



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, June 16, 2011
AGENDA

BRIEFINGS:	5ES	10:30 a.m.
PUBLIC HEARING	Council Chambers	1:30 p.m.

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

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

BRIEFINGS:

Subdivision Briefing - S101-117 - An application to replat a 1,278 acre tract of land containing multiple blocks to create two lots and is generally bounded by Mockingbird Lane, Lemon Avenue, Denton Drive and Shorecrest Drive and S101-118 - An application to replat a 259.199 acre tract of land containing part of Lots 6 and 7 and all of lots 4, 8, 9 and 10 in City Block 8300 into one 19.643 acre lot, one 51.752 acre lot, one 73.453 acre lot, one 24.668 acre lot, one 28,484 acre lot and one 28.446 acre lot on property on Telephone Road, east of Lancaster Road

David Cossum, Assistant Director, Current Planning

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Paul Nelson

Consent Items:

(1) **S101-108**
(CC District 2)

An application to replat a 0.9259 acre tract of land containing all of Lots 1 thru 4 in City Block 5/712 to create one lot at the west corner of Bryan Street and Annex Street.

Applicant/Owner: Uplift Education

Surveyor: Raymond L. Goodson, Jr. Inc.

Application Filed: May 24, 2011

Zoning: PD 640, Tr. 1

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

- (2) **S101-109**
(CC District 2)
- An application to replat a 1.717 acre tract of land containing all of Lots 1 thru 6 in City Block 4/699 and all of Lots 13, 14 and 15 in City Block 6/711 into one 1.717 acre lot on property bounded by Bryan Street, Annex Avenue and Virginia Street.
Applicant/Owner: Uplift Education
Surveyor: Raymond L. Goodson, Jr. Inc.
Application Filed: May 24, 2011
Zoning: PD 640, Tr. 2
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S101-110**
(CC District 3)
- An application to replat a 21.545 acre tract of land containing all of Lot 1 in City Block B/7206 to create one 0.663 acre lot and one 20.885 acre lot at 1521 Cockrell Hill Road.
Applicant/Owner: Walmart Real Estate, Inc .and Murphy Oil USA, Inc.
Surveyor: Kimley-Horn & Associates Inc.
Application Filed: May 25, 2011
Zoning: RR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S101-111**
(CC District 6)
- An application to create one 2.91 acre lot, one 1.456 acre lot, one 7.146 acre lot, and one 6.229 acre lot from a 34.222 acre tract of land out of the G.W. Laws Survey, Abstract No. 843, and the Jon L. Whitman Survey, Abstract No. 1521 in the City of Dallas, Dallas County, on property in the vicinity of Belt Line Road north of Hackberry Lane.
Applicant/Owner: The Neighborhoods at Cypress Waters No. 1 Ltd.
Surveyor: Kimley Horn & Associates Inc.
Application Filed: May 25, 2011
Zoning: PD 741, Subdistrict A-2
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S101-112**
(CC District 8)
- An application to create one 48.829 acre tract of land in City Block A/7576 into one 48.829 acre lot on Wheatland Road between Willoughby Street and S. Polk Street.
Applicant/Owner: Templo Betania Evangelistic Center Inc.
Surveyor: Advanced Land Surveying
Application Filed: May 26, 2011
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (6) **S101-113**
(CC District 6) An application to create one 3.038 acre lot, one 0.387 acre lot, 0.768 acre lot, one 0.735 acre lot, and one 0.658 acre lot from a 5.823 acre tract of land in City Block 5775 at Webb Chapel Road and Northwest Highway, west corner.
Applicant/Owner: 3643 Northwest Hwy. LP, Metro Pacific Equities, Inc. and Red Bird I-20 Corp.
Surveyor: Kimley Horn & Associates Inc.
Application Filed: May 26, 2011
Zoning: CR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (7) **S101-115**
(CC District 6) An application to create a 4.5751 acre lot from a tract of land in City Block 8656 on Canada Drive at Topeka Avenue, southeast corner.
Applicant/Owner: City of Dallas
Surveyor: City of Dallas
Application Filed: May 31, 2011
Zoning: A/A
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (8) **S101-116**
(CC District 8) An application to replat a 107.7 acre tract of land in City Block B/7558 into one 35.75 acre lot and one 71.95 acre lot on Hampton Road at 2320 Beckleymeade Avenue and West Daniieldale Road.
Applicant/Owner: US Industrial REIT II, PR Crow I-20,LLP, TCDFW I-20, IILLP, and Sadat Bassampour
Surveyor: Halff & Associates
Application Filed: June 1, 2011
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Individual Items:

- (9) **S101-105**
(CC District 6) An application to replat a 0.42 acre tract of land containing all of Lots 4, 5 and 6 in City Block 2/7092 fronting on 3334, 3342, and 3346 Bataan Street, south of Canada Drive.
Applicant/Owner: Gilbert Zuniga
Surveyor: Seth Ephraim Osabutey
Application Filed: May 20, 2011
Notices sent: 40 notices were sent May 26, 2011
Zoning: R-5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

(10) **S101-106**
(CC District 14)

An application to replat a part of Lot 16 and all of Lots 17 and 18, and 44 feet of abandoned Simone Street ROW in the "Preston Park Addition", located in City Block 3/5156 to create two 0.264 acre lots on 5526 Purdue Ave. between Devonshire Drive and Preston Park Drive.

Applicant/Owner: Robert & Donna Beavers

Surveyor: CBG Surveying, Inc.

Application Filed: May 23, 2011

Notices sent: 30 notices were sent May 31, 2011

Zoning: R-7.5(A)

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

(11) **S101-107**
(CC District 13)

An application to reduce the existing 50 foot platted front building line to a "wrap around building line" between 35 feet and 50 feet on a 0.284 acre tract of land containing all of Lot 13, Block 4/5498 on 6435 Orchid Lane.

Applicant/Owner: Premier Renovations Inc.

Surveyor: Shields & Lee

Application Filed: May 23, 2011

Notices sent: 30 notices were sent May 31, 2011

Zoning: R-16(A)

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

Miscellaneous Docket

M101-022
Richard Brown
(CC District 3)

An application for a minor amendment to the development plan for Planned Development District No. 478 for Private Recreation Uses, on the northeast quadrant of IH20 and Spur 408.

Staff Recommendation: **Approval**

Applicant: Circle Ten Council

Representative: Josh Houser

Zoning Cases – Consent

1. **Z101-189(RB)**
Richard Brown
(CC District 8)

An application for the renewal of Specific Use Permit No. 1717 for a Vehicle display, sales, and service use on property within the Subdistrict 1/Tract 2 portion of Planned Development District No. 535, the C. F. Hawn Special Purpose District No. 3, on the northwest corner of CF Hawn Freeway and Haymarket Street.

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

Applicant/Representative: Angel M. Godoy

2. **Z101-252(RB)**
Richard Brown
(CC District 9)

An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the east line of East Lake Highlands Drive, south of Northwest Highway.
Staff Recommendation: **Approval**, subject to deed restrictions volunteered by the applicant.
Applicant: Prudent Development
Representative: Rob Baldwin
3. **Z101-257(RB)**
Richard Brown
(CC District 2)

An application for the renewal of Specific Use Permit No. 1767 for a Bar, lounge, or tavern on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north line of Commerce Street; east of Good Latimer Expressway.
Staff Recommendation: **Approval** for a three-year period, subject to conditions.
Applicant/Representative: Roland Young
4. **Z101-201(MW)**
Megan Wimer
(CC District 14)

An application to amend Planned Development District No. 799 in an area bounded by Lovers Lane, Amesbury Drive, Milton Street and Matilda Street.
Staff Recommendation: **Approval**, subject to a conceptual plan and conditions.
Applicant: Lovers Traditional LP
Representative: Dallas Cothrum, Masterplan
5. **Z101-234(MW)**
Megan Wimer
(CC District 9)

An application to renew Specific Use Permit No. 975 for private school on property zoned an R-7.5(A) Single Family District on the southwest corner of Lovers Lane and Fisher Road.
Staff Recommendation: **Approval** for a five-year time period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.
Applicant: St. Paul's Evangelical and Reformed Church
Representative: James D. Blume, Joshua H. Northam
6. (Number intentionally skipped)
7. **Z101-198(JH)**
Jennifer Hiromoto
(CC District 6)

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 a RR regional Retail District with a D Liquor Control Overlay on the northeast corner of Royal Lane and I-35/N Stemmons Freeway.
Staff Recommendation: **Approval** of a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year time period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.
Applicant: Sub Enterprise, Inc.
Representative: Parez Malik

8. **Z101-239(WE)**
Warren Ellis
(CC District 5)
- An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the northeast corner of Lake June Road and Holcomb Road.
Staff Recommendation: **Approval** of a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year time period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.
Applicant: F & M Properties, Inc.
Representative: Parez Malik
9. **Z101-253(MG)**
Michael Grace
(CC District 5)
- An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use less than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay in the southeast quadrant of Lake June Road and Templecliff Drive.
Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.
Applicant: Bawa Corporation
Representative: Parvez Malik, Business Zoom

Zoning Cases – Under Advisement

10. **Z101-203(MG)**
Michael Grace
(CC District 5)
- An application for a Planned Development District for mixed uses on property zoned a CR Community Retail District and an R-7.5(A) Single Family District on the northwest corner of S. Lancaster Road and Atlas Drive.
Staff Recommendation: **Approval**, subject to a development plan and conditions.
Applicant: Sapphire Road Development, LLC
Representative: Yigal Lelah
U/A From: June 2, 2011
11. **Z101-163(MG)**
Michael Grace
(CC District 7)
- An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use less than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the southwest corner of the intersection of Military Parkway and Elva Avenue.
Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.
Applicant: Jiten Roy
Representative: Jorge Perez
U/A From: April 21, 2011 and May 19, 2011

12. **Z101-167(JH)**
Jennifer Hiromoto
(CC District 9)
- An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned CR Community Retail District with a D Liquor Control Overlay at the northwest corner of Centerville Road and Aledo Drive.
Staff Recommendation: **Approval** of the D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.
Applicant: Parvez Malik
Representative: John Matthews
U/A From: May 19, 2011
13. **Z101-165(JH)**
Jennifer Hiromoto
(CC District 7)
- An application to amend Planned Development District No. 331, expand Planned Development District No. 331 on property zoned an RS-MU Regional Service Mixed Use Subdistrict within Planned Development District No. 595, the South Dallas Fair Park Special Purpose District, and terminate Specific Use Permit No. 1084 for a Metal salvage facility, an Outside salvage or reclamation use, and an Industrial (inside) potentially incompatible use limited to an aluminum sweat furnace on a portion of the expansion area on the southwest side of S. Lamar Street generally between Pine Street and Hatcher Street with consideration for a Specific Use Permit for metal salvage facility, outside salvage or reclamation, outside storage, recycle buy-back center for the collection of household metals, industrial metals, and recyclable materials, and commercial motor vehicle parking uses.
Staff Recommendation: **Denial**
Applicant: Robert Miklos
Representative: Loshel Company
U/A From: June 2, 2011 (Closed Public Hearing)

Zoning Cases – Individual

14. **Z101-250(MW)**
Megan Wimer
(CC District 5)
- An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned Planned Development District No. 805 with a D Liquor Control Overlay on the north side of Lake June Road, east side of Masters Drive.
Staff Recommendation: **Approval** of the D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewal of additional five-year periods, subject to a site plan and conditions.
Applicant: NEC Lake June & Masters, L.P.
Representative: Karl Crawley, Masterplan

15. **Z090-241(RB)**
Richard Brown
(CC District 14)
- An application for a Planned Development District for Retirement housing on property zoned an MF-2(A) Multifamily District on the west corner of Washington Avenue and Munger Avenue with consideration being given to retaining the existing MF-2(A) Multifamily District uses within the proposed Planned Development District.
Staff Recommendation: **Approval**, subject to a development plan and staff's recommended conditions.
Applicant: Dallas Housing Authority
Representative: Michael R. Coker
16. **Z101-112(RB)**
Richard Brown
(CC District 9)
- An application for a LO-1 Limited Office District on property zoned an MF-2(A) Multifamily District on the south line of Woodmeadow Parkway, east of Ferguson Road.
Staff Recommendation: **Approval** of an NO(A) Neighborhood Office District in lieu of the requested LO-1 Limited Office District.
Applicant: DLBC, Inc.-Dana Ly (President and Secretary) and Boi-Chau Nguyen (Vice President and Treasurer)
Representative: Charls T. Dixon
17. **Z101-196(RB)**
Richard Brown
(CC District 7)
- An application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the northeast line of Lawnview Avenue, south of Forney Road.
Staff Recommendation: **Approval** of an MF-1(A) Multifamily District in lieu of the request MF-2(A) Multifamily District, subject to deed restrictions volunteered by the applicant.
Applicant: SDC Lawnview, L.P.
Representative: Adolphus Oji
18. **Z090-252(RB)**
Richard Brown
(CC District 5)
- An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-5(A) Single Family District on the north line of Military Parkway, between Prairie Creek Road and Kingsford Avenue.
Staff Recommendation: **Denial**
Applicant: Jose Martin Saldivar
Representative: Audra Buckley

Other Matters

Minutes: June 2, 2011

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Tuesday, June 14, 2011

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC) MEETING – Tuesday, June 14, 2011, City Hall, 1500 Marilla Street, in 5BN, at 2:00 p.m., to consider (1) **1106035001** – An application for a Certificate of Appropriateness by Bobby Nichols of Chandler Signs for a middle level sign at 2100 Ross Avenue. (2) **DCA101-005** – Consideration of amendments to Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code,” to revise the Downtown Special Provision Sign District regulations to allow additional video boards, allow non-premise advertising on construction barricades, expand the number of supergraphic sites, expand the size and location of wallscape signs, and extend the supergraphic permit expiration date. (3) **DCA101-007** – Consideration to amend City Code Section 51A-7.703 “Board of Adjustment” to include the ability to request a special exception to the regulations in City Code Section 51A-7.305(d) regarding window signs.

Thursday, June 16, 2011

ZONING ORDINANCE COMMITTEE (ZOC) MEETING - Thursday, June 16, 2011, City Hall, 1500 Marilla Street, in 5ES, at 9:00 a.m., to consider (1) **DCA090-010** – Consideration of amending the Dallas Development Code to amend parking regulations.

EXECUTIVE SESSION NOTICE

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

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

CITY PLAN COMMISSION**THURSDAY, JUNE 16, 2011****FILE NUMBER:** S101-108**Subdivision Administrator:** Paul Nelson**LOCATION:** Bryan Street and Annex Street, west corner**DATE FILED:** May 24, 2011**ZONING:** PD 640, Tr. 1**CITY COUNCIL DISTRICT:** 2**SIZE OF REQUEST:** 0.9 ac.**MAPSCO:** 46A**APPLICANT/OWNER:** Uplift Education

REQUEST: An application to replat a 0.9259 acre tract of land containing all of Lots 1 thru 4 in City Block 5/712 to create one lot at the west corner of Bryan Street and Annex Street.

SUBDIVISION HISTORY:

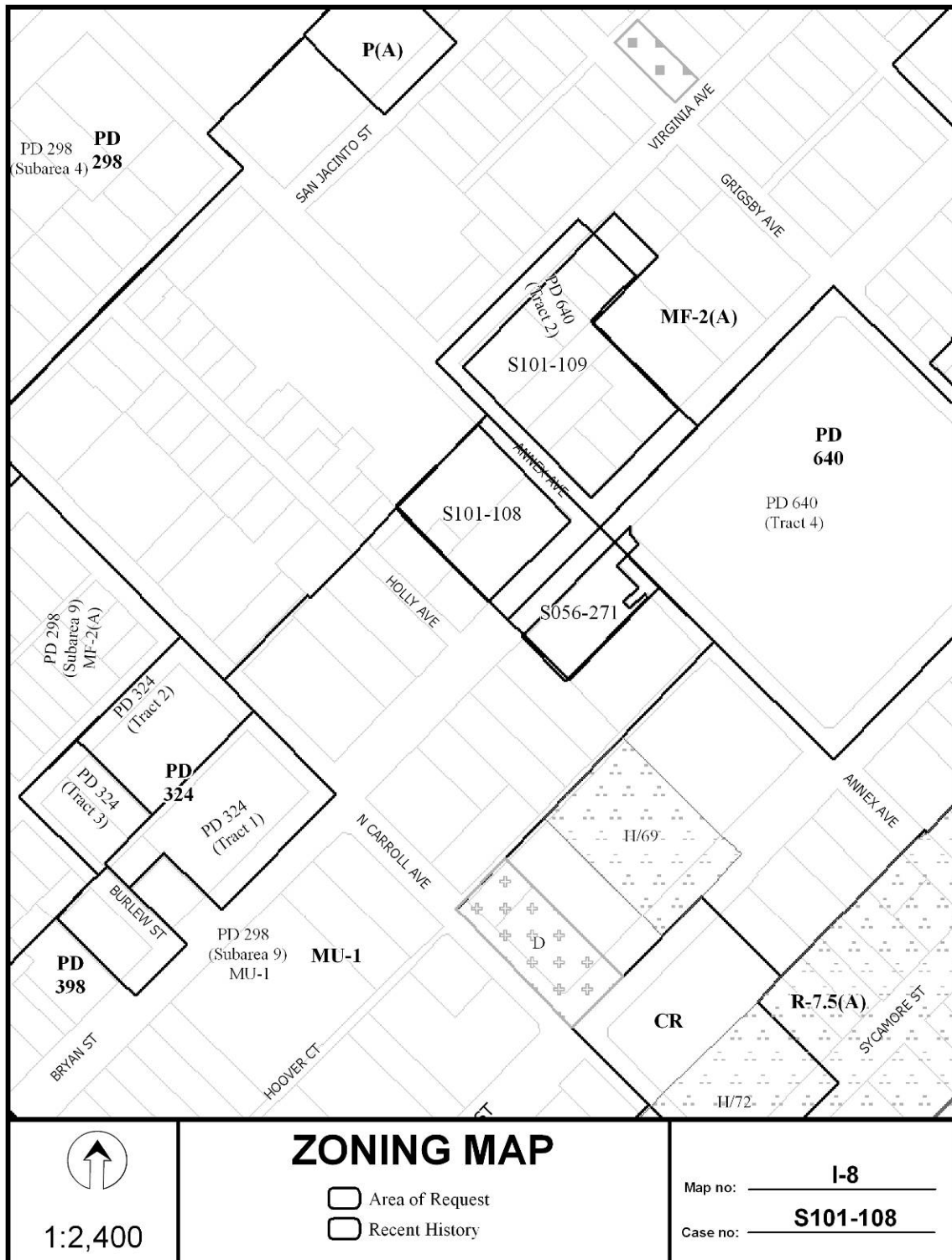
1. S101-109 is an application to replat a 1.717 acre tract of land containing all of Lots 1 thru 6 in City Block 4/699 and all of Lots 13, 14 and 15 in City Block 6/711 into one 1.717 acre lot on property bounded by Bryan Street, Annex Avenue and Virginia Street. The request is scheduled for a hearing on June 16, 2011.

STAFF RECOMMENDATION: The request complies with the PD 640, Tr. 1 district requirements; therefore, staff recommends approval subject to compliance with the following conditions:


1. The final plat must conform with 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. Sustainable Development and Construction, 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. The final plat must comply with all plans, contracts, ordinances and requirements of the City.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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 City Plan Commission in a format that is compatible with the "Microstation" format.
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. The final plat is limited to a maximum of 1 lot.
9. 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.

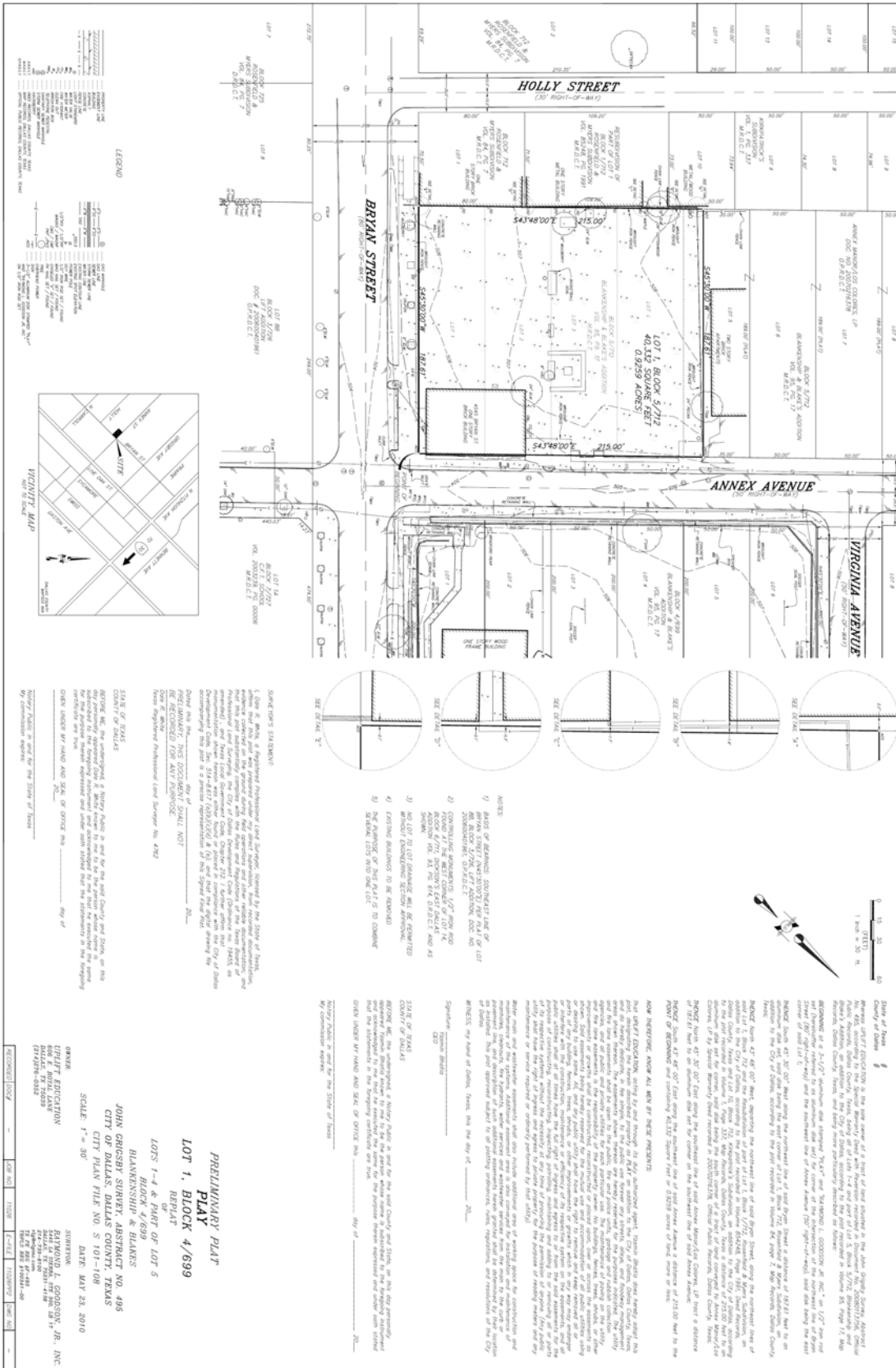
10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
11. On the final plat dedicate 28 feet of ROW from the established centerline, or dedicate a street easement, or Public Utility and Sidewalk Easement to equal 28 feet from the established centerline of Annex Avenue.
12. On the final plat dedicate a 10 foot by 10 foot corner clip at the intersection of Annex Avenue and Bryan Street.
13. On the final plat state in the owner's certificate that Blankenship & Blake's Addition was dedicated to the Town of East Dallas and annexed into the City of Dallas by date and ordinance number.
14. Prior to submittal of the final plat for the Chairman's signature the existing structure on site that encroaches into the public right of way must be removed or a "license" acquired from the city of dallas.
15. A site plan must to be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
16. On the final plat change "Holly Street" to "Holly Avenue".
17. On the final plat label the property as Lot 1A, City Block 5/712.





 <p>1:2,400</p>	<h2 style="text-align: center;">AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	<p>Map no: <u> I-8 </u></p> <p>Case no: <u> S101-108 </u></p>
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DATE: June 07, 2011



CITY PLAN COMMISSION**THURSDAY, JUNE 16, 2011****FILE NUMBER:** S101-109**Subdivision Administrator:** Paul Nelson**LOCATION:** Bryan Street, Annex Avenue and Virginia Street**DATE FILED:** May 24, 2011**ZONING:** PD 640, Tr. 2**CITY COUNCIL DISTRICT:** 2**SIZE OF REQUEST:** 1.717 ac.**MAPSCO:** 46A**APPLICANT/OWNER:** Uplift Education

REQUEST: An application to replat a 1.717 acre tract of land containing all of Lots 1 thru 6 in City Block 4/699 and all of Lots 13, 14 and 15 in City Block 6/711 into one 1.717 acre lot on property bounded by Bryan Street, Annex Avenue and Virginia Street.

SUBDIVISION HISTORY:

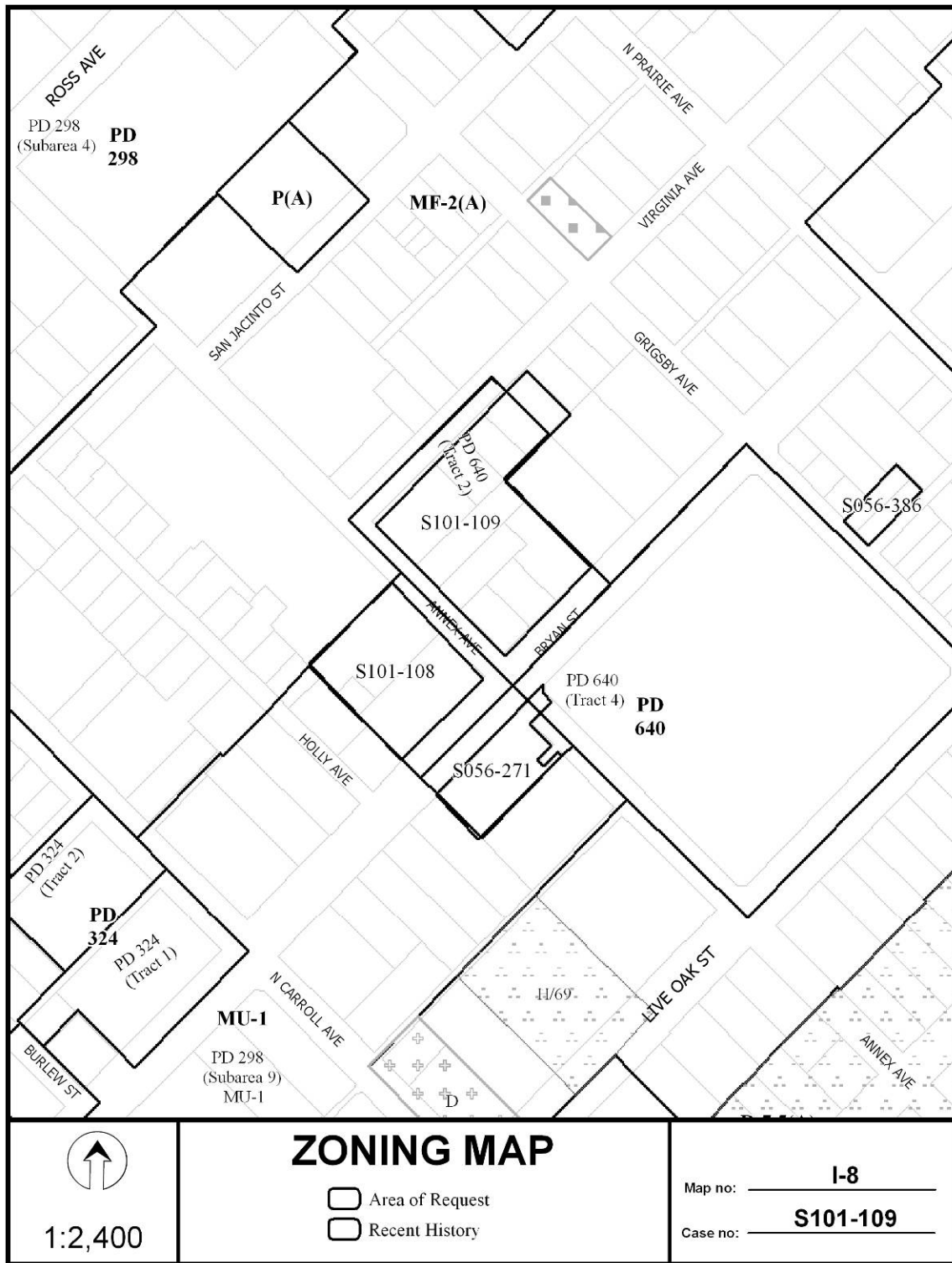
1. S101-108 is an application to replat a 0.9259 acre tract of land containing all of Lots 1 thru 4 in City Block 5/712 to create one lot at the west corner of Bryan Street and Annex Street. The request is scheduled to be heard on June 16, 2011.

STAFF RECOMMENDATION: The request complies with the PD 640, Tr. 2 district requirements; therefore, staff recommends approval subject to compliance with the following conditions:


1. The final plat must conform with 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. Sustainable Development and Construction, 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. The final plat must comply with all plans, contracts, ordinances and requirements of the City.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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 City Plan Commission in a format that is compatible with the "Microstation" format.
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. The final plat is limited to a maximum of 1 lot.
9. 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.

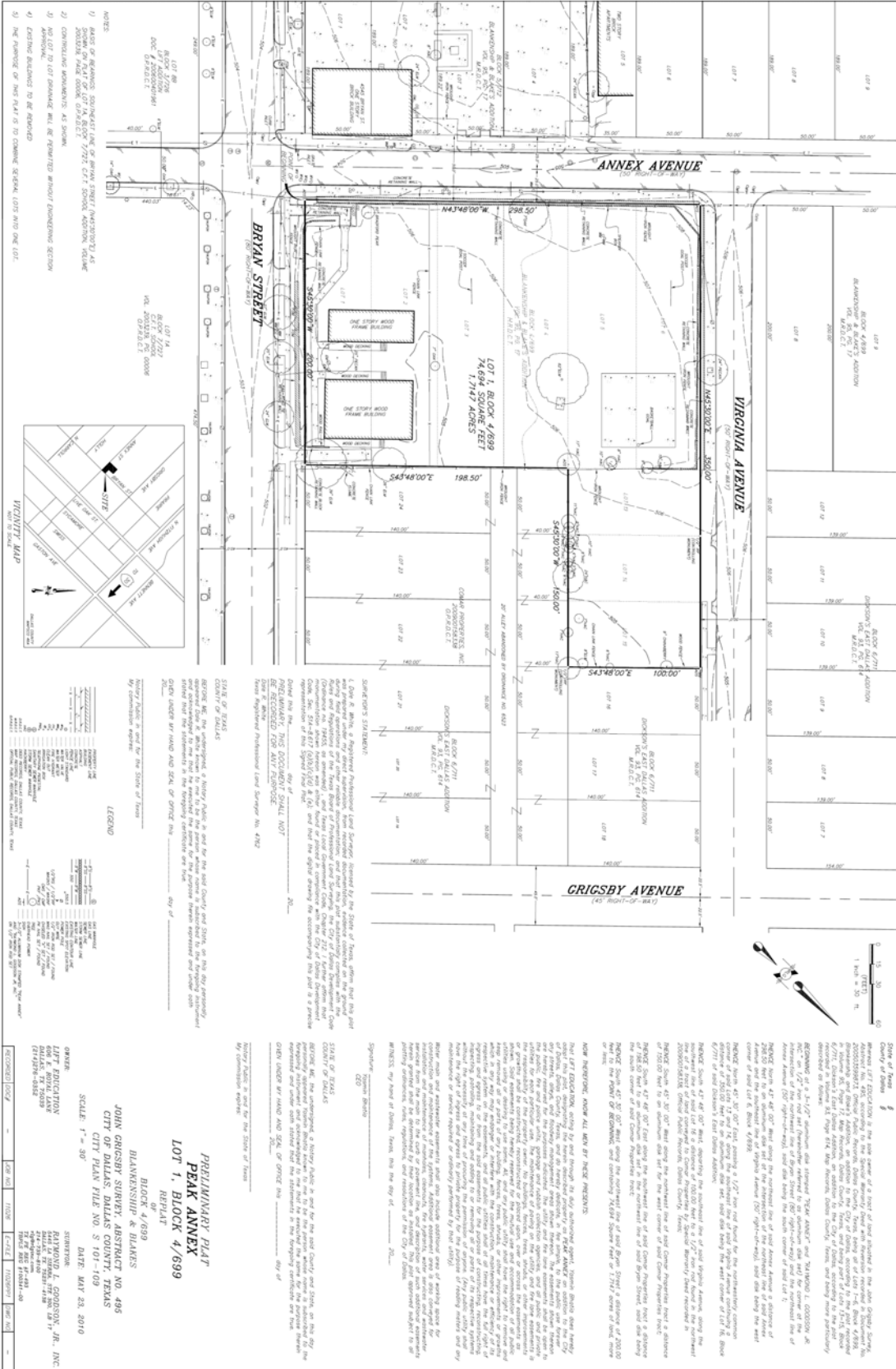
10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
11. On the final plat dedicate 28 feet of ROW from the established centerline, or dedicate a street easement, or Public Utility and Sidewalk Easement to equal 28 feet from the established centerline of Annex Avenue Virginia Avenue.
12. On the final plat dedicate a 10 foot by 10 foot corner clip at the intersection of Annex Avenue and Bryan Street and at Annex Avenue and Virginia Avenue.
13. On the final plat state in the owner's certificate that Blankenship & Blake's Addition and Dickson's East Dallas Addition were dedicated to the Town of East Dallas and annexed into the City of Dallas by date and ordinance number.
14. A site plan must to be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
15. Water/wastewater main extension may be required by Private Development Contract.
16. On the final plat label the property as Lot 1A, City Block 4/699.





 <p>1:2,400</p>	<h2 style="text-align: center;">AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	<p>Map no: <u> I-8 </u></p> <p>Case no: <u> S101-109 </u></p>
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DATE: June 07, 2011



NOTES:

- 1) BASIS OF RECORDS: STANDARD LINE OF BRYAN STREET (NAD83) AS SHOWN.
- 2) CONVEYING INSTRUMENTS: AS SHOWN.
- 3) NO LOT TO BE REMOVED. ALL RE-REPARTED WITHOUT CONVEYING SECTION APPROVAL.
- 4) THE PURPOSE OF THIS PLAN IS TO CORRECT RECORD LOTS INTO ONE LOT.

LEGEND

---	Property Line
---	Survey Line
---	Right-of-Way Line
---	Utility Line
---	Other

PRELIMINARY PLAT
PEAK ANNEX
REPLAT
LOT 1, BLOCK 4/699

BLANKENSHIP & BLAKES
 JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 CITY PLAN FILE NO. S 101-109
 SCALE: 1" = 30'
 DATE: MAY 23, 2010

PREPARED BY: JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
 DALLAS, TEXAS
 SURVEYOR: JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
 DALLAS, TEXAS

CITY PLAN COMMISSION**THURSDAY, JUNE 16, 2011****FILE NUMBER:** S101-110**Subdivision Administrator:** Paul Nelson**LOCATION:** 1521 Cockrell Hill Road**DATE FILED:** May 25, 2011**ZONING:** RR**CITY COUNCIL DISTRICT:** 3**SIZE OF REQUEST:** 21.545 ac.**MAPSCO:** 42V**APPLICANT/OWNER:** Walmart Real Estate, Inc. and Murphy Oil USA, Inc.

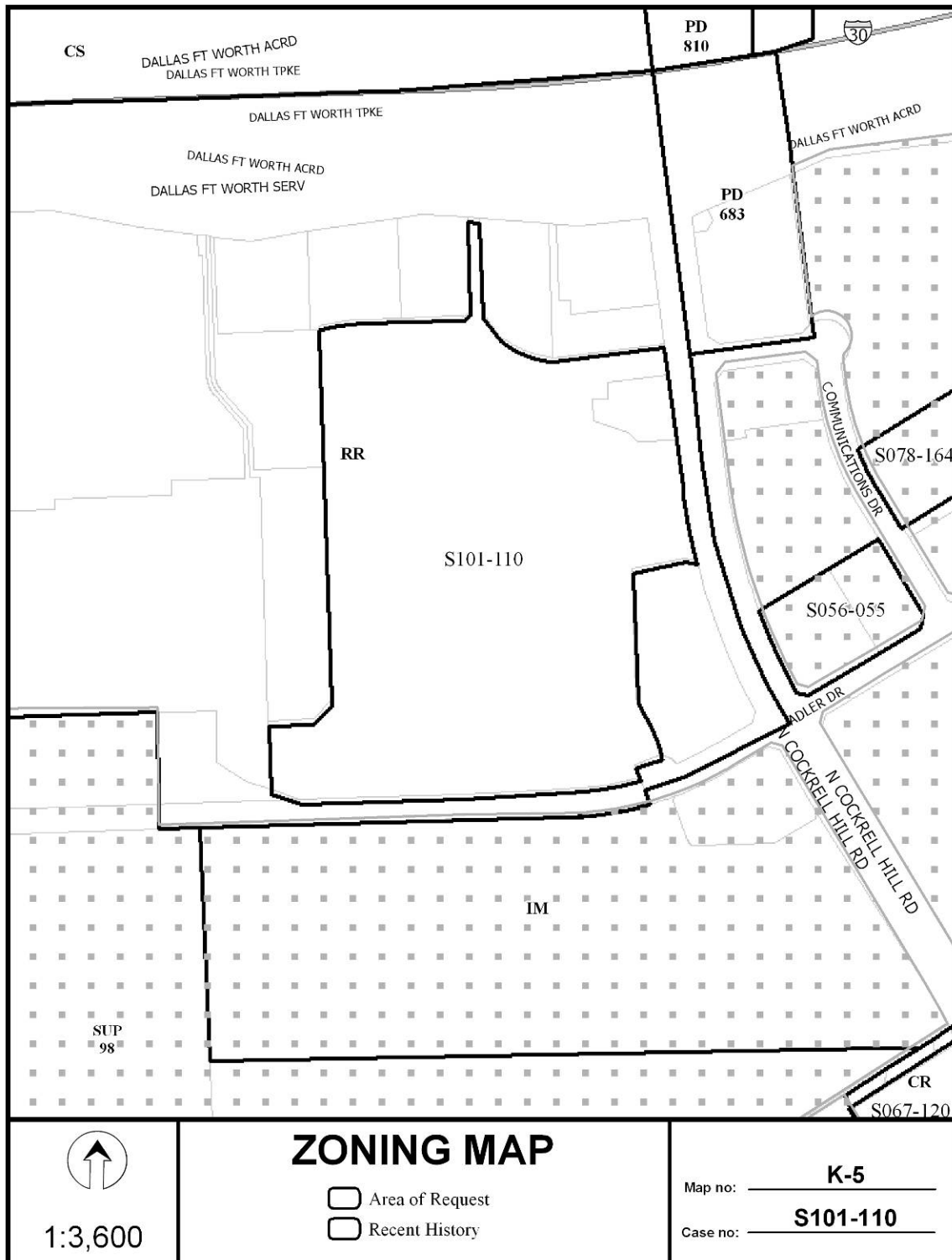
REQUEST: An application to replat a 21.545 acre tract of land containing all of Lot 1 in City Block B/7206 to create one 0.663 acre lot and one 20.885 acre lot at 1521 Cockrell Hill Road.

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

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

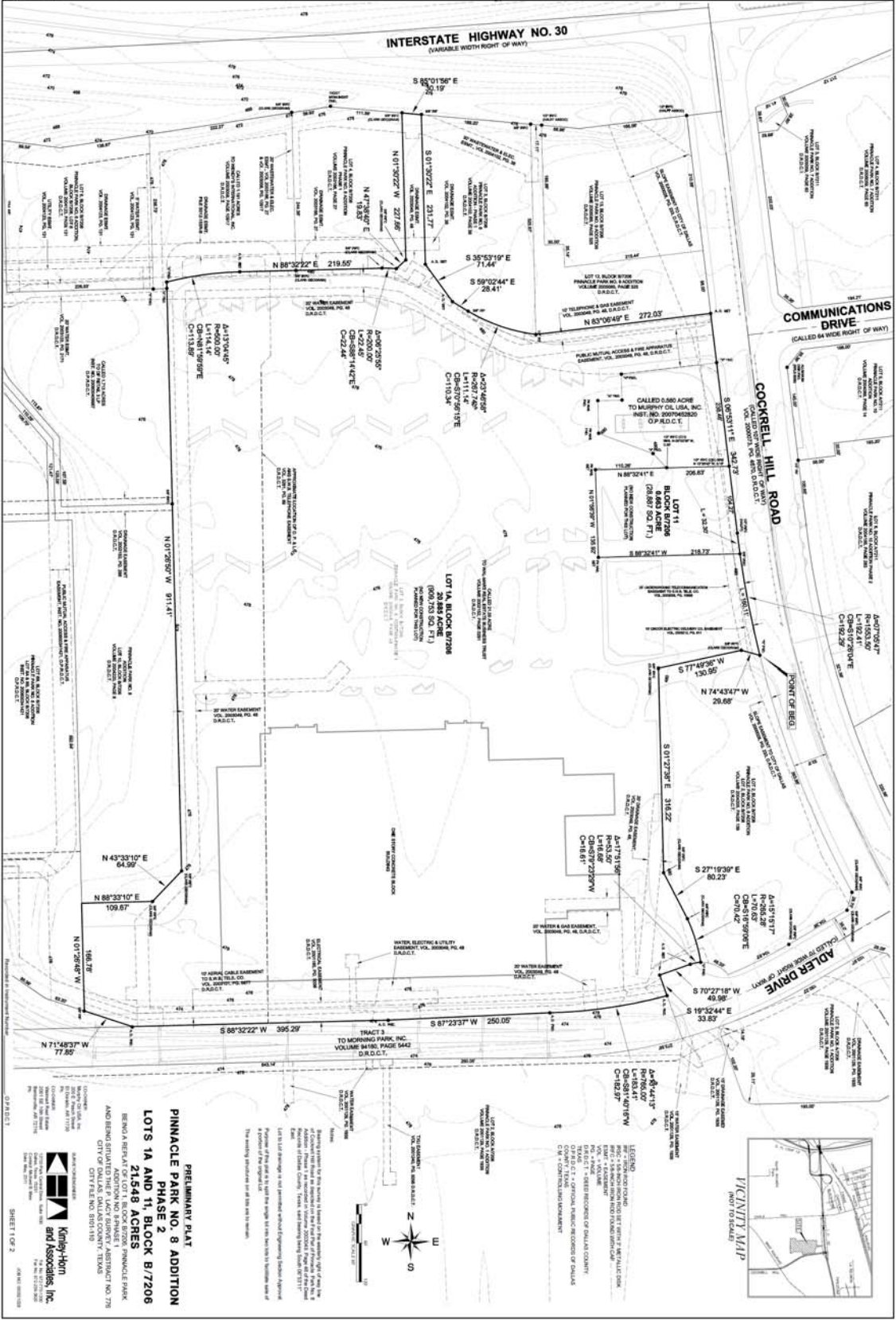
1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the City.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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 City Plan Commission in a format that is compatible with the "Microstation" format.
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. The final plat is limited to a maximum of 2 lots.
9. 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.

10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
11. On the final plat add a note: "Ingress-egress to Interstate 30 requires TXDOT approval."
12. On the final plat monument all set corners per the monumentation ordinance.
13. On the final plat show 2 control monuments.
14. A site plan must to be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
13. Water/wastewater main extension is required by Private Development Contract for proposed Lot 11.
14. Water main extension may be required by private development contract.
15. On the final plat change "Interstate Highway 30" to "Dallas Fort Worth Turnpike/ Interstate Highway 30".
15. On the final plat label the property as Lots 1A and 1B, City Block B/7206.





SHEET NO. 1001
 DATE: 06/16/2011
 PROJECT: PINNACLE PARK NO. 8 ADDITION
 CLIENT: KIMLEY-HORN AND ASSOCIATES, INC.
 DRAWN BY: J. H. HARRIS
 CHECKED BY: J. H. HARRIS
 APPROVED BY: J. H. HARRIS



CITY PLAN COMMISSION**THURSDAY, JUNE 16, 2011****FILE NUMBER:** S101-111**Subdivision Administrator:** Paul Nelson**LOCATION:** Belt Line Road north of Hackberry Lane**DATE FILED:** May 25, 2011**ZONING:** PD 741, Subdistrict A-2**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 34.222 ac. **MAPSCO:** 11A-P&K**APPLICANT/OWNER:** The Neighborhoods at Cypress Waters No. 1 Ltd.

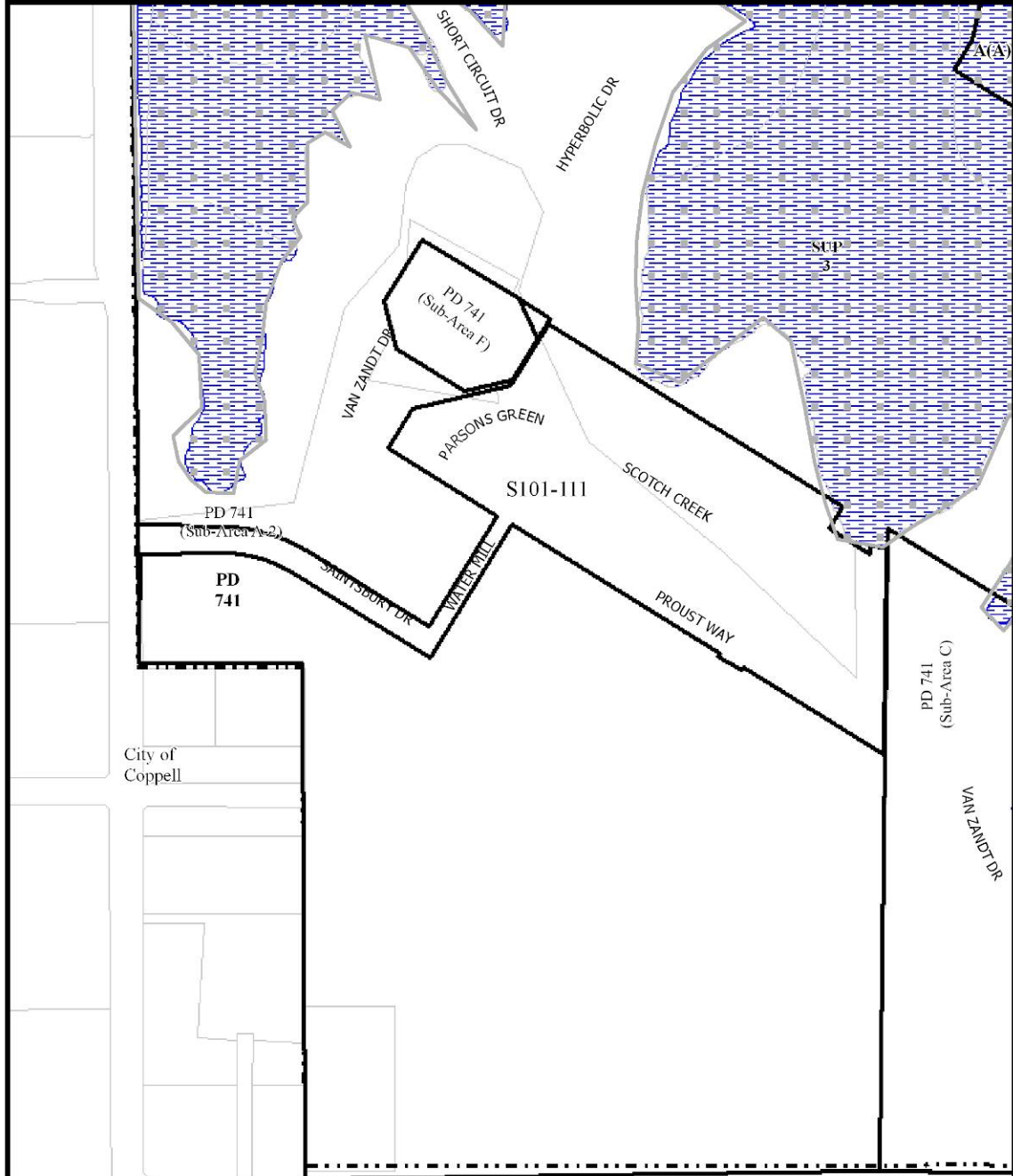
REQUEST: An application to create one 2.91 acre lot, one 1.456 acre lot, one 7.146 acre lot, and one 6.229 acre lot from a 34.222 acre tract of land out of the G.W. Laws Survey, Abstract No. 843, and the Jon L. Whitman Survey, Abstract No. 1521 in the City of Dallas, Dallas County, on property in the vicinity of Belt Line Road north of Hackberry Lane.


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

STAFF RECOMMENDATION: The request complies with the PD 741, Subdistrict A-2 district requirements; therefore, staff recommends approval subject to compliance with the following conditions:

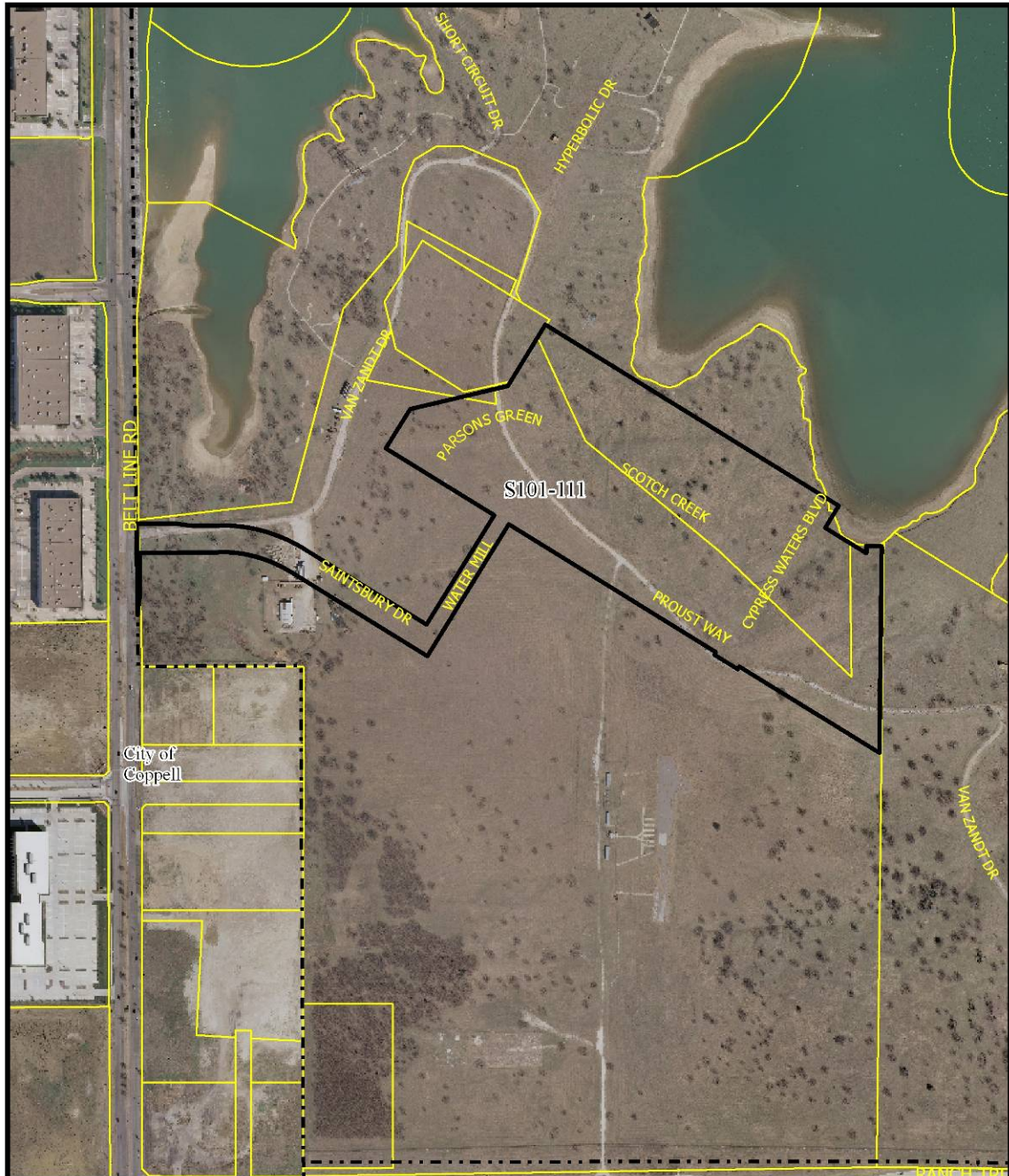
1. The final plat must conform with all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. The final plat must comply with all plans, contracts, ordinances and requirements of the City.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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 City Plan Commission in a format that is compatible with the "Microstation" format.
7. The final plat is limited to a maximum of 5 lots.
8. Provide a detailed lot grading/drainage plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
9. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
10. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.




11. On the final plat dedicate a 10 foot by 10 foot corner clip at all street to street intersections.
12. Provide Right of Way, design and construction for a turn-around at all dead end streets.
13. Determine the 100 year water surface elevation across the plat.
14. 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. Include additional paragraph in owner's certificate (pertaining to floodplain)
16. Specify minimum fill and minimum finished floor elevations.
17. Set floodway monument markers and provide documentation that the monuments have been set prior to submittal of the final plat for recording.
18. Provide information regarding fill permit or floodplain alteration permit if such permit is applied for.
19. On the final plat verify if existing roads are dedicated rights of way.
20. On the final plat show the city limit lines.
21. Engineer shall furnish plans for water and sanitary sewer. Developer shall furnish a contract for water and sanitary sewer.
22. A site plan must to be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
23. Water/wastewater main extension is required by Private Development Contract.
24. On the final plat change Beltline Road to Belt Line Road. Provide a street type for Water Mill on sheets 1 and 2. Change Parsons Green or Scotch Creek to one name and provide a street type for the name.
25. On the final plat label the property as: Lot 1 City Block A/8465, Lot 1 City Block B/8465, Lot 1 City Block C/8465, Lot 1 City Block D/8465, and Lot 1 City Block E/8465.



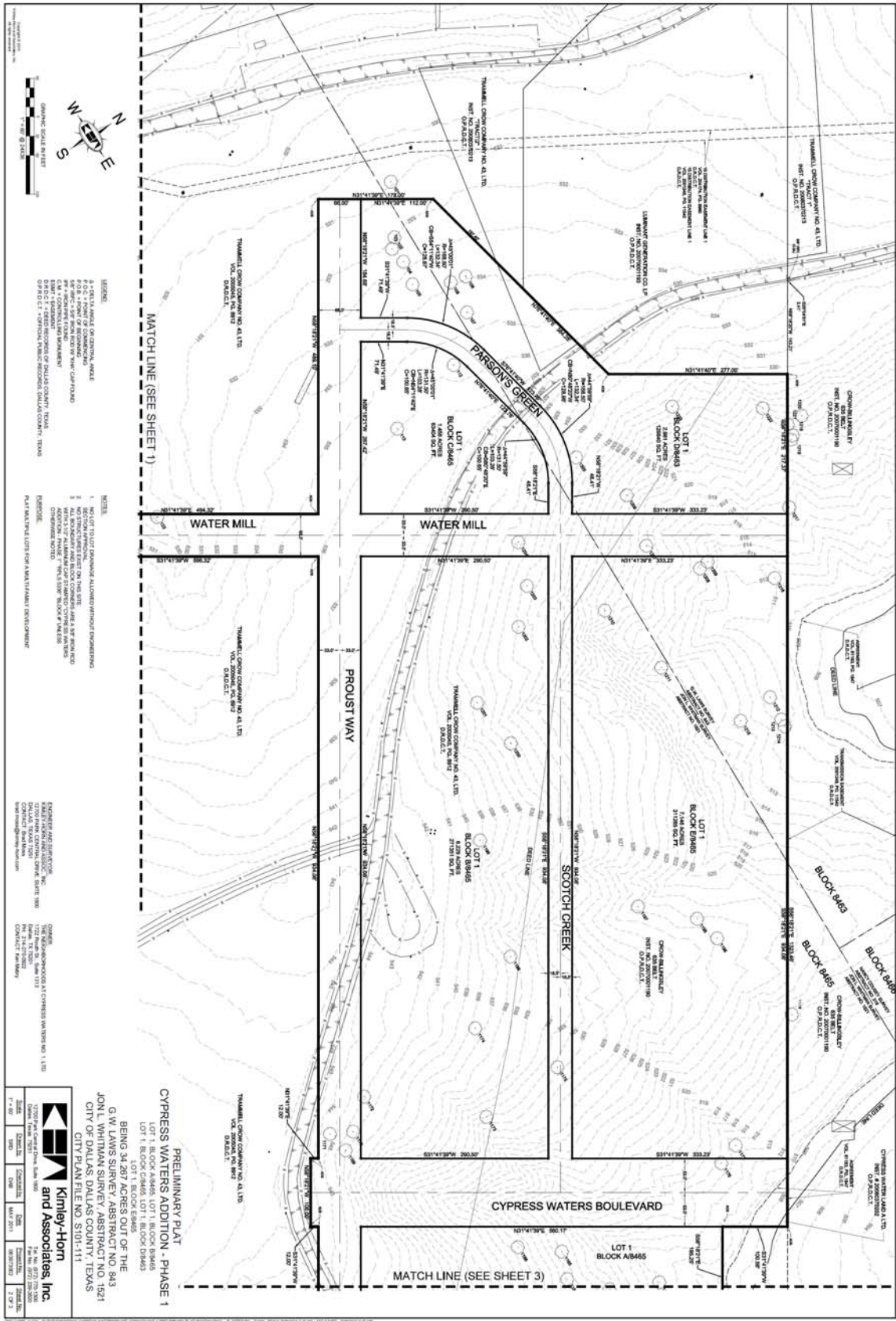
 1:6,000	<h2>ZONING MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	<p>Map no: <u> D-2, C-2 </u></p> <p>Case no: <u> S101-111 </u></p>
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DATE: June 07, 2011



 1:6,000	<h2 style="text-align: center;">AERIAL MAP</h2> <ul style="list-style-type: none">  Area of Request  Recent History 	Map no: <u> D-2, C-2 </u> Case no: <u> S101-111 </u>
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DATE: June 07, 2011



- LEGEND**
- 1. 3" X 3" AREA OF CONTROL, ASSESS
 - 2. R.O.C. PROPERTY OF COMMUNITY
 - 3. R.O.C. PROPERTY OF DEVELOPER
 - 4. R.O.C. PROPERTY OF CITY
 - 5. R.O.C. PROPERTY OF STATE
 - 6. R.O.C. PROPERTY OF FEDERAL GOVERNMENT
 - 7. R.O.C. PROPERTY OF OTHER PARTY
 - 8. R.O.C. PROPERTY OF UNKNOWN PARTY
 - 9. R.O.C. PROPERTY OF UNDEVELOPED LAND
 - 10. R.O.C. PROPERTY OF UNDEVELOPED LAND
 - 11. R.O.C. PROPERTY OF UNDEVELOPED LAND
 - 12. R.O.C. PROPERTY OF UNDEVELOPED LAND
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 - 18. R.O.C. PROPERTY OF UNDEVELOPED LAND
 - 19. R.O.C. PROPERTY OF UNDEVELOPED LAND
 - 20. R.O.C. PROPERTY OF UNDEVELOPED LAND

- NOTES**
1. NOT TO SCALE UNLESS OTHERWISE INDICATED
 2. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF
 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED
 4. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED
 5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED
 6. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED
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 18. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED
 19. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED
 20. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED

PRELIMINARY PLAT
CYPRESS WATERS ADDITION - PHASE 1
 BEING 34.267 ACRES OUT OF THE
 G.W. LAWS SURVEY, ABSTRACT NO. 843
 JOHN L. WHITMAN SURVEY, ABSTRACT NO. 1521
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 CITY PLAN FILE NO. S101-111

Kimley-Horn and Associates, Inc.
 12021 Park Central Expressway, Suite 500
 Dallas, Texas 75244
 Phone: 214.270.2000
 Fax: 214.270.2000
 Email: kha@kimley-horn.com
 Website: www.kimley-horn.com

CITY PLAN COMMISSION**THURSDAY, JUNE 16, 2011****FILE NUMBER:** S101-112**Subdivision Administrator:** Paul Nelson**LOCATION:** Wheatland Road between Willoughby Street and S. Polk Street**DATE FILED:** May 26, 2011**ZONING:** MF-2(A)**CITY COUNCIL DISTRICT:** 8 **SIZE OF REQUEST:** 48.829 ac. **MAPSCO:** 74B&C**APPLICANT/OWNER:** Templo Betania Evangelistic Center Inc.

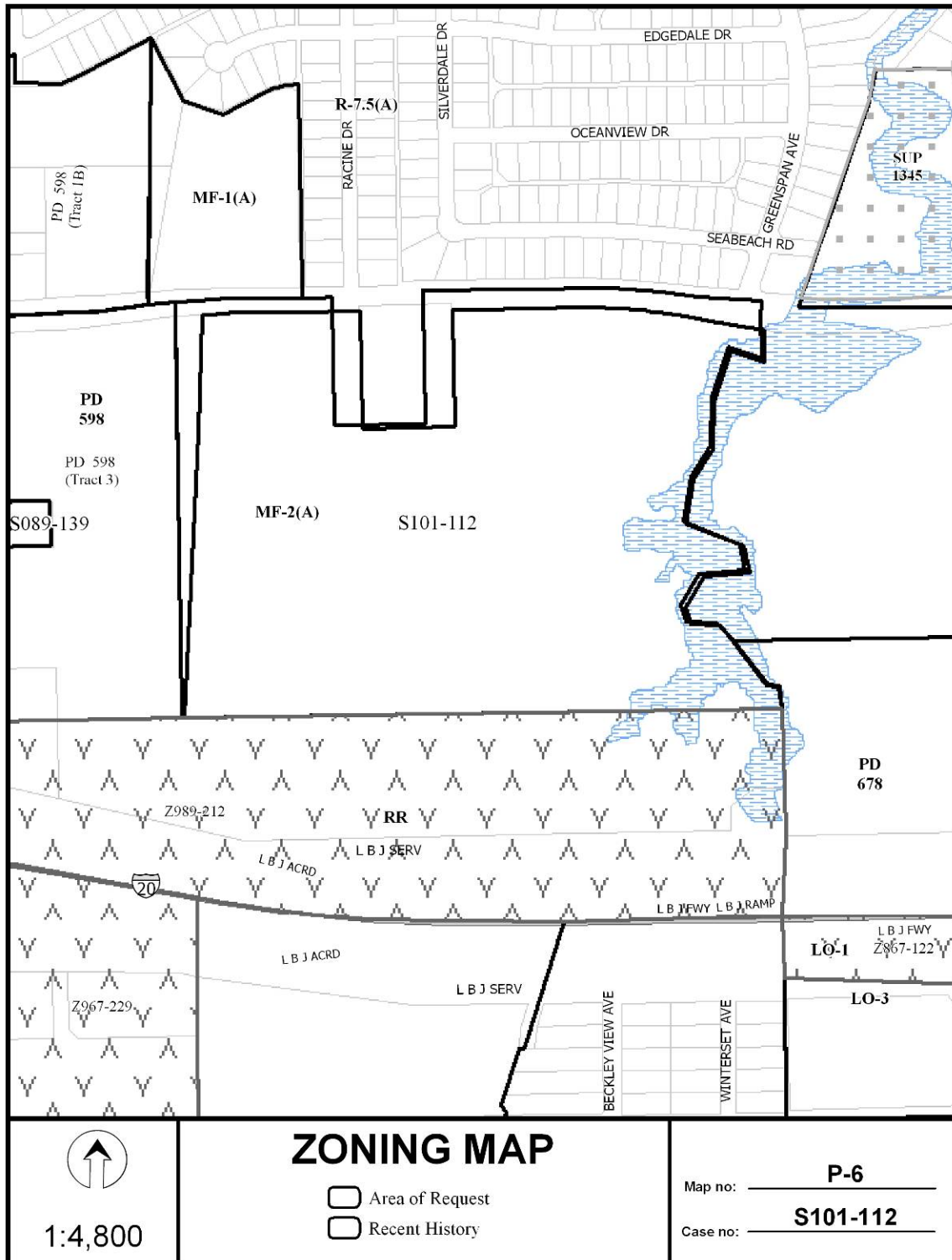
REQUEST: An application to create one 48.829 acre tract of land in City Block A/7576 into one 48.829 acre lot on Wheatland Road between Willoughby Street and S. Polk Street.

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

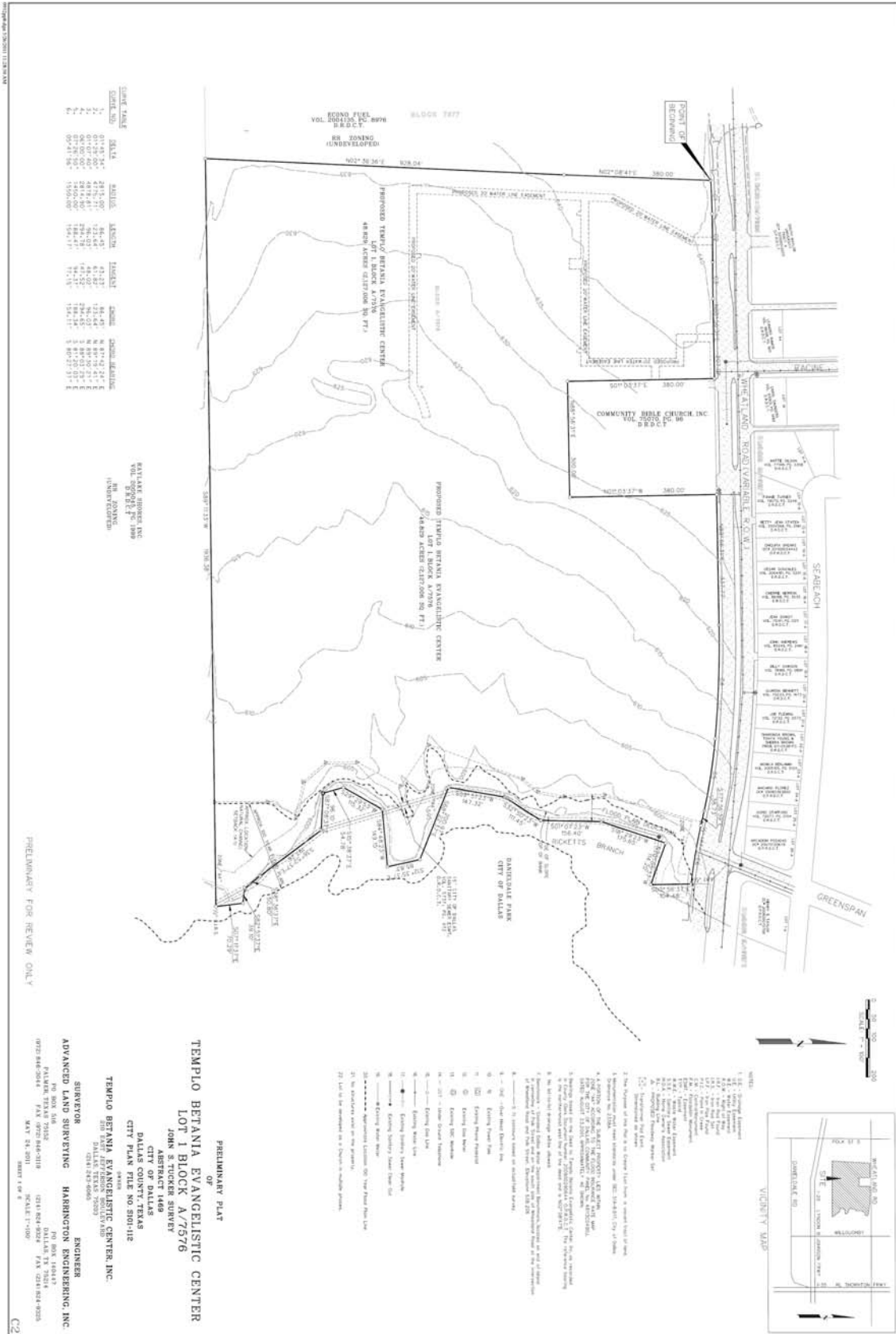
STAFF RECOMMENDATION: The request complies with the MF-2(A) district requirements; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must conform with 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. Sustainable Development and Construction, 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. The final plat must comply with all plans, contracts, ordinances and requirements of the City.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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 City Plan Commission in a format that is compatible with the "Microstation" format.
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. The final plat is limited to a maximum of 1 lot.
8. Provide a detailed lot grading/drainage plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
9. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."

10. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
11. On the final plat dedicate 50 feet of ROW from the established centerline of Wheatland Road.
12. Determine the 100 year water surface elevation across the plat.
13. Dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
14. Include additional paragraph in owner's certificate (pertaining to floodplain)
15. Specify minimum fill and minimum finished floor elevations.
16. Set floodway monument markers and provide documentation that the monuments have been set prior to submittal of the final plat for recording.
17. Provide information regarding fill permit or floodplain alteration permit if such permit is applied for.
18. On the final plat show recording information on all existing easements within 150 feet of the property.
19. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information.
20. On the final plat monument all set corners per the monumentation ordinance.
21. On the final plat dimension the floodway easement.
22. On the final plat add a notwithstanding statement for the floodway easement.
23. On the final plat tie the point of beginning to a platted lot corner or block corner.
24. On the final plat show the surrounding block corners.
25. Engineer shall furnish plans for water and sanitary sewer. Developer shall furnish a contract for water and sanitary sewer.
26. A site plan must to be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
27. Water/wastewater main extension is required by Private Development Contract.
28. On the final plat label the property as Lot 1, City Block A/7576.







