Amended Duncanville City Council Meeting Agenda

City Council Briefing Room and City Council Chamber
Duncanville City Hall
203 E. Wheatland Road
Duncanville, TX 75116
(972) 780-5017

Tuesday, April 4, 2023
6:00 P.M. - Work Session/Briefing
7:00 P.M. - Regular Session
or immediately following the 6:00 pm Work Session/Briefing

City of Duncanville City Council meetings are available to all persons regardless of disability. The City of Duncanville offers Hearing Assistance Receivers for use during City Council Regular Sessions. If you require special assistance, please contact the City Secretary at (972)780-5017 or write 203 E. Wheatland Road, 75116, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purposes of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.

Pursuant to Texas Government Code 551.127, one or more members of the governing body may appear via videoconference call. The presiding officer and a quorum of the City Council will be physically present at this meeting.

The City of Duncanville reserves the right to reconvene, recess or align the Regular Session or called Executive Session or order of business at any time prior to adjournment.

SUPPLEMENTAL NOTICE OF MEETING BY VIDEO CONFERENCE

In accordance with an Order of the Office of the Governor issued on March 16, 2020, as extended, the City Council for the City of Duncanville, Texas will conduct a City Council Regular Meeting in person, broadcast by website and social media channels, and by video conference at 6:00 pm on Tuesday, April 4, 2023 in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) in an effort to slow the spread of the Coronavirus (COVID-19) pandemic.

This is an open meeting conducted in-person and will be broadcast by website and social media channels.

Due to limited seating in council chambers, persons or participants may participate by live broadcast via Swagit in order to maintain safe social distance as provided in this notice.

To view the live meeting or previous meetings click on the link below.
https://duncanvilletx.new.swagit.com/views/454/

To submit a comment via email the following information is required:

- Submit a comment by 4:00 p.m. on Tuesday, April 4, 2023.
- Email citysecretary@duncanvilletx.gov
- Email title: Public Comment – Tuesday, April 4, 2023
- First Name, Last Name, and Address

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WORK SESSION / BRIEFING

1. DISCUSS AGENDA ITEMS

2. CITY COUNCIL CALENDAR

A. Updated 2023 City Council Calendar — 5 - 6
2023 City Council Calendar

3. BRIEFINGS / PRESENTATIONS

A. Briefing: Solicitation of Services for Executive Recruitment Services — 7
Briefing: Solicitation of Services for Executive Recruitment Services

B. Conduct interviews with prospective applicants for City Boards, Committees, and Commissions. — 8 - 9
Work Session / Briefing: Interviews with Prospective City Board, Committee, and Commission Applicants

EXECUTIVE SESSION

1. City Council shall convene in Executive Session pursuant to Section 551.072 of the Texas Government Code, to Deliberate the Sale, Exchange, Lease or Value of Real Property owned by the City south of Wheatland, east of Main, and west of State Highway 67. — 10
Executive Session

2. The City Council shall convene into Executive Session pursuant to Texas Local Government Code Section 551.074, Personnel Matters, to discuss appointments, dismissals, and/or duties of the City of Duncanville Planning & Zoning Commission (P&Z) — 11 - 12
Executive Session: Personnel Matters, Sec. 551.074, Board Applicants Interview for P&Z Commission

3. Conduct Executive Session Pursuant to Section 551.071, Consultation with City Attorney about Proposed Contract with Interim City Manager — 13
Executive Session: Consultation with City Attorney about Proposed Contract with Interim City Manager

REGULAR SESSION - CONVENE INTO THE COUNCIL CHAMBERS (7:00 P.M. OR IMMEDIATELY FOLLOWING THE 6:00 PM WORK SESSION/BRIEFING)

CALL TO ORDER
INVOCATION - Deacon Gene Freeman, Holy Spirit Catholic Church
PLEDGES - PLEDGE OF ALLEGIANCE; TEXAS PLEDGE OF ALLEGIANCE

1. REPORTS

The Mayor's Report, the Councilmembers' Reports, and the City Manager's Report are informational only. There is no Council deliberation or action taken on any of these items.

A. Mayor's Report.

B. Councilmembers' Reports

C. City Manager's Report.

2. PROCLAMATIONS AND PRESENTATIONS

None

3. CITIZENS' INPUT

In-person citizen comments will be heard during the Regular Session. In keeping with the City Council's Rules of Procedure adopted on October 18, 2022, electronic mail comments will no longer be read aloud. Paper copies will be provided to the City Council at the dais. The comments will be made a part of the public record in the minutes.

"Pursuant to Section 551.007 of the Texas Gov't Code, any member of the public has the opportunity to address the City Council concerning any matter of public business or any posted agenda item; however, the Act prohibits the City Council from deliberating any issues not on the public agenda and such non-agenda issues may be referred to City staff for research and any future action; all persons addressing are subject to council adopted rules and limitations permitted by law"

At this time, two-minute comments will be taken from the audience on any topic. To address the Council, please submit a fully-completed request card to the City Secretary prior to the beginning of the Citizens' Input portion of the Council meeting. In accordance with the Texas Open Meetings Act, the City Council cannot discuss issues raised or make any decisions at this time. Issues may be referred to City Staff for research and possible future action.

4. CONSENT AGENDA

The following may be acted upon in one motion. A City Councilmember may request items be removed from the Consent Agenda for individual consideration.

A. Consider appointments to various Boards and Commissions including the Duncanville Community and Economic Development Corporation, the City Planning and Zoning Commission, the Community Engagement Advisory Board, the Arts Commission, and the TIF Board, with the adoption of the attached Resolution. 14 - 15

Consider Appointments to City Boards, Committees, and Commissions

B. Consider a Resolution authorizing a cooperative purchasing agreement for the purchase of gasoline and diesel fuel from Saratoga Rack Marketing LLC through Tarrant County Commissioners Court Contract 2023-070, during the period April 7, 2023, through April 6, 2027, for City fleet and equipment, in an estimated expenditure amount of $2,019,499.00. 16 - 30

Cooperative Purchasing Agreement to Purchase Gasoline and Diesel Fuel Through Tarrant County Commissioners Court Contract 2023-070

5. ITEMS FOR INDIVIDUAL CONSIDERATION

A. Conduct a public hearing for consideration and action regarding the request of David Jones, applicant, representing Chris Kechejian, owner, for a Zoning Change from DD, Downtown District to LOR, Local Office Retail District on Richard F Hale ABST 566 PG 080 TR 18, more commonly known as 609 and 611 South Main Street, in the City of Duncanville, Dallas County, Texas. 31 - 50

Zoning Change at 609 and 611 South Main Street

B. Conduct a public hearing for consideration and action regarding the request of Ali Assi, Applicant and Owner, for the approval of a Zoning Change from SF-10, Single Family Residential District to LOR, Local Office Retail District on Softwood Commercial, Lot 1, ACS 0.366, more commonly known as 1703 South Main Street, in the City of Duncanville, Dallas County, Texas. 51 - 69

Zoning Change at 1703 South Main Street

C. Conduct a public hearing for consideration and action regarding the request of Joy Gabriels, applicant, representing Tommy J. Winn, owner, to include a Specific Use Permit "SUP" for Art Studio and adopt an ordinance to change the Comprehensive Zoning Ordinance and map on AMG Merrill ABST 884 PG 075 TR 47, 48 and PT of TR 43 ACS 0.834, more commonly known as 214 South Main Street, in the City of Duncanville, Dallas County, Texas. 70 - 93

SUP for Art Studio at 214 South Main Street

D. Take any necessary action as a result of the Executive Session.

6. STAFF AND BOARD REPORTS

ADJOURNMENT

I, the undersigned authority, do hereby certify that this **Amended** Notice of Meeting **Agenda** was posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located outside the entrance to the City of Duncanville City Hall, next to the entryway doors, a place convenient and readily accessible to the general public, as well as to the City's website www.duncanvilletx.gov and said Notice was posted by the following date and time: **Saturday, April 1, 2023 by 10:00 a.m.** and remained posted for at least two hours after said meeting was convened.



Janie Willman, City Secretary

"Guns prohibited on these premises by state law unless licensed under Chapter 411, Tex. Gov. Code. Section 46.035 Texas Penal Code."

"Las armas de fuego están prohibidas en estas instalaciones por la ley estatal a menos que estén autorizadas bajo el Capítulo 411 del Código de Gobierno de Texas. Sección 46.035 del Código Penal de Texas."

STAFF REPORT

MEETING: City Council - 04 Apr 2023

TITLE:
Updated 2023 City Council Calendar

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
  - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**

STAFF RESPONSIBLE:
Janie Willman, City Secretary
Ke'Ryne Smith, City Management Fellow

BACKGROUND/HISTORY:
The City Council normally receives an annual calendar to inform its schedule of events, conferences, and City Council Meetings.

Also, a quarterly version of the calendar has been provided to grant City Council the opportunity to closely examine the content and provide their input in a timely manner.

POLICY EXPLANATION:
City Council will consider the calendar for 2023 and may provide input to staff for planning purposes.

FUNDING SOURCE:

ORG and Object Number
N/A

Available Budget	**Purchase Amount**	**After Encumber**
$0.00	$0.00	$0.00

ACTION ALTERNATIVES:
1. Review the 2023 City Council Calendar.

2. Recommend changes to the calendar.
3. Other actions as directed by Council.

STAFF REPORT

MEETING: City Council - 04 Apr 2023

TITLE:
Briefing: Solicitation of Services for Executive Recruitment Services

Vision Statement:

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Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
  - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**

STAFF RESPONSIBLE:
Jennifer Otey, Chief Innovation Officer

BACKGROUND/HISTORY:
The transition of the City to a new City Manager requires executive recruitment services. The staff will brief the City Council on the process during the Work Session / Briefing.

POLICY EXPLANATION:
The City Council receives briefings on policy matters and provides direction to the Interim City Manager and his staff.

FUNDING SOURCE:

ORG and Object Number
N A

Available Budget	**Purchase Amount**	**After Encumber**
$0.00	$0.00	$0.00

ACTION ALTERNATIVES:
1. Follow actions as directed by Council after Staff Briefing

STAFF REPORT

MEETING: City Council - 04 Apr 2023

TITLE:
Conduct interviews with prospective applicants for City Boards, Committees, and Commissions.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

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  - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**

STAFF RESPONSIBLE:
Janie Willman, City Secretary

BACKGROUND/HISTORY:
The City Council continues considering appointments to its various boards, committees, and commissions as applications are received, vetted, and considered by the City Council.

This agenda matter will allow the City Council to complete two matters of business relative to board appointments; first, to confirm by Resolution appointments made by minute order on March 21, 2023, and second, to continue its appointments from December 2022 through current date.

The City Council interviewed a number of applicants for a variety of City boards, committees, and commissions. This agenda matter is a continuation of that process.

POLICY EXPLANATION:
City Council, with the adoption of the attached resolution, will formally appoint citizens to the City of Duncanville Boards, Committees, and Commissions for a variety of periods dependent on the respective vacancy being filled.

FUNDING SOURCE:

ORG and Object Number
N A

Available Budget	**Purchase Amount**	**After Encumber**
$0.00	$0.00	$0.00

ACTION ALTERNATIVES:

1. Conduct interviews with prospective applicants for City Boards, Committees, and Commissions.
2. Other actions as directed by Council.

STAFF REPORT

MEETING: City Council - 04 Apr 2023

TITLE:
City Council shall convene in Executive Session pursuant to Section 551.072 of the Texas Government Code, to Deliberate the Sale, Exchange, Lease or Value of Real Property owned by the City south of Wheatland, east of Main, and west of State Highway 67.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Re-Imagine: High Quality of Life**
  - **Develop, maintain, and encourage safe, attractive, viable family-oriented neighborhoods that embrace diversity and pride, promoting economic vitality.**

STAFF RESPONSIBLE:
Robert D. Brown, Jr., Interim City Manager
David Kees, Interim Assistant City Manager

BACKGROUND/HISTORY:
Executive session.

POLICY EXPLANATION:
Executive session.

FUNDING SOURCE:

ORG and Object Number
N/A

Available Budget	**Purchase Amount**	**After Encumber**
$0.00	$0.00	$0.00

ACTION ALTERNATIVES:
1. Convene into executive session to discuss the agenda item.
2. Do not convene into executive session.
3. Other actions as directed by Council.

STAFF REPORT

MEETING: City Council - 04 Apr 2023

TITLE:
The City Council shall convene into Executive Session pursuant to Texas Local Government Code Section 551.074, Personnel Matters, to discuss appointments, dismissals, and/or duties of the City of Duncanville Planning & Zoning Commission (P&Z)

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
  - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**

STAFF RESPONSIBLE:
Janie Willman, City Secretary

BACKGROUND/HISTORY:
The City Council shall convene into Executive Session pursuant to Texas Local Government Code Section 551.074, Personnel Matters, to discuss appointments, dismissals, and/or duties of the City of Duncanville Planning & Zoning Commission (P&Z)

POLICY EXPLANATION:
The City Council shall convene into Executive Session pursuant to Texas Local Government Code Section 551.074, Personnel Matters, to discuss appointments, dismissals, and/or duties of the City of Duncanville Planning & Zoning Commission (P&Z)

FUNDING SOURCE:

ORG and Object Number
N A

Available Budget	**Purchase Amount**	**After Encumber**
$0.00	$0.00	$0.00

ACTION ALTERNATIVES:

1. Conduct Executive Session with prospective Planning & Zoning Commission applicants.
2. Do not conduct Executive Session.
3. Other actions as directed by Council.

STAFF REPORT

MEETING: City Council - 04 Apr 2023

TITLE:
Conduct Executive Session Pursuant to Section 551.071, Consultation with City Attorney about Proposed Contract with Interim City Manager

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
  - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**

STAFF RESPONSIBLE:
Janie Willman, City Secretary

BACKGROUND/HISTORY:
The City Council consults with its Attorney on legal matters in Executive Session under Local Government Code Chapter 551. Open Meetings.

POLICY EXPLANATION:
Following the appointment of an Interim City Manager, the City Council requires legal consultation with its Attorney about a proposed contract for the provision of Interim City Management services.

FUNDING SOURCE:

ORG and Object Number
N A

Available Budget	**Purchase Amount**	**After Encumber**
$0.00	$0.00	$0.00

ACTION ALTERNATIVES:
1. Conduct Executive Session.
2. Other actions as directed by Council.

STAFF REPORT

MEETING: City Council - 04 Apr 2023

TITLE:
Consider appointments to various Boards and Commissions including the Duncanville Community and Economic Development Corporation, the City Planning and Zoning Commission, the Community Engagement Advisory Board, the Arts Commission, and the TIF Board, with the adoption of the attached Resolution.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
  - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**
- **Re-Imagine: High Quality of Life**
  - **Develop, maintain, and encourage safe, attractive, viable family-oriented neighborhoods that embrace diversity and pride, promoting economic vitality.**

STAFF RESPONSIBLE:
Janie Willman, City Secretary

BACKGROUND/HISTORY:
The City Council continues considering appointments to its various board, committees, and commissions as applications are received, vetted, and considered by the City Council.

The City Council interviewed prospective applicants to its boards, committees, and commissions for the Consider appointments to various Boards and Commissions including the Duncanville Community and Economic Development Corporation, the City Planning and Zoning Commission, the Community Engagement Advisory Board, the Arts Commission, and the TIF Board, with the adoption of the attached Resolution.

POLICY EXPLANATION:
City Council, with the adoption of the attached resolution, will formally appoint citizens to any of its Boards, Committees, and Commissions, including the Duncanville Community and Economic

Development Corporation, the City Planning and Zoning Commission, the Community Engagement Advisory Board, the Arts Commission, and the TIF Board, with the adoption of the attached Resolution.

FUNDING SOURCE:

ORG and Object Number
N/A

Available Budget	**Purchase Amount**	**After Encumber**
$0.00	$0.00	$0.00

ACTION ALTERNATIVES:

1. Approve Resolution authorizing Board, Committee, and Commission Appointments.
2. Other actions as directed by Council.

STAFF REPORT

MEETING: City Council - 04 Apr 2023

TITLE:
Consider a Resolution authorizing a cooperative purchasing agreement for the purchase of gasoline and diesel fuel from Saratoga Rack Marketing LLC through Tarrant County Commissioners Court Contract 2023-070, during the period April 7, 2023, through April 6, 2027, for City fleet and equipment, in an estimated expenditure amount of $2,019,499.00.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Advance: Marketing Strategy of the City and Community Engagement Plan**
  - **Strengthen communication and engagement within the community while championing the City of Duncanville regionally, nationally, and internationally.**

STAFF RESPONSIBLE:
Jacqueline R. Culton, PE, MBA, Director of Public Works (Interim)
Asa Low, Equipment Services Superintendent

BACKGROUND/HISTORY:
City fleet vehicles and power equipment depend on gasoline and diesel fuels to perform daily operations for the City. The City of Duncanville purchases approximately 136,700 gallons of fuel annually to support services citywide. Regular unleaded gasoline and ultra-low sulfur diesel are the most frequently purchased fuel types. Estimated annual usage is 89,000 gallons of regular unleaded gasoline and 47,700 gallons of ultra-low sulfur diesel fuel. The City currently purchases its fuel under a Tarrant County Commissioners Court cooperative agreement with Jack Ray Oil Company which expires on April 6, 2023.

On March 14, 2023, the Tarrant County Commissioners Court approved a new annual contract for fuel to the primary vendor, Saratoga Rack Marketing LLC, effective April 7, 2023. This agreement includes three options for renewal of twelve months each. The contract consists of unleaded and diesel gasoline in various quantities.

Fuel pricing is based on the Oil Price Information Service (OPIS) index. OPIS is one of the world's most comprehensive sources for petroleum pricing and provides regionally specific data for fuel procurement. Each fuel type has a fixed unit price markup or discount applied to the OPIS paid average for the Dallas metro area. The markup on ultra-low sulfur diesel is $0.0283 per gallon, and regular unleaded gasoline is $0.0033 per gallon. Fuel contracts are commonly priced as a markup or markdown

per gallon on the OPIS-monitored average price for the metropolitan area. Fuel prices are highly volatile, and this estimate is based on historical data from the last 12 months and the U.S. Department of Energy fuel price projections.

POLICY EXPLANATION:
State law provides that a local government purchasing an item under a cooperative purchasing agreement satisfies any State law requiring that the local government seek competitive bids for the purchase of the item. The Texas Local Government Code, Chapters 271 and 791, allows government agencies to participate in these cooperative arrangements voluntarily.

