



CITY OF DALLAS  
CITY PLAN COMMISSION  
Thursday, December 6, 2012  
AGENDA

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BRIEFINGS:	5ES	9:30 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.

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

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**BRIEFINGS:**

Gas Drilling

David Cossum, Assistant Director, Sustainable development and Construction

**EXECUTIVE SESSION:** Legal issues regarding gas drilling and production

Subdivision Docket

Zoning Docket

**ACTION ITEMS:**

Subdivision Docket

Planner: Paul Nelson

Consent Items:

- (1) **S123-019**  
(CC District 14)

An application to replat all of Lot 15 and part of Lot 16 into one 0.574 acre lot in City Block J/1534 on property located at 4528 McKinney Avenue.

Applicant/Owner: Nabholz KMCK Properties, LP

Surveyor: A&W Surveyors, Inc.

Application Filed: November 8, 2012

Zoning: PD 193(LC)

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

- (2) **S123-020**  
(CC District 6)
- An application to create a 0.859 acre lot from a tract of land in City Block 8371 on property located at 10510 Luna Road.  
Applicant/Owner: Horacio & Norberto Gonzalez  
Surveyor: Peiser & Mankin, Inc.  
Application Filed: November 8, 2012  
Zoning: IM  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S123-021**  
(CC District 11)
- An application to replat a 16.133 acre tract of land containing all of Lot 2B in City Block A/7763 into one 7.934 acre lot; one 0.550 acre lot; one 1.320 acre lot; one 1.634 acre lot; one 1.265 acre lot; one 1.816 acre lot, and one 1.614 acre lot on property located on Spring Valley Road between Goldmark Drive and St. Paul Drive.  
Applicant/Owner: Rancho Keystone Park, LP  
Surveyor: Peiser-Mankin Surveying LLC  
Application Filed: November 9, 2012  
Zoning: MU-2  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S123-026**  
(CC District 2)
- An application to replat a 0.321 acre tract of land containing all of Lots 5 and 6 in Block 3/1631 into one lot at 5412 East Grand Avenue.  
Applicant/Owner: Hometown Holdings, Ltd.  
Surveyor: Gonzalez & Schneeberg  
Application Filed: November 13, 2012  
Zoning: RR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S123-028**  
(CC District 14)
- An application to create one 1.168 acre lot, and one 1.151 acre lot from a 2.319 acre tract of land in City Block 3/5687 on property on Eastern Avenue between Emerson Street and Lovers Lane.  
Applicant/Owner: Crescent Estate Custom Homes  
Surveyor: Gonzalez-Schneeberg  
Application Filed: November 13, 2012  
Zoning: MF-2(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (6) **S123-030**  
(CC Districts 14)
- An application to plat all of Lots 6 and 7 in City Block K/574 into an 11 lot Shared Access Development ranging in lot size from 0.0232 acre to 0.0654 acre on property located on State Street at Worthington Street, east corner.  
Applicant/Owner: Crescent Estates Custom Homes, State Street Investments, LLC  
Surveyor: Gonzalez & Schneeberg  
Application Filed: November 13, 2012  
Zoning: PD No. 225 (Interior Neighborhood Mid-Rise Office/Residential)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (7) **S123-031**  
(CC District 11)
- An application to replat a 10.016 acre tract of land containing all of Lot 3 into one 7.445 acre lot and one 2.571 acre lot on property located on Bent Tree Forest Drive between the Dallas North Tollway and Knoll Trail Drive.  
Applicant/Owner: SPUS6 Tollway Plaza, LP  
Surveyor: Halff & Associates, Inc.  
Application Filed: November 13, 2012  
Zoning: MC-4  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (8) **S123-032**  
(CC District 14)
- An application to replat a 3.551 acre tract of land containing all of Lot 1 in City Block 4/2235; all of Lot 2 in City Block 5/2236, all of Lots 1 through 6 and all of Lots 8 through 11 and part of Lot 7 and Lot 12 in City Block 4/2235; all of Lot 1 and part of Lots 2 through 8 in City Block 5/2236; and abandoned Kidwell Avenue into one 0.521 acre lot and one 3.026 acre lot on property bounded by Alderson Street, Oram Street, Gaston Avenue, and La Vista Drive.  
Applicant/Owner: Caddo Lakewood, L.P.  
Surveyor: Spiars Engineering, Inc.  
Application Filed: November 13, 2012  
Zoning: PD 281, Subdistricts B, C, and D  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (9) **S123-033**  
(CC District 3)

An application to replat part of Lots 1 through 5 in City Block A/7135; all of Lots 6 through 10 in City Block A/7135; and all of Lots 1 through 10 in City Block B/7135; and all of abandoned Weaver Street and part of abandoned Corden Street into one 13.839 acre lot located on Singleton Boulevard between Hampton Road and Fish Trap Road.

Applicant/Owner: Lakewest Revitalization Foundation, Inc.

Surveyor: Pacheco Koch Consulting Engineers

Application Filed: November 13, 2012

Zoning: CR

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

Building Line Removal:

- (10) **S123-024**  
(CC District 14)

An application to replat a 0.7467 acre tract of land containing all of Lots 2, 3, 4, and 5 in City Block U/2963 into one lot and to remove the existing platted 15 foot building line along the east line of Glencoe Street and the existing platted 25 foot building line along the north line of Martel Avenue on properties located at 5415 through 5435 Martel Avenue.

Applicant/Owner: James A. Goodman, Mark B. Frazier, Amy Andrade, Dickey & Jenkins, L.P., Rhonda Keay, Genio, L.P., and Lennar Corporation

Surveyor: Survey Consultants, Inc.

Application Filed: November 12, 2012

Zoning: MF-2(A)

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

- (11) **S123-025**  
(CC District 3)

An application to replat a 1.34 acre tract of land out of City Block 5/8016 and to remove the existing platted 20 foot front yard building line on property located at 2901 S. Walton Walker Blvd.

Applicant/Owner: Norallah Jooma

Surveyor: Michael Peeples Engineering

Application Filed: November 12, 2012

Zoning: LI

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



Residential Replat:

- (12) **S123-018**  
(CC District 14) An application to replat a 0.1699 acre tract of land containing all of Lot 3 in City Block E/1999 into two 3,700 square foot lots on property located at 2839 and 2841 Lee Street.  
Applicant/Owner: Magellan Funding Partners Fund 1, LP  
Surveyor: Brian Wright  
Application Filed: November 7, 2012  
Zoning: TH-3 (A)  
Staff Recommendation: **Denial**
- (13) **S123-023**  
(CC District 4) An application to replat a 1.09 acre tract of land containing all of Lots 14 through 17 in City Block D/6005 into one lot located at 831 Ann Arbor Drive at Idaho Avenue.  
Applicant/Owner: United Missionary Baptist Church  
Surveyor: Davis Land Surveying Co., Inc.  
Application Filed: November 12, 2012  
Zoning: R-7.5 (A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (14) **S123-034**  
(CC District 13) An application to replat a 2.161 acre tract of land containing all of Lots 8 and 9 in City Block A/5664 into one 1.168 acre lot and one 0.9930 acre lot on property located at 9031 and 9039 Devonshire Drive.  
Applicant/Owner: Kenneth F. Green & Stephen Sands  
Surveyor: Halff Associates, Inc.  
Application Filed: November 15, 2012  
Zoning: R-16 (A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Items:

- D112-014**  
Olga Torres Holyoak  
(CC District 14) Development plan and landscape plan for Planned Development Subdistrict No. 3 within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northeast corner of Oak Lawn Avenue and Avondale Avenue.  
Staff Recommendation: **Approval**  
Applicant: Masterplan  
Representative: 4023 Oak Lawn .L.P.

**D123-002** Development plan for Planned Development District No. 742, Olga Torres Holyoak near the northeast corner of Skillman Street and Eastridge Drive. (CC District 9) Staff Recommendation: **Approval**  
Applicant: Seattle's Best Coffee  
Representative: Cristal Villarreal, Jacobs Engineering Group Inc.

Zoning Cases – Consent

1. **Z112-307(JH)** An application for Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a microbrewery, microdistillery, or winery, on property zoned Subdistrict 6 within Planned Development District No. 830 on the southeast corner of West Davis Street and North Tyler Street. Jennifer Hiromoto (CC District 1) Staff Recommendation: **Approval** for a two-year period, subject to a site plan and conditions.  
Applicant: Bishop Arts Winery  
Representative: Elias Rodriguez
2. **Z123-107(JH)** An application to amend Planned Development District No. 344 for commercial amusement (inside and outside) uses on the north line of Park Lane, northwest of Abrams Road. Jennifer Hiromoto (CC District 13) Staff Recommendation: **Approval**, subject to a landscape and development plan.  
Applicant: Golf Entertainment International  
Representative: Robert Reeves
3. **Z123-103(WE)** An application for a Specific Use Permit for recycling buy-back center on property zoned a LI Light Industrial District on the north side of Congressman Lane, east of Denton Drive. Warren Ellis (CC District 6) Staff Recommendation: **Approval** for a two-year period, subject to a revised site plan and conditions.  
Applicant: Texas Recycling & Surplus, Inc.  
Representative: Robert Miklos
4. **Z123-121(WE)** An application for a Specific Use Permit for private streets on property zoned an R-16(A) Single Family District on the north side of Forest Lane, between Hampstead Lane and Creekway Drive. Warren Ellis (CC District 11) Staff Recommendation: **Approval** for a permanent time period, subject to a site plan and conditions.  
Applicant: Sharif Munir  
Representative: Robert Baldwin

5. **Z123-113(JH)**  
Jennifer Hiromoto  
(CC District 4)
- An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less on property zoned RR Regional Retail District with a D Liquor Control Overlay on the north side of East Ledbetter Drive, southeast of Interstate 35.  
Staff Recommendation: **Approval** of the D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional three-year periods, subject to a site plan and conditions.  
Applicant: Muneer Odetella  
Representative: Parvez Malik
6. **Z123-119(JH)**  
Jennifer Hiromoto  
(CC District 4)
- An application for a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District on the northwest side of Ann Arbor Avenue, southwest of Frio Drive.  
Staff Recommendation: **Approval** for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: Steven Tinnard
7. **Z112-325(RB)**  
Richard Brown  
(CC District 4)
- An application for a Specific Use Permit for a Vehicle display, sales, and service use on property within the Subarea 1 portion of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the east line of Buckner Boulevard, south of Astoria Drive.  
Staff Recommendation: **Approval** for a three-year period, with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: William James Warner  
Representative: Ramon Aranda
8. **Z123-120(RB)**  
Richard Brown  
(CC District 9)
- An application for an NO(A) Neighborhood Office District on property zoned a D(A) Duplex District, and termination of Specific Use Permit No. 41 for a Public library, on the west corner of Ferguson Road and Joaquin Drive.  
Staff Recommendation: **Approval** of an NO(A) District, and **approval** of the termination of Specific Use Permit No. 41.  
Applicant/Representative: Mohammad A. Dalaki

9. **Z123-115(RB)**  
Richard Brown  
(CC District 13)
- An application for an amendment to Phase 1a and 1b portion of Planned Development District No. 121 for TH-4 Townhouse District Uses and GR General Retail District Uses on the southwest corner of Walnut Hill Lane and North Central Expressway.  
Staff Recommendation: **Approval**, subject to a revised Phase 1a and 1b development plan and conditions.  
Applicant: RPI Lakeside S. C., Ltd.  
Representative: Cory McCord
10. **Z123-109(RB)**  
Richard Brown  
(CC District 2)
- An application for the renewal of Specific Use Permit No. 1694 for a Bar, lounge, or tavern and an Inside commercial amusement for a live music venue on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the southeast line of Elm Street, west of Crowds Street.  
Staff Recommendation: **Approval** for a five-year period, subject to a revised site plan and revised conditions.  
Applicant: Club Dada  
Representative: Audra Buckley
11. **Z123-104(RB)**  
Richard Brown  
(CC District 1)
- An application for the renewal of Specific Use Permit No. 1789 for a Medical clinic on property within the Tract 1A portion of Planned Development District No. 316, the Jefferson Area Special Purpose District, on property at the northwest corner of Jefferson Boulevard and Madison Street.  
Staff Recommendation: **Approval** for a five-year period, subject to a revised site plan and conditions.  
Applicant: Bella Dental  
Representative: Rob Baldwin

Zoning Cases – Under Advisement

12. **Z112-105(RB)** An application for **1)** an amendment to and expansion of Specific Use Permit No. 363 for a Cemetery and Mausoleum on property zoned an R-7.5(A) Single Family District, an LO-1 Limited Office District, a GO(A) General Office District with deed restrictions, and an MU-3 Mixed Use District with deed restrictions, and **2)** an LO-2 Limited Office District on that portion of the request site zoned an R-7.5(A) Single Family District and an LO-1 Limited Office District in the southwest quadrant of Greenville Avenue and Restland Road.  
Staff Recommendation: **Approval** of an amendment to and expansion of Specific Use Permit No. 363, subject to a site plan and conditions, and **approval** of an LO-2 Limited Office District.  
Applicant: S. E. Cemeteries of Texas, Inc.  
Representative: Robert Reeves  
U/A From: October 4, 2012, November 1, 2012 and November 15, 2012.
13. **Z112-247(RB)** An application for the creation of a new subdistrict within the Light Commercial/Office Subdistrict portion of Planned Development District No. 631, the West Davis Special Purpose District, on the northwest corner of West Davis Street and the unimproved portion of Tatum Avenue.  
Staff Recommendation: **Approval**, subject to staff's recommended conditions.  
Applicant: John Malchi  
Representative: Santos Martinez  
U/A From: November 15, 2012

Zoning Cases – Individual

14. **Z112-237(RB)** An application for an amendment to the development plan and conditions for Planned Development District No. 70, and an amendment to the site plan and conditions for Specific Use Permit No. 1574 for a Restaurant with alcoholic beverage service on the northeast corner of Northwest Highway and Midway Road.  
Staff Recommendation: **Approval** of an amendment to Planned Development District No. 70, subject to staff's recommended conditions, **denial** of the removal of the D-1 Liquor Control Overlay, and **denial** of the termination of Specific Use Permit No. 1574.  
Applicant: Preston Hollow Indian School, LP  
Representative: Santos Martinez

15. **Z123-101(JH)** Jennifer Hiromoto (CC District 3) An application for 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 on the southeast corner of Greenbriar Lane and Dealey Avenue.  
Staff Recommendation: **Approval**, subject to staff recommended conceptual plan and staff recommended conditions.  
Applicant: Maple Multi-Family Acquisitions, LLC  
Representative: Rob Baldwin
16. **Z123-116(MW)** Megan Wimer (CC District 5) An application for **1)** a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR Regional Retail District with a D Liquor Control Overlay and **2)** an RR Regional Retail District on property zoned a CR Community Retail District on the north side of East Laureland Road, east of South RL Thornton Freeway.  
Staff Recommendation: **Approval** of a D-1 Liquor Control Overlay, **approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods; subject to a site plan and conditions and **approval** of an RR Regional Retail District.  
Applicant: Lend Lease, Michael Hampton, AICP  
Representative: Verdad Real Estate, Rick Hall

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Other Matters

Minutes: November 15, 2012

Adjournment

**CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS**

None

### 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, DECEMBER 6, 2012****FILE NUMBER:** S123-019**Subdivision Administrator:** Paul Nelson**LOCATION:** 4528 McKinney Avenue**DATE FILED:** November 8, 2012**ZONING:** PD 193 (LC)**CITY COUNCIL DISTRICT:** 14    **SIZE OF REQUEST:** 0.574 Acres    **MAPSCO:** 35V**APPLICANT:** Nabholz KMCK Properties, LP

**REQUEST:** An application to replat all of Lot 15 and part of Lot 16 into one 0.574 acre lot in City Block J/1534 on property located at 4528 McKinney Avenue.

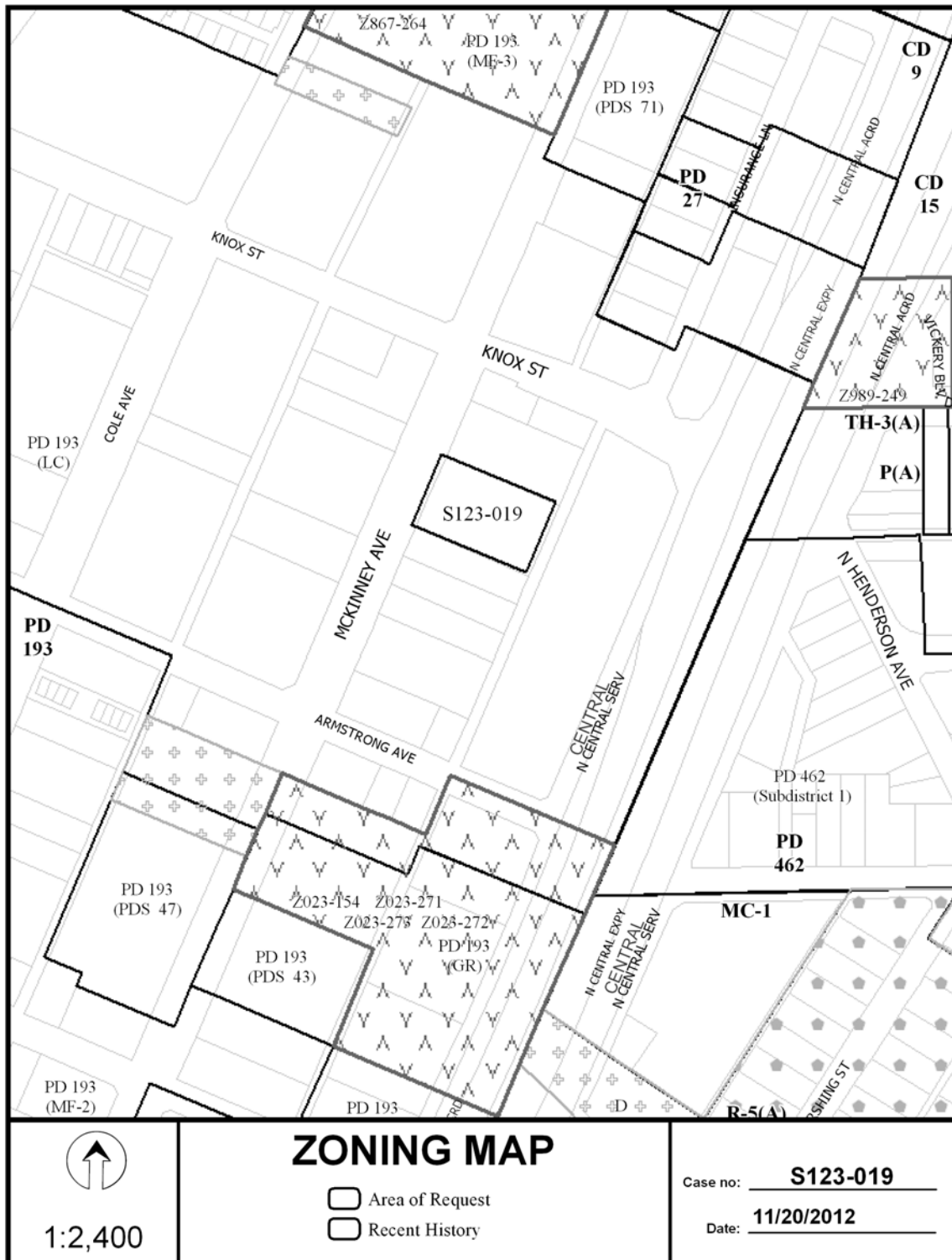
**SUBDIVISION HISTORY:** There has been no recent subdivision activity within close proximity to this request.

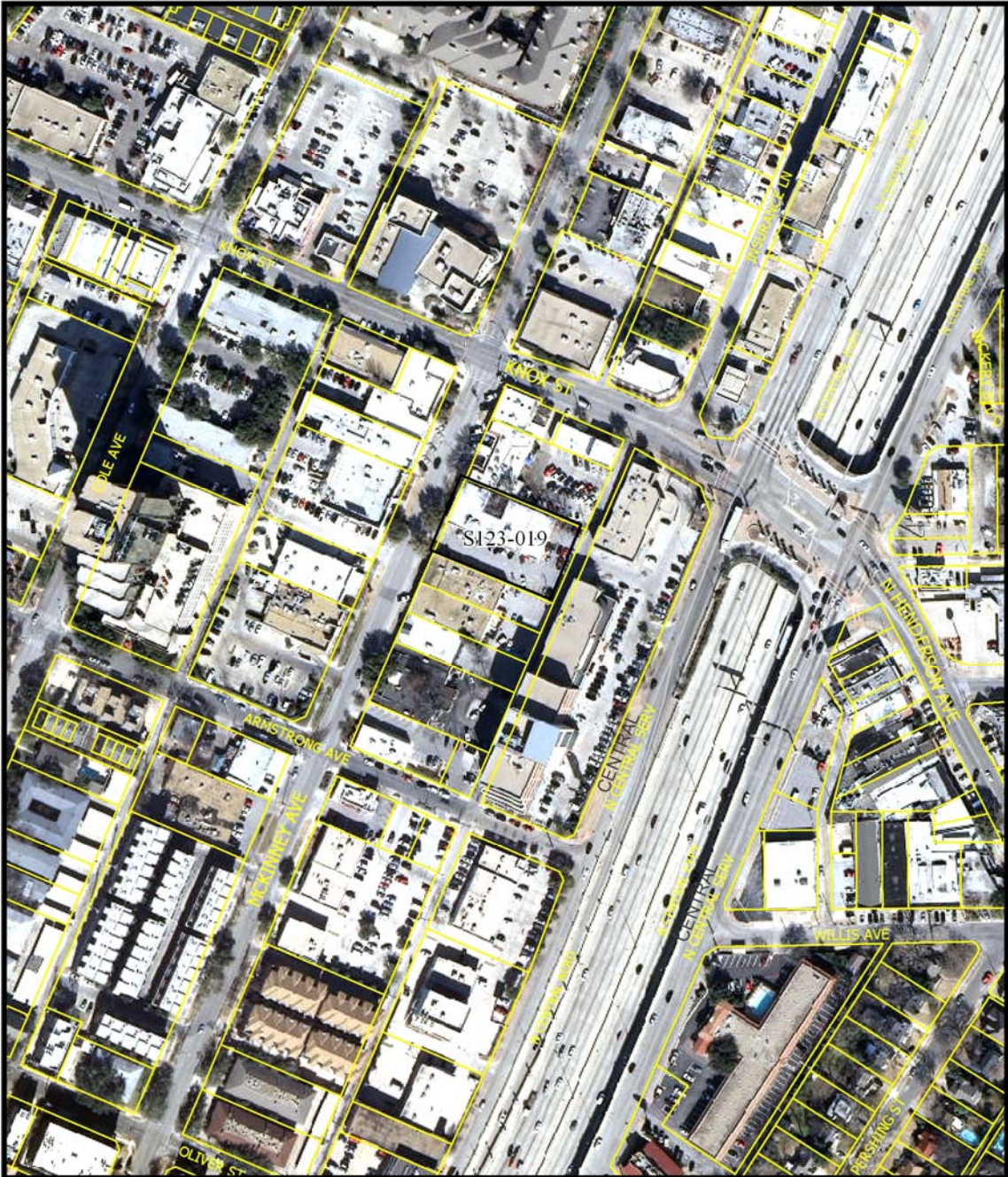
**STAFF RECOMMENDATION:** The request complies with the requirements of the PD 193 (LC) District; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. 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. 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 show how all adjoining Right-of-Way was created.
14. On the final plat show the distances, width of Right-Of-Way across McKinney Avenue and the alley.
15. On the final plat verify the abstract information.
16. Prior to submitting the final plat for the Chairman's signature, verify that the structure along the southwest property line does not overlap the lot lines.
17. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
18. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
19. Water/wastewater main extensions are required to be done by Private Development Contract.
20. On the final plat identify the property as Lot 15A, City Block J/1534.





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## AERIAL MAP

- Area of Request
- Recent History

Case no: S123-019

Date: 11/20/2012





**CITY PLAN COMMISSION**

**THURSDAY, DECEMBER 6, 2012**

**FILE NUMBER:** S123-020

**Subdivision Administrator:** Paul Nelson

**LOCATION:** 10510 Luna Road

**DATE FILED:** November 8, 2012

**ZONING:** IM

**CITY COUNCIL DISTRICT:** 6    **SIZE OF REQUEST:** 0.859 Acres

**MAPSCO:** 22S

**APPLICANT:** Horacio & Norberto Gonzalez

**REQUEST:** An application to create a 0.859 acre lot from a tract of land in City Block 8371 on property located at 10510 Luna Road.

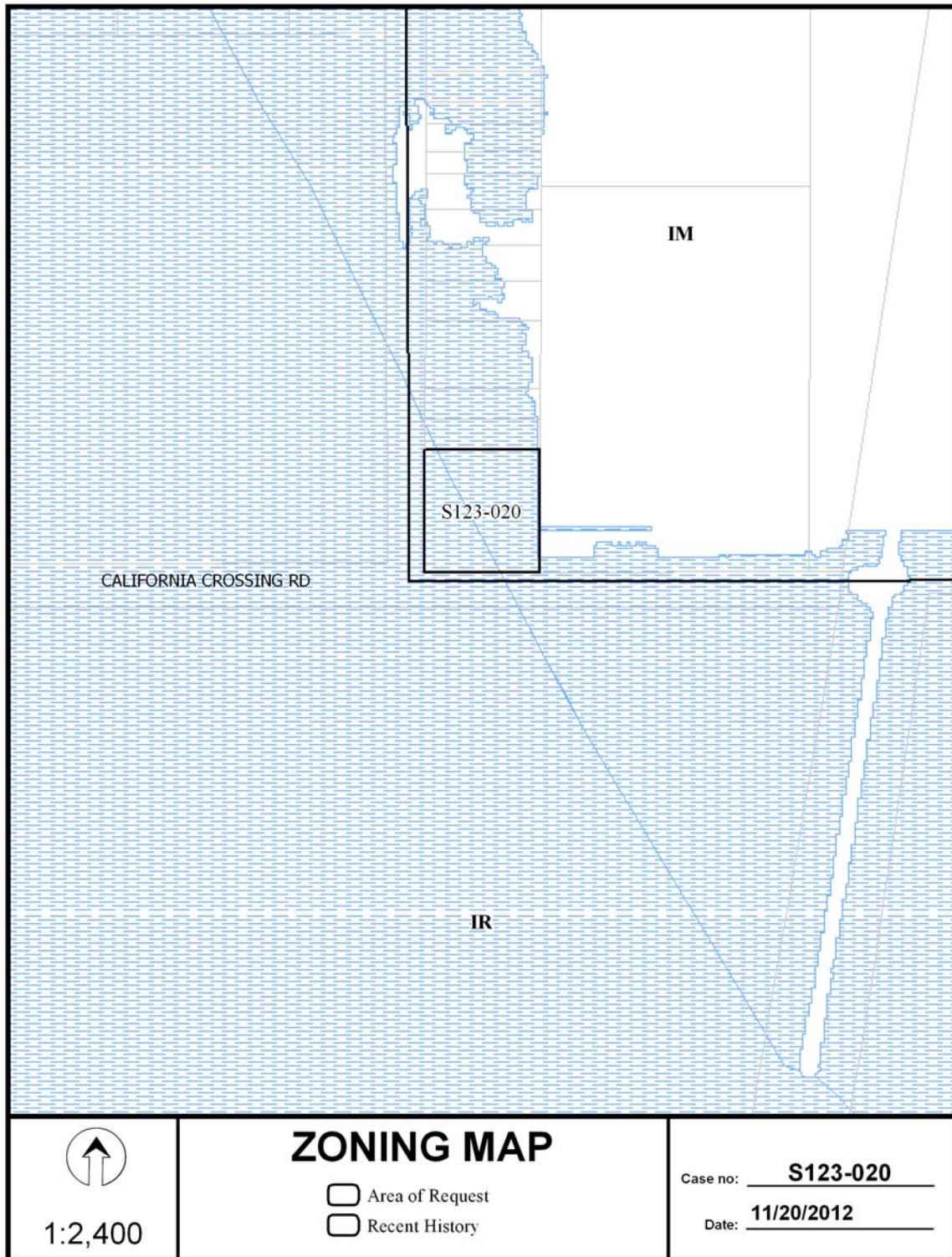
**SUBDIVISION HISTORY:** There has been no recent subdivision activity within close proximity to this request.

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

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. 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 dedicate 30 feet of Right-Of-Way from the established centerline of California Crossing.
14. On the final plat dedicate a 15 foot by 15 foot corner clip at Luna Road at California Crossing.
15. On the final plat dedicate 53.5 feet of Right-Of-Way from the established centerline of Luna Road.
16. On the final plat determine the 100 year water surface elevation across the plat.
17. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
18. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
19. On the final plat specify minimum fill and minimum finished floor elevations.
20. On the final plat show the natural channel set back from the crest of the natural channel.
21. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
22. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
23. On the final plat show how all adjoining Right-Of-Way was created.
24. On the final plat show the recording information on all existing easements within 150 feet of the property.
25. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
26. On the final plat identify the property as Lot 4, City Block A/8371.
27. Prior to submittal of the final plat for recording the existing parking must be removed from the area to be dedicated for public Right-Of-Way.



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### ZONING MAP

- Area of Request
- Recent History

Case no: S123-020  
 Date: 11/20/2012





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## AERIAL MAP

- Area of Request
- Recent History

Case no: S123-020

Date: 11/20/2012



**CITY PLAN COMMISSION****THURSDAY, DECEMBER 6, 2012****FILE NUMBER:** S123-021**Subdivision Administrator:** Paul Nelson**LOCATION:** Spring Valley Road between Goldmark Drive and St. Paul Drive**DATE FILED:** November 9, 2012**ZONING:** MU-2**CITY COUNCIL DISTRICT:** 11 **SIZE OF REQUEST:** 16.133 Acres **MAPSCO:** 16M**APPLICANT:** Rancho Keystone Park, LP

**REQUEST:** An application to replat a 16.133 acre tract of land containing all of Lot 2B in City Block A/7763 into one 7.934 acre lot; one 0.550 acre lot; one 1.320 acre lot; one 1.634 acre lot; one 1.265 acre lot; one 1.816 acre lot, and one 1.614 acre lot on property located on Spring Valley Road between Goldmark Drive and St. Paul Drive.

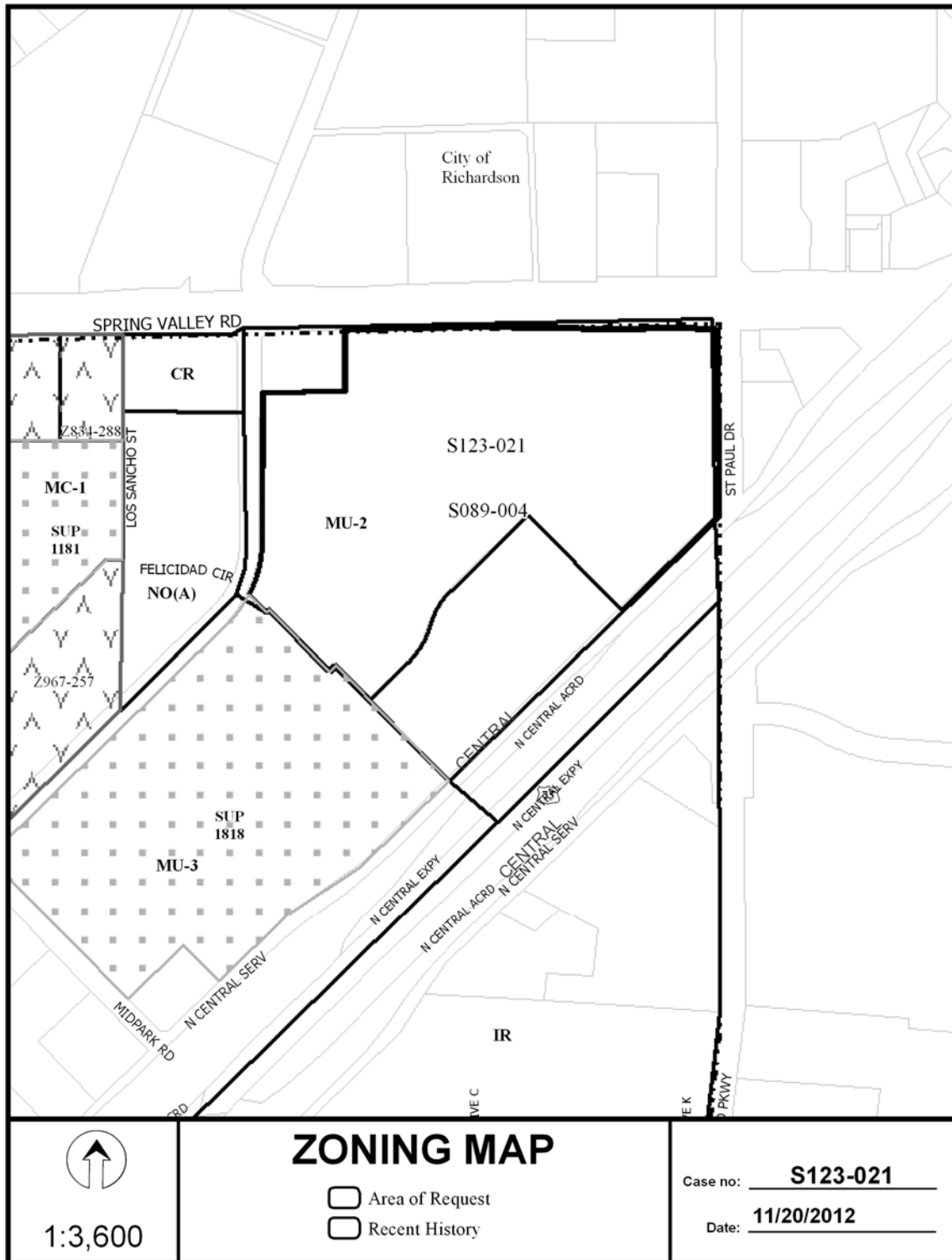
**SUBDIVISION HISTORY:**

1. S089-004 was an application to replat a 20.23 acre tract of land (included all of present request) into one 16.14 acre lot and one 4.09 acre lot. The request was approved on October 14, 2008 and recorded on December 18, 2008.

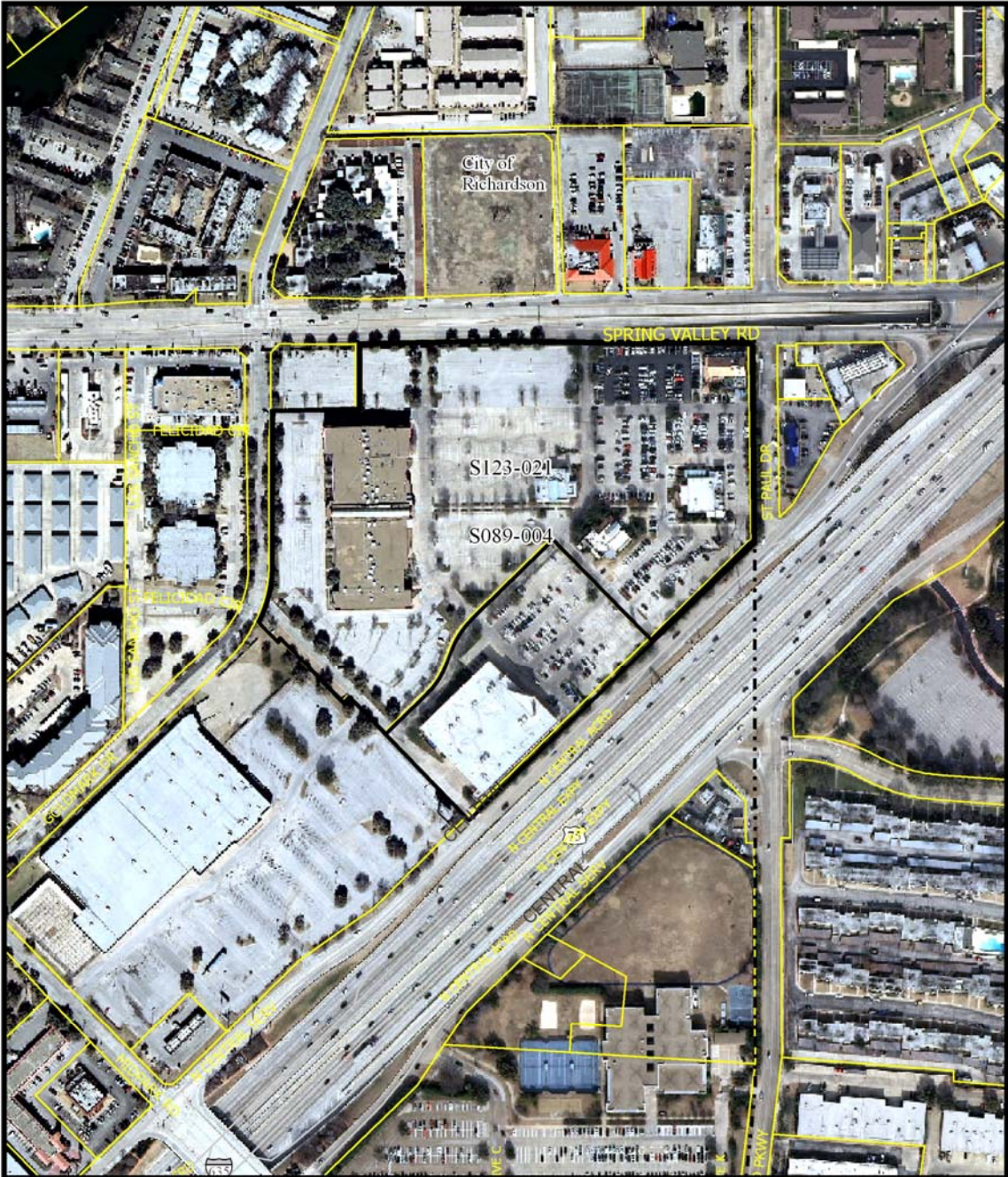
**STAFF RECOMMENDATION:** The request complies with the requirements of the MU-2 District; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

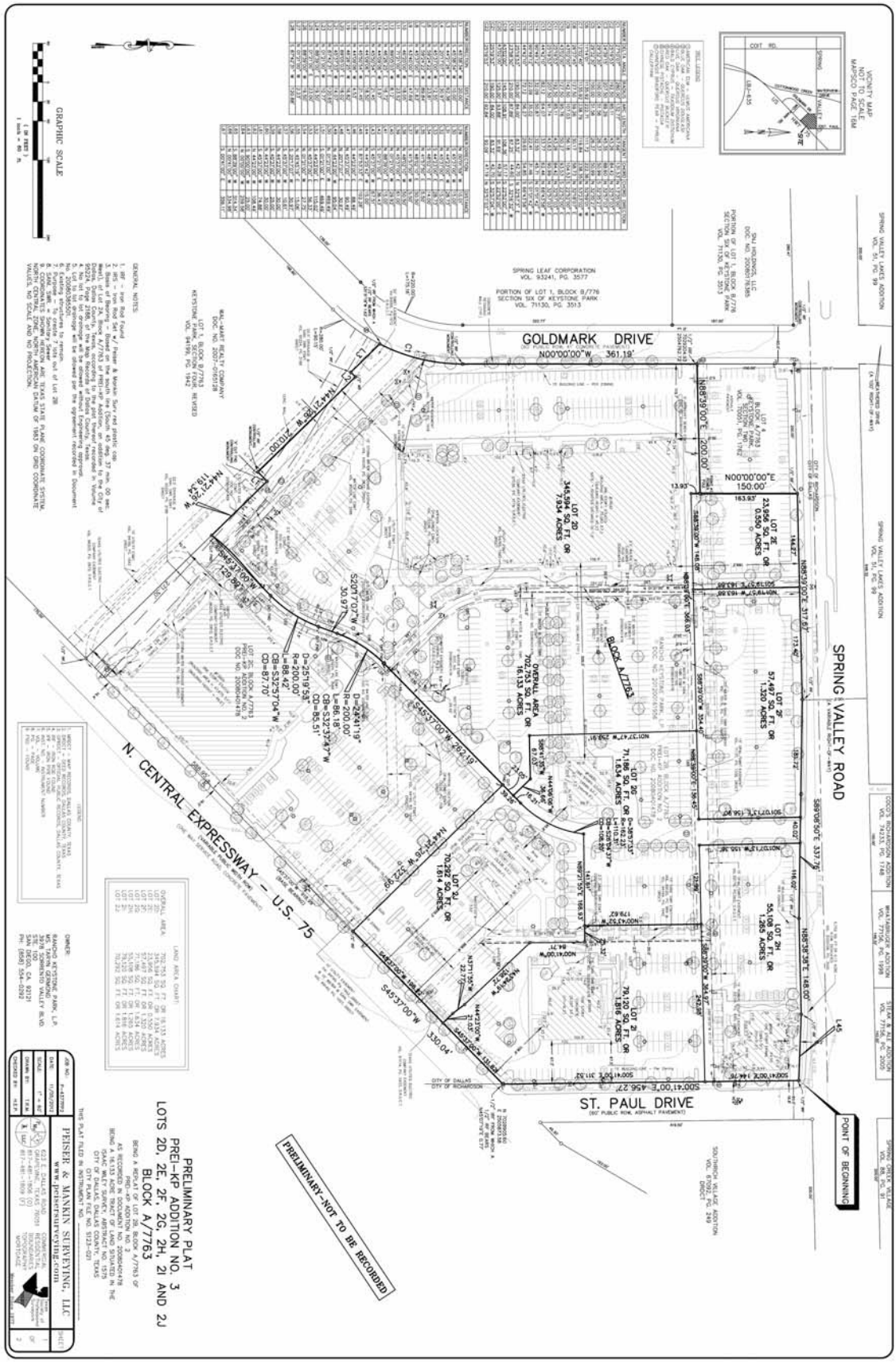
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. 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 7.
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 the available outfall is not adequate to carry the developed runoff.
14. On the final plat dedicate a 15 foot by 15 foot corner clip at Spring Valley Road and St. Paul Drive.
15. On the final plat dedicate a 15 foot by 15 foot corner clip at Spring Valley Road and U.S. Highway 75.
16. On the final plat show how all adjoining Right-Of-Way was created.
17. On the final plat show the recording information on all existing easements within 150 feet of the property.
18. On the final plat remove the proposed 15 foot zoning setback lines from the plat.
19. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
20. 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.
21. Wastewater main extension may be required by Private Development Contract.
22. On the final plat identify the property as Lots 2D, 2E, 2F, 2G, 2H, 2J, and 2K, City Block A/7763.
23. On the final plat change U.S. 75 to U.S. Highway No. 75.







 1:3,600	<h2 style="text-align: center;">AERIAL MAP</h2> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	Case no: <u>          <b>S123-021</b>          </u> Date: <u>          <b>11/20/2012</b>          </u>
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**CITY PLAN COMMISSION****THURSDAY, DECEMBER 6, 2012****FILE NUMBER:** S123-026**Subdivision Administrator:** Paul Nelson**LOCATION:** 5412 East Grand Avenue**DATE FILED:** November 13, 2012**ZONING:** RR**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 0.321 Acres**MAPSCO:** 46H**APPLICANT:** Hometown Holdings, Ltd.

**REQUEST:** An application to replat a 0.321 acre tract of land containing all of Lots 5 and 6 in Block 3/1631 into one lot at 5412 East Grand Avenue.

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

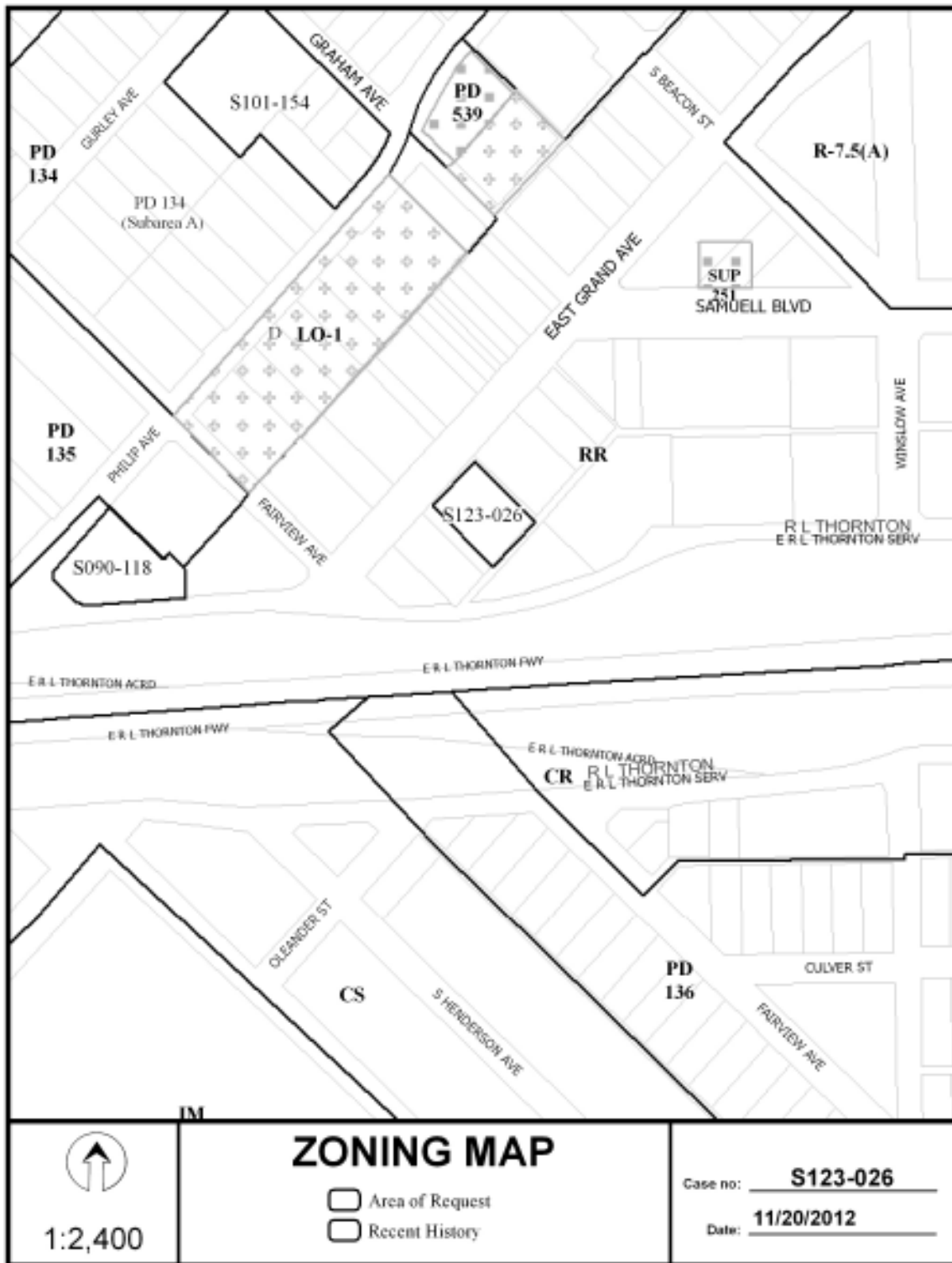
**STAFF RECOMMENDATION:** The request complies with the requirements of the RR District; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. 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 7.5 feet of Right-Of-Way from the established centerline of the existing alley.
14. On the final plat chose a new addition name.
15. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
16. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
17. Wastewater main extension is required by Private Development Contract.
18. On the final plat identify the property as Lot 5A, City Block 3/1631.
19. On the final plat change I.H. 30 to R.L. Thornton Freeway (Interstate Highway No. 30).





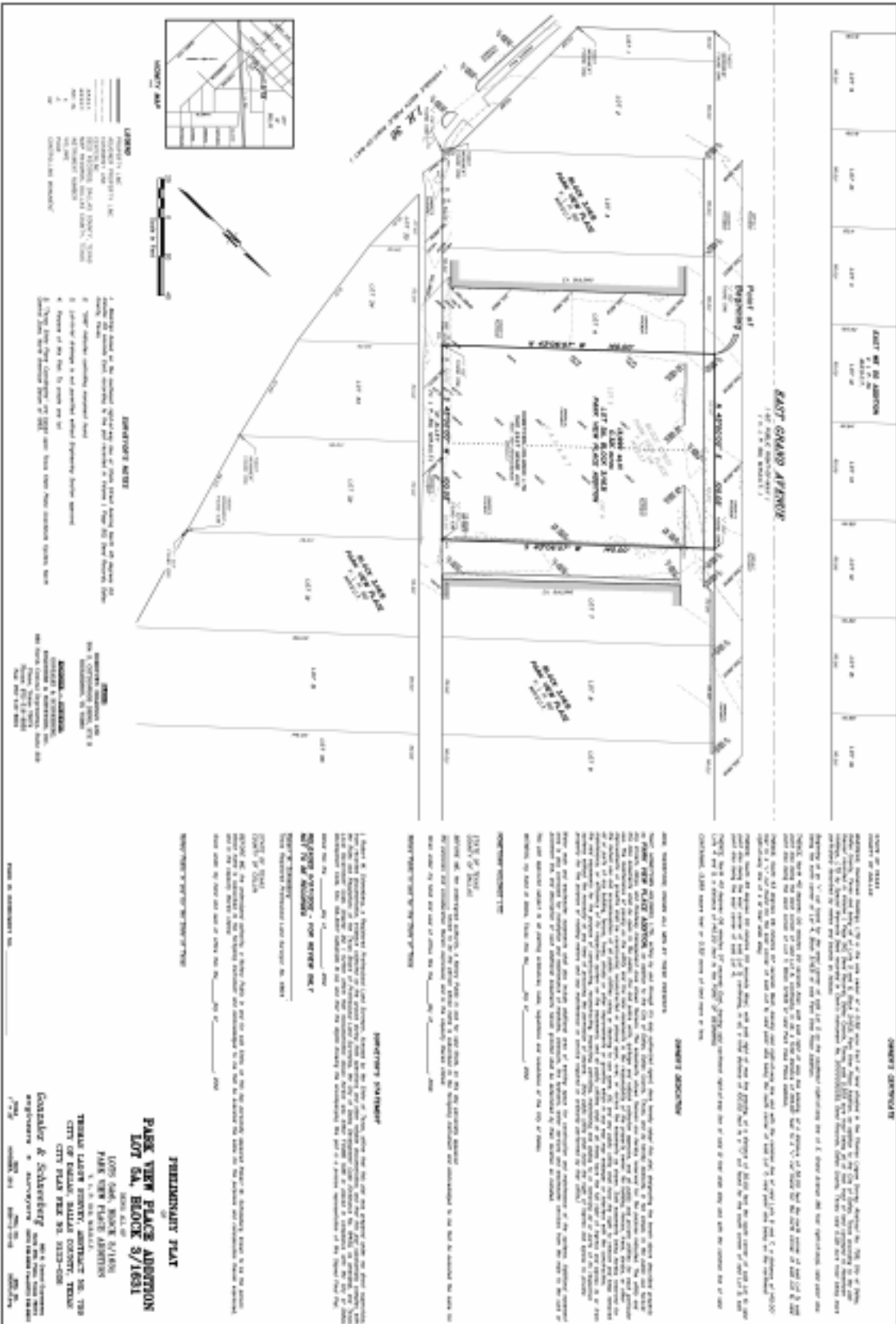
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### AERIAL MAP

- Area of Request
- Recent History

Case no: S123-026

Date: 11/20/2012





**CITY PLAN COMMISSION****THURSDAY, DECEMBER 6, 2012****FILE NUMBER:** S123-028**Subdivision Administrator:** Paul Nelson**LOCATION:** Eastern Avenue between Emerson Street and Lovers Lane**DATE FILED:** November 13, 2012**ZONING:** MF-2(A)**CITY COUNCIL DISTRICT:** 14    **SIZE OF REQUEST:** 2.319 Acres    **MAPSCO:** 35A**APPLICANT:** Crescent Estate Custom Homes

**REQUEST:** An application to create one 1.168 acre lot, and one 1.151 acre lot from a 2.319 acre tract of land in City Block 3/5687 on property on Eastern Avenue between Emerson Street and Lovers Lane.

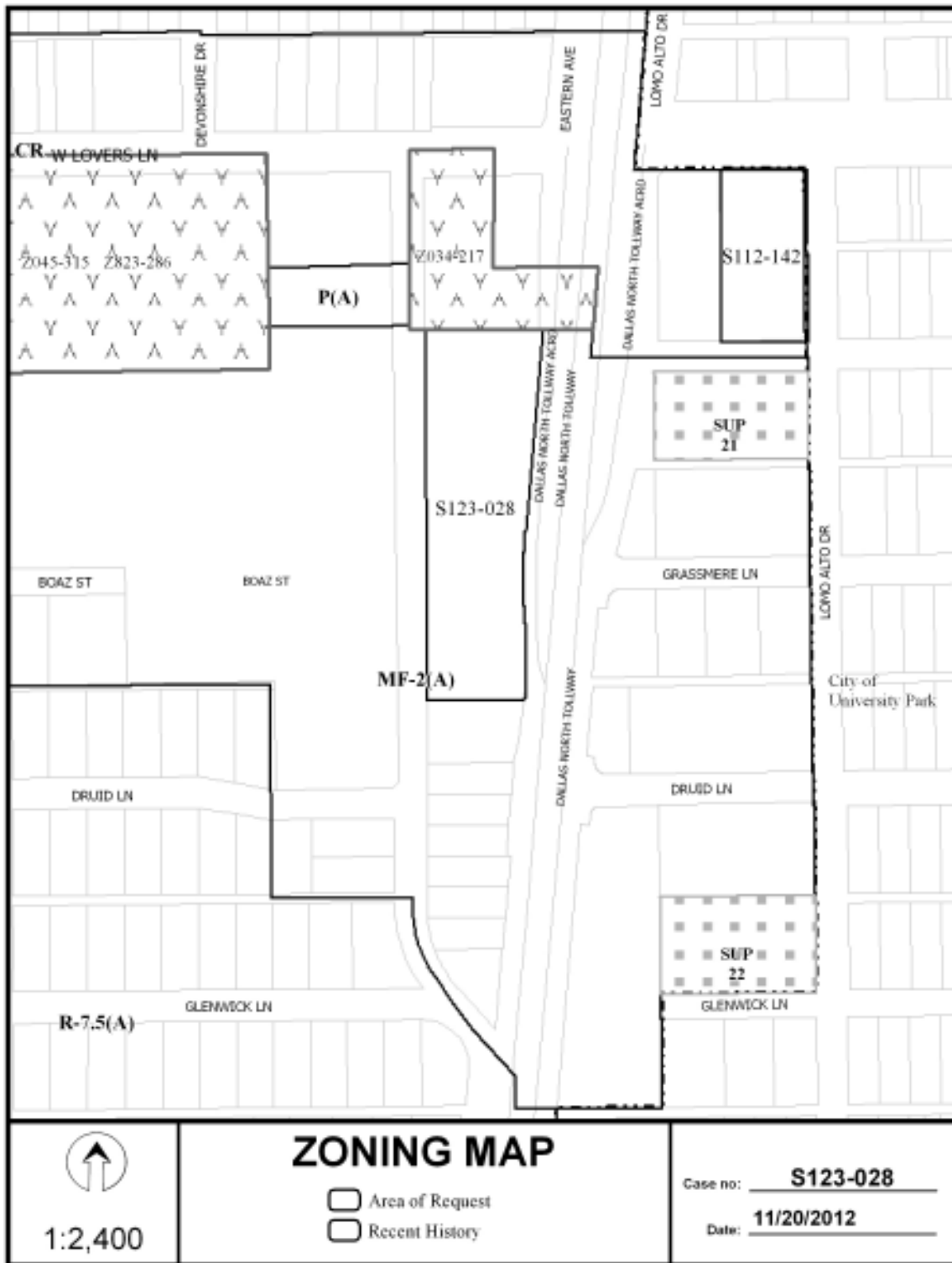
**SUBDIVISION HISTORY:** There has been no recent subdivision activity within close proximity to this request.

**STAFF RECOMMENDATION:** The request complies with the requirements of the MF-2(A) District; therefore, staff recommends approval subject to compliance with the following conditions:

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

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat dedicate 28 feet of ROW, or a street easement, or Public Utility and Sidewalk Easement equal to 28 feet from the established centerline of Eastern Avenue.
14. On the final plat add a note stating: "Access or modification to the Dallas North Tollway requires NTTA approval".
15. On the final plat show how all adjoining Right Of-Way was created.
16. On the final plat show the recording information on all existing easements within 150 feet of the property.
17. On the final plat chose a new addition name.
18. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
19. On the final plat identify the property as Lots 7B, 7C, City Block 3/5687.









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### AERIAL MAP

- Area of Request
- Recent History

Case no: S123-028

Date: 11/20/2012



**CITY PLAN COMMISSION****THURSDAY, DECEMBER 6, 2012****FILE NUMBER:** S123-030**Subdivision Administrator:** Paul Nelson**LOCATION:** State Street at Worthington Street, east corner**DATE FILED:** November 13, 2012    **ZONING:** PD No. 225 (Interior Neighborhood Mid-Rise Office/ Residential)**CITY COUNCIL DISTRICT:** 14    **SIZE OF REQUEST:** 0.309 Acres    **MAPSCO:** 45C**APPLICANT:** Crescent Estates Custom Homes, State Street Investments, LLC

**REQUEST:** An application to plat all of Lots 6 and 7 in City Block K/574 into an 11 lot Shared Access Development ranging in lot size from 0.0232 acre to 0.0654 acre on property located on State Street at Worthington Street, east corner.

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

**STAFF RECOMMENDATION:** The request complies with the requirements of PD No. 225; therefore, staff recommends approval subject to compliance with the following conditions:

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

9. 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 11.
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. The shared access area must front a minimum width of 20 feet on State Street.
14. The Shared Access Area easement must be at least 20 feet wide and have a minimum pavement width of 16 feet.
15. A water and wastewater easement at least 12 feet wide to be used exclusively for public water and wastewater below grade must be provided within the Shared Access Area easement & labeled on the plat.
16. No building permit may be issued to authorize work in the shared access development until the final plat and the Shared Access Area Agreement have been recorded in the real property records of Dallas County, and all requirements of the shared access area have been met.
17. Prior to submittal of the final plat the Shared Access Development must meet all of the requirements of Section 51A-4.411 of Volume Three of the Dallas City Code, as amended.
18. The recording information of the "Shared Access Area Agreement" must be placed on the final plat prior to being submitted to the City Plan Commission Chairman for signature. The Shared Access Area Agreement shall include a metes and bounds description of the shared access area as part of an attachment to the document.
19. For frontage purposes and determining building setback lines only, all of the property in this shared access development is considered to be one lot.
20. Add a note to the final plat stating "This development is restricted to single family dwellings only."
21. The final plat shall limit the number of lots to a maximum of 11 single family lots.
22. On the final plat create approved street names for the shared access area.
23. On the final plat label the 22.5 foot alley extending north from State Street as Clay Alley.
24. On the final plat show 0.25 guest parking spaces per lot on the plat. Such spaces may be provided in the Shared Access Area as long as they are not located over a water/wastewater easement.

25. Place a note on the final plat stating: "No vehicular access is permitted to adjacent property outside the platted property from the shared access area except to a public or City Council approved private street."
26. If a guard house is provided, it must be at least 30 feet from the shared access point.
27. The Shared Access Area Easement must be terminated a minimum of 3 feet from the adjacent property or R.O.W.
28. On the final plat provide a city of dallas approved street name for the Shared Access Area Easement. Contact the Water Department, GIS Section to obtain an approved street name.
29. On the final plat show the recording information on all existing easements within 150 feet of the property.
30. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
31. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
32. Water/wastewater main extension is required by Private Development Contract.
33. On the final plat identify the property as Lots 6A, 6B, 6C, 6D, 6E, 6F, 7A, 7B, 7C, 7D, and 7E, in City Block K/574.







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## AERIAL MAP

- Area of Request
- Recent History

Case no: S123-030

Date: 11/20/2012









**CITY PLAN COMMISSION**

**THURSDAY, DECEMBER 6, 2012**

**FILE NUMBER:** S123-031

**Subdivision Administrator:** Paul Nelson

**LOCATION:** Bent Tree Forest Dr. between the Dallas North Tollway and Knoll Trail Dr.

**DATE FILED:** November 13, 2012

**ZONING:** MC-4

**CITY COUNCIL DISTRICT:** 11    **SIZE OF REQUEST:** 10.016 Acres    **MAPSCO:** 4Z

**APPLICANT:** SPUS6 Tollway Plaza, LP

**REQUEST:** An application to replat a 10.016 acre tract of land containing all of Lot 3 into one 7.445 acre lot and one 2.571 acre lot on property located on Bent Tree Forest Drive between the Dallas North Tollway and Knoll Trail Drive.

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

**STAFF RECOMMENDATION:** The request complies with the requirements of the MC-4 District; therefore, staff recommends approval subject to compliance with the following conditions:

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

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat dedicate 40 feet of Right-Of-Way from the established centerline of Knoll Trail Drive.
14. On the final plat add a note stating: "Access or modification to the Dallas North Tollway requires NTTA approval".
15. On the final plat show how all adjoining Right Of-Way was created.
16. On the final plat show the recording information on all existing easements within 150 feet of the property.
17. On the final plat chose a new addition name.
18. On the final plat show and/or list all prior plat(s) on the map, in the legal description, and/or in the title block.
19. On the final plat dedicate the corner clip at the southeast corner in fee simple.
20. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
21. Private plumbing cannot cross lot lines. A service relocation may be required.
22. On the final plat identify the property as Lots 3A, 3B, City Block B/8707.
23. On the final plat place a label "Dallas Parkway" in the area that functions as a service road between Dallas North Tollway and the west boundary of the request area.





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### AERIAL MAP

- Area of Request
- Recent History

Case no: S123-031

Date: 11/20/2012



**CITY PLAN COMMISSION****THURSDAY, DECEMBER 6, 2012****FILE NUMBER:** S123-032**Subdivision Administrator:** Paul Nelson**LOCATION:** Alderson Street, Oram Street, Gaston Avenue, and La Vista Drive**DATE FILED:** November 13, 2012**ZONING:** PD 281, Subdistricts B, C, and D**CITY COUNCIL DISTRICT:** 14    **SIZE OF REQUEST:** 3.551 Acres    **MAPSCO:** 36Y**APPLICANT:** Caddo Lakewood, L.P.

**REQUEST:** An application to replat a 3.551 acre tract of land containing all of Lot 1 in City Block 4/2235; all of Lot 2 in City Block 5/2236; all of Lots 1 through 6 and all of Lots 8 through 11 and part of Lot 7 and Lot 12 in City Block 4/2235; all of Lot 1 and part of Lots 2 through 8 in City Block 5/2236; and abandoned Kidwell Avenue into one 0.521 acre lot and one 3.026 acre lot on property bounded by Alderson Street, Oram Street, Gaston Avenue, and La Vista Drive.

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

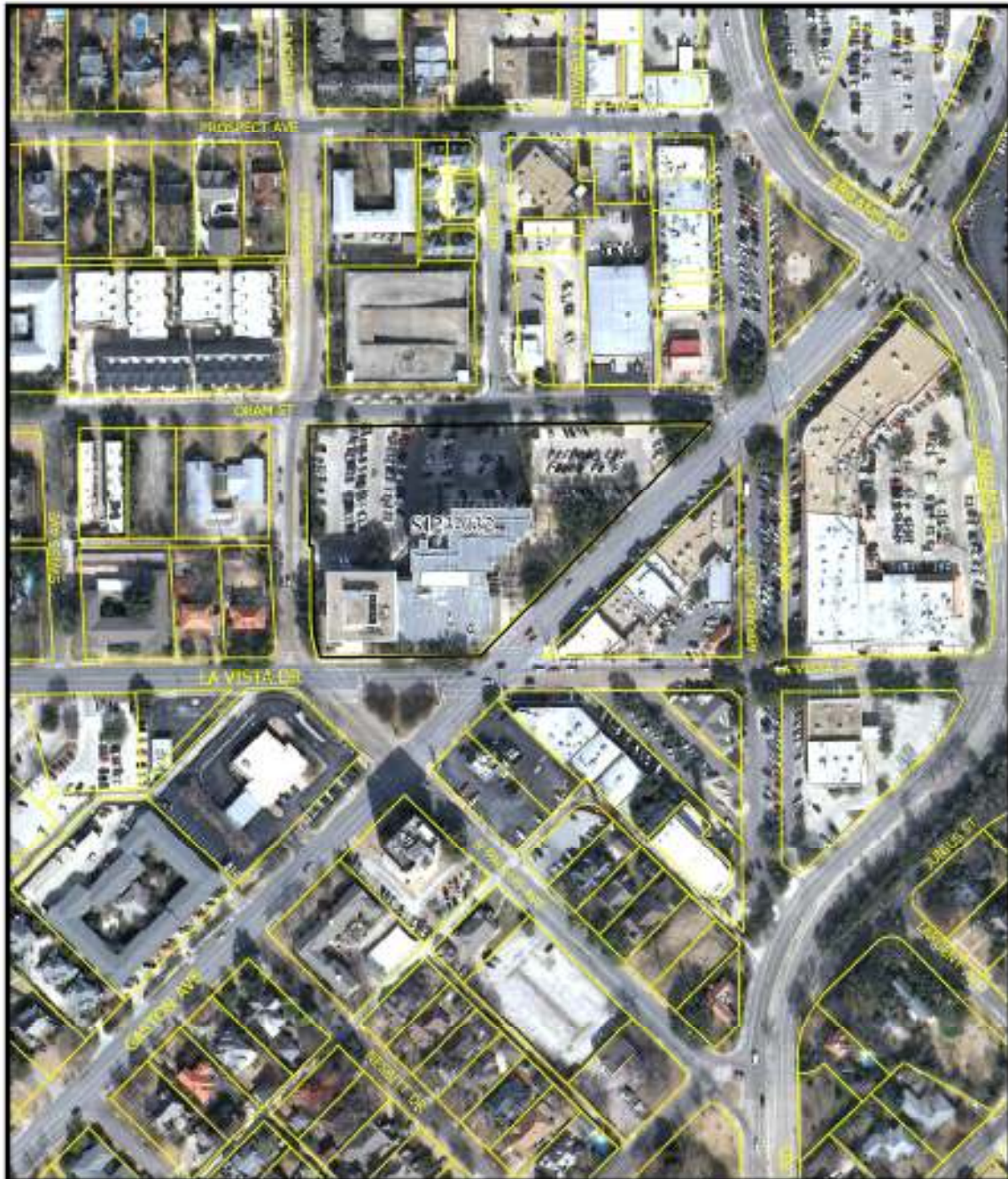
**STAFF RECOMMENDATION:** The request complies with the requirements of the PD 281, Subdistricts B, C, and D; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat dedicate 28 feet of Right-Of-Way from the established centerline of Alderson Street.
14. On the final plat dedicate 28 feet of Right-Of-Way from the established centerline of Oram Street.
15. On the final plat dedicate a 10 foot by 10 foot corner clip on Oram Street at Alderson Street.
16. On the final plat dedicate a 10 foot by 10 foot corner clip on La Vista Street at Gaston Avenue.
17. On the final plat show how all adjoining Right Of-Way was created.
18. On the final plat show the correct recording information for the property.
19. On the final plat list utility easements as retained within street abandonments when stated in the abandonment ordinance.
20. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
21. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
22. Water/wastewater main extension is required by Private Development Contract.
23. A detailed tree survey shall be provided to the City Arborist either prior to issuance of an "Early Release Building Permit" or submittal of the final plat for the chairman's for signature, whichever occurs first.
24. On the final plat identify the property as Lots 1A, 1B, City Block 4/2235.
25. On the final plat change Abrams Road to Abrams Parkway.
26. On the final plat add a label "Paulus Avenue" for its alignment south of La Vista Drive.







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### AERIAL MAP

- Area of Request
- Recent History

Case no: S123-032

Date: 11/20/2012



**CITY PLAN COMMISSION****THURSDAY, DECEMBER 6, 2012****FILE NUMBER:** S123-033**Subdivision Administrator:** Paul Nelson**LOCATION:** Singleton Boulevard between Hampton Road and Fish Trap Road**DATE FILED:** November 13, 2012**ZONING:** CR**CITY COUNCIL DISTRICT:** 3    **SIZE OF REQUEST:** 13.839 Acres    **MAPSCO:** 43R**APPLICANT:** Lakewest Revitalization Foundation, Inc.

**REQUEST:** An application to replat part of Lots 1 through 5 in City Block A/7135; all of Lots 6 through 10 in City Block A/7135; and all of Lots 1 through 10 in City Block B/7135; and all of abandoned Weaver Street and part of abandoned Corden Street into one 13.839 acre lot located on Singleton Boulevard between Hampton Road and Fish Trap Road.

**SUBDIVISION HISTORY:**

1. S090-039 was an application west of the present request to create a 41.924 acre lot from a tract of land in City Block 7135 located at 3130 Kingbridge Street, north of Singleton Boulevard, and west of Fish Trap Road. The request was approved on January 21, 2010 but has not been recorded.

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

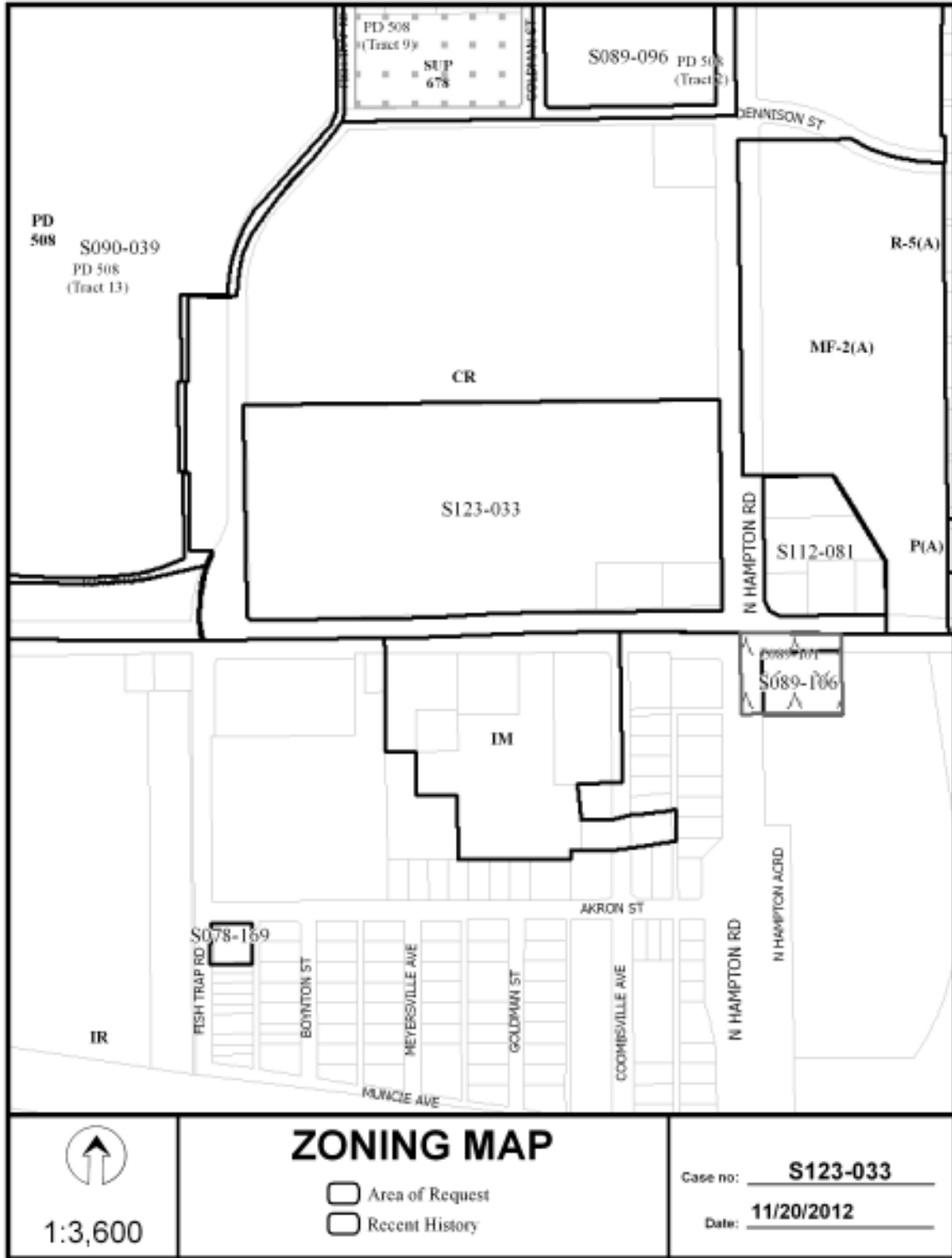
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the



- plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
  9. 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 dedicate 28 feet of Right-Of-Way from the established centerline of Fish Trap Road.
  14. On the final plat dedicate 50 feet of Right-Of-Way from the established centerline of Hampton Road.
  15. On the final plat dedicate a 15 foot by 15 foot corner clip at Singleton Blvd. and Hampton Road.
  16. On the final plat show how all adjoining Right Of-Way was created.
  17. On the final plat show two controlling monuments.
  18. On the final plat chose a different addition name.
  19. On the final plat clarify the status of Corden Street; is it abandoned, or is it still a public street?
  20. On the final plat show the Atmos Energy easement in the alley.
  21. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
  22. 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.
  23. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
  24. Water/wastewater main extension may be required by Private Development Contract.
  24. On the final plat identify the property as Lot 1, City Block DDD/7135.

25. On the final plat show the abandonment Right-Of-Way areas on the plat as follows: "Abandonment authorized by Ordinance No \_\_\_\_\_ and recorded as Instrument No. \_\_\_\_\_ ."









**CITY PLAN COMMISSION**

**THURSDAY, DECEMBER 6, 2012**

**FILE NUMBER:** S123-024

**Subdivision Administrator:** Paul Nelson

**LOCATION:** 5415 through 5435 Martel Avenue

**DATE FILED:** November 12, 2012

**ZONING:** MF-2(A)

**CITY COUNCIL DISTRICT:** 14    **SIZE OF REQUEST:** 0.7467 Acres    **MAPSCO:** 36J

**APPLICANT:** James A. Goodman, Mark B. Frazier, Amy Andrade, Dickey & Jenkins, L.P., Rhonda Keay, Genio, L.P., and Lennar Corporation

**REQUEST:** An application to replat a 0.7467 acre tract of land containing all of Lots 2, 3, 4, and 5 in City Block U/2963 into one lot and to remove the existing platted 15 foot building line along the east line of Glencoe Street and the existing platted 25 foot building line along the north line of Martel Avenue on properties located at 5415 through 5435 Martel Avenue.

**SUBDIVISION HISTORY:**

1. S112-204 was an application to replat a 3.6952 acre tract of land contiguous on the north of this present request and containing all of Lot 1 in City Block U/2923 and all of Lot 5 in City Block T/2922. The request also included removing the existing platted 52 foot and 25 foot building lines on Glencoe Street; and to remove the existing 54 foot Building Line along McMillan Street. Both Building Lines are on Lot 1, City Block U/2923 and located at 3736 Glencoe Street and 3737 McMillan Street. The application was approved on October 4, 2012 but has not been recorded.

**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 removal of the building lines will allow the property to be developed to the standards of the MF-2(A) zoning district front yard requirement which is 15 feet.

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

- No notices were sent because the property is not zoned as a single family zoning district.

“(iii) adversely affect neighboring properties; and”

- The existing building lines are front yards and consist of a 15 foot building line on Glencoe Street, and a 25 front yard building line along Martel

Street. The required setback for the front yard along both streets in the MF-2(A) zoning district is 15 feet.

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

- The removal of the building lines will allow the property to be developed in accordance with the requirements of the zoning district.

**STAFF RECOMMENDATION OF BUILDING LINE REMOVAL:** The staff supports the removal of the building lines.

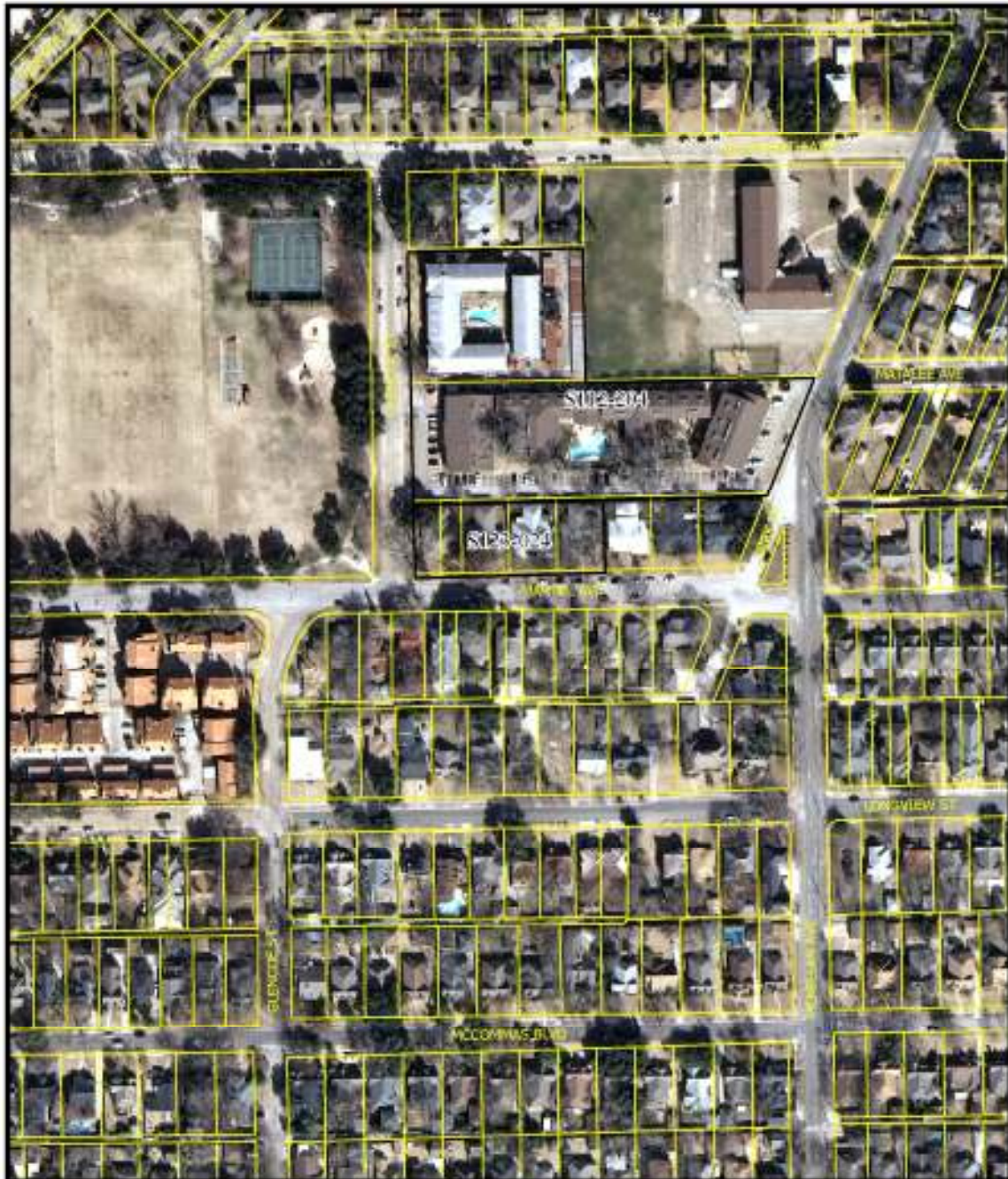
**STAFF RECOMMENDATION PLAT:** The request complies with the requirements of the MF-2(A) District; therefore, staff recommends approval subject to compliance with the following conditions:


1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the “Microstation” format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: “Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection.”
9. 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 10 foot by 10 foot corner clip at Martel Avenue at Glencoe Street.
14. On the final plat dedicate a 15 foot by 15 foot alley sight easement at the intersection of Glencoe Street and the alley.
15. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
16. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
17. Water and wastewater main extensions may be required by Private Development Contract.
18. On the final plat identify the property as Lot 2A, City Block U/2923.