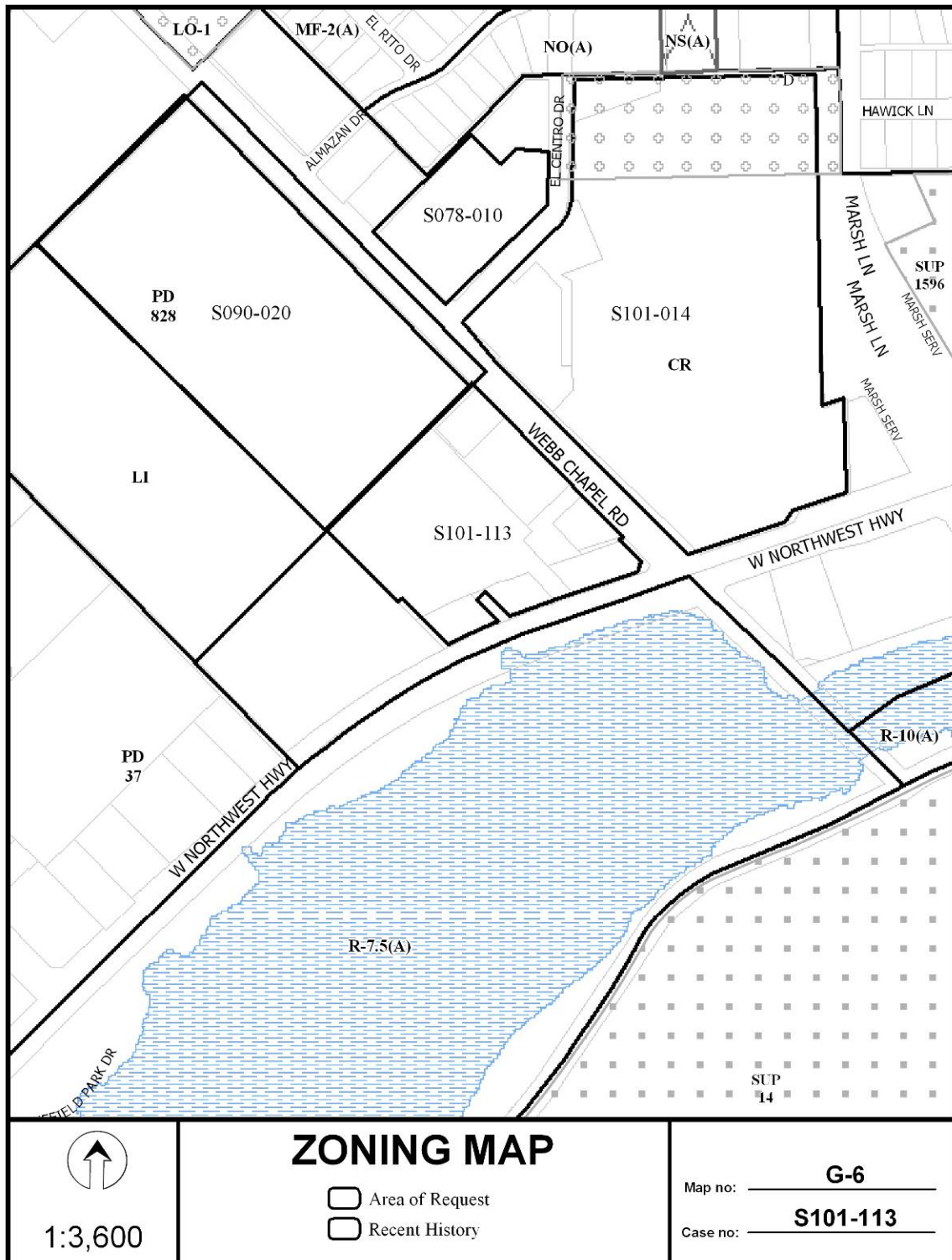
CITY PLAN COMMISSION**THURSDAY, JUNE 16, 2011****FILE NUMBER:** S101-113**Subdivision Administrator:** Paul Nelson**LOCATION:** Webb Chapel Road and Northwest Highway, west corner**DATE FILED:** May 26, 2011**ZONING:** CR**CITY COUNCIL DISTRICT:** 6**SIZE OF REQUEST:** 5.823 ac.**MAPSCO:** 23Z**APPLICANT/OWNER:** 3643 Northwest Hwy. LP, Metro Pacific Equities, Inc. and Red Bird I-20 Corp.**REQUEST:** An application to create one 3.038 acre lot, one 0.387 acre lot, 0.768 acre lot, one 0.735 acre lot, and one 0.658 acre lot from a 5.823 acre tract of land in City Block 5775 at Webb Chapel Road and Northwest Highway, west corner.**SUBDIVISION HISTORY:**

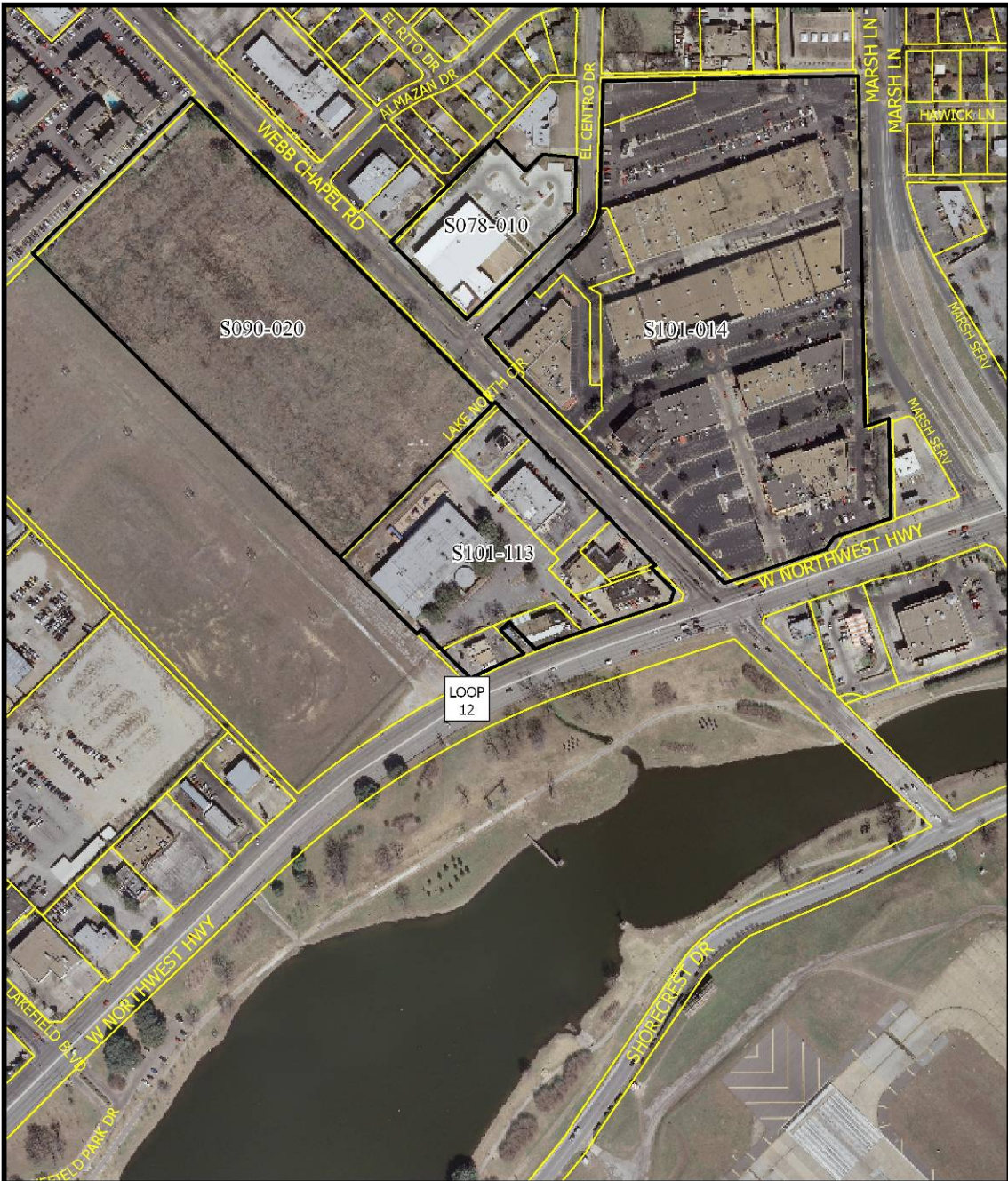
1. S078-010 was an application north of the present request to plat a tract of land in City Blocks 6144 & 1/6144 into one 2.214 acre lot on the north corner of Webb Chapel Road and El Centro Drive. The request was approved on June 5, 2008 and recorded on June 24, 2008.
2. S090-020 was an application contiguous on the northwest of the present request to create one 10.617 acre lot and one 0.657 acre lot from an 11.450 acre tract of land in City Block 5775 and located at 9461 Webb Chapel Road northwest of Northwest Highway and was approved December 3, 2009 but has not been recorded.
3. S101-014 was an application adjacent on the east of the present request to replat a 16.655 acre tract of land into six lots in City Block 6144 on property bounded by Webb Chapel Road, El Centro Drive, Marsh Lane and Northwest Highway. The request was approved on December 10, 2005 but has not been recorded.




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

1. The final plat must conform with 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. Sustainable Development and Construction, 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. The final plat must comply with all plans, contracts, ordinances and requirements of the City.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.

6. 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 City Plan Commission in a format that is compatible with the "Microstation" format.
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. The final plat is limited to a maximum of 5 lots.
9. Provide a detailed lot grading/drainage plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
11. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
12. On the final plat dedicate 53.5 feet of ROW from the established centerline of Northwest Highway.
13. On the final plat add a note: Access or modification to Northwest Highway requires TXDOT approval.
14. The site is within the 65 Ldn contour of Love Field Airport and this noise level may require special construction standards for certain uses per the building code.
15. On the final plat show distances/width of ROW across Webb Chapel Road.
16. A site plan must to be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
17. On the final plat label the property as Los 1 thru 5, City Block N/5775.





 1:3,600	<h2>AERIAL MAP</h2> <ul style="list-style-type: none">  Area of Request  Recent History 	Map no: <u> G-6 </u> Case no: <u> S101-113 </u>
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DATE: June 07, 2011

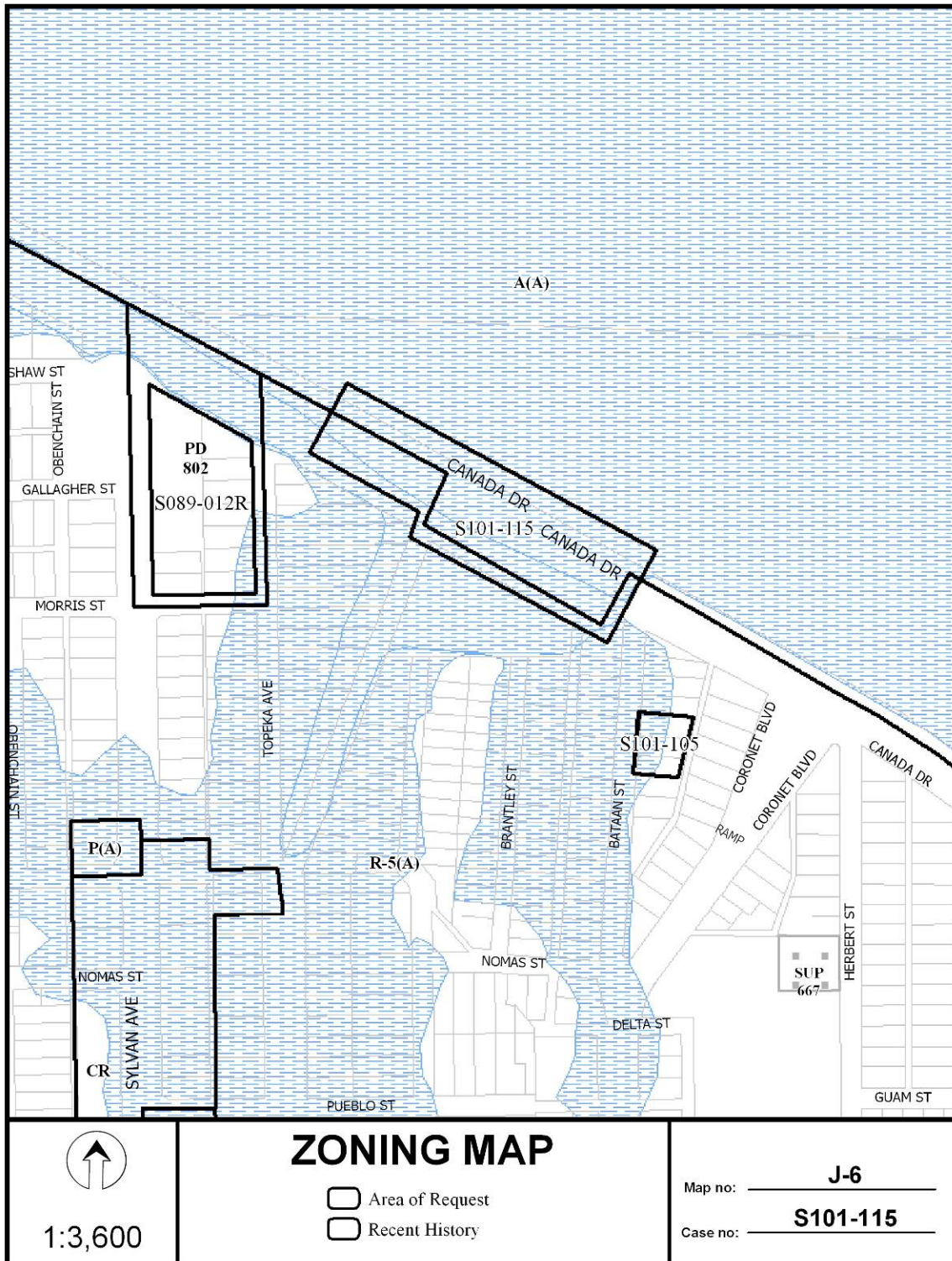
CITY PLAN COMMISSION**THURSDAY, JUNE 16, 2011****FILE NUMBER:** S101-115**Subdivision Administrator:** Paul Nelson**LOCATION:** Canada Drive at Topeka Avenue, southeast corner**DATE FILED:** May 26, 2011**ZONING:** A(A)**CITY COUNCIL DISTRICT:** 9**SIZE OF REQUEST:** 4.5751 ac.**MAPSCO:** 44L**APPLICANT/OWNER:** City of Dallas**REQUEST:** An application to create a 4.5751 acre lot from a tract of land in City Block 8656 on Canada Drive at Topeka Avenue, southeast corner.**SUBDIVISION HISTORY:**

1. S101-105 is an application southeast of the present request to replat a 0.42 acre tract of land containing all of Lots 4, 5 and 6 in City Block 2/7092 fronting on Bataan Street, south of Canada Drive and is also scheduled to be heard on June 16, 2011.
1. S089-012 was an application to remove the platted building line and replat portions of Lots 3, 4, 5; all of Lots 6 thru 10 in City Block C/7100 of the Tipton Annex No. 2 Addition; remainder of Lots 1 and 2 in City Block A/7097 of Brantley's Junior Addition and Lots 3 thru 8 in City Block A/7097 of Brantley's Junior Addition into a 49,597 sq. ft. lot and a 26,449 sq. ft. lot located at the intersection of Canada Dr. and Topeka Ave., southwest corner. Approved November 20, 2008, and was recorded December 29, 2010.
2. S089-012R was an application to remove the platted building line and replat portions of Lots 1 thru 5; all of Lots 6 thru 10 in City Block C/7100 of the Tipton Annex No. 2 Addition; remainder of Lots 1 and 2 in City Block A/7097 of Brantley's Junior Addition and Lots 3 thru 8 in City Block A/7097 of Brantley's Junior Addition into a 62,412 sq. ft. lot and a 26,449 sq. ft. lot located at the intersection of Canada Dr. and Topeka Ave., southwest corner, approved on May 21, 2009 and recorded December 29, 2010.

STAFF RECOMMENDATION: The request complies with the A(A) district requirements; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must conform with 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. Sustainable Development and Construction, 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. The final plat must comply with all plans, contracts, ordinances and requirements of the City.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.

5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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 City Plan Commission in a format that is compatible with the "Microstation" format.
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. The final plat is limited to a maximum of 1 lot.
9. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
10. Provide a detailed lot grading/drainage plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
11. Coordinate the alignment and dedication of Canada Drive with the Transportation Department.
12. Determine the 100 year water surface elevation across the plat.
13. Dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
14. Include additional paragraph in owner's certificate (pertaining to floodplain)
15. Specify minimum fill and minimum finished floor elevations.
16. Set floodway monument markers and provide documentation that the monuments have been set prior to submittal of the final plat for recording.
17. Provide information regarding fill permit or floodplain alteration permit if such permit is applied for.
18. The subject site is located within the Pavaho Sump (WSE 408 ft.). All construction for any proposed development must be above 408.0 ft. elevation. For the areas where the existing elevation is below 408.0 ft., if any improvement is proposed, there must be a fill permit applied for and approved by Public Works and Transportation Department and Minimum Finish Floor elevation for those areas will have to be established thru the process.
19. Engineer shall furnish plans for water and sanitary sewer. Developer shall 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/wastewater main extension is required by Private Development Contract.
22. On the final plat label the property as Lot 1, City Block A/8652.



DATE: June 07, 2011



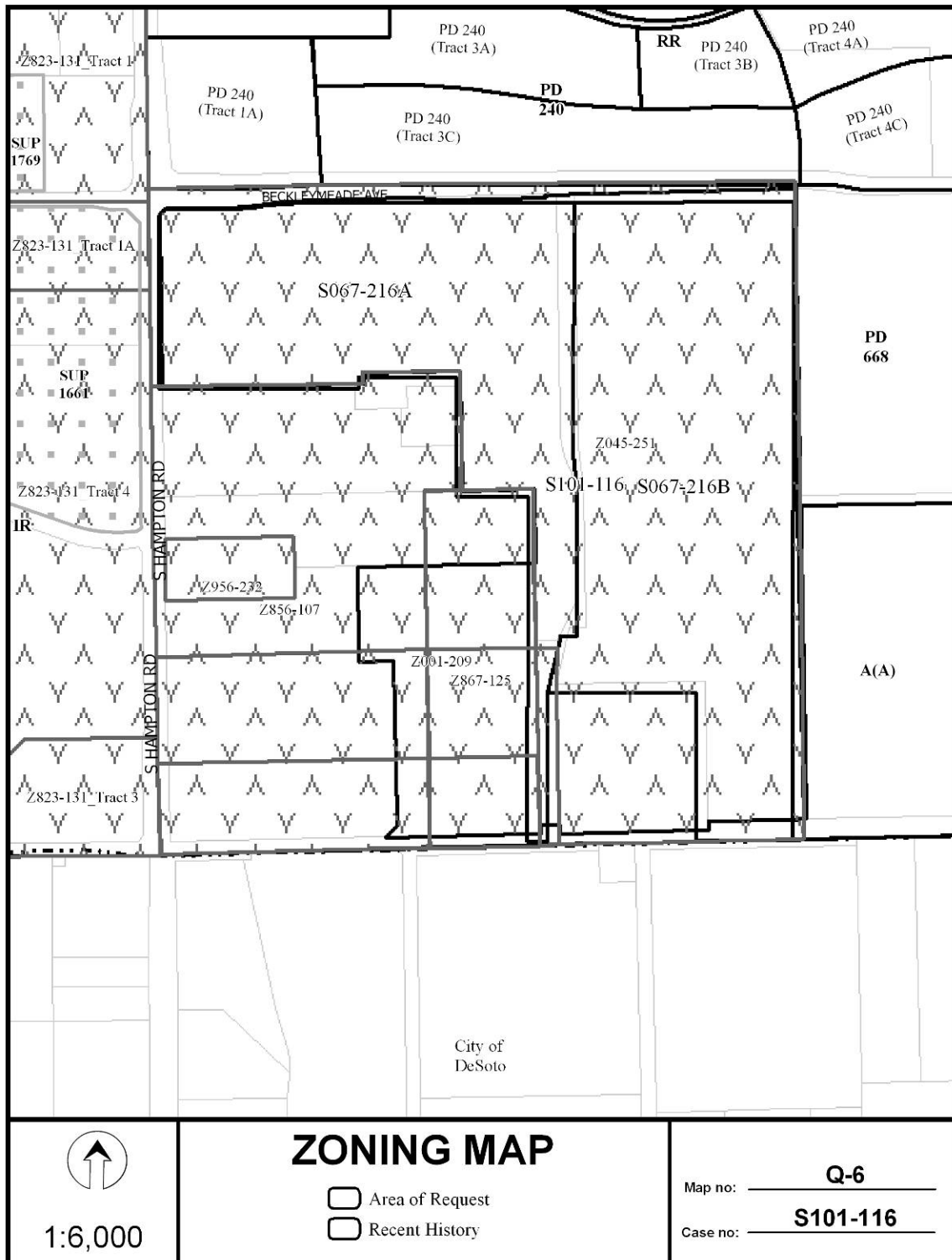
CITY PLAN COMMISSION**THURSDAY, JUNE 16, 2011****FILE NUMBER:** S101-116**Subdivision Administrator:** Paul Nelson**LOCATION:** Hampton Rd. between Beckleymeade Ave. and West Daniieldale Rd.**DATE FILED:** May 26, 2011**ZONING:** IR**CITY COUNCIL DISTRICT:** 8 **SIZE OF REQUEST:** 107.7 ac. **MAPSCO:** 74E,J**APPLICANT/OWNER:** US Industrial REIT II, PR Crow I-20,LLP, TCDFW I-20, IILLP, and Sadat Bassampour**REQUEST:** An application to replat a 107.7 acre tract of land in City Block B/7558 into one 35.75 acre lot and one 71.95 acre lot on Hampton Road between Beckleymeade Avenue and West Daniieldale Road.**SUBDIVISION HISTORY:**

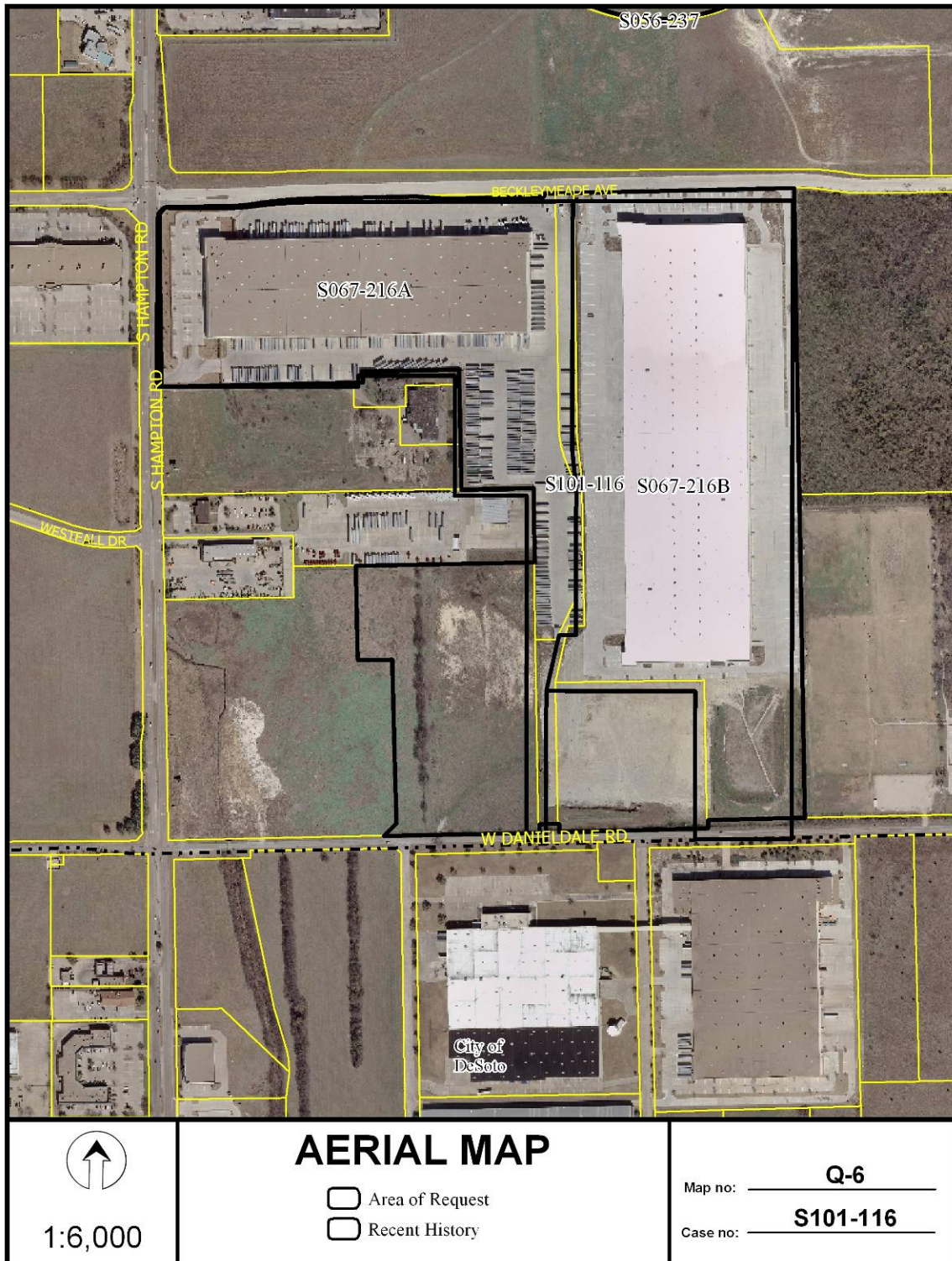
1. S067-216 was an application (included in present request) to replat an 83.43 acre tract of land containing all of Lot 4 in City Block B/5778 into one 34.92 acre lot and one 48.51 acre lot on Hampton Road between Beckleymeade Avenue and Daniieldale Road and was approved July 19, 2007 with phase A recorded December 14, 2007 and Phase B recorded on April 20, 2009.

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

1. The final plat must conform with 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. Sustainable Development and Construction, 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. The final plat must comply with all plans, contracts, ordinances and requirements of the City.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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 City Plan Commission in a format that is compatible with the "Microstation" format.
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. The final plat is limited to a maximum of 2 lots

9. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
10. Provide a detailed lot grading/drainage plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
11. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
12. On the final plat dedicate 30 feet of ROW from the established center line of Beckleymeade Avenue.
13. On the final plat dedicate 53.5 feet of ROW from the established center line of Daniieldale Road.
14. On the final plat show the distances/width of ROW across Beckleymeade Avenue and Daniieldale Road.
15. Engineer shall furnish plans for water and sanitary sewer. Developer shall furnish a contract for water and sanitary sewer.
16. A site plan must to be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
17. Water/wastewater main extension is required by Private Development Contract.





CITY PLAN COMMISSION**THURSDAY, JUNE 16, 2011****FILE NUMBER:** S101-105**Subdivision Administrator:** Paul Nelson**LOCATION:** Bataan Street, south of Canada Drive**DATE FILED:** May 20, 2011**ZONING:** R-5(A)**CITY COUNCIL DISTRICT:** 6**SIZE OF REQUEST:** 0.42 ac.**MAPSCO:** 44L**APPLICANT/OWNER:** Gilbert Zuniga

REQUEST: An application to replat a 0.42 acre tract of land containing all of Lots 4, 5 and 6 in City Block 2/7092 into one 7,937 square foot lot and one 10,241 square foot lot fronting on Bataan Street, south of Canada Drive.

SUBDIVISION HISTORY:

1. S101-115 is an application northwest of this request to create one 4.5751 acre lot from a tract of land in City Block 8656 on Canada Drive at Topeka Avenue, southeast corner and is also scheduled to be heard on June 16, 2011.

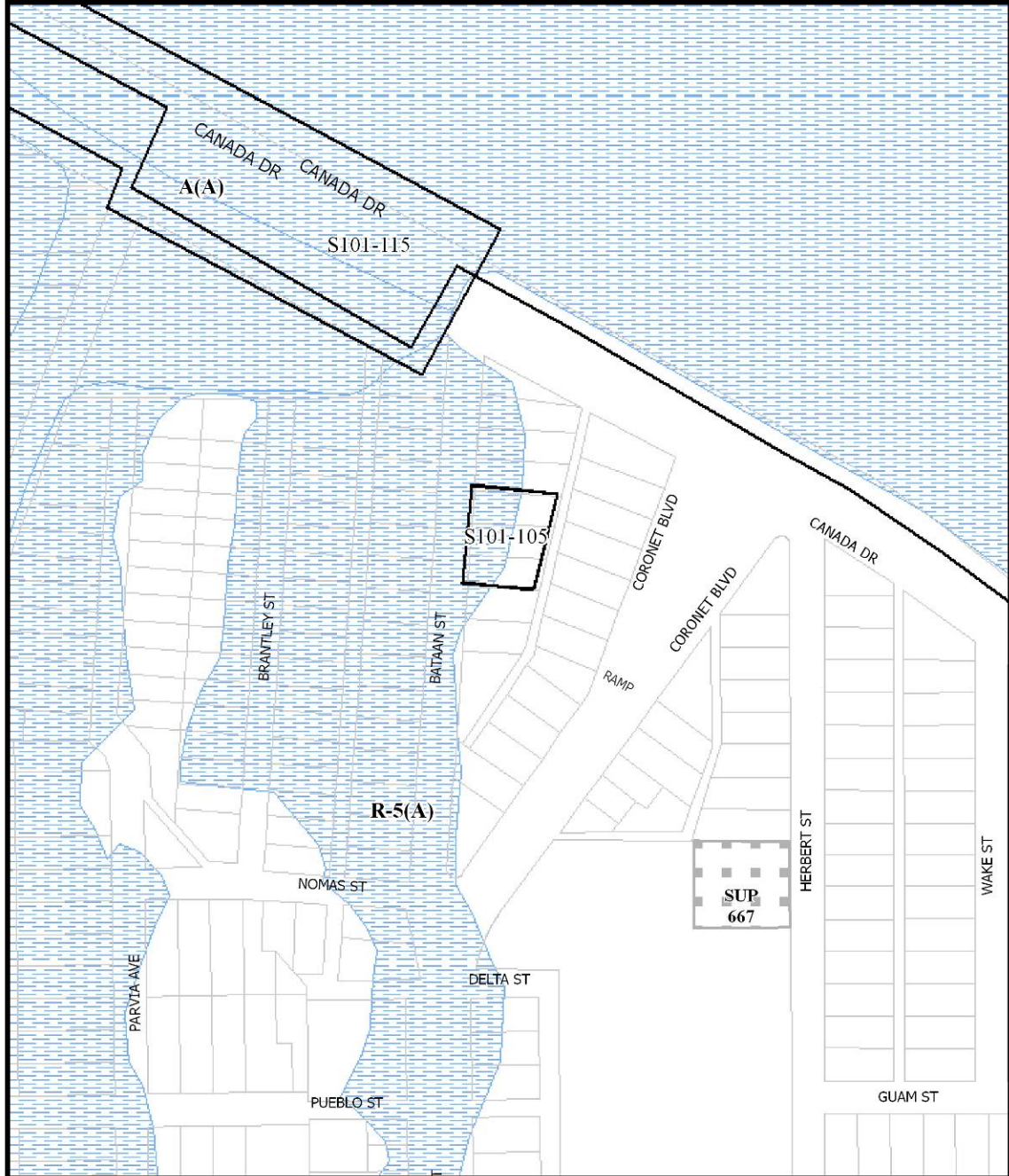
DATES NOTICES SENT: 40 notices were mailed May 26, 2011.

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

The request complies with the R-5(A) district regulations. The lot pattern in the immediate vicinity of the request is varied. Some of the lots are larger and some are smaller. The lots between Bataan Street and Coronet Blvd. lie within a triangular shaped land area which does not lend itself to consistent sized lots. Staff has determined that the request is in compliance with Section 51A-8.503(a) of the Development Code and staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform with 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. Sustainable Development and Construction, 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. The final plat must comply with all plans, contracts, ordinances and requirements of the City.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.


6. 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 City Plan Commission in a format that is compatible with the "Microstation" format.
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. The encroachments in the alley may require abandonment to be processed thru the Real Estate Division. Add a note to the final plat "Abandonment authorized by Ordinance No. _____ and recorded as Instrument Number _____. Real Estate release required prior to recordation of the final plat.
9. The final plat is limited to a maximum of 2 lots.
10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
11. Provide a detailed lot grading/drainage plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
12. Determine the 100 year water surface elevation across the plat.
13. The subject site is located within the Pavaho Sump (WSE 408 ft.). All construction for any proposed development must be above 408.0 ft. elevation. For the areas where the existing elevation is below 408.0 ft., if any improvement is proposed, there must be a fill permit applied for and approved by Public Works and Transportation Department and Minimum Finish Floor elevation for those areas will have to be established thru the process.
14. On the final plat add the metes and bounds description.
15. On the final plat label the property as Lots 4A, 5A, City Block 2/7092.



 1:2,400	<h2>ZONING MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	<p>Map no: <u> J-6 </u></p> <p>Case no: <u> S101-105 </u></p>
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DATE: June 07, 2011



 1:2,400	<h3>AERIAL MAP</h3> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	Map no: <u> J-6 </u> Case no: <u> S101-105 </u>
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DATE: June 07, 2011



 1:2,400	NOTIFICATION	Map no: <u> J-6 </u>				
	<table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> <td rowspan="2" style="text-align: right;">Case no: <u> S101-105 </u></td> </tr> <tr> <td style="text-align: center;">39</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	Case no: <u> S101-105 </u>	39	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION	Case no: <u> S101-105 </u>				
39	NUMBER OF PROPERTY OWNERS NOTIFIED					

DATE: June 07, 2011

Notification List of Property Owners

S101-105

39 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3338 BATAAN	PATTERSON W DRAKE % GILBERT ZUNIGA
2	3342 BATAAN	ZUNIGA GILBERT
3	3346 BATAAN	ZUNIGA GILBERT & ZONIA
4	3350 BATAAN	GARCIA MARIO M & ALBA L
5	3323 BATAAN	PUENTES VICENTE
6	3327 BATAAN	PUENTES JULIA C LIFE EST % VICENTE PUENTES EST OF
7	3331 BATAAN	MORENO IRMA P
8	3335 BATAAN	MORALES ANDRES
9	3339 BATAAN	ORTEGA GABRIEL M
10	3343 BATAAN	VILLARREAL JESUS A
11	3347 BATAAN	VILLARREAL JESUS & ALICIA
12	3351 BATAAN	VALDEZ ANTONIO R & PETRA VALDEZ
13	3355 BATAAN	VALDEZ ANTONIO R
14	3359 BATAAN	REYES JUANA RAMOS & LOPEZ CARLOS GUILLEN
15	3367 BATAAN	MOON SAVINO
16	3326 BATAAN	MARTINEZ JOSE & ANASTACIA
17	3330 BATAAN	SALAZAR JEANNETTE & DANNY
18	3334 BATAAN	ZUNIGA FRED
19	3354 BATAAN	VALDEZ ANTONIO JOSE & EVELYN
20	3360 BATAAN	VALDEZ JORGE
21	3361 CORONET	TOBAR JOSE & CATALINA
22	3357 CORONET	GONZALEZ ANTONIO MORENO
23	3353 CORONET	GONZALEZ FLORENTINO & OLIVIA
24	3349 CORONET	ZUNIGA GILBERT & SONIA
25	3345 CORONET	TENORIO PAULINO ORTIZ & MARIA ORTIZ
26	3341 CORONET	TORRES JESUS FILEMON

Tuesday, June 07, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5619 PURDUE	SMITH STEVEN M & CHRISTY M
28	5615 PURDUE	SHELBY STEPHANIE
29	5611 PURDUE	BRISTER CHAD & ROBIN
30	5607 PURDUE	MURPHY ALLENE L

Tuesday, June 07, 2011

CITY PLAN COMMISSION**THURSDAY, JUNE 16, 2011****FILE NUMBER:** S101-106**Subdivision Administrator:** Paul Nelson**LOCATION:** 5526 Purdue Ave. between Devonshire Drive and Preston Park Drive**DATE FILED:** May 23, 2011**ZONING:** R-7.5(A)**CITY COUNCIL DISTRICT:** 14**SIZE OF REQUEST:** 0.528 ac.**MAPSCO:** 35W**APPLICANT/OWNER:** W. Robert and Donna Beavers

REQUEST: An application to replat a part of Lot 16 and all of Lots 17 and 18, and 44 feet of abandoned Simone Street ROW in the "Preston Park Addition", located in City Block 3/5014 to create two 0.264 acre lots at 5526 Purdue Ave. between Devonshire Drive and Preston Park Drive.

SUBDIVISION HISTORY:

1. S101-084 was an identical application to replat a part of Lot 16 and all of Lots 17 and 18, and 44 feet of abandoned Simone Street ROW in the "Preston Park Addition", located in City Block 3/5014 to create two 0.264 acre lots at 5526 Purdue Ave. between Devonshire Drive and Preston Park Drive. The request was denied on May 5, 2011.
2. S067-007 was an application south of the present request to replat all of Lot 18 and a portion of an abandoned public street (Simone Drive) in City Block 2/5013 to create one, 0.3173 acre lot on 5534 Stanford Avenue between Preston Park Drive and Devonshire Drive. The request was approved on June 21, 2007 and recorded on August 27, 2007.

The original subdivision "Preston Park" was approved by the Plan Commission on February 2, 1938 and created the entire Subdivision and also Lot 16 was a 60 foot wide lot. The addition also created Simone Drive which had 44 feet of ROW. Simone Drive was abandoned by Ordinance No. 3726A on November 21, 1945.

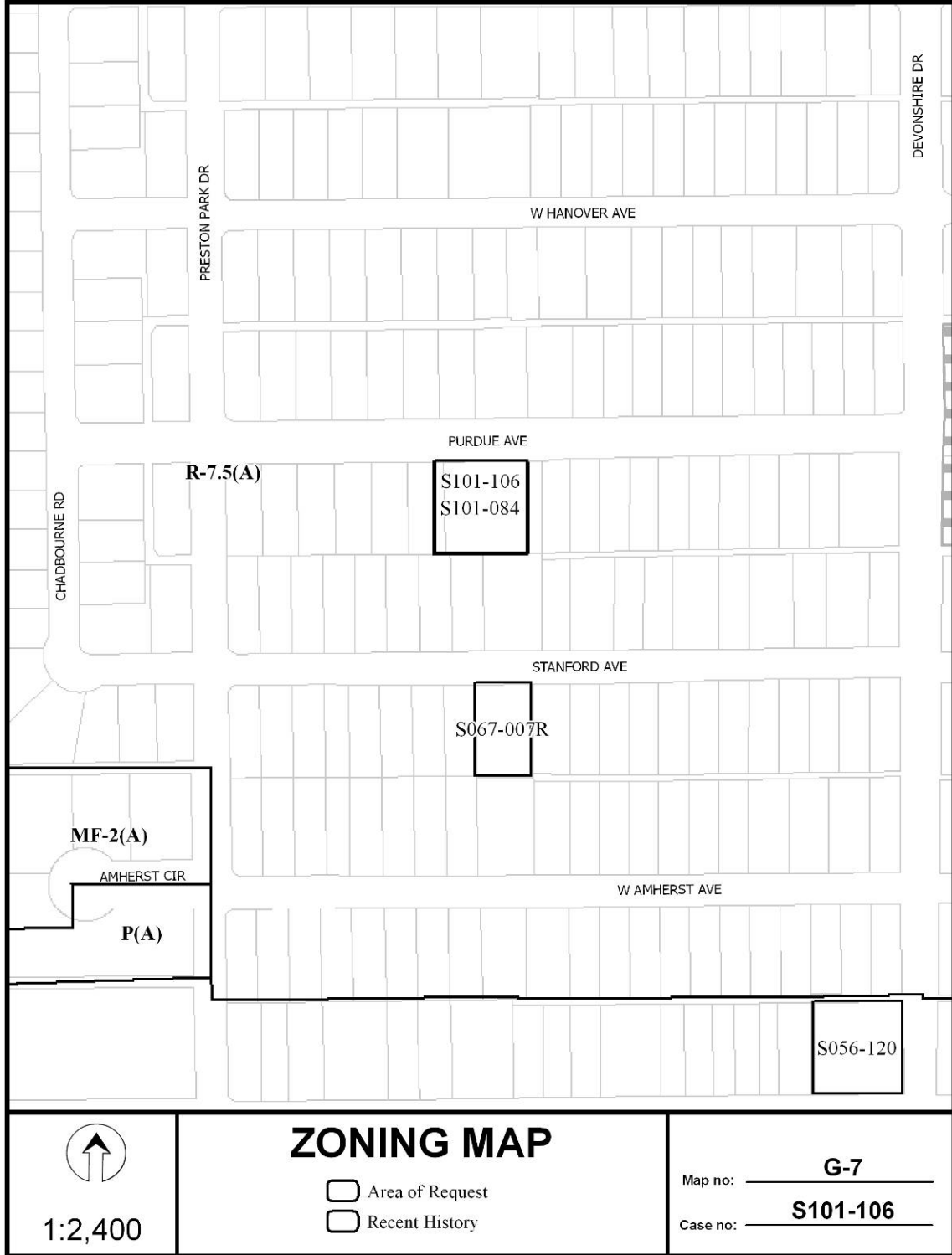
DATES NOTICES SENT: 30 notices were mailed May 31, 2011.

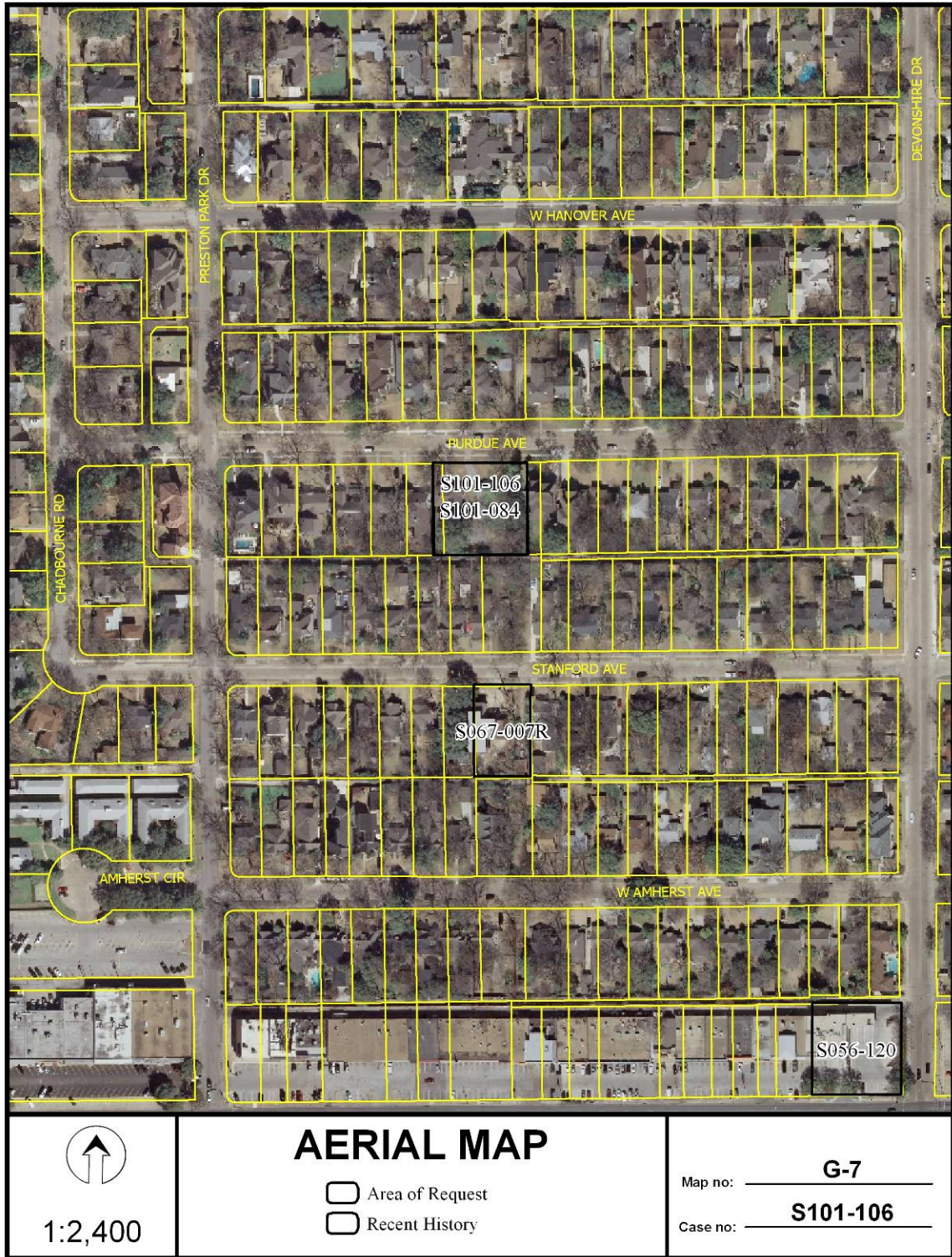
STAFF RECOMMENDATION: Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography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

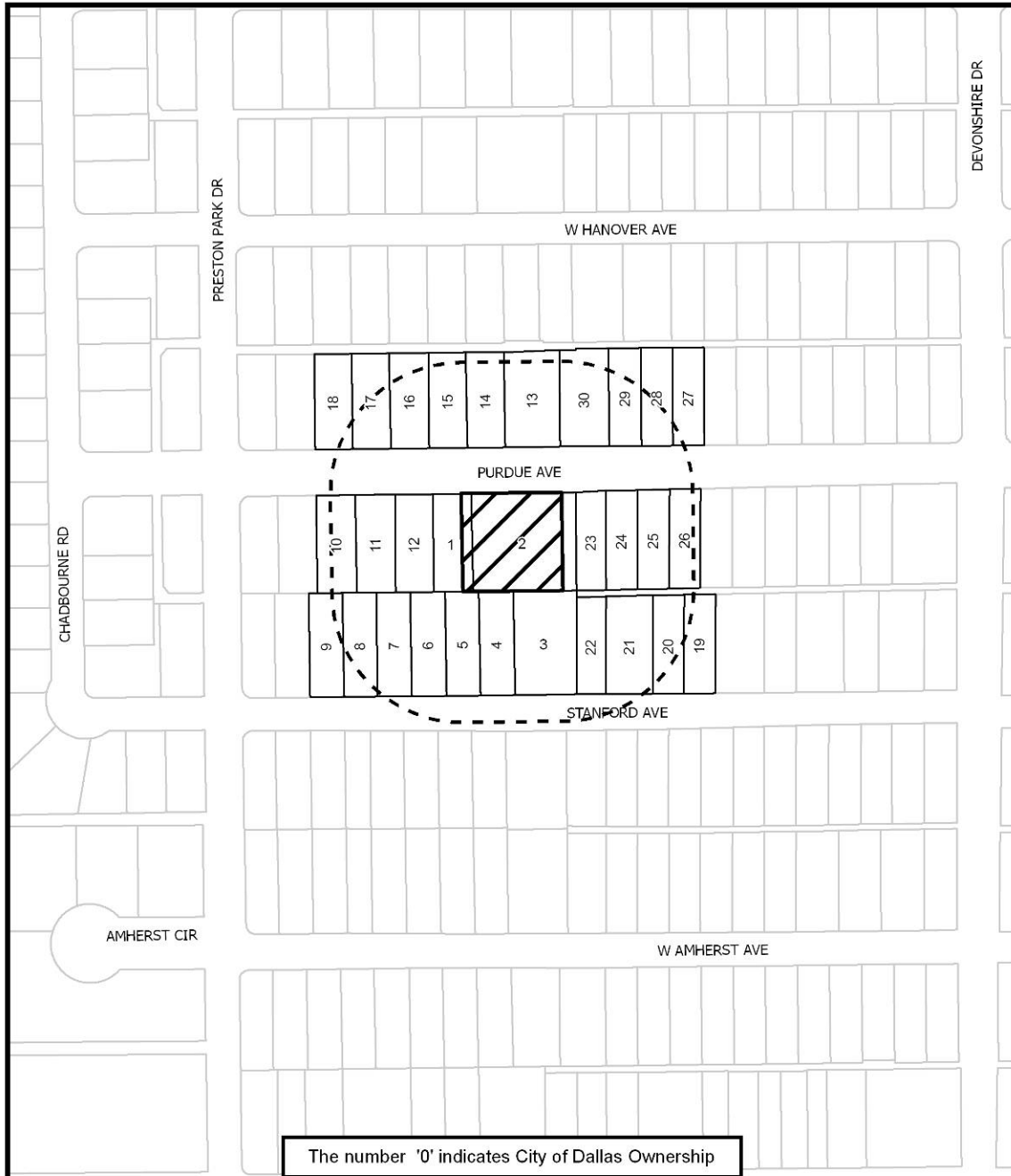
The request complies with the R-7.5(A) district regulations. Although the majority of lots in the area are 50 feet in width and the proposed lots will be 76.4 feet in width the total number of lots will remain at 2 even though the total width of the request could result in 3 lots rather than 2. Staff has determined that the request is in compliance with Section 51A-8.503(a) of the Development Code and staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform with 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. Sustainable Development and Construction, 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. The final plat must comply with all plans, contracts, ordinances and requirements of the City.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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 City Plan Commission in a format that is compatible with the "Microstation" format.
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. The final plat is limited to a maximum of 2 lots.
9. Provide a detailed lot grading/drainage plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
10. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
11. On the final plat dedicate a 2.5 foot alley easement along the southern property line of the lots.
12. On the final plat show the existing 15 foot radius corner clip at Purdue Avenue as included in the Simone Drive abandonment ordinance.
13. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
14. On the final plat show all new water and/or wastewater easements.
15. On the final plat provide an additional 8 foot wide wastewater easement at the back of the lot for the existing wastewater main.
16. On the final plat label the property as Lots 17A, 18A, City Block 3/5014.







 1:2,400	NOTIFICATION	Map no: <u> G-7 </u>			
	<table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">30</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	30	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
30	NUMBER OF PROPERTY OWNERS NOTIFIED				

DATE: June 07, 2011

Notification List of Property Owners

S101-106

30 Property Owners Notified

Label #	Address	Owner
1	5522 PURDUE	BENSEN EDWARD W &
2	5526 PURDUE	GERHARDT JAMES M
3	5535 STANFORD	CHAPIN JILL JANET
4	5531 STANFORD	HOFFMAN ROXANA B
5	5527 STANFORD	MEREDITH MICHELLE Y
6	5523 STANFORD	VAREL NICHOLOUS M
7	5519 STANFORD	HAYDON CHRISTOPHER G & RACHEL MARY ANNE
8	5515 STANFORD	ROSE PATRICIA ANN
9	5511 STANFORD	BUSER BRADLEY J & ERIN S BUSER
10	5510 PURDUE	MARSHALL DAVID TAYLOR
11	5514 PURDUE	TORGERSON KARIN B
12	5518 PURDUE	CANTWELL LAWRENCE B
13	5531 PURDUE	VILLARREAL MARY
14	5527 PURDUE	ROSSETTA MARLIS
15	5523 PURDUE	LISZT JOAN C
16	5519 PURDUE	ROTE CHRISTIAAN JOHN & ANNE PEARSON
17	5515 PURDUE	BEAVER W ROBERT & DONNA M
18	5511 PURDUE	CONNORS KEVIN T
19	5619 STANFORD	MOUSEL MICHAEL A
20	5615 STANFORD	EAGAN MATTHEW C & ALLISON E
21	5611 STANFORD	LOVE ROSS J III
22	5607 STANFORD	SPENCER DONNA L
23	5606 PURDUE	MICHAEL HURST & ASSOC INC
24	5610 PURDUE	CRUM ASHLEY K
25	5614 PURDUE	BOURN MARY MARGUERITE
26	5618 PURDUE	CANAVAN PATRICIA T

Tuesday, June 07, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5619 PURDUE	SMITH STEVEN M & CHRISTY M
28	5615 PURDUE	SHELBY STEPHANIE
29	5611 PURDUE	BRISTER CHAD & ROBIN
30	5607 PURDUE	MURPHY ALLENE L

Tuesday, June 07, 2011

CITY PLAN COMMISSION

THURSDAY, JUNE 16, 2011

FILE NUMBER: S101-107

Subdivision Administrator: Paul Nelson

LOCATION: 6435 Orchid Lane

DATE FILED: May 23, 2011

ZONING: R-16(A)

CITY COUNCIL DISTRICT: 13

SIZE OF REQUEST: 0.284 ac.

MAPSCO: 25G

APPLICANT/OWNER: Premier Renovations Inc.

REQUEST: An application to reduce the existing 50 foot platted front building line to a “wrap around building line” between 35 feet and 50 feet on a 0.284 acre tract of land containing all of Lot 13, Block 4/5498 on 6435 Orchid Lane.

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

DATES NOTICES SENT: 21 notices were mailed May 21, 2011.

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 R-16(A) District requires a minimum 35 foot front yard setback, this request will allow for a variable building line between 35 feet and 50 feet.

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

“(iii) adversely affect neighboring properties;

- It appears at a minimum 7 of the houses on the north side of Orchid Lane adjacent to this property encroach into the platted building line and several other houses within the subdivision also encroach the building line.

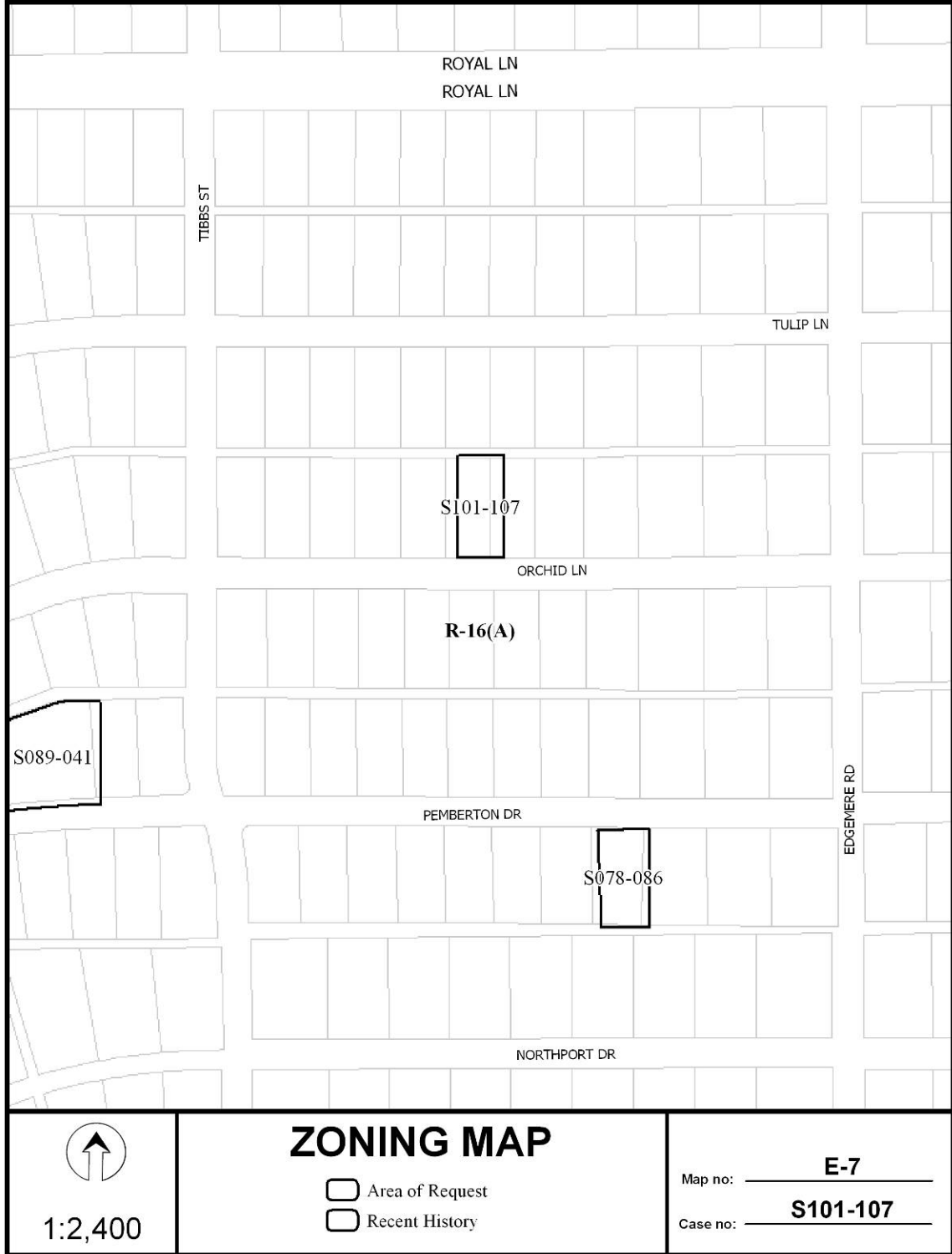
“(iv) adversely affect the plan for the orderly development of the subdivision.”

- There is evidence that an encroachment of the building line has already occurred in the past on a number of adjoining properties on this section of Orchid Lane.

STAFF RECOMMENDATION OF BUILDING LINE REMOVAL: The request has been found to comply with the requirements of Section 51A-8.505(c) for reduction or removal of building lines; therefore, staff recommends approval of the building line reduction.


STAFF RECOMMENDATION: The request complies with the plat regulations; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must conform with 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. Sustainable Development and Construction, 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. The final plat must comply with all plans, contracts, ordinances and requirements of the City.
4. The number and location of fire hydrants, and fire apparatus access roads, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines. In addition, any detached non premise sign must be shown on the final plat.
6. 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 City Plan Commission in a format that is compatible with the "Microstation" format.
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. The final plat is limited to a maximum of 1 lot.
9. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
10. Provide a detailed lot grading/drainage plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
11. The Building Lines must be drawn on the final plat as shown on the preliminary plat and distances shown from the front property line to the edge of each protrusion of the new addition to the house. No protrusion shall be less than 35 feet from the property line on Orchid Lane.
12. On the final plat identify the property as Lot 13, Block 4/5498.

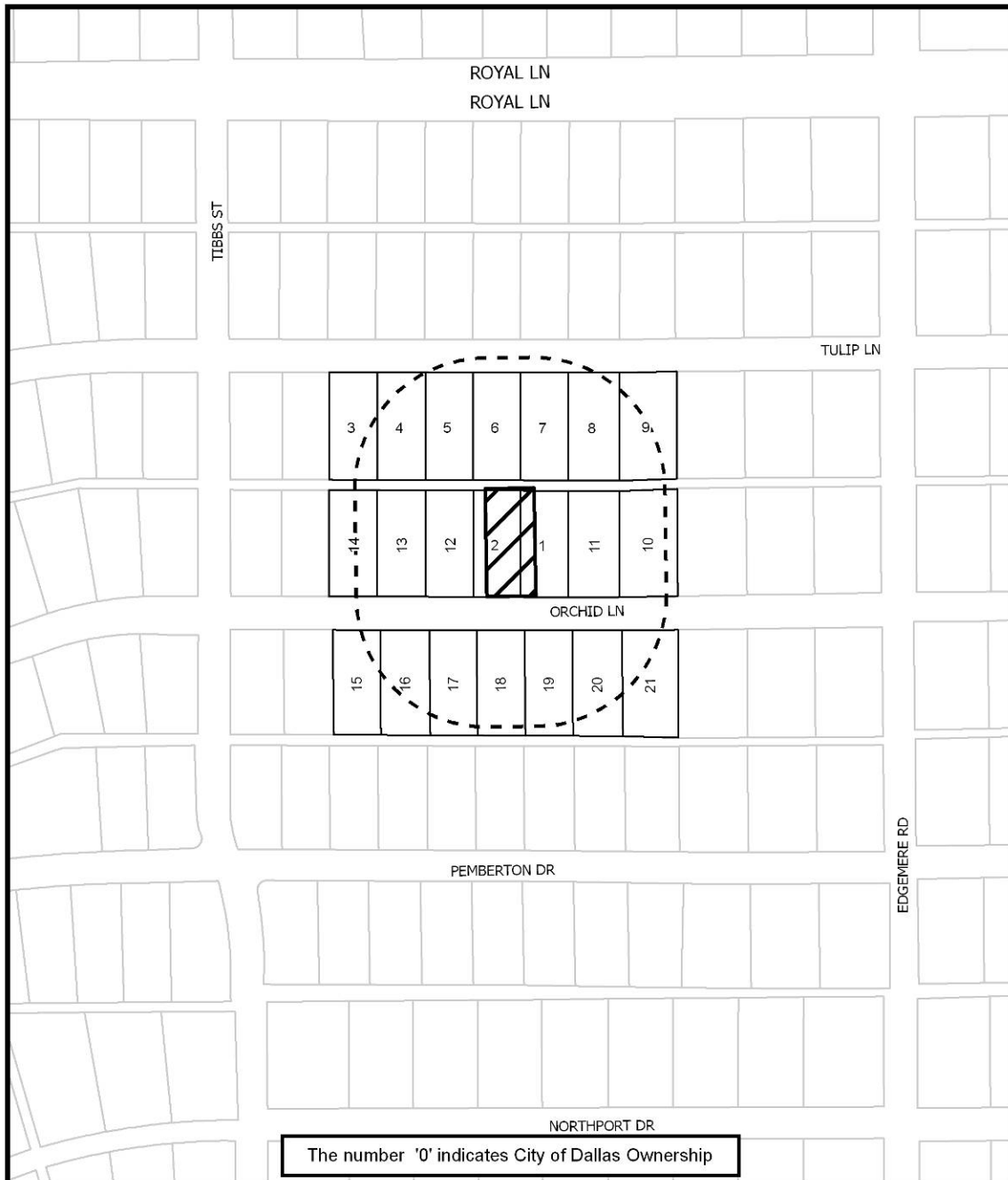


DATE: June 07, 2011



 <p>1:2,400</p>	<h2 style="text-align: center;">AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	<p>Map no: <u> E-7 </u></p> <p>Case no: <u> S101-107 </u></p>
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DATE: June 07, 2011



 1:2,400	NOTIFICATION		Map no: <u> E-7 </u>
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">21</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Case no: <u> S101-107 </u>

DATE: June 07, 2011

Notification List of Property Owners

S101-107

21 Property Owners Notified

Label #	Address	Owner
1	6441 ORCHID	TABER DOUGLAS J & B JANE
2	6435 ORCHID	BELL JULIA
3	6416 TULIP	DANKOBCHIK JOHN E
4	6422 TULIP	CARLSON LARRY D
5	6428 TULIP	STEINHART BARRY
6	6434 TULIP	TULIP RESIDENCE LLC
7	6440 TULIP	CONNOLLY BARBARA D
8	6446 TULIP	LAROE BETTY C
9	6452 TULIP	COCHRAN CYNTHIA J
10	6457 ORCHID	OBRIEN PATRICK R & VIRGENE P OBRIEN
11	6447 ORCHID	POWER WALTER VAN & BARBARA LOTZ
12	6429 ORCHID	SIDDIQUI HUSNA & MAHMOOD
13	6423 ORCHID	ADAMS CHRISTOPHER M
14	6417 ORCHID	JOHNSON JAMES
15	6416 ORCHID	COLE DAVID & LAURA
16	6422 ORCHID	SHARRY JANICE & MICHAEL
17	6428 ORCHID	SOUTHERLAND KEITH C & RAMONA M
18	6434 ORCHID	WITHERSPOON GARY D & MARJORIE T
19	6440 ORCHID	TROUSDALE JAMES R & TROUSDALE JENNIFER L
20	6446 ORCHID	ANDERSON RICHARD G W
21	6452 ORCHID	ELLIOTT DONALD S

Tuesday, June 07, 2011

FILE NUMBER: M101-022

DATE FILED: April 12, 2011

LOCATION: IH20 and Spur 408, Northeast Quadrant

COUNCIL DISTRICT: 3

MAPSCO: 61B-L, Q, R; 62 N,

SIZE OF REQUEST: Approx. 343.8 Acres

CENSUS TRACT: 165.01

APPLICANT/OWNER: Circle Ten Council

REPRESENTATIVE: Josh Houser

MISCELLANEOUS DOCKET ITEM

Minor Amendment for Development Plan

On June 11, 1997, the City Council passed Ordinance No. 23168 which established Planned Development District No. 478 for Private Recreation Uses on property at the above location. The ordinance was subsequently amended by Ordinance No. 22804 (February 24, 1999).

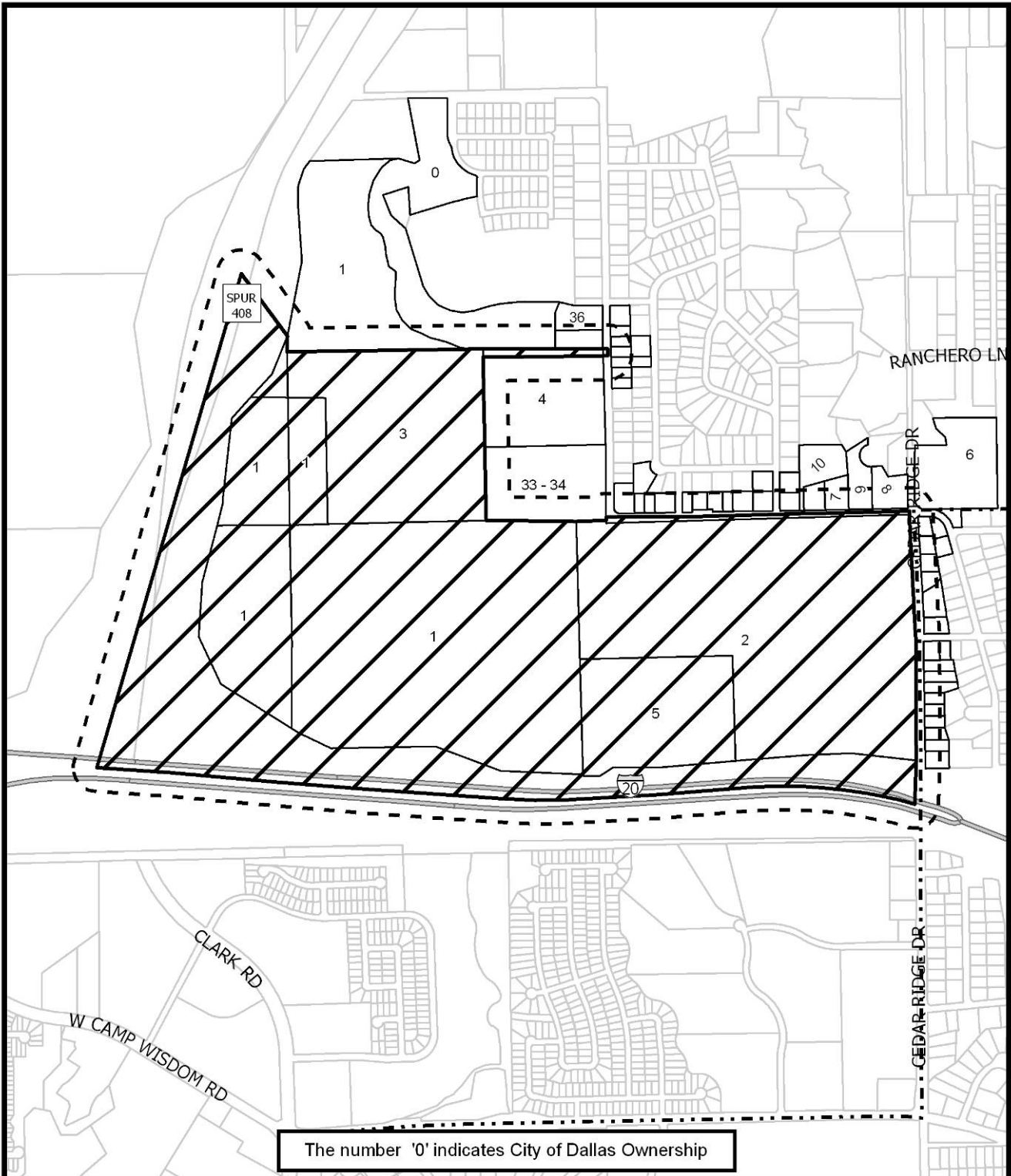
The property owner has requested consideration of a minor amendment to the development plan to provide for the following internal revisions: 1) remove and reconstruct restroom facilities, and 2) remove approved floor area for three dormitory structures. The aggregate floor area as provided by the request provides for 105,556 square feet (PDD No. 478 permits 107,160 sf).

The requested minor amendment to the development plan complies with the requirements for consideration of such and does not impact any other provisions of the ordinance governing the property.

STAFF RECOMMENDATION: Approval



Existing Development Plan



1:13,200

NOTIFICATION

200' AREA OF NOTIFICATION
56 NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: O-3, O-4

Case no: M101-022

DATE: April 28, 2011

Notification List of Property Owners

M101-022

56 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6200 SPUR 408	CIRCLE TEN COUNCIL BOY SCOUTS OF AMERICA
2	6400 RED BIRD	BOY SCOUTS OF AMERICA
3	6000 SPUR 408	CIRCLE TEN COUNCIL BOY SCOUT FOUNDATION
4	5601 KIWANIS	BRACKEN FRANK SHERIDAN
5	40700 LBJ	CIRCLE TEN COUNCIL BOY SCOUTS
6	5656 CEDAR RIDGE	WADE RALPH S & RUTH C WADE
7	6131 RED BIRD	VALDEZ EUGENIO GONZALES
8	6021 RED BIRD	CROWLEY STEVE & ELIZABETH SLIVKA
9	6049 RED BIRD	BRUNING CHRISTOPHER
10	6395 RED BIRD	GREENWELL JEFFREY R & LISA D
11	6505 RED BIRD	GAMEL NORMAN J JR
12	4 RED BIRD	CADENA JUAN & ELSA M
13	6523 RED BIRD	BAKER JOHN T SR & BARBARA C BAKER ETAL
14	5631 PLEASANT RIDGE	BOYLES DALE & ELIZABETH ANN
15	6405 RED BIRD	BURKEY ROXANNE ELIZABETH
16	6419 RED BIRD	CARPENTER STEVEN & DEBORAH R
17	6423 RED BIRD	ALEJANDRO JOHN M &
18	6431 RED BIRD	BRANNON ROBERT T
19	6435 RED BIRD	MOLINAR JOEL & NYDIA
20	5707 CLIFF HAVEN	MCGINNIS ERIN K
21	6411 RED BIRD	GUARDIOLA GUILLERMO & DELIA
22	5714 CLIFF HAVEN	BRANDT CARLA & ROBINSON SCOTT JR
23	5708 CLIFF HAVEN	DUNBAR EDWIN J & R ELAINE
24	5544 KIWANIS	WILLIAMS CRAIG & SANDRA
25	5538 KIWANIS	WILLIAMS CRAIG & SANDRA
26	5534 KIWANIS	GARCIA JOSE L & VERONICA

Thursday, April 28, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5528 KIWANIS	JONES JACQUELINE Y
28	5516 KIWANIS	MILES IDELL & BEVERLY
29	5523 PLEASANT RIDGE	CARTER ELTON G & CAROL S
30	5527 PLEASANT RIDGE	YANEZ FRANCISCO R
31	5504 KIWANIS	LUCIO JULIAN JR & NANCY MARIE
32	6377 RED BIRD	PILKENTON LEO S TR & BARBARA W PILKENTON TR
33	5717 KIWANIS	BRACKEN DORIS KOLAR
34	5717 KIWANIS	BRACKEN DORIS KOLAR
35	5519 KIWANIS	HUERTA ANGELICA & AUGUSTO
36	5509 KIWANIS	NIBLO WILLIAM HALTON & EILEEN BARBARA NIBLO
37	1204 CEDAR RIDGE	DENHAM HAL G & MARY ANN TRUSTEES
38	1206 CEDAR RIDGE	PUGH DENNY J
39	1210 CEDAR RIDGE	SINGLETON JAMES M & SHARI L
40	1214 CEDAR RIDGE	PIKE VALERIE ANN
41	1218 CEDAR RIDGE	ALLEN ANDREW G & IRIS K
42	1222 CEDAR RIDGE	VARGAS RICHARD SR & YOLANDA
43	1226 CEDAR RIDGE	HACKNEY LINDA M
44	1230 CEDAR RIDGE	FLORES MIGUEL & MARIA
45	1234 CEDAR RIDGE	NOTARI RONALD LAMAR
46	1238 CEDAR RIDGE	YODER KENNETH R J R & FERN L YODER
47	718 RED BIRD	RENO ANGELA G
48	1302 CEDAR RIDGE	WOOD FRANCIS J
49	1306 CEDAR RIDGE	DONNELLY ALLEN M
50	1314 CEDAR RIDGE	DUARTE LEANNA & JOSE
51	1318 CEDAR RIDGE	LIRA MARIA ESMERALDA
52	1322 CEDAR RIDGE	MYER DEAN A
53	1335 BOW CREEK	CRUZ JUAN M & ELVIA M
54	1331 BOW CREEK	CHESIER DONALD GENE
55	1327 BOW CREEK	CARTER CHARLES W
56	1332 BOW CREEK	DARDENLYDIA LINDA

Thursday, April 28, 2011

FILE NUMBER: Z101-189(RB)

DATE FILED: February 10, 2011

LOCATION: Northwest Corner of C. F. Hawn Freeway and Haymarket Road

COUNCIL DISTRICT: 8

MAPSCO: 69 H

SIZE OF REQUEST: Approx. 28,369 Sq. Ft. **CENSUS TRACT:** 117.02

APPLICANT/OWNER: Angel M. Godoy, Representative

REQUEST: An application for a Specific Use Permit for renewal of Specific Use Permit No. 1717 for a Vehicle display, sales, and service use on property within the Subdistrict 1/Tract 2 portion of Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3.

SUMMARY: The applicant is requesting the renewal of SUP No. 1717 for the continued operation of a vehicle sales, display, and service use.

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

BACKGROUND INFORMATION:

- The request site is currently developed with a single story nonresidential structure and improved surface area for the existing vehicle display, sales, and service use.
- SUP No. 1717 was approved by the City Council on August 13, 2008 for a three-year period.
- The applicant is requesting renewal of the SUP in order to continue operation of the existing use.

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

<u>Thoroughfare</u>	<u>Designation; Existing & Proposed ROW</u>
C. F. Hawn Freeway	Freeway; Variable ROW
Haymarket Street	Collector; 60' & 60' ROW

STAFF ANALYSIS:

Area Plans: The request site lies within the boundary of the Southeast Dallas Comprehensive Land Use Study, which was adopted by the City Council in December 1996. The study makes very specific recommendations for the area inclusive of the request site that states, “retain industrial uses, and require landscape and architectural buffers to minimize impact on areas along C.F. Hawn Freeway.”

Comprehensive Plan: The request site is located in an area considered to be an Industrial Area.

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

for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

Land Use Element

Goal 1.2 Promote Desired Development

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

Land Use Compatibility: The request site is developed with a single story nonresidential structure and improved/unimproved surface parking areas. The applicant is requesting renewal of SUP No. 1717 for the continued operation of a vehicle display, sales, and service use.

Other than a retail use at the northeast corner of C. F. Hawn Freeway and Haymarket Street, the surrounding land use quickly transitions to single family uses to the north along both sides of Haymarket Street. The area south of the elevated portion of C. F. Hawn Freeway is partially developed with commercial uses, as is the area west of the site along the freeway's northern frontage.

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 it maintains a sensitivity to its residential adjacency to the north. Access to the site will be limited to the property's frontage along C. F. Hawn Freeway. As a result, staff supports the request for the renewal of SUP No. 1717, subject to the attached site plan and conditions.

Parking: The applicant will be required to provide for additional nonpermeable surface areas to accommodate proposed display, required parking, and maneuvering areas.

Z101-189(RB)

Landscaping: During staff's site visit, it was determined that required landscaping per the ordinance regulating SUP No. 1717 is lacking in some areas (see attached Existing Site Plan). As a result, staff has requested a plan that accurately reflects landscaping to be provided, and furthermore is recommending a defined period for its installation after a favorable vote from the City Council to approve the renewal.

