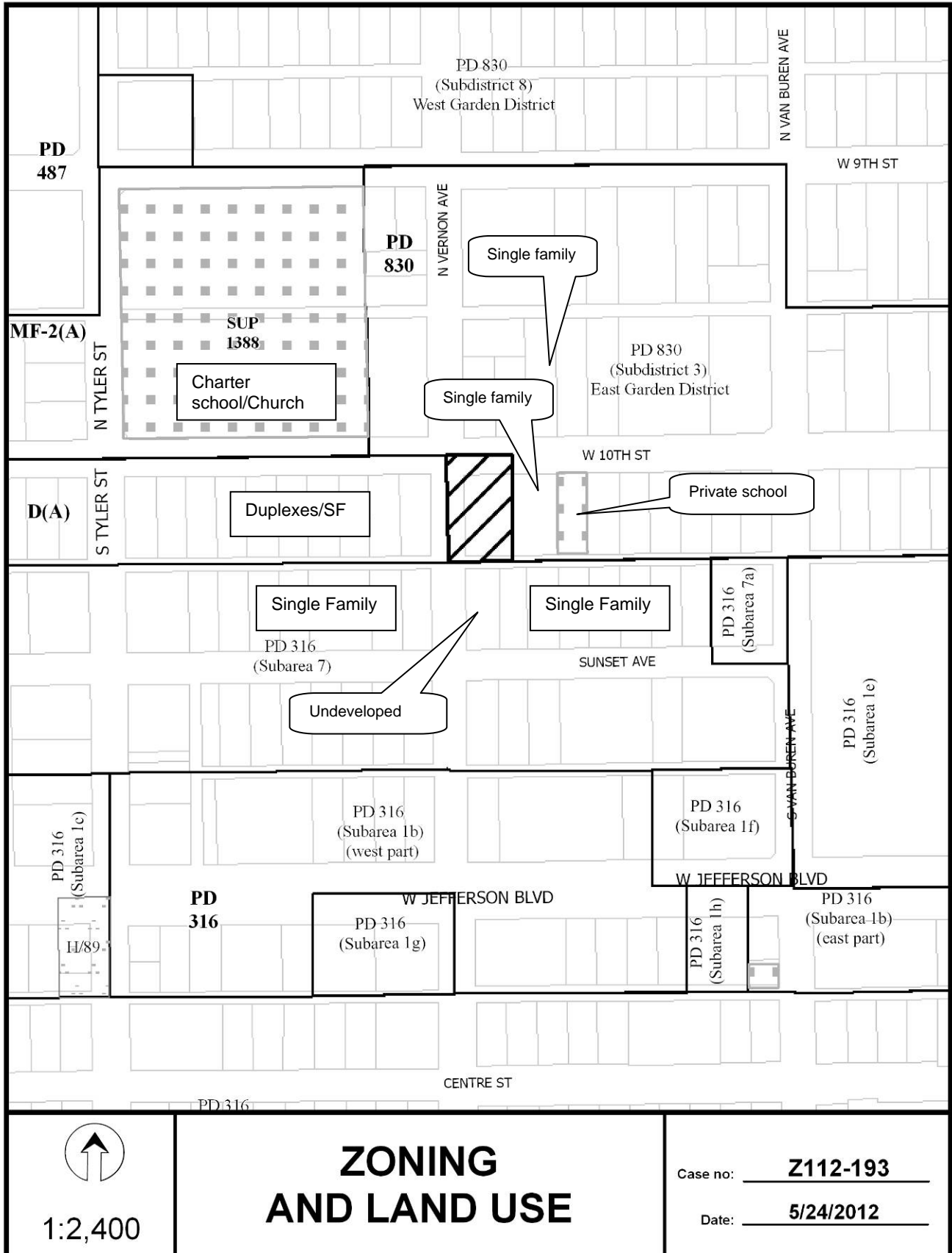


1:6,000

VICINITY MAP

Case no: **Z112-193**

Date: **5/24/2012**

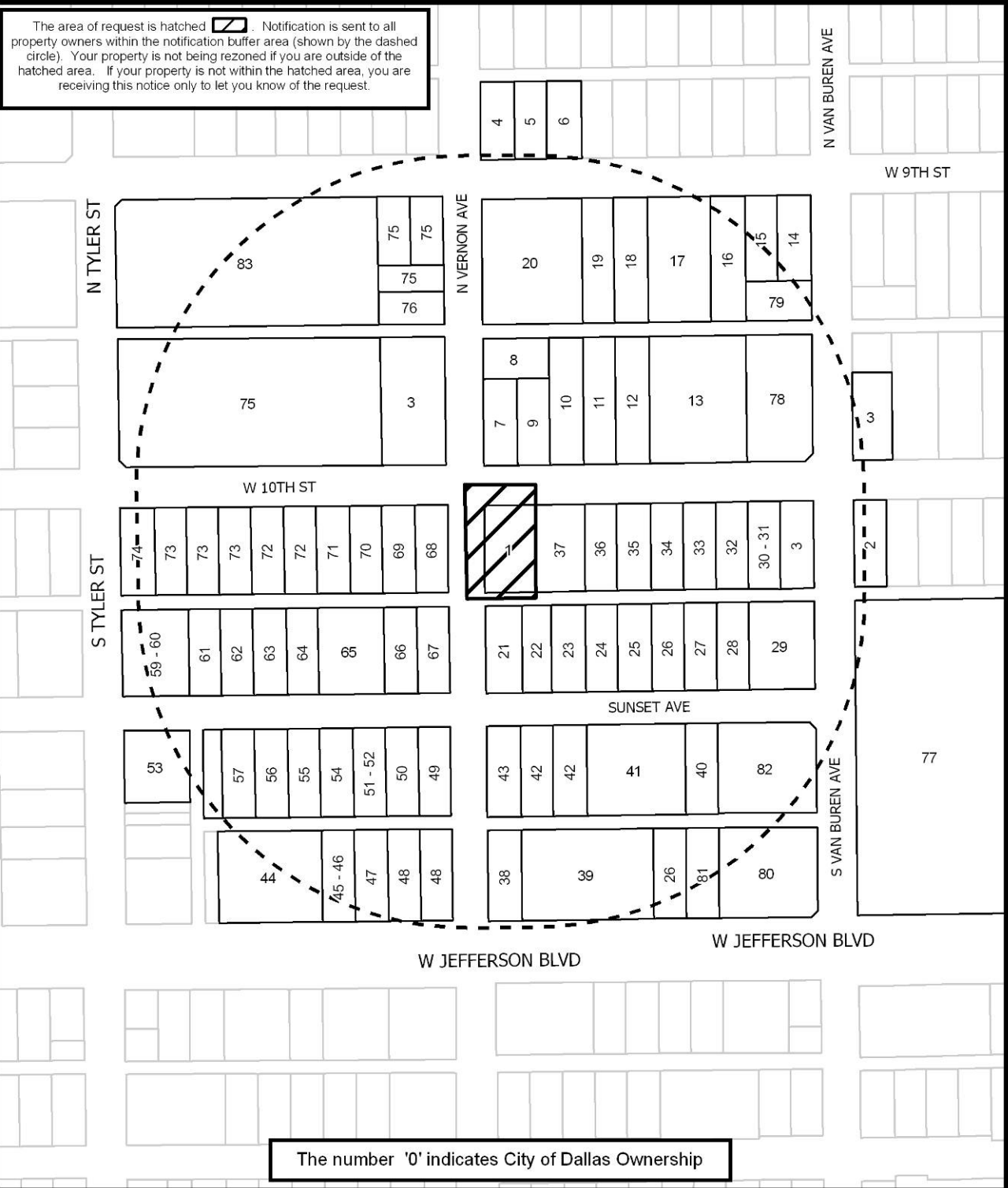


1:2,400

ZONING AND LAND USE

Case no: **Z112-193**

Date: **5/24/2012**



| | | |
|-------------|--|--|
| 1:2,400 | NOTIFICATION | Case no: <u> Z112-193 </u> |
| | 500' AREA OF NOTIFICATION 83 NUMBER OF PROPERTY OWNERS NOTIFIED | Date: <u> 5/24/2012 </u> |

