



CITY OF DALLAS  
CITY PLAN COMMISSION  
Thursday, August 18, 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:**

Subdivision Docket  
Zoning Docket

**ACTION ITEMS:**

Subdivision Docket

Planner: Lashawn Green

Consent Items:

- (1) **S101-146**  
(CC District 2)
- An application to replat a 0.744 acre tract of land containing all of Lot 1A in City Block A/2571 to create one 0.3345 acre lot and one 0.4100 acre lot on 3040 W. Mockingbird Lane.  
Applicant/Owner: Weischel Farm Limited Partnership  
Surveyor: Raymond L. Goodson, Jr. Inc.  
Application Filed: July 29, 2011  
Zoning: IR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (2) **S101-147**  
(CC District 1)
- An application to replat a 4.938 acre tract of land containing all of Lots 9, 10, 11 and 12 in City Block 1/3318 into one lot at 1836 Davis Street at Rosemont Avenue.  
Applicant/Owner: ECI Operating Company, LLC/WP West Acquisitions, LLC.  
Surveyor: Bury Partners – DFW, Inc.  
Application Filed: July 29, 2011  
Zoning: PD 130 Subdistrict 6 & PD87 Tract IV(d)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (3) **S101-148**  
(CC District 7) An application to replat a 0.583 acre tract of land containing all of Lots 4, 5, 6 and 7 in City Block 1/1349 into one 0.583 acre lot at 3109 Martin Luther King, Jr. Boulevard.  
Applicant/Owner: Irving International Investments, Inc; Deck B Jeon & Song B Jeon  
Surveyor: Cross Engineering, Inc.  
Application Filed: July 29, 2011  
Zoning: PD No. 595, Subdistrict CC  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S101-149**  
(CC District 13) An application to replat a 2.378 acre tract of land containing all of Lots 16 and 17A in City Block 4/51970.842 acre lot and one 1.536 acre lot on the southeast corner of Greenville Avenue and Holly Hill Drive.  
Applicant/Owner: K&B Associates Texas; W.W. Willingham Family Limited Partnership No. II; William David Willingham and Gartner 720, Ltd.  
Surveyor: AJ Bedford Group, Inc.  
Application Filed: July 29, 2011  
Zoning: MU-2  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replats:

- (5) **S101-143**  
(CC District 13) An application to replat a 1.8054 acre tract of land containing all of Lots 10A and 11A in City Block A/5664 to relocate the lot line between the two lots on 9023 Devonshire.  
Applicant/Owner: Kalita Beck Blessing  
Surveyor: Webb Surveying  
Application Filed: July 20, 2011  
Notices sent: 19 notices were sent July 29, 2011  
Zoning: R-16(A)  
Staff Recommendation: **Denial**
- (6) **S101-144**  
(CC District 3) An application to replat a 0.720 acre tract of land containing all of Lots 2 and 3 and part of Lots 1, 4 and 5 in City Block 1/3241 to create one lot on 603 and 607 S. Tyler Street.  
Applicant/Owner: KP Star Investments, Inc.  
Surveyor: Peiser Surveying  
Application Filed: July 20, 2011  
Notices sent: 26 notices were sent July 28, 2011  
Zoning: TH-3(A), NS(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (7) **S101-145**  
(CC District 2)
- An application to replat a 5.11 acre tract of land containing all of Lot 1 in City Block 17/1243, Lots 6 through 11 in City Block 18/1242, and part of Lots 10, 11, 12 and a portion of a 15 foot alley to be abandoned in City Block 16/1258 to create one 0.99 acre lot and one 4.119 acre lot at 4919 East Grand Avenue at Barry Avenue.
- Applicant/Owner: Dallas Independent School District  
Surveyor: Pacheco Koch Engineering  
Application Filed: July 25, 2011  
Notices sent: 46 notices were sent August 1, 2011  
Zoning: D(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Docket

- M101-024**  
Richard Brown  
(CC District 14)
- An application for a minor amendment to the development plan for property within the East Residential/Subdistrict I portion of Planned Development District No. 305 for Mixed Uses on the east corner of Washington Avenue and Thomas Avenue.
- Staff Recommendation: **Approval**  
Applicant: Dallas Independent School District  
Representative: Karl Crawley

- M101-034**  
Richard Brown  
(CC District 2)
- An application for a minor amendment to the development plan for Planned Development District No. 518 for a Hospital and Related Uses on the south corner of Maple Avenue and Oak Lawn Avenue.
- Staff Recommendation: **Approval**  
Applicant: Texas Scottish Rite Hospital for Children  
Representative: Jeff Haven

- M101-035**  
Richard Brown  
(CC District 11)
- An application for a minor amendment to the development plan and landscape plan for property within the Tract VI portion of Planned Development District No. 614 for RR Regional Retail District Uses and TH-3 Townhouse District Uses, on the northwest corner of Montfort Drive and Town Center Boulevard.
- Staff Recommendation: **Approval**  
Applicant: Whataburger Restaurants, LP  
Representative: Lance Oriti

- M101-037**  
Richard Brown  
(CC District 2)
- An application for a minor amendment to the site plan for Specific Use Permit No. 1289 for a Bar, lounge, or tavern on the west line of Greenville Avenue, north of Alta Avenue.
- Staff Recommendation: **Approval**  
Applicant: Intercity Investments, Inc.  
Representative: Audra Buckley

- D101-016**  
Olga Torres Holyoak  
(CC District 3)
- Development plan for Planned Development District No. 508 for Cluster housing, Multifamily, Limited Office, Mixed Use and additional specified uses on the southwest corner of Canada Drive and Holystone Street.  
Staff Recommendation: **Approval**  
Applicant: Uplift Education Yasmin Shatia  
Representative: Brian Nelson. HKS, Inc.
- D101-017**  
Olga Torres Holyoak  
(CC District 3)
- Development plan and landscape plan for Planned Development District No. 741, on the northeast quadrant of S. Belt Line Road and Hackberry Road.  
Staff Recommendation: **Approval**  
Applicant/Representative: Tom Holland, Billingsley Company
- D101-018**  
Olga Torres Holyoak  
(CC District 9)
- Development plan for Planned Development District No. 742, on the northeast side of Northwest Highway, west of Skillman Road.  
Staff Recommendation: **Approval**  
Applicant: Del Taco  
Representative: Travis Bousquet

Zoning Cases – Consent

1. **Z101-297(MW)**  
Megan Wimer  
(CC District 7)
  2. **Z101-298(MW)**  
Megan Wimer  
(CC District 3)
- An application to terminate deed restriction and an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on property zoned a NC Neighborhood Commercial Subdistrict within Planned Development District No. 595 on the southwest corner of Baldwin Street and Jamaica Street.  
Staff Recommendation: **Approval** of the termination of deed restrictions and **approval** of an R-5(A) Single Family Subdistrict.  
Applicant: Dallas Area Habitat for Humanity/Dallas Neighborhood Alliance for Habitat, Inc.  
Representative: Jackson Walker, LLP/Suzan Kedron
- An application to terminate Specific Use Permit No. 917 for a Child-care facility on property zoned an IM Industrial Manufacturing District on the east side of Pipestone Road, north side of the Dallas Fort Worth Turnpike.  
Staff Recommendation: **Approval**  
Applicant: Joseph R. Cavagnaro  
Representative: Matt Cragun

3. **Z101-274(MG)**  
Michael Grace  
(CC District 4)

An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use less than 3,500 square feet on property zoned a RR-D Regional Retail District with a D Liquor Control Overlay on the north line of E. Ledbetter Drive, east of S. R.L. Thornton Freeway.  
Staff Recommendation: **Approval** for a two-year period with eligibility for additional five-year periods, subject to a site plan and conditions.  
Applicant: Racetrac Petroleum, Inc.  
Representative: Mitchell Planning Group, Inc.
4. **Z101-293(MG)**  
Michael Grace  
(CC District 8)

An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay on the northeast corner of S. Belt Line Road and Seagoville Road.  
Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: Abed Ammouri  
Representative: Pamela Craig
5. **Z101-304(MG)**  
Michael Grace  
(CC District 6)

An application for a Specific Use Permit for a utility or government installation limited to a flood control pump station on property zoned R-5(A) Single Family and an A(A) Agriculture District on the south line of Canada Drive between Bataan Street and Topeka Avenue.  
Staff Recommendation: **Approval** for a permanent time period, subject to a site/landscape plan and conditions.  
Applicant: City of Dallas  
Representative: Vincent Lewis

Zoning Cases – Under Advisement

6. **Z101-184(WE)**  
Warren Ellis  
(CC District 5)
- An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the southwest corner of Lake June Road and N. Prairie Creek Road.  
Staff Recommendation: **Approval** of a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year time period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: D & S Trading, Inc.  
Representative: Malik Parvez  
U/A From: July 7, 2011
7. **Z101-205(WE)**  
Warren Ellis  
(CC District 4)
- An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property within Planned Development District No. 366 with a D Liquor Control Overlay on the southeast corner of S. Buckner Road (Loop 12) and Jennie Lee Street.  
Staff Recommendation: **Approval** of a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year time period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: U S Realty Holdings, Ltd.  
Representative: Ralph Martinez  
U/A From: July 7, 2011
8. **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 Beaird  
U/A From: August 4, 2011
9. **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  
U/A From: August 4, 2011

10. **Z101-163(MG)**  
Michael Grace  
(CC District 7)
- An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use less than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the southwest corner of the intersection of Military Parkway and Elva Avenue.  
Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: Jiten Roy  
Representative: Parvez Malik  
U/A From: April 21, 2011; May 19, 2011; June 16, 2011 and July 7, 2011
11. **Z101-253(MG)**  
Michael Grace  
(CC District 5)
- An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use less than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay in the southeast quadrant of Lake June Road and Templecliff Drive.  
Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: Bawa Corporation  
Representative: Parvez Malik, Business Zoom  
U/A From: June 16, 2011 and July 7, 2011
12. **Z089-185(OTH)**  
Olga Torres Holyoak  
(CC District 3)
- An application to renew Specific Use Permit No. 1581 for a Child-care facility on property zoned a TH-3(A) Townhouse District on the north side of Ryan Road, west of Garapan Drive.  
Staff Recommendation: **Hold under advisement until September 15, 2011**  
Applicant: Sharon Harris  
U/A From: October 21, 2010; November 18, 2010; February 17, 2011 and July 7, 2011
13. **Z101-284(OTH)**  
Olga Torres Holyoak  
(CC District 6)
- An application for a Specific Use Permit for a Child-care facility on property zoned an MF-2(A) Multifamily District, on north side of Clydedale Drive, east of Geraldine Drive.  
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: Rebeca Esquivel  
U/A From: July 21, 2011

14. **Z101-196(RB)**  
Richard Brown  
(CC District 7)
- An application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the northeast line of Lawnview Avenue, south of Forney Road.
- Staff Recommendation: **Hold under advisement until September 15, 2011**
- Applicant: SDC Lawnview, L.P.  
Representative: Adolphus Oji  
U/A From: June 16, 2011; July 7, 2011 and July 21, 2011

Zoning Cases – Individual

15. **Z101-299(RB)**  
Richard Brown  
(CC District 6)
- An application for an IM Industrial Manufacturing District with deed restrictions volunteered by the applicant to prohibit certain uses on property zoned an IR Industrial Research District on the west line of Goodnight Lane, south of Manana Drive.
- Staff Recommendation: **Denial**
- Applicant: Jean Schier Airoldi Trust-Bill Poulter, Trustee  
Representative: Peter Kavanagh
16. **Z101-303(RB)**  
Richard Brown  
(CC District 14)
- An application for a Specific Use Permit for a late-hours establishment limited to a Restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the east line of Greenville Avenue, south of Prospect Avenue.
- Staff Recommendation: **Approval** for a five-year period, subject to a site plan and conditions.
- Applicant: Teppo Partners, LP-Masayki Otaka, Sole Officer and Manager  
Representative: Shirley Hughes
17. **Z101-240(WE)**  
Warren Ellis  
(CC District 3)
- An application for a Specific Use Permit for a convenience store with drive-through on property zoned an LI Light Industrial District on the southwest corner of S. Westmoreland Road and Banning Street.
- Staff Recommendation: **Approval** for a two-year time period, subject to a site plan and conditions.
- Applicant: Emeterio Castillo  
Representative: Construction Concepts, Inc. – Elias Rodriguez

Development Code Amendments

- DCA101-007**  
David Cossum
- Consideration of amendments to Chapter 51A-7.703 to include the ability to request a special exception to the regulations in Chapter 51A-7.305(d) regarding window signs.
- Staff Recommendation: **Approval**  
SSDAC Recommendation: **Approval**



---

Other Matters

Minutes: August 4, 2011

Adjournment

**CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS**

**Thursday, August 18, 2011**

**ZONING ORDINANCE COMMITTEE (ZOC) MEETING** - Thursday, August 18, 2011, City Hall, 1500 Marilla Street, in 5ES, at 9:00 a.m., to consider(1) **DCA 090-010** - Consideration of amending the Dallas Development Code to amend parking regulations.

### 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 18, 2011****FILE NUMBER:** S101-146**Subdivision Administrator:** Paul Nelson**LOCATION:** 3040 W. Mockingbird Lane**DATE FILED:** July 29, 2011**ZONING:** IR**CITY COUNCIL DISTRICT:** 2**SIZE OF REQUEST:** 0.744 Acre**MAPSCO:** 34P**APPLICANT:** Weischel Farm Limited Partnership

**REQUEST:** An application to replat a 0.744 acre tract of land containing all of Lot 1A in City Block A/2571 to create one 0.3345 acre lot and one 0.4100 acre lot on 3040 W. Mockingbird Lane.

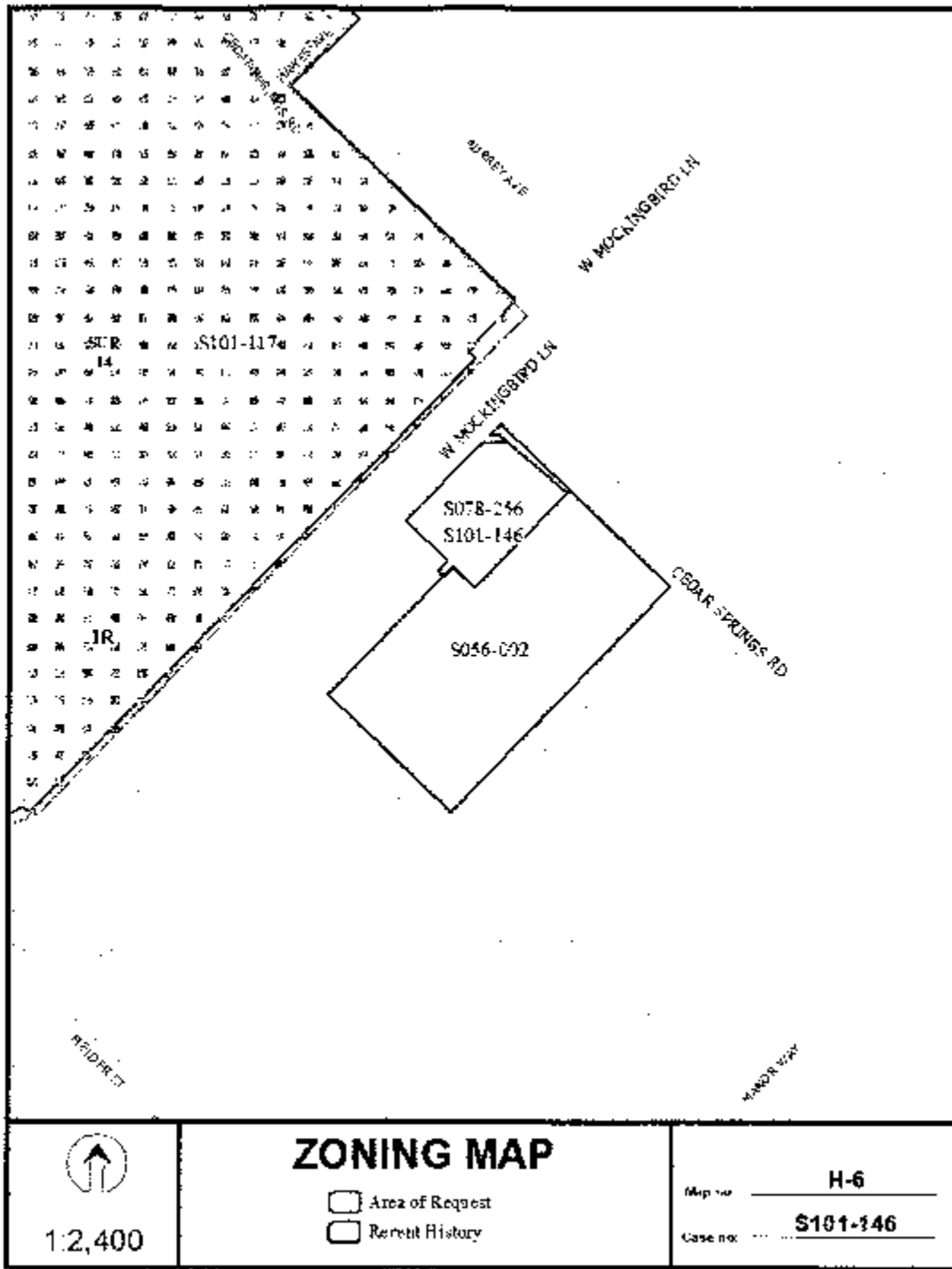
**SUBDIVISION HISTORY:**

1. S101-117 was an application to replat an approximate 1,278 acre tract of land containing multiple blocks to create three lots on property generally bounded by Mockingbird Lane, Lemon Avenue, Denton Drive and Shorecrest Drive and known as Dallas Love Field Airport and was approved on July 7, 2011 but has not been recorded.


**STAFF RECOMMENDATION:** The proposed subdivision complies with the requirements of the IR 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.

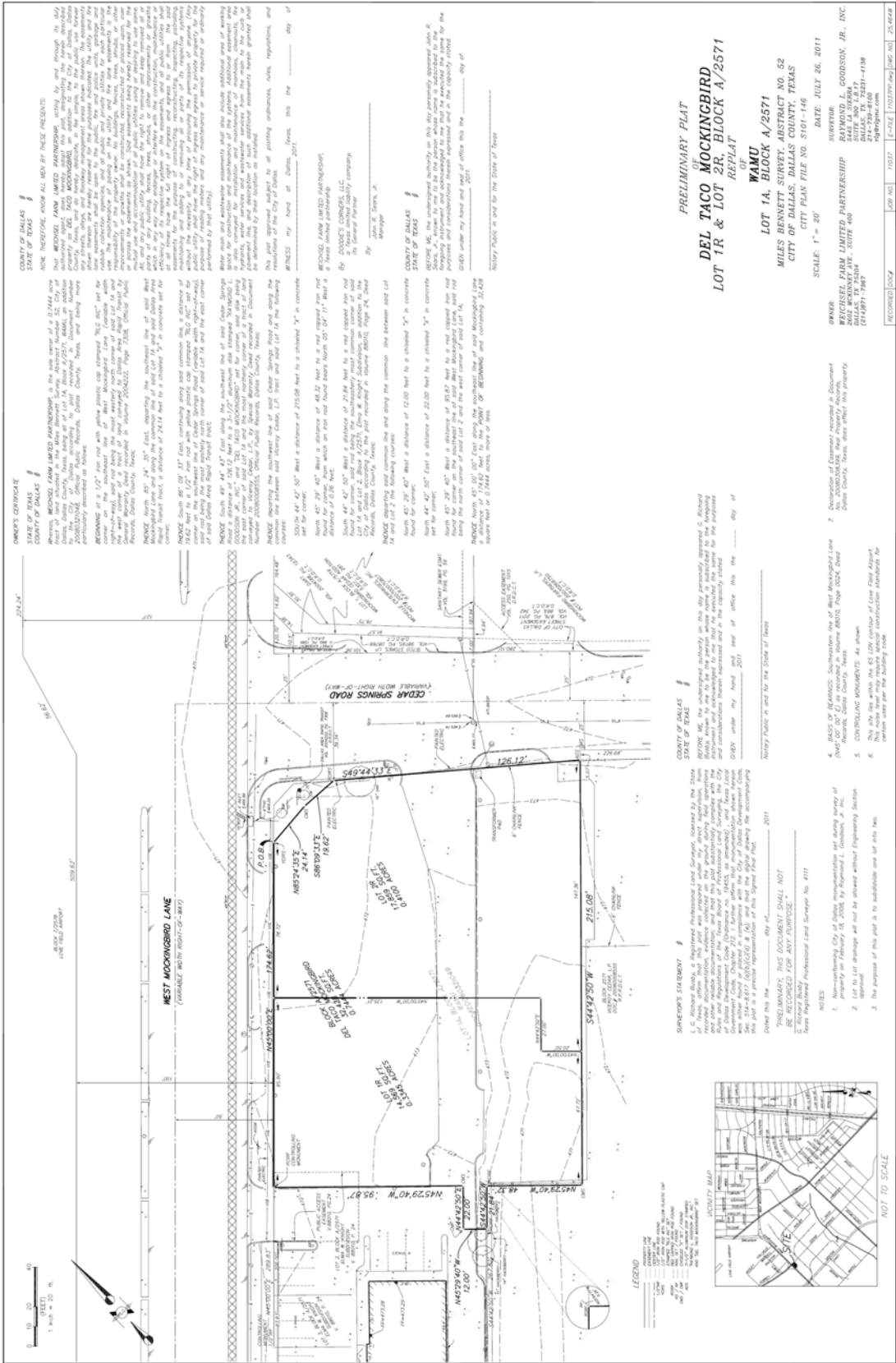
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. The maximum number of lots permitted by this plat is 2.
10. Submit drainage 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 50' right of way from the established center line of Mockingbird Lane.
13. On the final plat dedicate 30' right of way from the established center line of Cedar Springs Road.
14. The site is within the 65 Ldn contour of Love Field Airport and this noise level may require special construction standards for certain uses per the building code.
15. On the final plat show how all adjoining right of way was created.
16. On the final plat show correct recording information for subject property.
17. On the final plat add easement for transformer pad.
18. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
19. Water/wastewater main extension is required by Private Development Contract.
20. On the final plat identify the property as Block A/2571 Lots 1B and 1C.





 1:2,400	<h3>AERIAL MAP</h3> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	Map no: <u>          H-6          </u> Case no: <u>          S101-146          </u>
--	---	--

DATE: August 03, 2011



OWNER'S CERTIFICATE  
 STATE OF TEXAS  
 COUNTY OF DALLAS

WE, the undersigned, being the owners of the above described premises, do hereby certify that the above described premises are the same as those described in the plat of the City of Dallas, Texas, and that the same are not subject to any other public use or restriction.

WITNESSES my hand at Dallas, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

WITNESSES my hand at Dallas, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

NOTICE TO THE PUBLIC: This plat is subject to all existing ordinances, laws, regulations, and restrictions of the City of Dallas, Texas, and the State of Texas.

NOTICE TO THE PUBLIC: This plat is subject to all existing ordinances, laws, regulations, and restrictions of the City of Dallas, Texas, and the State of Texas.

NOTICE TO THE PUBLIC: This plat is subject to all existing ordinances, laws, regulations, and restrictions of the City of Dallas, Texas, and the State of Texas.

NOTICE TO THE PUBLIC: This plat is subject to all existing ordinances, laws, regulations, and restrictions of the City of Dallas, Texas, and the State of Texas.

NOTICE TO THE PUBLIC: This plat is subject to all existing ordinances, laws, regulations, and restrictions of the City of Dallas, Texas, and the State of Texas.

NOTICE TO THE PUBLIC: This plat is subject to all existing ordinances, laws, regulations, and restrictions of the City of Dallas, Texas, and the State of Texas.

NOTICE TO THE PUBLIC: This plat is subject to all existing ordinances, laws, regulations, and restrictions of the City of Dallas, Texas, and the State of Texas.

NOTICE TO THE PUBLIC: This plat is subject to all existing ordinances, laws, regulations, and restrictions of the City of Dallas, Texas, and the State of Texas.



**CITY PLAN COMMISSION****THURSDAY, AUGUST 18, 2011****FILE NUMBER:** S101-147**Subdivision Administrator:** Paul Nelson**LOCATION:** 1836 Davis Street at Rosemont Avenue**DATE FILED:** July 29, 2011**ZONING:** PD 830 Subdistrict 6 & Pd 87 Tract IV(d)**CITY COUNCIL DISTRICT:** 1**SIZE OF REQUEST:** 4.938 Acres**MAPSCO:** 54A**APPLICANT:** ECI Operating Company, LLC/WP West Acquisitions, LLC

**REQUEST:** An application to replat a 4.938 acre tract of land containing all of lots 9, 10, 11 and 12 in City Block 1/3318 into one lot at Davis Street at Rosemont Avenue.

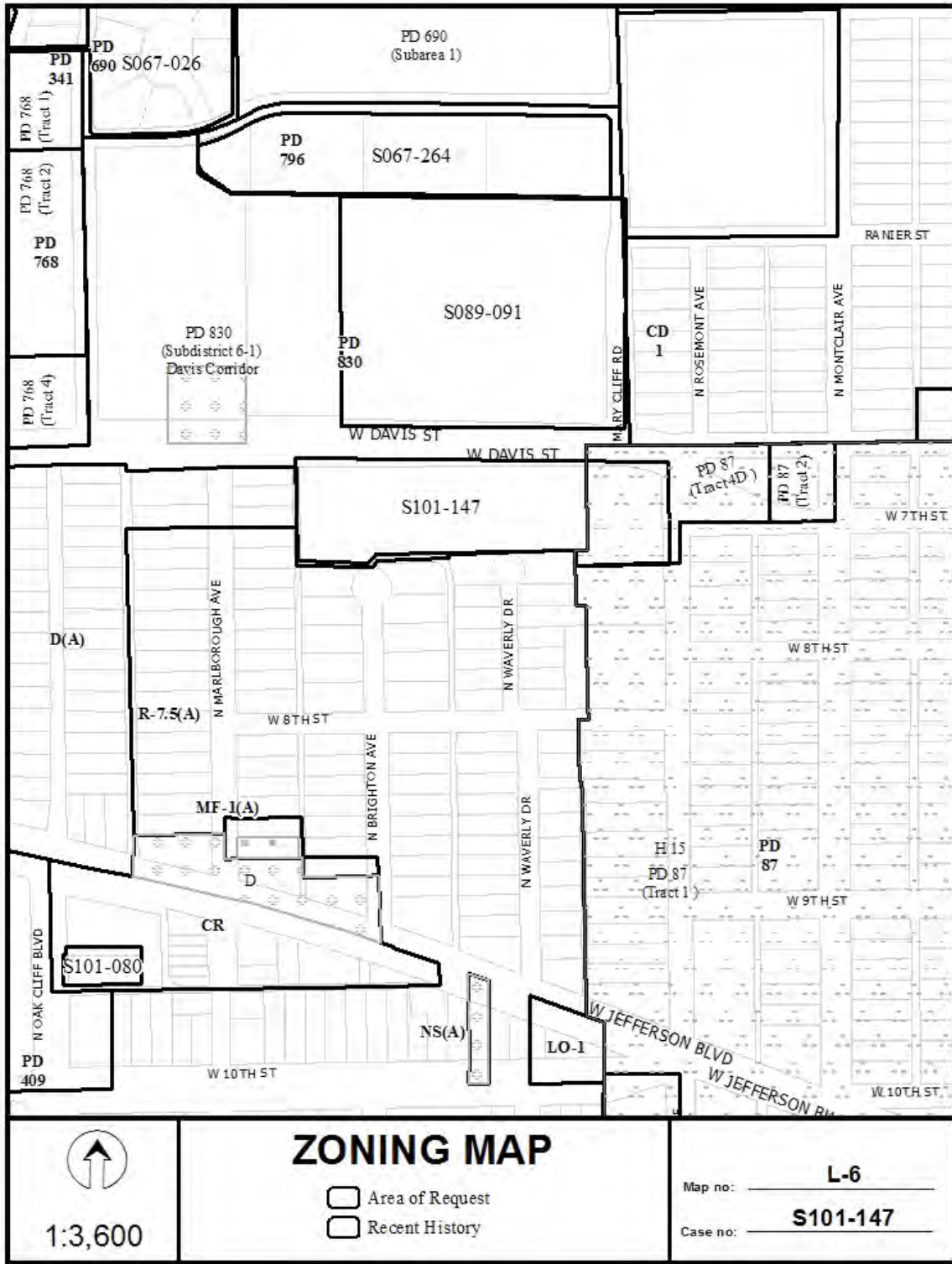
**SUBDIVISION HISTORY:**

1. S089-091 was an application north of the present request to create one 8.882 acre lot in City Block A/5127 and was approved on May 14, 2009 and recorded on January 22, 2010.
2. S067-264 was an application to replat Lots 1 thru 3 and a tract of land in City Block A/5127 into one 4.3716 acre lot on the southwest corner of Stevens Forest Drive and Mary Cliff Road. Approved September 27, 2007, but has not been recorded.

**STAFF RECOMMENDATION:** The proposed subdivision complies with the requirements of PD 130 Subdistrict 6 and PD87 Tract IV (d); 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. No access to or from Brighton Ave, N. Waverly Dr. or alley.
14. Access or modification to Davis St. requires TX Dot Approval.
15. Dedicate 50' right of way from established center line of Davis St.
16. On the final plat show how all right of way was created.
17. On the final plat show all utility easement abandonment's with recording information.
18. On the final plat show distances/width of right of way across Davis Street and Rosemont Ave.
19. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
20. Water/wastewater main extension is required by Private Development Contract
21. On the final plat identify property as City Block 1/3318 Lot 9A.
22. On the final plat add Davis Seventh Connection in the right of way between Davis Street and Seventh Street.
23. The Abandonment's noted on the plat must be processed thru Real Estate. Please contact Gordon Robinson 214-948-463 before processing the abandonment's regarding the Wastewater Main located between the two 5' City of Dallas Sanitary Sewer Easements (Dedicated by Vol. 4609, Pg. 367 and Vol. 4609, Pg. 369).
24. Release required from Real Estate prior to final plat.



DATE: August 03, 2011





**CITY PLAN COMMISSION**

**THURSDAY, AUGUST 18, 2011**

**FILE NUMBER:** S101-148

**Subdivision Administrator:** Paul Nelson

**LOCATION:** 3109 Martin Luther King Jr. Blvd.

**DATE FILED:** July 29, 2011

**ZONING:** PD 595 Subdistrict CC

**CITY COUNCIL DISTRICT:** 7

**SIZE OF REQUEST:** 0.583

**MAPSCO:**46P

**APPLICANT:** Riverside Development, LLC

**REQUEST:** An application to replat a 0.583 acre tract of land containing all of lots 4, 5, 6 and 7 in City Block 1/1349 into one lot at 3109 Martin Luther King Jr.

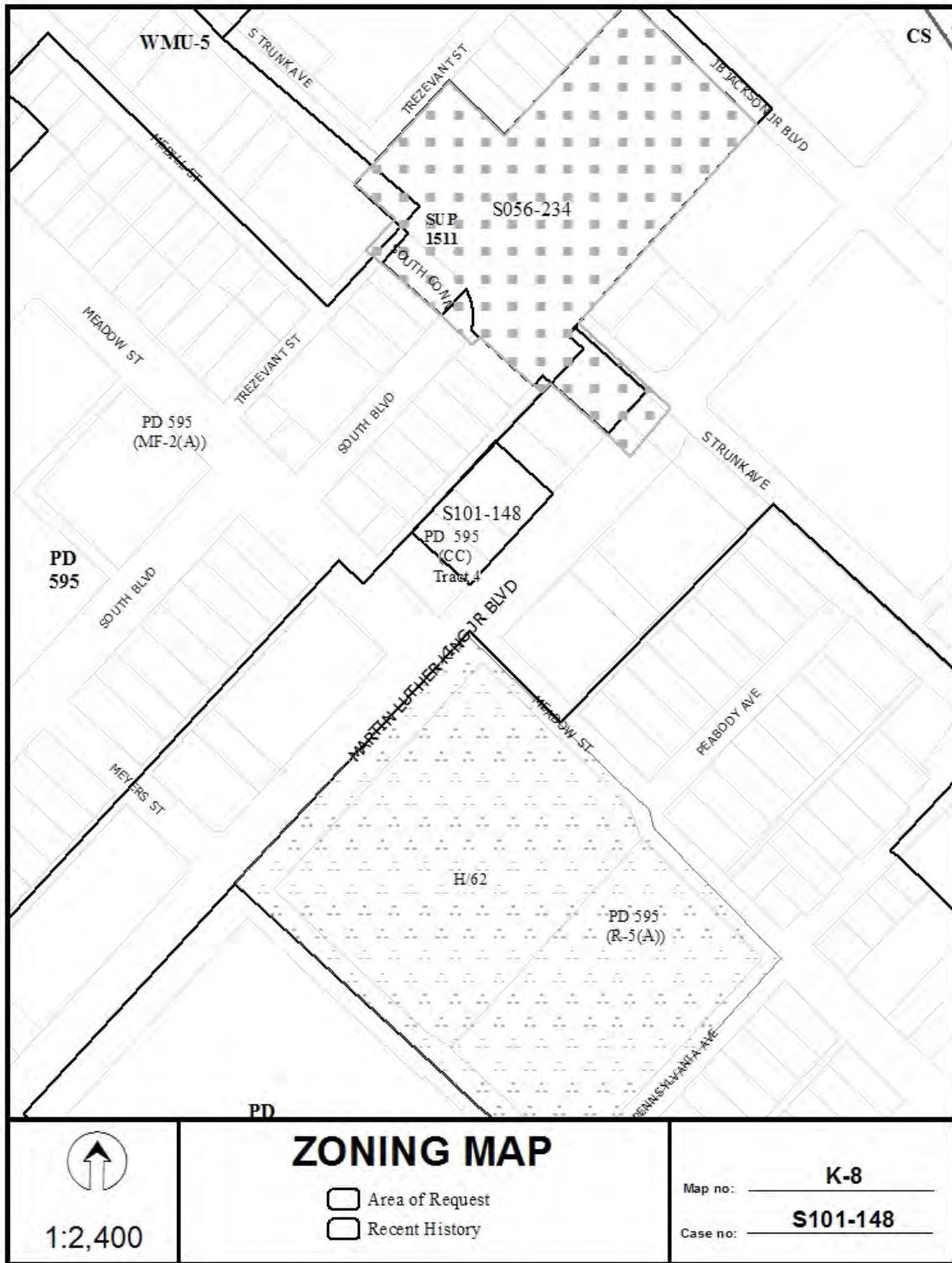
**SUBDIVISION HISTORY:**

1. S056-234 was an application northeast of the present request to create one 4.926 acre lot in City Block 1/1349 and was approved on May 18, 2006 and recorded May 19, 2010.

**STAFF RECOMMENDATION:** The proposed subdivision complies with the requirements of PD 595 Subdistrict CC; 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/drainage plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
12. On the final plat show how all adjoining right of way was created.
13. On the final plat show all additions or tracts of land within 150' of property with recording information.
14. Monument all set corners per monumentation ordinance.
15. Show two control monuments.
16. On the final plat choose a different addition name.
17. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
18. Water/wastewater main extension is required by Private Development Contract.
19. On the final plat label the property as Block 1/1349 Lot 4A.







 <b>1:2,400</b>	<h2>AERIAL MAP</h2> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	<p>Map no: <u>          <b>K-8</b>          </u></p> <p>Case no: <u>          <b>S101-148</b>          </u></p>
---	---	---

DATE: August 03, 2011

**OWNERS DEDICATION**

OWNER OF THIS LOT:  
MCDUGALTS SUBDIVISION  
0.5833 ACRES  
LOT 78  
BLOCK 1/1349

NO PROTECTED TREES SITUATED ON THE SITE (PER CITY ARBORIST)

As of purchase to be identified



**OWNERS CERTIFICATE**

I, the undersigned, being the owner of the above described premises, do hereby certify that the same are not subject to any lien, mortgage, or other encumbrance...

STATE OF TEXAS  
COUNTY OF DALLAS

Subscribed and sworn to before me this 1st day of August, 2011.



**STATEMENT**

I, the undersigned, being the owner of the above described premises, do hereby certify that the same are not subject to any lien, mortgage, or other encumbrance...

STATE OF TEXAS  
COUNTY OF DALLAS

Subscribed and sworn to before me this 1st day of August, 2011.

PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.  
BEAR AT MCDUGALTS SUBDIVISION LOT 78, BLOCK 1/1349  
BING A BEAR OF MCDUGALTS SUBDIVISION LOTS 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

**CITY PLAN COMMISSION****THURSDAY, AUGUST 18, 2011****FILE NUMBER:** S101-149**Subdivision Administrator:** Paul Nelson**LOCATION:** 6950 Greenville Avenue**DATE FILED:** July 29, 2011**ZONING:** MU-2**CITY COUNCIL DISTRICT:** 13**SIZE OF REQUEST:** 2.387**MAPSCO:**26T**APPLICANT:** McDonald's USA

**REQUEST:** An application to replat a 2.387 acre tract of land containing all of lots 16 and 17A in City Block 4/5197 into one 0.842 acre lot and one 1.536 acre lot at Greenville Avenue and Holly Hill Drive.

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

**STAFF RECOMMENDATION:** The proposed subdivision complies with the requirements of PD 595 Subdistrict CC; 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 2.

10. Prior to final plat confirm if “No Parking Signs” and shown on Holly Hill Dr. and Greenville Ave. are City of Dallas signs. If private signs, a license may be required.
11. Prior to final plat confirm if the “Real Estate Sign” is located on private property or right of way. If the sign is located on right of way, a license may be required. Please contact Real Estate at 214-948-4100 for more information regarding licenses.
12. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
13. Place a note on the final plat “Lot to lot drainage will not be allowed without Engineering Section approval.”
14. On the final plat dedicate 30’ right of way from the established center line of Holly Hill Dr.
15. On the final plat dedicate 50’ right of way from the established center line of Greenville Ave.
16. On the final plat dedicate 15’ x 15’ corner clip at Greenville Ave. and Holly Hill Dr.
17. On the final plat show how all adjoining right of way was created.
18. On the final plat show all additions or tracts of land within 150’ of property with recording information.
19. On the final plat monument all set corners per monumentation ordinance.
20. On the final plat show distances/widths of right of way across Greenville Ave.
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 change Ridgecrest to Ridgecrest Road.
23. On the final plat identify the property as City Block 5/5197 Lot 16A and 17B.





1:2,400

## AERIAL MAP

- Area of Request
- Recent History

Map no:           F-8            
 Case no:           S101-149          

DATE: August 03, 2011



**CITY PLAN COMMISSION****THURSDAY, AUGUST 18, 2011****FILE NUMBER:** S101-143**Subdivision Administrator:** Paul Nelson**LOCATION:** 9023 Devonshire**DATE FILED:** July 20, 2011**ZONING:** R-16 (A)**CITY COUNCIL DISTRICT:** 13    **SIZE OF REQUEST:** 1.8054 Acre    **MAPSCO:** 25W**APPLICANT:** Kalita Beck Blessing

**REQUEST:** An application to replat a 1.8054 acre tract of land containing all of Lots 10A and 11A in City Block A/5664 to relocate the lot line between the two lots on 9023 Devonshire.

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

**DATES NOTICES SENT:** 19 notices were mailed July 29, 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..."

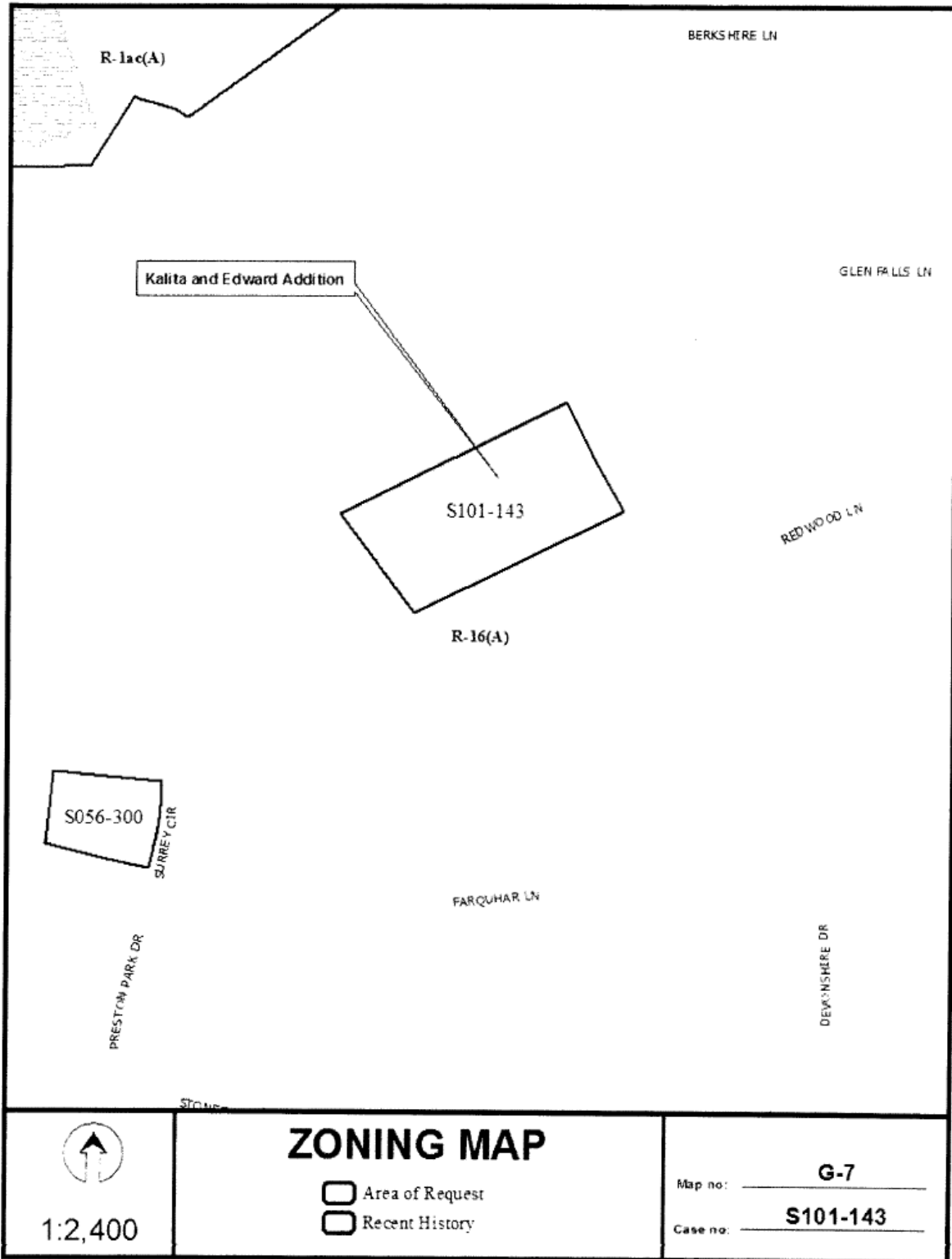
The proposed subdivision complies with the requirements of the R16(A) District. However, the plat does not comply with the provisions of Section 51A-8.503 as to established lot pattern. Lots 10A and 11A were created by the Northwest Hills Addition which was recorded on February 19, 1945 and have remained as two lots since that date. The 2 lots were replatted by relocating the common lot line between the 2 lots into their present configuration by plat S978-076 which was recorded on December 17, 1998. The proposed plat does not comply with the established lot pattern therefore; staff recommends denial of the request. However, should the commission approve the request staff recommends that the approval be 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 final plat show how all adjoining right of way was created.
20. On final plat show all recording information on all existing easements with 150' of property.
21. On final plat show distances/widths of right of way across Devonshire Drive. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.



1:2,400

## ZONING MAP

Area of Request  
 Recent History

Map no:       G-7        
 Case no:       S101-143      

DATE: July 25, 2011



1:2,400

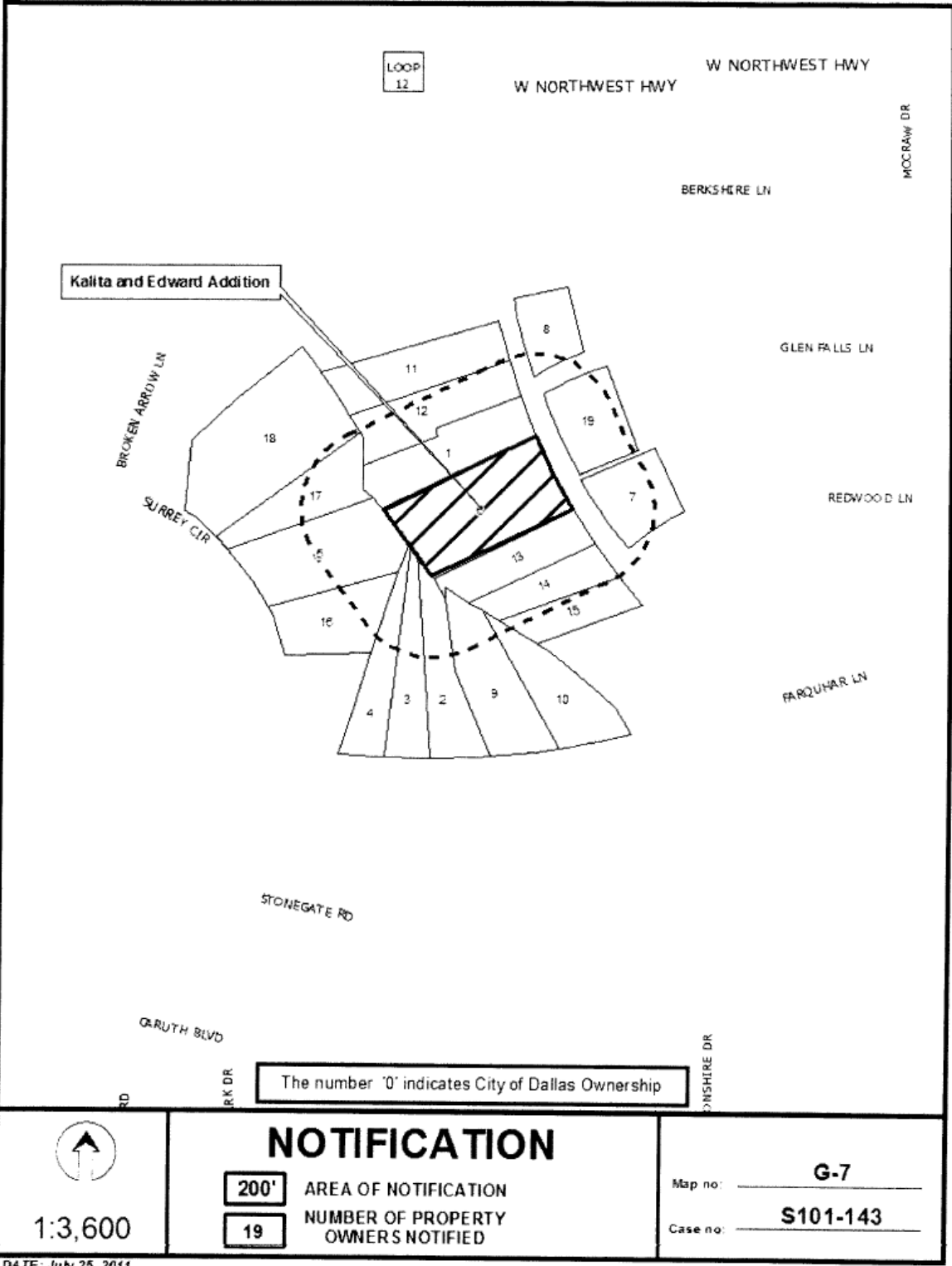
### AERIAL MAP

- Area of Request
- Recent History

Map no:       G-7      

Case no:       S101-143      

DATE: July 25, 2011



1:3,600

# NOTIFICATION

**200'** AREA OF NOTIFICATION  
**19** NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: **G-7**  
 Case no: **S101-143**

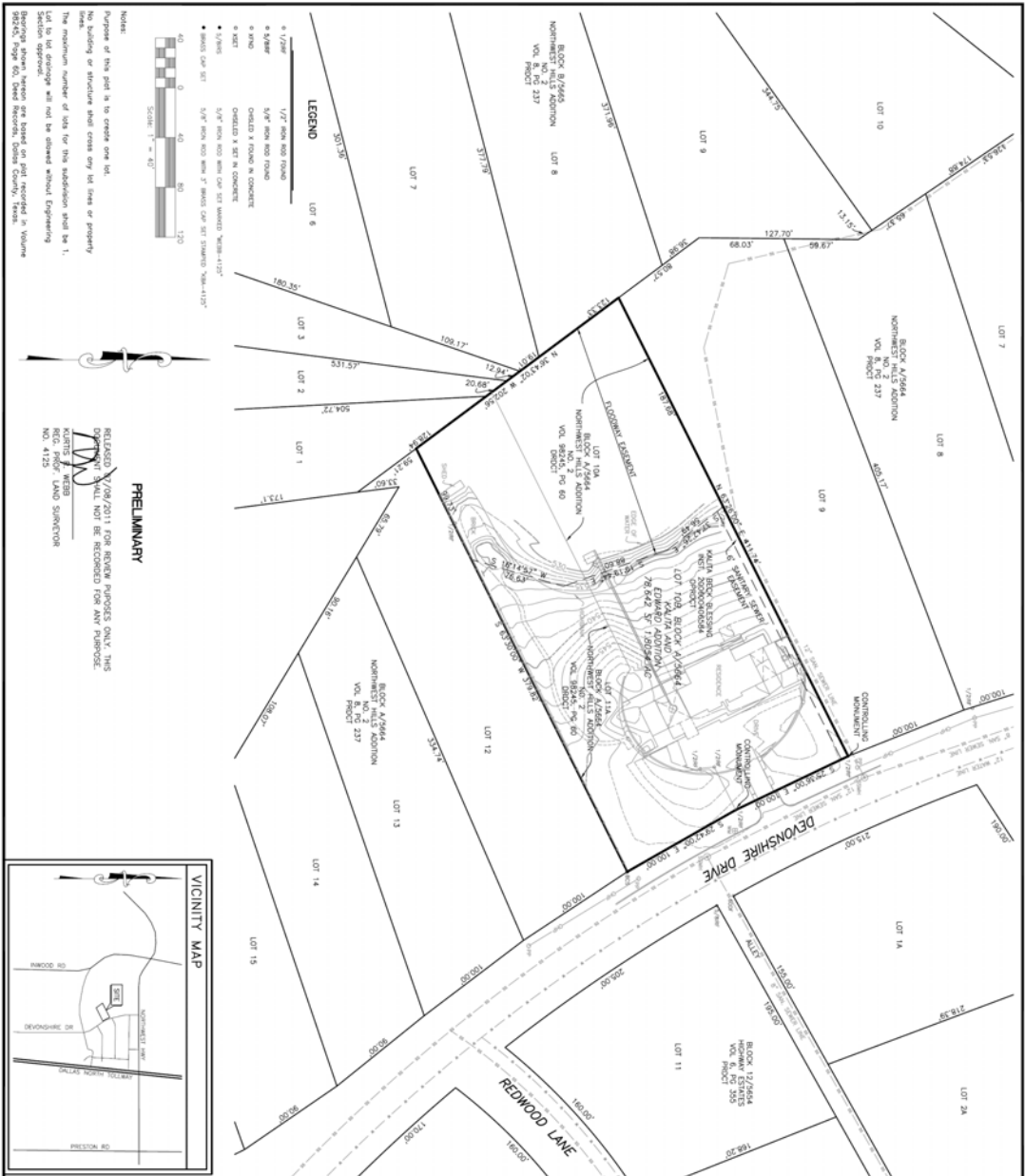
DATE: July 25, 2011

## *Notification List of Property Owners*

### *S101-143*

#### *19 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9031 DEVONSHIRE	GREEN KENNETH F
2	5539 FARQUHAR	KNUTHS MICHAEL S
3	5527 FARQUHAR	CALDWELL MARY ANNE &
4	5519 FARQUHAR	CALDWELL MARY ANNE
5	5431 SURREY	LAZAR JAMES P
6	9023 DEVONSHIRE	BECK KALITA HARDIN
7	5711 REDWOOD	BATKY CALAWAY LISA
8	9110 DEVONSHIRE	HARTNETT JAMES J
9	5611 FARQUHAR	WARD WILLIAM CHARLES & CYNTHIA ANN
10	5623 FARQUHAR	WARD WILLIAM C
11	9107 DEVONSHIRE	VOSE CHARLES A III & MEREDITH A
12	9039 DEVONSHIRE	BENNETS CLAIRE TR
13	9007 DEVONSHIRE	FRAZIER DAVID
14	8937 DEVONSHIRE	MCLANE DAVID G
15	8931 DEVONSHIRE	SENATOR MANAGEMENT TRUST UTA
16	5439 SURREY	STEWART MICHAEL L
17	5417 SURREY	MICHAUD SUSAN H
18	5411 SURREY	SAADA JEAN-CLAUDE T & ELIZABETH A
19	9030 DEVONSHIRE	VILLANI ANTHONY W & DENISE C



**OWNER'S DECLARATION**

I, **WALTER A. HERRICK, JR.**, the owner of the subject property, do hereby certify that the information herein is true and correct to the best of my knowledge and belief, and that I am the owner of the subject property.

**STATE OF TEXAS**

**COUNTY OF DALLAS**

**WALTER A. HERRICK, JR.**

**OWNER**

**PRELIMINARY PLAN**

**KALITA AND EDWARD ADDITION**

**LOT 108 - BLOCK A/5864**

**BEING A 1.8053 ACRE TRACT OF LAND**

**A.J. MANNING SURVEY, ABSTRACT NO. 948**

**ALL OF SECTION 24, T.15S, R.10E, BLOCK A/5864 OF**

**NORTHWEST HILLS ADDITION, NORTHWEST HILLS**

**CITY OF DALLAS, DALLAS COUNTY, TEXAS.**

**CITY PLAN FILE NO.: S101-143**

**DATE: 7/8/2011**

**SHEET 1 OF 1**

**CITY PLAN COMMISSION**

**THURSDAY, AUGUST 18, 2011**

**FILE NUMBER:** S101-144

**Subdivision Administrator:** Paul Nelson

**LOCATION:** 603 & 607 Tyler Street.

**DATE FILED:** July 20, 2011

**ZONING:** TH-3(A), NS(A)

**CITY COUNCIL DISTRICT:** 3

**SIZE OF REQUEST:** 0.720 Acre

**MAPSCO:** 54F

**APPLICANT:** KP Star Investments, Inc.

**REQUEST:** An application to replat a 0.720 acre tract of land containing all of Lots 2 and 3 and part of Lots 1, 4 and 5 in City Block 1/3241 to create one lot on 603 and 607 S. Tyler Street.

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

**DATES NOTICES SENT:** 26 notices were mailed July 28, 2011.

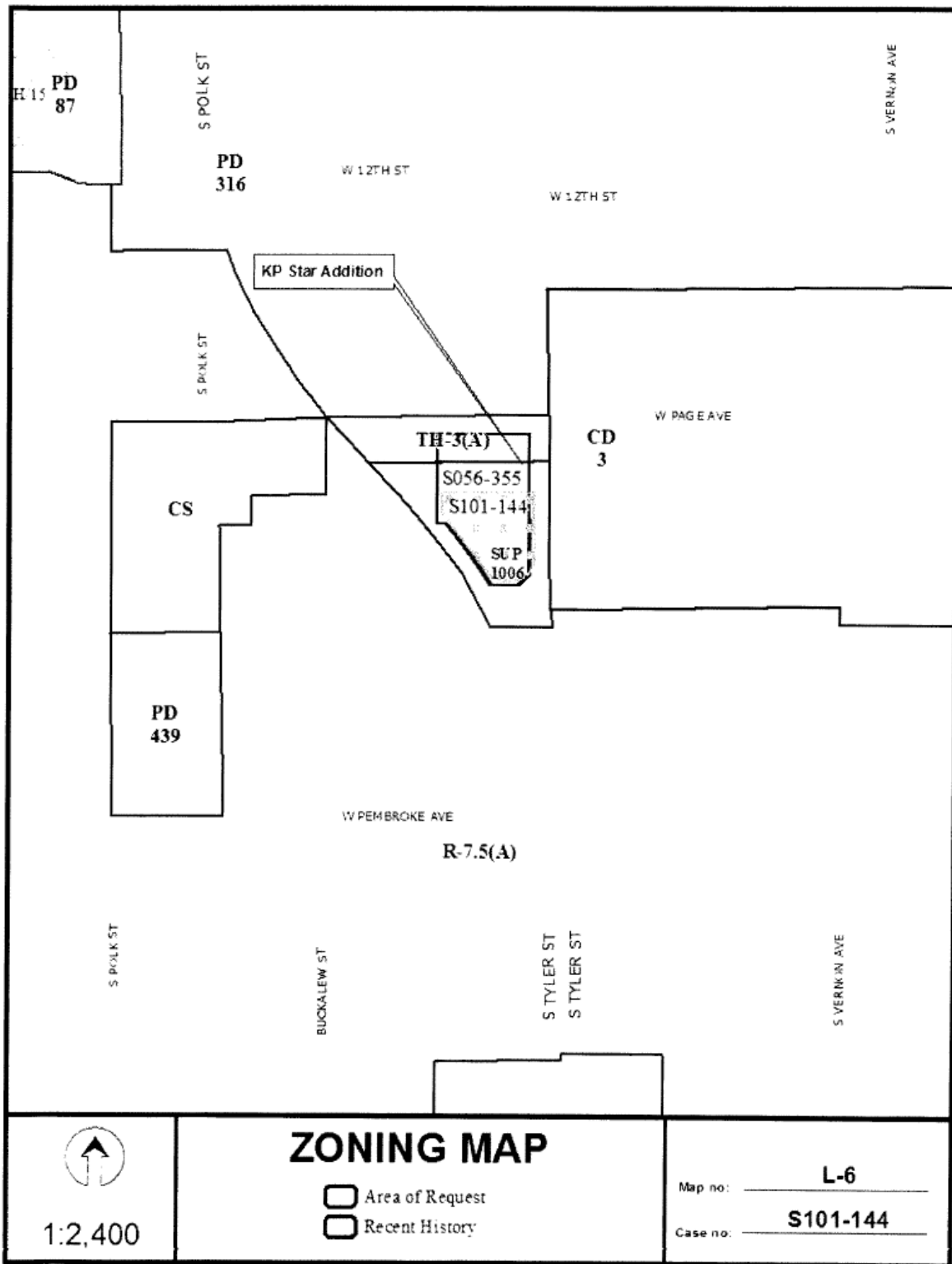
**STAFF RECOMMENDATION:** Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural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

The proposed subdivision complies with the requirements of the TH-3(A) and NS(A) Districts and is larger than the existing residential lots but smaller than the retail lots 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. On the final plat dedicate 7.5' feet of ROW from the established centerline of alley.
11. On the final plat dedicate a 15' by 15' corner clip at the intersection of Tyler Street and Page Avenue.
12. On the final plat dedicate 15' x 15' alley street easement at Page Avenue and alley.
13. On the final plat dedicate 15' x 15' alley street easement at Tyler Street Connection and alley.
14. On the final plat dedicate existing street easement in fee simple along Tyler Street Connection.
15. 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.
16. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
17. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
18. On the final plat label property as Block 1/3241 Lot 1A.
19. On the final plat change Page Street to Page Avenue.

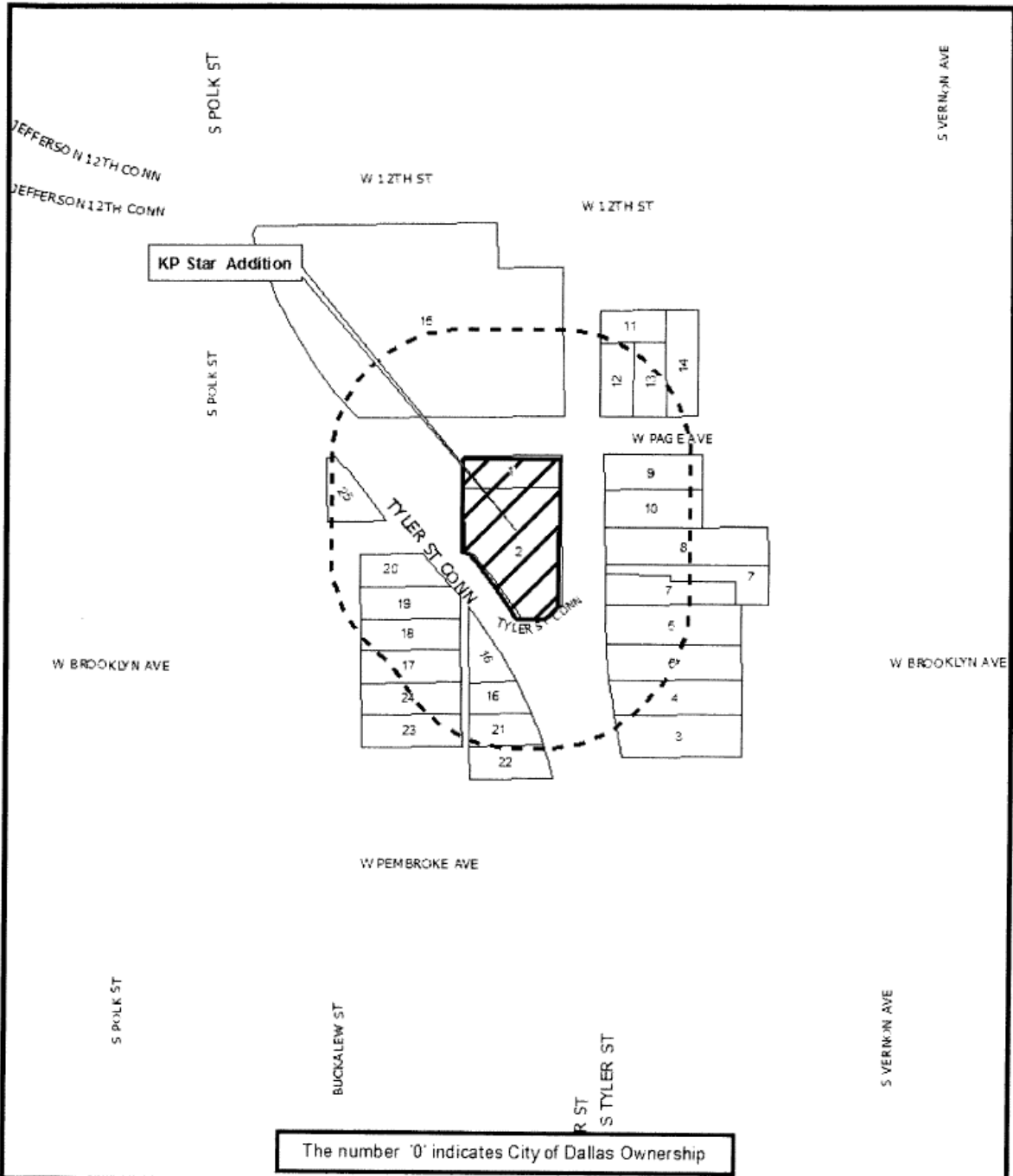






 1:2,400	<h2>AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request  <input type="checkbox"/> Recent History         </p>	Map no: <u>          L-6          </u> Case no: <u>          S101-144          </u>
--	--	--

DATE: July 25, 2011



 1:2,400	<h2>NOTIFICATION</h2>	Map no: <u>    L-6    </u>
	<div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">25</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Case no: <u>    S101-144    </u>

DATE: July 25, 2011

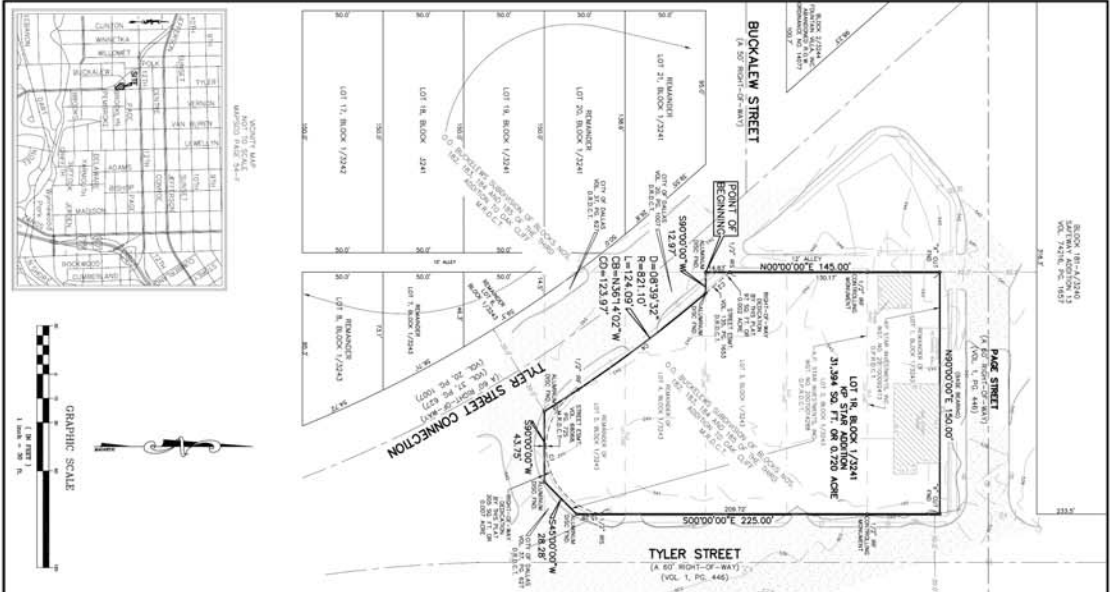
## Notification List of Property Owners

### S101-144

#### 25 Property Owners Notified

Label #	Address	Owner
1	603 TYLER	JOHNSON MRS G H EST OF % GEORGE JOHNSON
2	607 TYLER	K P STAR INVESTMENTS INC
3	706 TYLER	HERNANDEZ JAIME
4	702 TYLER	HERNANDEZ MARTIN
5	618 TYLER	HERNANDEZ SANTIAGO
6	624 TYLER	NORTHCUTT LINDY GENE
7	616 TYLER	ROCKETT JAMES S
8	612 TYLER	ROCKETT JAMES S & MARTHA A
9	600 TYLER	HERNANDEZ RAFAEL E
10	606 TYLER	GARCIA MIGUEL C ETAL
11	516 TYLER	HUD
12	837 PAGE	CASTILLO MAGDALENA & MARTIN HERNANDEZ
13	833 PAGE	DOMINGUEZ JUAN M
14	831 PAGE	COUCH KEDRIC % MRS PAT COUCH
15	912 12TH	SAFEWAY % MINYARD S
16	703 TYLER	BENITEZ MARIA DEL CARMEN
17	626 BUCKALEW	MARTINEZ GILBERTO & AMANDA VALENCIA
18	622 BUCKALEW	GARZA SOPHIA
19	618 BUCKALEW	GARZA ALFREDO
20	614 BUCKALEW	GARZA SOFIA
21	707 TYLER	SANCHEZ ASCENCION B & IMELDA
22	711 TYLER	ROMERO JUAN L & ROSA M
23	706 BUCKALEW	JAIME JUAN E & JAIME ANGELICA
24	702 BUCKALEW	ARMIGO CELESTINO & ENRIQUE ARMIJO
25	600 TYLER	FOUNTAIN VILLA INC % FELIX SANDOVAL

Thursday, July 28, 2011



LOT NO.	AREA (SQ. FT.)	OWNER	REMARKS
LOT 18, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 19, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 20, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 21, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 22, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 23, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 24, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 25, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 26, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 27, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 28, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 29, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 30, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 31, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 32, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 33, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 34, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 35, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 36, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 37, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 38, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 39, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 40, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 41, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 42, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 43, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 44, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 45, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 46, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 47, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 48, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 49, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 50, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 51, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 52, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 53, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 54, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 55, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 56, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 57, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 58, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 59, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 60, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 61, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 62, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 63, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 64, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 65, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 66, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 67, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 68, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 69, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 70, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 71, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 72, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 73, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 74, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 75, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 76, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 77, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 78, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 79, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 80, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 81, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 82, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 83, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 84, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 85, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 86, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 87, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 88, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 89, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 90, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 91, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 92, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 93, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 94, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 95, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 96, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 97, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 98, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 99, BLOCK 1/2341	12,897	BUCKALEW STREET	
LOT 100, BLOCK 1/2341	12,897	BUCKALEW STREET	

**CONTRACT SPECIFICATION**

THIS CONTRACT is made this 1st day of \_\_\_\_\_, 2011, between \_\_\_\_\_, the undersigned, and \_\_\_\_\_, the undersigned, for the purpose of recording the following:

1. The undersigned hereby certifies that the above described property is not subject to any other liens, mortgages, or other encumbrances, and that the same is being offered for sale free and clear of all such encumbrances.

2. The undersigned hereby certifies that the above described property is not subject to any other liens, mortgages, or other encumbrances, and that the same is being offered for sale free and clear of all such encumbrances.

3. The undersigned hereby certifies that the above described property is not subject to any other liens, mortgages, or other encumbrances, and that the same is being offered for sale free and clear of all such encumbrances.

4. The undersigned hereby certifies that the above described property is not subject to any other liens, mortgages, or other encumbrances, and that the same is being offered for sale free and clear of all such encumbrances.

5. The undersigned hereby certifies that the above described property is not subject to any other liens, mortgages, or other encumbrances, and that the same is being offered for sale free and clear of all such encumbrances.

6. The undersigned hereby certifies that the above described property is not subject to any other liens, mortgages, or other encumbrances, and that the same is being offered for sale free and clear of all such encumbrances.

7. The undersigned hereby certifies that the above described property is not subject to any other liens, mortgages, or other encumbrances, and that the same is being offered for sale free and clear of all such encumbrances.

8. The undersigned hereby certifies that the above described property is not subject to any other liens, mortgages, or other encumbrances, and that the same is being offered for sale free and clear of all such encumbrances.

9. The undersigned hereby certifies that the above described property is not subject to any other liens, mortgages, or other encumbrances, and that the same is being offered for sale free and clear of all such encumbrances.

10. The undersigned hereby certifies that the above described property is not subject to any other liens, mortgages, or other encumbrances, and that the same is being offered for sale free and clear of all such encumbrances.

**STATE OF TEXAS**

COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this \_\_\_\_\_ day of \_\_\_\_\_, 2011, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

My Commission Expires \_\_\_\_\_

NOTARY PUBLIC IN AND FOR THE COUNTY OF \_\_\_\_\_, TEXAS

**PRELIMINARY PLAT**

**1/2341 STAR ADDITION**

LOT 18, BLOCK 1/2341

C. L. LEONARD SURVEY, ASSHACK NO. 770

IN THE CITY PLAN FILE NO. 508-144

DOCUMENT NO. \_\_\_\_\_

**PEISER SURVEYING L.L.C.**

3214 DALLAS STREET, SUITE 100

IRVING, TEXAS 75039

TEL: 972-412-1100

FAX: 972-412-1101

WWW.PEISERSURVEYING.COM

NO.	DATE	DESCRIPTION	BY
1	11/11/11	PRELIMINARY PLAT	PEISER SURVEYING L.L.C.
2	11/11/11	FINAL PLAT	PEISER SURVEYING L.L.C.

**CITY PLAN COMMISSION****THURSDAY, AUGUST 18, 2011****FILE NUMBER:** S101-145**Subdivision Administrator:** Paul Nelson**LOCATION:** 4919 East Grand Avenue at Barry Avenue**DATE FILED:** July 25, 2011**ZONING:** D(A)**CITY COUNCIL DISTRICT:** 2**SIZE OF REQUEST:** 5.11 Acre**MAPSCO:** 46G**APPLICANT:** Dallas Independent School District

**REQUEST:** An application to replat a 5.11 acre tract of land containing all of Lot 1 in City Block 17/1243, Lots 6 through 11 in City Block 18/1242, and part of Lots 10, 11, 12 and a portion of a 15 foot alley to be abandoned in City Block 16/1258 to create one 0.99 acre lot and one 4.119 acre lot at 4919 East Grand Avenue at Barry Avenue.

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

**DATES NOTICES SENT:** 46 notices were mailed August 1, 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 D(A) District. An application for a zoning change for a Planned Development District for a public school use has been submitted and is tentatively scheduled for a public hearing before the city plan commission on October 6, 2011. Although the proposed plat does not technically comply with the provisions of Section 51A-8.503 as to established lot pattern, the plat takes into account the historic use of the property and the construction of a new facility and is consolidating properties that have historically been used for school purposes; therefore, staff recommends approval subject to compliance with the following conditions:

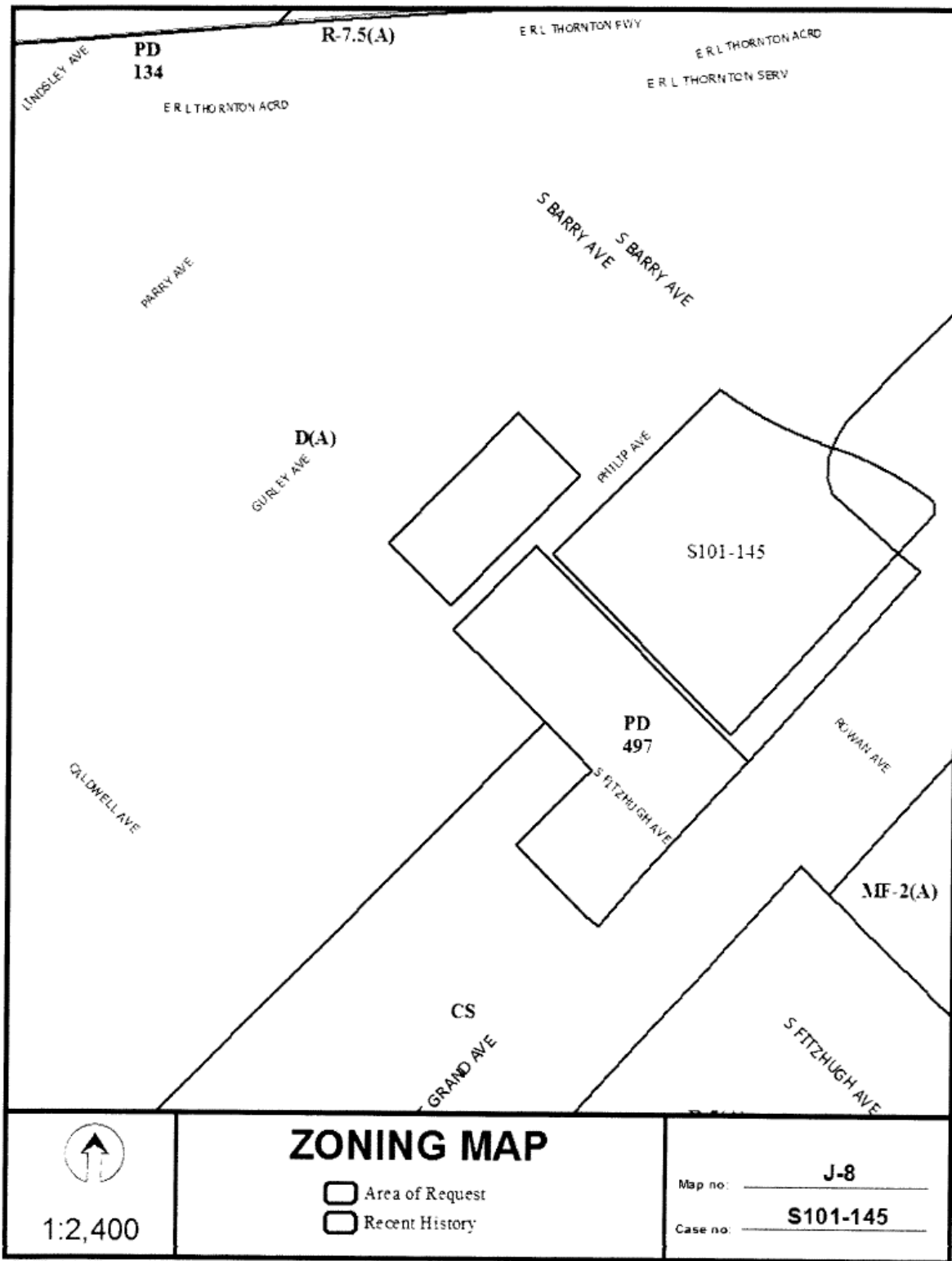
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with 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 2.
10. On the final plat please include the recording information for the Barry Avenue abandonment area. The abandonment and recording information should read as follows: Abandonment authorized by Ordinance No. \_\_\_\_\_ and recorded as Instrument No. \_\_\_\_\_.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
13. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
14. On the final plat dedicate 15' x 15' corner clip at Philip Ave. and Barry Ave.
15. On the final plat dedicate a 10' x 10' corner clip at Fitzhugh Ave and Philips Ave.
16. On the final plat dedicate a 15' x 15' alley sight easement at Fitzhugh Ave. and the alley.
17. On the final plat show how all adjoining right of way was created.
18. On the final plat list utility easements as retained within street abandonments when stated in ordinance.
19. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
20. Water/wastewater main extension may be required by Private Development Contract.
21. On the final plat change S. Barry Ave. (Crosstown Connection) to Barry Avenue and Philips Avenue to Philip Avenue.