 1:2,400	<h3 style="text-align: center;">AERIAL MAP</h3> <p> <input type="checkbox"/> Area of Request  <input type="checkbox"/> Recent History         </p>	Case no: <u>      <b>S123-024</b>      </u> Date: <u>      <b>11/20/2012</b>      </u>
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**CITY PLAN COMMISSION**

**THURSDAY, DECEMBER 6, 2012**

**FILE NUMBER:** S123-025

**Subdivision Administrator:** Paul Nelson

**LOCATION:** 2901 S. Walton Walker Blvd.

**DATE FILED:** November 12, 2012

**ZONING:** LI

**CITY COUNCIL DISTRICT:** 3 **SIZE OF REQUEST:** 1.34 Acres

**MAPSCO:** 52Y

**APPLICANT:** Norallah Jooma

**REQUEST:** An application to replat a 1.34 acre tract of land out of City Block 5/8016 and to remove the existing platted 20 foot front yard building line on property located at 2901 S. Walton Walker Blvd.

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

**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 removal of the building lines will allow the property to be developed to the setbacks of the LI zoning district which is 15 feet.

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

- No notices were sent because the property is not zoned as a single family zoning district.

“(iii) adversely affect neighboring properties; and”

- The existing building line is a front yard along the westerly line of Loop 12. The required setback for the front yard along this street is 15 feet.

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

- The removal of the building line will allow the property to be developed in accordance with the requirements of the zoning district.

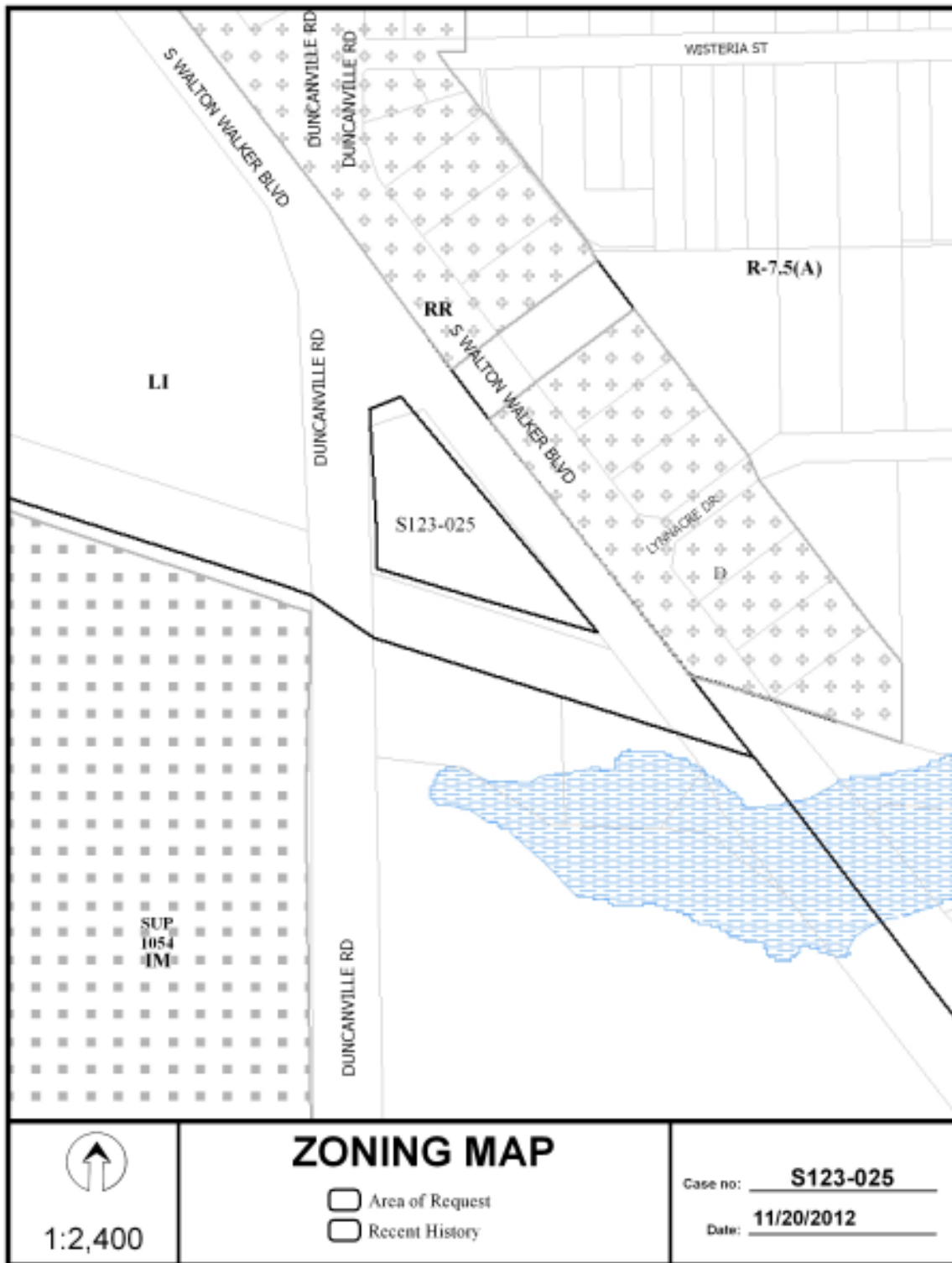
**STAFF RECOMMENDATION OF BUILDING LINE REMOVAL:** The staff supports the removal of the building lines.

**STAFF RECOMMENDATION PLAT:** The request complies with the requirements of the LI District; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. 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 dedicate 53.5 feet of Right-Of-Way along Loop 12.
14. On the final plat show how all Right-Of-Way was created.
15. On the final plat monument all set corners.
16. On the final plat show all additions or tracts of land within 150 feet of the property.
17. On the final plat chose a new addition name.

18. On the final plat clarify the status of the Exxon Easement.
19. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
20. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
21. Water and wastewater main extensions are required by Private Development Contract.
22. On the final plat identify the property as Lot 1, City Block 5/8016.
23. On the final plat change Loop 12 to Walton Walker Boulevard (State Highway No. 12).







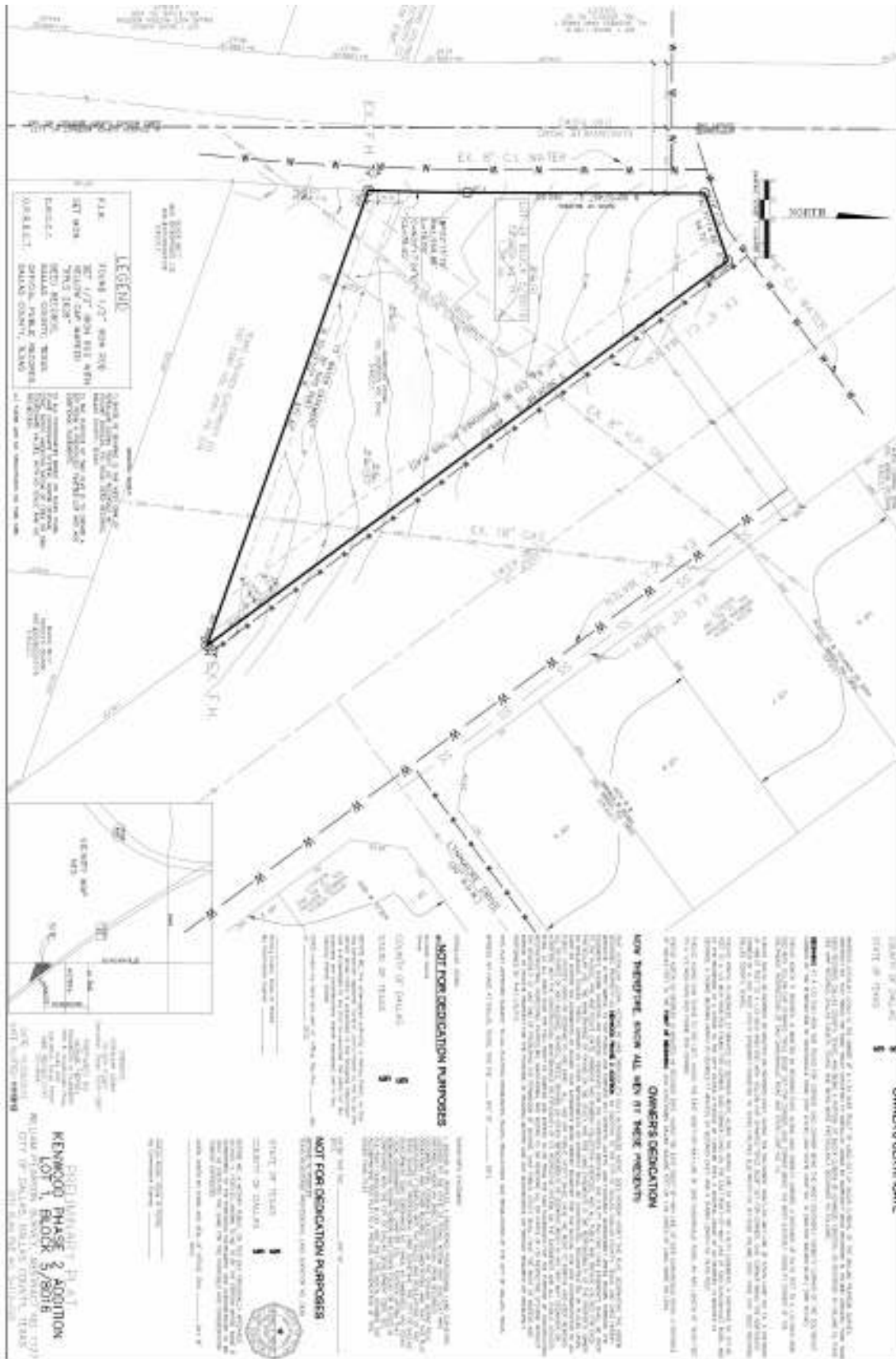
1:2,400

### AERIAL MAP

- Area of Request
- Recent History

Case no: S123-025

Date: 11/20/2012



**CITY PLAN COMMISSION****THURSDAY, NOVEMBER 15, 2012****FILE NUMBER:** S123-018**Subdivision Administrator:** Paul Nelson**LOCATION:** 2839 and 2841 Lee Street**DATE FILED:** November 7, 2012**ZONING:** TH-3(A)**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 0.1699 Acres **MAPSCO:** 35V**APPLICANT/OWNER:** Magellan Funding Partners Fund 1, LP

**REQUEST:** An application to replat a 0.1699 acre tract of land containing all of Lot 3 in City Block E/1999 into two 3,700 square foot lots on property located at 2839 and 2841 Lee Street.

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

**DATES NOTICES SENT:** 41 notices were mailed on November 16, 2012 to property owners within 200 feet of this request with 0 replies received in favor and 0 replies received in opposition to the request as of November 27, 2012.

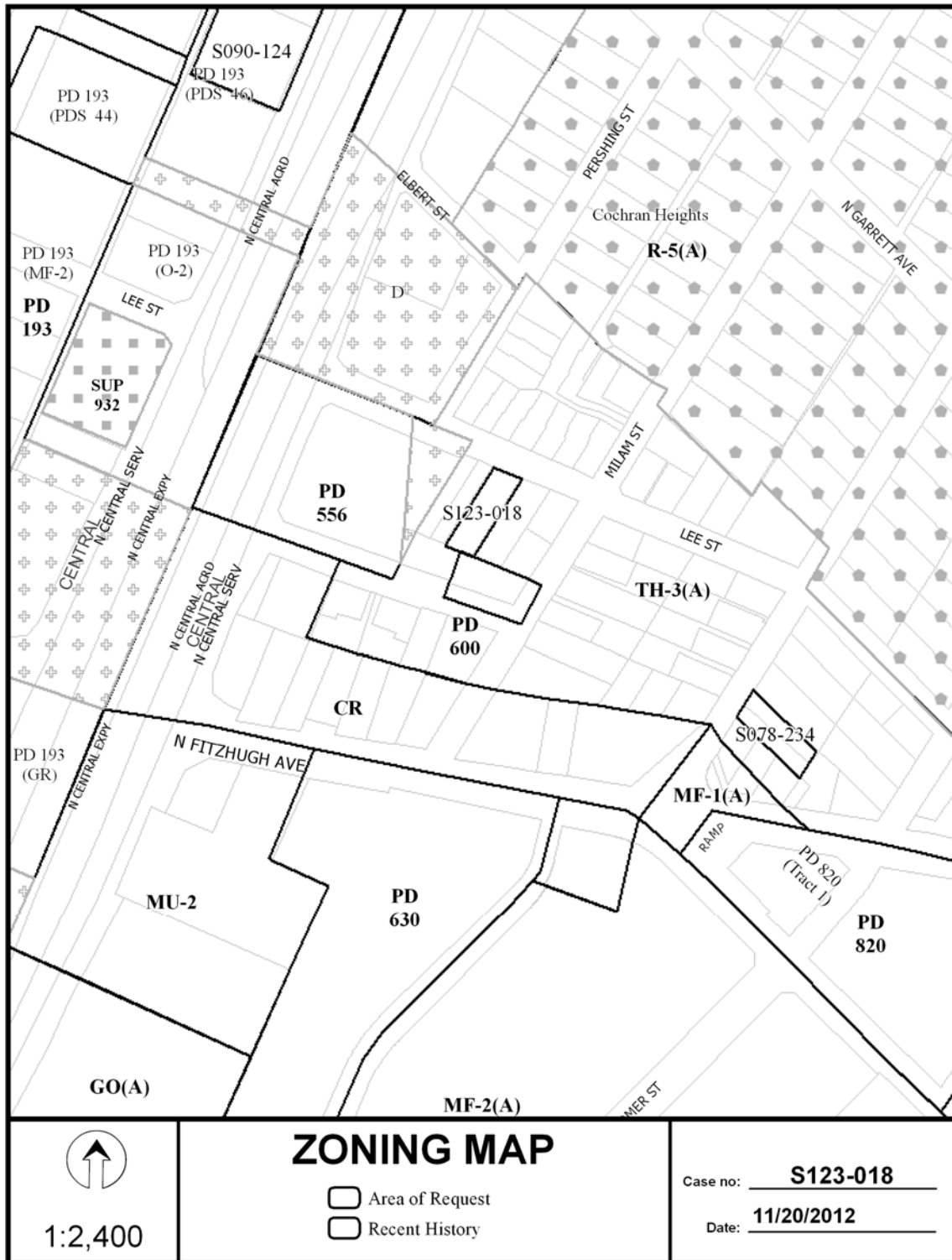
**STAFF RECOMMENDATION:** Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural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

The request is governed by the TH-3(A) requirements and complies with those requirements. However, although the proposed parcels are similar to the 2 lots contiguous on the west they are not consistent in configuration to the lots in the vicinity of this request; therefore staff recommends denial of the application. However, should the commission approve the request staff recommends that the motion include 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.

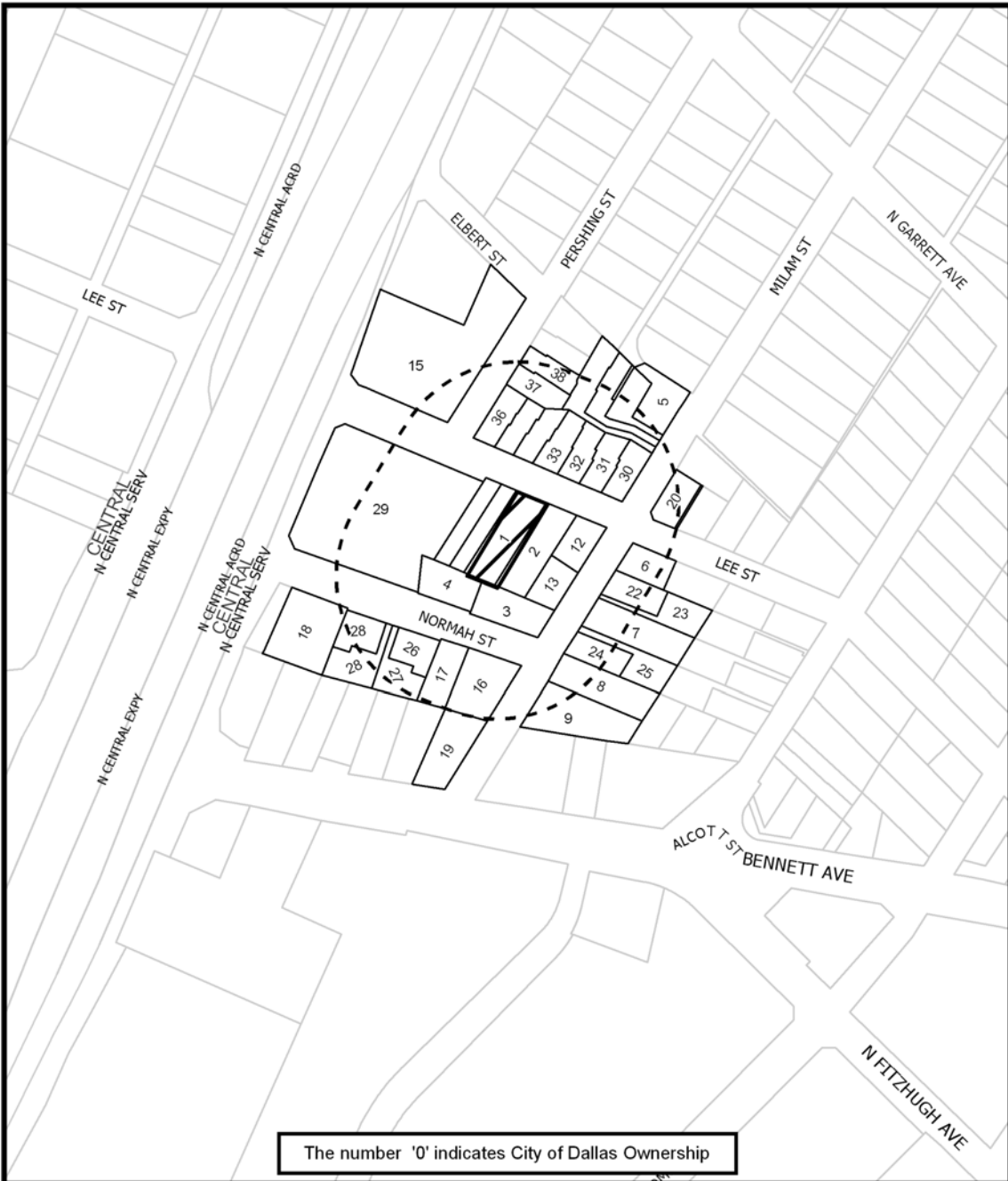
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW 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 2.
11. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
13. On the final plat show how all adjoining Right-Of-Way was created.
14. On the final plat show the recording information on all existing easements within 150 feet of the property.
15. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information.
16. Monument all set corners.
17. On the final plat chose a different addition name.
18. Chose a different addition name.
19. On the final plat show the distance of the Right-Of-Way across Lee Street.
20. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
21. Water main extension may be required by Private Development Contract.
22. On the final plat identify the property as Lots 3A, 3B in City Block E/1999.
23. On the final plat change US Highway 75 to U.S. Highway No. 75.











 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;"><b>41</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>41</b>	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>          <b>S123-018</b>          </u> Date: <u>          <b>11/20/2012</b>          </u>
<b>200'</b>	AREA OF NOTIFICATION					
<b>41</b>	NUMBER OF PROPERTY OWNERS NOTIFIED					

## Notification List of Property Owners

S123-018

### 41 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2841 LEE ST	MAGELLAN FUNDING PARTNERS FUND-I LP
2	2837 LEE ST	APPLE LEANNE E LIFE EST REM ANNELLE & CHARLES E APP
3	4927 MILAM ST	SJR MILAM LP 2ND FLOOR
4	2914 NORMAH ST	RUSHING CHARTER L & STEPHANIE D
5	5015 MILAM ST	FEDERAL NATIONAL MTG ASSOC STE 100
6	4934 MILAM ST	BOWERS CHARLOTTE
7	4928 MILAM ST	SEDDIGHZADEH CAMERON
8	4920 MILAM ST	KOEHLER LARRY
9	4912 MILAM ST	JOHNSON PAGE H & GERALD L JOHNSON JR
10	2843 LEE ST	BILLINGSLEY JAY
11	2845 LEE ST	WALLER LOGAN
12	2833 LEE ST	REED JEFFREY N
13	2835 LEE ST	PATEL TARUN J & SARAH ABRAHAM
14	5013 MILAM ST	BANK OF DALLAS
15	4300 CENTRAL EXPY	TRITON COMMERCIAL PPTIES LTD
16	2903 NORMAH ST	SATIRIPS RLTY LLC STE 200
17	2909 NORMAH ST	LAM YING KIT
18	4212 CENTRAL EXPY	JOHNSON PARTNERS LTD % KENNETH JOHNSON
19	2900 FITZHUGH AVE	SATIRIPS REALTY LLC SUITE 200
20	2824 LEE ST	KRUTSINGER WES
21	2822 LEE ST	HASSAN ALIZAZA
22	4932 MILAM ST	GREENSPAN MICHAEL
23	4930 MILAM ST	RIST MICHAEL D
24	4924 MILAM ST	GRANT DEIRDRE E
25	4926 MILAM ST	RODRIGUES LAUREN MARIE
26	2915 NORMAH ST	TUCKER WAYNE E JR & LAUREN LARAVIA

Wednesday, November 21, 2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2917 NORMAH ST	KNOX HENDERSON INVESTMENTS LLC
28	2921 NORMAH ST	2919 PACIFIC INV LTD
29	4228 CENTRAL EXPY	4228 CENTRAL LLC STE 300
30	2832 LEE ST	FANNIE MAE
31	2836 LEE ST	STEVENS LINDA B L
32	2840 LEE ST	MOSS BEVERLY PARKHURST
33	2844 LEE ST	ERB TIMOTHY ELLETT %ALLEN ERB
34	2848 LEE ST	KHABIR TONNETTE
35	2852 LEE ST	WHITE JAMES L & WENDY
36	2856 LEE ST	ROGERS DONZA J
37	5012 PERSHING ST	TRIMBLE JUDITH M
38	5014 PERSHING ST	SHIPLEY HOLLY
39	5005 MILAM ST	TRUSSELL RICHARD NATHAN & EVA MARIE TRUSSELL
40	5007 MILAM ST	BOLLICH BRIAN
41	5009 MILAM ST	AMAYA JAIME

*Wednesday, November 21, 2012*





**CITY PLAN COMMISSION****THURSDAY, NOVEMBER 15, 2012****FILE NUMBER:** S123-023**Subdivision Administrator:** Paul Nelson**LOCATION:** 831 Ann Arbor Drive at Idaho Avenue**DATE FILED:** November 12, 2012**ZONING:** R-7.5 (A)**CITY COUNCIL DISTRICT:** 4      **SIZE OF REQUEST:** 1.09 Acres      **MAPSCO:** 65E**APPLICANT/OWNER:** United Missionary Baptist Church

**REQUEST:** An application to replat a 1.09 acre tract of land containing all of Lots 14 through 17 in City Block D/6005 into one lot located at 831 Ann Arbor Drive at Idaho Avenue.

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

**DATES NOTICES SENT:** 22 notices were mailed on November 19, 2012 to property owners within 200 feet of this request with 0 replies received in favor and 0 replies received in opposition to the request as of November 27, 2012.

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

The request is governed by the R-7.5(A) requirements and complies with those requirements. The proposed lot configuration is similar to other institutional uses; therefore, staff recommends approval subject to compliance with the following conditions:

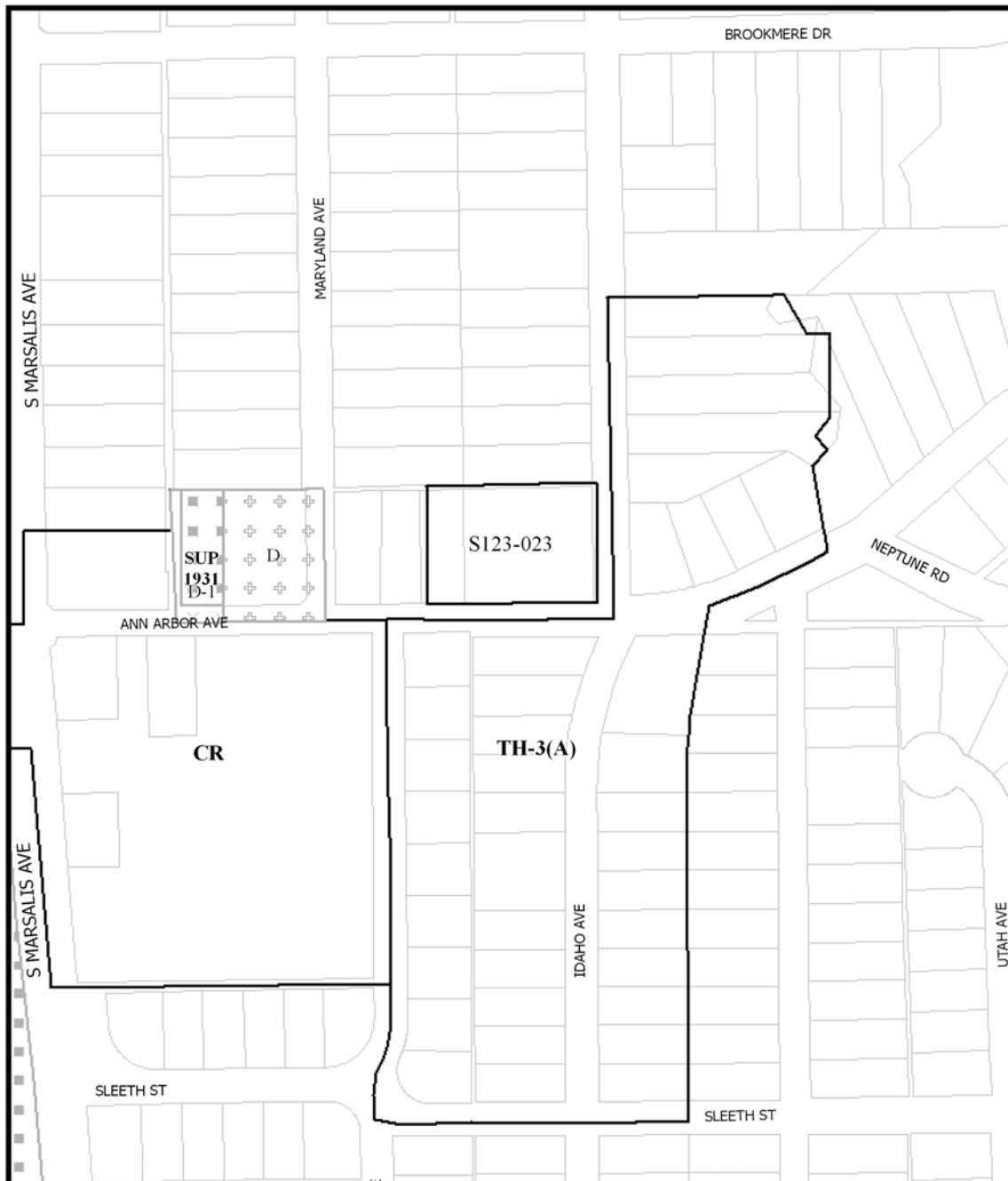
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with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




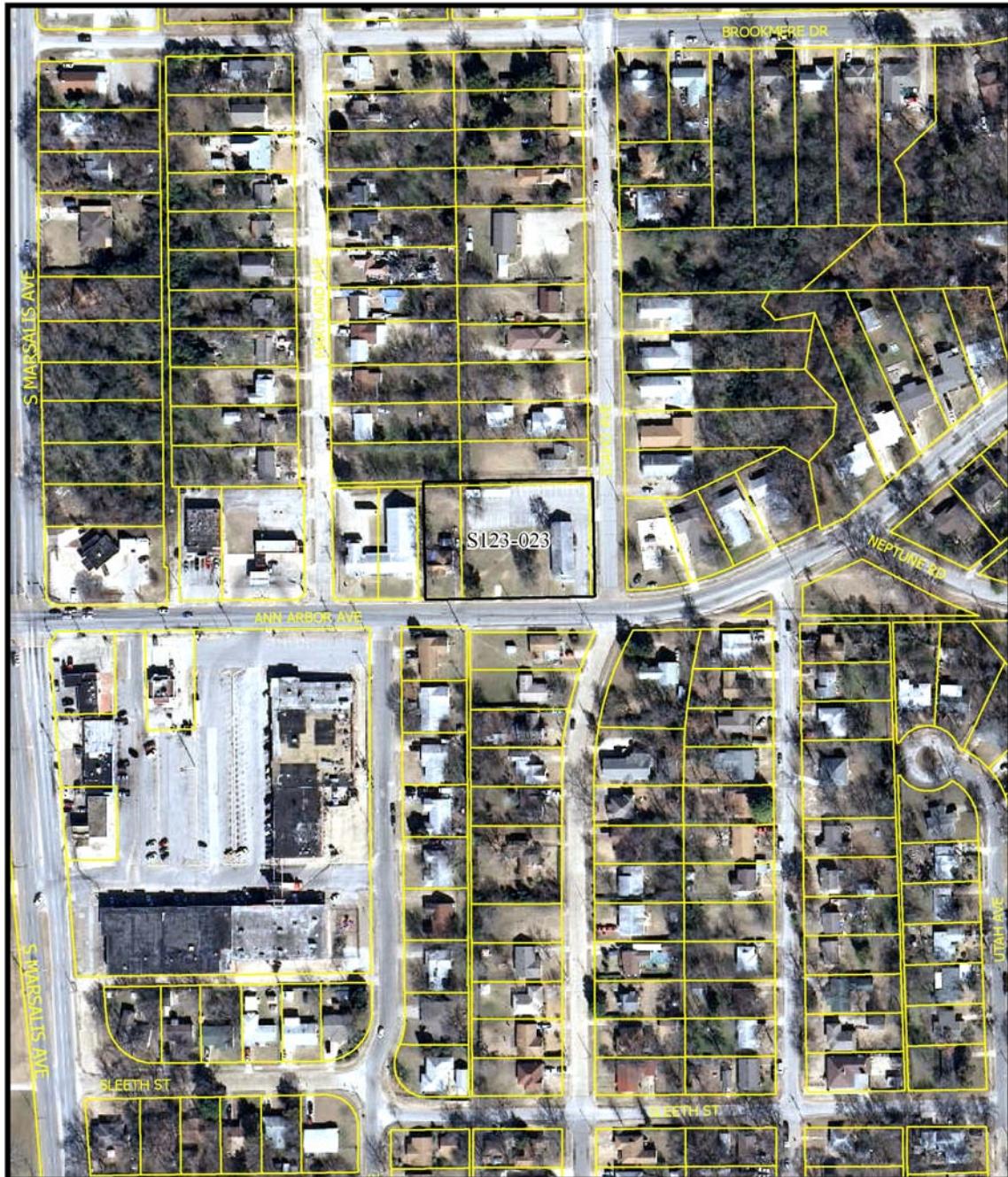
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. 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 will not be allowed without Engineering Section approval."
13. On the final plat dedicate 30 feet of Right-Of-Way from the established center line of Ann Arbor Drive.
14. On the final plat dedicate a 10 foot by 10 foot corner clip at Ann Arbor Drive and Idaho Avenue.
15. On the final plat dedicate 26.5 feet of Right-Of-Way from the established center line of Idaho Avenue.
13. On the final plat show how all adjoining Right-Of-Way was created.
14. On the final plat show the recording information on all existing easements within 150 feet of the property.
15. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information.
16. Monument all set corners.
17. On the final plat chose a different addition name.
18. Chose a different addition name.
19. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
20. 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.

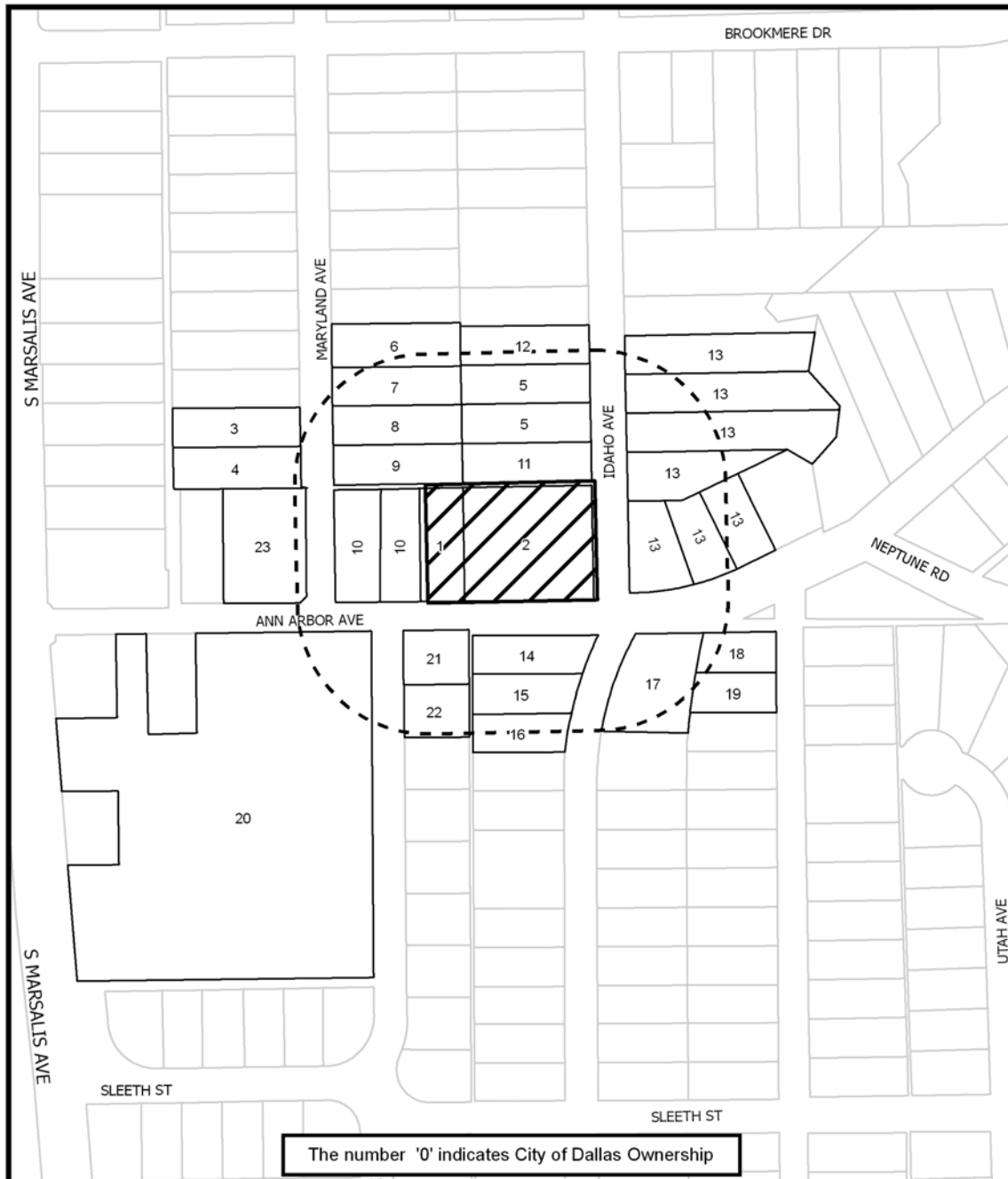
21. On the final plat identify the property as Lots 14A in City Block D/6005.



 1:2,400	<h2>ZONING MAP</h2> <p> <input type="checkbox"/> Area of Request  <input type="checkbox"/> Recent History         </p>	Case no: <u>    <b>S123-023</b>    </u> Date: <u>    <b>11/20/2012</b>    </u>
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 1:2,400	<h2>AERIAL MAP</h2> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	Case no: <u>    <b>S123-023</b>    </u> Date: <u>    <b>11/20/2012</b>    </u>
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 1:2,400	<b>NOTIFICATION</b>		Case no: <b>S123-023</b>
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">23</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: <b>11/20/2012</b>	

## Notification List of Property Owners

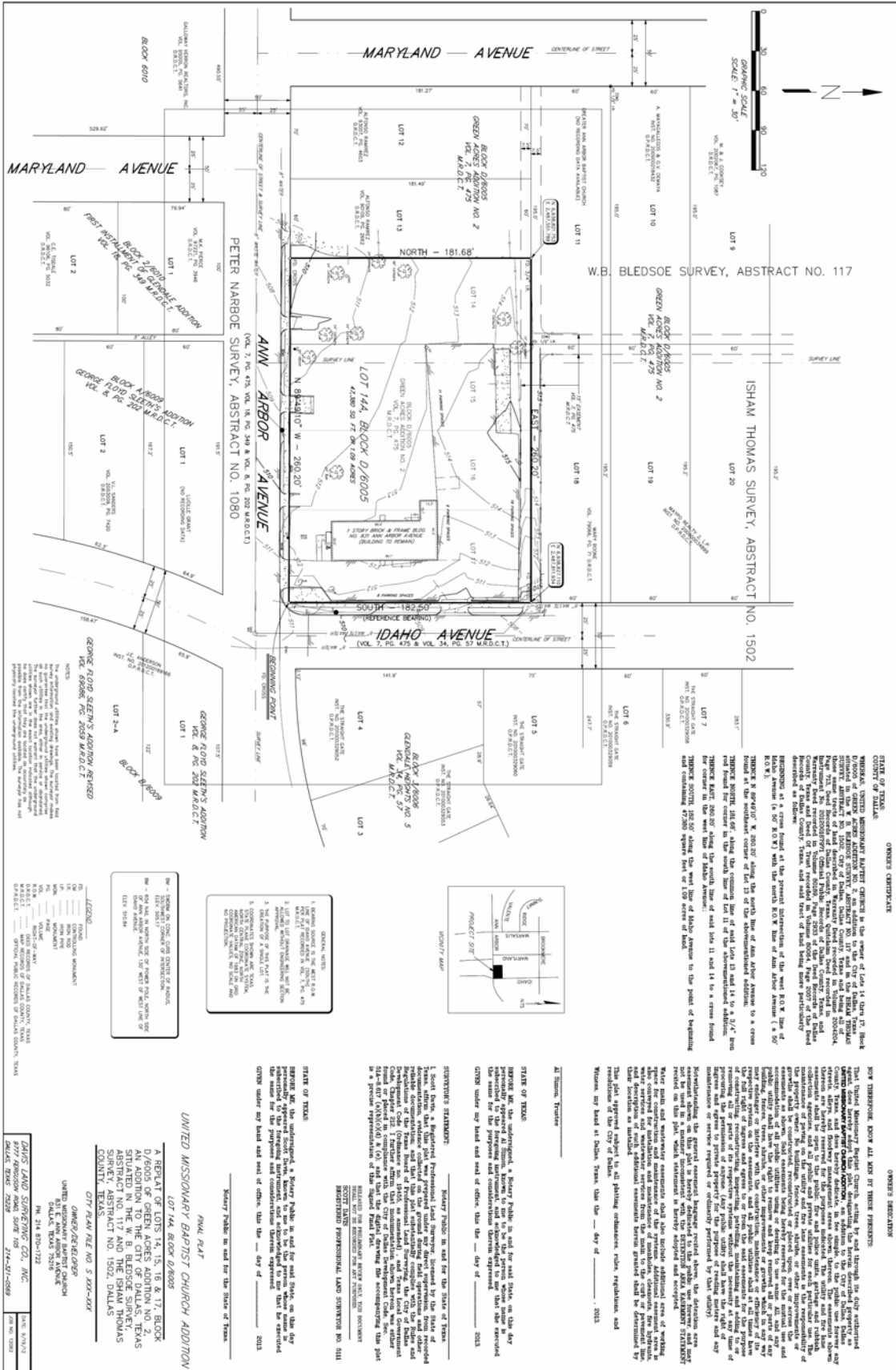
S123-023

### 23 Property Owners Notified

Label #	Address	Owner
1	815 ANN ARBOR AVE	UNITED MISSIONARY BAPTIST CHURCH
2	819 ANN ARBOR AVE	UNITED MISSIONARY BAPTIST CHURCH
3	4247 MARYLAND AVE	CTMC GROUP LLC
4	4251 MARYLAND AVE	ESTRELLA JUAN MANUEL
5	4247 IDAHO AVE	MAYPO REALTY 2 LP
6	4236 MARYLAND AVE	RUIZ ALBERTICO
7	4240 MARYLAND AVE	COOKSEY MICHAEL & JACQUELINE
8	4246 MARYLAND AVE	MAYAGALLEGOS ANGEL & OFELIA VILLA DEMAYA
9	4250 MARYLAND AVE	GREATER ANN ARBOR BAPTIST CHURCH
10	809 ANN ARBOR AVE	RAMIREZ ALFONSO
11	4251 IDAHO AVE	BOONE MARY
12	4237 IDAHO AVE	PAYNE MARY LOU LANG
13	917 IDAHO AVE	STRAIGHT GATE THE
14	4303 IDAHO AVE	GRANT LUCILLE
15	4307 IDAHO AVE	SANDERS VERSIE LEE
16	4311 IDAHO AVE	HERNANDEZ MARIA FABIANA
17	4306 IDAHO AVE	ANDERSON JOHN R APT 109
18	4303 EWING AVE	RODGERS BOBBIE LEE
19	4307 EWING AVE	DICKERSON MICHELLE
20	4404 MARSALIS AVE	GALLOWAY HERRON REALTORS INC
21	4302 MARYLAND AVE	PIERCE MARY KAY
22	4308 MARYLAND AVE	TISDALE CHARLES E
23	727 ANN ARBOR AVE	AGESHEN MALCOLM A

Wednesday, November 21, 2012





**OWNER'S CERTIFICATE**

STATE OF TEXAS  
 COUNTY OF DALLAS  
 I, \_\_\_\_\_, the undersigned, being a duly qualified and competent person, do hereby certify that the above and foregoing plat is a true and correct copy of the original plat as the same appears on file in the office of the County Clerk of Dallas County, Texas, and that the same is a true and correct copy of the original plat as the same appears on file in the office of the County Clerk of Dallas County, Texas, and that the same is a true and correct copy of the original plat as the same appears on file in the office of the County Clerk of Dallas County, Texas.

**OWNER'S DECLARATION**

NOT THOMAS, JOHN ALLEN JR. THE UNDERSIGNED  
 That United Missionary Baptist Church, acting by and through its duly authorized representatives, do hereby certify that the above and foregoing plat is a true and correct copy of the original plat as the same appears on file in the office of the County Clerk of Dallas County, Texas, and that the same is a true and correct copy of the original plat as the same appears on file in the office of the County Clerk of Dallas County, Texas, and that the same is a true and correct copy of the original plat as the same appears on file in the office of the County Clerk of Dallas County, Texas.

**STATE OF TEXAS**

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

**NOTARY STATEMENT**

I, Scott Davis, a Notary Public in and for the State of Texas, do hereby certify that the above and foregoing plat is a true and correct copy of the original plat as the same appears on file in the office of the County Clerk of Dallas County, Texas, and that the same is a true and correct copy of the original plat as the same appears on file in the office of the County Clerk of Dallas County, Texas.

**STATE OF TEXAS**

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

**NOTARY PUBLIC**

\_\_\_\_\_ Notary Public in and for the State of Texas

UNITED MISSIONARY BAPTIST CHURCH ADDITION  
 LOT 144, BLOCK D/6005  
 A REPLAT OF LOTS 14, 15, 16 & 17, BLOCK D/6005 OF GREEN ACRES ADDITION NO. 2, SITUATED IN THE W. B. BLEDSOE SURVEY, ABSTRACT NO. 117 AND THE ISHAM THOMAS SURVEY, ABSTRACT NO. 1502, DALLAS COUNTY, TEXAS.  
 GPT/ALM FILE NO. 5-2009-007  
 OWNER/AGENT/OWNER  
 E. L. ALLEN, JR.  
 11111 W. WOODLAND AVENUE  
 F.M. 214 8701-1722  
 DALLAS LAND SURVEYING CO., INC.  
 9777 RICHMOND ROAD SUITE 105  
 DALLAS, TEXAS 75249 214-971-0889

**CITY PLAN COMMISSION****THURSDAY, DECEMBER 6, 2012****FILE NUMBER:** S123-034**Subdivision Administrator:** Paul Nelson**LOCATION:** 9031 and 9039 Devonshire Drive**DATE FILED:** November 15, 2012**ZONING:** R-16 (A)**CITY COUNCIL DISTRICT:** 13    **SIZE OF REQUEST:** 2.161 Acres    **MAPSCO:** 25W**APPLICANT/OWNER:** Kenneth F. Green & Stephen Sands

**REQUEST:** An application to replat a 2.161 acre tract of land containing all of Lots 8 and 9 in City Block A/5664 into one 1.168 acre lot and one 0.9930 acre lot on property located at 9031 and 9039 Devonshire Drive.

**SUBDIVISION HISTORY:**

1. S101-143 was an application similar to the present request to replat a 1.8054 acre tract of land on property contiguous on the south of the present request and containing all of Lots 10A and 11A in City Block A/5664 to relocate the lot line between the two lots on 9023 Devonshire. The application was approved on August 18, 2011 but has not been recorded.

**DATES NOTICES SENT:** 20 notices were mailed on November 19, 2012 to property owners within 200 feet of this request with 0 replies received in favor and 0 replies received in opposition to the request as of November 27, 2012.

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

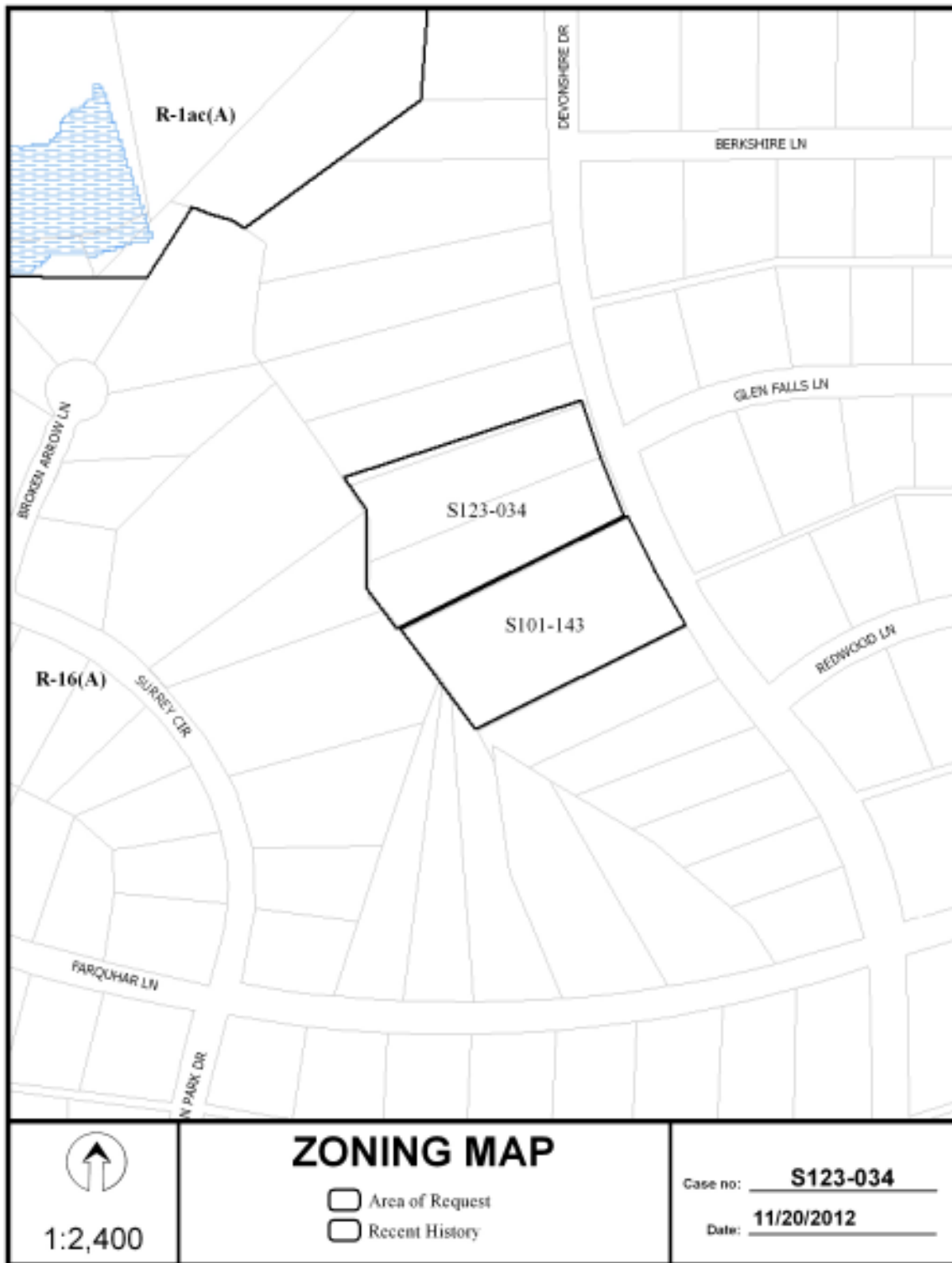
The request is governed by the R-16(A) requirements and complies with those requirements. The proposed lot configuration is similar to other lots in the area; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a

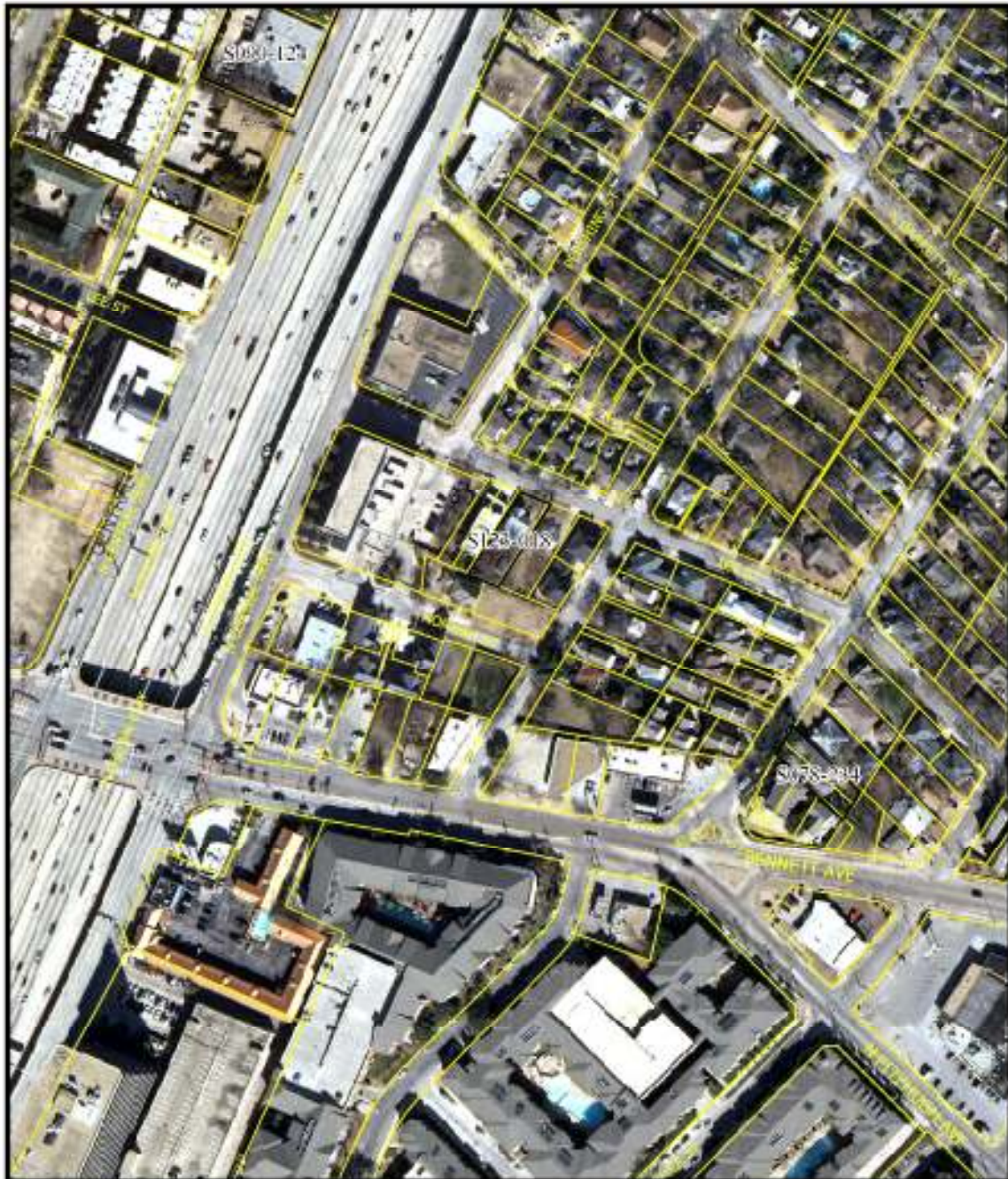
format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.

5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. 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 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. On the final plat show the recording information on all existing easements within 150 feet of the property.

21. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information shown.
22. On the final plat chose a different addition name.
23. On the final plat remove the zoning setback lines.
24. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
25. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
26. New water and/or wastewater easements need to be shown.
27. On the final plat identify the property as Lots 8A and 9A in City Block A/5664.
28. On the final plat change Glen Falls to Glen Falls Lane.







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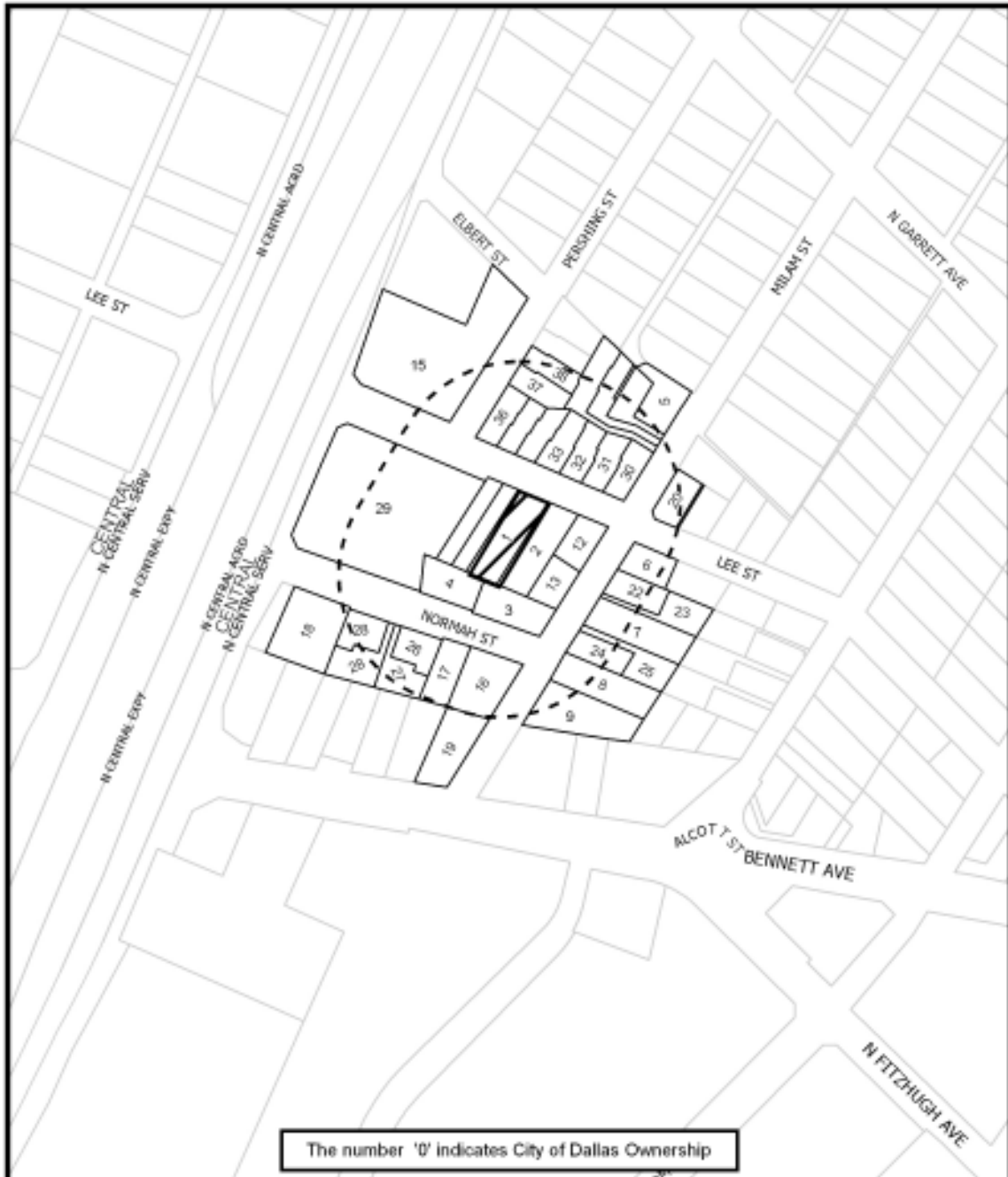
## AERIAL MAP

- Area of Request
- Recent History

Case no: S123-018

Date: 11/20/2012





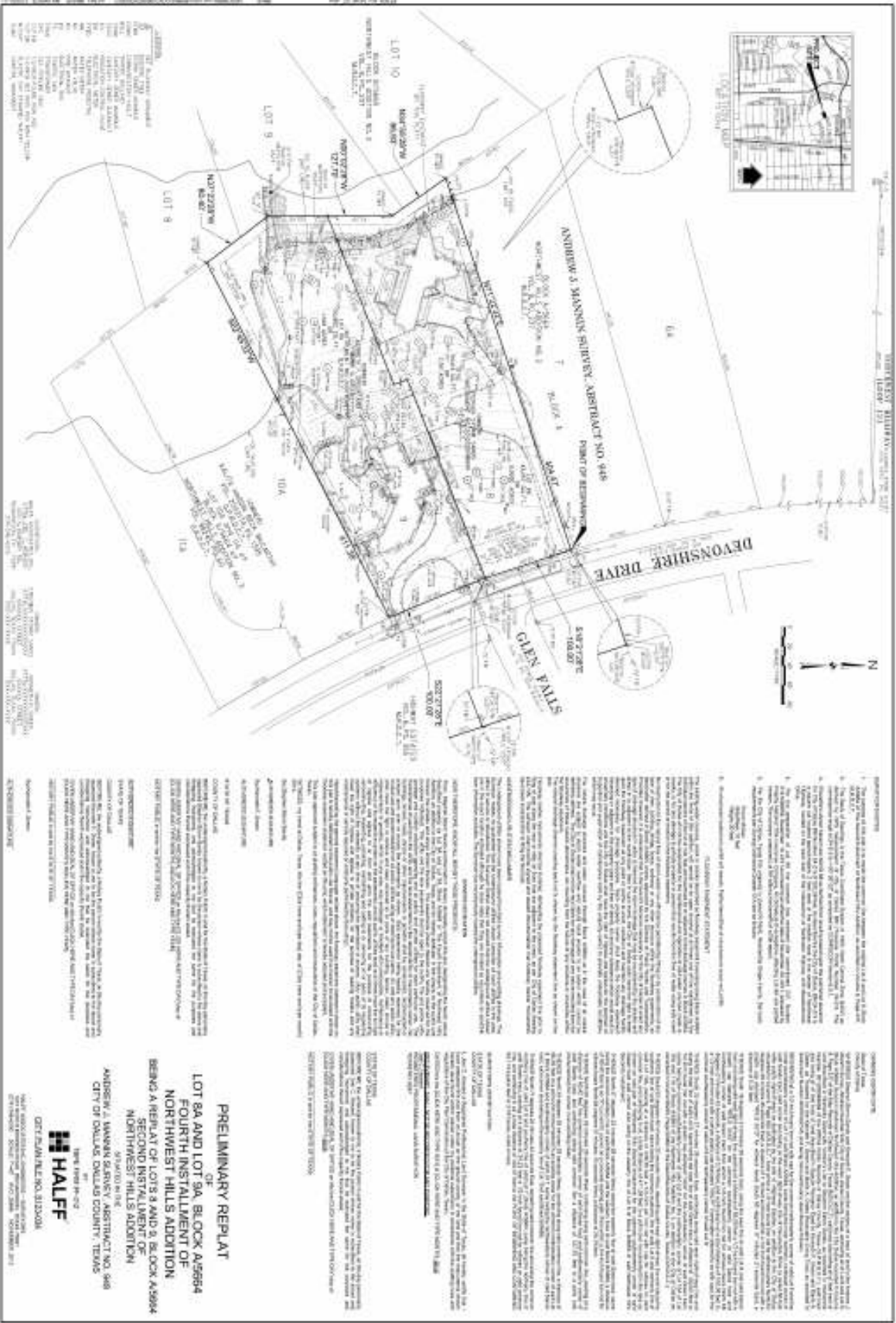
 1:2,400	<b>NOTIFICATION</b>	Case no: <b>S123-018</b>			
	<table border="1"> <tr> <td style="text-align: center;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;"><b>41</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>41</b>	NUMBER OF PROPERTY OWNERS NOTIFIED
<b>200'</b>	AREA OF NOTIFICATION				
<b>41</b>	NUMBER OF PROPERTY OWNERS NOTIFIED				

## Notification List of Property Owners

S123-034

### 18 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9115 DEVONSHIRE DR	VOSE CHARLES A III & MEREDITH A
2	9039 DEVONSHIRE DR	SANDS STEPHEN STORM
3	9031 DEVONSHIRE DR	GREEN KENNETH F
4	9023 DEVONSHIRE DR	BECK KALITA HARDIN
5	5711 REDWOOD LN	BATKY CALAWAY LISA
6	5712 BERKSHIRE LN	BLAYLOCK RICHARD K & BARBARA B
7	5721 GLEN FALLS LN	SCARDINO FRANK & CHRISTIE R
8	9110 DEVONSHIRE DR	HARTNETT JAMES J
9	9123 DEVONSHIRE DR	WILSON ADDISON III SUITE 330
10	9007 DEVONSHIRE DR	FRAZIER DAVID
11	5539 FARQUHAR LN	CCP ACQUISITIONS LLC
12	5527 FARQUHAR LN	DORFLINGER NEIL & MARY DORFLINGER
13	5519 FARQUHAR LN	5519 INVESTORS LLC
14	5439 SURREY CIR	STEWART MICHAEL L
15	5431 SURREY CIR	LAZAR JAMES P
16	5417 SURREY CIR	MICHAUD SUSAN H
17	5411 SURREY CIR	SAADA JEAN-CLAUDE T & ELIZABETH A
18	9030 DEVONSHIRE DR	VILLANI ANTHONY W & DENISE C



**PRELIMINARY REPLAT**  
**OF**  
**LOT 8A AND LOT 9A, BLOCK A2554**  
**FOURTH INSTALLMENT OF**  
**NORTHWEST HILLS ADDITION**  
**BEING A REPLAT OF LOTS 8 AND 9, BLOCK A2554**  
**SECOND INSTALLMENT OF**  
**NORTHWEST HILLS ADDITION**  
 A PART OF THE  
**ANDREW J. MANNING SURVEY, ABSTRACT NO. 548**  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

**HALFF**  
 ENGINEERS, ARCHITECTS & PLANNERS  
 1100 WEST HIGHTWAY 121, SUITE 100  
 DALLAS, TEXAS 75208  
 PHONE: 972.343.8800  
 FAX: 972.343.8801  
 WWW.HALFF.COM

**DEVELOPER:** THE CITY OF DALLAS  
**APPLICANT:** THE CITY OF DALLAS  
**DATE:** 11/15/2012

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**Planner: Olga Torres-Holyoak**

**FILE NUMBER:** D112-014

**DATE FILED:** June 11, 2012

**LOCATION:** On the northeast corner of Oak Lawn Avenue and Avondale Avenue.

**COUNCIL DISTRICT:** 14

**MAPSCO:** 35-T

**SIZE OF REQUEST:** Approx. 0.4136 acres

**CENSUS TRACT:** 6.06

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**MISCELLANEOUS DOCKET ITEM**

**APPLICANT:** MASTERPLAN

**REPRESENTATIVE:** 4023 Oak Lawn Assoc. LP.

Development Plan and Landscape Plan

On January 27, 1993, the City Council passed Ordinance No. 21553 that established Planned Development Subdistrict No. 3 within Planned Development District No. 193 the Oak Lawn Special Purpose District. The PDS was established on property generally located on the west of Oak Lawn Avenue between Wycliff Avenue and the alley between Irving Avenue and Avondale Avenue and property generally located east of Oakland Avenue between Avondale Avenue and Newton Court. The size of PDS No. 3 is approximately 3.5946 acres.

The zoning was granted as a conceptual planned development subdistrict and requires City Plan Commission approval of a development plan and a landscape plan for each phase of development prior to the issuance of a building permit. The proposed development is located in Tract IV of PDS 3.

In conjunction with the above requirement, the attached development plan and landscape plan is being submitted to the CPC for approval. The proposed development is for a restaurant.

**STAFF RECOMMENDATION:** Approval

## List of Officers/Partners

Owner: 4023 Oak Lawn Associates, LP., a Texas Limited Partnership

4023 Oak Lawn Associates, L.L.C., general partner, a Texas Limited liability company

Edgar W. Cowling, Manager

F. Mark Cumpton, Manager

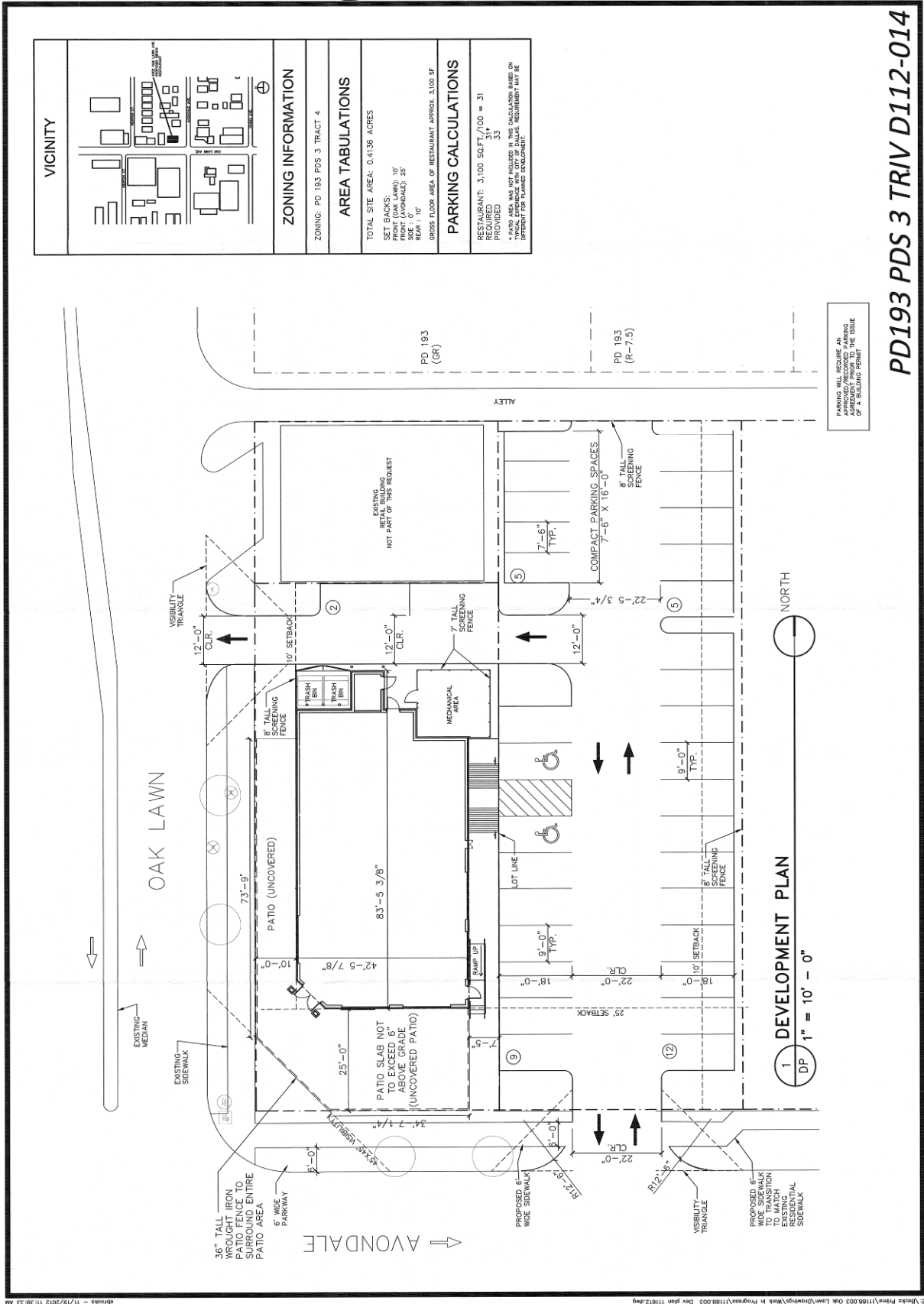
Pamela A. Spardaro, Manager

Davis Ross, Manager





# PROPOSED DEVELOPMENT PLAN



VICINITY	
ZONING INFORMATION	
ZONING: PD 193 PDS 3 TRACT 4	
AREA TABULATIONS	
TOTAL SITE AREA: 0.4136 ACRES	
SET BACKS: 10' (MINIMUM); 15' (FRONT); 25' (REAR); 25' (SIDE); 0' (REAR); 10' (SIDE)	
GROSS FLOOR AREA OF RESTAURANT APPROX. 3,100 SF	
PARKING CALCULATIONS	
RESTAURANT: 3,100 SQ.FT./100 = 31	
REQUIRED: 33	
* PATIO AREA WAS NOT INCLUDED IN THIS CALCULATION BASED ON THE ASSUMPTION THAT THE PATIO AREA WILL BE DIFFERENT FOR PLANNED DEVELOPMENT.	

PARKING WILL REQUIRE AN AGREEMENT WITH THE ADJACENT PROPERTY OWNER PRIOR TO THE ISSUE OF A BUILDING PERMIT.

PD193 PDS 3 TRIV D1112-014

1 DEVELOPMENT PLAN  
DP 1" = 10' - 0"



**Planner: Olga Torres-Holyoak**

**FILE NUMBER:** D123-002

**DATE FILED:** October 24, 2012

**LOCATION:** Near the northeast corner of Skillman Street and Eastridge Drive.

**COUNCIL DISTRICT:** 9

**MAPSCO:** 26 Y, Z

**SIZE OF REQUEST:** Approx. .9569 acres

**CENSUS TRACT:** 78.19

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**MISCELLANEOUS DOCKET ITEM**

**Owner:** TC Timbercreek Assoc. L.P.

**Applicant:** Seattle's Best Coffee

**Representative:** Cristal Villarreal, Jacobs Engineering Group Inc.

**Development Plan:**

On May 10, 2006, the City Council passed Ordinance No. 26346 which established Planned Development District No. 742 on property located on the northeast line of Northwest Highway, west of Skillman Road. The size of the PD is approximately 43.9 acres of land.

The zoning was granted as a conceptual planned development district and requires City Plan Commission approval of a development plan for each phase of development prior to the issuance of a building permit. The property is located in Zones 1 and 2, within Planned Development District No. 742.

In conjunction with the above requirement, the attached development plan has been submitted for Commission's consideration. The plan provides for the development of a 3,800 square feet financial institution with drive in window.

**STAFF RECOMMENDATION:** Approval

## Partners for T.C. Timbercreek Development

LIST OF PARTNERS/PRINCIPALS/OFFICERS  
TIMBER CREEK Development  
PD 742

TC Timbercreek Associates, LP, a Delaware limited partnership

TC Timbercreek GP, Inc. is general partner, which is indirectly 100% owned by Trammell Crow Company, LLC.

Limited partners are: Trammell Crow Investment Fund V, L.P., a Delaware limited partnership, and Trammell Crow Company, LLC, a Delaware limited liability company.

Signatory for all entities will be Scott A. Dyche, Executive Vice President

## Directors and Executive Officers

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### Capital One Financial Corporation Board of Directors

**Richard D. Fairbank**

*Chairman, CEO and President  
Capital One Financial Corporation*

**E. R. Campbell<sup>A, F</sup>**

*Former Chairman  
Hibernia Corporation*

**W. Ronald Dietz<sup>A, F</sup>**

*Vice Chairman; Former President and CEO  
W.M. Putnam Company*

**Patrick W. Gross<sup>A, C, G</sup>**

*Chairman  
The Lovell Group*

**Ann Fritz Hackett<sup>A, C, G</sup>**

*President  
Horizon Consulting Group*

**Lewis Hay, III<sup>C, E, G</sup>**

*Chairman and CEO  
NextEra Energy, Inc.*

**Pierre E. Leroy<sup>B</sup>**

*Executive Chairman  
Vigilant Video, Inc.*

**Peter E. Raskind<sup>A</sup>**

*Owner  
JMB Consulting, LLC*

**Mayo A. Shattuck, III<sup>A, F</sup>**

*Executive Chairman  
Exelon Corporation*

**Bradford H. Warner<sup>A, F</sup>**

*Former Head of Premier and  
Small Business Banking  
Bank of America Corporation*

### Capital One Financial Corporation Executive Officers

**Richard D. Fairbank**

*Chairman, CEO and President*

**Robert M. Alexander**

*Chief Information Officer*

**Jory A. Berson**

*Chief Human Resources Officer*

**John G. Finneran, Jr.**

*General Counsel and Corporate Secretary*

**Frank G. LaPrade, III**

*Chief Enterprise Services Officer and  
Chief of Staff to the CEO*

**Gary L. Perlin**

*Chief Financial Officer*

**Peter A. Schnall**

*Chief Risk Officer*

**Ryan M. Schneider**

*President, Card*

**Michael C. Slocum**

*President, Commercial Banking*

**Jonathan W. Witter**

*President, Retail and Direct Banking*

**Sanjiv Yajnik**

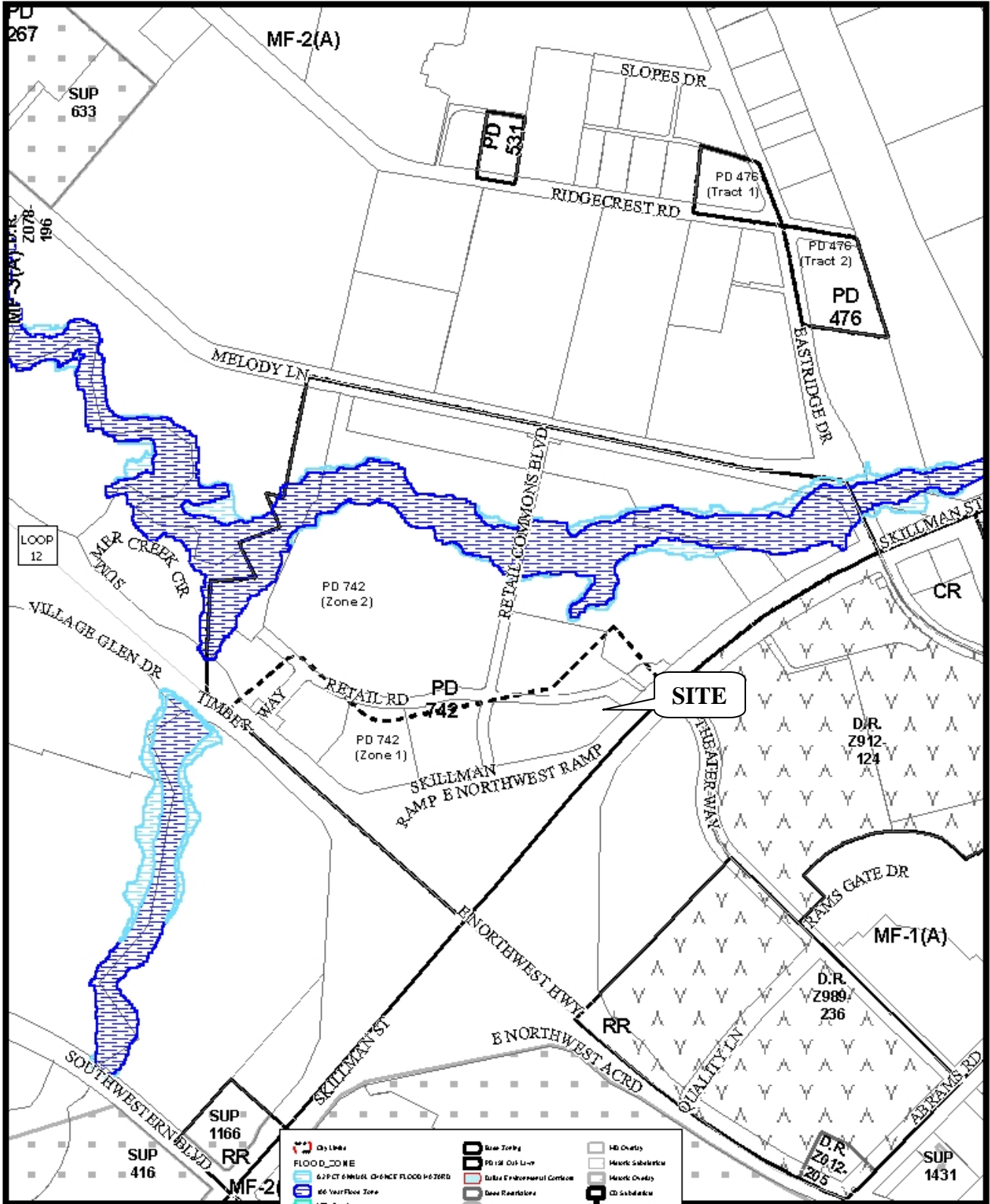
*President, Financial Services*

<sup>A</sup> Audit and Risk Committee

<sup>C</sup> Compensation Committee

<sup>F</sup> Finance and Trust Oversight Committee

<sup>G</sup> Governance and Nominating Committee



↑ 1:5,010

Dotted Line	Base Trench	HD Utility
FLOOD_ZONE	PD 10' Out-Line	Heavy Substructure
5-Foot 6-Month Chance Flood Hazard	Dike Enhancement Contour	Heavy Utility
100-Year Flood Zone	Dike Restoration	CD Substructure
100-Year Flood	D	PD Substructure
Public Branch	D-1	PG Substructure
X PROTECTED BY LEVEE	D-2	NGD Substructure
Park	D-3	NGD Utility
	D-4	European Utility
	D-5	

D123-002







**FILE NUMBER:** Z112-307(JH) **DATE FILED:** August 22, 2012

**LOCATION:** Southeast corner of West Davis Street and North Tyler Street

**COUNCIL DISTRICT:** 1 **MAPSCO:** 54-B

**SIZE OF REQUEST:** Approx. 0.29 acres **CENSUS TRACT:** 47

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**REPRESENTATIVE:** Elias Rodriguez

**APPLICANT:** Bishop Arts Winery  
Maria D. Rodriguez, sole proprietor

**OWNER:** Peter Giura

**REQUEST:** An application for Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a microbrewery, microdistillery, or winery, on property zoned Subdistrict 6 within Planned Development District No. 830.