The City Council is requested to approve $259,499.00 for the remainder of FY23 and, upon appropriation, an estimate of $1.76 million spread over FY24, FY25, FY26, and a portion of FY27 (through April 6, 2027, the contract expiration date) as outlined below.

FY23 - $259,499.00
FY24 - $500,000.00
FY25 - $500,000.00
FY26 - $500,000.00
FY27 - $260,000.00

This authorization would cover gasoline and diesel fuel purchases on an as-needed basis through April 6, 2027, pending contract renewal by Tarrant County Commissioners Court, in an estimated expenditure amount of $2,019,499.00. A future agenda item will be brought to Council for approval if Tarrant County Commissioners Court does not renew its fuel agreement with Saratoga Rack Marketing LLC at the end of each term.

FUNDING SOURCE:

ORG and Object Number
01066700-700222 ($211,821.00), 02312000-700222 ($40,625.00), 15000100-700222 ($3,058.00), and 19012000-700222 ($3,995.00)

Available Budget	**Purchase Amount**	**After Encumber**
$259,499.00	$259,499.00	$0.00

ACTION ALTERNATIVES:
1. Award a bid and authorize funding in the amount of $259,499.00 for FY23, and subject to future appropriation, funds for FY24, FY25, FY26, and FY27 for the purchase of gasoline and diesel fuel from Saratoga Rack Marketing LLC through Tarrant County Commissioners Court Contract 2023-070, during the period April 7, 2023, through April 6, 2027, for City fleet and equipment in a total estimated expenditure amount of $2,019,499.00.
2. Do not award a bid and authorize funding in the amount of $259,499.00 for FY23, and subject to future appropriation, funds for FY24, FY25, FY26, and FY27 for the purchase of gasoline and diesel fuel from Saratoga Rack Marketing LLC through Tarrant County Commissioners Court Contract 2023-070, during the period April 7, 2023, through April 6, 2027, for City fleet and equipment in a total estimated expenditure amount of $2,019,499.00.
3. Other actions as directed by Council.

ATTACHMENTS:
Resolution No. - 2023-021 - Cooperative Purchasing Agreement to Purchase Gasoline and Diesel Fuel Through Tarrant County Commissioners Court Contract 2023-070 with Exhibit

RESOLUTION NO. 2023-021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AWARDING A BID FOR THE PURCHASE OF GASOLINE AND DIESEL FUEL FROM SARATOGA RACK MARKETING LLC THROUGH TARRANT COUNTY COMMISSIONERS COURT CONTRACT 2023-070, DURING THE PERIOD APRIL 7, 2023, THROUGH APRIL 6, 2027, FOR CITY FLEET AND EQUIPMENT IN AN ESTIMATED EXPENDITURE AMOUNT OF $2,019,499.00; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is necessary to procure fuel that meets all industry and environmental standards; and

WHEREAS, the City of Duncanville has entered into an interlocal agreement with Tarrant County for products and services; and

WHEREAS, Tarrant County has taken competitive sealed bids and awarded Contract 2023-070 for fuel to Saratoga Rack Marketing LLC; and

WHEREAS, this authorization will cover the purchase of fuel through the contract on an as-needed basis through April 6, 2027, pending contract renewal by Tarrant County Commissioners Court, in an estimated expenditure amount of $2,019,499.00; and

WHEREAS, the City Council of the City of Duncanville, Texas, desires to authorize a cooperative purchasing agreement with Saratoga Rack Marketing LLC to purchase fuel through Tarrant County Commissioners Court Contract 2023-070.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, THAT:

SECTION 1. The City Council of the City of Duncanville hereby awards a bid for the purchase of gasoline and diesel fuel from Saratoga Rack Marketing LLC through Tarrant County Commissioners Court Contract 2023-070, for the period April 7, 2023, through April 6, 2027, for City fleet and equipment, in the unit price bid attached hereto and incorporated herein as Exhibit "A," for an estimated expenditure amount of $2,019,499.00.

SECTION 2. The City Council of the City of Duncanville authorizes the City Manager or designee, to execute the appropriate and necessary contracts, documents, and/or purchase order.

SECTION 3. This Resolution shall become effective immediately upon its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 4th day of April, 2023.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

Janie Willman, City Secretary

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

TARRANT COUNTY PURCHASING DEPARTMENT
100 E. Weatherford St. #303 • Fort Worth, TX 76196 • (817) 884-1414 • (817) 884-2629 (Fax)

Melissa Lee, C.P.M., A.P.P.
Purchasing Agent

Exhibit A1

Chris Lax, CPSM
Assistant Purchasing Agent

Annual Contract for Fuel
March 14, 2023

Saratoga Rack Marketing LLC
Bill Cashmareck
20 Greenway Plaza Ste 200
Houston, TX 77046

RE: RFB NO. 2023-070
Annual Contract for Fuel

Dear Mr. Cashmareck,

It is my pleasure to inform you that Tarrant County Commissioner's Court has awarded your firm as the Primary vendor for RFB No. 2023-070, Annual Contract for Fuel.

This contract will expire on April 6, 2024 and prices are to be firm for the entire period. There are three options for a twelve-month renewal.

If you have any questions, I can be reached by telephone at (817) 884-1143.

Sincerely,
Emily Salter

Emily Salter
Senior Buyer

Bid No. 2023-070 Annual Contract for Fuel

Exhibit A2

				Primary Award Saratoga Rack Marketing LLC Houston, TX HUB: No CO-OP: Yes			Secondary Award Douglass Distributing Sherman, TX HUB: No CO-OP: Yes		
Item No	Description	EST Usage	OPIS 2/14/2023 10:00AM	Diff.	Plus or Minus	Total Amount Bid	Diff.	Plus or Minus	Total Amount Bid
1	Reformulated Gasoline Regular, Transport Load, 7,500 Gallons or more	160,544	$ 2.3602	**$ (0.0042)**	-	**$ 378,241.66**	*$ 0.0150*	+	*$ 381,324.11*
2	Reformulated Gasoline Regular, Short Transport Load, 4,000 Gallons to 7,499 Gallons	1	$ 2.3602	**$ 0.0033**	+	**$ 2.36**	*$ 0.0250*	+	*$ 2.39*
3	Reformulated Gasoline Regular, Tank Wagon Load, 1,500 Gallons to 3,999 Gallons	1,240	$ 2.3602	**$ 0.2900**	+	**$ 3,286.25**	*$ 0.0500*	+	*$ 2,988.65*
4	Reformulated Gasoline Regular, Short Tank Wagon Load, 1,499 Gallons or less	1	$ 2.3602	**$ 0.4300**	+	**$ 2.79**	*$ 0.0700*	+	*$ 2.43*
5	Reformulated Gasoline Mid Grade, Premium, 7,500 Gallons or more	1	$ 2.3112	**$ (0.0042)**	-	**$ 2.31**	*$ 0.0150*	+	*$ 2.33*
6	Reformulated Gasoline Mid Grade, Premium, Short Transport Load, 4,000 Gallons to 7,499 Gallons	1	$ 2.3112	**$ 0.0033**	+	**$ 2.31**	*$ 0.0250*	+	*$ 2.34*
7	Reformulated Gasoline Mid Grade, Premium, Tank Wagon Load, 1,500 Gallons to 3,999 Gallons	1	$ 2.3112	**$ 0.2900**	+	**$ 2.60**	*$ 0.0500*	+	*$ 2.36*
8	Reformulated Gasoline Mid Grade, Premium, Short Tank Wagon Load, 1,499 Gallons or less	1	$ 2.3112	**$ 0.4300**	+	**$ 2.74**	*$ 0.1500*	+	*$ 2.46*

Notes: Bid received from Global Montello Group Corp. was deemed non-responsive for failure to sign addendum 1 as required. *Pinnacle Petroleum, Inc. declined to be a secondary vendor.

Bid No. 2023-070 Annual Contract for Fuel

				Alternate Award					
				Senergy Petroleum, LLC Gilbert, AZ HUB: No CO-OP: Yes			U.S Venture, Inc. Appleton, WI HUB: No CO-OP: Yes		
Item No	Description	EST Usage	OPIS 2/14/2023 10:00AM	Diff.	Plus or Minus	Total Amount Bid	Diff.	Plus or Minus	Total Amount Bid
1	Reformulated Gasoline Regular, Transport Load, 7,500 Gallons or more	160,544	$ 2.3602	$ 0.0150	+	$ 381,324.11	$ 0.0540	+	$ 387,585.32
2	Reformulated Gasoline Regular, Short Transport Load, 4,000 Gallons to 7,499 Gallons	1	$ 2.3602	$ 0.0600	+	$ 2.42	$ 0.1000	+	$ 2.46
3	Reformulated Gasoline Regular, Tank Wagon Load, 1,500 Gallons to 3,999 Gallons	1,240	$ 2.3602	$ 0.1400	+	$ 3,100.25	$ 0.1900	+	$ 3,162.25
4	Reformulated Gasoline Regular, Short Tank Wagon Load, 1,499 Gallons or less	1	$ 2.3602	$ 0.2300	+	$ 2.59	$ 0.2900	+	$ 2.65
5	Reformulated Gasoline Mid Grade, Premium, 7,500 Gallons or more	1	$ 2.3112	$ 0.0200	+	$ 2.33	$ 0.0540	+	$ 2.37
6	Reformulated Gasoline Mid Grade, Premium, Short Transport Load, 4,000 Gallons to 7,499 Gallons	1	$ 2.3112	$ 0.0700	+	$ 2.38	$ 0.1000	+	$ 2.41
7	Reformulated Gasoline Mid Grade, Premium, Tank Wagon Load, 1,500 Gallons to 3,999 Gallons	1	$ 2.3112	$ 0.1500	+	$ 2.46	$ 0.1900	+	$ 2.50
8	Reformulated Gasoline Mid Grade, Premium, Short Tank Wagon Load, 1,499 Gallons or less	1	$ 2.3112	$ 0.2400	+	$ 2.55	$ 0.2900	+	$ 2.60

Notes: Bid received from Global Montello Group Corp. was deemed non-responsive for failure to sign addendum 1 as required. *Pinnacle Petroleum, Inc. declined to be a secondary vendor.

Bid No. 2023-070 Annual Contract for Fuel

Item No	Description	EST Usage	OPIS 2/14/2023 10:00AM	Pinnacle Petroleum, Inc. Huntington Beach CA HUB: Yes CO-OP: Yes Diff.	Plus or Minus	Total Amount Bid
1	Reformulated Gasoline Regular, Transport Load, 7,500 Gallons or more	160,544	$ 2.3602	$ 0.0263	+	$ 383,138.26
2	Reformulated Gasoline Regular, Short Transport Load, 4,000 Gallons to 7,499 Gallons	1	$ 2.3602	$ 0.1548	+	$ 2.52
3	Reformulated Gasoline Regular, Tank Wagon Load, 1,500 Gallons to 3,999 Gallons	1,240	$ 2.3602	$ 0.0472	+	$ 2,985.18
4	Reformulated Gasoline Regular, Short Tank Wagon Load, 1,499 Gallons or less	1	$ 2.3602	$ 0.7740	+	$ 3.13
5	Reformulated Gasoline Mid Grade, Premium, 7,500 Gallons or more	1	$ 2.3112	$ 0.0919	+	$ 2.40
6	Reformulated Gasoline Mid Grade, Premium, Short Transport Load, 4,000 Gallons to 7,499 Gallons	1	$ 2.3112	$ 0.1727	+	$ 2.48
7	Reformulated Gasoline Mid Grade, Premium, Tank Wagon Load, 1,500 Gallons to 3,999 Gallons	1	$ 2.3112	$ 0.4615	+	$ 2.77
8	Reformulated Gasoline Mid Grade, Premium, Short Tank Wagon Load, 1,499 Gallons or less	1	$ 2.3112	$ 1.5156	+	$ 3.83

Notes: Bid received from Global Montello Group Corp. was deemed non-responsive for failure to sign addendum 1 as required. *Pinnacle Petroleum, Inc. declined to be a secondary vendor.

Bid No. 2023-070 Annual Contract for Fuel

Item No	Description	EST Usage	OPIS 2/14/2023 10:00AM	Primary Award: Saratoga Rack Marketing LLC, Houston, TX, HUB: No, CO-OP: Yes			Secondary Award: Douglass Distributing, Sherman, TX, HUB: No, CO-OP: Yes		
				Diff.	Plus or Minus	Total Amount Bid	Diff.	Plus or Minus	Total Amount Bid
9	E85 Gasoline, Transport Load, 7,500 Gallons or more	1	$ 1.4863	**$ 0.0538**	**+**	**$ 1.54**	*$ 0.0150*	+	*$ 1.50*
10	E85 Gasoline, Short Transport Load, 4,000 Gallons to 7,499 Gallons	1	$ 1.4863	**$ 0.0613**	**+**	**$ 1.55**	*$ 0.0250*	+	*$ 1.51*
11	E85 Gasoline, Tank Wagon Load, 1,500 Gallons to 3,999 Gallons	1	$ 1.4863	**$ 0.2900**	**+**	**$ 1.78**	*$ 0.0500*	+	*$ 1.54*
12	E85 Gasoline, Short Tank Wagon Load, 1,499 Gallons or less	1	$ 1.4863	**$ 0.4300**	**+**	**$ 1.92**	*$ 0.1500*	+	*$ 1.64*
13	No. 2, Diesel (TxLED), Transport Load, 7,500 Gallons or more	135,453	$ 2.8763	**$ (0.0362)**	**-**	**$ 384,700.07**	*$ -*	+	*$ 389,603.46*
14	No. 2, Diesel (TxLED), Short Transport Load, 4,000 Gallons to 7,499 Gallons	1	$ 2.8763	**$ (0.0287)**	**-**	**$ 2.85**	*$ 0.0250*	+	*$ 2.90*
15	No. 2, Diesel (TxLED), Tank Wagon Load, 1,500 Gallons to 3,999 Gallons	9,401	$ 2.8763	**$ 0.2900**	**+**	**$ 29,766.39**	*$ 0.0500*	+	*$ 27,510.15*
16	No. 2, Diesel (TxLED), Short Tank Wagon Load, 1,499 Gallons or less	1	$ 2.8763	**$ 0.4300**	**+**	**$ 3.31**	*$ 0.0700*	+	*$ 2.95*

Notes: Bid received from Global Montello Group Corp. was deemed non-responsive for failure to sign addendum 1 as required. *Pinnacle Petroleum, Inc. declined to be a secondary vendor.

Bid No. 2023-070 Annual Contract for Fuel

				Alternate Award					
				Senergy Petroleum, LLC Gilbert, AZ HUB: No CO-OP: Yes			U.S Venture, Inc. Appleton, WI HUB: No CO-OP: Yes		
Item No	Description	EST Usage	OPIS 2/14/2023 10:00AM	Diff.	Plus or Minus	Total Amount Bid	Diff.	Plus or Minus	Total Amount Bid
9	E85 Gasoline, Transport Load, 7,500 Gallons or more	1	$ 1.4863	$ 0.0900	+	$ 1.58	$ 0.0540	+	$ 1.54
10	E85 Gasoline, Short Transport Load, 4,000 Gallons to 7,499 Gallons	1	$ 1.4863	$ 0.0833	+	$ 1.57	$ 0.1000	+	$ 1.59
11	E85 Gasoline, Tank Wagon Load, 1,500 Gallons to 3,999 Gallons	1	$ 1.4863	$ 0.1255	+	$ 1.61	$ 0.1900	+	$ 1.68
12	E85 Gasoline, Short Tank Wagon Load, 1,499 Gallons or less	1	$ 1.4863	$ 0.4825	+	$ 1.97	$ 0.2900	+	$ 1.78
13	No. 2, Diesel (TxLED), Transport Load, 7,500 Gallons or more	135,453	$ 2.8763	$ (0.0050)	-	$ 388,926.20	$ 0.0610	+	$ 397,866.10
14	No. 2, Diesel (TxLED), Short Transport Load, 4,000 Gallons to 7,499 Gallons	1	$ 2.8763	$ 0.0400	+	$ 2.92	$ 0.1210	+	$ 3.00
15	No. 2, Diesel (TxLED), Tank Wagon Load, 1,500 Gallons to 3,999 Gallons	9,401	$ 2.8763	$ 0.1200	+	$ 28,168.22	$ 0.2210	+	$ 29,117.72
16	No. 2, Diesel (TxLED), Short Tank Wagon Load, 1,499 Gallons or less	1	$ 2.8763	$ 0.4500	+	$ 3.33	$ 0.3210	+	$ 3.20

Notes: Bid received from Global Montello Group Corp. was deemed non-responsive for failure to sign addendum 1 as required. *Pinnacle Petroleum, Inc. declined to be a secondary vendor.

Bid No. 2023-070 Annual Contract for Fuel

Item No	Description	EST Usage	OPIS 2/14/2023 10:00AM	Pinnacle Petroleum, Inc. Huntington Beach CA HUB: Yes CO-OP: Yes Diff.	Plus or Minus	Total Amount Bid
9	E85 Gasoline, Transport Load, 7,500 Gallons or more	1	$ 1.4863	$ 0.3581	+	$ 1.84
10	E85 Gasoline, Short Transport Load, 4,000 Gallons to 7,499 Gallons	1	$ 1.4863	$ 0.4349	+	$ 1.92
11	E85 Gasoline, Tank Wagon Load, 1,500 Gallons to 3,999 Gallons	1	$ 1.4863	$ 0.7337	+	$ 2.22
12	E85 Gasoline, Short Tank Wagon Load, 1,499 Gallons or less	1	$ 1.4863	$ 1.5156	+	$ 3.00
13	No. 2, Diesel (TxLED), Transport Load, 7,500 Gallons or more	135,453	$ 2.8763	$ (0.0182)	-	$ 387,138.22
14	No. 2, Diesel (TxLED), Short Transport Load, 4,000 Gallons to 7,499 Gallons	1	$ 2.8763	$ 0.0754	+	$ 2.95
15	No. 2, Diesel (TxLED), Tank Wagon Load, 1,500 Gallons to 3,999 Gallons	9,401	$ 2.8763	$ 0.0741	+	$ 27,736.71
16	No. 2, Diesel (TxLED), Short Tank Wagon Load, 1,499 Gallons or less	1	$ 2.8763	$ 3.0197	+	$ 5.90

Notes: Bid received from Global Montello Group Corp. was deemed non-responsive for failure to sign addendum 1 as required. *Pinnacle Petroleum, Inc. declined to be a secondary vendor.

