



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, October 10, 2013
AGENDA

BRIEFINGS:	5ES	11:30 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.

David Cossum, Interim Director
Neva Dean, Interim Assistant Director of Current Planning

BRIEFINGS:

Update on the Connected City Design Challenge

David Whitley Associate Director, dallas citydesign studio

Subdivision Docket

Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Paul Nelson

Consent Items:

- (1) **S123-261**
(CC District 14)

An application to create a 0.485-acre lot from a tract of land in City Block 2/600 on property located at 3816 through 3824 Roseland Avenue, southwest of Caddo Street.

Applicant/Owner: MH Residential Properties 1

Surveyor: Davis Land Surveying Co., Inc.

Application Filed: September 11, 2013

Zoning: PD 298 (Subarea 1)

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

- (2) **S123-264**
(CC District 6) An application to replat a 15.612-acre tract of land containing part of Lot 1 in City Block A/6576 and part of a tract of land in City Block 5676 into one lot on property located at the southwest corner of Interstate Highway 35 at Mercer Parkway.
Applicant/ Owner: The Residents of Austin Ranch No.1, LTD
Surveyor: Baseline Professional Surveyors
Application Filed: September 16, 2013
Zoning: MU-3
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S123-265**
(CC District 6) An application to create 5.9040-acre lot from a tract of land in City Block 7241 and City Block 7243 located at 1921, 1925, and 1927 West Commerce Street, west of Vilbig Road.
Applicant/ Owner: Mathew Sigmon/Southern Mail Service, Inc.
Surveyor: Tetra Surveys and Appraisals
Application Filed: September 17, 2013
Zoning: IM
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S123-266**
(CC District 1) An application to create three lots ranging in size from 1.279 acres to 3.561 acres from a 12.337-acre tract of land on property located at the southeast corner of 408 Riverfront Boulevard and Zang Boulevard.
Applicant/Owner: City of Dallas
Surveyor: City of Dallas
Application Filed: September 23, 2013
Zoning: PD No. 784
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Building Line Reduction / Residential Replat:

- (5) **S123-263**
(CC District 13) An application to replat a 0.434 acre lot containing all of Lot 1 in City Block 3/5565 to reduce a portion of the existing 50 foot platted building line to 30.2 feet along the south line of Glenleigh Drive and to increase the existing 25 feet platted building line to 30 feet along the east line of Manchester Drive on property located at 4410 Glenleigh Drive at Manchester Drive.
Applicant/Owner: Ben J. Tittle / Jason Hulcy
Surveyor: A and W Surveying, Inc.
Application Filed: September 16, 2013
Zoning: R-10(A)
Staff Recommendation: **Denial**

Residential Replat:

- (6) **S123-262**
(CC District 8)
- An application to replat one 0.699 acre lot and one 2.507 acre lot containing all of Lot 1 and Lot 2 in City Block 8558 and part of tract of land in City Block 8558 on property located at 3627, 3635, and 3641 Middlefield Road.
Applicant/Owner: Michael W. & Betty D. Mitchell
Surveyor: A and W Surveying, Inc.
Application Filed: September 13, 2013
Zoning: R-10(A)
WITHDRAWN BY APPLICANT

Certificates of Appropriateness for Signs:

- 1308131034**
Carrie Gordon
(CC District 14)
- An application for a Certificate of Appropriateness for Kenneth Phiffer for a 72-square-foot attached sign on the east elevation at 1717 McKinney Avenue.
Staff Recommendation: **Approval**
Applicant/Representative: Kenneth Phiffer
- 1308131037**
Carrie Gordon
(CC District 14)
- An application for a Certificate of Appropriateness for Kenneth Phiffer for a 320-square-foot attached sign on the west elevation at 1717 McKinney Avenue.
Staff Recommendation: **Approval**
Applicant/Representative: Kenneth Phiffer

Zoning Cases – Consent:

1. **Z123-106(MW)**
Megan Wimer
(CC District 2)
- An application for a new subdistrict and for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a retail food store on property zoned Subarea B within Planned Development District No. 134 on the north corner of Lindsley Avenue and Graham Avenue.
Staff Recommendation: **Approval** of a new subdistrict and approval of a specific use permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.
Applicant: Sai Regmi, Inc.
Representative: Parvez Malik
2. **Z123-314(WE)**
Warren Ellis
(CC District 6)
- An application for an NS Neighborhood Service District on property zoned an R-5(A) Single Family District north of Singleton Boulevard, east of Toronto Street.
Staff Recommendation: **Approval**
Applicant/Representative: Alejandro Valencia

3. **Z123-324(RB)**
Richard Brown
(CC District 13)
- An application for a Planned Development District for GO(A) General Office District Uses on property zoned a GO(A) General Office District with deed restrictions, on the southeast line of Walnut Hill Lane, east of Golf Lakes Trail.
Staff Recommendation: **Approval** subject to sign elevations and conditions.
Applicant: Walnut Glen, L.P.
Representative: Suzan Kedron

Zoning Cases – Individual:

4. **Z123-304(RB)**
Richard Brown
(CC District 14)
- An application for an amendment to and the renewal of Specific Use Permit No. 1904 for a Late-hours establishment limited to a restaurant with drive-in or drive-through service on property zoned Planned Development District No. 842 for CR Community Retail District Uses with an MD-1 Modified Delta No. 1 Overlay on the southwest corner of Alta Avenue and Greenville Avenue.
Staff Recommendation: **Approval** for a three-year period, subject to a revised site plan and revised conditions.
Applicant: Texas Taco Cabana, L.P.
Representative: Suzan Kedron
5. **Z112-309(RB)**
Richard Brown
(CC District 6)
- An application for a Specific Use Permit for an Outside salvage or reclamation use on property zoned an IM Industrial Manufacturing District, on the southeast corner of Norwich Street and Bedford Street.
Staff Recommendation: **Approval** for a two-year period, subject to a site plan and conditions.
Applicant/Representative: Ignacio Hernandez
6. **Z123-306(JH)**
Jennifer Hiromoto
(CC District 1)
- An application for a new Planned Development Subdistrict for multifamily uses on property zoned a Subdistrict A within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the north side of East Greenbriar Lane and northwest of North Zang Boulevard.
Staff Recommendation: **Hold under advisement to October 24, 2013**
Applicant: Texas Intown Homes
Representative: Audra Buckley

Zoning Cases – Under Advisement:

7. **Z123-321(JH)**
Jennifer Hiramoto
(CC District 14)
- An application to amend Subarea B of Planned Development Subdistrict No. 66 within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest side of Harwood Street, southeast of McKinney Avenue.
Staff Recommendation: **Approval**, subject to conditions.
Applicant: KDC, LLC
Representative: Karl Crawley, Masterplan
U/A From: September 26, 2013
8. **Z123-273(WE)**
Warren Ellis
(CC District 6)
- An application for an RR Regional Retail District on property zoned an LO-3 Limited Office District on the west line of North Walton Walker Freeway, north of Twenty Grand Drive.
Staff Recommendation: **Denial**
Applicant: 601 Walton Walker, LLC - David Varela
Representative: MASTERPLAN - Santos Martinez
U/A From: July 11, 2013, August 8, 2013 and September 26, 2013
9. **Z123-268(MW)**
Megan Wimer
(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 3,500 square feet or less on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the northeast corner of South Buckner Boulevard and Forney Road.
Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.
Applicant: Devin Brich Group, Corporation Paul O. Nwoke, Sole Officer and Director
Representative: Pamela Craig
U/A From: September 12, 2013
10. **Z123-302(AB)**
Megan Wimer
(CC District 7)
- An application for the renewal of Specific Use Permit No. 1907 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the southeast corner of Samuel Boulevard and North Jim Miller Road.
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a revised site plan and conditions.
Applicant: CVS Corporation
Representative: MASTERPLAN, Santos Martinez
U/A From: September 12, 2013

Other Matters

Minutes: September 26, 2013

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Tuesday, October 8, 2013

SPECIAL PROVISION SIGN DISTRICT ADVISORY COMMITTEE (SSDAC) MEETING - Tuesday, October 8, 2013, City Hall, 1500 Marilla Street, in 5DN, at 2:00 p.m., for a to consider (1) **SPSD123-002** - An application to create a new subdistrict within the Downtown Special Purpose Sign District (Downtown Perimeter Subdistrict) to increase signage and effective area of such signage.

Thursday, October 10, 2013

URBAN DESIGN COMMITTEE (UDC) MEETING - Thursday, October 10, 2013, City Hall, 1500 Marilla Street, in 5BN, at 10:00 a.m., for a briefing on the briefing on the LBJ-Skillman Urban Planning Initiative. This plan is being developed by the City of Dallas in partnership with the North Central Texas Council of Governments to serve as a planning and implementation guide for the area bounded by Forest Lane on the north, Atchison, Topeka and Santa Fe railroad tracks on the east, Royal Lane/LBJ on the south, and Arbor Park Drive on the west.

Note: The official Committee Agendas will be posted in the City Secretary's Office and City Website at www.ci.dallas.tx.us/cso/boardcal.shtml. Please review the official agenda for items for consideration.

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, OCTOBER 10, 2013****FILE NUMBER:** S123-261**Subdivision Administrator:** Paul Nelson**LOCATION:** Roseland Avenue, southwest of Caddo Street**DATE FILED:** September 11, 2013**ZONING:** PD 298, Subarea 1**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 0.485 Ac. **MAPSCO:** 45D**APPLICANT/OWNER:** MH Residential Properties 1

REQUEST: An application to create a 0.485-acre lot from a tract of land in City Block 2/600 on property located at 3816 through 3824 Roseland Avenue, southwest of Caddo Street.

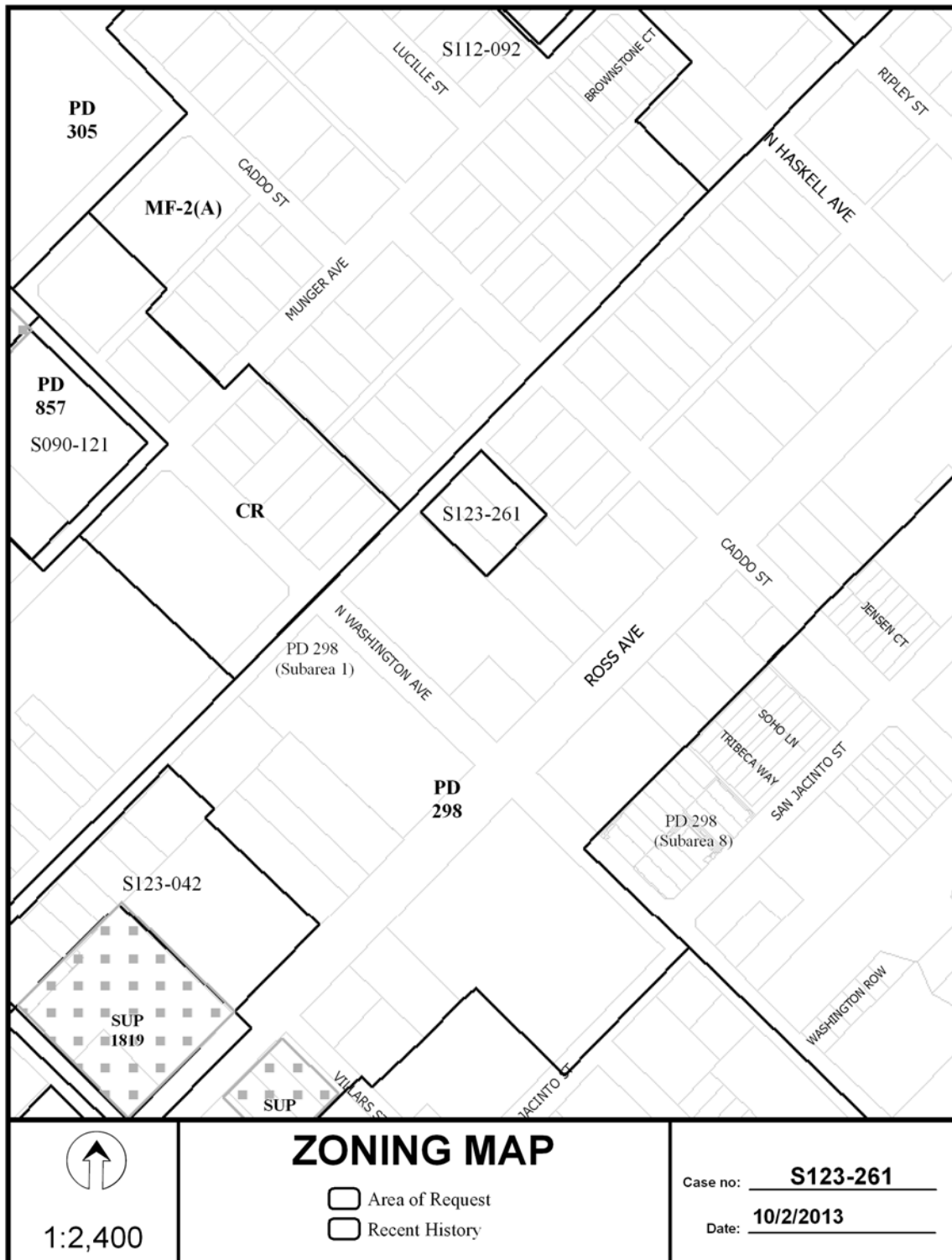
SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

STAFF RECOMMENDATION: The request complies with the requirements of PD 298, Subarea 1; therefore, staff recommends approval subject to compliance with the following conditions:

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

must be verified by the Chief City Surveyors Office in the Public Works Department.

10. The maximum number of lots permitted by this plat is 1.
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
12. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
13. On the final plat dedicate a 15 foot by 15 foot alley sight easement at the intersection of Roseland Street at the alley.
14. On the final plat show how all adjoining right-of-way was created.
15. On the final plat provide a Lien Holders Subordination Agreement.
16. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, wastewater service locations with service size.
17. Water/wastewater main extensions may be required by Private Development Contract.
18. On the final plat identify the property as Lots 1A and 1B in City Block 4/3451.





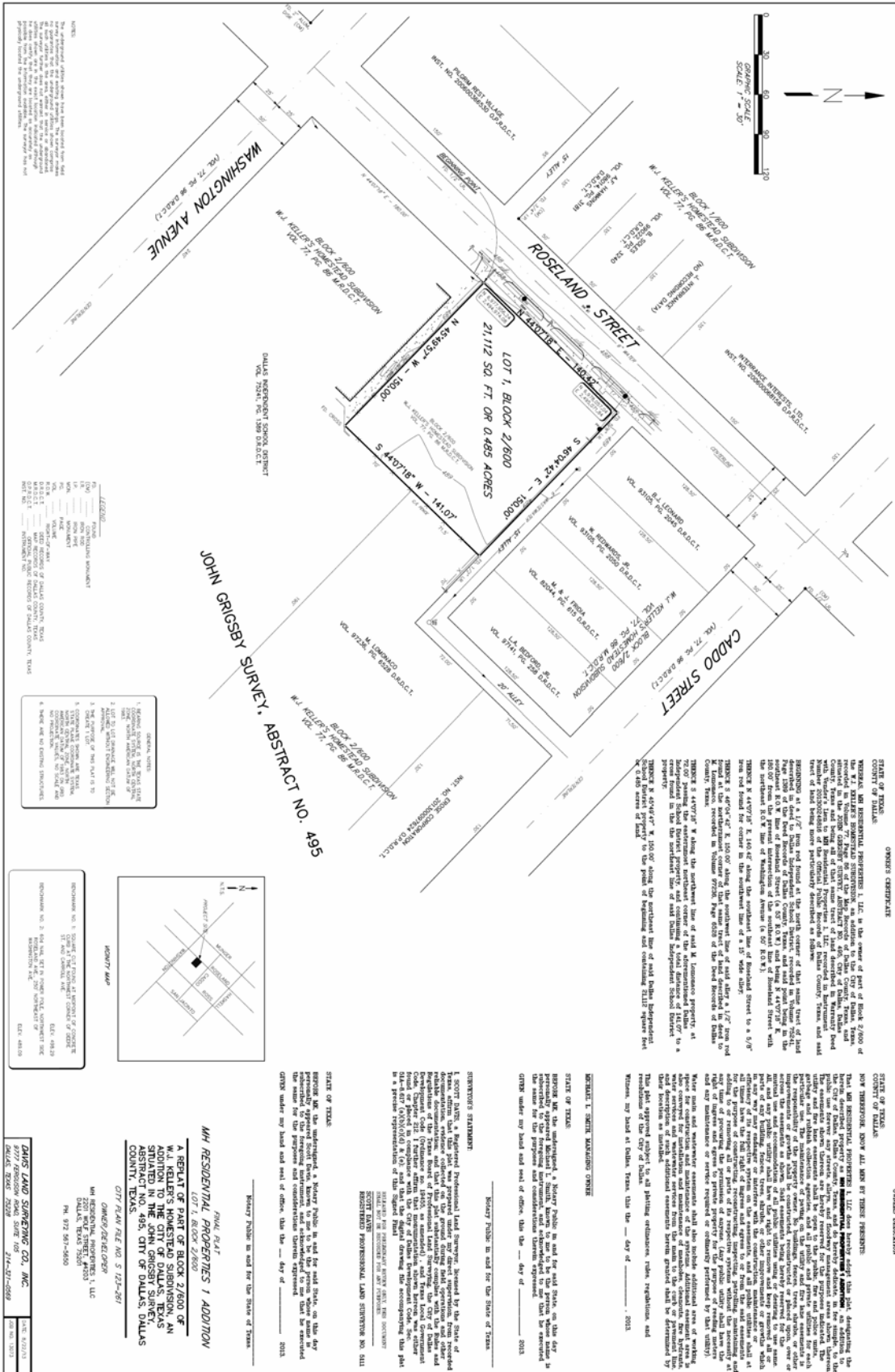
1:2,400

AERIAL MAP

- Area of Request
- Recent History

Case no: S123-261

Date: 10/2/2013



CITY PLAN COMMISSION**THURSDAY, OCTOBER 10, 2013****FILE NUMBER:** S123-264**Subdivision Administrator:** Paul Nelson**LOCATION:** Interstate Highway 35 at Mercer Parkway**DATE FILED:** September 16, 2013**ZONING:** MU-3**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 15.612 Acres **MAPSCO:** 12Y**APPLICANT/OWNER:** The Residents of Austin Ranch No.1, LTD

REQUEST: An application to replat a 15.612-acre tract of land containing part of Lot 1 in City Block A/6576 and part of a tract of land in City Block 5676 into one lot on property located at the southwest corner of Interstate Highway 35 at Mercer Parkway.

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

STAFF RECOMMENDATION: The request complies with the requirements of MU-3 District; therefore, staff recommends approval subject to compliance with the following conditions:

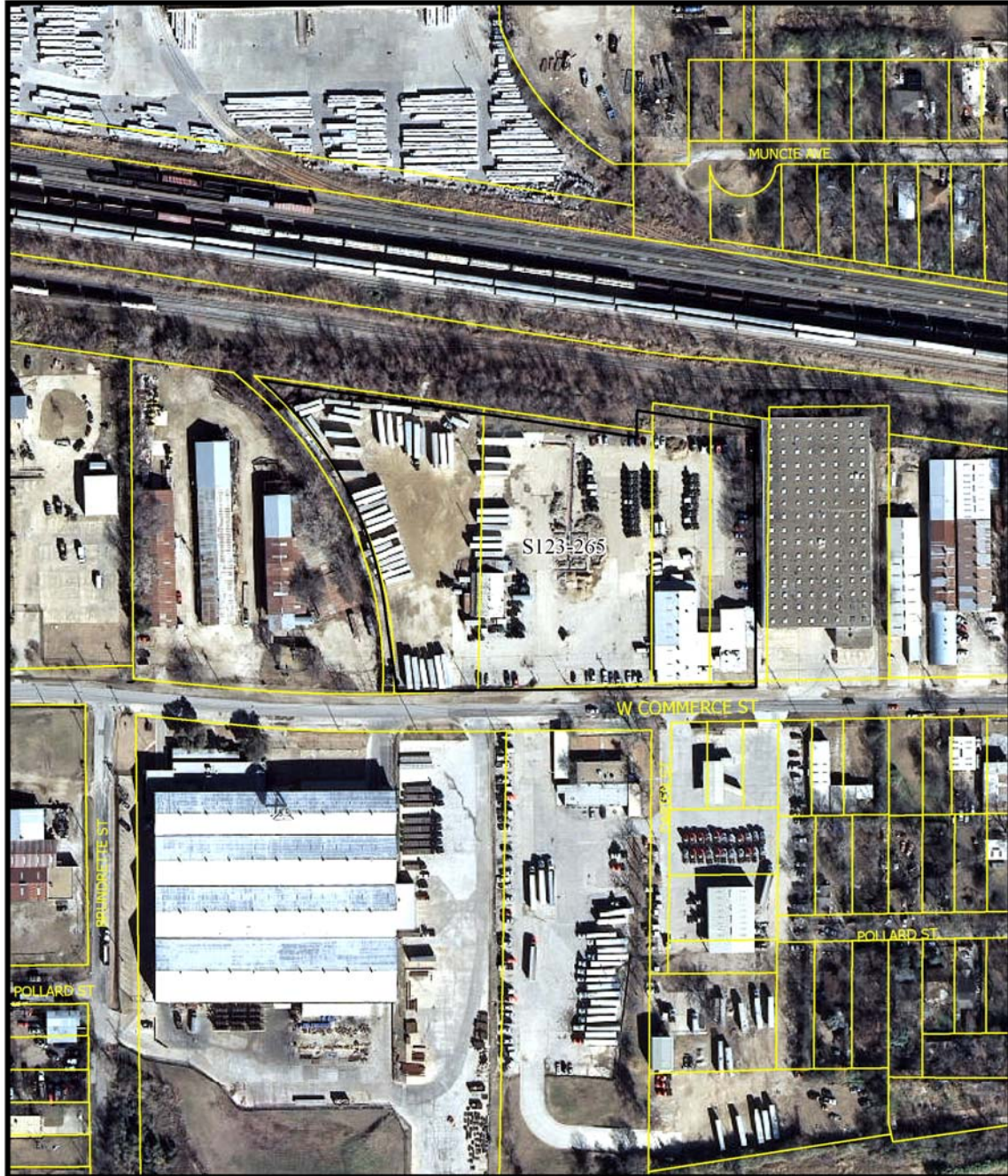
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with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

must be verified by the Chief City Surveyors Office in the Public Works Department.

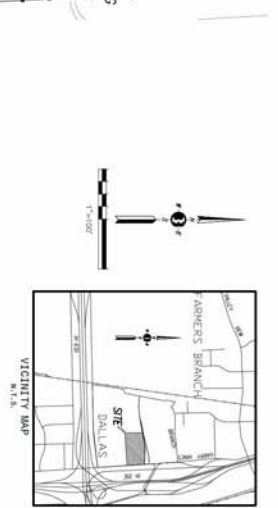
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat determine the 100 year water surface elevation across the plat.
14. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
15. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
16. On the final plat specify minimum fill and minimum finished floor elevations.
17. On the final plat show the natural channel set back from the crest of the natural channel.
18. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
19. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
20. Add a note to the final plat which reads as follows: "Any new access or modifications to the I-35 or I-635 traffic lanes requires TxDOT approval."
21. On the final plat show recording information on all existing easements within 150 feet of the property.
22. On the final plat monument all set corners per the monumentation ordinance.
23. On the final plat show a minimum of two control monuments.
24. On the final plat chose a new addition name.
25. On the final plat clarify the status of the right-of-way on Mercer Parkway.
26. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, wastewater service locations with service size.
27. Water/wastewater main extensions may be required by Private Development Contract.
28. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20

feet for water or wastewater and is 25 feet for an easement having both water and sewer.

29. No Dallas sewer is available, an Interlocal Agreement with Farmers Branch is required.
30. On the final plat identify the property as Lot 1A in City Block A/6576.
31. On the final plat change "Interstate 35E" to "Stemmons Freeway / Interstate Highway No. 35E".
32. On the final plat change "Interstate 635" to "Lyndon B. Johnson Freeway / Interstate Highway No. 635".
33. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff.
34. Any new access or modification along I-35 requires TxDOT approval.



 1:2,400	<h2>AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	Case no: <u>S123-265</u> Date: <u>10/2/2013</u>
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- GENERAL NOTES**
1. ALL COORDINATES ARE QUANTIFIED WITH A FOUR-FIGURE NORTHING AND EASTING.
 2. THE NAME OF SECTION 3, THE NEED TO THE RESIDENCES OF ALSTIN RANCH NO. 1, LTD. RECORDED IN INSTRUMENT NO. 208980988 IN THE BOOK...
 3. BEING A PORTION OF ANY BLOCK IN THIS SECTION BY METES AND BOUNDS TO THE CENTER OF THE BLOCK AS SHOWN ON THE PLAN AND THE VERTICALLY ADJACENT PROPERTY TO THE WEST AND SOUTH.
 4. PURPOSE OF PLAT IS TO SUBDIVIDE LOT 1.
 5. COORDINATE SYSTEM USE NORTH DATUM AND REFERENCE TO THE FEDERAL CENTER OF DALLAS CONTROL POINTS 1542 AND 1543.
- LEGEND**
- CH = CONTROLLING INSTRUMENT
 - FILE = EXACT SECTION AND BLOCK WITH BACKSIGHT CORNER CAP
 - SUR = SET 3/8" RAIN ROD WITH BACKSIGHT CORNER CAP

PRELIMINARY PLAT
LOT 1, BLOCK A/6576
CITY POINTE GOLF CENTER

A BEHAT OF
 PART OF LOT 1, BLOCK A/6576
 OF CITY POINTE GOLF CENTER
 AND PART OF THE CALLER 9501 ACRES TRACT
 IN SOUTHWEST QUARTER OF SECTION 3, T.10S,
 R.10E, COUNTY OF DALLAS, TEXAS.
 JOHN L. PELLISSIER SURVEY, INSTRUMENT NO. 1156
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 CITY PLAN FILE NO. S123-264

THE REMAINERS OF
ALSTIN RANCH NO. 1, LTD.
 12222 Alstine Road, Suite 1111
 Dallas, Texas 75244
 (214) 343-8000
 Contact: George Rodriguez
 george@alstin.com

BASELINE
 12222 Alstine Road, Suite 1111
 Dallas, Texas 75244
 (214) 343-8000
 Contact: George Rodriguez
 george@alstin.com

Blinkey & Barfield, C/P
 12222 Alstine Road, Suite 1111
 Dallas, Texas 75244
 (214) 343-8000
 Contact: George Rodriguez
 george@alstin.com

Surveyed by: [Signature]
 Date: 10/10/2013
 Project No: S123-264

CITY PLAN COMMISSION**THURSDAY, OCTOBER 10, 2013****FILE NUMBER:** S123-265**Subdivision Administrator:** Paul Nelson**LOCATION:** West Commerce Street, west of Vilbig Road**DATE FILED:** September 17, 2013**ZONING:** IM**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 5.9 Acres**MAPSCO:** 44N**APPLICANT/OWNER:** Mathew Sigmon / Southern Mail Service, Inc.

REQUEST: An application to create 5.9040-acre lot from a tract of land in City Block 7241 and City Block 7243 located at 1921, 1925, and 1927 West Commerce Street, west of Vilbig Road.

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

STAFF RECOMMENDATION: The request complies with the requirements of 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 the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments

must be verified by the Chief City Surveyors Office in the Public Works Department.

10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff.
13. On the final plat dedicate 30 feet of right-of-way from the established center line of Commerce Street.
14. On the final plat show how all right-of-way was created.
15. On the final plat show recording information on all existing easements within 150 feet of the property.
16. On the final plat monument all set corners per the monumentation ordinance.
17. On the final plat show a minimum of two control monuments.
18. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information.
19. On the final plat chose a new addition name.
20. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, wastewater service locations with service size.
21. On the final plat provide 4 additional feet of easement width for the existing wastewater easement at the back of the property.
22. On the final plat identify the property as Lot 1 in City Block A/7241.
23. On the final plat change "Commerce Street" to "West Commerce Street".
24. Remove the existing 6 foot high chain link fence encroachment into Commerce Street prior to submittal of the final plat. Provide a photo and notarized statement that the fence has been removed.





 1:2,400	<h2>AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	Case no: <u> S123-265 </u> Date: <u> 10/2/2013 </u>
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CITY PLAN COMMISSION**THURSDAY, OCTOBER 10, 2013****FILE NUMBER: S123-266****Subdivision Administrator: Paul Nelson****LOCATION: Riverfront Boulevard at Zang Boulevard****DATE FILED: September 23, 2013****ZONING: PD 784****CITY COUNCIL DISTRICT: 1 SIZE OF REQUEST: 12.337 Acres MAPSCO: 45S****APPLICANT/OWNER: City of Dallas**

REQUEST: An application to create three lots ranging in size from 1.279 acres to 3.561 acres from a 12.337-acre tract of land on property located at the southeast corner of 408 Riverfront Boulevard and Zang Boulevard.

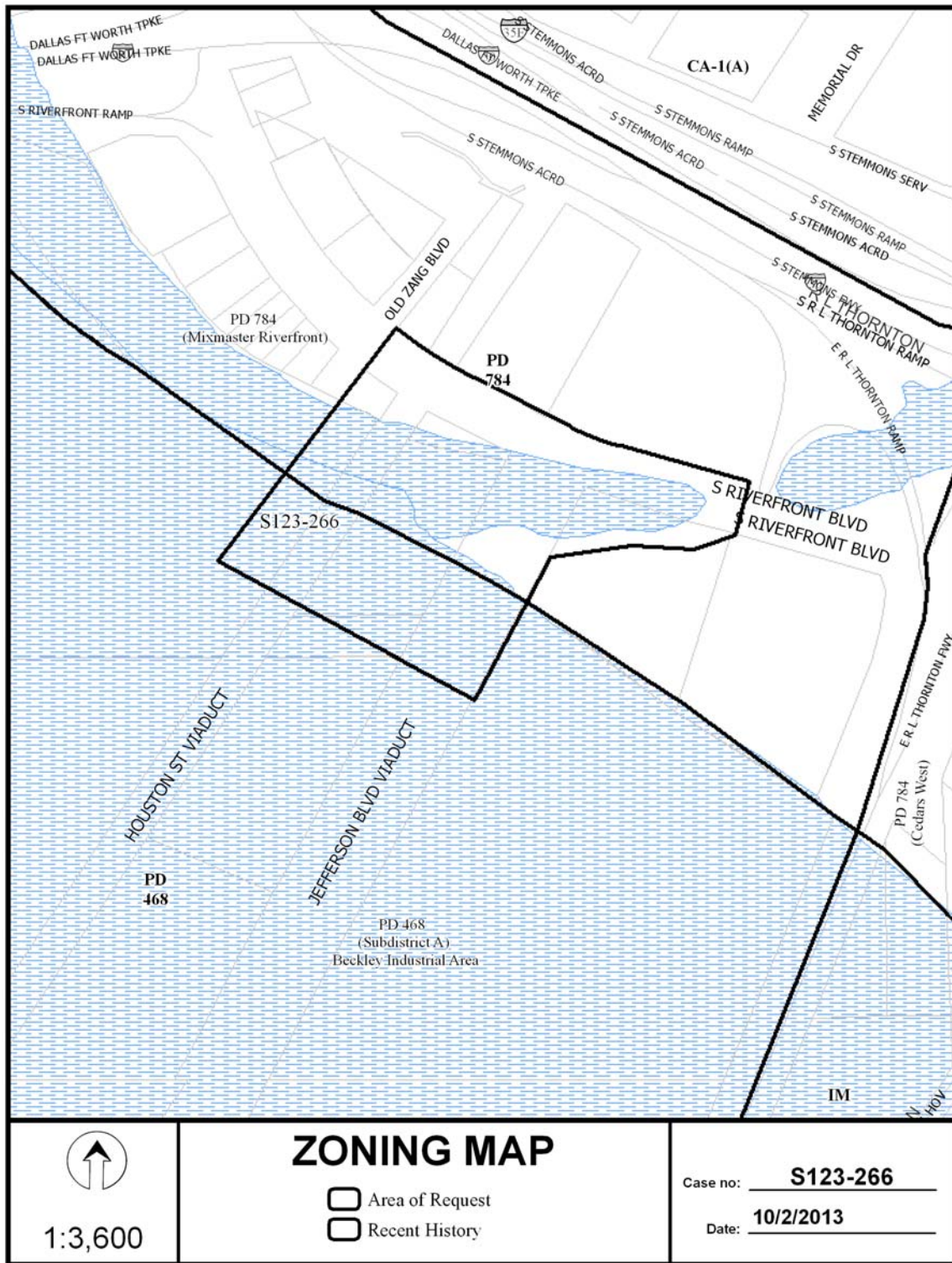
SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

STAFF RECOMMENDATION: The request complies with the requirements of PD 784; therefore, staff recommends approval subject to compliance with the following conditions:

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

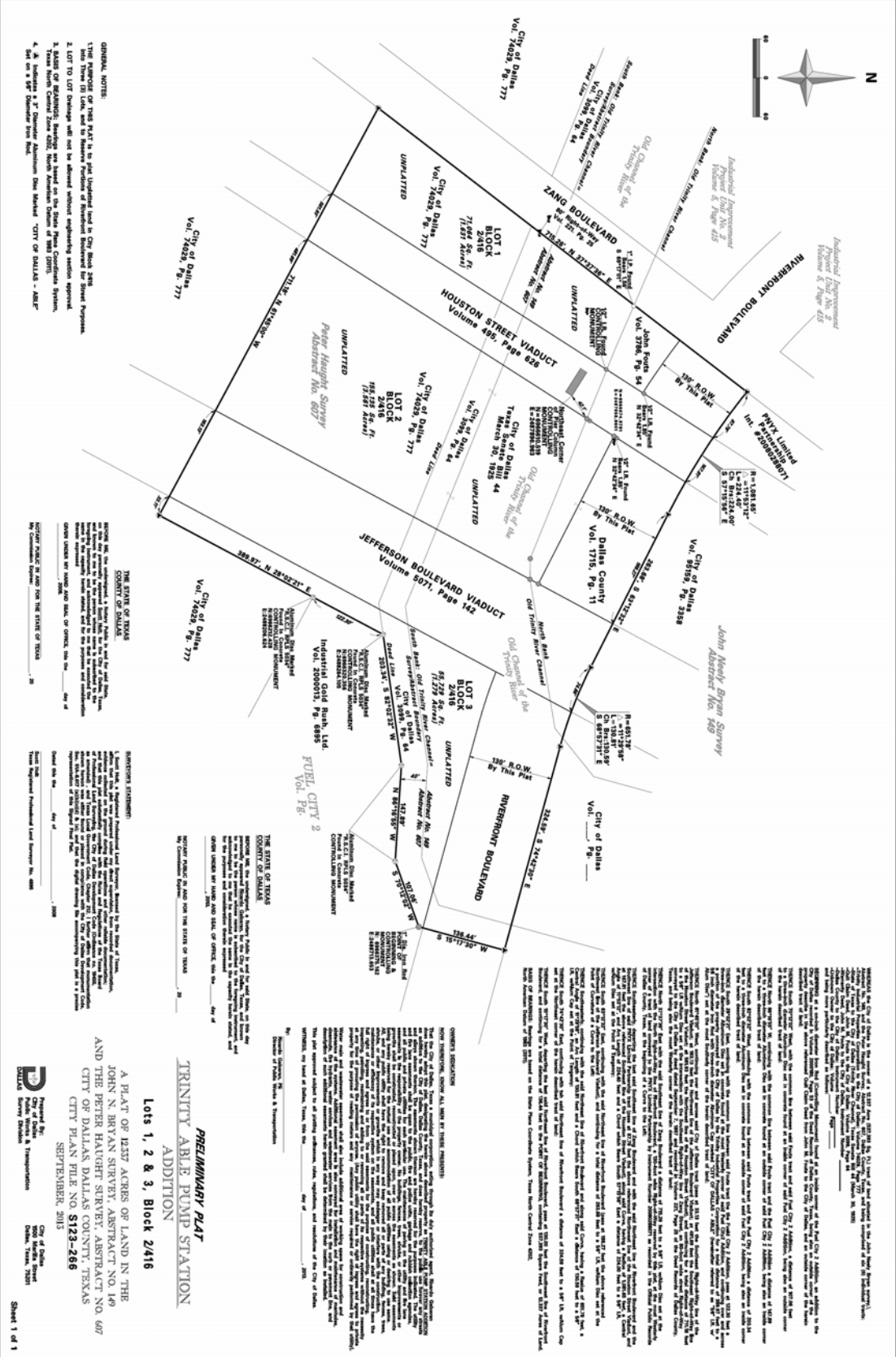
must be verified by the Chief City Surveyors Office in the Public Works Department.

10. The maximum number of lots permitted by this plat is 1.
11. 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. Coordinate with Trinity Watershed Management.
13. On the final plat show distances/width of right-of-way across Zang Boulevard, Houston Street Viaduct, Jefferson Boulevard Viaduct, and Riverfront Boulevard.
14. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, wastewater service locations with service size.
15. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
16. A "Fire Protection Certificate" must be signed and approved by the Building Inspection Chief Plans Examiner (or assigned representative) in Room 105 of the Oak Cliff Municipal Center, 320 E. Jefferson Blvd. and must be submitted to the Manager of Water and Sewer Services, Engineering Division, in Room 200, 320 E. Jefferson Blvd. prior to submittal of the final plat for signature by the Chairperson of the City Plan Commission or the approval of an "Early Release Building Permit" application whichever occurs first.
17. Water/wastewater main extension may be required by private contract.
18. On the final plat identify the property as Lots 1, 2 and 3 in City Block 1/416.





 1:3,600	<h3 style="text-align: center;">AERIAL MAP</h3> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	Case no: <u> S123-266 </u> Date: <u> 10/2/2013 </u>
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GENERAL NOTES:

1. THE PURPOSE OF THIS PLAN IS TO PLAT UNDIVIDED LAND IN CITY BLOCK 2416
2. LOT TO LOT EXCHANGE WILL NOT BE ALLOWED UNLESS EXPLICITLY NOTED OTHERWISE
3. BASIS OF MEASUREMENTS: MEASUREMENTS ARE BASED ON THE STATE PLANNING SYSTEM, TEXAS NORTH COAST ZONE 4002, NORTH PLANNING DISTRICT OF 1989 (2011).
4. A. Subsection 2.7, "Domestic Automobile Club Market," CITY OF DALLAS - AMF 544 on a 8/8/2008 Survey FROM 8/8/2008.

THE STATE OF TEXAS
 COUNTY OF DALLAS

Know all men by these presents, that I, the undersigned, do hereby certify that the above and foregoing plat was prepared and approved by the City of Dallas, Texas, on this 26th day of September, 2013, and that the same is a true and correct copy of the original as the same appears on the records of the City of Dallas, Texas.

 Mayor

THE STATE OF TEXAS
 COUNTY OF DALLAS

Know all men by these presents, that I, the undersigned, do hereby certify that the above and foregoing plat was prepared and approved by the City of Dallas, Texas, on this 26th day of September, 2013, and that the same is a true and correct copy of the original as the same appears on the records of the City of Dallas, Texas.

 Mayor

PRELIMINARY PLAT
TRINITY ABLE PUMP STATION
ADDITION

Lots 1, 2 & 3, Block 2416

A PLAT OF 12.57 ACRES OF LAND IN THE JOHN N. BRYAN SURVEY, ABSTRACT NO. 149 AND THE PETER HAUGHT SURVEY, ABSTRACT NO. 607 CITY OF DALLAS, DALLAS COUNTY, TEXAS CITY PLAN FILE NO. **5123-266** SEPTEMBER, 2013

City of Dallas
 500 Main Street
 Dallas, Texas 75201

Sheet 1 of 1

OWNER'S DECLARATION:

I, the undersigned, do hereby certify that the above and foregoing plat was prepared and approved by the City of Dallas, Texas, on this 26th day of September, 2013, and that the same is a true and correct copy of the original as the same appears on the records of the City of Dallas, Texas.

 Mayor

GENERAL NOTES:

1. THE PURPOSE OF THIS PLAN IS TO PLAT UNDIVIDED LAND IN CITY BLOCK 2416
2. LOT TO LOT EXCHANGE WILL NOT BE ALLOWED UNLESS EXPLICITLY NOTED OTHERWISE
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4. A. Subsection 2.7, "Domestic Automobile Club Market," CITY OF DALLAS - AMF 544 on a 8/8/2008 Survey FROM 8/8/2008.

LOCATION: 4410 Glenleigh Drive at Manchester Drive**DATE FILED:** August 15, 2013**ZONING:** R-10(A)**CITY COUNCIL DISTRICT: 13** **SIZE OF REQUEST:** 0.434 Acres **MAPSCO:** 15-Y**OWNER:** Jason Hulcy/Ben Tittle

REQUEST: An application to replat a 0.434 acre lot containing all of Lot 1 in City Block 3/5565 to reduce a portion of the existing 50 foot platted building line to less than 50 feet along the south line of Glenleigh Drive and to reduce the existing 30 foot building line to 25 feet along Manchester Drive on property located at 4410 Glenleigh Drive at Manchester Drive.

SUBDIVISION HISTORY:

1. S056 029 was an application to remove the 50 foot platted building line along Glenleigh Drive at Manchester Drive, northwest corner on Lot 2 in City Block 3/5565. The request was denied on December 1, 2005.
2. S056-106 was an application, on property contiguous on the east of this request, to replat Lot 2 in City Block 3/5565 to reduce a portion of the existing 50 foot platted building line to less than 50 feet along the south line of Glenleigh Drive contiguous on the east of the present request, was approved on December 30, 2005 and recorded on January 26, 2006.

A building permit was issued for a new house on the above property with a 30 foot front yard setback. The Landsdowne Estates Addition, of which the above property is a part, was originally platted with a 50 foot front yard setback line. At the time that the plat was entered into the City Tax Plat books the platted building line was omitted. While the house contiguous to the west (corner of Glenleigh Dr. & Manchester Drive, existing request) appears to only be setback 30 feet; the remainder of the houses on the block face are setback at 50 feet or more from the property lines. On the north side of Glenleigh Dr., the houses all comply with the 50 foot building line except for the house at the northwest corner of Rockbrook Dr. and Glenleigh Dr. to the east, which is setback approximately 37 feet from the property line on Glenleigh Dr.

The Builders claimed that because the building lines were not shown on the tax plat that Building Inspection used to review the building permit the builders claimed that therefore they weren't required to comply with the platted Building line. Based on an error made by the Plan examiner the Commission approved the reduction of building line.

3. S056-254 was an application, on property at 4539 Glenleigh Drive to reduce the 50 platted building line by a maximum of 15.01 feet on property located to the east; one of the conditions of approval provided that the right to rebuild ceases if the portion of the structure within the building line area is demolished for new construction and then must comply with the 50 foot platted building line. The

preliminary plat was approved on May 5, 2006 and the final plat was recorded on June 30, 2006.

BUILDING LINE REMOVAL STANDARD: The commission may approve a relocation or removal of the platted building line with a minimum front, side, or rear yard setback greater than required by zoning regulation only:

(1) upon the affirmative vote of at least three-fourths of the commission members present; and

(2) if the commission finds that relocation or removal of the platted building line will not:

“(i) require a minimum front, side, or rear yard setback less than required by zoning regulation;”

- The reduction of the platted building line will allow the development of the lot to comply with the R-10(A) setback requirement which is thirty feet.

“(ii) be contrary to the public interest;”

- On September 24, 2013, 16 notices were sent to property owners within 200 feet of the request with 0 replying in favor and 0 replying in opposition as of August 30, 2013.

“(iii) adversely affect neighboring properties; and”

- The reduction of the building line will allow development on this property to be developed similar to the property contiguous on the east; however, it is not consistent with the Lansdowne Estates Addition. The addition has a 50 foot front yard building line along both sides of all east-west streets within the addition. The addition also has a 25 foot platted building line along Manchester Drive and all north-south direction streets.

“(iv) adversely affect the plan for the orderly development of the subdivision.”

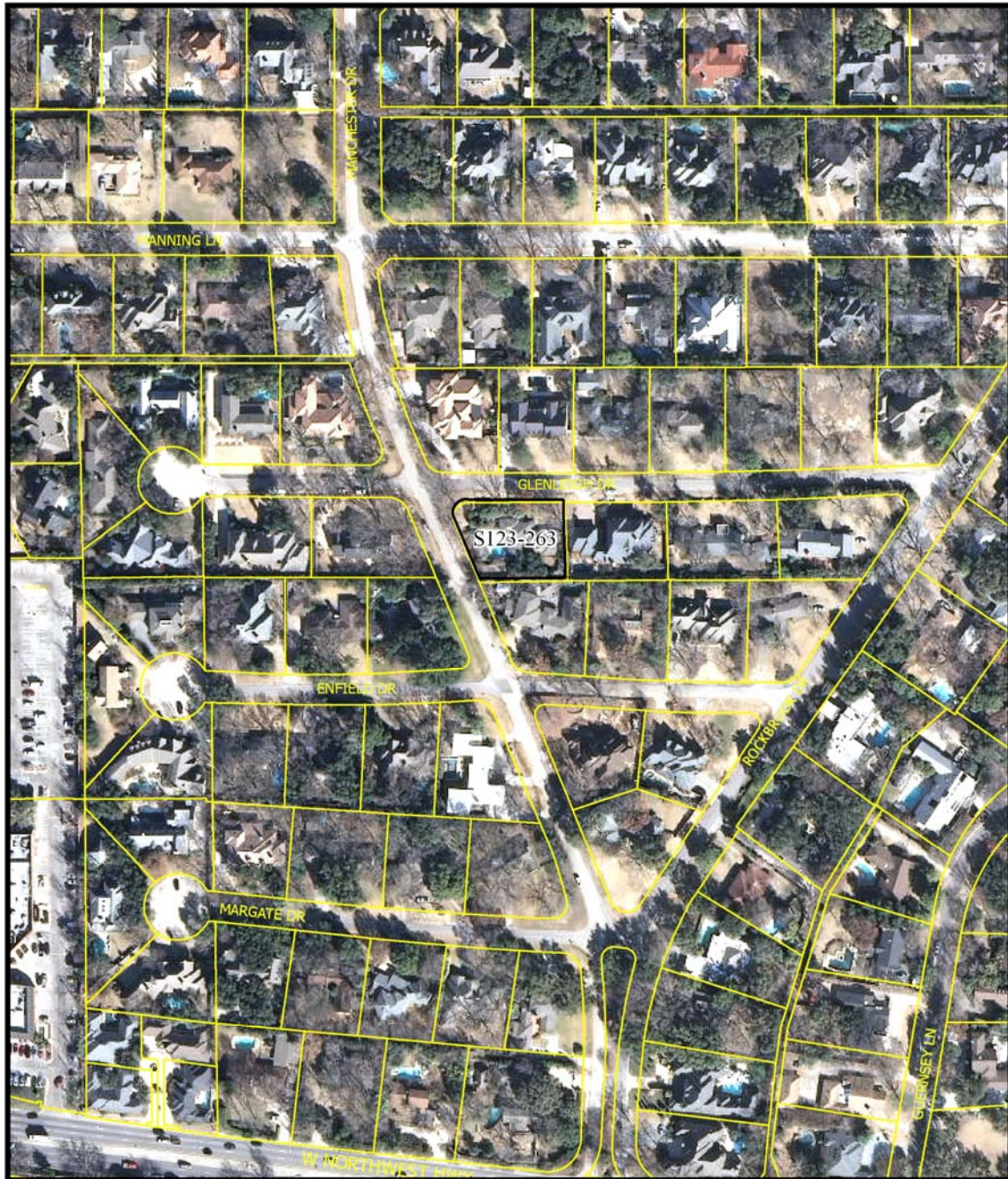
- Although there have been other cases within the addition for reduction of the building line, the vast majority of the properties have retained the 50 foot building line.

STAFF RECOMMENDATION OF BUILDING LINE REMOVAL: The reduction of the platted building line will be consistent with the property contiguous on the east. However, it is not consistent with the remainder of the addition; therefore staff recommends **denial** of the reduction of the building line.

STAFF RECOMMENDATION FOR PLAT: The request complies with the requirements of the removal or relocation of building lines. Although there have been other cases within the addition for reduction of the building line the vast majority of the properties have retained the 50 foot building line; therefore, staff recommends denial of the request. However, should the request be approved 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. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat show the distances/width of right-of-way across Glenleigh Drive and across Manchester Drive.
14. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
15. On the final plat identify the property as Lot 1, City Block 3/5565.
16. Place a note on the final plat stating that "The proposed structure must comply with the building line reductions shown on the sketch on the final plat."





