



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, August 4, 2011
AGENDA

BRIEFINGS:	5ES	10:30 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:

NEOGOV Briefing – Board and Commission Online Application Process

Daniel Soliz, Board Services, City Secretary's Office

Subdivision Docket

Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Lashawn Green

Consent Items:

(1) **S101-139**
(CC District 5)

An application to create a 1.20 acre lot from a tract of land containing part of City Block 6760 on Masters Drive south of Scyene Road.

Applicant/Owner: Magda Castillo

Surveyor: Texas Heritage Surveying, LLC

Application Filed: July 14, 2011

Zoning: R-7.5(A)

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

- (2) **S101-140**
(CC District 7) An application to create one 15.227 acre lot from a tract of land in City Block 7332 at 2906 E. Keist Boulevard at Van Cleave Drive.
Applicant/Owner: Dallas Housing Corporation
Surveyor: Pacheco Koch
Application Filed: July 14, 2011
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S101-141**
(CC District 2) An application to replat a 1.509 acre tract of land containing part of City Block 1/415 to create one lot at 212 Reunion Blvd.
Applicant/Owner: Jerry M. and Bonnie L. Itzig
Surveyor: Surveying Associates
Application Filed: July 15, 2011
Zoning: PD No. 784
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S101-142**
(CC District 8) An application to replat a 12.87 acre tract of land containing part of City Block 2/6951 and all of Lots 1, 2, 3, 4, 5 and 6 in City Block E/6044 located between Platinum Way and Finch Lane at Blue Bird Avenue.
Applicant/Owner: 4100 Platinum Way Holdings, LP
Surveyor: Salcedo Group, Inc.
Application Filed: July 15, 2011
Zoning: IM
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replat:

- (5) **S101-138**
(CC District 12) An application to replat a 1.27 acre tract of land containing all of Lots 51A and 52A to relocate the lot line between the two lots in City Block 2/8190 fronting on 5924 Twin Coves.
Applicant/Owner: Charles and Sheila Langford
Surveyor: Texas Heritage Surveying, LLC
Application Filed: July 12, 2011
Notices sent: 17 notices were sent July 19, 2011
Zoning: R-10(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Street Name Change:

- (6) **NC101-001**
(CC District 10) Change the name of Impala Lane & Quality Lane between Skillman Street on the northwest and Northwest Highway on the south.
Applicant/Owner: City of Dallas
Application Filed: April 7, 2011
Notices sent: 5 notices were sent July 1, 2011
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Docket

- M101-025**
Richard Brown
(CC District 4) An application for a minor amendment to the site plan for Specific Use Permit No. 1371 for a Private school and Child-care facility on the southeast corner of R. L. Thornton Freeway and Ann Arbor Avenue.

Staff Recommendation: **Approval**

Applicant: Life School

Representative: John Blacker

- M101-027**
Richard Brown
(CC District 7) An application for a minor amendment to the Area 1 development plan/Area 2 conceptual plan for Planned Development District No. 166 for a College, Private school, Multiple-family residential uses, and the Establishment for the care of alcoholic, narcotic, or psychiatric patients, on the west line of La Prada Drive, south of Blythe Drive.

Staff Recommendation: **Approval**

Applicant: Nexus Recovery Center, Inc.

Representative: Don Farmer

- M101-030**
Richard Brown
(CC District 7) An application for a minor amendment to the site plan for Specific Use Permit No.132 for a Sewage treatment plant, on the northeast Line of Sargent Road, north of Overton Road.

Staff Recommendation: **Approval**

Applicant: City of Dallas

Representative: Regina Stencel

- M101-031**
Richard Brown
(CC District 11) An application for a minor amendment to the development plan and landscape plan for property within the Tract IV portion of Planned Development District No. 614 for RR Regional Retail District Uses and TH-3 Townhouse District Uses, on the northwest corner of Belt Line Road and Montfort Drive.

Staff Recommendation: **Approval**

Applicant: Sparkle Sign, Inc.

Representative: George Lowery

M101-032
Richard Brown
(CC District 6)

An application for a minor amendment to the development plan for Planned Development District No. 828 for a Warehouse club and CR Community Retail District Uses on the southwest line of Webb Chapel Road at El Centro Drive.
Staff Recommendation: **Approval**
Applicant: Northwest/Webb Chapel Properties, LP
Representative: Daniel Millner

W101-007
Neva Dean
(CC District 1)

An application for a waiver of the two-year waiting period in order to submit an application to create a new subdistrict within the Planned Development District to allow a library use on the south side of West 10th Street between Madison Avenue and bishop Avenue.
Staff Recommendation: **Approval**

Certificates of Appropriateness for Signs

Downtown Sign District:

1106275001
Carolyn Horner
(CC District 14)

An application for a Certificate of Appropriateness for the installation of a 900 square foot upper level flat attached sign on the north elevation of 2200 Ross Avenue.
Applicant: Sue Butler of Starlite Signs
Staff Recommendation: **Approval**
SSDAC Recommendation: **Approval**

1106275002
Carolyn Horner
(CC District 14)

An application for a Certificate of Appropriateness for the installation of a 345 square foot middle level flat attached sign on the south elevation of 2200 Ross Avenue.
Applicant: Sue Butler of Starlite Signs
Staff Recommendation: **Approval**
SSDAC Recommendation: **Approval**

1106275003
Carolyn Horner
(CC District 14)

An application for a Certificate of Appropriateness for the installation of a 345 square foot middle level flat attached sign on the north elevation of 2200 Ross Avenue.
Applicant: Sue Butler of Starlite Signs
Staff Recommendation: **Approval**
SSDAC Recommendation: **Approval**

1106305001
Carolyn Horner
(CC District 14)

An application for a Certificate of Appropriateness for the relocation of an existing kiosk from the west corner of Marilla Street and Ervay Street to the north corner of Live Oak Street and Pearl Street at 2110 Live Oak Street.
Applicant: Scott Reynolds of Reynolds Outdoor Media
Staff Recommendation: **Approval**
SSDAC Recommendation: **Approval**

1106305002
Carolyn Horner
(CC District 14)

An application for a Certificate of Appropriateness for the relocation of an existing kiosk from the southwest corner of Commerce Street and Griffin Street to the corner of Live Oak Street and Olive Street at 2110 Live Oak Street.

Applicant: Scott Reynolds of Reynolds Outdoor Media

Staff Recommendation: **Approval**

SSDAC Recommendation: **Approval**

1106305003
Carolyn Horner
(CC District 14)

An application for a Certificate of Appropriateness for the relocation of an existing kiosk from the northwest corner of San Jacinto Street and St. Paul Street to the corner of Harwood Street and Pacific Avenue at 2001 Elm Street.

Applicant: Scott Reynolds of Reynolds Outdoor Media

Staff Recommendation: **Approval**

SSDAC Recommendation: **Approval**

Zoning Cases – Consent

1. **Z101-247(MG)**
Michael Grace
(CC District 14)

An application to create a new subdistrict within Planned Development District No. 357 the Farmer's Market Special Purpose District on property bounded by Young Street, S. Pearl Expressway, S. Ceasar Chavez Boulevard, and Marilla Street.

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

Applicant: Texas InTownHomes, LLC

Representative: Audra Buckley

2. **Z101-278(MG)**
Michael Grace
(CC District 3)

An application to renew Specific Use Permit No. 1624 for an Industrial (outside) not potentially incompatible use for a Concrete batch plant on a property zoned an IR Industrial Research District, on the northwest corner of Commerce Street and Manila Road.

Staff Recommendation: **Approval** for a five-year period, subject to a site plan and conditions.

Applicant: Samuel Ramos

Representative: Peter Kavanagh

3. **Z101-290(MG)**
Michael Grace
(CC District 6)

An application to renew Specific Use Permit No. 1758 for a Recycling collection center on property zoned an IR Industrial Research District with a portion within a designated flood plain on the east line of Wire Way, north of Lombardy Lane.

Staff Recommendation: **Approval** for a two-year period, subject to a site plan and conditions.

Applicant: Northwest Metals Recycling

Representative: Rob Baldwin

4. **Z101-227(MG)**
Michael Grace
(CC District 9)
- 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 use greater than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the northeast corner of Garland Road and Jupiter Road.
Staff Recommendation: **Approval** of the 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: Fiesta Mart
Representative: Masterplan
5. **Z101-262(MG)**
Michael Grace
(CC District 8)
- 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 use less than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the southeast corner of S. Lancaster Road and E. Ledbetter Drive.
Staff Recommendation: **Approval** of the 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: NR Texaco
Representative: Milik Parvez – Business Zoom
6. **Z101-302(WE)**
Warren Ellis
(CC District 8)
- An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property within Planned Development District No. 777 for NS(A) Neighborhood Service District uses with a D-1 Liquor Control Overlay on the south corner of S. Belt Line Road and Garden Grove Drive.
Staff Recommendation: **Approval** for a two-year time period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.
Applicant: Walnut Hilltop Corporation
Representative: Kimberly Trieu
7. **Z101-286(WE)**
Warren Ellis
(CC District 4)
- An application for an amendment to Specific Use Permit No. 1824 for an open enrollment charter school on property zoned an RR Regional Retail District on the west line of South R.L. Thornton Frontage Road, south of West Kiest Boulevard.
Staff Recommendation: **Approval** for a five-year time period with eligibility for automatic renewals for additional five-year periods, subject to a site/traffic management plan and conditions.
Applicant: Faith Family Academy
Representative: Dean McGuire

8. **Z101-291(WE)**
Warren Ellis
(CC District 11)
- An application for a Specific Use Permit for a restaurant without drive-in or drive through service on property zoned an NO(A) Neighborhood Office District on the east line of Hillcrest Road, south of Lyndon B. Johnson Freeway (635).
Staff Recommendation: **Approval** for a ten-year time period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.
Applicant: Hillcrest Partners, Ltd.
Representative: Robert Baldwin - Baldwin & Associates
9. **Z101-300(WE)**
Warren Ellis
(CC District 14)
- An application for a LC Light Commercial Subdistrict with deed restrictions volunteered by the applicant on property zoned a P Parking Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the southeast line of S. Versailles Avenue, northeast of Lemmon Avenue.
Staff Recommendation: **Approval**, subject to the deed restrictions volunteered by the applicant.
Applicant: PPA Realty Ltd.
Representative: Kirk Williams - Tommy Mann

Zoning Cases – Under Advisement

10. **Z090-247(WE)**
Warren Ellis
(CC District 6)
- An application for an amendment to, and an expansion of, Planned Development District No. 370 for IR Industrial Research District uses, a Group Residential Facility and Overnight General Purpose Shelter on property zoned Planned Development District No. 370 and an IR Industrial Research District on the northeast corner of Calvert Street and Irving Boulevard.
Staff Recommendation: **Approval**, subject to a development plan and staff's recommended conditions.
Applicant: Union Gospel Mission
Representative: Michael R. Coker
U/A From: July 21, 2011
11. **Z101-255(MW)**
Megan Wimer
(CC District 14)
- An application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) use limited to a Class A dance hall on property within Planned Development District No. 619 for Mixed Uses on the south side of Main Street, east of Field Street.
Staff Recommendation: **Denial**
Applicant/Representative: Strategic Hype, LLC
U/A From: July 7, 2011

Zoning Cases – Individual

12. **Z101-272(WE)**
Warren Ellis
(CC District 14)
An application to create a new Subarea within Planned Development District No. 27 for Office uses on west side of Insurance Lane between Knox Street and Hester Avenue.
Staff Recommendation: **Denial**
Applicant/Representative: Dan Beard
13. **Z101-276(WE)**
Warren Ellis
(CC District 5)
An application for an NO(A) Neighborhood Office District on property zoned an R-7.5(A) Single Family District on the south side of Lake June Road, west of Ladonia Place.
Staff Recommendation: **Denial**
Applicant/Representative: Carmen & David Rios
14. **Z101-270(RB)**
Richard Brown
(CC District 14)
An application for a Specific Use Permit for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern use on property within Planned Development District No. 842 for CR Community Retail District Uses, on the east line of Greenville Avenue, north of Prospect Avenue.
Staff Recommendation: **Approval** for a year period, subject to a site plan and conditions.
Applicant: O Dokie LLC- Kim Finch
Representative: Roger Albright

Reconsideration

- Z101-242(JH)**
Jennifer Hiromoto
(CC District 2)
1. Suspension of the CPC Rules of Procedure to allow reconsideration of Z101-242(JH)
- If #1 is approved then consideration of #2.
2. Reconsideration of action taken on June 2, 2011, which was to moved to recommend **approval** of a Specific Use Permit for a bar, lounge or tavern for a two-year period, subject to a site plan and conditions on property zoned Planned Development District No. 269 on the south side of Elm Street, east of Good Latimer Expressway.
- If #2 is approved then consideration of #3.
3. Instruct staff to advertize with an enlarged area for an application for a Specific Use Permit for a bar, lounge or tavern on property zoned Planned Development District No. 269 on the south side of Elm Street, east of Good Latimer Expressway.

Other Matters

Minutes: July 21, 2011

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Thursday, August 4, 2011

ZONING ORDINANCE COMMITTEE (ZOC) MEETING - Thursday, August 4, 2011, City Hall, 1500 Marilla Street, in 6ES, at 9:00 a.m., to consider (1) **DCA090-0100** – Consideration of amending the Dallas Development Code to amend parking regulations.

Tuesday, August 9, 2011

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC) MEETING – Tuesday, August 9, 2011, City Hall, 1500 Marilla Street.

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

ARTS DISTRICT SIGN REVIEW COMMITTEE (ADSRC) MEETING – Tuesday, August 9, 2011, City Hall, 1500 Marilla Street.

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

EXECUTIVE SESSION NOTICE

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

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

CITY PLAN COMMISSION**THURSDAY, AUGUST 4, 2011****FILE NUMBER:** S101-139**Subdivision Administrator:** Paul Nelson**LOCATION:** Masters Drive south of Scyene Road**DATE FILED:** July 14, 2011**ZONING:** R-7.5(A)**CITY COUNCIL DISTRICT:** 5**SIZE OF REQUEST:** 1.20 Acre**MAPSCO:** 49Y**APPLICANT:** Magda Castillo

REQUEST: An application to create a 1.20 acre lot from a tract of land containing part of City Block 6760 on property located at Masters Drive south of Scyene Road.

SUBDIVISION HISTORY:

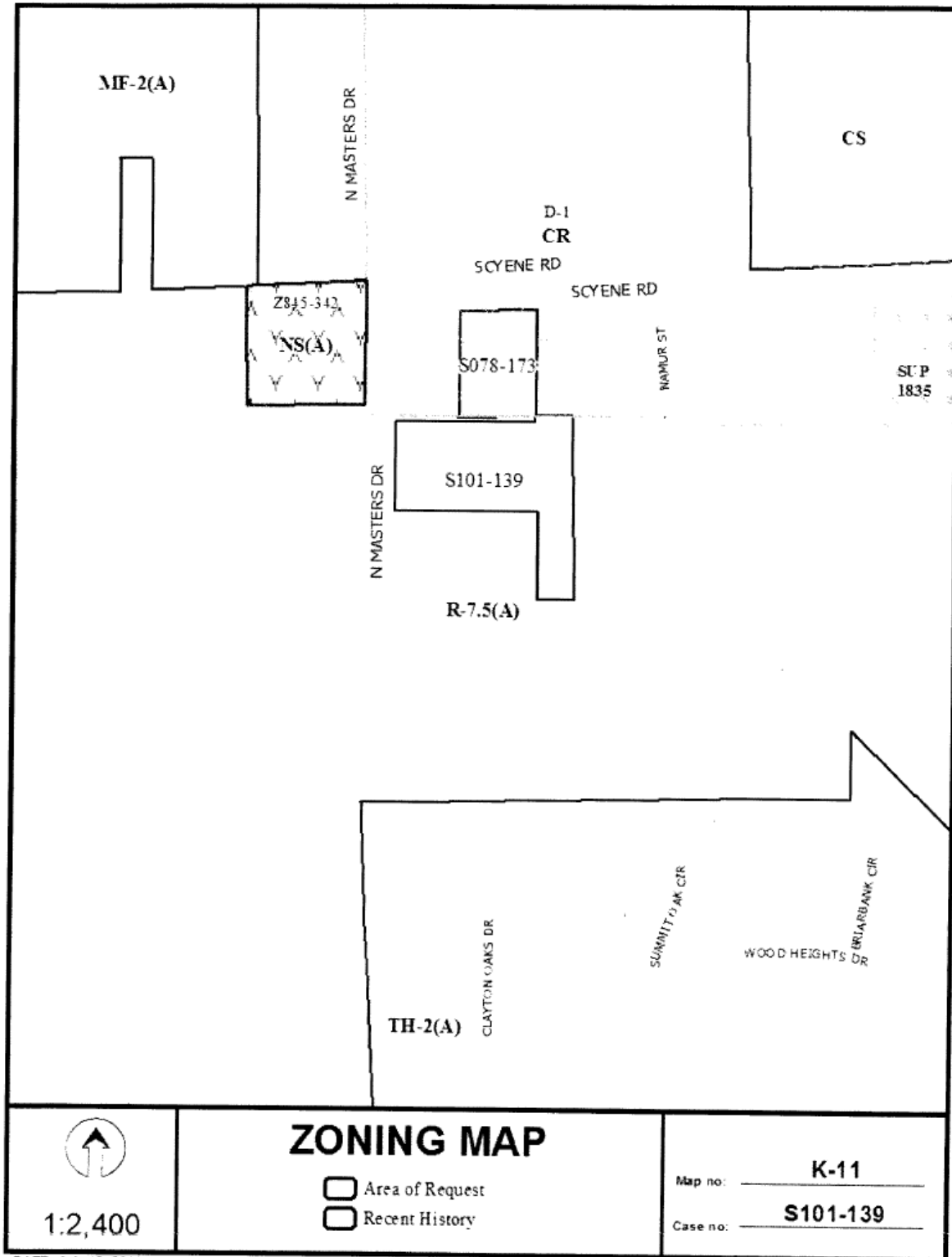
1. S078-173 was an application to create one 0.510 acre lot in City Block A/6760 on Scyene Road east of Masters Drive contiguous with the present request and was approved on April 10, 2008 and recorded on February 20, 2009.

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 proposed subdivision complies with the requirements of the R-7.5(A) District and is larger than some of the existing lots and smaller than others. There does not appear to be an established lot pattern in the adjacent areas, also the plat will eliminate one existing land locked parcel in the area; 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. The maximum number of lots permitted by this plat is 1.
10. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
11. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. On the final plat show how all adjoining right of way was created.
13. On the final plat add a signature block for Iglesia Nueva Vida Pentecostes tract.
14. On the final plat add Iglesia Nuevo Vida Pentecostes to the Owner's Dedication Statement.
15. On the final plat remove N. from Masters Drive.
16. On the final plat monument all set corners per monumentation ordinance.
17. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
18. Water/wastewater main extension may be required by Private Development Contract.
19. On the final plat label the property as Block A/6760 Lot 2.
20. On the final plat monument all corners per Section 51A-8.617 of the Dallas Development Code. Documentation must be submitted to and verified by the Survey Program Manager in the office of the Chief City Surveyor before the final plat can be released for recording.





 1:2,400	<h3>AERIAL MAP</h3> <p><input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History</p>	Map no: <u> K-11 </u> Case no: <u> S101-139 </u>
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DATE: July 19, 2011

CITY PLAN COMMISSION**THURSDAY, AUGUST 4, 2011****FILE NUMBER:** S101-140**Subdivision Administrator:** Paul Nelson**LOCATION:** 2906 E. Keist Boulevard at Van Cleave Drive**DATE FILED:** July 14, 2011**ZONING:** MF-2(A)**CITY COUNCIL DISTRICT:** 7 **SIZE OF REQUEST:** 15.227 Acre **MAPSCO:** 55R**APPLICANT:** Dallas Housing Corporation

REQUEST: An application to create one 15.227 acre lot from a tract of land in City Block 7332 at 2906 E. Keist Boulevard at Van Cleave Drive.

SUBDIVISION HISTORY:

1. S090-051 was an application to create 5 large lots on property contiguous on the east of the present request and was approved February 18, 2010 but has not been recorded.

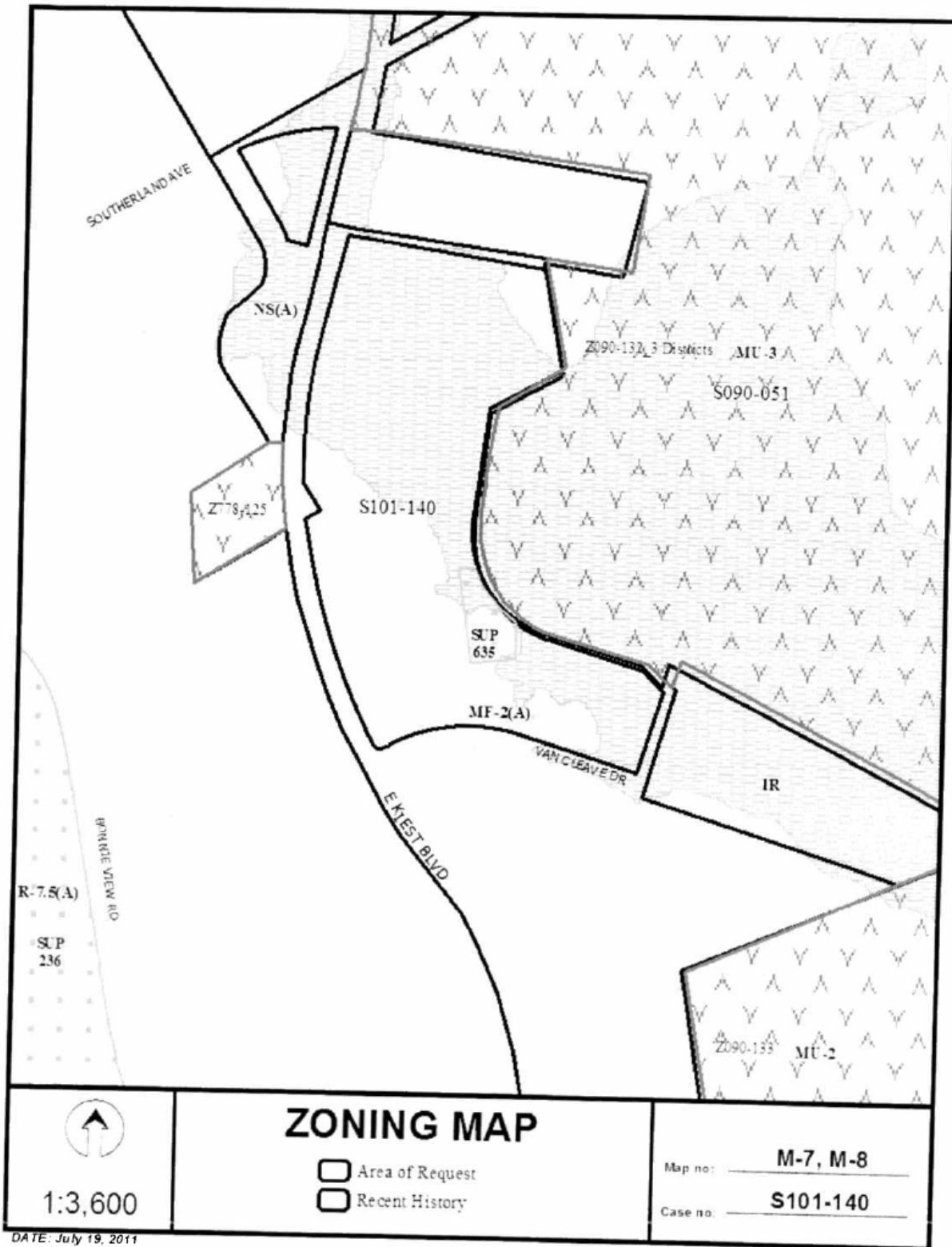
STAFF RECOMMENDATION: The proposed subdivision complies with the requirements of the MF-2(A) District and is larger than some of the existing lots and smaller than others. There does not appear to be an established lot pattern in the adjacent areas; therefore, staff recommends approval subject to compliance 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. The maximum number of lots permitted by this plat is 1.
10. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
11. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. Determine the 100 year water surface elevation across the plat.
13. Dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
14. Include additional paragraph in owner's certificate (pertaining to floodplain)
15. Specify minimum fill and minimum finished floor elevations.
16. Show natural channel setback from crest of the natural channel.
17. Set floodway monument markers and provide documentation that the monuments have been set prior to submittal of the final plat for recording.
18. Provide information regarding fill permit or floodplain alteration permit if such permit is applied for.
19. On the final plat dedicate 50 feet of ROW from the established centerline of Kiest Blvd.
20. On the final plat dedicate a 15 foot by 15 foot corner clip at Kiest Blvd. and Van Cleave Drive.
21. On the final plat dedicate a 10 foot by 10 foot corner clip at Van Cleave Drive and Wonder View Way.
22. If any portion of this lot has been part of a former land fill, you must provide documentation indicating that the TCEQ requirements concerning remediation and closure of the landfill have been met.
23. On the final plat show how all adjoining right of way was created.
24. On the final plat correct abstract number.
25. Loma must be approved prior to the signed final plat is submitted for signature.
26. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
27. 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.

28. Water/wastewater main extension may be required by Private Development Contract.
29. On the final plat identify the property as Lot 3, City Block C/7232.
30. If stone wall, signs, overhang and metal fence are encroaching into Kiest Blvd. a license will be required.





 1:3,600	<h3>AERIAL MAP</h3> <p>  Area of Request  Recent History </p>	Map no: <u> M-7, M-8 </u> Case no: <u> S101-140 </u>
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DATE: July 19, 2011

CITY PLAN COMMISSION**THURSDAY, AUGUST 4, 2011****FILE NUMBER:** S101-141**Subdivision Administrator:** Paul Nelson**LOCATION:** 212 Reunion Boulevard**DATE FILED:** July 15, 2011**ZONING:** PD No. 784**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 1.509 Acre **MAPSCO:** 45N**APPLICANT:** Jerry M. and Bonnie L. Itzig

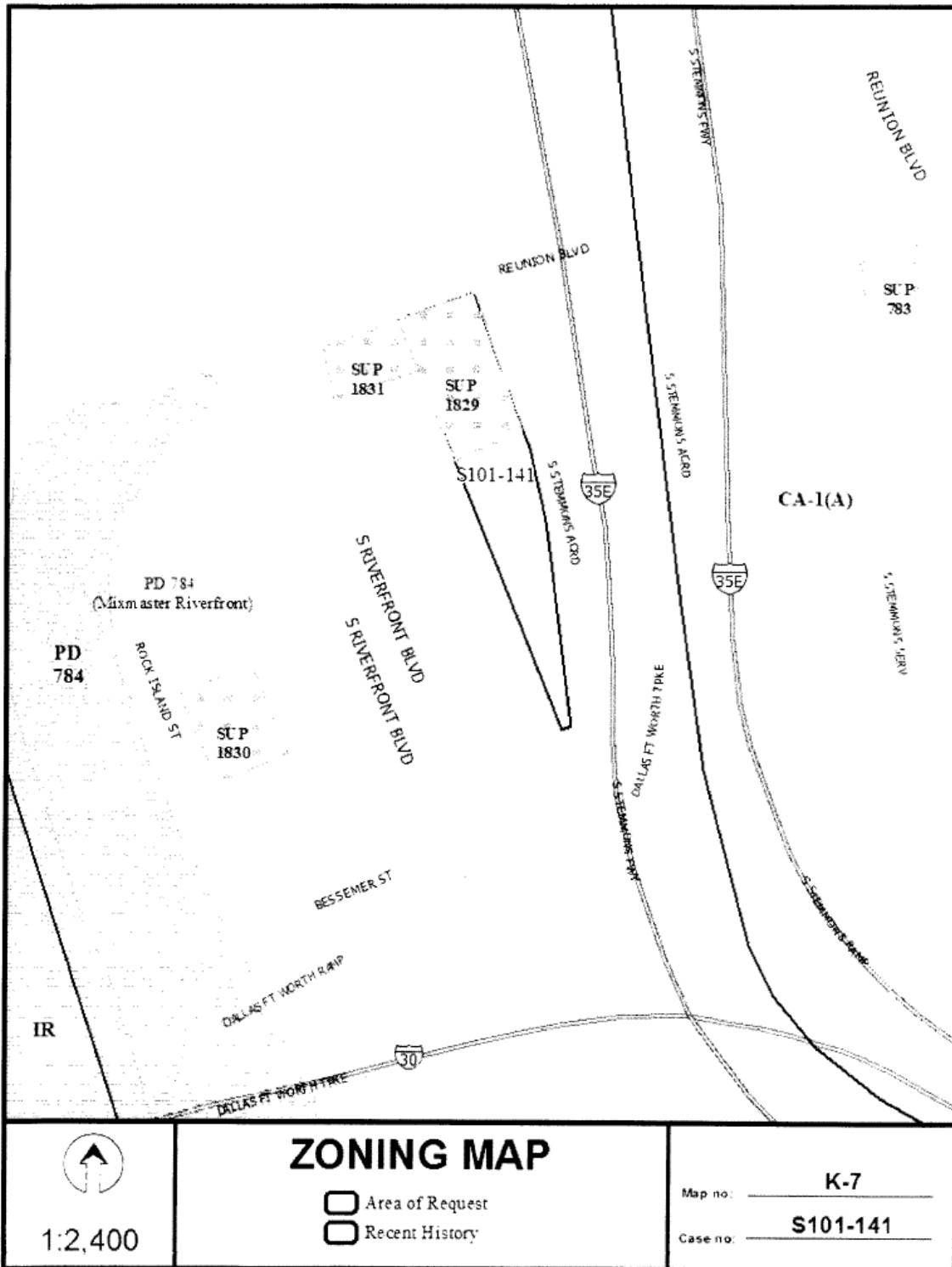
REQUEST: An application to create a 1.509 acre lot from a tract of land containing part of City Block 1/415 at 212 Reunion Blvd..

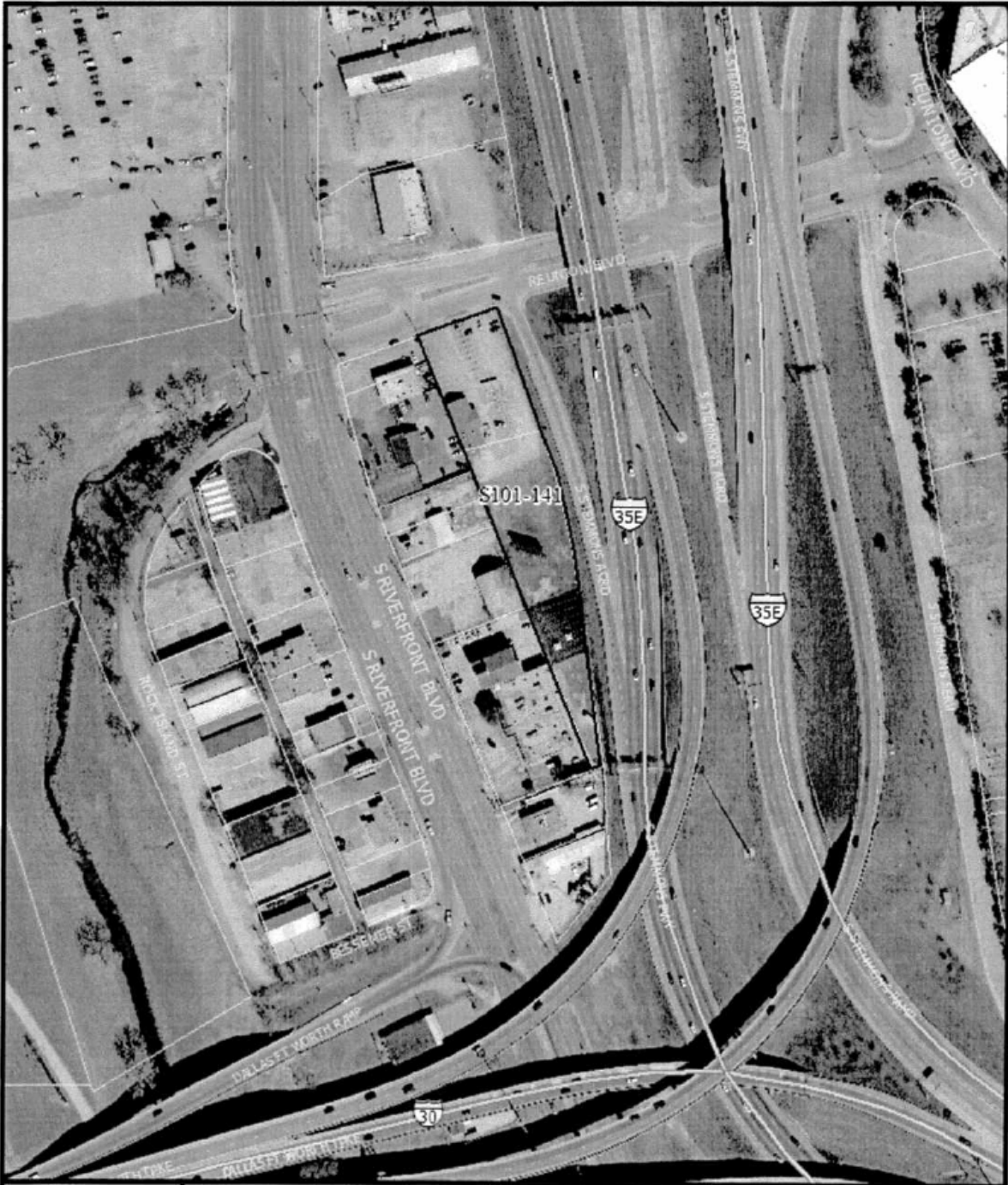
SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

STAFF RECOMMENDATION: The proposed subdivision complies with the requirements of PD 784; 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. The maximum number of lots permitted by this plat is 1.

10. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
11. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. On the final plat dedicate 28 feet of ROW from the established centerline of Reunion Blvd.
13. On the final plat dedicate a 20 foot by 20 foot corner clip at the intersection of Reunion Blvd. and I-35 E.
14. On the final plat add a note stating: "Access or modification to I -35 requires TX. DOT approval."
15. The subject site is located within the Able Sump (WSE 399.4'). All construction for any proposed development must be above 399.4' elevation. For the areas where the existing elevation is below 399.4', if any improvement is proposed, there must be a fill permit applied for and approved by Public Works and Transportation Department and Minimum Finish Floor elevation for those areas will have to be established thru the process.
16. On the final plat show how all adjoining right of way was created.
17. On the final plat show distances/width of right of way across Reunion Blvd.
18. On the final plat add Lien Holders Subordination Agreement.
19. Existing building must be removed prior to the signed final plat being submitted for the Chairman's signature.
20. Prior to final plat provide a letter from the surveyor of record stating the relationship of the building on Lot 8A with the west property line.
21. On the final plat show the existing billboard on the property.
22. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
23. A "Fire Protection Certificate" must be signed and approved by the Building Inspection Chief Plans Examiner (or assigned representative) in Room 105 of the Oak Cliff Municipal Center, 320 E. Jefferson Blvd. and must be submitted to the Manager of Water and Sewer Services, Engineering Division, in Room 200, 320 E. Jefferson Blvd. prior to submittal of the final plat for signature by the Chairperson of the City Plan Commission. A signed Fire Protection Certificate is also required prior to the approval of an "Early Release Building Permit" application.
24. Water/wastewater main extension may be required by Private Development Contract.
25. On the final plat label property as Lot 1, Block 1/415.





1:2,400

AERIAL MAP

- Area of Request
- Recent History

Map no: K-7

Case no: S101-141

DATE: July 19, 2011

CITY PLAN COMMISSION**THURSDAY, AUGUST 4, 2011****FILE NUMBER:** S101-142**Subdivision Administrator:** Paul Nelson**LOCATION:** Platinum Way and Finch Lane at Blue Bird Avenue**DATE FILED:** July 15, 2011**ZONING:** IM**CITY COUNCIL DISTRICT:** 8**SIZE OF REQUEST:** 12.87 Acres**MAPSCO:** 63J**APPLICANT:** 4100 Platinum Way Holdings, LP

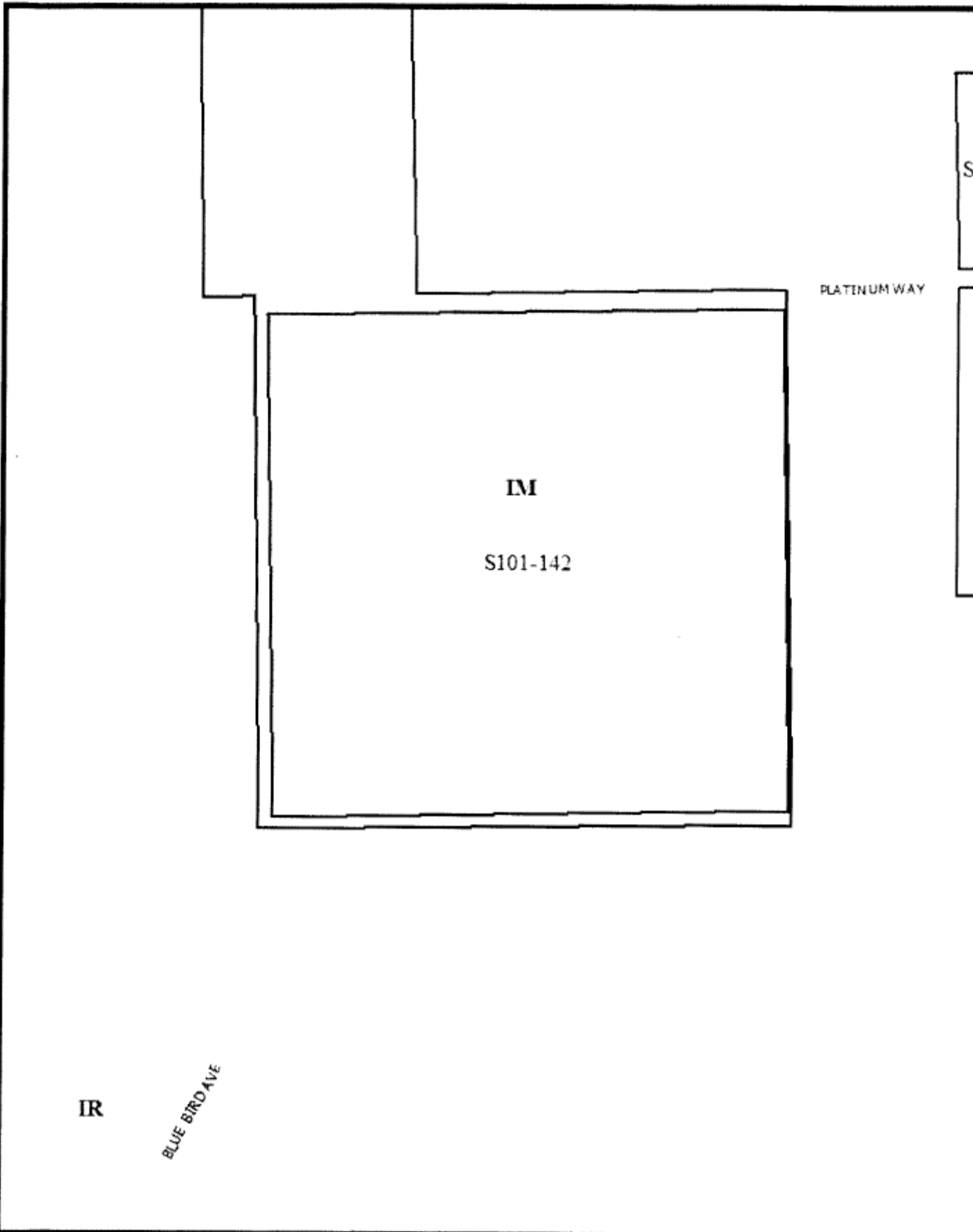
REQUEST: An application to replat a 12.87 acre a tract of land containing part of City Block 2/6951 and all of Lots 1, 2, 3, 4, 5 and 6 in City Block E/6044 located between Platinum Way and Finch Lane at Blue Bird Avenue.

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

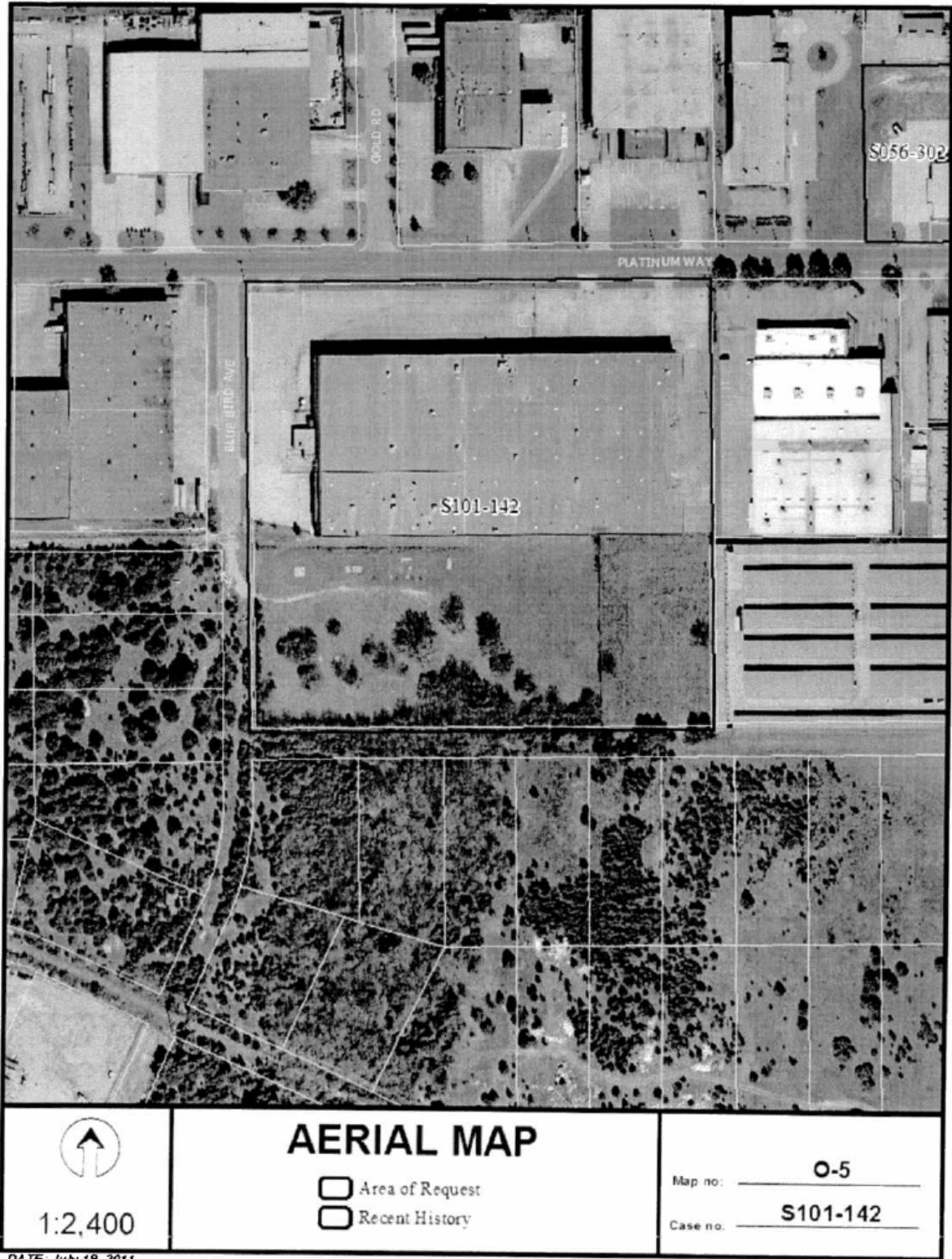
STAFF RECOMMENDATION: The proposed subdivision complies with the requirements of the IM District; therefore, staff recommends approval subject to compliance with the following conditions:

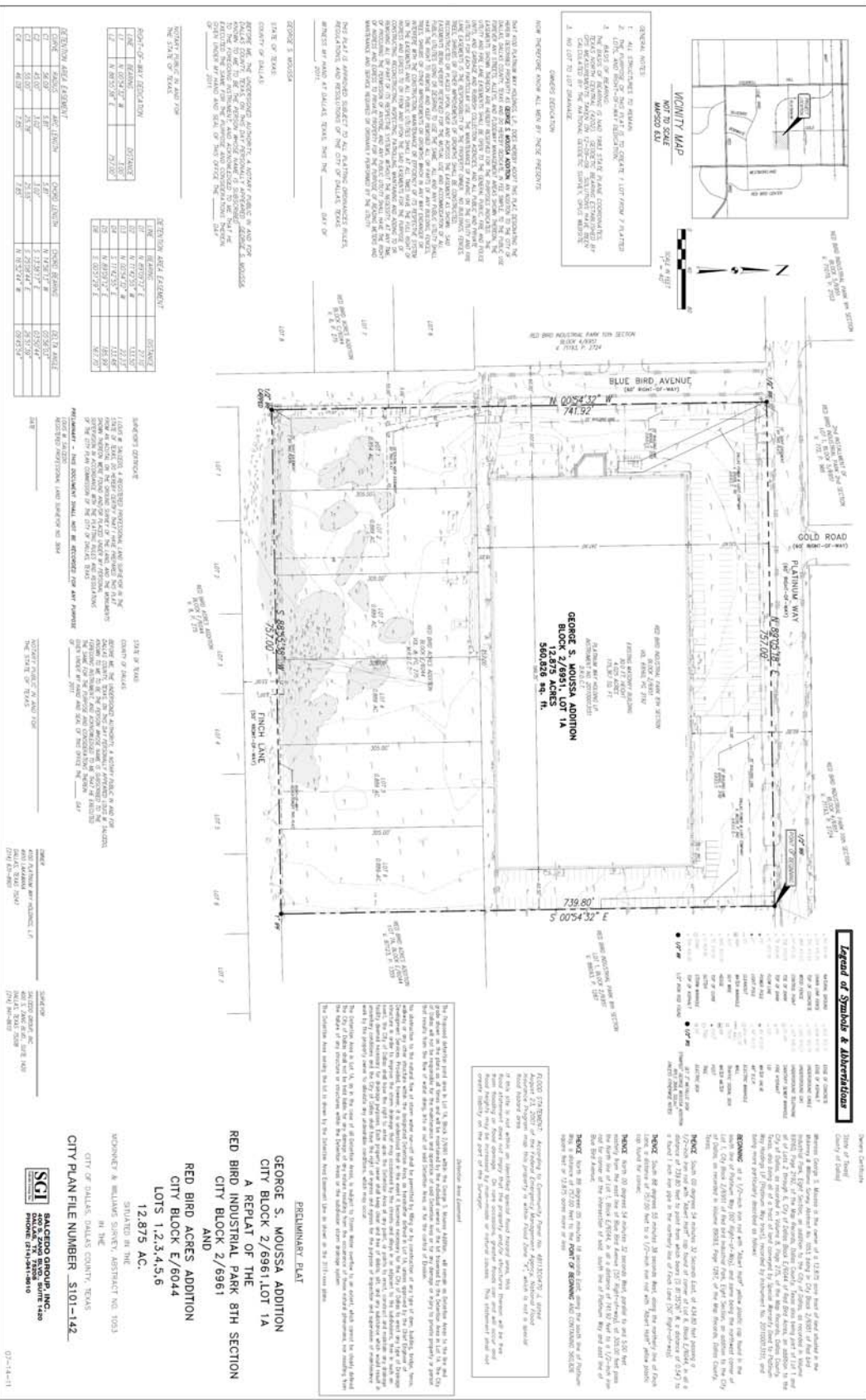
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with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

10. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
11. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
13. On the final plat dedicate a 10 foot by 10 foot corner clip at the intersection of Blue Bird Ave. and Finch.
14. On the final plat dedicate a 10 foot by 10 foot corner clip at the intersection of Blue Bird Ave. and Platinum Way.
15. Provide design for Blue Bird Ave. along the property frontage and provide a covenant agreeing to construct the adjoining 50 per cent of the street at such time as the remainder of the street is constructed by the adjoining owners.
16. On the final plat show how all adjoining right of way was created.
17. On the final plat show two control monuments per the monumentation provisions of the Dallas Development Code.
18. On the final plat show Finch Lane 53' ROW east of this plat.
19. On the final plat use the correct owner's Dedication.
20. Add "Notwithstanding" statement to the Owner's Dedication for the Detention Area Easement.
21. Engineer shall furnish plans for water and sanitary sewer. Developer shall furnish a contract for water and sanitary sewer.
22. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
23. Water/wastewater main extension is required by Private Development Contract.
24. If not constructing Water/Wastewater in Blue Bird, a Covenant for the provision of Water/Wastewater will be required.
25. On the final plat identify the property as Lot 1A, City Block E/6044.



ZONING MAP





GENERAL NOTES:

1. ALL ENCLOSURES TO BE MADE.
2. THE PLAT IS SUBJECT TO THE CITY OF DALLAS SUBDIVISION MAP ACT AND THE CITY OF DALLAS SUBDIVISION MAP ACT REGULATIONS.
3. THE PLAT IS SUBJECT TO THE CITY OF DALLAS SUBDIVISION MAP ACT REGULATIONS.
4. THE PLAT IS SUBJECT TO THE CITY OF DALLAS SUBDIVISION MAP ACT REGULATIONS.
5. THE PLAT IS SUBJECT TO THE CITY OF DALLAS SUBDIVISION MAP ACT REGULATIONS.

OWNER'S DECLARATION:

I, the undersigned, being the owner of the above described land, do hereby certify that the above is a true and correct copy of the original survey as shown on the original survey map and that the same is a true and correct copy of the original survey as shown on the original survey map.

DATE: 08/04/2011

BY: [Signature]

REVISION DATA:

NO.	DATE	DESCRIPTION
1	08/04/2011	ORIGINAL SURVEY
2	08/04/2011	REVISION 1
3	08/04/2011	REVISION 2
4	08/04/2011	REVISION 3
5	08/04/2011	REVISION 4
6	08/04/2011	REVISION 5
7	08/04/2011	REVISION 6
8	08/04/2011	REVISION 7
9	08/04/2011	REVISION 8
10	08/04/2011	REVISION 9
11	08/04/2011	REVISION 10
12	08/04/2011	REVISION 11
13	08/04/2011	REVISION 12
14	08/04/2011	REVISION 13
15	08/04/2011	REVISION 14
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97	08/04/2011	REVISION 96
98	08/04/2011	REVISION 97
99	08/04/2011	REVISION 98
100	08/04/2011	REVISION 99
101	08/04/2011	REVISION 100

LEGEND OF SYMBOLS & ABBREVIATIONS:

SYMBOL	DESCRIPTION
1/4" = 1' (Scale)	Scale
North Arrow	North Arrow
Property Lines	Property Lines
Right-of-Way Lines	Right-of-Way Lines
Utility Lines	Utility Lines
Survey Points	Survey Points
Corner Markers	Corner Markers
Adjacent Property	Adjacent Property
Public Right-of-Way	Public Right-of-Way
Water Features	Water Features
Other Features	Other Features

PRELIMINARY PLAT

GEORGE S. MOUSSA ADDITION
CITY BLOCK 2/6961, LOT 1A
A REPLAT OF THE
RED BIRD INDUSTRIAL PARK, 8TH SECTION
CITY BLOCK 2/6961
AND
RED BIRD ACRES ADDITION
CITY BLOCK E/6044
LOTS 1,2,3,4,5,6
12.875 AC.

WONNER & WILLIAMS SURVEY, ASSISTANT NO. 1033
 IN THE
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

CITY PLAN FILE NUMBER: S101-142.

SAICORD GROUP, INC.
 1000 WEST END AVENUE, SUITE 1400
 DALLAS, TEXAS 75201
 PHONE: (214) 961-8010

CITY PLAN COMMISSION**THURSDAY, AUGUST 4, 2011****FILE NUMBER:** S101-138**Subdivision Administrator:** Paul Nelson**LOCATION:** 5924 Twin Coves**DATE FILED:** July 12, 2011**ZONING:** R-10(A)**CITY COUNCIL DISTRICT:** 12**SIZE OF REQUEST:** 1.28 Acre**MAPSCO:** 5T**APPLICANT:** Charles and Sheila Langford

REQUEST: An application to replat a 1.27 acre tract of land containing all of Lots 51A and 52A to relocate the lot line between the two lots in City Block 2/8190 fronting on 5924 Twin Coves.

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

DATES NOTICES SENT: 17 notices were mailed on July 19, 2011.

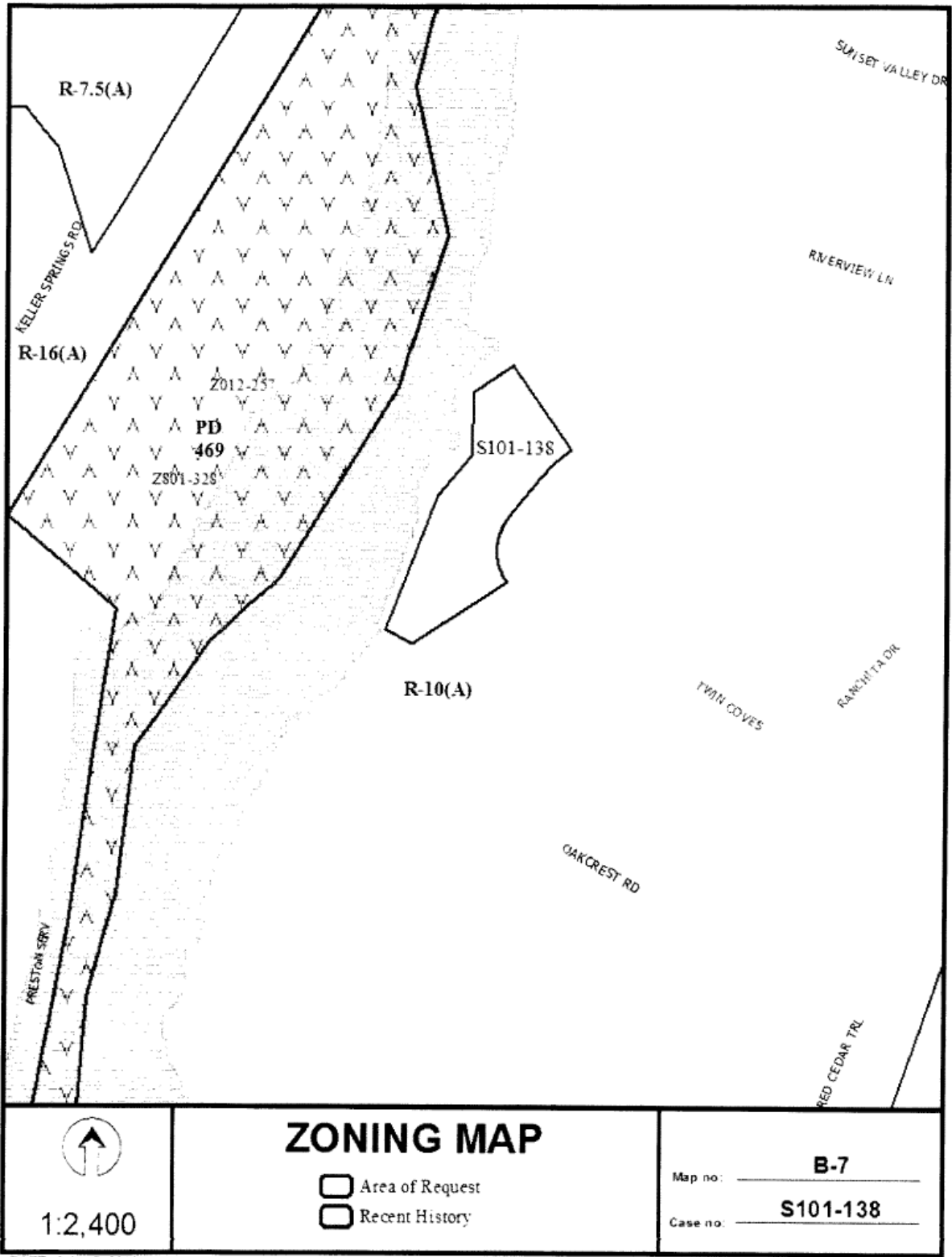
STAFF RECOMMENDATION: Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography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

The proposed subdivision complies with the requirements of the R-10(A) District and is relocating the existing lot line between two existing lots which were larger than the other platted lots in the existing subdivision and does not change the existing lot pattern; 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. The maximum number of lots permitted by this plat is 1.
10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
11. Provide a detailed lot grading plan prepared by a Professional Engineer for review and approval to the Paving and Drainage Section of the Engineering Division in Room 200, 320 E. Jefferson Blvd.
12. Determine the 100 year water surface elevation across the plat.
13. Dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
14. Include additional paragraph in Owner's Certificate (pertaining to the floodplain).
15. Specify minimum fill and minimum finished floor elevations.
16. Show natural channel setback from the crest of the natural channel.
17. Set floodway monument markers and provide documentation that the monuments have been set prior to submittal of the final plat for recording.
18. Provide information regarding fill permit or floodplain alteration permit if such permit is applied for.
19. On the final plat show how all adjoining right of way was created.
20. On the final plat show correct recording information for the subject property.
21. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
22. On the final plat monument all set corners as required by the Dallas Development Code.
23. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
24. On the final plat identify the property as Lots 51B, 52B, City Block 2/8190.

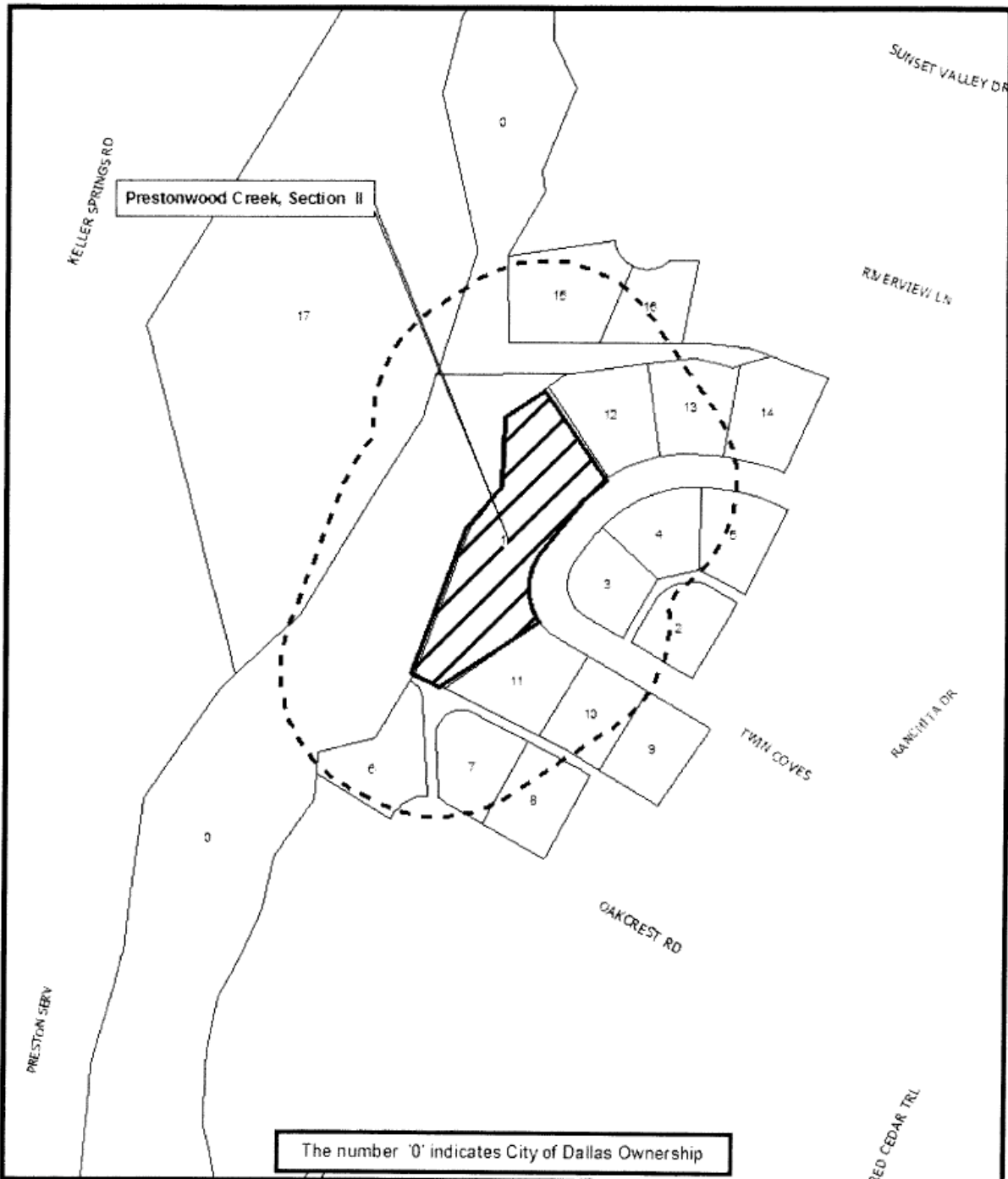
28. On the final plat monument all corners per Section 51A-8.617 of the Dallas Development Code. Documentation must be submitted to and verified by the Survey Program Manager in the office of the Chief City Surveyor before the final plat can be released for recording.





 1:2,400	<h3>AERIAL MAP</h3> <p> Area of Request  Recent History</p>	Map no: <u> B-7 </u> Case no: <u> S101-138 </u>
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DATE: July 19, 2011



 1:2,400	<h2>NOTIFICATION</h2>		Map no: <u> B-7 </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;">17</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u> S101-138 </u>	

DATE: July 19, 2011

Notification List of Property Owners

S101-138

17 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5924 TWIN COVES	LANGFORD CHARLES ERIC & SHEILA W LANGFORD
2	5915 TWIN COVES	DEBRUYN PHILIP MARK & CRISTA WALLACE DEBRUYN
3	5919 TWIN COVES	BLANKS THOMAS LERON
4	6003 TWIN COVES	JOHNSON J STANFORD & SUSAN E
5	6007 TWIN COVES	ZETLEY A STEVE & SUSAN H
6	6024 OAKCREST	KOZEL FRANK J JR & DIANE
7	6104 OAKCREST	RAYBORN KENNETH W & BONNIE B
8	6108 OAKCREST	HERZOG BRIAN G & MARCIA
9	5912 TWIN COVES	MUNNO TRUST
10	5916 TWIN COVES	HOLT KATHY & RICHARD W
11	5920 TWIN COVES	COHEN JEFFREY & ELLEN
12	6004 TWIN COVES	WATTS MICHAEL & STACY
13	6008 TWIN COVES	TYNE PHILIP J & CONNIE F
14	6012 TWIN COVES	WHITE PERRIN C & MARJORIE A BOECK
15	6339 RIVERVIEW	BANNISTER PAUL & DENISE C
16	6335 RIVERVIEW	MILLER ROBERT J & HARRIET K
17	16150 PRESTON	FAIRHILL SCHOOL

Tuesday, July 26, 2011



LEGEND

CONTRACTOR TO DETERMINE
 CONFORMANCE WITH THE REQUIREMENTS OF THE
 CITY OF DALLAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR
 OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE
 CITY OF DALLAS AND THE STATE OF TEXAS. THE CONTRACTOR SHALL
 BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND
 APPROVALS FROM THE CITY OF DALLAS AND THE STATE OF TEXAS.
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL
 NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS
 AND THE STATE OF TEXAS. THE CONTRACTOR SHALL BE
 RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND
 APPROVALS FROM THE CITY OF DALLAS AND THE STATE OF TEXAS.

PRESTONWOOD CREEK, SECTION II

AMENING FLAT

LOTS 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48

AMENING THE FLAT AT 15' ALLEY, BLOCK 28190, PRESTONWOOD CREEK, SECTION II, CITY OF DALLAS, TEXAS.

DATE: 08/04/2011 11:08 AM

OWNER'S CERTIFICATE

I, the undersigned, being the owner of the above described property, do hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that I have read and understand the contents of this certificate and the provisions of the City of Dallas Ordinance No. 107,201, which shall apply to the above described property.

NEIGHBOR'S CERTIFICATE

I, the undersigned, being a neighbor of the above described property, do hereby certify that I have read and understand the contents of this certificate and the provisions of the City of Dallas Ordinance No. 107,201, which shall apply to the above described property.

NEIGHBOR'S CERTIFICATE

I, the undersigned, being a neighbor of the above described property, do hereby certify that I have read and understand the contents of this certificate and the provisions of the City of Dallas Ordinance No. 107,201, which shall apply to the above described property.

RELEASED FOR REVIEW

DATE: 08/04/2011 11:08 AM



FILE NUMBER: NC101-001

PLANNER: Paul Nelson

LOCATION: Impala Lane & Quality Lane between Skillman Street on the northwest and Northwest Highway on the south

DATE FILED: April 7, 2011

COUNCIL DISTRICT: 10

MAPSCO: 26Z

APPLICANT: City of Dallas

REQUEST: Change the name of Impala Lane & Quality Lane between Skillman Street on the northwest and Northwest Highway on the south.

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: On June 2, 2011 the Subdivision Review Committee unanimously recommended approval of the street name change of Impala Lane to Theater Way. However, the committee took the request to change Quality Lane to Theater Way under Advisement for six months with the hearing left open.

STAFF RECOMMENDATION: Staff recommends **approval** of renaming Impala Lane to Theater Way between Skillman Street and Quality Lane but denial of the renaming of Quality Lane to Theater Way between Impala Lane and Northwest Highway.

SUMMARY:

- On May 5, 2011 the Subdivision Review Committee took the request under advisement with the hearing left open until June 2, 2011.
- The newspaper notice was published on July 4, 2011 for the August 4, 2011 City Plan Commission Hearing.
- The Subdivision Review Committee on June 2, 2011 recommended that Impala Lane from Skillman Street to Quality Lane be changed to Theater Way, and that the Quality Lane portion of the request be taken under advisement for 6 months.
- A waiver of Section 51A-9.304(b)(2)(A) is needed to approve renaming both Impala Lane and Quality Lane to Theater Way as that section states that: "If a minor roadway deviates from its predominant course at a 90 degree angle for a distance of more than 300 feet, a different name must be used for the predominant course and for each portion of the roadway deviating from the predominant course."
- Quality Lane deviates from Impala Lane at a 90 degree angle for a distance of 646.54 feet.
- Dallas Fire-Rescue supports the name change only if "All MSAG Records are changed to reflect the new street name prior to the date of change. Fire will have to "Alias Theater Way to Impala so CAD will accept either name for 911 calls.

- The “Theater” has frontage and access on Impala Lane but not on Quality Lane.

BACKGROUND INFORMATION:

<u>Thoroughfare/Street</u>	<u>Roadway Status</u>
Impala Lane	Minor Street
Quality Lane	Minor Street

STAFF ANALYSIS:

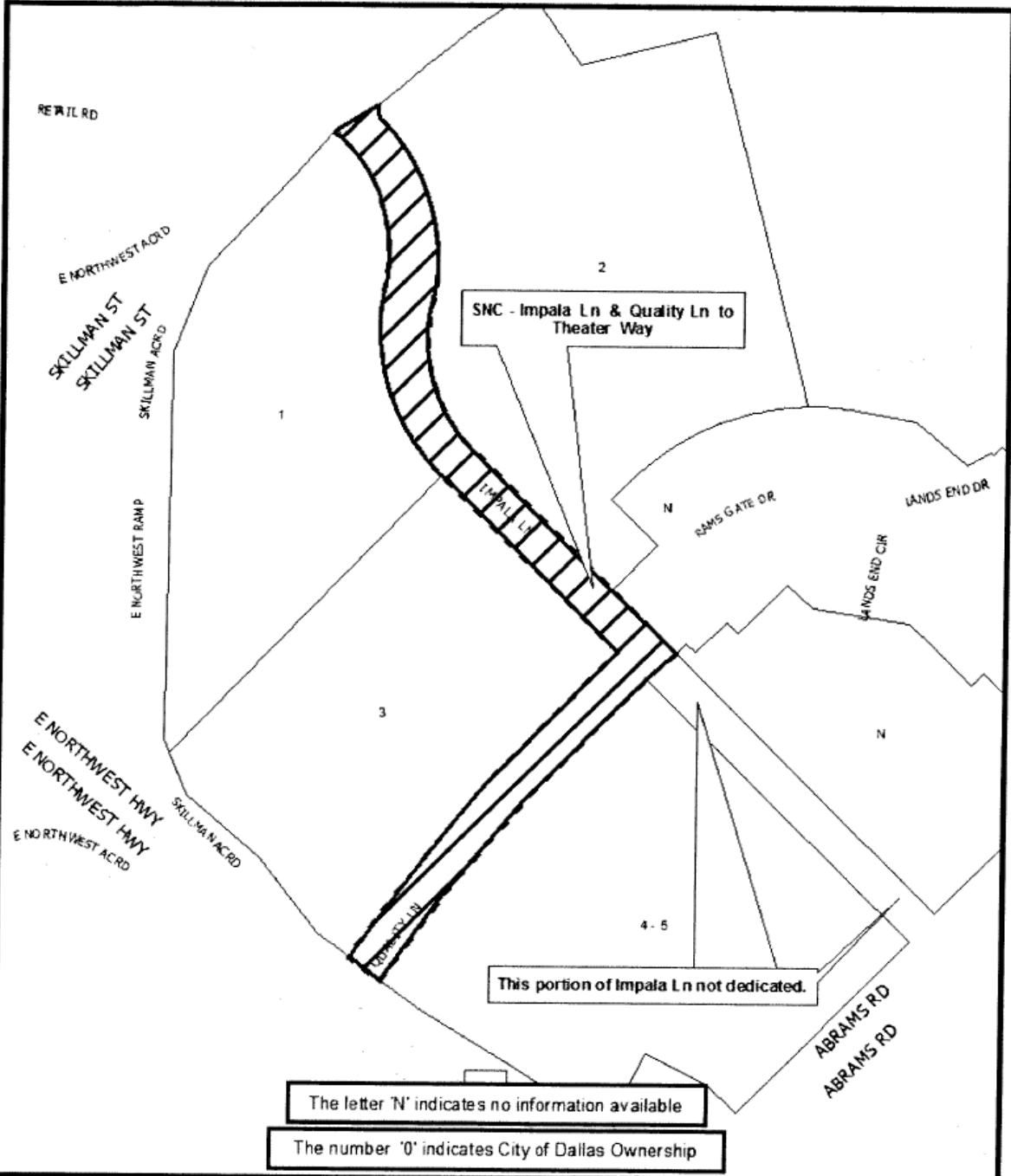
Street Name Change: In terms of compliance of this request with Division 51A-9.300 of the Dallas Development Code, staff observes the following:


- A waiver of Section 51A-9.304(b)(2)(A) is needed to rename both Impala Lane and Quality Lane to Theater Way as that section states that: “If a minor roadway deviates from its predominant course at a 90 degree angle for a distance of more than 300 feet, a different name must be used for the predominant course and for each portion of the roadway deviating from the predominant course.”
- Quality Lane deviates from Impala Lane at a 90 degree angle for a distance of 646.54 feet.
- **51A-9.305(c)** Hearing before the Subdivision Review Committee. The notices were sent on April 11, 2011 to 5 property owners.
- **51A-9.304(g)** Waiver. The city council, by a three-fourths vote of its members may waive any of the standards contained in this section when waiver would be in the public interest and would not impair the public health, safety, or welfare.

Departmental Response: Information on this case was routed to the following entities on April 14, 2011.