Bid No. 2023-070 Annual Contract for Fuel

Item No	Description	EST Usage	OPIS 2/14/2023 10:00AM	Primary Award: Saratoga Rack Marketing LLC, Houston, TX, HUB: No, CO-OP: Yes — Diff.	Plus or Minus	Total Amount Bid	Secondary Award: Douglass Distributing, Sherman, TX, HUB: No, CO-OP: Yes — Diff.	Plus or Minus	Total Amount Bid
17	Red Dyed Diesel, Transport Load, 7,500 Gallons or more	1	$ 2.8642	**$ (0.0392)**	-	**$ 2.83**	*$ -*	+	*$ 2.86*
18	Red Dyed Diesel, Short Transport Load, 4,000 Gallons to 7,499 Gallons	1	$ 2.8642	**$ (0.0317)**	-	**$ 2.83**	*$ 0.0250*	+	*$ 2.89*
19	Red Dyed Diesel, Tank Wagon Load, 1,500 Gallons to 3,999 Gallons	1	$ 2.8642	**$ 0.2900**	+	**$ 3.15**	*$ 0.0500*	+	*$ 2.91*
20	Red Dyed Diesel, Short Tank Wagon Load, 1,499 Gallons or less	1	$ 2.8642	**$ 0.4300**	+	**$ 3.29**	*$ 0.0700*	+	*$ 2.93*
Total Bid Amount:				**$**		**796,034.52**	*$*		*801,464.30*
Additional Fee for orders delivered outside of normal business hours of Monday through Friday: 6:00 AM - 5:00 PM:				**$**		**50.00**	*$*		-

Notes: Bid received from Global Montello Group Corp. was deemed non-responsive for failure to sign addendum 1 as required. *Pinnacle Petroleum, Inc. declined to be a secondary vendor.

Bid No. 2023-070 Annual Contract for Fuel

Item No	Description	EST Usage	OPIS 2/14/2023 10:00AM	Alternate Award: Senergy Petroleum, LLC Gilbert, AZ HUB: No CO-OP: Yes			U.S Venture, Inc. Appleton, WI HUB: No CO-OP: Yes		
				Diff.	Plus or Minus	Total Amount Bid	Diff.	Plus or Minus	Total Amount Bid
17	Red Dyed Diesel, Transport Load, 7,500 Gallons or more	1	$ 2.8642	$ 0.0050	+	$ 2.87	$ 0.0660	+	$ 2.93
18	Red Dyed Diesel, Short Transport Load, 4,000 Gallons to 7,499 Gallons	1	$ 2.8642	$ 0.0450	+	$ 2.91	$ 0.1260	+	$ 2.99
19	Red Dyed Diesel, Tank Wagon Load, 1,500 Gallons to 3,999 Gallons	1	$ 2.8642	$ 0.1250	+	$ 2.99	$ 0.2260	+	$ 3.09
20	Red Dyed Diesel, Short Tank Wagon Load, 1,499 Gallons or less	1	$ 2.8642	$ 0.4550	+	$ 3.32	$ 0.3260	+	$ 3.19
Total Bid Amount:				$ 801,558.56			$ 817,771.35		
Additional Fee for orders delivered outside of normal business hours of Monday through Friday: 6:00 AM - 5:00 PM:				$ 250.00			$ 150.00		

Notes: Bid received from Global Montello Group Corp. was deemed non-responsive for failure to sign addendum 1 as required. *Pinnacle Petroleum, Inc. declined to be a secondary vendor.

Bid No. 2023-070 Annual Contract for Fuel

Item No	Description	EST Usage	OPIS 2/14/2023 10:00AM	Pinnacle Petroleum, Inc. Huntington Beach CA HUB: Yes CO-OP: Yes Diff.	Plus or Minus	Total Amount Bid
17	Red Dyed Diesel, Transport Load, 7,500 Gallons or more	1	$ 2.8642	$ 0.1186	+	$ 2.98
18	Red Dyed Diesel, Short Transport Load, 4,000 Gallons to 7,499 Gallons	1	$ 2.8642	$ 0.2034	+	$ 3.07
19	Red Dyed Diesel, Tank Wagon Load, 1,500 Gallons to 3,999 Gallons	1	$ 2.8642	$ 0.5330	+	$ 3.40
20	Red Dyed Diesel, Short Tank Wagon Load, 1,499 Gallons or less	1	$ 2.8642	$ 1.5156	+	$ 4.38
Total Bid Amount:						*$801,047.16
Additional Fee for orders delivered outside of normal business hours of Monday through Friday: 6:00 AM - 5:00 PM:				$		300.00

Notes: Bid received from Global Montello Group Corp. was deemed non-responsive for failure to sign addendum 1 as required. *Pinnacle Petroleum, Inc. declined to be a secondary vendor.

STAFF REPORT

MEETING: City Council - 04 Apr 2023

TITLE:
Conduct a public hearing for consideration and action regarding the request of David Jones, applicant, representing Chris Kechejian, owner, for a Zoning Change from DD, Downtown District to LOR, Local Office Retail District on Richard F Hale ABST 566 PG 080 TR 18, more commonly known as 609 and 611 South Main Street, in the City of Duncanville, Dallas County, Texas.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Promote: Innovative Ideas for Development and Re-development**
  - **Pursue a diverse and robust economy through various business, housing, and employment opportunities that encourage forward-thinking community and economic development.**
- **Re-Imagine: High Quality of Life**
  - **Develop, maintain, and encourage safe, attractive, viable family-oriented neighborhoods that embrace diversity and pride, promoting economic vitality.**

STAFF RESPONSIBLE:
Nathan Warren, Senior Planner

BACKGROUND/HISTORY:
Comprehensive Plan
The Future Land Use Plan Map shows the subject property being located within Opportunity Area 10, Downtown District.The Plan envisions the Area as a regional destination and a hub of activity in the city. This would also be achieved with vertical mixed use and boutique retail development. This area is also envisioned as being pedestrian-orientated.

The Plan goes further on to list strategies that will help achieve the vision for the Downtown District:

- Facilitate the transition of nonconforming properties and land uses.
- Identify nonconforming properties and work with property owners to relocate or bring the property into compliance.
- Continue to pursue public improvements as identified in the Downtown Plan.
- Develop a unique theme and feel for the district.
- Transition smoothly to and from adjacent Opportunity Areas.

- Make walkability and connectivity (both to and through the district) a top priority.
- Identify key parcels for development and specific companies to recruit for those spaces.

This request for a zoning change from Downtown District to Local Office Retail does not reflect the Comprehensive Plan's vision.

Project Scope
The Comprehensive Zoning Ordinance states that the purpose of the DD, Downtown Duncanville District is to support a pedestrian-oriented, mixed-use urban development environment, with convenient access to rail transit, shopping, employment, housing, and neighborhood retail services. The intent is to revitalize Duncanville's Main Street to be the center of life in the community. Therefore, an efficient, compact land use pattern; encouraging pedestrian activity; reducing the reliance on private automobiles; promoting a more functional and attractive community through the use of recognized principles of urban design; and allowing property owners flexibility in land use, while prescribing a high level of detail in building design and form are encouraged by the Downtown Duncanville District. This district is intended to implement the vision laid out in the Downtown Duncanville Master Plan including maximizing development opportunities in the vicinity of the future rail transit stop at Center Street. Specifically, the zoning district will guide the private development decisions on a marketbased approach with flexibility in use and density.

The applicant argues that the current zoning has made leasing the subject property difficult, and that a zoning change to Local Office Retail would make leasing out the subject property easier. This request is a deviation from the vision the Comprehensive Zoning Ordinance has for the Downtown Duncanville District.

Building Design and Improvements
There are no proposed improvements associated with this request.

Landscaping and Screening
There are no landscaping improvements associated with this request.

Signage
The site must comply with Chapter 16A Sign Guidelines of the Code of Ordinances regarding attached and freestanding signage.

Surrounding Land Use
The subject property is surrounded by DD, Downtown District—Urban Living to the north, south, east, and west.

Planning and Zoning Commission Action
On Monday, March 13, 2023 the Planning and Zoning Commission approved the item by a vote of 5 to 0 with the following conditions:
1. Laundromat use is not permitted by right.
2. Professional Office, Regional Scale use is not permitted by right.

POLICY EXPLANATION:
Notification
Thirteen (13) notices were sent out for this public hearing. As of this writing, one (1) response has been received in favor of this request and no responses have been received in opposition to the request.

Letters will be received until Tuesday, April 4, 2023, to fulfill legal requirements for a written formal protest to City Council.

FUNDING SOURCE:

ORG and Object Number
N/A

Available Budget	**Purchase Amount**	**After Encumber**
$0.00	$0.00	$0.00

ACTION ALTERNATIVES:

1. Approve the zoning change request.
2. Do not approve the zoning change request.
3. Other actions as directed by Council.

ATTACHMENTS:

Attachment 1 - Legal Advertisement for Publlic Hearing
Attachment 2 - Area of Request Maps
Attachment 3 - Zoning Change Application
Attachment 4 - Applicant Exhibits
Attachment 5 - Letter of Intent
Attachment 6 - Letter to Property Owners within 200', Buffer & Responses
Attachment 7 - List of Property Owners within 200'

ATTACHMENT 1

Advertise 1 time - By March 1

NOTICE OF A PUBLIC HEARING BEFORE THE
PLANNING AND ZONING COMMISSION AND CITY COUNCIL
ZONING FILE #2023-03

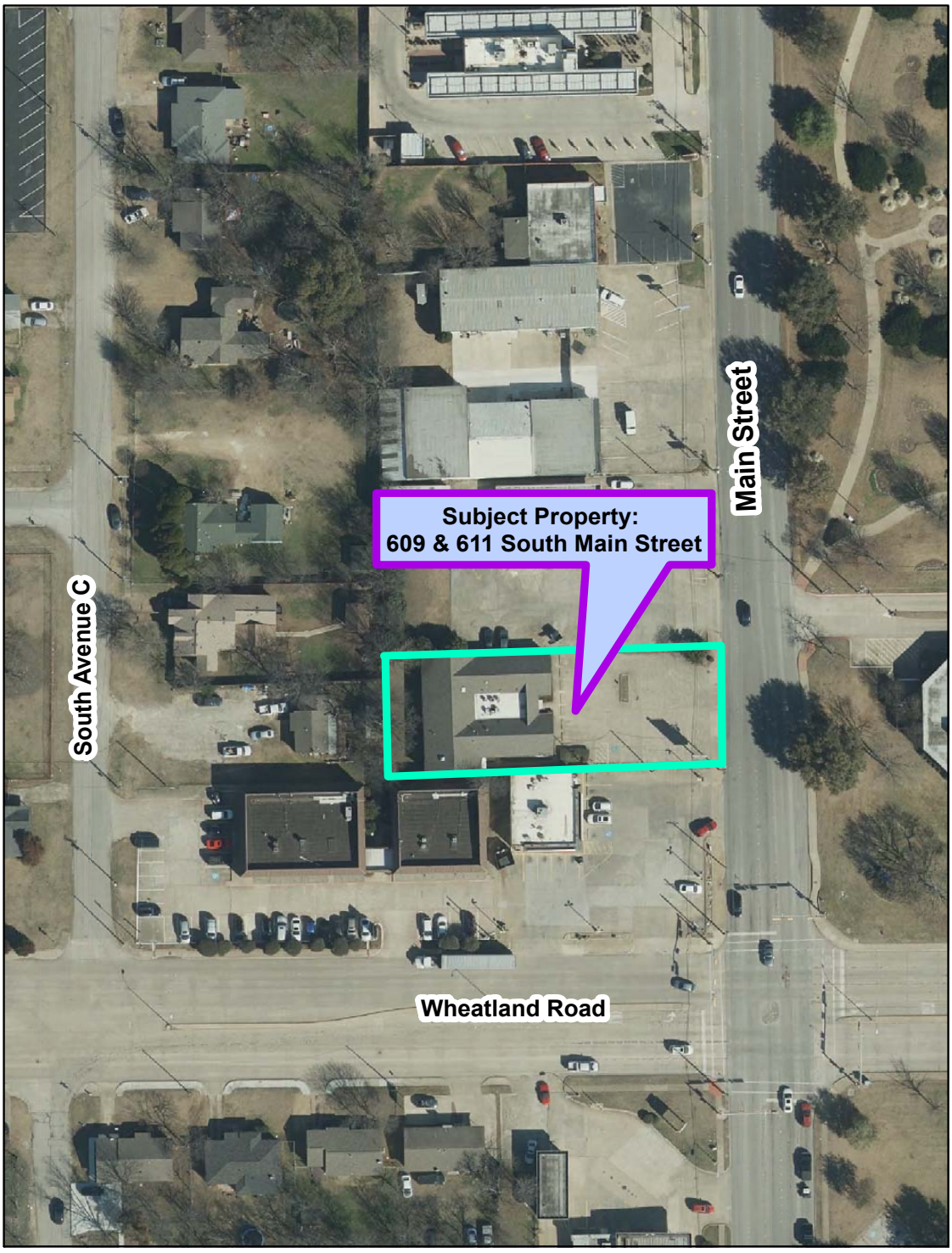
A public hearing will be held before the Planning and Zoning Commission on Monday, March 13, 2023, at 7:00 p.m., and before City Council on Tuesday, April 4, 2023, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Rd, Duncanville, Texas, to hear a request of David J. Jones, Applicant, for a Zoning Change from DD, Downtown District to LOR, Local Office Retail District, on Richard F Hale ABST 566 PG 080 TR 18, more commonly known as 609 and 611 South Main Street, City of Duncanville, Dallas County, Texas.

As an interested citizen, you may appear at the public hearing or you may send a notice to either the City Secretary, Juanita Willman, or to Nathan Warren, Senior Planner, P.O. Box 380280, Duncanville, Texas, 75138-0280 stating your position.

CITY OF DUNCANVILLE
Juanita Willman
City Secretary

Nathan Warren,
Senior Planner

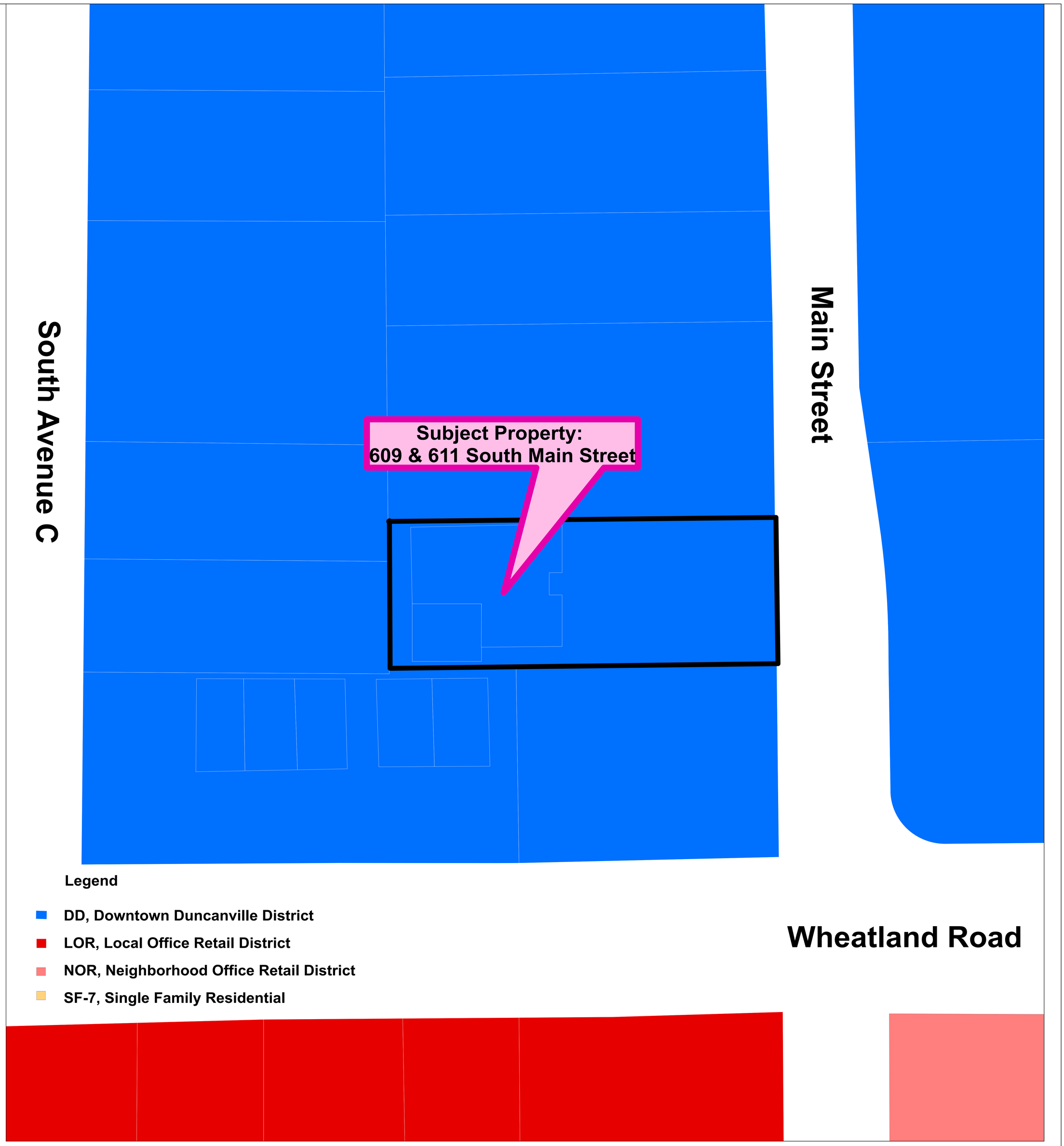
ATTACHMENT 2



Duncanville
City of Champions

Zoning Change Request
from DD, Downtown District
to LOR, Local Office Retail District
Case 2023-03
609 and 611 South Main Streeet

N
W E
S



Duncanville
City of Champions

Zoning Change Request from DD, Downtown Duncanville District to LOR, Local Office Retail District Case 2023-03 Current Zoning Area 609 & 611 South Main Street

N
W
E
S

ATTACHMENT 3

Duncanville
City of Champions

Public Works Department
Planning Division
203 E Wheatland Road
P.O. Box 380280
Duncanville, TX 75138
972-707-3878

ZONING CHANGE APPLICATION

CONTACT INFORMATION (REQUIRED)

Applicant/ Agent David J Jones Contact: David F. Jones

☐ Engineer ☐ Architect ☐ Surveyor ☐ Owner ☑ Other

Applicant/Agent Address: 25 Highland Park Village City: Dallas State: TX Zip: 75205

Agent Email: davidjones2626@yahoo.com Telephone: 214-883-3056 (Fax) NA

Property Owner: Kechejian Capital LP Contact: Chris Kechejian

Owner Addre[redacted]

Owner Email: [redacted]

PROPERTY INFORMATION (REQUIRED)

Property Address: 609 & 611 S Main Street Duncanville, TX

Legal Description of Property: See Survey with legal attached.