**SUMMARY:** The applicant proposes to operate an establishment for the manufacturing and on-premise consumption of wine.

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

**BACKGROUND INFORMATION:**

- The request site is currently developed with an approximately 810 square foot commercial building.
- The applicant is proposing to operate a winery and a bar, lounge, or tavern within the existing building. The applicant’s initial operation will be the sales and service of wine, but is intended to eventually manufacture the wine on-site. The proposed Specific Use Permit conditions are drafted to cover both scenarios.
- *Microbrewery, microdistillery or winery* means an establishment for the manufacture, blending, fermentation, processing and packaging of alcoholic beverages with a floor area of 10,000 square feet or less that takes place wholly inside a building. A facility that only provides tasting, or retail sale of alcoholic beverages is not a microbrewery, microdistillery or winery use.
- PDD No. 830, adopted by the City Council on August 11, 2010, consists of eight subareas and approximately 291 acres; the northernmost 150 feet of the request site is located within the Subdistrict 6.

**Zoning History:** There have been no recent zoning requests within the immediate vicinity of the request site.

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW
Davis Street	Minor Arterial	60 ft.
Tyler Street	Principle Arterial	60 ft. / couplet

**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 a *Multimodal Corridor*. Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit.

Interactive public plazas and/or civic uses will be centrally located and residential roof terraces and balconies overlooking transit station areas add “eyes on the street” that can aid public safety.

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

**LAND USE ELEMENT**

Goal 1.1: Promote desired development

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

**Land Use Compatibility:**

The applicant intends to operate a wine shop which will include retail sale of wine for off-premise consumption (permitted by right), as well as the sale and service of wine for on-premise consumption, and the fermentation, processing and packaging of wine (both of which are permitted by specific use permit). The applicant proposes to begin operation primarily as a bar, lounge, or tavern and eventually manufacture wine on-site. The SUP conditions have been drafted to address the transition from primarily on-premise consumption to manufacturing with on- and off-premise consumption. The applicant intends to operate between 11:00 am and 10:00 pm, Monday through Sunday.

Pursuant to the Dallas Development Code, *microbrewery, microdistillery or winery* means an establishment for the manufacture, blending, fermentation, processing and packaging of alcoholic beverages with a floor area of 10,000 square feet or less that takes place wholly inside a building. A facility that only provides tasting, or retail sale of alcoholic beverages is not a microbrewery, microdistillery or winery use.

Pursuant to the Dallas Development Code, a *bar, lounge or tavern* means an establishment principally for the sale and consumption of alcoholic beverages on the premises that derives 75 percent or more of its gross revenue on a quarterly basis from the sale or service of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code (TABC), for in-premise consumption.

The applicant will apply for a TABC Winery Permit (G). This authorizes the holder to manufacture, bottle, label and package wine containing not more than 24% alcohol by volume; sell or buy wine from permit holders authorized to purchase and sell wine including wholesalers, winery and wine bottler's permittees; sell wine to ultimate consumers for consumption on the winery premises or in unbroken packages for off-premise consumption; and dispense free wine for consumption on the winery premises.

The surrounding land uses are commercial uses to the north, south, east, and west. There are single family residential uses within a block to a block and one-half to the north and south of the request site.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas

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

The request, subject to a site plan and conditions is considered compatible with the surrounding uses. However, staff recommends an initial two-year time period so that the uses can be reevaluated for compatibility.

**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.

Pursuant to the Section 51A-4.210, parking for a microbrewery, microdistillery or winery is required as follows: one (1) space per 500 square feet of floor area, one (1) space per 1,000 square feet of floor area used for storage and one (1) space per 100 square feet of floor area used for retail sales and seating (the same ratio as a bar, lounge or tavern).

Of the ±810-square foot establishment, ±102 square feet of floor area will be utilized for production and open storage, ±616 square feet of floor area will be utilized for retail sales and tastings, and a ±92 square foot covered seating area. The SUP conditions require a minimum of 8 off-street parking spaces, which the site plan shows are being provided.

PDD No. 830 also requires some bicycle parking and the site plan shows a bike rack being provided at the northwest side of the request site near Tyler Street. W. Davis Street and 7<sup>th</sup> Streets are designated for sharrows (shared bike lane markings within automobile travel lanes) in the Bike Plan and N. Tyler Street will have a buffered bike lane or cycle track.

**Landscaping:**

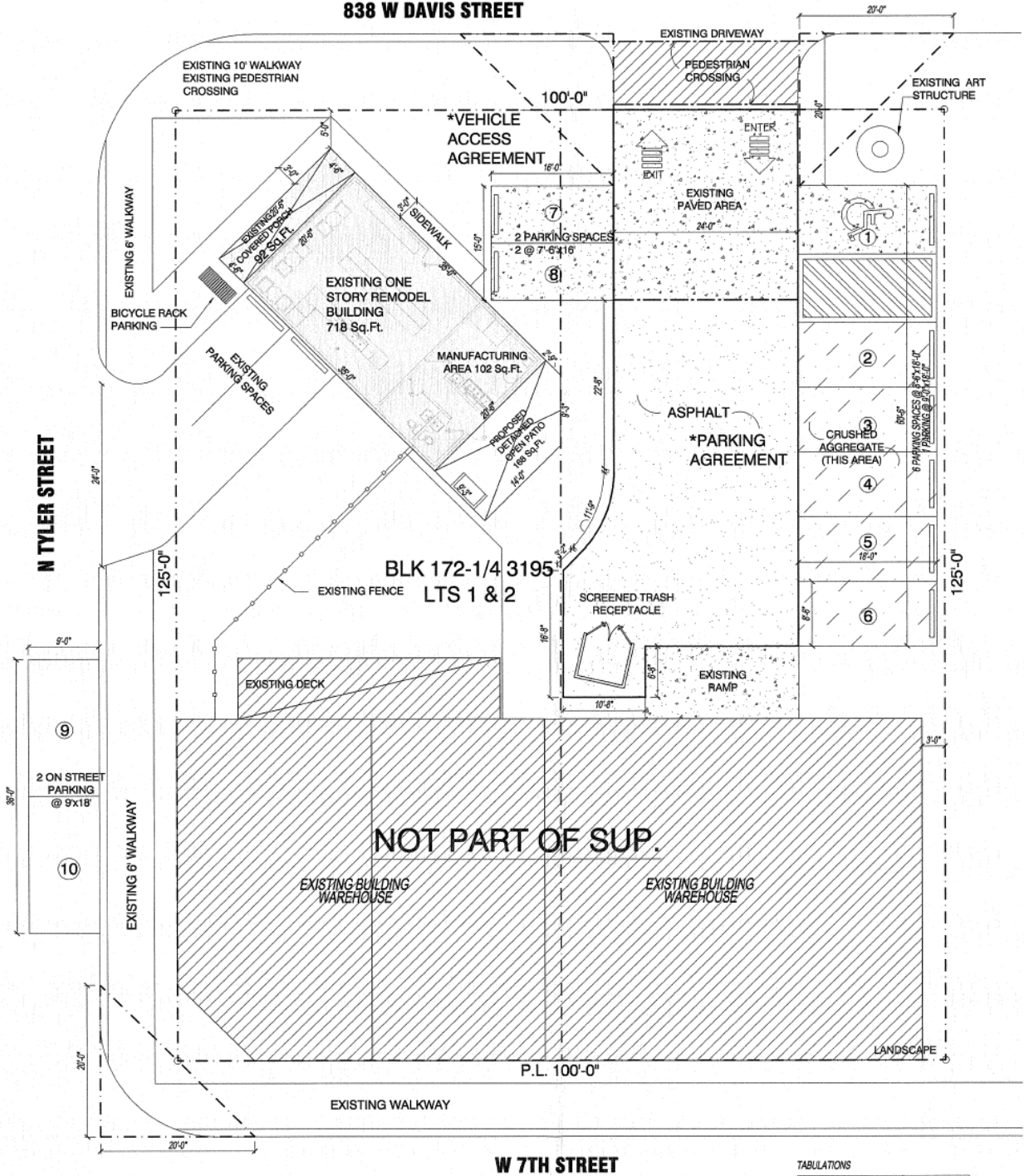
Landscaping is required in accordance with Article X of the Dallas Development Code and PDD No 830. However, the applicant's request will not trigger any Article X requirements, as no new construction is proposed on the site and new impervious surfaces will be less than 2,000 square feet.



PROPOSED SUP CONDITIONS  
Z112-307

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a bar, lounge or tavern and a microbrewery, microdistillery, or winery.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two-years from the passage of this ordinance).
4. FLOOR AREA: The maximum floor area for an alcoholic beverage establishment is 810 square feet in the location as shown on the attached site plan.
5. HOURS OF OPERATION: The alcoholic beverage establishment may only operate between 11:00 a.m. and 10:00 p.m., Monday through Sunday.
6. PARKING: A minimum of eight off-street parking spaces must be provided as shown on the site plan.
7. OUTSIDE STORAGE: No outside storage of silos or storage of spent grain is permitted. No spent organic material from the manufacturing of wine may be stored outside.
8. MAINTENANCE: The property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all conditions, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN



SITE PLAN

scale : 1"=10'-0"



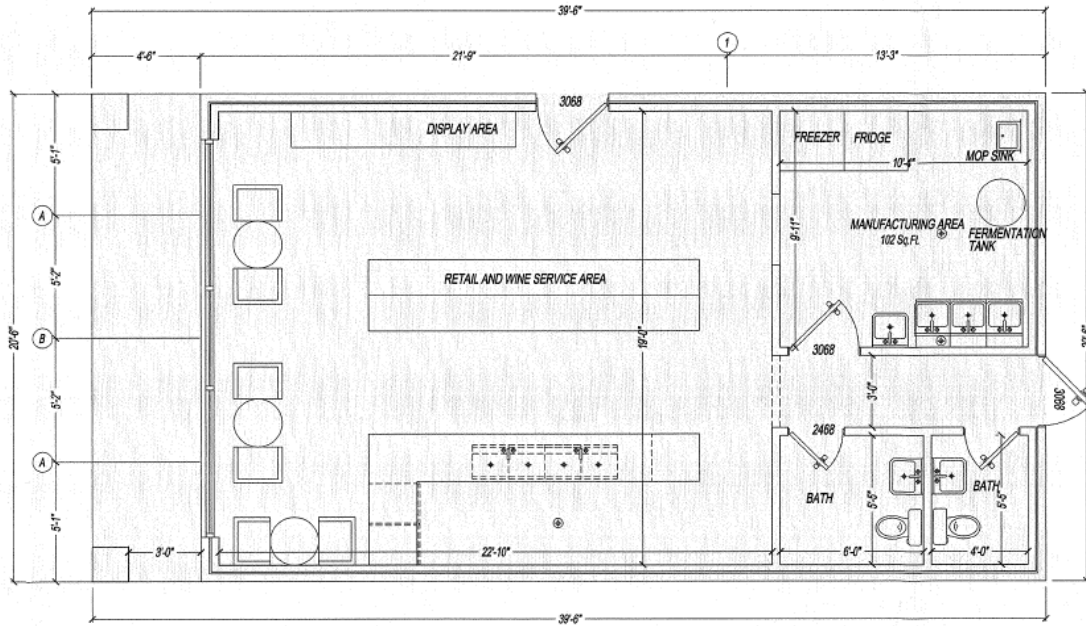
TABLATIONS

LAND AREA IN ACRES	0.14
LAND AREA IN SQ.FT.	6,250
EXISTING BUILDING SQ.FT.	810
COVERAGE	12.96%
FLOOR AREA RATIO OF LOT	0.129

PARKING ANALYSIS

SPACES	8' X 12' X 18'	7' X 12' X 18'	8' X 18'
REGULAR	5	2	1
CONVERT CAR			1
HAND-CAP			2
OFF STREET			2
BIKE RACK	1		
1 PARKING SPACES = 100 SQ.FT.			
PARKING REQ.	10		
PARKING PROVIDED	11		

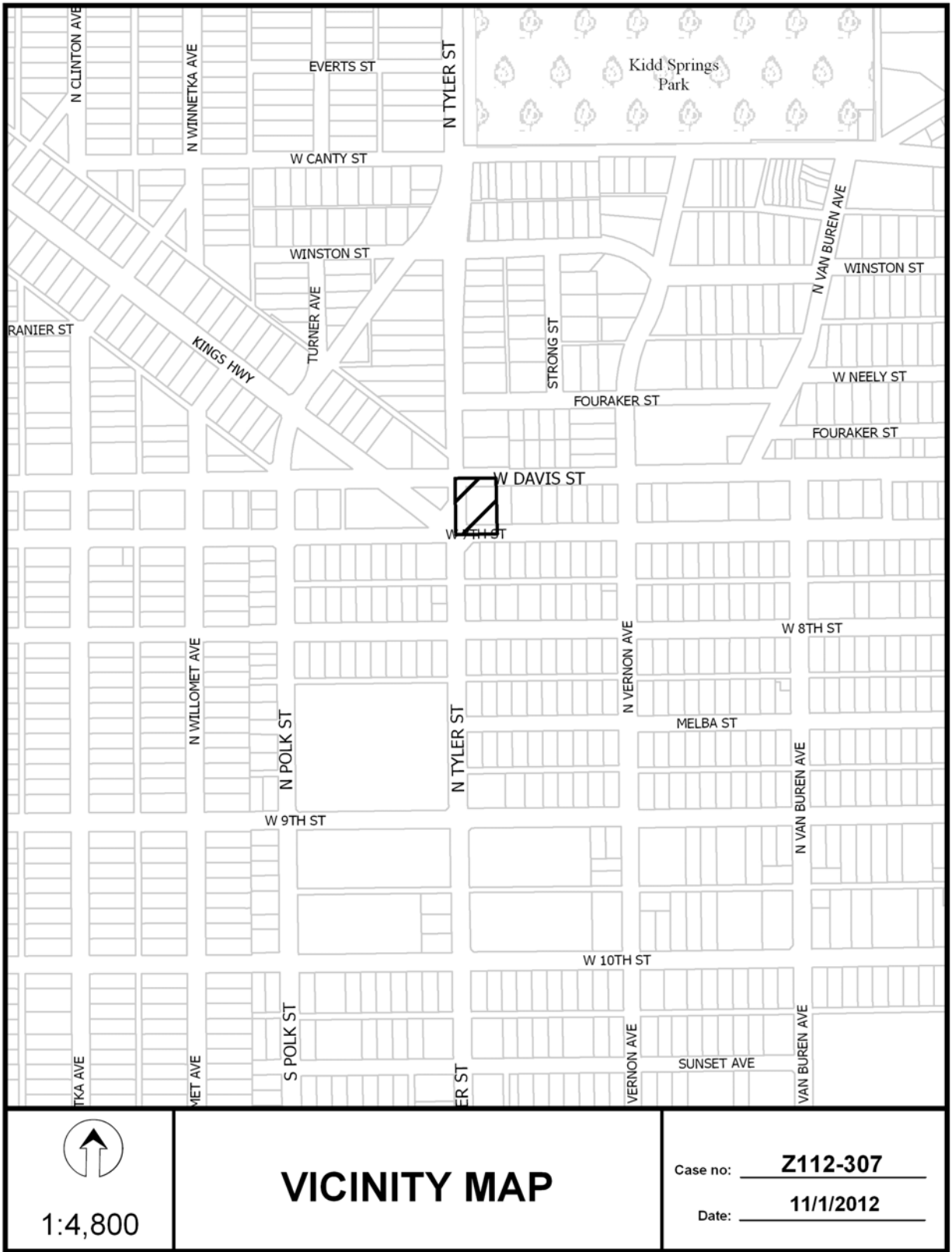
PROPOSED SITE PLAN (Continued)



CONCEPTIAL FLOOR PLAN

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



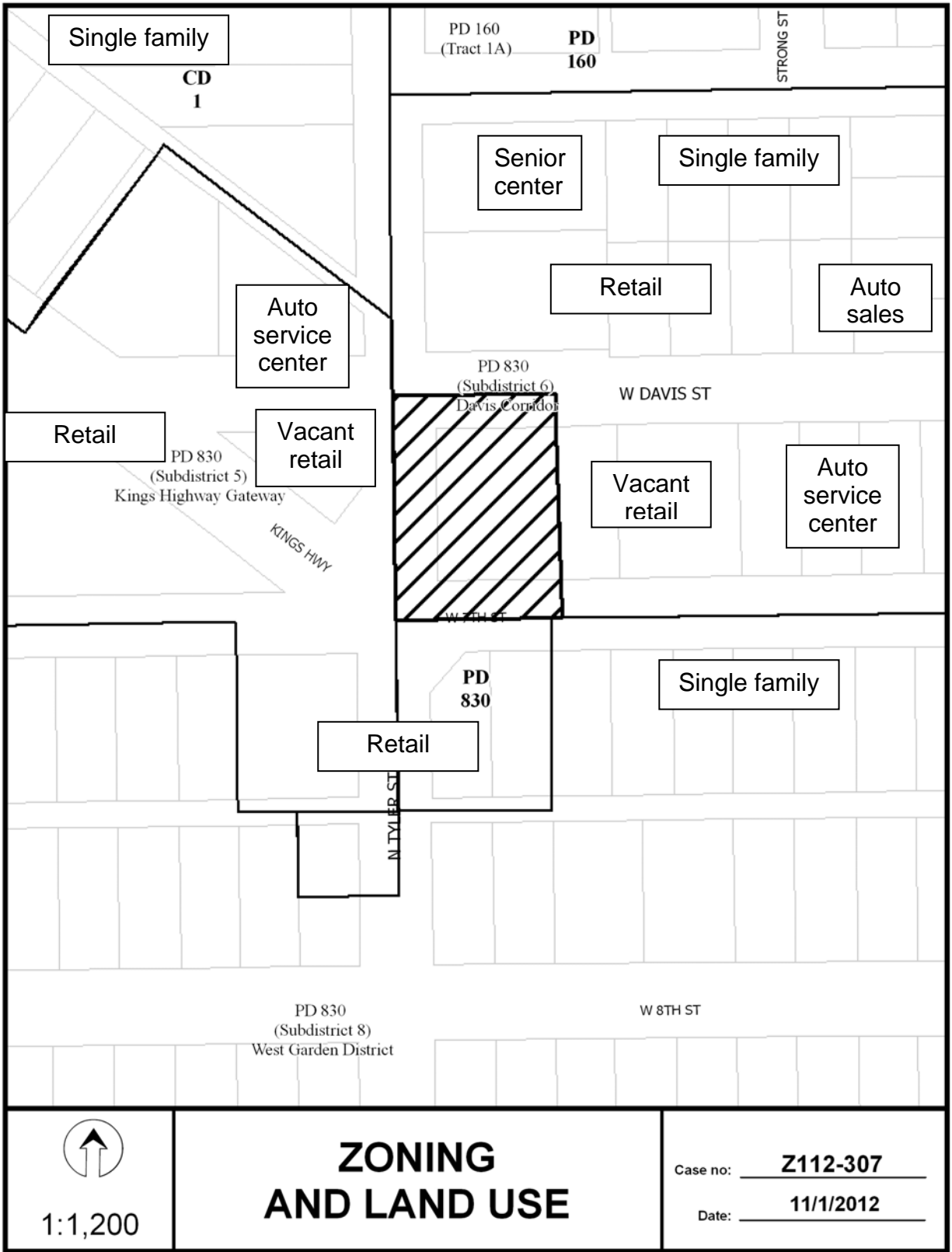


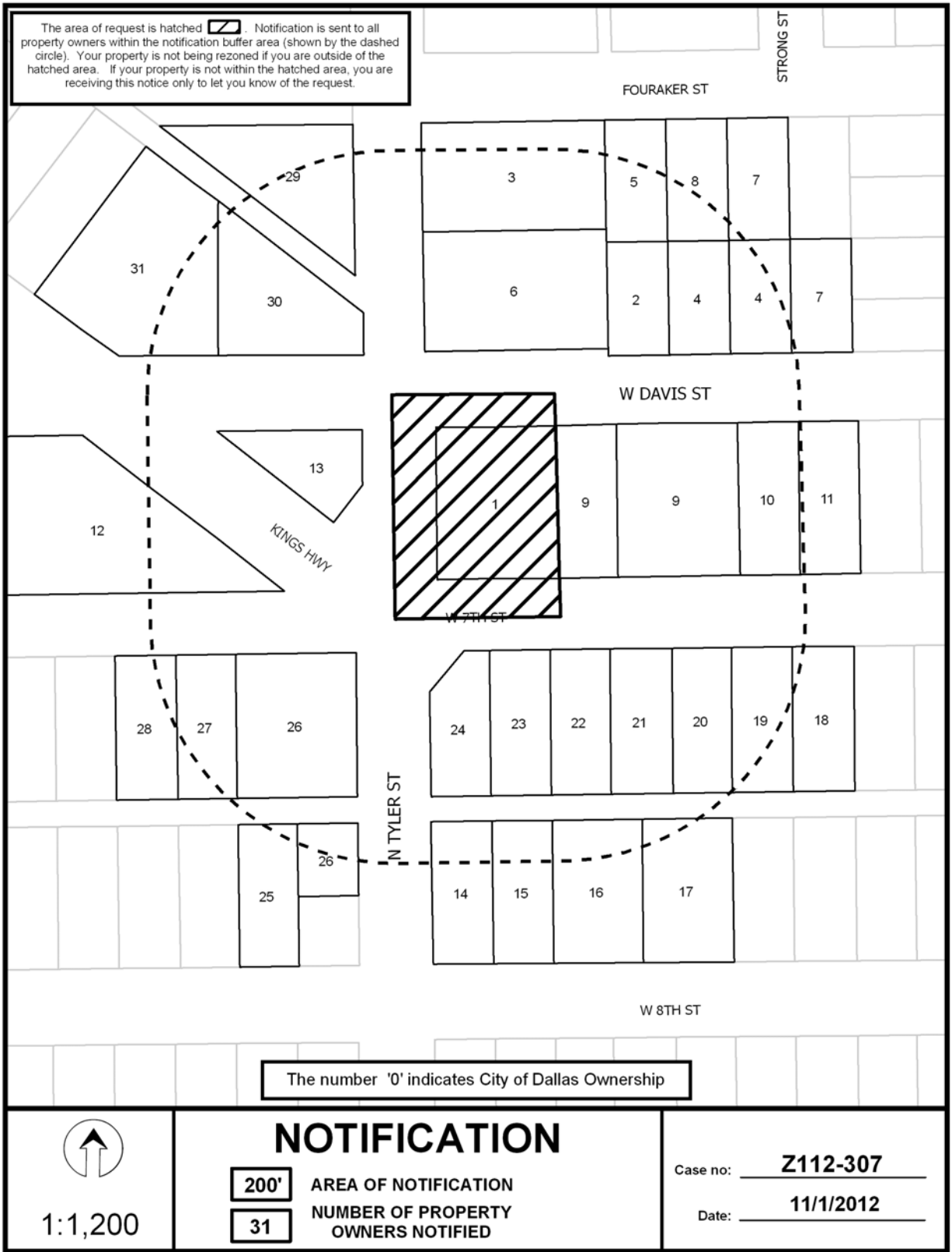
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### VICINITY MAP

Case no: Z112-307

Date: 11/1/2012







10/31/2012

## Notification List of Property Owners

### Z112-307

#### 31 Property Owners Notified

Label #	Address	Owner
1	833 7TH ST	GIURA PETER
2	821 DAVIS ST	GOOD SPACE X LCC
3	610 TYLER ST	TYLER STREET CHURCH LLC
4	817 DAVIS ST	NEFFENDORF SHANNON
5	824 FOURAKER ST	ROSAS DAVID
6	600 TYLER ST	CLINKINBEARD A L
7	819 DAVIS ST	SEGURA SEAN PAUL
8	820 FOURAKER ST	NEFFENDORF SHANNON
9	828 DAVIS ST	DAVIS & WEST 7TH LLC
10	830 DAVIS ST	PATTERSON RONALD M & RHONDA L
11	813 7TH ST	PATTERSON RONALD M & RHONDA E PATTERSON
12	924 DAVIS ST	CVH 918 LLC % ANTHONY HUGHES
13	900 DAVIS ST	VILLELA ESTELA
14	835 8TH ST	MILLSBARRY ANITA LYNN
15	833 8TH ST	STRIZICH JASON DANIEL
16	827 8TH ST	MEDRANO JUAN & DORA E
17	823 8TH ST	PORTUGAL JUAN Y & MARICELA
18	812 7TH ST	SPARKS MITCHELL J & JOSEPHINE JAMES SPAR
19	816 7TH ST	GULATI KUNAL
20	820 7TH ST	CARRION JUAN SR & MARIA
21	824 7TH ST	PARRAMORE DAVID W
22	828 7TH ST	ROMERO ENMANUEL R
23	832 7TH ST	DOMINGUEZ LETICIA
24	410 TYLER ST	MOSITOS INC
25	905 8TH ST	TEMPLETON JAMIE & ROBERT ARGANBRIGHT
26	407 TYLER ST	MCELROY JOSEPH III & HAROLD KAEMERLE JR
27	908 7TH ST	TORRES ANTONIO ARMADOR
28	912 7TH ST	MALDONADO JUANA
29	611 TYLER ST	SALINAS SALVADOR & ROSA ELVA
30	901 DAVIS ST	WILSON VERNON E
31	1001 KINGS HWY	RAHIM TAISER

**FILE NUMBER:** Z123-107 (JH)

**DATE FILED:** October 11, 2012

**LOCATION:** North line of Park Lane, northwest of Abrams Road

**COUNCIL DISTRICT:** 13

**MAPSCO:** 26-V

**SIZE OF REQUEST:** Approx. 28.2 acres

**CENSUS TRACT:** 78.21

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**REPRESENTATIVE:** Robert Reeves

**APPLICANT:** Golf Entertainment International

**OWNER:** Earl Clark Caruth Trust (Bank of America, sole trustee)

**REQUEST:** An application to amend Planned Development District No. 344 for commercial amusement (inside and outside) uses.

**SUMMARY:** The purpose of the request is to allow the maximum fence height to increase from 85 feet to 120 feet only on the southern and eastern portions of the site in the driving range area.

**STAFF RECOMMENDATION:** Approval, subject to a revised landscape and development plan



LAND USE ELEMENT

GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCTURE AND THE ENVIRONMENT

Policy 1.4.3 Embrace environmental sustainability.

ENVIRONMENT ELEMENT

GOAL 6.5 PROVIDE ACCESS TO PARKS, OPEN SPACES AND RECREATIONAL OPPORTUNITIES

**Land Use Compatibility:**

The request site is wrapped to the north/northeast by Fair Oaks Park. An undeveloped parcel zoned CR District uses abuts the eastern property line. Various retail uses are developed to the east and southeast near the intersection of Park Lane and Abrams Road. The balance of the land uses to the south/southwest consists of low and medium density multifamily uses. Lastly, DART right-of-way abuts the western property line with additional multifamily uses west of the DART property.

The applicant is requesting to amend the landscape and development plan of PDD No. 344 to allow an increase in maximum fence height from 85 feet to 120 feet on the southern and eastern portion of the driving range area. The remainder of the fencing on the property is limited to a maximum of 35 feet in height. No changes to the conditions of PDD No. 344 are necessary to increase the fence height or requested by the applicant.

Staff supports the request for additional fence height because it increases the compatibility of the use on adjacent properties by minimizing the likelihood of stray golf balls entering their property or traffic.

**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.

**Landscaping:**

Landscaping is required in accordance with the landscaping and development plan. No change is proposed to the landscaping component of this plan with this application.

**List of Partners/Principals/Officers**

**List of Partners/Principals/Officers**

Owner: Earle Clark Caruth Trust Bank of America – sole Trustee  
**Bank of America**

**Lead Director**

O. Temple Sloan, Jr.  
William Barnet, III, (64)  
Chairman, President and Chief Executive Officer, The Barnet Company

Frank P. Bramble, Sr. (58)  
Former Executive Officer, MBNA Corporation

John T. Collins, (60)  
Chief Executive Officer, The Collins Group, Inc.

Gary L. Countryman, (67)  
Chairman Emeritus, Liberty Mutual Group

Tommy R. Franks, (61)  
Retired General, United States Army

Charles K. Gifford, (64)  
Former Chairman, Bank of America Corporation

W. Steven Jones, (55)  
Dean, Kenan-Flagler Business School University of North Carolina at Chapel Hill

Kenneth D. Lewis, (59)  
Chairman, Chief Executive Officer and President, Bank of America Corporation

Monica C Lozano, (50)  
Publisher and Chief Executive Officer of La Opinion

Walter E. Massey, (68)  
President Emeritus, Morehouse College

Thomas J. May, (59)  
Chairman, President and Chief Executive Officer, NSTAR

Patricia E. Mitchell, (64)  
President and Chief Executive Officer, The Paley Center for Media

Thomas M. Ryan, (54)  
President and Chief Executive Officer of CVS/Caremark Corporation

O. Temple Sloan, Jr., (68)  
Chairman, General Parts International, Inc.

Meredith R. Spangler, (69)  
Trustee and Board Member

Robert L. Tillman, (63)  
Chairman and CEO Emeritus, Lowe's Companies, Inc.,

Jackie M. Ward, (68)  
Retired Chairman/CEO, Computer Generation, Inc.

## **Golf Entertainment International**

### **Directors/Officers:**

Rick Grogan, Chairman  
Eric Wilkinson, Chief Financial Officer  
David Main, Director  
Peter Allport, Chief Operating Officer  
Tom Mendell, Non-Executive Officer  
Erik Anderson, Non-Executive Officer  
Steve Jolliffe, Non-Executive Officer  
Randy Starr, Vice President-US Development  
Neil Allen, Group Finance Manager



**PD Conditions**  
(For informational purposes only. No changes proposed to the PD conditions.)

**PD 344.**

**SEC. 51P-344.101. LEGISLATIVE HISTORY.**

PD 344 was established by Ordinance No. 20841, passed by the Dallas City Council on December 12, 1990. Ordinance No. 20841 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 20841 was amended by Ordinance No. 20925, passed by the Dallas City Council on April 10, 1991; Ordinance No. 22044, passed by the Dallas City Council on May 11, 1994; and Ordinance No. 24810, passed by the Dallas City Council on January 9, 2002. (Ord. Nos. 19455; 20841; 20925; 22044; 24810; 25850)

**SEC. 51P-344.102. PROPERTY LOCATION AND SIZE.**

PD 344 is established on property generally fronting on the northeast line of Park Lane, northwest of the northwest line of Abrams Road. The size of PD 344 is approximately 28.2138 acres. (Ord. Nos. 20841; 25850)

**SEC. 51P-344.103. 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, and sections in this article are to articles, divisions, and sections in Chapter 51A. (Ord. 25850)

**SEC. 51P-344.104. LANDSCAPE AND DEVELOPMENT PLAN.**

Development and use of the Property must comply with the landscape and development plan (Exhibit 344A). (Ord. Nos. 24810; 25850; 26144; 26507; 27065)

**SEC. 51P-344.105. LANDSCAPING.**

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

(b) Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 24810; 25850; 26507)

**SEC. 51P-344.106. USES.**

(a) Commercial amusement (inside) and commercial amusement (outside), including golf, driving range and par three golf course, a miniature golf course, petting zoo, a clubhouse with an indoor gameroom, meeting rooms, retail, banquet facility, softball field, and maintenance facilities.

(b) Equestrian center for boarding of horses.

- (c) Single family.
- (d) Handicapped group dwelling unit. (Ord. Nos. 24810; 25850)

**SEC. 51P-344.107. FLOOR AREA.**

Maximum floor area is as follows:

<u>Use</u>	<u>Maximum Floor Area (in square feet)</u>
<u>Commercial amusement (inside) and related uses.</u>	
Gameroom	1,000
Banquet facility	14,800
Retail	1,500
Restaurant	1,500
Miniature golf	500
Covered areas	12,358
<u>Golf uses.</u>	
Golf pavilion	14,200
Golf pavilion patio	6,000
Golf tee-line structure	32,300
Service area	700
<u>Other uses.</u>	
Maintenance building	2,400
Petting zoo	1,600
Horse stables	43,200
Open air pavilion	47,450
Superintendent's residence	2,025
Covered area	1,000
Accessory storage pavilion	3,600

(Ord. Nos. 24810; 25850; 26144; 26507; 27065)

**SEC. 51P-344.108. FLOOR AREA RATIO.**

Maximum floor area ratio is 0.15. (Ord. Nos. 24810; 25850; 26507)

**SEC. 51P-344.109. OFF-STREET PARKING.**

Parking must be provided as shown on the landscape and development plan. The minimum number of parking spaces required is 350. (Ord. Nos. 24810; 25850)

**SEC. 51P-344.110. FENCES.**

Fences must be provided as shown on the landscape and development plan. (Ord. Nos. 24810; 25850)

**SEC. 51P-344.111. HEIGHT.**

Except for fences and light poles, no structures may exceed 36 feet in height. (Ord. Nos. 24810; 25850)

**SEC. 51P-344.112. GENERAL REQUIREMENTS.**

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

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

(c) The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 24810; 25850)

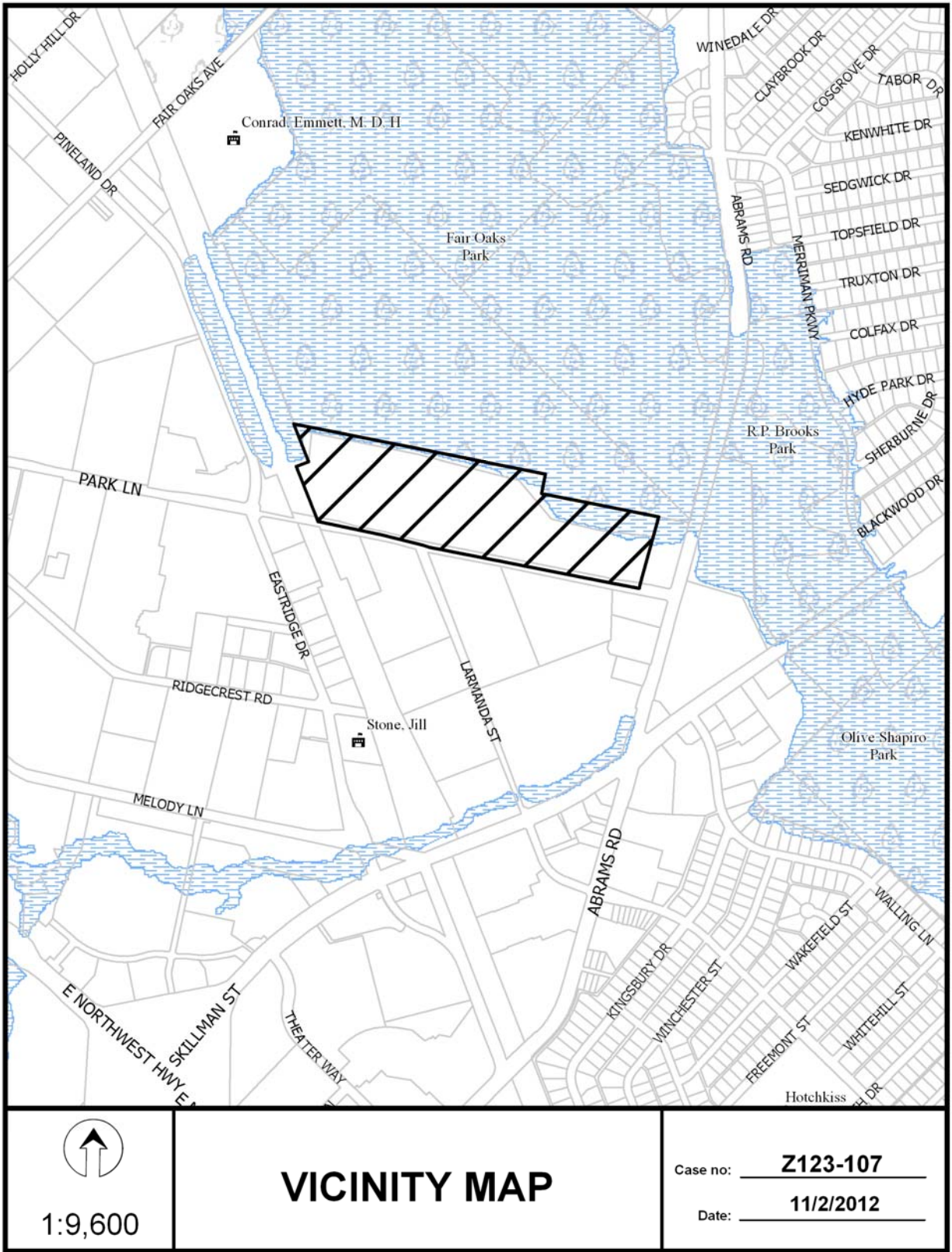
**SEC. 51P-344.113. ZONING MAP.**

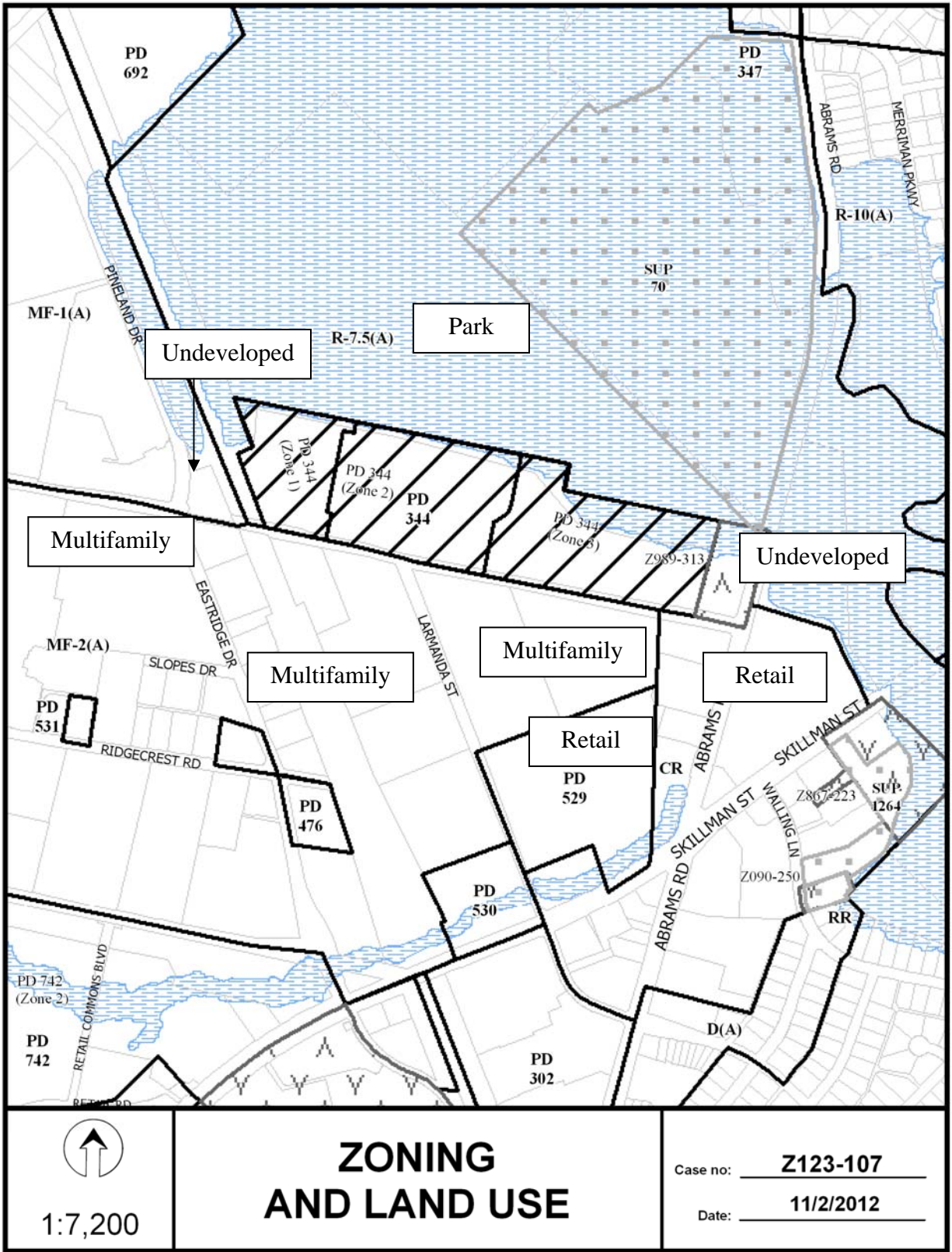
PD 344 is located on Zoning Map Nos. F-8 and F-9. (Ord. Nos. 20841; 25850)









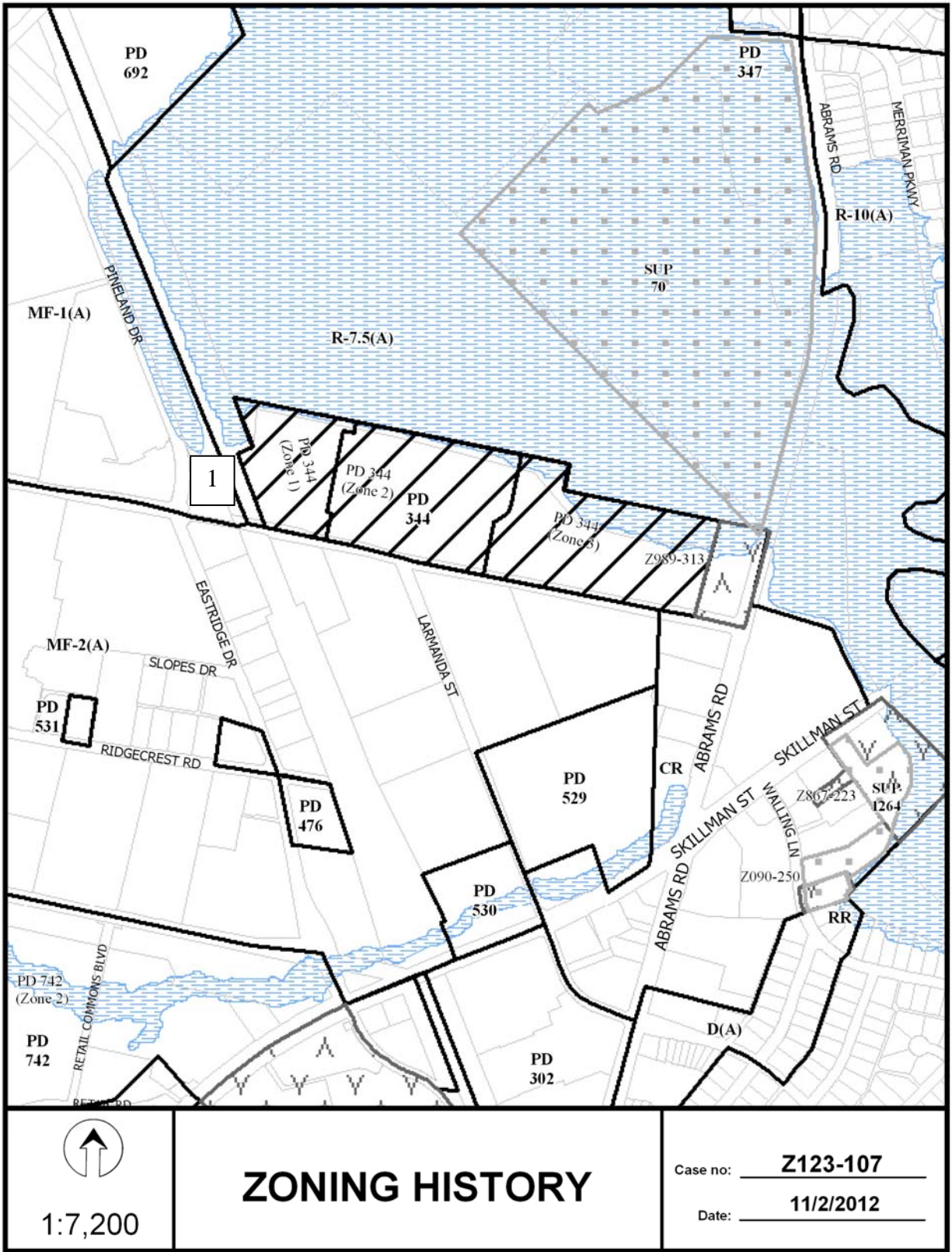


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# ZONING AND LAND USE

Case no: Z123-107  
Date: 11/2/2012

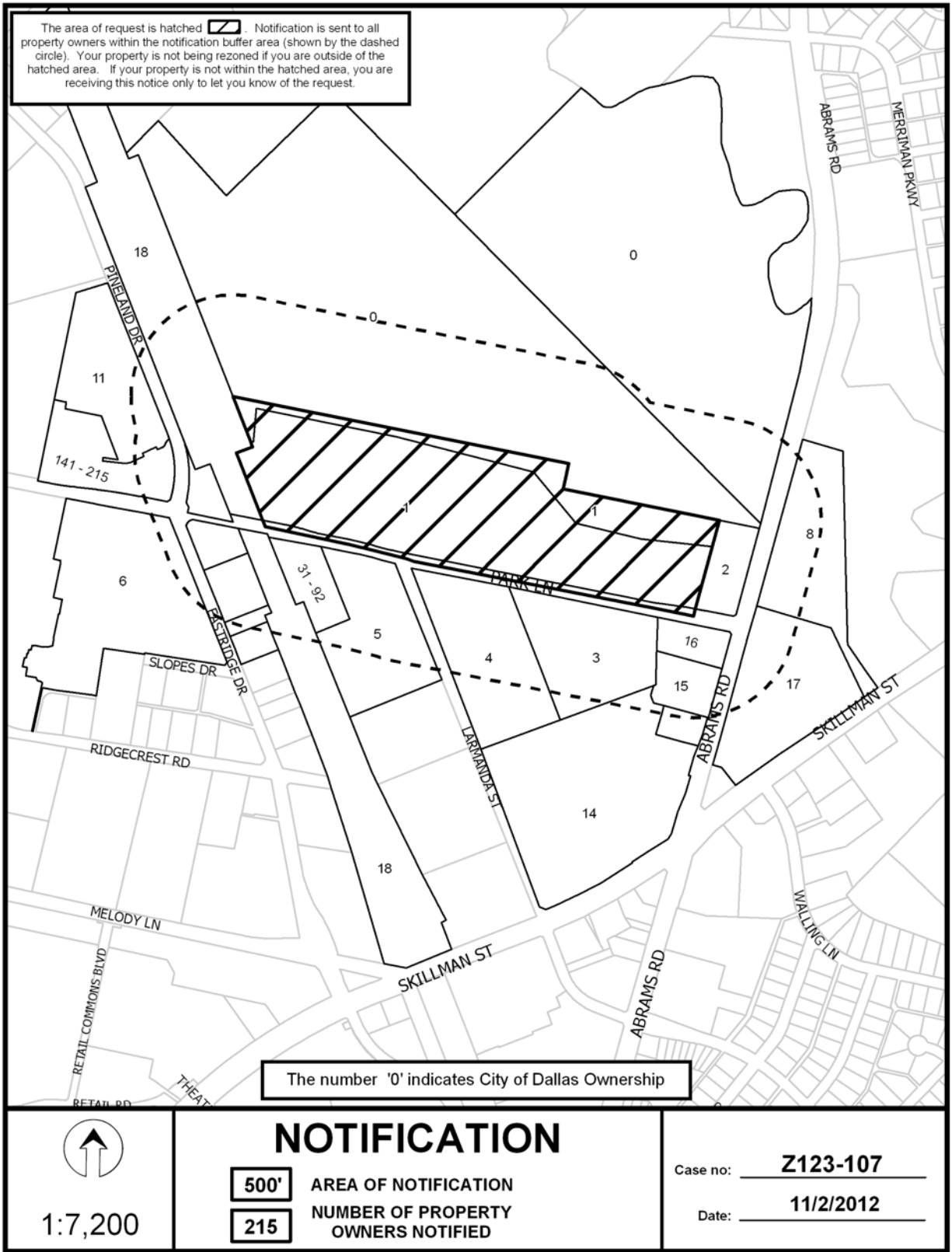




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# ZONING HISTORY

Case no: Z123-107  
Date: 11/2/2012



11/1/2012

## Notification List of Property Owners

### Z123-107

#### 215 Property Owners Notified

Label #	Address	Owner
1	8787 PARK LN	CARUTH EARLE CLARK TRUST % SCOTT ERWIN
2	6801 ABRAMS RD	CARUTH EARLE CLARK TRUST
3	8876 PARK LN	HENDRIX PHILLIPS I LP
4	6808 LARMANDA ST	PARK LANE TERRACE APTS LTD % LEISURE CEN
5	8780 PARK LN	LSF SERENDIPITY LP SUITE 200
6	8650 PARK LN	CCC&R PARK LANE LLC
7	6760 EASTRIDGE DR	JONES WANDA MADGE
8	6800 ABRAMS RD	MCGRAW W HAL FAMILY TR % MARGARET
PETERS		
9	6000 PINELAND DR	BECKER LEWIS E & BETTIE L
10	6640 EASTRIDGE DR	SANCHEZ PEDRO & HENELY TAVAREZ
11	6161 PINELAND DR	GLORIOUS SUNSHINE INC
12	6749 ABRAMS RD	MEISELS WOLF &
13	6749 ABRAMS RD	BURGER KING
14	6419 SKILLMAN ST	DAYTON HUDSON CORP ATTN PPTY ADMIN
15	6751 ABRAMS RD	CIG SKILLMAN INC
16	6769 ABRAMS RD	PARK ABRAMS ENTERPRISES LLC
17	6770 SKILLMAN ST	HERITAGE INTERCONTINENTAL LP
18	401 BUCKNER BLVD	DART
19	6754 EASTRIDGE DR	MYERS ERICA BLDG D UNIT 101
20	6754 EASTRIDGE DR	ALEMU TEKLU
21	6754 EASTRIDGE DR	SOUTHERN CAPITAL CORP
22	6754 EASTRIDGE DR	MILLS CHRISTINE
23	6754 EASTRIDGE DR	MCCORVEY KIMI L
24	6754 EASTRIDGE DR	ALEMU TEKLU
25	6754 EASTRIDGE DR	LOZAW BUFFY & ANITA LOZAW
26	6754 EASTRIDGE DR	BISHOP WILLARD J JR

11/1/2012

Label #	Address	Owner
27	6754 EASTRIDGE DR	MARTIN TONI
28	6754 EASTRIDGE DR	CRAIG ANTHONY S
29	6754 EASTRIDGE DR	6754 EASTRIDGE HOMEOWNERS ASSOCIATION
%R		
30	6754 EASTRIDGE DR	HOLLANDSWORTH LEVI U
31	8750 PARK LN	SLEEPER EARL BLDG A UNIT 1
32	8750 PARK LN	KEDZIERSKI ARTHUR A
33	8750 PARK LN	BRYAN MARK
34	8750 PARK LN	EDERAMILY IVON AWAD
35	8750 PARK LN	LAMPKIN MARK E
36	8750 PARK LN	MARTINEZ ERIC J BLDG A UNIT 106
37	8750 PARK LN	THAI CHRISTIAN
38	8750 PARK LN	STELLAR DEVELOPMENT CORP
39	8750 PARK LN	BOJILOVA ELENA & NIKOLAI KARENEV
40	8750 PARK LN	SLOPPY TROY
41	8750 PARK LN	CALDERON LUIS H
42	8750 PARK LN	PAJO CATALIINO
43	8750 PARK LN	WILLIAMS LAWRENCE
44	8750 PARK LN	WILLIAMS KAREN
45	8750 PARK LN	ALBERTSON JEFF & SHERRI STE 811-101
46	8750 PARK LN	HILL ON PARK LANE OWNERS ASSN INC % ROSS
47	8750 PARK LN	GIPSON MICHAEL
48	8750 PARK LN	HARRIS W DAVID
49	8750 PARK LN	MENDOZA NORMA I
50	8750 PARK LN	VAN ECK PROPERTIES LLC
51	8750 PARK LN	RODRIGUEZ JUAN & LUZ E
52	8750 PARK LN	THE HILL ON PARK LANE OWNERS ASSOCIATION
53	8750 PARK LN	DHAUD IBRAHIM
54	8750 PARK LN	LEACH WILLIAM A & CAROL
55	8750 PARK LN	THE HILL ON PARK LANE OWNERS ASSOCIATION
56	8750 PARK LN	BURDETTE DAVID BAILEY
57	8750 PARK LN	FIGUEROA VIVIANA BLDG C UNIT 27

11/1/2012

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
58	8750 PARK LN	GARCIA DAVID & GABRIEL
59	8750 PARK LN	ROSENTHAL BETH ELLYN TRUSTEE
60	8750 PARK LN	MUNOZ JOSE L
61	8750 PARK LN	ADESANWO ANTHONY & SHARON NJOROGE
62	8750 PARK LN	LONAC SNJEZANA
63	8750 PARK LN	MUNOZ JOSE L APT 209
64	8750 PARK LN	MEKURIA ESKINDER E BLDG C UNIT 134
65	8750 PARK LN	LEE LI K
66	8750 PARK LN	CHAMNESS LEON
67	8750 PARK LN	ARAI ERI
68	8750 PARK LN	SUMMERS CHONG CHA & CRAIG RICHARD
69	8750 PARK LN	FREENY JERRY
70	8750 PARK LN	UNDERWOOD EDWARD W
71	8750 PARK LN	KELLY JERRICKA UNIT 41 BLDG D
72	8750 PARK LN	LAFVING DIANE
73	8750 PARK LN	JOHN JASMINE
74	8750 PARK LN	ARNOLD CHANDA
75	8750 PARK LN	DIAL LYSANDRA
76	8750 PARK LN	GAUTHIER FELECIA A
77	8750 PARK LN	GANIBI HELEN C
78	8750 PARK LN	GARCIA AGAPITA B & PETER DANIEL MORENO
79	8750 PARK LN	DICKINSON DUDLEY
80	8750 PARK LN	SCAIFE ANTHONY & LINDA L
81	8750 PARK LN	CHARLTON ANGELA W
82	8750 PARK LN	DANIEL JOHNNIE MAE LF EST UNIT 152 BLDG
83	8750 PARK LN	EQUITY TRUST CO CUSTODIAN FBO JENNIFER L
84	8750 PARK LN	EQUITY TRUST COMPANY CUSTODIAN FOR
BENEF		
85	8750 PARK LN	MCNEELY WADE P BLDG E UNIT #55
86	8750 PARK LN	BENITEZ CARMEN
87	8750 PARK LN	LEE HAHN WOOK
88	8750 PARK LN	LOTZER BENJAMIN M

11/1/2012

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
89	8750 PARK LN	FITZGERALD BRIAN
90	8750 PARK LN	POOLE ALYSON L UNIT 160
91	8750 PARK LN	GAMEZ ROLAND
92	8750 PARK LN	MILLER PEGGY & ERIC
93	8710 PARK LN	TBR A SERIES OF OLIVER AVENUE REALTY LLC
94	8710 PARK LN	LYONS DARRIN S
95	8710 PARK LN	LYONS DARRIN
96	8710 PARK LN	LOZANO FRIDA N & DAVID
97	8710 PARK LN	DOGLIO ROBIN ANN
98	8710 PARK LN	TBR F SERIES OF TRAVIS ROAD REALTY LLC
99	8710 PARK LN	GADLIN FOREST EDWARD III BLDG B UNIT B2
100	8710 PARK LN	DUNN JOSEPH G BLDG G APT B3
101	8710 PARK LN	NAVALTA DOMINADOR GABRIEL II
102	8710 PARK LN	HUGHES ALVIN D
103	8710 PARK LN	PARR JOSHUA C
104	8710 PARK LN	SEVEN FLAGS INVESTMENTS LLC SERIES C
105	8710 PARK LN	SOLEMENE WILLIAM A
106	8710 PARK LN	NARK SHANNON M
107	8710 PARK LN	FISERV ISS & CO TRUSTEE
108	8710 PARK LN	HAYWARD THOMAS T & DEBORAH L
109	8710 PARK LN	TBR Q SERIES OF OLIVER AVENUE REALTY LLC
110	8710 PARK LN	KEATING KRISTIN
111	8710 PARK LN	MARU YOSEF H BLDG C SUITE C-7
112	8710 PARK LN	TBR T SERIES OF OLIVER AVENUE REALTY LLC
113	6808 EASTRIDGE DR	DUNN JOSEPH G
114	6808 EASTRIDGE DR	MEDINA ERICK A BLDG 102 UNIT A2
115	6808 EASTRIDGE DR	MOSSIM-HUTCHENS SANDRA
116	6808 EASTRIDGE DR	WOODRIDGE 4 SERIES OF OLIVER AVE REALTY
117	6808 EASTRIDGE DR	RIOS RUBY
118	6808 EASTRIDGE DR	WOODRIDGE A6 SERIES
119	6808 EASTRIDGE DR	VAUGHAN JOHN H



11/1/2012

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
120	6808 EASTRIDGE DR	BARRY SCOT D
121	6808 EASTRIDGE DR	KAUFMANN JENNIFER BLDG A UNIT A9
122	6808 EASTRIDGE DR	GARVIS SALLY JO BLDG B UNIT B1
123	6808 EASTRIDGE DR	LUCHT RANDALL J EST OF UNIT 11
124	6808 EASTRIDGE DR	RHODES ROY
125	6808 EASTRIDGE DR	QUENTIN STEVEN M APT 13
126	6808 EASTRIDGE DR	HUGHES DANIEL J UNIT # 14
127	6808 EASTRIDGE DR	WORM METRICK J
128	6808 EASTRIDGE DR	SEVEN FLAGS INVESTMENTS LLC
129	6808 EASTRIDGE DR	ABURAS JILL M
130	6808 EASTRIDGE DR	HUGHES TREVOR W
131	6808 EASTRIDGE DR	MCCAIN KATHY RENEE APT 19
132	6808 EASTRIDGE DR	VEGA CYNTHIA
133	6808 EASTRIDGE DR	LAHRMAN KAREN
134	6808 EASTRIDGE DR	LINCOLN TRUST CO FBO SABRINA BUNKS IRA
135	6808 EASTRIDGE DR	YUKHIN RICHARD BLDG D UNIT D4
136	6808 EASTRIDGE DR	WILLIAMS PHYLLIS A
137	6808 EASTRIDGE DR	BROWN ROBERT J TRLR 3
138	6808 EASTRIDGE DR	HARVEY JOSHUA &
139	6808 EASTRIDGE DR	DOBSON WILLIAM TERRELL JR
140	6808 EASTRIDGE DR	ABRAMS DENNIS I APT #28
141	8601 PARK LN	JOHN PHILIP JORDAN
142	8601 PARK LN	KUNKEL SHERILYN
143	8601 PARK LN	WOODS 113 SERIES OLIVER AVE REALTY LLC
144	8601 PARK LN	FERNANDEZ SENORINA & MIGUEL BLDG A 114
145	8601 PARK LN	BAJRAMOVIC ZLATA BLDG A UNIT 121
146	8601 PARK LN	FOX JAY W UNIT 122
147	8601 PARK LN	WOODS 123 SERIES OF TRAVIS ROAD REALTY L
148	8601 PARK LN	GUIDRY TOD BONNER
149	8601 PARK LN	LAMAS MARIA TERESA BLDG B UNIT 211
150	8601 PARK LN	GREENFIELD BETTY UNIT 212

11/1/2012

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
151	8601 PARK LN	HARRIS STEVEN
152	8601 PARK LN	DUNN JOSEPH G
153	8601 PARK LN	WOODS 221 SERIES OLIVER AVE REALTY LLC
154	8601 PARK LN	HOLL DAVID COVELL
155	8601 PARK LN	BRAMMER ELIZABETH M BLDG B UNIT 223
156	8601 PARK LN	WOODS 224 SERIES OLIVER AVE REALTY LLC
157	8601 PARK LN	ALLEY DONNA JEAN TR BLDG C UNIT 311
158	8601 PARK LN	LOCKHART ALLAN MICHAEL E
159	8601 PARK LN	COOK ROY UNIT 313
160	8601 PARK LN	NTC AND CO LLP FBO AL TAYLOR IRA
161	8601 PARK LN	GLASGOW WAYMOND I
162	8601 PARK LN	WOODS 322 SERIES % J&SW REALTY LLC
163	8601 PARK LN	VELAZQUEZ MARTHA E
164	8601 PARK LN	SMALL LEE REVOCABLE TRUST
165	8601 PARK LN	ARREBONDA DAVID
166	8601 PARK LN	RUEDEMANN NANCY SUE
167	8601 PARK LN	CORNWELL GREGORY S & KATHY C
168	8601 PARK LN	PAPP JON WILLIAM
169	8601 PARK LN	AMANT ENTERPRISES
170	8601 PARK LN	WALKER JAMES S
171	8601 PARK LN	CERDA JOE JR
172	8601 PARK LN	CHAN ALFRED T
173	8601 PARK LN	ROTRUCK CYNTHIA D
174	8601 PARK LN	BIRNBAUM MARC A INC PENSION & PRFIT SHAR
175	8601 PARK LN	HERRERA WLADIMIR
176	8601 PARK LN	WILLIAMS EDWARD L
177	8601 PARK LN	WOODS 427 SERIES % J&SW REALTY LLC
178	8601 PARK LN	WOODS 428 SERIES
179	8601 PARK LN	HOSSAIN MOSHARRAF & RHONDA
180	8601 PARK LN	WOODS 512 SERIES % J&SW REALTY LLC
181	8601 PARK LN	KULPON MARY

11/1/2012

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
182	8601 PARK LN	LYLE DESIREE L BLDG E UNIT 514
183	8601 PARK LN	MAI NHAN V & VAN T TRAN
184	8601 PARK LN	MORNINGSTAR JASON R
185	8601 PARK LN	HALLIBURTON JOHN R & JULIA E
186	8601 PARK LN	WOODS 611 SERIES % J&SW REALTY LLC
187	8601 PARK LN	GOODRICH KENNETH L BLDG F UNIT 612
188	8601 PARK LN	HALL GARRY D
189	8601 PARK LN	VEGA DENNIS R & LILIAN C BLDG F UNIT 614
190	8601 PARK LN	RODRIGUEZ JULIO
191	8601 PARK LN	SPIKES DAN E UNIT 622
192	8601 PARK LN	VEGA LILIAN C &
193	8601 PARK LN	VEGA DENNIS & LILIAN
194	8601 PARK LN	DAVILA HELEN MARY
195	8601 PARK LN	PALMER PATRICIA
196	8601 PARK LN	8601 PARK LANE 713 728 LLC
197	8601 PARK LN	HAYS KATHRYN A
198	8601 PARK LN	GROMKO MARY S
199	8601 PARK LN	WALKER LYLE B
200	8601 PARK LN	WOODS 721 SERIES OLIVER AVE REALTY LLC
201	8601 PARK LN	WOODS 722 SERIES OF TRAVIS ROAD REALTY L
202	8601 PARK LN	LEE NIEN JEN
203	8601 PARK LN	GIBSON LARRY
204	8601 PARK LN	WOODS 725 SERIES OLIVER AVENIE REALTY LL
205	8601 PARK LN	BARNETT DON & MARY ALICE BARNETT
206	8601 PARK LN	WOODS 727 SERIES OLIVER AVE REALTY LLC
207	8601 PARK LN	C & K RESIDENTIAL PROPERTIES
208	8601 PARK LN	WOODS 731 SERIES
209	8601 PARK LN	WOODS 732 SERIES % J&SW REALTY LLC
210	8601 PARK LN	LINCOLN TRUST CO FBO AL TAYLOR IRA
211	8601 PARK LN	WOODS 734 SERIES
212	8601 PARK LN	WOODS 735 SERIES
213	8601 PARK LN	WOODS 736 SERIES
214	8601 PARK LN	WOODS 737 SERIES
215	8601 PARK LN	WOODS 738 SERIES OLIVER AVENUE REALTY LL

**FILE NUMBER:** Z123-103(WE)      **DATE FILED:** October 3, 2012

**LOCATION:** North side of Congressman Lane, east of Denton Drive

**COUNCIL DISTRICT:** 6      **MAPSCO:** 23- N & P

**SIZE OF REQUEST:** Approx. 2.396 acres      **CENSUS TRACT:** 98.03

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**APPLICANT/ OWNER:** Texas Recycling & Surplus, Inc.

**REPRESENTATIVE:** Robert Miklos

**REQUEST:** An application for a Specific Use Permit for recycling buy-back center on property zoned an LI Light Industrial District.

**SUMMARY:** The purpose of this request is to permit the operation of a recycling buy-back center of household and industrial metals within an existing recycling warehouse.

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

**BACKGROUND INFORMATION:**

- The applicant’s request for a Specific Use Permit for a recycling buy-back center will allow for the collection of household and industrial metals that will not exceed 10,000 square feet of floor area.
- The Development Code requires a Specific Use Permit for a recycling buy-back center for the collection of household and industrial metals; but does not require a Specific Use Permit for recyclable materials such as clothing, aluminum cans, steel cans, glass, paper, and plastic products. In addition, the code limits a recycle buy-back center to a maximum of 10,000 square feet of floor area.
- There are different regulations for the types of materials that are collected in a recycle buy-back center. These regulations affect: 1) household metals, 2) industrial metals, and 3) recyclable materials.
- The applicant is operating a recycling buy-back center within an existing recycling warehouse. The items being collected are recyclable materials such as clothing, aluminum cans, steel cans, glass, paper, and plastics. This type of operation is permitted by right in an LI Light Industrial District.

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Congressman Lane	Local	60 ft.	60 ft.

**Land Use:**

	Zoning	Land Use
<b>Site</b>	LI	Warehouse
<b>North</b>	LI	Vehicle display, sales and services, Industrial
<b>South</b>	LI	Industrial
<b>East</b>	LI	Industrial
<b>West</b>	LI, IM	Industrial

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

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

The request site is located within an industrial area and surrounded by industrial (inside) uses. The applicant proposes to operate a recycling buy-back center within an existing warehouse. The applicant's request is in compliance with the goals and policies in the *forwardDallas! Comprehensive Plan*.

## **LAND USE**

### **GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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

### **GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCTURE AND THE ENVIRONMENT**

Policy 1.4.3 Embrace environmental sustainability

## **ENVIRONMENT USE**

### **GOAL 6.6 INCREASE RECYCLING AND CONSERVATION OF RENEWABLE RESOURCES**

Policy 6.6.1 Increase recycling and composting

## **STAFF ANALYSIS:**

**Land Use Compatibility:** The 2.396 acre site is developed with a one-story, 104,383 square foot warehouse building that is operating as a recycling buy-back center. The applicant's request for a Specific Use Permit for a recycling buy-back center will allow for the collection of household and industrial metals in an area that will not exceed 10,000 square feet of floor area. The proposed use will operate from 7:00 a.m. to 7:00 p.m. Monday through Sunday.



There are different regulations that affect the metals and recyclable materials that are collected in a recycling buy-back center. The two types of metals are household and industrial metals and the recyclable materials are clothing, aluminum cans, steel cans, glass, paper, and plastics. In addition, the Code requires a Specific Use Permit for a recycling buy-back center for household and industrial metals; but does not require a Specific Use Permit for recyclable materials. The maximum floor area for a recycling buy-back center is 10,000 square feet.

In August 1992, the applicant received a certificate of occupancy for a recycling buy-back center for recyclable materials. Staff met with the applicant’s representative to discuss the maximum square footage for the proposed recycling buy-center because the existing use currently exceeds the maximum floor area requirement. As a result of the discussion, the representative will update their certificate of occupancy to accurately reflect the existing operational use, which is a warehouse use.

The request site is located within an industrial area and is surrounded by warehouse and industrial uses. Properties north of the site, consist of a vehicle display, sales and service use and various industrial uses. Properties to east and south of the site consist of additional industrial uses. A DART light rail line is located west of the request site.

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

Staff has reviewed the applicant’s request and recommends approval of a Specific Use Permit for a two year period, subject to a revised site plan and conditions. The Development Code requires a time period no more than 2 years for the proposed use.

**Development Standards:**

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

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

**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.

**Parking:** The parking regulations require 1 space per 500 square feet of floor area for a recycling buy-back center. Based on the building's square footage, the applicant is required to provide 4 off-street parking spaces.

The building official may request that the applicant provide a parking analysis showing the parking requirement for the existing and proposed uses that will be located within the recycling buy-back center warehouse.

**Police Department:** The Dallas Police Department will monitor the proposed site and determine if the applicant is in compliance with Chapter 40B in operating the proposed recycling buy-back center. The Dallas Police Department requires a license for a recycling buy-back center.

<p><b>LIST OF OFFICERS</b> Texas Recycling/Surplus, Inc.</p>
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- Craig Litman            Chief Executive Officer
- Joel Litman             Chief Financial Officer

**PROPOSED SUP CONDITIONS**

1. USE: The only use authorized by this specific use permit is a recycling buy-back center for the collection of household and industrial metals. No other materials may be collected or recycled.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on \_\_\_\_\_(two years from the passage of this ordinance).

4. FLOOR AREA: A maximum of 10,000 square feet of floor area is permitted for the recycling buy-back center for the collection of household and industrial metals.

5. HOURS OF OPERATION: The recycling buy-back center may only operate between 7:00 a.m. and 7:00 p.m., Monday through Sunday.

6. INGRESS/ EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.

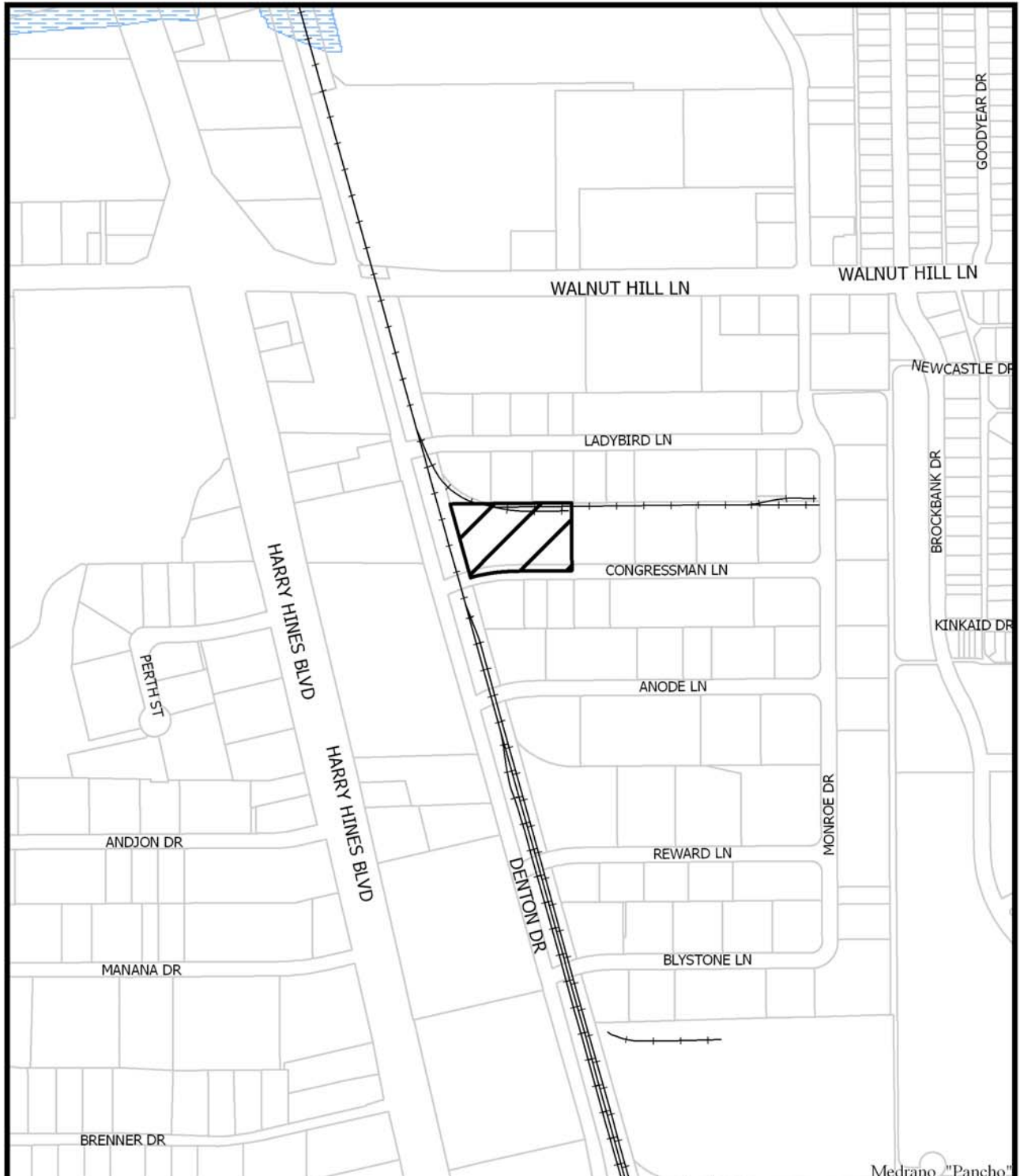
7. LICENSE: The Operator must obtain a secondary metals recyclers license in accordance with Chapter 40B of the Dallas City Code within 45 days from the passage of this ordinance.