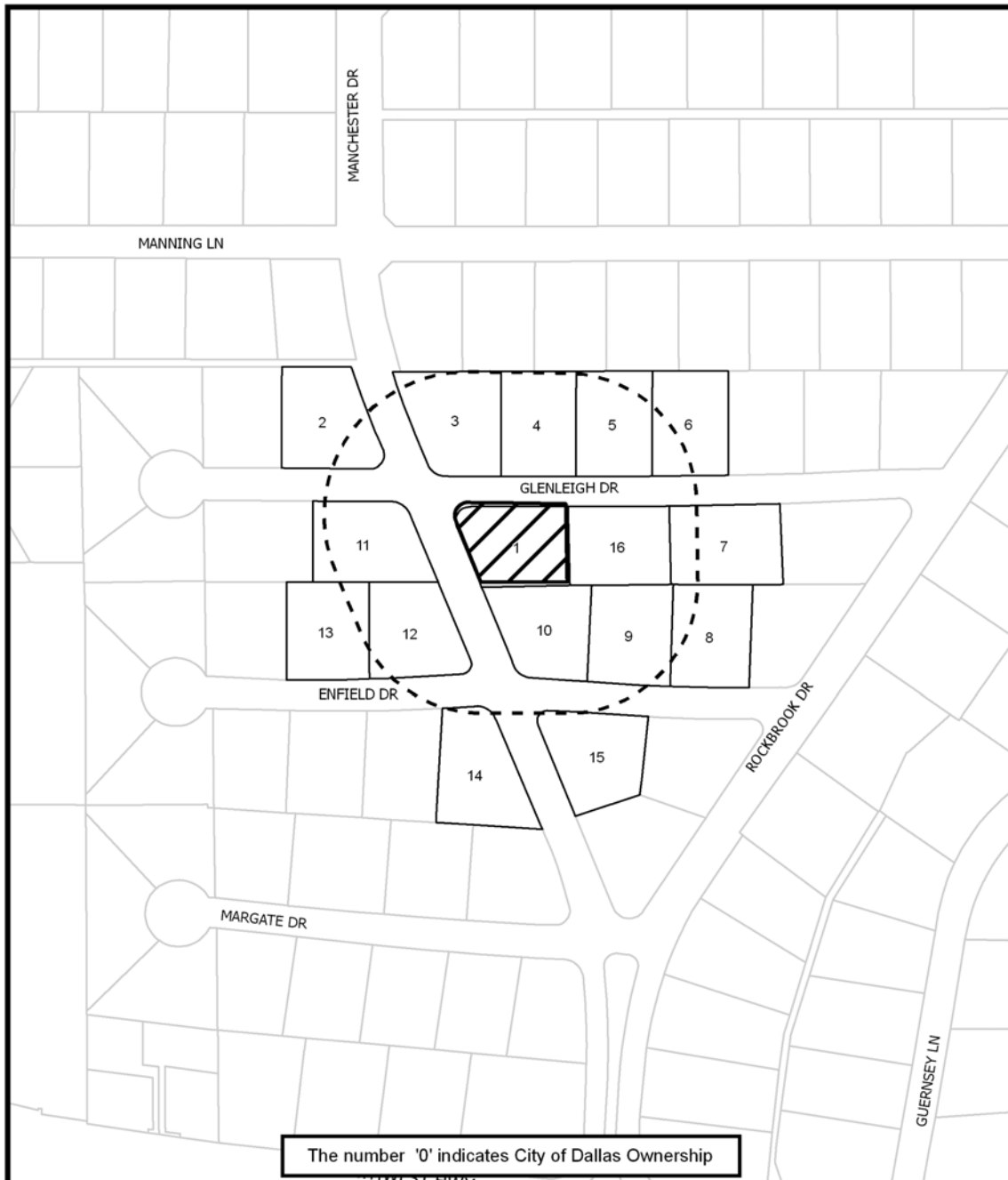
1:2,400

AERIAL MAP

- Area of Request
- Recent History

Case no: S123-263

Date: 10/2/2013



 1:2,400	NOTIFICATION	Case no: S123-263			
	<table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">16</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	16	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
16	NUMBER OF PROPERTY OWNERS NOTIFIED				

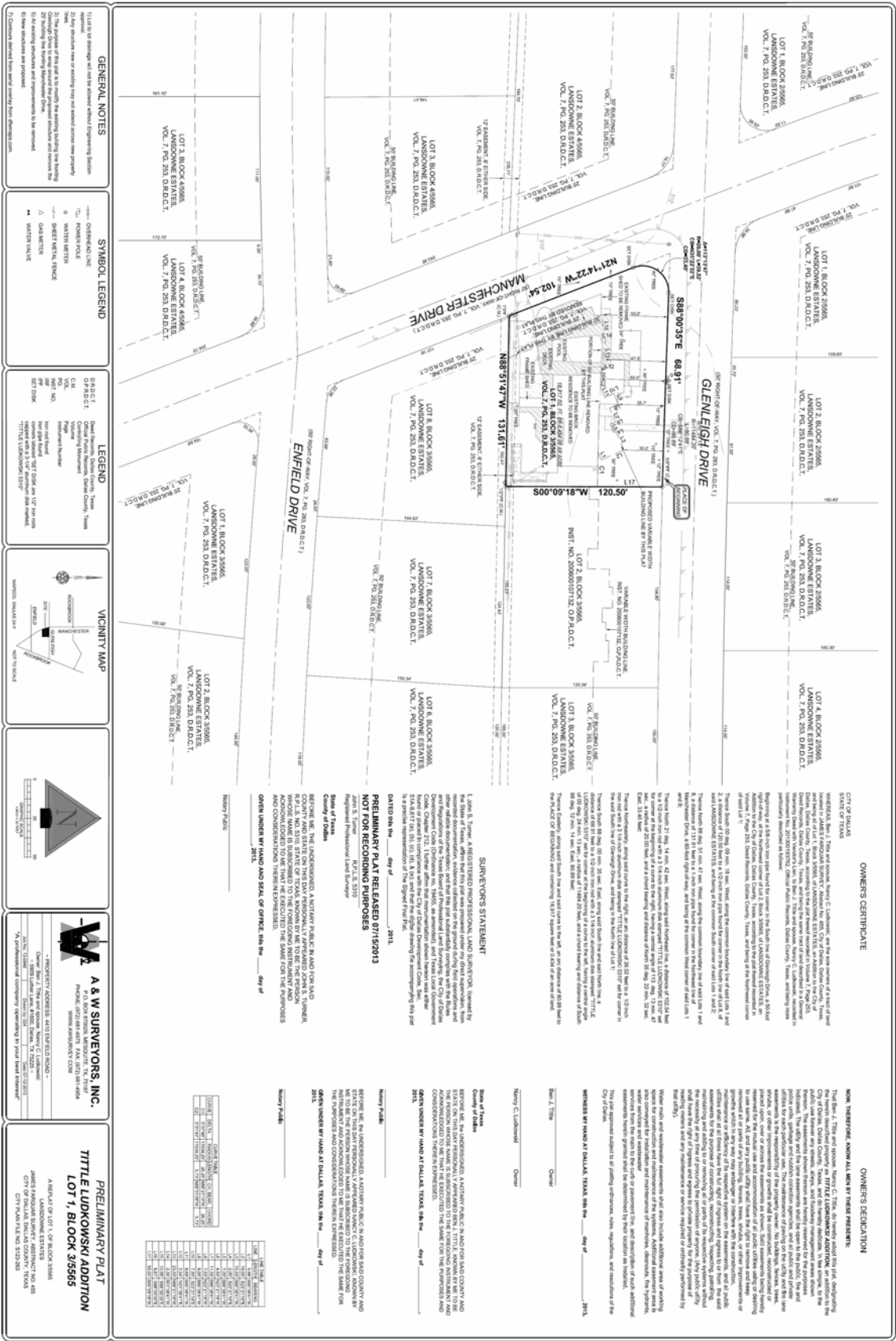
Notification List of Property Owners

S123-263

16 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4410 GLENLEIGH DR	SHAW MARY ANN
2	4319 GLENLEIGH DR	JACOBS ANDREW F & KAREN C
3	4407 GLENLEIGH DR	FERRE DAVID J & ESTHER J
4	4415 GLENLEIGH DR	PICCAGLI LAWRENCE & STACY HAYMES PICCAGLI
5	4427 GLENLEIGH DR	DAVIS STEVEN B & LAUREN A
6	4507 GLENLEIGH DR	HL FAMILY PROPERTIES LLC SUITE 500
7	4510 GLENLEIGH DR	BOND JAMES H JR
8	4427 ENFIELD DR	HARTNETT MELINDA & CHRIS ELLIS
9	4415 ENFIELD DR	DISKEY TRUST THE
10	4407 ENFIELD DR	METHE RICHARD E & KIM E
11	4322 GLENLEIGH DR	MCFARLAND JOHN S JR & REGINA B
12	4327 ENFIELD DR	OLIVER TIM & NANCY OLIVER
13	4319 ENFIELD DR	PHILIPSON JULIE
14	9191 MANCHESTER DR	BRANDT DOROTHY
15	4410 ENFIELD DR	READY RANDY M SR & TRACY L
16	4424 GLENLEIGH DR	EAZOR JOSEPH F & DEANNE E EAZOR

Tuesday, September 17, 2013



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

DOWNTOWN DISTRICT

CASE NUMBER: 1308131034

FILED: August 12, 2013

LOCATION: 1717 McKinney Avenue, East elevation

SIZE OF REQUEST: 72 sq. ft.

COUNCIL DISTRICT: 14

ZONING: PD 193 (PDS 24)

MAPSCO: 45-K

APPLICANT: Kenner Phiffer

CONTRACTOR: A Good Electrician

OWNER/TENANT: Regions Bank

REQUEST: An application for one (1) 72 sq. ft. attached sign.

SUMMARY: The request is to install a new attached sign that reads, "Regions" on McKinney Avenue, east elevation.

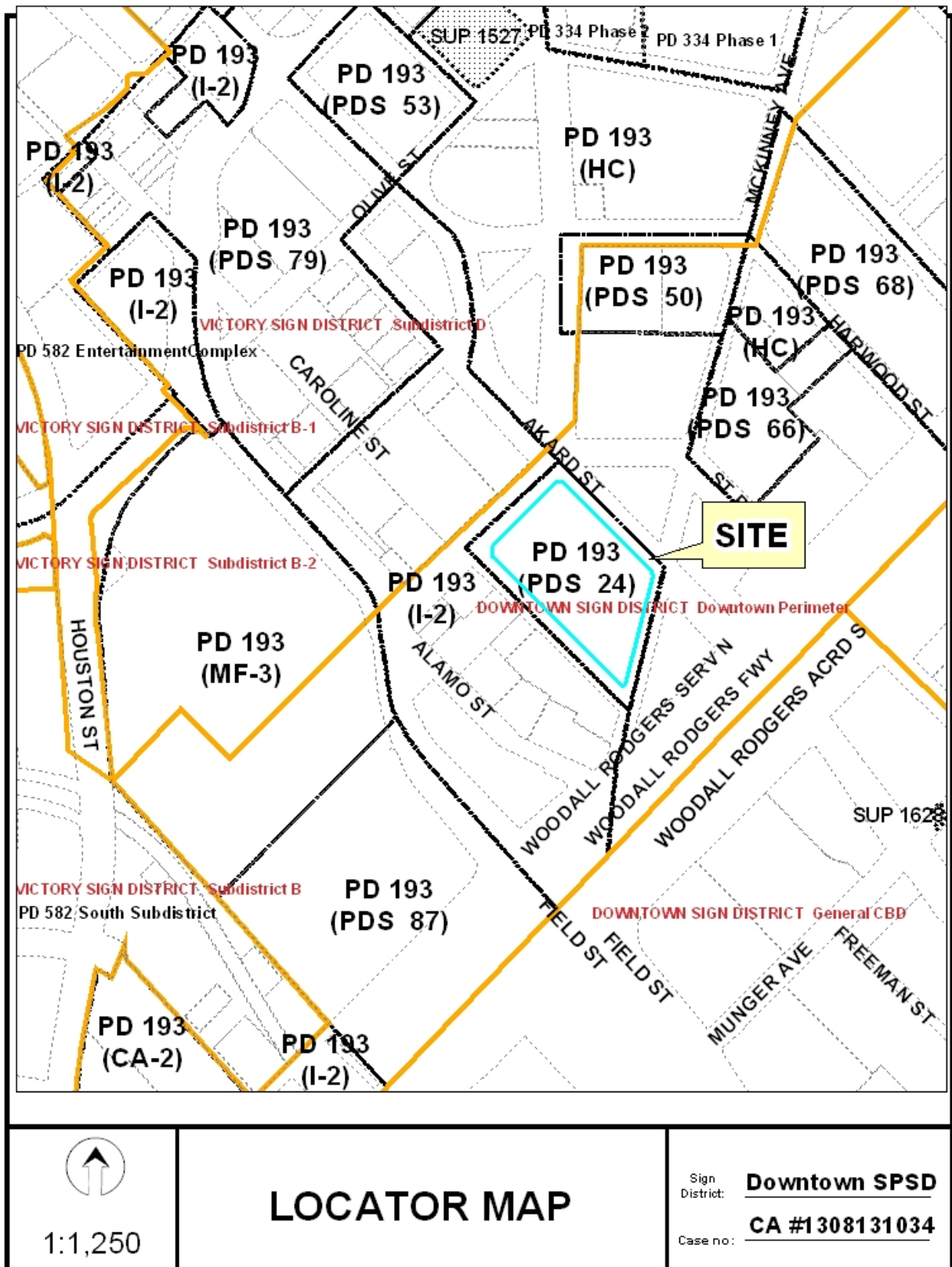
STAFF RECOMMENDATION: Approval.

SSDAC RECOMMENDATION: Approval.

BACKGROUND:

- The existing building is located in the Downtown SPSP (Downtown Perimeter).
- The applicant proposes to construct a new 3' X 6" by 20' 1.5" sign (72 sq. ft.) sign that will read "*Regions*" on McKinney Avenue, east elevation, at the 6th floor level of the parking garage. It will be illuminated with LED remote channel letters.
- The Special Sign District Advisory Committee (SSDAC) approved this request on September 10, 2013.
- Construction of the attached sign is in accordance with SPSP regulations and meets the requirements of the Dallas City Code per **SEC. 51A-7.305. ATTACHED SIGNS**. Attached signs are permitted in business areas in accordance with the following provisions:
 - (b) All signs and their words shall be mounted parallel to the building surface to which they are attached, and shall project no more than 18 inches from that surface except as provided in Subsection (e) below.
 - (c) On the primary facade, the combined effective area of all attached signs may not exceed 25 percent of the total area of the primary facade. On each secondary facade, the combined effective area of all attached signs may not exceed 15 percent of the total area of that secondary facade. As applied to a building with multiple occupants, the facade area of each use with a separate certificate of occupancy shall be treated as a separate facade. On any building facade, there may be a maximum of eight words which contain any character of a height equal to or exceeding four inches and pertain to any premise or any non-residential occupancy. Words consisting of characters less than four inches high may be used without limit.
 - (d) 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.

- (e) Attached signs may project more than 18 inches from vertical building planes as follows:
 - (1) Any premise or any non-residential occupancy may erect not more than one attached sign projecting up to a maximum of four feet from a vertical building plane, but not above the roof, provided that the premise or occupancy maintains no detached sign on the premise, and that the sign does not exceed 20 square feet in effective area, and that no part of the sign descends closer to grade than 10 feet, nor projects into or over any public right-of-way;
 - (2) On any premise or non-residential occupancy, a sign may be erected at the eaves or edge of the roof or on a parapet or edge of a canopy; provided, that the sign is parallel to the vertical building plane, and does not project more than four feet above the surface to which it is attached.
 - (3) Any premise or non-residential occupancy may erect one attached sign projecting up to a maximum of four feet from a vertical building plane if:
 - (A) the sign does not exceed 60 square feet in effective area;
 - (B) no single face of a three-dimensional sign exceeds 60 square feet;
 - (C) the attached sign is not above the highest point of a facade;
 - (D) no part of the sign descends closer to grade than 10 feet;
 - (E) the sign does not project into or over any public right-of-way; and
 - (F) the contents of the sign are limited to a registered trademark or logo that contains no word or character.



Date: August 16, 2013



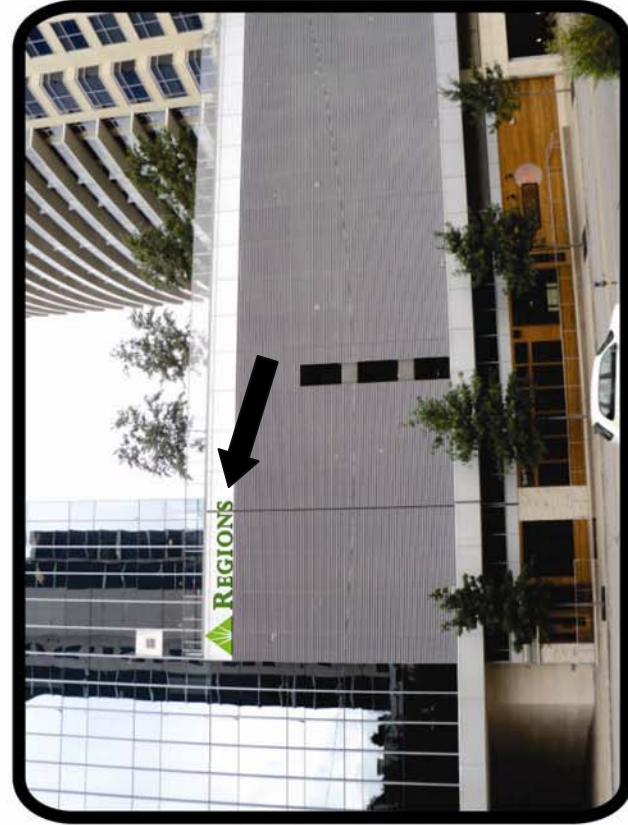
1:1,250

AERIAL MAP

Sign District: **Downtown SPD**
Case no: **CA #1308131034**

Date: August 16, 2013

Sign 2



20'-1 1/2"

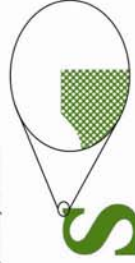



72.15 Square Feet



Manufacture and install (1) set of channel letters, internally illuminated.

PERFORATION DETAIL



 COAST SIGN INCORPORATED 15600 W. LBJ Fwy, Suite 1000, Dallas, TX 75242 (214) 350-9144 Fax: (214) 350-5447		Date: 02/28/13 Scale: Drawn: T. Coboon Sales:	Project Name: Regions Bank, Dallas Address: 1717 McKinney Ave. City / State: Dallas, TX Client Approval:	This is an original unpublished drawing created by Coast Sign, Inc. It is submitted for your personal use in conjunction with Sign, Inc. And shall not be reproduced, used, by or disclosed to any firm or corporation for any purpose whatsoever without written permission.	No. Designer Date 1 T. Coboon 02/28/13 2 3 4 5 6	Revision Notes 1. Change color to BATHFINGER for more information.	DESIGN DRAWING 2 of 8 Request Number: DEV-REGN-00013-R7 File Location: W:\Regions\ArtDrawings\DEV-REGN-00013
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**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR
A SIGN IN A SPECIAL PROVISION SIGN DISTRICT (SPSD)**

DOWNTOWN DISTRICT

CASE NUMBER: 1308131037

FILED: August 12, 2013

LOCATION: 1717 McKinney Avenue, West elevation **SIZE OF REQUEST:** 320 sq. ft.

COUNCIL DISTRICT: 14

ZONING: PD 193 (PDS 24)

MAPSCO: 45-K

APPLICANT: Kenner Phiffer

CONTRACTOR: A Good Electrician

OWNER/TENANT: Regions Bank

REQUEST: An application for one (1) 320 sq. ft. attached sign.

SUMMARY: The application is to install a new attached sign that reads, "Regions" on Caroline Avenue, west elevation.

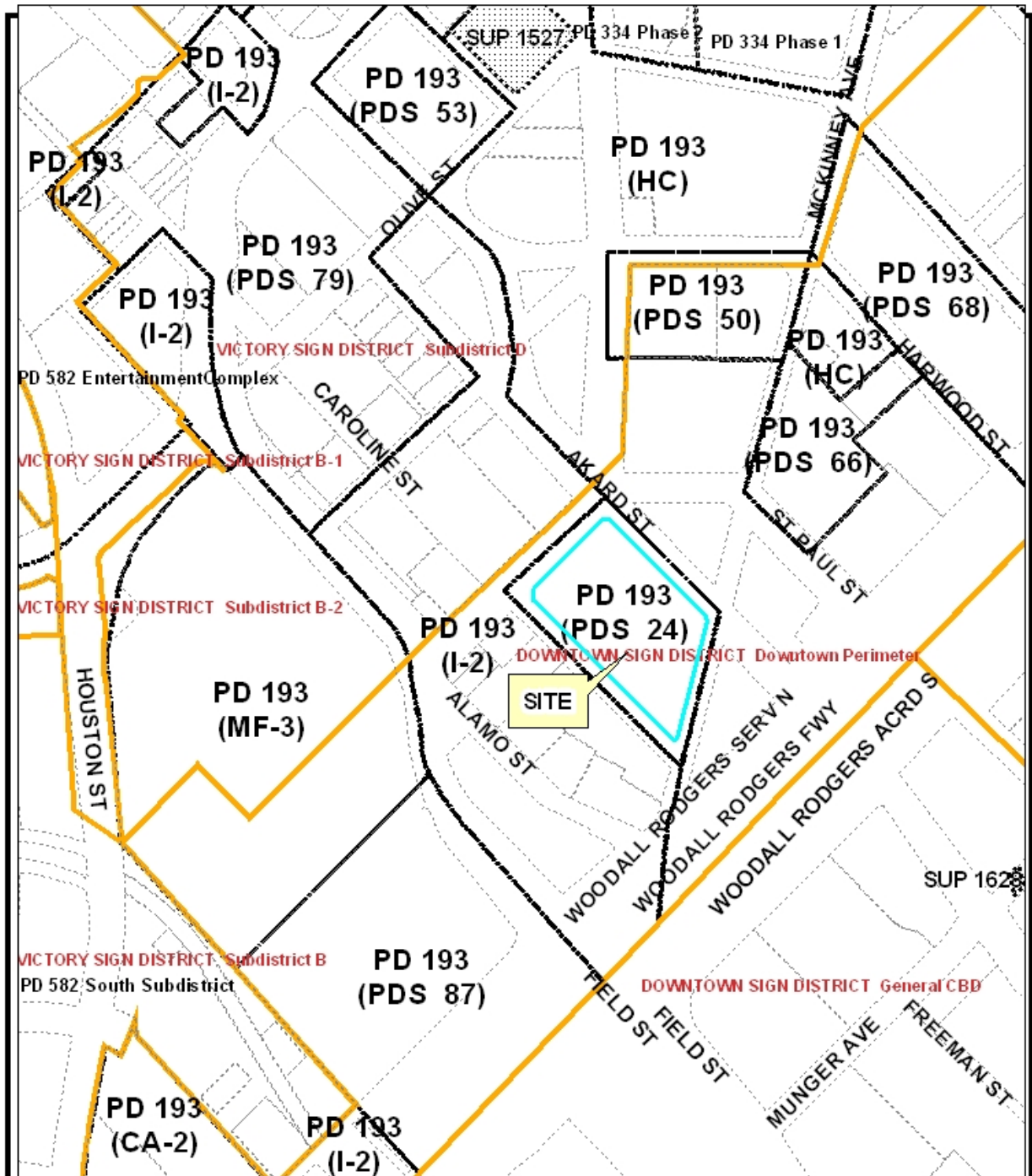
STAFF RECOMMENDATION: Approval.

SSDAC RECOMMENDATION: Approval.

BACKGROUND:

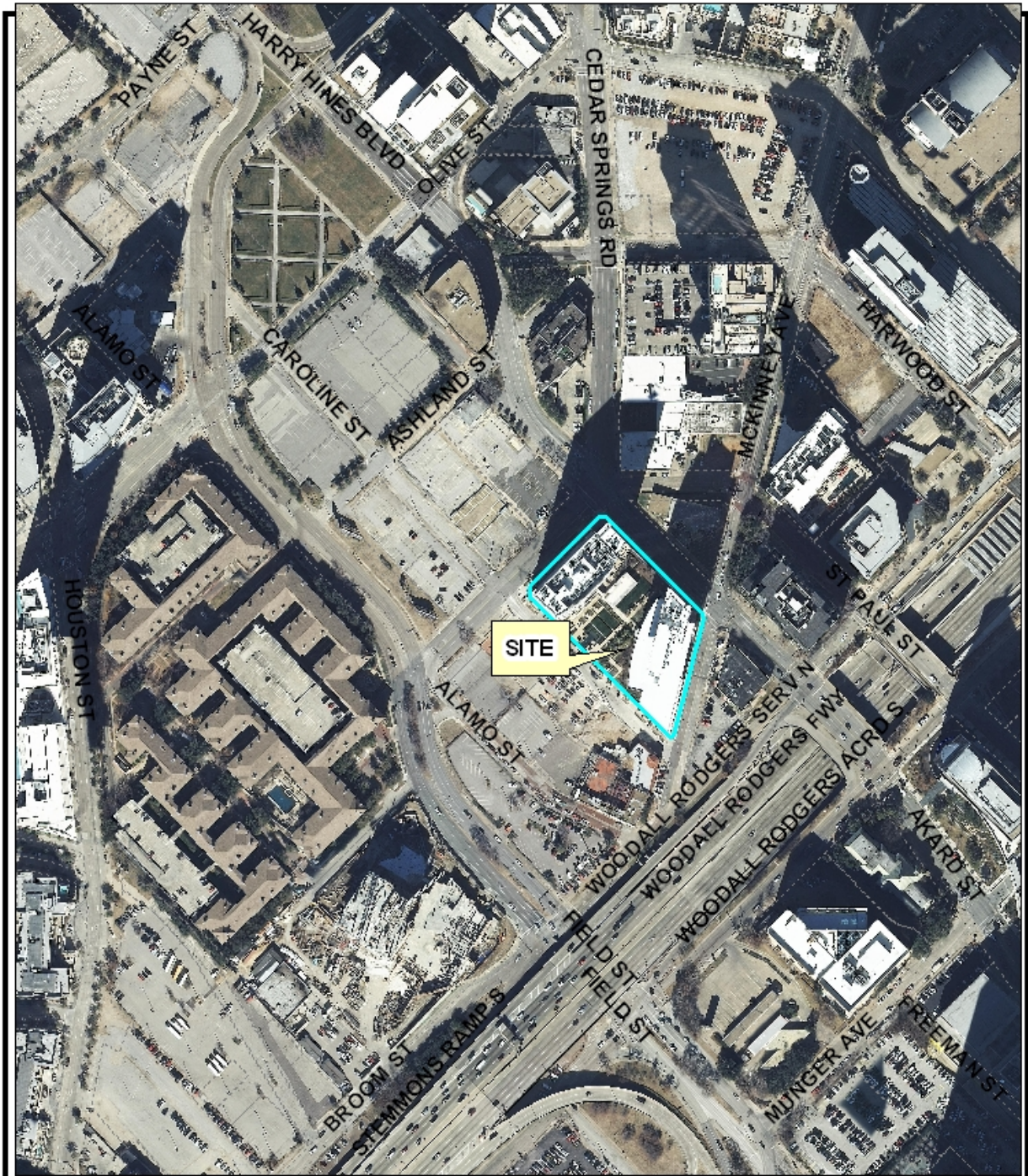
- The existing building is located in the Downtown SPSP (Downtown Perimeter subdistrict).
- The applicant proposes to construct a new 6' X 4" by 50' (320 sq. ft.) sign that will read "*Regions*" on the west elevation facing Caroline Avenue @ McKinney Avenue; upper level of the building. It will be illuminated with LED remote channel letters.
- The Special Sign District Advisory Committee (SSDAC) approved this request on September 10, 2013.
- Construction of the attached sign is in accordance with SPSP regulations and meets the requirements of the Dallas City Code per **SEC. 51A-7.305. ATTACHED SIGNS**. Attached signs are permitted in business areas in accordance with the following provisions:
 - (b) All signs and their words shall be mounted parallel to the building surface to which they are attached, and shall project no more than 18 inches from that surface except as provided in Subsection (e) below.
 - (c) On the primary facade, the combined effective area of all attached signs may not exceed 25 percent of the total area of the primary facade. On each secondary facade, the combined effective area of all attached signs may not exceed 15 percent of the total area of that secondary facade. As applied to a building with multiple occupants, the facade area of each use with a separate certificate of occupancy shall be treated as a separate facade. On any building facade, there may be a maximum of eight words which contain any character of a height equal to or exceeding four inches and pertain to any premise or any non-residential occupancy. Words consisting of characters less than four inches high may be used without limit.
 - (d) 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.

- (e) Attached signs may project more than 18 inches from vertical building planes as follows:
 - (1) Any premise or any non-residential occupancy may erect not more than one attached sign projecting up to a maximum of four feet from a vertical building plane, but not above the roof, provided that the premise or occupancy maintains no detached sign on the premise, and that the sign does not exceed 20 square feet in effective area, and that no part of the sign descends closer to grade than 10 feet, nor projects into or over any public right-of-way;
 - (2) On any premise or non-residential occupancy, a sign may be erected at the eaves or edge of the roof or on a parapet or edge of a canopy; provided, that the sign is parallel to the vertical building plane, and does not project more than four feet above the surface to which it is attached.
 - (3) Any premise or non-residential occupancy may erect one attached sign projecting up to a maximum of four feet from a vertical building plane if:
 - (A) the sign does not exceed 60 square feet in effective area;
 - (B) no single face of a three-dimensional sign exceeds 60 square feet;
 - (C) the attached sign is not above the highest point of a facade;
 - (D) no part of the sign descends closer to grade than 10 feet;
 - (E) the sign does not project into or over any public right-of-way; and the contents of the sign are limited to a registered trademark or logo that contains no word or character.



 1:1,250	<h1>LOCATOR MAP</h1>	Sign District: Downtown SPSD Case no: CA #1308131037
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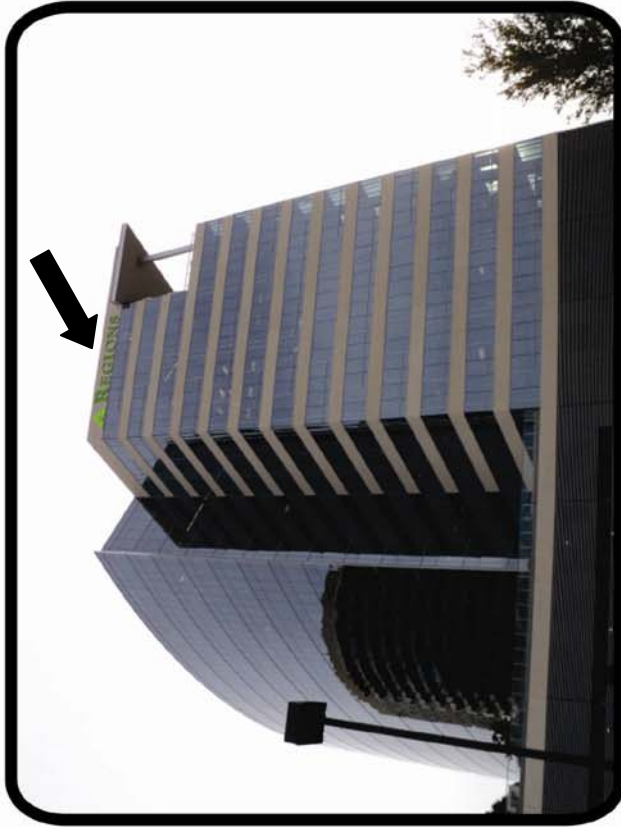
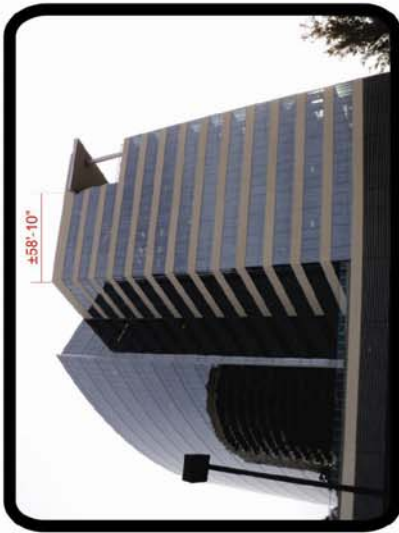
Date: August 16, 2013



 1:1,250	<h1>AERIAL MAP</h1>	Sign District: Downtown SPSD Case no: CA #1308131037
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Date: August 16, 2013

Sign 1

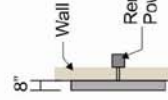


50'-0"



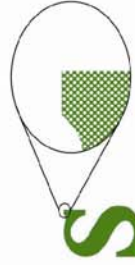
FRONT VIEW

316.67 Square Feet




SIDE VIEW

Manufacture and install (1) set of channel letters, internally illuminated.



PERFORATION DETAIL

 <p>COAST SIGN INCORPORATED 1500 West Endoway St., Anaheim, CA 92802 (714) 250-1144 (Fax: (714) 250-9340)</p>		Date: 6/26/13 Scale: Drawn: T. Cochran Sales:	Project Name: Regions Bank, Dallas Address: 1717 McKinney Ave. City / State: Dallas, TX Client Approval:	This is an express unpublished drawing created by Coast Sign, Inc. It is submitted for your personal use in conjunction with Sign, Inc. and shall not be reproduced, used by or disclosed to any firm or corporation for any purpose whatsoever without written permission.	No. Designer Date 1. T. Cochran 6/27/13 2. 3. 4. 5. 6. T. Cochran 6/28/13	Revision Notes 1. Please refer to DATE/ENDER for more information. 2. 3. 4. 5. Please refer to DATE/ENDER for more information.	DESIGN DRAWING 1 of 8 Request Number: DEV-REGN-00013-R7 File Location: W:\Regions\Art\Drawings\DEV\REGN-00013
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FILE NUMBER: Z123-106(MW)

DATE FILED: October 10, 2012

LOCATION: North corner of Lindsley Avenue and Graham Avenue

COUNCIL DISTRICT: 2

MAPSCO: 46-H

SIZE OF REQUEST: ±0.5847 acre

CENSUS TRACT: 24.00

REPRESENTATIVE: Parvez Malik

APPLICANT: Sai Regmi, Inc.
Deepesh Shrestha, President/Director
Surya Regmi, Secretary/Director

OWNER: Stanley Repp

REQUEST: An application for a new subdistrict and for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a retail food store on property zoned Subarea B within Planned Development District No. 134

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

STAFF RECOMMENDATION: Approval of a new subdistrict and approval of a specific use permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval of this renewal subject to the conditions based upon the following:

1. *Compatibility with surrounding uses and community facilities* – The existing retail food store is compatible with the surrounding land uses. The sale of alcoholic beverages in conjunction with the main use does not affect compatibility.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing retail food store, located within a nonresidential planned development district subarea, provides a service to the neighborhood and does not appear to negatively impact the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The existing retail food store complies with Chapter 12B (Convenience Store) requirements. The purpose of regulating convenience stores 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.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the proposed site plan, the request complies all applicable zoning regulations and standards.

BACKGROUND INFORMATION:

- The ±0.5874-acre request site is developed with a ±7,817-square foot building comprised of a ±3,016-square foot retail food store (a Chapter 51 use) and a ±4,801-square foot bakery.
- Pursuant to the conditions of the Planned Development District No. 134, approved by the Dallas City Council on January 27, 1982, the uses permitted in Subarea B are limited to the uses permitted in the GR-D General Retail District with a D Liquor Control Overlay. Therefore, a retail food store is permitted by right but the sale of alcoholic beverages is prohibited.
- The applicant proposes a new PDD Subdistrict which limits the uses to those permitted in the GR-D-1 General Retail District with a D-1 Liquor Control Overlay and requests approval of Specific Use Permit to allow the sale of alcoholic beverages at the existing retail food store.

Surrounding Zoning History:

There has been no recent zoning activity within the vicinity of the request site.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Graham Avenue	Collector	50 feet	Existing couplet
Lindsley Avenue	Collector	60 feet	60 feet

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.

Land Use:

	Zoning	Land Use
Site	PDD No. 134 Subarea B	Convenience store
Northeast	PDD No. 134 Subarea B	Auto-related use
Southeast	PDD No. 134 Subarea A	Single family
Southwest	PDD No. 134 Subarea A	Single family
Northwest	PDD No. 134 Subarea A	Undeveloped

STAFF ANALYSIS:

Comprehensive Plan:

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

The Vision Illustration depicts the request site as within a *Residential Neighborhood Building 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 dominant 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.

In general, the applicant's request for Specific Use Permit for the sale of alcoholic beverages in conjunction with a retail food store is consistent with the following goal and policy of the Comprehensive Plan.

LAND USE ELEMENT

Goal 1.1: Promote desired development.

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

Goal 5.3: Establishing walk-to convenience

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

The existing retail food store is located at a key intersection within the neighborhood, which is generally a desired location from a nonresidential use. The sale of alcoholic beverages in conjunction with the main use does not directly affect the consistency.

Land Use Compatibility:

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.

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

Based on information provided by the Dallas Police Department (DPD), Neighborhood Police Unit, Southeast Patrol Division, the convenience store located at 5501 Lindsley Avenue is in DPD's system and passed inspection in February 2013. Therefore, the referenced convenience store complies with Chapter 12B (Convenience Store) requirements.

The applicant’s request, subject to the attached site plan and conditions, is consistent with the intent of the Dallas Development Code. The initial short time period will allow the request be reevaluated to ensure the sale of alcoholic beverage in conjunction with the main use is appropriate in this location and compatible with the surrounding uses.

Development Standards:

While the applicant does not propose any new construction or changes to the site, the development standards for the GR General District are provided below for reference.

District	Setbacks			Density/FAR	Height	Lot Coverage	Primary Uses
	Front	Side/	Rear				
GR General Retail	25'	0': SF 5': Duplex 10': MF 0': Other	0': SF 10': Duplex 15'/25': MF 0': Other	2:1 FAR	120'	60% Res 40% Nonres.	Retail and personal services

Parking:

Pursuant to the Chapter 51 of the Dallas Development Code, the off-street parking requirement for a retail food store and a bakery or confectionary shop is one (1) space per 200 square feet of floor area. Therefore, ±7,817.60-square foot building requires 39 off-street parking spaces, as depicted on the site plan.

Landscaping:

No new development is proposed. Therefore, no additional landscaping is required. Any new development on the property will require landscaping per Article X of the Dallas Development Code.

Police Report:

An online search of the Dallas Police Department’s offense incident reports for the period from September 20, 2012 to September 20, 2013 revealed no results:

**ARTICLE 134.
PD 134.**

SEC. 51P-134.101. LEGISLATIVE HISTORY.

PD 134 was established by Ordinance No. 17271, passed by the Dallas City Council on January 27, 1982. Ordinance No. 17271 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Ordinance No. 17271 was amended by Ordinance No. 17424, passed by the Dallas City Council on May 26, 1982; Ordinance No. 17704, passed by the Dallas City Council on February 16, 1983; Ordinance No. 18054, passed by the Dallas City Council on November 23, 1983; Ordinance No. 19745, passed by the Dallas City Council on October 28, 1987; Ordinance No. 21815, passed by the Dallas City Council on September 22, 1993; and Ordinance Nos. 23256 and 23257, passed by the Dallas City Council on September 10, 1997. Ordinance No. 21815 changed the zoning on a portion of the Property from PD 134 to a CR Community Retail District. Ordinance No. 23256 changed the zoning on a portion of the Property from PD 134 to a CS Commercial Service District.

SEC. 51P-134.102. PROPERTY LOCATION AND SIZE.

PD 134 is established on property generally bounded by G.C. & S.F. Railroad, Cristler Avenue, East Grand Avenue, Philip Avenue, Fairview Avenue, Gurley Avenue, East R.L. Thornton Freeway, and Carroll Avenue. The size of PD 134 is approximately 314.2393 acres.

SEC. 51P-134.103. 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.

SEC. 51P-134.103.1. CREATION OF SUBAREA.

This district is divided into Subareas A, A-1, B, **B-1**, and C, as shown on the subarea map (Exhibit 134C).

SEC. 51P-134.103.2. EXHIBITS.

(a) The following exhibits are incorporated into this article:

- (1) Exhibit 134A: land use map.
- (2) Exhibit 134B: development plan for Subarea A-1.
- (3) Exhibit 134C: subarea map.

SEC. 51P-134.103.3. DEVELOPMENT PLAN.

(a) For Subarea A-1, development and use of the Property must comply with the development plan (Exhibit 134B). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For Subareas A, B, **B-1**, and C, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

SEC. 51P-134.104. LAND USE MAP.

A map defining existing land uses within the boundaries of this PD is labeled Exhibit 134A.

SEC. 51P-134.105. USES.

(a) In general.

(1) Uses in Subarea A are limited to single-family detached and duplex dwellings, and other uses as permitted in the R-7.5 Single-Family District except as provided in Subsection (b).

(2) Uses in Subarea B are limited to all uses permitted in the GR-D General Retail- Dry District. Residential uses are limited to the uses permitted in Paragraph (1).

(3) Non-residential uses in Subarea B-1 are limited to all uses permitted in the GR-D-1 General Retail District with a D-1 Liquor Control Overlay. Residential uses are limited to the uses permitted in Paragraph (1).

(4) Uses in Subarea C are limited to all uses permitted in the NS Neighborhood Service District. Residential uses are limited to the uses permitted in Paragraph (1).

(5) Except as provided in this paragraph, uses in Subarea A-1 are limited to single-family detached and duplex dwellings, and other uses as permitted in the R-7.5 Single- Family District except as provided in Subsection (b). The surface parking use shown on the development plan is only permitted in conjunction with the institutional use located in Subarea A on part of Lot 1 and all of Lot 2 in City Block 19/1613.

(b) Nonconformity and other use regulations.

(1) All existing uses, as shown on the land use map, and structures within this PD are legal conforming uses and structures under this article. With the exception of Lot 7 in City Block 6/1614 at 1110 Mt. Auburn Avenue, which may

contain a duplex dwelling unit, no residentially developed lot in this PD may contain more dwelling units than the number indicated on the land use map. Any structure now being used as a single-family dwelling which was originally built as a duplex or which has been used as a duplex at any time may be converted back to a duplex.

(2) Nonresidential uses, which were existing as of July 1, 1981, and not identified on the land use map, that are conducted on the same lot with a residential use will be considered as legal conforming uses, so long as the nonresidential use is conducted by an occupant of the residence and the scale of operation of such use is not enlarged in any way. No advertisement, sign, or display is permitted on the premises. The use may not generate loud and raucous noise that renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort.

(3) All signs must comply with the provisions of Article VII.

(4) All uses in Tract 1-B that sell or serve alcoholic beverages or setups for alcoholic beverages for consumption on or off the premises on January 27, 1982, will be considered as legal nonconforming uses.

(c) Lots in Subarea A. Any lot in Subarea A on which a nonresidential structure has been officially condemned by the city or has been intentionally removed or demolished may be redeveloped with the use and structure standards (including off-street parking provided) existing on the lot on January 27, 1982, or with the residential standards defined in Section 51P-134.106.

(d) Application of Section 51P-134.106(a). The development standards defined in Section 51P-134.106(a) apply to the following uses:

(1) All lots in Subarea A that are vacant on January 27, 1982.

(2) Any residential structure in the PD that is to be enlarged as long as the number of dwelling units does not increase.

(3) Any lot in Subareas B or C that are to be developed or redeveloped with a residential use. (Ord. Nos. 17271; 17424; 17704; 25508; 26102; 28462)

SEC. 51P-134.106. DEVELOPMENT STANDARDS.

(a) The following development standards apply to single-family detached and duplex dwellings.

(1) Minimum lot area per structure is 7,250 square feet.

(2) Minimum front yard setback for all lots is 10 feet beginning from the front property line. Except in Subarea A-1, any setbacks on interior lots are the same as, or between, the setbacks of the closest adjacent structures. Except in Subarea A-1,

any structure to be located on a vacant corner lot must conform to a setback that is within five percent of the setback of the closest adjacent structure within the same block.

(3) Minimum lot width is 50 feet.

(4) Standards for development must be in accordance with all other provisions of the R -7.5 Single-Family District.

(b) The following development standards apply in Subarea A-1:

(1) Light fixtures including base, pole, and fixture may not exceed eight feet in height. All lighting must be directed downward and away from residential uses.

(2) Off-street parking must comply with the development plan.

(3) The off-street parking spaces shown on the development plan may only be used by the institutional use located in Subarea A on part of Lot 1 and all of Lot 2 in City Block 19/1613.

(c) The following development standards apply in Subarea B.

(1) Maximum height is 24 feet.

(2) Standards for development must be in accordance with all other yard, lot, and space regulations of the GR-D General Retail-Dry District.

(d) The following development standards apply in Subarea B-1.

(1) Maximum height is 24 feet.

(2) Standards for development must be in accordance with all other yard, lot, and space regulations of the GR-D-1 General Retail District with a D-1 Liquor Control Overlay.

(d) The following development standards apply in Subarea C.

(1) Standards for development must be in accordance with all other provisions of the NS Neighborhood Service District Regulations.

SEC. 51P-134.107. GENERAL REQUIREMENTS.

(a) The filing fee and area of notification for any amendment to this PD must be based on the amount of land area involved in the proposed amendment in accordance with the fee schedule and area of notification established for zoning change requests under the heading "All Other Applications."

(b) The board of adjustment shall have the authority to hear appeals and grant variances from the terms of Ordinance No. 17271, as amended, in accordance with regulations and procedures specified in Section 51-3.102.

