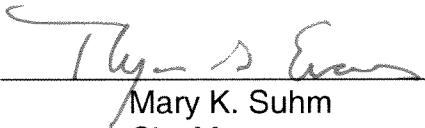



**JUNE 19, 2013 CITY COUNCIL BRIEFING AGENDA
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Briefing Agenda dated June 19, 2013. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.



Mary K. Suhm
City Manager

6/14/13
Date



Edward Scott
City Controller

6/14/13
Date

RECEIVED

2013 JUN 14 PM 6:06

CITY SECRETARY
DALLAS, TEXAS



COUNCIL BRIEFING AGENDA

June, 19, 2013

Date

(For General Information and Rules of Courtesy, Please See Opposite Side.)
(La Información General Y Reglas De Cortesía Que Deben Observarse
Durante Las Asambleas Del Consejo Municipal Aparecen En El Lado Opuesto, Favor De Leerlas.)

General Information

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 by 5:00 p.m. of the last regular business day preceding the meeting. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. **The Council agenda is available in alternative formats upon request.**

If you have any questions about this agenda or comments or complaints about city services, call 311.

Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

Informacion General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes.

Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación *Time Warner City Cable* Canal 16. El Ayuntamiento Municipal se reúne el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 5:00 pm del último día hábil anterior a la reunión. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas se esfuerza por cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

Reglas de Cortesia

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna persona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (*paggers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del Ayuntamiento Municipal, será expulsada de la cámara si el oficial que esté presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisará al oficial que esté presidiendo la sesión a tomar acción." Según la sección 3.3(c) de las reglas de procedimientos del Ayuntamiento.

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, JUNE 19, 2013
CITY HALL
1500 MARILLA
DALLAS, TEXAS 75201
9:00 A.M.

9:00 am Invocation and Pledge of Allegiance 6ES

Special Presentations

Open Microphone Speakers

VOTING AGENDA 6ES

1. Approval of Minutes of the June 5, 2013 City Council Meeting
2. Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

ITEMS FOR INDIVIDUAL CONSIDERATION

City Attorney's Office

3. A resolution appointing A.C. Gonzalez as Interim City Manager for the City of Dallas and setting the compensation
4. Authorize Supplemental Agreement No. 1 to the professional services contract with Moses, Palmer & Howell, L.L.P. to provide additional legal services regarding laws pertaining to mineral rights and potential litigation - Not to exceed \$150,000, from \$50,000 to \$200,000 - Financing: Current Funds

ITEMS FOR FURTHER CONSIDERATION

Economic Development

5. Authorize an amendment to the City of Dallas Design District Grant Program (Grant Program), previously approved on August 9, 2006, by Resolution No. 06-2072 to: **(1)** clarify eligible uses including a provision for affordable housing; **(2)** receive and deposit funds in the amount of \$524,600 from Alta Block 1500, LLC, pursuant to Resolution No. 06-2072 for affordable housing to be used in accordance with the Grant Program; and **(3)** an increase in appropriations in the amount of \$524,600 - Financing: Design District TIF District Funds

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, JUNE 19, 2013

ITEMS FOR FURTHER CONSIDERATION (Continued)

Public Works Department

6. Authorize an additional payment to the Texas Department of Transportation for the City's share of the preliminary engineering costs for improvements on Hatcher Street from Haskell Avenue to Spring Avenue – Not to exceed \$75,000 – Financing: 2003 Bond Funds (\$58,000) and General Obligation Commercial Paper Funds (\$17,000)

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

DESIGNATED ZONING CASES -INDIVIDUAL

7. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for certain Mixed Uses on property zoned an IR Industrial Research District in an area generally bounded by Singleton Boulevard, both sides of Amonette Street, the Union Pacific Railroad, and Parvia Avenue
Recommendation of Staff: Approval, subject to an Area Regulating Plan and staff's recommended conditions
Recommendation of CPC: Approval, subject to an Area Regulating Plan and conditions
Z112-319(RB)
8. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Industrial Manufacturing District uses and outside metal salvage on property zoned an IM Industrial Manufacturing District on the west line of South Lamar Street, northeast of the Trinity River
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to a development plan and conditions
Z123-173(WE)

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, JUNE 19, 2013

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

THOROUGHFARE PLAN AMENDMENTS

Public Works Department

9. A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to **(1)** change the dimensional classification of Singleton Boulevard from Sylvan Avenue to Canada Drive from a six lane divided {M-6-D(A)} roadway within 100 feet of right-of-way to a special four lane divided (SPCL 4D) roadway with bicycle lanes within 88 feet of right-of-way; **(2)** add Bataan Street from Singleton Boulevard to Commerce Street to the Thoroughfare Plan as a special two lane undivided collector (SPCL 2U) roadway with on-street parking within 54 feet of right-of-way; **(3)** add Herbert Street from Singleton Boulevard to Commerce Street to the Thoroughfare Plan as a special two lane undivided collector (SPCL 2U) roadway with on-street parking within 56 feet of right-of-way; and **(4)** add Amonette Street from Singleton Boulevard to Commerce Street to the Thoroughfare Plan as a two lane undivided collector (SPCL 2U) roadway with on-street parking within 54 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

MISCELLANEOUS HEARINGS

Mayor and City Council

10. A public hearing to receive comments on authorizing a public hearing to determine proper zoning on property zoned an NS(A) Neighborhood Service District with Specific Use Permit No. 1006 for a motor vehicle fueling station, on property bound by West Page Avenue, South Tyler Street (northbound), and South Tyler Street Connection (southbound) with consideration given to incorporating the property into a previously authorized hearing for Planned Development District No. 316, the Jefferson Area Special Purpose District and establishing appropriate zoning regulations including use, development standards, parking, landscape, sign, and other appropriate regulations - Financing: No cost consideration to the City (via Councilmembers Jasso, Alonzo, Kadane, Allen and Margolin)

Briefings

6ES

- A. 2013 City of Dallas Community Survey Findings
- B. Budget Workshop #3 - FY 2013-14 Budget Development Update
- C. Proposed FY 2013-14 Consolidated Plan Budget Amendments and Straw Votes

Lunch

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, JUNE 19, 2013

Closed Session	6ES
Attorney Briefings (Sec. 551.071 T.O.M.A.)	
- <u>City of Dallas v. SLJ Company, LLC, et al.</u> , Cause No. CC-12-06223-B	

Open Microphone Speakers	6ES
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The above schedule represents an estimate of the order for the indicated briefings and is subject to change at any time. Current agenda information may be obtained by calling (214) 670-3100 during working hours.

Note: An expression of preference or a preliminary vote may be taken by the Council on any of the briefing items.

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding economic development negotiations. Section 551.087 of the Texas Open Meetings Act.

AGENDA ITEM # 3

KEY FOCUS AREA: Make Government More Efficient, Effective and Economical

AGENDA DATE: June 19, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: City Attorney's Office
City Manager's Office

CMO: Thomas P. Perkins, Jr., 670-3491
Mary K. Suhm, 670-5306

MAPSCO: N/A

SUBJECT

A resolution appointing A.C. Gonzalez as Interim City Manager for the City of Dallas and setting the compensation

BACKGROUND

On May 15, 2013, Mary K. Suhm submitted written notification that she will step down as City Manager for the City of Dallas, effective July 1, 2013, and retiring from the City effective as of January 8, 2014.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council discussed in Closed Session on May 22, 2013.

City Council discussed in Closed Session on June 5, 2013.

City Council discussed in Closed Session on June 12, 2013.

June 19, 2013

WHEREAS, on May 15, 2013, Mary K. Suhm submitted written notification of her retirement from the City of Dallas, effective as of the close of business on January 8, 2014; and

WHEREAS, Ms. Suhm has offered to step down as City Manager, effective July 1, 2013 while still providing assistance during the next several months, so that the City Council may appoint an Interim City Manager during the remainder of Ms. Suhm's employment with the City, and has waived any right under Section IX(a) of her employment contract to receive any additional lump sum severance payment that she may be entitled to due to such a change in position; and

WHEREAS, the City Council has determined that it is in the City's interest to accept Ms. Suhm's proposal, and to appoint an Interim City Manager to serve until the City Council appoints a permanent replacement for Ms. Suhm; **Now, Therefore,**

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

Section 1. That the offer of Mary K. Suhm to step down as City Manager effective July 1, 2013 is hereby accepted, and A.C. Gonzalez is hereby appointed Interim City Manager for the City of Dallas, effective July 1, 2013. Mary K. Suhm is hereby assigned to report to and assist the Interim City Manager as needed, but without any reduction or change in Ms. Suhm's compensation, benefits, terms or conditions of employment, other than the change in position made by this resolution, during the remainder of her Contract of Employment with the City, and Ms. Suhm may not be terminated except by action of the City Council. In addition, Ms. Suhm shall retain any notification or other rights that the City Manager is entitled to under Section 1, Chapter VI of the City Charter or any other law, policy, rule or regulation of the City.

Section 2. That the adoption of this resolution is not intended to and does not terminate Ms. Suhm's currently existing Contract of Employment, and, with the exception of the change in position made by this resolution and any voluntary waiver provided in writing by Ms. Suhm, her Contract of Employment shall remain in full force and effect through January 8, 2014.

Section 3. During the term of this temporary appointment, A.C. Gonzalez has the full powers and duties of the City Manager as provided in the City Charter and ordinances and shall be paid a base salary at the rate of \$250,000 per year while serving in this capacity, plus \$165,000 additional compensation at the end of the period of time if another person is selected as the permanent City Manager.

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 4

KEY FOCUS AREA: Make Government More Efficient, Effective and Economical

AGENDA DATE: June 19, 2013

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

CMO: Thomas P. Perkins, Jr., 670-3491

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 1 to the professional services contract with Moses, Palmer & Howell, L.L.P. to provide additional legal services regarding laws pertaining to mineral rights and potential litigation - Not to exceed \$150,000, from \$50,000 to \$200,000 - Financing: Current Funds

BACKGROUND

Supplemental Agreement No. 1 will authorize Moses, Palmer & Howell, L.L.P. to provide additional legal services regarding laws pertaining to mineral rights and potential litigation.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council was briefed in Closed Session on April 3, 2013.

Council was briefed in Closed Session on May 22, 2013.

FISCAL INFORMATION

\$150,000 - Current Funds

M/WBE INFORMATION

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Resolution No. 08-2826, as amended.

OWNER

Moses, Palmer & Howell, L.L.P.

Shayne D. Moses, Partner

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the professional services contract with Moses, Palmer & Howell, L.L.P. to provide additional legal services regarding laws pertaining to mineral rights and potential litigation - Not to exceed \$150,000, from \$50,000 to \$200,000 - Financing: Current Funds

Moses, Palmer & Howell, L.L.P. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$150,000.00	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$150,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$0.00	0.00%	\$0.00	0.00%

June 19, 2013

WHEREAS, the City of Dallas has engaged Moses, Palmer & Howell, L.L.P. to provide legal advice regarding laws pertaining to mineral rights and potential litigation; and,

WHEREAS, on April 8, 2013, pursuant to Administrative Action No. 13-5401, the City of Dallas authorized a professional services contract with Moses, Palmer & Howell, L.L.P. in an amount not to exceed \$50,000.00 to provide legal services; and,

WHEREAS, the professional services of Moses, Palmer & Howell, L.L.P. continue to be necessary for this matter; **Now, Therefore,**

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

Section 1. That, following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into Supplemental Agreement No. 1 to the professional services contract with Moses, Palmer & Howell, L.L.P. for additional legal services, in an amount not to exceed \$150,000.00, increasing the original contract amount from \$50,000.00 to \$200,000.00.

Section 2. That the City Controller is authorized to disburse, in periodic payments to Moses, Palmer & Howell, L.L.P. an amount not to exceed \$150,000.00 from Fund 0192, Department ORM, Unit 3890, Obj. 3070, Encumbrance No. ATT389013J287, Vendor No. VS0000023531.

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 5

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 19, 2013

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 670-3314

MAPSCO: 34 X Y; 44 B C D F G H M & 45 E J

SUBJECT

Authorize an amendment to the City of Dallas Design District Grant Program (Grant Program), previously approved on August 9, 2006, by Resolution No. 06-2072 to: **(1)** clarify eligible uses including a provision for affordable housing; **(2)** receive and deposit funds in the amount of \$524,600 from Alta Block 1500, LLC, pursuant to Resolution No. 06-2072 for affordable housing to be used in accordance with the Grant Program; and **(3)** an increase in appropriations in the amount of \$524,600 - Financing: Design District TIF District Funds

BACKGROUND

The Design District Grant Program (Grant Program) was first established in August 2006 pursuant to Chapter 311 of the Texas Tax Code and to implement the Design District TIF Project and Financing Plan with its purpose to promote: (1) development and diversification of the economy, (2) elimination of unemployment or underemployment, and (3) development or expansion of transportation, business, and commercial activity within the Design District TIF District.

On April 9, 2013, the Design District TIF Board recommended modifications to the Grant Program to clarify eligible uses including:

- Grants may be considered to offset the costs needed to redevelop obsolete properties and accommodate mixed use, higher density projects such as parking structures, enhanced infrastructure, and higher costs for attracting diverse commercial tenants that may not be accommodated under traditional TIF budget categories.
- On a limited basis, grants may be considered to offset the cost of providing affordable housing in residential developments within the TIF District.

BACKGROUND (Continued)

As part of an amended Grant Program, affordable housing funds totaling \$524,600 received from Alta Block 1500, LLC that were paid pursuant to Resolution No. 06-2072 may be utilized to support affordable housing.

The development agreement approved in August 2006 for the 1525 Turtle Creek project, developed by Alta Block 1500, LLC provided that at least 20 percent of all residential units in the project meet affordability criteria or meet alternative housing payment provisions as set forth in the development agreement.

Alta Block 1500, LLC provided the 20% of affordable units for three years. The property was sold to a new owner in late 2012 and a request was made to exercise the buy-out provision for the remaining seven years of the ten year affordability period.

The affordable housing proceeds may be used to offset the cost of affordable housing for other projects under the amended Grant Program. Specific projects would be brought forward at a later date as part of one or more future TIF development agreements.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 8, 2005, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Eight, the Design District TIF District by Ordinance No. 26021, as amended.

On April 12, 2006, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Design District TIF District by Ordinance No. 26303, as amended.

On August 9, 2006, City Council authorized the establishment of the City of Dallas Design District Grant Program to implement the Design District TIF Project Plan and Reinvestment Zone Financing Plan by Resolution No. 06-2072.

On August 9, 2006, City Council authorized a development agreement with TCF Interests Partnership, LTD (subsequently assigned to Alta Block 1500, LLC) to dedicate up to \$4,402,000, plus a grant in lieu of interest, from Design District TIF revenues for the "1525 Turtle Creek at the District" project by Resolution No. 06-2072.

On April 9, 2013, the Design District TIF District Board of Directors discussed and recommended approval of the amended Design District Grant Program.

On May 20, 2013, a briefing was submitted to the Economic Development Committee on the proposed amended Design District Grant Program along with related items for TIF District and Project Plan amendments.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

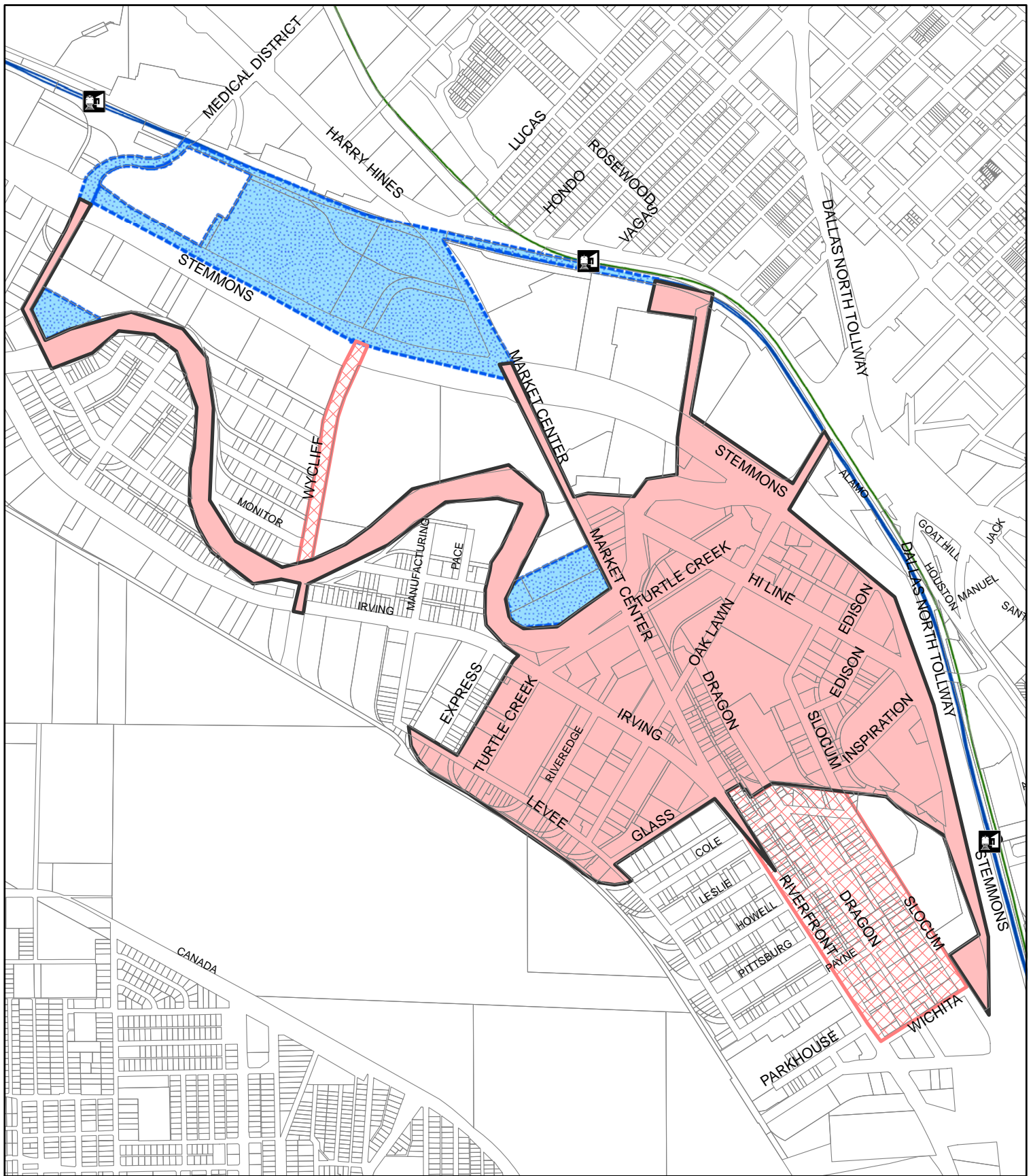
On June 12, 2013, this item was deferred by Councilmember Carolyn Davis.

FISCAL INFORMATION

\$524,600 - Design District TIF District Funds

MAP

Attached.



Design District TIF Amended Boundary

Design District Sub-District:

- Original TIF Boundary
- Expanded area (2013)

Market Center/Stemmons Sub-District

- Expanded area (2013)

Parcels (DCAD 2012)

1 DART/TRE Light Rail Stations



CITY OF DALLAS

Office of Economic
Development
April 2013

June 19, 2013

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, the City has established Tax Increment Financing Reinvestment Zone Number Eight, ("Design District TIF District" or "District") and established a Board of Directors for the District to promote development or redevelopment in the Design District area pursuant to Ordinance No. 26021, authorized by the City Council on June 8, 2005, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

WHEREAS, on April 12, 2006, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Design District TIF District by Ordinance No. 26303; and

WHEREAS, on August 9, 2006, City Council authorized the establishment of the City of Dallas Design District Grant Program to implement the Design District TIF Project Plan and Reinvestment Zone Financing Plan by Resolution No. 06-2072; and

WHEREAS, on August 9, 2006, City Council authorized a development agreement with TCF Interests Partnership, LTD (subsequently assigned to Alta Block 1500, LLC) to dedicate up to \$4,402,000, plus a grant in lieu of interest, from Design District TIF revenues for the "1525 Turtle Creek at the District" project by Resolution Nos. 06-2072 and 06-2073; and

WHEREAS, the development agreement pursuant to Resolution No. 06-2072 with TCF Interests Partnership, LTD (subsequently assigned to Alta Block 1500, LLC) allowed for an alternative housing payment provision and Alta Block 1500, LLC provided a payment for the remaining seven years of the affordability period; and

WHEREAS, on April 9, 2013, the Design District TIF Board of Directors voted to recommend modifications to the Design District Grant Program, including a provision for mixed-income housing; and

WHEREAS, the City wishes to approve the amended City of Dallas Design District Grant Program attached hereto as **Exhibit "A"** pursuant to Chapter 311 of the Act, to make grants from tax increment produced by the City and paid into the tax increment fund for the Design District TIF District to promote local economic development and stimulate business and commercial activity in the Design District TIF District; and

NOW, THEREFORE,

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

June 19, 2013

Section 1. That the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct.

Section 2. That the amended City of Dallas Design District TIF District Grant Program for the District is hereby found to include all information required under the Act.

Section 3. That **Exhibit A** of Resolution No. 06-2072, shall be completely deleted and the amended Grant Program attached hereto as **Exhibit A** shall be substituted therefore.

Section 4. That the City Controller is hereby authorized to receive and deposit funds from the Alta Block 1500, LLC in Fund 0050, Department ECO, Unit P471, Activity DDTD, Revenue Source 8476, in an amount not to exceed \$524.600.

Section 5. That the City Manager is hereby authorized to increase appropriations in Fund 0050, Department ECO, Unit P471, Activity DDTD, Object Code 4510, in an amount not to exceed \$524.600.

Section 6. That Resolution No. 06-2072 will remain in full force and effect, save and except as amended by this resolution.

Section 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Exhibit A
City of Dallas
Design District Grant Program
Amended April 9, 2013

The Design District Grant Program was established pursuant to Chapter 311 of the Texas Tax Code, to implement the Project and Reinvestment Zone Financing Plan for the Design District Tax Increment Financing (TIF) District and was first approved by the Design District TIF Board and City Council (pursuant to Resolution Number 06-2072) in August 2006. Subsequently the Design District TIF Board approved an amended version of the Grant Program on April 9, 2013.

The purpose of the Design District Grant Program is to promote: (1) development and diversification of the economy, (2) elimination of unemployment or underemployment, and (3) development or expansion of transportation, business, and commercial activity within the Design District TIF District. The City will achieve these objectives by making grants from the tax increment fund of the District in an aggregate amount not to exceed the amount of tax increment produced by the City and paid into the tax increment fund for the District. No County monies can be used to pay for economic development grants; however, County monies can be used as a direct pledge for eligible TIF project costs.

Use of Funds:

The Design District TIF Board will recommend and City Council will approve all grant award amounts and awardees. Nothing contained herein shall obligate the City to provide grant awards as this Program does not constitute an entitlement.

Grants may be considered to offset the costs needed to redevelop obsolete properties and accommodate mixed use, higher density projects such as parking structures, enhanced infrastructure, and higher costs for attracting diverse commercial tenants that may not be accommodated under traditional TIF budget categories.

On a limited basis, grants may be considered to offset the cost of providing affordable housing in residential developments within the TIF District.

Payment of Funds:

No grant funds will be distributed until all conditions of the grant agreement have been fulfilled. Grants may be made up to the amount of tax increment produced by the City and paid into the tax increment fund for the Design District TIF District. The City may in the future negotiate with financial institutions to secure bonds or other obligations, or lines of credit, to aid in the funding of projects within the TIF District.

Grants in lieu of interest:

On an individual project basis with emphasis given to projects that have significant District wide public improvement costs, additional grants may be considered in lieu of

interest on the principal costs of public infrastructure improvements. The interest rate will be calculated at a fixed rate as determined by the City with the assistance of its official financial advisor. Currently, TIF projects are no longer required to have a public bid process and advance of funds to the City; therefore, typically with most projects no interest is pledged since funds are not advanced to the City for improvements.

Eligible types of projects:

- Catalyst developments of sufficient size to stimulate new retail and commercial activity
- High volume retail anchors
- Mixed-use, transit-oriented developments
- Mixed-income housing projects
- Neighborhood serving commercial developments

Eligibility criteria:

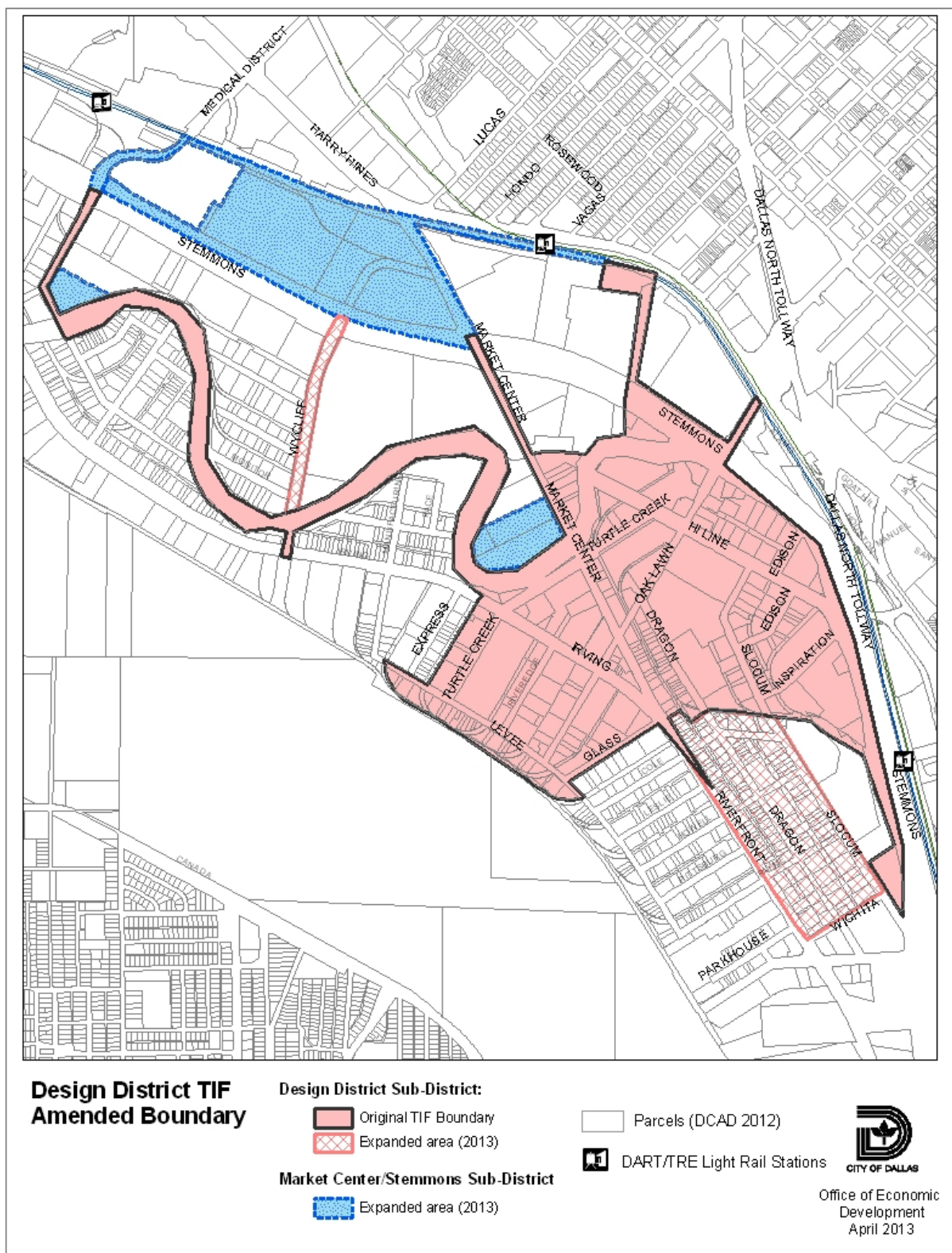
The project's eligibility for funding will be determined based on factors such as:

- Level of investment
- Job creation
- Feasibility of the development "but for" the incentives
- Ability to stimulate other investment in the District
- Provisions for public improvements that benefit the District as a whole
- Linkages with a DART transit station

Project requirements:

- The developer must meet affordable housing requirements established by the Design District TIF District Project Plan and Reinvestment Zone Financing Plan and any related City requirements.
- The developer must competitively bid construction of public improvements and follow the City's M/WBE Business Inclusion and Development Plan (BID) Policy.
- The developer must follow City's Fair Share Policy for M/WBE goals related to private construction.
- The developer must promote hiring of neighborhood residents for any new jobs created.
- The developer must comply with established Design Guidelines for the District and the current design review process.