22. On the final plat identify the property as City Block 18/1242 Lot 6A and 17/1243 Lot 1A.







1:2,400

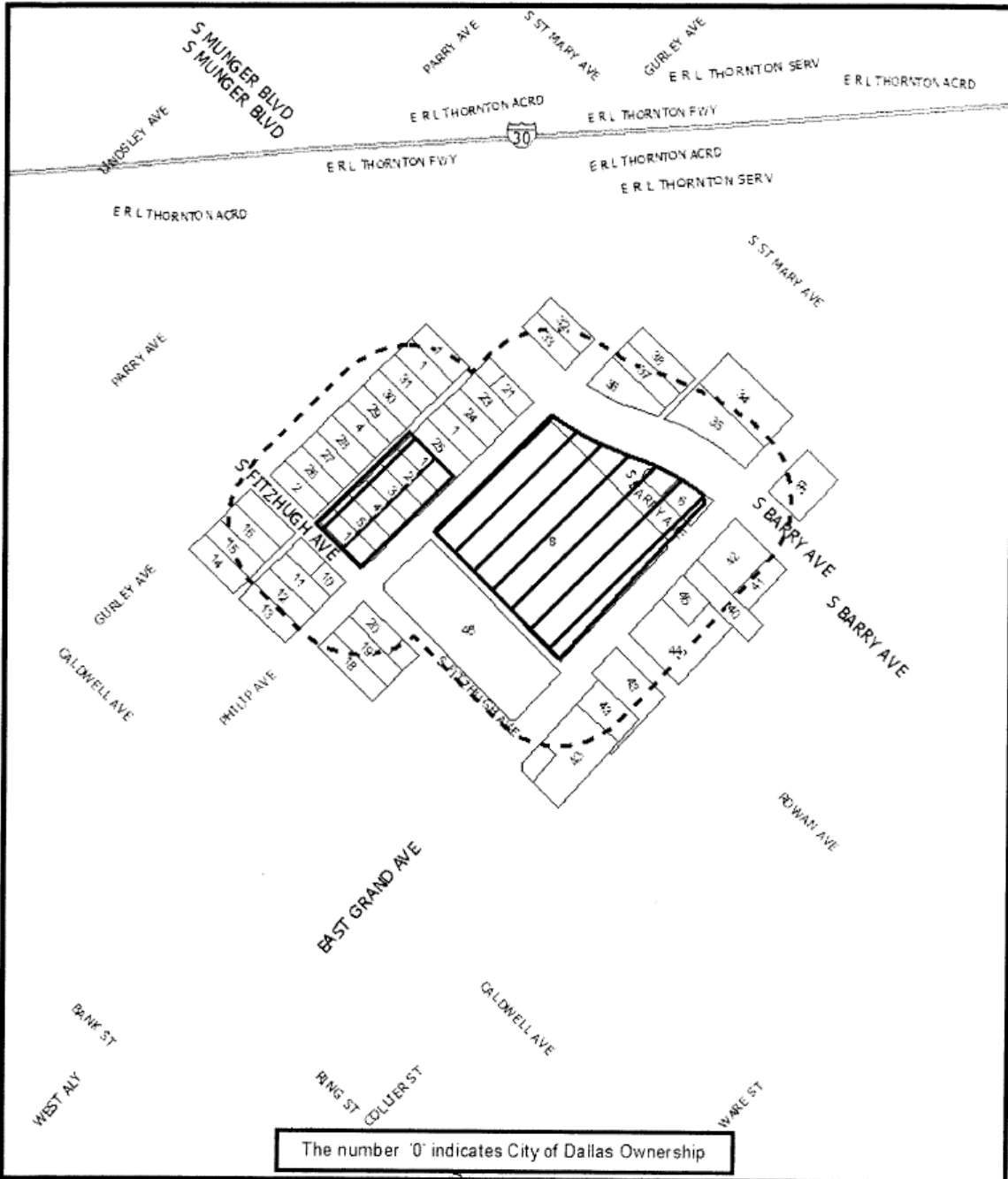
### AERIAL MAP

- Area of Request
- Recent History

Map no:           J-8          

Case no:           S101-145          

DATE: July 27, 2011



 1:3,600	<h2>NOTIFICATION</h2> <table border="1"> <tr> <td style="padding: 2px;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="padding: 2px;">46</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	46	NUMBER OF PROPERTY OWNERS NOTIFIED	Map no: <u>          J-8          </u> Case no: <u>          S101-145          </u>
200'	AREA OF NOTIFICATION					
46	NUMBER OF PROPERTY OWNERS NOTIFIED					

DATE: July 27, 2011

7/28/2011

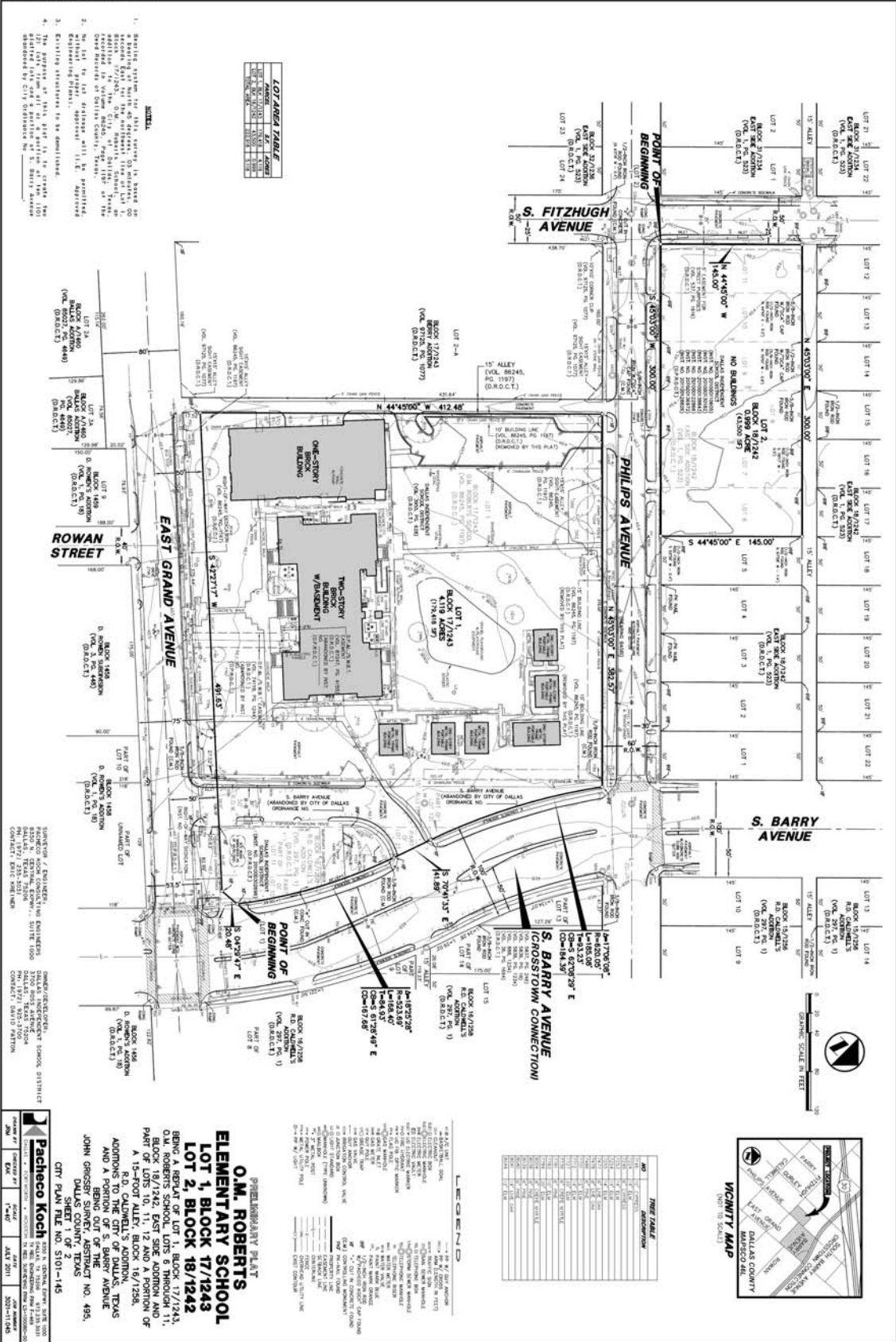
**Notification List of Property Owners****S101-145****46 Property Owners Notified**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	4936 PHILIP	Dallas ISD ATTN OFFICE OF LEGAL SERVICES
2	4919 PHILIP	Dallas ISD OFFICE OF LEGAL SERVICES
3	4915 PHILIP	Dallas ISD ATTN OFFICE OF LEGAL SERVICE
4	4922 PHILIP	Dallas ISD
5	4907 PHILIP	VARGAS BENITA R &
6	5001 EAST GRAND	MATTOX JERRY S & JANICE L
7	5001 EAST GRAND	MATTOX JANICE L & JERRY S MATTOX
8	4919 EAST GRAND	Dallas ISD % PROJ MGMT SYSTEM #1080
9	4843 PHILIP	DAVIS RICHARD
10	4841 PHILIP	BEASLEY TALEZIA
11	4839 PHILIP	JONES CATHY
12	4835 PHILIP	ZAPATA JOSE D
13	4831 PHILIP	GRACIA TIBURCIO &
14	4830 GURLEY	TORRES PEDRO GONZALES & M A DOLORES
15	4834 GURLEY	LOPEZ JOSE LUIS & OLIVA LOPEZ
16	4838 GURLEY	COMPTON CLIFTON C & GAIL D
17	4842 GURLEY	FLOYD HERSHEL JR & EFFIE
18	4834 PHILIP	RIDRIGUEZ TANIS & MARIA RODRIGUEZ
19	4838 PHILIP	SALDANA RUBAN & LETICIA
20	4840 PHILIP	FRIENDLY MEMORIAL FULL GOSPEL BAPTIST CHURCH
21	4943 PHILIP	LOPEZ MARIA
22	1015 BARRY	DEL RIO AUGUSTINA
23	4939 PHILIP	LOZANO ROLANDO
24	4935 PHILIP	JAMAICA ROBERTO
25	4927 PHILIP	DELGADO RODOLFO GALLEGOS
26	4906 GURLEY	GARRETT JAMES C ESTATE & VERLENE

Thursday, July 28, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4910 GURLEY	FLOYD JEWEL & HERSHEL JR
28	4916 GURLEY	FLOYD EFFIE F & ANDREW BROWN
29	4926 GURLEY	GARCIA J TRINIDAD ETAL
30	4928 GURLEY	RECINOS VICTOR V
31	4930 GURLEY	SALINAS CRISTINA CARRENO
32	5011 PHILIP	SHEAD ELVINE
33	5007 PHILIP	DOMINGUEZ DIEGO J & BLANCA A
34	5021 EAST GRAND	VILLANUEVA ROBERTO & YOLANDA VILLANUEVA
35	5019 EAST GRAND	VILLANUEVA ROBERTO & YOLANDA VILLANUEVA
36	5002 PHILIP	GUZMAN DANIEL ROBLES
37	5014 PHILIP	OEUR POV & PHOEUN SEM
38	5018 PHILIP	ANDRADE GERARDO & MARIA G
39	5002 EAST GRAND	CASTILLO GRAND PLAZA LLC
40	4916 EAST GRAND	GUNTER VIRGIL & LINDA GUNTER
41	1211 BARRY	GUNTER VIRGIL W
42	1201 BARRY	FRETWELL JOHN
43	4858 GRAND	BALLAS VICTOR
44	4902 EAST GRAND	CHEN STEVEN H
45	4908 EAST GRAND	JOHNSON & BURRE INC %GUARANTY BANK
46	4911 GRAND	BAYA FORTUNA II LP

Thursday, July 28, 2011



STATE OF TEXAS  
 COUNTY OF DALLAS

**OWNER'S DECLARATION**

**LOT 1**

DESCRIPTION of a 0.399 acre tract of land situated in the City of Dallas, Texas, within the boundaries of the Dallas Independent School District, Dallas, Texas, and within the boundaries of the City of Dallas, Texas, hereinafter referred to as the "LOT 1," the description of which is as follows: Beginning at the Southeast corner of said Lot 1, Block 17/1243, Lot 1, Block 17/1243, Dallas, Texas, and extending South 100.00 feet to a "P" cut in concrete road, the following from (1) call:

THENCE, South 42.98 degrees, 27.84 minutes, 41 seconds West, along the said southeast line of said Lot 1, bearing S 42° 26' 45" W, 278.58 feet to a "P" cut in concrete road, the following from (1) call:

THENCE, South 42.98 degrees, 27.84 minutes, 41 seconds West, along the said southeast line of said Lot 1, bearing S 42° 26' 45" W, 278.58 feet to a "P" cut in concrete road, the following from (1) call:

THENCE, South 42.98 degrees, 27.84 minutes, 41 seconds West, along the said southeast line of said Lot 1, bearing S 42° 26' 45" W, 278.58 feet to a "P" cut in concrete road, the following from (1) call:

THENCE, South 42.98 degrees, 27.84 minutes, 41 seconds West, along the said southeast line of said Lot 1, bearing S 42° 26' 45" W, 278.58 feet to a "P" cut in concrete road, the following from (1) call:

STATE OF TEXAS  
 COUNTY OF DALLAS

**OWNER'S DECLARATION**

**LOT 2**

DESCRIPTION of a 0.399 acre tract of land situated in the City of Dallas, Texas, within the boundaries of the Dallas Independent School District, Dallas, Texas, and within the boundaries of the City of Dallas, Texas, hereinafter referred to as the "LOT 2," the description of which is as follows: Beginning at the Southeast corner of said Lot 1, Block 17/1243, Lot 1, Block 17/1243, Dallas, Texas, and extending South 100.00 feet to a "P" cut in concrete road, the following from (1) call:

THENCE, South 42.98 degrees, 27.84 minutes, 41 seconds West, along the said southeast line of said Lot 1, bearing S 42° 26' 45" W, 278.58 feet to a "P" cut in concrete road, the following from (1) call:

THENCE, South 42.98 degrees, 27.84 minutes, 41 seconds West, along the said southeast line of said Lot 1, bearing S 42° 26' 45" W, 278.58 feet to a "P" cut in concrete road, the following from (1) call:

THENCE, South 42.98 degrees, 27.84 minutes, 41 seconds West, along the said southeast line of said Lot 1, bearing S 42° 26' 45" W, 278.58 feet to a "P" cut in concrete road, the following from (1) call:

THENCE, South 42.98 degrees, 27.84 minutes, 41 seconds West, along the said southeast line of said Lot 1, bearing S 42° 26' 45" W, 278.58 feet to a "P" cut in concrete road, the following from (1) call:

WITNESS MY HAND AND SEAL OF OFFICE THIS 25th day of July, 2011.

By:  J. Thomas  
 District Director and Special Projects

STATE OF TEXAS

RECORDER OF DEEDS, COUNTY OF DALLAS

WITNESS MY HAND AND SEAL OF OFFICE THIS 25th day of July, 2011.

STATE OF TEXAS  
 COUNTY OF DALLAS

**OWNER'S DECLARATION**

**LOT 3**

DESCRIPTION of a 0.399 acre tract of land situated in the City of Dallas, Texas, within the boundaries of the Dallas Independent School District, Dallas, Texas, and within the boundaries of the City of Dallas, Texas, hereinafter referred to as the "LOT 3," the description of which is as follows: Beginning at the Southeast corner of said Lot 1, Block 17/1243, Lot 1, Block 17/1243, Dallas, Texas, and extending South 100.00 feet to a "P" cut in concrete road, the following from (1) call:


THENCE, South 42.98 degrees, 27.84 minutes, 41 seconds West, along the said southeast line of said Lot 1, bearing S 42° 26' 45" W, 278.58 feet to a "P" cut in concrete road, the following from (1) call:

THENCE, South 42.98 degrees, 27.84 minutes, 41 seconds West, along the said southeast line of said Lot 1, bearing S 42° 26' 45" W, 278.58 feet to a "P" cut in concrete road, the following from (1) call:

THENCE, South 42.98 degrees, 27.84 minutes, 41 seconds West, along the said southeast line of said Lot 1, bearing S 42° 26' 45" W, 278.58 feet to a "P" cut in concrete road, the following from (1) call:

THENCE, South 42.98 degrees, 27.84 minutes, 41 seconds West, along the said southeast line of said Lot 1, bearing S 42° 26' 45" W, 278.58 feet to a "P" cut in concrete road, the following from (1) call:

WITNESS MY HAND AND SEAL OF OFFICE THIS 25th day of July, 2011.

By:  M. Roberts  
 District Director and Special Projects

STATE OF TEXAS

RECORDER OF DEEDS, COUNTY OF DALLAS

WITNESS MY HAND AND SEAL OF OFFICE THIS 25th day of July, 2011.

**PRELIMINARY PLAT**  
**O.M. ROBERTS**  
**ELEMENTARY SCHOOL**  
**LOT 1, BLOCK 17/1243**  
**LOT 2, BLOCK 18/1242**  
 BEING A REPLAT OF LOT 1, BLOCK 17/1243,  
 O.M. ROBERTS SCHOOL, LOTS 6 THROUGH 11,  
 BLOCK 18/1242, EAST SIDE ADDITION AND  
 PART A 15-FOOT ALLEY, BLOCK 16/1256,  
 R.D. CALDWELL'S ADDITION,  
 ADDITIONS TO THE CITY OF DALLAS, TEXAS  
 AND A PORTION OF S. BERRY ARDENIE  
 JOHN GROSSER SURVEY, ABSTRACT NO. 495,  
 DALLAS COUNTY, TEXAS

CITY PLAT NO. 2011-11-001-11-0007-001-145

SEARCHED	INDEXED	SERIALIZED	FILED
			
RECORDER OF DEEDS, COUNTY OF DALLAS J. THOMAS DISTRICT DIRECTOR AND SPECIAL PROJECTS			

WITNESS MY HAND FOR THE STATE OF TEXAS

STATE OF TEXAS

RECORDER OF DEEDS, COUNTY OF DALLAS

WITNESS MY HAND AND SEAL OF OFFICE THIS 25th day of July, 2011.

**FILE NUMBER:** M101-024

**DATE FILED:** April 15, 2011

**LOCATION:** Washington Avenue and Thomas Avenue, East Corner

**COUNCIL DISTRICT:** 14

**MAPSCO:** 45 C, D

**SIZE OF REQUEST:** Approx. 3.69 Acres

**CENSUS TRACT:** 16

---

**APPLICANT/OWNER:** Dallas Independent School District

**REPRESENTATIVE:** Karl Crawley

**MISCELLANEOUS DOCKET ITEM**

**Minor Amendment for Development Plan**

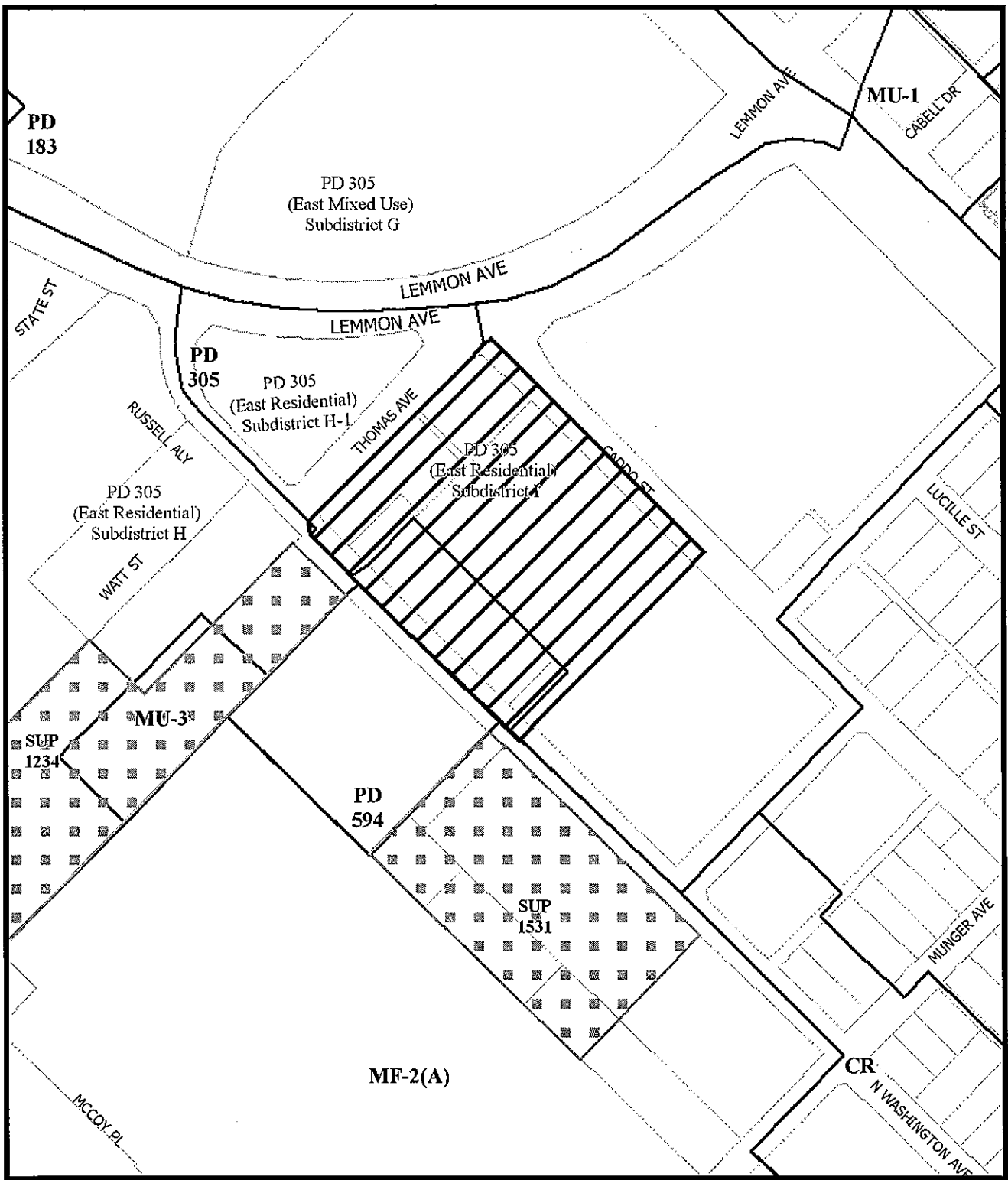
Planned Development District No. 305 for Mixed Uses was established as a conceptual Planned Development District, which requires City Plan Commission approval of a development plan and landscape plan prior to the issuance of a building permit for property within its boundaries. On January 25, 1996, the City Plan Commission approved a development plan within the East Residential/Subdistrict I portion of PDD No. 305 providing for this public elementary school (J. W. Ray Elementary).

At this time, the applicant has requested a minor amendment to the development plan providing for a dumpster enclosure and relocation of surface parking (removed for the dumpster footprint) near the site's intersection of Washington Avenue and Thomas Avenue.

The applicant's request does not impact any of the other regulations governing the property and otherwise complies with the provisions for consideration of a minor amendment to a development plan.

**STAFF RECOMMENDATION:** Approval



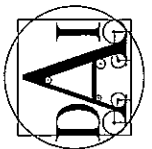


  
 1:2,400

# ZONING MAP

Map no:           I-7            
 Case no:           M101-024          

DATE: June 14, 2011



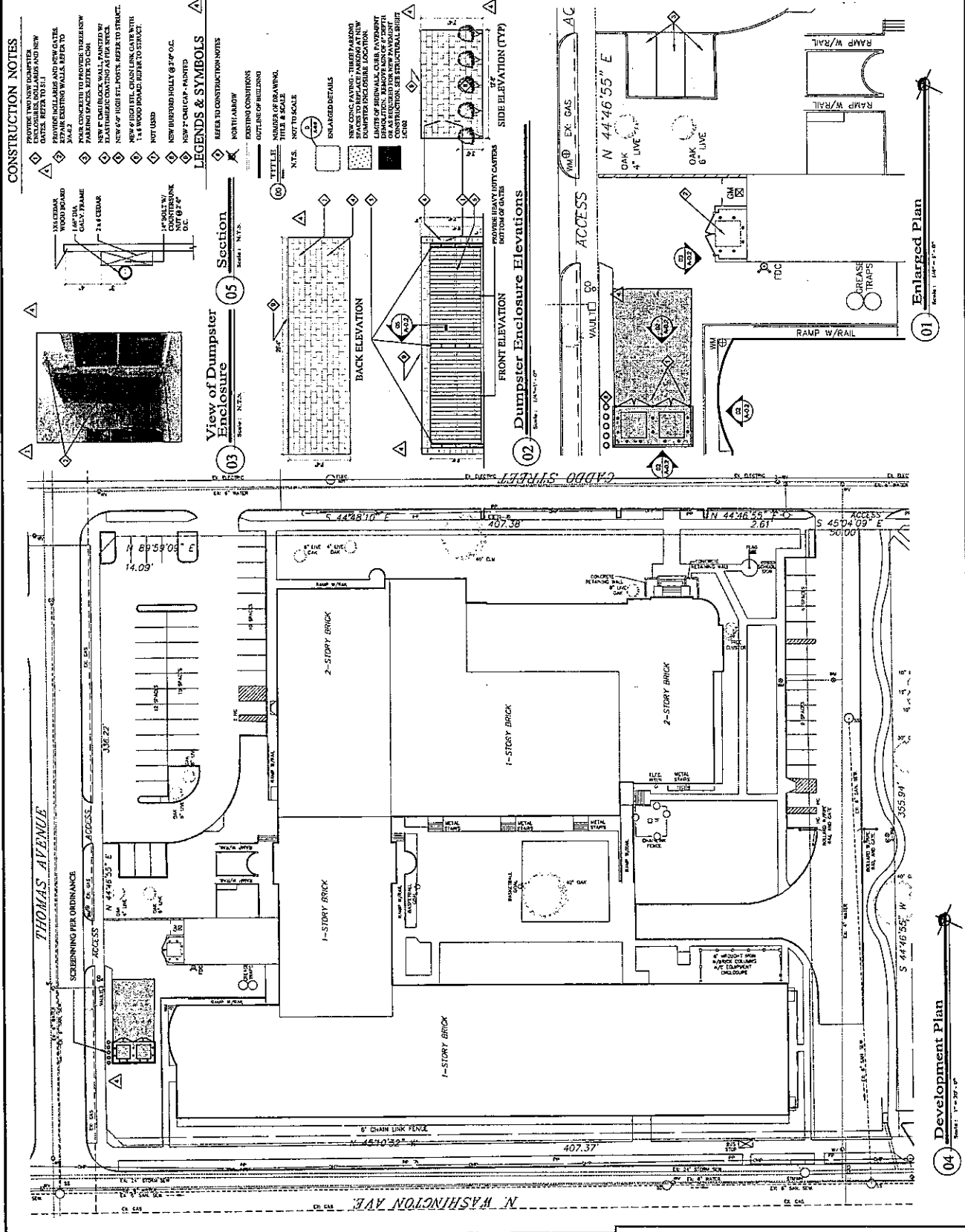
DESIGN & SEALS  
 LUTHERS SPECIAL, INC.  
 ARCHITECTURE  
 3255 W. WYATT  
 DALLAS, TX 75204

**J. W. Ray Elementary School**  
 DISD-BP04 ORG: # 196  
 2211 Caddo St  
 Dallas, TX 75204



DATE: 11/24/11  
 DRAWN: JES  
 CHECKED: JES  
 APPROVED: JES

09027  
 A-0.2  
 15 OF 35



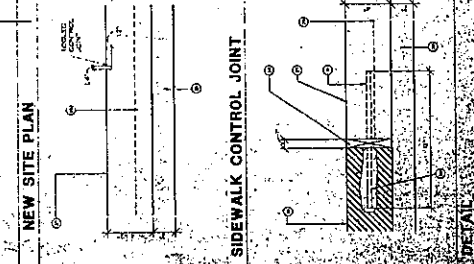
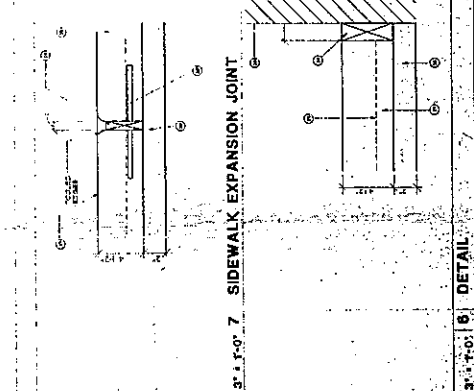
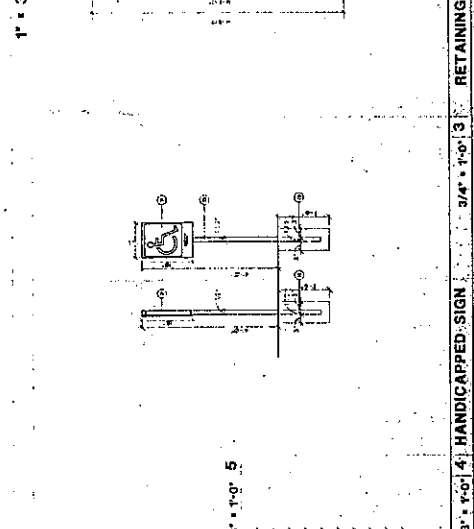
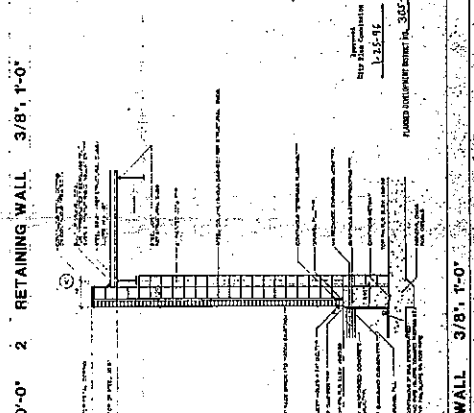
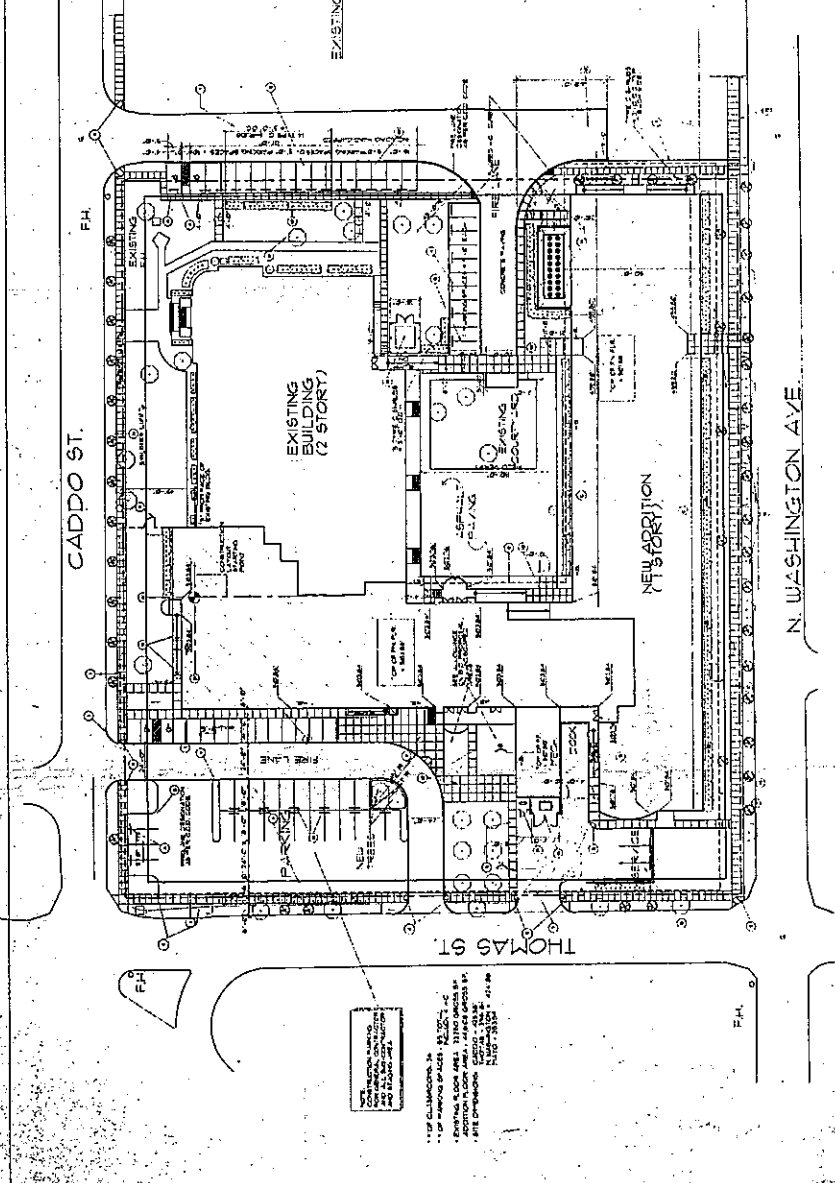
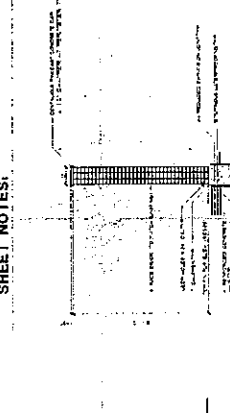
**Proposed Development Plan**

**ARCHITECHNICS/3, INC.**  
 ARCHITECTURE  
 INTERIORS  
 CONSTRUCTION MANAGEMENT  
 3801 MARINE DR. SUITE 1000  
 DALLAS, TEXAS 75219  
 TELEPHONE: 214-523-7200  
 FACSIMILE: 214-523-7201  
 WWW: ARCHITECHNICS.COM

J.W. RAY LEARNING CENTER  
 2844 CADDO ST.  
 DALLAS, TEXAS 75241  
 DALLAS INDEPENDENT SCHOOL DISTRICT

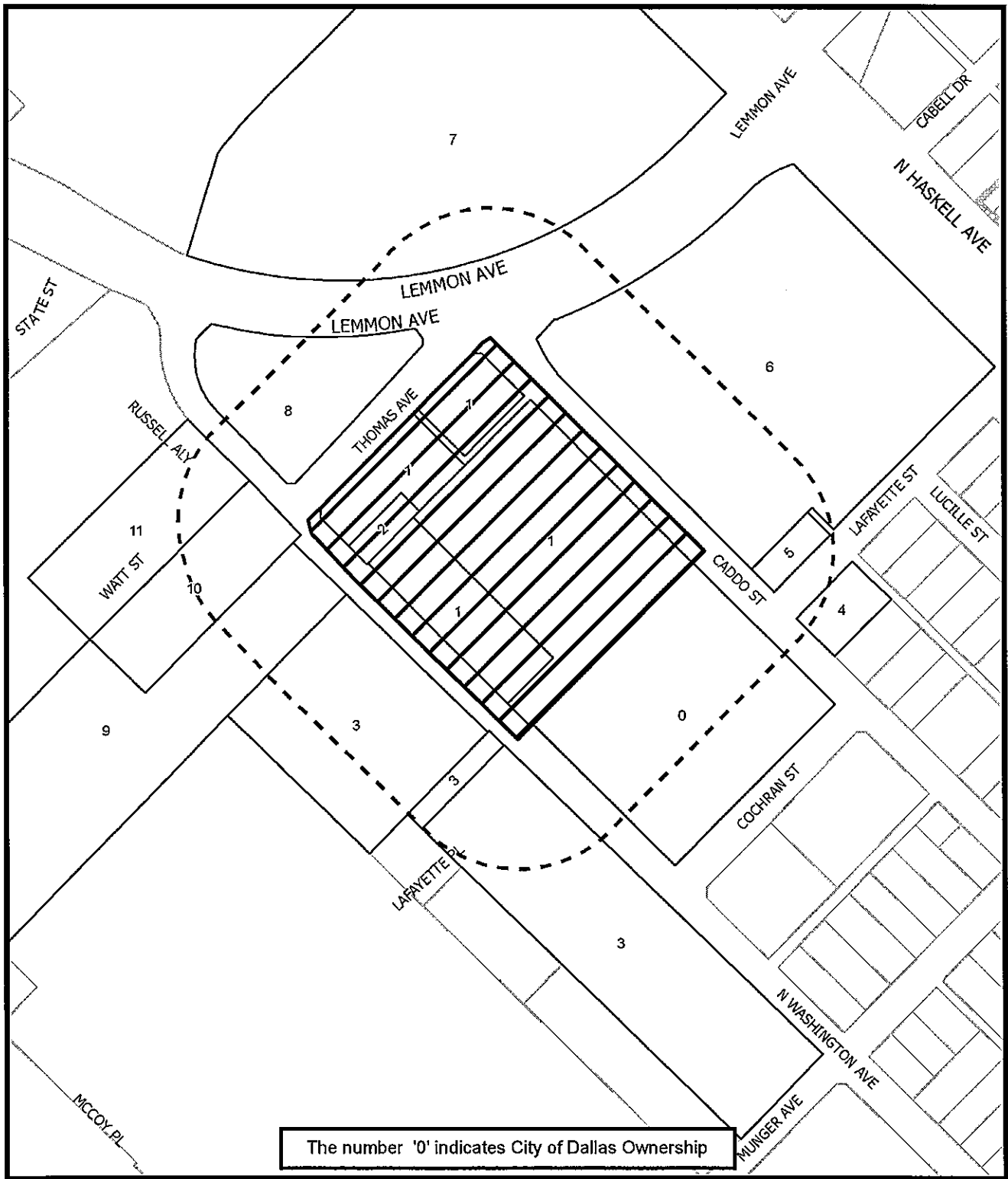
**NEW SITE PLAN**  
 PROJECT NO. 14-1000-018  
 SHEET NO. A-10


NOTES TO ARCHITECT:  
 1. ALL CONCRETE SHALL BE CAST IN PLACE.  
 2. ALL CONCRETE SHALL BE CAST ON FORMS.  
 3. ALL CONCRETE SHALL BE CURED WITH WATER AND COVERED WITH PLYWOOD.  
 4. ALL CONCRETE SHALL BE TESTED FOR STRENGTH.  
 5. ALL CONCRETE SHALL BE TESTED FOR CURING.  
 6. ALL CONCRETE SHALL BE TESTED FOR PERMEABILITY.  
 7. ALL CONCRETE SHALL BE TESTED FOR SPLIT TENSILE.  
 8. ALL CONCRETE SHALL BE TESTED FOR COMPRESSIVE.  
 9. ALL CONCRETE SHALL BE TESTED FOR FLEXURE.  
 10. ALL CONCRETE SHALL BE TESTED FOR MODULUS OF ELASTICITY.  
 11. ALL CONCRETE SHALL BE TESTED FOR SHrinkAGE.  
 12. ALL CONCRETE SHALL BE TESTED FOR CREEP.  
 13. ALL CONCRETE SHALL BE TESTED FOR DURABILITY.  
 14. ALL CONCRETE SHALL BE TESTED FOR COLOR.  
 15. ALL CONCRETE SHALL BE TESTED FOR SURFACE FINISH.  
 16. ALL CONCRETE SHALL BE TESTED FOR CURING TIME.  
 17. ALL CONCRETE SHALL BE TESTED FOR SETTING TIME.  
 18. ALL CONCRETE SHALL BE TESTED FOR PLACEMENT.  
 19. ALL CONCRETE SHALL BE TESTED FOR VIBRATION.  
 20. ALL CONCRETE SHALL BE TESTED FOR CURING WATER.  
 21. ALL CONCRETE SHALL BE TESTED FOR CURING COVER.  
 22. ALL CONCRETE SHALL BE TESTED FOR CURING CURB.  
 23. ALL CONCRETE SHALL BE TESTED FOR CURING CURB.  
 24. ALL CONCRETE SHALL BE TESTED FOR CURING CURB.  
 25. ALL CONCRETE SHALL BE TESTED FOR CURING CURB.  
 26. ALL CONCRETE SHALL BE TESTED FOR CURING CURB.  
 27. ALL CONCRETE SHALL BE TESTED FOR CURING CURB.  
 28. ALL CONCRETE SHALL BE TESTED FOR CURING CURB.  
 29. ALL CONCRETE SHALL BE TESTED FOR CURING CURB.  
 30. ALL CONCRETE SHALL BE TESTED FOR CURING CURB.



3' x 9'-0" 4 HANDICAPPED SIGN  
 3' x 1'-0" 3  
 3' x 1'-0" 1  
 3' x 1'-0" 8 DETAIL

**Existing Development Plan**



  
 1:2,400

## NOTIFICATION

<b>200'</b>	AREA OF NOTIFICATION
<b>11</b>	NUMBER OF PROPERTY OWNERS NOTIFIED

Map no:           1-7            
 Case no:           M101-024          

DATE: June 14, 2011

## ***Notification List of Property Owners***

***M101-024***

### ***11 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3826 WASHINGTON	Dallas ISD
2	2226 WASHINGTON	TEXAS STATE OF EXEMPT 1980
3	3535 WASHINGTON	DALLAS HOUSING AUTHORITY
4	2014 CADDO	SCALIA ANTHONY & KIMBERLEY WOODARD
5	2100 CADDO	ALCALA LUIS
6	2101 HASKELL	CARLETON CITYPLACE RESIDENTIAL 1 LTD
7	2415 HASKELL	KIR CITYPLACE MARKET L P STE 100
8	2404 WASHINGTON	TACO BELL OF AMERICA INC % TBC TAX UNIT
#016224		
9	2320 CENTRAL	HSRE-MSTAR 180 II-NORTH CENTRAL PKWY LLC
10	2301 WASHINGTON	TEXAS UTILITIES ELECTRIC COMPANY
11	2311 WASHINGTON	AMLI AT CITYPLACE LP STE 2200

***Tuesday, June 14, 2011***

**FILE NUMBER:** M101-034

**DATE FILED:** July 1, 2011

**LOCATION:** Maple Avenue and Oak Lawn Avenue, South Corner

**COUNCIL DISTRICT:** 2

**MAPSCO:** 45A

**SIZE OF REQUEST:** Approx. 15.2 Acres

**CENSUS TRACT:** 5

---

**APPLICANT/OWNER:** Texas Scottish Rite Hospital for Children

**REPRESENTATIVE:** Jeff Haven

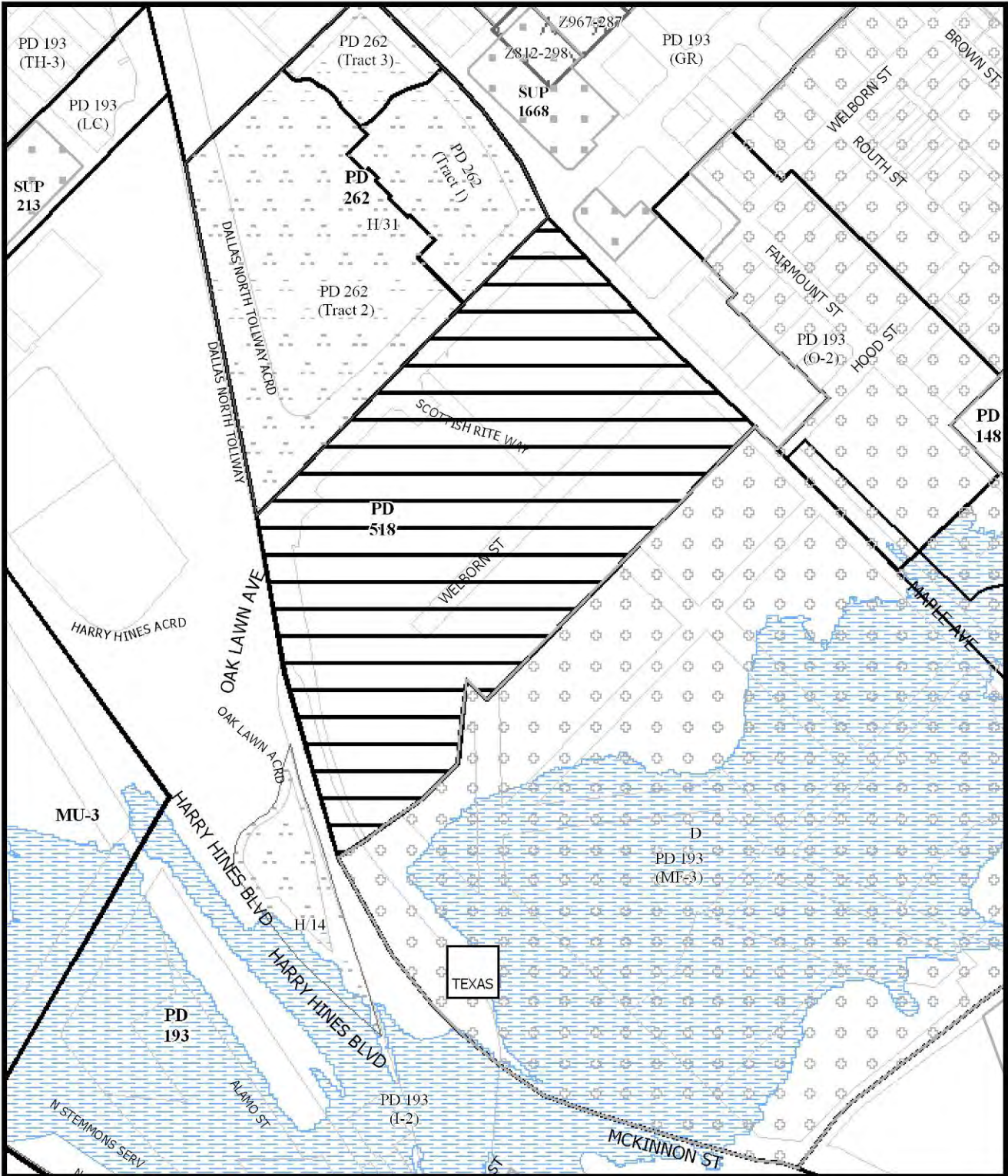
Minor Amendment for Development Plan

On September 9, 1998, the City Council passed Ordinance No. 23642 which established Planned Development District No. 518 for a Hospital and Related Uses on property at the above location.

At this time, the property owner is requesting consideration of a minor amendment to provide for revisions to perimeter plantings along Maple Avenue. With respect to the improvements of this thoroughfare, existing locations and health of these trees will require new trees to be provided. The Chief Arborist has been involved in this project and has approved these revisions per the attached plan.

The requested revisions meet the requirements for consideration of a minor amendment to a development plan and do not conflict with the provisions in the ordinance regulating PDD No. 518.

**STAFF RECOMMENDATION:** Approval.



1:3,600

# ZONING MAP

Map no: I-7  
 Case no: M101-034

DATE: July 28, 2011

**HKS, Inc.**  
 Architects  
 10000 West Loop West, Suite 1000  
 Houston, Texas 77042  
 Tel. 281-416-7000

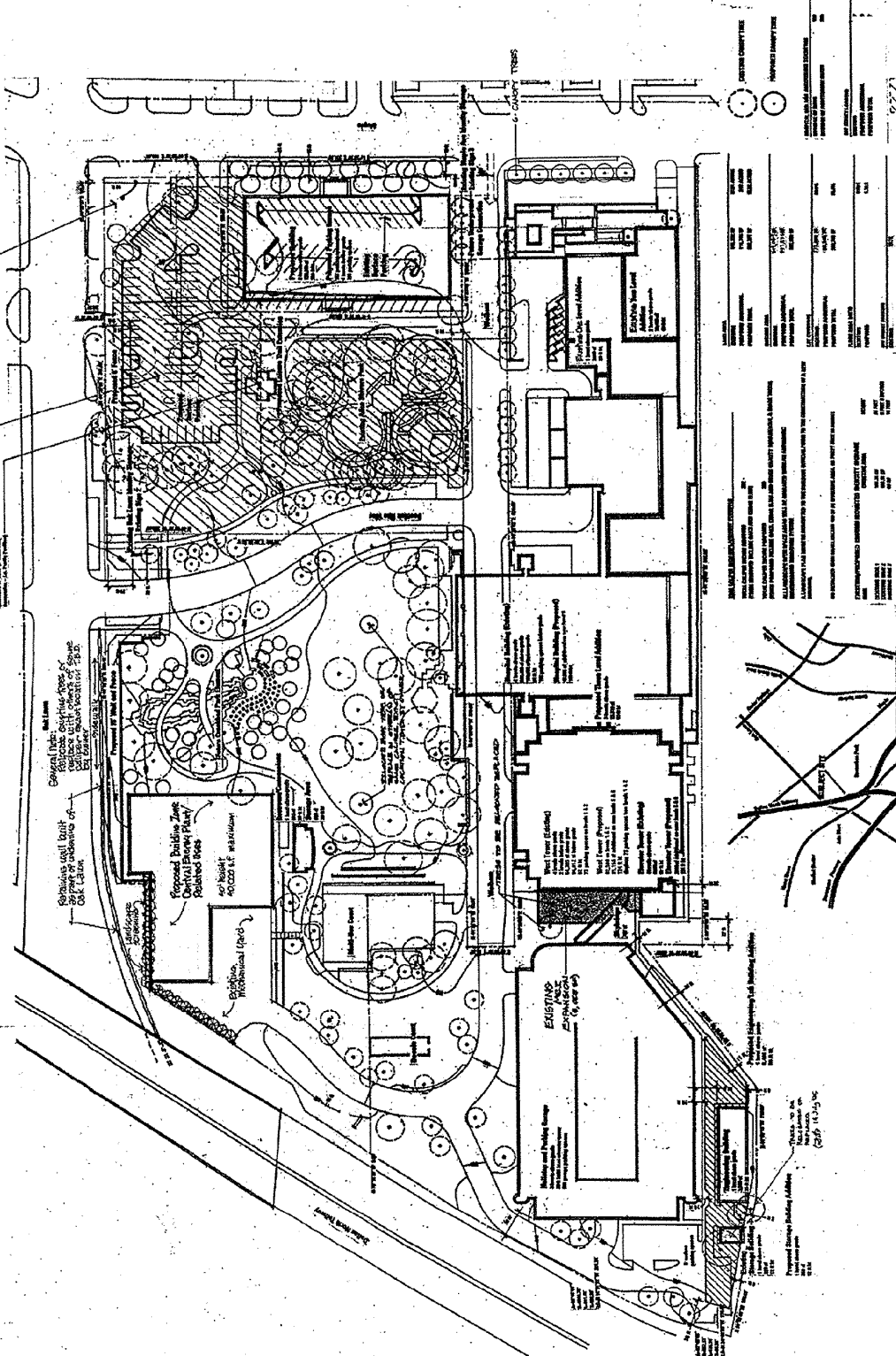
Project No.	100-100000000
Client	THE SCOTTISH RITE HOSPITAL FOR CHILDREN
Site	2222 Westborn Street, Dallas, Texas
Scale	AS SHOWN
Date	10/15/00
Drawn by	...
Checked by	...
Project Manager	...



All the work is shown in accordance with the site plan submitted and made a part of the application for the proposed development. The site plan is subject to the approval of the City of Dallas. The site plan is subject to the approval of the City of Dallas. The site plan is subject to the approval of the City of Dallas.

Proposed Building Footprint  
 Proposed Site

Proposed Building Footprint  
 Proposed Site



Area	Area	Area	Area
...	...	...	...
...	...	...	...
...	...	...	...
...	...	...	...



**Proposed Development Plan**



Project No. \_\_\_\_\_  
 Drawn By: \_\_\_\_\_  
 Date: 11/01/02  
 Title: Existing Development Plan

Scale: 1/4" = 1'-0"  
 North  
 0 20 40

Sheet No. **Z 101-102**  
 11 0698

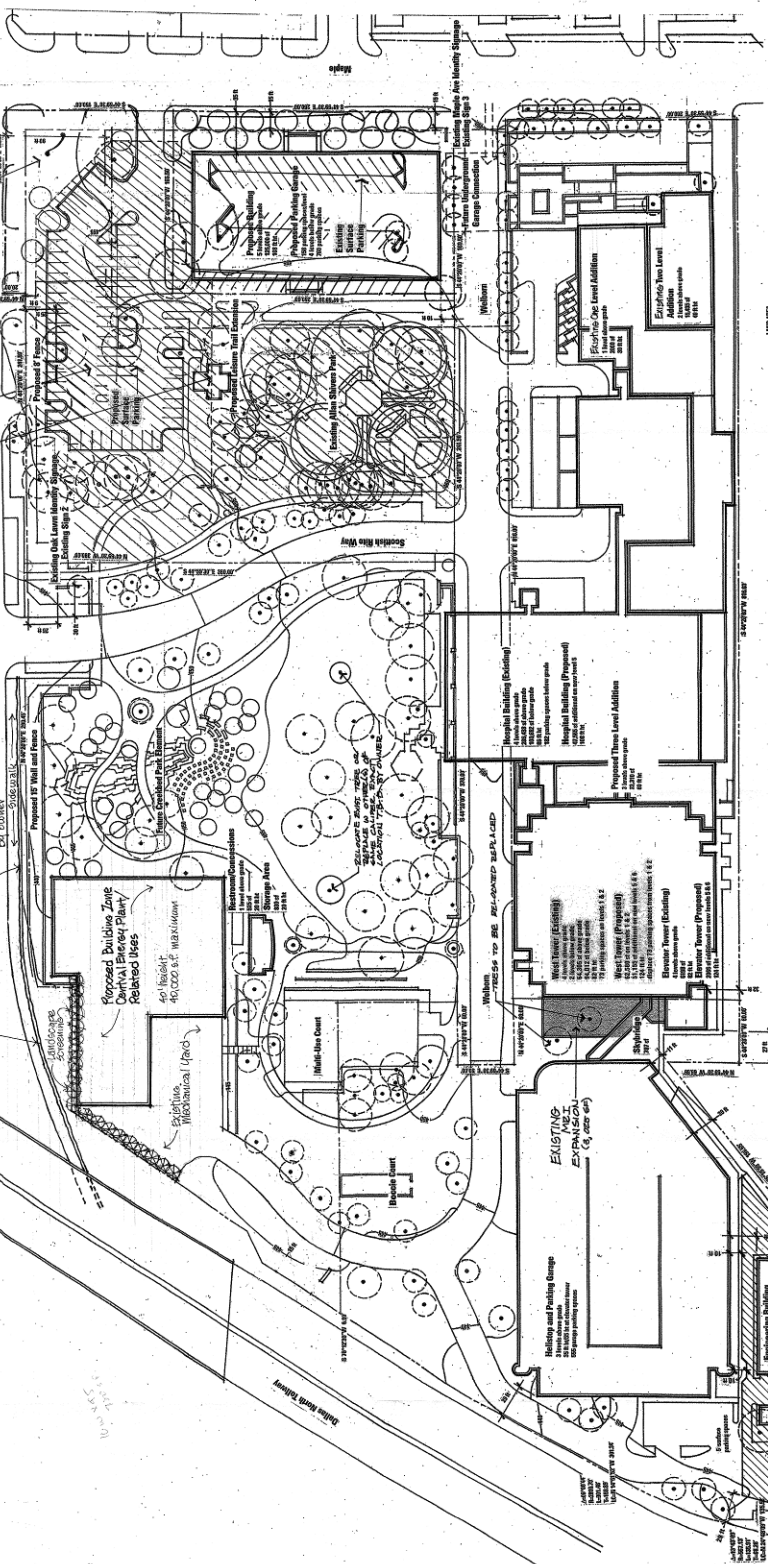
**28150**  
 CIVIL/MECHANICAL  
 DATE: 8/20/01  
 CITY: DALLAS

Approved: \_\_\_\_\_  
 Date: 11/01/02

All the owner's notes, schematics along the oak lawn avenue and single avenue building may be for subjects in the adjacent drawings for coordination. The subjects within PCD No. 105 to the extent possible based on available information.

Proposed building zone  
 Maintenance/Construction/Rehabilitation/Pool/  
 Maintenance/Storage & Parking  
 Proposed Sign 1

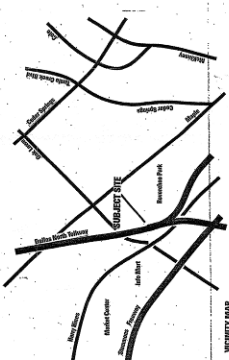
Oak Lawn  
 General site  
 Existing site  
 Proposed site

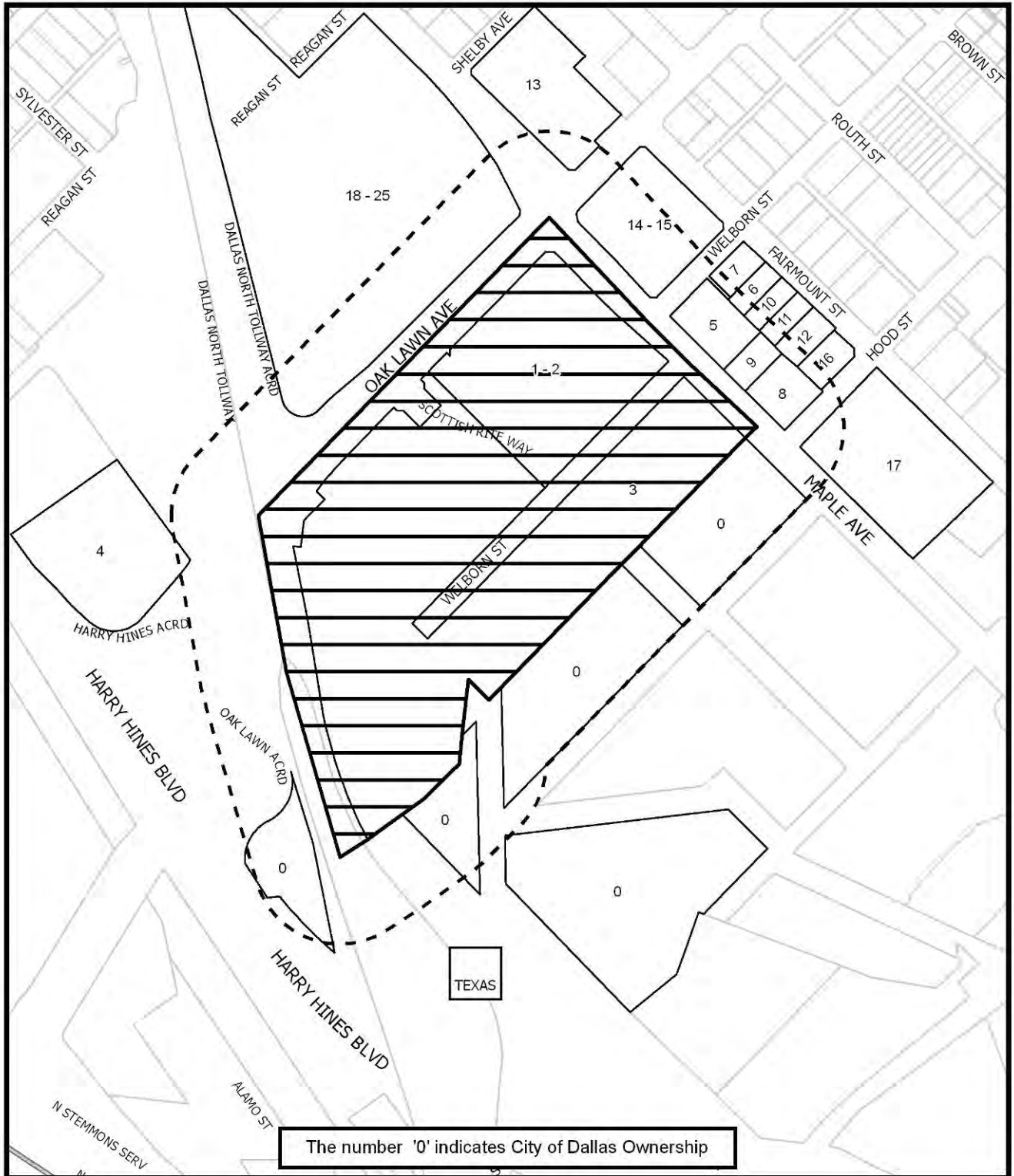



EXISTING CANOPY TREE	PROPOSED CANOPY TREE
NUMBER OF CANOPY TREES	NUMBER OF CANOPY TREES
100	250

LAND COVER	EXISTING	PROPOSED
ASPHALT	1000	1500
PAVING	1000	1500
CONCRETE	1000	1500
GRAVEL	1000	1500
WOOD	1000	1500
ROCK	1000	1500
SOIL	1000	1500
WATER	1000	1500
VEGETATION	1000	1500

THE TOTAL AREA OF THE EXISTING DEVELOPMENT IS 100,000 S.F. THE TOTAL AREA OF THE PROPOSED DEVELOPMENT IS 150,000 S.F. THE TOTAL AREA OF THE PROPOSED DEVELOPMENT IS 50,000 S.F. MORE THAN THE TOTAL AREA OF THE EXISTING DEVELOPMENT. THIS DEVELOPMENT IS SUBJECT TO THE REGULATIONS OF THE DALLAS CITY PLANNING DEPARTMENT AND THE DALLAS CITY COMMISSIONERS COURT. A LANDMARK PLAN MUST BE SUBMITTED TO THE PLANNING DEPARTMENT PRIOR TO THE CONSTRUCTION OF ANY PART OF THE DEVELOPMENT.





  
 1:3,600

## NOTIFICATION

200' AREA OF NOTIFICATION  
25 NUMBER OF PROPERTY OWNERS NOTIFIED

Map no:           I-7            
 Case no:           M101-034          

DATE: July 28, 2011

## ***Notification List of Property Owners***

### ***M101-034***

#### ***25 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3721 MAPLE	TEXAS SCOTTISH RITE HOSP
2	2312 OAK LAWN	TEXAS SCOTTISH RITE HOSPITAL FOR CHILDREN
3	2222 WELBORN	TEXAS SCOTTISH RITE HOSPITAL FOR CHILDREN
4	3900 HARRY HINES	HJR INVESTMENTS LLC
5	3636 MAPLE	3636 MAPLE LTD
6	3629 FAIRMOUNT	DALY PATRICK W
7	3631 FAIRMOUNT	REDFEARN BEVERELY
8	3606 MAPLE	TEXAS SCOTTISH RITE HOSP FOR CRIPPLED CHILDREN
9	3616 MAPLE	3616 MAPLE LLC
10	3617 FAIRMOUNT	RP FAIRMONT LTD PS % RICHARD TRIMBLE
11	3615 FAIRMOUNT	STEPHENS KAREN L
12	3611 FAIRMOUNT	RUBIN MARTIN J
13	2501 OAK LAWN	GAEDEKE HOLDINGS II LTD STE 500
14	3720 OAK LAWN	TEXAS SCOTTISH RITE HOSP % EXXON MOBIL CORP
15	3716 MAPLE	EXXON CORPORATION
16	3607 FAIRMOUNT	SIEGEL MARK J
17	3500 MAPLE	NNN 3500 MAPLE VF 2003 & LLC
18	3819 OAK LAWN	OLD PARKLAND UNIT A LLC CH WOODLAWN OFFICE LLC
19	3949 OAK LAWN	OLD PARKLAND UNIT B LLC CH WOODLAWN OFFICE LLC
20	3953 OAK LAWN	OLD PARKLAND UNIT C LLC CH WOODLAWN OFFICE LLC
21	3965 OAK LAWN	OLD PARKLAND UNIT D LLC CH WOODLAWN OFFICE LLC
22	3963 OAK LAWN	OLD PARKLAND UNIT E LLC CH WOODLAWN OFFICE LLC
23	2215 OAK LAWN	OLD PARKLAND UNIT F LLC CH WOODLAWN OFFICE LLC
24	2215 OAK LAWN	OLD PARKLAND UNIT G LLC CH WOODLAWN OFFICE LLC
25	2215 OAK LAWN	OLD PARKLAND UNIT H LLC CH WOODLAWN OFFICE LLC

***Thursday, July 28, 2011***

**FILE NUMBER:** M101-035

**DATE FILED:** June 24, 2011

**LOCATION:** Montfort Drive and Town Center Boulevard, Northwest Corner

**COUNCIL DISTRICT:** 11

**MAPSCO:** 14D

**SIZE OF REQUEST:** Approx. 1.03 Acres

**CENSUS TRACT:** 136.12

---

**APPLICANT:** Whataburger Restaurants, LP

**OWNER:** CP Montfort Partners, LLP

**REPRESENTATIVE:** Lance Oriti

**MISCELLANEOUS DOCKET ITEM**

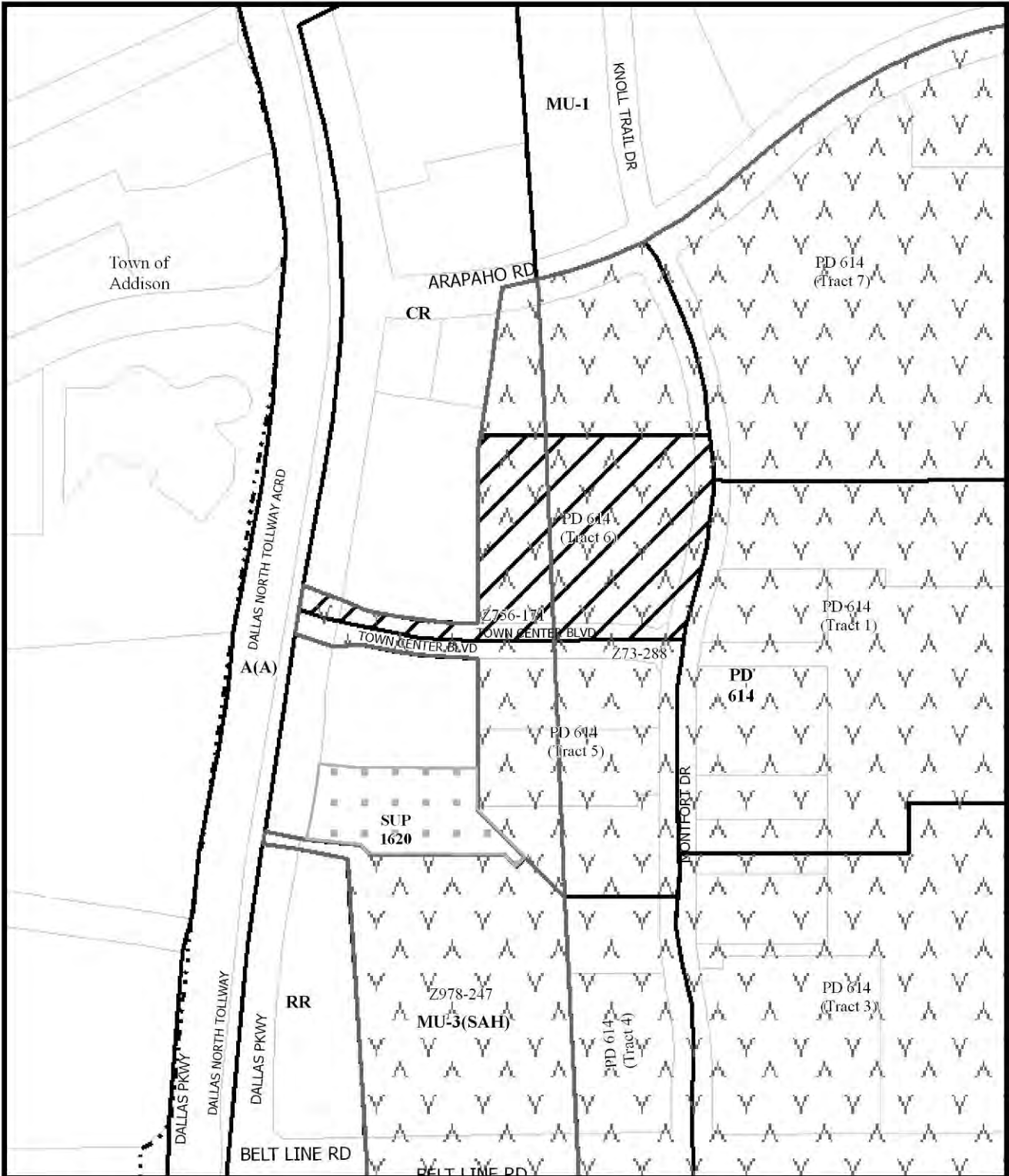
Minor Amendment for Development Plan and Landscape Plan –Tract VI

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 March 3, 2011, the City Plan Commission recommended approval of a development plan and landscape plan for this parcel within Tract VI.

At this time, the property owner has submitted an application for a minor amendment to the development plan to provide for revisions to one of the restaurant with drive-in or drive-through service parcels. Specifically: 1) floor area is being reduced; 2) building footprint being revised which provides for a reduction in floor area; 3) deletion of one lane of a double-lane drive-thru; relocation of a dumpster enclosure; and, 4) revisions to the on-site parking area. The landscape plan has been revised to provide for revisions to on-site planting areas associated with the revised improvements.