Notification List of Property Owners

Z112-193

83 *Property Owners Notified*

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---|
| 1 | 738 10TH ST | G B B CORP |
| 2 | 638 10TH ST | MORIEL BENITO & EDITH |
| 3 | 631 10TH ST | BRYANT DAVID B |
| 4 | 737 9TH ST | SALINAS UVALDO & RAFAELA |
| 5 | 735 9TH ST | SALINAS UVALDO & RAFAELA |
| 6 | 731 9TH ST | KRISTOFFERSON RIK |
| 7 | 739 10TH ST | LOPEZ MANUEL |
| 8 | 112 VERNON AVE | SEGURA ARMANDO & ANSELMA |
| 9 | 735 10TH ST | LEMONS JOHN W & JOHN W BRANCH LIV TRUST |
| 10 | 731 10TH ST | LOPEZ FIDELMAR & MARIA M DELEON |
| 11 | 727 10TH ST | FLORES JUAN & MARIA E |
| 12 | 723 10TH ST | MBT HOLDINGS LLC |
| 13 | 715 10TH ST | MAN PARTNERS II LLC |
| 14 | 700 9TH ST | SALINAS SALVADOR & ROSE |
| 15 | 708 9TH ST | CONTRERAS ALFREDO & CATALINA |
| 16 | 710 9TH ST | OSTORGA PEDRO & OLGA OSTORGA |
| 17 | 716 9TH ST | RODRIGUEZ HOMERO |
| 18 | 720 9TH ST | URBAN MATRIX PPTIES LLC |
| 19 | 726 9TH ST | URBAN MATRIX PPTIES LP |
| 20 | 730 9TH ST | PMG TEXAS PROPERTY MANAGEMENT GROUP LLC |
| 21 | 737 SUNSET AVE | PADILLA PAUL & LUZ R |
| 22 | 735 SUNSET AVE | SALANA PROPERTIES LTD |
| 23 | 729 SUNSET AVE | HAWLEY AVENDER LLOYD |
| 24 | 725 SUNSET AVE | HERNANDEZ RODRIGO |
| 25 | 721 SUNSET AVE | EPROCUREMENT TECHNOLOGY SERVICES INC%JUS |
| 26 | 717 SUNSET AVE | MARTINEZ ANTONIO G |

5/24/2012

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|--------------------|--|
| 27 | 713 SUNSET AVE | CHAPMAN ADAIR |
| 28 | 711 SUNSET AVE | CHAPMAN ADAIR P ET AL |
| 29 | 707 SUNSET AVE | ROBERTOS LAVANDERIA LLC STE 107 PMB 809 |
| 30 | 704 10TH ST | ARANDA MIGUEL A ET AL |
| 31 | 704 10TH ST | ARANDA MIGUEL A & CARMEN REYES ARANDA |
| 32 | 708 10TH ST | REYES MIGUEL A & |
| 33 | 710 10TH ST | CASTILLO MARCO A & CLAUDIA M |
| 34 | 714 10TH ST | DAVILA ENRIQUE & BRISLA |
| 35 | 720 10TH ST | VICTOR PROPERTIES LLC |
| 36 | 724 10TH ST | BUTLER DEBRA A |
| 37 | 726 10TH ST | ARAIZA REYES & ANTONIA D |
| 38 | 737 JEFFERSON BLVD | HERNANDEZ JUAN J |
| 39 | 729 JEFFERSON BLVD | BRADY REVOCABLE TRUST |
| 40 | 712 SUNSET AVE | ALVAREZ MARGARITA |
| 41 | 718 SUNSET AVE | BRADY RONALD D |
| 42 | 730 SUNSET AVE | DOWNSTREAM PARTNERS L P A TEXAS LTD PART |
| 43 | 736 SUNSET AVE | LEAL FRANCISCO J & HERMELINDA |
| 44 | 817 JEFFERSON BLVD | CAMELIA FAMILY LTD PS |
| 45 | 813 JEFFERSON BLVD | KAHN ALAN L |
| 46 | 813 JEFFERSON BLVD | DREYFUS BETTY K |
| 47 | 809 JEFFERSON BLVD | ROJAS DANIEL & ANITA |
| 48 | 805 JEFFERSON BLVD | ROJAS DANIEL & ANITA |
| 49 | 800 SUNSET AVE | GARCIA ROSALIO & |
| 50 | 804 SUNSET AVE | HUDSON ANDREW MARR & |
| 51 | 808 SUNSET AVE | CARDENAS JESUS V & FLORENCIA |
| 52 | 808 SUNSET AVE | CARDENAS JESUS V ET AL |
| 53 | 200 TYLER ST | 200 TYLER SQUARE LLC |
| 54 | 812 SUNSET AVE | AGUILAR DIANA E P |
| 55 | 816 SUNSET AVE | CROUCH ALAN L |
| 56 | 820 SUNSET AVE | CAGLE JAMES |
| 57 | 824 SUNSET AVE | SALAZAR VICTOR FRANCISCO |