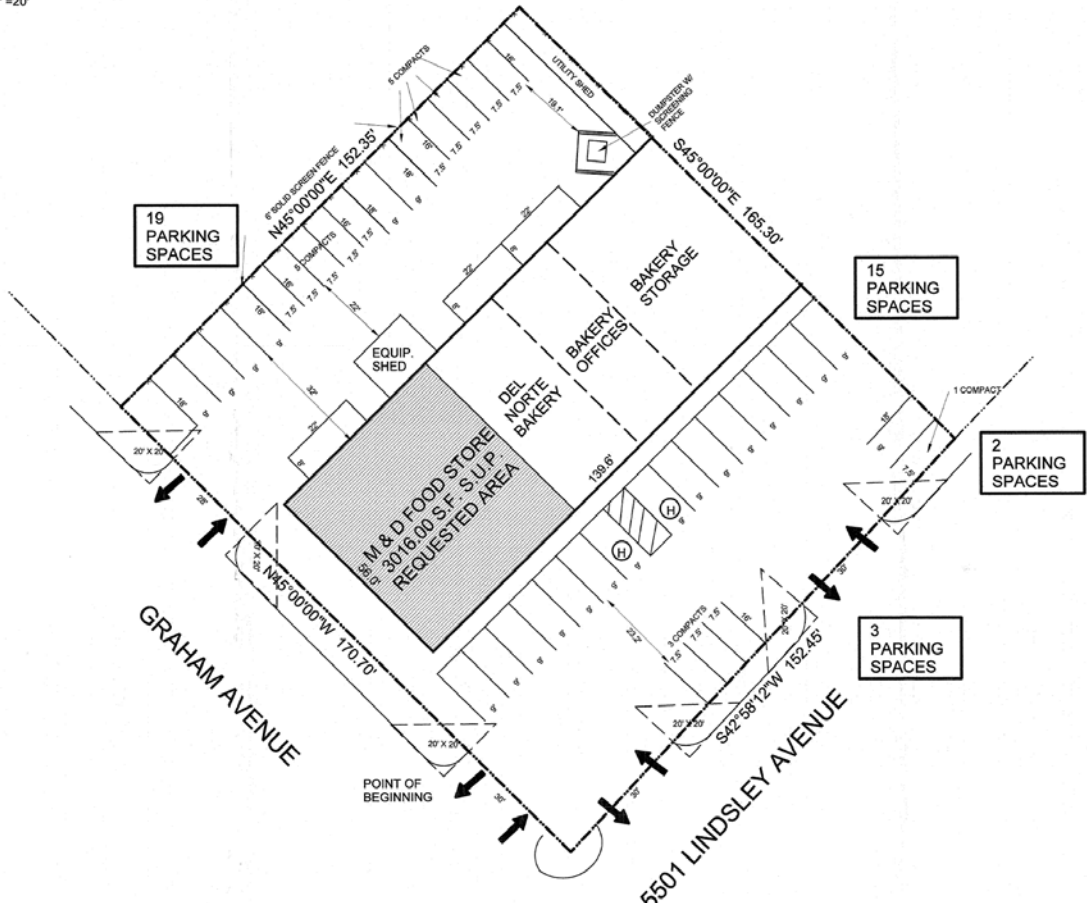
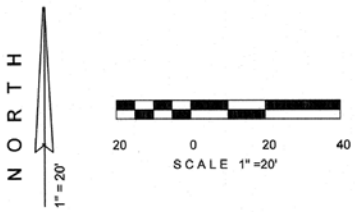
(c) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

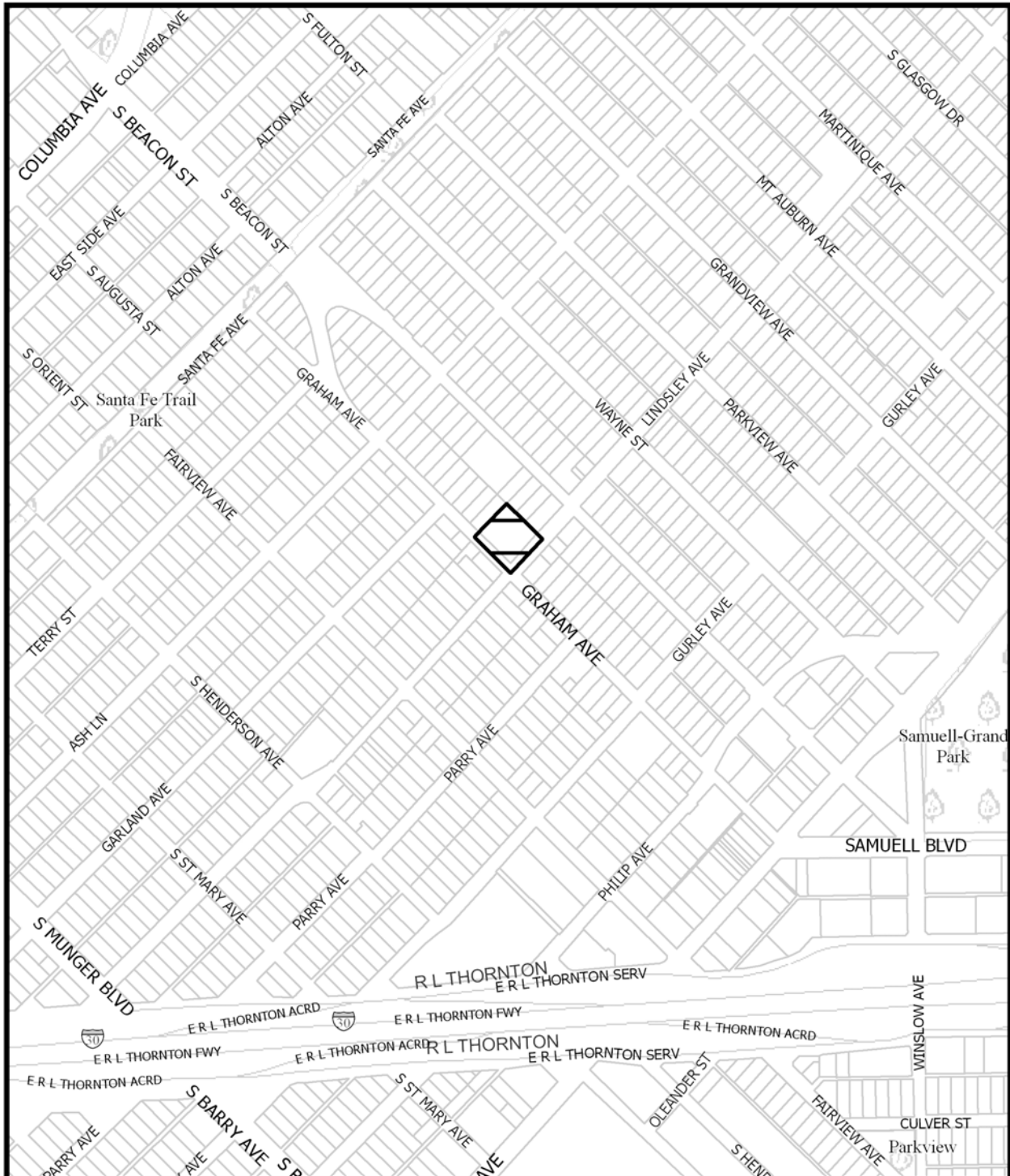
(d) The building official shall not issue a certificate of occupancy until there has been full compliance with this article together with all applicable provisions of the Dallas City Code, as amended. (Ord. Nos. 17271; 25508; 26102; 28462)


Proposed SUP Conditions

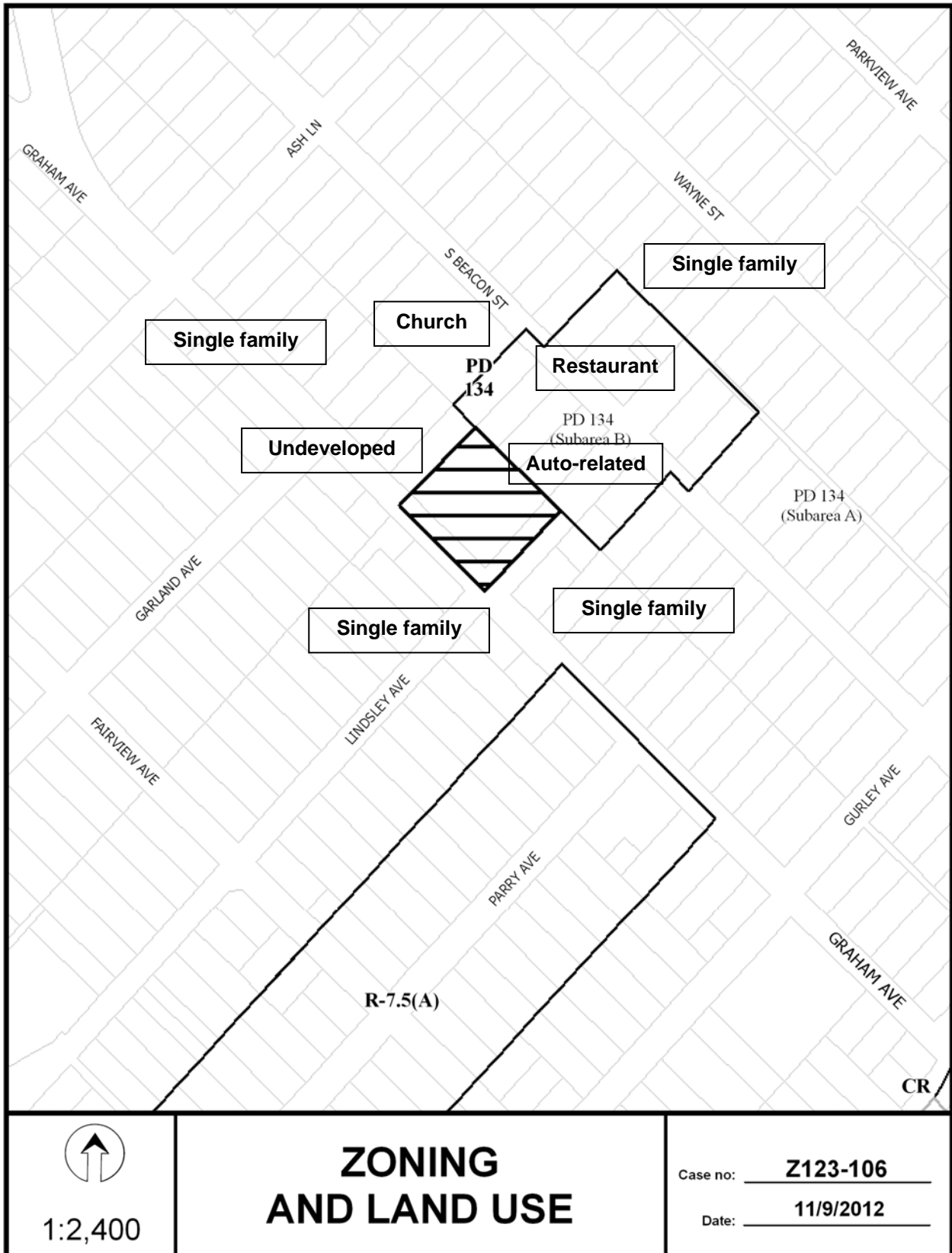
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a retail food store.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years), but is eligible 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.


Proposed Site Plan

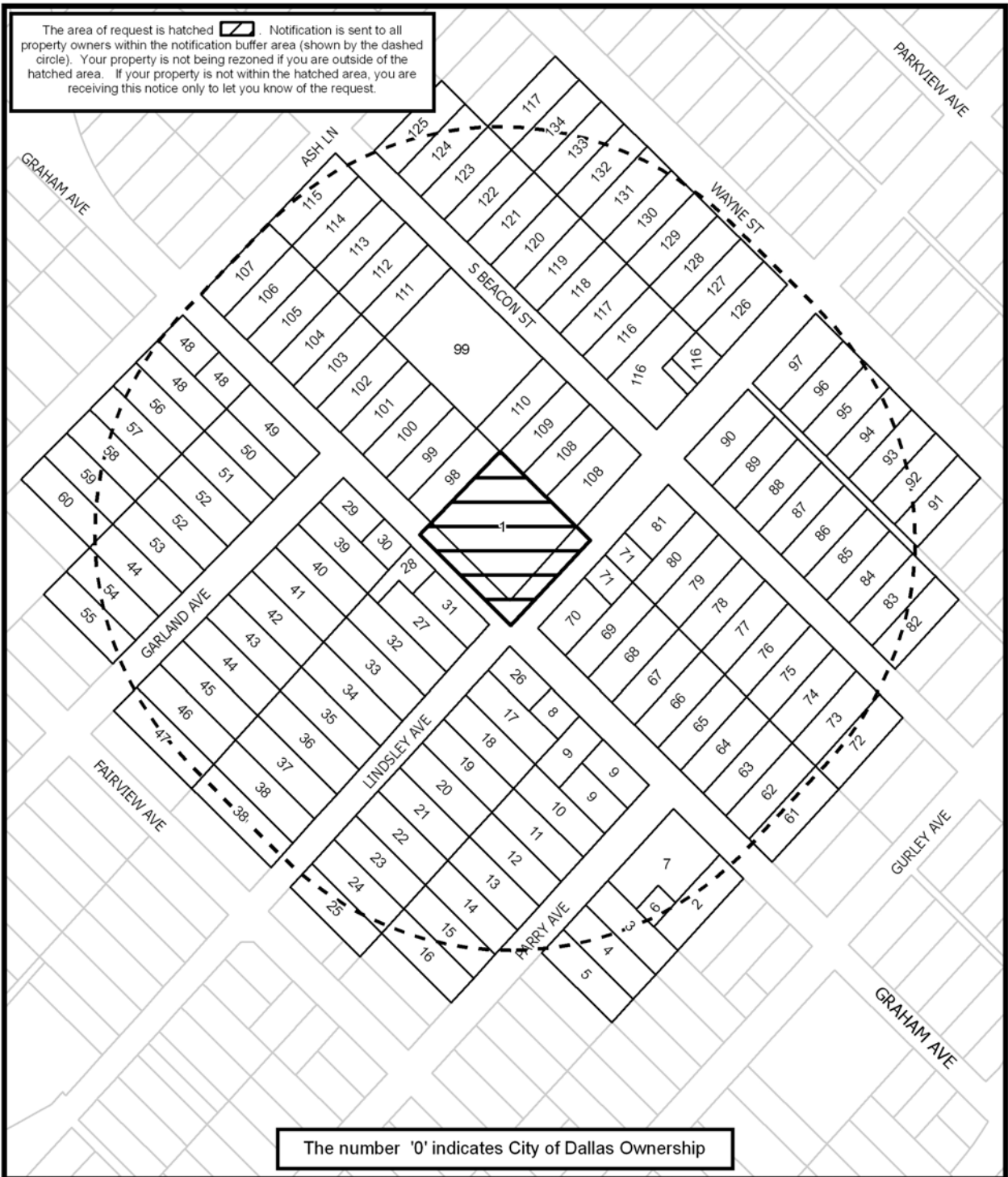




 1:6,000	<h2>VICINITY MAP</h2>	Case no: <u> Z123-106 </u> Date: <u> 11/9/2012 </u>
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The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.




1:2,400

NOTIFICATION

500' AREA OF NOTIFICATION
134 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z123-106**
Date: **11/9/2012**

11/9/2012

Notification List of Property Owners***Z123-106******134 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5501 LINDSLEY AVE	REPP STANLEY
2	909 GRAHAM AVE	REYES RIGOBERTO JULIAN & AMANDA D
3	5430 PARRY AVE	SABHARWAL PAWAN & GOPASANA PRASAD
4	5426 PARRY AVE	PATEL MAHENDRA R
5	5424 PARRY AVE	PLOTKIN MICHAEL SHARON
6	5434 PARRY AVE	CHAVEZ MARIA C
7	901 GRAHAM AVE	CHAVEZ RUFINO PICAZO
8	811 GRAHAM AVE	RODRIGUEZ RAMON
9	5439 PARRY AVE	GOSWAMI NITAI CHAND
10	5435 PARRY AVE	GILMORE CURTIS
11	5429 PARRY AVE	PASIC BIANCA & SASA PASIC
12	5425 PARRY AVE	VAN NUS STUART & LYNDY VAN NUS
13	5423 PARRY AVE	ROBINSON RONALD RAY ETAL
14	5419 PARRY AVE	ROBINSON RONALD R
15	5415 PARRY AVE	RAMIREZ MARIA G
16	5411 PARRY AVE	CARREON MARGARITO & TEOFILA
17	5438 LINDSLEY AVE	MURATALLA AGUSTIN
18	5432 LINDSLEY AVE	GURROLA BEATRIZ
19	5430 LINDSLEY AVE	MIRELES MARIA R
20	5426 LINDSLEY AVE	GUZMAN MIGUEL ANGLE
21	5420 LINDSLEY AVE	INTERRANTE JASPER A
22	5416 LINDSLEY AVE	GUTIERREZ DALILA &
23	5414 LINDSLEY AVE	LARA FRANCISCO JAVIER & ELSA
24	5410 LINDSLEY AVE	MARTINEZ SACRAMENTO & MARTINEZ
MARGARITA		
25	5406 LINDSLEY AVE	RIVERA DAVID C & JUANITA
26	5442 LINDSLEY AVE	GRANADO ELADIO JR

11/9/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5443 LINDSLEY AVE	HINOJOSA FERNANDO & NELLY
28	719 GRAHAM AVE	FAZ ANGEL
29	5442 GARLAND AVE	LIMON J ARNULFO
30	711 GRAHAM AVE	FERNANDEZ HECTOR &
31	5439 LINDSLEY AVE	SALAZAR RENE
32	5435 LINDSLEY AVE	GUERRERO ALICIA &
33	5431 LINDSLEY AVE	OVIEDO JOSE & MARIA
34	5427 LINDSLEY AVE	MUNOZ LUIS & MARIA
35	5423 LINDSLEY AVE	MONZON FELIPE
36	5417 LINDSLEY AVE	MENDOZA FELIPE VAZQUEZ
37	5415 LINDSLEY AVE	GONZALEZ ASCENCION & IGNACIA GONZALEZ
38	5411 LINDSLEY AVE	JBIII INVESTMENT INC
39	5436 GARLAND AVE	LIMON JOSE A
40	5434 GARLAND AVE	LIMON JOSE ANTONIO
41	5430 GARLAND AVE	LOPEZ MARIA
42	5428 GARLAND AVE	GOMEZ MARIA V & JACQUELYN N GOMEZ
43	5422 GARLAND AVE	HEED MATTIE LOUISE TR JOE R HEED FAM TST
44	5416 GARLAND AVE	ESQUIVEL MIGUEL S
45	5412 GARLAND AVE	FHIG LTD PS
46	5406 GARLAND AVE	ARANDA EDDIE A
47	5404 GARLAND AVE	FERNANDEZ RAFAEL
48	611 GRAHAM AVE	MATA RENE R
49	5443 GARLAND AVE	RANGEL EDNA MUNIZ
50	5437 GARLAND AVE	ZUNIGA GENARO & ELAINE
51	5433 GARLAND AVE	DELATORRE MARGARITA
52	5431 GARLAND AVE	NUNO EZEQUIEL
53	5419 GARLAND AVE	QUINTANILLA MARIA D
54	5415 GARLAND AVE	RAMIREZ ISIDRO & TOMASA
55	5409 GARLAND AVE	BERMUDEZ JOSE A
56	5432 ASH LN	ZAPATA JUAN
57	5430 ASH LN	CIGARROALOPEZ MANUEL

11/9/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	5426 ASH LN	CASTANEDA GREGORIO
59	5422 ASH LN	LARA SOFIA
60	5416 ASH LN	CAZARES ROBERTO & GLORIA
61	914 GRAHAM AVE	SAVHARWAL PAWAN
62	908 GRAHAM AVE	MORALES GREGORIO L & GRACIELA LOEREA
63	904 GRAHAM AVE	HENRY JASPER & JANICE
64	902 GRAHAM AVE	MARTINEZ RUBEN
65	822 GRAHAM AVE	HUGHES SHERRY L
66	818 GRAHAM AVE	RANGEL FATIMA & MANUEL
67	814 GRAHAM AVE	SOTERO SELSO SR
68	810 GRAHAM AVE	TILBURY JACK G
69	806 GRAHAM AVE	CORTEZ JAVIER R & YOLANDA
70	802 GRAHAM AVE	GERALDINE TAYLOR
71	5510 LINDSLEY AVE	SANDONE ANTHONY LYNN
72	913 BEACON ST	SANTANA JOSE LUIS & CASTA
73	911 BEACON ST	PHILLIPS DORIAN L & GOVINDAMMA PHILLIPS
74	907 BEACON ST	BANDA MARIO
75	903 BEACON ST	HERNANDEZ MARIO A
76	823 BEACON ST	HERNANDEZ MARIO
77	819 BEACON ST	MENDEZ JUAN F & MARTHA A
78	815 BEACON ST	PUENTE JUAN M & JULIA V
79	811 BEACON ST	EKMARK FRED & ETAL
80	805 BEACON ST	EKMARK FRED
81	803 BEACON ST	SANDONE ANTHONY L
82	910 BEACON ST	AVILES MARIA H
83	904 BEACON ST	MARES NATALIE C
84	902 BEACON ST	JUAREZ FLORENCIO
85	820 BEACON ST	AVILES TONY R JR & MARIA H
86	816 BEACON ST	PALOMO MARTIN & LAURA V
87	814 BEACON ST	SPOTWOOD TIMOTHY ANDREW
88	810 BEACON ST	TORRES GERARDO & MARIA ISELA

11/9/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	806 BEACON ST	BEACON CORNER LLC BOX 101-306
90	800 BEACON ST	BEACON CORNER LLC
91	903 WAYNE ST	ZAVALASOLIS JOANN
92	821 WAYNE ST	IYENGAR DWARAKA R & CHITRA
93	817 WAYNE ST	NEIGHBORS DANIEL
94	815 WAYNE ST	AVILA ALFONSO E & LEONILA C AVILA
95	811 WAYNE ST	PEREZ FILIPE RANGEL & MARIA
96	805 WAYNE ST	HURTADO EMILIANO & FAVIOLA HURTADO
97	803 WAYNE ST	CAMEL SPENDTHRIFT TRUST %CAREY E MOORE
98	710 GRAHAM AVE	LONGEVITY INC
99	704 GRAHAM AVE	TEXAS DISTRICT OF THE WESLEYAN CHURCH IN
100	702 GRAHAM AVE	WALTHER DAVID E & DEBORAH SUE
101	624 GRAHAM AVE	TITTLE JUNEANN S % JAYE TITTLE
102	620 GRAHAM AVE	TORRES JOSE ALFREDO &
103	616 GRAHAM AVE	MEZA ROBERTO S
104	612 GRAHAM AVE	CERVANTES HECTOR
105	608 GRAHAM AVE	CAMPER E J ET AL % JAMES CAMPER
106	606 GRAHAM AVE	RODRIGUEZ JESUS & DEANNA MARIE
107	600 GRAHAM AVE	HINOJOSA FERNANDO
108	721 BEACON ST	LINDSLEY CORNER LLC
109	713 BEACON ST	RIVERA PAULA
110	709 BEACON ST	SUSTAITA RALPH GOMEZ
111	617 BEACON ST	PETTIT CRAIG A
112	615 BEACON ST	MOXLEY MYAIDA M EST OF
113	611 BEACON ST	CODA PROPERTIES LP
114	605 BEACON ST	EMANUEL PENTECOSTAL CHURCH
115	601 BEACON ST	EMANUEL PENTECOSTAL CH
116	5611 LINDSLEY AVE	NGUYEN MICHAEL & HA
117	710 BEACON ST	PBTG LTD PS
118	704 BEACON ST	MENDOZA CONRADO & GLORIA MENDOZA
119	700 BEACON ST	FRIAS JOSE R & JANIE V

Z123-106 (MW)

11/9/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	624 BEACON ST	RUIZ CAROL
121	620 BEACON ST	CASTILLO MANUEL
122	616 BEACON ST	OLVERA RENE & ESTHER
123	614 BEACON ST	FAZ ESTELA & AVELINO FAZ
124	610 BEACON ST	ESTRADA FELIX
125	604 BEACON ST	MUNOZ JORGE & ALEJANDRINA
126	721 WAYNE ST	RUBIO MOISES & ANGELICA
127	717 WAYNE ST	COLLAZO FELIPE & MARIA
128	713 WAYNE ST	ISYA LTD PS
129	711 WAYNE ST	DIVOT LP
130	707 WAYNE ST	MENDOZA CONRADO & GLORIA
131	701 WAYNE ST	SALEH JOHAN GUNAWAN
132	625 WAYNE ST	CARRIZALES ROBERT
133	623 WAYNE ST	ALMARAZ DAVID SALDANA &
134	619 WAYNE ST	MURATALLA ALICIA & ANITA MURATALLA

FILE NUMBER: Z123-314(WE) **DATE FILED:** June 18, 2013

LOCATION: North side of Singleton Boulevard, east of Toronto Street

COUNCIL DISTRICT: 6 **MAPSCO:** 42-P

SIZE OF REQUEST: Approx. 7,393 sq. ft. **CENSUS TRACT:** 106.01

APPLICANT/ OWNER: Alejandro Valencia

REPRESENTATIVE: Alejandro Valencia

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

SUMMARY: The applicant proposes to develop a restaurant without drive-in or drive through service on the property.

STAFF RECOMMENDATION: Approval

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The type of uses that are permitted in the proposed NS Neighborhood Service District are more compatible, and are less intrusive than the adjacent CR Community Retail District uses. In addition, the proposed NS Neighborhood Service District is intended to serve adjacent residential uses.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable development and Constructions has determined that the request will not have a negative impact on the street system.
3. *Comprehensive Plan or Area Plan Conformance* – The forwardDallas! Comprehensive Plan shows that the request site is located in a transitional area in Industrial Building Block. However, the request site is located on the outer perimeter of a Residential Building Block.

BACKGROUND INFORMATION:

- In August, the applicant held a neighborhood meeting to discuss the proposed zoning change. As a result of the neighborhood meeting, the applicant and residents agreed to amend the original application request of a CR Community Retail District to an NS Neighborhood Service District.
- The applicant proposes to develop a 1,000 to 1,200 square foot restaurant without drive-in or drive through service on approximately 7,393 square feet of land.
- The request site is adjacent to an undeveloped tract (flood plain) of land to the north, and single family uses to the east. The request site is also contiguous to a general merchandise or food store in conjunction with a fueling store to the west. Properties south of the site, across Singleton Boulevard, consist of an undeveloped tract of land and single family uses.

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

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Singleton Boulevard	Principal Arterial	100 ft.	100 ft.

Land Use:

	Zoning	Land Use
Site	R-5(A)	Undeveloped
North	LI	Undeveloped/Flood Plain
South	R-5(A)	Undeveloped, Single family
East	R-5(A)	Single family
West	CR w/deed restrictions	General merchandise or food store

Comprehensive Plan: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request. The Plan identifies the request site as being in a transitional area of an Industrial building Area and Residential Building Block.

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

The Residential 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.

Area plan: The request site lies within the boundaries of the West Dallas Comprehensive Land Use Study, May 26, 1999, which recommends LI Light Industrial

District uses for properties in this general area. Properties immediately north of the request site as presently zoned for Light Industrial uses.

STAFF ANALYSIS:

Land Use Compatibility: The 7,393 square foot site is undeveloped and is adjacent to a variety of uses; single family to the east and a general merchandise or food store to the west. The applicant’s request to change the zoning from an R-5(A) Single Family District to an NS Neighborhood Service District will permit the development of a one-story restaurant without drive-in or drive through service that will not exceed 1,200 square feet of floor area.

In August 2013, the applicant facilitated a neighborhood meeting to discuss the zoning change. As a result of the meeting, both groups, the neighborhood group and the applicant, agreed that a NS Neighborhood Service District was more an appropriate zoning district as opposed to the applicant’s original request for a CR Community Retail District.

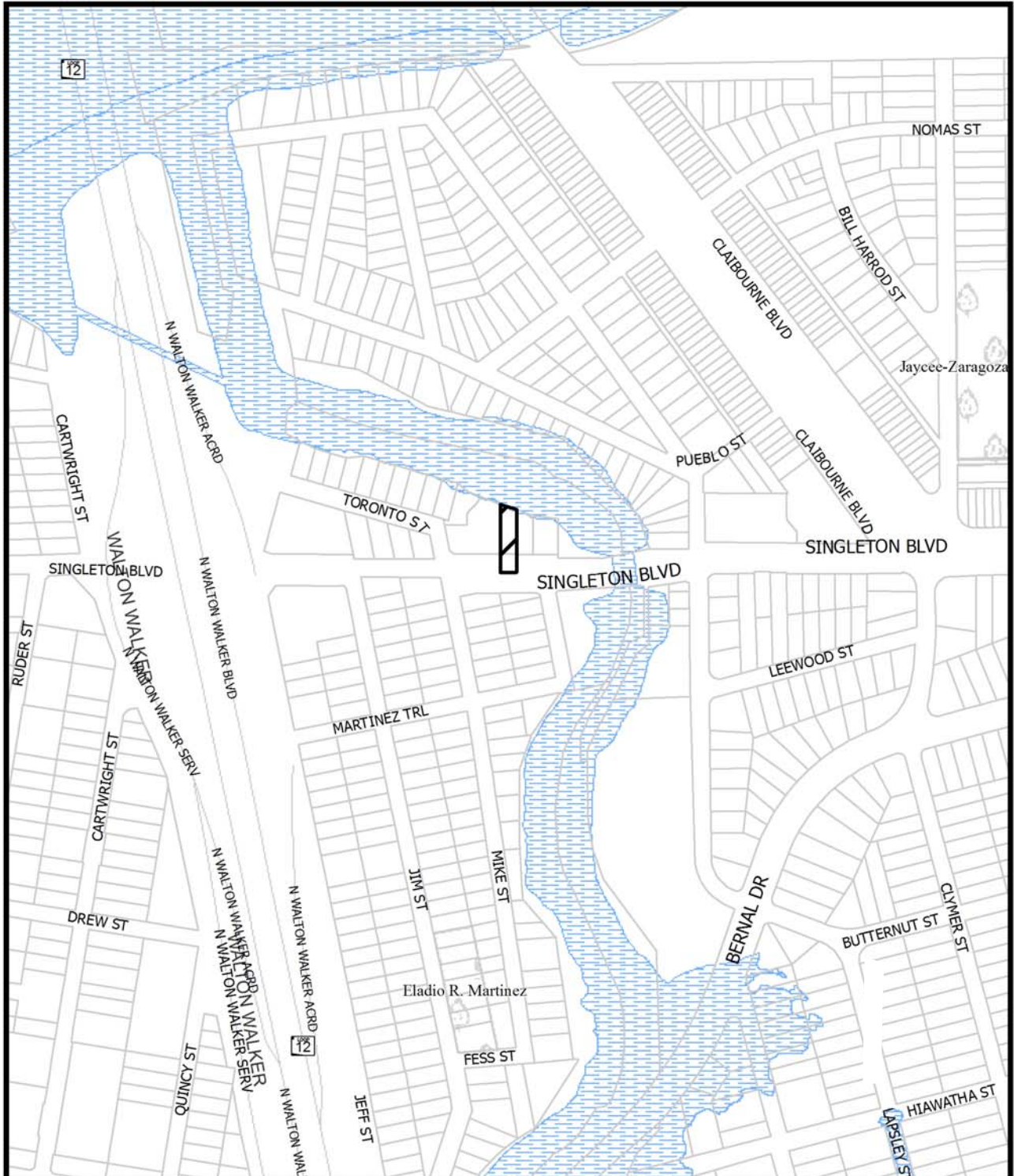
The NS Neighborhood Service District limits the retail and personal service uses that are permitted within the district. The NS Neighborhood Service District is intended to “accommodate convenience retail shopping, services and professional offices principally servicing and compatible in scale and intensity of use with adjacent residential uses.”

Staff’s recommendation is for approval of the applicant’s request.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-5(A) - existing Single Family	20'	5'	1 Dwelling Unit/ 5,000 sq. ft.	30'	45%		Single family
NS(A) - Proposed Neighborhood service	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	40%		Retail & personal service, office

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

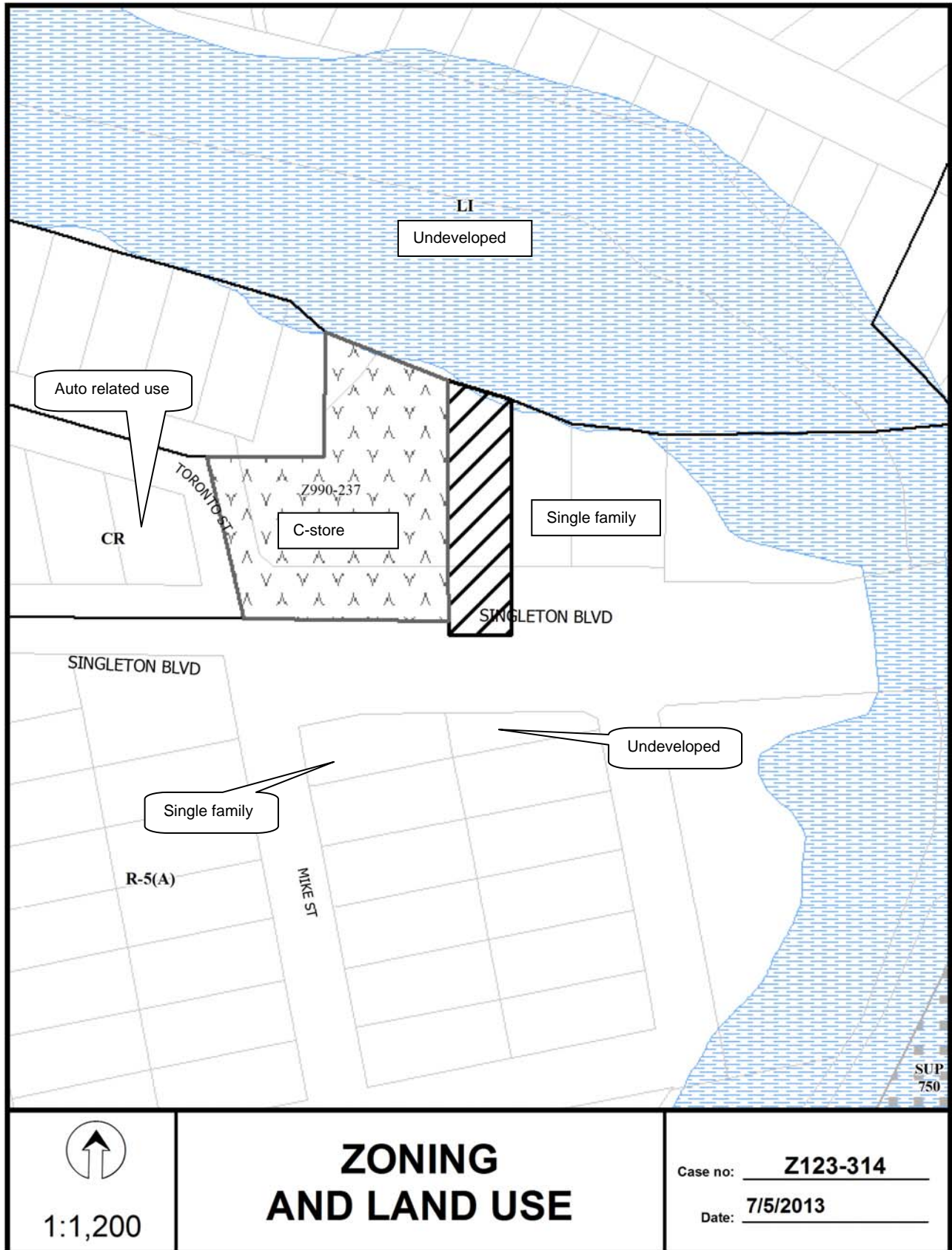


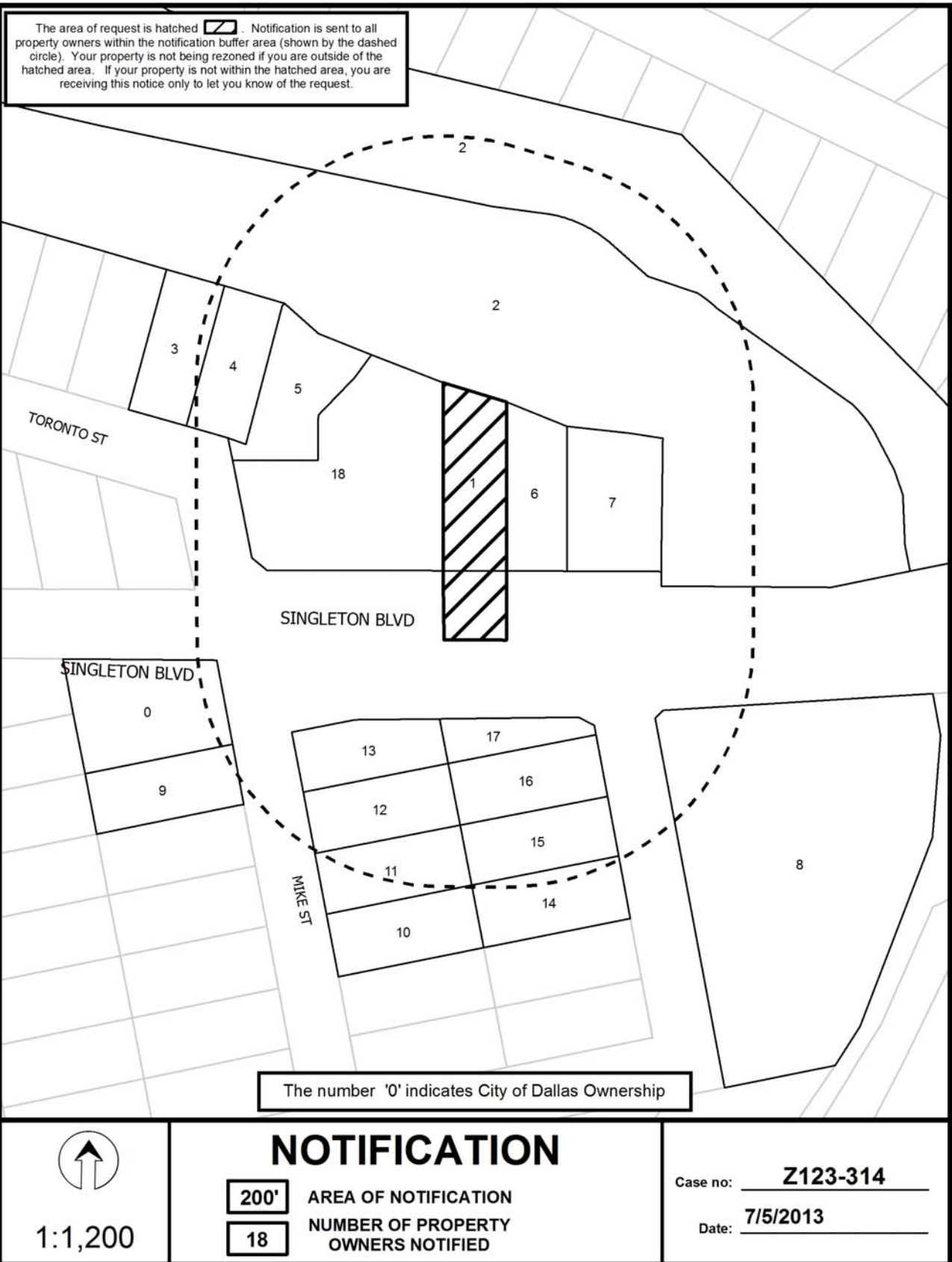
1:4,800

VICINITY MAP

Case no: Z123-314

Date: 7/5/2013





Notification List of Property Owners

Z123-148

305 *Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10640 STEPPINGTON DR	STEPPINGTON DALLAS INC 20TH FLOOR TX 492
2	10500 STEPPINGTON DR	06 QCC 0121 LLC SUITE 400
3	10501 CENTRAL EXPY	CHARTOWN NC GENERAL PS
4	10602 STONE CANYON RD	FATH VIEWPOINT LP STE 2300
5	7879 RIVERFALL DR	IRG RIVERFALL LLC % ILIAD REALTY GROUP
6	10641 STEPPINGTON DR	SEVILLE URBAN INVESTMENTS LLC
7	10501 STEPPINGTON DR	COLLCAIN LTD
8	10433 CENTRAL EXPY	CCP MEADOWCENT I LP STE 1500
9	10443 CENTRAL EXPY	CHAN NELSON S & BELLE H
10	10453 CENTRAL EXPY	MEADOW & CENTRAL LTD PS SUITE 500
11	10453 CENTRAL EXPY	PRESCOTT INTERESTS LTD STE 225
12	10550 CENTRAL EXPY	COMMODORE PARTNERS LTD
13	10455 CENTRAL EXPY	MEADOW & CENTRAL LTD PS
14	10670 CENTRAL EXPY	SEARCH PLAZA OFFICE LP STE 500
15	10650 CENTRAL EXPY	COMMODORE PTNRS LTD % CARL WESTCOTT
16	10720 CENTRAL EXPY	SK23 NORTH DALLAS LTD
17	10650 STEPPINGTON DR	GALVEZ CHARLES BLDG A UNIT 101
18	10650 STEPPINGTON DR	DUCHON MADELINE BLDG A UNIT 102
19	10650 STEPPINGTON DR	CABRIA MARIOLA M
20	10650 STEPPINGTON DR	TALIS PAMELA D &
21	10650 STEPPINGTON DR	SHELLENBERG DONALD P BLDG A UNIT 201
22	10650 STEPPINGTON DR	KAZIC EDIN & SAIDA KAZIC
23	10650 STEPPINGTON DR	MINIKES ALAN N
24	10650 STEPPINGTON DR	HERRON RODNEY GLEEN & HERRON JACQUELYN E
25	10650 STEPPINGTON DR	MOORE JACQUELINE P BLDG B UNIT 105
26	10650 STEPPINGTON DR	LONG MICHAEL A UNIT 106

3/7/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	10650 STEPPINGTON DR	BOSWELL YOLANDA ANN
28	10650 STEPPINGTON DR	NAIK JANDRERAI & MADHU # 108
29	10650 STEPPINGTON DR	NEWMAN KATHERINE
30	10650 STEPPINGTON DR	WRETA DAWIT BLDG B UNIT 206
31	10650 STEPPINGTON DR	REICHARDT WILLIAM
32	10650 STEPPINGTON DR	MALHI K S & MANJIT
33	10650 STEPPINGTON DR	NELSON VIRGINIA D #111
34	10650 STEPPINGTON DR	LEJEUNE AMANDA # 112
35	10650 STEPPINGTON DR	BURSTYN PEARCE L BLDG C UNIT 211
36	10650 STEPPINGTON DR	ZOU YONGLONG & WANG YUAN
37	10650 STEPPINGTON DR	MCCART TERRY D
38	10650 STEPPINGTON DR	ANDRADE MIRIAM C UNIT #115
39	10650 STEPPINGTON DR	BEHROOZI KAMRAN
40	10650 STEPPINGTON DR	CREIGHTON LARRY & CREIGHTON CAROL
41	10650 STEPPINGTON DR	SHACKELFORD LEWIS L III
42	10650 STEPPINGTON DR	ADCOCK SHIRLEY A #215
43	10650 STEPPINGTON DR	DARRAH JOHN S
44	10650 STEPPINGTON DR	BRASLAVSKY GEORGY & LILYA UNIT 217
45	10650 STEPPINGTON DR	PYSIAK GREGORY & EVA
46	10650 STEPPINGTON DR	BRUER HOMER L BLDG E UNIT 110
47	10650 STEPPINGTON DR	DAVIDSON ROBERT LAWRENCE &
48	10650 STEPPINGTON DR	SUTTERFIELD ODIS R TR & MARY J TR
49	10650 STEPPINGTON DR	RUBIO ROSA APT 120
50	10650 STEPPINGTON DR	LANGE NATALIE G UNIT 121
51	10650 STEPPINGTON DR	DELA PENA A & GABRIELA
52	10650 STEPPINGTON DR	VALENTINE CANDICE &
53	10650 STEPPINGTON DR	LONDON ALAN N & JEAN A
54	10650 STEPPINGTON DR	LONDON ALAN N & JEAN A
55	10650 STEPPINGTON DR	CAUSEVIC HASAN & DIKA BLDG G UNIT 218
56	10650 STEPPINGTON DR	WHITE SUE # 219
57	10650 STEPPINGTON DR	GARVIN CATHERINE L BLDG H UNIT 122

3/7/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	10650 STEPPINGTON DR	FOWLER CHERYL A
59	10650 STEPPINGTON DR	HARRISON MARY B
60	10650 STEPPINGTON DR	SPANN LIBERTY MANAGEMENT C/O MATT HARTMA
61	10650 STEPPINGTON DR	CARRASCO GILDA L
62	10650 STEPPINGTON DR	CASTANEDA GEORGE
63	10650 STEPPINGTON DR	GOLDMAN STANLEY
64	10650 STEPPINGTON DR	HAILU YODIT BLDG H UNIT 223
65	10650 STEPPINGTON DR	SPRUIELL STANLEY M BLDG H UNIT 224
66	10650 STEPPINGTON DR	JACOBS SUSAN D BLDG H UNIT 225
67	10650 STEPPINGTON DR	LONDON ALAN M & JEAN A
68	10650 STEPPINGTON DR	MURILLO ESTALLA B
69	10650 STEPPINGTON DR	BARNETT DON & MARY ALICE BARNETT
70	10650 STEPPINGTON DR	CAUSEVIC ADEL
71	10650 STEPPINGTON DR	CHAROENDIREKSAP RUNGRATH
72	10650 STEPPINGTON DR	BAILEY TONYA B BLDG I UNIT 132
73	10650 STEPPINGTON DR	WIDEMAN TERRENCE T UNIT 133
74	10650 STEPPINGTON DR	PATRICK & SONS LLC
75	10650 STEPPINGTON DR	TOLEDO TEX LLC
76	10650 STEPPINGTON DR	MORALES MARIBEL G BLDG I UNIT 230
77	10650 STEPPINGTON DR	SMITH SHIRLEY A APT 231
78	10650 STEPPINGTON DR	GHEBRAY STEFANOS T
79	10650 STEPPINGTON DR	JACKSON JAMES APT 233
80	10650 STEPPINGTON DR	WILBER LYN REID SUITE 134
81	10650 STEPPINGTON DR	LIU YAN
82	10650 STEPPINGTON DR	FUENTES ALMA BLDG J-136
83	10650 STEPPINGTON DR	GREBOW MARTIN BLDG J UNIT 137
84	10650 STEPPINGTON DR	ABAY ASMAMAW #234
85	10650 STEPPINGTON DR	COX KIMBERLY LOU APT 235
86	10650 STEPPINGTON DR	SHULTS JANICE S UNIT 236
87	10650 STEPPINGTON DR	REASONOVER TODD UNIT 237 BLGD J
88	10650 STEPPINGTON DR	CHERNYAKHOVSKY CYNTHIA

3/7/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	10650 STEPPINGTON DR	ZERMENO MARIA # 217
90	10650 STEPPINGTON DR	AGS INVESTMENTS LLC UNIT 140
91	10650 STEPPINGTON DR	DAVIS JON T
92	10650 STEPPINGTON DR	GARCIA VICTOR MANUEL UNIT 238
93	10650 STEPPINGTON DR	DILLINGHAM TOM # 239
94	10650 STEPPINGTON DR	MURPHY STEPHEN CHAD BLDG K UNIT 240
95	10650 STEPPINGTON DR	RIOPELLE ONEIDA
96	10650 STEPPINGTON DR	PERL JACK & PERL MARY
97	10650 STEPPINGTON DR	ANDREWS SUSAN
98	10650 STEPPINGTON DR	EBBIGHAUSEN RAY & JEAN
99	10650 STEPPINGTON DR	HUMPHRIES JOHN F JR & DENNIS R
100	10650 STEPPINGTON DR	PERRY MELISSA
101	10650 STEPPINGTON DR	PYSIAK GREGORY & EWA
102	10650 STEPPINGTON DR	LEE FLOYD H BLDG L UNIT 246
103	10650 STEPPINGTON DR	GANE SUE H UNIT 247
104	10650 STEPPINGTON DR	LEE FLOYD H
105	10650 STEPPINGTON DR	SANFORD LILA APT 149
106	10650 STEPPINGTON DR	LONDON ALAN W & JEAN A
107	10650 STEPPINGTON DR	SCHENKLER BRUCE G APT 151
108	10650 STEPPINGTON DR	KAZIC ESMA UNIT # 248
109	10650 STEPPINGTON DR	MILLER SHERALYN O
110	10650 STEPPINGTON DR	SUMMEY JOHN M APT 250
111	10650 STEPPINGTON DR	WALL SIMEON H
112	10650 STEPPINGTON DR	MCINTOSH JAMES L BLDG N UNIT 152
113	10650 STEPPINGTON DR	NGUYEN MYLY T
114	10526 STONE CANYON RD	HOWELL CRAIG
115	10526 STONE CANYON RD	MILLER MURIEL LIEBERS APT 102
116	10526 STONE CANYON RD	FARRIS ROY D JR
117	10526 STONE CANYON RD	STEWART VERA A
118	10526 STONE CANYON RD	BERRY KENNETH # 201
119	10526 STONE CANYON RD	VYAS ABHINAV BLDG A UNIT 202

3/7/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	10526 STONE CANYON RD	TIMRECK THOMAS J UNIT 203
121	10526 STONE CANYON RD	FLEMING GRACE
122	10530 STONE CANYON RD	EVANS EVA L BLDG B UNIT 105
123	10530 STONE CANYON RD	KLEINMAN DIANA E APT 106
124	10530 STONE CANYON RD	MAY JANET WOODWARD
125	10530 STONE CANYON RD	SCHNORMEIER MARILYN R UNIT 108 BLDG B
126	10530 STONE CANYON RD	KANNER LEONARD
127	10530 STONE CANYON RD	SPT REAL ESTATE SUB III LLC
128	10530 STONE CANYON RD	TURNER KEVIN F & ET AL 104-216
129	10530 STONE CANYON RD	NEWBERG MARVIN APT 247
130	10532 STONE CANYON RD	KLP INVESTMENTS LLC
131	10532 STONE CANYON RD	HARTSOCK MARLENE BLDG C UNIT 110
132	10532 STONE CANYON RD	DALEY PATRICK
133	10532 STONE CANYON RD	STONE MARILYN R & ALTON H
134	10534 STONE CANYON RD	HERNANDEZ REGINA T
135	10534 STONE CANYON RD	LITTLEJOHN COREY
136	10534 STONE CANYON RD	HAMILTON GREGORY G BLDG D UNIT 114
137	10534 STONE CANYON RD	HERMOSILLO JOSE UNIT 115
138	10534 STONE CANYON RD	WILKINSON AARON C &
139	10534 STONE CANYON RD	RUBENSTEIN LEON LIVING TRUST
140	10534 STONE CANYON RD	VELEZ OSCAR GOMEZ & HALE PAUL
141	10534 STONE CANYON RD	VELEZ OSCAR GOMEZ & PAUL HALE
142	10536 STONE CANYON RD	LONGORIA BARBARA BLDG E UNIT 116
143	10536 STONE CANYON RD	REEVES TERRY F
144	10536 STONE CANYON RD	GONZALES VANESSA V
145	10536 STONE CANYON RD	TAYLOR DEBORAH G NO 119
146	10536 STONE CANYON RD	DIAZ HUGH BLDG E UNIT 216
147	10536 STONE CANYON RD	LOZANO ENEDELIA
148	10536 STONE CANYON RD	EMERSON NORA C BLDG E UNIT 218
149	10536 STONE CANYON RD	PHAM JACQUELINE BLDG E UNIT 219
150	10544 STONE CANYON RD	WARD BERT TRUST