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

**Staff Recommendation:** Approval

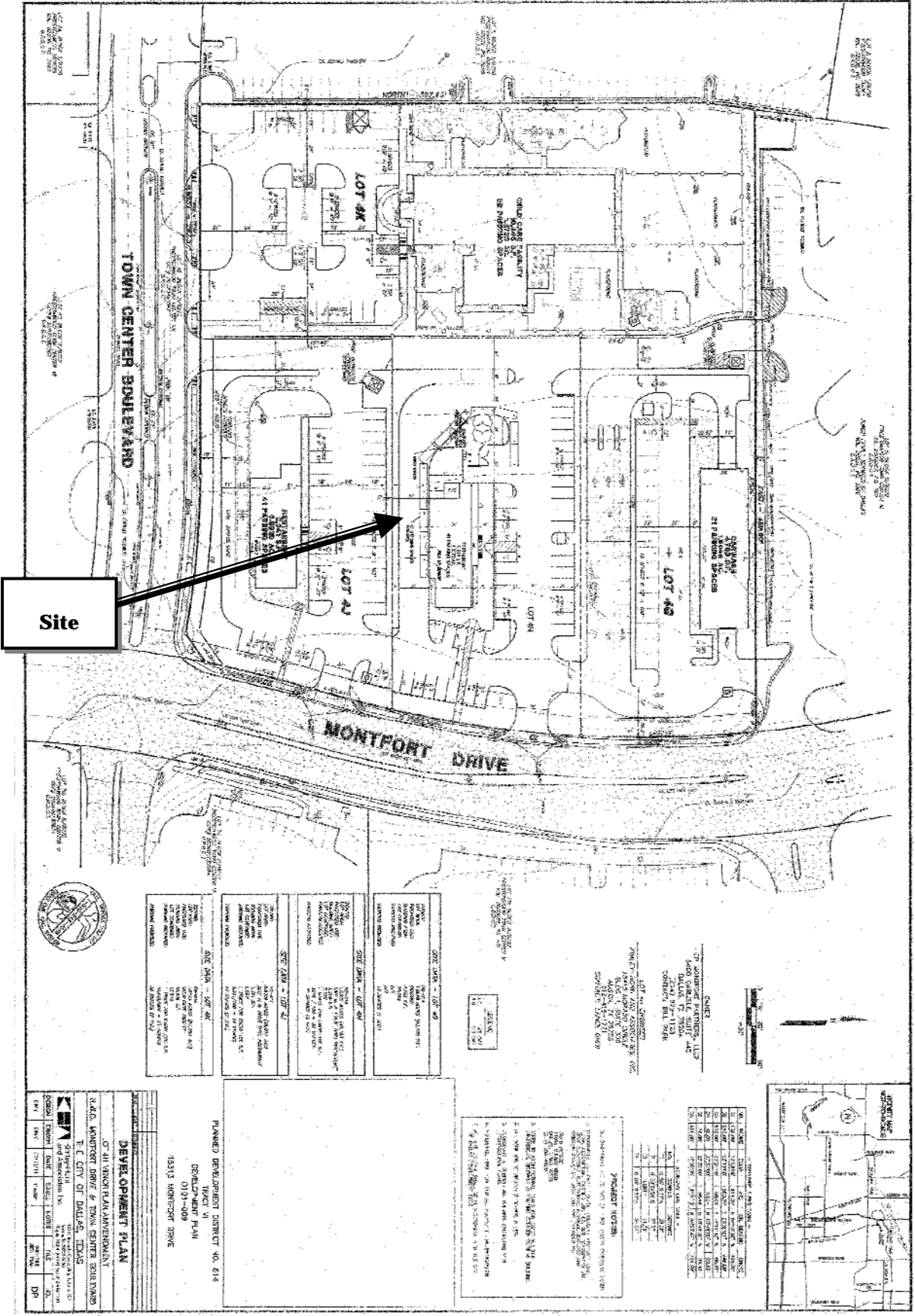


1:3,600

# ZONING MAP

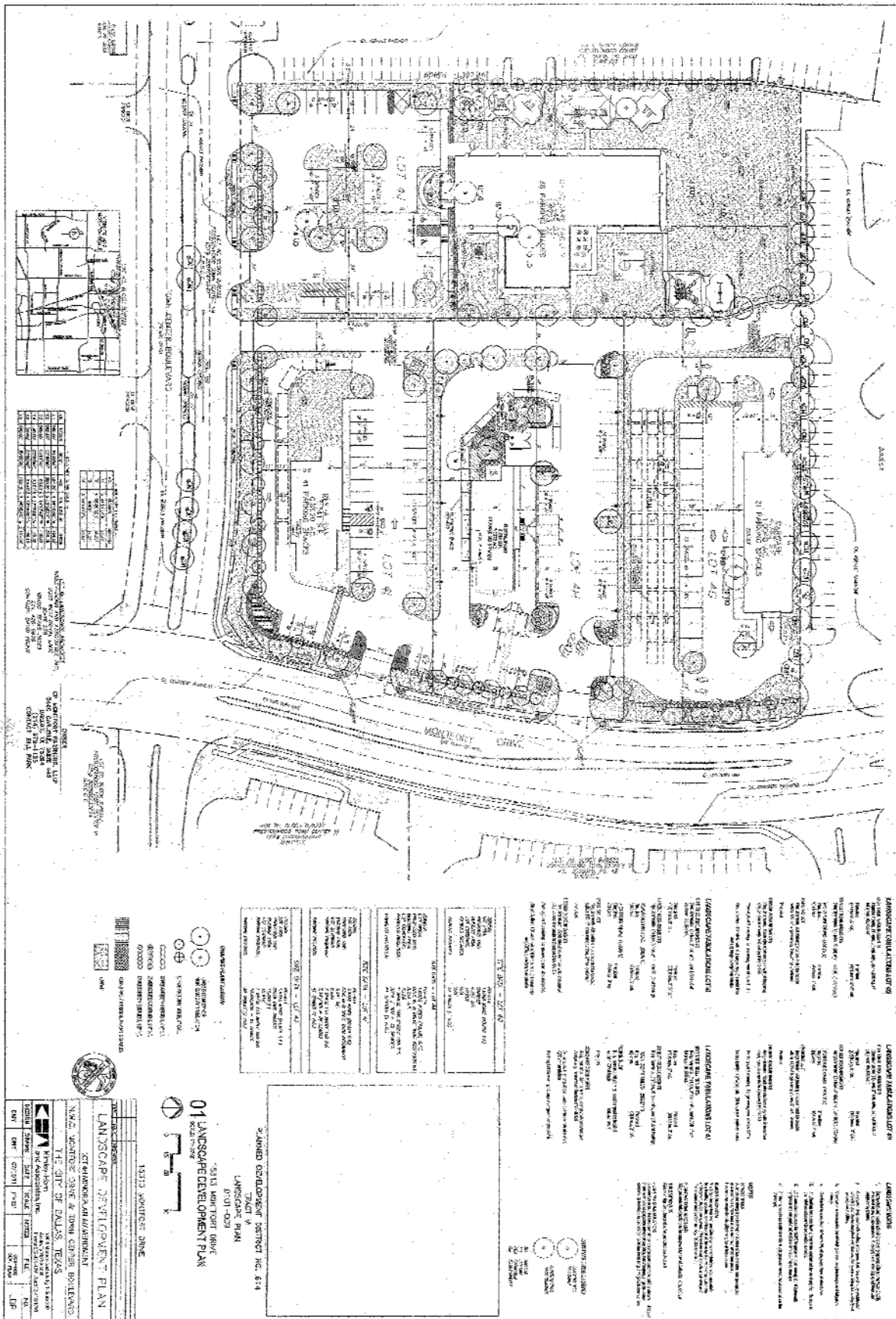
Map no:           B-7            
 Case no:           M101-035          

DATE: July 28, 2011



**Site**

**Proposed Development Plan**



NO.	DESCRIPTION	QTY	UNIT
1	15' X 15' PLANTER	10	EA
2	15' X 15' PLANTER	10	EA
3	15' X 15' PLANTER	10	EA
4	15' X 15' PLANTER	10	EA
5	15' X 15' PLANTER	10	EA
6	15' X 15' PLANTER	10	EA
7	15' X 15' PLANTER	10	EA
8	15' X 15' PLANTER	10	EA
9	15' X 15' PLANTER	10	EA
10	15' X 15' PLANTER	10	EA

NO.	DESCRIPTION	QTY	UNIT
1	15' X 15' PLANTER	10	EA
2	15' X 15' PLANTER	10	EA
3	15' X 15' PLANTER	10	EA
4	15' X 15' PLANTER	10	EA
5	15' X 15' PLANTER	10	EA
6	15' X 15' PLANTER	10	EA
7	15' X 15' PLANTER	10	EA
8	15' X 15' PLANTER	10	EA
9	15' X 15' PLANTER	10	EA
10	15' X 15' PLANTER	10	EA

NO.	DESCRIPTION	QTY	UNIT
1	15' X 15' PLANTER	10	EA
2	15' X 15' PLANTER	10	EA
3	15' X 15' PLANTER	10	EA
4	15' X 15' PLANTER	10	EA
5	15' X 15' PLANTER	10	EA
6	15' X 15' PLANTER	10	EA
7	15' X 15' PLANTER	10	EA
8	15' X 15' PLANTER	10	EA
9	15' X 15' PLANTER	10	EA
10	15' X 15' PLANTER	10	EA

NO.	DESCRIPTION	QTY	UNIT
1	15' X 15' PLANTER	10	EA
2	15' X 15' PLANTER	10	EA
3	15' X 15' PLANTER	10	EA
4	15' X 15' PLANTER	10	EA
5	15' X 15' PLANTER	10	EA
6	15' X 15' PLANTER	10	EA
7	15' X 15' PLANTER	10	EA
8	15' X 15' PLANTER	10	EA
9	15' X 15' PLANTER	10	EA
10	15' X 15' PLANTER	10	EA

- 15' X 15' PLANTER
- 15' X 15' PLANTER
- 15' X 15' PLANTER
- 15' X 15' PLANTER
- 15' X 15' PLANTER
- 15' X 15' PLANTER
- 15' X 15' PLANTER
- 15' X 15' PLANTER
- 15' X 15' PLANTER
- 15' X 15' PLANTER

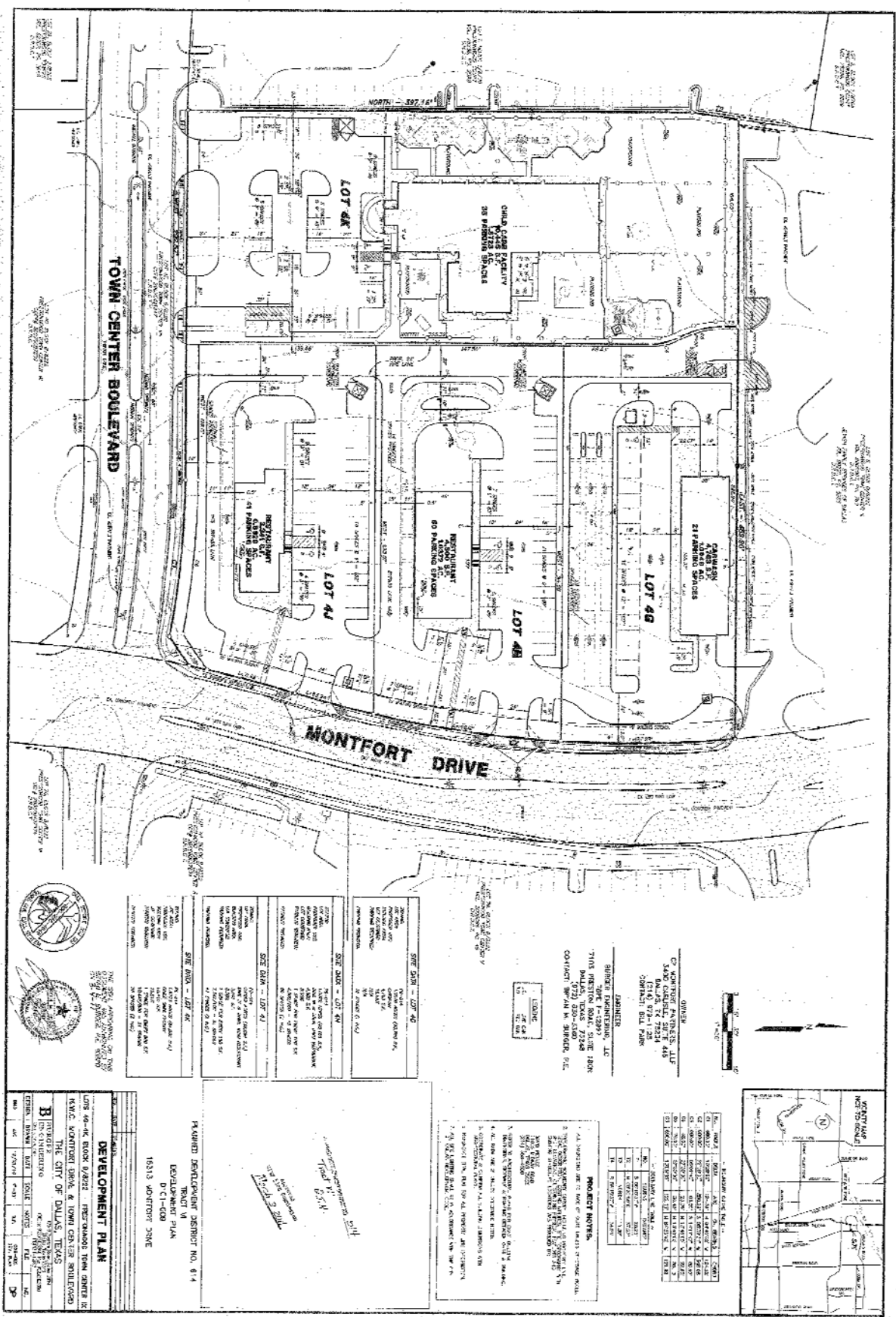
15312 SOUTHWEST DRIVE  
 15312 SOUTHWEST DRIVE  
 15312 SOUTHWEST DRIVE  
 15312 SOUTHWEST DRIVE

NO.	DESCRIPTION	QTY	UNIT
1	15' X 15' PLANTER	10	EA
2	15' X 15' PLANTER	10	EA
3	15' X 15' PLANTER	10	EA
4	15' X 15' PLANTER	10	EA
5	15' X 15' PLANTER	10	EA
6	15' X 15' PLANTER	10	EA
7	15' X 15' PLANTER	10	EA
8	15' X 15' PLANTER	10	EA
9	15' X 15' PLANTER	10	EA
10	15' X 15' PLANTER	10	EA

15312 SOUTHWEST DRIVE  
 15312 SOUTHWEST DRIVE  
 15312 SOUTHWEST DRIVE  
 15312 SOUTHWEST DRIVE

LANDSCAPE MATERIALS LIST  
 1. 15' X 15' PLANTER  
 2. 15' X 15' PLANTER  
 3. 15' X 15' PLANTER  
 4. 15' X 15' PLANTER  
 5. 15' X 15' PLANTER  
 6. 15' X 15' PLANTER  
 7. 15' X 15' PLANTER  
 8. 15' X 15' PLANTER  
 9. 15' X 15' PLANTER  
 10. 15' X 15' PLANTER

LANDSCAPE MATERIALS LIST  
 1. 15' X 15' PLANTER  
 2. 15' X 15' PLANTER  
 3. 15' X 15' PLANTER  
 4. 15' X 15' PLANTER  
 5. 15' X 15' PLANTER  
 6. 15' X 15' PLANTER  
 7. 15' X 15' PLANTER  
 8. 15' X 15' PLANTER  
 9. 15' X 15' PLANTER  
 10. 15' X 15' PLANTER



Lot	Area (sq. ft.)	Volume (cu. ft.)	Notes
LOT 4A	10,000	100,000	RECREATION AREA 25 PARKING SPACES
LOT 4B	10,000	100,000	RECREATION AREA 25 PARKING SPACES
LOT 4C	10,000	100,000	RECREATION AREA 25 PARKING SPACES
LOT 4D	10,000	100,000	RECREATION AREA 25 PARKING SPACES

**ENGINEER'S NOTES:**

- ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.
- EXISTING BUILDING FOOTPRINTS ARE SHOWN AS DOTTED LINES.
- EXISTING DRIVEWAYS ARE SHOWN AS DOTTED LINES.
- EXISTING UTILITIES ARE SHOWN AS DOTTED LINES.
- ALL UTILITIES SHALL BE DELETED AND RELOCATED AS SHOWN ON THIS PLAN.
- ALL UTILITIES SHALL BE DELETED AND RELOCATED AS SHOWN ON THIS PLAN.
- ALL UTILITIES SHALL BE DELETED AND RELOCATED AS SHOWN ON THIS PLAN.
- ALL UTILITIES SHALL BE DELETED AND RELOCATED AS SHOWN ON THIS PLAN.

**OWNER:**  
 CO. DEVELOPMENT, INC.  
 1500 SOUTH FORT WORTH AVENUE  
 DALLAS, TEXAS 75224  
 CONTACT: BILL PARR

**ENGINEER:**  
 SHIRLEY ENGINEERING, LLC  
 7105 RIVERSIDE DRIVE, SUITE 100  
 DALLAS, TEXAS 75248  
 CONTACT: BRUCE W. SHIRLEY, P.E.

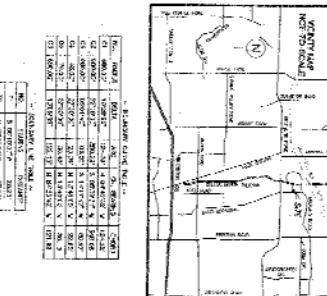
Lot	Area (sq. ft.)	Volume (cu. ft.)	Notes
LOT 4A	10,000	100,000	RECREATION AREA 25 PARKING SPACES
LOT 4B	10,000	100,000	RECREATION AREA 25 PARKING SPACES
LOT 4C	10,000	100,000	RECREATION AREA 25 PARKING SPACES
LOT 4D	10,000	100,000	RECREATION AREA 25 PARKING SPACES

**EXISTING DEVELOPMENT PLAN**

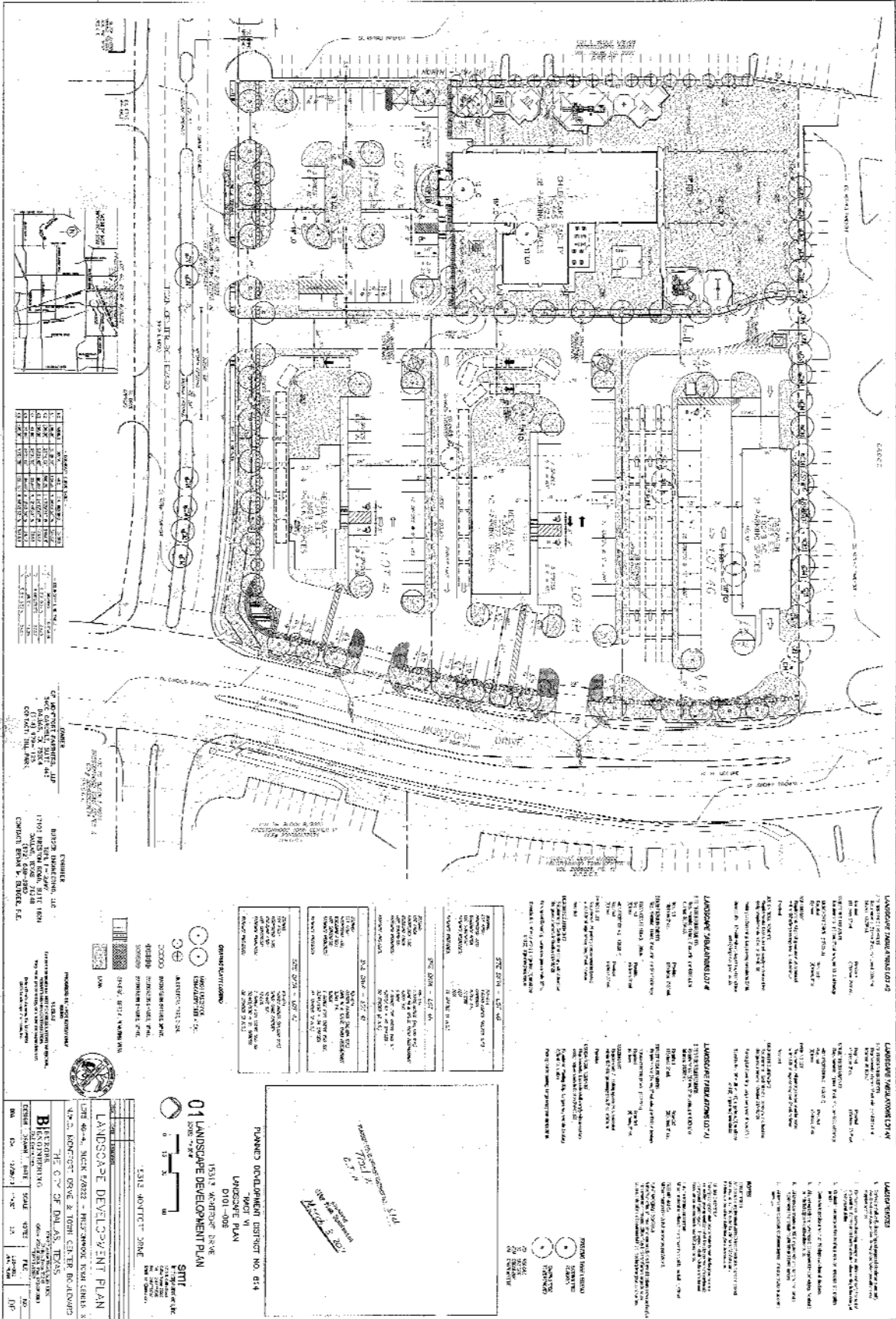
TRACT V  
 DEVELOPMENT PLAN  
 D-C1-G00  
 16313 MONTFORT DRIVE

**PROJECT NOTES:**

- ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.
- EXISTING BUILDING FOOTPRINTS ARE SHOWN AS DOTTED LINES.
- EXISTING DRIVEWAYS ARE SHOWN AS DOTTED LINES.
- EXISTING UTILITIES ARE SHOWN AS DOTTED LINES.
- ALL UTILITIES SHALL BE DELETED AND RELOCATED AS SHOWN ON THIS PLAN.
- ALL UTILITIES SHALL BE DELETED AND RELOCATED AS SHOWN ON THIS PLAN.
- ALL UTILITIES SHALL BE DELETED AND RELOCATED AS SHOWN ON THIS PLAN.
- ALL UTILITIES SHALL BE DELETED AND RELOCATED AS SHOWN ON THIS PLAN.







**LANDSCAPE DEVELOPMENT PLAN**

**LANDSCAPE DEVELOPMENT PLAN**

**LANDSCAPE DEVELOPMENT PLAN**

**LANDSCAPE DEVELOPMENT PLAN**

1. The landscape plan shall be prepared and submitted to the City of Dallas, Texas, for review and approval. The landscape plan shall be prepared in accordance with the City of Dallas, Texas, Landscape Ordinance and the City of Dallas, Texas, Landscape Design Manual.

2. The landscape plan shall include a site plan showing the location of all landscape features, including trees, shrubs, and ground cover. The site plan shall also show the location of all landscape features that are to be removed or replaced.

3. The landscape plan shall include a list of all landscape features to be installed, including the species, size, and quantity of each feature. The list shall also include the location of each feature on the site.

4. The landscape plan shall include a schedule of construction for all landscape features. The schedule shall include the start and end dates for each feature, and the person responsible for each feature.

5. The landscape plan shall include a list of all landscape features that are to be maintained. The list shall include the location of each feature, and the person responsible for each feature.

6. The landscape plan shall include a list of all landscape features that are to be removed. The list shall include the location of each feature, and the person responsible for each feature.

7. The landscape plan shall include a list of all landscape features that are to be replaced. The list shall include the location of each feature, and the person responsible for each feature.

8. The landscape plan shall include a list of all landscape features that are to be installed, including the species, size, and quantity of each feature. The list shall also include the location of each feature on the site.

9. The landscape plan shall include a schedule of construction for all landscape features. The schedule shall include the start and end dates for each feature, and the person responsible for each feature.

10. The landscape plan shall include a list of all landscape features that are to be maintained. The list shall include the location of each feature, and the person responsible for each feature.

11. The landscape plan shall include a list of all landscape features that are to be removed. The list shall include the location of each feature, and the person responsible for each feature.

12. The landscape plan shall include a list of all landscape features that are to be replaced. The list shall include the location of each feature, and the person responsible for each feature.

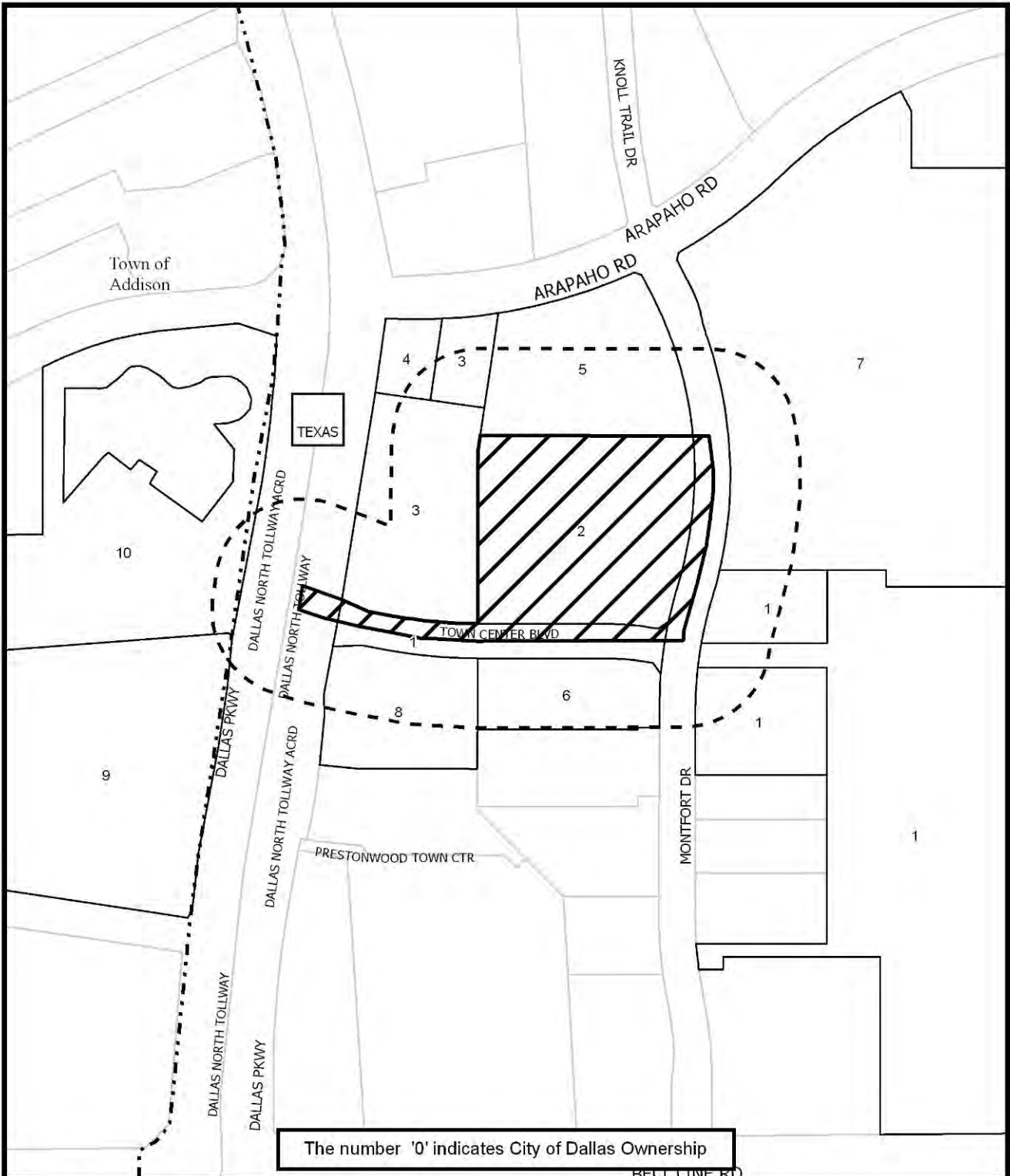
NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY PLAN	08/15/08	SMIT
2	REVISIONS	08/20/08	SMIT
3	FINAL PLAN	08/25/08	SMIT

**LANDSCAPE DEVELOPMENT PLAN**

15114 WOODROW DRIVE  
 PLANNED DEVELOPMENT DISTRICT NO. 614  
 PAGE VI  
 LANDSCAPE PLAN  
 D101-005

**LANDSCAPE DEVELOPMENT PLAN**

15114 WOODROW DRIVE  
 PLANNED DEVELOPMENT DISTRICT NO. 614  
 PAGE VI  
 LANDSCAPE PLAN  
 D101-005



1:3,600

# NOTIFICATION

**200'** AREA OF NOTIFICATION  
**10** NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: **B-7**

Case no: **M101-035**

DATE: July 28, 2011

## ***Notification List of Property Owners***

***M101-035***

### ***10 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5301 MONTFORT	INLAND AMERICAN DALLAS PRESTONWOOD LTD PS
2	15313 MONTFORT	WXIII PWM REAL ESTATE LP SUITE 400
3	5314 DALLAS	SANDS JULIA ELIZABETH TRUST
4	5304 ARAPAHO	SANDS JULIA ELIZABETH TRUST %ROSEWOOD MGMT CORP
5	15402 PRESTONWOOD	JEWISH FAMILY SERVICE OF DALLAS INC
6	15335 MONTFORT	MONTFORT WFC LLC
7	15220 MONTFORT	WAL-MART REAL ESTATE BUSI % WAL-MART PPTY TAX DEPT
8	15250 DALLAS	FORTRESS REAL ESTATE SUITE 1700
9	15201 DALLAS	REGISTRY HOTEL CORP ATTN: ACCOUNTS PAYABLE
10	15301 DALLAS	SP US V5 COLONNADE LP % CB RICHARD ELLIS

***Thursday, July 28, 2011***

**FILE NUMBER:** M101-037

**DATE FILED:** July 22, 2011

**LOCATION:** West Line of Greenville Avenue, North of Alta Avenue

**COUNCIL DISTRICT:** 2

**MAPSCO:** 36 X

**SIZE OF REQUEST:** Approx. 13,362 Sq. Ft. **CENSUS TRACT:** 10.02

---

**APPLICANT/OWNER:** Intercity Investments, Inc.

**REPRESENTATIVE:** Audra Buckley

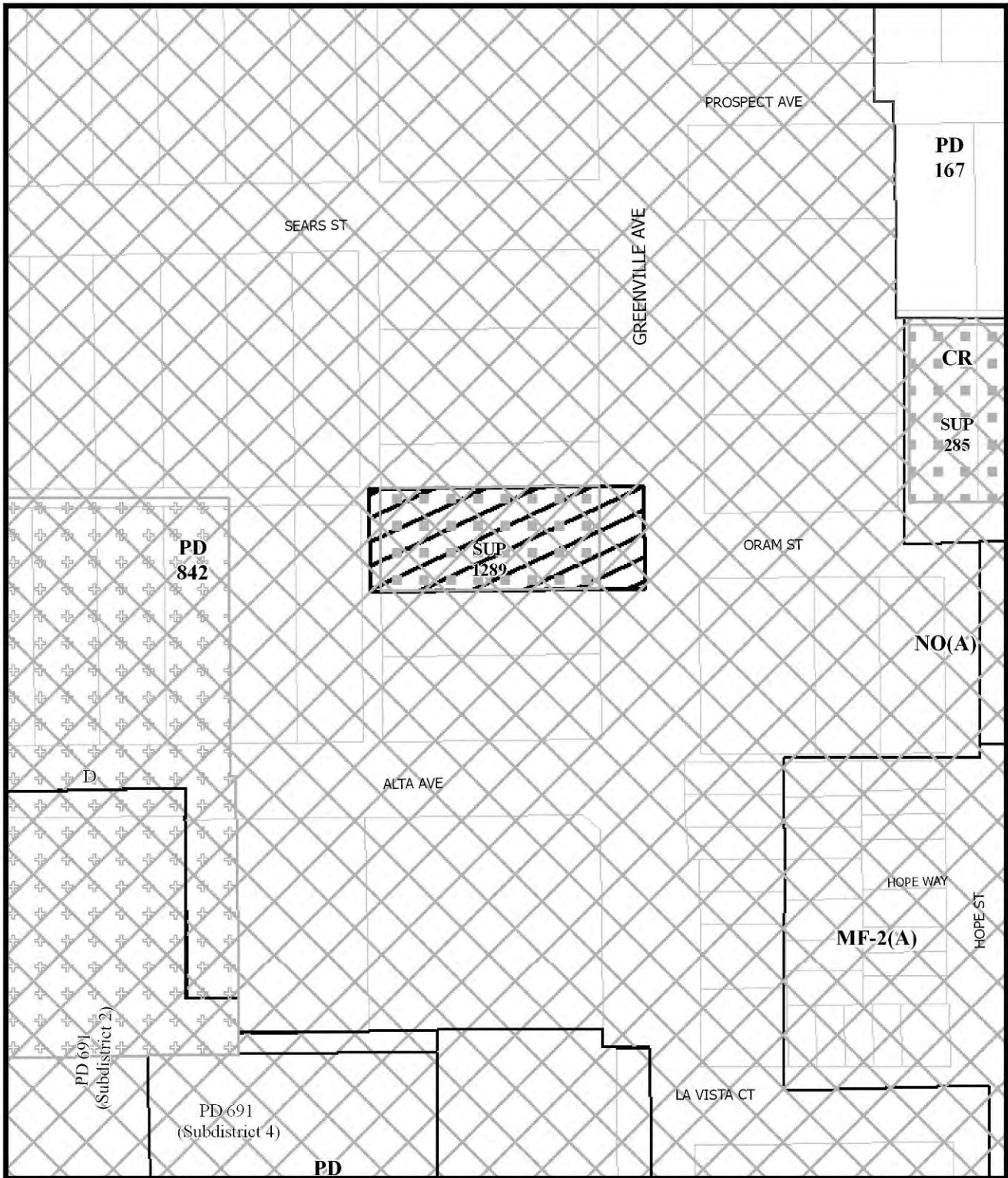
**MISCELLANEOUS DOCKET ITEM**

On August 14, 1996, the City Council passed Ordinance No. 22822 which established Specific Use Permit No. 1289 for a Bar, lounge, or tavern on property at the above location.

At this time, the property owner has submitted an application for consideration of a minor amendment to provide for a revised off-street parking area in the rear of the building. Specifically, this area is being reconfigured to provide for a proper parking area (striping, maneuvering, wheel stops) as well as locating a screen dumpster.

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

**STAFF RECOMMENDATION:** Approval



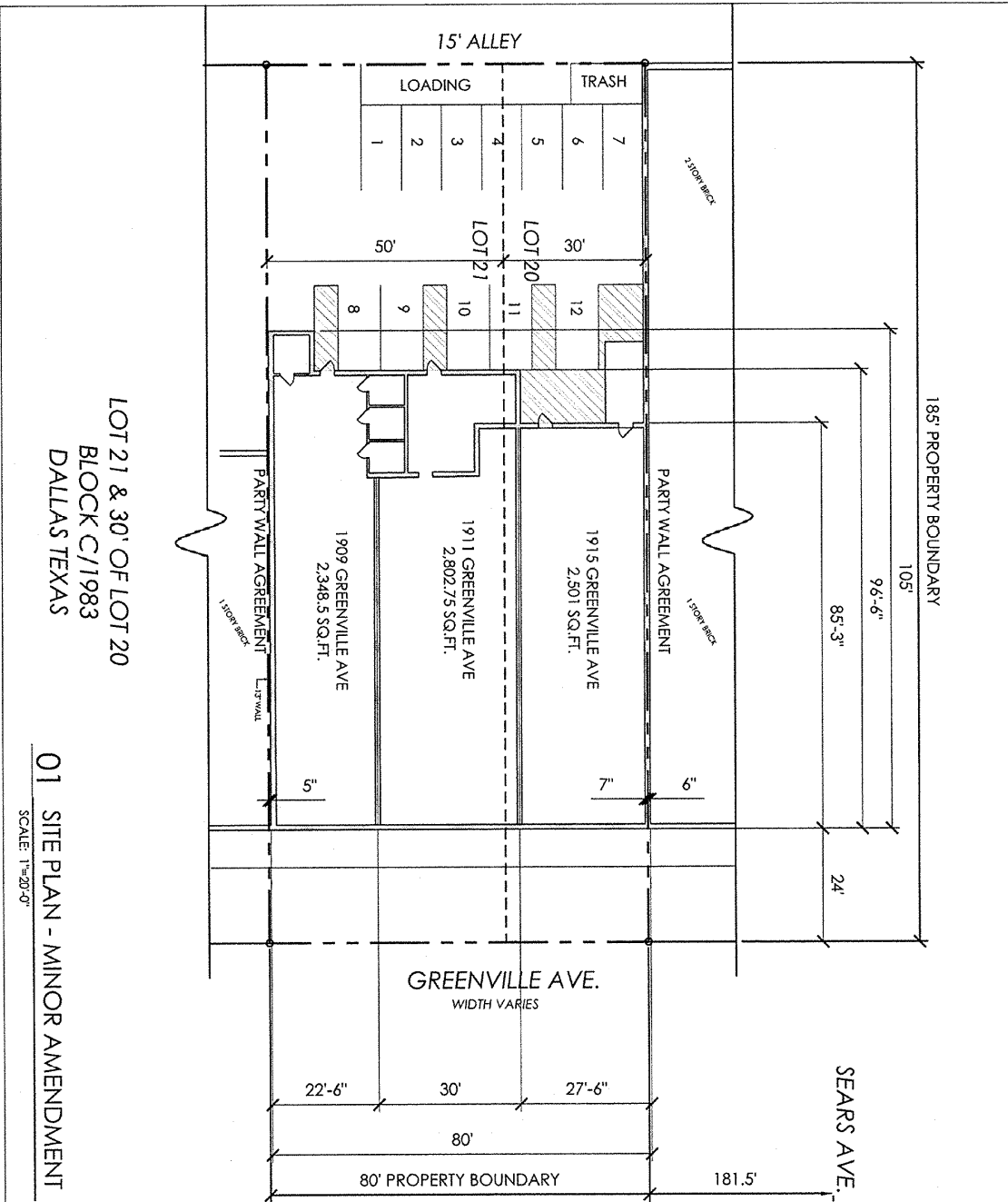
1:1,200

# ZONING MAP

Map no:           I-8          

Case no:           M101-037          

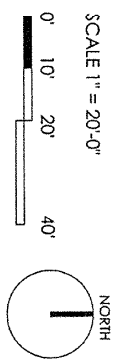
DATE: July 28, 2011



LOT 21 & 30' OF LOT 20  
BLOCK C/1983  
DALLAS TEXAS

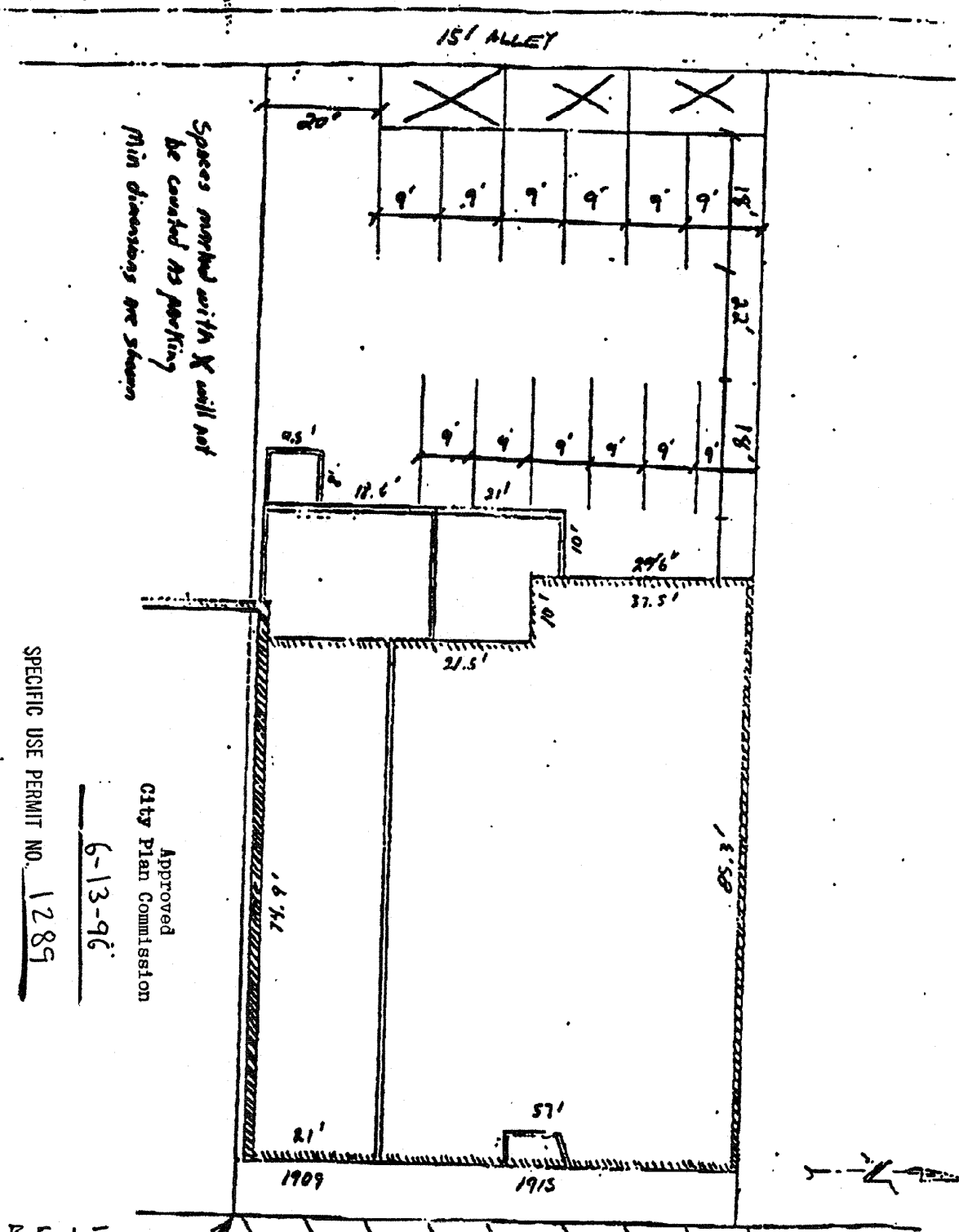
01 SITE PLAN - MINOR AMENDMENT

SCALE: 1"=20'-0"



**Proposed Site Plan**

M101-037



Spaces marked with X will not  
be counted as parking  
Min dimensions are shown

APPROVED  
CITY PLAN COMMISSION  
6-13-96

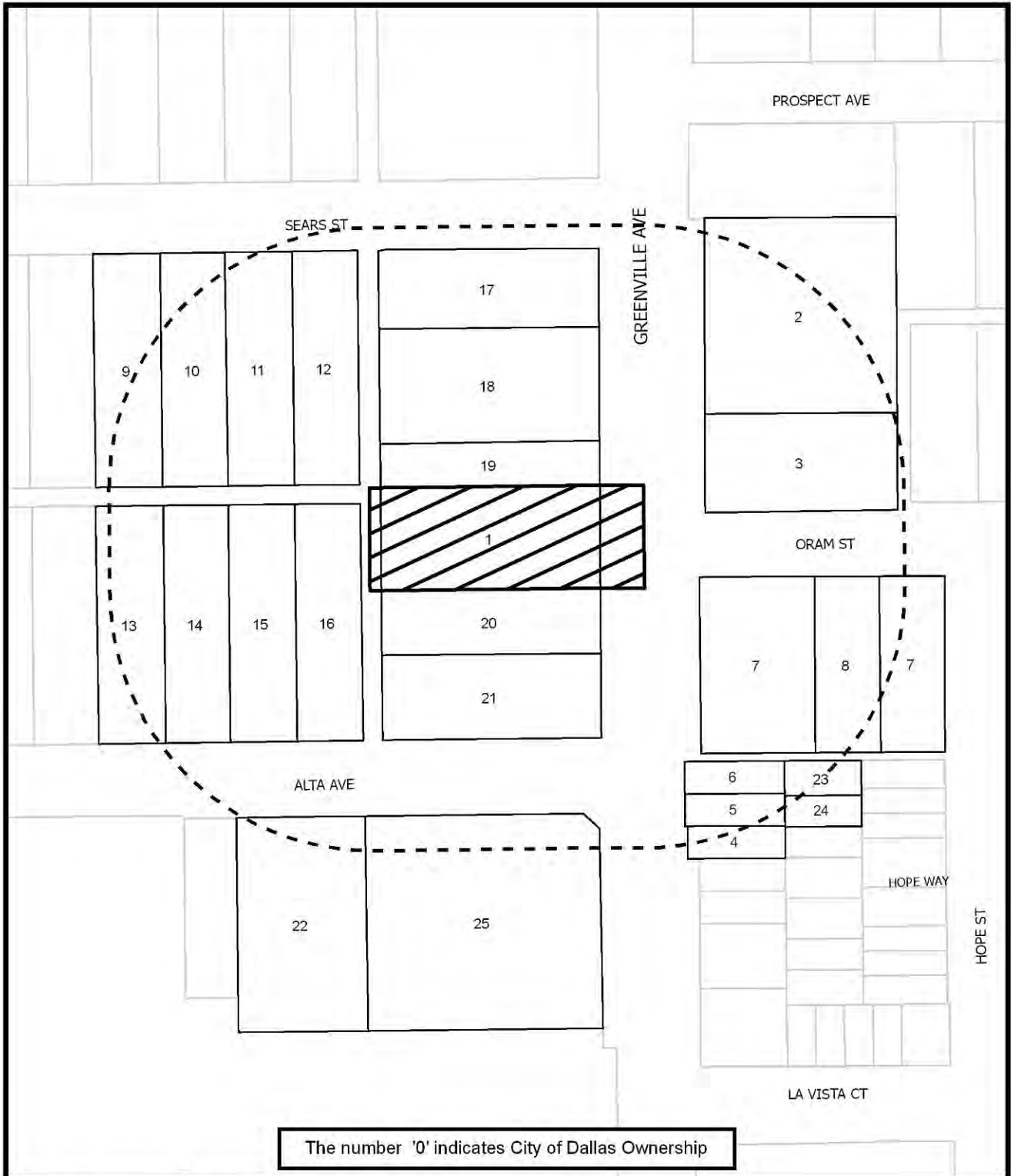
SPECIFIC USE PERMIT NO. 1289

Z956-215/10063-C(K)

962576  
111.5 FT.  
TO NORTH  
LINE OF  
ALTA ST.  
↑

Proposed Site Plan  
Greenville  
22822

Existing Site Plan



The number '0' indicates City of Dallas Ownership



1:1,200

# NOTIFICATION

**200'**

AREA OF NOTIFICATION

**25**

NUMBER OF PROPERTY OWNERS NOTIFIED

Map no:           I-8          

Case no:           M101-037          

DATE: July 28, 2011



## ***Notification List of Property Owners***

***M101-037***

### ***25 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1911 GREENVILLE	INTERCITY INVESTMENT PROP SUITE 500
2	2008 GREENVILLE	WONDERFUL SEVEN A LP SUITE 200
3	2000 GREENVILLE	LANDE PAUL & PAUL LANDE EMP PR SH TR
4	1912 GREENVILLE	CAMPBELL OLIVER
5	1914 GREENVILLE	CHAPLIN JACK ET AL
6	1916 GREENVILLE	SHORT STACK LLC
7	5712 ORAM	LOWGREEN PS
8	5710 ORAM	SOURIS MINOS
9	5618 SEARS ST	GREENVILLE HOLDINGS CO STE 260
10	5622 SEARS ST	ROY MARION B
11	5624 SEARS ST	5624 SEARS STREET LTD
12	5628 SEARS ST	CHOTAS SOPHIE
13	5619 ALTA	THACKER RICHARD E JR
14	5623 ALTA	SHIELDS WILLIAM OLIVER
15	5627 ALTA	WSVV
16	5631 ALTA	WSVV LLC
17	1931 GREENVILLE	GENARO TRUST 1 % THOMAS ODDO
18	1919 GREENVILLE	1919 27 GREENVILLE LTD
19	1917 GREENVILLE	WORLD WIDE FOOD INC
20	1909 GREENVILLE	WORLDWIDE FOOD INC
21	1903 GREENVILLE	LOWGREEN PS % SHULA NETZER
22	5626 ALTA	LATORRE ROBERT INC
23	1919 HOPE WAY	NGUYEN NGOC DIEP
24	1917 HOPE WAY	ARIES VENTURES INC
25	1827 GREENVILLE	LOWGREEN PS % SHULA NETZER

***Thursday, July 28, 2011***

**CITY PLAN COMMISSION**

**THURSDAY, AUGUST 18, 2011**

---

**Planner: Olga Torres-Holyoak**

**FILE NUMBER:** D101-016

**DATE FILED:** June 30, 2011

**LOCATION:** On the southwest corner of Canada Drive and Holystone Street.

**COUNCIL DISTRICT:** 3

**MAPSCO:** 43-G

**SIZE OF REQUEST:** 0.56 acres

**CENSUS TRACT:** 102.00

---

**MISCELLANEOUS DOCKET ITEM**

Owner: Dallas Housing Authority  
Applicant: Uplift Education Yasmin Shatia  
Representative: Brian Nelson, HKS, Inc.

**Development Plan**

On June 10, 1998, the City Council passed Ordinance No. 23536 which established Planned Development District No. 508 for Cluster housing, Multifamily, Limited Office, Mixed Use and additional specified uses in an area generally bounded by Hampton Road, Singleton Boulevard, Westmoreland Road, Old Trinity River and Canada Drive.

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

In conjunction with the above requirement, the attached development plan is submitted for Commission's consideration. The plan provides for the addition of two portable buildings for the existing open enrollment charter school.

**STAFF RECOMMENDATION:** Approval

## List of Applicant, Owner and Representative

### Uplift Education – Board of Directors

Kevin Bryant – Chairman  
W. Carey Carter  
Richard R. Frapart  
Philip Montgomery  
Kir Rimer  
Brice Tarzwell  
Marnie Wildenthal  
Todd A. Williams  
Melissa McNeil  
Tony Dona

### Officers:

Yasmin Bhatia – CEO  
William Mays – CFO/Treasurer  
Ann Stevenson – Secretary



## Dallas Housing Authority

3939 N. Hampton Rd., Dallas, TX 75212 | Phone: 214.951.8300 | Fax: 214.951.8800 | [www.dhda1.com](http://www.dhda1.com)

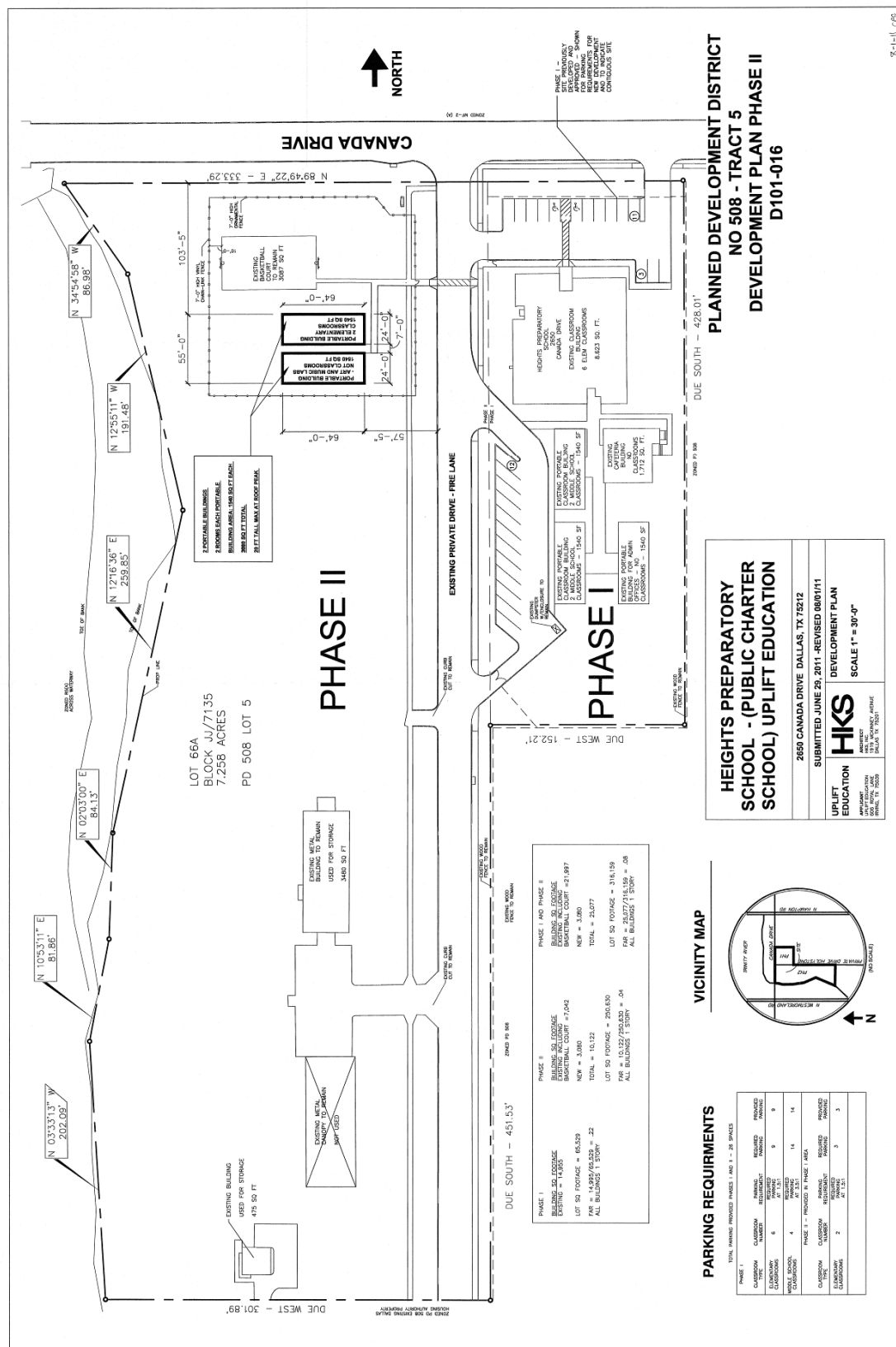


### Dallas Housing Authority Officers

MaryAnn Russ  
Troy Broussard  
Chetana Chaphekar  
Tim Lott  
JoAnn Rodriguez  
Sam Grader

President and CEO  
Senior Vice President / COO  
Chief Financial Officer (CFO)  
Vice President Capital Programs  
Vice President Housing Operations  
Vice President Voucher Program

# PROPOSED DEVELOPMENT PLAN



**PLANNED DEVELOPMENT DISTRICT  
NO 508 - TRACT 5  
DEVELOPMENT PLAN PHASE II  
D101-016**

**HEIGHTS PREPARATORY  
SCHOOL - (PUBLIC CHARTER  
SCHOOL) UPLIFT EDUCATION**

2650 CANADA DRIVE DALLAS, TX 75212

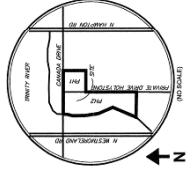
SUBMITTED JUNE 29, 2011 - REVISED 08/01/11

**HKS**  
DEVELOPMENT PLAN

UPLIFT EDUCATION  
INTERNET  
APPLICATION  
DALLAS, TX 75205

SCALE 1" = 30'-0"

### VICINITY MAP

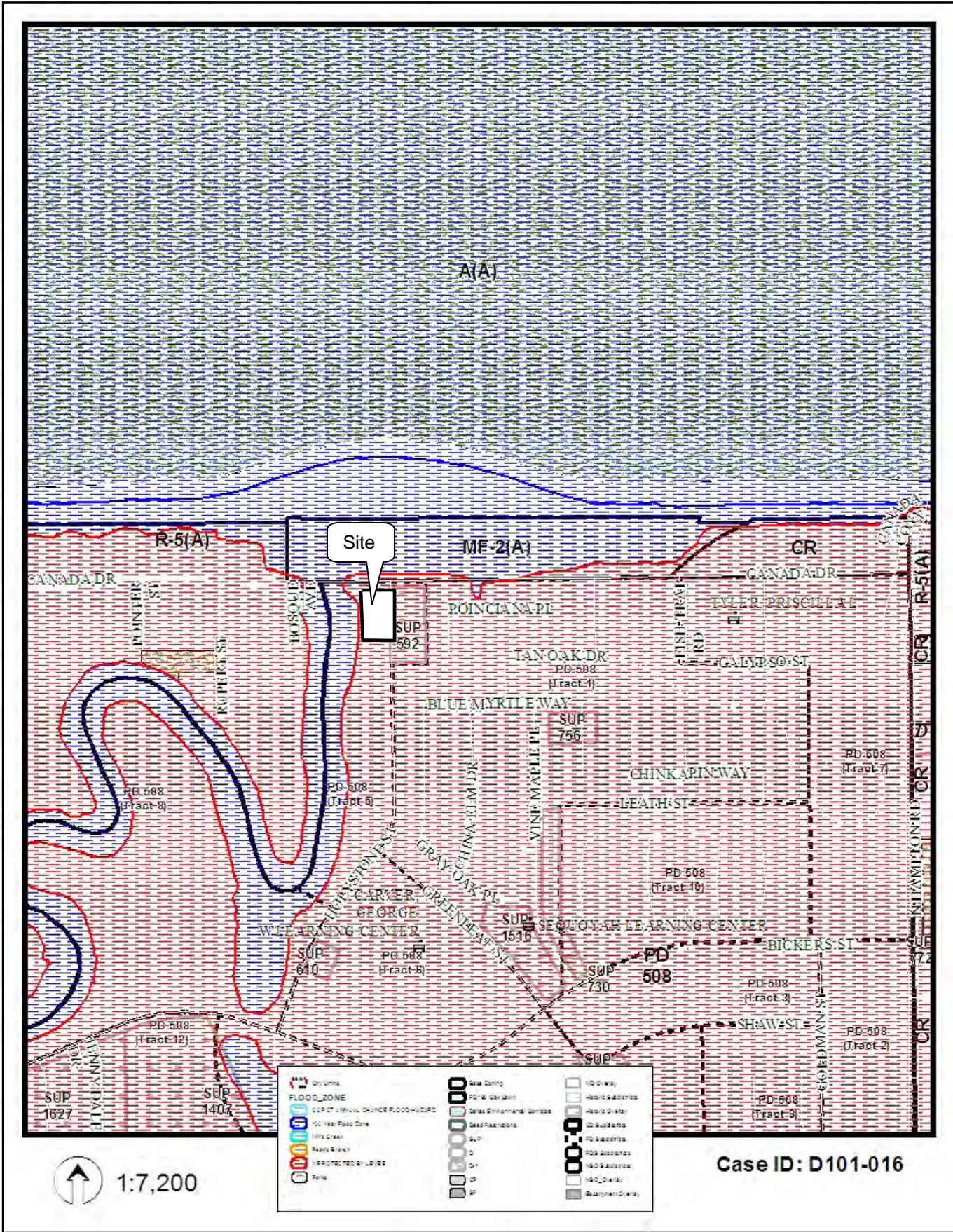


### PARKING REQUIREMENTS

PHASE	TOTAL PARKING PROVIDED	MINIMUM REQUIRED	EXCESS
PHASE I	14,500	14,500	0
PHASE II	17,750	17,750	0
TOTAL	32,250	32,250	0

PHASE	EXISTING SQ. FOOTAGE	NEW SQ. FOOTAGE	TOTAL
PHASE I	14,500	17,750	32,250
PHASE II	1,540	1,710	3,250
TOTAL	16,040	19,460	35,500





**CITY PLAN COMMISSION**

**THURSDAY, AUGUST 18, 2011**

---

**Planner: Olga Torres-Holyoak**

**FILE NUMBER:** D101-017

**DATE FILED:** June 17, 2011

**LOCATION:** On the northeast quadrant of South Belt Line Road and Hackberry Road.

**COUNCIL DISTRICT:** 6

**MAPSCO:** 11A-P, K

**SIZE OF REQUEST:** 22.32 acres

**CENSUS TRACT:** 141.09

---

**MISCELLANEOUS DOCKET ITEM**

Owner: Billingsley Development Corporation

Applicant/ Representative: Tom Holland, Billingsley Company

**Development Plan & Landscape Plan**

On January 25, 2006, the City Council passed Ordinance No. 26233 which established Planned Development District No. 741 on property located on the north side of Hackberry Road, east of Belt Line Road. The size of the PD is approximately 355 acres.

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

In conjunction with the above requirement, the attached development plan is submitted for Commission's consideration. The plan provides for residential development for multifamily residential use with a total of 670 residences with 519 flats and 151 townhomes, and community amenities such as community clubhouse, fitness center, business center, swimming pools, parks and children's playground, dog park, and recreation courts.

**STAFF RECOMMENDATION:** Approval

## List of Owners/Partnerships

### Billingsley Development Corporation, a Texas corporation

- Kenneth D. Mabry – Senior Vice President
- Kimberly H. Meyer – Senior Vice President

### Trammell Crow Company No. 43, LTD.

- Henry GP, LLC – General Partner
  - Henry Billingsley – Member/Manager
  - Kenneth D. Mabry – Manager
  - Kimberly H. Meyer - Manager
- Billingsley Holdings B, LLC – Limited Partner
  - Anne Sumner Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Anne Sumner Billingsley)
  - George Harlan Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: George Harlan Billingsley)
  - Lucy Paige Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Lucy Paige Billingsley)
  - Trammell Crow Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Trammell Hancock)
  - Henry Billingsley – Member/Manager
  - Michael J. O’Hanlon - Manager
  - Kenneth D. Mabry - Manager
  - Kimberly H. Meyer – Manager
- Lucy Billingsley – Limited Partner
- Crow Billingsley LBJ, Ltd. – Limited Partner
  - Billingsley Realty, LLC – General Partner
    - Lucy Billingsley – Member/Manager
    - Joel Overton – Manager
    - Kenneth Mabry - Manager
  - Lucy Billingsley – Limited Partner
  - Anne Sumner Billingsley Trust II – Limited Partner
  - Billingsley Berkshire Partners, Ltd. – Limited Partner
    - Billingsley 380 North GP, LLC – General Partner
      - Lucy Billingsley – Member/Manager
      - Joel Overton – Manager
      - Kenneth Mabry - Manager
    - Lucy Billingsley – Limited Partner
    - Anne Sumner Billingsley Trust II – Limited Partner
    - George Harlan Billingsley Trust II – Limited Partner
    - Lucy Paige Billingsley Trust II – Limited Partner
    - Trammell Crow Billingsley Trust II – Limited Partner
- LCB Mill Creek Trust – Limited Partner
  - Lucy Billingsley - Trustee
- Parkway Inv #1, Ltd – Limited Partner



- Crow Billingsley #20, Ltd. – General Partner
  - Henry GP , LLC – General Partner
    - Henry Billingsley – Member/Manager
    - Kenneth D. Mabry – Manager
    - Kimberly H. Meyer - Manager
  - Billingsley Holdings B, LLC – Limited Partner
    - Anne Sumner Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Anne Sumner Billingsley)
    - George Harlan Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: George Harlan Billingsley)
    - Lucy Paige Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Lucy Paige Billingsley)
    - Trammell Crow Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Trammell Hancock)
    - Henry Billingsley – Member/Manager
    - Michael J. O’Hanlon - Manager
    - Kenneth D. Mabry - Manager
    - Kimberly H. Meyer – Manager
  - Lucy Billingsley – Limited Partner
- Crow Billingsley Holding, Inc. – Limited Partner
  - Henry Billingsley – President
  - Lucy Billingsley – Vice President
  - Michael J. O’Hanlon – Chairman of Board
  - Kenneth D. Mabry – Senior Vice President
  - Kimberly H. Meyer – Senior Vice President

**Crow-Billingsley 635 Beltline, LTD.**

- Billingsley 380 North GP, LLC – General Partner
  - Lucy Billingsley –Manager
  - Michael J. O’Hanlon – Manager
  - Kenneth D. Mabry – Manager
  - Kimberly H. Meyer - Manager
- Crow-Billingsley 544/Carrollton, Ltd. – Limited Partner
  - 19BCO, Inc. – General Partner
    - Lucy Billingsley – Chairman
    - Michael J. O’Hanlon – President
    - Kenneth D. Mabry – Vice President
    - Kimberly H. Meyer – Vice President
  - Billingsley Cornell Capital – Limited Partner
    - BFT Investment, LLC – General Partner
      - Billingsley Holdings A, LLC – Sole Member/Manager
        - Anne Sumner Billingsley Trust II – Member
        - George Harlan Billingsley Trust II – Member
        - Lucy Paige Billingsley Trust II – Member
        - Trammell Crow Billingsley Trust II – Member
    - Lucy Billingsley – Member/Manager
    - Michael J. O’Hanlon - Manager
    - Kenneth D. Mabry - Manager

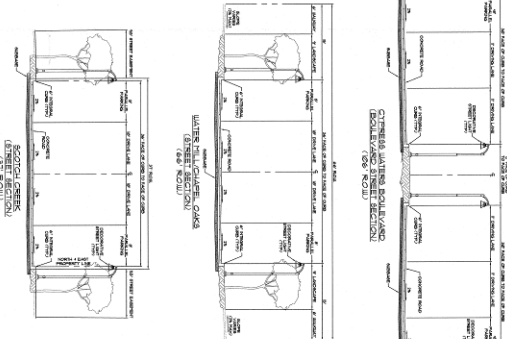
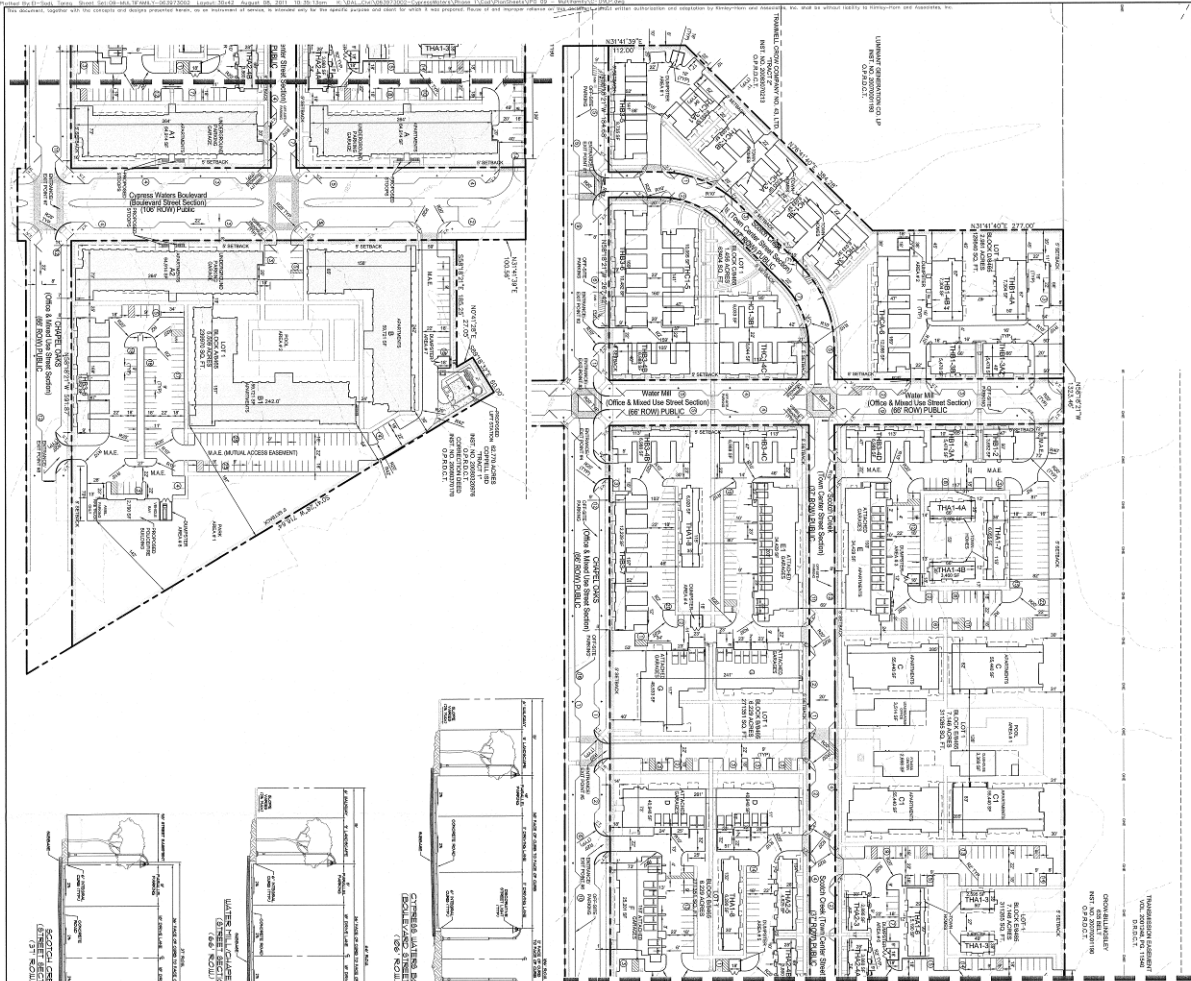
- Kimberly H. Meyer – Manager
- Billingsley Holdings B, LLC – Limited Partner
  - Anne Sumner Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Anne Sumner Billingsley)
  - George Harlan Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: George Harlan Billingsley)
  - Lucy Paige Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Lucy Paige Billingsley)
  - Trammell Crow Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Trammell Hancock)
  - Henry Billingsley – Member/Manager
  - Michael J. O’Hanlon - Manager
  - Kenneth D. Mabry - Manager
  - Kimberly H. Meyer – Manager
- CB Hutton Branch #1, Ltd. – Limited Partner
  - Henry GP, LLC – General Partner
    - Henry Billingsley – Member/Manager
    - Kenneth D. Mabry – Manager
    - Kimberly H. Meyer - Manager
  - Billingsley Holdings B, LLC – Limited Partner
    - Anne Sumner Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Anne Sumner Billingsley)
    - George Harlan Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: George Harlan Billingsley)
    - Lucy Paige Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Lucy Paige Billingsley)
    - Trammell Crow Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Trammell Hancock)
    - Henry Billingsley – Member/Manager
    - Michael J. O’Hanlon - Manager
    - Kenneth D. Mabry - Manager
    - Kimberly H. Meyer – Manager
  - Lucy Billingsley – Limited Partner
- Crow-Billingsley Midway South A, Ltd. – Limited Partner
  - Henry GP, LLC – General Partner
    - Henry Billingsley – Member/Manager
    - Kenneth D. Mabry – Manager
    - Kimberly H. Meyer - Manager
  - Henry Billingsley – Limited Partner
  - Crow-Billingsley #28, Ltd. – Limited Partner
    - Henry GP, LLC – General Partner
      - Henry Billingsley - Member
    - Billingsley Holdings B, LLC – Limited Partner
      - Anne Sumner Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Anne Sumner Billingsley)
      - George Harlan Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: George Harlan Billingsley)
      - Lucy Paige Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Lucy Paige Billingsley)

- Trammell Crow Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Trammell Hancock)
  - Henry Billingsley – Member/Manager
  - Michael J. O’Hanlon - Manager
  - Kenneth D. Mabry - Manager
  - Kimberly H. Meyer – Manager
- Lucy Billingsley – Limited Partner
- Laurel Crown Investments, Inc. – Limited Partner
  - Contact Tim Powers at 214-651-5610 for more information
- Billingsley Holdings A, LLC - Limited Partner
  - Anne Sumner Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Anne Sumner Billingsley)
  - George Harlan Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: George Harlan Billingsley)
  - Lucy Paige Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Lucy Paige Billingsley)
  - Trammell Crow Billingsley Trust II – Member (Trustee: George W. Couch / Beneficiary: Trammell Hancock)
  - Lucy Billingsley – Member/Manager
  - Michael J. O’Hanlon - Manager
  - Kenneth D. Mabry - Manager
  - Kimberly H. Meyer – Manager

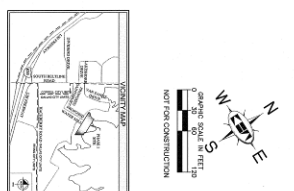
**Cypress Waters Land A, LTD.**

- Billingsley 380 North GP, LLC – General Partner
  - Lucy Billingsley –Manager
  - Michael J. O’Hanlon – Manager
  - Kenneth D. Mabry – Manager
  - Kimberly H. Meyer – Manage
- Anne Sumner Billingsley Trust II – Limited Partner
  - Lucy Billingsley –Manager
  - Michael J. O’Hanlon – Manager
  - Kenneth D. Mabry – Manager
  - Kimberly H. Meyer - Manager

# PROPOSED DEVELOPMENT PLAN



Street Section	Width	Right-of-Way	Right-of-Way	Right-of-Way	Right-of-Way
North of 10th Street	100'	100'	100'	100'	100'
South of 10th Street	100'	100'	100'	100'	100'
East of 10th Street	100'	100'	100'	100'	100'
West of 10th Street	100'	100'	100'	100'	100'
North of 11th Street	100'	100'	100'	100'	100'
South of 11th Street	100'	100'	100'	100'	100'
East of 11th Street	100'	100'	100'	100'	100'
West of 11th Street	100'	100'	100'	100'	100'
North of 12th Street	100'	100'	100'	100'	100'
South of 12th Street	100'	100'	100'	100'	100'
East of 12th Street	100'	100'	100'	100'	100'
West of 12th Street	100'	100'	100'	100'	100'



PLANNED DEVELOPMENT  
DISTRICT  
NO. 741-SUBDISTRICT A-2  
CASE NUMBER  
D101-017

CYPRESS WATERS -  
PHASE I  
PREPARED FOR  
BILLINGSLEY COMPANY  
DALLAS TEXAS

DEVELOPMENT PLAN

DATE: 08/09/2011  
SCALE: AS SHOWN  
DESIGNED BY: [Signature]  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]

**Kimley-Horn and Associates, Inc.**  
2700 PARK CENTER DRIVE, SUITE 200, DALLAS, TEXAS 75244  
PHONE: 972-770-1200 FAX: 972-238-2020  
WWW.KIMLEY-HORN.COM  
TEXAS REGISTERED ENGINEERING FIRM F-208

NO.	REVISIONS	DATE	BY

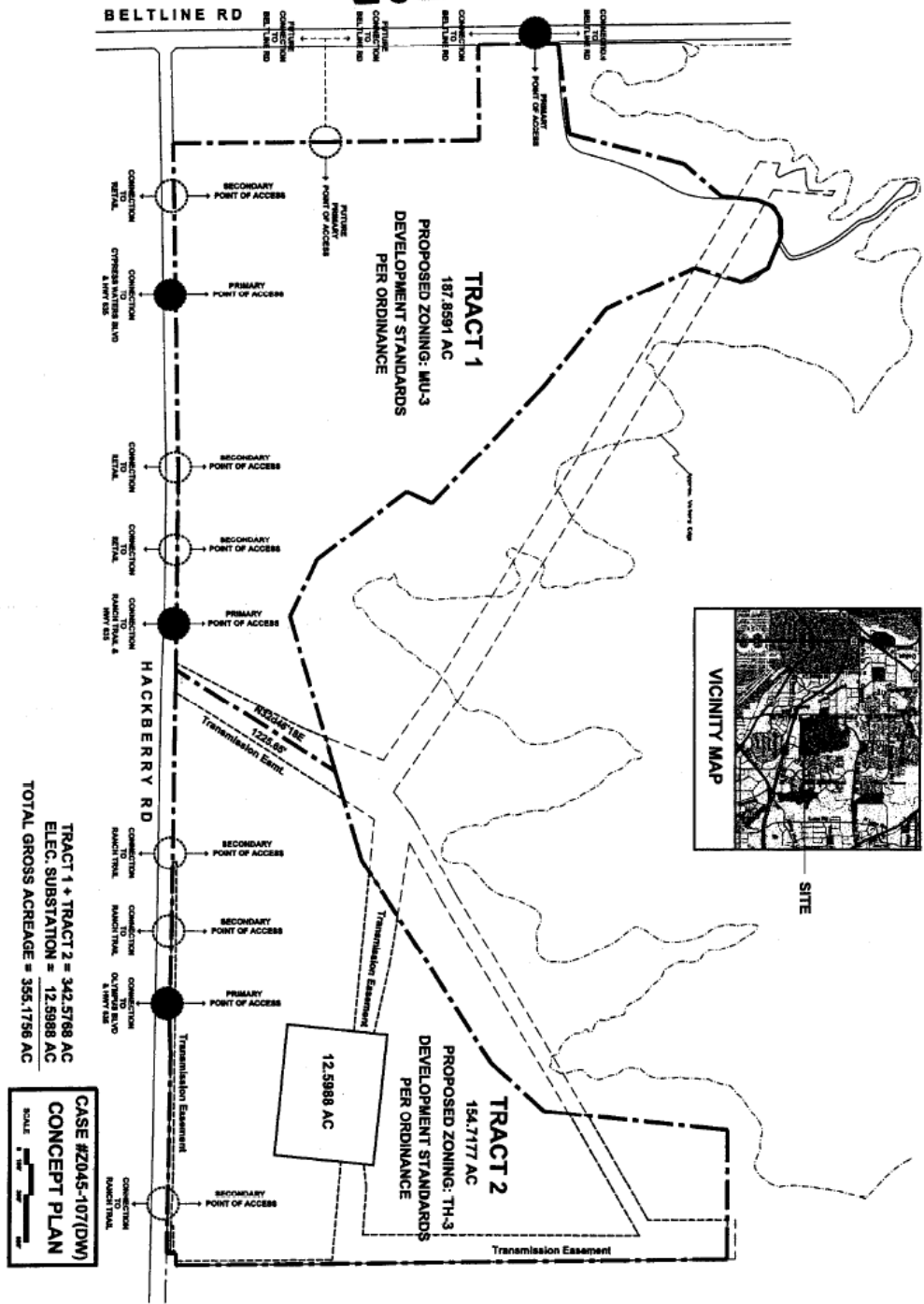


EXISTING CONCEPTUAL PLAN

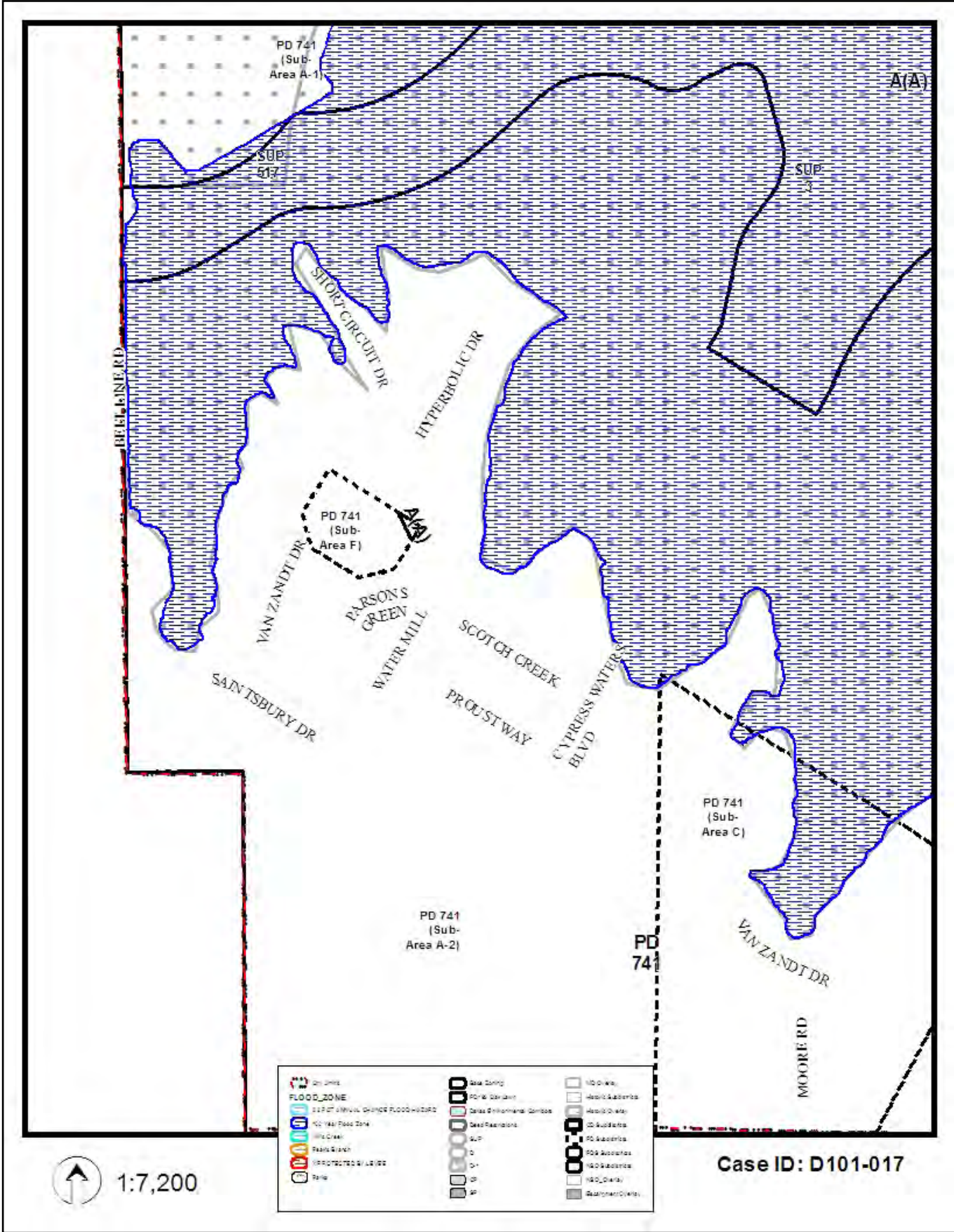
060342

Exhibit 741A

26233



Planned Development District  
No. 741



**FILE NUMBER:** D101-018

**DATE FILED:** December 13, 2010

**LOCATION:** On the northeast side of Northwest Highway, west of Skillman Road.

**COUNCIL DISTRICT:** 9

**MAPSCO:** 26 Y, Z

**SIZE OF REQUEST:** Approx. 1.367 acres

**CENSUS TRACT:** 78.19

---

**MISCELLANEOUS DOCKET ITEM**

Owner: TC Timbercreek Assoc. L.P.