Design District Grant Program Area



AGENDA ITEM # 6

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 19, 2013

COUNCIL DISTRICT(S): 2, 7

DEPARTMENT: Public Works Department

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: 47J N

SUBJECT

Authorize an additional payment to the Texas Department of Transportation for the City's share of the preliminary engineering costs for improvements on Hatcher Street from Haskell Avenue to Spring Avenue – Not to exceed \$75,000 – Financing: 2003 Bond Funds (\$58,000) and General Obligation Commercial Paper Funds (\$17,000)

BACKGROUND

An Interlocal Agreement with the Texas Department of Transportation (TxDOT) was previously authorized by the City Council for TxDOT to administer the design and construction for improvements on Hatcher Street from Haskell Avenue to Spring Avenue. TxDOT has completed the design of the original five lane concept and requested the City of Dallas to provide additional funds to cover the overrun costs for this project. This action will authorize an additional payment to TxDOT for the City's share of design costs.

Hatcher Street from Haskell Avenue to Spring Avenue is a four lane, undivided concrete roadway, and was selected as a candidate project for federal Intermodal Surface Transportation Efficiency Act (ISTEA) funds. An Interlocal Agreement with TxDOT was authorized in 1997, and because of TxDOT priorities and funding constraints, the project has not advanced as planned and scheduled. The scope of this project was to widen Hatcher Street from Haskell Avenue to Spring Avenue to five lanes to include a continuous left turn lane. As a result of discussions with the local community in June 2013, the project scope is being revised to four lane divided with strategic median openings and crosswalks to address crossing safety and to accommodate the future neighborhood master plan. The City has made payments to TxDOT in the amount of \$142,829 for the local share of the engineering design. An additional \$75,000 is now needed to cover the currently revised estimated preliminary costs for this project. The project is currently in the right of way acquisition phase to acquire 13 parcels needed for the improvements, and with the new four lane concept, additional design modifications and updates to the environmental documentation will also be required.

ESTIMATED SCHEDULE OF PROJECT

Began Design	April 1997
Completed Design	December 2010
Begin Construction	August 2015
Complete Construction	June 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized an Interlocal Agreement with the Texas Department of Transportation on January 8, 1997, by Resolution No. 97-0098.

Authorized payment to the Texas Department of Transportation for the City's share of design of paving and drainage improvements on August 22, 2007, by Resolution No. 07-2398.

This item was deferred by Councilmember Davis on April 24, 2013.

This item was deferred by Councilmember Davis on May 22, 2013.

FISCAL INFORMATION

2003 Bond Funds - \$58,000

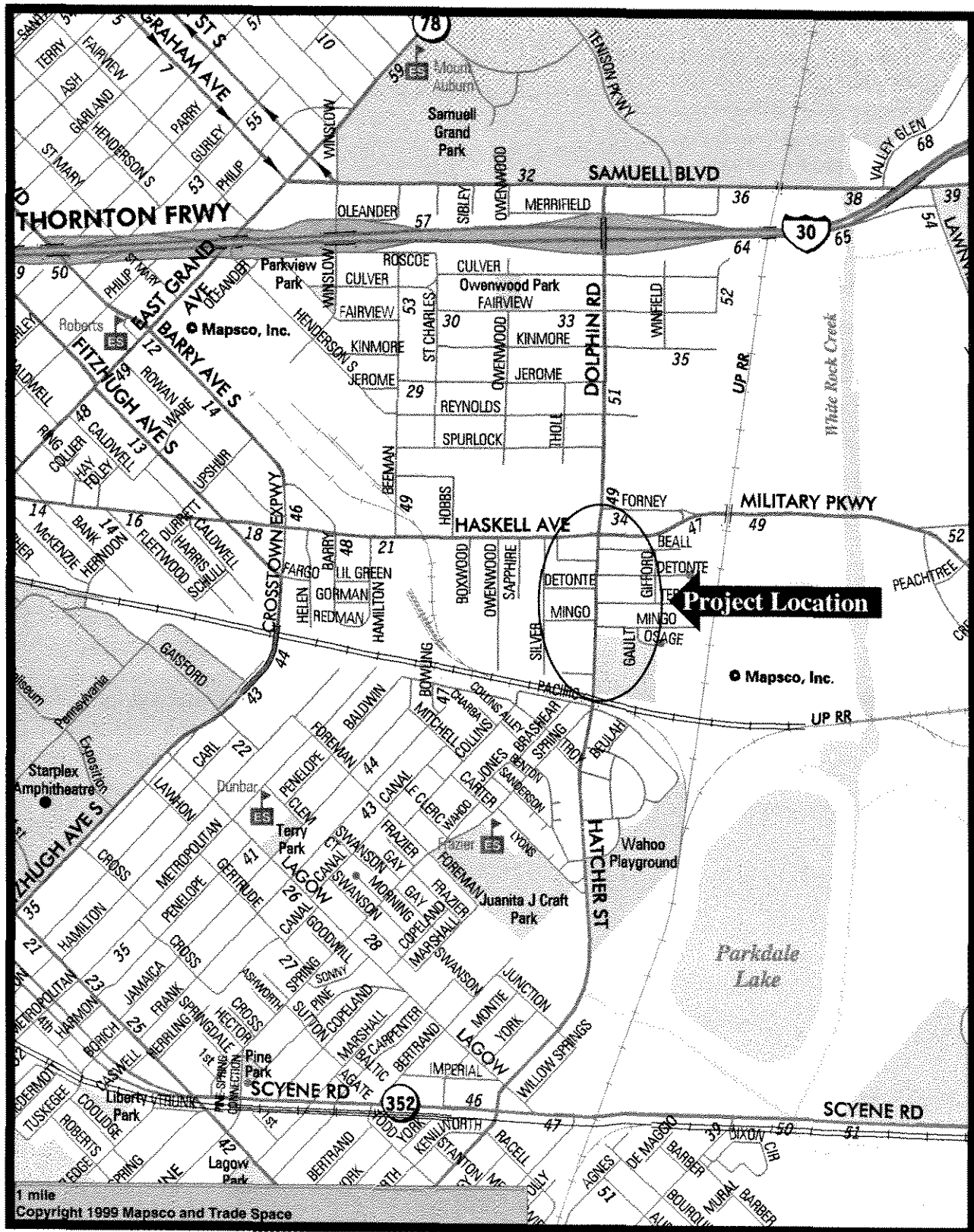
2006 Bond Program (General Obligation Commercial Paper Funds) - \$17,000

<u>Council District</u>	<u>Amount</u>
2	\$ 3,000
7	<u>\$72,000</u>
Total	\$75,000

MAP

Attached.

Hatcher Street



Mapsco 47J, N

June 19, 2013

WHEREAS, Hatcher Street from Haskell Avenue to Spring Avenue was nominated as a candidate project in the Surface Transportation Program – Metropolitan Mobility (STP-MM) provided for by the Intermodal Surface Transportation Efficiency Act (ISTEA); and,

WHEREAS, the City of Dallas entered into an Interlocal Agreement with the Texas Department of Transportation (TxDOT) in order for TxDOT to administer the design and construction on January 8, 1997, by Resolution No. 97-0098; and

WHEREAS, the City of Dallas previously made a payment in the amount of \$22,829 to TxDOT; and,

WHEREAS, on August 22, 2007, Resolution No. 07-2398 authorized an additional payment to TxDOT for the City's share of design costs for paving and drainage improvements associated with this project in the amount of \$120,000; and,

WHEREAS, it is now necessary to authorize an additional payment to the Texas Department of Transportation for the City's share of the preliminary engineering costs associated with this project.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to make an additional payment to the Texas Department of Transportation for the City's share of preliminary engineering costs for Hatcher Street from Haskell Avenue to Spring Avenue, after it has been approved as to form by the City Attorney.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the agreement from

Street and Transportation Improvements Fund Fund 4R22, Department PBW, Unit L137, Act. INTS Obj 4111, Program #PB95L137, CT PBW95L194K1 Vendor #239588, in an amount not to exceed	\$58,000.00
Street and Transportation Improvements Fund Fund 1T22, Department PBW, Unit N073, Act. THRG Obj 4111, Program #PB98N073, CT PBW95L194K1 Vendor #239588, in an amount not to exceed	<u>\$17,000.00</u>
Total in an amount not to exceed	\$75,000.00

June 19, 2013

Section 3. That the City Controller is hereby authorized to deposit any unused Bond Funds advanced to TxDOT pertaining to this project into Fund 4R22, Department PBW, Unit L137, Object 4111.

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 7

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 19, 2013

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 670-3314

MAPSCO: 44 Q

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for certain Mixed Uses on property zoned an IR Industrial Research District in an area generally bounded by Singleton Boulevard, both sides of Amonette Street, the Union Pacific Railroad, and Parvia Avenue

Recommendation of Staff: Approval, subject to an Area Regulating Plan and staff's recommended conditions

Recommendation of CPC: Approval, subject to an Area Regulating Plan and conditions Z112-319(RB)

FILE NUMBER: Z112-319(RB)

DATE FILED: September 8, 2012

LOCATION: Property generally bounded by Singleton Boulevard, both sides of Amonette Street, the Union Pacific Railroad, and Parvia Avenue

COUNCIL DISTRICT: 6

MAPSCO: 44 Q

SIZE OF REQUEST: Approx. 30.95 Acres

CENSUS TRACT: 43

APPLICANT: West Dallas Investments, LP

REPRESENTATIVES: Susan Mead, Suzan Kedron

OWNERS: See attached

REQUEST: An application for a Planned Development District for certain Mixed Uses on property zoned an IR Industrial Research District.

SUMMARY: The applicant proposes to create a Planned Development District providing for an increase in development rights over that currently permitted, while addressing certain design criteria, landscaping, open space requirements, and various pedestrian amenity requirements across the property boundary.

CPC RECOMMENDATION: Approval, subject to an Area Regulating Plan and conditions.

STAFF RECOMMENDATION: Approval, subject to an Area Regulating Plan and staff's recommended conditions.

DESIGNATED ZONING CASE

BACKGROUND INFORMATION:

- The site is partially developed with certain uses permitted by the underlying IR District zoning. Additionally, there are some legally nonconforming single family uses generally located along the southern line of the request area.
- The applicant proposes to create a Planned Development District that creates a high density, pedestrian friendly mixed use development that will be postured to benefit from significant public infrastructure improvements that will serve the immediate area.
- The majority owner of the land area within the request site participated with other landowners in the ultimate adoption by the City Council of the West Dallas Urban Structure and Guidelines, the template for redevelopment of an area generally bounded by Canada Drive/Beckley Avenue, IH30, and Sylvan Avenue.
- SUP No. 573 for a Concrete batching plant was approved by the City Council for a permanent time period on January 17, 1972. At this time, the use continues to exist, however the applicant has indicated the property will be redeveloped consistent with this request.

Zoning History:

Thoroughfare/Street

Existing & Proposed ROW

Singleton Boulevard

Principal Arterial; 100' & 100' ROW*

Amonette Street

proposed Collector; 54' ROW with on-street parking**

Herbert Street

proposed Collector; 56' ROW with on-street parking**

Bataan Street

proposed Collector; 54' ROW with on-street parking**

*Proposed Thoroughfare Plan amendment to reduce right-of-way for the section between Sylvan Avenue and Canada Drive from six lane divided to four lane divided with dedicated bicycle lanes.

**Proposed Thoroughfare Plan amendment to provide for north/south connections, from

Singleton Boulevard to Commerce Street through/under the Union Pacific Railroad along these three respective alignments, as part of the City of Dallas 2012 Bond Program.

See Roadway Improvements section, below, for additional detail.

STAFF ANALYSIS:

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

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The site consists of a mix of uses along with undeveloped parcels. In creating the vision for this request, the applicant was an active participant in the crafting of what has been adopted by the City Council (March, 2011) as the blueprint for redevelopment of West Dallas - the West Dallas Urban Structure and Guidelines. It should be noted that at the time of submission, there remain multiple 'leave-out' parcels, with an aggregate land area of approximately 1.6 acres.

The predominant land use surrounding the request site, like those uses within the request area remaining at the time of submission of the application, consists of a mix of commercial/industrial uses. Additionally, there are some legally nonconforming single family uses within the request area (southern portion) as well as west of the site. The majority of the development north of the site, across Singleton Boulevard, consists of a mix of retail and commercial uses. Beckley Avenue and the Margaret Hill Hunt Bridge define the western adjacency, with the Union Pacific Railroad right-of-way (much of it

elevated through its linear adjacency) and an electrical substation framing the site to the south.

Staff has determined that a mixed use development is appropriate at this location. The applicant and staff have continued to refine PD conditions to bring the request more in line with the West Dallas Urban Structure and Guidelines.

Urban Structure: The West Dallas Urban Structure and Guidelines [the Structure], adopted by City Council in March 2011, was developed using a collaborative community-based process under the guidance of the Dallas CityDesign Studio. Public input was a cornerstone of the Structure's development, with over 40 community meetings as well as detailed discussion and interaction with the applicant in order to reach a consensus around the vision for the area.

The three primary objectives of the Structure are to enhance and protect La Bajada, encourage incremental development, and foster new development that complies with the vision. The key to achieving these objectives successfully lies in the concept of reorienting development pressure away from La Bajada and concentrating the opportunities for density along a newly-established Herbert Street spine that runs from Singleton to West Commerce Street. As an investment in this key move to reformat the built environment in the area, the City of Dallas included \$34 million in the 2012 Bond Program to design and construct underpasses under the existing Union Pacific Railroad. This improved connectivity places the target for growth south of Singleton Boulevard; however, its success hinges on concentrating growth in a manner that establishes Herbert Street as the "high" street.

The Structure supports the overall vision of high-density, mixed use development on the property. The Structure divides the area into a number of 'neighborhoods' each with their own vision and desired development characteristics. The request site sits primarily within the Herbert Street and Trinity Point 'neighborhoods.' Ultimate build-out capacity for Trinity Point is approximately 6M square feet and for Herbert Street is 7M square feet, for a total of 13M square feet. In each case, the request site comprises less than half of the land area identified for each neighborhood. A small portion of the site lies in the 'Singleton Neighborhood' that is a more modest density area. Based upon the vision in the plan, this translates roughly to approximately 6.5M to 7M square feet of new development supported for the request site. As part of the ongoing conversations that have occurred since the May 2, 2013 CPC hearing, the applicant and staff have agreed upon development rights. The proposed conditions include a tiered approach for development rights as public amenities come on line that allows the applicant to develop up to 9M square feet that provide the greatest allowable development along the Herbert Street corridor.

To provide scale and context to the amount of development being considered for this request, a similar mixed use development can provide some clarity. The Victory PDD encompasses approximately 87 acres and provides for a maximum of 10.6 million square feet of development rights as well as required publicly and privately accessible open space across the district. To date, approximately 4.85 million square feet have been developed since City Council's approval in August 2000.

In addition to establishing the amount and phasing of development, the adopted Structure is organized around three main regulatory areas to emphasize the importance of urban design and placemaking as development priorities:

- **Defining Street Character.** Mobility functions must be balanced with creating economically vibrant and viable neighborhoods that contribute to a physically beautiful environment and a sustainable ecology. Streets must support all modes of travel, provide a high level of connectivity, accommodate development flexibility over time, and encourage pedestrian activity.
- **Organizing a Network of Open Space Opportunities.** The Structure calls for accommodating demand on land for development and infrastructure in a manner that provides for livability for the community. To that end, the Structure details the need for a hierarchy of open space of a variety of characters to serve the anticipated population in the area, as well as including public, semi-private and private open space distributed throughout the community.
- **Architecture.** Development standards should focus on how buildings relate to form and public space.

Successfully achieving the vision relies heavily upon PD conditions that ensure each of these development priorities is achieved. Regulations should guarantee the transformation of the built environment to realize the Structure's vision and build a strong sense of place. The applicant and staff have continued to work through a significant number of items. The table below outlines key provisions in the proposed PDD as they relate to the underlying organization of the plan and these three development priorities.

Analysis of Plan Priorities vs. Proposed PD	
Issue	Proposed PD
Plan Fundamentals	
Establish Herbert Street Spine and ensure that phase 1 of new development is focused along this corridor	Development rights are tiered such that the largest portion of allowed development is the core of the Herbert Street area, with provisions for the majority of frontage along Herbert Street to be "active" uses. In order for all development rights to be achieved, open space amenities must be provided.
Street network and Character	
Street pattern and network	Provision for maximum 1,600' block perimeter with options to increase to 2,400' under certain conditions to provide an interconnected street grid and ensure that connectivity in this redeveloping area is improved over time.
Street cross-sections	Street cross-sections are consistent with the adopted plan
Pedestrian priority	Use of bulb-outs and crosswalk demarcation are consistent with the adopted plan
Accommodating all modes of travel	Accommodation of bicycle traffic is consistent with adopted plan and provision of off-street network fulfills a need for the area.
Open Space	
Open Space	While the adopted plan calls for a distributed pattern of public open space, staff agrees with the applicant's proposed public open space framework, given that additional development ensure concentration of development and active uses along Herbert Street. There are additional provisions that the trail along Muncie extend to Beckley in order to provide a meaningful pedestrian connection, and in the event that constraints prevent the connection to Beckley, an off-street connection may be provided to connect the trail along Muncie to the intersection of Amonette Street and Singleton Boulevard.
Architectural Guidelines	
Development Standards Table	Proposed development standards are largely consistent with adopted plan recommendations
Views	Tower proportion restrictions apply to the entire district, with tower orientation requirements applying to the area east of Herbert Street.

Traffic: The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the requested development vision in conjunction with the required Traffic Impact Analysis and determined that the proposed development will not significantly impact the street system, subject to certain improvements being completed prior to the final inspection

for development that exceeds 80 percent of that anticipated by the TIA.

(1) A second (one existing) left-turn lane onto Sylvan Avenue on westbound Singleton Boulevard, with design and construction approved by the Department of Sustainable Development and Construction.

(2) A third (two existing) through lane on eastbound Singleton Boulevard at Beckley Avenue, with design and construction approved by the Department of Sustainable Development and Construction.

(3) If a vehicular connection exists between Singleton Boulevard and Commerce Street along Herbert Street (see below), Nos. 1 and 2 are considered satisfied.

Thoroughfare Plan Amendment: On a parallel to the request, certain infrastructure will be required to support anticipated redevelopment of the area. With respect to this request, amendments to the City of Dallas Thoroughfare Plan (see attached Exhibit) are being requested to: (1) change the designation of Singleton Boulevard from Sylvan Avenue to Canada Drive from a six lane divided {M-6-D(A)} roadway within 100 feet of right of way to a special four lane divided (SPCL 4D) roadway with bicycle lanes within 88 feet of right of way; (2) add Bataan Street from Singleton Boulevard to Commerce Street to the Thoroughfare Plan as a special two lane (SPCL 2U) roadway with on-street parking within 54 feet of right of way; (3) add Herbert Street from Singleton Boulevard to Commerce Street to the Thoroughfare Plan as a special two lane (SPCL 2U) roadway with on-street parking within 56 feet of right of way; and, (4) add Amonette Street from Singleton Boulevard to Commerce Street to the Thoroughfare Plan as a two lane (SPCL 2U) roadway with on-street parking within 54 feet of right of way.

West Dallas Investments has submitted these applications requesting amendments to the City of Dallas Thoroughfare Plan to facilitate their proposed development projects within this portion of West Dallas. Staff has worked with West Dallas Investments and the City of Dallas Design Studio to establish a street design and circulation plan that meets the needs of the proposed development, recognizes required infrastructure of adjacent property owners, and is consistent with infrastructure necessary to support the City Council approved West Dallas Urban Structure and Guidelines. Specifically, there has been an emphasis on establishing a design that balances vehicular movements while incorporating amenities that accommodate pedestrians, cyclists and public transit users.

The proposed amendments include reducing the designated number of travel lanes on Singleton Boulevard from six to four and adding a bicycle facility along the corridor.

As recommended in the West Dallas Urban Structure and Guidelines, Herbert Street, Amonette Street and Bataan Street, not currently designated on the City's Thoroughfare Plan, will be designated as two lane undivided roadways with parking on each side and parkways wide enough to accommodate landscaping and sidewalks. These links, in conjunction with the city's bond program to provide three north/south thoroughfares under the Union Pacific Railroad right-of-way, will enhance connectivity for this portion of West Dallas to other areas of the city.

These amendments were recommended for approval by the Transportation Committee (April 18, 2013) and City Plan Commission (June 6, 2013) while the City Council will consider adoption of these amendments on June 19, 2013.

Landscaping: The applicant has worked with the chief arborist to ensure the commitment to increased development rights do not come at the expense of a diminished pedestrian/tenant/resident experience. As a result, the attached recommended conditions will ensure a commitment to an enjoyable street level pedestrian experience while ensuring that the anticipated development will accommodate landscaped areas to help break up the building massing.

Bicycle parking. With respect to the development introducing approximately 5,800 multifamily dwelling units, approximately 1.4 million square feet of retail/entertainment uses, and three million square feet of office uses, staff has worked with the applicant to encourage alternative, environmental friendly modes of transportation with the goal of minimizing vehicular traffic to and from the area. DART currently serves the immediate area along Singleton Boulevard via two designated bus routes. Future plans call for a station to serve the area as well although at this time, specifics (location, opening date) are not known at this time.

The City Council adopted the 2011 Dallas Bike Plan in June, 2011. Additionally, the Green Building Code, adopted by the City Council in April, 2008, encourages bicycle parking and offers credits towards satisfying Green Building Certification. Staff is currently working through a development code amendment (CPC approved on April 18, 2013; City Council is tentatively targeted for an August, 2013 public hearing) that will mirror the above commitments by requiring bicycle parking as well as providing for a reduction in required off-street parking.

As this code amendment has yet to reach the City Council for final consideration, the recommended ordinance will reference compliance with all provisions of the Dallas Development Code, thus the final set of provisions will be applicable within the requested PDD site boundary.

Additionally, certain regulations required of development across the city have been requested to not apply to this district. For purposes of clarity, the following table provides in general terms the provisions specifically addressed in the attached conditions for those respective areas of where a compromise was not achieved.

COMPARATIVE REVIEW OF DEVELOPMENT STANDARDS/REGULATIONS		
	EXISTING IR DISTRICT	PROPOSED PDD (STAFF COMMENTS-BOLD AND ITALICS;CPC RECOMMENDATIONIN UNDERLINED)
USES	NONRESIDENTIAL USES	<p>GENERALLY CONSISTENT WITH EXISTING USES, HOWEVER INTRODUCTION OF MF USES ALONG WITH A STRONGER COMMITMENT TO RETAIL; ALLOW RENOVATION, REMODEL, EXPANSION, CHANGE OF USE FOR EXISTING LEGALLY NONCONFORMING STRUCTURES, AND EXPANSION OF CERTAIN USES BEYOND 100' CAPS ON AKRON STREET</p> <p><i>LIMIT THE GOURMET MARKETPLACE USE, GENERAL MERCHANDISE OR FOOD STORE LESS THAN 3,500 SF AND GENERAL MERCHANDISE OR FOOD STORE GREATER THAN 3,500 SF TO 4,000 SQUARE FEET BEYOND 100' CAPS ON AKRON STREET</i> <u>CPC APPROVED ENHANCED USES ON AKRON</u></p>
CREATION OF A BUILDING SITE	ESTABLISHING A BUILDING SITE REQUIRED WHERE APPLICABLE	<p>PLAT ONLY NEW CONSTRUCTION; PROVIDE FOR COMBINED EXISTING BUILDING SITES SUBJECT TO CERTAIN CRITERIA</p> <p><i>PROVIDES FLEXIBILITY FOR INCREMENTAL EXPANSION OF EXISTING USES.</i></p>
AREA REGULATING PLAN	N/A	<p>DIRECTOR APPROVED PROVISIONS FOR CITY INITIATED REVISED STREET ALIGNMENTS; PROPERTY OWNER GENERATED-FOLLOW DEVELOPMENT PLAN APPROVAL PROCESS IF >100' REALIGNMENT</p>

OFF-STREET PARKING	BASED ON USE; SPECIAL PARKING SUBJECT TO PARKING AGREEMENTS AND LIMITED WALKING DISTANCES FROM USE	VARIOUS USES WITH REVISED PARKING RATIOS; DISTRICT IS CONSIDERED ONE LOT FOR ALL PARKING; NO PARKING AGREEMENTS WHEN SPECIAL PARKING LOCATED IN THE DISTRICT; REDUCTIONS FOR PROXIMITY TO MASS TRANSIT; BDA-SPECIAL EXCEPTION TO REQUIRED PARKING; CHARGE FOR REQUIRED PARKING WHEN LOCATED IN A STRUCTURE <u>NO BDA SPECIAL EXCEPTION</u> <u>CPC RECOMMENDED BDA SPECIAL EXCEPTION PROCESS</u>
SUBSURFACE PARKING	N/A	PERMIT ACROSS INTERNAL LOT LINES AND TO LOT LINE.
BICYCLE PARKING	N/A	ORDINANCE REFERENCE TO DALLAS DEVELOPMENT CODE WILL CAPTURE FINAL CITY COUNCIL ACTION
SIDEWALKS	DALLAS CITY CODE	EXCEPT AS PROVIDED FOR IN STREETSCAPE STANDARDS EXHIBITS, MINIMUM UNOBSTRUCTED WIDTH OF FOUR FEET.
LANDSCAPING	ARTICLE X PLUS SPECIFIC STREETSCAPE, PLANTING AREAS	SPIRIT OF ARTICLE X IS RETAINED, WITH SPECIFIC DEVIATIONS TO ACCOMMODATE PEDESTRIAN FRIENDLY, HIGH DENSITY DEVELOPMENT

CPC ACTION

(May 2, 2013)

Motion: In considering an application for a Planned Development District for certain Mixed Uses on property zoned an IR Industrial Research District in an area generally bound by Singleton Boulevard, both sides of Amonette Street, the Union Pacific Railroad and Parvia Avenue, it was moved to **hold** this case under advisement until June 6, 2013.

Maker: Hinojosa
Second: Rodgers
Result: Carried: 9 to 2

For: 9 - Wally, Anglin, Rodgers, Hinojosa, Lavallaisaa,
Bernbaum, Schwartz, Ridley, Alcantar

Against: 2 - Bagley, Tarpley
Absent: 4 - Davis, Culbreath, Shellene, Wolfish
Vacancy: 0

Notices: Area: 500 Mailed: 191
Replies: For: 27 Against: 4

Speakers: For: Suzan Kedron, 901 Main St., Dallas, TX, 75202
Against: None

(June 6, 2013)

Motion: It was moved to recommend **approval** of a Planned Development District for certain Mixed Uses, subject to an area regulating plan and staff's revised recommended conditions with the following revision: 1) for the gourmet marketplace use and general merchandise or food store uses at street level on Akron Street are limited to 8,000 square feet instead of staff's recommended 4,000 square feet, on property generally bounded by Singleton Boulevard, both sides of Amonette Street, the Union Pacific Railroad, and Parvia Avenue.

Maker: Hinojosa
Second: Ridley

Result: Carried: 13 to 0

For: 13 - Ridley, Hinojosa, Rodgers, Alcantar, Tarpley,
Bagley, Lavallaisaa, Wally, Anglin, Schwartz,
Schellene, Culbreath

Against: 0
Absent: 1 – Bernbaum, Davis, Wolfish
Vacancy: 0

Amended Motion: It was moved to recommend **approval** of the addition to the initial motion: 1) permit the granting of a special exception to reduce the number of off-street parking spaces required in accordance with Section 51A-4.311.

Maker: Anglin
Second: Tarpley

Result: Carried: 13 to 0

For: 13 - Ridley, Hinojosa, Rodgers, Alcantar, Tarpley,
Bagley, Lavallaisaa, Wally, Anglin, Schwartz,
Schellene, Culbreath

Against: 0
Absent: 1 – Bernbaum, Davis, Wolfish
Vacancy: 0

Notices: Area: 500 Mailed: 191
Replies: For: 29 Against: 3

Speakers: For: Susan Mead, 901 Main, Dallas, TX, 75202
Phil Romano Dallas, TX, 75202

Against: None

LIST OF PARTNERS/PRINCIPALS/OFFICERS
(updated April 24, 2013)

APPLICANT/OWNER: WEST DALLAS INVESTMENTS, L.P.