5/24/2012

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|--------------------|---|
| 58 | 828 SUNSET AVE | DAY ELIJAH & BOBBIE J |
| 59 | 116 TYLER ST | HUDSON A M & ELAINE PEHKONEN |
| 60 | 116 TYLER ST | HUDSON A M & ELAINE PEHKONEN |
| 61 | 829 SUNSET AVE | AURORA LOAN SVCS LLC |
| 62 | 825 SUNSET AVE | SOLORZANO DANIEL |
| 63 | 821 SUNSET AVE | PORTUGAL JUAN & MARICELA |
| 64 | 817 SUNSET AVE | GARCIA JUAN P & JUANITA |
| 65 | 815 SUNSET AVE | VALERO JESSE III & DIANE VALERO |
| 66 | 805 SUNSET AVE | GONZALEZ JUAN & GLORIA |
| 67 | 801 SUNSET AVE | VIDALES CARLOS |
| 68 | 101 VERNON AVE | BRYANT DAVID |
| 69 | 804 10TH ST | 806 W 10TH ST LAND TRUST |
| 70 | 810 10TH ST | HERNANDEZ JESSE & MARIA HERNANDEZ |
| 71 | 812 10TH ST | SALAS JUAN H & FELIPA |
| 72 | 816 10TH ST | CREEDE CAPITAL, LP SUITE C |
| 73 | 824 10TH ST | GRACE TEMPLE BAPTIST CHURCH |
| 74 | 838 10TH ST | GRACE TEMPLE BAPT |
| 75 | 123 VERNON AVE | GRACE TEMPLE BAPT CH |
| 76 | 119 VERNON AVE | CORONA THOMAS & ROSA |
| 77 | 611 JEFFERSON BLVD | L&R FIESTA INVESTMENTS SUITE 240 |
| 78 | 703 10TH ST | NORTH OAK CLIFF COMMUNITY DEVELOPMENT CO |
| 79 | 117 VAN BUREN AVE | NORTH OAK CLIFF COMMUNITY DEVELOPMENT CO |
| 80 | 705 JEFFERSON BLVD | FRANCHISE REALTY % MCDONALDS 042-0055 |
| 81 | 713 JEFFERSON BLVD | MCDONALDS CORPORATION 042-0055 |
| 82 | 704 SUNSET AVE | FRANCHISE REALTY %MCDONALDS 042-0055 |
| 83 | 834 9TH ST | GRACE TEMPLE BAPTIST CHURCH |

FILE NUMBER: Z112-216 (JH)

DATE FILED: April 2, 2012

LOCATION: Northeast corner of Oram Street and Skillman Street

COUNCIL DISTRICT: 14

MAPSCO: 36-Y

SIZE OF REQUEST: Approx. 0.85 acres

CENSUS TRACT: 11.02

REPRESENTATIVE: Rob Baldwin

APPLICANT/OWNER: SL Lakewood, LP

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

SUMMARY: The applicant proposes to use the existing building for retail uses. The NS(A) Neighborhood Service District limits general merchandise or food store uses to 3,500 square feet or less. The volunteered deed restrictions prohibit certain uses, outdoor speakers, and drive-through windows.

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

BACKGROUND INFORMATION:

- The request site is currently developed with a commercial building used as an office.
- The purpose of the zoning change is to allow for retail uses greater than 3,500 square feet.

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

Thoroughfares/Streets:

| Thoroughfares/Street | Type | Existing ROW |
|----------------------|-----------|--------------|
| Skillman Road | Collector | 90 ft. |
| Oram Street | Local | 60 ft. |

STAFF ANALYSIS:

Comprehensive Plan:

The request site is located within a Residential Neighborhood building block on the vision illustration of the Comprehensive Plan. The request site is on the edge of a commercial node in a residential area. The applicant’s request with volunteered deed restrictions will make the request site have similar land use rights as most of the commercial node. The additional land uses will give the property more flexibility for finding tenants, but the volunteered deed restrictions will prevent some of the less compatible uses. The applicant’s request complies with the following goals and policies of the comprehensive plan.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

The 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.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

Land Use Compatibility:

The approximately 0.80-acre request site is zoned an NS(A) Neighborhood Service District and is currently developed with a commercial building. The applicant is proposing to utilize the existing structure for general merchandise uses greater than 3,500 square feet, which is not allowed by the existing zoning.