Applicant: Del Taco

Representative: Travis Bousquet

**Development Plan:**

On May 10, 2007, the City Council passed Ordinance No. 26346 which established Planned Development District No. 742 on property located at the northeast line of Northwest Highway, west of Skillman Road.

The property is located in Zone 1, Lot 5B within Planned Development District No. 742.

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

In conjunction with the above requirement, the attached development plan has been submitted for Commission's consideration. The plan provides for the development of a 2,373 square feet restaurant with drive-in or drive-through service.

**STAFF RECOMMENDATION:** Approval



## Partners for T.C. Timbercreek

S Denton Walker III	CEO
Michael S. Duffy	Director
Robert Scully	Senior VP
Scott A Dyche	Senior VP
John Stirek	Executive VP
T Christopher Roth	Executive VP
J Christopher Kirk	Director
Matthew J, Nickels III	Executive VP
Arlin Gaffner	Treasurer
Matthew Khourie	Executive VP
Mark C. Allyn	Executive VP
Carrie A. Shelton	Secretary
Rebecca M. Savino	Asst. Secretary

## **DEL TACO RESTAURANTS LIST OF OFFICERS**

Chairman, President and Chief Executive Officer, Paul J.B. Murphy, III

COO Franchise / Chief Development Officer, James W. Lyons

Senior Vice President, Chief Financial Officer, Steven L. Brake

Secretary, Jack T. Tang

Executive Vice President of Operations, J. Donald Stoops

Executive Vice President of Purchasing, Janet D. Erickson

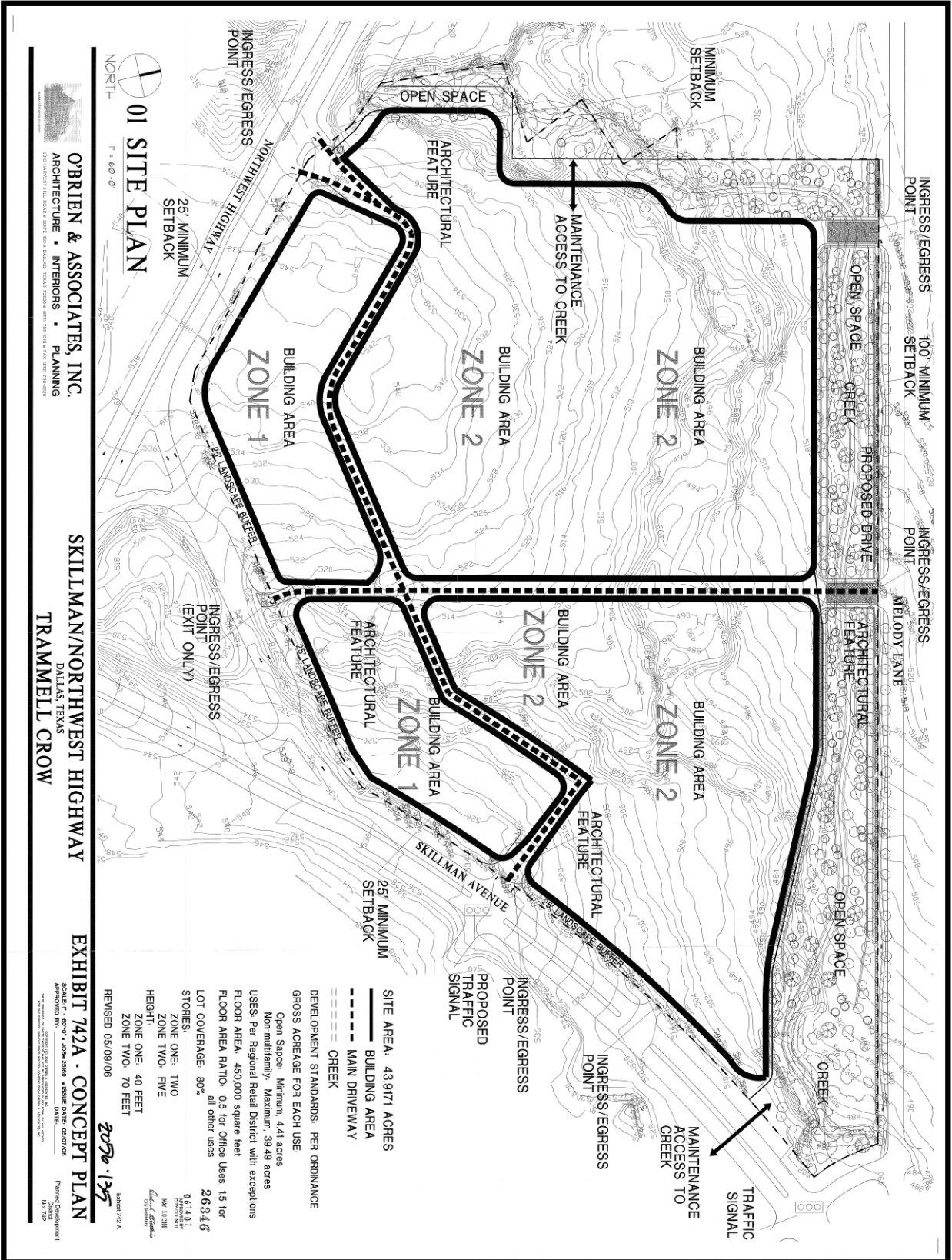
Vice President of Business Planning and Insight, Peter Honer

Vice President of Franchise Operations, Barry Barnhart

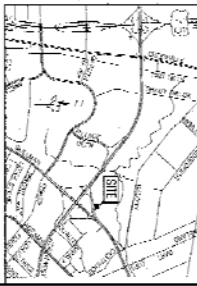
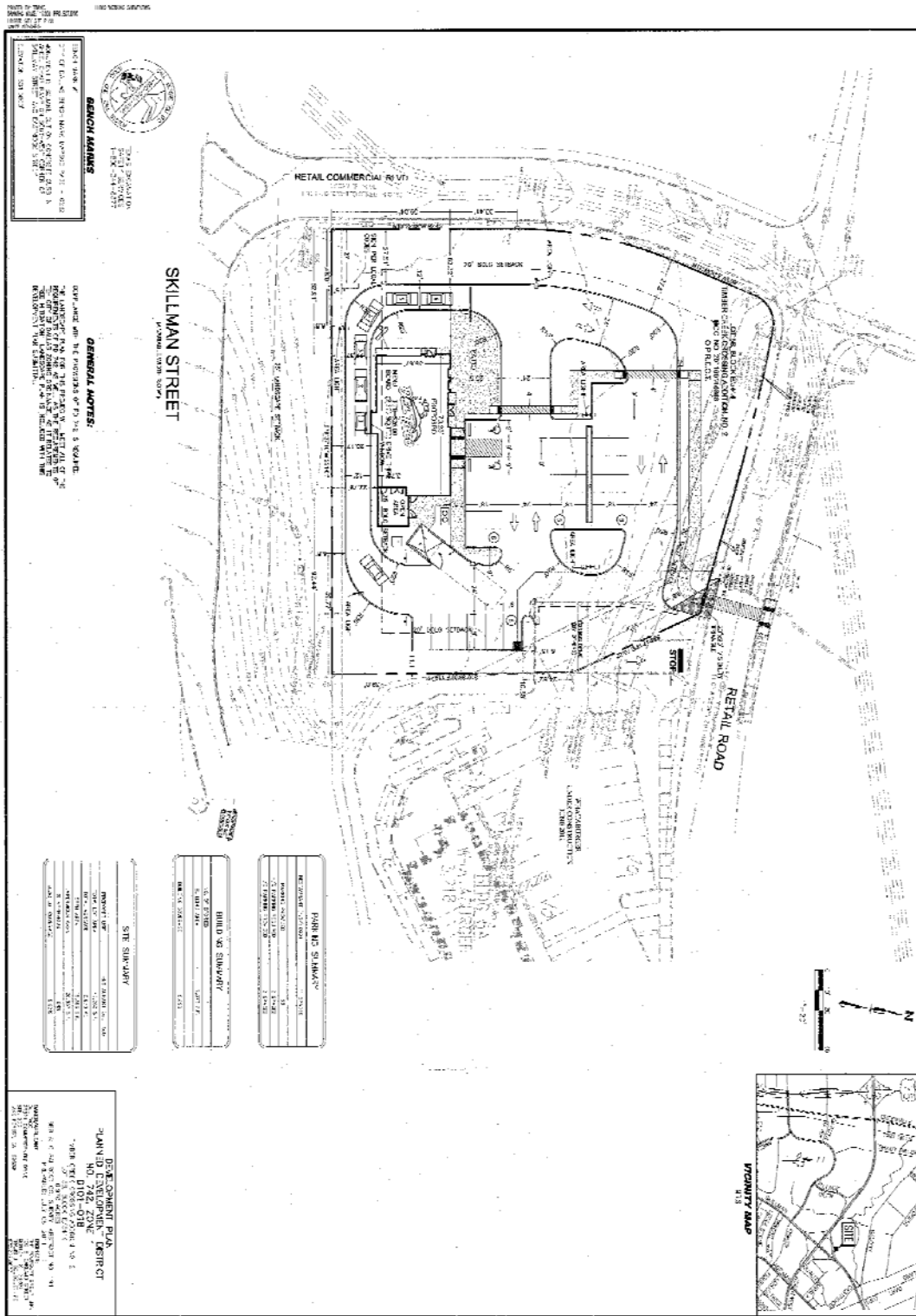
Vice President, Chief Brand Officer, John D. Cappasola, Jr.

Vice President of Information Technology, David A. Snyder

# EXISTING CONCEPTUAL PLAN



# PROPOSED DEVELOPMENT PLAN



**GENERAL NOTES:**  
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.  
 2. DIMENSIONS ARE TO THE FACE UNLESS NOTED OTHERWISE.  
 3. ALL UTILITIES ARE SHOWN AS LOCATED ON THE DATE OF THIS PLAN.  
 4. ALL CONDUITS SHALL BE 18" DIA. UNLESS NOTED OTHERWISE.  
 5. ALL UTILITIES SHALL BE 18" DIA. UNLESS NOTED OTHERWISE.  
 6. ALL UTILITIES SHALL BE 18" DIA. UNLESS NOTED OTHERWISE.  
 7. ALL UTILITIES SHALL BE 18" DIA. UNLESS NOTED OTHERWISE.  
 8. ALL UTILITIES SHALL BE 18" DIA. UNLESS NOTED OTHERWISE.

**GENERAL NOTES:**  
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.  
 2. DIMENSIONS ARE TO THE FACE UNLESS NOTED OTHERWISE.  
 3. ALL UTILITIES ARE SHOWN AS LOCATED ON THE DATE OF THIS PLAN.  
 4. ALL CONDUITS SHALL BE 18" DIA. UNLESS NOTED OTHERWISE.  
 5. ALL UTILITIES SHALL BE 18" DIA. UNLESS NOTED OTHERWISE.  
 6. ALL UTILITIES SHALL BE 18" DIA. UNLESS NOTED OTHERWISE.  
 7. ALL UTILITIES SHALL BE 18" DIA. UNLESS NOTED OTHERWISE.  
 8. ALL UTILITIES SHALL BE 18" DIA. UNLESS NOTED OTHERWISE.

SITE SUMMARY	
PROJECT NO.	1009
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11

BUILDING SUMMARY	
AREA	10,000 SQ. FT.
PERMITS	1009
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11

PARKING SUMMARY	
TOTAL SPACES	100
TYPE	PERMITS
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11
DATE	07-17-11

**DEVELOPMENT PLAN**  
**PLANNED DEVELOPMENT DISTRICT**  
 NO. 1009-018  
 511 G. C. G. 2010, 2011 & 2012  
 511 G. C. G. 2010, 2011 & 2012  
 511 G. C. G. 2010, 2011 & 2012  
 511 G. C. G. 2010, 2011 & 2012  
 511 G. C. G. 2010, 2011 & 2012  
 511 G. C. G. 2010, 2011 & 2012

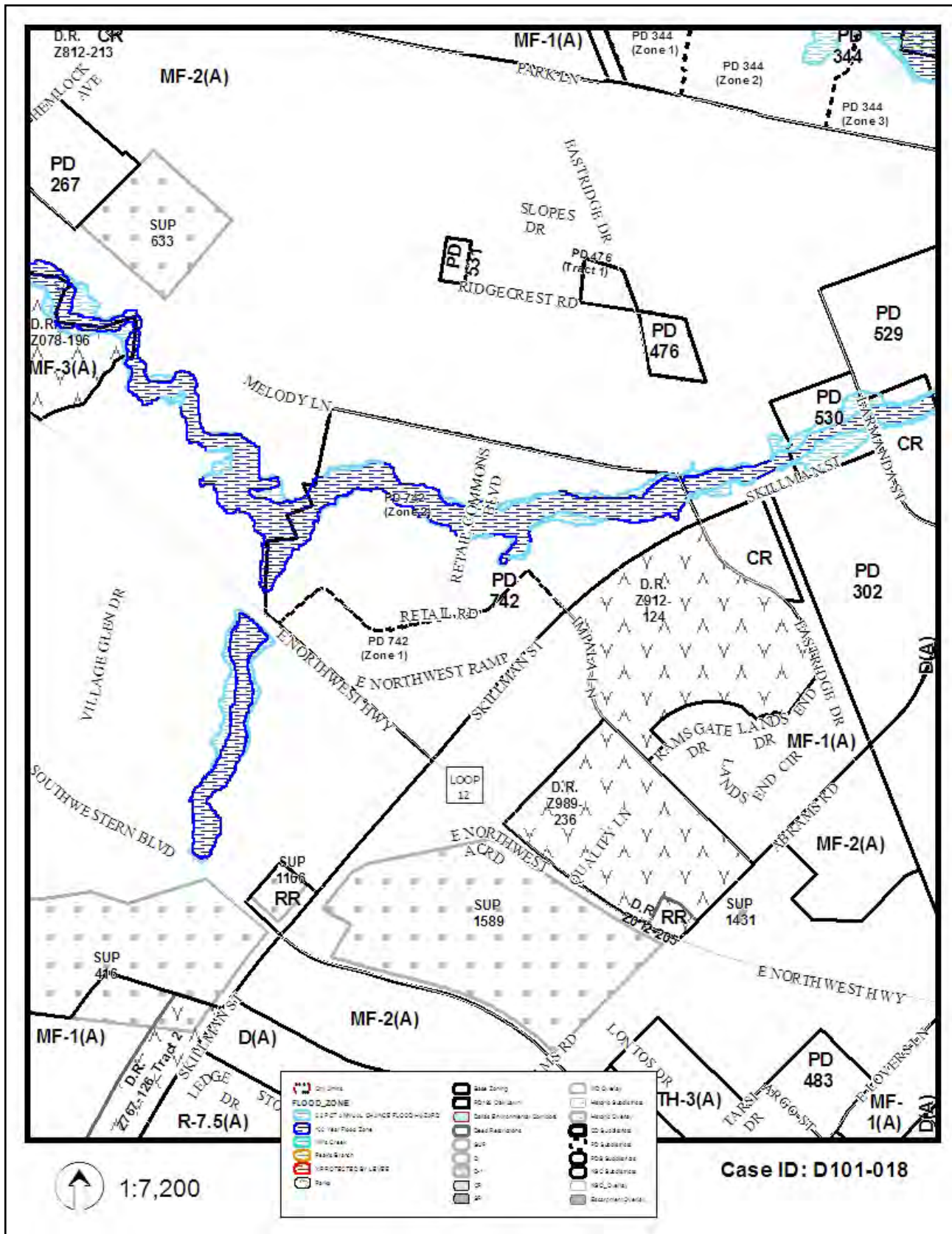
**C-20**

07-17-11 ISSUE FOR PERMIT

**CH&A**  
 CONSULTING ENGINEERS  
 1100 SKILLMAN STREET  
 DALLAS, TEXAS 75210  
 PHONE: 214.760.0000  
 FAX: 214.760.0001  
 WWW.CH&A.COM



**DAL TRICO**  
 REGISTERED PROFESSIONAL ENGINEER  
 STATE OF TEXAS  
 NO. 100901  
 2010 & N/A  
 PHO: (214) 210-1000  
 FAX: (214) 210-1001  
 WWW.DALTRICO.COM



Case ID: D101-018

**FILE NUMBER:** Z101-297(MW)

**DATE FILED:** June 14, 2011

**LOCATION:** Southwest corner of Baldwin Street and Jamaica Street

**COUNCIL DISTRICT:** 7

**MAPSCO:** 46-R

**SIZE OF REQUEST:** ±0.124 acre

**CENSUS TRACT:** 27.01

---

**APPLICANT/OWNER:** Dallas Area Habitat for Humanity/Dallas Neighborhood Alliance for Habitat, Inc.

**REPRESENTATIVE:** Jackson Walker, LLP/Suzan Kedron

**REQUEST:** An application to terminate deed restrictions and an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on property zoned an NC Neighborhood Commercial Subdistrict within Planned Development District PDD No. 595.

**SUMMARY:** The applicant intends to construct a single family home on the property; however, the existing zoning does not allow for residential uses. Deed restrictions limit the use of the property to a restaurant without drive-in or drive-through service.

**STAFF RECOMMENDATION:** Approval of the termination of deed restrictions and approval of an R-5(A) Single Family Subdistrict.

**BACKGROUND INFORMATION:**

- The ±0.124 acre request site is developed with a vacant building for which a certificate of occupancy for a restaurant without drive- in service was issued in 2002.
- On April 24, 2002, the property was rezoned from an R-5(A) Single Family Subdistrict in PDD No. 595 to an NC Neighborhood Commercial Subdistrict. At that time, deed restrictions were volunteered to limit the use of the property to a restaurant without drive-in or drive-through service.
- The applicant intends to construct a single family home on the property; however, the existing zoning does not allow for residential uses.
- The request site is surrounded by undeveloped property to the north and single family residential to the east, south and west.

**Zoning History:**

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

**Thoroughfares/Streets:**

<b>Thoroughfares/Streets</b>	<b>Type</b>	<b>Existing ROW</b>
Baldwin Street	Local Street	35 feet
Jamaica Street	Local Street	30 feet

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	NC Subdistrict in PDD No. 595	Vacant restaurant
<b>North</b>	R-5(A) Subdistrict in PDD No. 595	Undeveloped
<b>East</b>	R-5(A) Subdistrict in PDD No. 595	Single Family
<b>South</b>	R-5(A) Subdistrict in PDD No. 595	Single Family
<b>West</b>	R-5(A) Subdistrict in PDD No. 595	Single Family

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The subject site is identified as being within a *Residential Neighborhood* on the **forwardDallas! Vision Illustration**, adopted June 2006. The applicant's request for an R-5(A) Single Family Subdistrict, as well as the proposal to construct a single family home on the site, is consistent with the *forwardDallas! Vision* and further complies with the following goals and policies of the Comprehensive Plan.

**LAND USE ELEMENT**

**GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

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

**GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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

**GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS**

Policy 1.3.1 Create housing opportunities throughout Dallas.

**NEIGHBORHOOD ELEMENT**

**GOAL 7.1 PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS**

Policy 7.1.2 Promote neighborhood-development compatibility.

**Land Use Compatibility:**

The ±0.124 acre request site is developed with a vacant building for which a certificate of occupancy for a restaurant without drive-in service was issued in 2002.

On April 24, 2002, the property was rezoned from an R-5(A) Single Family Subdistrict in PDD No. 595 to an NC Neighborhood Commercial Subdistrict. At that time, deed restrictions were volunteered to limit the use of the property to a restaurant without drive-in or drive-through service. The applicant intends to construct a single family home on the property; however, the existing zoning does not allow for residential uses.

The request site is surrounded by undeveloped property to the north and single family residential to the east, south and west. The proposed construction of a single family home on the request site is compatible and consistent with the surrounding development.



**Development Standards:**

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

\*existing deed restrictions limit the use of the property to a restaurant without drive-in or drive-through service.

**Traffic:**

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

**Parking:**

Pursuant to §51A-4.200 of the Dallas Development Code, one off-street parking space is required for a single family use.

**Landscaping:**

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

**Partners/Principals/Officers:**

**List of 2011 Dallas Area Habitat for Humanity, Inc.**


Stephen Goldmann  
Mark Shank  
Mike Wallis  
John Beckman  
Paula Blackmon  
Al Childs  
Bill "Bulldog" Cunningham  
Betsy del Monte  
Sara J Evans  
Mike Fechner  
Mark Flagg  
Randy Golden  
Holly Hassmann  
Suzan Kedron  
Eric Kosmin  
Amy McNulty  
David Michel  
Evelyn Henry Miller  
Dan Morgan  
Kenneth Rogers  
Judy Schmidt  
John W. Slates  
Jaime Spellings  
Aisha Thomas  
Kurt Twining  
Crayton Webb  
Bill Wright

**List of 2011 Dallas Neighborhood Alliance for Habitat, Inc.  
Board of Directors**

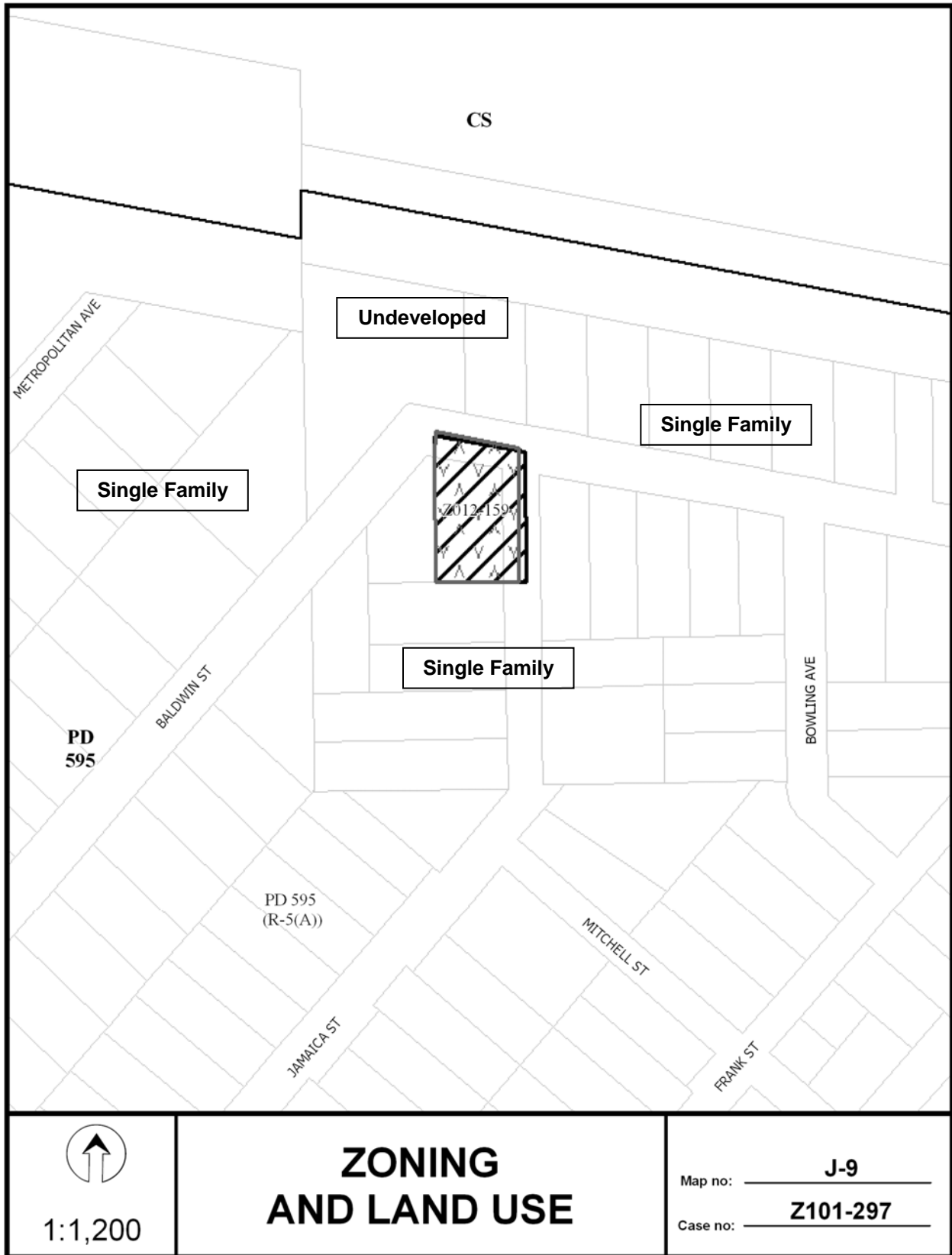
Rich Kelly  
Aisha Thomas  
Clyde McClendon  
Catherine Rhodes  
Anthony Edwards  
Zemerian Brooks  
Sara Abbott McEown

Z101-297



 1:4,800	<h2>VICINITY MAP</h2>	Map no: <u>          J-9          </u> Case no: <u>          Z101-297          </u>
--	-----------------------	--

DATE: July 28, 2011




1:1,200

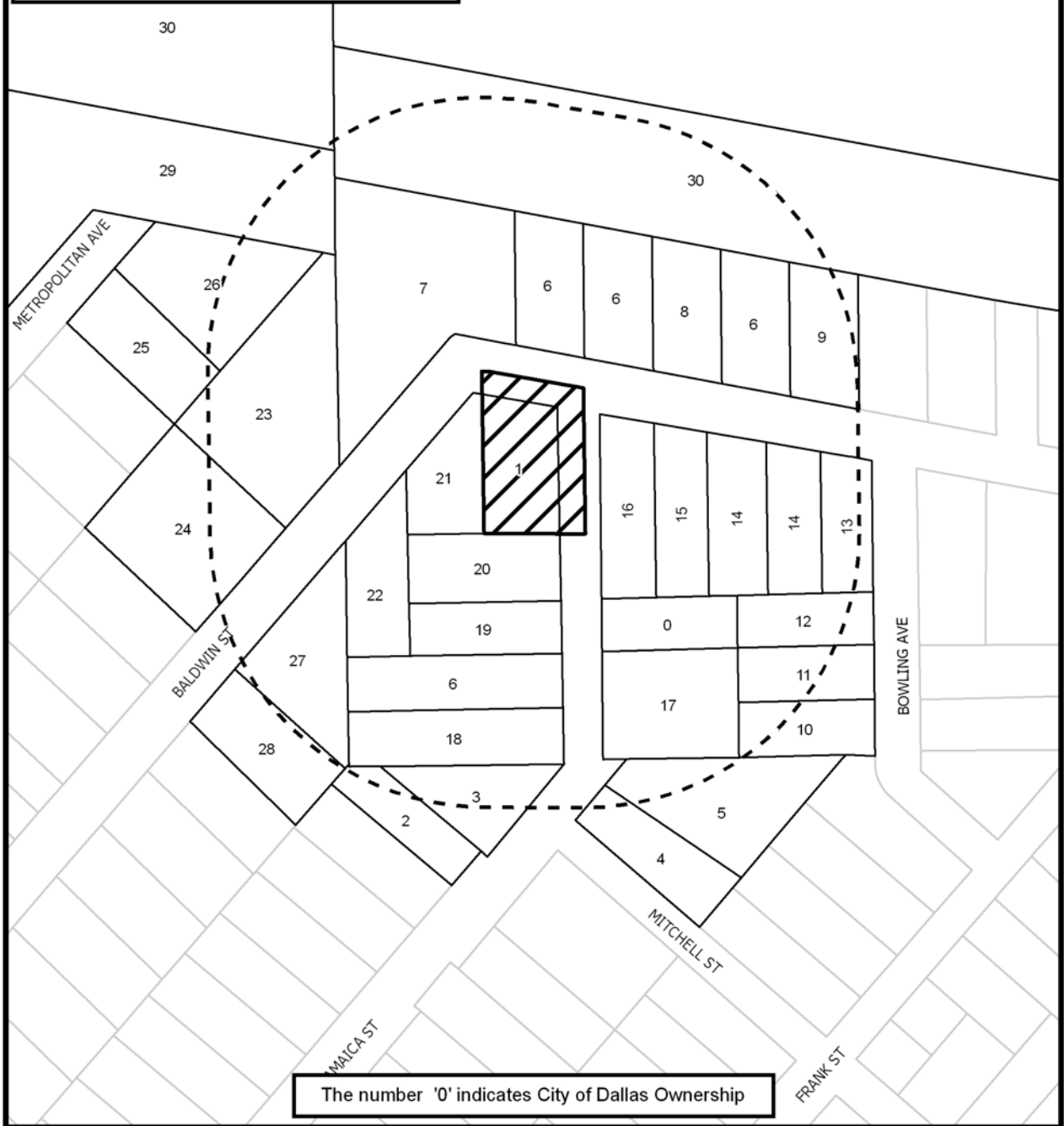
# ZONING AND LAND USE

Map no:           J-9          

Case no:           Z101-297          

DATE: July 28, 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	<h2>NOTIFICATION</h2>	Map no: <u>          J-9          </u>			
	<table border="1"> <tr> <td style="padding: 2px;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="padding: 2px;">30</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	30	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
30	NUMBER OF PROPERTY OWNERS NOTIFIED				

DATE: July 28, 2011

***Notification List of Property Owners******Z101-297******30 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4702 BALDWIN	PERKINS BENITA ETAL
2	4611 JAMAICA	CHAPPELL ALONZO &
3	4615 JAMAICA	LUCKY HOMER
4	4702 JAMAICA	FENTA MULU
5	4706 JAMAICA	NUNNERY ROSALIND
6	4723 JAMAICA	DALLAS HOUSING ACQUISITION & DEV CORP CITY HALL
7	4701 BALDWIN	SANTE FE EDUARDO M DEL
8	4719 BALDWIN	PRINCE TASHA M
9	4727 BALDWIN	HUMPHREY MRS ANNIE B
10	4705 BOWLING	KIRCHHOFFER NEIL W
11	4707 BOWLING	MARTIN DESSIE
12	4711 BOWLING	DANIEL INVESTMENTS CO
13	4722 BALDWIN	TERRELL ENTERPRISES INC
14	4716 BALDWIN	LARUE PEARL ET AL
15	4712 BALDWIN	MCFARLAND DEEDRA
16	4706 BALDWIN	MOGES EYERUSALEM
17	4714 JAMAICA	NORTON JOHNNIE
18	4703 JAMAICA	HARDY TOMMYE J &
19	4709 JAMAICA	ORTIZ JOSE A
20	4715 JAMAICA	ROSS ROYELL
21	4624 BALDWIN	FAITH BIBLE CRUS F CHRIST %OMEGA WICKS SORRELLS
22	4620 BALDWIN	DALLAS NEIGHBORHOOD ALLIANCE HABITAT
23	4619 BALDWIN	CORTES CORNELIO & MARIA DE JESUS
24	4611 BALDWIN	SORRELLS OMEGA
25	4618 METROPOLITAN	DIXON EUNICE ET AL % ANTHONY JACKSON
26	4620 METROPOLITAN	LARA PEDRO

Z101-297 (MW)

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4610 BALDWIN	BRACKENS PATRICIA
28	4606 BALDWIN	PRICE MARY LOU LITTLETON
29	4400 FITZHUGH	STATE FAIR OF TEXAS INC
30	8008 ELAM	DART

**FILE NUMBER:** Z101-298(MW)

**DATE FILED:** June 15, 2011

**LOCATION:** East side of Pipestone Road, north side of the Dallas Fort Worth Turnpike.

**COUNCIL DISTRICT:** 3

**MAPSCO:** 43-T

**SIZE OF REQUEST:** ±3.06 acres

**CENSUS TRACT:** 105

---

**APPLICANT:** Joseph R. Cavagnaro

**REPRESENTATIVE:** Matt Cragun

**OWNER:** Turnpike Sub, LLC

**REQUEST:** An application to terminate Specific Use Permit No. 917 for a child-care facility on property zoned an IM Industrial Manufacturing District.

**SUMMARY:** The applicant intends to operate a child-care facility on the request site. The IM Industrial Manufacturing District allows a child-care facility by right; therefore, the applicant is requesting termination of SUP No. 917 to avoid any potential misunderstanding related to the use.

**STAFF RECOMMENDATION:** Approval



**BACKGROUND INFORMATION:**

- The ±3.06-acre request site is developed with a vacant ±7,977-square foot building previously utilized as a child-care facility. The applicant proposes to expand the existing building and to operate a child-care facility on the request site.
- Specific Use Permit No. 917 for a child-care facility was approved on June 12, 1985 for a permanent time period. At that time, the property was zoned an I-2 Industrial District under Chapter 51 of the Dallas Development Code. The I-2 Industrial District allowed a child-care facility only by specific use permit. In 1987, the property was transitioned by Chapter 51A of the Dallas Development Code to an IM Industrial Manufacturing District. The IM Industrial Manufacturing District allows a child-care facility by right.
- Since the child-care facility use is allowed by right, the applicant is not limited by the existing SUP plan and conditions. However, since the applicant intends to expand the existing building, the applicant is requesting termination of SUP No. 917 to avoid any potential misunderstanding related to the use.
- The request site is surrounded by industrial uses and railroad corridor to the northeast; undeveloped property and railroad corridor and to the southeast; undeveloped property and industrial uses to the southwest and industrial uses to the northwest.

**Zoning History:**

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

**Thoroughfares/Streets:**

<b>Thoroughfares/Streets</b>	<b>Type</b>	<b>Existing ROW</b>
Pipestone Road	Local	60 feet
Dallas Fort Worth Turnpike	Interstate Highway	Variable

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	IM	Vacant building
<b>Northeast</b>	IM	Industrial; railroad corridor
<b>Southeast</b>	IM	Undeveloped; railroad corridor
<b>Southwest</b>	IM	Undeveloped; industrial
<b>Northwest</b>	IM	Industrial

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The Vision Illustration depicts the request site as within an *industrial area*. Typically, industrial areas offer important employment opportunities that occupy large areas of land are usually near major roads and heavy rail lines. Evolving technology and the need for freight movement through the Dallas area means that this sector of the city can offer an excellent opportunity 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.

The proposed child-care facility is allowed by right in the IM Industrial Manufacturing and is consistent with the following goal and policy of the comprehensive plan.

**URBAN DESIGN ELEMENT**

**GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

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

**Land Use Compatibility:**

The ±3.06-acre request site is developed with a vacant ±7,977-square foot building previously utilized as a child-care facility. The applicant proposes to expand the existing building and to operate a child-care facility on the request site. The request site is surrounded by industrial uses and railroad corridor to the northeast; undeveloped property and railroad corridor and to the southeast; undeveloped property and industrial uses to the southwest and industrial uses to the northwest.

Specific Use Permit No. 917 for a child-care facility was approved on June 12, 1985 for a permanent time period. At that time, the property was zoned an I-2 Industrial District under Chapter 51 of the Dallas Development Code. The I-2 Industrial District allowed a child-care facility only by specific use permit. In 1987, the property was transitioned by Chapter 51A of the Dallas Development Code to an IM Industrial Manufacturing District. The IM Industrial Manufacturing District allows a child-care facility by right.

Since the child-care facility use is allowed by right, the applicant is not limited by the existing SUP plan and conditions. However, since the applicant intends to expand the existing building and to operate a childcare facility, the applicant is requesting termination of SUP No. 917 to avoid any potential misunderstanding related to the use.

**Development Standards:**

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
IM Industrial manufacturing	15' 0' on minor	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	110' 8 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

**Traffic:**

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

**Parking:**

Pursuant to §51A-4.200 of the Dallas Development Code, the off-street parking requirement for a child care facility is one (1) space per 500 square feet of floor area.

**Landscaping:**

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

Z101-298(MW)

**Partners/Principals/Officers:**



June 1, 2011

The Officers and Directors of Open Arms, Inc. (*dba* Bryan's House) are:

President, Board of Directors: Rust E. Reid

Executive Director: David C. Thomas

Officers: Lance Leslie, First Vice-President  
Clay Hosterman, Second Vice-President  
Duane Cote, Secretary  
Tony Laday, Treasurer  
Nancy Roe, President-Elect

Agent/Applicant: Joseph R. Cavagnaro, Jr.

APPLICANT

By: David C. Thomas

Name: David C. Thomas

Title: Executive Director

Z101-298

P.O. Box 35868 • Dallas, Texas 75235 • (214) 559-3946 • (214) 559-2827 Fax • [www.bryanshouse.org](http://www.bryanshouse.org)

**Existing Conditions  
(TO BE TERMINATED)**

18759

851924

THENCE North 76°01'30" East, a distance of 311.34 feet to a point for a corner lying on the north right-of-way line of the A.T. & S.F. Railroad (100 foot R.O.W.);

THENCE the following bearings and distances along the north right-of-way line of the A.T. & S.F. Railroad:

South 38°18'45" West, a distance of 251.15 feet to the beginning of a circular curve to the left having a central angle of 4°00'18", a radius of 3869.83 feet and whose center bears South 51°41'15" East;

Southwesterly along said circular curve to the left, an arc distance of 270.50 feet to a point for a corner;

North 55°41'33" West, a distance of 10.00 feet to a point for a corner lying on a circular curve to the left having a central angle of 3°10'05", a radius of 3,879.83 feet and whose back tangent bears North 34°18'27" East;

Southwesterly along said circular curve to the left, an arc distance of 214.53 feet to a point for the POINT OF BEGINNING AND CONTAINING 133,447 square feet or 3.0635 acres of land, more or less.

SECTION 2. That this specific use permit is granted upon the following conditions:

1. SITE PLAN: Utilization of the Property must comply with the city plan commission approved site plan that is attached to and made a part of this ordinance.
2. LANDSCAPING: Landscaping must be provided as shown on the city plan commission approved landscape plan that is attached to and made a part of this ordinance. All plant material must be maintained in a healthy growing condition at all times.
3. DRIVE: A circular drive or similar area must be provided for the off-street loading and unloading of children.
4. PAVING: All parking spaces, aisles, maneuvering areas, and driveway connections to streets or alleys, whether enclosed or unenclosed, must be surfaced to comply with the standards set out in the Dallas Development Code, as amended.

18759

851924

5. PARKING: Parking must be provided at the ratio of one space for each 500 square feet of floor area.
6. SIGNS: All signs must comply with the provisions for non-business zoning districts contained in Article VII, "Sign Regulations," of the Dallas Development Code, as amended.
7. TIME LIMIT: This specific use permit has no time limit.
8. INDOOR FLOOR AREA: A minimum of 50 square feet of indoor floor area must be provided for each child in attendance.
9. OUTDOOR PLAY AREA: A minimum of 100 square feet of outdoor play space must be provided for each child in the play area at one time. The outdoor play area must be located as indicated on the attached site plan.
10. FENCING: The outdoor play area must be totally enclosed by a minimum four-foot high fence, as shown on the attached site plan.
11. MAINTENANCE: The entire premises must be properly maintained in a state of good repair and neat appearance at all times.
12. GENERAL REQUIREMENTS: Utilization of the Property must comply with the requirements of all other applicable ordinances, rules, and regulations of the City of Dallas.

SECTION 3. That all paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard City of Dallas specifications, and completed to the satisfaction of the director of public works.

SECTION 4. That the building official shall not issue a certificate of occupancy for a use on the Property until there has been full compliance with this ordinance and with the construction codes and all other applicable ordinances, rules, and regulations of the City of Dallas.

# Existing Site Plan (TO BE TERMINATED)



APPROVED BY  
CITY COUNCIL  
851924  
18759  
JUN 28 1985  
By Authority

APPROVED  
CITY PLAN COMMISSION  
2-8-85 2009/1690-5  
SAT 8 30

SITE PLAN  
1" = 200' 0"



THE CHILDREN'S CENTER 3610 PIPESTONE ROAD DALLAS, TX. L-1

1000 LTV Center  
301 Ross Ave.  
Dallas, Texas  
75201-5997  
214-979-5300  
Trammell Crow Company

**SITE NOTES:**

1. THIS AREA IS 17,624.85 S.F.

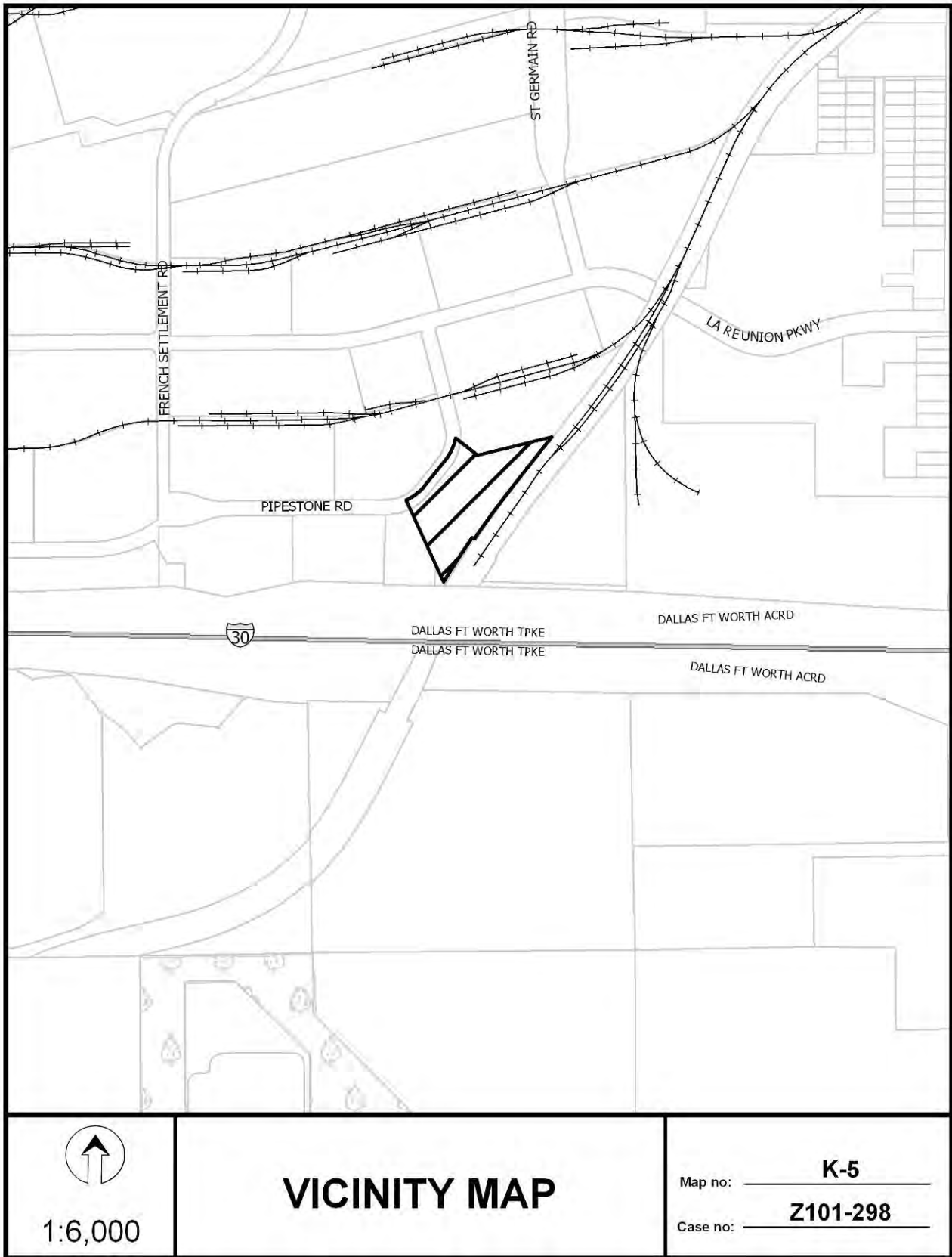
2. BUILDING AREA IS 1,243,837 S.F.

3. ZONING IS L-2.

4. CONSTRUCTION TYPE - 2N SPRINKLERED.

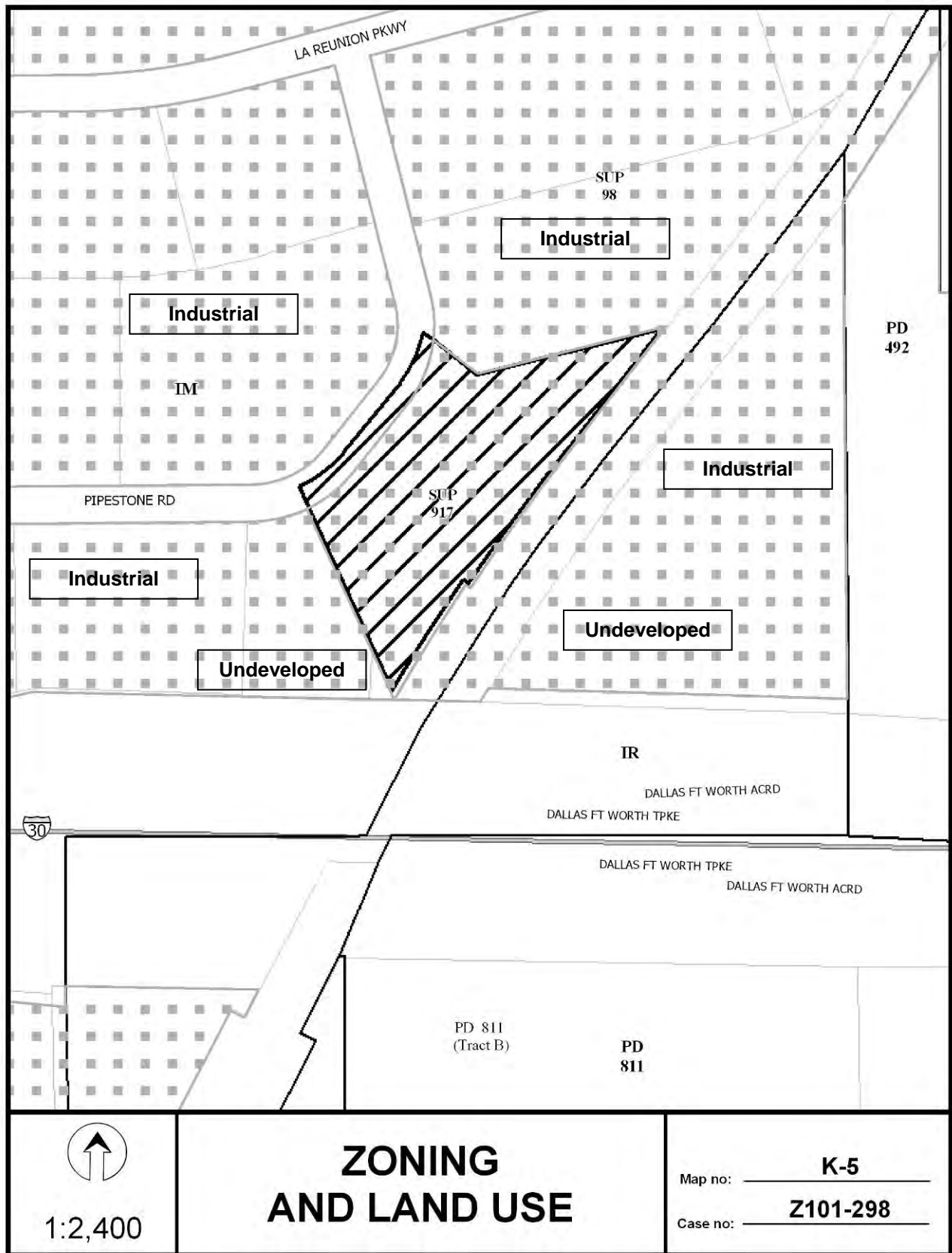
5. OCCUPANCY IS B2.

THESE NOTES ARE A SUMMARY OF THE INFORMATION CONTAINED IN THE PLANS AND SPECIFICATIONS. THEY DO NOT CONSTITUTE A CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED HEREON. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED HEREON. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED HEREON.

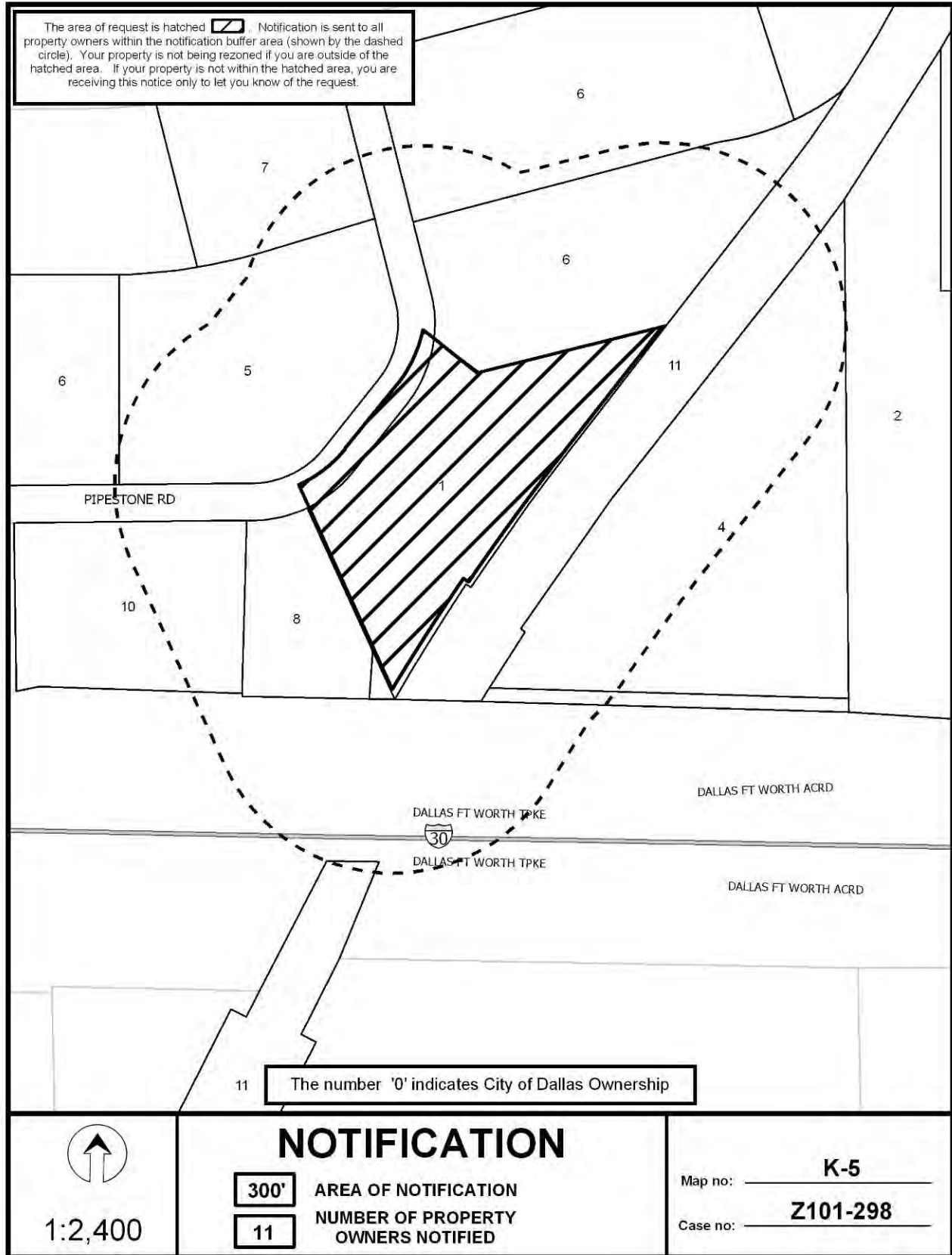


DATE: July 21, 2011





DATE: July 21, 2011



7/21/2011

**Notification List of Property Owners****Z101-298****11 Property Owners Notified**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	3610 PIPESTONE	TURNPIKE SUB LLC % PRINCIPAL REAL ESTATE INVESTORS
2	1729 WESTMORELAND	COMMERCIAL METALS CO
3	3600 IH 30	TRAMMELL CROW CO 600 % TRAMMELL CROW COMPANY
4	3600 IH 30	COMMERCIAL METALS COMPANY
5	3609 PIPESTONE	BCO TURNPIKE DISTRIBUTION ATTN: HENRY BILLINGSLEY
6	3615 PIPESTONE	TURNPIKE DIST CENTER STE 3400
7	3636 LA REUNION	BCO TURNPIKE DISTRIBUTION CENTER LTD STE 1100
8	3640 PIPESTONE	WESTMINSTER PPTY
9	3640 PIPESTONE	CHEEK RICHARD HEATH D/B/A CHEEK HOLDINGS
10	3660 PIPESTONE	ST GERMAIN HOLDINGS LTD
11	2300 GRAND	BNSF RAILWAY % PROPERTY TAX DEPT

**FILE NUMBER:** Z101-274 (MG)

**DATE FILED:** May 19, 2011

**LOCATION:** North line of E. Ledbetter Drive, east of S. R.L. Thornton Freeway

**COUNCIL DISTRICT:** 4

**MAPSCO:** 64 M

**SIZE OF REQUEST:** Approx. 1.924 acres

**CENSUS TRACT:** 59.02

---

**REPRESENTATIVE:** Mitchell Planning Group, Inc.

**APPLICANT/OWNER:** Racetrac Petroleum, 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 an RR-D Regional 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 or food store.

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

**BACKGROUND INFORMATION:**

- The request site is currently developed with an approximately 3,320 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 RR Regional Retail District. The sale of alcoholic beverages on property regulated by the D Liquor Control Overlay is prohibited.

**Zoning History:**

1. Z089-282 On February 10, 2010, the City Council approved a Specific Use Permit No. 1371 for an open enrollment charter school and a child-care facility on property zoned an R-7.5(A) Single Family District.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
E. Ledbetter Dr. (Loop 12)	Principle	107 ft.	107 ft.

**Land Use:**

	Zoning	Land Use
Site	RR-D	General Merchandise/Food Store/Motor Vehicle Fueling
North	RR-D	Undeveloped
South	RR-D	Retail
East	RR-D	General Merchandise/Food Store/Personal Service
West	RR-D	General Merchandise/Food Store/Hotel

**STAFF ANALYSIS:**

**Comprehensive Plan:**

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

Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of 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 1.924 acre request site is zoned a RR Regional Retail District with a D Liquor Control Overlay and is currently developed with an approximately 3,320 square foot general merchandise/food store and motor vehicle fueling station. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which requires changing the overlay district from D to D-1 and a Specific Use Permit.

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					
<b>Existing</b>							
RR- D existing Community Retail	15'	20' adjacent to residential OTHER: No Min.	NA	54'	80%	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 and 2 spaces for a motor vehicle fueling station. The existing development requires 19 spaces, and 19 spaces are provided as shown on the attached site plan.

**Landscaping:**

Landscaping required per Article X of the Dallas Development Code.



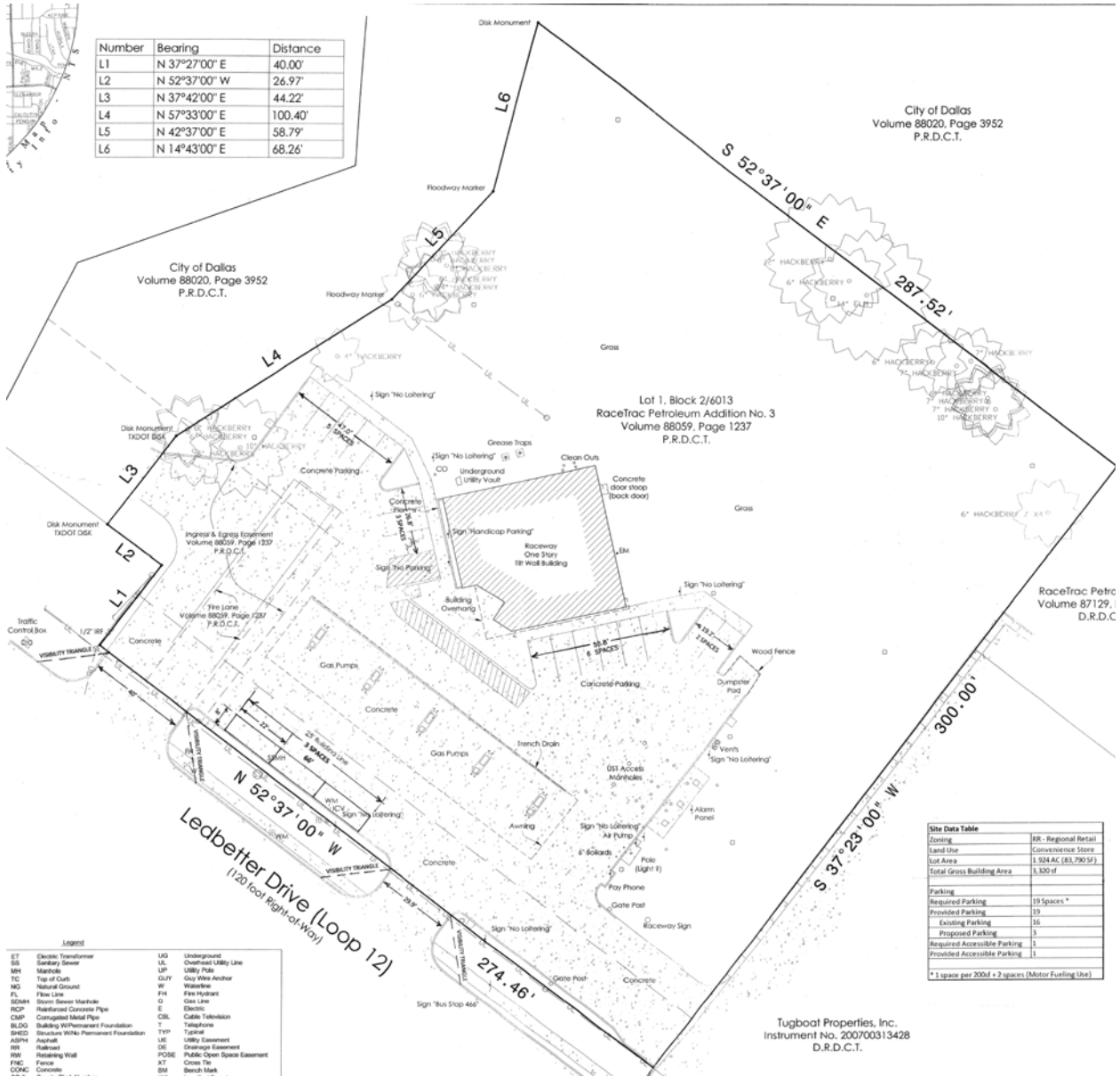
## DPD Report

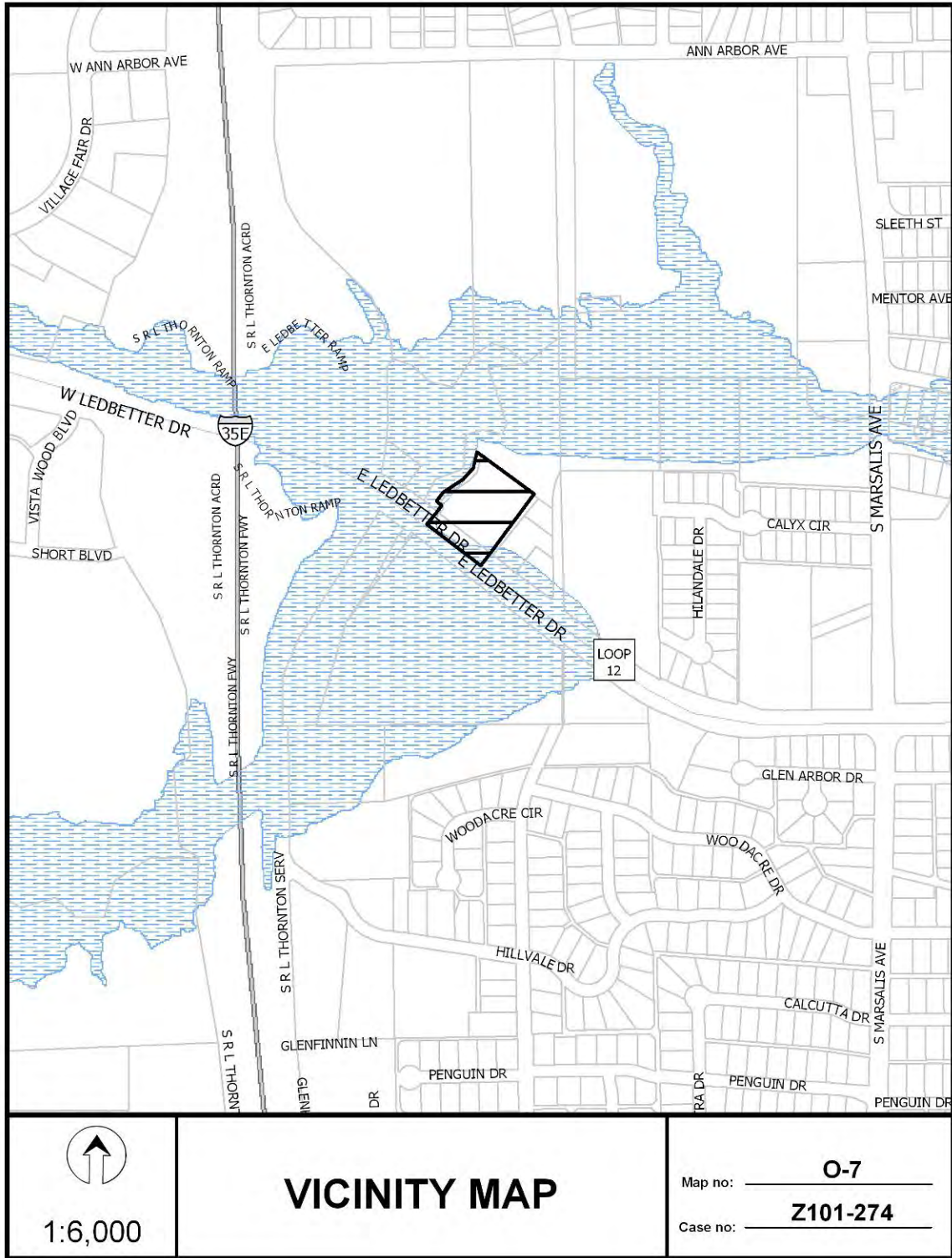
The screenshot displays the Dallas Police Department's Virtual Viewer interface. At the top left, the Dallas Police Department logo and name are visible. To the right, there are links for "UCR Codes", "Year Codes", and "Property Class Codes". Below the header, a yellow bar contains the text "Virtual Viewer - Public Access" on the left and "Welcome" on the right. The main content area is mostly blank, with a central message box that reads: "No found results." followed by "The search parameters found no records." At the bottom of the interface, a blue footer bar contains the text "AgencyWeb® All rights reserved. ©2009 Orion Communications, Inc."

Proposed SUP Conditions

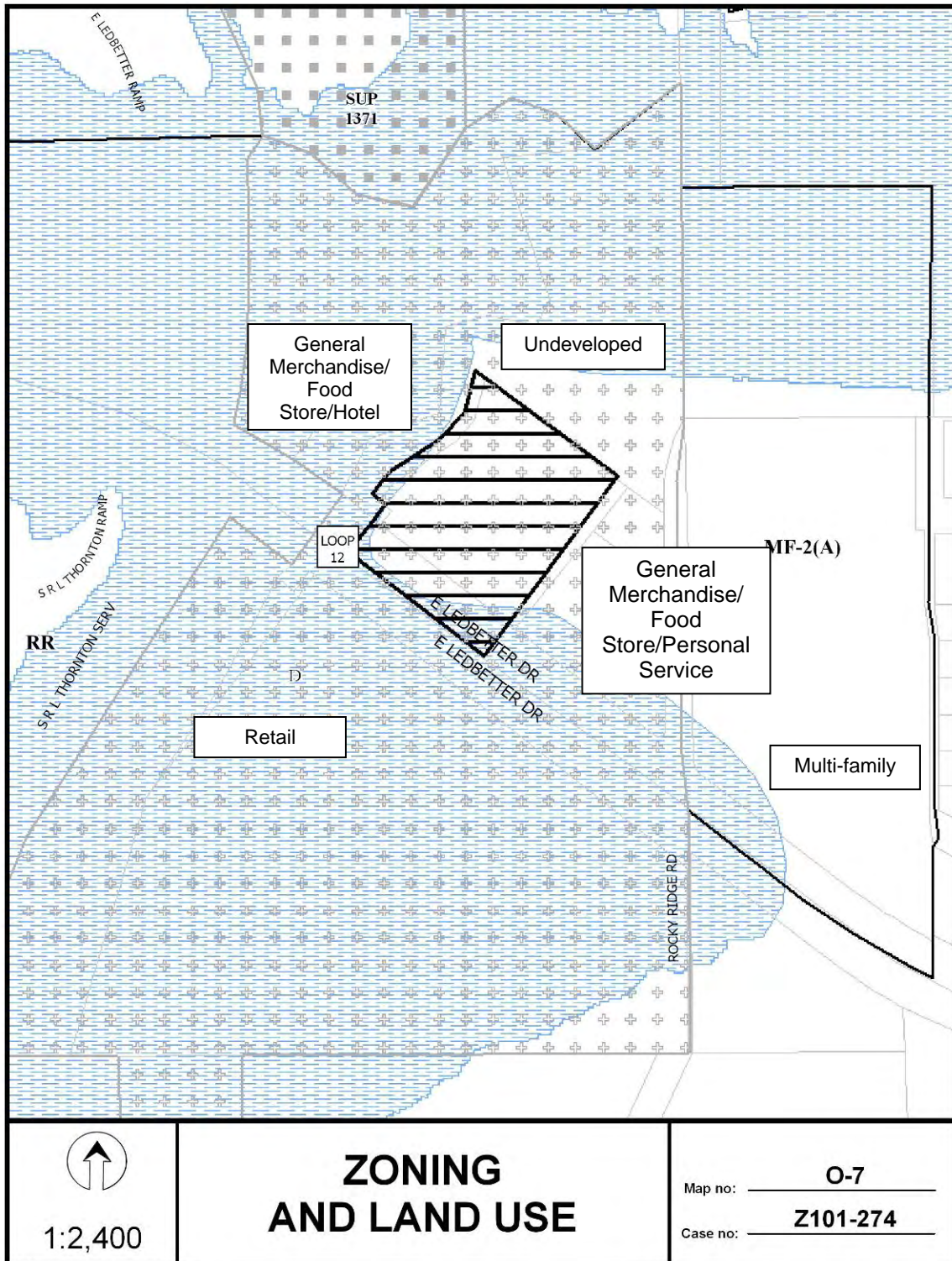
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use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

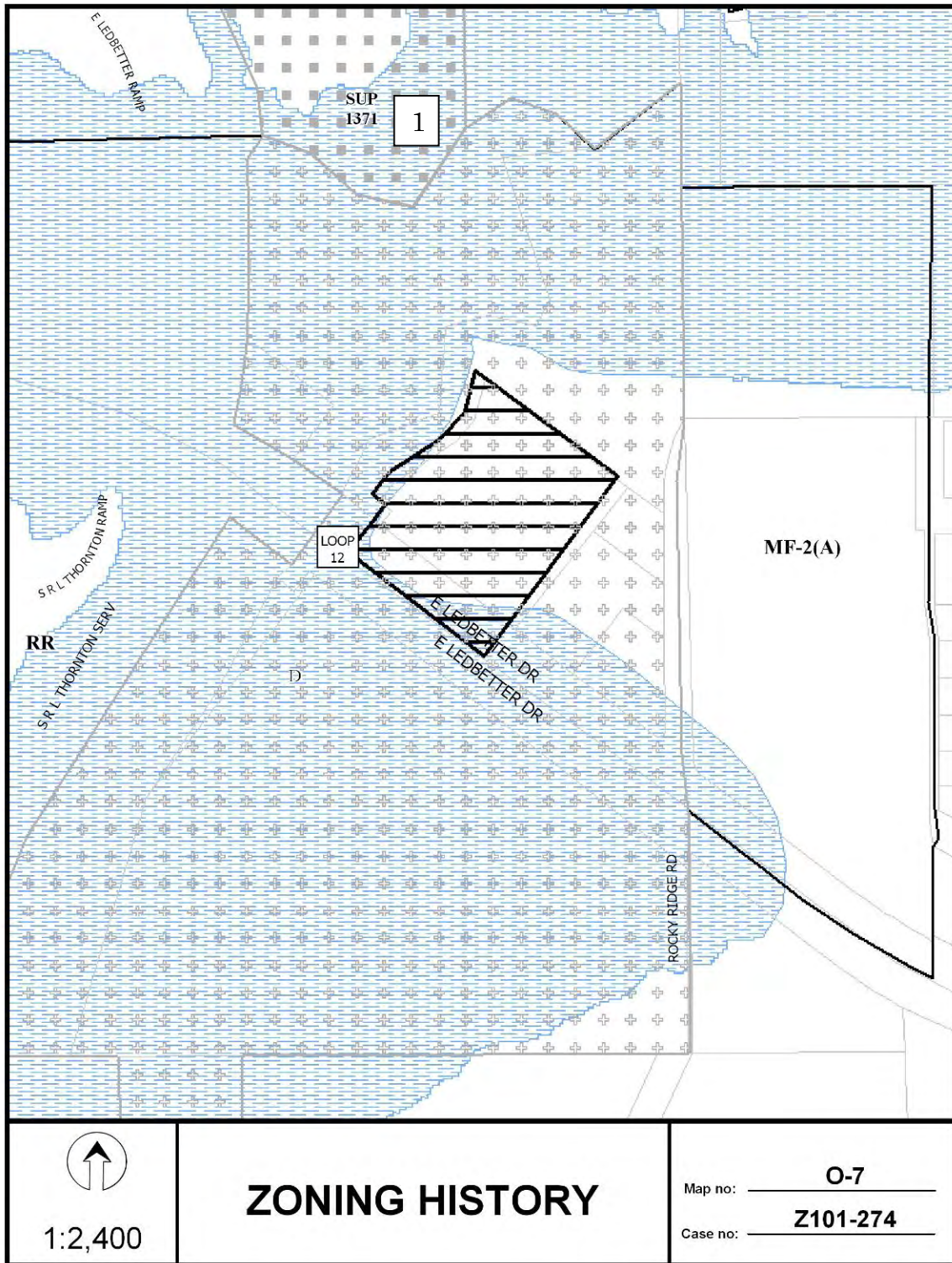
SITE PLAN

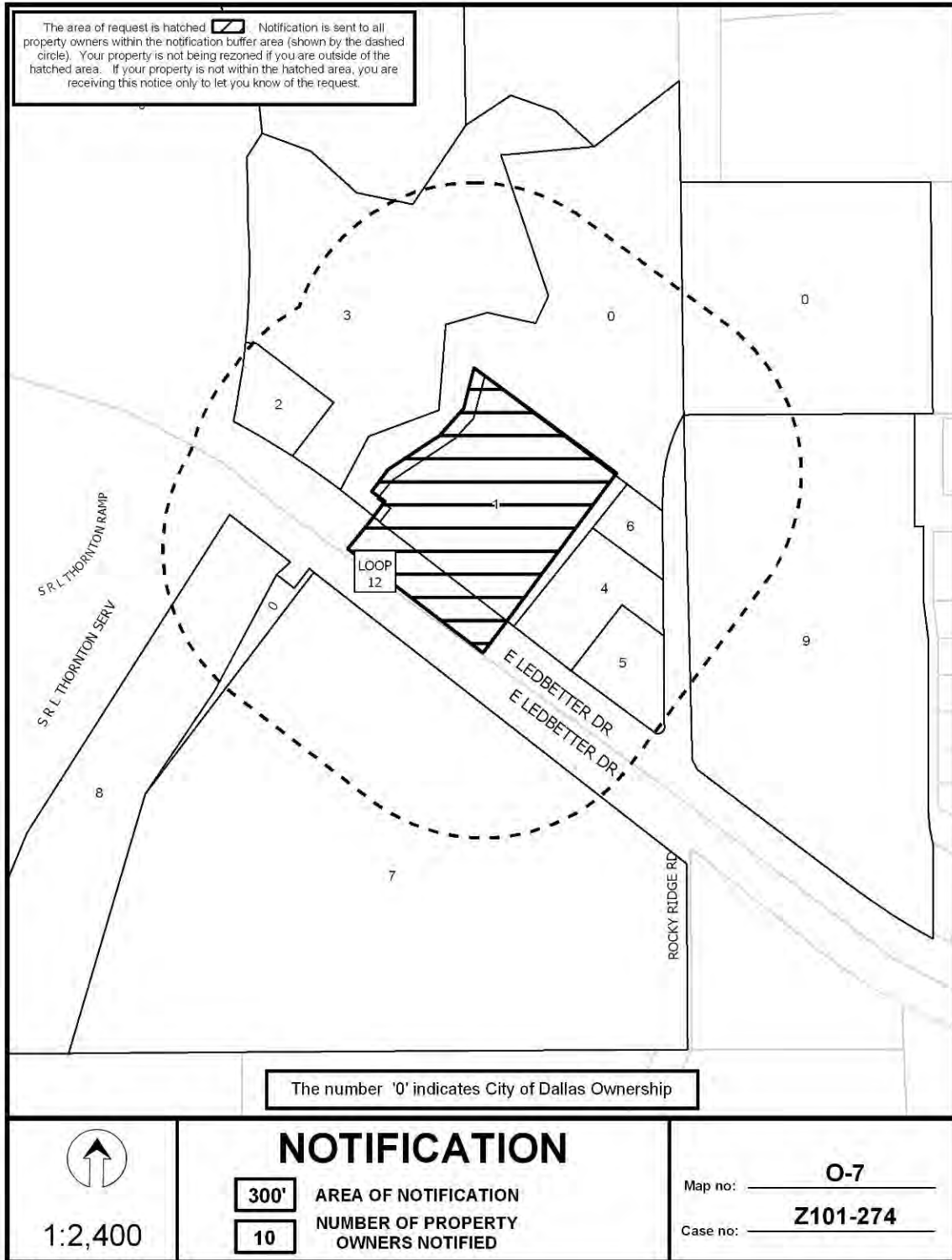




DATE: July 07, 2011







## ***Notification List of Property Owners***

### ***Z101-274***

#### ***10 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	303 LEDBETTER	RACETRACK PETROLEUM INC STE 100
2	221 LEDBETTER	DALLAS ALISHAH ENTERPRISES INC
3	4610 R L THORNTON	OAK CLIFF HOSPITALITY LP
4	337 LEDBETTER	TUGBOAT PROPERTIES INC %HUYN S YOO
5	423 LEDBETTER	TUGBOAT PROPERTIES INC
6	337 LEDBETTER	RACETRAC PETROLEUM INC
7	300 LEDBETTER	BRIZZA INC
8	200 LEDBETTER	TLC PPTIES INC
9	433 LEDBETTER	FIVE MILE FLATS LLC % DALLAS CITY HOMES
10	110 ANN ARBOR	LIFESCHOOL OF DALLAS DBA LIFESCHOOL

***Thursday, July 07, 2011***



**FILE NUMBER:** Z101-293 (MG)

**DATE FILED:** June 10, 2011

**LOCATION:** Northeast corner of S. Belt Line Road and Seagoville Road

**COUNCIL DISTRICT:** 8

**MAPSCO:** 70 E

**SIZE OF REQUEST:** Approx. 0.584 acres

**CENSUS TRACT:** 171.01

---

**REPRESENTATIVE:** Pamela Craig

**APPLICANT:** Abed Ammouri

**OWNER:** Hamza Alkam & Abed Ammouri

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

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

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

**BACKGROUND INFORMATION:**

- The request site is currently developed with an approximately 3,195 square foot general merchandise use (convenience store) and motor 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:**

1. Z101-137

On April 13, 2011, the City Council approved a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise use greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Dry Liquor Control Overlay.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
S. Belt Line Road	Principle	90 ft.	90 ft.
Seagoville Road	Minor Arterial	80 ft.	80 ft.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
Site	CR-D-1	General Merchandise/Food Store/Motor Vehicle Fueling
North	CR-D-1	Undeveloped
South	CR-D-1	Undeveloped
East	CR-D-1	Undeveloped
West	CR-D-1	General Merchandise/Food Store/Motor Vehicle Fueling

**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 Block.

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 0.584 acre request site is zoned a CR Community Retail District with a D-1 Liquor Control Overlay and is currently developed with an approximately 3,195 square foot General Merchandise/Food store and motor vehicle fueling station. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which requires a Specific Use Permit in the D-1 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,

Z101-293 (MG)

- 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- D-1 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 and 2 spaces for a motor vehicle fueling station. The existing development requires 18 spaces. The attached site plan depicts the required 18 spaces.