8. OUTSIDE STORAGE: Outside storage is prohibited.

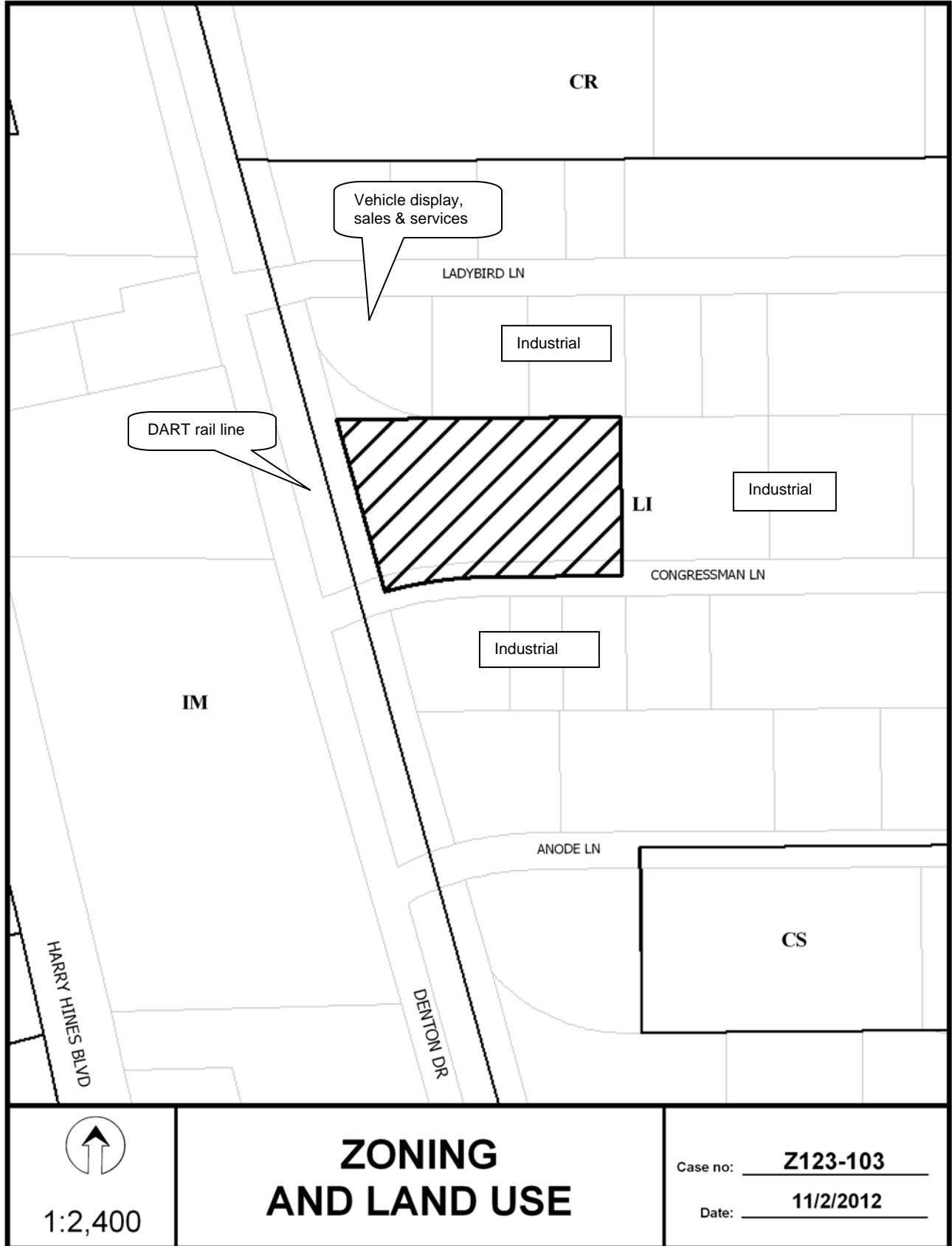
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

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

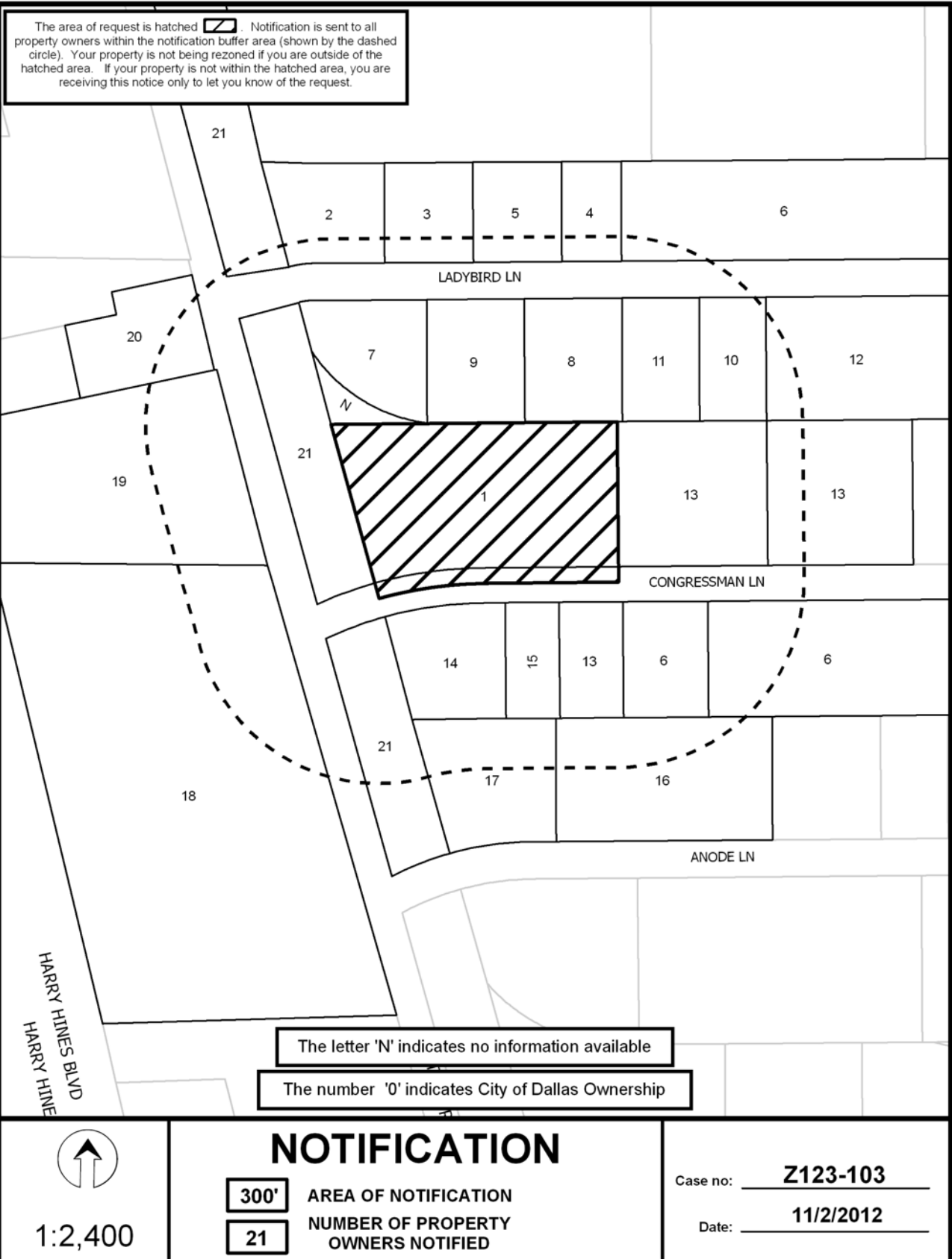




 1:6,000	<h1>VICINITY MAP</h1>	Case no: <u>    <b>Z123-103</b>    </u> Date: <u>    <b>11/2/2012</b>    </u>
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## **Notification List of Property Owners**

### **Z123-103**

#### **21 Property Owners Notified**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	2815 CONGRESSMAN LN	CONGRESSMAN PARTNERS
2	2811 LADYBIRD LN	THREE BROTHERS PPTIES LLC
3	2821 LADYBIRD LN	ANNISTON PUMP SHOP INC
4	2845 LADYBIRD LN	STONE CANYON DEVELOPMENT LLC
5	2831 LADYBIRD LN	CHO HAE SUN
6	2903 LADYBIRD LN	MONROE REALTY LTD
7	2820 LADYBIRD LN	NAGHAVI MORTEZA
8	2840 LADYBIRD LN	ADM TRUCKING INC
9	2830 LADYBIRD LN	JVJP INVESTMENTS LLC
10	2914 LADYBIRD LN	VINTAGE EQUITIES INC
11	2906 LADYBIRD LN	GEOTEL INVESTMENTS LLC
12	2930 LADYBIRD LN	BROWN LINDA KAY &
13	2861 CONGRESSMAN LN	KARDAL INC
14	2818 CONGRESSMAN LN	SHORI RAVINDAR K
15	2830 CONGRESSMAN LN	SHEA BARBARA G
16	2837 ANODE LN	WTHW LTD
17	2819 ANODE LN	INDUSTRIAL PROPERTIES TEXAS LLC ATTN: JO
18	10850 HARRY HINES BLVD	JLO JV XII LP
19	10930 HARRY HINES BLVD	MELETIO HINES CORP
20	10943 DENTON DR	NJAB HOLDINGS LLC
21	401 BUCKNER BLVD	DART

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z123-121(WE)                      **DATE FILED:** October 22, 2012  
**LOCATION:** North side of Forest Lane, between Hampstead Lane and  
Creekway Drive  
**COUNCIL DISTRICT:** 11                                      **MAPSCO:** 15-Y, 15-Z  
**SIZE OF REQUEST:** Approx. 3.629 acres              **CENSUS TRACT:** 132

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**APPLICANT:** Sharif Munir

**OWNER:** Doolin-Forest, Ltd.

**REPRESENTATIVE:** Robert Baldwin

**REQUEST:** An application for a Specific Use Permit for private streets on property zoned an R-16(A) Single Family District.

**SUMMARY:** The purpose of this request is to permit a proposed single family development to have private streets.

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

**BACKGROUND INFORMATION:**

- The request for a Specific Use Permit will allow streets within the proposed single family development to become private streets. The proposed development will be gated and will have one main entry/exit into the development.
- The surrounding land uses consist of single family uses.

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Forest Lane	Principal Arterial	60 ft.	60 ft.

**Land Use:**

	Zoning	Land Use
Site	R-16(A)	Single Family
North	R-16(A)	Single Family
South	R-1ac(A)	Single Family
East	R-16(A)	Single Family
West	PDD No. 115	Single Family

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

**LAND USE**

**GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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

**STAFF ANALYSIS:**

**Land Use Compatibility:** The approximately 3.629 acre site is undeveloped and will be developed with 8 single family dwellings. The applicant’s request for a Specific Use Permit will allow for the gated residential development to have private streets. The proposed residential development will have one main entry/exit into the site.

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

Staff has reviewed the applicant’s request and will recommend approval for a permanent time period, subject to a site plan and conditions.

**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-16(A) Single Family	35'	10'	1 Dwelling Unit/ 16,000 sq. ft.	30'	40%		Single family

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

**LIST OF OFFICERS**  
Doolin-Forest, Inc

**Managers:**

- Vance C.Miller
- Don Plunk

**LIST OF OFFICERS**  
Sharif Munir Custom Homes

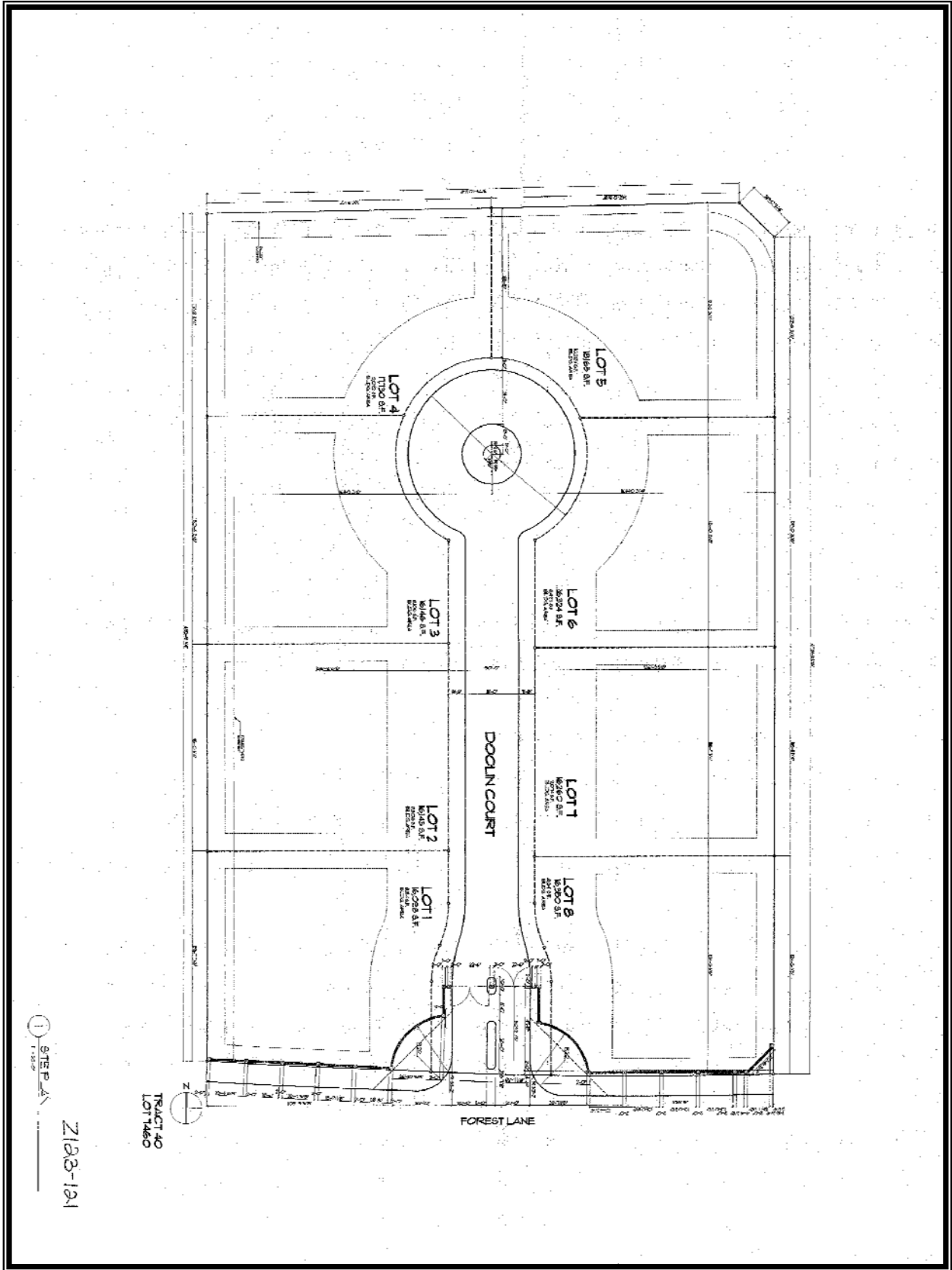
- |                 |                |
|-----------------|----------------|
| • Ramsey Munir  | CEO            |
| • Michael Munir | CFO            |
| • Grady Yates   | Vice President |
| • Vernon Berry  | Secretary      |

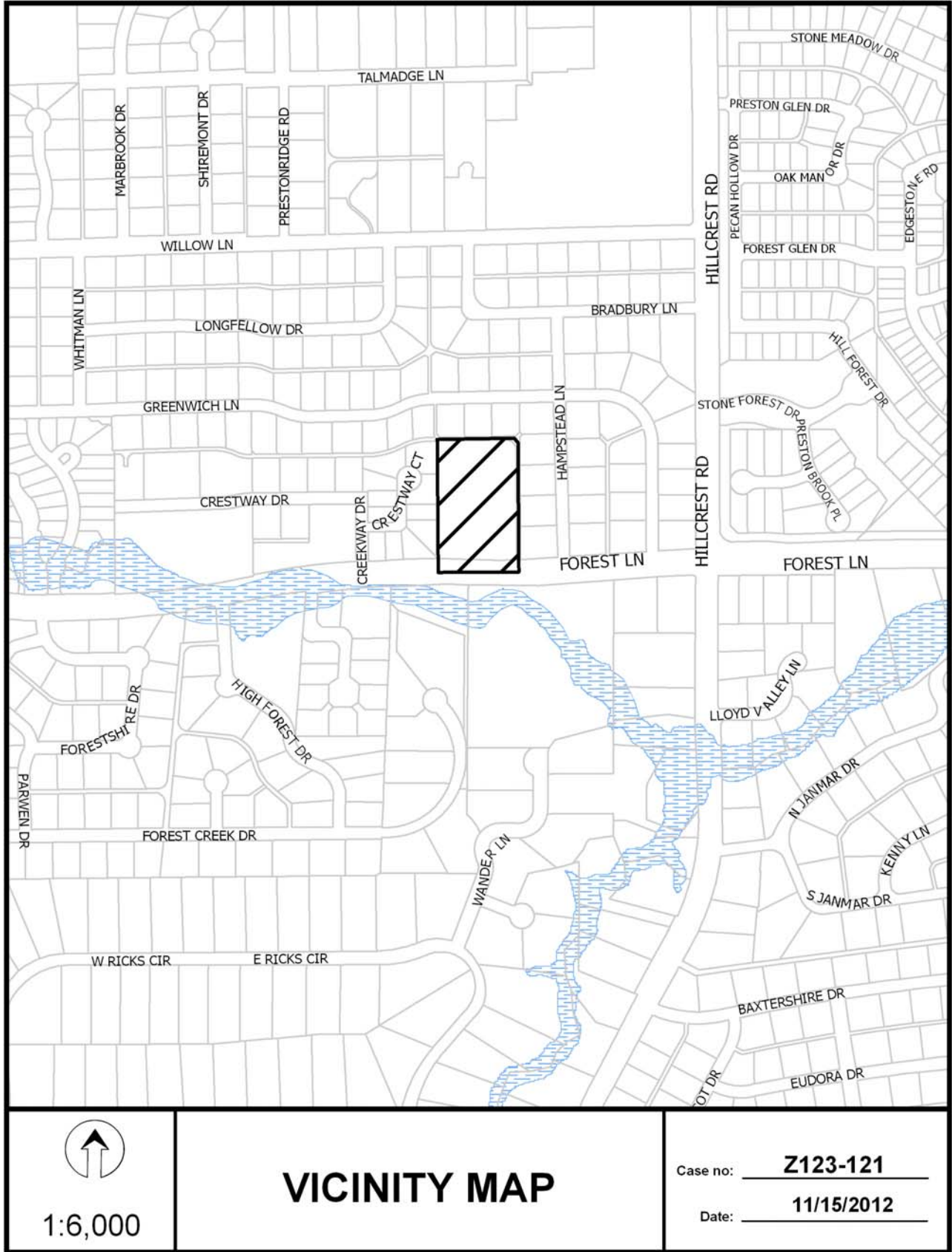
**PROPOSED SUP CONDITIONS**

1. USE: The only use authorized by this specific use permit is a private street.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan. The alignment of the street on the property must generally conform to the street pattern indicated on the site plan.
3. TIME LIMIT: This specific use permit has no expiration date.
4. ALIGNMENT: The alignment and radii of the private street must comply with the requirements of the Department of Public Works and Transportation.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.



**PROPOSED SITE PLAN**



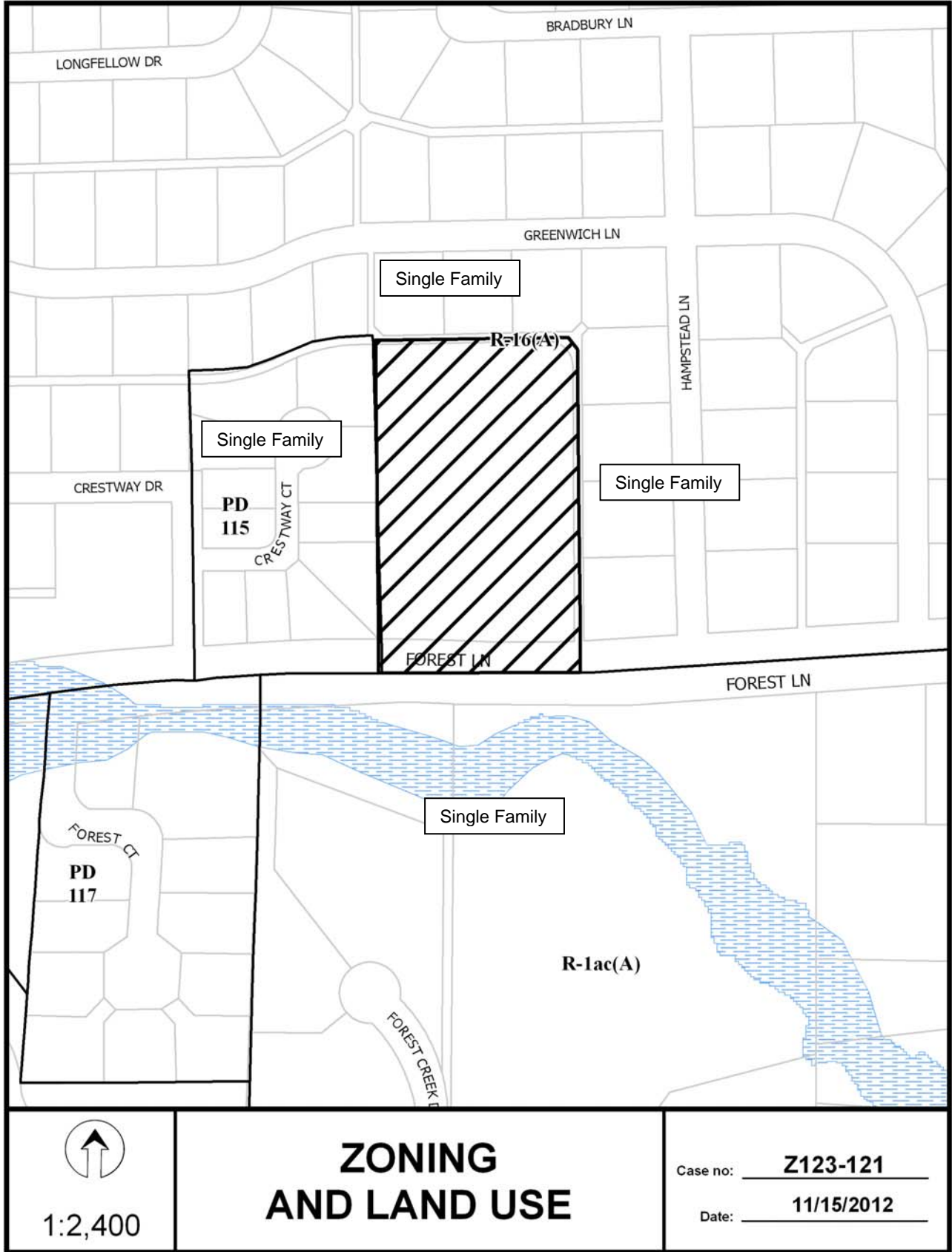


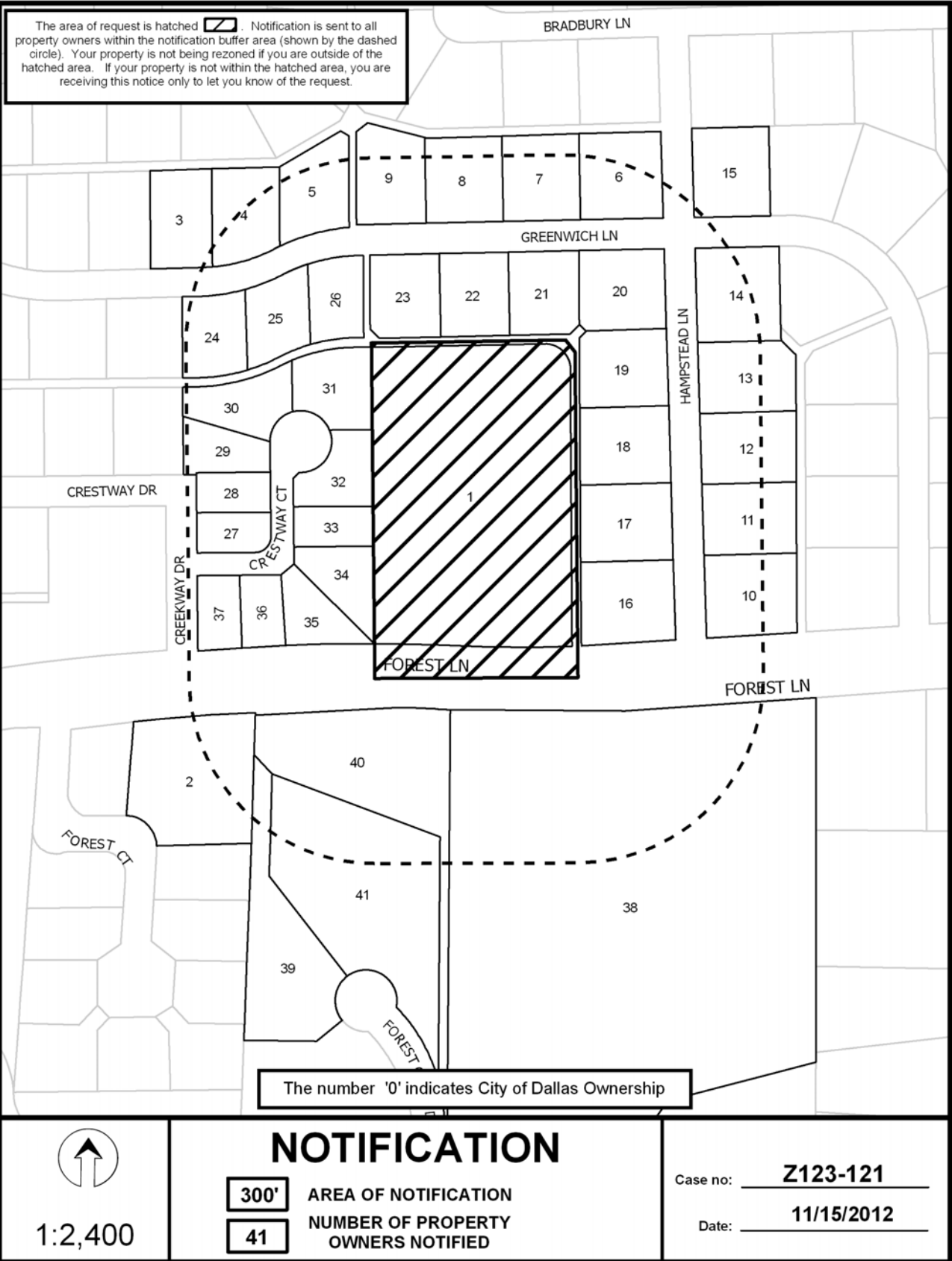
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# VICINITY MAP

Case no:           Z123-121          

Date:           11/15/2012





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

### ***Z123-121***

#### ***41 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	6723 FOREST LN	DOOLIN C E &
2	11726 FOREST CT	MCKAMY BOBBIE N TRUSTEE
3	6633 GREENWICH LN	MOLINE DAVID KENNETH
4	6641 GREENWICH LN	GUNNIN BARBARA ANN
5	6651 GREENWICH LN	BROWN RICHARD C & KAY V
6	6749 GREENWICH LN	OCONNOR TAMMY
7	6739 GREENWICH LN	DUQUAINE GERALD & SUSAN DUQUAINE
8	6729 GREENWICH LN	DAVIS STEPHEN B & JUDITH K
9	6719 GREENWICH LN	LAWSON CADMUS K II
10	11810 HAMPSTEAD LN	GRUEN THEODORE D
11	11820 HAMPSTEAD LN	ERXLEBEN JEFFREY R
12	11830 HAMPSTEAD LN	RODEN HAROLD H & MARITA N
13	11838 HAMPSTEAD LN	HARVEY OMAR & DOROTHY P
14	11848 HAMPSTEAD LN	TIFFANY ERIC D & VALERIE ANN
15	6809 GREENWICH LN	MORGAN EDWIN S
16	11809 HAMPSTEAD LN	CHALK MARTI D & MICHAEL D
17	11819 HAMPSTEAD LN	WINSLOW J ROBERT & PHOEBE ANNE WINSLOW
18	11829 HAMPSTEAD LN	TATUM CLEVELAND JACK
19	11839 HAMPSTEAD LN	MCCULLOCH ANDREW R
20	6750 GREENWICH LN	MAJORS DANIEL B & SHARLYN S
21	6740 GREENWICH LN	HARTLINE EVELYN M
22	6730 GREENWICH LN	WILDMAN DAVID R ETAL
23	6720 GREENWICH LN	WOODWARD STEVE C & TERRI
24	6634 GREENWICH LN	ABBOTT DAN E LF ESTATE
25	6642 GREENWICH LN	LINDSAY JOSEPH H JR TRUST
26	6652 GREENWICH LN	WEST VALARY L & ROGER A WEST

11/15/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6629 CRESTWAY CT	RADMAN BETTY L
28	6633 CRESTWAY CT	EISENBERG ALAN LEE
29	6637 CRESTWAY CT	SMISER RAYBOURN H III TR
30	6643 CRESTWAY CT	RHEUDASIL MYRNA
31	6649 CRESTWAY CT	FIRTH ROSEMARIE
32	6657 CRESTWAY CT	WILKINS T LEE & LINDA A WILKINS
33	6667 CRESTWAY CT	SIMPSON JAMES A & KATHERINE E
34	6671 CRESTWAY CT	NEWBERRY ALLAN & LINDA
35	6673 CRESTWAY CT	BODDY DIANE JOHNSON
36	6677 CRESTWAY CT	SHIRLEY W JOHN
37	6681 CRESTWAY CT	CASPERSON PAUL C & CYNTHIA L
38	6700 FOREST LN	CARR GLADYS W TR SUITE 125
39	6625 FOREST CREEK DR	MACK MICHAEL J
40	11700 FOREST CREEK DR	OAK FOREST EST HOMEOWNERS ASSOC
41	6624 FOREST CREEK DR	NOBLE ANTHONY S & NATALIE E N

**FILE NUMBER:** Z123-113 (JH)

**DATE FILED:** October 15, 2012

**LOCATION:** North side of E. Ledbetter Drive, southeast of Interstate 35

**COUNCIL DISTRICT:** 4

**MAPSCO:** 64-M

**SIZE OF REQUEST:** Approx. 0.64 acres

**CENSUS TRACT:** 59.02

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**REPRESENTATIVE:** Parvez Malik

**APPLICANT:** Muneer Odetella

**OWNER:** Tugboat, Inc., Jee H. Chung, President & secretary

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

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

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



**BACKGROUND INFORMATION:**

- The request site is currently developed with a multi-tenant commercial building occupied with retail uses and an auto service center.
- The proposed use is to sell alcohol for off-premise consumption in conjunction with one of the general merchandise uses on the property.

**Zoning History:**

1. Z101-274                      On September 28, 2011, the City Council approved a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use less than 3,500 square feet for a two-year time period with eligibility for automatic renewal for additional three-year periods, subject to a site plan and conditions.

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW
Ledbetter Drive	Principle Arterial	107 ft.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

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

Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences.

## **LAND USE**

### **GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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

#### **Land Use Compatibility:**

The approximately 0.64-acre request site is zoned an RR Community Retail District with a D Liquor Control Overlay and is currently developed with an approximately 700 square foot general merchandise use in a multi-tenant commercial building. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which is not allowed by the D Liquor Control Overlay.

The surrounding land uses are retail uses to the west, commercial amusement (inside) to the south, undeveloped to the north and immediately adjacent to the east, and multifamily uses further to the east.

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

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

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

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

preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

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

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

A report of offenses for the entire address is included for the past five years from the Dallas Police Department.

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

**Development Standards:**

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
RR- D Community Retail	15'	20' adjacent to residential OTHER: No Min.	NA	54'	80%	Proximity Slope Visual Intrusion	Business, community

**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.

**Landscaping:**

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

## DPD Report

## Dallas Police Department Reports

## Public Offense Search Results

SERVICE #	OFFENSE DATE	TYPE	COMPLAINANT	ADDRESS	BEAT	REPORTING AREA
1	0762655-T	12/03/2007	BURGLARY	*CYTEL COMMUNICATION	00337 E LEDBETTERDR	723 4320
2	0075591-V	03/14/2008	THEFT	*FUBU TRADING	00337 E LEDBETTERDR	723 4320
3	0266316-V	06/30/2008	EMBEZZLEMENT	*NEW YORK DONUTS	00337 E LEDBETTERDR	723 4320
4	0209114-V	07/04/2008	BURGLARY	*METRO PCS	00337 E LEDBETTERDR	723 4320
5	0209124-V	07/04/2008	BURGLARY	*NY DONUT STORE	00337 E LEDBETTERDR	723 4320
6	0213162-V	07/08/2008	CRIMINAL MISCHIEF/VANDALISM	*N.Y. DONUTS AND BAKERY	00337 E LEDBETTERDR	723 4320
7	0213099-V	07/08/2008	BURGLARY	*FUBU TRADING	00337 E LEDBETTERDR	723 4320
8	0228039-V	07/22/2008	BURGLARY	*EXPRESS AUDIO	00337 E LEDBETTERDR	723 4320
9	0297894-V	09/23/2008	AUTO THEFT-UUMV	MUHAMMAD,JBRAHIM	00337 E LEDBETTERDR	723 4320
10	0326762-V	10/22/2008	ROBBERY	*DONUT NEW YORK BAKERY	00337 E LEDBETTERDR	723 4320
11	0047378-W	02/18/2009	ASSAULT	BOLLIN,JAMMIE	00337 E LEDBETTERDR	751 4320
12	0047598-W	02/19/2009	CRIMINAL MISCHIEF/VANDALISM	*EXPRESS AUDIO	00337 E LEDBETTERDR	751 4320
13	0089305-W	04/01/2009	BURGLARY	*K K DESIGNER NAILS	00337 E LEDBETTERDR	751 4320
14	0099155-W	04/09/2009	BURGLARY	*JIN'S MART	00337 E LEDBETTERDR	751 4320
15	0014860-Y	01/18/2011	TRAFFIC MOTOR VEHICLE	CHUNG, IL, HWAN	00337 E LEDBETTERDR	751 4320
16	0035271-X	02/05/2010	THEFT	*K D M MOTOR SPORTS	00337 E LEDBETTERDR	751 4320
17	0037765-Y	02/14/2011	ASSAULT	CELEMUNDO, RUFINO	00337 E LEDBETTERDR	751 4320
18	0056142-Y	03/06/2011	CRIMINAL MISCHIEF/VANDALISM	*METRO PCS	00337 E LEDBETTERDR	751 4320
19	0069293-Y	03/19/2011	CRIMINAL MISCHIEF/VANDALISM	REQUENA, GILBERTON	00337 E LEDBETTERDR	751 4320
20	0071220-X	03/15/2010	THEFT	SY, PAPH	00337 E LEDBETTERDR	751 4320
21	0087275-Y	04/07/2011	TRAFFIC MOTOR VEHICLE	ABRAHAM, DEBORAH	00337 E LEDBETTERDR	751 4320
22	0093410-X	04/06/2010	CRIMINAL MISCHIEF/VANDALISM	*LA FAMILIA AUTO	00337 E LEDBETTERDR	751 4320
23	0093411-X	04/05/2010	DISORDERLY CONDUCT	ESTELLE,TAMEKA	00337 E LEDBETTERDR	751 4320
24	0104253-X	04/16/2010	ASSAULT	HEARNE, DOMINQUE	00337 E LEDBETTERDR	751 4320
25	0104288-X	04/16/2010	OTHER OFFENSES	MORROW, KEVIN	00337 E LEDBETTERDR	751 4320
26	0128496-X	05/08/2010	THEFT	ESTELLE,TAMEKA	00337 E LEDBETTERDR	751 4320
27	0170668-Y	06/30/2011	ROBBERY	*LA FAMILIA CUSTOM	00337 E LEDBETTERDR	751 4320
28	0192128-W	07/02/2009	ROBBERY	*LITE BITES DONUTS & DELI	00337 E LEDBETTERDR	751 4320
29	0199334-X	07/15/2010	EMBEZZLEMENT	*COMPLETE FASHION	00337 E LEDBETTERDR	751 4320
30	0207905-Z	08/17/2012	THEFT	EMELOGU, PEACE	00337 E LEDBETTERDR	751 4320
31	0214567-X	07/31/2010	ROBBERY	*METRO PCS	00337 E LEDBETTERDR	751 4320
32	0222952-X	08/08/2010	THEFT	*CUNG, JEE HYUNG	00337 E LEDBETTERDR	751 4320
33	0224031-Z	09/07/2012	BURGLARY	*YOSIF TIRE	00337 E LEDBETTERDR	751 4320
34	0234373-X	08/20/2010	ROBBERY	*METRO PCS	00337 E LEDBETTERDR	751 4320
35	0250419-X	09/06/2010	ROBBERY	**METRO PCS	00337 E LEDBETTERDR	751 4320
36	0278334-Z	11/08/2012	TRAFFIC MOTOR VEHICLE	KIM,HYO,JONG	00337 E LEDBETTERDR	751 4320
37	0335156-W	11/11/2009	THEFT	*METRO PCS	00337 E LEDBETTERDR	751 4320
38	0374531-W	12/21/2009	MURDER	CHUNG, KEE-SUN	00337 E LEDBETTERDR	751 4320

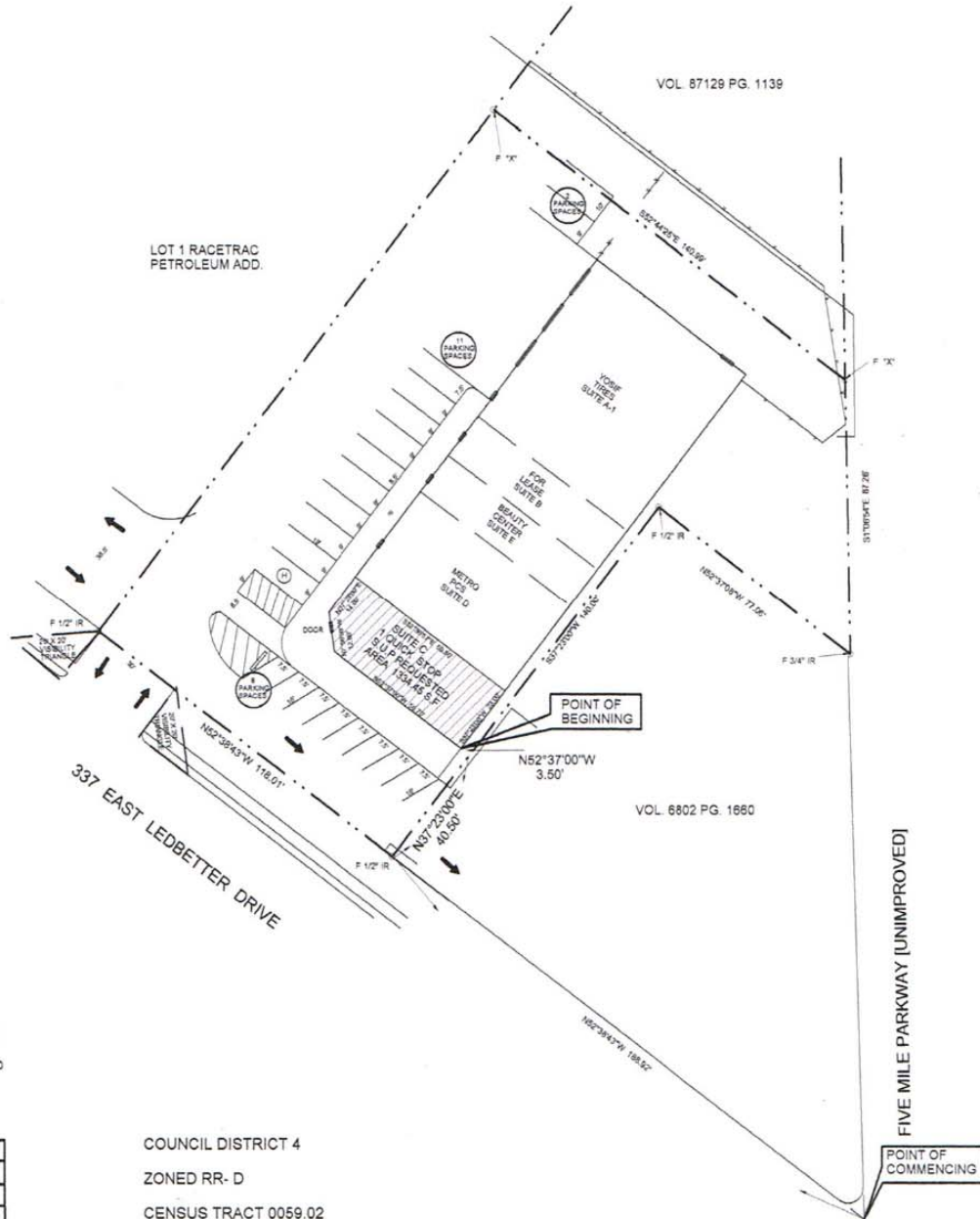
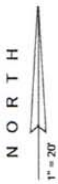
PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages off-premise consumption 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 three-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. 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

LEGEND

- 1/2" IR = 1/2" IRON ROD FOUND
- 1/2" RS = 1/2" IRON ROD SET
- X IND = 3" CUT IN CONCRETE FOUND
- HEF = HIGHWAY MOUNTAIN FOUND
- RRSF = RAILROAD SPIKE FOUND
- P O B = POINT OF BEGINNING
- P O C = POINT OF COMMENCING
- ESMT = EASEMENT
- USE = UNDERGROUND ELECTRIC SERVICE
- CHS = OVERHEAD ELECTRIC SERVICE
- ET = ELECTRIC TRANSFORMER
- FW = FIRE HYDRANT
- WV = WATER VALVE
- MM = METER METERS
- PP = POWER POLE
- PPSA = POWER POLE & OLV ANCHOR
- LP = LIGHT POLE
- SP = SIGN POLE
- SSMH = SANITARY SEWER MANHOLE
- SSCO = SANITARY SEWER C/LANDOUT
- SDMH = STORM DRAIN MANHOLE
- ELMH = ELECTRICAL MANHOLE
- HP = HANDICAPPED PARKING SPACE
- PS = PARKING SPACE
- TL = TRAFFIC LIGHT
- TMH = TELEPHONE MANHOLE
- CVM = CONCRETE WALL
- TR = TELEPHONE RISER
- DM = DIAL METER
- CS = CABLE BOX
- = FENCE

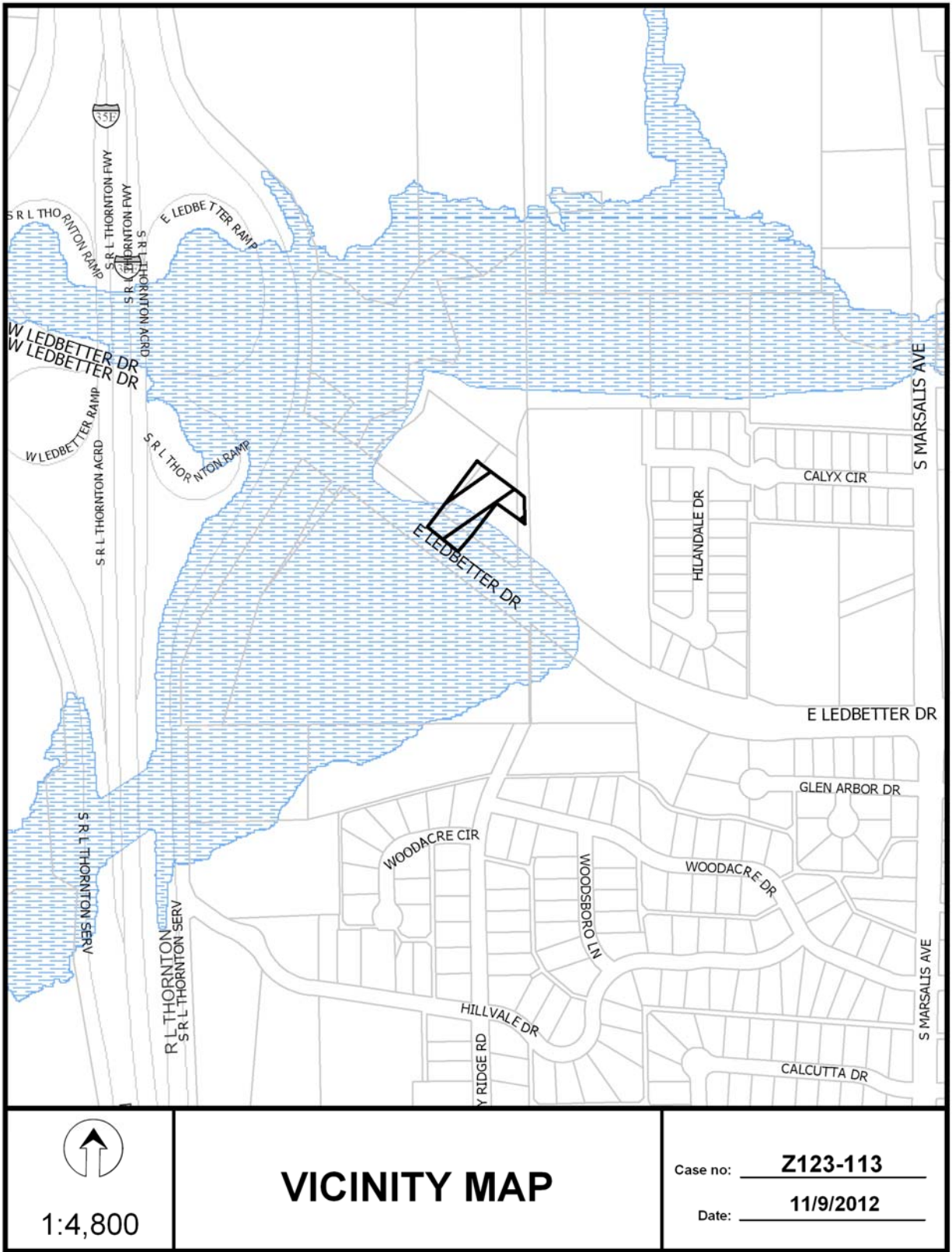


IMPERVIOUS AREA	
BUILDING FOOTPRINT FOR SHADED SUITE C	1334.45 S.F.

PARKING AND ZONING TABULATIONS		
FOR SHADED SUITE C		
PARKING	REQUIRED	PROVIDED
REGULAR PARKING SPACES	7	20
HANDICAPPED SPACES	1	1
TOTAL	8	21

COUNCIL DISTRICT 4  
 ZONED RR- D  
 CENSUS TRACT 0059.02

OWNER: TUGBOAT PROPERTIES INC.  
 P.O. BOX 59489  
 DALLAS, TEXAS 75229

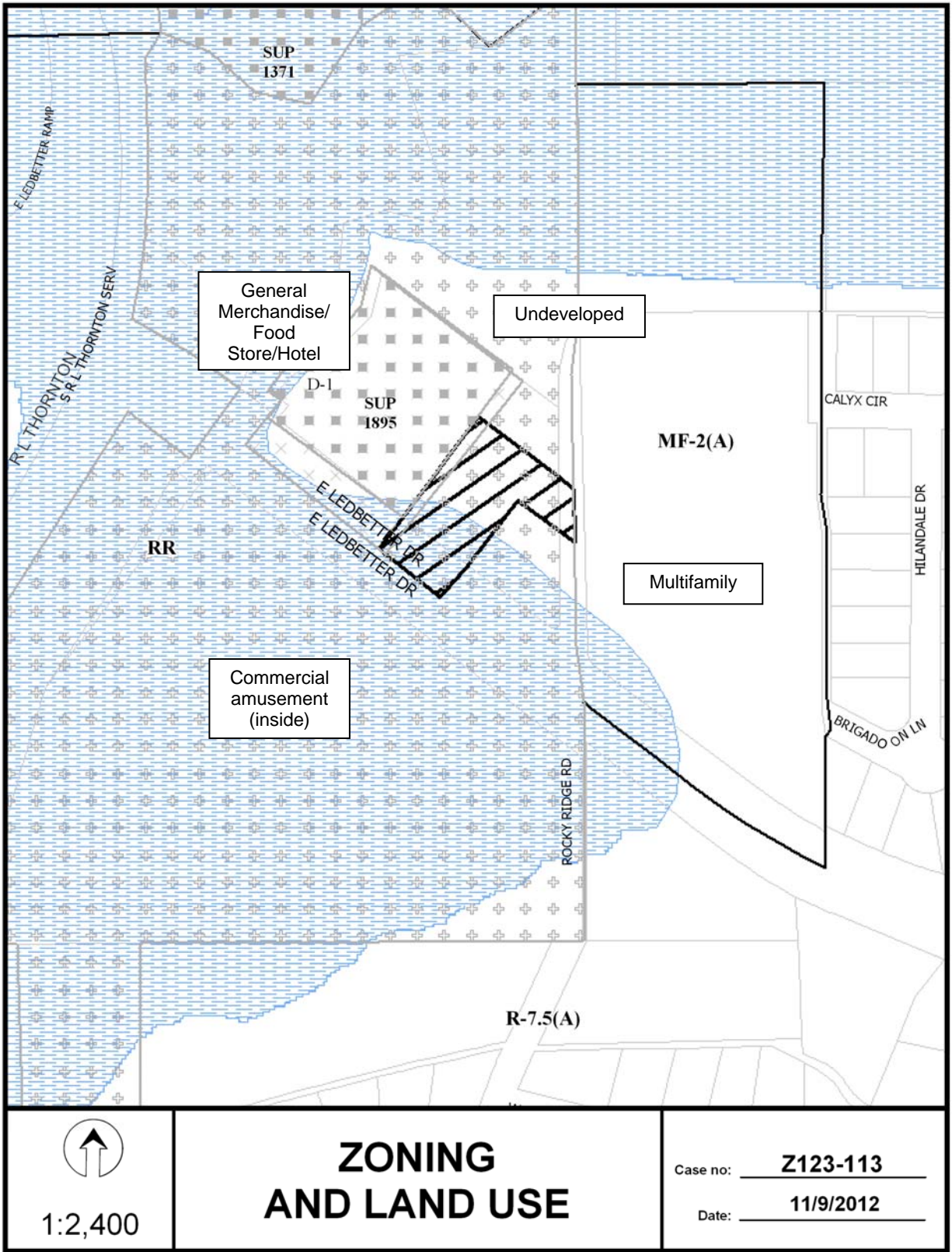


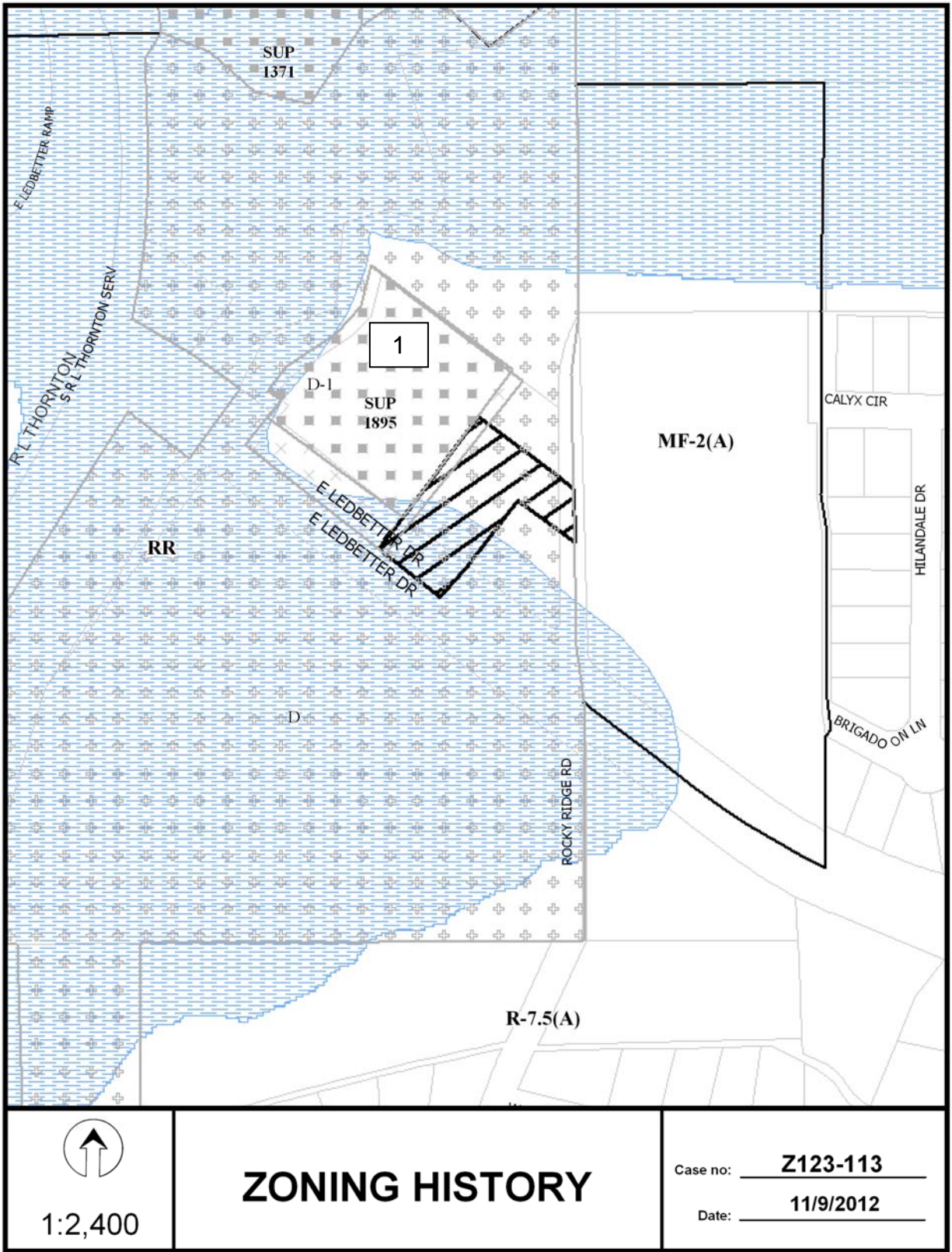
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### VICINITY MAP

Case no:     Z123-113      
Date:     11/9/2012



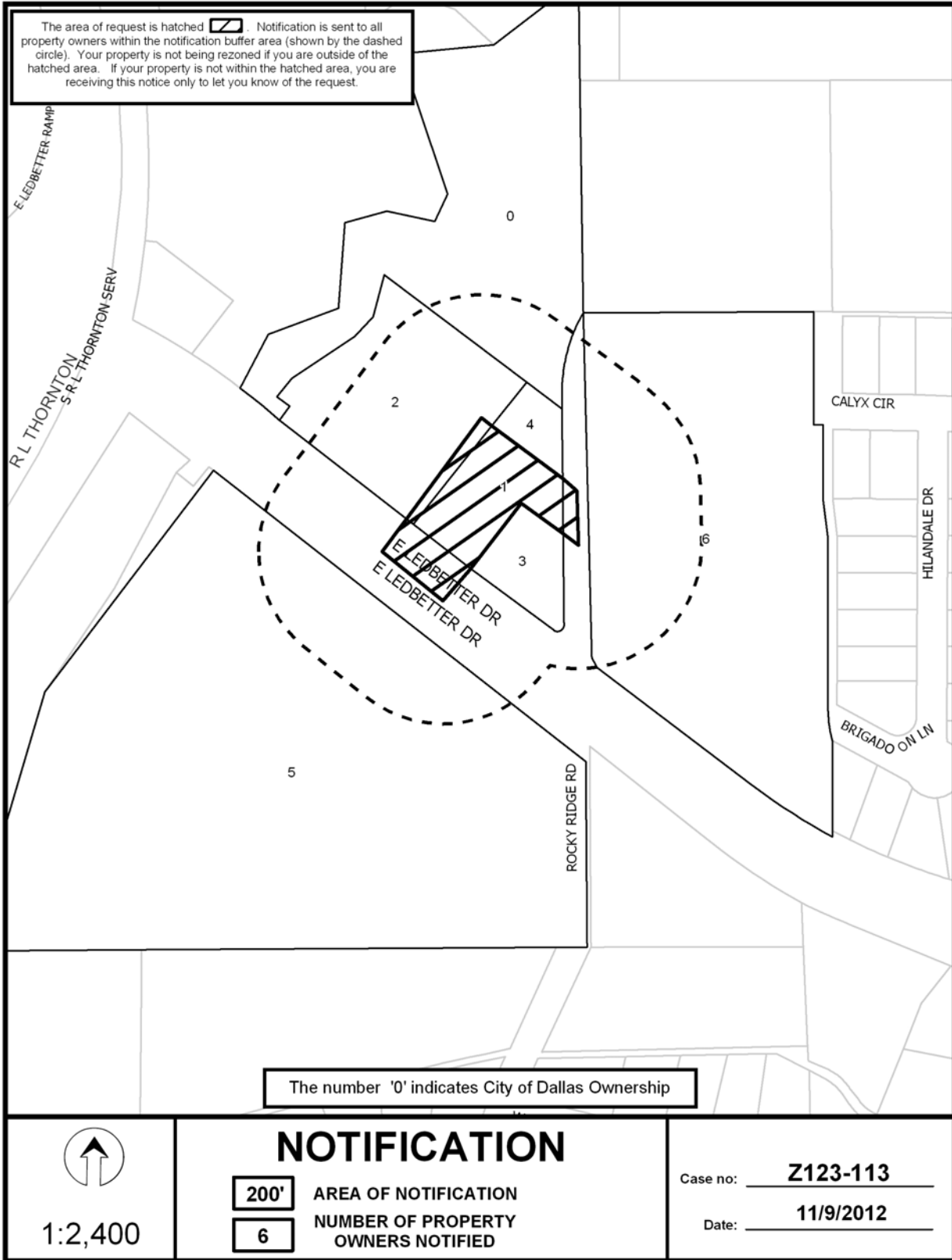




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# ZONING HISTORY

Case no: Z123-113  
Date: 11/9/2012



11/9/2012

## Notification List of Property Owners

### Z123-113

#### 6 Property Owners Notified

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	337 LEDBETTER DR	TUGBOAT PROPERTIES INC %HUYN S YOO
2	303 LEDBETTER DR	RACETRACK PETROLEUM INC STE 100
3	423 LEDBETTER DR	TUGBOAT PROPERTIES INC
4	337 LEDBETTER DR	RACETRAC PETROLEUM INC
5	300 LEDBETTER DR	BRIZZA INC
6	433 LEDBETTER DR	FIVE MILE FLATS LLC % DALLAS CITY HOMES



**FILE NUMBER:** Z123-119 (JH)

**DATE FILED:** October 22, 2012

**LOCATION:** Northwest side of Ann Arbor Avenue, southwest of Frio Drive

**COUNCIL DISTRICT:** 4

**MAPSCO:** 65-F

**SIZE OF REQUEST:** Approx. 0.43 acres

**CENSUS TRACT:** 57

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**APPLICANT:** Steven Tinnard

**OWNER:** Jeaniqua Hunter

**REQUEST:** An application for a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District.

**SUMMARY:** The applicant proposes to operate a child care facility in the current building.

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

**BACKGROUND INFORMATION:**

- The request site is currently developed with a structure that has been used on and off as a child care facility since at least the early 1980s. The applicant is requesting to continue the use of the existing structure as a child-care facility for approximately up to 46 children.

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

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW
Ann Arbor Avenue	Community Collector	60 ft.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The comprehensive plan forwardDallas! Vision Illustration is comprised of a series of Building Blocks that shows general land use patterns. They are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur. The request site is located within a Residential Neighborhood Building Block on the Vision Illustration.

The Residential Neighborhood Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. 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. Individual lot size, front yard and side yard setbacks, garage orientation and scale of the home vary from neighborhood to neighborhood. These areas rely primarily on cars for access, although traffic on neighborhood streets is expected to be low. While public transit may be available, typically it involves longer walks to bus stops or the need to drive to park and-ride facilities.

**Land Use**

**Goal 1.2 Promote Desired Development**

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

**Land Use Compatibility:**

The surrounding land uses are predominately single family residential, but the neighborhood is scattered with institutional uses such as churches and child care facilities at the corner of intersections and mid-block. A church is immediately adjacent to the west.

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

The request site is located mid-block on a Community Collector. While typically staff is concerned about non-residential uses placed in the middle of a block of single family uses, the pattern of mid-block institutional uses exists in this area. Also, the request site has previously been occupied by child care facility uses since at least the early 1980s.

Staff feels that a child care facility is complimentary to the existing uses in the area. Staff supports the applicant's request subject to conditions and a site plan.

**Parking/Traffic:**

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

The site plan shows the minimum off-street parking requirement of three spaces will be provided.

**Landscaping:**

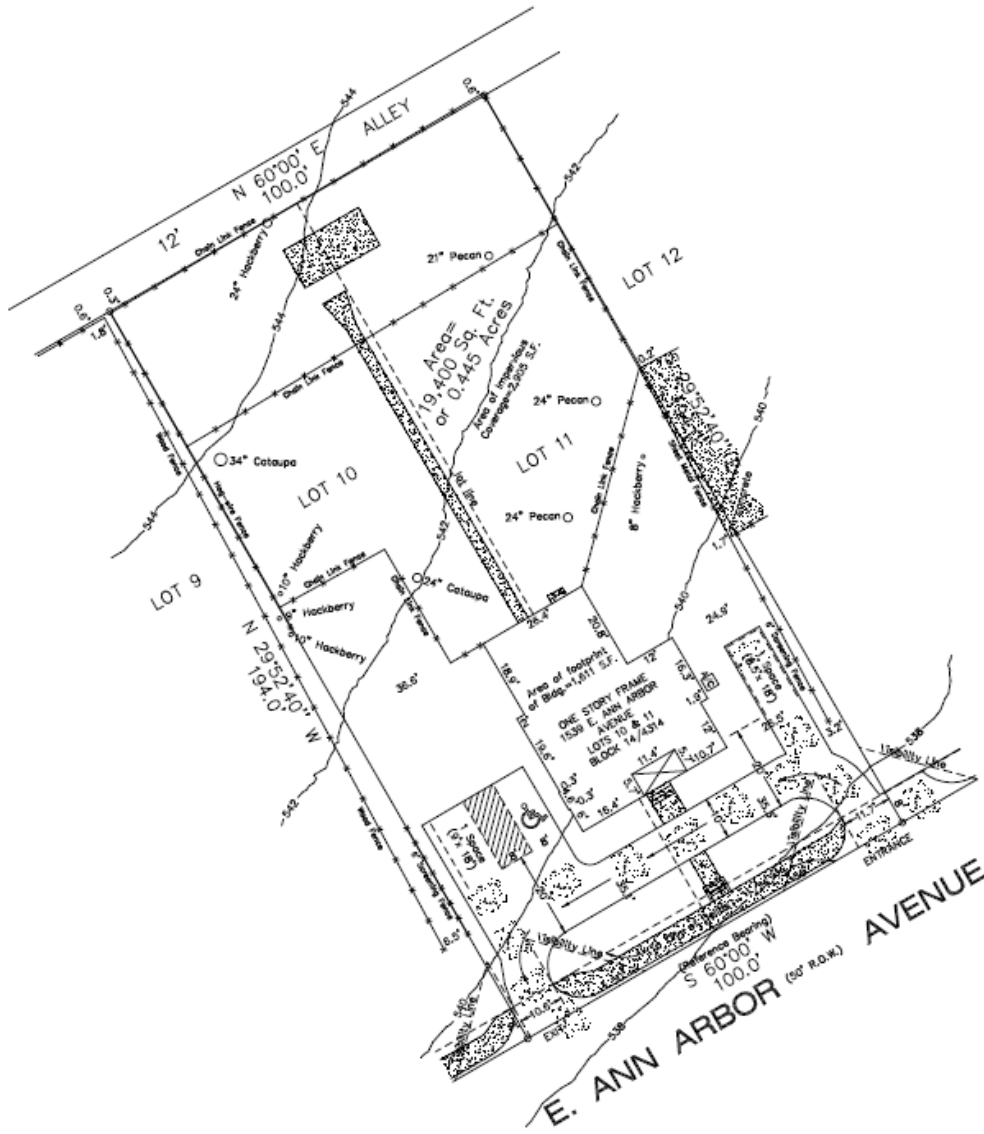
Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant's request will not trigger any Article X requirements, as no new construction is proposed on the site.



PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a child-care facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit is approved for a three-year period, 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. HOURS OF OPERATION: The child-care facility may only operate from 6:00 a.m. to 6:00 p.m., Monday through Friday.
5. INGRESS AND EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress and egress is permitted.
6. DRIVE: A circular drive must be provided for the off-street loading and unloading of children in the location shown on the attached site plan.
7. OFF-STREET PARKING: Three off-street parking spaces must be provided in the location shown on the attached site plan.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN



PARKING TABLE

REQUIRED PARKING	EXISTING PARKING
Shining Star Daycare: 1,611 S.F. / 500 = 2 Parking Spaces Learning Center +1 Handicap Space	NONE
<b>TOTAL REQUIRED PARKING = 3 Total Parking Spaces</b>	
<b>TOTAL REQUIRED OFF-STREET LOADING = 0</b>	

PROPERTY ZONED: R-7.5(A)



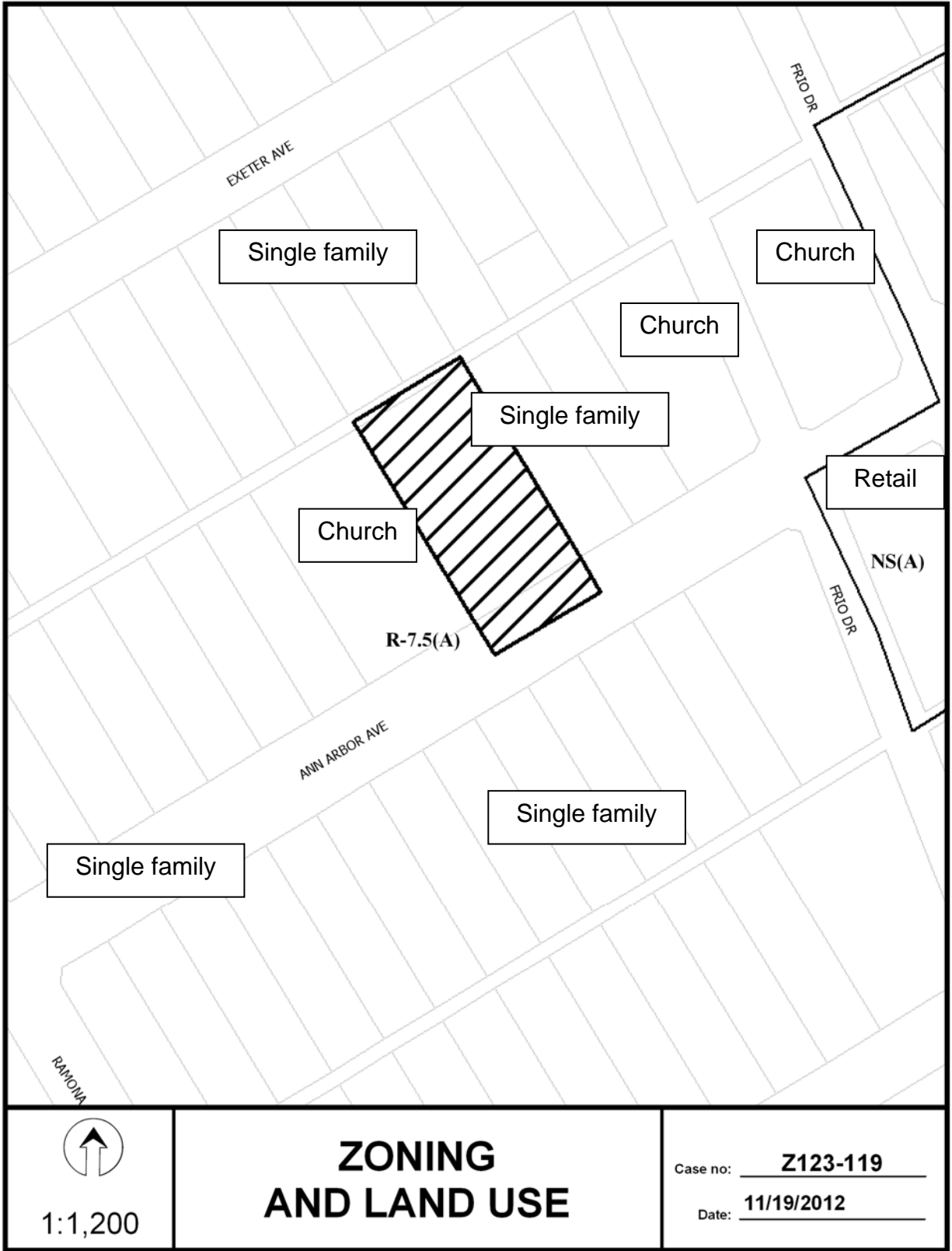


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# VICINITY MAP

Case no: Z123-119

Date: 11/19/2012

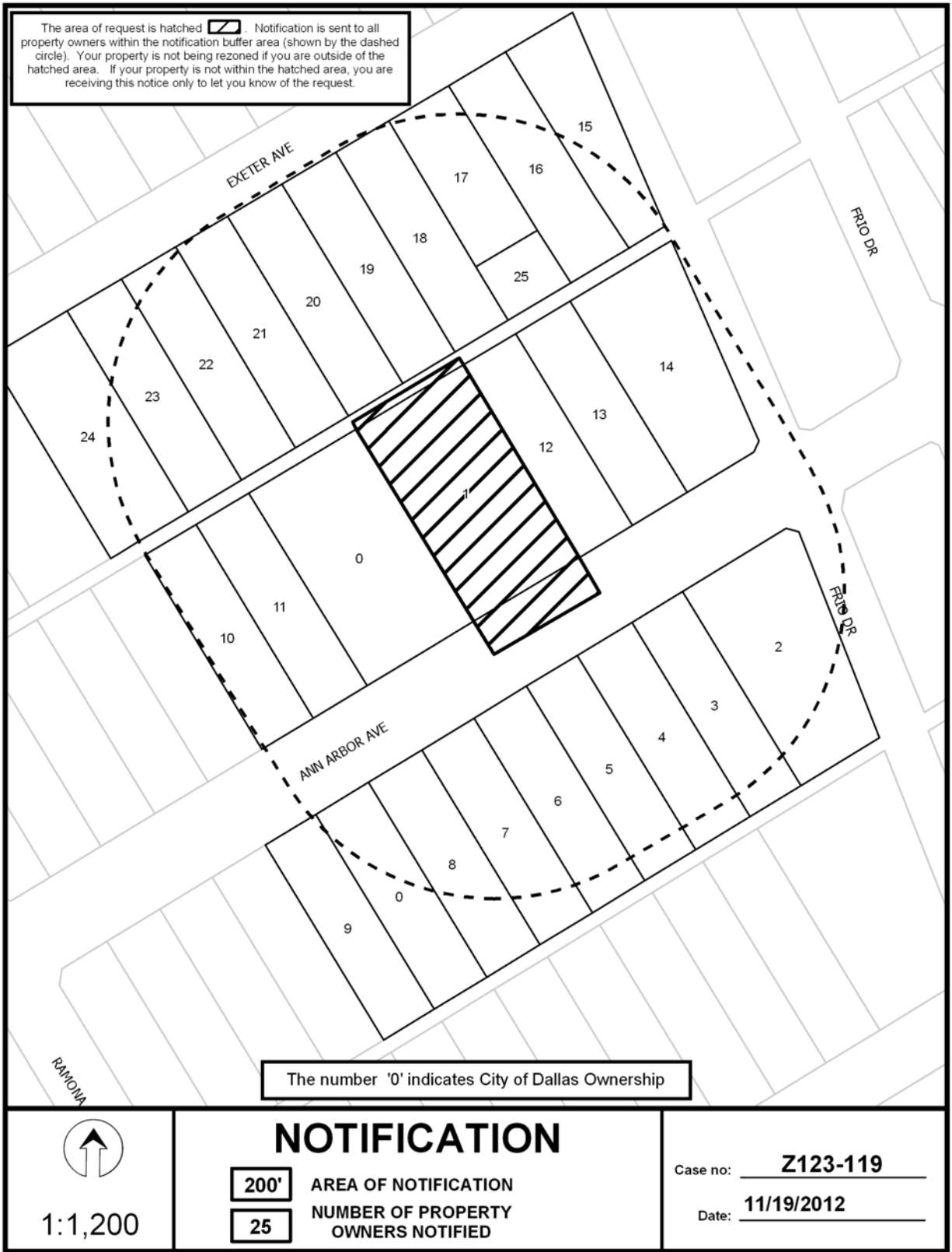


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# ZONING AND LAND USE

Case no:     **Z123-119**    

Date:     **11/19/2012**



11/19/2012

## Notification List of Property Owners

### Z123-119

#### 25 Property Owners Notified

Label #	Address	Owner
1	1539 ANN ARBOR AVE	GRIFFIN SHIRLEY & CHARLENE GRIFFIN
2	1550 ANN ARBOR AVE	MCCLAIN PRINCELLA
3	1546 ANN ARBOR AVE	BOYD EMMITT JR EST OF
4	1540 ANN ARBOR AVE	VASQUEZ RODOLFO A
5	1538 ANN ARBOR AVE	DAVILA JESUS ARIVIZU
6	1534 ANN ARBOR AVE	ORDONEZ ROSALBA
7	1530 ANN ARBOR AVE	CHAPPEL WILLIAM GEORGE
8	1526 ANN ARBOR AVE	HENDERSON JAMES A
9	1518 ANN ARBOR AVE	LOPEZ ALEJO NORBERTO G &
10	1523 ANN ARBOR AVE	CARTWRIGHT FELICIA M
11	1527 ANN ARBOR AVE	SERRANO JOEL
12	1547 ANN ARBOR AVE	ESQUIVAL RICARDO ET AL
13	1551 ANN ARBOR AVE	BUSH CURTIS P & JENNIFER BUSH
14	1555 ANN ARBOR AVE	TRUSTEES OF CHRISTIAN HOLY TEMPLE
15	1560 EXETER DR	JONES MARTHA HELEN
16	1554 EXETER DR	GILDER ROY C
17	1550 EXETER DR	VARGAS JUSTINA
18	1546 EXETER DR	BROWN FRANKIE LEE & JACQUALYN ANN
19	1542 EXETER DR	CASTRO RAY A
20	1538 EXETER DR	MUNOZ GUADALUPE
21	1534 EXETER DR	WILLIAM MICHAEL C
22	1530 EXETER DR	WALKER DIANN
23	1526 EXETER DR	HERNANDEZ MARCELINO SAAVEDRA &
24	1522 EXETER DR	WIDOWS FINANCING LLC
25	1550 EXETER DR	BLAIR ALPHONSO & LORAINE

**FILE NUMBER:** Z112-325(RB)

**DATE FILED:** September 27, 2012

**LOCATION:** East Line of Buckner Boulevard, South of Astoria Drive

**COUNCIL DISTRICT:** 4

**MAPSCO:** 48 U

**SIZE OF REQUEST:** Approx. 24,000 Sq. Ft. **CENSUS TRACT:** 90

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**APPLICANT/OWNER:** William James Warner

**REPRESENTATIVE:** Ramon Aranda

**REQUEST:** An application for a Specific Use Permit for a Vehicle display, sales, and service use on property within the Subarea 1 portion of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay

**SUMMARY:** The applicant proposes to utilize the existing improvements for the sale of motorcycles.

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



**BACKGROUND INFORMATION:**

- The request site is currently developed with a vacant office structure encompassing approximately 3,720 square feet of land.
- The applicant proposes to utilize the main structure, provide additional surface parking along the southern façade, and utilize the area between the front façade and Buckner Boulevard for the display area.
- The requested use requires an SUP within PDD No. 366.

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

**Thoroughfare:**

<b><u>Thoroughfare/Street</u></b>	<b><u>Designation; Existing &amp; Proposed ROW</u></b>
Buckner Boulevard	Principal Arterial; 107' & 107' ROW

**STAFF ANALYSIS:**

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

GOAL 1.2 Promote desired development.

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

**Land Use Compatibility:** The request site is currently developed with a vacant office structure encompassing approximately 3,720 square feet of land. The applicant proposes to utilize the main structure, provide additional surface parking along the southern façade, and utilize the area between the front façade and Buckner Boulevard for the display area.

Surrounding land use tends to be retail and office oriented along the Buckner Boulevard corridor. The area transitions very quickly to residential zoning to the east, across an unimproved utility easement. A vacant single family structure abuts the site's northern property line. PDD No. 848 for a Public school (Adelfa Botello Callejo Elementary School) is situated on property to the northwest.

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 proposed use does not impact adjacent uses. Agreements have been reached to address hours of operation, limited areas for outside display areas, as well as prohibiting outside storage and maintenance/service work being performed. In summary, the request represents typical functions related to the retail sale (only) of motorcycles. The area between the east façade and the eastern property line will not accommodate any functional operations related to the sales function.

As a result of this analysis, staff is supporting the request, subject to the attached site plan and conditions.

**Off-Street Parking:** Off-street parking for the proposed use is being provided per PDD No. 366 regulations.

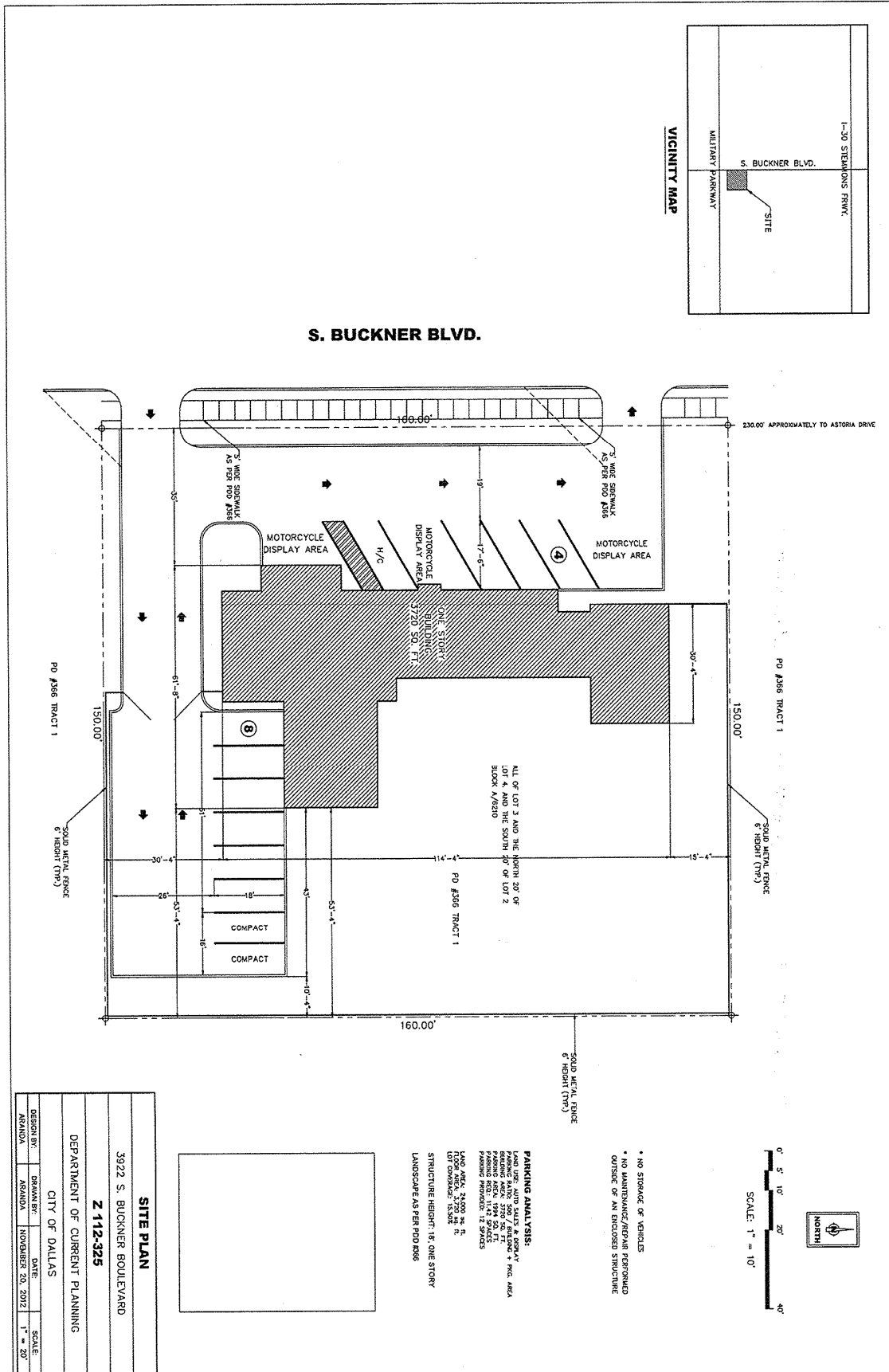
**Landscaping:** PDD No. 366 requires specific landscape regulations with flexibility of utilizing the public right-of-way for perimeter planting areas. Due to the increase in nonpermeable surface area, a landscape plan will be required during the permit review process that provides for the following: 1) ten foot-wide landscape buffer along the eastern property line; 2) site and street trees; 3) screening of off-street parking from Buckner Boulevard; and, 4) two design standards. Additionally, a five foot-wide sidewalk will be required along the Buckner Boulevard frontage.