The surrounding land uses are retail uses including nursery, personal service, and restaurant to the west and south; child-care facility to the south; single family uses to the north, west, and east; and multifamily uses to the west and east.

The request site is located at the northern end of a commercial node, which extends to Ross Avenue to the south, within a residential neighborhood. The commercial node is zoned a CR Community Retail District with the exception of the request site and a property on La Vista Drive that is zoned an LO-2 Limited Office District and developed with a financial institution. The applicant is seeking a CR Community Retail District to match the rest of the commercial node zoning so that the zoning would allow for more retail uses.

Staff supports the request because of the adjacent CR Community Retail District with the volunteered deed restrictions offered by the applicant. The volunteered deed restrictions would prohibit a drive-through use if the property was altered or redeveloped, prohibit outside speakers, require outdoor lighting for an outdoor seating area to utilize dark sky lighting fixtures to reduce light pollution, and prohibit certain uses that are incompatible with the immediate residential adjacency. While outdoor seating is not proposed at this time, the volunteered deed restriction addresses the future possibility to protect the adjacent residential uses.

Development Standards:

| DISTRICT | SETBACKS | | Density FAR | Height | Lot Coverage | Special Standards | Primary Uses |
|-------------------------------|----------|--|--------------------------------|------------------|--------------|-------------------------------------|--------------------------------------|
| | Front | Side/Rear | | | | | |
| Proposed | | | | | | | |
| CR Community retail | 15' | 20' adjacent to residential OTHER: No Min. | 0.75 FAR overall 0.5 office | 54' 4 stories | 60% | Proximity Slope Visual Intrusion | Retail & personal service, office |
| Existing | | | | | | | |
| NS(A) Neighborhood service | 15' | 20' adjacent to residential OTHER: No Min. | 0.5 FAR | 30' 2 stories | 40% | | Retail & personal service, office |

Traffic:

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

Landscaping:

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

Z112-216(JH)

List of Partners/Principals/Officers

SL Lakewood, LP

Kenneth E. Aboussie, Jr., managing partner

General Partner: Stonelake Manager, LLC

John A. Kiltz, Partner

Kenneth E. Aboussie, Jr., Partner

PROPOSED VOLUNTEERED DEED RESTRICTIONS

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

1. Any use that involves outdoor seating may only utilize dark sky lighting fixtures as recognized by International Dark-Sky Association and the light standards may not exceed eight feet in height. All lighting must be directed down and away from residential areas.

2. The height and setback requirements of the NS(A) Neighborhood Services District applies.

3. Drive-through windows and outside speakers are prohibited.

4. The total maximum floor area on the Property that may be used for restaurant uses is 5,000 square feet.

5. The following main uses are prohibited:

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

-- Building repair and maintenance shop.

-- Custom business services.

-- Electronics services center.

-- Medical or scientific laboratory.

-- Tool or equipment rental.

(C) Industrial uses.

-- Gas drilling and production.

-- Temporary concrete or asphalt batching plant.

(D) Institutional and community service uses.

-- Cemetery or mausoleum.

-- College, university, or seminary.

-- Community service center.

-- Hospital.

-- Open-enrollment charter school or private school.

-- Public school other than an open-enrollment charter school.

(E) Lodging uses.

- Hotel and motel.
- Lodging or boarding house.
- Overnight general purpose shelter.

(F) Miscellaneous uses.

- Attached non-premise sign.
- Carnival or circus (temporary).
- Temporary construction or sales office.

(G) Office uses.

- Financial institution with drive-in window.

(H) Recreation uses.

- Country club with private membership.
- Public park, playground, or golf course.

(I) Residential uses.

- College dormitory, fraternity, or sorority house.

(J) Retail and personal service uses.