Lot No._____ Block No._____ Acreage: .385 Acres Existing Zoning District: DD-UL

REQUEST TYPE (REQUIRED)

☐ Specific Use Permit - Commercial
For_____

☐ Specific Use Permit - Residential
For_____

☒ Change in Zoning
From DD-UL To LOR

☐ Planned Development (PD)
☐ Amend PD Approval
☐ Development Plan Approval
☐ Conceptual Plan Approval
☐ Alternative Compliance Request

SUBMITTAL DOCUMENTS (REQUIRED)

ALL ZONING REQUESTS MUST CONTAIN THE FOLLOWING DOCUMENTATION

☑ Completed application
☑ Application fee
☑ Property survey, or site plan or electronic copy of the metes and bounds legal description Microsoft word format or plat
☑ Written description of request (associated variance requests require justification), business statement or business plan with detailed description of proposed operation
☑ Electronic copies of all submittals via email

Acknowledgments

I understand that all required information and plans must be submitted with this application or the application be deemed incomplete.

I hereby authorize the placing of a sign on subject property indicating a zoning change is under consideration.

I understand the requirements of the zoning classifications as stated in the City of Duncanville Zoning Ordinance related to this request and will comply with all necessary requirements of the City codes. I am aware that the City Council has the power to zone land as most appropriate in their wisdom, to promote the health, safety, and morals and for the protection and preservation of places of historical or cultural importance, and the general welfare of the community.

I have read and understand this application and certify that all information and attachments are true and correct. I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the request described. Applicants (or a representative) are expected to be present at all public hearings concerning this application to justify and explain their request and to answer questions posed by the City Planning and Zoning Commission and City Council.

Signature of Current Property Owner

1/13/2023
Date

Notarization

BEFORE ME, Terri McMorris, on this day personally appeared Christopher Kechejian, known to or proved to me on the oath of Known to me or through _____ (description of identity card or other document) to be the person(s) whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

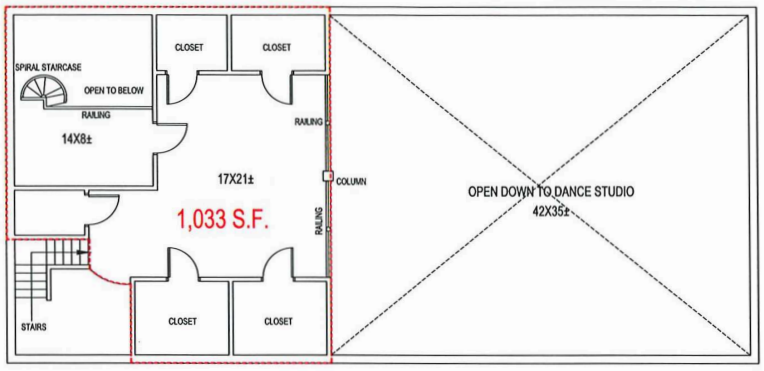
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 13 day of January, 2023.

(Seal)

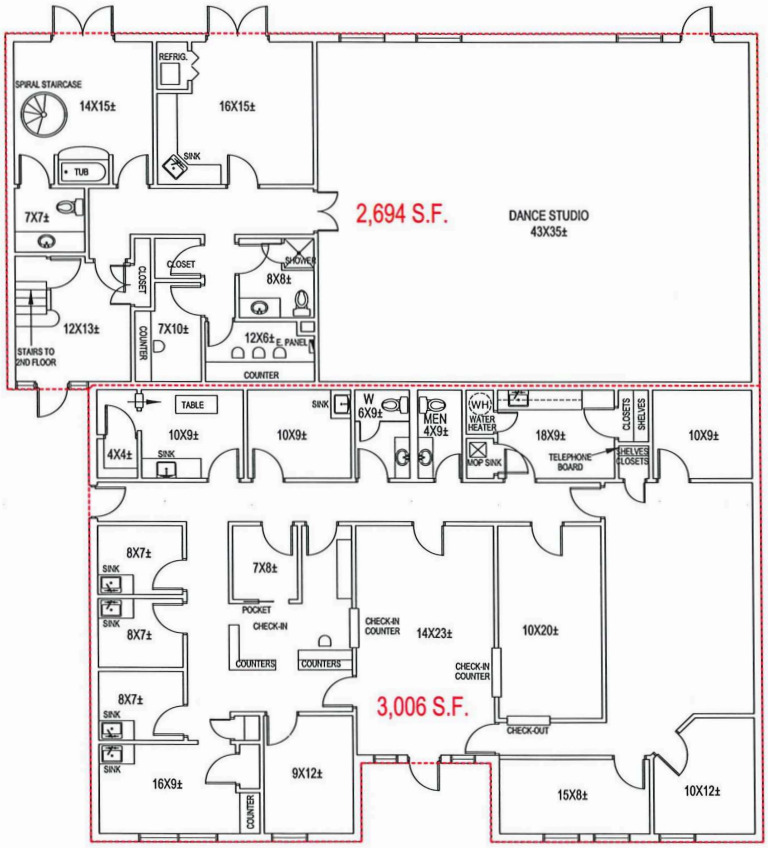
TERRI MCMORRIS
Notary Public, State of Texas
Comm. Expires 12-15-2025
Notary ID 197441

Notary Public in and for the State of Texas
My Commission Expires: 12/15/2025

ATTACHMENT 4



SECOND FLOOR - DANCE STUDIO - 1,033 S.F.

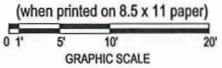


FLOOR PLAN - 6,733 S.F.
609-611 S. MAIN ST.
DUNCANVILLE, TEXAS

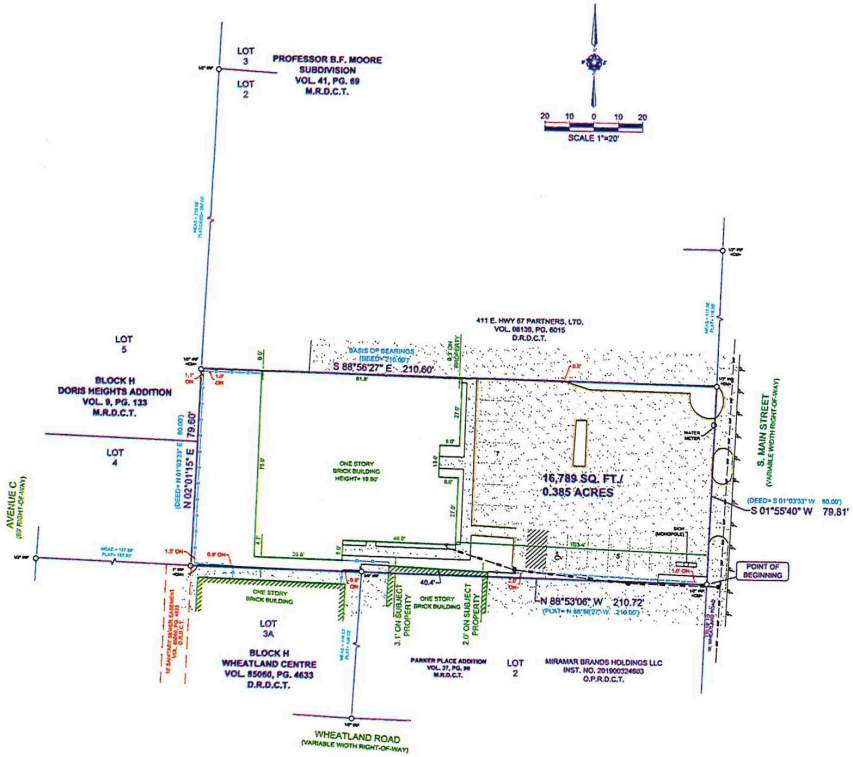
REVISED: 4/1/22

Address:	Use:	Floor:	Size:
609 S. Main	Medical Facility	1	3,006
611 S. Main	Dance Studio	1	2,694
611 S. Main	Dance Studio	2	1,033
		Total:	3,727
Property Total:			**6,733**

SCALE: 3/32" = 1'-0"
(when printed on 8.5 x 11 paper)







PROPERTY DESCRIPTION

BEING a 0.385 acre tract of land situated in the Richard F. Hale Survey,. Abstract No. 566, City of Duncanville, Dallas County, Texas, being that tract of land described in the Special Warranty Deed to Kechajian Capital, L.P., a Texas limited partnership recorded in Instrument Number 201500239603, Official Public Records, Dallas County, Texas, same being described more particularly by metes and bounds as follows;

BEGINNING at a 1/2 inch iron rod found for the northeast corner of Lot 2, Parker Place Addition, an addition to the City of Duncanville, Dallas County, Texas, according to the plat recorded in Volume 37, Page 99, Map Records, Dallas County, Texas, same being the northeast corner of that tract of land described in Special Warranty Deed to Miramar Brands Holdings LLC, a Texas limited liability company recorded in Instrument Number 201900324603, Official Public Records, Dallas County, Texas, same also lying in the west right-of-way line of S. Main Street (called 60' right-of-way).

THENCE North 88 degrees 53 minutes 06 seconds West, along the north line of said Lot 2, passing the northwest corner of Lot 2, same being the northeast corner of Lot 3A, Block H, Wheatland Centre, an addition to the City of Duncanville, Dallas County, Texas, according to the plat recorded in Volume 85060, Page 4633, Deed Records, Dallas County, Texas, a distance of 210.72 feet to a 1/2 inch iron rod found for the southeast corner of Lot 4, Block H, Doris Heights Addition, an addition to the City of Duncanville, Dallas County, Texas, according to the plat recorded in Volume 9, Page 133, Map Records, Dallas County, Texas;

THENCE North 02 degrees 01 minutes 15 seconds East, along the east line of said Lot 4, Block H, passing the southwest corner of Lot 5, Block H, Doris Heights Addition, a distance of 79.60 feet to a 1/2 inch iron rod found for corner in the east line of said Lot 5, Block H, same being the southwest corner of that tract of land described in Warranty Deed to 411 E. Hwy 67 Partners, Ltd., a Texas limited Partnership recorded in Volume 98139, Page 6015, Deed Records, Dallas County, Texas;

THENCE South 88 degrees 56 minutes 27 seconds East, along the south line of said 411 E. Hwy 67 Partners, Ltd. tract, a distance of 210.60 feet to a 1/2 iron rod found for the southeast corner of said 411 E. Hwy 67 Partners, Ltd. tract and lying in the said west right-of-way line of S. Main Street;

THENCE South 01 degrees 55 minutes 40 seconds West, along the said west right-of-way line of S. Main Street, a distance of 79.81 feet to the POINT OF BEGINNING and containing 16,789 square feet or 0.385 acres of land more or less.

EXCEPTIONS TO THE TITLE COMMITMENT

As relied upon and provided by Old Republic Insurance Group and Old Republic National Title Insurance Company G.F. No. 5147001560 with an effective date of December 14, 2021 and an issued date of December 22, 2021.

Exception No.	DESCRIPTION OF EASEMENT	Applies to Subject tract	Shown Graphically on Attached Survey Plat
	No exceptions noted on commitment		

SURVEYOR'S CERTIFICATE

Certify To: Health and Allied Health, Inc., a Texas corporation, Old Republic Insurance Group and Old Republic National Title Insurance Company, in connection with the transaction referenced in GF No. 5147001560.

I hereby certify that on the 15th day of February 2022, this survey was made on the ground as per the field notes shown on this survey and is true, correct, and accurate as to the boundaries and areas of the subject property and the size, location, and type of buildings and improvements thereon, if any, and as to the other matters shown hereon, and correctly shows the location of all visible easements and rights-of-way and of all rights-of-way, easements, and any other matters of record, or of which I have knowledge or have been advised, whether or not of record, affecting the subject property, and the location of all curb cuts and driveways, if any.

Except as shown on the survey, there are no encroachments upon the subject property by improvements on adjacent property, there are no encroachments on adjacent property, streets, or alleys by any improvements on the subject property, and there are no conflicts or discrepancies.

Both vehicular and pedestrian ingress to and egress from the subject property is provided by s. Main Street, same being a paved, dedicated public right-of-way maintained by The City of Duncanville, which abuts the subject property, and is physically open and being used.

This survey complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II Survey.

STATE OF TEXAS REGISTERED CARY C. JOHNSON 5299 PROFESSIONAL LAND SURVEYOR

Registered Professional Land Surveyor No. 5299

REVISIONS

No.	Revision/Issue	Date

LEGEND

- HANDICAPPED SPACE
- PARKING SPACE
- IRON ROD FOUND
- IRON ROD SET "TXHS"
- IRON PIPE FOUND
- "X" FOUND / SET
- CM CONTROL MONUMENT
- IR IRRIGATION CONTROL VALVE
- CO CLEAN-OUT
- WM WATER METER
- WV WATER VALVE
- GT GREASE TRAP
- MH MANHOLE
- SD STORM SEWER
- SS SANITARY SEWER
- LIGHT POLE
- POWER POLE
- BRICK COLUMN
- AC AIR CONDITIONING
- FIRE HYDRANT
- ELECTRIC METER
- GAS METER
- BOLLARD
- ASPHALT PAVING
- CHAIN LINK FENCE
- WOOD FENCE (CENTER POST)
- WIRE FENCE
- IRON FENCE
- PIPE FENCE
- COVERED PORCH, DECK OR CARPORT
- CONCRETE PAVING
- NO PARKING
- GRAVEL/ROCK ROAD OR DRIVE
- OHE OVERHEAD ELECTRIC SERVICE
- OHP OVERHEAD POWER LINE
- SS SANITARY SEWER LINE

GENERAL NOTES

1) According to the F.I.R.M. No. 48113C0470K the subject property lies in Zone X and does not lie within a Special Flood Hazard Area.

2) All bearings, easements and building lines are by recorded plat and as furnished in referenced commitment for title insurance unless otherwise noted.

TEXAS HERITAGE SURVEYING, LLC
10610 Metric Drive, Suite 125, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com Firm No. 10169300

CATEGORY 1A CONDITION II

609 S. MAIN STREET
0.385 ACRES SITUATED IN THE
RICHARD F. HALE SURVEY
ABSTRACT NO. 566
DUNCANVILLE, DALLAS COUNTY, TEXAS

Tech. No.	2200190-1
Drawn By	KO
Date	02/10/2022
Scale	1"=20'


609
JDR
FOR
EASE

ATTACHMENT 5

DAVID JEFFERY JONES
COMMERCIAL REAL ESTATE
25 Highland Park Village, Ste. 100-710
Dallas, Texas 75205
(214) 883-3056

January 13, 2023

Public Works Department
c/o Nathan Warren, Senior Planner
Planning Division
203 E Wheatland Road
Duncanville, TX 75138
(972) 707-3878

Dear Nathan,

My client's request to rezone its property located at 609 and 611 S Main Street in Duncanville, Texas from DD-UL (Downtown District-Urban Living) to LOR (Local office and Retail) is done with great respect for the communities' goals and intentions as set forth both in the Downtown Duncanville Master Plan and the stated purposes and intent of the zoning District itself, "to support a pedestrian-oriented, mixed-use urban development environment, with convenient access to rail transit, shopping, employment, housing, and neighborhood retail services".

As many of you know, Dr. Sarkis Kechejian (Dr. K), who is the owner of the entity that owns the Subject Property, built the building in 1982 for his use both as a Medical Office/Clinic and a Dance Studio which was initially operated by his late wife in the back portion of the building. Dr K has long supported the development and re-development of Downtown Duncanville having raised his family in the community and having owned and operated this "Downtown Property" for more than 40 years. In fact, his project facilitated the process of the redevelopment of Main Street long before there was an official Master Plan.

The current zoning that was attached to the subject property two years ago has made the re-leasing of the subject property to local tenants almost impossible. To date, prospective "tenants" do not currently qualify under the guidelines as set forth in the DD-UL "Permitted Uses". In fact, Medical Offices and Dance Studios do not even qualify under the new guidelines. The intent of the Downtown District zoning as we understand it is to provide the opportunity for both flexibility in local land uses and to provide the direction and incentive to encourage local ownership of the types of properties and businesses that will prosper in this environment while enhancing and upgrading the overall Downtown District. Vacant buildings do not add value or progress or tax revenue. We have had to turn down interested tenants pursuing (among others) childcare facilities (6 separate certified applicants), a local insurance company, a trade school, two separate hair salons, a childcare Autism training school, a Dentist and numerous local general office tenants. None of these businesses are allowed under the Subject Property's current zoning "permitted uses". However the current zoning does allow the following types of uses: Residential and Multi Family projects, Community Centers, Libraries, hospitals, churches, parks, banks (without a drive thru), local grocery, gym, and a dry cleaners drop off location. This isn't going to happen.

DAVID JEFFERY JONES
COMMERCIAL REAL ESTATE
25 Highland Park Village, Ste. 100-710
Dallas, Texas 75205
(214) 883-3056

My client respectfully requests a zoning change for the Subject Property from DD-UL (Downtown District-Urban Living) to LOR (Local office and Retail) to allow the flexibility to help it participate in the overall redevelopment of the Downtown District. We have been assured that the zoning classification, "LOC", provides the necessary flexibility my client believes it needs to successfully lease the property to local service type tenants but still significantly restricts the property to the types of "uses" that are compatible with the original stated goals and mission of the Downtown District. We hope you all agree.

Thank you for giving us the opportunity to make this request. Please let us know if you have questions or comments.