General Partner: PSL Managment, LLC

Larry B. McGregor
Philip J. Romano
Stuart Fitts

L.P.: Samson Inv. LP

Larry B. McGregor
Philip J. Romano
Stuart Fitts

**OWNER: OTHER OWNERSHIP ENTITIES OWNED 100% BY
WEST DALLAS INVESTMENTS, LP. (See Above)**

Trinity Groves, LLC
E.Z.'s Trucking, Inc.
Commerce Properties West, LLC

OTHER OWNERS:

Blue Ribbon Industries, Inc.
Mark Longoria – President, Director
Jeff Magid – Vice President, Director

Juan Almaraz Garcia, Individual

Alvino Morales, Individual

Spicer Holdings LLC
Donald R. Spicer

Hanson Aggregates
Dan Harrington – CEO
Clifford Hahne – President
Glenn Heller – CFO
Amy C. Li – Assistant Secretary
Philip Holland – Vice President, General Manager

Andres Estrada, Jr., Individual

Humberto L. DeLeon, Individual

Cruz P. DeLeon, Individual

David B. Jenson, Individual

Adelaide T. Chorane, Individual

Robert Chorane, Individual

Melesio Perez, Individual

Martha Garcia, Individual

Albert Garcia, Individual

Felipe Hernandez, Individual

Mary Lee Hernandez, Individual

Larry Gibson, Individual

Juanita Martinez, Individual

TR Guadalupe Rios, Individual

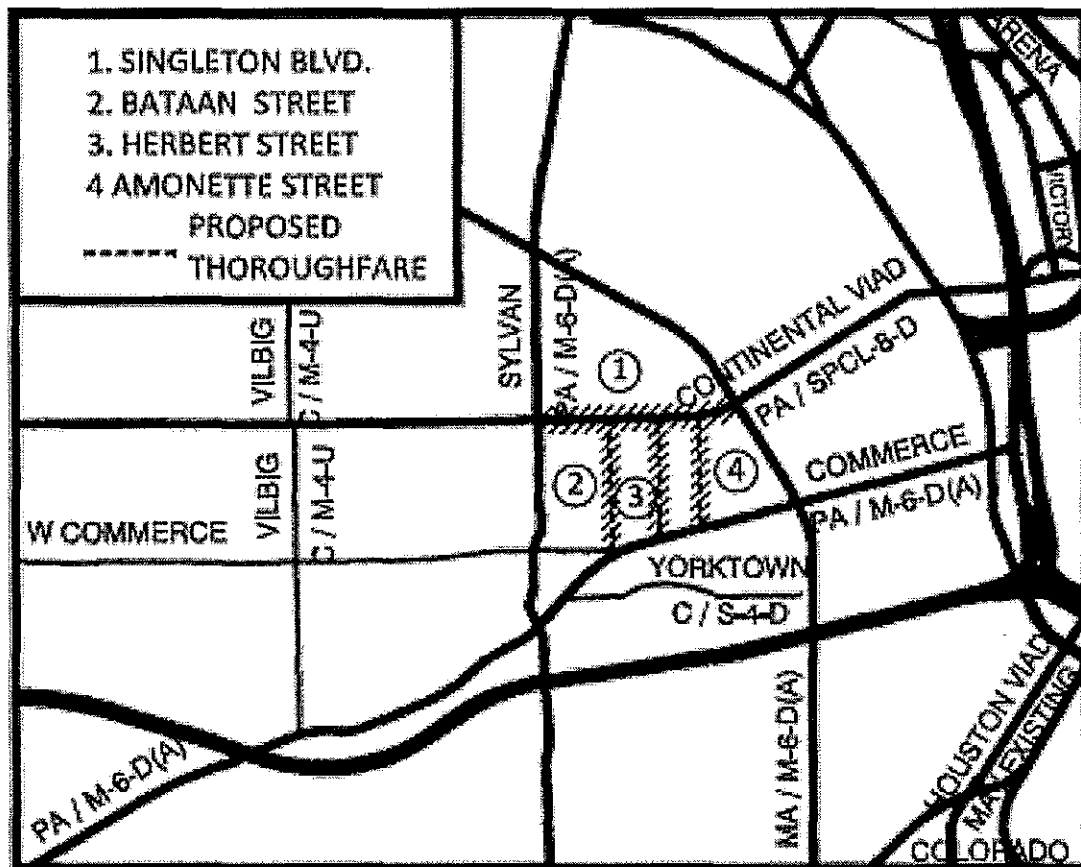
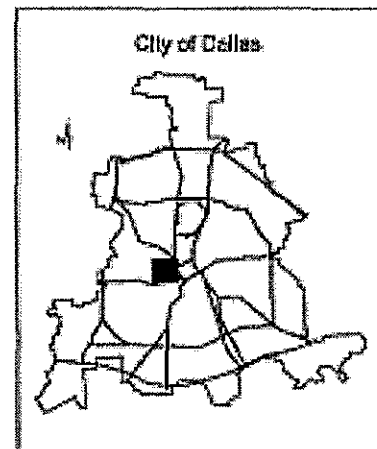
Guadalupe Cavazos, Individual.

Margaret Rogers, Individual

Joe D. DeLeon, Individual

AMONETTE - BATAAN - HERBERT - SINGLETON

Thoroughfare Plan Amendment Thoroughfare Map



LOCATOR MAP
NOT TO SCALE

CPC RECOMMENDED/STAFF RECOMMENDED CONDITIONS

ARTICLE ____.

PD ____.

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

PD____ was established by Ordinance No. _____, passed by the Dallas City Council on _____, 2012.

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

The property is generally bounded by Singleton Boulevard, Amonette Street, the Union Pacific Railroad, and Bataan Street. The size of the property is approximately 30.95 acres.

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

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

(1) **ADAPTIVE REUSE** means rehabilitation or renovation of existing building(s) for any use(s) other than the present use.

(1.1) **AQUARIUM** means an establishment where aquatic animals and plants are kept and exhibited.

(2) **ALTERNATIVE ENERGY PLANT** means a plant creating power from alternative energy sources using solar panels, turbines, and other power creating means which then returns the newly created power to the energy grid off-site.

(3) **ANTIQUE SHOP** means an establishment for the retail sale of articles such as glass, china, furniture, or items and decorations that have value and significance as a result of age, design, or sentiment.

(4) **AREA REGULATING PLAN** means a planning document that sets forth policies and programs regulating development in a local area.

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

(6) **ART OR CRAFT PRODUCTION FACILITY** means a facility for the production of handcrafted art or craft products through processes such as kiln firing,

glass blowing, welding, or woodworking and for sale of the products to the general public.

(7) BULB-OUT means location where the sidewalk edge is extended from the prevailing curb line into the roadway at sidewalk grade, effectively increasing pedestrian space.

(10) CUSTOM VEHICLE SHOP means a facility for the restoration, fabrication, modification, and sale and display of customized or modified automobiles, boats, trucks, motorcycles, motor scooters, recreational vehicles, or trailers.

(11) ENTERTAINMENT COMPLEX means a public, multi-use sports, entertainment, and convention facility where people view and participate in events and performances, including, but not limited to, theatrical, musical, and dramatic performances, professional or amateur sporting events, and meetings and assemblages.

(12) FACADE means the exterior wall of a building, facing or oriented to a public street, park or public open space.

(13) GOURMET MARKETPLACE means a facility that offers prepared meals, catered meals, and retail grocery items that may include the sale of alcoholic beverages for consumption on-premise or off-premise and which may also allow customers in motor vehicles to pick-up food for off premise consumption. The display area for the sale of alcoholic beverages may not exceed 40 percent of the square footage for this use

(14) IDENTIFICATION SIGN means an attached premise sign that identifies the name or logo of the district, business, or tenant.

(15) LINER DEVELOPMENT means a development specifically designed to mask a parking structure from a frontage on a public street or public space.

(16) LIVE-WORK UNIT means an interior space that combines a residential and an office or retail and personal service use, exclusive of an alcoholic beverage establishment and a restaurant without drive-in or drive-through service. A live/work unit is considered a nonresidential use.

(17) MASSAGE ESTABLISHMENT and MASSAGE mean a massage establishment or massage as defined by the Texas Occupation Code 455, as amended.

(18) MEWS means the public or private right-of-way for pedestrians and/or vehicles within a block that provides access to the building, serves as a small street, and may provide access to vehicle parking.

(19) MIXED USE DEVELOPMENT means more than one main use on a building site.

(20) MOBILE FOOD ESTABLISHMENT means a container or vehicle-mounted food establishment that is designed to be readily moveable and from which food is distributed, sold, or served to an ultimate consumer. The term includes, but is not limited to, mobile food preparation vehicles and pushcarts.

(21) NEW CONSTRUCTION means an application for a building permit to expand floor area, excluding uncovered porches and uncovered patios, if the expansion is over 50 percent for nonresidential projects, over 65 percent for mixed use projects, or over 75 percent for residential projects.

(22) PROJECT ANNOUNCEMENT SIGN means an attached premise sign constructed of rigid material, mesh or fabric surface, or a projection of a light image onto a wall face with the use of layers that announces a project, tenant or activity in the district.

(23) STREETSCAPE means the area between the buildings and edge of the vehicular or parking lanes. The principal streetscape components are curbs, sidewalks, street trees, tree planters, bicycle racks, litter containers, benches, and street lights. Treatments may also include a range of provisions such as paving materials, street/pedestrian wayfinding signs, parking meters, public art, water features, bollards and other elements.

(24) STREETWALL means a building facade or collection of building facades that faces the street.

(25) TOWER DIMENSION means the measurement taken along the longest axis of that portion of the structure subject to tower orientation regulations.

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

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

(d) If there is a conflict between the text of this article and any charts, guidelines, exhibits, graphic displays, or maps, the text of this article controls.

(e) If there is a conflict between the text of this article and the West Dallas Urban Structure and Guidelines, the text of this article controls. The West Dallas Urban Structure and Guidelines are to be used as a guide and is conceptual in nature.

SEC.51P-___.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit ___A: Area Regulating Plan

- (2) Exhibit ____B: Table of Development Standards
- (3) Exhibit ____C: CBD View Control Map
- (4) Exhibit ____D: High-rise Tower Floor Plate Proportion and Orientation Diagram
- (5) Exhibit ____E: Mixed Use Development Parking Chart
- (6) Exhibit ____F: Streetscape Standards
- (7) Exhibit ____G: Master Parking Plan and Floor Area Plan
- (8) Exhibit ____H: Mixed Income Housing Guidelines
- (9) Exhibit ____I: Tower Floor Plate Proportion Diagram
- (10) Exhibit ____J: Site Plan Development Table

SEC.51P-___.105. AREA REGULATING PLAN.

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

(b) An area regulating plan must show:

- (1) District boundaries.
- (2) Location of existing thoroughfares and general location of proposed thoroughfares, if any. If a proposed thoroughfare differs from the thoroughfare plan, an amendment to the thoroughfare plan is required.
- (3) Location of existing minor streets and general location of proposed minor streets, if any.
- (4) Location of any existing public open space and general location of any proposed open space.
- (5) Location of any proposed rail transit station or trolley station.

SEC.51P-___.106. MINOR AMENDMENTS TO THE AREA REGULATING PLAN.

(a) Except as provided in Section 51P-___.117(d), the City Plan Commission may approve minor amendments to an area regulating plan for modification by following the development plan approval process when:

(1) the City alters a street alignment for Amonette Street, Herbert Street, or Bataan Street, or

(2) the applicant requests to alter a street alignment by no more than 100 feet by the applicant.

SEC.51P-___.107. CONCEPTUAL PLAN AND DEVELOPMENT PLAN.

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

SEC.51P-___.108. SITE PLAN.

(a) A site plan must accompany any application for a building permit that provides for new or additional floor area within the district.

(b) Each site plan must comply with the requirements for a development plan listed in Section 51A-4.702(e)(1) and (e)(2), and include:

(1) a tabulation box consisting of the proposed floor area, number of dwelling units, structure height, lot coverage, and required and provided off-street parking associated with the building permit;

(2) existing floor area or number of dwelling units, if applicable

(3) existing floor area for the district; and,

(4) cumulative floor for the district.

(c) An example of the format for subparagraphs (b)(1), (2), (3), and (4) may be found on the Site Plan Development Table, Exhibit ____ J.

SEC.51P-___.109. CREATION OF A BUILDING SITE.

(a) Except as provided in this section, the provisions of Section 51A-4.601 apply.

(b) Combined building site. A building site may be established by agreement between two adjacent lots or building sites subject to the following:

- (1) The area of the combined building site may not exceed one acre;
- (2) Only one combined building site may be created per block (for purposes of this section, block is an area surrounded on all sides by a street, alley, or railroad right-of-way);
- (3) The proposed work is an addition to an existing structure for which a building permit was authorized for development of the existing structure;
- (4) The proposed work does not increase the floor area of the existing structure by more than 50 percent; and,
- (5) The proposed work is for a ground level addition of no greater than one story.

SEC.51P-___.110. MAIN USES PERMITTED.

(a) In general. Unless further restricted on street level along Herbert Street in subsection (b), the following uses are the only main uses permitted:

- (1) Agricultural uses.
 - Crop production [Limited to community gardens only.]
- (2) Commercial and business service uses.
 - Building repair and maintenance shop. [RAR]
 - Catering service.
 - Commercial cleaning or laundry plant. [SUP]
 - Custom business services.
 - Custom woodworking, furniture construction, or repair.
 - Electronics service center.
 - Job or lithographic printing. [RAR]
 - Labor hall. [SUP]
 - Medical or scientific laboratory.
 - Technical school.
 - Tool or equipment rental. [SUP required if use is operated outside, otherwise by right.]

(3) Industrial uses.

- Alcoholic beverage manufacturing.
- Industrial (inside) for light manufacturing.
- Industrial (inside). [RAR]
- Temporary concrete or asphalt batching plant. [By special authorization of the building official.]

(4) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center.
- Convent or monastery.
- Halfway house. [SUP]
- Hospital. [RAR]
- Library, art gallery, or museum.
- Open-enrollment charter school. [SUP]
- Private school. [SUP]
- Public school other than open-enrollment charter school. [SUP]

(5) Lodging uses.

- Extended stay hotel or motel *[Limited to internal entry guest rooms only. Interior courtyard-entry guest rooms are permitted. Guest rooms with direct access to the street or parking area are prohibited.]* [SUP]
- Hotel or motel. [RAR]
- Lodging or boarding house. [SUP]

(6) Miscellaneous uses.

- Carnival or circus (temporary). [By special authorization of the building official.]
- Live-work unit.
- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. [SUP]
- Medical clinic or ambulatory surgical center.

-- Office.

(8) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- College dormitory, fraternity, or sorority house. [SUP]
- Duplex.
- Group residential facility. [SUP required if the spacing component of Section 51A-4.209(b)(3) is not met. Permitted in this subdistrict subject to the same requirements as if located in an MU-3 Mixed Use District.]
- Handicapped group dwelling unit. [SUP required if the spacing component of Section 51A-4.209(b)(3.1) is not met. Permitted in this subdistrict subject to the same requirements as if located in an MU-3 Mixed Use District.]
- Multifamily.
- Retirement housing.
- Single family.

(10) Retail and personal service uses.

- Aquarium.
- Alcoholic beverage establishments. *[Maximum of 10,000 square feet for a distillery or winery by right, and 6,000 square feet of floor area per all other uses by right . Otherwise, by SUP]*
- Ambulance service. [RAR]
- Animal shelter or clinic without outside runs. [RAR]
- Animal shelter or clinic with outside runs. [SUP]
- Antique shop.
- Art gallery (retail). [may include outside display]
- Art or craft production facility. [may include outside display]
- Auto service center. [SUP]
- Business school.
- Car wash. *[Tunnel-type only]*
- Commercial amusement (inside). [See Section 51A-4.210(b)(7). Except as otherwise provided, permitted in this subdistrict subject to the same requirements as if located in an MU-3 Mixed Use District. Class E dance halls, as defined

in Chapter 14 of the Dallas City Code, are not permitted.
Billiard hall by SUP only. Bingo parlor by SUP only.]

- Commercial amusement (outside). [SUP]
- Commercial parking lot or garage. [SUP required for commercial parking lot]
- Convenience store without drive-through.
- Convenience store with drive-through. [SUP]
- Custom vehicle shop.
- Dry cleaning or laundry store.
- Entertainment complex. [Allowed by right up to 500 seats; otherwise, by SUP only.]
- Furniture store.
- General merchandise or food store 3,500 square feet or less. [may include outside display]
- General merchandise or food store greater than 3,500 square feet.
- Gourmet marketplace.
- Home improvement center, lumber, brick, or building materials sales yard [By SUP only if greater than 10,000 square feet; otherwise by right]
- Household equipment and appliance repair.
- Liquor store.
- Massage establishment. [SUP]
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station. [SUP]
- Mobile food establishments.
- Nursery, garden shop, or plant sales.
- Outside sales.
- Personal service uses [excluding piercing salon and tattoo studio].
- Piercing salon. [SUP]
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. [SUP]
- Swap or buy shop. [SUP]
- Taxidermist.
- Tattoo studio. [SUP]
- Temporary retail use.
- Theater.
- Vehicle display, sales, and service. [SUP]

(11) Transportation uses.

- Heliport. [SUP]
- Helistop. [SUP]
- Private street or alley. [SUP]
- Railroad passenger station.

- Transit passenger shelter.
- Transit passenger station or transfer center.

(12) Utility and public service uses.

- Alternative energy plant. [SUP]
- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [RAR] [SUP]
- Tower/antenna for cellular communication. [SUP]
- Utility or government installation other than listed. [SUP]

(13) Wholesale, distribution, and storage uses.

- Auto auction. [SUP]
- Contractor's maintenance yard. [RAR] [SUP]
- Mini-warehouse. [SUP]
- Office showroom/warehouse.
- Recycling drop-off container. [SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]
- Trade center.
- Warehouse. [SUP]

(b) Street level uses with primary entrances facing Herbert Street. For new construction, the uses listed in this subsection are the only main uses permitted at street level for at least 75 percent of the required streetwall frontage listed in Exhibit ____B. These uses at street level must have a minimum depth of 20 feet.

(1) Institutional and community service uses.

- Library, art gallery or museum.

(2) Office uses.

- Financial institution without drive-in window.
- Office.

(3) Lodging uses.

- Hotel or Motel [RAR]

(4) Recreation uses.

- Public park, playground, or golf course.

(5) Retail and personal service uses.

- Aquarium.
- Alcoholic beverage establishments. *[Maximum of 10,000 square feet for a distillery or winery by right, and 6,000 square feet of floor area per all other uses by right. Otherwise, by SUP.]*
- Antique shop.
- Art gallery.
- Art or craft production facility.
- Commercial amusement (inside). *[SUP]*
- Convenience store without drive-through.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Gourmet market place
- Liquor store.
- Mobile food establishments.
- Nursery, garden shop, or plant sales.
- Outside sales.
- Personal service uses [excluding piercing salon and tattoo studio].
- Restaurant without drive-in or drive-through service.
- Temporary retail use.
- Theater.

(6) Utility and public service uses.

- Commercial radio or television transmitting station.
- Post Office.

(c) Street level uses with primary entrances facing Akron Street. In order to ensure Herbert Street remains the primary commercial corridor in the district:

CPC Recommended:

- (a) except for a gourmet market place and a general merchandise or food store greater than 3,500 square feet, retail and personal service uses located at street level and greater than 100 feet from an intersection are limited to 4,000 square feet in size.
- (b) for a gourmet market place and a general merchandise or food store greater than 3,500 square feet located at street level and greater than 100 feet from an intersection are limited to a maximum number of two uses, each a maximum of 8,000 square feet in size.

Staff recommended:

(c) Street level uses with primary entrances facing Akron Street. In order to ensure Herbert Street remains the primary commercial corridor in the district, retail and personal service uses located at street level and greater than 100 feet from an intersection are limited to 4,000 square feet in size.

SEC.51P-___.111. ACCESSORY USES.

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

(b) The following are accessory uses to an office or mixed use development:

- Heliport, Heli-stop [SUP]
- Cellular Tower [SUP]
- Antenna or satellite [SUP]
- Alternative energy plant.

SEC.51P-___.112. YARD, LOT, AND SPACE REGULATIONS.

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

(a) In general.

(1) The development standards not referenced in this section are referenced in the table of development standards (Exhibit _____ B). If there is a conflict between this section the table of development standards, the table of development standards controls.

(2) Belt courses, cornices, window sills, bay windows, awnings, arcades, fireplace chimneys, unenclosed balconies, enclosed and unenclosed porches and patios, unenclosed stairs, unenclosed ingress/egress ladders, unenclosed mechanical access ladders, stoops, and other architectural features may project a maximum of six feet into a required front, side, or rear yard.

(b) Front yard. See table of development standards.

(c) Side and rear yard. See table of development standards.

(d) Density.

(1) Except as provided in this subsection, no maximum or minimum density.

(2) For Herbert Street:

(A) No minimum multifamily density applies for a development with a minimum floor area ratio of 2.0:1.

(B) Prior to the completion of construction of the Union Pacific Railroad underpasses on Amonette Street, Herbert Street, and Bataan Street, minimum density for multifamily is 70 dwelling units per acre.

(C) Minimum density for multifamily uses constructed after completion of construction of the Union Pacific Railroad underpasses on Amonette Street, Herbert Street, and Bataan Street is 100 dwelling units per acre.

(e) Floor area.

(1) Maximum floor area west of Beeville Street. Maximum floor area west of Beeville Street is 1 million square feet. Projects meeting TIF Mixed Income Housing Guidelines (Exhibit __H) do not count against the 1 million square foot maximum. Maximum floor area for the area west of Beeville Street increases to 2 million square feet upon the issuance of Certificates of Occupancy for all open space located west of Beeville Street as shown on the area regulating plan.

(2) Maximum floor area east of McPherson Street. Maximum floor area east of McPherson Street is 1.5 million square feet. Projects meeting TIF Mixed Income Housing Guidelines (Exhibit __H) do not count against the 1.5 million square foot maximum. Maximum floor area for the area east of McPherson Street increases to 3 million square feet upon the issuance of Certificates of Occupancy for all open space located east of McPherson Street as shown on the area regulating plan.

(3) Maximum floor area between Beeville Street and McPherson Street. Maximum floor area between Beeville Street and McPherson Street is 2.5 million square feet. Projects meeting TIF Mixed Income Housing Guidelines (Exhibit __H) do not count against the 2.5 million square foot maximum. Maximum floor area between Beeville Street and McPherson Street does not apply upon the issuance of Certificates of Occupancy for all open space located between Beeville Street and McPherson Street as shown on the area regulating plan.

(4) At no time will maximum floor area exceed 9,000,000 square feet for the entire District.

(f) Height.

(A) Except as provided in this subsection, no maximum structure height.

(B) If any portion of a structure is over 26 feet in height, that portion of a structure may not be located above a residential proximity slope.

(C) The following structures may project a maximum of eight feet above the residential proximity slope provided they do not exceed 25 percent of the roof area:

- (i) Elevator penthouse or bulkhead.
- (ii) Mechanical equipment room.
- (iii) Cooling tower.
- (iv) Tank designed to hold liquids.
- (v) Ornamental cupola or dome.
- (vi) Skylights.
- (vii) Clearstory.
- (viii) Visual screens which surround roof mounted mechanical equipment.
- (ix) Chimney and vent stacks.

(D) Residential proximity slope does not apply for any development located 200 feet south of Singleton Boulevard between Beeville Street and McPherson Street, and for any development south of Akron Street between McPherson Street and Amonette Street.

(g) Lot coverage. See table of development standards.

(h) Lot size. No minimum lot size.

(i) Stories. No maximum number of stories.

**SEC.51P-___.113. HIGH-RISE TOWER FLOOR PROPORTION
AND ORIENTATION.**

(a) Portions of any building above 75 feet in height have floor plate size and orientation restrictions. Any portion of a building greater than 75 feet in height must comply with the following:

(1) For a tower with a floor plate average of 12,500 square feet or less, there are no tower dimension or orientation restrictions.

(2) For a tower with a floor plate average greater than 12,500 square feet [Exhibit ____I]:

(A) For office uses, the longest tower dimension may not exceed two times the shortest tower dimension;

(B) For all other uses, the longest tower dimension may not exceed three times the shortest tower dimension;

(C) In no case, will floor plate configurations exceed 130 feet by 260 feet.

(3) Towers may not have floor plates greater than 30,000 square feet

(4) Only portions of a building above 75 feet in height and located within the CBD View Control Area (Exhibit ____C) must comply with tower orientation requirements (Exhibit ____D).

(b) Minimum tower separation is 70 feet.

SEC.51P-___.114. OFF-STREET PARKING AND LOADING.

(a) General requirements.

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

(2) Except for residential uses, required off-street parking for any use within the Property may be located anywhere within the district, even if on another building site or lot, and without regard to distance. If the required parking is not provided anywhere on the Property, a parking agreement is required in accordance with Division 51A-4.320.

(b) Off-street parking ratios. Off-street parking must be provided at the following ratios:

(1) Alternative energy plant. Parking requirement to be set by SUP conditions.

(2) Antique shop. One space per 600 square feet of floor area is required.

(3) Art gallery (retail). One space per 600 square feet of floor area is required.

(4) Art or craft production facility. One space per 1,000 square feet of floor area is required.

(5) Custom vehicle shop. One space per 500 square feet of floor area and outdoor area where the use is operated, exclusive of parking area.

(6) Entertainment complex. One space for each four seats.

(7) Gourmet marketplace. One space per 220 square feet of floor area is required.

(8) Live/work unit. One space per live/work unit. If the nonresidential component of this use exceeds 1,000 square feet of floor area, off-street parking must be provided as if it is a main use.

(9) Mobile food establishment. One space per 200 square feet of floor area is required.

(c) Master parking plan and floor area plan.

(1) Purpose. Because off-street parking requirements for uses in this district may be provided in remote locations on the Property without the use of a parking agreement, the master parking plan and floor area plan identifies the locations of all off-street parking, determines the amount of required off-street parking, identifies available off-street parking, and ensures that each use within the district meets the off-street parking requirements.

(2) Master parking plan and floor area plan supplement.

(A) To maintain adequate required off-street parking for all new construction, a master parking plan and floor area plan supplement (Exhibit ____ G) must be submitted to and approved by the building when:

- (i) a site plan is submitted;
- (ii) required off-street parking spaces are relocated; or
- (iii) parking spaces are added or removed.

(B) A master parking plan and floor area plan supplement must include:

- (i) the number of existing required off-street parking spaces;
- (ii) the number and location of required off-street parking spaces added, deleted, or relocated;
- (iii) the number and location of all parking spaces;

(iv) a revised master parking plan and floor area plan that shows;

(aa) changes to a site plan; and

(bb) other changes to the master parking plan and floor area plan since the last update, including changes to floor area and revisions to streets, alleys, or private drives.

(C) The building official shall maintain a copy of each approved master parking plan and floor area supplement.

(D) The Property owner must deliver a copy of each approved master parking plan and floor area plan supplement to the director of sustainable development and construction within five days of the building official's approval of each supplement.

(d) Proximity to public transit.

(A) Office uses.

(i) The off-street parking requirement for an office use may be reduced by three percent if the office use is within 1,200 feet, measured as a pedestrian would walk, from a DART commuter rail station at which DART commuter rail service is available or a DART bus stop where DART bus service is available, during the morning and evening peak periods (between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday).

(ii) The off-street parking requirement for an office use may be reduced by ten percent if the office use is within 1,200 feet, measured as a pedestrian would walk, from a DART light rail station at which DART light rail service is available with train headways at least every 20 minutes during the morning and evening peak periods (between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday), or DART bus stop at which DART bus service is available with bus headways at least every 20 minutes during the morning and evening peak periods (between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday).

(iii) The total transit reduction for an office use may not exceed 10 percent.