**Landscaping:**

Landscaping required per Article X of the Dallas Development Code.

## DPD Report

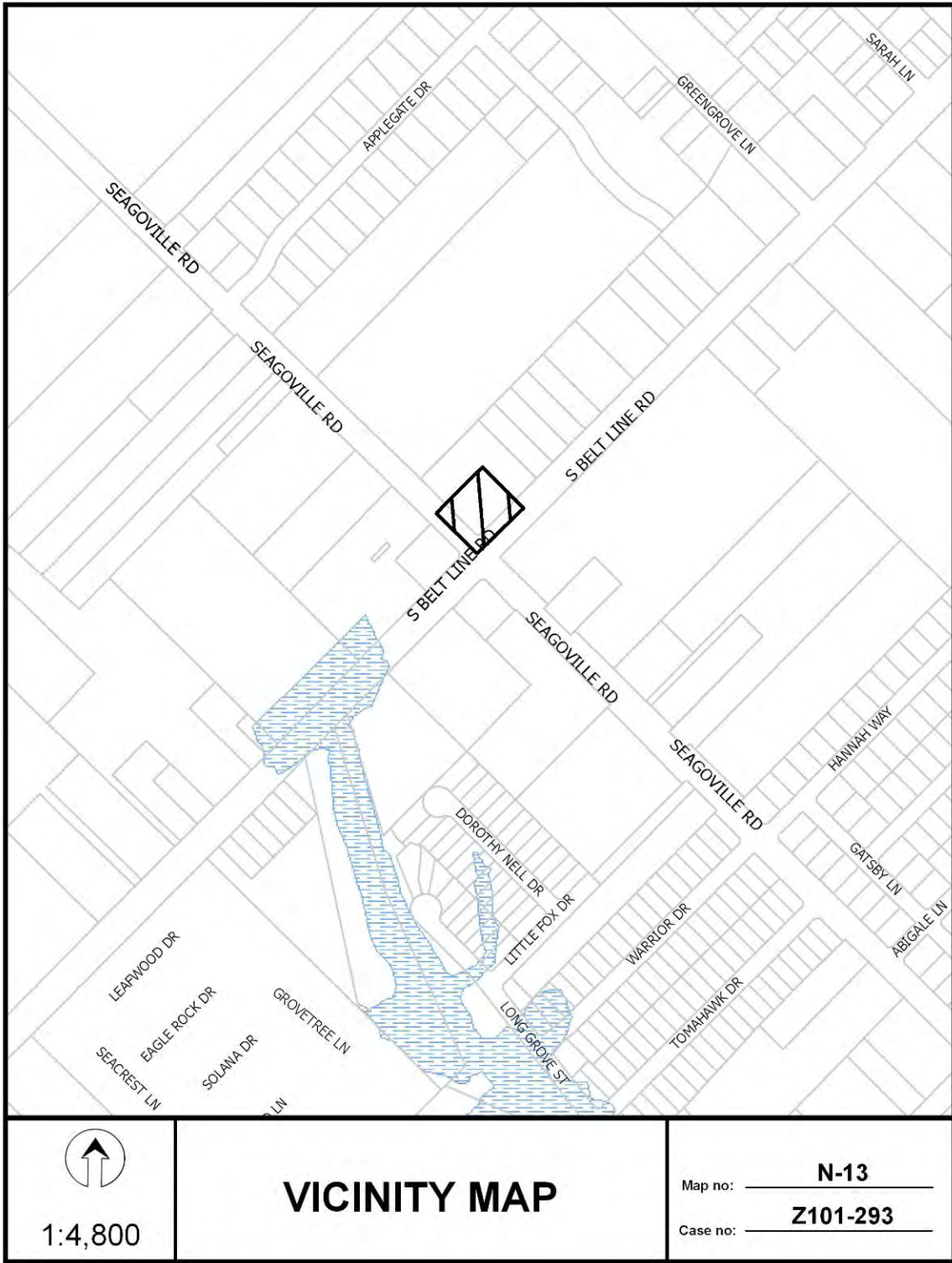
The screenshot displays the Dallas Police Department's Virtual Viewer interface. At the top left, the Dallas Police Department logo and name are visible. To the right, there are links for [UCR Codes](#), [Year Codes](#), and [Property Class Codes](#). Below the header, a yellow bar contains the text "Virtual Viewer - Public Access" on the left and "Welcome" on the right. The main content area is mostly blank, with a central message box that reads: "No found results." followed by "The search parameters found no records." At the bottom of the interface, a blue footer bar contains the text "AgencyWeb® All rights reserved. ©2009 Orion Communications, Inc."

Proposed SUP Conditions

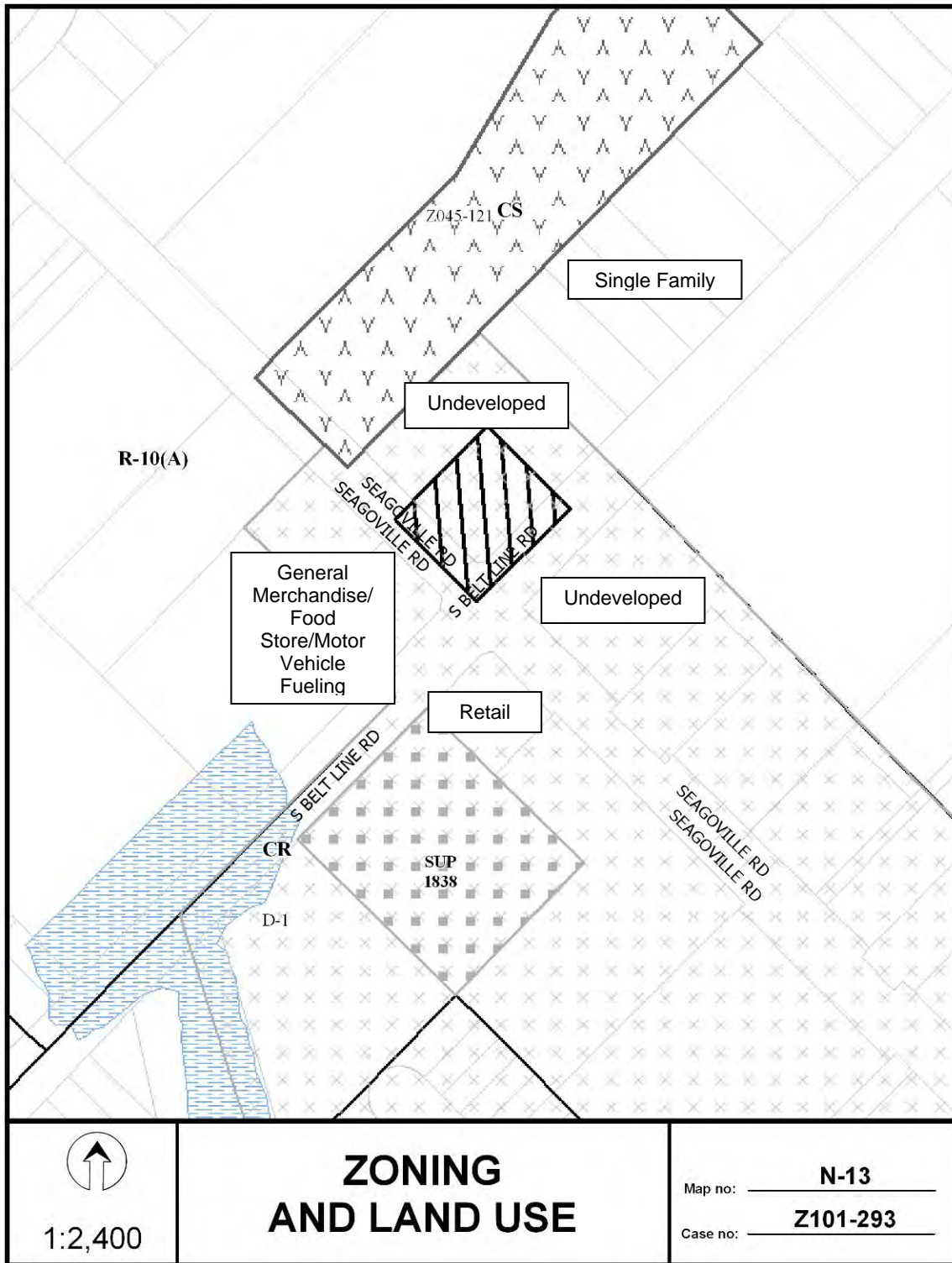
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use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





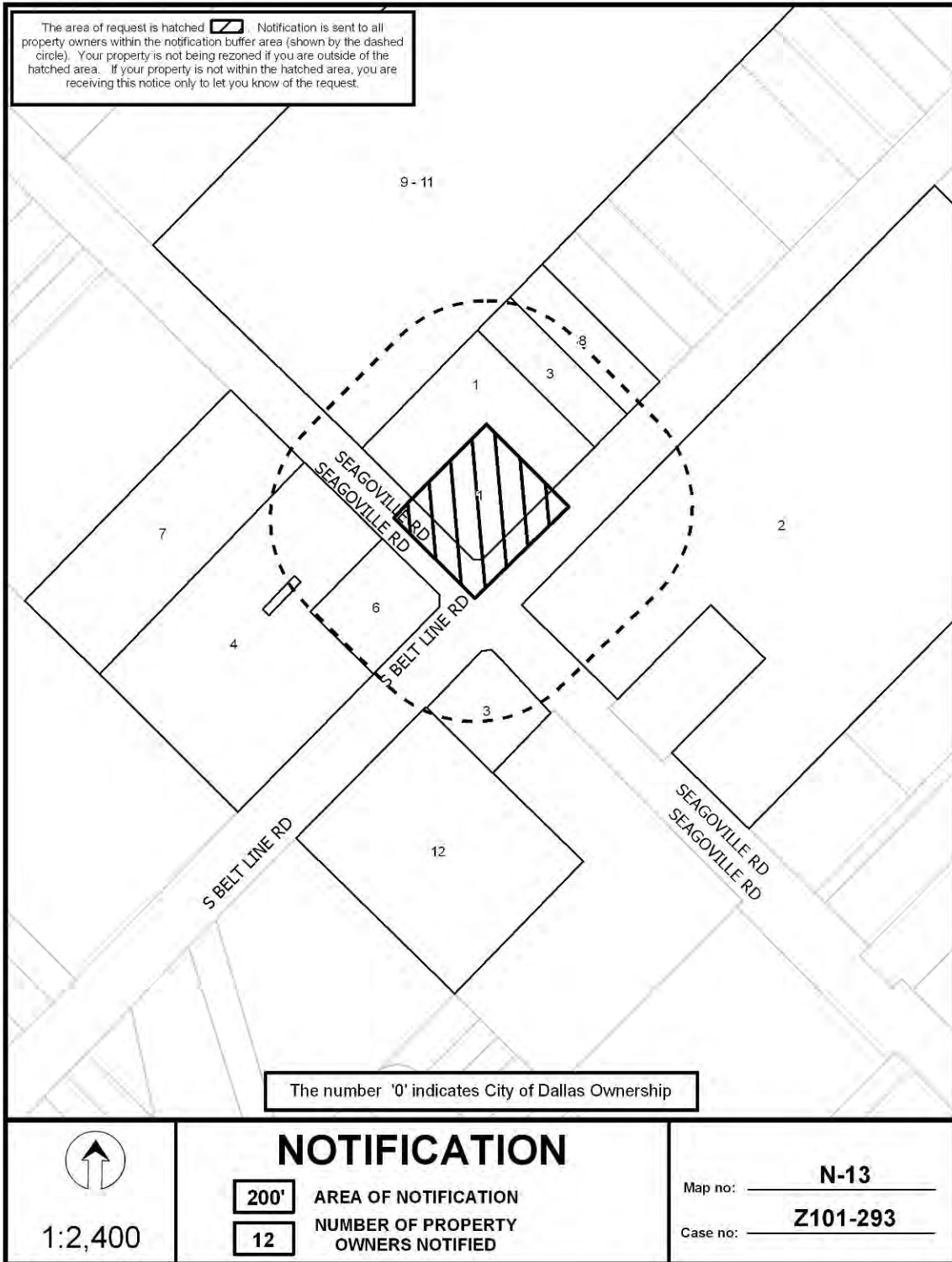


DATE: July 07, 2011



DATE: July 07, 2011





## ***Notification List of Property Owners***

### ***Z101-293***

#### ***12 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	943 BELTLINE	ALKAM HAMZA & ABED AMMOURI
2	15251 SEAGOVILLE RD	BIG SCORE INVESTORS LLC
3	937 BELTLINE	AMMOURI ABED & HAMZA ALKAM
4	1025 BELTLINE	FLOYD CHARLES M
5	1001 BELTLINE	FLOYD CHARLES M & BARBARA
6	15130 SEAGOVILLE RD	MEMON SHAHZAD
7	15104 SEAGOVILLE RD	SCHLEIMER PATSY SUE
8	933 BELTLINE	BUNCH JAMES E
9	15029 SEAGOVILLE RD	FORD TOM W
10	15029 SEAGOVILLE RD	FORD TOM W
11	15029 SEAGOVILLE RD	FORD TOM W &
12	1050 BELTLINE	BOWMAW INC % BOBBY WRIGHT

*Thursday, July 07, 2011*

**FILE NUMBER:** Z101-304(MG)

**DATE FILED:** June 22, 2011

**LOCATION:** South line of Canada Drive between Bataan Street and Topeka Avenue

**COUNCIL DISTRICT:** 6

**MAPSCO:** 44 L

**SIZE OF REQUEST:** Approx. 1.7 Acres

**CENSUS TRACT:** 101.02

**APPLICANT:** City of Dallas

**REPRESENTATIVE:** Vincent Lewis

**OWNER:** City of Dallas

**REQUEST:** An application for a Specific Use Permit for a utility or government installation limited to a flood control pump station on property zoned an R-5(A) Single Family District and an A(A) Agriculture District.

**SUMMARY:** The City of Dallas proposes to operate a flood control pump station.

**STAFF RECOMMENDATION:** Approval, for a permanent time period, subject to a landscape/site plan and conditions.

**BACKGROUND INFORMATION:**

- The City of Dallas is in the process of constructing a flood control pump station that will transfer flood water collected in surrounding areas to the Trinity River.
- The proposed low maintenance pump station will include 3 concrete volute pumps with the capacity to pump 375,000 gallons of water per minute.
- The proposed landscape/site plan depicts 4 proposed parking spaces.
- The facility will operate 24 hours a day, 7 days a week.

**Zoning History:**

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Canada Drive	Minor Arterial	80 ft.	80 ft.
Bataan Street	Local	55 ft.	55 ft.

**Land Use:**

	Zoning	Land Use
<b>Site</b>	R-5(A)/A(A)	Undeveloped
<b>North</b>	A(A)	Trinity River Corridor
<b>South</b>	R-5(A)	Single family/Undeveloped
<b>East</b>	A(A)	Trinity River Corridor
<b>West</b>	R-5(A)	Single family

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

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley

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

## **LAND USE**

### **GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC EVELOPMENT PRIORITIES**

A goal of the forwardDallas! Vision is to create a healthy balance between jobs and households throughout Dallas by adding about 220,000 households and about 400,000 jobs between the years 2000 and 2030. The City should facilitate balanced growth with the goal of achieving and maintaining a sustainable tax base. Tools and strategies for achieving the City's economic development land use goals should direct public investment and encourage private partnerships.

#### **STAFF ANALYSIS:**

**Land Use Compatibility:** The City of Dallas is in the process of constructing a flood control pump station that will transfer flood water collected in surrounding areas to the Trinity River. The request site is being developed with the proposed flood control pump station containing 3 concrete volute pumps with the capacity to pump 375,000 gallons of water per minute. Once development is complete, the facility will operate 24 hours a day, 7 days a week. In addition to the proposed pump station, the landscape/site plan depicts four parking spaces for use by maintenance vehicles. Since the provided landscaping is not required per Article X, landscaping is shown on the landscaping/site plan.

The surrounding area is developed with single family uses to the south and west. The southern boundary of the Trinity River Corridor and associated levee system lies to the north and east of the pump station site.

The Trinity River Corridor Plan was adopted by City Council in March, 2005 and lists adequate flood protection as one of its goals. The pump station is necessary to provide adequate flood protection to the adjacent neighborhood and the immediately 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 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 permanent time period, subject to the attached site plan and conditions.

**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
A(A) – existing Single family/undeveloped	50'	50'/10'	NA	NA	10%/25%	NA	Agriculture
R-5(A) - existing Single family/undeveloped	25'	5'/10'	NA	30'	45%/25%	NA	Single family

**Landscaping:** Landscaping must be provided per the attached Landscaping/Site Plan.

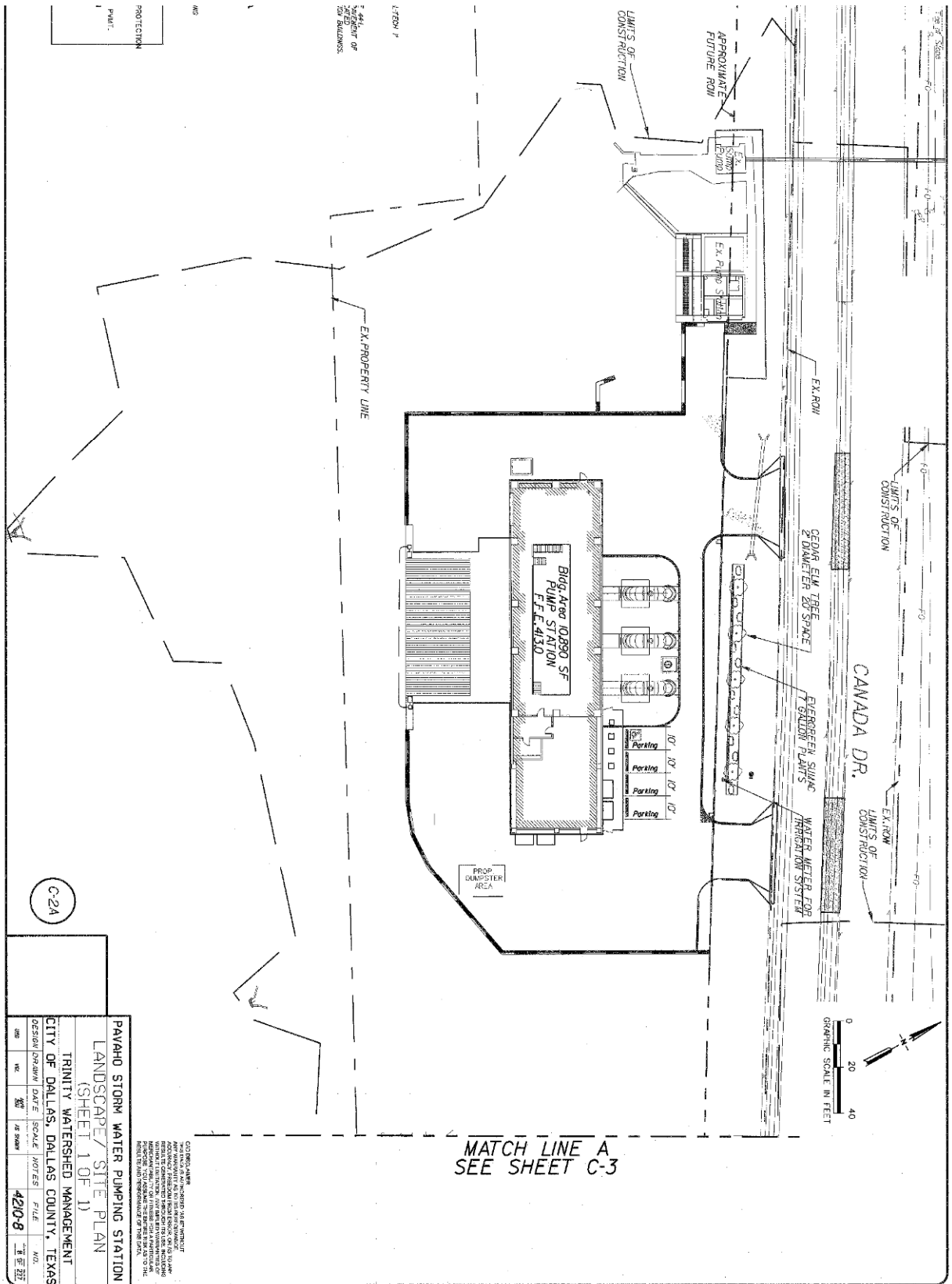
**Traffic:** The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and has no objections.

**Parking:** Building Inspections has determined that a flood control pump station is evaluated the same as a sewage or water treatment plant. A sewage or water treatment plant is categorized as a utility or government installation. The Dallas Development Code requires that two off-street parking spaces be provided for a utility or government installation. The proposed landscape/site plan depicts a total of 4 parking spaces.

**PROPOSED SUP  
CONDITIONS**

1. USE: The only use authorized by this specific use permit is a utility or government installation limited to a flood control pump station.
2. LANDSCAPE/SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit is approved for a permanent time period.
4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

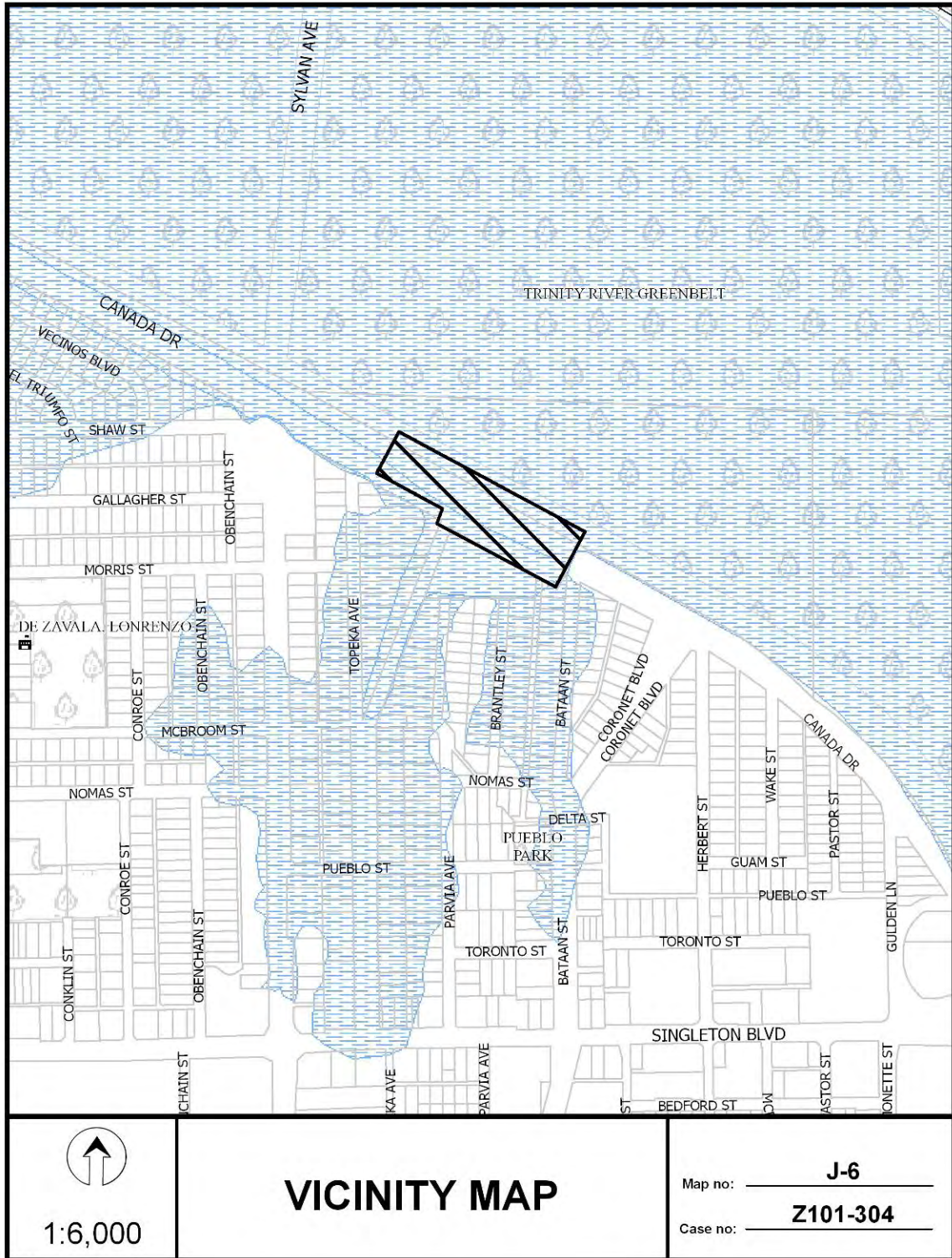
# PROPOSED LANDSCAPE/SITE PLAN

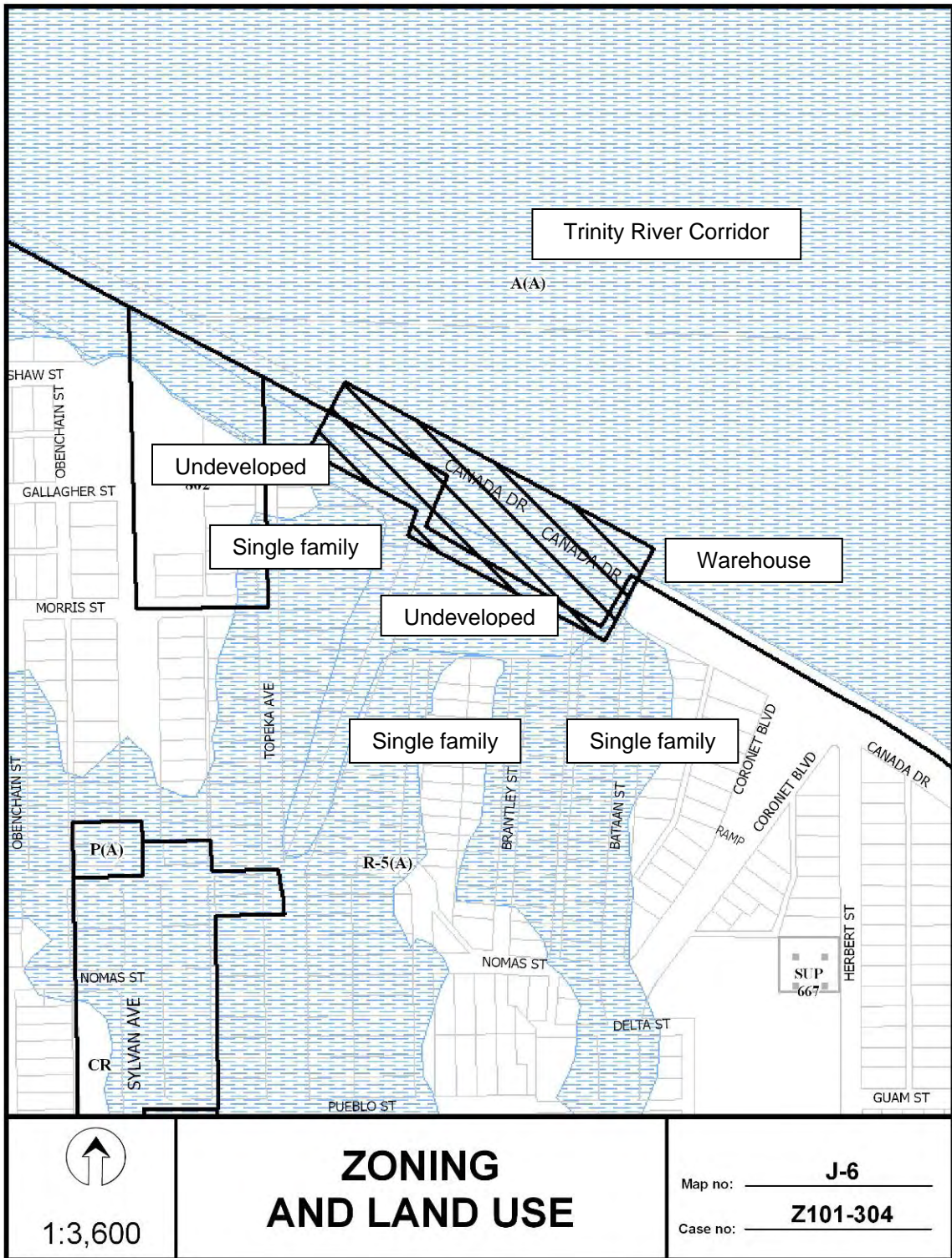


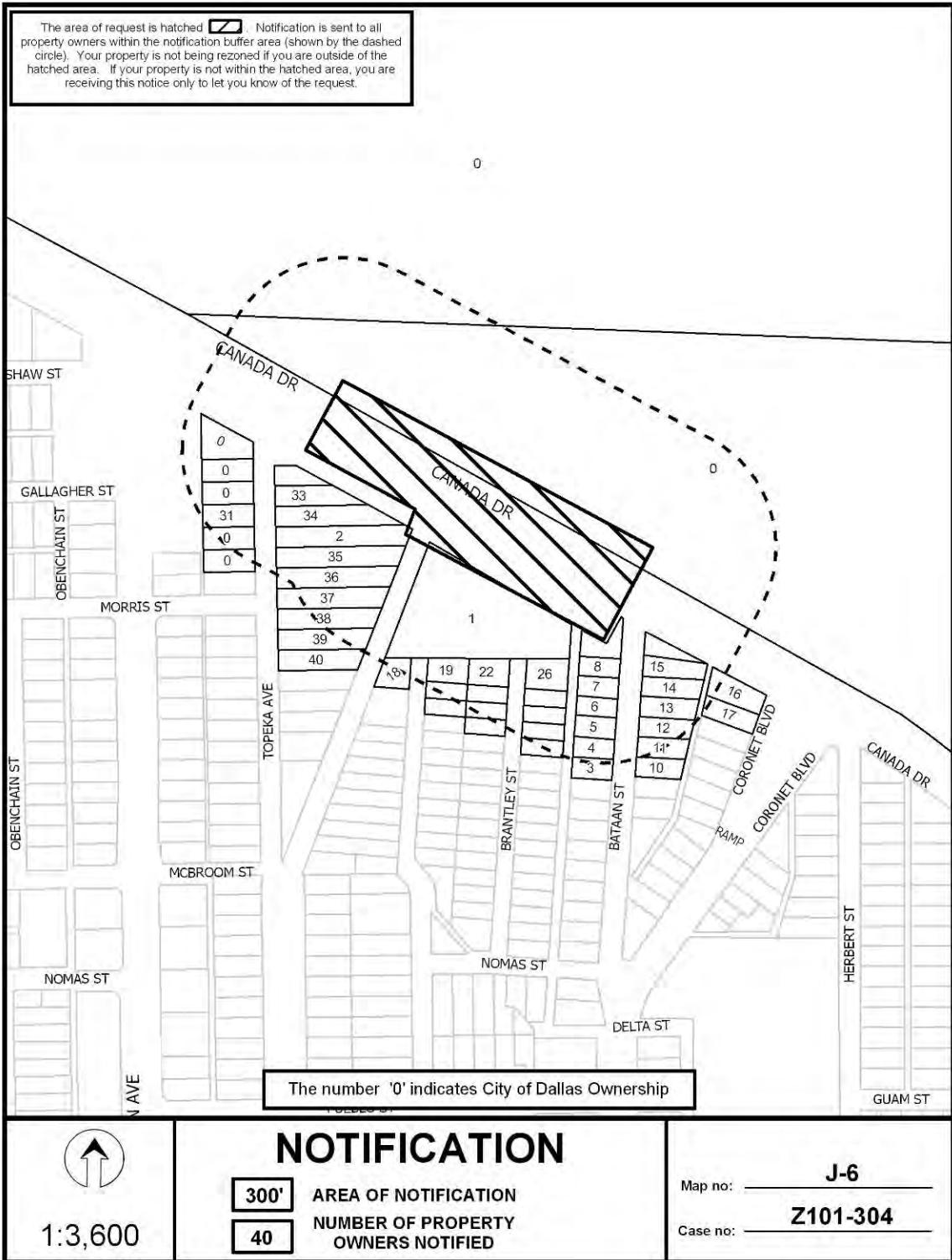
MATCH LINE A  
SEE SHEET C-3

<b>CONTRACTOR</b>		<b>DATE</b>		<b>SCALE</b>		<b>NOTES</b>		<b>FILE</b>		<b>NO.</b>	
C-2A		4/21/08		AS SHOWN		SEE SHEET		SEE SHEET		SEE SHEET	
<b>PAVAH STORM WATER PUMPING STATION</b> <b>LANDSCAPE/SITE PLAN</b> (SHEET 1 OF 1) TRINITY WATERSHED MANAGEMENT CITY OF DALLAS, DALLAS COUNTY, TEXAS											
DESIGN DRAWN DATE SCALE NOTES FILE NO. 4/21/08 4/21/08 AS SHOWN SEE SHEET SEE SHEET SEE SHEET											

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.







DATE: July 21, 2011

7/21/2011

## ***Notification List of Property Owners***

### ***Z101-304***

#### ***40 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3359 PARVIA	DALLAS COUNTY FLOOD CONTROL DISTRICT
2	3410 TOPEKA	MORENO JUAN JR ET AL % BILLY G HANSARD
3	3339 BATAAN	ORTEGA GABRIEL M
4	3343 BATAAN	VILLARREAL JESUS A
5	3347 BATAAN	VILLARREAL JESUS & ALICIA
6	3351 BATAAN	VALDEZ ANTONIO R & PETRA VALDEZ
7	3355 BATAAN	VALDEZ ANTONIO R
8	3359 BATAAN	REYES JUANA RAMOS & LOPEZ CARLOS GUILLEN
9	3367 BATAAN	MOON SAVINO
10	3338 BATAAN	PATTERSON W DRAKE % GILBERT ZUNIGA
11	3342 BATAAN	ZUNIGA GILBERT
12	3346 BATAAN	ZUNIGA GILBERT & ZONIA
13	3350 BATAAN	GARCIA MARIO M & ALBA L
14	3354 BATAAN	VALDEZ ANTONIO JOSE & EVELYN
15	3360 BATAAN	VALDEZ JORGE
16	3361 CORONET	TOBAR JOSE & CATALINA
17	3357 CORONET	GONZALEZ ANTONIO MORENO
18	3353 PARVIA	CABALLERO NORBERTO & TOMASA CABALLERO
19	3356 PARVIA	DENMON DESSIE
20	3352 PARVIA	FLORES ADIEL R
21	3350 PARVIA	RODRIGUEZ HENRY JR & CONNIE TOVAR
22	3355 BRANTLEY	LARA RAMONA ESTATE OF
23	3351 BRANTLEY	COLCHADO DANIEL R & YOLANDA L BARRON
24	3347 BRANTLEY	HMK LTD
25	3345 BRANTLEY	SANTAMARIA ROSALIO
26	3358 BRANTLEY	MAYO TERESA & RAMONA LARA

***Thursday, July 21, 2011***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3350 BRANTLEY	URBINA MARTIN & ARCELIA
28	3346 BRANTLEY	URBINA MARTIN & ARCELIA URBINA
29	3344 BRANTLEY	HEREDIA MIGUEL CRUZ
30	3340 BRANTLEY	DIOCELINA AVELLANEDA
31	3415 TOPEKA	PORTER K SCOTT
32	3422 TOPEKA	GARZA FERNANDO & MARISOL
33	3418 TOPEKA	JURADO ALICIA H
34	3414 TOPEKA	HANSARD BILLY GENE
35	3406 TOPEKA	HERNANDEZ SALVADOR M
36	3400 TOPEKA	ZUAZUA RUBEN & EMILIA G
37	3352 TOPEKA	SANEZ LINDA
38	3348 TOPEKA	HERRERA ZULEMA
39	3344 TOPEKA	NIGO LEONARDO
40	3340 TOPEKA	DIAZ VIRGINIA

*Thursday, July 21, 2011*



**Planner: Warren F. Ellis**

**FILE NUMBER:** Z101-184(WE)                      **DATE FILED:** January 28, 2011  
**LOCATION:** Lake June Road and N. Prairie Creek Road, southwest corner  
**COUNCIL DISTRICT:** 5                                      **MAPSCO:** 59-J  
**SIZE OF REQUEST:** Approx. 0.261 acres              **CENSUS TRACT:** 92.02

---

**APPLICANT:** D & S Trading, Inc.

**OWNER:** Reeves Group, Ltd.

**REPRESENTATIVE:** Malik Parvez

**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 store 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 convenience store.

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

**PREVIOUS ACTION:** On July 7, 2011, the City Plan Commission held this case under advisement until August 18, 2011.

**BACKGROUND INFORMATION:**

- The request site is currently developed with a general merchandise or food store less than 3,500 square feet use within a retail strip 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 a variety of residential and retail and personal service uses.

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
N. Prairie Creek Road	Collector	56 ft.	56 ft.
Lake June Road	Principal Arterial	80 ft.	100 ft.

**Land Use:**

	Zoning	Land Use
<b>Site</b>	CR-D	Retail strip ctr. w/ general merchandise store
<b>North</b>	RR-D, CR-D	Restaurant, undeveloped
<b>South</b>	R-7.5(A), CR-D	Single family
<b>East</b>	CR-D	Auto related uses
<b>West</b>	CS-D, RR-D	Car wash, 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 on 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 11,367.54 square foot site is zoned a CR-D Community Retail District with a D Liquor Control Overlay and is currently developed with a general merchandise or food store less than 3,500 square feet use within an existing retail strip center. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which is not allowed by the D Liquor Control Overlay but requires a Specific Use Permit in the D-1 Liquor Control Overlay.

There is currently a community center/church use that is located within the 300 feet of a requested site. However, the community center/church use presently does not have a (CO) Certificate of Occupancy and is not a protected use. Staff has informed the applicant’s representative that the Building Official may not issue a (CO) Certificate of Occupancy for the Specific Use Permit if the community center/church use becomes a protected use prior to the following: 1) City Council approving the zoning application, and 2) the applicant filing for and receiving a CO for the general merchandise or food store less than 3,500 square before the community center/church receives their certificate of occupancy.

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					
CR-D Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

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

**Parking:** The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area. The development requires 16 spaces with 16 spaces being provided per the attached site plan. The remaining parking spaces are designated for other retail and personal service uses.

**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.

The screenshot shows the Dallas Police Department's Virtual Viewer interface. At the top, it says "DALLAS POLICE DEPARTMENT" and "Virtual Viewer - Public Access". There are navigation links for "UCR Codes", "Year Codes", and "Property Class Codes". Below the header, there is a search bar and a "Filter" button. The main content is a table of offense records with columns for Service #, Offense Date, Complainant, Offense, Block, Dir, Street, Beat, Reporting Area, UCR1, and UCR2. The records list various offenses such as Robbery, Burglary, Theft, and Assault, all occurring in the Lake Junction area (Block 08912, Street LAKEJUN..., Beat 337 or 334, Reporting Area 2203).

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0009694-X	01/10/2010	*RUSH HOUR FOOD MART	CRIMINAL MISCHIEF/VAN...	08912		LAKEJUN...	337	2203	14083	
0016581-Y	01/18/2011	FLINT, JOSEPH	ROBBERY	08912		LAKEJUN...	337	2203	03962	
0017731-X	01/19/2010	*RUSH HOUR FOOD STO...	BURGLARY	08912		LAKEJUN...	337	2203	05128	
0025531-W	01/26/2009	*RUSH HOUR FOOD MART	CRIMINAL MISCHIEF/VAN...	08912		LAKEJUN...	337	2203	14082	
0025600-X	01/26/2010	*RUSH HOUR FOOD MART	BURGLARY	08912		LAKEJUN...	337	2203	05138	
0087176-W	03/29/2009	*RUSH HOUR FOODS	BURGLARY	08912		LAKEJUN...	337	2203	05337	
0112236-Y	05/02/2011	OLIVARES-JIMENEZ,JUAN	THEFT	08912		LAKEJUN...	337	2203	06952	
0112851-V	04/16/2008	HAMPTON,MARCUS	ASSAULT	08912		LAKEJUN...	334	2203	08221	
0112852-V	04/17/2008	GOOSEBERRY,ASHLEY	AGGRAVATED ASSAULT	08912		LAKEJUN...	334	2203	04411	
0126498-V	04/29/2008	*RUSH HOUR FOODS	THEFT	08912		LAKEJUN...	334	2203	06905	
0195781-W	07/05/2009	LALANI, AMIN	AUTO THEFT-UUMV	08912		LAKEJUN...	337	2203	07172	
0243374-V	04/08/2008	*RUH HOUR FOOD MART	THEFT	08912		LAKEJUN...	334	2203	06972	
0250925-W	08/23/2009	ROSALES, ARTURO	THEFT	08912		LAKEJUN...	337	2203	06992	
0272665-X	09/30/2010	*RUSH HOUR FOODS	THEFT	08912		LAKEJUN...	337	2203	06935	
0272666-X	09/30/2010	@CITY OF DALLAS	FOUND PROPERTY	08912		LAKEJUN...	337	2203	43020	

**LIST OF OFFICERS**  
Reeves Group Ltd.

- George M. Reeves      President / Secretary

**LIST OF OFFICERS**  
D & S Trading, Inc.

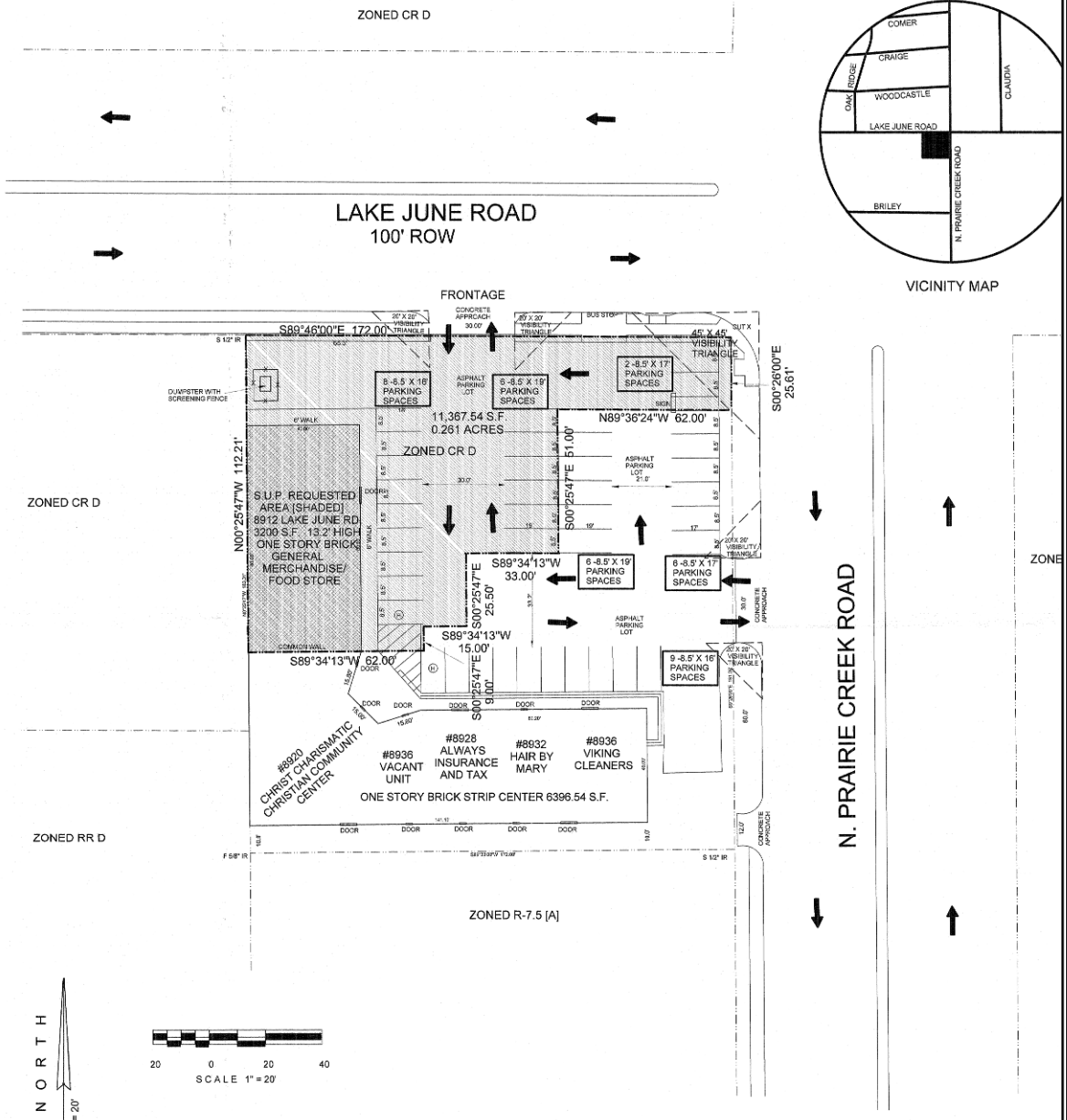
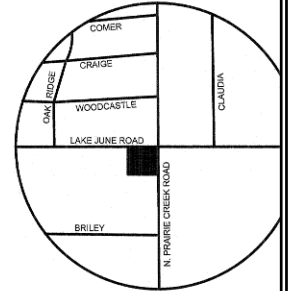
- Rahim Sadruddin      President / Secretary

**PROPOSED SUP CONDITIONS**

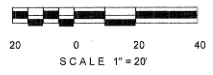
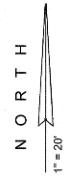
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use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

# PROPOSED SITE PLAN

SITE INFORMATION	
COUNCIL DISTRICT	5
EXISTING ZONING	CR D
SCHOOL DISTRICT	10
ZONING MAP NO.	L-11
MAPSCO NO.	59 L
CENSUS TRACT	0092.02



- LEGEND**
- 1/2" IRF = 1/2" IRON ROD FOUND
  - 1/2" IRB = 1/2" IRON ROD BENT
  - X FND = 4" CUT IN CONCRETE FOUND
  - RF = REINFORCING FOUND
  - RSP = RAILROAD SPIKE FOUND
  - P.O.B = POINT OF BEGINNING
  - P.O.C = POINT OF COMMENCING
  - ESB = EASEMENT
  - UGE = UNDERGROUND ELECTRIC SERVICE
  - CE = OVERHEAD ELECTRIC SERVICE
  - ET = ELECTRIC TRANSFORMER
  - FA = FRESH WATER
  - WA = WATER VALVE
  - WM = WATER METER
  - PP = POWER POLE
  - PPAS = POWER POLE & GUY ANCHOR
  - LP = LIGHT POLE
  - SP = SIGN POLE
  - SBM = SANITARY SEWER MANHOLE
  - SSCO = SANITARY SEWER CLEANOUT
  - SDM = STORM DRAIN MANHOLE
  - ELM = ELECTRICAL MANHOLE
  - PS = PARKING SPACE
  - H = HANDICAPPED PARKING SPACE
  - TS = TRAFFIC SIGN
  - TL = TRAFFIC LIGHT
  - TM = TELEPHONE MANHOLE
  - CW = CONCRETE WALK
  - TR = TELEPHONE RISER
  - GM = GAS METER
  - CB = CABLE BOX
  - X--- = FENCE



**NEW RUSH HOUR STORE**

IMPERVIOUS AREA	
BUILDING FOOTPRINT	3200.00 S.F.
CONCRETE/ ASPHALT	8167.54 S.F.
<b>TOTAL</b>	<b>11367.54 S.F.</b>

**PARKING AND ZONING TABULATIONS NEW RUSH HOUR STORE**

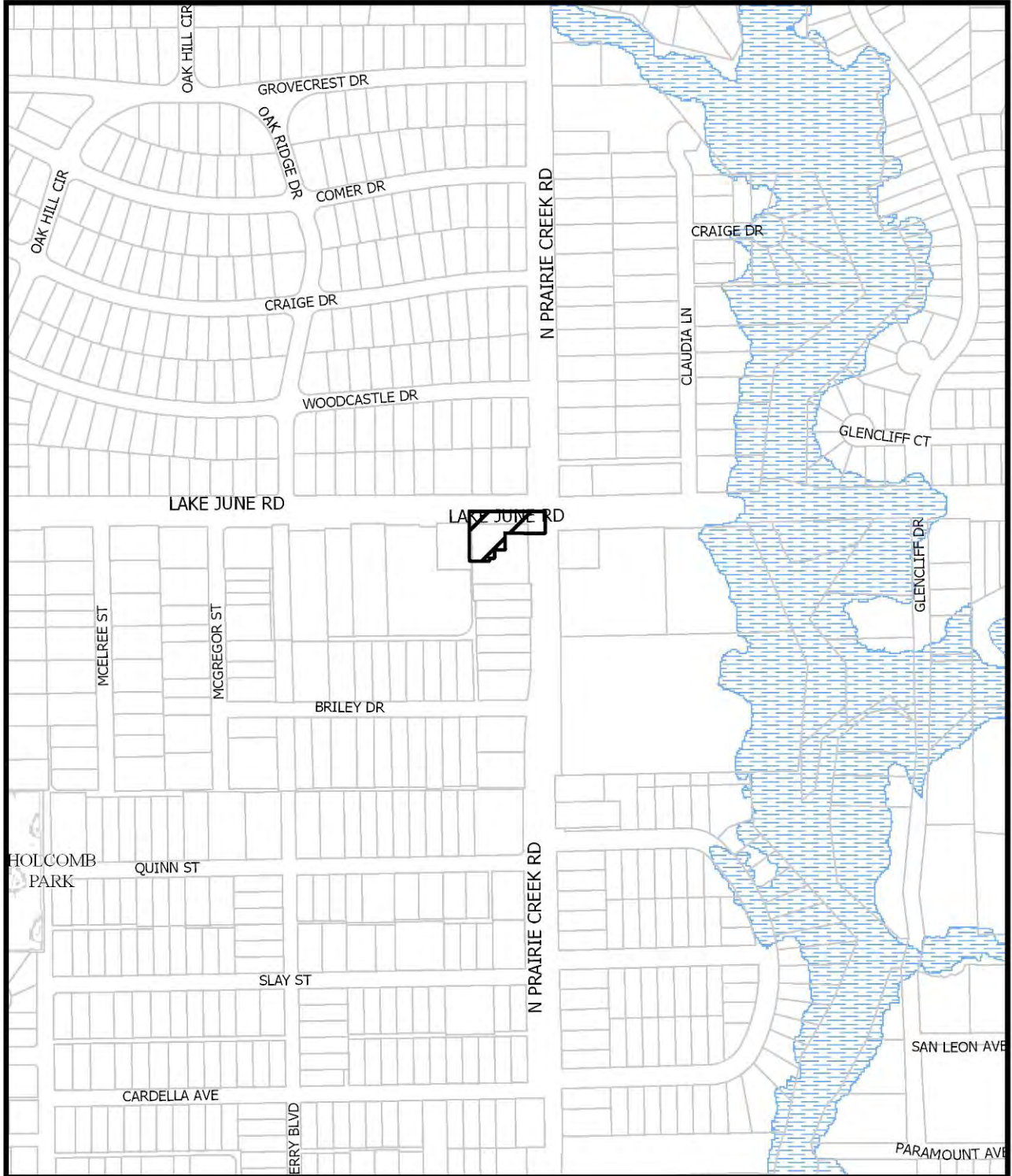
EXISTING ZONING	CR D		
PARKING	REQUIRED	PROVIDED	
REGULAR PARKING SPACES	16	16	
HANDICAPPED SPACES	1	1	
<b>TOTAL</b>	<b>17</b>	<b>17</b>	

**TREE CHART**

TREE	SIZE	COMMON NAME	SCIENTIFIC NAME
NONE			

MOBLY LAND SURVEYING, INC.  
740 DALWORTH STREET  
GRAND PRAIRIE, TEXAS 75050 972.262.133





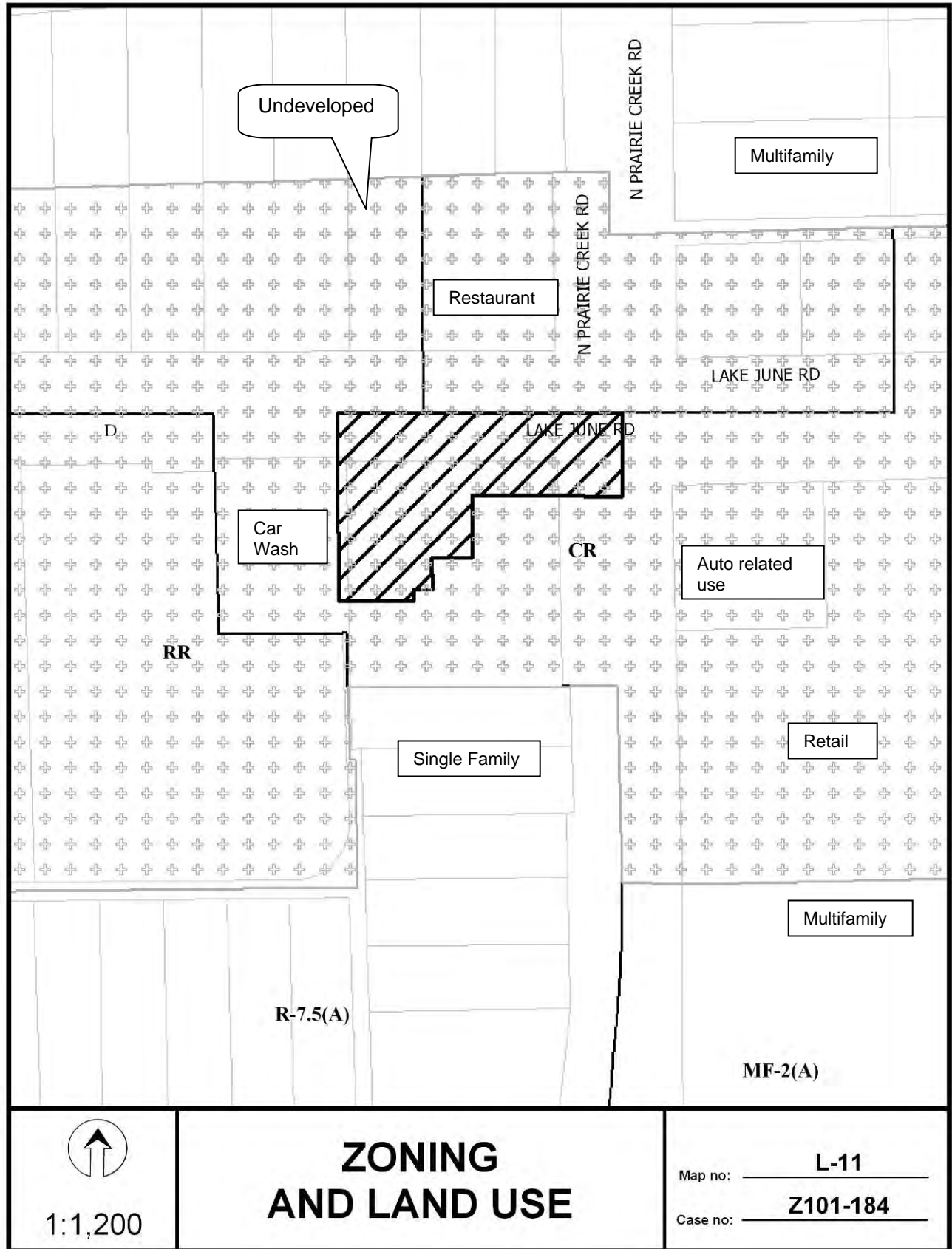
1:4,800

# VICINITY MAP

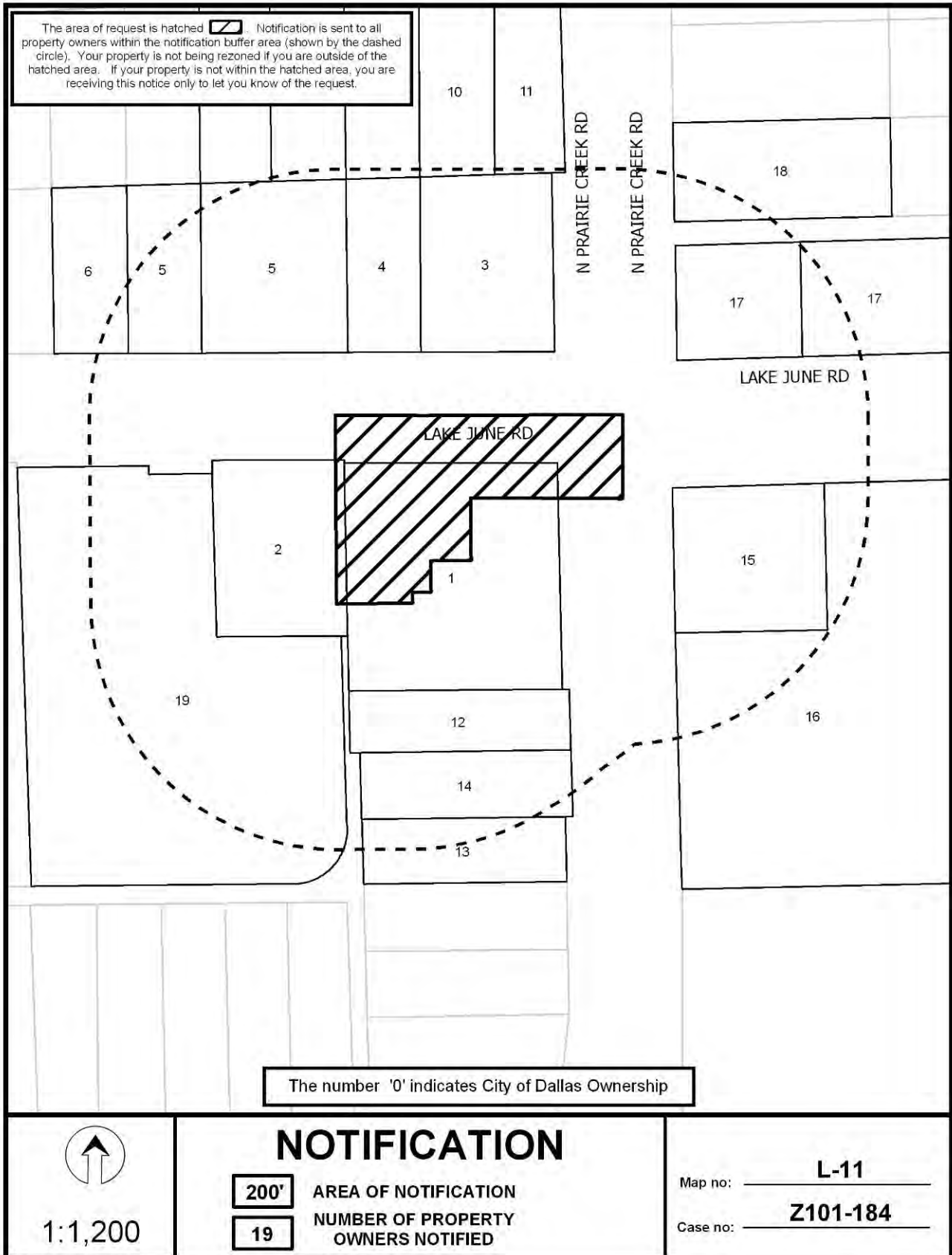
Map no:           L-11          

Case no:           Z101-184          

DATE: June 14, 2011



DATE: June 14, 2011



DATE: June 14, 2011

## ***Notification List of Property Owners***

### ***Z101-184***

#### ***19 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	8912 LAKE JUNE	REEVES GROUP LTD
2	8904 LAKE JUNE	OPALACH THOMAS
3	8921 LAKE JUNE	BALLAS VICTOR
4	8913 LAKE JUNE	DIAZ JUAN
5	8905 LAKE JUNE	MORALES CARLOS & PATRICIA L MORALES
6	8821 LAKE JUNE	FERRUFINO MARIA ANTONIA
7	8904 WOODCASTLE	MOSER ROGER C & DIXIE L MOSER
8	8908 WOODCASTLE	RAGSDALE GEORGE A
9	8912 WOODCASTLE	MENDOZA RAUL
10	8916 WOODCASTLE	OLDHAM DOLORIS JENNIE V
11	8920 WOODCASTLE	BUTLER NANCY A
12	1227 PRAIRIE CREEK	AGN HOLDINGS LLC
13	1219 PRAIRIE CREEK	RODRIGUEZ ESTEBAN & JUANA
14	1221 PRAIRIE CREEK	HERRERA WLADIMIR ALEJANDRO
15	9000 LAKE JUNE	HAMM GUY L & JOYCE C
16	9020 LAKE JUNE	GULF REALTY INC
17	9015 LAKE JUNE	POLLMAN HAROLD A
18	1312 PRAIRIE CREEK	LOPEZ MELQUIDEZ
19	8836 LAKE JUNE	EXCEL VENTURES LTD

***Tuesday, June 14, 2011***

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z101-205(WE)                      **DATE FILED:** March 1, 2011  
**LOCATION:** Jennie Lee Street and S. Buckner Boulevard, southeast corner  
**COUNCIL DISTRICT:** 4                                      **MAPSCO:** 58-C  
**SIZE OF REQUEST:** Approx. 31,000 sq. ft.              **CENSUS TRACT:** 90.00

---

**APPLICANT / OWNER:** U S Realty Holdings, Ltd.

**REPRESENTATIVE:** Ralph Martinez

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

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

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

**PREVIOUS ACTION:** On July 7, 2011, the City Plan Commission held this case under advisement until August 18, 2011, to allow the applicant's representative to facilitate a meeting with the neighborhood to discuss the proposed zoning case.

**BACKGROUND INFORMATION:**

- The request site is currently developed with a general merchandise or food store less than 3,500 square feet use, and a motor vehicle fueling station.
- The proposed SUP would allow the sale of alcohol for off-premise consumption in conjunction with the general merchandise use on the property.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on the property requires a specific use permit in the D-1 Liquor Control Overlay.
- The adjacent land uses consist of various auto related uses along Buckner Boulevard. Properties west of the request site are undeveloped.

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
S. Buckner Blvd.	Principal Arterial	100 ft.	100 ft.
Jennie Lee Street	Local	60 ft.	60 ft.

**Land Use:**

	Zoning	Land Use
<b>Site</b>	PDD No. 366 D Subarea 1	Service Station
<b>North</b>	PDD No. 366 D Subarea 1	Office
<b>South</b>	PDD No. 366 D Subarea 1	Furniture store
<b>East</b>	R-7.5(A)	Single Family
<b>West</b>	PDD No. 366 D Subarea 1	Furniture store, Church

**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 on 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 request site is approximately 31,000 square feet of floor area and is developed with a general merchandise or food store less than 3,500 square feet use and a motor vehicle fueling station. The request site is located within Subarea 1 of Planned Development District No. 366 with a D Liquor Control Overlay. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which is not allowed by the D Liquor Control Overlay but requires a Specific Use Permit in the D-1 Liquor Control Overlay. The applicant is seeking an off-premise license

The adjacent land uses consists of various retail, office, commercial and institutional uses along Buckner Boulevard. Properties east of the request site are developed with residential uses.

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

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

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

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

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

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

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



**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 366-D	15' 0' on minor	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	110' 8 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

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

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

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

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

The screenshot shows the Dallas Police Department's Virtual Viewer interface. At the top, it says "DALLAS POLICE DEPARTMENT" and "Virtual Viewer - Public Access". Below this is a search bar and a "Filter" button. The main area contains a table of offense records with columns for Service #, Offense Date, Complainant, Offense, Block, Dir, Street, Beat, Reporting Area, UCR1, and UCR2. The records list various offenses such as Auto Theft, Robbery, Found Property, Theft, Assault, and Burglary, all occurring in the 02438 block on BUCKNER street, beat 324, reporting area 1243.

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0021645-W	01/22/2009	WALKER, TAMEKA	AUTO THEFT-U...	02438	S	BUCKNER...	324	1243	07111	
0023699-V	01/23/2008	*ASA MANAGEMENT	ROBBERY	02438	S	BUCKNER...	328	1243	03711	
0039503-V	02/08/2008	@CITY OF DALLAS	FOUND PROPE...	02438	S	BUCKNER...	328	1243	43020	
0074148-X	03/18/2010	*SHELL	THEFT	02438	S	BUCKNER...	324	1243	06933	
0079864-X	03/23/2010	SALTERS, MORRISHA	ROBBERY	02438	S	BUCKNER...	324	1243	03941	
0089101-X	04/01/2010	*SHELL STATION	THEFT	02438	S	BUCKNER...	324	1243	06933	
0089102-X	04/01/2010	BISTA, NASEED	ASSAULT	02438	S	BUCKNER...	324	1243	08111	
0092360-Y	04/12/2011	*SHELL GAS STATION	THEFT	02438	S	BUCKNER...	324	1243	06932	
0092361-Y	04/13/2011	*SHELL GAS STATION	THEFT	02438	S	BUCKNER...	324	1243	06932	
0100856-X	04/13/2010	*SHELL	ROBBERY	02438	S	BUCKNER...	324	1243	03331	
0137559-Y	05/28/2011	@PLANO PD	FOUND PROPE...	02438	S	BUCKNER...	324	1243	43030	
0144925-X	05/25/2010	@CITY OF DALLAS	FOUND PROPE...	02438	S	BUCKNER...	324	1243	43020	
0166211-T	03/10/2007	ROJAS, DOMINGO	ROBBERY	02438	S	BUCKNER...	324	1243	03A42	
0193145-W	07/03/2009	*ASA BUCKNER	BURGLARY	02438	S	BUCKNER...	324	1243	05131	
0193200-X	07/10/2010	BOOKER, ANGELIQUE	ASSAULT	02438	S	BUCKNER...	324	1243	08411	

Page 1 of 3 (40 items)

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		
<a href="#">0196567-T</a>	03/21/2007	SWINDLE,CAROLYN RUTH	ASSAULT	02438	S	BUCKNERB...	324	1243	08322			
<a href="#">0198427-X</a>	07/13/2010	CHAVEZ, ANGELA	THEFT	02438	S	BUCKNERB...	324	1243	06941			
<a href="#">0202923-V</a>	06/29/2008	*R&P FOOD MART (SHELL ...	TRAFFIC MOTO...	02438	S	BUCKNERB...	328	1243	32090			
<a href="#">0203198-T</a>	03/23/2007	RASHID,SAJAAD	ASSAULT	02438	S	BUCKNERB...	324	1243	08192			
<a href="#">0211190-W</a>	07/18/2009	*SHELL	BURGLARY	02438	S	BUCKNERB...	324	1243	05336			
<a href="#">0213355-X</a>	07/30/2010	*SHELL	THEFT	02438	S	BUCKNERB...	324	1243	06935			
<a href="#">0217513-T</a>	03/28/2007	MONTGOMERY,ALVIN	ROBBERY	02438	S	BUCKNERB...	324	1243	03942			
<a href="#">0235962-T</a>	04/03/2007	BRONSON,ROMMEL	AUTO THEFT-U...	02438	S	BUCKNERB...	324	1243	07621			
<a href="#">0239292-V</a>	08/01/2008	MOORE, SHARON	ROBBERY	02438	S	BUCKNERB...	328	1243	03932			
<a href="#">0277435-V</a>	09/07/2008	*SHELL GAS STATION	ROBBERY	02438	S	BUCKNERB...	328	1243	03311			
<a href="#">0286748-W</a>	09/26/2009	*SHELL	THEFT	02438	S	BUCKNERB...	324	1243	06932			
<a href="#">0328406-V</a>	10/24/2008	*SHELL	BURGLARY	02438	S	BUCKNERB...	328	1243	05131			
<a href="#">0348287-T</a>	05/13/2007	NADEEM,RAFAQAT	ASSAULT	02438	S	BUCKNERB...	324	1243	08192			
<a href="#">0371220-W</a>	12/17/2009	*SHELL	THEFT	02438	S	BUCKNERB...	324	1243	06934			
<a href="#">0384837-T</a>	05/26/2007	*SHELL OIL & GAS	BURGLARY	02438	S	BUCKNERB...	324	1243	05131			
<a href="#">0385769-T</a>	05/26/2007	*AMERICAN FUEL	THEFT	02438	S	BUCKNERB...	324	1243	06975			
<a href="#">0490554-T</a>	07/01/2007	GONZALES,RIGOBERTO	ROBBERY	02438	S	BUCKNERB...	324	1243	03A11			
<a href="#">0507020-T</a>	07/06/2007	*NASSAK AND COMPANY	CRIMINAL MIS...	02438	S	BUCKNERB...	324	1243	14082			
<a href="#">0644159-T</a>	09/03/2007	*BUCKNER SHELL	BURGLARY	02438	S	BUCKNERB...	324	1243	05237			
<a href="#">0644273-T</a>	08/03/2007	MADRID, JOSE	ROBBERY	02438	S	BUCKNERB...	324	1243	03942			
<a href="#">0715304-R</a>	09/19/2006	*SHELL FOOD MART	BURGLARY	02438	S	BUCKNERB...	324	1243	05131			
<a href="#">0756765-T</a>	12/01/2007	*SHELL GAS STATION	BURGLARY	02438	S	BUCKNERB...	328	1243	05136			
<a href="#">0769026-T</a>	12/13/2007	*SHELL GAS STATION	THEFT	02438	S	BUCKNERB...	328	1243	06934			
<a href="#">0789148-R</a>	10/17/2006	@DALLAS PD	FOUND PROPE...	02438	S	BUCKNERB...	324	1243	43020			
<a href="#">0829248-R</a>	11/02/2006	*NASSAK & CO SHELL MART	BURGLARY	02438	S	BUCKNERB...	324	1243	05132			

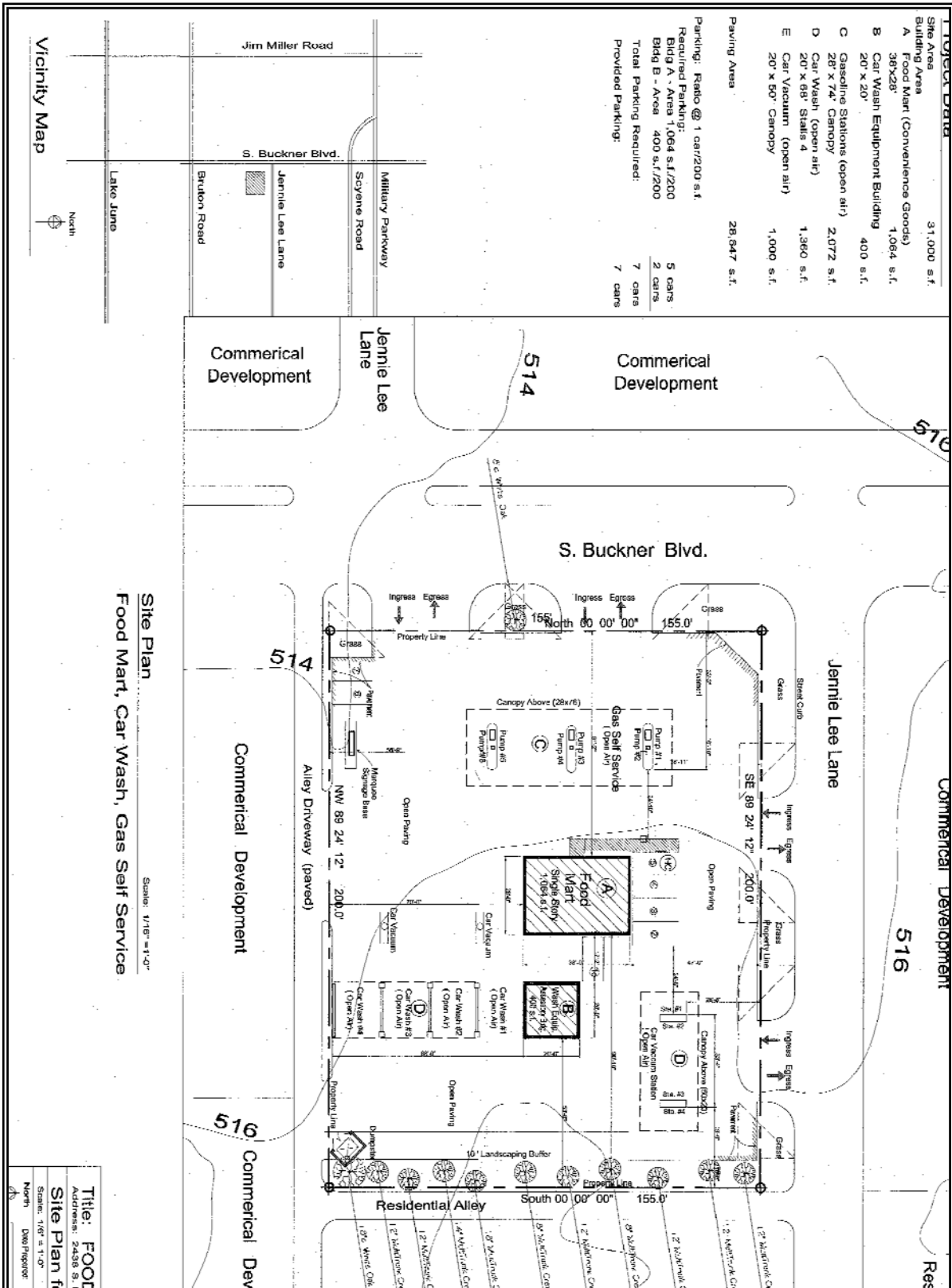
**LIST OF OFFICERS**  
U S Realty Holdings, Ltd.