Department/Entity	Date of response	Department/Entity	Date of response
AT&T	N/R	Property Management	4/21/11
Atmos Energy	N/R	Police	NR
Building Inspection	N/R	PWT (GIS)	4/18/11
City Archivist	NR	SDC (Transportation)	NR
City Attorney	N/R	Sanitation Services	N/R
Comprehensive Planning	N/R	School District	N/R
Dallas County Historical Commission	N/R	Texas DOT	N/R
DART	N/R	Time Warner Cable	N/R
Fire Department	4/18/11	TXU Electric	N/R
Long Range Planning	6/4/10	US Post Office	4/21/11
Park and Recreation	N/R	Water Utilities	N/R

N/R= No written Response



 1:2,500	<h2>NOTIFICATION</h2>	G-8 Map no: _____			
	<table border="1"> <tr> <td style="text-align: center;">1'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">5</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	1'	AREA OF NOTIFICATION	5	NUMBER OF PROPERTY OWNERS NOTIFIED
1'	AREA OF NOTIFICATION				
5	NUMBER OF PROPERTY OWNERS NOTIFIED				

DATE: April 11, 2011

Notification List of Property Owners

NC101-001

5 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6343 NORTHWEST	DALLAS CHILDRENS THEATRE %ROBYN FLATT EXE DIR
2	6010 SKILLMAN	CRICKM SKILLMAN %HOME DEPOT USA #6804
3	6310 IMPALA	6411 EAST NORTHWEST LLC % WELL STONE CORPORATION
4	6411 NORTHWEST	6411 EAST NORTHWEST LLC % WELL STONE CORPORATION
5	6411 NORTHWEST	6411 EAST NORTHWEST LLC % WELL STONE CORP

FILE NUMBER: M101-025

DATE FILED: May 23, 2011

LOCATION: R. L. Thornton Freeway and Ann Arbor Avenue, Southeast Corner

COUNCIL DISTRICT: 4

MAPSCO: 64H

SIZE OF REQUEST: Approx. 17.91 Acres

CENSUS TRACT: 59.02

APPLICANT/OWNER: Life School

REPRESENTATIVE: John Blacker

MISCELLANEOUS DOCKET ITEM

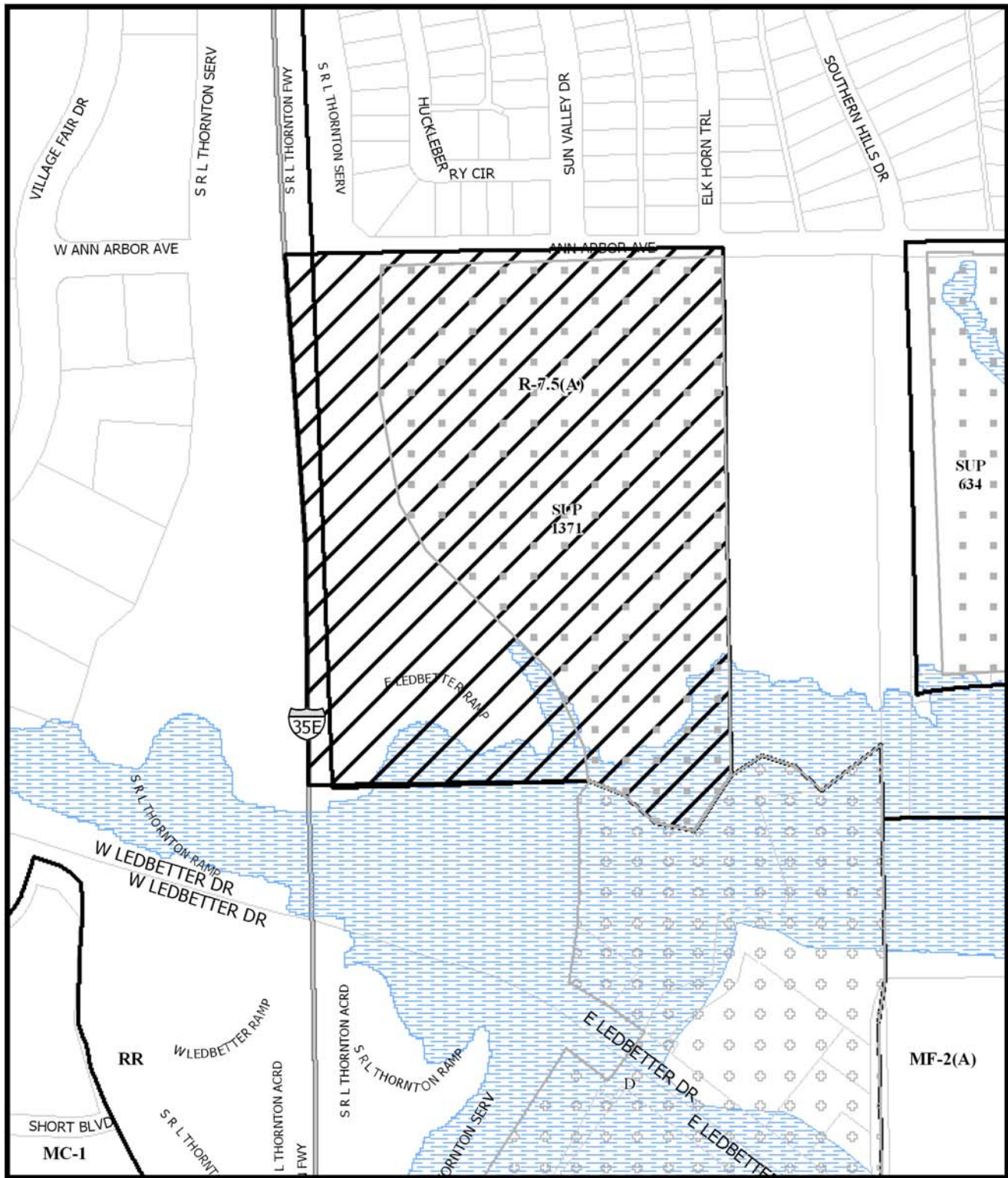
Minor Amendment for Site Plan

On September 23, 1998, the City Council passed Ordinance No. 22661 which established Specific Use Permit No. 1371 for a Private school and Child-care facility on property at the above location. The SUP was subsequently amended by Ordinance Nos. 25183 and 27806.

At this time, the property owner has submitted an application for consideration of a minor amendment to the site plan to provide for revised building footprints and classroom configuration within the northeast quadrant of the site. A row of off-street parking spaces have been removed to accommodate the revised building area, however, provided parking (410 spaces) continues to exceed that which is required (295 spaces).

The requested minor amendment does not impact any other provisions of the ordinance or site plan regulating these uses.

STAFF RECOMMENDATION: Approval



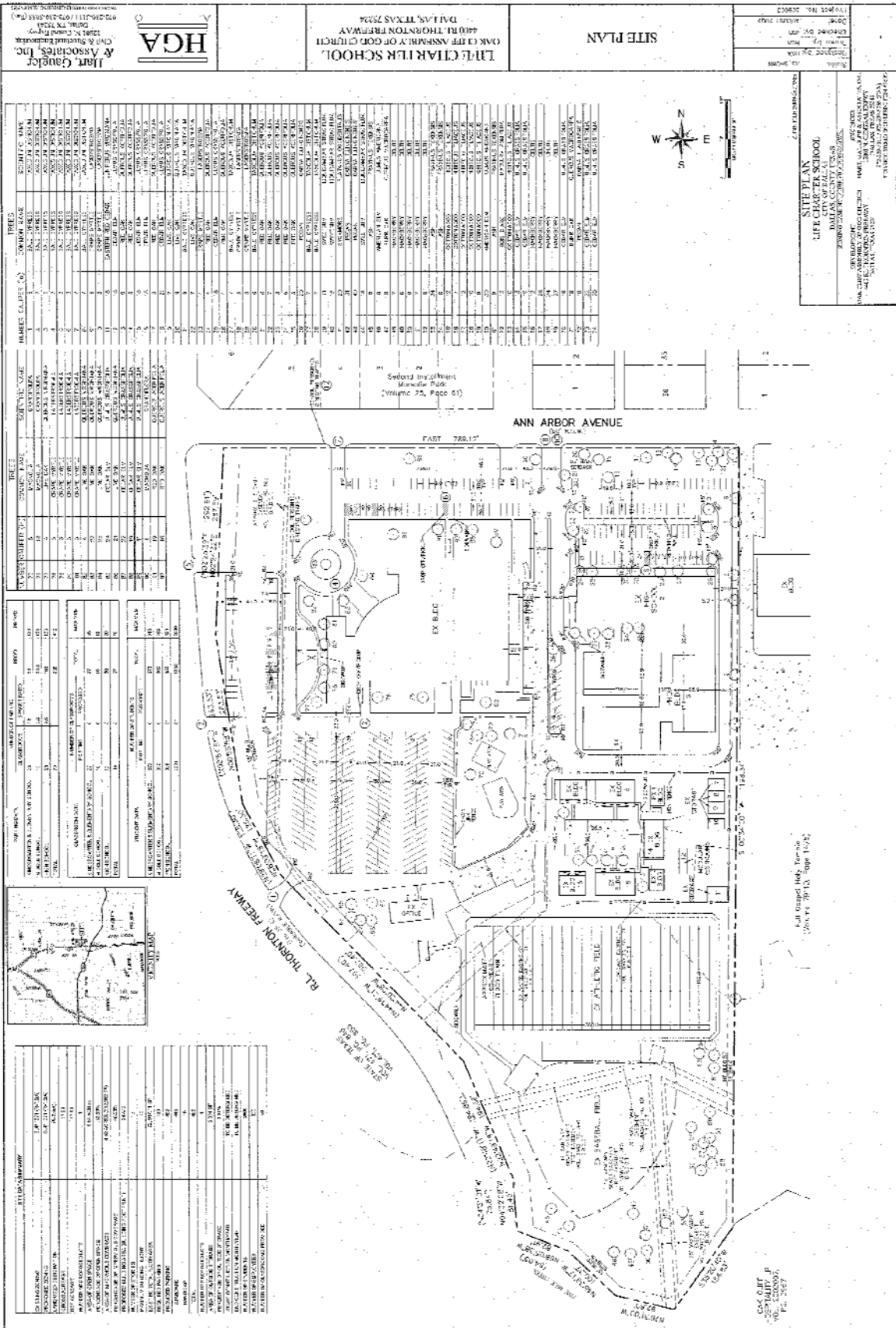
1:3,600

ZONING MAP

Map no: N-7

Case no: M101-025

DATE: June 14, 2011



NO.	DESCRIPTION	AMOUNT	PERCENT	TOTAL
1	CONCRETE	1000	100%	1000
2	STEEL	2000	100%	2000
3	WOOD	1500	100%	1500
4	GLASS	3000	100%	3000
5	MECHANICAL	1200	100%	1200
6	ELECTRICAL	800	100%	800
7	PLUMBING	600	100%	600
8	PAINT	400	100%	400
9	LANDSCAPING	200	100%	200
10	UTILITIES	100	100%	100
11	PERMITS	50	100%	50
12	CONTINGENCY	1000	100%	1000
13	TOTAL	10000		10000

NO.	DESCRIPTION	AMOUNT	PERCENT	TOTAL
1	CONCRETE	1000	100%	1000
2	STEEL	2000	100%	2000
3	WOOD	1500	100%	1500
4	GLASS	3000	100%	3000
5	MECHANICAL	1200	100%	1200
6	ELECTRICAL	800	100%	800
7	PLUMBING	600	100%	600
8	PAINT	400	100%	400
9	LANDSCAPING	200	100%	200
10	UTILITIES	100	100%	100
11	PERMITS	50	100%	50
12	CONTINGENCY	1000	100%	1000
13	TOTAL	10000		10000

NO.	DESCRIPTION	AMOUNT	PERCENT	TOTAL
1	CONCRETE	1000	100%	1000
2	STEEL	2000	100%	2000
3	WOOD	1500	100%	1500
4	GLASS	3000	100%	3000
5	MECHANICAL	1200	100%	1200
6	ELECTRICAL	800	100%	800
7	PLUMBING	600	100%	600
8	PAINT	400	100%	400
9	LANDSCAPING	200	100%	200
10	UTILITIES	100	100%	100
11	PERMITS	50	100%	50
12	CONTINGENCY	1000	100%	1000
13	TOTAL	10000		10000

NO.	DESCRIPTION	AMOUNT	PERCENT	TOTAL
1	CONCRETE	1000	100%	1000
2	STEEL	2000	100%	2000
3	WOOD	1500	100%	1500
4	GLASS	3000	100%	3000
5	MECHANICAL	1200	100%	1200
6	ELECTRICAL	800	100%	800
7	PLUMBING	600	100%	600
8	PAINT	400	100%	400
9	LANDSCAPING	200	100%	200
10	UTILITIES	100	100%	100
11	PERMITS	50	100%	50
12	CONTINGENCY	1000	100%	1000
13	TOTAL	10000		10000

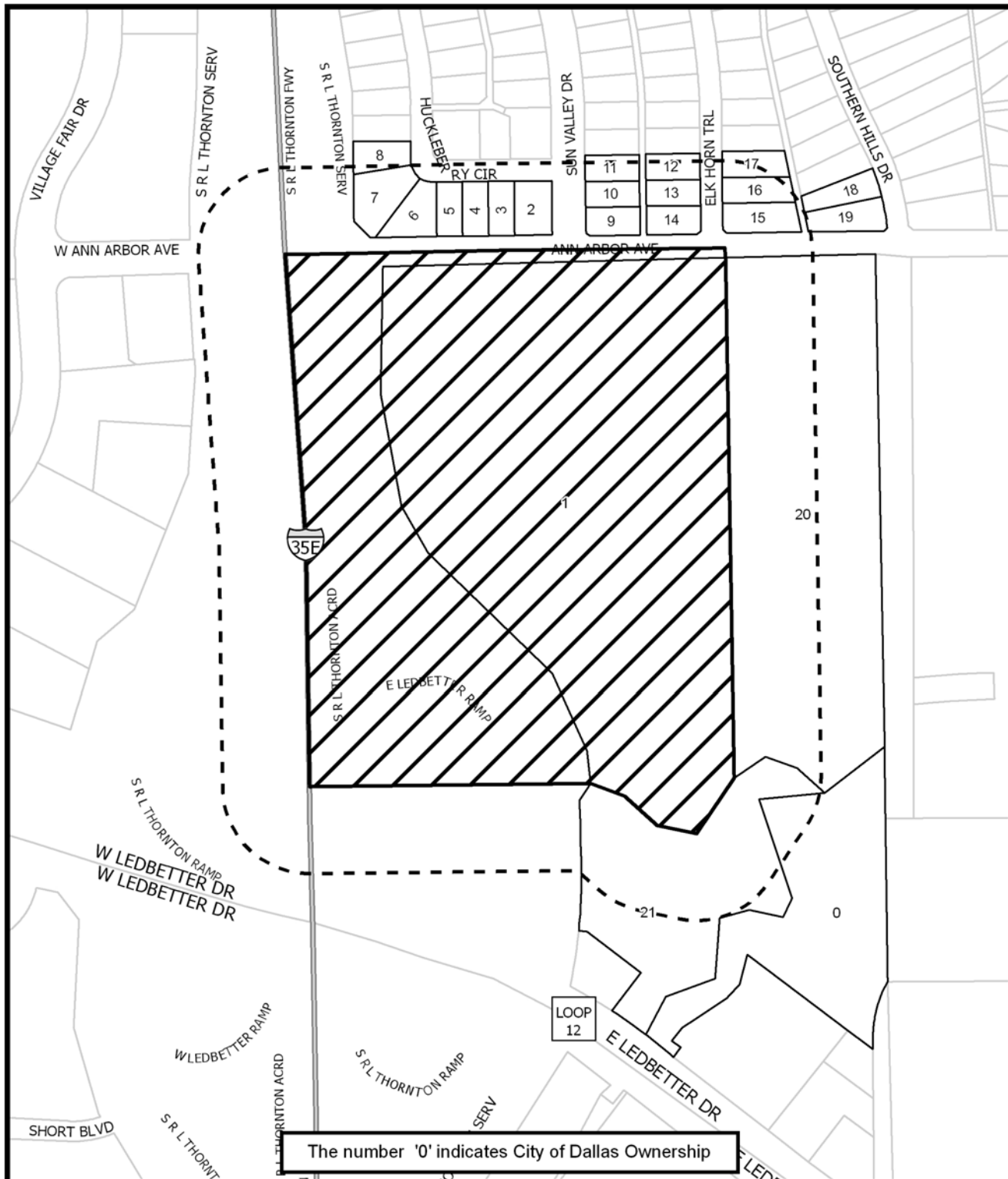
NO.	DESCRIPTION	AMOUNT	PERCENT	TOTAL
1	CONCRETE	1000	100%	1000
2	STEEL	2000	100%	2000
3	WOOD	1500	100%	1500
4	GLASS	3000	100%	3000
5	MECHANICAL	1200	100%	1200
6	ELECTRICAL	800	100%	800
7	PLUMBING	600	100%	600
8	PAINT	400	100%	400
9	LANDSCAPING	200	100%	200
10	UTILITIES	100	100%	100
11	PERMITS	50	100%	50
12	CONTINGENCY	1000	100%	1000
13	TOTAL	10000		10000

NO.	DESCRIPTION	AMOUNT	PERCENT	TOTAL
1	CONCRETE	1000	100%	1000
2	STEEL	2000	100%	2000
3	WOOD	1500	100%	1500
4	GLASS	3000	100%	3000
5	MECHANICAL	1200	100%	1200
6	ELECTRICAL	800	100%	800
7	PLUMBING	600	100%	600
8	PAINT	400	100%	400
9	LANDSCAPING	200	100%	200
10	UTILITIES	100	100%	100
11	PERMITS	50	100%	50
12	CONTINGENCY	1000	100%	1000
13	TOTAL	10000		10000

LIFE CHARTER SCHOOL
 4400 R.L. THORNTON FREEWAY
 DALLAS, TEXAS 75244

HCA
 Hart Gaudet
 Civil & Structural Engineers
 1200 N. Coakley
 Dallas, TX 75241
 972.451.1111 / 972.451.8888 (Fax)

Proposed Site Plan
 1/1



1:3,600

NOTIFICATION

200'

AREA OF NOTIFICATION

21

NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: **N-7**

Case no: **M101-025**

DATE: June 14, 2011

Notification List of Property Owners

M101-025

21 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	110 ANN ARBOR	LIFESCHOOL OF DALLAS DBA LIFESCHOOL
2	4255 HUCKLEBERRY	REEVES REGINALD C
3	4249 HUCKLEBERRY	DABNEY WILLIE RAY
4	4245 HUCKLEBERRY	BRADSHAW HORACE P & LYNN
5	4241 HUCKLEBERRY	HASHAWAY CEDRIC & PAMELA
6	4237 HUCKLEBERRY	BURTON HELEN L
7	4233 HUCKLEBERRY	PUNCH LINDA
8	4227 HUCKLEBERRY	DAVIS DISIE M
9	4312 SUNVALLEY	HUMPHRIE LORETTA
10	4308 SUNVALLEY	JOHNSON AL &
11	4304 SUNVALLEY	CAMPBELL WILLIAM C
12	4307 ELK HORN	WOODS JULIUS A EST OF
13	4311 ELK HORN	WILLIAMS GWENDOLYN
14	4315 ELK HORN	BROWN PAUL W SR ETAL
15	4314 ELK HORN	FRAZIER DORIS F
16	4310 ELK HORN	REESE DAVID R
17	4306 ELK HORN	THOMAS VIRGIE
18	4315 SOUTHERN HILLS	DAVIS BABY RUTH ET AL
19	4321 SOUTHERN HILLS	CHISM RODNEY D & ET AL
20	330 ANN ARBOR	FULL GOSPEL HOLY TEMPLE
21	4610 R L THORNTON	OAK CLIFF HOSPITALITY LP

Tuesday, June 14, 2011

FILE NUMBER: M101-027

DATE FILED: May 26, 2011

LOCATION: West Line of La Prada Drive, South of Blyth Drive

COUNCIL DISTRICT: 7

MAPSCO: 39 W

SIZE OF REQUEST: Approx. 11.85 Acres

CENSUS TRACT: 123.02

APPLICANT/OWNER: Nexus Recovery Center, Inc.

REPRESENTATIVE: Don Farmer

MISCELLANEOUS DOCKET ITEM

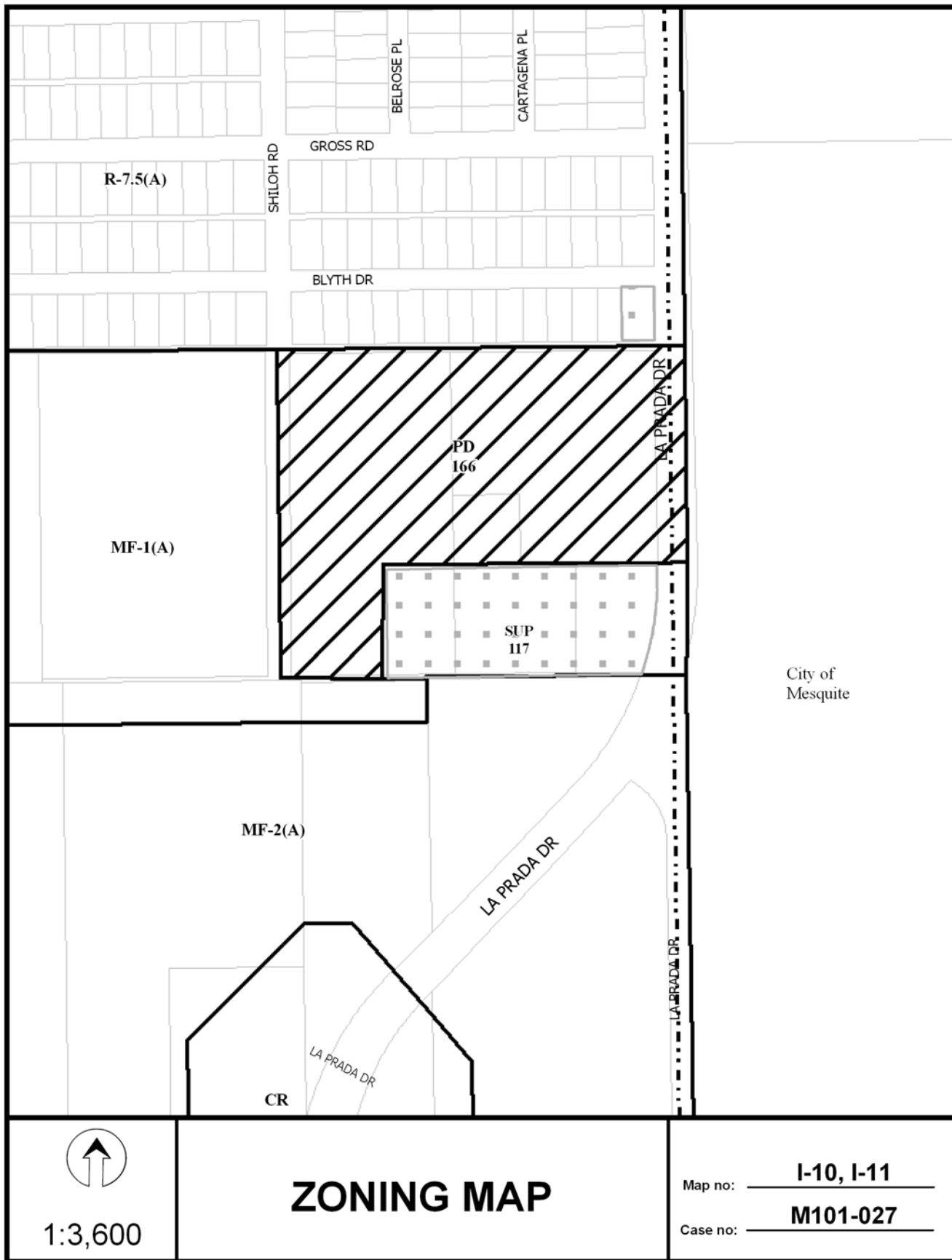
Minor Amendment for Area 1 development plan/Area 2 conceptual plan

On December 7, 1983, the City Council passed Ordinance No. 18065 which established Planned Development District No. 166 for a College, Private school, Multiple-family residential uses, and the Establishment for the care of alcoholic, narcotic, or psychiatric patients on property at the above location. The ordinance was subsequently amended three times, most recently on January 13, 2010 (Ordinance No. 27794).

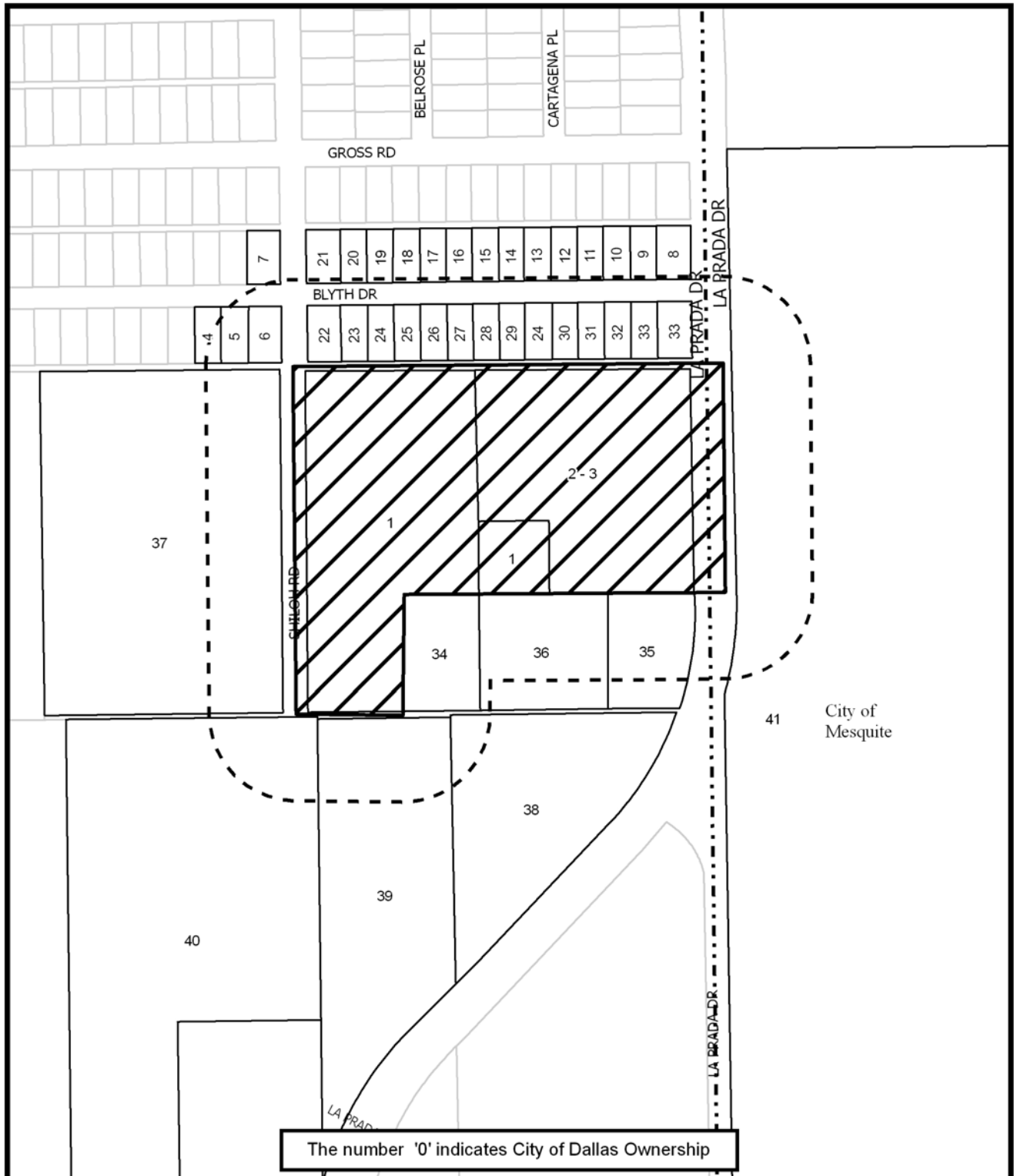
At this time, the property owner has submitted an application for consideration of a minor amendment for the Area 1 portion of the property to provide for revisions to previously approved floor area near the northern property line. Specifically, this structure is being relocated eastward as well as providing for designated walkways connecting the building with others in close proximity.


The requested minor amendment does not impact any of the other provisions of the ordinance permitting this use.

STAFF RECOMMENDATION: Approval



DATE: July 07, 2011




 1:3,600

NOTIFICATION

200' AREA OF NOTIFICATION
41 NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: I-10, I-11
 Case no: M101-027

DATE: July 07, 2011

7/7/2011

Notification List of Property Owners

M101-027

41 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8703 SHILOH	NEXUS INCORPORATED
2	8733 LA PRADA	NEXUS INCORPORATED
3	8733 LA PRADA	NEXUS INCORPORATED
4	2646 BLYTH	KOSTER PROPERTIES LTD BOX 100-540
5	2650 BLYTH	MECCA APRIL INC
6	2656 BLYTH	SANDOVAL ARISTEO & ROSALIO NINO
7	2655 BLYTH	CITY VIEW HOLDINGS
8	2837 BLYTH	HERNANDEZ LUCILLE
9	2831 BLYTH	SMITH THOMAS JR & SALLY V
10	2827 BLYTH	USREY MELBA GAY
11	2821 BLYTH	MANRIQUE RAUL
12	2817 BLYTH	MARTINEZ CRECENCIANO Y
13	2811 BLYTH	QUINONEZ PABLO
14	2805 BLYTH	PEREZ DANIEL M & ANGELA G
15	2737 BLYTH	COPELAND ROGER S
16	2731 BLYTH	WHITE DAVID
17	2727 BLYTH	PAEZ VERONICA & EMILIO A PAEZ
18	2721 BLYTH	HERNANDEZ MARIA
19	2717 BLYTH	GONZALEZ LUIS F
20	2711 BLYTH	REYES ANTONIO
21	2707 BLYTH	POWELL VALERIE & PATRICK POWELL
22	2706 BLYTH	ALVAREZ GILBERTO
23	2710 BLYTH	TORRES GONZALO R & MADELINE ANN
24	2812 BLYTH	GARCIA VICTOR
25	2720 BLYTH	BOSARGE BUSTER WAYNE
26	2726 BLYTH	REYES MARTIN RODRIGUEZ

Thursday, July 07, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2730 BLYTH	MACKEY JOSEPH C
28	2736 BLYTH	SALGADO JOSE V
29	2806 BLYTH	GARCIA VICTOR
30	2818 BLYTH	GARCIA VICTOR J
31	2822 BLYTH	GARCIA VICTOR J
32	2828 BLYTH	PEDRAZA JORGE L & YOLANDA G
33	2838 BLYTH	BAILEY MORTGAGE CORP
34	8615 LA PRADA	CENTRAL AMERICAN MISSION INTERNATIONAL
35	8625 LA PRADA	CENTRAL AMERICAN MISSION EXEMPT 1966
36	8635 LA PRADA	CENTRAL AMERICAN MISSION INTERNATIONAL
37	8702 SHILOH	SHILOH VILLAGE ASSC LTD PS
38	8405 LA PRADA	VILLA BONITA LLC
39	8383 LA PRADA	KING YVONNE G TRUST
40	2631 JOHN WEST	CARLETON LAPRADA LTD SUITE 290
41	3737 MOTLEY	DALLAS COUNTY COMMUNITY COLLEGE

Thursday, July 07, 2011

FILE NUMBER: M101-030

DATE FILED: June 17, 2011

LOCATION: Northeast Line of Sargent Road, North of Overton Road

COUNCIL DISTRICT: 7

MAPSCO: 56 E, F, J, K, L, N, P

SIZE OF REQUEST: Approx. 510.72 Acres

CENSUS TRACT: 86.03

APPLICANT/OWNER: City of Dallas

REPRESENTATIVE: Regina Stencel

MISCELLANEOUS DOCKET ITEM

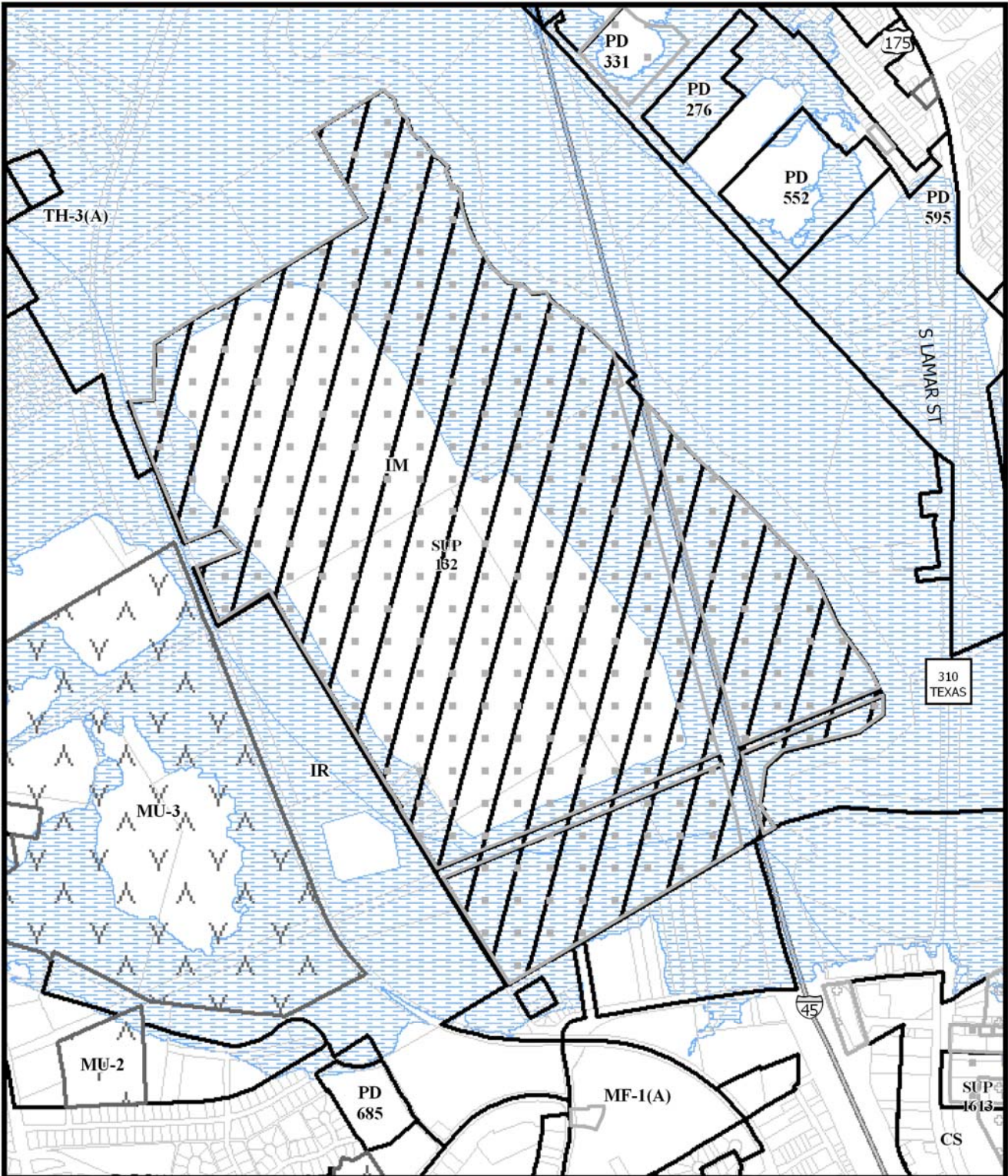
Minor Amendment for Site Plan

On June 28, 1989, the City Council passed Ordinance No. 20358 which established Specific Use Permit No. 132 for a Sewage Treatment Plant on property at the above location. Four minor amendments have been approved by the City Plan Commission, most recently on October 12, 2006.

At this time, the property owner has submitted an application for consideration of a minor amendment to the site plan to provide for revised footprints for a previously approved structures and supporting infrastructure within the northeast corner of the property.

The applicant's request complies with the requirements for consideration of a minor amendment to a site plan for an SUP and does not impact any other provisions in the ordinance regulating the property.

Staff Recommendation: Approval



1:13,200

ZONING MAP

Map no: L-8, M-8

Case no: M101-030

DATE: July 19, 2011

Notification List of Property Owners

M101-030

22 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3621 SARGENT	HML HOLDINGS LLC100
2	2711 SARGENT	TEXAS UTILITIES ELEC CO % STATE & LOCAL TAX
DEPT		
3	4702 LAMAR	OKON BEN B TRUSTEE & OKON FAMILY PS THE
4	5005 LAMAR	LOSHEL COMPANY
5	3033 SARGENT	GUTOW ELLIS ADAM & MATTHEW ELLIS
6	3839 OVERTON	BELL ED CONST CO
7	3629 OVERTON	ED BELL INVESTMENTS INC
8	3723 OVERTON	MOODY EDDIE JAMES JR
9	3727 OVERTON	MOODY EDDIE JR
10	3739 OVERTON	AC OVERTON REALTY LTD ATTN: KEVIN SMITH
11	3805 OVERTON	AC OVERTON REALTY LTD ATTN: KEVIN
BOLLMAN		
12	3805 OVERTON	BELL ED INVESTMENTS INC
13	2900 SOUTHERLAND	WONDERVIEW PROPERTIES LLC `
14	3700 SARGENT	GENERAL BATTERY CORP % EXIDE TECH - BLDG
200		
15	1100 SARGENT	MAINLAND LAND & EQUIP CO
16	1100 SARGENT	DARLING INTERNATIONAL INC STE 300
17	1240 SARGENT	MISSOURI PACIFIC RR CO % UNION PACIFIC PPTY
TAX		
18	1240 SARGENT	DARLING INTERNATIONAL INC STE 300
19	2500 SARGENT	TXU ELECTRIC DELIVERY CO
20	3200 KIEST	SOUTHERLAND 37 LLC
21	1500 SARGENT	DART REAL ESTATE DIVISION
22	2300 GRAND	BNSF RAILWAY % PROPERTY TAX DEPT

Tuesday, July 19, 2011

FILE NUMBER: M101-031

DATE FILED: June 24, 2011

LOCATION: Belt Line Road and Montfort Drive, Northwest Corner

COUNCIL DISTRICT: 11

MAPSCO: 14D

SIZE OF REQUEST: Approx. 1.9 Acres

CENSUS TRACT: 136.12

APPLICANT: Sparkle Sign, Inc.

OWNER: Shamrock Adventure XXVII

REPRESENTATIVE: George Lowery

MISCELLANEOUS DOCKET ITEM

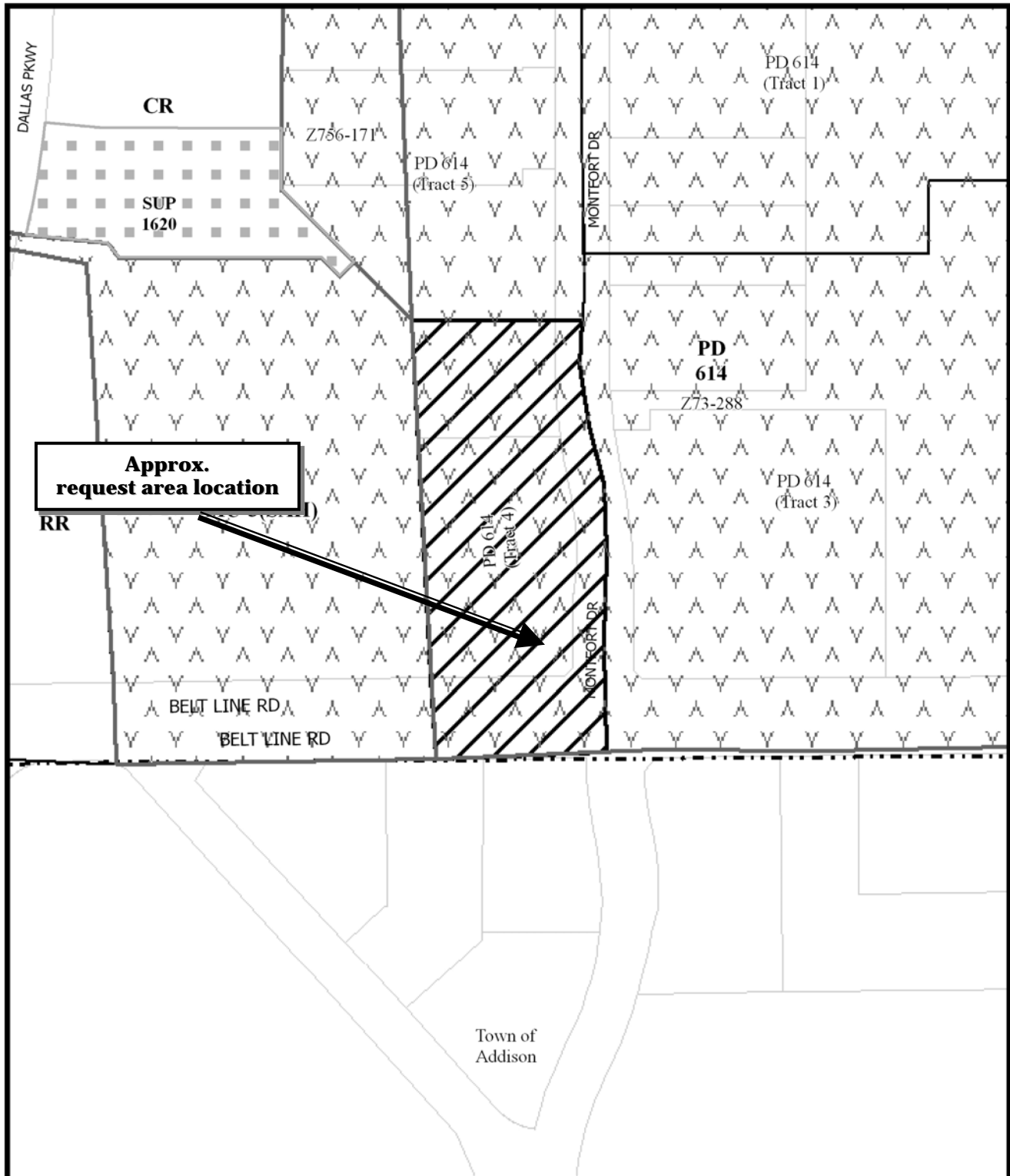
Minor Amendment for Development Plan and Landscape Plan –Tract IV

On September 12, 2001, the City Council passed Ordinance No. 24078 which established Planned Development District No. 614 for those uses allowed in an RR Regional Retail District on Tracts I thru VII and those uses allowed in an RR Regional Retail District and a TH-3(A) Townhouse District on Tract VIII. The PDD was approved with a development plan and landscape plan for Tract I, with the balance of tracts being approved as part of the conceptual plan. CPC approval of development plans for these conceptual tracts is required by ordinance. On October 21, 2004, the City Plan Commission recommended approval of a development plan and landscape plan for this parcel within Tract IV.

At this time, the property owner has submitted an application for a minor amendment to the development plan to provide for an electrical charging station and canopy, to be located in an off-street parking space within the southeast corner of the site. The landscape plan has been revised to provide for consistency. Required off-street parking is being maintained on the site.

The applicant's request complies with the requirements for consideration of a minor amendment to a landscape plan and does not impact any other provisions of the ordinance regulating the property.

Staff Recommendation: Approval

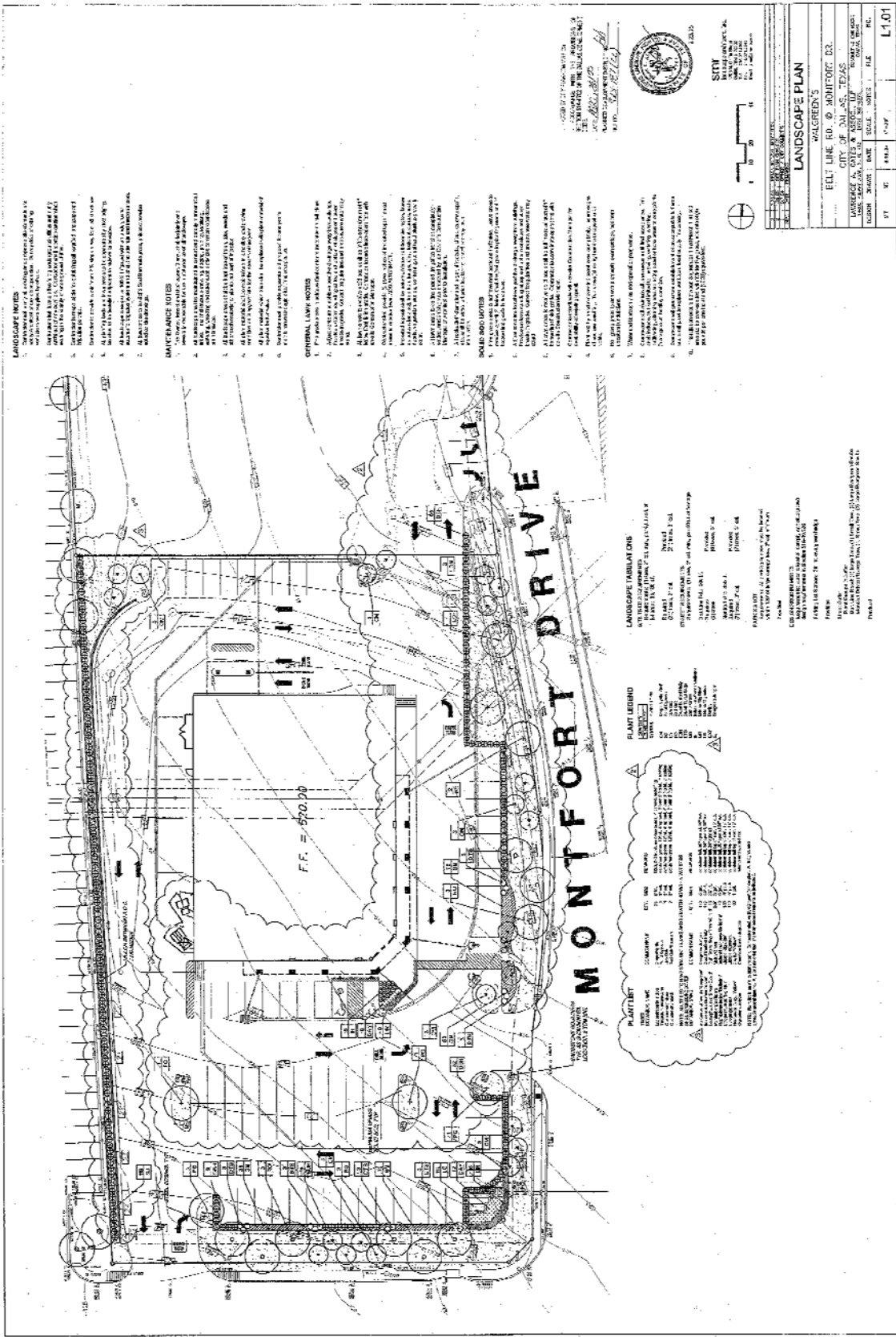


1:2,400

ZONING MAP

Map no: B-7

Case no: M101-031



LANDSCAPE NOTES

1. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
2. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
3. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
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8. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
9. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
10. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.

MAINTENANCE NOTES

1. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
2. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
3. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
4. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
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8. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
9. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
10. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.

GENERAL LAND NOTES

1. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
2. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
3. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
4. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
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7. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
8. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
9. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
10. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.

PLANT LEGEND

SYMBOL	PLANT	QTY	REMARKS
○	PLANTING	1	PLANTING
○	PLANTING	1	PLANTING
○	PLANTING	1	PLANTING
○	PLANTING	1	PLANTING
○	PLANTING	1	PLANTING
○	PLANTING	1	PLANTING
○	PLANTING	1	PLANTING
○	PLANTING	1	PLANTING
○	PLANTING	1	PLANTING
○	PLANTING	1	PLANTING

LANDSCAPE TABULAR DATA

PLANT	QTY	REMARKS
PLANTING	1	PLANTING
PLANTING	1	PLANTING
PLANTING	1	PLANTING
PLANTING	1	PLANTING
PLANTING	1	PLANTING
PLANTING	1	PLANTING
PLANTING	1	PLANTING
PLANTING	1	PLANTING
PLANTING	1	PLANTING
PLANTING	1	PLANTING

SCALE

1" = 10'

0 10 20 30 40 50 60 70 80 90 100

PROJECT INFORMATION

PROJECT: LANDSCAPE PLAN

CLIENT: MONTFORT DRIVE

DATE: 10/1/2023

DRAWN BY: [Name]

CHECKED BY: [Name]

SCALE: 1" = 10'

PROJECT NO.: [Number]

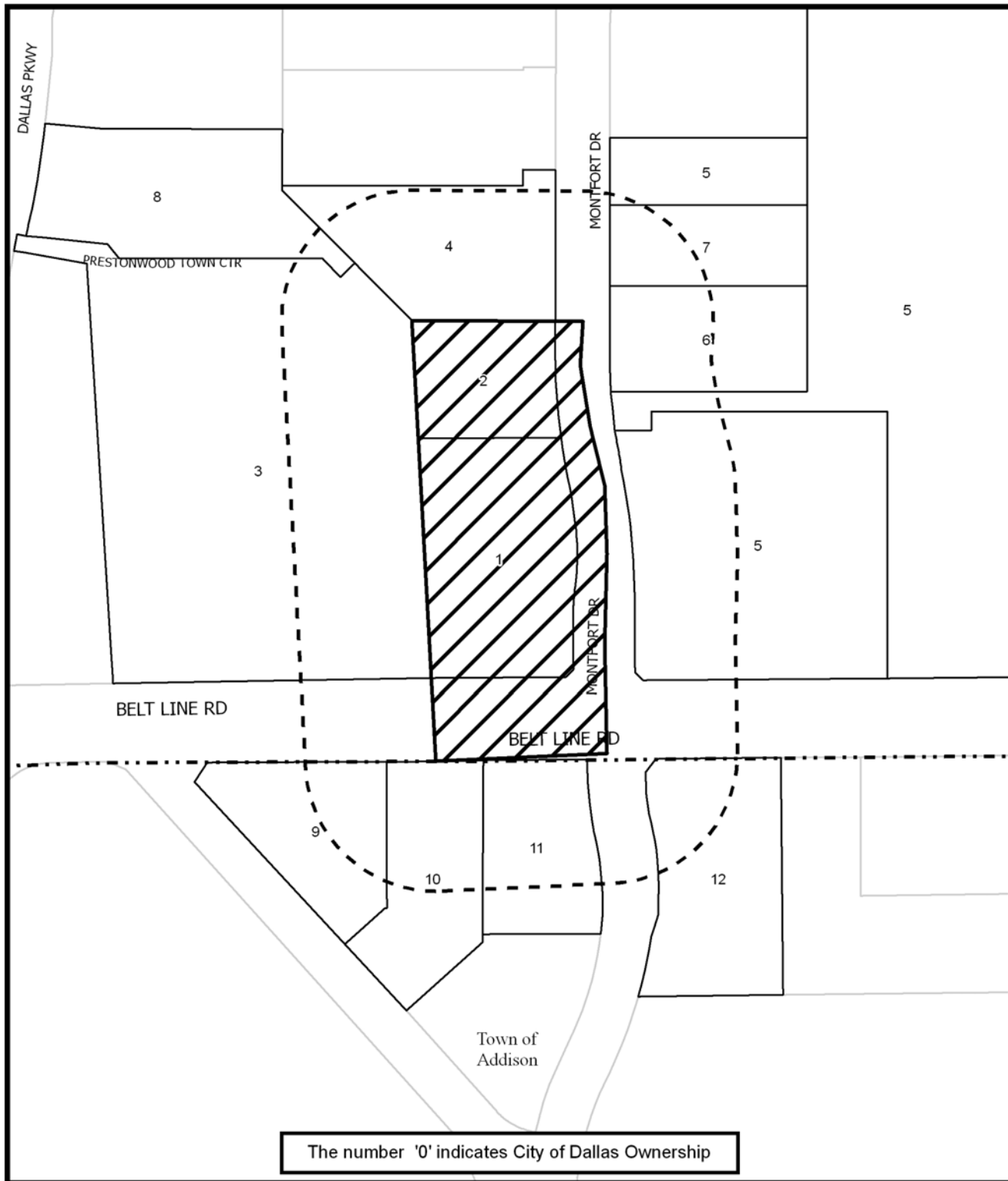
DATE: 10/1/2023

DRAWN BY: [Name]

CHECKED BY: [Name]

SCALE: 1" = 10'

PROJECT NO.: [Number]



1:2,400

NOTIFICATION

200'

AREA OF NOTIFICATION

12

NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: B-7

Case no: M101-031

DATE: July 19, 2011

Notification List of Property Owners

M101-031

12 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5201 BELT LINE	RATNER RETAIL GROUP 3000 MS #1435
2	15125 MONTFORT	SWANNER WILLIAM E
3	5151 BELT LINE	PRESTONWOOD TOWER LTD SUITE 650
4	15205 MONTFORT	CENTRAL NORTHAVEN LIMITED PARTNERSHIP
5	5301 MONTFORT	INLAND AMERICAN DALLAS PRESTONWOOD
LTD PS		
6	15202 MONTFORT	SAIF & SAFIA REAL ESTATE LLC
7	15208 MONTFORT	CFT DEVELOPEMENTS LLC % DAVID LUO
8	15240 DALLAS	JAYMAR ESTATES LTD
9	5220 BELT LINE	MONTFORT JOINT VENTURE ATTN: TAX DEPT
10	5260 BELT LINE	STONEGATE CO LTD
11	5280 BELT LINE	EL FENIX CORP SUITE 300
12	5290 BELT LINE	MCENTIRE J B JR ET AL % MUTUAL LF INS CO OF
NY		

Tuesday, July 19, 2011

FILE NUMBER: M101-032

DATE FILED: June 27, 2011

LOCATION: Southwest line of Webb Chapel Road at El Centro Drive

COUNCIL DISTRICT: 6

MAPSCO: 23 Z

SIZE OF REQUEST: Approx. 11.4 Acres

CENSUS TRACT: 72.02

APPLICANT/OWNER: Northwest/Webb Chapel Properties, LP

REPRESENTATIVE: Daniel Millner

MISCELLANEOUS DOCKET ITEM

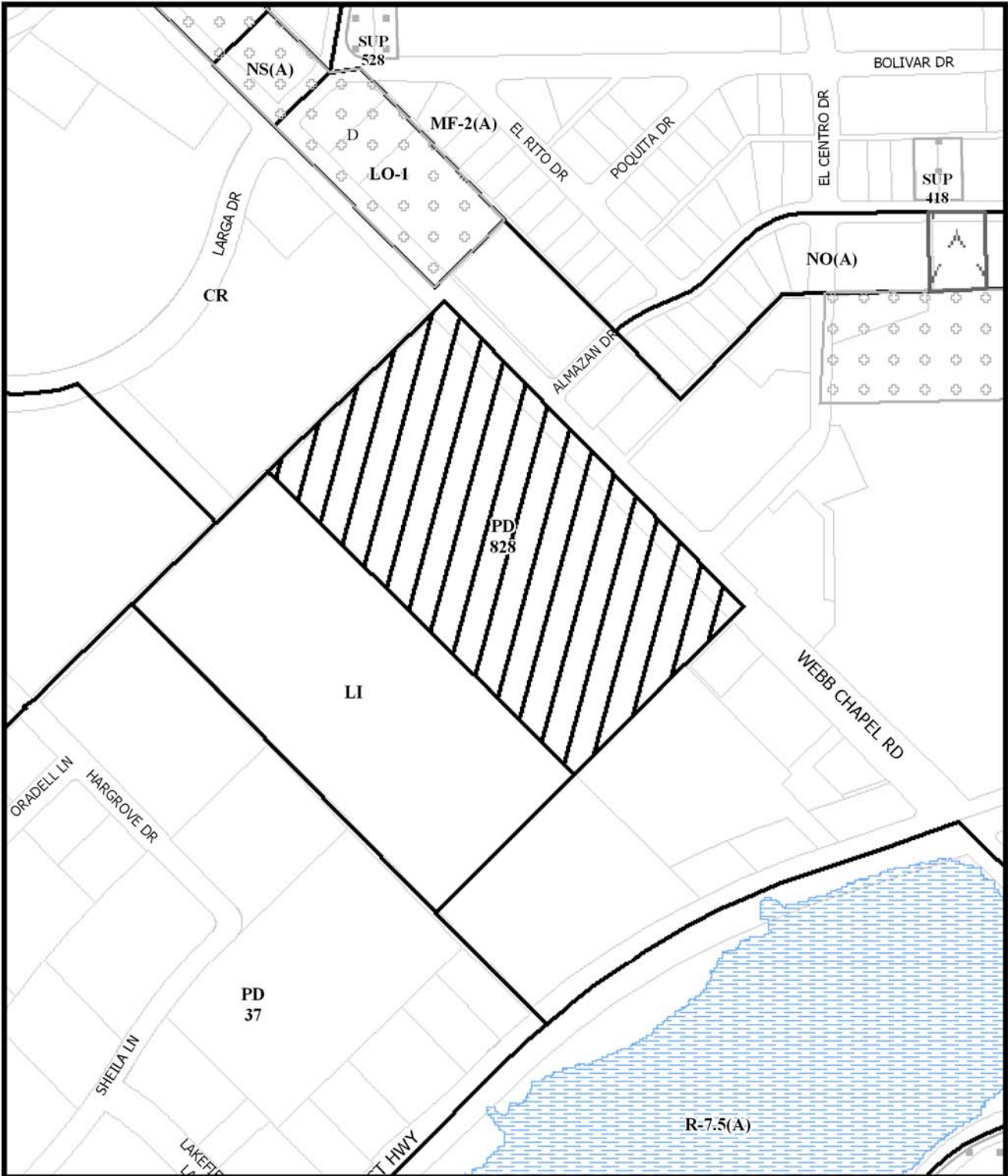
Minor Amendment for Development Plan

On June 9, 2010, the City Council passed Ordinance No. 27905 which established Planned Development District No. 828 for a Warehouse club and CR Community Retail District Uses on property at the above location.

At this time, the property owner has requested consideration of a minor amendment to the development plan to provide for a canopy structure and removal of one tree planter along the main façade.

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

STAFF RECOMMENDATION: Approval



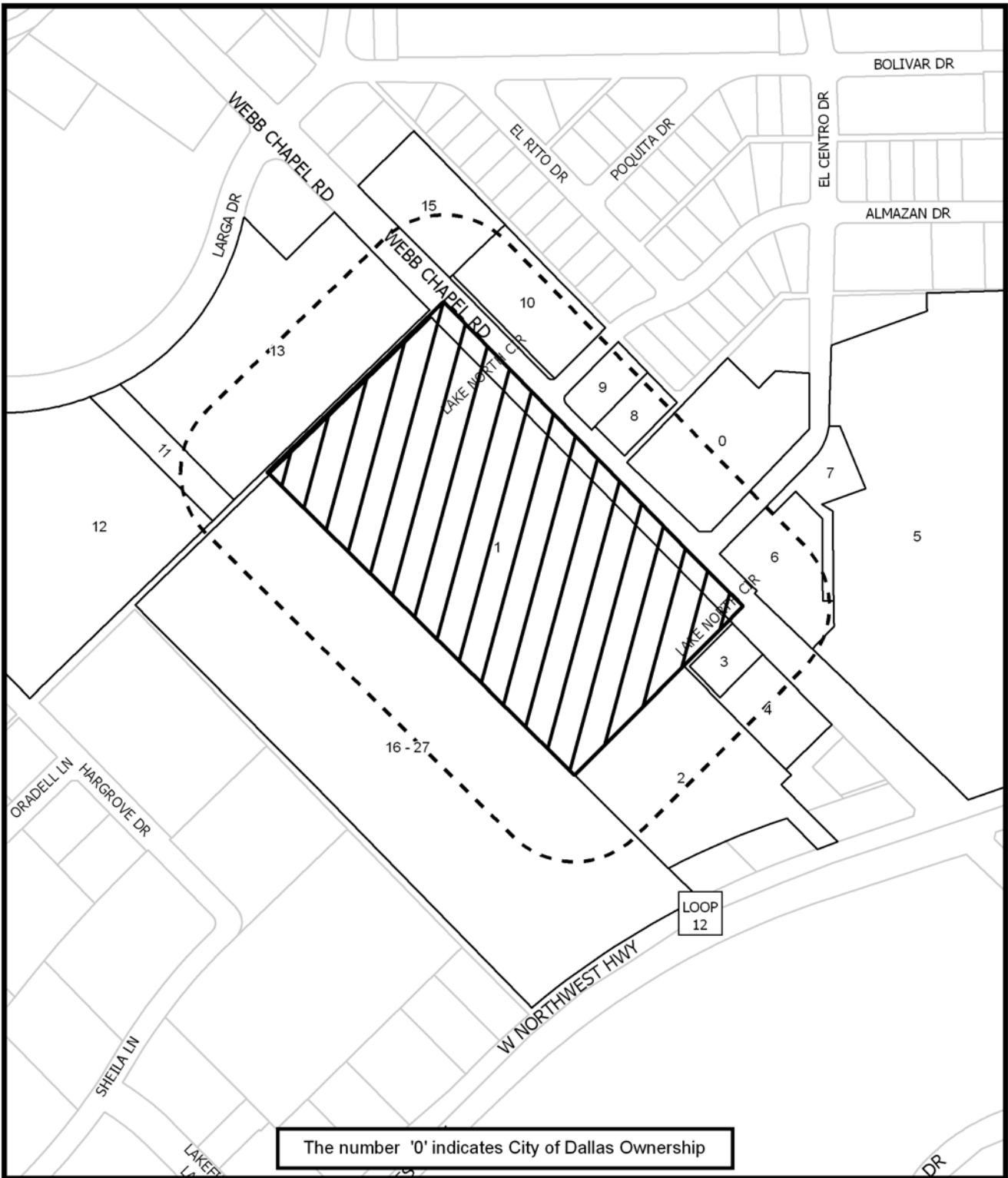
1:3,600

ZONING MAP

Map no: G-5, F-6, G-6

Case no: M101-032

DATE: July 19, 2011



The number '0' indicates City of Dallas Ownership


 1:3,600

NOTIFICATION

200'	AREA OF NOTIFICATION
27	NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: <u> G-5, F-6, G-6 </u>
Case no: <u> M101-032 </u>

DATE: July 19, 2011

Notification List of Property Owners

M101-032

27 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1 CLAASSEN	9461 WEBB CHAPEL	NORTHWEST WEBB CHAPEL PRO %DAVID E
2	3641 NORTHWEST	RED BIRD I 20 CORP SUITE 300
3	9419 WEBB CHAPEL	HUANG & FU CORPORATION
4	9411 WEBB CHAPEL	METRO PACIFIC EQUITIES IN
5	3701 NORTHWEST	BACHMAN LAKE VILLAGE INC STE 300
6	9440 EL CENTRO	BACHMAN LAKE VILLAGE INC SUITE 300
7	9444 EL CENTRO	BACHMAN LAKE VILLAGE INC SUITE 580
8	9490 WEBB CHAPEL	MAO LP SUITE 214
9	9492 WEBB CHAPEL	K J PROPERTIES
10	9500 WEBB CHAPEL	LY KUVENG
11	9430 LARGA	CHOE PROPERTIES LLC
12	3330 WEBB CHAPEL	BGWP WARWICK LP % BASCOM GROUP
13	9494 LARGA	CHAPEL OAKS APARTMENTS LP
14	9511 WEBB CHAPEL	LY KUVENG
15	9528 WEBB CHAPEL	AHRLEM LP
16	2702 LOVE FIELD	SOUTHWEST AIRLINES CO
17	8020 DENTON	JACKS AUTO SUPPLY
18	7212 CEDAR SPRINGS	HERTZ RENT A CAR
19	7020 CEDAR SPRINGS	AVIS RENT A CAR % REAL ESTATE TAX DEPT
20	3251 TOM BRANIFF	AMERICAN ITALIAN FOODS
21 INC	8333 LEMMON	SOUTHWESTERN BELL SBC COMMUNICATIONS
22	3377 EDWARDS	NATIONAL CAR RENTAL TAX DEPT 1154
23	3410 HAWES	ALAMO RENT A CAR TAX DEPT 1154
24	6828 ANSLEY	DOLLAR RENT A CAR
25	8611 LEMMON	BUSINESS JET CENTER
26	3250 LOVE FIELD	MLT DEVELOPMENT % GREGORY TUCKER

Tuesday, July 19, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27 TUCKER	3232 LOVE FIELD	MLT DEVELOPMENT COMPANY %GREGORY

Tuesday, July 19, 2011

FILE NUMBER: W101-007

DATE FILED: July 12, 2011

LOCATION: South side of West 10th Street between Madison Avenue and Bishop Avenue

COUNCIL DISTRICT: 1

MAPSCO: 54G

SIZE OF REQUEST: Approx. 1.5 acres

CENSUS TRACT: 47.00

MISCELLANEOUS DOCKET ITEM:

Owner: City of Dallas

Waiver of Two-Year Waiting Period

On August 11, 2010, the City Council approved Planned Development District No. 830, the Davis Street Special Purpose District, located generally along the Davis Street corridor between Plymouth Road to the west and Zang Boulevard to the east. The waiver request is located within Subdistrict 3. According to Section 51A-4.701(d) of the Dallas Development Code, a new application on this property cannot be filed prior to August 11, 2012, 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 create a new subdistrict within the PDD to allow a library use. A City of Dallas library is currently developed on the site. However, the PDD does not allow a library use. The applicant proposes to build a new library in the location of the current library.

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: Approval

W101-007

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. Z089-219 - PD-830

Location Dallas, Texas Lots 11A, 19 & 20 City Block 42/3162

Date of last CPC or CC Action 8-9-2010

Applicant's Name, Address & Phone Number Joe McCall - Oglesby Greene Inc.

1925 San Jacinto St #300 - Dallas, Tx - 214.954.0430

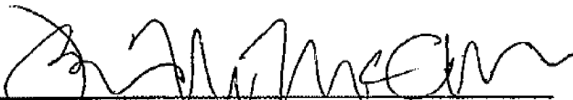
Property Owner's Name, Address and Phone No., if different from above

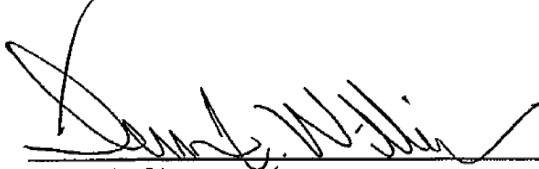
City of Dallas - 1500 Marilla - Dallas, Tx 75201

Primary Contact - Terry Williams - 320 E. Jefferson Blvd - Dallas, Tx - 214.948.4539

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

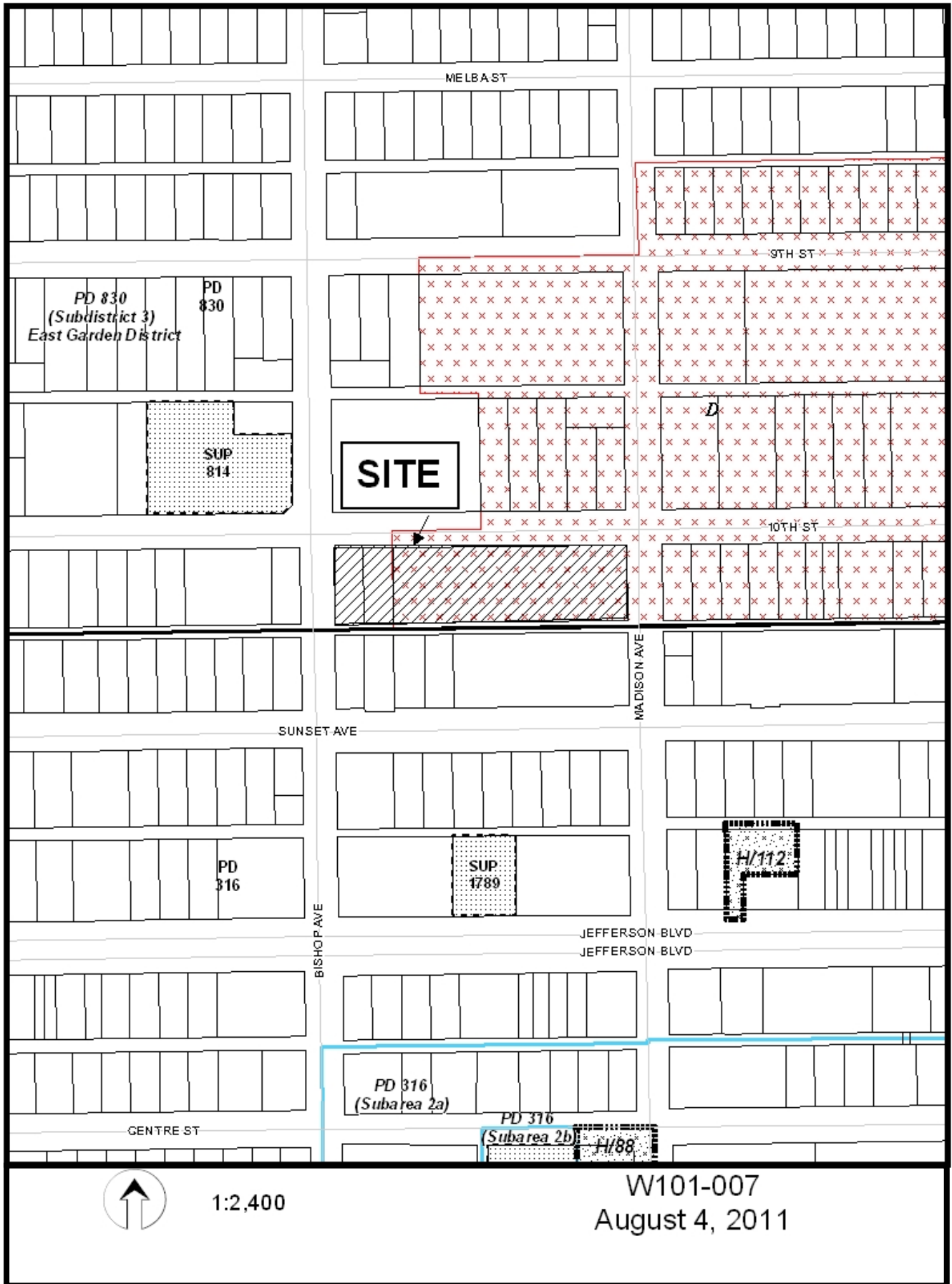
PD-830 omitted a library as an acceptable use even though there is an existing library currently located within Sub-district 3. The City of Dallas will be building a new library to replace the existing facility so this will need to be addressed. Also, since the library will take a full half block, revisions need to be made to the PD by creating a new sub-district for the library site otherwise it would not be possible to meet the frontage requirements of the PD with this size facility.


Applicant's Signature


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

7-12-11

Date Received
Fee: \$300.00



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

FILE NUMBER: 1106275001

DATE FILED: June 20, 2011

LOCATION: 2200 Ross Avenue

SIZE OF REQUEST: 900 sq. ft.

COUNCIL DISTRICT: 14

ZONING: CA-1(A)

MAPSCO: 45L

APPLICANT: Sue Butler

CONTRACTOR: Starlite Signs

OWNER/TENANT: Chase Tower

REQUEST: Install a 900 square foot upper level flat attached sign on the north elevation of 2200 Ross Avenue.

SUMMARY:

- Each upper level flat attached sign may have a maximum of eight words that contain any character of a height equal to or exceeding four inches. City Code Section 7.911(e)(2)(A)
- Upper level flat attached signs must be wholly located within the upper level sign area. City Code Section 7.911(e)(2)(B)
- The illuminated sign contains the Chase Bank logo.
- The illuminated sign is blue.
- The proposed sign meets the requirements of the Dallas City Code.

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval



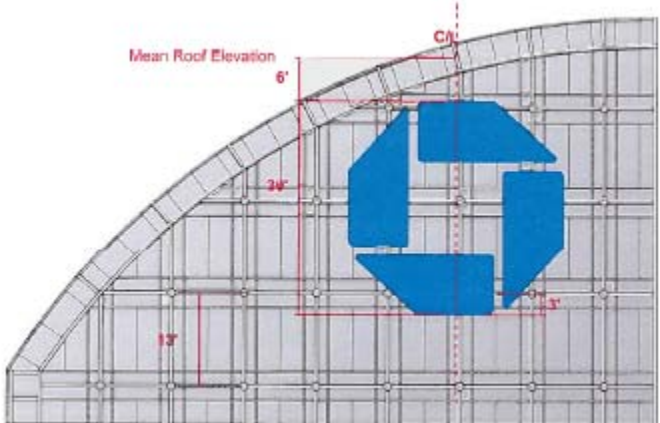
NORTH ELEVATION - DAY

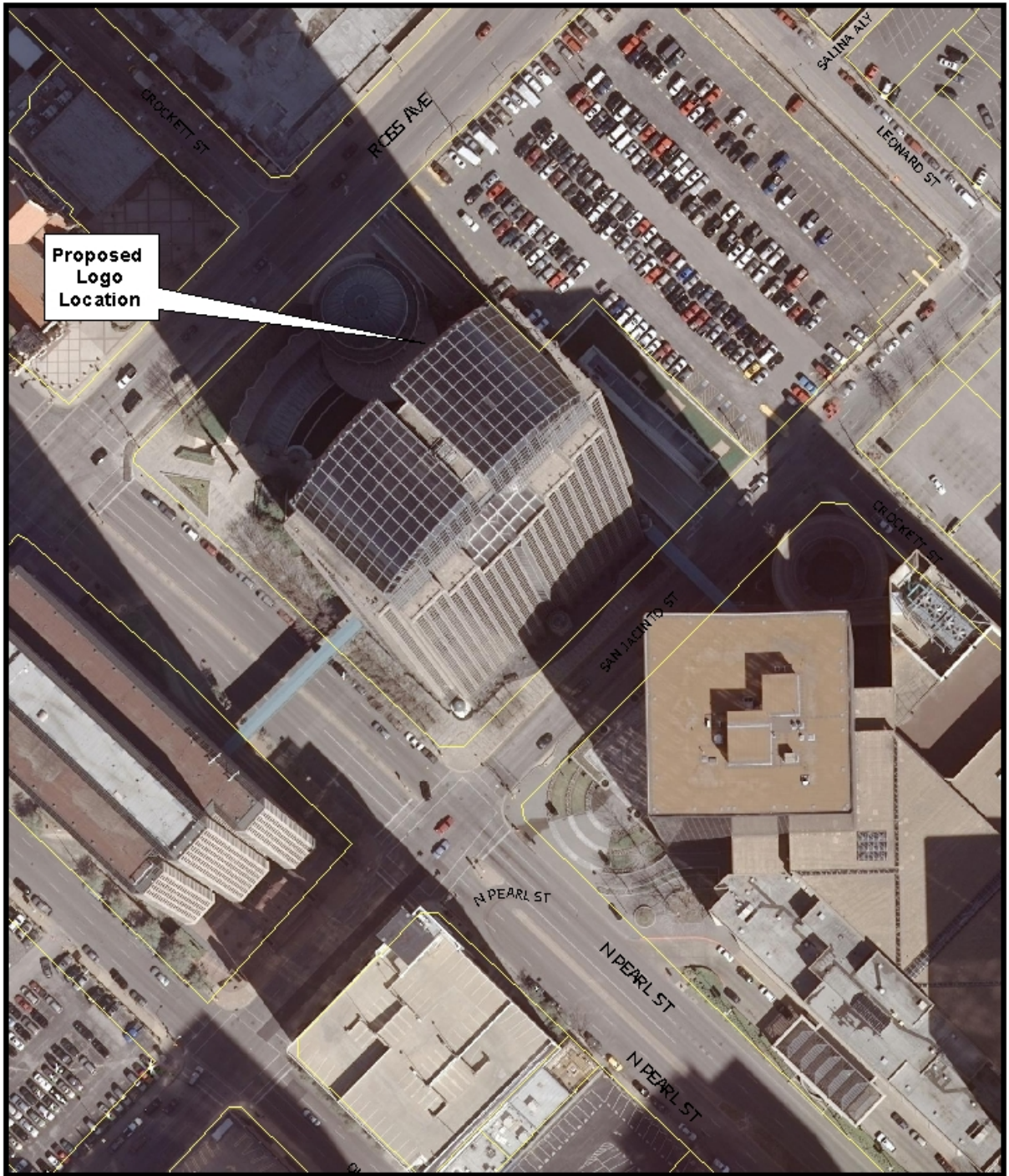


BEFORE



AFTER





1:1,250

DATE: May 18, 2010

AERIAL MAP

Sign District:

E-8

Case no:

1106275001

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

DOWNTOWN DISTRICT SIGN DISTRICT

FILE NUMBER: 1106275002

DATE FILED: June 20, 2011

LOCATION: 2200 Ross Avenue

SIZE OF REQUEST: 345 sq. ft.