**STAFF RECOMMENDED CONDITIONS FOR A SPECIFIC USE PERMIT FOR A  
VEHICLE DISPLAY, SALES, AND SERVICE USE**

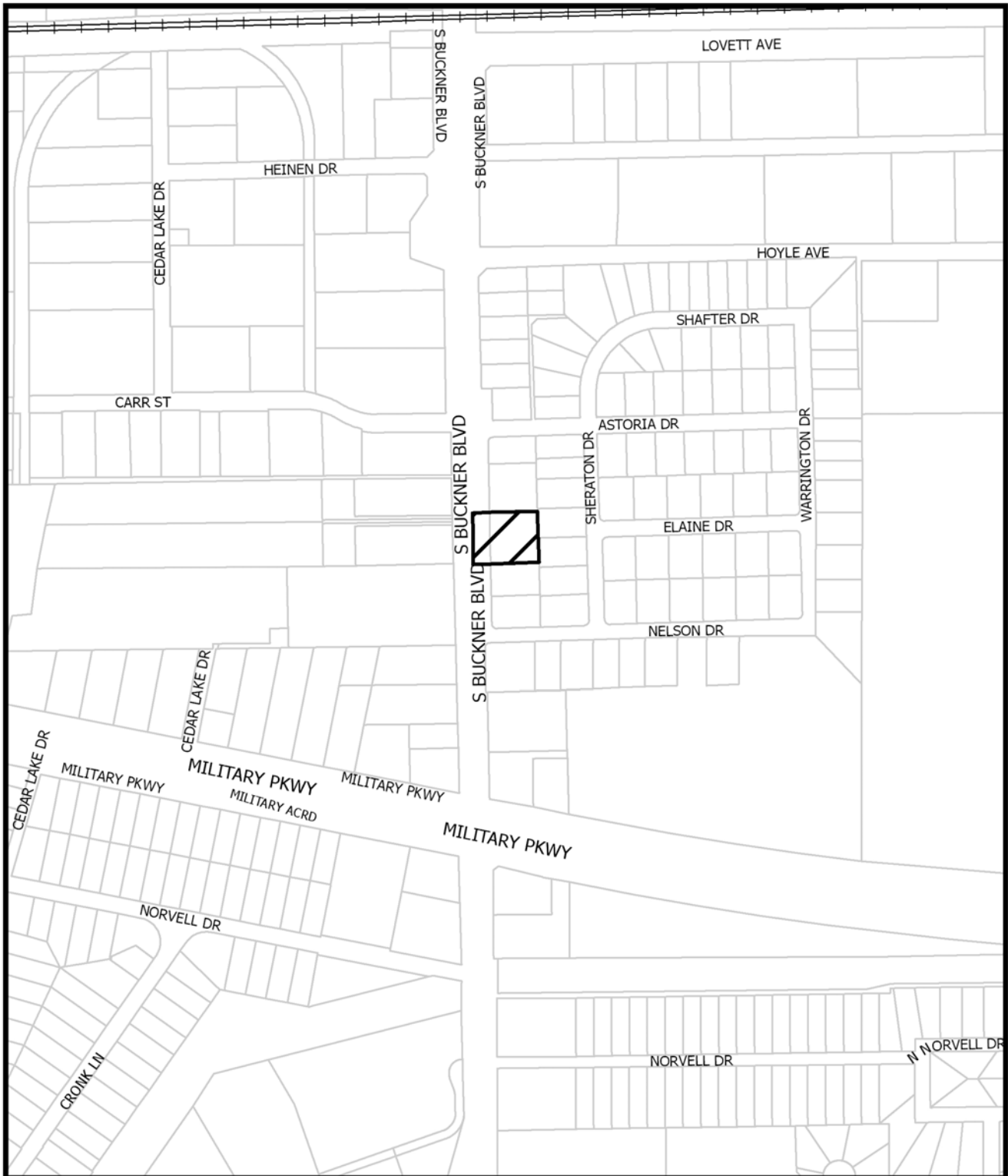
1. USE: The only use authorized by this specific use permit is a vehicle display, sales, and service use limited to motorcycle sales.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (three years from the passage of the ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. FLOOR AREA: The maximum indoor floor area is 3,720 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The vehicle display, sales, and service use limited to motorcycle sales may only operate between 9:00 a.m. and 9:00 p.m., Monday through Saturday.
6. SERVICE WORK: Any mechanical service on a motorcycle is prohibited.
7. OUTSIDE SPEAKERS: Outside speakers are prohibited.
8. OUTSIDE STORAGE: Any outside storage of motorcycles is prohibited.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

Z112-325(RB)

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



**Proposed Site Plan**

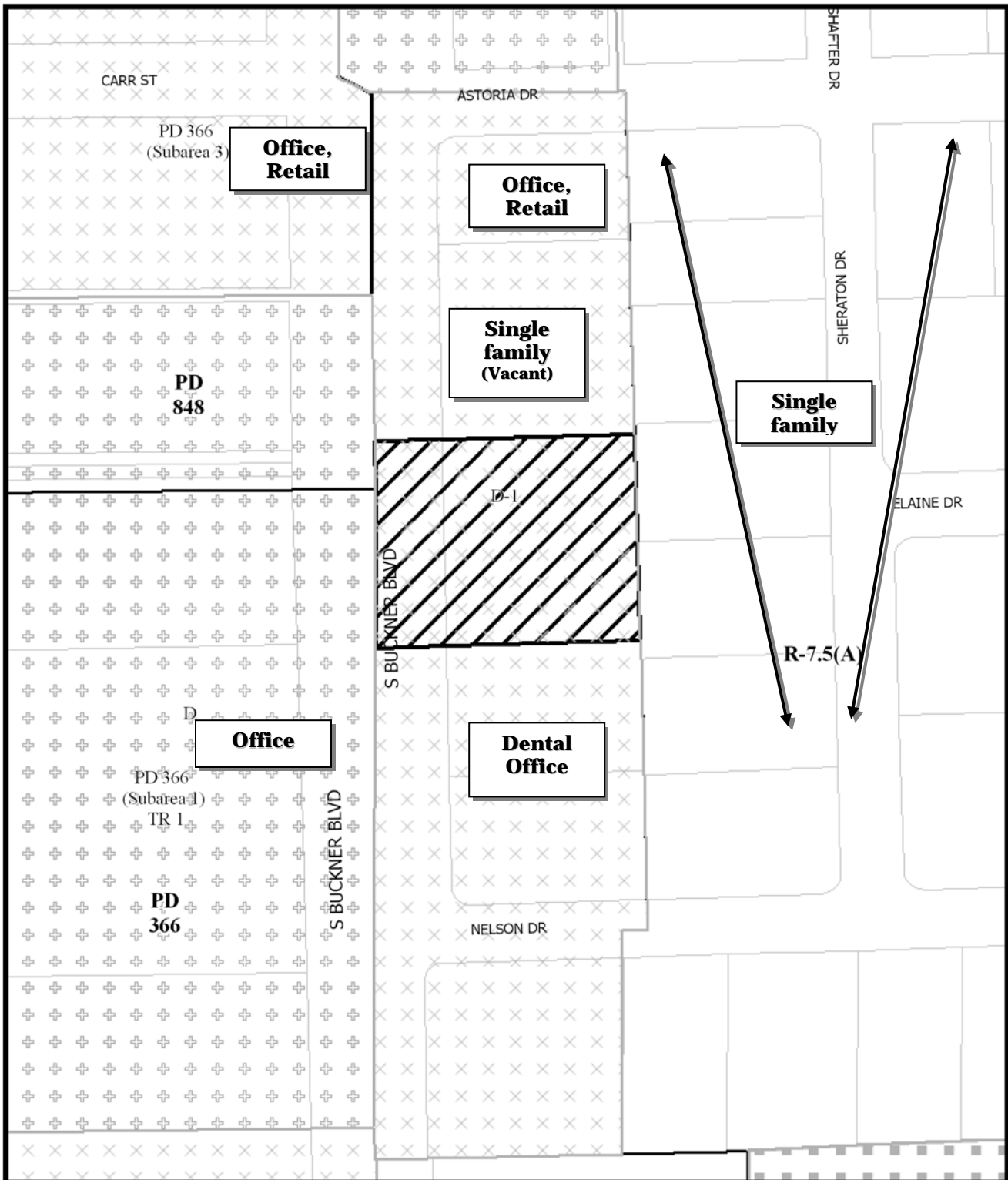


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# VICINITY MAP

Case no:           Z112-325          

Date:           11/2/2012




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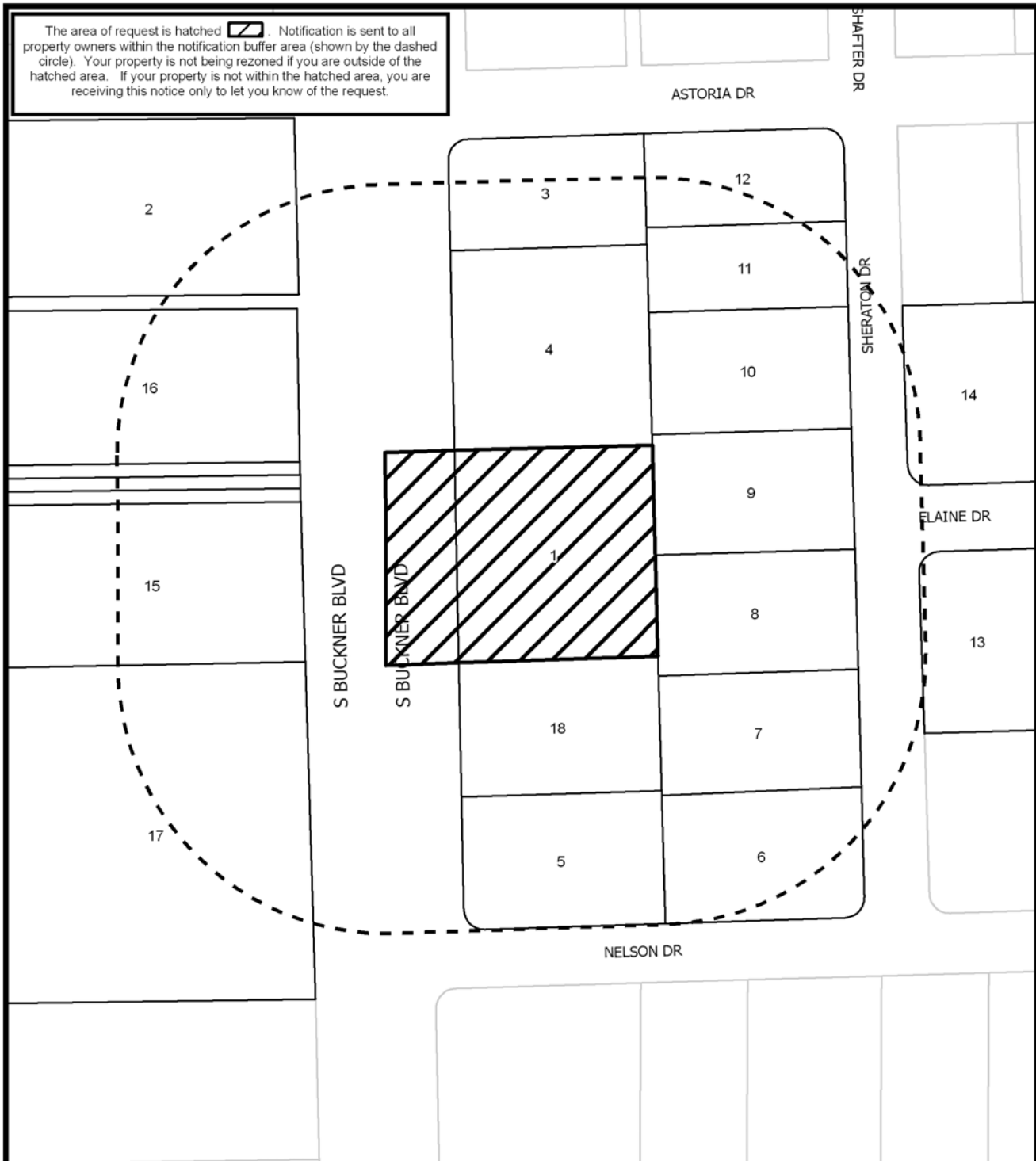
# ZONING AND LAND USE

Case no:           Z112-325          

Date:           11/2/2012



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



The number '0' indicates City of Dallas Ownership

  
1:1,200

## NOTIFICATION

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

Case no:           Z112-325            
 Date:           11/2/2012

11/1/2012

***Notification List of Property Owners******Z112-325******18 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3922 BUCKNER BLVD	WARNER WILLIAM JAMES
2	3949 BUCKNER BLVD	MUNDO TILE LTD
3	3946 BUCKNER BLVD	ADHAM ABDALLAH & HANA
4	3930 BUCKNER BLVD	GALAVIZ ROSA M
5	3900 BUCKNER BLVD	PRYOR JOHN T & DONNA M
6	3907 SHERATON DR	MORAN FRANCISCO & CLARISIA ARANGO
7	3915 SHERATON DR	LOPEZ MARIA
8	3921 SHERATON DR	MARTINEZ JOSE
9	3927 SHERATON DR	SOLIS CRENCENCIO & RAQUEL
10	3935 SHERATON DR	JIMENEZ VINCENTE & ROCIO
11	3941 SHERATON DR	BENAVIDEZ ANGEL
12	3947 SHERATON DR	SOLIS CRESENCIO & RAMON
13	8134 ELAINE DR	RAMIREZ OLIVIA
14	8135 ELAINE DR	LARA CRESENCIA G
15	3921 BUCKNER BLVD	GORDON R HOLT TRUSTEE GORDON FAMILY LIV
16	3937 BUCKNER BLVD	Dallas ISD ATTN OFFICE OF LEGAL SERVICES
17	3909 BUCKNER BLVD	PROFESSIONAL TRAINING SCH ATTN JERRY MI
18	3914 BUCKNER BLVD	BAINBRIDGE JEAN

**FILE NUMBER:** Z123-120(RB)

**DATE FILED:** October 22, 2012

**LOCATION:** Ferguson Road and Joaquin Drive, West Corner

**COUNCIL DISTRICT:** 9

**MAPSCO:** 38 M

**SIZE OF REQUEST:** Approx. 33,250 Sq. Ft. **CENSUS TRACT:** 127.02

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**APPLICANT/OWNER:** Mohammad A. Dalaki

**REPRESENTATIVE:** Mohammad A. Dalaki

**REQUEST:** An application for an NO(A) Neighborhood Office District on property zoned a D(A) Duplex District, and termination of Specific Use Permit No. 41 for a Public library

**SUMMARY:** The applicant proposes to utilize the existing nonresidential structure for an office use.

**STAFF RECOMMENDATION:** Approval of an NO(A) District, and approval of the termination of Specific Use Permit No. 41.

**BACKGROUND INFORMATION:**

- The request site is developed with a vacant nonresidential structure (approx. 14,000 sf) which was previously utilized as a public library (SUP No. 41).
- The applicant proposes to utilize the existing improvements for an office use.
- At this time, the applicant has indicated the southern portion of the site located in a designated flood plain will not be reclaimed.
- As part of the request, the applicant is requesting termination of SUP No. 41, as the library no longer occupies the building.

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

<b><u>Thoroughfare/Street</u></b>	<b><u>Designation; Existing &amp; Proposed ROW</u></b>
Ferguson Road	Principal Arterial; 100' & 100' ROW
Joaquin Drive	Local; 50' ROW
Dunloe Drive	Local; 50' ROW

**STAFF ANALYSIS:**

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

**LAND USE ELEMENT**

GOAL 1.2 Promote desired development.

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

**Land Use Compatibility:** The request site is developed with a vacant nonresidential structure (approx. 14,000 sf) previously utilized as a public library (Casa View Branch). The site fronts three streets, with access to the property's surface parking area from Joaquin Drive and Dunloe Drive. The southwest façade provided for a book drop area, thus vehicles can access Ferguson Road from this parking area.

The applicant is requesting an NO(A) District in order to utilize the existing improvements for an office use. Additionally, the applicant is requesting the termination of SUP No. 41; the library has since moved to a new facility at Ferguson Road and Buckner Boulevard (White Rock Hills Branch). Additionally, the existing Lochwood Branch (Lochwood Boulevard and Garland Road) combines with the new library to serve the immediate area once served by the Casa View Branch.

The surrounding area consists of stable low density residential uses (single family and duplex structures) to the north, northeast, and east across Ferguson Road. Community serving retail uses area developed to the south along both sides of Ferguson Road and Gus Thomasson Road. SUP No. 1242 for a Private school abuts the site's Dunloe Drive frontage as well as operating in the church structure across the street.

Staff has determined a community serving office use in this location can be compatible when considering the scale of the existing improvements [and that permitted by the requested NO(A) District should the site redevelop in the future]. Furthermore, the library operated with similar hours of operation and comparable trip generation as what is anticipated for the adaptive reuse of the improvements.

Additionally, staff supports the termination of SUP No. 41, for as noted above, the library has relocated to a larger facility to serve the citizens in this area.

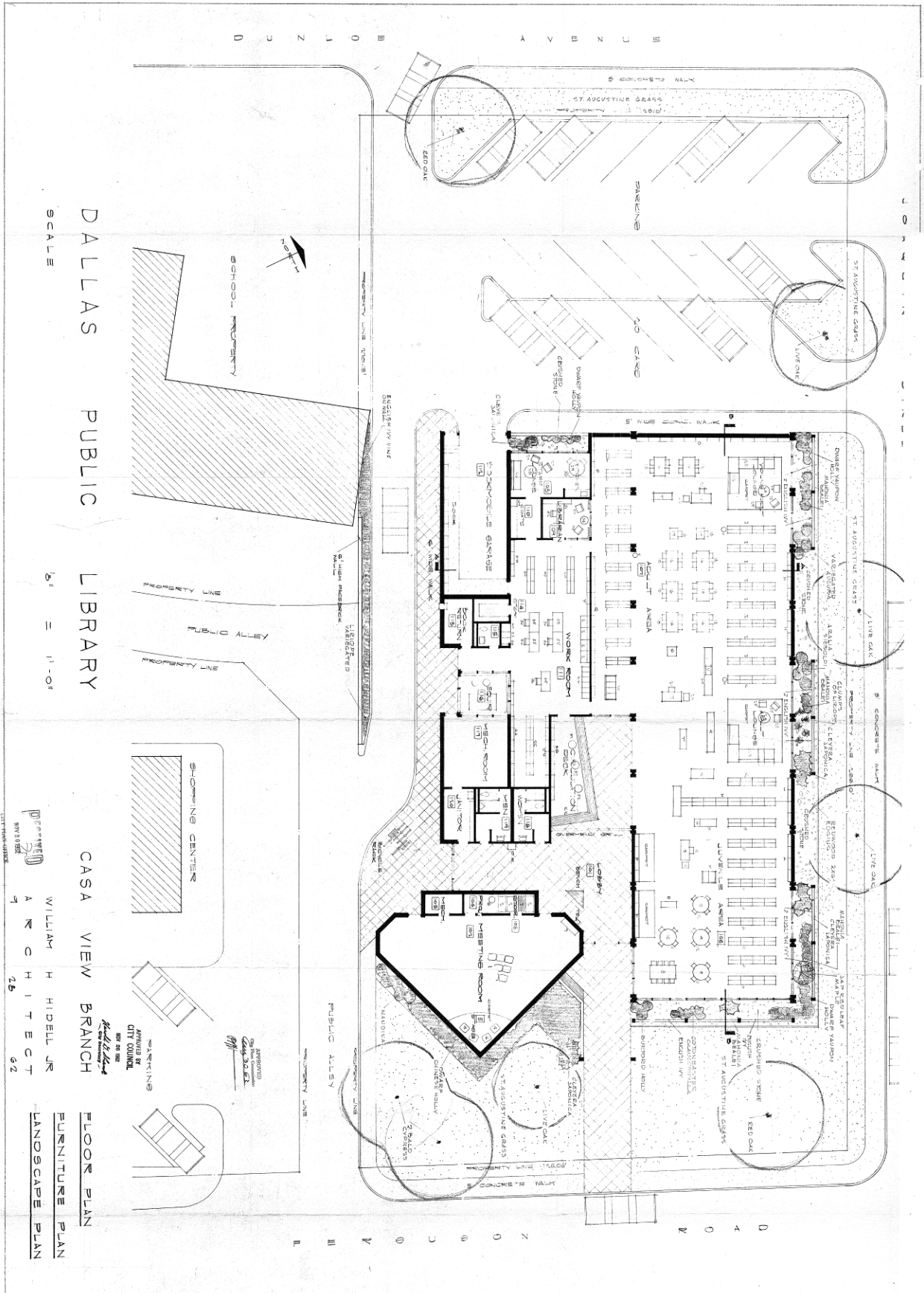
**Traffic:** The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the applicant's request and determined that it will not significantly impact the surrounding street system.

**Landscaping:** The site possesses significant native vegetation, the majority of which is located along the site's street frontage and building façade. The applicant's request will not trigger additional landscape requirements, nor is staff recommending additional landscaping at this time.

**Existing SUP No. 41 Conditions**

SECTION 2. That this special permit for a public library  
with reference to the here-  
inabove described property is approved and granted upon the following express  
conditions, and in accordance with Article 165-22, Section 1 of the  
Zoning Ordinance:

- (1) Site Plan--Development shall be in conformance with the site plan as approved by the City Plan Commission;
- (2) Paving--All driveways, entrances, and parking areas shall have a minimum surfacing of six (6) inches compacted gravel and two (2) coats of penetration asphalt. The developer shall bear the total cost and maintenance of all such improvements, including curb and drainage structures that may be necessary;
- (3) Front Yard--A front yard of thirty-eight (38) feet shall be provided for the main building, except that the proposed community room along the southeast side of the site may be permitted within twenty-seven (27) feet of the front property line;
- (4) Side Yard--A side yard of thirteen (13) feet shall be permitted along Joaquin Drive. The proposed solar screen shown on the site plan shall not be considered to be the main wall of the building;
- (5) Rear Yard--A rear yard of not less than four (4) feet shall be permitted along the southwest property line.



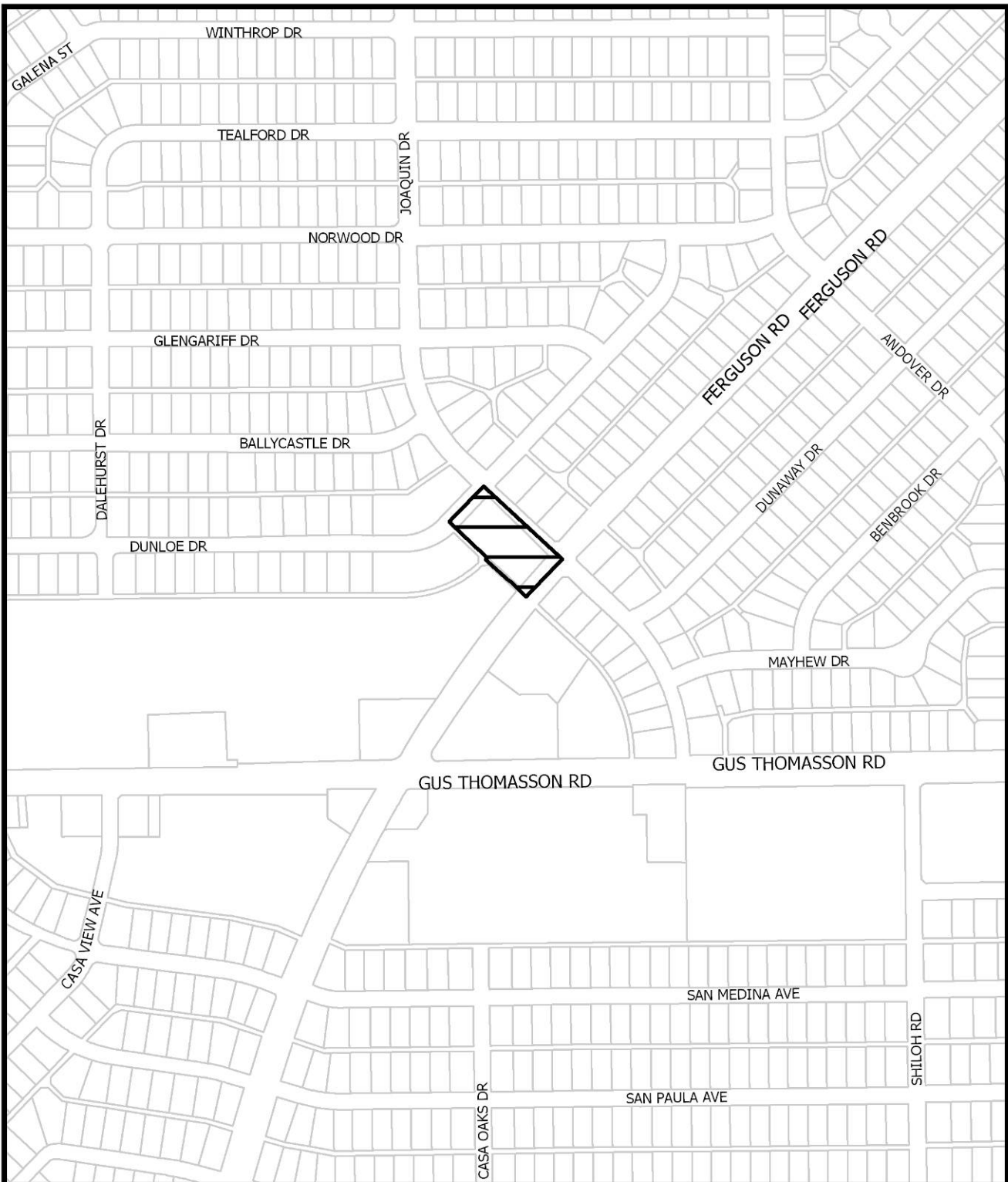
DALLAS PUBLIC LIBRARY

CASA VIEW BRANCH

FLOOR PLAN  
FURNITURE PLAN  
LANDSCAPE PLAN

WILLIAM H HIDEELL JR  
ARCHITECT  
25



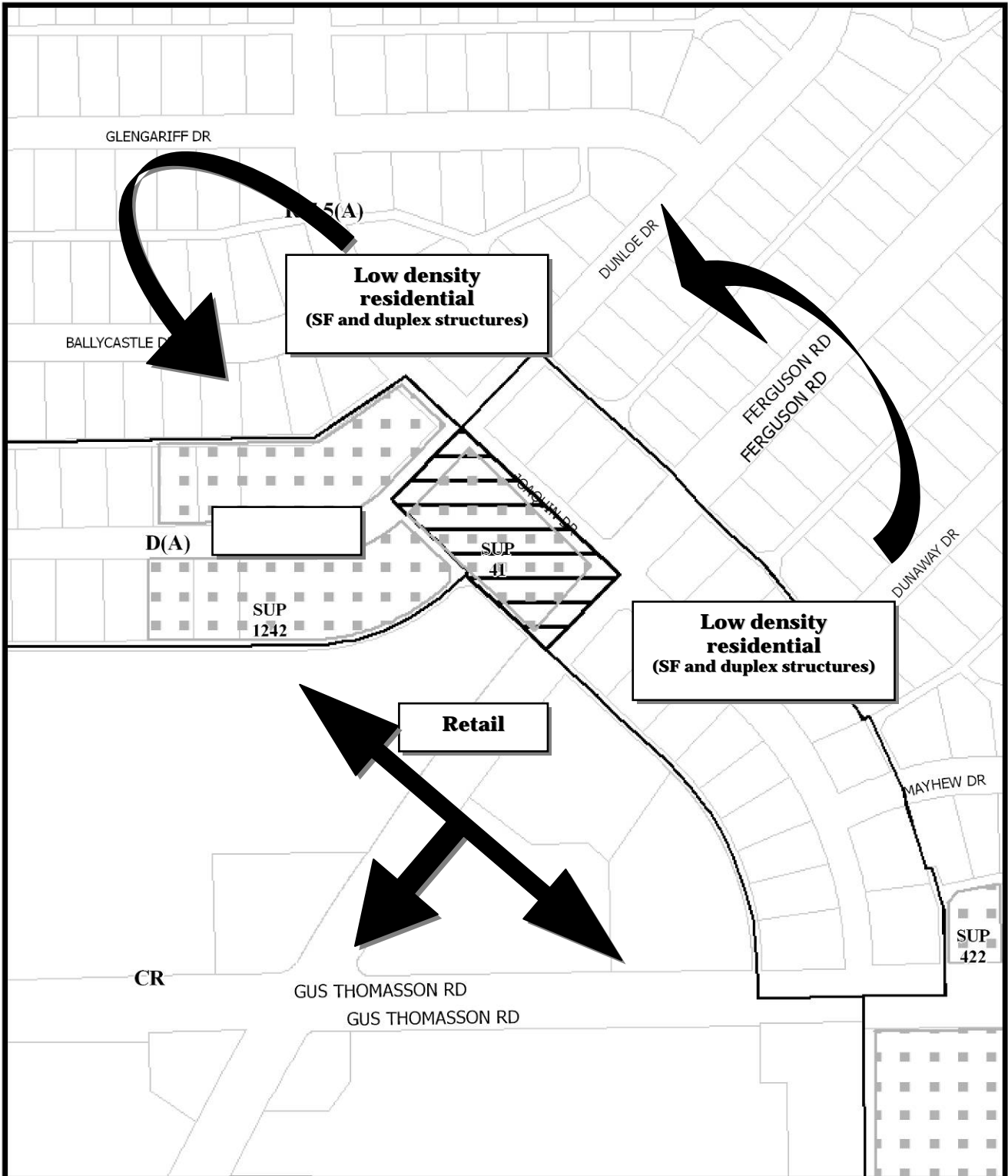


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# VICINITY MAP

Case no:           Z123-120          

Date:           11/1/2012




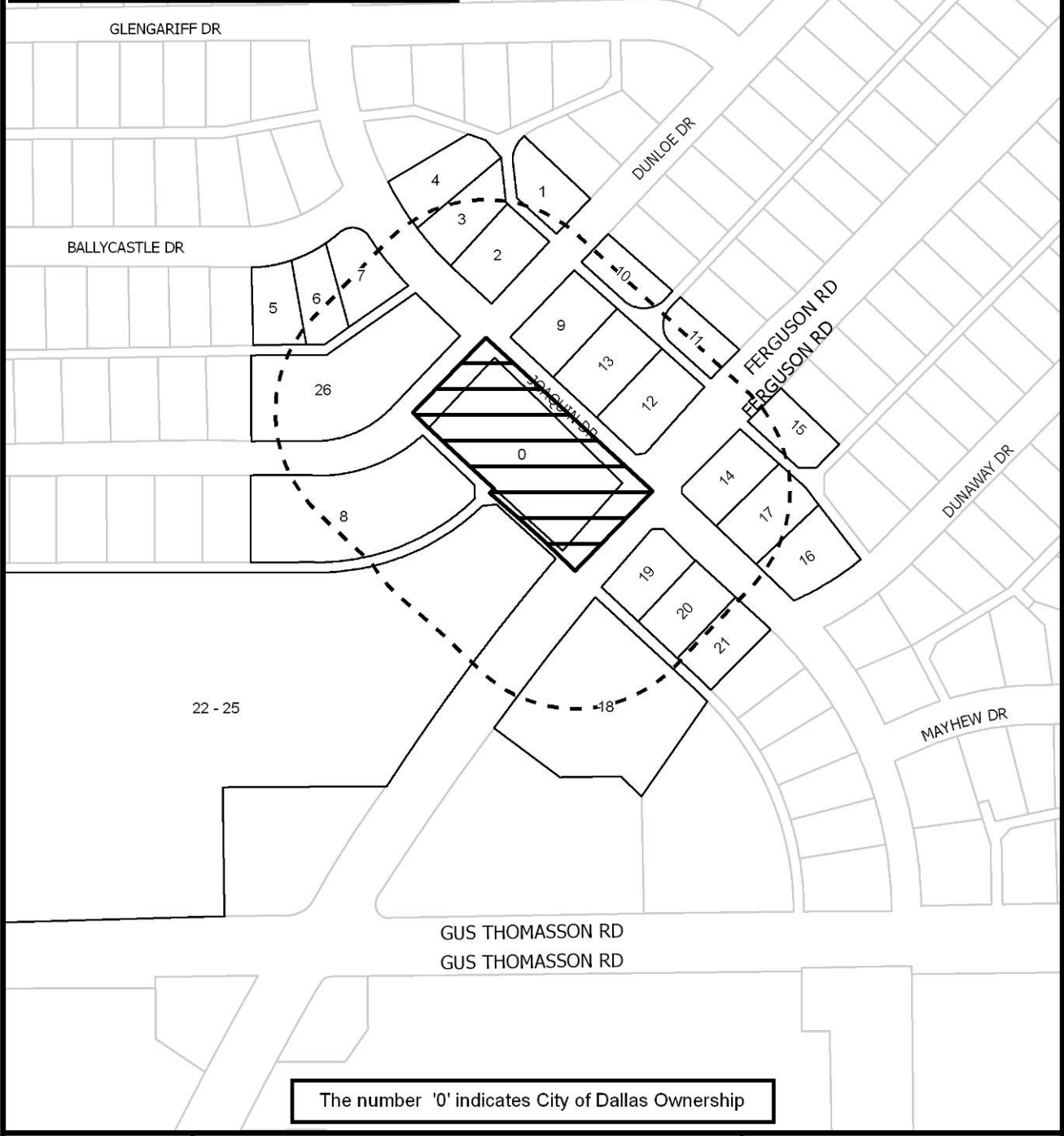
1:2,400

# ZONING AND LAND USE


Case no:           Z123-120          

Date:           11/1/2012

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



The number '0' indicates City of Dallas Ownership

  
1:2,400

## NOTIFICATION

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

Case no: **Z123-120**  
 Date: **11/1/2012**

10/31/2012

***Notification List of Property Owners******Z123-120******26 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2415 DUNLOE DR	NAVA FEDERICO &
2	10430 JOAQUIN DR	ESPARZA ENRIQUE & ESTELA
3	10436 JOAQUIN DR	RUMSEY TRACY
4	10442 JOAQUIN DR	CASTILLO VERONICA
5	2366 BALLYCASTLE DR	WILLIAMS VYRON G
6	2370 BALLYCASTLE DR	LOREDO ISELA
7	2374 BALLYCASTLE DR	VASQUEZ ANTONIO & MARIA DELCARMEN
8	2380 DUNLOE DR	ADLOR ENTERPRISES LLC
9	10418 JOAQUIN DR	MINGO EARL L & SHIRLEY A
10	2414 DUNLOE DR	KOSTER PPTIES
11	10415 FERGUSON RD	BOWDEN JOAN
12	10404 JOAQUIN DR	BURRIS JUANITA
13	10412 JOAQUIN DR	RAMOS MARIO & EMILIA R
14	10352 JOAQUIN DR	LOPEZ FIDENCIO & MARIA &
15	10414 FERGUSON RD	LOUD GLORIA DAY
16	10340 JOAQUIN DR	DUKE CHARLES W
17	10344 JOAQUIN DR	BAXAVANIS NICHOLAS & CAROL CAYE
18	10332 FERGUSON RD	CASA VIEW III LTD PS STE 126
19	10349 JOAQUIN DR	GONZALEZ VINCENTE & ROSA M
20	10345 JOAQUIN DR	CARTER OTIS E
21	10337 JOAQUIN DR	RAYE STEPHEN T
22	2203 GUS THOMASSON RD	CASA VIEW II LTD PS STE 126
23	2275 GUS THOMASSON RD	WALMART REAL ESTATE PROPERTY TAX DEPT
24	2341 GUS THOMASSON RD	BURGER KING % BILL MONTERO
25	2343 GUS THOMASSON RD	PIZZA HUT OF AMERICA % PIZZA HUT #744127
26	2383 DUNLOE DR	ASSEMBLY OF GOD DALLAS INC

**FILE NUMBER:** Z123-115(RB)

**DATE FILED:** March 26, 2012

**LOCATION:** Walnut Hill Lane and North Central Expressway, Southwest Corner

**COUNCIL DISTRICT:** 13

**MAPSCO:** 26 N, P

**SIZE OF REQUEST:** Approx. 4.2 Acres

**CENSUS TRACT:** 78.01

**APPLICANT/OWNER:** RPI Lakeside S. C., Ltd.

**REPRESENTATIVE:** Cory McCord

**REQUEST:** An application for an amendment to Phase 1a and 1b portion of Planned Development District No. 121 for TH-4 Townhouse District Uses and GR General Retail District Uses.

**SUMMARY:** The applicant proposes to remove the restrictions on the number of restaurants permitted on the property.

**STAFF RECOMMENDATION:** Approval, subject to a revised Phase 1a and 1b development plan and conditions.

**BACKGROUND INFORMATION:**

- The request site (Phase 1a and 1b) is developed with retail uses. The balance of PDD No. 121 (Phases 2, 3, and 4) is developed with residential uses. See attached conceptual plan for delineation of the respective phases.
- On November 5, 1980, the City Council approved the creation of PDD No. 121. City Council amended the PDD by resolutions on October 24, 1984 and July 17, 1985. On November 12, 1997, the City Council approved an amendment providing for revisions to various development standards for permitted retail uses as well as accepting a development plan for the request area (Phase 1a and 1b).
- On May 23, 2012, the City Council approved an amendment to PDD No. 121 permitting a second restaurant as well as permitting one of the permitted restaurants to utilize a drive-through lane.
- The applicant is requesting to remove the restriction that limits the number of restaurants to two.
- On July 12, 2012, the City Plan Commission recommended approval of a waiver of the two-year waiting period.

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

<b>Thoroughfare/Street</b>	<b>Designation; Existing &amp; Proposed ROW</b>
Walnut Hill Road	Principal Arterial; 100' & 100' ROW
North Central Expressway	Minor Arterial; Variable ROW
Glen America Drive	Local; 60' ROW

**STAFF ANALYSIS:**

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

GOAL 1.2 Promote desired development.

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

**Land Use Compatibility:** The request site (Phase 1a and 1b) is developed with retail uses. The balance of PDD No. 121 (Phases 2, 3, and 4) is developed with residential uses. The PDD was approved with a conceptual plan, thus requiring CPC approved development plans for each phase. A City Council Resolution (July 17, 1985) provided for a development plan for Phases 2, 3, and 4. On November 12, 1997, a Phase 1a and 1b development plan was approved by the City Council in conjunction with an amendment to the PDD providing for revised development standards. On May 23, 2012, the City Council approved an amendment to the PDD permitting one additional restaurant as well as providing for one of the two restaurants permitted to have a drive-through lane.

The applicant is requesting an amendment to the conditions to remove the restriction that limits the number of restaurants to two. Additionally, the development plan is being amended to reflect current occupancies. The regulating ordinance will retain the maximum floor area of 10,000 square feet for all restaurant uses. Background pertinent to the submission of this application:

Surrounding land use is heavily influenced with residential uses of mixed densities (single family and multifamily structures) to the west, undeveloped property zoned for mixed uses (PDD No. 750) to the north, and various office and retail uses to the east, across the elevated portion of North Central Expressway. PDD No. 260, most closely developed with church and residential uses abuts the property to the south and southwest. Residential uses developed on the balance of PDD No. 121 extend westward from the request site.

Staff has determined the requested amendment will not impact the immediate area. It should be noted that access to this portion of PDD No. 121 is provided from all frontages, Walnut Hill Lane, the northbound service road of North Central Expressway, and Glen America Drive with no impact on the residential uses to the west. This use is consistent in terms of existence as those found throughout this portion of the PDD. As a result of this analysis, staff supports the request, subject to a Phase 1a and 1b development plan and conditions.

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



Z123-115(RB)

**Off-Street Parking:** PDD No. 121 requires parking per city code. No revisions are requested nor recommended.

**Landscaping:** PDD No. 121 provides for landscaping per Article X with certain requirements along the western boundary line of the area in close proximity to Building A (southernmost structure on the attached development plan). No additional landscaping is required nor being recommended. No revisions are requested nor recommended.

**RPI Lakeside S.C., LTD.**

2929 Carlisle, Ste. 170  
DALLAS, TEXAS 75204  
(972) 250-1486  
FAX: (972) 931-0956

October 17, 2012

Richard Brown  
Dept. of Development Services  
1500 Marilla St., Room 5B North  
Dallas, TX 752201

RE: Lakeside Village Shopping Center  
9669 N. Central Expressway, Dallas, TX 75244

Dear Mr. Brown,

Please accept this letter as authorization for our Director of Leasing, Cory McCord, to proceed with the regarding a proposed Zoning Change for the above referenced Property.


For the record, a list of officers for RPI Lakeside S.C., Ltd, is as follows:

RPI Lakeside GP, Inc., general Partner  
Jeffrey L. Olyan, President, RPI Lakeside GP, Inc.  
Kay Mead, Secretary, RPI Lakeside GP, Inc.

Feel free to contact me at 972.250.1486 x 5 or at [kmead@retailplazas.com](mailto:kmead@retailplazas.com) if you need additional information regarding this request.

Sincerely,

RPI Lakeside GP, Inc.

  
Kay Mead  
Secretary

Z123-115

**PROPOSED AMENDING CONDITIONS  
ARTICLE 121  
PD 121.**

**SEC. 51P-121.101. LEGISLATIVE HISTORY.**

PD 121 was established by Ordinance No. 16743, passed by the Dallas City Council on November 5, 1980. Ordinance No. 16743 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Subsequently, Ordinance No. 16743 was amended by Resolution No. 84-3430, passed by the Dallas City Council on October 24, 1984; Resolution No. 85-2304, passed by the Dallas City Council on July 17, 1985; and Ordinance No. 23330, passed by the Dallas City Council on November 12, 1997. (Ord. Nos. 10962; 16743; 23330; 25508; Res. Nos. 84-3430; 85-2304)

**SEC. 51P-121.102. PROPERTY LOCATION AND SIZE.**

PD 121 is established on property generally located at the southwest corner of Walnut Hill Lane and Central Expressway. The size of PD 121 is approximately 16.3246 acres. (Ord. Nos. 16743; 25508)

**SEC. 51P-121.103. 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. (Ord. 25508)

**SEC. 51P-121.103.1 EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit 121A: conceptual plan.
- (2) Exhibit 121B: Phase 1a and Phase 1b development plan.
- (3) Exhibit 121C: Phases 2, 3, and 4 development plan.

**SEC. 51P-121.104. CONCEPTUAL PLAN.**

A conceptual plan indicating use districts by tracts, as approved by the city plan commission, is labeled Exhibit 121A. (Ord. Nos. 16743; 23330; 25508)

SECTION 2. That Section 51P-121-105, "Development Plan,"of Article 121, 'PD 121,' of Chapter 51P,"Dallas Development Code: Planned Development District Regulations," of the Dallas City Cod is amended to read as follows:

**SEC. 51P-121.105. DEVELOPMENT PLAN.**

Development and use of the Property must comply with the Phase 1a and Phase 1b development plan (Exhibit 121B) and the Phases 2, 3, and 4 development plan (Exhibit 121C). If there is a conflict between the text of this article and the development plans, the text of this article controls.

**SEC. 51P-121.106. SUBDIVISION PLAT.**

Prior to the issuance of any building permit, a subdivision plat approved by the city plan commission must be filed for record with the county clerk. In conjunction with the submission of the subdivision plat, a legal instrument establishing a plan for permanent care and maintenance of any common area or communally-owned facility must be submitted to and approved by the city attorney as to legal form and by the city plan commission as to suitability for the proposed use of the common area. (Ord. Nos. 16743; 25508)

**SEC. 51P-121.107. USES AND DEVELOPMENT STANDARDS.**

Uses permitted within and development of this PD must be in accordance with the following provisions.

(1) Residential tracts.

(A) Uses platted on individual lots. Uses permitted within these tracts may not exceed the standards of the Townhouse-4 District as specified in the comprehensive zoning ordinance of the city with the following exceptions if units are platted on individual lots:

(i) Minimum lot width is 35 feet.

(ii) Minimum lot area is 4,000 square feet.

(iii) Minimum lot depth is 100 feet.

(iv) Maximum building height is as follows:

(aa) Thirty-six feet within Zone 1 defined as extending from the south line of Walnut Hill Lane south a distance of 60 feet.

(bb) Forty-eight feet within Zone 2 defined as extending from a line 60 feet south of the south line of Walnut Hill Lane south a distance of 60 feet.

(cc) Sixty-five feet within Zone 3 defined as extending from a line 120 feet south of the south line of Walnut Hill Lane to the southernmost line of Phase 3.

(dd) Thirty-six feet within Zone 4 defined as extending from the south line of Phase 4 north a distance of 60 feet.

(ee) Forty-eight feet within Zone 5 defined as extending from a line 60 feet north of the south line of Phase 4 north a distance of 60 feet.

(ff) Sixty-five feet within Zone 6 defined as extending from a line 120 feet north of the south line of Phase 4 to the north line of Phase 4.

## Z123-115(RB)

(B) Units not on legally platted lots. If residential units are not on legally platted lots, the standards of the MF-3 district apply with the following exceptions:

(i) Maximum density is 25 dwelling units per acre in Phase 2 and 30 dwelling units per acre in Phase 3 and 4.

(ii) A 25-foot setback is required along the south line of Walnut Hill Lane for a distance of 320 feet from the west property line. All other setbacks must comply with the standards specified in the Comprehensive General Zoning Ordinance.

(iii) A six to nine-foot perimeter screening fence located at or near the property line and similar to the one along Boedeker and Walnut Hill Lane to the west must be erected in the area designated as Phase 2.

(iv) Maximum building height is as follows:

(aa) Thirty-six feet within Zone 1 defined as extending from the south line of Walnut Hill Lane south a distance of 60 feet.

(bb) Forty-eight feet within Zone 2 defined as extending from a line 60 feet south of the south line of Walnut Hill Lane south a distance of 60 feet.

(cc) Sixty-five feet within Zone 3 defined as extending from a line 120 feet south of the south line of Walnut Hill Lane to the southernmost line of Phase 3.

(dd) Thirty-six feet within Zone 4 defined as extending from the south line of Phase 4 north a distance of 60 feet.

(ee) Forty-eight feet within Zone 5 defined as extending from a line 60 feet north of the south line of Phase 4 north a distance of 60 feet.

(ff) Sixty-five feet within Zone 6 defined as extending from a line 120 feet north of the south line of Phase 4 to the north line of Phase 4.

(2) Retail tracts. Uses permitted within and development of these tracts must be in accordance with the standards of the General Retail zoning district with the following exceptions:

~~(A) A maximum of two restaurants with a maximum floor area total of 10,000 square feet are permitted. Of the two permitted restaurants, only one drive-in restaurant is permitted. A maximum total floor area of 10,000 square feet for all restaurants is permitted. Only one drive-in restaurant is permitted on the Property at any one time.~~

(B) All other retail uses are limited to a maximum of 10,000 square feet of gross floor area per tenant.

(C) Except as provided in Subparagraph (G) below, maximum height is 45 feet.

(D) Maximum gross floor area is 50,600 square feet.

(E) One clock tower is permitted, not to exceed a height of 100 feet above finished grade.

Z123-115(RB)

(F) Minimum front yard setback for Building A, as shown on the development plan for Phase 1a and Phase 1b, is 15 feet.

(G) Maximum height for Building A is 17 feet. (Ord. Nos. 16743; 23330; 25508; 26102)

**SEC. 51P-121.108. INGRESS AND EGRESS.**

All means of ingress and egress to property within the boundaries of this PD must be approved by the Traffic Design Section of the department of public works and transportation. (Ord. Nos. 16743; 25508)

**SEC. 51P-121.109. OFF-STREET PARKING.**

Off-street parking must be provided for each use in accordance with the requirements of Chapter 51. (Ord. Nos. 23330; 25508)

**SEC. 51P-121.110. SIGNS.**

All signs in residential areas must comply with the non-business regulations in Article VII. All signs in retail areas must comply with the business regulations in Article VII, except that non-premise signs are not permitted. (Ord. Nos. 23330; 25508)

**SEC. 51P-121.111. OPEN SPACE.**

The open space area as delineated on the conceptual plan will be a communally-owned, improved open space. No building will be permitted in this area except for walls, dams, bridges, clock tower, streets, and bike trails. (Ord. Nos. 16743; 25508)

**SEC. 51P-121.112. DRAINAGE REQUIREMENTS.**

Development of this property must be in compliance with the drainage requirements of the department of public works and transportation prior to approval of any detailed site plan within this PD. (Ord. Nos. 16743; 25508)

**SEC. 51P-121.113. LANDSCAPE FOR BUILDING A.**

(a) General landscaping. Prior to issuance of a building permit for Building A, a landscape plan must be approved by the building official that complies with Section 51A-10.125(b) of Chapter 51A. This landscaping must be completed in accordance with Article X of Chapter 51A. An artificial lot may be created for Building A in order to comply with this section.

(b) Buffer strip. In addition to the landscaping required in the preceding subsection, two landscape buffer strips are required as follows:

(1) Prior to the issuance of a certificate of occupancy for Building A, a solid evergreen hedge must be planted along the southern property line adjacent to Building A. The hedge must achieve a minimum height of six feet within three years of planting.

Z123-115(RB)

(2) Prior to the issuance of a certificate of occupancy for Building A, a minimum five-foot perimeter landscape buffer strip must be planted along the west boundary line of the artificial lot for Building A, as shown on the development plan for Phase 1a and Phase 1b. (Ord. Nos. 23330; 25508)

**SEC. 51P-121.114. SIDEWALKS AND PAVING.**

(a) Sidewalks must be provided in compliance with the Comprehensive Zoning Ordinance of the city.

(b) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications to the satisfaction of the director of public works and transportation. (Ord. Nos. 16743; 25508; 26102)

**SEC. 51P-121.115. GENERAL REQUIREMENTS.**

Development of this property must comply with the requirements of all departments of the city. (Ord. Nos. 16743; 25508; 26102)

**SEC. 51P-121.116. COMPLIANCE WITH CONDITIONS.**

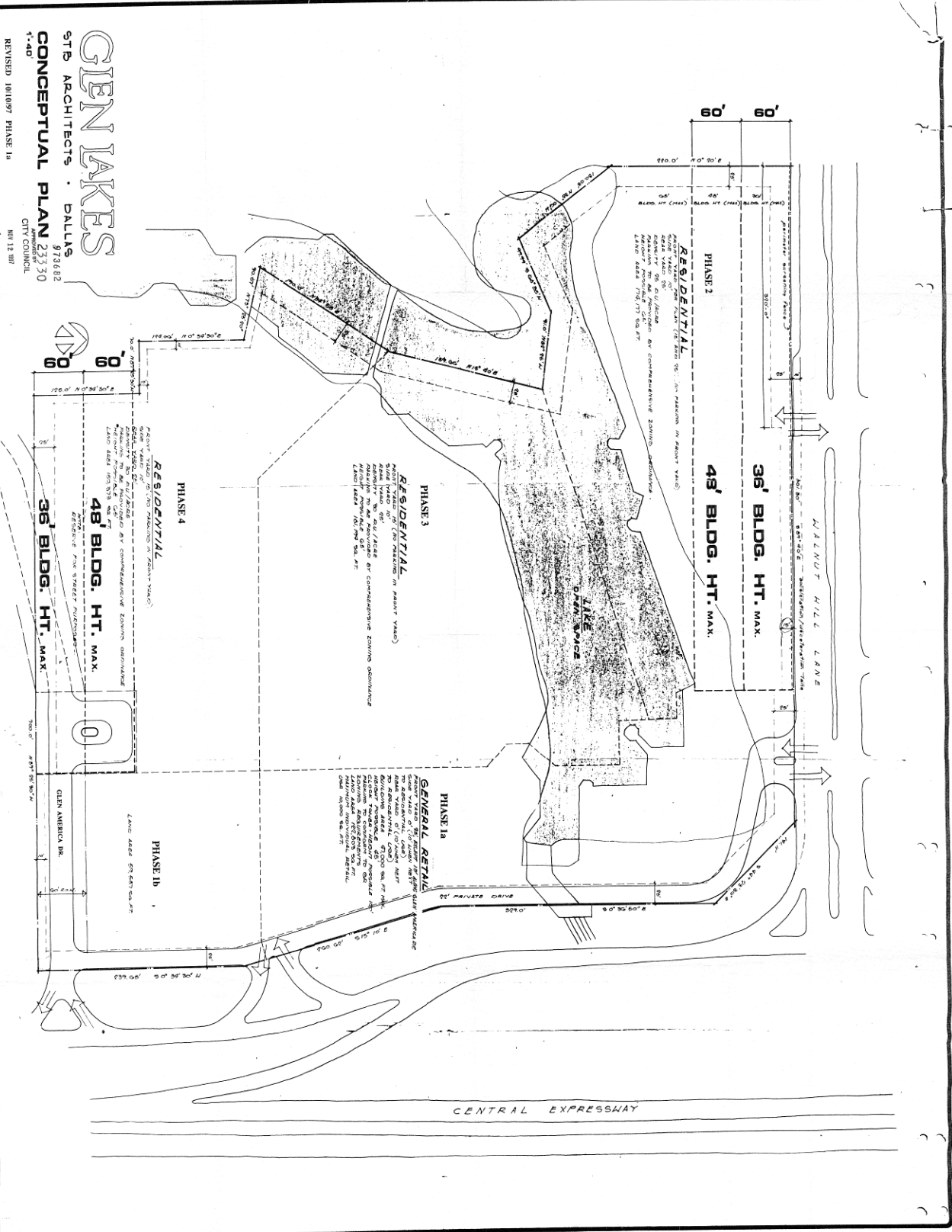
The building official shall not issue a certificate of occupancy for a use in this PD until there is full compliance with this article and with all applicable provisions of the Dallas City Code, as amended. (Ord. Nos. 16743; 25508)





STB ARCHITECTS • DALLAS  
 9736882  
 CONCEPTUAL PLAN 23330  
 CITY COUNCIL  
 REVISED 10/10/97 PHASE 1a  
 APR 12 1998

# GEN LAKES



Sheet number:	of	date:	job no.:	STB architects-planners, inc. dallas, texas
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9-12

**Existing Conceptual Plan**  
 (provided for orientation purposes only)

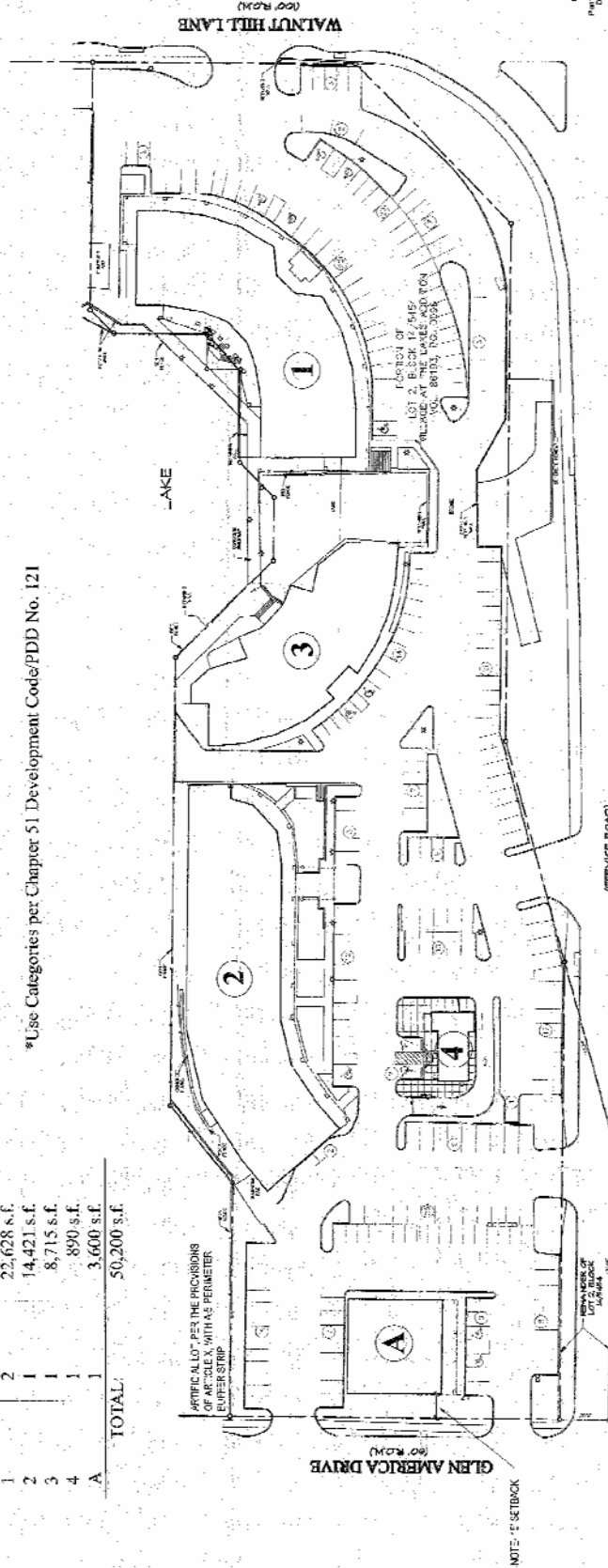
**Phase 1a & 1b  
Development Plan  
Planned Development District  
No. 121**

USE CATEGORIES*	AGGREGATE FLOOR AREA	PARKING PROVISIONS
Restaurants	1,790 sf	Parking Provided = 224 spaces
Medical Clinic	5,143 sf	Delta Credits = 26 spaces
Paint & Wallpaper Store	3,600 sf	Total = 250 spaces
Retail Store (Other than Listod)	10,400 sf	Parking Required = 204 spaces
Bank or Savings and Loan Office	8,715 sf	(based on current tenant use, as of April 1, 2012)
Clothing Store	2,000 sf	
Liquor Store	4,449 sf	
Office	840 sf	
Custom Cleaning Shop	2,021 sf	
Barber or Beauty Shop	3,785 sf	
<b>TOTAL = 42,743 sf</b>		

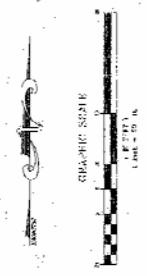
SITE: 4.2235 ACRES

BUILDING	STORIES	FLOOR AREA
1	2	22,628 s.f.
2	1	14,421 s.f.
3	1	8,715 s.f.
4	1	890 s.f.
<b>A</b>	<b>1</b>	<b>3,600 s.f.</b>
<b>TOTAL:</b>		<b>50,200 s.f.</b>

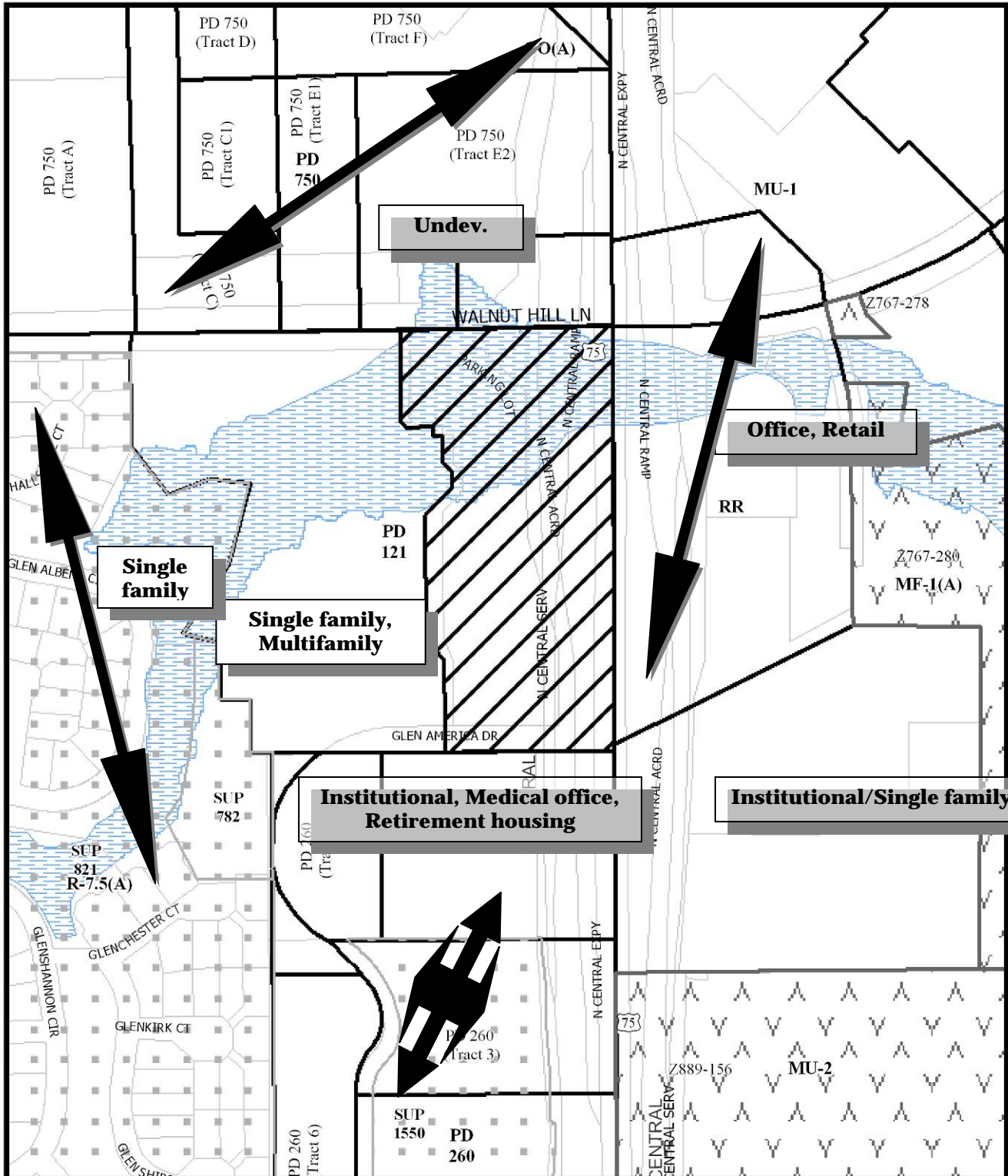
\*Use Categories per Chapter 51 Development Code/PDD No. 121



**NORTH CENTRAL EXPRESSWAY**  
(SERVICE ROAD)  
(VARIABLE WIDTH ROW)







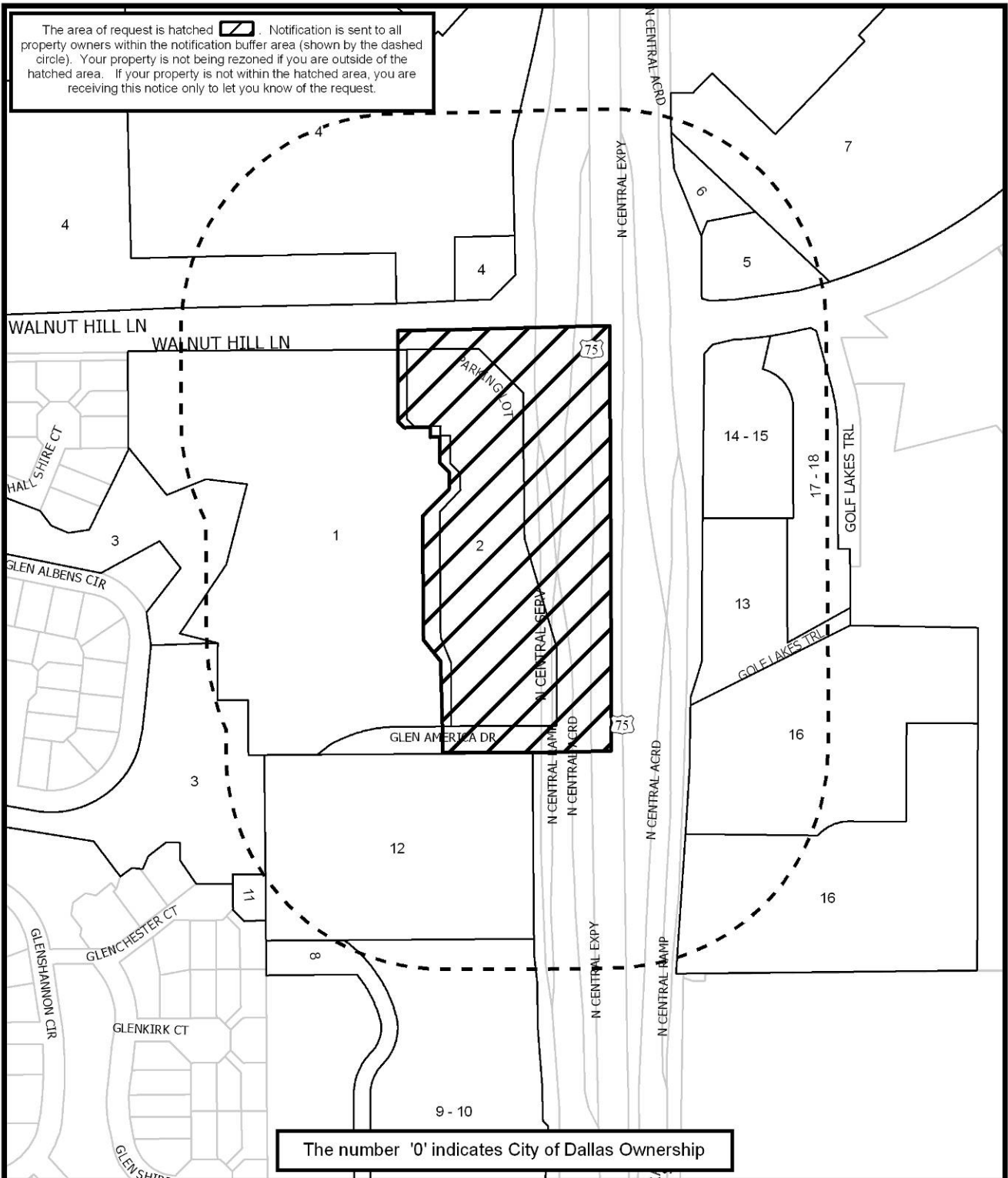
1:3,600

# ZONING AND LAND USE

Case no:           Z123-115          

Date:           11/9/2012

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



The number '0' indicates City of Dallas Ownership



1:3,600

# NOTIFICATION

**500'**

AREA OF NOTIFICATION

**18**

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z123-115**

Date: **11/9/2012**

11/9/2012

***Notification List of Property Owners******Z123-115******18 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	7750 WALNUT HILL LN	CREEKWOOD LAKESIDE LTD PS STE 100
2	9669 CENTRAL EXPY	RPI LAKESIDE S.C LTD
3	7600 GLEN ALBENS CIR	GLEN LAKES HOMEONRS ASSOC
4	9707 CENTRAL EXPY	75 AND WALNUT HILL LLC
5	8007 WALNUT HILL LN	INTERFIRST BANK DALLAS
6	9730 CENTRAL EXPY	WALNUT CENTRAL JV
7	8021 WALNUT HILL LN	CORNER SHOPPING HOLDING STE 214
8	7901 PARK LN	GLEN AMERICA CORPORATION
9	9301 CENTRAL EXPY	HCP CRS1 NORTH CENTRAL DALLAS TX LP
10	9301 CENTRAL EXPY	HCP CRSII NORTH CENTRAL PHASE II TX, LLC
11	6 GLENCHESTER CT	FINN DONALD F & CATHERINE S
12	9555 CENTRAL EXPY	NORTHPARK PRESBYTERIAN CH
13	9500 CENTRAL EXPY	GLEN LAKES PTNRS LP
14	9600 CENTRAL EXPY	RETINA CENTRAL LLC
15	9600 CENTRAL EXPY	RETINA CENTRAL LLC
16	9400 CENTRAL EXPY	DALLAS NCX PROPERTIES
17	9500 CENTRAL EXPY	WALNUT BOBOS LTD
18	9500 CENTRAL EXPY	WALNUT BOBOS II LTD

**FILE NUMBER:** Z123-109(RB)

**DATE FILED:** October 12, 2012

**LOCATION:** Southeast Line of Elm Street, West of Crowds Street

**COUNCIL DISTRICT:** 2

**MAPSCO:** 45 M

**SIZE OF REQUEST:** Approx. 5,537 Sq. Ft.

**CENSUS TRACT:** 204

---

**APPLICANT:** Club Dada

**REPRESENTATIVE:** Audra Buckley

**OWNER:** Elm Street Realty, LTD

**REQUEST:** An application for the renewal of Specific Use Permit No. 1694 for a Bar, lounge, or tavern and an Inside commercial amusement limited to a live music venue on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

**SUMMARY:** The applicant is requesting renewal of SUP No. 1694 in order to continue operation of the existing bar and live music venue.

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

**BACKGROUND:**

- The request site consists of a one-story structure, with an uncovered patio area.
- The existing bar/live music venue encompasses 2,832 square feet of floor area with an approximate 2,225 square foot uncovered patio.
- On June 14, 2006, the City Council approved an amendment to PDD No. 269 which requires an SUP for this use category.
- On December 12, 2007, the City Council approved SUP No. 1694 for a five-year period.

**Zoning History:**

<b><u>File No.</u></b>	<b><u>Request, Disposition, and Date</u></b>
1. Z067-233	On August 8, 2007, the City Council approved a Specific Use Permit for a Bar, lounge or tavern for a one-year time period.
2. Z112-206	On August 22, 2012 the City Council approved a Specific Use Permit for a Bar, lounge, or tavern for a one-year period.
3. Z056-271	On January 10, 2007, the City Council approved a Specific Use Permit for a Tattoo studio and Body piercing studio for a five-year period with eligibility for additional five-year periods.
4. Z112-234	On September 12, 2012, the City Council approved an amendment and renewal of SUP No. 1685 for a five-year period.
5. Z101-242	On October 26, 2011, the City Council approved a Specific Use Permit for a Bar, lounge, or tavern for a two-year period.
6. Z078-122	On March 26, 2008, the City Council approved a Specific Use Permit for a Tattoo studio and Body piercing studio.
7. Z101-187	On May 23, 2011, the City Council approved the renewal of Specific Use Permit No. 1757 for a Bar, lounge or tavern for a three-year time period.



Z123-109(RB)

8. Z089-273 On December 9, 2009, the City Council approved a Specific Use Permit for a Bar, lounge, or tavern and Inside commercial amusement for a Class A dance hall for a two-year period.
9. Z101-347 On December 14, 2011, the City Council approved a Specific Use Permit for a bar, lounge, or tavern for a three-year period time period.
10. Z090-213 On October 24, 2007, the City Council approved SUP No. 1686 for a tattoo or body piercing studio for a three-year period with eligibility for automatic renewal for additional three-year periods.
11. Z101-344 On November 7, 2011, the City Council approved an SUP for a bar, lounge or tavern for a two-year period.

**Thoroughfare**

**Designation; Existing & Proposed ROW**

Elm Street

Minor Arterial; 80' & 80' ROW

**STAFF ANALYSIS:**

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

**LAND USE 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 applicant is requesting the renewal of SUP No. 1694 in order to continue operation of an existing bar and live music venue. A certificate of occupancy for this bar was initially issued on May 5, 2006.

The request site consists of a one-story structure and an uncovered patio that is

situated in a blockface consisting of similar architectural similarities (structures that existed prior to June, 1984), all of which have enjoyed adaptive reuse as this area has enjoyed a significant presence for entertainment venues and compatible retail uses. With the continued expansion of services provided by DART (i.e., completion of the Green Line that traverses this general area), construction and occupancy of medium-density residential projects have established that, in part, serve the hospital campus and downtown central business district. The site is surrounded by a mix of office/retail/restaurant uses that are served by various surface parking lots and metered spaces along Elm 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 addressed specific hours of operation that mirror the previous five years of occupancy. Additionally, prohibiting outside amplification on the property is being recommended. With respect to the amended site plan, it has been determined that floor area and uncovered outside patio area calculations were not accurate on the most recent approved plan, thus the attached amending site plan.

Continuation of the proposed use is consistent with not only the most recent use on the property, but is similar in operational characteristics of other entertainment venue uses in the immediate area. As noted above, the general land use in the immediate area provides for various retail and entertainment venue uses (i.e., bars, live music, restaurants) that serve the new housing stock in Deep Ellum as well as serving as a destination for patrons outside of the area.

As a result of this analysis, the request complies with the general provisions for consideration of renewal of SUP No. 1694, subject to the revised site plan and conditions.

**Traffic:** The Engineering Section of the Department of Development Services has reviewed the requested renewal and determined it will not significantly impact the surrounding street system.

**Off-Street Parking:** PDD No. 269 does not require off-street parking for the first 2,500 square feet of floor area for these uses on the first floor in an original building. The applicant occupies 2,832 square feet of floor area for the combined uses, thus a requirement of three spaces. The applicant provides for two of the spaces via the on-street meters within the SUP area’s frontage on Elm Street, with the remaining required space provided by recorded parking agreement.

With respect to the live music venue component of the request, this is continued to be an infrequent aspect of the operation. In situations such as this, the building official has determined no off-street parking is required.

It should be noted that a significant number of metered on-street parking spaces exist as well as surface parking lots throughout the immediate area west of the site.

**Police Report:** Staff obtained reported offenses for the most recent five-year period. The list of offenses is provided below.

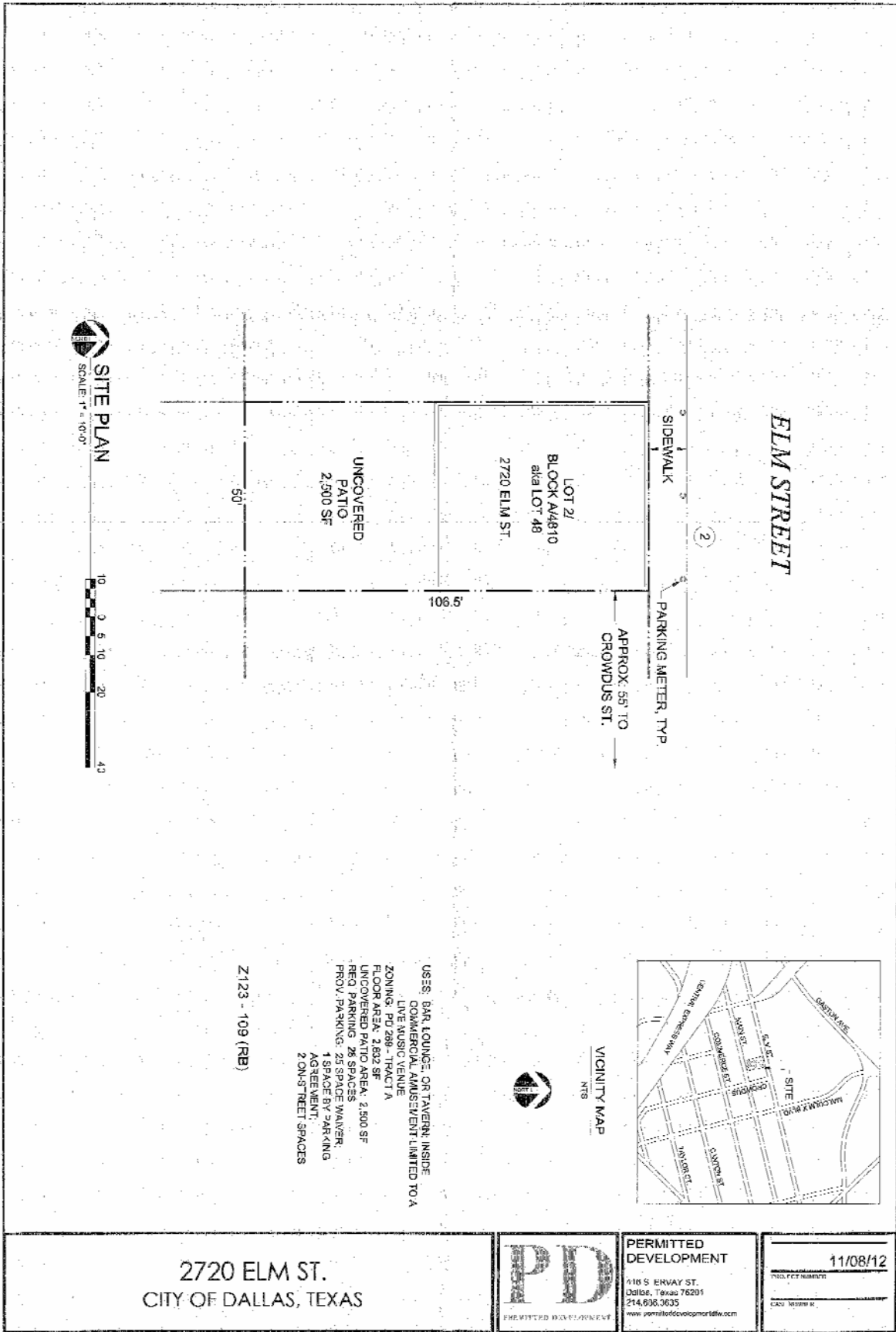
41023									
➤ <u>0063287-</u> Y	03/02/2008	SIMPSON, JARRED	ASSAULT	02720	ELMST	135	2066	08121	
➤ <u>0085941-</u> Y	03/24/2008	*DADA	BURGLARY	02720	ELMST	135	2066	05161	
➤ <u>0178797-</u> Y	07/07/2011	*CLUB DA DA	CRIMINAL MISCHIEF/VANDALISM	02720	ELMST	153	2066	14081	
➤ <u>0241369-</u> Y	08/02/2008	LEVARIO, GLORIA	ASSAULT	02720	ELMST	135	2066	08321	
➤ <u>0308601-</u> Y	11/24/2011	MCCARTHY, CATRINA	THEFT	02720	ELMST	153	2066	06901	

**AMENDING CONDITIONS FOR SPECIFIC USE PERMIT NO. 1694**

1. USE: The only uses authorized by this specific use permit is an alcoholic beverage establishment limited to a bar, lounge, or tavern and an inside commercial amusement use limited to a live music venue.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires [~~automatically terminates~~] on December 12, ~~2012~~ 2017.
4. CERTIFICATE OF OCCUPANCY: The alcoholic beverage establishment limited to a bar, lounge, or tavern and the inside commercial amusement use limited to a live music venue must obtain an amended certificate of occupancy from the Building Official by January 11, 2008. All requirements of this specific use permit and Planned Development District NO. 269, the Deep Ellum/Near East Side District, must be met before the Building Official may issue the amended certificate of occupancy.
5. FLOOR AREA:
  - A. The maximum floor area for a bar, lounge, or tavern and live music venue is 2,832 square feet in the location shown on the attached site plan.
  - B. The maximum area for the uncovered patio is 2,225 [~~3,577~~] square feet in the location shown on the attached site plan.
6. OFF-STREET PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269, the Deep Ellum/Near East Side District. Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement.
7. HOURS OF OPERATION: The bar, lounge, or tavern and live music venue may only operate between 4:00 p.m. and 2:00 a.m. (the next day), Monday through Friday, and between 12:00 p.m. and 2:00 a.m. (the next day), Saturday and Sunday.
8. OUTDOOR SPEAKERS: Outside speakers or amplification is prohibited.