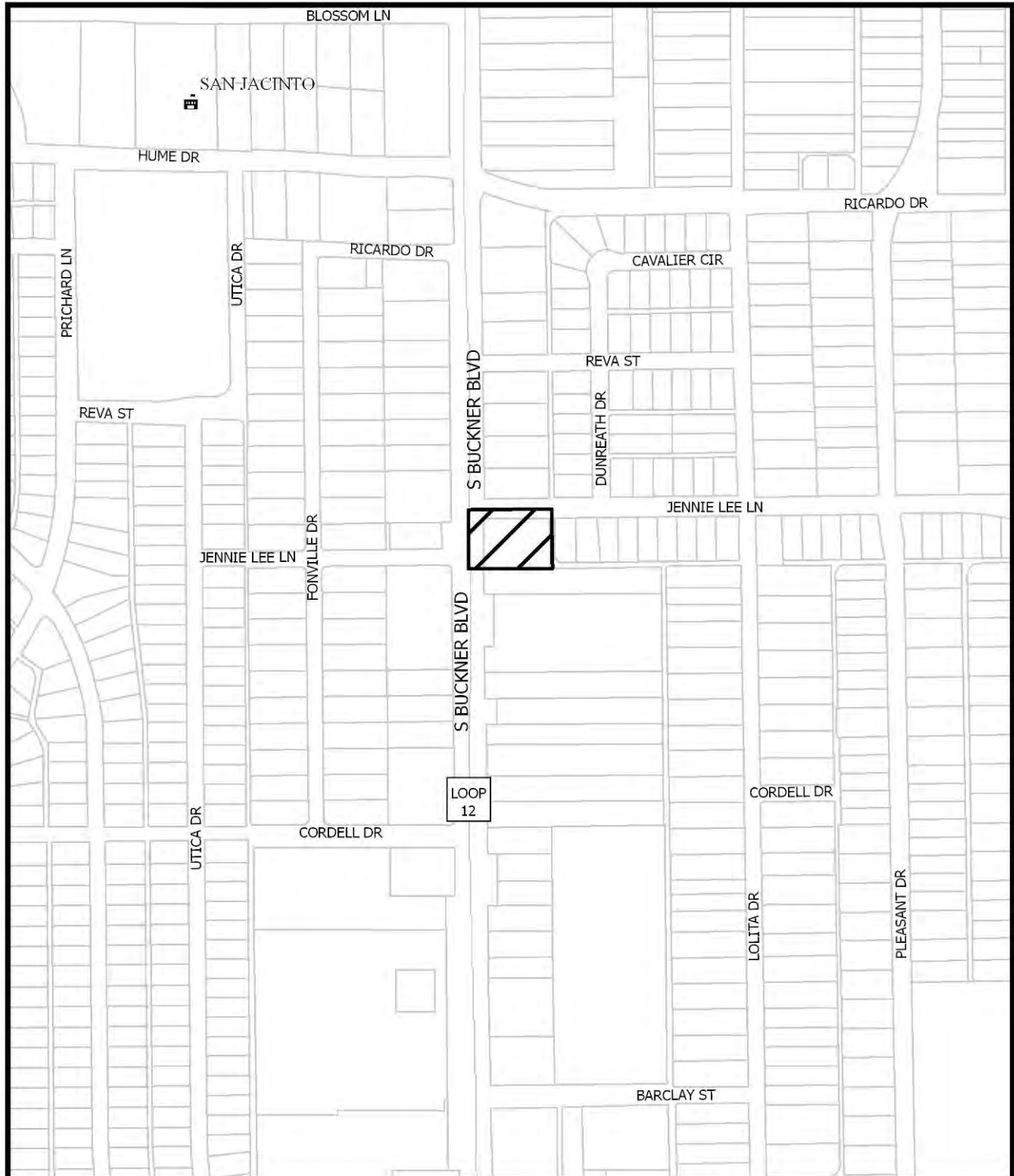
- Bhagat Holdings, Ltd. General Partner (99%)  
Shawn Bhagat President
- US Realty Management, LLC General Partner (1%)  
Shawn Bhagat President

**PROPOSED SUP CONDITIONS**

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





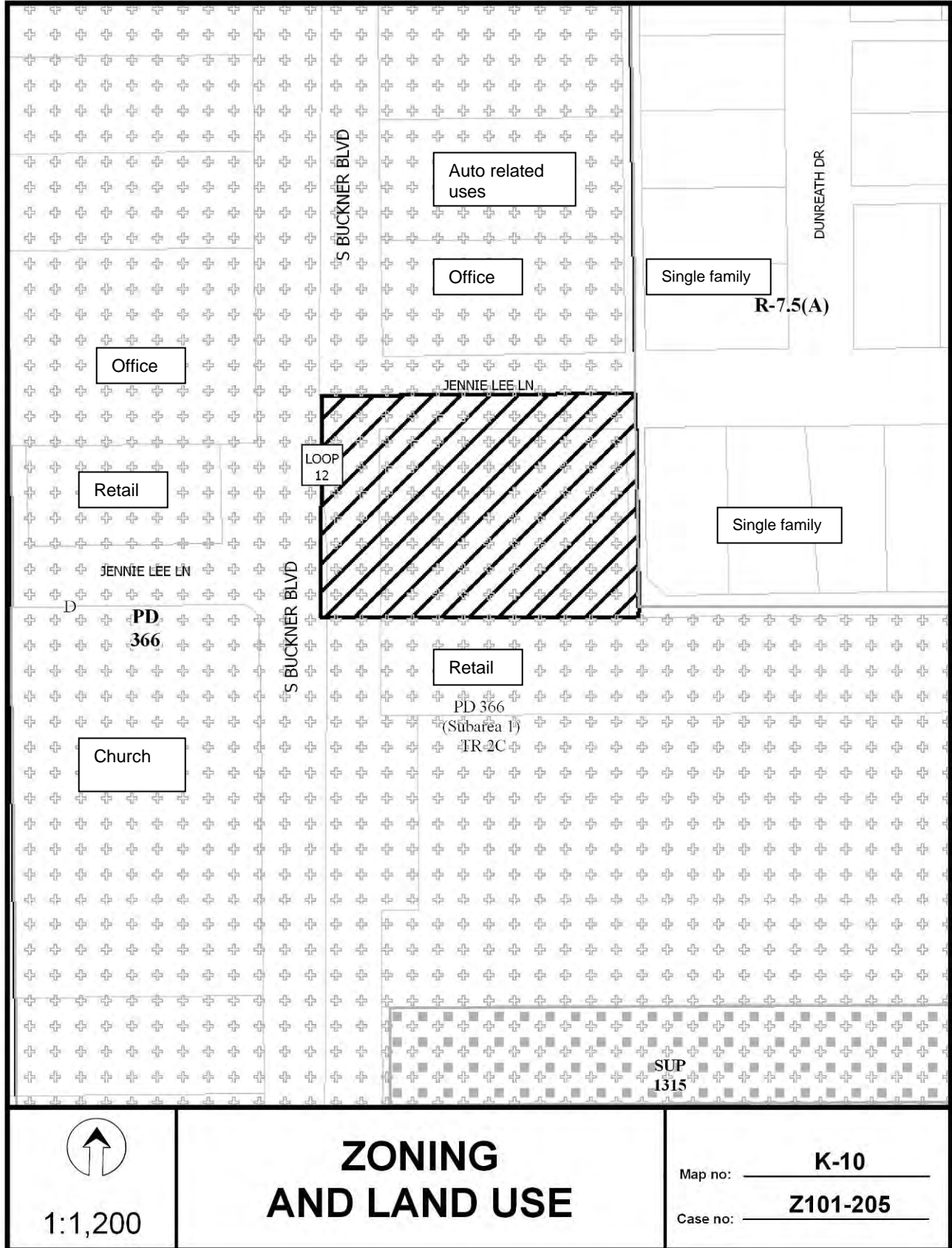
1:4,800

# VICINITY MAP

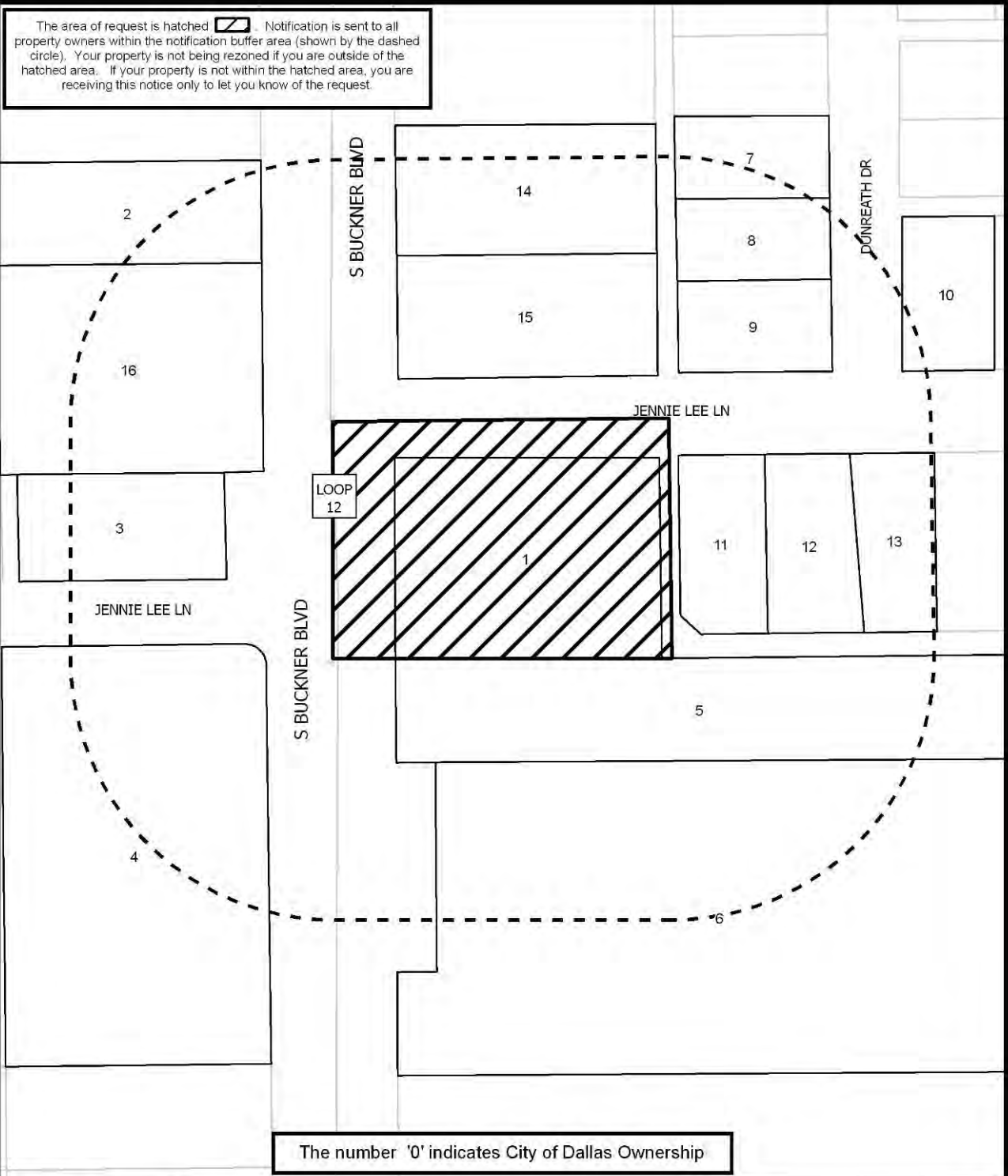
Map no:           K-10          

Case no:           Z101-205          

DATE: June 14, 2011



DATE: June 14, 2011



 <b>1:1,200</b>	<h1>NOTIFICATION</h1>	Map no: <u>          <b>K-10</b>          </u>			
	<table border="1"> <tr> <td style="padding: 2px;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="padding: 2px;"><b>16</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>16</b>	NUMBER OF PROPERTY OWNERS NOTIFIED
<b>200'</b>	AREA OF NOTIFICATION				
<b>16</b>	NUMBER OF PROPERTY OWNERS NOTIFIED				

DATE: June 14, 2011



## ***Notification List of Property Owners***

### ***Z101-205***

#### **16    *Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2438 BUCKNER	US REALTY HOLDINGS LTD STE 105
2	2523 BUCKNER	MARTINEZ JUAN J & IRMA G
3	2501 BUCKNER	CNB REAL ESTATE
4	2423 BUCKNER	CHRIST HOLY TEMPLE CHURCH
5	2424 BUCKNER	ADLEY RON TR & LLANA K
6	2414 BUCKNER	PALOMA ISABELA INVESTMENTS INC
7	2515 DUNREATH	DUREN JUANITA
8	2511 DUNREATH	MCDANIEL TED
9	2505 DUNREATH	MAISONET SANDRA
10	8133 JENNIE LEE	CORDERO RAUL & MARIA L MAJALCA
11	8118 JENNIE LEE	MUSTAFA SANDRA LUHRING
12	8124 JENNIE LEE	PEQUENO JUANITA M ET AL
13	8128 JENNIE LEE	SANDERS W J
14	2514 BUCKNER	COSMO VENTURES LLC
15	2506 BUCKNER	LCG BUCKNER COMMONS LLC 4TH FLOOR
16	2517 BUCKNER	RUVALCABA RAMON & GILMA & GEORGE RUVALCABA

***Tuesday, June 14, 2011***

**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

**PREVIOUS ACTION:** On August 4, 2011, the City Plan Commission held this case under advisement to allow for the City Plan Commission and applicant to continue discussing the proposed zoning change.

**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
<b>Site</b>	PDD No. 27	Offices, surface parking
<b>North</b>	PDD No. 27	Office
<b>South</b>	PDD No. 27	Surface parking
<b>East</b>	PDD No. 27, Subarea 1	Office, showroom/warehouse
<b>West</b>	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 offices. 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 49 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. The property owners within PDD No. 27 will have to file an amendment to the PDD for any consideration to modify the parking regulations.

**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.

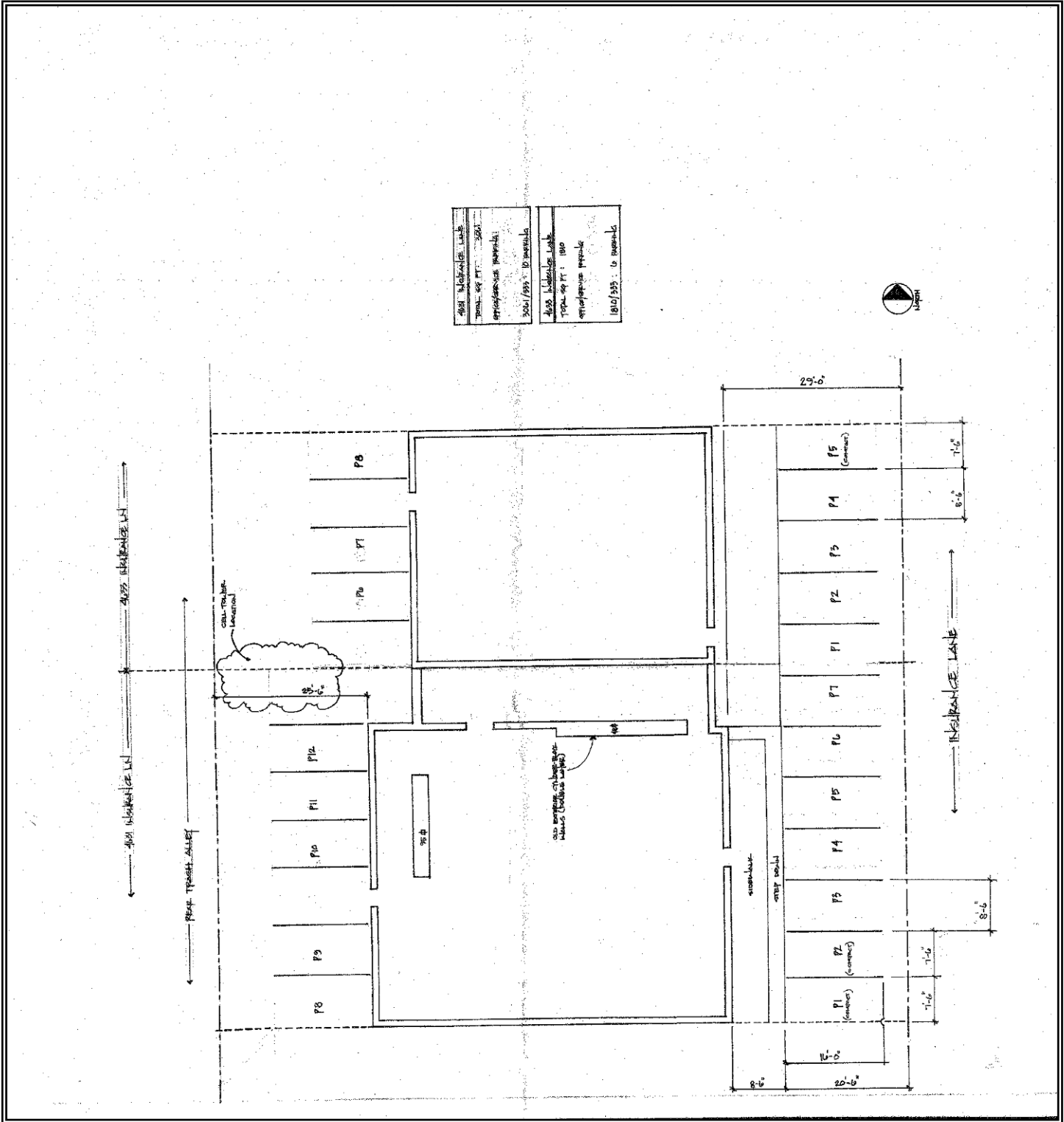
**SEC. 51P-27.111. COMPLIANCE WITH CONDITIONS.**

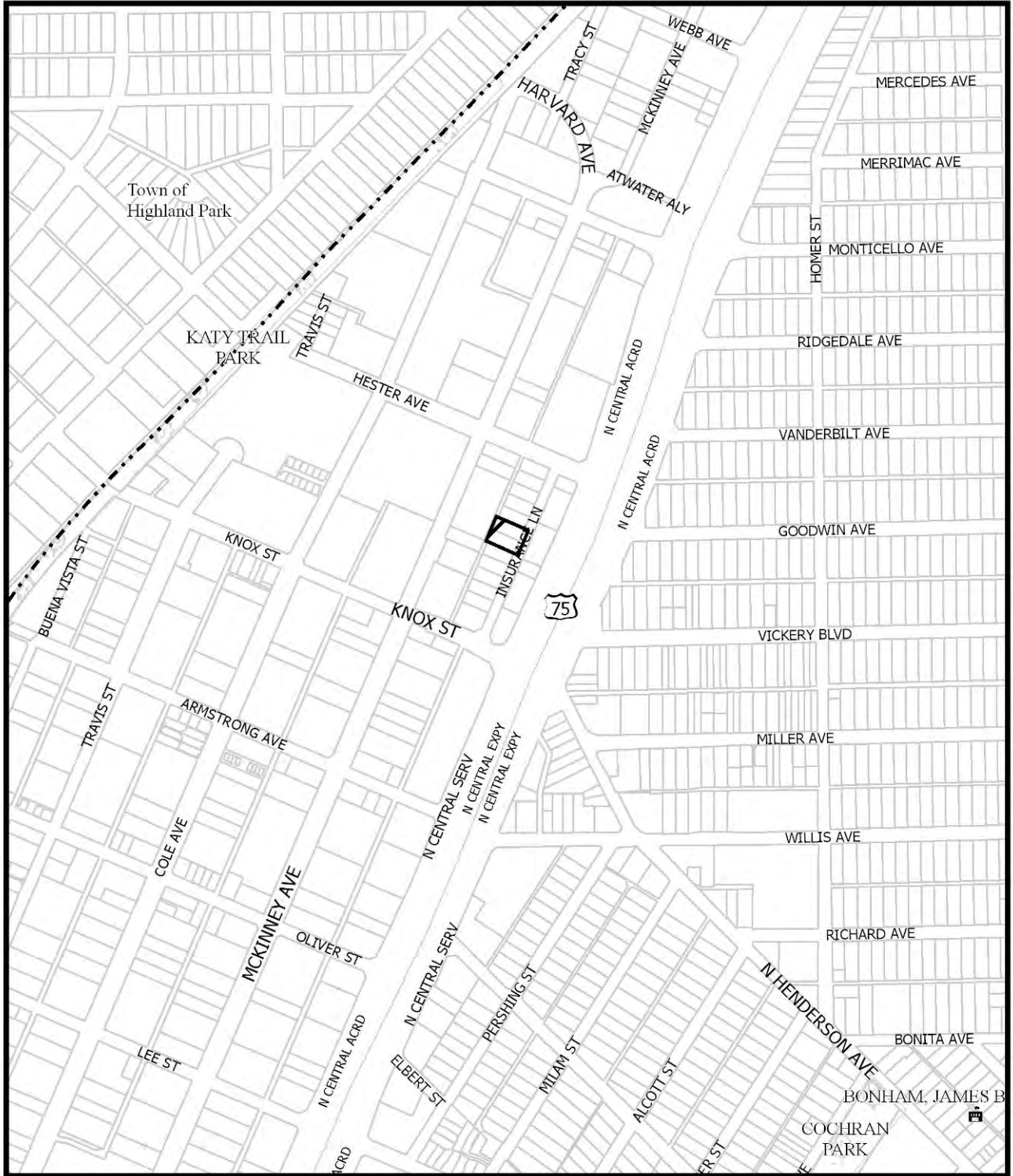
No certificate of occupancy may be issued by the building official until there has been full compliance with the provisions of this article in accordance with the requirements of the building for which the certificate is issued, together with all other provisions of Ordinance No. 11501, any applicable 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





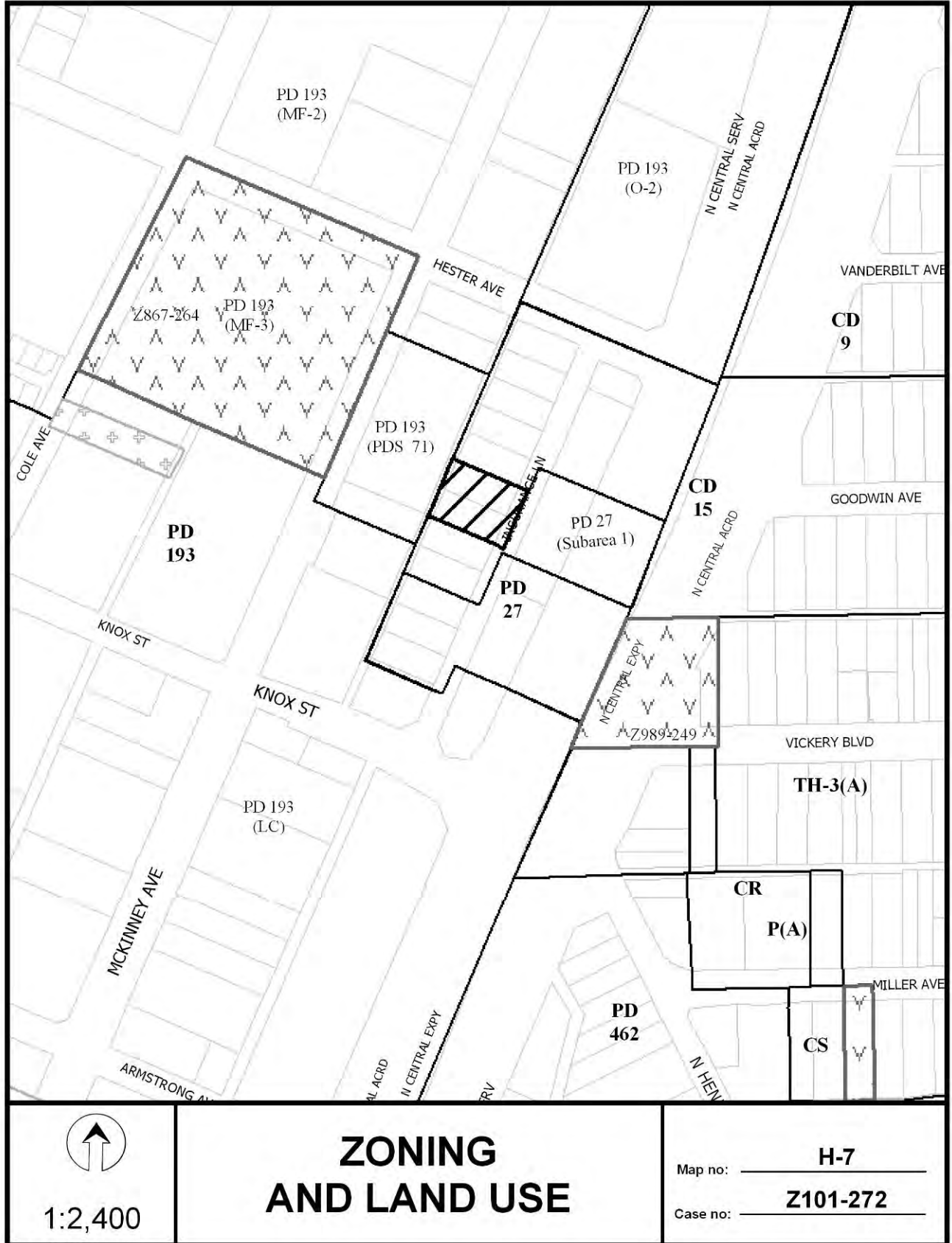
1:6,000

# VICINITY MAP

Map no:           H-7          

Case no:           Z101-272          

DATE: July 19, 2011



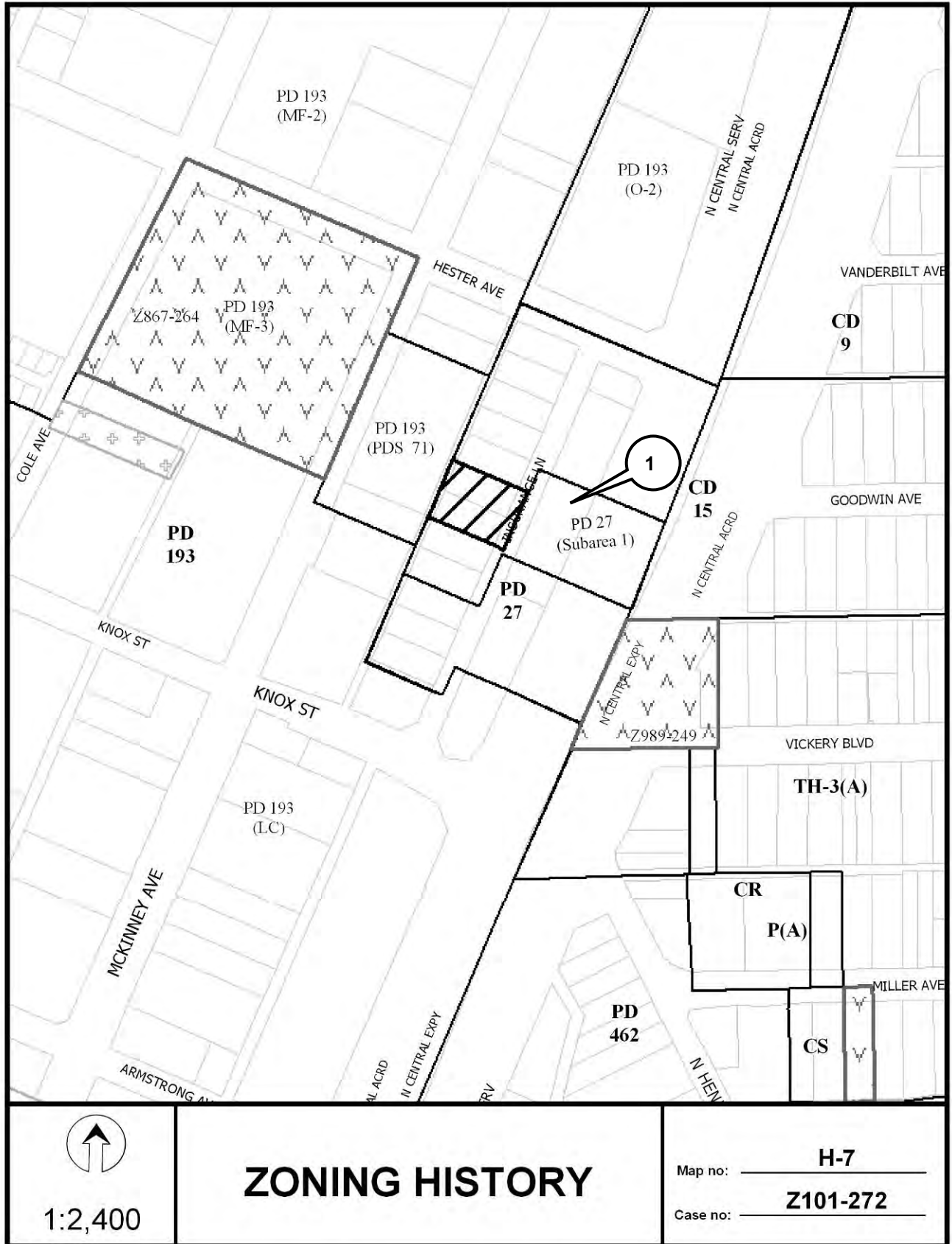
1:2,400

# ZONING AND LAND USE

Map no:           H-7          

Case no:           Z101-272          

DATE: July 19, 2011




1:2,400

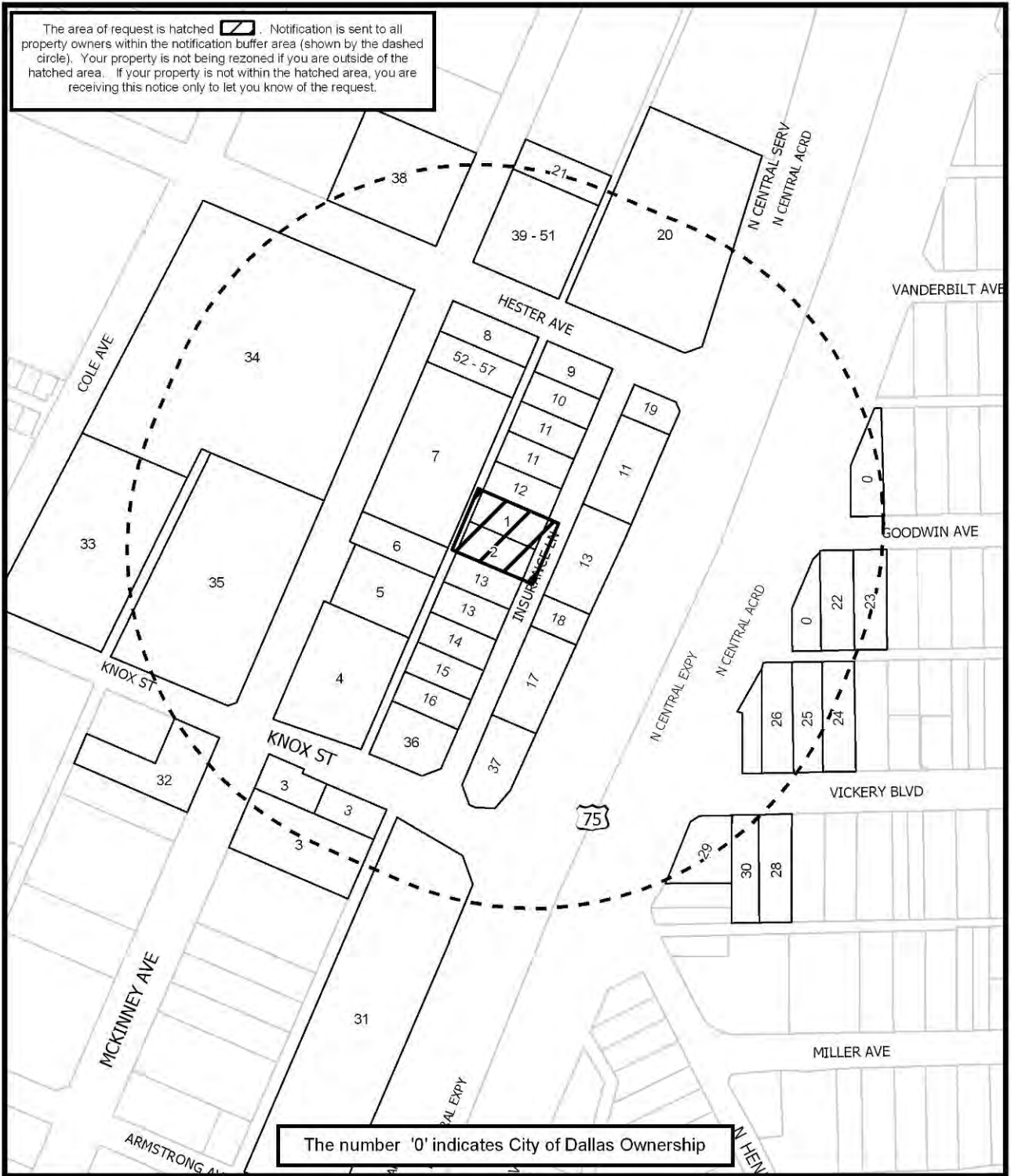
# ZONING HISTORY

Map no:           H-7          

Case no:           Z101-272          

DATE: July 19, 2011

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



The number '0' indicates City of Dallas Ownership

 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <p>  AREA OF NOTIFICATION   NUMBER OF PROPERTY OWNERS NOTIFIED                 </p>	Map no: <u>          H-7          </u> Case no: <u>          Z101-272          </u>
--	---	--

DATE: July 19, 2011



## **Notification List of Property Owners**

### **Z101-272**

#### **57 Property Owners Notified**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
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	MARENCO-ROWE JUSTINE
25	5017 VICKERY	WEBER WILLIAM & ELIZABETH
26	5013 VICKERY	BODDICKER BRIAN

**Tuesday, July 19, 2011**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
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**

**Planner: Warren F. Ellis**

**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.

**PREVIOUS ACTION:** On August 4, 2011, the City Plan Commission held this case under advisement to allow for the City Plan Commission and applicant to continue discussing the proposed zoning change.

**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
<b>Site</b>	R-7.5(A)	Undeveloped
<b>North</b>	R-7.5(A)	Single Family
<b>South</b>	R-7.5(A)	Flood Plain, Undeveloped
<b>East</b>	R-7.5(A)	Flood Plain, Undeveloped
<b>West</b>	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.

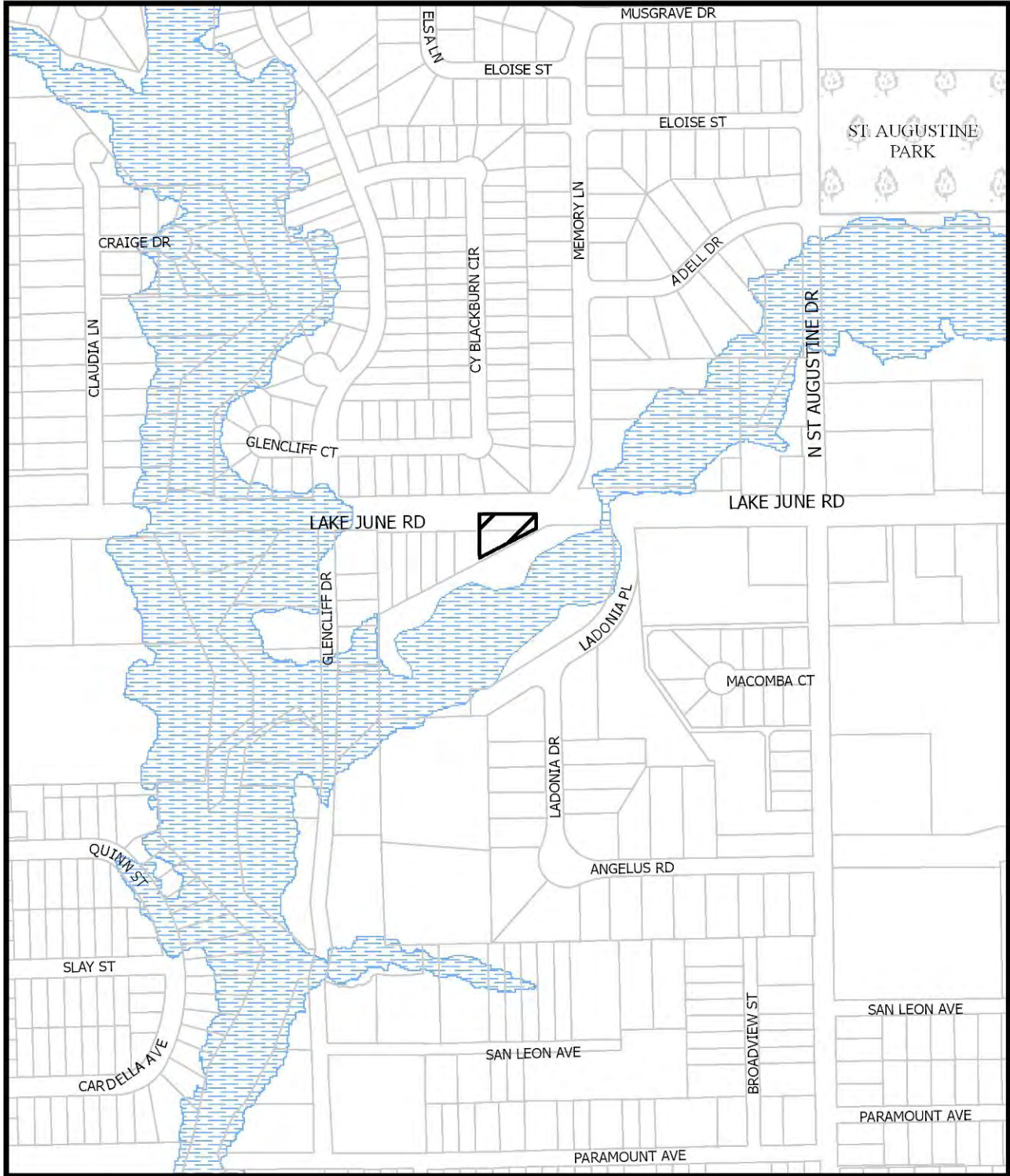
**Development Standards:**

<b>DISTRICT</b>	<b>SETBACKS</b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
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.



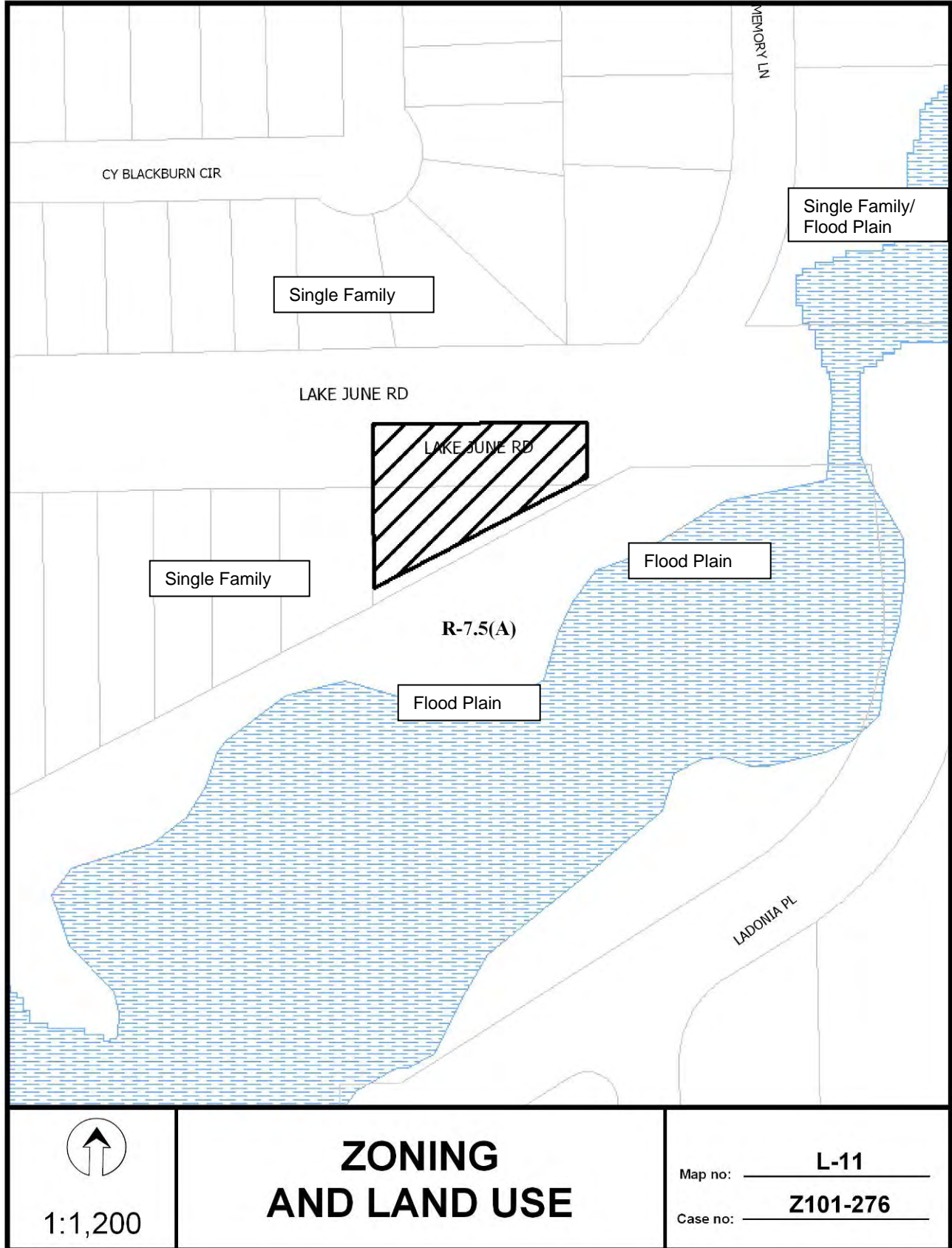
1:4,800

# VICINITY MAP

Map no:           L-11          

Case no:           Z101-276          

DATE: June 14, 2011



1:1,200

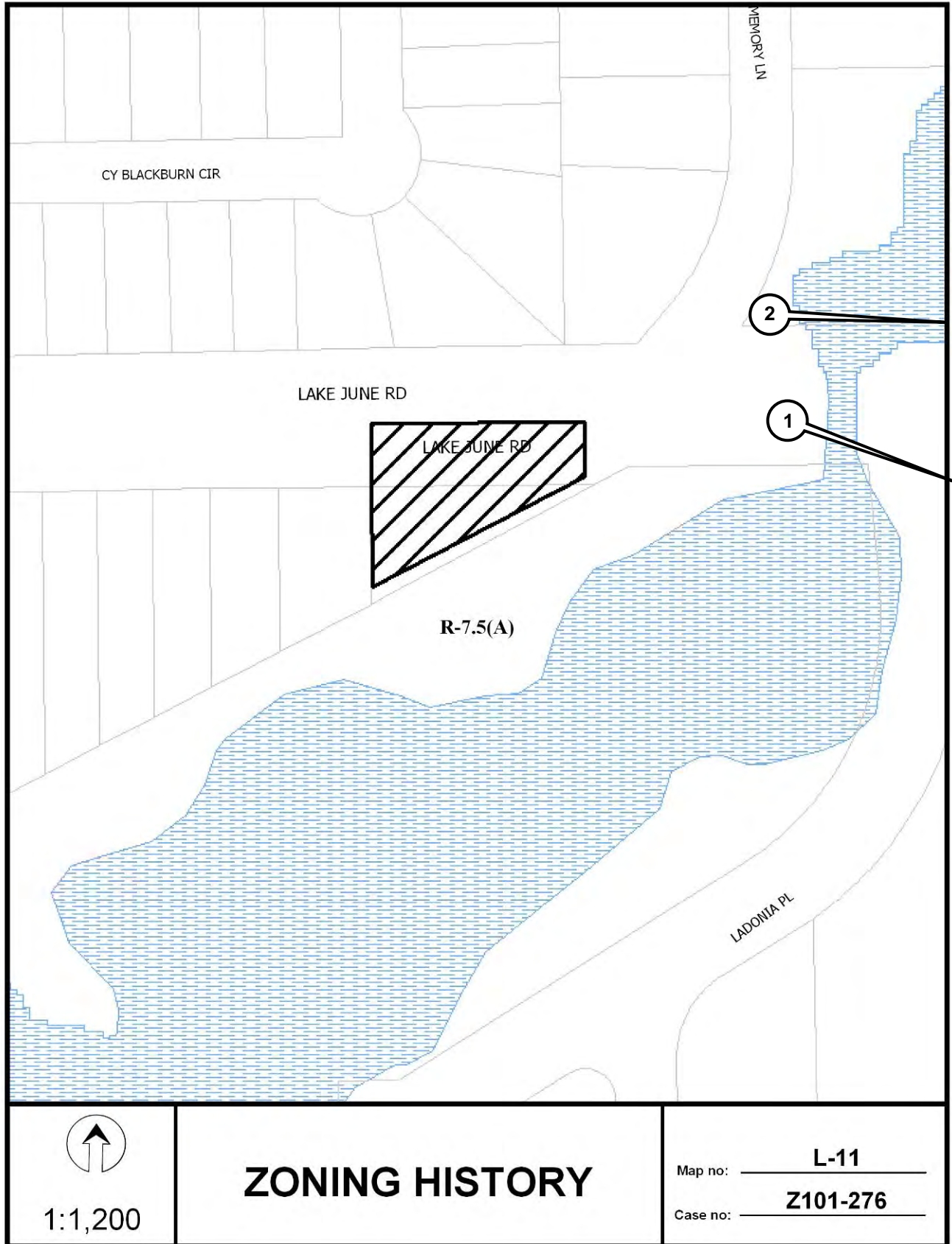
# ZONING AND LAND USE

Map no:           L-11          

Case no:           Z101-276          

DATE: June 14, 2011





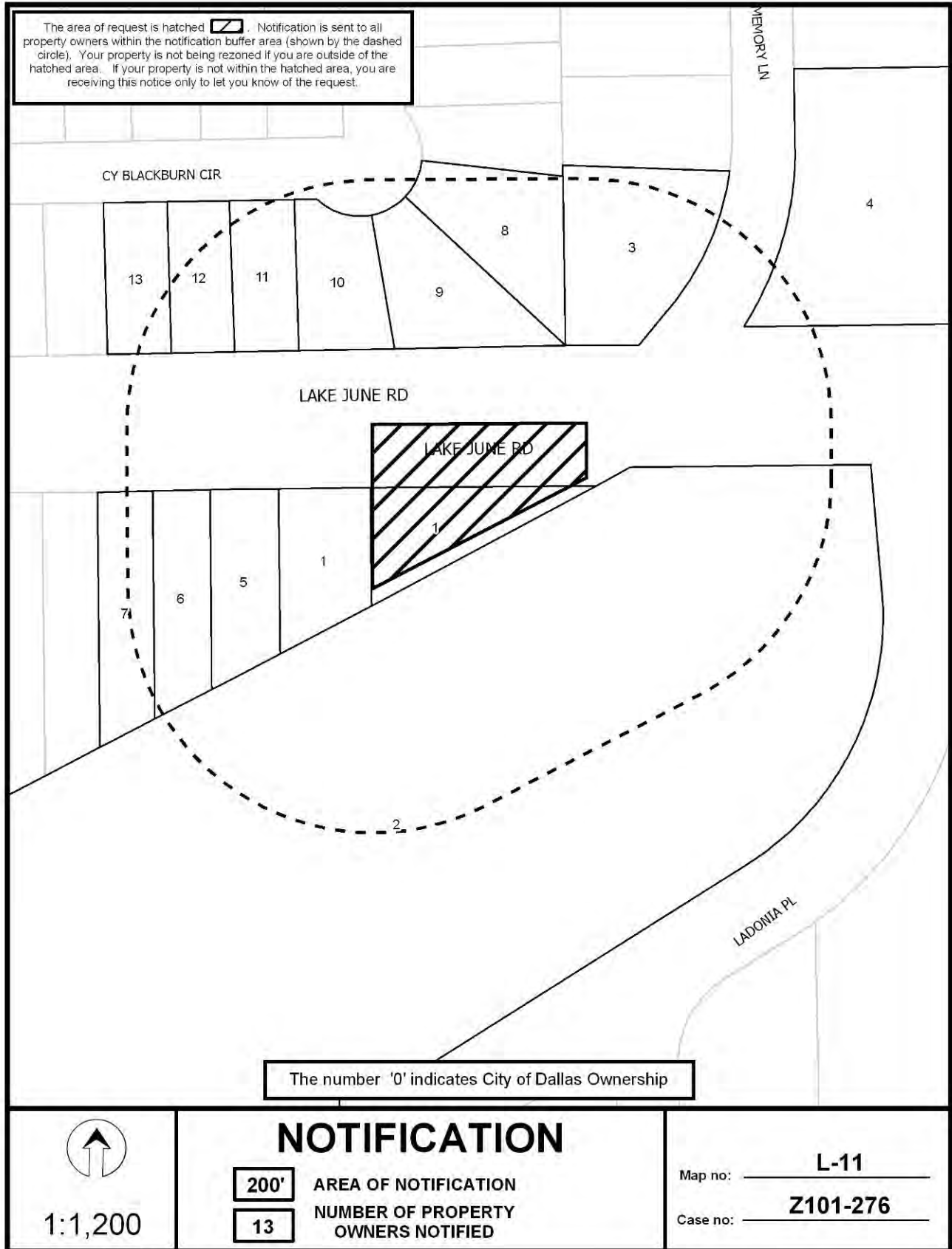
1:1,200

# 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**

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
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:** Z101-163 (MG)

**DATE FILED:** January 14, 2011

**LOCATION:** Southwest corner of the intersection of Military Parkway and Elva Avenue

**COUNCIL DISTRICT:** 7

**MAPSCO:** 48 S

**SIZE OF REQUEST:** Approx. 0.8092 acres

**CENSUS TRACT:** 85.00

---

**REPRESENTATIVE:** Parvez Malik

**APPLICANT:** Jiten Roy

**OWNER:** Mohammed M. Rahmen

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

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

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

**PREVIOUS CPC ACTION:** On July 7, 2011, the Planning Commission held this case under advisement until August 18, 2011 to allow time for the applicant to address site plan issues.

On June 16, 2011, the Planning Commission held this case under advisement until July 7, 2011 to allow time for the applicant to address site plan issues.

On May 19, 2011, the Planning Commission held this case under advisement until June 16, 2011 to allow time for the applicant to address site plan issues.

On April 21, 2011, the Planning Commission held this case under advisement until May 19, 2011.

**BACKGROUND INFORMATION:**

- The request site is currently developed with an approximately 2,550 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.
- Staff is requesting to hold this case under advisement until August 18<sup>th</sup> to allow the applicant to reconcile parking, site and site plan issues.

**Zoning History:**

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Military Pkwy.	Principle	190 ft.	190 ft.
Elva Ave.	Local	40 ft.	40 ft.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
Site	CR-D-1	Commercial
North	CR-D-1	Commercial
South	R-7.5(A)	Single family
East	CR-D-1	Commercial
West	CR-D-1	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 Residential Neighborhood Block.

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

**LAND USE**

**GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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

**Land Use Compatibility:**

The approximately 0.8092 acre request site is zoned a CR Community Retail District with a D-1 Liquor Control Overlay and is currently developed with retail strip center containing the approximately 2,550 square foot convenience store and gas station as well as other retail uses. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which requires a Specific Use Permit in the D-1 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 subject property contains multiple uses. The Dallas Development Code provides the following off-street parking requirements for the listed uses:

General merchandise/food store: one space for each 200 square feet of floor area

Motor vehicle fueling station: two spaces

Office: one space for each 333 square feet of floor area

Laundry: one space for each 200 square feet of floor area

Restaurant (without drive-in or drive-thru service): one space for each 100 square feet of floor area

The subject site requires a total of 48 spaces. The attached site plan meets the parking requirement and provides 48 spaces.

**Landscaping:**

Landscaping required per Article X of the Dallas Development Code.



## DPD Report

Offense Records - Windows Internet Explorer  
 http://polcereports.dallaspolice.net/publicresults/resultsoffensepublic.aspx  
 DALLAS POLICE DEPARTMENT  
 UCR Codes Year Codes Property Class Codes  
 Virtual Viewer - Public Access Welcome

Search Records - Offense Filter

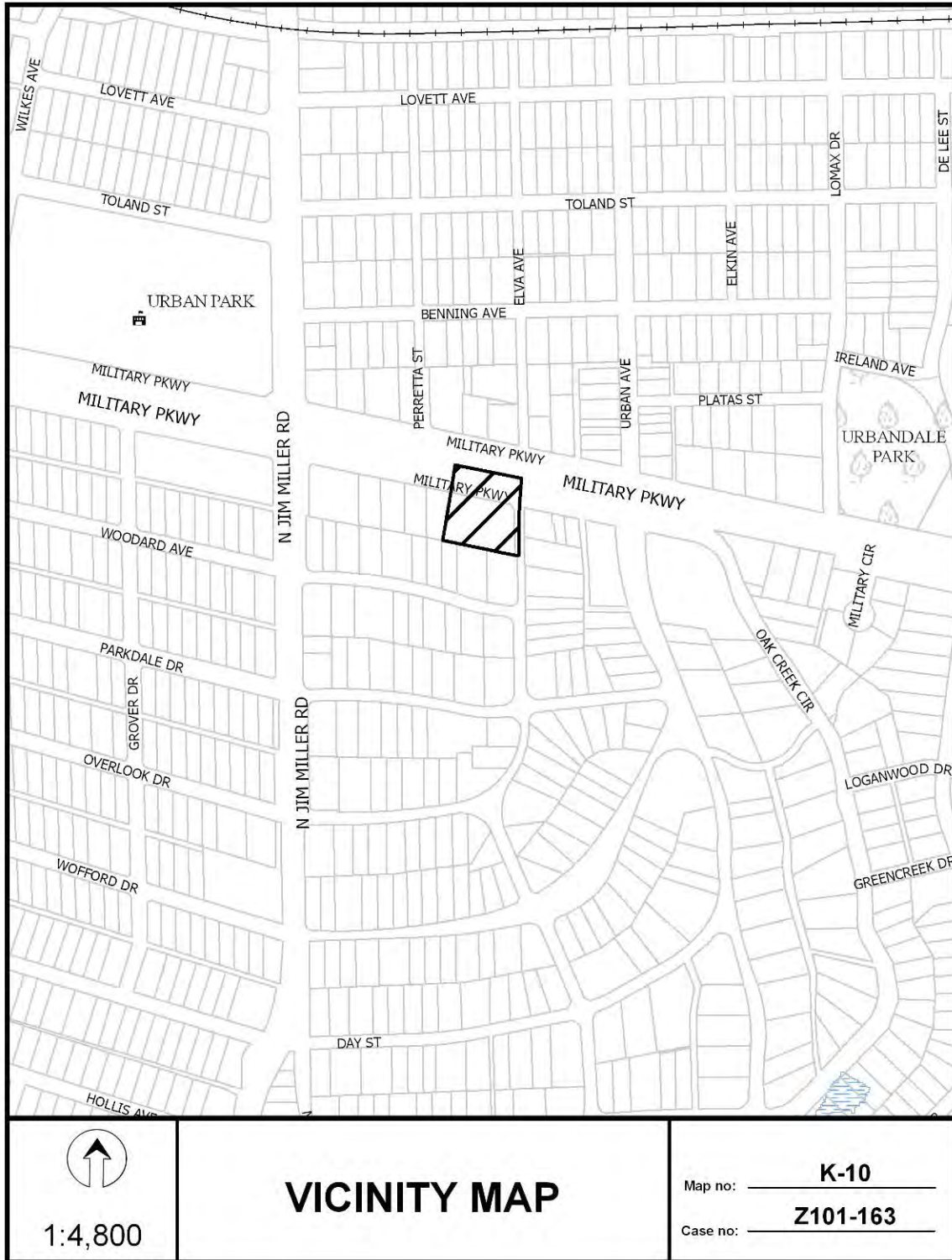
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
<a href="#">0000267-V</a>	01/01/2008	REYES, MARCO,	AGGRAVATED ASSAULT	07052		MILITARYPKWY	324	1235	04121	
<a href="#">0000268-V</a>	01/01/2008	REYES, EDDIEBERTO	AGGRAVATED ASSAULT	07052		MILITARYPKWY	324	1235	04121	
<a href="#">0055749-W</a>	02/27/2009	BEISERT, CAROL	THEFT	07052		MILITARYPKWY	321	1235	06943	
<a href="#">0071706-X</a>	03/14/2010	*3-AMIGOS FOOD MARKET	CRIMINAL MISCHIEF/VANDALISM	07052		MILITARYPKWY	321	1235	14081	
<a href="#">0098814-W</a>	04/09/2009	CRUZ, FRANCISCO HERNANDEZ	ROBBERY	07052		MILITARYPKWY	321	1235	03941	
<a href="#">0151705-X</a>	05/31/2010	BOHAR, EVEREST	ASSAULT	07052		MILITARYPKWY	321	1235	08111	
<a href="#">0179163-T</a>	03/15/2007	*3 AMIGOS FOOD MART	ROBBERY	07052		MILITARYPKWY	323	1235	03411	
<a href="#">0219232-X</a>	08/05/2010	*ATLAS IMPORT	THEFT	07052		MILITARYPKWY	321	1235	06941	
<a href="#">0279270-W</a>	09/18/2009	DAS, SAMAR	CRIMINAL MISCHIEF/VANDALISM	07052		MILITARYPKWY	321	1235	14030	
<a href="#">0324707-V</a>	10/19/2008	*MAYTAG LAUNDRY MAT	BURGLARY	07052		MILITARYPKWY	324	1235	05391	
<a href="#">0340769-R</a>	05/06/2006	SEARS, CLOUDY	THEFT	07052		MILITARYPKWY	323	1235	06902	
<a href="#">0347485-X</a>	12/20/2010	HENDERSON , ANTHONY	THEFT	07052		MILITARYPKWY	321	1235	06992	
<a href="#">0350970-V</a>	11/14/2008	@CITY OF DALLAS	CRIMINAL MISCHIEF/VANDALISM	07052		MILITARYPKWY	324	1235	14082	
<a href="#">0517944-R</a>	07/08/2006	*THREE AMIGOS FOOD MART	BURGLARY	07052		MILITARYPKWY	323	1235	05132	
<a href="#">0577235-T</a>	08/02/2007	*3 AMIGOS FOOD MART	THEFT	07052		MILITARYPKWY	323	1235	06972	

Proposed SUP Conditions

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



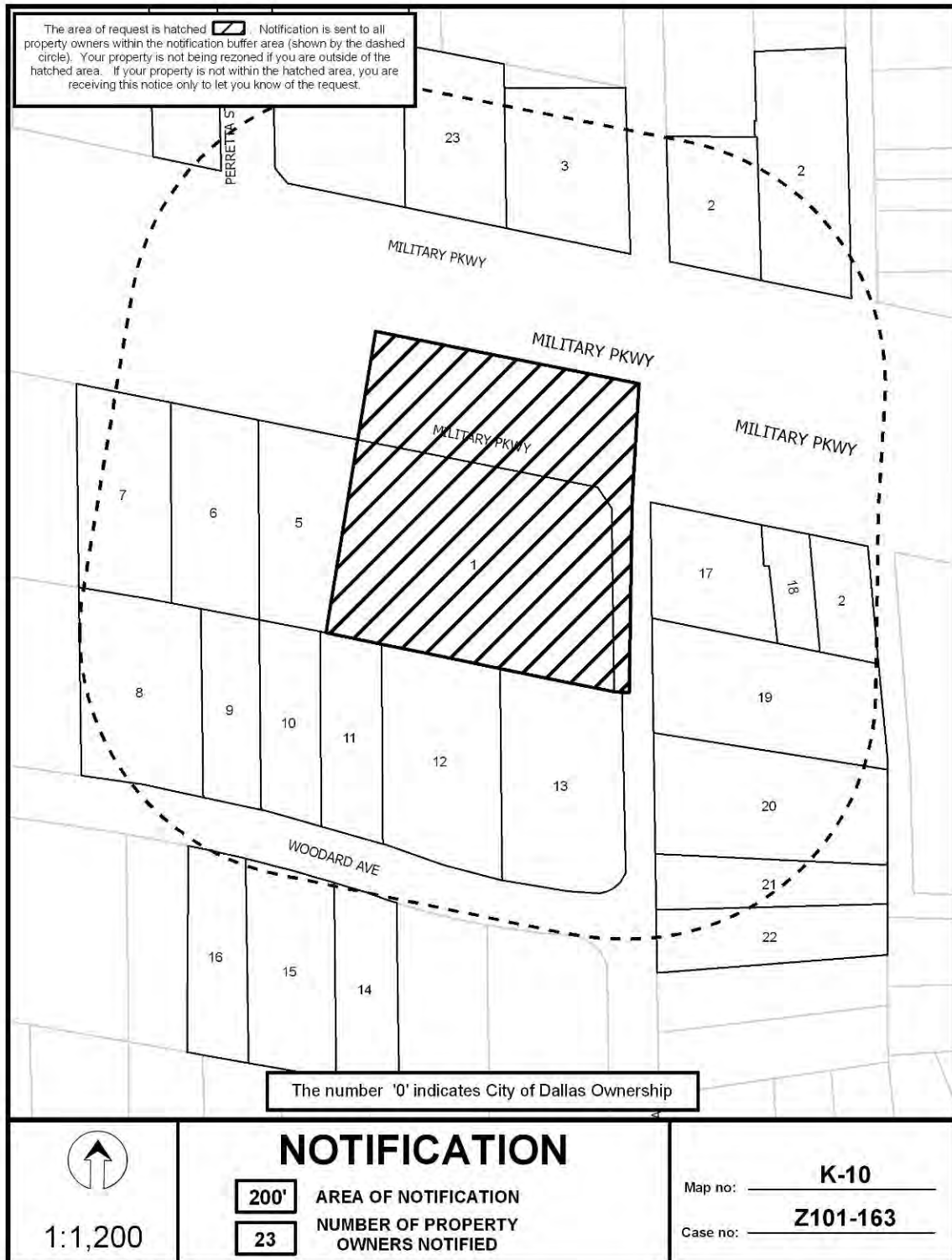
Z101-163 (MG)



DATE: March 18, 2011



DATE: March 18, 2011



## ***Notification List of Property Owners***

### ***Z101-163***

#### ***23 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	7052 MILITARY	TRTX INC
2	7110 MILITARY	BALLAS VICTOR
3	7055 MILITARY	TOBIAS WILLIAM A & MARY L
4	7027 MILITARY	MEZA JESUS M
5	7034 MILITARY	SOTO EMETERIO & JOEL M SOTO
6	7028 MILITARY	CARROLL THOMAS D DDS
7	7020 MILITARY	CARROLL THOMAS DALE
8	7023 WOODARD	CASILLAS ORQUIDIA
9	7033 WOODARD	ESTRADA TOMAS & RAFAELA CANO DE
10	7039 WOODARD	VELASQUEZ XOCHILL G & VELASQUEZ MARGARITO
11	7043 WOODARD	VALVERDE SAUL & NARCEOALTA
12	7045 WOODARD	DIAZ BERTHA S D
13	7055 WOODARD	PINALES SANTOS & MARIA OLIVIA
14	7040 WOODARD	TAKAHASI NATASSIA
15	7034 WOODARD	YOUNG CHARLES L
16	7030 WOODARD	PENA CESAR
17	7102 MILITARY	MAISONET SANDRA
18	7108 MILITARY	RODRIGUEZ ROJELIO M & ELIZA O
19	3914 ELVA	PARKWAY ENTERPRISES INC
20	3910 ELVA	DAVALOS ALEJANDRO & JULIA CASTRO
21	3902 ELVA	UVALLE RODOLFO
22	3822 ELVA	CHAVEZ FELIX A
23	7041 MILITARY	IGLESIA DE DOS EMMANUEL

***Friday, March 18, 2011***

**FILE NUMBER:** Z101-253 (MG)

**DATE FILED:** January 18, 2011

**LOCATION:** Southeast quadrant of Lake June Road and Templecliff Drive

**COUNCIL DISTRICT:** 5

**MAPSCO:** 58 J

**SIZE OF REQUEST:** Approx. 0.040 acres

**CENSUS TRACT:** 93.01

---

**REPRESENTATIVE:** Parvez Malik – Business Zoom

**APPLICANT/OWNER:** Bawa Corporation

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

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

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

**PREVIOUS CPC ACTION:** On July 7, 2011, the Planning Commission held this case under advisement until August 18, 2011 to allow time for the applicant to address site plan issues.

On June 16, 2011, the Planning Commission held this case under advisement until July 7, 2011 to allow time for the applicant to address site plan issues.



**BACKGROUND INFORMATION:**

- The request site is currently developed with an approximately 1,737 square foot general merchandise use (convenience store), vehicle fueling station (gas station) and tire shop.
- 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 RR Regional Retail District. The sale of alcoholic beverages on property regulated by the D-1 Liquor Control Overlay requires a specific use permit.
- Staff requests to hold this case under advisement until August 18<sup>th</sup> to allow the applicant reconcile parking, permit and site plan issues.

**Zoning History:**

1. Z079-186

On June 11, 2008 the City Council approved an amendment to Specific Use Permit No. 1252 for a child care facility on property zoned R-7.5(A) Single Family District.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>	<b>Proposed ROW</b>
Lake June Blvd.	Principle	100 ft.	100 ft.
Templecliff Dr.	Local	50 ft.	50 ft.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
Site	RR-D-1	Commercial
North	MF-1(A)	Church
South	MF-1(A)	Multi-family
East	CR	Church
West	R-7.5(A)	Church

**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 Residential Neighborhood Block.

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

**LAND USE**

**GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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

**Land Use Compatibility:**

The approximately 0.40 acre request site is zoned an RR Regional Retail District with a D-1 Liquor Control Overlay and is currently developed with an approximately 1,737 square foot convenience store, motor vehicle fueling station and tire shop. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which requires a Specific Use Permit in the D-1 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 and surrounding uses are compatible with the existing and proposed use on the subject property. The applicant is proposing to maintain the convenience store, motor vehicle fueling station and tire shop. The initial short time period will also require that the request be reevaluated to ensure the use is compatible in this location.

**Development Standards:**

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
RR- existing Regional Retail	15'	20' adjacent to residential OTHER: No Min.	NA	70'	80%	20' setback for portion of structure over 45' in height	Regional serving retail, personal service

**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, one space for every 500 square feet of auto service uses with a minimum of four spaces, and two spaces for motor vehicle fueling. This results in a parking requirement of 19 spaces. The attached site plan depicts a total of 20 parking spaces.

**Landscaping:**

Landscaping required per Article X of the Dallas Development Code.

## DPD Report

The screenshot displays the Dallas Police Department's Virtual Viewer interface. At the top left, the Dallas Police Department logo and name are visible. To the right of the logo, there are links for [UCR Codes](#), [Year Codes](#), and [Property Class Codes](#). Below the header, a yellow bar contains the text "Virtual Viewer - Public Access" on the left and "Welcome" on the right. The main content area is a light gray rectangle. In the center of this area, there is a dark blue box with the text "No found results." Below this box, a white box contains the message "The search parameters found no records."