COUNCIL DISTRICT: 14

ZONING: CA-1(A)

MAPSCO: 45L

APPLICANT: Sue Butler

CONTRACTOR: Starlite Signs

OWNER/TENANT: Chase Tower

REQUEST: Install a 345 square foot middle level flat attached sign on the south elevation of 2200 Ross Avenue.

SUMMARY:

- A middle level sign is an attached sign wholly or partially situated within the middle level sign area. Sec. 51A-7.903(22.1)
- The middle level sign area means the portion of a building façade that is between the lower level sign area and the upper level sign area. Sec. 51A-7.903(22.2)
- The maximum effective area for a middle level flat attached sign is 500 square feet. Sec. 51A-7.911(e)(2)(C)
- The sign contains the text "Chase" and the Chase Bank logo.
- The text on the illuminated sign is white and the logo is blue.
- The proposed sign meets the requirements of the Dallas City Code.

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

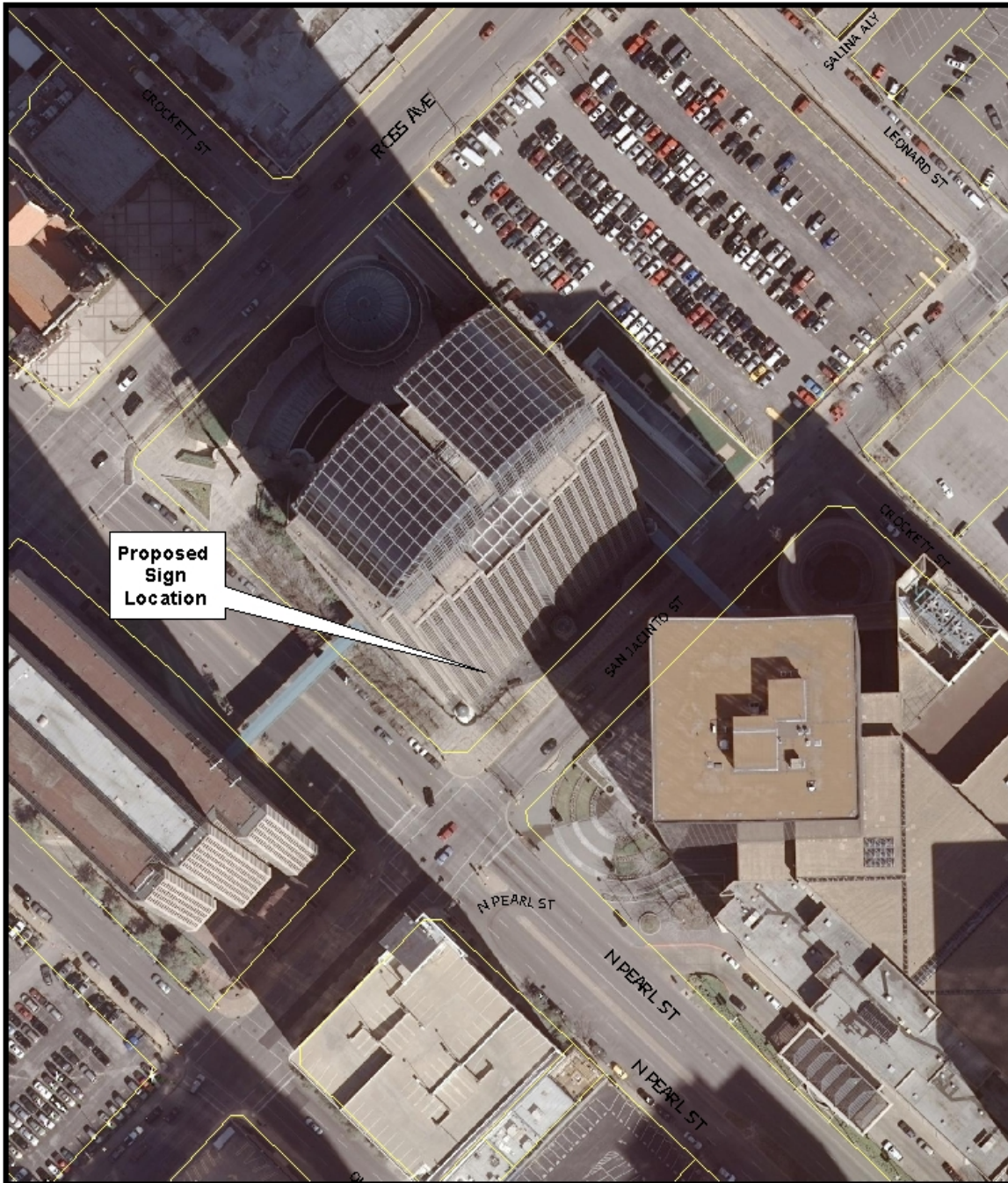




BEFORE



AFTER



Proposed Sign Location



1:1,250

AERIAL MAP

Sign District:

E-8

Case no:

1106275002

DATE: May 18, 2010

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

DOWNTOWN DISTRICT SIGN DISTRICT

FILE NUMBER: 1106275003

DATE FILED: June 20, 2011

LOCATION: 2200 Ross Avenue

SIZE OF REQUEST: 345 sq. ft.

COUNCIL DISTRICT: 14

ZONING: CA-1(A)

MAPSCO: 45L

APPLICANT: Sue Butler

CONTRACTOR: Starlite Signs

OWNER/TENANT: Chase Tower

REQUEST: Install a 345 square foot middle level flat attached sign on the north elevation of 2200 Ross Avenue.

SUMMARY:

- A middle level sign is an attached sign wholly or partially situated within the middle level sign area. Sec. 51A-7.903(22.1)
- The middle level sign area means the portion of a building façade that is between the lower level sign area and the upper level sign area. Sec. 51A-7.903(22.2)
- The maximum effective area for a middle level flat attached sign is 500 square feet. Sec. 51A-7.911(e)(2)(C)
- The sign contains the text "Chase" and the Chase Bank logo.
- The text on the illuminated sign is white and the logo is blue.
- The proposed sign meets the requirements of the Dallas City Code.

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval

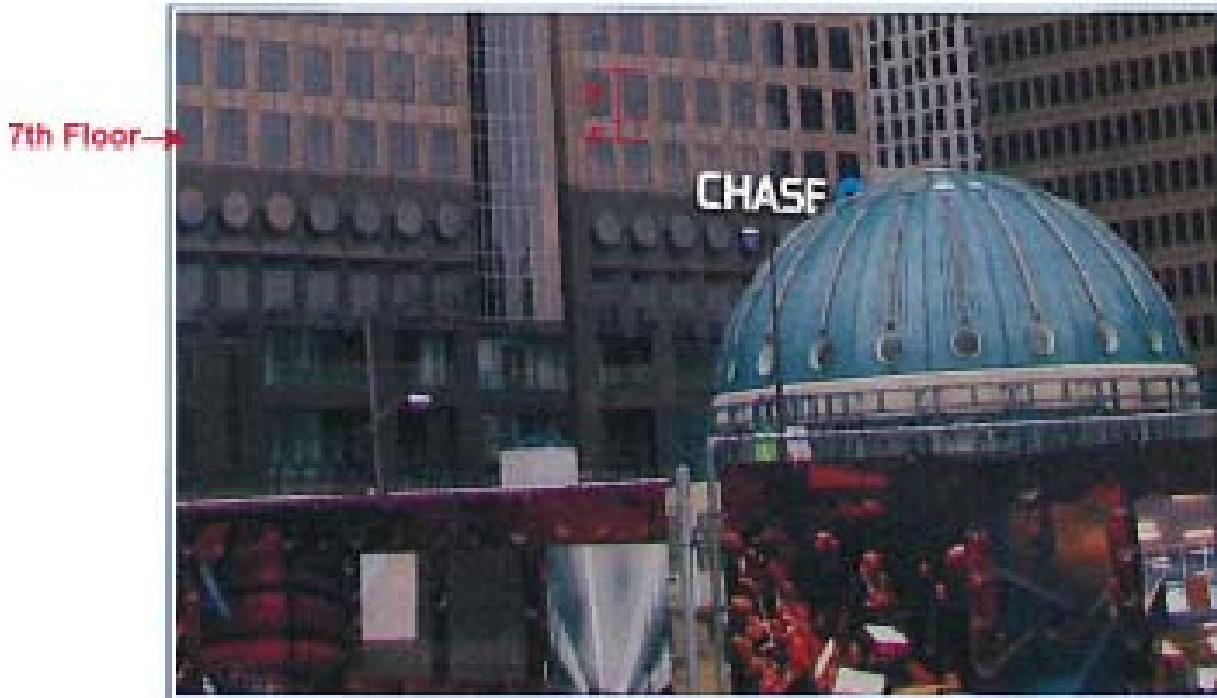
STAFF RECOMMENDATION: Approval



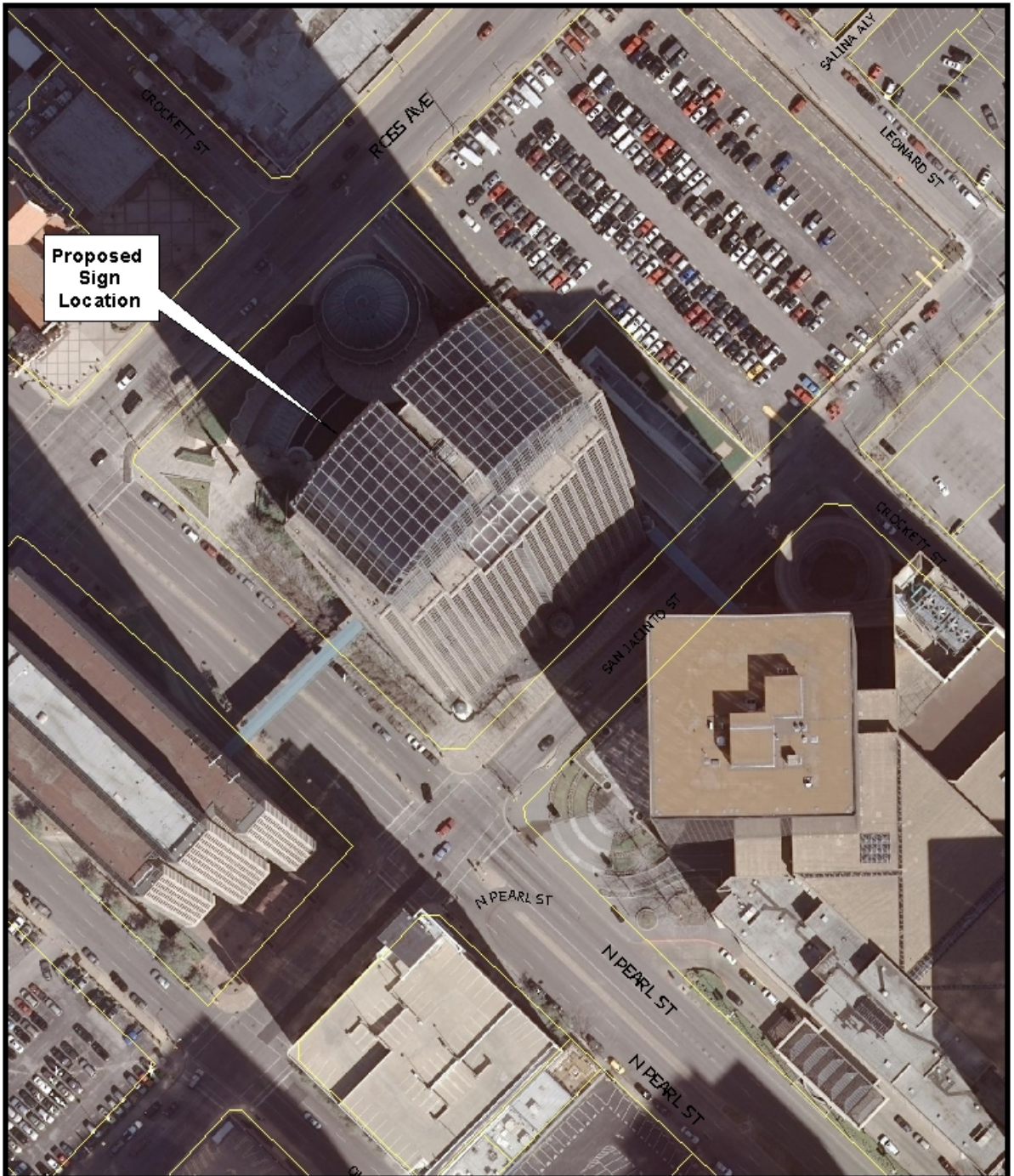
NORTH ELEVATION



BEFORE



AFTER



Proposed Sign Location



1:1,250

AERIAL MAP

Sign District: **E-8**
Case no: **1106275003**

DATE: May 18, 2010

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

FILE NUMBER: 1106305001

DATE FILED: June 30, 2011

LOCATION: 2100 Live Oak

SIZE OF REQUEST: Kiosk relocation

COUNCIL DISTRICT: 14

ZONING: CA-1(A)

MAPSCO: 45L

APPLICANT: Scott Reynolds

CONTRACTOR: Reynolds Outdoor Media

OWNER/TENANT: DART

REQUEST: To relocate an existing kiosk. The current location is on the west corner of Marilla and Ervay. The new location is the corner of Live Oak and Pearl.

SUMMARY: The kiosk is 10 feet tall, with a concrete pad base measuring 5 feet in diameter. The property owner has signed a sign premise warranty.

- Kiosks must be spaced at least 300 feet apart. Sec. 51A-7.918(b)(2)
- The message area of a kiosk may not exceed 60 percent of the effective area of the kiosk. Sec. 51A-7.918(b)(10)
- Kiosks may be relocated within this district, provided the new location and kiosk design complies with this section. Sec. 51A-7.918(b)(12)
- The proposed sign meets the requirements of the Dallas City Code.

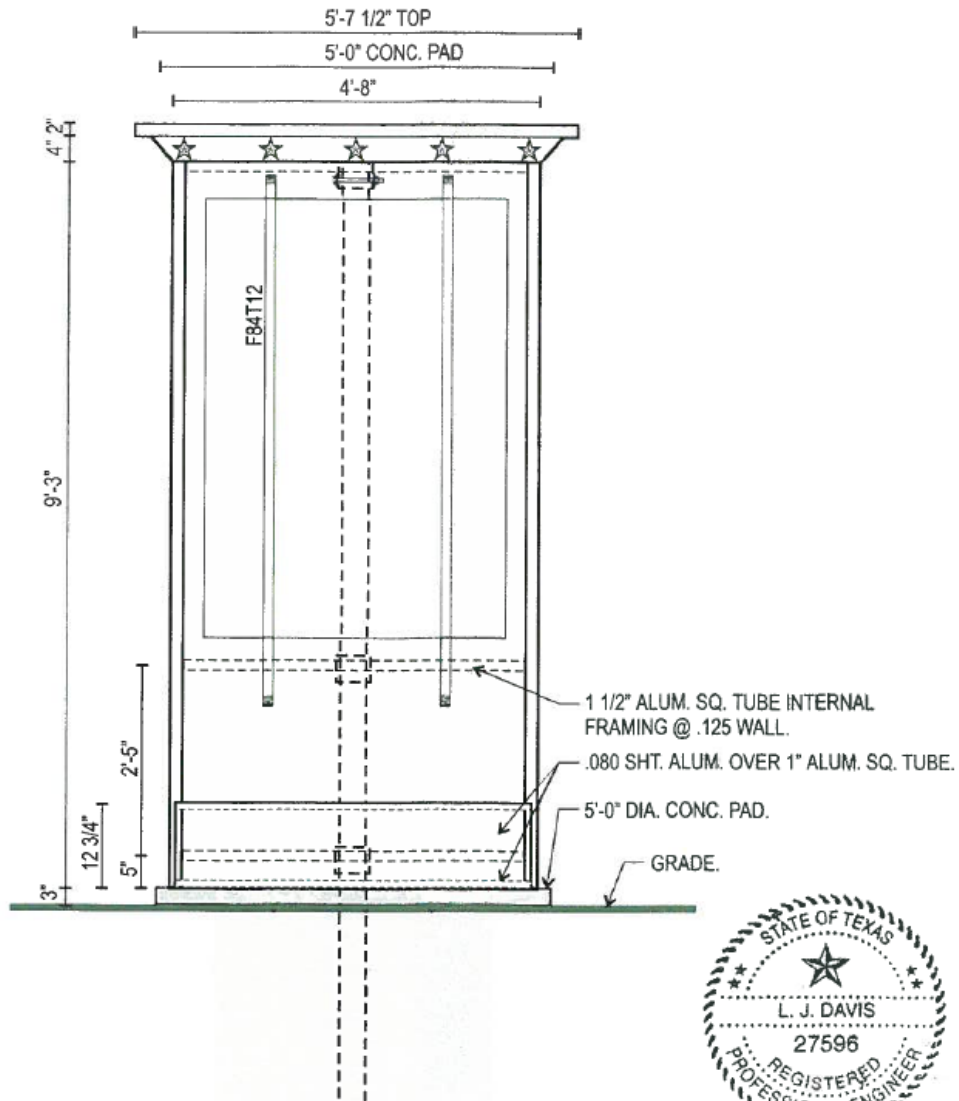
SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

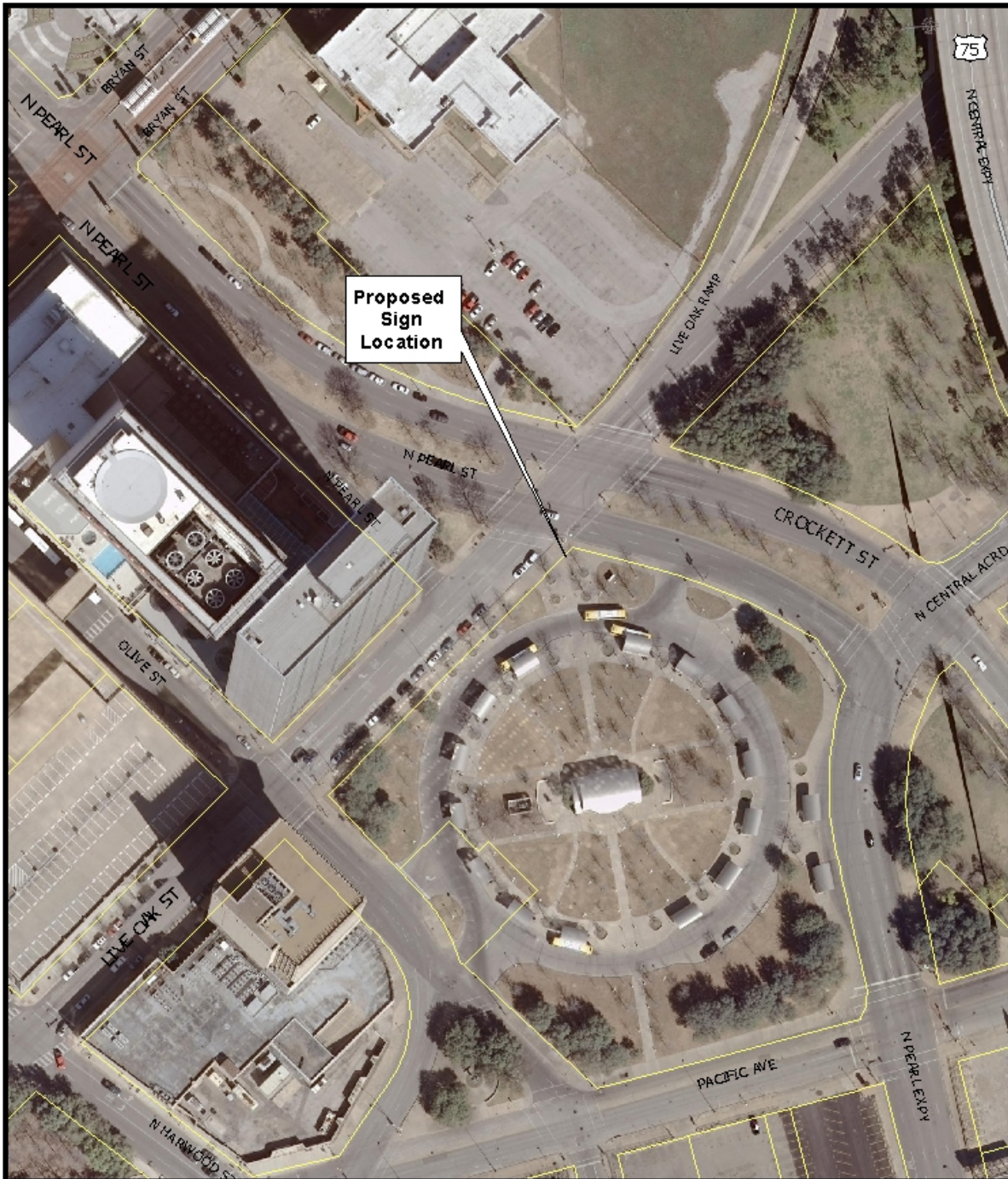
2110 LIVE OAK - Corner of Live Oak & Pearl



CYLINDRICAL KIOSK STRUCTURAL DRAWING



Copyright 2003 - 2010 Reynolds Outdoor Media
 Reynolds Outdoor Media kiosk and directory designs are the sole property of Reynolds Outdoor Media.
 The proprietary designs are supplied for the purpose of assessing the merits of a relationship with the understanding
 that they will be held confidential and not disclosed to third parties without the prior consent of Reynolds Outdoor Media.




1:1,500

AERIAL MAP

Sign District: **E-8**
Case no: **1106305001**

DATE: May 18, 2010

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

DOWNTOWN DISTRICT SIGN DISTRICT

FILE NUMBER: 1106305002

DATE FILED: June 30, 2011

LOCATION: 2100 Live Oak

SIZE OF REQUEST: Kiosk relocation

COUNCIL DISTRICT: 14

ZONING: CA-1(A)

MAPSCO: 45L

APPLICANT: Scott Reynolds

CONTRACTOR: Reynolds Outdoor Media

OWNER/TENANT: DART

REQUEST: To relocate an existing kiosk. The current location is on the southwest corner of Commerce and Griffin. The new location is the corner of Live Oak and Olive.

SUMMARY: The kiosk is 10 feet tall, with a concrete pad base measuring 5 feet in diameter. The property owner has signed a sign premise warranty.

- Kiosks must be spaced at least 300 feet apart. Sec. 51A-7.918(b)(2)
- The message area of a kiosk may not exceed 60 percent of the effective area of the kiosk. Sec. 51A-7.918(b)(10)
- Kiosks may be relocated within this district, provided the new location and kiosk design complies with this section. Sec. 51A-7.918(b)(12)
- The proposed sign meets the requirements of the Dallas City Code.

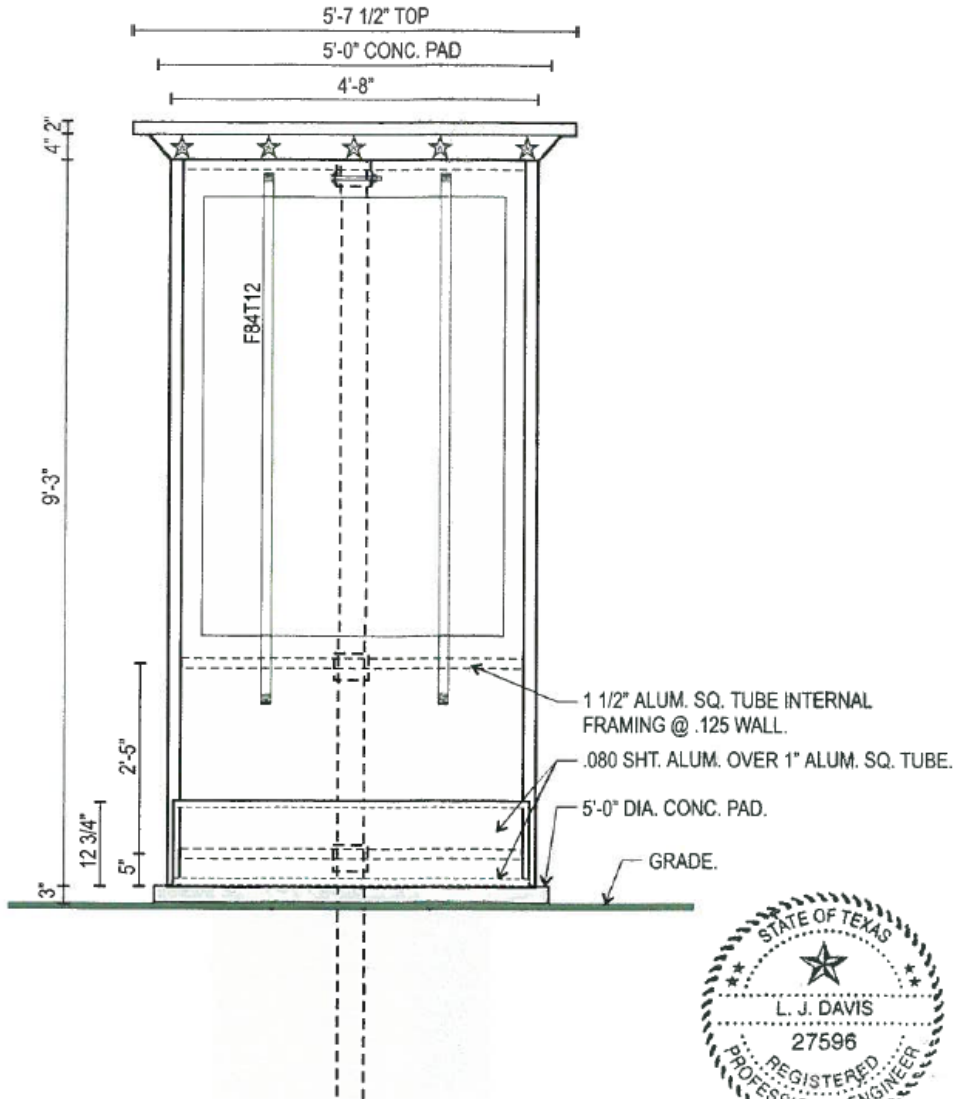
SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

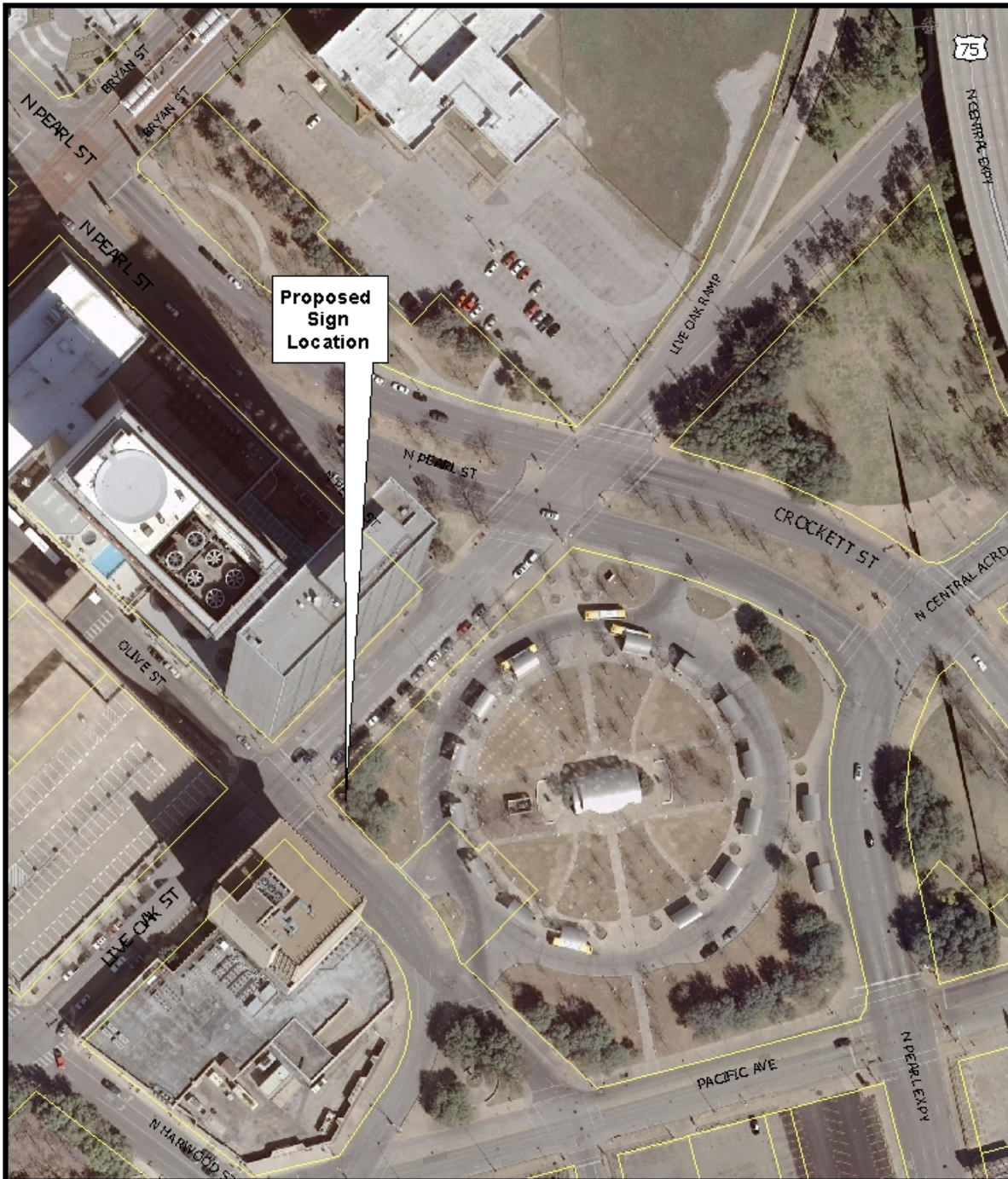
2110 LIVE OAK - Corner of Live Oak & Olive



CYLINDRICAL KIOSK STRUCTURAL DRAWING



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1:1,500

AERIAL MAP

Sign District: **E-8**
Case no: **1106305002**

DATE: May 18, 2010

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

DOWNTOWN DISTRICT SIGN DISTRICT

FILE NUMBER: 1106305003

DATE FILED: June 30, 2011

LOCATION: 2001 Elm Street

SIZE OF REQUEST: Kiosk relocation

COUNCIL DISTRICT: 14

ZONING: CA-1(A)

MAPSCO: 45L

APPLICANT: Scott Reynolds

CONTRACTOR: Reynolds Outdoor Media

OWNER/TENANT: The Cain Foundation

REQUEST: To relocate an existing kiosk. The current location is on the northwest corner of San Jacinto and St. Paul. The new location is the corner of Harwood and Pacific.

SUMMARY: The kiosk is 10 feet tall, with a concrete pad base measuring 5 feet in diameter. The property owner has signed a sign premise warranty.

- Kiosks must be spaced at least 300 feet apart. Sec. 51A-7.918(b)(2)
- The message area of a kiosk may not exceed 60 percent of the effective area of the kiosk. Sec. 51A-7.918(b)(10)
- Kiosks may be relocated within this district, provided the new location and kiosk design complies with this section. Sec. 51A-7.918(b)(12)
- The proposed sign meets the requirements of the Dallas City Code.

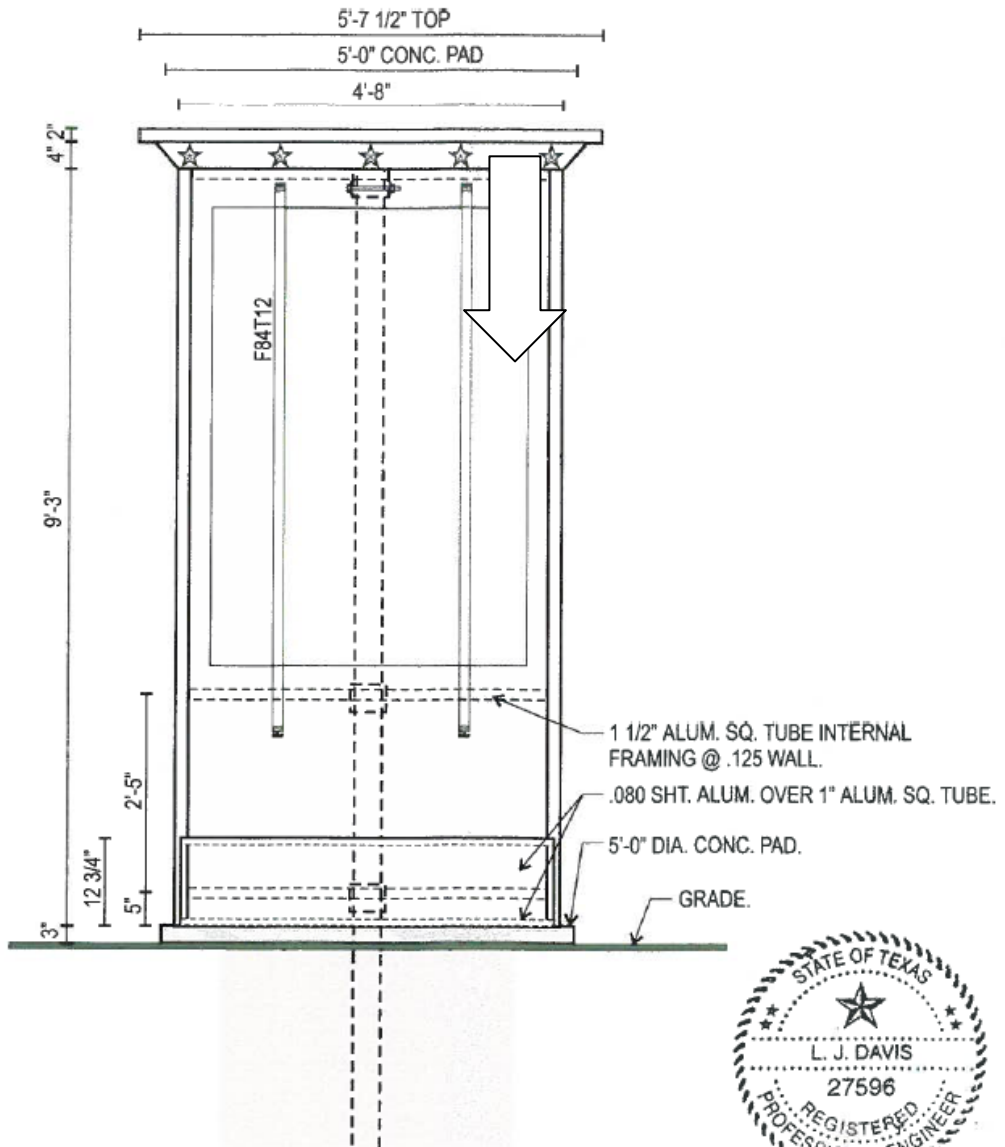
SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

2001 ELM ST - Corner of Harwood & Pacific



CYLINDRICAL KIOSK STRUCTURAL DRAWING



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 The proprietary designs are supplied for the purpose of assessing the merits of a relationship with the understanding
 that they will be held confidential and not disclosed to third parties without the prior consent of Reynolds Outdoor Media.



1:1,000

AERIAL MAP

Sign District: **E-8**
Case no: **1106305003**

DATE: May 18, 2010

Planner: Mike Grace, AICP

FILE NUMBER: Z101-247(MG) **DATE FILED:** April 8, 2011

LOCATION: Bounded by Young Street, S. Pearl Expressway, S. Ceasar Chavez Boulevard, and Marilla Street

COUNCIL DISTRICT: 14 **MAPSCO:** 45 Q

SIZE OF REQUEST: Approx. 4.479 acres **CENSUS TRACT:** 32.01

APPLICANT: Texas InTownHomes, LLC

OWNER: Kuykendahl 2920 LTD

REPRESENTATIVE: Audra Buckley

REQUEST: An application to create a new subdistrict within Planned Development District No. 357 the Farmer's Market Special Purpose District.

SUMMARY: The purpose of this request is to allow for the development of 108 fee simple townhomes and two open space areas.

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

BACKGROUND INFORMATION:

- The applicant’s request for a new subdistrict within Planned Development District No. 357 will allow for the development of 108 fee simple townhomes and two open space areas on property that is currently vacant.
- A pedestrian path through the center of the proposed development connecting Marilla Street to Canton Street will be provided along with 13,452 sq. ft. of open space/common area. Crosswalks and interior drives will be marked with colored and/or patterned concrete. Pedestrian seating will be provided along the perimeter of the development.
- Proposed structures will be limited to a height of 50 feet while rooftop projections such as trellis projections, and other architectural features may project an additional 12 feet.

Zoning History: There have not been any recent zoning change requests within the immediate vicinity.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
S. Pearl Expressway	Principle	80 ft.	80 ft.
S. Ceasar Chavez Blvd.	Principle	125 ft.	125 ft.
Marilla Street	Local	100 ft.	100 ft.
Canton Street	Arterial	100 ft.	100 ft.

Land Use:

	Zoning	Land Use
Site	PD-357 Subdistrict 3	Undeveloped
North	PD-357 Subdistrict 4	Single family (townhomes)
South	PD-357 Subdistrict 1	Commercial
East	PD-357 Subdistrict 6	Multi-family
West	PD-357 Subdistricts 1 and 3	Commercial

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 Downtown Building Block.

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

ECONOMIC:

GOAL 2.1 PROMOTE BALANCED GROWTH

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

LAND USE

GOAL 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN

Policy 2.3.1.1 Develop and implement strategies to reduce the Downtown office vacancy rate and to convert vacant class B and C office space to residential development. Increase the number of housing units in Downtown to 10,000 and create an additional 20,000 units within one mile of the central business district loop by 2015.

Policy 2.3.1.2 Implement the Inside the Loop recommendations.

GOAL 3.1 ENSURE A SUSTAINABLE AND EFFICIENT LONG-RANGE HOUSING SUPPLY

Policy 3.1.2 Encourage alternatives to single-family housing developments for homeownership.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

5.1.1.3 Apply urban design tools in pedestrian or transit oriented districts when approving zoning cases and when developing Area Plans.

STAFF ANALYSIS:

Land Use Compatibility: The 4.479 acre tract, bounded by Young (Canton) Street, S. Pearl Expressway, S. Ceasar Chavez Boulevard, and Marilla Street, is currently undeveloped. Some surrounding properties are developed while others are undergoing development. Townhome uses exist and are currently being developed to the north, multi-family uses are immediately to the east and existing commercial development lies to the south, west and northwest of the subject site.

The Downtown 360 Plan, approved by City Council on April 13, 2011, was created in efforts to encourage and guide development in the center city. The proposed development is in keeping with the type of development envisioned for this area by this plan as it provides for addition low rise housing and will complement efforts to create Downtown's first true neighborhood. In addition, planned pedestrian oriented improvements along S. Pearl Expressway and surrounding streets, a nearby potential DART rail line and street car extension make this an ideal location for residential development.

The applicant's request for a new subdistrict within Planned Development District No. 357 will allow for the development of 108 fee simple townhomes on property that is currently vacant.

A pedestrian path through the center of the proposed development connecting Marilla Street to Canton Street will be provided along with 13,452 sq. ft. of open space/common area. Crosswalks and interior driveways will be marked with colored and/or patterned concrete. Pedestrian seating will be provided along the perimeter of the development.

Proposed structures will be limited to a height of 50 feet while rooftop projections such as trellis projections, and other architectural features may project an additional 12 feet.

As the development is in keeping with the *forwardDallas! Comprehensive Plan* and the Downtown 360 Plan, staff is in support of the proposed development.

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD for fee simple townhomes	0'	0'	108 dwelling units	50'	90%	Proximity Slope Does not apply	Single family (townhomes)

Landscaping: Landscaping must comply with the conditions as listed in the proposed new subdistrict regulations.

Traffic: The Traffic Impact Analysis finds that the proposed development will not substantially increase traffic on adjacent streets.

OFFICERS/PARTNERS/ PRINCIPALS
--

Kuykendahl 2920, LTD

1. General Partner: Sage Interests, Inc.

Officers

Frank Liu,	President
Melissa Schultz,	Vice President
Ming Liu,	Vice President
Helen Ghozali,	Vice President
Elizabeth Jacobs,	Vice President

2. Limited Partner: Deerwood Enterprise, Ltd.

Officers

Frank Liu,	General Partner
Cindy Liu,	General Partner

**PROPOSED PDD
CONDITIONS**

**ARTICLE 357.
PD 357.
Farmers Market Special Purpose District**

SEC. 51P-357.101. LEGISLATIVE HISTORY.

PD 357 was established by Ordinance No. 22097, passed by the Dallas City Council on June 22, 1994. Ordinance No. 22097 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 22097; 25850)

SEC. 51P-357.102. PROPERTY LOCATION AND SIZE.

PD 357 is established on property generally bounded by the center lines of East R.L. Thornton Freeway (I-30), St. Paul Street, Young Street, Park Avenue, Wood Street, Harwood Street, Commerce Street, and I-345. The size of PD 357 is approximately 172.5 acres. (Ord. Nos. 22097; 25850)

SEC. 51P-357.103. PURPOSE.

This article provides standards specifically tailored to meet the needs of the Farmers Market area of the city, which is hereby designated as an area of cultural importance and significance to the citizens of the city. The general objectives of these standards are to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and, in part, to achieve the following:

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment by encouraging the development of structures along entire blockfaces with continuous activities.
- (3) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.
- (4) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(5) To encourage and protect the quantity and quality of residential uses.

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

(7) To aid the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, groundwater recharge, and storm water runoff retardation, while at the same time aiding in noise, glare, and heat abatement.

(8) To provide visual buffering and enhance the beautification of the city.

(9) To safeguard and enhance property values and to protect public and private investment.

(10) To conserve energy.

(11) To discourage changes that fail to comply with the overall objectives of the Farmers Market concept approved by the Dallas City Council on August 14, 1991. (Ord. Nos. 22097; 25850)

SEC. 51P-357.104. DEFINITIONS AND INTERPRETATIONS.

(a) Definitions.

(1) Unless otherwise stated, the definitions contained in Chapter 51A apply to this article.

(2) Unless the context clearly indicates otherwise, in this article:

(A) CANOPY TREE means a species of tree that normally bears crown foliage no lower than six feet above ground level upon maturity.

(B) COLORED CONCRETE means concrete with one or more pigments added to it.

(C) DISTRICT means the property defined in Section 5 of Ordinance No. 22097.

(D) MAJOR MODIFICATION means modifications to an original building within a one-year period where the value of the modifications as stated on applications for building permits exceeds 50 percent of the building's assessed value as determined by the Dallas Central Appraisal District.

(E) NEW CONSTRUCTION means construction of a structure that is not an original building.

(F) OPENING means a door, window, passageway, or any other feature through which light or solid objects may pass.

(G) ORIGINAL BUILDING means a building constructed on or before June 22, 1994.

(H) PARKWAY means the portion of a right-of-way located between the street curb and the property line of an adjoining lot.

(I) REFLECTIVE GLASS means glass with exterior visible reflectance percentages in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more visible light reflected and the more mirror-like the surface will appear.)

(J) RETAIL USE means any use listed in Section 51P-357.108(b)(8) of this article.

(K) SCREENING means a visual barrier provided by using one of the following methods:

(i) Brick, stone, or concrete masonry, stucco, concrete, or wood that is at least three feet in height.

(ii) Earthen berm at least three feet in height planted with turf grass or ground cover recommended for local area use by the director of park and recreation. The berm may not have a slope that exceeds one foot of height for each two feet in width.

(iii) Evergreen plant materials recommended for local area use by the director of park and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance and being at least three feet in height within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years.

(iv) An ornamental steel or iron fence that is at least five feet in height.

(L) UTILITY AREAS means the areas occupied by loading docks, trash storage, air conditioning, heating, and ventilating equipment, and all other similar utility equipment. For the purposes of this article, utility poles are not "utility areas."

(b) Interpretations.

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

(2) The following rules apply in interpreting the use regulations in this article.

(A) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(B) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(C) 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. ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800.)

(D) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, 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 generally, see Division 51A-4.800.)

(3) Unless the context clearly indicates otherwise, this district is considered to be a central area district for purposes of interpreting Chapter 51A.

(4) Except for Section 24 of Ordinance No. 22097, that ordinance is incorporated by reference into Chapter 51A. (Ord. Nos. 22097; 25850)

SEC. 51P-357.104.1 EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 357A: subdistrict boundary map.
- (2) Exhibit 357B: subdistrict property descriptions.
- (3) Exhibit 357C: conceptual plan for subdistrict 11.

SEC. 51P-357.105. ZONING CLASSIFICATION CHANGE.

Chapter 51A is amended by changing the zoning classification from CA-1(A) Central Area District to PD 357, to be known as the Farmers Market Special Purpose District ("the Farmers Market SPD"), on the property described in Ordinance No. 22097. (Ord. Nos. 22097; 25850)

SEC. 51P-357.106. ESTABLISHMENT OF SUBDISTRICTS.

This district is divided into 11 subdistricts as shown on the subdistrict boundary map (Exhibit 357A) and described in the subdistrict boundary descriptions (Exhibit 357B).. The subdistricts are hereby established for purposes of this article. If there is a conflict between the map and the text of this article, the text of this article controls. (Ord. Nos. 22097; 25850; 26370)

SEC. 51P-357.106.1 SUBDISTRICT 11 HOMEOWNER'S ASSOCIATION

Prior to final plat approval, the owner of the Property must execute an instrument creating a homeowner's association for the maintenance of common areas, screening walls, landscape areas (including right-of-way landscaping areas), and for other functions. This instrument must be approved as to form by the city attorney and filed in the Dallas County deed records.

SEC. 51P-357.107. GENERAL DEVELOPMENT STANDARDS.

The provisions of Section 51A-4.702, "Planned Development (PD) District Regulations," relating to the PD pre-application conference, site plan procedure, site analysis, conceptual plan, development plan, development schedule, and amendments to the development plan do not apply to this district. (Ord. Nos. 22097; 25850)

SEC. 51P-357.107.1 SUBDISTRICT 11 CONCEPTUAL PLAN.

In Subdistrict 11 , development and use of the Property must comply with the conceptual plan (Exhibit 357C). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.

SEC. 51P-357.107.2 DESIGN STANDARDS FOR SUBDISTRICT 11.

- (a) Highly reflective glass prohibited. Reflective glass may not be used as an exterior building material on any building or structure .

- (b) Building materials. Building facades , excluding openings, must incorporate stone, brick, stucco, wood, or other masonry material or a combination of those materials as facade materials. Hardi-board may be used on the rear façade.
- (c) Drive-through porte-cocheres. Minimum height is 13.5 feet and may be located across shared drives.
- (d) Pedestrian seating. Pedestrian seating must be provided along the perimeter of the development and may be located within the public right-of-way with a City of Dallas license.
- (e) Trash receptacles. Trash receptacles must be provided along the perimeter of the development and may be located within the public right-of-way with a City of Dallas license.
- (f) Outdoor lighting. Outdoor light sources must be indirect, diffused, or shielded-type fixtures, installed to reduce glare and the consequent interference with boundary streets. Bare bulbs or strings of lamps are prohibited. Fixtures must be attached to buildings or mounted on permanent poles at a maximum height of 20 feet. Fixtures may be located within the public right-of-way with a City of Dallas license or on adjoining property . Pedestrian areas where lighting fixtures are provided must be lighted beginning one-half hour after sunset and continuing until one-half hour before sunrise.
- (g) Tree grates. Tree grates conforming to state and federal standards and specifications adopted to eliminate, insofar as possible, architectural barriers encountered by aged, handicapped, or disabled persons, and of a size adequate to permit healthy tree growth must be provided for all trees planted within a public sidewalk.
- (h) Solid fencing is not required.
- (i) Wrought iron fencing with gates is permitted between buildings along the perimeter of the subdistrict.
- (j) Maximum height for fencing is eight feet.

SEC. 51P-357.108. MAIN USES PERMITTED .

(a) Additional uses created. The uses listed under Paragraph (1) are created for purposes of this article.

(1) Definitions. In this article:

(A) FARMERS MARKET means a publicly owned or operated area for the sale and exchange of agricultural produce, food, and general merchandise by vendors.

(B) FLEA MARKET means a privately owned and operated area for the sale and exchange of food and general merchandise by vendors.

(C) FOOD PROCESSING means a facility for the manufacturing, processing, packaging, and sorting of foodstuffs from agricultural produce. This use does not include the slaughtering of animals, fish, or poultry.

(D) HOMELESS ASSISTANCE CENTER means a facility that is owned, operated, or contracted for by the city to provide services to the homeless including some or all of the following: outpatient health, medical, dental, and optical services; medical referrals; counseling services and referrals; educational and vocational services and referrals; habilitation or rehabilitation services and referrals; information resources; sanitary facilities; laundry facilities; facilities or areas for food service; and emergency shelter.

(E) STADIUM, ARENA, OR SPORTS COMPLEX means an indoor or outdoor facility with seating where spectators view events, including musical and athletic performances.

(2) Parking and loading. Consult Section 51P-357.110 of this article for the off-street parking and loading regulations for these uses.

(b) The following uses are the only main uses permitted in Subdistricts 1 through 10.

(1) Commercial and business service uses.

- Catering service.
- Custom business services.
- Custom woodworking, furniture construction, or repair.
- Electronics service center.
- Food processing. *[SUP if floor area exceeds 7,500 square feet.] (Permitted only in Subdistricts 1 and 2.)*
- Job or lithographic printing.
- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.

(2) Institutional and community service uses.

- Adult day care facility. *[SUP] (Permitted only in Subdistricts 2, 8, and 9.)*
- Child-care facility. *[SUP]*
- Church.
- College, university, or seminary.
- Convent or monastery. *[SUP]*

- Foster home. *[SUP] (Permitted only in Subdistricts 2, 8, and 9.)*
- Homeless assistance center. *(Permitted only in Subdistrict 2A.)*
- Library, art gallery, or museum.
- Public or private school.

(3) Lodging uses.

- Hotel or motel.
- Lodging or boarding house. *[SUP]*
- Residential hotel.

(4) Miscellaneous uses.

- Temporary construction or sales office.

(5) Office uses.

- Financial institution without drive-in window.
 - Financial institution with drive-in window. *[DIR required in Subdistrict 1.]*
- Medical clinic or ambulatory surgical center.
- Office.

(6) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(7) Residential uses.

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

(8) Retail and personal service uses.

- Ambulance service.
- Auto service center.
- Bar, lounge, or tavern.
- Business school.
- Car wash. *[DIR]*
- Commercial amusement (inside).

- Commercial amusement (outside). [SUP]
- Commercial parking lot or garage.
- Dry cleaning or laundry store.
 - Farmers market. [By right in Subdistrict 1; By SUP only in all other subdistricts.]
- Flea market. [SUP]
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
 - Home improvement center, lumber, brick, or building materials sales yard. [DIR]
- Household equipment and appliance repair.
- Liquor store. [SUP]
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Outside sales.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. [DIR]
- Stadium, arena, or sports complex.
- Temporary retail use.
- Theater.

(9) Transportation uses.

- Heliport. [SUP]
- Helistop. [SUP]
- STOL (short takeoff or landing) port. [SUP]
- Transit passenger shelter.
- Transit passenger station or transfer center.

(10) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [SUP]
- Utility or government installation other than listed. [SUP]

(11) Wholesale, distribution, and storage uses.

- Freight terminal. [DIR]
- Mini-warehouse.
- Office showroom/warehouse.

- Outside storage (with visual screening).
- Recycling collection center.
- Trade center.
- Warehouse.

(c) The following main uses are the only main uses permitted in Subdistrict 11:

- Single family.
- Temporary construction or sales office.
- Local utilities.

SEC. 51P-357.108.1. ACCESSORY USES.

(a) 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.

- (b) The following accessory uses are not permitted;
 - Accessory medical/infectious waste incinerator.
 - Accessory pathological waste incinerator.
 - Day home.
- (c) The following accessory use is permitted by SUP only:
 - Accessory helistop.

SEC. 51P-357.109. YARD, LOT, AND SPACE REGULATIONS FOR SUBDISTRICTS 1 THROUGH 10.

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

- (a) Front yard. No minimum front yard.
- (b) Side and rear yard.
 - (1) Minimum side yard is:
 - (A) five feet for duplex structures; and
 - (B) no minimum in all other areas.
 - (2) Minimum rear yard is:

- (A) 10 feet for duplex structures; and
- (B) no minimum in all other cases.
- (c) Dwelling unit density. No maximum dwelling unit density.
- (d) Floor area ratio. Maximum floor area ratio is 20.0.
- (e) Height. Maximum structure height is any legal height.
- (f) Lot coverage. Maximum lot coverage is 85 percent. An atrium is not counted as coverage if it exists at grade and is open to the public.
- (g) Lot size. No minimum lot size.
- (h) Stories. No maximum number of stories. (Ord. Nos. 22097; 25850)

SEC. 51P-357.109.1 YARD, LOT, AND SPACE REGULATIONS FOR SUBDISTRICT 11.

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

- (a) Front yard. No minimum front yard.
- (b) Side and rear yard. No minimum side or rear yard.
- (c) Dwelling unit density. Maximum dwelling unit density is 108 units.
- (d) Floor area ratio. Maximum floor area ratio is 4:1.
- (e) Height. Maximum structure height is 46 feet to the mid-point of the roof with an overall height of 50 feet. Rooftop projections, trellis projections, and other architectural features may increase the overall height by 12 feet.
- (f) Lot coverage. Maximum lot coverage is 90 percent. For purposes of lot coverage, Subdistrict 11 shall be treated as one lot.
- (g) Lot size. No minimum lot size.
- (h) Platted lots. Each dwelling unit must be located on a separately platted lot. Platted lots may have frontage on two opposite sides.

~~(a) In general. Front, rear and side yards must be open and unobstructed except for fences.~~

~~(i) Ordinary projections of window sills, belt courses, cornices, or other architectural features may not project more than 12 inches into the right-of-way . Cantilevered roof eaves, steps, stoops, and balconies may not project more than three feet into the right-of-way with a City of Dallas license.~~

~~(j) The shared access development is treated as one lot for purposes of compliance with the front, side, and rear yard regulations and applicable landscape regulations, and any prohibition against parking in any provided yard.~~

~~(b) (k) Steps and stoops. Stoops and stairs must be in compliance with the requirements of the Mills Creek Flood Zone Study. Both may extend into a required or provided front yard.~~

~~(l) In this subdistrict, a minimum of ten feet between each group of dwelling unit structures must be provided by plat.~~

SEC. 51P-357.110. OFF-STREET PARKING AND LOADING FOR SUBDISTRICTS 1 THROUGH 10.

(a) In general. Except as provided in this section, the off-street parking and loading regulations contained in Divisions 51A-4.300 et seq. apply to this district.

(b) Off-street parking requirements. Off-street parking is required for a new building or an addition to an existing building at a ratio of one parking space for each 2,000 square feet of floor area.

(c) Cash in lieu of required parking.

(1) A property owner may make a one-time cash payment in lieu of providing required off-street parking spaces for a use in accordance with this subsection. The amount of the payment required is calculated by taking three-fourths of the cost of constructing a parking garage space and multiplying that cost by the number of parking spaces that will not be required by reason of the cash payment.

(2) The cost of a parking garage space is calculated by using the following formula:

$$\text{National Median Cost/Sq. Ft.} \times 350 \text{ square feet} \times \text{Dallas Cost Index} = \text{Cost of a Parking Garage Space}$$

For purposes of the formula, "National Median Cost/Sq. Ft." means the national median cost per square foot of a parking space in a parking garage. Both the National Median Cost/Sq. Ft. and the Dallas Cost Index must be derived from the most recent issue of Building Construction Cost Data, published by the Robert Snow Means Company, Inc.,

of Kingston, Massachusetts, unless another comparable publication is designated by the director.

(3) Payments in lieu of required parking shall be paid to a special parking account and used to finance the construction of parking garages or other parking improvements to serve uses in the district, pursuant to the requirements of all applicable rules, regulations, and ordinances of the city.

(d) Commercial parking lots and garages.

(1) Definitions. In this subsection:

(A) EXISTING USE means a commercial parking lot or garage that was in operation on June 22, 1994, regardless of whether the use had a certificate of occupancy on that date. This definition does not mean that an illegal use on that date is now a conforming or legal use.

(B) NEW USE means a commercial parking lot or garage that is not an existing use.

(C) PARKWAY means the portion of a right-of-way located between the street curb and the property line of an adjoining lot.

(D) SELF-PARK SPACE means a parking space where a customer parks his vehicle and it remains there until a customer drives it away. It does not include a space where an attendant parks a customer vehicle.

(E) WROUGHT IRON includes metal that resembles wrought iron in appearance.

(2) Site plan.

(A) When required. When establishing a new use or enlarging an existing use by more than 40 percent, a site plan must be submitted and approved in accordance with this paragraph before a certificate of occupancy may be issued.

(B) Requisites. The site plan must include the following information:

(i) The number of existing and proposed parking spaces on the property.

(ii) The location and dimensions of the property.

(iii) The location and dimensions of all existing and proposed off-street parking and loading areas, parking bays, aisles, driveways, and attendant booths.

(iv) The location and type of all existing and proposed landscaping, screening, trash receptacles, lighting, and signs.

(v) Any other reasonable and pertinent information that the building official determines to be necessary for site plan review.

(C) Review by the building official. The building official shall deny an application unless it meets all the applicable standards of this subsection.

(D) Decision of the building official.

(i) Form of decision. The decision of the building official must take one of two forms:

(aa) Approval.

(bb) Denial.

(ii) Statement of reasons. If the building official denies an application, he shall state in writing the specific reasons for denial.

(iii) Approval. If there are no grounds for denial under this subsection, the building official shall approve the application with no conditions.

(E) Notice. The building official shall give written notice to the applicant of his decision regarding the application within 14 days of its receipt. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. The notice must be sent to the address shown on the application.

(F) Development. If a site plan is approved by the building official, development of the property must be in accordance with the site plan.

(3) Construction.

(A) Slope. The entire surface of a surface parking lot may not deviate more than seven degrees from the horizontal plane. No portion of the surface may deviate more than 12 degrees from the horizontal plane.

(B) Driveways. No more than one two-way driveway or two one-way driveways may be maintained for each 300 feet, or fraction thereof, of frontage of a surface parking lot.

(4) Striping. All self-park spaces must be clearly and permanently identified by stripes. All self-park spaces for compact cars must be at least 7.5-foot-wide stalls and must be clearly and permanently marked "compact car only." All other self-park spaces must be at least eight-foot-wide stalls. Except as specified in this provision, these spaces must be provided and striped in accordance with Section 51A-4.301(d)(1).

(5) Lighting.

(A) Requirement. The following must be lighted between one-half hour after sunset and 2:30 a.m. and between 6:00 a.m. and one-half hour before sunrise:

(i) A surface parking lot.

(ii) The first story of a parking garage above grade.

(iii) All other portions of a parking garage that are accessible to pedestrians or vehicles during the hours of darkness.

For purposes of this paragraph, "hours of darkness" means the time between one-half hour after sunset and one-half hour before sunrise.

(B) Intensity. The intensity of required lighting on the parking surface must be:

(i) an average of at least two footcandles, initial measurement, and at least one footcandle on a maintained basis; and

(ii) a minimum at any point of at least 0.6 footcandle initial, and at least 0.3 footcandle maintained or one-third of the average footcandle measurement for the lighted area, whichever is greater.

(C) Type of fixtures. Light sources for surface parking lots must be indirect, diffused, or shielded-type fixtures, installed to reduce glare and the consequent interference with boundary streets. Bare bulbs or strings of lamps are prohibited.

(D) Location of fixtures. Fixtures must be attached to buildings or mounted on permanent poles. Fixtures may be located on adjoining property.

(E) Height of fixtures. Fixtures on surface parking lots must be at least 20 feet above the lot surface. This requirement does not apply to parking garages.

(F) Reconciliation. This paragraph controls over Section 51A-4.301(e)(1).

(6) Trash receptacles. A trash receptacle at each vehicle entrance is encouraged, but not required. No trash receptacle may have a fluorescent color.

(7) Attendant booths. An attendant booth may not be constructed of flammable materials or have a fluorescent color.

(8) Access openings.

(A) Access openings for surface parking lots may not exceed:

(i) Thirty feet in width for a two-way drive.

(ii) Twenty feet in width for a one-way drive.

(iii) Five feet in width for pedestrian access.

(B) At least one opening for pedestrian access must be provided for frontage of a surface parking lot. These openings are limited, however, to one for each 30 feet of frontage screened with bollards or a wrought iron fence, or three for each frontage landscaped with a combination of planters and either bollards or a wrought iron fence.

(9) Screening and landscaping.

(A) Where. Screening and landscaping must be provided along an abutting street right-of-way, excluding openings for pedestrian and vehicular access, of:

(i) a surface parking lot; and

(ii) a parking garage having any openings in the first story above grade, excluding openings for pedestrian and vehicular access.

(B) Screening.

(i) Surface parking lots in the middle of a block with buildings on both adjoining lots and less than 100 feet of frontage and all parking garages must have screening consisting of a wrought iron fence.

(ii) All other surface parking lots must have screening consisting of:

(aa) a wrought iron fence;

(bb) metal or concrete bollards; or

(cc) a combination of planters and either bollards or a wrought iron fence.

(iii) If a wrought iron fence is provided:

(aa) it must be at least 42 inches in height;

(bb) its vertical bars must be spaced no more than eight inches apart and welded or brazed to horizontal bars at or near the top and bottom of the fence;

(cc) it may have a foundation that does not exceed 12 inches in height; and

(dd) the columns extending into the ground or foundation must be spaced no more than 10 feet apart.

(iv) If bollards are provided, each bollard must be:

(aa) at least 18 inches in length;

(bb) at least nine inches in width;

(cc) at least 30 inches in height; and

(dd) no more than seven feet from another bollard, unless connected by an iron chain, in which case they may be no more than 12 feet from another bollard.

(v) If planters are provided:

(aa) each planter must be between six and 18 inches in height; and

(bb) the length of the planter area may not exceed one-fifth of the lot frontage.

(C) Landscaping.

(i) Requirement. Unless a parkway landscape permit is denied or revoked in accordance with Subparagraph (C)(vii), one tree or shrub must be provided in the adjoining parkway for each 30 feet along the required landscaping area. All trees and shrubs provided must be recommended for local area use by the director of park and recreation.

(ii) Trees. Each tree planted must have a caliper of at least two and one-half inches.

(iii) Shrubs. Each shrub provided must be at least 30 inches in height and planted in a planter or a metal or concrete pot.

(iv) Minimum tree clearance. All portions of a tree above street pavement must be at least thirteen and one-half feet in height.

(v) Tree grates. Tree grates conforming to state and federal standards and specifications adopted to eliminate, insofar as possible, architectural barriers encountered by aged, handicapped, or disabled persons, and of a size adequate to permit healthy tree growth must be provided for all trees planted within a public sidewalk.

(vi) Private license granted. The city council hereby grants a private license to the owners of all commercial parking lots and garages in this district for the exclusive purpose of authorizing compliance with the landscaping requirements. A property owner is not required to pay an initial or annual fee for this license. This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever in its judgment the purpose or use of this license is inconsistent with public use of the right-of-way or whenever the purpose or

use of this license is likely to become a nuisance. A property owner is not required to comply with any landscaping requirement of this paragraph if compliance is made impossible due to the termination of this license. This provision controls over Article VI of Chapter 43 of the Dallas City Code.

(vii) Parkway landscape permit. A parkway landscape permit must be obtained from the director of public works and transportation for all landscaping in the parkway.

(aa) An application for a parkway landscape permit must be in writing on a form approved by the director of public works and transportation and accompanied by plans or drawings showing the area of the parkway affected and the planting proposed.

(bb) Upon receipt of the application, the director of public works and transportation shall circulate it to all affected city departments, utilities, and other franchise holders for review and comment. If, after receiving those comments, the director of public works and transportation determines that the construction and planting proposed will not be inconsistent with or unreasonably impair the public use of the right-of-way, he shall issue a parkway landscape permit to the property owner; otherwise, he shall deny the permit.

(cc) A parkway landscape permit issued by the director of public works and transportation is subject to immediate revocation upon written notice if at any time he 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.

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

(10) Existing use exemption. Existing uses are encouraged, but not required, to comply with the trash receptacle, attendant booth, access openings, and screening and landscaping requirements.

(11) Compliance reports. An owner of an existing use in this district must submit a report by January 26, 1995, to the director of development services describing compliance with the lighting requirement. A report describing compliance with the striping and construction requirements must be submitted to the director of development services by January 26, 1997. A report describing voluntary compliance with the trash receptacle, attendant booth, access openings, and screening and landscaping requirements must be submitted to the director of development services by January 26, 1999.

(12) Conformance. All existing uses in this district must fully comply with the lighting requirements before January 26, 1995, and with the construction and striping requirements before January 26, 1997.

(13) Special exception.

(A) In general. The board of adjustment may grant a special exception to any requirement contained in Subsection (d) if the board finds, after a public hearing, the special exception will not adversely affect the other properties within the district and strict compliance with the requirement would result in unnecessary hardship. If the board grants a special exception, it must specify the length of time the special exception is effective.

(B) Lighting. The board shall not grant a special exception to a lighting requirement unless the board also finds, after a public hearing, that the special exception will not compromise the safety of persons using the parking. In determining whether to grant this special exception, the board shall consider:

(i) the extent to which the parking will be used after dark;

(ii) the crime statistics for the area;

(iii) the extent to which adequate lighting may be provided by light sources located on adjacent property; and

(iv) the extent to which the lot will be secured by fences, gates, and chains.

(C) Sign. The board shall not grant a special exception eliminating lighting requirements for all or a portion of a parking lot or garage without requiring that a sign be posted advising the public of the extent to which there will be no illumination during hours of darkness. The sign must be posted in a conspicuous place and be reasonably calculated to adequately inform those persons who might park in the area that is the subject of the special exception.

(e) Special off-street loading provisions.

(1) Off-street loading spaces must be provided in accordance with Section 51A-4.303(a) only for new structures or additions to an existing structure.

(2) Once the required off-street loading has been provided for a structure, no additional off-street loading is required if the use of the structure changes.

(3) Once an off-street loading space has been provided, the off-street loading space may not be reduced, eliminated, or made unusable in any manner during the life of the structure.

(4) On-street loading spaces may satisfy the off-street loading space requirement subject to the following standards:

(A) Any on-street loading spaces must be approved by the traffic engineer.

(B) Required off-street loading spaces furnished on-street must be provided at curbside contiguous to the building site.

(C) If no adjacent curb space is available due to traffic or transit needs, indented curb space may be provided if the required sidewalk width is maintained.

(D) All required medium and large loading spaces must be provided off-street.

(E) Structures meeting Subparagraphs (A) through (D) above and requiring seven or more off-street loading spaces may satisfy the off-street loading requirement as follows:

REQUIRED MINIMUM NUMBER		
<u>SPACES OFF-STREET ON-STREET</u>		
7	6	1
8	6	2
9	6	3
10 or more	60%	40%

(Ord. Nos. 22097; 25850)

SEC. 51P-357.110.1 OFF-STREET PARKING AND LOADING FOR SUBDISTRICT 11.

- (a) Off-street parking is required at a ratio of two parking spaces for each dwelling unit.
- (b) All parking spaces must be a minimum 8' x 18', with the exception of on-street parallel spaces along Marilla, Pearl Expressway, and the center private driveway.
- (c) The following on-street parking spaces may count toward required parking and must be designated as guest parking :
 - (1) Eleven parallel parking spaces on Marilla Street.
 - (2) Eleven parallel parking spaces on Pearl Street.
 - (3) Twelve parallel parking spaces on the center private drive.

SEC. 51P-357.110.2 SHARED ACCESS PAVEMENT WIDTHS FOR SUBDISTRICT 11.

The shared access area must be shown on the plat of the shared access development.

- (a) The shared access area must front on a private drive and have a minimum width of 20 feet.

- (b) Minimum pavement width is 20 feet. Pavement widths are measured from the edge of the pavement to the edge of pavement.

Minimum 20 foot visibility triangles are required at all intersections of driveways with public streets. At all other driveway intersections, visibility triangles must be a minimum of 10 feet.

SEC. 51P-357.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 22097; 25850)

SEC. 51P-357.112. SIGNS.

Signs must comply with the provisions for the Farmers Market Special Provision Sign District contained in Division 51A-7.1300. (Ord. Nos. 22097; 25850)

SEC. 51P-357.113. SINGLE FAMILY STRUCTURE SPACING.

- (a) For subdistrict 11, a minimum of ten feet between each group of dwelling unit structures must be provided by plat.
- (b) For all other subdistricts, a minimum of 15 feet between each group of eight single family or handicapped group dwelling unit structures must be provided by plat. (Ord. Nos. 22097; 25850)

SEC. 51P-357.114. SIDEWALK REGULATIONS FOR SUBDISTRICTS 1 THROUGH 10.

- (a) A sidewalk must be provided between the back of the street curb and the face of a building at grade in accordance with this section. The face of a building is behind the columns for a building with exterior columns.
- (b) Sidewalks must be constructed and maintained in accordance with the following regulations:
 - (1) A building with a floor area ratio of more than 15 to one is subject to the requirements of the CA-1(A)-CP district in Section 51A-4.124(a)(8)(C)(ii).
 - (2) A building with a floor area ratio of 10 to one through 15 to one must have an average sidewalk width of 15 feet and a minimum sidewalk width of nine feet that is unobstructed by any structure. For purposes of this paragraph:

(A) Average sidewalk width equals the total sidewalk surface area divided by the linear feet of frontage.

(B) Each frontage on each block must contain the required average sidewalk width.

(C) The area occupied by structural walls or columns is excluded when computing average sidewalk width.

(D) The surface area at a corner is counted only once when computing average sidewalk width.

(3) All other buildings must provide a minimum sidewalk width of 10 feet with seven feet unobstructed by any structure or planting. (Ord. Nos. 22097; 25850)

SEC. 51P-357.114.1 SIDEWALK REGULATIONS FOR SUBDISTRICT 11..

(a) A minimum sidewalk width of 12 feet with seven feet unobstructed by any structure or planting must be provided adjacent to Cesar Chavez Boulevard, Marilla Street & South Pearl Expressway.

(b) A minimum sidewalk width of 10 feet with seven unobstructed by any structure or planting must be provided adjacent to Canton Street.

(c) Sidewalks may be located within the interior of the development but are not required.

(d) Due to the width of the sidewalk paving at the corners of the development, 20' x 20' corner clips will not be required by plat.

SEC. 51P-357.115. DEVELOPMENT PLAN REVIEW.

(a) Pre-application conference. A person desiring to develop in the district should consult with the director to discuss whether the project is consistent with the requirements of this article.

(b) Review of project. Upon receipt of an application for a building permit for new construction or a major modification of a structure in the district and a landscape plan, the building official shall refer the application and plans to the director for review to determine whether the application complies with all requirements of this article. The director shall complete the review within 30 days from the date of submission of the

completed application to the building official, or the application shall be deemed to be approved.

(c) Return of application to the building official. Once the director makes his determination, he shall refer the permit application, plans, all other relevant information, and his recommendation to the building official. If the director determines that sufficient points have been accumulated under the design and landscape tests and all mandatory provisions of this article have been met, he shall recommend approval. Otherwise, he shall recommend denial. If the recommendation is for denial, the director shall state the grounds for denial in writing to the applicant, and the building official shall not issue the permit unless the director's recommendation is overturned upon appeal to the board. If the recommendation is for approval and the building official determines that all requirements of the construction codes and all other applicable ordinances have been met, the building official shall issue the permit. (Ord. Nos. 22097; 25850)

SEC. 51P-357.116. DESIGN TEST AND REQUIREMENTS FOR SUBDISTRICTS 1 THROUGH 10.

(a) In general. All applications referred to the director for review in accordance with Section 51P-357.115 of this article must be evaluated against the tests and prohibitions in this section. Plans for new construction or a major modification of a structure must earn at least 65 points (out of a total of 120 possible points) and comply with all mandatory requirements of this section. The points awarded for providing a feature, as well as the maximum number of points allowed in any category, are provided in parenthesis.

(b) Highly reflective glass prohibited. Reflective glass may not be used as an exterior building material on any building or structure in the district.

(c) Building offset requirement. A building facade that faces a public right-of-way must contain an offset of at least 100 square feet in area for the first five stories if the facade is for:

- (1) a residential structure that extends 50 or more feet along the right-of-way; or
- (2) a nonresidential structure that extends 75 or more feet along the right-of-way.

For purposes of this section, an offset is an area within one or more angles in a building's footprint other than the four 90-degree corners of the building.

(d) Design points. Design points are awarded in accordance with the following criteria:

- (1) Building facades. (Total possible points = 20). Points may be earned as follows:

(A) Retail uses. Ten points are awarded if each side of a building's ground floor that fronts a right-of-way (excluding halls, restrooms, utility areas, and other public spaces) is allocated to retail uses.

(B) Lower story articulation. Ten points are awarded if each of the first three stories of a building is articulated differently from the stories above and below it.

(C) Non-horizontal roofs. Ten points are awarded if the building's roof is capped by complex parapets, central or corner spires, pitched or stair-stepped roof forms, horizontal projected soffits, parapet walls consisting of decorative coping (for buildings having less than four stories), or other vertical offsets in the roof.

(D) Facade treatments. Ten points are awarded if the building's facade is given texture and complexity by the inclusion of ground level entries more than 14 feet in height, porticos, indented entries, belt coursing or other horizontal banding, grid coursing or other articulation of window openings, corner pilasters, rustication of the first floor, changes of color, or ornamental irons.

(E) Large public areas. Ten points are awarded if a sidewalk or plaza area not required by this article is provided for pedestrian activities.