3/7/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	10544 STONE CANYON RD	MIDDLETON CHARLES ZACHARY UNIT 121
152	10544 STONE CANYON RD	MURPHREE JOHN E
153	10544 STONE CANYON RD	GOODSON CAROLYN K BLDG F UNIT 123
154	10544 STONE CANYON RD	WEISFELD RONALD A
155	10544 STONE CANYON RD	DONALDSON JAMES A
156	10544 STONE CANYON RD	ZAMLEN CYNTHIA JO STE 109-285
157	10544 STONE CANYON RD	WIGLEY ROBERT TR
158	10546 STONE CANYON RD	ZAK MICHAEL S UNIT #124
159	10546 STONE CANYON RD	BROWN LAUREN B BLDG G UNIT 125
160	10546 STONE CANYON RD	KAGAN ALAN M
161	10546 STONE CANYON RD	LEVINE LAWRENCE J & MARCIA P
162	10546 STONE CANYON RD	NAVARRO WENDY C #224
163	10546 STONE CANYON RD	WILDE TARA C
164	10546 STONE CANYON RD	SANTIAGO DEWITT L
165	10546 STONE CANYON RD	MULLEY MARY UNIT 227
166	10548 STONE CANYON RD	DUKE BILLY J BLDG H UNIT 128
167	10548 STONE CANYON RD	DUKE BJ #128
168	10548 STONE CANYON RD	ISAKSSON CHARLIE & JAHLYN C BLDG H UNIT
169	10548 STONE CANYON RD	WALLACE JILL SANDEL BALLARD #131
170	10548 STONE CANYON RD	ISAACSON PAMELA UNIT 228
171	10548 STONE CANYON RD	CONDON KATHLEEN UNIT 229
172	10548 STONE CANYON RD	CHANNING JENNIFER A BLDG H UNIT 230
173	10548 STONE CANYON RD	COLEMAN CALEB & VANESSA SALAZAR
174	10550 HIGH HOLLOW DR	HOLLOWS NORTH CONDO ASSOC UNIT 132
175	10550 HIGH HOLLOW DR	DAVIS MICHAEL UNIT 133
176	10550 HIGH HOLLOW DR	WANG DIING-YUAN &
177	10550 HIGH HOLLOW DR	CANTY JOHN P # 233
178	10552 HIGH HOLLOW DR	SMITH DONALD R & LYNDA J BLDG J UNIT 134
179	10552 HIGH HOLLOW DR	FRITTS REX CALLOWAY #J135
180	10552 HIGH HOLLOW DR	HAVERSTICK MICHAEL
181	10552 HIGH HOLLOW DR	CLARK NATHAN BLDG J UNIT 137

3/7/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	10552 HIGH HOLLOWS DR	HOLLOWS NORTH CONDOMINIUM ASSOCIATION IN
183	10552 HIGH HOLLOWS DR	GENTILE NANCY UNIT 235
184	10552 HIGH HOLLOWS DR	FOREMAN SHERYL L UNIT 236
185	10552 HIGH HOLLOWS DR	CARSON WILLIAM C APT 237
186	10556 HIGH HOLLOWS DR	FITZGERALD DAVID M
187	10556 HIGH HOLLOWS DR	SEARSON REX LEROY &
188	10556 HIGH HOLLOWS DR	WHIDDEN DAVID L III & GRIFFITH ALICIA A
189	10556 HIGH HOLLOWS DR	SCHILL TERRY M # 141
190	10556 HIGH HOLLOWS DR	BARGONETTI MERRY ANN UNIT 238
191	10556 HIGH HOLLOWS DR	STERLING TRACY UNIT 239
192	10556 HIGH HOLLOWS DR	BURKET JAMES BLDJ K UNIT 240
193	10556 HIGH HOLLOWS DR	DAVIS ROBERT A ET AL BLDG K UNIT 241
194	10558 HIGH HOLLOWS DR	MATISE JAN C
195	10558 HIGH HOLLOWS DR	KENDRA KAROL A UNIT 143
196	10558 HIGH HOLLOWS DR	MOMIN ASMA S UNIT 144
197	10558 HIGH HOLLOWS DR	WHITESIDE TRACY
198	10558 HIGH HOLLOWS DR	MANTANONA TINA UNIT 242
199	10558 HIGH HOLLOWS DR	SOMMER CLAUDIA M UNIT 243-L
200	10558 HIGH HOLLOWS DR	GOSNELL DAVID WILLIAM # 244
201	10558 HIGH HOLLOWS DR	HARTLEP KORY UNIT 215
202	10562 HIGH HOLLOWS DR	MINTZ ERIN M
203	10562 STONE CANYON RD	LEE SELMA RUE
204	10562 HIGH HOLLOWS DR	GUARDIAN MTG CO INC
205	10562 HIGH HOLLOWS DR	ISAKSSON CHARLIE & BLDG M UNIT 149
206	10562 HIGH HOLLOWS DR	KLEIN KATHERINE JOANNA # 246
207	10562 HIGH HOLLOWS DR	NEWBERG MARVIN J APT 247
208	10562 HIGH HOLLOWS DR	BLAIR DAVID C # 248
209	10562 HIGH HOLLOWS DR	HANNAH BRYON W
210	10564 HIGH HOLLOWS DR	HOLLOWS NORTH CONDO ASN INC
211	10564 HIGH HOLLOWS DR	HINKLE MELISSA # 151
212	10564 HIGH HOLLOWS DR	BARBERO ISABEL

3/7/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	10564 HIGH HOLLOWS DR	DRYZER LOWELL M TRUST & RUTH A DRYZER TR
214	10564 HIGH HOLLOWS DR	MCCURRACH PAMELA & DAVID BLDG N UNIT 25
215	10564 HIGH HOLLOWS DR	HUD
216	10564 HIGH HOLLOWS DR	GRIFFITH CHARLES D #252
217	10564 HIGH HOLLOWS DR	HOLM RICHARD D
218	10566 HIGH HOLLOWS DR	BARRETT MARTHA E BLDG O UNIT #154
219	10566 HIGH HOLLOWS DR	VINSONHALER MARY C UNIT 155 BLDG O
220	10566 HIGH HOLLOWS DR	BERNBAUM PHYLISS N APT 417
221	10566 HIGH HOLLOWS DR	COUNTS LYNNA KAY #O157
222	10566 HIGH HOLLOWS DR	ORDNER JOHN R & KAREN W TRUSTEES ORDNER
223	10566 HIGH HOLLOWS DR	MOORE D P
224	10566 HIGH HOLLOWS DR	LEON JAIRO CHING
225	10566 HIGH HOLLOWS DR	ALCALA LUIS M BLDG O UNIT 257
226	10570 HIGH HOLLOWS DR	SORIA MARIO &
227	10570 HIGH HOLLOWS DR	POUNDS TIM L & BUNNI
228	10570 HIGH HOLLOWS DR	YARBROUGH DANA LEE UNIT 258
229	10570 HIGH HOLLOWS DR	CATHCART PATRICIA BLDG P UNIT 259
230	10572 HIGH HOLLOWS DR	MONTGOMERY MILLIE BLDG Q UNIT 160
231	10572 HIGH HOLLOWS DR	TSCHUMY SHEILA A #161
232	10572 HIGH HOLLOWS DR	ALCALEN LIVING TRUST ELADIETO E & ERLIND
233	10572 HIGH HOLLOWS DR	ANDERSON DENISE
234	10574 HIGH HOLLOWS DR	WILKERSON KAREN M
235	10574 HIGH HOLLOWS DR	ALOI TOM UNIT 163
236	10574 HIGH HOLLOWS DR	SMITH SHARON E # 164
237	10574 HIGH HOLLOWS DR	DUBNOV WILLIAM L UNIT 165
238	10574 HIGH HOLLOWS DR	GROCE TERESA ANN
239	10574 HIGH HOLLOWS DR	GLENN DON V
240	10574 HIGH HOLLOWS DR	MCCOY DENNIS G
241	10574 HIGH HOLLOWS DR	JSL TRUST
242	10578 HIGH HOLLOWS DR	MARTIN OPAL S UNIT 166
243	10578 HIGH HOLLOWS DR	VIRDEN JOHN C #167

3/7/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
244	10578 HIGH HOLLOWS DR	MARSHALL JUNE
245	10578 HIGH HOLLOWS DR	SMITH DIANNE #169
246	10578 HIGH HOLLOWS DR	D & F PRODUCTIONS LTD
247	10578 HIGH HOLLOWS DR	ZIELINSKI TANYA A
248	10578 HIGH HOLLOWS DR	JACKSON LORIE M
249	10578 HIGH HOLLOWS DR	CURTIS CONSTANCE C UNIT 269
250	10580 HIGH HOLLOWS DR	KEOUGH KATHRYN UNIT 170
251	10580 HIGH HOLLOWS DR	SAIDI ROSAMOND VIRGINIA BLDG T UNIT 171
252	10580 HIGH HOLLOWS DR	AIKMAN ANITA G UNIT 172
253	10580 HIGH HOLLOWS DR	BLOCK HOWARD
254	10580 HIGH HOLLOWS DR	RING INTERNATIONAL LLC
255	10580 HIGH HOLLOWS DR	ARONSON THOMAS W APT 271
256	10580 HIGH HOLLOWS DR	FRANCE WARREN D UNIT 272 BLDG T
257	10580 HIGH HOLLOWS DR	GUCHEREAU JAN UNIT 273
258	10584 HIGH HOLLOWS DR	WILMOTH AMANDA BYARS & STEPHEN R APT 174
259	10584 HIGH HOLLOWS DR	LOWE FRED FAMILY PTNRS LTD
260	10584 HIGH HOLLOWS DR	MILAKOVICH MARKS & ANNA
261	10584 HIGH HOLLOWS DR	FISHER FRANCES JUNE EST OF BLDG U UNIT 1
262	10584 HIGH HOLLOWS DR	BAGGETT SUSANNE L
263	10584 HIGH HOLLOWS DR	GARNER NANCY #275
264	10584 HIGH HOLLOWS DR	DIA PROPERTIES
265	10584 HIGH HOLLOWS DR	GARRETT CONNIE BLDG U UNIT 277
266	10586 HIGH HOLLOWS DR	PHILLIPS JOYCE I & MAC D & PHEBE P HARGR
267	10584 HIGH HOLLOWS DR	BRZEZINSKI ARTUR & ETAL BLDG V UNIT 179
268	10586 HIGH HOLLOWS DR	JANIAK TERESA UNIT 278
269	10586 HIGH HOLLOWS DR	GOLDBERG DAVID V
270	10588 HIGH HOLLOWS DR	GALER VINCENT H #180
271	10588 HIGH HOLLOWS DR	GERSON CHARISSE BLDG W UNIT 181
272	10588 HIGH HOLLOWS DR	WERN JASON E BLDG W APT 182
273	10588 HIGH HOLLOWS DR	WILLIAMS CAROL RAND TR
274	10588 HIGH HOLLOWS DR	WILLIAMS-EAKINS CATEHRINE E

3/7/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
275	10588 HIGH HOLLOWES DR	TOASTON TANISHA A # 281
276	10588 HIGH HOLLOWES DR	MARTINEZ ARMANDO & FLORENCIA UNIT 282
277	10588 HIGH HOLLOWES DR	KATZEN ELLEN BLDG W UNIT 283
278	10590 HIGH HOLLOWES DR	HUNTER TANA LYNN
279	10590 HIGH HOLLOWES DR	CALVERT EVELYN A
280	10590 HIGH HOLLOWES DR	BRUCH MICHELE APT 186
281	10590 HIGH HOLLOWES DR	DOWLER LYNNE L UNIT 187
282	10590 HIGH HOLLOWES DR	TRUSTEE SERVICES OF AMERICA INC TRUSTEE
283	10590 HIGH HOLLOWES DR	LAMBERT HELEN & MICHAEL LAMBERT SR
284	10590 HIGH HOLLOWES DR	DOWLER LYNNE L & DONALD R
285	10590 HIGH HOLLOWES DR	REN XIJING
286	10594 HIGH HOLLOWES DR	LAMBERT ALLISON UNIT 188
287	10594 HIGH HOLLOWES DR	MONARCH MARTHA # 189
288	10594 HIGH HOLLOWES DR	ASTRAHAN EDELWEISS P BLDG Y UNIT #190
289	10594 HIGH HOLLOWES DR	GARCIA RUBIELA VILLA UNIT 191
290	10594 HIGH HOLLOWES DR	WILDBERGER PAUL L
291	10594 HIGH HOLLOWES DR	CLARK ADAIR W #289
292	10594 HIGH HOLLOWES DR	HALL LEANNE C BLDG Y UNIT 290
293	10594 HIGH HOLLOWES DR	MINOR TRACY BLDG Y UNIT 291
294	10596 HIGH HOLLOWES DR	SEIJAS ENNIE UNIT 192
295	10596 HIGH HOLLOWES DR	SCHROEDER WENDY K BLDG Z UNIT 193
296	10596 HIGH HOLLOWES DR	SEIJAS ENNIE G BLDG Z UNIT 292
297	10596 HIGH HOLLOWES DR	CADY LESLIE G & CHARLINE APT 293
298	10598 HIGH HOLLOWES DR	BARNETT DON & MARY
299	10598 HIGH HOLLOWES DR	MUETHER ROBERT MICHAEL UNIT 195
300	10598 HIGH HOLLOWES DR	GOULD KEVIN A UNIT 196
301	10598 HIGH HOLLOWES DR	SMITH SUSAN L #197
302	10598 HIGH HOLLOWES DR	GRANGER GAYLE E BLDG AA UNIT 294
303	10598 HIGH HOLLOWES DR	RUPP BETTY JO UNIT 295
304	10598 HIGH HOLLOWES DR	SCHLICHTING STEPHEN J
305	10598 HIGH HOLLOWES DR	GRAY EMILY E

FILE NUMBER: Z123-324(RB)

DATE FILED: February 4, 2013

LOCATION: Southeast Line of Walnut Hill Lane, East of Golf Lakes Trail

COUNCIL DISTRICT: 13

MAPSCO: 26 P

SIZE OF REQUEST: Approx. 5.778 Acres

CENSUS TRACT: 78.22

APPLICANT/OWNER: Walnut Glen, L.P.

REPRESENTATIVE: Suzan Kedron

REQUEST: An application for a Planned Development District for GO(A) General Office District Uses on property zoned a GO(A) General Office District with deed restrictions.

SUMMARY: The applicant is requesting a PDD in order to permit the addition of two attached signs, one each on the north and south façade. The existing deed restrictions cover a larger area, but encumber the southern portion of the site will be retained. They limit the number of stories and require a water reservoir be unaltered..

STAFF RECOMMENDATION: Approval, subject to sign elevations and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to sign elevations and conditions with retention of the existing deed restrictions based upon:

1. *Performance impacts upon surrounding property* – No changes to permitted uses or development standards. The proposed signs will be located approximately 120 feet above grade and will not affect adjacent properties nor create a hazard or annoyance to motorists or pedestrians.
2. *Traffic impact* – The property is developed with a multi-tenant office building. The request will not generate additional vehicle trips.
3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area.
4. As noted in the “Land Use” section below, rezoning with this PDD is the best method to obtain the requested signage.

BACKGROUND INFORMATION:

- The property is developed with a 464,289 square foot multi-tenant office tower and parking structure.
- The applicant is requesting a PDD in order to permit the addition of two attached signs, one each on the north and south façade. The existing office district limits signs to nonbusiness rules.
- Existing deed restrictions capture an approximate 26.4 acre area, of which encumber the extreme southern portion of the site. These restrictions, limiting structure height and retention of existing surface area for a water reservoir, do not impact the request. The applicant is proposing to retain the restrictions.
- No revisions to permitted uses or development standards provided by the existing GO(A) District are requested at this time.

Zoning History: There has not been any recent zoning activity in the immediate area relevant to the request.

Thoroughfare

Walnut Hill Lane

Designation; Existing & Proposed ROW

Principal Arterial; 100’& 100’ ROW

Traffic: As the request does not entertain an increase in development rights, the

Engineering Section of the Department of Sustainable Development and Construction has no issues with the request.

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

Area Plan: The property is situated within the boundary of the Vickery Meadow Area Plan, adopted by the City Council in February, 2013. The study emphasizes a need to connect the DART Walnut Hill Station to redevelopment plans. This would ensure safe and efficient pedestrian connections (wider sidewalks, ADA ramps, lighting) through the area.

STAFF ANALYSIS:

Land Use Compatibility: The request site is developed with a multi-tenant office building and structured parking. The applicant is requesting a PDD in order to provide for two additional attached signs, one each located on the north and south facades. Current zoning prohibits these signs.

The site is surrounded by a mix of uses nonresidential (office, retail) uses, inclusive of Presbyterian Hospital, east of the site. Additionally, DART's Red Line Walnut Hill Station is situated above the Walnut Hill Lane travel lanes.

While staff is generally not supportive of utilizing a PDD for signage, other options are not appropriate for various reasons:

- 1) RR or MU-1 and MU-3 Districts (appropriate zoning districts for the area) – both permit sign regulations that provide for the applicant's request. With respect to existing development, certain legally non-conforming standards (floor area and setbacks) would be created.
- 2) Board of Adjustment – limits consideration of an increase (10%) in effective area above existing entitlements would not provide for the request.
- 3) Special Provision Sign District – utilized for enhancing, preserving, or developing the character of an area and to protect the public welfare. Additionally, an SPSD tends

Z123-324(RB)

to be considered for a geographical area including multiple parcels and/or developments. Lastly, the immediate area is a mix of nonresidential uses with no central theme or character of design. The existing single parcel does not possess any characteristics generally anticipated for such an overlay.

Landscaping: The site possesses significant planting areas and mature trees. The request will not impact existing landscaping nor will it trigger additional plant materials.

Off-Street Parking: The applicant will continue to comply with the various off-street parking regulations as outlined in the Dallas Development Code.

LIST OF PARTNERS/PRINCIPALS/OFFICERS

APPLICANT/OWNER: WALNUT GLEN, LP.

General Partner: Walnut Glen GenPar, LP

- Limited Partner:
 - Union Security Insurance Company
 - Time Insurance Company
 - United Service Protection Corporation
 - Federal Warranty Service Corporation
 - American Security Insurance Company

General Partner: Walnut Glen GP, LLC

- Jud Pankey, President
- Vance Detwiler, Vice President

ARTICLE _____.

PD _____.

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

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

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

PD ____ is established on property located on the southeast line of Walnut Hill Lane, east of Golf Lakes Trail. The size of PD _____ is approximately 5.778 acres.

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

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

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

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

SEC. 51P-____.104 EXHIBITS.

(a) The following exhibits are incorporated into this division:

(1) Exhibit ____A: sign elevation-north facade.

(2) Exhibit ____B: sign elevation-south facade.

SEC. 51P- ____ .104. CONCEPTUAL PLAN AND DEVELOPMENT PLAN.

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

SEC. 51P- _____.105. MAIN USES PERMITTED.

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

SEC. 51P- _____.106. ACCESSORY USES.

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

SEC. 51P- _____.107. YARD, LOT, AND SPACE REGULATIONS.

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

The yard, lot, and space regulations for the GO(A) District apply.

SEC. 51P- _____.108. OFF-STREET PARKING AND LOADING.

Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

SEC. 51P- _____.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.110. LANDSCAPING.

- (a) Landscaping must be provided in accordance with Article X.
- (b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- ____ .111. SIGNS.

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

(b) North facade.

(1) One additional attached premise sign is permitted in the location as shown on the attached Sign Elevation-North Facade.

(2) Maximum effective area is 250 square feet.

(3) Maximum height of the top of sign is 120 feet above grade.

(4) Internal illumination is permitted.

(c) South facade.

(1) One additional attached premise sign is permitted in the location as shown on the attached Sign Elevation-South Facade.

(2) Maximum effective area is 250 square feet.

(3) Maximum height of the top of sign is 120 feet above grade.

(4) Internal illumination is permitted.

SEC. 51P- ____ .112. ADDITIONAL PROVISIONS.

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

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

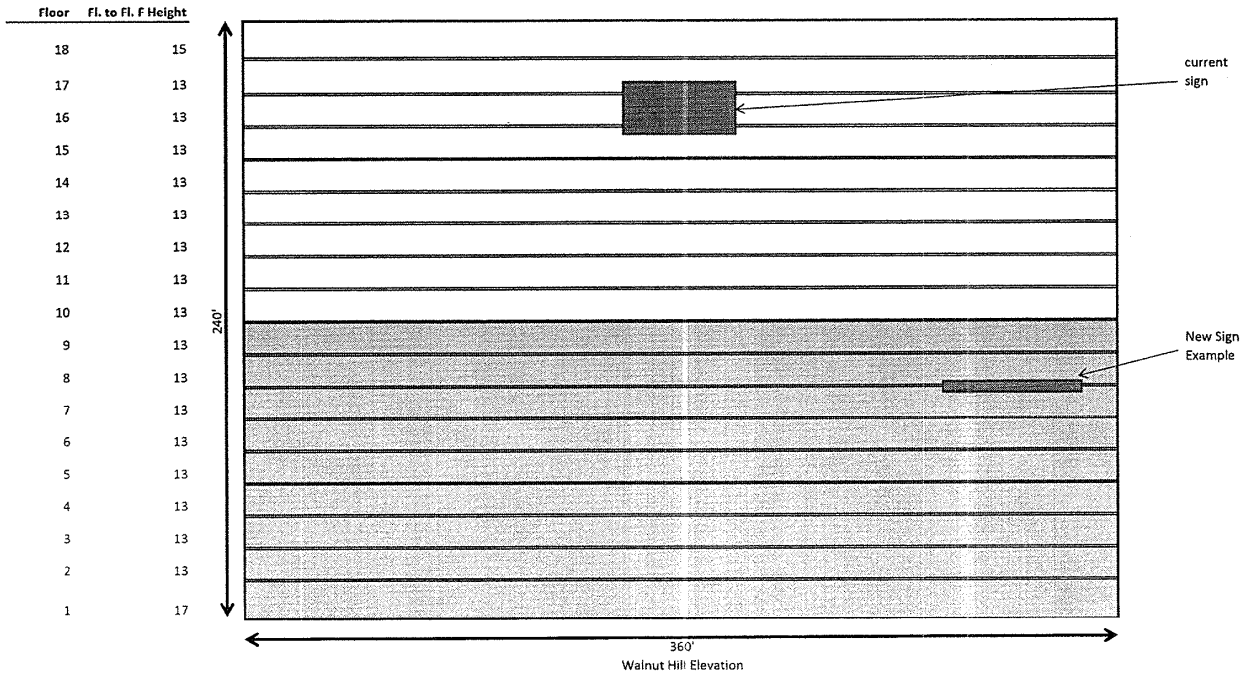
SEC. 51P-____.113.

COMPLIANCE WITH CONDITIONS.

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

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

Walnut Glen Tower
Signage Proposal for Walnut Hill Elevation

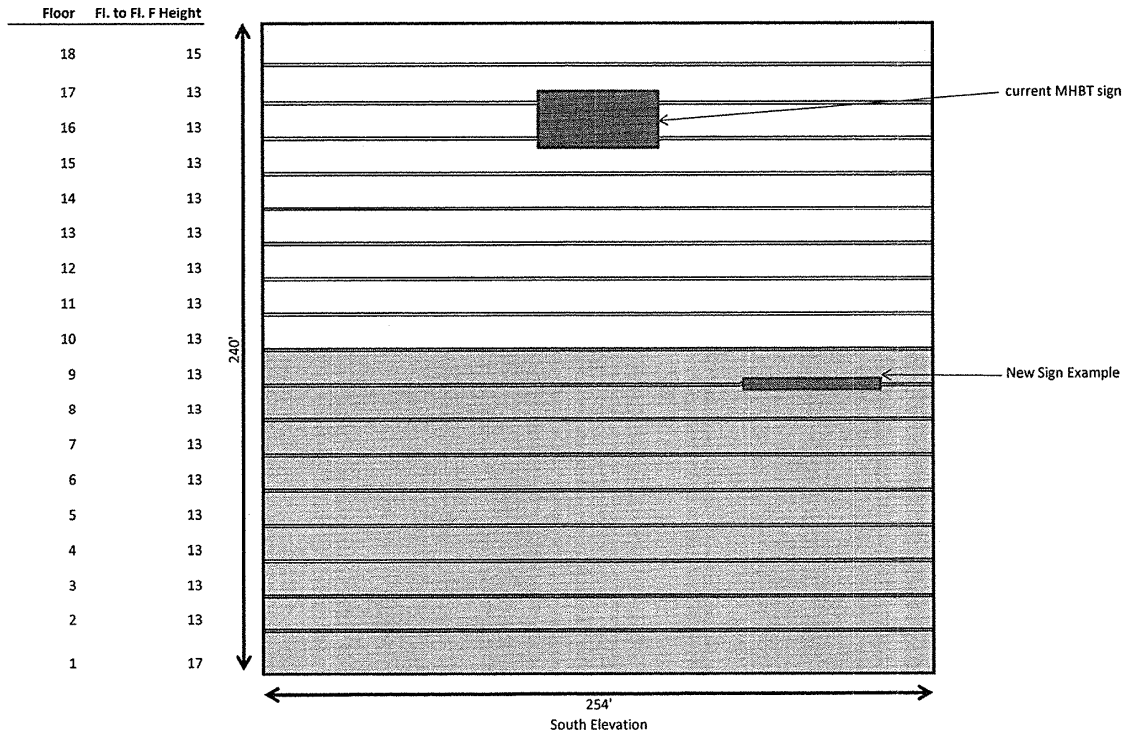


Current sign = 600 sq'
 New Sign <= 250 sq'
 Total Façade = 240' x 360' = 86,400 sq'

New Signage is only allowed in Shaded Area with a maximum height of 120'
New Sign is 0.3% of the Walnut Hill building façade

*sign and building depictions are approximate

Walnut Glen Tower
Signage Proposal for South Elevation



Current sign = 600 sq'
 New Sign <= 250 sq'
 Total Façade = 240' x 254' = 60,960 sq'

New Signage is only allowed in Shaded Area with a maximum height of 120'
New Sign is 0.4% of the South building façade

*sign and building depictions are approximate

Existing Deed Restriction
(April/1978-7.21 acres)

THENCE, North, 108.70 feet to the POINT OF BEGINNING AND
CONTAINING 313,907.44 square feet or 7.21 acres of land, more
or less.

H.S.
DM security

That the undersigned, ~~The~~ Annuity Board of the Southern Baptist
Convention, Herman Evans, Don Mann and Stewart Carrell, do hereby
impress all of the above described property with the following deed
restrictions, to-wit:

That no structures shall be erected on the herein described
property which shall exceed six stories in height, as more
particularly defined by the general zoning ordinance of the
City of Dallas;

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780659

That the water reservoir on the herein described property
shall not be diminished in surface feet as the same exists as
of the date of execution of these Deed Restrictions.

Z123-324(RB)

Existing Deed Restriction

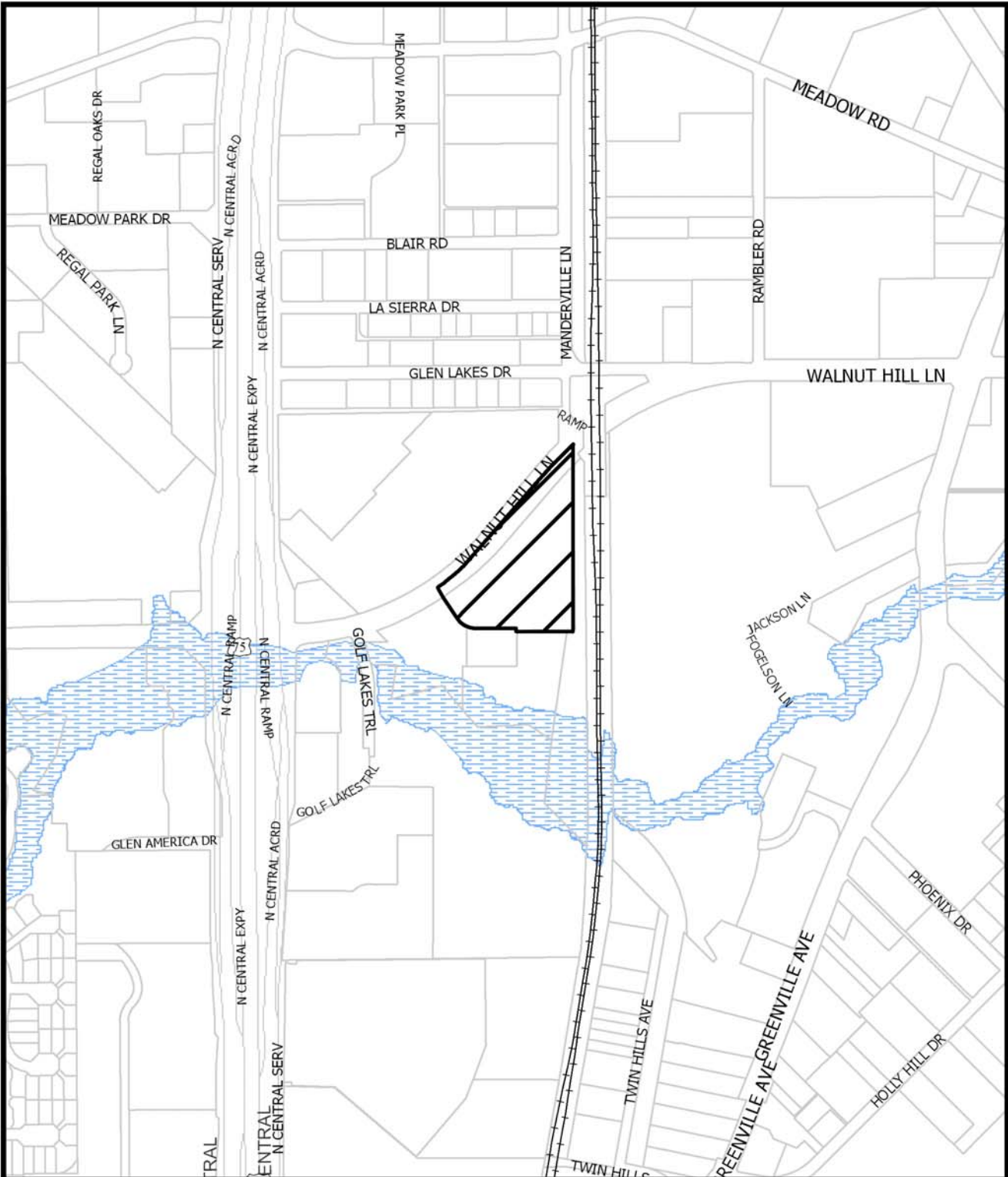
(April/1978-19.15

acres)

780660

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

That the water reservoir on the herein described property shall not be diminished in surface feet as the same exists as of the date of execution of these Deed Restrictions.

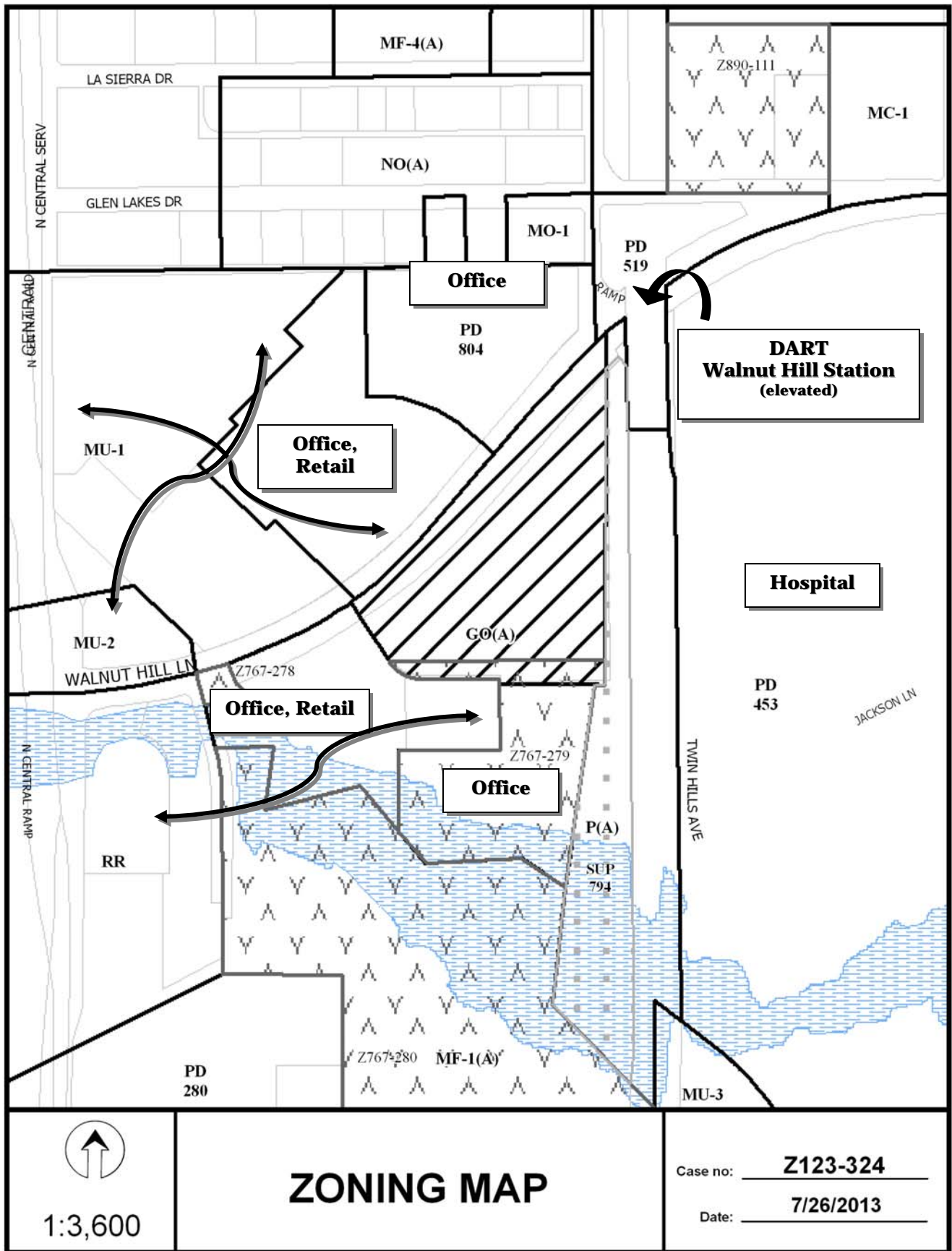



1:7,200

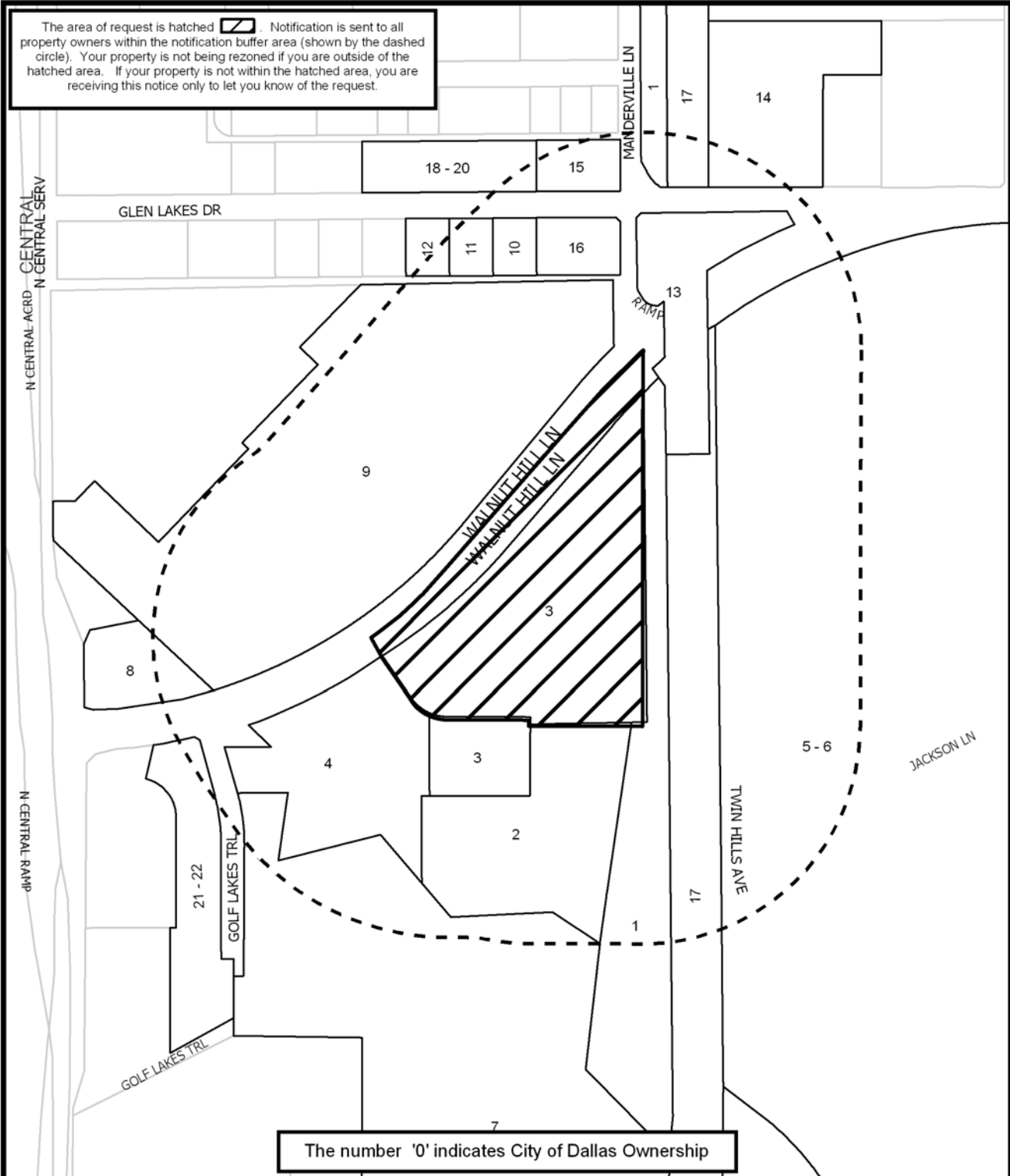
VICINITY MAP

Case no: Z123-324


Date: 7/26/2013



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



The number '0' indicates City of Dallas Ownership


 1:3,600

NOTIFICATION

500' AREA OF NOTIFICATION
22 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z123-324**
 Date: **7/26/2013**

Notification List of Property Owners

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22 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8160 WALNUT HILL LN	TEXAS UTILITIES ELEC CO % STATE & LOCAL
2	8140 WALNUT HILL LN	LANDGEM GLEN LAKES LTD SUITE 500
3	8144 WALNUT HILL LN	WALNUT GLEN LP STE 642
4	8024 WALNUT HILL LN	NUTTING RICE TEXAS LP
5	8200 WALNUT HILL LN	PRESBYTERIAN HEALTHCARE SYSTEM
6	8200 WALNUT HILL LN	TEXAS HEALTH RESOURCES SYSTEM
7	9600 GOLF LAKES TRL	CAMDEN PROPERTY TRUST
8	8007 WALNUT HILL LN	INTERFIRST BANK DALLAS
9	8021 WALNUT HILL LN	CORNER SHOPPING HOLDING STE 214
10	5486 GLEN LAKES DR	LIPPAS MARC GREGORY FAM IRREVOCABLE TRUS
11	5478 GLEN LAKES DR	TRAYNOR MARY H
12	5470 GLEN LAKES DR	WATSON MAELISSA ET AL
13	8240 WALNUT HILL LN	DALLAS AREA RAPID TRANSIT
14	5515 GLEN LAKES DR	TELESIS WALNUT PLACE NURSING HOME I LTD
15	5499 GLEN LAKES DR	5499 GLEN LAKES LTD SUITE 100
16	5494 GLEN LAKES DR	WHSC GEN PAR LLC % DALLAS EYE CARE
17	401 BUCKNER BLVD	DART
18	5477 GLEN LAKES DR	FIRST 5477 LTD SUITE 100
19	5477 GLEN LAKES DR	DALLAS FORT WORTH IVF REALTY LP
20	5477 GLEN LAKES DR	NT PSYCHIATRIC ALLIANCE LP
21	9500 CENTRAL EXPY	WALNUT BOBOS LTD
22	9500 CENTRAL EXPY	WALNUT BOBOS II LTD

FILE NUMBER: Z123-304(RB) **DATE FILED:** June 7, 2013

LOCATION: Southwest Corner of Alta Avenue and Greenville Avenue

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

SIZE OF REQUEST: Approx. 30,078 Sq. Ft. **CENSUS TRACT:** 10.02

APPLICANT: Texas Taco Cabana, L.P.

REPRESENTATIVE: Suzan Kedron

OWNER: Lowgreen PS

REQUEST: An application for an amendment to and renewal of Specific Use Permit No. 1904 for a Late-hours establishment limited to a restaurant with drive-in or drive-through service on property zoned Planned Development District No. 842 for CR Community Retail District Uses with an MD-1 Modified Delta No. 1 Overlay.

SUMMARY: The applicant is proposing to continue operation of an existing restaurant with drive-in or drive-through service with late hours.

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

Guiding Criteria for Recommendation:

Staff recommends approval of this renewal and amendment subject to the revised site and revised conditions based upon:

1. *Compatibility with surrounding uses and community facilities* – The request is oriented along the Greenville Avenue frontage, consistent with similar retail and personal service uses in the immediate area. No outside operations (i. e., patio areas) face the residential area to the west. Use of outdoor loudspeakers have been operational in the existing condition for twenty years, with no reported complaints from area property owners.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The use possesses similar operational characteristics as expected along the Greenville Avenue frontage.
3. *Not a detriment to the public health, safety, or general welfare* – The applicant has operated in a responsible manner (five recorded police reports for the hours between 12 midnight and 6:00 a.m. and no TABC violations) since the granting of SUP No. 1904 for this late hours establishment.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – If this SUP is approved, the subject site will have to conform to all applicable zoning regulations and standards. A valid certificate of occupancy exists and no building, health, or safety code violations have been recorded.
5. *Purpose Statement for late-hour establishments as defined in PDD 842* – The purpose of this district 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.

BACKGROUND INFORMATION:

- The existing improvements are utilized for a restaurant with drive-in or drive-through service. The applicant has operated at this location since 1993.
- The restaurant occupies 3,983 square feet of floor area and possesses a 1,450 square foot uncovered patio located along the site’s Greenville Avenue frontage.
- On January 26, 2011, the City Council approved Planned Development District No. 842 for CR District Uses, which requires an SUP for any retail and personal service uses operating between 12 a. m. and 6 a. m.
- The applicant is requesting an SUP for late hours to provide for daily operation 24 hours per day.

- The site lies within the Area 3 portion of Modified Delta Overlay No. 1.

Zoning History:

<u>File No.</u>	<u>Request, Disposition, and Date</u>
1. Z101-261	On August 10, 2011, the City Council approved a Specific Use Permit for a Late-hours establishment limited to a restaurant without drive-in or drive-through service for a five-year period.
2. Z101-311	On September 14, 2011, the City Council approved a Specific Use Permit for a late-hours establishment limited to a commercial amusement (inside) use limited to a billiard hall for a two-year period subject to a site plan and conditions.
3. Z101-260	On September 14, 2011, the City Council approved a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a two-year period subject to a site plan and conditions.
4. Z123-315	Renewal of SUP No. 1912 for a late-hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge, or tavern. On September 23, 2013, the City Plan Commission recommended approval for a three-year period. Pending an October 23, 2013 City Council public hearing.
5. Z123-262	On August 28, 2013, the City Council approved a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period subject to a site plan and conditions.

<u>Street</u>	<u>Existing & Proposed ROW</u>
Greenville Avenue	Local; 50' ROW
Alta Avenue	Local; 60' ROW

Traffic: The Engineering Section of the Sustainable Development and Construction Department has reviewed the requested renewal of SUP No. 1904 and determined that it will not impact the surrounding street system.

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; 3,983 square feet of floor area and 1,450 square feet for an uncovered patio that fronts along the site’s Greenville Avenue frontage. The applicant is requesting an

SUP for a late-hours establishment to permit the existing use to operate daily, 24 hours per day. The restaurant has been at this location since 1993. Surface parking serving the use is located on-site.

In addition to the mix of retail and entertainment uses located along Greenville Avenue north and south of the site, residential uses (single family and multifamily structures) are found on properties further northwest/west towards Summit Avenue. A vacant office structure abuts the site's western boundary. There is a medium-density residential component (multifamily dwellings) associated with the mixed use development immediately south of the site.

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 (eight, however five of the eight occurred between 12:00 a.m. and 6:00 a.m.);

(2) the number of citations issued by police for noise ordinance violations by the establishment (none);

(3) the number of arrests for public intoxication or disorderly conduct associated with the establishment (none);

(4) the number of Texas Alcoholic Beverage Code violations of the establishment (none); and

(5) the number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment (none).

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.

The applicant's improvements are oriented along the north-south alignment of Greenville Avenue. Platted as a cornerside lot, the property provides access along both Greenville Avenue and Alta Avenue. The speaker box for the drive-through portion of the operation is located along the western façade, with the speaker facing the residential uses further west of the property. The applicant has operated in a responsible manner with minimal reported police activity at the location for the period of approval of SUP No. 1904 through August, 2013 (see Police Activity, below).

The applicant has operated in a responsible manner with eight (five between midnight and 6 a.m.) reported offense calls involving police activity at the location for the time period of approval of SUP No. 1904 through August, 2013 (see table, below). With respect to the applicant's standing with the Texas Alcoholic Beverage Commission, no warnings or violations have been filed for the time period of September 30, 2011 through August, 2013.

Based on staff's analysis, support is being given for the renewal of SUP No. 1904 for a three-year period, subject to a revised site plan and conditions. It should be noted the applicant has requested an alternate time period (see attached conditions). However due to the number of reported offenses between midnight and 6 a. m., combined with the above referenced residential adjacency, staff is supporting an additional year over that initially approved but no automatic renewal provision. Lastly, the site plan is being revised to clarify off-street parking dimensional controls and clarification of safety parking markings connecting the patio area across the drive-through lane, fire lane, and parking area along the southern property line.

Parking: The existing restaurant requires one space for each 100 square feet of floor area. All required parking is provided as shown on the attached site plan.

Landscaping: The existing development provides for landscaping that complies with Article X as well as enhanced planting areas surrounding the patio. No revisions are proposed nor required with this application.

Reported offense calls requiring police activity

Search Records - Offense									Filter	
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Be at	Reporting Area	UCR 1	UCR 2
<u>000099</u> <u>6-Z</u>	01/02/2012	SUDTELGTE,LEANN	LOST PROPERTY	01827		GREENVILLE AVE	144	1161	42020	
<u>002397</u> <u>8-Z</u>	01/29/2012	BARNES, MELLISA	AUTO THEFT-UUMV	01827		GREENVILLE AVE	144	1161	07171	
<u>013867</u> <u>9-A</u>	06/03/2013	*TACO CABANA	FOUND PROPERTY	01827		GREENVILLE AVE	144	1161	43020	
<u>015533</u> <u>7-Z</u>	06/24/2012	RUSHING, RALPH	CRIMINAL MISCHIEF/VANDALISM	01827		GREENVILLE AVE	144	1161	14031	
<u>017123</u> <u>3-A</u>	07/06/2013	MARTINEZ-RODRIGUEZ, JACOB	ACCIDENTAL INJURY - PUBLIC PROPERTY	01827		GREENVILLE AVE	144	1161	33082	
<u>018452</u> <u>4-Z</u>	07/26/2012	LOVISCEK,JOHN, ROY	ASSAULT	01827		GREENVILLE AVE	144	1161	08191	
<u>027085</u> <u>0-Z</u>	10/31/2012	PEAVY,BRITTANY	AGGRAVATED ASSAULT	01827		GREENVILLE AVE	144	1161	04411	
<u>031661</u> <u>2-Z</u>	12/23/2012	*TACO CABANA	CRIMINAL MISCHIEF/VANDALISM	01827		GREENVILLE AVE	144	1161	14082	

LIST OF PARTNERS/PRINCIPALS/OFFICERS

APPLICANT: TEXAS TACO CABANA, L.P.

General Partner: T.C. Management, Inc. 93.52%
L.P.: TPAC Holding Corporation 6.480%

PROPERTY OWNER:

- Lowgreen PS
 - Marc Andres, partner
 - Roger Andres, partner
 - Shula Netzer, partner
 - Aharon Netzer, partner

Z123-304

**APPLICANT REQUESTED/STAFF RECOMMENDED AMENDING CONDITIONS FOR
SUP NO. 1904**

1. USE: The only use authorized by this specific use permit is a late-hours establishment limited to a restaurant with drive-in or drive-through service.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

Applicant requested:

- | |
|--|
| 3. <u>TIME LIMIT</u> : This specific use permit expires on September 30, 2013. |
|--|

Staff recommended:

- | |
|---|
| 3. <u>TIME LIMIT</u> : This specific use permit expires on September 30, 2013 (three years). |
|---|

~~4. 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).~~

~~5~~ 4. FLOOR AREA: Maximum floor area is 3,983 square feet in the location shown on the attached site plan.

~~6~~ 5. HOURS OF OPERATION: The late-hours establishment limited to a restaurant with drive-in or drive-through service may only operate between 12:00 a.m. (midnight) and 6:00 a.m. (the next day), Monday through Sunday.

~~7~~ 6. PARKING: Off-street parking must be provided in accordance with Planned Development District No. 842 and MD-I Modified Delta Overlay NO.1.