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

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



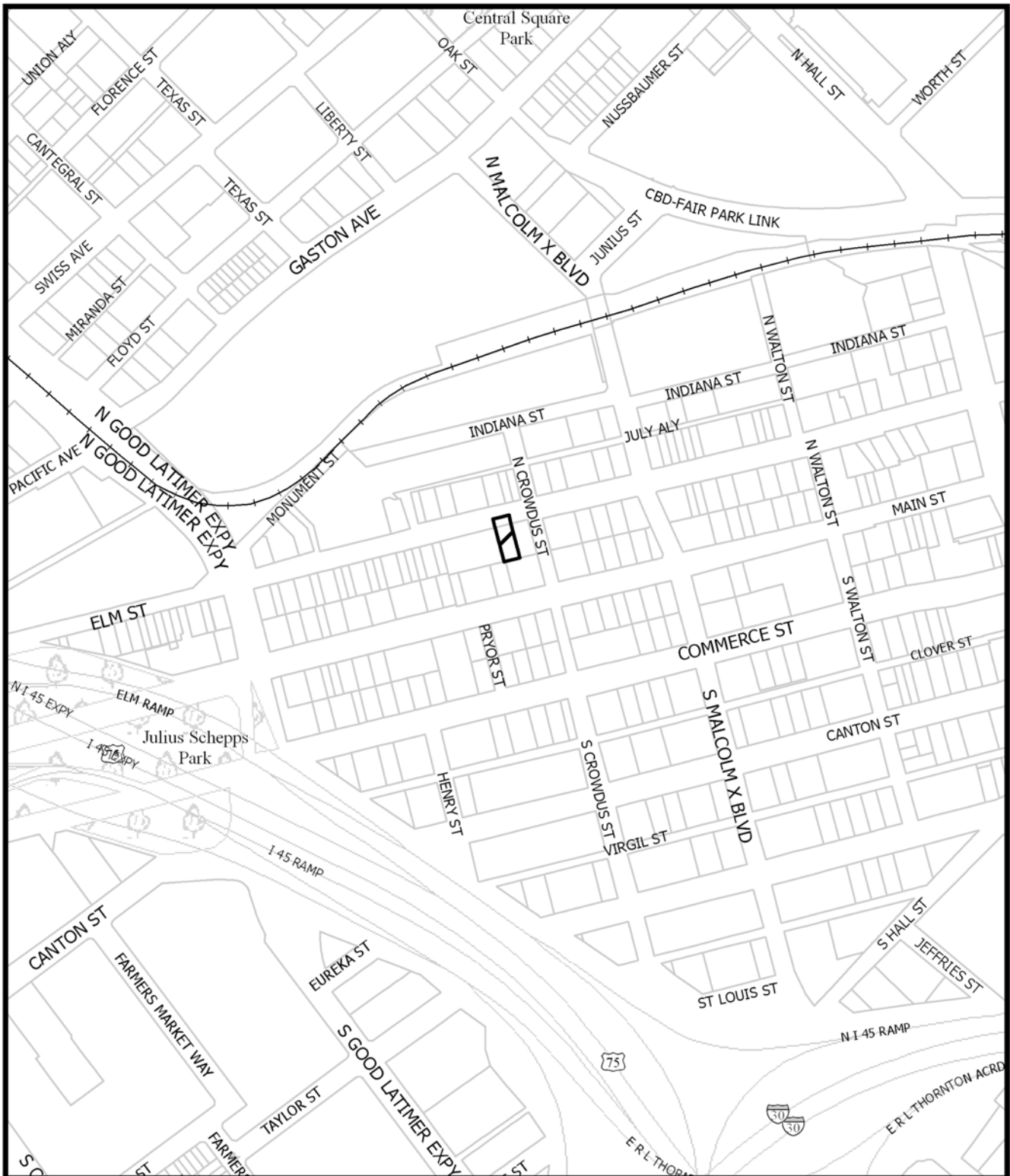
2720 ELM ST.  
CITY OF DALLAS, TEXAS



**PERMITTED DEVELOPMENT**  
110 S ENVAY ST.  
Dallas, Texas 76201  
214.638.3635  
www.permitteddevelopmentllc.com

11/08/12  
7525 PCT NUMBER  
DASH NUMBER





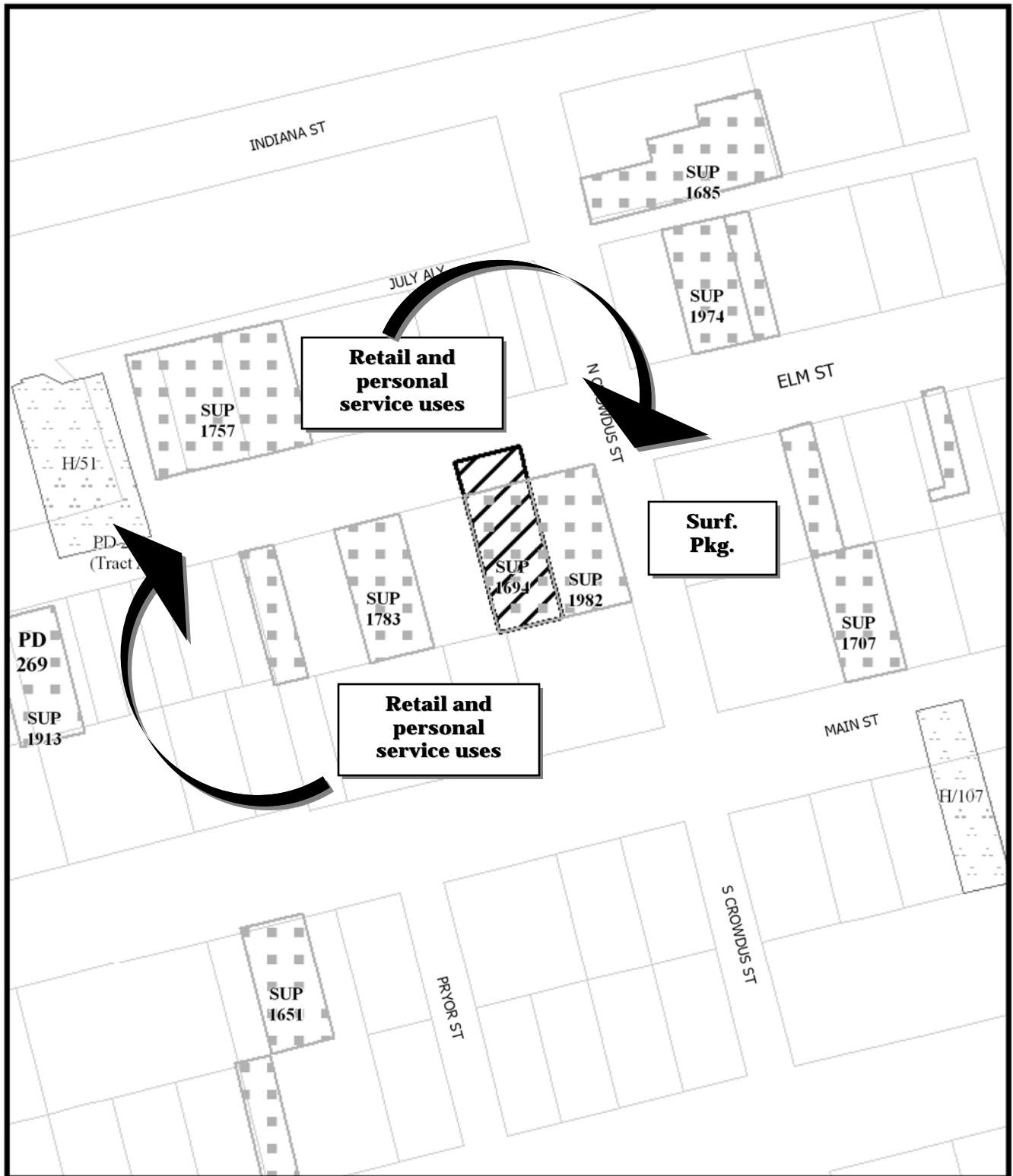
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# VICINITY MAP

Case no:           Z123-109          

Date:           11/2/2012



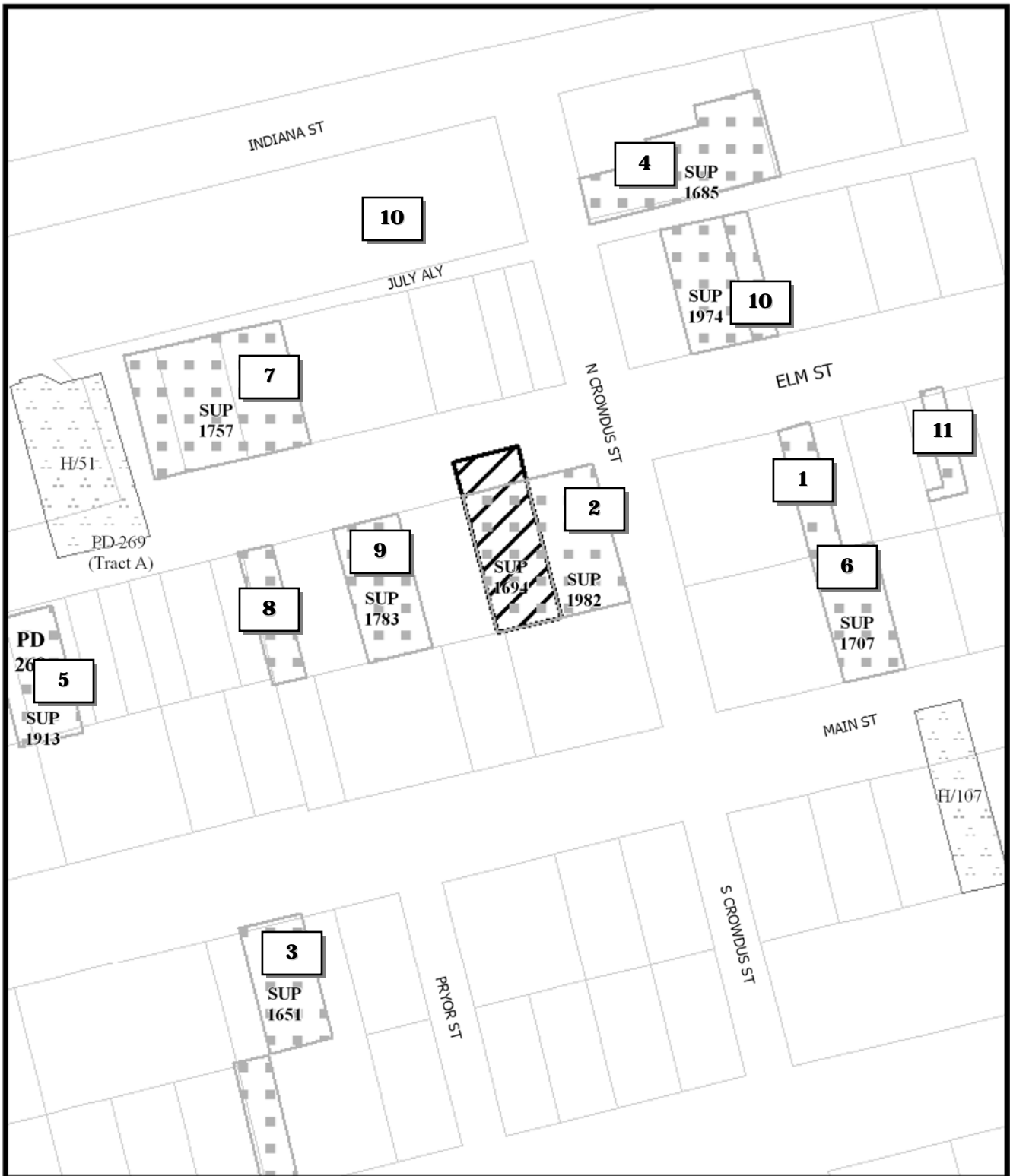


1:1,200

# ZONING AND LAND USE

Case no:           Z123-109          

Date:           11/2/2012




1:1,200

# ZONING HISTORY

Case no: Z123-109


Date: 11/2/2012

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



The letter 'N' indicates no information available

The number '0' indicates City of Dallas Ownership

  
1:1,200

## NOTIFICATION

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

Case no: **Z123-109**  
 Date: **11/2/2012**

11/1/2012

***Notification List of Property Owners******Z123-109******22 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2720 ELM ST	ELM STREET REALTY LTD
2	2649 MAIN ST	PETERS WILSON G APT A
3	2650 ELM ST	ELM ELM LLC
4	2712 MAIN ST	CASS DON E TR STE B
5	2708 MAIN ST	LAMBETH WILLIAM V & FRANCES B
6	2702 MAIN ST	JERNIGAN REALTY PTNR LP
7	2800 MAIN ST	CONGRESS STREET NIGHTS INC
8	2724 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
9	2715 MAIN ST	MAIN PROPERTIES LLC
10	2707 MAIN ST	DEALEY CHRISTOPHER C
11	2701 MAIN ST	42 2701 MAIN LP % SCOTT ROHRMAN
12	2810 ELM ST	BLANTON DONNY G
13	2806 ELM ST	DEEP ELM I LTD % DON E CASS
14	2809 MAIN ST	BLANTON DON G
15	2803 MAIN ST	DEEP ELM JV 1 % DON E CASS
16	2723 ELM ST	2723 ELM STREET JV ATTN JOHN BROUDE
17	2717 ELM ST	WESTDALE PPTIES AMERICA LTD
18	2707 ELM ST	BELMOR CORP % CARL SKIBELL
19	2703 ELM ST	BELMOR CORP % CARL SKIBELL
20	2801 ELM ST	MAGERS SCOTT E & DOUGLAS E
ALDRIDGE		
21	2810 INDIANA BLVD	BLANTON DON
22	2811 ELM ST	MCCORMICK ARTHUR SR LFEST REM: A
MCCORMI		

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Planner: Richard E. Brown

**FILE NUMBER:** Z123-104(RB)      **DATE FILED:** October 5, 2012

**LOCATION:** North Line of Jefferson Boulevard, West of Madison Street

**COUNCIL DISTRICT:** 1      **MAPSCO:** 54 G

**SIZE OF REQUEST:** Approx. 30,468 Sq. Ft.      **CENSUS TRACT:** 47

---

**APPLICANT:** Bella Dental

**REPRESENTATIVE:** Rob Baldwin

**OWNER:** Rampart Properties, LP

**REQUEST:** An application for the renewal of Specific Use Permit No. 1789 for a Medical clinic on property within the Tract 1A portion of Planned Development District No. 316, the Jefferson Area Special Purpose District.

**SUMMARY:** The applicant is proposing to continue operation of the existing dental office.

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

**BACKGROUND INFORMATION:**

- The site is developed with a multi-tenant retail structure developed around the Jefferson Tower.
- The applicant proposes to continue operation of the 2,616 square foot dental office.
- Required off-street parking is provided on an adjacent parcel, subject to an existing parking agreement filed with the building official.
- On January 13, 2010, the City Council approved SUP No. 1789 for a three-year period.
- On November 10, 2010, the City Council approved an amendment to the ordinance regulating SUP No. 1789 to correct the property description. As part of the application, the applicant requested to remove the off-street parking requirements (13 spaces), which the City Council did not approve.

**Zoning History:**

<b>File No.</b>	<b>Request, Disposition, and Date</b>
1. Z112-251	A CPC authorized hearing to determine proper zoning on property governed by Planned Development District No. 316, the Jefferson Area Special Purpose District, with consideration of revised development standards, landscaping, and off-street parking regulations. Pending City Plan Commission and City Council public hearings.

<b><u>Thoroughfare/Street</u></b>	<b><u>Existing &amp; Proposed ROW</u></b>
Jefferson Boulevard	Collector; 100' & 100' ROW
Madison Avenue	Local; 50' ROW

**STAFF ANALYSIS:**

**Comprehensive Plan:** The property is located in an area considered a Main Street. 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.

**Land Use Compatibility:** The site is developed with a multi-tenant retail structure that includes the Jefferson Tower. The applicant proposes to continue the operation of a 2,616 square foot dental office within the multi-tenant improvements.

The site is situated within the heart of the Tract 1A portion of the Jefferson Area Special Purpose District. This portion of the PDD is classified as a ‘Pedestrian Retail’ area with the focus being heavily influenced by retail and office uses. Additionally, various surface parking areas are located north and south of the thoroughfare. Significant pedestrian traffic is encouraged by wide sidewalk areas and DART’s commitment to cross-town bus service within the area.

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

During the initial zoning process to consider a dental office at this location, the applicant worked with staff to ensure adequate off-street parking was provided to accommodate those patients that do not utilize the DART system or other means of frequenting this office. There have been no reported issues related to this use the past three years, therefore, continuation of SUP No. 1789 has maintained compliance with the above referenced provisions. As a result of this analysis, staff supports the requested renewal and furthermore is recommending an additional two years for the permitted renewal time period.

**Off-Street Parking:** PDD 316 provides for no additional off-street parking to be provided for a use that occupies a structure that existed prior to July 26, 1989 (date PDD No. 316 was approved). This building was constructed in 1929. Due to the activity normally associated with medical and dental offices, staff initially required, and the City Council adopted, a requirement for 13 off-street parking spaces. For orientation purposes, the off-street parking spaces are located to the south of site, across a public alley and provided by parking agreement filed with building official.

It should be noted that both sides of Jefferson Boulevard are improved with metered head-in parking that serve the corridor.

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

**Landscaping:** The site, as well as the majority of development fronting Jefferson Boulevard, is void of landscape materials. It should be noted the medians are well landscaped and serve to soften the feel of the existing improvements. No landscaping is required nor being recommended for this request.

**Site Plan:** While no physical changes are being proposed with this amendment, staff is recommending approval subject to a revised site plan (and conditions) to permit certain information be placed back on the plan. During the above referenced amendment, this information, typically required of a site plan, was inadvertently removed.



**Rampart Properties List of Officers**

C. W. Janke, Chief Executive Officer  
16401 Country Club Drive  
Crosby, Texas 77532

J.H. Carpenter, President  
16401 Country Club Drive  
Crosby, Texas 77532

J.H. Carpenter, Chief Operating Officer  
16401 Country Club Drive  
Crosby, Texas 77532

Z123-104(RB)

**AMENDING CONDITIONS FOR SUP NO. 1789**

3. TIME LIMIT: This specific use permit automatically terminates on January 13, ~~2013~~ 2018.

**Existing Conditions**

27784

100193

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

SECTION 1. That the zoning ordinances of the City of Dallas are amended to allow the following property ("the Property"), which is presently zoned as Subarea 1a within Planned Development District No. 316, to be used under Specific Use Permit No. 1789 for a medical clinic use:

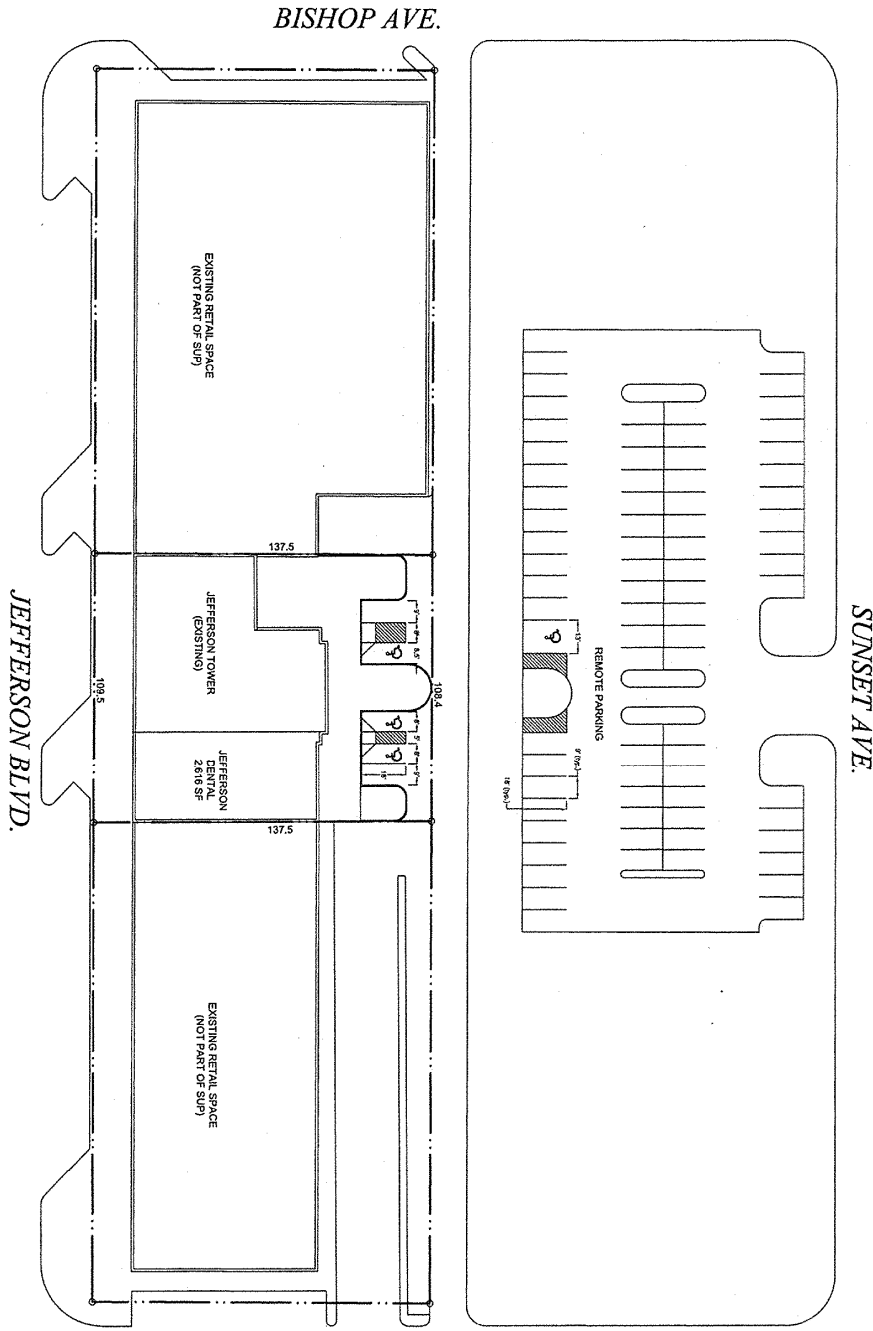
BEING all of Lot 3B in City Block 47/3167 located at the northeast corner of Jefferson Boulevard and Madison Avenue; and containing approximately 30,468 square feet of land.

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

1. USE: The only use authorized by this specific use permit is a medical clinic, limited to a dental office.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on January 13, 2013.
4. FLOOR AREA: The maximum floor area is 2,616 square feet in the location shown on the attached site plan.
5. PARKING: A minimum of 13 off-street parking spaces must be provided.
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

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

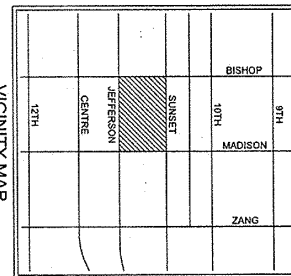
 **SITE PLAN**  
SCALE: 1" = 20'-0"



*MADISON AVE.*

Z123-104 (RB)

USE: DENTAL OFFICE  
FLOOR AREA: 2,616 SF  
OFF-STREET PARKING  
REQUIRED: 13 SPACES  
PROVIDED: 13 SPACES  
(per recorded off-site parking agreement)



VICINITY MAP  
NTS



**JEFFERSON DENTAL**  
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

11/06/12  
PROJECT NUMBER  
CASE NUMBER

**Proposed Site Plan**



25830

050182

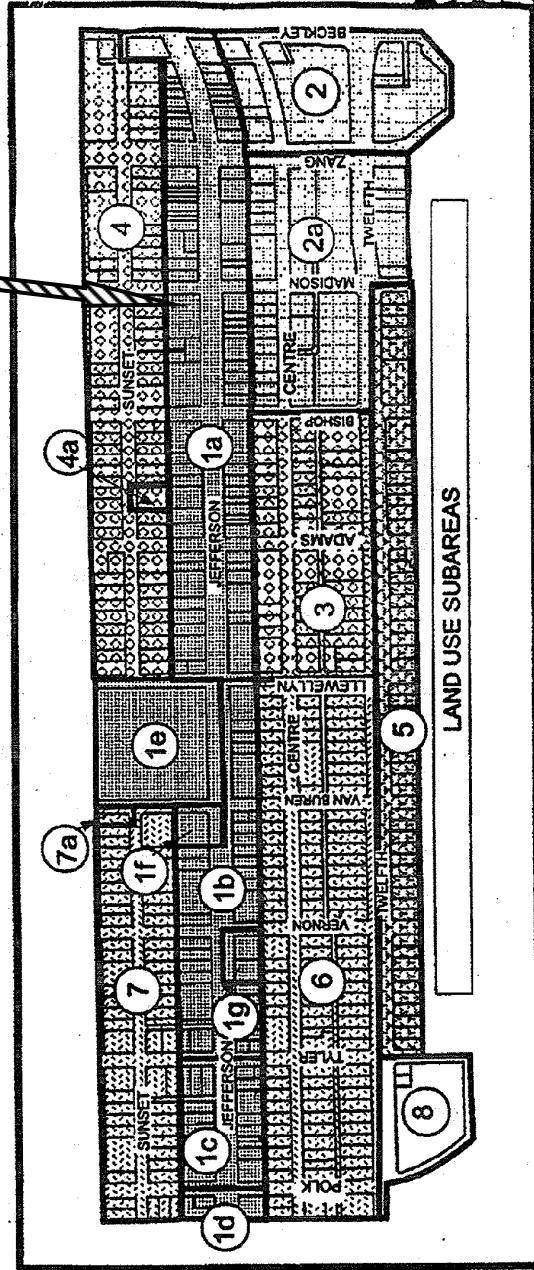
12-26

02-2-11

# EXHIBIT 316A

Site

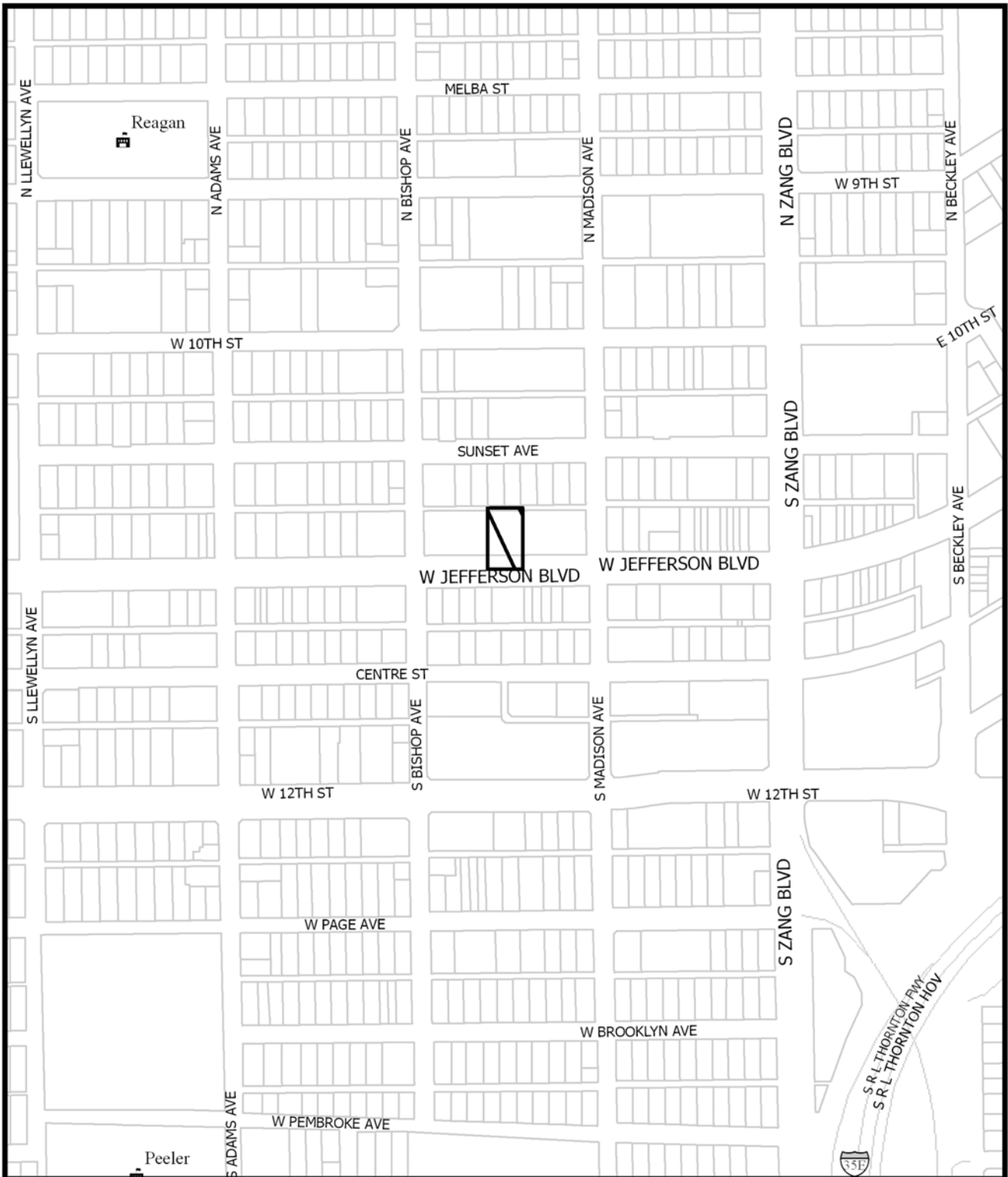
## Exhibit C



LEGEND	
	Pedestrian Retail
	Retail
	High Density Office
	Medium Density Office
	Residential/Office Mix
	Townhouse

Updated - September 12, 2006  
2012-197/8709 (JC)

Prepared by The City of Dallas Department of Planning and Development

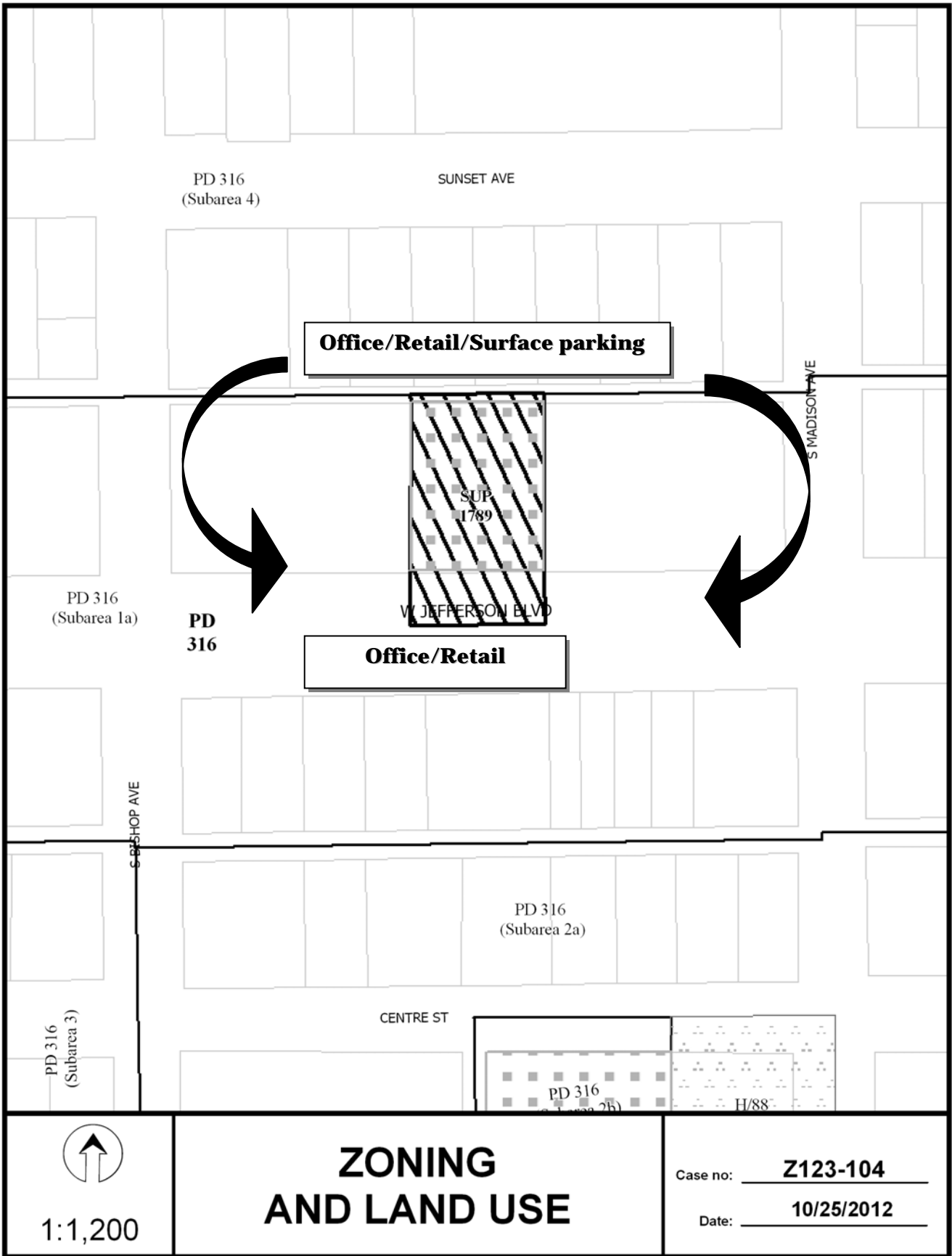


1:4,800


# VICINITY MAP

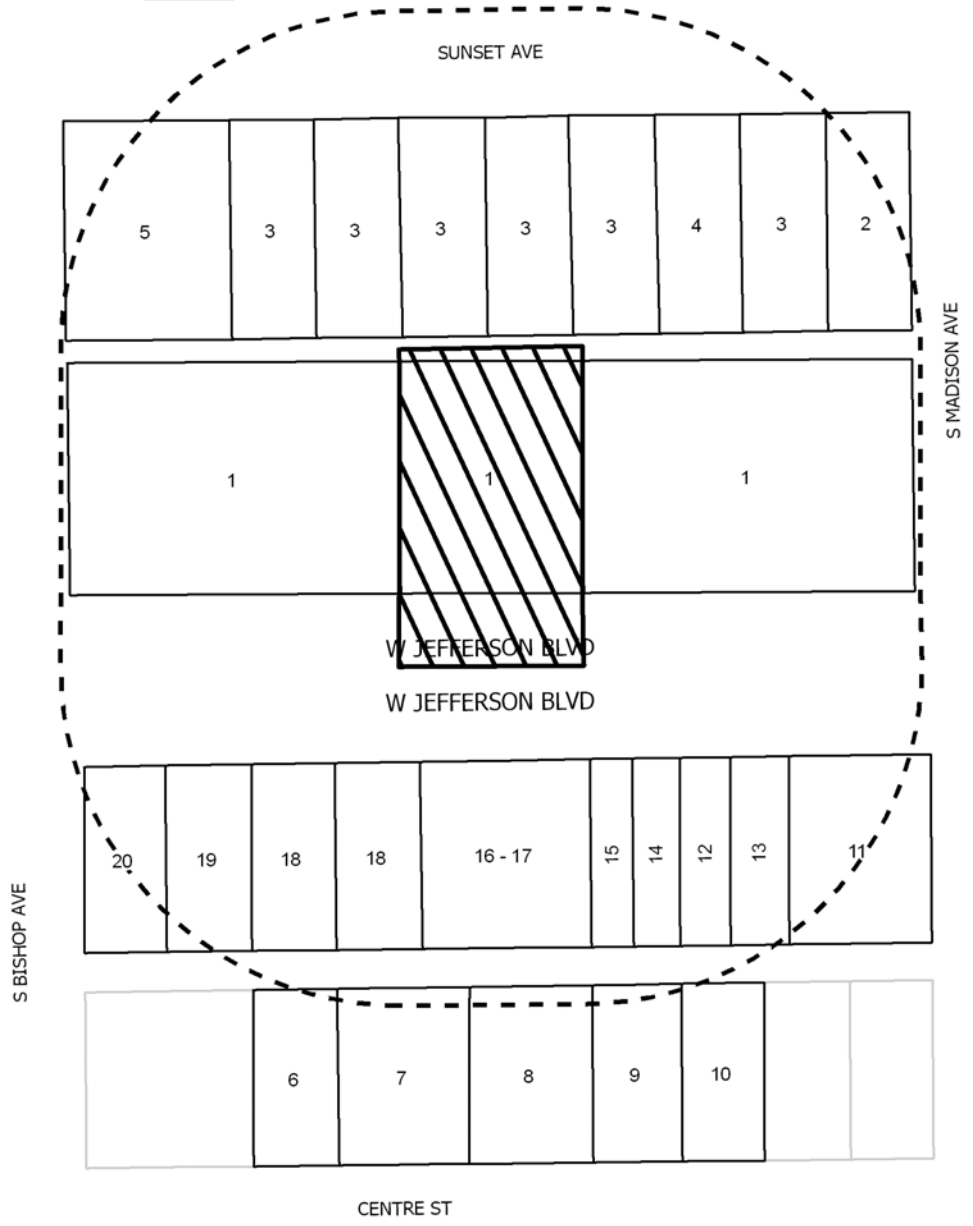
Case no:           Z123-104          

Date:           10/25/2012






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



The number '0' indicates City of Dallas Ownership



1:1,200

## NOTIFICATION

**200'** AREA OF NOTIFICATION

**20** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no:           Z123-104          

Date:           10/25/2012

10/24/2012

***Notification List of Property Owners******Z123-104******20 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	375 JEFFERSON BLVD	RAMPART PROPERTIES LP
2	201 MADISON AVE	EFFECTIVE TIME MGMT INC
3	304 SUNSET AVE	RAMPART PROPERTIES CORP
4	310 SUNSET AVE	310 SUNSET CLUB INC
5	334 SUNSET AVE	TEMPLO MONTE CAVLARIO
6	329 CENTRE ST	SHACKELFORD CHARLES D
7	321 CENTRE ST	COUCH D K &
8	319 MADISON AVE	CENTRO DE ADORACION
9	315 MADISON AVE	JUSTICE RENTAL COMPANY
10	309 CENTRE ST	BELMAR MANAGEMENT LTD
11	300 JEFFERSON BLVD	MM JEFFERSON MADISON HOLDINGS LLC
12	310 JEFFERSON BLVD	MOXIE INVESTMENTS LTD
13	306 JEFFERSON BLVD	BALLAS VICTOR E & NORMAN H RUBINETT
14	312 JEFFERSON BLVD	BONNER ELSIE R & STEPHEN GATLIN BONNER
15	314 JEFFERSON BLVD	JUSTICE RENTAL COMPANY 403 WEST 12TH
16	316 JEFFERSON BLVD	CENTRO DE ADORACION
17	316 JEFFERSON BLVD	CENTRO DE ADORACION
18	324 JEFFERSON BLVD	BALLAS VICTOR
19	332 JEFFERSON BLVD	KIM KI YOUNG & MYUNG HEE KIM
20	338 JEFFERSON BLVD	BALLAS VICTOR E

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Planner: Richard E. Brown

**FILE NUMBER:** Z112-105(RB)                      **DATE FILED:** October 11, 2011

**LOCATION:** Greenville Avenue and Restland Road, Southwest Quadrant

**COUNCIL DISTRICT:** 11                              **MAPSCO:** 16V, 17S

**SIZE OF REQUEST:** Approx. 57.29 Acres              **CENSUS TRACT:** 190.16

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**APPLICANT/OWNER:** S. E. Cemeteries of Texas, Inc.

**REPRESENTATIVE:** Robert Reeves

**REQUEST:** An application for an amendment to and expansion of Specific Use Permit No. 363 for a Cemetery and Mausoleum on property zoned an R-7.5(A) Single Family District, an LO-1 Limited Office District, a GO(A) General Office District with deed restrictions and an MU-3 Mixed Use District with deed restrictions, and an LO-2 Limited Office District on that portion of the request site zoned an R-7.5(A) Single Family District and an LO-1 Limited Office District.

**SUMMARY:** The applicant is proposing to expand the presence of the existing cemetery and mausoleum use.

**STAFF RECOMMENDATION:** Approval of an amendment to and expansion of SUP No. 363, subject to a site plan and conditions, and approval of an LO-2 Limited Office District.

**PRIOR CPC ACTION:** On October 4, 2012, the City Plan Commission held this request under advisement until November 1, 2012. On November 1, 2012, the City Plan Commission held this request under advisement until November 15, 2012. On November 15, 2012, the City Plan Commission held this request under advisement until December 6, 2012.

**BACKGROUND INFORMATION:**

- The existing SUP No. 363 site boundary is improved with typical structures and infrastructure that support a cemetery use. The expansion area is undeveloped.
- The applicant’s request will permit expansion of the cemetery by adding approximately a 9.1 acre tract of land abutting the southeast quadrant of the existing SUP site boundary.
- Existing deed restrictions on a portion of the site provide for maximum floor area, require property for additional right-of-way, and require a solid screening wall along a portion of the site’s perimeter (see note on proposed site plan).

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

<b><u>Thoroughfare/Street</u></b>	<b><u>Designation; Existing &amp; Proposed ROW</u></b>
Greenville Avenue	Local; 70’ ROW
Restland Road	Local; 80’ ROW
IH 635	Freeway; Variable ROW

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

**LAND USE ELEMENT**

GOAL 1.2 Promote desired development.

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

**STAFF ANALYSIS:**

**Land Use Compatibility:** The request site is partially developed with cemetery and mausoleum uses. The applicant is requesting to add an approximate 9.1 acre parcel to the existing site boundary for SUP No. 363. Additionally, the applicant requests to rezone the portion of the request site zoned for R-7.5(A) and LO-1 District Uses to an LO-2 District so as to provide for anticipated structure height within the expansion area. Existing deed restrictions providing for maximum floor area, right-of-way dedication, and solid screening wall requirements exist on a portion of the request site. For orientation purposes, the site plan provides for existing improvements along with seven future building areas along with a designated amount of floor area not restricted to one of the seven areas.

Surrounding land use consists of a mix of uses. Specifically, additional cemetery uses operated by the applicant to the north, multifamily and office uses to the east, with a hotel and office that are 'wrapped' by the applicant's request site. The elevated access road to northbound North Central Expressway and undeveloped property zoned for IR District Uses abut the site's southern and western boundaries, respectively. Various retail uses are found on properties to the south, across IH 635. It should be noted that a portion of the applicant's expansion area (specifically, Future Building Areas 3, 4, and 5) is accessed from Greenville Avenue (both north and south bound) by a private access, utility, and drainage easement that also serves the rear of the adjacent lodging use and abutting office use.

The applicant has worked with staff to address the majority of the adjacency issues as the site's expansion area encroaches towards the above referenced office and lodging uses. While the expansion area consists of significant acreage to accommodate the expansion, staff remains concerned as to the impact on the two uses developed to the south/southeast; the office building that is wrapped by the existing SUP boundary (northern and western facades) and the expansion area (eastern façade) and the lodging use across the above referenced mutual access drive.

It should be noted that 'impact on adjacent uses' takes on a different sensitivity when assessing this request. While no studies exist on the impact of cemeteries on adjacent nonresidential uses (studies do exist with respect to residential adjacency), it should be noted that this use can offer superb green spaces and beautiful natural surroundings and interesting architectural detail. Since the applicant has, in combination, added 9.1 acres and requested a zoning district that provides for significant structure height

(anticipated mausoleum structures; see structure height table, below) to provide for future improvements, prohibiting gravesites and/or development of mausoleum structures of significant height and massing within certain site areas would tend to minimize the impact of the applicant’s expansion.

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 on many issues, all with the intent of minimizing impact on adjacent uses within the immediate area. This includes, but not limited to, massing of improvements, minimum setbacks for gravesites and mausoleum structures (prohibited within Future Building Area 5), and orientation of mausoleum structures within certain Future Building Areas (where permitted).

As a result of this analysis, staff finds the amendment to and expansion of SUP No. 363 complies with the above referenced provisions for an SUP, thus support of this portion of the request is given, subject to the attached site plan and conditions. Additionally, staff supports the request for an LO-2 District for those respective areas within the request stie.

<u>*EXISTING</u>	<u>PROPOSED</u>	<u>**FUTURE BUILDING AREA MAXIMUMS</u>
R-7.5(A)/30' LO-1/70'	LO-2/95'	Area 1-36'; Areas 2, 7-95'; Area 3-40'; Area 4-20'; Area 5-42'; and, Area 6-74'

\*The respective areas currently zoned for GO(A) and MU-3 District Uses are being retained

\*\*For a cemetery and mausoleum use, structure height limited by site plan; other permitted uses will comply with the respective land areas zoned for LO-2, GO(A), and MU-3 District Uses.

**Traffic:** The Engineering Section of the Department Sustainable Development and Construction has reviewed the requested amendment and expansion of SUP No. 363 and determined that it will not significantly impact the surrounding street system.

**Landscaping:** Both SUP No. 363 and the expansion area are governed by the landscape regulations of Article X. The applicant has provided for additional tree plantings related to 'Future Building Area 5' so as to provide for a visual buffer from the abutting office use as well as enhancing the area's frontage along the mutual access easement.

**MINUTES OF JOINT ANNUAL MEETING  
OF  
SHAREHOLDER AND BOARD OF DIRECTORS  
OF  
S.E. CEMETERIES OF TEXAS, INC.**

The joint annual meeting of the shareholder and the Board of Directors of S.E. Cemeteries of Texas, Inc., a Texas Corporation (the "Corporation"), was held in New Orleans, Louisiana on the 30th day of July, 2010, pursuant to Waiver of Notice and Consent to Meeting.

Lewis J. Derbes, Jr., Secretary, representing S.E. South-Central, Inc., sole shareholder of the Corporation, and in his capacity as Secretary of the Corporation, was present.

The following, being all the members of the Board of Directors, were present:

Thomas M. Kitchen  
Martin R. de Laoreal  
Lewis J. Derbes, Jr.

Thomas M. Kitchen presided as Chairman of the meeting. The shareholder and directors discussed the operations of the Corporation for the past year and the activities of the officers and directors of the Corporation. Upon motion duly made, the shareholder and directors unanimously approved, ratified, and confirmed all lawful actions of the officers and directors of the Corporation during the year, including specifically, but without limitation, the appointment of trustees, investment advisors, custodians and other similar persons, and any amendment to the governing instruments of the trusts maintained by this Corporation. Upon motion duly made, all previously-appointed officers and directors of the Corporation were removed from office.

The chairman announced that nominations were open for directors to serve the Corporation during the ensuing year. Upon nominations duly made by the sole shareholder, the following directors were elected to serve during the next year and until their successors are duly elected and qualified:

Thomas M. Kitchen  
Martin R. de Laoreal  
Lewis J. Derbes, Jr.

Thereafter, the chairman announced the nominations were open for officers to serve the Corporation during the next year. Upon nomination duly made by the directors named above, the following officers were unanimously elected to serve during the next year and until their successors are duly elected and qualified:

Z112-105



<u>Name</u>	<u>Office</u>
Brian Shake	President/Assistant Secretary
Kenneth G. Myers, Jr.	Executive Vice President/ Assistant Secretary
Thomas J. Crawford	Vice President
Angela M. Lacour	Vice President
Michael G. Hymel	Vice President
Donnie K. Payne	Vice President-Cemetery Sales
Marisa A. Parrott	Assistant Secretary-Cemetery Sales
Sandra L. Wallace	Assistant Secretary-Cemetery Sales
Karen K. Davis	Assistant Secretary-Cemetery Sales
Lewis J. Derbes, Jr.	Secretary/Treasurer
Thomas M. Kitchen	Assistant Secretary/Assistant Treasurer

The Board of Directors has reviewed and discussed the findings described in the last Reports of Examination issued to the Corporation for the audit period ending August 31, 2009 as well as the Corporation's response to such findings and the proposed corrective actions. The Board will continue to monitor the activities of the Corporation and its compliance with all applicable laws.

The chairman then discussed the annual shareholder and board meetings. There being no further business, the meeting was duly adjourned.

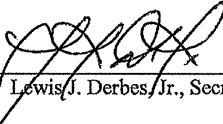
The sole shareholder and the directors of the Corporation waived notice of meeting at which the foregoing actions were taken, and consent to and approve said actions and the foregoing minutes reflecting the same.

**CERTIFICATE**

The undersigned, Lewis J. Derbes, Jr., Secretary of the Corporation, certifies that the foregoing resolutions were duly adopted and that the minutes are true and correct.

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S.E. CEMETERIES OF TEXAS, INC.



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Lewis J. Derbes, Jr., Secretary

**APPLICANT REQUESTED/STAFF RECOMMENDED AMENDING CONDITIONS FOR  
SUP NO. 363**

1. SITE PLAN: Use and ~~[D]~~development of the Property must comply ~~[be in accordance]~~ with the attached site plan ~~[attached to and made a part of this ordinance]~~.

2. USE: ~~The only permitted uses on the Property are a cemetery and mausoleum, as defined in Section 51A-4.204 of the Dallas Development Code, as amended, and as an accessory use, an office. The office use is permitted only as an administrative office for the operation of the cemetery and mausoleum use. The office building may not be leased to other tenants.~~ The only use authorized by this specific use permit is a cemetery and mausoleum.

3. TIME LIMIT: This specific use permit has no expiration date.

4. FLOOR AREA: ~~The maximum permitted square footage of the office building is 16,983 square feet. The combined square footage for all mausoleums must not exceed 44,000 square feet.~~

(a) Future building area 1: Maximum permitted floor area for all structures combined is 15,000 square feet.

(b) Future building area 2: Maximum permitted floor area for all structures combined is 87,660 square feet.

(c) Future building area 3: Maximum permitted floor area for all structures combined is 40,000 square feet.

(d) Future building area 4: Maximum permitted floor area for all structures combined is 35,000 square feet.

(e) Future building area 5: Maximum permitted floor area for all structures combined is 20,000 square feet.

(f) Future building area 6: Maximum permitted floor area for all structures combined is 60,000 square feet.

(g) Future building area 7: Maximum permitted floor area for all structures combined is 106,000 square feet.

(h) Areas not located within future building areas: Maximum permitted floor area for all structures combined is 11,340 square feet.

5. FUTURE BUILDING AREA 5: Gravesites or any mausoleum structures accommodating entombment areas are prohibited.

6. STRUCTURE HEIGHT: ~~The maximum permitted height of the office building is 27 feet, 5 inches. The maximum permitted height of each mausoleum is 28 feet.~~

(a) Future building area 1: Maximum structure height is 36 feet.

(b) Future building area 2: Maximum structure height is 95 feet.

(c) Future building area 3: Maximum structure height is 40 feet.

(d) Future building area 4: Maximum structure height is 20 feet.

(e) Future building area 5: Maximum structure height is 42 feet.

(f) Future building area 6: Maximum structure height is 74 feet.

(g) Future building area 7: Maximum structure height is 95 feet.

(h) Areas not located within future building areas: Maximum structure height is 36 feet.

7. STORIES:

(a) Future building area 1: Maximum number of stories is two.

(b) Future building area 2: Maximum number of stories is seven.

(c) Future building area 3: Maximum number of stories is two.

(d) Future building area 4: Maximum number of stories is one.

(e) Future building area 5: Maximum number of stories is two.

(f) Future building area 6: Maximum number of stories is four.

(g) Future building area 7: Maximum number of stories is seven.

(h) Areas not located within future building areas: Maximum number of stories is three.

8. SETBACKS: ~~The office building must be set back a minimum of 55 feet from the property line along Restland Road, and a minimum of 50 feet from the property line along Greenville Avenue.~~

(a) Minimum side yard is ten feet.

(b) Property Line Setbacks: Except for gravestones, monuments, fences, walls and structures less than nine feet in height, the minimum setback along the western and southeastern boundary of Future Building Area 5 is 25 feet.

9. MAUSOLEUM ORIENTATION: Entombment areas that are located within a mausoleum may not be visible from:

(a) the boundary of the Property adjacent to Future Building Areas 3 and 4.

(b) the boundary of the Property along the east line of Future Building Area 6.

10. LOT COVERAGE: Maximum lot coverage is 40 percent.

11. SIGNS: All signs must comply with the requirements for non-business districts in Article VII.

12. PAVING: All parking spaces, aisles, maneuvering areas, paved surfaces, and driveway connections to streets must comply with the requirements of the Dallas Development Code, as amended.

13. PARKING/LOADING: Parking and loading requirements must comply with the Dallas Development Code, as amended.

14. LANDSCAPING:

(a) Except as provided in this section, landscaping must comply with Article X of the Dallas Development Code, as amended.

(b) Future Building Area 5.

(i) Live oak trees, each a minimum of four caliper inches, must be planted within 30 feet of the western boundary of Future Building Area 5 within six months from the passage of this ordinance. Trees must be planted no more than 30 feet on-center.

(ii) A minimum of ~~four~~ six large canopy trees, each a minimum of four caliper inches, must be planted within this area within twelve months after passage of this ordinance or the issuance of a certificate of occupancy for any construction within this area, whichever occurs first.

(iii) Evergreen shrubs, a minimum of five gallon each, must be planted along the Property boundary of this area as shown on the approved site plan within six months after passage of this ordinance or the issuance of a certificate of occupancy for any construction within this area, whichever occurs first.

(iv) Evergreen shrubs must be capable of obtaining a solid appearance within three years of planting, and must be maintained at a minimum height of ten feet.

(c) Future Building Area 4.

(i) Evergreen shrubs, a minimum of five gallon each, must be planted along the Property boundary of this area as shown on the approved site plan within six months after passage of this ordinance.

(ii) Evergreen shrubs must be capable of obtaining a solid appearance within three years of planting, and must be maintained at a minimum height of ten feet.

(d) Except for the area within Future Building Area 5, large canopy trees, each a minimum of four caliper inches, must be planted in the locations shown on the attached site plan.

(e) If any tree shown on the site plan is removed, it must be replanted within the same area or within the same Future Building Area from where it was removed, whichever is applicable.

(f) For purposes of Subparagraph 14(b), (c), or (d), the Property owner must request an inspection to determine compliance with these provisions.

15. PHASING: Prior to the issuance of building permits exceeding 2,000 square feet for mausoleum uses located in Future Building Areas 3 and 4, combined, certificate of occupancies for a minimum of 3,500 square feet of new floor area for mausoleum uses located in Future Building Areas 6 and 7, combined, must be issued.

16. MAINTENANCE: The [~~entire~~] premises must be property maintained in a state of good repair and neat appearance at all times.

17. GENERAL REQUIREMENTS: Use [~~Utilization~~] of the Property must comply with all other applicable ordinances, rules, and regulations of the City of Dallas.

**1986 EXISTING CONDITIONS**

19089

860920

THENCE, N 79°32'03" W, with the north line of said Young tract, a distance of 785.36 feet to a point for corner;

THENCE, S 22°02'50" W, with the west line of said Young tract, a distance of 908.40 feet to the PLACE OF BEGINNING and CONTAINING 2,217,385 square feet, or 50.904 acres of land.

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

1. SITE PLAN: Development of the Property must be in accordance with the site plan attached to and made a part of this ordinance.
2. USES: The only permitted uses on the Property are a cemetery, as defined in Section 51-4.206 of the Dallas Development Code, as amended, and, as an accessory use, an office. The office use is permitted only as an administrative office for the operation of the cemetery use. The office building may not be leased to other tenants.
3. TIME LIMIT: This specific use permit has no expiration date.
4. FLOOR AREA: The maximum permitted square footage of the office building is 16,983 square feet.
5. HEIGHT: The maximum permitted height of the office building is 27 feet, 5 inches.
6. SETBACKS: The office building must be set back a minimum of 55 feet from the property line along Restland Road, and a minimum of 50 feet from the property line along Greenville Avenue.
7. SIGNS: All signs must comply with the requirements for "non-business districts" (Section 51-7.400 of the Dallas Development Code, as amended).
8. PAVING: All parking spaces, aisles, maneuvering areas, paved surfaces, and driveway connections to streets must comply with the requirements of the Dallas Development Code, as amended.
9. FENCING: Any fencing installed in the front yards must not exceed four feet in height and must be set back at least 25 feet from all property lines along street frontages.
10. MAINTENANCE: The entire premises must be properly maintained in a state of good repair and neat appearance at

<b>1999 AMENDING CONDITIONS</b>
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23896

991743

conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the city council finds that it is in the public interest to amend Specific Use Permit No. 363 as specified herein; Now, Therefore,

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

SECTION 1. That Condition Nos. 2, 4, 5, 9, 10, and 11 contained in Section 2 of Ordinance No. 19089 are amended to read as follows:

- "2. USES: The only permitted uses on the Property are a cemetery and mausoleum, as defined in Section 51A-4.204 [51-4.206] of the Dallas Development Code, as amended, and, as an accessory use, an office. The office use is permitted only as an administrative office for the operation of the cemetery and mausoleum use. The office building may not be leased to other tenants.
4. FLOOR AREA: The maximum permitted square footage of the office building is 16,983 square feet. The combined square footage for all mausoleums must not exceed 44,000 square feet.
5. HEIGHT. The maximum permitted height of the office building is 27 feet, 5 inches. The maximum permitted height of each mausoleum is 28 feet.
- ~~9.~~ FENCING: ~~Any fencing installed in the front yards must not exceed four foot in height and must be set back at least 25 feet from all property lines along street frontages.]~~
- 9.[10] MAINTENANCE: The entire premises must be properly maintained in a state of good repair and neat appearance at all times.
- 10.[14] GENERAL REQUIREMENTS: Utilization of the Property must comply with all other applicable ordinances, rules and regulations of the City of Dallas."

SECTION 2. That the site plan attached to Ordinance No. 19089 is replaced by the site plan attached to this Ordinance.

SECTION 3. That Specific Use Permit No. 363 is converted from CHAPTER 51,

**Existing Deed Restrictions**

17720 830737

That the undersigned, George Young and Carol Young Marvin, do hereby impress all of the above described property with the following Deed Restrictions, to-wit:

1.

That the maximum floor area of any structure or structures to be erected on the above described property shall not exceed a total of 1,272,000 square feet of floor area, excluding floor area of structures used for off-street parking. Said floor area ratio being a floor area ratio of 1.6 to 1 based upon the total area of the above described tract which consists of 18.25 acres of land.

Application for building permits for office development shall be limited as follows:

For the year 1983 not more than 200,000 square feet.  
For the years 1983 and 1984 combined, not more than

a cumulative total of 200,000 square feet.

For the year 1985 not more than 200,000 additional square feet, for a cumulative total for the years of 1983, 1984 and 1985 combined of 400,000 square feet.

For the year 1986 not more than 200,000 additional square feet, for a cumulative total for the years of 1983, 1984, 1985 and 1986 combined of 600,000 square feet.

For the year 1987 and later, no building permits for additional square feet of building until Greenville Avenue has been improved to six (6) lanes from LBJ Freeway north to the Dallas City Limits.

2.

That the owners shall provide to the City of Dallas an additional right-of-way of ten (10) feet in width for an extra lane along the west side of Greenville Avenue for a distance of 1,030 feet north from the LBJ Freeway, at the owner's expense. The said additional lane to be installed prior to the issuance of a certificate of occupancy for the first phase 200,000 square feet of office building to be constructed on the above described tract.



17720 830737

3.

Owners agree to reserve an additional right-of way for a service road along the LBJ Freeway for a depth of twenty-five (25) feet from the present right-of-way line for the width of owner's property adjacent to the LBJ Freeway. Such reservation to be for a period of ten (10) years, and should said additional right-of-way not be required by the State of Texas within said ten (10) year period the reservation will terminate.

4.

That owner will construct and maintain at owner's expense a masonry wall (concrete, brick or like material) along the north and west side of the above described property, said wall to be eight (8) feet in height except said wall may be six (6) feet in height if adjacent to a parking structure.

These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless terminated in the manner specified herein.

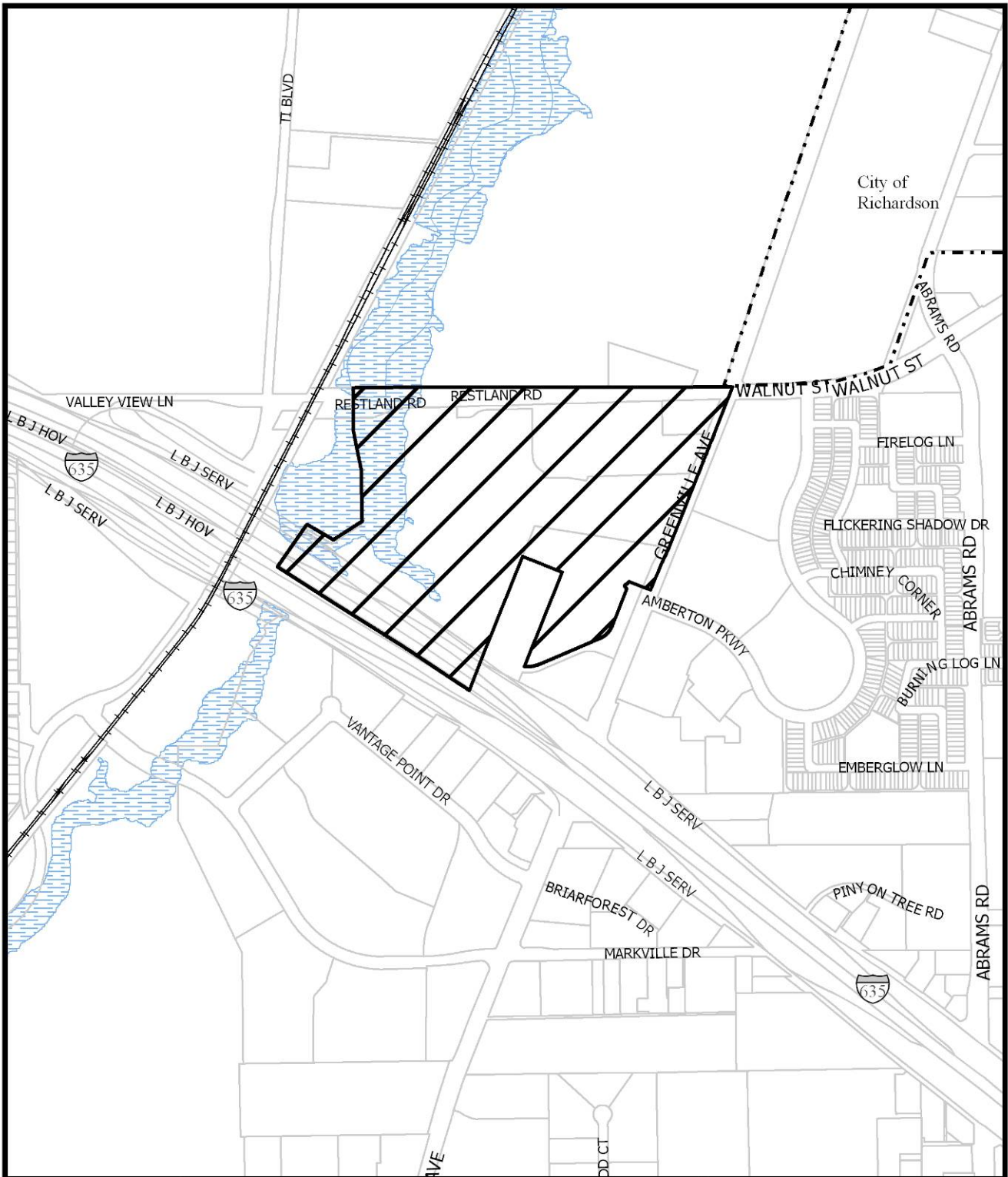
These restrictions shall not be altered, amended or terminated without a public hearing before the City Plan Commission and the City Council of the City of Dallas. Notice of such public hearings shall be given as would be required by law for a zoning change on the property described herein.

These restrictions contained herein are not in any manner intended to restrict the right of the City Council of the City of Dallas to exercise its legislative duties and powers insofar as zoning of the property is concerned.

These restrictions inure to the benefit of the City of Dallas, and the undersigned owners hereof do hereby grant to the City of Dallas the right to prosecute, at law and in equity,







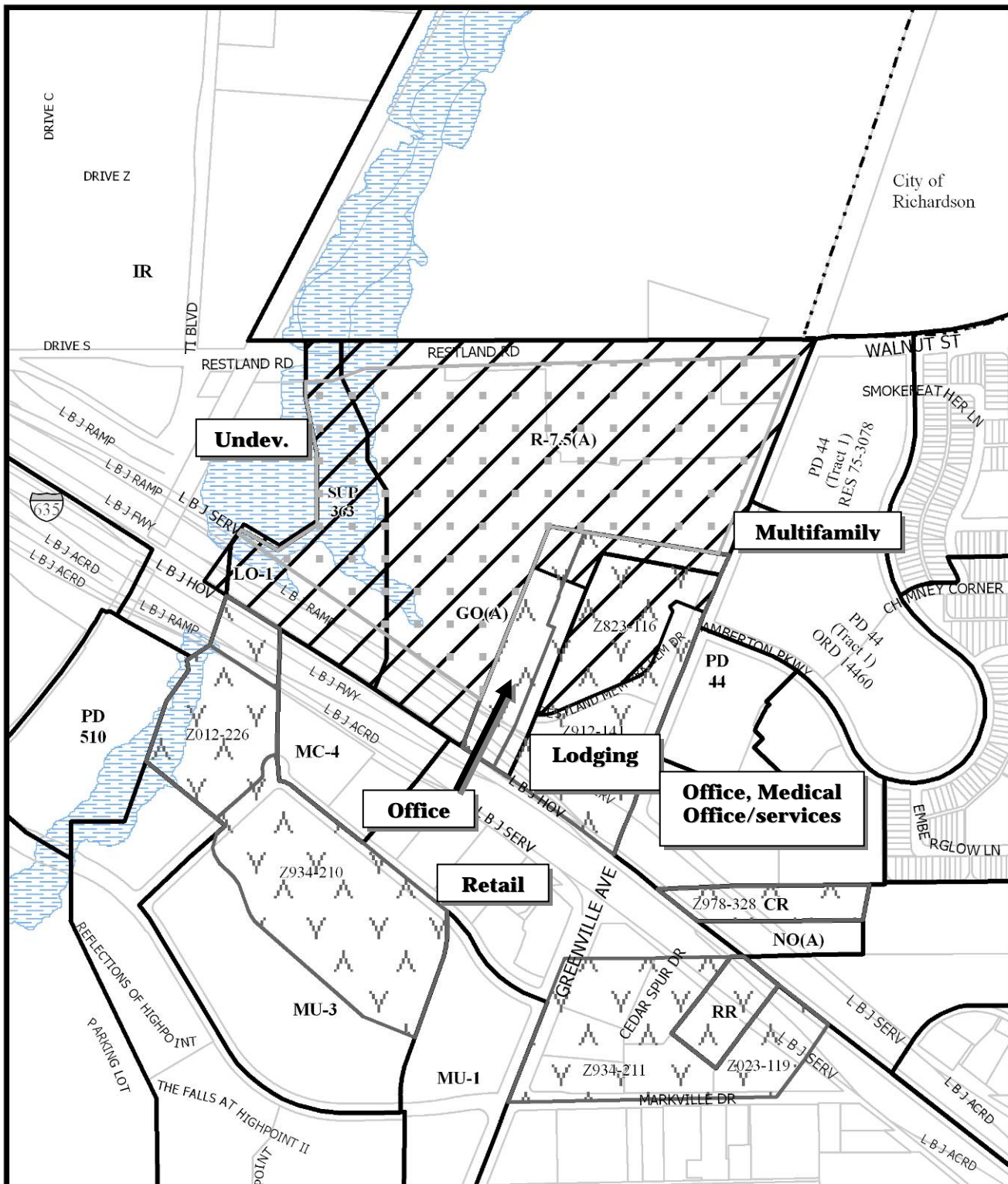
1:9,600

# VICINITY MAP

Case no:           **Z112-105**          

Date:           **3/22/2012**





City of Richardson

**Undev.**

**Multifamily**

**Office**

**Lodging**

**Office, Medical  
Office/services**

**Retail**



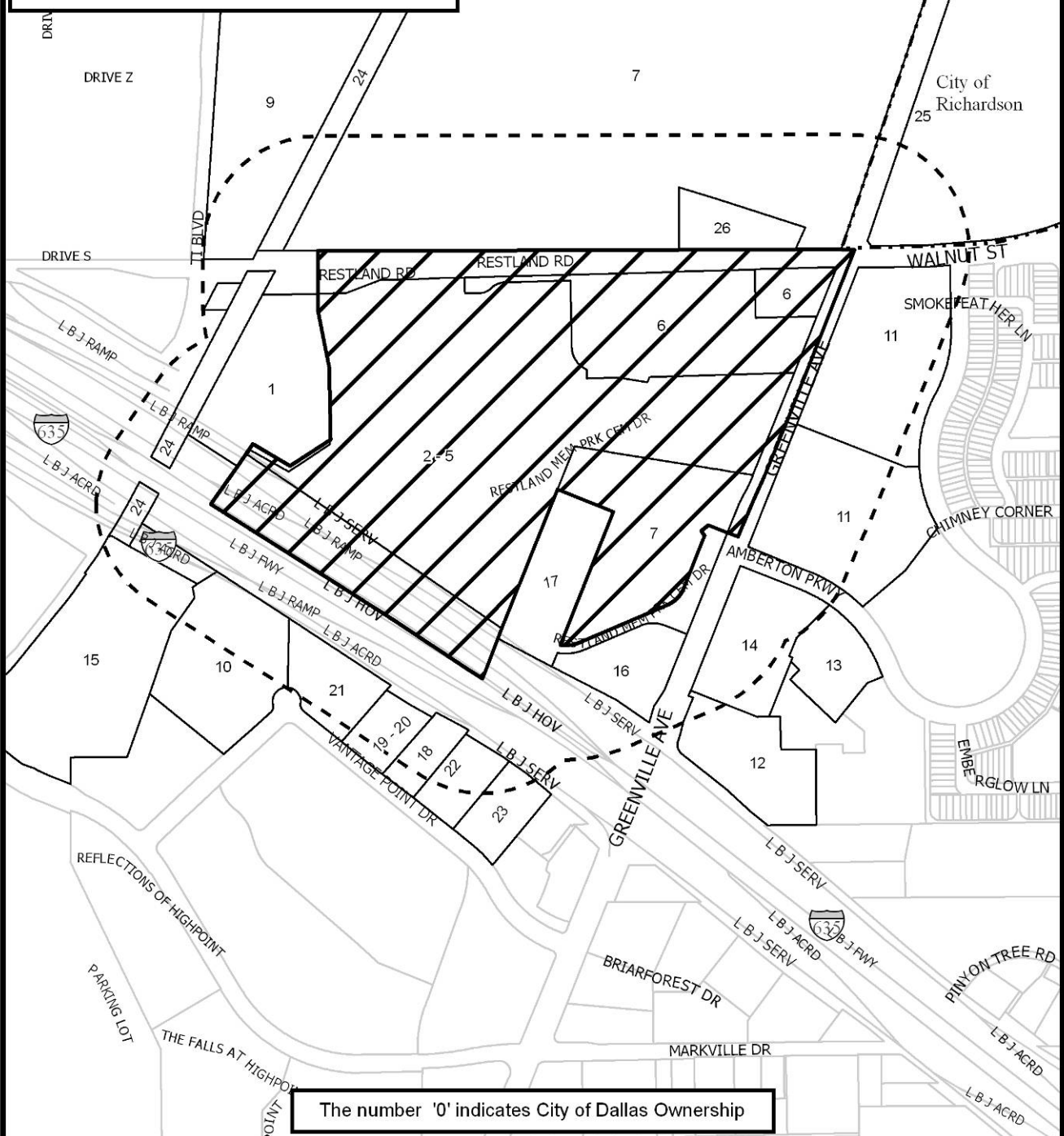
1:7,200

# ZONING AND LAND USE


Case no:           Z112-105          

Date:           3/22/2012

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



The number '0' indicates City of Dallas Ownership

  
1:7,200

# NOTIFICATION

**500'** AREA OF NOTIFICATION  
**26** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-105**  
 Date: **3/22/2012**

3/22/2012

***Notification List of Property Owners******Z112-105******26 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	9000 LBJ FWY	TEXAS INSTRUMENTS INC MS3998
2	12705 GREENVILLE AVE	RESTLAND OF DALLAS
3	9300 RESTLAND DR	RESTLAND OF DALLAS % BILL HILL
4	9060 RESTLAND DR	RESTLAND OF DALLAS
5	12700 GREENVILLE AVE	RESTLAND MEMORIAL PARK
6	12969 GREENVILLE AVE	RESTLAND MEMORIAL PARK
7	12525 GREENVILLE AVE	RESTLAND OF DALLAS INC
8	13000 T I BLVD	ENSERCH CORP % ATMOS ENERGY / PPTY TAX
9	13020 T I BLVD	TEXAS INSTRUMENTS INC % BILL SCHLEUSNER
10	9000 VANTAGE POINT DR	LBJ STATION LTD SUITE 400
11	9737 AMBERTON PKWY	PRICEBLU CANDLEWYCK LLC
12	9229 LBJ FWY	NP I DALLAS PORTFOLIO LP % H & R REIT HO
13	9250 AMBERTON PKWY	NORTHPOINT INVESTMENT LTD
14	12606 GREENVILLE AVE	Q NORTHPOINT LP
15	8902 LBJ FWY	DALLAS AREA RAPID TRANSIT
16	12525 GREENVILLE AVE	CANDLEWOOD DALLAS TX % INTERCONTINENTAL
17	9101 LBJ FWY	WHITESTONE OFFICES LLC STE 500
18	9049 VANTAGE POINT DR	PRIVATE RESTAURANT PPTIES LLC
19	9039 VANTAGE POINT DR	REALTY INCOME TEXAS %PORTFOLIO MGMT #710
20	9039 VANTAGE POINT DR	DF&R RESTAURANTS INC ATTN:PORTFOLIO MGMT
21	9019 VANTAGE POINT DR	BRE/ESA P PORTFOLIO TXNC % FRANCES PARKE
22	9069 VANTAGE POINT DR	GENERAL MILLS RESTAURANTS DBA: 0010873
23	9079 VANTAGE POINT DR	GENERAL MILLS RESTS INC DBA:0021257 ATTN
24	401 BUCKNER BLVD	DART
25	1132 ABRAMS RD	RICHARDSON ISD
26	9001 GREENVILLE AVE	RESTLAND FUNERAL HOME

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**Planner: Richard E. Brown**

**FILE NUMBER:** Z112-247(RB)

**DATE FILED:** May 23, 2012

**LOCATION:** West Davis Street and the unimproved portion of Tatum Avenue,  
Northwest Corner

**COUNCIL DISTRICT:** 6

**MAPSCO:** 52 B

**SIZE OF REQUEST:** Approx. 1.79 Acres

**CENSUS TRACT:** 107.01

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**APPLICANT/OWNER:** John Malchi

**REPRESENTATIVE:** Santos Martinez

**REQUEST:** An application for the creation of a new subdistrict within the Light Commercial/Office Subdistrict portion of Planned Development District No. 631, the West Davis Special Purpose District.

**SUMMARY:** The applicant proposes to create a new subdistrict to permit certain retail and office uses, those that provide for drive-in or drive-through service, as well as certain other nonresidential uses.

**STAFF RECOMMENDATION:** Approval, subject to staff's recommended conditions.

**PRIOR CPC ACTION:** On November 15, 2012, the City Plan Commission held this request under advisement until December 6, 2012.



**BACKGROUND INFORMATION:**

- The request site is undeveloped. There are no defined plans for development of the site.
- Planned Development District No. 631 was established to: 1) protect residential areas from incompatible land uses; 2) increase the commercial viability along West Davis Street; and, 3) enhance the image of this State Highway/thoroughfare.
- The applicant is requesting to create a new subdistrict that retains the existing Light Commercial/Office Subdistrict Uses and development standards with the addition of certain retail and office uses that possess drive-through service (i. e., restaurant, financial institution) as well as a few other nonresidential uses.
- Staff has recommended certain regulations related to these uses to ensure compatibility with adjacent low-density residential uses.

**Zoning History:**

**File No.**

**Request, Disposition, and Date**

- |             |   |
|-------------|---|
| 1. Z978-162 | On May 27, 1998, the City Council approved a CS District on property zoned an R-7.5(A) District, subject to deed restrictions volunteered by the applicant. |
| 2. Z112-168 | On May 23, 2012, the City Council approved a PDD for a Truck stop and certain MC-1 District Uses  |

**Thoroughfare/Street:**

**Existing & Proposed ROW**

West Davis Street

Freeway; Variable ROW

Tatum Avenue\*

Local; 50' ROW

\*Tatum Avenue improved right-of-way terminates approximately 150 feet north of West Davis Street.

**STAFF ANALYSIS:**

**Comprehensive Plan:** The request area is located in an area designated as a Commercial Center or Corridor. These areas primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and

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

GOAL 1.2 Promote desired development.

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

**Land Use Analysis:** The request site is undeveloped with no specific plans for development. The applicant is requesting to create a new subdistrict that retains the existing Light Commercial/Office Subdistrict Uses and development standards with the addition of certain retail and office uses, those that provide for drive-in or drive-through service, as well as permitting certain other nonresidential uses by right.

Surrounding land use consists of established low-density single family uses to the north and northeast. Commercial, retail, and auto-related uses can be found on property to the west and east, along the West Davis Street frontage.

Additionally, the site is somewhat depressed as it relates to the elevations of the adjacent residential to the north and east. While it is anticipated proposed development will comply with the residential proximity slope regulations, the applicant has asked for an increase in structure height for a hotel or motel use (staff is recommending that access to rooms must be provided by internal corridor or area). The portion of the site that will permit a hotel or motel use (specific setbacks are required) is approximately 20-30 feet below the established grade of the adjacent residential uses. As a result, the increase in structure height is absorbed by the lower elevation of the site.

It should be noted that PDD No. 631 'sawtooths' through both sides of the Davis Street frontage. As a result of this irregular defined PDD boundary, it becomes difficult to transition the impact of nonresidential uses to the established residential areas on both sides of Davis Street. As a result, the applicant has worked with staff to ensure certain

development standards and operational designs are provided to address the impact of the anticipated development.

As referenced above, the PDD was created with an emphasis of ensuring compatibility for permitted nonresidential uses (normally fronting both sides of Davis Street) as the PDD alignment encroached into the established, low-density residential areas found in both directions of the thoroughfare's alignment. In part, with no specific development plans being proposed, staff is concerned as to the impact of these certain requested uses, currently not permitted by the existing subdistrict, however, being requested as uses by right: 1) financial institution with drive-in window; 2) restaurant with drive-in or drive-through service; 3) motor vehicle fueling station; and, 4) hotel or motel (when in excess of 60 rooms).

Subject to staff's recommended conditions, it has been determined the requested additional uses can be both consistent with the development found along the Davis Street frontage while maintaining sensitivity to the established low-density surrounding the site. It should be noted in staff's recommended conditions that certain operational characteristics will be required in addition to the requirement of obtaining a specific use permit. Should CPC support the applicant's request to permit any or all of these uses by right, it is recommended to retain those respective operational characteristics recommended by staff.

**Landscaping:** PDD No. 631 requires landscaping per Article X of the Dallas Development Code. As noted above, staff has determined due to the site's adjacency to residential uses in conjunction with the applicant's requested uses, additional landscape materials should be provided along the site's northern and eastern property line which in conjunction with other recommended provisions, will ensure additional screening/buffering of the site from this residential area.

**Access:** As noted on the attached Access Exhibit, the Texas Department of Transportation has approved a median opening on Davis Street that will permit a protected left turn-in for both east and west bound vehicular movements. In conjunction with no access to the site from the unimproved portion of Tatum Avenue, this will ensure the majority of vehicular traffic associated with the development of this site will have a minimal impact on the adjacent residential community. It should also be noted that a drive approach for right-turn-in and right-turn-out movements will be constructed along the northbound access road of Loop 12.

With respect to Tatum Avenue, existing pavement for this road ends approximately 150 feet north of Davis Street. At this time, it is anticipated the property owner will be required (as part of a future preliminary plat application) to construct half of the right-of-way for this unimproved section.