(2) Awnings and arcades. (Total possible points = 10) To qualify for points under this paragraph, an arcade must have a minimum depth of six feet, a minimum height of seven feet, and a maximum height of 20 feet. An awning must have a minimum depth of three and one-half feet, a minimum height of seven feet, and a maximum height of 14 feet. For the purpose of this paragraph, awning and arcade height is the vertical distance between the ground or pavement directly beneath the awning or arcade and the lowest point of the awning or arcade. One point is awarded for each 10 percent of front lot line linear footage of awning or arcade width. When arcades extend over public rights-of-way, the minimum depth requirement of the arcade may be reduced from six feet to the maximum depth permitted under the necessary agreement with the city.

(3) Building materials. (Total possible points = 20) One point is awarded for each three percent increment greater than 40 percent of total building facade area, excluding openings, incorporating stone, brick, or a combination of those materials as facade materials.

(4) Front facade openings. (Total possible points = 20) Twenty points are awarded if the percentage of a front facade containing openings is between 40 and 60 percent. For purposes of this paragraph, "front facade" means any facade facing a street. For buildings with more than one story, only the front facade of the first and second stories is used when calculating the percentage of openings.

(5) Public art. (Total possible points = 10) One point is awarded for each one percent of the value of improvement stated in the building permit application that is allocated to public art up to a maximum of 10 points. In order to qualify for public art points, the

public art must be visible from a public right-of-way at all times. Examples of public art could include art in an atrium or lobby that is visible from a public right-of-way, art incorporated into the sidewalk or building facade, or freestanding art.

(6) Water features. (Total possible points = 10) One point is awarded for each one percent of the value of improvements stated in the building permit application that is allocated to a water feature, such as a fountain, stream, pond, pool, waterfall, mechanical water jet, or other similar water device, up to a maximum of 10 points. In order to qualify for water feature points, the water feature must be visible from a public right-of-way at all times.

(7) Flags and banners. (Total possible points = 10) Flags and banners may be hung from street light poles or suspended from private buildings or poles. One point is awarded for each one percent of building facade area that has an equivalent area of either flags or banners up to a maximum of 10 points. If the flags or banners are signs, they must comply with the sign regulations for this district.

(8) Ground floor light fixtures. (Total possible points = 10) Ten points are awarded if decorative light fixtures that are greater than three feet vertically frame a ground floor entry or create a repeating motif along the facade of the ground floor.

(9) Pedestrian seating. (Total possible points = 10) One point is awarded for each five feet of pedestrian seating. (Ord. Nos. 22097; 25850)

SEC. 51P-357.117. LANDSCAPE REGULATIONS FOR SUBDISTRICTS 1 THROUGH 10.

(a) Street trees. Except for a lot that contains a warehouse, distribution, or storage use for produce, a tree must be planted at a density of one tree for each 30 linear feet of frontage, exclusive of visibility triangles and driveways and accessways at points of ingress and egress to and from the property. A tree must be planted at a density of one tree for each 60 linear feet of frontage, exclusive of visibility triangles and driveways and accessways at points of ingress and egress to and from the property, for a lot that contains a warehouse, distribution, or storage use for produce. The trees provided must be of a species listed in Exhibit 357B.

(b) ROW clearance. A structure constructed above any landscaping installed in the public right-of-way may not be lower than:

(1) thirteen and one-half feet above grade in the street pavement; or

(2) seven and one-half feet above grade in the remainder of the right-of-way.

(c) Minimum caliper. All trees installed in accordance with this section must have a caliper of at least three and one-half inches.

(d) Landscape plan test and requirements. A landscape plan must accompany an application for a building permit for new construction or a major modification of a structure in the district. A landscape plan must earn at least 65 points (out of a total of 130 possible points) and comply with all mandatory requirements of this section. Points are awarded for providing specific lighting, paving, landscape zones, and other enhancements. The points awarded for providing these features, as well as the maximum number of points allowed in any category, are provided in parenthesis at the end of the provision to which they apply. Unless otherwise provided, the definitions in Article X apply when construing these provisions. Existing landscaping may qualify for points.

(1) Tree, landscape, or pedestrian lighting. (Total possible points = 20) Ten points each are awarded for providing tree lighting, light bollards, light poles, building facade lighting, or landscaped area lighting, up to a maximum of 20 points. The lighting provided must be at least 1.5 footcandles in intensity over adjacent pedestrian areas.

(2) Tree canopy zone. (Total possible points = 20) Points may be obtained for planting canopy trees within a landscape zone along the entire frontage, exclusive of vehicular and pedestrian entrances and exits. The trees may be planted in the right-of-way if a parkway landscape permit is obtained in accordance with Subsection (e). Ten points are awarded for planting these trees at a density of one tree for each 30 linear feet of landscape zone and twenty points are awarded for planting these trees at a density of one tree for each 15 linear feet of landscape zone. The trees provided must be of a species listed in Exhibit 357B.

(3) Paving materials. (Total possible points = 20) Five points are awarded for each 25 percent increment of outdoor walkway area accessible to the public that is covered by decorative pavement. For purposes of this paragraph, decorative pavement means:

(A) pavers of colored concrete, brick, or stone;

(B) stamped, textured, or colored concrete; or

(C) exterior grade tile.

(4) Seasonal color. (Total possible points = 15) Points may be obtained for providing a landscape area for seasonal color in planting beds, raised planters, or pots. Five points are awarded for a landscape area that has a size that is equal to at least one-fourth of a square foot multiplied by the number of feet of frontage the property has. Ten points are awarded for a landscape area that has a size that is equal to at least one-half of a square foot multiplied by the number of feet of frontage the property has. Fifteen points are awarded for a landscape area that has a size that is equal to at least three-fourths of a square foot multiplied by the number of feet of frontage the property has. The plants installed in the landscape area must be maintained and changed in accordance with

Subsection (g). Exhibit 357B indicates which plants qualify as seasonal color and the seasons in which they qualify.

(5) Private parks. (Total possible points = 20) Five points are awarded for each 200 square foot area provided as a park. A park may contain pedestrian seating, public art, or a water feature.

(6) Parking lot trees. (Total possible points = 20) Twenty points are awarded for planting one tree for each ten parking spaces in a parking lot. The trees must be planted in the interior of the parking lot and must be of a species listed in Exhibit 357B.

(7) Intersection open space. (Total possible points = 15) Fifteen points are awarded for providing an open area adjacent to a visibility triangle at the intersection of Young/Canton Street and South Central Expressway or Cadiz/Marilla Street and South Central Expressway. The open area must be at least 100 square feet.

(e) 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 pavement (other than for the sidewalk required under Section 51P-357.114 of this article) in the parkway. An application for a parkway landscape permit, if required, must be made to the director of public works and transportation before an application for a building permit is made for work on the lot. The application must be in writing on a form approved by that director and accompanied by plans or drawings showing the area of the parkway affected and the construction and planting proposed.

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

(3) A property owner is not required to comply any parkway landscaping requirement of this section if compliance is made impossible due to the denial of a parkway landscape permit by the director of public works and transportation.

(4) A parkway landscape permit issued by the director of public works and transportation is subject to immediate revocation upon written notice if at any time that director 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 requirements of this section if compliance is made impossible due to that director's revocation of the 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 in the installation or maintenance of trees, landscaping, or pavement in the public right-of-way.

(f) Lighting. Pedestrian areas where lighting fixtures are provided to obtain points under this section must be lighted beginning one-half hour after sunset and continuing until one-half hour before sunrise.

(g) Maintenance.

(1) In general. All landscaping provided must be installed and maintained in accordance with Article X.

(2) Seasonal color. If a seasonal color landscape area is provided under Subsection (d)(4) of this section, the plants in that area must be changed at least four times a year in accordance with the appropriate seasonal colors indicated in Exhibit 357B. This area must contain the appropriate seasonal landscaping at all times except when the landscaping is being changed at the beginning of a new season. (Ord. Nos. 22097; 25850)

SEC. 51P-357.117.1. LANDSCAPE REGULATIONS FOR SUBDISTRICT 11.

(a) In general. For the purposes of this section, the Subdistrict 11 shall be treated as one lot.

(b) 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 before an application for a building permit is made for work on the lot. The application must be in writing on a form approved by the 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 director shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, that the building official determines that the construction and planting proposed will not be inconsistent with or 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.

- i. (3) A 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 denial of a parkway landscape permit .

- ii. (4) A parkway landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time that director 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 requirements of this article if compliance is made impossible due to the building official's revocation of the parkway landscape permit.
- iii. The issuance of a parkway landscape permit under this subsection does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees, landscaping, or other amenities in the public right-of-way.

(2) Street trees. A tree must be planted at a density of one tree for each 30 linear feet of frontage along the perimeter of the property, exclusive of 20 foot visibility triangles and driveways and accessways at points of ingress and egress to and from the property. The trees provided must be of a species listed in Exhibit 357B.

a. Trees. In general, each tree planted must have a caliper of at least three and one-half inches.

b. Minimum tree clearance. Tree branches above street pavement must not hang lower than 13.5 feet above grade.

(3) Shrubs. Each shrub provided must be at least 18 inches in height and may be planted in a planter or a metal or concrete pot.

(4) Trees, shrubs, water features, benches, mailboxes and other amenities may be provided in open space easements provided by plat.

(5) Plant material must be maintained in a healthy, growing condition.

(6) Private license granted:

(A) The city council hereby grants a revocable, non-exclusive license to the developer, homeowners association, or individual lot owners in the event of dissolution of the homeowners association ("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 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 shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(B) An owner is not required to comply with any parkway tree requirement to the extent that compliance is made impossible due to the city council's revocation of the private license granted by this paragraph.

(C) Upon the installation of parkway trees and related amenities, such as irrigation systems, in the public rights-of-way, the owner shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this paragraph, 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.

(D) Each owner is responsible for maintaining the parkway trees 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 parkway trees, related amenities, or the premises. The granting of a license for parkway trees and related amenities under this paragraph does not release the owner from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

SEC. 51P-357.117.1. OPERATIONAL PLAN REQUIRED FOR HOMELESS ASSISTANCE CENTER.

Prior to the issuance of a certificate of occupancy for a homeless assistance center use, city council must approve an operational plan for the facility and surrounding area. At a minimum, the plan must address issues related to:

- (1) loitering;

(2) security;

(3) control of trash and debris; and

(4) a reporting mechanism on the above factors. (Ord. 26370)

SEC. 51P-357.118. GENERAL REQUIREMENTS.

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

(b) 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. 22097; 25850)

(c) In Subdistrict 11 , demolition and new construction, except for interior finish-out, may only occur between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 9:00 a.m. and 6:00 p.m. on Saturday.

SEC. 51P-357.119. EVALUATION.

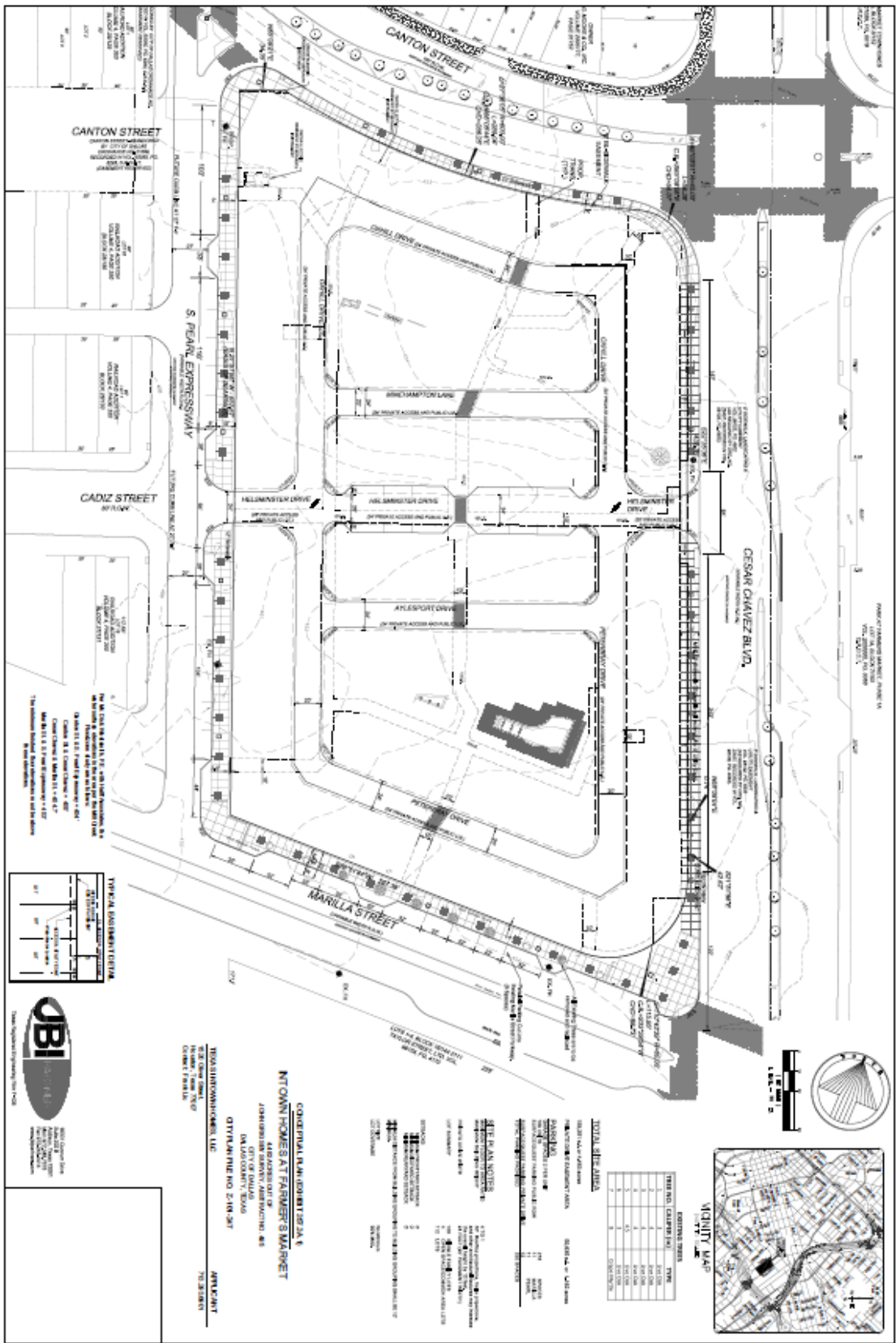
The director of development services shall submit a report to the city plan commission within five years of June 22, 1994. The report must contain an evaluation of the effectiveness of Ordinance No. 22097 and recommendations as to what, if any, changes should be made to it. (Ord. Nos. 22097; 25850)

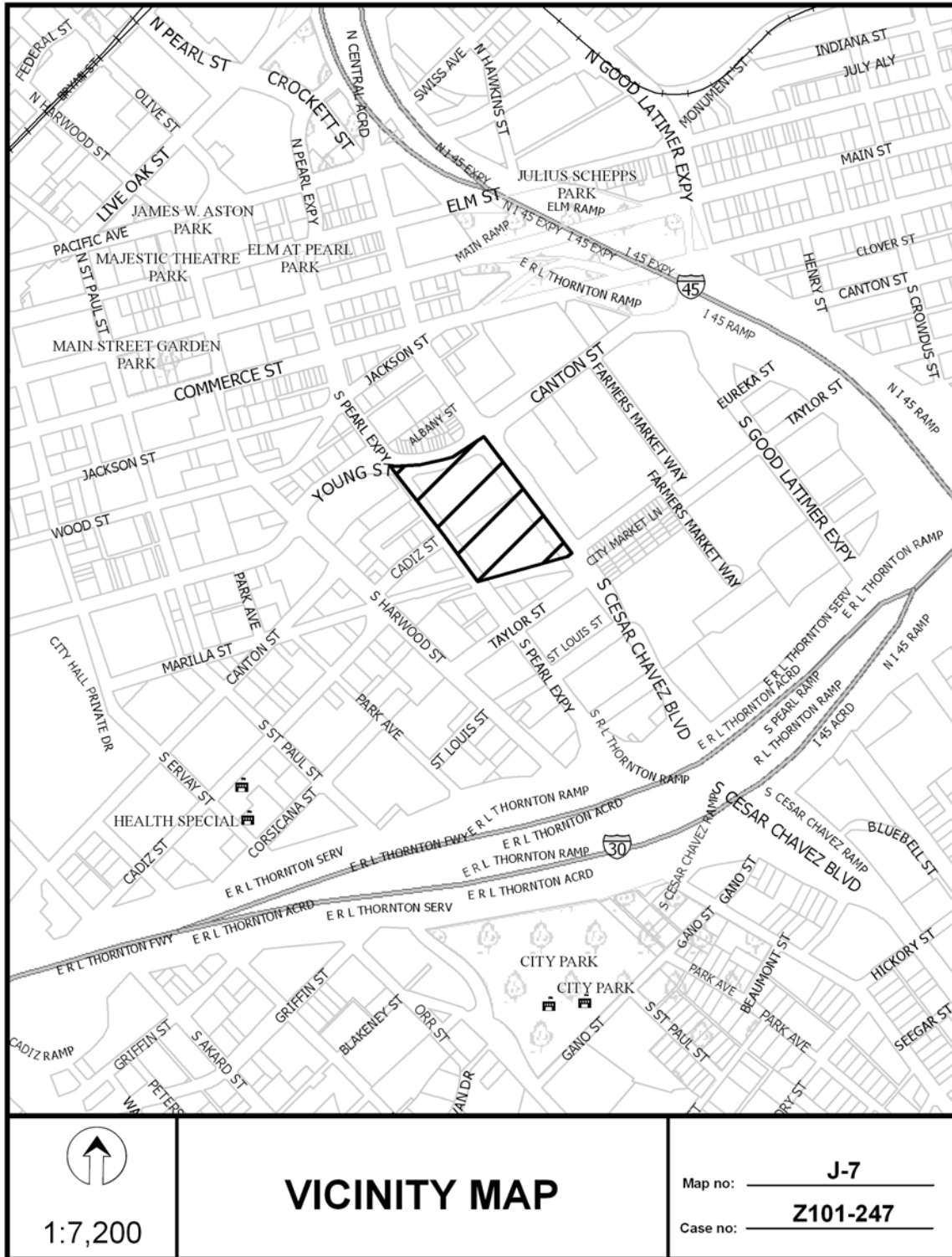
~~SEC. 51P-357.120. ZONING MAP.~~

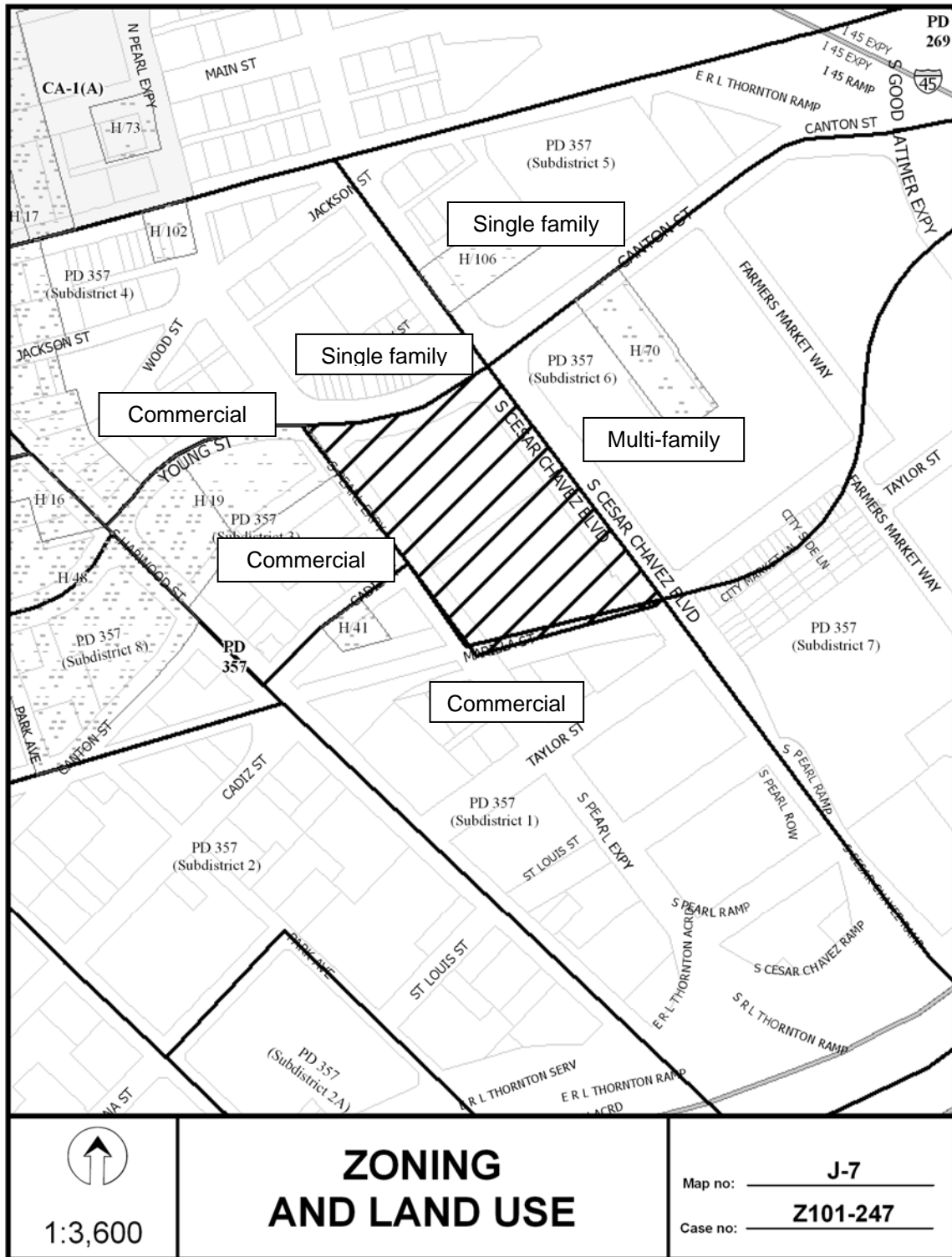
~~PD 357 is located on Zoning Map Nos. J-7 and J-8. (Ord. Nos. 22097; 25850)~~

~~PD 357, Subdistrict 3A is located on Zoning Map No. J-7.~~

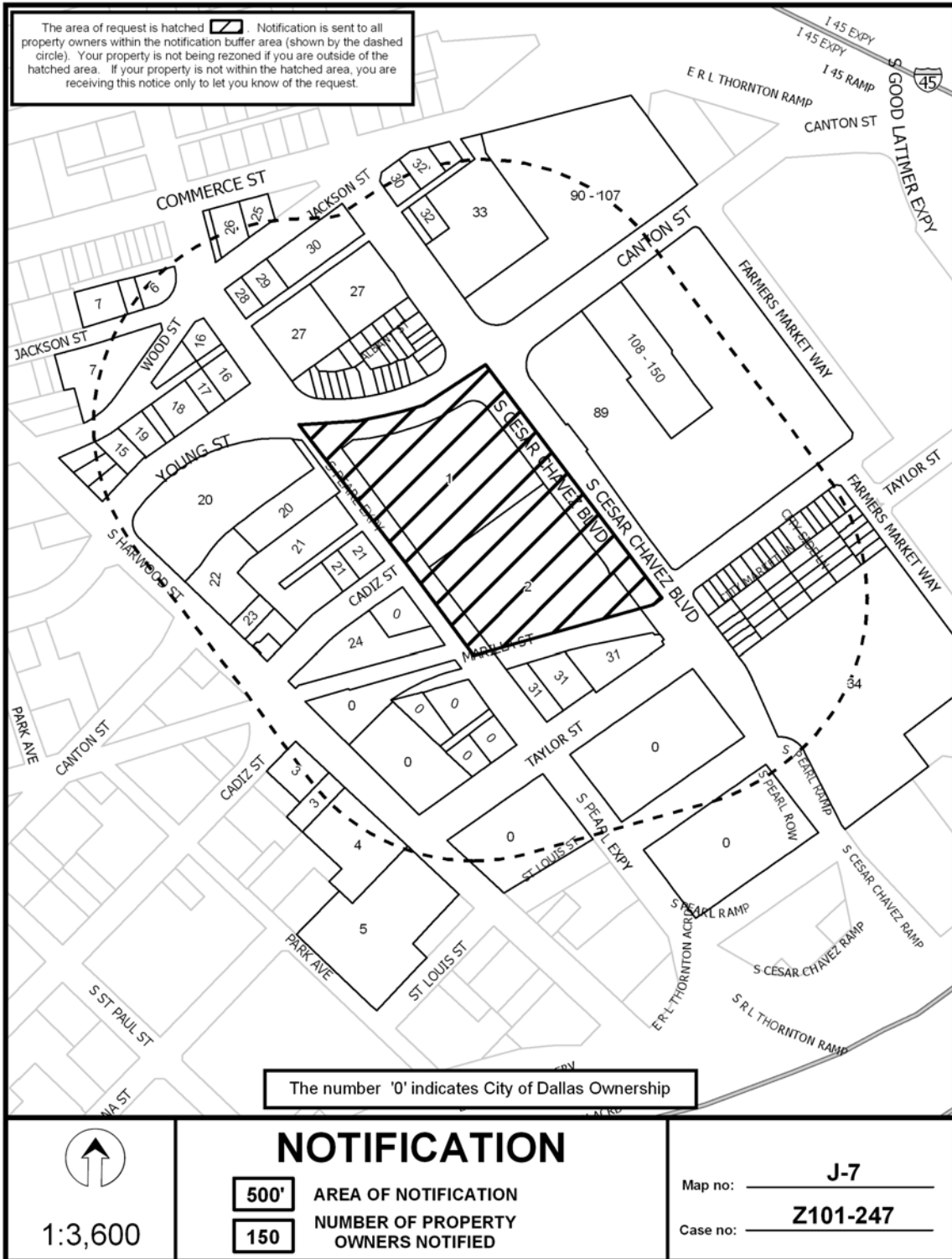
PROPOSED CONCEPT PLAN







DATE: May 10, 2011



5/10/2011

Notification List of Property Owners***Z101-247******150 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	514	CESAR CHAVEZ
		2100 DOWNTOWN CONDO LLC %J G MOORE & CO
2	2129	EUREKA
		2100 DOWNTOWN CONDO LLC
3	911	HARWOOD
		PURE ICE & COLD STG CO
4	915	HARWOOD
		COMBS J C PRODUCE CO
5	1015	HARWOOD
		DALLAS DSL PPTY MANAGEMENT LP
6	2037	JACKSON
		COMMERCE PEARL LP
7	2031	JACKSON
		WOOD JACKSON ST PARCELS LP
8	408	HARWOOD
		DREYFUS BETTY K
9	408	HARWOOD
		FLAXMAN EDNA K
10	408	HARWOOD
		KAHN ALAN LINZ
11	2027	WOOD
		2027 YOUNG ST LTD
12	404	HARWOOD
		STROUT PETER S & SHERRY L STROUT
13	412	HARWOOD
		STROUT PETER S & SHERRY L STROUT
14	412	HARWOOD
		STROUT PETERS S & SHERRY L STROUT
15	2017	YOUNG
		YOUNG WOOD ST CONNECTION
16	317	PEARL
		MADJACKS HOLDINGS LTD
17	2027	YOUNG
		2027 YOUNG ST LTD
18	2023	YOUNG
		DALLAS SCOTTISH RITE BODIES
19	2011	YOUNG
		DALLAS SCOTTISH RITE
20	500	HARWOOD
		DALLAS SCOTTISH RITE LIBRARY & MUSEUM INC
21	2023	CANTON
		RUIBAL FARMS LP
22	600	HARWOOD
		NORTHROP ASSET MGMT LTD
23	608	HARWOOD
		GENARO TRUST 2 SUITE 923
24	2018	CADIZ
		CADIZ STREET PPTIES LTD
25	2112	COMMERCE
		MAHARGER DEV COMPANY LLC
26	2104	COMMERCE
		MAHARGER DEVELOPMENT COMPANY

Tuesday, May 10, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	315 YOUNG	MAHARGER DEV NO 2 LLC % RALPH E GRAHAM III
28	2100 JACKSON	MAHARGER DEV #2 LLC ATTN: RALPH E GRAHAM III
29	2104 JACKSON	LESZINSKI SLAWOMIR TRUSTE
30	308 JACKSON	MAHARGER DEVELOPMENT CO
31	2111 TAYLOR	2111 TAYLOR ST LTD
32	2210 YOUNG	MAHARGER DEVELOPMENT COMPANY LLC
33	400 CESAR CHAVEZ	TOURMALINE PARTNERS PROPERTIES LLC
34	625 GOOD LATIMER	CAMDEN PROPERTY TRUST STE 1500
35	616 HARWOOD	KAGLE BRADFORD A
36	614 HARWOOD	KAGEL BRADFORD A
37	434 DIVERSEY	TEXAS IN TOWN HOMES LLC
38	2129 CANTON	J G MOORE & CO INC
39	2123 ALBANY	KIZZIA DON BRADLEY &
40	2121 ALBANY	CAVAZOS JOSE C & AMY LAVENDER
41	2119 ALBANY	ADKINS KATHERINE SARAH & ADKINS CHRISTOPHER
42	2117 ALBANY	C & R HOLDINGS CORP
43	2113 ALBANY	GREENSPAN KEVIN R
44	2111 ALBANY	STRAWN TONI P
45	2234 MARILLA	REITZ BLAKE ELIZABETH
46	2236 MARILLA	PERKINS SCOTT GIBSON
47	2238 MARILLA	FUHRKEN MARIE ROSE
48	803 FARMERS MARKET	GIBSON DIANE L
49	805 FARMERS MARKET	TROY PETER LEO JR & GINA BAGNULO
50	807 FARMERS MARKET	MILLER ERIN R
51	809 FARMERS MARKET	LEE WEN TI WILLY & TEH YUAN LEE
52	811 FARMERS MARKET	ZAFARMAND ATEF ALIREZA
53	908 CITY SIDE	YBARRA RACHEL C TRUSTEE
54	906 CITY SIDE	URICH SEAN CARTER
55	904 CITY SIDE	WIBLIN BRIAN & JULIA
56	2230 CITY MARKET	ALHADEFF MARY ANNE
57	2226 CITY MARKET	MOEN BRUCE L

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	905 CITY SIDE	STITSKY DAVID ANDREW
59	907 CITY SIDE	SCHIEDA MARISA J &
60	909 CITY SIDE	NAWAZ OMAR & STEPHANIE POHL
61	908 MARILLA	FROHBIETER TODD W
62	906 MARILLA	BONINI LOUIS PIO
63	904 MARILLA	BALL KRISTIN L &
64	2216 CITY MARKET	NEALE JAMES W &
65	2212 CITY MARKET	BLOOM KATHERINE M
66	905 MARILLA	PARAISON PHAEDRA M & HERMAN JR
67	907 MARILLA	BRACHO IVAN GARCIA
68	909 MARILLA	HUFF WINSTON OLIVER
69	912 CESAR CHAVEZ	VITAL VICTOR
70	910 CESAR CHAVEZ	AAMOLD CHRISTOPHER & AMY
71	908 CESAR CHAVEZ	WHITEHEAD MICHAEL E & MARY J
72	906 CESAR CHAVEZ	FARRELL JOHN M
73	904 CESAR CHAVEZ	ANDERSON ASHLEY DOREEN
74	2202 MARILLA	SMITH JAMES & JOANNE SMITH
75	2204 MARILLA	BOYER MACEE L
76	2206 MARILLA	COLLOM CHAD & BREAUX IRY J II
77	2209 CITY MARKET	BICKHAM KRISTINE LEE
78	2211 CITY MARKET	DOHM GLENDA
79	2212 MARILLA	WEDEMEIER FREDERICK C & PATRICIA P
80	2216 MARILLA	STEINBERG JOSEPH & COURTNEY STEINBERG
81	2218 MARILLA	MCCARTHY PAUL J & SANDRA Z
82	2219 CITY MARKET	SARRO BRIAN A & ANDREA L
83	2222 MARILLA	YEAGER GREGORY
84	2224 MARILLA	DEITEMYER TODD & KYLENE
85	2226 MARILLA	CAPERTON JOHN E & NANCY E
86	2228 MARILLA	GOMEZ MARY SHEREEN
87	2230 MARILLA	PEDEN WILL A &
88	2232 MARILLA	JOHNSON DEBORAH J

Tuesday, May 10, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	2210 CANTON	2009 CPT COMMUNITY OWNER LLC
90	2205 CANTON	CAMDEN CONNECTION INC
91	2205 CANTON	KIRCHENBAUER RONALD W & LINDA S KIRCHENBAUER
92	2205 CANTON	MORTENSON DION M
93	2205 CANTON	FOSTER ROY D UNIT 105
94	2205 CANTON	FOSTER ROY DALE
95	2205 CANTON	ORN DONNA J UNIT 109
96	2205 CANTON	BARRETT LAUREL #100-405
97	2215 CANTON	HAMBY JASON & LAURA
98	2215 CANTON	FITZGERALD TIMOTHY K & ANGELA D CHRISTIAN
99	2215 CANTON	2215 CANTON ST #117 TRUST
100	2215 CANTON	FEINER JOEL S & GAIL ALEXANDER
101	2215 CANTON	MATHEWS WILLIAM UNIT 121
102	2205 CANTON	CAMDEN REALTY INC
103	2205 CANTON	NEEL STEVEN J UNIT 125
104	2205 CANTON	WILLEY KEVEN A & GEORGE BADOUX
105	2205 CANTON	STANSBURY KELLY A & JERRY N STANSBURY
106	2205 CANTON	MAJORS DONALD G & SUSAN
107	2205 CANTON	WELLS JOHN M
108	2220 CANTON	JESTER MELISSA UNIT 101
109	2220 CANTON	WESTDALE PROPERTIES AMERICA I LTD
110	2220 CANTON	ABOUTALEBI SINA
111	2220 CANTON	MCCARTY BLYTHE K
112	2220 CANTON	TARDIF MARC A
113	2220 CANTON	STAFFORD ROBERT T
114	2220 CANTON	MICHEL FRANCINE BLDG A UNIT 108
115	2220 CANTON	JOHNSON EUGENE E
116	2220 CANTON	FANNIE MAE
117	2220 CANTON	JOHNSON JAMES MARK
118	2220 CANTON	DAHLKE MERI
119	2220 CANTON	KING DIANE E

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	2220 CANTON	REEVES RICKY
121	2220 CANTON	ECKART PHILIP
122	2220 CANTON	ABDULALEEM KHADIJAH UNIT 207
123	2220 CANTON	ANTHONY STEPHANIE & EVAN
124	2220 CANTON	RAMIREZ CESAR
125	2220 CANTON	JOHNSON ERIC L
126	2220 CANTON	RODRIGUEZ JOSEPH L
127	2220 CANTON	SIMON PATRICIA A BLDG A UNIT 303
128	2220 CANTON	SORRELS BARRY J & BRENDA L
129	2220 CANTON	THOMPSON EDLEECA
130	2220 CANTON	KB AND MB MANAGEMENT
131	2220 CANTON	STAHL DAVID FORWARD TO:
132	2220 CANTON	BROWN CHRISTOPHER S
133	2220 CANTON	WIGHT JASON C
134	2220 CANTON	CANTON 401 LTD
135	2220 CANTON	MCALEAR ROBERT
136	2220 CANTON	CHUNG CHRISTOPHER
137	2220 CANTON	LUNN LINDA C BLDG A UNIT 404
138	2220 CANTON	EASTMAN ALEXANDER L BLDG A UNIT 405
139	2220 CANTON	GMUROWSKA ANNA A
140	2220 CANTON	LOULAN JOHN & LOULAN CLAYTON
141	2220 CANTON	MOUSSAVI ANTHONY UNIT 408/508
142	2220 CANTON	ROWNTREE ROBERT & UNIT 409
143	2220 CANTON	GOODEN DAVID & LINDA UNIT 501
144	2220 CANTON	BATES JAMES D UNIT 502
145	2220 CANTON	LEPORIS GEORGE #503
146	2220 CANTON	JOHNSON AMY BLDG A UNIT 504
147	2220 CANTON	METCALF TRAVIS A & FERRIS ABBEY L
148	2220 CANTON	HARTMAN BROOKE ELIZABETH
149	2220 CANTON	JONSSON-LONNINGE ANNETTE
150	2220 CANTON	RABARA EVANGELINE

Tuesday, May 10, 2011

FILE NUMBER: Z101-278(MG)

DATE FILED: May 23, 2011

LOCATION: Commerce Street and Manila Road, Northwest Corner

COUNCIL DISTRICT: 3

MAPSCO: 43 Q

SIZE OF REQUEST: Approx. 1.715 Acres

CENSUS TRACT: 104

APPLICANT: Samuel Ramos

REPRESENTATIVE: Peter Kavanagh

OWNER: Samuel Ramos

REQUEST: An application to renew Specific Use Permit No. 1624 for an Industrial (outside) not potentially incompatible use for a Concrete batch plant on property zoned an IR Industrial Research District.

SUMMARY: The applicant is proposing to utilize the site for a concrete batch plant.

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

BACKGROUND INFORMATION:

- SUP No. 1624 was approved on May 24, 2006 for a five-year period with eligibility for one additional five-year period. The applicant did not relocate in 2006, due to changing economic conditions. The applicant plans to relocate an existing concrete batch plant from the Commerce Street/May Street area, east of the request site.
- The applicant is requesting to renew the SUP for an industrial (outside) not potentially incompatible use for a concrete batch plant.
- The proposed site plan depicts one structure, material storage bins, two silos and parking spaces.
- The site abuts an existing rail corridor; however, the applicant does not anticipate utilizing it.

Zoning History:

1. Z056-208

On May 24, 2006, the City Council approved a Specific Use Permit for an Industrial (outside) not potentially incompatible use for a Concrete batch plant on property zoned an IR Industrial Research District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
W. Commerce Street	Local	80 ft.	80 ft.
Manilla Street	Local	70 ft.	70 ft.

Land Use:

	Zoning	Land Use
Site	IR (SUP No. 1624)	Undeveloped
North	IR	Rail corridor
South	IR	Warehouse
East	IR	Warehouse
West	IR	Undeveloped

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 Industrial Areas Block.

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

ECONOMIC:

GOAL 2.1 PROMOTE BALANCED GROWTH

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

STAFF ANALYSIS:

Land Use Compatibility: The request site is undeveloped and abuts a rail corridor, which will not be utilized by the applicant. The applicant is proposing to utilize the site for an industrial (outside) use for a concrete batch plant. Improvements will include a small office, material storage bins, and two silos. SUP No. 1624 was originally approved in May 2006 for a five-year period with eligibility for one additional five-year period. At that time, the applicant intended to relocate to the subject site. Due to changing economic conditions, the applicant was not able to do so.

The area is generally developed with a mix of industrial uses with the majority of the heavy industrial uses developed on property north of the site and south of Singleton Boulevard. The balance of the area is developed with inside industrial uses, inclusive of warehouse/distribution uses.

The Trinity River Corridor Plan adopted by City Council in March, 2005, has established specific land use modules along the Trinity's alignment. The site lies within the boundary of the Light-industrial module.

The Light-industrial module recommends the following primary land uses: industrial-distribution (35%), industrial-flex office (20%), office-regional (20%), and retail-neighborhood and civic uses (15%). The applicant's request is not in compliance with the light-industrial module recommended by the TRC Plan.

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

continued compatibility of this land use with the anticipated redevelopment of the general area consistent with the above referenced plan.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		<u>Density</u>	<u>Height</u>	<u>Lot Coverage</u>	<u>Special Standards</u>	<u>PRIMARY Uses</u>
	<u>Front</u>	<u>Side/Rear</u>					
IR (SUP 1624)-existing Industrial Research	15'	0'/30'	NA	200'	80%	Proximity Slope Does not apply	Research & development, light industrial, office

Landscaping: Landscaping must meet the requirements of Article X.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and has no objections.

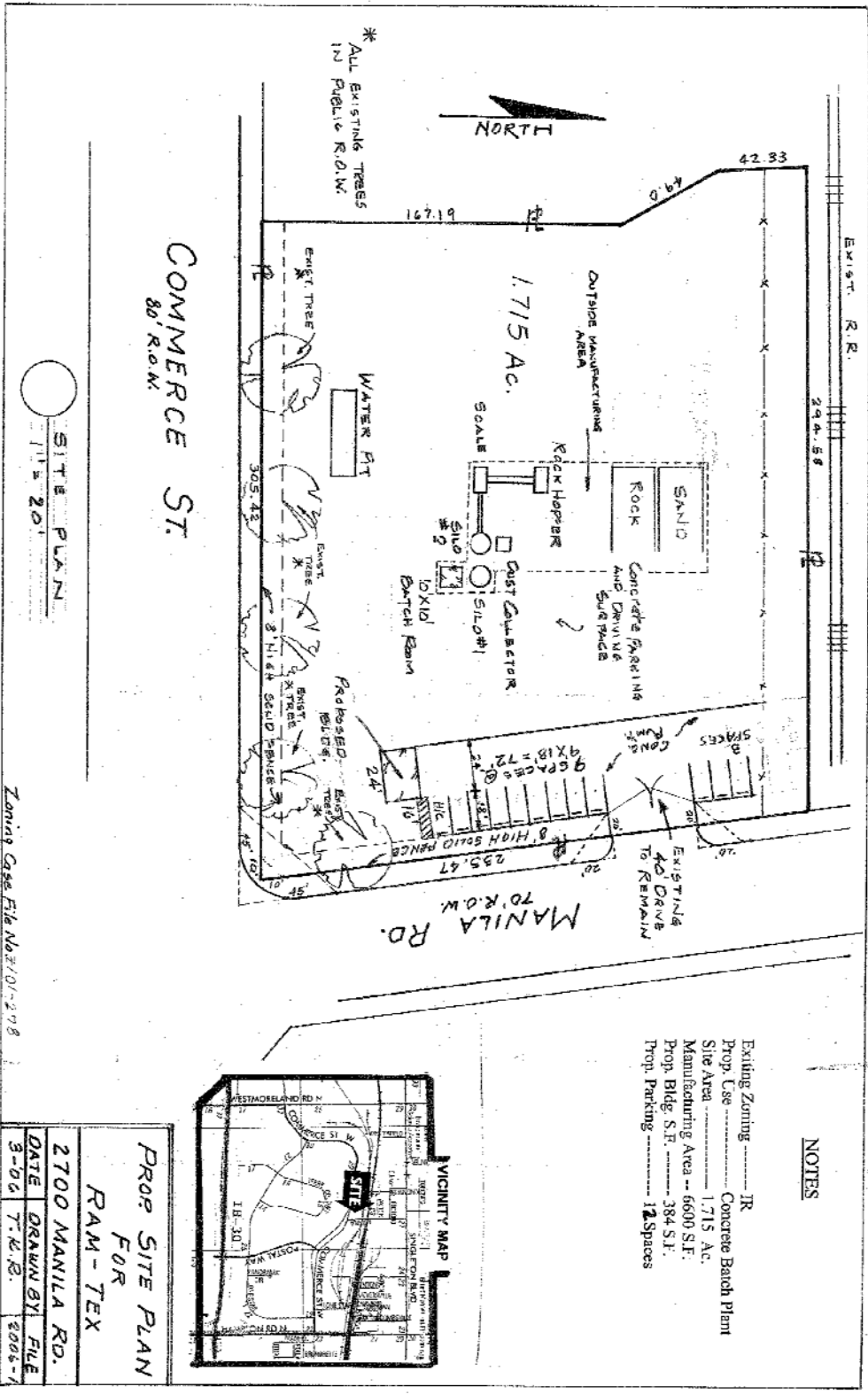
Parking: The Dallas Development Code requires off-street parking to be provided for a temporary concrete or asphalt batching plant use at two spaces. While the existing development requires 2 spaces, 12 spaces are provided as shown on the attached site plan.

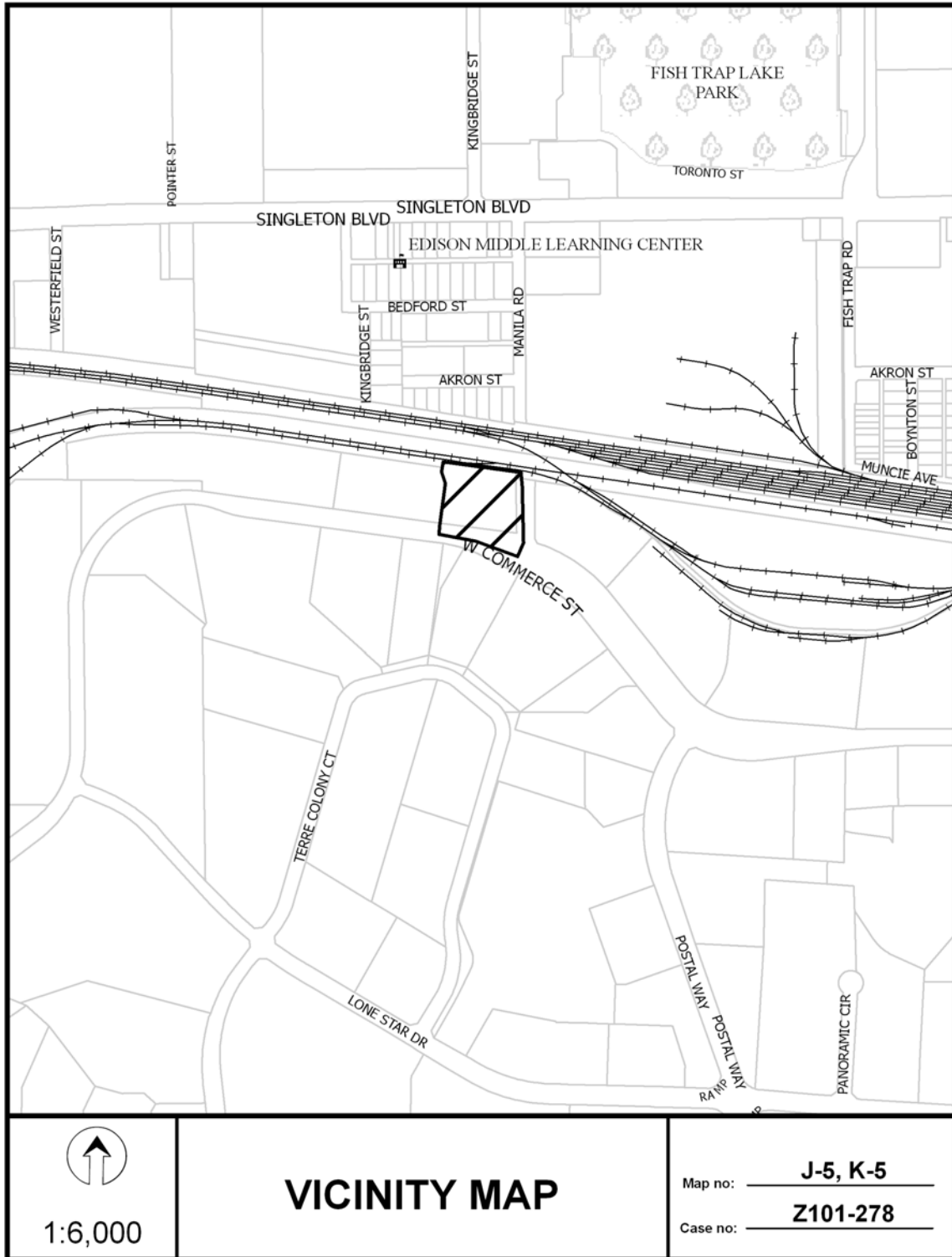
**PROPOSED SUP
CONDITIONS**

1. USE: The only use authorized by this specific use permit is an industrial (outside) not potentially incompatible use for a concrete batch plant.
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 (five-year period).
4. GROUND AND DUST CONTROL:
 - A. The following conditions must be met on an ongoing basis:
 - i. All on-site travelways and maneuvering lanes must be paved, watered, and swept as necessary to achieve maximum control of dust emissions.
 - ii. All cement storage silos and cement weigh hoppers must be vented to a fabric filter to eliminate visible dust emissions.
 - iii. To avoid overloading, a mechanism must be installed on each cement storage silo to warn operators that the silo is full.
 - iv. During operations, all stockpiles must be sprinkled with water or chemicals to eliminate visible dust emissions.
 - B. Prior to the issuance of a certificate of occupancy, a ground and dust control plan incorporating existing and proposed infrastructure as required by conditions (i) through (iv), above, must be documented in written form and delivered to the director of Environmental and Health Services and the director of Sustainable Development and Construction .
5. OFF-STREET PARKING: Off-street parking must be provided in the locations shown on the site plan.
6. OUTSIDE MATERIALS STORAGE: Outside storage of materials must be located in bins that are screened on three sides by solid walls a minimum of ten feet in height.

7. ROAD REPAIR: The operator is responsible for repairing holes or other surface damages on Manila Road caused by operation of the concrete batch plant. The road repairs must conform to City of Dallas standards as approved by the director of public works and transportation.
8. SCREENING: A minimum eight-foot-high solid screening fence must be maintained and located as shown on the attached site plan.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN



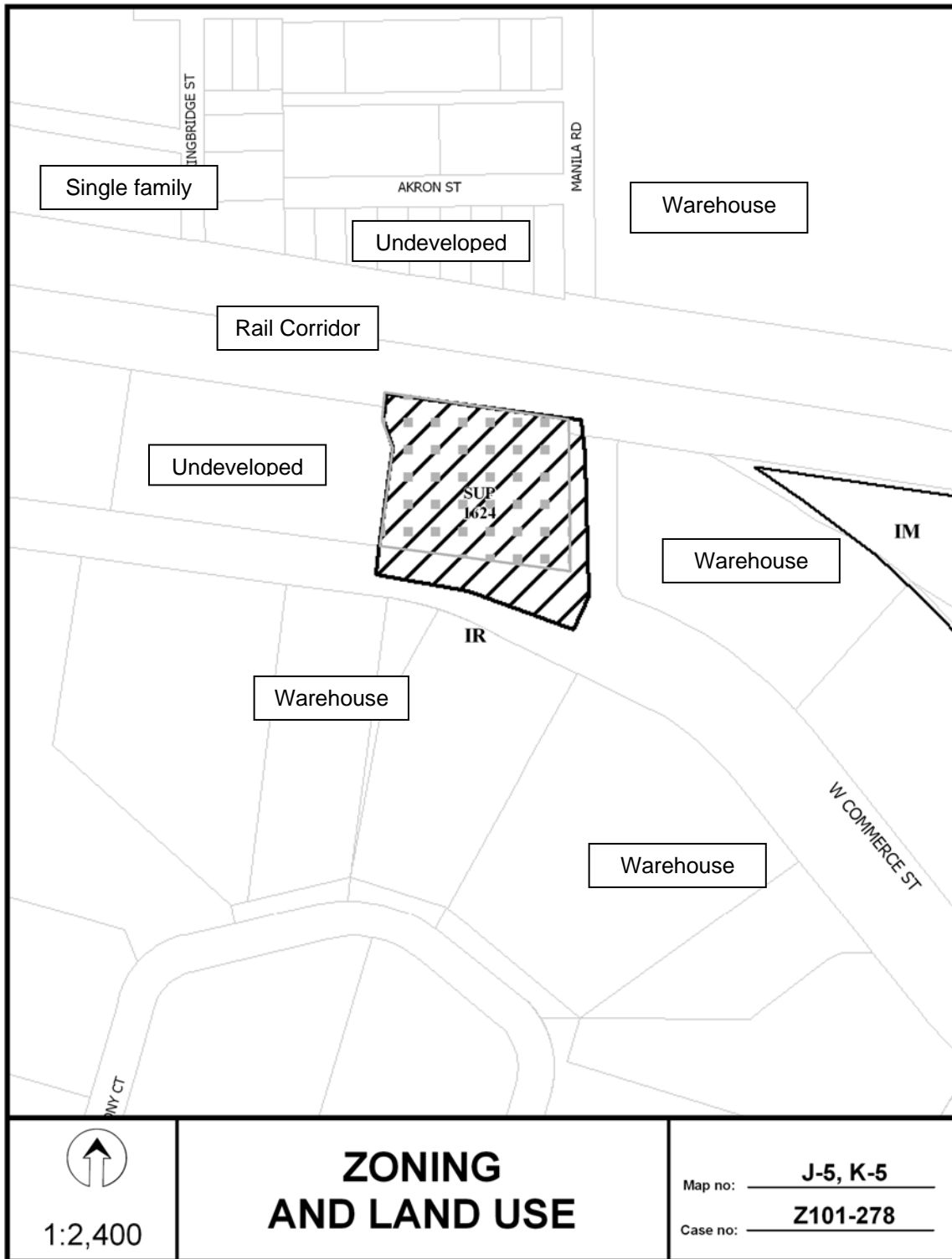


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VICINITY MAP

Map no: J-5, K-5
Case no: Z101-278

DATE: July 07, 2011

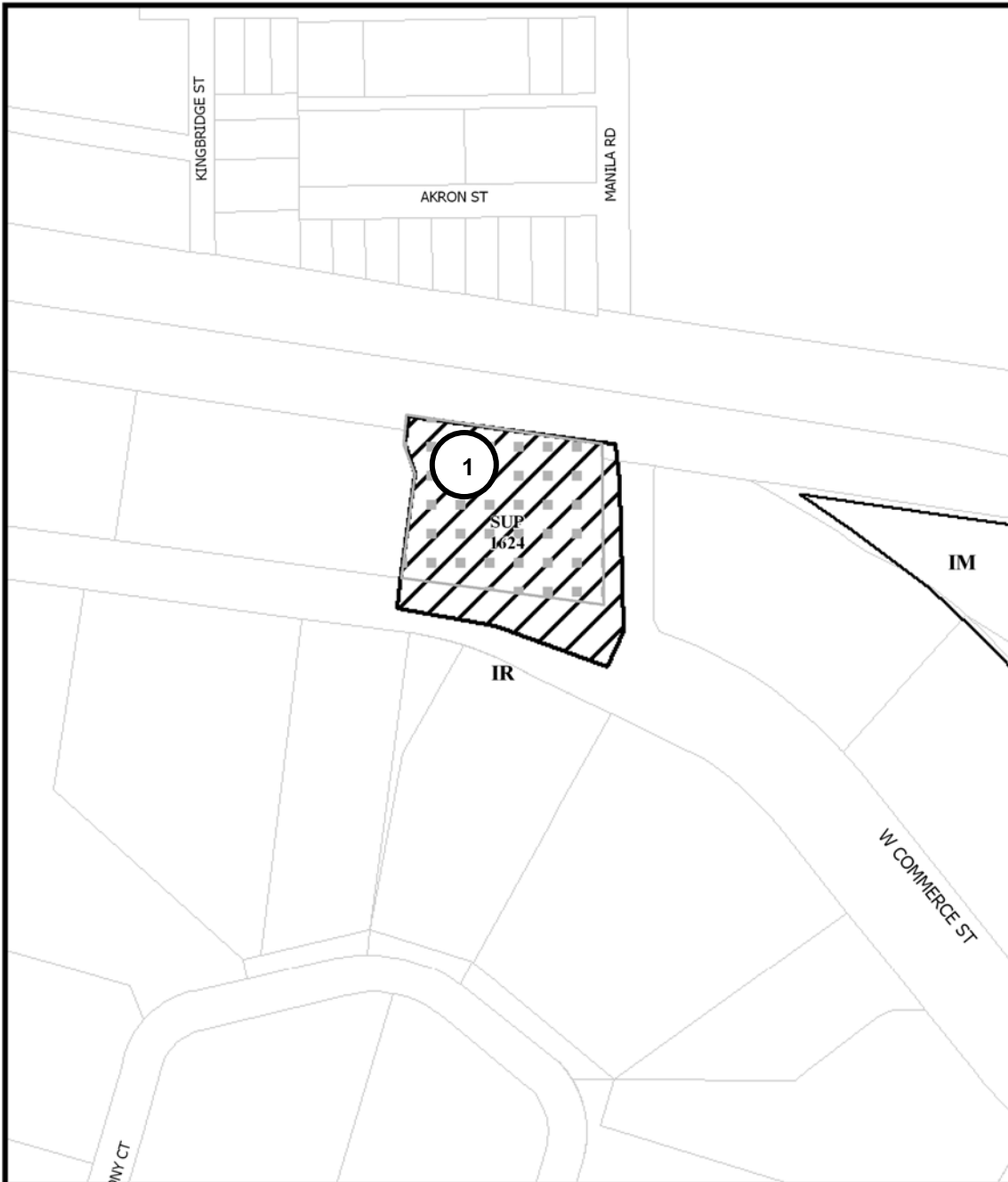


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ZONING AND LAND USE

Map no: J-5, K-5
Case no: Z101-278

DATE: July 07, 2011



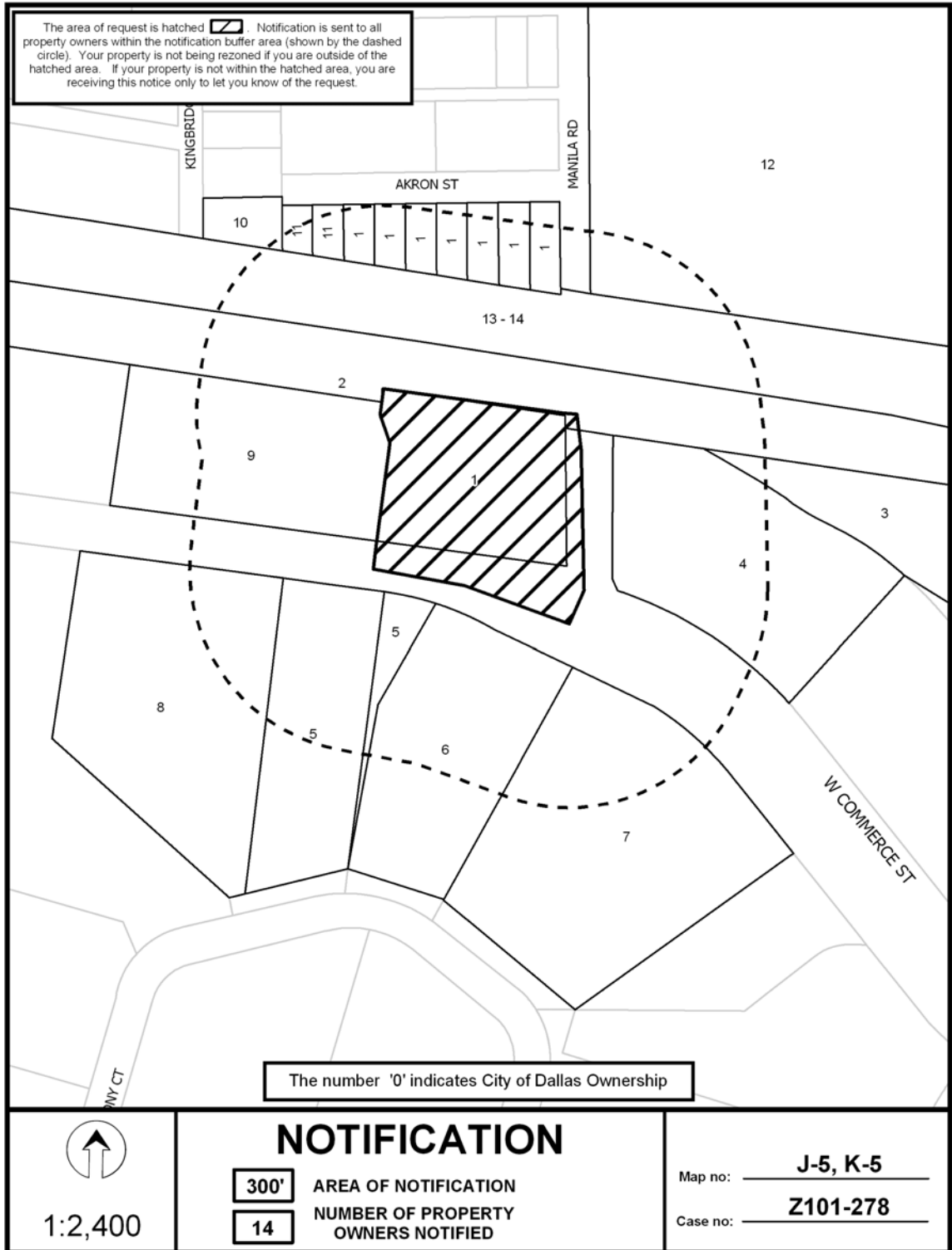
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ZONING HISTORY

Map no: J-5, K-5

Case no: Z101-278

DATE: July 07, 2011



7/7/2011

Notification List of Property Owners***Z101-278******14 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2826 MANILA	RAMOS SAMUEL
2	2300 GRAND	BNSF RAILWAY % PROPERTY TAX DEPT
3	1801 LONE STAR	LONE STAR IND INC % PROPERTY TAX MANAGER
4	2565 COMMERCE	USA REAL ESTATE & INV LLC ATTN: KEVIN SAPIR
5	2770 COMMERCE	ARAIZA JUAN J
6	2570 COMMERCE	2570 W COMMERCE LLC STE 1200
7	2556 COMMERCE	REMINGTON DEV CO & GRUEN THEODORE D
8	2772 COMMERCE	4815 VICKSBURG LLC
9	2800 COMMERCE	DALLAS GARLAND & NE RR % RAILAMERICA TAX DEPT
10	2706 KINGBRIDGE	CORTEZ CLEMENTINA
11	2834 AKRON	BROOKS REX
12	2600 SINGLETON	BUILDING MATERIALS CORP OF AMERICA
13	9999 NO NAME	UNION PACIFIC RR CO % TAX DEPT
14	4401 LINFIELD	ST LOUIS S W RAILWAY CO % UNION PACIFIC PPTY TAX

Thursday, July 07, 2011

FILE NUMBER: Z101-290(MG)

DATE FILED: June 9, 2011

LOCATION: East Line of Wire Way, North of Lombardy Lane

COUNCIL DISTRICT: 6

MAPSCO: 22 U

SIZE OF REQUEST: Approx. 1.22 Acres

CENSUS TRACT: 99

APPLICANT: Northwest Metals Recycling

REPRESENTATIVE: Rob Baldwin

OWNER: Nova Construction

REQUEST: An application to renew Specific Use Permit No. 1758 for a recycling collection center on property zoned an IR Industrial Research District. The property is located within a designated flood plain.

SUMMARY: The applicant is requesting to continue operating a recycling collection center within the existing improvements.

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

BACKGROUND INFORMATION:

- This request was submitted on June 9, 2011. SUP No. 1758 was approved on June 24, 2009 and expired on June 24, 2011.
- The request site is developed with a one-story structure, covered work area, and is further improved with perimeter fencing and an off-street parking area.
- The applicant proposes to operate a recycling collection center with minimal operational improvements proposed for the existing open area (eastern portion of the site).

Zoning History:

1. Z089-143
On June 24, 2009, City Council approved a Specific Use Permit for a recycling collection center on property zoned an IR Industrial Research District. The property is located within a designated flood plain.
2. Z078-282
An SUP for a Recycling collection center on property zoned and IR Industrial research District. On March 5, 2009, the City Plan Commission recommended denial of the request. The applicant did not appeal the CPC recommendation.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Wire Way	Local	56 ft.	56 ft.

Land Use:

	Zoning	Land Use
Site	IR	Commercial
North	IR	Undeveloped
South	IR	Commercial/Industrial
East	IR	Commercial/Industrial
West	IR	Commercial Amusement (Inside)

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 Business Centers or Corridors Block.

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

LAND USE

Goal 1.4 Coordinate planning activities to balance transportation, land use, infrastructure and the environment

Policy 1.4.3 Embrace environmental sustainability.

ENVIRONMENT:

Goal 6.6 Increase recycling and conservation of renewable resources

Policy 6.6.1 Increase recycling and composting.

Land Use Compatibility:

The request site is improved with a single story structure, covered work area, surface parking, and perimeter fencing. The applicant is requesting to renew the specific use permit to continue operating a recycling collection center.

The site is located in a nonresidential area and surrounded by office/warehouse and industrial uses in all directions. A portion of the request site lies within the floodplain, but all improvements are located outside of the floodplain. An undeveloped parcel zoned for IR District Uses abuts the northern property line. Lastly, a commercial amusement inside use is developed on property west of the site.

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

Staff has previously worked with the applicant to provide solid fencing around the perimeter of the outside area as well as providing landscaping along the site's Wire Way frontage. As a result of staff's analysis, the request complies with the intent of the Dallas Development Code, subject to staff's recommended conditions.

Development Standards:

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

Traffic:

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

Landscaping:

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

Parking:

The Dallas Development Code requires off-street parking to be provided for a recycling buy-back center use at one space for each 500 square feet of floor. While the existing development requires 14 spaces, 17 spaces are provided as shown on the attached site plan.