**STAFF RECOMMENDED AMENDING CONDITIONS FOR A SPECIFIC USE PERMIT
NO. 1717 FOR A VEHICLE DISPLAY, SALES, AND SERVICE USE**

3. TIME PERIOD: This specific use permit expires on (three years from passage of the ordinance) August 13, 2014.

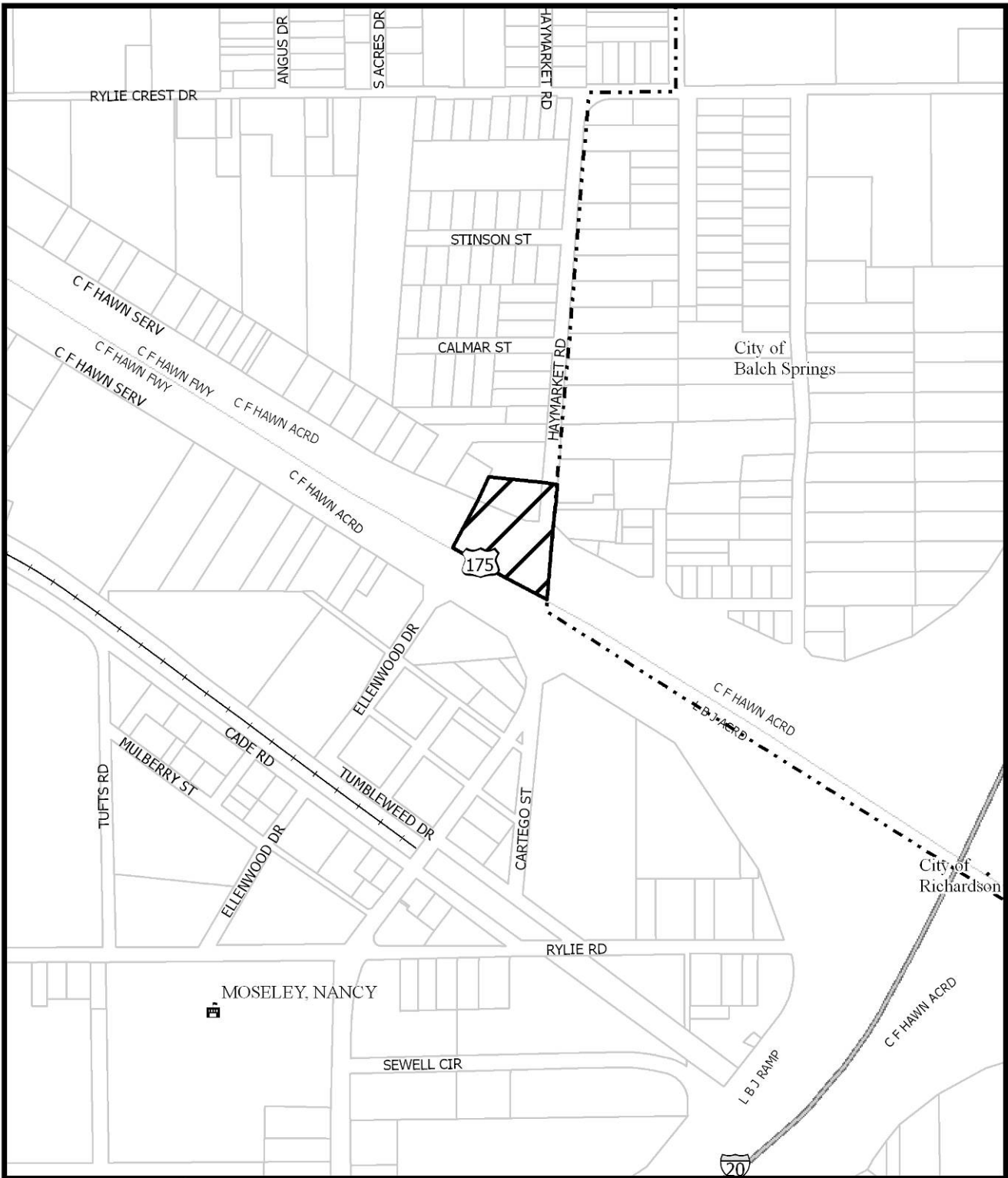
4. LANDSCAPING: Within 60 days after passage of this ordinance, landscaping as shown on the attached site plan must be installed. ~~Landscaping must be provided as shown on the attached site plan.~~

Z101-189(RB)

EX COND

Z101-189(RB)

Ex sp



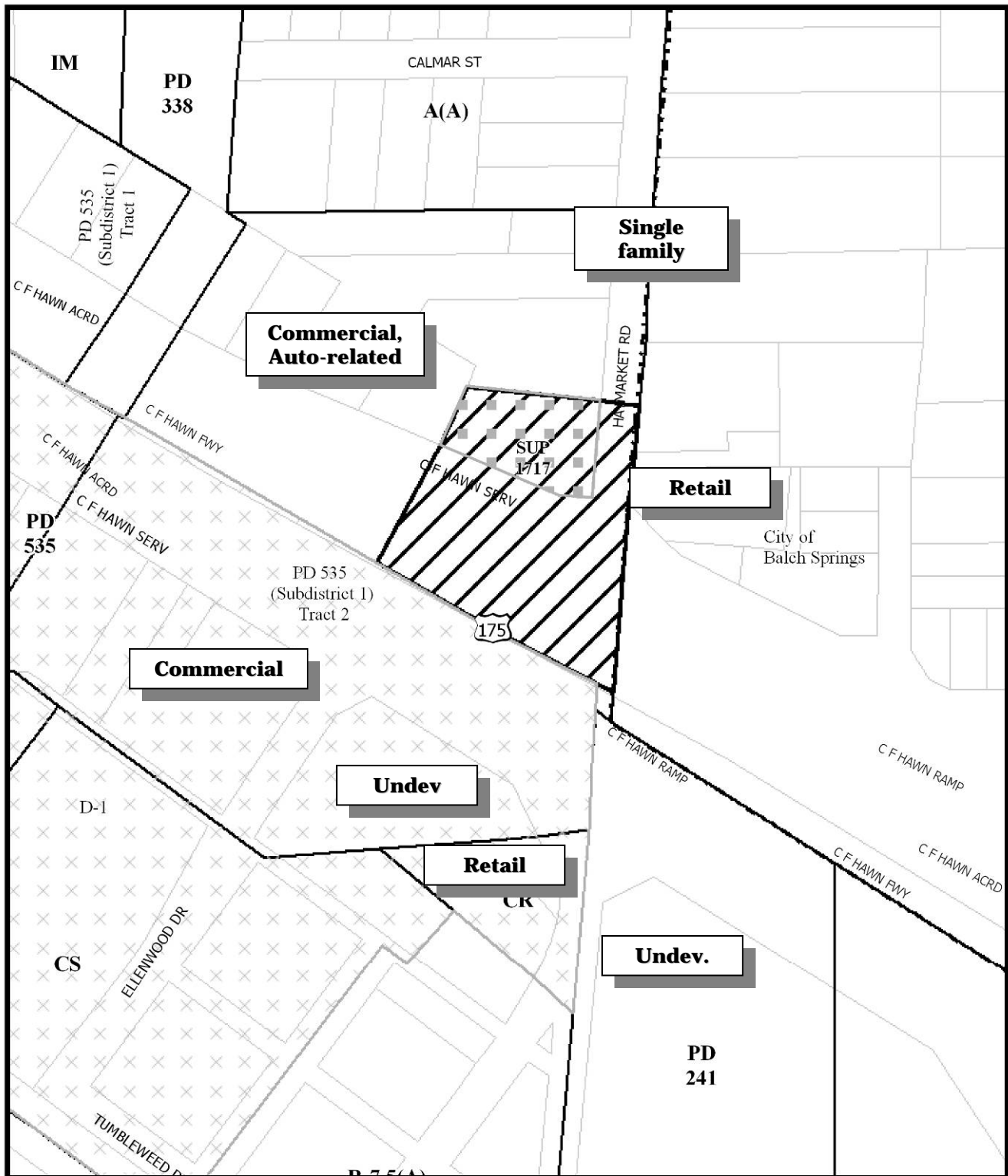
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VICINITY MAP

Map no: N-11

Case no: Z101-189

DATE: April 01, 2011




1:2,400

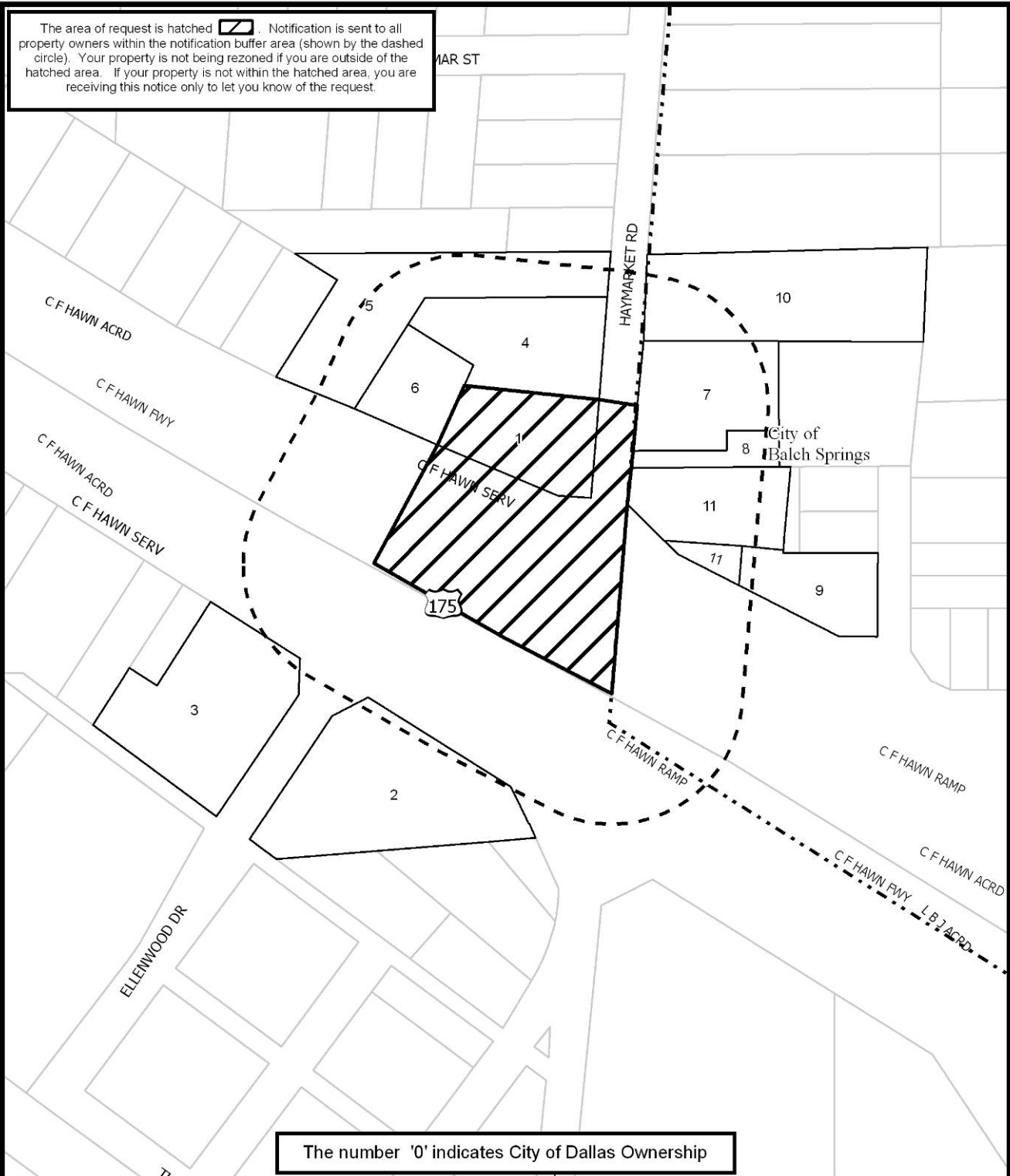
ZONING AND LAND USE

Map no: N-11


Case no: Z101-189

DATE: April 01, 2011

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



The number '0' indicates City of Dallas Ownership


 1:2,400

NOTIFICATION

200' AREA OF NOTIFICATION
11 NUMBER OF PROPERTY OWNERS NOTIFIED

N-11
 Map no: _____
Z101-189
 Case no: _____

DATE: April 01, 2011

Notification List of Property Owners

Z101-189

11 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10931 C F HAWN	GODOY ANGEL M
2	10900 C F HAWN	WOOD BOBBY C & NEFF L OUTLAW JR
3	1111 ELLENWOOD	GOODMAN W D
4	1025 HAYMARKET	BROWN FRANK M
5	1023 HAYMARKET	SULE ETC LLC
6	10831 C F HAWN	BROWN FRANK
7	1030 HAYMARKET	BHAKTA-HAYMARKET LTD &
8	1030 HAYMARKET	BHAKTA KERAN
9	1050 HAYMARKET	KBHM PPTIES LLC
10	1022 HAYMARKET	BALDWIN DORA ANN
11	11245 U S HWY 175	ROSENFELD MARSHALL

Friday, April 01, 2011

FILE NUMBER: Z101-252(RB)

DATE FILED: April 14, 2011

LOCATION: East Line of East Lake Highlands Drive, South of Northwest Highway

COUNCIL DISTRICT: 9

MAPSCO: 28 W

SIZE OF REQUEST: Approx. 1.68 Acres

CENSUS TRACT: 129

APPLICANT: Prudent Development

REPRESENTATIVE: Rob Baldwin

OWNER: Wyrick Northwest, Ltd.

REQUEST: An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant is proposing to develop the site with a mix of retail uses. In conjunction with the request, the applicant has volunteered deed restrictions that prohibit certain uses permitted in the CR Community Retail District as well as provide for specific operational provisions in relation to development of the property.

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

BACKGROUND INFORMATION:

- The request site is undeveloped.
- The applicant proposes to utilize the property for development of a multi-tenant retail center. While not part of the request, the abutting parcel to the north, currently zoned for CR District Uses is anticipated to be replatted into the request site for an expanded development site.
- In conjunction with the request, the applicant has volunteered deed restrictions that prohibit certain uses as well as to provide for specific operational regulations (see attached instrument).

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

Thoroughfare

Designation; Existing & Proposed ROW

East Lake Highlands Drive

Minor Arterial; 100' & 100' ROW

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.

The request represents an encroachment into an established residential area. As a result, the applicant has made an attempt to mitigate those situations associated with introducing nonresidential zoning in areas such as this (attached deed restrictions) which address many of staff's concerns. As a result, the request remains in compliance with this Building Block.

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 undeveloped. A designated flood plain traverses through the area through the site's eastern property line. The applicant is proposing to develop the site with a mix of retail uses. In conjunction with the request, the applicant has volunteered deed restrictions that prohibit certain uses permitted in the CR Community Retail District as well as provide for specific operational provisions in relation to development of the property. While not part of the request, the abutting parcel to the north, currently zoned for CR District Uses is anticipated to be replatted into the request site for an expanded development site.

Except for the property to the north (as noted in the previous paragraph) and northwest across Prairie Creek Road (retail uses permitted in a CR District) the site is located within a residentially zoned area that is developed with single family and multifamily uses. It should be noted that once one travels south of the intersection of East Lake Highlands Drive and Northwest Highway, the area transitions to the previously referenced residential uses. The single family uses to the east, buffered by a designated flood plain, are developed in such a way that many side yards are parallel to the site.

With respect to the built environment, staff has expressed concerns as to the expansion of nonresidential zoning, a mid-block property location, and typical operational characteristics normally associated with those uses permitted in the requested CR District. So as to minimize the impact on the livable environment for adjacent residential uses, the applicant has worked with staff to address prohibiting certain uses and providing for certain operational characteristics of nonresidential uses.

As a result of this analysis and the attached deed restrictions submitted by the applicant, staff supports the applicant's request.

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

Landscaping: Prior to the issuance of a building permit for any permitted use, landscaping will be required per Article X requirements.

Off-Street Parking: Any permitted use will require parking per the Dallas Development Code.

Prudent Development

Mostafa Setayesh, Manager
10755 Sandhill Road
Dallas, TX 75238

Wyrick Northwest GP, LLC

Marilyn Wyrick Ingram
President
103 Buckeye Trail
Austin, TX 78746

Phyllis Wyrick Patterson
Vice President
306 Bluffhill
San Antonio, TX 78216

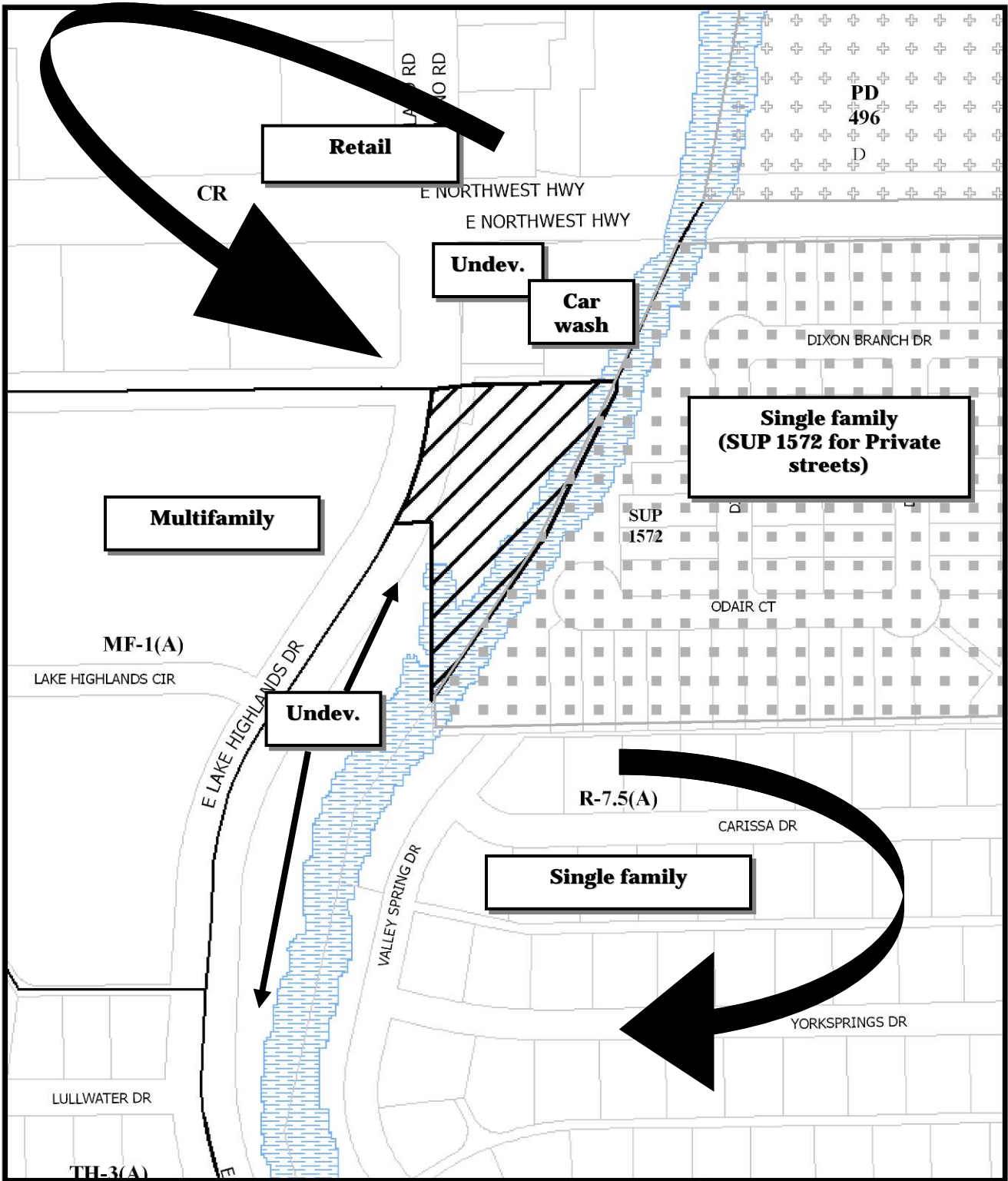
Gilbert Matison Wyrick
Vice President
2760 Ripplewood
Dallas, TX 75228


Phyllis Wyrick Patterson
Treasurer
306 Bluffhill
San Antonio, TX 78216

Gilbert Matison Wyrick
Secretary
2760 Ripplewood
Dallas, TX 75228

- Library, art gallery, or museum.
- (E) Lodging uses.
 - Hotel and motel.
 - Lodging or boarding house.
 - Overnight general purpose shelter.
- (F) Miscellaneous uses.
 - Attached non-premise sign.
 - Carnival or circus (temporary).
- (H) Recreation uses.
 - Country club with private membership.
 - Public park, playground, or golf course.
- (I) Residential uses.
 - College dormitory, fraternity, or sorority house.
- (J) Retail and personal service uses.
 - Alcoholic beverage establishments.
 - Ambulance service.
 - Animal shelter or clinic without outside runs.
 - Business school.
 - Commercial amusement (inside).
 - Commercial amusement (outside).
 - Commercial parking lot or garage.
 - Home improvement center, lumber, brick or building materials sales yard.
 - Household equipment and appliance repair.
 - Mortuary, funeral home, or commercial wedding chapel.
 - Motor vehicle fueling station.

- Pawn shop.
- Swap or buy shop.
- Temporary retail use.
- (K) Transportation uses.
 - Transit passenger station or transfer center.
- (L) Utility and public service uses.
 - Commercial radio and television transmitting station.
 - Electrical substation.
 - Police or fire station.
 - Post office.
 - Radio, television or microwave tower.
 - Tower/antenna for cellular communication.
 - Utility or government installation other than listed.
- (M) Wholesale, distribution, and storage uses.
 - Mini-warehouse. *[SUP]*
 - Recycling buy-back center.
 - Recycling collection center.
 - Recycling drop-off container.
 - Recycling drop-off for special occasion collection.
- (2) The following accessory uses are prohibited:
 - Accessory community center (private).
 - Home occupation.
 - Private stable.
 - Accessory helistop.
 - Accessory medical/infectious waste incinerator.




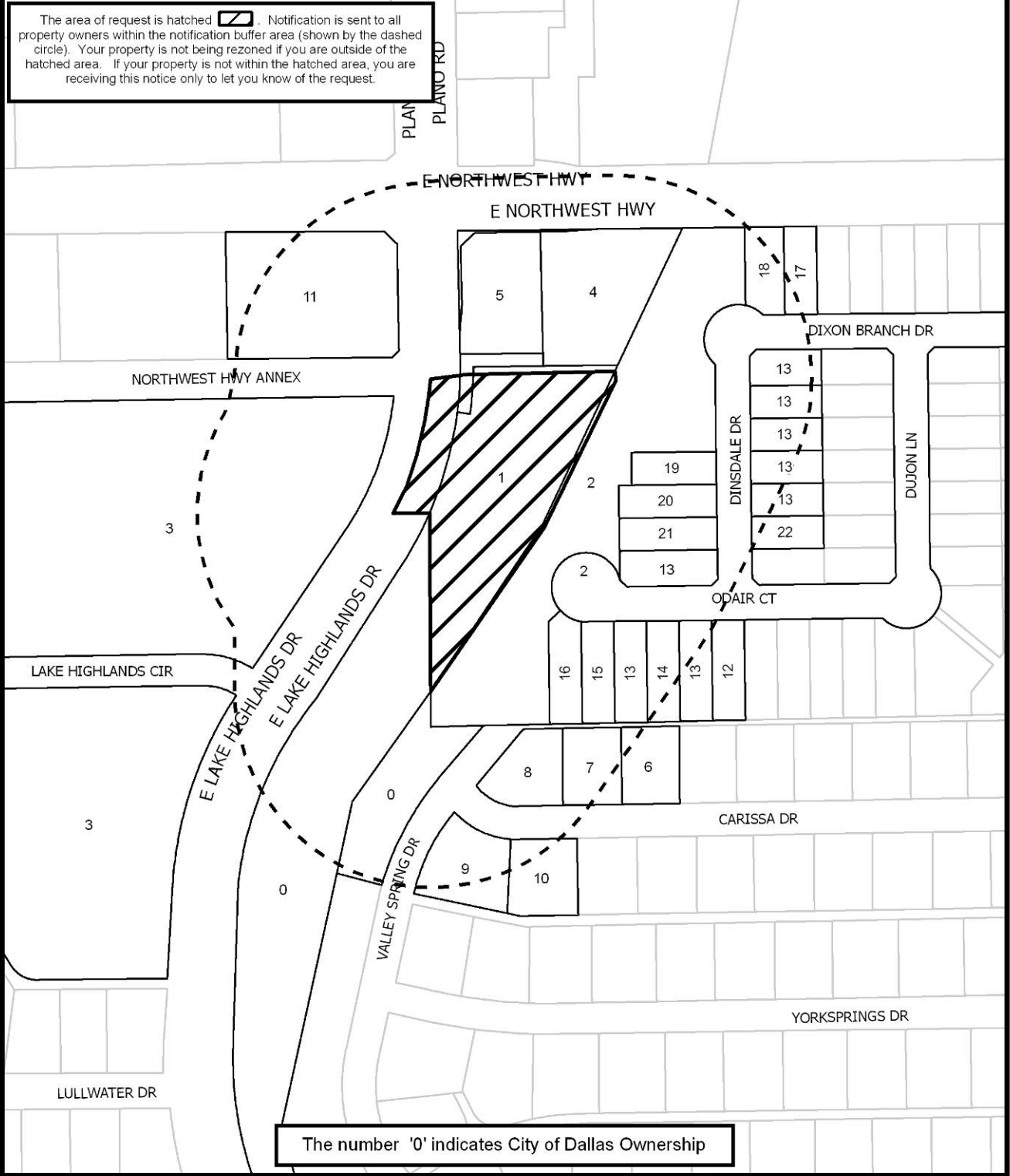

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ZONING AND LAND USE


Map no: G-10, F-10
 Case no: Z101-252

DATE: May 19, 2011

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



The number '0' indicates City of Dallas Ownership


 1:2,400

NOTIFICATION

300'	AREA OF NOTIFICATION
23	NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: **G-10, F-10**

Case no: **Z101-252**

DATE: May 19, 2011

Notification List of Property Owners

Z101-252

23 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8400 LAKE HIGHLANDS	WYRICK NORTHWEST LTD % J RANDALL PATTERSON
2	11317 NORTHWEST	PRIORITY DEVELOPMENT LP
3	11201 LAKE HIGHLANDS	TLG ARBORS LLC
4	10720 NORTHWEST	MATTOX JERRY S ETAL
5	10706 NORTHWEST	WYRICK NORTHWEST LTD %J RANDALL PATTERSON
6	10823 CARISSA	WILLIAMSON LESTER T
7	10817 CARISSA	JONES ARLIE E & ANNEMARIE
8	10811 CARISSA	HAMPTON BOBBY J
9	10808 CARISSA	TYLER ALBERT N III
10	10814 CARISSA	BEILUE BOBBY C
11	10666 NORTHWEST	NORTHWEST HIGHWAY & LAKE HIGHLANDS DRIVE LP
12	10722 ODAIR	RUTHERFORD JAY TRAVIS &
13	11326 ODAIR	WEEKLEY HOMES LP
14	10714 ODAIR	CHAPMAN GWEN K &
15	10706 ODAIR	AUSTIN NICOLE
16	10702 ODAIR	ECKARDT JOHN R & ECKARDT JULIA E
17	10707 DIXON BRANCH	DION JUSTIN T
18	10703 DIXON BRANCH	HARDY GARY S & STACEY LEE
19	11313 DINSDALE	THOMASON GARY P & CYNTHIA G
20	11309 DINSDALE	MARTIN PHILLIP N
21	11305 DINSDALE	ZOPOLSKY JOSEPH D & ERIN G
22	11306 DINSDALE	CHEATHAM RUTH & G LEE
23	403 REUNION	DALLAS AREA RAPID TRANSIT

Thursday, May 19, 2011

FILE NUMBER: Z101-257(RB)

DATE FILED: April 22, 2011

LOCATION: North Line of Commerce Street, East of Good Latimer Expressway

COUNCIL DISTRICT: 2

MAPSCO: 45 M

SIZE OF REQUEST: Approx. 2,278 Sq. Ft.

CENSUS TRACT: 33

APPLICANT: Roland Young, Representative

OWNER: 20/20 Management, LLC; Susan Reese-Sole Officer

REQUEST: An application for the renewal of Specific Use Permit No. 1767 for a Bar, lounge, or tavern 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. 1767 to provide for the continued operation of an entertainment venue within the existing improvements permitted by this SUP.

STAFF RECOMMENDATION: Approval for a three-year period, subject to conditions.

BACKGROUND:

- The request site consists of a one-story structure and elevated patio area.
- SUP No. 1767 provides for 2,278 square feet and is located in the rear of the lot. Access to the use is from street level through a dedicated covered area.
- On June 14, 2006, the City Council approved an amendment to PDD No. 269 which requires an SUP for both the existing use.
- On August 12, 2009, the City Council approved SUP No. 1767 for a two-year period.
- The applicant is requesting renewal of SUP No. 1767 to provide for the continued operation of a new bar, lounge, or tavern use within the existing improvements permitted by this SUP.

Zoning History:

<u>File No.</u>	<u>Request, Disposition, and Date</u>
1. Z056-270	On December 13, 2006, the City Council approved a Specific Use Permit for a tattoo studio or body piercing studio
2. Z067-335	On Wednesday, November 28, 2007, the City Council approved a Specific Use Permit for a bar, lounge or tavern and an inside commercial amusement for a dance hall
3. Z056-271	On Wednesday, January 10, 2007, the City Council approved a Specific Use Permit for a Tattoo Studio or Body Piercing Studio

<u>Street</u>	<u>Designation; Existing & Proposed ROW</u>
Commerce Street	Local; 60' 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 request site consists of a one-story structure and elevated patio area. The applicant is requesting renewal of SUP No. 1767 to provide for the continued operation of a bar, lounge, or tavern use within the existing improvements permitted by this SUP.

The site is surrounded by a mix of retail/restaurant uses that are served by various surface parking lots and metered spaces along Commerce 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.

Staff has determined the existing operator has been diligent in attempts to ensure compatibility with adjacent mixed uses. As an entertainment destination, the use is consistent with expected land use in the area. No expansion of the use (floor area or hours of operation) is being requested. As a result of this analysis, the request to renew SUP No. 1767 complies with the general provisions for consideration of an SUP.

Traffic: The Engineering Section of the Department of Sustainable Development and

Construction has reviewed the requested renewal of SUP No. 1767 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 this use located in an original building on the first floor. Additionally, a ten percent reduction is permitted for any property within one-quarter mile of mass transit . The existing use is located within an original building and its floor area (2,278 square feet) does not trigger off-street parking requirements.

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.

Police Report: Staff obtained reported offenses for the most recent two-year period, consistent with the period in which SUP No. 1767 was renewed. It should be noted there have been no reported offenses at this location.

**STAFF RECOMMENDED AMENDING CONDITIONS SPECIFIC USE PERMIT NO.
1767 FOR A BAR, LOUNGE, OR TAVERN**

3. TIME PERIOD: This specific use permit automatically terminates on (three
~~two~~ years from passage of the ordinance) ~~August 12, 2011.~~

6. ~~LIVE MUSIC: Live music performances are only allowed between 8:00 p.m.
and 12:00 a.m. (midnight), Friday through Sunday.~~

**Existing
Conditions**

09 2684

10-26-2009

ORDINANCE NO. 27720

An ordinance amending Ordinance No. 27613, passed by the Dallas City Council on August 12, 2009, which amended the zoning ordinances of the City of Dallas, and granted Specific Use Permit No. 1767 for a for a bar, lounge, or tavern; amending the conditions in Section 2 of that ordinance; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to Specific Use Permit No. 1767; and

WHEREAS, the city council finds that it is in the public interest to amend Specific Use Permit No. 1767; Now, Therefore,

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

SECTION 1. That the conditions in Section 2 of Ordinance No. 27613 are amended to read as follows:

“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 bar, lounge, or tavern.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on August 12, 2011.
4. FLOOR AREA: The maximum floor area is 2,278 square feet.

27720

09 2684

- 5. HOURS OF OPERATION: The bar, lounge, or tavern may only operate between 2:00 [3:00] p.m. and 2:00 a.m. (the following day), Monday through Sunday.
- 6. LIVE MUSIC: Live music performances are only allowed between 8:00 p.m. and 12:00 a.m. (midnight), Friday through Sunday.
- 7. OUTSIDE SPEAKERS: Outside speakers are prohibited.
- 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."

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

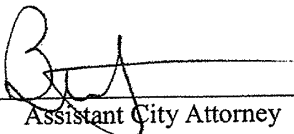
SECTION 3. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

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

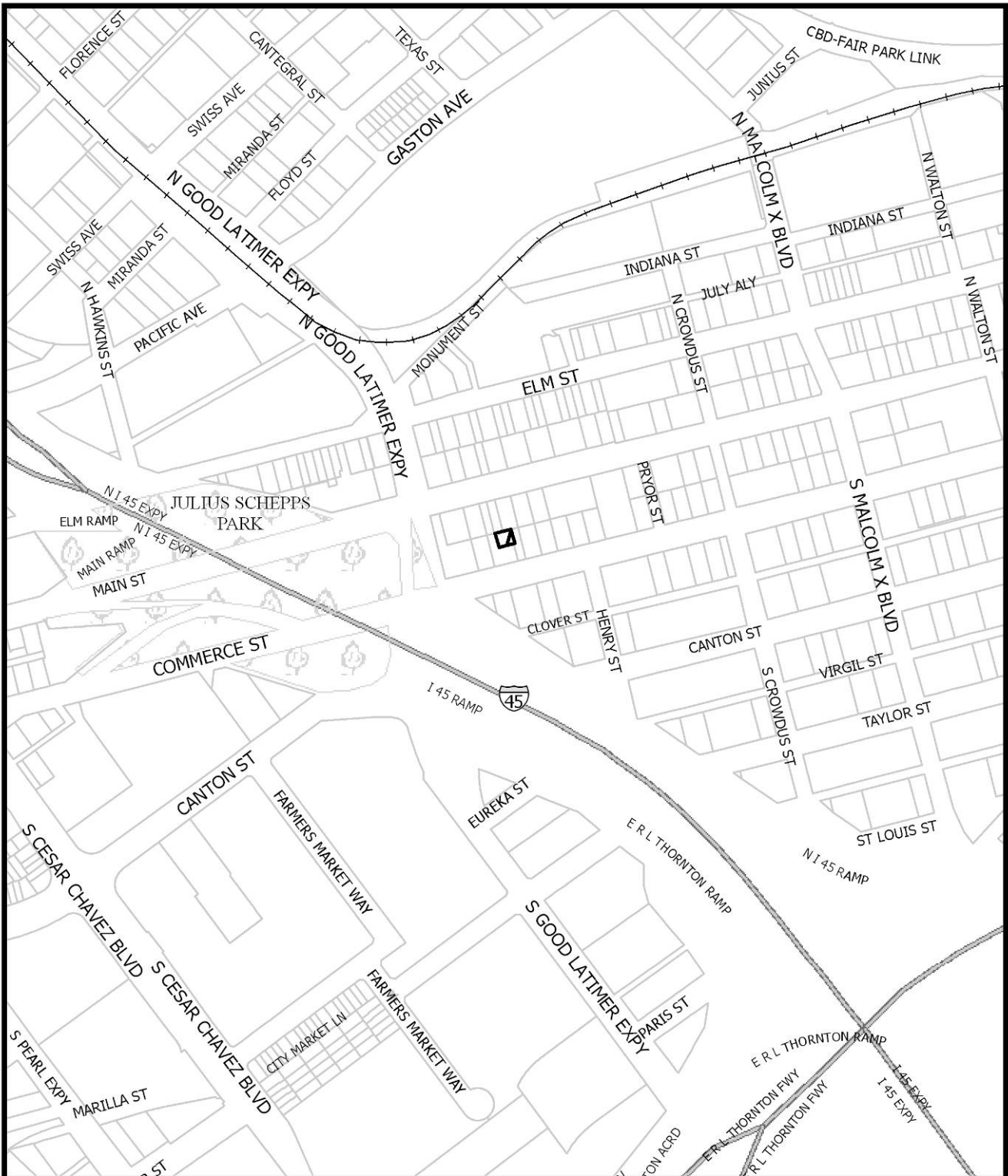
SECTION 5. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By  Assistant City Attorney

Passed OCT 28 2009



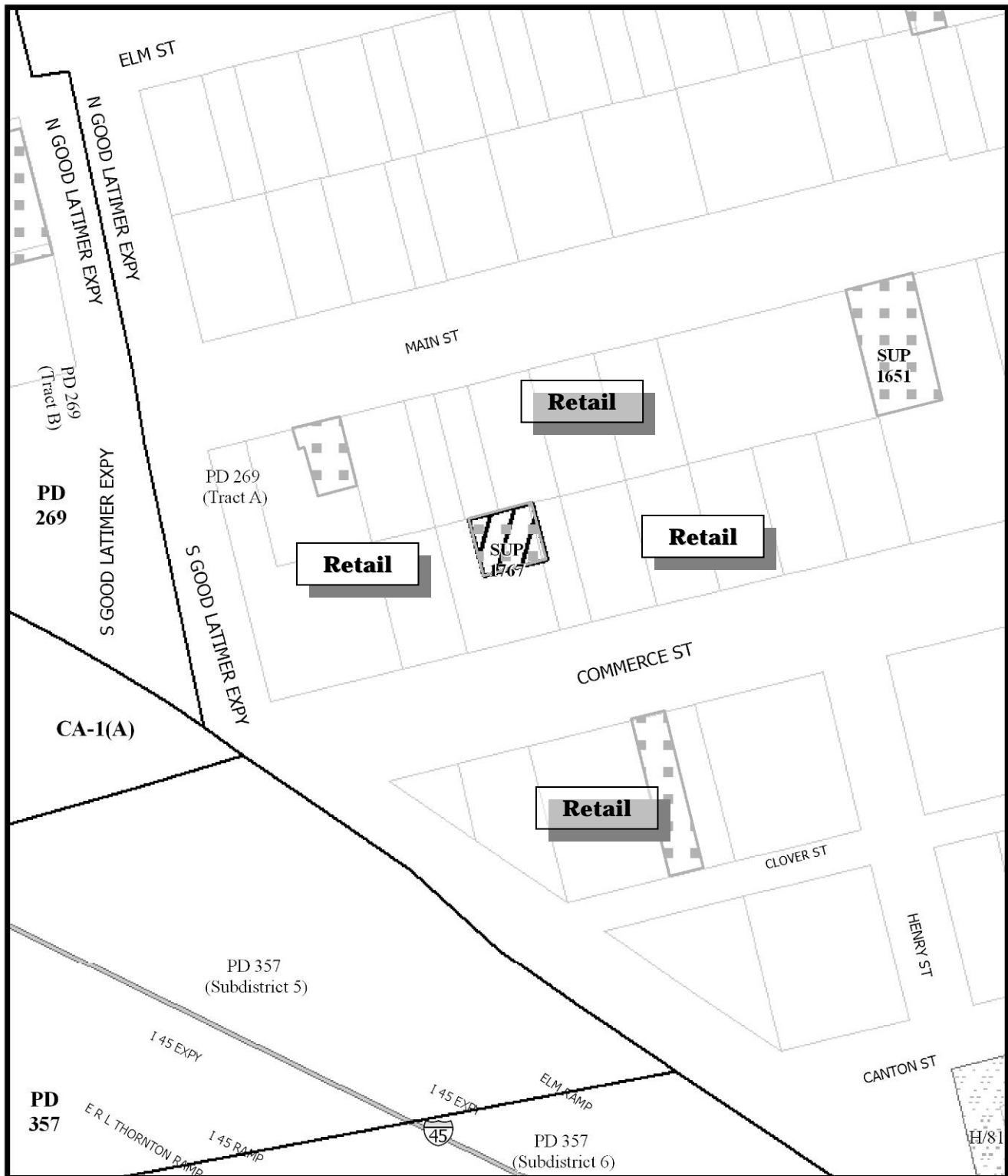
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VICINITY MAP

Map no: J-7

Case no: Z101-257

DATE: May 19, 2011



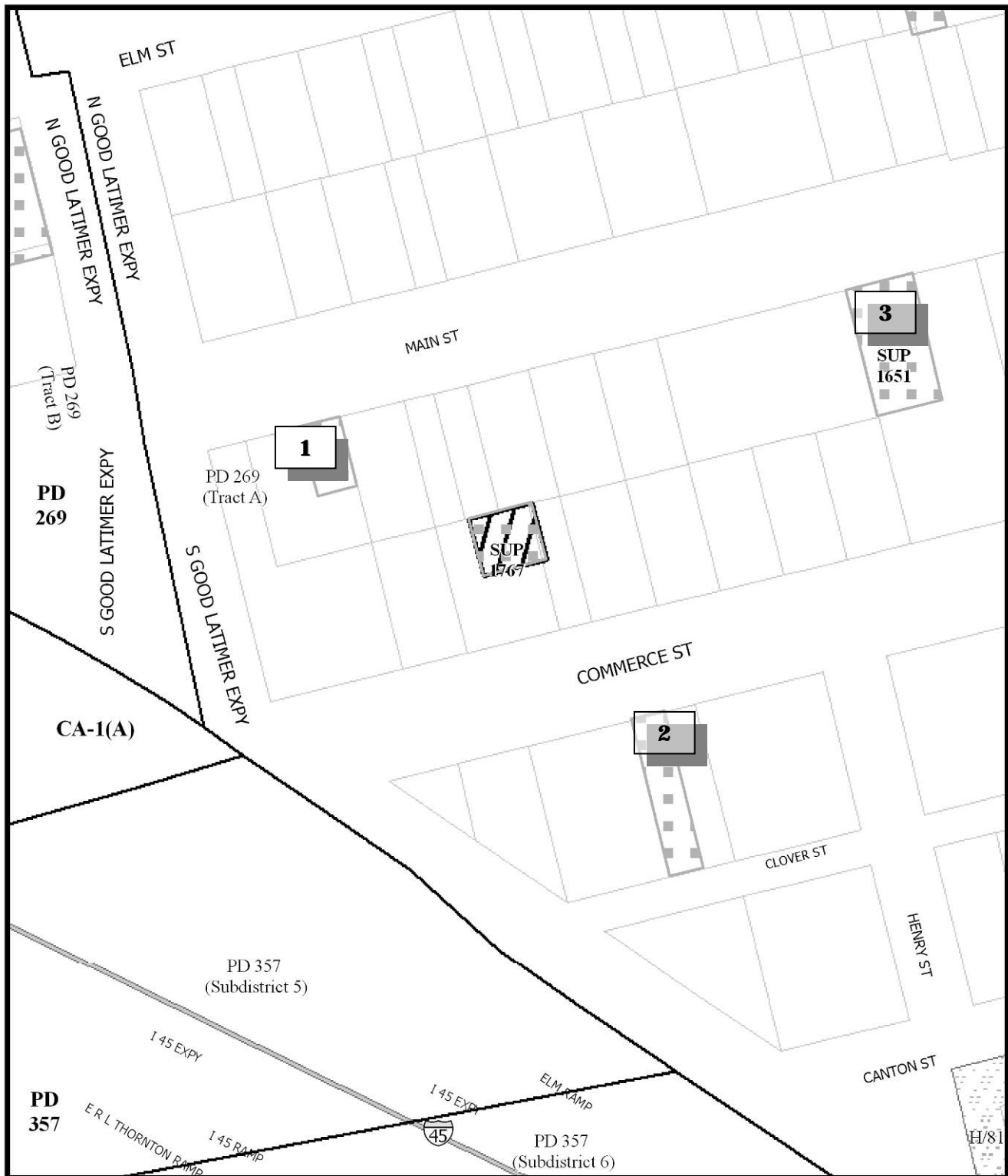
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ZONING AND LAND USE

Map no: J-7

Case no: Z101-257

DATE: May 19, 2011




1:1,200

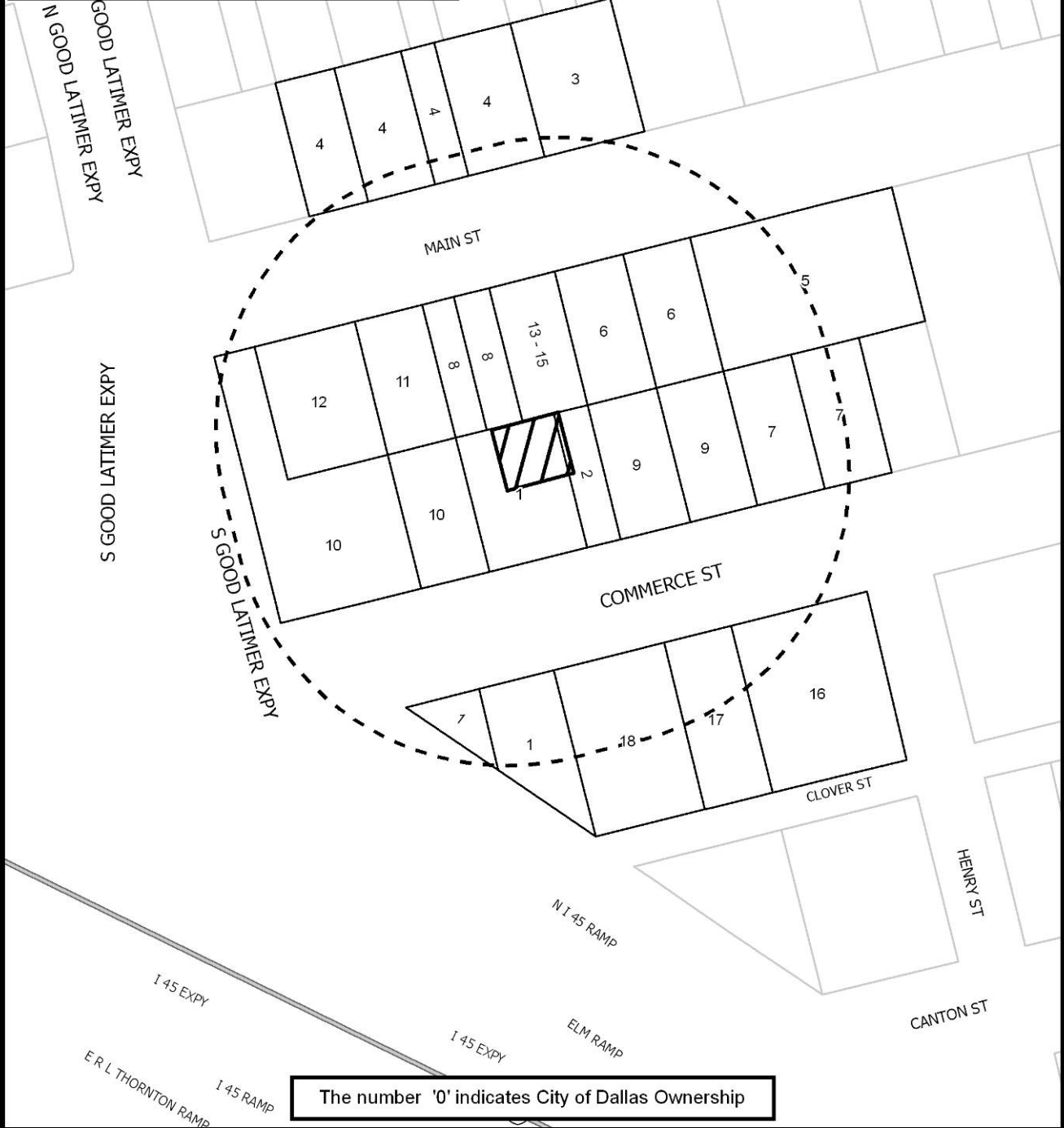
ZONING HISTORY

Map no: J-7

Case no: Z101-257

DATE: May 19, 2011

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



The number '0' indicates City of Dallas Ownership


1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
18 NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: J-7
Case no: Z101-257

DATE: May 19, 2011

Notification List of Property Owners

Z101-257

18 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2615 COMMERCE	20/20 MANAGEMENT CO LLC
2	2623 COMMERCE	KLUCK LINDA LOU
3	2625 MAIN	EVANS HENRY J
4	2623 MAIN	PARK A LOT LP
5	2642 MAIN	MERRILL ROBERT L & KAREN L MERRILL
6	2630 MAIN	COMMERCE STREET PS LTD
7	2631 COMMERCE	DEEP ELM II LTD STE B
8	2618 MAIN	LEEDS HARLAN
9	2627 COMMERCE	PARK A LOT LTD % FRED BAKER
10	2611 MAIN	MEGGS RICHARD LLC ET AL
11	2612 MAIN	2612 MAIN LLC
12	2604 MAIN	JERNIGAN REALTY PTNR LP
13	2620 MAIN	BLANTON DON
14	2620 MAIN	BLANTON DON
15	2622 MAIN	BLANTON DON EST OF % JEANNE BLANTON
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18	2616 COMMERCE	NOLA LTD

Thursday, May 19, 2011

FILE NUMBER: Z101-201(MW)

DATE FILED: February 25, 2011

LOCATION: An area bounded by Lovers Lane to the north, Amesbury Drive to the east, Milton Street to the south and Matilda Street to the west

COUNCIL DISTRICT: 14

MAPSCO: 36-B

SIZE OF REQUEST: ±12.85 acres

CENSUS TRACT: 79.05

REPRESENTATIVE: Dallas Cothrum, Masterplan

APPLICANT/OWNER: Lovers Tradition LP

REQUEST: An application to amend Planned Development District No. 799.

SUMMARY: The applicant proposes a new mix of residential uses, an increase in residential density and a reduction in retail floor area. In addition, the applicant proposes to replace the development plan with a conceptual plan and to reconfigure the three existing subareas.

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

BACKGROUND INFORMATION:

- The ±12.85-acre request site is currently developed with approximately 332 vacant multifamily units and is surrounded by retail and multifamily to the north, multifamily to the east and south and retail to the west.
- PDD No. 799 was originally approved for a mix of retail and residential uses with a detailed development plan. Per the applicant, the downturn in the economy has rendered the plan unbuildable.
- The applicant proposes to replace the development plan with a conceptual plan and to reconfigure the three (3) existing subareas to accommodate a new mix of residential uses and a reduction in retail floor area as detailed below:
 - Subarea I features 17,500 square feet of retail floor area (a reduction of 57,250 square feet)
 - Subarea II will consist of retirement housing, independent living and skilled care uses with a maximum density of 348 units (a reduction of 27 units).
 - Subarea III will consist of multifamily uses with a maximum density of 336 units (an increase of 313 units)
 - The proposed mixed use development will include design features to promote a pedestrian friendly environment.

Zoning History:

1. **Z067-260:** On December 12, 2007, the City Council denied without prejudice an application for a P(A) Parking District on property zoned MF-1(A) on the west side of Matilda St. south of Lovers Lane.
2. **B023-008:** On November 12, 2002, the Board of Adjustment granted an alternate landscape plan as a special exception to the landscape requirements contained in the Dallas Development Code on property located at 5750 E. Lovers Lane.
3. **B067-046:** On April 18, 2007, the Board of Adjustment granted a 15 foot variance to the front yard setback regulation, on property located at 5750 E. Lovers Lane.
4. **Z078-153:** On April 21, 2008, an application for an MF-2(A) Multifamily District on property zoned an MF-1(A) Multifamily District on the southeast and southwest corners of Amesbury Drive and Milton Street, south of Lovers Lane and east of Greenville Avenue was withdrawn by the applicant.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Lovers Lane	Principal Arterial	100 feet
Amesbury Drive	Minor Arterial	50 feet
Milton Street	Local	50 feet
Matilda Street	Local	50 feet

Land Use:

	Zoning	Land Use
Site	PDD No. 799	Multifamily
North	MU-3(SAH); MF-1(A)	Retail; multifamily
East	MF-1(A)	Multifamily
South	MF-1(A)	Multifamily
West	PD No. 610	Retail

Comprehensive Plan:

According to the *forwardDallas! Vision Illustration*, adopted June 2006, the request site is within an urban neighborhood building block. Urban neighborhoods are predominantly residential, but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residents.

The applicant’s proposal to provide a mixed use residential and retail project in this area of the City is consistent with the *forwardDallas! Vision* and further complies with the following goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

Goal 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

HOUSING ELEMENT

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

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

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

ENVIRONMENT ELEMENT

GOAL 6.3 IMPROVE ENERGY EFFICIENCY AND AIR QUALITY

Policy 6.3.3 Limit vehicle miles traveled.

NEIGHBORHOOD ELEMENT

GOAL 7.1 PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS

Policy 7.1.2 Promote neighborhood-development compatibility.

STAFF ANALYSIS:

Land Use Compatibility:

The ±12.85-acre request site is currently developed with approximately 225 vacant multifamily units and is surrounded by retail and multifamily to the north, multifamily to the east and south and retail to the west.

PDD No. 799 allows a mix of uses with a detailed development plan. Per the applicant, the downturn in the economy has rendered the plan unbuildable. Therefore, the applicant proposes to replace the development plan with a conceptual plan and to reconfigure the three (3) existing subareas to accommodate a new mix of residential uses and a reduction in retail floor area. Specifically, Subarea I features 17,500 square feet of retail floor area (a reduction of 57,250 square feet); Subarea II will consist of retirement housing, independent living and skilled care uses with a maximum density of 348 units (a reduction of 27 units); Subarea III will consist of multifamily uses with a maximum density of 336 units (an increase of 313 units). The proposed uses are considered compatible with the surrounding uses and consistent with the vision for the area.

The request site is within a quarter mile from the Lovers Lane DART Station and is, therefore, ideal for higher density, mixed use development.

Development Standards:

DISTRICT	Subarea	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
		Front	Side/Rear					
Existing: PDD 799	Subarea I	75 ft.	75 ft.	74,752	50 ft. 7 in.	40%	RPS	Retail Residential Residential
	Subarea II	65 ft.	17 ft.	375 du	36 ft -56 ft.	70%		
	Subarea III	14 ft.	14 ft.	23 du	36 ft.	60%		
Proposed: PDD 799	Subarea I	15 ft.	60 ft.	17,500	34 ft. 8 in.	72%	RPS	Retail Residential Residential
	Subarea II	15 ft.	15 ft./20 ft.	348 du	54 ft.			
	Subarea III	25 ft.	15 ft./20 ft.	336 du	58 ft. 6 in.			

Traffic:

Based on the Traffic Impact Analysis (TIA), dated March 2011, the development proposed by this PDD amendment results in a significantly smaller traffic impact than PDD No. 799 as it currently exists.

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. However, based on the Engineering Section’s review of the TIA, a westbound left turn lane at East Lovers Lane between Matilda Street and Amesbury Drive is recommended for development exceeding 332 multifamily units.

Parking:

Given the request site’s proximity to the Lovers Lane DART Station, the applicant is requesting a reduction in required off-street parking. The applicant and staff have agreed to the following parking reductions and ratios:

- If more than three (3) pedestrian amenities are provided in Subarea I, a use within this subarea may be granted a five (5) percent reduction in off-street parking. An additional five (5) percent reduction in off-street parking may be granted for each additional amenity provided up to a maximum of 20 percent.
- For retirement housing and independent living uses in Subarea II, 0.56 space per unit is required.
- For convalescent and nursing home and hospice care uses in Subarea II, 0.25 space per unit is required.
- For multifamily uses in Subarea III, 1.5 spaces per unit is required.

Landscaping and sidewalks:

Except as provided, landscaping must be provided in accordance with Article X of the Dallas Development Code. The applicant proposes enhanced streetscape provisions which require one (1) tree per each thirty (30) feet of street frontage (excluding visibility

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triangles and ingress and egress points) on Milton Street, Amesbury Drive and Lovers Lane. The applicant also proposes a five-and-one-half-foot-wide planting zone from back of curb parallel to Milton Street, Amesbury Drive, and Lovers Lane (except Subarea I); a minimum of 60 percent of the planting zone must contain living trees, turf, grass, flowers, or ground cover vegetation that is recommended by the building official.

In addition, the applicant proposes eight (8)-foot sidewalks along each street frontage and pedestrian amenities which include pedestrian street lamps, benches, bicycle racks and trash receptacles.

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Partners/Principals/Officers:

Lovers Tradition LP

Partners: Jonathan Perlman
Jim Bormann

PROPOSED CONDITIONS

SEC. 51P-799.101. LEGISLATIVE HISTORY.

PD 799 was established by Ordinance No. 27357, passed by the Dallas City Council on September 24, 2008 and amended by Ordinance No. _____, passed by the Dallas City Council on _____.

SEC. 51P-799.102. PROPERTY LOCATION AND SIZE.

PD 799 is established on property generally bounded by Matilda Street, Lovers Lane, Amesbury Drive, and Milton Street. The size of PD 799 is approximately 12.85 acres.

SEC. 51P-799.103. DEFINITIONS AND INTERPRETATIONS.

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

(1) TANDEM PARKING means one parking space in front of another parking space, making it necessary to pass through one parking space to gain vehicular access to the other parking space from a street, alley, or driveway.

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

(3) BLADE SIGN means a sign projecting perpendicularly from a main building façade, visible from both sides, and made of rigid or soft materials.

(4) 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 included Turkish bathhouses. This term does not include, however, duly licensed beauty parlors or barber shops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. MASSAGE means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practices by beauty parlors or barbershops duly licensed under the penal code of the state.

(5) TATTOO OR BODY PEIRCING STUDIO means a business in which tattooing or body piercing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment. BODY PEIRCING means the piercing of body parts, other than ears, for purposes of allowing the insertion of jewelry.

(6) STOOP means a small porch leading to the entrance of a residence.

(7) AUTO LIFT means a self-service automated device that is used to stack two cars vertically within the confines of a single parking space, resulting in an additional off-street parking space.

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

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

SEC.51P-799.104 CREATION OF SUBAREAS.

This district is divided into three Subareas: Subarea I, Subarea II, and Subarea III.

SEC.51P-799.105 EXHIBIT.

The following exhibit is incorporated into this article: Exhibit 799A: ~~development~~ conceptual plan.

SEC.51P-799.105.1 CONCEPTUAL PLAN.

Development and use of the property must comply with the conceptual plan (Exhibit 104.799A). If there is a conflict between the text of this article and the conceptual plan the text of this article controls.

SEC.51P-799.106 DEVELOPMENT PLAN.

~~Development and use of the Property must comply with the development plan (Exhibit 799A). If there is a conflict between the text of this article and the development plan, the text of this article controls.~~ A development plan for each subarea or part of a subarea must be approved by the city plan commission before the issuance of any building permit to authorize work on the Property. If there is a conflict between the text of this article and the approved development plan, the text of this section controls. Development plans for subareas may be submitted in phases.

SEC.51P-799.107 MAIN USES PERMITTED.

(a) Subarea I. The following uses are the only main uses permitted.

(1) Agricultural uses.

None permitted.

(2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

- Church
- Library, art gallery, or museum.

(5) Lodging uses.

None permitted.

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. [*Limited to a maximum of ~~two~~ three drive-through lanes.*]
- Medical clinic or ambulatory surgical center.
- Office. [*Bail bond office is prohibited.*]

(8) Recreation uses.

- 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 runs. [*RAR*]

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- 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.
- Personal service uses. *[Massage establishment and tattoo piercing studio uses are prohibited.]*
- Restaurant without drive-through service.
- Restaurant with drive in or drive-through service. *[Maximum one drive through lane, additional lanes by SUP.]*
- Temporary retail use.

(11) Transportation uses.

- Private street or alley.
- Transit passenger shelter.
- Transit passenger station or transfer center. *[By SUP or city council resolution. See Section 51A-4.211 (10).]*

(12) Utility and public service uses.

- Local utilities. ~~*[SUP or RAR may be required. See Section 51A-4.212 (4). Treat as if in MU-1 Mixed Use Zoning District.]*~~
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. *[Must be roof-mounted.]*
- Tower/antenna for cellular communication. *[Must be attached to a building or parking structure.]*

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213 (11.2) (E) are not satisfied. Treat as if in MU-1 Mixed Use Zoning District.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213.(11.3)(E) are not satisfied. Treat as if in MU-1 Mixed Use Zoning District.]*

(b) Subarea II. The following uses are the only main uses permitted:

- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(3.1) is not met.]*
- Local utilities.
- Multifamily .
- Private recreation center, club, or area. *[SUP]*
- Private street or alley.
- Public park, playground, or golf course.
- Radio, television, or microwave tower. *[Must be mounted ~~to~~ on the roof of a building or parking structure.]*
- Retirement housing.
- Tower/antenna for cellular communication. *[Must be mounted ~~to~~ on the roof of ~~—~~ or attached to a building or parking structure.]*
- Convalescent and nursing homes, hospice care, and related institutions.
- Medical clinic or ambulatory surgical center.
- Office
- Adult day care.

(c) Subarea III. The following uses are the only main uses permitted:

- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209 (3.1) is not met.]*
- Local utilities.
- Multifamily.
- Private recreation center, club, or area. *[SUP]*
- Private street or alley.
- Public park, playground, or golf course.
- Radio, television, or microwave tower. *[Must be mounted on the roof of a building or parking structure.]*
- Retirement housing.
- Single family.
- Tower/antenna for cellular communication. *[Must be mounted on the roof of ~~or~~ attached to a building or parking structure.]*

SEC.51P-799.108. ACCESSORY USES.

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

(b) Subarea I. The following accessory uses are not permitted:

- Accessory helistop.
- Accessory pathological waste incinerator.
- Amateur communication tower.

- Bail bond office.
- Day home.
- General waste incinerator.

(c) Subarea II. The following accessory uses are not permitted:

- Accessory helistop.
- Accessory pathological waste incinerator.
- Amateur communication tower.
- Day home.
- General waste incinerator.

(d) Subarea III. The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display or sale of merchandise.
- Accessory pathological waste incinerator.
- Amateur communication tower.
- Day home.
- General waste incinerator.
- Private stable.
- Pedestrian skybridges.

SEC.51P-799.109. YARD, LOT, AND SPACE REGULATIONS.

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

(a) In general. The following regulations apply to all subareas:

(1) Setbacks. The setbacks apply to the perimeter of the Property only. Setbacks are not required between subareas or lots.

(2) Lot size. No minimum lot size.

(3) Residential proximity slope. The residential proximity slope regulations in Section 51A-4.412 apply only to the perimeter of the Property.

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

(5) Lot Coverage. The combined maximum lot coverage of all subareas is 72 percent. Surface parking lots and underground parking structures are not included in lot coverage.

(b) Subarea I.

(1) Front, side, or rear yard.

(A) Except awnings and stoops, minimum setback from the north Property line along Lovers Lane is ~~75~~ 15 feet, as shown on the ~~development~~ conceptual plan.

(B) Except awnings and stoops, minimum setback from the west Property line along Matilda Street is ~~75~~ 60 feet, as shown on the ~~development~~ conceptual plan.

(2) Floor area. Maximum floor area is ~~74,750~~ 17,500 square feet, excluding mechanical and equipment rooms.

(3) Height. The maximum structure height is ~~50~~ 34 feet, ~~seven-eight~~ inches, excluding mechanical equipment or parapet walls designed to hide mechanical equipment or provide architectural integrity or building articulation. Mechanical equipment is limited to eight additional feet in height.

(4) Stories. Maximum number of stories above grade is two.

(c) Subarea II.

(1) Front, side, or rear yard.

(A) Minimum setback from the north Property line along Lovers Lane is ~~65~~ 15 feet as shown on the ~~development~~ conceptual plan.

(B) Minimum setback from the east ~~west~~ Property line along ~~Amesbury Drive~~ Matilda Street is ~~47~~ 15/20 feet as shown on the ~~development~~ conceptual plan.

(C) Minimum setback from the south Property line along Milton Street is ~~43~~ 20 feet as shown on the ~~development~~ conceptual plan. Porte-cocheres, passenger drop-off and pickup areas, covered parking, or similar structures may be an additional five feet in the required yards.

(2) Density.

(A) For the purposes of this Subarea, each retirement housing or independent living apartment or room counts as one unit regardless of the number of beds. For all other uses, each bed counts as a unit.

(B) Maximum number of dwelling units is ~~375~~ 348.

(3) Height.

(A) Maximum structure height is 54 feet; architectural features, mechanical equipment and screening, and rooftop access may project a maximum of 10 feet above the maximum structure height.

~~seven-~~ (i) ~~In Zone A, shown on the development plan, 50 feet,~~
~~inches~~

~~eight inches~~ (ii) ~~In Zone B, shown on the development plan, 36 feet,~~

~~eight inches~~ (iii) ~~In Zone C, shown on the development plan, 53 feet,~~

~~eight inches~~ (iv) ~~In Zone D, shown on the development plan, 56 feet,~~

(B) Mechanical equipment, skylights, and solar panels on roofs must be integrated into the building design, screened, or setback so that they are not visible from a point five feet, six inches above grade at the Property line.

(C) There are no requirements for height or width of internal courtyards.

(4) Stories.

~~(A) In Zones A, C, and D, shown on the development plan, Maximum number of habitable stories above grade is four five- is four. for all structures except parking garages. No maximum number of stories for parking structures, but parking structures and habitable structures combined must comply with the height requirements in Paragraph (3).~~

~~(B) In Zone B, shown on the development plan, maximum number of stores above grade is three.~~

(d) Subarea III.

(1) Front, side or rear yard.

~~(A) Minimum setback along the west and south Property lines along Matilda Street and Milton Street are as shown on the development plan Lovers Lane is 25 feet.~~

~~(B) Minimum setback along Amesbury Street is 15 feet.~~

~~(C) Minimum setback along Milton Street is 20 feet.~~

~~(2) Side yard. No minimum side yard setback.~~

~~(3)~~ (2) Density. Maximum number of dwelling units is ~~23~~ 336.

~~(4)~~ (3) Height. Except as provided in this paragraph, maximum structure height is ~~36 feet, eight inches~~ 58 feet 6 inches. Architectural features, mechanical equipment and screening, and rooftop access may project a maximum of 10 feet above the maximum structure height.

~~(5)~~ (. ~~Maximum lot coverage is 60 percent. Subarea II III is considered one lot for calculating lot coverage.~~

~~(6)~~ (4) Stories. Maximum number of habitable stories ~~above grade is three~~ four. No minimum number of stories for parking structures, but parking structures and habitable structures combined must comply with the height requirements in Paragraph (3).

Sec. 51P-799.110. OFF-STREET PARKING AND LOADING.

(a) In general.

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

(2) A maximum of 25 percent of the required off street parking spaces may be compact.

(3) For purposes of required parking and loading, the entire property is considered one lot.

(b) Subarea I.

(1) Parking reduction.

(A) If more than three pedestrian amenities listed in Subparagraph (D) are provided in this subarea, a use within this subarea may be granted a five percent reduction in required off-street parking. An additional five percent reduction of required off-street parking reduction may be granted for each additional amenity provided up to a maximum of 20 percent.

(B) Bicycle parking is a required amenity if a use is seeking a parking reduction.

(C) Pedestrian amenities must be provided within the curb-to building area, within a plaza, or along private streets, drives, or pedestrian ways and must be placed far enough from the street curb to not create a physical barrier or obstruction.

(D) The following pedestrian amenities may count toward a parking reduction.

(i) Bicycle parking at one five-bicycle unit per ~~300~~ 500 feet of frontage.

(ii) Awning/canopies with a minimum overhang of four feet and a minimum length of 25 feet per 100 feet of building façade along the frontage; or a combination of street trees and evergreen shrubs with a minimum of one small tree per 25 feet of frontage and a minimum of one shrub per five feet of frontage.

(iii) Benches at one per 200 feet of frontage.

(iv) Trash receptacles at one per 200 feet of frontage.

(v) Free-standing or wall-mounted pedestrian street lamps at one per 200 feet of frontage.

(vi) Enhanced sidewalk with stamped concrete or brick pavers for the full width of the sidewalk along the entire frontage.

(vii) Public art or water features costing no less than \$2,500, at one per subarea.

(viii) Drinking fountains at one per 800 feet of sidewalk.

(ix) Electric car recharging location.

(x) Public access to wireless internet service at no cost.

(2) Parking rows. No more than two rows of parking are permitted in front of a structure.

(c) Subarea III II.

(1) A minimum of two off-street parking spaces per dwelling unit is required. For-retirement housing uses, 0.56 parking spaces per unit are required. No additional required parking for accessory portions of a multi-family use, including private recreation, community center, entertaining areas, dining, or similar common areas is required.

(2) For convalescent and nursing homes, hospice care, and related institution uses, 0.25 parking spaces per unit is required. No additional required parking for accessory portions of a convalescent and nursing home or hospice use, including private recreation, community center, entertaining areas, dining, or similar common areas is required.

~~(2)~~ (3) Tandem parking is permitted.

(4) Packed or auto lifts are permitted. For packed parking an attendant must be available at all times to maneuver, park, and deliver vehicles.

(d) Subarea III.

(1) For multifamily uses, 1.5 spaces per unit is required. No additional required parking for accessory portions of a multi-family use, including private recreation, community center, entertaining areas, or similar common areas is required.

(2) Tandem parking is permitted.

(3) Packed or auto lifts are permitted. For packed parking an attendant must be available at all times to maneuver, park, and deliver vehicles.

~~(4)(3) A minimum of four guest parking spaces must be provided for each residential use. Tandem parking may not be used to provide guest parking. A notched or fully indented loading and unloading area will be allowed on Milton and shall not exceed 60' in length. Signage limiting the use of the space for loading and unloading of the multi-family use exclusively shall be required. In this area the sidewalk may be reduced to a clearance of 4 feet.~~

SEC.51P-799.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC.51P-799.112. LANDSCAPING AND SIDEWALKS.

(a) In general.

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

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

(3) For each ~~lot~~ subarea, or portion approved by a development plan, landscaping must be installed within six months after the issuance of a certificate of occupancy.

(4) ~~Yaupon holly, *Ilex Vomitoria*, is not considered a protected tree for mitigation purposes. Relocation of hollies is encouraged.~~

~~—————(5) Street trees must have a minimum caliper of four inches.~~

Sections 51A-10.125, "Mandatory Landscaping Requirements," and 51A-10.126, "Design Standards," do not apply.

~~(5)(7) The following minimum number of trees must be provided between the building façade and the curb and may count toward site, parking lot, and street tree requirements: Street trees count as site trees.~~

~~(A) Along Lovers Lane in Subarea I, 15 trees; In Subarea II, 33 trees.~~

~~(B) Along Matilda in Subarea I, 18 trees.~~

~~(C) Along Amesbury in Subarea II, nine trees.~~

~~(D) Along Matilda in Subarea II, 10 trees; in Subarea III, 12 trees.~~

(b) Trees.

(1) The minimum number of trees required on Milton Street, Amesbury Drive, and Lovers Lane, is determined by dividing the number of feet of street frontage, excluding visibility triangles and ingress and egress points, by 30 for each frontage.

(2) Trees planted in any Subarea may count towards the tree replacement requirements in Division 51A-10.130.

(3) Location of trees.

(A) Trees must be planted at least 10 feet from any building and must be spaced as uniformly as practical and may be located between the back of curb and sidewalk or between the sidewalk and any building.

(B) A minimum five-and-one-half-foot-wide planting zone must be provided from back of curb parallel to Milton Street, Amesbury Drive, and Lovers Lane except of Subarea I. A minimum of 60 percent of the planting zone must contain living trees, turf, grass, flowers, or ground cover vegetation that is recommended by the building official.

(4) Type of trees.

(A) Except where small trees are determined appropriate by an arborist, landscape architect, or franchise or public utility, parkway trees must be large trees with a minimum height of 12 feet and a minimum caliper of four inches at the time of planting.

(B) Large trees must be one of the following species:

<u><i>Acer barbatum</i></u>	<u>Caddo' Caddo Maple</u>
<u><i>Acer rubrum</i></u>	<u>Red Maple</u>
<u><i>Fraxinus texensis</i></u>	<u>Texas Ash</u>
<u><i>Ginkgo biloba</i></u>	<u>Ginkgo</u>
<u><i>Pistacia chinensis</i></u>	<u>Chinese Pistache</u>
<u><i>Pinus thunbergii</i></u>	<u>Japanese Black Pine</u>
<u><i>Quercus shumardii</i></u>	<u>Shumard Oak</u>
<u><i>Quercus virginiana</i></u>	<u>Live Oak</u>
<u><i>Taxodium distichum</i></u>	<u>Pond Cypress</u>
<u><i>Taxodium distichum</i></u>	<u>Bald Cypress</u>
<u><i>Ulmus crassifolia</i></u>	<u>Cedar Elm</u>
<u><i>Ulmus parvifolia</i></u>	<u>Lacebark Elm</u>
<u><i>Acer rubrum</i> 'October Glory'</u>	<u>October Glory Maple</u>
<u><i>Liquidambar styraciflua</i></u>	<u>Sweetgum</u>
<u><i>Magnolia grandiflora</i></u>	<u>Southern Magnolia</u>
<u><i>Magnolia grandiflora</i></u>	<u>Claudia Wannamaker Magnolia</u>
<u><i>Quercus virginiana</i> 'Highrise'</u>	<u>Highrise Live Oak</u>
<u><i>Ulmus parvifolia</i> 'Drake'</u>	<u>Drake Elm</u>
<u><i>Ulmus parvifolia</i></u>	<u>'Emerll' Allee Elm</u>

(D) Small trees means a tree of a species that normally reaches a height of less than 30 feet upon maturity.

(5) Planting requirements.

(A) If trees are planted in an area with less than 65 square feet of permeable (planting) area, Cornell University structural soils, applied as specified by the Urban Horticultural Institute of Cornell University, must be used, or other similar methods or technologies approved by the Arborist.

(B) Any tree planted within 18 inches of pavement must have a tree grate that is at least five feet by five feet.

(6) Other.

(A) Large parkway trees may count towards the tree replacement requirements in Division 51A-10.130.

(7) Tree mitigation.

(A) To qualify for a reduction in the number of replacement trees, the Building Official must determine that the tree protection requirements in Article X have been met.

(B) To preserve existing tree canopies, existing large trees with a caliper of 20 inches or greater may reduce the number of replacement inches by a factor of 1.5. For example, a tree with a caliper of 20 inches that is preserved reduces the tree replacement requirement by 30 caliper inches. Trees must be protected prior to and during construction with the minimum standards approved by Article X. Any credits are subject to inspection by the arborist.

(C) Yaupon holly, Ilex vomitoria, is not considered a protected tree. Relocation of Yaupon hollies is encouraged.

(D) If the property owner submits an application for a building permit for a structure with floor area within six months after the issuance of an approved tree replacement application, tree mitigation may be completed before the final certificate of occupancy is issued on the Property, or within 36 months, whichever is sooner.

(E) Tree mitigation is not required for trees within 10 feet from a building wall.

(c) Sidewalks

(1) Sidewalks must be provided in the locations shown on ~~the~~ an approved development plan.

(2) In Subarea I, sidewalks may be located adjacent to retail uses.

(3) ADA approved tree well grates may be provided in sidewalks and are not considered an obstruction.

(4) The following minimum sidewalk widths must be provided as follows:

(A) Along Lovers Lane in Subarea I, ~~45~~ eight feet; and in Subarea II, ~~40~~ eight feet.

(B) Along Matilda in Subarea I, ~~45~~ eight feet.

(C) Along Amesbury in Subarea ~~II~~ III , eight feet.

(D) Along Milton in Subareas II and III, eight feet.

(5) A minimum of 5 feet free of obstruction is required for sidewalks.

(d) Pedestrian amenities.

(1) Pedestrian amenities may be located in any Subarea and along any frontage, and may be located within the planting zone or sidewalk.