(B) All other uses. Except for restaurant and alcoholic beverage establishment uses, the off-street parking requirement for all other uses may be reduced by ten percent if the use is within 1,200 feet, measured as a pedestrian would walk, from a DART light rail station at which DART light rail service is available with train headways at least every 20 minutes during the morning and evening peak periods (between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday) or DART bus stop at which DART bus service is available with bus headways at least every 20 minutes during the morning and evening peak periods

(between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday).

(e) On-street parking.

(1) On-street parking spaces adjacent to a building site may be credited toward the off-street parking requirement of uses on the building site, even if the parking, backing, or maneuvering must be performed in the public right-of-way. All on-street parking must be approved as to design and construction by the director of public works and transportation. On-street parking must be striped in accordance with standard city specifications.

(2) Each on-street parking space permitted by this subparagraph may be credited towards required parking for the use in which the parking space abuts.

CPC Recommended::

(f) Special exception. The board of adjustment may grant a special exception to reduce the number of off-street parking spaces required in accordance with Section 51A-4.311.

Staff recommended:

(f) Special exceptions for required off-street parking requirements are not permitted.

(g) Mixed use development parking reduction.

(1) In general.

(A) The off-street parking requirement for a mixed use development may be reduced in accordance with the mixed use development (MUD) parking chart (Exhibit ____E).

(B) For purposes of this subsection, mixed use development means any development on the same building site in this district.

(C) This reduction may be used in combination with other parking reductions, except that the requirement for a mixed use development may not be reduced by more than 30 percent.

(2) Calculation of adjusted off-street parking requirement. The adjusted off-street parking requirement for a mixed use development is calculated as follows:

(A) The parking requirements for each of the uses in the mixed use development must be ascertained.

(A) The parking demand for each use is determined for each of the six times of day shown in the MUD parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development does not fall within one of the categories

shown in the MUD parking chart, the percentage assigned to that use is 100 percent for all six times of day unless other factors can be demonstrated by a parking study and approved by the building official.

(B) The "time of day" columns are totaled to produce sums that represent the aggregate parking demand for the development at each time of day. The largest of these six sums is the adjusted off-street parking requirement for the development.

(C) If one or more of the main uses in a mixed use development is a retail or personal service use, the minimum parking requirement for the mixed use development cannot be reduced to a number of spaces that is less than the sum of the standard parking spaces required for each of the retail and personal service uses in the mixed use development.

(h) Fees for required parking. Fees may be charged for use of required parking only when located within a parking structure.

(i) Below grade parking structures may project across internal lot lines and to the lot line.

SEC.51P-___.115. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC.51P-___.116. LANDSCAPING.

(a) In general. Landscaping must be provided in accordance with this section.

(b) Application. Except as provided, this section applies only to building permits for new construction or surface parking lots of 2,000 square feet or greater.

(c) Definitions and standards. Except as provided in this section, the definitions and conditions of Article X apply. The landscaping standards for this district are to be applied to conform to the intent of the West Dallas Urban Structure Guidelines and the street sections attached as Exhibit ____F, Streetscape Standards. If there is a conflict, the text of this section prevails.

(d) Board of adjustment. The board of adjustment may grant a special exception to the requirements of this section in accordance with the standard set out in Section 51A-10.110.

(e) Landscape plan. A landscape plan must accompany any building permit for new construction or surface parking lots that are 2,000 square feet or greater.

(f) Mandatory landscaping requirements. Lots containing a use other than single family or duplex must comply with the following:

(1) Perimeter landscape buffer strip. A landscape buffer strip must be provided along the entire length of the portion of the perimeter of the lot where a residential adjacency exists, exclusive of driveways and accessways at points of ingress and egress to and from the lot. The buffer strip must be at least 10 feet wide, except that any portion of the buffer strip adjacent to public street frontage need not exceed 10 percent of the lot depth.

(2) Parking lot buffer. If parking is set back less than 30 feet from curb, a minimum five-foot-wide landscaped strip must be located along any edge of a surface parking lot or parking structure that is visible at grade level from a street. A minimum two-inch-caliper tree must be located every 20 feet, or fraction thereof, or clustered every 30 feet within the landscaped strip. The buffer may be inclusive of the perimeter landscape buffer strip.

(3) Surface parking screening. All surface parking must be screened from the street by using one or more of the following three methods to separately or collectively attain a minimum height of three and one-half feet above the parking surface:

(A) Earthen berm planted with turf grass or ground cover recommended for local area use by the director of park and recreation. The berm may not have a slope that exceeds one foot of height for each three feet of width.

(B) Solid wood or masonry fence or wall.

(C) Hedge-like evergreen plant materials recommended for local area use by the director of park and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three year.

(4) Surface parking screening with single-family or duplex adjacency. The three methods of providing screening listed in Paragraph (3) must be used to provide screening to separate a surface parking area from an adjacent single-family or duplex zoned property if the screening barrier is at least six feet in height.

(5) Off-street loading and garbage storage area screening.

(A) Off-street loading spaces and garbage storage areas for all uses except single-family and duplex uses must be screened from:

(i) a public street that is adjacent to the lot; and

(ii) property in a single-family or duplex zoned district that is adjacent to or directly across an alley from the lot.

(B) Screening required by this subparagraph must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space or garbage storage area.

(C) Required screening must be constructed of:

(i) for off-street loading spaces, any of the materials described in Paragraph (f)(3) to separately or collectively attain the minimum height of six feet; and

(ii) for garbage storage areas, a solid wood or masonry fence or wall.

(D) Access through required screening may be provided only by a solid gate that equals the height of the screening. The gate must remain closed at all times except when in actual use.

(6) Surface parking lot trees. No required parking space on a surface parking lot may be located more than 75 feet from the trunk of a large tree. No excess parking space on a surface parking lot may be located more than 100 feet from the trunk of a large tree. Each tree must have a caliper of at least two inches and may not be planted closer than two and one-half feet from any pavement. Each large tree must be provided a minimum of 160 square feet of surface area.

(g) Landscape areas. For buildings with residential uses on the ground floor, the following regulations apply:

(1) Designated landscape areas. Required landscape areas for a residential use may not be counted toward open space requirements. For purposes of this section:

(A) Landscape site area consists of permeable and non-permeable areas, alternate planting areas, and pedestrian pavement. Street furniture, site/street amenities, public art space, and street lights are allowed in front yard landscape site areas. Landscape site areas may be located in the right-of-way as shown on Exhibit ____F, Streetscape Standards.

(B) General planting area consists of shrub, vine, flower and groundcover beds. Turf grass does not count toward meeting this requirement.

(C) Special planting area consists of shrub and vine beds only containing evergreen shrubs or vines capable of reaching a minimum height of 24 inches within three years.

(D) Parkway planting area consists of turf grass, flowers, or groundcover vegetation sufficient to cover a minimum of 75 percent of this area within three years, and may be one contiguous area, or multiple non-contiguous areas.

(2) Minimum planting requirements.

(A) At least 10 percent of a lot, including at least 60 percent of the required front yard, must be designated on a landscape plan as landscape site area. The parkway may be included in the landscape site area designation on a landscape plan, in addition to the required front yard, when at least 20% of the parkway planting area is landscaped.

(B) At least 12 percent of the required front yard must be designated on a landscape plan as general planting area.

(C) At least six percent of the required front yard must be designated on a landscape plan as special planting area. One shrub or vine must be planted for each six square feet of this area.

(h) Street trees.

(1) Tree planting zone. The tree planting zone is that area parallel to the back of street curb and 15 feet from the back of the projected street curb, or if there is no street curb, from the edge of street pavement. Tree planting zones may be located in the right-of-way and is subject to the City's licensing requirements.

(2) Tree planting strip. Except when tree grates are required in sidewalks, trees must be planted within a tree planting strip which is a minimum four feet wide and a minimum 10 feet in length, or otherwise provided a minimum horizontal root expansion area of 60 square feet, which is wholly or partially within the tree planting zone. Tree planting strips may be located in the right-of-way and is subject to the City's licensing requirements.

(3) Number, location, and type of trees required.

(A) Each lot must have a minimum of one large tree with its trunk located wholly with the tree planting zone.

(B) The number of required trees is calculated by dividing the number of feet of lot frontage along a public street by 30. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number. Driveway entrances, calculated where the entrance cross the property line, are not included in lot frontage calculations.

(C) Except as otherwise provided in this item, required trees may not be spaced more than 75 feet apart. The city arborist may approve tree spacing between 75 and 100 feet apart as necessary for the health of a tree.

(D) All required trees must be selected from the list of recommended tree species.

(E) If the property owner is unable to locate a tree within the tree planting zone due to overhead or underground utility conflicts, the owner must locate the tree(s) on the lot as near as practicable to the front lot line.

(5) Street tree spacing. Minimum street tree spacing is determined by the mature size of the tree. Street trees must be spaced as follows:

(A) Small trees. Minimum 15 feet on center.

(B) Large trees. Minimum 30 feet on center.

(6) Minimum clearance above pavement. The property owner shall maintain street trees five years of age or older in compliance with the following vertical height requirements:

(A) Fourteen feet above street pavement.

(B) Eight feet above a public sidewalk located on public or private property.

(7) Tree grates required in sidewalks. Tree grates must be provided for all trees with trunks not located within a tree planting strip located in a sidewalk. Suspended brick, pave stones, or similar materials may be used instead of a grate to protect tree roots and provide a pedestrian surface. These materials must conform to state standards and specifications adopted to eliminate, insofar as possible, architectural barriers encountered by aged, handicapped, or disabled persons. The grates or containment areas must be large enough to permit healthy tree growth.

(8) Alternate street tree requirements.

(A) Lots fronting Singleton Boulevard, Herbert Street, Bedford Street, and Bataan Street. For a maximum of 20 percent of required trees, the property owner may substitute two small trees for one large required tree. A maximum of 50 percent of the small trees may be planted in containers made out of ceramic, concrete, masonry or other similar material, with a minimum 16 square feet surface area and a minimum depth of 30 inches.

(B) Lots fronting all other streets within the district. For a maximum of 50 percent of required trees, the property owner may substitute two small trees for one large required tree. A maximum of 50 percent of the small trees may be planted in containers made out of ceramic, concrete, masonry or other similar material, with a minimum 16 square feet surface area and a minimum depth of 30 inches.

(i) Plant requirements. Plants used to satisfy the landscape requirements must comply with the following requirements:

(1) A large evergreen shrub must have the ability to grow to a minimum height of three feet within three years.

(2) Artificial plant materials may not be used.

(3) Any required landscaping that dies must be replaced.

(j) Recommended street tree species. All required site and street trees must be from the following list of Texas native or adapted species:

<u>Scientific name</u>	<u>Common name</u>
Acer sp.	Maple (Bigtooth, Shantung, Summer Red, October Glory)
Aesculus glaba v. arguta	Texas buckeye
Aesculus pavia	Red buckeye
Carya illinoensis	Pecan
Cercis sp.	Redbud (Mexican, Texas, Oklahoma, Eastern)
Chilopsis linearis	Desert Willow
Fraxinus sp.	Ash (Texas, Urbanite)
Ilex decidua	Deciduous holly
Ilex vomitoria	Yaupon holly
Juniperus virginiana	Eastern red cedar
Lagerstromia indica	Crape Myrtle
Magnolia sp.	Magnolia (Little Gem, D.D. Blanchard, etc)
Myrica cerifera	Wax myrtle
Prunus mexicana	Mexican plum
Quercus macrocarpa	Bur oak
Quercus muhlenbergia	Chinquapin Oak
Quercus shumardii	Shumard red oak
Quercus virginiana	Live Oak
Rhamnus caroliniana	Carolina buckthorn
Rhus copallina	Flameleaf sumac
Rhus virens	Evergreen sumac
Sapindus drummondii	Western soapberry
Sophora affinis	Eve's necklace
Taxodium distichum	Bald cypress
Taxodium ascendens	Pond Cypress
Ulmus americana	American elm
Ulmus crassifolia	Cedar elm
Ulmus parvifolia	Lacebark Elm (Allee, Bosque)
Viburnum rufidulum	Rusty blackhaw viburnum
Vitex agnus castus	Vitex, Chaste Tree

(k) Completion. All landscaping must be completed in accordance with the approved landscape plan before the final certificate of occupancy for the new construction or surface parking lot.

(l) Tree preservation, removal, and replacement.

(1) Except as provided, tree preservation, removal and replacement must meet the requirements of Division 51A-10.130.

(2) In addition to the approved replacement trees allowed in Section 51A-10.134, a replacement tree may also be the additional species from list of recommended site and street tree species.

(3) Approved replacement trees planted in the street that are not in conflict with the space for a utility may be counted toward tree replacement.

SEC.51P-__117. SITE DESIGN REQUIREMENTS.

(a) Above-grade off-street parking. Parking is permitted on any level of a building. Except for the portions of an above grade parking structure facing Muncie Street, a mews, or an alley, parking structures must comply with the following:

1) parking levels must be screened through use of vegetation, metal panels, or other architectural elements to obscure sloping ramps from view; or

2) parking levels must be concealed in a structure with a facade similar in appearance to the main structure's façade through use of building materials; and.

3) liner development must be provided along the street level of the garage in compliance with the development standards established for the street in Exhibit __F provided along the façade street

(b) Above-grade off-street parking facing Muncie Street. Above grade parking structures may not comprise more than 40% of the facade length measured linearly along the right-of-way line.

(c) Highly reflective glass. Highly reflective glass may not be used as an exterior building material for more than 25 percent of a facade on any building or structure in this district. For purposes of this subsection, "highly reflective glass" means glass with exterior visible reflectance percentages in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more visible light reflected and the more mirror-like the surface will appear.)

(d) Block standards. Block layouts must generally conform as shown on the area regulating plan. Additional streets not shown on the regulating plan are allowed, if they are needed to meet minimum block standards or create blocks with a block

perimeter of less than 1,600 feet. Additional streets will have to be developed in accordance with one of the street sections identified in Exhibit ____F.

(1) Block standards apply during the subdivision process through street abandonment or dedication of street right-of-way when the existing parcel of land or block is greater than the block perimeters described in this section. .

(2) Except as provided in this section, block perimeters may not exceed 1,600 linear feet as measured along the inner edges of each street right-of-way. The block may be broken by a civic building or open space lot provided the lot containing the civic building or open space lot is at least 50 feet wide and provides perpetual pedestrian access through the block.

(A) Block perimeters may exceed 1,600 feet up to a maximum perimeter of 2,400 feet, if one or more of the following conditions apply:

(i) The block has at least one block face on a street not considered a minor street;

(ii) The block has a mid-block Mews Street constructed in accordance with this article that connects to another street;

(ii) The block has a pedestrian passage available at all times to the public. The pedestrian passage must comply with the following conditions:

(aa) The pedestrian passage has a continuous delineated path that is a minimum of 10-feet wide.

(bb) The pedestrian passage contains lighting at an interval to ensure a minimum illumination on the surface of the path of no less than ½ foot candle

(cc) The passage may be partially covered by a structure, if the following conditions are met:

(1) the total covered portion of each pedestrian passage is not longer than 70 feet;

(2) the portions of the façade of the structure are treated architecturally the same through the use of materials, colors and architectural style as the adjoining building;

(3) the portion of the structure covering the pedestrian passage has a minimum setback of 15 feet. The portion of the passage within the setback is treated as a mews as shown in Exhibit ____F;

(4) the portion of the pedestrian passage under the structure has a minimum clearance of 14 feet and contains a clearly demarcated continuous pedestrian passage; and

(5) the area between the covered portion of the pedestrian path and the street is treated architecturally like a courtyard through changes in ground surface materials, colors, or textures.

(3) Any single blockface longer than 500 feet include a pedestrian passage available at all times to the general public, that complies with paragraph (ii) above.

(e) Street standards. Streets and mews must comply with cross-sections in Exhibit ____F, streetscape standards.

(1) Bulb-outs. Bulb-outs are required at all intersections, except where parking is used as a lane of traffic during peak hours.

(2) Crosswalks. Crosswalks must be delineated through the use of contrasting pavement, texture, material, or color.

(3) Curb cuts. Curb cuts are limited to a maximum of two per block face, except no curb cuts are allowed on Herbert Street. Maximum width of curb cut is 20 feet. Sidewalk material and level must be maintained across the curb cut in order to create a continuous pedestrian experience.

(4) Building access. Building access must be provided as shown in the table of development standards. Maximum entrance spacing is 150 feet.

(f) Sidewalk standards for new construction.

(1) In general.

(E) Sidewalks complying with the standards of this subsection must be provided for all new construction.

(F) If a sidewalk is located in a front yard, a sidewalk easement must be dedicated to the city to assure its availability to the public for pedestrian access.

(2) Location.

(A) For all new construction, sidewalks must be located along the entire length of the street frontage.

(B) On state highways, sidewalks must be provided, subject to Texas Department of Transportation approval. If Texas Department of Transportation approval cannot be obtained, sidewalks may be located on private property.

(C) Except for existing buildings that do not have room between the building and the street, sidewalks must be located as show on Exhibit ____F streetscape standards. Sidewalks may be located farther from the projected street curb

to the extent necessary to preserve existing trees or structures or to comply with landscaping requirements.

(3) Width.

(A) Sidewalks must comply with Exhibit___F, Streetscape Standards.

(B) For required sidewalks not provided for in subsection (A), Sidewalks must have an unobstructed minimum width of four feet. For purposes of this provision, "unobstructed" means by structures or landscaping, excluding tree grates, utility poles and service boxes.

SEC.51P-___.118. SCREENING REGULATIONS.

(a) Screening of dumpsters and garbage storage areas.

(1) Except as otherwise provided in this subsection, screening of dumpsters and garbage storage areas must be provided in compliance with Section 51A-4.602, "Fence, Screening, and Visual Obstruction Regulations."

(2) All dumpsters and garbage storage areas must be screened from all public streets adjacent to the building site. Screening is not required on sides that are not visible from a public street.

(b) Outdoor storage areas. Except for retail and personal service uses, all outdoor storage areas must be screened by an eight-foot solid screening fence, vegetative materials consisting of evergreen plant materials, or other alternative deemed appropriate by the building official.

SEC.51P-___.119. OPEN SPACE.

(a) In general.

(1) Open space requirements are intended to create active open spaces within developed areas and provide natural relief to the urban environment.

(2) Active open spaces are those areas that compliment developed areas, include shade structures and other pedestrian amenities, and encourage pedestrian traffic. Active open spaces may be graded to compliment the surrounding development.

(3) Required front, side, or rear yards may not be counted toward open space requirements.

(4) A certificate of occupancy for public open space is required for all sites contributing toward meeting the public open space requirements. Additionally, see Section 51A-10.127 for alternative means of complying with this subparagraph (NOTE: Formatting of this provision may require placement within another Section of this ordinance.).

(5) The Property owner is responsible for development and maintenance of open space.

(b) Public open space.

(1) Open space must be provided in the location and size as shown on the regulating plan, and made available to the general public.

(2) Development of open space as shown on the regulating plan must comply with the following development standards.

(A) Height. Maximum height for structures in all public open spaces is 35 feet. Public art may exceed 35 feet, subject to the maximum height restrictions for the Property.

(B) Front yard. Minimum front yard is 10 feet

(C) Side and rear yard. Minimum side and rear yard is 10 feet.

(3) Muncie Street Linear Park.

(A) A linear park must be provided adjacent to Muncie Street as shown on the regulating plan and be designed for one or more modes of non-motorized travel such as pedestrian and bicycles.

(B) Minimum width of the linear park is 20 feet, unless restricted by site conditions along railroad embankment. Retaining walls are not required to meet this condition for bike paths or graded open space along Muncie Street in order to meet paved travel ways.

(C) The linear park must contain a paved travel way for non-motorized travel that is a minimum 12 feet wide.

(D) The linear park must extend from Beckley Avenue along the entire frontage of Muncie Street through the Property as shown on the regulating plan. If a connection cannot be made between Amonette Street and Beckley Avenue as shown on the regulating plan, then an alternate off-street connection must be made from Muncie to the intersection of Amonette Street and Singleton Boulevard, subject to approval of the director.

(E) The linear park must intersect Herbert Street, Amonette Street, and Bataan Street at grade. For at-grade street crossings, the trail must be clearly delineated as it crosses the street through changes in materials, color, or other

pavement markings, and include trailhead amenities such as water fountains, benches and landscape areas.

(F) Pedestrian lighting is required along the trail at an interval to ensure a minimum illumination on the surface of the trail of no less than ½ foot candle.

(G) Landscaping must consist of informally arranged trees and shrubs.

(H) Perimeter street trees must be installed in accordance with the streetscape standard set forth in this Article.

(I) Site trees must be planted at the rate of one large canopy tree per 2,500 square feet of lot area. Each tree must have a caliper of at least two inches at the time of planting.

(J) The linear park must be constructed at the time Muncie Street is constructed.

(4) Herbert Plaza.

(A) Herbert Plaza is a formal open space defined by building frontages and abutting streets located contiguous to the intersection of Herbert Street at Muncie Street. The purpose of Herbert Plaza is to serve as a gateway to the area from the proposed underpass, provide a primary trailhead to the linear park along Muncie, and serve as a future gateway from a potential commuter rail stop. The exact location and configuration of Herbert Plaza must be located anywhere within the area noted on the regulating plan.

(B) The plaza must be a minimum 5,000 square feet. The plaza may not exceed a maximum of one acre.

(C) The plaza must be furnished with paths, benches, and open shelters.

(D) Trees and shrubs must be planted in formal patterns.

(E) Perimeter street trees and sidewalks must be installed in accordance with the streetscape standard set forth in this Article.

(F) Site trees must be planted at the rate of one large canopy tree per 2,500 square feet of lot area. Each tree must have a caliper of at least two inches at the time of planting. Trees may be planted in planters or tree grates.

(G) Lots that share a common lot line with Herbert Plaza must configure development as though the plaza were a primary street.

(H) The trailhead for Muncie/Herbert Street bike path must be completed within 18 months of completion of the Herbert Street and Muncie Street

intersection. Herbert Plaza must be complete within 18 months of a transit station or as projects are completed adjacent to the proposed plaza, whichever is sooner. A temporary certificate of occupancy may be granted for development on blocks abutting the Herbert Plaza if inclement weather affecting construction or seasonal issues prevents the final installation of plant materials.

(5) Akron Park Blocks.

(A) The Akron Park Blocks are informal open spaces abutting Akron Street as shown on the regulating plan.

(B) Minimum width of the Akron Park Blocks is 50 feet; however, minimum width may be reduced to no less than 40 feet or increased to no greater than 60 feet. Total aggregate area of open space designated as Akron Park Blocks must be a minimum of 55,000 square feet.

(C) Akron Park Blocks may be crossed by minor streets that are not shown on the regulating plan. A street that crosses an Akron Park Block must change in materials, color, or other pavement markings for the entire segment of the street as it crosses the open space to delineate the priority of the pedestrian in the area designated as public open.

(D) Akron Park Blocks must be furnished with paths and benches..

(E) Landscaping must consist of lawn and informally arranged trees and shrubs.

(F) Akron Park Blocks must contain a minimum of 60 percent turf, groundcover, soil, or mulch. The balance of the area may be any paved surface.

(G) Perimeter street trees and sidewalks must be installed in accordance with the streetscape standard set forth in this Article.

(H) Site trees must be planted at the rate of one large canopy tree per 2,500 square feet of lot area. Each tree must have a caliper of at least two inches at the time of planting. Site tree plantings may be informal.

(I) Lots that share a common lot line with the Akron Park Blocks must configure development as though the green were a primary street.

(J) No certificate of occupancy may be issued for any development on blocks abutting the Akron Street Park until a certificate of occupancy has been issued for the open space abutting the block containing the development. A temporary certificate of occupancy may be granted for development on blocks abutting the Akron Street Park if inclement weather affecting construction or seasonal issues prevents the final installation of plant materials.

(6) Additional open space. Additional public open space may be provided in the District, but are not required to be shown on the regulating plan.

SEC.51P-___.120. SIGNS.

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

(b) Additional attached premise signs. The following attached premise signs are allowed.

(1) Identification signs.

(A) An SUP is required. In addition to the provisions of Section 51A-4.219 in determining whether or not to grant a specific use permit the following factors must be considered:

(i) Relationship on view corridors into and out from the district;

(ii) Relationship on view to and from area parks and landmarks including but not limited to the Trinity River Park and the Margaret Hunt Hill Bridge;

(iii) Relationship on public open space and parks; and,

(iv) Relationship on residential uses within the district.

(B) A maximum of two are allowed.

(C) May project 50 feet above the roof.

(D) Maximum effective area is 5,000 square feet.

(E) May contain a changeable message.

(2) Project announcement signs.

(A) A maximum of ten are allowed.

(B) Maximum effective area is 1,500 square feet.

(C) May contain a changeable message.

(D) May be maintained no more than 90 days before the project or activity in the district commences or the tenant moves in.

(E) Must be removed no more than 90 days after project or activity in the district is completed or the tenant moves in.

SEC.51P-___.121. ROADWAY IMPROVEMENTS.

(a) Except as provided in this section, before the issuance of a certificate of occupancy for 7,520,000 square feet of floor area, the following improvements must be completed:

(1) A second (one existing) left-turn lane onto Sylvan Avenue on westbound Singleton Boulevard, with design and construction approved by the Department of Sustainable Development and Construction.

(2) A third (two existing) through lane on eastbound Singleton Boulevard at Beckley Avenue, with design and construction approved by the Department of Sustainable Development and Construction.

(b) If a vehicular connection exists between Singleton Boulevard and Commerce Street along the Herbert Street thoroughfare at the time the regulations in this section become required, the regulations are considered satisfied.

SEC.51P-___.122. ADDITIONAL PROVISIONS.

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

(b) Maintenance. The Property and any improvements in the public right-of-way must be properly maintained in a state of good repair and neat appearance. The city may remove any improvements in the public right-of-way that are not maintained in a state of good repair and neat appearance at the sole expense of the property owner, and may use any available legal remedy to recover the cost of removal from the property owner.

(c) Frontage on a street. A lot in this district is not required to front upon either a dedicated public street or a private street if adequate access is provided by an access easement. A lot is deemed to have adequate access if the access easement is a minimum of 11 feet wide for a one-way access easement, and a minimum of 22 feet wide for a two-way access easement. The design and construction of the access easement must be approved by the director of public works and transportation in accordance with standard city rules and specifications. How do we ensure this?

(d) Use of conveyance as a building. Except as provided in this subsection, use of a conveyance as a building must comply with Section 51A-4.603.

(1) Use of conveyance may be a main use and is not required to be associated with another use on the property.

(2) Electrical service is not limited to temporary pole service.

(3) Signs are limited to an aggregate of 120 square feet of effective area, per facade, per conveyance.

(e) Live/work unit. The occupant of a live/work unit may:

(1) Not employ more than four persons on the premises other than the occupants;

(2) Only have customers and material deliveries and pickups on the premises between 8 a.m. and 6 p.m.;

(3) Conduct work-related activities on the premises only if conducted entirely within the live/work unit; or,

(4) Only have one sign. The sign must be affixed to the live/work unit and have a maximum effective area of 10 feet.

SEC.51P-___.123. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation. The director of public works and transportation may approve alternate surfaces such as decomposed granite.