Yours truly,



David J Jones
Broker

ATTACHMENT 6

City of Duncanville
Planning Division
203 E. Wheatland Rd
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878
(e) lynette.romero@duncanvilletx.gov

March 3, 2023

Zoning File: 2023-03

Dear Property Owner:

David J. Jones, Applicant, representing Chris Kechejian of Kechejian Capital LP, Owner, is requesting approval of a Zoning Change from DD, Downtown District to LOR, Local Office Retail District on Richard F Hale ABST 566 PG 080 TR 18, more commonly known as 609 and 611 South Main Street, in the City of Duncanville, Dallas County, Texas.

Your property is NOT being rezoned. You have been sent this notice because you are within the required 200-foot notification area of the subject property that is being requested for a Zoning Change. Please refer to the enclosed map that indicates which property is being requested for a Zoning Change.

The Planning and Zoning Commission will hold a public hearing on Monday, March 13, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, April 4, 2023, at 7:00 p.m., both in the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change. If you oppose the zoning change, however, the attached survey must be completed and returned by **April 4, 2023**, to fulfill legal requirements for a written formal protest.

As an interested citizen, you may submit public comments to the City Secretary, Juanita Willman, or the Senior Planner, Nathan Warren, P.O. Box 380280, Duncanville, Texas, 75138-0280 or email Lynette Romero, Planning Technician, at lynette.romero@duncanvilletx.gov stating your position. You are encouraged to participate in the public hearing and offer comments.

Please reach out to me directly at (972) 780-5057 with any questions pertaining to this request.

Sincerely,

Nathan Warren

Nathan Warren
Senior Planner

Enclosures

City of Duncanville
Planning Division
203 E. Wheatland Rd
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878
(e) lynette.romero@duncanvilletx.gov

Marzo 3, 2023

Archivo de zonificación: 2023-03

Estimado propietario:

David J. Jones, solicitante, representando a Chris Kechejian de Kechejian Capital LP, propietario, está solicitando la aprobación de un cambio de zona en Richard F Hale ABST 566 PG 080 TR 18, más comúnmente conocido como 609 and 611 South Main Street, en la ciudad de Duncanville, condado de Dallas, Texas.

Su propiedad NO está siendo rezonificada. Se le ha enviado este aviso porque se encuentra dentro del área de notificación requerida de 200 pies de la propiedad que se está considerando para la rezonificación para esa audiencia pública en particular. Consulte el mapa adjunto que indica que propiedad se está rezonificando.

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 13 de Marzo de 2023, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevara a cabo el Martes 4 de Abril de 2023, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto. Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del **4 de Abril de 2023**, para cumplir con los requisitos legales para una protesta formal por escrito.

Como ciudadano interesado, puede enviar comentarios públicos a la secretaria de la Cuidad, Juanita Willman, o al Planificador de la Cuidad, Nathan Warren, P.O. Box 380280, Duncanville, Texas, 75138-0280 o enviar un correo electrónico a Lynette Romero, Técnica de Planificación, a lynette.romero@duncanvilletx.gov indicando su posición. Se le anima a participar en la audiencia pública y ofrecer comentarios.

Por favor de comunicarse conmigo directamente al (972) 780-5057 con cualquier pregunta relacionada con esta solicitud.

Sinceramente,

Nathan Warren

Nathan Warren
Planificador de la Cuidad

Recintos

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2023-03 David J. Jones, Applicant, representing Chris Kechejian of Kechejian Capital LP, Owner, is requesting approval of a Zoning Change from DD, Downtown District to LOR, Local Office Retail District on Richard F Hale ABST 566 PG 080 TR 18, more commonly known as 609 and 611 South Main Street, in the City of Duncanville, Dallas County, Texas.

NOTE: The purpose of the request is to allow a **Zoning Change**.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, March 13, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, April 4, 2023, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by **April 4, 2023**, to fulfill legal requirements for a written formal protest.

Please check one:

_____ ***In favor*** *of granting the zoning request.*

_____ ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1).

2).

3).

Printed Name: _____ Address: _____

Signature: _____ Date: __

El siguiente formulario puede ser llenado y enviado por correo a:

Planning and Zoning Commission
City of Duncanville
P.O. Box 380280
Duncanville, TX 75138-0280

Caso No. 2023-03 David J. Jones, solicitante, representando a Chris Kechejian de Kechejian Capital LP, propietario, está solicitando la aprobación de un cambio de zona en Richard F Hale ABST 566 PG 080 TR 18, más comúnmente conocido como 609 and 611 South Main Street, en la ciudad de Duncanville, condado de Dallas, Texas.

NOTA: El propósito de la solicitud es permitir un **Cambio de Zona**.

Se le ha enviado este aviso ya que su propiedad está dentro del área de notificación de 200 pies de la propiedad que se solicita para un cambio de zonificación. **Su propiedad no está siendo rezonificada.**

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 13 de Marzo 2023, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 4 de Abril de 2023, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto.

Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del **4 de Abril de 2023**, para cumplir con los requisitos legales para una protesta formal por escrito.

Por favor, marque uno:

_____ ***A favor*** de conceder la solicitud de *zonificación.*

____ ***No a favor*** de otorgar la solicitud de *zonificación.*

Mis razones son las siguientes:

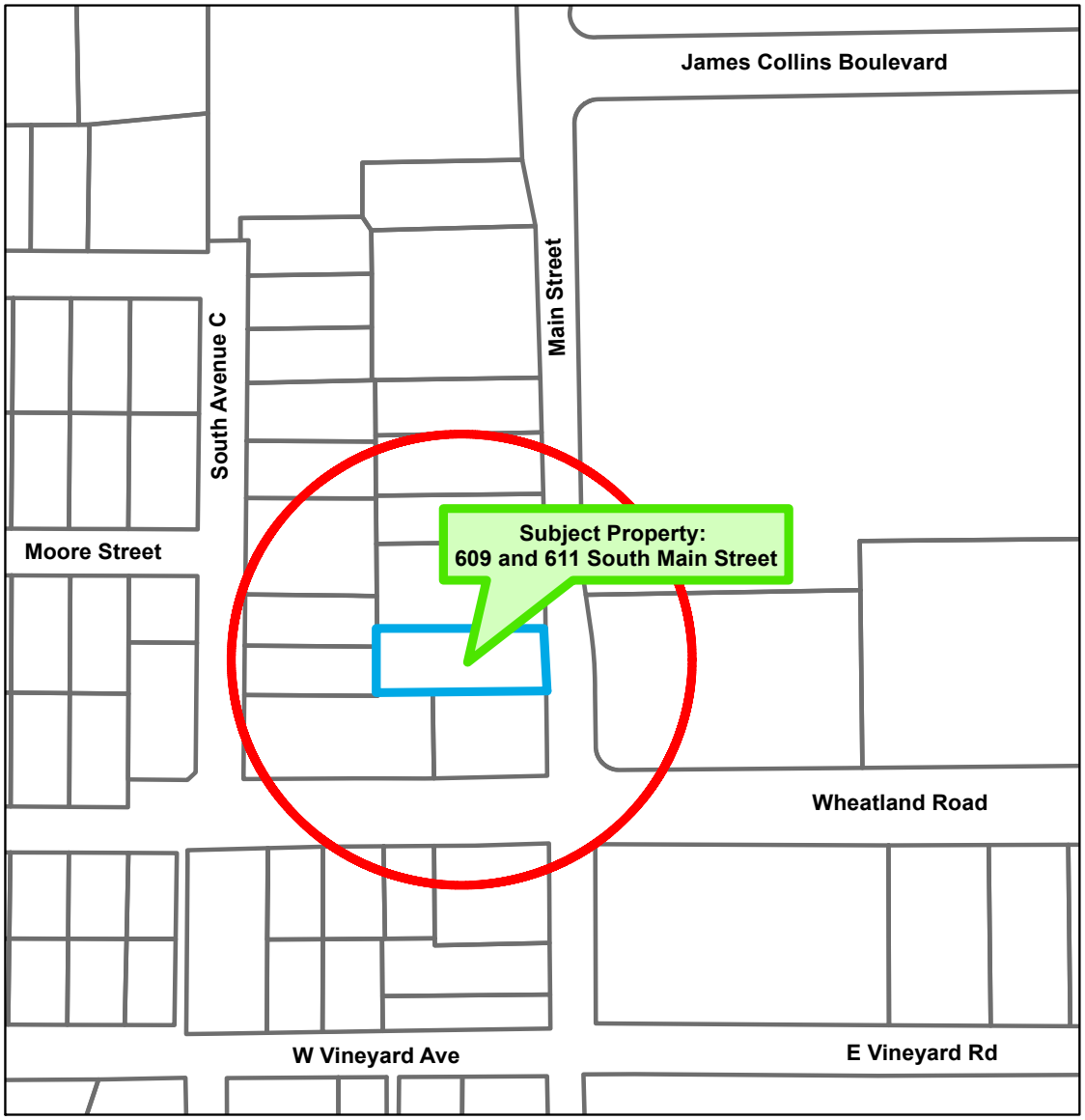
1).

2).

3).

Nombre impreso: _____ Dirección: _____

Firma: _____ Fecha: __



Applicant is requesting a Zoning Change from DD, Downtown District to LOR, Local Office Retail District. Questions? Please contact Planning and Zoning at 972-707-3878 or 972-780-5057.

RECEIVED
By Lynette Romero at 12:18 pm, Mar 09, 2023

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2023-03 David J. Jones, Applicant, representing Chris Kechejian of Kechejian Capital LP, Owner, is requesting approval of a Zoning Change from DD, Downtown District to LOR, Local Office Retail District on Richard F Hale ABST 566 PG 080 TR 18, more commonly known as 609 and 611 South Main Street, in the City of Duncanville, Dallas County, Texas.

NOTE: The purpose of the request is to allow a **Zoning Change**.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, March 13, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, April 4, 2023, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by **April 4, 2023**, to fulfill legal requirements for a written formal protest.

Please check one:

✓ ***In favor*** *of granting the zoning request.*

____ ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1). DOES NOT CREATE ANY KIND of problem — MAKES property more VALUABLE

2).

3).

Printed Name: DAVID LOTT

Signature: [signature]

Address: 607 S. MAIN ST

Date: 3/7/2023

ATTACHMENT 7

~~DUNCANVILLE CITY OF~~
~~PO BOX 380280~~
~~DUNCANVILLE, TEXAS 751380280~~

NOEY MILTON WAYNE & LISA
404 WOODLAWN DR
DESOTO, TEXAS 751153833

HANNAH FUNDING LLC
PO BOX 1671
DESOTO, TEXAS 751231671

ORTEGA ERIK &
602 AVE C
DUNCANVILLE, TEXAS 751164752

603 S MAIN ST LLC
507 S POLK ST
DALLAS, TEXAS 752086035

MENDOZA EDGAR LINO GRACIANO
20120 S JETT RD
SAN ANTONIO, TEXAS 782643566

KECHEJIAN TRUST
421 E AIRPORT FWY STE 201
IRVING, TEXAS 750626334

KECHEJIAN CAPITAL L P
5515 EDLEN DR
DALLAS, TEXAS 752202105

411 E HWY 67 PARTNERS LTD
PO BOX 381146
DUNCANVILLE, TEXAS 751381146

CHP INVESTMENT LLC
127 NATCHES TRCE
COPPELL, TEXAS 750192577

FUENTES IRMA &
106 W WHEATLAND RD
DUNCANVILLE, TEXAS 751164726

TREVINO EVERARDO & REYNA
1414 BRAEWOOD PL
DUNCANVILLE, TEXAS 751372801

BROCK LESLIE M SR
1206 S WESTMORELAND RD
DESOTO, TEXAS 751158510

MIRAMAR BRANDS HOLDINGS LLC
3304 ESSEX DR
RICHARDSON, TEXAS 750829708

~~DUNCANVILLE CITY OF~~
~~PO BOX 380280~~
~~DUNCANVILLE, TEXAS 751380280~~

13 notices mailed out

STAFF REPORT

MEETING: City Council - 04 Apr 2023

TITLE:
Conduct a public hearing for consideration and action regarding the request of Ali Assi, Applicant and Owner, for the approval of a Zoning Change from SF-10, Single Family Residential District to LOR, Local Office Retail District on Softwood Commercial, Lot 1, ACS 0.366, more commonly known as 1703 South Main Street, in the City of Duncanville, Dallas County, Texas.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Promote: Innovative Ideas for Development and Re-development**
  - **Pursue a diverse and robust economy through various business, housing, and employment opportunities that encourage forward-thinking community and economic development.**
- **Re-Imagine: High Quality of Life**
  - **Develop, maintain, and encourage safe, attractive, viable family-oriented neighborhoods that embrace diversity and pride, promoting economic vitality.**

STAFF RESPONSIBLE:
Nathan Warren, Senior Planner

BACKGROUND/HISTORY:
Comprehensive Plan
The Future Land Use Plan Map shows the subject property being located within Opportunity Area 9, Main Street District.The Plan envisions the Area as a mixed-use activity hub with an emphasis on high quality commercial, particularly restaurants, to capitalize on the Fieldhouse. This Opportunity Area is smaller in scale than the Downtown District more oriented towards neighborhoods than the region.

The zoning change request from SF-10 Single-Family Residential District to Local Office Retail matches the Comprehensive Plan's vision for the area.

Project Scope
The property is currently zoned SF-10 Single-Family Residential District. The applicant acquired the subject property to add to the existing concrete parking lot. Drawings for fifteen (15) additional 9 ft. by 18 ft. parking spaces and a 24 ft. fire lane around the rear of the existing structure were submitted to city staff. At the time of this writing, no changes are proposed to the existing structure. The intent of

the request is for the entirety of Lot 2R, Block A, Crossroads of Life Assembly of God, to be zoned LOR, Local Office Retail.

Building Design and Improvements
There are no proposed improvements associated with this request.

Landscaping and Screening
Landscaping improvements are proposed along the south and east addition to the property as well as greenspace in between the existing structure and proposed fire lane.

Signage
The site must comply with Chapter 16A Sign Guidelines of the Code of Ordinances regarding attached and freestanding signage.

Surrounding Land Use
The property to the south and west is SF-10 Single-Family Residential District. The property to the east is zoned GOR General Office Retail District. The property to the north is zoned LOR Local Office Retail District.

Planning and Zoning Commission Action
On Monday, March 13, 2023 the Planning and Zoning Commission approved the item by a vote of 5 to 0.

POLICY EXPLANATION:
Notification
Four (4) notices were sent out for this public hearing. As of this writing, two (2) responses have been received in favor of this request and no responses have been received in opposition to the request. Letters will be received until Tuesday, April 4, 2023, to fulfill legal requirements for a written formal protest to City Council.

FUNDING SOURCE:

ORG and Object Number
N/A

Available Budget	**Purchase Amount**	**After Encumber**
$0.00	$0.00	$0.00

ACTION ALTERNATIVES:
1. Approve the zoning change request.
2. Do not approve the zoning change request.
3. Other actions as directed by Council.

ATTACHMENTS:
Attachment 1 - Legal Advertisement for Public Hearing
Attachment 2 - Area of Request Maps
Attachment 3 - Zoning Change Application
Attachment 4 - Applicant Exhibit
Attachment 5 - Letter of Intent

Attachment 6 - Letter to Property Owners within 200', Buffer & Responses
Attachment 7 - List of Property Owners within 200'

ATTACHMENT 1

Advertise 1 time - By March 1

NOTICE OF A PUBLIC HEARING BEFORE THE
PLANNING AND ZONING COMMISSION AND CITY COUNCIL
ZONING FILE #2023-05

A public hearing will be held before the Planning and Zoning Commission on Monday, March 13, 2023, at 7:00 p.m., and before City Council on Tuesday, April 4, 2023, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Rd, Duncanville, Texas, to hear a request of Ali Assi, Applicant and Owner, for a Zoning Change from SF-10, Single Family Residential District to LOR, Local Office Retail District, to develop a recently purchased portion of property by expanding the existing parking area to allow for the future Use of a Restaurant on Softwood Commercial, Lot 1, ACS 0.366, more commonly known as 1703 South Main Street, City of Duncanville, Dallas County, Texas.

As an interested citizen, you may appear at the public hearing or you may send a notice to either the City Secretary, Juanita Willman, or to Nathan Warren, Senior Planner, P.O. Box 380280, Duncanville, Texas, 75138-0280 stating your position.