Site

# Exhibit 631A West Davis Special Purpose District and Subdistrict Boundary Map

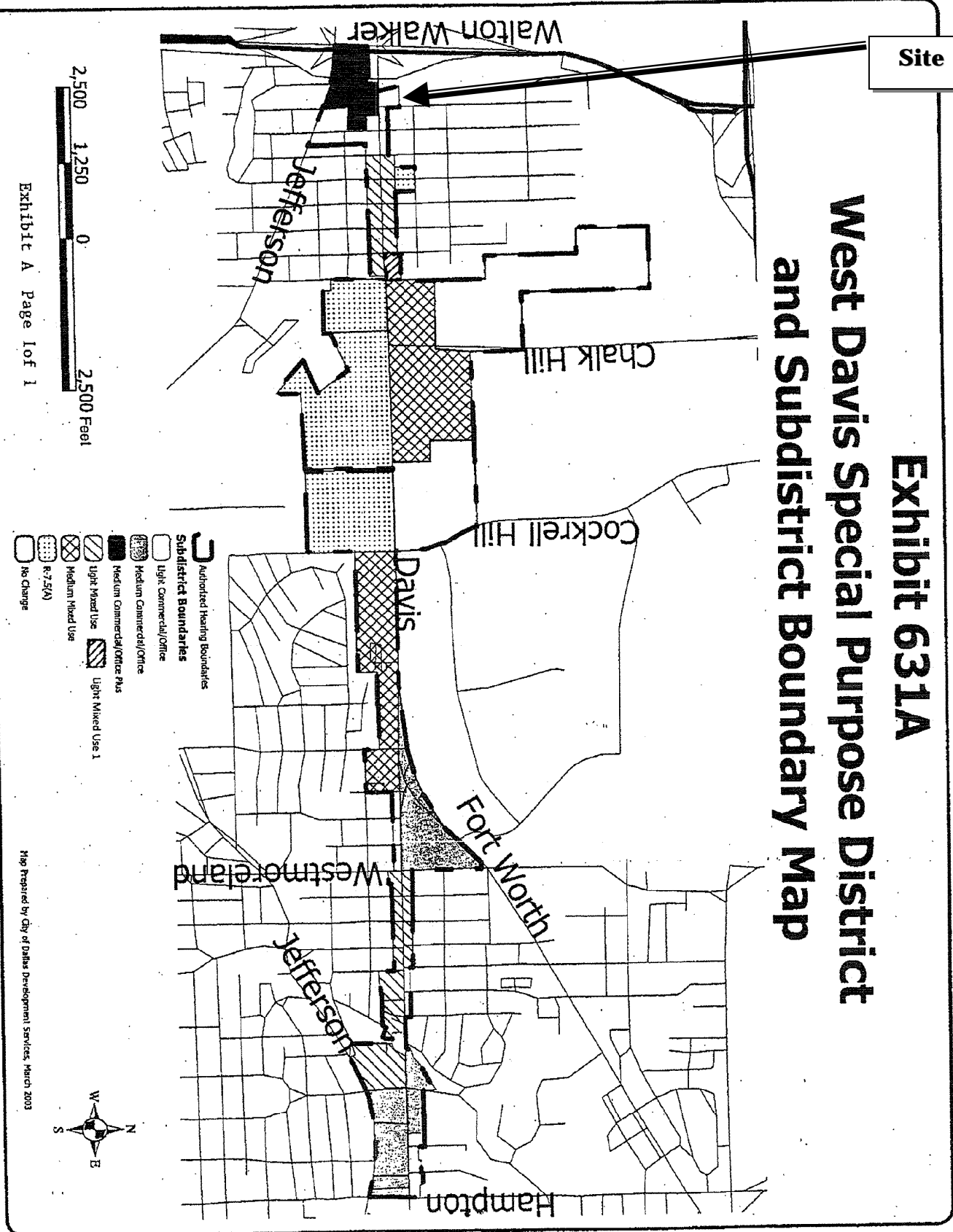


Exhibit A Page 1 of 1

Map Prepared by City of Dallas Development Services, March 2003

**APPLICANT REQUESTED/STAFF RECOMMENDED AMENDING CONDITIONS  
ARTICLE 631.**

**PD 631.**

**West Davis Special Purpose District**

**SEC. 51P-631.101. LEGISLATIVE HISTORY.**

PD 631 was established by Ordinance No. 25209, passed by the Dallas City Council on March 26, 2003. (Ord. 25209)

**SEC. 51P-631.102. PROPERTY LOCATION AND SIZE.**

PD 631 is established on property generally located along West Davis Street, bounded by Walton Walker (Loop 12) on the west and Hampton Road on the east. The size of PD 631 is approximately 523 acres. (Ord. Nos. 25209; 27949)

**SEC. 51P-631.103. CREATION OF SUBDISTRICTS.**

- (a) This district contains one residential subdistrict: Residential R-7.5(A).
- (b) This district is divided into the following nonresidential subdistricts:

(1) Light Commercial/Office. The Light Commercial/Office Subdistrict includes the area labeled Light Commercial/Office Area-1 on the West Davis Special Purpose District and subdistrict boundary map.

(2) Medium Commercial/Office.

(3) Medium Commercial/Office Plus.

(4) Light Mixed Use. The Light Mixed Use Subdistrict includes the area labeled Light Mixed Use Area-1 on the West Davis Special Purpose District and subdistrict boundary map.

(5) Medium Mixed Use.

(c) A map showing the boundaries of this district and its subdistricts is provided in this article and labeled as Exhibit 631A. A detailed description of the boundaries of this district and its subdistricts is provided in Exhibit 631D. (Ord. Nos. 25209; 27890)

(d) A Light Commercial/Office Area-1 topography exhibit is provided in this article and labeled as Exhibit 631E.

**SEC. 51P-631.104. DEFINITIONS.**

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

(1) DISTRICT means the entire planned development district (the West Dallas Special Purpose District) created by this article.

(1.1) MACHINE SHOP means a facility where material is processed and manufactured by machining, cutting, grinding, welding, or similar processes and is assembled or disassembled wholly within an enclosed building. This use does not include the repair of automobiles, commercial vehicles, engines, or other automobile parts.

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

(3) SUBDISTRICT means one of the subdistricts referred to in Section 51P-631.103 of this article.

(4) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment. (Ord. Nos. 25209; 27890)

**SEC. 51P-631.105. INTERPRETATIONS.**

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

(b) 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.

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

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

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

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

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

(e) If there is a conflict, the text of this article controls over the charts or any other graphic display. (Ord. Nos. 25209; 27890; 28554)

**SEC. 51P-631.105.1. EXHIBITS.**

The following exhibits are incorporated into this article:

(1) Exhibit 631A: West Davis Special Purpose District and subdistrict boundary map.

(2) Exhibit 631B: land use chart.



- (3) Exhibit 631C: development standards summary chart.
- (4) Exhibit 631D: property description. (Ord. Nos. 27890; 28554)
- (5) Exhibit 631E: Light Commercial/Office Area-1 topography exhibit.

**SEC. 51P-631.106. USE REGULATIONS AND DEVELOPMENT STANDARDS  
IN THE RESIDENTIAL R-7.5(A) SUBDISTRICT.**

(a) Main uses permitted. The uses permitted in this subdistrict are those uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this planned development district only by SUP; a use subject to development impact review (DIR) in the R-7.5(A) Single Family District is subject to DIR in this planned development district; etc.

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

(c) Yard, lot, and space regulations. The yard, lot, and space regulations contained in Section 51A-4.112(f), "R-7.5(A) District," apply to this subdistrict.

(d) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. See Article X, except as modified by Section 51P-631.112, "Landscaping." (Ord. 25209)

**SEC. 51P-631.107. USE REGULATIONS AND DEVELOPMENT STANDARDS  
IN THE LIGHT COMMERCIAL/ OFFICE SUBDISTRICT.**

(a) Main uses permitted.

- (1) Agricultural uses.

- None permitted.
- (2) Commercial and business service uses.
  - Catering service. [SUP]
- (3) Industrial uses.
  - Temporary concrete or asphalt batching. [By special authorization of the building official.]
- (4) Institutional and community service uses.
  - Adult day care facility.
  - Cemetery or mausoleum. [SUP]
  - Child-care facility.
  - Church.
  - College, university, or seminary. [SUP]
  - Community service center. [SUP]
  - Library, art gallery, or museum.
  - Public or private school. [SUP]
- (5) Lodging uses.
  - None permitted.
- (6) Miscellaneous uses.
  - Temporary construction or sales office.
- (7) Office uses.
  - Financial institution without drive-in window.
  - Medical clinic or ambulatory surgical center.
  - Office.
- (8) Recreation uses.
  - Public park, playground, or golf course.
- (9) Residential uses.
  - None permitted.
- (10) Retail and personal service uses.

- less.
- Dry cleaning or laundry store.
  - Furniture store. *[SUP]*
  - General merchandise or food store 3,500 square feet or less.
  - Personal service uses. *[Massage establishment and tattoo studio not allowed.]*
  - Restaurant without drive-in or drive-through service.

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Electrical substation. *[SUP]*
- Local utilities. *[See Section 51A-4.212(4). Treat as if in the NS(A) Neighborhood Service District.]*
- Police or fire station. *[SUP]*
- Post office. *[SUP]*
- Radio, television, or microwave tower. *[SUP]*
- Tower/antenna for cellular communication. *[See Section 51A-4.212(10.1). Treat as if in the NS(A) Neighborhood Service District.]*
- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*

(b) Accessory uses.

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

(2) The following accessory uses are not permitted in this subdistrict:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- General waste incinerator.

- Private stable.
- Pedestrian skybridges.

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

(1) Front yard. Minimum front yard is 15 feet.

(2) Side yard. Minimum side yard is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(3) Rear yard. Minimum rear yard is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(4) Density. Not applicable. (Residential uses are not permitted.)

(5) Floor area ratio. Maximum floor area ratio is 0.5.

(6) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 30 feet.

(7) Lot coverage. Maximum lot coverage is 40 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. No minimum lot size.

(9) Stories. Maximum number of stories above grade is two. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (6), "Height."

(d) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. See Article X, except as modified by Section 51P-631.112, "Landscaping." (Ord. 25209)

**SEC. 51P-631.107.1. USE REGULATIONS AND DEVELOPMENT STANDARDS  
IN THE LIGHT COMMERCIAL/ OFFICE AREA-1**

(a) Main uses permitted.

(1) Agricultural uses.

-- None permitted.

(2) Commercial and business service uses.

-- Catering service. [SUP]

(3) Industrial uses.

-- Temporary concrete or asphalt batching. [By special authorization of the building official.]

(4) Institutional and community service uses.

-- Adult day care facility.

-- Cemetery or mausoleum. [SUP]

-- Child-care facility.

-- Church.

-- College, university, or seminary. [SUP]

-- Community service center. [SUP]

-- Library, art gallery, or museum.

-- Public or private school. [SUP]

*Applicant requested:*

(5) Lodging uses.  
-- Hotel or motel (SUP required if 60 or fewer guest rooms; guest rooms must be accessible from internal corridor or walkway).

*Staff recommended:*

(5) Lodging uses.  
-- Hotel or motel (SUP; guest rooms must be accessible from internal corridor or walkway).

(6) Miscellaneous uses.  
-- Temporary construction or sales office.

*Applicant requested:*

(7) Office uses.  
-- Financial institution without drive-in window.  
-- Financial institution with drive-in window.  
-- Medical clinic or ambulatory surgical center.  
-- Office.

*Staff recommended:*

(7) Office uses.  
-- Financial institution without drive-in window.  
-- Financial institution with drive-in window. [SUP]  
-- Medical clinic or ambulatory surgical center.  
-- Office.

(8) Recreation uses.  
-- Public park, playground, or golf course.

(9) Residential uses.  
-- None permitted.

*Applicant requested:*

(10) Retail and personal service uses.  
-- Dry cleaning or laundry store.  
-- Furniture store. [SUP]  
-- General merchandise or food store 3,500 square feet or less.  
-- General merchandise or food store 3,500 square feet or more.

<u>allowed.]</u>	<u>-- Personal service uses. [Massage establishment and tattoo studio not</u>
	<u>-- Restaurant without drive-in or drive-through service.</u>
	<u>-- Restaurant with drive-in through service.</u>
	<u>-- Motor vehicle fueling station.</u>

Staff recommended:

<u>allowed.]</u>	<u>(10) Retail and personal service uses.</u>
	<u>-- Dry cleaning or laundry store.</u>
	<u>-- Furniture store. [SUP]</u>
	<u>-- General merchandise or food store 3,500 square feet or less.</u>
	<u>-- General merchandise or food store 3,500 square feet or more.</u>
	<u>-- Personal service uses. [Massage establishment and tattoo studio not</u>
	<u>-- Restaurant without drive-in or drive-through service.</u>
	<u>-- Restaurant with drive-in through service. [SUP]</u>
	<u>-- Motor vehicle fueling station. [SUP]</u>

- (11) Transportation uses.
- Transit passenger shelter.

(12) Utility and public service uses.

- Electrical substation. [SUP]
- Local utilities. [See Section 51A-4.212(4). Treat as if in the NS(A)

Neighborhood Service District.]

- Police or fire station. [SUP]
- Post office. [SUP]
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1). Treat as if in the NS(A) Neighborhood Service District.]
- Utility or government installation other than listed. [SUP]

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213(11.2).]

(b) Accessory uses.

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

(2) The following accessory uses are not permitted in this subdistrict:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- General waste incinerator.
- Private stable.
- Pedestrian skybridges.

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

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

(A) For a lodging use, a minimum front yard on Tatum Street is 75.

(2) Side yard.

(A) Except as provided in this section, minimum side yard is 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered a residential zoning district, and no minimum in all other cases.

(B) For a lodging use, minimum side yard along the northern property line is 50 feet.

(C) For a lodging use, no minimum side yard along the western property line.

(3) Rear yard.

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(4) Density. Not applicable. (Residential uses are not permitted.)

(5) Floor area ratio. Maximum floor area ratio is 0.5.



(6) Height. Except as provided in this section, maximum structure height is 30 feet.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(B) Except as provided in this paragraph, maximum height for a lodging use is 54 feet.

(i) A lodging use is exempt from the residential proximity slope if the finished floor elevation does not exceed 490 feet as identified in the topography exhibit (Exhibit 631E).

(ii) For any occupied building on the Property, screening of mechanical equipment must be provided along any northern and eastern façade in such a manner to visually screen these areas from a vantage point of the intersection of six feet above the existing grade of Tatum Street and the northeast corner of the Property. Mechanical equipment screening may exceed the maximum allowable height requirements to provide required screening.

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

(8) Lot size. No minimum lot size.

(9) Stories. Maximum number of stories above grade is five. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (6), "Height."

(d) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(e) Environmental performance standards. See Article VI.

*Applicant requested:*

<p><u>(1) Speaker/order boxes for a restaurant with drive-through service must be placed a minimum of 100 feet from Tatum Street and a minimum of 75 feet from the northern property line.</u></p>
--

Staff recommended:

(2) Any drive-through window and/or speaker/order box for a permitted use must be placed a minimum of 100 feet from Tatum Street and a minimum of 75 feet from the northern property line.

(f) Landscape regulations. See Article X, except as modified by Section 51P-631.112, "Landscaping." (Ord. 25209)

**SEC. 51P-631.108. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE MEDIUM COMMERCIAL/ OFFICE SUBDISTRICT.**

(a) Main uses permitted.

(1) Agricultural uses.

-- None permitted.

(2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Job or lithographic printing.
- Medical or scientific laboratory. [SUP]
- Tool or equipment rental.

(3) Industrial uses.

-- Temporary concrete or asphalt batching. [By special authorization of the building official.]

(4) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. [SUP]
- Child-care facility.
- Church.
- College, university, or seminary. [SUP]
- Community service center. [SUP]
- Hospital. [SUP]
- Library, art gallery, or museum.
- Public or private school. [SUP]

(5) Lodging uses.

- Hotel or motel. [SUP]
- Lodging or boarding house. [SUP]
- Overnight general purpose shelter. [SUP]

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

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

(8) Recreation uses.

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

(9) Residential uses.

- None permitted.

(10) Retail and personal service uses.

- Animal shelter or clinic without outside run.
- Auto service center. [SUP]
- Business school. [SUP]
- Car wash. [SUP]
- Commercial amusement (inside). [See Section 51A-4.210(b)(7). Treat as if in the CR Community Retail District.]
- Commercial amusement (outside). [SUP]
- Commercial parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.

- Home improvement center; lumber, brick, or building materials sales yard. *[SUP]*
- Household equipment and appliance repair.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Personal service uses. *[Massage establishment and tattoo studio not allowed.]*
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. *[DIR]*
- Swap or buy shop. *[SUP]*
- Temporary retail use.
- Theater.

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities. *[See Section 51A-4.212(4). Treat as if in the CR Community Retail District.]*
- Police or fire station. *[SUP]*
- Post office.
- Radio, television, or microwave tower. *[SUP]*
- Tower/antenna for cellular communication. *[See Section 51A-4.212(10.1). Treat as if in the CR Community Retail District.]*
- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*

(b) Accessory uses.

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

(2) The following accessory uses are not permitted in this subdistrict:

- Accessory community center (private).
- Accessory helistop.
- Accessory pathological waste incinerator.
- General waste incinerator.
- Private stable.
- Pedestrian skybridges.

(3) The following accessory use is permitted in this subdistrict by SUP only:

- Accessory medical/infectious waste incinerator. [SUP]

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

(1) Front yard. Minimum front yard is 15 feet.

(2) Side yard. Minimum side yard is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(3) Rear yard. Minimum rear yard is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(4) Density. Not applicable. (Residential uses are not permitted.)

(5) Floor area ratio. Maximum floor area ratio is 0.75.

(6) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12

feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 54 feet.

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

(8) Lot size. No minimum lot size.

(9) Stories. Maximum number of stories above grade is four. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (6), "Height."

(d) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. See Article X, except as modified by Section 51P-631.112, "Landscaping." (Ord. 25209)

**SEC. 51P-631.109. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE MEDIUM COMMERCIAL/ OFFICE PLUS SUBDISTRICT.**

(a) Main uses permitted.

(1) Agricultural uses.

-- None permitted.

(2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Job or lithographic printing.
- Medical or scientific laboratory. [SUP]
- Tool or equipment rental.

(3) Industrial uses.

- Temporary concrete or asphalt batching. *[By special authorization of the building official.]*

(4) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. *[SUP]*
- Child-care facility.
- Church.
- College, university, or seminary. *[SUP]*
- Community service center. *[SUP]*
- Hospital. *[SUP]*
- Library, art gallery, or museum.
- Public or private school. *[SUP]*

(5) Lodging uses.

- Hotel or motel. *[SUP]*
- Lodging or boarding house. *[SUP]*
- Overnight general purpose shelter. *[SUP]*

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

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

(8) Recreation uses.

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

(9) Residential uses.

- None permitted.

(10) Retail and personal service uses.

- Animal shelter or clinic without outside run.

- Auto service center. [SUP]
- Business school. [SUP]
- Car wash. [SUP]
- Commercial amusement (inside). [See Section 51A-4.210(b)(7). Treat as if in the CR Community Retail District.]
- Commercial amusement (outside). [SUP]
- Commercial parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Home improvement center; lumber, brick, or building materials sales yard. [SUP]
- Household equipment and appliance repair.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Personal service uses. [Massage establishment and tattoo studio not allowed.]
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. [DIR]
- Swap or buy shop. [SUP]
- Temporary retail use.
- Theater.

(11) Transportation uses.

- Commercial bus station and terminal. [SUP]
- Transit passenger shelter.

(12) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities. [See Section 51A-4.212(4). Treat as if in the CR Community Retail District.]
- Police or fire station. [SUP]
- Post office.
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1). Treat as if in the CR Community Retail District.]
- Utility or government installation other than listed. [SUP]



(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213(11.2).]

(b) Accessory uses.

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

(2) The following accessory uses are not permitted in this subdistrict:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- General waste incinerator.
- Private stable.
- Pedestrian skybridges.

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

(1) Front yard. Minimum front yard is 15 feet.

(2) Side yard. Minimum side yard is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(3) Rear yard. Minimum rear yard is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(4) Density. Not applicable. (Residential uses are not permitted.)

(5) Floor area ratio. Maximum floor area ratio is 0.75.

(6) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 54 feet.

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

(8) Lot size. No minimum lot size.

(9) Stories. Maximum number of stories above grade is four. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (6), "Height."

(d) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. See Article X, except as modified by Section 51P-631.112, "Landscaping." (Ord. 25209)

**SEC. 51P-631.110. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE LIGHT MIXED USE SUBDISTRICT.**

(a) Main uses permitted.

(1) Agricultural uses.

-- None permitted.

(2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Medical or scientific laboratory. [SUP]

(3) Industrial uses.

- Machine shop. [Light Mixed Use Area-1 only] [SUP]
- Temporary concrete or asphalt batching. [By special authorization of the building official.]

(4) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Church.
- College, university, or seminary. [SUP]
- Community service center. [SUP]
- Convalescent and nursing homes, hospice care, and related institutions. [SUP]
- Convent or monastery.
- Foster home. [SUP]
- Library, art gallery, or museum.
- Public or private school. [SUP]

(5) Lodging uses.

- None permitted.

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

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

(8) Recreation uses.

- Public park, playground, or golf course.

(9) Residential uses.

- College dormitory, fraternity, or sorority house. *[SUP]*
- Duplex.
- Handicapped group dwelling unit. *[By right when located at least 1,000 feet from group residential facilities and all other licensed handicapped group dwelling units; otherwise by SUP only.]*
- Multifamily.
- Retirement housing.
- Single family.

(10) Retail and personal service uses.

- Animal shelter or clinic without outside run.
- Commercial parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store. *[SUP]*
- General merchandise or food store 3,500 square feet or less.
- Household equipment and appliance repair.
- Nursery, garden shop, or plant sales.
- Personal service uses. *[Massage establishment and tattoo studio not allowed.]*
- Restaurant without drive-in or drive-through service.
- Temporary retail use.
- Theater. *[Limited to 100 seats.]*

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Commercial radio or television transmitting station. *[SUP]*
- Electrical substation. *[SUP]*
- Local utilities. *[See Section 51A-4.212(4). Treat as if in a residential district. Communication exchange facilities prohibited.]*
- Police or fire station. *[SUP]*
- Post office. *[SUP]*
- Radio, television, or microwave tower. *[SUP]*
- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*

(b) Accessory uses.

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

(2) The following accessory uses are not permitted in this subdistrict:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- General waste incinerator.
- Private stable.
- Pedestrian skybridges.

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

(1) Front yard. Minimum front yard is 15 feet.

(2) Side yard. Minimum side yard is 10 feet for multifamily structures. No minimum side yard for all other structures.

(3) Rear yard. Minimum rear yard is 15 feet for multifamily structures. Minimum rear yard for all other structures is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(4) Dwelling unit density. Maximum dwelling unit density is 20 units per acre. Minimum dwelling unit size is 500 square feet.

(5) Floor area ratio. Maximum floor area ratio is 0.5, except that maximum floor area ratio is 1.0 for a mixed use project with both a residential component and a nonresidential component.

(6) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 30 feet, except that the maximum structure height is 45 feet for a mixed use project with both a residential component and a nonresidential component.

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

(8) Lot size. No minimum lot size.

(9) Stories. Maximum number of stories above grade is four. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (6), "Height."

(d) Off-street parking and loading.

(1) Except as provided in this subsection, consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(2) Machine shop.

(A) One off-street parking space per 700 square feet of floor area is required.

(B) Loading and unloading areas must be screened from Davis Street and Dwight Street with a minimum six-foot-high solid screening fence.

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. See Article X, except as modified by Section 51P-631.112, "Landscaping."

(g) Outside storage in Light Mixed Use Area-1. Outside storage is limited to 6,000 square feet of area in the location shown on the Light Mixed Use Area-1 development plan. (Ord. Nos. 25209; 27890)

**SEC. 51P-631.111. USE REGULATIONS AND DEVELOPMENT STANDARDS  
IN THE MEDIUM MIXED USE SUBDISTRICT.**

(a) Main uses permitted.

(1) Agricultural uses.

-- None permitted.

(2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Job or lithographic printing.
- Medical or scientific laboratory. [SUP]

(3) Industrial uses.

-- Temporary concrete or asphalt batching. *[By special authorization of the building official.]*

(4) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Church.
- College, university, or seminary. [SUP]
- Community service center. [SUP]
- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Foster home. [SUP]
- Halfway house. [SUP]
- Hospital. [SUP]
- Library, art gallery, or museum.
- Public or private school. [SUP]

(5) Lodging uses.

-- Overnight general purpose shelter. [SUP]

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

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

(8) Recreation uses.

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

(9) Residential uses.

- College dormitory, fraternity, or sorority house. *[SUP]*
- Group residential facility. *[By right when located at least 1,000 feet from group residential facilities and all other licensed handicapped group dwelling units; otherwise by SUP only.]*
- Multifamily.
- Retirement housing.

(10) Retail and personal service uses.

- Animal shelter or clinic without outside run.
- Commercial amusement (inside). *[SUP]*
- Commercial parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Household equipment and appliance repair.
- Nursery, garden shop, or plant sales.
- Personal service uses. *[Massage establishment and tattoo studio not allowed.]*
- Restaurant without drive-in or drive-through service.
- Temporary retail use.
- Theater. *[Limited to 1,000 seats.]*

(11) Transportation uses.



- Transit passenger shelter.

(12) Utility and public service uses.

- Commercial radio or television transmitting station. [SUP]
- Electrical substation. [SUP]
- Local utilities. [See Section 51A-4.212(4). Treat as if in a residential district. Communication exchange facilities prohibited.]
- Police or fire station. [SUP]
- Post office. [SUP]
- Radio, television, or microwave tower. [SUP]
- Utility or government installation other than listed. [SUP]

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213(11.2).]

(b) Accessory uses.

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

(2) The following accessory uses are not permitted in this subdistrict:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- General waste incinerator.
- Private stable.
- Pedestrian skybridges.

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

(1) Front yard. Minimum front yard is 15 feet.

(2) Side yard. Minimum side yard is 10 feet for multifamily structures. No minimum side yard for all other structures.

(3) Rear yard. Minimum rear yard is 15 feet for multifamily structures. Minimum rear yard for all other structures is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(4) Dwelling unit density. Maximum dwelling unit density is 40 units per acre. Minimum dwelling unit size is 500 square feet.

(5) Floor area ratio. Maximum floor area ratio is 0.75 for a project without a residential component and 2.0 for a project with a residential component.

(6) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(B) Maximum height. Unless further restricted under Subparagraph (A), the maximum structure height is 54 feet for a project without a residential component and 90 feet for a project with a residential component.

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

(8) Lot size. No minimum lot size.

(9) Stories. Maximum number of stories above grade is six. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (6), "Height."

(d) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. See Article X, except as modified by Section 51P-631.112, "Landscaping." (Ord. 25209)

**SEC. 51P-631.112. LANDSCAPING.**

(a) In general. Except as modified in this section, the regulations in Article X, "Landscape and Tree Preservation Regulations," apply to this district. In the event of a conflict between this section and Article X, this section controls.

(b) Application. Subsection (c) of Section 51A-10.121, "Application of Division," of Division 51A-10.120, "Landscaping," is modified to read as follows: This division becomes applicable to a lot or tract when an application is made for a building permit for construction work that within a 24-month period:

- (1) increases the number of stories in a building on the lot;
- (2) increases the combined floor areas of all buildings on the lot; or
- (3) increases the nonpermeable coverage on the lot.

(c) Light Mixed Use Area-1.

(1) Machine shop.

(A) Prior to the issuance of a certificate of occupancy, landscaping must be provided as shown on the Light Mixed Use Area-1 development plan.

(B) Automatic sprinkler systems are not required for landscaping located within a public right-of-way. Landscaping within a public right-of-way must be located within 100 feet of a verifiable water source.

(2) Private license granted.

(A) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in Light Mixed Use Area-1 for the exclusive purpose of authorizing compliance with the landscaping requirements of this subsection. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding.

The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of to the director of public works and transportation.

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

(C) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this paragraph, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(D) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this paragraph does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(3) Landscape permit.

(A) It is the responsibility of the property owner to apply for and obtain a landscape permit before locating trees, landscaping, or related amenities in the right-of-way. An application for a landscape permit must be made to the building official. The application must be in writing on a form approved by the building official and accompanied by plans or drawings showing the area of the right-of-way affected and the planting or other amenities proposed.

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

(C) A property owner is not required to comply with any landscaping requirement of this subsection if compliance is made impossible due to the building official's denial of a landscape permit.

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

(E) The issuance of a landscape permit under this paragraph does not excuse the property owner, his agents, or employees from liability for the installation or maintenance of trees or other amenities in the public right-of-way. (Ord. Nos. 25209; 27890)

**SEC. 51P-631.113. SIGNS.**

Signs must comply with the provisions for business zoning districts contained in Article VII, "Sign Regulations." (Ord. 25209)

**SEC. 51P-631.114. ADDITIONAL PROVISIONS.**

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

(b) Development and use of property within this district must comply with all applicable federal and state laws and regulations, and with all applicable ordinances, rules, and regulations of the city. (Ord. Nos. 25209; 26102)

**SEC. 51P-631.115. COMPLIANCE WITH CONDITIONS.**

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

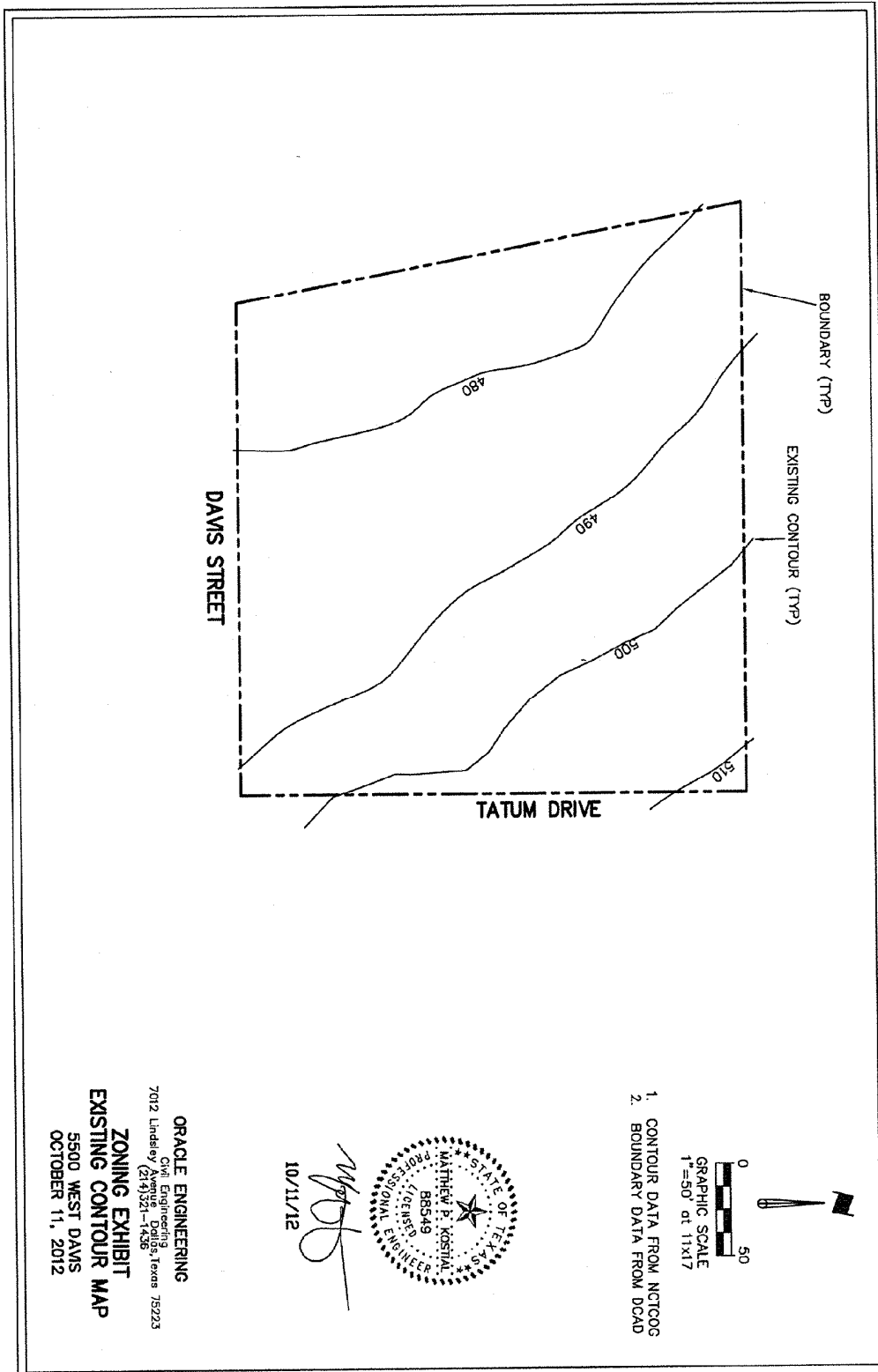
(b) The building official shall not issue a building permit or a certificate of occupancy for a use in this district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 25209; 26102)

~~**SEC. 51P-631.116. ZONING MAP.**~~

~~PD 631 is located on Zoning Map Nos. L-4, L-5, L-6, and K-5. (Ord. 25209)~~

**SEC. 51P-631.117 6. LAND USE AND DEVELOPMENT STANDARDS CHARTS.**

A land use chart is provided in this article and labeled as Exhibit 631B, and a development standards chart is provided in this article and labeled as Exhibit 631C. In the event of a conflict between these charts and the text of this article, the text controls. (Ord. 25209)



- 1. CONTOUR DATA FROM NCTCOG
  - 2. BOUNDARY DATA FROM DCAD
- GRAPHIC SCALE  
1"=50' at 11x17
- 

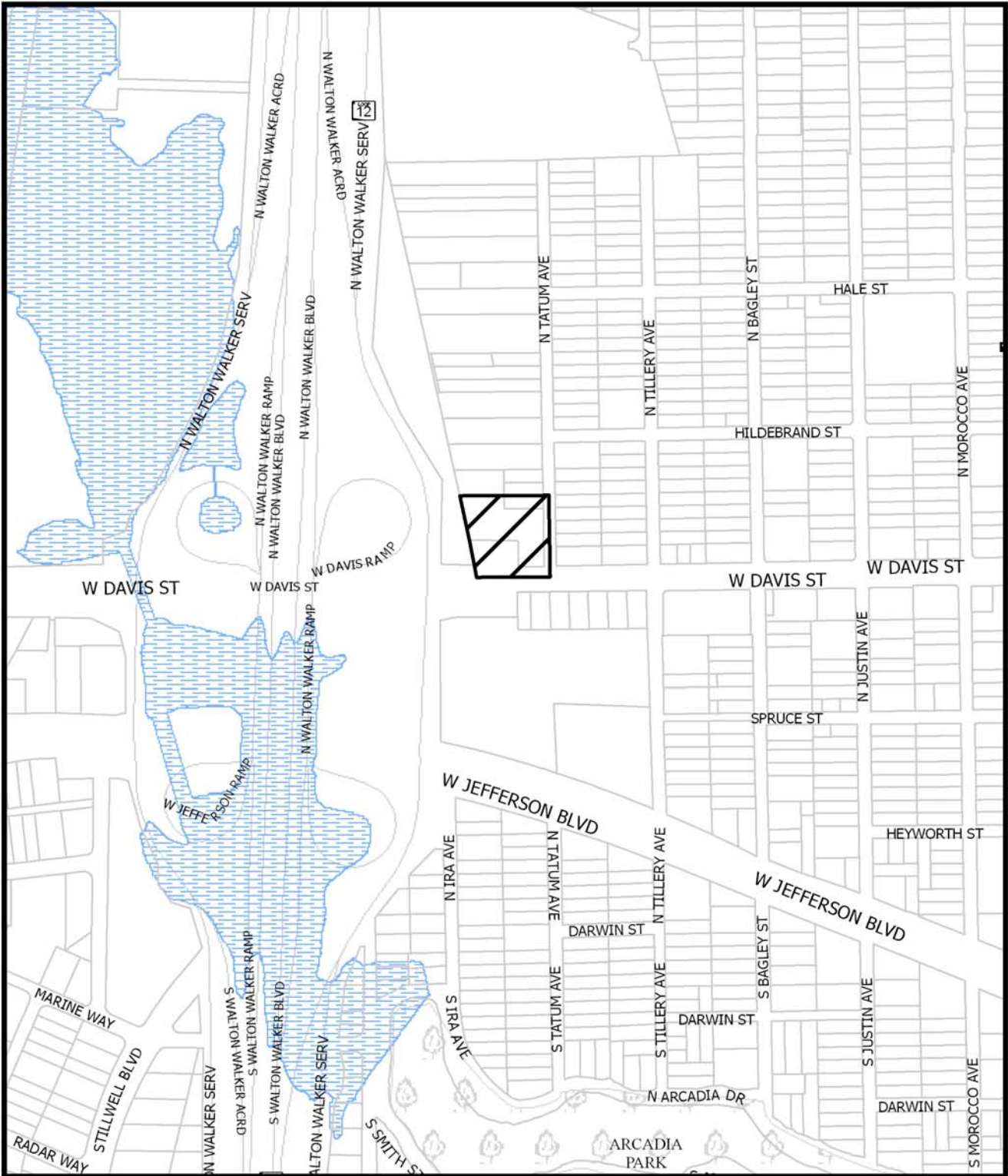
10/11/12

M. P. Kostival

**ORACLE ENGINEERING**  
Civil Engineering  
7012 Lindsey Avenue Dallas, Texas 75223  
(214) 321-1436

**ZONING EXHIBIT**  
**EXISTING CONTOUR MAP**  
5500 WEST DAVIS  
OCTOBER 11, 2012

**Light Commercial/Office Area-1  
topographic exhibit.**



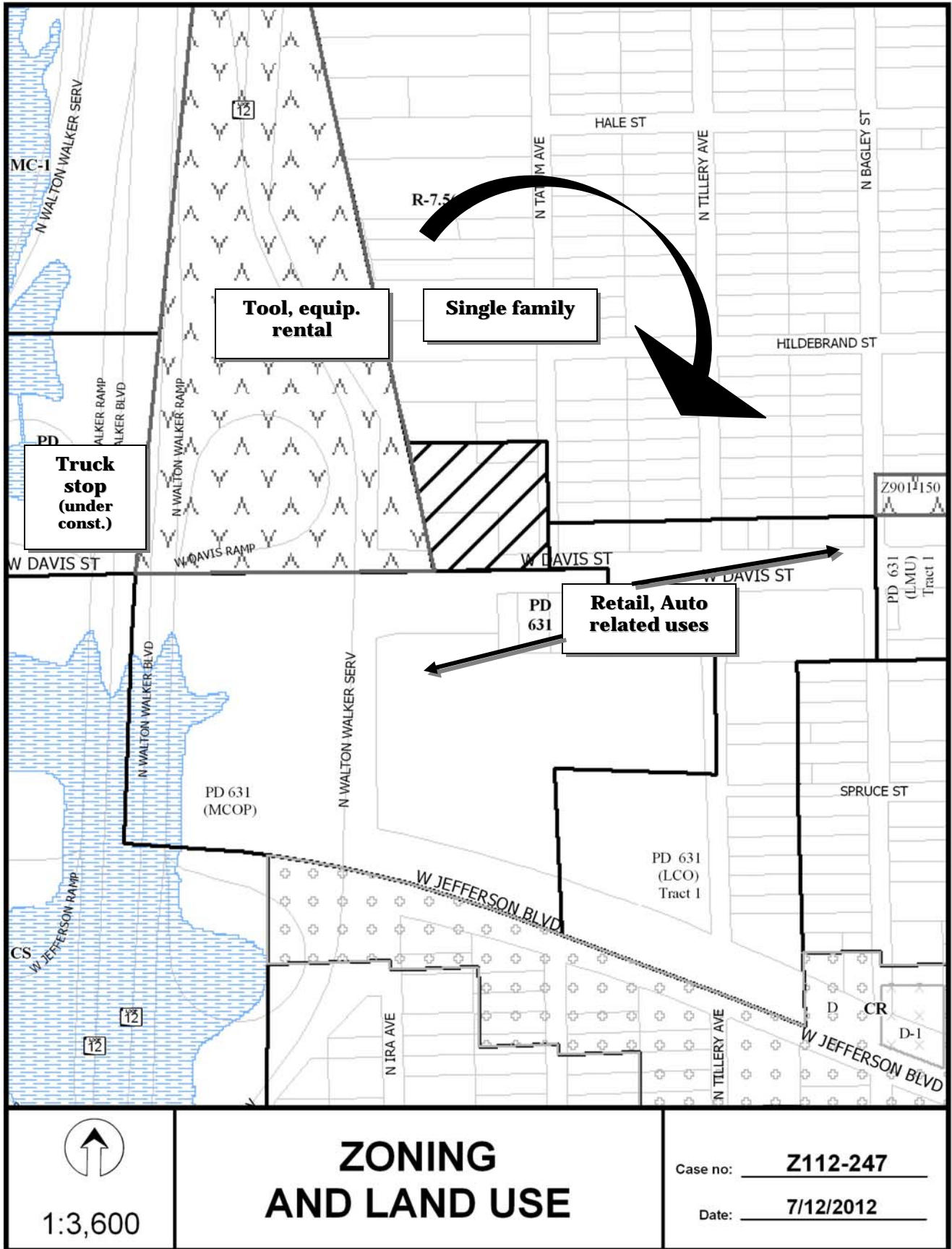
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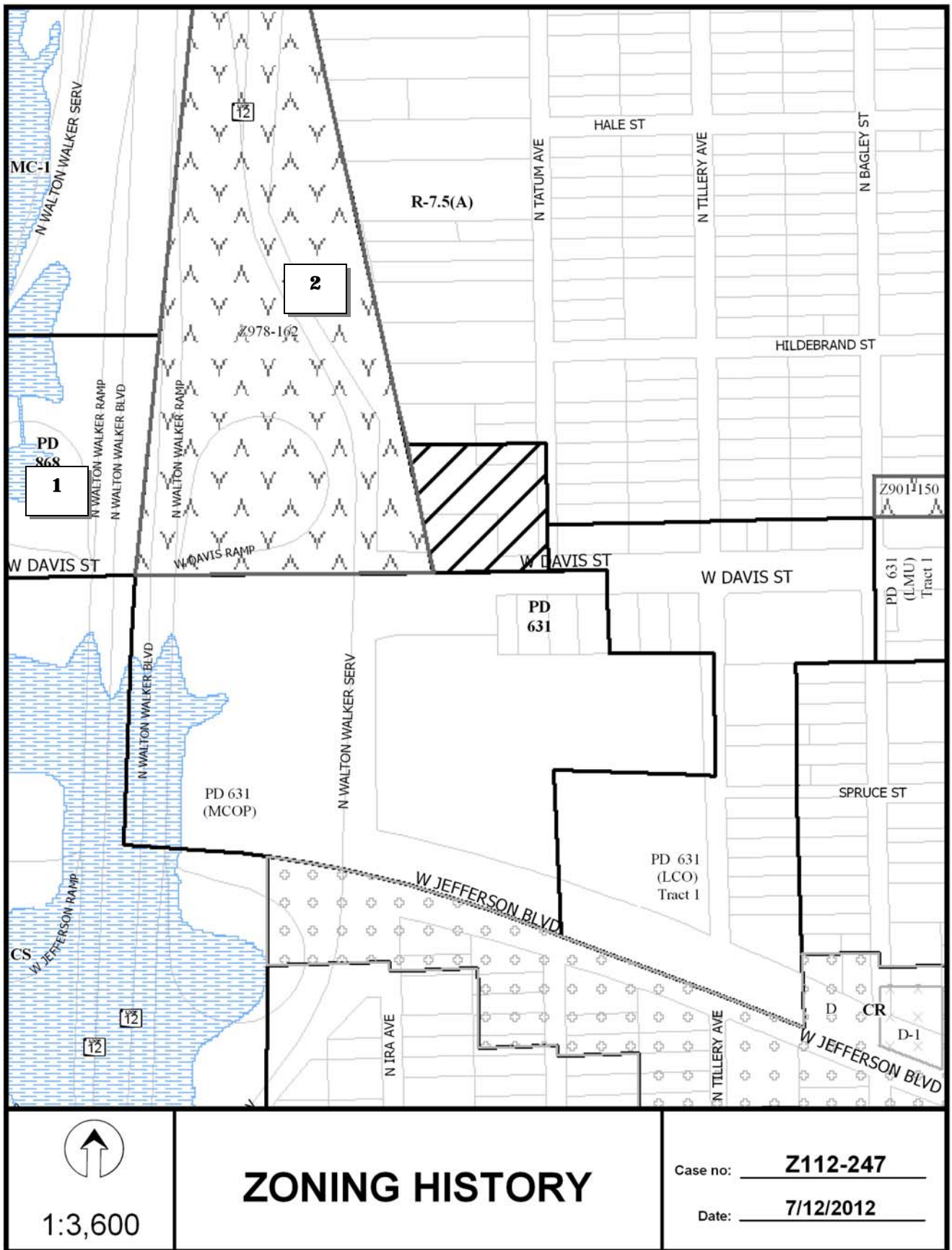
# VICINITY MAP


Case no:           **Z112-247**          

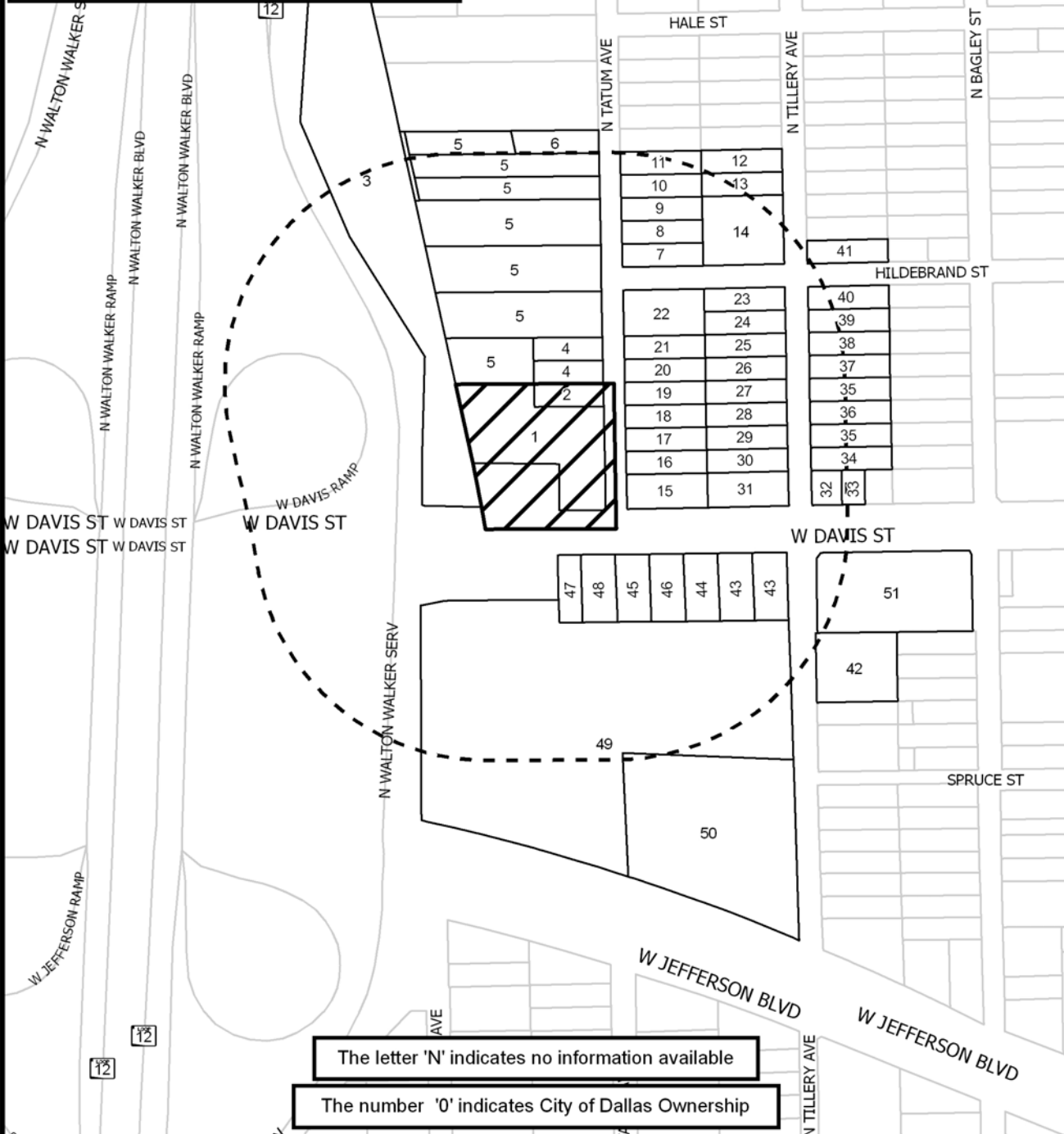
Date:           **7/12/2012**








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



The letter 'N' indicates no information available

The number '0' indicates City of Dallas Ownership

  
1:3,600

## NOTIFICATION

**500'** AREA OF NOTIFICATION  
**51** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no:           **Z112-247**            
 Date:           **7/12/2012**

7/12/2012

***Notification List of Property Owners******Z112-247******51 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5500 DAVIS ST	MALCHI JOHN
2	703 TATUM AVE	WEBB BERNICE W
3	1200 WALTON WALKER BLVD	DALLAS LEGACY INVESTMENTS LP
4	707 TATUM AVE	AGUINAGA MANUEL & CLAUDIA G
5	715 TATUM AVE	FAZ ISAAC D
6	905 TATUM AVE	ANTUNEZ PATRICIA & ANTONIO CASTANEDAS
7	802 TATUM AVE	WALKER FRANCES N
8	806 TATUM AVE	SMITH JIMMY SR
9	810 TATUM AVE	GONZALEZ DEXMAR J & SYLVIA L
10	814 TATUM AVE	RAMIREZ ALFONSO & RAMIREZ JORGE
11	818 TATUM AVE	COUCH TAWANA
12	819 TILLERY ST	ANTUNEZ PATRICIA & ANTONIO C HERRERA
13	815 TILLERY ST	GALVAN JUAN
14	803 TILLERY ST	WEST FLOYD J
15	606 TATUM AVE	SEGURA ABRAHAM
16	610 TATUM AVE	AGUAYO JUAN CARLOS & ETAL
17	614 TATUM AVE	MERCADO RICARDO
18	618 TATUM AVE	MERCADO RICARDO ETAL
19	702 TATUM AVE	AGUAYO JUAN CARLOS & CAROLINA D
20	708 TATUM AVE	AGUAYO CARLOS & CAROLINA
21	710 TATUM AVE	GARZA ANA L
22	718 TATUM AVE	OLVERA ADAN O
23	717 TILLERY ST	STOKER KATHY L
24	715 TILLERY ST	WHITEHORN JANIE
25	711 TILLERY ST	RUIZ LUIS & BEATRICE
26	707 TILLERY ST	CASTANEDA SILVINA & ISMAEL

7/12/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	621 TILLERY ST	CACERES JOSE
28	619 TILLERY ST	CACERES JOSE & MARTHA
29	615 TILLERY ST	RODRIQUEZ RAFAEL N
30	611 TILLERY ST	SEGOVIANO MANUEL
31	603 TILLERY ST	EVANS JOE
32	5319 DAVIS ST	FARRIS DEANO
33	5317 DAVIS ST	FARRIS DEANO
34	610 TILLERY ST	DOBBINS WOODROW
35	614 TILLERY ST	FAZ ISMAEL & MARIA G
36	616 TILLERY ST	FAZ ALEJANDRO & MINERVA A
37	706 TILLERY ST	QUEZADA CARLOS & HERLINDA
38	710 TILLERY ST	LANDEROS JOSE & DORA LANDEROS
39	714 TILLERY ST	GARCIA FELIX C
40	716 TILLERY ST	RUIZ GREGORIO & ESPERANZA
41	802 TILLERY ST	CADLE PROPERTIES OF LOUISIAN INC
42	418 TILLERY ST	ADVANCED FOUNDATION REPAIR LP
43	5406 DAVIS ST	SALVATIERRA JOSE M
44	5410 DAVIS ST	CUARENTA FRANCISCO & IRMA
45	5414 DAVIS ST	ARTIGA ARMANDO & ANA EDITH
46	5412 DAVIS ST	ARTIGA ARMANDO & ANA EDITH
47	5502 DAVIS ST	DEANDA RODOLFO & YOLANDA
48	5502 DAVIS ST	DEANDA RODOLFO & YOLANDA
49	5601 JEFFERSON BLVD	MARSHALL FREDERICK S
50	5401 JEFFERSON BLVD	DAVIS PHILLIP E
51	5306 DAVIS ST	MARTINEZ RUBEN

**FILE NUMBER:** Z112-237(RB)

**DATE FILED:** May 9, 2012

**LOCATION:** Northwest Highway and Midway Road, Northeast Corner

**COUNCIL DISTRICT:** 13

**MAPSCO:** 24 T, X

**SIZE OF REQUEST:** Approx. 7.9 Acres

**CENSUS TRACT:** 206

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**APPLICANT/OWNER:** Preston Hollow Indian School, LP

**REPRESENTATIVE:** Santos Martinez

**REQUEST:** An application for an amendment to Planned Development District No. 70; removal of the D-1 Liquor Control Overlay; and, termination of Specific Use Permit No. 1574 for a Restaurant with alcoholic beverage service.

**SUMMARY:** The applicant proposes to provide revised permitted uses and development standards, remove the D-1 Liquor Control Overlay, and terminate SUP No. 1574.

**STAFF RECOMMENDATION:** Approval of an amendment to Planned Development District No. 70, subject to staff's recommended conditions, denial of the removal of the D-1 Liquor Control Overlay, and denial of the termination of Specific Use Permit No. 1574.

**BACKGROUND INFORMATION:**

- The site is developed with various structures providing for a multi-tenant retail center. Off-street parking areas are located internally and along the site's northern and eastern property lines.
- On August 19, 1974, the City Council approved the creation of PDD No. 70 for Church Uses. A subsequent amendment (February 9, 2005) provided for a zoning change to replace the D Liquor Control Overlay with a D-1 Liquor Control Overlay and an SUP for a Restaurant with alcoholic beverage service.
- SUP No. 1574 provides for four restaurants with an aggregate floor area of 12,704 square feet (see SUP No. 1574 site plan).
- The requested amendment to PDD No. 70 will consider the following: 1) revise permitted uses; 2) revise permitted development standards; and, 3) remove the conceptual plan and development plan requirements. Additionally, the applicant's request includes removal of the D-1 Liquor Control Overlay as well as the termination of SUP No. 1574.

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

**Thoroughfare**

**Designation; Existing & Proposed ROW**

Northwest Highway

Freeway; Variable width ROW

Midway Road

Principal Arterial; 100' & 100' ROW

**STAFF ANALYSIS:**

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

GOAL 1.2 Promote desired development.

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

**Land Use Compatibility:** The site is developed with various structures providing for a multi-tenant retail center. Off-street parking areas are located internally and along the site's northern and eastern property lines. The requested amendment to PDD No. 70 will consider the following: 1) revise permitted uses; 2) revise permitted development standards; and, 3) remove the conceptual plan and development plan requirements. Additionally, the applicant's request includes removal of the D-1 Liquor Control Overlay as well as the termination of SUP No. 1574. With respect to uses and off-street parking requirements, the applicant is requesting Chapter 51A interpretations, which expand the nonresidential use options as well as provide applicable parking requirements, many of which have been and will be addressed with the current Dallas City Code off-street parking amendments.

Other than an institutional (church) use and a small retail strip located at the site's southwestern corner (southwest and northwest corner of Northwest Highway and Midway Road), the site is surrounded by low density single family uses (north, east, southeast, and northwest). As required by PDD No. 70, these single family uses are screened from the site's northern and eastern property lines by a solid screening wall.

As noted above, PDD No. 70 was adopted by the City Council in 1974; the property has been considered and approved for an amendment to the PDD as well as receiving approval for several minor amendments. As a matter of history, the PDD was adopted with the D Liquor Control Overlay. The February, 2005 amendment removed the D Liquor Control Overlay but granted a D-1 Liquor Control Overlay. This was largely due to the (then) applicant requesting beer and wine sales for off-site consumption for the general merchandise or food store greater than 3,500 square feet (Albertsons Food Store), located in the northern quarter of the site; this parcel is not encumbered by either liquor control overlay (see attached Zoning and Land Use Map).

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

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

As part of the February, 2005 City Council action (D to D-1), SUP No. 1574 was adopted to permit four restaurants to provide alcohol sales for on-site consumption.

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 application has taken many turns relating to revisions to the initial submission, with the final basis of request addressed herein. While staff has attempted to remain flexible as the application changed focus a few times, there remain many fundamental land use issues that as part of the current package of requested amendments, could remain problematic. In summary:

- 1) certain permitted uses that could negatively impact the built environment;
- 2) removal of the D-1 Liquor Control Overlay lessens the ability to ensure compatibility as existing tenants pursue the automatic renewal options within SUP No. 1574 as well as change of tenants or addition of new venues normally addressed through the SUP process (reference SUP guidelines, above);
- 3) increased development rights (ie, floor area) not addressed in the traffic engineer's parking analysis providing for reduced parking regulations; and,
- 4) removal of any conceptual plan, development plan or landscape plan requirements.

A PDD is zoning tool that creates a mix of uses and development standards that affords flexibility of development while at the same time protects adjacent land uses and preserves natural features. In order to deliver on this directive, the requirement of all or a combination of conceptual plan/development/landscape plan requirement is a standard for a PDD.

It should be noted that the City Plan Commission has recommended and the City Council has approved the creation of Special Purpose Districts (a PDD without a development plan/landscape plan requirement); examples being the Jefferson Area Special Purpose District, the Bryan Area Special Purpose District, and the Arlington Park Special Purpose District. In these situations, the land area is extensive; there are multiple landowners within the district boundary involved in the rezoning; and, there tends to be a unified (amongst the property owners) effort to create uses and development standards that are compatible within and adjacent to the district boundary. This request does not meet any of this criteria.

Regardless of which vehicle provides for the uses and development standards, what has been and remains the common thread of utilization of this property is adjacency-related

with respect to the sale or service of alcoholic beverages for on-site or off-site consumption. Staff cannot support the removal of the D-1 Liquor Control Overlay, thus the portion of the request to terminate SUP No. 1574 also cannot be supported.

Should CPC approve the portion of the applicant's request to remove the D-1 Liquor Control Overlay and terminate SUP No. 1574, the following provisions would be recommended for inclusion in the CPC recommended amending PDD conditions (assuming the Commission agrees to the retention of conceptual plan/development plan/landscape plan requirements):

For any use that provides for on-site consumption of alcoholic beverages:

- 1) limit hours of operation for the patio portion of the main use;
- 2) prohibit outside amplification and live music; and,
- 3) limit location of any outside patio (whether covered or uncovered) to a southern façade, western facade, and a northern façade of the southernmost structure on the property.

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

**Off-Street Parking:** The applicant has requested revised off-street parking ratios for permitted uses, specifically utilization of a mixed-use parking reduction. The Engineering Section of the Department of Sustainable Development and Construction has reviewed the Parking Study and determined this concept, based on a maximum floor area of 93,101 square feet and further restricted by use (7,664 sf-office; 53,667 sf-retail/personal service; and 31,770 sf-restaurant) can be supported.

With respect to staff's conditional support, it was requested that the applicant revise the submitted parking study to address the additional floor and removal of the maximum for certain uses within the overall permitted floor area; at this time, the applicant has decided not to provide the amended study.

**Landscaping:** PDD No. 70 provides for specific landscaping as provided for on the attached landscape plan. No additional landscaping is required nor recommended at this time.

April 24, 2012

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

RE: 4343 W. Northwest Highway

Dear Mr. Cossum:

The undersigned owner hereby authorizes MASTERPLAN to represent the undersigned in all matters regarding a zoning change request for the property described above.

Owner: Preston Hollow Saticoy, LP, a Texas limited partnership,  
Preston Hollow Indian School, LP, a Texas limited partnership, and  
Preston Hollow Westgate, LP, a Texas limited partnership

PRESTON HOLLOW SATICOY, LP, a Texas limited partnership

By: PH Saticoy Genpar, LLC,  
a Delaware limited liability company

Its: General Partner

By: Westwood Financial Corp.,  
a California corporation

Its: Manager

By:

Name: Steven J. Fogel  
Title: Secretary

(continued on following page)

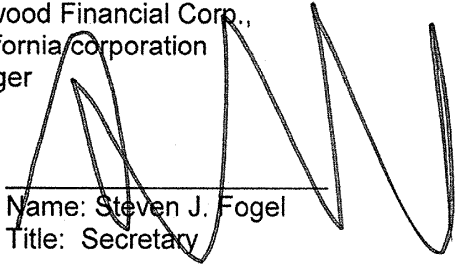
Z112-237

PRESTON HOLLOW INDIAN SCHOOL, LP, a Texas limited partnership

By: PH Indian School Genpar, LLC,  
a Delaware limited liability company  
Its: General Partner

By: Westwood Financial Corp.,  
a California corporation  
Its: Manager

By: \_\_\_\_\_  
Name: Steven J. Fogel  
Title: Secretary

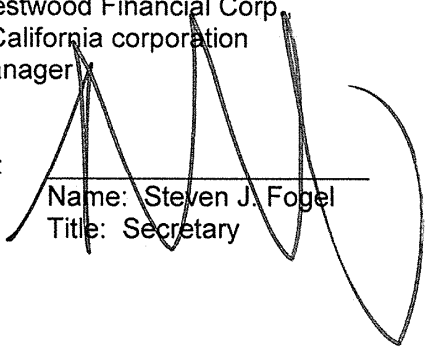


PRESTON HOLLOW WESTGATE, LP, a Texas limited partnership

By: PH Westgate Genpar, LLC,  
a Delaware limited liability company  
Its: General Partner

By: Westwood Financial Corp.,  
a California corporation  
Its: Manager

By: \_\_\_\_\_  
Name: Steven J. Fogel  
Title: Secretary



Z112-237

**APPLICANT REQUESTED/STAFF RECOMMENDED AMENDING CONDITIONS  
ARTICLE 70.  
PD 70.**

**SEC. 51P-70.101. LEGISLATIVE HISTORY.**

PD 70 was established by Ordinance No. 14645, passed by the Dallas City Council on August 19, 1974. Ordinance No. 14645 amended Ordinance No. 10962, Chapter 51 of the 1960 Revised Code of Civil and Criminal Ordinances of the City of Dallas. Ordinance No. 14645 was amended by Ordinance No. 18360, passed by the Dallas City Council on August 15, 1984, and Ordinance No. 21348, passed by the Dallas City Council on June 24, 1992. (Ord. Nos. 10962; 14645; 18360; 21348; 25423; 25884)

**SEC. 51P-70.102. PROPERTY LOCATION AND SIZE.**

PD 70 is established on property generally located at the northeast corner of Northwest Highway (Loop 12) and Midway Road. The size of PD 70 is approximately 7.9806 acres. (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.103. DEFINITIONS AND INTERPRETATIONS.**

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

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

~~(c) Subdistrict 1 and Subdistrict 2 are shown on the development plan. (Ord. Nos. 25423; 25884)~~

*Applicant requested:*

**SEC. 51P-70.104. CONCEPTUAL, DEVELOPMENT, AND LANDSCAPE PLANS.**

~~(a) Conceptual plan. A conceptual plan, as approved by the city plan commission, showing the overall development, the buildable area, the area subject to a fifty foot height limitation, required masonry screening walls, landscaped areas, and the proposal for subdividing the residential area that acts as a buffer on the north and the east is labeled Exhibit 70A.~~

~~(b) Development plan. Development and use of the Property must comply with the development plan (Exhibit 70B). In the event of a conflict between the text of this article and the development plan, the text of this article controls.~~

~~(c) Landscape plan. Landscaping must be provided as shown on the landscape plan (Exhibit 70D). (Ord. Nos. 14645; 25423; 25884)~~

*Staff does not support the removal of the above referenced section.*

**SEC. 51P-70.105. USES.**

~~(a) All uses permitted in the Shopping Center zoning district are permitted, except a hotel, motel, tourist court, eating place with drive in or curbside service, commercial aquarium, bowling alley, pool hall, skating rinks, and new or used car sales (for other automotive related uses, see Section 51P-70.106 of this article).~~

Z112-237(RB)

~~(b) Except as provided in this subsection, uses that include the sale or service of alcoholic beverages as part of their operation are not permitted in this PD, except that a use which sells beer and wine for off-premise consumption is permitted if it is not otherwise disallowed by and through the establishment of a liquor control overlay district. Within Subdistricts 1 and 2, a restaurant with alcoholic beverage service is allowed by specific use permit. (Ord. Nos. 21348; 25423; 25884)~~

*Applicant requested:*

(a) Except as provided in this section, the only main uses permitted in this district are those main uses permitted in the Community Retail District (CR), subject to the same conditions applicable in the Community Retail District, as set out in Article 51A of the Dallas Development Code, as amended. For example, a use permitted in the CR 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 CR District is subject to DIR in this district; etc.

(b) The following uses are prohibited.

(A) Lodging uses.

--Hotel or motel.

(B) Retail and personal service uses.

--Commercial amusement (inside).

--Restaurant with drive-in or drive-through service.

*Staff recommended:*

(a) Except as provided in this section, the only main uses permitted in this district are those main uses permitted in the Community Retail District (CR), subject to the same conditions applicable in the Community Retail District, as set out in Article 51A of the Dallas Development Code, as amended. For example, a use permitted in the CR 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 CR District is subject to DIR in this district; etc.

(b) Uses that include the sale or service of alcoholic beverages as part of their operation are not permitted in this PD, except that a use which sells beer and wine for off-premise consumption is permitted if it is not otherwise disallowed by and through the establishment of a liquor control overlay district. ~~Within Subdistricts 1 and 2, a restaurant with alcoholic beverage service is allowed by specific use permit.~~

(c) A restaurant with without drive-in or drive-through service that provides alcoholic beverage service is allowed by specific use permit.

(d) A maximum of one motor vehicle fueling station is permitted on the Property at any one time.

(d) The following uses are prohibited.

(A) Commercial and business service uses.

--Medical or scientific laboratory.

--Tool or equipment rental.

(B) Industrial uses.

--Gas drilling and production.

--Temporary concrete or asphalt batching plant.

(C) Institutional and community service uses.

--Adult day care facility.

--Cemetery or mausoleum.

--Convent or monastery.

(D) Lodging uses.

--Hotel or motel.

--Lodging or boarding house.

--Overnight general purpose shelter.

(E) Miscellaneous uses.

--Attached non-premise sign.

--Carnival or circus (temporary).

(F) Recreation uses.

--Private recreation center, club, or area.

(G) Residential uses.

--College dormitory, fraternity, or sorority house.

(H) Retail and personal service uses.

--Alcoholic beverage establishments.

--Ambulance service.

--Auto service center.

--Car wash.

--Commercial amusement (inside).

--Commercial amusement (outside).

--Convenience store with drive-through.

--General merchandise or food store 100,000 square feet or more

--Liquor store.

--Mortuary, funeral home, or commercial wedding chapel.

--Nursery, garden shop, or plant sales.

--Pawn shop.

--Personal service uses when utilized as a *Massage establishment, piercing salon,*

*and tattoo studio,*

--Swap or buy shop.

(J) Utility and public service uses.

- Commercial radio and television transmitting station.
- Electrical substation.
- Radio, television or microwave tower.
- Utility or government installation other than listed.

(K) Wholesale, distribution, and storage uses.

--Mini-warehouse.

**~~SEC. 51P-70.106. AUTOMOTIVE RELATED USES.~~**

~~Only one service station or area where gasoline or fuel can be pumped or sold is permitted. Any car wash or muffler sales and service, or repair of automobiles is limited to the one permitted service station. (Ord. Nos. 14645; 25423; 25884)~~

*\*Staff recommended: As noted Sec. 51P-70.105, staff is not supporting the motor vehicle fueling station use. Should CPC approve this use, staff would recommend the above referenced design criteria be retained.*

**SEC. 51P-70.107. MAXIMUM HEIGHT AND STORIES.**

All portions of a building may be constructed to, but not to exceed, a height of 36 feet above finished grade with the exceptions that (1) mechanical equipment, screening, cooling towers, tanks, skylights, and ornamental cupolas and domes created on the top of a building may project beyond the 36-foot height to a maximum height of 12 feet and not exceeding 33 1/3 percent of the roof area, and (2) one building or a part of the building may extend up to, but not to exceed, 50 feet in height provided the horizontal section of the building so extended may not exceed 500 square feet of usable floor area. (Ord. Nos. 14645; 25423; 25884)

**~~SEC. 51P-70.108. BUILDING LOCATION AND SPACING.~~**

~~The location of all buildings must be confined within the buildable area shown on the development plan. (Ord. Nos. 14645; 25423; 25884)~~

**SEC. 51P-70.109. FLOOR AREA.**

*Applicant requested:*

~~Retail and shopping areas are to be no more than 90,000 square feet. Maximum permitted floor area is 110,000 square feet, square feet exclusive of malls, entrances, and covered walks. (Ord. Nos. 14645; 25423; 25884)~~

*Staff recommended:*

- (a) Except as provided in this section, maximum permitted floor area is 93,101 square feet.
- (b) Maximum permitted floor area for office uses is 7,664 square feet.
- (c) Maximum permitted floor area for retail and personal service uses is 53,667 square feet.
- (d) Maximum permitted floor area for restaurant uses is 31,770 square feet.

**SEC. 51P-70.110. RESIDENTIAL LOT DEPTH AND AREA.**



A minimum depth of 120 feet must be provided on the residential lots to the north of the shopping center. All residential lots to the east of the shopping center must be a minimum of 16,000 square feet. (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.111. OFF-STREET PARKING.**

~~Off street parking must be provided for as required by the comprehensive general ordinance of the city based on the uses within the PD, and arranged as shown on the development plan. (Ord. Nos. 14645; 25423; 25884)~~

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

Mixed use development parking reduction. An adjusted standard off-street parking requirement for development is calculated as follows:

(A) The standard parking requirements for each of the use in the development must be ascertained.

(B) The parking demand for each use is determined for each of the five times of day shown in the mixed use development parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development does not fall within one of the categories shown in the shared parking chart, the percentage assigned to that use is 100 percent for all five times of day.

(C) The time of day columns are totaled to produce sums that represent the aggregate parking demand for the development at each time of day. The largest of these five sums is the adjusted standard off-street parking requirement for the development.

**Table 1: Mixed Use Development Parking Chart**

<b>(For calculating the parking requirement for shared parking) Use Category</b>	<b>Morning</b>	<b>Noon</b>	<b>Afternoon</b>	<b>Late Afternoon</b>	<b>Evening</b>
Office related uses	100%	80%	100%	85%	35%
Retail and personal service related uses	60%	75%	70%	65%	70%
Bar and restaurant uses	20%	100%	30%	30%	100%
All other uses	100%	100%	100%	100%	100%

**SEC. 51P-70.112. SUBDIVISION PLAT.**

Prior to the issuance of a building permit for any part of this PD, a subdivision plat of the entire area, plus the residential buffer, must be approved by the city plan commission and filed for record in the office of the County Clerk of Dallas County, Texas. (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.113. STREETS, PAVING, AND DEDICATIONS.**

(a) All driveways, entrances, and parking areas must have a minimum surfacing of six inches compacted gravel and two coats of penetration asphalt. The developer shall bear the total cost and maintenance of all such improvements, including curb and drainage structures that may be necessary.

Z112-237(RB)

(b) At the time of platting, the property necessary to provide for 50 feet of right-of-way from the centerline of Midway Road must be dedicated to the city.

(c) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications to the satisfaction of the director of public works and transportation. (Ord. Nos. 14645; 25423; 25884; 25884)

**SEC. 51P-70.114. FIRE LANES.**

Fire lanes or fire protection must be provided in accordance with the requirements of the fire department. (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.115. LIGHTING.**

Light poles or standards for parking areas must be covered to deflect light downward and not shine directly onto any adjacent residential properties. (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.116. LANDSCAPING.**

A landscaped area must be provided along the Northwest Highway and Midway Road frontage, these areas to be a minimum of 12 feet in width along Northwest Highway and seven feet in width along Midway Road. Landscaping is also to be provided on both sides of the proposed wall along the north and east sides of the shopping center in all areas that are now owned by the applicant for this PD. The landscaped area outside the PD must be maintained by the applicant or owner until the adjacent residential property to the north and east of the PD is sold by the applicant or present owners. (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.117. SPRINKLER SYSTEM.**

A sprinkler system must be provided for the landscaped area, excluding the landscaped areas outside the boundaries of the PD. (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.118. SIGNS.**

All signs, either temporary or permanent, must comply with Chapter 41 of the Dallas City Code (the Sign Standards of Ordinance No. 14086). (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.119. SCREENING WALL.**

A maximum of a nine-foot and a minimum of a six-foot all masonry wall must be constructed as shown on the development plan on the north and east sides of this PD. The wall can be stepped or constructed as steps, but the overall average height should be between seven and eight feet. (Ord. Nos. 14645; 25423; 25884)

*Applicant requested:*

**SEC. 51P-70.120. TYPE OF CONSTRUCTION.\***

~~The service station must be constructed with the same architecture and character and materials as the total retail development, including canopies, gables, etc., insofar as permitted by the building code. (Ord. Nos. 14645; 25423; 25884)~~

Z112-237(RB)

*\*Staff recommended: As noted Sec. 51P-70.105, staff is not supporting the motor vehicle fueling station use. Should CPC approve this use, staff would recommend the above referenced design criteria be retained.*

**SEC. 51P-70.121. MAINTENANCE.**

The entire area must be maintained in a state of good repair and neat appearance. (Ord. Nos. 14645; 25423; 25884)

**~~SEC. 51P-70.122. ISSUANCE OF A CERTIFICATE OF OCCUPANCY.~~**

~~No certificate of occupancy is to be issued for the shopping center until the time as the residential property to the north and east of the area of request has been platted in accordance with Section 51P-70.112, streets and utilities are in place, and the screening wall to be constructed around the north and east of the shopping center property is in place. (Ord. Nos. 14645; 25423; 25884)~~

**SEC. 51P-70.123. DEED RESTRICTIONS.**

Prior to the passage of an ordinance, deed restrictions must be filed for record in the County Clerk's Office, Dallas County, Texas, providing for the following conditions:

(1) The Residential-10,000 Square Foot District lots to the east and north of this PD must be deed restricted to single-family detached homes for a period of 30 years.

(2) The approximate four acre tract of land zoned Residential-1 Acre Dwelling District located at the northeast corner of Guernsey Lane and Northwest Highway in City Block 5558, owned by Jack Lively, J.T. Lively, and Joan Stansbury must be deed restricted to single-family detached homes for a period of 30 years.

(3) The city shall be made a party to all of the above restrictions. (Ord. Nos. 14645; 25423; 25884)

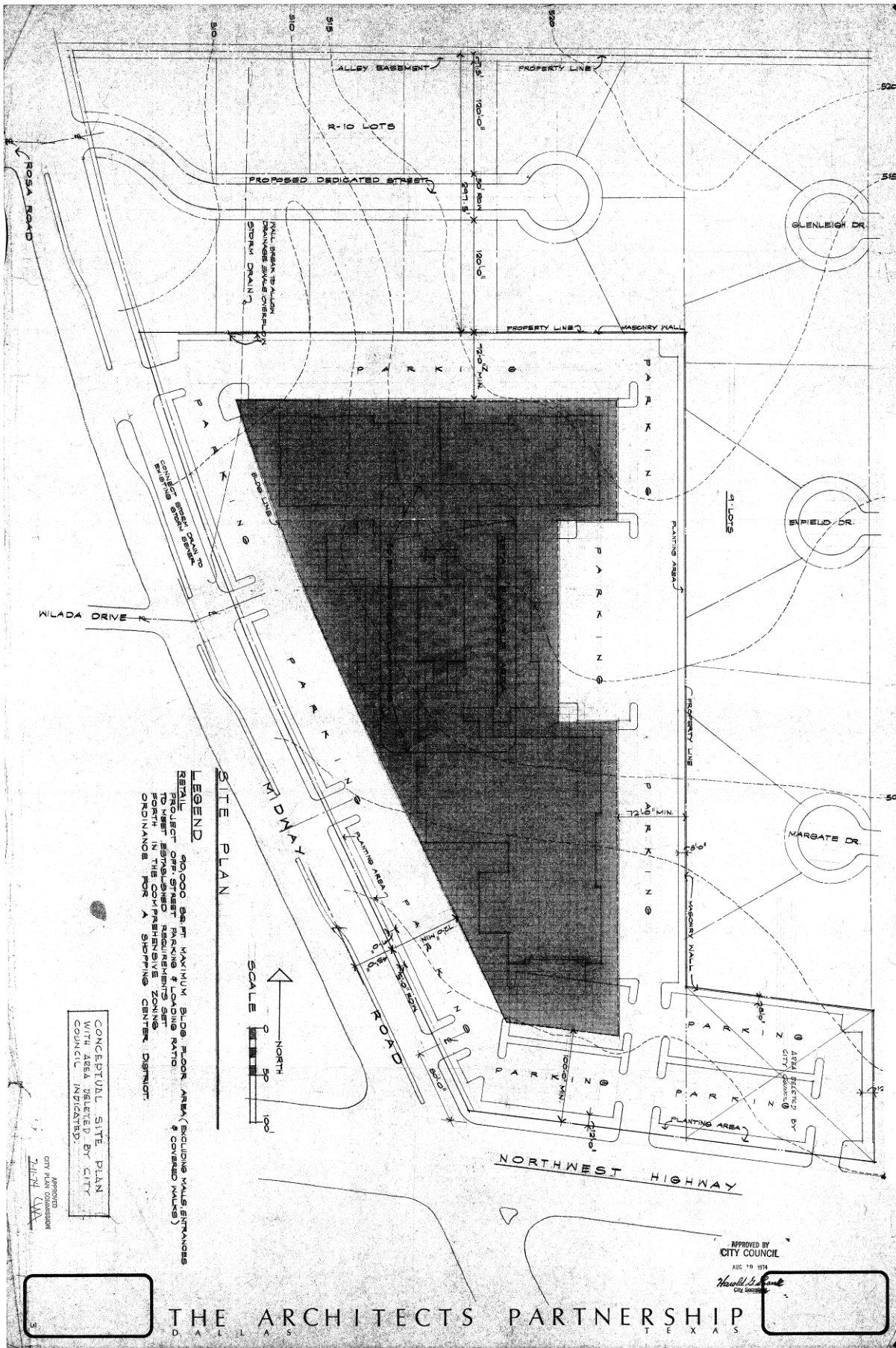
**SEC. 51P-70.124. COMPLIANCE WITH CODES AND CONDITIONS.**

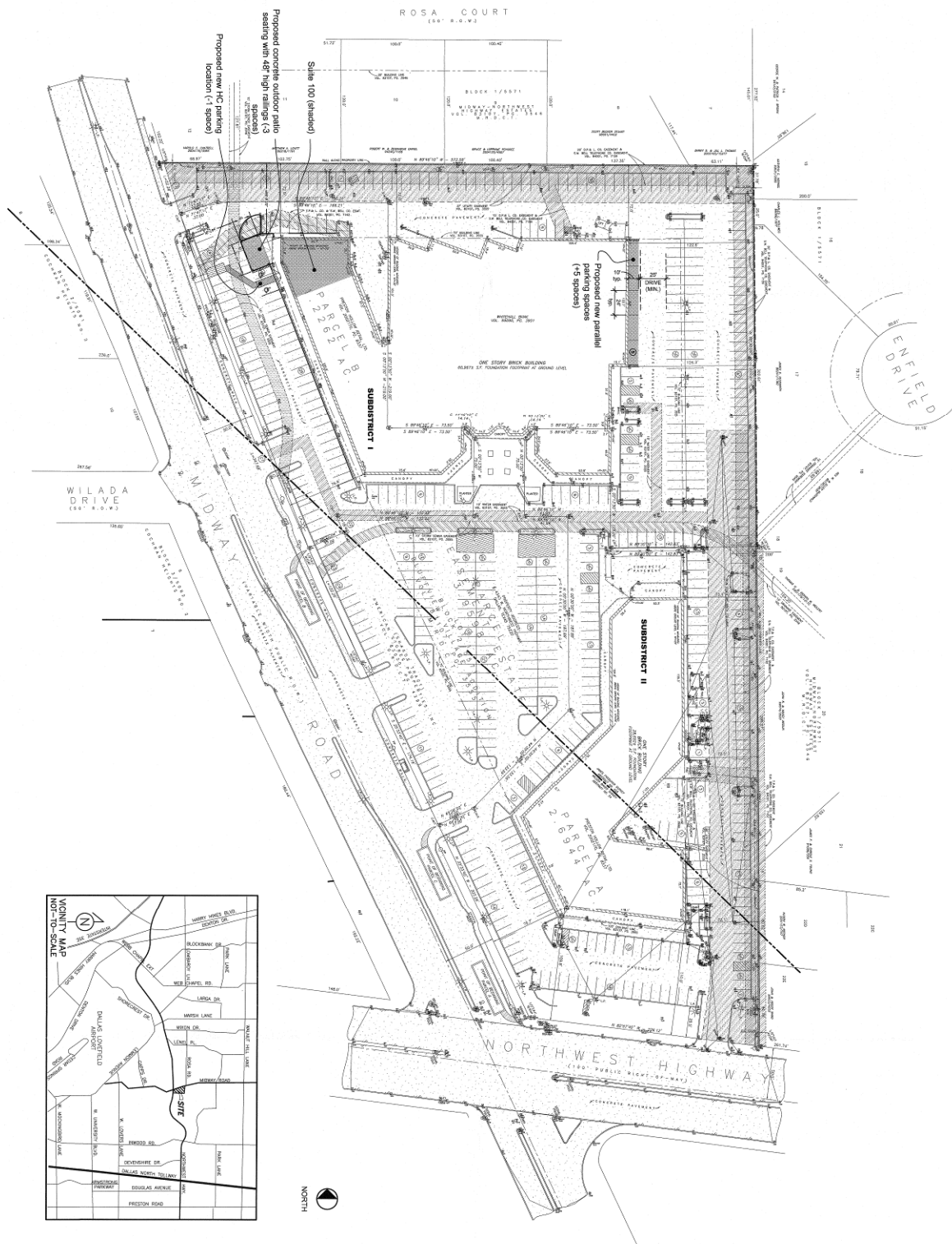
(a) This PD is subject to all requirements of all departments of the city and must comply with all codes and ordinances of the city.