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

EXHIBIT A Area Regulating Plan

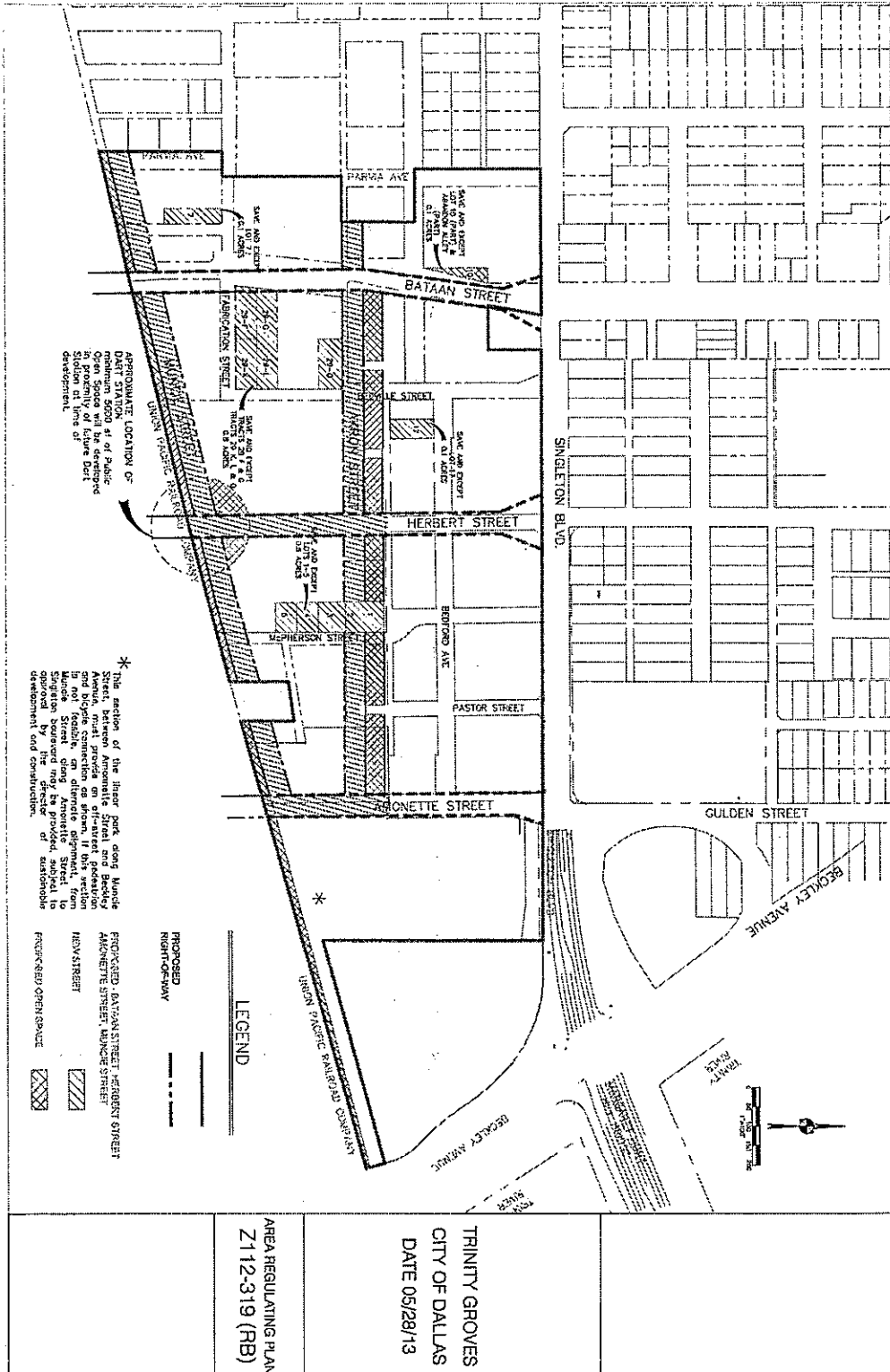


EXHIBIT ____B
Table of Development Standards

	Herbert Street (retail street)	Singleton	Commerce	Park Drive (south/north side)	Beckley (section a)	Beckley (section b)	Sylvan (section a)	Sylvan (section b)	Local Street (mixed-use)	Bataan, Armonette, Akron and Muncie	Local Street (single family)	Mews
LOT												
Area per building (max sf)	none	none	NA	none	NA	NA	NA	NA	none	none	2,000	none
Width (max)	none	none	NA	none	NA	NA	NA	NA	none	none	none	none
Lot coverage (max)	100%	80%	NA	80%	NA	NA	NA	NA	80%	100%	45%	none
BLDG. FRONT SETBACK AREA												
Primary street (min/max)	8/8	6/10	NA	6/12 20	NA	NA	NA	NA	6/12	6/12	15/none	none/0
REQUIRED STREETWALL FRONTAGE												
Primary street (min)	80%	80%	NA	70%	NA	NA	NA	NA	70%	70%	none	80%
PARKING SETBACK (GROUND FLOOR)												
From primary street (min ft)	30	30	NA	30	NA	NA	NA	NA	30	30	20	5
Abutting single family (min ft)	NA	10	NA	NA	NA	NA	NA	NA	10	NA	none	10
BLDG. SIDE SETBACK												
Abutting single family (min ft)	NA	15	NA	NA	NA	NA	NA	NA	15	NA	5	15
Abutting multi-family (min ft)	0	0	NA	0	NA	NA	NA	NA	0	0	5	0
BLDG. REAR SETBACK												
Abutting single family (min ft)	NA	15	NA	NA	NA	NA	NA	NA	15	NA	5	15
Abutting multi-family (min ft)	5	5	NA	5	NA	NA	NA	NA	5	5	5	5
PODIUM HEIGHT												
Target Streetwall Height (min stories)	4	2	NA	NA	NA	NA	NA	NA	varies	2	NA	NA
GROUND FLOOR TRANSPARENCY												
Primary street façade (min)	75%	60%	NA	50%	NA	NA	NA	NA	50%	60%	30%	20%
ENTRANCE												
Primary street entrance	required	required	NA	required	NA	NA	NA	NA	required	required	required	allowed

EXHIBIT C
CBD View Control Map

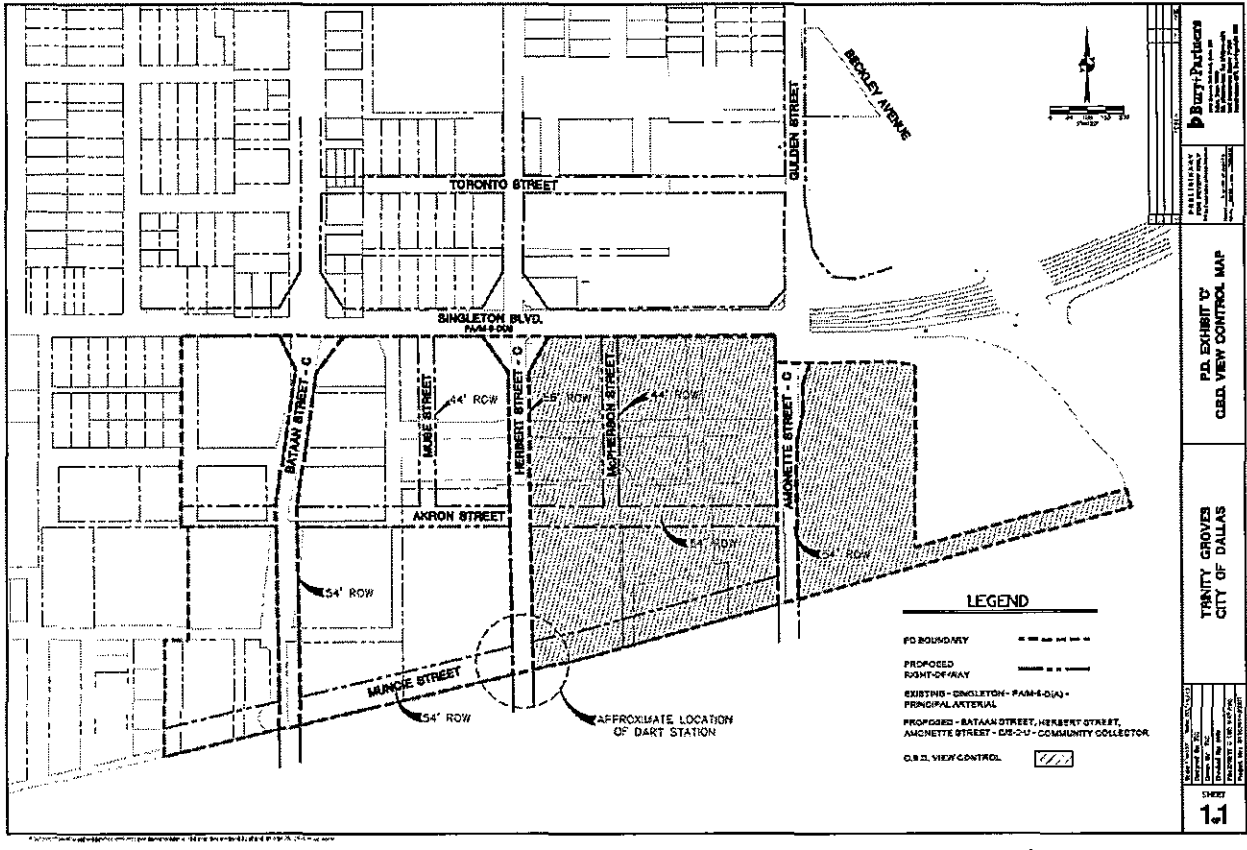


EXHIBIT ____D
High-rise Tower Floor Plate Proportion and Orientation Diagram

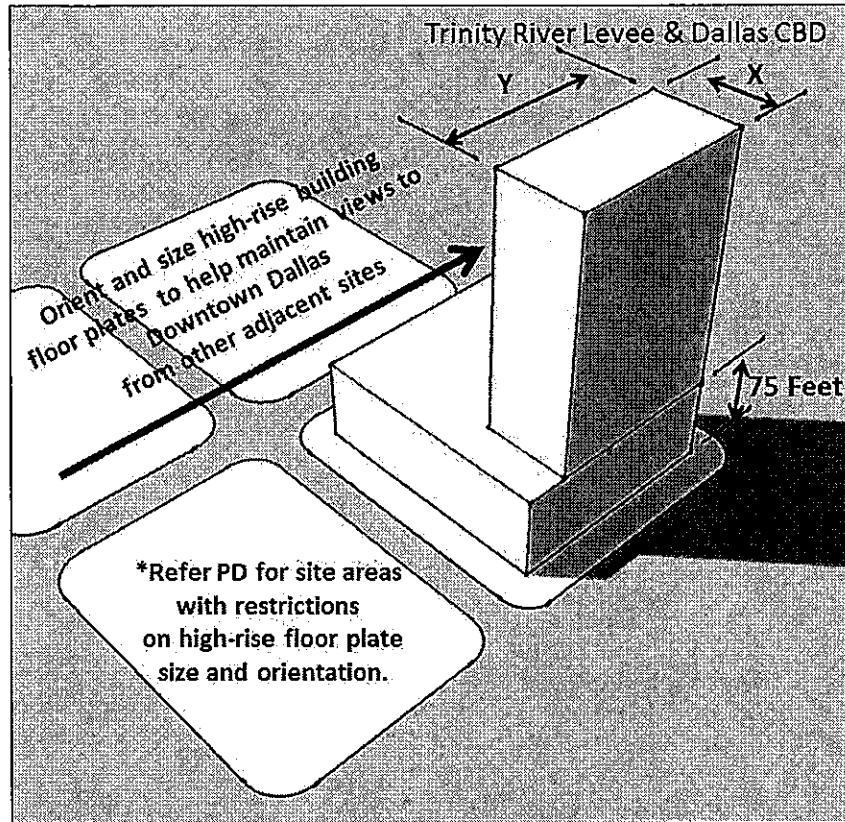


EXHIBIT E
Mixed Use Development Parking Chart
 (for calculating standard parking requirement)

<u>USE CATEGORIES</u>	<u>STANDARD PARKING REQUIREMENT</u>	<u>PARKING ADJUSTMENT THE TIME OF DAY (weekday)</u>				
		<u>Morning</u>	<u>Noon</u>	<u>After- noon</u>	<u>Late After Noon</u>	<u>Evening</u>
<u>Residential Uses</u> (excluding multi-family)	<u>per Code</u>	<u>80%</u>	<u>60%</u>	<u>60%</u>	<u>70%</u>	<u>100%</u>
<u>Multifamily Uses</u>	<u>1 space/unit</u>	<u>80%</u>	<u>60%</u>	<u>60%</u>	<u>70%</u>	<u>100%</u>
<u>Office Uses</u>	<u>per Code</u>	<u>100%</u>	<u>80%</u>	<u>100%</u>	<u>85%</u>	<u>35%</u>
<u>Retail & Personal Service Uses</u>	<u>per Code</u>	<u>60%</u>	<u>75%</u>	<u>70%</u>	<u>65%</u>	<u>70%</u>
<u>Bar & Restaurant Uses</u>	<u>per Code</u>	<u>20%</u>	<u>100%</u>	<u>30%</u>	<u>30%</u>	<u>100%</u>
<u>Any other use</u>	<u>per Code</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>

The adjusted standard off-street parking requirements for the development are the largest of the five "time of day" column sums.

Note: If the use does not fit into one of the first four categories listed above, 100 percent assignment must be used in each of the "time of day" columns. If one or more of the main uses in the development is a retail and personal service use, the minimum parking requirement for the development under this reduction option is the sum of the standard parking requirements for each of the retail and personal service uses in the development

EXHIBIT ____F (Page 1 of 8)
Streetscape Standards

SINGLETON BOULEVARD

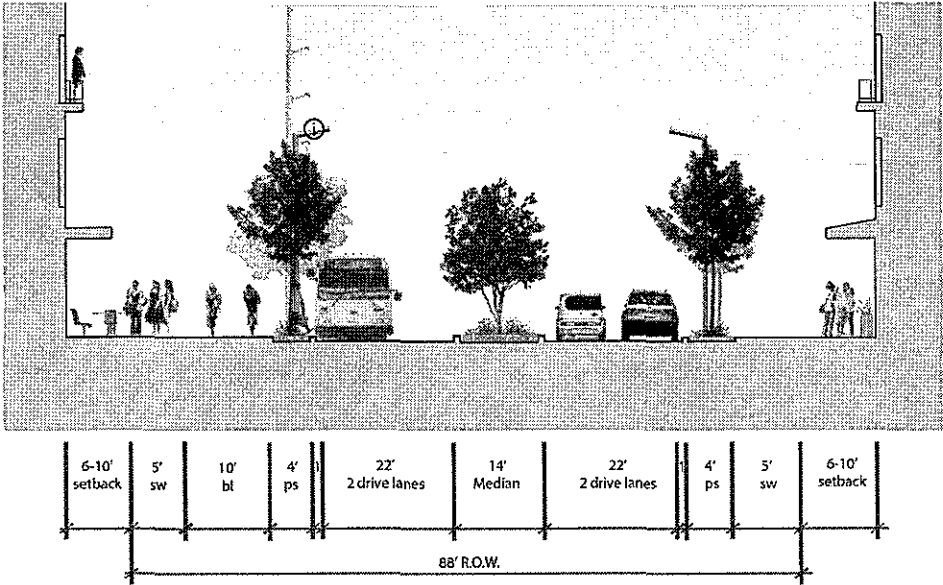
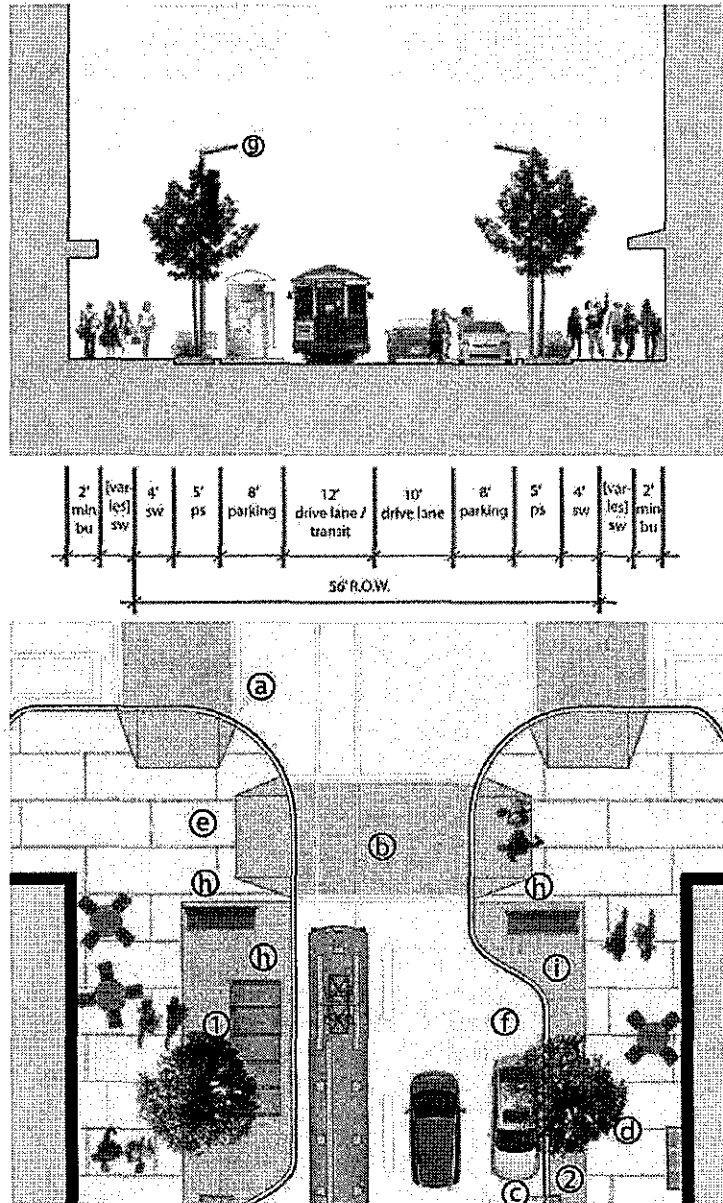


EXHIBIT ____F (Page 2 of 8)
Streetscape Standards

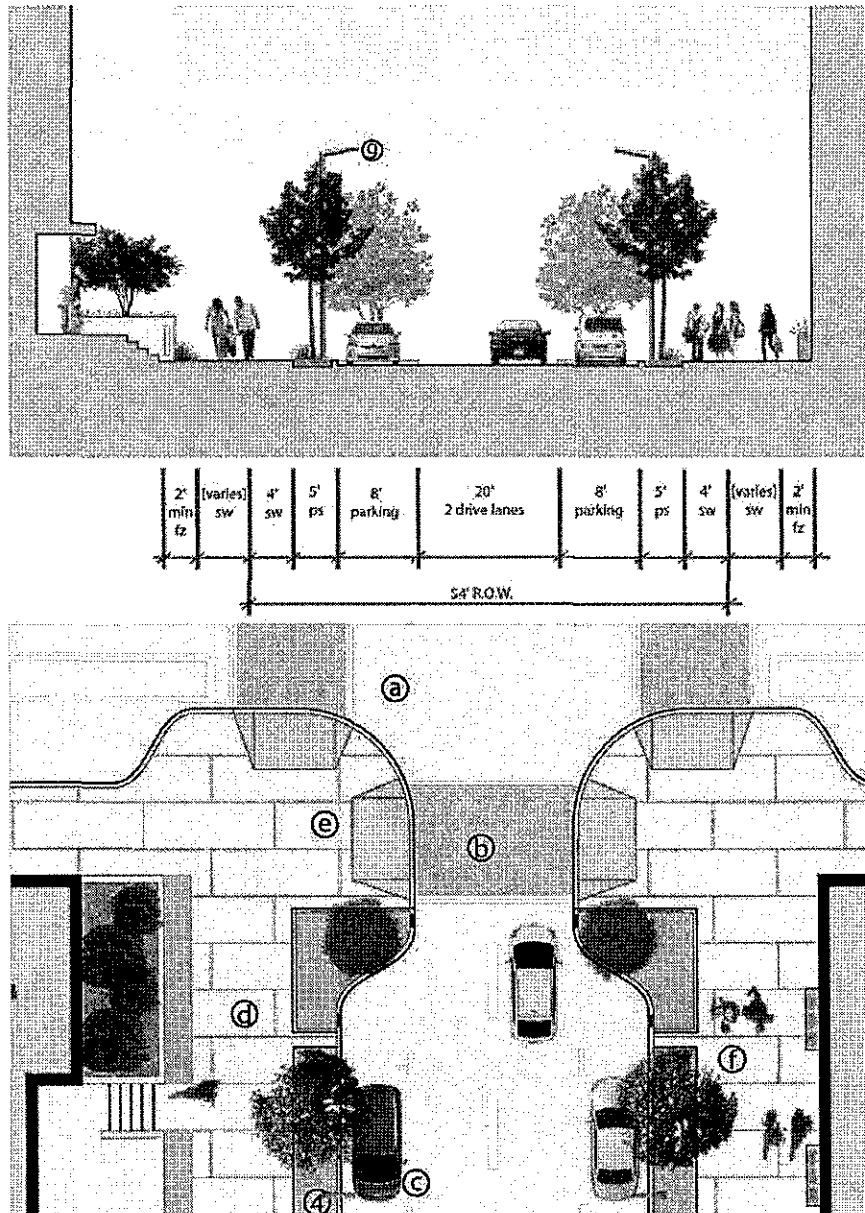
HERBERT STREET



Legend: (bu) Buffer; (sb) sidewalk buffer; (sw) sidewalk; (ps) planting strip; (bl) bike lane; (m) median; (rtw) raised tree well

EXHIBIT ____F (Page 3 of 8)
Streetscape Standards

LOCAL STREET (Amonette, Bataan)



Legend: (bu) Buffer; (sb) sidewalk buffer; (sw) sidewalk; (ps) planting strip; (bl) bike lane; (m) median; (rtw) raised tree well

EXHIBIT __F (Page 4 of 8)
Streetscape Standards

AKRON STREET

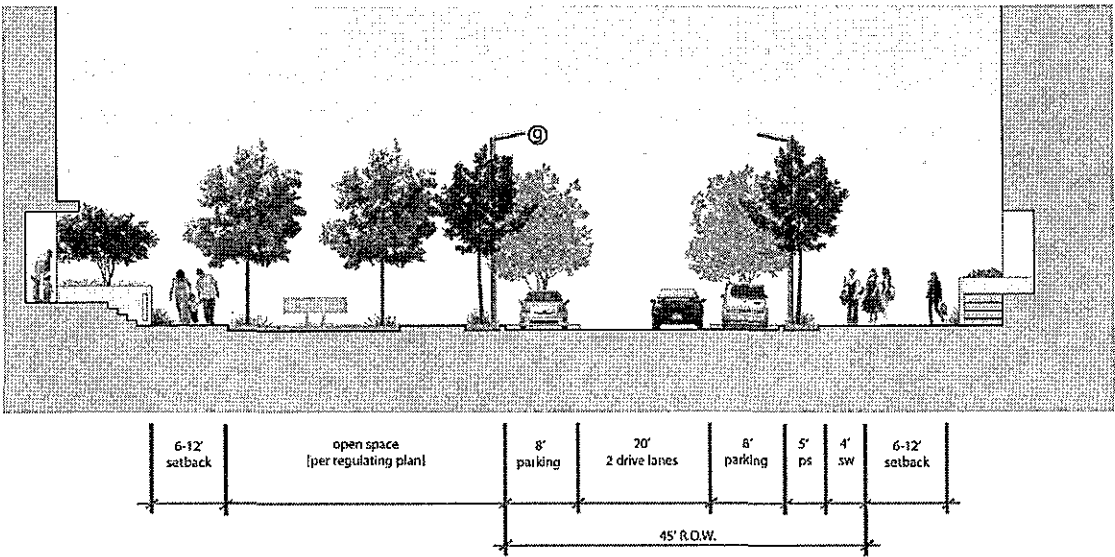


EXHIBIT __F (Page 5 of 8)
Streetscape Standards

MUNCIE AVENUE

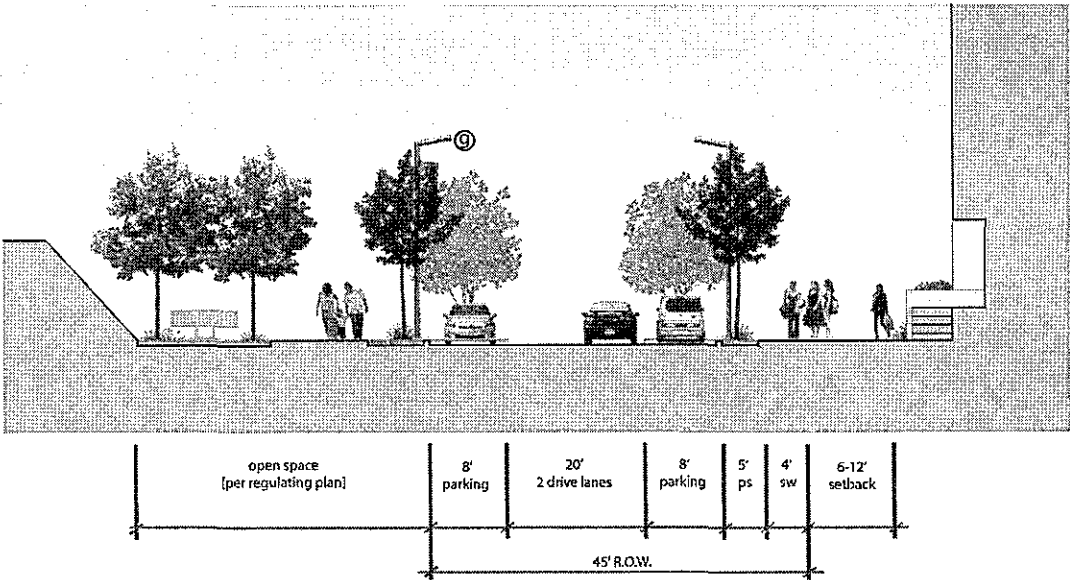
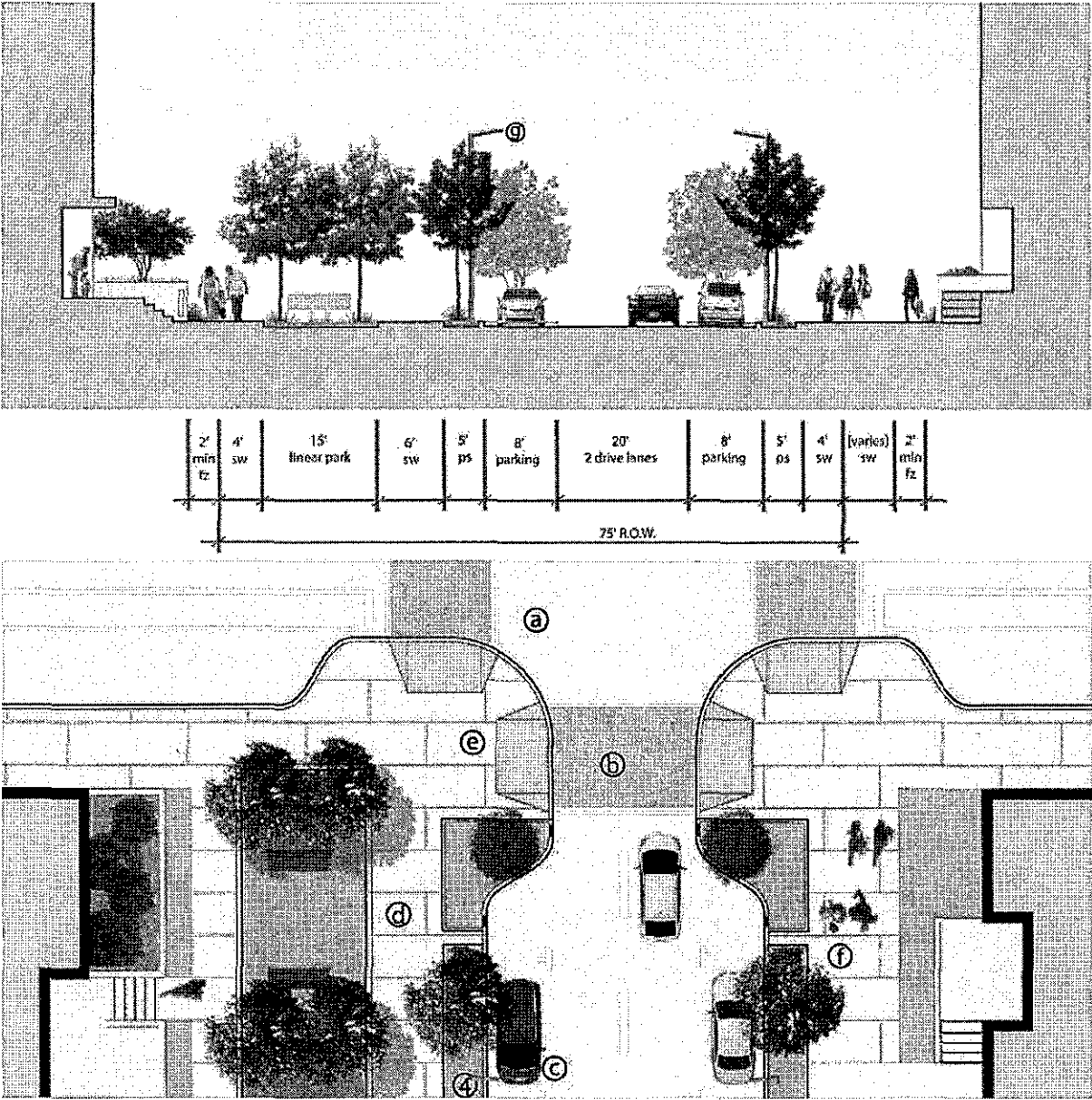