CITY OF DUNCANVILLE
Juanita Willman
City Secretary

Nathan Warren,
Senior Planner

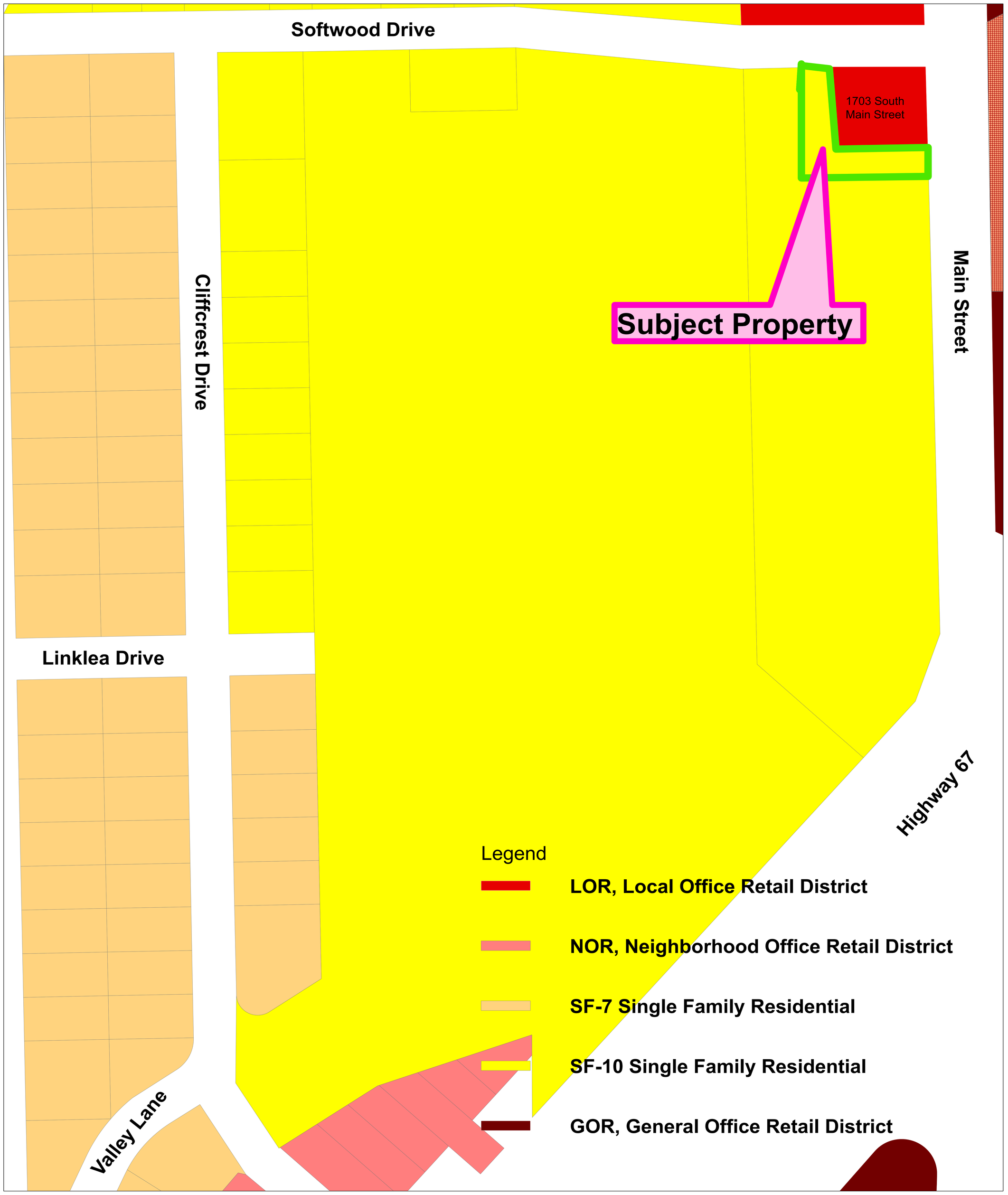
ATTACHMENT 2



Duncanville
City of Champions

Proposed Zoning Change
from SF-10, Single Family Residential
to LOR, Local Office Retail District
Case 2023-05
1703 South Main Street

N
W E
S



Duncanville
City of Champions

Proposed Zoning Change
from SF-10, Single Family Residential District
to LOR, Local Office Retail District
Case 2023-05
Current Zoning Area
1703 South Main Street

N
W E
S

ATTACHMENT 3

Duncanville
City of Champions

Public Works Department
Planning Division
203 E Wheatland Road
P.O. Box 380280
Duncanville, TX 75138
972-707-3878

ZONING CHANGE APPLICATION

CONTACT INFORMATION (REQUIRED)

Applicant/ Agent ALI ASSI **Contact:** [redacted]

☐ **Engineer** [redacted]

Applicant/A [redacted]

Agent Email: [redacted]

Property Owner: 1703 S. MAIN REALTY Contact: ALI ASSI

Owner Add [redacted]

Owner Ema [redacted]

PROPERTY INFORMATION (REQUIRED)

Property Address: 1703 S. MAIN ST

Legal Description of Property: LOT 2R, BLOCK A, CROSSROADS OF LIFE ASSEMBLY OF GOD

Lot No. 2R Block No. A Acreage: 0.675 Ac Existing Zoning District: LOR/SF-10 RESIDENTIAL

REQUEST TYPE (REQUIRED)

~~☒ Specific Use Permit - Commercial~~
~~For PARKING LOT EXTENSION~~

☐ Specific Use Permit - Residential
For _____

☒ Change in Zoning
From SF-10 To LOR

☐ Planned Development (PD)
☐ Amend PD Approval
☐ Development Plan Approval
☐ Conceptual Plan Approval
☐ Alternative Compliance Request

SUBMITTAL DOCUMENTS (REQUIRED)

ALL ZONING REQUESTS MUST CONTAIN THE FOLLOWING DOCUMENTATION

- ☐ Completed application
- ☐ Application fee
- ☐ Property survey, or site plan or electronic copy of the metes and bounds legal description Microsoft word format or plat
- ☐ Written description of request (associated variance requests require justification), business statement or business plan with detailed description of proposed operation
- ☐ Electronic copies of all submittals via email

Following is to be completed only if a person other than the owner is submitting this application.

Owner Validation

Applicant has permission to pursue a zoning change on the property located at 1703 S. main with the City of Duncanville.

Ali M. Assi — Signature of Owner/Agent

2-8-23 — Date

BEFORE ME, Elizabeth Valderas, on this day personally appeared Ali Assi, known to or proved to me on the oath of _____ or through Tx Drivers license (description of identity card or other document) to be the person(s) whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 8 day of February 2023

(SEAL)

ELIZABETH VALDERAS
Notary Public
State of Texas
ID # 124894793
Comm. Expires 04/01/2024

Notary Public in and for the State of Texas

My Commission Expires: 04/01/2024

ATTACHMENT 4

SOFTWOOD DRIVE

1. REMOVE EXISTING DRIVE
2. INSTALL P/P 12' EAST
3. RELOCATE CTV RISER
4. INSTALL CULVERT ATTACH TO EXISTING UNDERGROUND CULVERT

PROPOSED NEW POWER POLE

CONCRETE

N 89°09'15" E 163.36'

UNDERGROUND CULVERT

P.O.B.
Fnd. 5/8" S.R.C.
N=6915182.630
E=2458427.887

N 01°14'28" W 179.91'

95.02'

R=15'

Fnd. 1/2" S.R.C.

25.0' R
TC 623.5'

TC 623.0'

EXISTING CONCRETE

EXISTING OUTDOOR LAMPS

2200 Sq. Ft. Store
ONE STORY BRICK
FF = 625.8'

EXISTING OUTDOOR LAMP

EXISTING ELEC. METER

APPROX. EXISTING DIVIDING WALL

ONE STORY BRICK
FF = 625.8'

EXISTING OUTDOOR LAMP

Zoned "LOR"
Local Office Retail

1800 Sq. Ft. Restaurant

LOT 2R
0.675 Acre

H/C

STEEL AWNING

FUEL PUMPS

FLOODWAY ZONE "AE" AS SCALED FROM FEMA PANEL 48113C0470K EFFECTIVE 7/7/2014

C/O PROPOSED 24' FIRE LANE

M/H

A/C

TC 624.75'

4.6'

TC 624.25'

Fnd 5/8" C.S.R.

R=24'

23.5'

TC 625.0'

GREENSPACE

1.6'

TC 625.6'

R=1.25'

TC 625.5'

R=24'

MATCH EXISTING CONCRETE

BC

L/S

TC 623.5'

S 11°11'25" E 180.00'

R=3'

R=48'

PROPOSED 24' FIRE LANE

R=48'

6' DOORS

TC 624.3'

18.0'

9.2'

DUMPSTER ENCLOSURE

TC 624.5'

TC 624.5'

15 PROPOSED 9'x18' SPACES

TC 624.2'

18.0'

5.8' GREENSPACE

TC 624.0'

0.65'

Fnd. 1/2" S.R.C.

5.0'

L/S

O/T

5' GREENSPACE

L/S

O/T

5.0'

L/S

Fnd. 1/2" S.R.C.

S 89°11'06" W 163.20'

11.97'

SOUTH MAIN STREET

NOTE: DUMPSTER ENCLOSURE SHALL MEET REQUIREMENTS AS SET FORTH BY CITY OF DUNCANVILLE ZONING ORDINANCE IN ARTICLE 4 OF THE CURRENT COMPREHENSIVE ZONING ORDINANCE THAT WAS APPROVED BY CITY COUNCIL ON MARCH 2, 2021.

NOTE: TWO (2) ORNAMENTAL TREES SHALL BE PLACED IN THE GREENSPACE AREA TO THE SOUTH OF THIS PROJECT PER Sec. 4.08.D.3.d OF THE CURRENT COMPREHENSIVE ZONING ORDINANCE THAT HAS BEEN APPROVED BY THE CITY COUNCIL OF DUNCANVILLE, TEXAS.

Owners– LOT 2R:
1703 S. MAIN ST., L.L.C.
1703 S. MAIN ST.
DUNCANVILLE, TEXAS 75137

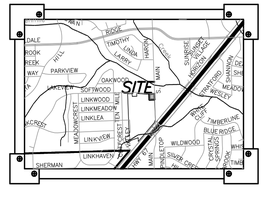
N
W E
S
1" = 20'
0 10' 20' 40'

LEGEND

O	– Property Corner Symbol
Fnd.	– Found
S.R.	– Steel Rod
C.S.R.	– Capped Steel Rod
S.P.	– Steel Pipe
U.E.	– Utility Easement
P/P	– Utility Pole
R.O.W.	– Right of Way
P.O.B.	– Point of Beginning
C/L	– Centerline
→	– Drainage Flow
x	– Spot Elevations
B.L.	– Building Line
W/L	– Water Line
W/M	– Water Meter
M/H	– Sewer Manhole
C/O	– Cleanout
F/H	– Fire Hydrant
W/V	– Water Valve
D.U.E.	– Drainage & Utility Esmnt
T/R	– Telephone Riser
E/T	– Electric Transformer
O/T	– Ornamental Tree
L/S	– Light Standard

LEGEND

X	– Wire Fence
V	– Wood Fence
I	– Iron Fence
CL	– Chain Link Fence
R.R.	– Railroad Track
C	– Cable TV
G	– Gas Line
P	– Petroleum Pipeline
E	– Electric Line
SS	– Sanitary Sewer Line
W	– Water Line
UGT	– Underground Telephone
T	– Telephone



PRELIMINARY SITE PLAN
Lot 2R, Block A
CROSSROADS OF LIFE ASSEMBLY OF GOD

Being a Replat of Lot 1, Block A, Crossroads of Life Assembly of God, addition to the City of Duncanville, Texas, as recorded March 11, 2004, in the Official Public Records, Dallas County, Texas, as Volume 2004048, Page 196, Map Records, Dallas County, Texas, and Lot 1, Softwood Commercial Addition, Vol. 2003194, Pg. 7268, Map Records, Dallas County, Texas, City of Duncanville, Dallas County, Texas.

REVISIONS	BY

Davis & McDill, LLC
SURVEYING – LAND PLANNING – FLOODPLAIN MANAGEMENT
P.O. BOX 1185 GRAND PRAIRIE, TEXAS 75106
PHONE: (972)-938-1185
A Texas licensed surveying firm # 10194681

D&M

Date: 3/1/2023
Scale: 1"= 20'
Drawn: D. Hocutt
Job: 221-0201
Sheet 1 of 1 sheets.

ATTACHMENT 5

DAVIS & McDILL LLC

SURVEYING-LAND PLANNING-FLOODPLAIN MANAGEMENT
P.O. Box 428, Waxahachie, Texas 75168 - Metro 972-938-1185
A TBPELS Licensed Surveying Firm # 10194681

February 7, 2023
Letter Of Intent
Lot 2R, Block A
Crossroads Of Life Assembly Of God
1703 S. Main Street
Duncanville, Tx. 75137

To Whom It May Concern,

Mr. Alli Assi is the owner of said Lot 2R, which is partially currently zoned LOR (Local Office Retail). The intent of this submittal is for the rest of his replatted lot to be absorbed into the LOR zoning category. He is wishing to add on to his existing concrete parking lot in the future. In order to create a Fire Lane, he will need to move a power pole and telephone pedestal located on the north boundary of Lot 2R. The power pole is his service pole. He is wanting to move the pole and pedestal to the east enough for access to the Fire Lane entrance / exit. He will also need to extend the existing drainage pipe beneath said entrance. There will be additional parking and lighting on the south side, and a dumpster enclosure added to the southwest corner of the property. Mr Assi has some preliminary site plan drawings that I prepared for him with the input and design assistance of James McDill, P.E. These are ideas in progress and are subject to change through Duncanville's development input. We have put the Site Plan on hold until we know that a zoning change is completed and the replat is filed. I think that this additional parking should be beneficial to the business and the community as a whole, as well as improve drainage away from the site as much as possible, without substantially impacting the surrounding area.

At this time there are no planned changes to the current building, so there will be no new impact upon the sewer and water utilities, unless there is a need for plant irrigation.

We have a survey of the addition to Mr. Assi's lot and a legal description of that area to be re-zoned if you need it. Otherwise the parcel will be known and described as Lot 2R, Block A, Crossroads Of Life Assembly Of God.

Daryl Hocutt
Davis & McDill, LLC
1014 Ferris Avenue, Suite 104-3
972-938-1185
dh@davismcdill.com

ATTACHMENT 6

City of Duncanville
Planning Division
203 E. Wheatland Rd
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878
(e) lynette.romero@duncanvilletx.gov

March 3, 2023

Zoning File: 2023-05

Dear Property Owner:

Ali Assi, Applicant and Owner, is requesting approval of a Zoning Change from SF-10, Single Family Residential District to LOR, Local Office Retail District to develop a recently purchased portion of property by expanding the parking area to allow for the future Use of a Restaurant on Softwood Commercial, Lot 1, ACS 0.366, more commonly known as 1703 South Main Street, in the City of Duncanville, Dallas County, Texas.

Your property is NOT being rezoned. You have been sent this notice because you are within the required 200-foot notification area of the subject property that is being requested for a Zoning Change. Please refer to the enclosed map that indicates which property is being requested for a Zoning Change.

The Planning and Zoning Commission will hold a public hearing on Monday, March 13, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, April 4, 2023, at 7:00 p.m., both in the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change. If you oppose the zoning change, however, the attached survey must be completed and returned by **April 4, 2023**, to fulfill legal requirements for a written formal protest.

As an interested citizen, you may submit public comments to the City Secretary, Juanita Willman, or the Senior Planner, Nathan Warren, P.O. Box 380280, Duncanville, Texas, 75138-0280 or email Lynette Romero, Planning Technician, at lynette.romero@duncanvilletx.gov stating your position. You are encouraged to participate in the public hearing and offer comments.

Please reach out to me directly at (972) 780-5057 with any questions pertaining to this request.

Sincerely,

Nathan Warren

Nathan Warren
Senior Planner

Enclosures

City of Duncanville
Planning Division
203 E. Wheatland Rd
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878
(e) lynette.romero@duncanvilletx.gov

Marzo 3, 2023

Archivo de zonificación: 2023-05

Estimado propietario:

Ali Assi, solicitante y propietario, está solicitando la aprobación de un cambio de zona para desarrollar una parte recientemente comprada de propiedad mediante la expansión del área de estacionamiento para permitir el uso futuro de un restaurante en Softwood Commercial, Lot 1, ACS 0.366, más comúnmente conocido como 1703 South Main Street, en la ciudad de Duncanville, condado de Dallas, Texas.

Su propiedad NO está siendo rezonificada. Se le ha enviado este aviso porque se encuentra dentro del área de notificación requerida de 200 pies de la propiedad que se está considerando para la rezonificación para esa audiencia pública en particular. Consulte el mapa adjunto que indica que propiedad se está rezonificando.

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 13 de Marzo de 2023, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevara a cabo el Martes 4 de Abril de 2023, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto. Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del **4 de Abril de 2023**, para cumplir con los requisitos legales para una protesta formal por escrito.

Como ciudadano interesado, puede enviar comentarios públicos a la secretaria de la Cuidad, Juanita Willman, o al Planificador de la Cuidad, Nathan Warren, P.O. Box 380280, Duncanville, Texas, 75138-0280 o enviar un correo electrónico a Lynette Romero, Técnica de Planificación, a lynette.romero@duncanvilletx.gov indicando su posición. Se le anima a participar en la audiencia pública y ofrecer comentarios.

Por favor de comunicarse conmigo directamente al (972) 780-5057 con cualquier pregunta relacionada con esta solicitud.

Sinceramente,

Nathan Warren

Nathan Warren
Planificador de la Cuidad

Recintos

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2023-05 Ali Assi, Applicant and Owner, is requesting approval of a Zoning Change from SF-10, Single Family Residential District to LOR, Local Office Retail District to develop a recently purchased portion of property by expanding the parking area to allow for the future Use of a Restaurant on Softwood Commercial, Lot 1, ACS 0.366, more commonly known as 1703 South Main Street, in the City of Duncanville, Dallas County, Texas.

NOTE: The purpose of the request is to allow a **Zoning Change**.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, March 13, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, April 4, 2023, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by **April 4, 2023**, to fulfill legal requirements for a written formal protest.

Please check one:

_____ ***In favor*** *of granting the zoning request.*

_____ ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1).

2).

3).

Printed Name: _____ Address: _____

Signature: _____ Date: ___

El siguiente formulario puede ser llenado y enviado por correo a:

Planning and Zoning Commission
City of Duncanville
P.O. Box 380280
Duncanville, TX 75138-0280

Caso No. 2023-05 Ali Assi, solicitante y propietario, está solicitando la aprobación de un cambio de zona para desarrollar una parte recientemente comprada de propiedad mediante la expansión del área de estacionamiento para permitir el uso futuro de un restaurante en Softwood Commercial, Lot 1, ACS 0.366, más comúnmente conocido como 1703 South Main Street, en la ciudad de Duncanville, condado de Dallas, Texas.

NOTA: El propósito de la solicitud es permitir un **Cambio de Zona**.

Se le ha enviado este aviso ya que su propiedad está dentro del área de notificación de 200 pies de la propiedad que se solicita para un cambio de zonificación. **Su propiedad no está siendo rezonificada.**

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 13 de Marzo 2023, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 4 de Abril de 2023, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto.

Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del **4 de Abril de 2023**, para cumplir con los requisitos legales para una protesta formal por escrito.