Z101-290 (MG)

Z101-290

DPD Report

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

Virtual Viewer - Public Access Welcome

Search Records - Offense Filter

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

Page 1 of 1 (3 items)

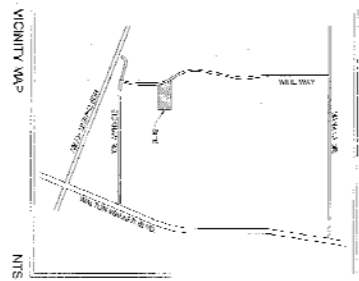
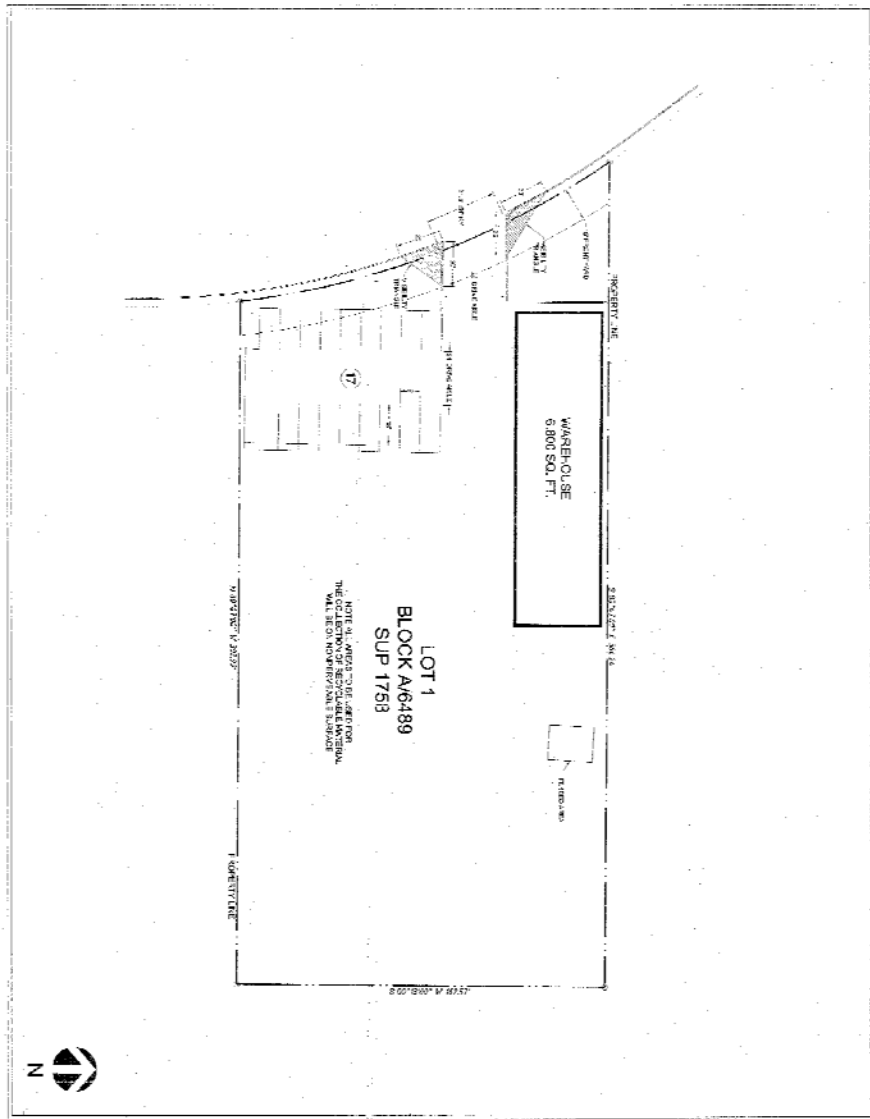
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SUP Conditions

1. USE: The only use authorized by this specific use permit is a recycling collection center for the collection of household metals, industrial metals, and recyclable materials. No other materials may be collected or recycled.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on (two years) [~~June 24, 2011~~].
4. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.
5. FENCING: An eight-foot-high solid fence must be provided along the perimeter of the Property as shown on the attached site plan.
6. GATE: The driveway gate shown on the site plan must remain open during the recycling collection center hours of operation.
7. HOURS OF OPERATION: The recycling collection center may only operate between 8:00 a.m. and 7:00 p.m., Monday through Sunday.
8. INGRESS-EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
9. LICENSE: The operator of the recycling collection center must comply with the secondary metals recycler regulations in Dallas City Code Chapter 40B, as amended, including the licensing requirements.
10. PARKING: A minimum of 13 off-street parking spaces are required. Off-street parking must be provided in the locations shown on the attached site plan.
11. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
12. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

EXISTING SITE PLAN

1 SITE PLAN
SCALE 1" = 200'



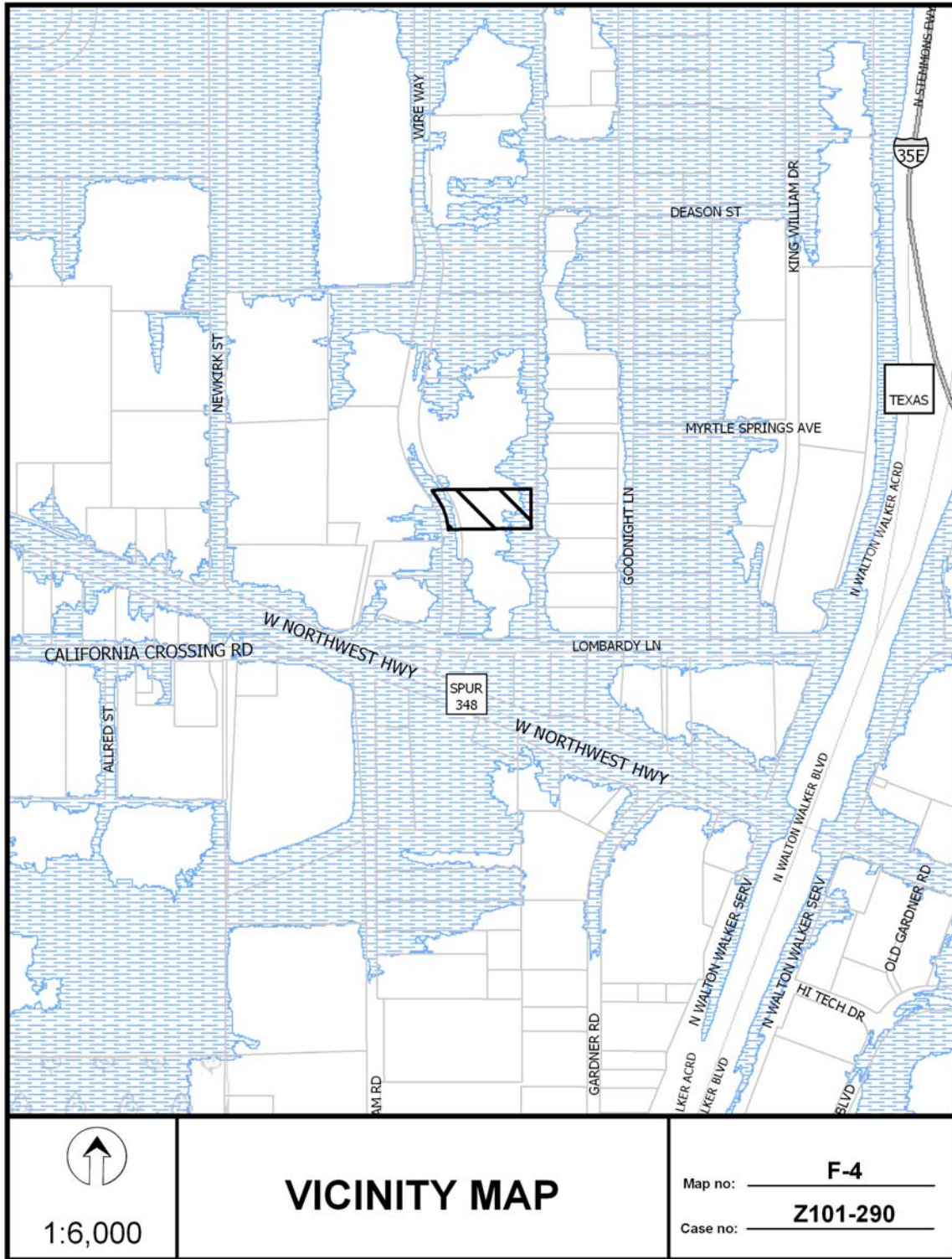
TOTAL BLDG. SQ. FT.	6,800 SQ. FT.
(4,600 SQ. FT. FLOOR AREA, 2,200 SQ. FT. MESSANINE)	
HEIGHT	30 FT.
STORIES	1
LOT COVERAGE	12%
REQUIRED PARKING	13
PROVIDED PARKING	17

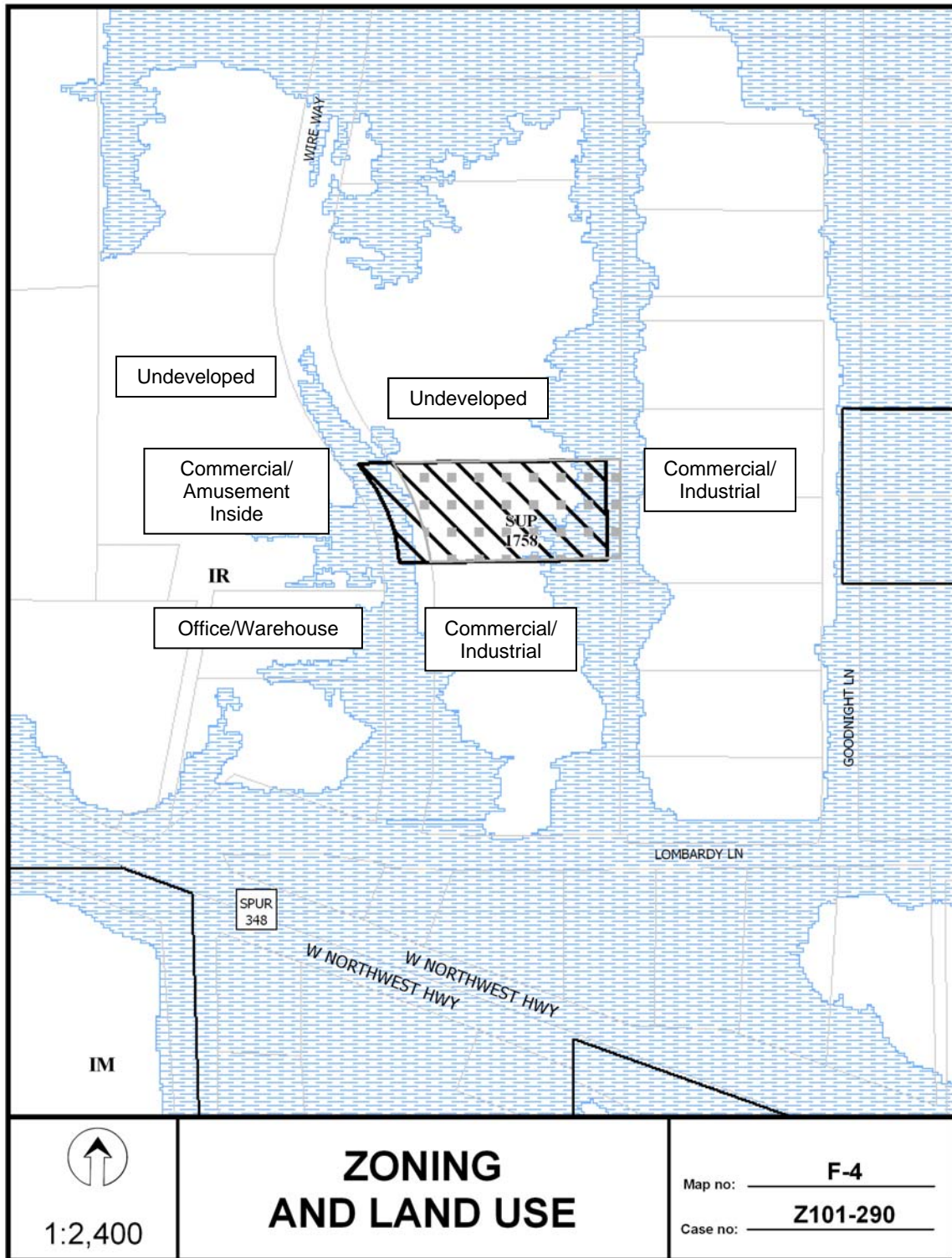
10514 WIRE WAY
CITY OF DALLAS, TEXAS

Baldwin Associates
BALDWIN ASSOCIATES
3001 E. A. BIRD, SUITE 405
DALLAS, TEXAS 75216
OFF. CEN. 214.778.7969
HOME 972.838.7750

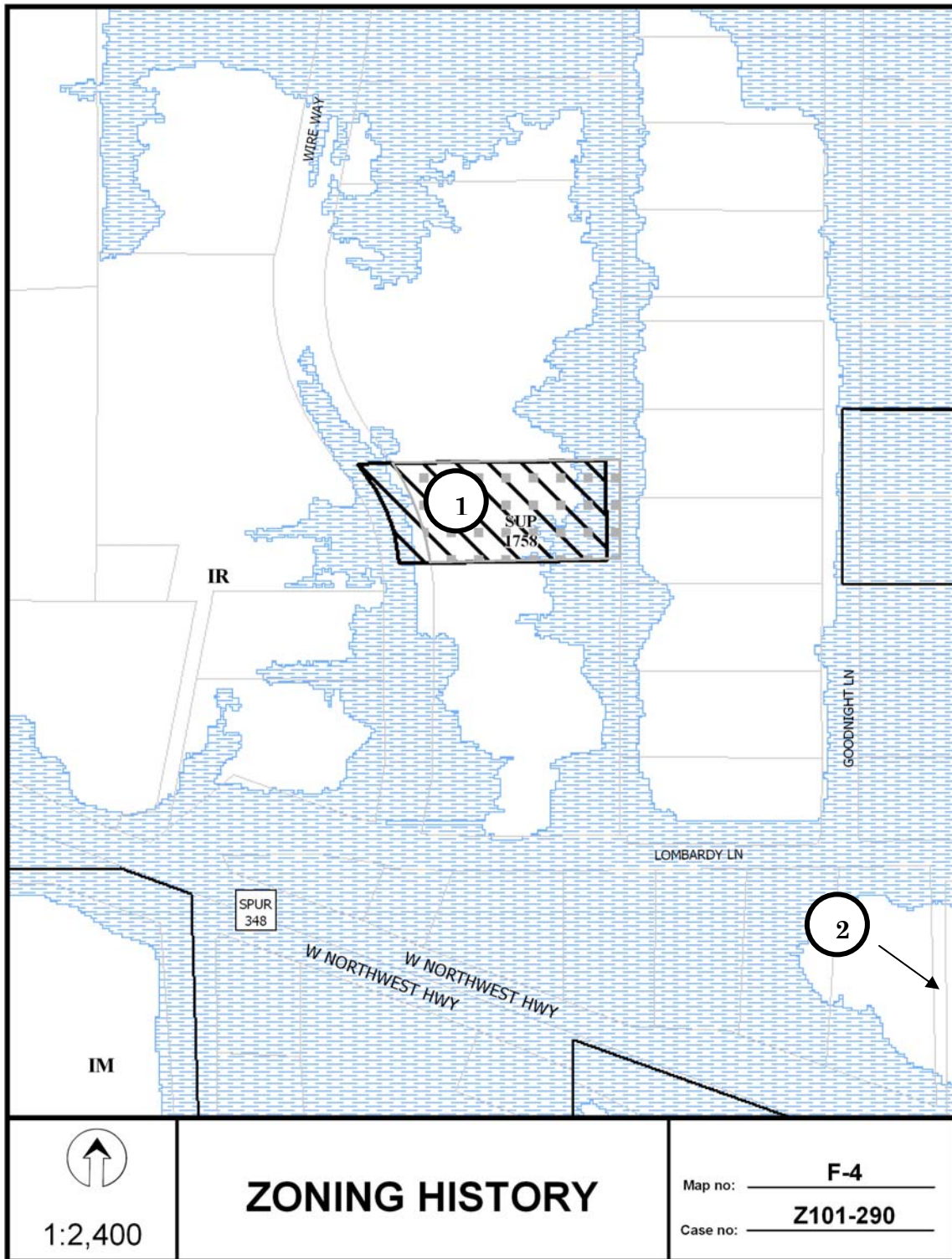
DATE	07/12/11
PROJECT NUMBER	
CLIENT	

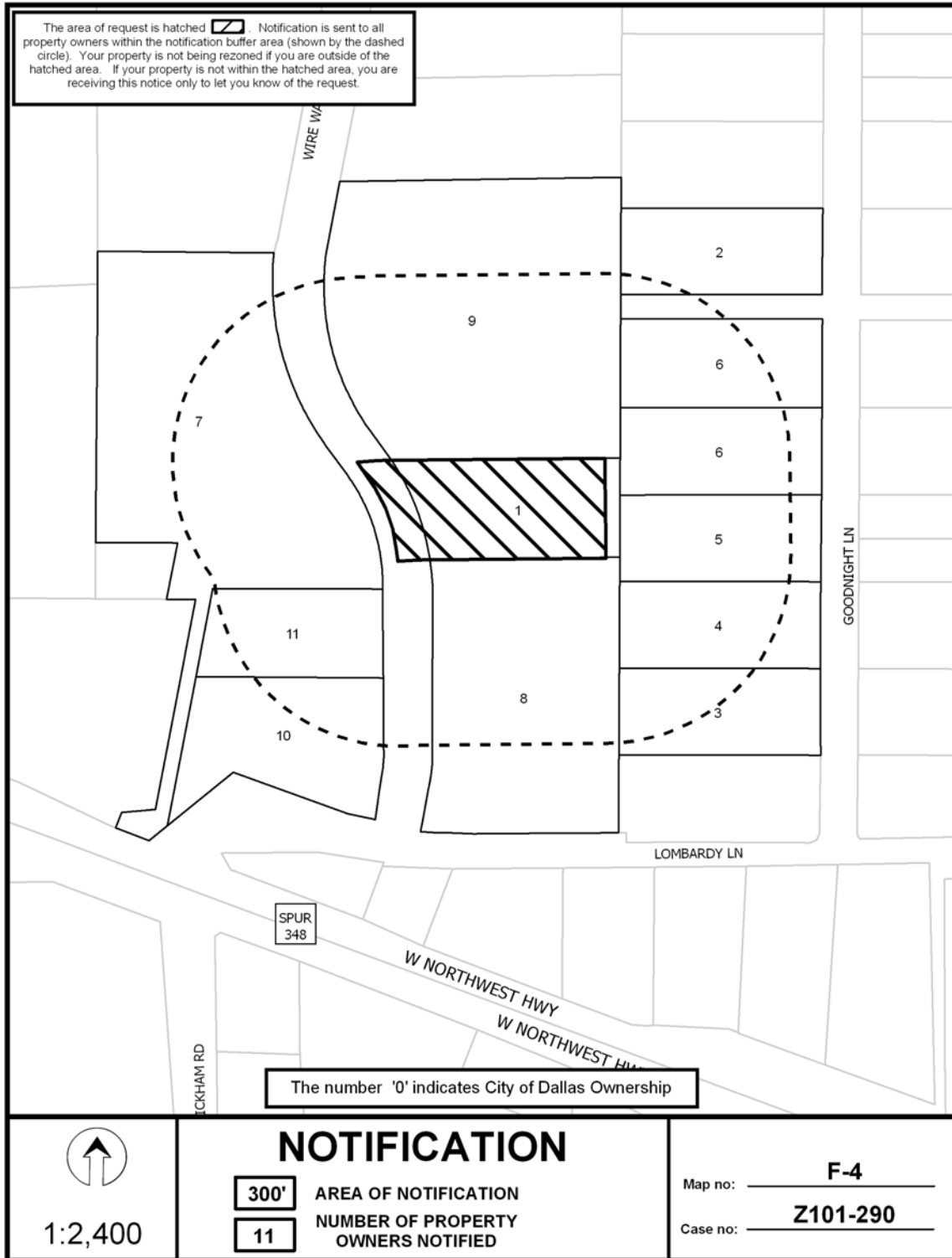
Z101 - 290





DATE: July 07, 2011





Notification List of Property Owners

Z101-290

11 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10514 WIRE WAY	NOVA CONSTRUCTION CO
2	10603 GOODNIGHT	BENDA FAMILY LP
3	10519 GOODNIGHT	FISHER JAMES D
4	10531 GOODNIGHT	WILDER EMMA E
5	10539 GOODNIGHT	NUNEZ MAXIMO RAMON & ALBA DBA B & R TRUCK SALES
6	10561 GOODNIGHT	ROCKBROOK REALTY LTD
7	10557 WIRE WAY	RCI HOLDINGS LLC ATTN: ERIC LANGAN
8	2257 LOMBARDY	H & G REAL ESTATE PS
9	10500 WIRE WAY	RCI WIREWAY INC
10	2223 LOMBARDY	EWING IRRIGATION PRODUCTS INC
11	10525 WIRE WAY	TRUSSELL DONALD

Thursday, July 07, 2011

FILE NUMBER: Z101-227 (MG)

DATE FILED: March 23, 2011

LOCATION: Northeast corner of Garland Road and Jupiter Road

COUNCIL DISTRICT: 9

MAPSCO: 38 C

SIZE OF REQUEST: Approx. 5.80 acres

CENSUS TRACT: 128.00

REPRESENTATIVE: Masterplan

APPLICANT: Fiesta Mart

OWNER: Cole MT Dallas TX LLC

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 use greater than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay.

SUMMARY: The applicant proposes to sell alcohol for off-premise consumption in conjunction with a general merchandise or food store.

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

BACKGROUND INFORMATION:

- The request site is currently developed with an approximately 59,666 square foot general merchandise/food store and vehicle fueling station (gas station).
- The Specific Use Permit request area for the sale of alcoholic beverages is limited to the 59,666 sq. ft. general merchandise/food store.
- The sale of alcohol is prohibited in the D Liquor Control Overlay district.
- The general merchandise use is permitted by right in the CR Community Retail District. The sale of alcoholic beverages on property regulated by the D-1 Liquor Control Overlay requires a specific use permit.

Zoning History:

1. Z078-211 On June 25, 2008, the City Council approved an application for a Planned Development District for D(A) Duplex District and public library uses and termination of Specific Use Permit No. 72 for a Community Recreation Center.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Garland Rd.	Principle	100 ft.	100 ft.
Jupiter Rd.	Principle	100 ft.	100 ft.

Land Use:

	Zoning	Land Use
Site	CR-D	General Merchandise/food store/motor vehicle fueling station
North	R-7.5(A)	Single family
West	CR	Commercial
East	CS	Commercial

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 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.

Land Use Compatibility:

The approximately 5.80 acre request site is zoned a CR Community Retail District with a D Liquor Control Overlay and is currently developed with a 59,666 sq. ft. general merchandise/food store and motor vehicle fueling station. No additional improvements are proposed. The applicant proposes to sale alcohol for off-premise consumption in conjunction with general merchandise uses. This requires changing the Liquor Control Overlay designation from D to D-1. A Specific Use Permit for the sale of alcoholic beverages is required in the D-1 Liquor Control Overlay. The Specific Use request area for the sale of alcoholic beverages is limited to the 59,666 sq. ft. structure depicted on the site plan.

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 applicant’s request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The adjacent commercial and single family uses are compatible with the proposed uses on the subject property. Adjacent single family uses are screened from the subject property by a six-foot wood fence. The applicant is proposing to develop a multi-suite structure that will contain general merchandise and motor vehicle fueling station uses with the sale of alcoholic beverages for off premise consumption. The initial short time period will also require that the request be reevaluated to ensure the use is compatible in this location.

Development Standards:

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

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

Parking: The Dallas Development Code requires off-street parking to be provided for a general merchandise use at one space for each 200 square feet of floor plus two additional spaces for the motor vehicle fueling station use. The existing uses are to remain and require 300 parking spaces. The attached site plan illustrates 309 spaces.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and has no objections.

Z101-227

GABBERT HOLDINGS, INC

Officers

Greg Turner, Manager

COLE MT DALLAS LLC

Officers

Christopher H. Cole, CEO and President

D. Kirk McAllaster, Jr., Executive Vice President and Chief Financial Officer

Todd J. Weiss, Manager

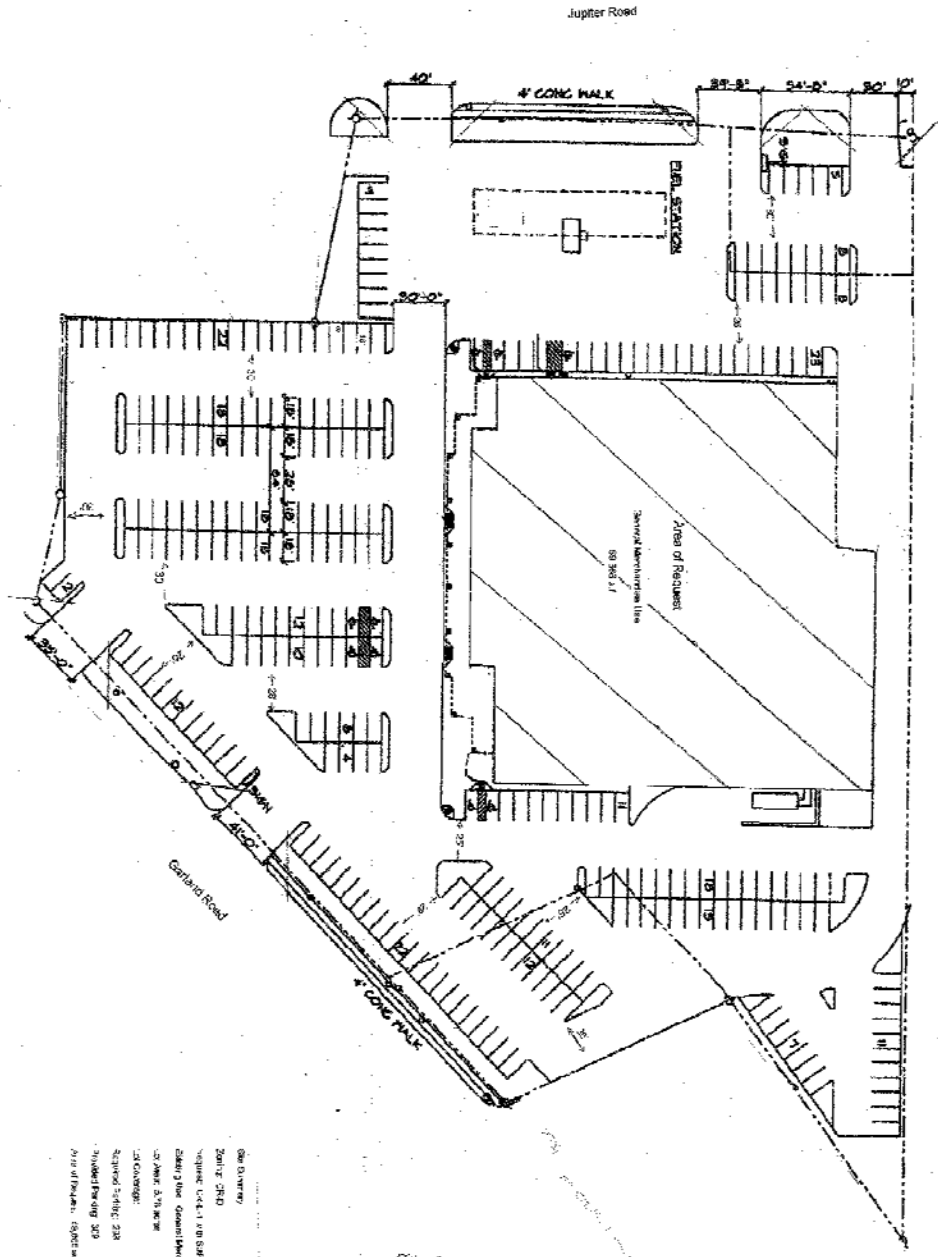
DPD Report

The screenshot displays the Dallas Police Department's Virtual Viewer interface. The top navigation bar is blue and contains the Dallas Police Department logo on the left, the text "DALLAS POLICE DEPARTMENT" in the center, and links for "UCR Codes", "Year Codes", and "Property Class Codes" on the right. Below this is a yellow banner with "Virtual Viewer - Public Access" on the left and "Welcome" on the right. The main content area is light gray and features a central message box with a dark blue header that reads "No found results." and a white body that reads "The search parameters found no records." The footer is a dark blue bar with the text "AgencyWeb® All rights reserved. ©2009 Orion Communications, Inc."

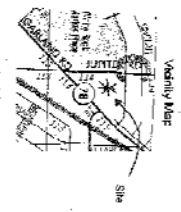
Proposed SUP Conditions

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

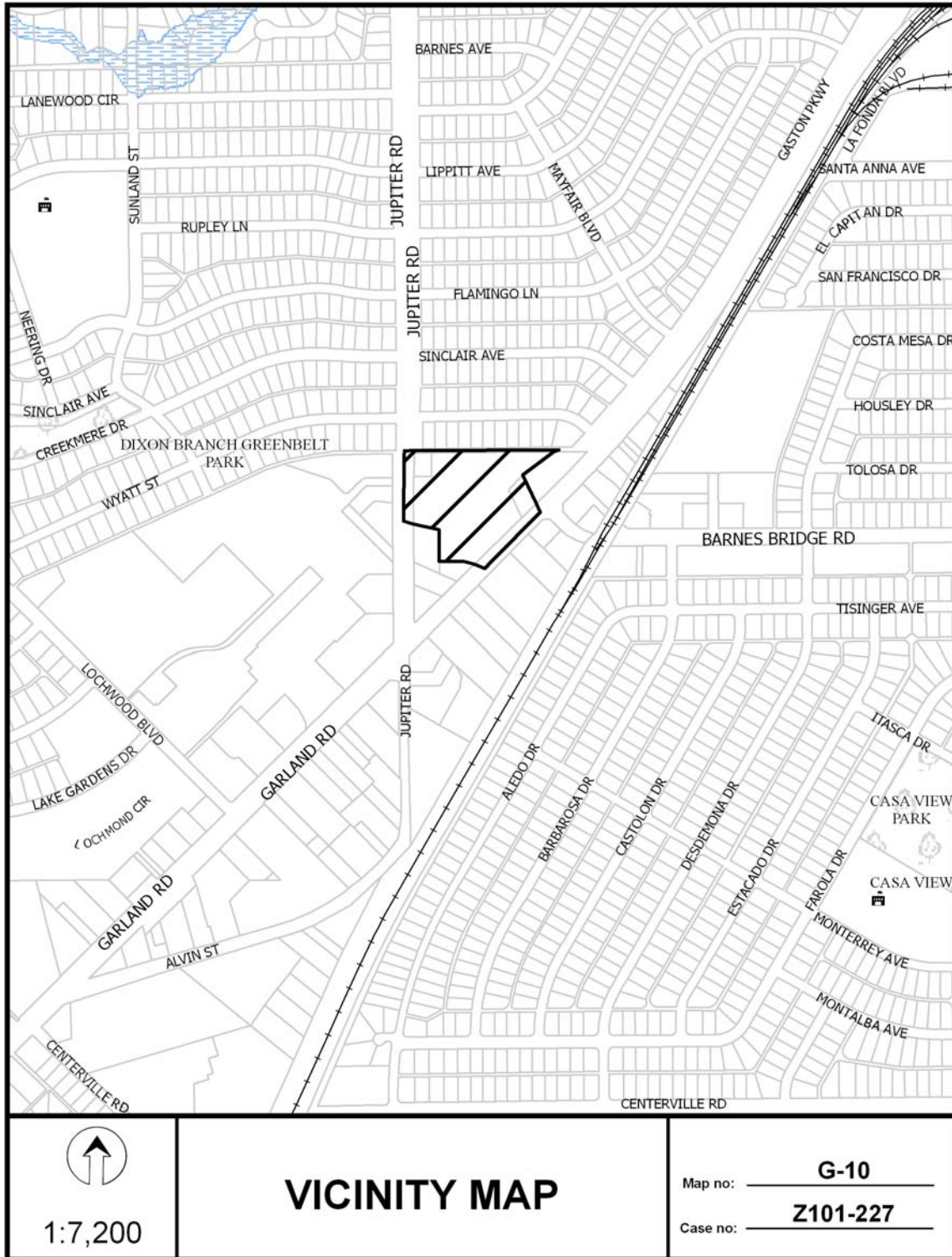
EXISTING SITE PLAN

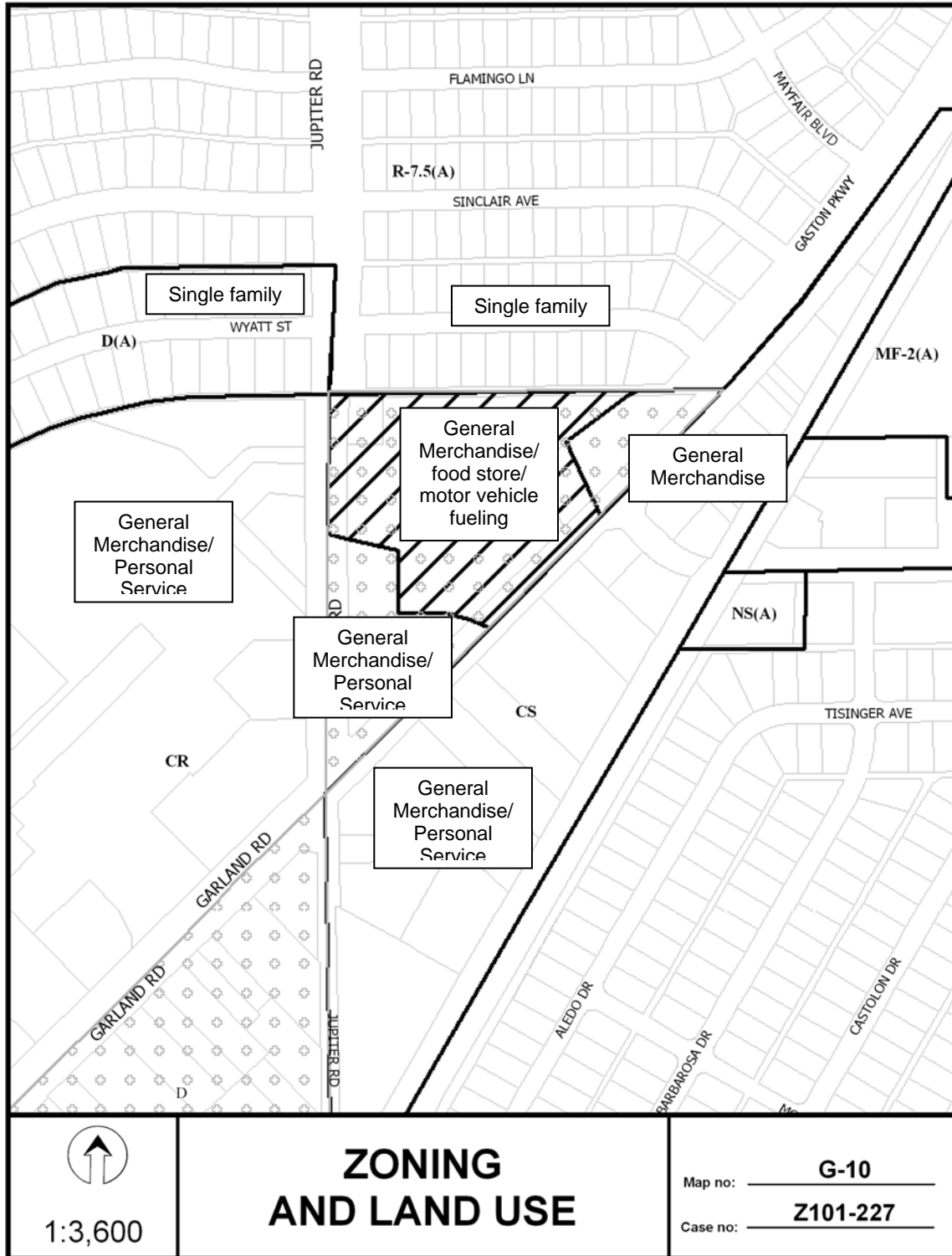


Site Overview
 Zoning: CRD
 requires 10' set back from all sides
 along 2' line - Corner/Endsetbacks - 30ft square
 lot area: 2,700 sq ft
 1/4" Coverage
 Required Setback: 20'
 1/4" Coverage: 20'
 Area of Request: 1,500 sq ft

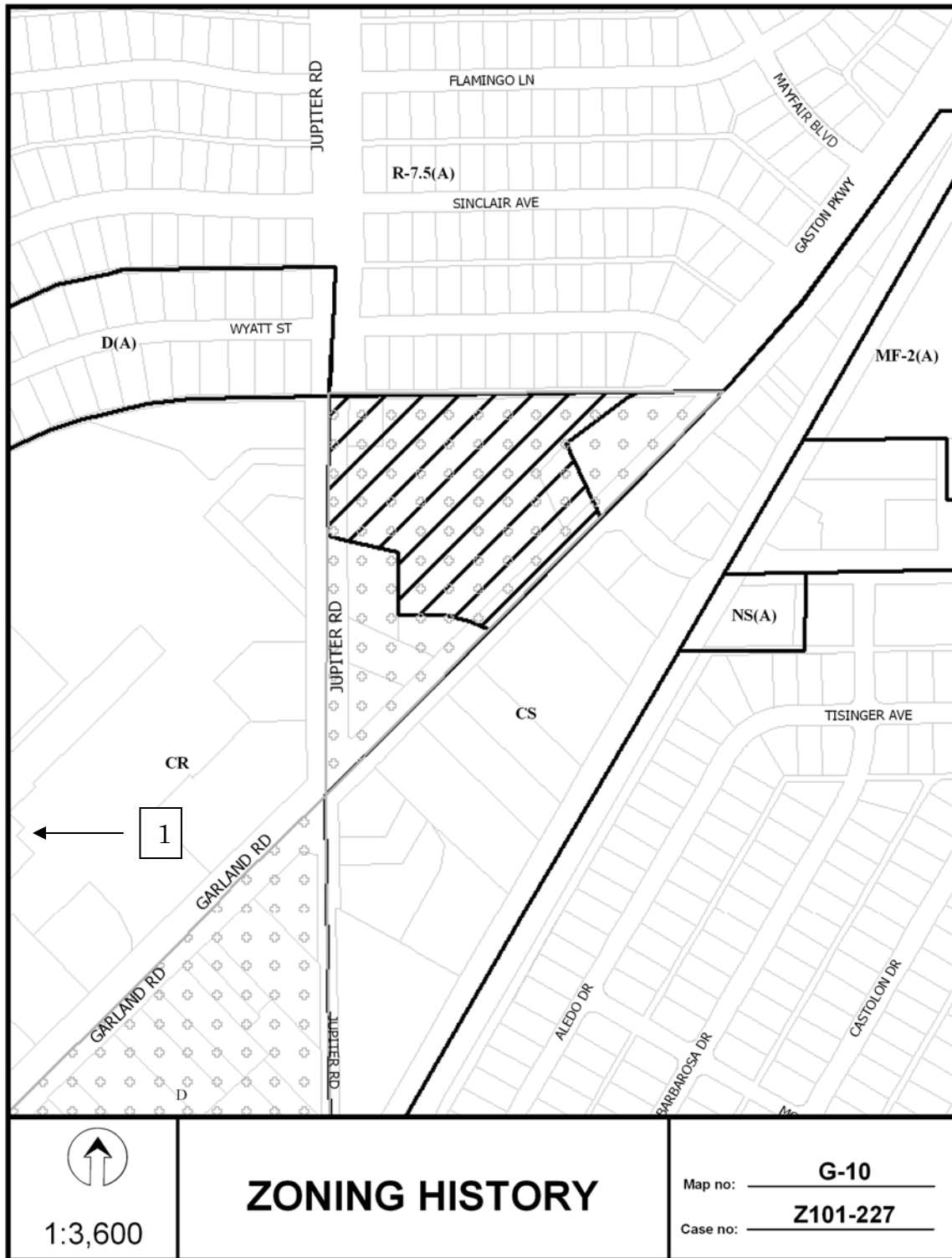


Z101-227
 SITE PLAN





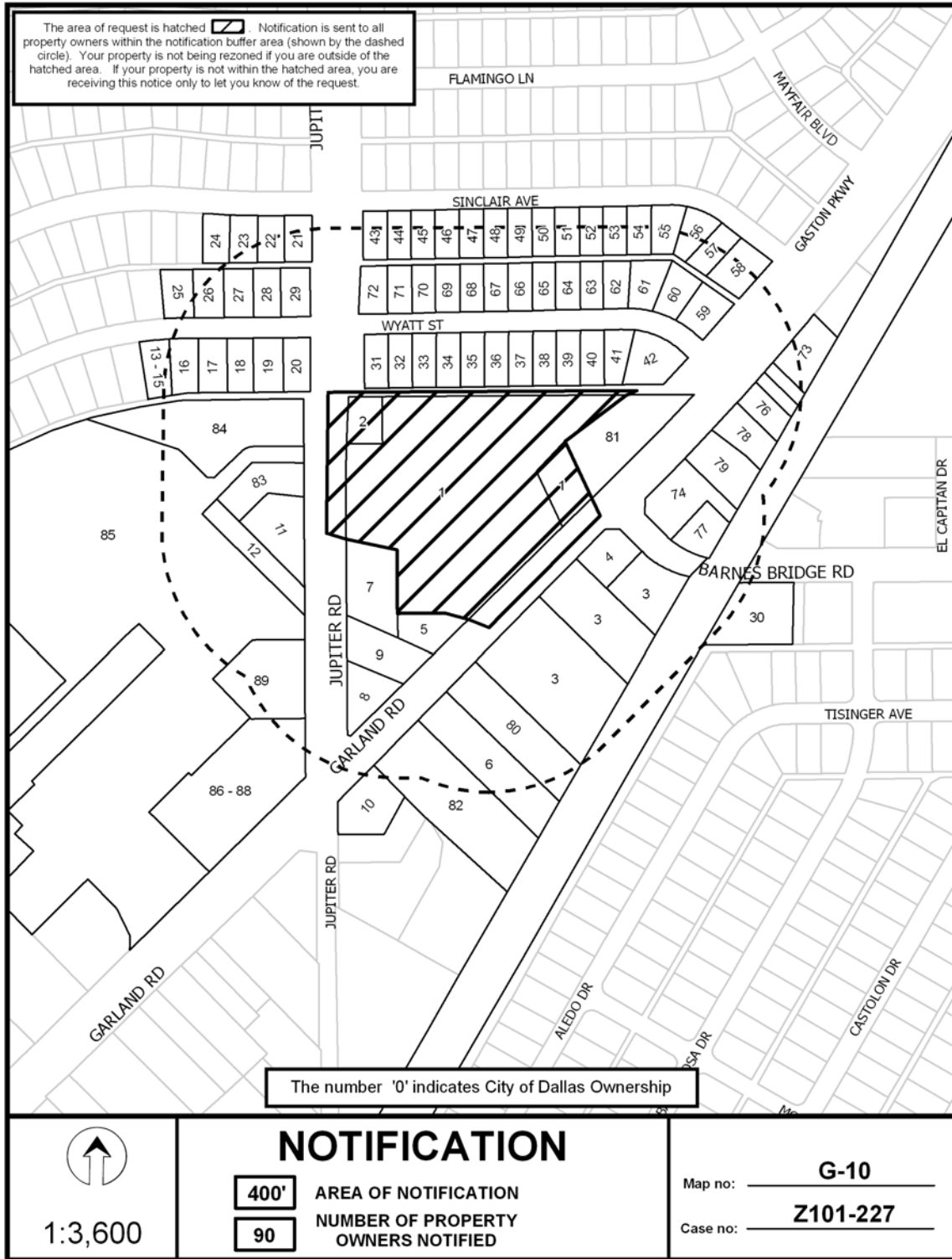
DATE: June 14, 2011



DATE: June 14, 2011

ZONING HISTORY

Map no: **G-10**
Case no: **Z101-227**



Notification List of Property Owners***Z101-227******90 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	11467 GARLAND	COLE MT DALLAS TX LLC
2	11530 JUPITER	GABBERT HOLDINGS LLC
3	1616 GARLAND	WILLIAMS JOHN H JR
4	11470 GARLAND	MENGESHA TSIGEREDA A
5	11419 GARLAND	A & S INTERSTATE INV CORP
6	11426 GARLAND	COZBY BERTHA L
7	11500 JUPITER	STREETMAN HARRY E
8	11403 GARLAND	PLS PROPERTY MGMT OF TEXAS
9	11411 GARLAND	IVEY ROBERT W
10	11404 GARLAND	ASLAM REAL ESTATE LLC
11	11525 JUPITER	AMDS CORPORATION %DAVID SEDILLO
12	11505 JUPITER	NILVI NIRMAL S
13	11320 WYATT	HARTNETT SARI
14	11320 WYATT	HARTNETT SARI
15	11322 WYATT	HARTNETT SARI
16	11330 WYATT	REDDEN MICHAEL ROBERT
17	11334 WYATT	CRUZ OLGA
18	11340 WYATT	CRUZ ANDRES & ROSALIA G CRUZ
19	11344 WYATT	MONTANEZ VICTOR H & ALBERTO R MARTINEZ
20	11352 WYATT	KING GINNY L
21	11352 SINCLAIR	AGUILAR ALFREDO
22	11346 SINCLAIR	LAURENCE WILLIAM E & JUDY A
23	11340 SINCLAIR	JUAREZ JESUS A
24	11336 SINCLAIR	CHEEK JESSIE RUSHING
25	11327 WYATT	CRABTREE DONALD L
26	11333 WYATT	POTTER LEON CYNTHIA POTTER

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	11339 WYATT	DARROW DAROLYN
28	11345 WYATT	BROWN BARRY & REBECCA
29	11351 WYATT	WADE DAVID L & KRYSTAL D
30	1720 BARNES BRIDGE	VICTORY ASSEMBLY OF GOD
31	11408 WYATT	DOMINUS PROPERTIES CORP
32	11412 WYATT	COFFER GERALDINE S
33	11418 WYATT	MCCARY JIM
34	11422 WYATT	OGLESBEE JERRY L
35	11426 WYATT	STAFFORD SHARON K
36	11432 WYATT	HUMBERTO & NOELIA AVILA
37	11436 WYATT	MAYES GARY C & BLAKELEY M
38	11502 WYATT	BURLESON ERIC V
39	11508 WYATT	MATUTE DOUGLAS
40	11512 WYATT	AGUIRRE ALICIA
41	11518 WYATT	HOWLE MELINDA JANE
42	11526 WYATT	GARAY JAVIER & MARIA G
43	11408 SINCLAIR	MILLER TERESA J
44	11412 SINCLAIR	GUILLEN GERARDO & CELINA
45	11418 SINCLAIR	SIMMONS DORIS M
46	11422 SINCLAIR	GAROZ JULIO & IRMA SILVA
47	11426 SINCLAIR	TIDEWALKER PROPERTIES LLC
48	11432 SINCLAIR	RESCOM INVESTMENT GROUP LLC
49	11436 SINCLAIR	WEBB ROBERT W & PATRICIA D
50	11502 SINCLAIR	CHRISTIAN JEAN
51	11508 SINCLAIR	JJAD INVESTMENTS LLC
52	11512 SINCLAIR	HIGGINS EDDIE DBA P TRAP SERVICES
53	11516 SINCLAIR	ESTRADA IGNACIO & MARIA
54	11522 SINCLAIR	KIDD ROBERT E JR & GINA W KIDD
55	11528 SINCLAIR	FUENTES GUADALUPE
56	11536 SINCLAIR	MENDOZA MARIA PINEDA
57	11540 SINCLAIR	MARTINEZ FLORENTINO T

Tuesday, June 14, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	11548 SINCLAIR	BAXAVANIS NICHOLAS
59	11533 WYATT	ONEAL SHARI F
60	11529 WYATT	RUANO ILA L
61	11523 WYATT	SIMMONS TERRY L
62	11519 WYATT	GOFORTH JONATHAN
63	11513 WYATT	THE REAL ADVANTAGE INC
64	11509 WYATT	IBARRA HIPOLITO
65	11503 WYATT	ESCOBAR ALEJANDRO
66	11437 WYATT	ARROYO ANTONIO
67	11433 WYATT	ANGELL JUDITH K
68	11427 WYATT	PETERSON LANCE D & LACY
69	11423 WYATT	FUENTES GUADALUPE
70	11419 WYATT	SIMMONS TERRY
71	11413 WYATT	MEMIJE NAZARIO & PRIMITIVO MEMIJE
72	11409 WYATT	VARGAS SERVANDO
73	11616 GARLAND	SADAFSAZ MOHAMMED & TAMRA
74	11504 GARLAND	RAPSON FREDERICK T & LINDA G
75	11606 GARLAND	YOUNG JOHN
76	11602 GARLAND	K & W INVESTORS
77	1611 BARNES BRIDGE	MOTT WILLIAM E JR SPOUSAL TESTAMENTARY TRUST
78	11530 GARLAND	SMITH WESLEY T
79	11520 GARLAND	CREEKBEND PPTIES LP
80	11434 GARLAND	LACKEY STACY H
81	11515 GARLAND	COLE MT DALLAS TX, LLC SUITE 400
82	11424 GARLAND	ABOUCHEID KAMAL & SOPHIE
83	11535 JUPITER	HEAD INVESTMENT CO
84	11555 JUPITER	G J T INVESTMENT LP
85	11255 GARLAND	WHITEROCK IMPROVMENTS L P C/O DLC MANAGEMENT
86	11333 GARLAND	WHITEROCK OUTPARCEL L P C/O DLC MANAGEMENT CORP
87	11333 GARLAND	RANDALLS PROPERTIES INC DLC MANAGEMENT CORP
88	11333 GARLAND	KENTUCKY FRIED CHICKEN % KFC TAX UNIT

Z101-227

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	11225 GARLAND	TACO BELL OF AMERICA INC % TBC TAX UNIT 005774
90	99999 NO NAME	KANSAS CITY SOUTHERN RR

Tuesday, June 14, 2011

FILE NUMBER: Z101-262 (MG)

DATE FILED: May 3, 2011

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

REPRESENTATIVE: Malik Parvez,
Business Zoom

APPLICANT: NR Texaco, Inc.

OWNER: NR Stations, 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 use less than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay.

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

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

BACKGROUND INFORMATION:

- The request site is being re-developed with a new approximately 2,346 square foot general merchandise use (convenience store) and vehicle fueling station (gas station).
- The applicant proposes to sell alcohol for off-premise consumption in conjunction with the existing convenience store.
- The general merchandise use is permitted by right in the CR Community Retail District. The sale of alcoholic beverages on property regulated by the D-1 Liquor Control Overlay requires a specific use permit.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
S. Lancaster Road	Principle	107 ft.	107 ft.
E. Ledbetter Drive	Principle	107 ft.	107 ft.

Land Use:

	Zoning	Land Use
Site	CR-D	Commercial
North	CR	Commercial
South	CR-D	Commercial
East	CR	Commercial
West	CR	Commercial

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 Transit Center or Multi-Modal Block.

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

Land Use Compatibility:

The approximately 0.572 acre request site is zoned a CR Community Retail District with a D Liquor Control Overlay and is occupied by a general merchandise/food store and motor vehicle fueling station. The existing structure is being replaced with an approximately 2,436 square foot store. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which requires a Specific Use Permit in the D Liquor Control Overlay.

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 adjacent commercial uses are compatible with the existing and proposed use on the subject property. The applicant is proposing to maintain the convenience store and gas station. The initial short time period will also require that the request be reevaluated to ensure the use is compatible in this location.

Development Standards:

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

Parking/Traffic:

The Dallas Development Code requires off-street parking to be provided for a general merchandise use at one space for each 200 square feet of floor. The subject site requires 14 spaces. The attached site plan provides a total of 16 parking spaces.

Landscaping:

Landscaping required per Article X of the Dallas Development Code.

Z101-262

NR Stations, Inc.

OFFICERS

Nadir Shah Panchani

President/Secretary

Rafiq Hooda

Vice President/Treasurer

DPD Report

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

Virtual Viewer - Public Access Welcome

Search Records - Offense Filter

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

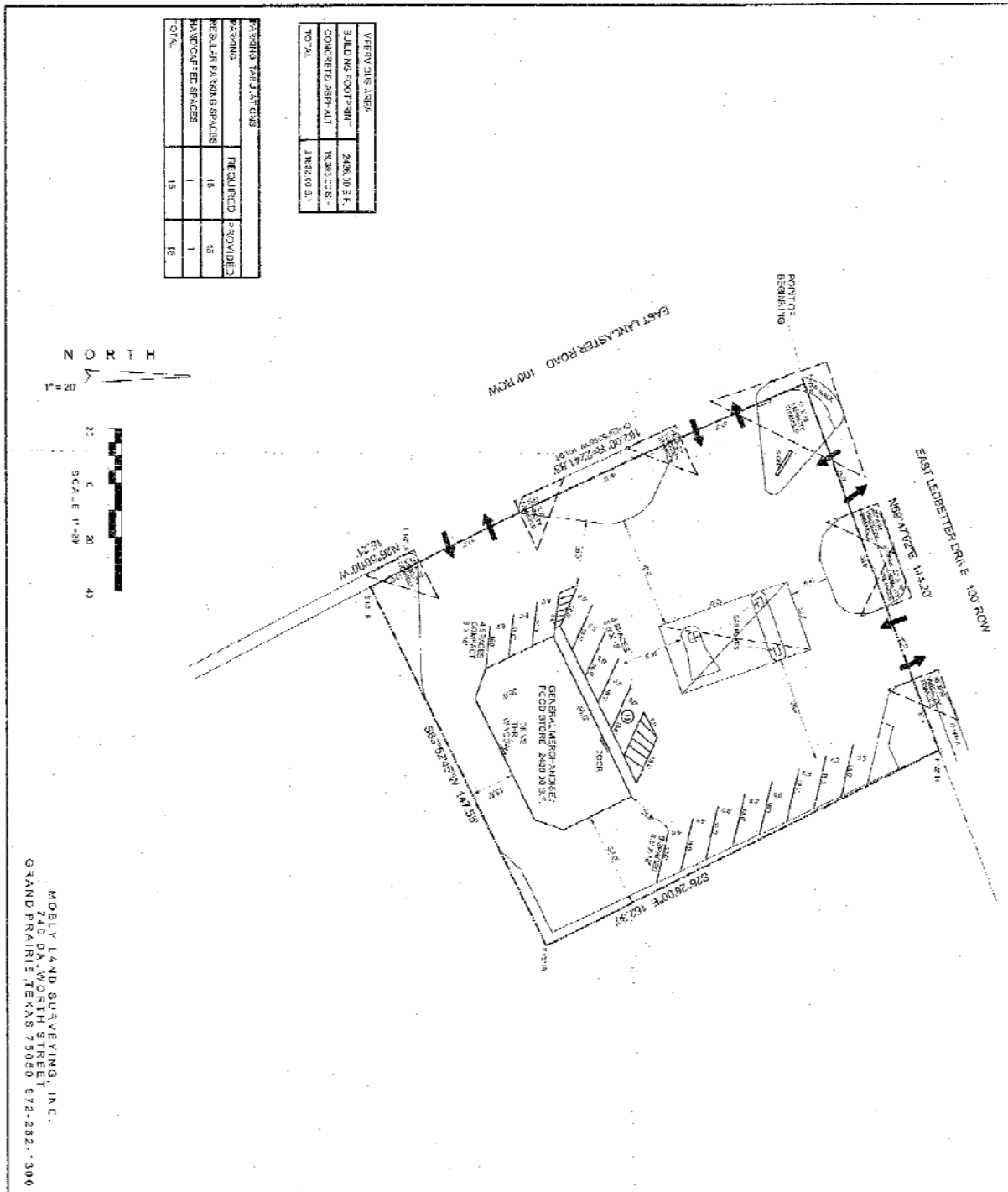
Page 1 of 1 (3 items)

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SUP Conditions

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



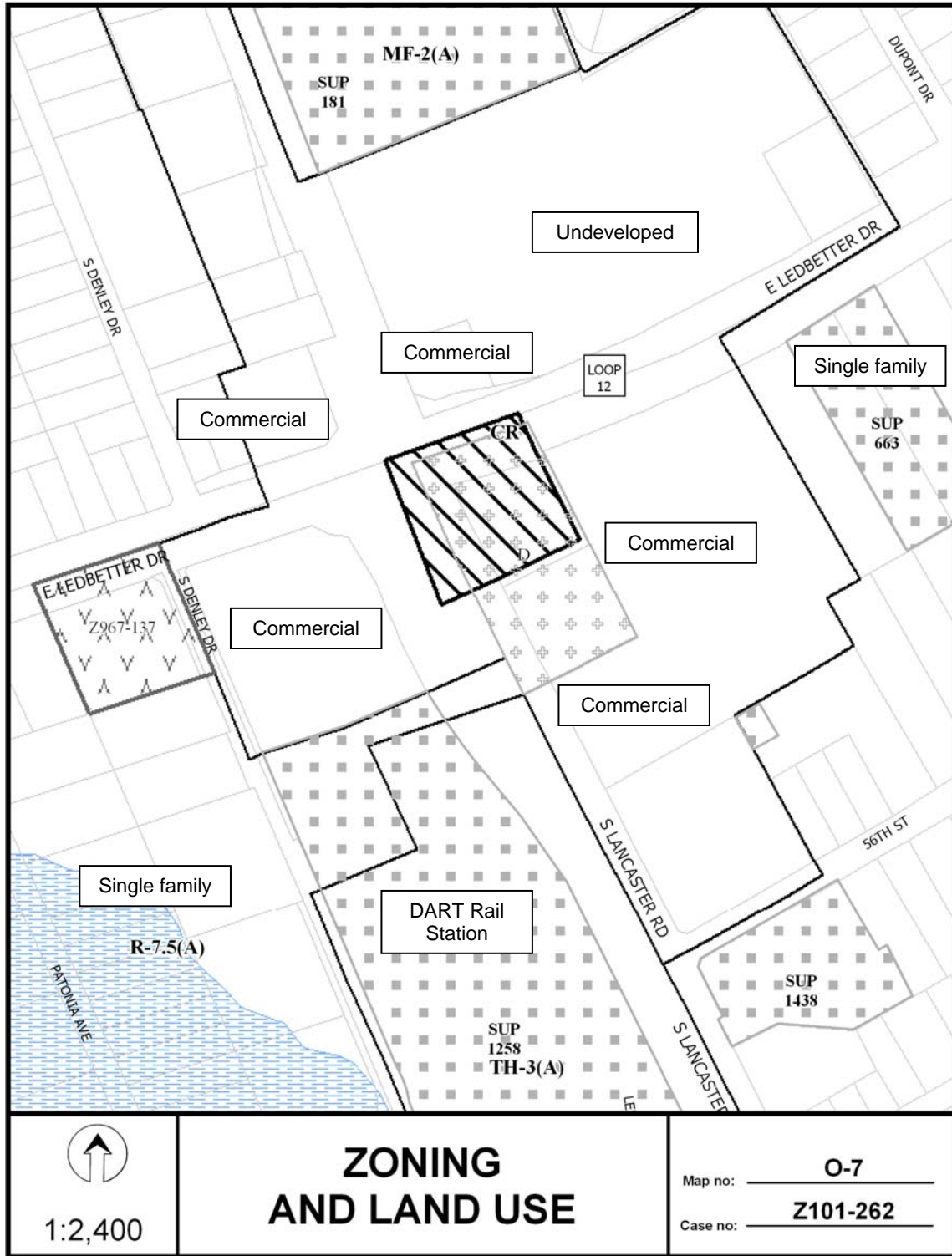
VIEWING AREA	
BUILDING FOOTPRINT	2436.203 SF
CONCRETE/ASPH-ALT	18,395.00 SF
TOTAL	20831.20 SF

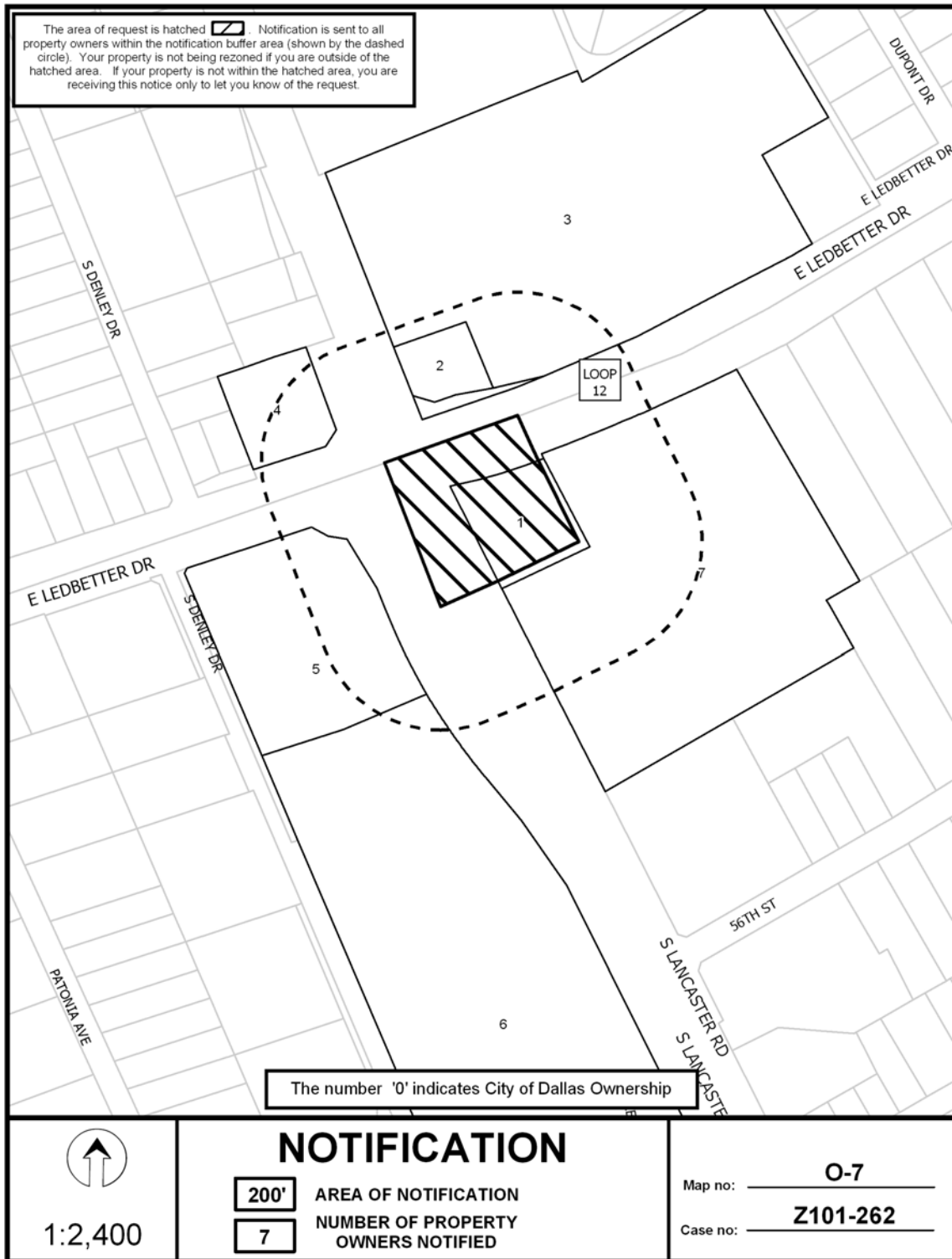
PARKING PARAMETERS	
REQUIREMENTS	PROVIDED
REGULAR PARKING SPACES	43
HANDICAPPED SPACES	1
TOTAL	44



MOBLY LAND SURVEYING, INC.
740 DA WORTH STREET
STANDFERN, TEXAS 75080 872-282-3006







Notification List of Property Owners

Z101-262

7 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2104 LEDBETTER	P & P PETROLEUM INC
2	2103 LEDBETTER	MARTIN STEPHEN L & GARY L
3	5002 LANCASTER	DEBUSK FOUNDATION # 111
4	5025 LANCASTER	SHAW YU & WINNIE KAM LENG CHAN
5	5101 LANCASTER	LEDGREEN LP & LANGREEN LP % ALLAN RILEY COMPANY
6	5151 REUNION	DALLAS AREA RAPID TRANSIT
7	2130 LEDBETTER	MYDAL LLC % PETER KRAUS

Tuesday, May 24, 2011

Planner: Warren F. Ellis

FILE NUMBER: Z101-302(WE) **DATE FILED:** June 20, 2011

LOCATION: S. Belt Line Road and Garden Grove Drive, south corner

COUNCIL DISTRICT: 8 **MAPSCO:** 70-J

SIZE OF REQUEST: Approx. 39,204 sq. ft. **CENSUS TRACT:** 170.04

APPLICANT / OWNER: Walnut Hilltop Corporation

REPRESENTATIVE: Kimberly Trieu

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 within Planned Development District No. 777 for NS(A) Neighborhood Service District uses with a D-1 liquor Control Overlay.

SUMMARY: The applicant proposes to sell alcohol for off-premise consumption within an existing retail center. The proposed general merchandise or food store will contain approximately 2,649 square feet of floor area.

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

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store less than 3,500 square feet use within an existing one story, 12,502 square foot retail center.
- The proposed use is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on property is prohibited in a D Dry Liquor Control Overlay and requires a specific use permit in the D-1 Dry Liquor Control Overlay.
- The surrounding land uses consist of single family uses and several parcels undeveloped land.

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
S. Beltline Road	Principal Arterial	80 ft.	80 ft.
Garden Grove Road	Residential Collector	60 ft.	60 ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 777-D-1	Retail and personal service
Northeast	NS(A)-D-1	Undeveloped
Southwest	R-10(A), NS(A)-D-1	Undeveloped
Southeast	R-10(A)	Single Family
Northwest	NS(A)-D-1	Undeveloped

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 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 0.9 acre site is developed with a 12,502 square foot retail development. The applicant is proposing to use approximately 2,649 square feet of floor in the retail development to sell alcohol for off-premise consumption in conjunction with the general merchandise use. Planned Development District 777 currently has a D-1 Liquor Control Overlay which requires a Specific Use Permit.

The surrounding land uses consist of single family uses and several parcels undeveloped land.

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					
PDD No. 777 w/D-1	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	40%		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 proposed use requires 13 spaces with 67 being provided per the attached site plan. The retail and personal service uses that are location within the retail

development will use the remaining off-street parking spaces. The Building Official may require a parking analysis to be submitted by the applicant in order to determine if the parking requirements are being met for each use within the retail development.

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 <input type="text"/>
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0006631-W	01/07/2009	RODRIGUEZ,ALFREDO	AUTO THEFT-UUMV	01512	S	BELTLIN...	357	4436	07211	
0072142-W	03/15/2009	*METRO PCS	THEFT	01512	S	BELTLIN...	357	4436	06931	
0080133-W	03/22/2009	*METRO PCS	BURGLARY	01512	S	BELTLIN...	357	4436	05C38	
0135649-Y	05/25/2011	*METRO PCS	CRIMINAL MISCHIEF/VAN...	01512	S	BELTLIN...	357	4436	14082	
0164593-W	06/07/2009	*METRO PCS	BURGLARY	01512	S	BELTLIN...	357	4436	05136	
0170933-V	06/09/2008	*ENVY US BEAUTY SALON	BURGLARY	01512	S	BELTLIN...	358	4436	05138	
0199309-V	06/25/2008	*MASTER SOUND	BURGLARY	01512	S	BELTLIN...	358	4436	05331	
0209987-X	07/27/2010	*METRO PCS	CRIMINAL MISCHIEF/VAN...	01512	S	BELTLIN...	357	4436	14082	
0213906-X	07/30/2010	*BELTLINE STRIP MALL	CRIMINAL MISCHIEF/VAN...	01512	S	BELTLIN...	357	4436	14083	
0216215-X	08/02/2010	*MR C CORNER STORE	BURGLARY	01512	S	BELTLIN...	357	4436	05334	
0219866-X	08/06/2010	*METRO PCS	CRIMINAL MISCHIEF/VAN...	01512	S	BELTLIN...	357	4436	14081	
0251722-X	09/07/2010	*METRO PCS	THEFT	01512	S	BELTLIN...	357	4436	06932	
0254108-V	08/16/2008	*MAYRA GARIBEL	ASSAULT	01512	S	BELTLIN...	358	4436	08191	
0346904-V	11/10/2008	*BIG DOG PCS	BURGLARY	01512	S	BELTLIN...	358	4436	05328	
0350037-V	11/14/2008	@CITY OF DALLAS	FOUND PROPERTY	01512	S	BELTLIN...	358	4436	43020	
0382118-V	12/16/2008	*METRO PCS	BURGLARY	01512	S	BELTLIN...	358	4436	05331	
0643881-T	09/02/2007	*CUPP CONTRACTORS I...	THEFT	01512	S	BELTLIN...	358	4436	06901	

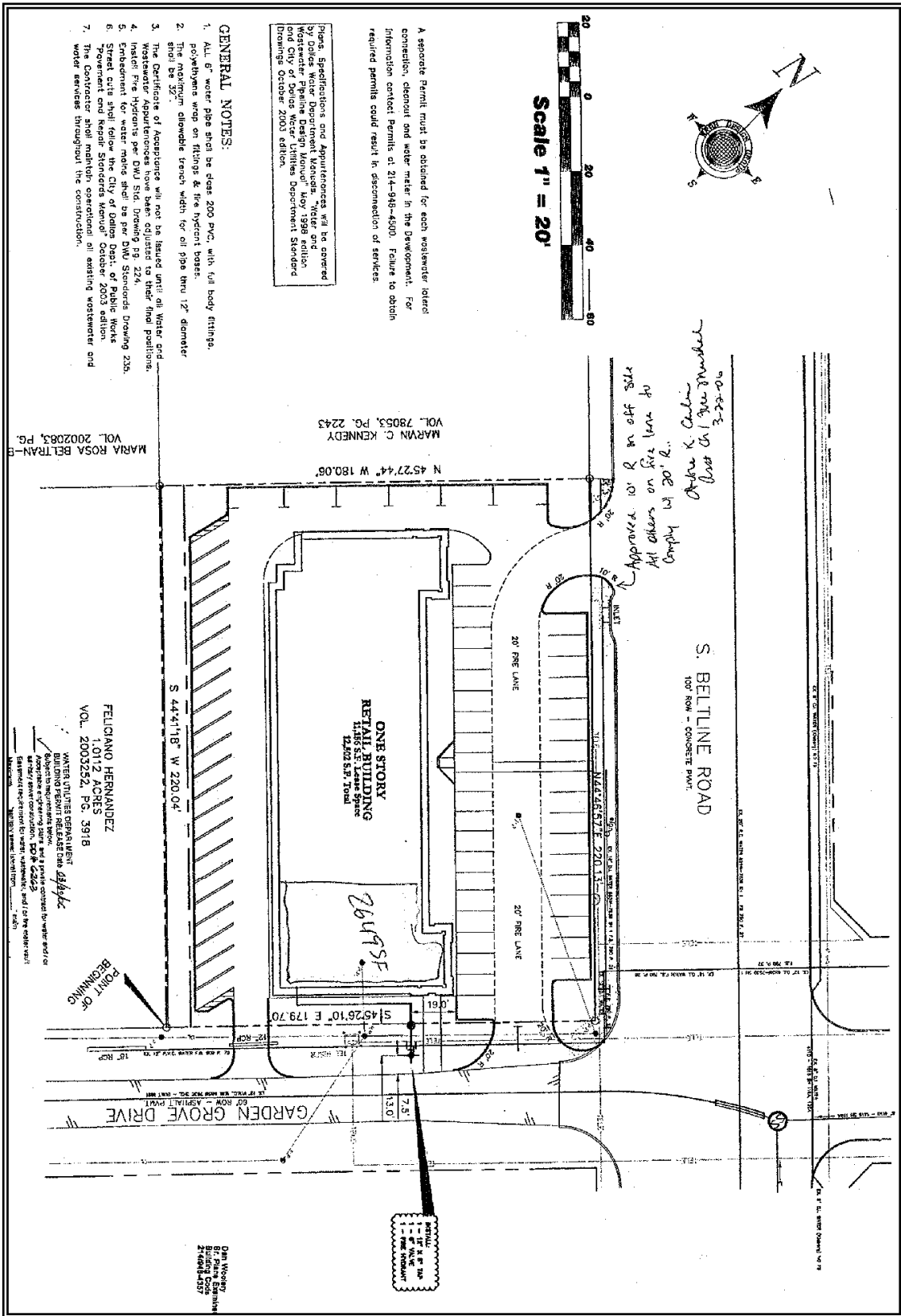
LIST OF OFFICERS
Walnut Hilltop Corporation

- Kimberly Trieu President
- Anthony Nguyen Director

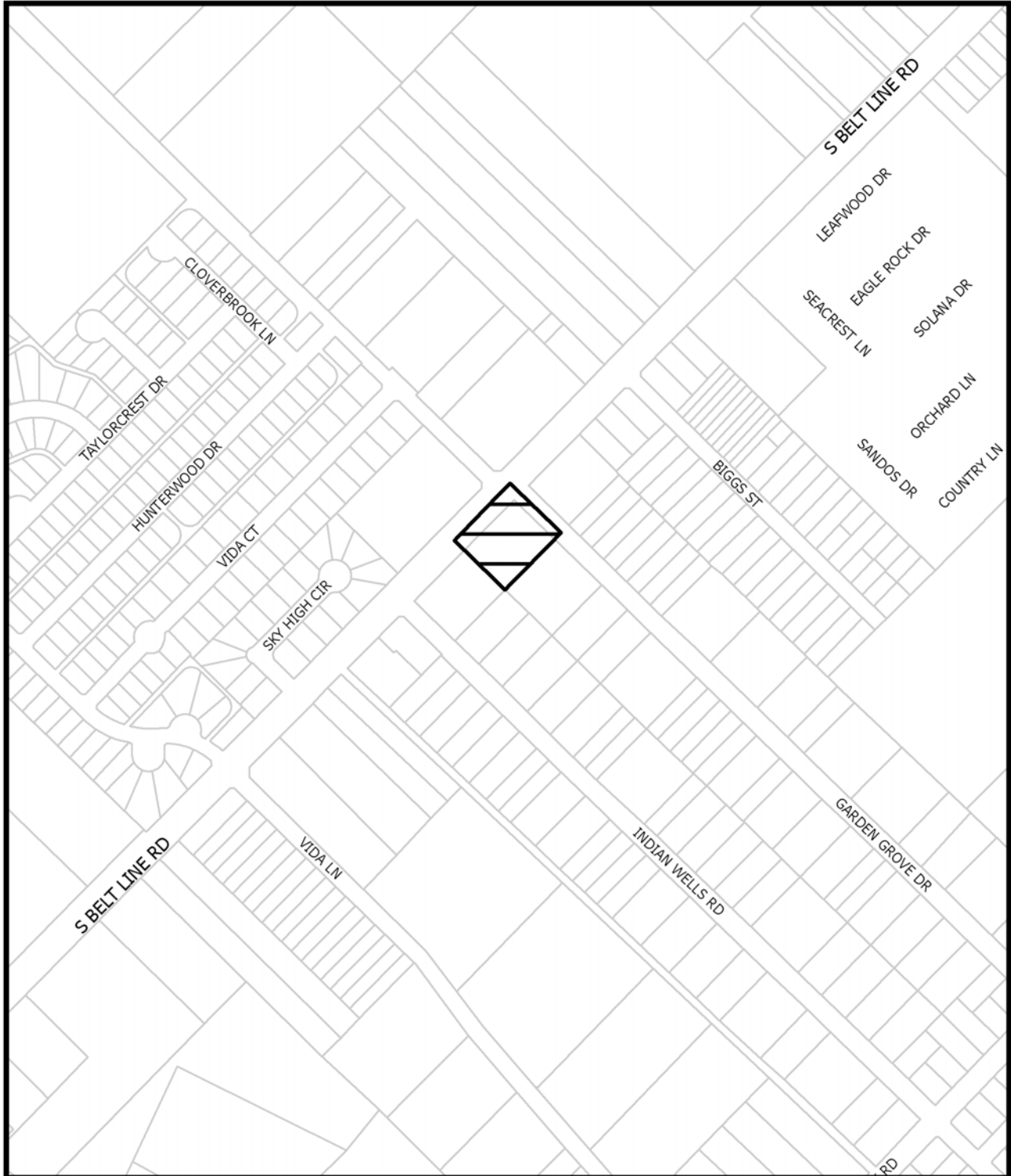
PROPOSED SUP CONDITIONS

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 use 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.

PROPOSED SITE PLAN



Z101-302WE)



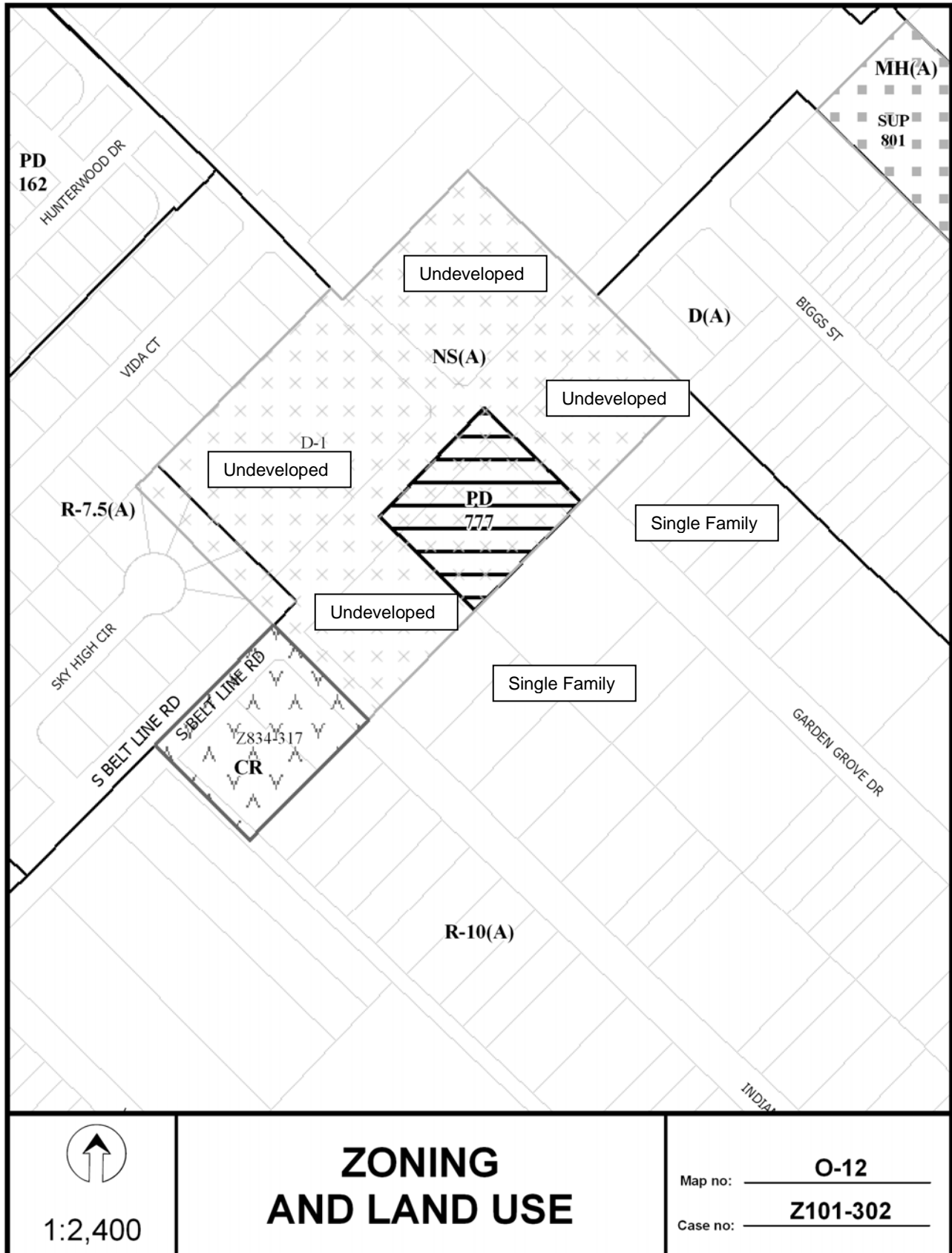
1:4,800

VICINITY MAP

Map no: O-12

Case no: Z101-302

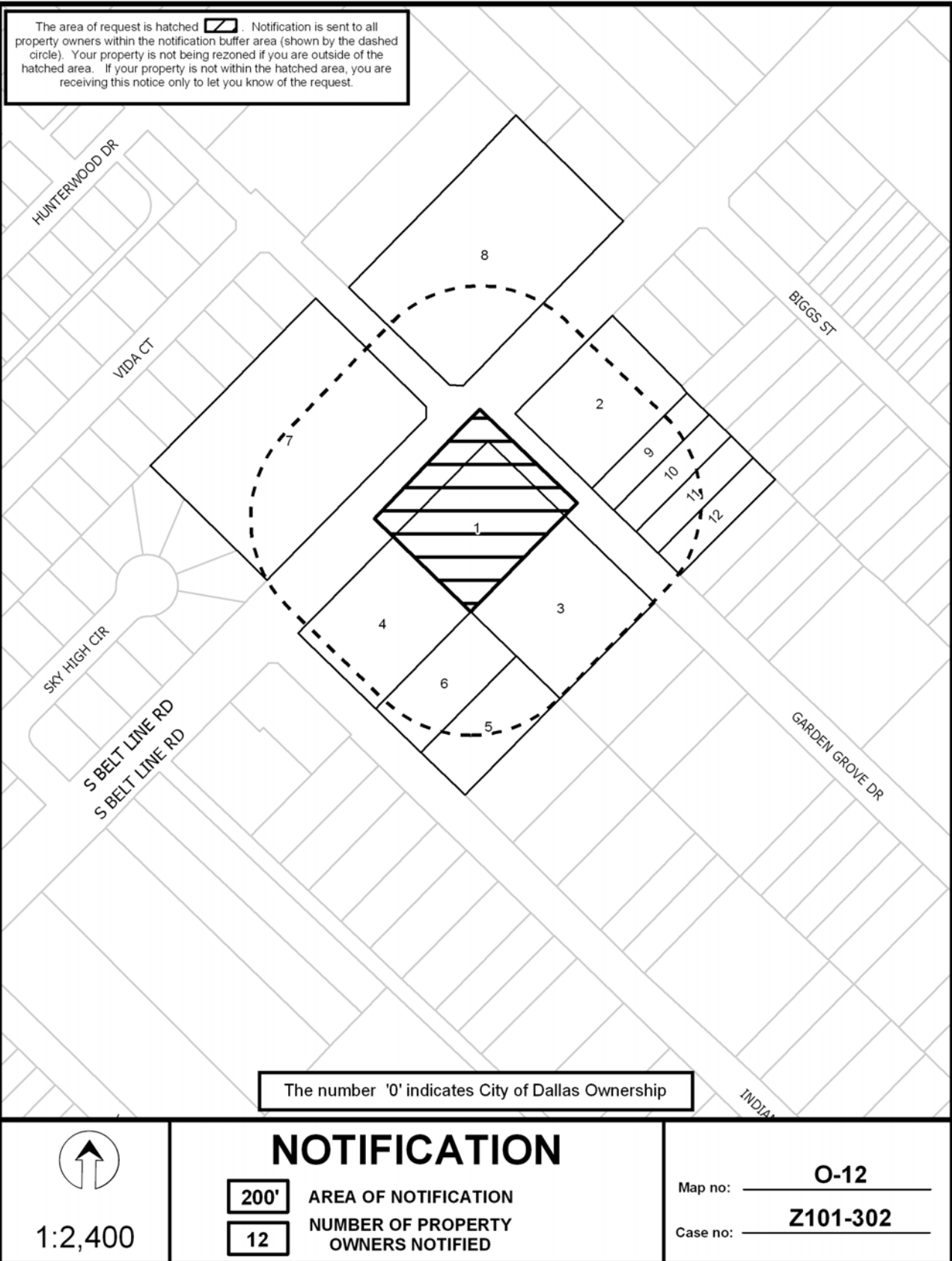
DATE: July 21, 2011




DATE: July 21, 2011


ZONING AND LAND USE

Map no: O-12
Case no: Z101-302



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

The number '0' indicates City of Dallas Ownership


1:2,400

NOTIFICATION

 AREA OF NOTIFICATION
 NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: O-12
 Case no: Z101-302

DATE: July 21, 2011

Notification List of Property Owners

Z101-302

12 Property Owners Notified

Label #	Address	Owner
1	1512 BELT LINE	INGRAM JONATHAN TRUSTEE LYLE DAVID GARNER TRUST
2	1448 BELTLINE	MILLARD MATTHEW
3	13624 GARDEN GROVE	HERNANDEZ FELICIANO
4	13601 INDIAN WELLS	HUGHES RICHARD A KRISTEN HUGHES
5	13627 INDIAN WELLS	ORTEGA GLORIA
6	13621 INDIAN WELLS	BANDA MARIA ROSA BELTRAN
7	1500 BELTLINE	ELITE DEVELOPMENT I LTD
8	1429 BELTLINE	MCDANIEL JOE DOYLE
9	13621 GARDEN GROVE	DELEON JOEL & YESENIA
10	13625 GARDEN GROVE	ROGERS KRYSTAL M & WILLIAM
11	13629 GARDEN GROVE	RODRIGUEZ ELIAS & ROSA
12	13633 GARDEN GROVE	SUAREZ JAVIER & EVA M SUAREZ

Thursday, July 21, 2011

FILE NUMBER: Z101-286(WE) **DATE FILED:** June 3, 2011

LOCATION: West line of South R.L. Thornton Frontage Road, south of West Kiest Boulevard

COUNCIL DISTRICT: 4 **MAPSCO:** 52-Y, 64-C

SIZE OF REQUEST: Approx. 13.45 acres **CENSUS TRACT:** 60.02

APPLICANT Faith Family Academy

OWNER: Ted Purcell

REPRESENTATIVE: Dean McGuire

REQUEST: An application for an amendment to Specific Use Permit No. 1824 for an open enrollment charter school on property zoned an RR Regional Retail District.

SUMMARY: The purpose of this request is to construct a 6,250 square foot building that will provide 10 additional elementary school classrooms on campus.

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

BACKGROUND INFORMATION:

- The applicant’s request for an amendment to Specific Use Permit No. 1824 for an open enrollment charter school will allow for an additional 6,250 square foot building to be constructed on campus.
- The new facility will accommodate an additional 10 elementary school classrooms in Phase I of the overall school’s master plan. Phase II will be developed when the appropriate funds are available. The maximum school’s enrollment is approximately 1,300 students and will range from pre-kindergarten through twelfth grade.
- On June 2, 2011, the City Plan Commission approved the applicant’s request for a wavier of the two year period.
- The land uses surrounding the request site are primarily retail and warehouse uses. The land uses north of the site consist of an utility easement and multifamily uses.

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

1. Z090-227 On Wednesday, January 26, 2011, the City Council approved a Specific Use Permit for an open enrollment charter school on property zoned an RR Regional Retail District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
R.L. Thornton Freeway		Variable lane width	Variable lane width
W. Kiest Blvd.	Local	60 ft.	60 ft.

Land Use:

	Zoning	Land Use
Site	RR	School
North	RR	Retail
South	MF-2(A), RR	Undeveloped, Multifamily
East	RR	R. L. Thornton Freeway
West	RR, PD No. 414 (Tract I & II)	Warehouse

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 Urban Neighborhood Building Block.

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.

STAFF ANALYSIS:

Land Use Compatibility: The 13.45 acre campus is developed as an open enrollment charter school. The applicant's request for an amendment to Specific Use Permit No. 1827 will allow for the development of a 6,250 square foot building on campus. The new facility will accommodate an additional 10 elementary school classrooms in the remaining Phase I of the overall school's master plan. Phase II will be developed when the appropriate funds are available.

In January 2011, the City Council approved a Specific Use Permit for an open enrollment charter school for a five year period with eligibility for automatic renewals for additional five year periods. The school's administration will continue to use the four designated existing driveway approaches for ingress/egress onto the school's campus; three along R.L. Thornton Freeway and one on W. Kiest Boulevard.

Staff has reviewed and recommends approval of the applicant’s request for an amendment to Specific Use Permit No. 1824 for an open enrollment charter school for a five year period with eligibility for automatic renewals for additional five year periods, subject to a site plan and conditions. The proposed request should not adversely impact the surrounding area.

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

Development Standards:

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

Parking: The requirement for off-street parking for the school is derived by two criterions: 1) the number of classrooms and 2) the type of institution that serves the students (e.g., elementary, middle or high school). The requirements for off-street parking are as follows:

- one and one-half spaces for each elementary school classroom,
- three and one-half spaces for each middle school classroom; and
- nine and one-half spaces for each senior high school classroom

The number of required off-street parking spaces for the campus is 282 spaces and the applicant is proposing to provide 314 off-street parking spaces. The total number of proposed classrooms will determine the number of required parking spaces. The total number of classrooms is 93.

The open enrollment charter school will have to meet the parking requirements in accordance to Section 51A-4.200 of the Dallas Development Code for any future expansion.

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

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

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

**LIST OF
PARTNER/PRINCIPALS/OFFICERS
Faith Family Academy**

- Gene Lewis School Board President
- Ted Purcell Superintendent of Schools
- Dean McGuire Director of Operations

PROPOSED SUPCONDITIONS

1. **USE:** The only use authorized by this specific use permit is an open-enrollment charter school.
2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan/traffic management plan.
3. **TIME LIMIT:** This specific use permit expires on _____ (five years from the passage of this ordinance) [~~January 26, 2016~~], 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. **CLASSROOMS:** The maximum number of classrooms is [~~83~~] 93.
5. **DROP-OFF/PICK-UP:** Pick-up and drop-off areas for students must be provided in the locations shown on the attached site plan/traffic management plan.
6. **HOURS OF OPERATION:** The open-enrollment charter school may only operate between 7:00 a.m. and 5:00 p.m., Monday through Friday.
7. **INGRESS/ EGRESS:** Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
8. **PARKING:** Parking must be provided in the locations shown on the attached site plan.
9. **TRAFFIC MANAGEMENT PLAN:**
 - A. **In general.** The operation of an open enrollment charter school must comply with the attached site plan/traffic management plan.
 - B. **Queuing.** Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

C. Traffic study.

i. The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by **November 1, 2013** [~~November 1, 2012~~]. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1st of each odd-numbered [~~even-numbered~~] year.

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

- a. ingress and egress points;
- b. queue lengths;
- c. number and location of personnel assisting with loading and unloading of students;
- d. drop-off and pick-up locations;
- e. drop-off and pick-up hours for each grade level;
- f. hours for each grade level; and
- g. circulation.

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

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

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

D. Amendment process.

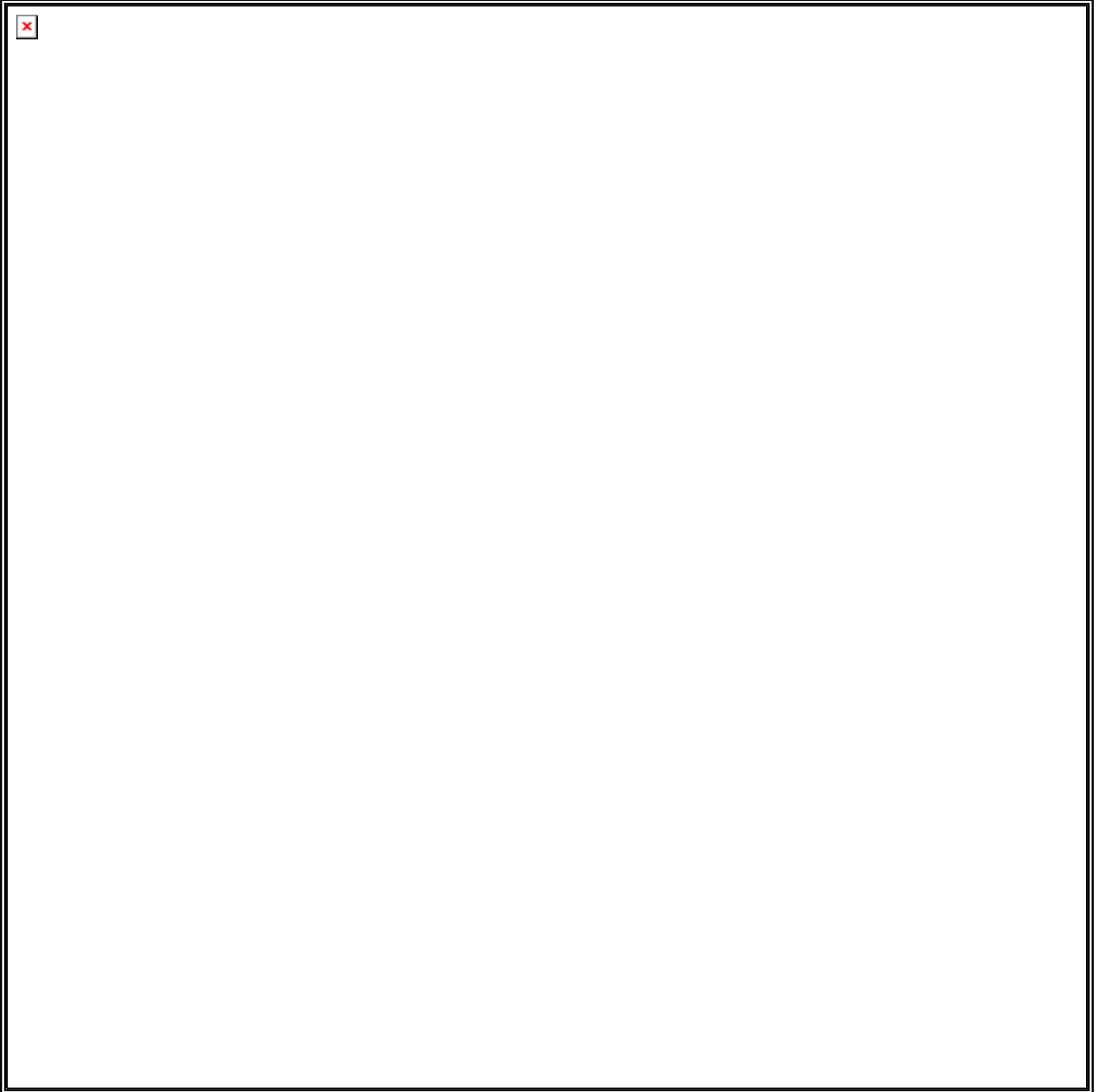
i. A site plan/traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) .

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

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

11. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

**PROPOSED SITE PLAN/
TRAFFIC MANAGEMENT PLAN**



**School
Traffic Management Plan**

* The facilities are being upgraded for our existing Pre K and Kinder students at 3415 South R.L Thornton Freeway. The Special Use Permit we are requesting is for our joining facilities at both 300 W. Kiest Blvd and 3415 South R.L Thornton Freeway.

The maximum number of students that are enrolled in the school at 3415 R.L. Thornton Freeway and 300 W Kiest Blvd is 1300. The total number of classrooms provided at the Early Childhood building is 35 classrooms which include the 10 additional rooms in our proposal for phase one. This is a ratio of less than 17 students per classroom. The elementary school has 29 classrooms, middle school 15, and the Senior High with 14 classrooms. Our operation hours are from 7:30am to 4pm Monday through Friday. The school provides 4 drop off/pickup location (reference site plan). The traffic management plan provides for an onsite queuing of several vehicles in a double row with one single lane loading and unloading in the drop-off/pick-up zone. Normally, a queuing space must be provided for every 10 students unless sufficient observation proving that a lesser/higher number is justified for this school. During drop-off/pick-up the school expects to have a maximum of 15 to 20 vehicles in the queuing spaces provided at any given time. This is based on several years of experience at this location.

Faith Family Academy Charter School is located at 3415 South R.L. Thornton Freeway and 300 W. Kiest Blvd. The school provides educational services for 421 students in pre-k (173) and kinder (248). A proposal of including in phase one 17 classes for Pre-K and 18 classes for Kinder. Elementary grades 1-5 (510 students) with 29 classrooms, middle school (198 students) with 15 classrooms, and the high school (171 students) with 14 classrooms.

Morning and afternoon carpool is from 7:30 to 8:00 am and from 2:15 to 3:50 pm, traffic flow is as follows:

- Pre –K, Kinder and Elementary teachers line their students in the front of the buildings and dismiss students when the parents show proof of identification and are approved on the pick-up list.
- Cars enter the campus driveway from the R.L Thornton Freeway service road turning right into our campus.
- A minimum of 9 carpool attendance will assist with the drop-off and pick-up time that decreases the times cars remain in the loading zone.
- A school administrator will be present at all loading times and locations.
- During traffic periods the school will provide traffic cones to direct one way of traffic.
- The school will provide security personnel to assist with traffic management as needed.

- Exiting from the campus is provided along the north side of the campus onto Kiest Blvd. and also R.L. Thornton Freeway.

Park and escort (parents walking their children to and from class) parking is provided in the area designated on the site plan and is available from 7:30 am to 4:30 pm. All families will be educated on the traffic flow plan of the school through the annually published parent handbook, and reinforced throughout the year by the means of student orientation, parent/teacher meetings and notes sent home from school. The number of parking spaces that are required for our facilities are:

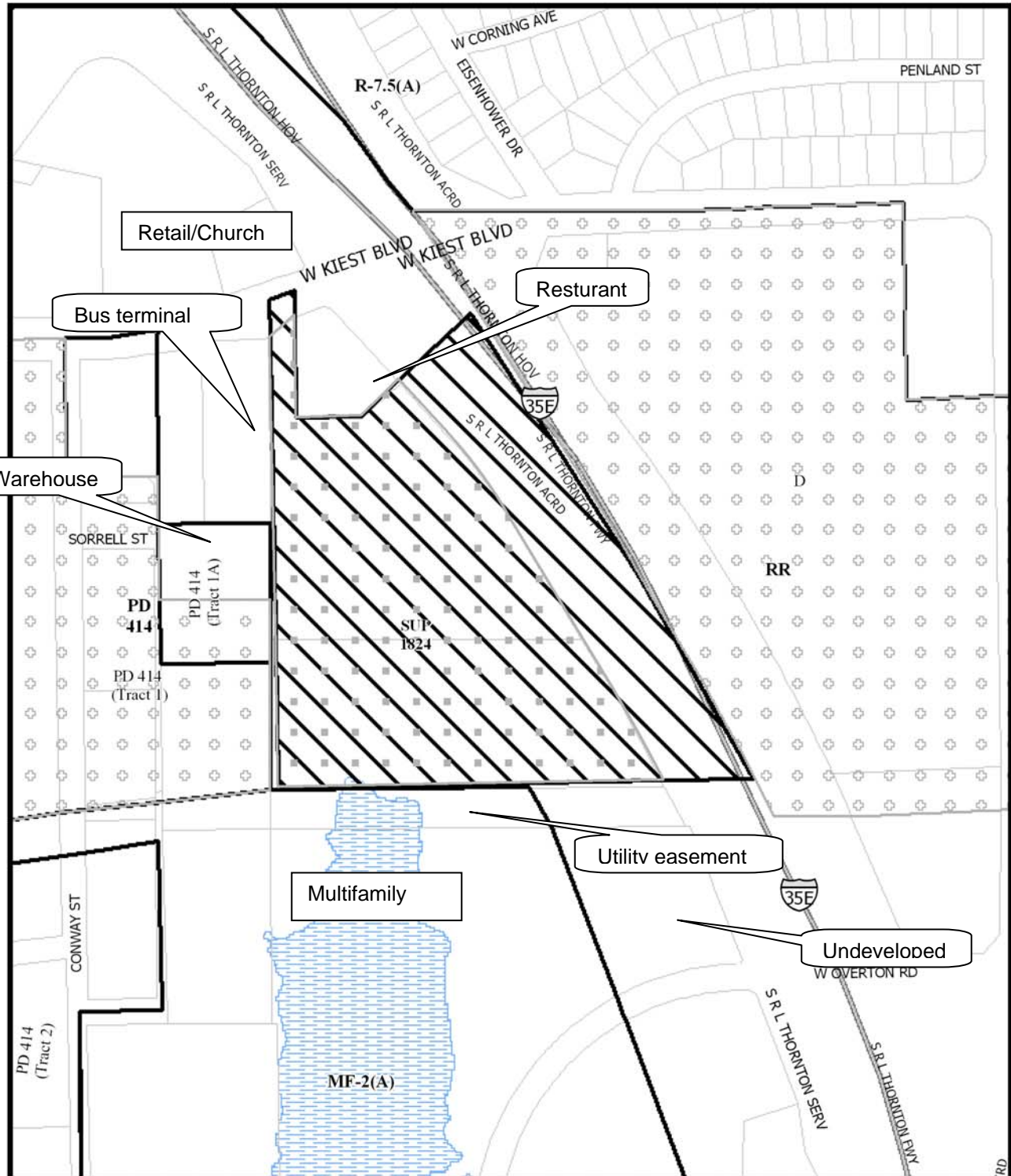
- Early Childhood Center 35 classrooms x 1.5 = 52.5 spaces
 - Elementary School 29 classrooms x 1.5 = 43.5 spaces
 - Middle school 15 classrooms x 3.5 = 52.5 spaces
 - Senior High School 14 classrooms x 9.5 = 133 spaces
- 281.5 required parking spaces

Faith Family Academy of Oak Cliff has available 314 total parking spaces for all of our facilities at this location which is more than required.

The campus has a full time licensed security guard with an additional 4 guards that will be able to assist from the Pre - K through 12th grade campus.

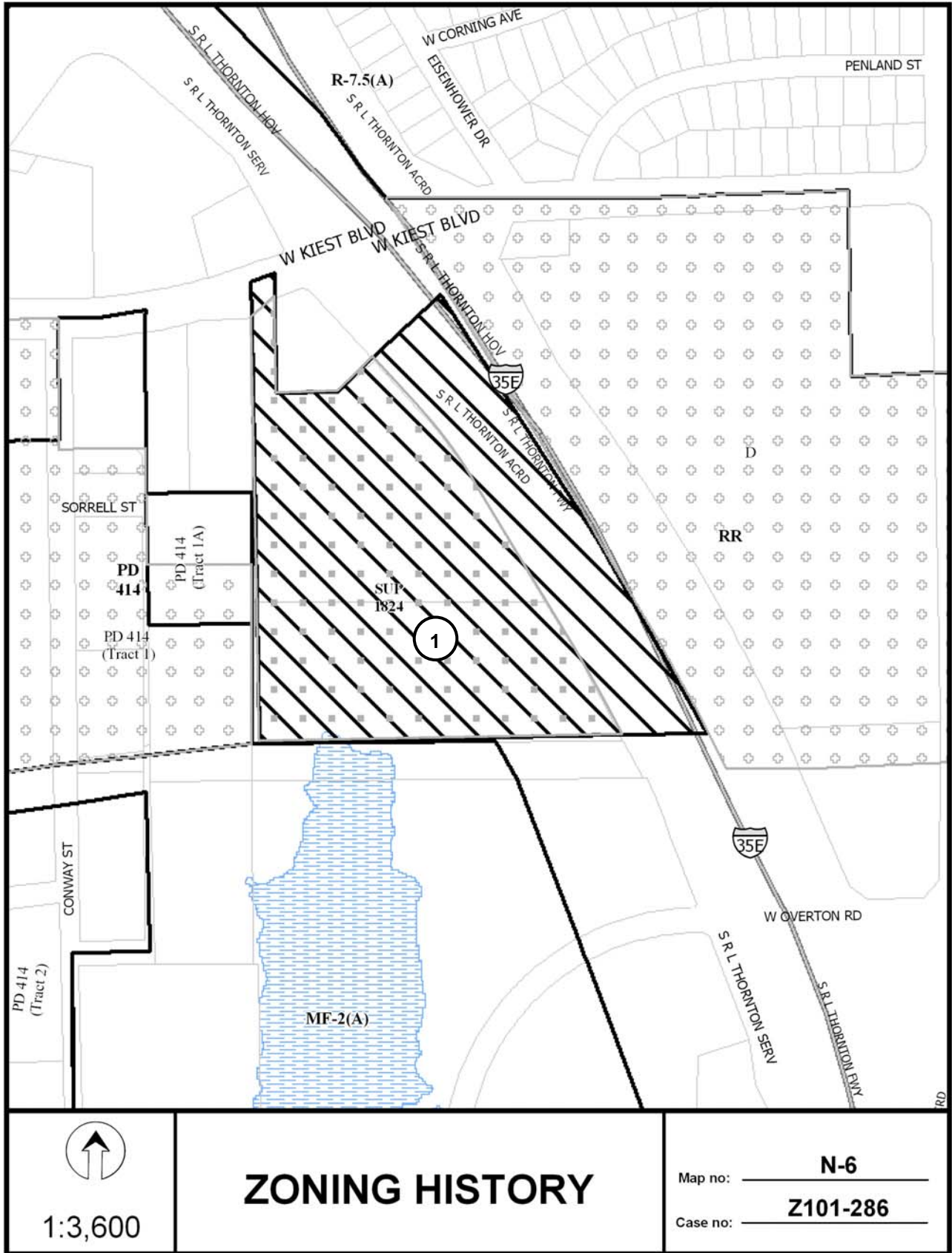
I verify that according to TMP calculation that Faith Family Academy meets the off-street parking requirements.

Recalculation of the parking requirements will be met at the beginning of the construction of phase 2.



 1:3,600	<h1>ZONING AND LAND USE</h1>	Map no: <u> N-6 </u> Case no: <u> Z101-286 </u>
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DATE: July 07, 2011



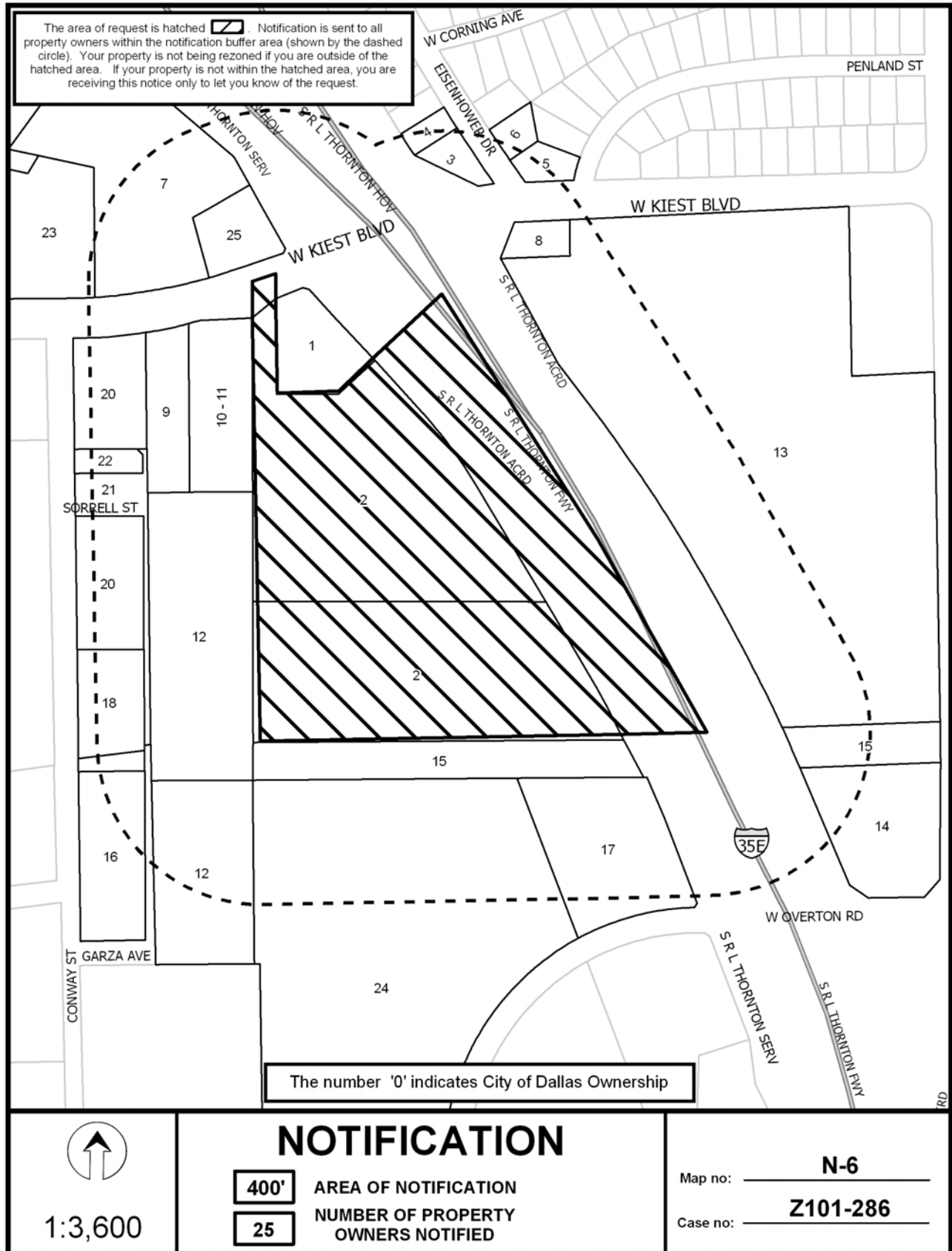
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ZONING HISTORY

Map no: N-6

Case no: Z101-286

DATE: July 07, 2011



Notification List of Property Owners

Z101-286

25 Property Owners Notified

Label #	Address	Owner
1	310 Kiest	ARCHLAND PROPERTY II LP
2	3415 R L THORNTON	FAITH FAMILY KIDS
3	3219 EISENHOWER	BROOKS SARAH ANN
4	3215 EISENHOWER	MORRISON FAMILY LTD PS
5	241 PENLAND	COUCH KEDRIC
6	3220 EISENHOWER	DAVIS ANNIE
7	321 Kiest	CHRIST FOR THE NATIONS BIBLE INSTITUTE
8	200 Kiest	Dallas ISD
9	330 Kiest	JACKSON MELVIN DBA J & C TRANSPORT
10	334 Kiest	GUARANTY BANK NKA RED OAK STATE BANK
11	334 Kiest	RED OAK STATE BANK
12	3500 SORRELL	CHRIST FOR THE NATIONS INC
13	100 Kiest	Dallas ISD EXEMPT 1978
14	109 OVERTON	PATEL PARIMALBHAI
15	110 OVERTON	TEXAS UTILITIES ELEC CO % STATE & LOCAL TAX DEPT
16	3522 CONWAY	CHRIST FOR THE NATIONS
17	3515 R L THORNTON	GOTHARD FAMILY TRUST
18	3434 CONWAY	CHRIST FOR THE NATIONS
19	3444 CONWAY	DITTRICK MARJORIE EST % TIMOTHY HORNAN JR
20	350 Kiest	CHRIST FOR THE NATIONS
21	3302 CONWAY	CHRIST FOR THE NATIONS
22	3300 CONWAY	CHRIST FOR THE NATIONS
23	333 Kiest	PROSPERITY BANK % SHELLY SCRUBAR
24	205 OVERTON	MADISON POINT LTD PS
25	309 Kiest	AMERICAN HOMESTEAD LTD

Thursday, July 07, 2011

Planner: Warren F. Ellis

FILE NUMBER: Z101-291(WE) **DATE FILED:** April 20, 2011
LOCATION: East line of Hillcrest Road, south of Lyndon B. Johnson
Freeway (635)
COUNCIL DISTRICT: 11 **MAPSCO:** 15 - V
SIZE OF REQUEST: Approx. 3.89 acres **CENSUS TRACT:** 132.00

APPLICANT / OWNER: Hillcrest Partners, Ltd.

REPRESENTATIVE: Robert Baldwin
Baldwin & Associates

REQUEST: An application for a Specific Use Permit for a restaurant without drive-in or drive through service on property zoned an NO(A) Neighborhood Office District.

SUMMARY: The purpose of this request is to allow for an existing 976 square foot restaurant to continue operating within a two story office building.

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

BACKGROUND INFORMATION:

- The applicant’s request for a Specific Use Permit for a restaurant without drive-in or drive through service will permit the continued operation of an existing restaurant within a two-story office building.
- In December 1980, the Building Official issued a certificate of occupancy for a restaurant without drive-in service. The CO was issued in error. In 1980, the request site was zoned for an O-1 Office District, which was governed by Chapter 51 development and standard regulations. A restaurant without drive-in service use is not a permitted use in an O-1 Office District.
- During the Development Code transition to Chapter 51A, the request site was zoned for an NO(A) Neighborhood Office District, which requires a Specific Use Permit for a restaurant without drive-in or drive through service .
- The surrounding land uses consist of several office buildings, multifamily and a church.

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Hillcrest Road	Principal Arterial	80 ft.	100 ft.

Land Use:

	Zoning	Land Use
Site	NO(A)	Office
North	NO(A)	Office
South	MF-1(A) w/DR	Multifamily
East	GO(A) w/DR	Office
West	R-1ac(A) w/SUP No. 1603, PDD No. 137	Church, Office

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 building Block.

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

LAND USE

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 3.89 acre site is developed with a two-story office development and is contiguous to several office developments, a multifamily use and a church use. The applicant's request for a Specific Use Permit for a restaurant without drive-in or drive through service will allow for an existing restaurant to continue operating within the office development. The existing restaurant contains approximately 976 square feet of floor area and is located on the first floor. In addition, the restaurant use will only provide services to the tenants within the office development. Exterior signage will be prohibited in advertising the restaurant use.

In 1980, the restaurant use received a CO certificate of occupancy. However, upon further analysis, staff determined that in 1980, the request site was zoned for an O-1 Office District, which was governed by Chapter 51 development and standard regulations. A restaurant without drive-in service is not a permitted use in an O-1 Office District. During the transitional period of the Development Code from Chapter 51 to Chapter 51A, the request site transitioned to an NO(A) District, which requires a Specific Use Permit for a restaurant without drive-in or drive through service.

A code compliance officer upon their review of the office development noticed that the restaurant did not have a Specific Use Permit and instructed the owner to file an application for a Specific Use Permit, even though the use had a separate certificate of occupancy. The certificate of occupancy for the restaurant use was issued in error.

Staff has reviewed the applicant's request and will recommend approval of a Specific Use Permit for a restaurant without a drive-in or drive through service for a ten year period with eligibility for automatic renewals for additional ten year periods, subject to the attached conditions and site plan.

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
NO(A) Neighborhood Office	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	50%	Proximity Slope Visual Intrusion	Office

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

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

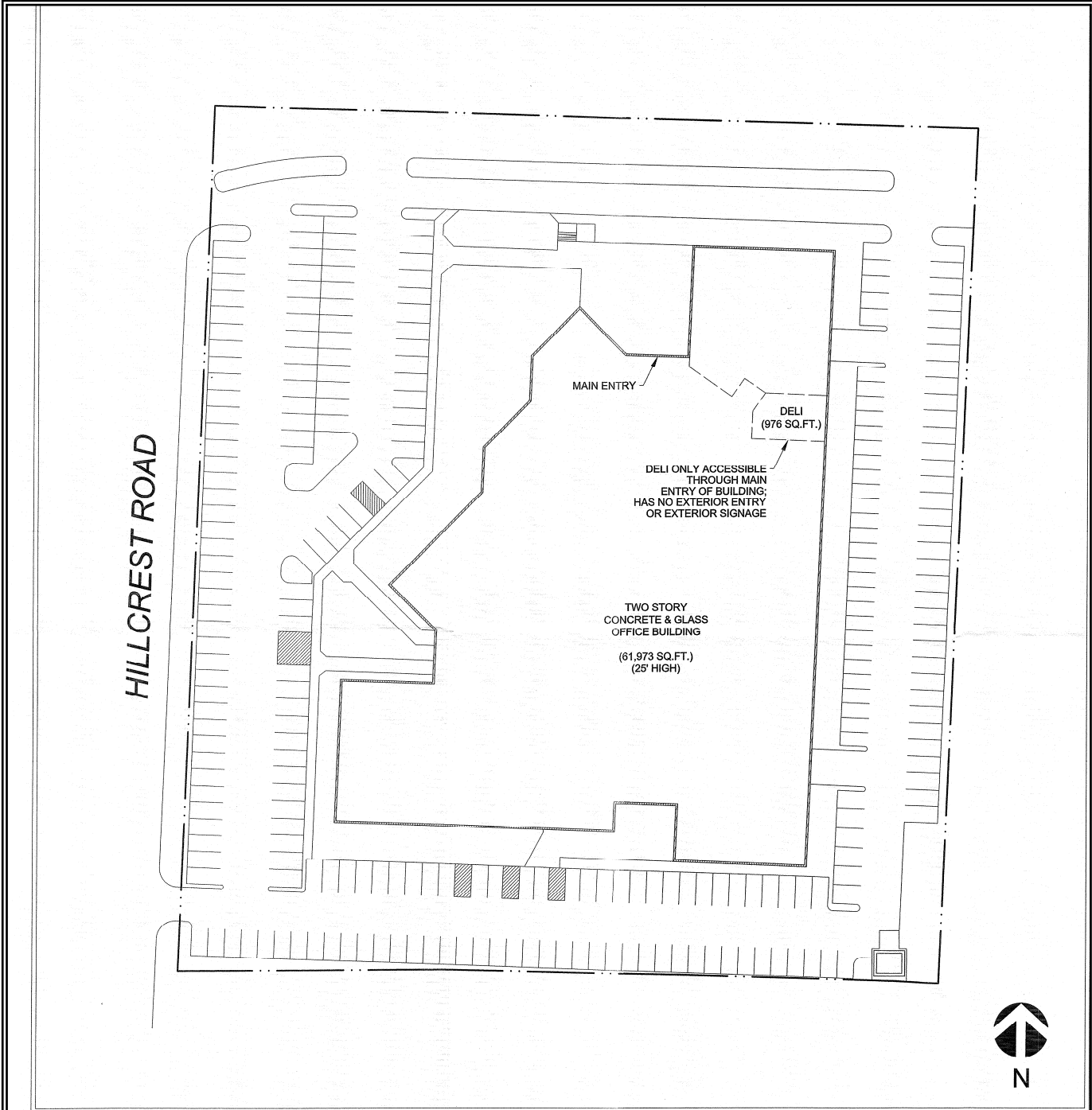
LIST OF OFFICERS
One Hillcrest Partners

- Kamyar Mateen Manager
- Shrvin mateen Officer

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a restaurant without drive-in or drive through service.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on_____, (ten-year period from the passage of this ordinance) but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).
4. FLOOR AREA: Maximum floor area is 976 square feet.
5. SIGNAGE: Exterior signage is prohibited.
6. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
7. PARKING: Parking must be located as shown on the attached site plan.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

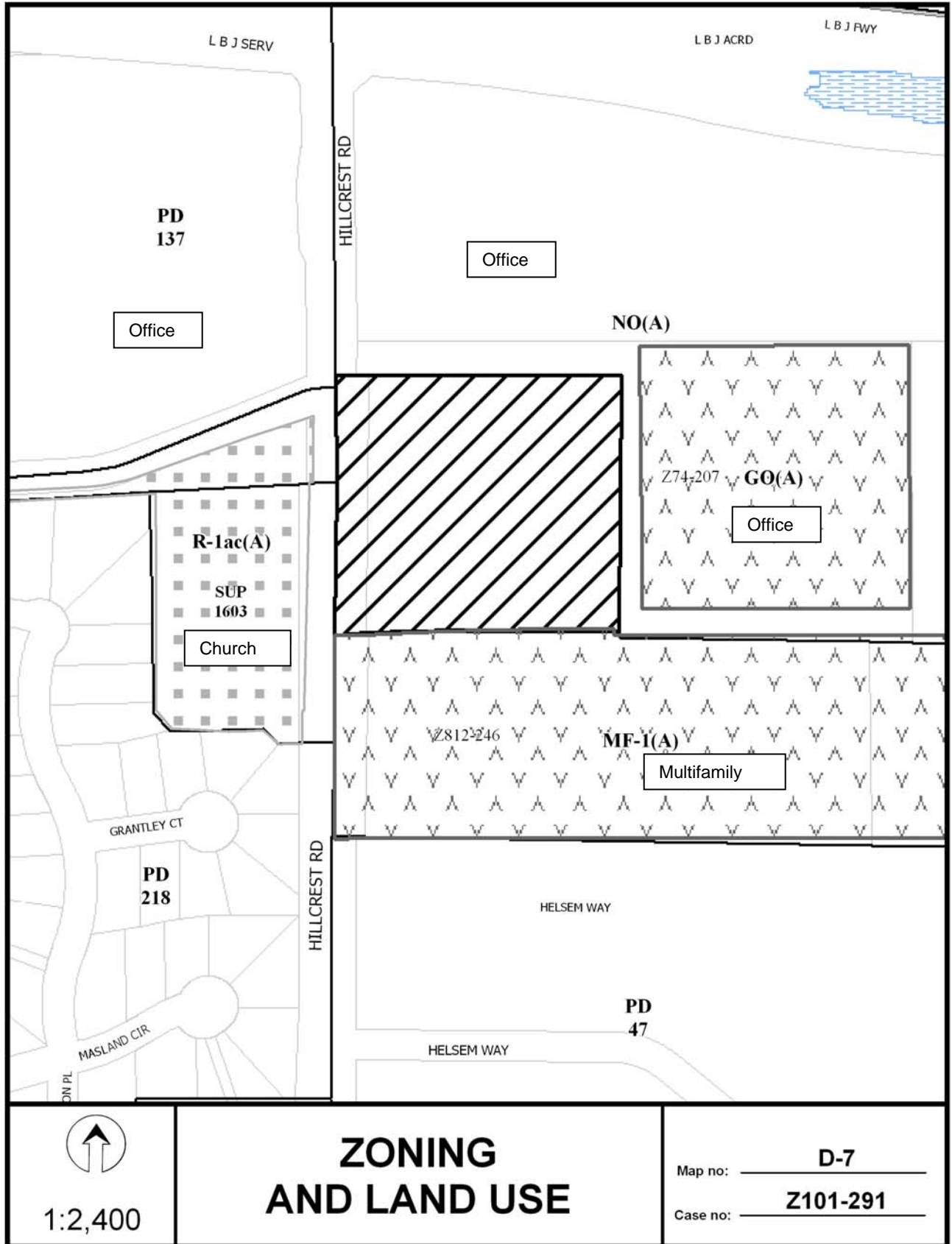
PROPOSED SITE PLAN



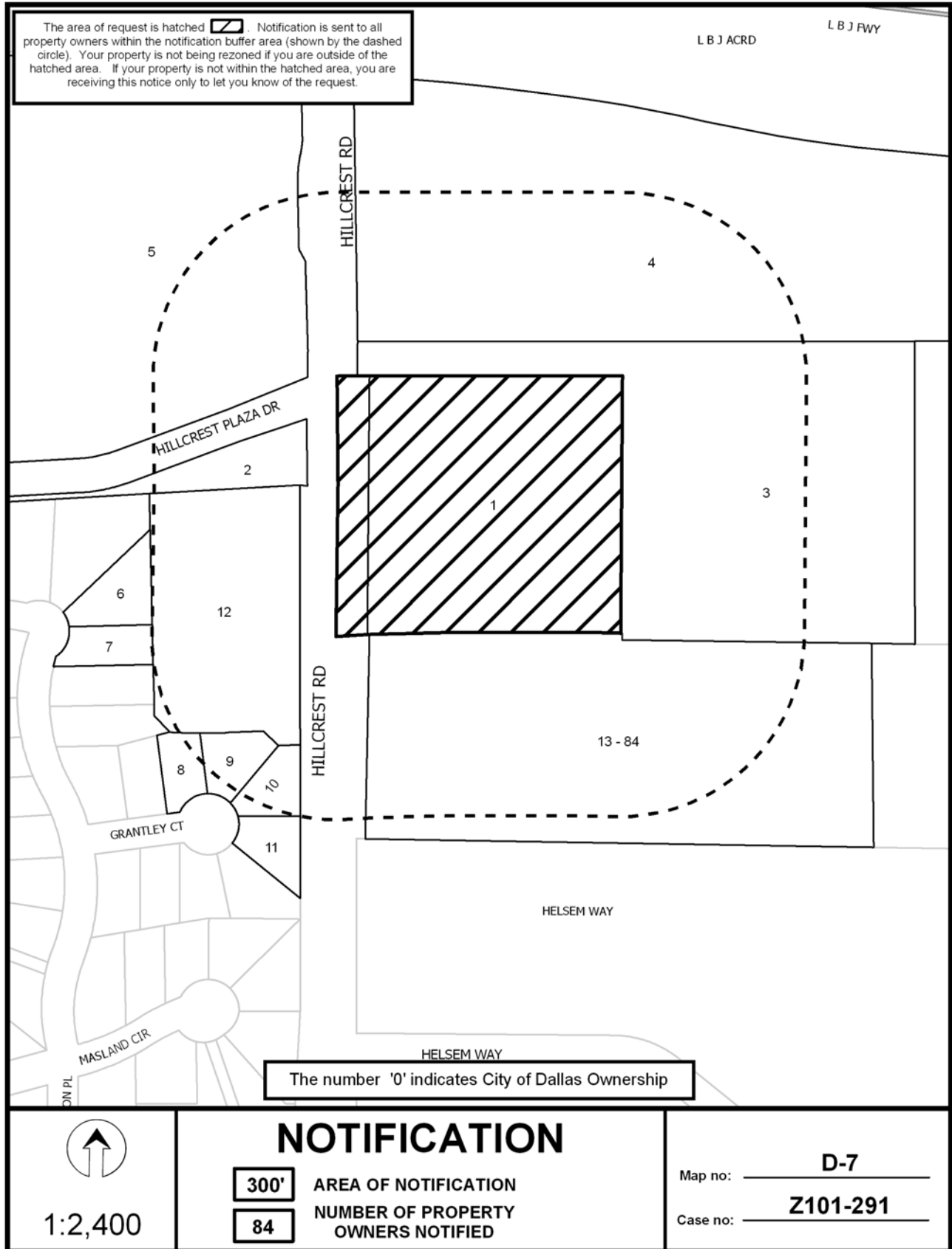
1

EXISTING SITE PLAN

SCALE: 1" = 30'-0"



DATE: July 07, 2011



Notification List of Property Owners

Z101-291

84 Property Owners Notified

Label #	Address	Owner
1	12700 HILLCREST	12700 HILLCREST PS LTD
2	6700 LBJ	CORP OF THE EPISCOPAL DIOCESE OF DALLAS
3	12720 HILLCREST	TWO HILLCREST GREEN LTD SUITE 750
4	12800 HILLCREST	12830 HILLCREST RD INV LP % UBS RLTY INVESTORS LLC
5	6820 LBJ	BRINKER INTERNATIONAL
6	2 RYDDINGTON	THOMAS BILL E TRUSTEE THE THOMAS 1997 TRUST
7	4 RYDDINGTON	SOUTHERN METHODIST UNIVERSITY
8	5 GRANTLEY	JETTON JAMES E
9	7 GRANTLEY	ROBINETT NATHAN L & RUTH E ROBINETT
10	9 GRANTLEY	STRAHAN LEDARAH JO
11	10 GRANTLEY	SALMON LINTON
12	12727 HILLCREST	FIRST CHURCH OF RELIGIOUS SCIENCE OF DALLAS
13	12660 HILLCREST	BARTSCH ELDON & JOYCE
14	12660 HILLCREST	SIMON L BERNARD III
15	12660 HILLCREST	WILLIAMSBURG PPTIES LTD %JEL TX MGMT INC
16	12660 HILLCREST	HOLMES KELLY ELAINE &
17	12660 HILLCREST	BUFORD A DUFF FAM LTD PS
18	12660 HILLCREST	WAGENER WAYNE J BLDG 2 UNIT 2202
19	12660 HILLCREST	HATTEN KENNETH UNIT 2203
20	12660 HILLCREST	THOMPSON FAMILY TRUST
21	12660 HILLCREST	FAIDI SARAH J
22	12660 HILLCREST	BROWN PAULA AVEN #2206
23	12660 HILLCREST	COOK CHRISTOPHER C BLDG 3 UNIT 3101
24	12660 HILLCREST	BARCINSKA MARZENA D STE 3102
25	12660 HILLCREST	ARMBRUSTER KRISTIN L #3104
26	12660 HILLCREST	LYON THOMAS H & ESTELLA P

Thursday, July 07, 2011

Z101-291 (WE)

Label #	Address	Owner
27	12660 HILLCREST	SOSEBEE JACK & BETTY BLDG 3 UNIT 3106
28	12660 HILLCREST	ROJAS MARIA M BLDG 3 UNIT 3107
29	12660 HILLCREST	PRENGLER HERSHEL
30	12660 HILLCREST	CICERO EDUARDO HORI BLDG 3 UNIT 3201
31	12660 HILLCREST	TORO JORGE DEL & INES
32	12660 HILLCREST	STAFFORD STEVE D & DORIS
33	12660 HILLCREST	WEAVER LORI UNIT #3208
34	12660 HILLCREST	PENICHE LORI UNIT 4101
35	12660 HILLCREST	CLARKE VIRGINIA S UNIT 4102 & 4103
36	12660 HILLCREST	ALLEN BRIAN # 4104
37	12660 HILLCREST	EUBANK TERRY W & MARY GRACE
38	12660 HILLCREST	SIEBEL JOHN E & MELBA G UNIT #4106
39	12660 HILLCREST	SWIERENGA KARL UNIT 4201
40	12660 HILLCREST	GUZMAN KATY UNIT # 4202
41	12660 HILLCREST	HILLCREST CONDO LLC
42	12660 HILLCREST	POVEC TERRI
43	12660 HILLCREST	MANTZ ERNEST G BLDG 4 UNIT 4205
44	12660 HILLCREST	EWING MICHAEL B BLDG 5 UNIT 5101
45	12660 HILLCREST	BOATMAN DEBORA L UNIT 5102
46	12660 HILLCREST	COAKLEY ERIN L BLDG 5 UNIT 5106
47	12660 HILLCREST	CLEAR CAPITAL LP
48	12660 HILLCREST	WHELAN E MICHAEL & STEPHA APT 5202
49	12660 HILLCREST	PIERCE SUSAN MARIE
50	12660 HILLCREST	LEE EUNG JAE & MEE RA
51	12660 HILLCREST	JOHNSON THOMAS
52	12660 HILLCREST	WOOD CARROLL & HELEN O WOOD
53	12660 HILLCREST	CURTIS CHARLES L & GLORIA J
54	12660 HILLCREST	SCHMIDT LINDA #6106
55	12660 HILLCREST	HOLDERBAUM CARLA KAY
56	12660 HILLCREST	BRIGHT CATHERINE E
57	12660 HILLCREST	LU WEI PANG APT 7101

Thursday, July 07, 2011

Label #	Address	Owner
58	12660 HILLCREST	MADISON WILLIAM C UNIT #7104
59	12660 HILLCREST	BISCHOFF ALEXANDER #7105
60	12660 HILLCREST	FAIDI SARAH J
61	12660 HILLCREST	WEBER LYNNE #7108
62	12660 HILLCREST	CLARK JASON & NATALIE
63	12660 HILLCREST	ALIBALIC JASMIN
64	12660 HILLCREST	KIDD MARY ELLA
65	12660 HILLCREST	KEY KENSHIA UNIT 7208
66	12660 HILLCREST	FRANKS MATTHEW H & ASHLEY
67	12660 HILLCREST	LINDEMEIER ALEXANDER
68	12660 HILLCREST	KEMPTER LINDA L BLDG 8 UNIT 8105
69	12660 HILLCREST	WHITMAN JEFFREY UNIT #8108
70	12660 HILLCREST	CONKEY CAROLINE E
71	12660 HILLCREST	NEARY JAMES M & LISA J NILSEN
72	12660 HILLCREST	COLLINS MAUDE T UNIT 8205
73	12660 HILLCREST	LINDAUER JONATHAN
74	12660 HILLCREST	KELLEY DONALD PAUL &
75	12660 HILLCREST	NARDUCCI MONICA UNIT 9103
76	12660 HILLCREST	KHYBER HOLDINGS LLC
77	12660 HILLCREST	GEORGETOWN ON HILLCREST CONDOMINIUM
78	12660 HILLCREST	HSBC BANK USA NA ASN
79	12660 HILLCREST	FEDERAL NATIONAL MORTGAGE ASSOCIATION
80	12660 HILLCREST	HUSCHLE MICHAEL L UNIT 9202
81	12660 HILLCREST	RIOS THELMA B
82	12660 HILLCREST	WILLIAMBURG CONDO ASSOC % VERACITY INC
83	12660 HILLCREST	RODRIGUEZ JULIO LLC
84	12660 HILLCREST	ASAD MUHAMMAD UNIT 624

Thursday, July 07, 2011

Planner: Warren F. Ellis

FILE NUMBER: Z101-300(WE) **DATE FILED:** June 20, 2011
LOCATION: Southeast line of S. Versailles Avenue, northeast of Lemmon Avenue
COUNCIL DISTRICT: 14 **MAPSCO:** 34-R
SIZE OF REQUEST: Approx. 7,405.2 sq. ft. **CENSUS TRACT:** 6.01

APPLICANT: PPA Realty Ltd.
OWNER: Yees International Inc.
REPRESENTATIVE: Kirk Williams
Tommy Mann

REQUEST: An application for a LC light Commercial Subdistrict with deed restrictions volunteered by the applicant on property zoned a P Parking Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The purpose of this request is to allow for an existing parking lot to be incorporated into the development of a proposed car dealership. The applicant has volunteered deed restrictions to restrict to lot use to only parking of the vehicles and construct an 8-foot masonry wall between their property and the residential property. Any construction of buildings on the property is prohibited.

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

BACKGROUND INFORMATION:

- The applicant’s request for a LC Light Commercial Subdistrict will allow for the single lot to be use for off-street parking for a car dealership. The current P Subistrict prohibits the storage of any vehicles on site
- The applicant has volunteered deed restrictions that will prohibit any buildings from being developed on the property and will limit the use to only automobiles or motorcycle display sales and services (outside display). In addition, the applicant will install an 8-foot marsonry wall between their property and the adjacent residential property.
- The surrounding land uses consist of several restaurants on Lemmon Avenue, and single family uses on S. Versailles Avenue. Properties south of the request site on Dorothy Avenue are multiple family uses and off-street parking for a multiple family use.

Zoning History: There have been several recent zoning change requested in the area.

1. Z045-269 On Wednesday, March 8, 2006, the City Council approved a Planned Development Subdistrict for Single family uses on property zoned a TH-3 Townhouse Subdistrict within Planned development District No. 193, the Oak Lawn Special purpose District in an area generally bounded by Inwood Road, Rawlins Street, Hedgerow Drive, Cedar Springs Road, and Vandelia Street. (not on zoning map)
2. Z056-168 On Wednesday, April 26, 2006, the City Council approved a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District and approval of a CR Community Retail District on a portion of the property zoned Planned Development District No. 72 for Automobile Sales and Service in the general area north of Inwood Road, east Cedar Springs Road. (not on zoning map)
3. Z056-239 On Wednesday, August 9, 2006, the City Council approved a CS Commercial Service District on property zoned a portion of Planned Development District No. 72 for Automobile Sales and Service in the general area north of Inwood Road, west of Lemmon Avenue. (not on

zoning map)

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Lemmon Avenue West	Principal Arterial	100 ft.	100 ft.
S. Versailles Avenue	Local	50 ft.	50 ft.

Land Use:

	Zoning w/in PDD No. 193	Land Use
Site	P	Parking lot
Northeast	R-7.5	Single Family
Southwest	LC	Restaurant
Southeast	LC, MF-2 w/DR	Restaurant, surface parking
Northwest	LC	Restaurant

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 Building Block.

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.

Economic Development

Goal 2.1 Promote balanced growth

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

Urban Design

Goal 5.2 Strengthen community and neighborhood identity

Policy 5.2.4 Enhance retail, industrial and business operations

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 is proposing a LC Light Commercial Subdistrict to permit the use of automobiles to park on site. The P Subdistrict allows for off-street parking of vehicles but does not allow for vehicles storage on the property. The applicant will limit the parking to only automobiles for a future car dealership on the adjoining property. In addition, the applicant has imposed deed restrictions on the property to prohibit any buildings from being developed on site. The applicant could meet several of the abovementioned objectives, such as objective 2, 4 and 7, when the lot is incorporated

into the overall design of the car dealership. Depending on the final design and streetscape layout, the proposed development, which includes the request site, may enhance and protect the neighborhood appearance. The remaining objectives are not applicable to the site because the deed restrictions volunteered by the applicant prohibits any buildings from being constructed on the property.

STAFF ANALYSIS:

Land Use Compatibility: The 7,405.2 square foot site is developed as a surface parking. The applicant’s request for a LC Light Commercial Subdistrict will allow for an existing parking lot to be incorporated into the development of a proposed car dealership. The single lot will be used exclusively for the off-street parking for a car dealership. The current P Subdistrict prohibits any vehicle storage on the property.

The applicant has volunteered deed restrictions that will prohibit any buildings from being developed on the property and will limit the use to only automobiles display sales or services (outside display). In addition, the applicant will install an 8-foot masonry wall between their property and the adjacent residential property.

The surrounding land uses consist of several restaurants on Lemmon Avenue, and single family uses on S. Versailles Avenue. Properties south of the request site on Dorothy Avenue are multiple family uses and off-street parking for a multiple family use.

Staff has reviewed the applicant’s request and recommends approval of a LC Light Commercial Subdistrict. The proposed LC light Commercial Subdistrict should not adversely impact the surrounding area.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
P Parking							Surface parking
LC w/dr’s Light Commercial	10’	0/0’		36’ – res. 240’ other	80%		Surface parking for automobile or motor cycle display sales & services (outside display)

Landscaping: Landscaping must be provided and maintained in accordance with PDD No. 193. Plant materials must be maintained in a healthy, growing condition.

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

Plat: The applicant’s representative has indicated that the property will be re-platted with the adjoining property (LC Light Commercial). The re-plat will trigger the landscaping requirements under PDD 193, which will require street trees along

Z101-300WE)

Versailles Avenue and Lemmon Avenue. When the re-plat occurs, the overall development, which will include the request site, will require approximately 60 percent of the site to be landscaped in the front yard and therefore, the applicant could comply with objectives 2, 4, and 7 in the Oak Lawn Plan. Versailles Avenue and Lemmon Avenue are considered to be front yards.

**LIST OF OFFICERS
Yee's International, Inc.**

- **Cynthia F. Yee, Director**
- **Kenny Yee, Director**

**LIST OF OFFICERS
PPD Realty, Ltd.**

PP Land GP, LLC, General Partner

- **Kenneth Schnitzer, Manager**
- **Paul Morgan, Secretary/Treasurer**
- **Diana k. Faries, Assistant Secretary**

PROPOSED DEED RESTRICTIONS

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

I.

The undersigned, Yee's International, Inc. ("the Owner"), is the owner of the following described property ("the Property"), being Lot 4, and of Block A/2477 of LaFoy Place First Installment, an Addition to the City of Dallas, Texas ("the Property"), according to the map recorded thereof in Volume 9, Page 139 in the map records of Dallas County, Texas .

II.

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

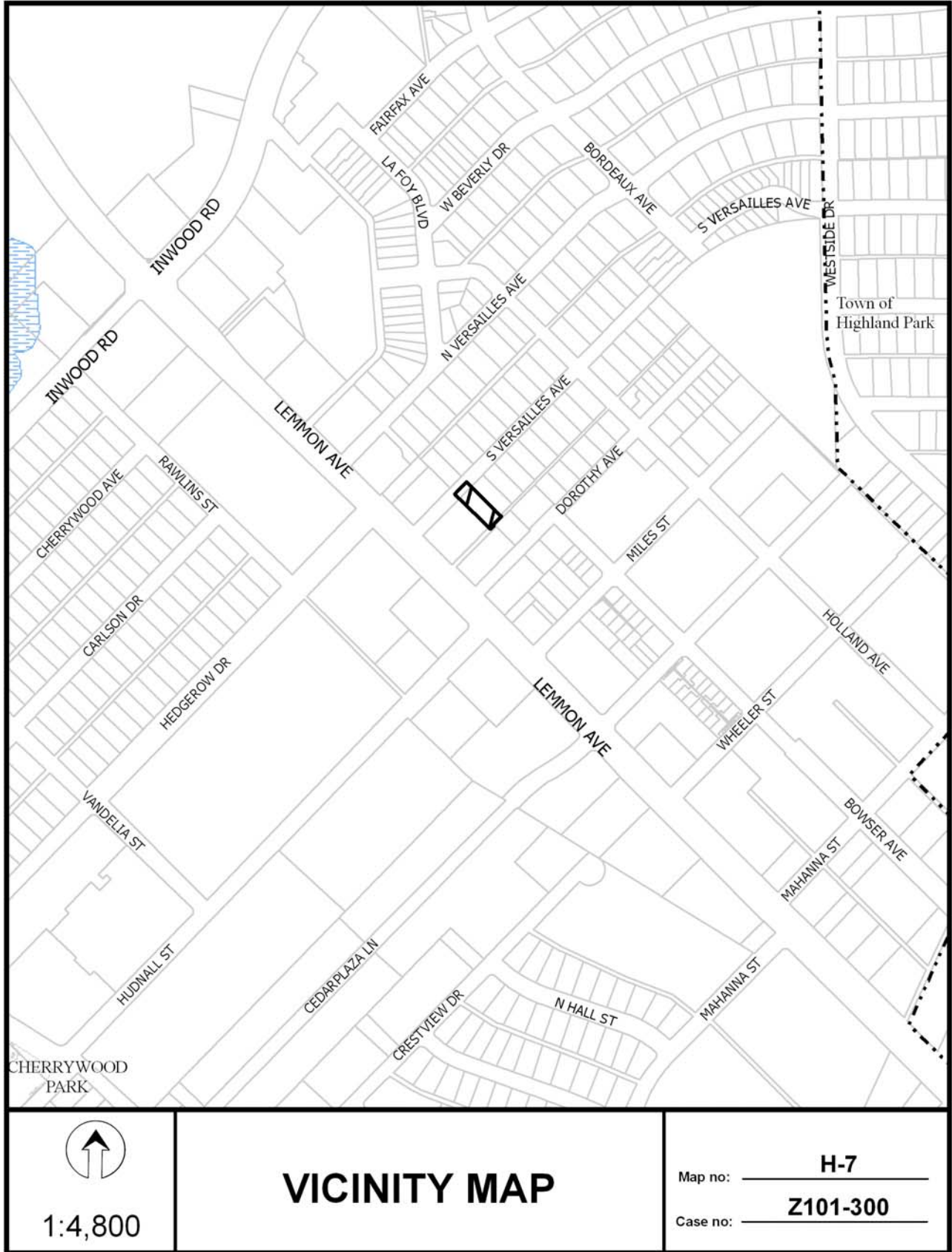
- 1. The following is the only permitted uses are as follows:
 - Automobile or motorcycle display and sales (outside display). *[No without service.]*
- 2. A minimum 8 foot tall masonry wall is required to be constructed prior to the issuance of a certificate of occupancy and shall be located between the Property and Lot 5, Block A/2477.
- 3. No structures buildings are permitted on the Property.

III.

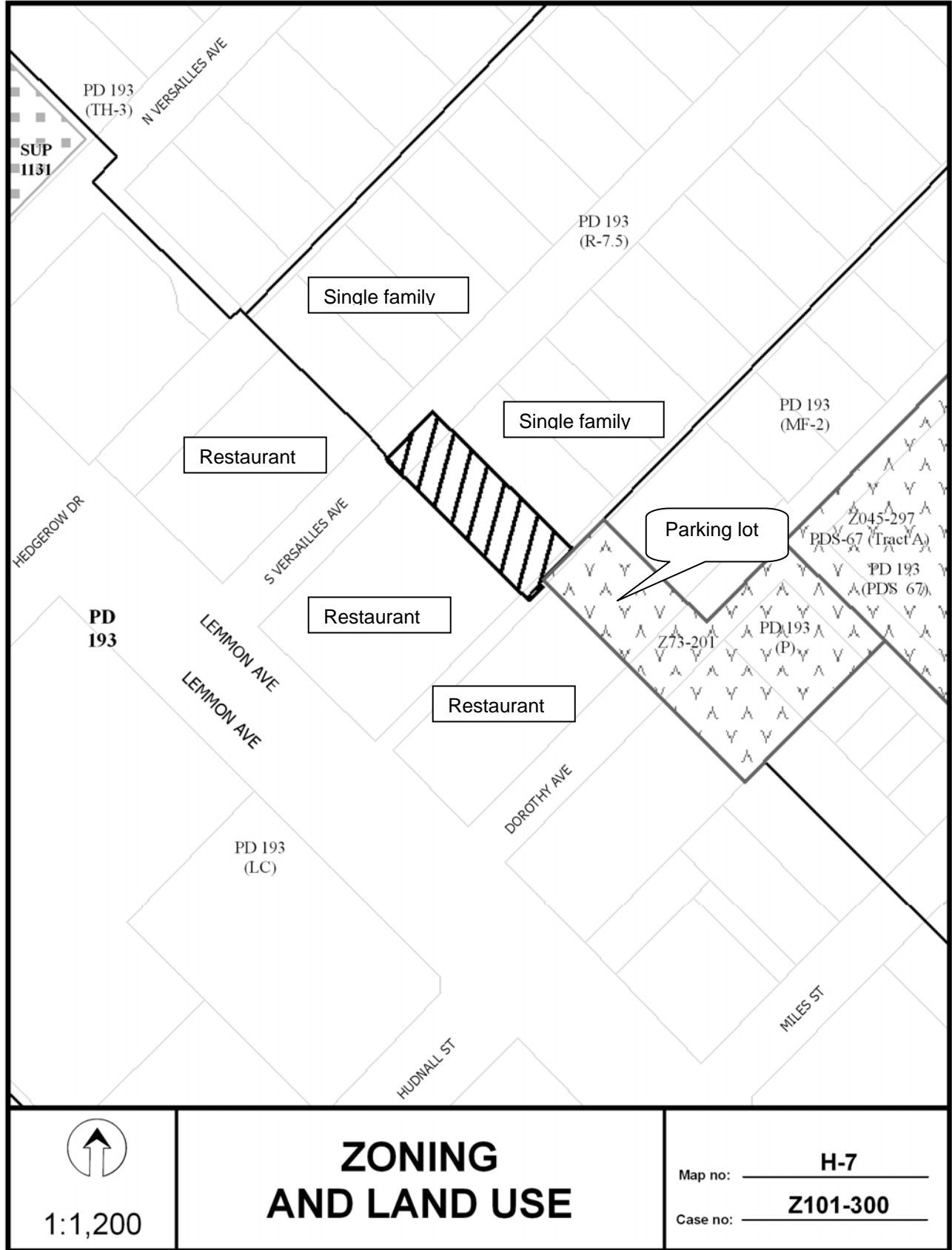
These restrictions shall continue in full force and effect for a period of twenty (20) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless amended or terminated in the manner specified in this document.

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 these restrictions, the Owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or their sole cost and expense before the amendment or termination becomes effective.



DATE: July 21, 2011



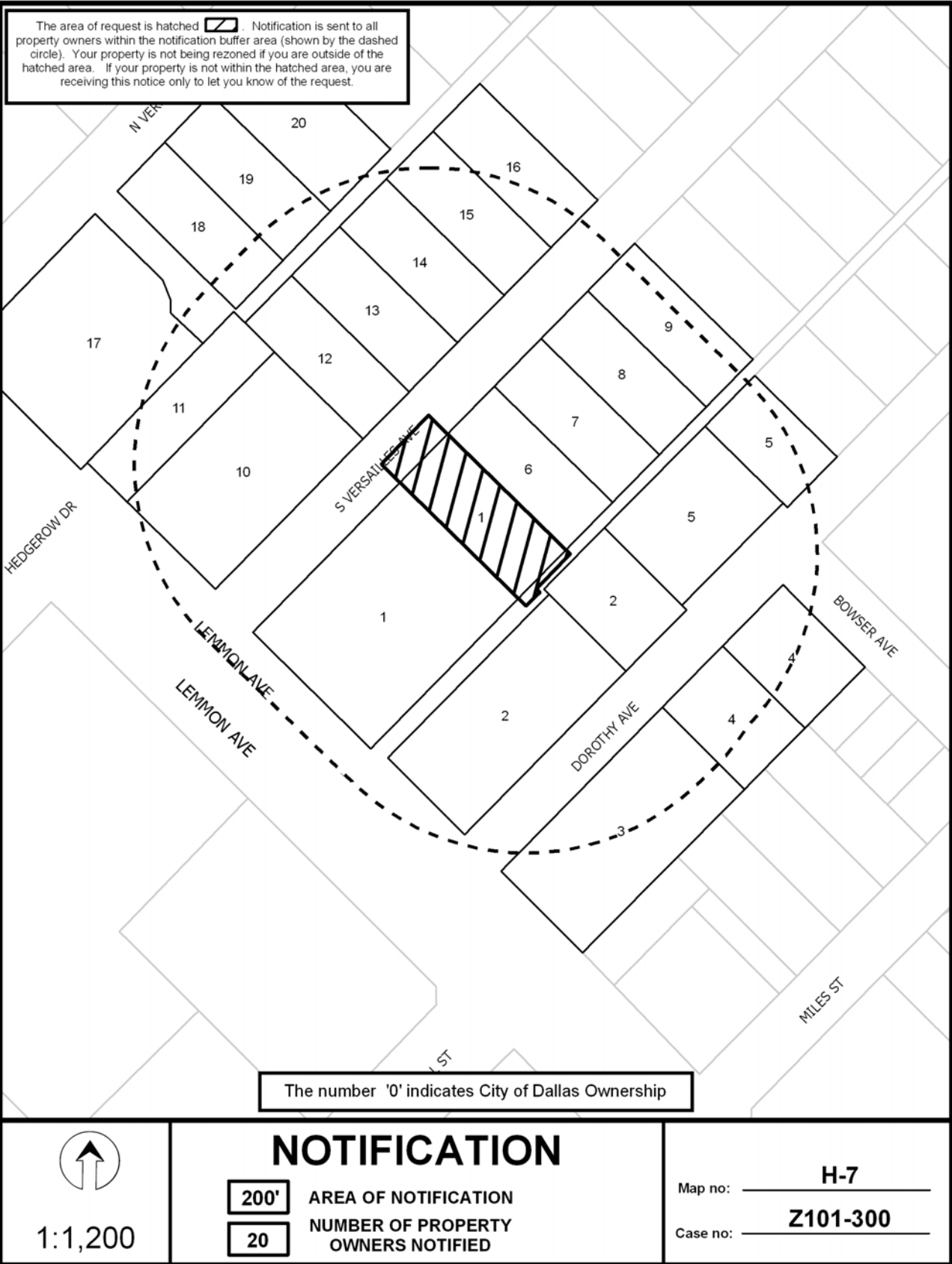
1:1,200

ZONING AND LAND USE

Map no: H-7

Case no: Z101-300

DATE: July 21, 2011



Notification List of Property Owners

Z101-300

20 Property Owners Notified

Label #	Address	Owner
1	5420 VERSAILLES	YEES INTERNATIONAL INC
2	5404 LEMMON	LEMMON AVE JV
3	5338 LEMMON	TDP DURHAM DEVELOPMENT LTD
4	3526 DOROTHY	5404 LEMMON AVE JOINT VENTURE
5	3603 DOROTHY	CASTAIGNE ARCILIO A
6	3518 VERSAILLES	BRIDGES BILLY G & DESTIN J APPELATE
7	3522 VERSAILLES	HAILE HOWARD M & DEBORAH
8	3602 VERSAILLES	BOBROW ANTHONY
9	3606 VERSAILLES	TAYLOR RODNEY
10	5444 LEMMON	FONBERG REAL ESTATE INV LTD ET AL STE 203
11	5454 LEMMON	FONBERG PETER D ETAL SUITE 203
12	3515 VERSAILLES	ALSTON RICHARD
13	3519 VERSAILLES	SMITH WILLIAM T THE & LINDA SMITH REV LIV TR
14	3523 VERSAILLES	ANSPACH CAROLYN A & MATTHEW T ANSPACH
15	3603 VERSAILLES	SOLOMON RONALD RAY
16	3607 VERSAILLES	RADMAN ARNOLD J
17	5460 LEMMON	FONBERG REAL ESTATE INV LTD STE 203
18	3516 VERSAILLES	PEARLE GENE & DORRACE
19	3518 VERSAILLES	STROUD T M & MARY L
20	3524 VERSAILLES	HEWETT SANDRA L

Thursday, July 21, 2011

Planner: Warren F. Ellis

FILE NUMBER: Z090-247(WE) **DATE FILED:** August 18, 2011

LOCATION: Calvert Street and Irving Boulevard, northeast corner

COUNCIL DISTRICT: 6 **MAPSCO:** 33-Y

SIZE OF REQUEST: Approx. 2.5531 acres **CENSUS TRACT:** 100.00

APPLICANT / OWNER: Union Gospel Mission

REPRESENTATIVE: Michael R. Coker
Michael R. Coker Company

REQUEST: An application for an amendment to, and an expansion of, Planned Development District No. 370 for IR Industrial Research District uses, a Group Residential Facility and Overnight General Purpose Shelter on property zoned Planned Development District No. 370 and an IR Industrial Research District.

SUMMARY: The purpose of this request is to increase the number of beds for the overnight shelter from 200 beds to 431 beds and provide a training center for the guests.

STAFF RECOMMENDATION: Approval, subject to a development plan and staff's recommended conditions

PREVIOUS ACTION: On July 21, 2011, the City Plan Commission held this case under advisement until August 4, 2011, due to a notification error.

BACKGROUND INFORMATION:

- The applicant’s request for an expansion and amendment to Planned Development District No. 370 will permit the increase in the number of beds for the Overnight General Purpose Shelter portion from 200 beds to 431 beds. The applicant is also requesting to expand the PDD to construct a two story 16,250 square foot training center for the residents living in the portion of the facility know as the ‘Group Residential Facility.’”
- The request site is contiguous to Industrial and Commercial type uses that are permitted in an IR Industrial Research District.

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Irving Boulevard	Collector	60 ft.	60 ft.
Calvert Street	Local	60 ft.	60 ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 370 & IR	Group Residential Facility and Overnight General Purpose Shelter
North	IR	Commercial
South	IR	Industrial and Warehouse uses
East	IR	Freight terminal
West	IR	Industrial and Warehouse uses

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 Mixed Use Building Block.

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District,

Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility: The applicant's request for an expansion of, and amendment to, Planned Development District No. 370 will permit the increase in the number of beds for the Overnight General Purpose Shelter portion of the facility from 200 beds to 431 beds. The applicant is also requesting to expand the Planned Development District by approximately 11,517 square feet in order to construct a two story, 16,250 square foot training center for the residents living in the portion of the facility know as the 'Group Residential Facility.'" The remaining 2.2887 acre site is developed with a 2-story, 64,144 square foot building that provides emergency lodging and/or an interim or permanent residential facility for the men who use the facility.

The applicant is proposing to convert a portion of the existing building that was being use as a restaurant use into a lodging area that will accommodate the additional 220 Overnight General Purpose Shelter beds. In addition, a portion of the surface parking area on Calvert Street will be used as a vehicle display area. This vehicle display, sales and service area will be considered as an accessory uses to the main use. A vehicle display, sales and service use is a permitted use, by right, in an IR District and the Planned Development District No. 370 development standards and regulation are based on IR District uses.

Staff has reviewed and recommends approval of the applicant's request for an expansion of, and amendment to, Planned Development District No. 370, subject to the development plan, and staff's recommended conditions. The proposed development should not adversely impact the surrounding area.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		<u>Density</u>	<u>Height</u>	<u>Lot Coverage</u>	<u>Special Standards</u>	<u>PRIMARY Uses</u>
	<u>Front</u>	<u>Side/Rear</u>					
PDD No. 370 – existing	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Landscaping: Landscaping of any development will be in accordance the attached landscape 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.

Miscellaneous – Conditions: Staff has reviewed the applicant’s proposed conditions and cannot support the section that references the reduction in trained security guards and their hours of operation at the facility. The applicant is proposing the following changes: The building and grounds must be secured by trained security guards at all times. No fewer than ~~[six]~~ four guards shall be on duty from ~~[4:00]~~ 7:00 p.m. to ~~[6:00]~~ 7:00 a.m., and no fewer than ~~[two]~~ three shall be on duty from ~~[6:00]~~ 7:00 a.m. to ~~[4:00]~~ 7:00 p.m.

Staff recommends no changes to the existing condition because of the increase in the number of beds proposed.

<p>LIST OF BOARD OF TRUSTEES Union Gospel Mission</p>

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| • J. Andrew (Andy) Kerner | Chairman |
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PROPOSED PDD CONDITIONS

PD 370.

SEC. 51P-370.101. LEGISLATIVE HISTORY.

PD 370 was established by Ordinance No. 21405, passed by the Dallas City Council on August 26, 1992. Ordinance No. 21405 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended.

SEC. 51P-370.102. PROPERTY LOCATION AND SIZE.

PD 370 is established on property generally located at the northwest corner of Irving Boulevard and Calvert Street. The size of PD 370 is approximately 2.5531~~[2.2887]~~ acres.

SEC. 51P-370.103. DEFINITIONS AND INTERPRETATIONS.

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

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

(c) Section 51A-2.101, "Interpretations," applies to this article.

(d) For purposes of determining the applicability of regulations in this article and in Chapter 51A triggered by adjacency or proximity to another zoning district, and for purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, this district is considered to be a nonresidential zoning district.

SEC. 51P-370.103.1. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit 370A: development plan.

SEC. 51P-370.104. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit 370A).

SEC. 51P-370.105. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the IR Industrial Research District, subject to the same conditions applicable in the IR Industrial Research District, as set out in Chapter 51A. For example, a use permitted in the IR Industrial Research District only by specific use permit (SUP)

is permitted in this district only by SUP; a use subject to development impact review (DIR) in the IR Industrial Research District is subject to DIR in this district PD; etc.

(b) The following main uses are also permitted:

- Group residential facility. *[Limited to 100 persons.]*
- Overnight general purpose shelter. *[By right if limited to 431 or fewer overnight guests. By SUP only if more than 431 overnight guests.]*

SEC. 51P-370.106. OVERNIGHT GENERAL PURPOSE SHELTER.

In addition to the applicable regulations contained in the Dallas Development Code, the following additional provisions apply to the overnight general purpose shelter use:

- (1) High occupancy transportation, such as buses or vans, must be provided to and from the facility housing the use on a regular schedule.
- (2) The loading and unloading of high occupancy vehicles must be conducted from and through the rear entrance of the facility housing the use.

Staff's Recommendation (current language)

(3) The building and grounds must be secured by trained security guards at all times. No fewer than six guards shall be on duty from 4:00 p.m. to midnight, no fewer than four shall be on duty from midnight to 6:00 a.m., and no fewer than two shall be on duty from 6:00 a.m. to 4:00 p.m.

Applicant's Proposal

(3) The building and grounds must be secured by trained security guards at all times. No fewer than ~~six~~ four guards shall be on duty from ~~[4:00]~~ 7:00 p.m. to ~~[6:00]~~ 7:00 a.m., and no fewer than ~~[two]~~ three shall be on duty from ~~[6:00]~~ 7:00 a.m. to ~~[4:00]~~ 7:00 p.m.

- (4) The owner shall initiate the establishment of a community review committee to discuss problems and concerns, and to suggest improvement and changes if needed.

SEC. 51P-370.107. ACCESSORY USES.

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

SEC. 51P-370.108. YARD, LOT, AND SPACE REGULATIONS.

The Property must be developed in accordance with the IR Industrial Research District's yard, lot, and space regulations contained in the Dallas Development Code.

SEC. 51P-370.109. OFF-STREET PARKING AND LOADING.

Off-street parking and loading must be provided in accordance with the development code.

SEC. 51P-370.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-370.111. LANDSCAPING.

Landscaping must be provided and completed in accordance with Article X. All plant material must be maintained in a healthy, growing condition at all times.

SEC. 51P-370.112. SIGNS.

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

SEC. 51P-370.113. GENERAL REQUIREMENTS.

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

SEC. 51P-370.114. PAVING.

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.

SEC. 51P-370.115. 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 applicable ordinances, rules, and regulations of the city.

~~SEC. 51P-370.116. ZONING MAP.~~

~~PD 370 is located on Zoning Map No. I-5.]~~

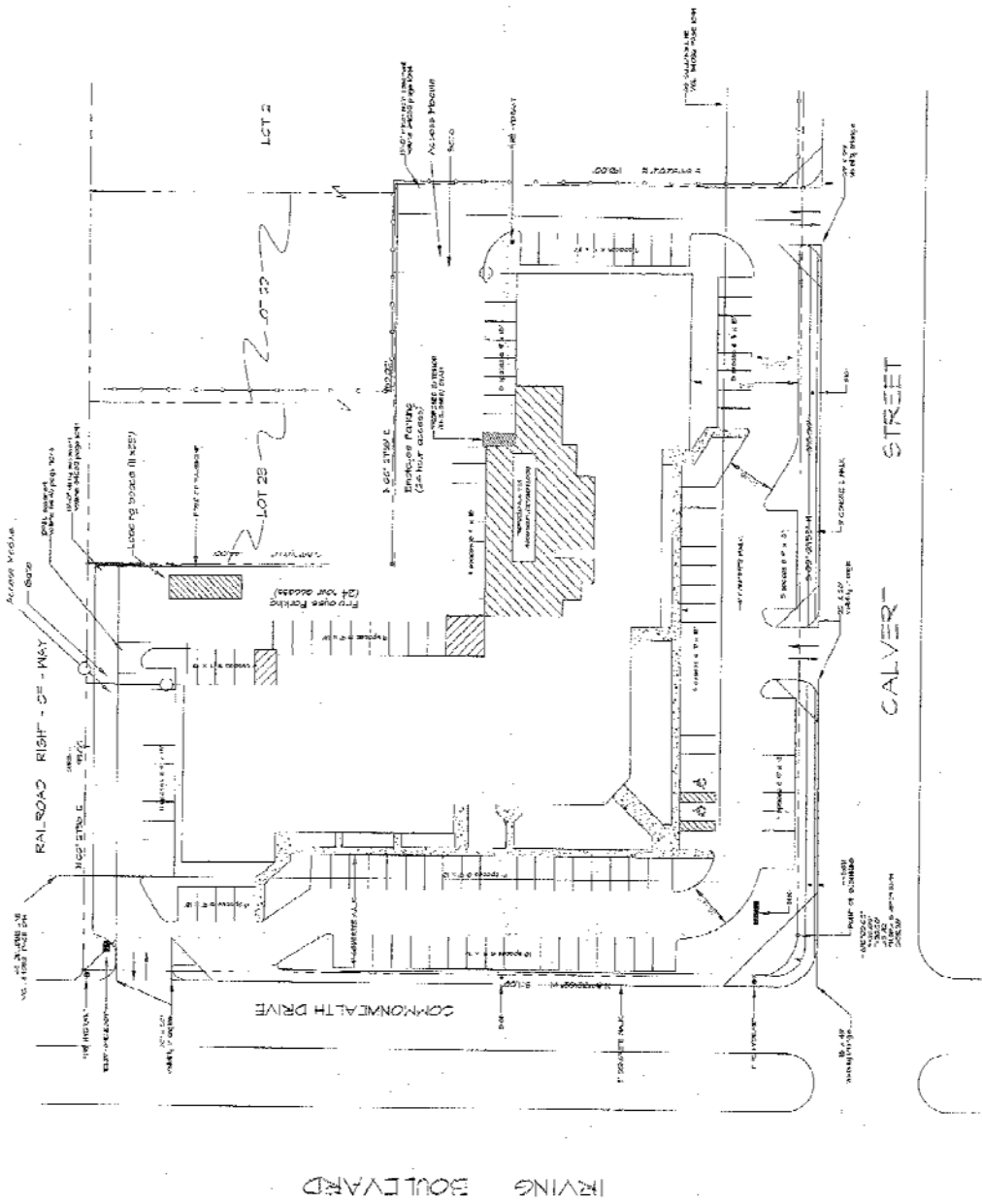
EXISTING DEVELOPMENT PLAN

OWNER & APPLICANT
 1800 GUSTAFSON BLVD
 207 BOULEVARD
 BOULDER, CO 80501

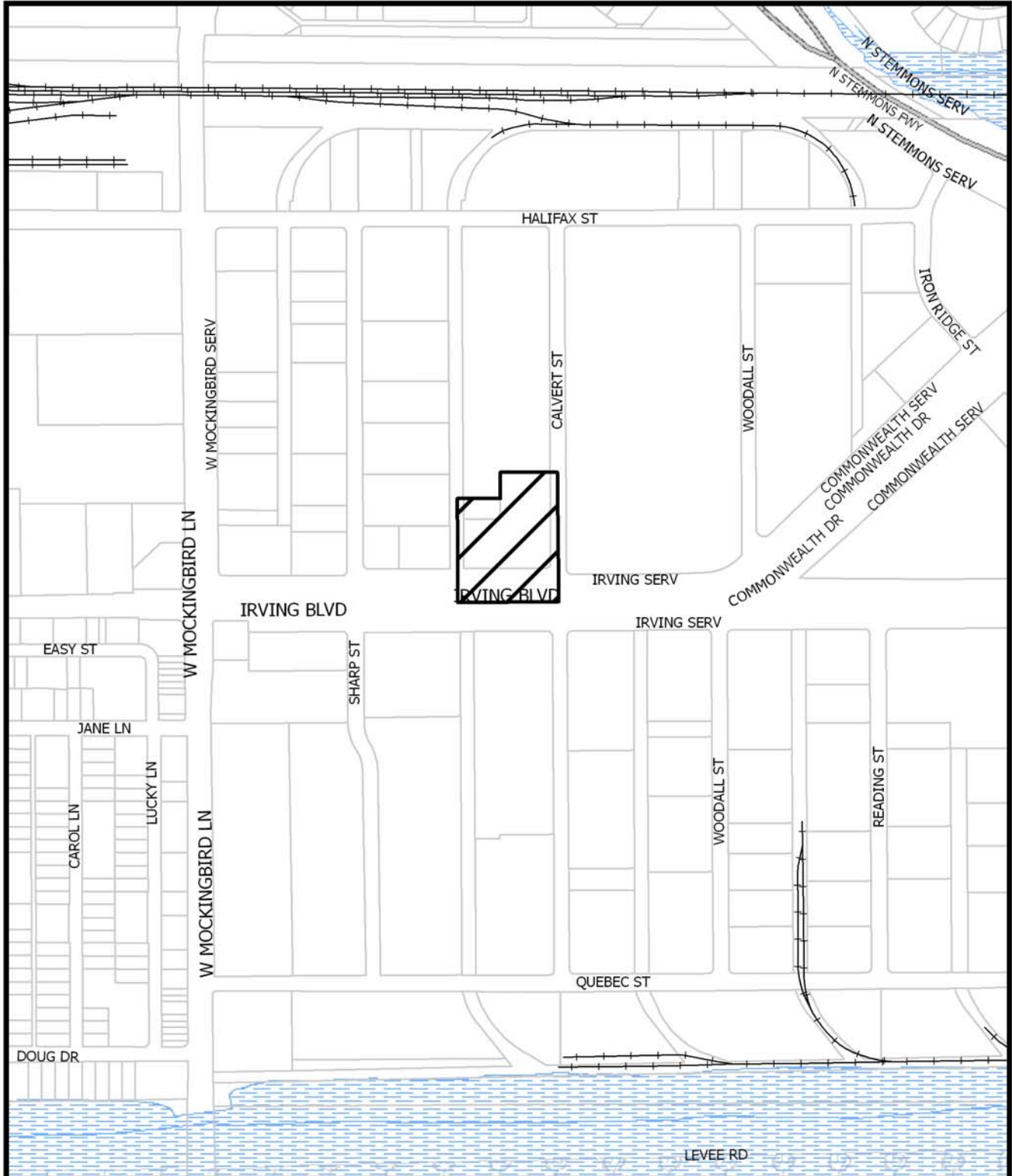
SITE NOTES
 TOTAL SITE AREA
 EXISTING SITE
 * 207, 208, 209
 * 207, 208, 209
 * 207, 208, 209

PROPOSED DEVELOPMENT
 * 207, 208, 209
 * 207, 208, 209
 * 207, 208, 209

LEGAL NOTES
 REGULATORY: VARIOUS
 REGULATORY: VARIOUS
 REGULATORY: VARIOUS



A SITE PLAN
 A QUALITY PLAN

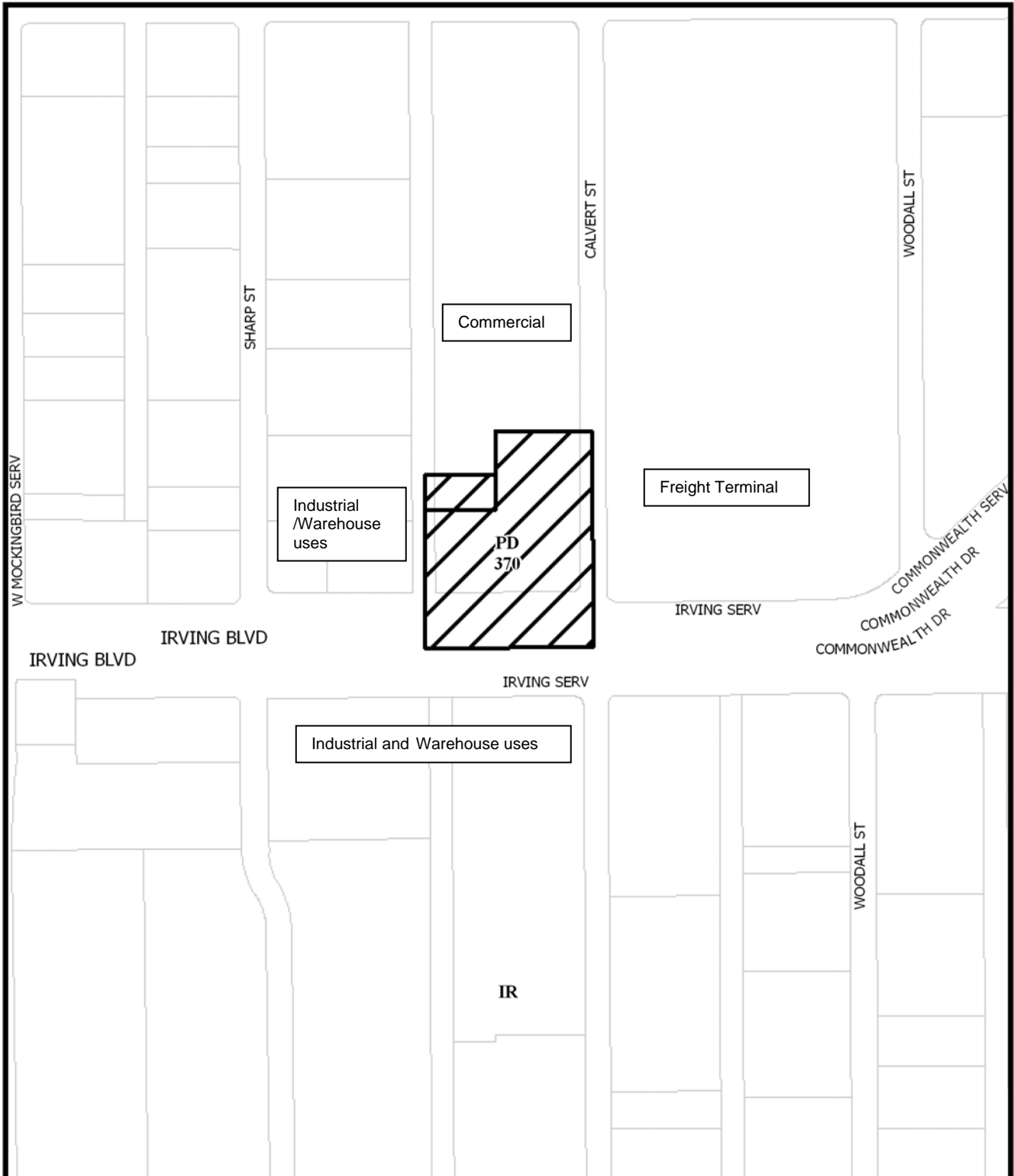


1:6,000

VICINITY MAP

Map no: I-5


Case no: Z090-247

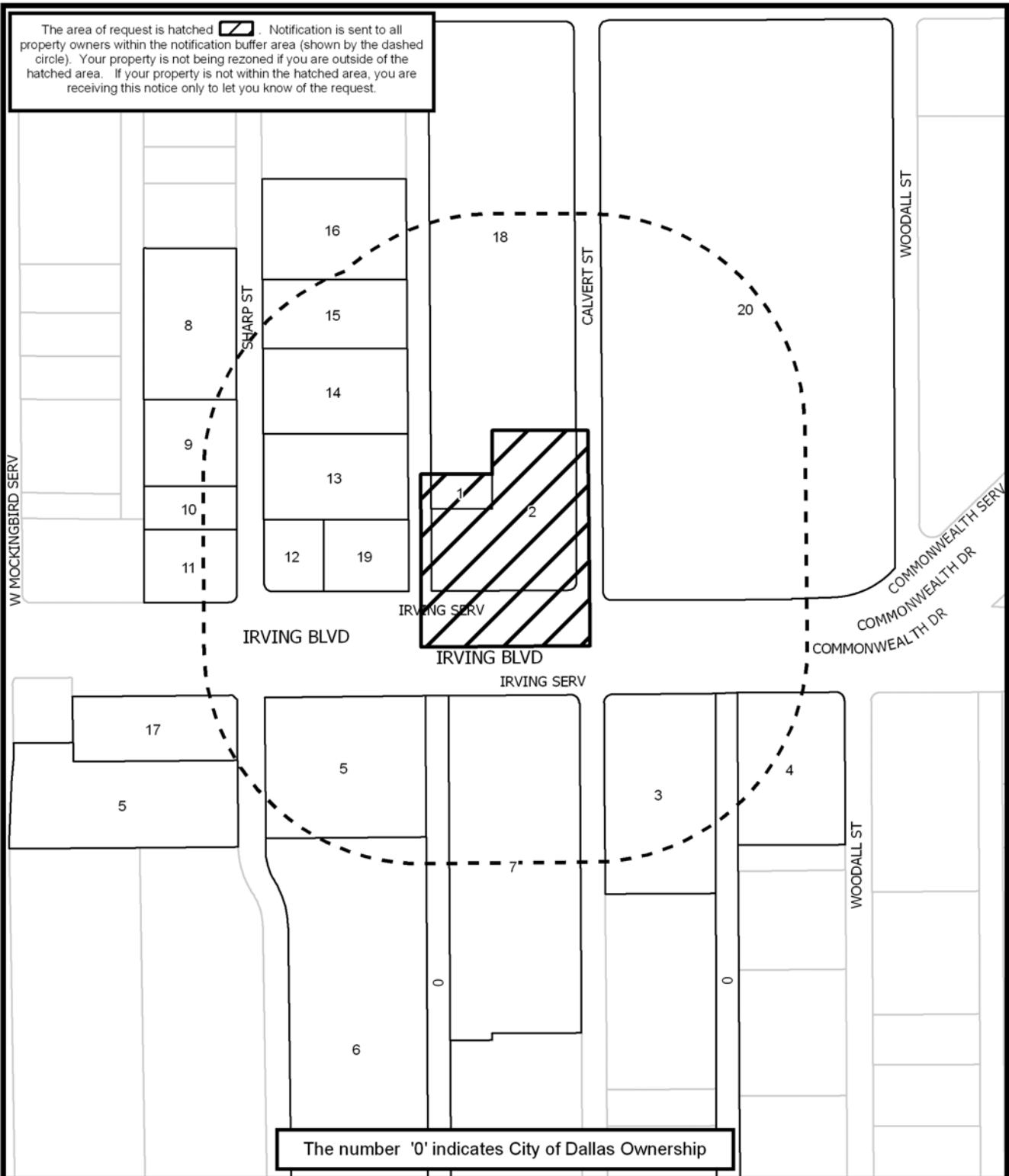


1:3,600

ZONING AND LAND USE

Map no: I-5
Case no: Z090-247

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	<h2>NOTIFICATION</h2> <p>500' AREA OF NOTIFICATION</p> <p>20 NUMBER OF PROPERTY OWNERS NOTIFIED</p>	Map no: <u> I-5 </u> Case no: <u> Z090-247 </u>
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Notification List of Property Owners

Z090-247

20 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3211 IRVING	UNION GOSPEL MISSION
2	3211 IRVING	UNION GOSPEL MISSION
3	4904 CALVERT	LEVEL 3 COMMUNICATIONS % SUSAN FERNANDEZ
4	3170 IRVING	IRVING LEWIS LTD
5	4949 SHARP	BROOKHOLLOW COMMERCE CENTER LP
6	4900 SHARP	BROOKHOLLOW COMMERCE CTR
7	3200 IRVING	1027 WILSHIRE ASSOCIATES LLC
8	5051 SHARP	DUFF RE DALLAS LP
9	5025 SHARP	JORDAN WILLIAM D & NORMA F ET AL
10	5015 SHARP	HOUSAND C HOWARD &
11	3231 IRVING	SMITH CLAYTON CHOICE ETAL
12	3225 IRVING	INWOOD RESTAURANT INC % GAMBULOS
13	5020 SHARP	PAR 41 INC
14	5036 SHARP	SCI LTD PARTNERSHIP II % SECURITY CAP IND INC
15	5052 SHARP	5052 SHARP ST ASSOC LP
16	5124 SHARP	BFC INVESTMENT LLC
17	3250 IRVING	MALIK INVESTMENTS INC
18	3200 HALIFAX	RYDER TRUCK RENTAL INC % PPTY TAX DEPT 1070
19	3215 IRVING	TJCS LTD
20	3100 HALIFAX	CON WAY TRANSPORTATION SERVICES

Thursday, November 04, 2010

FILE NUMBER: Z101-255(MW)

DATE FILED: April 14, 2011

LOCATION: South side of Main Street, east of Field Street

COUNCIL DISTRICT: 14

MAPSCO: 45P

SIZE OF REQUEST: ±0.0875 acre

CENSUS TRACT: 31.01

APPLICANT/REPRESENTATIVE: Strategic Hype, LLC

OWNER: Bryan Foster

REQUEST: An application for a Specific Use Permit for an alcoholic beverage establishment and a commercial amusement (inside) limited to a class A dance hall on property within Planned Development District No. 619 for Mixed Uses.

SUMMARY: The applicant proposes to operate a restaurant, which is allowed by right, at street level. The purpose of the SUP request is to allow an alcoholic beverage establishment below street level, on the second floor and on the roof top and dance floors on all four levels.

CPC ACTION: On July 7, 2011, the City Plan Commission held the case under advisement until August 4, 2011.

CPC RECOMMENDATION: Denial

BACKGROUND:

- The ±0.0875 acre request, which comprises all four (4) levels of a multistory building, is located within the Central Business District and is further regulated by PDD No. 619. The PDD prohibits alcoholic beverage establishments at street level, but allows commercial amusements (inside) by SUP. Alcoholic beverage establishments are allowed by SUP when located below street level or above street level.
- The applicant proposes to operate a restaurant, which is allowed by right, at street level. The purpose of the SUP request is to allow an alcoholic beverage establishment below street level, on the second floor and on the roof top and dance floors below street level, at street level and on the second floor.
- This request is consistent with SUP No. 1725 approved on the request site on September 10, 2008 for a two-year period. The SUP automatically terminated on September 10, 2010 and was not renewed. However, the establishment has continued to operate without an SUP.
- On April 8 2011 and on April 16, 2011, the request site was cited by the Department of Code Compliance for operating without a valid Certificate of Occupancy (CO). Specifically, the establishment's CO is for a restaurant without drive-in service; however, at the time of inspection, the request site was not operating as a restaurant but as an alcoholic beverage establishment and dance hall.
- As depicted on the site plan, the kitchen is located below street level, while the dining area is at street level. The Code Compliance inspector indicated that the kitchen was being utilized for storage at the time of the referenced citations.
- On May 28, 2011, the request site was cited by the Dallas Police Department Vice Unit for operating without a valid dance hall license.
- The request site is surrounded by a mix of uses, which include residential and retail to the north; restaurants and office to the east, hotel to the south; and hotel; restaurant and residential to the west.

Zoning History:

1. **Z089-264:** On January 13, 2010, the City council approved an SUP for a non-premise district activity video board for a six-year time period.
2. **Z089-263:** On December 9, 2009, the City council approved an SUP for a non-premise district activity video board for a five-year time period.
3. **Z089-130:** On April 22, 2009, the City Council approved a SUP for an alcoholic beverage establishment for a two-year period.

4. **Z067-003:** On June 10, 2009, the City Council approved an SUP for two non-premise district activity video board for a six-year time period.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Main Street	Principal Arterial	80 feet
Filed Street	Principal Arterial	50 feet

Land Use:

	Zoning	
Site	PDD No. 619	Alcoholic beverage establishment and dance hall
North	PDD No. 619; H/87 and SUP 1637 on a portion	Residential; retail
East	PDD No. 619	Restaurants; office
South	PDD No. 619; H/36 on a portion	Hotel
West	PDD No. 619	Hotel; restaurant' residential

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 the City's Downtown; a centrally located hub that provides high intensity concentrated regional job and commercial activity supported by high density housing. A Downtown includes pedestrian-oriented and mixed-use development that offers multiple transportation options.

The applicant's proposal to operate a restaurant, alcoholic beverage establishment and dance hall at this location is consistent with the *forwardDallas! Vision* to promote a pedestrian-oriented mix of uses in the downtown area.

Land Use Compatibility:

The ±0.0875 acre request, which comprises all four (4) levels of a multistory building, is located within the Central Business District and is further regulated by PDD No. 619. The PDD prohibits alcoholic beverage establishments at street level, but allows commercial amusements (inside) by SUP. Alcoholic beverage establishments are allowed by SUP when located below street level or above street level.

The applicant proposes to operate a restaurant, which is allowed by right, at street level. The purpose of the SUP request is to allow an alcoholic beverage establishment below street level, on the second floor and on the roof top and dance floors below street level, at street level and on the second floor. This request is consistent with SUP No. 1725 approved on the request site on September 10, 2008 for a two-year period. The SUP automatically terminated on September 10, 2010 and was not renewed. However, the applicant has continued to operate the establishment illegally; i.e. without a Specific Use Permit, a valid Certificate of Occupancy or a dance hall license. As depicted on the site plan, the kitchen is located below street level, while the dining area is at street level. The Code Compliance inspector indicated that the kitchen was being utilized for storage at the time of the referenced citations.

The request site is surrounded by a mix of uses, which include residential and retail to the north; restaurants and office to the east, hotel to the south; and hotel; restaurant and residential to the west. To promote compatibility with the surrounding uses, the applicant proposes SUP conditions that would prohibit live music on the roof deck and to limit the use of outside speakers and amplified to the hours between 11:00 a.m. and 11:00 p.m.

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.

As stated previously, this request is consistent with SUP No. 1725 which terminated on September 10, 2010. In 2008, staff recommended approval for a two-year period. Upon review of this request, staff has determined that the applicant has been operating an alcoholic beverage establishment and dance hall without a Specific Use Permit, a valid Certificate of Occupancy or a dance hall license. Furthermore, by operating an alcoholic beverage establishment at street level, the applicant has not complied with the provisions of PDD No. 619. Given that the applicant has not complied with applicable zoning regulations and standards, staff cannot support this request for a Specific Use

Z101-255(MW)

Permit. However, if the Commission chooses to recommend approval, staff suggests a condition which clearly states that the alcoholic beverage establishment limited to a bar, lounge or tavern may not operate on the ground floor.

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:

Planned Development District No. 619 requires off-street parking to be provided per the CA-1(A) Central Area District standards. For a new structure or an addition to an existing structure, one space is required for each 2,000 square feet of floor area. The proposed use is located within an existing structure, therefore no parking is required.

Police Report:

An online search of the Dallas Police Department's offense incident reports from June 28, 2005 to June 28, 2011 revealed the following no records:

DALLAS POLICE DEPARTMENT										
Virtual Viewer - Public Access										Welcome
Search Records - Offense										Filter
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0005576-R	12/30/2005	GARCIA, JOSE	AGGRAVATED ASSAULT	01400		MAI...	133	2061	04131	
0006125-Y	01/07/2011	@CITY OF DALLAS	FOUND PROPERTY	01400		MAI...	133	2061	43020	
0014772-X	01/16/2010	LANDRENEAU,KRYSTAL	FOUND PROPERTY	01400		MAI...	133	2061	43020	
0017868-W	01/19/2009	SPARKS,DEREK	ASSAULT	01400		MAI...	133	2061	08121	
0020446-W	01/18/2009	*CLUB PLUSH	CRIMINAL MISCHIEF/VANDALISM	01400		MAI...	133	2061	14092	
0021411-W	01/19/2009	SPARKS,DEREK	ASSAULT	01400		MAI...	133	2061	08121	
0023391-X	01/22/2010	DEEDS,SUNNY	OTHER OFFENSES	01400		MAI...	133	2061	26000	
0024210-X	01/25/2010	@CITY OF DALLAS	FOUND PROPERTY	01400		MAI...	133	2061	43020	
0028878-V	01/29/2008	@CITY OF DALLAS	FOUND PROPERTY	01400		MAI...	133	2061	43020	
0029843-X	01/30/2010	JACKSON, ANTHONY	ACCIDENTAL INJURY - PUBLIC P...	01400		MAI...	133	2061	33070	
0030100-X	01/30/2010	CARTER,JORDAN	ACCIDENTAL INJURY - PUBLIC P...	01400		MAI...	133	2061	33020	
0035448-X	02/06/2010	@CITY OF DALLAS	FOUND PROPERTY	01400		MAI...	133	2061	43020	
0035842-X	02/07/2010	@CITY OF DALLAS	FOUND PROPERTY	01400		MAI...	133	2061	43020	
0035921-X	02/07/2010	BILOLOUGH,,ELIS	ASSAULT	01400		MAI...	133	2061	08311	
0040466-X	02/12/2010	TYREE,TEKI	ASSAULT	01400		MAI...	133	2061	08221	

Page 1 of 6 (90 items)

DALLAS POLICE DEPARTMENT										
Virtual Viewer - Public Access										Welcome
Search Records - Offense										Filter
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0041441-X	02/13/2010	WILLIAMS,RYAN	ASSAULT	01400		MAI...	133	2061	08211	
0044933-W	02/16/2009	*REPUBLIC NATIOANAL ...	THEFT	01400		MAI...	133	2061	06932	06942
0056616-X	02/28/2010	DUBOSE,MEGAN	THEFT	01400		MAI...	133	2061	06901	
0059655-W	03/03/2009	ANDREWS,LANITA	THEFT	01400		MAI...	133	2061	06942	
0067146-W	03/07/2009	TESKEY,MYCA	AGGRAVATED ASSAULT	01400		MAI...	133	2061	04131	
0071964-W	03/14/2009	*AVIS RENTALS	AUTO THEFT-UUMV	01400		MAI...	133	2061	07171	
0075865-Y	03/27/2011	ABUSAAD,MOHAMAD	AGGRAVATED ASSAULT	01400		MAI...	133	2061	04111	
0082854-Y	04/02/2011	RANGANATHAN,LAVANYA	LOST PROPERTY	01400		MAI...	133	2061	42020	
0096572-X	04/09/2010	CHARANAY,WRIGHT	LOST PROPERTY	01400		MAI...	133	2061	42020	
0101250-Y	04/22/2011	DELACRUZ,MICHAEL	ASSAULT	01400		MAI...	133	2061	08121	
0106764-W	04/16/2009	JOHNSON,ELLIOTT	THEFT	01400		MAI...	133	2061	06951	
0108493-Y	04/29/2011	NUNLEY,KAITLYN,	ACCIDENTAL INJURY - PUBLIC P...	01400		MAI...	133	2061	33070	
0124422-Y	05/15/2011	MICHILIANA, PATRICK	ASSAULT	01400		MAI...	133	2061	08121	
0130834-X	05/08/2010	REED,LEOTINE	THEFT	01400		MAI...	133	2061	06903	
0134831-X	05/15/2010	WILDMAN,JORDAN	FOUND PROPERTY	01400		MAI...	133	2061	43030	43020

Page 2 of 6 (90 items)

DALLAS POLICE DEPARTMENT										
Virtual Viewer - Public Access										
										Welcome
Search Records - Offense										Filter
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0134832-X	05/15/2010	NGUYEN,ADAM	FOUND PROPERTY	01400		MAI...	133	2061	43020	
0138134-Y	05/19/2011	CASHER,LASHAUNTE	OTHER OFFENSES	01400		MAI...	133	2061	26000	
0140243-X	05/21/2010	MORTON,JUSTIN	ACCIDENTAL INJURY - PUBLIC P...	01400		MAI...	133	2061	33083	
0144774-Y	06/03/2011	@CITY OF DALLAS	ASSAULT	01400		MAI...	133	2061	26420	08981
0144896-V	05/16/2008	*CVS PHARMACY	THEFT	01400		MAI...	133	2061	06933	
0148436-W	05/24/2009	@HARRIS COUNTY CONS...	FOUND PROPERTY	01400		MAI...	133	2061	43030	
0160441-Y	06/19/2011	KETRON,MOLLY	OTHER OFFENSES	01400		MAI...	133	2061	26000	
0161123-V	05/30/2008	BRISCO, MATHEW	AUTO THEFT-UUMV	01400		MAI...	133	2061	07111	
0162615-X	06/11/2010	MICHL,REBECCA	ASSAULT	01400		MAI...	133	2061	08311	
0163841-X	06/12/2010	KHOURY, JOHN	TRAFFIC MOTOR VEHICLE	01400		MAI...	133	2061	32090	
0165007-X	06/13/2010	JOHNSON,ARON,N,	ASSAULT	01400		MAI...	133	2061	08121	
0167294-Y	06/26/2011	BRADY,PATRICK	ASSAULT	01400		MAI...	133	2061	08121	
0167295-Y	06/26/2011	STUCKEY,AMBER	ASSAULT	01400		MAI...	133	2061	08311	
0169946-W	05/25/2009	HERNANDEZ,ERIC,WILLIAM	OTHER OFFENSES	01400		MAI...	133	2061	26000	
0179790-X	06/27/2010	ELMAZI, BENJAMIN	CRIMINAL MISCHIEF/VANDALISM	01400		MAI...	133	2061	14081	

Page 3 of 6 (90 items)

DALLAS POLICE DEPARTMENT										
Virtual Viewer - Public Access										
										Welcome
Search Records - Offense										Filter
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0182328-X	06/25/2010	DEREMER, AUSTIN	LOST PROPERTY	01400		MAI...	133	2061	42020	
0191595-X	07/03/2010	TOVAR,JUAN	LOST PROPERTY	01400		MAI...	133	2061	42020	
0193274-W	07/03/2009	*ANDREWS DISTRIBUTO...	THEFT	01400		MAI...	133	2061	06943	
0202593-W	07/11/2009	%ASH,SCOTT	ACCIDENTAL INJURY - PUBLIC P...	01400		MAI...	133	2061	33020	
0213177-X	07/29/2010	FULP,AUDRA,	OTHER OFFENSES	01400		MAI...	133	2061	26000	
0227647-V	07/22/2008	@CITY OF DALLAS	FOUND PROPERTY	01400		MAI...	133	2061	43020	
0228920-X	08/15/2010	TSOU,DERRICK,WAN	AGGRAVATED ASSAULT	01400		MAI...	133	2061	04171	08121
0233427-W	08/08/2009	@CITY OF DALLAS	OTHER OFFENSES	01400		MAI...	133	2061	26610	
0233966-X	08/20/2010	*CHASE BANK	FORGERY & COUNTERFEITING	01400		MAI...	133	2061	10021	
0240101-W	08/13/2009	@CITY OF DALLAS	FOUND PROPERTY	01400		MAI...	133	2061	43020	
0246980-W	08/20/2009	GASTON, DAVID	ASSAULT	01400		MAI...	133	2061	08111	
0251508-W	08/24/2009	%STARR,PATRICK,J 7420	ASSAULT	01400		MAI...	133	2061	08921	
0261567-X	09/18/2010	RAMABOBIC, MELITA	ASSAULT	01400		MAI...	133	2061	08321	
0263288-X	09/19/2010	MCKELLOP, MICHAEL	ROBBERY	01400		MAI...	133	2061	03941	
0264469-W	09/04/2009	CHRISTON,JAMES	ASSAULT	01400		MAI...	133	2061	08211	

Page 4 of 6 (90 items)

DALLAS POLICE DEPARTMENT										
Virtual Viewer - Public Access										Welcome
Search Records - Offense										
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0270070-X	09/27/2010	*CVS PHARMACY	FRAUD	01400		MAI...	133	2061	11052	
0281256-X	10/09/2010	ROSS,JEFF	ACCIDENTAL INJURY - PUBLIC P...	01400		MAI...	133	2061	33070	
0283403-X	10/02/2010	HERNANDEZ,JOSE	CRIMINAL MISCHIEF/VANDALISM	01400		MAI...	133	2061	14082	
0291874-X	10/17/2010	SIFUENTES,JESUS	FOUND PROPERTY	01400		MAI...	133	2061	43020	
0293083-W	10/02/2009	@CITY OF DALLAS	FOUND PROPERTY	01400		MAI...	133	2061	43021	
0296140-X	10/25/2010	DOWD,RYAN	ROBBERY	01400		MAI...	133	2061	03811	
0300896-W	08/15/2009	DIETZ,RODNEY	ASSAULT	01400		MAI...	133	2061	08112	
0301303-X	10/30/2010	PATEL, ANISH	ASSAULT	01400		MAI...	133	2061	08112	
0313580-X	11/13/2010	SAVAGE,GARRETT,	ACCIDENTAL INJURY - PUBLIC P...	01400		MAI...	133	2061	33070	
0323389-W	10/31/2009	%%PARSON, MATTHEW, ...	ASSAULT	01400		MAI...	133	2061	08921	
0325094-X	11/25/2010	HONG, KINAM	ROBBERY	01400		MAI...	133	2061	03943	
0327369-W	11/03/2009	WALTON,DANIEL,ANDREW	ASSAULT	01400		MAI...	133	2061	08121	08131
0330790-W	11/07/2009	NICHOLS,PATRICK	ASSAULT	01400		MAI...	133	2061	08111	
0337974-W	10/31/2009	@CITY OF DALLAS	OTHER OFFENSES	01400		MAI...	133	2061	26610	
0351205-X	12/23/2010	RAMIREZ,JONATHAN	AGGRAVATED ASSAULT	01400		MAI...	133	2061	04131	

Page 5 of 6 (90 items)

DALLAS POLICE DEPARTMENT										
Virtual Viewer - Public Access										Welcome
Search Records - Offense										
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0351230-W	11/27/2009	RUDDER,ASHLEY	THEFT	01400		MAI...	133	2061	06901	42020
0352115-W	11/28/2009	GRATTON, ALEXANDER	ASSAULT	01400		MAI...	133	2061	08111	
0353301-X	12/25/2010	DO, AMY	LOST PROPERTY	01400		MAI...	133	2061	42020	
0385086-V	12/20/2008	JONES, ERIC, DEMON	TRAFFIC MOTOR VEHICLE	01400		MAI...	133	2061	32090	
0390793-V	12/26/2008	*RAYCO	THEFT	01400		MAI...	133	2061	06901	
0546814-T	07/21/2007	@CITY OF DALLAS	OTHER OFFENSES	01400		MAI...	133	2061	26420	
0632335-R	08/19/2006	@CITY OF DALLAS	FOUND PROPERTY	01400		MAI...	133	2061	43020	
0645554-T	09/04/2007	HARRIS,BIANCA	ASSAULT	01400		MAI...	133	2061	08421	
0652259-T	09/10/2007	WILSON, PAIGE	ASSAULT	01400		MAI...	133	2061	08213	
0705282-T	10/30/2007	@CVS	THEFT	01400		MAI...	133	2061	06933	
0722898-T	11/01/2007	RAWLINGS,TRAVIS	ROBBERY	01400		MAI...	133	2061	08121	03941
0740535-T	11/16/2007	FIELDS,JONATHAN	THEFT	01400		MAI...	133	2061	06941	
0745923-T	11/21/2007	KEARBY, D'ANN	THEFT	01400		MAI...	133	2061	06954	
0794144-P	10/01/2005	CHRIST,HANS J	THEFT	01400		MAI...	133	2061	06941	
0958133-R	12/23/2006	@CITY OF DALLAS	CRIMINAL MISCHIEF/VANDALISM	01400		MAI...	133	2061	14082	

Page 6 of 6 (90 items)

Z101-255(MW)

List of Partners/Principals/Officers

Applicant: Strategic Hype, LLC

- Kevin Richardson, sole proprietor

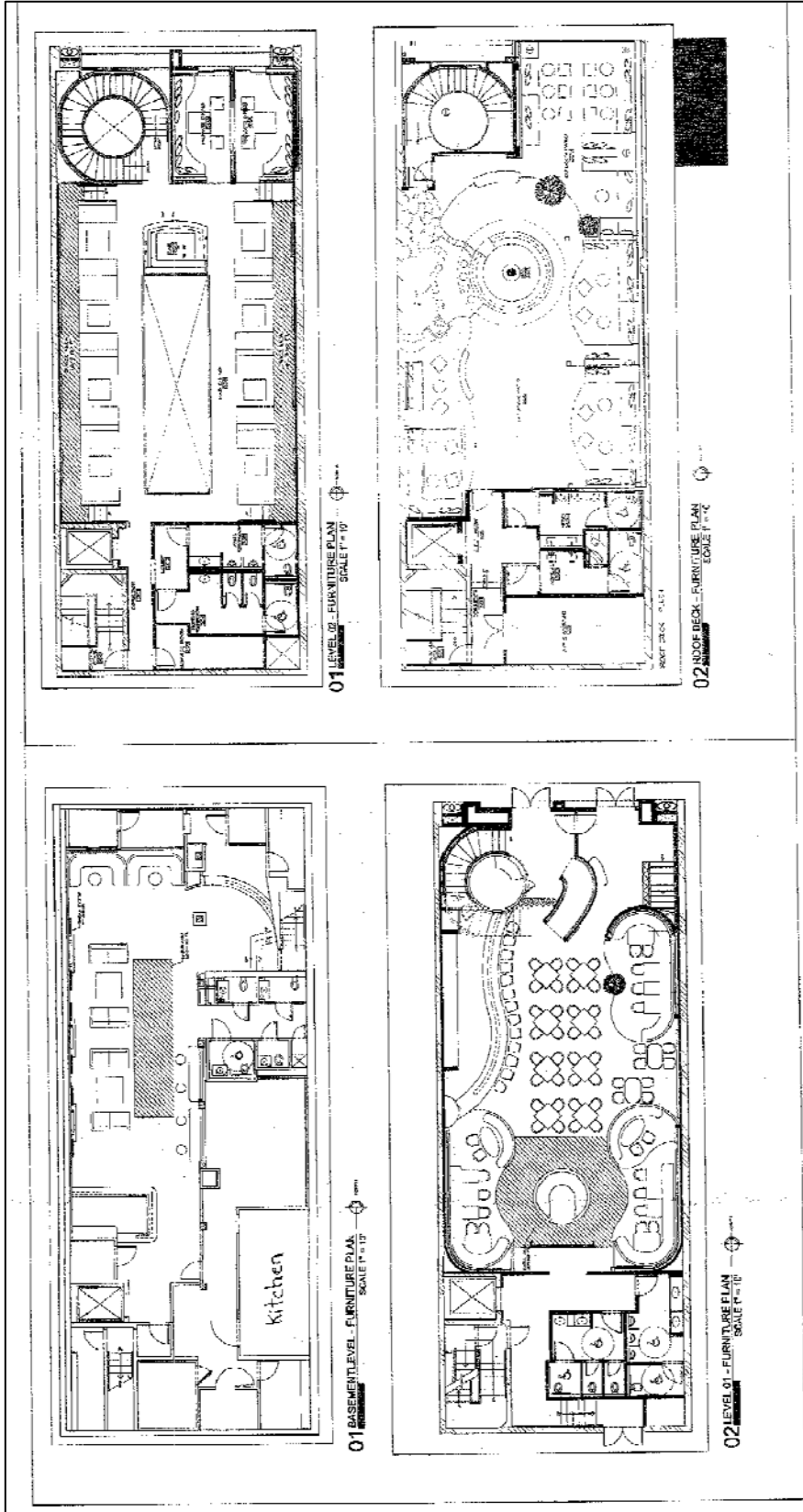
While staff is recommending denial of the applicant's request, the following conditions have been prepared, based on the previous SUP.

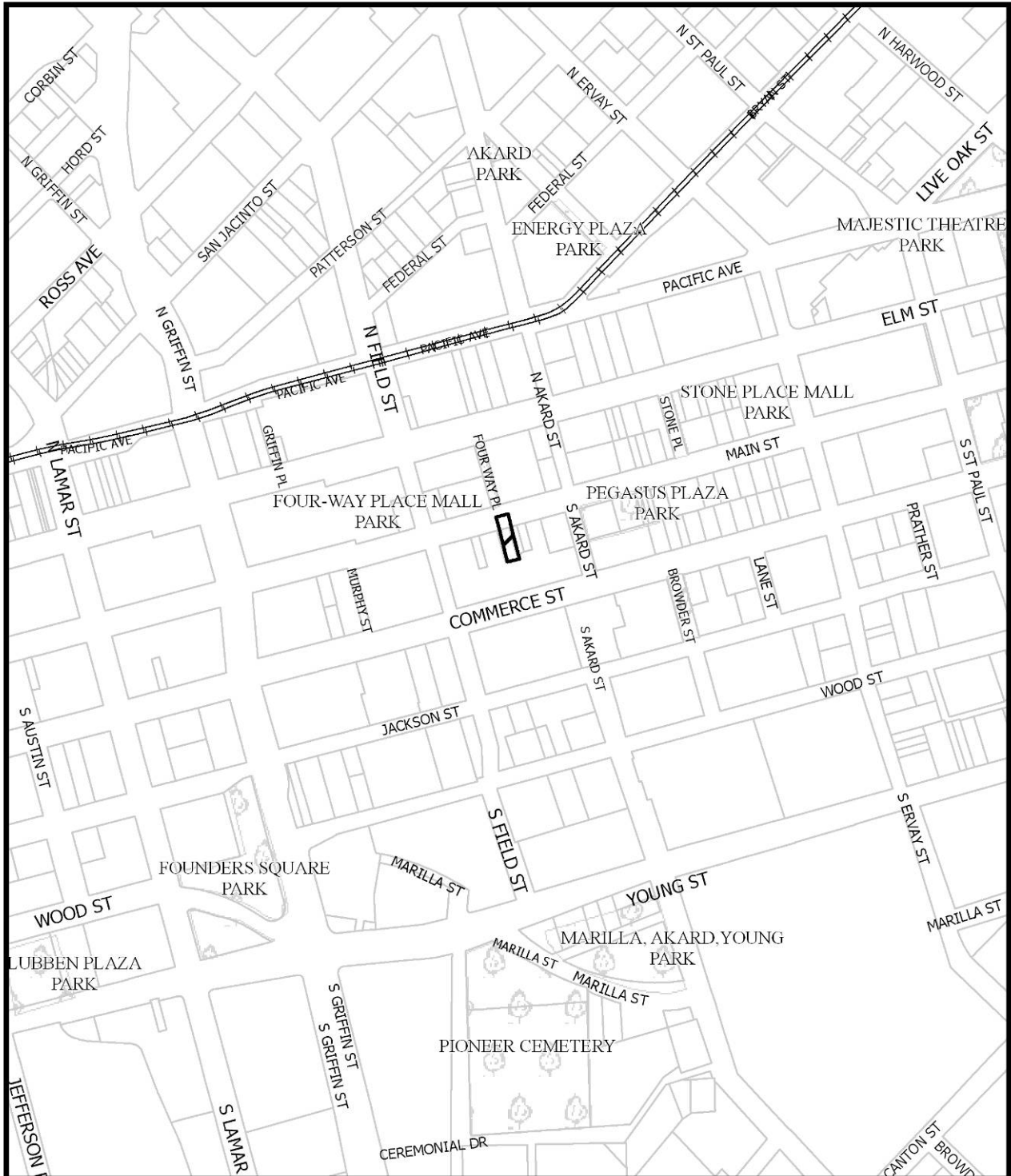
PROPOSED CONDITIONS

Z101-255

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) use limited to a Class A dance hall.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on (two years from passage of the ordinance).
4. FLOOR AREA: The maximum floor area for an alcoholic beverage establishment limited to a bar, lounge or tavern is 12,092 square feet in the locations shown on the attached site plan. The maximum combined floor area of the dance floors is 711 square feet on the basement level, level 1, and level 2 in the locations shown on the attached site plan. Dance floors are prohibited on the roof deck.
5. GROUND FLOOR: The alcoholic beverage establishment limited to a bar, lounge or tavern may not operate on the ground floor.
6. HOURS OF OPERATION: The alcoholic beverage establishment limited to a bar, lounge or tavern use and the commercial amusement (inside) use limited to a Class A dance hall may only operate between 11:00 a.m. and 2:00 a.m. (the next day), Monday through Sunday.
7. LIVE MUSIC: Live music is prohibited on the roof deck.
8. OUTSIDE SPEAKERS: Speakers and amplified sounds may operate outside only between 11:00 a.m. and 11:00 p.m., Monday through Sunday. Speakers and amplified sounds may not be used in a manner that unreasonably disturbs the peace, quiet, and comfort of an adjacent property.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

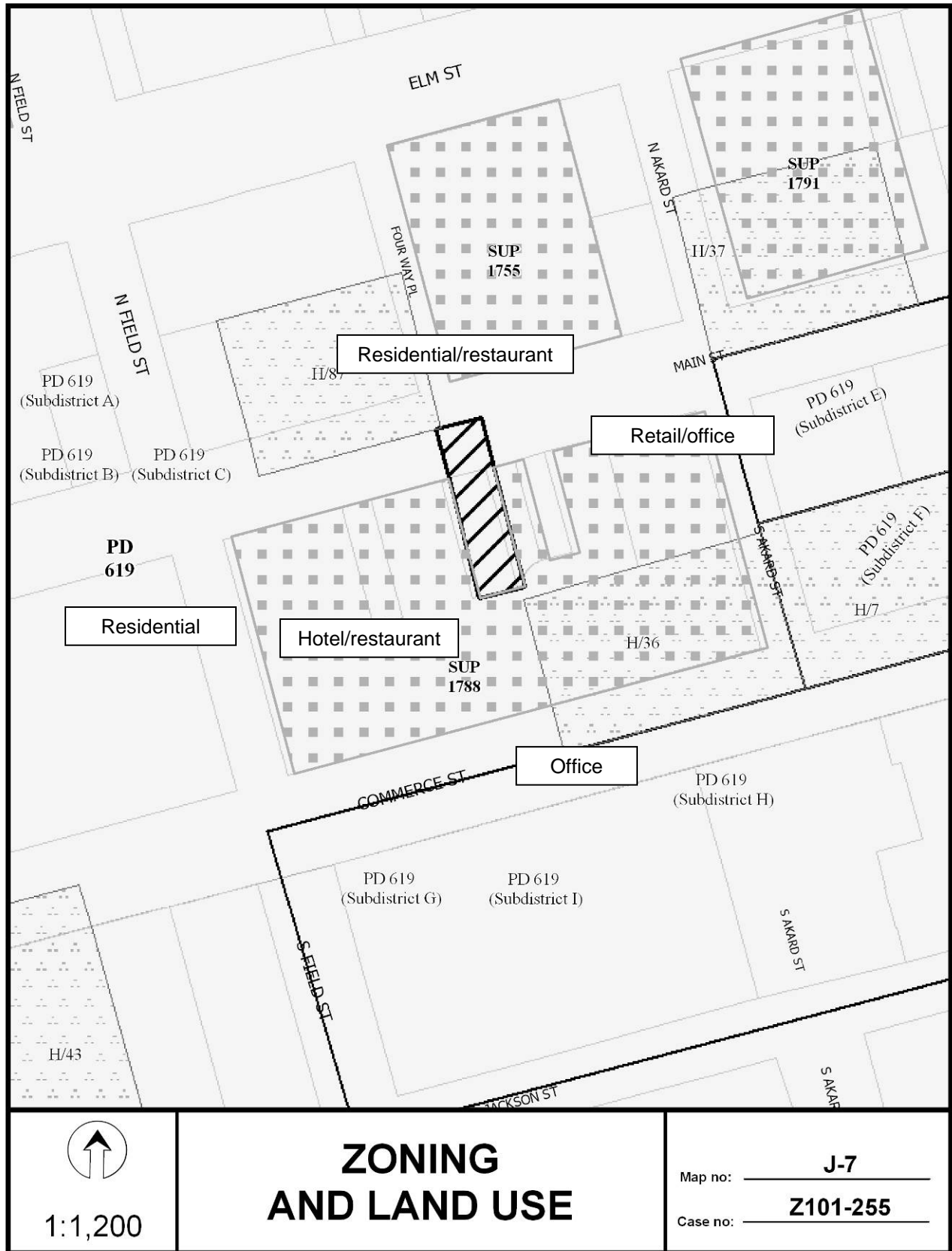
Proposed Site Plan





 1:4,800	<h1>VICINITY MAP</h1>	Map no: <u> J-7 </u> Case no: <u> Z101-255 </u>
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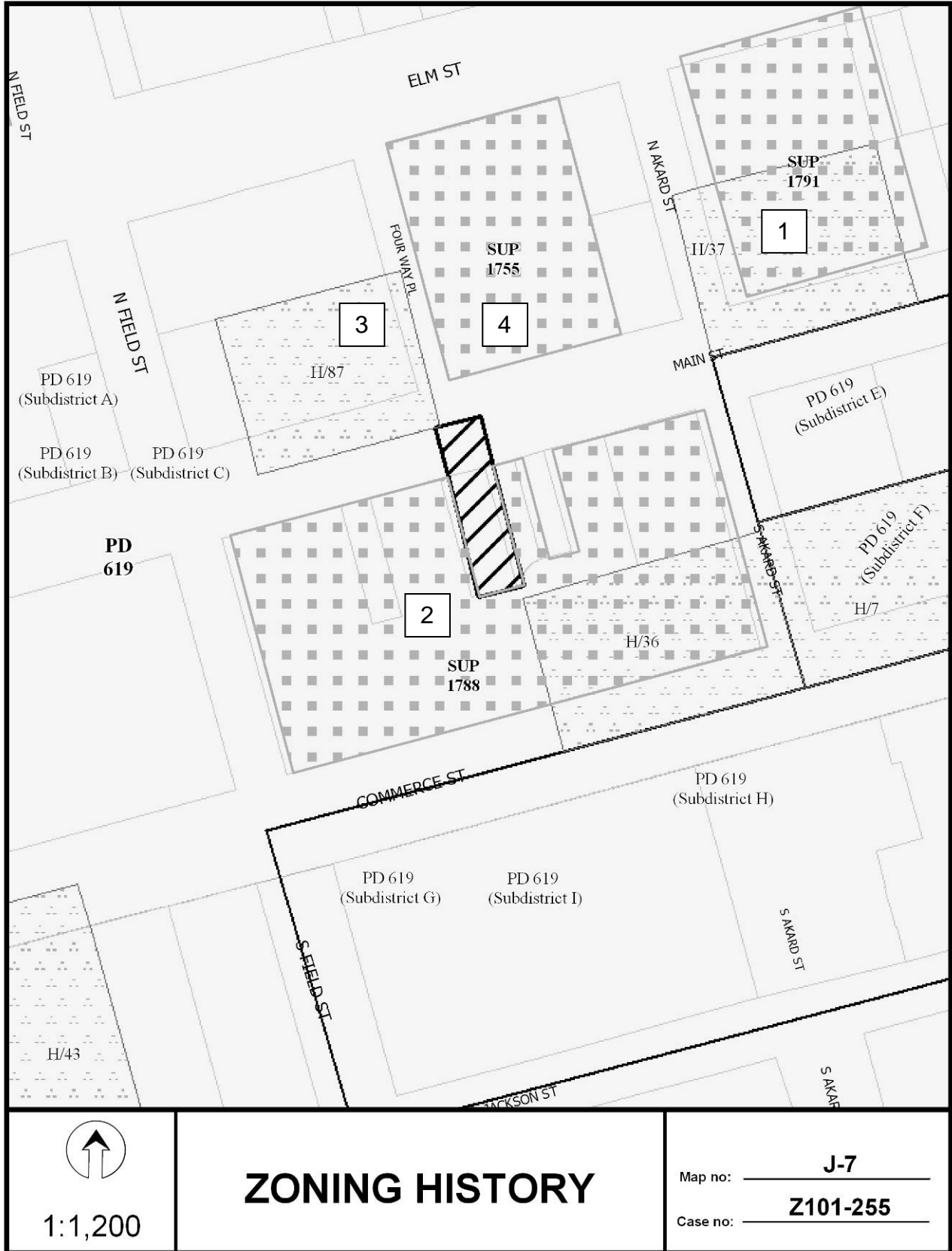
DATE: June 14, 2011



DATE: June 14, 2011

ZONING AND LAND USE

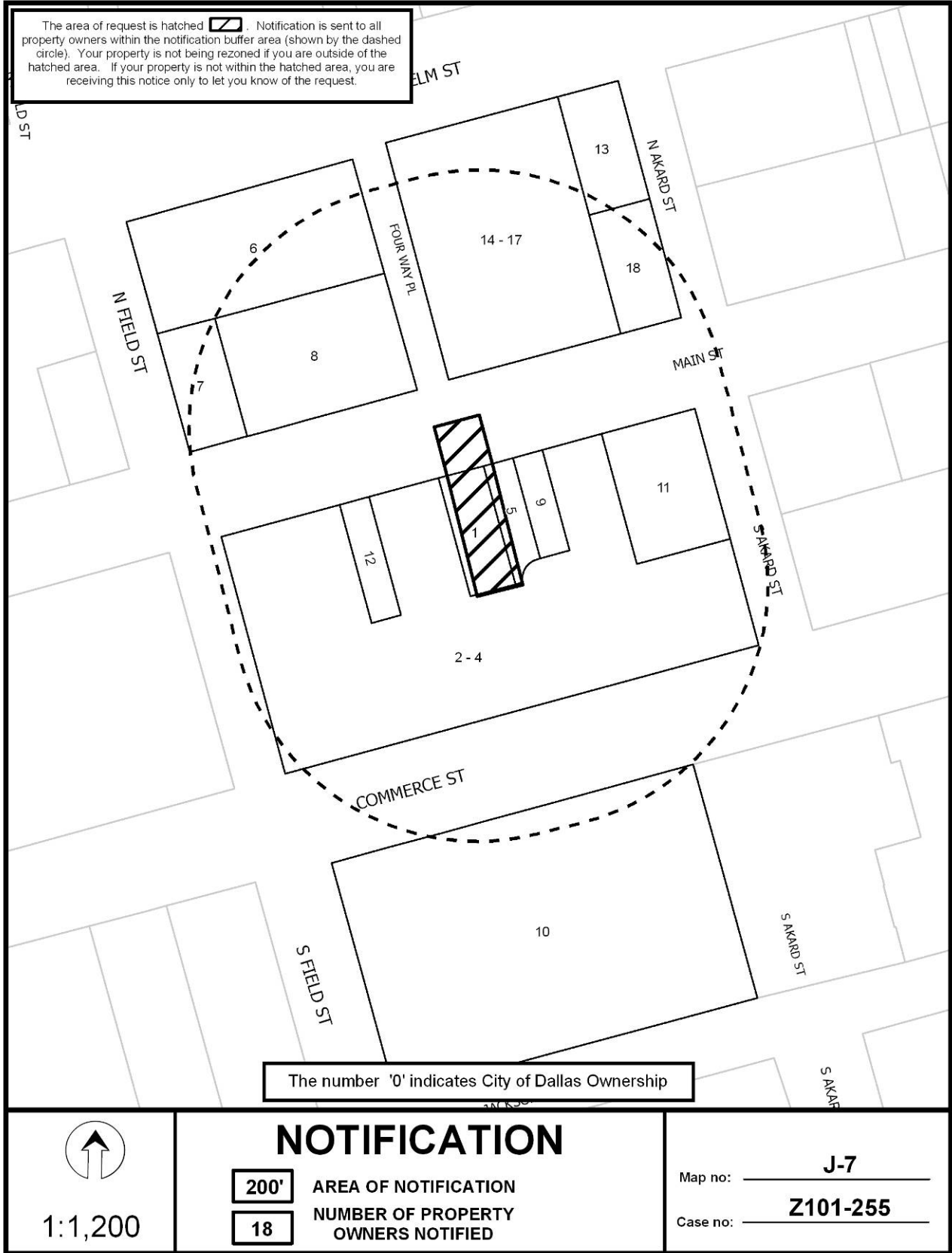
Map no: J-7
Case no: Z101-255



ZONING HISTORY

Map no: J-7
Case no: Z101-255

DATE: June 14, 2011



DATE: June 14, 2011

Notification List of Property Owners***Z101-255******18 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1400 MAIN	FOSTER BRYAN S
2	1315 COMMERCE	ADOLPHUS ASSOC JV
3	1315 COMMERCE	ADOLPHUS ASSOC JV
4	1315 COMMERCE	DALLAS COMMERCE ASSOC LP % ADOLPHUS
ASSOC		
5	1402 MAIN	TIER DEVELOPMENT GROUP LC
6	1302 ELM	DAVIS METRO LP STE 170
7	1301 MAIN	CREEKBEND PPTIES LP
8	1309 MAIN	DAVIS METRO LP
9	1404 MAIN	1404 MAIN BUILDING LLC
10	211 AKARD	SOUTHWESTERN BELL SBC COMMUNICATIONS
INC		
11	1412 MAIN	BN 1412 MAIN LP
12	1306 MAIN	RASANSKY MITCHELL
13	1414 ELM	ELM 1414 PPTIES, LTD
14	1407 MAIN	DLD PROPERTIES
15	1407 MAIN	DLD PROPERTIES
16	1407 MAIN	DRED PROPERTIES LTD
17	1407 MAIN	DCAR PROPERTIES LTD
18	1415 MAIN	GS RENAISSANCE LTD PS

Planner: Warren F. Ellis

FILE NUMBER: Z101-272 (WE) **DATE FILED:** May 16, 2011
LOCATION: West side of Insurance Lane between Knox Street and Hester Avenue
COUNCIL DISTRICT: 14 **MAPSCO:** 35-R
SIZE OF REQUEST: Approx. 11,000 sq. ft. **CENSUS TRACT:** 7.02

APPLICANT/OWNER: Dan Beard

REPRESENTATIVE: Dan Beard

REQUEST: An application to create a new Subarea within Planned Development District No. 27 for Office uses.

SUMMARY: The purpose of this request is to allow for a certain type of commercial, business and retail and personal service uses to operate within an existing 4,871 square foot building.

STAFF RECOMMENDATION: Denial

BACKGROUND INFORMATION:

- The applicant’s request for a new subarea within PDD No. 27 will allow for certain type of commercial, business and retail and personal service uses to operate within an existing one-story , 4,871 square foot building. The applicant is also requesting to modify the off-street parking requirement within the new Subarea.
- In 1965, the City Council approved Planned Development District No. 27 for Office uses (Ordinance No. 10962) by the Zoning Ordinance Regulations and Zoning Map.
- In June 2009, the City Council approved a new Subarea in Planned Development District No. 27 for an office showroom/warehouse use on both sides of Insurance Lane between Knox Street and Hester Avenue.
- The type of land uses that are adjacent to the site, which fronts on McKinney Avenue, are retail and multiple family uses. Properties north of the site, across Hester Avenue, also consist of multiple family uses. PDD No. 27 is currently developed with office uses.

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

1. Z089-197 On Wednesday, June 24, 2009, the City Council approved a new Subarea within Planned Development District No. 27 for Office uses on the both sides of Insurance Lane between Knox Street and Hester Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Insurance Lane	Local	40 ft.	40 ft.
Central Expressway		Variable width ROW	Variable width ROW

Land Use:

	Zoning	Land Use
Site	PDD No. 27	Office, surface parking
North	PDD No. 27	Office
South	PDD No. 27	Surface parking
East	PDD No. 27, Subarea 1	Office, showroom/warehouse
West	PDS No. 71 & LC w/in PDD No. 193	Multiple Family, Retail

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 Mixed-Use Building Block.

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

Land Use Element

Goal 1.2 Promote Desired Development

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

STAFF ANALYSIS:

Land Use Compatibility: The 11,000 square foot site is developed with a one-story 4,871 square foot building that is divided into two suites. The applicant's request is to create a new Subarea within Planned Development District No. 27 to operate certain type of commercial, business and retail and personal service uses. In addition, the applicant is requesting to modify the parking regulations to accommodate the specific uses that will be allowed within the new Subarea. The parking ratio proposed by the applicant is 1 space per 333 square feet of floor area.

In 1965, Planned Development District No. 27 was established by the City Council through adoption of a citywide plan and zoning map. The land uses in the surrounding area are developed with retail and multiple family uses, but the area along Central Expressway has remained consistent with retail, office, personal service and mini-warehouse uses.

The applicant's request to allow for certain type of commercial, business and retail and personal service uses in an area that is primarily office may have a negative impact on the adjacent office uses. These existing office uses may be impacted negatively as a result of the modification to the parking requirements the applicant is requesting within

Planned Development District No. 27. These types of uses proposed by the applicant are not consistent with the low volume of traffic that is generated by an office use and therefore is not compatible with the PDD No. 27.

PDD No. 27 is only accessible from Knox Street. Any vehicular traffic exiting the PDD can only make a right turn onto Hester Street and proceed onto Central Expressway Frontage Road or proceed in a southerly direction towards Knox Street.

Staff has reviewed the applicant's proposal and can not recommend approval because the mix of proposed commercial, business and retail and personal service uses that are proposed are not consistent with an office district and may have an adverse impact on the surrounding area.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 27 - Existing Office uses	Per ordinance	Per ordinance		Per ordinance		Proximity Slope Visual Intrusion	Office
PDD No. 27 - Proposed Office/retail and personal service uses	Per ordinance	Per ordinance		Per ordinance		Proximity Slope Visual Intrusion	Catering, Electronic center

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

Off-Street Parking Requirements: The off-street parking requirements will depend on the type of uses that applicant will operate within the proposed building. Depending on the type of uses, the off-street parking may range from a ratio of one space per 500 square feet of floor area to 1 space per 100 square feet of floor area. Due on the type of uses that are proposed within Subarea 2, staff can only provide a range for the number of off-street parking spaces that are required, per the Dallas Code, based on a best and worse case scenario.

In a worse case scenario, the parking ratio for retail uses occupying both structures is 1 space per 100 square feet of floor, the required number of off-street parking spaces for a 4,871 square foot building is 58 spaces. In a best case scenario, the parking ratio for an office use occupying both structures is one space per 333 square feet of floor, the required number of off-street parking spaces for a 4,871 square foot building is 15 spaces. The applicant, however, is proposing a ratio of 1 space per 333 square feet of floor area and will provide 16 parking spaces.

Miscellaneous – Conditions: Staff has reviewed and can not support the applicant's Planned Development District conditions. The proposed use does not meet the overall intent and character of the entire PDD No. 27 to remain as an office district. In addition, staff is concern with a provision in parking section of their PDD conditions that states "parking spaces contained on any parcel within the Subdistrict that is directly accessed from a public street or alley shall count toward compliance with the minimum off-street parking requirements." The entire Planned Development District No. 27 can not be

used to meet the off-street parking requirements for the request site. The property owners within PDD No. 27 will have to file an amendment to the PDD for any consideration to modify the parking regulations. The City Plan Commissioners can not recommend approval of the applicant request unless the above-mentioned provision is removed.

The building site should provide the number of required parking spaces for each use or if the use falls short of the number of required off-street parking spaces, then, the applicant must file an application with the Building Official for a remote parking agreement. The parking agreement will allow for the applicant to meet the necessary off-street parking requirements for each use.

LIST OF OFFICERS

- Dan I. Beard, President
- Benjamin H. Beard, Vice President

**APPLICANT'S PROPOSED PDD
CONDITIONS**

SEC. 51P-27.101. LEGISLATIVE HISTORY.

PD 27 was established by Ordinance No. 11501, passed by the Dallas City Council on June 27, 1966. Ordinance No. 11501 amended Ordinance No. 10962, Chapter 51 of the 1960 Revised Code of Civil and Criminal Ordinances of the City of Dallas.

SEC. 51P-27.102. PROPERTY LOCATION AND SIZE.

PD 27 is established on property located along both sides of Insurance Lane, between Hester Avenue and Knox Street. The size of PD 27 is approximately 4.91 acres.

SEC. 51P-27.103. DEFINITIONS AND INTERPRETATIONS.

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

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

(c) In this article:

(1) CATERING SERVICE means a facility for the preparation and storage of food and food utensils for off-premise consumption and service.

(2) ELECTRONICS SERVICE CENTER means a facility for the repair and service of computers and computer equipment, stereo equipment, televisions, radios, and other such electronic items.

(3) FINANCIAL INSTITUTION WITHOUT DRIVE-IN WINDOW means a facility for the extension of credit and the custody, loan, or exchange of money which does not provide drive-in window service for customers in motor vehicles.

(4) FLORIST means a facility for the retail sale of cut or uncut flowers and ornamental plants and associated items.

(5) FURNITURE STORE means a facility principally for the display and retail sale of new furniture and appliances.

(6) HOUSEHOLD EQUIPMENT AND APPLIANCE REPAIR means a facility for the repair of household and home equipment, including appliances, lawnmowers, power tools, and similar items.

(7) LIBRARY, ART GALLERY, OR MUSEUM means an establishment for the loan or display of books or objects of art, science, or history.

(8) MEDICAL CLINIC OR AMBULATORY SURGICAL CENTER means a facility for examining, consulting with, and treating patients with medical, dental, or optical problems on an out-patient basis.

(9) MEDICAL OR SCIENTIFIC LABORATORY means a facility for testing and analyzing medical or scientific problems.

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

(11) OFFICE means a place for the regular transaction of business.

(12) PERSONAL SERVICE USE means a facility for the sale of personal services. Typical personal service uses include a barber/beauty shop, shoe repair, a tailor, an instructional arts studio, a photography studio, a laundry or cleaning pickup and receiving station, a handcrafted art work studio, safe deposit boxes, a travel bureau, and a custom printing or duplicating shop.

(13) TATTOO OR BODY PIERCING STUDIO means a business in which tattooing or body piercing 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. BODY PIERCING means the piercing of body parts, other than ears, for purposes of allowing the insertion of jewelry.

SEC. 51P-27.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 27A: general site plan.
- (2) Exhibit 27B: development plan for Subarea 1.

- (3) Exhibit 27C: development plan for Subarea 2.

SEC. 51P-27.104. DEVELOPMENT PLAN.

(a) Except as provided in this section, development and use of the Property must comply with the general site plan (Exhibit 27A). If there is a conflict between the text of this article and the general site plan, the text of this article controls.

(b) In Subarea 1, development and use of the Property must comply with the development plan for Subarea 1 (Exhibit 27B). If there is a conflict between the text of this article and the development plan for Subarea 1, the text of this article controls.

(c) In Subarea 2, development and use of the Property must comply with the development plan for Subarea 2(Exhibit 27C). If there is a conflict between the text of this article and the development plan for Subarea 2 the text of this article controls.

SEC. 51P-27.105. USES.

(a) Except as provided in this section, all uses enumerated under the Schedule of Uses for the Office District, Section 10-200 of the Comprehensive Zoning Ordinance (Ordinance No. 10962) are permitted in this district except those uses not also enumerated under the Schedule of Uses for the Planned Development District.

(b) In Subarea 1 and Subarea 2, up to 4,500 square feet of office/showroom warehouse is allowed in addition to the uses listed in Subsection (a).

(c) In Subarea 2, in addition to the uses listed in Subsections (a) and (b) above, the following uses are also permitted:

- Catering service.
- Electronics service center.
- Financial institution without drive-in window.
- Florist.
- Furniture store.
- Household equipment and appliance repair.
- Library, art gallery, or museum.
- Medical clinic or ambulatory surgical center.
- Medical or scientific laboratory.
- Office.
- Personal service uses. [Massage establishment and tattoo or piercing studio prohibited.]

SEC. 51P-27.106. BUILDING LINES.

(a) Except as provided in this section, all buildings adjacent to North Central Expressway must maintain a 15-foot building line.

(b) Except as provided in this section, all buildings adjacent to Insurance Lane must maintain a 23-foot building line.

(c) Properties adjacent to Hester Avenue must maintain a five-foot side yard.

(d) In Subarea 1, no setback is required for buildings adjacent to North Central Expressway or Insurance Lane.

(e) In Subarea 2, no setback is required for buildings adjacent to Insurance Lane.

SEC. 51P-27.107. SIDEWALKS.

Except in Subarea 1 and Subarea 2, an eight-foot paved sidewalk must be constructed and maintained, at the developer's total expense, along the Insurance Lane building lines.

SEC. 51P-27.108. PARKING.

(a) Off-street parking is permitted on Insurance Lane as indicated on the general site plan. All parking spaces must be paved at the developer's total expense. These off-street parking spaces will count toward compliance with the minimum off-street parking requirements of Section 20 of the Comprehensive Zoning Ordinance (Ordinance No. 10962). In the event that additional parking spaces are required for office uses under the provisions of Section 20, additional off-street spaces must be provided.

(b) Remote parking spaces in Subarea 1 west of Insurance Lane may be counted toward required parking for uses in Subarea 1 east of Insurance Lane.

(c) Required off-street parking for all approved Professional, Personal Service and Custom Craft use categories in Subarea 2 shall be one space per 333 square feet of floor area. Additionally, parking spaces contained on any parcel within the Subdistrict that is directly accessed from a public street or alley shall count toward compliance with the minimum off-street parking requirements.

SEC. 51P-27.109. SIGNS.

All provisions for sign standards applicable to the Office District under Section 23 of the Comprehensive Zoning Ordinance (Ordinance No. 10962) must be observed.

SEC. 51P-27.110. PAVING.