(b) No certificate of occupancy may be issued by the building official until there has been full compliance with this article and any applicable provisions of the zoning ordinance and the building codes. (Ord. Nos. 14645; 25423; 25884)

**~~SEC. 51P-70.125. ZONING MAP.~~**

~~PD 70 is located on Zoning Map No. F 6. (Ord. Nos. 18360; 25423; 25884)~~





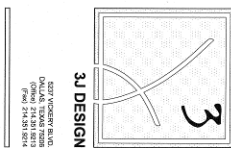
**DEVELOPMENT PLAN**  
 SCALE: 1" = 40'-0"  
 DATE: 08/20/11  
 PROJECT LOCATION: ASP.01  
 SHEET ONE OF TWO  
 THIS SHEET ONE OF TWO  
 PREPARED BY: [Signature]  
 CHECKED BY: [Signature]  
 APPROVED BY: [Signature]

**Bluffview Village Addition**  
 Lot 1 - Block 23571  
 (3 Acres of Land)  
 Dallas County,  
 Texas

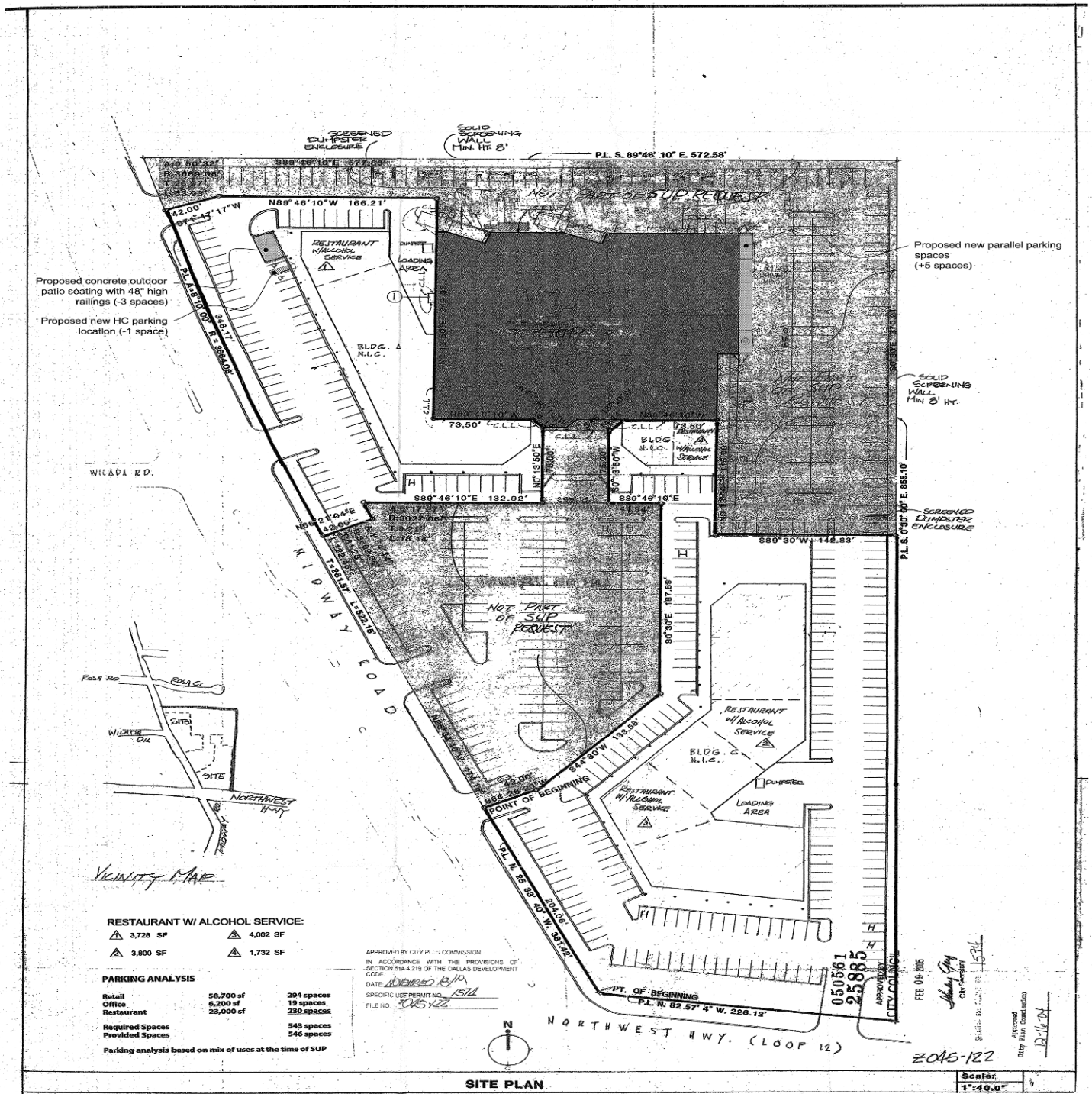
**PROJECT NAME:**  
 Bluffview Village Addition  
 PREPARED BY: [Signature]  
 CHECKED BY: [Signature]  
 APPROVED BY: [Signature]

**Padilla & Associates, LP**  
 4501 West 19th Street, Suite 1800  
 Dallas, TX 75220

**PROJECT FOR:**  
 ASP.01







**Existing SUP No. 1574 Site Plan**





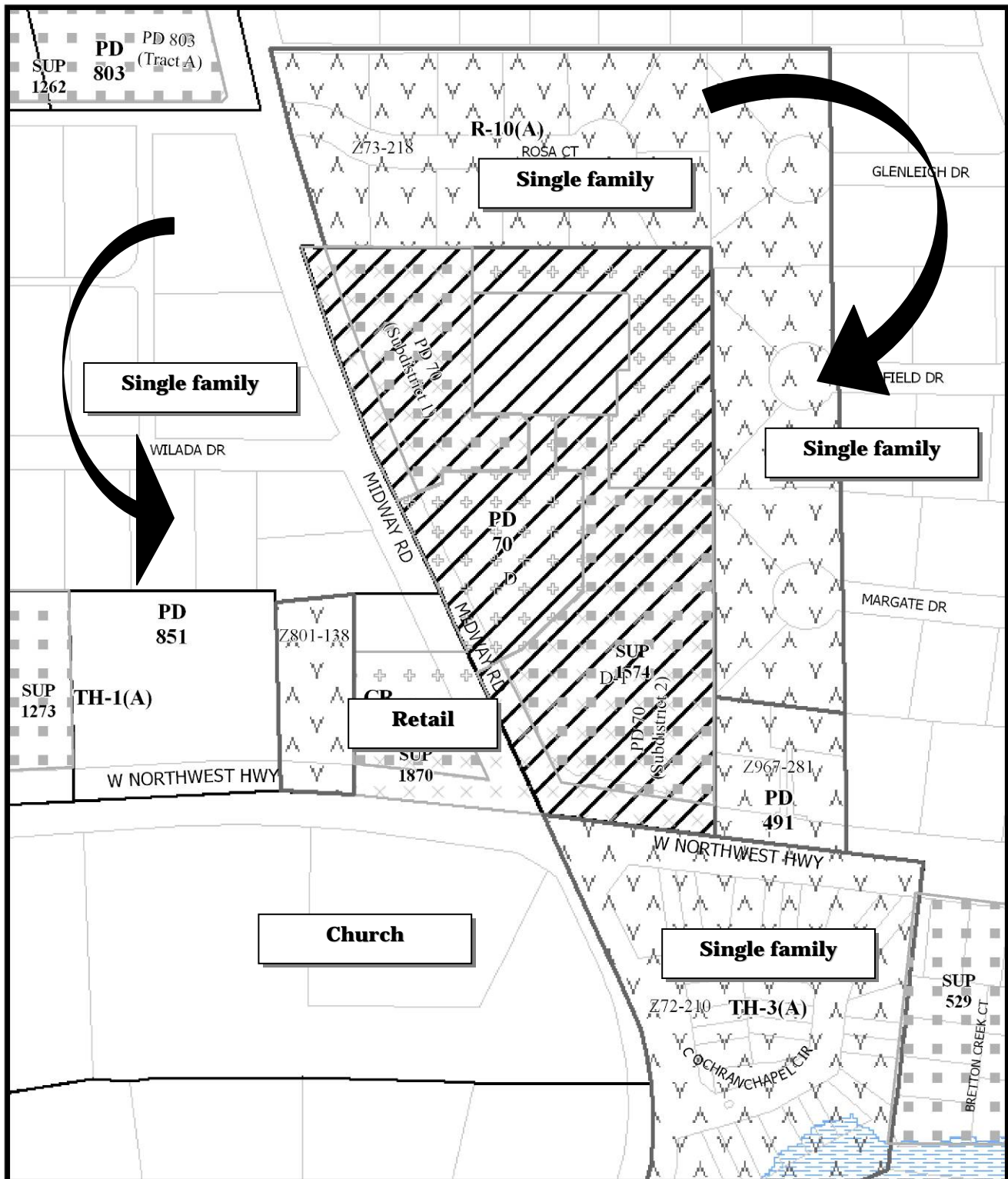
1:6,000

# VICINITY MAP

Case no:           **Z112-237**          

Date:           **5/24/2012**






1:2,400

# ZONING AND LAND USE

Case no: **Z112-237**

Date: **5/24/2012**

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



The number '0' indicates City of Dallas Ownership

  
1:3,600

# NOTIFICATION

**500'** AREA OF NOTIFICATION  
**123** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-237**  
Date: **11/21/2012**

11/21/2012

***Notification List of Property Owners******Z112-237******123 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4255 NORTHWEST HWY	N W MIDWAY LAND HOLDINGS LTD
2	4343 NORTHWEST HWY	SBS TX INVESTOR LP
3	9101 MIDWAY RD	COCHRAN CHAPEL METHODIST CHURCH
4	9027 MIDWAY RD	COCHRAN CHAPEL METHODIST CHURCH
5	4255 COCHRAN CHAPEL RD	KUHN JOSEPH & MOLLIE
6	4168 ROSA RD	GRACHECK JOHN S & MARY
7	4176 ROSA RD	VELTEN WILLIAM D & ELIZABETH S
8	4184 ROSA RD	CALDWELL JAMES M
9	9317 MIDWAY RD	CHIKONYORA TARVIUS & PRECIOUS
10	4181 WILADA DR	WAGNER WILLIS H TR & DOROTHY P TR
11	4175 WILADA DR	BROWN RYAN W & SUSANNA N
12	4167 WILADA DR	MACQUILKEN DAVID E
13	4275 NORTHWEST HWY	AIRPORT FREEWAY FUEL CENTER LP
14	9221 MIDWAY RD	CONSTANCE MIDWAY LTD
15	4174 WILADA DR	NELSON HEATHER G & ANDREW P
16	4180 WILADA DR	KNIGHT ALLAN M
17	4188 WILADA DR	MOORE NICKY N
18	4194 WILADA DR	MORADI MASOUD
19	9241 MIDWAY RD	ARNOLD H DAVID
20	9227 MIDWAY RD	MCGILL MANDY
21	4307 GLENLEIGH DR	MCBRIDE THOMAS J & LAURA H
22	4319 GLENLEIGH DR	JACOBS ANDREW F & KAREN C
23	4310 GLENLEIGH DR	TX PANTHER PROPERTIES LLC
24	4322 GLENLEIGH DR	MCFARLAND JOHN S JR & REGINA B
25	4327 ENFIELD DR	OLIVER TIM & NANCY OLIVER
26	4319 ENFIELD DR	PHILIPSON JULIE

11/21/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4307 ENFIELD DR	MARTIN HARRY J JR
28	4306 ENFIELD DR	WEDDING MARC B
29	4318 ENFIELD DR	TIPPEN FORREST W JR & CATHERINE S
30	4326 ENFIELD DR	HOFFMANN PETER R & CLAUDETTE L
31	4327 MARGATE DR	MCNEIL JON
32	4319 MARGATE DR	STRONG MILTON STANTON
33	4307 MARGATE DR	VAUGHAN ANNIE K & RAYMOND
34	4310 MARGATE DR	RATNER LYLE J & BEVERLY T
35	4318 MARGATE DR	MCFARLANE BRIAN & BETH
36	4326 MARGATE DR	FOSTER GLENNA CHRISTINE
37	4427 NORTHWEST HWY	HENLEY JAMES H
38	4419 NORTHWEST HWY	KELLY MICHAEL & KARINA
39	4407 NORTHWEST HWY	KELLY MICHAEL DOUGLAS & KARINA Z
40	4346 MANNING LN	LOWERY JACQUELINE
41	4342 MANNING LN	CURTIS CATHERINE A
42	4334 MANNING LN	MORROW CORY L & CHRISTI S
43	4326 MANNING LN	SUNG WINGATE & CAROLYN KUO YAO SUNG
44	4316 MANNING LN	VASQUEZ MANUEL D & LAURA
45	4304 MANNING LN	VANDERVEEN PETER C
46	4214 MANNING LN	GROSS WILLIAM D & VAUGHN D
47	4210 MANNING LN	MCGUIRE CHRISTOPHER MEGAN H MCGUIRE
48	4206 MANNING LN	BARROW JAMES P
49	4304 COCHRAN CHAPEL CIR	NELSON KAREN S
50	4306 COCHRAN CHAPEL CIR	PORGES GEORGE W & NICOLE N ESTATE OF
ROB		
51	4310 COCHRAN CHAPEL CIR	BARRINGER ELIZABETH C
52	4314 COCHRAN CHAPEL CIR	MANN DON & HELEN C
53	4318 COCHRAN CHAPEL CIR	JEFFERS TOBY
54	4322 COCHRAN CHAPEL CIR	VESSELS BARBARA J
55	4326 COCHRAN CHAPEL CIR	CROUSEN GUINN D
56	4330 COCHRAN CHAPEL CIR	YANDELL CYNTHIA P
57	4334 COCHRAN CHAPEL CIR	CAUDLE MARK P & MOLLY B

11/21/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	4338 COCHRAN CHAPEL CIR	YONACK CAROL MINNETTE
59	4342 COCHRAN CHAPEL CIR	ROBERTS CLAY H
60	4346 COCHRAN CHAPEL CIR	BOVERIE ROBERT L JR
61	4350 COCHRAN CHAPEL CIR	STAFFORD JOHN MATTHEW C/O RGT
62	4354 COCHRAN CHAPEL CIR	BLODGETT HENRY DAVID
63	4358 COCHRAN CHAPEL CIR	LIPSCOMP LINDA
64	4362 COCHRAN CHAPEL CIR	LINDLEY ANN
65	4366 COCHRAN CHAPEL CIR	RANDOLPH PATRICIA
66	4370 COCHRAN CHAPEL CIR	HENLEY BARBARA
67	4374 COCHRAN CHAPEL CIR	YOUNG RYAN ANDREW
68	4378 COCHRAN CHAPEL CIR	SHIRATORI HIROAKI
69	4382 COCHRAN CHAPEL CIR	RODGERS PATRICK CHARLES & JANET B
70	4386 COCHRAN CHAPEL CIR	MAGUIRE CLARENCE B & SARAH B
71	4390 COCHRAN CHAPEL CIR	STEWART BARBARA K
72	4394 COCHRAN CHAPEL CIR	GOODLOE ROBERT W JR
73	9001 COMMON AREA	COCHRAN CHAPEL CIR HMOWNR % CRAIG
HEADLE		
74	4347 COCHRAN CHAPEL CIR	GRITZ JULIET K
75	4343 COCHRAN CHAPEL CIR	JOHNSTON JANET S
76	4339 COCHRAN CHAPEL CIR	PRICE LINDA R
77	4335 COCHRAN CHAPEL CIR	DEGRASSI ANN M
78	9102 COCHRAN CHAPEL CIR	FIELD PETER W & ANN C
79	9106 COCHRAN CHAPEL CIR	ASTON SUSAN U
80	9110 COCHRAN CHAPEL CIR	HASKETT TERRY L
81	9114 COCHRAN CHAPEL CIR	HART M PHILLIP & MARY E
82	9003 COMMON AREA	COCHRAN CHAPEL CIR HMOWNR % CRAIG
HEADLE		
83	9002 COMMON AREA	COCHRAN CHAPEL CIR HMOWNR % CRAIGE
HEADL		
84	9407 MIDWAY RD	OAK HILL ACADEMY THE
85	9337 MIDWAY RD	MCGILL MANDY S
86	4100 WILADA DR	GAMBOA ANTHONY
87	4100 WILADA DR	TX KINGDOM INV CO LLC
88	4255 NORTHWEST HWY	N W MIDWAY LAND HOLDINGS LTD

11/21/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	4255 NORTHWEST HWY	N W MIDWAY LAND HOLDINGS LTD
90	4235 NORTHWEST HWY	MIDWAY NORTHWAY INVESTORS LP
91	4205 ROSA CT	GATLIN GLEN & VIRGINIA BRISON
92	4209 ROSA CT	ALMEIDA ALAN TRUSTEE % CONNOR &
HILLIARD		
93	4215 ROSA CT	SHIRLEY RICHARD H & GERALDINE W
94	4219 ROSA CT	HAMMETT ERLINE LIVING TRUST ERLINE
HAMME		
95	4223 ROSA CT	MILLER SARA & HOWARD MILLER
96	4227 ROSA CT	SHULTS GERALD A
97	4226 ROSA CT	THOMAS BARRY D & JILL L
98	4222 ROSA CT	LEPAGE CAROLINE S TR
99	4218 ROSA CT	PINGREE BRUCE & LORRAINE
100	4214 ROSA CT	DANIELL ROBERT W & BERNADINE
101	4208 ROSA CT	WATSON STEVEN PATRICK & ASHLEY HOLLWEG
102	4204 ROSA CT	CANTRELL CYNTHIA LYNN
103	4305 GLENLEIGH DR	HIEBER J PATRICK
104	4303 GLENLEIGH DR	BROWN GEORGE W & PATRICIA J
105	4302 GLENLEIGH DR	HENKEL KATHRYN G
106	4305 ENFIELD DR	HOLLWEG CHARLES L ETAL
107	4303 ENFIELD DR	MCNAMARA JAMES E
108	4302 ENFIELD DR	MCDOWELL REX W & ELLEN
109	4305 MARGATE DR	WEILERT THOMAS H & DEANNA M
110	4303 MARGATE DR	WILKINSON DAVE & LISA
111	4302 MARGATE DR	YOUNG JAMES F & CAROLE S
112	4393 NORTHWEST HWY	THOMPSON LARRY J & RAYNELLE H
113	4383 NORTHWEST HWY	PRATT HERBERT
114	4373 NORTHWEST HWY	ARCHER ALISON W
115	4363 NORTHWEST HWY	WARD JOHN & HEDDY B
116	4300 NORTHWEST HWY	BRITTON WOODS HOMEOWNERS ASSN INC
117	9 BRETTON WOODS WAY	JONES J & P
118	11 BRETTON WOODS WAY	PICHANICK KIM
119	13 BRETTON WOODS WAY	PLATINUM SERIES DEV LLC STE 240

Z112-237(RB)

11/21/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	1 BRETTON CREEK CT	DAVIS DAVID C & FAIRCLOTH MICHAEL
121	3 BRETTON CREEK CT	STRONG JAMES M & LESLIE KAY
122	7 BRETTON CREEK CT	WADDELL KARL RAY & ANGELIQUE FAYE
LEHMAN		
123	2 BRETTON CREEK CT	MD TEXAS HOLDINGS NOMINEE TR JAMES M KIT

**FILE NUMBER:** Z123-101(JH)                      **DATE FILED:** October 1, 2012

**LOCATION:** Southeast corner of Greenbriar Lane and Dealey Avenue

**COUNCIL DISTRICT:** 3                              **MAPSCO:** 44-V, Z

**SIZE OF REQUEST:** Approx. 3.09 acres              **CENSUS TRACT:** 20

---

**REPRESENTATIVE:** Rob Baldwin

**APPLICANT:** Maple Multi-Family Acquisitions, LLC

**OWNER:** Verde Greenbriar Apartment, LP

**REQUEST:** An application for 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.

**SUMMARY:** The applicant proposes to construct a multifamily development with a limited area to have live-work units. The purpose of the request is to relieve development on the property from the maximum front yard setback along Greenbriar Lane, allow on-street parking to count towards minimum parking requirements, and allow multifamily uses without a mixed use project.

**STAFF RECOMMENDATION:** Approval, subject to staff recommended conceptual plan and staff recommended conditions





While the applicant’s proposed development does fit within the Urban Mixed-Use Building Block, staff is concerned that there is not an appropriate mix of uses in this area or 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 plan 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 approximately 3.09-acre request site is zoned Subdistrict A within Planned Development District No. 468 and is currently undeveloped. The property was previously developed with a warehouse use which was demolished in 2007. The applicant is proposing to construct approximately 166 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. The request site has a portion that is within the floodplain, which will require a fill permit prior to a development plan and building permits. The northeastern-most corner is located within a specific distance from the toe of the levy that requires approval from the US Army Corp of Engineers and careful engineering considerations. The conceptual plans show no improvements in this area. The conceptual plan also shows a major challenge with the request site: a 50' wide wastewater easement which transverses the entire width of the property near the street frontage. The site is generally triangular in shape, with two street frontages; however, Dealey Avenue is not an improved street and only serves the electrical substation and levy/sump maintenance. The site is located at about the midpoint of Greenbriar Lane, between Zang Boulevard and Beckley Avenue. 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. Staff acknowledges these challenges on the request site and the general area.

The existing zoning requirement requires a minimum percentage of different land use categories to qualify for any residential land uses. Staff does not object to the multifamily uses without a mixed use project but would have supported more mix of residential and retail uses. The applicant's proposal for limited live/work units are intended to help provide some retail and creative home businesses that will activate the street life, if the live/work units are ever developed to their full potential.

The applicant is providing urban design requirements such as individual units on the ground floor that have direct access to the street, benches, and trash receptacles, which will enhance pedestrian activity. 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 recommended conditions allow for a greater height than the applicant's proposal and therefore includes tower orientation and coverage requirements. Tower orientation and size is not appropriate or necessary for a maximum building height of 78 feet and 5 stories.

Two conceptual plans are included for consideration. The applicant's conceptual plan shows three ingress/egress points along Greenbriar Lane using existing driveways and contains the text for the applicant's proposed development standard. The staff recommended conceptual plan has only two ingress/egress points that are more centralized along the Greenbriar Lane frontage. The reason staff is proposing different access points is because the centralized location will allow for the maximization of the area for building frontage (buildings located within the minimum and maximum front yard requirements) to follow the intent of PDD No. 468 but give exception for the wastewater easement.

Staff cannot support the density and scale of the applicant’s request based on the land use study and city’s effort in recent years to maximize the development potential along the Trinity River levy. 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. While the request site has challenges, staff has encouraged and tried to incentivize in the PD conditions 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 that are the basis for staff’s recommendations of approval.

**Development Standards:**

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
<b>Existing</b>							
PD 468 Subdistrict A	Min 15' Max 30'	0	Max 3.1 FAR	270' 20 stories	80%	CPTED	Industrial, retail & personal service; residential only as part of a mixed use project
<b>STAFF RECOMMENDED</b>							
PD 468 Subdistrict A2	North: 0'-15' for 75% frontage of 300' South: 5'-15' for 65% frontage	0	Minimum density 75 dwellings per acre; no max	Min. height 65' 5 stories; Max height 140' 9 stories	80%	CPTED, urban design and architectural requirements, tower orientation	Multifamily with limited live/work
<b>APPLICANT PROPOSED</b>							
PD 468 Subdistrict A2	North: 0'-15' for 65% frontage South: 5'-15' for 65% frontage	0	Minimum density 55 dwellings per acre; no max	Maximum height 78' Max 5 stories	80%	CPTED, urban design and architectural requirements	Multifamily with limited live/work

**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 to provide minimum parking for the multifamily uses at a rate of one space per bedroom, but with the ability to provide required parking within the right-of-way. Staff is proposing the same parking conditions as found in PDD No. 193, the Oak Lawn Special Purpose District, which allows only guest parking to be provided within the right-of-way when additional street trees are provided.

Staff has also proposed a parking reduction if a streetcar-transit stop is located within a walking distance of 1,500 feet. The streetcar line from Union Station to North Oak Cliff is tentatively proposed to have a stop at the intersection of Zang Boulevard and

Greenbriar Lane, which would be within the 1,500 foot walking distance. Staff is comfortable with the parking reduction for the transit stop with the additional context of some form of a bike lane is proposed for Greenbriar Lane and a cycle-track bike lane is proposed for the Jefferson Viaduct. Staff is recommending a higher bicycle parking rate that what has been recommended at the Zoning Ordinance Committee recently, due to these contextual factors at the request site. 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.

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 an increase of parking to be provided on-street, it is potential safety conflict with the bike lane facilities since no other on-street parking exists on Greenbriar Lane. The on-street parking configuration will be an administrative function and will be evaluated with the context of future bike lane facilities. Staff supports a minimal amount of on-street parking credit to minimize safety conflicts.

**Landscaping:**

Landscaping is required in accordance with Article X.

**List of Partners/Principals/Officers**

Verde Valley Realty, TRS, LLC

C. Ronald Blankenship, President  
A. Richard Moore, CFO & Secretary  
Stuart Milam, Vice President  
Thomas L. Poe, Vice President  
D. Brent Shaffer, Vice President

Maple Multi-family, LLC

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

**Z123-101 PD Conditions**

**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. Thornton 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 foods for sale on- or off-premise. This use does not include other uses that are specifically listed in 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 non-residential use. A live/work unit is considered a non-residential use.

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

**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 nine 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.

- (2.1) Subdistrict A-2 – Greenbriar Residential Area.
- (3) Subdistrict B - Oak Farms Commercial Area.
- (4) Subdistrict C - Lake Cliff Residential Area.
- (5) Subdistrict C-1 - Lake Cliff Neighborhood Service Area.
- (6) Subdistrict D - Founders Park Mixed Area.
- (7) Subdistrict D-1 - Founders Park Retail (Tracts 1 and 3) and Founders Park Residential (Tract 2).
- (8) Subdistrict D-2 - Founders Park Mixed Area 2.
- (9) 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) Use and development of Subdistrict A-1 must comply with the Subdistrict A-1 development plan (Exhibit 468C). In the event of a conflict between the text of this ordinance and the Subdistrict A-1 development plan, the text of this ordinance controls.

(c) Use and development of Subdistrict A-2 must comply with the Subdistrict A-2 conceptual plan (Exhibit 468XXX). If there is a conflict between the text of this ordinance and the Subdistrict A-2 conceptual plan, the text of this ordinance controls. A development plan must be approved by the city plan commission before the issuance of any building permit.

(d[e]) In Subdistrict A-1, for use and development 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 Tract A-1 that deviates from the Subdistrict A-1 development plan, a preliminary plat must be submitted with the development plan.

(e[d]) 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 in Tract 3. In the event of 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[e]) 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). In the event of a conflict between the text of this article and the development plan, the text of this article controls.

(g[f]) 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 in Tract 3. In the event of 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[g]) 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.**

(a) Main uses permitted.

(1) Except for transit passenger station and local utilities, non-residential uses must be part of a live/work unit and located in the live/work area shown on Exhibit XXX.

(2) Commercial and business service uses.

- Artisan and specialty goods production.
- Arts or craft production facility.
- Catering service.

(3) Industrial uses.

-- Industrial (inside) light manufacturing. [Limited to 1,000 square feet, limited to the street level only.]

(4) Office uses.

- Office.

(5) Residential uses.

-- Multifamily.

(6) Retail and personal service uses.

-- Art gallery.

-- General merchandise or food store 3,500 square feet or less.

-- Personal service uses.

-- Restaurant without drive-in or drive-through service.

(7) Transportation uses.

-- Transit passenger shelter.

(8) 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-2.

(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) Tract A (north).

(i) A building that meets the minimum frontage requirement must be permitted in Tract B (south) before the issuance of a permit to construct a building in Tract A (north).

(ii) The frontage requirement for the area north of the sewer easement is measured from the northernmost line of the easement.

Staff recommendation

<u>(iii) A minimum of 75% of the northwestern 300 feet for easement frontage in Tract A must have a building façade located within 0 and 15 feet.</u>
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Applicant proposed

(iii) A minimum of 65% of the easement frontage in Tract A must have a building façade located within 0 and 15 feet.

(B) Tract B (south).

(i) Minimum front yard is 5 feet.

(ii) Maximum front yard is 15 feet.

(iii) A minimum of 65% of the lot frontage within Tract B must have a building facade located between the minimum and maximum front yard.

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

Staff recommendation

(5) Density. Minimum density is 75 dwelling units per acre. No maximum density.

(6) Height.

(A) Except for live/work units, minimum height for the portions of a structure containing floor area is 65 feet. Maximum height is 140 feet.

(B) Minimum height for live/work units is 25 feet. No maximum height for live/work units.

(7) Stories.

(A) Except for live/work units, minimum number of stories is 5. Maximum number of stories is 9.

(B) Minimum number of stories for a live/work unit is 2. No maximum stories for a live/work unit.

(#) Tower coverage and orientation. For portions of a structure that exceeds 75 feet in height:

(A) Tower coverage is a maximum of 50%.

(B) The tower dimension perpendicular to the west Trinity River levee is at least three times longer than the tower dimension parallel to the west Trinity River levee (tower dimension is measured at the widest point of the building facade).

Applicant proposed

(5) Density. Minimum density is 55 dwelling units per acre. No maximum density.

(6) Height. Maximum height is 78 feet.

(7) Stories. Minimum number of stories is 2. Maximum number of stories is 5.

(8) 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.

(9) Lot size. No minimum lot size.

(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.

Staff recommended

(2) For a multifamily use, a minimum of 1.5 parking spaces per dwelling unit must be provided. Of the minimum requirement, a minimum of 25 percent 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, required parking may be located within the adjacent public right-of-way.

(3) A minimum of one bicycle parking space per 10 dwelling units must be provided. A minimum of 25 percent of the minimum bicycle parking requirement must be available and unassigned for guest parking. The remaining required bicycle parking must be secure and located within an enclosed structure.

(4) If a street car stop is located within a walking distance of 1,500 feet, the off-street parking for a multifamily use may be a minimum of 1.1 off-street parking spaces per unit.

(5) For live/work units, the non-residential portion does not require additional parking or loading above the minimum requirement for the multifamily portion; however, the minimum parking requirement contained in Division 51A-4.200 or this section for the specific use must be available and unassigned and must be located on site or within the adjacent public right-of-way.

(6) For an artisan and specialty goods production or arts or craft production facility, the minimum parking that must be available in accordance with this section is one space per 500 square feet of floor area.

(7) For an art gallery, the minimum parking that must be available in accordance with this section is one space per 200 square feet of floor area.

(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.

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

(2) For the purposes of projecting signs, a live/work unit is considered a non-residential premise. Projecting signs are limited to a maximum of 10 square feet of effective area.

(i) Urban design standards.

(1) Purpose. The purpose of these urban design standards 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. For the purposes of urban design standards, a live/work unit is considered a dwelling unit.

(2) Street-facing, ground floor dwelling units.

(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.

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

(C) A minimum of 60 percent of the street-facing, ground floor dwelling units must have the individual entrance or patio within 6 to 30 inches above the finished sidewalk grade.

(D) Construction of stoops or porches at each street-facing, ground floor dwelling unit is encouraged.

Staff recommended

<u>(E) A live/work unit must have a minimum 14-foot floor-to-floor story dimension for the ground floor.</u>
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Applicant proposed

(E) A live/work unit must have a minimum 10.5-foot floor-to-floor story dimension for the ground floor.

(F) The street-facing façade of a live/work unit must provide the following fenestration for the portions of the ground floor that has floor area. If an enclosed parking area within a live/work unit is converted to floor area, the entire street-facing facade of the ground level must comply with the following fenestration requirements.

(i) Windows and doors must contain clear and unpainted or made of similarly treated glass that provides a transparent surface (spandrel glass or back-painted glass is prohibited);

(ii) Windows and doors are required at a minimum of 50 percent of the street-fronting, street-level facade;

(iii) Windows must be located a maximum of three feet above the base of the structure; and

(iv) Windows must be at least 10 feet in height.

(3) Architectural elements.

(A) Maximum permitted luminous reflectance of glass used as an exterior building material above the first two stories of the building may not exceed 27 percent.

(B) 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.

(C) A minimum of two different façade materials or colors is required on each street-facing facade.

(D) Special architectural elements, such as architecturally prominent public entrances, a canopy or awning, attached tower or turret, are required at the building public entry points. A minimum of two elements are required for the area north of the sewer easement and a minimum of one element is required for the live/work area.

(4) Parking structure facades must be concealed with a facade that is similar in materials, architecture, and appearance to the facade of the main structure or the adjacent structure, except that 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. Solid screening of a minimum 42 inches from the floor level within the parking structure is required to screen vehicles and vehicle headlights. Other



openings must be screened with architectural grill work or other visual screening materials that provide ventilation. Cable guard strands must not be visible from the exterior of the parking structure.

(5) Pedestrian amenities.

(A) A minimum of two benches and two trash receptacles are required along each street frontage.

(B) Pedestrian scale lighting must be provided at an average of one lighting fixture per 75 feet of street frontage. Lighting fixtures may be attached or detached.

(C) A minimum sidewalk width of 8 feet must be provided with a minimum unobstructed width of 5 feet. Trees and tree grates are sidewalk obstructions.

(D) Pedestrian crossings at driveways must be distinguished by a change in surface materials such as pavers or patterned concrete. Pedestrian crossings may not be distinguished by paint alone.

(6) Open space. A minimum of eight percent of the lot area must be provided as open space. Open space may be provided at or below grade or above ground through the use of an outside roof deck, rooftop garden, pool area, or similar type of outside common area. Open space cannot be parked or driven upon.

(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.

Staff recommended - Applicant proposes none

<p><u>(8) Street trees. In addition to any landscaping required by Article X, trees must be planted within 10 feet of the front property line at a density of one tree for each 30 linear feet of frontage, excluding visibility triangles, driveways, and points of ingress and egress to and from the property. If a conflict exists due to above or below ground utilities, small trees may be provided to meet this requirement in the locations of utilities.</u></p>
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(9) Architecturally enhanced paving is encouraged adjacent to Greenbriar Lane and for parking areas visible from an improved public street.

(h) Additional provisions.

(1) A live/work unit may:

(A) only have customers on the premises between 7 a.m. and 9 p.m., Monday through Sunday;

less; (B) only have material deliveries and pick-ups twice per week or

(C) not allow work-related activities to occur outside;

(D) not have outdoor displays; and

(E) not generate loud and raucous noise that renders enjoyment of life or property uncomfortable or interferes with public peace and comfort.

(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.

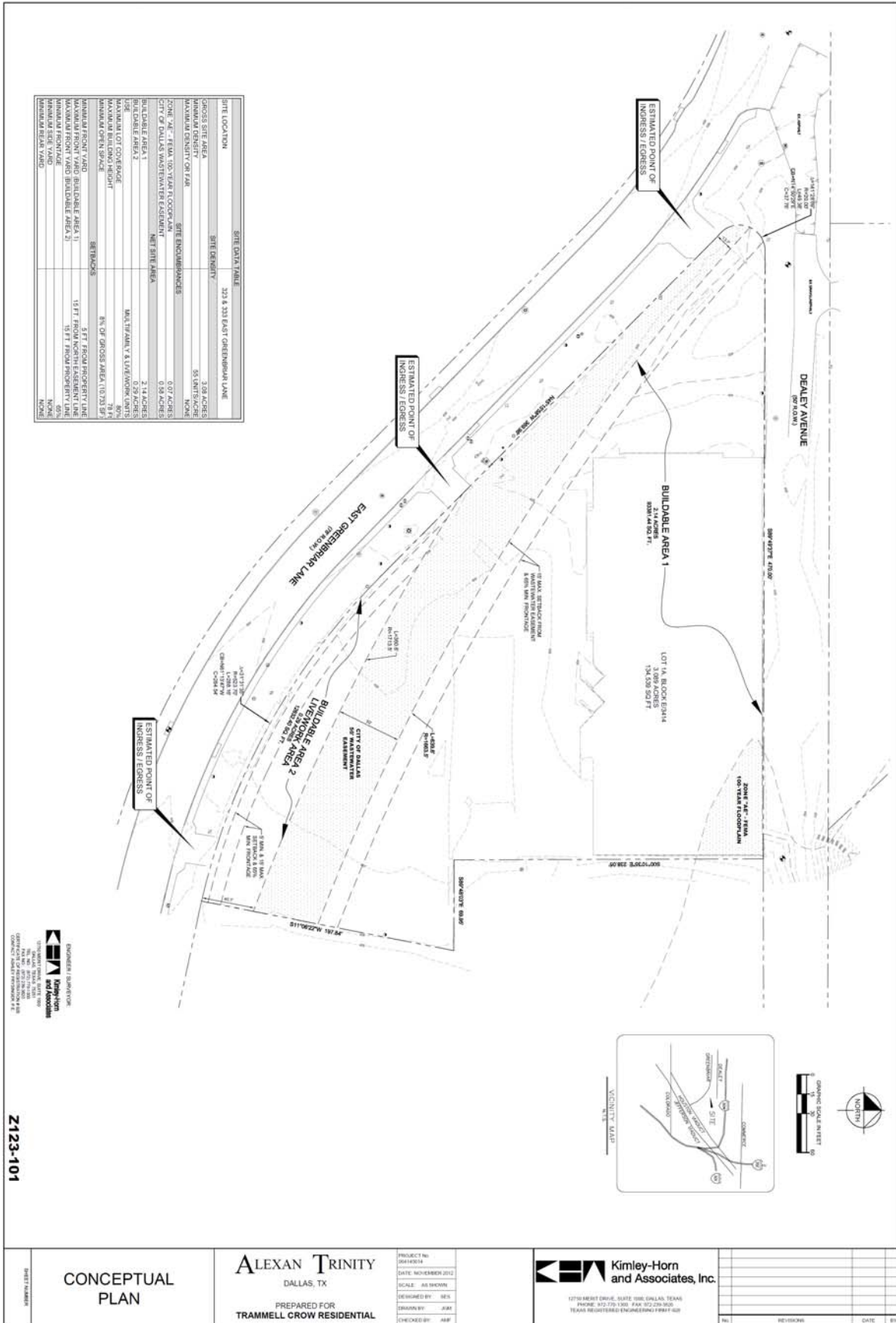
Z123-101(JH)

**SEC. 51P-468.116. ZONING MAP.**

~~PD 468 is located on Zoning Map Nos. K-6, K-7, and L-7.~~



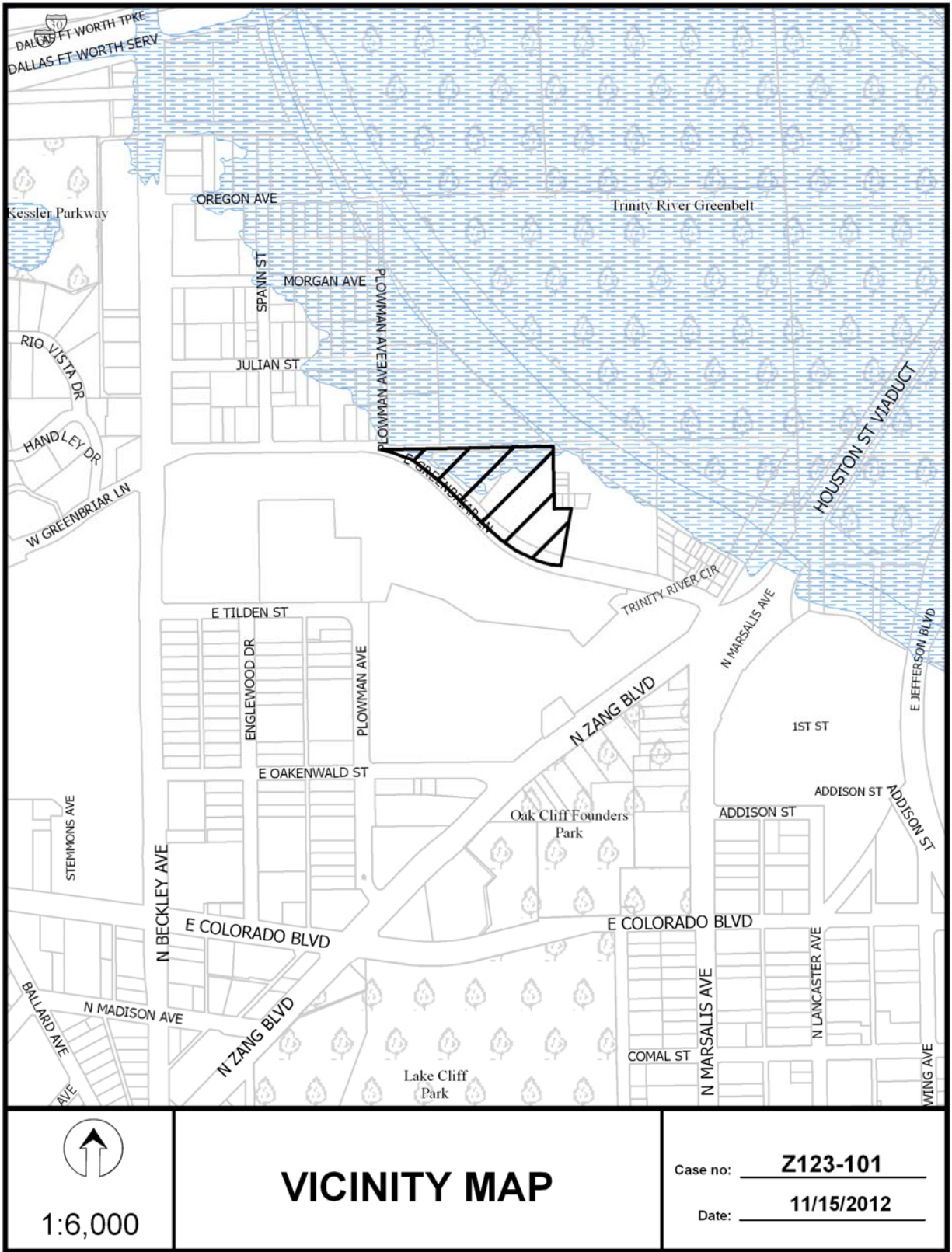
APPLICANT PROPOSED CONCEPTUAL PLAN



ENGINEER'S SIGNATURE  
  
 PROJECT NO. Z123-101  
 DATE: NOVEMBER 2012  
 SCALE: AS SHOWN  
 DRAWN BY: JMB  
 CHECKED BY: AMF

Z123-101

SHEET NUMBER	CONCEPTUAL PLAN	<p><b>ALEXAN TRINITY</b>                  DALLAS, TX                  PREPARED FOR  <b>TRAMMELL CROW RESIDENTIAL</b></p>	PROJECT NO. 064140014 DATE: NOVEMBER 2012 SCALE: AS SHOWN DRAWN BY: JMB CHECKED BY: AMF	<p><b>Kimley-Horn and Associates, Inc.</b>                  1770 BENT DRIVE, SUITE 1000, DALLAS, TEXAS                  PHONE: 972.710.4400 FAX: 972.710.4400                  TEXAS REGISTERED ENGINEERING FIRM #00118</p>	NO.	REV/ISSUE	DATE	BY

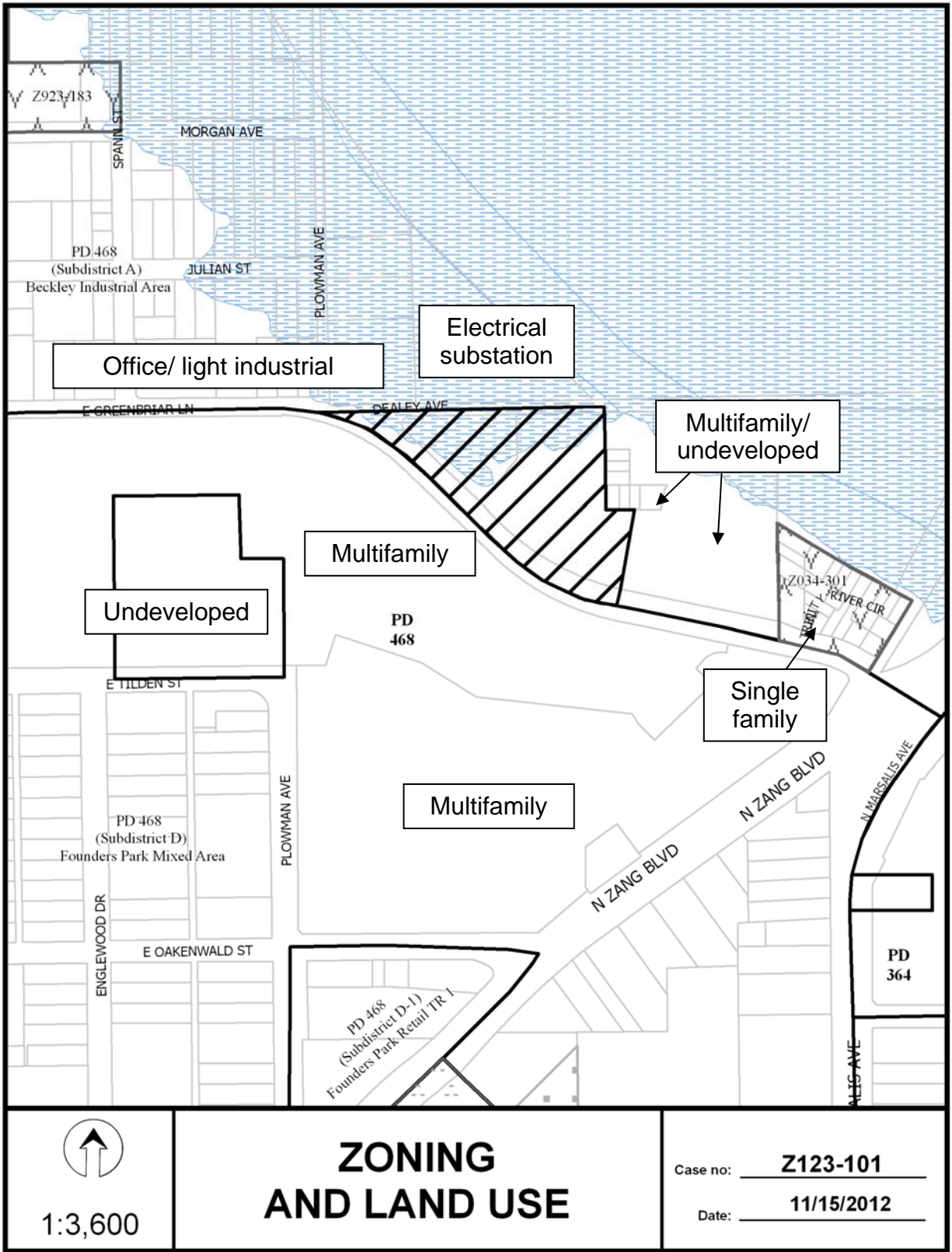


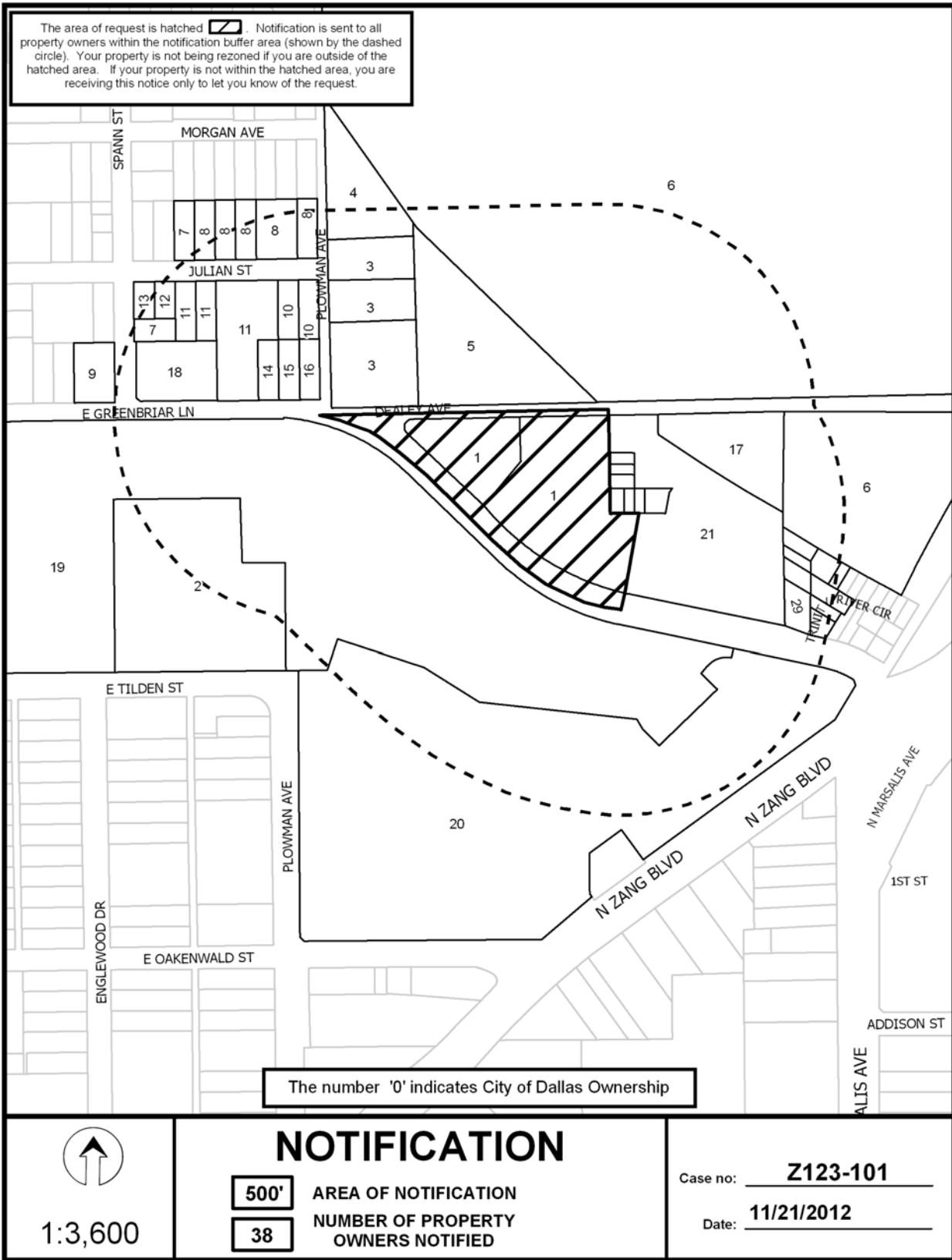
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### VICINITY MAP

Case no:     Z123-101      
Date:     11/15/2012









11/21/2012

***Notification List of Property Owners******Z123-101******38 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	323 GREENBRIAR LN	VERDE GREENBRIAR APT LP
2	265 TILDEN ST	METHODIST HOSPITALS OF DALLAS % DIRECTOR
3	301 GREENBRIAR LN	BANKS BRYAN F
4	1720 PLOWMAN AVE	HOLLEMAN BILLIE C
5	317 DEALEY ST	TEXAS UTILITIES ELEC CO % STATE & LOCAL
6	501 DEALEY ST	CITY & COUNTY LEVEE DISTRICT ROOM 203
7	209 JULIAN ST	STEARNS KENNETH L
8	213 JULIAN ST	CORONADO PIOQUINTO
9	123 GREENBRIAR LN	CALABRESE & WINKLER PPTY MGMT LP
10	1619 PLOWMAN AVE	STEARNS NAOMI RUTH
11	214 JULIAN ST	LOCHRIDGE JOHN O JR
12	210 JULIAN ST	PITMAN LAURIE TRUSTEE LAURIE G PITMAN RE
13	200 JULIAN ST	ALVAREZ ELVIRA
14	227 GREENBRIAR LN	AMERICAN WAY INC
15	231 GREENBRIAR LN	HUNT ROBERT W
16	235 GREENBRIAR LN	HUNT ROBERT
17	431 GREENBRIAR LN	BEEMAN SUZANNE S
18	209 GREENBRIAR LN	LOCHRIDGE J O
19	1520 BECKLEY AVE	KESSLER PEAK LTD PS SUITE 1200
20	1401 ZANG BLVD	FOUNDERS PEAK LTD PS STE 1200
21	381 GREENBRIAR LN	SOUTHWEST CATTLEMEN S CORPORATION % ARVE
22	381 GREENBRIAR LN	DATLA UMA & RAVI KALIDINDI
23	381 GREENBRIAR LN	AGRAWAL SURESH C
24	381 GREENBRIAR LN	GITOMER JASA JAY
25	381 GREENBRIAR LN	GREGORY JOSEPH R & KRISTI LEE COMPTON
26	381 GREENBRIAR LN	CHITWOOD JENNIFER N & MARK

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	381 GREENBRIAR LN	TAYLOR KEITH
28	381 GREENBRIAR LN	GRAFF TROY JAMES
29	401 TRINITY RIVER CIR	HAWKES ELLIOTT W & MICHELLE L
30	409 TRINITY RIVER CIR	MASHBURN JAY H &
31	413 TRINITY RIVER CIR	RAINES DON JR & ELIZABETH
32	415 TRINITY RIVER CIR	ROBINSON JOE A &
33	419 TRINITY RIVER CIR	PETERSEN ERIKA A
34	423 TRINITY RIVER CIR	BUTTS JAMES W
35	402 TRINITY RIVER CIR	BLANCHARD AIMEE NOELLE
36	406 TRINITY RIVER CIR	BURROUGHS CODY B & BRITTANY L
37	426 TRINITY RIVER CIR	VOSS BENJAMIN
38	408 TRINITY RIVER CIR	BROWN MANDISA P

**FILE NUMBER:** Z123-116(MW)

**DATE FILED:** October 19, 2012

**LOCATION:** North side of East Laureland Road, east of South RL Thornton Freeway

**COUNCIL DISTRICT:** 5

**MAPSCO:** 64-R

**SIZE OF REQUEST:** ±1.53 acres

**CENSUS TRACT:** 112.00

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**REPRESENTATIVE:** Verdad Real Estate, Rick Hall

**APPLICANT:** Lend Lease, Michael Hampton, AICP

**OWNER:** SE Cemeteries of Texas (aka Laurel Land Memorial Park, Inc.)

**REQUEST:** An application for 1) a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR Regional Retail District with a D Liquor Control Overlay and 2) an RR Regional Retail District on property zoned a CR Community Retail District.

**SUMMARY:** The applicant intends to develop the request site, in conjunction with an adjacent property, with a general merchandise or food store 3,500 square feet or less (convenience store) and a motor vehicle fueling station. The specific permit will allow the sale of alcohol at the convenience store. The request for an RR Regional Retail District will provide consistent zoning on the development site.

**STAFF RECOMMENDATION:** **Approval** of a D-1 Liquor Control Overlay, **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 and **approval** of an RR Regional Retail District.

**BACKGROUND INFORMATION:**

- The ±1.53-acre request site consists of two parcels of land: 1) a ±0.93-acre lot zoned an RR Regional Retail District with a D Liquor Control Overlay and 2) a ±0.60 acre lot zoned a CR Community Retail District.
- The request site is predominately undeveloped but includes a ±2,100-square foot vacant storage warehouse which will be demolished.
- The applicant intends to replat the request site with the property adjacent to the west, zoned an RR Regional Retail District, to create a ±2.5-acre building site.
- The ±2.5-acre building site will be developed with a with a ±3,010 square foot convenience store and a motor vehicle fueling station both of which are currently permitted by right in the CR Community Retail and RR Regional Retail Districts.
- The sale of alcoholic beverages is allowed by right on the portion of the request site not covered by the D Liquor Control Overlay. However, the proposed convenience store will be located on the portion of the property covered by the D overlay, which prohibits the sale of alcoholic beverages.
- The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the convenience store and, therefore, requests a D-1 Liquor Control Overlay and a Specific Use Permit.
- The request site is surrounded by a motel and single family residential to the north; undeveloped property to the east; a cemetery to the south and undeveloped property to the west.

**Zoning History:**

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

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>
RL Thornton Freeway	Interstate Highway	Varies
Laureland Road	Collector	67 feet

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	RR-D; CR	Undeveloped; vacant warehouse
<b>North</b>	RR-D; R-7.5(A)	Motel; single family
<b>East</b>	R-7.5(A)	Undeveloped
<b>South</b>	CR with SUP No. 187	Cemetery
<b>West</b>	RR	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 depict 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*; however, the portion of the development site not subject to this zoning case has frontage on a *Commercial Corridor*. While single family dwellings are the dominant land use in the *Residential Neighborhood* Building Block, shops, restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections. *Commercial Corridors*, commonly at the intersection of major streets, are easily accessed via automobiles. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums.

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

**LAND USE ELEMENT**

Goal 1.1: Promote desired development

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

**Land Use Compatibility:**

The ±1.53-acre request site consists of two parcels of land: 1) a ±0.93-acre lot zoned an RR Regional Retail District with a D Liquor Control Overlay and 2) a ±0.60 acre lot zoned a CR Community Retail District. The request site is predominately undeveloped but includes a ±2,100-square foot vacant storage warehouse which will be demolished.

The applicant intends to replat the request site with the property adjacent to the west, zoned an RR Regional Retail District, to create a ±2.5-acre building site. The ±2.5-acre building site will be developed with a with a ±3,010 square foot convenience store and a motor vehicle fueling station, both of which are currently permitted by right. However, the convenience store will be located on the portion of the property covered by the D overlay, which prohibits the sale of alcoholic beverages. The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the proposed convenience store and, therefore, requests a D-1 Liquor Control Overlay and a Specific Use Permit.

The request site is surrounded by a motel and single family residential to the north; undeveloped property to the east; a cemetery to the south and undeveloped property to the west. Pursuant to the Dallas Development Code, screening is required on the rear or service side of a building adjacent to residential uses and for parking adjacent to residential uses. As depicted on the site plan, a six-foot solid screen fence and a ten-foot residential adjacency buffer will be provided where adjacent to the R-7.5(A) Single Family District. This will ensure compatibility with the existing single family, as well as with any future residential development.

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

**Development Standards:**

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CR Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office
RR Regional retail	15'	20' adjacent to residential OTHER: No Min.	1.5 FAR overall 0.5 office	70' 5 stories	80%	Proximity Slope U-form setback Visual Intrusion	Retail & personal service, office

**Traffic:**

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

**Parking:**

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area; a motor vehicle or fueling station requires two spaces. Therefore, the ±3,010-square foot convenience store with fuel pumps requires 17 parking spaces; 28 spaces will be provided as depicted on the site plan.

**Landscaping:**

Landscaping will be required pursuant to Article X of the Dallas Development Code. In accordance with Article X, a ten-foot landscape buffer strip is required adjacent to the R-7.5(A) Single Family District to the north and east of the request site and is depicted on the proposed site plan.

**Z123-116  
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.

Staff Recommended:

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.)

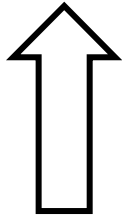
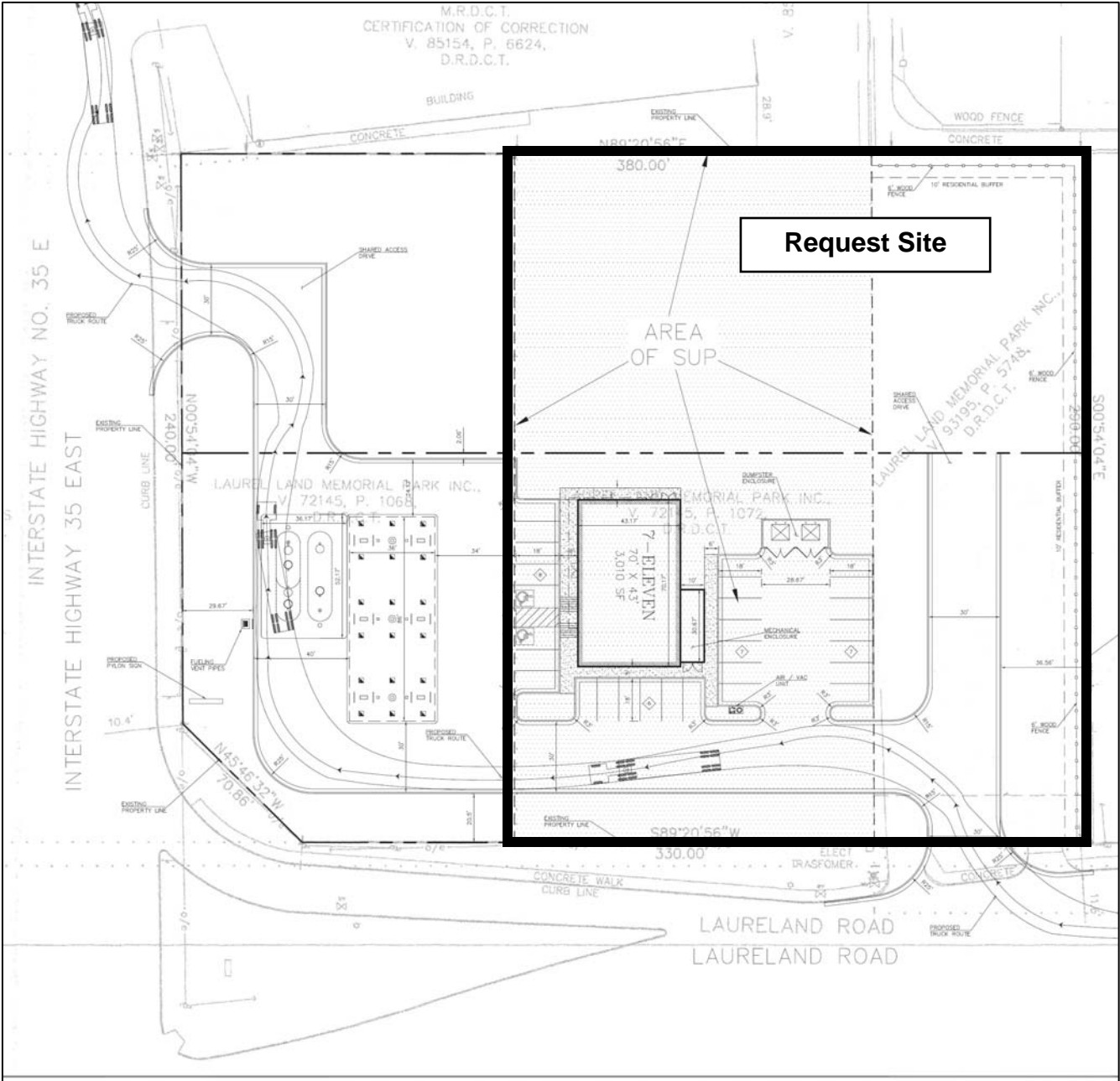
Applicant Proposed:

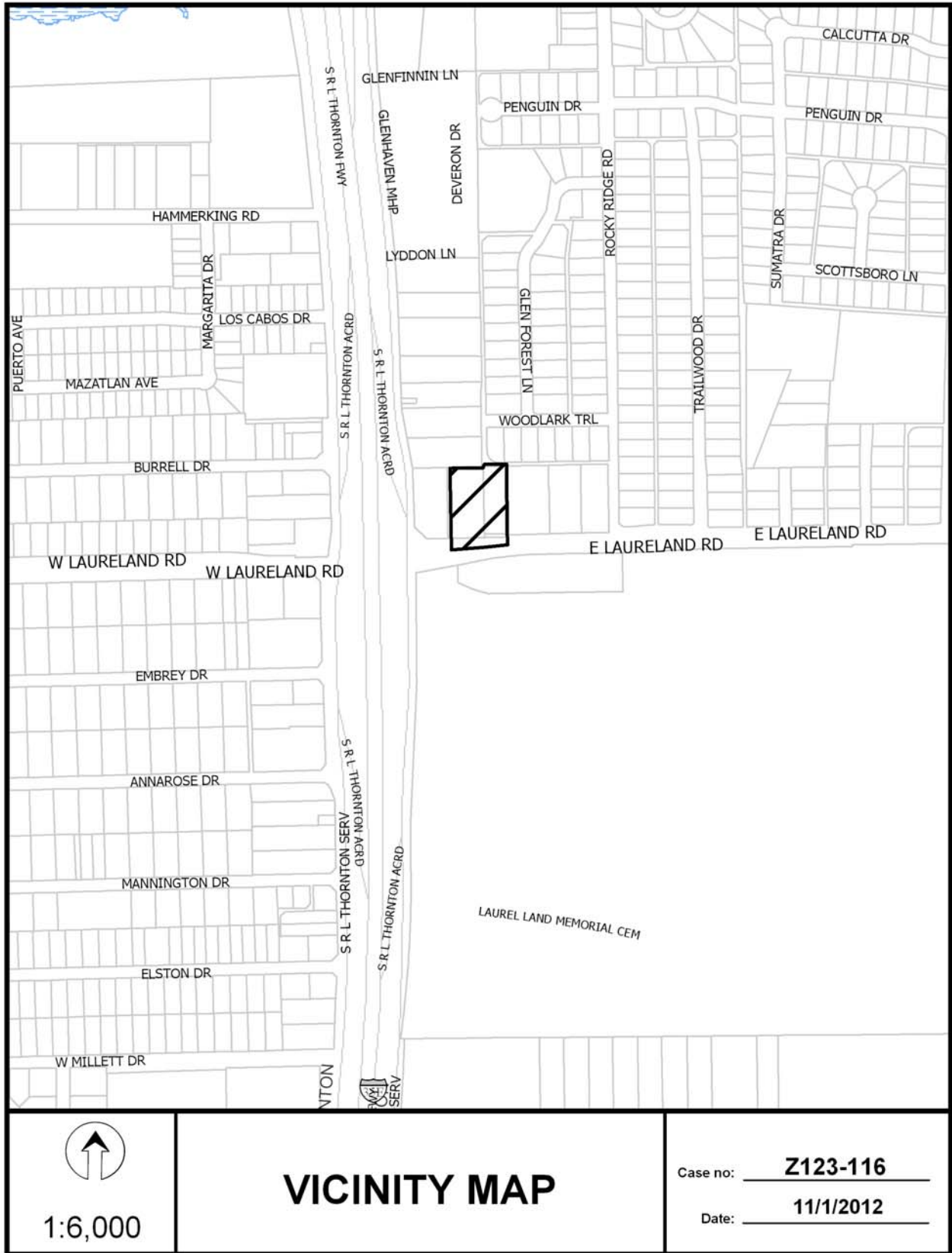
3. TIME LIMIT: This specific use permit expires on (fifteen years), but is eligible for automatic renewal for additional fifteen-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

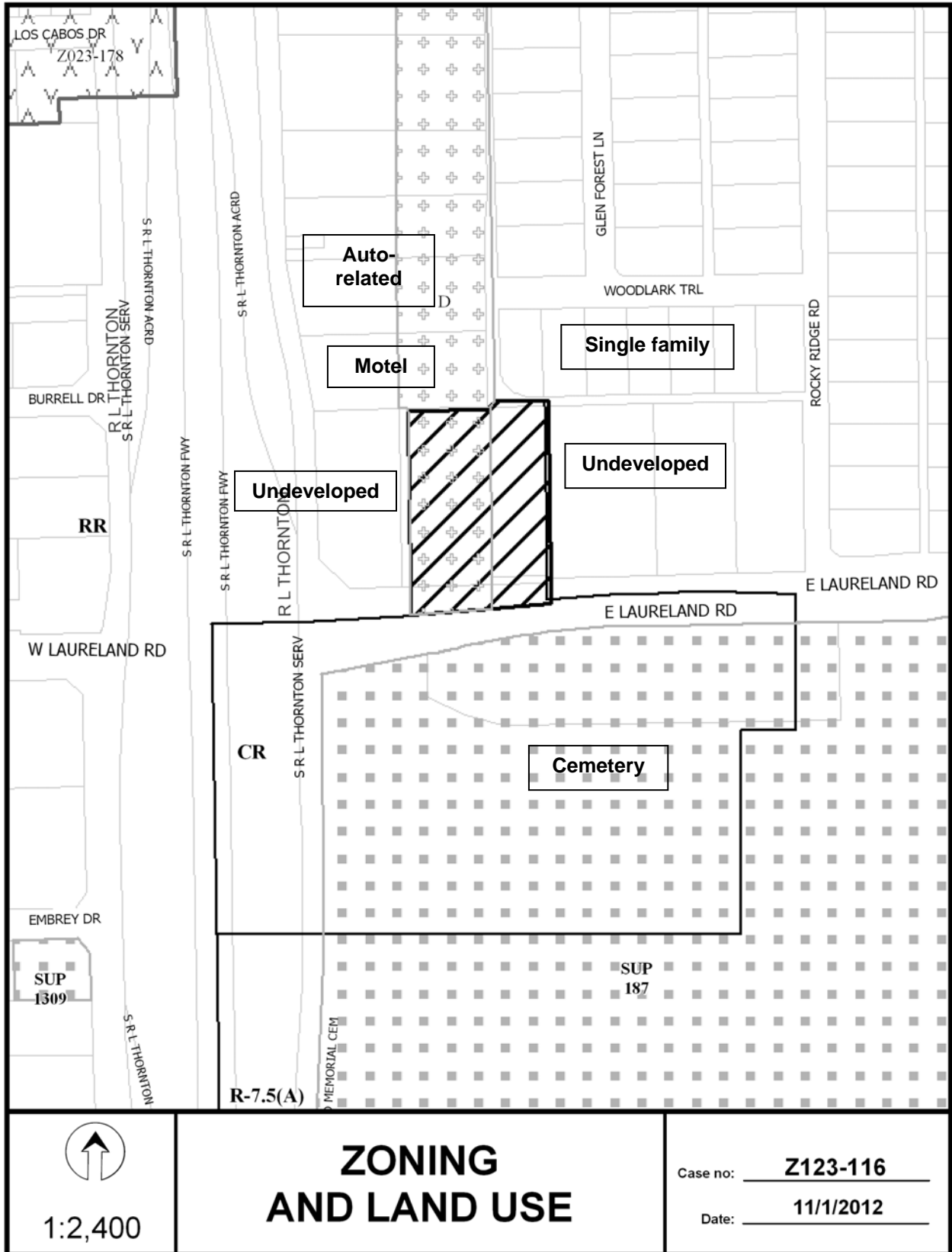
4. FLOOR AREA: Maximum floor area is 3,010 square feet.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.




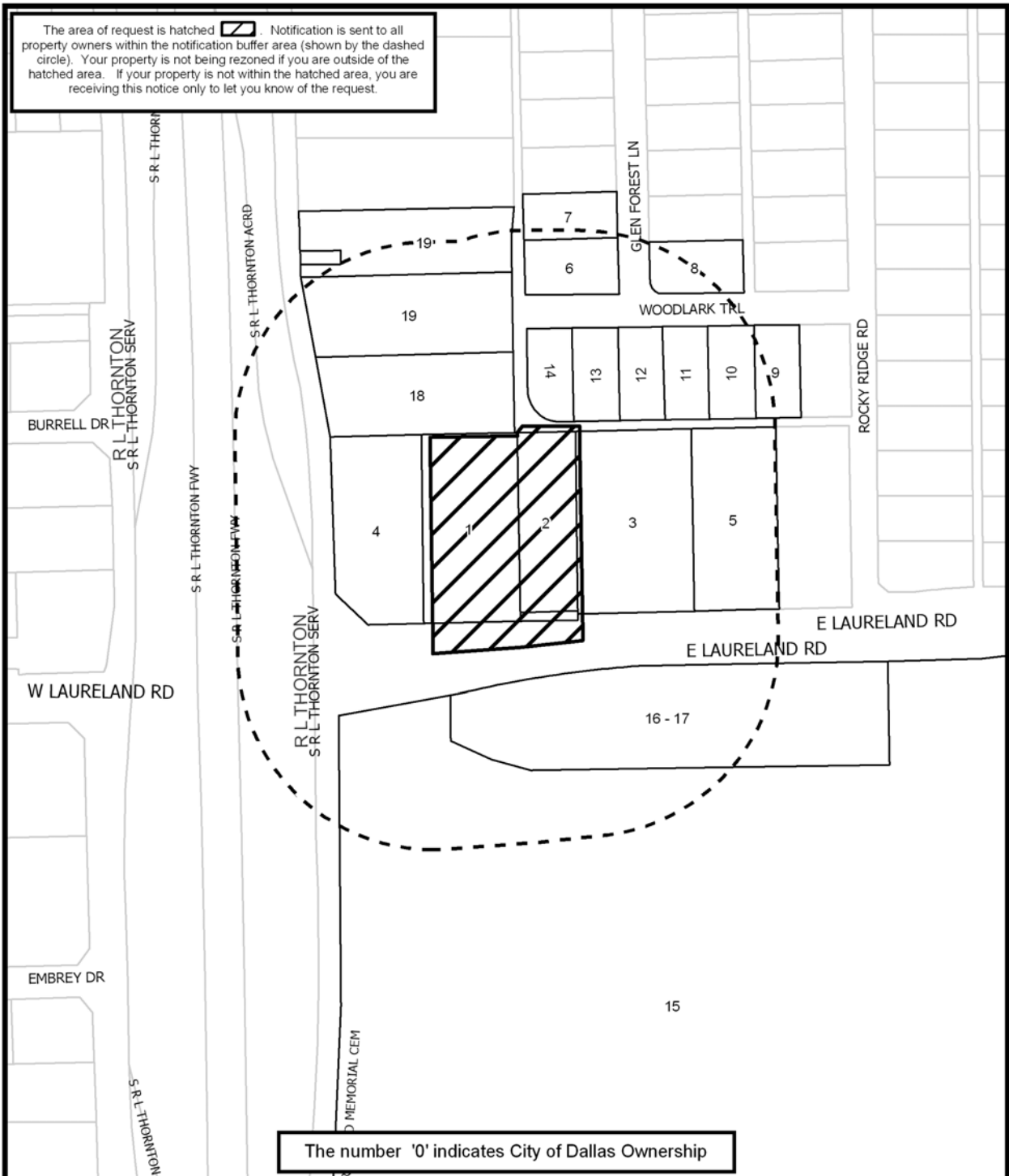
**Proposed Site Plan**







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



The number '0' indicates City of Dallas Ownership

  
1:2,400

## NOTIFICATION

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

Case no:           Z123-116            
 Date:           11/1/2012

10/31/2012

***Notification List of Property Owners******Z123-116******20 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	201 LAURELAND RD	LAUREL LAND MEMORIAL PARK INC
2	219 LAURELAND RD	LAUREL LAND MEMORIAL PARK INC
3	225 LAURELAND RD	BRICKLEY DOUGLASSJ TRUSTEE LIQUIDATING T
4	5918 R L THORNTON FWY	LAUREL LAND MEM PARK
5	309 LAURELAND RD	JONES SHEILA
6	5725 GLEN FOREST LN	WHISNANT J CLIFTON STE 100
7	5721 GLEN FOREST LN	HODGE GOLDIE
8	5726 GLEN FOREST LN	BENSON JUANITA
9	316 WOODLARK TRL	ARCENEUX PHYLLIS G
10	310 WOODLARK TRL	DANIELS LINDSEY E
11	306 WOODLARK TRL	DORSEY JIMMIE
12	226 WOODLARK TRL	REVEST PROP INVEST LLC
13	220 WOODLARK TRL	REVEST PROPERTIES INVESTMENTS LLC
14	216 WOODLARK TRL	BROOKS BETTY LAVERNE J
15	6306 R L THORNTON FWY	LAUREL LAND MEMORIAL PA
16	6000 R L THORNTON FWY	LAUREL LAND FUNERAL HOME INC
17	6000 R L THORNTON FWY	LAUREL LAND MEM PARK
18	5860 R L THORNTON FWY	TEJAL CORPORATION
19	5830 R L THORNTON FWY	SOUTH THORNTON ASSOCIATES
20	5802 R L THORNTON FWY	TLC PPTIES INC