(2) At least 10 pedestrian street lamps (free-standing or wall-mounted) must be provided.

(3) A minimum of two of the following pedestrian amenities must also be provided:

(A) At least three light fixtures.

(B) At least two park benches or comparable seat walls.

(C) At least two bicycle racks.

(D) At least five trash receptacles.

(e) Courtyards. At least 40% of interior courtyards for Subarea II and Subarea III must consist of water features, swimming pools, growing materials, or similar landscape feature.

(f) Private license granted.

(1) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. "Parkway" means the portion of a street right of way between the street curb and the lot line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolutions passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(2) An owner or tenant is not required to comply with any landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of the private license granted by this subsection.

(3) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise

acceptable to the city, subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(4) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this subsection does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(c) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the building official. The application must be in made to the building official. The application must be in writing on a form approved by the building official and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

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

(3) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the building official's denial of a parkway landscape permit.

(4) A parkway landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time the building official determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the building official's revocation of a parkway landscape permit.

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

SEC.51P-799.113 SIGNS

(a) Subarea I.

(1) Except as provided in this subsection, signs must comply with the provisions for business zoning districts.

(2) Non-monument signs are permitted.

~~(3) A buffer setback from a non-business zoning district is not required.~~

(b) Subareas II and III.

(1) Except as provided in this subsection, signs must comply with the provisions for non-business zoning districts.

~~(4)~~(2) Two additional blade signs are permitted in Subarea II for retirement housing or convalescent and nursing homes, hospice care, and related uses. One may be attached on Lovers Lane and the other on Matilda Street. Blade signs must be attached to a main structure and may not exceed 50 square feet in effective area.

~~(3)~~ Two additional blade signs are permitted in Subarea III. Effective area may not exceed 50 square feet.

SEC.51P-799.114 ADDITIONAL PROVISIONS.

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

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

(c) Exterior parking structure facades must be concealed with a façade that is similar in materials, architecture, and appearance to the façade of the main structure or the adjacent structure, except that breaks in the exterior parking structure façade not exceeding 40 feet in width are permitted at driveway and entryway locations. Openings in the exterior parking structure façade may not exceed 50 percent of the total parking structure façade area. Except garage entrances and exits, openings in parking

structure facades that are visible from a public right-of-way may not exceed 45 percent of the total parking structure.

(d) To ensure compatibility with the surrounding land uses, facades facing rights-of-way must be 85 percent masonry excluding windows, trim and doors. Masonry includes stone, brick, concrete, hollow clay tile, cementitious fiber siding, decorative concrete blocks or tile, glass block, other similar building materials, or a combination of those materials. For purposes of this provision, stucco is considered masonry but Exterior Finish Insulations System (EFIS) materials are not.

(e) In Subareas II garbage storage areas must be located within a parking structure and may not be visible from the right-of-way and III, garbage dumpsters must be screened with materials consistent with the main structure of a subarea or located inside a garage.

(f) In Subarea II garbage pick-up areas are limited to the west entrance of the parking garage- I, a maximum of three drive-through lanes for all uses combined are allowed by right. Any additional lanes require an SUP.

(g) Underground utilities are required for the Property when possible and that meet the standards of the public or franchised utilities.

SEC.51P-799.115

COMPLIANCE WITH CONDITIONS.

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

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

SECTION 3. That, pursuant to Section 51A-4.701 of Chapter 51A of the Dallas City Code, as amended, the proper description in Section 1 of this ordinance shall be construed as including the area to the centerline of all adjacent streets and alleys.

SECTION 4. That development of this district must comply with the full-scale version of Exhibit 779A (~~development plan~~ conceptual plan) attached to this ordinance. A reduced-sized version of this plan shall be provided in Chapter 51P. Permits shall be issued based on information provided on the full-scale version of the plan.

SECTION 5. That the director of development services shall correct Zoning District Map No. G-8 in the offices of the city secretary, the building official, and the department of sustainable development and construction ~~development services~~ to reflect the changes in zoning made by this ordinance.

SECTION 6. That the city attorney is authorized to insert the enrolled number of this ordinance in the legislative history section of Article 799 in Chapter 51P.

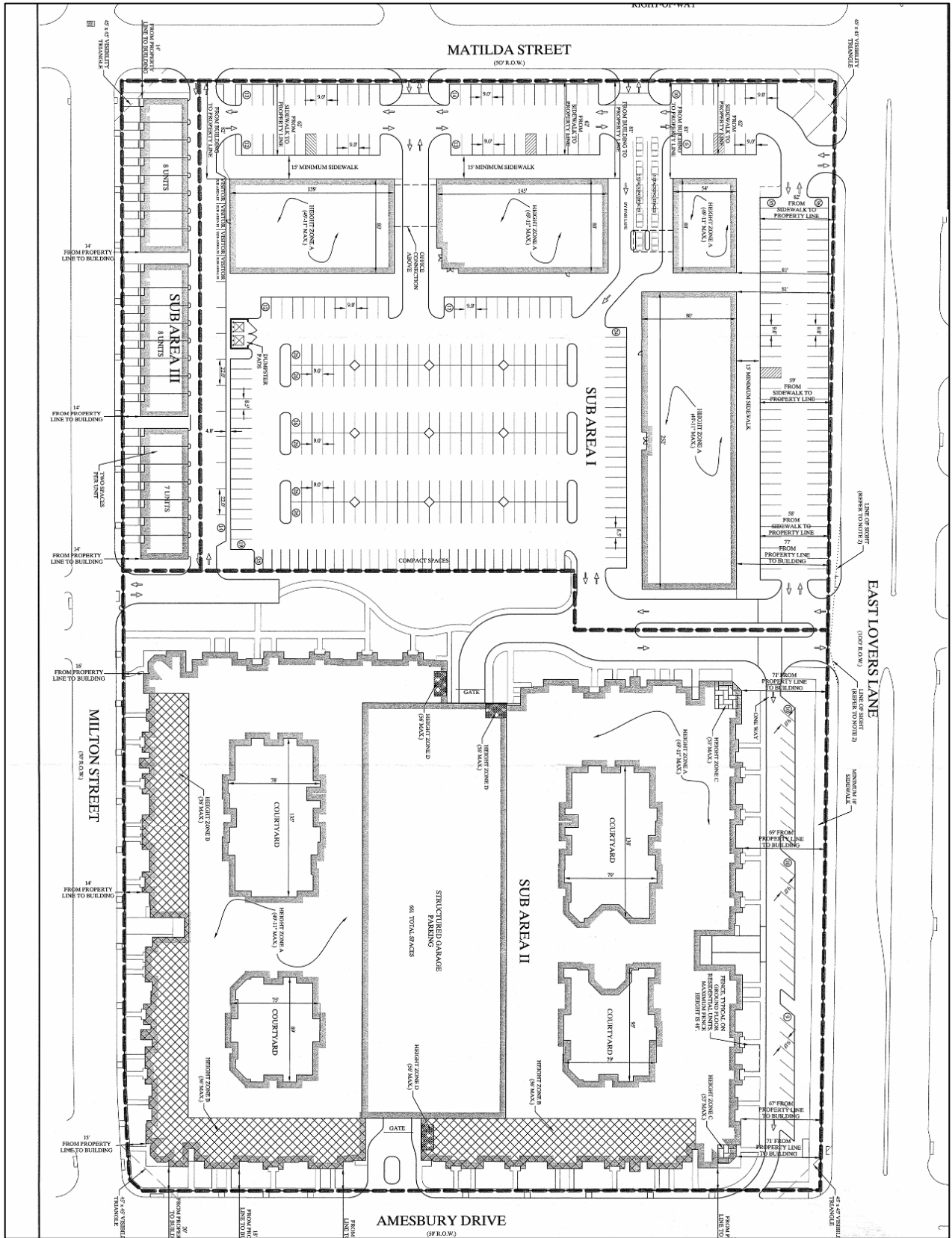
SECTION 7. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

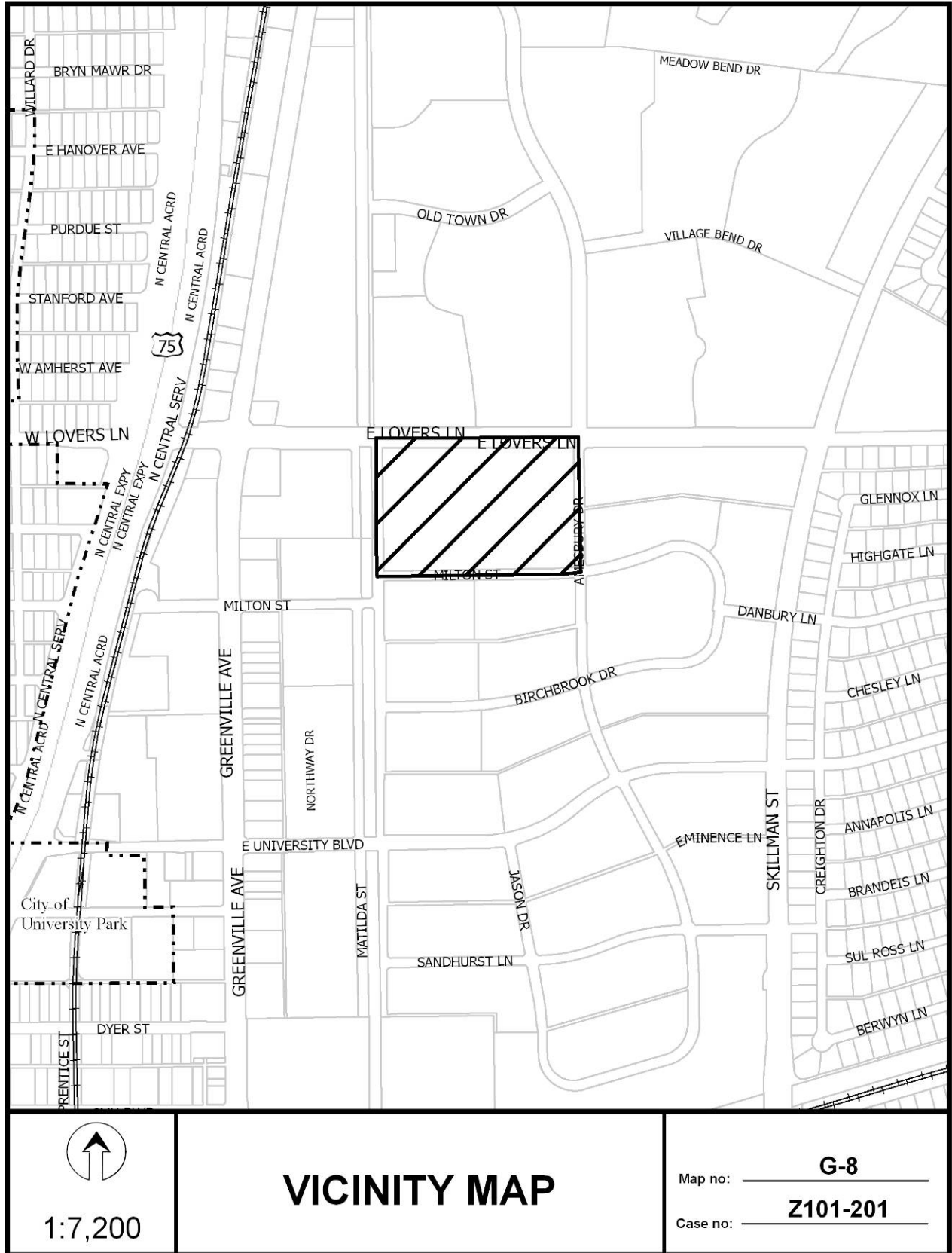
SECTION 8. That the zoning ordinances of the City of Dallas and Chapter 51P of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 9. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 Chapter 1 of the Dallas City Code, as amended.

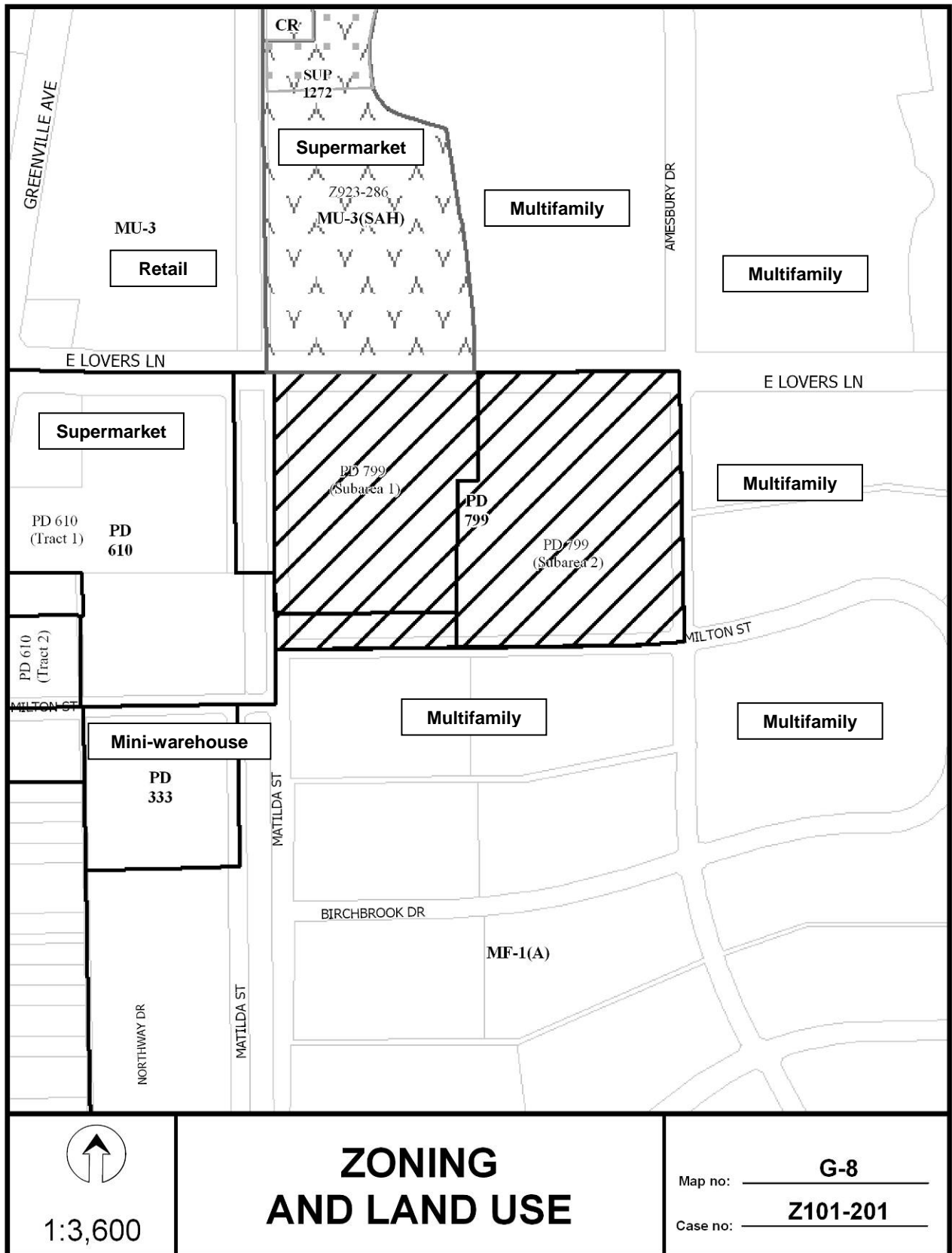
SECTION 10. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

EXISTING DEVELOPMENT PLAN

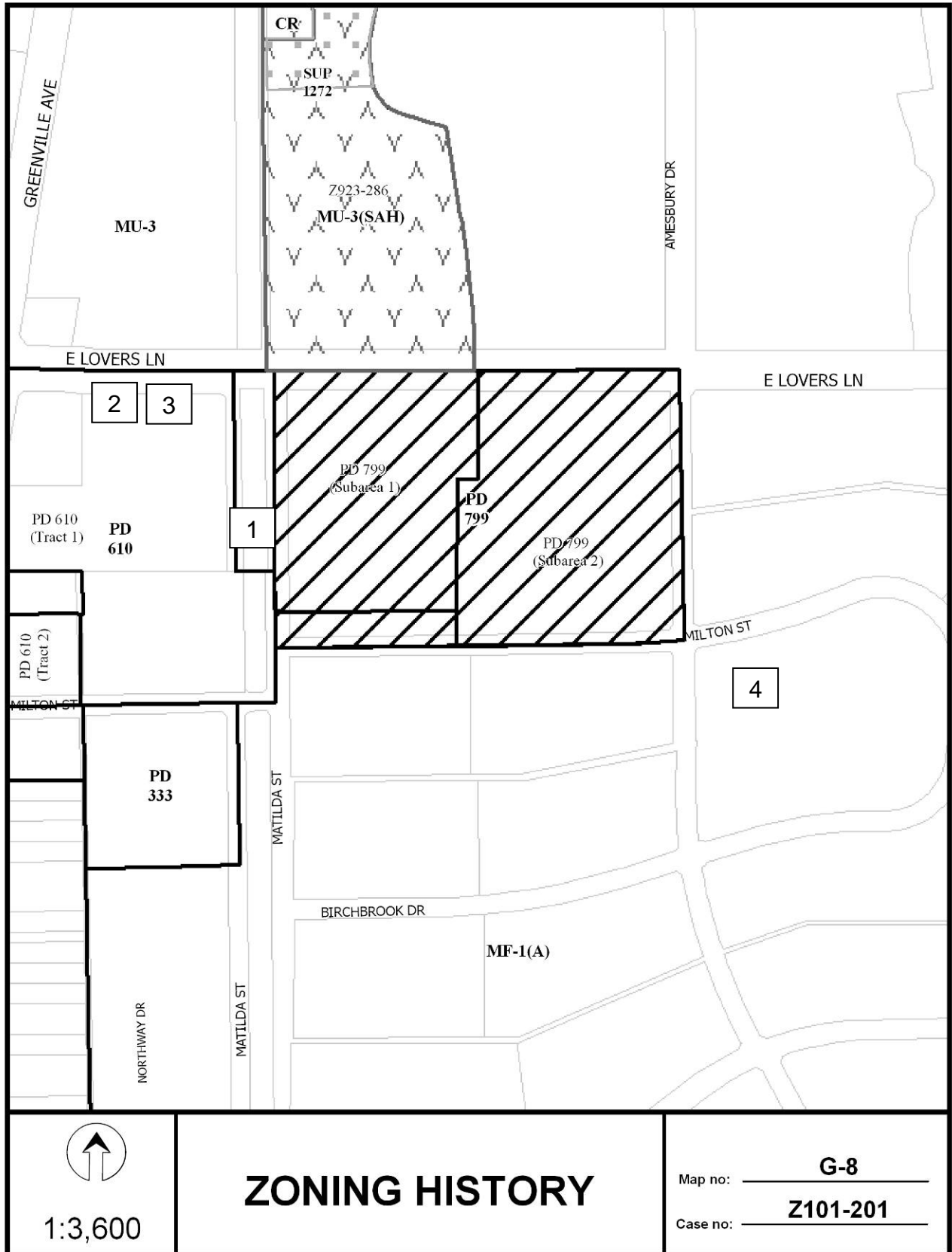




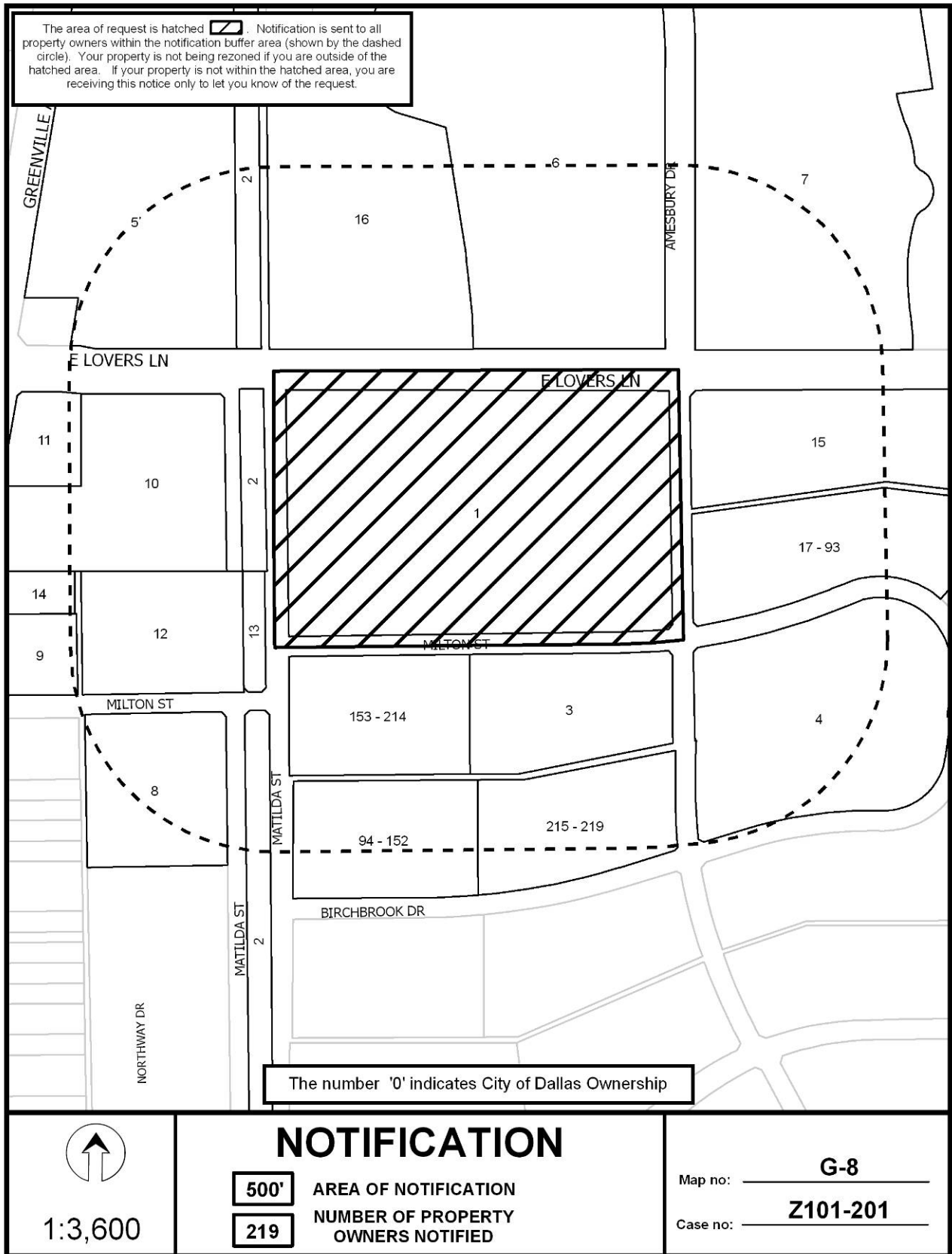
DATE: April 25, 2011



DATE: April 25, 2011



DATE: April 25, 2011



DATE: April 25, 2011

4/25/2011

Notification List of Property Owners**Z101-201****219 Property Owners Notified**

Label #	Address	Owner
1	5936 LOVERS	LOVERS TRADITION LP SUITE 101A
2	5700 LOVERS	TEXAS UTILITIES ELEC CO % STATE & LOCAL TAX DEPT
3	5025 AMESBURY	FAIRFIELD AT AMESBURY LP % TAX DEPT 8601
4	5020 AMESBURY	FAIRFILED AT AMESBURY LP % TAX DEPT 8601
5	5500 GREENVILLE	OT TX GREENVILLE LP STE 200
6	5349 AMESBURY	PC VILLAGE APTS DALLAS LP 3300 LINCOLN PLAZA
7	5350 AMESBURY	LINCOLN PROPERTY CO 3300 LINCOLN PLAZA
8	5720 MILTON	SH 708 716 LLC ATTN SANDRA L HERBERGER
9	5114 GREENVILLE	MUSSO & CIVELLO ET AL NCI-001-03-81
10	5750 LOVERS	LINCOLN LAG LTD HEB - PROPERTY TAX DEPT
11	5200 GREENVILLE	HEDRICK L W TRUST HEB - PROPERTY TAX DEPT
12	5750 LOVERS	MATILDA REALTY I LP HEB - PROPERTY TAX DEPT
13	4500 GREENVILLE	TXU ELECTRIC & GAS
14	5118 GREENVILLE	LINCOLN LAG TWO LTD % LINCOLN PPTY CO COMM
15	6044 LOVERS	LOVERS LANE PROP SUB LP ATTN: PETER A PETRICCA
16	5809 LOVERS	OT TEXAS GREENVILLE LP %WESTWOOD FINANCIAL CORP
17	5130 AMESBURY	CHAVEZ CONSUELO BERNAL UNIT 120
18	5130 AMESBURY	PEDIGO PATRICK J
19	5130 AMESBURY	COMINI ALESSANDRA
20	5132 AMESBURY	COUSINO JAY FREDERICK & LORI SUE COUSINO
21	5132 AMESBURY	LABARBA FRANK JR
22	5132 AMESBURY	SALGADO GARY PMB 272
23	5130 AMESBURY	WRIGHT KAY FINLAYSON
24	5130 AMESBURY	COUSINO JAY & LORI
25	5130 AMESBURY	KADEN & WEREB INVESTMENTS LLC
26	5132 AMESBURY	MCCARROLL MARIA R UNIT 204

Label # Address Owner

27	5132	AMESBURY	G4 LLC
28	5132	AMESBURY	MORANTE JAVIER
29	5136	AMESBURY	BUFORD R LEE BLDG B UNIT 107
30	5136	AMESBURY	CASTELLANOS JOSEFA
31	5138	AMESBURY	WILSON GLENDA L &
32	5138	AMESBURY	RICKRICH WHITE LLC
33	5138	AMESBURY	COUSINO JAY
34	5136	AMESBURY	GILBREATH CYNTHIA
35	5136	AMESBURY	STRAIN ELIZABETH A
36	5138	AMESBURY	CCHIRCA ANATOMIO
37	5138	AMESBURY	PHILLIPS ROGER
38	5140	AMESBURY	BARONET ALICE K BLDG C UNIT 112
39	5140	AMESBURY	CHAVEZ RIGOBERTO & ADRIANA ELENA ALVAREZ
40	5142	AMESBURY	KRANICH GEORGE W
41	5142	AMESBURY	KRANICH GEORGE W
42	5142	AMESBURY	ERNST BOBBIE JEAN
43	5140	AMESBURY	BRIDGES WILLIAM SAMUEL JR
44	5140	AMESBURY	CVIJETIC GORAN
45	5142	AMESBURY	FERIA JULIA V BLDG C UNIT 215
46	5142	AMESBURY	GARZA ERICK UNIT 216
47	5142	AMESBURY	KENNEDY CAROLE K BLDG C UNIT 217
48	5148	AMESBURY	EVERETT DEL
49	5148	AMESBURY	FELLOWS HOWARD F JR & GLADYS J
50	5148	AMESBURY	SIGAUD JOSE UNIT 120
51	5148	AMESBURY	DEUTSCHE BANK NATIONAL TRUST CO
52	5148	AMESBURY	JOHNSON MARGARET E
53	5148	AMESBURY	MORGAN BRYAN II
54	5148	AMESBURY	NEGA AKLIL BLDG D UNIT 220
55	5148	AMESBURY	BROTHERTON KATHERINE UNIT 221
56	5150	AMESBURY	STEVENS MICHAEL W BLDG E UNIT 122
57	5150	AMESBURY	FAITH DORIS
58	5150	AMESBURY	SABOGAL ANDREW
59	5150	AMESBURY	GRAY GARY T
60	5150	AMESBURY	CONOVER SCOTT M
61	5150	AMESBURY	LOZANO JR LINO GARZA & RUTH VELEZ
62	5154	AMESBURY	WATKINS BUSTAMANTE PARTNERS LTD
63	5150	AMESBURY	SIKORSKI JOSEPH

Label #	Address	Owner
64	5154 AMESBURY	SCOTT MAEBETH UNIT 127
65	5154 AMESBURY	DEVITO JILL UNIT 128
66	5154 AMESBURY	MORENO BARBARA BLDG F UNIT 129
67	5154 AMESBURY	STARK RANDY
68	5154 AMESBURY	ORTEGA TABITHA C & JOSE B BLDG F UNIT 228
69	5154 AMESBURY	HOLMES WILLIAM H
70	6001 MILTON	GHENNET MICHELE
71	6003 MILTON	WELCH JO T
72	6005 MILTON	MARTIN IAN UNIT 132
73	6007 MILTON	DAMETIE TADELE
74	6009 MILTON	DUNN ZENEBECH
75	6011 MILTON	FISHER RENEE C
76	6015 MILTON	NORMAN THOMAS E UNIT 136
77	6017 MILTON	DAVENPORT PHILIP AUBER TR
78	6019 MILTON	VOLBEDA MICHAEL & AMBER BLDG H UNIT 138
79	6021 MILTON	IBRAHIM MARY
80	6023 MILTON	SMITH CLAELE
81	6025 MILTON	CARTER KEVIN R & BARBARA
82	6033 MILTON	DAMARYS QUINTANA D
83	6035 MILTON	SMITH MARLYS L
84	6037 MILTON	MULLENNIX BERRY J & REGINA A CO-TRUSTEES
85	6039 MILTON	ROBBINS MYRA ELIZABETH UNIT 145
86	6041 MILTON	COCANOUGH ANDREW MARK
87	6043 MILTON	GALITZ MELISSA
88	6045 MILTON	PATTERSON BRIAN S
89	6047 MILTON	NAKPAIRAT SOPON & ANN M
90	6049 MILTON	RESENDEZ JENNIFER
91	6051 MILTON	CORSE CATHY DOWDY TR
92	6053 MILTON	MERCHED CHADI J
93	6055 MILTON	MOLHOEK DAVID C
94	5805 BIRCHBROOK	BLACKMAN CLAIRE R NO 101A
95	5805 BIRCHBROOK	SMITH GARY W & CHRISTINA UNIT 102
96	5825 BIRCHBROOK	MCMILLAN DARLENE J
97	5811 BIRCHBROOK	LUEDTKE GRETCHEN M
98	5805 BIRCHBROOK	ATKINS ENGLISH E APT 201
99	5805 BIRCHBROOK	KALKER AVIE
100	5811 BIRCHBROOK	MCDANIEL STEPHEN D & CONSTANCE E

Label #	Address	Owner
101	5811 BIRCHBROOK	YEH CHAOSUAN & MEINA LIN
102	5819 BIRCHBROOK	EMMONS MIKE BLDG B UNIT 105
103	5819 BIRCHBROOK	JONES TRICIA L UNIT 205
104	5833 BIRCHBROOK	PLIMPTON PAMELA UNIT 108
105	5833 BIRCHBROOK	RILEY CHARLOTTE L BLDG C UNIT 109
106	5825 BIRCHBROOK	CLUMPNER JUSTIN
107	5833 MILTON	BELL ELLEN M APT 209
108	5833 BIRCHBROOK	TWAY DUANE C & CONSTANCE
109	5010 MATILDA	AGUILAR JOSE I UNIT 110
110	5010 MATILDA	MCBEATH SHERRY L
111	5010 MATILDA	ABBOTT JUDITH P
112	5010 MATILDA	BLANDFORD LESLIE E
113	5016 MATILDA	MORGAN BRYAN II
114	5016 MATILDA	BLANKENSHIP JAMES T & DONALD J STANLEY
115	5020 MATILDA	DUPUY CHARLOTTE B APT 114-E
116	5020 MATILDA	VERSCOYLE JOAN
117	5016 MATILDA	RAMP MARIA
118	5016 MATILDA	PEDIGO PATRICK J & SAMIA J
119	5020 MATILDA	BULLENTINI ROBERT &
120	5020 MATILDA	WHISNANT DENISE BLDG E UNIT 215
121	5026 MATILDA	ZABY VINCENT RAY
122	5026 MATILDA	BRYSON MARK H
123	5026 MATILDA	JONES BRADY
124	5026 MATILDA	SALDANA LILIANA J UNIT 217
125	5032 MATILDA	THOMPSON LAURALEE BLDG G UNIT 118
126	5032 MATILDA	TSADA NEGUSE & AMET SELAI
127	5032 MATILDA	FORTENBERRY AUSTIN BLDG G UNIT 218
128	5032 MATILDA	QUEEN DAVID ROBERT BLDG G UNIT 219
129	5038 MATILDA	FANTINI DAVID #120
130	5038 MATILDA	ANDERSON LORANNA R
131	5038 MATILDA	ANSLEY WILLIAM F SUITE 220
132	5038 MATILDA	BENAVIDES NATHAN
133	5044 MATILDA	SHEEHAN MARY L TRUSTEE
134	5044 MATILDA	DRISKELL STANLEY B SR ARVIN
135	5050 MATILDA	ALLEN STEPHANIE M
136	5050 MATILDA	BURCH RICHARD M &
137	5056 MATILDA	TAYLOR TIMOTHY F

Label #	Address	Owner
138	5056 MATILDA	GARCIA ERIC
139	5062 MATILDA	GOLDER MELANIE M & WILLIAM E
140	5062 MATILDA	SOTELO ANTONIA
141	5068 MATILDA	YOUNGBLOOD LYNN A BLDG I UNIT 130
142	5068 MATILDA	FANNIE MAE
143	5044 MATILDA	MONGARAS JAMES J
144	5044 MATILDA	HARMAN MICHAEL J
145	5050 MATILDA	GOROM MEGAN R
146	5050 MATILDA	YANG VICTOR
147	5056 MATILDA	ANSTEAD CLIFFORD R UNIT 226
148	5056 MATILDA	QIU CHUN
149	5062 MATILDA	KIDANE TEFAMARIAN & TSIGIE NEGUSSIE
150	5062 MATILDA	IBRAHIM DANA L
151	5068 MATILDA	ASSEFA HAILE A BLDG I UNIT 230
152	5068 MATILDA	WELCH JULIE
153	5804 MILTON	JACKSON OLIVIA ZENA UNIT 101
154	5804 MILTON	HOPKINS PEGGY
155	5808 MILTON	SMITH GENTRY D
156	5808 MILTON	ROSE SHEILA DIANNE UNIT 104
157	5804 MILTON	FANTA SOLOMON BLDG A UNIT #201
158	5804 MILTON	ACEVEDO MARIA C
159	5808 MILTON	WANG SUIJUN & QING CHUAN LI
160	5808 MILTON	YILMA ALEMNESH F
161	5812 MILTON	BAKEWELL THOMAS B UNIT 105
162	5812 MILTON	BERNSTEIN IRL D & MARSHA P
163	5816 MILTON	FIELDS MARION LYNN
164	5816 MILTON	COFFEY BARBARA
165	5820 MILTON	DANIEL RAVI
166	5820 MILTON	DAVIS WILLIE F BLDG C # 109
167	5816 MILTON	CORONADO ELIAS & MARIA T
168	5816 MILTON	STCLAIRE MARIANNE K BLDG C UNIT 207
169	5820 MILTON	WULF JOSHUA
170	5820 MILTON	BENSKIN NORA & STEPHEN R BENSKIN
171	5098 MATILDA	JONES RANDY L & LU ANN
172	5098 MATILDA	CAGLE PAULINE
173	5098 MATILDA	DIAZ OSCAR UNIT 210
174	5098 MATILDA	COLEMAN BENNIE J JR BLDG D UNIT 211

Label #	Address	Owner
175	5090 MATILDA	HUTTASH HARRY JAMES
176	5090 MATILDA	FAIRCLOTH VICKY BLDG E UNIT 113
177	5088 MATILDA	VANDERHEYDEN TERRANCE
178	5088 MATILDA	DELGADO CABRERA JUAN UNIT 115
179	5090 MATILDA	HAYNES KELLY UNIT 212
180	5090 MATILDA	SHELMIRE DOROTHY M BLDG 3 UNIT 213
181	5088 MATILDA	CHONG YANWAH
182	5088 MATILDA	TORREZ JESSIE N
183	5086 MATILDA	COTTLE LAWRENCE W JR TRUST AGREEMENT
184	5086 MATILDA	MULLER DANIEL V BLDG F UNIT #117
185	5086 MATILDA	WILLIAMS DENA M
186	5086 MATILDA	BAKU SUMMITVIEW DR
187	5084 MATILDA	LUNA GERARDO
188	5084 MATILDA	CELAYA ROSARIO A BLDG G UNIT 119
189	5084 MATILDA	MACALUSO MATTIE G UNIT 218
190	5084 MATILDA	ABREHAM HAILE S MR UNIT G-219
191	5082 MATILDA	BASU AMIT & EUGENIA D BASU SIDHARTHA A
192	5082 MATILDA	FISHER HOWARD R UNIT 121
193	5082 MATILDA	LARO A ELAINE T BLDG H UNIT 220
194	5082 MATILDA	LOWRANCE CHRISTOPHER K UNIT 221
195	5072 MATILDA	SAVAGE SHANNON COOPER
196	5072 MATILDA	BARRIOS ALBERT & DEBRA D BARRIOS
197	5074 MATILDA	SUPUNYABOOT SUNISA BLDG I UNIT 124
198	5074 MATILDA	DAVIS JANIS BLDG I UNIT 125
199	5076 MATILDA	WEISS JERRY I
200	5076 MATILDA	AGANLIC MUHAMED BLDG I UNIT 127
201	5078 MATILDA	PEDIGO PATRICK J & SAMIA
202	5078 MATILDA	BRIDER CORA LEE BLDG I UNIT 129
203	5080 MATILDA	BOGGS NANCY A
204	5080 MATILDA	NGU UY T
205	5072 MATILDA	BIADAILIGNE HABTAMU SERKALEM S ARARSA
206	5072 MATILDA	HAGEDORN ELEANOR TR
207	5074 MATILDA	KROUT ROBERT E UNIT 224
208	5074 MATILDA	ROUNGRONG PORNTHIP & MICHAEL SAGER
209	5076 MATILDA	KING PAUL & VICKIE MASSIE
210	5076 MATILDA	GRIMES MATHEW
211	5078 MATILDA	REDA FREWEINI ASMEROM

Z101-201(MW)

Label #	Address	Owner
212	5078 MATILDA	PUMPHANG KRAISORN BLDG I UNIT 229
213	5080 MATILDA	POLJAK MILENA
214	5080 MATILDA	STEVENS JANICE DUNLAP
215	5909 BIRCHBROOK	5919 BIRCHBROOK DRIVE ASSOCIATES LLC ATTN KIRK
216	5909 BIRCHBROOK	LA CIMA NEWPORT PARTNERS LLC
217	5909 BIRCHBROOK	ROBINSON JENELLE UNIT 112
218	5909 BIRCHBROOK	5919 BIRCHBROOK DRIVE ASSOCIATES LLC ATTN: KIRK
219	5909 BIRCHBROOK	STERN ALEXIS B UNIT 127

FILE NUMBER: Z101-234 (MW)

DATE FILED: March 28, 2011

LOCATION: Southwest corner of Lovers Lane and Fisher Road

COUNCIL DISTRICT: 9

MAPSCO: 36-D

SIZE OF REQUEST: ±3.12 Acres

CENSUS TRACT: 79.02

OWNER/APPLICANT: St. Paul's Evangelical and Reformed Church

REPRESENTATIVES: James D. Blume, Joshua H. Northam

REQUEST: An application to renew Specific Use Permit No. 975 for a private school on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes to continue the operation of the existing private school and requests consideration of automatic renewal of the Specific Use Permit.

STAFF RECOMMENDATION: Approval for a five-year time period with eligibility for automatic renewal for additional five-year periods subject to conditions.

BACKGROUND:

- The ±3.12-acre request site is developed with a church, which is utilized in part by a private school (SUP No. 975) accommodating grades kindergarten (K) through five (5) with a maximum permitted enrollment of 150 students.
- Existing structures on the property include a one-story brick building and fixed playground equipment.
- On June 24, 2003, City Council approved SUP No. 975 for a three-year period, which was set to terminate on June 24, 2006. On September 19, 2006, City Council approved renewal of SUP No. 975 for a five-year period, which will terminate on October 11, 2011.
- The applicant proposes to continue the operation of the existing private school. Other than the request for eligibility for automatic renewal for additional five year periods, no revisions to the ordinance or site plan are requested by this application.
- The request site is surrounded by single family to the north, east and south and a church a public school to the west.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Lovers Lane	Local	60 feet
Fisher Road	Local	65 feet

Land Use:

	Zoning	Land Use
Site	R-7.5(A) with SUP 975	Church and private school
North	R-7.5(A); TH-3(A)	Single family
East	R-7.5(A)	Single family
South	R-7.5(A)	Single family
West	R-7.5(A); PDD 652	School; church

STAFF ANALYSIS:

Comprehensive Plan:

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

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

In general, the applicant's proposal to provide a private school at this location is consistent with the following goal and policy of the Comprehensive Plan.

LAND USE ELEMENT

Goal 1.1: Promote desired development.

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

URBAN DESIGN ELEMENT

GOAL 5.1 Promote a sense of place, safety and walkability

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

Land Use Compatibility:

The ±3.12-acre request site is developed with a church, which is utilized in part by a private school (SUP No. 975) accommodating grades kindergarten (K) through five (5) with a maximum permitted enrollment of 150 students. The applicant proposes to continue the operation of the existing private school. Other than the request for eligibility for automatic renewal for additional five year periods, no revisions to the ordinance and site plan are requested by this application.

The request site is surrounded by single family to the north, east and south and a church a public school 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 applicant's request, subject a site plan and conditions, complies with the general provisions for consideration of an SUP.

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. Since this is an existing SUP and traffic circulation is depicted on the site plan, staff did not require a traffic management plan as part of this renewal.

Parking:

Pursuant to §51A-4.210 of the Dallas Development Code, the off-street parking requirement for a school is 1.5 spaces per elementary classroom. Therefore, the proposed 10-classroom private school will require a total of 15 parking spaces.

Landscaping:

There is significant established landscaping on the site, consisting of several mature trees, as depicted on the site plan. Any new development on the property will require landscaping per Article X of the Dallas Development Code.

Z101-234 (MW)

Partners/Principal/Officers:

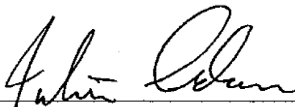


**Dr. Dan Busdiecker,
Minister**

**ST. PAUL'S
EVANGELICAL AND REFORMED CHURCH
United Church
of Christ
6464 E. Lovers Lane
Dallas, TX 75214
(214) 368-7788**

2011 CONSISTORY MEMBERS

Julien Adam	Elder	President
Marilyn Blume	Elder	Vice-President
Shelly Vorwerk	Deacon	Treasurer
Gary Wood	Deacon	Finance Secretary
Judy Deering	Deacon	Recording Secretary
David Klempin	Elder	
Becky Barbour	Deacon	
Ray Steinhauer	Elder	
Joyce Ehr	Deacon	
Don Wellman	Elder	


Julien Adam, President of the Consistory

2101-234

E-mail: stpaulsucc@sbcglobal.net

Fax: (214) 346-0448

**Z101-234
PROPOSED CONDITIONS**

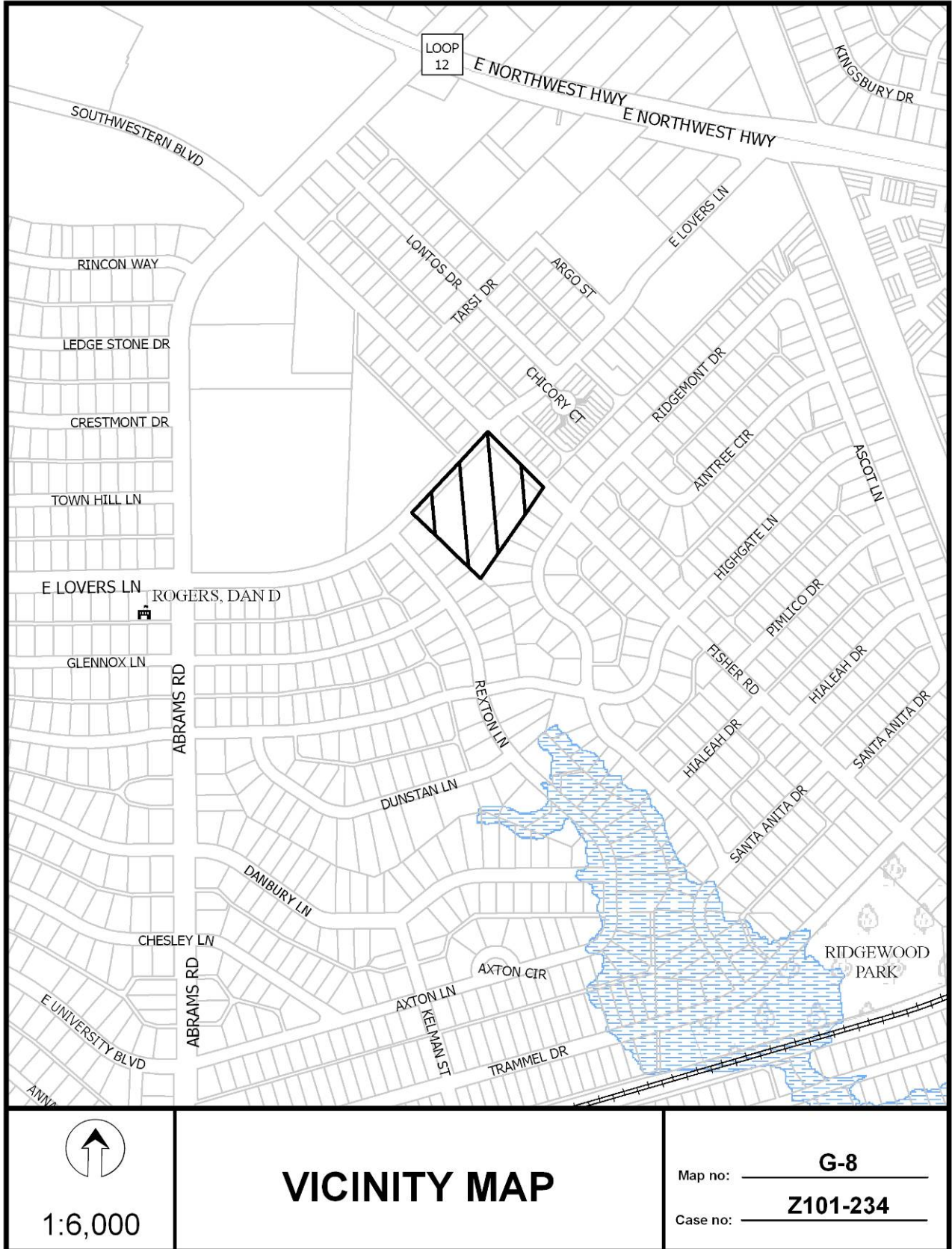
1. USE: The only use authorized by this specific use permit is a private school.
2. SITE PLAN: Use and development of the property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on _____(five years from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for application for automatic renewal is strictly enforced.)
4. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code. Plant materials must be maintained in a healthy, growing condition.
5. CIRCULAR DRIVE. The circular drive on Lovers Lane labeled as Circular Drive A must be closed off with cones or bollards and chains between 8:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 5:00 p.m., Monday through Friday.
6. ENROLLMENT: Enrollment in the private school may not exceed 150 children.
7. FENCING: The outdoor play area must be totally enclosed with a minimum four-foot high fence as shown on the attached site plan.
8. TRAFFIC CIRCULATION: A designated loading/unloading area must be provided in the western off-street parking area as shown on the attached site plan. Additionally, school personnel must be provided in the locations shown during the following time period, Monday through Friday to facilitate the loading/unloading of school attendees: between 8:15 a.m. and 8:45 a.m., and between 4:15 p.m. and 4:45 p.m.

Z101-234 (MW)

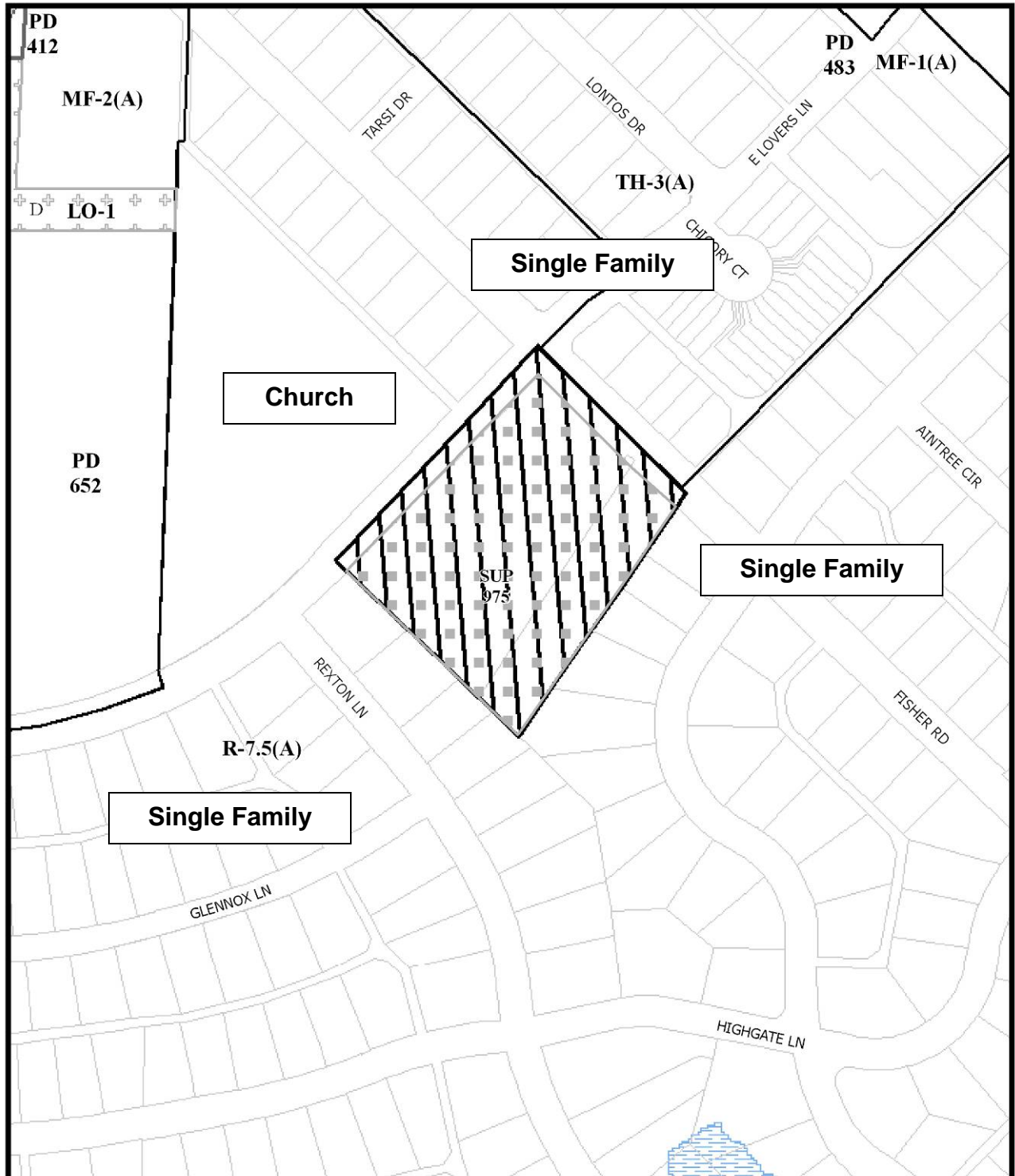
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.


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.

Z101-234 (MW)



DATE: May 19, 2011




1:2,400

ZONING AND LAND USE

Map no: G-8
Case no: Z101-234

DATE: May 19, 2011



5/19/2011

Notification List of Property Owners

Z101-234

69 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6520 LOVERS	ST PAULS EVANGELICAL & REFORMED CHURCH
2	5314 ABRAMS	Dallas ISD
3	5145 REXTON	HIPP SARAH G
4	5141 REXTON	TAYLOR JAMES D & MARTHA M SHERIDAN
5	5137 REXTON	KIRBY JANE D
6	6452 LOVERS	MCCORD MARTHA KATE
7	5221 REXTON	BOYCE MARTHA D
8	5215 REXTON	PRAGER SAMUEL J
9	5211 REXTON	MARSHALL LAYNE
10	5205 REXTON	ALBRIGHT LAURA Z
11	6480 FISHER	JONES TIMOTHY W
12	6484 FISHER	BROWN WAYNE D
13	6488 FISHER	WIGLEY DORIS J
14	6492 FISHER	CISNEROS MERCED H & YOLANDA R
15	6498 FISHER	ROJAS HECTOR HANS & NOUN CHHENG
16	5220 REXTON	CHANDLER BETTY ANNE
17	5212 REXTON	FORD RICHARD C
18	5204 REXTON	HAAS MARK
19	5154 REXTON	BRANDT ERNEST C & DOROTHY
20	5150 REXTON	BAKER BRENT N & ALLISON MORRIS
21	5144 REXTON	HERNANDEZ FRANCISCO JR
22	5140 REXTON	VAUGHAN ROBERT HARRIS & GLENYS MOLLY QUICK
23	5134 REXTON	THRUN JACK R
24	6537 RIDGEMONT	HUMPHRIES LLOYD K
25	6533 RIDGEMONT	CHIN SO YING
26	6529 RIDGEMONT	FREEMAN NANCY KAY

Thursday, May 19, 2011

Z101-234 (MW)

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6523 RIDGEMONT	WOLF BARRY H
28	6519 RIDGEMONT	WILLETT QUENTON H JR
29	6515 RIDGEMONT	STALEY SARA L
30	6509 RIDGEMONT	HARRIS BONNIE B & BRUCE W
31	6505 RIDGEMONT	SCHORR SCOTT
32	6508 RIDGEMONT	DUNHAM RICHARD E & HELEN K
33	6518 RIDGEMONT	LIGGETT VINCENT A
34	6528 RIDGEMONT	SMITH DENICE H
35	6548 FISHER	PARAGAMIAN JOY
36	6445 LOVERS	RIDGEWOOD PARK METHODIST CHURCH
37	6604 AINTREE	LOVELL NANCY E
38	6484 RIDGEMONT	CORCORAN CONSTANCE
39	6490 RIDGEMONT	HANES HORACE R
40	6545 FISHER	GRAHAM CECILY R & JARRED K GRAHAM
41	6548 CHICORY	STUCKERT JESSICA & MITCHELL H
42	6544 CHICORY	NGUYEN JEANNIE
43	6540 CHICORY	MENDENHALL MAX KEBERT
44	6536 CHICORY	MARSHALL AGNES
45	6532 CHICORY	LAHIRI SATYAJEET&SUDESHNA
46	6528 CHICORY	WEISS MERLE S
47	6524 CHICORY	LAHIRI SATYAJEET&SUDESHNA
48	6520 CHICORY	BOLT JENNIFER MICHELLE
49	6516 CHICORY	KINSMAN MARY E
50	6512 CHICORY	SACHSE CINDY L
51	6508 CHICORY	CATO GAIL M
52	6504 CHICORY	BERNSTEIN JACK
53	6519 FISHER	CANTRELL TIM
54	6525 FISHER	HAM TEX PROPRTIEL LLC % TICOR TITLE
55	6493 RIDGEMONT	TABBOUCHE KARIM
56	6487 RIDGEMONT	CLYCE CHRISTOPHER A
57	6477 RIDGEMONT	DIVERS JOSEPHINE
58	6475 RIDGEMONT	UTSMAN MARY MARGARET
59	6477 FISHER	KEENE DOUG & MONICA

Z101-234 (MW)

Label # Address Owner

60	6481	FISHER	BROMBERG DEBRA
61	6485	FISHER	LYON EDWINA A
62	6489	FISHER	ROOKSTOOL FARRIS JR
63	6486	LONTOS	JOHNSTON JO ANN
64	6482	LONTOS	MARSHALL TONY
65	6478	LONTOS	FORTNER ANTHONY LOYD
66	6511	LOVERS	QUE TEXAS REAL ESTATE DEV LLC
67	6492	LONTOS	MARTIN BERNARD A UNIT 306-101
68	6509	LOVERS	DEFOE KIMBERLY
69	6503	LOVERS	GOSWAMI VICTORIA

Z101-285(MW)
Case Report will be
distributed at Briefing

FILE NUMBER: Z101-198 (JH)

DATE FILED: February 25, 2011

LOCATION: Northeast corner of Royal Lane and I-35 / N. Stemmons Freeway

COUNCIL DISTRICT: 6

MAPSCO: 22-H

SIZE OF REQUEST: Approx. 0.47 acres

CENSUS TRACT: 99.00

REPRESENTATIVE: Parvez Malik

APPLICANT: Sub Enterprise Inc

OWNER: Quik-way Retail Associates II, Ltd

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 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 approximately 2,477 square foot convenience store.

STAFF RECOMMENDATION: **Approval** of the D-1 Dry Liquor Control Overlay and **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise use 3,500 square feet or less for a two-year period with eligibility for additional five year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise 3,500 square feet or less use and a motor vehicle fueling station.
- The proposed use is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.

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

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Royal Lane	Principle Arterial	100 feet

STAFF ANALYSIS:

Comprehensive Plan:

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

Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Multi-modal corridors in particular would diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit orientation and access.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

Land Use Compatibility:

The approximately 0.47-acre request site is zoned an RR Regional Retail District with a D Liquor Control Overlay and is currently developed with an approximately 2,477 square foot general merchandise 3,500 square feet or less and a motor vehicle fueling station. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which is not allowed by the D Liquor Control Overlay.

The surrounding land uses are office, showroom, warehouse uses to the north, auto service center to the east and southeast, restaurant to the east, and office and retail to the south.

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:

Z101-198(JH)

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

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

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

Development Standards:

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

Parking/Traffic:

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

The general merchandise or food store use requires one space for every 200 square feet of floor area and a motor vehicle fueling station requires two spaces. The site plan shows that 15 off-street parking spaces are required and 15 off-street spaces are provided.

Landscaping:

Landscaping required per Article X of the Dallas Development Code.

Z101-198(JH)

List of Partners/Principals/Officers

Applicant:

Sub Enterprises, INC

Aziz Rupani, President and Secretary

Owner:

Quik-way Retail Associates II, Ltd

Alan Golman, Manager

Richard Golman, Manager

Kenneth Bruder, Manager

Howard Beckerman, Manager

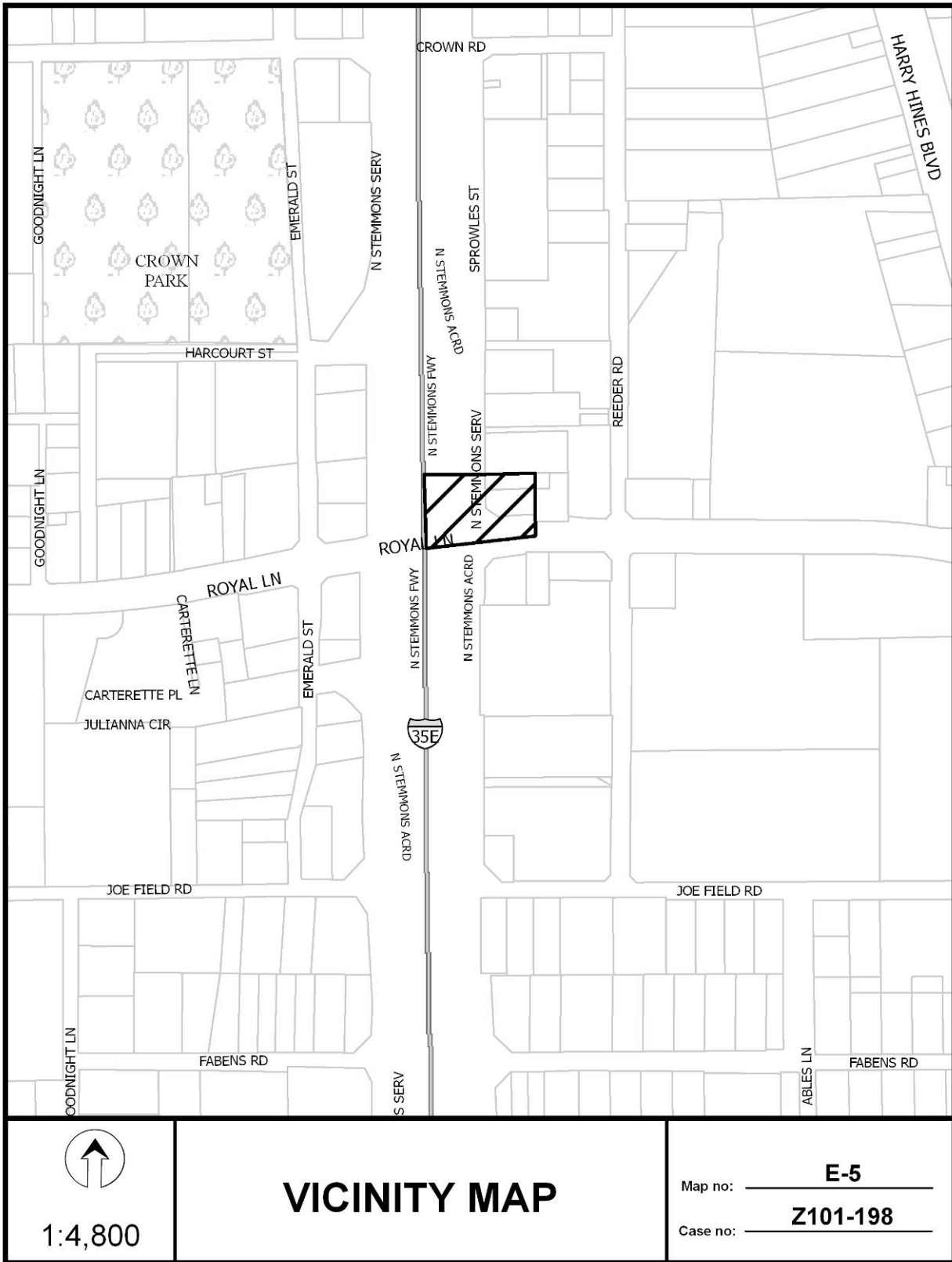
DPD Report

Dallas Police Department Reports
Public Offense Search Results

SERVICE #	OFFENSE DATE	TYPE	COMPLAINANT	ADDRESS	BEAT	REPORTING AREA
1	0723487-R	09/22/2006	TRAFFIC MOTOR VEHICLE	SMITH,DINA,MICHELLE	11404 N STEMMONSFRWY	556 3004
2	0787663-R	10/17/2006	CRIMINAL MISCHIEF/VANDALISM	ROWE,ROBERT	11404 N STEMMONSFRWY	556 3004
3	0787666-R	10/17/2006	ASSAULT	ROWE,ROBERT	11404 N STEMMONSFRWY	556 3004
4	0824925-R	10/30/2006	THEFT	*NSC	11404 N STEMMONSFRWY	556 3004
5	0935915-R	12/15/2006	CRIMINAL MISCHIEF/VANDALISM	*SHELL	11404 N STEMMONSFRWY	556 3004
6	0383173-T	01/14/2007	LOST PROPERTY	*SUB ENTERPRISES (SHELL)	11404 N STEMMONSFRWY	556 3004
7	0645646-T	09/02/2007	ROBBERY	PINEDA-VILLAREAL,GERARDO	11404 N STEMMONSFRWY	556 3004
8	0072941-V	03/12/2008	FOUND PROPERTY	@CITY OF DALLAS	11404 N STEMMONSFRWY	551 3004
9	0243597-V	08/06/2008	THEFT	*SHELL	11404 N STEMMONSFRWY	551 3004
10	0254237-V	08/16/2008	ROBBERY	ANIMAS,NELSON	11404 N STEMMONSFRWY	551 3004
11	0246839-W	08/18/2009	AUTO THEFT-UUMV	GOSSETT, LARRY	11404 N STEMMONSFRWY	551 3004
12	0309809-W	10/18/2009	AUTO THEFT-UUMV	MILLER,VIC	11404 N STEMMONSFRWY	551 3004
13	0047414-Y	02/24/2011	AUTO THEFT-UUMV	MATA,LUIS	11404 N STEMMONSFRWY	551 3004
14	0076552-Y	03/27/2011	ASSAULT	STRAWN, MURRAY	11404 N STEMMONSFRWY	551 3004
15	0136559-Y	05/27/2011	OTHER OFFENSES	ROWE,ROBERT	11404 N STEMMONSFRWY	551 3004
16	0137719-Y	05/28/2011	OTHER OFFENSES	PHILLIPS,GREGORY	11404 N STEMMONSFRWY	551 3004

SUP Conditions

1. **USE:** The only use authorized by this specific use permit is the sale of alcoholic beverages for 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 five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.
5. **GENERAL REQUIREMENTS:** Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

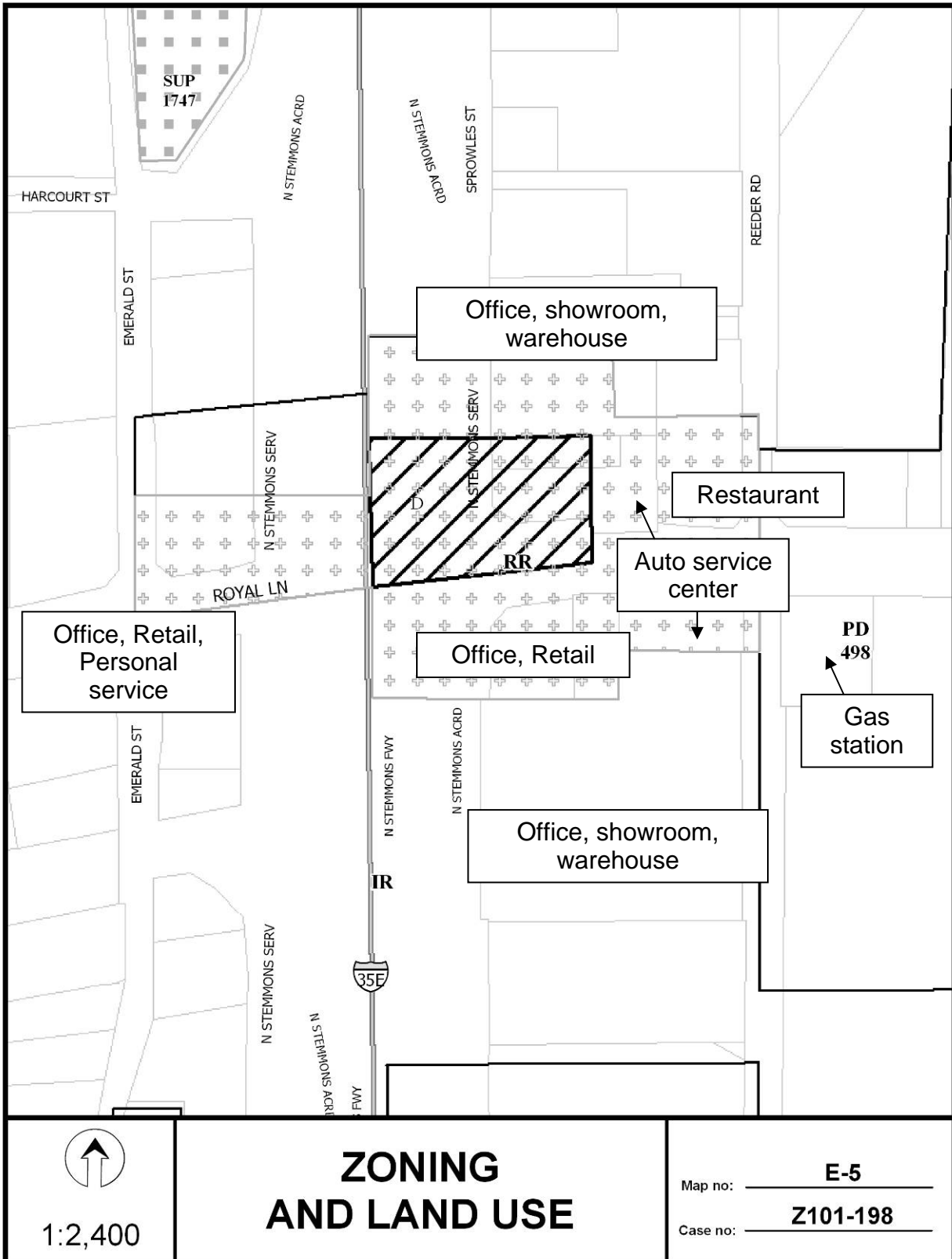


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VICINITY MAP

Map no: E-5
Case no: Z101-198

DATE: April 01, 2011

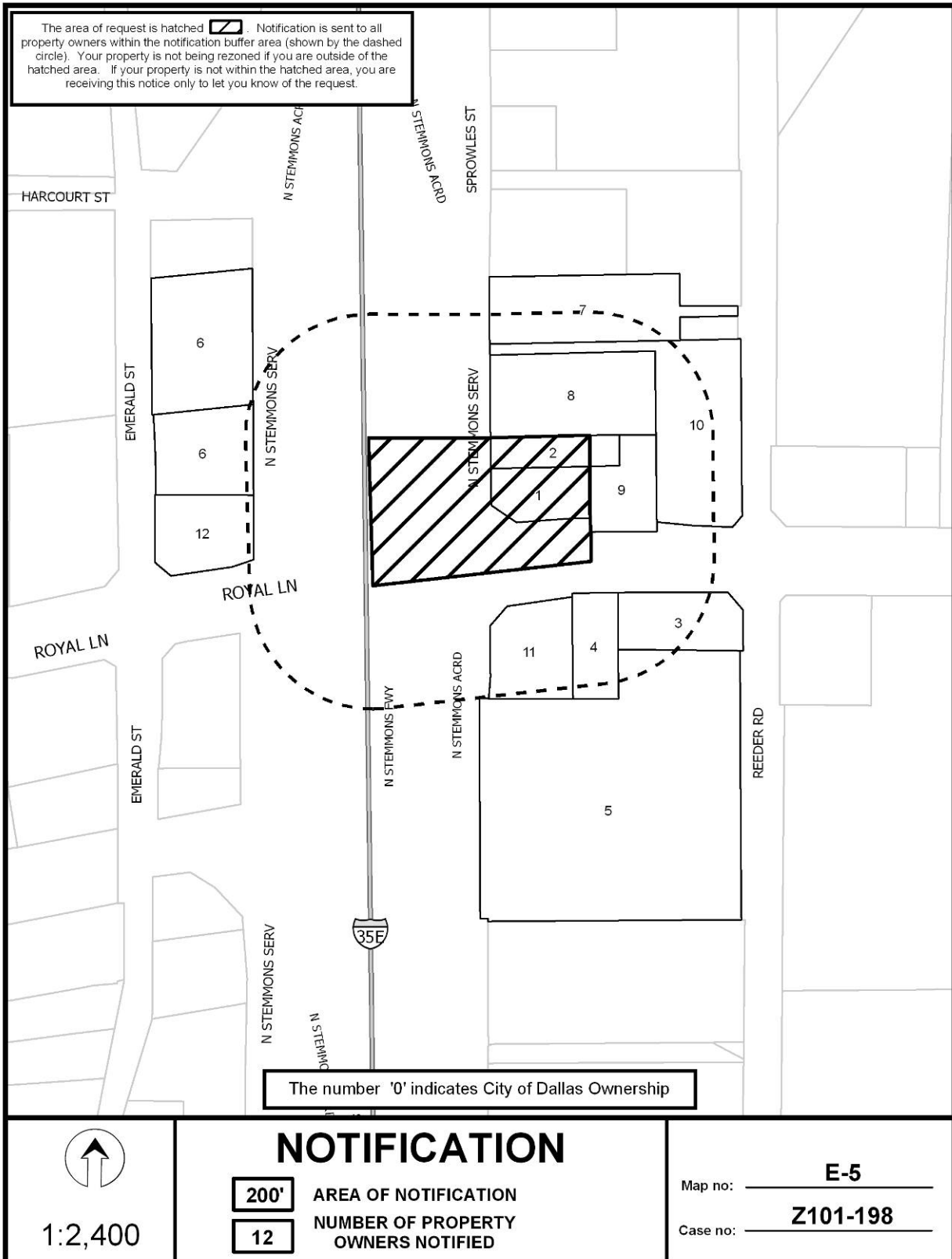


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ZONING AND LAND USE

Map no: E-5
Case no: Z101-198

DATE: April 01, 2011



Notification List of Property Owners

Z101-198

12 Property Owners Notified

Label #	Address	Owner
1	11404 STEMMONS	STATEWIDE STATIONS INC
2	11404 STEMMONS	QUIK WAY RETAIL AS II LTD
3	2464 ROYAL	KLACHIAN GARY & ELIZA ELIZABETH KLACHIAN
4	2454 ROYAL	V V S N HOLDING LLC
5	11359 REEDER	MCDONALD DONNA C ET AL REEDER ROAD SAF-T-LOC
6	11434 EMERALD	B & MK INC
7	11434 STEMMONS	JAMES INVESCO INC
8	11408 STEMMONS	GOLDSTEIN STAN
9	2465 ROYAL	2465 CSK ROYAL INC
10	2475 ROYAL	MCDONALDS USA LLC AMF OHARE
11	2450 ROYAL	HSY INC
12	2405 ROYAL	BEALL LEGACY PARTNERS LP

Friday, April 01, 2011

FILE NUMBER: Z101-239(WE) **DATE FILED:** April 11, 2011
LOCATION: Lake June Road and Holcomb Road, northeast corner
COUNCIL DISTRICT: 5 **MAPSCO:** 58-M
SIZE OF REQUEST: Approx. 16,988.4 sq. ft. **CENSUS TRACT:** 92.10

APPLICANT F & M Properties, Inc.

OWNER: Yunis Unlimited, Inc.

REPRESENTATIVE: Parez Malik

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

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

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

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store less than 3,500 square feet use, and a motor vehicle fueling station.
- The proposed use is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on property is prohibited in a D Liquor Control Overlay and requires a specific use permit in the D-1 Liquor Control Overlay.
- The surrounding land uses consist of a variety of auto related uses, retail and convenience stores with fueling station along Lake June Road. There are two convenience stores with fueling stations that are located on the southeast and southwest corners of Lake June Road and Holcomb Road. Properties north and east of the request site are developed with residential uses.

Zoning History: There have been two zoning changes requested in the area.

1. Z101-181 On Wednesday, June 22, 2011, the City Council will consider a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property zoned a CR-D Community Retail District with a D liquor Control Overlay on the southeast corner of Lake June Road and Holcomb Road.
2. Z101-186 On Wednesday, June 22, 2011, the City Council will consider a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property zoned a CR-D Community Retail District with a D liquor Control Overlay on the southwest corner of Lake June Road and Holcomb Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Lake June Road	Principal Arterial	80 ft.	80 ft.
Holcomb Road	Local	60 ft.	60 ft.

Land Use:

	Zoning	Land Use
Site	CR-D	General Merchandise store & fueling station
North	R-7.5(A)	Undeveloped, Single Family
South	CR-D, RR-D	General Merchandise store & fueling station, Auto related uses
East	R-7.5(A)	Undeveloped, Single Family
West	RR-D	Auto related uses

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility: The approximately 2,070 square foot site is zoned a CR-D Community Retail District with a D Liquor Control Overlay and is currently developed with a general merchandise or food store less than 3,500 square feet use and a motor vehicle fueling station. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which is not allowed by the D Liquor Control Overlay but requires a Specific Use Permit in the D-1 Liquor Control Overlay. The applicant is seeking an off-premise license.

The surrounding land uses consist of a variety of auto related uses, retail and convenience stores with fueling station along Lake June Road. There are two convenience stores with fueling stations that are located on the southeast and southwest corners of Lake June Road and Holcomb Road. Properties north and east of the request site are developed with residential uses.

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

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

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

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

that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

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

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

The applicant’s request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The initial short time period will also require that the request be reevaluated to ensure the use is compatible in this location. The applicant is providing solid screening between the adjacent residential uses and their property.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
CR-D Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

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

Parking: The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area and 2 spaces for a motor vehicle fueling station. The development requires 12 spaces with 13 being provided per the attached site plan.

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

Dallas Police Department: .

 DALLAS POLICE DEPARTMENT UCR Codes Year Codes Property Class Codes 										
Virtual Viewer - Public Access										Welcome
  										
Search Records - Offense										Filter
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0019227-V	01/19/2008	*BUY AND RIDE FOOD ...	BURGLARY	08505		LAKEJU...	336	1254	05131	
0026003-Y	01/30/2011	@COMMERCE PD	FOUND PROPERTY	08505		LAKEJU...	333	1254	43020	43040
0046668-X	02/18/2010	*DR, PEPPER	THEFT	08505		LAKEJU...	333	1254	06951	
0068646-X	03/11/2010	*BUY & RIDE	CRIMINAL MISCHIEF/VA...	08505		LAKEJU...	333	1254	14031	
0070086-X	03/13/2010	@CITY OF DALLAS	FOUND PROPERTY	08505		LAKEJU...	333	1254	43020	
0084042-V	03/22/2008	*BUY AND RIDE FOOD ...	BURGLARY	08505		LAKEJU...	336	1254	05132	14081
0092577-X	04/05/2010	*NEW; BUY & RIDE	CRIMINAL MISCHIEF/VA...	08505		LAKEJU...	333	1254	14083	
0096704-X	04/09/2010	CHAVARRIA, JEANIE	AUTO THEFT-UUMV	08505		LAKEJU...	333	1254	07191	
0126474-V	04/29/2008	*BUY AND RIDE FOOD ...	ROBBERY	08505		LAKEJU...	336	1254	03711	
0138316-Y	05/28/2011	*BUY& RIDE STORE	CRIMINAL MISCHIEF/VA...	08505		LAKEJU...	333	1254	14031	
0140616-X	05/21/2010	*BUY AND RIDE	CRIMINAL MISCHIEF/VA...	08505		LAKEJU...	333	1254	14031	
0150027-X	05/30/2010	LEE,NICHOLAS	ROBBERY	08505		LAKEJU...	333	1254	03831	
0279071-W	09/18/2009	YOUNG,MALCOLM	THEFT	08505		LAKEJU...	333	1254	06992	
0367120-W	12/13/2009	OLIVARES, MARIA	THEFT	08505		LAKEJU...	333	1254	06942	
0391180-T	05/27/2007	*BUY AND RIDE FOOD ...	BURGLARY	08505		LAKEJU...	329	1254	05C32	

LIST OF OWNERS
F & M Properties, Inc.

- Fazel Rahmani, President / Secretary

LIST OF OWNERS
Yunis Unlimited, Inc.

- Yunis Hantouli, President / Secretary

PROPOSED SUP CONDITIONS

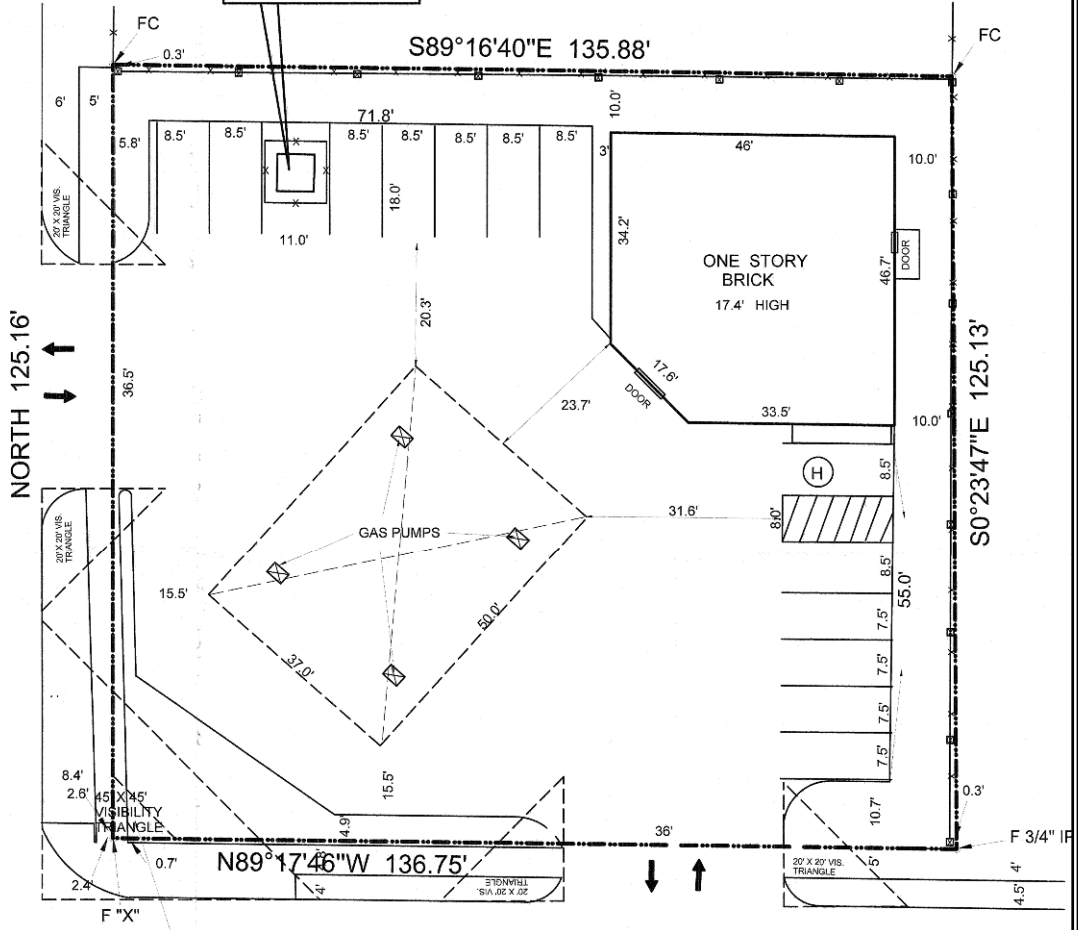
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use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

SITE INFORMATION	
COUNCIL DISTRICT	5
EXISTING ZONING	CR- D
SCHOOL DISTRICT	
ZONING MAP NO.	
MAPSCO NO.	58-M
CENSUS TRACT	0092.01

PARKING SPACES WILL BE RESTRIPTED PER SITE PLAN AFTER S.U.P. APPROVAL

DUMPSTER WILL BE RELOCATED WITH WOOD SCREENING FENCE AFTER S.U.P. APPROVAL



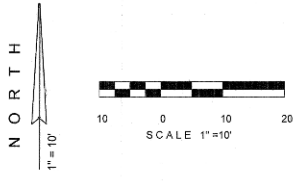
HOLCOMB ROAD
(60' ROW)

NORTH 125.16'

8505 LAKE JUNE ROAD
(VARIABLE WIDTH ROW)

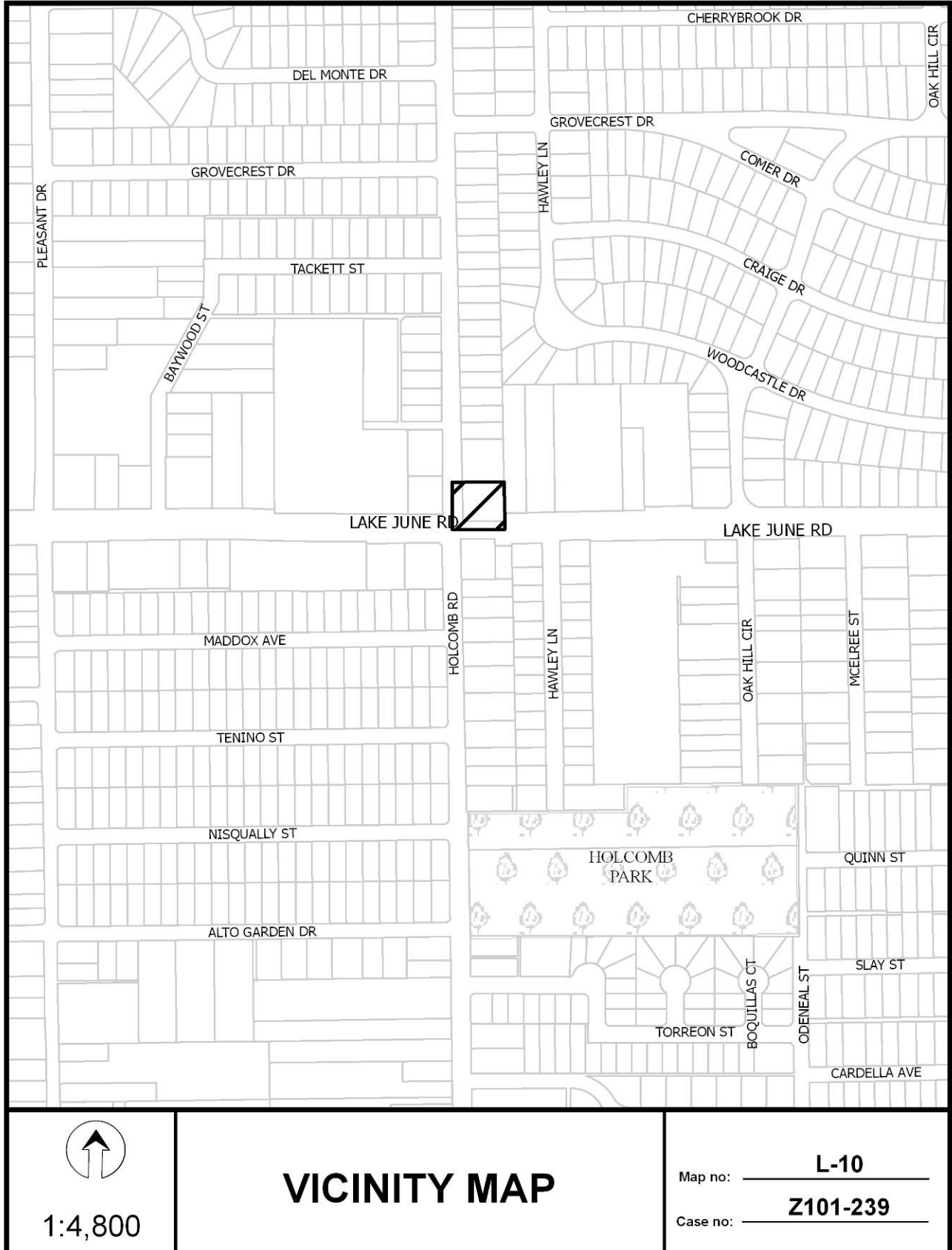
IMPERVIOUS AREA	
BUILDING FOOTPRINT	2070.08 S.F.
CONCRETE/ ASPHALT	11376.80 S.F.
TOTAL	13446.88 S.F.

PARKING TABULATIONS		
PARKING	REQUIRED	PROVIDED
REGULAR PARKING SPACES	12	12
HANDICAPPED SPACES	1	1
TOTAL	13	13

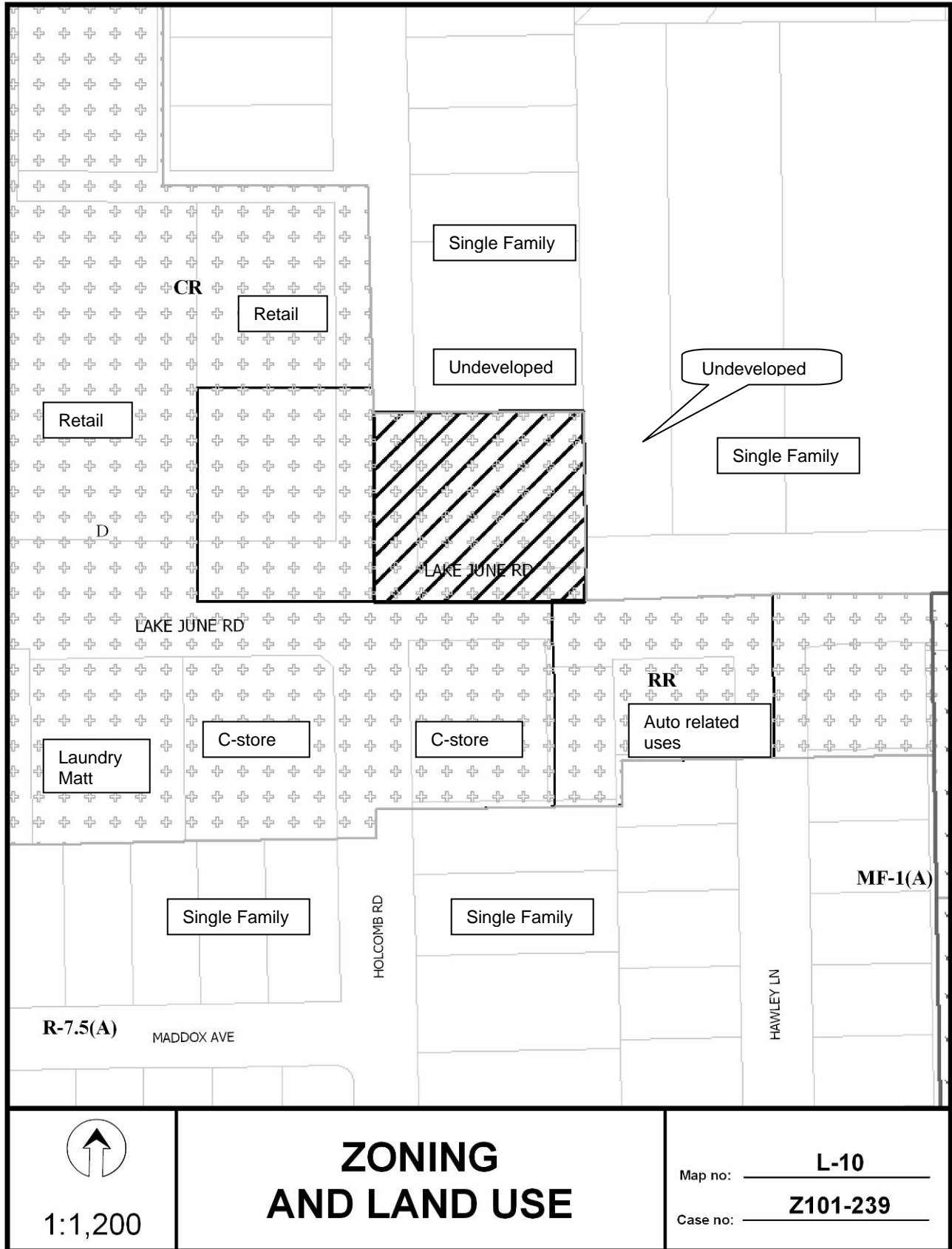


MOBLY LAND SURVEYING, INC.
740 DALWORTH STREET
GRAND PRAIRIE, TEXAS 75050-0720 972-263-1200

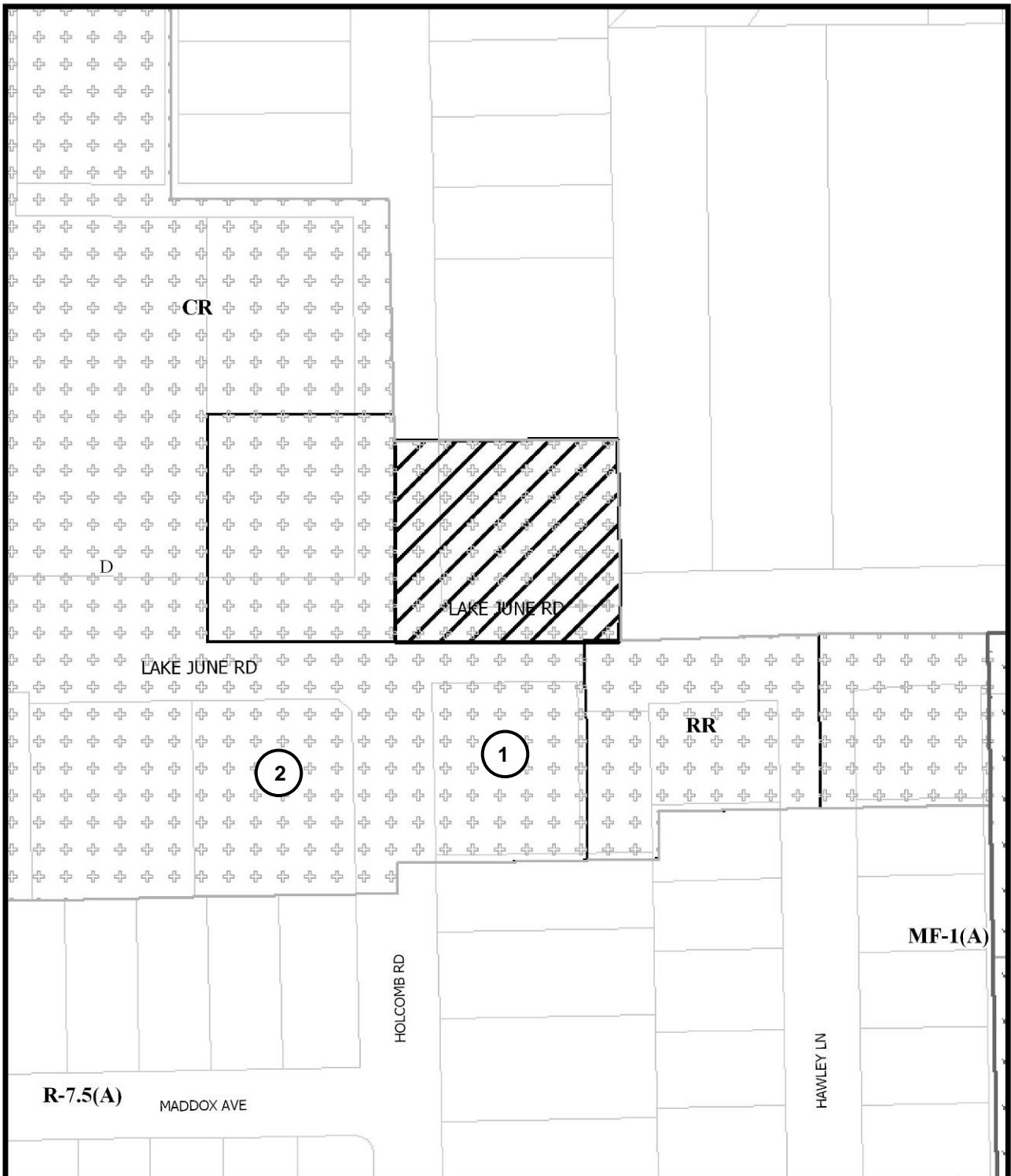
Z101-239WE)



DATE: May 19, 2011

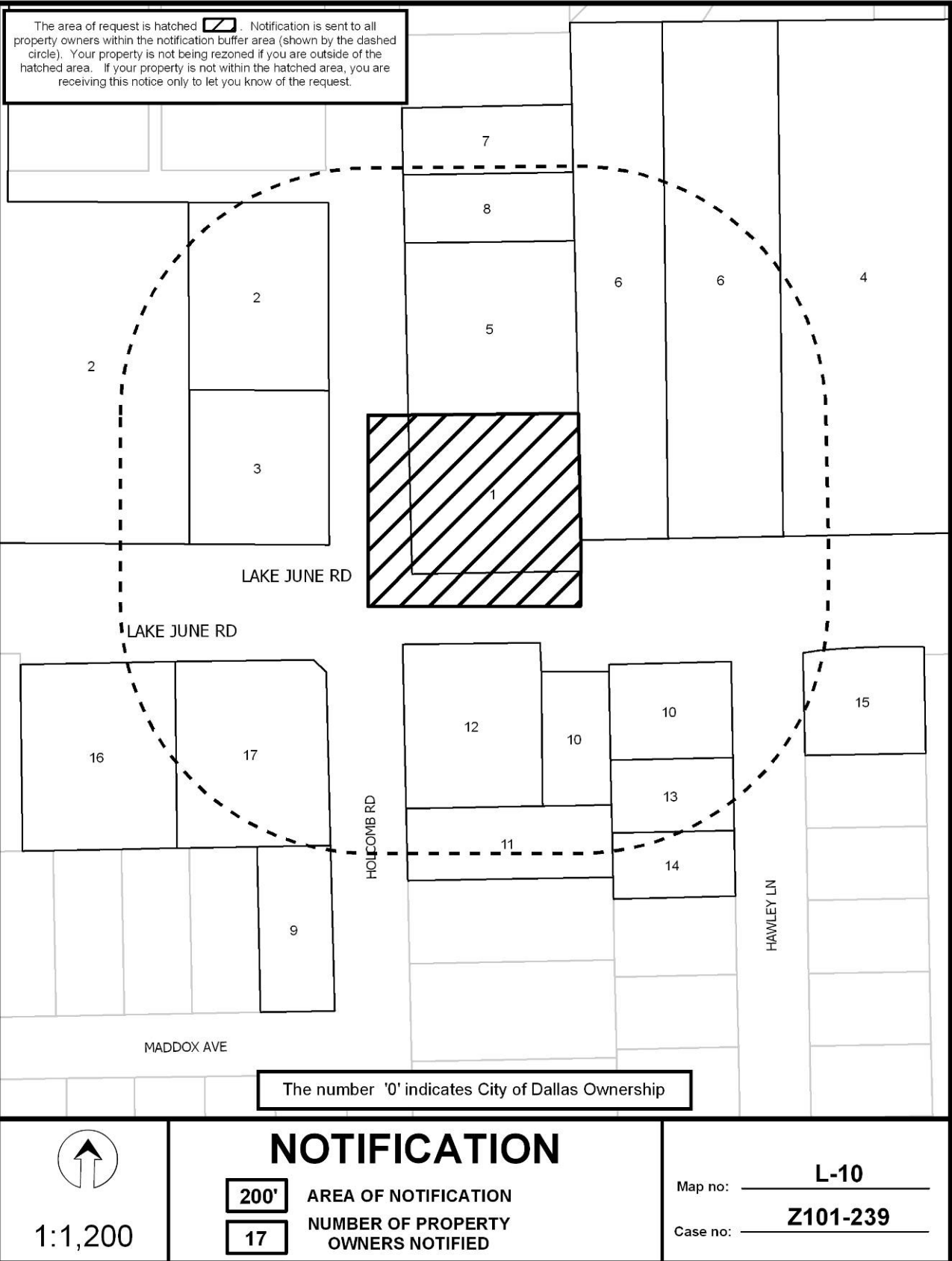


DATE: May 19, 2011



 1:1,200	<h1>ZONING MAP</h1>	Map no: <u> L-10 </u> Case no: <u> Z101-239 </u>
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DATE: May 19, 2011



DATE: May 19, 2011

Notification List of Property Owners

Z101-239

17 Property Owners Notified

Label #	Address	Owner
1	8505 LAKE JUNE	F&M PROPERTIES INC
2	8407 LAKE JUNE	MARTINEZ RUBEN
3	8449 LAKE JUNE	ORTIZ JOSE & SANDRA
4	8601 LAKE JUNE	SMITH MURRICE D
5	1316 HOLCOMB	SILVA JOSEFINA
6	8515 LAKE JUNE	SMITH ALVIE DOUGLAS
7	1328 HOLCOMB	MORENO ROSA
8	1324 HOLCOMB	MONGE JOSE & MARIA DELREFUGIO
9	8451 MADDOX	ALVARADO JAVIER & OLIMPIA
10	8516 LAKE JUNE	MUMITH RAJIA SULTANA
11	1236 HOLCOMB	DURAN JOSE JORGE
12	8502 LAKE JUNE	CHIN ROBERT K & BEN Y GEE NO 18361
13	1231 HAWLEY	HERNANDEZ ROGELIO
14	1227 HAWLEY	MENDEZ BELEN V
15	8600 LAKE JUNE	SMITH TOMMY J
16	8440 LAKE JUNE	WASH JUNE INC
17	8470 LAKE JUNE	A & Z TASTY FOODS LP STE 904

Thursday, May 19, 2011

FILE NUMBER: Z101-253 (MG)

DATE FILED: January 18, 2011

LOCATION: Southeast quadrant of Lake June Road and Templecliff Drive

COUNCIL DISTRICT: 5

MAPSCO: 58 J

SIZE OF REQUEST: Approx. 0.040 acres

CENSUS TRACT: 93.01

REPRESENTATIVE: Parvez Malik – Business Zoom

APPLICANT/OWNER: Bawa Corporation

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

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

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

BACKGROUND INFORMATION:

- The request site is currently developed with an approximately 1,737 square foot general merchandise use (convenience store), vehicle fueling station (gas station) and tire shop.
- The applicant proposes to sell alcohol for off-premise consumption in conjunction with the existing convenience store.
- The general merchandise use is permitted by right in the RR Regional Retail District. The sale of alcoholic beverages on property regulated by the D-1 Liquor Control Overlay requires a specific use permit.

Zoning History:

1. Z079-186

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

Thoroughfares/Streets:

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

Land Use:

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

STAFF ANALYSIS:

Comprehensive Plan:

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

Land Use Compatibility:

The approximately 0.40 acre request site is zoned an RR Regional Retail District with a D-1 Liquor Control Overlay and is currently developed with an approximately 1,737 square foot convenience store, motor vehicle fueling station and tire shop. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which requires a Specific Use Permit in the D-1 Liquor Control Overlay.

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

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

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the

welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

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

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

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

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

Development Standards:

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

Parking/Traffic:

The Dallas Development Code requires off-street parking to be provided for a general merchandise use at one space for each 200 square feet of floor, one space for every 500 square feet of auto service uses with a minimum of four spaces, and two spaces for motor vehicle fueling. This results in a parking requirement of 15 spaces.

Since the time this case has been held, it has been determined that previously added canopies create additional parking requirements. The applicant was expected to provide revised plans noting the total square footage for the tire shop including the added canopy areas. As of June 7, 2011, revised plans have not been received. As a result, it is not possible to determine the total parking requirement. The most recent site plan available indicates 17 parking spaces, but does not denote the square footage of the tire shop’s added canopy area.

Landscaping:

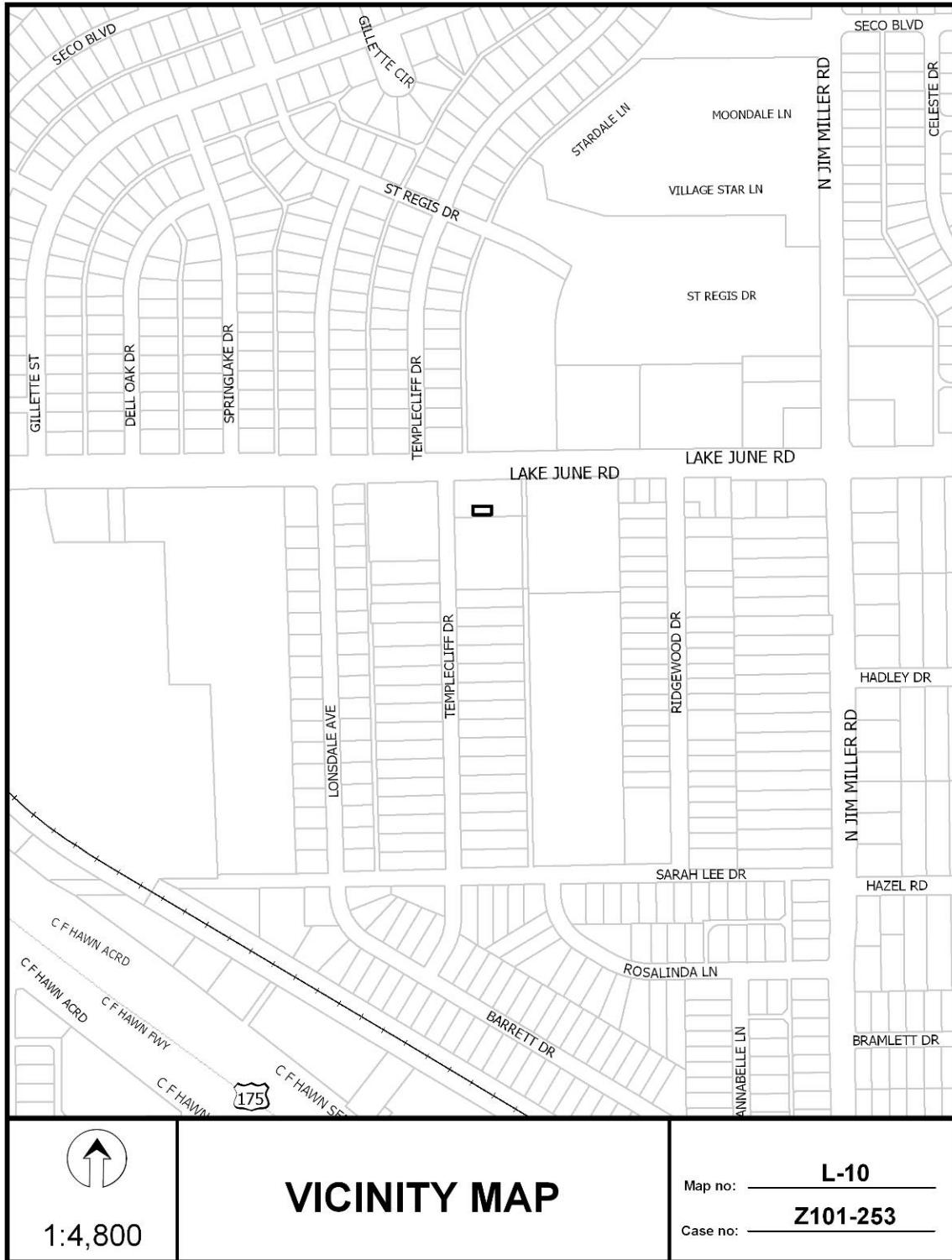
Landscaping required per Article X of the Dallas Development Code.

DPD Report

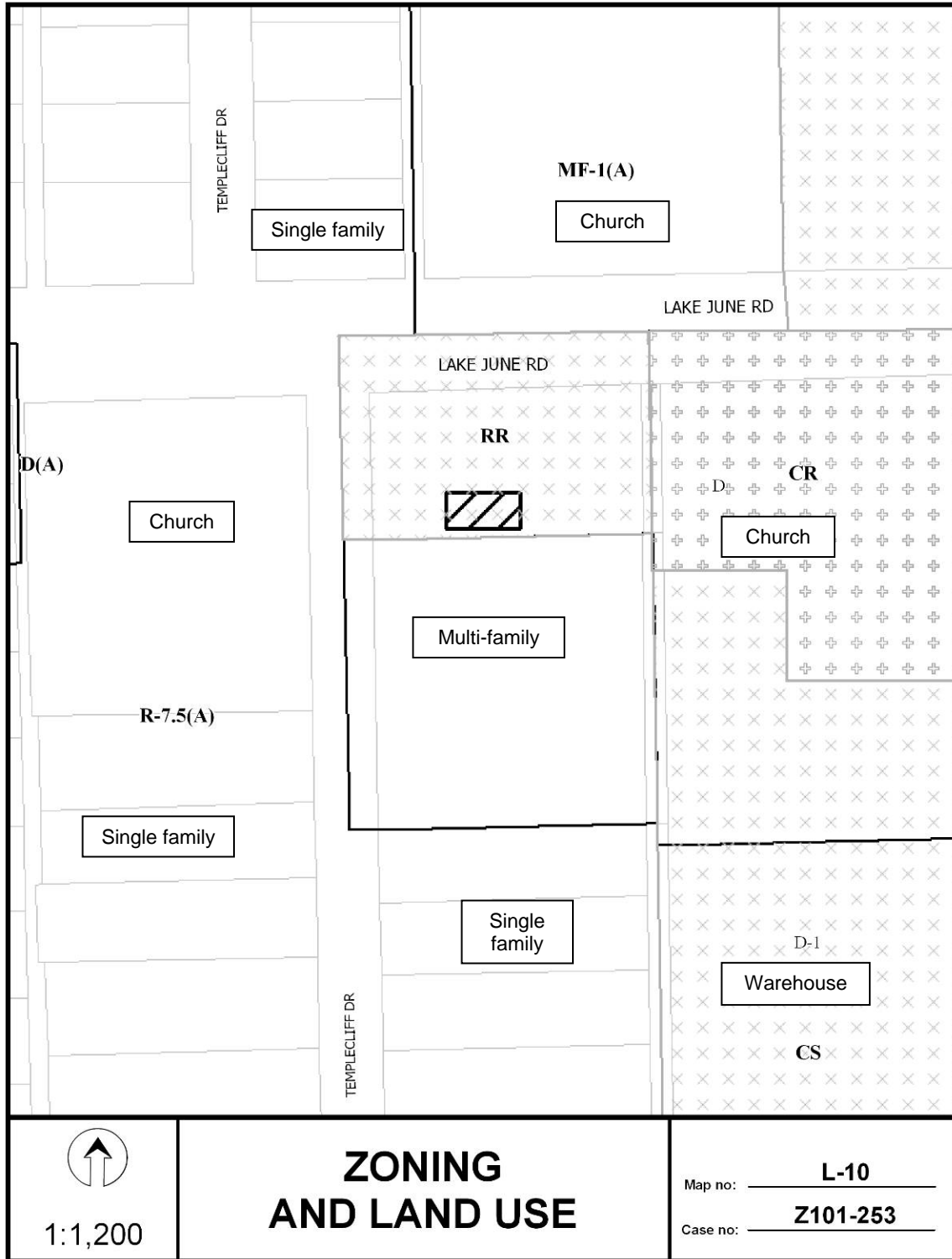
The screenshot displays the Dallas Police Department's Virtual Viewer interface. At the top left, the Dallas Police Department logo and name are visible. To the right of the logo, there are links for "UCR Codes", "Year Codes", and "Property Class Codes". Below the logo, the text "Virtual Viewer - Public Access" is displayed. On the far right of the top navigation bar, the word "Welcome" is visible. The main content area is a light gray rectangle. In the center of this area, there is a dark blue box with the text "No found results." Below this box is a white box with a thin border containing the text "The search parameters found no records." At the bottom of the interface, a dark blue footer bar contains the text "AgencyWeb® All rights reserved. ©2009 Orion Communications, Inc." The interface also features a small mouse cursor icon in the top left corner and a scroll bar on the right side.

SUP Conditions

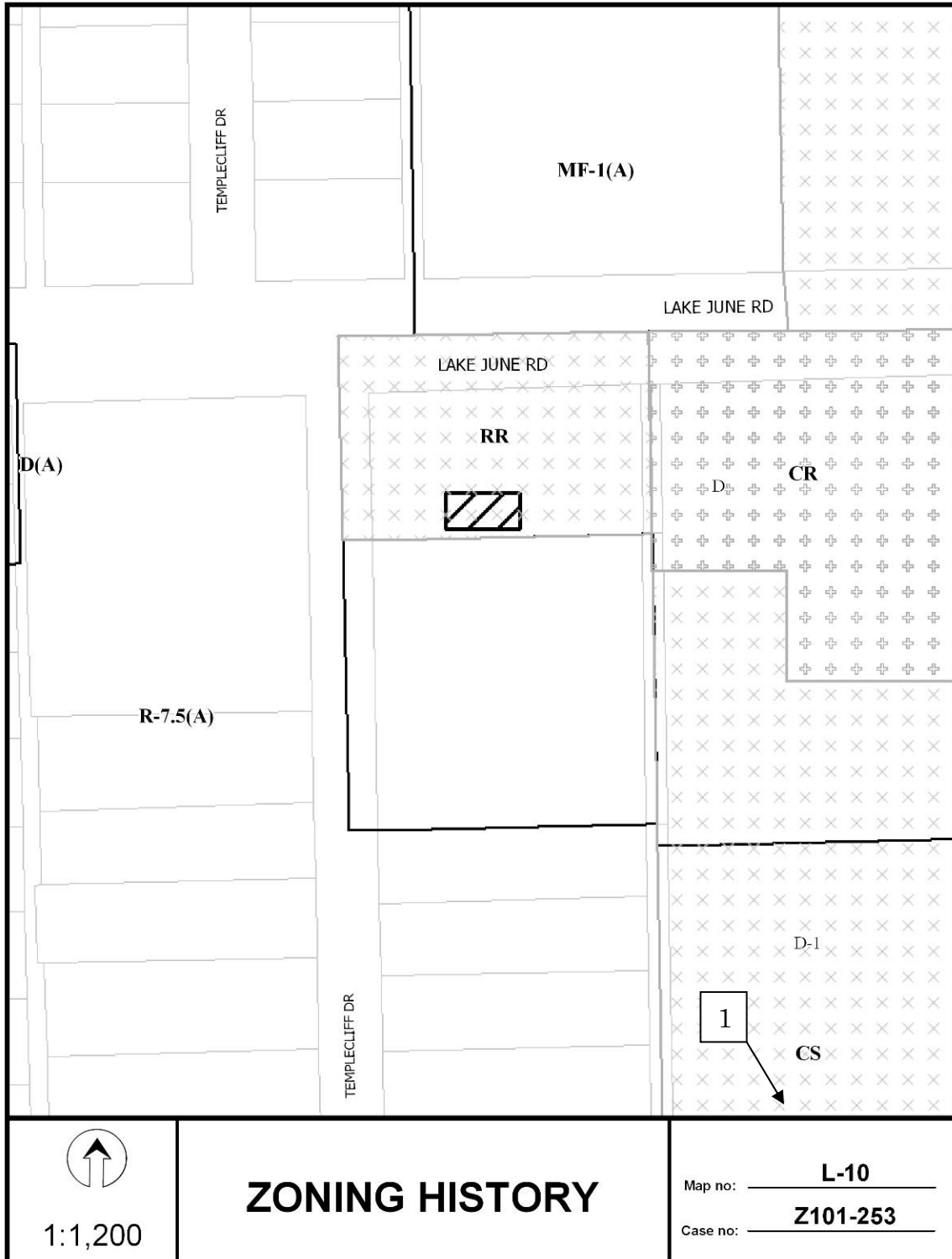
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages for off-premise consumption as part of the operation of a general merchandise or food store less than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site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



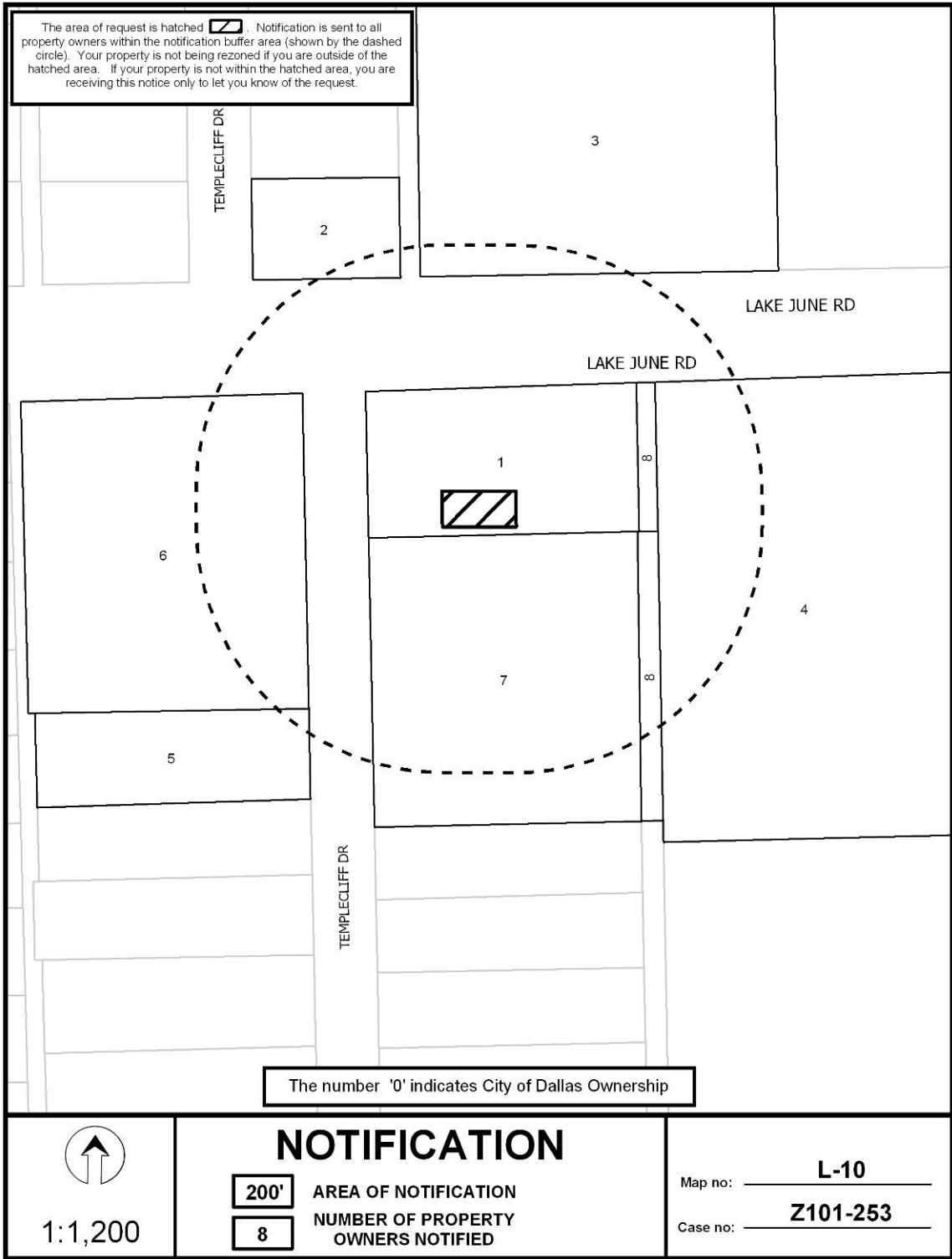
DATE: May 19, 2011



DATE: May 19, 2011



DATE: May 19, 2011



DATE: May 19, 2011

Z101-253

Page 1 of 1
5/19/2011

Notification List of Property Owners

Z101-253

8 Property Owners Notified

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

Thursday, May 19, 2011

CITY PLAN COMMISSION

THURSDAY, JUNE 16, 2011

Planner: Mike Grace, AICP

FILE NUMBER: Z101-203(MG) **DATE FILED:** February 28, 2011

LOCATION: Northwest corner of S. Lancaster Road and Atlas Drive

COUNCIL DISTRICT: 5 **MAPSCO:** 65 G

SIZE OF REQUEST: Approx. 3.28 acres **CENSUS TRACT:** 57.00

APPLICANT: Sapphire Road Development, LLC

OWNER: Sapphire Road Development, LLC

REPRESENTATIVE: Yigal Lelah

REQUEST: An application for a Planned Development District for mixed uses on property zoned a CR Community Retail District and an R-7.5(A) Single Family District.

SUMMARY: The purpose of this request is to allow for the development of multi-family uses.

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

Land Use:

	Zoning	Land Use
Site	R-7.5(A)/CR	Undeveloped/Single family/auto repair
North	R-7.5(A)/CR	Undeveloped/Retail
South	R-7.5(A)/CR	Undeveloped/Retail
East	R-7.5(A)/SUP 173	Medical Center
West	R-7.5(A)	Single Family

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

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.

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

LAND USE

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.4 Capitalize on transit oriented development opportunities.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

ECONOMIC:

GOAL 2.1 PROMOTE BALANCED GROWTH

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

STAFF ANALYSIS:

Land Use Compatibility: The 3.28 acre tract of land is currently partially undeveloped, but contains single family homes on some lots and a former auto repair shop currently used as a temporary construction office. The site fronts on Lancaster Road, S. Denley Drive and Atlas Drive. A DART rail station sits in the right-of-way of Lancaster Road at this location. In addition, the Veteran’s Administration Medical Center is located just to the east along the east line of Lancaster Road. A former fire station, single-family and retail development as well as undeveloped properties exist to the north of the subject site. Undeveloped lots and a DART equipment building occupy properties south of the request area, while single family development exists immediately to the west.

The applicant’s request for a Planned Development for mixed uses will allow the construction of housing that will serve the VA Medical Center development. Future development plans include office, museum and retail uses and will require an expansion of the proposed PD. In addition, a sky bridge connecting the proposed museum to the VA Medical Center is proposed and would require an SUP.

The existing variety of residential and commercial uses within the immediate vicinity, close proximity to the DART rail station and frontage along Lancaster Road, a principle arterial, make this an ideal location for multifamily development. Proposed future development of a mix of uses are in keeping with the type of development expected

along principle arterials and near transit centers.

Staff is in support of the proposed development as it is in keeping with the types of development expected in locations in residential areas located adjacent to transit stations along multi-modal corridors.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		<u>Density</u>	<u>Height</u>	<u>Lot Coverage</u>	<u>Special Standards</u>	<u>PRIMARY Uses</u>
	<u>Front</u>	<u>Side/Rear</u>					
PDD for mixed uses Proposed	10'	10'	10,000 sq.ft./136 dwelling units	60'	80%	Proximity Slope Does not apply	Office, retail & personal service, multi-family

Landscaping: The applicant has met with the city arborist and both have agreed upon landscaping conditions as listed below.

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

**OFFICERS/PARTNERS/
PRINCIPALS**

Yigal Lelah, Owner

Tracey Lela, Manager/Owner

**PROPOSED PDD
CONDITIONS**

Article ____.
PD ____.

SEC. 51P-____.101. LEGISLATIVE HISTORY

PD ____ was established by Ordinance No. ____ passed by the Dallas City Council on_____.

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

PD ____ is established on property generally located at the northwest corner of Lancaster Road and Atlas Drive. The size of PD ____ is approximately 3.28 acres.

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

- (a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.
- (b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.
- (c) This district is considered to be a mixed use zoning district.

SEC. 51P-____.104. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit ____A: development plan.

SEC. 51P-____.105. DEVELOPMENT PLAN

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

SEC. 51P-____.106. MAIN USES PERMITTED

- (a) Except as provided in this section, the only main uses permitted are those main uses permitted in the MF-2(A) Multifamily District, subject to the same conditions applicable in the MF-2(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-2(A) Multifamily 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 MF-2(A) Multifamily District is subject to DIR in this district; etc.

(b) The following main uses are prohibited:

Liquor stores
Pawn shops

SEC. 51P-____.107. ACCESSORY USES

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

SEC. 51P-____.108. YARD, LOT AND SPACE REGULATIONS

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

- (a) Front yard. Minimum front yard is 5 feet.
- (b) Side and rear yard. Minimum side and rear yard is 7 feet.
- (c) Density. Maximum number of dwelling units is 150.
- (d) Floor area. Maximum floor area for all non-residential uses is 148,000 square feet.
- (e) Height.
 - (1) Maximum structure height is 50 feet.
 - (2) The residential proximity slope requirements in Section 51A-4.412 do not apply.
- (f) Lot Coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

SEC. 51P-___.109. OFF-STREET PARKING AND LOADING

- (a) In general. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.
- (b) Nonresidential uses. One space per 250 square feet of floor area is required.
- (c) Multifamily. Two parking spaces per dwelling unit are required.
- (d) Setback. Required parking may be located within the front yard.
- (e) Lot. The entire district is considered to be one lot for parking purposes.

SEC. 51P-___.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-___.111. LANDSCAPING AND SIDEWALKS

- (a) In general. Except as provided in this section, landscaping must be provided in accordance with Article X.
- (b) Site trees. Site trees are not required.
- (c) Tree spacing. Trees must be planted no closer than 2.5 feet on center from any curb or paved surface.
- (d) Street trees.
 - (1) Except as provided in this subsection, street trees must be planted on center in the area parallel to and between 2.5 feet and 10 feet from a street curb.
 - (2) Street trees may be planted between the street curbs when located in landscaping islands protected with curbing adjacent to parallel or angled-head in parking.
 - (3) Small trees may be used as street trees if there is a conflict with an existing or proposed utility easement.
 - (4) The building official may waive the street tree requirement if locations are under canopy proposed over a street or in conflict with existing or proposed utility easements.

(5) Except for small trees, street trees must have a caliper of at least four inches. Small trees must have a caliper of at least two inches.

(6) Except on Lancaster Road, one street tree must be provided for each 30 feet of frontage. Trees may be consolidated and spaced at a uniform standard to achieve a desired design effect.

(7) On Lancaster Road:

(A) General planting area requirements in Section 51A-10.104 apply.

(e) Landscape areas.

(1) At least 10 percent of the Property must be devoted to landscape areas.

(2) Landscape areas may be consolidated on one lot, or separated into multiple areas across the Property.

(3) Calculations of total landscape area must be noted on each landscape plan submitted to the building official under Article X.

(f) Perimeter landscape buffer strips. Perimeter landscape buffer strips are not required.

(g) Additional landscaping provisions.

(1) Except for trees located in tree grates, planting areas in protected landscaping islands must be covered with ground cover, natural mulch, crushed rock, or other natural plant materials.

(2) Article X design standards may be provided in the parkway.

(h) Private license granted.

(1) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping and pedestrian amenity requirements of this article. "Parkway" means the portion of a street right-of-way between the street curb and the lot line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal

proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(2) An owner or tenant is not required to comply with any landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of the private license granted by this subsection.

(3) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(4) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this subsection does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(i) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the building official. The application must be in writing on a form approved by the building official and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(2) Upon receipt of the application and any required fees, the building official shall circulate it to all affected city departments and utilities for review and

comment. If, after receiving comments from affected city departments and utilities, the building official determines that the construction, planting, or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the building official shall issue a parkway landscape permit to the property owner; otherwise, the building official shall deny the permit.

(3) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the building official's denial of a parkway landscape permit.

(4) A parkway landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time the building official determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the building official's revocation of a parkway landscape permit.

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

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

SEC. 51P- _____.112. TREE PRESERVATION.

(a) Except as provided in this section, tree preservation must comply with Article X.

(b) The male Osage Orange/Bois d'Arc (*Maclura pomifera*) is not considered a protected tree.

(c) Trees located in rights-of-way or landscape areas will receive a 1:1 caliper inch credit which may be applied toward meeting the tree mitigation requirements.

SEC. 51P- _____.113. TRACT 1 PEDESTRIAN AMENITY AREAS.

(a) For the portion of the development that fronts on Lancaster Road and Denley Drive, a minimum of three pedestrian amenity areas must be provided.

(b) Each pedestrian amenity area must contain the following:

- (1) trash receptacles (one for each 150 feet of frontage).
- (2) seating areas (one for each 150 feet of frontage).
- (3) street lights (one for each 85 feet of frontage).

(c) Canopies, awnings, and street lamp fixtures must have a minimum clearance of eight feet over the sidewalk.

(d) Final design of pedestrian crossings, amenities, streets, and parking is subject to the approval of the director of public works and transportation.

(e) Pedestrian amenities may be used to comply with the pedestrian facilities design standard under Article X.

51P-____.114. SIGNS.

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

(1) In general.

(A) Except for movement control signs and temporary protective signs, all signs must be within 150 feet of the Lancaster Road frontage.

(B) Except as provided in this subsection, all signs must be premise signs.

(C) Signs may project into, or be located in, the sidewalk, subject to minimum clearance and unobstructed sidewalk width requirements.

(2) Signs in the public right-of-way or street easement

(A) Signs may be located within the public right-of-way or street easement subject to the franchise requirements of Chapter XIV of the City Charter, Article VI of Chapter 43 of the Dallas City Code, the Dallas Building Code, and the requirements of all other applicable laws, codes, ordinances, rules, and regulations.

(B) The director of public works and transportation must review the location of any sign located in or overhanging the public right-of-way or a street easement to insure that the sign will not pose a traffic hazard or visibility obstruction.

(C) No portion of a sign may be located less than two feet from the back of a public street curb.

(3) Construction information signs.

(A) Construction information signs, as defined in Section 602.1 of Chapter 52 of the Dallas City Code, are permitted on construction barricades and screens.

(B) Construction information signs affixed to a construction barricade or screen may be illuminated with back, up, down, or other similar lighting, except that no strobe lighting is permitted.

(C) Changeable messages are prohibited on construction information signs affixed to a construction barricade.

(4) Temporary protective signs. In addition to protective signs, temporary protective signs may be erected anywhere on a construction site at anytime during construction subject to the following provisions:

(A) There is no limit on the number of temporary protective signs on a construction site.

(B) Temporary protective signs may be illuminated, but no lighting source may project more than three inches from the vertical surface or six inches above the top of the sign.

(C) All temporary protective signs must be removed upon completion of the construction.

(D) The maximum effective area for each temporary protective sign within 15 feet of the Property line is two square feet.

(E) Advertising or logos are prohibited on temporary protective signs.

(5) Projecting signs.

(A) A maximum of three projecting signs are permitted.

(B) The maximum effective area per projecting sign is 45 square feet

(C) The top of a projecting sign may not be located higher than 45 feet above grade.

(D) Projecting signs may not project more than five feet from a façade.

(E) Projecting signs may be internally or externally illuminated, mounted horizontal or vertical, and may be perpendicular to or parallel to the building to which they are attached.

(6) Arcade signs.

(A) An arcade sign must be located at least 15 feet from another arcade sign.

(B) No arcade sign may exceed six square feet in effective area.

(C) No arcade sign may be lower than eight feet above grade as measured from the bottom of the sign.

(7) Attached signs. Attached signs must comply with Section 51A-7.305(c) and (d).

(8) Awning signs.

(A) An awning sign may project from the surface of the awning.

(B) An awning sign may not be lower than ten feet above grade as measured from the bottom of the sign.

(C) The total effective area for any one awning sign may not exceed eight square feet.

(9) Canopy signs.

(A) Canopy signs may not exceed 50 percent of the length of the facade to which they are attached.

(B) A canopy sign may project horizontally from the surface of the canopy.

(C) A canopy sign may not be lower than eight feet above grade as measured from the bottom of the sign.

(D) The total effective area for all canopy signs in this Tract may not exceed 1,500 square feet.

(E) No canopy sign may project vertically above the surface of the canopy more than 15 percent of the overall length of the sign.

(F) A canopy sign may only be located over a pedestrian entrance to a building.

(G) Changeable messages are prohibited on canopy signs.

(10) Special purpose signs.

(A) Special purpose signs may be externally or internally illuminated.

(B) Only one attached premise special purpose sign is permitted on this Tract.

(C) An attached premise special purpose sign must:

(i) be maintained for no more than 60 days;

(ii) conform to all other regulations for attached signs; and

(iii) not have an effective area that exceeds 20 percent of the facade area to which it is located.

(D) There is no limit to the number of words permitted on an attached special purpose sign.

(E) Detached special purpose signs are prohibited.

(11) Detached premise signs.

(A) In general.

(i) Except for A-frame signs, all detached premise signs must be monument signs.

(ii) Detached premise signs located within 15 feet of a public right-of-way may not exceed 30 square feet in effective area or eight feet in height.

(iii) A detached premise sign with a setback of 15 feet or greater from a public right-of-way may not exceed 50 square feet in effective area or 15 feet in height.

(iv) A detached premise sign may be externally or internally illuminated.

(B) A-frame signs.

(i) A-frame signs may identify a business located in this Tract.

(ii) An A-frame sign may not exceed 32 inches in width and 36 inches in height.

(iii) The maximum effective area for an A-frame sign is five square feet.

(iv) A-frame signs may only be displayed when the business it identifies is open.

(v) A-frame signs may be located on the sidewalk or in the front yard of the business that it is identifying, provided a minimum of four feet of unobstructed sidewalk area is provided, and all necessary licenses and permits have been obtained.

(vi) Only one A-frame sign is permitted for each business in this Tract.

(vii) An A-frame sign may not be located within 25 feet of another A-frame sign or a street intersection.

(viii) A-frame signs may not be located in a visibility triangle.

(ix) No sign permit is required to erect or remove an A-frame sign.

(12) Banners.

(A) A banner may only display a promotional message, a welcome message, or generic graphics.

(B) Up to 20 percent of the effective area of a banner may contain:

(i) words or logos that identify a sponsor of a cultural event or activity if the sponsor's name is part of the name of the activity or event; or

(ii) the logo of a company that owns or controls a business entity that owns a portion of the property.

(C) The sign hardware for a banner may be left in place between displays of a banner.

(D) A banner and its sign hardware must:

(i) be mounted on a streetlight pole or building;

(ii) meet the sign construction and design standards in the Dallas Building Code;

(iii) be at least 12 feet above grade, unless it overhangs a roadway, in which case it must be at least 15 feet above grade;

(iv) be made out of weather-resistant and rust-proof material; and

(v) obtain approval through the special events process when attached to a streetlight.

(E) A sign permit is only required for a banner in excess of 20 square feet of effective area.

(13) Movement control signs.

(A) Movement control signs may be externally or internally illuminated.

(B) Movement control signs may not exceed 10 feet in height.

(C) Movement control signs may be located in a public right-of-way.

(D) No sign permit is required to erect or remove a movement control sign.

(14) Property identification signs.

- (A) Property identification signs may only be detached signs.
- (B) Property identification signs must not exceed 20 feet in height;
- (C) Property identification signs may contain a maximum effective area of 36 square feet.
- (D) Property identification signs may be located in a public right-of-way subject to city licensing.
- (E) A maximum of four property identification signs are permitted.

SEC. 51P- _____.115.

SIDEWALKS.

(a) Except as provided in this section, sidewalks must be provided as required by the Dallas Development Code.

(1) The following are not considered obstructions for calculating minimum unobstructed sidewalk width:

public and private utility improvements including, but not limited to:

- (A) fire hydrants
- (B) power poles
- (C) street lights and street curbs,
- (D) tree grates,
- (E) signalization
- (F) regulatory signs
- (G) building entrances
- (H) car overhangs
- (I) necessary appurtenances such as site steps and railings due to grading requirements.

(2) The unobstructed sidewalk may traverse through an area or under a covered arcade or architectural element provided a minimum ten feet of unobstructed vertical clearance is provided.

(b) No waivers or variances may be granted to the sidewalk requirements of this section.

SEC. 51P-____.116. ADDITIONAL PROVISIONS.

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

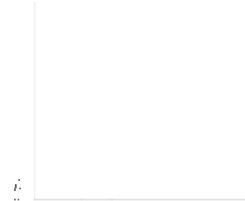
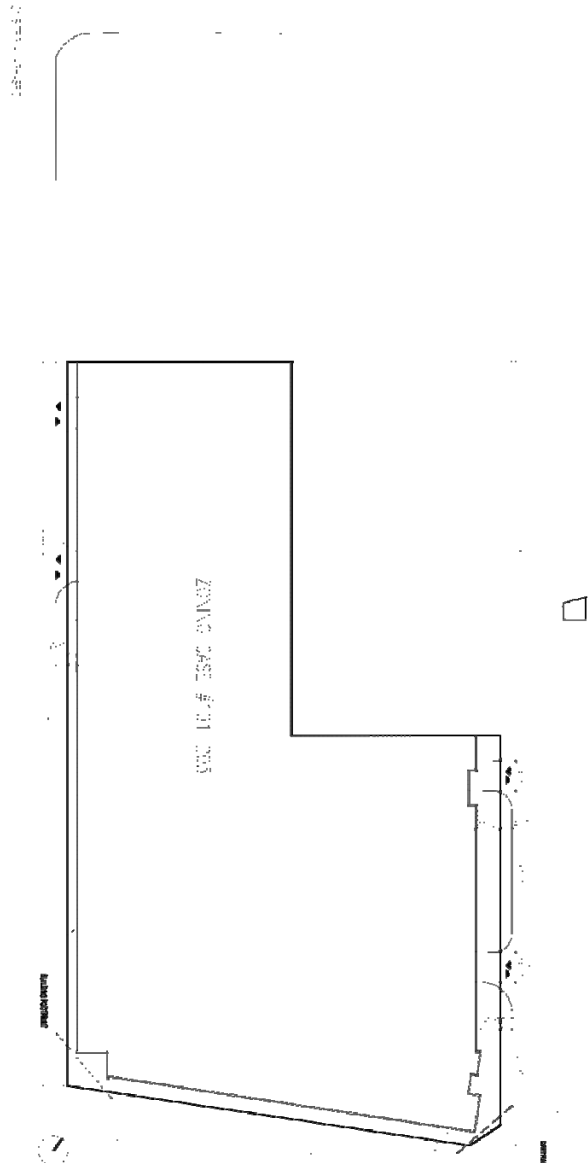
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-____.117. COMPLIANCE WITH CONDITIONS.

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

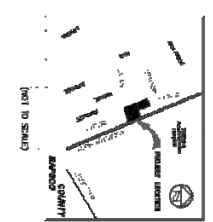
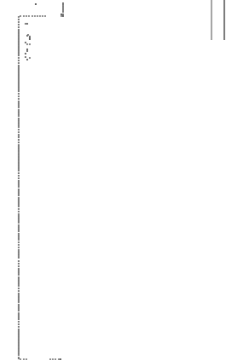
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations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

PROPOSED CONCEPT PLAN



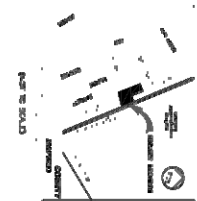
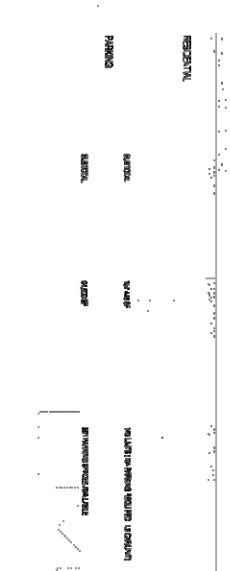
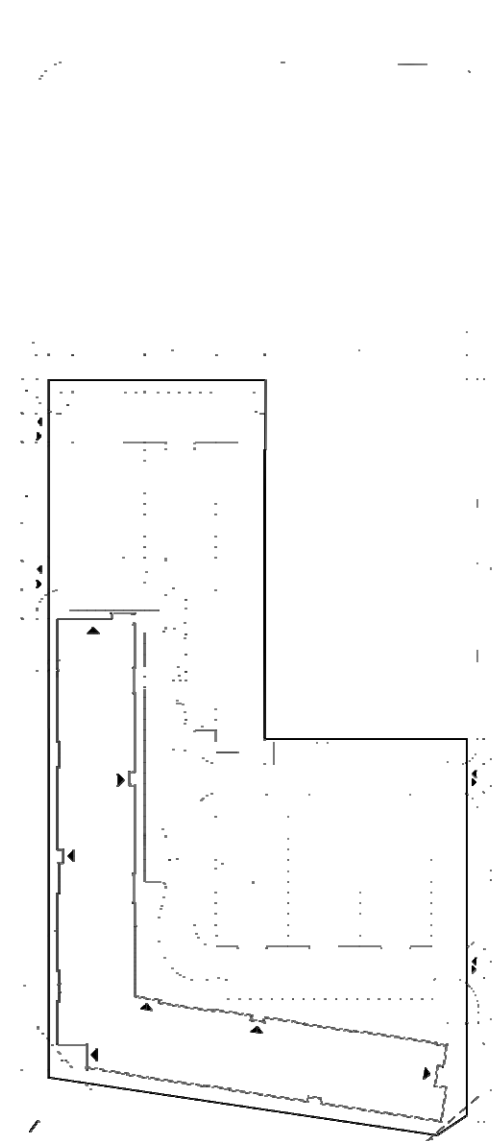
PROJECT NO. 101-203(MG)
 DATE 10/20/07
 DRAWN BY [Name]
 CHECKED BY [Name]
 APPROVED BY [Name]

NO.	DESCRIPTION	DATE	BY
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2	REVISED		
3	REVISED		
4	REVISED		
5	REVISED		



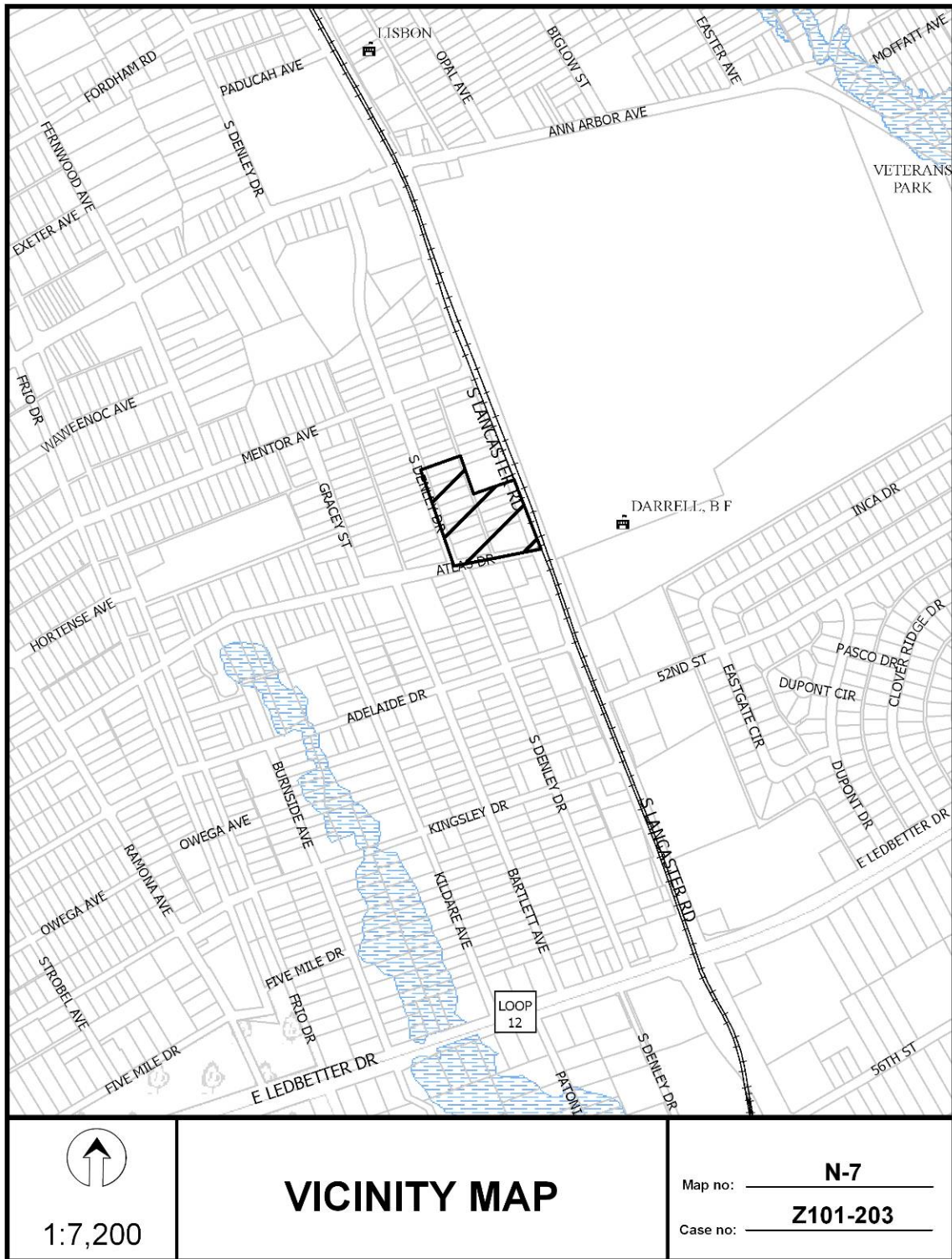
ES&S
 Engineering & Surveying
 10000 Wilshire Blvd, Suite 1000
 Los Angeles, CA 90024
 Tel: 310.206.1000
 Fax: 310.206.1001
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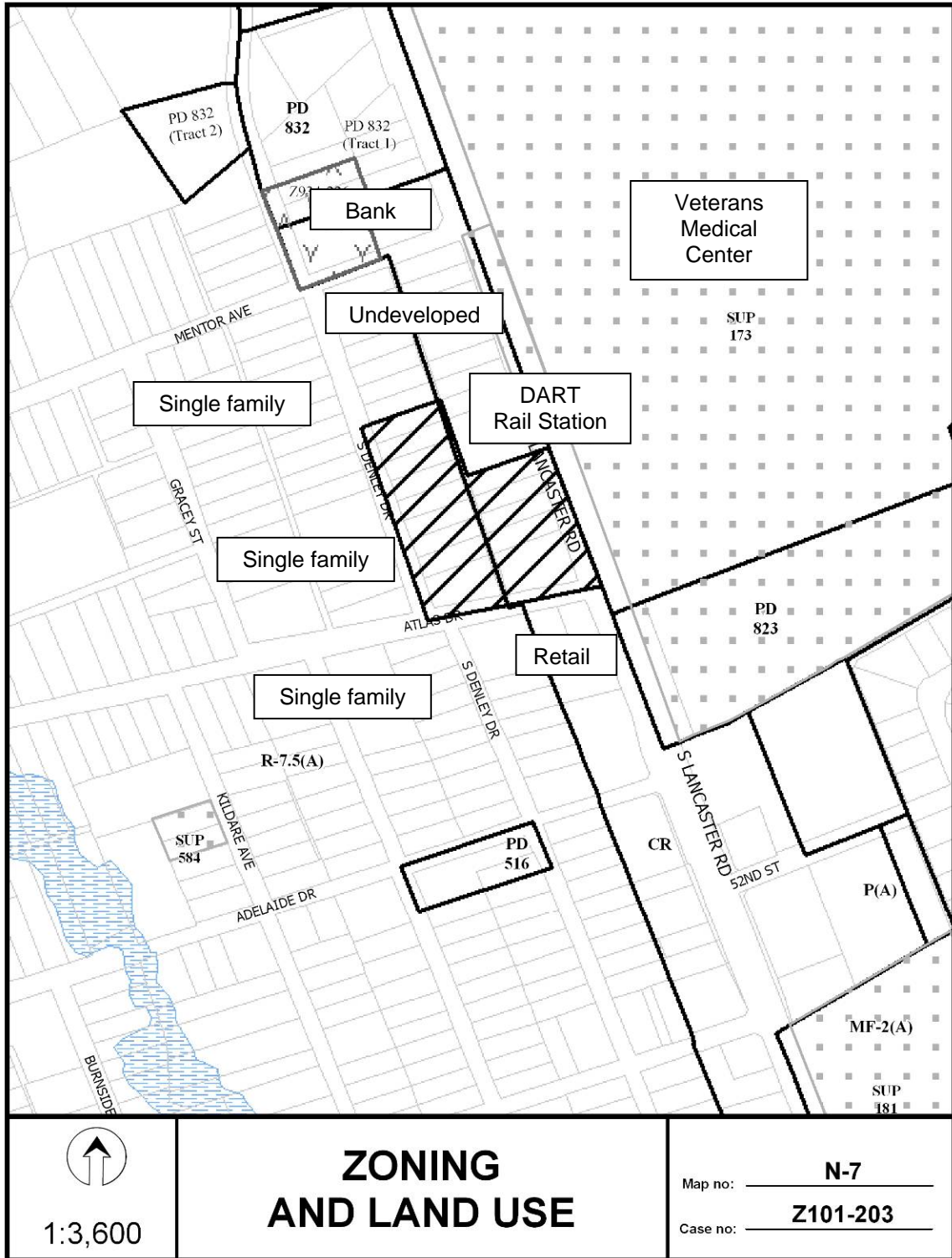
PROPOSED DEVELOPMENT PLAN



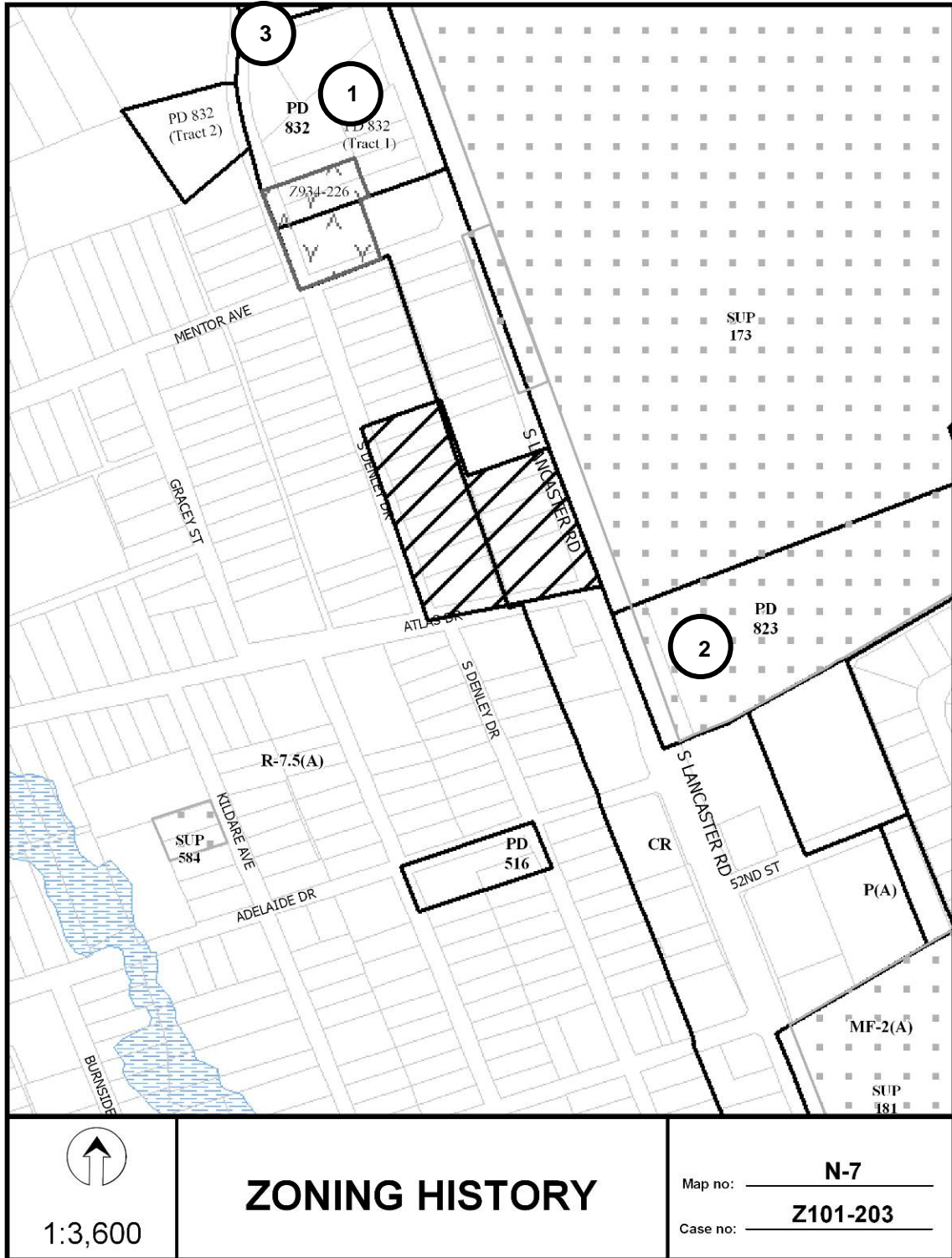
NO.	DESCRIPTION
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2	PROPOSED BUILDING
3	EXISTING PARKING
4	PROPOSED PARKING
5	EXISTING LANDSCAPE
6	PROPOSED LANDSCAPE

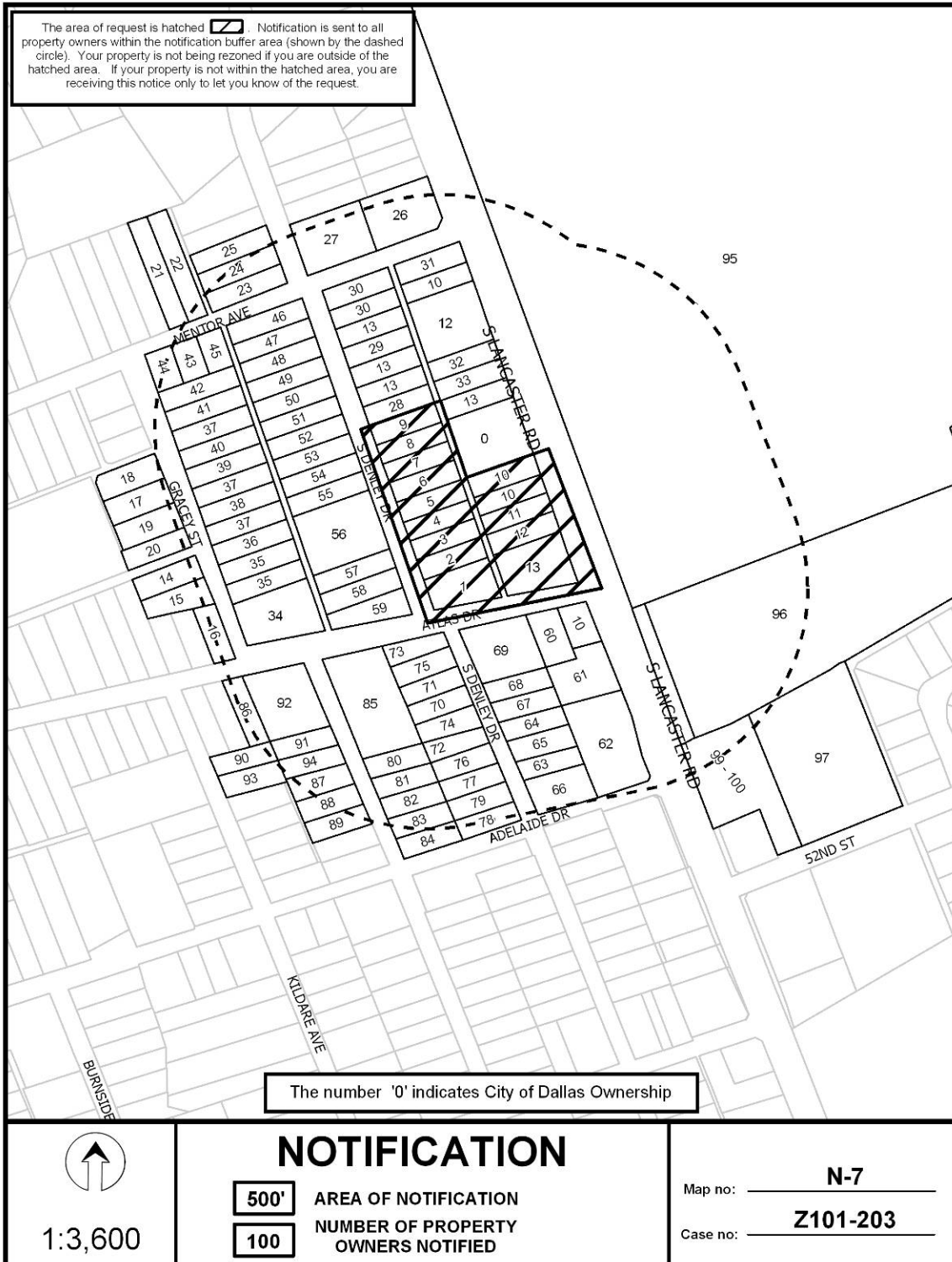






DATE: May 10, 2011





DATE: May 10, 2011

5/10/2011

Notification List of Property Owners***Z101-203******100 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4634 DENLEY	SAPPHIRE ROAD DEVELOPMENT LLC
2	4626 DENLEY	HUNTER FAYRENE
3	4622 DENLEY	SAPPHIRE ROAD DEV LLC
4	4618 DENLEY	SPENCE MAE
5	4614 DENLEY	BROOKS HILDA SUE
6	4610 DENLEY	TIPPIT DOROTHY
7	4606 DENLEY	HOLBERT NANCY BANKS
8	4602 DENLEY	LOTT ROBERT C
9	4530 DENLEY	REECE HERBERT C ESTATE OF
10	4703 LANCASTER	SHAPPHIRE ROAD DEV LLC
11	4623 LANCASTER	SAPPHIRE RD DEV LLC
12	4627 LANCASTER	SAPPHIRE RD DEV LLC
13	4631 LANCASTER	SAPPHIRE ROAD DEVELOPMENT LLC
14	4605 GRACEY	WILLIAMS A A SR TR
15	4611 GRACEY	HARMON E V
16	1833 ATLAS	HANSON ROOSEVELT
17	4525 GRACEY	BROCK ROBERT E & EMMANUEL JAMES
18	4521 GRACEY	BRIGGS DOROTHY M LIFE EST JOHNSON SHAUNNA BRIGGS
19	4531 GRACEY	PICKENS PATRICIA ANN
20	4533 GRACEY	HOWARD SANDRA
21	1919 MENTOR	GRIFFIN RODERICK L
22	1919 MENTOR	MORGAN A T ESTATE OF
23	4425 DENLEY	WELLS FARGO BANK %AMERICAN HOME MORTGAGE
24	4423 DENLEY	SMITH MARGARET ANN
25	4419 DENLEY	KYSER DICK D & MARGIE A KYSER
26	4435 LANCASTER	HATLEY A D

Tuesday, May 10, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4420 DENLEY	CHASE BANK OF TX NA
28	4526 DENLEY	REESE BILL
29	4514 DENLEY	BRASHEAR SUSAN J
30	4506 DENLEY	MEREDITH J BRYAN
31	4501 LANCASTER	SHAPPHIRE ROAD DEV LLC
32	4523 LANCASTER	NEO ARC DEVELOPMENTS
33	4527 LANCASTER	NEO ARC DEVELOPMENTS LLC
34	1905 ATLAS	BELLEVUE FIRST BAPT CH
35	4618 GRACEY	HERNANDEZ ROSA MARIA
36	4610 GRACEY	WILLIS KENNETH W & LAVERNE
37	4606 GRACEY	DUNCAN KATIE M
38	4600 GRACEY	DUNAN KATIE M
39	4526 GRACEY	STROUPES DOROTHY BONDS
40	4522 GRACEY	ESPINOZA JOSE J & MARIA L OVALLE
41	4514 GRACEY	PRICE MARY C &
42	4510 GRACEY	PATTINA EQUITIES LLC
43	1906 MENTOR	RODRIGUEZ NICASIO
44	1902 MENTOR	FOSTER PHILLIP DERRELL
45	1914 MENTOR	GALLOWAY GLORIA M
46	4501 DENLEY	ELORZA TEODORA
47	4507 DENLEY	PETROFF NICHOLAS
48	4511 DENLEY	LARSEN LISA LYNNE
49	4515 DENLEY	DARECO SERVICES
50	4519 DENLEY	HOPE BARRY EUGENE
51	4521 DENLEY	ARELLANO JUAN &
52	4527 DENLEY	ARELLANO JUAN & PATRICIA
53	4531 DENLEY	ARELLANO JOSE LUIS
54	4603 DENLEY	SILVA LAURENCIA & SILVA ROSA
55	4607 DENLEY	SILVA LAURENCIO
56	4615 DENLEY	BELL MATTIE Y
57	4623 DENLEY	ARTEAGA JOSE LUIS &

Tuesday, May 10, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	4627 DENLEY	IVD FINANCIAL LP
59	4631 DENLEY	DALLAS HOUSING ACQUISITION & DEV CORP CITY HALL
60	2014 ATLAS	DART
61	4709 LANCASTER	LEVINE RLTY
62	4735 LANCASTER	SOH KUM SOOK
63	4728 DENLEY	GARCIA JOSE J MARTINEZ
64	4720 DENLEY	GREEN SAMUEL III
65	4724 DENLEY	GREEN SAM
66	4732 DENLEY	RAMOS SIMON & MARIA DELCARMEN
67	4718 DENLEY	CORTEZ JUAN
68	4714 DENLEY	SMITH MICHELLE &
69	4702 DENLEY	SORIA MIGUEL A
70	4715 DENLEY	PRIDE EQUITY MTG CORP % MARGIE HUNTER
71	4709 DENLEY	ESPINOZA MAURICIO & MARIA ESPINOZA
72	4723 DENLEY	BIGGER BILLY
73	4701 DENLEY	BIGGER BILLY & CAROL ANN
74	4719 DENLEY	WALKER WILLIE J
75	4705 DENLEY	TOPLETZ DENNIS D
76	4727 DENLEY	BAGGETT THOMAS ARTHUR JR
77	4729 DENLEY	GARRETT MARY G
78	4737 DENLEY	DAVIS MATTIE L & ROBERT L DAVIS
79	4733 DENLEY	KNIGHT BOBBY D
80	4722 BARTLETT	BUCKHANAS LOVIE
81	4726 BARTLETT	DOUGLAS EMMA JEAN
82	4730 BARTLETT	SCOTT JACQUELYNNE
83	4734 BARTLETT	WILLIAMS SARAH ANN
84	4738 BARTLETT	GARCIA PORFIRIA
85	1914 ATLAS	HANSEN ROOSEVELT
86	1834 ATLAS	LOPEZ JESUS D
87	4723 BARTLETT	FLETCHER ROBERT A & MARGIE M
88	4727 BARTLETT	ORTEGA ARMANDO & ERICKA

Tuesday, May 10, 2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	4731 BARTLETT	NEWHOUSE LAVERA D
90	4714 KILDARE	ADAMS LARRY J & RACHEL
91	4715 BARTLETT	HOWARD SAMUEL
92	4707 BARTLETT	HARRIS GLADYS M
93	4718 KILDARE	JANKOWIAK PATRICK JOSEPH
94	4719 BARTLETT	JOHNSON TROY G
95	4500 LANCASTER	U S VETERANS HOSPITAL
96	4747 VETERANS	Dallas ISD
97	2121 52ND	MENLO INVESTMENT GROUP LLC
98	403 REUNION	DALLAS AREA RAPID TRANSIT
99	4810 LANCASTER	MENLO INVESTMENT GROUP LLC
100	4810 LANCASTER	MENLO INVESTMENT GROUP LLC LLC

Tuesday, May 10, 2011

FILE NUMBER: Z101-163 (MG)

DATE FILED: January 14, 2011

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

COUNCIL DISTRICT: 7

MAPSCO: 48 S

SIZE OF REQUEST: Approx. 0.8092 acres

CENSUS TRACT: 85.00

REPRESENTATIVE: Parvez Malik

APPLICANT: Jiten Roy

OWNER: Mohammed M. Rahmen

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

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

PREVIOUS CPC ACTION: On May 19, 2011, the Planning Commission held this case under advisement until June 16, 2011.

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

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

BACKGROUND INFORMATION:

- The request site is currently developed with an approximately 2,550 square foot general merchandise use (convenience store) and vehicle fueling station (gas station).
- The applicant proposes to sell alcohol for off-premise consumption in conjunction with the existing convenience store.
- The general merchandise use is permitted by right in the CR Community Retail District. The sale of alcoholic beverages on property regulated by the D-1 Liquor Control Overlay requires a specific use permit.

Zoning History:

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

Thoroughfares/Streets:

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

Land Use:

	Zoning	Land Use
Site	CR-D-1	Commercial
North	CR-D-1	Commercial
South	R-7.5(A)	Single family
East	CR-D-1	Commercial
West	CR-D-1	Commercial

STAFF ANALYSIS:

Comprehensive Plan:

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

Land Use Compatibility:

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

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

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

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the

welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

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

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

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

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

Development Standards:

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

Parking/Traffic:

The Dallas Development Code requires off-street parking to be provided for a general merchandise use at one space for each 200 square feet of floor and 2 spaces for a motor vehicle fueling station. The request requires 13 spaces while 33 spaces are provided for the entire retail strip center as shown on the attached site plan.

Landscaping:

Landscaping required per Article X of the Dallas Development Code.

DPD Report

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

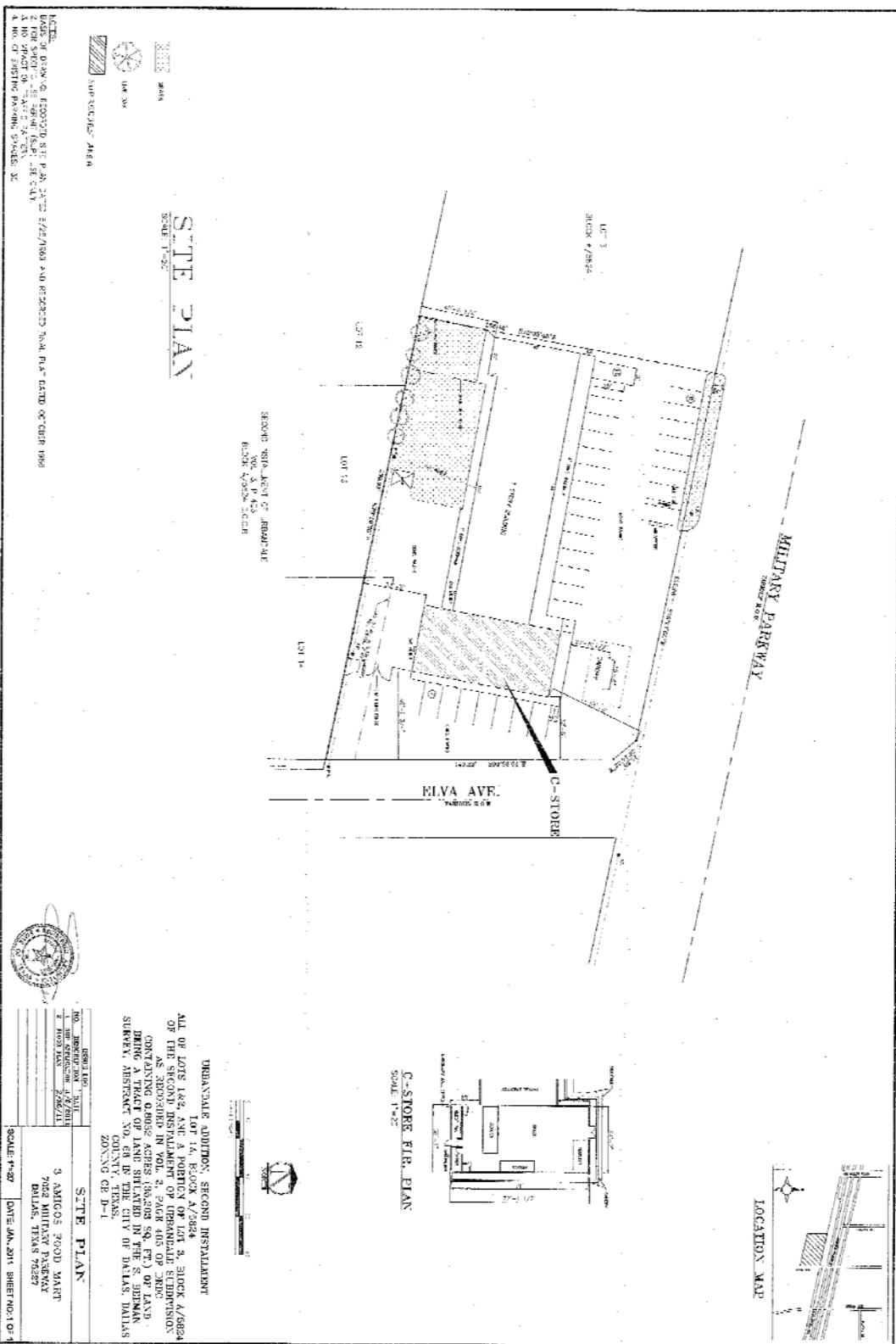
Search Records - Offense Filter

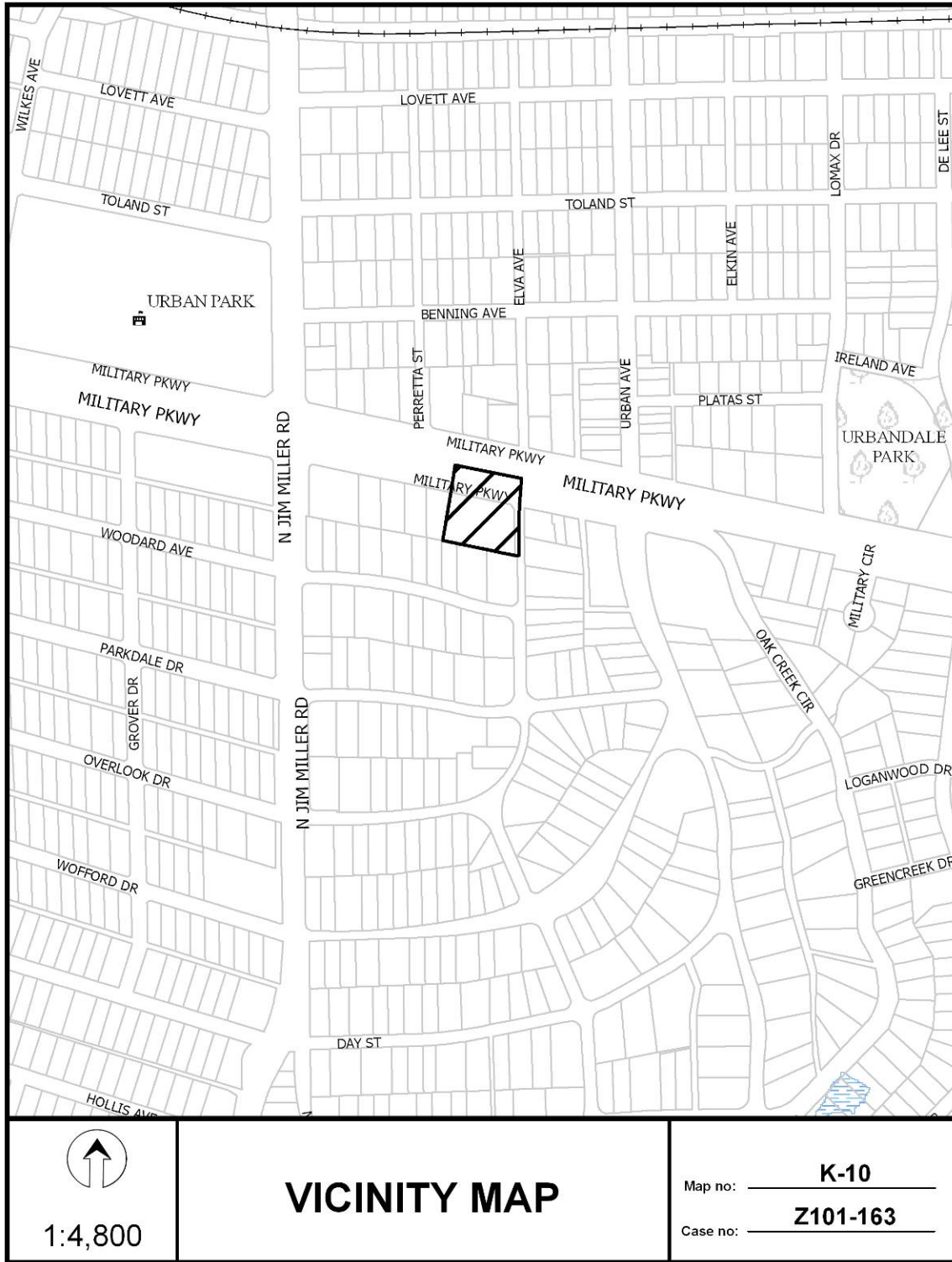
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0000267-V	01/01/2008	REYES,MARCO,	AGGRAVATED ASSAULT	07052		MILITARYPKWY	324	1235	04121	
0000268-V	01/01/2008	REYES,EDDIEBERTO	AGGRAVATED ASSAULT	07052		MILITARYPKWY	324	1235	04121	
0055749-W	02/27/2009	BEISERT,CAROL	THEFT	07052		MILITARYPKWY	321	1235	06943	
0071706-X	03/14/2010	*3-AMIGOS FOOD MARKET	CRIMINAL MISCHIEF/VANDALISM	07052		MILITARYPKWY	321	1235	14081	
0098914-W	04/09/2009	CRUZ,FRANCISCO HERNANDEZ	ROBBERY	07052		MILITARYPKWY	321	1235	03941	
0151705-X	05/31/2010	BOHAR,EVEREST	ASSAULT	07052		MILITARYPKWY	321	1235	08111	
0179163-T	03/15/2007	*3 AMIGOS FOOD MART	ROBBERY	07052		MILITARYPKWY	323	1235	03411	
0219232-X	08/05/2010	*ATLAS IMPORT	THEFT	07052		MILITARYPKWY	321	1235	06941	
0279270-W	09/18/2009	DAS, SAMAR	CRIMINAL MISCHIEF/VANDALISM	07052		MILITARYPKWY	321	1235	14030	
0324707-V	10/19/2008	*MAYTAG LAUNDRY MAT	BURGLARY	07052		MILITARYPKWY	324	1235	05391	
0340769-R	05/06/2006	SEARS,CLOUDY	THEFT	07052		MILITARYPKWY	323	1235	06902	
0347485-X	12/20/2010	HENDERSON ,ANTHONY	THEFT	07052		MILITARYPKWY	321	1235	06992	
0350970-V	11/14/2008	@CITY OF DALLAS	CRIMINAL MISCHIEF/VANDALISM	07052		MILITARYPKWY	324	1235	14082	
0517944-R	07/08/2006	*THREE AMIGOS FOOD MART	BURGLARY	07052		MILITARYPKWY	323	1235	05132	
0577235-T	08/02/2007	*3 AMIGOS FOOD MART	THEFT	07052		MILITARYPKWY	323	1235	06972	

SUP Conditions

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

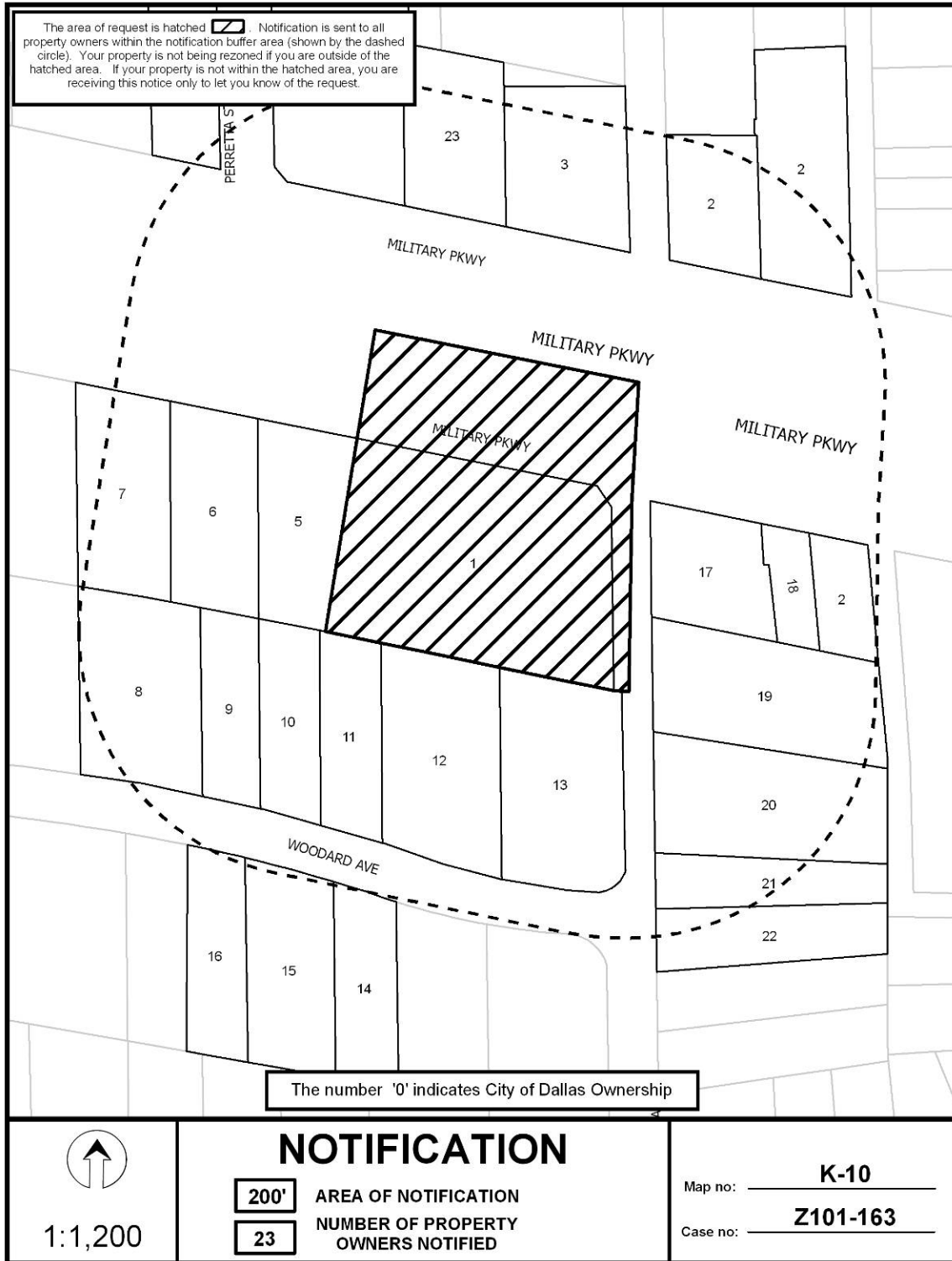
SITE PLAN







DATE: March 18, 2011



DATE: March 18, 2011

Notification List of Property Owners

Z101-163

23 Property Owners Notified

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

Friday, March 18, 2011

FILE NUMBER: Z101-167 (JH)

DATE FILED: January 18, 2011

LOCATION: Northwest corner of Centerville Road and Aledo Drive

COUNCIL DISTRICT: 9

MAPSCO: 38-G

SIZE OF REQUEST: Approx. 0.33 acres

CENSUS TRACT: 127.01

REPRESENTATIVE: Parvez Malik

APPLICANT: John Matthews

OWNER: Amedio Properties

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

SUMMARY: The applicant proposes to sell alcohol for off-premise consumption in conjunction with the existing approximately 5,158 square foot convenience store.

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

PREVIOUS ACTION: On May 19, 2011, the City Plan Commission moved to hold this case under advisement.

BACKGROUND INFORMATION:

- The request site is currently developed with a multi-tenant commercial building.
- The proposed use is to sell alcohol for off-premise consumption in conjunction with the existing approximately 5,158 square foot general merchandise use on the property.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on property is prohibited in a D Liquor Control Overlay and requires a specific use permit in the D-1 Liquor Control Overlay.

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

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Centerville Road	Collector	60 feet

STAFF ANALYSIS:

Comprehensive Plan:

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

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. 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. Neighborhood "pocket parks" provide open space for families. These areas rely primarily on cars for access, although traffic on neighborhood streets is expected to be low. Cut-through traffic or spill over from commercial areas will be strongly discouraged. While public transit may be available, typically it involves longer walks to bus stops or the need to drive to park-and-ride facilities. Newly developed neighborhoods may provide better pedestrian access to community services through shorter block lengths, narrower streets, sidewalks and greenbelts with hike and bike trails and might also provide improved access to transit service. Public investment will focus on protecting quality of life by providing amenities such as parks, trails, road improvements and strong code enforcement.

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 0.33-acre request site is zoned CR Community Retail District with a D Liquor Control Overlay and is currently developed with a general merchandise or food store greater than 3,500 square feet use within 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 but requires a specific use permit in the D-1 Liquor Control Overlay.

The adjacent land uses are single family residential to the north, east, and southeast; retail and personal service uses and auto service center to the south; and office to the west.

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

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

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

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

that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

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

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

The applicant’s request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The adjacent residential uses could be considered incompatible. A minimum six foot solid fence will be required along the northern boundary of the property to screen the commercial use from the residential property. The initial short time period will also require that the request be reevaluated to ensure the use is compatible in this location.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
CR-D 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

Parking/Traffic:

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

The general merchandise or food store use requires one space for every 200 square feet of floor area. The site plan shows that 57 off-street parking spaces are provided for the strip shopping center. A parking analysis provided by the applicant indicates that 79 off-street parking spaces are required. The strip shopping center was constructed in approximately 1953 according to DCAD records. It appears that the request site has approximately 22 delta credits.

Landscaping:

Landscaping required per Article X of the Dallas Development Code.


Z101-167(JH)

List of Partners/Principals/Officers

Amedio Centerville, LLC, a Texas Limited Liability Company

Leiva McBride, Managing Partner




DPD Report



**DALLAS POLICE
DEPARTMENT**





[UCR Codes](#) [Year Codes](#) [Property Class Codes](#)

Virtual Viewer - Public Access Welcome

Search Records - Offense Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0006995-Y	01/08/2011	DORRIS,DEBORAH,	FOUND PROPERTY	01551		CENTERVILLE...	226	1129	43020	
0105920-W	04/16/2009	@COLLIN CO SO	FOUND PROPERTY	01551		CENTERVILLE...	226	1129	43030	
0165493-X	06/13/2010	SUDDEATH,JAMES	OTHER OFFENSES	01551		CENTERVILLE...	226	1129	26000	
0534792-T	07/17/2007	BOYD,TRACY	ASSAULT	01551		CENTERVILLE...	237	1129	08212	
0656766-R	08/28/2006	*NEW DAIRYWAY GROCERY	ROBBERY	01551		CENTERVILLE...	237	1129	03411	
0303816-V	09/29/2008	*NEW DAIRY WAY	BURGLARY	01551		CENTERVILLE...	237	1129	05328	
0761018-T	12/05/2007	MATHEWS,JOHN	ROBBERY	01551		CENTERVILLE...	237	1129	03471	08121
0377267-V	12/12/2008	*NEW DAIRYWAY GROCERY	ROBBERY	01551		CENTERVILLE...	237	1129	03712	

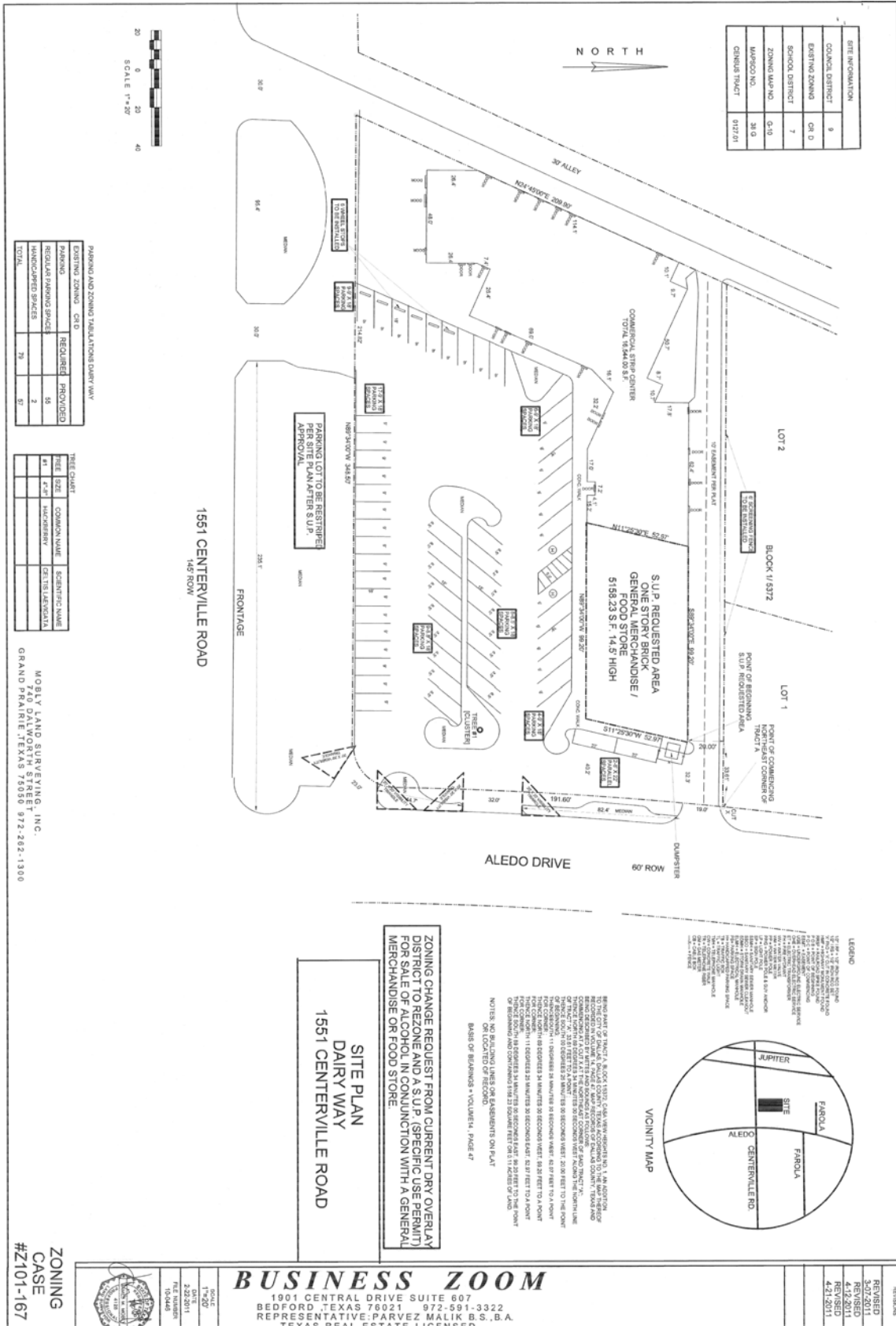
Page 1 of 1 (8 items)

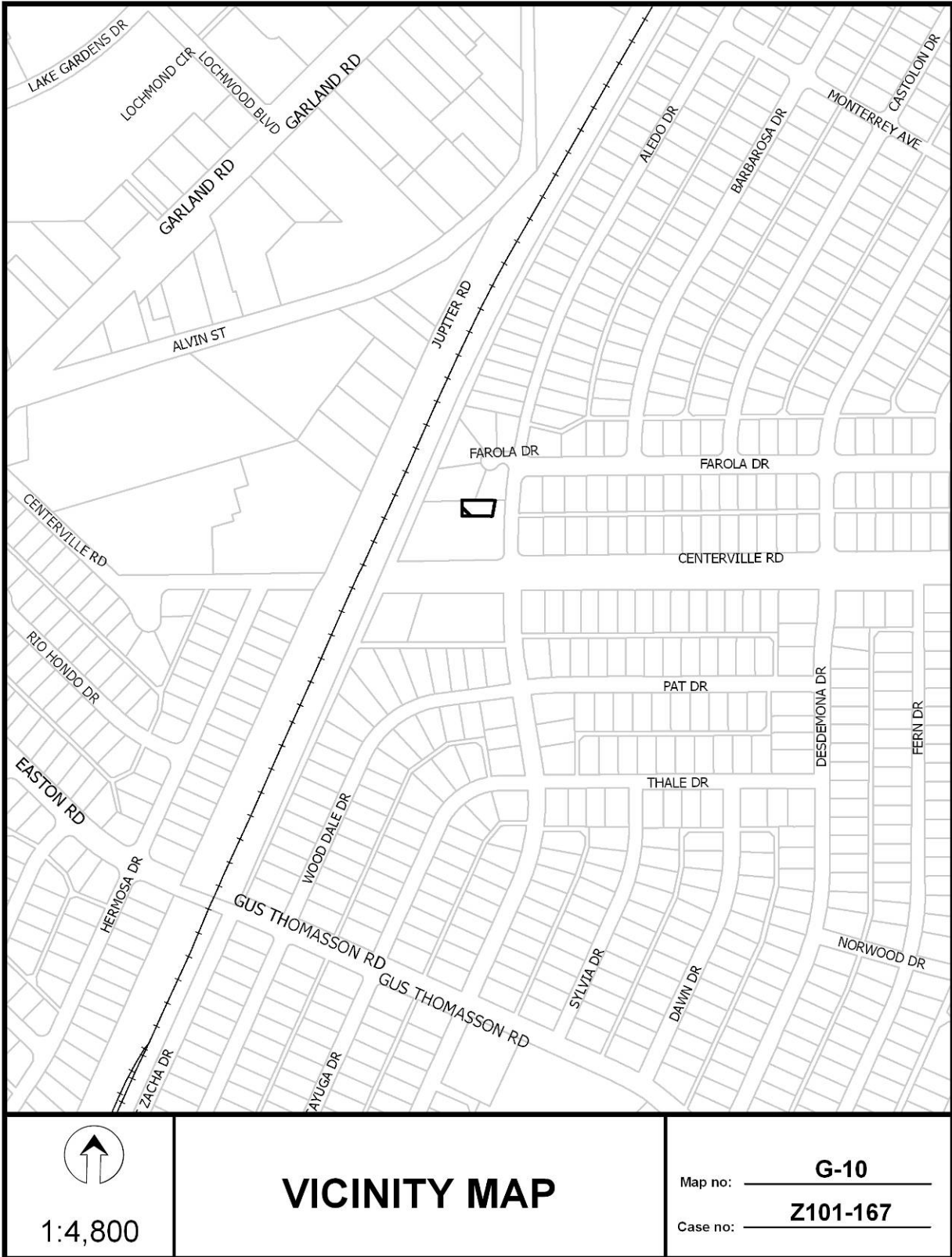
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SUP Conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages for off-premise consumption as part of the operation of a general merchandise or food store greater than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. SCREENING: A minimum six-foot-high solid screening fence must be maintained along the northern boundary of the Property. The screening fence must be located outside of the visibility obstruction triangle. Screening must be constructed before issuance of a building permit, alcohol measurement certification, or certificate of occupancy.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

SITE PLAN



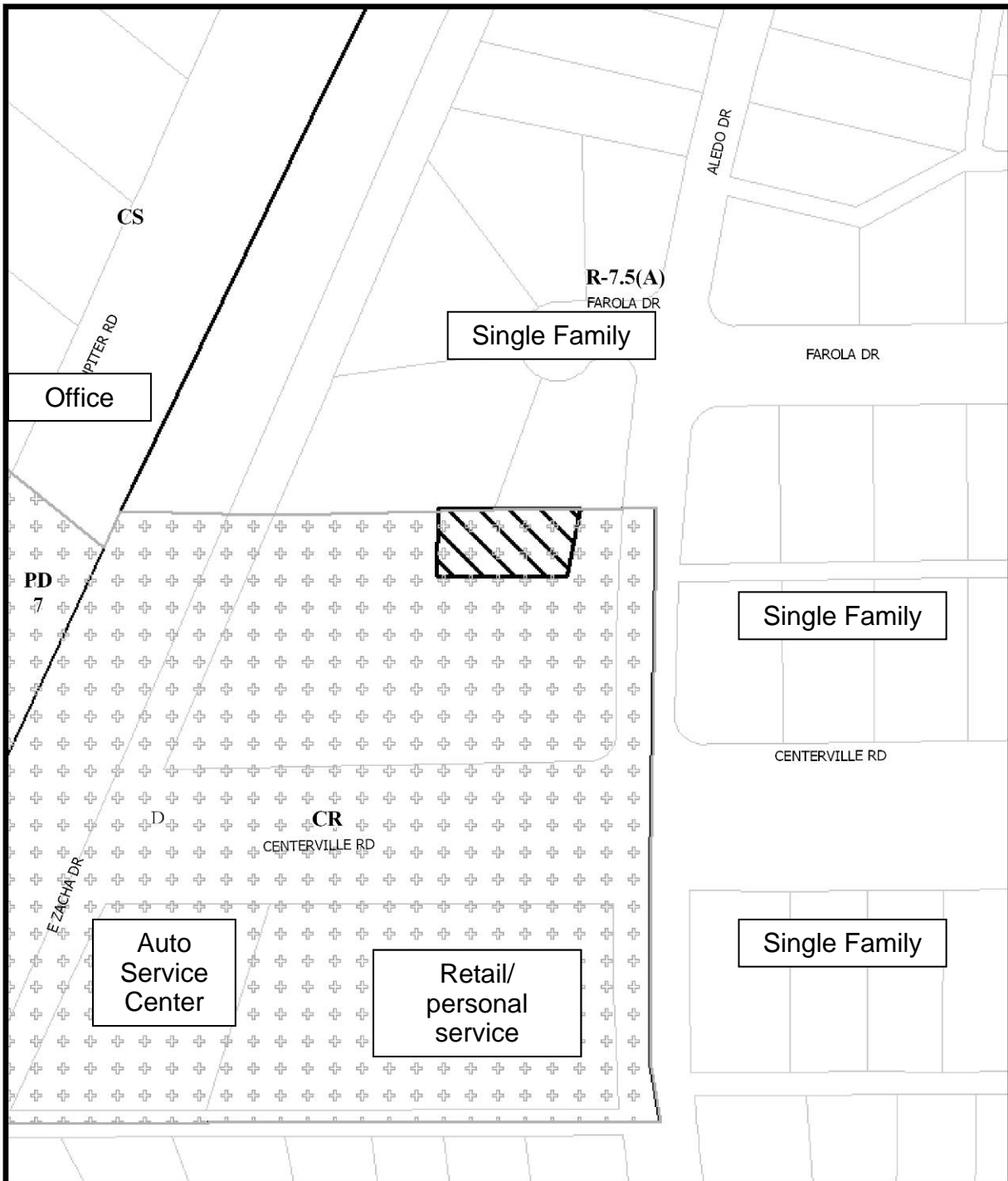


1:4,800

VICINITY MAP

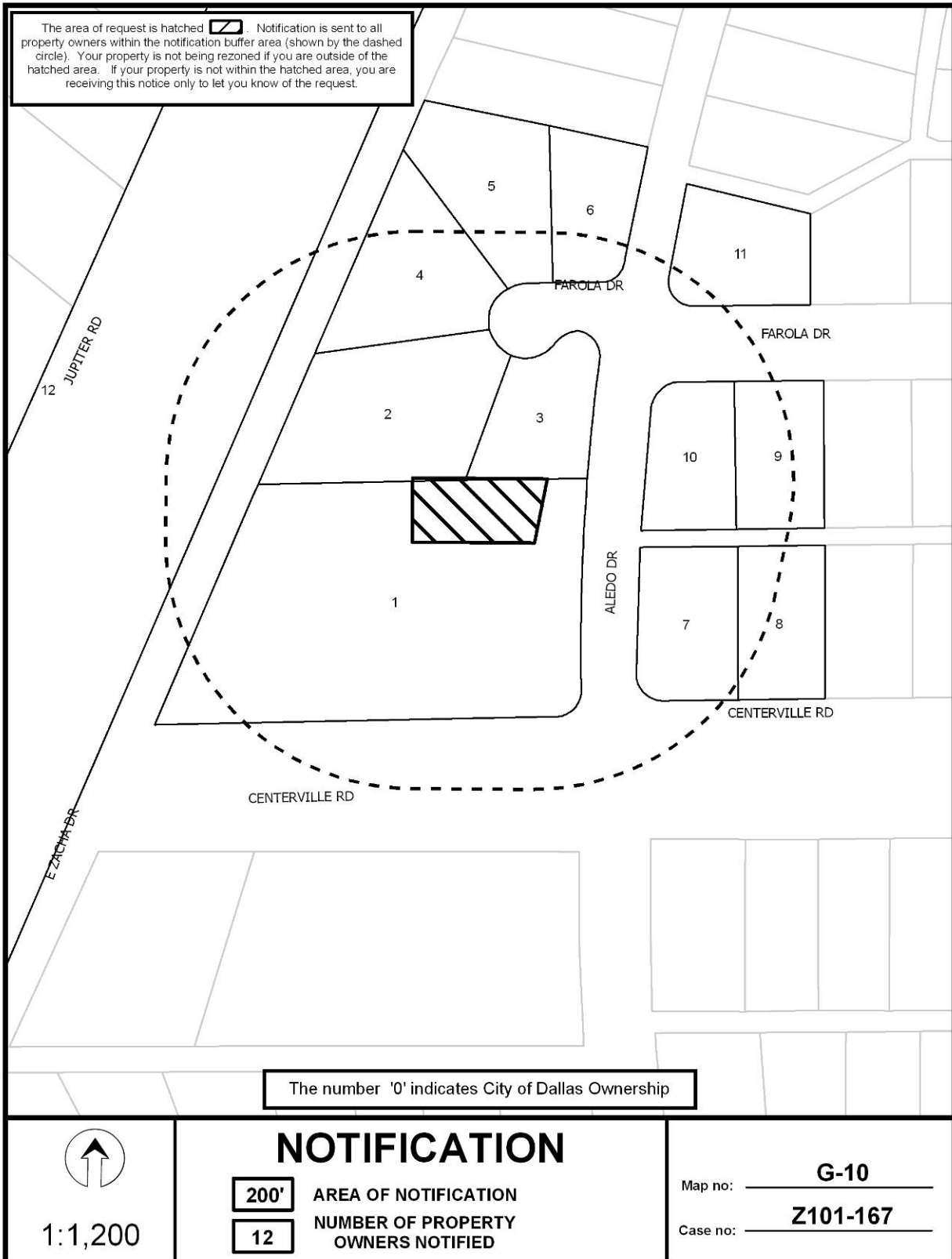
Map no: G-10
Case no: Z101-167

DATE: April 28, 2011



 1:1,200	ZONING AND LAND USE	Map no: <u> G-10 </u> Case no: <u> Z101-167 </u>
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DATE: April 28, 2011



DATE: April 28, 2011

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4/28/2011

Notification List of Property Owners

Z101-167

12 Property Owners Notified

Label #	Address	Owner
1	1503 CENTERVILLE	AMEDIO CENTERVILLE LLC
2	1510 FAROLA	818 GRANDVIEW LTD
3	1514 FAROLA	MENDOZA MARIA E
4	1511 FAROLA	PARIS DOUGLAS
5	1515 FAROLA	BELITERE NICHOLAS JR
6	1519 FAROLA	GARCIA JOSE A
7	1605 CENTERVILLE	BELLEW LISA Y STE 308
8	1611 CENTERVILLE	ANDERSON NILS CHRISTIAN
9	1610 FAROLA	MEDINA RICARDO JR & NELLY
10	1602 FAROLA	PARIS RUTH RIGGS
11	10806 ALEDO	GUZMAN RAQUEL O
12	99999 NO NAME	KANSAS CITY SOUTHERN RR

Thursday, April 28, 2011

FILE NUMBER: Z101-165 (JH)

DATE FILED: January 14, 2011

LOCATION: Southwest side of S. Lamar Street generally located between Pine Street and Hatcher Street

COUNCIL DISTRICT: 7

MAPSCO: 56-B, F

SIZE OF REQUEST: Approx. 37.5 acres

CENSUS TRACT: 40.00

REPRESENTATIVE: Robert Miklos

APPLICANT/OWNER: Loshel Company

REQUEST: An application to amend Planned Development District No. 331, expand Planned Development District No. 331 on property zoned an RS-MU Regional Service Mixed Use Subdistrict within Planned Development District No. 595, the South Dallas Fair Park Special Purpose District, and terminate Specific Use Permit No. 1084 for a Metal salvage facility, an Outside salvage or reclamation use, and an Industrial (inside) potentially incompatible use limited to an aluminum sweat furnace on a portion of the expansion area with consideration for a Specific Use Permit for metal salvage facility, outside salvage or reclamation, outside storage, recycle buy-back center for the collection of household metals, industrial metals, and recyclable materials, and commercial motor vehicle parking uses.

SUMMARY: The purpose of the request is to make the existing metal salvage, outside salvage, outside storage, and recycle buy-back center uses conforming, allow these uses to expand, and require an enhanced streetscape. The applicant's proposal would also allow the property to redevelop with mixed uses.

STAFF RECOMMENDATION: Denial

PREVIOUS ACTION: On June 2, 2011, the City Plan Commission closed the public hearing with the applicant's proposed PD conditions, site plan, and traffic management plan to return.

BACKGROUND INFORMATION:

- The request site is currently developed with a combination of metal salvage, outside salvage, outside storage, and recycle buy-back center uses.
- The purpose of the request is to make the existing metal salvage, outside salvage, outside storage, recycle buy-back center and commercial motor vehicle parking uses conforming, allow these uses to expand, and require an enhanced streetscape. The applicant’s proposal would also allow the property to redevelop with mixed uses; however, no redevelopment is proposed at this time.

Zoning History:

1. Z101-182 A pending application for a Planned Development District for industrial and mixed uses on property zoned an RS-MU Regional Service-Mixed Use Subdistrict within Planned Development District No. 595, the South Dallas Fair Park Special Purpose District, and Planned Development District No. 276 with consideration for a Specific Use Permit for metal salvage facility, outside salvage or reclamation, outside storage, recycle buy-back center for the collection of household metals, industrial metals, and recyclable materials scheduled for the June 22, 2011 City Council hearing.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Lamar Street	Principal arterial	100 feet

STAFF ANALYSIS:

Comprehensive Plan:

The request does not comply with the following land use goals and policies of the Comprehensive Plan because it would expand the industrial land use rights, which is specifically contrary to the recommendations of the Trinity River Corridor Comprehensive Land Use Plan. See the Area Plan section below.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.1 Implement the Trinity River Corridor Plan.

ECONOMIC ELEMENT

GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

Policy 2.2.1 Focus economic development efforts on revitalization of the Trinity River Corridor.

The Trinity River Corridor Comprehensive Land Use Plan recommends that the land use for this portion of Lamar Street become regional serving retail uses. Expanding the industrial operations on the request site does not help obtain these goals. While the applicant is requesting to retain the mixed use development rights on the portion of the property that is operating as a non-conforming use, it is premature to rezone the property with a redevelopment proposed to ensure that the following goals and policies will be maximized in the zoning regulations.

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.2 Focus on Southern Sector development opportunities.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

Policy 2.1.4 Support efforts to expand targeted business and industry development within the Southern Sector.

Expanding the industrial uses and making the non-conforming uses conforming does not enhance or promote the quality of life for the neighborhood. The history of fires at metal recycling businesses, uncontrolled large truck traffic, and operation of these metal recycling uses in the floodplain does not attract reinvestment in the residential neighborhood. The metal recycling uses along Lamar have not invested in enhancing the neighborhood in their 40-plus years of operations; a zoning change is not necessary to do so now.

ECONOMIC ELEMENT

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

NEIGHBORHOOD ELEMENT

GOAL 7.1 PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS

- Policy 7.1.2 Promote neighborhood-development compatibility.
- Policy 7.1.4 Promote clean and safe neighborhoods.

The Vision Map identifies this area of Lamar Street as an Urban Mixed-Use Building Block, which is supported by the existing mixed use zoning in the area and the Trinity River Corridor Comprehensive Land Use Plan recommendations. While the applicant's proposal is expanding the area that could redevelop with mixed uses, there is no redevelopment proposed in the immediate or near future. The purpose of the request is to make the metal recycling uses conforming, which extends the potential life of these uses and discourages a mixed use redevelopment.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

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

The request site is currently operating within a floodplain according to the current floodplain maps. The operation is likely non-conforming, even though Article V does not specifically address non-conforming uses. Article V limits the permitted land uses to only seven uses, which does not include any industrial, recycling, or outside storage uses. Staff is concerned that the operation in the floodplain could harm surrounding land and watersheds. The applicant indicated they have applied to remove the floodplain designation, though no documentation of this has been provided.

ENVIRONMENT ELEMENT

GOAL 6.1 PROTECT DALLAS WATER QUALITY AND WATERSHEDS

Policy 6.1.1 Develop and implement storm water management practices.

Policy 6.1.2 Mitigate non-point pollution.

Area Plans:

The 2006 Trinity River Corridor Comprehensive Land Use Plan identifies this area of Lamar Street as an Urban Village. An Urban Village should have a compact pattern of mixed-use developments. A transit system relationship is key to supporting higher densities and encouraged for this area. The urban streetscape is an important element to creating the Urban Village environment. This area is further studied as a focus area, Lamar Center. The recommendations for this focus area establish a regional corridor that is comprised of a majority of regional service retail uses with supporting office and mixed use developments, capitalizing on its proximity to I-45. The stakeholder input for this focus area identified that the industrial uses should be relocated out of this area in order to obtain the higher density and mixed use development they desired.

The applicant's request is specifically contrary to the recommendations of the Trinity River Corridor Comprehensive Land Use Plan because it expands the industrial rights on the property, makes a portion of the property conforming thereby extending its existence, and the applicant's conditions do not further the vision from the Urban Village classification. Instead, the applicant's conditions attempt to reduce the impact of the metal recycling uses because no redevelopment opportunity exists in the near future.

Land Use Compatibility:

The approximately 37.5-acre request site is zoned an RS-MU Regional Service-Mixed Use Subdistrict within Planned Development District No. 595, the South Dallas Fair Park Special Purpose District, and Planned Development District No. 331. Specific Use Permit No. 1084 allows for a Metal salvage facility, an Outside salvage or reclamation use, and an Industrial (inside) potentially incompatible use limited to an aluminum sweat furnace. The property is currently developed with a combination of metal salvage, outside salvage, outside storage, and recycle buy-back center uses. The applicant is proposing a Planned Development District to make the existing metal salvage, outside salvage, outside storage, recycle buy-back center and commercial motor vehicle parking uses conforming, allow these uses to expand, and require an enhanced streetscape. The applicant's proposal would also allow the property to redevelop with mixed uses; however, no redevelopment is proposed at this time.

The surrounding land uses are residential to the northeast, commercial uses on the northeast side of Lamar Street which includes restaurant, commercial amusement (inside) and vacant retail, and metal recycling uses to the northwest and southeast. The land on the southwest side of I-45 is undeveloped floodplain.

The request site currently has two zoning districts: PDD No. 595 RS-MU and PDD No. 331. The portion that is zoned PDD No. 595 RS-MU is approximately 23.01 acres and does not permit any industrial uses. The portion that is zoned PDD No. 311 is approximately 13.87 acres and permits the industrial uses. The applicant has indicated that the portion zoned PDD No. 595 RS-MU is non-conforming. The improvements on the request site include an existing building approximately 14,750 square feet, multiple covered structures, and a large scale.

The development plan shows the existing building and an area indicated as future cover. The activity that would occur under the future cover is sorting of material purchased. The development plan also shows assignment of land use activities.

The PD conditions retain and expand the most of the land uses and the yard, lot, space regulations of PDD No. 595 RS-MU. The applicant is proposing the existing metal recycling related uses (defined as "selected pre-existing uses" in the PD conditions) be allowed by right, but terminate their legal right to operate if abandoned for one year or replaced with another use. Staff strongly opposes this concept because it is contradictory and unenforceable as written. The concept of a use terminating is achieved by one of the following ways: non-conforming use rights cease after the use is abandoned for six months or longer; a Specific Use Permit expires; an application to the Board of Adjustment to determine a use is a nuisance and establish a compliance date; or a specific compliance date established in a Planned Development District for non-conforming uses. Staff is recommending that if the City Plan Commission is inclined to approve the zoning change, allow the selected pre-existing uses by Specific Use Permit and approve the SUP for a five year time period subject to the development plan to serve as the site plan and the staff recommended conditions. Staff does not anticipate that the area will redevelop within five years, but an SUP for this time period gives the opportunity to reevaluate the conditions of 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.

The PD conditions have some improvements to the streetscape that are proposed to be installed in near future if the zoning is approved. The streetscape improvements include landscaping, a six foot sidewalk, pedestrian scale lighting, and a solid screening fence. Staff recommends these improvements be installed within 18 months of the approval of

the zoning; the applicant proposes a specific date, June 15, 2013, that is approximately two years from the approval of the zoning.

Staff is recommending the outside stacking height and screening be completed per the PD conditions and compliance with Article V within 18 months. The applicant only proposes to comply with the stacking height and screening per the PD conditions, but by June 15, 2013.

Staff is concerned about the proposed residential uses. The applicant has proposed that the residential uses are only permitted after the selected pre-existing uses are terminated. This concept has the same issues as the termination of permitted uses already discussed. Staff is recommending the residential uses be permitted only as part of a mixed use development as defined in the PD, which would require two other use categories excluding industrial and warehouse/storage use categories.

Staff recommends denial of the applicant’s request primarily because it conflicts with the recommendations of the Trinity River Corridor Comprehensive Land Use Plan and the many goals and policies of ForwardDallas!. Staff is also strongly concerned with the operation of the business in the floodplain. While the applicant has indicated the site was filled approximately 20 years ago and they have applied to remove the floodplain designation with FEMA, no documentation of this process has been received and the fill area only covers a portion of the total 37 acre request site. The applicant’s request is an expansion of both the metal recycling related uses and mixed uses. Staff is concerned that a zoning change at this point in time to allow for mixed uses is premature since no redevelopment is proposed and it is appropriate for a zoning change to occur then. The streetscape improvements the applicant proposes can be installed without a zoning change.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Proposed							
PDD 331 Mixed uses	15'	10' adjacent to residential OTHER: No Min.	1.5 FAR overall 1.5 office 0.5 retail 0.85 residential	90'	80%	Proximity Slope	Office, retail & personal service, lodging, residential, metal recycling related uses
Existing							
PDD 595 RS-MU Mixed use	15'	10' adjacent to residential OTHER: No Min.	1.5 FAR overall 1.5 office 0.5 retail 0.85 residential	90'	80%	Proximity Slope	Office, retail & personal service, lodging, residential
PDD 331 Industrial	15' 0' on minor	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	110' 8 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Traffic:

The traffic management plan (TMP) shows large truck traffic using the driveway on Pine Street as its primary entrance. The applicant's engineer states in the TMP that the number of large truck traffic, which is staff's primary concern since the large truck traffic is currently violating city code by stacking in the public right-of-way, varies from 60 to 80 large trucks with no consistent pattern or peak. The queuing space available on the Property using the Pine Street driveway is 16 large trucks. No information was provided to indicate that based on the operation requirements or physical location or orientation of the scale that it is necessary for large trucks to enter the property. The TMP indicates driveways on the southeast side of the Lamar Street frontage can be used as an alternate for queuing if the Pine Street driveway is congested. Staff recommends the TMP be revised to use an alternate driveway for ingress and the Pine Street driveway for egress because the stacking space can be doubled to approximately 30 large trucks before the scale, unless the applicant can specify operational barriers to this approach.

The TMP specifies that approximately 150 employees work in two shifts per day. It does not identify how many employees are dedicated to ensuring that queuing does not occur in the street or their general locations for monitoring the traffic and directing large trucks to an alternate driveway when capacity is reached.

Staff recommends the traffic management plan must be updated by a traffic engineer annually by a professional engineer to ensure the plan is working and stacking is not occurring in the public right-of-way. This recommendation is based on the limitation of the Pine Street driveway's queuing capacity and the current operations violating city code. The applicant proposes only one update after a year.

Landscaping:

The PD conditions state that landscaping is required per Article X of the Dallas Development Code for redevelopment of the request site. For selected pre-existing uses, the PD conditions require trees planted in the parkway and a combination of shrubs and ground cover on the street-side of the screening fence. A private license is granted in the PD conditions to allow the planting of trees in the parkway.

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List of Partners/Principals/Officers

Loshel Company

Neil Goldberg, Partner
Ken Goldberg, Partner
Robert Goldberg, Partner

PD Conditions

ARTICLE 331.

PD 331.

SEC. 51P-331.101. LEGISLATIVE HISTORY.

PD 331 was established by Ordinance No. 20579, passed by the Dallas City Council on March 14, 1990. Ordinance No. 20579 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended.

SEC. 51P-331.102. PROPERTY LOCATION AND SIZE.

PD 331 is established on property generally located on the southwest side of S. Lamar Street, between Pine Street and Hatcher Street. The size of PD 331 is approximately 37.44 acres located at the south corner of S. Lamar Street and Mooney Street. The size of PD 331 is approximately 13.717 acres.

SEC. 51P-331.103. DEFINITIONS AND INTERPRETATIONS.

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

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

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

(3) MIXED USE PROJECT means a development that contains at least two uses from any use category except commercial motor vehicle parking, industrial uses, and wholesale, distribution, and storage uses.

(4) PEDESTRIAN SCALE LIGHTING means that the light emanates from a source that is no more than 14 feet above the grade of the sidewalk or a pedestrian light fixture approved by the director of public works and transportation.

(5) SELECTED PRE-EXISTING USE means any combination of a metal salvage facility, outside salvage or reclamation, outside storage, recycling buy-back center for the collection of household metals, industrial metals, and recyclable materials, and commercial motor vehicle parking use operating on the Property as of [date of passage of PD amendment].

(6) 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.

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

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

SEC. 51P-331.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 331A: development plan.
- (2) Exhibit 331B: traffic management plan.

SEC. 51P-331.104. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit 331A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-331.104.1. TRAFFIC IMPACT ANALYSIS.

(a) A traffic impact analysis must be submitted and approved prior to any building permit for a use other than selected pre-existing uses.

(1) Within 30 days after submission of a traffic evaluation study, the Director shall determine if the traffic impact analysis is sufficient.

(A) If the Director determines that the traffic impact analysis is sufficient, the director shall notify the applicant in writing.

(B) If the Director determines that the traffic impact analysis is insufficient, the Director shall require the Property owner to submit an amended traffic impact analysis. If the Property owner fails to submit an amended traffic impact analysis within 30 days, the Director shall notify the city plan commission.

~~Use of the Property must comply with the development plan (Exhibit 331A).~~

SEC. 51P-331. 105. MAIN USES PERMITTED.

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

~~Generally. A metal salvage facility and an outside salvage or reclamation use are permitted by right on the Property. All other uses allowed in the IM Industrial/Manufacturing District are permitted on the Property in accordance with the provisions of Sections 51A 4.123(d)(2) and (3).~~

~~(b) Location of salvage/reclamation use. A minimum distance of 109 feet is required between an outside salvage or reclamation use on the Property and an R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district.~~

(1) Agricultural uses.
--None.

(2) Commercial and business service uses.
--Catering service.
--Custom business services.

(3) Industrial uses.

Staff Recommended:

--Metal salvage facility. <i>[SUP]</i>
--Outside salvage or reclamation. <i>[SUP]</i>

Applicant Proposed:

--Metal salvage facility.
--Outside salvage or reclamation.

(4) Institutional and community service uses.

--Adult day care facility. <i>[L]</i>
--Child-care facility. <i>[L]</i>
--Church.
--College, university or seminary.
--Community service center. <i>[SUP]</i>
--Convalescent and nursing homes, hospice care, and related institutions. <i>[SUP]</i>
--Convent or monastery.
--Hospital. <i>[RAR]</i>
--Library, art gallery, or museum.
--Open-enrollment charter school or private school. <i>[SUP]</i>
--Public school other than an open-enrollment charter school. <i>[SUP]</i>

(5) Lodging uses.

--None permitted

(6) Miscellaneous uses.

--Temporary construction or sales office.

(7) Office uses.

--Financial institution without drive-in window.
--Financial institution with drive-in window. <i>[SUP]</i>
--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.

Staff Recommended:

(9) Residential uses.
--Duplex. <i>[May not exceed 85 percent of the floor area of a single building in a mixed use project.]</i>
--Multifamily. <i>[May not exceed 85 percent of the floor area of a single building in a mixed use project.]</i>
--Retirement housing. <i>[May not exceed 85 percent of the floor area of a single building in a mixed use project.]</i>

Applicant Proposed:

(9) Residential uses.
--Duplex.

<u>--Handicapped group dwelling unit.</u>
<u>--Multifamily.</u>
<u>--Retirement housing.</u>
<u>--Single family.</u>

- (10) Retail and personal service uses.
--Animal shelter or clinic without outside run. [RAR]

Staff Recommended:

<u>--Auto service center.</u>

Applicant Proposed:

<u>--Auto service center.</u>

--Business school.
--Commercial amusement (inside). [SUP may be required. See Section 51A-4.210 (b)(7)(B).Treat as a CR District.]

Staff Recommended:

<u>--Commercial motor vehicle parking. [SUP]</u>
--

Applicant Proposed:

<u>--Commercial motor vehicle parking.</u>
--

--Commercial parking lot or garage. [RAR]
--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.
--General merchandise or food store 100,000 square feet or more. [SUP]
--Home improvement center, lumber, brick or building materials sales yard. [SUP]
--Mortuary, funeral home, or commercial wedding chapel. [SUP]
--Motor vehicle fueling station.
--Nursery, garden shop, or plant sales.
--Personal service uses. [Except tattoo studio, body piercing studio and massage parlor are prohibited.]
--Restaurant without drive-in or drive-through service. [RAR]
--Restaurant with drive-in or drive-through service. [DIR]
--Theater.

- (11) Transportation uses.
--Transit passenger shelter.

- (12) Utility and public service uses.
--Electrical substation.
--Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4). Treat as an RR district]
--Police or fire station.
--Post office.
--Radio, television, or microwave tower. [SUP]

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--Tower/antenna for cellular communication. [See Section 51A-4.212(10.1). Treat as an MU district]

--Utility or government installation other than listed. [SUP]

(13) Wholesale, distribution, and storage uses.

Staff Recommended:

--Outside storage with visual screening. [SUP]
--Recycling buy-back center. [SUP. No maximum floor area.]

Applicant Proposed:

--Outside storage with visual screening.
--Recycling buy-back center. [No maximum floor area.]

(b) Except for selected pre-existing uses, all other main uses must be part of a mixed use project.

Applicant Proposed:

(c) A selected pre-existing use is permitted by right until the use ceases to operate for *one year* or when converted to another permitted use.

Staff Recommendation if Applicant Proposed (b) is accepted:

(c) A selected pre-existing use is permitted by right until the use ceases to operate for *six months* or when converted to another permitted use.

Before the issuance of a building permit for a change in use from a selected pre-existing use to another permitted use, an amendment to the development plan must be approved as amendment or minor amendment in accordance with 51A-4.701.

A minor amendment cannot approve an increase in the area for operation of a selected pre-existing use.

SEC. 51P-331.106. 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.

SEC. 51P-331.106. LOCATION OF BALER.

~~The baler used to bale aluminum cans must be located as shown on the development plan in a structure having at least three sides.~~

SEC. 51P-331. 107. YARD, LOT, AND SPACE REGULATIONS.

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

~~The yard, lot, and space regulations for the IM Industrial/Manufacturing District as provided in Section 51A-4.123(d)(4) apply to the Property.~~

Staff Recommendation:

~~(X) For selected pre-existing uses, the yard, lot, and space regulations for the IM Industrial/Manufacturing District apply to the Property.~~

~~(X) When the selected pre-existing uses are terminated as established in this article, the following yard, lot, and space regulations apply:~~

Applicant Proposed:

(X) For selected pre-existing uses, the yard, lot, and space regulations for the IM Industrial/Manufacturing District apply to the Property.

(X) When the selected pre-existing uses are terminated as established in this article, the following yard, lot, and space regulations apply:

(a) Front yard. Minimum front yard is 15 feet.

(b) Side and rear yard.

(1) Minimum side and rear yard is 10 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; and

(2) No minimum in all other cases, but if a setback is provided it must be 10 feet.

(c) Density. No maximum dwelling unit density.

(d) Floor area ratio. Maximum floor area ratio is:

(1) 1.5 for office uses;

(2) 0.5 for retail uses;

(3) 0.85 for residential uses; and

(4) 1.5 for all uses combined.

(e) Height.

(1) Maximum height. Except as provided in this section, maximum structure height is 90 feet.

(2) 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.

(f) 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.

Z101-165(JH)

 (g) Lot size. No minimum lot size.

 (h) Stories. Maximum number of stories above grade is seven. Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (e).

SEC.51P-331.107.1 OUTSIDE STORAGE AND STACKING HEIGHT.

For selected pre-existing uses,

 (1) For areas within 50 feet of right-of-way, objects may not be stacked higher than 12 feet, or no higher than the height of a screening fence, whichever is less. This subsection does not apply to TxDOT right-of-way.

 (2) For other locations, objects may not be stacked higher than 30 feet.

Staff recommendation:

 (3) All outside storage must comply with Article V.

Applicant proposed:

 (3) All outside storage must comply with Article V.

Staff recommendation:

 (4) All non-conforming outside storage must comply by (18 months).

Applicant proposed:

 (4) All non-conforming outside storage must comply by (18 months).

SEC. 51P-331. 108. OFF-STREET PARKING AND LOADING.

 (a) Generally. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. .

Staff recommended:

 (b) Parking setback. Except for selected pre-existing uses, required off-street parking is prohibited within 30 feet of the public street curb.

 (c) Parking screening.

 (1) Required off-street parking must be screened from the street using the methods listed in Section 51A-4.301(f)(5).

 (2) Required off-street parking must be screened from adjoining residential property by screening as described in Section 51A-4.301(f)(3).

 (3) A perimeter landscape buffer strip complying with Section 51A-10.125(b)(1) must be provided on the residential side of any screening required by this subsection. Perimeter landscape buffer strip materials must comply with Section 51A-10.125(b)(7).

Applicant proposed:

 (b) Parking setback. Except for selected pre-existing uses, required off street parking is prohibited within 30 feet of the public street curb.

~~(c) Parking screening.~~

~~(1) Required off street parking must be screened from the street using the methods listed in Section 51A 4.301(f)(5).~~

~~(2) Required off street parking must be screened from adjoining residential property by screening as described in Section 51A 4.301(f)(3).~~

~~(3) A perimeter landscape buffer strip complying with Section 51A 10.125(b)(1), "Perimeter Landscape Buffer Strip," must be provided on the residential side of any screening required by this subsection. Perimeter landscape buffer strip materials must comply with Section 51A 10.125(b)(7), "Buffer Plant Materials."~~

SEC. 51P-331.108.1. TRAFFIC MANAGEMENT PLAN AND DRIVEWAY WIDTH.

(a) In general. The operation of the selected pre-existing uses must comply with the traffic management plan (Exhibit 331B).

(b) Queuing. Queuing is only permitted inside the Property.

(c) Loading and unloading. Loading and unloading of commercial vehicles is prohibited within 59 feet of the South Lamar Street right-of-way, as indicated on the development plan. For the purposes of this condition, commercial vehicles do not include passenger trucks and vans.

Staff Recommendation:

(d) Ingress and egress for an existing use.

(1) Lamar Street. The maximum driveway width is 35 feet and must be designed for passenger vehicles only.

(2) Pine Street. The maximum driveway width is 40 feet and must be designed for commercial vehicles.

Applicant proposed:

(d) Ingress and egress for an existing use.

(1) The primary ingress and egress of commercial vehicles must be from Pine Street as indicated on the traffic management plan. For the purposes of this condition, commercial vehicles do not include passenger vehicles, small trailers, and vans.

Staff Recommended:

(e) Implementation. No later than [30 days after passage of the ordinance], the traffic management plan must be implemented and signage directing commercial traffic to the Pine Street ingress/egress and passenger vehicle traffic to the Lamar Street ingress/egress must be installed on the Property.