EXHIBIT __F (Page 6 of 8)
Streetscape Standards

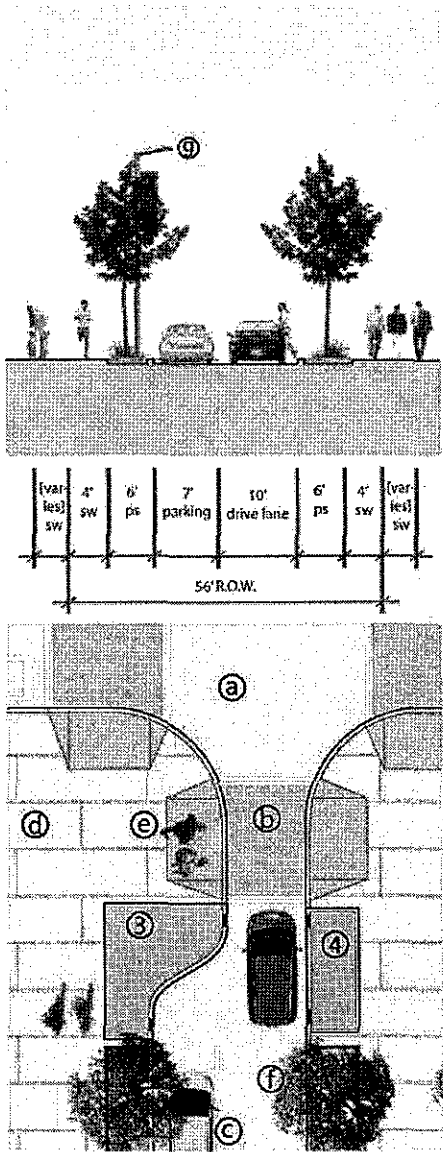
LOCAL STREET (with linear green)



Legend: (bu) Buffer; (sb) sidewalk buffer; (sw) sidewalk; (ps) planting strip; (bl) bike lane; (m) median; (rtw) raised tree well

EXHIBIT __F (Page 7 of 8)
Streetscape Standards

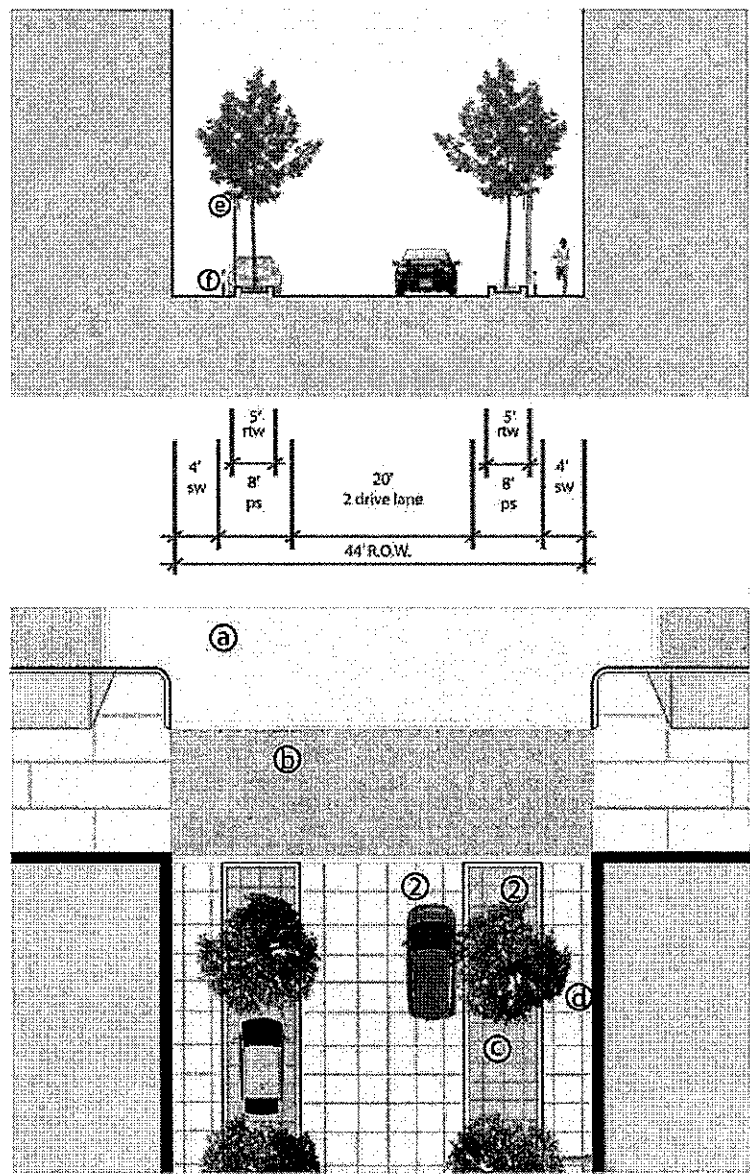
COUPLET



Legend: (bu) Buffer; (sb) sidewalk buffer; (sw) sidewalk; (ps) planting strip; (bl) bike lane; (m) median; (rtw) raised tree well

EXHIBIT ____F (Page 8 of 8)
Streetscape Standards

MEWS



Legend: (bu) Buffer; (sb) sidewalk buffer; (sw) sidewalk; (ps) planting strip; (bl) bike lane; (m) median; (rtw) raised tree well

EXHIBIT _____ G

Master Parking and Floor Area Plan Supplement

Date: _____
 Number: _____

Before processing this supplement, the building inspection file for PDD No. ____ must be checked in order to ensure that the most recent current totals are being used.

Supplement to Master Parking and Floor Area Plan No. _____.

For Master Parking and Floor Area Plan tracking purposes, this supplement must be submitted to the building official if: (i) a site plan is approved that adds or removes floor area in the district; (ii) the location of required parking spaces are relocated; or, (iii) special parking spaces are added or removed.

Supplements must be numbered sequentially in order to track all previous applications. The Master Parking and Floor Area Plan supplement must be stamped as received by the building official to accurately reflect the receipt of the supplement and a copy of the supplement must be provided for filing with PDD No. ____ in the offices of the building official.

Parking Calculation

1. Required Parking:

- A. Existing required parking (as of last Master Parking and Floor Area Plan or supplement) _____
 - i. Existing shared parking spaces _____
 - ii. Existing remote parking spaces (outside of PDD No. ____) _____
 - iii. Existing packed parking spaces _____
- B. Increase or reduction in required parking spaces by a site plan or minor Amendment (Date approved: _____) _____
 - i. Shared parking spaces _____
 - ii. Remote parking spaces (outside of PDD No. ____) _____
 - iii. Packed parking spaces _____
- C. New total required parking _____

2. Provided Parking

- A. Existing provided parking (as of last Master Parking and Floor Area Plan supplement) _____
- B. Increase or reduction in provided parking spaces _____
- C. New total provided parking _____

3. Required parking spaces to be relocated _____

- A. Current location and number of spaces _____
- B. New location and number of spaces _____

4. New or relocated special parking

A. Shared parking spaces*

i. New shared parking spaces

Recipient use A _____
Floor area _____
Required parking _____

Provider use B _____
Floor area _____
Required parking _____
Location of required parking _____

ii. Revised location of shared parking spaces

Recipient use A _____
Location _____
Floor area _____
Required parking _____

Provider use B _____
Location _____
Floor area _____
Required parking _____
New location of required parking _____

*Excludes residential uses if not located on the same lot as the residential use

B. Remote parking spaces (Excludes residential uses)

i. New remote parking spaces

Location of remote parking _____
Location of use _____
Number of spaces _____
Walking distance _____

Provider use B _____
Floor area _____
Required parking _____
Location of required parking _____

ii. Revised location of remote parking spaces

Existing location of remote parking _____

New location of remote parking _____
Location of use _____
Number of spaces _____

Walking distance _____

C. Packed parking spaces

- i. New packed parking spaces _____
(Operational plan must be approved by the building official)
- ii. Revised location of packed parking spaces _____
(Operational plan must be approved by the building official)

Received by: _____

Comments: _____

Date: _____

EXHIBIT ____H

Mixed Income Housing Guidelines

TIF Program Purpose

The purpose of the City of Dallas' TIF program is to promote development in underutilized and vacant areas through the use of public investment to attract private investment. The goals for the districts include improving the infrastructure within the districts and adding apartments, single family homes, retail and commercial space, and office and professional space. Promoting housing for individuals and families at a variety of income levels is one of many policy considerations for the districts.

General definitions

Mixed income housing requires a minimum of 10% of all units to meet affordable housing standards.

Affordable housing units are those which are affordable to a household earning 80% or less of the median family income for the Dallas Area.

The 10% affordability requirement applies to both rental units and to units that are for sale. Requirements for for-sale units will be handled on a case-by-case basis. These guidelines primarily pertain to rental housing.

Affordability period and rent rates

Rental units must be affordable for a period of at least fifteen years, beginning from the date the project is complete per the development agreement.

Income levels and *maximum* rent will vary each year and are based on HUD's calculations for Area Median Family Income (AMFI), utility expenses, and Market Rent for the Dallas Area. Maximum rents are set each year at 30% of 80% of AMFI, including a utility allowance. Information pertaining to the maximum affordable rent and income levels that are currently in effect can be obtained from the Office of Economic Development.

Affordable units

A minimum of 10% of all occupied units shall be rented to qualifying households.

The developer may choose to offer any available unit to qualifying households. The 10% total requirement thus may be satisfied by any combination of units and need not apply to units of all sizes.

Affordable units shall be comparable in size and finish quality to market rate units and shall be dispersed throughout the development. Affordable units shall not be segregated into a particular section of the development and shall be a minimum of 500 square feet.

Qualifying households

A qualifying household is defined as a household making 80% or less of the AMFI.

Developers may include wages, salaries, tips, commissions, social security income, etc. to certify a household's income. The method used to determine income should be the same for qualifying and market rate households.

Lease terms

Households that qualify at the beginning of a lease will be assumed to qualify for the entirety of the term of that lease. Recertification is therefore only necessary during lease renewal.

At the end of the lease, the new lease rates will be set based on the household's current income at the time of renewal.

If the household no longer qualifies for an affordable unit, the lease may be renewed at market rate and another unit made available for a qualifying household in order to maintain the 10% affordability requirement.

Fees and leasing requirements

In general, all leasing requirements and all fees, utility charges, assessments, fines, etc. charged by the apartment community must be applied uniformly to qualifying households and market rate households, with the exception that the developer may choose to waive or reduce fees for qualifying households and the developer may choose to set specific lease lengths for affordable units.

Reporting Requirements

Adequate reporting by developer, owner, or property manager shall be required to ensure that the City can appropriately monitor compliance with the guidelines. Projects receiving affordable housing funding under federal or state programs may choose to submit copies of compliance reports specific to the federal or state program in lieu of the TIF program report. Specific reporting requirements will be updated as necessary.

Compliance

The developer assumes all liability for compliance with these requirements and with all applicable laws. By participating in the City's TIF program, the developer agrees to report all information accurately and on time. At the City's request, the developer agrees to produce necessary documentation for determining full compliance with this program.

The affordability period shall be extended by six months for any number of units by which the affordable housing provided during a semi-annual period falls short of the number of units required to meet the affordable housing requirements. Noncompliance may result in termination of the development agreement, a reduction in TIF reimbursement, or other action as determined by the Office of Economic Development.

Request for waiver or minor modification of these requirements shall be submitted to the Office of Economic Development and will be negotiated on a project by project basis with the City and the County.

The City may consider retaining a percentage of TIF funding to ensure that in the event that the property is sold prior to the end of the 15 year compliance period, all subsequent owners will be required to provide affordable housing for the remainder of the affordability period.

The TIF program does not alter, modify, or reduce any affordable housing requirements, duties, or obligations imposed on the developer because of receipt of funds or other assistance from other programs or persons.

Alternative Methods

A developer may propose alternative methods of meeting the requirements such as providing equivalent affordable housing units in a comparable location within or adjacent to the TIF district. All proposed alternative methods will be considered on a case by case basis and must be approved by both the City and Dallas County.

Affirmative Fair Housing Marketing Plan

An affirmative fair housing marketing plan is required for all projects with a residential component that are supported with TIF funding. This requirement is detailed in each project's development agreement. Each project will be evaluated individually to ensure that it furthers affirmative fair housing goals.

Effective Date

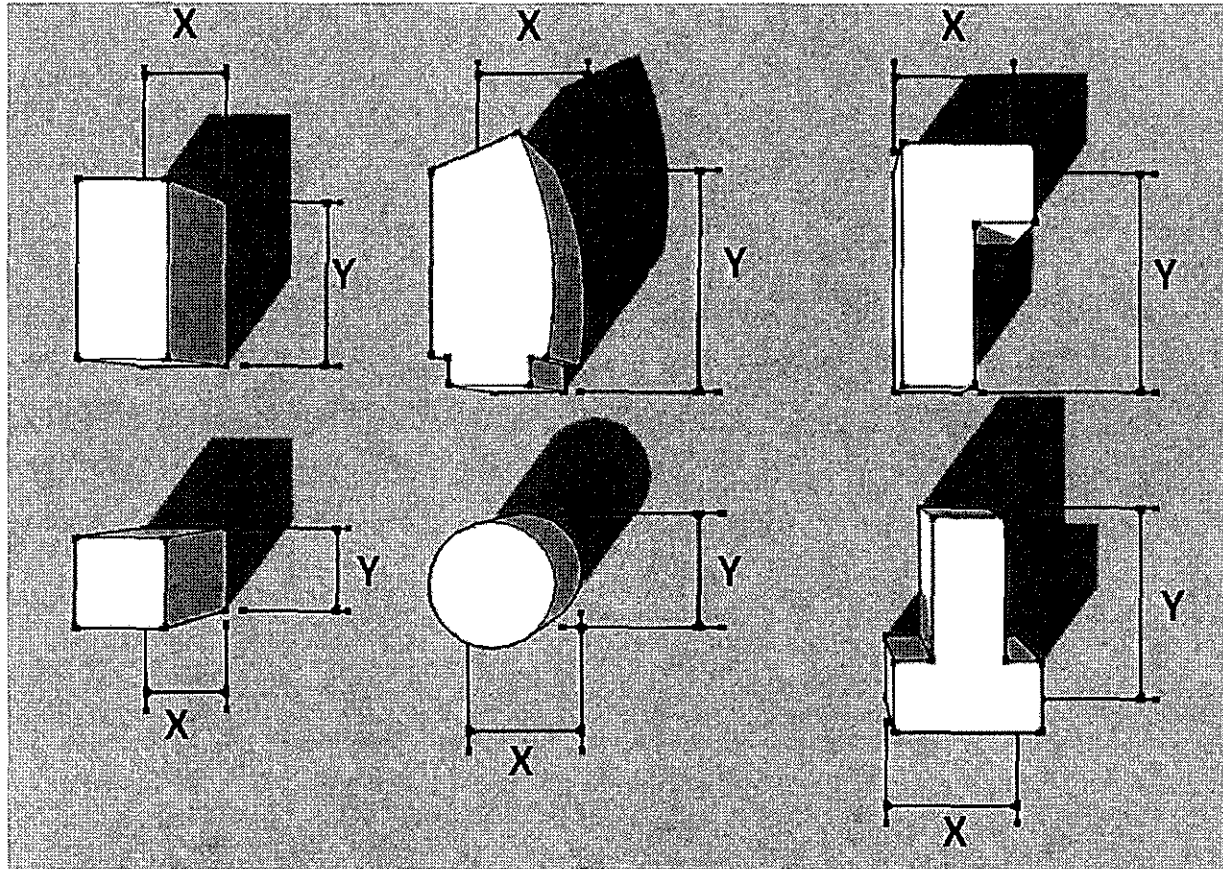
These guidelines are effective in each district as of the date they are approved by that district's TIF board. The guidelines apply to developments with first occupancy on October 1, 2011 or later. These guidelines will not alter the terms of development agreements authorized prior to the approval of this document.

Guideline Modifications

As needed, the City may make modifications or corrections to these guidelines to increase their effectiveness. Where these guidelines may conflict with a district's Final Plan language concerning housing provisions, the Director of the Office of Economic Development will make a final determination of project requirements.

EXHIBIT ____I

Tower Floor Plate Proportion Diagram



COMPLIANT FLOOR PLATE PROPORTION & PROPER MEASUREMENT

EXHIBIT J

Site Plan Development Table

<u>Provision</u>	<u>Proposed Development</u>	<u>Existing Development (if applicable)</u>	<u>Cumulative Development (district-wide)</u>	<u>Remaining Development Rights</u>
Floor area (sf) ¹				
Density (no. of dwelling units) ²				
Lot coverage (total for site)				
Structure height				

Off-street Parking for Proposed Development*

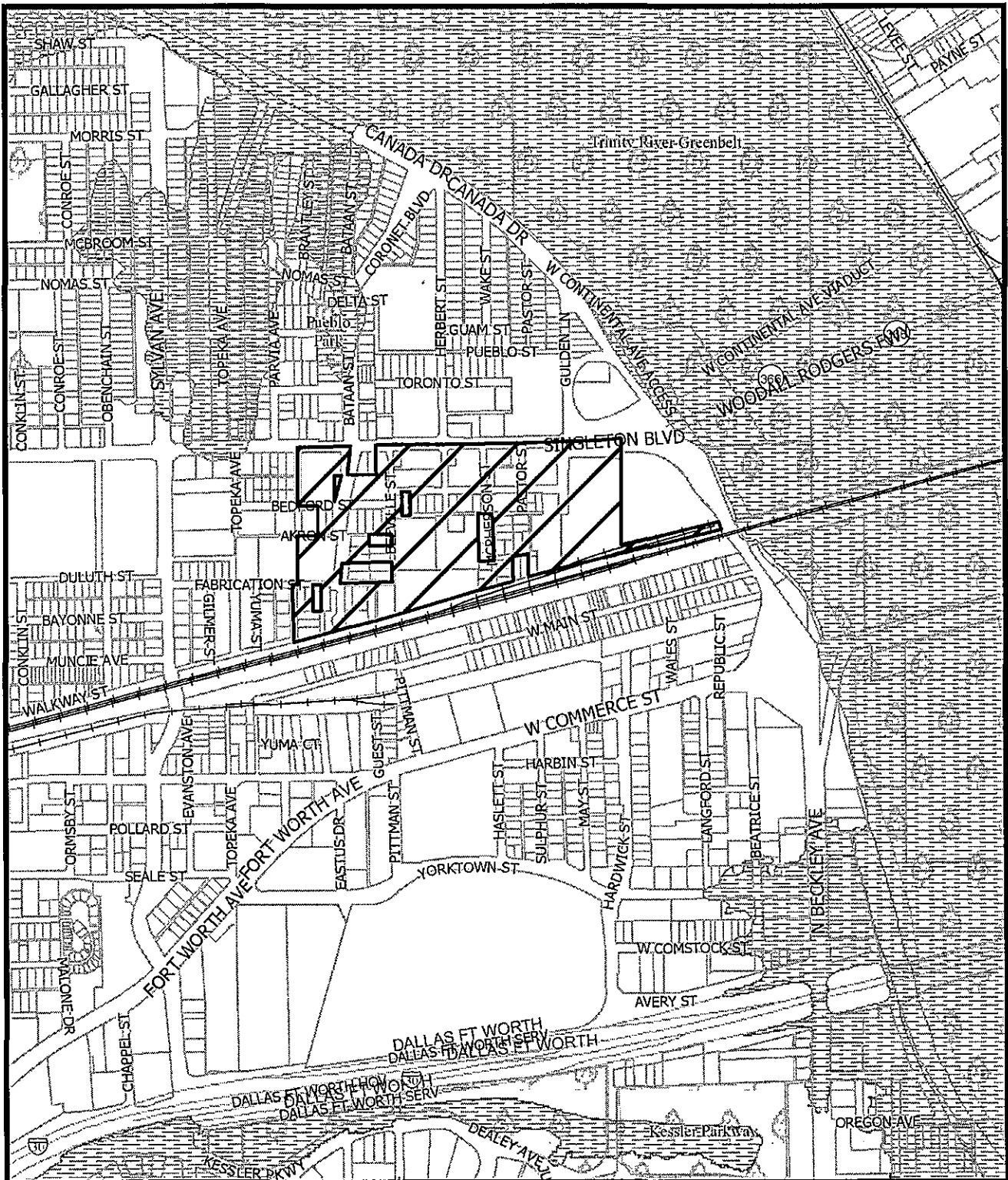
<u>Use(s)**</u>	<u>Floor Area/Dwelling Units</u>	<u>Parking Ratio</u>	<u>Required Parking</u>	<u>Provided Parking</u>

*Each site plan must include a Master Parking Plan and Floor Area Plan Supplement (Exhibit G)

**All proposed and existing on site

¹ See Sec.51P.____.112(e)

² See Sec.51P.____.112(d)

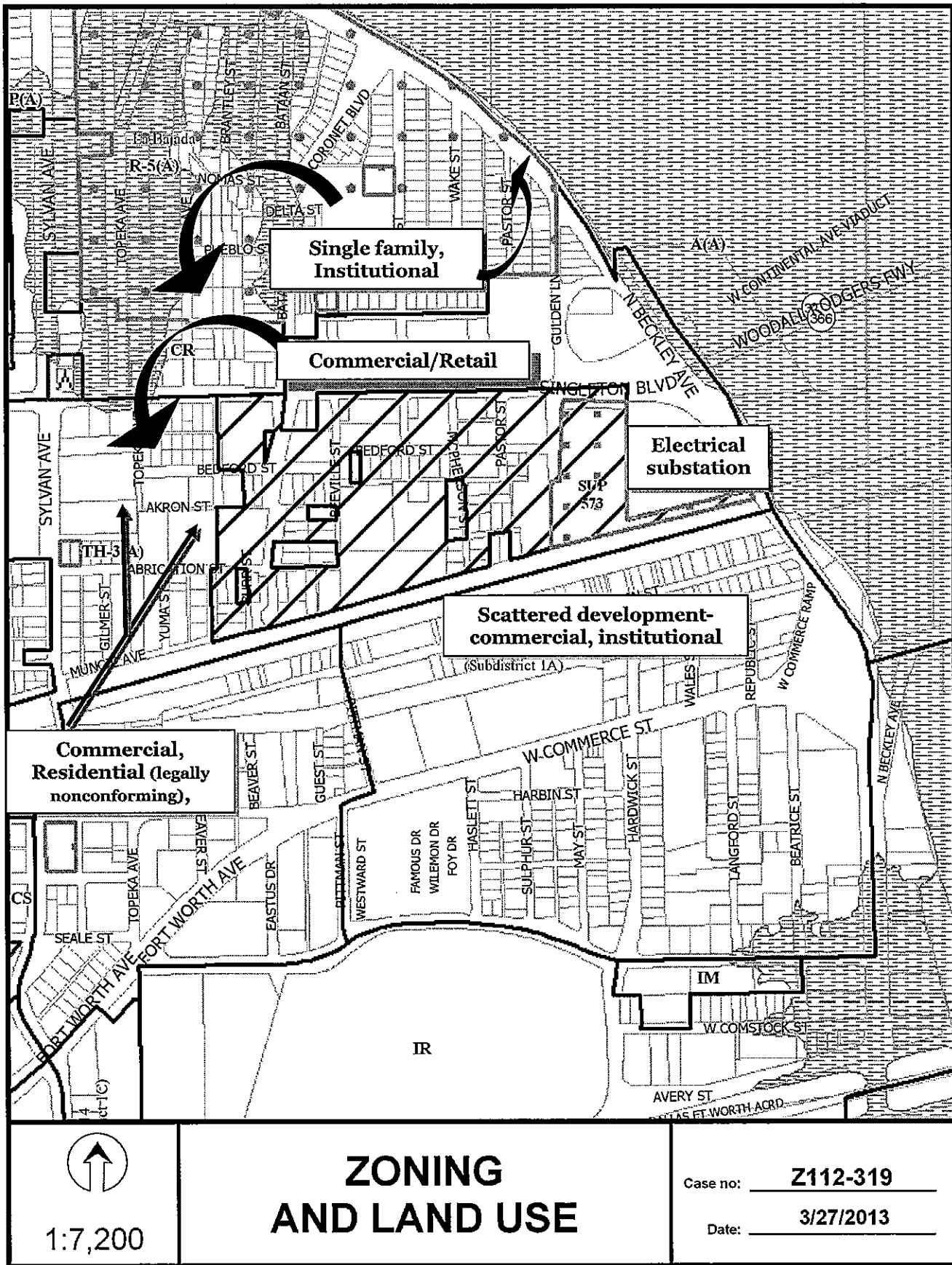


1:9,600

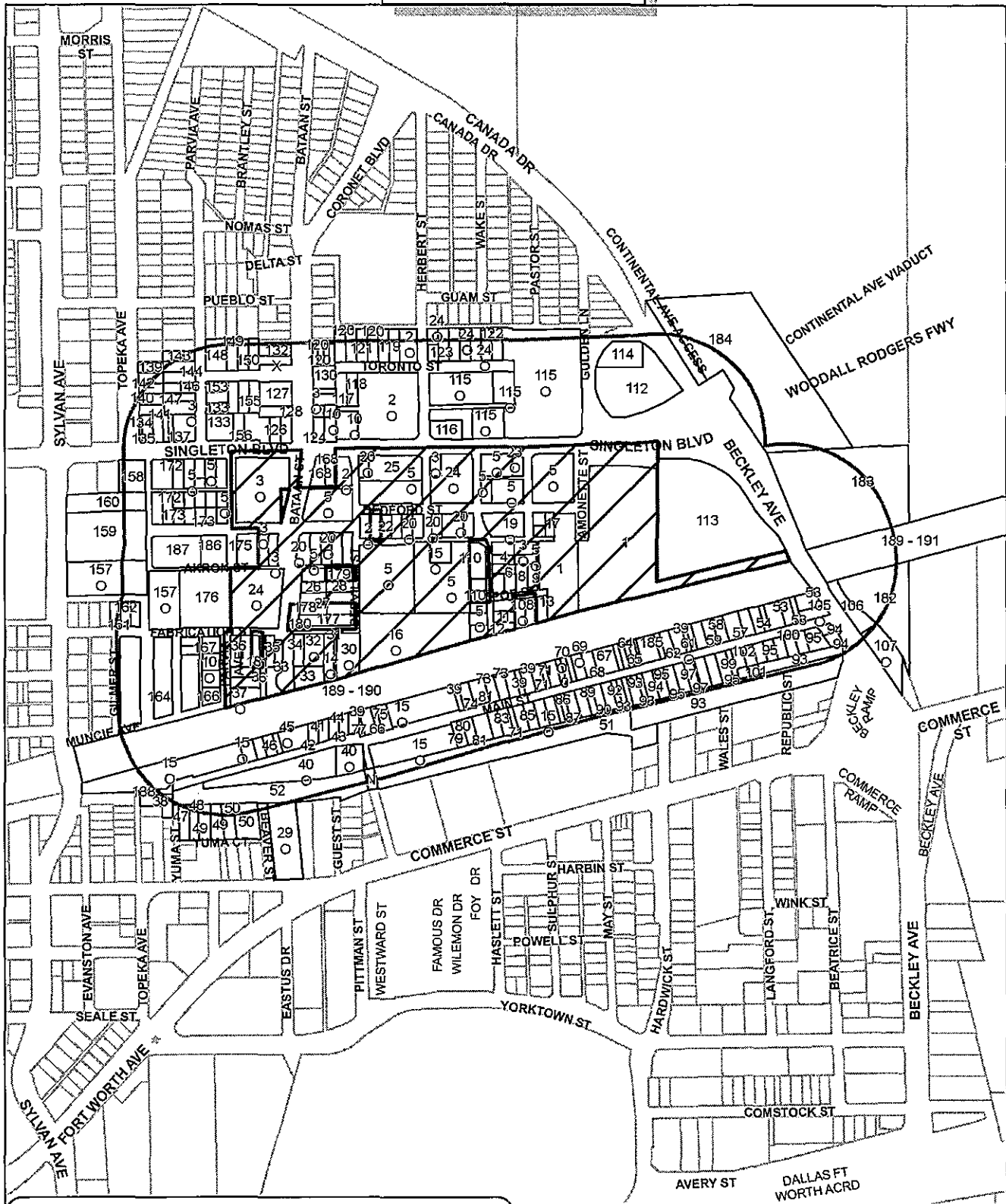
VICINITY MAP

Case no: **Z112-319**

Date: **3/27/2013**



CPC RESPONSES



191 Property Owners Notified (329 parcels)

29 Replies in Favor (105 parcels)

3 Replies in Opposition (3 parcels)

500' Area of Notification

6/6/2013 Date 5/2/2013 Under Advisement

Z112-319

CPC



1:7,200

6/6/2013

Reply List of Property Owners***Z112-319******191 Property Owners Notified
Owners Opposed******29 Property Owners in Favor******3 Property***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	240 SINGLETON BLVD	CORNERSTONE C & M INC
O	2	2732 MCPHERSON ST	WEST DALLAS INVESTMENTS L
O	3	269 MAIN ST	WEST DALLAS INVESTMENTS LP
	4	2728 MCPHERSON ST	MORALES ALVINO
O	5	2900 MCPHERSON ST	WEST DALLAS INV LP
	6	2724 MCPHERSON ST	ESTRADA ANDRES JR
O	7	327 POE ST	CAVAZOS GUADALUPE B &
	8	323 POE ST	MARTINEZ JUANITA
	9	319 POE ST	MARTINEZ JUANITA
O	10	2710 MCPHERSON ST	WEST DALLAS INVESTMENTS
	11	2706 MCPHERSON ST	ROGERS MARGARET
	12	2702 MCPHERSON ST	DELEON JOE D
	13	316 POE ST	CASTRO ANDRES
O	14	2741 MCPHERSON ST	WEST DALLAS INV
O	15	2340 EVANSTON AVE	COMMERCE PROPERTIES WEST LC
O	16	2704 BEEVILLE ST	EZS TRUCKING INC
	17	308 BEDFORD ST	GARCIA JUAN ALMARAZ
	18	312 BEDFORD ST	RIOS GUADALUPE TR
O	19	330 BEDFORD ST	WEST DALLAS INVESTMENT LP
O	20	342 BEDFORD ST	WEST DALLAS INV L P
	21	402 BEDFORD ST	JENSEN DAVID
	22	414 BEDFORD ST	WILONSKY ROBERT
O	23	322 SINGLETON BLVD	WEST DALLAS INVESTMENTS
O	24	340 SINGLETON BLVD	WEST DALLAS INVESTMENTS
	25	408 SINGLETON BLVD	BLUE RIBBON INDUSTRIES
	26	2714 BATAAN ST	CHOVANEC ROBERT H ETAL