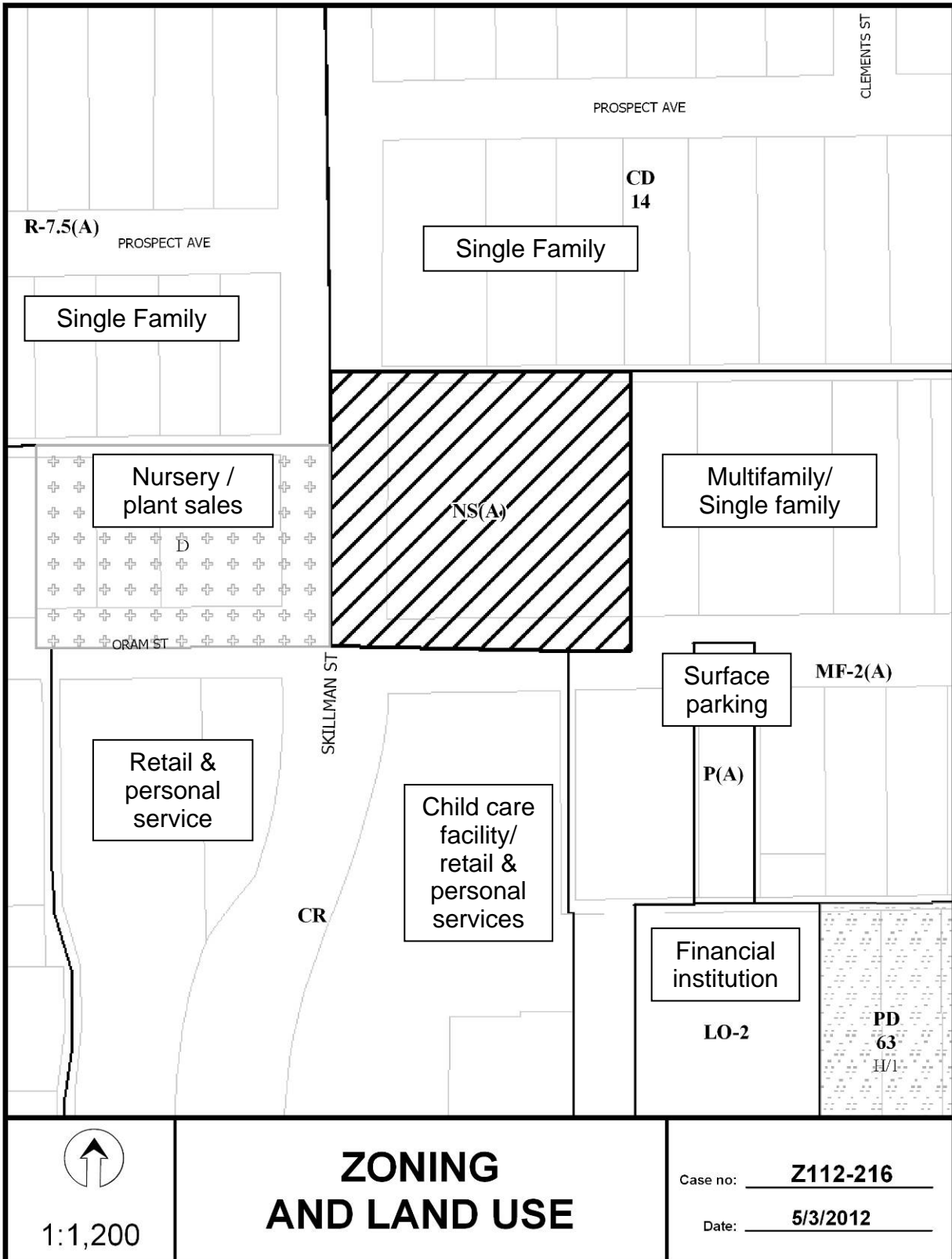
- Alternative financial establishment.
- Alcoholic beverage establishments.
- Ambulance service.
- Auto service center.
- Business school.
- Car wash.
- Commercial amusement (inside).
- Commercial amusement (outside).
- Commercial parking lot or garage.
- Convenience store with drive-through.
- Home improvement center, lumber, brick or building materials sales yard.
- Household equipment and appliance repair.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Pawn shop.