SUP Conditions

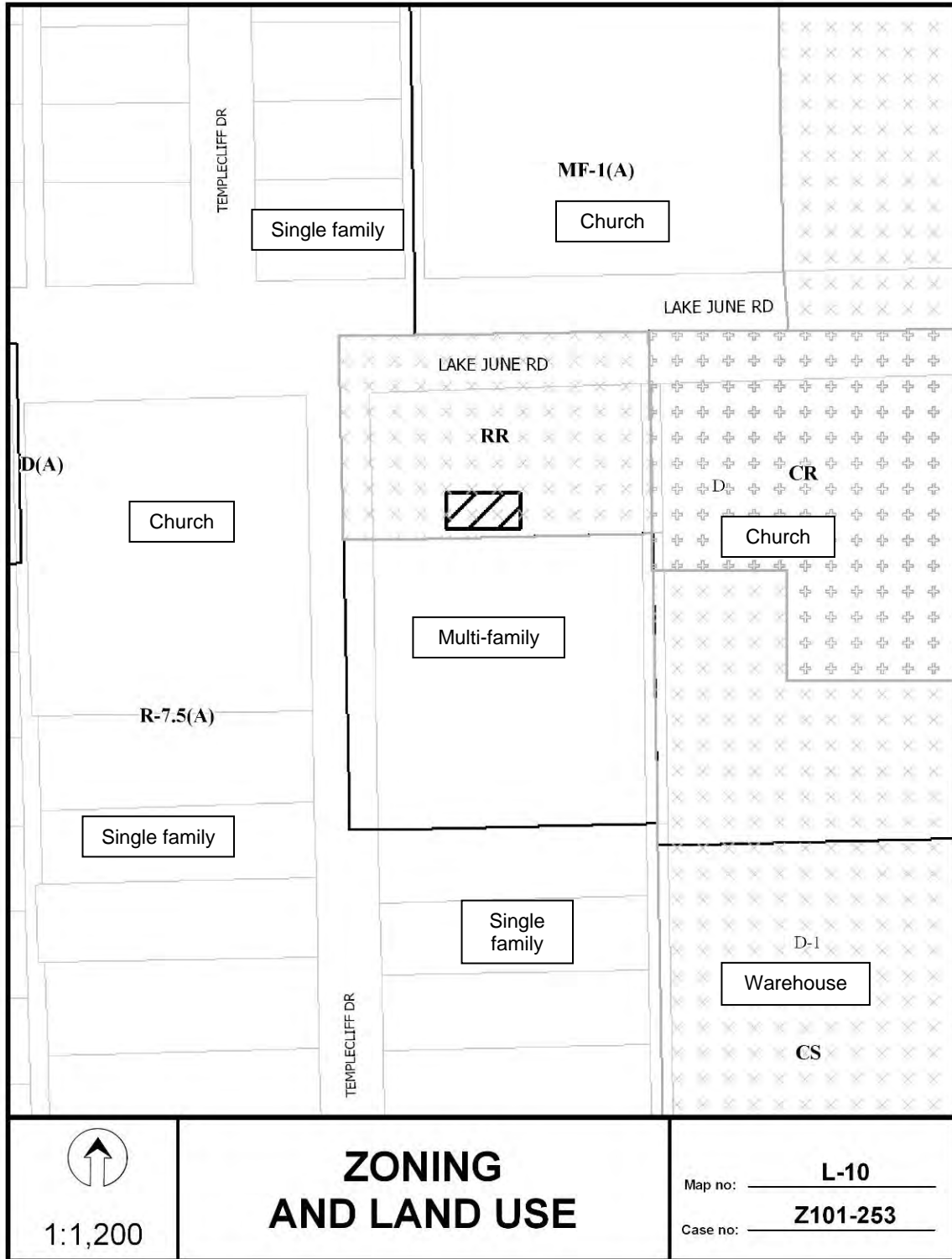
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use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



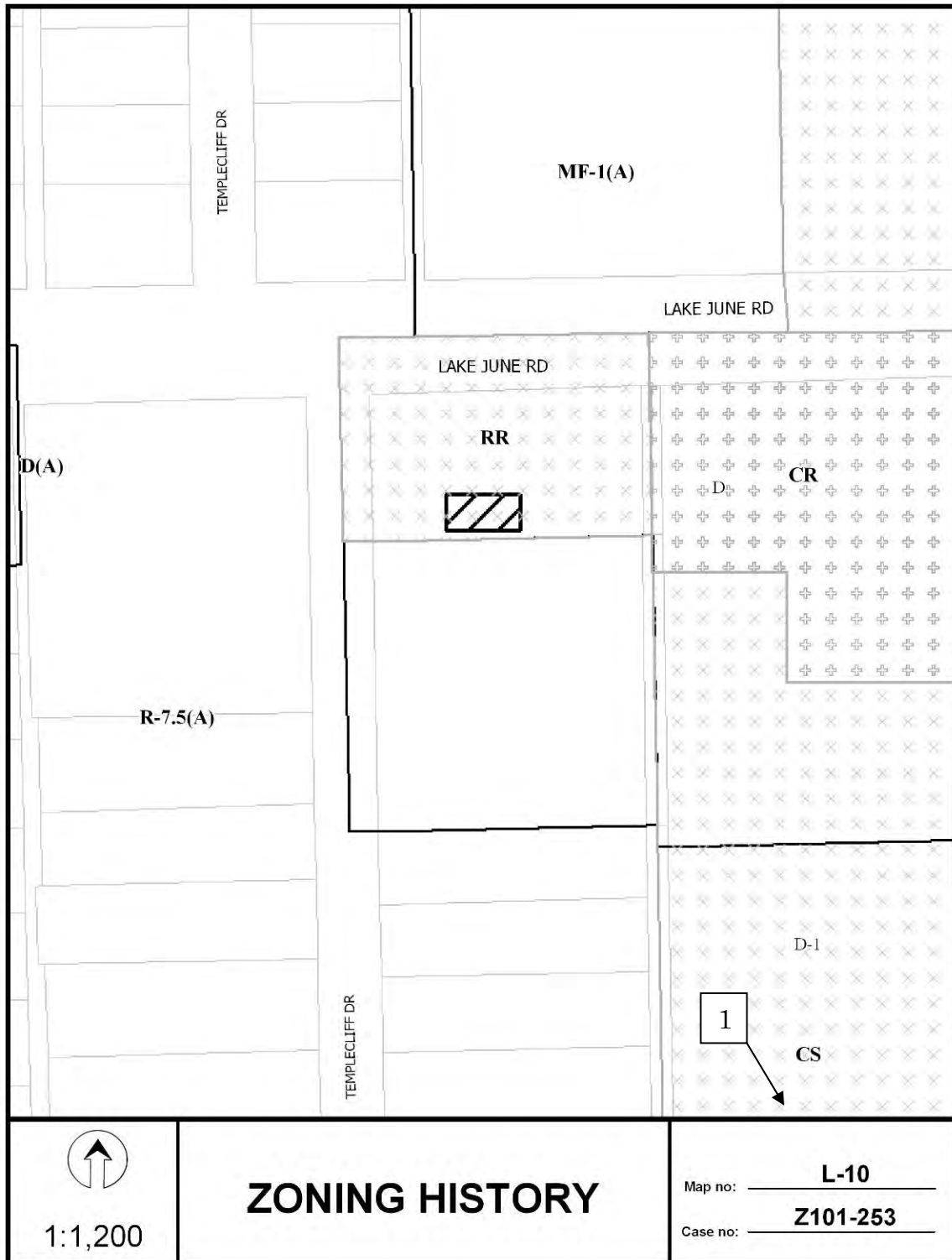


DATE: May 19, 2011

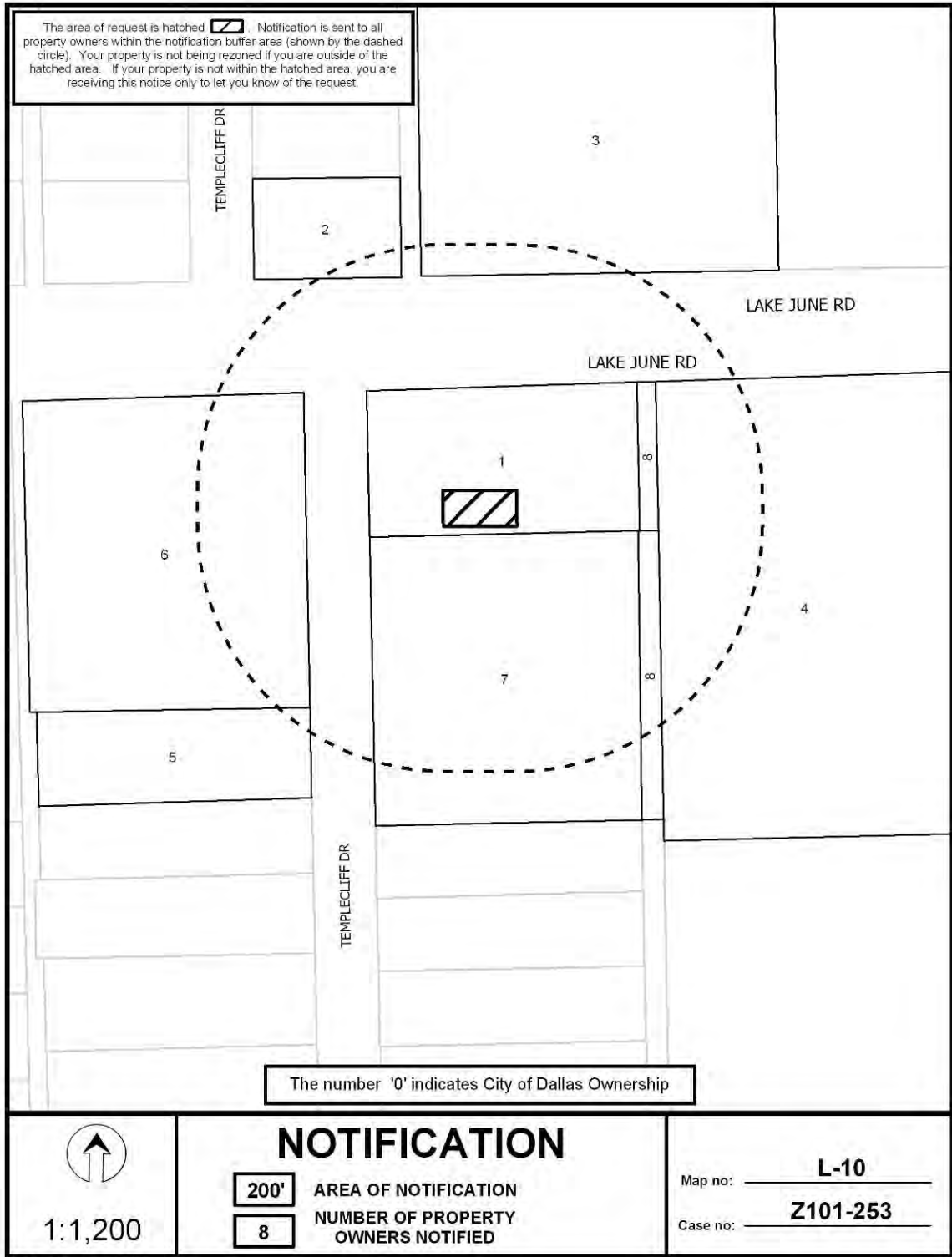




DATE: May 19, 2011



DATE: May 19, 2011



DATE: May 19, 2011

Z101-253

Page 1 of 1  
5/19/2011

## ***Notification List of Property Owners***

***Z101-253***

### ***8 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	6808 LAKE JUNE	BAWA CORPORATION
2	1304 TEMPLECLIFF	MARES NOEL & LINDA MARES
3	6819 LAKE JUNE	MOUNT SINAI BAPTIST CH
4	6916 LAKE JUNE	FAITH KINGDOM CHURCH OF GOD IN CHRIST
5	1231 TEMPLECLIFF	SCOTT ANITA LOUISE
6	1239 TEMPLECLIFF	CENTRO CRISTIANO REDENCION
7	1234 TEMPLECLIFF	BOST FRED W APT 108
8	6814 TEMPLECLIFF	CRAIG A C RESOURCE CTR

***Thursday, May 19, 2011***

**CITY PLAN COMMISSION**

**THURSDAY, AUGUST 18, 2011**

**Planner: Olga Torres-Holyoak**

**FILE NUMBER:** Z089-185 (OTH)

**DATE FILED:** March 20, 2009

**LOCATION:** On the north side of Ryan Road, west of Garapan Drive

**COUNCIL DISTRICT:** 3

**MAPSCO:** 54-X

**SIZE OF REQUEST:** 15,559 square feet

**CENSUS TRACT:** 60.01

---

**APPLICANT/OWNER:** Sharon Harris

**REQUEST:** An application to renew Specific Use Permit No. 1581 for a child-care facility on property zoned a TH-3(A) Townhouse District.

**SUMMARY:** The applicant is proposing to restart the use of the property as a child-care facility.

**STAFF RECOMMENDATION:** Hold under advisement until September 15, 2011

**PRIOR CPC ACTION:** On July 7, 2011, the City Plan Commission held this case under advisement until August 18, 2011

On February 17, 2011, the City Plan Commission held the case under advisement until July 7, 2011.

On November 18, 2010, the City Plan Commission held the case under advisement until February 17, 2011.

On October 21, 2010, the City Plan Commission held the case under advisement until November 18, 2010.

## **BACKGROUND INFORMATION:**

- The property is currently developed with a 3,423 square feet building. The applicant proposes to relocate her existing child-care facility on the site. Originally, the property had two buildings, A and B. Building A is a two story building. The original buildings had a total of 2,004 square feet. The two buildings are connected by the new addition. The new construction has not been completed.
- The facility had been operating on and off a child-care facility since 1984.
- Specific Use Permit No. 904 was approved on August 29, 1984, for a child-care facility on a portion of the request site for a two-year period, and a certificate of occupancy was issued for a daycare center for SUP No. 904 on 813 Ryan Road for the current owner. SUP No. 904 was not renewed, and expired on August 29, 1986.
- On September 30, 1999, the applicant was awarded a combined total of \$150,000 for the expansion of the facility on the request site. The proposed expansion connected the two buildings on the site. The expanded structure has a total of 3,423 square feet. The property has been under construction since.
- Specific Use Permit No. 1453 was approved September 12, 2001, for a child-care facility on the request site for a two-year period with eligibility for automatic renewals for additional two-year periods. SUP No. 1453 was not renewed, and expired on September 12, 2003.
- Specific Use Permit No. 1581 was approved on May 11, 2005 for two years with eligibility for automatic renewals of additional two-year periods. The applicant missed the deadline to submit the automatic renewal application. However, she submitted the application to renew the SUP. The SUP was renewed on August 22, 2007 for a period of two years with eligibility for automatic renewals of additional five-year periods.
- On March 20, 2009, the applicant submitted the application to automatically renew SUP No. 1581, well within the required time to submit the application for automatic renewal. At the time of the application, the applicant submitted the site plan approved by City Council on August 22, 2005. Automatic renewal is approved only on the basis that conditions have been complied with, and that no changes to the conditions or other SUP ordinance provisions are being requested. Therefore, the site must comply with the existing approved site plan. The existing site plan was approved on August 22, 2007. The existing conditions on the site do not comply with either one of the approved plans.
- Staff made several visits to the site to inspect for compliance with the site plan. Staff last visited the site on September 30, 2010. The site did not comply with the approved site and landscape plan. There were deficiencies in the landscape

plan and the required parking. The applicant indicated she was unable to change the site to comply with the requirements. Therefore, the request must be brought before City Plan Commission and City Council.

- The proposed site plan does not meet Code requirements. The applicant's proposed site plan shows an obstruction to the visibility triangle; therefore, in order to be allowed to maintain the obstruction the applicant needs to go to the Board of Adjustment to obtain a special exception to the visual obstruction regulations. The proposed parking does not meet the requirements for parking design. Therefore, the applicant applied to the Board for a special exception for 2 parking spaces. The proposed site plan exceeds the lot coverage permitted for non residential uses in the TH-3(A) Townhouse District. The applicant applied to the Board for a variance to the lot coverage requirements.
- On March 16, 2011, the Board of Adjustment action was as follows:
  - Granted:
    - A request to reimburse the filing fees submitted in conjunction with the application.
    - The request for a special exception to the off-street parking regulations of 2 parking spaces, subject to the conditions that the special exception shall automatically and immediately terminate if and when the child-care facility use is changed or discontinued.
    - The request for a special exception to the visual obstruction regulations, subject to the conditions that the property complies with the submitted site plan.
  - Denied:
    - The request for a variance to the lot coverage regulations without prejudice.

The applicant expressed to staff that she plans to submit a new application to the Board of Adjustment for a variance for the lot coverage. If the Board of Adjustment denies the variance, the applicant will have to remove the exceeding square footage to comply with Code requirements. The City Plan Commission may not approve a site plan that does not comply with Code requirements.

**Zoning History:**

There have been two zoning change requests in the area. Both requests are on the subject site:

1. BDA 101-116      On March 16, 2011, the Board of Adjustment granted a request for reimbursement of the application fee; a special exception to the off-street parking regulations with conditions; a special

exception to the visual obstruction regulations; and denied a variance to the lot coverage regulations without prejudice on property located at 813 Ryan Road.

2. Z045-186 On May 11, 2005, the City Council approved Specific use Permit No. 1581 for a child-care facility for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to a site plan and conditions, on property zoned a TH-3(A) Townhouse District located on the northwest side of Ryan Road, southwest of Garapan Drive.

3. Z067-184 On Wednesday, August 22, 2007, the City Council approved the renewal and amendment of Specific Use Permit No. 1581, for a child-care facility for a two-year period with eligibility for automatic renewals for additional five-year periods, on property zoned a TH-3(A) Townhouse District located on the northwest side of Ryan Road, southwest of Garapan Drive.

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW	Proposed ROW
Ryan Road	Local	50 feet	50 feet
Garapan Drive	Local	50 feet	50 feet

**Land Use:**

	Zoning	Land Use
Site	TH-3(A)	Child-care facility
North	TH-3(A)	Single Family Residential
East	TH-3(A)	Single Family Residential
West	TH-3(A)	Single Family Residential
South	TH-3(A)	Single Family and Multifamily Residential



**STAFF ANALYSIS:**

**Comprehensive Plan:**

The requested use is compatible with the residential character of the neighborhood because it has been part of the community since 1984 and is providing a small-scale neighborhood service. However, it is noted that typically the locations of these uses should be near the perimeter of a neighborhood.

**NEIGHBORHOOD ELEMENT**

**GOAL 7.1** Promote vibrant and viable neighborhoods.

Policy 7.1.2 Promote neighborhood-development compatibility.

**Land Use Compatibility:**

The 15,559 square foot request site is located on the northwest side of Ryan Road, southwest Garapan Drive. The site is developed with a 3,423 square feet building. The new construction added approximately 1,419 square feet of floor area. The property is surrounded by a TH-3(A) Townhouse District which is developed with single family uses and some multifamily uses.

Specific Use Permit No. 1581 was amended and renewed on August 22, 2007 and was approved for automatic renewal for additional five-year periods.

The applicant submitted the automatic renewal application within the legally required period of time. However, due to noncompliance with the conditions and site plan, staff could not grant the automatic renewal of the SUP. Automatic renewals are granted based on compliance with the SUP conditions and the site and landscape plans.

Staff compared the existing conditions of the site and the approved conditions and site/landscape plan. Deficiencies to the approved site plan include parking layout, lot coverage and landscaping.

The parking, as is on the site today, does not comply with the approved site plan. The driveways are shifted, thus impeding the safe maneuvering and ingress/egress of traffic. The existing layout of the parking cannot be approved due to the lack of compliance with Code. Staff discussed the existing conditions and determined that given the limitations of the site, there is no other feasible way to provide parking and comply with Code than the approved site plan. The applicant applied to the Board of Adjustment for a special exception for two parking spaces. The variance was granted, therefore the parking provided on the site must comply with the parking layout approved by the Board.

The lot coverage permitted in a TH-3(A) Townhouse District is 25 percent. The lot size for the site is 15,559 which allows for 3,890 square feet. The existing structures cover

Z089-185(OTH)

4,378 square feet. The building is 4,005 square feet and a 373 storage structure. This means that the lot coverage exceeds the permitted coverage by three percent. For this reason, the applicant will have to obtain a variance to the lot coverage for 3 percent or remove 488 feet of the existing structures. The CPC may not approve a site plan that exceeds the permitted lot coverage.

The City Arborist visited the site and determined that the existing landscaping does not comply with the approved site plan. All of the required landscaping is along the south side of the property. None of the required landscaping is in place, with the exception of the foundation planting. No required trees are provided, and the trees that are on the site are dead. The required shrubs along the building are to be 3' in height. They are scattered and do not reach the required height. The trees planted on the front of the property are not the required trees and are not in healthy condition.

The landscape shown on the proposed site plan do not meet Article X requirements. Staff worked with the applicant to provide an acceptable landscape plan. The applicant will have to provide the landscape in the site plan as recommended by staff for CPC and City Council to approve.

Typically, if a child-care facility is located within a residential neighborhood, they are generally not encouraged to locate in the interior of the neighborhood. However given the tenure that the facility has coexisted in the neighborhood, with appropriate conditions the facility could be beneficial to the neighborhood.

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 compatible with the adjacent property and 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.

**Development Standards:**

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
TH-3(A) Townhouse	0'	0'	12 Dwelling Units/ Acre	36'	60%	Min. Lot: 2,000 sq. ft	Single family

**Parking:**

The Dallas Development Code requires one parking space for every 500 square feet of floor area. The required parking for the facility is seven parking spaces for the proposed 3,423 square foot facility. The applicant has not provided the required seven parking spaces as shown in the site/landscape plan approved by City Council on August 22, 2007. Therefore, the parking layout must comply with the layout provided as approved by the Board on March 16, 2011.

**Landscaping:**

The landscaping in the site does not comply with the approved site/landscape plan. The arborist visited the site and determined that there are too many items to be listed that are wrong with the site plan. Some of the items are as follows:

All of the required landscaping is along the south side of the property. None of the required landscaping is in place, with the exception of the foundation planting.

The required shrubs along the building are to be 3' in height. The planted shrubs are scattered and do not reach the required height.

None of the required trees are provided, and the trees that are on the site are not in healthy condition.

Staff worked with the applicant to provide an acceptable landscape plan. The applicant will have to provide the landscape in the site plan as recommended by staff for CPC and City Council to approve.

## SUP EXISTING CONDITIONS

072411

8-16-07

ORDINANCE NO. 26898

An ordinance amending Ordinance No. 25973, passed by the Dallas City Council on May 11, 2005, which amended the zoning ordinances of the City of Dallas, and granted Specific Use Permit No.1581 for a child-care facility; amending the conditions in Section 2 of that ordinance; providing a revised site plan; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to Specific Use Permit No. 1581; and

WHEREAS, the city council finds that it is in the public interest to amend Specific Use Permit No. 1581; Now, Therefore,

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

SECTION 1. That the conditions in Section 2 of Ordinance No. 25973 are amended to read as follows:

- “1. USE: The only use authorized by this specific use permit is a child-care facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit [~~is approved for a period that~~] expires on August 22, 2009 [~~May 11, 2007~~], but [~~and~~] is eligible for automatic renewal for additional five [~~two~~]-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. [~~In order~~] F[~~f~~]or 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

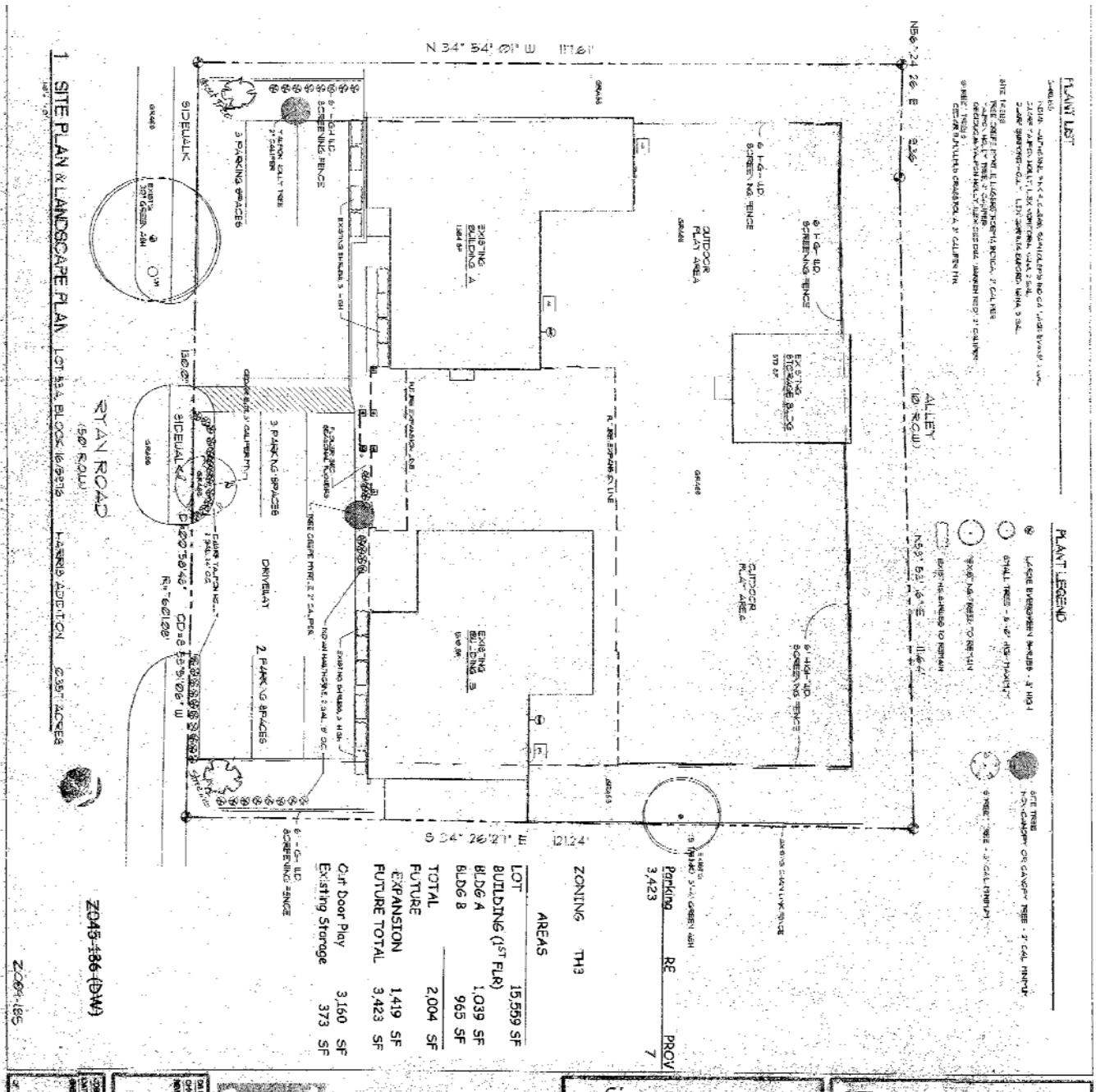
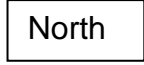
## 26898

expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).

4. LANDSCAPING: Before the final inspection of a building permit for new improvements, l[andscaping] must be provided as shown on the attached site plan. Plant materials must be maintained in a healthy, growing condition.
5. ENROLLMENT: Enrollment in the child-care facility may not exceed 53 children.
6. FENCING: The outdoor play area must be enclosed by a minimum four-foot-high fence, as shown on the attached site plan.
7. HOURS OF OPERATION: The child-care facility may only operate between 6:00 a.m. and 6:00 p.m., Monday through Friday.
8. INDOOR FLOOR AREA: A minimum of 50 square feet of indoor floor area must be provided for each child in attendance. The maximum floor area authorized by this specific use permit is 3,423 square feet. This use must be located as shown on the attached site plan.
9. INGRESS AND EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
10. OUTDOOR PLAY AREA: A minimum of 100 square feet of outdoor play area must be provided for each child in the outdoor play area at one time. The outdoor play area must be located as shown on the attached site plan.
11. PARKING: Before the final inspection of a building permit for new improvements, p[arking] must be located as shown on the attached site plan and screened from adjacent residential uses.
12. SCREENING: Before the final inspection of a building permit for new improvements, a[six-foot-high solid screening fence] must be provided as shown on the attached site plan.
13. MAINTENANCE: The [entire] Property must be properly maintained in a state of good repair and neat appearance.
14. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations; and with all ordinances, rules, and regulations of the City of Dallas."

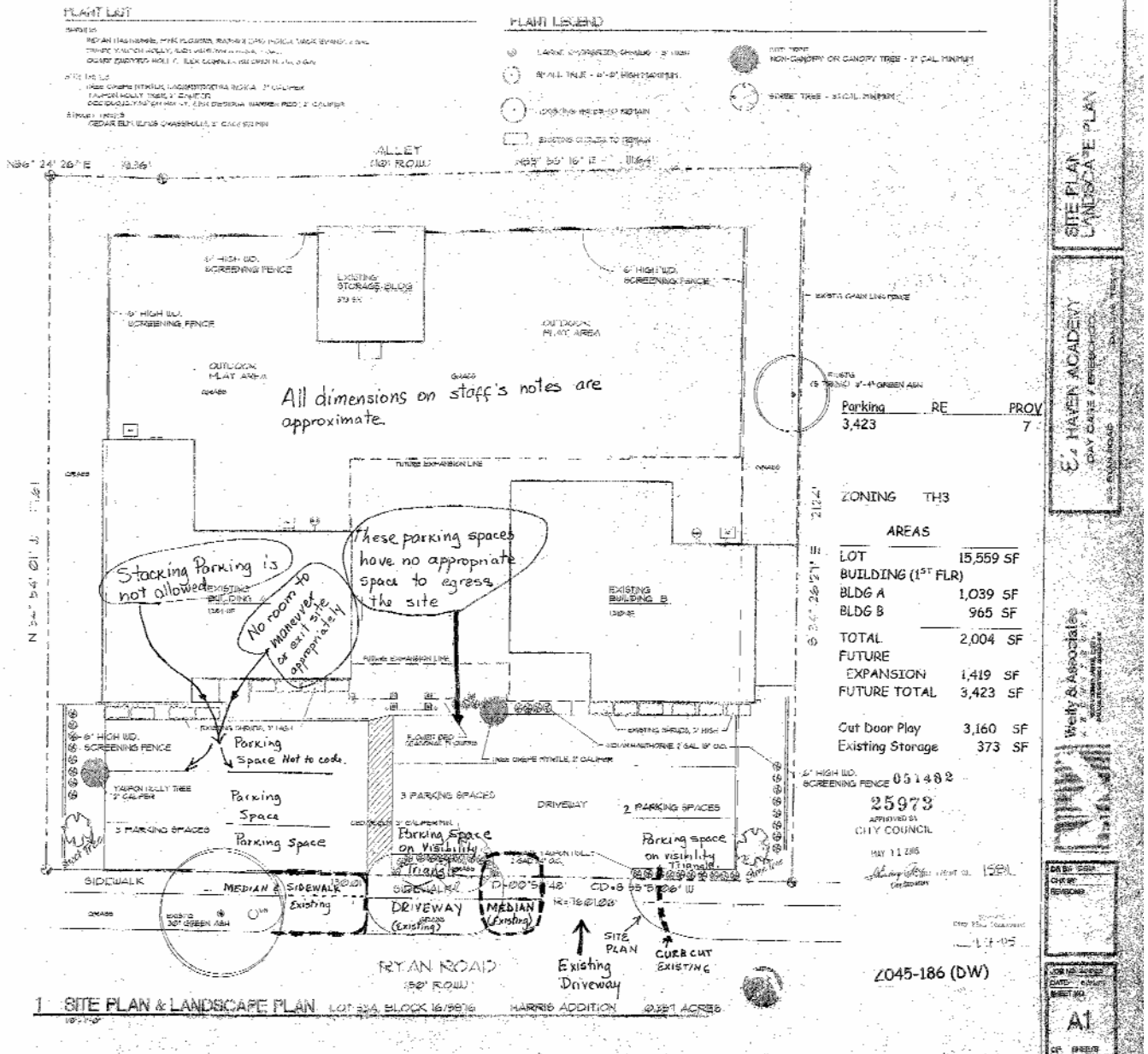
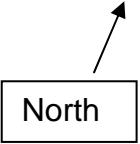


**SITE PLAN SUBMITTED WITH APPLICATION  
(APPROVED 2005)**



## EXISTING SITE CONDITIONS

Revisions made on the Site plan approved on August 22, 2005  
(as submitted by the applicant)

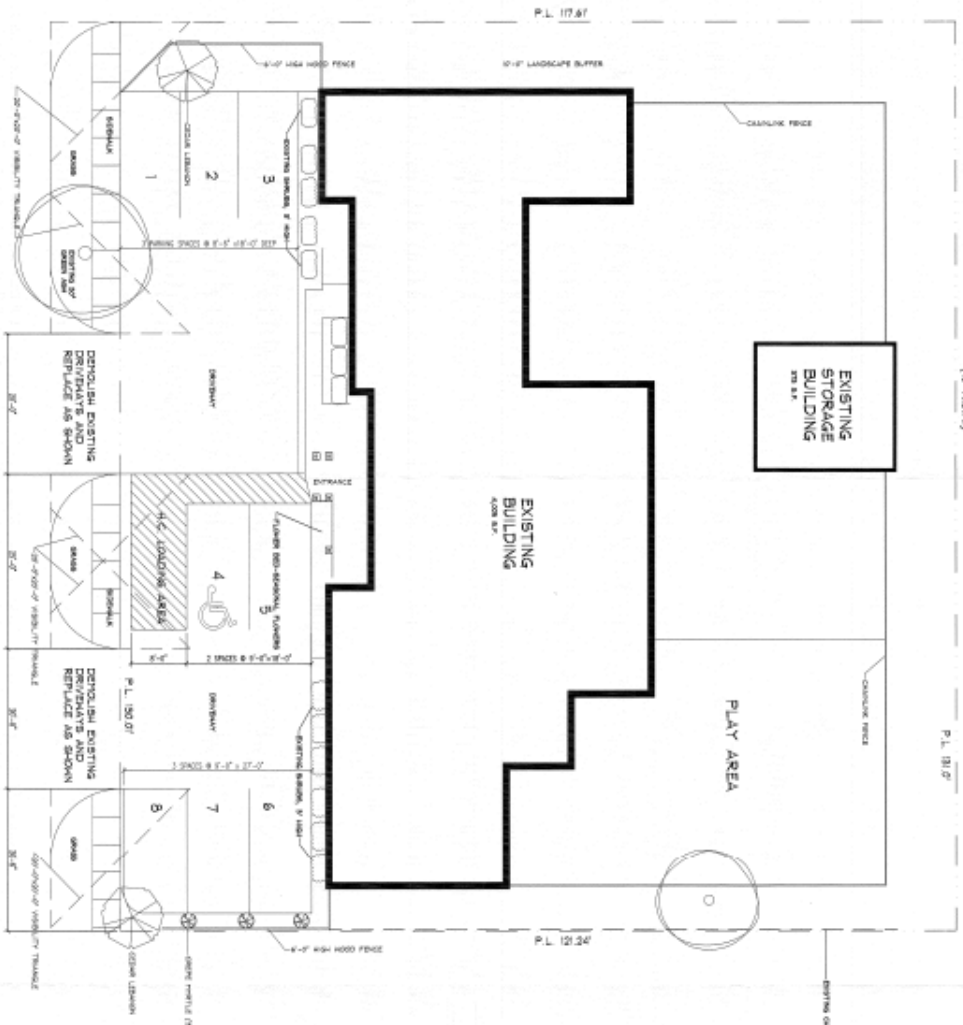




**BOARD OF ADJUSTMET ACTION  
APPROVED SPECIAL EXCEPTION FOR TWO PARKING SPACES,  
APPROVED SPECIAL EXCEPTION FOR VISIBILITY TRIANGLE**

**PLANT LEGEND:**  
 ○ EXISTING TREES TO REMAIN  
 ○ EXISTING TREES TO BE REPLACED  
 ○ EXISTING TREES TO BE REPLACED WITH 4" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 6" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 8" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 10" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 12" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 14" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 16" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 18" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 20" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 22" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 24" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 26" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 28" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 30" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 32" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 34" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 36" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 38" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 40" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 42" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 44" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 46" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 48" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 50" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 52" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 54" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 56" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 58" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 60" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 62" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 64" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 66" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 68" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 70" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 72" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 74" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 76" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 78" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 80" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 82" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 84" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 86" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 88" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 90" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 92" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 94" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 96" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 98" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 100" CALIPER HEMLOCK

**PLANT LEGEND:**  
 ○ EXISTING TREES TO REMAIN  
 ○ EXISTING TREES TO BE REPLACED  
 ○ EXISTING TREES TO BE REPLACED WITH 4" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 6" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 8" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 10" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 12" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 14" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 16" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 18" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 20" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 22" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 24" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 26" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 28" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 30" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 32" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 34" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 36" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 38" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 40" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 42" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 44" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 46" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 48" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 50" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 52" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 54" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 56" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 58" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 60" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 62" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 64" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 66" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 68" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 70" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 72" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 74" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 76" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 78" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 80" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 82" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 84" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 86" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 88" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 90" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 92" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 94" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 96" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 98" CALIPER HEMLOCK  
 ○ EXISTING TREES TO BE REPLACED WITH 100" CALIPER HEMLOCK



**RYAN ROAD**  
**SITE PLAN**  
 SCALE 1/8"=1'-0"  
 LOT NO. 54, BLOCK 184978

AREAS	REQUIRED	PROVIDED
PARKING	0	2
5,191 S.F.		
ZONING	THS	
LOT		
EXISTING BUILDING (1st FLOOR)		4,028 S.F.
EXISTING BUILDING (2nd FLOOR)		311 S.F.
EXISTING STORAGE		178 S.F.
TOTAL		5,191 S.F.

LOT COVERAGE 38%  
 128%

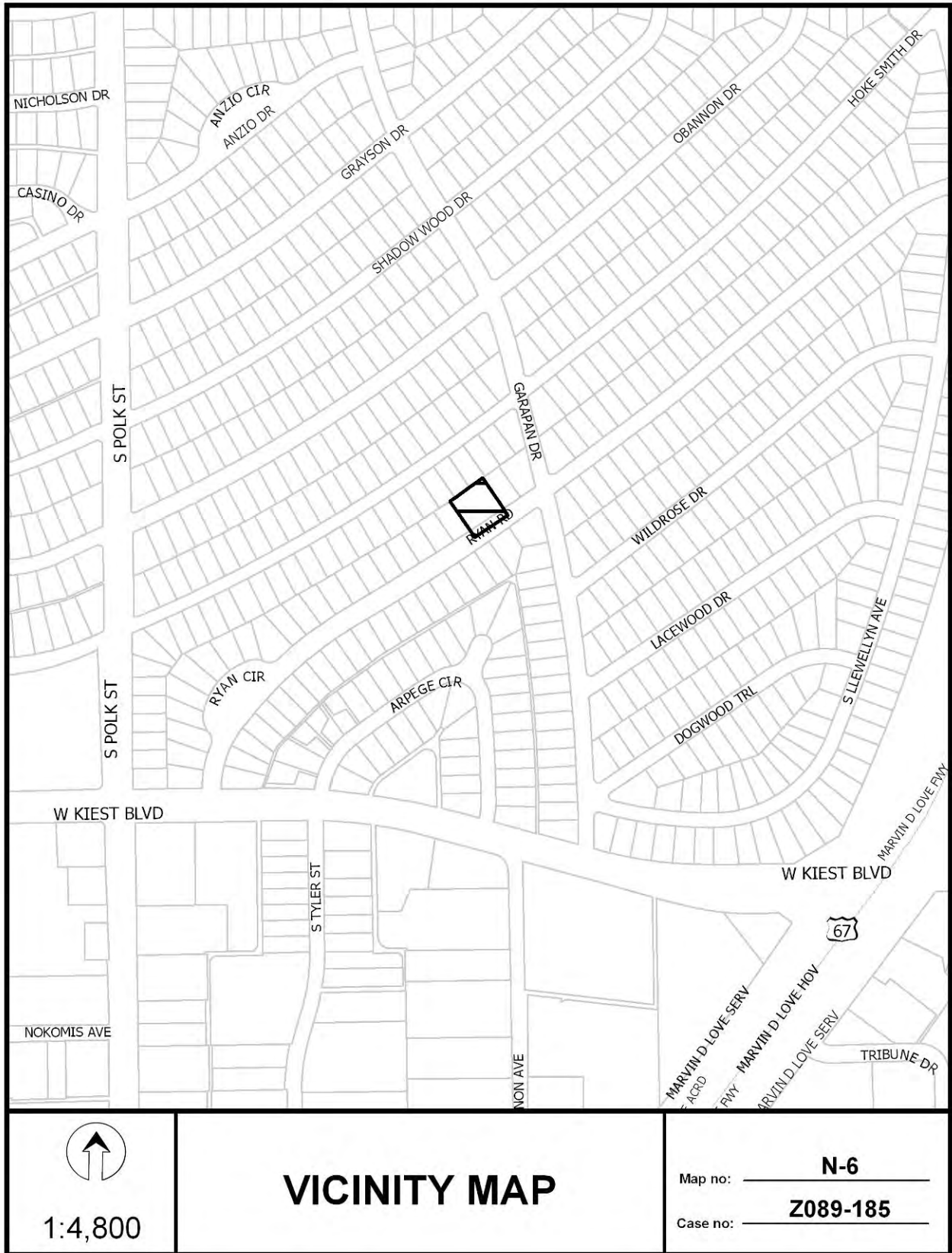
**SITE PLAN**  
 RDA 101-116  
 DATE 2-26-11  
 ADMINISTRATION  
 PLANS APPROVED  
 SUBJECT TO  
 BOARD ACTION

DATE 11-8-2008  
 SHEET NO. C-11

**MP DESIGN ASSOCIATES**  
 ARCHITECTURAL • STRUCTURAL • MECHANICAL • CIVIL  
 345 COLE ROAD  
 9504 W. FRENCH ROAD, SUITE 200  
 DALLAS, TEXAS 75241  
 TELEPHONE (214) 412-1880

**SITE PLAN**  
**E'S HAVEN ACADEMY**  
 813 RYAN ROAD DALLAS, TEXAS

REVISIONS





1:1,200

# ZONING AND LAND USE


Map no:           N-6            
Case no:           Z089-185          

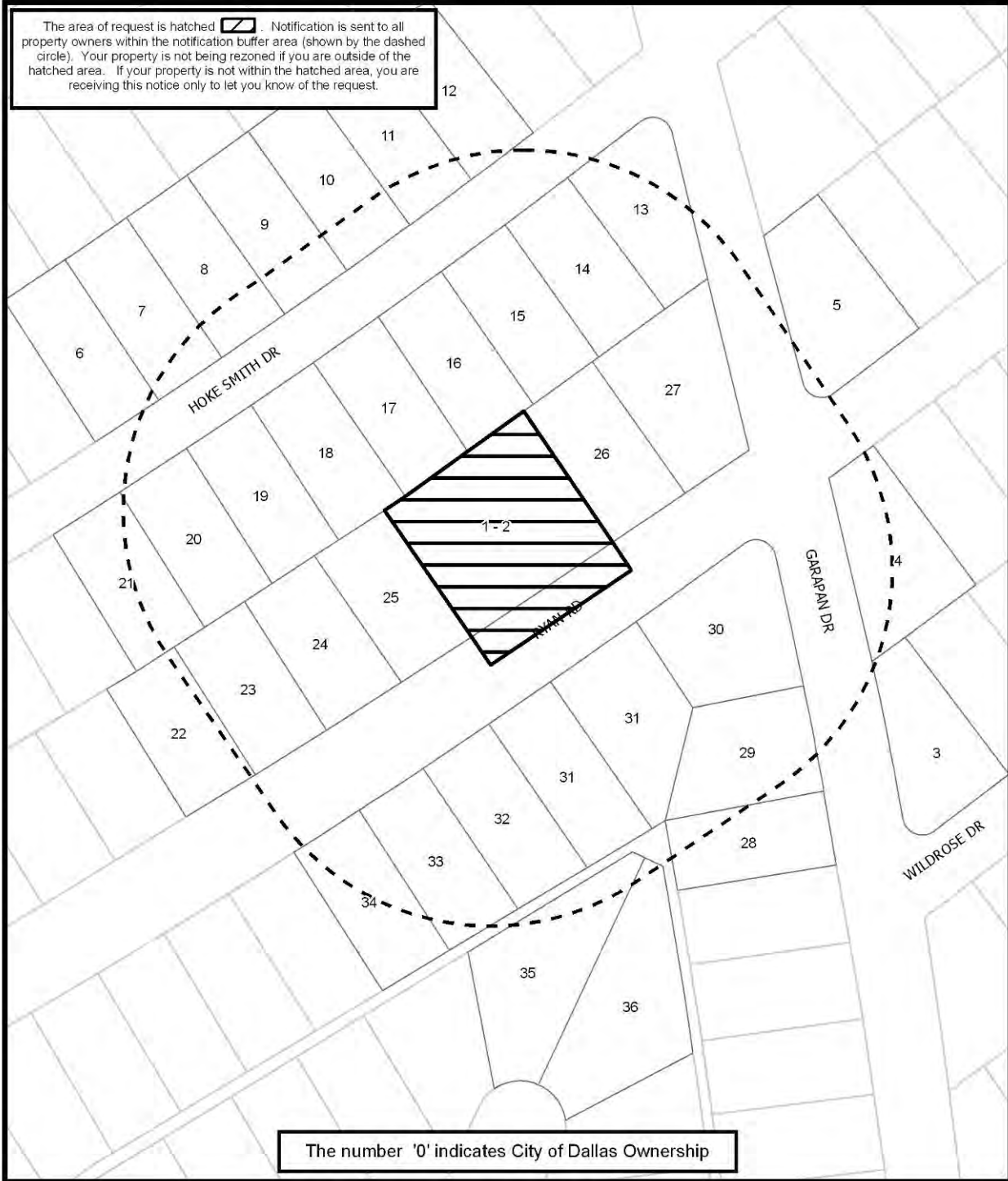
DATE: August 09, 2010



 1:1,200	<h1>ZONING HISTORY</h1>	Map no: <u>          N-6          </u> Case no: <u>          Z089-185          </u>
--	-------------------------	--

DATE: August 09, 2010

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



  
1:1,200

**NOTIFICATION**

**200'** AREA OF NOTIFICATION  
**36** NUMBER OF PROPERTY OWNERS NOTIFIED

Map no:       N-6        
Case no:       Z089-185      

DATE: August 09, 2010

8/9/2010

**Notification List of Property Owners****Z089-185****36 Property Owners Notified**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	813 RYAN	HARRIS SHARON E
2	817 RYAN RD	HARRIS SHARON E
3	655 WILDROSE	HALL MYRA MANETTE
4	738 RYAN	HARRIS SHARON
5	735 RYAN	SOLORZANO VICENTE SALVADOR SOLORZANO
6	905 HOKE SMITH	MEZA SILVERIO C
7	901 HOKE SMITH	SOTO ERNESTO & MARTINA
8	829 HOKE SMITH	WASHINGTON BETTYE L
9	825 HOKE SMITH	CONTRERAS MARTINA
10	821 HOKE SMITH	CAGLE JAMES D
11	815 HOKE SMITH	TRIPLE TRUST ROBERTSON JAMES A TRUSTEE
12	811 HOKE SMITH	YANCY ROOSEVELT
13	804 HOKE SMITH	DEESE RAYMOND
14	808 HOKE SMITH	BANDY LEROY JR & MONICA M
15	812 HOKE SMITH	SALAZAR MARIA
16	818 HOKE SMITH	DAVILLE CLARICE
17	822 HOKE SMITH	JONES SAMUEL E & EARNIE M
18	826 HOKE SMITH	PEREZ JOSE E &
19	900 HOKE SMITH	PUENTE JORGE & REBECCA
20	904 HOKE SMITH	FINANCE PLUS INC
21	910 HOKE SMITH	EDMONDS JONATHON
22	837 RYAN	JACKSON ALICE RUTH
23	833 RYAN	DIAZ JESUS & RAFAELA
24	827 RYAN	CHARLES ENRIQUE JR & EDUVIGES
25	823 RYAN	SERRANO HUMBERTO & GRACIELA
26	807 RYAN	LOOMIS JAMES C TRUSTEE LOOMIS SEP PROP REVOC TR

Z089-185(OTH)

*Monday, August 09, 2010*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	801 RYAN	SMITH RUTH C S
28	3175 GARAPAN	AREVALO ANA
29	3169 GARAPAN	ISSAC THURMAN
30	808 RYAN	WALESCO INC % MORRISON MGMT CO
31	816 RYAN	WALESCO INC % MORRISON MGMT INC
32	822 RYAN	BROWN ESTER M
33	826 RYAN	RIVERA JOSE & EDULINA ENRIQUEZ
34	832 RYAN	HANSEN JOE S
35	803 ARPEGE	DUARTE JESUS &
36	745 ARPEGE	DUARTE MARIA DELALUZ &

*Monday, August 09, 2010*

**FILE NUMBER:** Z101-284 (OTH)

**DATE FILED:** May 31, 2011

**LOCATION:** On the north side of Clydedale Drive, east of Geraldine Drive.

**COUNCIL DISTRICT:** 6

**MAPSCO:** 72.02

**SIZE OF REQUEST:** Approx. 8,000 sq. ft.

**CENSUS TRACT:** 108.03

**OWNER/APPLICANT:** Rebeca Esquivel

**REQUEST:** An application for a Specific Use Permit for a child care facility on property zoned an MF-2(A) Multifamily District.

**SUMMARY:** The applicant is proposing to utilize the property as a child-care facility.

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

**CPC PREVIOUS ACTION:** On July 21, 2011, the City Plan Commission held this case under advisement until August 18, 2011.



**BACKGROUND INFORMATION:**

- The property is presently zoned an MF-2(A) Multifamily District. The site is approximately 8,000 square feet. The existing structure has a total of 1,026 square feet for indoor area and 1, 829 square feet for outdoor play area.
- The property is presently being used for a child care facility. Due to the increasing demand for the service the applicant is requesting an SUP.
- The applicant is requesting an SUP to continue the operations of a child-care facility. The hours of operation will be from 6:00 a.m. to 6:00 p.m., Monday through Saturday.
- The surrounding uses are single family north and west, multifamily uses to the east and single family and multifamily to the south.

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW
Clydedale Drive	Local	50 ft. ROW

**Land Use:**

	Zoning	Land Use
Site	MF-2(A)	Single Family
East	MF-2(A)	Multifamily
South	MF-2(A)	Single Family & Multifamily
West	MF-2(A)	Single Family
North	MF-2(A)	Single Family

**Comprehensive Plan:**

The comprehensive plan forward Dallas! Vision Illustration is comprised of a series of Building Blocks that shows general land use patterns. They are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The request site lies between the Urban Neighborhoods block and the Commercial Centers or Corridor. The request is compatible with the intent of these building blocks. The request seems appropriate and complimentary to the already established uses in the area

**Urban Neighborhoods**

Urban Neighborhoods are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences.

**Commercial Centers or Corridors**

These areas primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums.

**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 surrounding land uses are single family to the north and west, multifamily to the east and single family and multifamily to the south.

Staff considers that a child care facility will be complimentary to the already existing uses in the area.

The request site is located on the north side of Clydedale Drive, east of Geraldine Drive. The site is surrounded by single family to the north and west, single family to the west

Z101-284(OTH)

and multifamily and single family to the south. The applicant is proposing to continue the use of the property as a child care facility.

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 compatible with the adjacent property and 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.

Staff supports the applicant's request subject to conditions and a site plan.

**Traffic and Parking:**

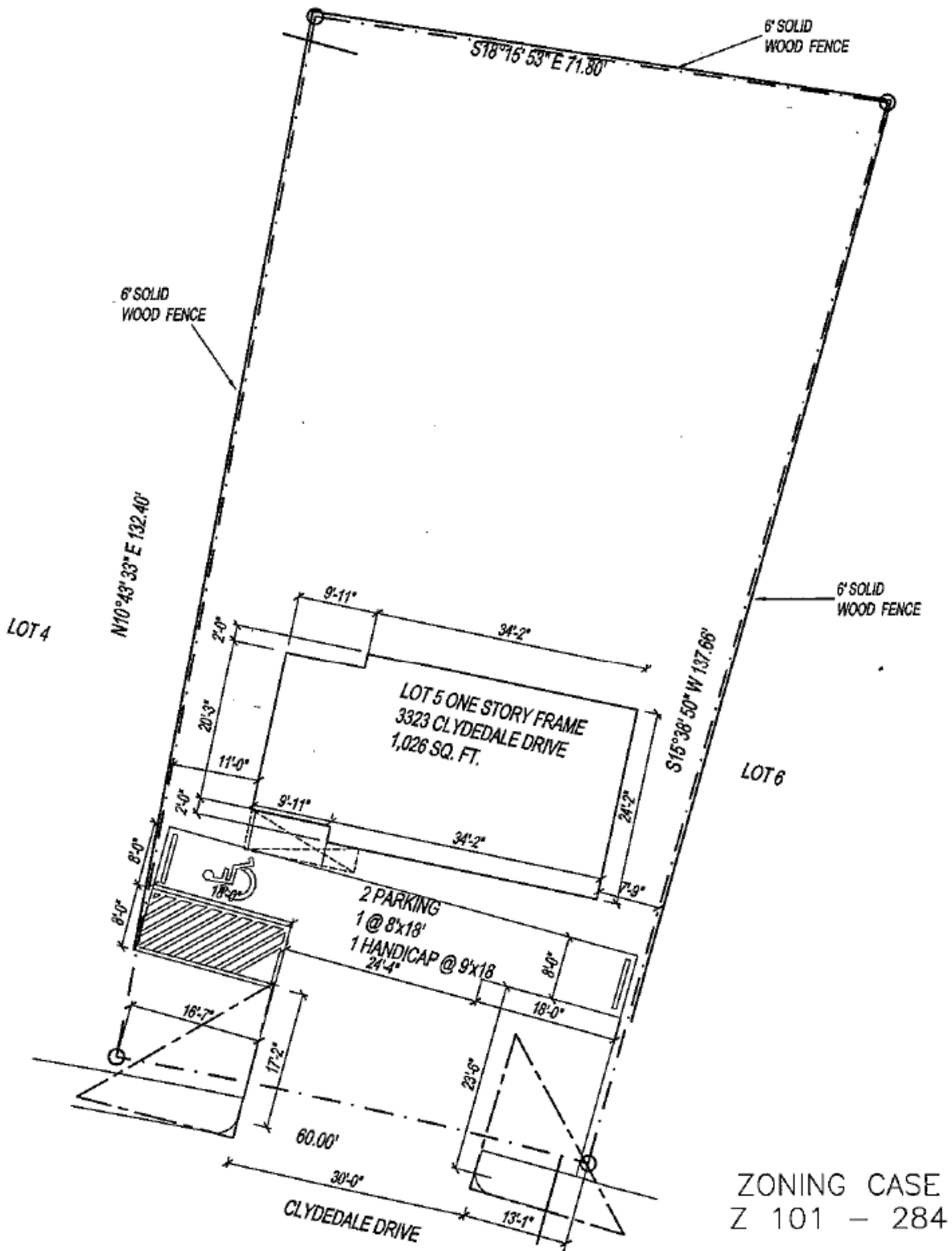
The Engineering Section of the Building Inspection Division of the Department of Development Services has reviewed the requested zoning change and determined the proposal will not have a significant impact on the street system. The proposed use requires one parking space per every five hundred feet of the proposed use. The applicant is proposing to use 1,026 square feet for the child-care facility which requires 2 parking spaces. The applicant is providing the required parking spaces as shown on the proposed site plan.

**PROPOSED CONDITIONS**

**SPECIFIC USE PERMIT FOR A CHILD CARE FACILITY  
Z101-284(OTH)**

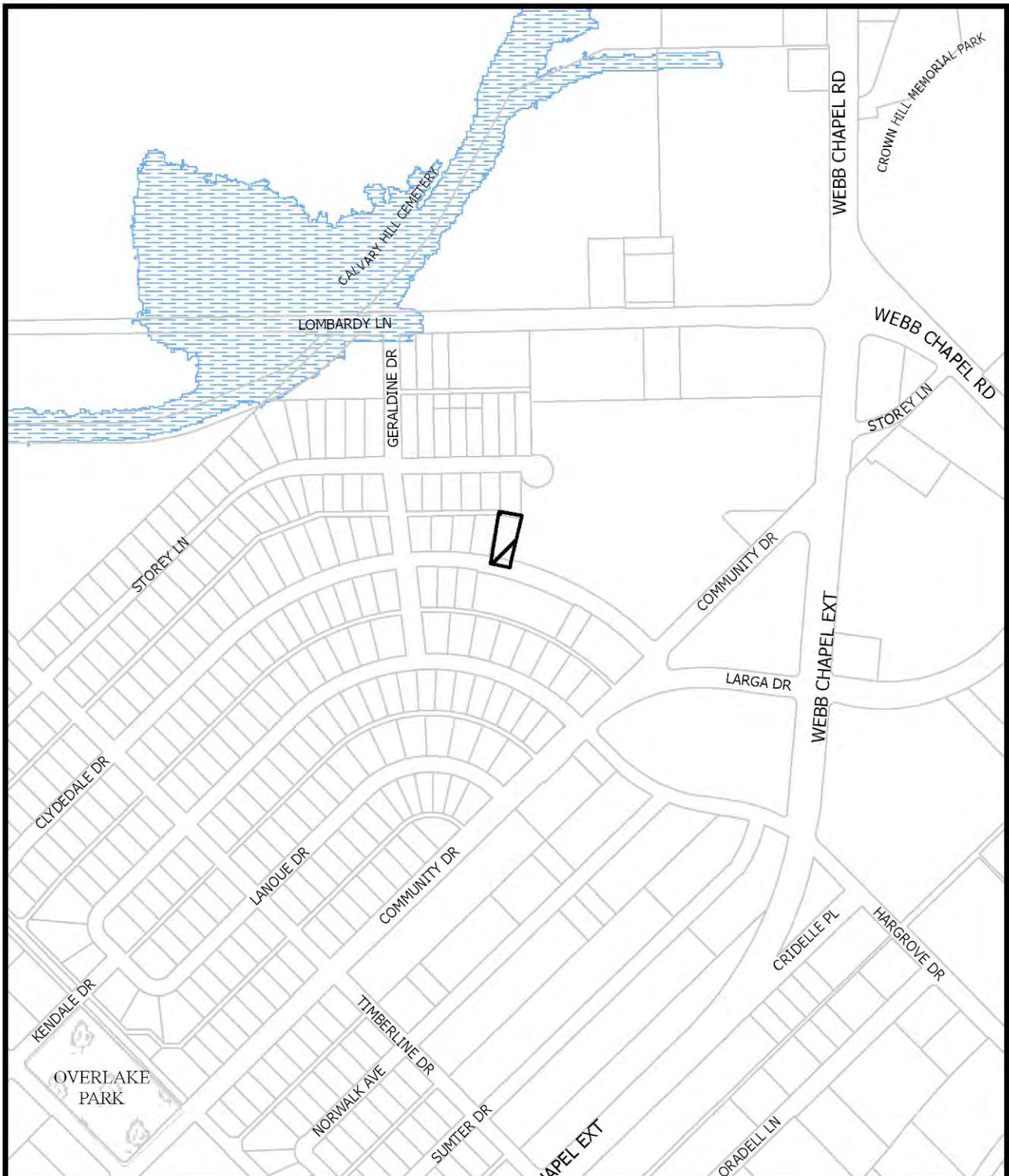
1. USE: The only use authorized by this specific use permit is a child care facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on \_\_\_\_\_ (five-year period), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 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. HOURS OF OPERATION: The day-care facility may only operate between 6:00 a.m. and 6:00 p.m., Monday through Saturday.
5. INGRESS-EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
6. PARKING: Parking must be provided in accordance to the attached site plan.
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

### PROPOSED SITE PLAN



ZONING CASE  
Z 101 - 284

Z101-284(OTH)



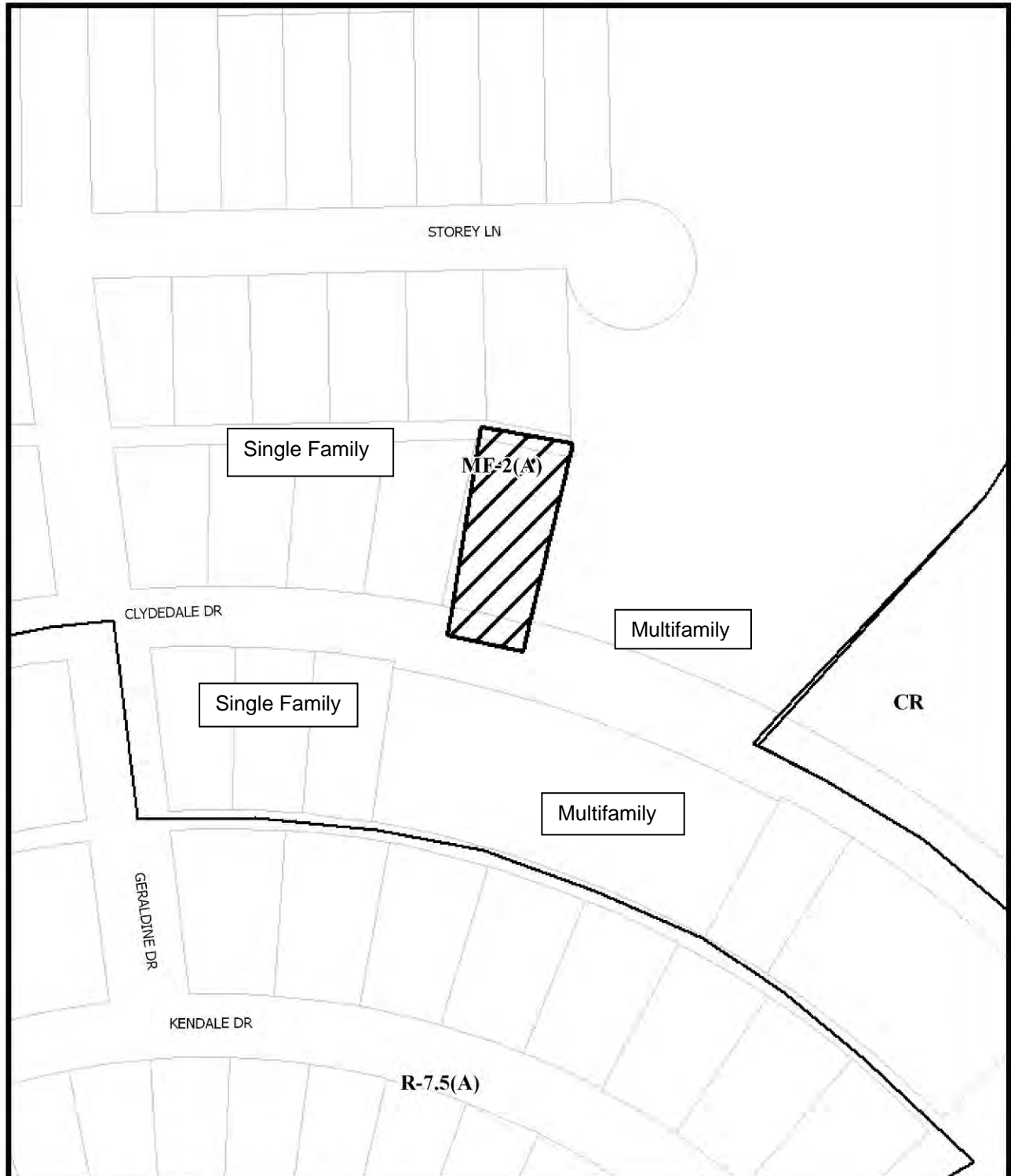
1:4,800

### VICINITY MAP

Map no:           F-5          

Case no:           Z101-284          

DATE: June 28, 2011



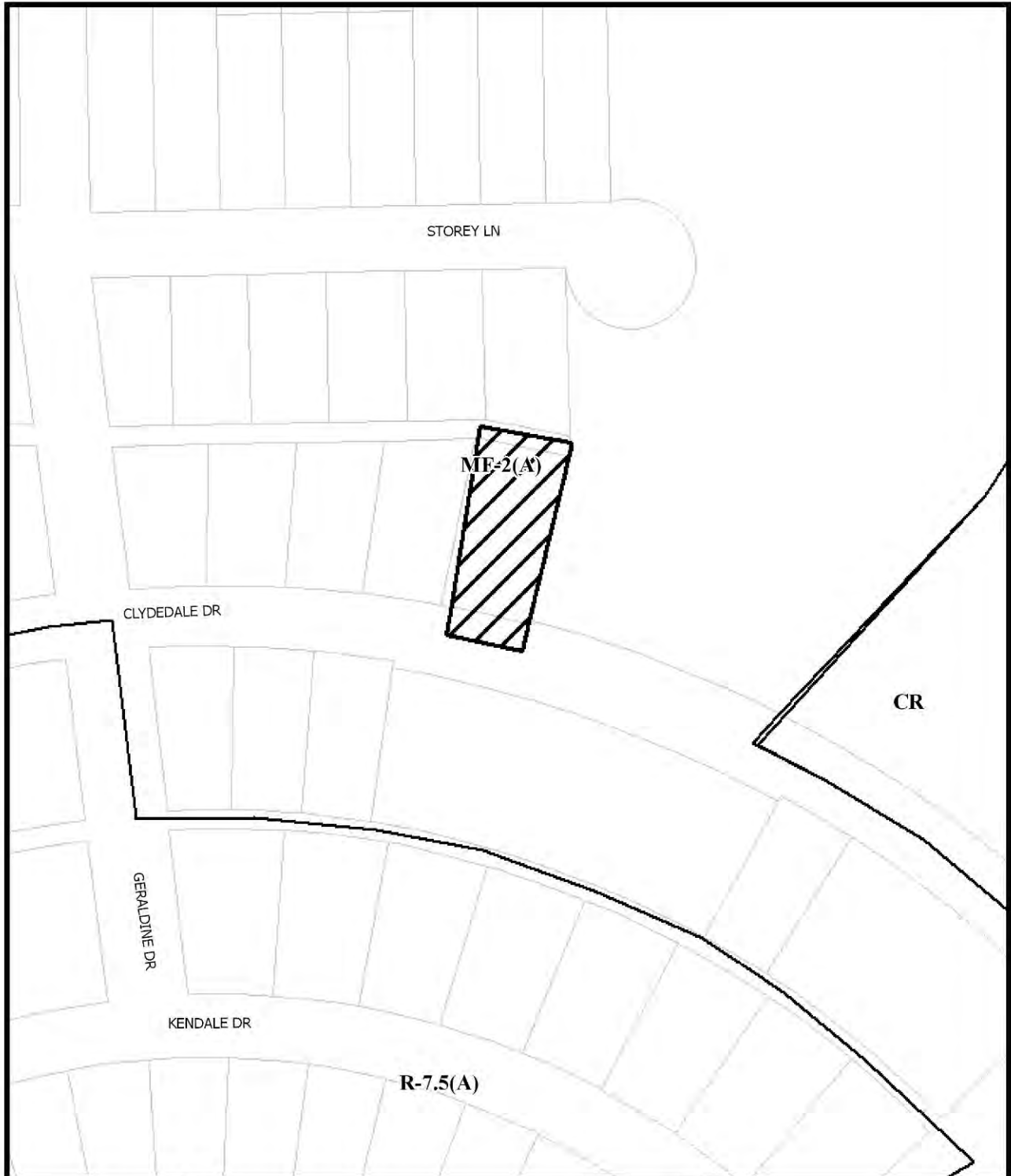
1:1,200

# ZONING AND LAND USE

Map no: F-5

Case no: Z101-284

DATE: June 28, 2011



1:1,200

# ZONING HISTORY

Map no: F-5  
Case no: Z101-284

DATE: June 28, 2011



## ***Notification List of Property Owners***

### ***Z101-284***

#### ***25 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3323 CLYDEDALE	RAMIREZ RUBEN C
2	3203 KENDALE	RAMOS FORTINO & ESPERANZA
3	3209 KENDALE	RIVERA JOSE P
4	3215 KENDALE	VASQUEZ MELIDA & JOSE MENA
5	3219 KENDALE	GONZALEZ ARMANDO
6	3225 KENDALE	ZAMORA JUAN
7	3314 CLYDEDALE	SEIBERT EARL H
8	3308 CLYDEDALE	ARANDA CAROLINA MALDONADO
9	3302 CLYDEDALE	CARRION MARTHA G
10	3303 CLYDEDALE	ARROYO SILVIA
11	3307 CLYDEDALE	JAIMES IGNACIO & GENOVEVA
12	3313 CLYDEDALE	PEREA ALFONSO & KARIA
13	3317 CLYDEDALE	RAMIREZ FRANCISCO OSCAR DE LAROSA
14	3326 STOREY	ESPARZA JESUS & MARIA
15	3320 STOREY	ZAINOS RUBEN & AMALIA ZAINOS
16	3316 STOREY	ALFARO CRECENCIO & MARIA C
17	3310 STOREY	BENAVIDES CANDIDA C
18	3306 STOREY	SALAZAR ROSA IRENE
19	3315 STOREY	VELAZQUEZ PEDRO & JUANA
20	3319 STOREY	RODRIGUEZ PEDRO & SANDRA
21	3323 STOREY	GARCIA LUIS B & MARIA
22	3327 STOREY	GAMEZ FLORENTINO & MARIA R
23	3331 STOREY	TREJO XOCHITL R
24	3328 CLYDEDALE	MCLEMORE CARL D & MARY BETH
25	3350 LOMBARDY	PECAN SQUARE LTD % BARRY NUSSBAUM

***Tuesday, June 28, 2011***

Z101-284(OTH)

**FILE NUMBER:** Z101-196(RB)

**DATE FILED:** February 23, 2011

**LOCATION:** Northeast Line of Lawnview Avenue, South of Forney Road

**COUNCIL DISTRICT:** 7

**MAPSCO:** 47 L, M, Q, R

**SIZE OF REQUEST:** Approx. 13.789 Acres

**CENSUS TRACT:** 84

---

**APPLICANT:** SDC Lawnview, L. P.-Jay Oji, President and Joseph Agumadu, Vice President and Manager

**REPRESENTATIVE:** Adolphus Oji

**OWNER:** SDC Oakwood Townhomes- Jay Oji, President and Joseph Agumadu, Vice President and Manager

**REQUEST:** An application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District with the D-1 Liquor Control Overlay.

**SUMMARY:** The applicant proposes to develop the site with 120 retirement housing dwelling units. Additionally, deed restrictions have been volunteered to prohibit certain uses as well as provide for certain development standards.

**STAFF RECOMMENDATION:** Hold under advisement until September 15, 2011.

**PRIOR CPC ACTION:** On June 16, 2011, the City Plan Commission recommended to hold this request under advisement until July 7, 2011. On July 7, 2011, the City Plan Commission held this request under advisement until July 21, 2011. On July 21, 2011, the City Plan Commission held this request under advisement until August 18, 2011.

**BACKGROUND INFORMATION:**

- The request site is undeveloped and possesses a change of elevation downward from northwest to southeast.
- The site possesses frontage along both Lawnview Avenue and Forney Road; the applicant intends to utilize the Lawnview Avenue frontage as the main entrance.
- The applicant proposes to develop the site with 120 retirement housing dwelling units.
- Deed restrictions have been volunteered restricting permitted uses as well as providing for certain development standards.

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

<u>Thoroughfare/Street</u>	<u>Designation; Existing &amp; Proposed ROW</u>
Lawnview Avenue	Collector; 60' & 60' ROW
Forney Road	Collector; 60' & 60' ROW

**STAFF ANALYSIS:**

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

GOAL 1.2 Promote desired development.

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

**Land Use Compatibility:** The request site is undeveloped and slopes downward from northwest to southeast. While the site fronts on both Lawnview Avenue and Forney

Road, the applicant proposes to utilize the Lawnview Avenue frontage as the main entrance to the property. Plans call for 120 retirement housing dwelling units.

The surrounding area consists of largely of low density residential uses. Property to the east and south of the site's Lawnview Avenue frontage is undeveloped. An institutional use (Kiagram Hall of Jehovah's Witness) abuts the site's eastern boundary along Forney Road. Lastly, an elevated rail right-of-way traverses along the site's eastern boundary.

While there is merit to removing CR zoning in close proximity to low density residential uses, staff does have a concern as to zoning that permits medium density residential uses (i.e., 32-35 multifamily dwelling units per acre) in this area. Due to flood plain that traverses along the site's eastern boundary, it would be anticipated that any development (existing zoning or requested residential zoning) will be lessened due to this environmental issue, yet could cause a concentration of permitted development (ie, density and structure height) within that portion of the site outside of the flood plain.

Staff has discussed this issue with the applicant (as well as the applicant's involvement in community meetings) and accepts the volunteered deed restrictions which address many of staff's issues. Regardless of the concern of characteristics associated with typical multifamily development (i.e., noise generated from outside activity areas) in close proximity to low density single family uses, staff has determined that an MF-1(A) District provides density maximums that more than accommodates the proposed 120 dwelling units.

As a result of this analysis, staff supports the applicant's requested development but is recommending approval of an MF-1(A) Multifamily District in lieu of the requested MF-2(A) Multifamily District, subject to the attached deed restrictions. Lastly, staff is recommending the retention of the existing D-1 Liquor Control Overlay. Regardless of the requested residential zoning district, staff has long recommended retention of any liquor control overlays so as to serve as a base of consideration for any future zoning requests in these respective areas that would permit uses involving the selling/serving alcoholic beverages.

**Traffic:** The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the applicant's request and determined that it will not significantly impact the surrounding street system.

**Landscaping:** As an undeveloped parcel, the site is void of landscape materials, but does possess significant native vegetation and trees. Prior to issuance of a building

Z101-196(RB)

permit, the applicant will be required to submit a tree survey as well as a landscape plan that complies with Article X.

**DEED RESTRICTIONS**

THE STATE OF TEXAS    )  
  )  
COUNTY OF DALLAS    )

KNOW ALL PERSONS BY THESE PRESENTS:

**I.**

The undersigned, SDC Lawnview Villas, LP a Texas company, ("the Owner"), is the owner of the following described property ("the Property"), being a tract or parcel of land situated in the City of Dallas, Dallas County Texas, and being part of Block A/5807 Lawnview Apartment Addition, as recorded in County Clerk’s file Number 201000249749, Real Property Records, Dallas County, Texas, and being more particularly described in Exhibit A.

**II.**

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

1.     Main Uses. The following main uses are permitted on the property:

    a.     Residential uses.

  --     Handicapped group dwelling unit. *[See section 51A-4.209(3.1)]*

  --     Retirement housing.

  --     Single family

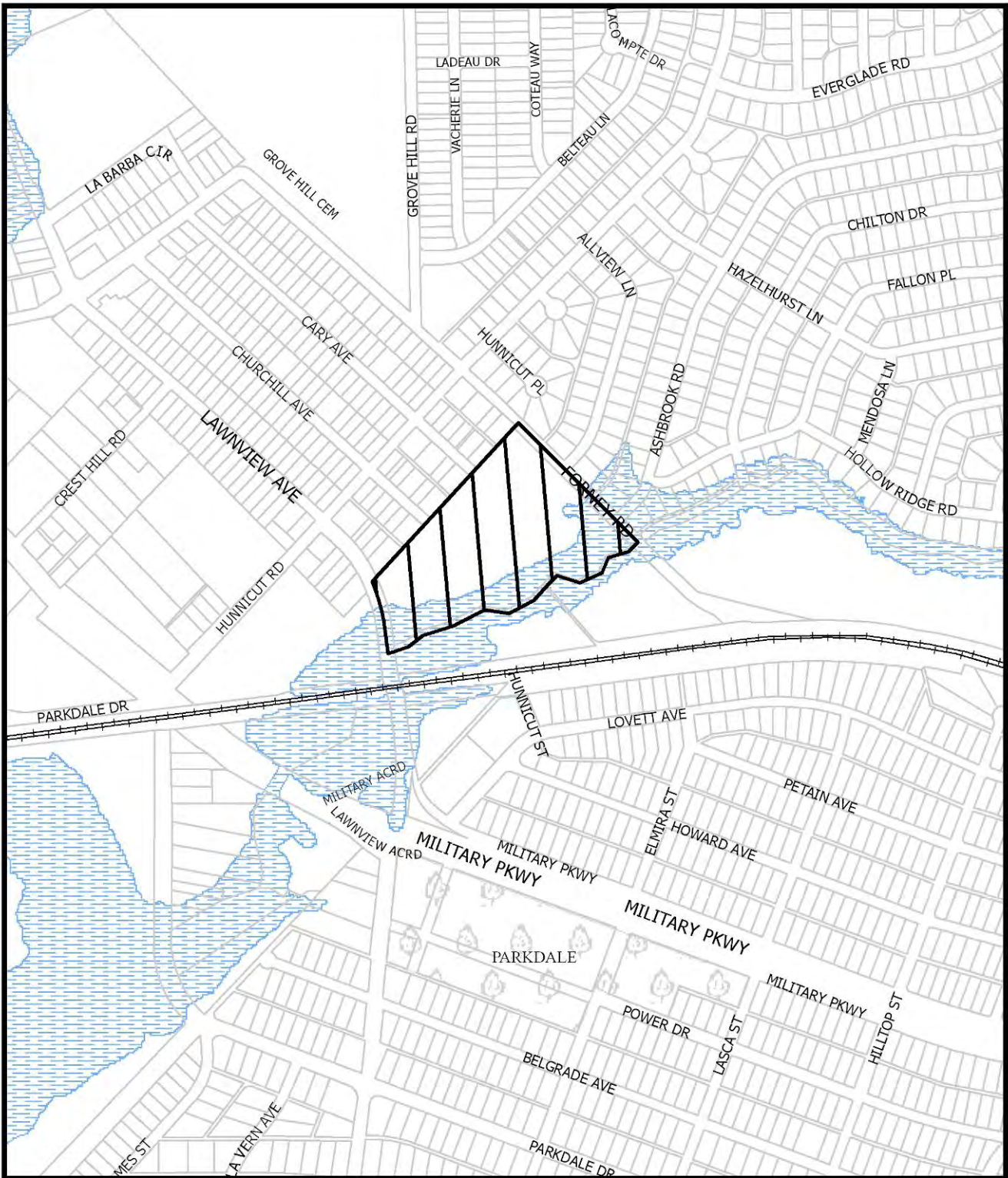
    b.     Transportation uses.

  --     Transit passenger shelter.

  --     Transit passenger station or transfer center. *[SUP]*

2.     Maximum number of stories is two.

3.     Maximum number of dwelling units is 120.



1:7,200

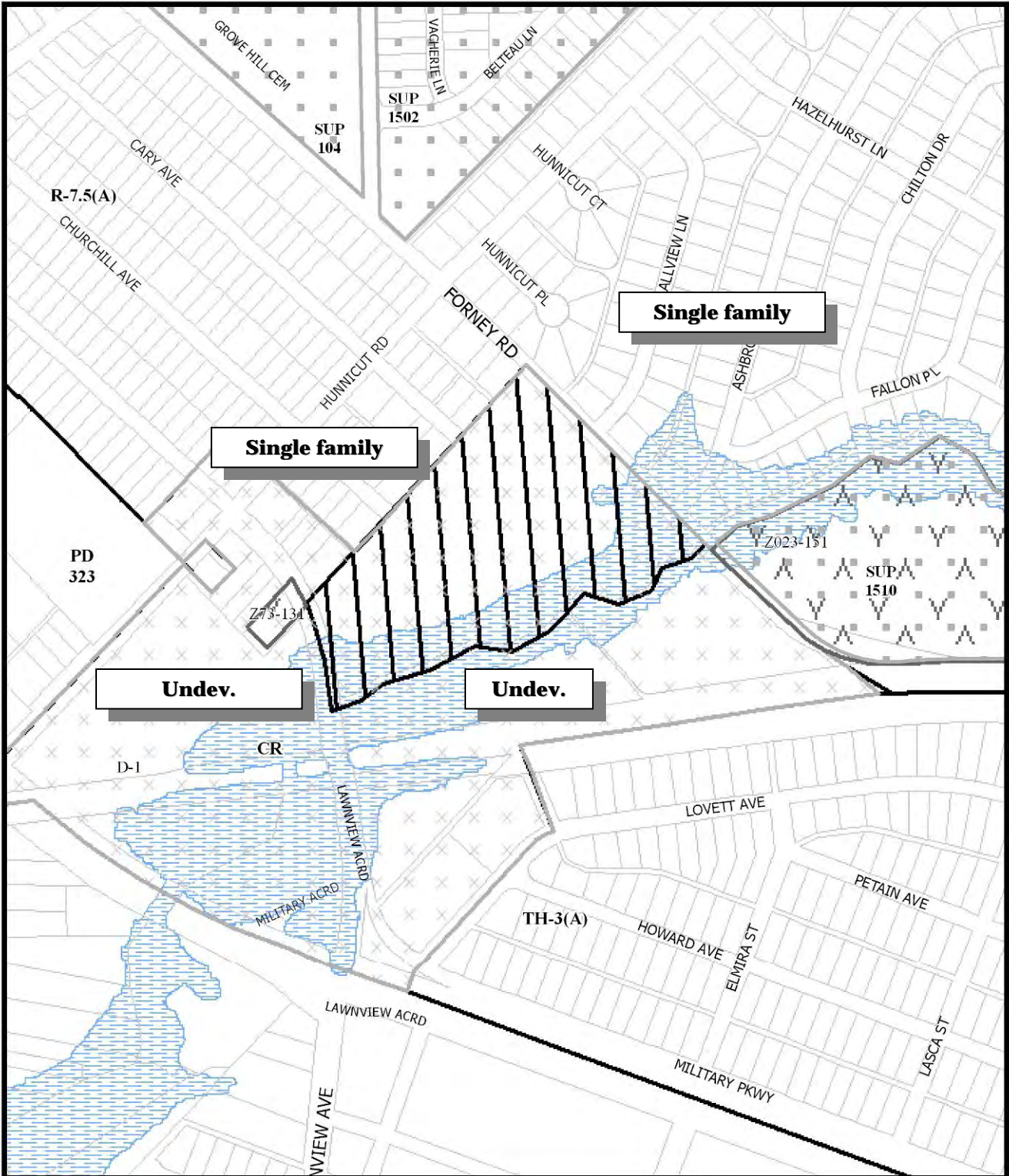
# VICINITY MAP

Map no:           J-9          

Case no:           Z101-196          

DATE: May 19, 2011






1:4,800

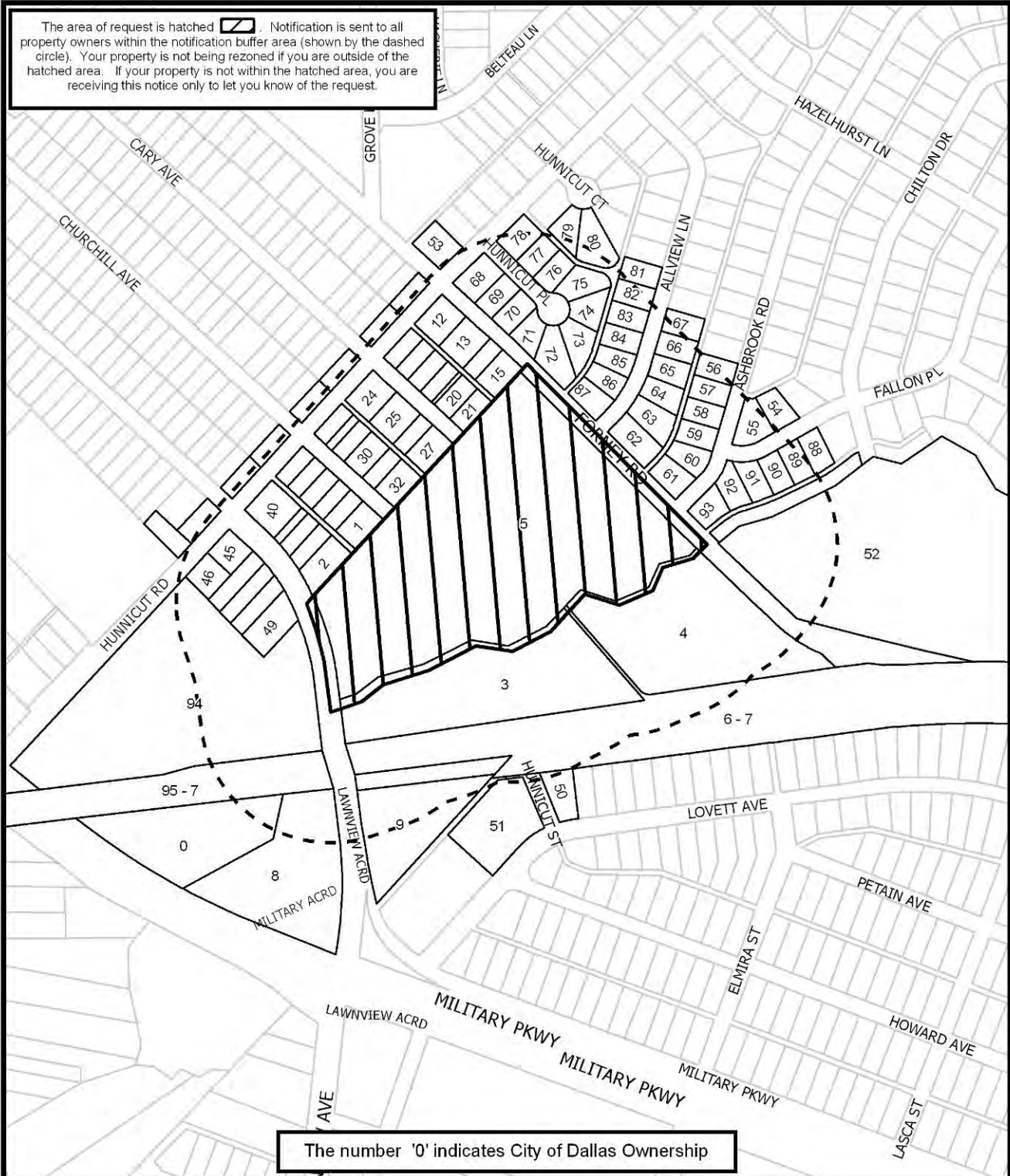
# ZONING AND LAND USE

Map no: J-9


Case no: Z101-196

DATE: May 19, 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

  
1:4,800

## NOTIFICATION

**400'** AREA OF NOTIFICATION  
**95** NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: **J-9**  
Case no: **Z101-196**

DATE: May 19, 2011

***Notification List of Property Owners******Z101-196******95 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5822 CHURCHILL	WASHINGTON REGINA K
2	4146 LAWNVIEW	MUNOZ JUAN C
3	4110 LAWNVIEW	CLAY M L
4	6008 FORNEY	ESTE SPANISH CONGR OF JEHOVAH WITNESS INC
5	4120 LAWNVIEW	ASPEN ACQUISITIONS INC
6	9999 NO NAME	UNION PACIFIC RR CO % TAX DEPT
7	4401 LINFIELD	ST LOUIS S W RAILWAY CO % UNION PACIFIC PPTY TAX
8	5800 MILITARY	County of Dallas ATTN COUNTY CLERK
9	5800 MILITARY	MCELROY JOSEPH III
10	5718 FORNEY	CARDENAS GUILLERMO
11	5719 CARY	RANGEL SILVESTRE & GUADALUPE RANGEL
12	5806 FORNEY	JOHNSON DARRELL
13	5814 FORNEY	RANSOM JESSIE & VICKEY FLEWELLEN
14	5818 FORNEY	WELLS FARGO BANK NA MAC# X7801-014
15	5822 FORNEY	BROWN ELLA JO
16	5803 CARY	MARTINEZ RICARDO
17	5807 CARY	QUEVEDO NOE Q & REFINA
18	5811 CARY	QUEVEDO NOE & RUFINA
19	5817 CARY	SCANTLEN MARVIN M
20	5819 CARY	LOPEZ FRANCISCO & MARIA
21	5823 CARY	SMITH SHELLIE BAMBI
22	5718 CARY	ACOSTA ROMUALDO & ESPERANZA
23	5719 CHURCHILL	BELTRAN MARIO & GRACIELA
24	5802 CARY	ROMERO ALFREDO
25	5814 CARY	LOPEZ EDUARDO & MARIA LOPEZ
26	5818 CARY	NELSON EDWARD ALLEN

Z101-196(RB)

*Thursday, May 19, 2011*

**Label # Address**

**Owner**

27	5822	CARY	NELSON EDWARD ALLEN & JOYCE W
28	5805	CHURCHILL	LACROIX WILLIAM R & NANCY
29	5807	CHURCHILL	ROMERO FELIPE & AMPARO
30	5811	CHURCHILL	DIAZ JUAN
31	5819	CHURCHILL	PEREZ CARLOS & MIRIAM E ARREOLA
32	5823	CHURCHILL	BROWN CONCHITA
33	5718	CHURCHILL	BARTON EVELYN M
34	4202	LAWNVIEW	FULLER EARL BETTY S LIFE ESTATE
35	5800	CHURCHILL	BELL JIMMY DOUGLAS
36	5806	CHURCHILL	RUIZ CHARLES C JR & MOLINA PERLA Y
37	5810	CHURCHILL	NARVAEZ JUAN ANTONIO RINCON SILVIA H
38	5814	CHURCHILL	RENTERIA ONESIMO A & JUANA
39	5818	CHURCHILL	SNEED WILLIAM HENRY
40	4162	LAWNVIEW	DALLAS BAPTIST ASSOCIATION INC
41	4158	LAWNVIEW	DALLAS BAPTIST ASSOCIATION INC
42	4150	LAWNVIEW	MUNOZ JUAN C
43	6569	HUNNICUT	ROBOC INVESTMENTS PS
44	4203	LAWNVIEW	STEPHENS ROBERT E
45	4161	LAWNVIEW	ADAMS & HENDERSON PAINTING COMPANY
46	6570	HUNNICUT	CORLEY ALMA G
47	4157	LAWNVIEW	NUSS JUDY C
48	4153	LAWNVIEW	NUSS CATHERINE
49	4149	LAWNVIEW	MENDOZA GILLERMINA
50	6003	LOVETT	LARA ADALBERTO & FELICITAS
51	5957	LOVETT	KC & GIGI INVESTMENTS INC STE 430
52	5800	FORNEY	HFG ENCLAVE LAND INT LTD STE 306 LB 342
53	6903	HUNNICUT	BUSTAMANTE MARTHA
54	4607	FALLON	BAILEY JOE E & RAMONA N
55	4603	FALLON	BRENTBLACK BRENDA L
56	4627	ASHBROOK	PRICE ALVIN & RHONDA
57	4623	ASHBROOK	VAZQUEZ VICTORIA NACOLE & LUIS ISRAEL

*Thursday, May 19, 2011*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	4617 ASHBROOK	HURLEY LARRY H & JUDITH HURLEY
59	4613 ASHBROOK	KLINGBEIL TIMOTHY DREW
60	4607 ASHBROOK	BODWIN CHARLES H & SHERRY
61	4603 ASHBROOK	TAFALLA JESSE & NELLIE
62	6902 ALLVIEW	SANCHEZ JOSE
63	6906 ALLVIEW	THOMAS ANN MARLENE
64	6912 ALLVIEW	JOHNSON CAROLYN L
65	6916 ALLVIEW	FILGO MARK & JANICE
66	6922 ALLVIEW	TONEY JERRY LYNN
67	6926 ALLVIEW	MILLER DONALD W
68	6902 HUNNICUT	WILLIAMS GILL D I & PATRICIA E
69	6906 HUNNICUT	MCCULLEN MILDRED
70	6910 HUNNICUT	JOHNSON PERCELL M & GRACE E
71	6914 HUNNICUT	RAJU SHIJU & MARIAMMA RAJU
72	6920 HUNNICUT	JEFFREY JOHNNIE RENEE
73	6924 HUNNICUT	HILBURN BOBBIE F
74	6930 HUNNICUT	CLARKE BRENDA M
75	6934 HUNNICUT	SHIVES RUBEN JR
76	6940 HUNNICUT	HERNANDEZ VANESSA
77	6946 HUNNICUT	ABRON ANNIE
78	6950 HUNNICUT	WILLIAMS MARIAN
79	6958 HUNNICUT	MATTHEW ALEX J
80	6962 HUNNICUT	WASHINGTON WILLIE E
81	6933 ALLVIEW	MULLINS DAVID EUGENE & LAURIE JO MULLINS
82	6927 ALLVIEW	MCGHEE STEVEN BATTEE PATRICK
83	6923 ALLVIEW	STRADFORD GEORGE C
84	6917 ALLVIEW	GREER BILL C
85	6913 ALLVIEW	HAYNES CHARLES R & RENEE C FOSSETT
86	6907 ALLVIEW	ROBERTS TOMMY L
87	6903 ALLVIEW	CORSEY ROBERT L & EVELYN J
88	4616 FALLON	SMITH MARY L & ANTONIO C WEST JR

*Thursday, May 19, 2011*

Z101-196(RB)

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	4612 FALLON	WHALEY BARBARA WILLINGHAM
90	4606 FALLON	ODAMAH NICHOLAS S & AGATHA A
91	4602 FALLON	DALLAS HOUSING AUTHORITY
92	4606 ASHBROOK	MATHA SALVADOR JR
93	4602 ASHBROOK	MCMILLIN JULIA MARIE & DAVID ROSS MCMILLIN
94	6532 HUNNICUT	MARIA KANNON ZEN ASSOCIATION INC
95	9999 NO NAME	UNION PACIFIC RR CO % TAX DEPT

*Thursday, May 19, 2011*

**FILE NUMBER:** Z101-299(RB)

**DATE FILED:** June 17, 2011

**LOCATION:** West Line of Goodnight Lane, South of Manana Drive

**COUNCIL DISTRICT:** 6

**MAPSCO:** 22 U

**SIZE OF REQUEST:** Approx. 1.98 Acres

**CENSUS TRACT:** 99

---

**APPLICANT/OWNER:** Jean Schier Airoidi Trust-Bill Poulter, Trustee

**REPRESENTATIVE:** Peter Kavanagh

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

**SUMMARY:** The applicant is requesting an industrial zoning district which does not require outside solid screening for the outside storage component of a permitted use.

**STAFF RECOMMENDATION:** Denial

**BACKGROUND INFORMATION:**

- The request site is developed with a 4,900 (approx.) square foot vacant commercial structure. A small surface parking area exists in front of the building. Additional surface parking and outside storage area is located in the rear.
- The applicant proposes to offer the site to a use that incorporates an outside storage area in conjunction with a main use. Current zoning requires solid screening for the outside storage area; the applicant does not wish to provide for this.
- Deed restrictions volunteered by the applicant prohibit certain uses.

**Zoning History:**

<b><u>File No.</u></b>	<b><u>Request, Disposition, and Date</u></b>
1. Z923-122	An IM District on property zoned an IR District. Approved by the City Council (staff unable to obtain zoning history file for date of action).
2. Z045-171	An IM District on property zoned an IR District. On June 2, 2005, the City Plan Commission recommended denial. The applicant did not appeal to the City Council.

<b><u>Thoroughfare/Street</u></b>	<b><u>Designation; Existing &amp; Proposed ROW</u></b>
Goodnight Lane	Collector; 60' ROW
Deason Street*	Local; 40' ROW

\*The site's southern boundary abuts the unimproved portion of Deason Street, which terminates at the site's southwest corner.

**STAFF ANALYSIS:**

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



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

## LAND USE ELEMENT

GOAL 1.2 Promote desired development.

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

### **Land Use Compatibility:**

The request site consists of a vacant commercial building (approx. 4,900 square feet of floor area) with surface parking in the front and rear of the building. The applicant proposes to offer the property to an industrial tenant that would utilize an outside storage component that supports the main use. Additionally, deed restrictions volunteered by the applicant prohibiting certain uses have been provided. Current zoning requires solid screening around the outside storage area; the applicant does not wish to provide for this.

The predominate land use in the immediate area consists of commercial uses inclusive of industrial and office/warehouse/distribution uses. An undeveloped parcel, zoned for IR District Uses, abuts the site's western property line.

The basis of the request would permit the applicant an opportunity to locate a use on the property without the requirement of providing solid screening around that portion of an outside storage area. While the balance of adjacent properties zoned for IR District Uses require solid screening, the applicant has indicated that due to security issues, it would be more beneficial to help prevent theft of personal property if outside storage areas were open. While the development standards of the existing IR District and requested IM District are similar, the additional industrial uses could impact adjacent properties, both the intensity of the use as well as typical outside storage areas that would not require solid screening.

As a result of this analysis, staff cannot support the applicant's request.

Z101-299(RB)

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

**Landscaping:** The site possesses minimal landscaping materials, and is fairly consistent with the lack of landscaping found in the immediate area. A permitted use that provides for an increase in floor area or expansion of the nonpermeable surface area will require compliance with Article X.

**Applicant's Volunteered**

DEED RESTRICTIONS

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

I.

The undersigned, Jean Schier Airoidi Trust, a testamentary trust ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the E. Merrell Survey, Abstract No. 930 , Lots 1 and 2 in City Block D/6490 , City of Dallas ("City"), County, Texas, and being that same tract of land conveyed to the Owner by , by deed dated March 3, 2009 , and recorded in Instrument Number 200900296202, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

Lots 1 and 2 in Dallas City Block D/6490

II.

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

The following main uses are prohibited:

Industrial Uses.

- Metal Salvage Facility
- Outside salvage or reclamation

Retail and personal service uses.

- Drive-in Theater

Transportation uses.

- Railroad yard, roundhouse, or shops

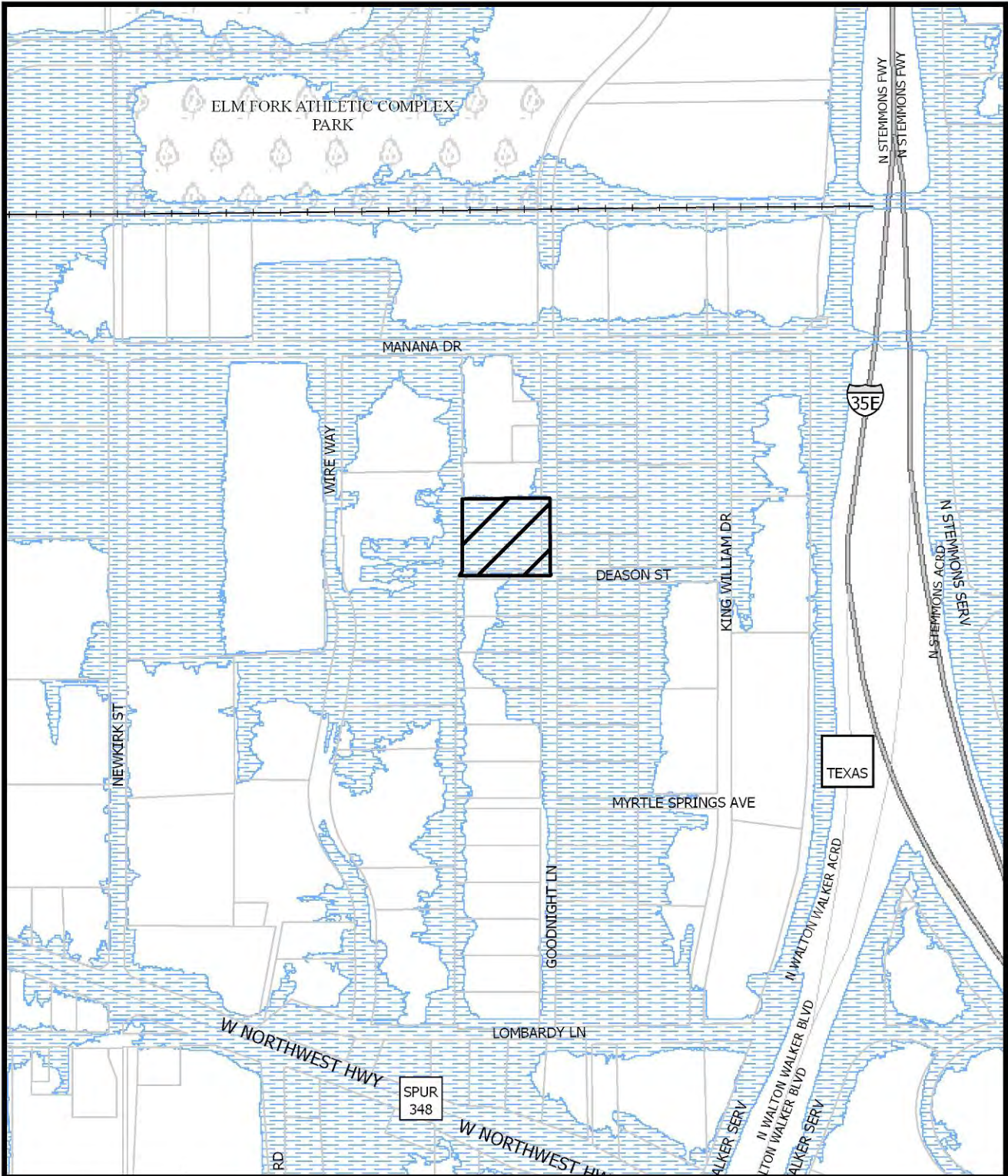
Utility and public service uses.

- Electrical generating plant
- Sanitary landfill
- Sewage treatment plant

Wholesale, distribution, and storage uses.

- auto auction.
- Livestock auction pens and sheds
- Building mover's temporary storage yard

III.



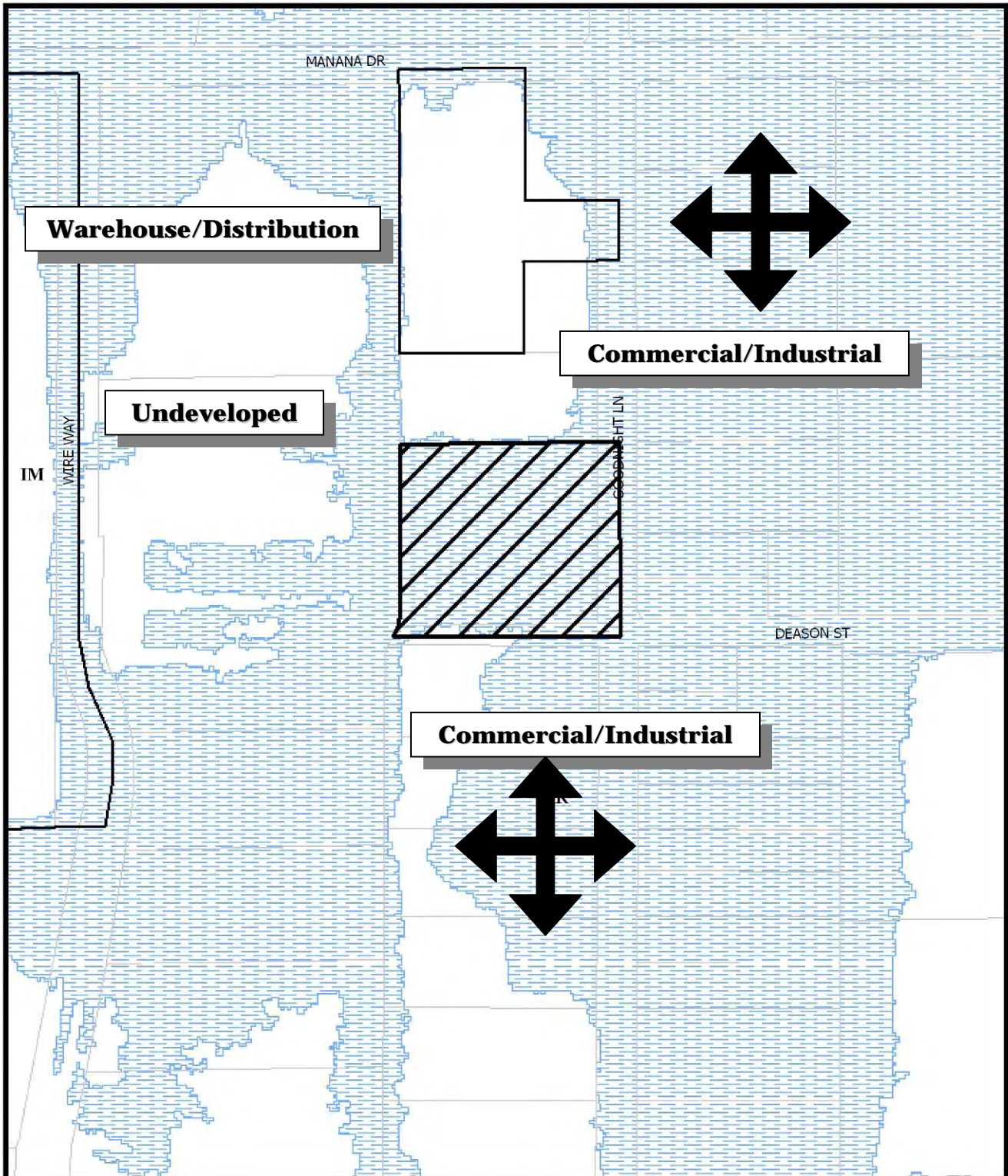
1:6,000

# VICINITY MAP

Map no: **F-4**

Case no: **Z101-299**

DATE: July 21, 2011



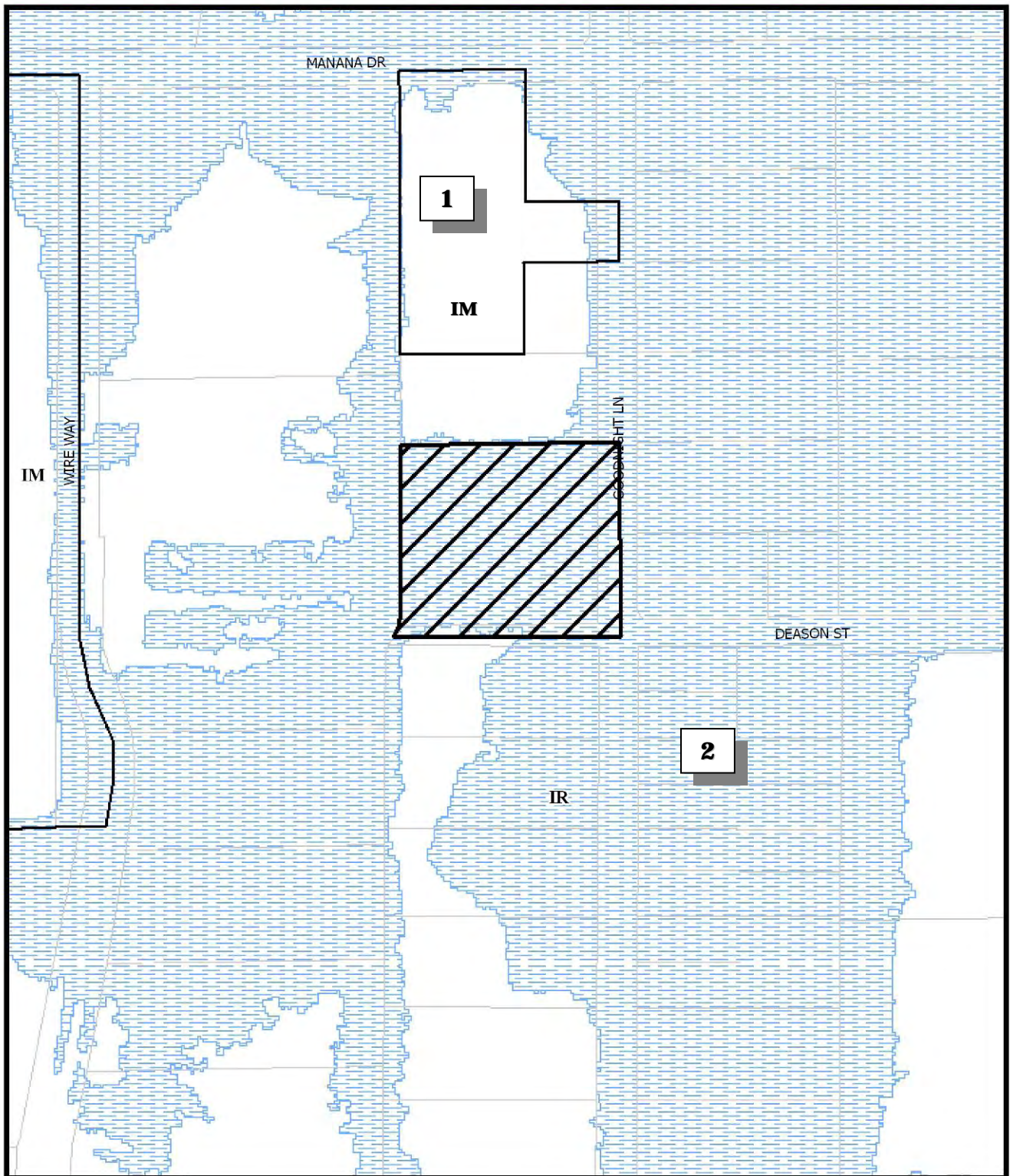
1:2,400

# ZONING AND LAND USE

Map no:           F-4          

Case no:           Z101-299          

DATE: July 21, 2011




1:2,400

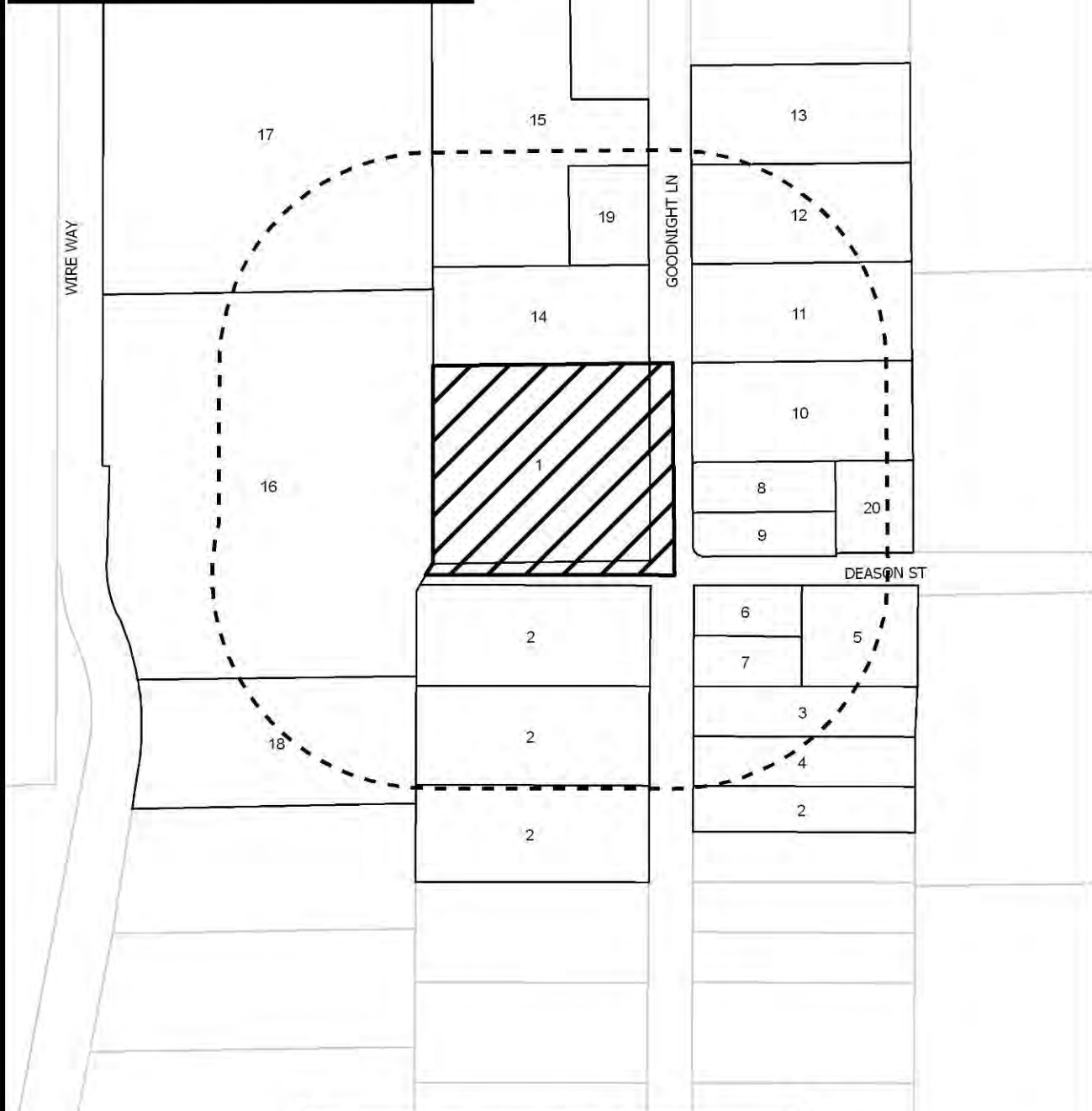
# ZONING HISTORY

Map no:           F-4          


Case no:           Z101-299          

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

  
1:2,400

## NOTIFICATION

**300'** AREA OF NOTIFICATION  
**20** NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: **F-4**  
Case no: **Z101-299**

DATE: July 21, 2011

## ***Notification List of Property Owners***

### ***Z101-299***

#### ***20 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	10709 GOODNIGHT	JEAN SCHIER AIROLDI TRUST
2	10663 GOODNIGHT	BENDA FAMILY LP
3	10652 GOODNIGHT	TAYLOR J W III
4	10646 GOODNIGHT	TAYLOR GOODNIGHT PPTIES LTD
5	2312 DEASON	TAYLOR/GOODNIGHT PPTS LTD
6	10662 GOODNIGHT	MARTINEZ ARTURO &
7	10656 GOODNIGHT	MARTINEZ ARTURO
8	10708 GOODNIGHT	SHIPE GERALD A
9	10704 GOODNIGHT	SHIPE G A
10	10718 GOODNIGHT	RYBAR CAPITAL PS LTD
11	10724 GOODNIGHT	RYBAR CAPITAL PARTNERS LTD
12	10740 GOODNIGHT	D C LITES INC
13	10752 GOODNIGHT	PADILLA JOSE
14	10731 GOODNIGHT	BASURTO JORGE H & MARICEL R BASURTO
15	2250 MANANA	SAVVYS III LLC ETAL
16	10700 WIRE WAY	MANANA WIRE WAY VENTURE & B&MA VENTURES LTD
17	2242 MANANA	A1 FREEMAN HILL COUNTRY LP
18	10660 WIRE WAY	MATHIS LAND PS LTD THE
19	10741 GOODNIGHT	PARNIAN CHARLES
20	2321 DEASON	RYBAR CAPITAL PARTNER LTD



**Planner: Richard E. Brown**

**FILE NUMBER:** Z101-303(RB) **DATE FILED:** June 22, 2011

**LOCATION:** East Line of Greenville Avenue, South of Prospect Avenue

**COUNCIL DISTRICT:** 14 **MAPSCO:** 36 X

**SIZE OF REQUEST:** Approx. 8,000 Sq. Ft. **CENSUS TRACT:** 11.01

---

**APPLICANT:** Teppo Partners, LP-Masayki Otaka, Sole Officer and Manager

**REPRESENTATIVE:** Shirley Hughes

**OWNER:** Wonderful Seven, GP, LP-Marc L. Andres and Roger L. Andres, Managers

**REQUEST:** An application for a Specific Use Permit for a late-hours establishment limited to a limited to a Restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 for CR Community Retail District Uses.

**SUMMARY:** The applicant is proposing to continue operation of an existing restaurant with late hours.

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

**BACKGROUND INFORMATION:**

- The existing improvements are utilized for a restaurant. The applicant has operated at this location since May, 1995.
- The restaurant occupies 1,600 square feet of floor area and possesses a 355 square foot patio.
- 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:**

<b><u>File No.</u></b>	<b><u>Request, Disposition, and Date</u></b>
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. Z101-270 An SUP for a late-hours establishment limited to an Alcoholic beverage establishment for a Bar, lounge, or tavern. On August 4, 2011, CPC recommended \_\_. Pending a City Council 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.
9. Z101-323 An SUP for a late-hours establishment limited to a restaurant with drive-in or drive-through service. Pending a CPC public hearing.
10. Z101-337 An SUP for a late-hours establishment limited to a restaurant without drive-in or drive-through service. 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.

**Land Use:** The request site possesses improvements that are utilized for a restaurant; 1,600 square feet of floor area and 355 square feet for a patio. The applicant is requesting an SUP for a late-hours establishment to permit the existing use to operate beyond 12:00 a.m. and 2:00 a.m., Monday through Sunday. The restaurant has been at this location since May, 1995. Surface parking serving the use is located on a surface lot immediately northeast of the site, along the south line of Prospect Avenue.

The site is surrounded by a mix of office, retail, and entertainment uses. Residential uses (single family and multifamily structures) are found on properties further northeast along Prospect Avenue.

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 the above with the exception of final efforts related to providing confirmation for seven of the 16 required off-street parking spaces.

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. The applicant has operated in a responsible manner with minimal reported police activity at the location since its occupancy (see Police Activity, below). 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 request and determined that it will not impact the surrounding street system.

**Parking:** The existing restaurant requires 16 off-street parking spaces. At this time, staff has determined all required parking is provided per an approved parking agreement filed with the building official.

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

**POLICE ACTIVITY**

**2014 Greenville Teppo Yakitori & Sushi Bar**

**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 – 0**

**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 a restaurant without drive-in or drive-through service.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five years).
4. FLOOR AREA: Maximum floor area is 1,600 square feet in the location shown on the attached site plan.
5. OUTDOOR PATIO AREA:
  - A. Maximum land area for the outdoor patio area is 355 square feet in the location shown on the attached site plan.
  - B. The outdoor patio must be uncovered.
  - C. 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.
6. HOURS OF OPERATION:
  - A. The late-hours establishment may only operate between 12:00 a.m. (midnight) and 2:00 a.m. (the next day), Tuesday through Sunday.
  - B. All customers must leave the Property by 2:15 a.m.
7. CERTIFICATE OF OCCUPANCY: The owner or operator must obtain a certificate of occupancy for a late-hours establishment before operating after 12:00 a.m. (midnight).
8. PARKING: Parking must be provided in accordance with Planned Development District No. 842 and MD-1 Modified Delta Overlay No. 1.
9. OUTDOOR LOUDSPEAKERS: Use of outdoor loudspeakers on the Property is prohibited.
10. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.
11. 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.

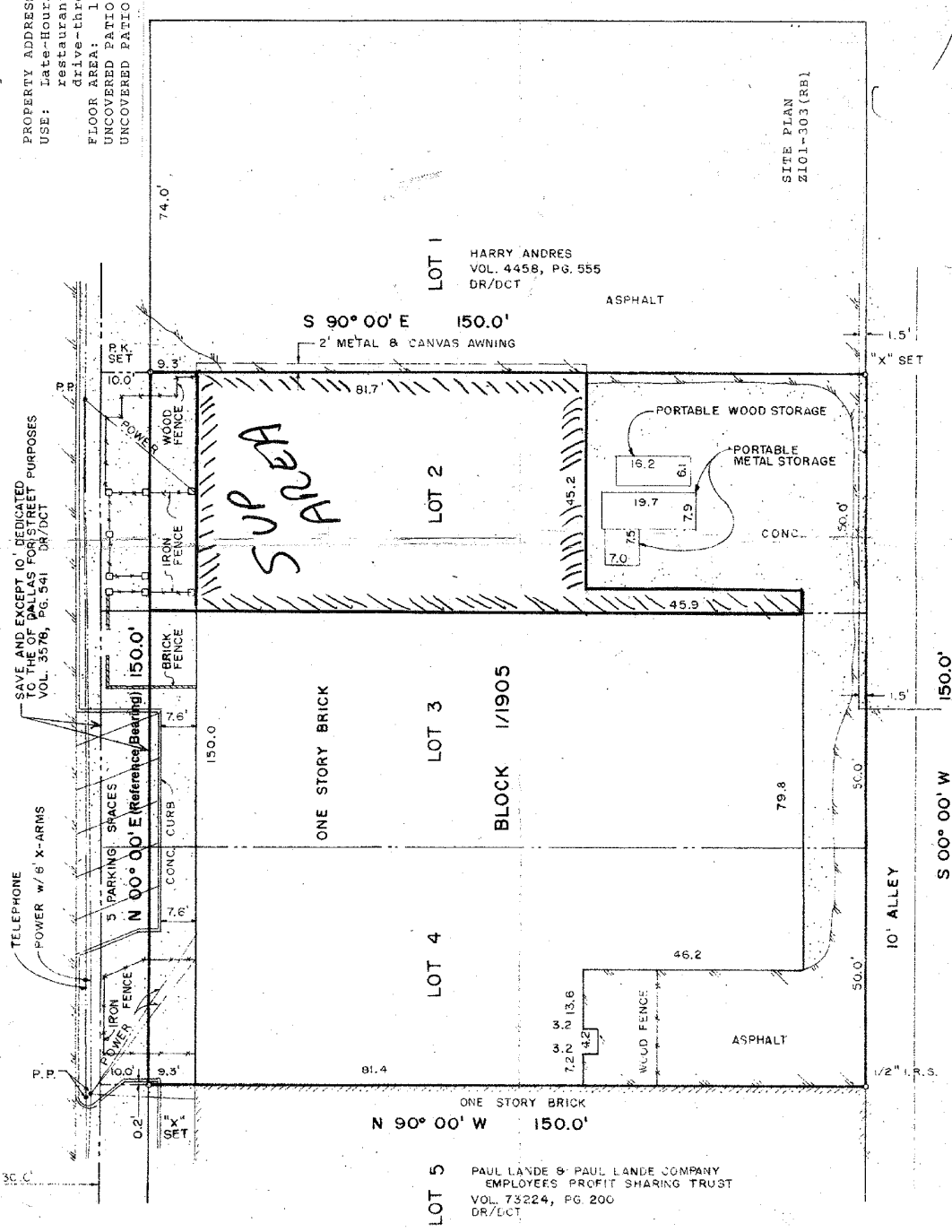
7/15/11 SA

GREENVILLE AVENUE

PROPERTY ADDRESS: 2014 Greenville Ave  
 USE: Late-Hours establishment for a restaurant without drive-in or drive-through service  
 FLOOR AREA: 1,600 square feet  
 UNCOVERED PATIO AREA: 355 square feet  
 UNCOVERED PATIO RAILING: 4 feet

PROSPECT AVENUE

(50' WIDE)



SITE PLAN  
Z101-303 (SB)

LOT 1  
 HARRY ANDRES  
 VOL. 4458, PG. 555  
 DR/DCT

LOT 2

LOT 3

LOT 4

LOT 5  
 PAUL LANDE & PAUL LANDE COMPANY  
 EMPLOYEES PROFIT SHARING TRUST  
 VOL. 73224, PG. 200  
 DR/LCT

BASIS OF BEARINGS, WARRANTY DEED CONVEYED BY E. W. ROSE ET AL  
 TO SEAY ROBINSON GRANFILL LAND AND LOAN COMPANY RECORDED IN  
 VOL 521, PG. 325 DEED RECORDS DALLAS COUNTY, TEXAS

Proposed Site Plan





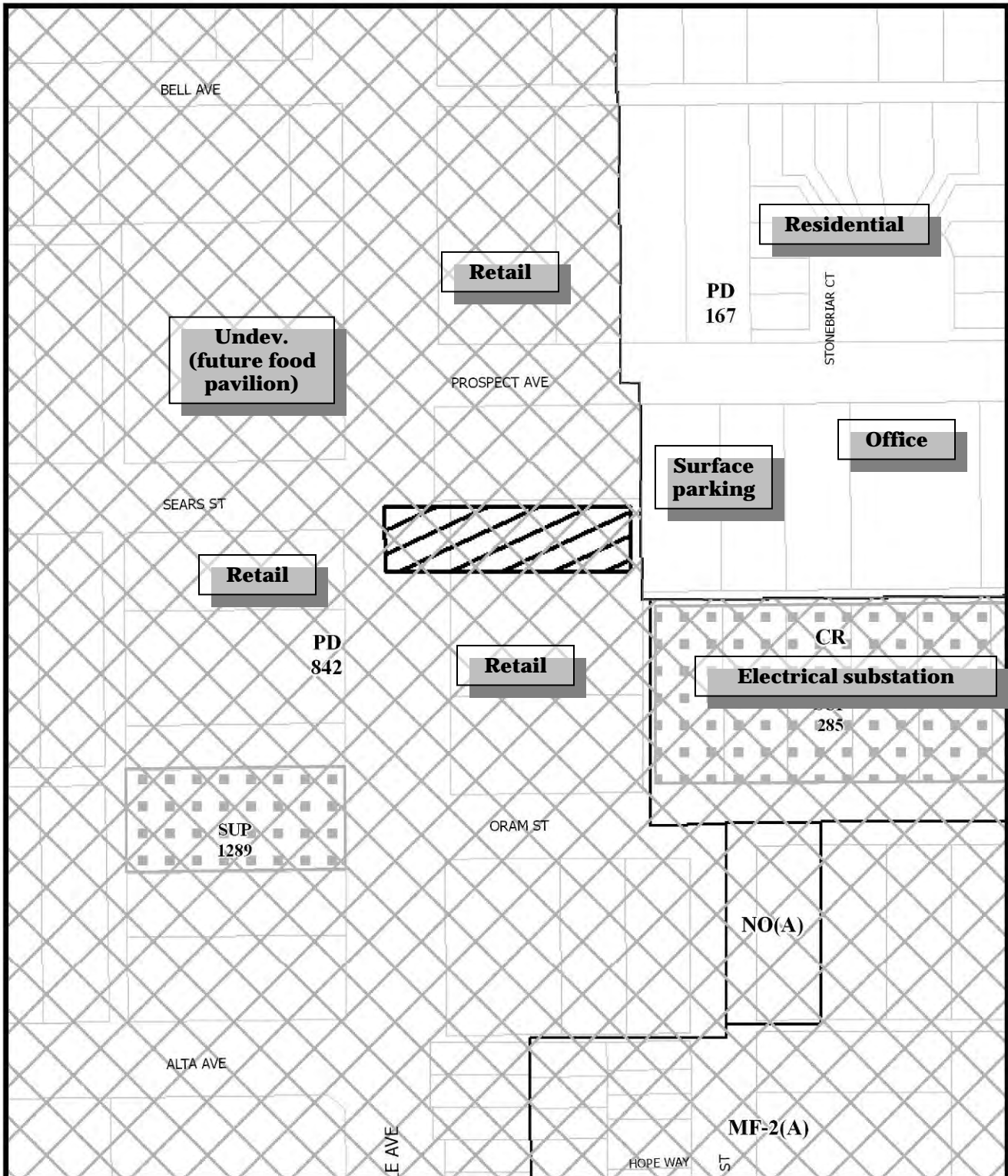
1:4,800

# VICINITY MAP

Map no:           I-8          

Case no:           Z101-303          

DATE: July 21, 2011



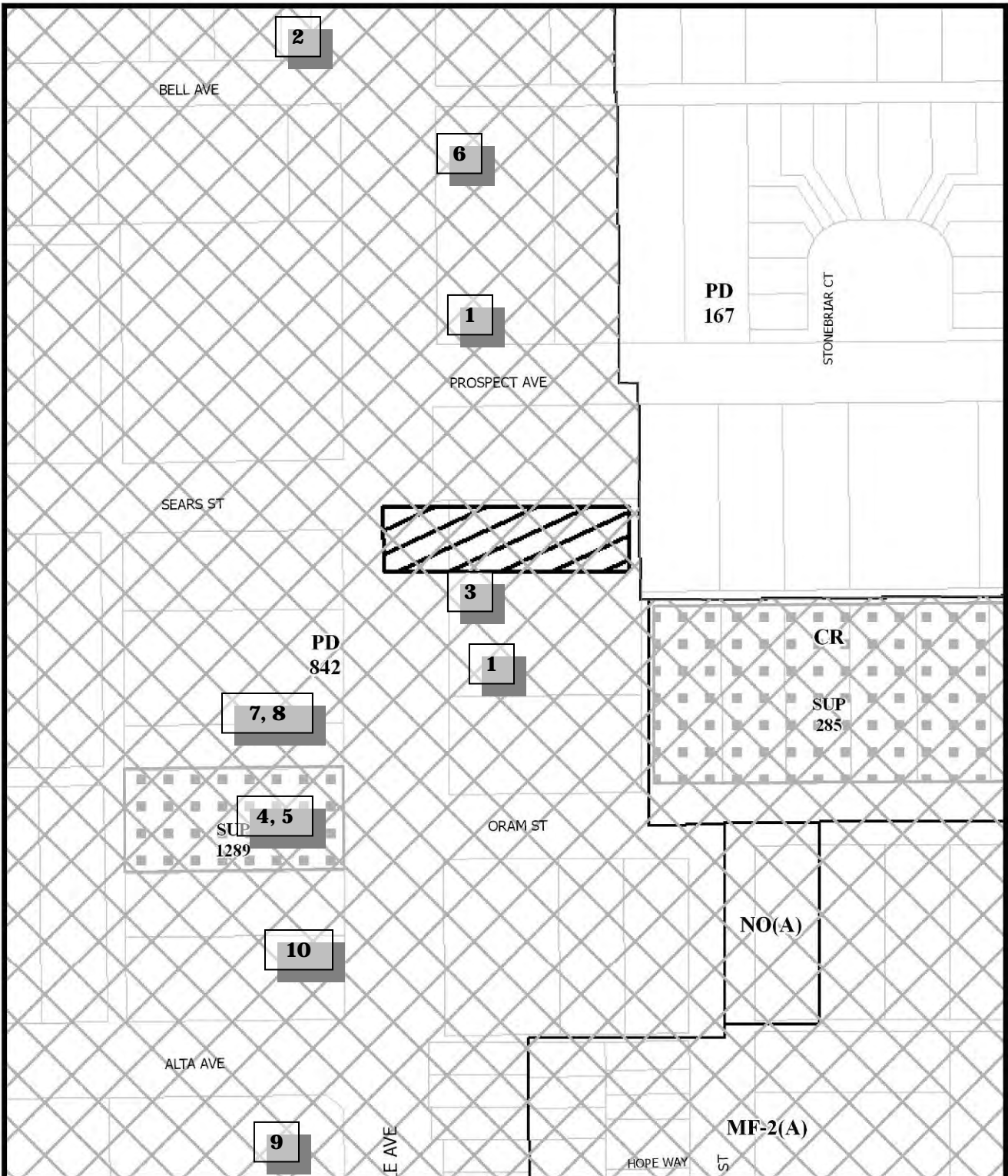
1:1,200

# ZONING AND LAND USE

Map no:           I-8          

Case no:           Z101-303          

DATE: July 21, 2011




1:1,200

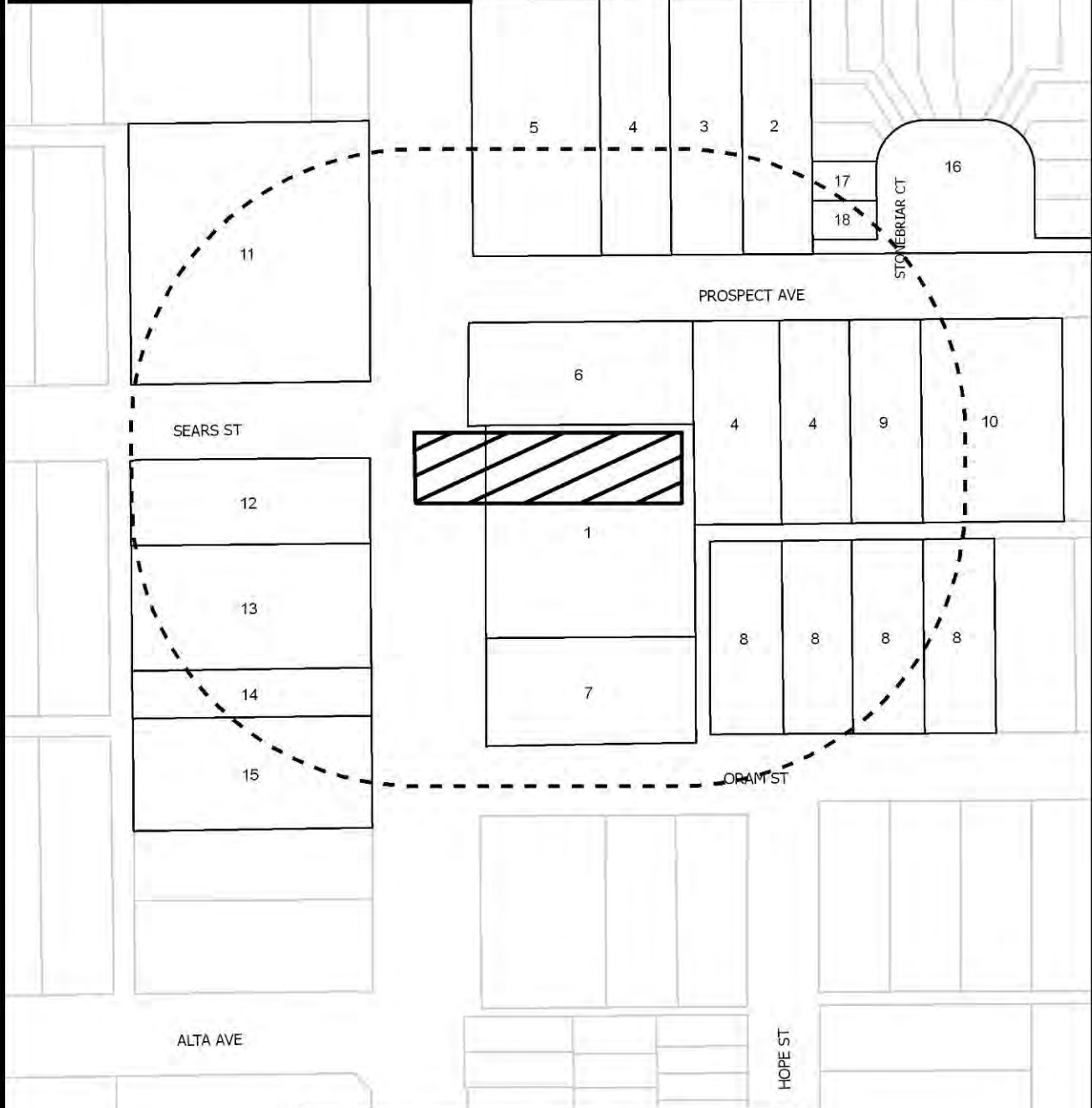
# ZONING HISTORY

Map no:           I-8          


Case no:           Z101-303          

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:           Z101-303          

DATE: July 21, 2011

## *Notification List of Property Owners*

### *Z101-303*

#### *18 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2008 GREENVILLE	WONDERFUL SEVEN A LP SUITE 200
2	5719 PROSPECT	MADISON PACIFIC DEV COM DEVELOPMENT CO #300
3	5715 PROSPECT	REESE GRANDCHILDRENS
4	5720 PROSPECT	ANDRES FAMILY TRUST 200
5	2100 GREENVILLE	GREENVILLE 2100 LTD STE 300
6	2026 GREENVILLE	ANDRES FAMILY TRUST
7	2000 GREENVILLE	LANDE PAUL & PAUL LANDE EMP PR SH TR
8	5727 ORAM	TEXAS UTILITIES ELEC CO % STATE & LOCAL TAX DEPT
9	5724 PROSPECT	ANDRES DAVE STE 200
10	5728 PROSPECT	WALL JOHN E JR STE 2001
11	2001 GREENVILLE	2001 GREENVILLE VENTURE % MADISON PACIFIC DEV CO
12	1931 GREENVILLE	GENARO TRUST 1 % THOMAS ODDO
13	1919 GREENVILLE	1919 27 GREENVILLE LTD
14	1917 GREENVILLE	WORLD WIDE FOOD INC
15	1911 GREENVILLE	INTERCITY INVESTMENT PROP SUITE 500
16	2100 STONEBRIAR	STONEBRIAR CT H O A
17	2 STONEBRIAR	WHITE SHARI
18	1 STONEBRIAR	HOOPER NICOLE E

*Thursday, July 21, 2011*

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z101-240(WE)                      **DATE FILED:** April 4, 2011  
**LOCATION:** Westmoreland Road and banning Street, southwest corner  
**COUNCIL DISTRICT:** 3                                      **MAPSCO:** 53-T  
**SIZE OF REQUEST:** Approx. 0.517 acres              **CENSUS TRACT:** 108.02

---

**APPLICANT / OWNER:** Emeterio Castillo

**REPRESENTATIVE:** Construction Concepts, Inc.  
Elias Rodriguez

**REQUEST:** An application for a Specific Use Permit for a convenience store with drive-through on property zoned an LI Light Industrial District.

**SUMMARY:** The purpose of this request is to convert an auto service center into a convenience store with drive-through. The proposed convenience store will contain approximately 1,437 square feet of floor area.

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

**BACKGROUND INFORMATION:**

- The request is to allow a convenience store with drive-through. The applicant proposes to convert an existing 1,437 square foot auto service center into the convenience store with drive-through.
- In December 2010, the City Council approved amending Chapter 51 and 51A of the Dallas Development Code to create a new main use, a “convenience store with drive-through” and provide the development regulations and standards for the use. An SUP is required in Chapter 51A for a convenience store with drive-through in the following zoning districts: CR Community Retail, RR Regional Retail, CS Commercial Service, IR Industrial Research, IM Industrial Manufacturing, MU-2 Mixed Use, MU-3 Mixed Use, and Multiple Commercial Districts.
- The surrounding land uses consist of a variety of auto related, retail, warehouse and office showroom uses.

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Banning Street	Collector	50 ft.	50 ft.
S. Westmoreland Road	Principal Arterial	100 ft.	100 ft.

**Land Use:**

	Zoning	Land Use
<b>Site</b>	LI	Abandoned Auto service center, auto related use
<b>North</b>	LI	Car dealership
<b>South</b>	LI	Retail
<b>East</b>	IM	Warehouse
<b>West</b>	LI	Office/showroom

**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 0.517 acre site is developed with two auto related uses. The request site is located on the northern portion of the site and is a vacant structure. The applicant is proposing to convert the vacant 1,437 square foot auto service center into a convenience store with drive through. The proposed hours of operation of the operation for use is 10:00 a.m. to 12:00 a.m. (the next day), Monday through Friday, 10:00 a.m. to 1:00 p.m., Saturday and 12:00 p.m. to 12:00 a.m. Sunday (the next day).

In December 2010, the City Council approved amending Chapter 51 and 51A of the Dallas Development Code to create a new main use, a "convenience store with drive-through" and provide the development regulations and standards for the use. An SUP is required in Chapter 51A for a convenience store with drive-through in the following zoning districts: CR Community Retail, RR Regional Retail, CS Commercial Service, IR Industrial Research, IM Industrial Manufacturing, MU-2 Mixed Use, MU-3 Mixed Use, and Multiple Commercial Districts.

The request site is located within an industrial area with no residential adjacency. However, the nearest residential neighborhood is approximately 380 feet west of the request site. The request site will have three driveway approaches, one from Banning Street and two from S. Westmoreland Road. The surrounding land uses consist of a variety of auto related, retail, warehouse and office showroom uses.



Staff has reviewed the applicant’s request and recommends approval of the Specific Use Permit for a two year period. 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.

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

**Development Standards:**

<b><u>DISTRICT</u></b>	<b><u>SETBACKS</u></b>		<b><u>Density</u></b>	<b><u>Height</u></b>	<b><u>Lot Coverage</u></b>	<b><u>Special Standards</u></b>	<b><u>PRIMARY Uses</u></b>
	<b><u>Front</u></b>	<b><u>Side/Rear</u></b>					
LI Light Industrial	15'	30' adjacent to residential OTHER: No Min.	1.0 FAR overall 0.75 office/ retail 0.5 retail	70' 5 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

**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 convenience store with drive-through at one space for each 200 square feet of floor area. The proposed use requires 7 spaces with 13 being provided per the attached site plan.

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

**PROPOSED SUP CONDITIONS**

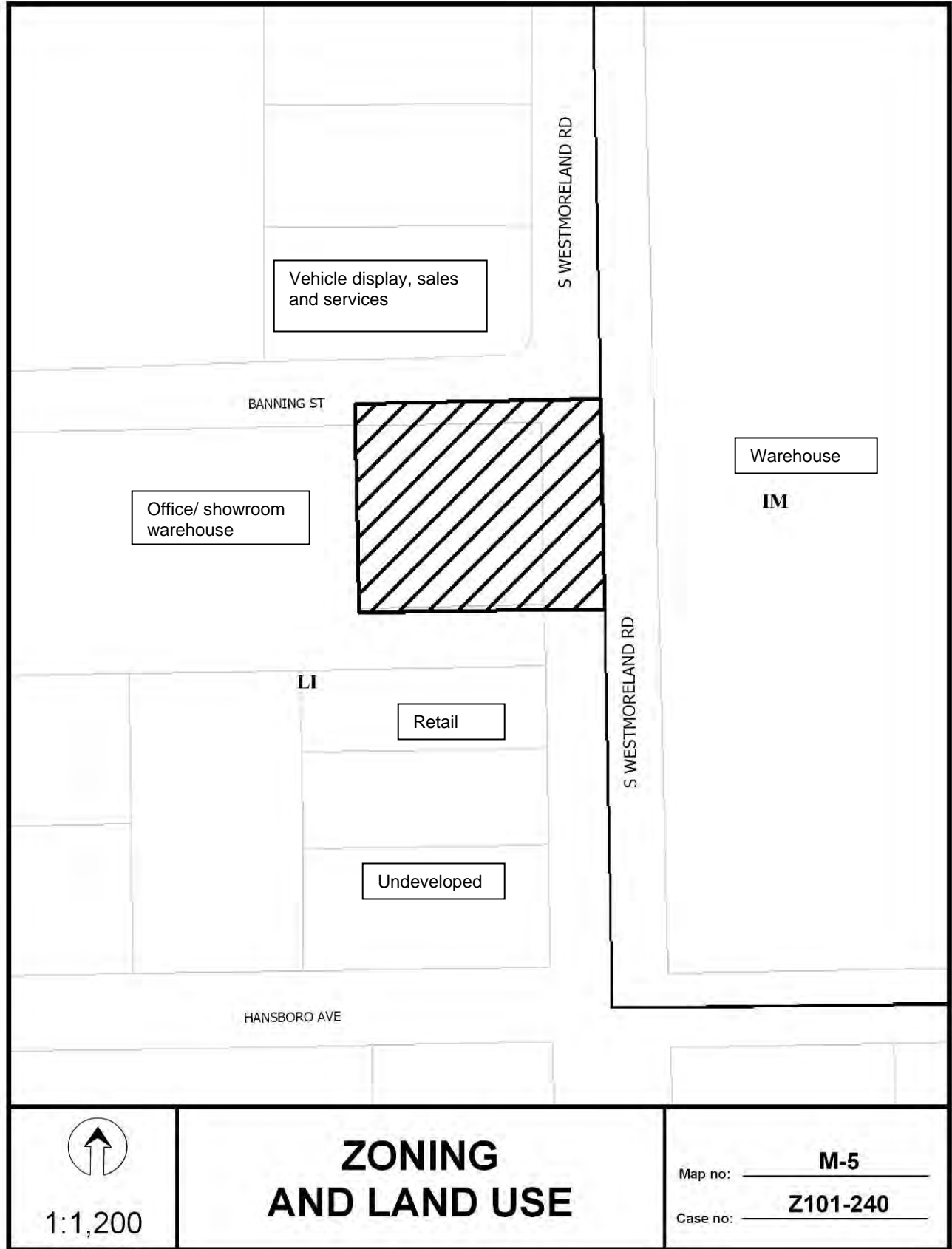
1. USE: The only use authorized by this specific use permit is a convenience store with drive-through service.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit terminates on\_\_\_\_\_, (two-year period from the passage of this ordinance).
4. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
5. HOURS OF OPERATION: The convenience store with drive-through service may only operate between 10:00 a.m. and 12:00 a.m. (midnight ), Monday through Friday; 10:00 a.m. and 1:00 p.m., Saturday; and 12:00 p.m. to 12:00 a.m. (midnight), Sunday .
6. FLOOR AREA: Maximum floor area is 1,437 square feet.
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.



Z101-240WE)



DATE: July 07, 2011



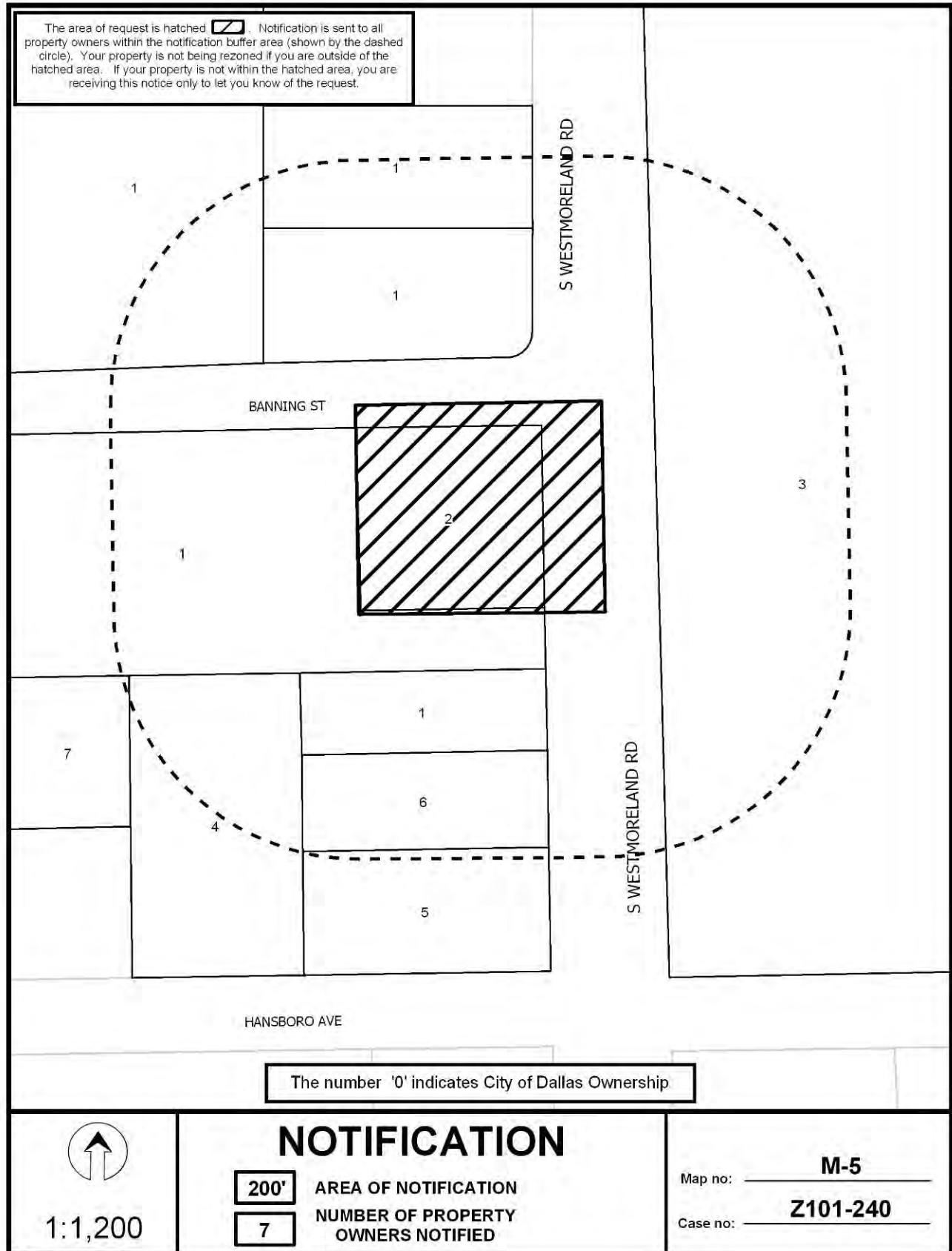
1:1,200

# ZONING AND LAND USE

Map no:           M-5          

Case no:           Z101-240          

DATE: July 07, 2011



DATE: July 07, 2011

## ***Notification List of Property Owners***

### ***Z101-240***

#### ***7 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3401 WESTMORELAND	ADDISON STONE LLC
2	2803 WESTMORELAND	CASTILLO EMETERIO
3	2700 WESTMORELAND	WESTMORELAND HOLDINGS LP
4	3319 HANSBORO	SFR PROPERTIES LTD STE 150
5	2837 WESTMORELAND	SFT PROPERTIES LTD
6	2817 WESTMORELAND	SFR PROPERTIES LTD
7	2828 SPRUCE VALLEY	GRYDER ROY

***Thursday, July 07, 2011***

**FILE NUMBER:** DCA 101-007 (DC)

**DATE INITIATED:** 04-04-2011

**TOPIC:** Window Sign Special Exception language

**COUNCIL DISTRICT:** All

**CENSUS TRACT:** All

---

**PROPOSAL:** Consideration of amendments to Chapter 51A-7.703 to include the ability to request a special exception to the regulations in Chapter 51A-7.305(d) regarding window signs.

**SUMMARY:** The purpose of the amendment is to allow special exceptions to Chapter 51A-7.305(d) regarding window signs.

**STAFF RECOMMENDATION:** Approval

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION:** Approval



**BACKGROUND INFORMATION:**

- Dallas Development Code Section 51A-7.305 “Attached Signs”, subsection (d) reads as follows: “The combined effective area of all signs attached to any window or any glass door may not exceed 15 percent of the area of that window or that glass door. Signs in the upper two-thirds of a window or glass door are prohibited. Signs attached to a window or a glass door must be brought into compliance with this provision by September 25, 2008.”
- There is no Board of Adjustment relief in the code as it is currently written.
- The proposed code amendment would allow an applicant to seek a special exception to the provision in Chapter 51A-7.305.
- The proposed amendment would allow the Board of Adjustment to review proposed window signs on a case by case basis, provides standards to use in that review, and to determine if the signage is necessary for the branding and identity of the store.
- The proposed amendment would not allow an applicant to completely obscure the view into the store.

**SSDAC ACTION (July 12, 2011)**

It was moved to recommend **approval** of amendments to Chapter 51A-7.703:

Maker: Tarpley  
Second: Van Dermark  
Result: Carried: 4 to 0

For: 4 - Bauer, Van Demark, Gomez, Tarpley

Against: 0

Absent: 1 - Ethridge

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Section 51A-7.703; providing a special exception for signs attached to windows or glass doors; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Subsection (d) of Section 51A-7.703, “Board of Adjustment,” of Division 51A-7.700, “Non-Conformance and Enforcement Procedures,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(d) Except as provided in Section 51A-7.703(c) the board of adjustment may, in specific cases and subject to appropriate conditions, authorize only the following special variances and exceptions to the regulations established in this article when the board has made a special finding from the evidence presented that strict compliance with the requirement of this article will result in substantial financial hardship or inequity to the applicant without sufficient corresponding benefit to the city and its citizens in accomplishing the objectives of this article:

(1) Permit a variance for detached premise signs of up to 10 percent (10%) of the setback, effective area, and height requirements of this article.

(2) Authorize one additional detached premise sign on a premise in excess of the number permitted by this article.

(3) Authorize up to two additional large letter words on an attached sign in excess of the number permitted by this article.

(4) Authorize signs attached to a window or glass door to exceed 15 percent of the area of that window or glass door if the board finds that the signs are necessary to the identity or branding of the business, the signs are part of the business's comprehensive signage program, and the proposed signs do not prevent someone outside from seeing into the business. A sign authorized by this paragraph must be made of translucent vinyl or a similar material with at least a 65/35 perforation pattern (65 percent of the area is closed, 35 percent of the area is open). Once a special exception is approved, a business does not need to return to the board to change out the images or words on a sign as long as the sign complies with the approved special exception.

(5) Permit the following special [~~variances and~~] exceptions for movement control signs when from the evidence presented the board finds them to be necessary to give directions to a business:

- (A) Authorize an identification message to be placed on the sign.
- (B) Authorize an effective area of up to 4 square feet.
- (C) Authorize a height of up to 2-½ feet.”

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

SECTION 3. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 5. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

DCA 101-007

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_