~~8~~ 7. OUTDOOR PATIO:

A. Maximum land area for the outdoor patio is 1,450 square feet in the location shown on the attached site plan.

B. The outdoor patio must remain uncovered.

~~9~~ 8. OUTDOOR SPEAKERS: Except for the existing speaker box for use at the menu board located as shown on the site plan, speakers located outdoors are prohibited.

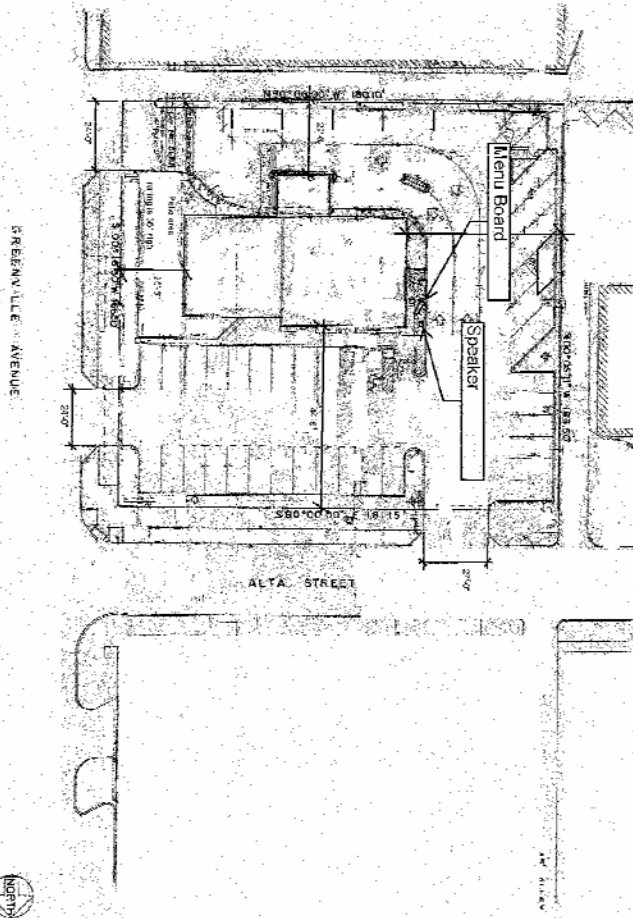
~~10~~ 9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

Z123-304(RB)

~~44~~ 10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations with the City of Dallas.

USE: Late hour's establishment for a restaurant with a drive-in or drive thru service

Floor area breakdown	
Mezzanine storage area	814.00 sqft
Kitchen storage	121.28 sqft
Kitchen area	1,368.00 sqft
Lobby & dining area	1,680.00 sqft
Total floor area	3,983.27 sqft
Subtract mezzanine storage area	814.00 sqft
Subtract kitchen storage area	21.28 sqft
Total usable floor area	3,048.00 sqft
Patio area	1,449.62 sqft
Height/Storage	25'-0" / one story, plus mezzanine storage area



SITE PLAN

REVISIONS

NO.	DATE	DESCRIPTION
1	11/14/11	Initial site plan
2	11/14/11	Revised site plan
3	11/14/11	Final site plan

Taco Cabana
 Dallas, TX 75206
 1827 Greenville

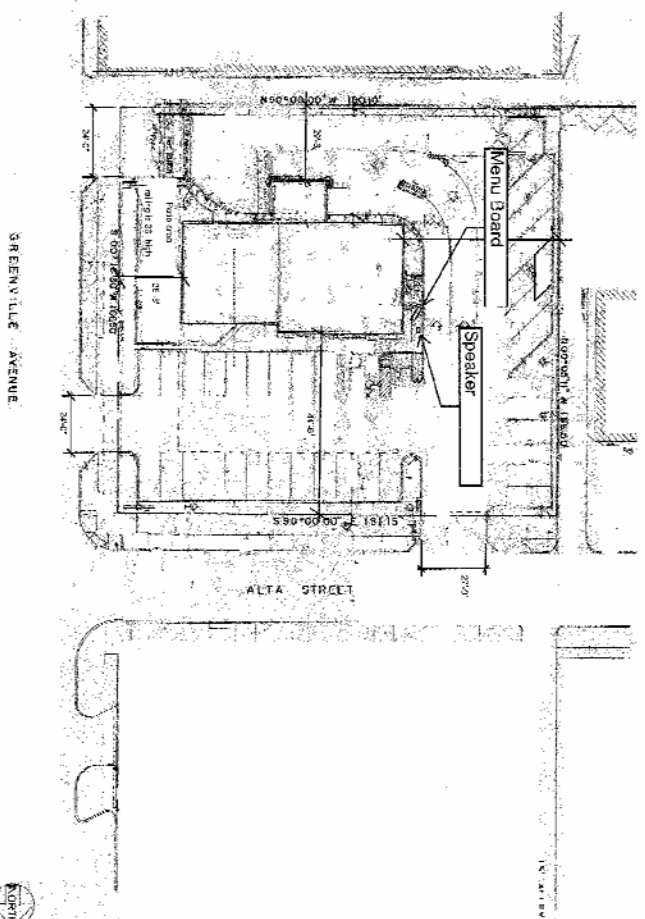
Case File #
 Z182-39 (RB)



Proposed Site Plan

USE: Late hour's establishment for a restaurant with a drive-in or drive thru service

Floor area breakdown	
Mezzanine storage area	814.00 sqft.
Kitchen storage	121.26 sqft.
Kitchen area	398.00 sqft.
Lobby & dining area	1,680.00 sqft.
Total floor area	3,983.27 sqft.
Subtract mezzanine storage area	814.00 sqft.
Subtract kitchen storage area	121.26 sqft.
Total usable floor area	3,048.00 sqft.
Patio area	1,449.62 sqft.
High/Stories 25'-0" / one story, plus mezzanine storage area	



SITE PLAN

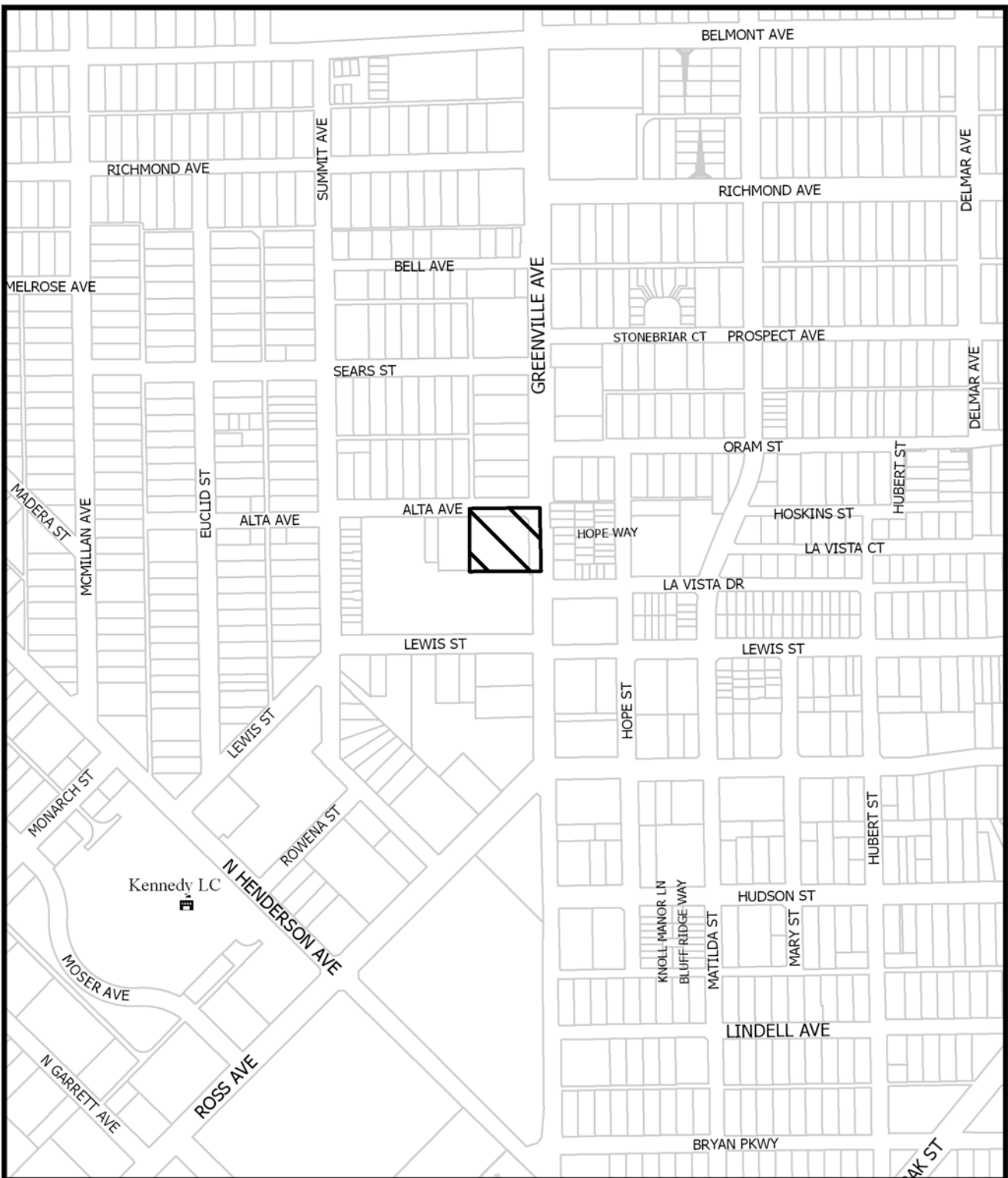
28380
 112485
 28380

Case File #
 Z101-323(RB)

Taco Cabana
 Dallas, TX 75206
 1827 Greenville

REVISIONS

NO.	DATE	DESCRIPTION
1	11/14/11	CONCEPT PLAN
2	11/14/11	CONCEPT PLAN
3	11/14/11	CONCEPT PLAN

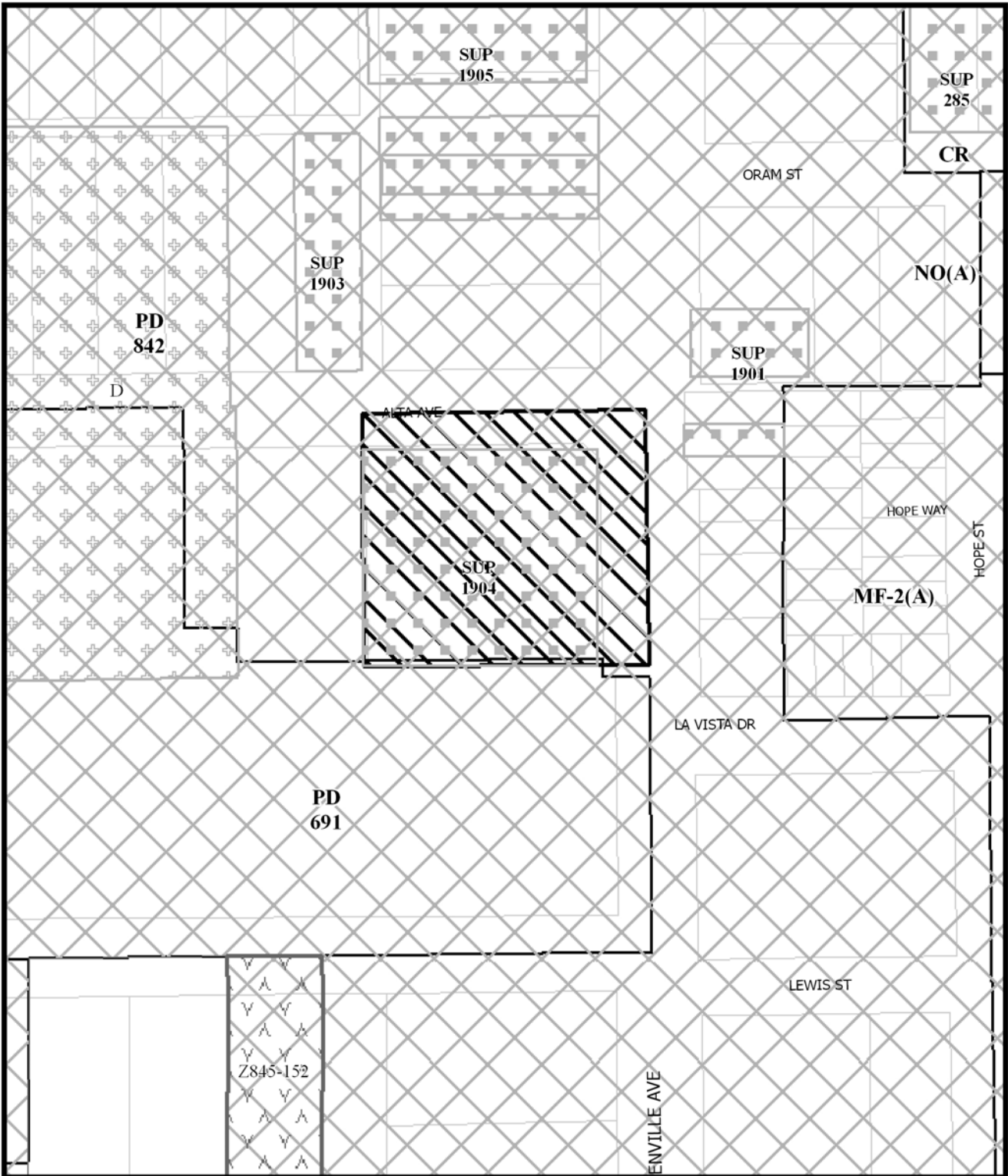


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VICINITY MAP

Case no: Z123-304

Date: 6/26/2013

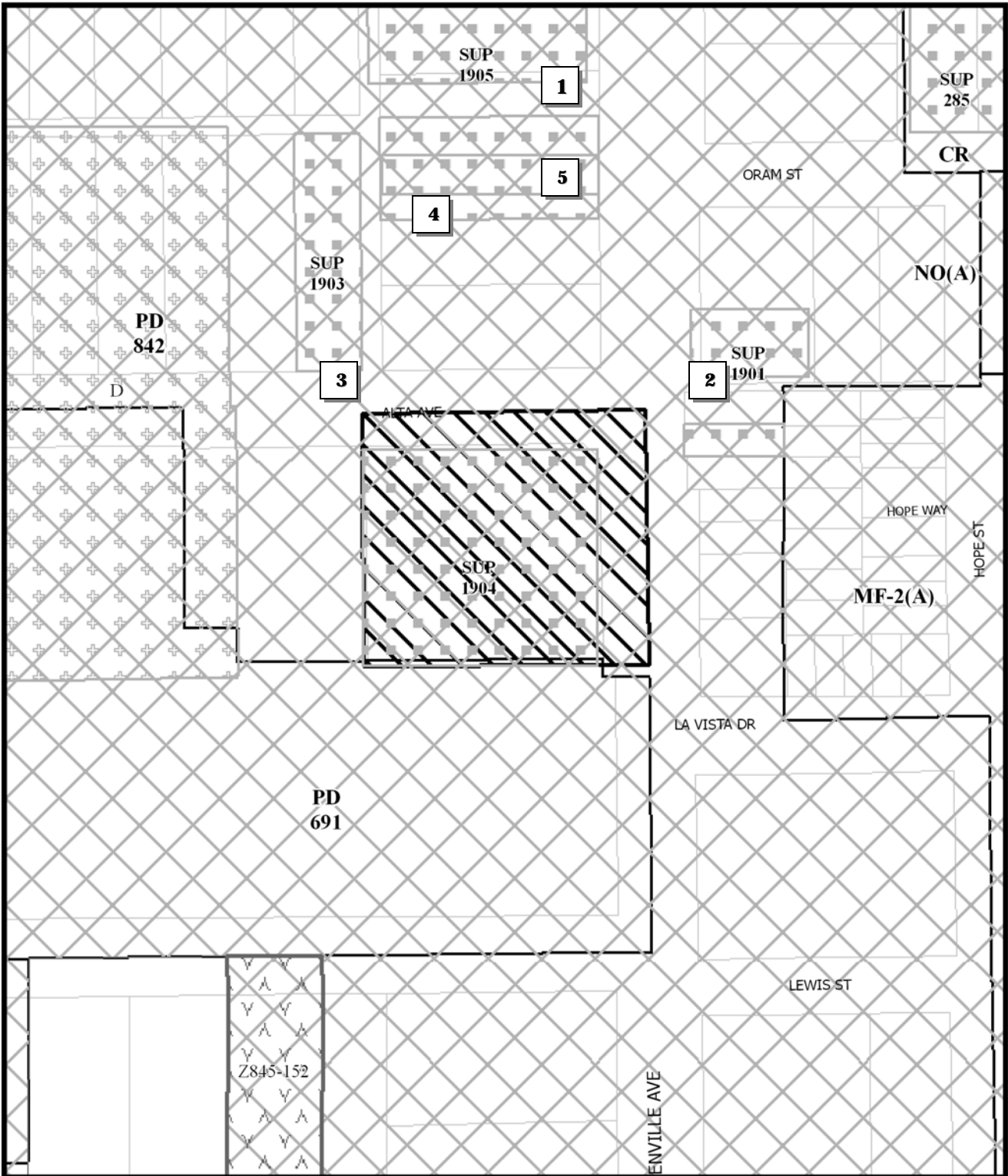


1:1,200

ZONING AND LAND USE

Case no: Z123-304

Date: 6/26/2013




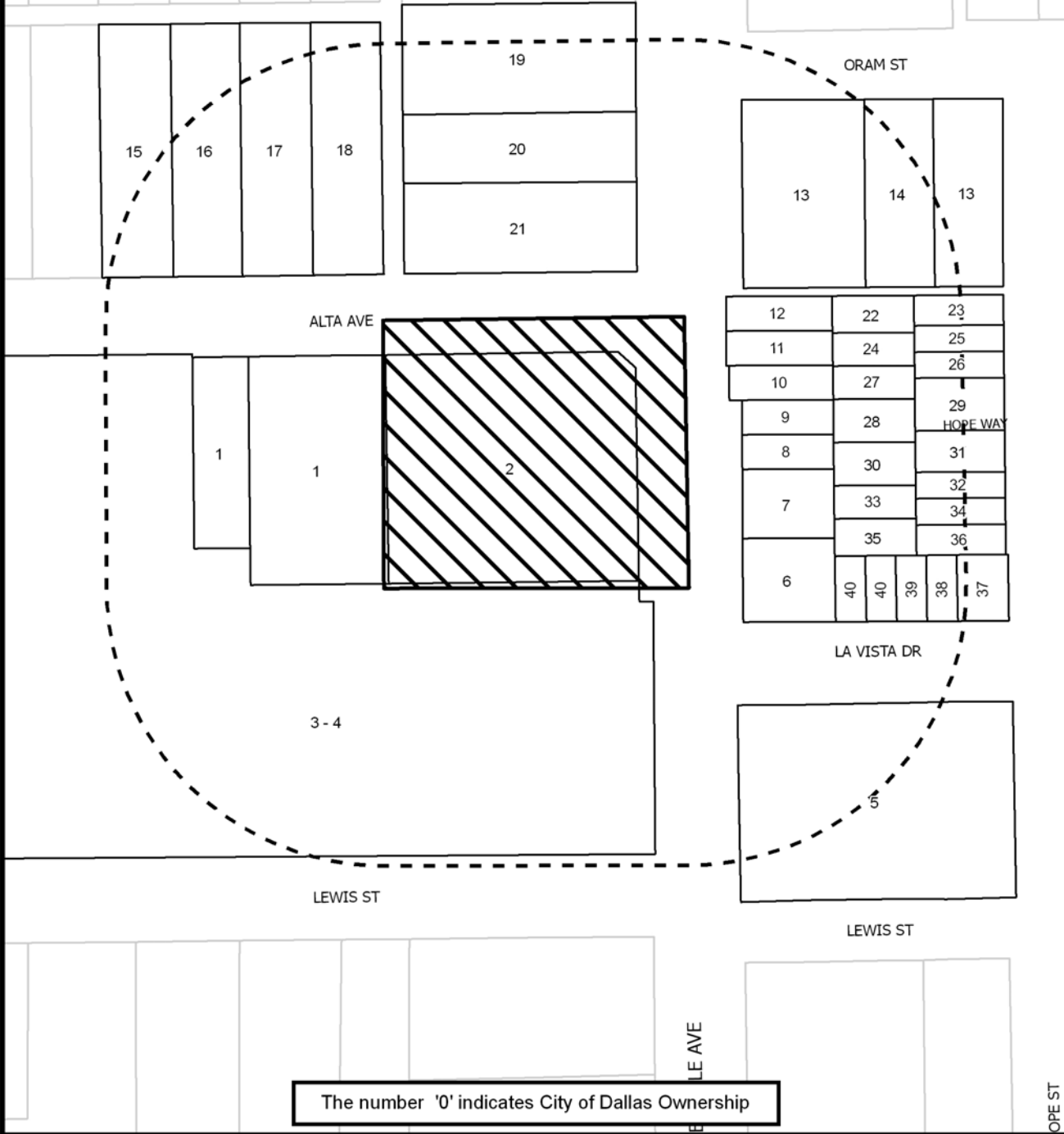
1:1,200

ZONING HISTORY

Case no: Z123-304

Date: 6/26/2013

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
40 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z123-304**
Date: **6/26/2013**

6/25/2013

Notification List of Property Owners***Z123-304******40 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5626 ALTA AVE	LATORRE ROBERT INC
2	1827 GREENVILLE AVE	LOWGREEN PS % SHULA NETZER
3	1811 GREENVILLE AVE	WRPV XI VUE GV DALLAS LP
4	1811 GREENVILLE AVE	GREENWAY GREENVILLE LP
5	1802 GREENVILLE AVE	VETTER JAMES G JR TR
6	1900 GREENVILLE AVE	TRUST REAL ESTATE
7	1904 GREENVILLE AVE	GALANIS CHRIS V ETAL
8	1908 GREENVILLE AVE	BATM PROPERTIES LP
9	1910 GREENVILLE AVE	MORENO RICHARD
10	1912 GREENVILLE AVE	CAMPBELL OLIVER
11	1914 GREENVILLE AVE	CHAPLIN JACK ET AL
12	1916 GREENVILLE AVE	SHORT STACK LLC
13	5712 ORAM ST	LOWGREEN PS
14	5710 ORAM ST	SOURIS MINOS
15	5619 ALTA AVE	THACKER RICHARD E JR
16	5623 ALTA AVE	SHIELDS WILLIAM OLIVER
17	5627 ALTA AVE	WSVV
18	5631 ALTA AVE	WSVV LLC
19	1911 GREENVILLE AVE	INTERCITY INVESTMENT PROP SUITE 500
20	1909 GREENVILLE AVE	WORLDWIDE FOOD INC
21	1903 GREENVILLE AVE	LOWGREEN PS % SHULA NETZER
22	1919 HOPE WAY	NGUYEN NGOC DIEP
23	1922 HOPE WAY	LEE SHI JIN
24	1917 HOPE WAY	KOHL BRIAN T
25	1920 HOPE WAY	KUMEKPOR ELI M
26	1918 HOPE WAY	TROMBLEY DJANGO

6/25/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1915 HOPE WAY	ALARCON WALDO & YAZMIN R
28	1913 HOPE WAY	HERNDON LINDSEY
29	1916 HOPE WAY	VALLOPILLIL SURESH J
30	1911 HOPE WAY	LOWENSTEIN MARK
31	1912 HOPE WAY	CRAVENS KIMBERLY A
32	1910 HOPE WAY	DANISH DAVID
33	1909 HOPE WAY	KEEPMAN MATTHEW
34	1908 HOPE WAY	GANDHI ANUPAMA K
35	1907 HOPE WAY	BAILEY TERRANCE V # 132
36	1906 HOPE WAY	ROSS MICHELLE M
37	5715 LA VISTA DR	CATHCART DAVID
38	5713 LA VISTA DR	CHIANG THOMAS S & TRACY C CHIANG
39	5711 LA VISTA DR	WHITE JULIUS
40	5709 LA VISTA DR	SHANE MARIO M & RACHELLE

FILE NUMBER: Z112-309(RB)

DATE FILED: August 28, 2012

LOCATION: Norwich Street and Bedford Street, Southeast Corner

COUNCIL DISTRICT: 6

MAPSCO: 43 N

SIZE OF REQUEST: Approx. 1.294 Acres

CENSUS TRACT: 105

APPLICANT/OWNER: Ignacio Hernandez

REPRESENTATIVE: Ignacio Hernandez

REQUEST: An application for a Specific Use Permit for an Outside salvage or reclamation use on property zoned an IM Industrial Manufacturing District

SUMMARY: The applicant is requesting an SUP in order to permit the existing illegal use on a portion of the property.

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

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval of this renewal and amendment subject to the revised site plan and revised conditions based upon:

1. *Compatibility with surrounding uses and community facilities* – The request site is located on a cornerside lot with various outside commercial/industrial uses operating in the immediate area.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – So as not to deter from adjoining properties, the use will require solid screening, with limitations on stacking height. Additionally, increased setbacks are required with the maximum stacking height internalized to the site (see attached site plan for defined area).
3. *Not a detriment to the public health, safety, or general welfare* – Staff's recommended site plan and conditions provides for a dedicated nonpermeable surface area for draining of fluids prior to vehicles being placed in the outside storage area.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – If this SUP is approved, the subject site will have to conform to all applicable zoning regulations and standards. A valid certificate of occupancy will be issued subject to the requested SUP being approved by the City Council.

BACKGROUND INFORMATION:

- The request site consists of improvements associated with operation of a vehicle display, sales, and service use as well as an illegal outside salvage or reclamation use. The applicant also provides for auto service center services for the vehicle display, sales, and service use.
- The applicant proposes to continue operation of both uses; the vehicle display, sales, and service use and auto service center is allowed by right, while the outside salvage or reclamation use requires an SUP.

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

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

<u>Thoroughfare/Street</u>	<u>Designation; Existing & Proposed ROW</u>
Norwich Street	Collector; 80' & 80' ROW
Bedford Street	Local; 50' ROW

STAFF ANALYSIS:

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

LAND USE ELEMENT

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The request site consists of improvements associated with operation of a vehicle display, sales, and service use, an auto service center use (allowed by right), as well as an illegal outside salvage or reclamation use. The applicant also provides for auto service center services for the vehicle display, sales, and service use.

The applicant is requesting an SUP in order to address the illegal status of the outside salvage or reclamation use.

The predominate land use in the immediate area consists of outside industrial/commercial uses in all directions with a couple of legally nonconforming single family dwellings, east of the site along Bedford Street.

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

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

The applicant has worked with staff to ensure the various provisions for the use (i.e., stacking height and setback requirements) are accommodated on this irregularly shaped parcel. The property is located on a cornerside lot, with the outside salvage and reclamation use extending internally into the lot. Solid screening (a minimum nine feet in height) will be provided around the perimeter of the outside stacking areas as well as providing for a designated nonpermeable surface area for fluids to be removed and captured from the vehicles.

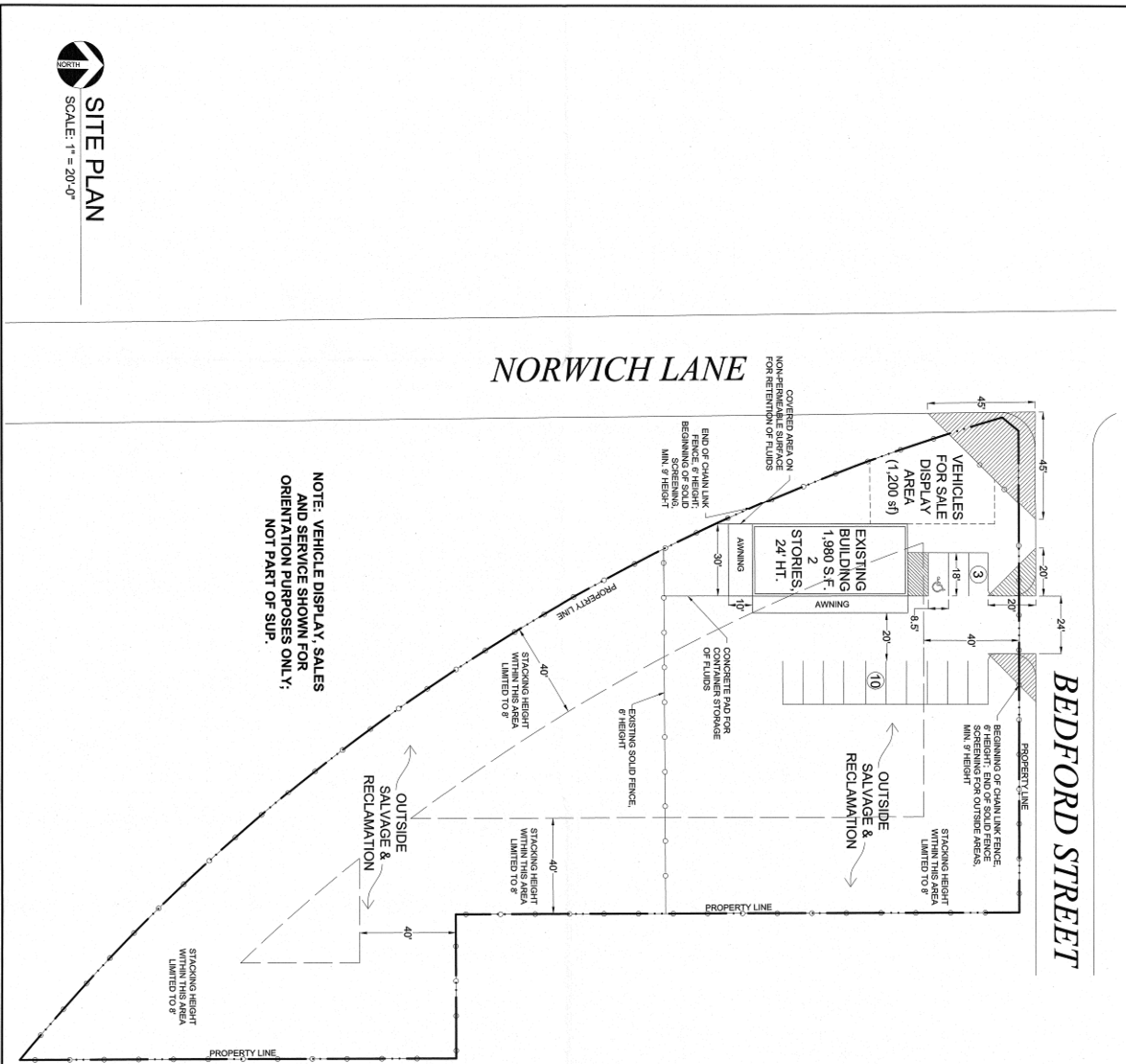
As a result of this analysis, staff supports the request subject to the attached site plan and conditions. For orientation purposes, the vehicle display, sales, and service use is delineated on the plan.

Landscaping: The site possesses minimal landscaping with trees located along its perimeter. No additional landscaping is required nor recommended.

**RECOMMENDED CONDITIONS FOR A SPECIFIC USE PERMIT FOR OUTSIDE
SALVAGE AND RECLAMATION**

1. **USE:** The only use authorized by this specific use permit is outside salvage and reclamation.
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).
4. **FLUID REMOVAL:** Draining of fluids from vehicles must be performed within the covered nonpermeable surface area located as shown on the attached site plan.
5. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.
6. **GENERAL REQUIREMENTS:** Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

SITE PLAN
SCALE: 1" = 20'-0"



NOTE: VEHICLE DISPLAY, SALES AND SERVICE SHOWN FOR ORIENTATION PURPOSES ONLY; NOT PART OF SUP.

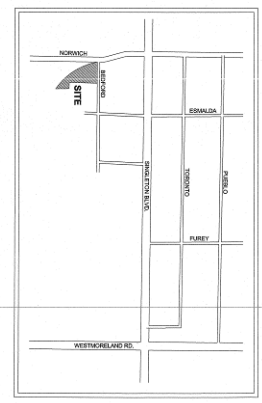
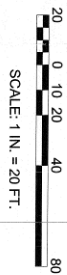
STAGING HEIGHT LIMITED TO 8'

SITE AREA: 1.294 AC (66,366.64 SF)

USES:
OFFICE/VEHICLE SERVICE (NOT PART OF SUP): 1,980 SF
OUTSIDE VEHICLE DISPLAY (NOT PART OF SUP): 1,200 SF
OUTSIDE SALVAGE & RECLAMATION: 53,006.64 SF

PARKING (NOT PART OF SUP - FOR REF. ONLY):
OFFICE/VEHICLE SERVICE (1/333 SF): 6 SP
OUTSIDE VEHICLE DISPLAY (1/500 SF): 2 SPACES
TOTAL REQ. SALVAGE & RECLAMATION: 5 SPACES
PROVIDED PARKING: 13 SPACES

Z112-309 (RB)



3720 BEDFORD STREET
CITY OF DALLAS, TEXAS

Baldwin Associates

BALDWIN ASSOCIATES
3904 Elm Street, Suite B
Dallas, Texas 75226
MOBILE: 214.729.7949
OFFICE: 214.824.7949
rob@baldwinplanning.com

12/05/12
PROJECT NUMBER
CASE NUMBER

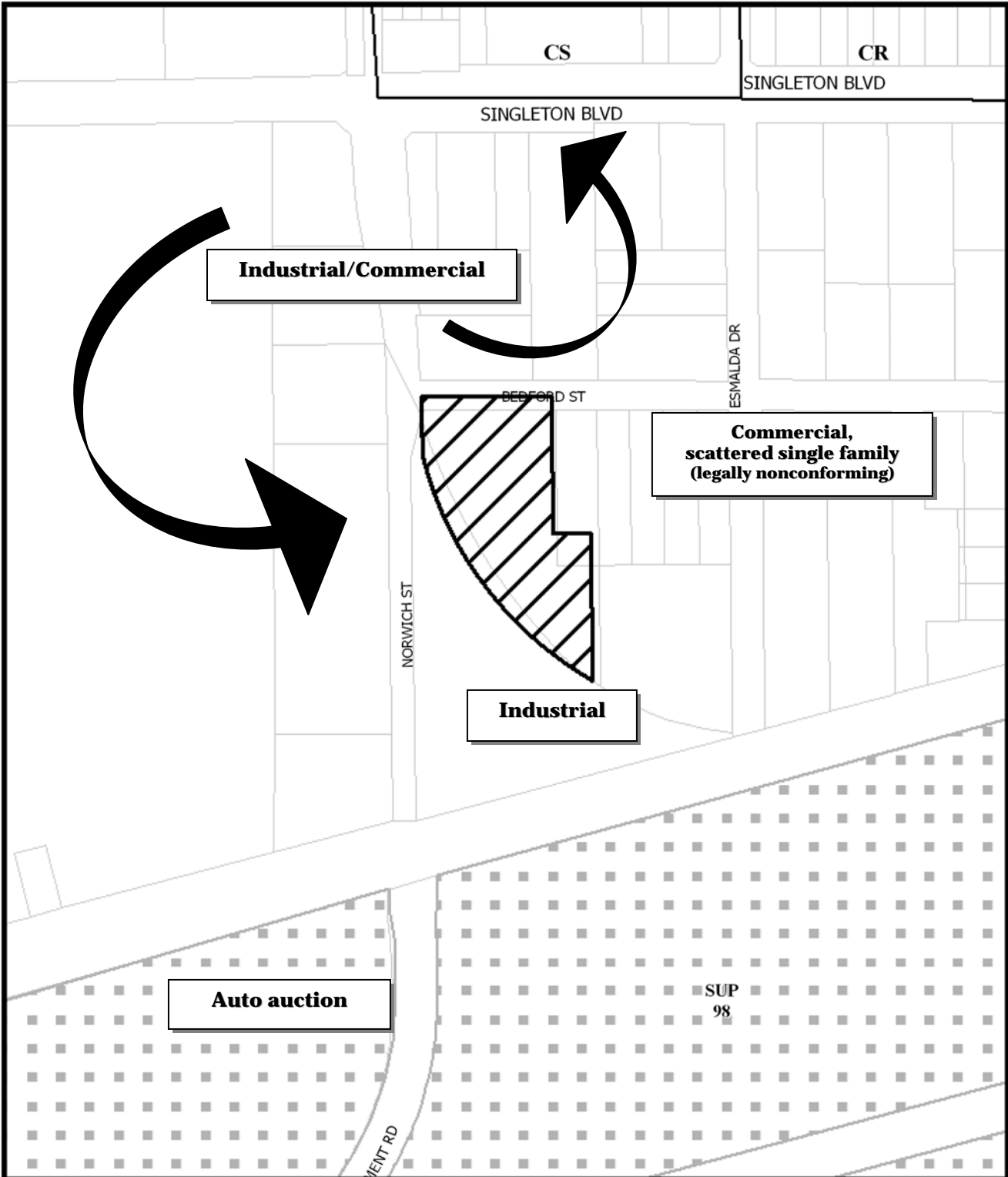


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VICINITY MAP

Case no: Z112-309

Date: 8/22/2013




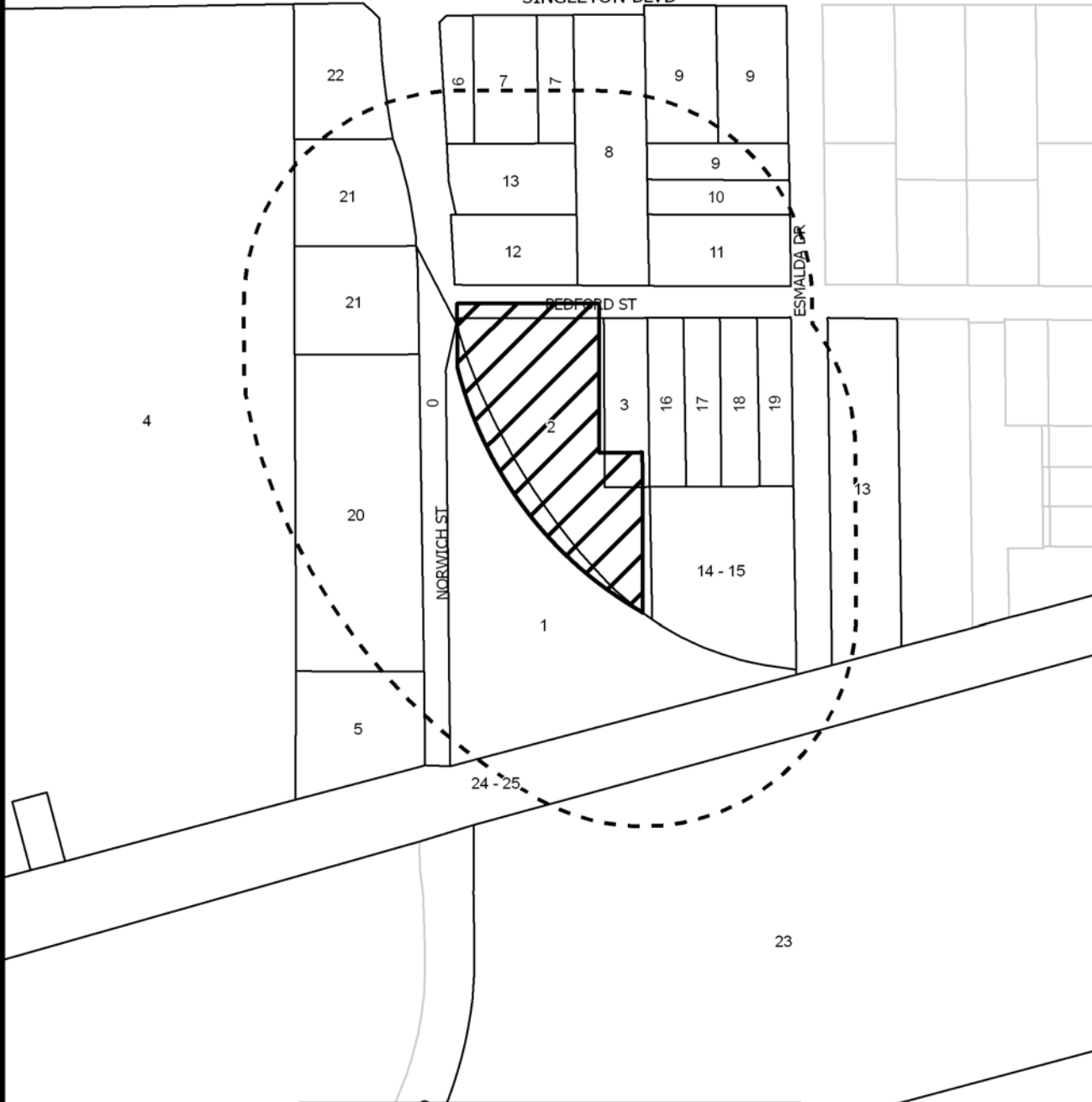
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ZONING AND LAND USE


Case no: Z112-309

Date: 8/22/2013

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
25 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-309**
 Date: **8/22/2013**

8/22/2013

Notification List of Property Owners***Z112-309******25 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2624 NORWICH ST	DAVIS CHARLES W
2	3720 BEDFORD ST	HERNANDEZ IGNACIO SR ETAL
3	3716 BEDFORD ST	WHITSITT JAMES THURSTON
4	3900 SINGLETON BLVD	TEXACO REFINING & MKT INC PPTY TAX DEPT
5	2901 NORWICH ST	REYES JACINTO E
6	3728 SINGLETON BLVD	NATHAL RODRIGUEZ CORP
7	3724 SINGLETON BLVD	NATHAL RODRIGUEZ CORP
8	3722 SINGLETON BLVD	MISER OLEN R & ANNA L
9	3714 SINGLETON BLVD	STEPHYS INC
10	2811 ESMALDA DR	HAYGOOD WAYNE
11	2803 ESMALDA DR	RICO LEOPOLDO & MARIA G
12	2802 NORWICH ST	CASTRO JUAN JOSE & MARGARITA
13	2810 NORWICH ST	NATHAL RODRIGUEZ CORP
14	2700 ESMALDA DR	DAVIS CHARLES W
15	2700 ESMALDA DR	TEXACO INC PROPERTY TAX DEPARTMENT
16	3712 BEDFORD ST	JONES DAVID
17	3708 BEDFORD ST	REYES JOSE F
18	3704 BEDFORD ST	REYES SIMON GARCIA
19	3702 BEDFORD ST	CASTANEDA ELIZABETH
20	2777 NORWICH ST	PFEIL GARY ARTHUR
21	2701 NORWICH ST	PFEIL GARY A
22	3806 SINGLETON BLVD	PFEIL GARY
23	2322 FRENCH SETTLEMENT RD	PETULA ASSOCIATES LTD
24	9999 NO NAME ST	UNION PACIFIC RR CO % TAX DEPT
25	4401 LINFIELD RD	ST LOUIS S W RAILWAY CO % UNION PACIFIC

FILE NUMBER: Z123-306 (JH)

DATE FILED: June 7, 2013

LOCATION: North side of East Greenbriar Lane, northwest of North Zang Boulevard

COUNCIL DISTRICT: 1

MAPSCO: 45-S, W, 44-V, Z

SIZE OF REQUEST: Approx. 3.3 acres

CENSUS TRACT: 20

REPRESENTATIVE: Audra Buckley

APPLICANT: Texas Intown Homes, LLC

OWNER: Southwest Cattlemen's Corporation

REQUEST: An application for a new Planned Development Subdistrict for multifamily uses on property zoned a Subdistrict A within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District.

SUMMARY: The applicant proposes to construct a multifamily development. The purpose of the request is to relieve development on the property from the maximum front yard setback along Greenbriar Lane and allow multifamily uses without a mixed use project.

STAFF RECOMMENDATION: Hold under advisement until October 24, 2013 – The applicant is submitting alternative design guidelines and renderings. Staff would like an opportunity to discuss and review prior to consideration by the Commission.

BACKGROUND INFORMATION:

- The request site is currently developed with seven multifamily dwelling units that are owned by metes and bounds. The site was permitted as part of a mixed use development containing multifamily and office uses that complied with PDD No. 468 Subdistrict A in 2007.
- The applicant proposes to construct the same townhouse-style multifamily development on the remainder of the property without being a mixed use project and with relief from the maximum front yard setbacks. The applicant is a developer who focuses on townhouse-style developments. The property is in a location where mixed uses have not occurred despite the zoning requirement for residential development (creation of new subdistricts and lack of redevelopment). Some relief from the maximum front yard setback is appropriate due to the large sanitary sewer easement that transverses the property.

Zoning History:

1. Z067-203 A pending authorized hearing to determine proper zoning on all of the property zoned PDD No. 468.
2. Z123-101 On January 9, 2013, the City Council approved a new subdistrict for multifamily uses on property zoned a Subdistrict A within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Greenbriar Lane	Local	78 ft
Dealey Avenue	Local	50 ft

STAFF ANALYSIS:

Comprehensive Plan:

The request does not comply with the following land use goals and policies of the Comprehensive Plan because the intensity of the development does not meet the recommendations of the Trinity Land Use Plan and expectations for riverfront opportunities that have been encouraged along the levies of the Trinity River. Staff would have preferred to have a higher density project. At the least, staff would have preferred alternate layouts to the townhouse style development that would incorporate urban design and placemaking features that would make the development internally walkable rather than vehicle-centric.

Element	Goal	Policy
LAND USE	1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES	1.1.1 Implement the Trinity River Corridor Plan.
ECONOMIC	2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS	2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.
ECONOMIC	2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS	2.5.2 Ensure that existing and future residential areas are appropriately linked in order to enhance economic development and urban design benefits.
NEIGHBORHOOD	7.1 PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS	7.1.3 Encourage a sense of community and identity.

While the applicant’s proposed development does fit within the Urban Mixed-Use Building Block, staff is concerned that there is not enough density within the applicant’s request to develop the vision of the building block.

Element	Goal	Policy
LAND USE	1.2 PROMOTE DESIRED DEVELOPMENT	1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

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

Area Plans:

The applicant’s request does not comply with the high density residential and mixed use development vision of the Trinity River Corridor Comprehensive Land Use Plan, 2005, in this area along the levy. The specific area study within the plan calls for mixed-use, high density developments. The Land Use Plan recommends the development and implementation of multi-modal transportation plan to support higher densities.

Staff’s evaluation of the proposed development finds that the density and scale is less intense than the “riverfront opportunity” the Trinity River Corridor Comprehensive Land Use Plan recommends.

PDD No. 468, the Oak Cliff Gateway Special Purpose District, was created after a land use study was drafted in the mid-1990s; however, it appears that the land use study was never formally adopted by City Council. PDD No. 468 does contain requirements for urban design principles, crime prevention through environmental design (CPTED), build-to frontage requirements that reflect the draft land use study's vision and recommendation. Subdistrict A in PDD No. 468 promotes mixed-use, high intensity development in these "riverfront opportunities", while also allowing the existing industrial uses to remain conforming.

Land Use Compatibility:

The applicant is proposing to construct approximately 60 multifamily dwelling units on the property, which is not allowed by the existing zoning because no mixed use project is proposed and relief from the existing minimum/maximum front yard requirement is sought.

The surrounding land uses are multifamily to the south and east, an electrical substation to the north, office and light industrial uses to the northwest.

The request site is challenging due to site issues and its location, though some are self-created by the previous developer. The request site has a very small portion that is within the floodplain, which will require a fill permit prior to building permits. The development plan also shows a 50' wide sanitary sewer easement which transverses the entire width of the property near the street frontage and a 20' wide storm sewer easement that runs south to north on the eastern portion of the property. However, the remaining public utility easements were created by the previous developer and placed the public and private utilities in this location. This makes the continuation of the townhouse-style multifamily development easy, though not necessary. Portions of the public utility easement could be relocated or removed to facilitate an alternate building and driveway layout or a multistory apartment building.

The site is located between Zang Boulevard and Beckley Avenue, nearer to Zang Boulevard. The general area does not have favorable connectivity because of the very large block sizes south of Greenbriar and the division of north and southbound Zang Boulevard limit route options. For this reason, staff supports the applicant's request to remove the mixed use project requirement for multifamily uses.

The Dallas Design Studio was consulted at the beginning of the application to brainstorm an approach to improve the development plan, including one meeting with the applicant. The Design Studio created several scenarios where density could be increased to approximately 87 dwellings with a 3- to 4-story apartment building on the easternmost portion with no realignment of the public utility easements. Another scenario produced 75 townhouse-style dwellings with some realignment in the central area of the property. The applicant has rejected most input from staff on urban design, density, and layout.

The applicant is agreeing to provide limited urban design elements. Staff is recommending PD conditions for urban design requirements such as individual units on

the ground floor that have direct access to the street and driveway, which will enhance pedestrian activity. The applicant is agreeing to only provide the direct access units for the dwellings immediately along Greenbriar Lane. The urban form of the building will be broken up with required articulations every 50 feet and using a mix of façade materials or colors. Staff is also recommending a porch, stair, or entrance be prominent over the garage by recessing garage doors by 5 feet. Staff is concerned with the amount of existing pavement to remain and garage doors overwhelming the visual quality and pedestrian environment internal to the townhouse-style community.

Two development plans are included for consideration. The applicant’s proposed development plan shows a circular or donut configuration of dwelling units in the center of the property. Staff is concerned with the enclosure of the open space from a public safety aspect as well as its limited potential use and maintenance. The staff recommended an opening of at least 50 feet to be provided to break the donut shape to allow for greater visibility for safety and access.

Staff is disappointed in the density and lack of design in the applicant’s proposal. The city has put forth effort in recent years to maximize the development potential along the Trinity River levy, not only in density and development rights, but in improved urban design and placemaking. The applicant’s request is a continuation of the low density residential development that exists along Greenbriar Lane and to some extent down Zang Boulevard. The adjacent property to the west recently changed its zoning, had greater site constraints, but was able to provide a minimum density of 55 dwelling units per acre and most of the staff recommended urban design elements. While the request site has challenges, staff has encouraged and tried to incentivize in the PD conditions at a larger scale and density development that will better meet the expectations of visions of the Trinity River Land Use Study and unofficial Oak Cliff Gateway Land Use Study. Staff does not believe of the applicant’s request achieves the vision the neighborhood and city had for riverfront opportunities. Staff has drafted conditions that are more in keeping with this vision in the event the City Plan Commission supports a new subdistrict.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
PD 468 Subdistrict A	Min 15' Max 30'	0	Max 3.1 FAR	270' 20 stories	80%		Industrial, retail & personal service; residential only as part of a mixed use project
Proposed							
PD 468 Subdistrict A3	North: 5' along Dealey Ave South: 5'-15' for 25% of frontage	5'	Minimum density 60; no max	Min. height 75' except 38' for a portion	80%	urban design and architectural requirements	Multifamily

Parking/Traffic:

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

The applicant's PD conditions show the applicant proposes the ability to provide required parking within the right-of-way and a reduction in parking per dwelling unit. Staff is not either proposal. In contrast to the adjacent subdistrict to the west, which has rights for live-work units along Greenbriar Lane, staff generally does not support required parking in the right-of-way because the right-of-way could be necessary for another public purpose in the future (travel lanes, bike lanes, etc.) and developments should be responsible for meeting requirements on site.

Greenbriar Lane is designated as "under study" on the Bike Plan. Transportation Planning staff are considering this street as an important connection between Zang Boulevard and Beckley Avenue. The exact bike lane facilities and location with the existing pavement has not been determined, however, staff is concerned that by allowing required parking to be provided on-street, it is potential safety conflict with the bike lane facilities. The on-street parking configuration will be an administrative function and will be evaluated with the context of future bike lane facilities. Bicycle access to the Trinity Trail currently has a physical barrier with the sump area, but access to the trails is desirable in the future.

Landscaping:

Landscaping is required in accordance with Article X.

List of Partners/Principals/Officers

Southwest Cattlemen's Corporation

J. Robert Kelly, President
Karla Payne, Vice President and Secretary
Richard J. Huck, Vice President
Cary Utz, Vice President
Rick Bartley, Vice President
Jeff Kieffer, Vice President
Bob Boehmler, Vice President
Scott Kennon, Vice President
Robin Miller, Vice President
Gina Stone, Vice President
Marla England, Vice President and Assistant Secretary
Miriam Hopkins, Assistant Secretary
Phyllis Shelley, Assistant Secretary

Texas Intown Homes, LLC

Frank Liu, Manager
Helen Ghozali, Manager
Ming Liu, Manager

PROPOSED PD CONDITIONS FOR CREATING SUBDISTRICT A-3

ARTICLE 468.

PD 468.

Oak Cliff Gateway Special Purpose District

SEC. 51P-468.101. LEGISLATIVE HISTORY.

PD 468 was established by Ordinance No. 23057, passed by the Dallas City Council on March 12, 1997. Ordinance No. 23057 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 23057 was amended by Ordinance No. 23868, passed by the Dallas City Council on April 28, 1999, and Ordinance No. 25866, passed by the Dallas City Council on January 26, 2005.

SEC. 51P-468.102. PROPERTY LOCATION AND SIZE.

PD 468 is established on property generally bounded by Interstate 30, the Levee on the east side of the Trinity River, Interstate 35E (South R.L. Thorton Freeway), Jefferson Boulevard, Eighth Street, a line midway between Beckley Avenue and Crawford Street, Neches Street, Bishop Avenue, Colorado Boulevard, and Beckley Avenue. The size of PD 468 is approximately 608.86 acres.

SEC. 51P-468.103. PURPOSE.

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

- (1) Accommodate the existing mix of uses in the area.
- (2) Protect the internal and adjacent stable residential neighborhoods.
- (3) Preserve and enhance the historical, cultural, and architectural significance of the area.
- (4) Strengthen the neighborhood identity.
- (5) Create a more desirable pedestrian environment.

SEC. 51P-468.104. DEFINITIONS AND INTERPRETATIONS.

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

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

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

(2) ARTISAN AND SPECIALTY GOODS SHOP means a small scale business that manufactures artisan goods or specialty goods for sale on- or off-premise. This use does not include other uses that are specifically listed in Section 51A-4.200.

(3) ART OR CRAFT PRODUCTION FACILITY means a facility for the production of handcrafted art or craft products through processes such as kiln firing, glass blowing, welding, or woodworking and for sale of the products to the general public.

(4) BAIL BOND OFFICE means an office for the issuance, brokerage, or procurement of bail bonds, whether as an accessory use or a main use.

(5) LIVE/WORK UNIT means an interior space that combines a residential and nonresidential use. A live/work unit is considered a nonresidential use.

(6) LUMINOUS REFLECTANCE means the ratio of the amount of total light that is reflected outward by a material to the amount of total light falling on the material.

(7) TATTOO OR BODY PIERCING STUDIO means an establishment in which tattooing is performed, or body piercing for the purpose of wearing jewelry in the pierced body part (for any body part other than earlobes) 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.

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

(d) The following rules apply in interpreting the use regulations in this article:

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

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

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

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

(e) Unless the context clearly indicates otherwise, for purposes of interpreting Chapter 51A, the subdistricts are considered to be residential or nonresidential as indicated:

- (1) Subdistrict A - Beckley Industrial Area: nonresidential.
- (2) Subdistrict A-1 - Beckley Residential Area: residential.
- (3) Subdistrict A-2 – Greenbriar Residential Area: residential.
- (#) Subdistrict A-3 – Trinity Townhome Multifamily Residential Area: residential.
- (4) Subdistrict B - Oak Farms Commercial Area: nonresidential.
- (5) Subdistrict C - Lake Cliff Residential Area: residential.
- (6) Subdistrict C-1 - Lake Cliff Neighborhood Service Area: nonresidential.
- (7) Subdistrict D - Founders Park Mixed Area: nonresidential.
- (8) Subdistrict D-1, Tracts 1 and 3 - Founders Park Retail: nonresidential; Tract 2 - Founders Park Residential: residential.
- (9) Subdistrict D-2 - Founders Park Mixed Area 2: nonresidential.
- (10) Subdistrict E - Hospital Area: nonresidential.

SEC. 51P-468.104.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 468A: Subdistrict map.
- (2) Exhibit 468B: Tract 1 and 3 conceptual plan/tract 2 development plan.
- (3) Exhibit 468C: Subdistrict A-1 development plan.
- (4) Exhibit 468D: Subdistrict A-2 conceptual plan.

(5) Exhibit 468E: Subdistrict A-3 development plan.

SEC. 51P-468.105. CREATION OF SUBDISTRICTS.

(a) This district is to be known as the Oak Cliff Gateway Special Purpose District, and is divided into the following ~~40~~ 11 subdistricts, as described in Exhibit A of Ordinance No. 23057, as amended, and as shown on the map labelled Exhibit 468A:

- (1) Subdistrict A - Beckley Industrial Area.
- (2) Subdistrict A-1 - Beckley Residential Area.
- (3) Subdistrict A-2 – Greenbriar Residential Area.
- (#) Subdistrict A-3 – Trinity Townhome Multifamily Residential Area.

- (4) Subdistrict B - Oak Farms Commercial Area.
- (5) Subdistrict C - Lake Cliff Residential Area.
- (6) Subdistrict C-1 - Lake Cliff Neighborhood Service Area.
- (7) Subdistrict D - Founders Park Mixed Area.
- (8) Subdistrict D-1 - Founders Park Retail (Tracts 1 and 3) and Founders Park Residential (Tract 2).
- (9) Subdistrict D-2 - Founders Park Mixed Area 2.
- (10) Subdistrict E - Hospital Area.

(b) In the event of a conflict between Exhibit A of Ordinance No. 23057, as amended, and Exhibit 468A, Exhibit A, as amended, controls.

(c) Use regulations and development standards for each subdistrict are set out below.

SEC. 51P-468.106. GENERAL DEVELOPMENT STANDARDS.

(a) Except as provided in this section, the provisions of Section 51A-4.702, “Planned Development (PD) District Regulations,” relating to the PD pre-application conference, site plan procedure, site analysis, conceptual plan, development plan, development schedule, and amendments to the development plan do not apply to this district.

(b) In Subdistrict A-1, development and use of the Property must comply with the Subdistrict A-1 development plan (Exhibit 468C). If there is a conflict between the

text of this article and the Subdistrict A-1 development plan, the text of this article controls.

(c) In Subdistrict A-1, for development and use of the Property as shown in the Subdistrict A-1 development plan, a preliminary plat is not required to be submitted at the same time that the development plan is submitted. For any other development or use of the Property that deviates from the Subdistrict A-1 development plan, a preliminary plat must be submitted with the development plan.

(d) In Subdistrict A-2, development and use of the Property must comply with the Subdistrict A-2 conceptual plan (Exhibit 468D). If there is a conflict between the text of this article and the Subdistrict A-2 conceptual plan, the text of this article controls. A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this subdistrict.

(#) In Subdistrict A-3, for development and use of the Property as shown in the Subdistrict A-3 development plan (Exhibit 468E). If there is a conflict between the text of this article and the Subdistrict A-3 development plan, the text of this article controls.

(e) For Tract 1 in Subdistrict D-1, a development plan that complies with the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan and this article must be approved by the city plan commission prior to the issuance of a building permit to authorize work in Tract 1. If there is a conflict between the text of this article and the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan, the text of this article controls.

(f) For Tract 2 in Subdistrict D-1, development and use of the Property must comply with the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan (Exhibit 468B). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(g) For Tract 3 in Subdistrict D-1, a development plan that complies with the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan and this article must be approved by the city plan commission prior to the issuance of a building permit to authorize work in Tract 3. If there is a conflict between the text of this article and the Tract 1 and 3 Conceptual Plan/Tract 2 Development Plan, the text of this article controls.

(h) The provisions of Section 51A-4.702(h) and (i) apply to Subdistrict D-1.

SEC. 51P-468.107. SUBDISTRICT A - BECKLEY INDUSTRIAL AREA.

SEC. 51P-468.107.1 SUBDISTRICT A-1 - BECKLEY RESIDENTIAL AREA.

SEC. 51P-468.107.2. SUBDISTRICT A-2 – GREENBRIAR RESIDENTIAL AREA.

SEC. 51P-468.107.3 SUBDISTRICT A-3 – TRINITY TOWNHOME MULTIFAMILY RESIDENTIAL AREA.

(a) Main uses permitted.

(1) Residential uses.

-- Multifamily.

(2) Utility and public service uses.

-- Local utilities.

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

(c) Yard, lot, and space regulations.

(1) Application of subsection. The following yard, lot, and space regulations apply to all properties within Subdistrict A-3.

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

(3) Front yard.

(A) Area north of sewer easement. Minimum front yard of five feet is required along Dealey Avenue.

(B) Area South of sewer easement. Minimum front yard is 5 feet. Maximum front yard setback for 25 percent of the Greenbriar Lane frontage is 15 feet. Frontage for this requirement is limited to the linear distance of the property along Greenbriar Lane

(C) A building that meets the minimum frontage requirement must be permitted in area south of the sewer easement before the issuance of a permit to construct a building north of the sewer easement.

(D) Urban form. No urban form setback is required.

(E) Encroachments. For residential uses, stoops and stairs may encroach up to five feet into the required Greenbriar Lane minimum front yard setback south of the sewer easement.

(4) Side and rear yard. No minimum side or rear yard.

(5) Density. Minimum density is 60 dwelling units. No maximum density.

(6) Height. Maximum height is 75 feet except in the area shown on the development plan is limited to a maximum height of 38 feet.

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

(8) Lot size. No minimum lot size.

Staff recommended

(9) Central open space. One opening of a minimum 50 feet spacing between buildings and a minimum 8 foot sidewalk connecting to the open space from the driveway must be provided to allow access to the open space in the central area of the property and safe use of the open space.

Applicant proposed

~~(9) Central open space. One opening of a minimum 50 feet spacing between buildings and a minimum 8 foot sidewalk connecting to the open space from the driveway must be provided to allow access to the open space in the central area of the property and safe use of the open space.~~

(d) Off-street parking and loading.

(1) Except as provided, consult the use regulations contained in Division 51A-4.200 for the specific off-street parking/loading requirements for each use.

(2) Assigned parking for multifamily dwelling units may be tandem.

Staff recommended

~~(2) For a multifamily use, a minimum of 1.75 off-street parking spaces per dwelling unit must be provided. Of the minimum requirement, a minimum of 0.25 spaces must be available and unassigned for guest parking and may be located within the adjacent public right-of-way.~~

Applicant proposed

(2) For a multifamily use, a minimum of 1.75 off-street parking spaces per dwelling unit must be provided. Of the minimum requirement, a minimum of 0.25 spaces must be available and unassigned for guest parking and may be located within the adjacent public right-of-way.

(e) Environmental performance standards. See Article VI.

(f) Landscaping.

- (1) Landscaping must be provided in accordance with Article X.
- (2) All plant materials must be maintained in a healthy, growing condition.
- (g) Signs. Signs must comply with the provisions for non-business zoning districts in Article VII.
- (i) Urban design guidelines.
 - (1) Purpose. The purpose of these urban design guidelines is to enhance the pedestrian environment by increasing safety measures and providing amenities; preserve the historic character of Old Oak Cliff; and enhance the safety factors for heavily traveled major thoroughfares.
 - (2) For the purpose of the urban design guidelines, internal driveways are considered a street.
 - (3) Urban design guidelines do not apply to dwelling units constructed prior to January 1, 2013.
 - (4) Street-facing facades.

Staff recommended

- | |
|---|
| <u>(A) A minimum of 80 percent of the street-facing, ground floor dwelling units must have individual entries that access the street and must have an improved path connecting to the sidewalk. All units facing Greenbriar Lane must satisfy this paragraph.</u> |
| <u>(B) Garage doors must be recessed a minimum of 5 feet from an individual entrance, unenclosed porch, or stoop in order for the individual entrance to be visually prominent over the garage entry</u> |

Applicant proposed

- | |
|--|
| <u>(A) All units facing Greenbriar Lane must have individual entries that access the street and must have an improved path connecting to the sidewalk.</u> |
|--|
- (4) Architectural elements.
 - (A) To break up long walls, building articulation of a minimum depth of one foot is required for every 50 feet of length of a street facing façade.
 - (B) A minimum of two different façade materials or colors is required on each street-facing facade.
 - (5) Exterior parking structure facades are those facades on a multistory aboveground parking structure. The exterior parking structure facade must be

constructed in a way so that it is similar in materials, architecture, and appearance to the facade of the main structure. Breaks in the exterior parking structure facade not exceeding 40 feet in width are permitted at driveway and entryway locations. Openings in the exterior parking structure facade may not exceed 60 percent of the total parking structure facade area. An aboveground exterior parking structure facade must provide solid screening of a minimum 42 inches from the floor level within the parking structure to screen vehicles and vehicle headlights. Openings must be screened with architectural grill work or other decorative visual screening materials that provide ventilation, minimize glare, and minimize noise. This paragraph does not apply to garages attached to individual dwelling units.

(6) Pedestrian amenities.

(A) Pedestrian scale lighting must be provided at an average of one lighting fixture per 75 feet of Greenbriar Lane street frontage.

(B) A minimum sidewalk width of 8 feet must be provided along Greenbriar Lane with a minimum unobstructed width of 5 feet. Trees and tree grates are sidewalk obstructions. Internal sidewalks along the driveway must be a minimum of 3 feet.

(C) Pedestrian crossings at driveways that connect to Greenbriar Lane must be distinguished by a change in surface materials such as pavers or patterned concrete. Pedestrian crossings may not be distinguished by paint alone.

(7) CPTED review. Compliance with Crime Prevention Through Environmental Design (CPTED) review standards is encouraged for all construction requiring a building permit. Contact the building official plans examiner for information on CPTED review standards.

(9) Fencing. The following fence standards apply when the property contains more than seven dwelling units and non-conforming fencing must be removed except for any fencing immediately around the dwelling units constructed prior to January 1, 2013.

(A) Fencing between a street-facing facade and the street or driveway is limited to a maximum height of four feet.

(B) Fencing between a street-facing facade and the street or driveway that is not used for an individual private yard must provide one pedestrian gate for every 150 feet of fence length.

(C) Individual entries, and private yards or patios may be gated and fenced if the fencing is a minimum of 70 percent open, such as wrought iron, and a maximum height of four feet.

(D) Vehicular gates may be six feet tall if a setback of 15 feet is provided.

(h) Additional provisions.

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

(2) Development and use of property in this subdistrict must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-468.108. SUBDISTRICT B - OAK FARMS COMMERCIAL AREA.

SEC. 51P-468.109. SUBDISTRICT C - LAKE CLIFF RESIDENTIAL AREA.

SEC. 51P-468.110. SUBDISTRICT C-1 - LAKE CLIFF NEIGHBORHOOD SERVICE AREA.

SEC. 51P-468.111. SUBDISTRICTS D AND D-2 - FOUNDERS PARK MIXED AREA AND FOUNDERS PARK MIXED AREA 2.

SEC. 51P-468.112. SUBDISTRICT D-1 - FOUNDERS PARK RETAIL (TRACTS 1 AND 3) AND FOUNDERS PARK RESIDENTIAL (TRACT 2).

SEC. 51P-468.113. SUBDISTRICT E - HOSPITAL AREA.

SEC. 51P-468.114. PAVING.

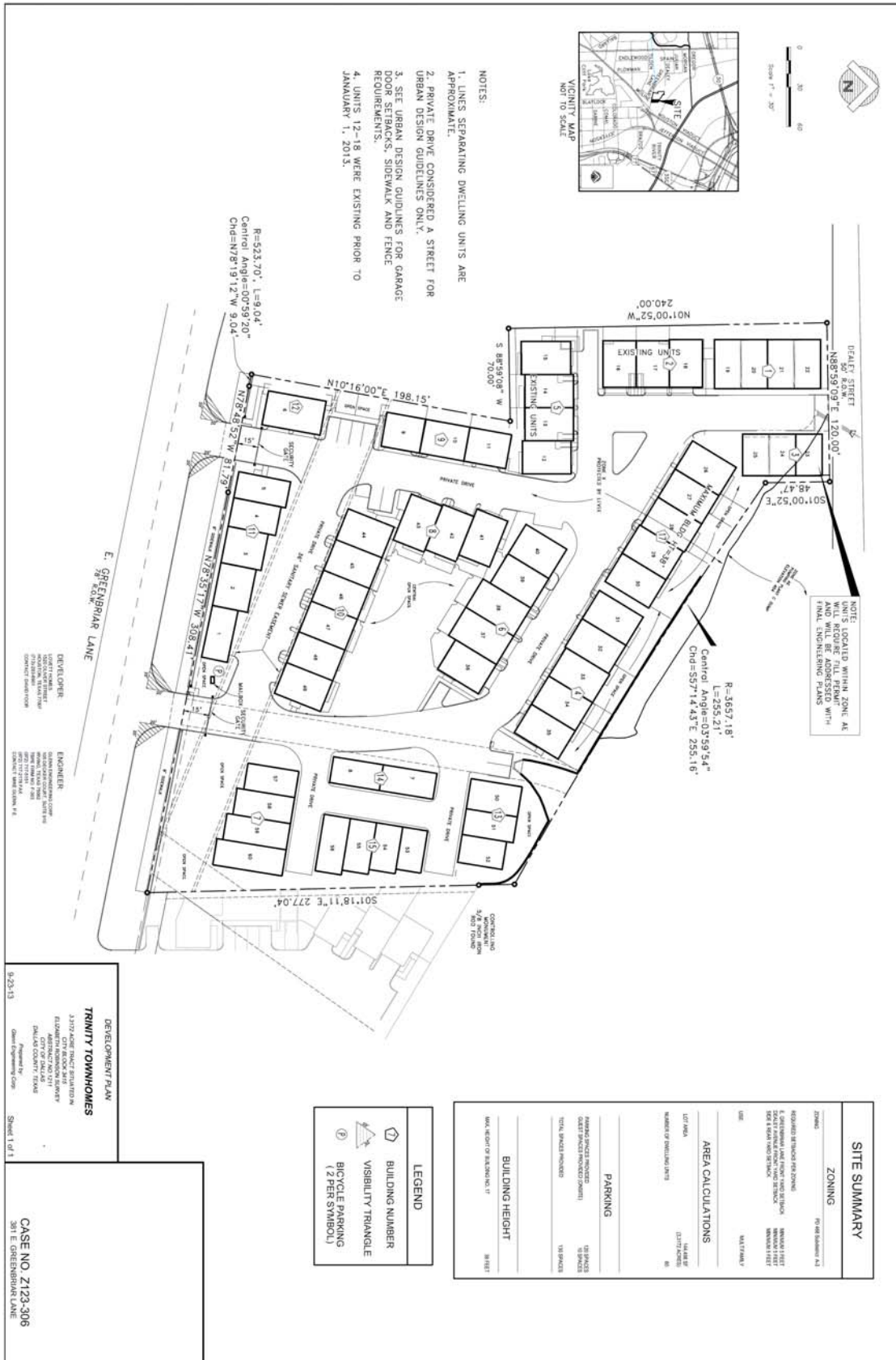
All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

SEC. 51P-468.115. COMPLIANCE WITH CONDITIONS.

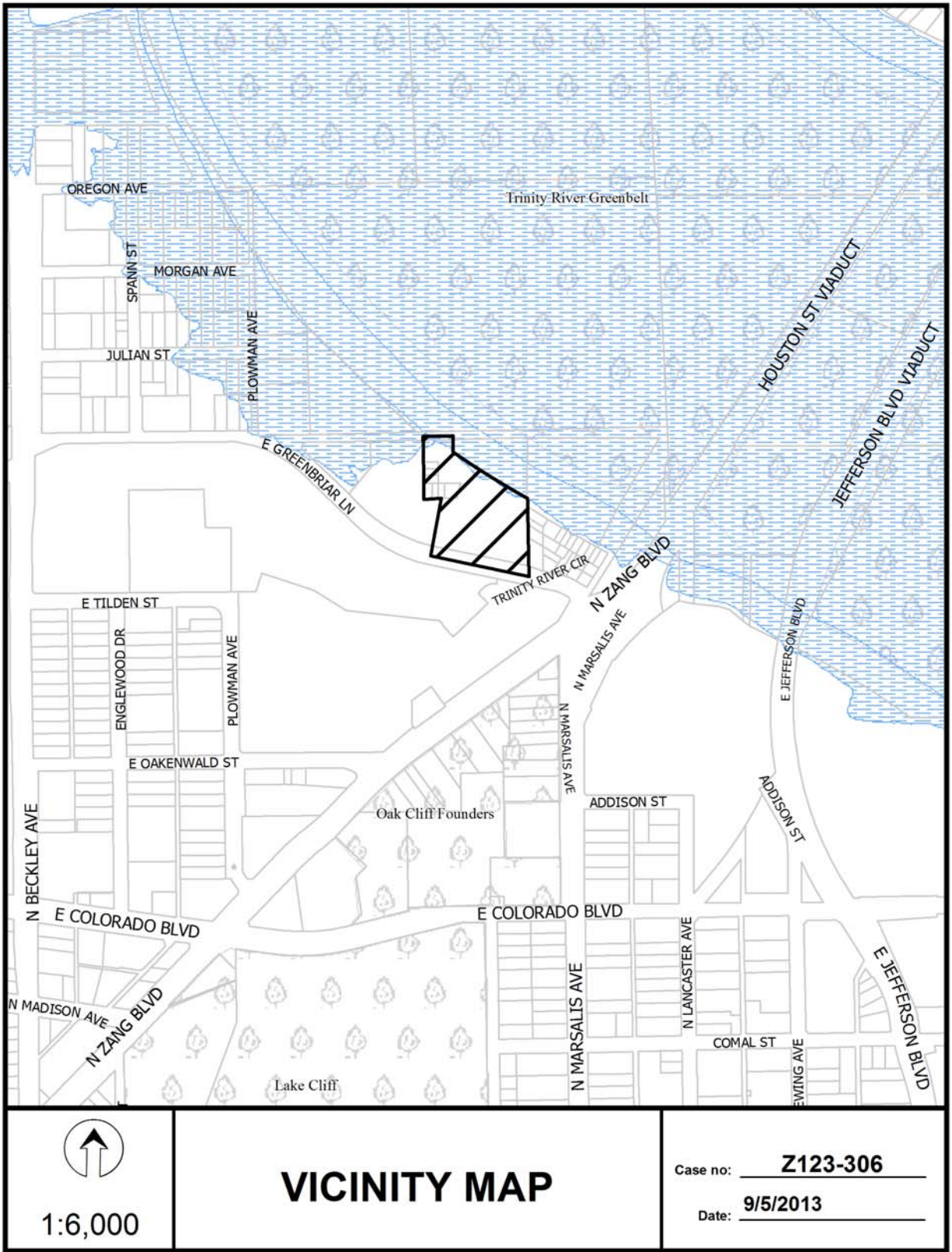
The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

Applicant's Proposed Development Plan





Applicant's Proposed Development Plan - Alternate

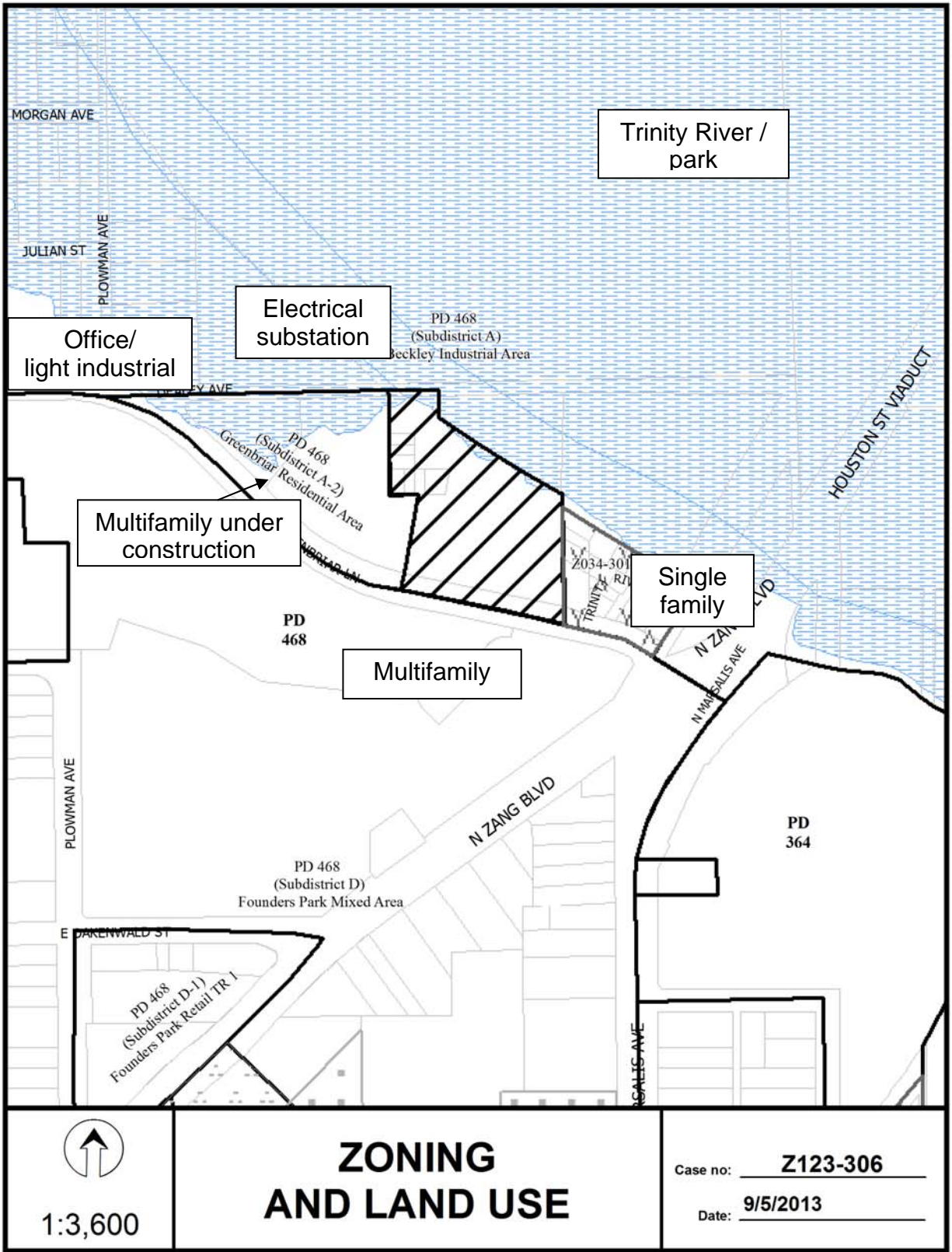


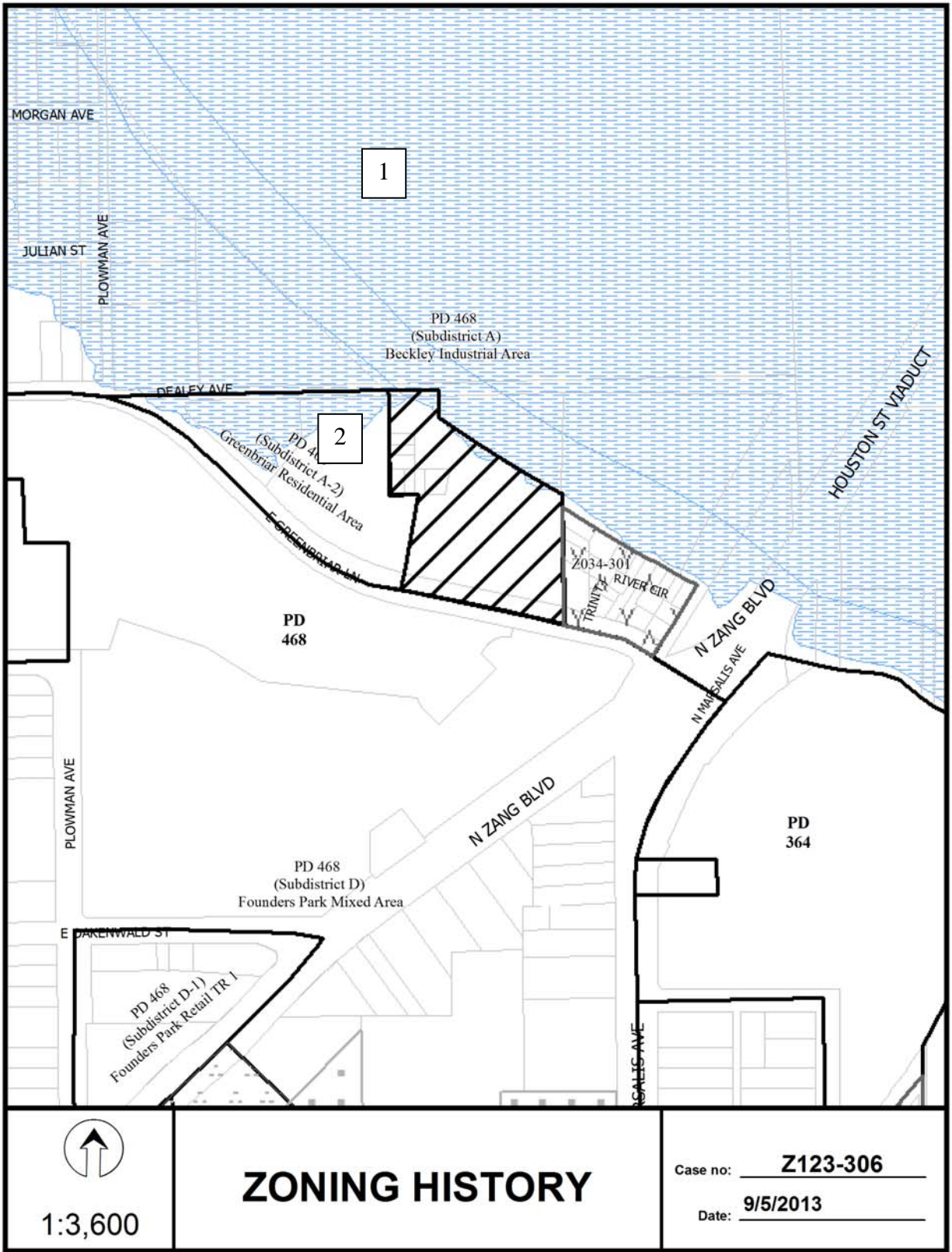
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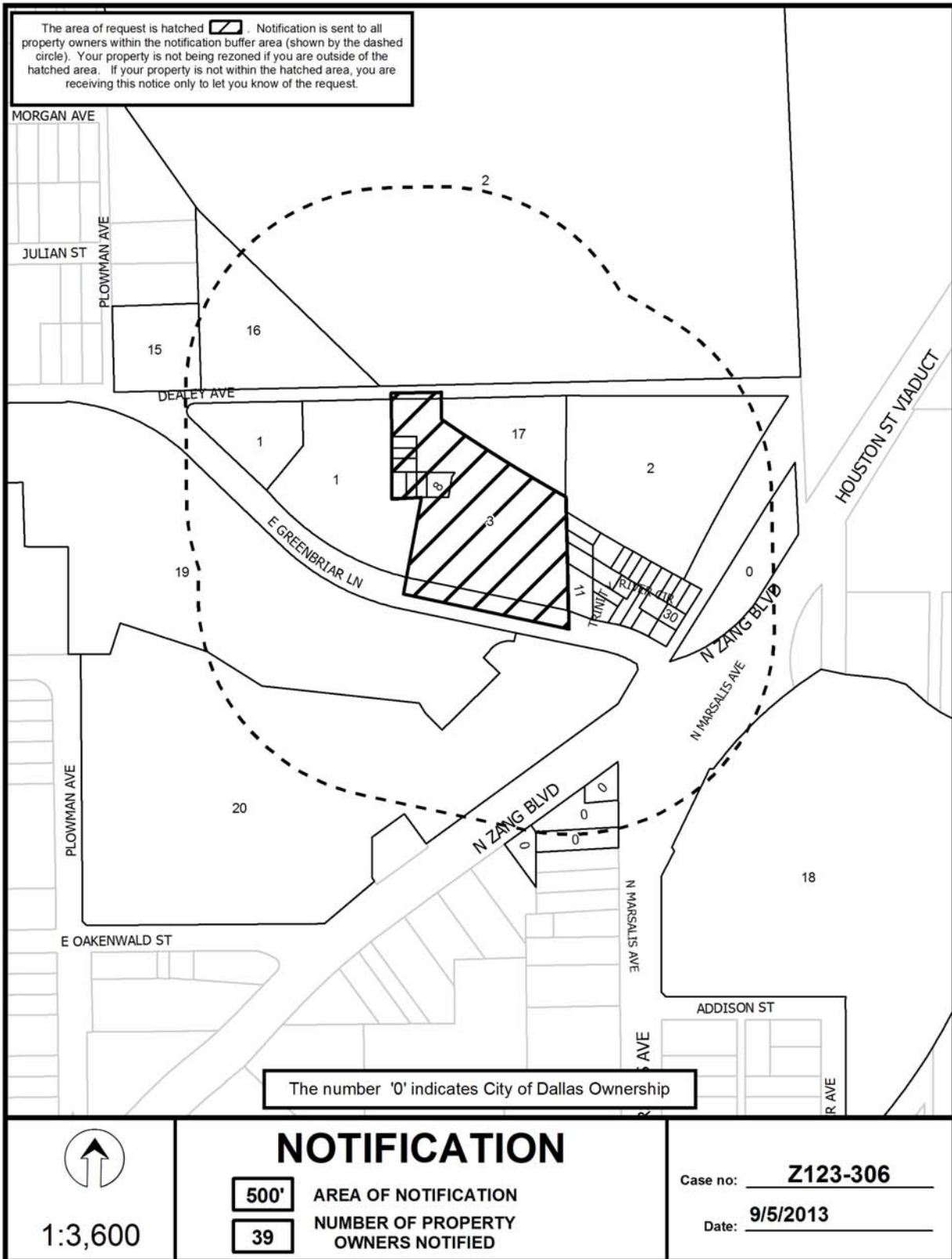
VICINITY MAP

Case no: **Z123-306**

Date: **9/5/2013**







9/5/2013

Notification List of Property Owners

Z123-306

39 Property Owners Notified

Label #	Address	Owner
1	323 GREENBRIAR LN	VERDE GREENBRIAR APT LP
2	501 DEALEY ST	CITY & COUNTY LEVEE DISTRICT ROOM 203
3	381 GREENBRIAR LN	SOUTHWEST CATTLEMEN S CORPORATION % ARVE
4	381 GREENBRIAR LN	DATLA UMA & RAVI KALIDINDI
5	381 GREENBRIAR LN	AGRAWAL SURESH C
6	381 GREENBRIAR LN	GITOMER JASA JAY
7	381 GREENBRIAR LN	GREGORY JOSEPH R & KRISTI LEE COMPTON
8	381 GREENBRIAR LN	CHITWOOD JENNIFER N & MARK
9	381 GREENBRIAR LN	TAYLOR KEITH
10	381 GREENBRIAR LN	GRAFF TROY JAMES
11	401 TRINITY RIVER CIR	HAWKES ELLIOTT W & MICHELLE L
12	409 TRINITY RIVER CIR	MASHBURN JAY H &
13	413 TRINITY RIVER CIR	RAINES DON JR & ELIZABETH
14	415 TRINITY RIVER CIR	ROBINSON JOE A &
15	301 GREENBRIAR LN	BANKS BRYAN F
16	317 DEALEY ST	TEXAS UTILITIES ELEC CO % STATE & LOCAL
17	431 GREENBRIAR LN	BEEMAN SUZANNE S
18	1016 LANCASTER AVE	SOUTHERN FOODS GROUP LP % OAK FARMS DAIR
19	1520 BECKLEY AVE	KESSLER PEAK LTD PS SUITE 1200
20	1401 ZANG BLVD	FOUNDERS PEAK LTD PS STE 1200
21	419 TRINITY RIVER CIR	PETERSEN ERIKA A
22	423 TRINITY RIVER CIR	BUTTS JAMES W
23	425 TRINITY RIVER CIR	KOSTECKI NICOLE L
24	427 TRINITY RIVER CIR	MORENO LORENZO
25	429 TRINITY RIVER CIR	DIFRONZO RALPH
26	431 TRINITY RIVER CIR	CHEUNG BRIAN D

Z123-306(JH)

9/5/2013

Label #	Address	Owner
27	433 TRINITY RIVER CIR	CONOVALOFF TANYA JO & BARONET WILLIAM BR
28	435 TRINITY RIVER CIR	KAZANAS DEAN S & MARION MARC S
29	437 TRINITY RIVER CIR	BRAKEY BUD ARVIN JR
30	441 TRINITY RIVER CIR	BARBER BURT B &
31	445 TRINITY RIVER CIR	LOVITT MIKE & ROSE JOHN
32	432 TRINITY RIVER CIR	OBRIEN MICHAEL C
33	446 TRINITY RIVER CIR	JACKSON STEVEN FRANCIS &
34	443 GREENBRIAR LN	PHAM DANH
35	439 GREENBRIAR LN	WATKINS MICHAEL &
36	402 TRINITY RIVER CIR	BLANCHARD AIMEE NOELLE
37	406 TRINITY RIVER CIR	BURROUGHS CODY B & BRITTANY L
38	426 TRINITY RIVER CIR	VOSS BENJAMIN
39	408 TRINITY RIVER CIR	BROWN MANDISA P

FILE NUMBER: Z123-321 (JH)

DATE FILED: June 24, 2013

LOCATION: Southwest side of Harwood Street, southeast of McKinney Avenue

COUNCIL DISTRICT: 14

MAPSCO: 45-F

SIZE OF REQUEST: Approx. 0.26 acres

CENSUS TRACT: 17.04

REPRESENTATIVE: Karl Crawley, Masterplan

APPLICANT: KDC, LLC

OWNER: McKinney Harwood, LLC

REQUEST: An application to amend Subarea B of Planned Development Subdistrict No. 66 within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The purpose of the request is to increase the non-residential floor area in Subarea B to allow this property to develop with an adjacent property for an office tower use.

STAFF RECOMMENDATION: Approval, subject to conditions

PREVIOUS ACTION: On September 26, 2013, the City Plan Commission held this item under advisement with the public hearing kept open. The representative has held a neighborhood meeting. There are no changes to this request at this time.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to conditions based upon:

1. *Performance impacts upon surrounding property (lighting, noise, odor, etc.)* – The proposed amendment allows for the property to develop with the zoning rights that resemble the zoning districts that surrounds the property rather than limiting the development to surface or underground parking.
2. *Traffic impact* – Proposed increase in traffic volume is not enough to trigger traffic impact study.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed conditions comply with Forward Dallas!, the Oak Lawn Plan, and the Downtown 360 Plan.
4. *Deviation from base zoning* – The front yard setback is proposed to be a minimum of 10 feet as a compromise with the applicant from the current zoning and original request. Currently, PDS No. 66 requires 15 feet while an HC Heavy Commercial Subdistrict requires no front yard.

BACKGROUND INFORMATION:

- The request site is currently undeveloped.
- The applicant proposes to develop the subject property with adjacent property that fronts on McKinney Avenue for an office tower use. PDS No. 66 restricts the subject property, Subarea B, to underground or surface parking and local utility land uses and a maximum floor area of 50 square feet.
- PDS No. 66 was established on January 11, 2006. PDS No. 66 has two tracts. The purpose of PDS No. 66 was to allow for a 230-dwelling multifamily development on Subarea A that increased the height, lot coverage, and floor area ratio but decreased residential density and non-residential floor area. Subarea B was included in the request to allow for additional parking, but is not used or needed to meet the minimum parking requirement for Subarea A.

Zoning History:

1. BDA112-009 On January 24, 2012, the Board of Adjustment granted a variance to the height regulations of 95 feet to allow the construction of a maximum height of 335 feet.
2. Z123-126 On December 12, 2012, the City Council approved an amendment to Tract 1 of Planned Development Subdistrict No. 50 within Planned Development District No. 193, the Oak Lawn Special Purpose District.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
N. Harwood Street	Local	60 ft.
McKinney Avenue	Minor Arterial	50 ft.

Parking/Traffic:

The expected number of trips generated by the proposed use is 584 trips per day according to the trip rate for an office use as submitted by the applicant. A Traffic Impact Study is only required for proposals that generate more than 1,000 trips per day unless a waiver is issued.

STAFF ANALYSIS:

Comprehensive Plan:

The request complies with the following land use goals and policies of the Comprehensive Plan because the development of the property as part of the larger office tower and structured parking development is a more appropriate land use than surface or underground parking in this location in Uptown. Proposed conditions promote a pedestrian, urban environment.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.3 Build a dynamic and expanded Downtown.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Policy 5.1.2 Define urban character in Downtown and urban cores.

Area Plans:

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

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

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

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

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

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

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

The applicant's request complies with all of the above objectives. Allowing the subject property to be developed with the adjacent property for office and structured parking is a higher and more appropriate land use than surface parking.

Downtown 360. The Downtown Dallas 360 plan identifies Uptown as a "supporting district" to the focus of this implementation plan, which is the Central Business District bounded by Woodall Rodgers Freeway, Central Expressway, I-30 and I-35. The supporting districts are included as the recommended new definition of "Downtown Dallas." The Downtown 360 Plan was adopted in April of 2011.

Uptown is largely successful in balancing jobs, housing and services. As Dallas's most dense neighborhood, Uptown consists of a wide mix of apartments, condominiums, townhouses, residential towers and historic homes. Despite these assets, large blocks and inward-oriented building architecture present challenges to pedestrian activity in many parts of the district. In the future, developments are expected to fill in gaps to assist in creating a truly walkable, transit-oriented urban neighborhood.

With the Klyde Warren Park amenity across the south end of this Harwood Street block, the minimum front yard setback and minimum 10 foot sidewalk with complies with the following recommendations of the Downtown 360 plan:

- Create a transit-oriented, walkable neighborhood by developing new projects and redeveloping existing buildings with small setbacks, ground floors with high transparency, and retail/restaurant uses; address parking needs while envisioning no surface parking in front of buildings.
- Improve walkability on key streets such as Field/Moody/Pearl, Cedar Springs and Maple by calming traffic, introducing on-street parking, making sidewalk widths consistent, and planting street trees.

Land Use Compatibility:

The applicant proposes to develop Subarea B and the adjacent HC Heavy Commercial Subdistrict zoned property at the southwest corner of Harwood Street and McKinney Avenue for a total area of 0.86 acres for an office tower and structured parking having a height in the range of 180 to 240 feet. Subarea B is currently restricted to underground or surface parking and local utilities land uses; maximum structure height of 15 feet; and maximum 50 square feet of floor area.

The surrounding land uses are a mix of commercial and multiple-family uses. The property to the north is undeveloped.

The history of PDS No. 66 is that it was created to facilitate the development of Subarea A as it is developed today. This block was zoned an HC Heavy Commercial subdistrict like properties to the north and west. The strict zoning restrictions in Subarea B were negotiated in the City Plan Commission and City Council public hearings in 2006 at a time when this area of Uptown was experiencing growth pressures; staff recommended PD conditions were not as restrictive for this tract.

The applicant's request was submitted for an HC Heavy Commercial Subdistrict. Staff recommended, and the applicant agreed to, amend PDS No. 66 Subarea B instead of the HC Subdistrict with deed restrictions. Staff is not requiring a development plan for Subarea B, but allowing the property to develop as if it were in an HC Heavy Commercial Subdistrict with conditions more stringent than straight HC zoning for the front yard setback, sidewalk width, and pedestrian lighting. While PDS No. 66 currently requires a minimum front yard setback of 15 feet, staff was comfortable compromising between the HC Subdistrict setback and PDS No. 66 for a minimum front yard setback of 10 feet.

Staff does not object to the increase in floor area from 50 square feet to the HC Heavy Commercial standards and allowing the property to be developed in a similar manner to surrounding properties because the proposed PD conditions are meeting the objectives of the Oak Lawn Plan and Downtown 360 Plan and the PDS conditions are improving the street level conditions above the HC Heavy Commercial Subdistrict regulations. This portion of Harwood Street will be developed with more front yard setback than the HC Heavy Commercial zoning that existed on both sides prior to 2006 and larger sidewalks than the minimum PDD No. 193 requirement. This will allow for a friendlier pedestrian connection to Klyde Warren Park for the office and multifamily uses in the area.

Landscaping:

Landscaping is required in accordance with PDD No. 193 of the Dallas Development Code.

Z123-321(JH)

List of Partners/Principals/Officers

McKinney Harwood, LLC

Patrick B. Shelby, Manager

Aaron A. Shelby, Manager

Lloyd Randall Shelby, Manager

KDC, LLC

Tobin Grove, Manager

Steve Van Amburgh, Manager

Jeff Innmon, Vice President

Proposed PD Conditions

Division S-66. PD Subdistrict 66.

SEC. S-66.101. LEGISLATIVE HISTORY.

PD Subdistrict 66 was established by Ordinance No. 26205, passed by the Dallas City Council on January 11, 2006.

SEC. S-66.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict 66 is established on property generally located at the northeast corner of McKinney Avenue and St. Paul Street. The size of PD Subdistrict 66 is approximately 1.6 acres.

SEC. S-66.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. In the event of a conflict, this division controls. In the event of a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division:

(1) SUBDISTRICT means a subdistrict of PD 193; and

(2) SUBAREA A and SUBAREA B mean the subareas shown on the conceptual plan (Exhibit S-66A). In the event of a conflict between the description of Subareas A and B in the Exhibit A of the ordinance establishing this subdistrict and the conceptual plan, the description in Exhibit A controls.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(d) Subarea A[This subdistrict] is considered to be a residential zoning district. Subarea B is considered to be a non-residential zoning district.

SEC. S-66.104. CONCEPTUAL PLAN.

Subarea A. Development and use of the Property must comply with the conceptual plan. In the event of a conflict between the text of this division and the conceptual plan, the text of this division controls.

Subarea B. No development plan is required, and the provisions of Section 51-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule do not apply.

SEC. S-66.105. DEVELOPMENT PLAN.

(a) Development and use of Subarea A must comply with the development plan for Subarea A (Exhibit S-66B).