Applicant Proposed:

~~(e) Implementation. No later than [30 days after passage of the ordinance], the traffic management plan must be implemented and signage directing commercial traffic to the Pine Street~~

ingress/egress and passenger vehicle traffic to the Lamar Street ingress/egress must be installed on the Property.

Staff Recommended:

(f) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the Director by (one year). After the initial traffic study, the Property owner or operator shall submit annual updates of the traffic study to the Director by July 1st of each year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different business days at different times over a two-week period, and must contain an analysis of the following:

(A) ingress and egress points;

(B) queue lengths;

(C) number and location of personnel assisting with loading and unloading of material;

(D) drop-off and pick-up locations; and

(E) circulation.

(3) Within 30 days after submission of a traffic study, the Director shall determine if the current traffic management plan is sufficient.

(A) If the Director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(B) If the Director determines that the current traffic management plan results in traffic hazards or traffic congestion, the Director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the Director shall notify the city plan commission.

Applicant Proposed:

(f) Traffic study. On or before June 22, 2012, the Property Owner shall submit a traffic study to the City of Dallas. Within 30 days of the submittal of the Traffic study, the Director shall determine if the Traffic Management Plan is sufficient.

(1) If the Director determines that the current Traffic Management Plan is sufficient, the Director shall notify the applicant in writing.

(2) If the director determines that the current Traffic Management Plan results in traffic hazards or traffic congestion, the Director shall require the Property owner to submit an amended traffic study. If the Property Owner fails to submit an amended traffic study within 30 days, the Director shall notify the city plan commission.

SEC. 51P-331.108.2. ENVIRONMENTAL PERFORMANCE STANDARDS.

- (a) Except as provided in this section, see Article VI.
- (b) Due to present soil contamination, the building official must approve the removal any impervious surface. Prior to the issuance of a permit, a report or statement by TCEQ or the state environmental regulatory agency at that time indicating approval of the removal of the specific amount and location of impervious surface must be provided to the building official.
- (c) The Property has a Municipal Setting Designation, established on February 23, 2011.

SEC. 51P-331. 109. LANDSCAPING.

~~Landscaping must be provided as shown on the landscaping plan (Exhibit 331B). All landscaping must be installed within six months after March 14, 1990. All plant material must be maintained in a healthy, growing condition at all times.~~

(a) In general. Except as provided in this section, landscaping, tree mitigation, and tree preservation must be provided in accordance with Article X.

(b) Mandatory provisions for selected pre-existing uses.

(1) Parkway Trees.

(A) Tree planting zone. In this section, the tree planting zone is that area parallel to and between two-and-one-half and 10 feet from the back of the street curb. (The tree planting zone is in the parkway. Note that the property owner must apply for a parkway landscape permit before any required trees may be planted in the parkway. See Paragraph () for more details regarding the parkway landscape permit.)

(B) Number, location, and type of trees required. The Property must have one or more trees whose trunks are located wholly within the tree planting zone. The number of required trees is determined by dividing the number of feet of lot frontage exclusive of visibility triangles by 30. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number. All required trees must be large trees from the replacement list and recommended for local area use by the building official.

(C) Minimum tree height and trunk caliper. Required trees must have a minimum height of 14 feet and a minimum trunk caliper of three-and-one-half inches measured at a point 12 inches above the root ball at the time of installation. In this section, height is measured from the top of the root ball.

(D) Tree spacing requirements. Trees must be planted on center not closer than 2.5 feet from any curb or paved surface. Large trees must be planted on center not closer than 10 feet from a building or wall and not closer than 20 feet from another large tree.

Required trees must be spaced as uniformly as practicable. The trunk of a required tree must be within 50 feet of the trunk of another required tree.

(2) Other plant material screening. Excluding driveways and visibility triangles, a minimum of 50 percent of the street frontage along South Lamar Street between the sidewalk and screening fence must have turf, ground cover, shrubs, trees, seasonal planting, or a combination of these plant materials.

(3) Protection of landscape areas. Required landscape areas must be protected from vehicular traffic through the use of concrete curbs, wheel stops, or other permanent barriers.

Staff recommended:

(4) Completion of landscaping. Landscaping must be installed no later than (18 months from the passage of this ordinance).

Applicant proposed:

(4) Completion of landscaping. Landscaping must be installed no later than (two years from the passage of this ordinance).

(5) 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 this district for the exclusive purpose of authorizing compliance with the parkway landscaping and pedestrian amenities requirements of this article. "Parkway" means the portion of a street right-of-way between the street curb and the lot line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(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 subsection.

(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 subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(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 subsection does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(6) Parkway landscape permit.

(A) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the building official. The application must be in writing on a form approved by the building official and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(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 parkway landscape permit to the property owner; otherwise, the building official shall deny the permit.

(C) If compliance or partial compliance with the parkway landscaping requirement is made impossible due to the building official's denial of a parkway landscape permit, the director may approve an alternate landscaping that meets the intent of the parkway landscaping requirement, including but not limited to replacing a requirement for large trees with small trees where overhead utilities exist. If no alternative exists, the director may waive all or part the parkway landscaping requirement.

(D) A parkway landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time the building official determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the building official's revocation of a parkway landscape permit.

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

(c) Tree mitigation for selected pre-existing uses may be accomplished by planting replacement trees anywhere on the Property, except that replacement trees planted in a parkway may be counted towards tree mitigation only if planted at least 2.5 feet away from any utility easement.

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

SEC. 51P-331.109.1 . SIDEWALKS AND PEDESTRIAN AMENITIES.

(a) Pedestrian scale lighting. Pedestrian scale lighting that provides a minimum maintained average illumination level of 1.5 footcandles must be provided along sidewalks at one lighting fixture per 100 linear feet of frontage. The design and placement of both the standards and fixtures must be approved

by the director of public works and transportation. Unless otherwise provided, each property owner is responsible for the cost of installation, operation and maintenance of the lighting on their property or in the public right-of-way adjacent to their property.

(b) Sidewalks.

(A) No sidewalk is required on Pine Street frontage.

(B) A minimum six foot sidewalk must be provided along S. Lamar frontages.

Staff recommendation:

(c) Implementation. Pedestrian scale lighting and sidewalks must be installed by (18 months.)

Applicant proposed:

(c) Implementation. Pedestrian scale lighting and sidewalks must be installed by June 15, 2013.

SEC. 51P-331. 110. SIGNS.

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

SEC. 51P-331. 111. FENCES AND REQUIRED SCREENING.

~~Fences must be provided as shown on the development plan. Except where a 13-foot fence is required by the development plan, fences in the front yard are limited to 15 feet in height.~~

(a) Required screening for selected pre-existing uses.

(1) A solid screening fence must be located on the Property within 25 feet of S. Lamar and Pine Street. To prevent visual monotony, any screening fence must have one or more of the following every 60 linear feet:

(A) alternating materials or textures;

(B) offsets of at least 18 inches.

Staff Recommended:

(2) Materials permitted. The material of required screening is limited to masonry or concrete. The material of vehicular gates is limited to metal.

Applicant Proposed:

(2) Materials permitted. The material of required screening is limited to masonry or concrete for portion of the required screening for the first six feet above grade. The materials for the portion of the required screening above six feet above grade are limited to masonry, concrete, and metal. The material of vehicular gates is limited to metal.

(3) Height. Required screening must be a minimum of 8 feet in height.

Staff Recommended:

(b) Fences for selected pre-existing uses.

(1) The maximum fence height is 15 feet within 30 feet of S. Lamar Boulevard and Pine Street. Maximum height for all other fencing is 10 feet except where screening is required for the Highway Beautification Act adjacent to TxDOT right-of-way.

(2) Fences must be properly maintained so that:

(A) the screening is not out of vertical alignment more than one foot from the vertical, measured at the top of the screening; and

(B) any rotted, fire damaged, or broken slats or support posts; any broken or bent metal posts; any torn, cut, bent, or ripped metal screening; any loose or missing bricks, stones, rocks, mortar, or similar materials; and any dead or damaged landscaping materials are repaired or replaced.

(3) All fences must be painted or finished in a consistent manner.

Applicant Proposed:

~~(b) Fences for selected pre-existing uses.~~

~~(1) The maximum fence height is 15 feet within 30 feet of S. Lamar Boulevard and Pine Street. Maximum height for all other fencing is 10 feet except where screening is required for the Highway Beautification Act adjacent to TxDOT right of way.~~

~~(2) Fences must be properly maintained so that:~~

~~(A) the screening is not out of vertical alignment more than one foot from the vertical, measured at the top of the screening; and~~

~~(B) any rotted, fire damaged, or broken slats or support posts; any broken or bent metal posts; any torn, cut, bent, or ripped metal screening; any loose or missing bricks, stones, rocks, mortar, or similar materials; and any dead or damaged landscaping materials are repaired or replaced.~~

~~(3) All fences must be painted or finished in a consistent manner.~~

(c) Barbed wire or concertina may not be visible from the Lamar Street or Pine Street right-of-way.

Staff recommendation:

(d) Implementation. Required screening and fencing must comply with this section by (18 months.)

Applicant proposed:

(d) Implementation. Required screening and fencing must comply with this section by June 15, 2013.

(e) For all other uses, fences and screening must comply with Sec. 51A-4.602.

SEC. 51P-331. 112.-LOCATION OF BALER.CURTAIN WALL.

-For industrial uses and wholesale, distribution, and storage uses, the baler used to bale aluminum cans must be located as shown on the development plan in a structure having at least three sides.

~~A curtain wall must be constructed within six months of March 14, 1990, in the location shown on the development plan. The curtain wall must be composed of materials similar to those used on the remainder of the building facade. For the purposes of this condition, a curtain wall means a permanent solid screening wall that completely encloses the southerly 25 feet of the structure labeled "covered loading area" on the development plan.~~

SEC. 51P-331. 113. ADDITIONAL PROVISIONS.

- (a) The requirements of Section 51A-4.123(d)(8), entitled "Additional Provisions," apply to the Property.
- (b) The Property must be properly maintained in a state of good repair and neat appearance.
- (c) Development of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-331. 114. COMPLIANCE WITH CONDITIONS.

- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.
- (b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 20579; 25850)

SEC. 51P-331. 116. ZONING MAP. RESERVED.

~~PD 331 is located on Zoning Map No. L-8.~~

SUP Conditions
(Staff Recommendation Only)

1. USE: The only use authorized by this specific use permit is a metal salvage facility, outside salvage or reclamation, outside storage, recycle buy-back center for the collection of household metals, industrial metals, and recyclable materials, and commercial motor vehicle parking. 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 (five years).
4. HOURS OF OPERATION:
 - a. The metal salvage facility, outside salvage and reclamation, and recycle buy-back center may only operate between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 8:00 a.m. and 7:00 p.m., Saturday and Sunday.
 - b. Commercial motor vehicles may be parked on the property at any time, but commercial motor vehicles may only enter or exit the property between 7:00am and 6:00 pm, Monday through Friday and between 8:00 am and 3:00 pm Saturday.
5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown in the attached site plan. No other ingress or egress is permitted.
6. LIGHTING: Security lighting must be installed for nighttime security.
7. PARKING: Parking must be located as shown on the attached site plan.
8. OUTSIDE SPEAKERS: Outside speakers are prohibited.
9. REGULATED PROPERTY LICENSE: The operator of this use must have a regulated property license under Dallas City Code Chapter 40B.
10. VEHICLE SERVICING: Servicing or repair of vehicles used in the operation of this use is prohibited.
11. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
12. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Exhibit B
Traffic Management Plan



Technical Memorandum

To: Robert J. Miklos — K&L Gates
From: DeShazo Group, Inc.
Date: June 1, 2011
Re: Traffic Management Plan for Gold Metal Recyclers Site in Dallas, Texas
(DeShazo Project No. 11054)

INTRODUCTION

The services of **DeShazo Group, Inc. (DeShazo)** were retained by K&L Gates on behalf of the Gold Metal Recyclers Ltd. (GMR) to conduct a traffic management plan (TMP) for the GMR site located at 4305 South Lamar Street, Dallas, Texas 75215. DeShazo is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering.

The existing GMR site is located on a 37.429-acre lot and is currently zoned as Planned Development District Number 331 ("PD 331"). Primary access points to the current site are located along South Lamar Street. GMR has acquired an adjacent property located along Pine Street, northwest of the existing site, and plans to reconfigure the existing site in order to provide improved access for large trucks via Pine Street. The gross acreage of the site is expected to remain generally the same. Reconfiguration of the site requires amendments to PD 331.

TRAFFIC MANAGEMENT PLAN

The Plan summarized below utilizes the proposed site plan (provided by **VAI Architects**) to identify the circulation paths for individual users of the site — large commercial vehicles (i.e., trucks), small commercial and personal vehicles, and employees. The TMP also identifies the queuing (i.e., vehicle stacking) space available on site to accommodate the large commercial vehicles following the planned reconfiguration.

Operations

The site operates seven days per week. Current hours of operation are:

- Monday-Friday: 7:00 AM-5:00 PM
- Saturday: 7:00 AM - 2:00 PM

- Sunday: 8:00 AM – 12:00 PM

For security each driveway is gated approximately one hour after closing through one hour before opening.

Traffic generated by the site is spread throughout the day with no consistent or distinct peak periods. The following summary of approximate traffic volumes generated by the site was provided by GMR.

- approximately 60-80 large commercial trucks (i.e. semi-tractor-trailer trucks) per day
- approximately 300 small commercial vehicles (including pick-up trucks) per day
- approximately 150-180 employees work at the site in two shifts

Circulation

All vehicular site access is provided via South Lamar Street. Adjacent to the site, South Lamar Street is a five lane, undivided thoroughfare – two lanes in each direction, plus a two-way, continuous, center, left-turn lane – oriented northwest-southeast. Generally, traffic approaches and departs the site from/to the northwest and southeast equally.

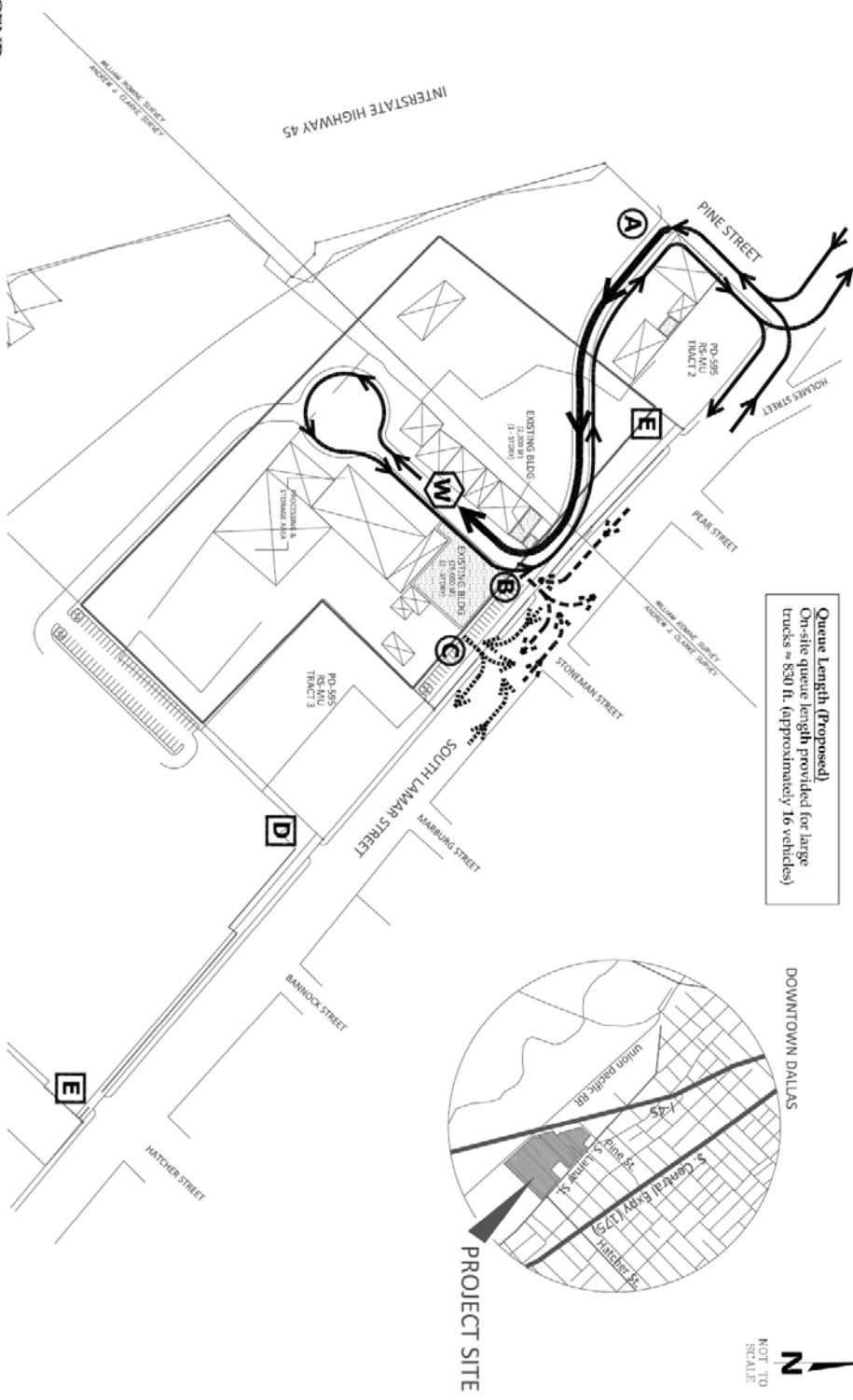
Following the planned reconfiguration, site access will be provided via three separate access points – one each for large commercial vehicles (i.e., truck traffic), small commercial and private vehicles, and employee traffic. The large truck traffic will access the site at the proposed new entrance located on Pine Street via South Lamar Street. The new access point on Pine Street will provide on-site queuing for approximately sixteen large trucks that did not exist under the original site plan. Internal truck circulation is dictated by the location of the weighing scale adjacent to the administration building in the center of campus. Small commercial vehicles and private vehicles enter the site via central driveway immediately adjacent to the administration building and either park in front of the site or travel to the scale. Employees access the site via a separate driveway located just south of the small commercial vehicle driveway. The driveway located south of the employee entrance will provide a secondary entrance for large commercial trucks that can be used, as needed. All primary entrances remain open during regular business hours but are gated for site security during non-business hours. [NOTE: GMR shall ensure that the users are directed to their respective access points while avoiding circulation through neighborhood streets.]

A detailed illustration of the proposed circulation plan is provided in **Exhibit 1**. The site plan also shows two auxiliary entrances. All the entrances are proposed to accommodate two-way, inbound/outbound circulation. As needed, designated GMR staff members will guide the users to the auxiliary entrances in order to avoid vehicles queuing on South Lamar Street.

SUMMARY

This TMP is to be used by Gold Metal Recyclers following the reconfiguration of the existing site on South Lamar Street. The details of the TMP shall be implemented by GMR.

END OF MEMO



Queue Length (Proposed)
On-site queue length provided for large trucks = 830 ft. (approximately 16 vehicles)



N
NOT TO SCALE

- LEGEND**
- = Circulation Path (Large Trucks)
 - ⇨ = Queue Area (Large Trucks)
 - - - -> = Circulation Path (Small Commercial/Personal Vehicles)
 - = Circulation Path (Employees)

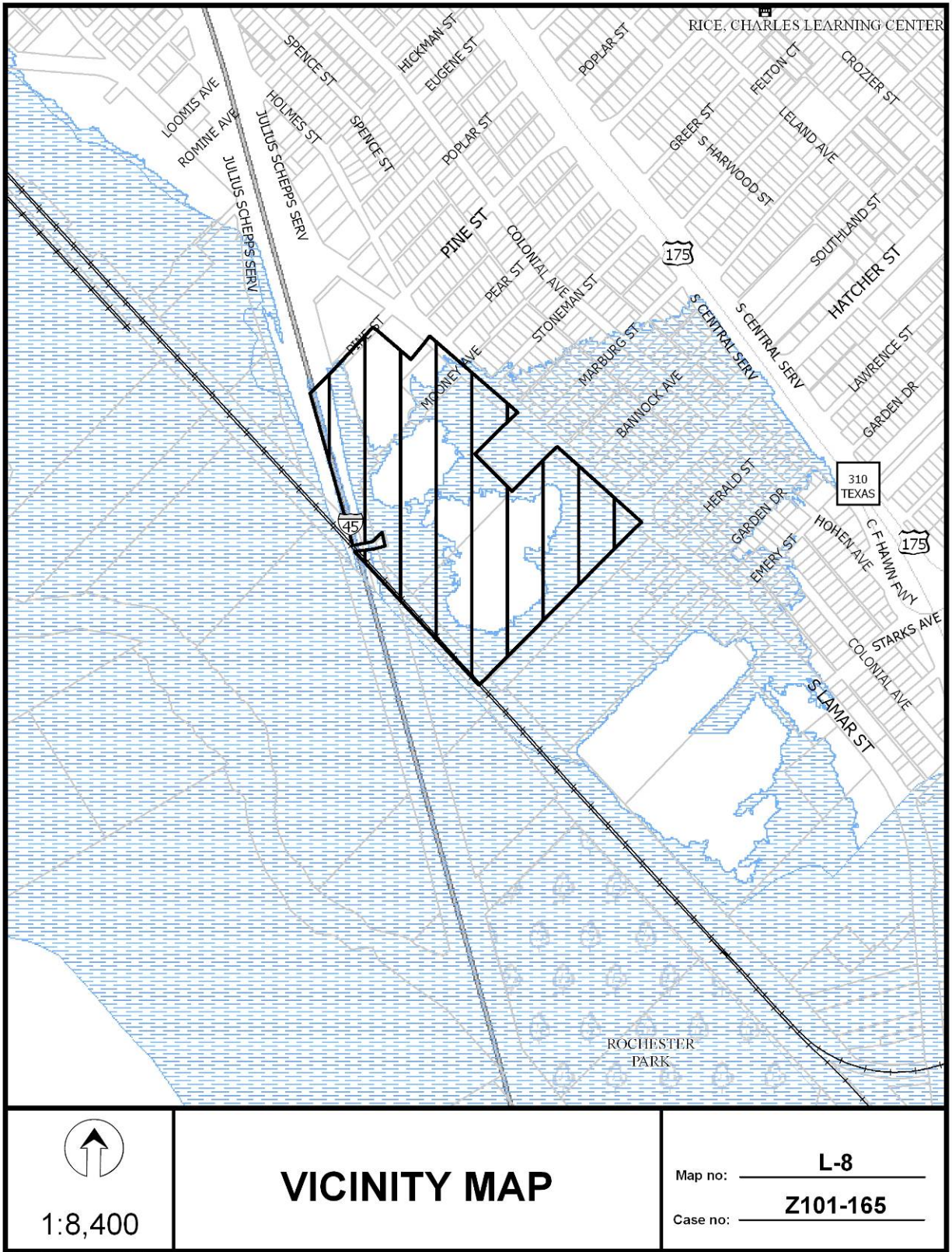
- A** = Primary Entrance/Exit (Large Trucks)
- B** = Entrance/Exit (Small Commercial/Personal Vehicles)
- C** = Entrance/Exit (Employees)
- D** = Secondary Entrance/Exit (Large Trucks)
- E** = Auxiliary Entrance/Exit
- W** = Weighing Scale

Notes:

- All vehicular access points facilitate two-way inbound/outbound circulation.
- For security, all vehicular access points are gated one hour after closing through one hour before opening.
- CMR shall ensure that the users are directed to their respective access points while avoiding circulation through neighborhood streets.

CIRCULATION PLAN

Gold Metal Recyclers Traffic Management Plan



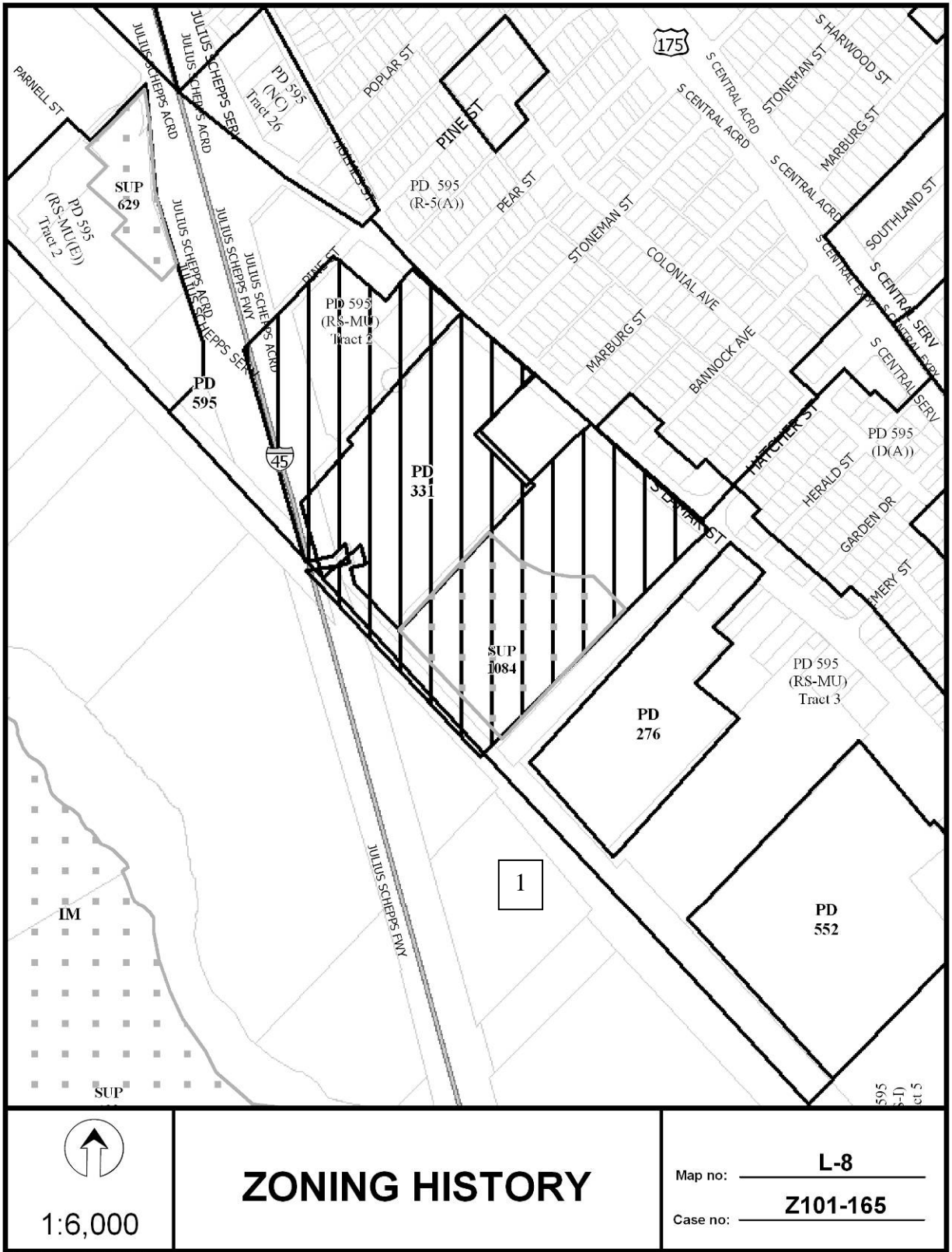
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VICINITY MAP

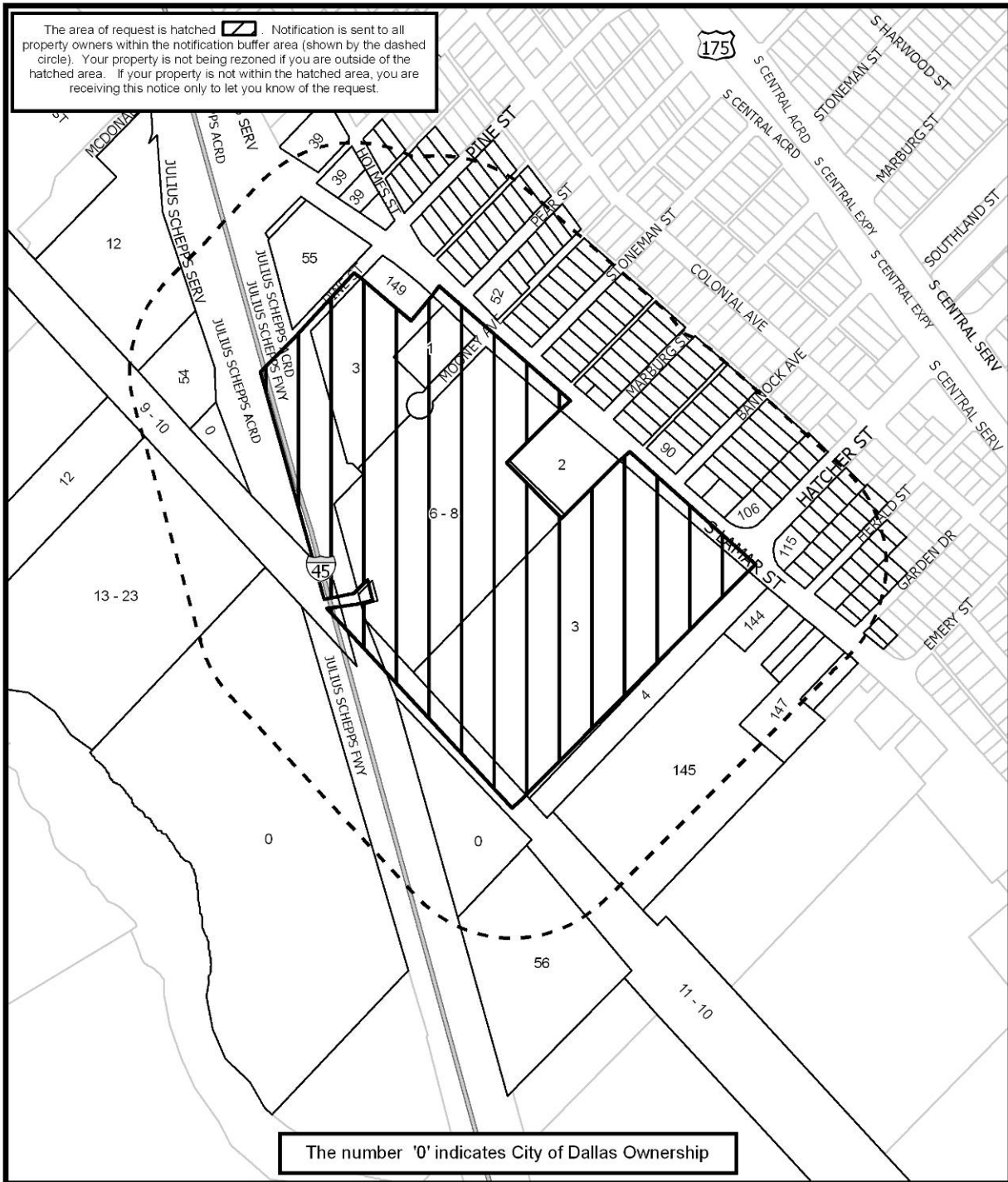
Map no: L-8

Case no: Z101-165

DATE: April 01, 2011



DATE: April 01, 2011



 1:6,000	NOTIFICATION	Map no: <u> L-8 </u>
	500' AREA OF NOTIFICATION 149 NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u> Z101-165 </u>

DATE: April 01, 2011

Notification List of Property Owners**Z101-165****149 Property Owners Notified**

Label #	Address	Owner
1	4235 LAMAR	LOSHEL
2	4501 LAMAR	GREGSON ENTERPRISES LLC
3	4601 LAMAR	LOSHEL COMPANY
4	4605 LAMAR	MLO INC
5	1510 MOONEY	PRESCOTT INTERESTS LTD
6	4305 LAMAR	GOLDBERG ROBERT L ET AL
7	4301 LAMAR	KEN GOLDBERG
8	4305 LAMAR	GOLDBERG ROBERT L ET AL
9	9999 NO NAME	UNION PACIFIC RR CO % TAX DEPT
10	4401 LINFIELD	ST LOUIS S W RAILWAY CO % UNION PACIFIC PPTY TAX
11	9999 NO NAME	UNION PACIFIC RR CO % TAX DEPT
12	4403 LAMAR	WILDWOOD HOLDINGS II LTD
13	1300 MOONEY	WILKERSON JOHN H &
14	1300 MOONEY	WILKERSON JOHN H &
15	1300 MOONEY	KANALY TR CO TR HAYWARD HAMILTON LEE TR EXEMPT
16	1300 MOONEY	WILKERSON JOHN H
17	1300 MOONEY	PAINE R E III
18	1300 MOONEY	HOVEY SUANNA P
19	1300 MOONEY	KORF DIANA HOVEY
20	1300 MOONEY	DRAKE RUTH ELLEN HOVEY
21	1300 MOONEY	DOBSON MARY IRIS WEBRE
22	1300 MOONEY	RUDE ROBERTA WEBRE
23	1300 MOONEY	KANALY TR CO TR HAYWARD HAMILTON LEE TR
24	1623 PINE	BROWN GERALDINE POWELL EST OF
25	1617 PINE	CLARK BEULAH B ESTATE OF %TRAVIS & OTIS L CLARK
26	1611 PINE	SHIELDS ELOISE ESTATE

Friday, April 01, 2011

Label #	Address	Owner
27	1609 PINE	HENDERSON ALFREDIA
28	1602 POPLAR	DAWSON STACEY N
29	1608 POPLAR	JP MORGAN CHASE BANK % SAXON MTG SVCS INC
30	1600 PINE	HAYNES F L
31	1611 PINE	ST PAUL BAPTIST CHURCH
32	1612 PINE	ST PAUL BAPTIST CHURCH
33	1616 PINE	COLBERT LILLIE ELVITA
34	1622 PINE	WATSON LILLIAN
35	1626 PINE	EIKNER GEORGE ALFORD EST OF
36	1628 PINE	SAINT PAUL BAPTIST CHURCH
37	1632 PINE	PITTS EVIRON S
38	1631 PEAR	MATHERSON ARTHUR III
39	4114 STONEMAN	ST PAUL BAPTIST CHURCH
40	1614 PEAR	ST PAUL MISSIONARY BAPTIST CHURCH
41	1637 PEAR	HUNTER VIVIAN & ET AL
42	1633 PEAR	NANCE RONALD E
43	1627 PEAR	WEAVER MINERVA
44	1615 PEAR	SPURLOCK PEARLINE
45	1601 PEAR	ST PAUL MISSIONARY BAPT CH-TRUSTEES
46	1638 PEAR	ROSALES ENRIQUE L
47	1634 PEAR	GUARDADO SANDRA LUZ & MONICA GUARDADO
48	1630 PEAR	CHAMBERS LAVERNE B EST OF & ETAL
49	1626 PEAR	HAYES DANDY
50	1622 PEAR	SAINT PAUL BAPT CHURCH TR
51	1618 PEAR	ST PAUL BAPT CH
52	1600 PEAR	ST PAUL MISSIONARY BAPTIST CHURCH
53	4101 LAMAR	EUDARIC PAM
54	4115 JULIUS SCHEPPS	DUGGAN INDUSTRIES INC
55	4115 LAMAR	EUDARIC PAM
56	4901 LAMAR	OKON BEN B TRUSTEE & OKON FAMILY PS THE
57	1637 STONEMAN	DAVIS STEVE

Friday, April 01, 2011

Label #	Address	Owner
58	1635 STONEMAN	TOVAR PANFILO & MARIA DEL CARMEN
59	1633 STONEMAN	HALL JEFF
60	1623 STONEMAN	GRAY ALVIN
61	1617 STONEMAN	KIRCHHOFER NEIL W
62	1615 STONEMAN	ALBERT ANDREA DENELL
63	1607 STONEMAN	CARTWRIGHT JOHNNIE S
64	1603 STONEMAN	MCQUINNEY GEORGIA V EST OF
65	1637 MARBURG	NT HOME SOLUTIONS LLC
66	1629 MARBURG	LOVE ANTWAN
67	1627 MARBURG	CLAYTON ERIC & DENISE
68	1623 MARBURG	HAMMOND MOLLIE
69	1617 MARBURG	HILL NORVA BELL
70	1615 MARBURG	STONECREST INCOME & OPPORTUNITY FUND 1 LLC
71	1611 MARBURG	JOHNSON WILLIE J
72	1607 MARBURG	HAYNES META
73	1603 MARBURG	BRIGHAM ALFONSO
74	4414 LAMAR	CIRCLE COURT LLC
75	1600 STONEMAN	BARRS JEANETTE
76	1606 STONEMAN	DURTON GEARY
77	1608 STONEMAN	AREVALO RUBIN
78	1612 STONEMAN	VELAZQUEZ ZACARIAS
79	1616 STONEMAN	MORGAN E M
80	1620 STONEMAN	WATERS GEORGE W EST OF % JAMES THOMAS
81	1626 STONEMAN	WILLIAMS KATHLEEN G
82	1630 STONEMAN	TABB JUANITA
83	1634 STONEMAN	VEASLEY PATRICIA A R
84	1635 BANNOCK	MOTON JAMES ET AL
85	1631 BANNOCK	LOMAX OLIVER W % LOMAX FUNERAL HOME
86	1625 BANNOCK	PHILLIPS ARBRA M ET AL
87	1619 BANNOCK	SEVEN PRODUCTS LP % THOMAS JACKSON
88	1617 BANNOCK	MATHIS WILLIAM S & NELDA BLACKBURN MATHIS

Friday, April 01, 2011

Label #	Address	Owner
89	1615 BANNOCK	BOLT JODIE
90	4520 LAMAR	HELP LTD
91	1600 MARBURG	SIMPLE FAITH INTERNATIONAL
92	1604 MARBURG	LEE BOYKIN
93	1610 MARBURG	CLAY DELORES ET AL
94	1614 MARBURG	ESTES FAMILY TRUST
95	1618 MARBURG	WILLIAMS PAULINE B
96	1622 MARBURG	COOPER JOSEPH C
97	1624 MARBURG	TOPLETZ INVESTMENTS SUITE 301
98	1630 MARBURG	SANTIBANEZ CONSTANCIA
99	1634 MARBURG	JONES SHIRLEY A
100	1632 BANNOCK	WARD BERT TRUST %ROBERT WARD WILLIAMS
101	1628 BANNOCK	GAONA ESTHER
102	1626 BANNOCK	CHECKERED ENTERPRISES LP
103	1622 BANNOCK	REYNOLDS ERICA
104	1616 BANNOCK	RUNNELS SHERRY LYNN
105	1614 BANNOCK	GRAY ANDRE #125
106	4620 LAMAR	CANYON O C & DELMA
107	4600 LAMAR	LENAMOND LEE EUGENE
108	4614 LAMAR	MENDEZ MARIA CARMEN
109	1615 HATCHER	BAYLOCK WILLIE DOUGLAS
110	1619 HATCHER	LEFFALL ANDRE
111	1623 HATCHER	CLEAVER NORMAN LORENZA & JEWELL L
112	1625 HATCHER	ROBERTSON GERTRUDE TR
113	1629 HATCHER	ALLEN DOROTHY W
114	1635 HATCHER	SHIELDS ROBERT & ALICE J
115	4702 LAMAR	VALDEZ CRESENCIO P & DAVID VALDEZ
116	1614 HATCHER	D W NORTON AND CO LLC
117	1616 HATCHER	FARMER ROBERT K
118	1620 HATCHER	MARTIN WILSEY
119	1624 HATCHER	DESOTO I AM COMPANIES INC

Friday, April 01, 2011

Label #	Address	Owner
120	1628 HATCHER	GLADNEY IDELL C
121	1632 HATCHER	HILTON HEAD FINANCE LLC
122	1606 GARDEN	GUILLEN NORBERTO TR & MARGARITA P TR
123	4900 LAMAR	BARDALES CAYETANO
124	4814 LAMAR	BANDALES MAURICIO C
125	1607 GARDEN	CRUTCHER MATTIE M & RUTH % RUTH CRUTCHER
126	1611 GARDEN	HELTON J T
127	1615 GARDEN	WORKS G W & CO SUITE 4580
128	1619 GARDEN	JOHNSON JEFFREY
129	1623 GARDEN	CHANEY SHELIA B
130	1630 HERALD	JOHNSON RAYMOND L
131	1622 HERALD	FOREMAN BURLEIGH C STE 114
132	1618 HERALD	FENDER H R % THOMAS H SHARP
133	1612 HERALD	HOLLIE HENRY & WINFRED JOHNSON
134	1608 HERALD	DRESSER EDWIN R
135	4800 LAMAR	DEJULIAN JOSE L
136	4804 LAMAR	DEJULIAN JOSE L
137	1601 HERALD	VALDEZ CRESENCIO P & DAVID VALDEZ
138	1611 HERALD	VALDEZ MARIA
139	1615 HERALD	HAYES DAKARI
140	1621 HERALD	PERKINS FREDERICK & CHARLOTTE BANKS
141	1623 HERALD	VALDEZ CRESENCIO
142	1627 HERALD	ALVAREZ SAMUEL
143	1631 HERALD	HUTSON ELLIS
144	4805 LAMAR	MLOK LLC
145	4801 LAMAR	MAHAJAN CORPORATION
146	4809 LAMAR	MALDONADO JAIME MALDONADO RAMON A
147	4819 LAMAR	MCCORMICK BETTY LYNN % PATRICIA BASKIN
148	4901 LAMAR	GOLD METAL RECYCLERS INC
149	4213 LAMAR	LIEU BROTHERS INC

Friday, April 01, 2011

FILE NUMBER: Z101-250(MW)

DATE FILED: April 13, 2011

LOCATION: North side of Lake June Road, east side of Masters Drive

COUNCIL DISTRICT: 5

MAPSCO: 59-L

SIZE OF REQUEST: ±14.86 acres

CENSUS TRACT: 119.00

REPRESENTATIVE: Karl Crawley, Masterplan

APPLICANT/OWNER: NEC Lake June & Masters, L.P.

REQUEST: An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned Planned Development District No. 805 with a D Liquor Control Overlay.

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

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

BACKGROUND INFORMATION:

- The ±14.86-acre request site is developed with a shopping center which includes a ±45,500-square foot grocery store which serves as the anchor.
- The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the grocery store.
- The request site is surrounded by single family residential to the north and east and retail to the south and west.
- On April 7, 2011, the City Plan Commission approved a waiver of the two-year waiting period, which allowed the applicant to submit this zoning request.

Zoning History:

1. **Z078-273:** On March 25, 2009, the City Council approved a Planned Development District for CR Community Retail District uses with retention of the D Liquor Control Overlay on property zoned a CR-D Community Retail District with a D Liquor Control Overlay.

Z089-235: On September 23, 2009 the City council approved an amendment to Planned Development District No. 805.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Lake June Road	Principal arterial	100 feet
Masters Drive	Principal arterial	100 feet

Land Use:

	Zoning	Land Use
Site	PDD No. 805-D	Shopping center
North	CR-D; TH-3	Single family
East	R-7.5(A)	Single family
South	CR-D-1, CR-D	Retail
West	CR-D	Retail

STAFF ANALYSIS:

Comprehensive Plan:

The subject site is identified as being within a Residential Neighborhood Building Block on the *forwardDallas!* Vision Illustration, adopted June 2006. While single-family dwellings are the dominate land use in this building block, some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

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

ECONOMIC

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.3 Support efforts grow retail and residential opportunities in the Southern Sector

GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

Policy 2.2.6 Restore Dallas as the foremost retail location.

URBAN DESIGN

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial and business operations

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD for CR-D Community Retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

Land Use Compatibility:

The ±13.86-acre request site is developed with a shopping center which includes a ±45,500-square foot grocery store which serves as the anchor. The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the grocery store, which is currently prohibited by the D Liquor Control Overlay.

The request site is surrounded by single family residential to the north and east and retail to the south and west.

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

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

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

The applicant's request, subject a site plan and conditions, complies with the general provisions for consideration of an SUP.

Traffic:

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

Parking:


Parking must be provided pursuant to §51A-4.200 of the Dallas Development Code. The general merchandise or food store greater than 3,500 square feet requires one (1) space per 200 square feet of floor area, which equates to 228 spaces. As depicted on the site plan, 241 spaces are 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.

Police Report:

An online search of the Dallas Police Department's offense incident reports for the period from May 25, 2010 to May 25, 2011 revealed no records. 911 call records for the same period are provided below:

 DALLAS POLICE DEPARTMENT UCR Codes Year Codes Property Class Codes 									
Virtual Viewer - Public Access									Welcome
Search <input type="text"/> Export list <input type="text"/> - CAD Filter <input type="text"/>									
Service #	Call Date	Signal	Complainant	Block	Dir	Street	Watch	Beat	Reporting Area
0057564-Y	03/08/2011	12	>DANG, LUAN- OWNER	10325		LAKE JUNERD	1	327	2206
0029537-Y	02/04/2011	41	JAY (SEC OFFICER)	10325		LAKE JUNERD	2	327	2206
0026134-Y	01/30/2011	40	HUBERT STEPNY - SECURITY	10325		LAKE JUNERD	3	327	2206
0015558-Y	01/19/2011	12	>	10325		LAKE JUNERD	1	327	2206
0341704-X	12/14/2010	21	>	10325		LAKE JUNERD	3	327	2206
0325931-X	11/26/2010	11	SIMMONS, SHENISHA	10325		LAKE JUNERD	3	327	2206
0186389-X	07/03/2010	41	DD'S DISCOUNTS	10325		LAKE JUNERD	2	327	2206
0185983-X	07/03/2010	12		10325		LAKE JUNERD	1	327	2206
0179293-X	06/26/2010	12	>	10325		LAKE JUNERD	3	327	2206
0179343-X	06/26/2010	12	>*JEFFERSON DENTAL	10325		LAKE JUNERD	3	327	2206
0169918-X	06/17/2010	12	>*JEFFERSON DENTAL	10325		LAKE JUNERD	3	327	2206
0159274-X	06/07/2010	12	>*JEFFERSON DENTAL	10325		LAKE JUNERD	3	327	2206
0152881-X	06/01/2010	12	>*JEFFERSON DENTAL	10325		LAKE JUNERD	3	327	2206
0144439-X	05/25/2010	12	>	10325		LAKE JUNERD	1	327	2206

Page 1 of 1 (14 items)

Z101-250 (MW)

List of Partners/Principals/Officers

NEC Lake June & Masters, L.P., a Delaware limited partnership

Syd Hurley, President
Derek Ferem, Vice President

VPC GP, Inc. a Texas Corporation; general partner

Sydney J. Hurley IV, President
Trevor Ives, Vice President

**Z101-250
Proposed SUP Conditions**

1. **USE:** The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet.
2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan.

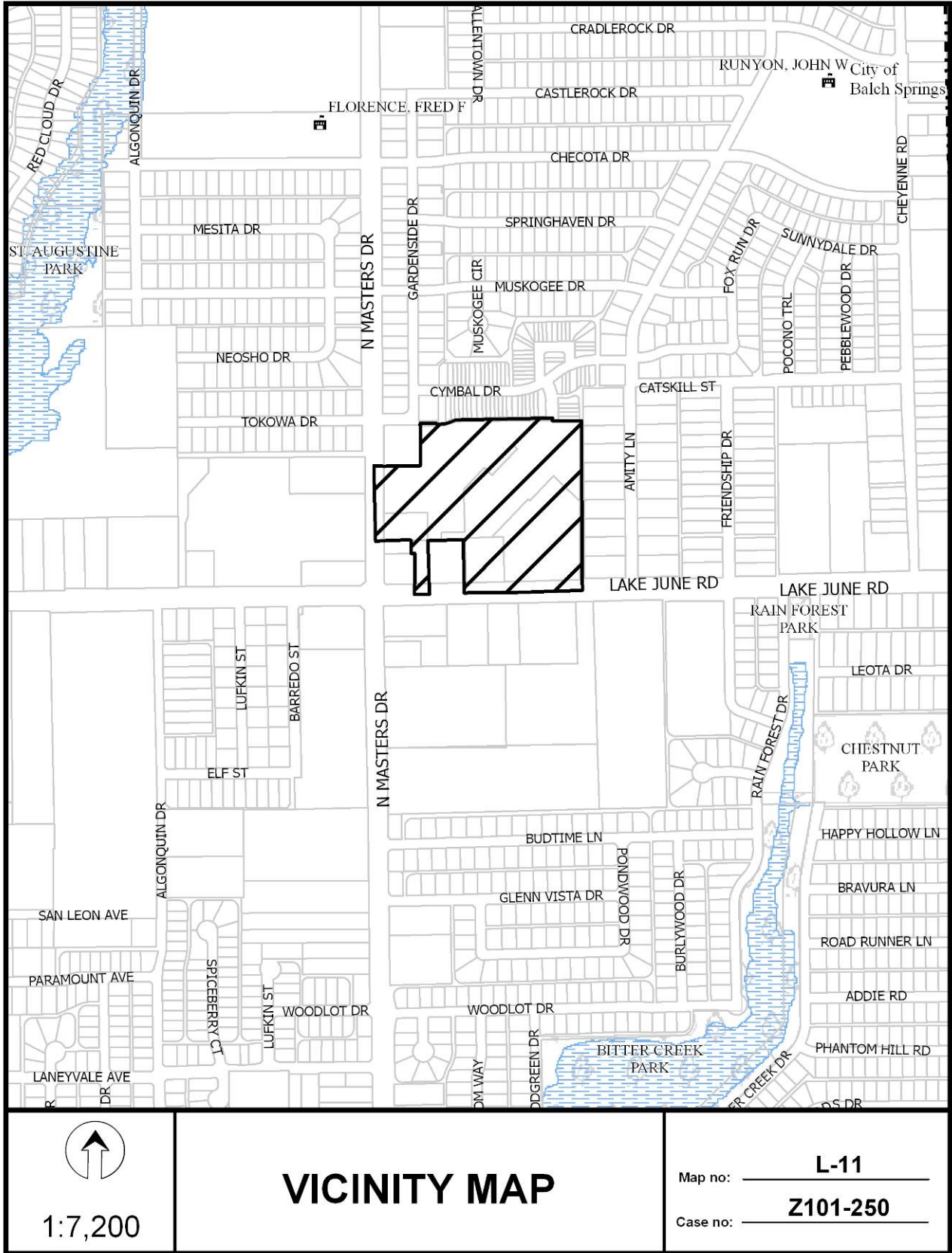
Staff recommended:

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.)

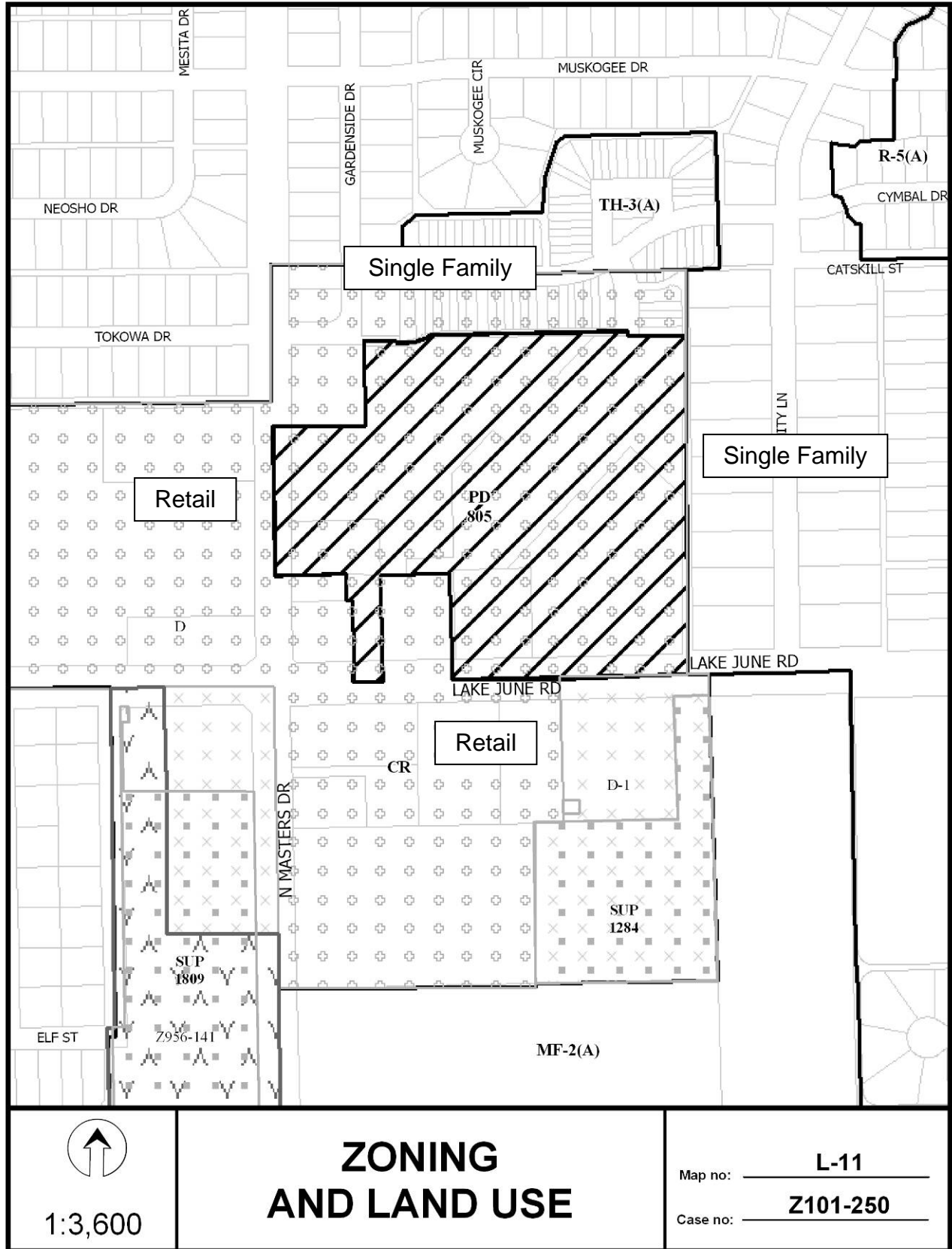
Applicant proposed:

3. **TIME LIMIT:** This specific use permit expires on (five years), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.
5. **GENERAL REQUIREMENTS:** Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.



DATE: April 28, 2011

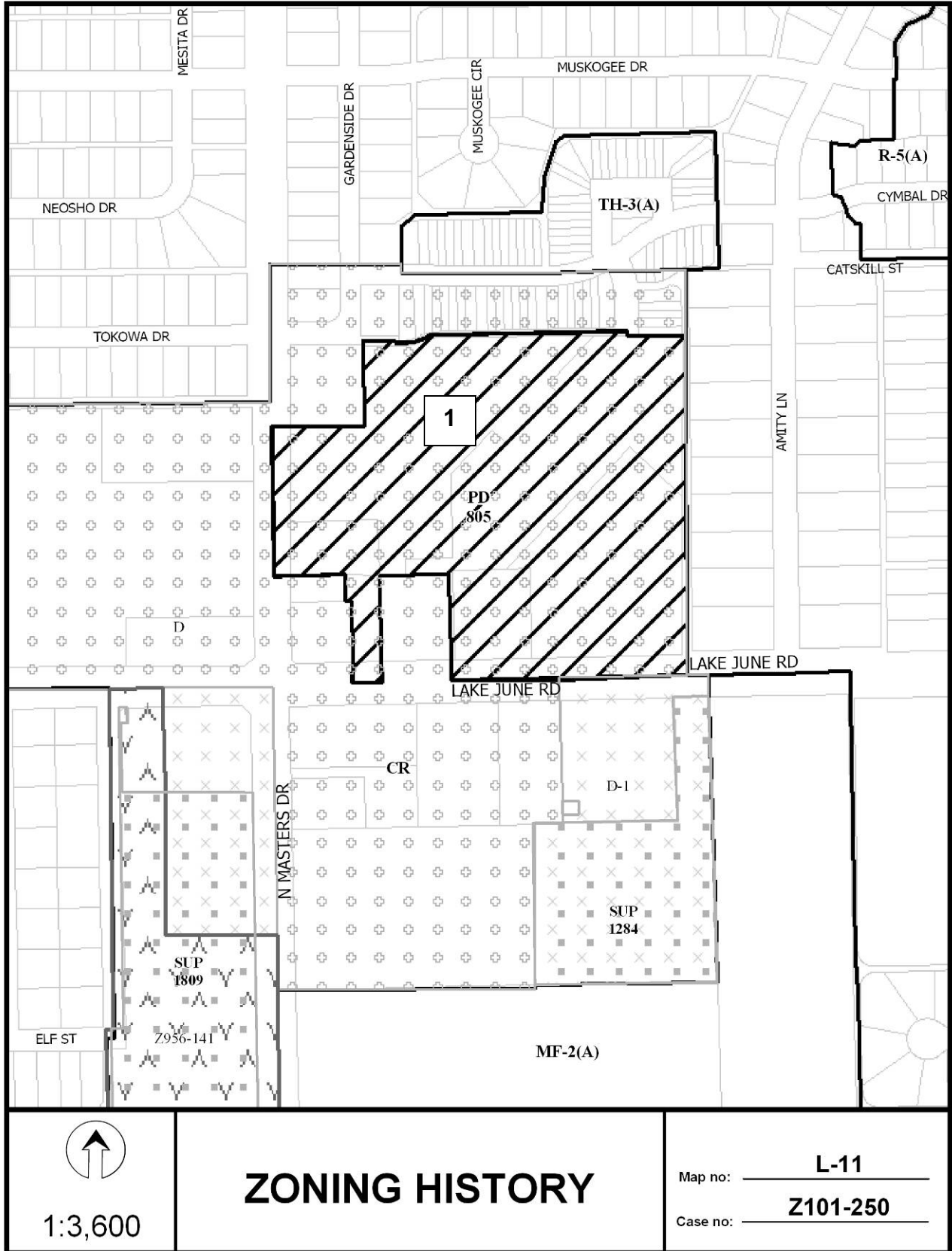


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1:3,600

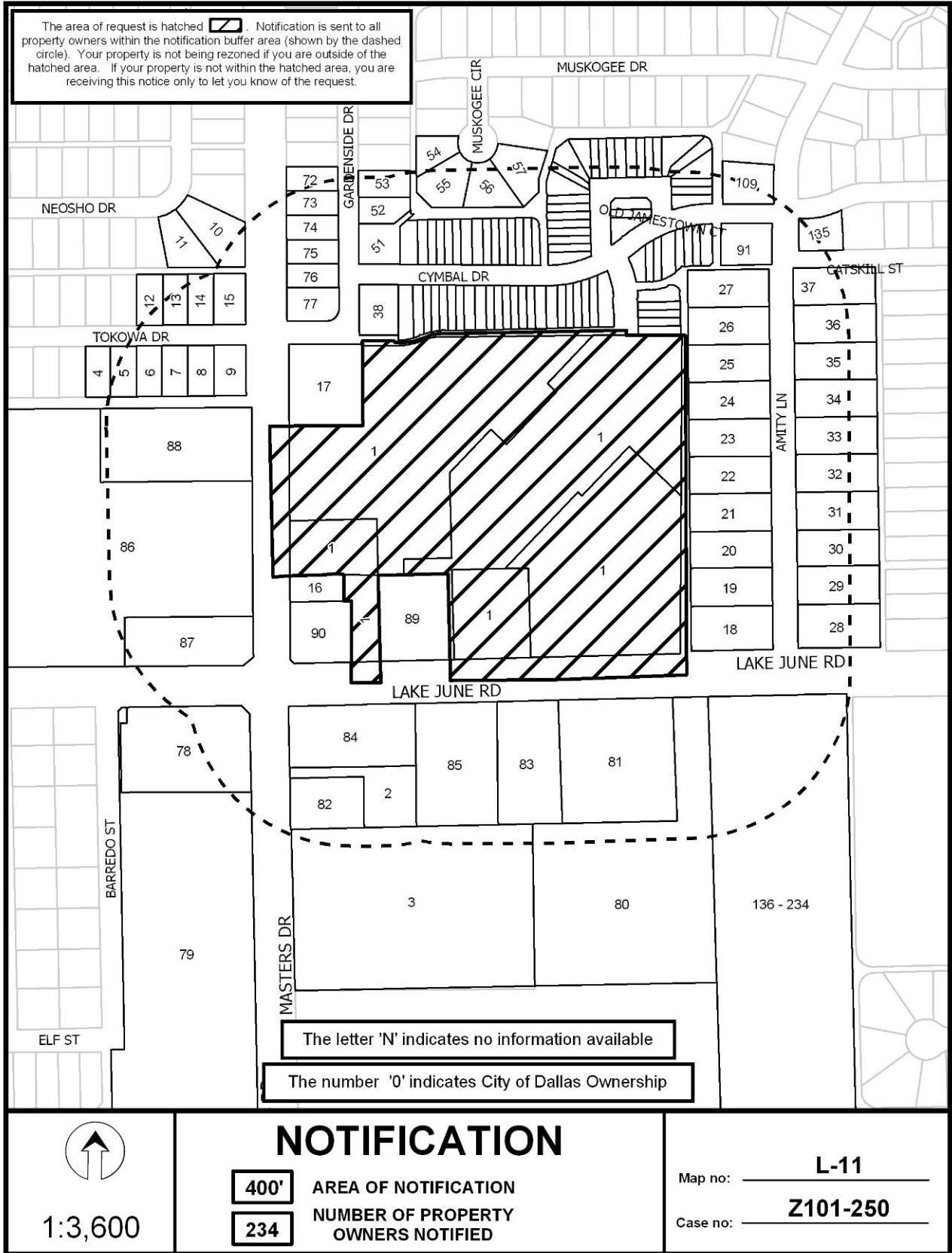
ZONING AND LAND USE

Map no: L-11
Case no: Z101-250

DATE: April 28, 2011



DATE: April 28, 2011



4/28/2011

Notification List of Property Owners**Z101-250**

			234	Property Owners Notified
Label #	Address			
			Owner	
1	8	MASTERS	NEC LAKE JUNE & MASTERS L STE 625	
2	1200	MASTERS	AUTOZONE INC DEPT # 4040	
3	1220	MASTERS	ELM RIDGE APARTMENTS LP	
4	10108	TOKOWA	LANGFORD BEVERLY	
5	10112	TOKOWA	MURILLO CIPRIANDO	
6	10116	TOKOWA	CARTER MAE L	
7	10120	TOKOWA	4335 DEVELOPMENT LTD	
8	10124	TOKOWA	CARDENAS LAURA	
9	10128	TOKOWA	LOPEZ FERMIN & SELENE	
10	10108	NEOSHO DR	HARRIS LEE FRANCES	
11	10104	NEOSHO DR	GALVAN FAUSTINO	
12	10115	TOKOWA	TRAYLOR SAMUEL D & MARTHA R TRAYLOR	
13	10119	TOKOWA	MCELROY VICKIE J	
14	10123	TOKOWA	GALVAN VICTORIANA	
15	10127	TOKOWA	FERMAN ORTIZ & MARIA	
16	1318	MASTERS	LAKE JUNE INVESTMENT PARTNERS III LP	
17	1346	MASTERS	PLASTICWALA MURAD ALI	
18	1307	AMITY	WALLACE MITCHELL W & LINDA	
19	1311	AMITY	NELSON JOHN T ETAL	
20	1319	AMITY	LOPEZ MA JOSEFINA	
21	1327	AMITY	ALARCON DAVID	
22	1333	AMITY	CALAHAN STACEY	
23	1341	AMITY	CORIA ANTONIO	
24	1347	AMITY	SHOFNER TOMMY JOE JR	
25	1355	AMITY	LOPEZ MA JOSEFINA	
26	1363	AMITY	ARREOLA JOSE ISMAEL	

Thursday, April 28, 2011

Z101-250 (MW)

<i>Label # Address</i>			<i>Owner</i>
27	1369	AMITY	ARREOLA PATRICIA
28	1304	AMITY	NELSON JOHN T & MERLE J NELSON
29	1310	AMITY	NELSON JOHN T
30	1318	AMITY	ALVARADO RICARDO & AIDA
31	1326	AMITY	GREEN RAMONA
32	1334	AMITY	MAXEY ALICIA G
33	1340	AMITY	WEBB VALERIE I % FAYE BARNHART
34	1348	AMITY	DAVIS HARVEY EUGENE & LISA K
35	1354	AMITY	A FILIBERTO BALTAZAR
36	1362	AMITY	PALMER JERRY J & VICKI C
37	1368	AMITY	GARCIA MICHAEL & WINNEFRETTE
38	10306	CYMBAL	ZAMORA JOSE LUIS
39	10308	CYMBAL	WHITE ORCHID HOLDING CO STE 701
40	10312	CYMBAL	WHITE ORCHID HOLDING CO # 701
41	10344	CYMBAL	FROSSARD T E JR
42	10352	CYMBAL	HYDEN DAVID C & DELORES M
43	10332	CYMBAL	GARCIA MARIA DEL SOCORRO &
44	10336	CYMBAL	ANDRADE RODOLFO
45	10340	CYMBAL	MIRANDA LEO
46	10348	CYMBAL	RODRIGUEZ CRISTINA
47	10356	CYMBAL	PLEASANT GROVE BUILDERS INC
48	10360	CYMBAL	BARBEE WILLIAM
49	10364	CYMBAL	KBAC ENTERPRISES LLC
50	10368	CYMBAL	WHITE ORCHID HOLDING CO
51	1420	GARDENSIDE	HERNANDEZ FELIPE GARAY & CATALINA CASIANO
52	1424	GARDENSIDE	DELIRA JOSE R
53	1430	GARDENSIDE	SHAW BRUCE E & PEARLINE W
54	10328	MUSKOGEE	MARTINEZ JORGE A
55	10332	MUSKOGEE	YOUNGER YENEKA Y
56	10336	MUSKOGEE	GASTON BETTY JOE
57	10340	MUSKOGEE	BROWN MELVIN U & AVIS W

Thursday, April 28, 2011

Z101-250 (MW)

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	10367 CYMBAL	BARRERA JESUS & MARIA ELENA
59	10363 CYMBAL	MORA MARIA DEL CARMEN & FAUSTINO MORA
60	10359 CYMBAL	LEWIS ANTHONY W SR
61	10355 CYMBAL	TORRES JOSE VALENCIA & ALEJANDRO
62	10351 CYMBAL	VELAZQUEZ FERNANDO & ELODIA ESTRADA
63	10347 CYMBAL	RODRIGUEZ ABEL R & ALEJANDRA
64	10343 CYMBAL	JOHNSON ALBERT & BELINDA
65	10339 CYMBAL	BARRERA JESUS & MARIA
66	1412 JAMESTOWN	HERRMANN ROGER
67	10331 CYMBAL	REIS ANGELA
68	10323 CYMBAL	GARY DEMETIRE
69	10319 CYMBAL	MCPHERSON O LEWIS
70	10315 CYMBAL	VELASQUEZ PATRICIA
71	10309 CYMBAL	NAVEJAS VICKEY
72	1431 GARDENSIDE	COOPER JOSEPH C
73	1425 GARDENSIDE	NELSON LARRY
74	1421 GARDENSIDE	SLEDGE JOAN C
75	1415 GARDENSIDE	HERNANDEZ JESUS R & EVA
76	1409 GARDENSIDE	BENAVIDES PATRICIO & EVA
77	1403 GARDENSIDE	SNEED JEROME E
78	10152 LAKE JUNE	WALGREEN CO SUITE 1420
79	1227 MASTERS	AMERICA CAN!
80	10406 LAKE JUNE	SANDLIAN COLBY B & GENEVIEVE B REVOC TRUST
81	10320 LAKE JUNE	LAKE JUNE INVESTMENT PARTNERS II LP ATTN: MR
82	1268 MASTERS	M & D CALVARY INV LP
83	10304 LAKE JUNE	RETAIL BUILDINGS INC
84	10208 LAKE JUNE	EXXON CORP PPTY TAX DIV
85	10218 LAKE JUNE	AUTOZONE INC DEPT 8700
86	10121 LAKE JUNE	PINFIN PROPERTIES LP % THE PINNACLE PROPERTY
87	10155 LAKE JUNE	KING KASH INVESTORS 1991 LIMITED
88	1339 MASTERS	SUNRISE ENTERPRISES INC

Thursday, April 28, 2011

Z101-250 (MW)

Label #	Address	Owner
89	10315 LAKE JUNE	OREILLY AUTOMOTIVE INC
90	10201 LAKE JUNE	LAKE JUNE INVESTMENT PARTNERS LP
91	10440 CYMBAL	STERLING PROJECTS INC
92	10430 CYMBAL	BROOKS JOCIEL
93	10422 CYMBAL	GARCIA SANTIAGO
94	10418 CYMBAL	WILKERSON ODIS R
95	10414 CYMBAL	BRIMM RICHARD
96	10410 CYMBAL	WASHINGTON LYNARVAL J
97	10406 CYMBAL	ACRES ESTATES LLC
98	10402 CYMBAL	REYNA SAMUEL
99	1366 OLD JAMESTOWN	LEWIS NAPOLEON
100	1362 OLD JAMESTOWN	HADNOT TROY DION
101	1358 OLD JAMESTOWN	HENDRICKS BARRY L & ANDREA D
102	1354 OLD JAMESTOWN	WILLIAMS BENTON NEAL
103	1350 OLD JAMESTOWN	SMITH SHIRLEY J
104	10376 CYMBAL	VILLALOBOS FRANCISCO J
105	10380 CYMBAL	HUME MARY JO & MARGARET MARIE DORAN
106	10384 CYMBAL	DUARTE MARIA DOLORES
107	1483 OLD JAMESTOWN	MATTHEWS EDWARD L
108	10396 CYMBAL	CONDE FLORENCIO R
109	1415 AMITY	TORRES ALEJANDRO
110	1493 OLD JAMESTOWN	CARO ROSA L
111	1489 OLD JAMESTOWN	DCA OF TEXAS INC % LENNAR CORP
112	1485 OLD JAMESTOWN	ANGUIANO LETICIA P
113	1481 OLD JAMESTOWN	GATHRITE SHARRON J & JESSIE J
114	1477 OLD JAMESTOWN	FOSTER CECIL R
115	1473 OLD JAMESTOWN	PUTNAN MARY EDYTHE
116	1469 OLD JAMESTOWN	HARPER VIVIAN R
117	1465 OLD JAMESTOWN	JOHNSON JOHNNIE MAE
118	1461 OLD JAMESTOWN	JACKSON EARNEST J & RUBY D
119	1457 OLD JAMESTOWN	JACKOWSKI JAMES

Thursday, April 28, 2011

Z101-250 (MW)

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	1453 OLD JAMESTOWN	HERNANDEZ ARTURO
121	1449 OLD JAMESTOWN	CARBONITE HOLDINGS PCB LLC
122	1441 OLD JAMESTOWN	LOMMEL ARTHUR
123	1437 OLD JAMESTOWN	ESTERS JESSE
124	1435 OLD JAMESTOWN	PAYNE DONNA R EST OF
125	1433 OLD JAMESTOWN	PAYNE DONNA
126	1429 OLD JAMESTOWN	NEW YORK BANK OF
127	1425 OLD JAMESTOWN	ELLZEY JOSEPH JR
128	1417 OLD JAMESTOWN	EJIGU HAILU
129	1413 OLD JAMESTOWN	HERNANDEZ FRANCISCO
130	1409 OLD JAMESTOWN	PAYNE DONNA R
131	1405 OLD JAMESTOWN	SMITH PHYLLIS LYNELLE
132	1401 OLD JAMESTOWN	CHAKAMOI MATIDI
133	1406 OLD JAMESTOWN	SMITH MALDEN D TR & MYRTLE F TR
134	1418 OLD JAMESTOWN	DUARTE ENRIQUE & JESSICA
135	10504 CYMBAL	RUIZ REYNALDO
136	10500 LAKE JUNE	WEED KELLY RYAN
137	10500 LAKE JUNE	WEED WILLIAM DAVID
138	10500 LAKE JUNE	APEX FINANCIAL CORP
139	10500 LAKE JUNE	MIDFIRST BANK
140	10500 LAKE JUNE	WEED KELLY RYAN
141	10500 LAKE JUNE	WEED KELLY R
142	10500 LAKE JUNE	BREWER TIM & LUCINDA A STE D
143	10500 LAKE JUNE	EGUEAVOEN PATIENCE
144	10500 LAKE JUNE	WILLIAMS MAURICE
145	10500 LAKE JUNE	MENGESHA TSIGEREDA A
146	10500 LAKE JUNE	CHACKO THOMAS
147	10500 LAKE JUNE	HENDRICKS BARRY L & ANDREA D
148	10500 LAKE JUNE	SALAZAR ANGELICA BLDG B UNIT 6
149	10500 LAKE JUNE	DWORAK JOSEPH %TIM BREWER
150	10500 LAKE JUNE	APEX FINANCIAL CORPORATION

Thursday, April 28, 2011

Z101-250 (MW)

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	10500 LAKE JUNE	MCCLAIN K KELLY A
152	10500 LAKE JUNE	WALDREP SHARON L BLDG C UNIT 1
153	10500 LAKE JUNE	JOHNSON RODNEY L
154	10500 LAKE JUNE	SPURLOCK MARIA LILIA APT 434
155	10500 LAKE JUNE	SHELTON SIMON PETER
156	10500 LAKE JUNE	MULLEN JAMES J III
157	10500 LAKE JUNE	SIMMONS ANTHONY T UNIT 6
158	10500 LAKE JUNE	WHITE FRENCHHELL
159	10500 LAKE JUNE	DARTY DAVID
160	10500 LAKE JUNE	KYLE ROSALIND R HICKS
161	10500 LAKE JUNE	WEED KELLY
162	10500 LAKE JUNE	WEED KELLY
163	10500 LAKE JUNE	CRAVER TUNGU S #2-D
164	10500 LAKE JUNE	CHESNEY LARRY & DEBBIE
165	10500 LAKE JUNE	SAXTON JERRY E & JANICE M
166	10500 LAKE JUNE	RENTAL TRANSITION LLC
167	10500 LAKE JUNE	ADEYEMI MARGARET M
168	10500 LAKE JUNE	DIETRICH JAMES H
169	10500 LAKE JUNE	BAILEY DAVID S UNIT E3
170	10500 LAKE JUNE	RODRIGUEZ NANCY C UNIT 4-E
171	10500 LAKE JUNE	LOMMEL ARTHUR J
172	10500 LAKE JUNE	GARDNER ILENE L UNIT 7E
173	10500 LAKE JUNE	BAILEY DAVID SCOTT
174	10500 LAKE JUNE	DISANTI MARK 182A-352
175	10500 LAKE JUNE	FOSTER C R
176	10500 LAKE JUNE	WHITAKER A C JR
177	10500 LAKE JUNE	RUTLEDGE BILLY
178	10500 LAKE JUNE	LATTIMORE MORSIE L
179	10500 LAKE JUNE	LAMANTIA LARRY JR & JULIE
180	10500 LAKE JUNE	BREWER TIM & LUCINDA BREWER
181	10500 LAKE JUNE	SULTHAR INVESTMENTS LLC

Thursday, April 28, 2011

Z101-250 (MW)

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	10500 LAKE JUNE	BUTLER ANTHONY E
183	10500 LAKE JUNE	PULTE HOMES CORPORATION SUITE 750A
184	10500 LAKE JUNE	HENDRICKS BARRY & ANDREA
185	10500 LAKE JUNE	DANIELS KELVIN
186	10500 LAKE JUNE	DELOATCHE DARREN
187	10500 LAKE JUNE	IBUDE EDWIN N
188	10500 LAKE JUNE	BENNETT PATRICIA ANN BLDG I UNIT 4
189	10500 LAKE JUNE	LEWIS BRIAN H BLDG I UNIT 5
190	10500 LAKE JUNE	RUIZ REYNA
191	10500 LAKE JUNE	THIBODEAUX GENNY
192	10500 LAKE JUNE	TOLLIVER GEROGE M
193	10500 LAKE JUNE	LEE JOHN H & CHERYL PMB 158
194	10500 LAKE JUNE	LACY STEPHANIE
195	10500 LAKE JUNE	WILLIAMS ERROLL JR
196	10500 LAKE JUNE	DAVIS DOROTHY
197	10500 LAKE JUNE	HOME BUYERS COMPLETE LLC
198	10500 LAKE JUNE	MCWILLIAMS MELISSA J
199	10500 LAKE JUNE	CHESTER ROBERT C JR
200	10500 LAKE JUNE	KIMBROUGH AURELIA
201	10500 LAKE JUNE	GARCIA JUANA G UNIT 480
202	10500 LAKE JUNE	BAILEY DAVID SCOTT UNIT K5
203	10500 LAKE JUNE	WEED KELLY
204	10500 LAKE JUNE	SECRETARY OF HOUSING & URBAN DEV % SW ALLIANCE
205	10500 LAKE JUNE	KING ROYLE & MARY KING
206	10500 LAKE JUNE	WEED KELLY & KATHY
207	10500 LAKE JUNE	TJS PROPERTIES LLC
208	10500 LAKE JUNE	HARRIS SORAINYA D
209	10500 LAKE JUNE	WILLIAMS RODNEY BLDG L UNIT 5
210	10500 LAKE JUNE	MARSAW CORA A &
211	10500 LAKE JUNE	ALLEN GLADYS LOUISE BLDG L UNIT 8
212	10500 LAKE JUNE	MORRIS RONNIE C

Thursday, April 28, 2011

Z101-250 (MW)

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	10500 LAKE JUNE	DEES JAMES D
214	10500 LAKE JUNE	MANTHURUTHIL GEORGE
215	10500 LAKE JUNE	JEFFERSON ROGENIA W
216	10500 LAKE JUNE	GRAHAM RACHEL
217	10500 LAKE JUNE	DUNN FAMILY TRUST
218	10500 LAKE JUNE	SEASONS IN THE SUN REALTY INC
219	10500 LAKE JUNE	RENTAL EQUITY LLC
220	10500 LAKE JUNE	BATY CHANDRA N
221	10500 LAKE JUNE	WEED KELLY R
222	10500 LAKE JUNE	COLLIER SAUNDRA W
223	10500 LAKE JUNE	BUTLER ANTHONY E & CATHY L
224	10500 LAKE JUNE	LOMMEL ARTHUR J
225	10500 LAKE JUNE	SABEDRA RICHARD
226	10500 LAKE JUNE	WHITEHEAD ROD
227	10500 LAKE JUNE	MADOJEMU ANTHONY OBIYEZE
228	10500 LAKE JUNE	WILSON CINDY R UNIT 3P
229	10500 LAKE JUNE	WASHINGTON ERMA
230	10500 LAKE JUNE	ROBERSON DORIS M UNIT 5 BLDG P
231	10500 LAKE JUNE	SPEARS GRETA % H G SANDLIN
232	10500 LAKE JUNE	HUGHES TREMA
233	10500 LAKE JUNE	MORGAN BETTYE A
234	10500 LAKE JUNE	GARRETT PHYLLIS A

Thursday, April 28, 2011

FILE NUMBER: Z090-241(RB)

DATE FILED: August 6, 2010

LOCATION: Washington Avenue and Munger Avenue, West Corner

COUNCIL DISTRICT: 14

MAPSCO: 45 D

SIZE OF REQUEST: Approx. 1.65 Acres

CENSUS TRACT: 16

APPLICANT/OWNER: Dallas Housing Authority

REPRESENTATIVE: Michael R. Coker

REQUEST: An application for a Planned Development District for Retirement housing on property zoned an MF-2(A) Multifamily District. Consideration will be given to retaining the existing MF-2(A) Multifamily District Uses within the proposed PDD.