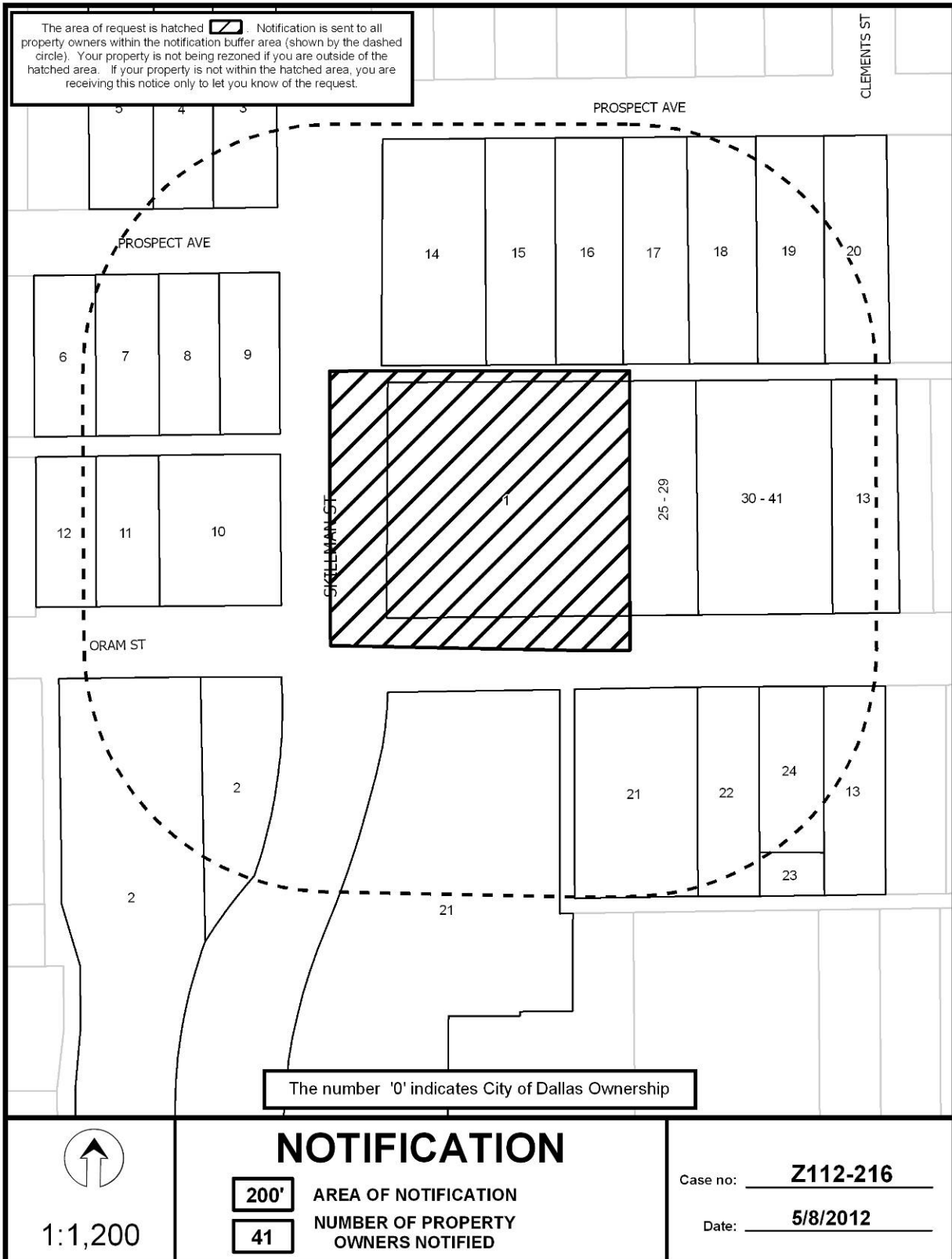
- Restaurant with drive-in or drive-through service.
- Swap or buy shop.
- (K) Transportation uses.
 - Transit passenger shelter.
 - Transit passenger station or transfer center.
- (L) Utility and public service uses.
 - Commercial radio and television transmitting station.
 - Electrical substation.
 - Radio, television or microwave tower.
 - Tower/antenna for cellular communication.
 - Utility or government installation other than listed.
- (M) Wholesale, distribution, and storage uses.
 - Mini-warehouse.
 - Recycling buy-back center.
 - Recycling collection center.
 - Recycling drop-off container.

6. The following accessory uses are prohibited:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.







5/8/2012

Notification List of Property Owners

Z112-216

41 Property Owners Notified

| Label # | Address | Owner |
|---------|-------------------|--|
| 1 | 2010 SKILLMAN ST | NASMA LTD P S SUITE 206 |
| 2 | 1901 SKILLMAN ST | MERIDITH JANET TR & DUSTIN MERIDITH TR |
| 3 | 6045 PROSPECT AVE | MORGAN PARK LTD & EATON ROAD LTD |
| 4 | 6041 PROSPECT AVE | JUSTITZ JAMES |
| 5 | 6039 PROSPECT AVE | BELMORE ERNEST E JR |
| 6 | 6034 PROSPECT AVE | DREHER WILLIAM L JR |
| 7 | 6038 PROSPECT AVE | BURROUGHS JAMES ANDREW |
| 8 | 6042 PROSPECT AVE | MICHEL MARIANO |
| 9 | 6046 PROSPECT AVE | PINSON OGMAN |
| 10 | 2001 SKILLMAN ST | JOSEPH ANN |
| 11 | 6039 ORAM ST | JOSEPH ANNE M & MILAM JUDE JOSEPH TRUSTE |
| 12 | 6035 ORAM ST | CHUSKUL THREE CHOK R & PATCHAREE P |
| 13 | 6133 ORAM ST | J GREGORY HOMES INC |
| 14 | 6100 PROSPECT AVE | PARKER RYAN ELIZABETH & BARRY |
| 15 | 6112 PROSPECT AVE | PALOPRO LTD |
| 16 | 6116 PROSPECT AVE | HENSON KARLA S |
| 17 | 6120 PROSPECT AVE | GRACE LAURIE |
| 18 | 6124 PROSPECT AVE | SHETTY RAJESH N & DAYANNA GARCIA |
| 19 | 6128 PROSPECT AVE | ILCZYSZYN MICHELLE |
| 20 | 6132 PROSPECT AVE | LARSON ADRIENNE M & |
| 21 | 1900 SKILLMAN ST | SK OAK LP |
| 22 | 6128 ORAM ST | GOURLEY JOHN D %MADISON REALTY INV |
| 23 | 6132 ORAM ST | MIRANDA MARK & CHRISTON COMPANY INC |
| 24 | 6132 ORAM ST | BRATSCH MICHAEL |
| 25 | 6119 ORAM ST | SIMPSON JOHN E |
| 26 | 6121 ORAM ST | MCDONALD KELLY |

Z112-216(JH)

5/8/2012

| Label # | Address | Owner |
|----------------|----------------|-----------------------------------|
| 27 | 6121 ORAM ST | BUCIO GABRIELA & MARTIN ANDERSSON |
| 28 | 6121 ORAM ST | BRUNE KEVIN DAVID |
| 29 | 6121 ORAM ST | TRACY SHANNON M |
| 30 | 6123 ORAM ST | LANG KURT |
| 31 | 6123 ORAM ST | PIPPIN MARILYN UNIT 2 |
| 32 | 6123 ORAM ST | DAVIS STEVEN L |
| 33 | 6123 ORAM ST | REBSAMEN DON UNIT 4 |
| 34 | 6123 ORAM ST | SALCIDO LISETTE UNIT 5 |
| 35 | 6123 ORAM ST | REED MARK |
| 36 | 6123 ORAM ST | LOWRY AMY E UNIT 7 |
| 37 | 6123 ORAM ST | BLACK SHEILA F UNIT 8 |
| 38 | 6123 ORAM ST | GELB CHARLES & KAREN UNIT 9 |
| 39 | 6123 ORAM ST | MCDONALD DANIEL E JR |
| 40 | 6123 ORAM ST | BALLOU JAIMI D |
| 41 | 6123 ORAM ST | SMITH R KYLE |



CITY OF DALLAS

Memorandum

DATE June 5, 2012

TO Joe Alcantar, Chair and
Members of the City Plan Commission

SUBJECT **Appeal of Landmark Commission Decision
707 Huntley Street, Case #: CA112-154(CH)
CPC Consideration: June 21, 2012**

Attached is the background material (“the record”) relating to the applicant’s appeal of the denial of a Certificate for Appropriateness application for **707 Huntley Street**, for the landscape plan for front yard.

The transcript before the Landmark Commission is included, with care having been taken to assure that all speakers are clearly identified. Also, attached is the brief prepared by Assistant City Attorney for the Landmark Commission. The applicant has not submitted a brief.

If you have any questions related to City Plan Commission review procedures, please contact Laura Foland, Assistant City Attorney, at 214-670-5477.

Neva Dean
Planning Manager
Sustainable Development and Construction

c: Theresa O’Donnell, Director, Sustainable Development and Construction
David Cossum, Assistant Director, Sustainable Development and Construction
Bert Vandenberg, Assistant City Attorney
Laura Foland, Assistant City Attorney
Carolyn Horner, Senior Planner, Historic Preservation