6/6/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	2710 BATAAN ST	GARCIA ALBERT &
	28	2715 BEEVILLE ST	PEREZ MELESIO
O	29	511 COMMERCE ST	COMMERCE PPTIES WEST LC
O	30	402 FABRICATION ST	EZS TRUCKING INC
	31	406 FABRICATION ST	UNKNOWN
O	32	414 FABRICATION ST	WEST DALLAS INVESTMENTS LP
	33	2606 BATAAN ST	GIBSON LARRY
	34	422 FABRICATION ST	HERNANDEZ FELIPE & MARY LEE C
	35	502 FABRICATION ST	GIBSON LARRY
	36	512 FABRICATION ST	SPICER HOLDINGS LLC
O	37	2604 PARVIA AVE	EZ TRUCKING LP
	38	2330 TOPEKA AVE	MOSTAFAVI LEYLA
	39	501 MAIN ST	FENDER H R
O	40	506 MAIN ST	COMMERCE PROPERTIES
	41	513 MAIN ST	GREER THEODORE JR
	42	515 MAIN ST	HOWARD JOHN JR
	43	507 MAIN ST	HUTCHISON MAUREEN &
	44	509 MAIN ST	LEFFALL VERDIE
O	45	521 MAIN ST	COMMERCE PROP WEST LC
	46	539 MAIN ST	FLOREY W W
	47	629 YUMA CT	CHAPMAN TRACI SHAWN
	48	625 YUMA CT	CHAPMAN TRACY SHAWN
	49	611 YUMA CT	SEMOS CHARLES TOM
	50	605 YUMA CT	MCCOMAS ADA NELL BRAU
	51	2500 HARDWICK ST	TEXAS OAKS HOLDINGS GROUP
	52	2500 HARDWICK ST	TEXAS OAKS HOLDINGS GROUP INC
	53	115 MAIN ST	BACON IRENE B
	54	129 MAIN ST	THOMAS ETTA LEE
	55	131 MAIN ST	RIOS DORA L
	56	133 MAIN ST	TOPLETZ INVESTMENTS
	57	207 MAIN ST	JOHNSON WILLIAM L &

6/6/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	211 MAIN ST	JOHNSON WILLIAM L &
	59	215 MAIN ST	JOHNSON WILLIAM &
O	60	219 MAIN ST	REYNA PABLO &
O	61	223 MAIN ST	WEST DALLAS INVESTMENTS LP
	62	231 MAIN ST	WHITE LAURA MRS
	63	235 MAIN ST	ROGERS TONY GARCIA
	64	249 MAIN ST	SHERMAN KENNETH E
	65	247 MAIN ST	SHERMAN KENNETH E &
	66	249 MAIN ST	HMK LTD
	67	253 MAIN ST	RAMBO CYNTHIA ANN
	68	263 MAIN ST	NEALY CORINTHIA EST OF
O	69	267 MAIN ST	COMMERCE PROPERTIES WEST LC
O	70	271 MAIN ST	COMMERCE PPTIES WEST LLC
	71	303 MAIN ST	BARR JOHN H TR
X	72	319 MAIN ST	LEWIS WILLIE CHARLES &
	73	323 MAIN ST	LONE STAR MISSION BAPTIST
	74	337 MAIN ST	KELLEY JOHN EARL
	75	415 MAIN ST	HMK, LTD LP
	76	423 MAIN ST	BOCK HOWARD M
	77	425 MAIN ST	PLUMMER EMMERSON L JR
	78	428 MAIN ST	BEVERS JOE II
	79	338 MAIN ST	CUNNINGHAM J W
	80	336 MAIN ST	LYNWOOD SOPORIA
	81	330 MAIN ST	LONE STAR BAPTIST CHURCH
O	82	324 MAIN ST	SCOTT GEORGE ESTATE
	83	322 MAIN ST	SCOTT JOE
	84	314 MAIN ST	BARR JOHN H TRUSTEE
	85	312 MAIN ST	JOHNSON JOE AND GRACE
	86	302 MAIN ST	HAWS SCOTT R J ET AL
	87	268 MAIN ST	CHAMBERS HASICELL J &
	88	266 MAIN ST	YOUNG SHARON DENISE ETAL

6/6/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	262 MAIN ST	JACKSON VELNERA J
	90	258 MAIN ST	HOUSTON ESTELLA ESTATE OF
	91	256 MAIN ST	LEAVELL S R & DON A
	92	252 MAIN ST	LEAVELL S R &
	93	250 MAIN ST	CONTRACTORS IRON
	94	238 MAIN ST	CONTRACTORS IRON & STEEL
	95	234 MAIN ST	CONTRACTORS IRON &
	96	228 MAIN ST	CONTRACTORS IRON & STEEL
	97	224 MAIN ST	CONTRACTORS IRON STEEL
	98	216 MAIN ST	LEAVELL S R &
	99	208 MAIN ST	HUNT JESSIE
	100	204 MAIN ST	LEAVELL S R & D A
	101	202 MAIN ST	DANIELS ELZO
	102	202 MAIN ST	LENOV PROPERTIES
	103	132 MAIN ST	CONTRACTORS IRON
	104	124 MAIN ST	GRAY DERWIN M
O	105	2701 BECKLEY AVE	COMMERCE PROPERTIES WEST
	106	2634 BECKLEY AVE	MCGREGOR LARRY B
O	107	2516 BECKLEY AVE	FROST JACK W
O	108	324 POE ST	ROGERS PETE& MARIA
	109	320 POE ST	VALDEZ DORA CABRAL
	110	2731 MCPHERSON ST	2731 MCPROPERTIES CORP
	111	418 BEDFORD ST	FULLER BESSIE EST
	112	3016 GULDEN LN	HARGETT ELECTRIC CO
	113	2901 BECKLEY AVE	TEXAS UTILITIES ELEC CO
	114	3030 GULDEN LN	FLORES EDWARD
O	115	3011 GULDEN LN	WEST DALLAS INVMT'S LP
	116	353 SINGLETON BLVD	HMR INVESTMENT INC
	117	453 TORONTO ST	WALKER MARY
	118	424 TORONTO ST	ZUNIGA GILBERT
	119	407 TORONTO ST	RAMIREZ JUSTO EST OF

6/6/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	417 TORONTO ST	ZUNIGA GILBERT
	121	421 TORONTO ST	GUZMAN CELESTINO
	122	331 TORONTO ST	NUNCIO MARGARET
	123	351 TORONTO ST	NUNCIO EDWARD
	124	437 SINGLETON BLVD	VALDEZ REBECCA
X	125	3001 BATAAN ST	HUERTA YSIDRO
	126	507 SINGLETON BLVD	MOSESON SAM &
	127	3106 BATAAN ST	IGLESIA DE DIOS MANANTIA
	128	3011 BATAAN ST	MOSESON SAM &
	129	3012 BATAAN ST	CASTILLO NATIVIDAD M &
	130	3106 BATAAN ST	IGLESIA DE DIOS MANATIALE
	131	3115 BATAAN ST	CURZ ARMANDO
X	132	3111 BATAAN ST	PADILLA ESTHER ESTATE
	133	515 SINGLETON BLVD	MOSESON SAM
	134	3006 TOPEKA AVE	FLOYD WILLIAM R ETAL
	135	615 SINGLETON BLVD	GARCIA EDUARDO F
	136	613 SINGLETON BLVD	JONES CLARENCE
	137	603 SINGLETON BLVD	MARTINEZ ANTONIO G
	138	3022 TOPEKA AVE	MEDINA TOMASA
	139	3102 TOPEKA AVE	NARVAEZ ERNESTINA A
	140	3014 TOPEKA AVE	BOZQUEZ JUAN ARNULFO ROMAN
	141	3010 TOPEKA AVE	JIMENEZ GLORIA &
	142	3018 TOPEKA AVE	GARZA JOSE
	143	3107 PARVIA AVE	SALAZAR CATHERINE EST OF
	144	3101 PARVIA AVE	CAZARES FORTUNATA EST OF
	145	3023 PARVIA AVE	OROZCO AMELIA
	146	3019 PARVIA AVE	HUERTA WALTER A
	147	3015 PARVIA AVE	LUNA PAULA &
	148	531 TORONTO ST	NEW MOUNT CORINTH BAPTIST
	149	523 TORONTO ST	HERRERA ZULEMA
	150	519 TORONTO ST	GARCIA ELVIRA MORALES

6/6/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	151	515 TORONTO ST	GARCIA MACARIO
	152	3016 PARVIA AVE	ANDERSON ORA
	153	3020 PARVIA AVE	MOON MARGARET P LUNA
	154	518 TORONTO ST	GALVAN PASCUAL & LORENZA
	155	514 TORONTO ST	IGLESIA DE DIOS MANANTIA
	156	519 SINGLETON BLVD	SRJ INVESTMENTS
O	157	2720 SYLVAN AVE	WEST DALLAS INVESTS LP
	158	720 SINGLETON BLVD	DURBIN PAMELA LYNN
	159	2816 SYLVAN AVE	BIG D TRUCK & TRAILER
	160	2920 SYLVAN AVE	SALIBA SHUBERT & MCCLURE
	161	711 FABRICATION ST	CARDENAS ROSALIO & MARIA
	162	707 FABRICATION ST	SHERARD M F
O	163	700 FABRICATION ST	DAVIS RALEIGH F JR &
	164	620 FABRICATION ST	RALDAV ENTERPRISES
	165	2626 YUMA ST	DAVIS HELEN & RALEIGH FAMILY TR B
	166	2603 PARVIA AVE	BOND BRENDA &SCOTT PARKER
	167	2623 PARVIA AVE	PLEXSTAR INC
	168	434 SINGLETON BLVD	FLOYD WILLIAM R
	169	2901 BATAAN ST	TEXAS TRUCK TERMINALS
	170	602 SINGLETON AVE	VARA JUAN & TERESA M
	171	618 SINGLETON BLVD	SAN MIGUEL GLORIA E
	172	626 SINGLETON BLVD	DELGADO TRINIDAD TR
	173	619 BEDFORD ST	CARRANZA BENIGNO &
	174	2903 PARVIA AVE	RICO ANGEL
	175	516 BEDFORD ST	KELLY ROBERT L &
	176	611 FABRICATION ST	SQUIRIE BROTHERS PPTY LLC
	177	2703 BEEVILLE ST	CERVANTEZ LUPE EST OF
	178	2706 BATAAN ST	CERVANTES LUPE L &
	179	2719 BEEVILLE ST	BINGHAM WILEY ANN B
	180	2702 BATAAN ST	MEDINA PRIMITIVO
	181	508 FABRICATION ST	CALVIN DARRELL W

6/6/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	1001	CONTINENTAL ST VIADUCT	DALLAS COUNTY LID
183	1001	CONTINENTAL ST VIADUCT	DALLAS COUNTY LID
184	1001	CONTINENTAL ST VIADUCT	DALLAS CITY & COUNTY
185	241	MAIN ST	MORALES PABLO C &
186	2805	PARVIA AVE	SALAZAR PLACIDO HUERTA &
187	620	BEDFORD ST	HUERTA PLACIDO ET AL
188	2300	GRAND AVE	BNSF RAILWAY
189	9999	NO NAME ST	UNION PACIFIC RR CO
190	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
191	9999	NO NAME ST	UNION PACIFIC RR CO

AGENDA ITEM # 8

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 19, 2013

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 670-3314

MAPSCO: 56 L

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Industrial Manufacturing District uses and outside metal salvage on property zoned an IM Industrial Manufacturing District on the west line of South Lamar Street, northeast of the Trinity River

Recommendation of Staff: Denial

Recommendation of CPC: Approval, subject to a development plan and conditions
Z123-173(WE)

ACM: Ryan S. Evans

FILE NUMBER: Z123-173(WE) **DATE FILED:** January 7, 2013
LOCATION: West line of South Lamar Street, northeast of the Trinity River
COUNCIL DISTRICT: 7 **MAPSCO:** 56 - L
SIZE OF REQUEST: Approx. 18.8 acres **CENSUS TRACT:** 40

APPLICANT: 5901 South Lamar Street, LLC

OWNER: Okon Metals

REPRESENTATIVE: Peter Kavanagh
Zone Systems, Inc.

REQUEST: An application for a Planned Development District for Industrial Manufacturing District uses and outside metal salvage on property zoned an IM Industrial Manufacturing District.

SUMMARY: The purpose of this request is to permit, by right, several industrial uses. The uses consist of an outside salvage facility and outside salvage or reclamation use. The materials will be processed, stored and transported from the site.

CPC RECOMMENDATION: Approval, subject to a development plan and conditions

STAFF RECOMMENDATION: Denial

DESIGNATED ZONING CASE

BACKGROUND INFORMATION:

- The applicant's request for a Planned Development District for metal recycling related uses will permit a multitude of industrial uses to be processed, stored and transported from the site.
- The various industrial uses being proposed are a metal salvage facility, outside salvage and reclamation, recycling collection center for industrial and household metals and outside storage (with visual screening). The industrial type uses are permitted by a Specific Use Permit in the IM Industrial Manufacturing District; however, the applicant is requesting the uses be permitted by right.
- The request site is predominately located within a flood plain and is adjacent to the Great Trinity Forest.

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
South Central Expressway		Variable width lanes	Variable width lanes

Land Use:

	Zoning	Land Use
Site	IM	Vacant buildings, Stored tracker trailers
North	RS-I w/in PD 595	Railroad tracks, Industrial
South	CS, IM w/SUP No. 132 on a portion	Great Trinity Forest
East	CS, RS-I w/in PDD No. 595	Retail
West	IM	Great Trinity Forest

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

Industrial Areas, which offer important employment opportunities, occupy large areas of land and usually are near major roads and heavy rail lines. Evolving technology and the

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

The request site is located within an industrial area that is within the flood plain. The request site is also adjacent to the Great Trinity Forest. The applicant proposes to operate a metal salvage facility and an outside salvage and reclamation use on site. The applicant's request is not in compliance with the goals and policies in the forwardDallas! Comprehensive Plan because of the location and type of uses that are being proposed on site.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

Area Plans: The request site is not part of the study areas within the Trinity River Corridor Comprehensive Land Use Plan. In March 2005, the City Council adopted the Land Use Plan.

STAFF ANALYSIS:

Land Use Compatibility: The 18.8 acre site is primarily undeveloped but has several abandoned industrial structures and tractor trailers stored on site. The applicant will use the existing structures that are on site to support the proposed metal salvage facility.

The applicant's request for a Planned Development District for metal recycling related uses will permit industrial type uses to operate, by right, on site. The materials will be processed, stored and transported from the site. The industrial uses being proposed include a metal salvage facility, outside salvage and reclamation, recycling collection center for industrial and household metals and outside storage (with visual screening). These industrial type uses are permitted by a Specific Use Permit in the IM Industrial Manufacturing District; however, the applicant is requesting the uses be permitted by right.

In addition, the applicant proposes a few changes to the IM Industrial Manufacturing development rights that warrant a Planned Development District: to permit the uses by right, reduce the lot coverage from 80 percent to 50 percent, and reduce the overall floor area ratio from 2.0 to 0.5.

The request site is located within an industrial area that is within the flood plain and is adjacent to the Great Trinity Forest. An existing rail line is located along the northeastern boundaries of the request site. Even though the request site has been used for industrial uses, staff is concerned that the various materials proposed on site could negatively impact the Great Trinity Forest and the flood plain. In addition, staff cannot support a Planned Development District or a Specific Use Permit because the applicant has not clearly delineated the flood plain's location on the site as to determine the actual site locations for such an operation. The applicant has delineated an area within the site that is used to process and store the materials. There is anticipation by the applicant that the remaining portion of the site will be acquired to develop a proposed levee extension.

Staff's recommendation is for denial of a Planned Development District for Industrial Manufacturing District uses and metal recycling related uses. The proposed uses may have an impact on the surrounding areas because of its adjacency to the Great Trinity Forest and potential run-off into the flood plain.

The City Plan Commission recommended approval of the Planned Development District for Industrial Manufacturing District uses and outside metal salvage, subject to a development plan and conditions because of the uncertainty of the development of the proposed levee and the opportunity for continued economic development in the southern sector.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
IM Industrial manufacturing	15' 0' on minor	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	110' 8 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail
PDD - Proposed Industrial manufacturing	15' 0' on minor	30' adjacent to residential OTHER: No Min.	0.5 retail	110' 8 stories	50%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

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

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

Article V (Floodplain): Any fill work in the flood plain will require application to the Public Works Department. The fill permit will be reviewed for compliance under Article V of the Dallas Development Code. The Public Works Department will determine the impact and type of mitigation measures on the floodplains and forward their recommendation to the City Council.

CPC Action (May 16, 2013)

Motion: In considering an application for a Planned Development District for Industrial Manufacturing District uses and outside metal salvage on property zoned an IM Industrial Manufacturing District on the west line of South Lamar Street, northeast of the Trinity River, it was moved to **hold** this case under advisement until June 6, 2013.

Maker: Bagley
Second: Wolfish
Result: Carried: 13 to 0

For: 13 - Davis, Wally, Anglin, Culbreath, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum,
Wolfish, Schwartz, Alcantar

Against: 0
Absent: 2 - Rodgers, Ridley
Vacancy: 0

Notices: Area: 500 Mailed: 14
Replies: For: 1 Against: 0

Speakers: None

CPC Action (June 6, 2013)

Motion: It was moved to recommend **approval** of a Planned Development District for Industrial Manufacturing District uses and outside metal salvage, subject to a revised development plan and revised conditions on property zoned an IM Industrial Manufacturing District on the west line of South Lamar Street, northeast of the Trinity River which includes new provisions for a traffic management plan, screening and fencing and landscaping.

Maker: Bagley
Second: Shellene
Result: Carried: 13 to 0

For: 12 - Wally, Anglin, Culbreath, Hinojosa, Bagley,
Lavallaisaa, Tarpley, Shellene, Schwartz, Alcantar,
Rodgers, Ridley

Against: 0

Absent: 3 – Wolfish, Bernbaum, Davis

Vacancy: 0

Notices: Area: 500 Mailed: 14

Replies: For: 1 Against: 0

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Bruce Frazer, Address not given
Marvin Crenshaw,

Against: None

<p>LIST OF OFFICERS 5901 South Lamar Street, LLC</p>

- Louis Okon Director
- Melanie Okon Director

<p>LIST OF OFFICERS Okon Metals, LLC</p>

- Louis Okon President & Director

CPC PROPOSED PDD CONDITIONS
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SEC. 51P - _____.101. LEGISLATIVE HISTORY.

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

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

PD District No.____ is established on property on the west line of South Lamar Street, northeast of the Trinity River. The size of PDD No.____ is approximately 18.8 acres.

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

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

(1) CUTTING / CONDENSING means the physical separation of materials from received state to one that may be crushed and bailed for purposes of shipping. It does not involve any chemical processing.

(2) METAL RECYCLING-RELATED USES means any combination of one or more of the following uses: a metal salvage facility, recycling collection center for the collection and processing of household or industrial metals, outside salvage or reclamation, outside storage (with visual screening), and recyclable materials and commercial motor vehicle parking. PROCESSING includes crushing, bailing, and shredding of all recycling materials, including automobiles and automobile parts, but excludes metal smelting.

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

(c) This district is considered to be a non-residential district.

(d) For purposes of issuing building permits, this district is considered a building site.

SEC. 51P - _____.104. EXHIBIT.

The following exhibit is incorporated into this article:

- (a) Exhibit ____A: development plan.

SEC. 51P - _____.105. DEVELOPMENT PLAN.

(a) Except as provided in this section, no development plan is required and the provisions of Section 51A-4.702 regarding the submission of or amendment to a development plan, site analysis plan, conceptual plan, and development schedule do not apply.

(b) For metal recycling-related uses, development and use of the Property must comply with the attached development plan (Exhibit S-____A). If there is a conflict between the text of this division and the development plan, the text of this division controls

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

(a) Except as otherwise provided in this section, the only main uses permitted are those main uses permitted in the IM Industrial Manufacturing District, as set out in Chapter 51A. For example, a use permitted in the IM Industrial Manufacturing District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the IM Industrial Manufacturing District is subject to DIR in this district; etc.

- (b) The following additional main uses are permitted:

- Metal salvage facility
- Outside salvage or reclamation
- Outside storage (with visual screening).
- Recycling collection center for the collection of household and industrial metals

SEC. 51P - _____.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108, Accessory Uses. For more information regarding accessory uses, consult Section 51A-4.217.

- (a) The following accessory uses are not permitted:

- Accessory community center (private)
- Accessory pathological waste incinerator

- Home occupation
- Private stable

(c) The following accessory uses are permitted by SUP only.

- Accessory medical/infectious waste incinerator [See Section 51A-4.217(3.1)]

-

SEC. 51P - _____.108.

YARD, LOT, AND SPACE REGULATIONS.

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

Except as provided below, the yard, lot, and space regulations for the IM Industrial Manufacturing District apply.

(a) Floor area ratio. Maximum floor area ratio is 0.5.

(b) Lot coverage. Maximum lot coverage is 50 percent. Above ground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

SEC. 51P - _____.109.

OFF-STREET PARKING AND LOADING.

(a) Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking/loading requirements for each use.

SEC. 51P - _____.110.

STACKING HEIGHT FOR OUTSIDE STORAGE.

Except as provided in this section, for a metal recycling-related uses:

(1) Maximum stacking height is 30 feet

(2) Outside storage is prohibited within 200 feet of South Lamar Street.

SEC. 51P - _____.111.

TRAFFIC MANAGEMENT PLAN.

(a) In general. The operation of the metal recycling-related uses must comply with a director approved traffic management plan.

(b) Queuing. Queuing is only permitted inside the Property.

(c) Loading and unloading. Loading and unloading of commercial vehicles shall be limited to the area within the metal staging and storage area. For the purposes of this condition, commercial vehicles do not include passenger trucks and vans.

(d) A traffic management plan must be approved by the director and implemented prior to issuance of a certificate of occupancy for a metal recycling related use.

(e) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the Director by one year from the date of issuance of a certificate of occupancy for a certificate of occupancy for a metal recycling related use. The Property owner or operator shall submit updates of the traffic study to the Director by July 1st every three years after the initial traffic study.

(2) The initial traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different business days at different times over a two-week period, and must contain an analysis of the following:

- (A) ingress and egress points;
- (B) queue lengths;
- (C) number and location of personnel assisting with loading and unloading of material;
- (D) drop-off locations of materials; and
- (E) circulation.

(f) Updates

(1) Traffic study updates must have a survey of traffic operations and circulation that evaluates compliance with the TMP every three years after the initial traffic study and with an amendment to the development plan.

(2) The survey must provide a review that demonstrates that all queuing of vehicles for loading or unloading of recyclable materials is occurring on the site. Should the survey demonstrate that not all queuing is occurring on site, an amended traffic management plan must be submitted for approval and then implemented.

(g) Non compliance with traffic management plan

The director shall report to the commission if site operations are not in compliance with this section.

SEC. 51P - _____.111.

ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P - _____.112. LANDSCAPING AND SCREENING.

(a) Except as provided below, landscaping must be provided in accordance with Article X, as amended

(b) The landscape strip shown on the development plan must be planted with a minimum of 1 large evergreen tree for every 35 linear feet with a maximum of 35 feet between trees.

(c) A minimum 25 feet wide landscape preservation buffer must be maintained along the northeastern property line adjacent to the Union Pacific Railroad right-of-way except that a maximum 50 feet wide access opening may be provided to the railroad right-of-way.

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

SEC. 51P - _____.113. SIGNS.

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

SEC. 51P - _____.114. SCREENING AND FENCING.

For a metal recycling-related uses, a minimum nine-foot high solid screening fence must be provided to screen metal staging and storage areas;

(a) as shown on the development plan; and

(b) along the eastern boundary of the metal staging area and outside of the floodplain.

SEC. 51P - _____.115. ADDITIONAL PROVISIONS.