SUMMARY: The applicant is requesting a Planned Development District to provide for 85 retirement housing units.

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

BACKGROUND INFORMATION:

- The request site is undeveloped.
- The applicant proposes to develop the site with 85 retirement housing dwelling units.
- The applicant has requested a PDD for consideration of the following: 1) increase in structure height; 2) provide for alternative off-street parking requirements; and, 3) provide for alternative landscape requirements.
- The applicant is requesting a single use PDD, thus the underlying MF-2(A) District uses and standards will no longer be permitted.

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

<u>Thoroughfare/Street</u>	<u>Designation; Existing & Proposed ROW</u>
Washington Avenue	Local; 50' ROW
Munger Avenue	Collector; 56' & 80' ROW

STAFF ANALYSIS:

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

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The request site is undeveloped. The applicant proposes to develop the site with 85 retirement housing dwelling units.

The applicant has requested a PDD for consideration of the following: 1) increase in structure height; 2) provide for alternative off-street parking requirements; and, 3) provide for alternative landscape requirements.

The immediate area is residential in character, with a mix of single family and multifamily structures. In addition, two churches and supporting surface parking areas are located south and west of the site with J. W. Ray Park north of the church at the corner of Washington Avenue and Cochran Street.

Staff has worked with the applicant to address certain development standards that could be problematic to adjacent uses (i.e., increase in structure height and reduced off-street parking provisions). While staff recognizes the use as compatible with the built environment in the immediate area and has worked through most of the specifics of the request, there do remain certain standards staff is recommending that will ensure compatibility with respect to the scale of development of the project and its impact on adjacent uses. Lastly, staff has been hesitant to support 'one-use- PDD's. As is often the situation, certain uses are retained in addition to addressing the real focus of a requested PDD; that being special consideration for an anticipated development. This leads to unnecessary amendments to a PDD that could be avoided with prior planning.

At this point, the applicant's representative has not discussed this issue with staff, however, the attached recommendations retain the existing uses and development standards and have been advertised accordingly, thus providing CPC the opportunity to discuss and consider in its action.

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 Dallas Development Code requires 0.7 space/bed or suite plus one space for each 300 square feet outside of the dwelling units (common areas, administrative space, etc.) The proposed 85 dwelling unit development will include 34,590 square feet of floor area outside of the units.

The applicant has requested alternate off-street parking requirements for the use. Staff requested a parking analysis to support the reduction, which after review, cannot be supported. A summary of this analysis provides the following: 1) applicant provided only a one-day sample of three Dallas area facilities; 2) proposed tenants are not necessarily retired, meaning a demand for parking is greater than retired tenants; and, 3) out-of-state samples are not adequate.

Z090-241(RB)

The applicant did submit additional information, but did not deliver in time for staff to review prior to completion of these materials.

Regardless of the lack of adequate data to consider, staff has determined reductions can be accommodated when assessing the proposed development. Staff is recommending a minimum of 140 off-street parking spaces, which represents a reduction of 20% from Dallas Development Code requirements for the use.

Landscaping: The site possesses a few mature trees located along the perimeter. The applicant is proposing to landscape the residential development per Article X requirements.



Dallas Housing Authority

3939 N. Hampton Rd., Dallas, TX 75212 | Phone: 214.951.8300 | Fax: 214.951.8800 | www.dhadal.com



Dallas Housing Authority Officers

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

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

APPLICANT REQUESTED/STAFF RECOMMENDED

ARTICLE ____.

PD ____.

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

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

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

PD ____ is established on property located on the west corner of Washington Avenue and Munger Avenue. The size of PD ____ is approximately 1.65 acres.

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

1. Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.
2. Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.
3. This district is considered to be a residential zoning district.

SEC. 51P-____.104. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit ____A: development plan
- (2) Exhibit ____B: landscape plan.

SEC. 51P-____.105. DEVELOPMENT PLAN.

(a) For a retirement housing use, development and use of the Property must comply with the development plan (Exhibit ____A). If there is of a conflict between the text of this article and the development plan, the text of this article controls.

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

SEC. 51P-____.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the MF-2(A) Multifamily District, subject to the same conditions applicable in the MF-2(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-2(A) Multifamily 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 MF-2(A) Multifamily District is subject to DIR in this district; etc.

(b) The following additional main use is permitted by right:

-- Retirement housing.

Staff is recommending to include the existing MF-2(A) District Uses. Should CPC support the applicant's request for a single use, staff would recommend to include Church and Local Utilities as permitted uses.

SEC. 51P-____.107. ACCESSORY USES.

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

SEC. 51P-____.108. YARD, LOT, AND SPACE REGULATIONS.

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

____(a) General. Except as provided in this section, the yard, lot, and space regulations for the MF-2(A) Multifamily District apply.

Applicant requested:

(b) Height. For retirement housing, maximum structure height is 70 feet.

Staff recommendation: Due to residential adjacencies, staff does not support increase in structure height.

(c) Density. For retirement housing, maximum number of dwelling units or suites is 85.

SEC. 51P-____.109. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

Applicant requested:

(b) For retirement housing, a minimum of 62 off-street parking spaces must be provided.

Staff recommended:

(b) For retirement housing, a minimum of 140 off-street parking spaces must be provided.

SEC. 51P-____.110. INGRESS AND EGRESS.

Ingress and egress must be provided in the locations shown on the development plan. No other ingress or egress is permitted.

SEC. 51P-____.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.112. LANDSCAPING.

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

SEC. 51P-____.113. SIGNS.

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

SEC. 51P-____.114. ADDITIONAL PROVISIONS.

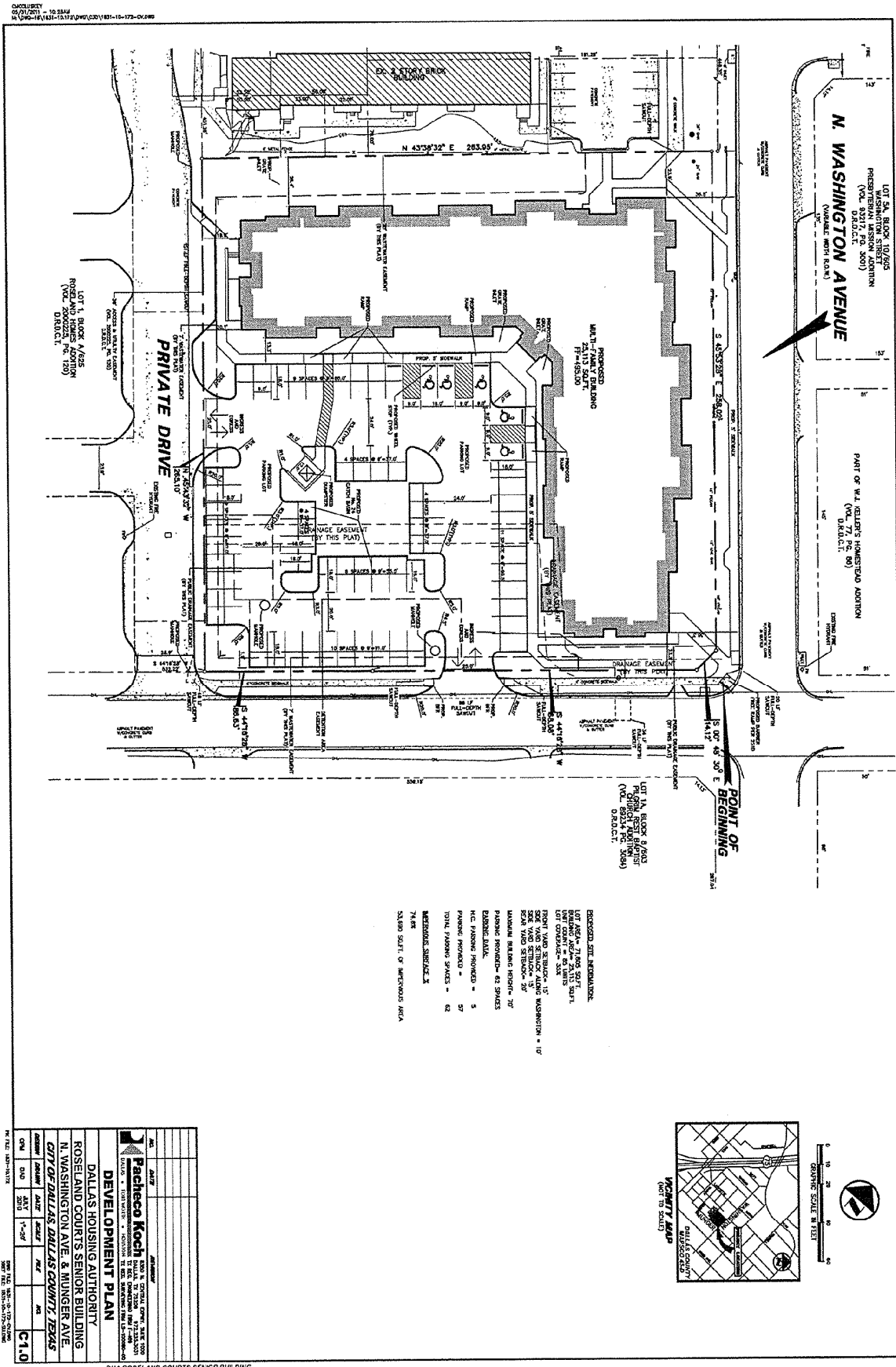
(a) The Property must be properly maintained in a state of good repair and neat appearance.

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

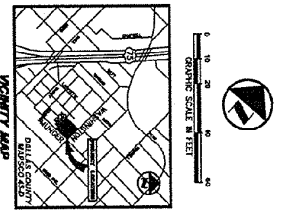
SEC. 51P-____.115. COMPLIANCE WITH CONDITIONS.

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

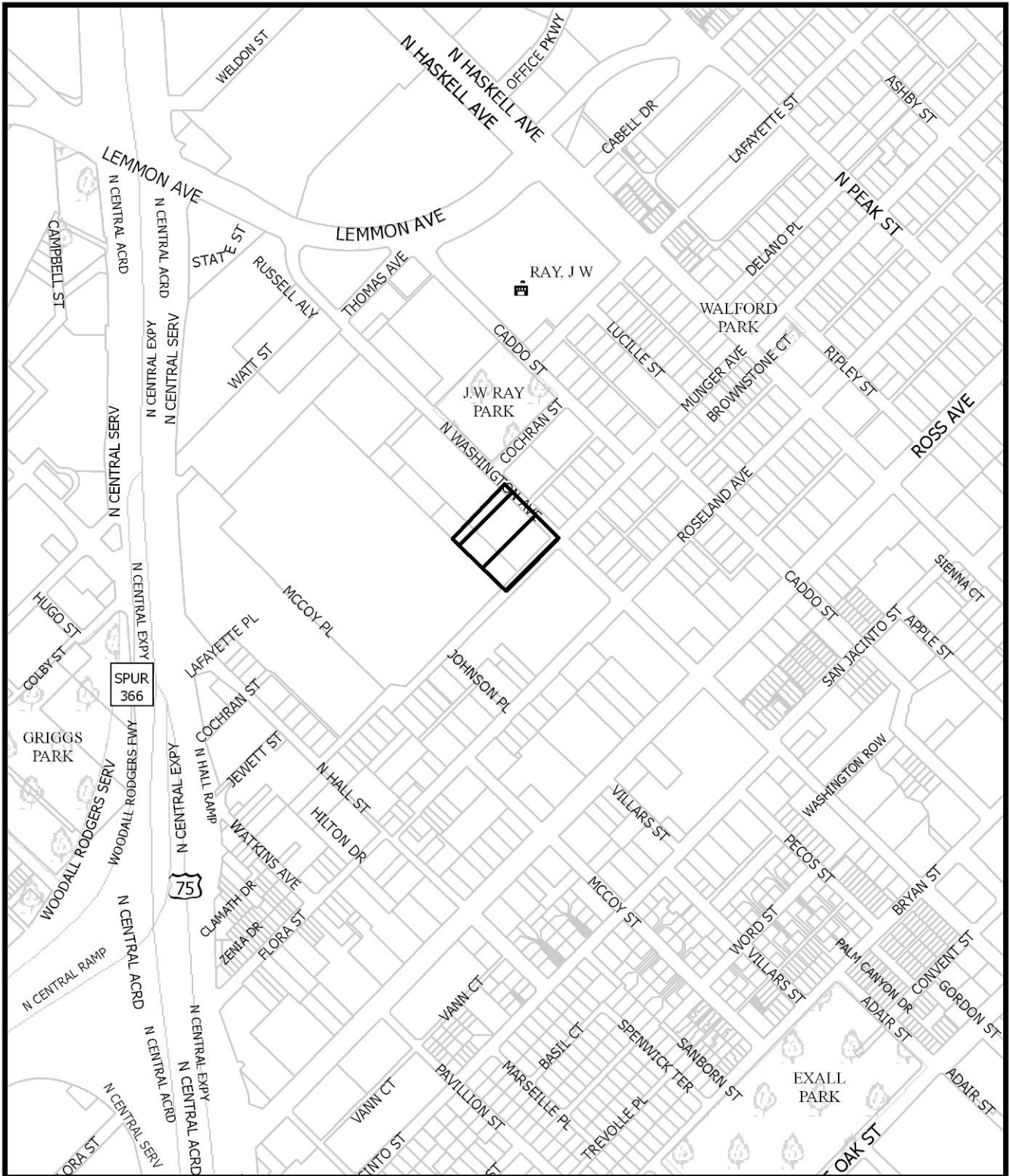
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations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



RECORDED SITE INFORMATION:
 LOT AREA = 71,000 SQ. FT.
 DIST. COVERED = 60,000 SQ. FT.
 LOT COVERAGE = 84.5%
 FRONT YARD SETBACK = 10'
 SIDE YARD SETBACK = 5'
 REAR YARD SETBACK = 5'
 MAXIMUM BUILDING HEIGHT = 10'
 NUMBER OF UNITS = 10
 NUMBER OF PARKING SPACES = 20
 NUMBER OF PARKING SPACES = 20
 TOTAL PARKING SPACES = 20
 MAXIMUM SURFACE = 20
 20,000 SQ. FT. OF IMPERVIOUS AREA



NO.	DATE	REVISION
1	01/15/2010	ISSUED FOR PERMIT
2	02/10/2010	REVISED PER CITY COMMENTS
3	03/05/2010	REVISED PER CITY COMMENTS
4	04/01/2010	REVISED PER CITY COMMENTS
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6	06/01/2010	REVISED PER CITY COMMENTS
7	07/01/2010	REVISED PER CITY COMMENTS
8	08/01/2010	REVISED PER CITY COMMENTS
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100	04/01/2018	REVISED PER CITY COMMENTS

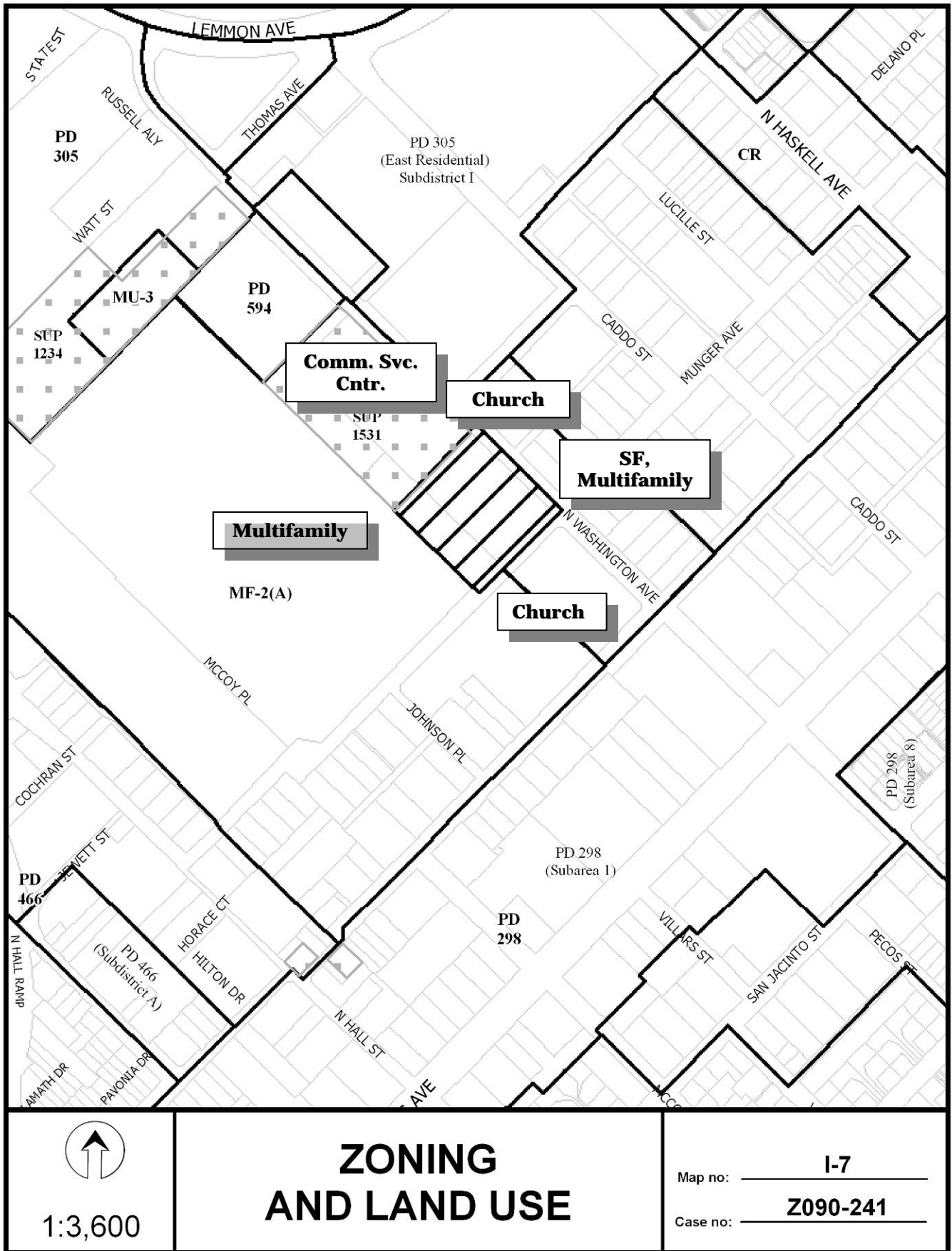


1:6,000

VICINITY MAP

Map no: I-7
 Case no: Z090-241

DATE: December 03, 2010



1:3,600

ZONING AND LAND USE

Map no: 1-7

Case no: Z090-241

DATE: December 03, 2010

Notification List of Property Owners***Z090-241******68 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3535 MUNGER	DALLAS HOUSING AUTHORITY
2	3535 MUNGER	DALLAS HOUSING AUTHORITY
3	3603 ROSELAND	PILGRIM REST VILLAGE
4	3521 ROSELAND	PILGRIM REST BAPTIST CHURCH
5	3524 MUNGER	PILGRIM REST VILLAGE
6	3516 MUNGER	PILGRIM REST BAPTIST CHURCH
7	3516 MUNGER	PILGRIM REST BAPTIST CHURCH
8	3512 MUNGER	PILGRIM REST BAPTIST CHURCH
9	3513 ROSELAND	WOODARD JOHN O JR
10	3607 ROSELAND	PILGRIM REST BAPTIST CHURCH
11	3609 ROSELAND	PILGRIM REST BAPTIST CHURCH
12	3603 ROSS	BILLBOARD SERVICES INC % BILLBOARD BY THE DAY
13	3600 ROSELAND	PILGRIM REST BAPTIST CHURCH
14	3629 ROSS	TOMAINO PPTIES LP STE 1515
15	3615 ROSS	GRIFFITH RUSSELL F & JUDITH W NELSON CO-TRS
16	3612 ROSELAND	PILGRIM REST BAPTIST CHURCH
17	3623 ROSS	GRIFFITH RUSSELL F & JUDITH W NELSON CO-TRS
18	3516 ROSELAND	WOODARD JOHN & ASSOC
19	3716 ROSELAND	Dallas ISD
20	3716 ROSELAND	Dallas ISD
21	3709 ROSS	Dallas ISD
22	1810 WASHINGTON	PILGRIM REST BAPTIST CH
23	1823 CADDO	CAMPAGNA FAMILY TRUST # 1
24	1802 WASHINGTON	PILGRIM REST VILLAGE
25	3810 MUNGER	DAVIS OREVA
26	3815 ROSELAND	HAWKINS ADA F

Friday, December 03, 2010

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3818 MUNGER	PADILLA SENDY & PADILLA HUGO H
28	3814 MUNGER	MANGRAM JOHN D
29	1812 WASHINGTON	PILGRIM REST BAPTIST CHURCH
30	3829 ROSELAND	INTERRANTE INTERESTS LTD
31	3823 ROSELAND	INTERRANTE JASPER A
32	3819 ROSELAND	SOLES BARBARA
33	3802 MUNGER	BENEDETTO LYNN A & RICK
34	1813 CADDO	CAMPAGNA FAMILY TRUST # 1
35	3806 MUNGER	BERRY MYRNA G
36	1804 WASHINGTON	PILGRIM REST VILLAGE
37	3824 MUNGER	CHANEY TIMOTHY ALAN &
38	3816 ROSELAND	YEHEKEL YEHEKEL & DEZI N
39	3807 ROSS	Dallas ISD
40	3820 ROSELAND	YEHEKEL YEHEKEL & YEHEKEL DEZI N
41	3824 ROSELAND	YEHEKEL YEHEKEL & DEZI
42	3803 MUNGER	KIM JULIAN
43	3805 MUNGER	AMOR REAL ESTATE INV
44	3811 MUNGER	MARISCAL BLAS & ANA
45	3815 MUNGER	BOTELLO BLANCA ELIA
46	3817 MUNGER	PILGRIM REST VILLAGE
47	3821 MUNGER	NELSON JUDITH WATTNER & RUSSELL F GRIFFITH CO-TRS
48	1909 CADDO	ELKHOURY NEHMAT
49	3825 MUNGER	ARMSTRONG ELDRIDGE
50	2014 CADDO	SCALIA ANTHONY & KIMBERLEY WOODARD
51	2004 CADDO	MILLER DEBORAH W & MARK D
52	2000 CADDO	RANSOM RENEE
53	1920 CADDO	HERNANDEZ SALVADOR & TERESA
54	1906 CADDO	ALONZO LEANDRO
55	1902 CADDO	HUMPHREYS JOE MURRAY
56	2211 CADDO	Dallas ISD
57	2220 WASHINGTON	Dallas ISD

Friday, December 03, 2010

Z090-241(RB)

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2100 WASHINGTON	DALLAS HOUSING AUTHORITY
59	2100 WASHINGTON	DALLAS HOUSING AUTHORITY
60	2100 WASHINGTON	DALLAS HOUSING AUTHORITY
61	3608 ROSELAND	PILGRIM REST VILLAGE
62	3606 ROSELAND	PILGRIM REST BAPT CHURCH
63	1819 WASHINGTON	PILGRIM REST BAPTIST CHURCH
64	1913 CADDO	HOUSING AUTHORITY OF THE CITY OF DALLAS
65	1950 WASHINGTON	CENTRAL DALLAS FOOD PANTRY
66	1910 CADDO	JACKSON ROBERT D
67	2255 WASHINGTON	DALLAS HOUSING AUTHORITY
68	3305 MUNGER	DALLAS HOUSING AUTHORITY

Friday, December 03, 2010

FILE NUMBER: Z101-112(RB)

DATE FILED: October 19, 2010

LOCATION: South Line of Woodmeadow Parkway, East of Ferguson Road

COUNCIL DISTRICT: 9

MAPSCO: 39 C

SIZE OF REQUEST: Approx. 2.99 Acres

CENSUS TRACT: 126.02

APPLICANT: DLBC, Inc.-Dana Ly (President and Secretary) and Boi-Chau Nguyen (Vice President and Treasurer)

REPRESENTATIVE: Charls T. Dixon

OWNER: C. C. P. & J. Trust-Charls T. Dixon, Trustee

REQUEST: An application for an LO-1 Limited Office District on property zoned an MF-2(A) Multifamily District.

SUMMARY: The applicant proposes to develop the property with an office use.

STAFF RECOMMENDATION: Approval of an NO(A) Neighborhood Office District in lieu of the requested LO-1 Limited Office District.

BACKGROUND INFORMATION:

- The request site is undeveloped.
- On October 13, 2010, the City Council approved an application for the waiver of taxes to be paid, thus allowing for this request to be submitted.
- The applicant proposes to develop the site with an office (dental) use comprised of approximately 3,000 square feet of floor area.
- At this time, the applicant has indicated the southern portion of the site located in a designated flood plain will not be reclaimed.

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

<u>Street</u>	<u>Designation; Existing & Proposed ROW</u>
Woodmeadow Parkway	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.

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 undeveloped. Approximately one-third of the site is located within a designated flood plain; the applicant has indicated this area

will not be reclaimed for development. Proposed development of the northern portion of the site will provide for office uses (dental office) comprised of approximately 3,000 square feet.

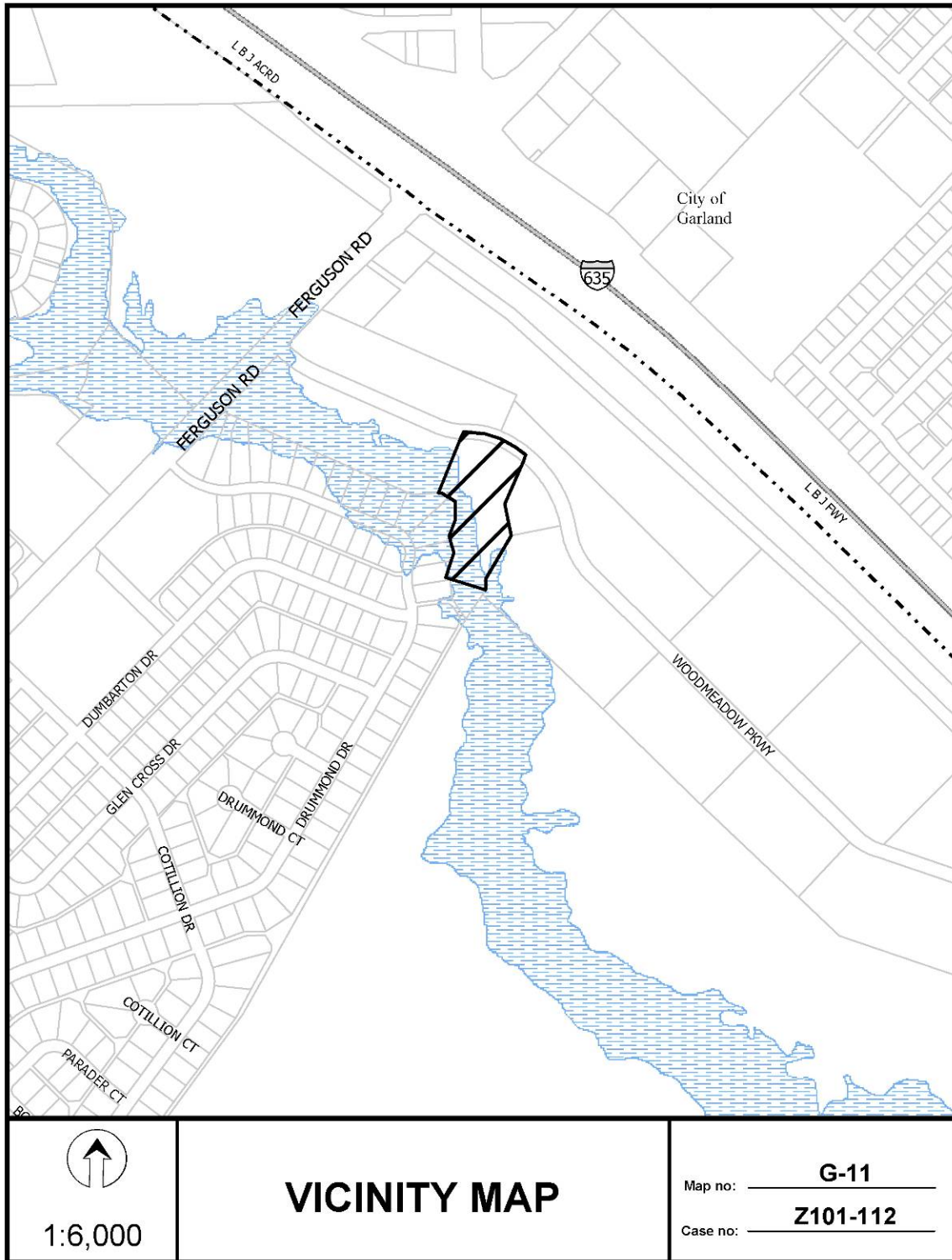
The surrounding area consists of stable residential uses, specifically low-to-medium density multifamily dwellings along both sides of Woodmeadow Parkway, with low density single family dwellings to the south. It should be noted that a private common area improved with a swimming pool and activity building abuts the site's eastern property line.

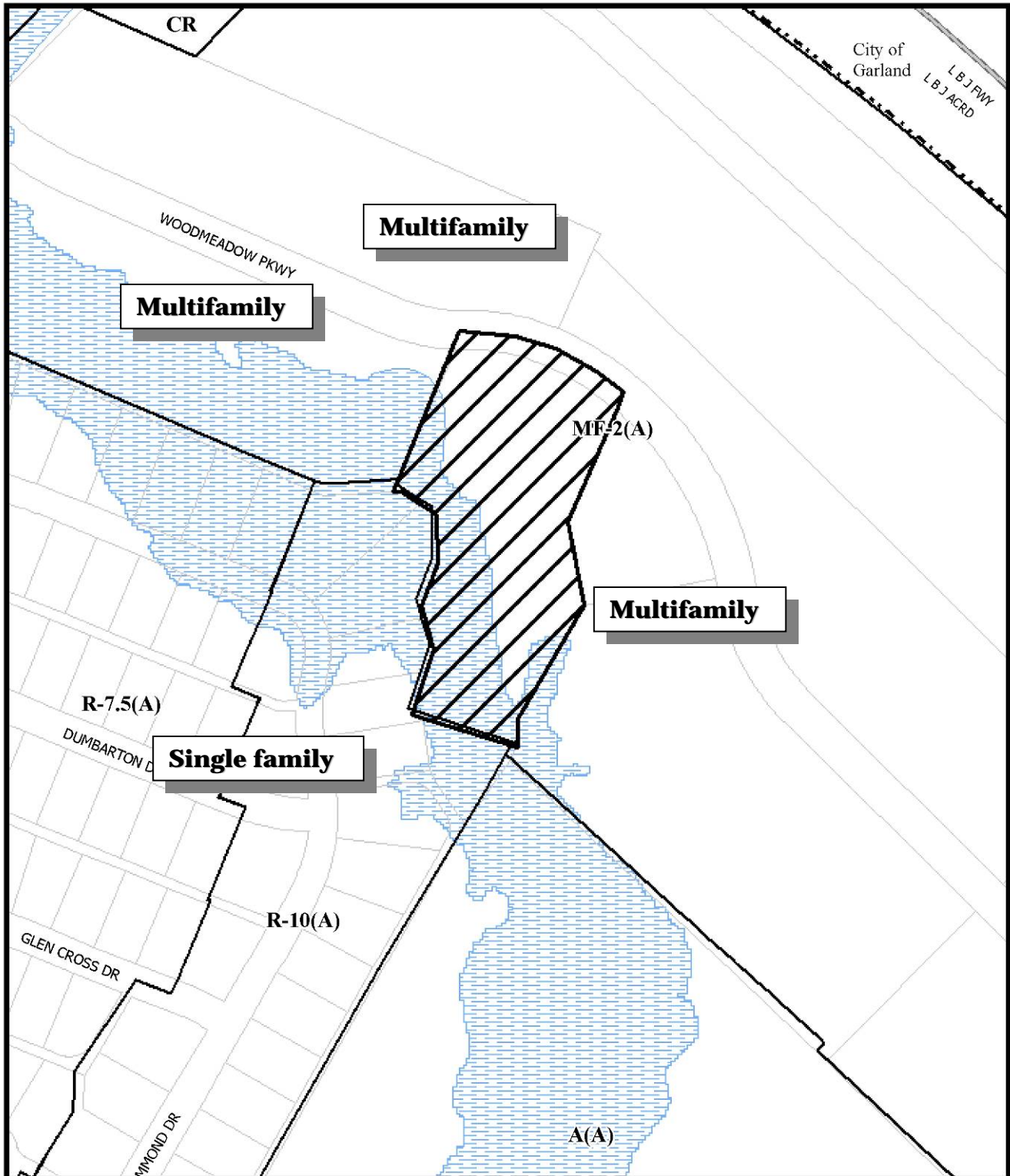
While not a requirement of the zoning request, a preliminary site plan has been provided locating the proposed development within the first 100 feet of the Woodmeadow Parkway frontage. The parking area at the rear of the building is approximately 380 feet from the site's southern property line, buffered by the designated floor plain. Trip generations to/from the site will utilize Ferguson Road with no access to the site through the residential area south of the site.

Staff has determined a community serving office use in this location can be compatible when considering residential adjacency, however the requested LO-1 District permits various development rights that could be intrusive on this residential community. As a result of this analysis, staff is recommending approval of an NO(A) District in lieu of the requested LO-1 District. This permits development rights that accommodate the request as submitted while ensuring compatibility for any new development/redevelopment of the property in the future.

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 within the southern portion of the site (designated flood plain). Development of the site will require landscaping that is in compliance with Article X of the Dallas Development Code; specifically, site/street/parking lot trees as well as a minimum of two design standards.





City of
Garland
LBJ FWY
LBJ ACRD

Multifamily

Multifamily

MF-2(A)

Multifamily

Single family

R-7.5(A)

R-10(A)

A(A)




1:2,400

**ZONING
AND LAND USE**

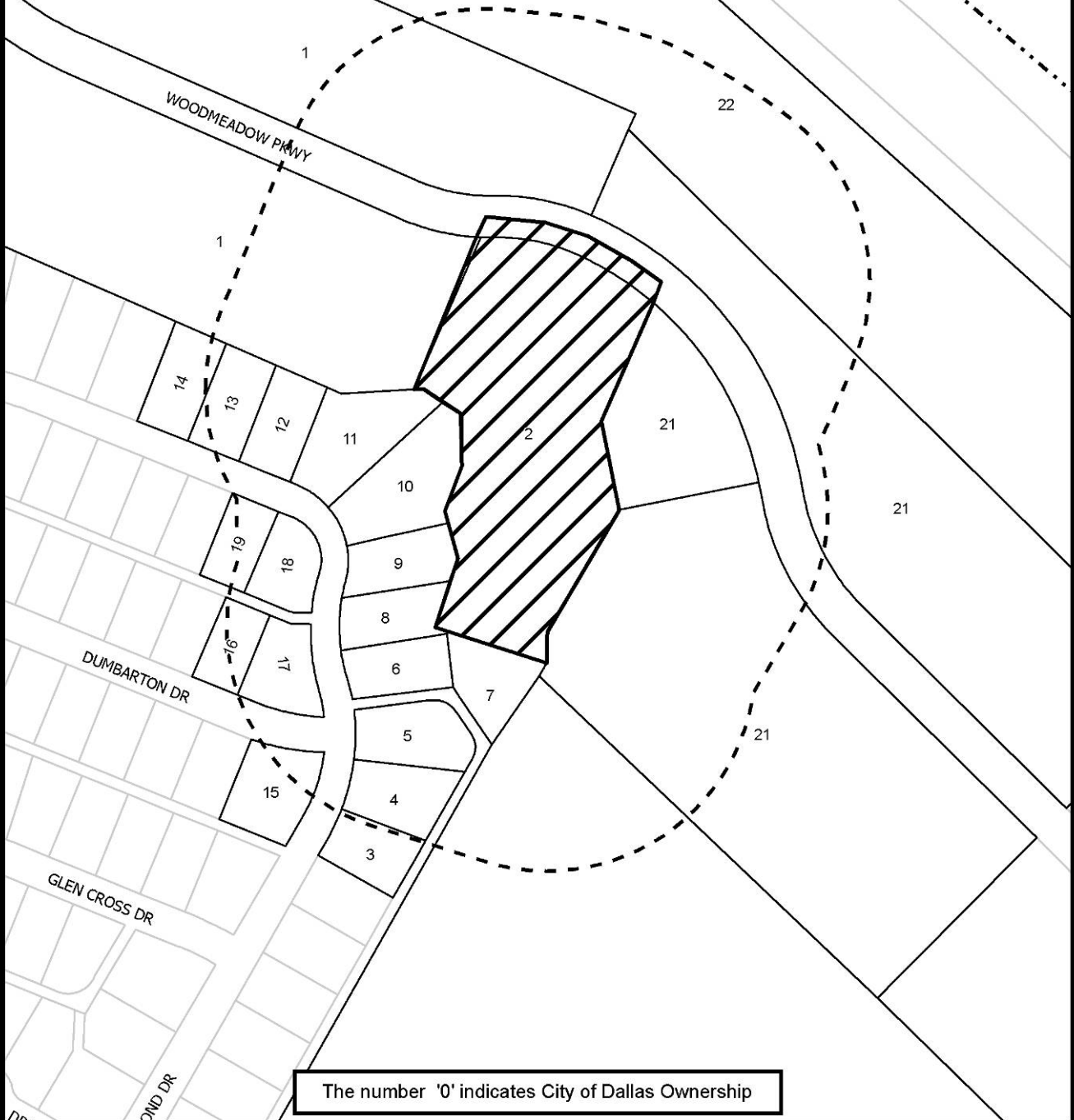
Map no: G-11

Case no: Z101-112


DATE: May 05, 2011

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

City of
Garland
L B J FWY
L B J ACRD



The number '0' indicates City of Dallas Ownership


1:2,400

NOTIFICATION

300' AREA OF NOTIFICATION
22 NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: **G-11**
Case no: **Z101-112**

DATE: May 05, 2011

Notification List of Property Owners

Z101-112

22 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	11449 WOODMEADOW	NEW WORLD PROPERTIES INC
2	11323 WOODMEADOW	CCP & J TRUST
3	11548 DRUMMOND	CASTRO LUIS A
4	11554 DRUMMOND	PURSUR ROBERT W & CHERI Z
5	11560 DRUMMOND	MCCUNE H RALPH
6	11568 DRUMMOND	ANDERSON MICHAEL RAY & JACQUELINE E
7	11570 DRUMMOND	DORFMAN DEV CO # 297
8	11574 DRUMMOND	LUNA EVANGELINA
9	11580 DRUMMOND	KILGORE MARY J
10	11586 DRUMMOND	DUBES RONALD
11	11606 DRUMMOND	NANCE SUSAN V
12	11612 DRUMMOND	EASTBAY HOLDINGS LP
13	11618 DRUMMOND	CASTILLO ANGELA
14	11624 DRUMMOND	HAGAN JAMES M TR
15	11554 DUMBARTON	SNIDER ANGELA
16	11545 DUMBARTON	CLARK WILLIAM H
17	11551 DUMBARTON	TABRAHAM HERBERT LEE & GLYNDA SUE
18	11605 DRUMMOND	GOODSON CHER L
19	11611 DRUMMOND	FLEMING CONNIE L
20	4111 ATHLETIC CLUB	DALLAS ATHLETIC CLUB
21	11321 WOODMEADOW	VILLA JOLLA PARTNERS LP SUITE 148
22	11760 FERGUSON	LMB LP &

FILE NUMBER: Z101-196(RB)

DATE FILED: February 23, 2011

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

COUNCIL DISTRICT: 7

MAPSCO: 47 L, M, Q, R

SIZE OF REQUEST: Approx. 13.789 Acres

CENSUS TRACT: 84

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

REPRESENTATIVE: Adolphus Oji

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

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

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

STAFF RECOMMENDATION: Approval of an MF-1(A) Multifamily District in lieu of the requested MF-2(A) Multifamily District, subject to deed restrictions volunteered by the applicant.

BACKGROUND INFORMATION:

- The request site is undeveloped and possesses a change of elevation downward from northwest to southeast.
- The site possesses frontage along both Lawnview Avenue and Forney Road; the applicant intends to utilize the Lawnview Avenue frontage as the main entrance.
- The applicant proposes to develop the site with 120 retirement housing dwelling units.

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

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

STAFF ANALYSIS:

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

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The request site is undeveloped and slopes downward from northwest to southeast. While the site fronts on both Lawnview Avenue and Forney Road, the applicant proposes to utilize the Lawnview Avenue frontage as the main entrance to the property. Plans call for 120 retirement housing dwelling units.

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

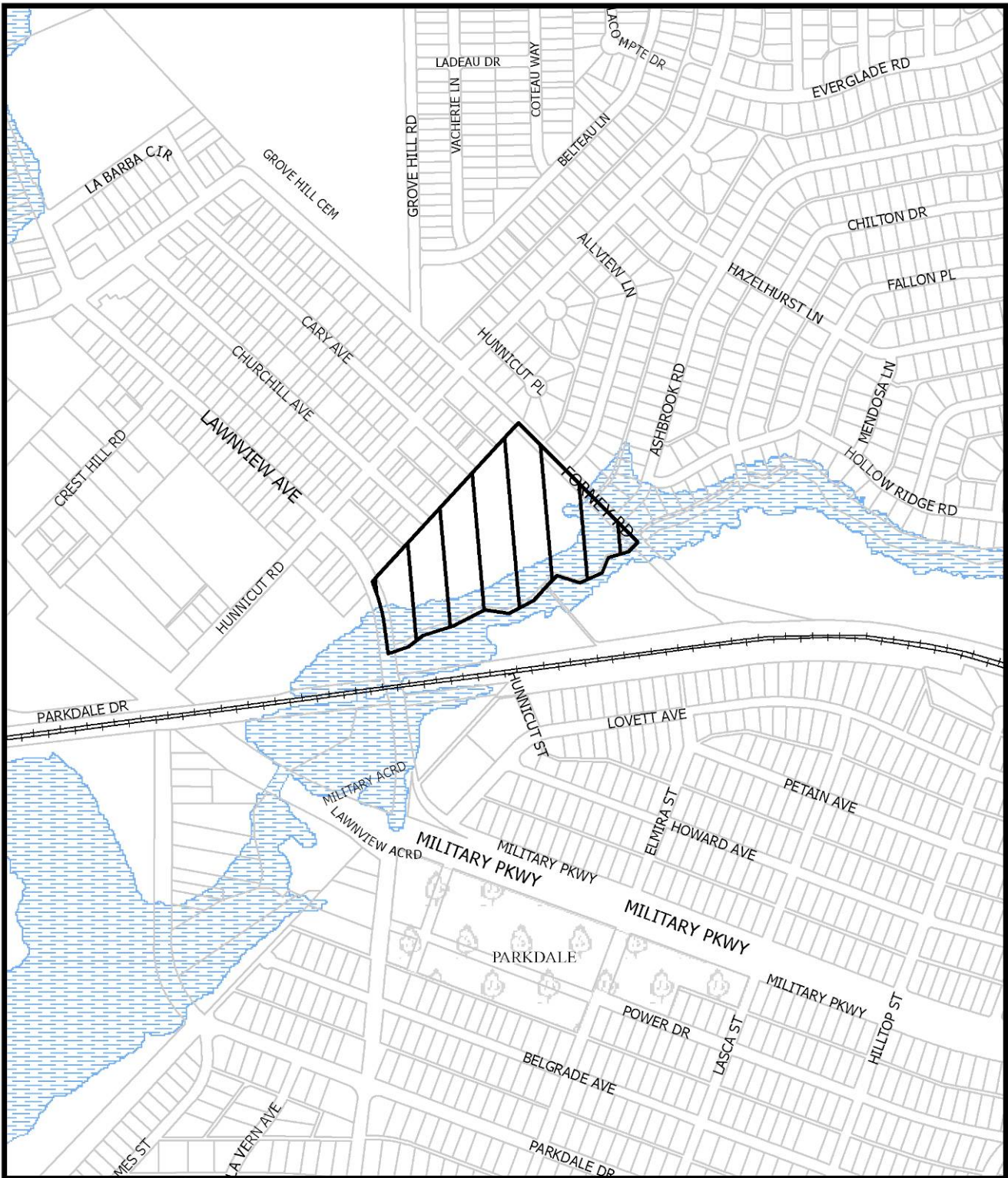
While there is merit to removing CR zoning in close proximity to low density residential uses, staff does have a concern as to zoning that permits medium density residential uses (i.e., 32-35 multifamily dwelling units per acre) in this area. Due to flood plain that traverses along the site's eastern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

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

As a result of this analysis, staff supports the applicant's requested development but is recommending approval of an MF-1(A) Multifamily District in lieu of the requested MF-2(A) Multifamily District, subject to the attached deed restrictions.

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

Landscaping: As an undeveloped parcel, the site is void of landscape materials, but does possess significant native vegetation and trees. Prior to issuance of a building permit, the applicant will be required to submit a tree survey as well as a landscape plan that complies with Article X.



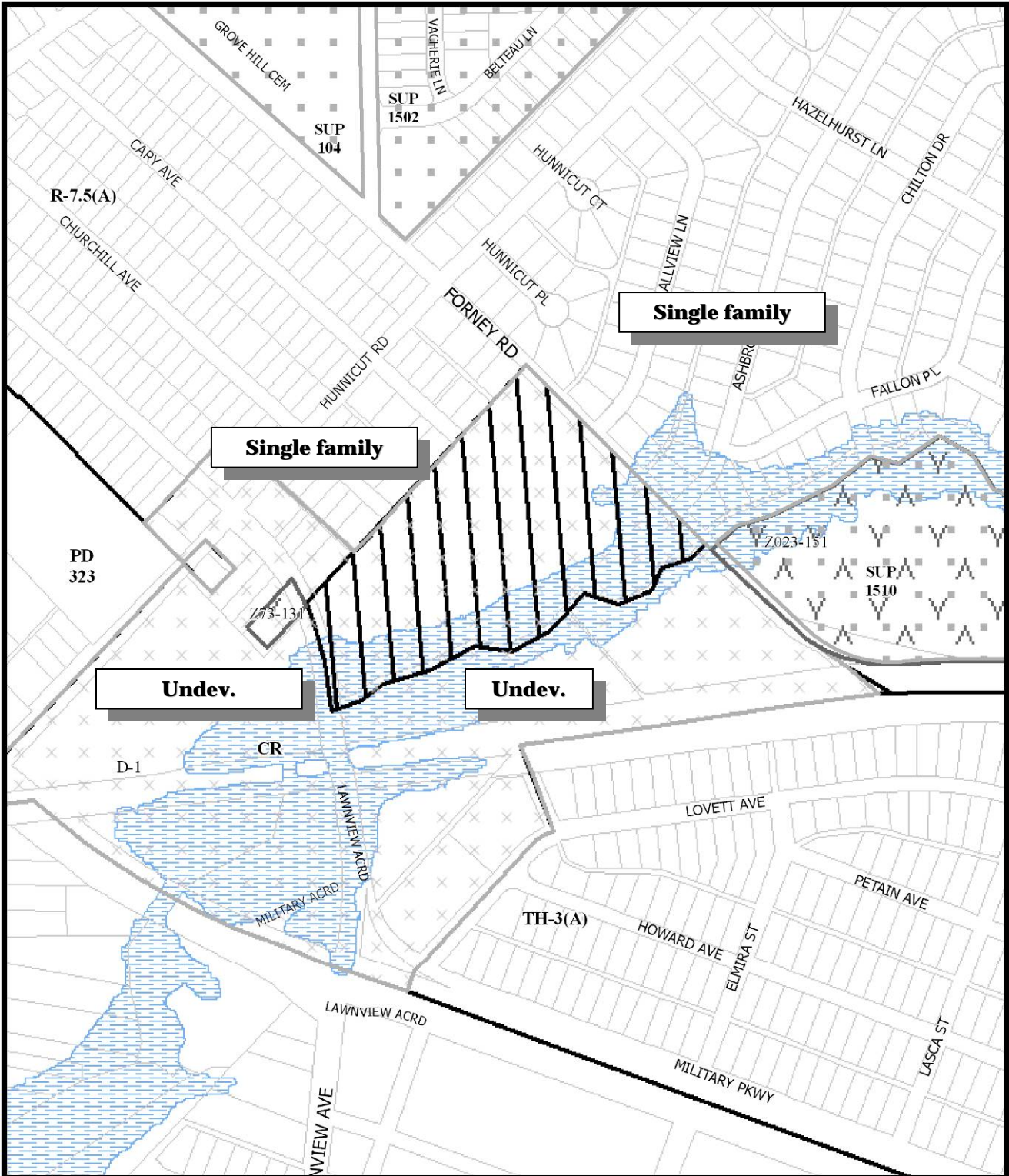
1:7,200

VICINITY MAP

Map no: J-9

Case no: Z101-196

DATE: May 19, 2011




1:4,800

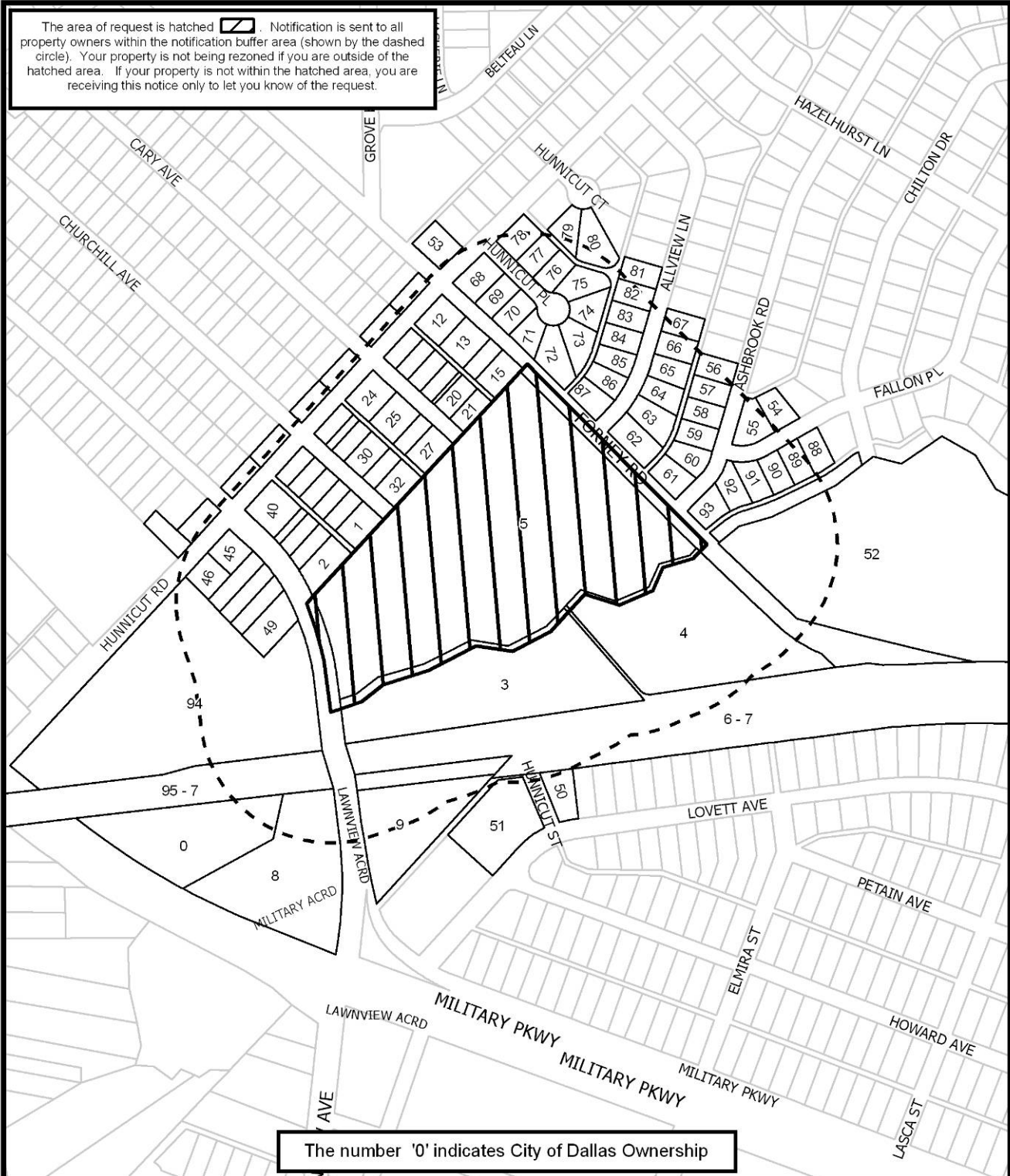
ZONING AND LAND USE

Map no: J-9

Case no: Z101-196

DATE: May 19, 2011

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The number '0' indicates City of Dallas Ownership


1:4,800

NOTIFICATION

400' AREA OF NOTIFICATION
95 NUMBER OF PROPERTY OWNERS NOTIFIED

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

DATE: May 19, 2011

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

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

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

Thursday, May 19, 2011

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

Thursday, May 19, 2011

Z101-196(RB)

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

Thursday, May 19, 2011

FILE NUMBER: Z090-252(RB)

DATE FILED: September 3, 2010

LOCATION: North line of Military Parkway between Prairie Creek Road and Kingsford Avenue

COUNCIL DISTRICT: 5

MAPSCO: 49 S

SIZE OF REQUEST: Approx. 1.21 Acres

CENSUS TRACT: 121

APPLICANT/OWNER: Jose Martin Saldivar

REPRESENTATIVE: Audra Buckley

REQUEST: An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-5(A) Single Family District.

SUMMARY: The applicant proposes to develop the site with an auto service center. Volunteered deed restrictions will prohibit certain uses as well as provide for certain operational regulations.

STAFF RECOMMENDATION: Denial.

PRIOR CPC ACTION: On December 16, 2010, the City Plan Commission held this request under advisement indefinitely until the applicant has time to submit a zoning application on the abutting parcel to the south of this request.

BACKGROUND INFORMATION:

- The request site is developed with a single family dwelling and barn structure.
- The applicant proposes to utilize the property for an auto service center.
- In conjunction with the request, the applicant has volunteered deed restrictions that prohibit certain uses as well as to provide for specific operational regulations (see attached instrument).
- At the December 16, 2010 the City Plan Commission public hearing, the applicant's representative requested this item be held so as to permit the applicant to amend the application to add the abutting parcel to the south to that of the initial request site.

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

<u>Thoroughfare/Street</u>	<u>Designation; Existing & Proposed ROW</u>
Prairie Creek Road	Principal Arterial; 100' & 100' ROW
Military Parkway	Principal Arterial; 100' & 100' ROW
Kingsford Avenue	Local; 50' ROW

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.

The request represents an encroachment into an established residential area. While the applicant has made an attempt to mitigate those situations associated with introducing nonresidential zoning in areas such as this (attached deed restrictions), the request nevertheless remains problematic. As a result, the request is not in compliance with this Building Block.

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 single family dwelling and barn structure. The applicant proposes to utilize the site for operation of an auto service center. In conjunction with the requested CR District, the applicant has had discussions with staff relating to the request, and has volunteered deed restrictions addressing prohibited uses as well as providing for certain development standards in conjunction with the proposed development. On December 16, 2010 the City Plan Commission public hearing, the applicant's representative requested this item be held so as to permit the applicant to amend the application to add the abutting parcel to the south to that of the initial request site.

Except for the property to the west across Prairie Creek Road (undeveloped, zoned for CR District Uses) the site is located within a predominately residentially zoned area that is developed with single family uses. As noted above, the applicant has added the abutting parcel to south of the original application to its request, thus providing for a site (subject to replatting or mutual access agreement) that has three street frontages (see attached Zoning and Land Use Map).

The addition of the above referenced parcel would create a nonresidential zoning site that now fronts on three streets. It could be anticipated that the additional land area would provide for a more relaxed development site, however the volunteered deed restrictions do not minimize the opportunity to create development out of scale with the adjacent residential development. With respect to this built environment, staff cannot support the applicant's request. Due to the introduction of nonresidential uses into a residential area, potential access points, and typical operational characteristics normally associated with the permitted uses per the attached deed restrictions, the livable environment for this residential community could be compromised.

The attached deed restrictions are being submitted by the applicant as the request moves forward through the public hearing process.

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

Z090-252(RB)

Landscaping: Prior to the issuance of a building permit for any permitted use, landscaping will be required per Article X requirements.

Off-Street Parking: Any permitted use will require parking per the Dallas Development Code.

(ii) 10 feet in all other cases.

5. The maximum number of stories above grade is one.
6. Ingress and egress are allowed only from Prairie Creek Road. Ingress and egress to and from Kingsford Avenue is prohibited.

III.

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

IV.

These restrictions may be amended or terminated as to any portion of the Property, upon application to the City of Dallas by the current owner of that portion of the Property, without the concurrence of the owners of the remaining portion of the Property. These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment or termination becomes effective.

V.

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

VI.

The Owner agrees that these restrictions inure to the benefit of the City. The Owner hereby grants the City the right to enforce these restrictions by any lawful means, including filing an action in a court of competent jurisdiction, at law or in equity, against the person violating or attempting to violate these restrictions, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce these restrictions, the Owner agrees that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs. For further remedy, the Owner agrees that the City may withhold any certificate of occupancy or final inspection necessary for the lawful use of the

Property until these restrictions are complied with. The right of the City to enforce these restrictions shall not be waived, expressly or otherwise.

VII.

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

VIII.

The provisions of this document are hereby declared covenants running with the land and are fully binding on all successors, heirs, and assigns of the Owner who acquire any right, title, or interest in or to the Property, or any part thereof. Any person who acquires any right, title, or interest in or to the Property, or any part thereof, thereby agrees and covenants to abide by and fully perform the provisions of this document.

IX.

Unless stated otherwise in this document, the definitions and provisions of Chapter 51A of the Dallas City Code, as amended, apply and are incorporated into this document as if recited in this document.

X.

The Owner understands and agrees that this document shall be governed by the laws of the State of Texas.

XI.

The Owner certifies and represents that there are no mortgages or liens, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.

XII.

The invalidation of any provision in this document by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.

Z090-252(RB)

EXECUTED this the _____ day of _____, 20_____.

Jose Martin Saldivar



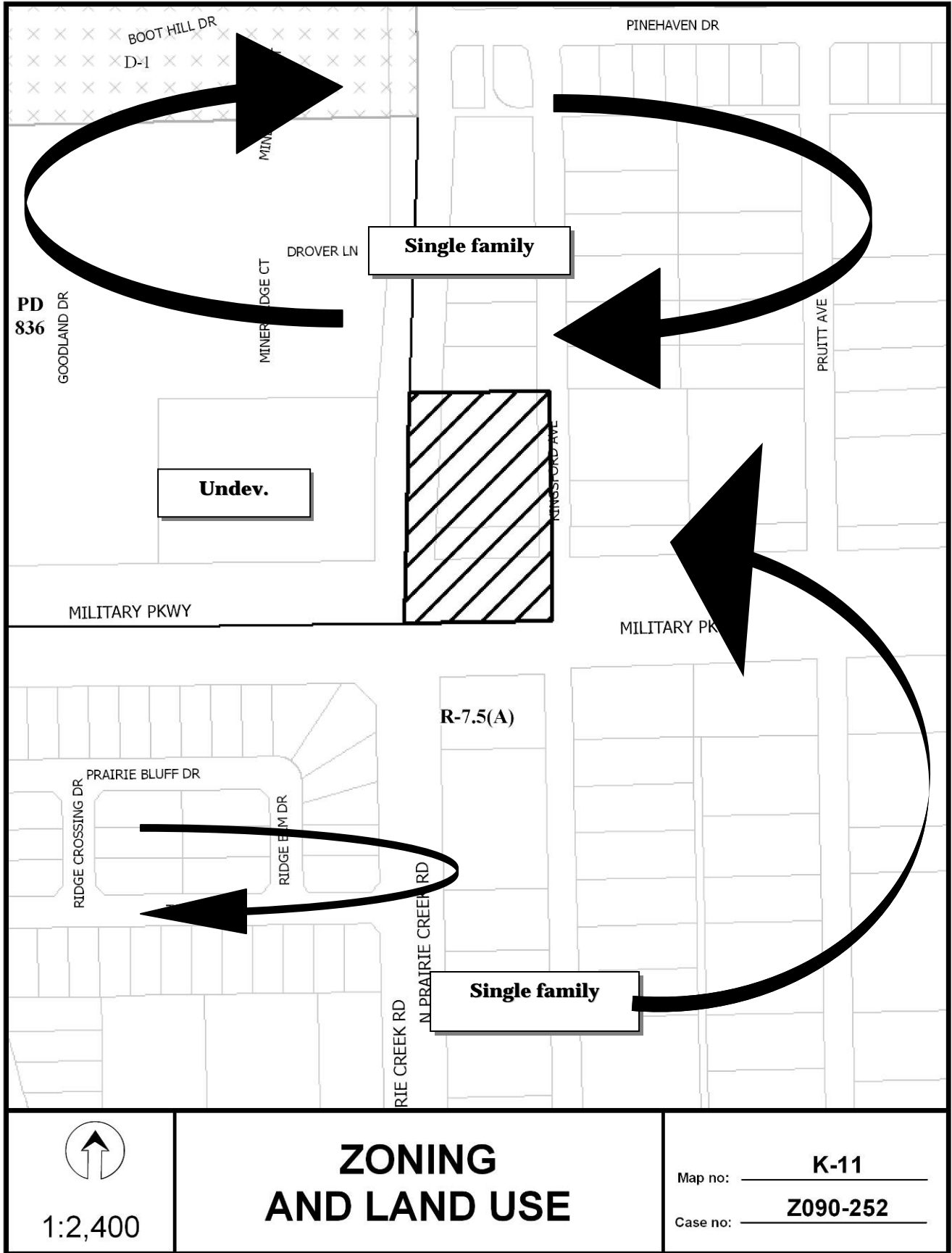
1:6,000


VICINITY MAP

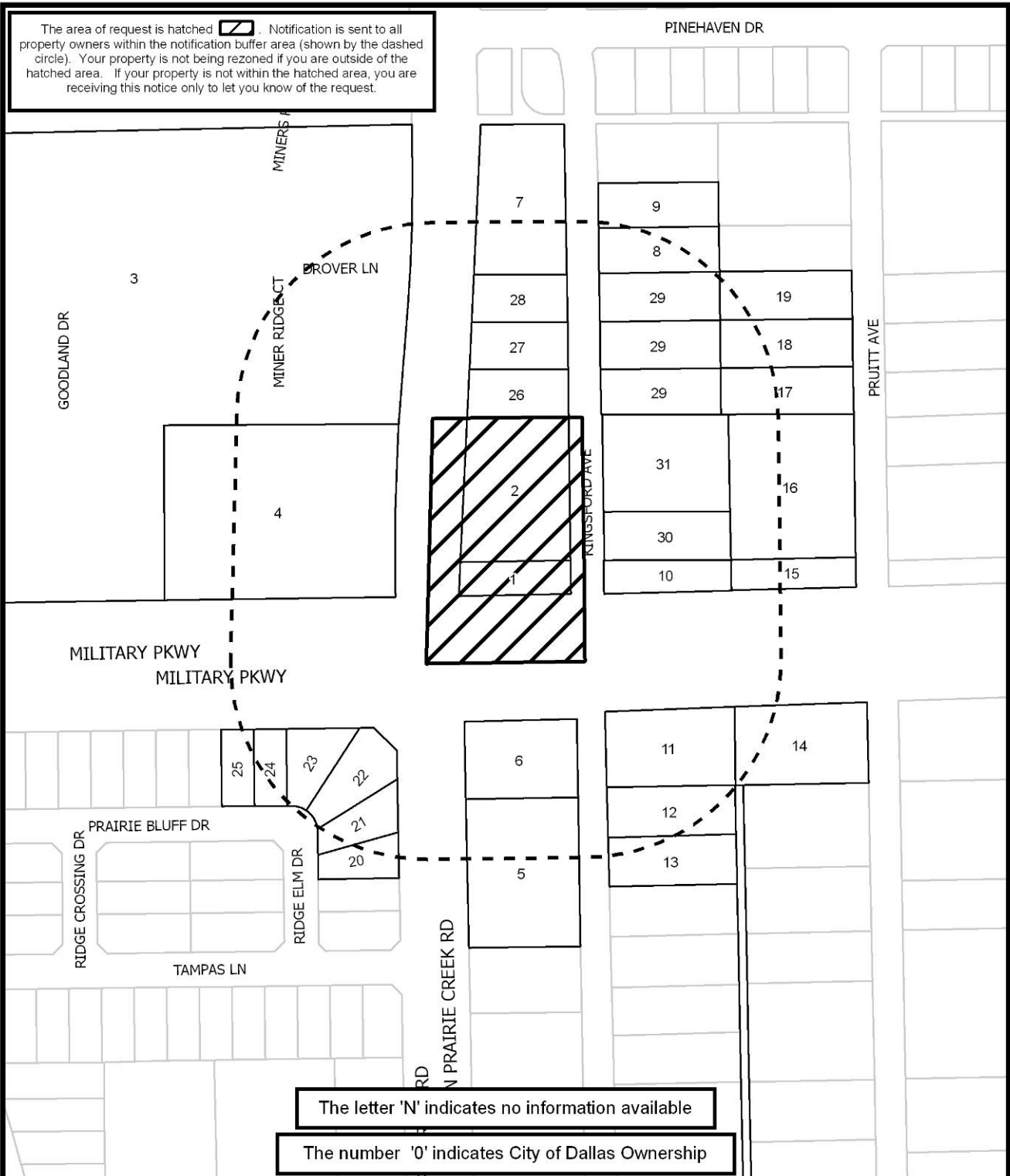
Map no: K-11

Case no: Z090-252

DATE: May 19, 2011




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



The letter 'N' indicates no information available

The number '0' indicates City of Dallas Ownership


1:2,400

NOTIFICATION

300' AREA OF NOTIFICATION
31 NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: K-11
Case no: Z090-252

DATE: May 19, 2011

Notification List of Property Owners***Z090-252******31 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9111 MILITARY	SHEPHERD KEN & ALICE M
2	3727 KINGSFORD	SALDIVAR JOSE
3	9025 MILITARY	Dallas ISD
4	3700 PRAIRIE CREEK	Dallas ISD ATT LEE SIMPSON
5	3617 KINGSFORD	EAST DALLAS COMMUNITY ORGANIZATION
6	3621 KINGSFORD	BROWN BILLIE W
7	3827 KINGSFORD	EREVIA MARIA M & MANUEL LOPEZ
8	3822 KINGSFORD	HERNANDEZ LINO
9	3828 KINGSFORD	NGUYEN KINH VAN & NGUYEN THO THI DOAN
10	3708 KINGSFORD	GARCIA FULGENCIO
11	3624 KINGSFORD	GARZA LUIS A
12	3616 KINGSFORD	GARCIA FELIPE & SILVIA M
13	3610 KINGSFORD	FARR BERTA
14	3625 PRUITT	PHAM THANH VAN & MAN THI NGUYEN
15	3707 PRUITT	WOODFIN DAPHNE
16	3727 PRUITT	CONTRERAS JUANITA
17	3809 PRUITT	SAUCEDA ANICETA & SAUCEDA GUADALUPE JR
18	3803 PRUITT	BUSCH DAVID L
19	3817 PRUITT	JIMENEZ RUTILIO F
20	3510 RIDGE ELM	BELLO AZEEZ & TAIBAT AZEEZ-BELLO
21	3514 RIDGE ELM	THE SECRETARY OF HOUSING & URBAN DEV % SW
22	3518 RIDGE ELM	FULLER FELICIA R
23	9127 PRAIRIE BLUFF	OSGOOD WARREN
24	9123 PRAIRIE BLUFF	QUINTANILLA JOEL
25	9119 PRAIRIE BLUFF	JOHNSON LILLIAN J &
26	3817 KINGSFORD	SALDIVAR EZEQUIEL

Thursday, May 19, 2011

Z090-252(RB)

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3821 KINGSFORD	TWIN ACQUISTIONS LLC
28	3825 KINGSFORD	BOWENS SHERRY D
29	3818 KINGSFORD	LENOVITZ J MARSHALL
30	3712 KINGSFORD	VELAZQUEZ JOSE
31	3726 KINGSFORD	VEGA ORLANDO

Thursday, May 19, 2011