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

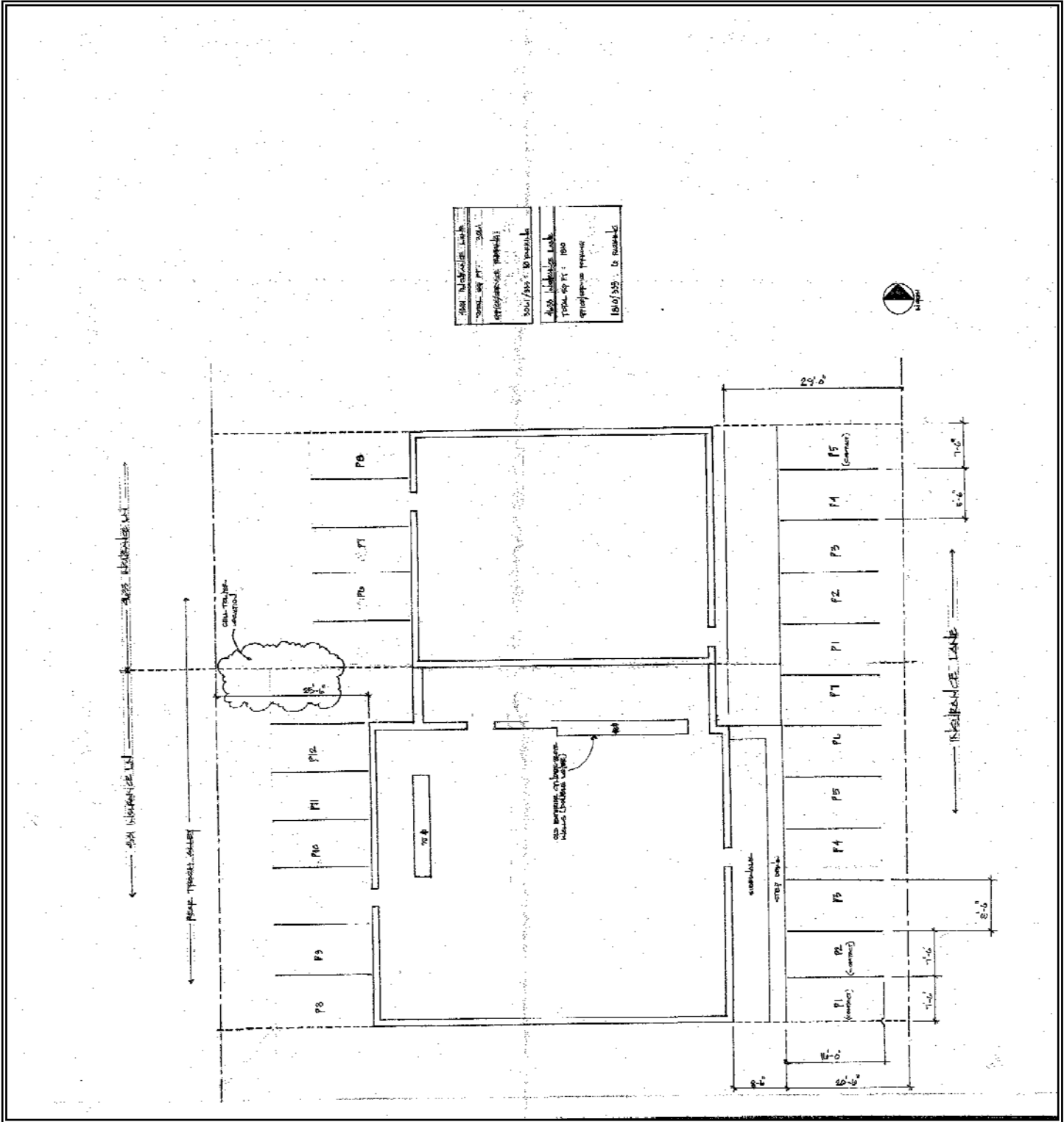
SEC. 51P-27.111. COMPLIANCE WITH CONDITIONS.

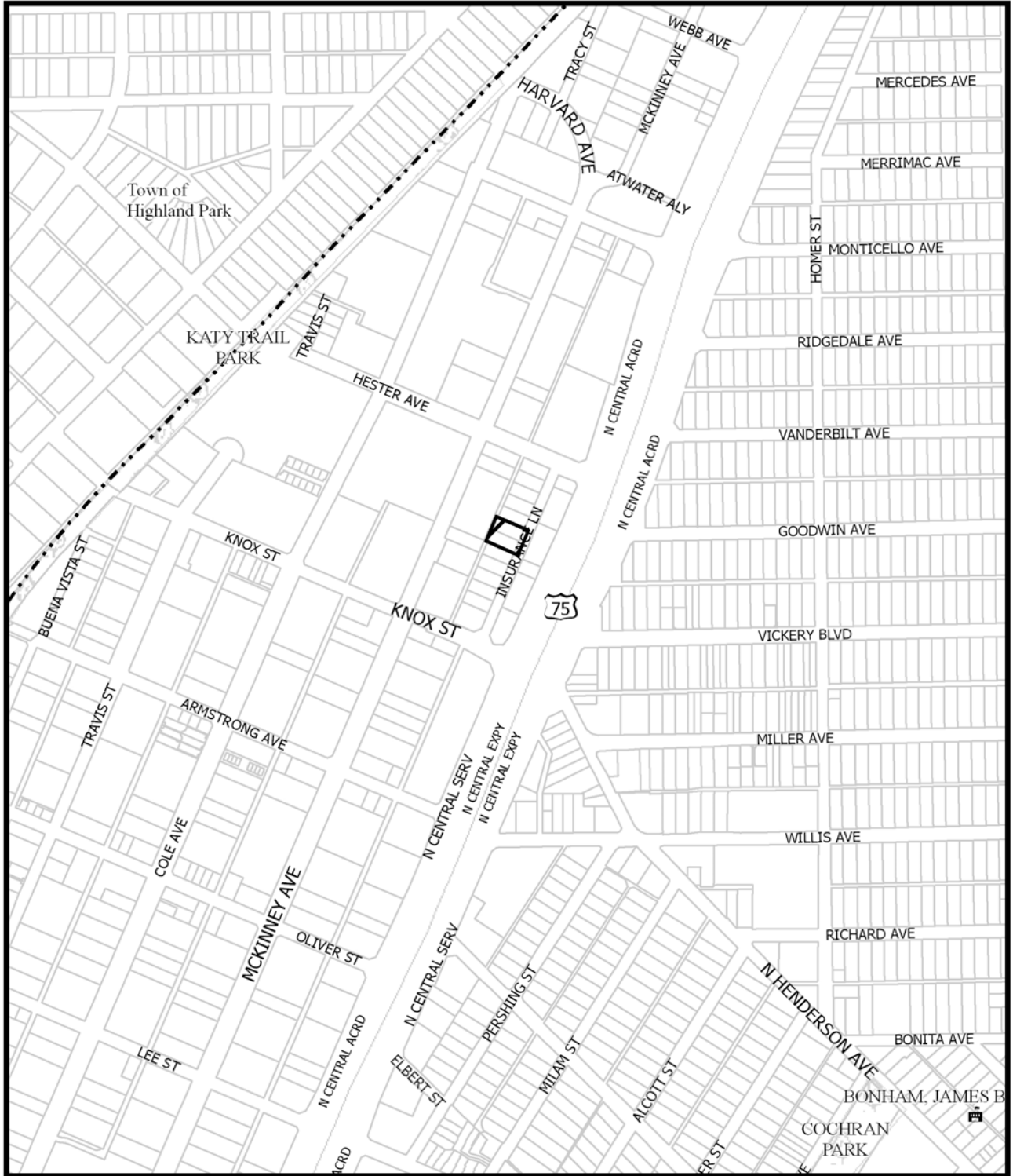
No certificate of occupancy may be issued by the building official until there has been full compliance with the provisions of this article in accordance with the requirements of the building for which the certificate is issued, together with all other provisions of Ordinance No. 11501, any applicable provisions of the zoning ordinance, and the building codes.

~~[SEC. 51P-27.112. ZONING MAP.~~

~~PD-27 is located on Zoning Map No. H-7.]~~

DEVELOPMENT PLAN





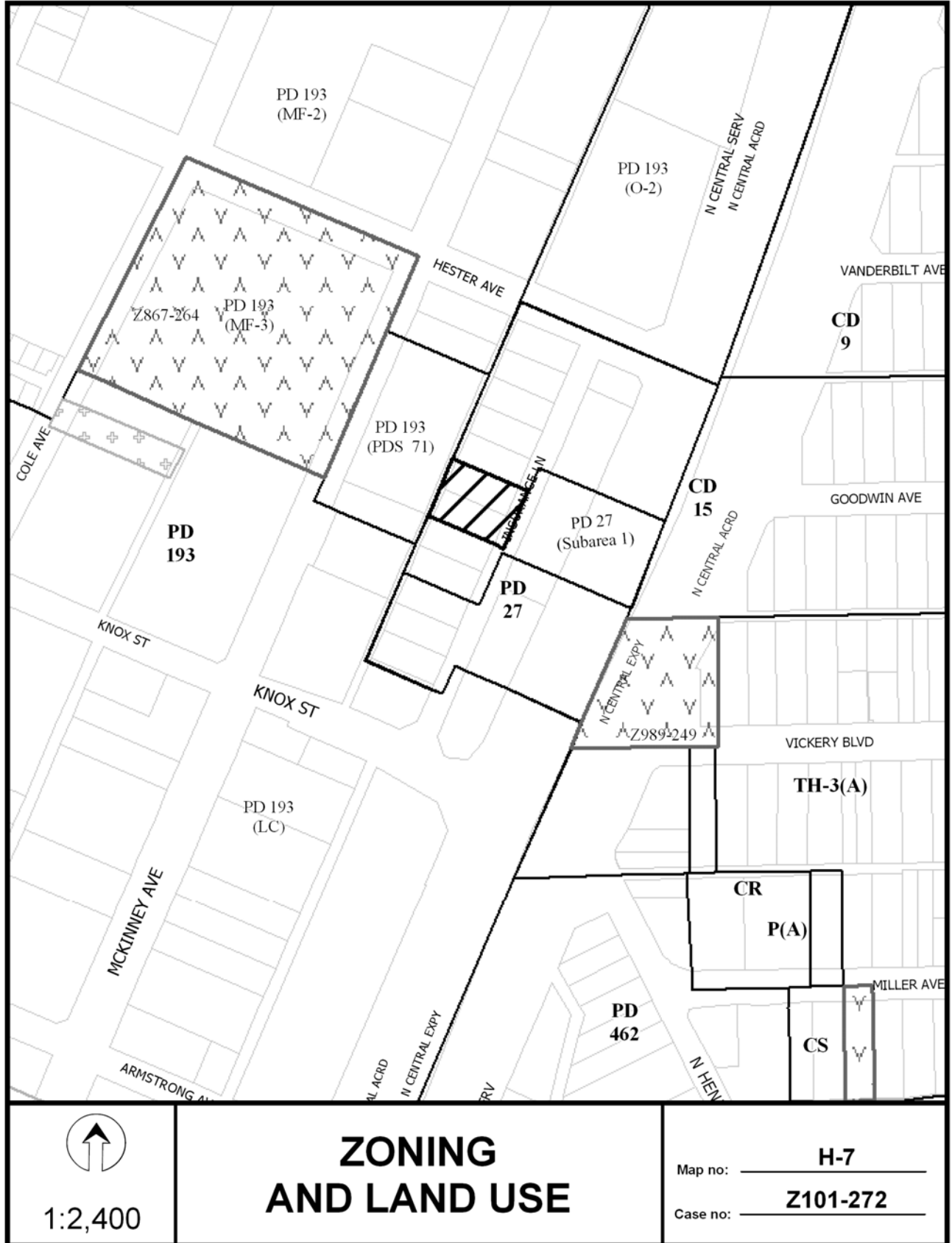
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VICINITY MAP

Map no: H-7

Case no: Z101-272

DATE: July 19, 2011



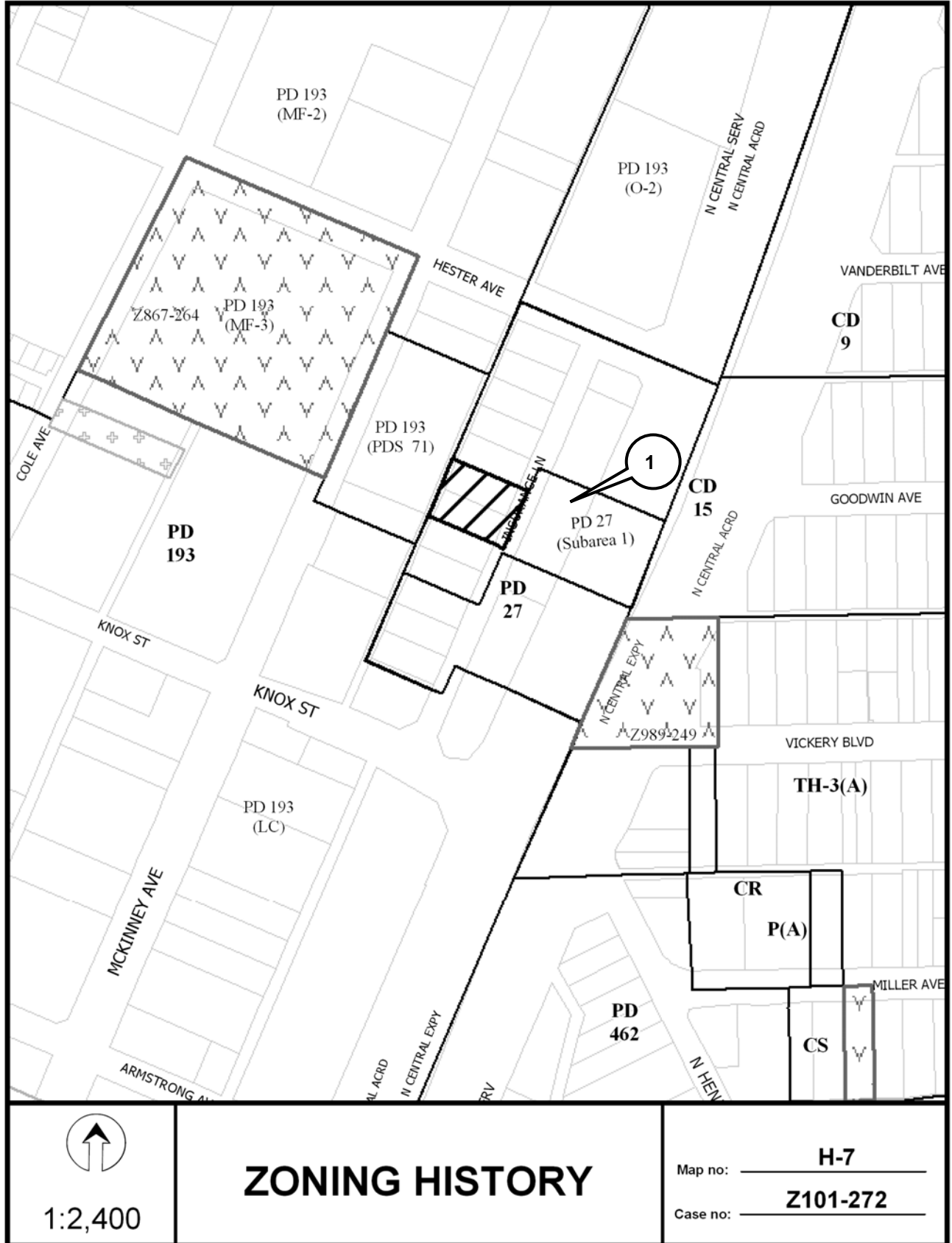
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ZONING AND LAND USE

Map no: H-7

Case no: Z101-272

DATE: July 19, 2011

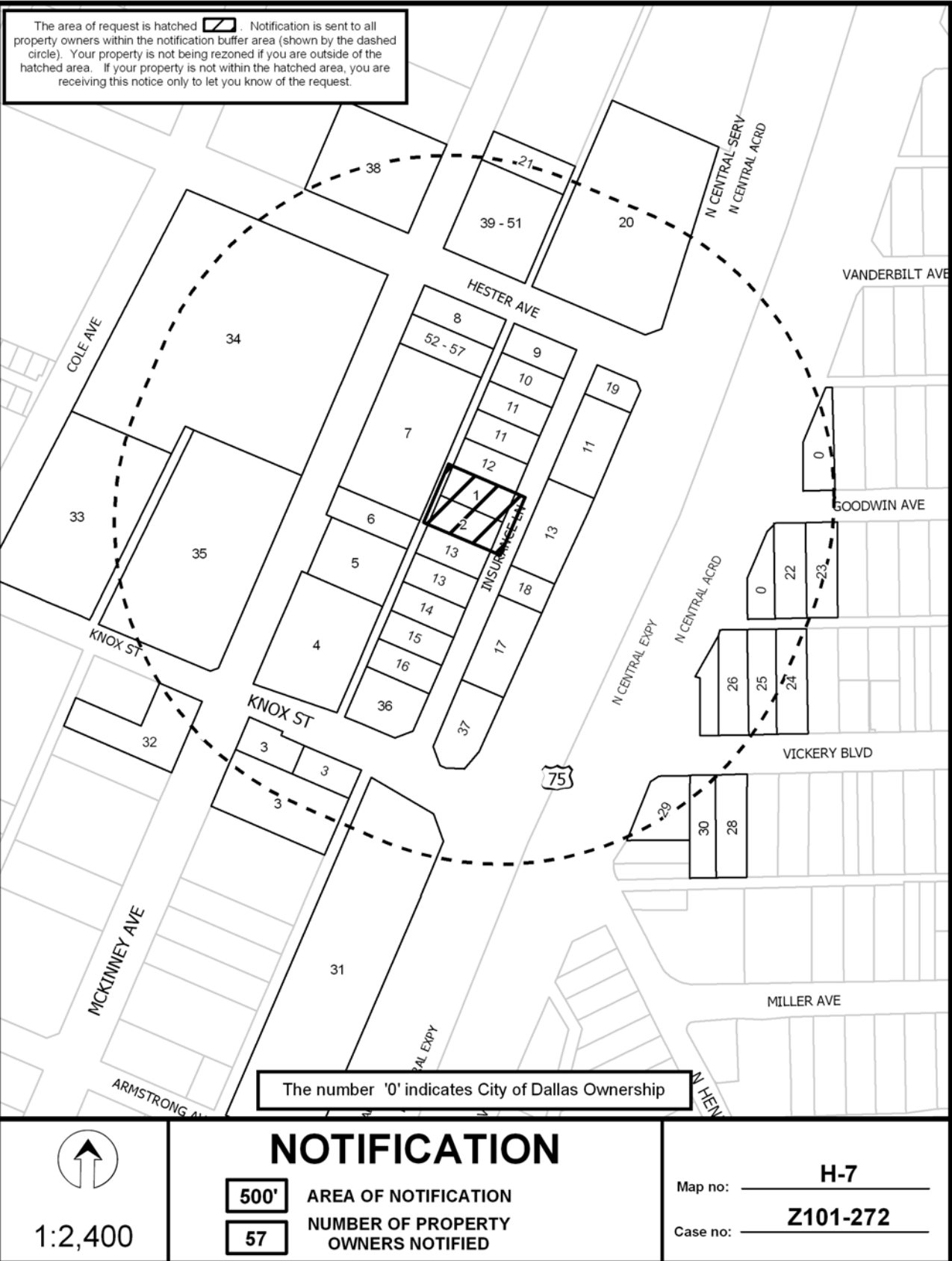


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ZONING HISTORY

Map no: H-7
Case no: Z101-272

DATE: July 19, 2011



DATE: July 19, 2011

Notification List of Property Owners

Z101-272

57 Property Owners Notified

Label #	Address	Owner
1	4633 INSURANCE	BEAIRD DAN INC
2	4631 INSURANCE	BEAIRD DAN L
3	4544 MCKINNEY	NABHOLTZ KMCK PARTNERS LP SUITE 105
4	4600 MCKINNEY	KNOX STREET VILLAGE HOLDINGS INC
5	4616 MCKINNEY	MCKINNEY KNOX JOINT % CENCOR REALTY SERV INC
6	4626 MCKINNEY	GILLON CARUTH I LTD
7	4630 MCKINNEY	CASA MONTERREY PS II ETAL
8	4654 MCKINNEY	COURTYARDS AT KNOX PARK
9	4655 INSURANCE	HUNTER J & ASSOCIATES II LP
10	4649 INSURANCE	ROBERT E LUNA FAMILY PARTNERSHIP LTD
11	4647 INSURANCE	4645 NORTH CENTRAL LLC 200 KNOX PLACE
12	4639 INSURANCE	SUMMERS STEPHEN J ET AL % GINGKO GROUP INC
13	4630 INSURANCE	MIHALOPOULOS FRANK STE 200
14	4619 INSURANCE	ARMSTRONG BUILDING LLC
15	4617 INSURANCE	TRIANGLE CHAPTER AMORC
16	4611 INSURANCE	TRIANGLE LODGE AMORC
17	4617 CENTRAL	730 WEST SPRING VALLEY LTD SUITE 120
18	4627 INSURANCE	KNOX CENTRAL CORP %ROBERT M CLARK JR
19	4655 CENTRAL	ZANDER JAMES P 2ND FLOOR
20	4703 CENTRAL	COURTYARDS AT KNOX PK LTD
21	4714 MCKINNEY	KNIGHT WILLIAM R
22	5010 GOODWIN	GOLDBERG ABRAHAM A
23	5102 GOODWIN	HARDEN JEFFREY
24	5021 VICKERY	MARENGO-ROWE JUSTINE
25	5017 VICKERY	WEBER WILLIAM & ELIZABETH
26	5013 VICKERY	BODDICKER BRIAN

Tuesday, July 19, 2011

Label #	Address	Owner
27	5009 VICKERY	DICKEY OLLIE R % TD DICKEY
28	5016 VICKERY	GARZA MICHAEL
29	4610 CENTRAL	CENTRAL PRODUCTS CO % ELIZABETH MILLS
30	5008 VICKERY	CENTRAL PRODUCTS CO
31	3001 KNOX	KNOX PARK VILLAGE 07 A LL
32	3101 KNOX	GILLILAND PROPERTIES LTD SUITE 1000
33	3130 KNOX	KNOX STREET VILLAGE I INC SUITE 400
34	4650 COLE	AMLI RESIDENTIAL PPTIES
35	3104 KNOX	KNOX STREET VILLAGE INC SUITE 400
36	3010 KNOX	MCCRARY HOLDINGS KNOX ST
37	4611 CENTRAL	ORR VENTURE LTD
38	4701 MCKINNEY	MONTICELLO DEVELOPMENT
39	4708 MCKINNEY	COWAN GERALDINE
40	4708 MCKINNEY	APPLE JAROLD LEE
41	4708 MCKINNEY	GRAY JUSTIN L
42	4708 MCKINNEY	J & O BLAKE FAMILY LLC
43	4708 MCKINNEY	TITUS SARAH L TR
44	4708 MCKINNEY	VEVERA MARK C STE 126
45	4708 MCKINNEY	KOCSI WILLIAM & KATHLEEN
46	4708 MCKINNEY	LANDON LANA K
47	4704 MCKINNEY	TORRES ALFREDA
48	4704 MCKINNEY	SUTLIFF LOURELL E ET AL UNIT 204
49	4704 MCKINNEY	MUELLER JASON E & KANDRA H
50	4708 MCKINNEY	OWENS GARY ALLEN
51	4704 MCKINNEY	LOERA SANDRA V
52	4650 MCKINNEY	ALDER WILLIAM JAC
53	4650 MCKINNEY	GABERINO JAMES D & SUZANNE S LTD
54	4650 MCKINNEY	TERSELICH METKA UNIT 2
55	4650 MCKINNEY	WILLIAMS JAMES H
56	4650 MCKINNEY	SHEPHERD REGINALD
57	4650 MCKINNEY	ALDER JAC

Tuesday, July 19, 2011

FILE NUMBER: Z101-276(WE) **DATE FILED:** April 20, 2011

LOCATION: South side of Lake June Road, west of Ladonia Place

COUNCIL DISTRICT: 5 **MAPSCO:** 59-K

SIZE OF REQUEST: Approx. 8,947 sq. ft. **CENSUS TRACT:** 118.00

APPLICANT / OWNER: Carmen & David Rios

REPRESENTATIVE: Carmen & David Rios

REQUEST: An application for an NO(A) Neighborhood Office District on property zoned an R-7.5(A) Single Family District.

SUMMARY: The purpose of the request is to develop an office building on site.

STAFF RECOMMENDATION: Denial.

BACKGROUND INFORMATION:

- The applicant’s request for a NO(A) Neighborhood Office District will permit the construction of an office building on site.
- The request site is currently undeveloped and is adjacent to single family uses.

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

1. Z089-165 On Wednesday, April 23, 2009, the City Council approved a Planned Development District for CR Community Retail District uses on property zoned a CR-D Community Retail District with a Liquor Control Overlay and an R-7.5(A) Single Family District. (not shown on map)
2. Z101-174 On Wednesday, June 22, 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 store less than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay. (not shown on map)

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Lake June Road	Principal Arterial	80 ft.	107 ft.

Land Use:

	Zoning	Land Use
Site	R-7.5(A)	Undeveloped
North	R-7.5(A)	Single Family
South	R-7.5(A)	Flood Plain, Undeveloped
East	R-7.5(A)	Flood Plain, Undeveloped
West	R-7.5(A)	Single Family

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility: The approximately 8,947 square foot site is a triangular shape and is located on the outer edge of an R-7.5(A) Single Family District. The request site is adjacent to a flood plain to the south and single family uses to the west. The applicant's request for an NO(A) District will permit the construction of the a small office two-story building that will not exceed a maximum height of 30 feet.

Event though the NO(A) Neighborhood Office District is a compatible use that is intended to be located adjacent to residential uses (e.g., single family, townhomes, and duplexes), the proposed zoning district is an encroachment into a single family district.

The surrounding land uses is primarily single family uses. However, there are properties along Lake June Road, east of Ladonia Place that are zoned for CR Community Retail and NS(A) Neighborhood Service Districts. Staff cannot support the applicant’s request for an NO(A) Neighborhood Office District.

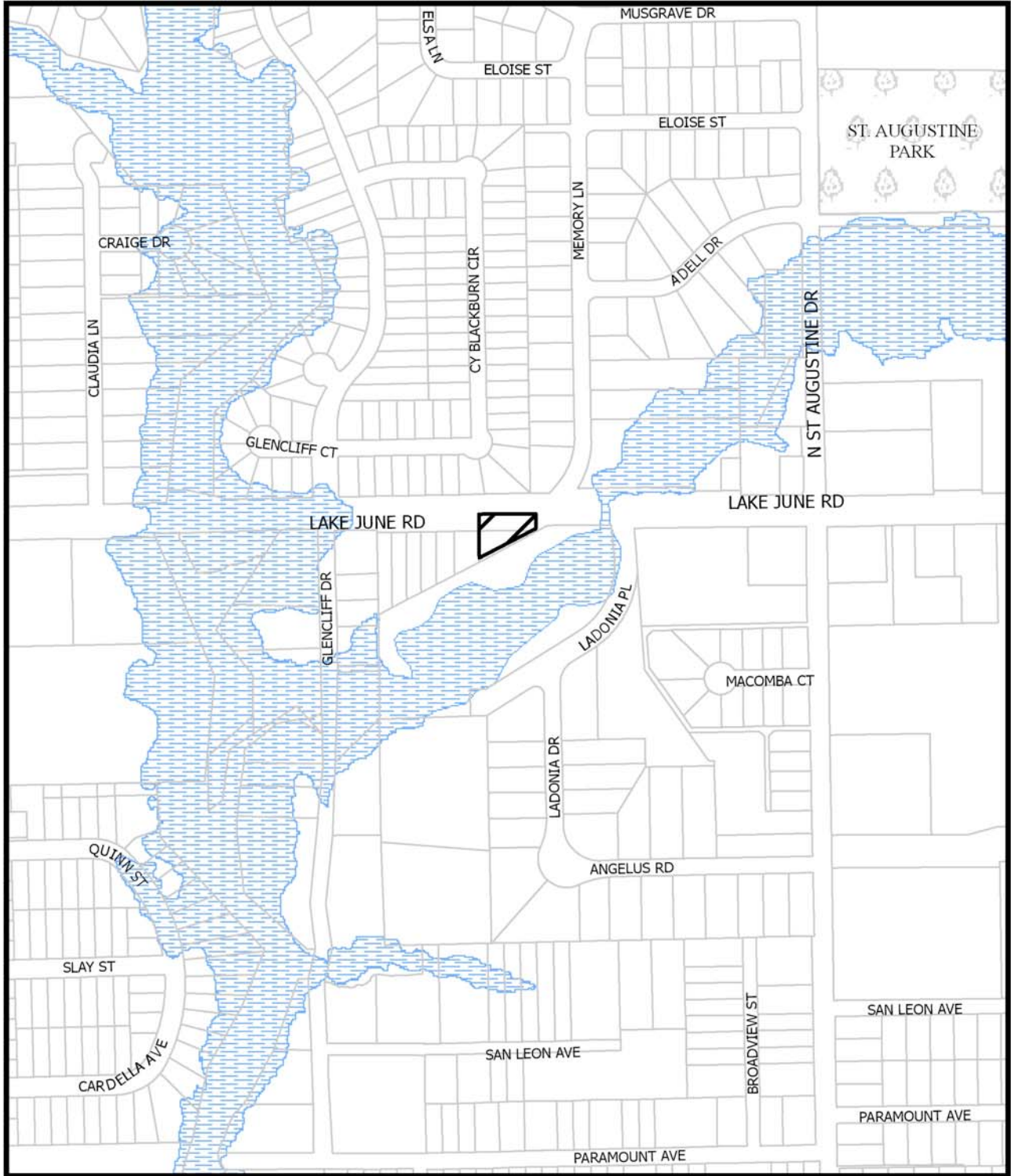
Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-7.5(A) – existing Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family
NO(A) - proposed Neighborhood Office	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	50%	Proximity Slope Visual Intrusion	Office

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

Parking: The parking regulation for an office use is one space per 333 square feet of floor area. The number of parking spaces required on site will be determined by the total square footage of the proposed development.

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



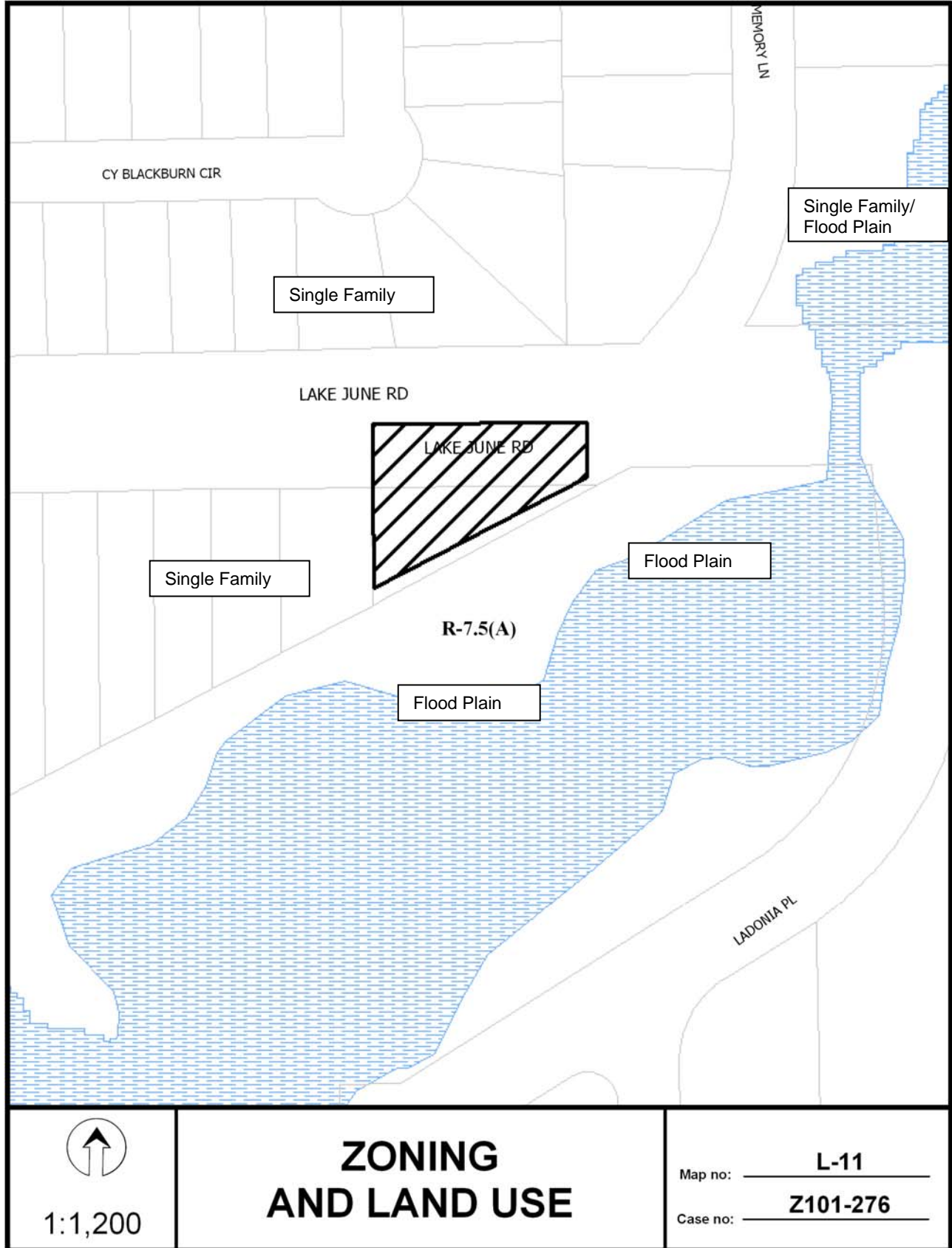
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VICINITY MAP

Map no: L-11

Case no: Z101-276

DATE: June 14, 2011



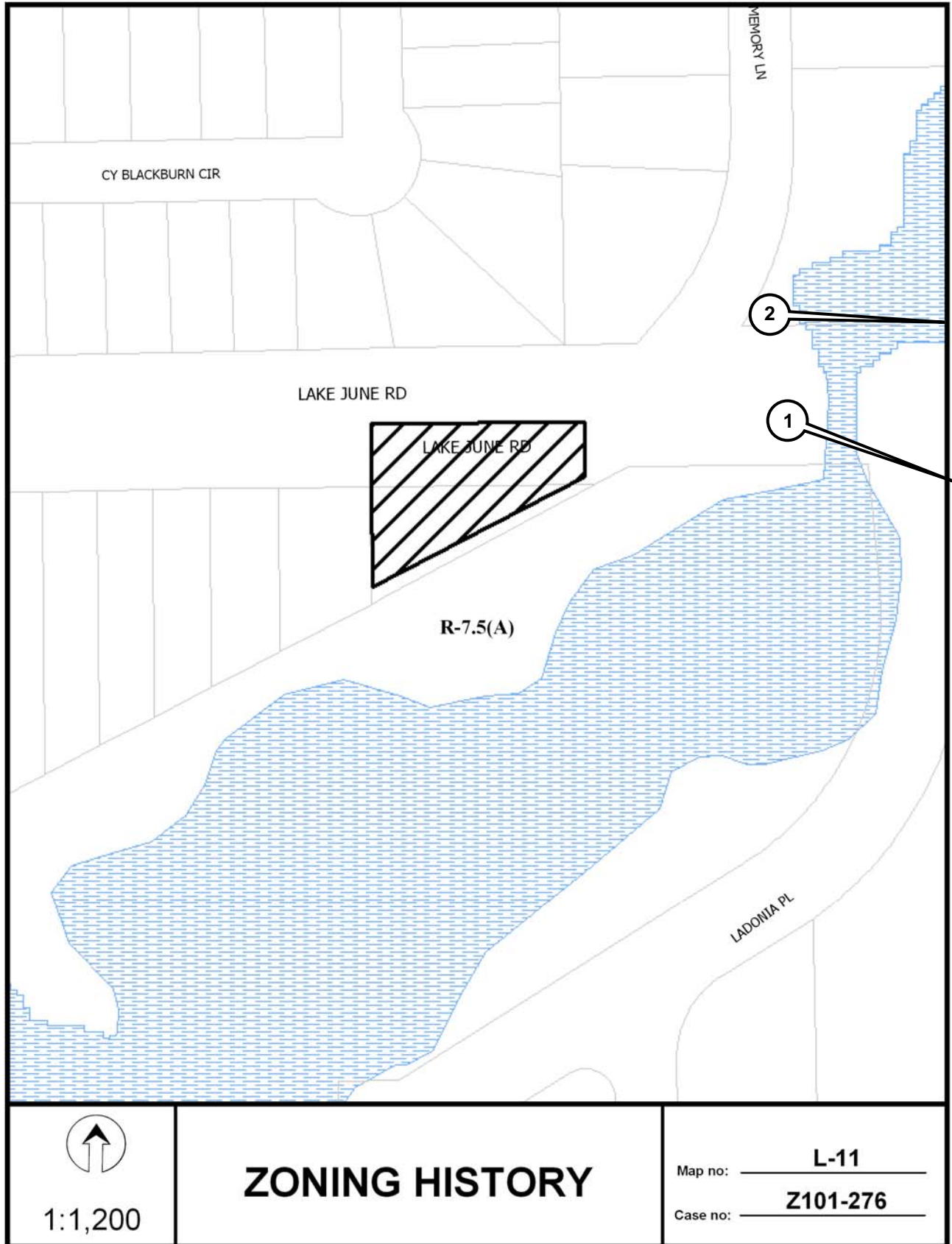
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ZONING AND LAND USE

Map no: L-11

Case no: Z101-276

DATE: June 14, 2011

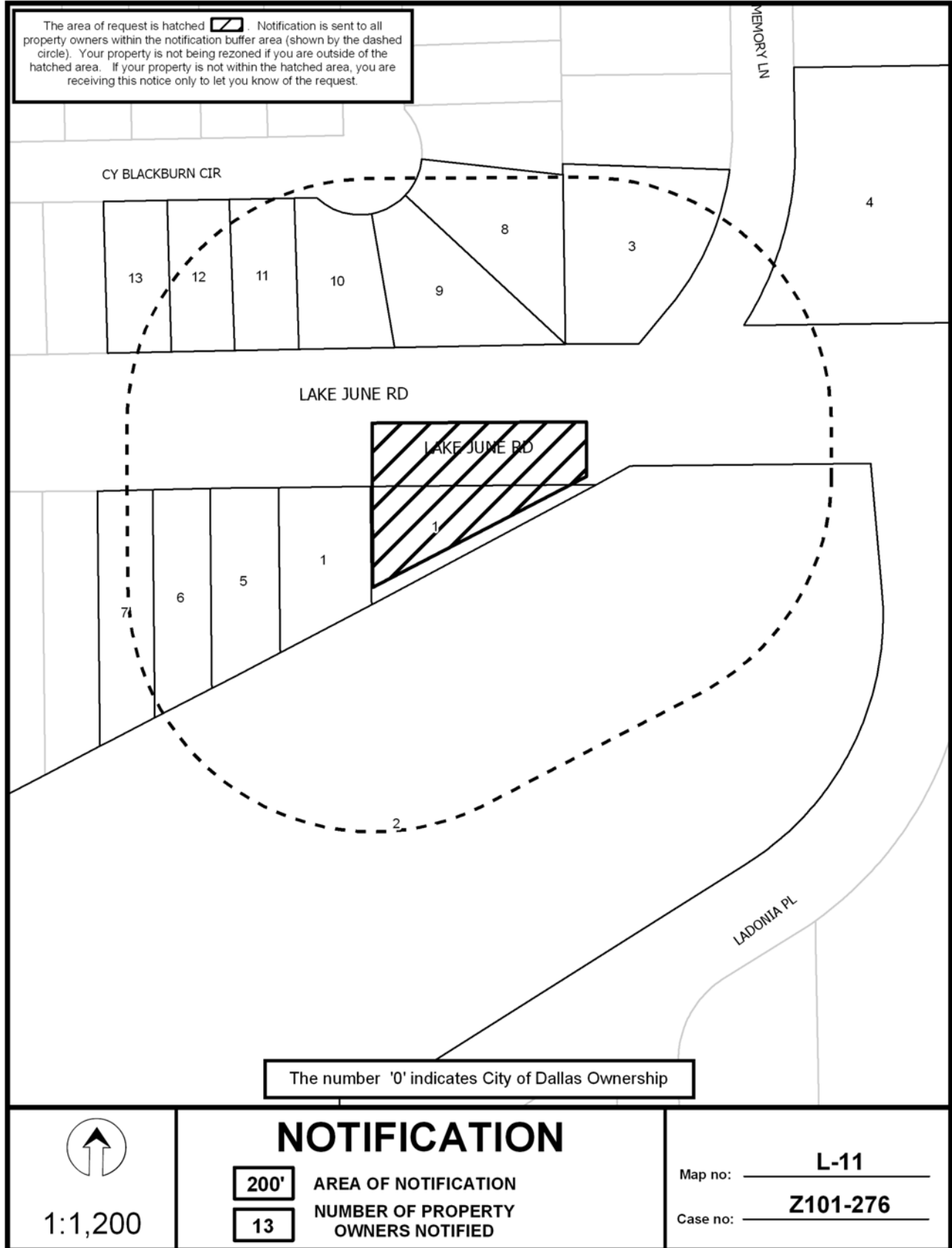


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ZONING HISTORY

Map no: L-11
Case no: Z101-276

DATE: June 14, 2011



DATE: June 14, 2011

Notification List of Property Owners

Z101-276

13 *Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9314 LAKE JUNE	RIOS DAVID JR & CARMEN
2	9400 LAKE JUNE	MORRIS JAMES T JR ET AL
3	1305 MEMORY	RUIZ EUGENE V & JOSEPFINA
4	1310 MEMORY	WINN KENNETH B
5	9306 LAKE JUNE	AVALOS VIRGINIA
6	9230 LAKE JUNE	DELACRUZ GABRIELA
7	9226 LAKE JUNE	SAUCEDO JOSE
8	1334 CY BLACKBURN	SILVA ANTONIO & EVELYN
9	1332 CY BLACKBURN	MASON NORMAN
10	1330 CY BLACKBURN	TOVAR JOSE RIVERA & LAURA L DE RIVERA
11	1328 CY BLACKBURN	HERNANDEZ JOSE DOMINGO & ROSA L
12	1324 CY BLACKBURN	ALVARADO ALFONSO
13	1320 CY BLACKBURN	DELGADO EDWARD & MARIE D

Tuesday, June 14, 2011

FILE NUMBER: Z101-270(RB) **DATE AUTHORIZED:** May 13, 2011
LOCATION: East Line of Greenville Avenue, north of Prospect Avenue
COUNCIL DISTRICT: 14 **MAPSCO:** 36 T
SIZE OF REQUEST: Approx. 1,240 Sq. Ft. **CENSUS TRACT:** 11.01

APPLICANT: O Dokie, LLC-Kim Finch, Sole Manager

REPRESENTATIVE: Roger Albright

OWNER: Greenville 2100, Ltd.

REQUEST: An application for a Specific Use Permit for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern use.

SUMMARY: The applicant is proposing to operate a bar, lounge, or tavern use at this location beyond 12:00 a.m.

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

BACKGROUND INFORMATION:

- The existing improvements are utilized for a bar, lounge, or tavern use. Additionally, the applicant will be pursuing a private license to utilize a 207 square foot area of the public sidewalk for an uncovered patio area (see attached site plan).
- On January 26, 2011, the City Council approved Planned Development District No. 842 for CR District Uses, and furthermore requires an 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 2:00 a.m., Monday through Sunday.
- The site lies within the Area 3 portion of Modified Delta Overlay No. 1.

Zoning History:

<u>File No.</u>	<u>Request, Disposition, and Date</u>
1. Z101-260	An SUP for a late-hours establishment limited to a restaurant without drive-in or drive-through service. Pending a CPC public hearing.
2. Z101-261	An SUP for a late-hours establishment limited to a restaurant without drive-in or drive-through service. On July 7, 2011, the City Plan Commission recommended approval for a four-year period, subject to a site plan and conditions. Pending an August 10, 2011 City Council hearing.
3. Z101-264	An SUP for a late-hours establishment limited to an Alcoholic beverage establishment for a Bar, lounge, or tavern. Pending a CPC public hearing.
4. Z101-295	An SUP for a late-hours establishment limited to an Alcoholic beverage establishment for a Bar, lounge, or tavern. Pending a CPC public hearing.
5. Z101-301	An SUP for a late-hours establishment limited to an Alcoholic beverage establishment for a Bar, lounge, or tavern. Pending a CPC public hearing.

6. Z101-303 An SUP for a late-hours establishment limited to a restaurant without drive-in or drive-through service. Pending a CPC public hearing.
7. Z101-314 An SUP for a late-hours establishment limited to an Alcoholic beverage establishment for a Bar, lounge, or tavern. Pending a CPC public hearing.
8. Z101-326 An SUP for a late-hours establishment limited to an Alcoholic beverage establishment for a Bar, lounge, or tavern. Pending a CPC public hearing.

Street

Existing & Proposed ROW

Greenville Avenue

Local; 50' ROW

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.

Modified Delta Overlay No. 1: In general terms, 'delta theory' means the number of nonconforming parking or loading spaces for a use that may be carried forward when the use is converted or expanded.

The 'modified delta', in effect, prohibits the application of the delta theory due to a ceasing of a need to encourage redevelopment and adaptive reuse of existing structures or that the continued application of the delta theory will create traffic congestion and public safety issues.

The site lies within Modified Delta Overlay No. 1 (MD-1), which consists of three 'Areas' in an area generally bounded by Ellsworth Avenue, west of Matilda Street, north of Ross Avenue, and east of Summit Avenue/Worcola Street. This site lies within the Area 3 portion of MD-1 (see attached Area 3 sketch). MD-1 was adopted by the City Council on October 1, 1987.

A June 14, 1995 City Council resolution provides for replacing parking in the right-of-way that is lost due to locating public dining space (subject to the granting of a private license) within this area, and requiring parking for the public dining area (1 space/300 square feet of public dining space). Lastly, a June 28, 1995 amendment to the ordinance provides for the following: 1) a use that is discontinued or remains vacant for 12 months loses the right to carry forward nonconforming parking/loading under the delta theory; 2) the Board of Adjustment may not grant a special exception for required parking; 3) walking distance for remote parking is increased to 900 feet; and, 4) special parking may account for more than 50% of required parking for a use.

Land Use: The existing improvements are utilized for a bar, lounge, or tavern use. Additionally, the applicant will be pursuing a private license to utilize a 207 square foot area of the public sidewalk for an uncovered patio area (see attached site plan). The applicant is requesting an SUP for a late-hours establishment to permit the existing restaurant to operate beyond 12:00 a.m. and 2:00 a.m., Monday through Sunday. The applicant has not operated at this location up to this point, but does operate a similar use within PDD No. 269 (SUP No. 1695). While not applicable to this location, staff has provided police activity for the past three years for the above referenced location so as to demonstrate the applicant's responsibility in managing an entertainment venue. It should be noted that SUP No. 1695 was initially approved for a three-year period. In part due to the applicant's reputation within the Deep Ellum community, the applicant was successful in obtaining renewal of SUP No. 1695 for a four-year period (City Council approved on September 22, 2010).

The site is surrounded by a mix of office, retail, and entertainment uses. Medium density residential uses are developed on properties to the east, across the site's off-street parking area.

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.

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.

Lastly, in an effort to assess the compatibility of a request for a late-hours establishment, the following information is requested for staff's review:

- (1) Floor plan.
- (2) Certificate of occupancy history.
- (3) Location of required parking, including detail related to applicable delta credits, Board of Adjustment parking reductions, and/or city approved parking agreements.
- (4) Existing or proposed improvements within the right-of-way, including copy of private license.
- (5) For a restaurant, copy of menu and alcohol affidavit.

The applicant has provided necessary documentation related to Nos. 1, 2, and 3. As noted above, the applicant has requested consideration of a 207 square foot uncovered patio along the Greenville Avenue frontage (Number 4). This will require approval of a private license to utilize the right-of-way for these improvements. Number 5 is not applicable to this request.

The applicant's improvements are oriented along the north-south alignment of Greenville Avenue with no direct access to the residential areas that are found beyond those uses along this street. As a result of staff's analysis, support for the request is being given, subject to the attached site plan and conditions.

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

Parking: Since 1985, the use of the property has been for a bar, lounge, or tavern encompassing 1,000 square feet of floor area. Ten delta credits exist and will continue to be utilized to satisfy the off-street parking requirement for this applicant's request.

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

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

Police Analysis: As noted above, the applicant has not operated at this location, but does operate a similar use permitted under SUP No. 1695 within PDD No. 269, the Deep Ellum Special Purpose District. The Police Department's analysis for the most recent four year period (creation of SUP No. 1695) is provided as a reference point relating to this applicant.

2110 Greenville Singlewide / Specifically 3510 Commerce Doublewide

Number of citations issued by police to patrons – 0

Number of citations issued by police for noise ordinance violations by the establishment – 0

Number of arrests for public intoxication or disorderly conduct associated with the establishment – 0

Number of Texas Alcoholic Beverage Code violations – 0

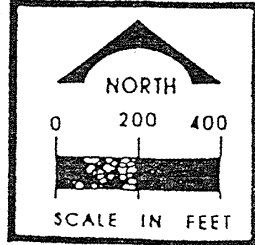
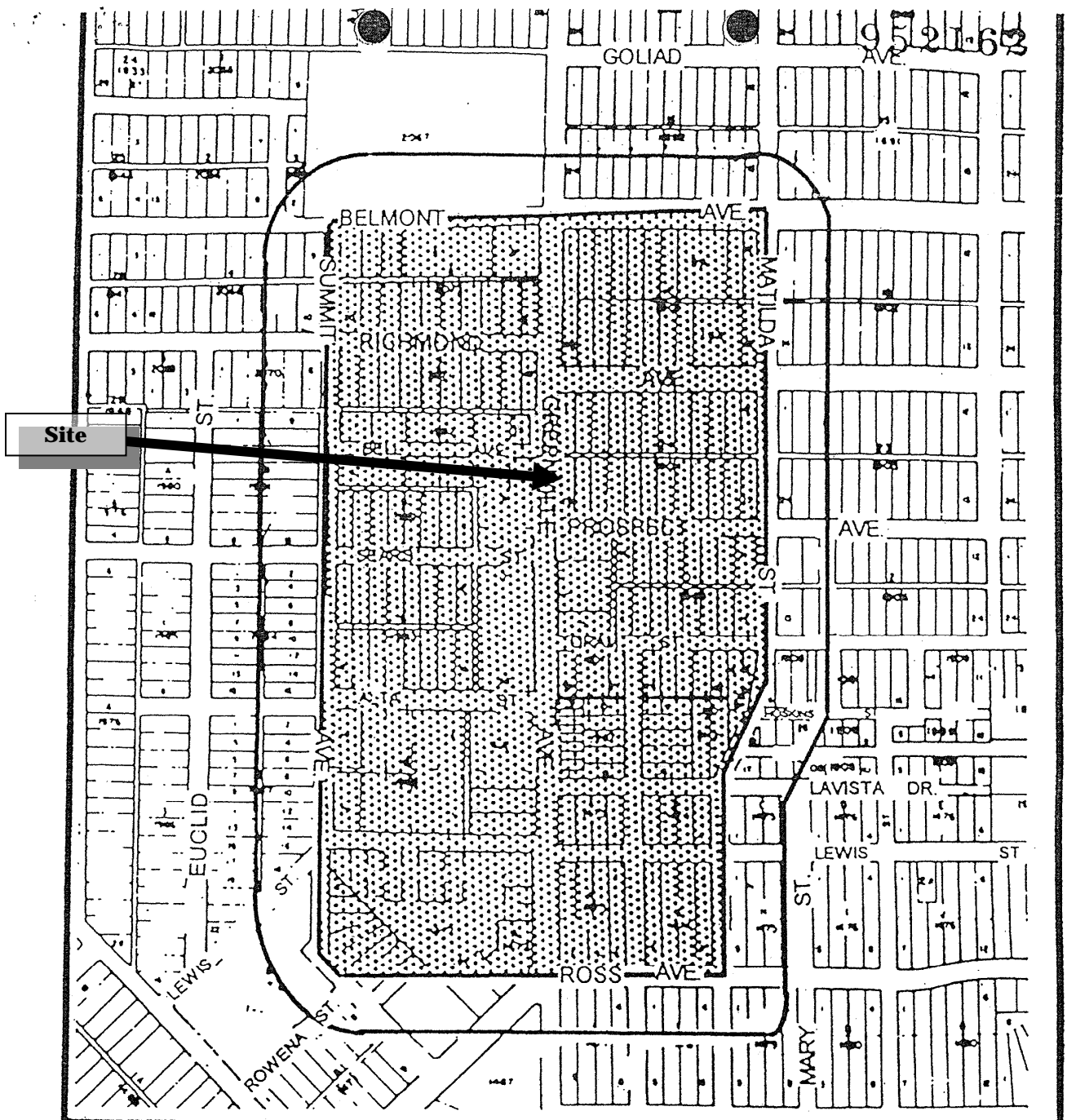
Number of violent crimes associated with the establishment/ originating inside the establishment –

Below related to 3510 Commerce:

1 Assault Misdemeanor C report made in 2009

2 Assault Misdemeanor A reports with arrest made in 2009 (same date as both complainants were assaulted by same arrestee)

9521-63

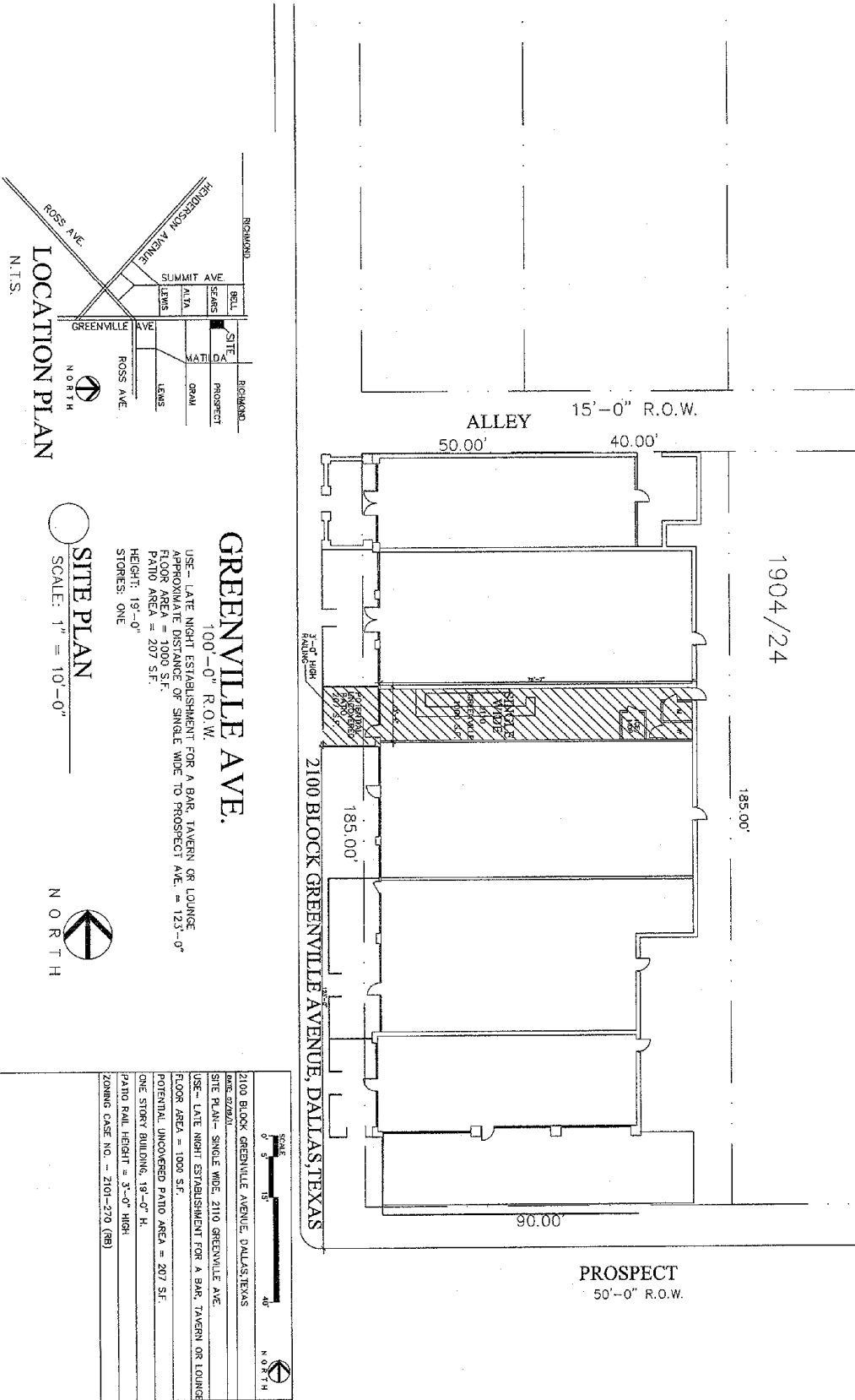


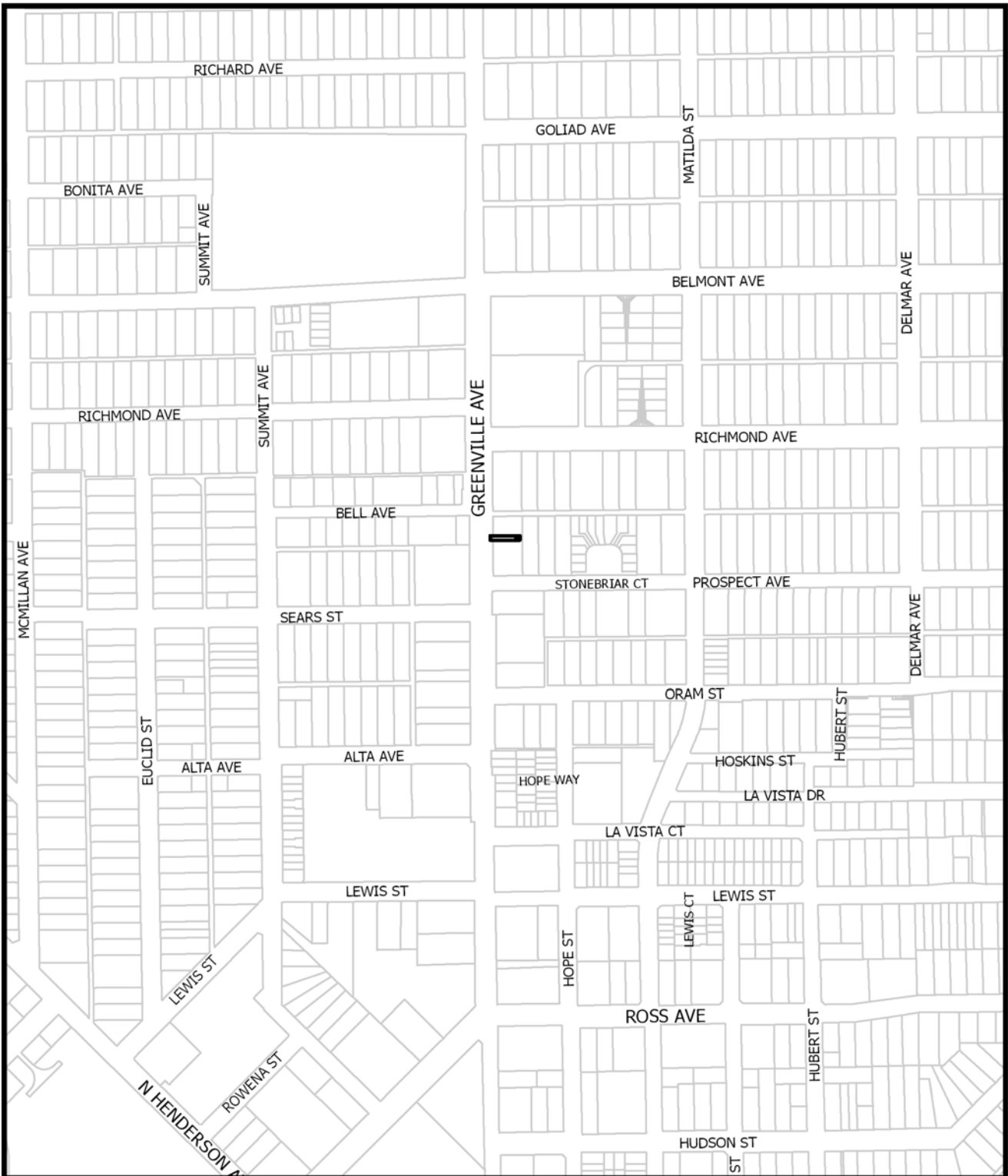
SKETCH
"AREA 3"

MAP NO. H-8, I-8

STAFF RECOMMENDED CONDITIONS FOR SPECIFIC USE PERMIT

1. USE: The only use authorized by this specific use permit is a late-hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge or tavern.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on (two years).
4. FLOOR AREA:
 - A. The maximum floor area is 1,000 square feet.
 - B. The maximum outdoor patio area is 207 square feet in the location shown on the attached site plan.
 - C. The patio must be uncovered.
 - D. The owner or operator must obtain a private license for an outdoor patio, with copy provided to the building official, before the outdoor patio may be used by customers.
5. HOURS OF OPERATION:
 - A. The late-hours establishment may only operate between 12:00 a.m. and 2:00 a.m., Monday through Sunday.
 - B. All customers must leave the Property by 2:15 a.m.
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
7. 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.





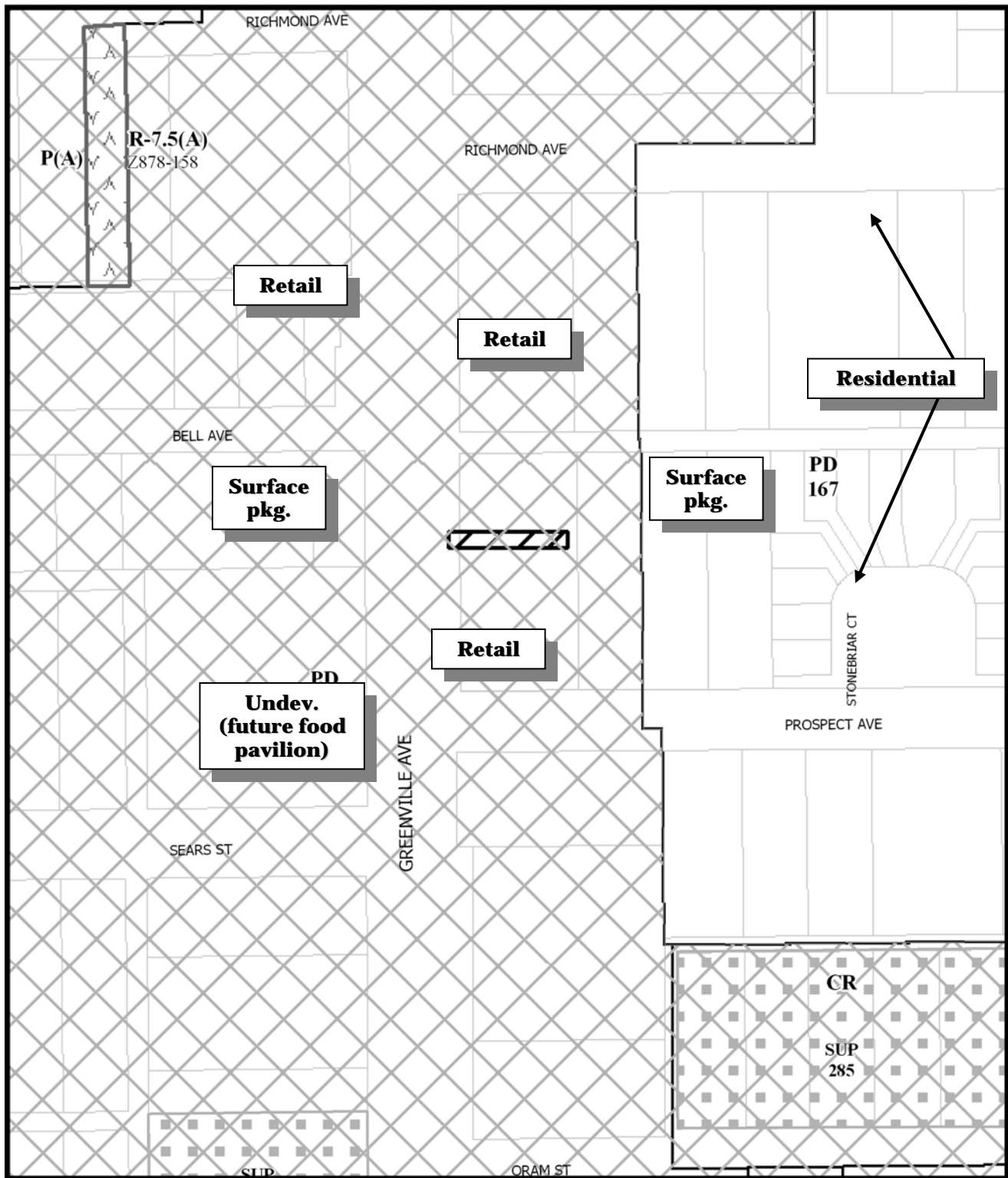
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VICINITY MAP

Map no: I-8

Case no: Z101-270

DATE: July 21, 2011



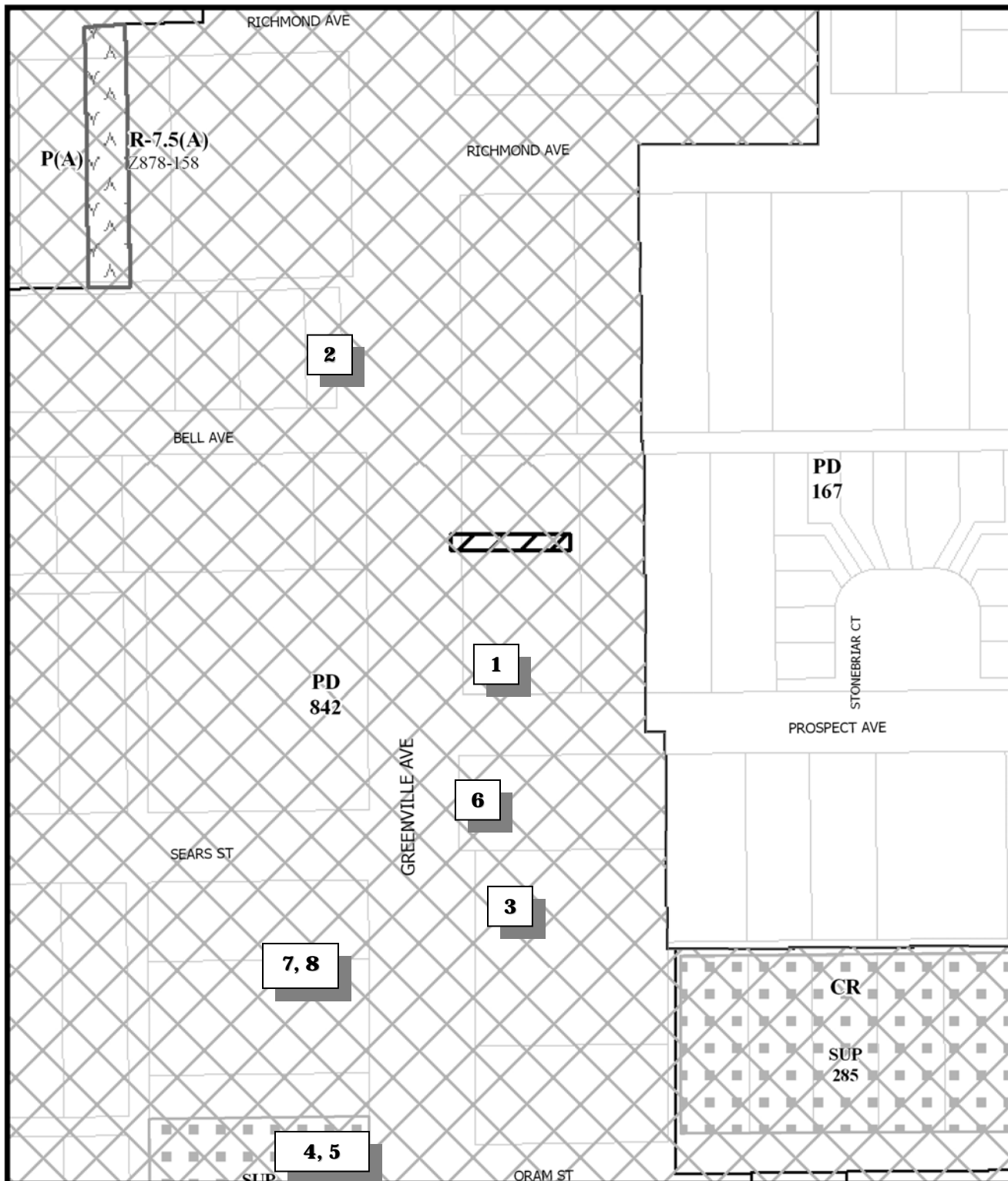
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ZONING AND LAND USE

Map no: I-8

Case no: Z101-270

DATE: July 21, 2011




1:1,200

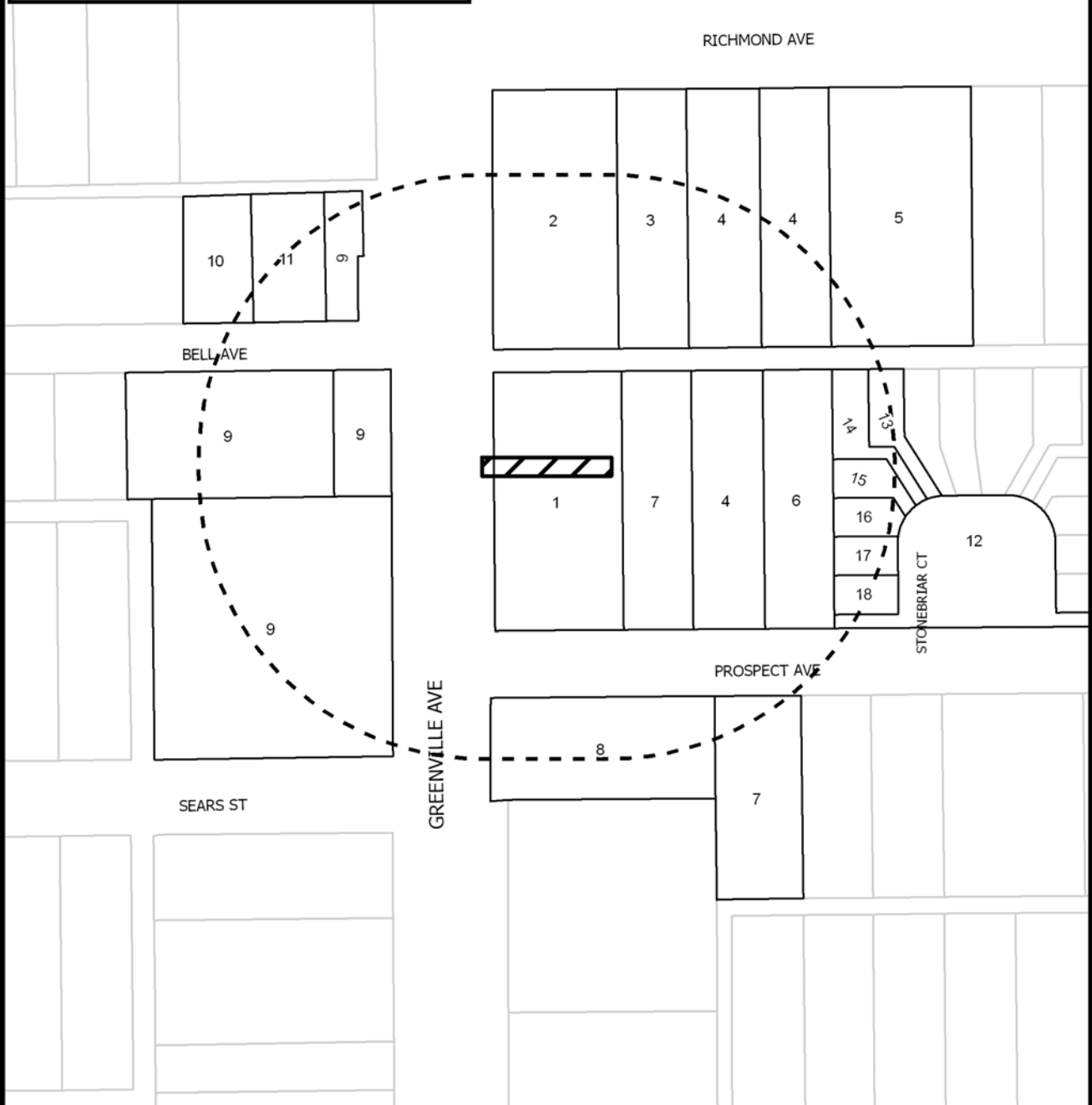
ZONING HISTORY

Map no: I-8

Case no: Z101-270

DATE: July 21, 2011

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



The number '0' indicates City of Dallas Ownership


1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
18 NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: I-8
Case no: Z101-270

DATE: July 21, 2011

Notification List of Property Owners

Z101-270

18 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2100 GREENVILLE	GREENVILLE 2100 LTD STE 300
2	5702 RICHMOND	GREENVILLE ROSS PTNR LTD ATTN: MITCHELL
RASANSKY		
3	5710 RICHMOND	SANCHEZ FIDENCIO & MARIO SANCHEZ
4	5716 RICHMOND	REESE GRANDCHILDRENS
5	5722 RICHMOND	EUSTACHIO PIETRO
6	5719 PROSPECT	MADISON PACIFIC DEV COM DEVELOPMENT CO
#300		
7	5716 PROSPECT	ANDRES FAMILY TRUST 200
8	2026 GREENVILLE	ANDRES FAMILY TRUST
9	5642 GREENVILLE	2001 GREENVILLE VENTURE % MADISON PACIFIC
DEV CO		
10	5639 BELL	EATON ROAD LTD
11	5643 BELL	BATM PROP LP
12	2100 STONEBRIAR	STONEBRIAR CT H O A
13	6 STONEBRIAR	KELLEY STEPHANIE C & MALCOLM L
14	5 STONEBRIAR	CUMMINGHAM CAROLINE
15	4 STONEBRIAR	STOKES ROBERT CHARLES
16	3 STONEBRIAR	MATTHEWS TEVIS C
17	2 STONEBRIAR	WHITE SHARI
18	1 STONEBRIAR	HOOPER NICOLE E

Thursday, July 21, 2011