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

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

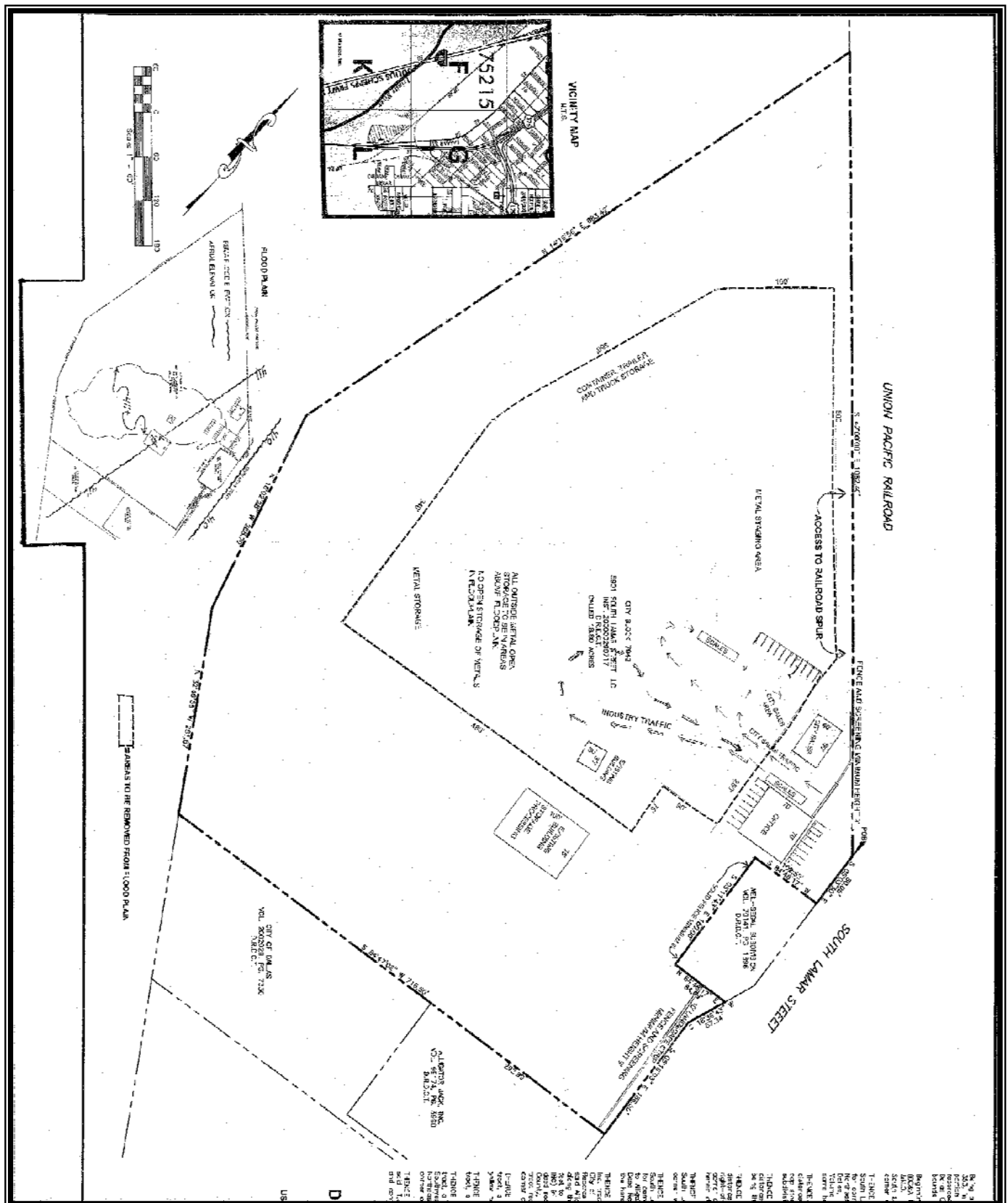
SEC. 51P - _____.116.

COMPLIANCE WITH CONDITIONS.

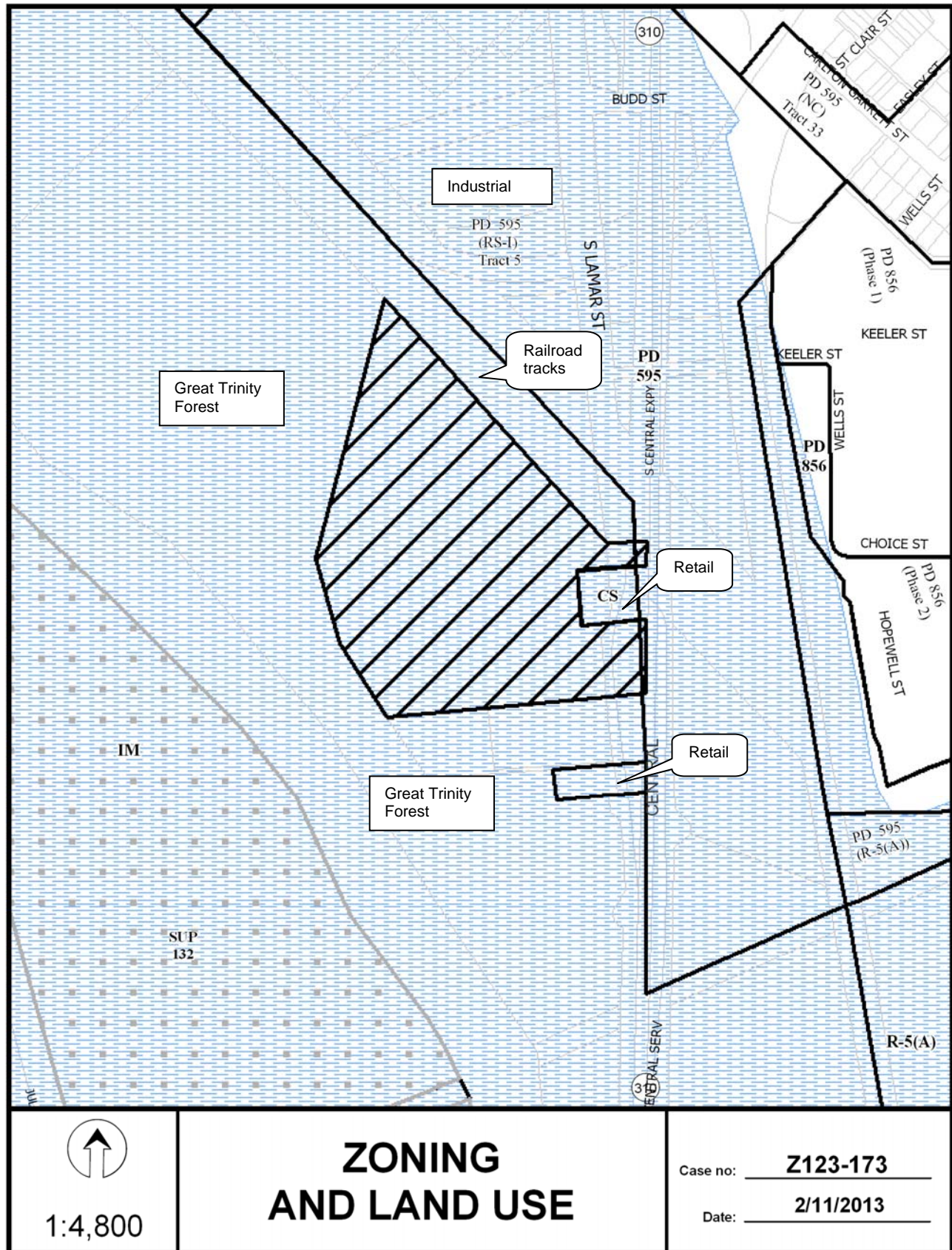
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard City of Dallas specifications, and completed to the satisfaction of the director of public works and transportation.

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

PROPOSED DEVELOPMENT PLAN



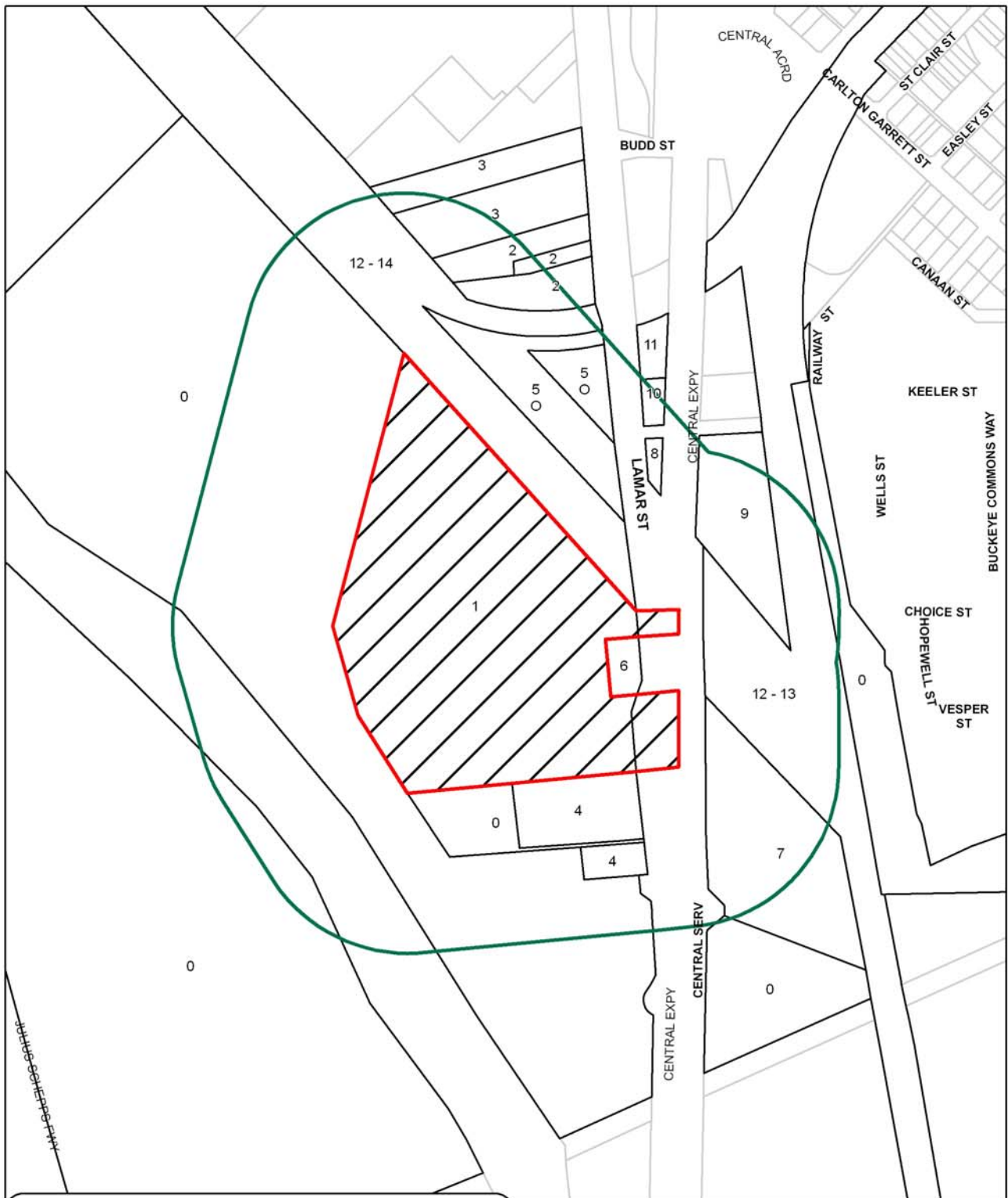




ZONING AND LAND USE

Case no: **Z123-173**
Date: **2/11/2013**

CPC RESPONSES



<u>14</u>	Property Owners Notified (23 parcels)
<u>1</u>	Replies in Favor (2 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>500'</u>	Area of Notification
<u>6/6/2013</u>	Date <u>5/16/2013</u> Under Advisement

Z123-173
CPC



1:4,800

Notification List of Property Owners

Z123-173

14 Property Owners Notified

1 Property Owners in Favor

0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	5901 LAMAR ST	5901 SOUTH LAMAR STREET LLC
	2	5433 LAMAR ST	VAM341 LLC
	3	5425 LAMAR ST	5427 LAMAR LLC
	4	6043 LAMAR ST	ALLIGATOR JACK INC
O	5	5501 LAMAR ST	CUSTOM MANUFACTURING CO
	6	5815 LAMAR ST	5901 LAMAR LP
	7	6000 LAMAR ST	ARMSTRONG JERRY DALE SR
	8	5608 LAMAR ST	LAY LANG TENG &
	9	5610 LAMAR ST	HODGES STANDARD L
	10	5600 LAMAR ST	LAY SRUN
	11	5506 LAMAR ST	GIANSON INC
	12	9999 NO NAME ST	UNION PACIFIC RR CO
	13	4401 LINFIELD RD	ST LOUIS S W RAILWAY CO
	14	9999 NO NAME ST	UNION PACIFIC RR CO

AGENDA ITEM # 9

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 19, 2013

COUNCIL DISTRICT(S): 6

DEPARTMENT: Public Works Department

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: 44Q

SUBJECT

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to **(1)** change the dimensional classification of Singleton Boulevard from Sylvan Avenue to Canada Drive from a six lane divided {M-6-D(A)} roadway within 100 feet of right-of-way to a special four lane divided (SPCL 4D) roadway with bicycle lanes within 88 feet of right-of-way; **(2)** add Bataan Street from Singleton Boulevard to Commerce Street to the Thoroughfare Plan as a special two lane undivided collector (SPCL 2U) roadway with on-street parking within 54 feet of right-of-way; **(3)** add Herbert Street from Singleton Boulevard to Commerce Street to the Thoroughfare Plan as a special two lane undivided collector (SPCL 2U) roadway with on-street parking within 56 feet of right-of-way; and **(4)** add Amonette Street from Singleton Boulevard to Commerce Street to the Thoroughfare Plan as a two lane undivided collector (SPCL 2U) roadway with on-street parking within 54 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

BACKGROUND

West Dallas Investments has submitted applications requesting amendments to the City of Dallas Thoroughfare Plan to facilitate proposed development projects in West Dallas. Staff has worked with West Dallas Investments and the City of Dallas Design Studio to establish a street design and circulation plan that meets the needs of these developments, existing property owners and is consistent with the West Dallas Vision that was approved by City Plan Commission and City Council. Specifically there has been emphasis on establishing a design that balances vehicle movement while incorporating amenities that accommodate pedestrians, cyclists and public transit users.

BACKGROUND (Continued)

The proposed amendments include reducing the designated number of travel lanes on Singleton Boulevard from six to four and adding a bicycle facility along the corridor. Singleton Boulevard currently exists as a four lane roadway with a sub-standard median and minimal sidewalk accommodations within 75 feet of right-of-way. As recommended in the West Dallas Urban Structure Guidelines, Herbert Street, Amonette Street and Bataan Street, not currently designated on the City's Thoroughfare Plan, will be designated as two lane undivided collector roadways with parking on each side and parkways wide enough to accommodate landscaping and sidewalks.

Staff recommends approval of the amendment to the Thoroughfare Plan to (1) change the dimensional classification of Singleton Boulevard from Sylvan Avenue to Canada Drive from a six lane divided {M-6-D(A)} roadway within 100 feet of right-of-way to a special four lane divided (SPCL 4D) roadway with bicycle lanes within 88 feet of right-of-way; (2) add Bataan Street from Singleton Boulevard to Commerce Street to the Thoroughfare Plan as a special two lane undivided collector (SPCL 2U) roadway with on-street parking within 54 feet of right-of-way; (3) add Herbert Street from Singleton Boulevard to Commerce Street to the Thoroughfare Plan as a special two lane undivided collector (SPCL 2U) roadway with on-street parking within 56 feet of right-of-way; and (4) add Amonette Street from Singleton Boulevard to Commerce Street to the Thoroughfare Plan as a two lane undivided collector (SPCL 2U) roadway with on-street parking within 54 feet of right-of-way.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 20, 2013, the City Plan Commission Transportation Committee recommended approval.

On May 2, 2013, the proposed amendments were held under advisement until June 6, 2013 by the City Plan Commission.

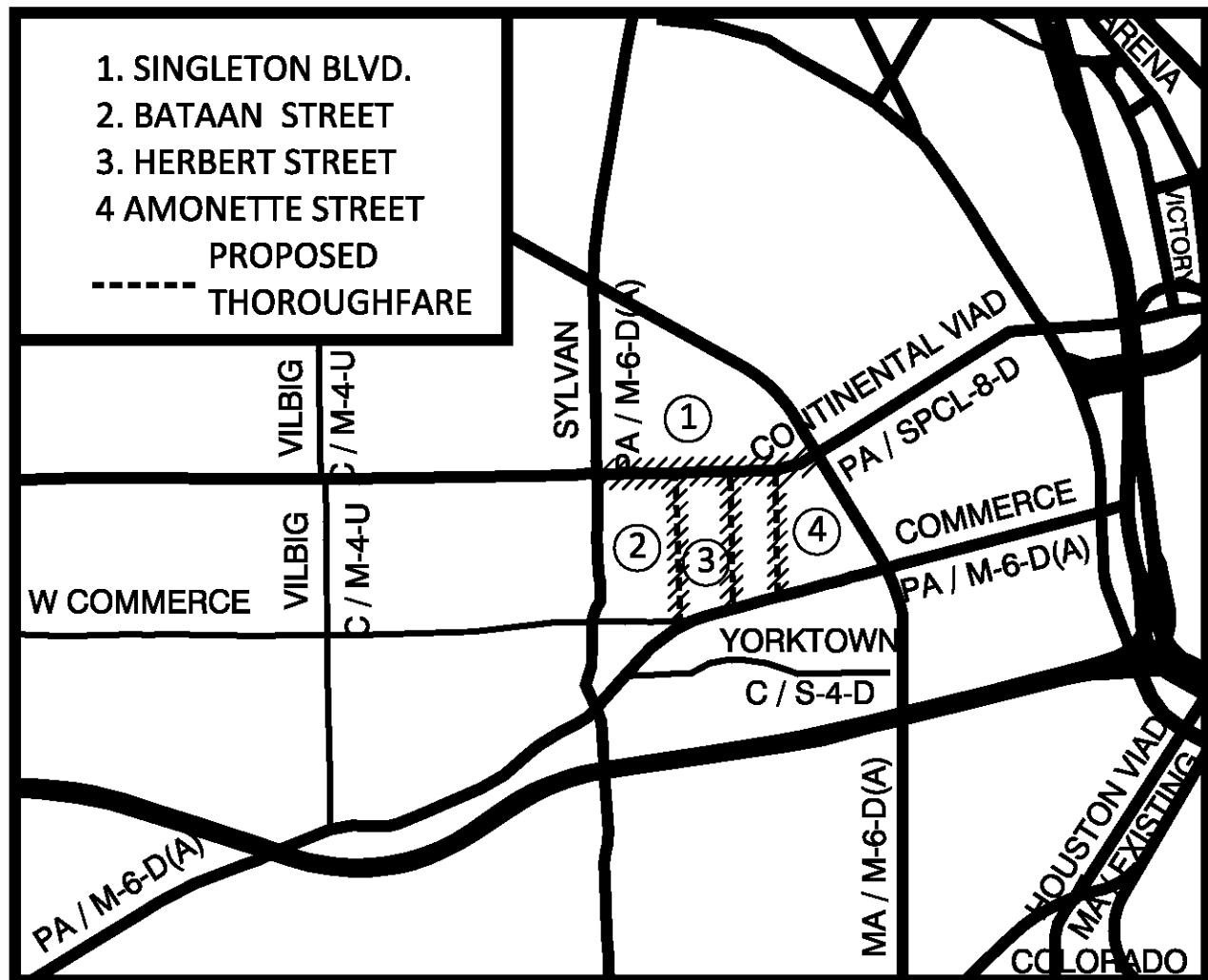
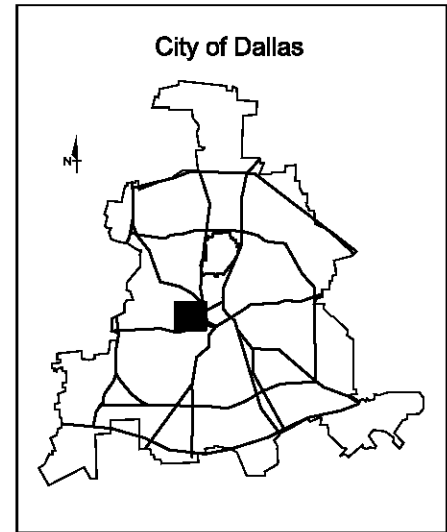
On June 6, 2013, the City Plan Commission recommended approval.

MAPS

Attached

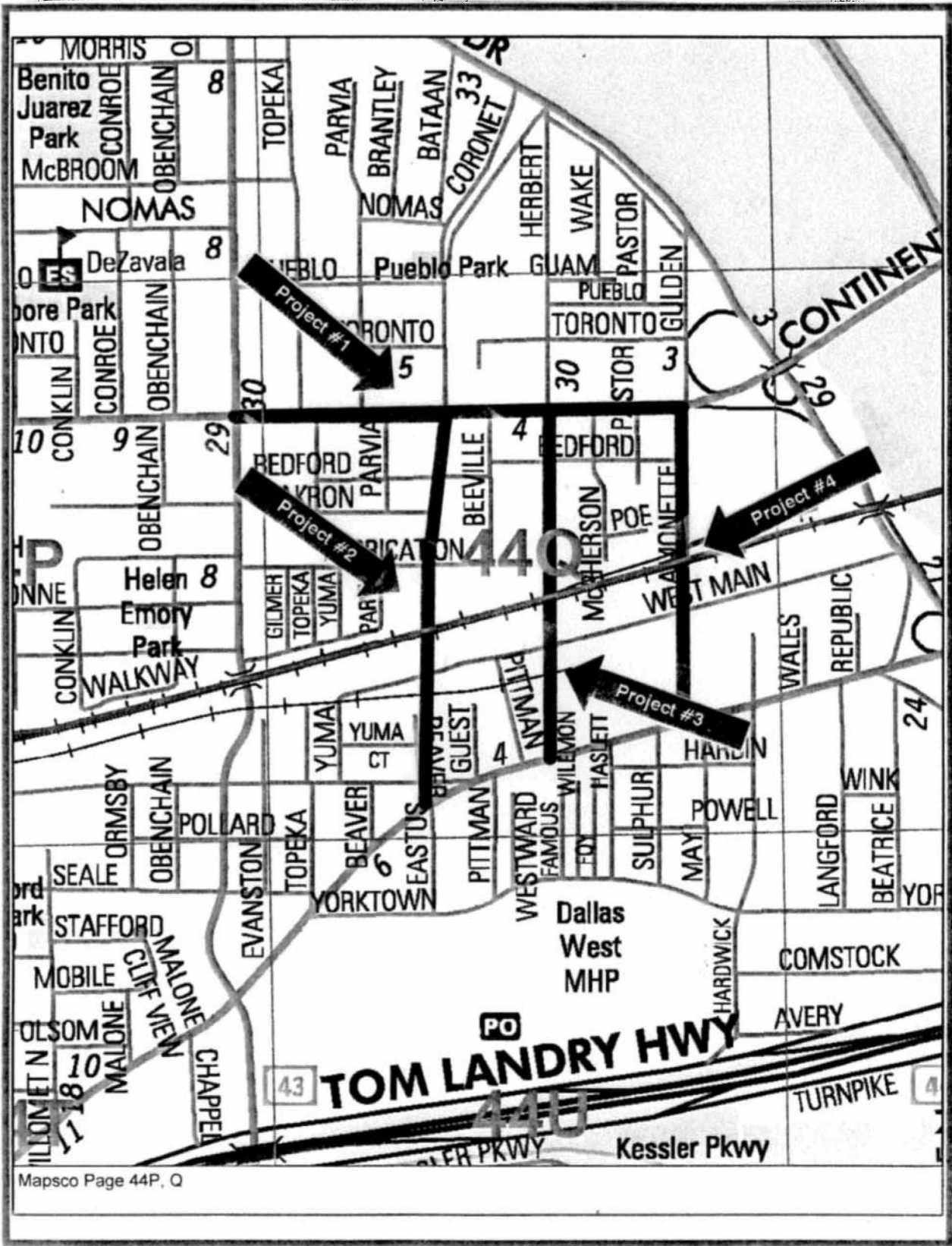
AMONETTE - BATAAN - HERBERT - SINGLETON

Thoroughfare Plan Amendment Thoroughfare Map



LOCATOR MAP
NOT TO SCALE

Amonette - Bataan - Herbert - Singleton



Mapscs Page 44P, Q

AGENDA ITEM # 10

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 19, 2013

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction
Mayor and City Council

CMO: Ryan S. Evans, 670-3314

MAPSCO: 54 F

SUBJECT

A public hearing to receive comments on authorizing a public hearing to determine proper zoning on property zoned an NS(A) Neighborhood Service District with Specific Use Permit No. 1006 for a motor vehicle fueling station, on property bound by West Page Avenue, South Tyler Street (northbound), and South Tyler Street Connection (southbound) with consideration given to incorporating the property into a previously authorized hearing for Planned Development District No. 316, the Jefferson Area Special Purpose District and establishing appropriate zoning regulations including use, development standards, parking, landscape, sign, and other appropriate regulations - Financing: No cost consideration to the City (via Councilmembers Jasso, Alonzo, Kadane, Allen and Margolin)

BACKGROUND

On March 23, 2012, City Council approved the authorization of a public hearing to consider amendments to Planned Development District No. 316, the Jefferson Area Special Purpose District.

On February 27, 2013, City Council approved an NS(A) Neighborhood Service District on property on the southwest corner of West Page Avenue and South Tyler Street. The property was previously zoned a TH-3(A) Townhouse District. The property recently rezoned and the parcel to the south are the properties being considered for inclusion in the Planned Development District No. 316 authorized hearing.

The site is located on Tyler Street, a principal arterial, and is considered a gateway into the Jefferson Area Special Purpose District from areas to the south.

Five City Council members, in a memo dated May 1, 2013, requested that the Mayor place this item on the City Council agenda and advertised as a public hearing as required by 51A-4.701(a)(1) of the Dallas Development Code.

BACKGROUND (Continued)

This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.

PRIOR ACTION/ REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 23, 2012, City Council approved the authorization of a public hearing on property zoned Planned Development District No. 316, the Jefferson Area Special Purpose District, on property generally bounded by an alley between Tenth Street and Sunset Street on the north, Beckley Avenue on the east, an alley between Page Avenue and Twelfth Street on the south, and an alley between Polk Street and Willomet Avenue on the west, with consideration given to appropriate zoning for the area including use, development standards, parking, landscape, sign, and other appropriate regulations

On February 27, 2013, City Council approved an NS(A) Neighborhood Service District on property zoned a TH-3(A) Townhouse District on property on the southwest corner of South Tyler Street and West Page Avenue.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



1:1,200

Proposed Authorized Hearing Area

June 19, 2013

WHEREAS, on March 23, 2012, City Council authorized a hearing to consider amendments to Planned Development District No. 316, the Jefferson Area Special Purpose District; and

WHEREAS, the subject property is adjacent to the southern boundary of Planned Development District No. 316; and

WHEREAS, the subject property is located on the south side of West Page between South Tyler Street (northbound) and South Tyler Street Connection (southbound); and

WHEREAS, South Tyler Street is a principal arterial that functions as a gateway into the Jefferson Area Special Purpose District; and

WHEREAS, the subject property is currently zoned an NS(A) Neighborhood Service District; and

WHEREAS, in a May 1, 2013 memo five City Council members requested that an item be placed on the Council agenda to include the subject property in the authorized hearing to amend Planned Development District No. 316, the Jefferson Boulevard Special Purpose District.

Now, therefore,

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

Section 1. That pursuant to Section 51A-4.701(a)(1) of the Dallas Development Code, a public hearing is authorized to consider appropriate zoning for property zoned an NS(A) Neighborhood Service District with Specific Use Permit No. 1006 for a motor vehicle fueling station in an area bound by West Page Street, South Tyler Street (northbound) and South Tyler Street Connection (southbound) with consideration to be given to incorporating the property into Planned Development District No. 316 and establishing appropriate zoning regulations including use, development standards, parking, landscape, sign, and other appropriate regulations.

Section 2. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

Memorandum

RECEIVED
2013 MAY 15 PM 3:37
CITY SECRETARY
DALLAS, TEXAS



CITY OF DALLAS

DATE May 1, 2013

TO The Honorable Mike Rawlings, Mayor

SUBJECT Request for Agenda Item for Authorized Hearing; Property Bounded by Page Avenue on the north, north bound Tyler Street to the east and south bound Tyler Street to the West

We respectively request that the following item be placed on the City Council agenda and advertised as required by Section 51A-7.701(a)(1) of the City of Dallas Development Code. *briefing*

Consideration of authorizing a public hearing to determine the proper zoning on property zoned a Neighborhood Service NS(A) district, including Specific Use Permit No. 1006, bounded by Page Avenue on the north, north bound Tyler Street to the east and south bound Tyler Street to the West and containing approximately 1.72 acres. Consideration is to be given to incorporating the property into Planned Development District No. 316 and establishing appropriate zoning regulations including use, dimensional standards, and other appropriate regulations.

An authorized hearing for this area would allow for incorporation of this property into the Jefferson area authorized hearing to facilitate consideration of amendments developed at several stake holder meetings for Planned Development No. 316 to encourage appropriate development and revitalization efforts in the Jefferson area. A map of the area to be considered is attached.

Thank you for your attention to this matter.

Delia Jasso

Councilmember Delia Jasso

Jerry R. Allen

Councilmember

Monica Perry

Councilmember

Ann Campbell

Councilmember

Sheppie Kallane

Councilmember

c: Mary K. Suhm, City Manager
Rosa Rios, City Secretary
Ryan S. Evans, Assistant City Manager
Theresa O'Donnell, Director, Sustainable Development and Construction