Por favor, marque uno:

_____ ***A favor*** de conceder la solicitud de *zonificación.*

____ ***No a favor*** de otorgar la solicitud de *zonificación.*

Mis razones son las siguientes:

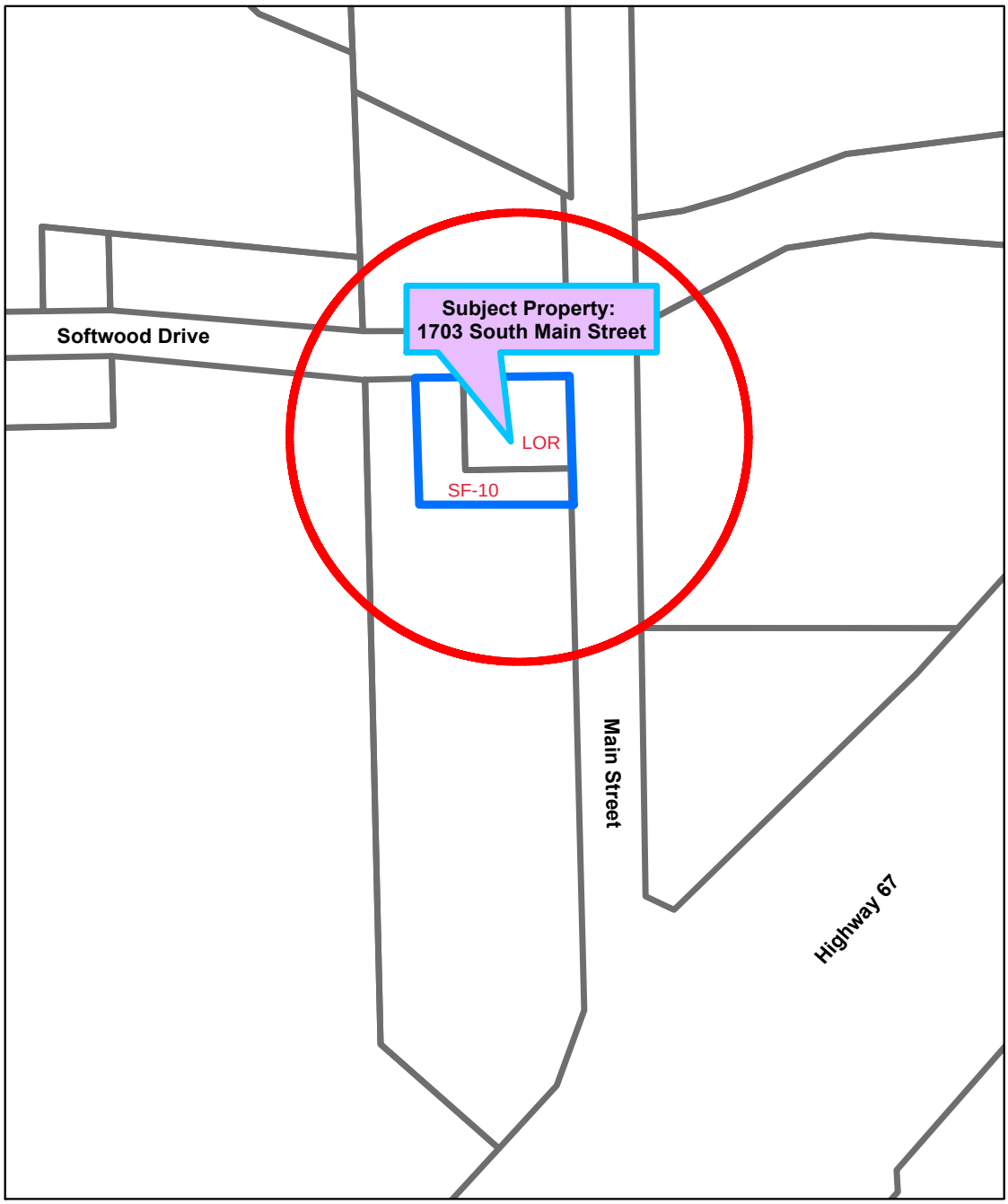
1).

2).

3).

Nombre impreso: _____ Dirección: _____

Firma: _____ Fecha: ___



Applicant is requesting a Zoning Change from SF-10, Single-Family Residential to LOR, Local Office Retail. The purpose of the Zoning Change is to develop a recently purchased portion of property by expanding parking to allow for the future use of a Restaurant. Question? Please contact Planning and Zoning at 972-707-3878 or 972-780-5057.

RECEIVED
By Lynette Romero at 12:21 pm, Mar 09, 2023

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2023-05 Ali Assi, Applicant and Owner, is requesting approval of a Zoning Change from SF-10, Single Family Residential District to LOR, Local Office Retail District to develop a recently purchased portion of property by expanding the parking area to allow for the future Use of a Restaurant on Softwood Commercial, Lot 1, ACS 0.366, more commonly known as 1703 South Main Street, in the City of Duncanville, Dallas County, Texas.

NOTE: The purpose of the request is to allow a **Zoning Change**.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, March 13, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, April 4, 2023, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by **April 4, 2023**, to fulfill legal requirements for a written formal protest.

Please check one:

✓ ***In favor*** *of granting the zoning request.*

____ ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1). We need NEW Business ~~on~~ South END of Main St.

2).

3).

Printed Name: Dacton Lott

Signature:

Address: 1780 Main St Duncanville

Date: 3/7/2023

RECEIVED
By Lynette Romero at 12:21 pm, Mar 09, 2023

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2023-03 David J. Jones, Applicant, representing Chris Kechejian of Kechejian Capital LP, Owner, is requesting approval of a Zoning Change from DD, Downtown District to LOR, Local Office Retail District on Richard F Hale ABST 566 PG 080 TR 18, more commonly known as 609 and 611 South Main Street, in the City of Duncanville, Dallas County, Texas.

NOTE: The purpose of the request is to allow a **Zoning Change**.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, March 13, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, April 4, 2023, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by **April 4, 2023**, to fulfill legal requirements for a written formal protest.

Please check one:

✓ ***In favor*** *of granting the zoning request.*

____ ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1). DOES NOT CREATE ANY KIND of problem — MAKES property more VALUABLE

2).

3).

Printed Name: [illegible] Address: 607 S. Main St

Signature: [signature] Date: 3/7/2023

ATTACHMENT 7

~~DUNCANVILLE CITY OF~~
~~PO BOX 380280~~
~~DUNCANVILLE, TEXAS 751380280~~

~~DUNCANVILLE CITY OF~~
~~PO BOX 380280~~
~~DUNCANVILLE, TEXAS 751380280~~

SBINI SAM & LISA
1703 S MAIN ST
DUNCANVILLE, TEXAS 751374401

~~CROSSROADS OF LIFE~~
~~123 W HIGHWAY 67~~
~~DUNCANVILLE, TEXAS 751374416~~

CROSSROADS OF LIFE ASSEMBLY OF GOD
123 W HWY 67
DUNCANVILLE, TEXAS 751374416

GUITERREZ JUANITA & JOSE
207 SOFTWOOD DR
DUNCANVILLE, TEXAS 751374325

LOTT DALTON
1700 CEDAR HILL RD
DUNCANVILLE, TEXAS 751373810

4 notices mailed out

STAFF REPORT

MEETING: City Council - 04 Apr 2023

TITLE:
Conduct a public hearing for consideration and action regarding the request of Joy Gabriels, applicant, representing Tommy J. Winn, owner, to include a Specific Use Permit "SUP" for Art Studio and adopt an ordinance to change the Comprehensive Zoning Ordinance and map on AMG Merrill ABST 884 PG 075 TR 47, 48 and PT of TR 43 ACS 0.834, more commonly known as 214 South Main Street, in the City of Duncanville, Dallas County, Texas.

Vision Statement:

"Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance."

Pillar:

- **Promote: Innovative Ideas for Development and Re-development**
  - **Pursue a diverse and robust economy through various business, housing, and employment opportunities that encourage forward-thinking community and economic development.**
- **Re-Imagine: High Quality of Life**
  - **Develop, maintain, and encourage safe, attractive, viable family-oriented neighborhoods that embrace diversity and pride, promoting economic vitality.**

STAFF RESPONSIBLE:
Nathan Warren, Senior Planner

BACKGROUND/HISTORY:
Comprehensive Plan
The Future Land Use Plan Map shows the subject property being located within Opportunity Area 10, Downtown District.The Plan envisions the Area as a regional destination and a hub of activity in the city. This would also be achieved with vertical mixed use and boutique retail development. This area is also envisioned as being pedestrian-orientated.

The Plan goes further on to list strategies that will help achieve the vision for the Downtown District:

- Facilitate the transition of nonconforming properties and land uses.
- Identify nonconforming properties and work with property owners to relocate or bring the property into compliance.
- Continue to pursue public improvements as identified in the Downtown Plan.
- Develop a unique theme and feel for the district.

- Transition smoothly to and from adjacent Opportunity Areas.
- Make walkability and connectivity (both to and through the district) a top priority.
- Identify key parcels for development and specific companies to recruit for those spaces.

This request involves the reuse of a suite within an existing structure. An Art Studio is an establishment that engages in the sale or exhibit of art works such as paintings, sculptures, macrame, knitted goods, stitchery, photography, or pottery. Art Studios are also engaged in the creations of said art works but do not provide instructional classes. This request appears to be in line with the Comprehensive Plan's vision.

Project Scope
As noted above, this request involves the reuse of a suite within an existing structure to be utilized as an Art Studio. Though the space is relatively small, the existing suite can be utilized "as is" without the need for additions or alterations.

Parking
The Comprehensive Zoning Ordinance requires one (1) off-street parking space for every 400 square feet of floor area for Art Studio. The suite is a total of 938 square feet requiring a minimum of 3 parking spaces. The subject property is located within the UL, Urban Living section of the DD, Downtown District which allows for a reduction in parking by fifty (50) percent per Section 4.11.G.2. of the Comprehensive Zoning Ordinance. The subject property also shares parking with the multi-tenant building next to it, 210 South Main Street. The two properties are in conformance with the minimum parking requirement. Please see attached parking chart exhibit.

Building Design and Improvements
There are no proposed improvements associated with this request.

Landscaping and Screening
There are no landscaping improvements associated with this request.

Signage
The site must comply with Chapter 16A Sign Guidelines of the Code of Ordinances regarding attached and freestanding signage.

Surrounding Land Use
To the north of the subject property are existing businesses that are located within the DD, Downtown District zoning, GMS – General Main Street. To the east of the subject property is the Duncanville Lions Club. To the west are more existing businesses. To the south is the Duncanville Library and Recreation Center. The zoning to the east, west and south of the subject property is DD, Downtown District, UL – Urban Living.

Zoning and Land Use
Section 6.05. (Specific Use Permits) of the Zoning Ordinance, states the in considering an application for a SUP, the Planning and Zoning Commission and the City Council shall consider that the proposed use is:

- consistent and compatible with the adjacent land use and zoning.
- consistent with the architecture and characteristics of the adjacent properties.
- may promote innovative use of modern development concepts, without having an adverse impact on adjacent properties.

- consistent with the goals and objectives of the City of Duncanville.
- an enhancement or improvement beyond the minimum standards set forth by the Zoning Ordinance.
- will not be detrimental to the general health, safety, and welfare of the community.
- would stabilize and improve property values within the City of Duncanville.
- would protect and enhance the city's attractiveness to residents, businesses, tourists, and visitors.
- would strengthen and help diversify the economy of the City of Duncanville.

Planning and Zoning Commission Action

On Monday, March 13, 2023 the Planning and Zoning Commission approved the item by a vote of 5 to 0.

POLICY EXPLANATION:

Notification

Twelve (12) notices were sent out for this public hearing. As of this writing, three (3) responses have been received in favor of the request and no responses have been received in opposition to the request. Letters will be received until Tuesday, April 4, 2023, to fulfill legal requirements for a written formal protest to City Council.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget	**Purchase Amount**	**After Encumber**
$0.00	$0.00	$0.00

ACTION ALTERNATIVES:

1. Adopt an ordinance approving the Specific Use Permit.
2. Do not approve the Specific Use Permit.
3. Other actions as directed by Council.

ATTACHMENTS:

Attachment 1 - Legal Advertisement for Public Hearing
Attachment 2 - Area of Request Maps
Attachment 3 - Zoning Change Application
Attachment 4 - Applicant Exhibits
Attachment 5 - Letter of Intent
Attachment 6 - Letters to Property Owners, 200' Buffer & Responses
Attachment 7 - List of Property Owners within 200' Feet
Ordinance No. 2471

ATTACHMENT 1

Advertise 1 time - By March 1

NOTICE OF A PUBLIC HEARING BEFORE THE
PLANNING AND ZONING COMMISSION AND CITY COUNCIL
ZONING FILE #2023-01

A public hearing will be held before the Planning and Zoning Commission on Monday, March 13, 2023, at 7:00 p.m., and before City Council on Tuesday, April 4, 2023, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Rd, Duncanville, Texas, to hear a request of Joy Gabriels, Applicant, for a Specific Use Permit to allow for the use of Art Studio, on AMG Merrill ABST 884 PG 075 TR 47, 48 and PT of TR 43 ACS 0.834, more commonly known as 214 South Main Street, City of Duncanville, Dallas County, Texas.

As an interested citizen, you may appear at the public hearing or you may send a notice to either the City Secretary, Juanita Willman, or to Nathan Warren, Senior Planner, P.O. Box 380280, Duncanville, Texas, 75138-0280 stating your position.

CITY OF DUNCANVILLE
Juanita Willman
City Secretary

Nathan Warren,
Senior Planner

ATTACHMENT 2



Duncanville
City of Champions

SUP Request for Art Studio
Case 2023-01
214 South Main Street, Suite 219

N
W E
S

East Freeman Street

South Main Street

South Hastings Street

Subject Property:
214 South Main Street

East Nance Street

Legend

SUP, Specific Use

DD, Downtown Duncanville District

Duncanville
City of Champions

SUP Request for Art Studio
Case 2023-01
Current Zoning Area
214 South Main Street, Suite 219

N
W
E
S

ATTACHMENT 3

Duncanville
City of Champions

Development Services
Planning Division
203 E. Wheatland Rd.
P.O. Box 380280
Duncanville, TX 75138
972-707-3878

ZONING CHANGE APPLICATION

CONTACT INFORMATION

Applicant/ Agent Joy Gabriels **Contact:** [redacted]

☐ **Engineer** ☐ **Architect** ☐ **Surveyor** ☐ **Owner** ☑ **Other**

Applicant/Agent Address: [redacted]

Agent Email: [redacted] **(Fax)**

Property Owner: Tommy Winn dba Winn Properties Contact: Elizabeth Godfrey

Owner Address 2145. Main St City: Duncanville State: TX Zip: 75116

Owner Email: elizabeth.godfrey@katkinholdings.com Telephone: 972-283-4343 (Fax) 972-283-4660

REQUIRED

PROPERTY INFORMATION

Property Address: 2145 S. Main Street Suite 219

Legal Description of Property: AMG Merrill Abst. 884 Pg 075 - Tr 47, 48 + part to 43

Lot No._____ Block No._____ Acreage: 0.834 Existing Zoning District: DD/UL

REQUIRED

REQUEST TYPE

☑ Specific Use Permit - Commercial
For_____

☐ Specific Use Permit - Residential
For_____

☐ Change in Zoning
From_____ To _____

☐ Planned Development (PD)
☐ Amend PD Approval
☐ Development Plan Approval
☐ Conceptual Plan Approval
☐ Alternative Compliance Request

REQUIRED

SUBMITTAL DOCUMENTS

ALL ZONING REQUESTS MUST CONTAIN THE FOLLOWING DOCUMENTATION

☑ Completed application
☑ Application fee
☑ Property survey, or site plan or electronic copy of the metes and bounds legal description Microsoft word format or plat
☑ Written description of request (associated variance requests require justification), business statement or business plan with detailed description of proposed operation
☐ Electronic copies of all submittals via email

REQUIRED

Acknowledgments

I understand that all required information and plans must be submitted with this application or the application be deemed incomplete.

I hereby authorize the placing of a sign on subject property indicating a zoning change is under consideration.

I understand the requirements of the zoning classifications as stated in the City of Duncanville Zoning Ordinance related to this request and will comply with all necessary requirements of the City codes. I am aware that the City Council has the power to zone land as most appropriate in their wisdom, to promote the health, safety, and morals and for the protection and preservation of places of historical or cultural importance, and the general welfare of the community.

I have read and understand this application and certify that all information and attachments are true and correct. I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the request described. Applicants (or a representative) are expected to be present at all public hearings concerning this application to justify and explain their request and to answer questions posed by the City Planning and Zoning Commission and City Council.

Tommy Winn — 11/28/2022

Signature of Current Property Owner — Date

Notarization EG 11/28/22

BEFORE ME, Tom a notary public, on this day personally appeared Tommy Winn, known to or proved to me on the oath of _____ or through TX DL (description of identity card or other document) to be the person(s) whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 28th day of November, 2022

(Seal)

ELIZABETH ANN GODFREY
Notary Public, State of Texas
Comm. Expires 11-28-2025
Notary ID 124055137

Elizabeth Ann Godfrey

Notary Public in and for the State of Texas

My Commission Expires: 11-28-2025

Following is to be completed only if a person other than the owner is submitting this application.

Owner Validation

Applicant has permission to pursue a zoning change on the property located at 214 S. Main Street with the City of Duncanville.

Tommy Winn 11/28/2022

Signature of Owner/Agent Date

BEFORE ME, a notary public, on this day personally appeared Tommy Winn, known to or proved to me on the oath of _____ or through TX DL (description of identity card or other document) to be the person(s) whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 28th day of November, 20 22

(SEAL)

ELIZABETH ANN GODFREY
Notary Public, State of Texas
Comm. Expires 11-28-2025
Notary ID 124055137

Elizabeth Ann Godfrey

Notary Public in and for the State of Texas

My Commission Expires: 11-28-25

SUBMITTAL CHECKLIST

Specific Use Permit - Commercial

Please check if applicable

YES	N/A	
☑	☐	Written Letter with detailed description of proposed operation
☑	☐	Site Plan
☐	☐	Building Elevation and Signage Plan
☐	☐	Landscape Plan
☑	☐	Floor Plans
☐	☐	Other _____

Specific Use Permit - Residential

Please check if applicable

YES	N/A	
☐	☐	Written Letter of Intent with detailed description of request
☐	☐	HOA approval letter (if applicable)
☐	☐	Drawings, spec sheets, diagrams or other documents in electronic format (PDF)
☐	☐	Letter from owner (if applicant is not owner) and/or approval letter from HOA (if applicable)
☐	☐	Other _____

Planned Development

YES	N/A	
☐	☐	Written Letter with detailed description of proposed development with proposed conditions
☐	☐	Conceptual Plan

(The purpose of a Conceptual Plan is to provide a general layout of the proposed development prior to a more specific Development Plan being submitted. A Conceptual Plan shall be construed to be an illustration of the development concepts only and not an exact representation of the specific development proposed.)

☐ ☐ Development Plan with proposed PD Conditions

(The purpose of a Development Plan is to specifically illustrate the proposed location and arrangement of uses and structures, the relationship of such uses to base zoning districts, development phasing, planned public improvements, open space, proposed amenities and the overall design of the development. Development Plan shall be incorporated into the regulations of the PD ordinance, shall be construed in conjunction with the authorized uses and development standards set forth in such regulations, and shall be in general conformity with the approved Conceptual Plan for the PD (if applicable).