~~————(b) For Subarea B, a development plan in compliance with the conceptual plan must be approved by the city plan commission before the issuance of any building permit to authorize work in Subarea B.~~

(c) In the event of a conflict between the text of this division and a development plan, the text of this division controls.

SEC. S-66.106. MAIN USES PERMITTED.

~~————(a) [Subarea A:]~~

~~[(1)]~~ Except as provided in this subsection, the only main uses permitted in ~~Subarea A~~ are those main uses permitted in the HC Heavy Commercial Subdistrict, subject to the same conditions applicable in the HC Heavy Commercial Subdistrict, as set out in Part I of this article. For example, a use permitted only by specific use permit (SUP) in the HC Heavy Commercial Subdistrict is permitted in this subarea only by SUP; a use subject to development impact review (DIR) in the HC Heavy Commercial Subdistrict is subject to DIR in this subarea; etc.

(b) ~~[(2)]~~ The following main uses are prohibited in ~~Subarea A~~:

(A) Utility and service uses.

- Radio, television, or microwave tower.
- Telephone exchange, switching, and transmitting requirement.

(B) Transportation uses.

- Airport or landing field.
- STOL (short takeoff or landing) port.
- Passenger bus station and terminal.
- Helicopter base.
- Heliport.
- Helistop.
- Railroad passenger station.
- Railroad team track.

(C) Community service uses.

- Adult day care facility.
- Halfway house.

(D) Medical uses.

- Hospital.
- Convalescent and nursing homes, hospice care, and related institutions.
- Ambulance service.

(E) Educational uses.

- Business school.
- Technical school.
- College, university, or seminary.
- College fraternity or sorority house.
- College dormitory.

(F) Recreation and entertainment uses.

- Carnival or circus (temporary).
- Wax museum.

(G) Bar and restaurant uses.

- Dance hall.

(H) Professional, personal service, and custom crafts uses.

- Trade center.
- Mortuary or funeral home.
- Commercial laundry or dry cleaning.
- Taxidermist.
- Broadcasting or recording studio.
- Commercial wedding chapel.

(I) Retail uses.

- Liquor store.
- Feed store.
- Pawn shop.

(J) Motor vehicle related uses.

- Automobile or motorcycle display, sales, and service (inside display).
- Automobile or motorcycle display, sales, and service (outside display).
- Auto auction.
- Auto glass, muffler, or seat cover shop.
- Auto parts sales (inside only).

- Auto parts sales (outside display).
- Auto repair garage (inside).
- Auto painting or body rebuilding shop (inside).
- Car wash.
- Engine or motor repair shop.

(K) Commercial uses.

- Plumbing, electrical, air conditioning, and heating shops.
- Lumber, brick, or building materials sales yard.
- Tool and equipment rental (inside display only).
- Stone, sand, or gravel mining.
- Sand, gravel, or earth sales and storage.

(L) Storage and waste disposal uses.

- Warehouse.
- Inside salvage and reclamation.

(M) Animal related uses.

- Farm or ranch.
- Veterinarian's office.
- Animal pound.

(N) Industrial and manufacturing uses.

- U-cart concrete system.
- Light fabrication and assembly.
- Clothing manufacturing.
- Bedspread, drapes, and headboard manufacturing.
- Manufacturing laboratory.
- Corrugated cardboard box fabrication.

~~———— (b) Subarea B. The only main uses permitted in Subarea B are required and non-required off-street and underground parking and local utilities. An aboveground parking garage is prohibited in Subarea B.~~

SEC. S-66.107. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

(b) In this subdistrict, the following accessory uses are not permitted:

- Amateur communication tower.

- Open storage.
- Private stable.

(c) In this subdistrict, the following accessory uses are permitted accessory to a multifamily use, provided that these accessory uses are primarily for the use of the occupants of the building, are contained entirely within the main building housing the multifamily use and connected parking garage, and have no exterior advertising or signs.

-- Community centers (private), specifically including, but not limited to such amenities as health studio areas, wine storage areas, hot tubs, pools, steamrooms, poolside refreshment areas, offices (e.g. business centers, internet cafés, etc.) theatres, pool tables, meeting rooms, and demonstration/party kitchens.

SEC. S-66.108. YARD, LOT, AND SPACE REGULATIONS.

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

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the HC Heavy Commercial Subdistrict apply in this subdistrict.

(b) Setbacks from street frontages. Minimum setback from McKinney Avenue [~~and Harwood Street~~] is 15 feet as shown on the conceptual plan. Minimum setback from Harwood Street is 10 feet. No minimum setback from St. Paul Street.

(c) Side and rear setbacks. Minimum side and rear setback in Subarea A is 10 feet as shown on the conceptual plan. No side or rear setback is required in Subarea B.

(d) Density. Maximum number of dwelling units in Subarea A is 230.

(e) Height.

(1) For multiple-family uses, maximum structure height in Subarea A is 285 feet.

(2) In Subarea A, structures located on a roof, such as chimneys, clerestories, communication towers, cooling towers, elevator penthouses or bulkheads, mechanical equipment rooms, plaza or terrace structures, pool structures, skylights, vent stacks, and visual screens that surround mechanical equipment are allowed to project up to 25 feet above the maximum structure height.

~~_____ (3) Maximum structure height in Subarea B is 15 feet.~~

(f) Maximum floor area.

(1) Maximum floor area for all uses combined in Subarea A is 415,000 square feet.

(2) Maximum floor area for all non-residential uses combined in Subarea A is 5,000 square feet.

~~_____ (3) Maximum floor area in Subarea B is 50 square feet.~~

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

SEC. S-66.109. OFF-STREET PARKING AND LOADING.

(a) Consult Part I of this article for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations of PD 193 for information regarding off-street parking and loading generally.

(b) Subarea A. Parking structures with facades facing St. Paul Street, McKinney Avenue, and Harwood Street, must be either underground or have a facade consisting of any combination of pre-cast concrete (with or without stucco finish), stone, or metal finish provided that the metal finish matches design elements on the main structure for which parking is provided, and glass or louvers. Except for the garage entrances and exits, openings in these parking structure facades may not exceed 40 percent of the total parking structure facade area and must be concealed with louvers or enclosed with glass.

(c) Subarea B. Parking structure facades must comply with the general requirements in Sect. 51P-193.127(a).

SEC S-66.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

(a) In general. Except as provided in this section, see Article VI.

(b) LEED certification in Subarea A.

(1) A United States Green Building Council's Leadership in Energy and Environmental Design (LEED) checklist, effective May 1, 2004, must be submitted with an application for a building permit for development on the Property, indicating how development of the Property will comply with a certified designation (26 to 32 project points). The development plans submitted for a building permit must be certified by a LEED accredited professional designated by the department of development services. Prior to the issuance of a building permit, the building official shall determine that the project is consistent with the standards and criteria for a LEED certified designation.

(2) If during development of the Property, the developer is unable to achieve all of the green building rating system points identified on the checklist, the developer must replace any points not achieved with other green building rating system

points acceptable under the United States Green Building Council's LEED rating system.

(3) All supporting documentation and templates related to the points previously approved by the city for the LEED certified level designation must be submitted with an application for a certificate of occupancy. A certificate of occupancy may not be issued until a LEED accredited professional designated by the department of development services certifies that the building complies with the LEED certified designation (26 to 32 project points).

SEC. S-66.111. LANDSCAPING AND SIDEWALKS.

(a) Landscaping and screening must be provided in accordance with the landscape and screening requirements of PD 193.

(b) Sidewalks must be provided on the Property fronting on McKinney Avenue, Harwood Street, and St. Paul Street, with a minimum of five feet of parkway provided between the sidewalk and the curb. The McKinney Avenue and the Harwood Street sidewalk must be at least 10 feet wide, and the St. Paul Street sidewalk must be at least seven feet wide. The St. Paul Street sidewalk must be located at least two feet away from any building on the Property.

(c) Pedestrian scale lighting must be provided at an average of one lighting fixture per 30 feet of street frontage.

SEC. S-66.112. SIGNS.

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

SEC. S-66.113. ADDITIONAL PROVISIONS.

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

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

(c) Except as otherwise provided in this division, development and use of the Property must comply with Part I of this article.

SEC. S-66.114. PAVING.

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

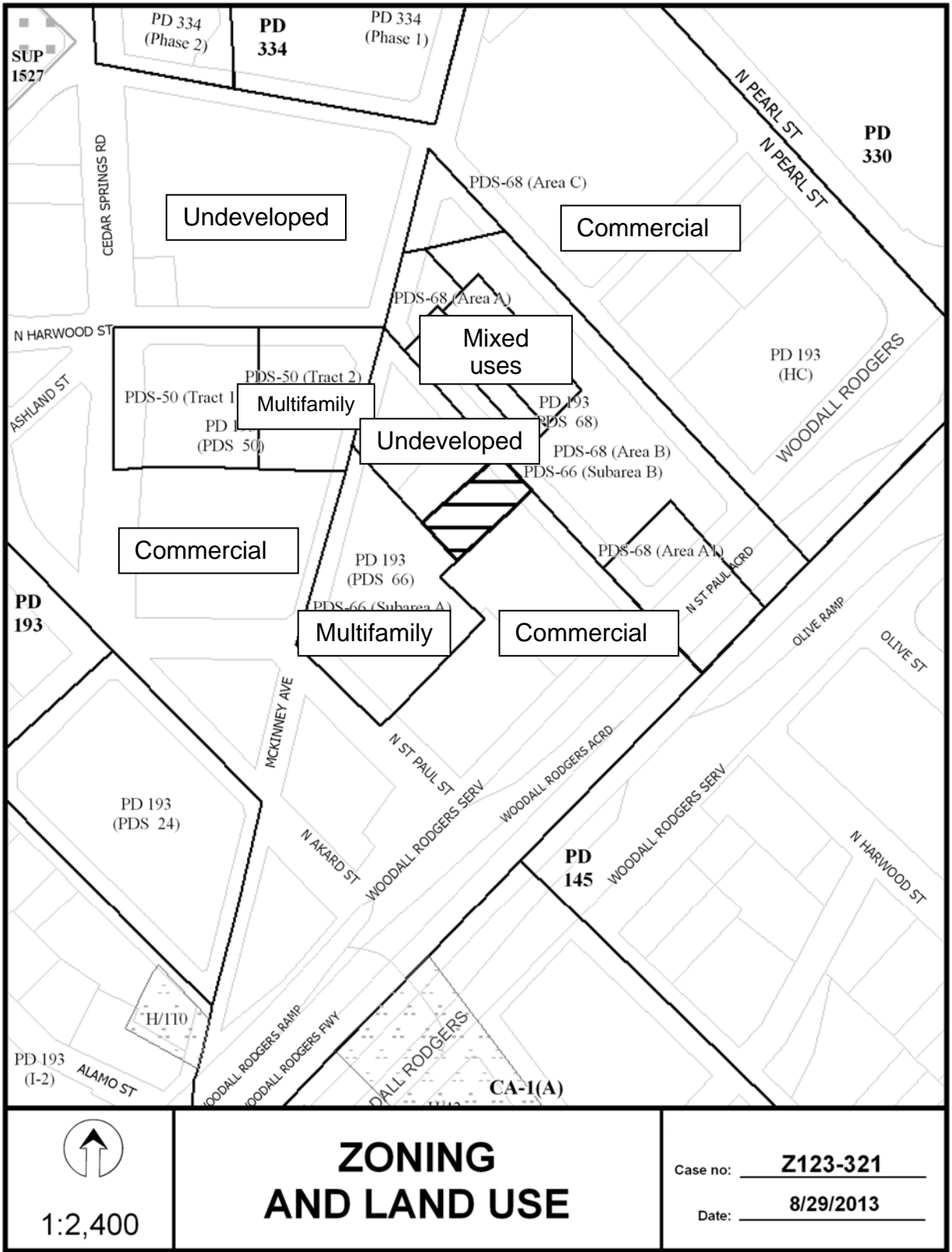
Z123-321(JH)

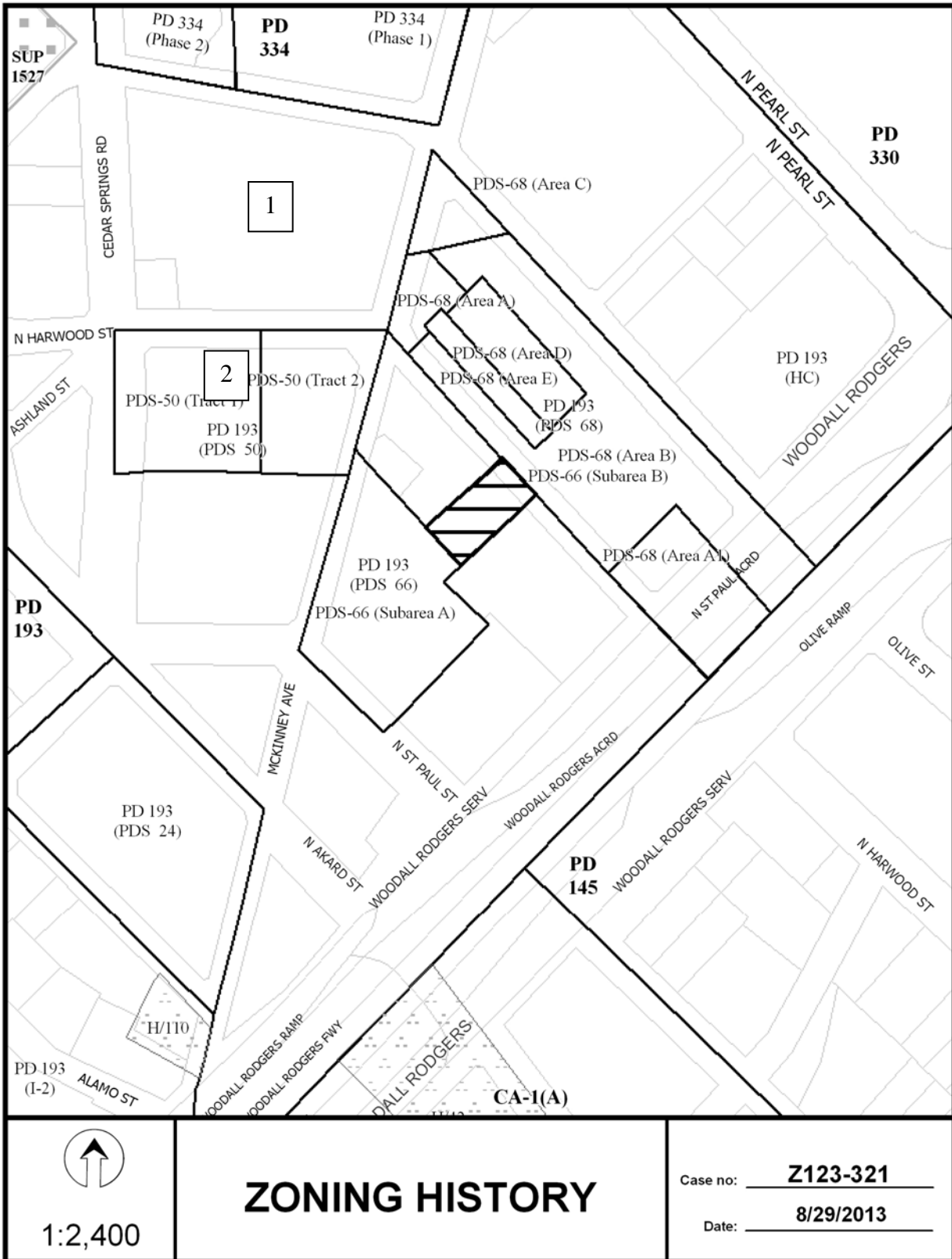
SEC. S-66.115. COMPLIANCE WITH CONDITIONS.

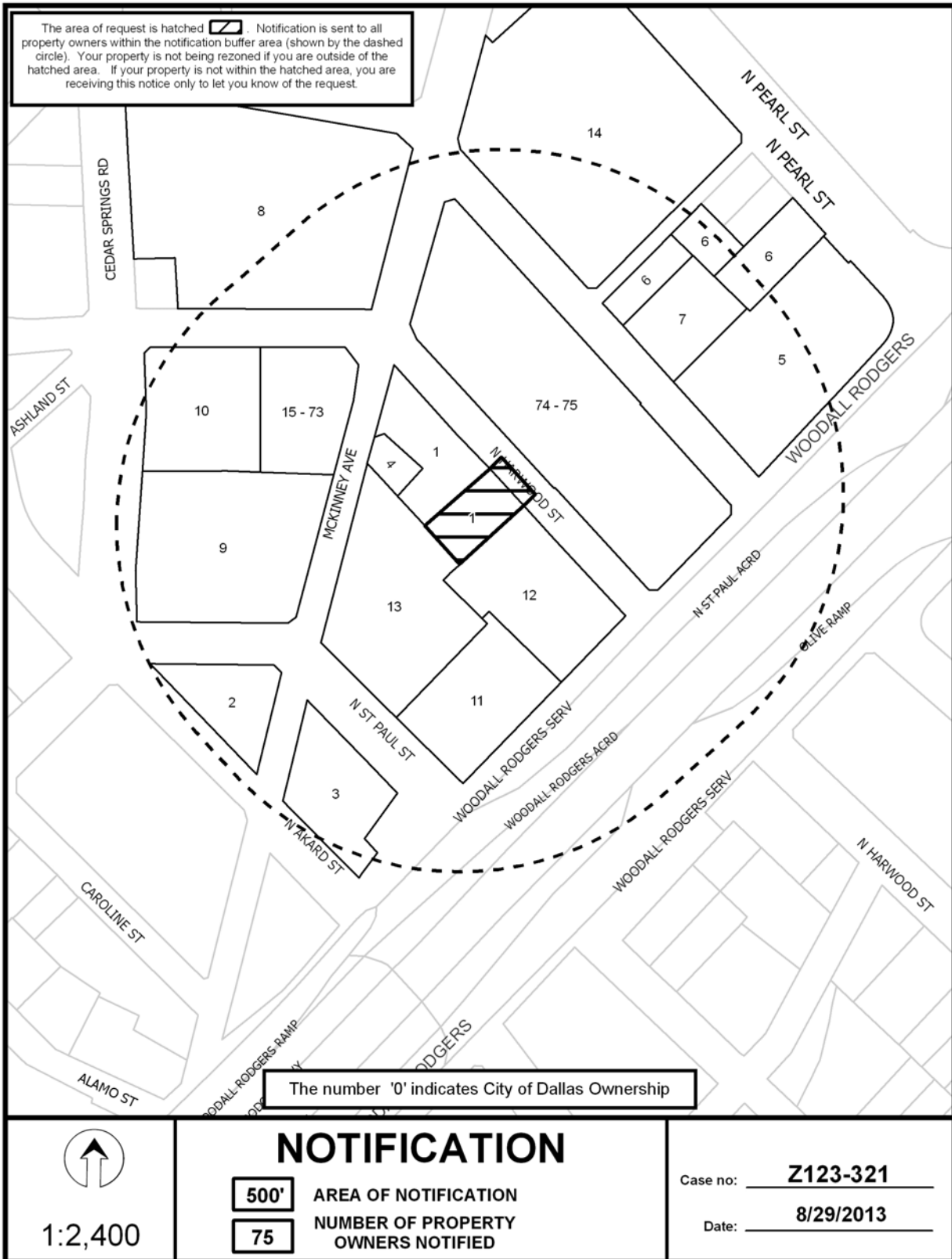
The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules,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

~~SEC. S-66.116. ZONING MAP.~~

~~PD Subdistrict 66 is located on Zoning Map J-7.~~







8/28/2013

Notification List of Property Owners

Z123-321

75 Property Owners Notified

Label #	Address	Owner
1	1936 MCKINNEY AVE	MCKINNEY HARWOOD LLC
2	1899 MCKINNEY AVE	PEARL REALTY HOLDINGS LLC
3	1845 WOODALL RODGERS FWY	CHARTER WOODALL PARTNERS SUITE 1700
4	1920 MCKINNEY AVE	FULTON HAROLD R 1997 REVOCABLE TRUST
5	2101 PEARL ST	CHASE BANK OF TX NA
6	2130 OLIVE ST	DAL UPTOWN LLC
7	2122 OLIVE ST	BRAHAM DENIS C TR STE 2400
8	2001 MCKINNEY AVE	CRESCENT REAL ESTATE EQUITIES LTD PS
9	1919 MCKINNEY AVE	HKS BUILDINGS LP % ECOM REAL ESTATE MGMT
10	1900 CEDAR SPRINGS RD	SE 1900 CEDAR SPRINGS LP STE 950
11	1909 WOODALL RODGERS FWY	L & W REAL ESTATE LLC DANNA OFFICE LP
12	2121 HARWOOD ST	L & W REAL ESTATE LLC DANNA OFFICE, LP
13	1900 MCKINNEY AVE	1900 MCKINNEY PROPERTIES ATTN: B&D EQUIT
14	2100 MCKINNEY AVE	METROPOLITAN LIFE INC CO SUITE 1310
15	1999 MCKINNEY AVE	ARZOLA FERNANDEO L
16	1999 MCKINNEY AVE	MOORE F DAVID
17	1999 MCKINNEY AVE	ARROYO DEANNE ALYSSA
18	1999 MCKINNEY AVE	CHEN PHILIP
19	1999 MCKINNEY AVE	SMITH WALTER G & CAMPBELL KEVIN F
20	1999 MCKINNEY AVE	KALIL STEPHEN A & GAIL A PEISACH
21	1999 MCKINNEY AVE	GARRETT MICHAEL L & ANTOINETTE I
22	1999 MCKINNEY AVE	GANTI RISHI UNIT 601
23	1999 MCKINNEY AVE	JAIN ANISH K & JAIN ABNASH
24	1999 MCKINNEY AVE	HENDRICKSON DWIGHT ETAL UNIT 603
25	1999 MCKINNEY AVE	ANDERSON MELISA ANN D
26	1999 MCKINNEY AVE	CURTIS AUDREY A

8/28/2013

Label #	Address	Owner
27	1999 MCKINNEY AVE	STALEY MARY
28	1999 MCKINNEY AVE	REID ROBERT & DAHLIA REID UNIT 607
29	1999 MCKINNEY AVE	HUTCHINSON WILLIAM L & SUZANNE S
30	1999 MCKINNEY AVE	SHARP THOMAS L
31	1999 MCKINNEY AVE	DEANE BELINDA
32	1999 MCKINNEY AVE	BUGG ROBERT C #803
33	1999 MCKINNEY AVE	SALES SUSAN CAROLINE
34	1999 MCKINNEY AVE	MEDINA MICHAEL A
35	1999 MCKINNEY AVE	KAYE JONATHAN D
36	1999 MCKINNEY AVE	1999 MCKINNEY AVE#807 LAND TRUST 182A-PM
37	1999 MCKINNEY AVE	STUVE OLAF & CHERYL WHITE
38	1999 MCKINNEY AVE	WERBNER MARK
39	1999 MCKINNEY AVE	RUVALCABA RICK & MICHELLE SUITE 1002
40	1999 MCKINNEY AVE	ARNOLD VANCE M ETAL
41	1999 MCKINNEY AVE	MYERSCOUGH PATRICK J APT 305
42	1999 MCKINNEY AVE	CAIRE JACQUELINE #1005
43	1999 MCKINNEY AVE	HOLLOCK MARY # 1006
44	1999 MCKINNEY AVE	MOORE LARRY H & DORRINE B MOORE
45	1999 MCKINNEY AVE	SCHUBERT FRANK B & SCHUBERT LISA H
46	1999 MCKINNEY AVE	NADLER ERIC
47	1999 MCKINNEY AVE	JONES RUSSELL T & LAUREN B MONTI-JONES
48	1999 MCKINNEY AVE	UDASHEN ROBERT & KAREN S # 1203
49	1999 MCKINNEY AVE	HAINES CAPITAL GROUP LLC WM B HAINES
50	1999 MCKINNEY AVE	OREILLY MATTHEW
51	1999 MCKINNEY AVE	DALE BRUCE APT 1206
52	1999 MCKINNEY AVE	BRINK RICHARD R & GAYLE H BRINK
53	1999 MCKINNEY AVE	OBERING MIHOKO K UNIT 1208
54	1999 MCKINNEY AVE	BRADFORD TED R
55	1999 MCKINNEY AVE	BRUNT WILLIAM B
56	1999 MCKINNEY AVE	WOMACK STEVEN W
57	1999 MCKINNEY AVE	CAIRE MARY UNIT 1405

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Label #	Address	Owner
58	1999 MCKINNEY AVE	HOWREY DANIEL L
59	1999 MCKINNEY AVE	EDMISTON ANGIE L UNIT 1407
60	1999 MCKINNEY AVE	CLB PARTNERS, LTD.
61	1999 MCKINNEY AVE	ABINGTON TOM E & GLYNDA C APT 1603
62	1999 MCKINNEY AVE	WHITE JIM
63	1999 MCKINNEY AVE	MYERSCOUGH DAVID TRUSTEE %PATRICK J MYER
64	1999 MCKINNEY AVE	WINTER F DAVID JR & RENEE
65	1999 MCKINNEY AVE	ETTER THEODORE F JR # 1608
66	1999 MCKINNEY AVE	LOMAT INVESTMENTS INC
67	1999 MCKINNEY AVE	TABBAL GEORGES
68	1999 MCKINNEY AVE	HORTON EMILY UNIT 1807
69	1999 MCKINNEY AVE	PRITCHARD JOHNNY G & MARY DIANE
70	1999 MCKINNEY AVE	ASHMORE GLEN A
71	1999 MCKINNEY AVE	EISENSTEIN ABRAM & UNIT 2006
72	1999 MCKINNEY AVE	1999 MCKINNEY AVE#2007 LAND TRUST 182A-P
73	1999 MCKINNEY AVE	LEDBETTER FINLEY & JONI APT 2008
74	2000 MCKINNEY AVE	2000 MCKINNEY INVESTMENT 3300 LINCOLN PL
75	2000 MCKINNEY AVE	PARKSIDE RESIDENTIAL LP SUITE 1000

FILE NUMBER: Z123-273 (WE) **DATE FILED:** April 29, 2013

LOCATION: West line of North Walton Walker Freeway, north of Twenty Grand Drive

COUNCIL DISTRICT: 6 **MAPSCO:** 52- E

SIZE OF REQUEST: Approx. 1.87 acres **CENSUS TRACT:** 107.03

APPLICANT/ OWNER: 601 Walton Walker, LLC
David Varela – Managing Member

REPRESENTATIVE: MASTERPLAN
Santos Martinez

REQUEST: An application for an RR Regional Retail District on property zoned an LO-3 Limited Office District.

SUMMARY: The purpose of this request is to allow for the development of retail type uses on the site.

STAFF RECOMMENDATION: Denial.

PREVIOUS ACTION: This case was held under advisement on July 11, 2013, August 8, 2013 and September 26, 2013, to allow for the applicant's representative to continue meeting with the neighborhood to discuss the proposed zoning case. The applicant is tentatively scheduling a neighborhood meeting on October 8, 2013.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends denial based upon:

1. *Performance impacts upon surrounding property* – The proposed RR Regional Retail District may have a negative impact on the adjacent institutional and residential uses due to the type of uses that are permitted within the RR District. These uses are not compatible or conducive to a low density residential development but are more suitable to serve a regional area.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the applicant's request will not have a negative impact on the street system. The request site fronts on the Walton Walker frontage Road and Twenty Grand Drive. However, any utilization of the internal streets to access this site (Twenty Grand), could have a negative impact upon the residential neighborhood dependent upon the type of RR Regional Retail District use.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed request is not in compliance with the *forwardDallas! Comprehensive Plan*. The plan shows the request site located in a Residential Building Block.

BACKGROUND INFORMATION:

- Since this case was held under advisement, the representative has indicated that a neighborhood meeting was held to discuss the proposed zoning application. As a result of the meeting, the applicant has submitted deed restrictions on the property.
- On September 26, 2013, the City Plan Commission held this case under advisement in order for the representative to meet with the neighborhood to continue discussing the proposed deed restrictions. The meeting is tentatively scheduled for October 10, 2013.
- The applicant's request for an RR Retail Regional District will allow for a variety of retail and personal services uses on the site.
- The applicant will be volunteering deed restrictions on the property that resulted from several meetings with the neighborhood. The deed restrictions will prohibit the following uses on site: vehicle or engine repair or maintenance, extended stay hotel or motel, hotel or motel, alcoholic beverage establishment, auto service center, commercial amusement (inside), convenience store with drive-through, liquor store, outside sales and a pawn shop Swap or buy shop.
- The request site is adjacent to an LO-3 District, an RR Regional Retail District and an R-7.5(A) Single Family District where the development is primarily a church and single family uses. The properties to the north and west of the site are undeveloped.

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

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
N. Walton Walker	Variable lane widths		
Twenty Grand Drive	Local	50 ft.	50 ft.

Land Use:

	Zoning	Land Use
Site	LO-3	Undeveloped
North	LO-3	Undeveloped
South	RR	Undeveloped
East	LO-3	Walton Walker Freeway
West	LO3	Church, Undeveloped

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

The request site is located within an area that limits office uses and is in close proximity to residential uses. The RR District is a more intensive district than the surrounding LO-3 District. The proposed RR Regional Retail District could have a negative impact on the adjacent uses even though the request site is adjacent to a frontage road.

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 1.87 acre site is undeveloped and is adjacent to an institutional use and several undeveloped tracts of land. There is also a single family development that is within close proximity of the request site; which is located south of Twenty Grand Drive and west of Furlough Drive.

The applicant’s request for an RR regional Retail District will allow for the development of various retail and personal service uses. Certain uses that are permitted within the RR District are not compatible with adjacent to LO-3 District uses. In addition, there are R-7.5(A) Single Family uses that are in close proximity to the request site. Even though there are some tracts of land to the south of Twenty Grand Drive that are zoned an RR Regional Retail District, staff proposes that the RR zoning boundary line not extend beyond the northern line of Twenty Grand Drive. Staff is concerned that further encroachment of the RR Regional Retail District to the north, could have a negative impact on the surrounding uses. An RR Regional Retail District is intended to “provide for the development of regional-serving retail, personal service, and office uses. This district is not intended to be located in areas of low density residential development.”

A less intensive and intrusive zoning district that is compatible with the adjacent uses is more plausible for the site. The current LO-3 Limited Office District or an NO(A) Neighborhood Office District provides the appropriate transition between the residential and office uses. The request site is adjacent to a LO-3 District and is in close proximity to an R-7.5(A) Single Family District were the development is primarily a church and single family uses. The properties to the north and a portion to the west are undeveloped.

Staff’s recommendation is denial of the applicant’s request for an RR Regional District.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
LO-3 - existing Limited office – 3	15'	20' adjacent to residential OTHER: No Min.	1.75 FAR	115' 9 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, lodging – limited retail & personal service uses
RR - proposed Regional retail	15'	20' adjacent to residential OTHER: No Min.	1.5 FAR overall 0.5 office	70' 5 stories	80%	Proximity Slope U-form setback Visual Intrusion	Retail & personal service, office

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

PROPOSED DEED RESTRICTIONS

DEED RESTRICTIONS

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

I.

The undersigned, 601 Walton Walker LLC, a _____ (“the Owner”), is the owner of the following described property (“the Property”), being in particular a tract of land out of the Enoch Horton Survey, Abstract No. 613, a Tract in City Block 7655, City of Dallas (“City”), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Auto Latin Inc., by deed dated October 7, 2009, and recorded in Instrument Number 200900286620, in the Deed Records of Dallas County, Texas, and being more particularly described in Exhibit A attached hereto

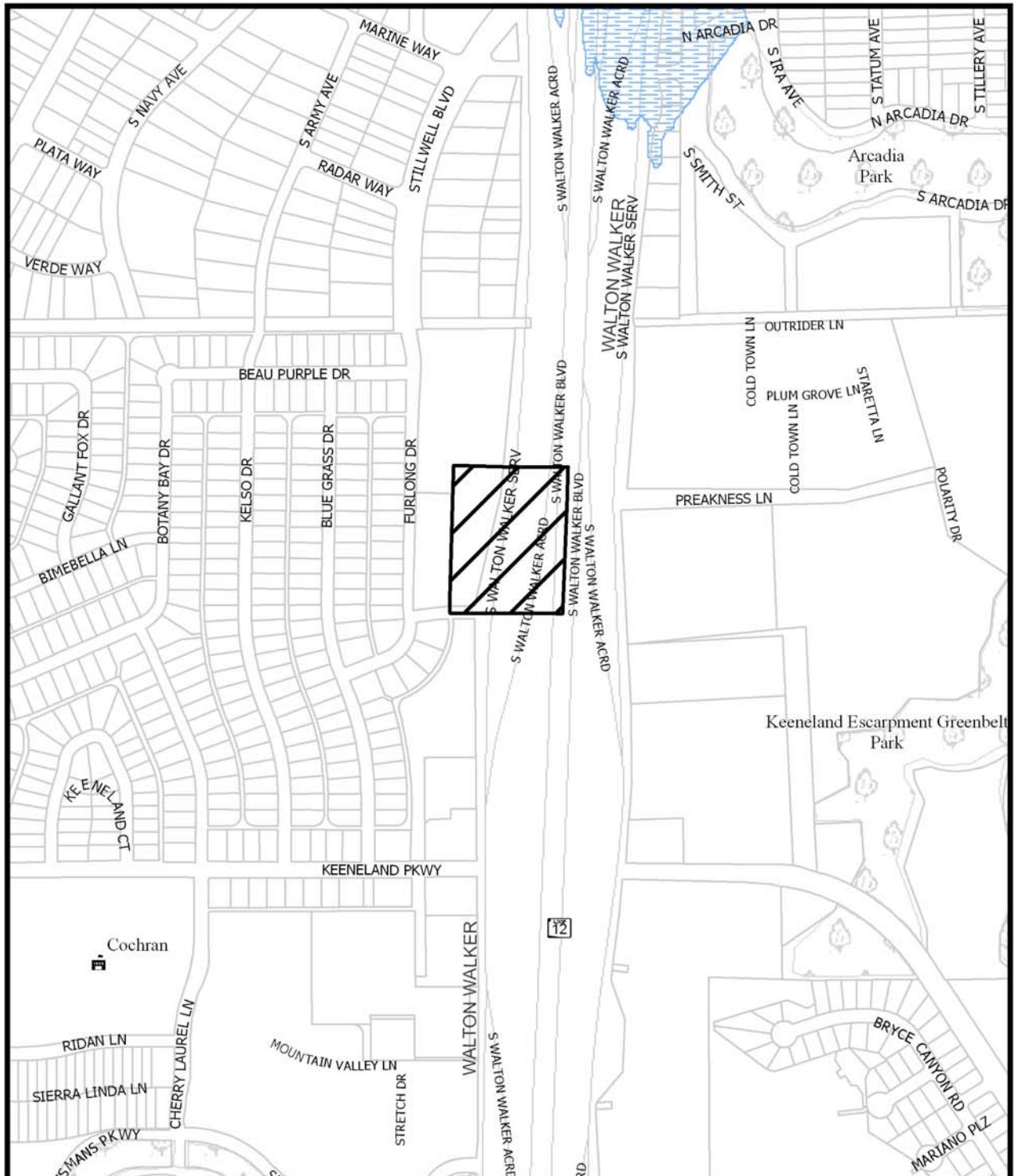
See Exhibit A

II.

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

The following main uses are prohibited:

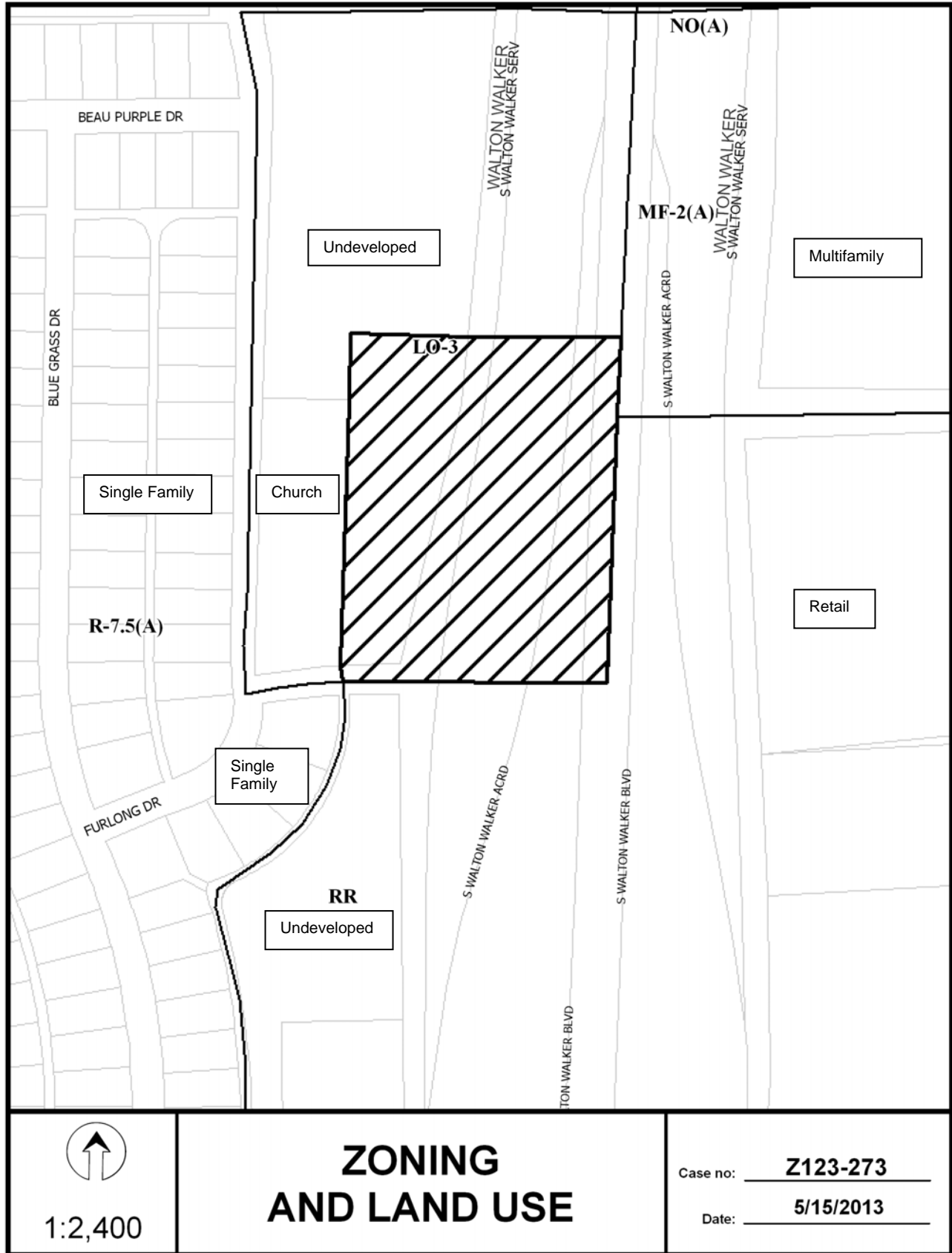
1. Vehicle or engine repair or maintenance.
2. Extended stay hotel or motel.
3. Hotel or motel.
4. Alcoholic beverage establishment.
5. Auto service center.
6. Commercial amusement (inside).
7. Convenience store with drive-through.
8. Liquor store.
9. Outside sales.
10. Pawn shop.
11. Swap or buy shop.

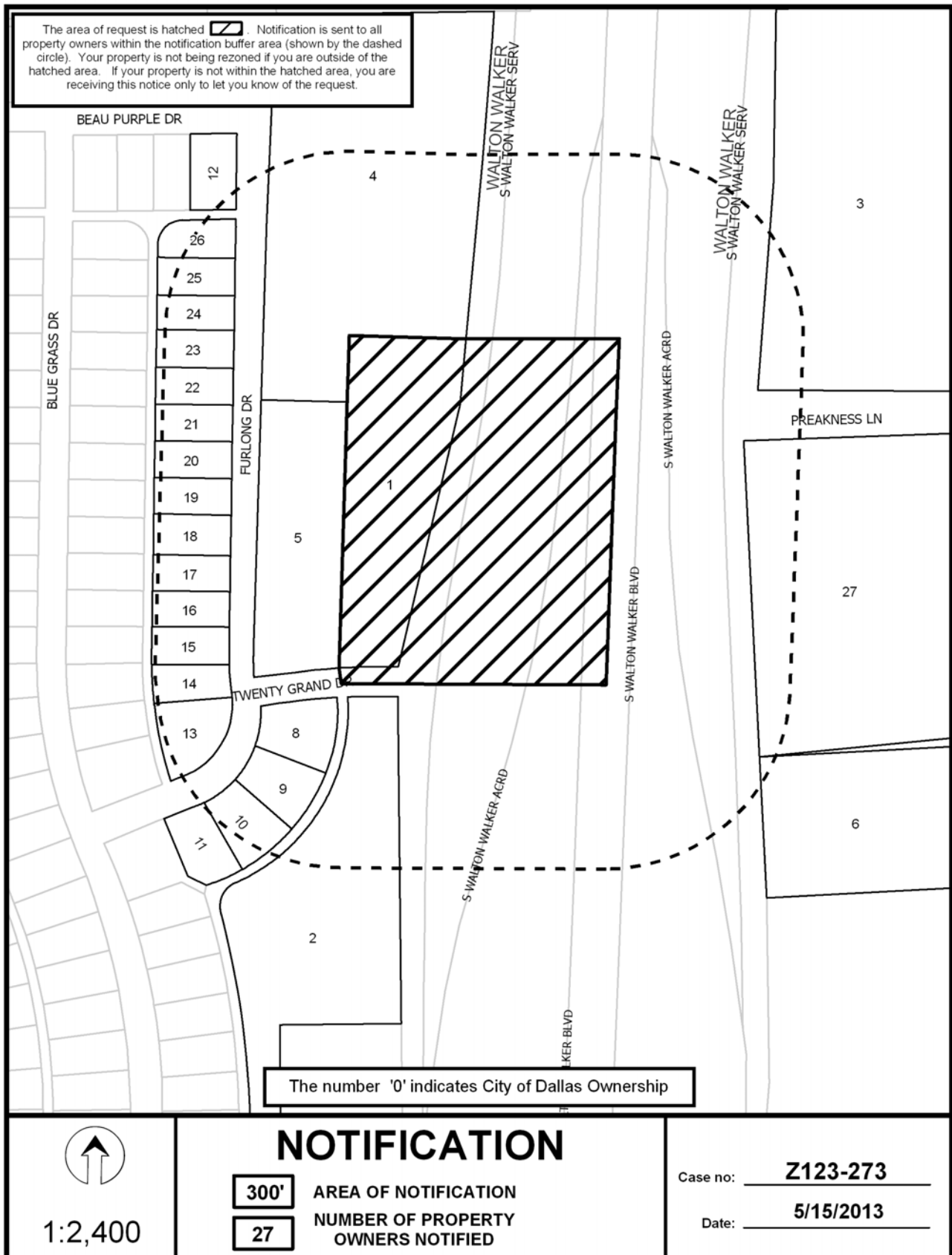


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VICINITY MAP

Case no: Z123-273
Date: 5/15/2013





Notification List of Property Owners

Z123-273

27 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	601 WALTON WALKER BLVD	601 WALTON WALKER LLC
2	701 WALTON WALKER BLVD	AUTO LATIN INC
3	400 WALTON WALKER BLVD	RIDGECREST TERRACE INVESTORS LLC BLDG B
4	500 FURLONG DR	LOS LUPES INC
5	500 FURLONG DR	DALLAS CHRISTIAN CENTER ASSEMBLY OF GOD
6	704 WALTON WALKER BLVD	FIESTA GROUP LP
7	714 WALTON WALKER BLVD	SUPER FIESTA LP
8	704 FURLONG DR	WEST ROSE M
9	708 FURLONG DR	CALLADO GISELA
10	714 FURLONG DR	LAFUENTE MICHAEL & ESTHER
11	720 FURLONG DR	URBINA MANUEL
12	5834 BEAU PURPLE DR	GONZALEZ ARMANDO
13	711 FURLONG DR	LOPEZ RICARDO R &
14	653 FURLONG DR	REYES RAFAEL & ESTHER
15	647 FURLONG DR	SERRANO NORA I % PRIVADA RETORNO DEL REO
16	641 FURLONG DR	PEREZ GILBERTO M
17	635 FURLONG DR	GARCIA ELADIO G
18	629 FURLONG DR	WILLIAMS CLARENCE
19	623 FURLONG DR	RJ RICHARDSON & REMELL K REV LIV TRUST
20	619 FURLONG DR	FORD D WILSON
21	611 FURLONG DR	WEBBER DONNA
22	605 FURLONG DR	MORENO PEDRO & VALERIA MORENO
23	533 FURLONG DR	VONWALLENBERG GEOFFREY
24	527 FURLONG DR	RIOS EFRAIN
25	521 FURLONG DR	ARREDONDO GUADALUPE
26	515 FURLONG DR	UMANZOR NELSON G & DORA A GALEAS

Z123-273(WE)

5/15/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5600 PREAKNESS LN	AUTO CENTER UNLIMITED LP

FILE NUMBER: Z123-268(MW)

DATE FILED: May 7, 2013

LOCATION: Northeast corner of South Buckner Boulevard and Forney Road

COUNCIL DISTRICT: 7

MAPSCO: 48-Q

SIZE OF REQUEST: ±0.565 acre

CENSUS TRACT: 122.07

REPRESENTATIVE: Pamela Craig

APPLICANT/OWNER: Devin Brich Group, Corporation
Paul O. Nwoke, Sole Officer and Director

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

SUMMARY: The applicant proposes the sale of alcoholic beverages for off-premise consumption in conjunction with the existing convenience store.

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

PREVIOUS ACTION: Held under advisement on September 12, 2013

BACKGROUND INFORMATION:

- The ±0.565 acre request site is developed with a ±2,289-square foot general merchandise or food store (convenience store) and vehicle fueling station (gas pumps).
- Based on information provided by the Dallas Police Department (DPD), Neighborhood Police Unit, Southeast Patrol Division, the convenience store located at 4710 South Buckner is in DPD’s system and passed inspection in August 2013. Therefore, the referenced convenience store complies with Chapter 12B (Convenience Store) requirements.

Zoning History:

1. **Z101-164:** On Thursday, April 21, 2011, the City Plan Commission recommended denial of an application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less. The applicant did not appeal to City Council.

Land Use:

	Zoning	Land Use
Site	LI	Convenience store with gas pumps
North	LI	Church (complies with the alcohol distance requirements)
East	Li	Warehouses
South	LI	Industrial (inside)
West	MC-1	Undeveloped

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
South Buckner Boulevard	Principal Arterial	100 feet – 150 feet
Forney Road	Collector	70 feet

STAFF ANALYSIS:

Comprehensive Plan:

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

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

While a general merchandise or food store 3,500 square feet or less is typically considered a neighborhood service use, the existing convenience store and motor vehicle fueling station Therefore, in general, the applicant's proposal is consistent with the following goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

Goal 1.1: Promote desired development

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

Land Use Compatibility:

It is noted that the church to the north of the request site complies with the alcohol distance requirements, as demonstrated by the alcohol measurement survey provided with the application.

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.

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

Based on information provided by the Dallas Police Department (DPD), Neighborhood Police Unit, Southeast Patrol Division, the convenience store located at 4710 South Buckner is in DPD's system and passed inspection in August 2013. Therefore, the referenced convenience store complies with Chapter 12B (Convenience Store) requirements.

The applicant's request conforms with the applicable zoning regulations and standards and is consistent with the intent of the Dallas Development Code. The proposed sale of alcoholic beverages in conjunction with the existing convenience store is not anticipated to negatively impact the adjacent properties. Therefore, staff recommends approval for a two-year period with eligibility for automatic renewal for additional five-year periods subject to a site plan and conditions. The short initial time period will allow reevaluation of the request to ensure ongoing compliance.

Development Standards:

While the applicant does not propose any new construction or changes to the site, the development standards for the IR Industrial Research District are provided below.

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution and storage, supporting office & retail

Parking:

Pursuant to the Dallas Development Code, a general merchandise or food store requires one space per 200 square feet of floor area. Therefore, the 2,289-square foot convenience store requires 14 spaces, which are provided as shown on the site plan.


Pursuant to the Dallas Development Code, a general merchandise or food store requires one space per 200 square feet of floor area and a motor vehicle fueling station requires two spaces. Therefore, the 2,289-square foot convenience store with fuel pumps requires 13 spaces; 14 spaces are provided as depicted on the proposed site plan.

Landscaping:

Any new construction will require landscaping per Article X of the Dallas Development Code. No new construction is proposed by this application; additional landscaping is not required at this time.

Police Report:

An online search of the Dallas Police Department's offense incident reports for the period from August 28, 2011 to August 28, 2013 revealed the following results:

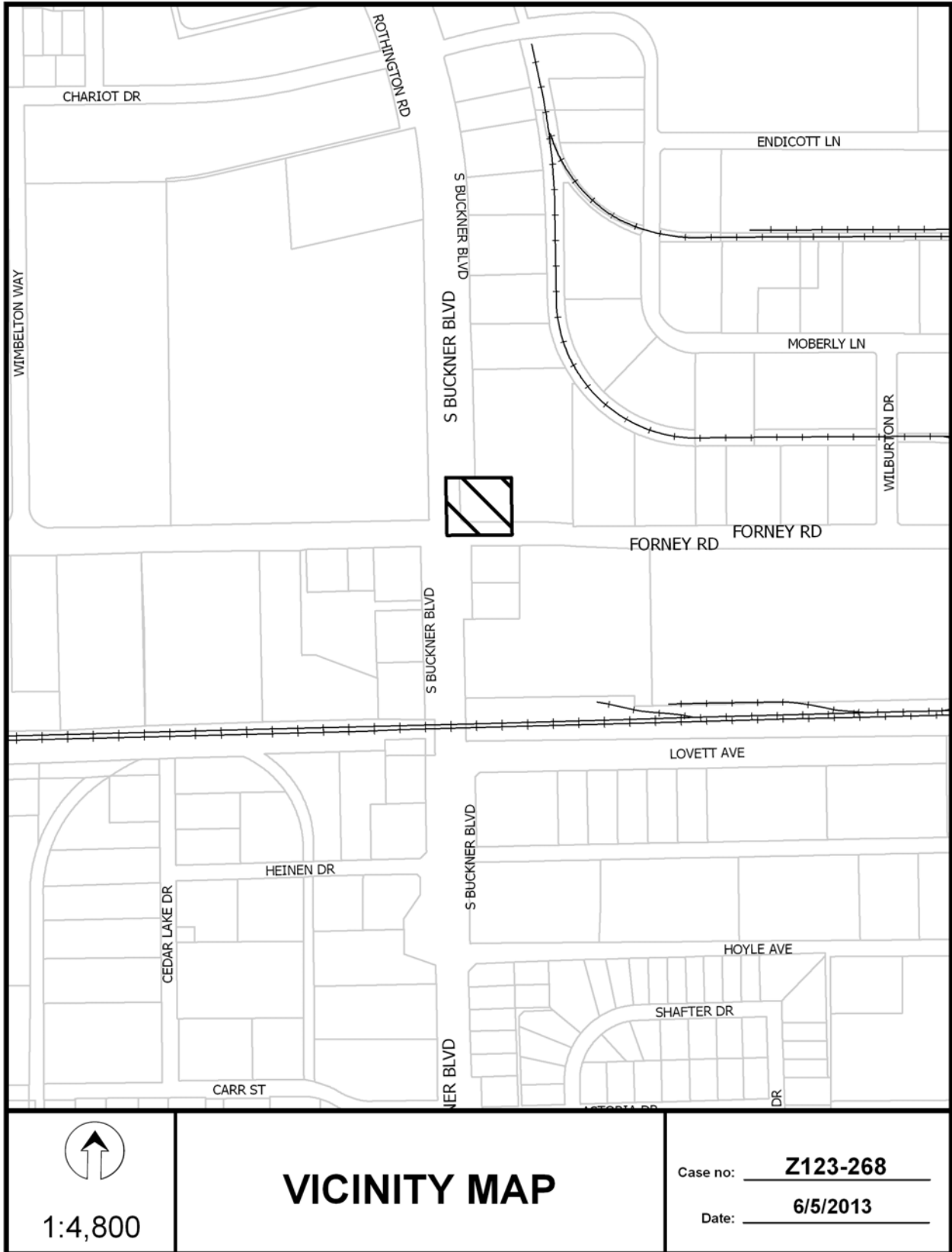
 DALLAS POLICE DEPARTMENT UCR Codes Year Codes Property Class Codes 										
Virtual Viewer - Public Access										Welcome
Search Records - Offense										Filter <input type="text"/>
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0061710-A	03/15/2013	@MCKINNEY PD	FOUND PROP...	04710	S	BUCKNERB...	323	1218	43030	
0169588-Z	07/10/2012	*BUCKNER QUICK STOP	BURGLARY	04710	S	BUCKNERB...	323	1218	05137	
0239444-Y	09/08/2011	*BUCKNER QUICK STOP	BURGLARY	04710	S	BUCKNERB...	323	1218	05128	
0262953-Y	10/04/2011	*R & G FLOORS	THEFT	04710	S	BUCKNERB...	323	1218	06941	
0264321-Z	10/23/2012	MUMIN, RASHEEDAH	ASSAULT	04710	S	BUCKNERB...	323	1218	08412	
0294204-Z	11/27/2012	HARTFIELD, JAMES	ROBBERY	04710	S	BUCKNERB...	323	1218	03A11	
0303708-Y	11/17/2011	*VALERO	THEFT	04710	S	BUCKNERB...	323	1218	06901	

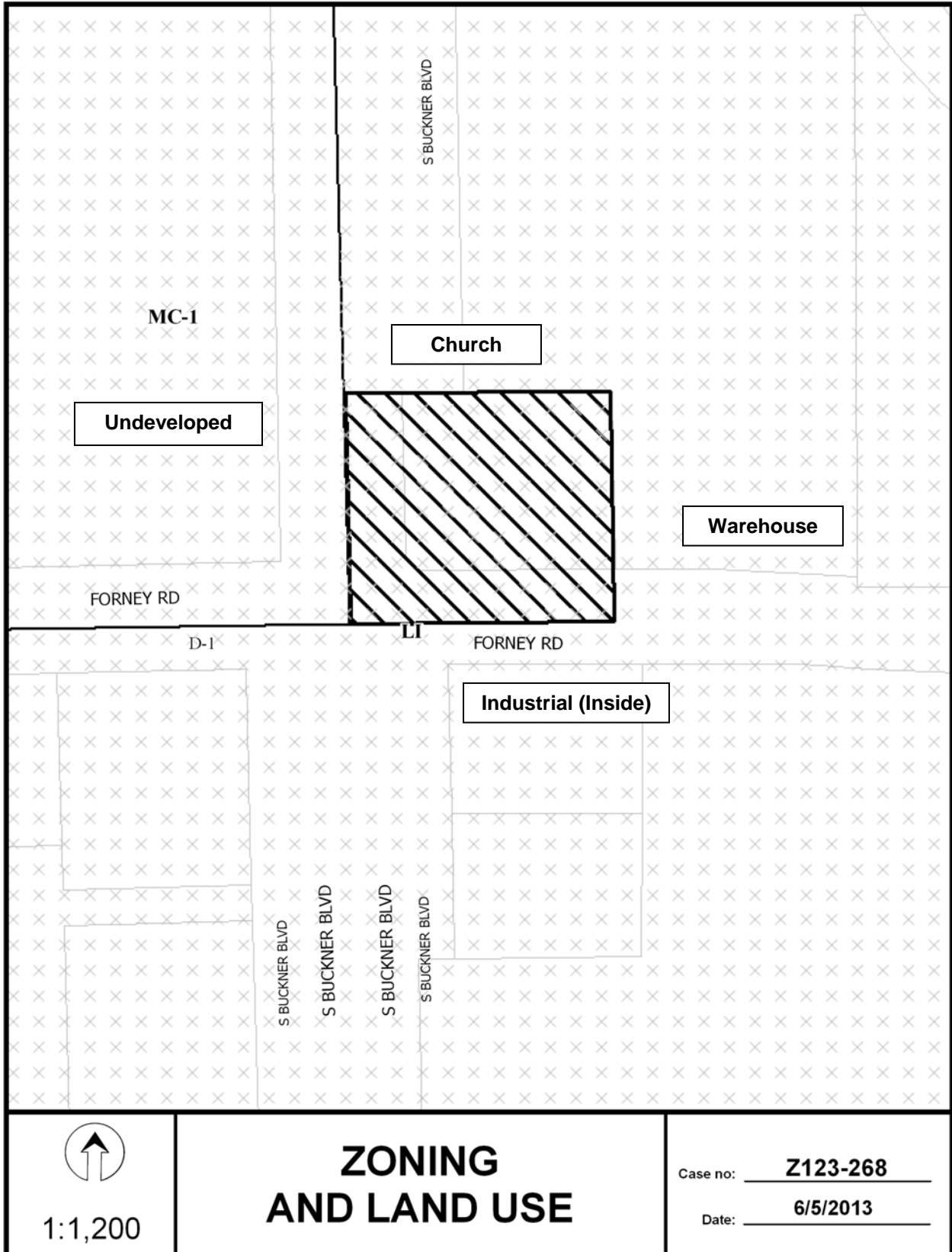
Page 1 of 1 (7 items)

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Z123-268
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.

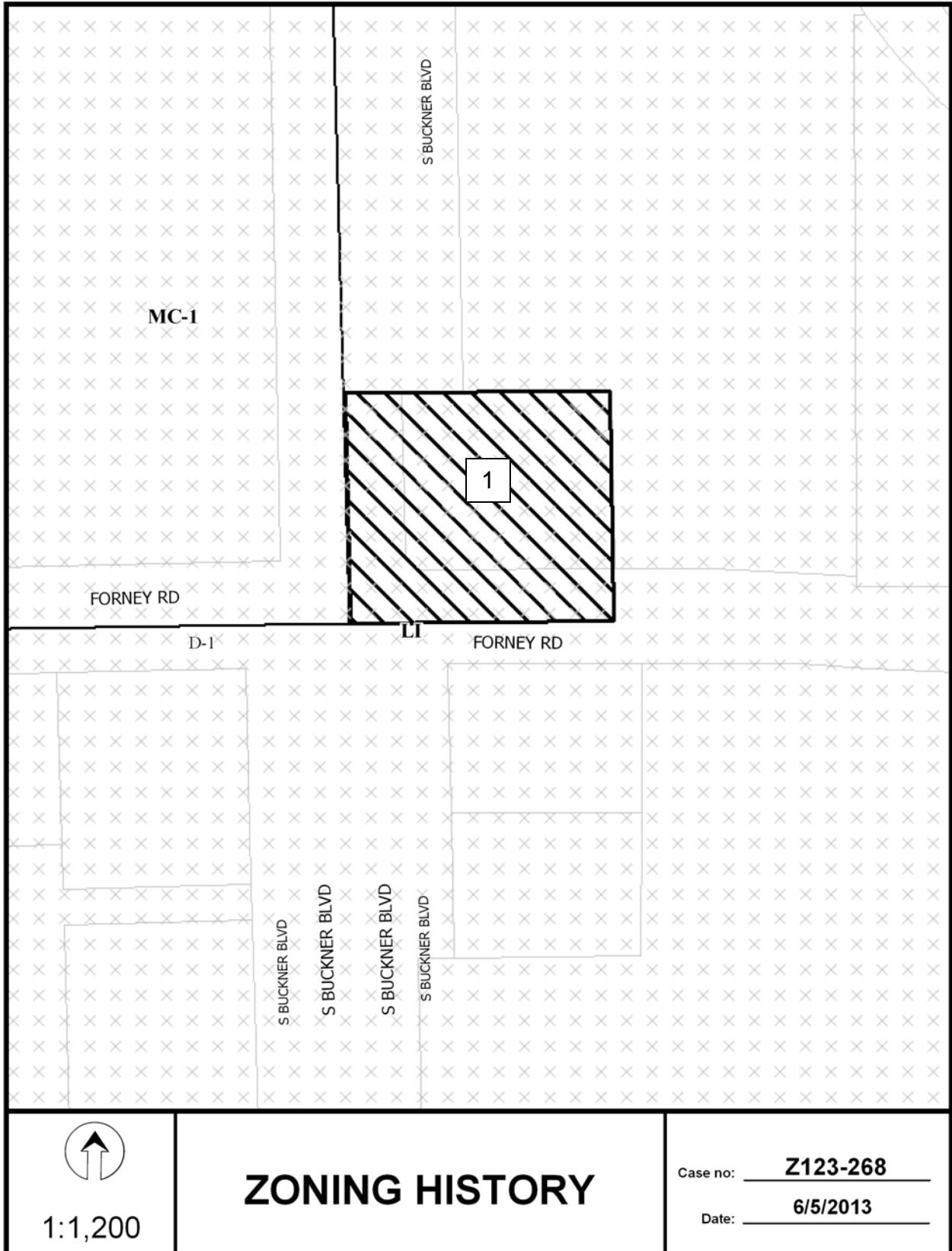




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ZONING AND LAND USE

Case no: Z123-268
Date: 6/5/2013

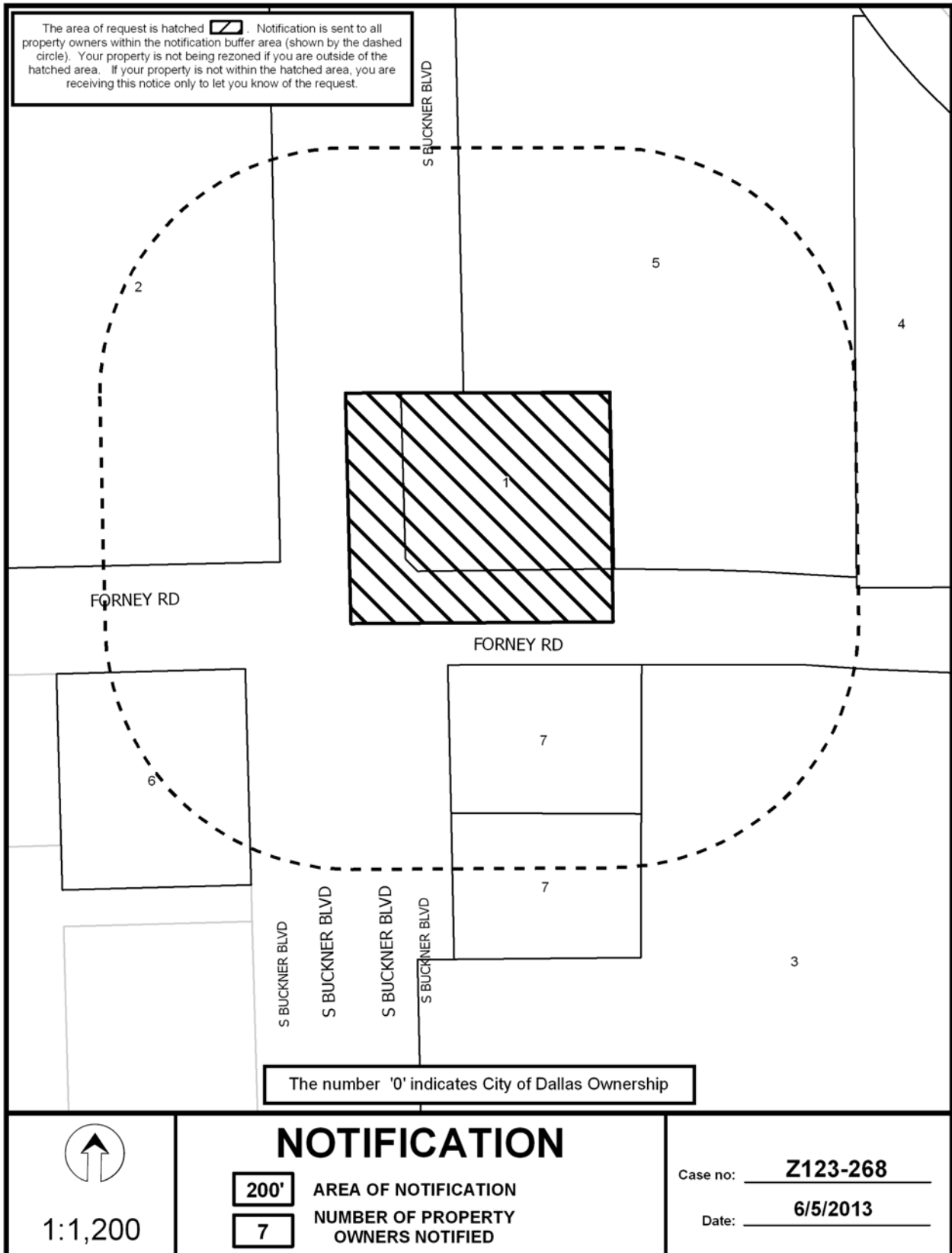


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ZONING HISTORY

Case no: Z123-268

Date: 6/5/2013



Z123-268(MW)

6/5/2013

Notification List of Property Owners

Z123-268

7 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4710 BUCKNER BLVD	DEVIN BRICH GROUP CORP
2	4700 BUCKNER BLVD	NW REALTY INC
3	4520 BUCKNER BLVD	4520 BUCKNER LP
4	8131 FORNEY RD	TAGGERT TEXAS LTD C/O KEN TAGGERT
5	4740 BUCKNER RD	INTERNATIONAL BIBLE ASSOC
6	4625 BUCKNER BLVD	BUCKNER FOODS INC
7	4612 BUCKNER BLVD	RICHMOND P CURT

FILE NUMBER: Z123-302(AB) **DATE FILED:** June 4, 2013

LOCATION: N. Jim Miller Road and Samuell Boulevard, southeast corner

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

SIZE OF REQUEST: Approx. 0.98 acres **CENSUS TRACT:** 122.07

APPLICANT: CVS Corporation

OWNER: Michael Parker

REPRESENTATIVE: MASTERPLAN
Santos Martinez

REQUEST: An application to renew Specific Use Permit No. 1907 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay

SUMMARY: The applicant proposes to continue the sale of alcohol for off-premise consumption in conjunction with the existing drug store.

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

PREVIOUS ACTION: Held under advisement on September 12, 2013

BACKGROUND INFORMATION:

- On October 10, 2011 City Council voted to approve SUP No. 1907 for a two-year period, with eligibility for automatic renewal for additional five-year periods. The applicant did not file a renewal application in the allowable time for automatic renewal. The applicant proposes minor changes to the originally approved site plan including minor parking space configuration changes and the addition of a storage container along the north side of the building.
- The applicant is proposing to continue the sale of alcohol for off-premise consumption in conjunction with the general merchandise use on the property. The request site is currently developed with a general merchandise or food store less than 3,500 square feet use.
- The proposed use is to continue 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 is prohibited except by SUP in a D-1 Liquor Control Overlay.
- The surrounding land uses consist of a variety of retail, office and auto related uses to the north. The properties west of Jim Miller Road are developed with auto related and retail and personal service uses and the development south of the site consist of 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
Samuell Blvd.	Principal Arterial	120 ft.	120 ft.
N. Jim Miller Road	Principal Arterial	100 ft.	100 ft.

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.

Land Use:

	Zoning	Land Use
Site	RR-D	General Merchandise store
North	RR-D-1	Auto related use, Restaurant, Office
South	RR-D	Retail
East	RR-D	Retail
West	RR-D	Auto Related use, Office

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility:

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

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

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

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

Development Standards:

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

Landscaping: Landscaping of any development will be in accordance with Article X, as amended. The northwest corner of the property has landscaping damage from the collision of a vehicle. The applicant will be required to improve their landscaping to meet Article X before the case can proceed to City Council.

Dallas Police Department:

A copy of a police report from October 9, 2009 to October 9, 2011
Two Years Prior to SUP Issuance:

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

SERVICE #	OFFENSE DATE	TYPE	COMPLAINANT	ADDRESS	BEAT	REPORTING AREA
1	0348058-W	11/23/2009	THEFT	*CVS	06004 SAMUELLEBLVD	318 1217
2	0334333-W	11/10/2009	THEFT	**CVS	06004 SAMUELLEBLVD	318 1217
3	0072502-X	03/14/2010	THEFT	SNEED,SHAKEITHA,MS	06004 SAMUELLEBLVD	318 1217
4	0328454-W	11/04/2009	AUTO THEFT-UUMV	MARTIN, EARL	06004 SAMUELLEBLVD	318 1217
5	0345082-W	11/20/2009	THEFT	*CVS # 6966	06004 SAMUELLEBLVD	318 1217
6	0344930-W	11/20/2009	THEFT	*CVS PHARMACY	06004 SAMUELLEBLVD	318 1217
7	0183476-X	06/30/2010	THEFT	*CVS PHARMACY	06004 SAMUELLEBLVD	318 1217
8	0239909-X	08/26/2010	THEFT	*CVS #6966	06004 SAMUELLEBLVD	318 1217
9	0240084-X	08/26/2010	THEFT	*CVS #6966	06004 SAMUELLEBLVD	318 1217
10	0074234-X	03/18/2010	AGGRAVATED ASSAULT	MONREAL, ESTHER	06004 SAMUELLEBLVD	318 1217
11	0074233-X	03/18/2010	ASSAULT	LOPEZ, JUAN	06004 SAMUELLEBLVD	318 1217
12	0007519-X	01/08/2010	THEFT	**CVS PHARMACY #6966	06004 SAMUELLEBLVD	318 1217
13	0030951-X	02/01/2010	FOUND PROPERTY	@CITY OF DALLAS	06004 SAMUELLEBLVD	318 1217
14	0032770-X	02/03/2010	THEFT	*CVS	06004 SAMUELLEBLVD	318 1217
15	0060433-X	03/04/2010	THEFT	CHAMBERS,DOUGLAS	06004 SAMUELLEBLVD	318 1217
16	0060838-X	03/04/2010	THEFT	*CVS PHARMACY #6966	06004 SAMUELLEBLVD	318 1217
17	0357514-W	12/03/2009	THEFT	*CVS PHARMACY #6966	06004 SAMUELLEBLVD	318 1217
18	0359138-W	12/05/2009	THEFT	*CVS PHARMACY	06004 SAMUELLEBLVD	318 1217
19	0371369-W	12/18/2009	THEFT	*CVS PHARMACY STORE#6966	06004 SAMUELLEBLVD	318 1217
20	0196719-X	07/13/2010	THEFT	*CVS PHARMACY	06004 SAMUELLEBLVD	318 1217
21	0125364-X	05/06/2010	THEFT	*CVS	06004 SAMUELLEBLVD	318 1217
22	0106070-X	04/17/2010	THEFT	*CVS PHARMACY. #6966	06004 SAMUELLEBLVD	318 1217
23	0380344-W	12/27/2009	ASSAULT	VASQUEZ, ROBERT	06004 SAMUELLEBLVD	318 1217
24	0182181-X	06/29/2010	THEFT	*CVS PHARMACY #6966	06004 SAMUELLEBLVD	318 1217
25	0219332-X	08/05/2010	THEFT	*CVS PHARMACY	06004 SAMUELLEBLVD	318 1217
26	0203826-X	07/20/2010	THEFT	*CVS PHARMACY #7739	06004 SAMUELLEBLVD	318 1217
27	0189622-X	07/06/2010	THEFT	*CVS #06966	06004 SAMUELLEBLVD	318 1217
28	0302738-X	11/01/2010	BURGLARY	*CVS PHARMACY STORE#6966	06004 SAMUELLEBLVD	318 1217
29	0314442-W	10/22/2009	THEFT	*CVS PHARMACY STORE #6966	06004 SAMUELLEBLVD	318 1217
30	0353291-X	12/27/2010	OTHER OFFENSES	LOPEZ, JUAN	06004 SAMUELLEBLVD	318 1217
31	0084054-Y	04/04/2011	THEFT	*CVS PHARMACY	06004 SAMUELLEBLVD	318 1217
32	0139058-Y	05/29/2011	THEFT	CONTRERAS, IGNACIO	06004 SAMUELLEBLVD	318 1217
33	0099702-Y	04/20/2011	THEFT	*CVS	06004 SAMUELLEBLVD	318 1217
34	0052969-Y	03/03/2011	ASSAULT	MONREAL,ESTHER	06004 SAMUELLEBLVD	318 1217
35	0018278-Y	01/22/2011	CRIMINAL MISCHIEF/VANDALISM	*ONCOR	06004 SAMUELLEBLVD	318 1217
36	0306935-X	11/05/2010	THEFT	*CVS #6966	06004 SAMUELLEBLVD	318 1217
37	0236805-Y	09/06/2011	THEFT	*CVS PHARMACY #6966	06004 SAMUELLEBLVD	318 1217
38	0298104-X	10/08/2010	NARCOTICS DRUG LAWS	*CVS PHARMACY	06004 SAMUELLEBLVD	318 1217
39	0253598-X	09/09/2010	ROBBERY	*CVS PHARMACY STORE#6966	06004 SAMUELLEBLVD	318 1217
40	0310874-X	11/10/2010	CRIMINAL MISCHIEF/VANDALISM	*CVS PHARMACY	06004 SAMUELLEBLVD	318 1217
41	0004620-Y	01/06/2011	ROBBERY	*CVS #2011	06004 SAMUELLEBLVD	318 1217
42	0271784-X	09/29/2010	THEFT	*CVS PHARMACY	06004 SAMUELLEBLVD	318 1217
43	0177021-Y	07/01/2011	THEFT	GOLDEN,NORMA	06004 SAMUELLEBLVD	318 1217
44	0243245-Y	09/12/2011	THEFT	HOWELL,DEIDRA	06004 SAMUELLEBLVD	318 1217
45	0272669-X	09/30/2010	THEFT	*CVS PHARMACY #6969	06004 SAMUELLEBLVD	318 1217
46	0272477-X	09/30/2010	THEFT	*CVS #6966	06004 SAMUELLEBLVD	318 1217
47	0071435-Y	03/22/2011	THEFT	*CVS	06004 SAMUELLEBLVD	318 1217
48	0071722-Y	03/22/2011	FOUND PROPERTY	@CITY OF DALLAS	06004 SAMUELLEBLVD	318 1217
49	0347060-X	12/20/2010	THEFT	*CVS	06004 SAMUELLEBLVD	318 1217
50	0296547-Y	03/01/2011	NARCOTICS DRUG LAWS	*CVS PHARMACY	06004 SAMUELLEBLVD	318 1217
51	0181252-Y	07/10/2011	THEFT	*CVS PHARMACY	06004 SAMUELLEBLVD	318 1217

A copy of a police report from October 10, 2011 to August 28, 2013
Two Years After SUP Issuance:

Dallas Police Department Reports

Public Offense Search Results

SERVICE #	OFFENSE DATE	TYPE	COMPLAINANT	ADDRESS	REPORTING AREA		
					BEAT	AREA	
1	0168604-A	07/03/2013	ROBBERY	CABANISS, RHONDA	06004 SAMUELLEBLVD	318	1217
2	0268529-Y	10/10/2011	THEFT	*CVS #6966	06004 SAMUELLEBLVD	318	1217
3	0323199-Y	12/11/2011	THEFT	*CVS PHARMACY # 6966	06004 SAMUELLEBLVD	318	1217
4	0312870-Y	11/29/2011	THEFT	*CVS PHARMACY #6966	06004 SAMUELLEBLVD	318	1217
5	0274637-Y	10/17/2011	THEFT	*T MOBILE #DA01149	06004 SAMUELLEBLVD	318	1217
6	0302982-Y	11/25/2011	FRAUD	*AMERICAN EXPRESS	06004 SAMUELLEBLVD	318	1217
7	0292442-Y	11/05/2011	THEFT	BLANCO, SALVADOR	06004 SAMUELLEBLVD	318	1217
8	0054030-Z	03/05/2012	THEFT	*CVS STORE	06004 SAMUELLEBLVD	318	1217
9	0129807-Z	05/27/2012	THEFT	LOPEZ, JUAN, JOSE	06004 SAMUELLEBLVD	318	1217
10	0165956-A	07/01/2013	OTHER OFFENSES	*CVS PHARMACY	06004 SAMUELLEBLVD	318	1217
11	0084592-Z	04/08/2012	TRAFFIC MOTOR VEHICLE	BARNES, FITZGERALD	06004 SAMUELLEBLVD	318	1217
12	0009562-A	01/12/2013	THEFT	BALLARD-MOORE, DEIDRA	06004 SAMUELLEBLVD	318	1217
13	0156138-Z	06/25/2012	BURGLARY	*CVS PHARMACY #6966	06004 SAMUELLEBLVD	318	1217
14	0112617-A	05/07/2013	FOUND PROPERTY	AHAGRACIR, DANCY	06004 SAMUELLEBLVD	318	1217
15	0135294-A	05/31/2013	AUTO THEFT-UUMV	SHIFFLET, BRANDON	06004 SAMUELLEBLVD	318	1217
16	0066546-Z	03/19/2012	CRIMINAL MISCHIEF/VANDALISM	MOHAMED, OBAH	06004 SAMUELLEBLVD	318	1217
17	0040109-A	02/18/2013	FOUND PROPERTY	ROMANELLO, DAVID	06004 SAMUELLEBLVD	318	1217
18	0022489-A	01/28/2013	THEFT	*CVS	06004 SAMUELLEBLVD	318	1217
19	0195951-A	08/01/2013	THEFT	ESCOBAR, REYNA	06004 SAMUELLEBLVD	318	1217
20	0099142-Z	04/24/2012	ROBBERY	*CVS PHARMACY 6966	06004 SAMUELLEBLVD	318	1217
21	0076003-Z	03/30/2012	TRAFFIC MOTOR VEHICLE	MOLINA, ALICIA	06004 SAMUELLEBLVD	318	1217
22	0205339-Z	08/18/2012	THEFT	MAYO, LUCRECIA	06004 SAMUELLEBLVD	318	1217
23	0084291-A	04/06/2013	ROBBERY	STEPHENS, JEFF	06004 SAMUELLEBLVD	318	1217
24	0157713-A	06/22/2013	THEFT	*CVS PHARMACY	06004 SAMUELLEBLVD	318	1217
25	0153752-A	05/18/2013	THEFT	THOMPSON, RONALD	06004 SAMUELLEBLVD	318	1217

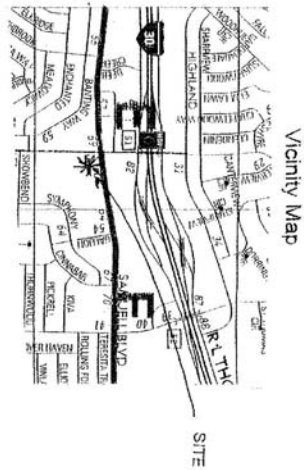
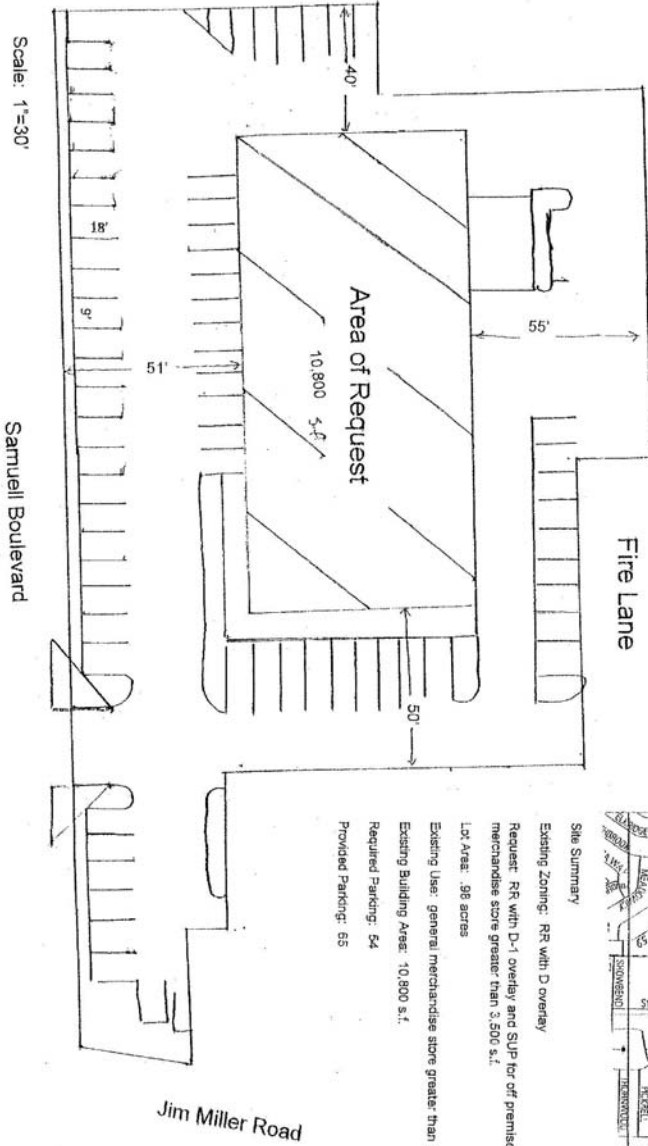
LIST OF OFFICERS
CVS

- Thomas Ryan Chairman of the Board
- Larry Merio President, COO
- Thomas S. Mofatt Vice President and Assistant 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 greater than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on_____, (~~two-year~~ five year period from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).
4. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
5. PARKING: Off-street parking must be located as shown on the attached site plan.
6. DRIVE-THROUGH WINDOW: A retail use may not use a drive-through window for retail sales of alcoholic beverages.
7. 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.

PREVIOUSLY APPROVED SITE PLAN



Site Summary
 Existing Zoning: RR with D Overlay
 Request: RF with D-1 overlay and SUP for off premise alcohol consumption associated with a general merchandise store greater than 3,500 s.f.
 Lot Area: .98 acres
 Existing Use: general merchandise store greater than 3,500 square feet
 Existing Building Area: 10,800 s.f.
 Required Parking: 54
 Provided Parking: 65

APPROVED BY
 CITY COUNCIL
 OCT 10 2011
 Acting City Secretary

112759

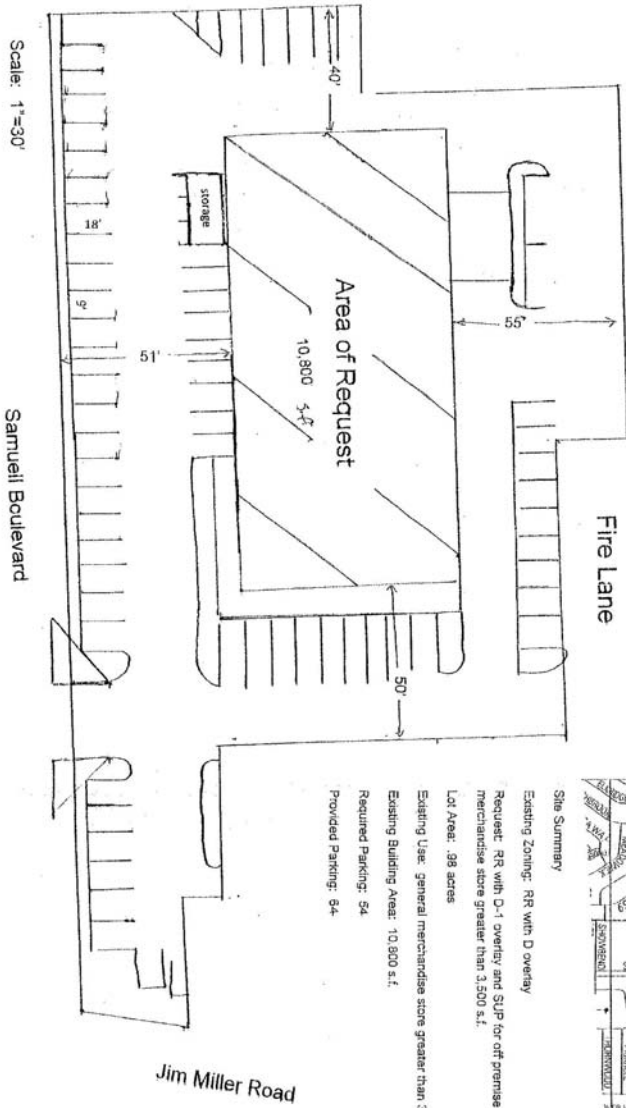
28435

Specific Use Permit
 No. 1907

Approved
 City Plan Commission
 September 1, 2011

Z123-302
 2401-310 SITE PLAN

PROPOSED SITE PLAN

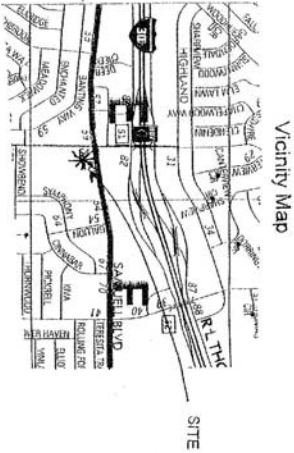


Scale: 1"=30'

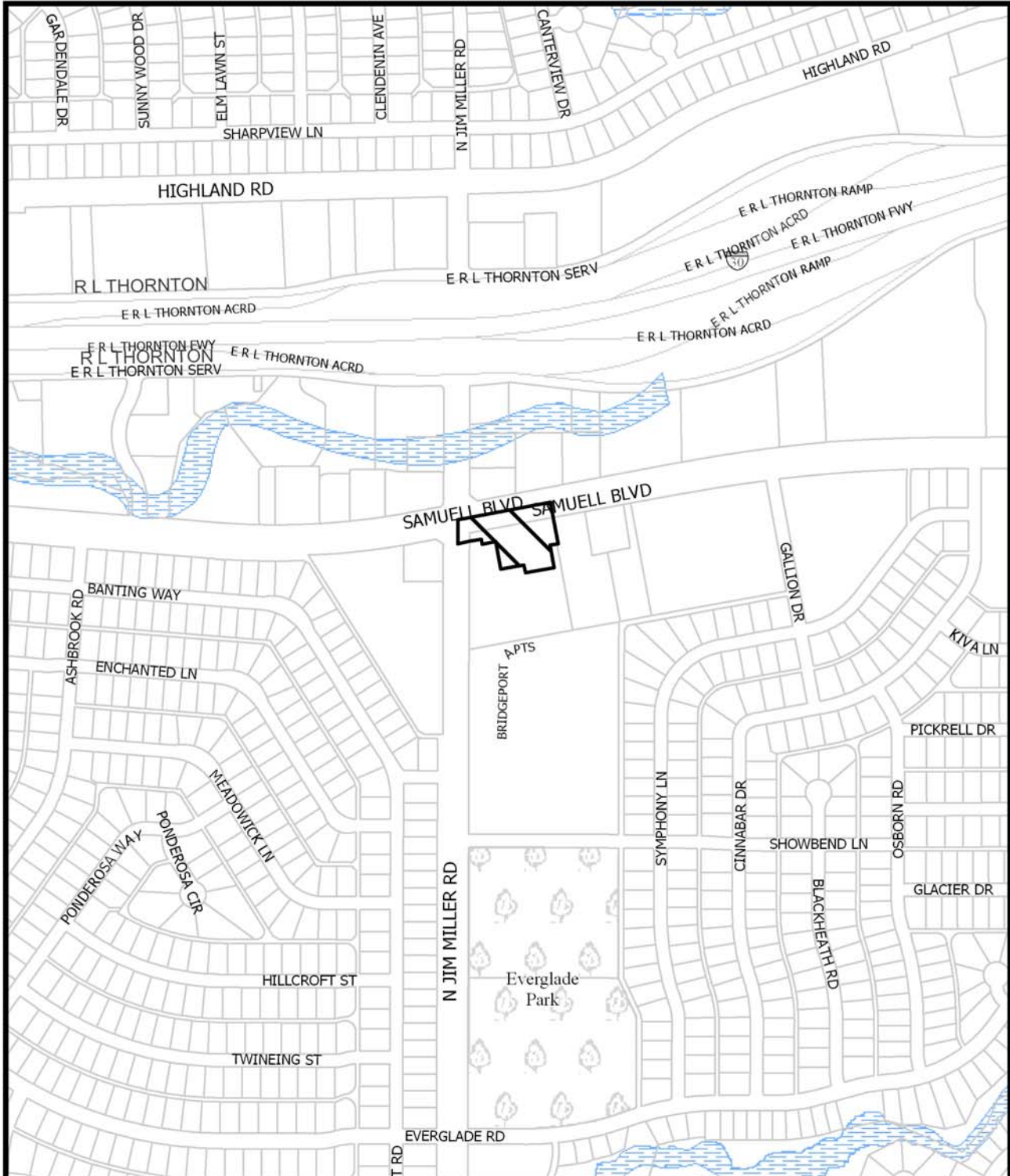
Samuell Boulevard

Jim Miller Road

- Site Summary**
- Existing Zoning: RR with D overlay
 - Request: RR with C-1 overlay and SUP for off premise alcohol consumption associated with a general merchandise store greater than 3,500 s.f.
 - Lot Area: .98 acres
 - Existing Use: general merchandise store greater than 3,500 square feet
 - Existing Building Area: 10,900 s.f.
 - Required Parking: 54
 - Provided Parking: 64



Z123-302 SITE PLAN

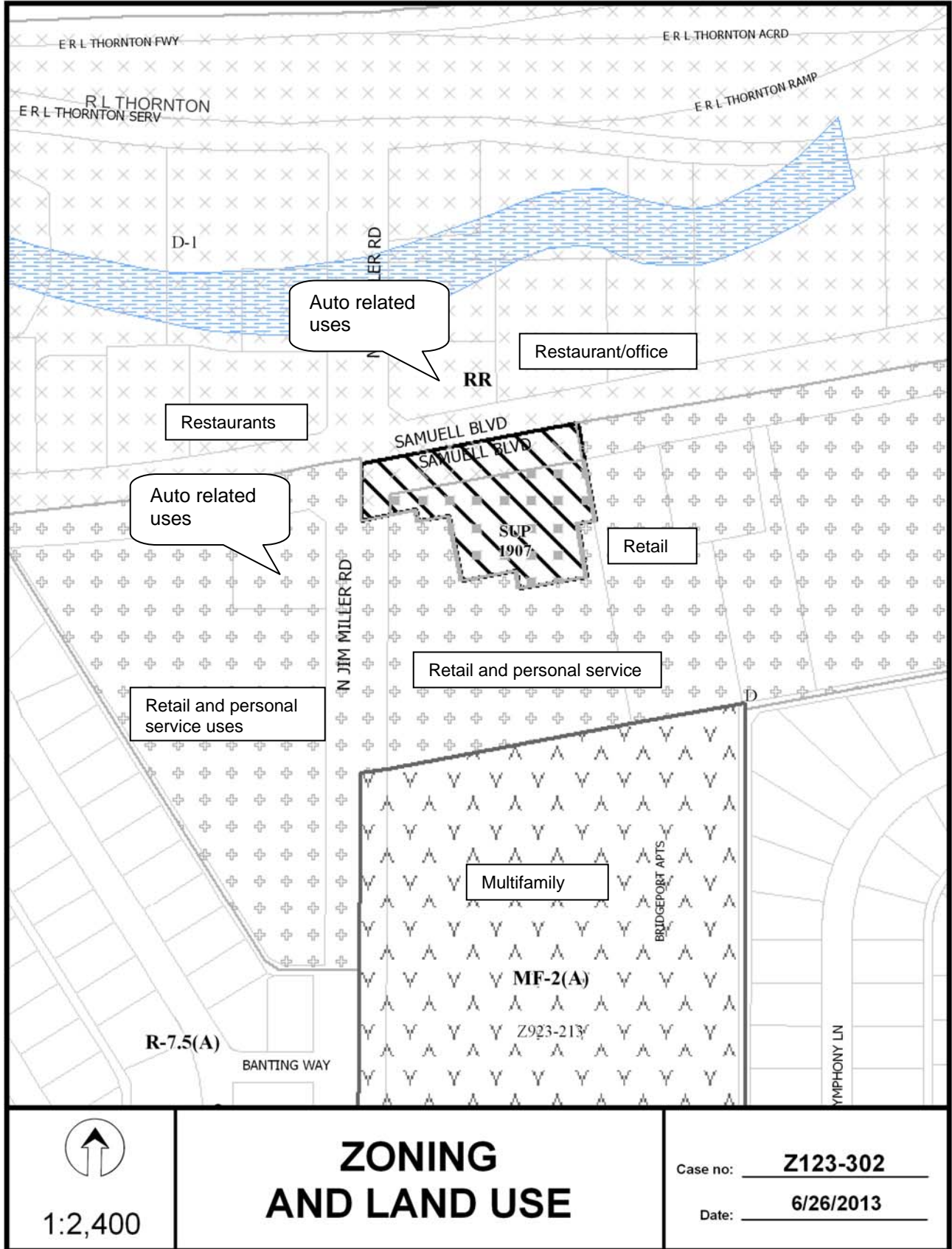


1:6,000

VICINITY MAP

Case no: **Z123-302**

Date: **6/26/2013**

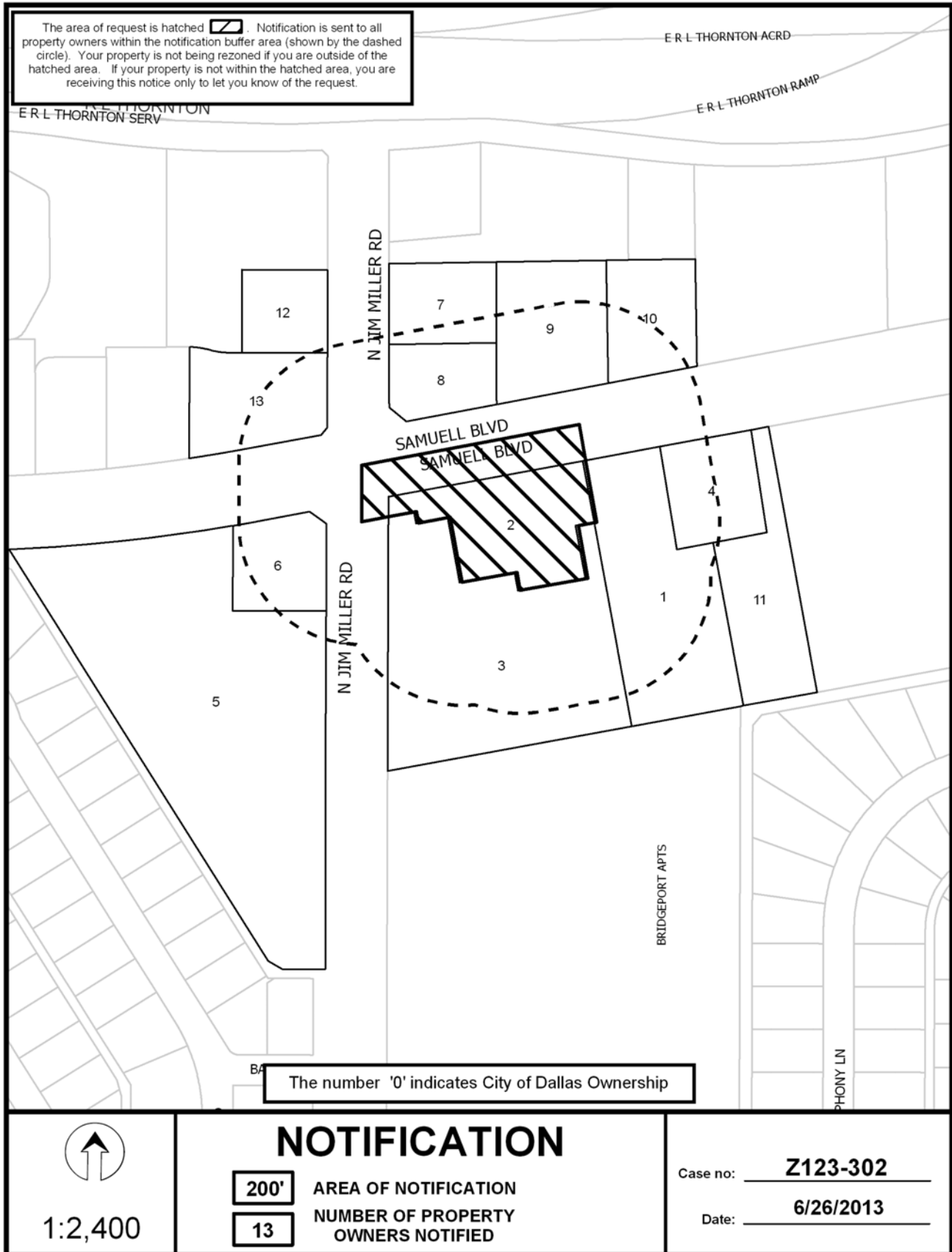


1:2,400

ZONING AND LAND USE

Case no: Z123-302

Date: 6/26/2013



6/25/2013

Notification List of Property Owners

Z123-302

13 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6118 SAMUELL BLVD	BALLAS VICTOR
2	6004 SAMUELL BLVD	PARKER MICHAEL
3	5470 JIM MILLER RD	CFIC LLC
4	6000 SAMUELL BLVD	CHUNG JOE INKI TR & HELLEN YOUNG CHUNG T
5	5409 JIM MILLER RD	JIM MILLER SHOPPING CENTER LP
6	5475 JIM MILLER RD	ISSA DAVID
7	5514 JIM MILLER RD	USRP FUNDING 2001 A LP
8	5510 JIM MILLER RD	DAY MARIE L
9	6885 SAMUELL BLVD	FIREBRAND PROPERTIES LP
10	6155 SAMUELL BLVD	SAMUELL RETAIL LTD STE 100
11	6024 SAMUELL BLVD	DRY WAYNE F
12	5575 JIM MILLER RD	SIDERIS BASIL K ET AL % R W BALL INC
13	5555 JIM MILLER RD	SIDERIS BASIL K ET AL TAX DEPARTMENT 4