REQUIRED

4

ATTACHMENT 4

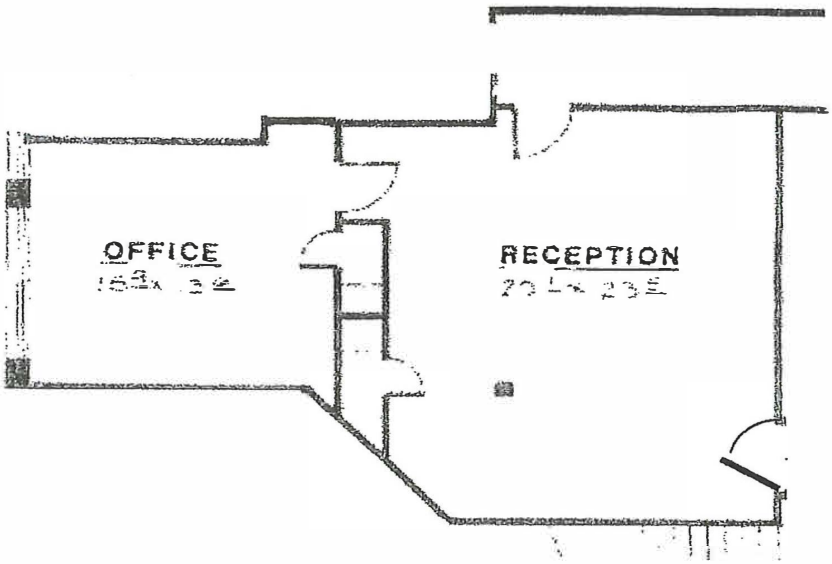
Authentisign ID: 3E125C47-B050-ED11-ADE6-0050F26450A3

MOTE & ASSOCIATES

Suite 219 Floor Plan

214 S. Main Street, Duncanville

938 SF



GA JG

Offered for lease exclusively by:
Mote & Associates, Inc.
Contact: Bill Mote
O: 972-296-2856
M: 214-850-3775
Bmote@moteandassociates.com
326 Cooper Street, Suite A1
Cedar Hill, TX 75104

All information has been obtained from a source deemed reliable but is not guaranteed, and broker makes no warranties of any kind with respect to accuracy of such information. Price subject to change without notice.

City of Duncanville Multiple Tenant Parking Chart

Shopping Center/Building Name:			
Shopping Center/Building Address:	210-214 S. Main St.		
Property Owner:	Tommy Winn		
Phone:	972-283-4343	Email:	

Suite/Location	Business Name	Tenant space square footage	Use	Parking Requirement (FOR DEPARTMENT USE ONLY)
210 suite 1	Wheatland Chiropractic	513	medical, clinic or office	1.2
210 suite 2	Redic & Banks Distribution, LLC	378	art studio	0.9
210 suite 3	Bluestone Homes	1,510	professional office, local scale	3.7
210 suite 5	CPST Texas	1,144	professional office, local scale	2.8
210 suite 6	Beauty-N-Abundle Lashes	337	personal care service shop	5
210 suite 8	Express CPR, LLC	224	school, business, trade or vocational	3.3
210 suite 14	Fry Insurance Agency, Inc.	360	professional office, local scale	0.9
210 suite 20-21	Jazzed by Jazzy	580	personal care service shop	5
210 suite 22-23	Glory Able Home Health	551	professional office, local scale	1.3
210 suite 24	Vondell Logistics, LLC	215	professional office, local scale	0.5
210 suite 25	The Yard Mule Store	123	professional office, local scale	0.3
210 suite 26	Uniq Radiance	307	personal care service shop	5
210 suite 28	Lady J Creations	272	personal care service shop	5
214 suite 100 A	Fish Window Cleaning	532	professional office, local scale	1.3
214 suite 100 B	Merlyn Company	593	professional office, neighborhood scale	1.9
214 suite 100 C	Duncanville Soccer Association	648	professional office, local scale	1.6
214 suite 101 B	Loreann	685	personal care service shop	5
214 suite 101 D	LD Rodriguez Transport	320	professional office, local scale	0.8
214 suite 101 E	Farmers Insurance	552	professional office, local scale	1.3
214 suite 101 F	Compassion Behavioral	459	professional office, local scale	1.1
214 suite 101 G	Thompson & Gustavson	229	professional office, local scale	0.5
214 suite 102	Proforma A-Z	1,572	retail, local scale	5.24
214 suite 102 B	Beauty by Bossladii	706	personal care service shop	5
214 suite 103	Duo Divas	1,738	personal care service shop	8.6
214 suite 104	Salon X'cellence	1,636	personal care service shop	8.1
214 suite 208	Lolabode Counseling	342	professional office, local scale	0.8
214 suite 209	Winners Circle	643	professional office, local scale	1.6
214 suite 212	Refined Chiropractic & Wellness	519	medical, clinic or office	1.2
214 suite 214	KLS Counseling	262	professional office, local scale	0.6
214 suite 216	FinfoNet	432	professional office, local scale	1
214 suite 218	McHenry Solutions	594	professional office, local scale	1.4
214 suite 219	Joy Gabriel's Photography	816	art studio	2
214 suite 220	Texas MHB	415	medical, rehab care (without live-in)	1

Duncanville
City of Champions

FOR DEPARTMENT USE ONLY	
Total spaces provided:	82
Total spaces required:	84.94
Per Sec. 4.11.G.2 (50% reduction):	43 Spaces Required

PER SEC. 4.11.G.2.: THE MINIMU OFF-STREET PARKING REQUIREMENT SHALL BE FIFTY (50) PERCENT OF THE RATIO REQUIRED BY SECTION 3.03. PERMITED USE CHART. THE REQUIRED PARKING FOR 210-214 SOUTH MAIN STREET IS 43 PARKING SPACES.

ATTACHMENT 5

LETTER OF INTENT

To Duncanville Zoning and whom it may concern,

This letter is pertaining to the SUP Application for Photography services at 214 S. Main Street Suite 219, Duncanville, TX, 75116.

The intended operation for this location is Photography. I will be providing professional photography services for customers on appointment basis. Customers will be in and out of the location in about 45 to 60 minutes.

There will be backdrops, lights, stands and other photography equipments/props setup inside the suite for customers to use during their appointments. No equipment will be stored outside or around the location.

Thank you for your time and consideration of the approval of the SUP for this location and purpose.

Joy Gabriels

ATTACHMENT 6

City of Duncanville
Planning Division
203 E. Wheatland Rd.
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878
(e) lynette.romero@duncanvilletx.gov

March 3, 2023

Zoning File: **2023-01**

Dear Property Owner:

Joy Gabriels, Applicant, representing Tommy J. Winn, owner, is requesting approval of a Specific Use Permit to allow for the use of Art Studio on AMG Merrill ABST 884 PG 075 TR 47, 48 and PT of TR 43 ACS 0.834, more commonly known as 214 South Main Street, in the City of Duncanville, Dallas County, Texas.

Your property is NOT being rezoned. You have been sent this notice because you are within the required 200-foot notification area of property that is being considered for rezoning for this particular public hearing. Please refer to the enclosed map that indicates which property is being rezoned.

The Planning and Zoning Commission will hold a public hearing on Monday, March 13, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, April 4, 2023, at 7:00 p.m., both in the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change. If you oppose the zoning change, however, the attached survey must be completed and returned by **April 4, 2023**, to fulfill legal requirements for a written formal protest.

As an interested citizen, you may submit public comments to either the City Secretary, Juanita Willman, or to the Senior City Planner, Nathan Warren, P.O. Box 380280, Duncanville, Texas, 75138-0280 or email lynette.romero@duncanvilletx.gov stating your position. You are encouraged to participate in the public hearing and offer comments.

Please reach out to me directly at (972) 780-5057 with any questions pertaining to this request.

Sincerely,

Nathan Warren

Nathan Warren
Senior City Planner

Enclosures

City of Duncanville
Planning Division
203 E. Wheatland Rd.
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878
(e) lynette.romero@duncanvilletx.gov

Marzo 3, 2023

Archivo de zonificación: **2023-01**

Estimado propietario:

Joy Gabriels, solicitante, representando a Tommy J. winn, propietario, está solicitando la aprobación de un Permiso de Uso Específico para permitir el uso de Estudio de Arte en AMG Merrill ABST 884 PG 075 TR 47, 48 and PT of TR 43 ACS 0.834, más comúnmente conocido como 214 South Main Street, en la ciudad de Duncanville, condado de Dallas, Texas.

Su propiedad NO está siendo rezonificada. Se le ha enviado este aviso porque se encuentra dentro del área de notificación requerida de 200 pies de la propiedad que se está considerando para la rezonificación para esta audiencia pública en particular. Consulte el mapa adjunto que indica qué propiedad se está rezonificando.

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 13 de Marzo de 2023, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 4 de Abril de 2023, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto. Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del **4 de Abril de 2023**, para cumplir con los requisitos legales para una protesta formal por escrito.

Como ciudadano interesado, puede enviar comentarios públicos al Secretaria de la Ciudad, Juanita Willman, o a el Planificador de la Cuidad, Nathan Warren, P.O. Box 380280, Duncanville, Texas, 75138-0280 o enviar un correo electrónico lynette.romero@duncanvilletx.gov indicando su posición. Se le anima a participar en la audiencia pública y ofrecer comentarios.

Por favor de comunicarse conmigo directamente al (972) 780-5057 con cualquier pregunta relacionada con esta solicitud.

Sinceramente

Nathan Warren

Nathan Warren
Planificador de la Cuidad

Recintos

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2023-01 Joy Gabriels, Applicant, representing Tommy J. Winn, Owner, is requesting approval of a Specific Use Permit (SUP) to allow for the use of Art Studio on AMG Merrill ABST 884 PG 075 TR 47, 48 and PT of TR 43 ACS 0.834, more commonly known as 214 South Main Street, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning change.

NOTE: The purpose of the request is to allow for the use of **Art Studio**.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, March 13, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, April 4, 2023, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by **April 4, 2023**, to fulfill legal requirements for a written formal protest.

Please check one:

_____ ***In favor*** *of granting the zoning request.*

_____ ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1).

2).

3).

Printed Name: _____ Address: _____

Signature: _____ Date: ___

El siguiente formulario puede ser llenado y enviado por correo a:

Planning and Zoning Commission
City of Duncanville
P.O. Box 380280
Duncanville, TX 75138-0280

Caso No. 2023-01 Joy Gabriels, Solicitante, representando a Tommy J. Winn, Propietario, está solicitando la aprobación de un Permiso de Uso Específico (SUP) para permitir el uso de Estudio de Arte en AMG Merrill ABST 884 PG 075 TR 47, 48 and PT of TR 43 ACS 0.834, más comúnmente conocido como 214 South Main Street, en la Cuidad de Duncanville, condado de Dallas, Texas. Esta es la primera de dos audiencias públicas que se han programado para recibir más información sobre el cambio de zonificación solicitado.

NOTA: El propósito de la solicitud es permitir el uso de **Estudio de Arte**.

Se le ha enviado este aviso ya que su propiedad está dentro del área de notificación de 200 pies de la propiedad que se solicita para un cambio de zonificación. **Su propiedad no está siendo rezonificada.**

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 13 de Marzo 2023, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 4 de Abril de 2023, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto.

Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del **4 de Abril de 2023**, para cumplir con los requisitos legales para una protesta formal por escrito.

Por favor, marque uno:

_____ ***A favor*** de conceder la solicitud de *zonificación.*

____ ***No a favor*** de otorgar la solicitud de *zonificación.*

Mis razones son las siguientes:

1).

2).

3).

Nombre impreso: _____ Dirección: _____

Firma: _____ Fecha: __



Applicant is requesting a Specific Use Permit (SUP) to operate as an Art Studio on the subject property. Questions? Contact Planning and Zoning at 972-707-3878 or 972-780-5057.

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2023-01 Joy Gabriels, Applicant, representing Tommy J. Winn, Owner, is requesting approval of a Specific Use Permit (SUP) to allow for the use of Art Studio on AMG Merrill ABST 884 PG 075 TR 47, 48 and PT of TR 43 ACS 0.834, more commonly known as 214 South Main Street, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning change.

NOTE: The purpose of the request is to allow for the use of **Art Studio**.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, March 13, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, April 4, 2023, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by **April 4, 2023**, to fulfill legal requirements for a written formal protest.

Please check one:

✓ ***In favor*** *of granting the zoning request.*

_____ ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1).

2).

3).

Printed Name: Tommy Winn

Signature: [signature]

Address: 214 S. Main, Ste 210

Date: 3/7/23

RECEIVED
By Lynette Romero at 11:22 am, Feb 13, 2023

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2023-01 Joy Gabriels, Applicant, representing Tommy J. Winn, Owner, is requesting approval of a Specific Use Permit (SUP) to allow for the use of Art Studio on AMG Merrill ABST 884 PG 075 TR 47, 48 and PT of TR 43 ACS 0.834, more commonly known as 214 South Main Street, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning change.

NOTE: The purpose of the request is to allow for the use of **Art Studio**.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, February 13, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, March 7, 2023, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by **March 7, 2023**, to fulfill legal requirements for a written formal protest.

Please check one:

✓ ***In favor*** *of granting the zoning request.*

____ ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1).

2).

3).

Printed Name: Tommy Winn

Signature: [signature]

Address: 214 S. Main St., Ste. 210

Date: 2-7-23

RECEIVED
By Lynette Romero at 11:44 am, Mar 09, 2023

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2023-01 Joy Gabriels, Applicant, representing Tommy J. Winn, Owner, is requesting approval of a Specific Use Permit (SUP) to allow for the use of Art Studio on AMG Merrill ABST 884 PG 075 TR 47, 48 and PT of TR 43 ACS 0.834, more commonly known as 214 South Main Street, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning change.

NOTE: The purpose of the request is to allow for the use of **Art Studio**.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, March 13, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, April 4, 2023, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by **April 4, 2023**, to fulfill legal requirements for a written formal protest.

Please check one:

✓ ***In favor*** *of granting the zoning request.*

____ ***Not in favor*** *of granting the zoning request.*

My reasons are as follows:

1). CREATES NEW BUSINESS OPPORTUNITY

2).

3).

Printed Name: DALTON LOTT

Signature: [signature]

Address: 103, 105 DAVIS ST

Date: 3/7/2023

ATTACHMENT 7

WINN TOMMY J
214 S MAIN ST STE 210
DUNCANVILLE, TEXAS 751164768

~~WINN TOMMY J~~
~~214 S MAIN ST STE 210~~
~~DUNCANVILLE, TEXAS 751164768~~

DL COMMERCIAL LTD
PO BOX 381146
DUNCANVILLE, TEXAS 751381146

DUNCANVILLE NOON LIONS CLUB
PO BOX 381055
DUNCANVILLE, TEXAS 751381055

SOUTHWESTERN BELL
1010 PINES 9 E L 01
SAINT LOUIS, MISSOURI 631010000

VOSE LEONARD C
209 S HASTINGS ST
DUNCANVILLE, TEXAS 751164838

~~VOSE LEONARD CARLIN~~
~~209 S HASTINGS ST~~
~~DUNCANVILLE, TEXAS 751164838~~

NAPPYBLISS LLC
207 S HASTINGS ST
DUNCANVILLE, TEXAS 751164838

SISCO ROBERT DONALD
5940 SLEEPY HOLLOW LN
MIDLOTHIAN, TEXAS 760654620

MATA SUNILDA MARIA
1303 MEADOW RIDGE DR
DUNCANVILLE, TEXAS 751373632

FIRST CHRISTIAN CHURCH
203 S MAIN ST
DUNCANVILLE, TEXAS 751164705

~~FIRST CHRISTIAN CHURCH~~
~~203 S MAIN ST~~
~~DUNCANVILLE, TEXAS 751164705~~

FIRST CHRISTIAN CHURCH
PO BOX 380249
DUNCANVILLE, TEXAS 751380249

~~DUNCANVILLE CITY OF~~
~~PO BOX 380280~~
~~DUNCANVILLE, TEXAS 751380280~~

TEX AMER BNK DUNCANVILLE
PO BOX 810490
DALLAS, TEXAS 753810490

ENCORE FINE PROPERTIES LLC &
PO BOX 18737
SUGAR LAND, TEXAS 774968737

12 notices mailed

ORDINANCE NO. 2471

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY AMENDING THE EXISTING DOWNTOWN DUNCANVILLE DISTRICT (DD) TO GRANT A SPECIFIC USE PERMIT "SUP" FOR AN ART STUDIO ON AMG MERRILL ABST 884 PG 075 TR 47, 48 AND PT OF TR 43 ACS 0.834, MORE COMMONLY KNOWN AS 214 SOUTH MAIN STREET, DUNCANVILLE, DALLAS COUNTY, TEXAS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and City Council of the City of Duncanville, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the City Council is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, THAT:

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Duncanville, Texas, as heretofore amended, be, and the same are hereby amended by amending the existing Downtown Duncanville District (DD) to grant a Specific Use Permit "SUP" for an art studio on AMG Merrill ABST 884 PG 075 TR 47, 48 and PT of TR 43 ACS 0.834, more commonly known as 214 South Main Street, in the City of Duncanville, Dallas County, Texas.

SECTION 2. That said Property shall be used, developed, and maintained only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Duncanville, as heretofore amended, and in conformance with this Ordinance as special conditions and subject to the following special condition:

A. Property shall meet all city, state, and federal regulations for building and fire codes, and accessibility.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. That all provisions of the Ordinance of the City of Duncanville in conflict with provisions of this Ordinance be, and same are hereby repealed, and all other provisions of the ordinances of the City of Duncanville not in conflict with the

provisions of this Ordinance shall remain in full force and effect.

SECTION 5. That the above-described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Duncanville, as amended herein by the granting of this special use permit.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Comprehensive Zoning Ordinance as amended hereby shall be deemed guilty of a misdemeanor, and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance, and upon conviction shall be punished by fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 7. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance, as the law in such cases provides.

DULY PASSED by the City Council of the City of Duncanville, Texas, on the 4th day of April, 2023.

APPROVED:

_____
Barry L. Gordon, Mayor

ATTEST:

_____
Janie Willman, City Secretary

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney